

Valley County Planning and Zoning

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STAFF REPORT: P.U.D. 23-01 Garnet Valley and C.U.P. 23-10 Preliminary Plat
HEARING DATE: June 8, 2023
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director
APPLICANT: Dean Warhaft, Roseberry Park LLC
221 Main Street, Suite 2039, Los Altos, CA 94023-9051
OWNER: Mark Reichman, Timberline Development LLC
132 SW 5th AVE STE 100, Meridian ID 83642
ENGINEER / REPRESENTATIVE: Joe Pachner, P.E., and Stephanie Hopkins, KM Engineering LLP
5725 N Discovery Way, Boise, ID 83713
LOCATION: Parts of Parcels RP16N03E170945, RP16N03E170965, and RP16N03E171485 in the NE ¼ Section 17, T.16N, R.3E, Boise Meridian, Valley County, Idaho
SIZE: Approximately 39 acres
REQUEST: Single-family Residences, Multi-family Units, Community Amenities, and Open Space
EXISTING LAND USE: Bare Land

BACKGROUND:

Previously, PUD 04-01 The Meadows at West Mountain was approved at the location of the current application. Only the first 3 phases were completed prior to the 2008 recession. Attached is a copy of the land use table and map. (Attached) The permit for PUD 04-01 was extended for a number of years, but expired in September of 2020.

In 2022, the current applicant previously applied for P.U.D. 22-01 Roseberry Park PUD - A Manufactured Home Park and C.U.P. 22-10 – Preliminary Plat which contained a manufactured home park, community club house, and park amenities. This application was withdrawn in January 2023.

A public hearing on P.U.D. 23-01 was originally scheduled for April 20, 2023. The applicant requested additional time to gather additional information and modify the application. Revised information was submitted on May 1, 2023. Changes were made to the original application based on the community's concerns and requests related to pedestrian and vehicular connectivity, density, and the number of units proposed. An additional access point has been added to alleviate vehicle trips; the number of multi-family units was decreased from 324 to 306; and the overall density of the project decreased from 8.6 to 8.1 units per acre.

CURRENT:

Roseberry Park LLC is requesting approval of 306 multi-family units, 10 single-family residential lots, community amenities, and open space. Community amenities would include a clubhouse, sidewalks, two pickleball courts, a half basketball court, and a bus stop within approximately 20 acres of open space.

The multi-family units are clustered on the west side of the development. The net density of the multi-family component is 13.4 units an acre; the single-family net density is 4.9 units per acre. The overall proposed density is 8.1 units per acre. Staff created maps showing approximate densities within the general neighborhood ranging from 0.39 dwelling units/acre to 9.6 dwelling units/acre (attached). A variance is required to relax the density limitations of 6 units per acre as allowed in Title 9.9 Planned Unit Developments.

The applicant states that this community has been designed to provide a rental housing product in an effort to fulfill the County's need for housing. The developer proposes to work with the County to provide a certain percentage of units available to first responders, educators, municipal workers and a discounted rate.

Construction would start in 2024 and occur in two phases. The first phase would include the 10 single-family lots, five multi-family buildings, and the clubhouse. The second phase would include Roseberry Road frontage improvements and the remaining four multi-family buildings. The site has designated snow-storage areas and preliminary stormwater management plan. Information is included in the Impact Report and drawings.

Access would be from W. Roseberry Road (public). In addition, Moore Road (private) and Price Street (private) would be extended to provide access to the multi-family units. The single-family residences would be accessed from Timberline Drive (private). Road right-of-way for W. Roseberry Road would be dedicated to Valley County. Internal roadways will include rolled curb and gutter. Frontage improvements would be completed along Roseberry Road to improve drainage.

Underground power and telecommunications would be included. Each single-family residence would have mandatory garbage pickup. A central dumpster would be available near the clubhouse parking area. Single-family residential parking will be available on parking pads in front of each home and within enclosed garages. The multi-family portion would have both 576 standard parking spaces and 72 fully-enclosed garage spaces.

North Lake Recreational Sewer and Water will provide sewer services and water for both domestic use and fire flow needs. The applicant proposes to upgrade the existing sewer and water system used by the adjacent Meadows at West Mountain development.

A Wildland Urban Interface Fire Protection Plan has been submitted. The multi-family units will include fire sprinklers. Wood stoves will not be used to heat apartments or single-family homes.

Occupancy of the homes is expected for Fall 2025. Floor plans and renderings of the multi-units are included in the application. Units range from about 550-sqft studio apartments to about 1,200-sqft for two-bedroom apartments.

Contained within the application is a combination of permits, as follows:

1. Concept Approval and Planned Unit Development in accordance with Title 9 Land Use and Development.

2. C.U.P. 23-10 Garnet Valley PUD – Preliminary Plat in accordance with Title 10 Subdivision Regulations.

FINDINGS:

1. The application was submitted on February 28, 2023. The Wildland Urban Interface Protection Plan was submitted on March 27, 2023. Revised application materials were submitted on May 1, 2023.
2. Legal notice was posted in the *Star News* on March 30, 2023, and April 6, 2023. Potentially affected agencies were notified on March 14, 2023. Property owners within 300 feet of the property line were notified by fact sheet sent on March 21, 2023. The notice and application were posted online at www.co.valley.id.us on March 14, 2023. The site was posted on April 6, 2023, at three locations: along W. Roseberry Road, at the intersection of Timberline Drive and Moore Road, and at the intersection of Timberline Drive and Price Street.

The public hearing was rescheduled from April 20, 2023, to June 8, 2023, as requested by the applicant. Legal notice was posted in the *Star News* on May 18, 2023, and May 25, 2023. Potentially affected agencies were notified on May 9, 2023. Property owners within 300 feet of the property line were notified by fact sheet sent on April 11, 2023, and May 10, 2023. The notice and application were posted online at www.co.valley.id.us on May 9, 2023. The site was posted on May 25, 2023, at three locations: along W. Roseberry Road, at the intersection of Timberline Drive and Moore Road, and at the intersection of Timberline Drive and Price Street

3. Agency comment received:

Central District Health states that an application, engineering report, and approval letters are required. (March. 14, 2023; May 9, 2023)

Travis Pryor, North Lake Recreational Sewer and Water District, states the property was annexed by the District in 2004. The proposed PUD/CUP at a minimum would require that Timberline LLC fulfill the requirements of the 2004 Conditions of Annexation, substantially complete the Phase 2 & 3 sewer infrastructure, receive District approvals for additional sewer capacity/EDU's, and submit infrastructure design for approvals prior to serving any additional development within the Meadows at West Mountain Subdivision. (March 14, 2023)

Jeff McFadden, Valley County Road Department Superintendent, stated that County-maintained roads that would see increased traffic would include West Roseberry Road, Norwood Road, Tamarack Falls Road, and West Mountain Road. It is expected that transportation services including all season road maintenance, road resurfacing, road rebuilds will be impacted by increased traffic. Recommendations were made concerning dedication of 50-ft of road right-of-way and payment of road improvement costs. The applicant will need to negotiate an agreement with the Board of County Commissioners and Road Superintendent. (April 10, 2023)

Jess Ellis, Donnelly Fire Marshal, replied with requirements for roads, water supply for fire protection, hydrants, sprinkler systems, fire alarms, and address posting. (May 22, 2023)

The applicant's representative submitted comments that the Valley Soil and Water Conservation District Board of Supervisors had sent directly to the applicant upon review of the preliminary plans. Responses include information on public safety, density, drainage,

wetlands, and ingress/egress. (March 7, 2023)

Valley Soil and Water Conservation District replied with concerns regarding storm water treatment, drainage, Best Management Practices, wetland delineations and impacts, pollutants, road salt, and Lake Cascade water quality. The pond design should be re-evaluated with the county engineer to include a larger treatment volume. Lake Cascade with its complexity of nutrient problems is impaired for failing to meet Environmental Protection Agency's list of 303(d) water quality standards and currently has no remaining natural resiliency to annual nutrient loading and eutrophication. (June 1, 2023)

4. Public comment received:

In Favor – Reasons Given Include:

- Valley County is in desperate need of additional housing options for existing residents, existing workforce, and future residents.
- Providing facilities and infrastructure will improve the entire area.
- The developer has expressed commitment to reserve a unit for the Fire Department to use for recruiting and retaining a new employee.

1) Scott Turlington, Tamarack Resort President, May 19, 2023

In Opposition – Reasons Given Include:

- The project is not compatible with the surrounding area. The proposal does not enhance the area.
- Too dense; urban densities should be within incorporated city limits. Variance should not be approved. This is denser than the previous application.
- Traffic concerns and "S-Bridge" concerns.
- Drainage, water quality, and wetland concerns. Removal of open space will change the natural hydrologic processes in this area. Changes in land-use and associated man-made activities increase pollutants degrading Lake Cascade.
- Noise concerns.
- Unsightly.
- Infrastructure not designed to handle the traffic and demands to support that many more families, this includes roads, sewer, and water needs.
- The manager of The Meadows at West Mountain Homeowner Association states that the roads are maintained solely at the expense and used for the enjoyment of the members of the HOA. The HOA has not agreed to allow new developers to use the private roads for construction purposes or permanent access.
- The existing private streets were not designed to handle additional load (over 550 vehicles). There are no sidewalks/pathways for pedestrians or bicyclists who currently use the roadways.
- Access should be from West Roseberry Road.
- Will these be affordable for locals?
- Negative impacts to the comfort and security of people living in surrounding area.
- Will negatively impact animal passage through the area.
- The property owner needs to make corrections to the existing infrastructure of The Meadows at West Mountain.
- Homes on foundations, similar to the existing homes in The Meadows at West Mountain, are preferred over apartments and/or manufactured homes.

- Flooding hazards should be planned for.
- There is not enough snow storage space.
- The North Lake Recreational Sewer and Water District's will serve letter is not for this particular application.
- Emergency services are already underfunded .
- The application does not use the current Idaho minimum Best Management Practices (BMPs) and Valley County Addendum to the State Manual.
- The area supports a pond for several months of the year which is home to many species of bird, frogs, salamanders, and insects. This area should not be built upon to preserve wildlife habitat and to prevent water displacement issues.
- Detention pond basins are preferred to retention ponds.
- The development should not tap into existing wells servicing The Meadows at West Mountain. The water system needs completed and is noncompliant.
- Will lower surrounding property values.
- Will increase crime in the area.
- Timberline Development LLC, the owner of the Meadows at West Mountain, has not completed nor maintained the infrastructure at the existing homes and townhomes.
- The application is noncompliant with the Comprehensive Plan and Valley County Code.

- 2) Tim Rollenhagen, 14 Charters, March 19, 2023
- 3) Deirdre Kempe, March 20, 2023
- 4) Alexis McCarley, Meadows at West Mountain, March 20, 2023
- 5) Micah Adams, 11 Charters DR, March 23, 2023
- 6) Pamela McChrystal, March 23, 2023
- 7) Therese and Gregg Gibboney, March 26, 2023
- 8) Chris Renfro, Manager of The Meadows at West Mountain HOA, March 29, 2023
- 9) Steven Taggart, 20 & 27 Price Street, March 31, 2023
- 10) Deidre and Shawn Hushman, 15 Buckskin DR and 13141 Hawks Bay RD, April 2, 2023
- 11) Patricia L. Tennyson and James T. Tennyson, 12922 Norwood RD, April 11, 2023
- 12) Molly Conein, Timberline DR, April 11, 2023
- 13) Tim Collins, April 11, 2023
- 14) Justin and Alisha Scott, 46 Buckskin DR, April 12, 2023
- 15) Colin Gamble, Hillhouse Subdivision, May 18, 2023
- 16) Jayme Gamble, Hillhouse Subdivision, May 18, 2023
- 17) Jeffrey Jacobs, 13042 Hillhouse Loop, May 22, 2023
- 18) Karianne Fallow, 29 Buckskin DR, May 23, 2023
- 19) Lenard D. Long, representing Friends of Lake Cascade, May 29, 2023
- 20) Chelsea Tuttle, 13090 Hillhouse Loop, May 30, 2023
- 21) Christian Tuttle, 13090 Hillhouse Loop, May 30, 2023
- 22) Maria and Jim Jacobson, 39 Moore RD, May 30, 2023
- 23) Angela and Scott Garrard, 130 Forest Lake Circle, May 30, 2023
- 24) Mickee Ellis, Donnelly, May 30, 2023
- 25) Camille Schiller, 52 Buckskin DR, May 31, 2023
- 26) Leta Dorsett Edwards, 35 Moore RD, May 31, 2023
- 27) Joel Gyllenskog, 2018 Schultz LN, May 31, 2023
- 28) Brandon and April Roberts, 13144 Hawks Bay RD, May 31, 2023
- 29) April Roberts, May 31, 2023
- 30) Barbara Buhl, Donnelly, May 31, 2023
- 31) Gregg Gibboney, 33 Moore RD, May 31, 2023
- 32) Bill and Linda Eddy, 13041 and 13043 Hillhouse Loop, May 31, 2023
- 33) J.C. Paul, Hillhouse Subdivision, May 31, 2023

- 34) Dustin Johnson, 14 Timberline DR, May 31, 2023
- 35) Raymond Steven and Jackie Beverage, 32 Lakewind RD, May 31, 2023
- 36) Dennis and Patricia Scroggins, Timberline DR, May 31, 2023
- 37) Therese Gibboney, May 31, 2023
- 38) Pamela McChrystal, McCall, April 6, 2023; May 9, 2023; May 10, 2023

A petition in opposition with 472 names was received May 24, 2023. The petition was signed from people all over the United States.

- 5. Physical characteristics of the site: Relatively Flat Bare Ground
 - 6. The surrounding land use and zoning includes:
 - North: Meadows at West Mountain PUD
 - South: Single-family Residential Subdivisions and Agricultural
 - East: Meadows at West Mountain PUD
 - West: Single-family Rural Parcels
 - 7. Valley County Code (Title 9, Chapter 5 and Chapter 9): In Table 9-3-1, this proposal is categorized under:
 - 2. Residential Uses (h) Planned Unit Development
 - 8. Valley County Code (Title 10): Subdivision Regulations. This title should be reviewed for determination of technical issues of the plat.
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SUMMARY:

(Questions to Planning and Zoning Commission)

Does this application meet the standards of a Planned Unit Development in Title 9-Chapter 9 Planned Unit Development & Chapter 5 Conditional Uses and Title 10 Subdivision Regulations?

 A Planned Unit Development is required to allow for the relaxation of the standards as follows:

- Title 9 density to allow for 8.6 dwelling units per acre versus the 2.5 dwelling units per acre as shown in 9-5C-6 below.

9-5C-6: DENSITY:

- A. The density of any residential development or use requiring a conditional use permit shall not exceed two and one-half (2.5) dwelling units per acre, **except for planned unit developments** or long-term rentals. Long-term rental density can be determined by the Planning and Zoning Commission in regards to compatibility with surrounding land uses and will require a deed restriction.
- B. Density shall be computed by dividing the total number of dwelling units proposed by the total acreage of land within the boundaries of the development. The area of existing road rights of way on the perimeter of the development and public lands may not be included in the density computation.

- **VCC 9-9-7-C. Waiver Or Modification Of Specifications, Standards And Requirements:** It is recognized that the uniqueness of each proposal for a PUD requires that the specifications, standards, and requirements for various facilities, including, but not limited to: roads, alleys, easements, utilities, signs, parking areas, storm drainage, water supply and distribution, and sewage collection and treatment, may be subject to modification from the specifications, standards, and requirements established for subdivisions and like uses in this title. The commission may, therefore, at the time of general submission as requested by the applicant, waive or modify these specifications, standards, and requirements which otherwise shall be applicable.
- **VCC 9-9-7-D. Averaging And Transferring Densities:** Averaging and transferring densities within the PUD shall be allowed: 1) upon a showing that it fits the definition of a PUD; 2) as long as the overall average residential density is no greater than six (6) dwelling units per gross acre; and 3) only if residential units are to be connected to central water and sewer systems. The overall average residential density shall be calculated by summing the number of residential dwelling units planned within the boundary of the PUD and dividing by the total gross area expressed in acres within the boundaries of the PUD, except public lands. It is recognized that the increased residential density of a PUD shall be in relationship to the site and structure location, application of technology, design, construction techniques, landscaping and topography.
- The building heights, building setbacks, and parking requirements will meet the required standards in Valley County Code.

9-5C-3: MINIMUM SETBACKS:

The minimum building setbacks shall be thirty feet (30') from front, rear, and side street property lines and fifteen feet (15') from all side property lines. Setbacks for mobile homes in subdivisions or parks shall be in accordance with title 12, chapter 1 of this code. A PUD, condominium or other cluster development may include zero lot line development and other reduced setbacks in accordance with the approved development plan or plat. (Ord. 11-5, 6-6-2011)

9-5C-5: SITE IMPROVEMENT:

A. Off Street Parking Spaces: Two (2) off street parking spaces shall be provided for each dwelling unit. These spaces may be included in driveways, carports, or garages.

- Common Open Space for residential developments is 50%. However, the commission may reduce this requirement if they find a decrease is warranted by the design of, and the amenities and features incorporated into the development (**Valley County Code 9-9-7-I**).
- Clustering of the residential area increases the amount of open space available for recreational and community uses.

(Attached is Title 9, Chapter 9 Planned Unit Development Regulations.)

STAFF COMMENTS and QUESTIONS:

1. Staff's Compatibility Rating was a +31.
2. The property is within the Donnelly Fire District and is not within an irrigation district.
3. Do you have approval or have an agreement to use Timberline DR?
4. Can you use the Timberline water system?
5. Will you be updating your phasing plan so that phase 1 includes access from W. Roseberry RD? Do you have a current Phasing Plan?
6. Will the pathway along W. Roseberry RD be continued through this property?
7. Is it a true statement that there will be no internal roads constructed; there are only driveways and parking lots?
8. Will there be individual meters at each residence for water and/or sewer?
9. Have you considered making any of the buildings condominiums?
10. Will there be an on-site manager?
11. What specifically do you propose for a Development Agreement to provide for decreased housing for service providers?
12. Will public events such as weddings be held at the club house?
13. What activities will be allowed in the community center?
14. Will the pickleball courts, etc., be open to the public?
15. Plat Note 10 – Conduit should be placed for fiber optic for broadband.
16. Plat Note 15 – Disturbed surfaces should be reseeded to prevent Noxious Weeds.
17. Where on the plat is Lot 13?
18. What is the color scheme of the buildings?
19. Staff Comments:
 - Fish and Game letter dated July 14, 2022 for Roseberry Park P.U.D. stated: "considering the footprint of the project is adjacent to existing subdivisions on the north, east, and south, and it overlays an existing agricultural area that has already been disturbed leaving little intact native habitat on the property, IDFG would not anticipate significant negative effects of the proposed activities on native plant and wildlife populations....recommends precautions be taken to protect nearby wetlands and waterways from contamination as a result of project implementation activities. IDFG has no other records of sensitive wildlife or plants species within 1 mile of the project area..."
 - The Army Corps of Engineers has jurisdiction over wetlands. Any impacts to wetlands will be permitted through the COE.
 - There should be some collaboration between the Homeowner's Associations in what was originally approved as The Meadows at West Mountain. After all of the property is

platted, the open spaces and rights-of-ways should be deeded to the HOAs that are responsible for the upkeep. This should not happen until all cross easements are in place. This proposal accesses using Timberline DR and should not be deeded to the original HOA without easements.

- The 2000 DEQ Implementation Plan “Phosphorus Sources” shows that urban/suburban/roads (11%) is less impact to water quality on Lake Cascade than Agricultural uses (29%) or forestry uses (22%). I suggest with proper BMPS, levels at specific sites can be contained on-site.
- Valley County is updating the Master Transportation Plan. This will take into account the current development, adjacent developments, other proposed developments in this general area, and Tamarack. This development will participate in contributions for off-site road improvements. The application includes 2001 Traffic Study that was done for Tamarack Resort (formerly known as WestRock)
- The Valley County Comprehensive Plan is implemented through compliance with the Valley County ordinances. Various portions of the Plan can be used both for approval and disapproval of the same application.
- *VCC 9-9-7-1. Common Open Space: At least fifty percent (50%) of the total area within the boundary of any residential PUD and twenty percent (20%) of any commercial or industrial PUD shall be devoted to common open space; provided, however, that the commission may reduce this requirement if they find that such a decrease is warranted by the design of, and the amenities and features incorporated into, the plan and that the needs of the occupants of the PUD for open space can be met in the proposed development. Each residential unit shall have ready access to common areas and facilities.* (Staff: The proposed open space 20.34 acres or 52%. The residents have access to open spaces, dog parks, sport courts, playgrounds, and a walking path along West Roseberry RD. The Commission may determine this meets the requirements of open space and amenities. The multi-family area in the Meadows at West Mountain has a similar type of centralized open area with a playground.)

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Rating Form and Instructions
- Compatibility Rating by Staff
- PUD 04-01 The Meadows Excerpts
- Title 9, Chapter 9 PUD Regulations
- Vicinity Map
- Aerial Map
- Surrounding Neighborhood Densities
- Pictures Taken April 6, 2023, and May 25, 2023
- Conceptual Map – Dated 4.28.2023
- Conceptual Map – “Old Version”
- Agency Responses
- Public Comments

Conditions of Approval

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The final plat shall be recorded within two years of approval of the conditional use permit or this permit will be null and void.
4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
5. Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any work being done on-site.
6. Prior to final plat, the applicant's engineer shall certify that the roads have been built to approved standards or be financially guaranteed. Applicant's engineer shall also confirm all utilities were placed according to the approved plans.
7. Wetlands must be delineated and shown on the final plat.
8. Must bury conduit for fiber optics with utilities.
9. A Private Road Declaration is required to confirm that the roads will be maintained.
10. A Declaration of Installation of Utilities is required with the final plat.
11. Must comply with the requirements of the Donnelly Rural Fire Protection District unless specifically allowed as a variance in regards to a planned unit development or a letter of approval is received from Donnelly Rural Fire Protection District.
12. Community rules should address lighting, noxious weeds, wood-burning devices, landscaping, and uses of common areas and amenities.
13. All lighting must comply with the Valley County Lighting Ordinance.
14. Shall place addressing numbers at each residence and multi-family unit.
15. The Valley County Engineer shall confirm there is adequate snow storage.
16. A Development Agreement should be agreed upon for off-site road improvements and matters agreed upon in the application and presentation.

17. An agreement with North Lake Recreational Sewer must be finalized prior to approval of building permits.
18. The applicant will update the Planning and Zoning Commission on an annual basis.
19. Prior to construction of any on-site improvements, the applicant shall meet with the Valley County Road Director and/or Board of County Commissioners to discuss off-site road improvements. If an agreement cannot be reached the application shall be set for another public hearing with the Valley County Planning and Zoning Commission to determine if the application can be approved without improvements and still meet their mandates concerning public health, safety, and welfare matters. The discussion will be concerning current road conditions and potential mitigation for impacts caused by the development.
20. The following notes shall be placed in the notes on the face of the final plat:
 - "The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."
 - "All lighting must comply with the Valley County Lighting Ordinance."
 - "Surrounding land uses are subject to change."

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use: _____

Prepared by: _____

YES/NO X Response Value

Use Matrix Values:

(+2/-2) X 4 _____

1. Is the proposed use compatible with the dominant adjacent land use?

(+2/-2) X 2 _____

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

(+2/-2) X 1 _____

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) X 3 _____

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

(+2/-2) X 1 _____

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

(+2/-2) X 2 _____

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

(+2/-2) X 2 _____

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

(+2/-2) X 2 _____

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

(+2/-2) X 2 _____

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Sub-Total (+) _____

Sub-Total (--) _____

Total Score _____

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

9-11-1: APPENDIX A, COMPATIBILITY EVALUATION:

A. General: One of the primary functions of traditional zoning is to classify land uses so that those which are not fully compatible or congruous can be geographically separated from each other. The county has opted to substitute traditional zoning with a multiple use concept in which there is no separation of land uses. Proposed incompatible uses may adversely affect existing uses, people, or lands in numerous ways: noise, odors, creation of hazards, view, water contamination, loss of needed or desired resources, property values, or infringe on a desired lifestyle. To ensure that the county can continue to grow and develop without causing such land use problems and conflicts, a mechanism designed to identify and discourage land use proposals which will be incompatible at particular locations has been devised. The compatibility evaluation of all conditional uses also provides for evaluations in a manner which is both systematic and consistent.

B. Purpose; Use:

1. The compatibility rating is to be used as a tool to assist in the determination of compatibility. The compatibility rating is not the sole deciding factor in the approval or denial of any application.
2. Staff prepares a preliminary compatibility rating for conditional use permits, except for conditional use permits for PUDs. The commission reviews the compatibility rating and may change any value.

C. General Evaluation: Completing the compatibility questions and evaluation (form):

1. All evaluations shall be made as objectively as possible by assignment of points for each of a series of questions. Points shall be assigned as follows:

Plus 2 - assigned for full compatibility (adjacency encouraged).

Plus 1 - assigned for partial compatibility (adjacency not necessarily encouraged).

0 - assigned if not applicable or neutral.

Minus 1 - assigned for minimal compatibility (adjacency not discouraged).

Minus 2 - assigned for no compatibility (adjacency not acceptable).

2. Each response value shall be multiplied by some number, which indicates how important that particular response is relative to all the others. Multipliers shall be any of the following:

x4 - indicates major relative importance.

x3 - indicates above average relative importance.

x2 - indicates below average relative importance.

x1 - indicates minor relative importance.

D. Matrix - Questions 1 Through 3: The following matrix shall be utilized, wherever practical, to determine response values for questions one through three (3). Uses classified and listed in the left hand column and across the top of the matrix represent possible proposed, adjacent, or vicinity land uses. Each box indicates the extent of compatibility between any two (2) intersecting uses. These numbers should not be changed from proposal to proposal, except where distinctive uses arise which may present unique compatibility considerations. The commission shall determine whether or not there is a unique consideration.

E. Terms:

DOMINANT ADJACENT LAND USE: Any use which is within three hundred feet (300') of the use boundary being proposed; and

1. Comprises at least one-half ($1/2$) of the adjacent uses and one-fourth ($1/4$) of the total adjacent area; or
2. Where two (2) or more uses compete equally in number and are more frequent than all the other uses, the one with the greatest amount of acreage is the dominant land use; or
3. In all other situations, no dominant land use exists. When this occurs, the response value shall be zero.

LOCAL VICINITY: Land uses within a one to three (3) mile radius. The various uses therein should be identified and averaged to determine the overall use of the land.

F. Questions 4 Through 9:

1. In determining the response values for questions 4 through 9, the evaluators shall consider the information contained in the application, the goals and objectives of the comprehensive plan, the provisions of this title and related ordinances, information gained from an actual inspection of the site, and information gathered by the staff.
2. The evaluator or commission shall also consider proposed mitigation of the determined impacts. Adequacy of the mitigation will be a factor.

APPENDIX A

MATRIX FOR RATING

QUESTIONS 1, 2, and 3

QUESTIONS 1, 2, and 3																									
1. AGRICULTURAL																									
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23		
		+2	-1	-2	-2	-2	-2		+1	+1	+1	+2	+1	+1	-1	-1	-1	+2	-1	-2	-1	+1	+2	+2	
RESIDENTIAL USES	2. RESIDENCE, S.F.	+2		+2	+1	+1	+1		+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	-1	+1	+1	-2	-2	2	
	3. SUBDIVISION, S.F.	-1	+2		+1	+1	+1		+1	+1	-1	+2	+1	-2	+1	-1	+2	+1	-1	+2	+1	-2	-2	3	
	4. M.H. or R.V. PARK	-2	+1	+1		+1	+1		+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	-1	+1	+1	-2	-2	4	
	5. RESIDENCE, M.F.	-2	+1	+1	+1		+2		+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	-1	+1	+1	-2	-2	5	
	6. SUBDIVISION, M.F.	-2	+1	+1	+1	+2		+2		+1	+1	+2	+1	-2	+1	-1	+1	+1	-1	+1	+1	-2	-2	6	
	7. P.U.D., RES.	-2	+1	+1	+1	+2	+2		+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	-1	+1	+1	-2	-2	7	
CIVIC or COMMUNITY SERVICE USES	8. REL., EDUC & REHAB	+1	+2	+1	+1	+1	+1		+1	+1	-1	+2	-2		-1	-1	+2	+1	+1	-1	+1	-2	-1	8	
	9. FRAT or GOVT	+1	+1	+1	+1	+1	+1		+1		+1	+2	-2		-1	-1	+1	+1	+1	-1	+1	-2	-2	9	
	10. PUBLIC UTIL. (1A-3.1)	+1	-1	-1	-1	-1	-1		+1	+1		+1	+1	-1	+1	+1	+1	+1	+1	+1	+1	+2	+2	10	
	11. PUBLIC REC	+1	+2	+2	+2	+2	+2		-1	-1	+1	+2	-1		+1	+1	+1	+1	+1	+1	+1	-1	+1	11	
	12. CEMETERY	+2	+1	+1	+1	+1	+1		+2	+2	+2	+1	+1		+1	+1	+1	+1	+1	+1	+2	+1	+1	12	
	13. LANDFILL or SWR. PLANT	+1	-2	-2	-2	-2	-2		-2	-2	-1	+1			-1	-1	-2	-2	-2	-1	+2	+2	+2	13	
COMMERCIAL USES	14. PRIV. REC. (PER)	+1	+1	+1	+1	+1	+1		-1	-1	+1	+1	-1		+1		+1	+1	+2	+1	+2	-1	+1	14	
	15. PRIV. REC. (CON)	-1	-1	-1	-1	-1	-1		-1	-1	+1	+1	-1		+1		-2	-2	-1	-2	-2	+2	-1	+1	15
	16. NEIGHBORHOOD BUS.	-1	+1	+1	+1	+1	+1		+2	+1	+1	+1	-2		+1	-2		+1	+2	+1		+2	-1	-1	16
	17. RESIDENCE BUS.	+2	+2	+2	+1	+1	+1		+2	+1	-1	+2	-2		+1	-2		+1	+1	-1	+1	+1	-2	-2	17
	18. SERV. BUS.	-1	+1	+1	+1	+1	+1		+1	+1	+1	+1	+2		+2	+2		+2	+1	+2	+2		+1	+1	21
	19. AREA BUS.	-2	-1	-1	-1	-1	-1		+1	+1	+1	+1	-2		+1	-2		+2	-1	+2	+1	+2	-2	-2	19
20. REC BUS.	-2	+2	+2	+1	+1	+1		-1	-1	+1	+1	-1		+2	-2		+1	+2	+1		+2	-2	+1	20	
INDUST. USES	21. LIGHT IND.	+1	+1	+1	+1	+1	+1		+1	+1	+1	+2	+2		+2	+2		+2	+1	+2			+1	+1	21
	22. HEAVY IND.	+2	-2	-2	-2	-2	-2		-2	-2	-1	+1	+2		-1	-1		-1	-2	-1	-2		+1	+2	22
	23. EXTR. IND.	+2	-2	-2	-2	-2	-2		-1	-2	+2	+1	+2		+1	+1		-1	-2	-1	-2	+1	+2	+2	23

RATE THE SOLID SQUARES AS +2

Compatibility Questions and Evaluation

Matrix Line # / Use: 7

Prepared by: CH

YES/NO X Response Value

Use Matrix Values:

(+2/-2) +2 X 4 +8

1. Is the proposed use compatible with the dominant adjacent land use?

(+2/-2) +1 X 2 +2

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

(+2/-2) +1 X 1 +1

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) +2 X 3 +6

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses? The property is large enough, there will be 50% open space. Landscaping is proposed. Buildings are similar.

(+2/-2) +2 X 1 +2

Is the size or scale of proposed lots and/or structures similar to adjacent ones?

Yes - Townhomes in The Meadows + S.F. Residential

(+2/-2) +2 X 2 +4

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

All residential traffic. Parking lots are internal. Will be a Road Development Agreement.

(+2/-2) +1 X 2 +2

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

There will be noise, but still residential

(+2/-2) +2 X 2 +4

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

Will help public agencies by providing housing

(+2/-2) +1 X 2 +2

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Revenues will T, but so will cost of services.

Sub-Total (+) +31

Sub-Total (-)

Total Score +31

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.