

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 – Addendum

HEARING DATE: June 18, 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

The Planning and Zoning Commission held a public hearing on this matter on June 8, 2023. Please refer to the previous staff report, minutes, exhibits, and application submittals.

The matter was tabled to July 13, 2023, for additional information including:

- Draft development agreement
- CCRs
- Additional information on internal roads, and
- Additional information on sewer system.

FINDINGS:

1. The Valley County Planning and Zoning Commission held a properly noticed public hearing on June 8, 2023. The matter was tabled to a specific date and time: July 18, 2023, at 5:00 p.m. Legal notice was posted in the *Star News* on June 22, 2023, and June 29, 2023.

2. Garnet Valley submitted the following documents that have been copied and attached:

- July 11, 2023 Letter of Transmittal and Comprehensive Plan Analysis, Open Space/Trails/Pathways Plan, Amenities, Parking Plan, Phasing Plan.
- Development Agreement Draft with Exhibits
- Example of Road Costs

3. Additional agency comment received after June 8, 2023:

Deedee Gossi, Chief Deputy Assessor, stated that The Meadows at West Mountain, Phase 1, 2, and 3 contain 233 total parcels. Eighteen (18) are unimproved, being a combination of bare lots and/or common area. There are 215 improved parcels; only 45 of which currently have a homeowner's exemption. The remaining 170 appear to be second homes/rentals/etc. (June 22, 2023)

Jody Green, Valley County Planning Tech/Code Compliance, stated there are 36 short-term rentals from Norwood RD to Tamarack Falls Rd, as follows:

- 7 In Meadows at West Mountain Townhomes
- 7 in Meadows at West Mountain Single Family Residences
- 2 in Hillhouse Subdivision
- 11 in Hawks Bay Subdivision
- 9 along Norwood to the south of West Roseberry

McCall Area Local Housing Action Plan Bridge – it is available in color in the McCall Area Local Housing Action Plan. Emailed the entire plan to the P&Z Commission on multiple occasions.

4. Additional Public comment received after June 8, 2023:

Shawn Hushman, 15 Buckskin Drive, suggests that the Commission take a different approach to solving the housing challenge by developing a purposeful strategy to incentivize development which aligns with that strategy and complements existing infrastructure and roads. This proposed development will result in a much higher economic cost than patiently focusing on a holistic plan. Given the limited resources in Valley County, we should look at how we yield the highest social and economic benefit with each dollar invested. (June 9, 2023)

Pamela McChrystal, stated that PZ Director Herrick, County Commissioner Maupin, and PZ Commissioner Katylin (sic) should recuse themselves. Manufactured homes are only real property when they are installed on a permanent foundation. You are unethical. Stop referring to Garnet Valley as single-family lots. (series of emails - June 8, 2023; July 3, 2023)

Karianne and Tony Fallow, 29 Buckskin are concerned with impacts to the following:

- Water – currently in violation of several inspections, inadequate water management
- Traffic/Roads – adding 306 units will impact access roads and there are already a number of accidents, especially on the S-bridge
- Higher density should be located in Donnelly.

Randy and Tammie Odenbrett, 6 Charters Circle are concerned about the strain on the already weak infrastructure. They also do not agree with increased densities.

Camille Schiller is concerned with water, sewer, and traffic/roads. Density should be placed near services such as grocery stores.

Maria Jacobson is concerned about water management and traffic/road infrastructure. The current water system is not being managed correctly. Concerned about the impact from the 306 multi-family units. Traffic report is outdated. There are no sidewalks or dedicated walking paths. There is a lack of necessary infrastructure.

News article from Economy, titled "Full-time workers need to earn \$21.53 per hour to afford rent in North Idaho". Discusses costs of housing in comparison to wages...and rent levels.

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:

ATTACHMENTS:

- Conditions of Approval
- PZ Commission Meeting Minutes – June 8, 2023
- Additional Submittal from Applicant
- Additional Responses
- Full-time workers need to earn \$21.53 per hour to afford rent in North Idaho
- AMI Bridge from McCall Housing Plan

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