

Valley County Planning & Zoning
Cynda Herrick, Director

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



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STAFF REPORT

Conditional Use Permit Application 21-23
Coughlin Multiple Residence

MEETING DATE: September 9, 2021
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
APPLICANT: Shirley Coughlin
10 Sarah Way
Cascade ID 83611
LOCATION/SIZE: 4.63 acres addressed at 10 Sarah Way
RP004800020030, Eagle Nest, Lot 3, Block 2
NENW Section 20, T.14N, R.4E, Boise Meridian,
Valley County, Idaho.
REQUEST: Multiple Residences on One Parcel
EXISTING LAND USE: Single-family Residential

BACKGROUND:

Shirley Coughlin is requesting a conditional use permit for two residences on one parcel. There is a 1,500 sqft apartment above a shop and an approximate 4,500 sqft home.

Both residences have been built. The apartment does not qualify for an Accessory Dwelling Unit (ADU) as it has more than 1000-sqft of living space. If a conditional use permit is not approved, the kitchen will need to be removed from the apartment. (The building permit was issued conditioned on removal of the kitchen or a conditional use permit.)

The homes share a driveway, an individual well, and a septic system. Sarah Way is a privately maintained road.

FINDINGS:

1. The application was received on August 3, 2021.

2. Legal notice was posted in the *Star News* on August 19, 2021, and August 26, 2021. Potentially affected agencies were notified on August 10, 2021. Neighbors within 300 feet of the property line were notified by fact sheet sent August 10, 2021. The site was posted on August 31, 2021. The notice and application were posted online at www.co.valley.id.us/public-hearing-information on August 10, 2021.

3. Agency comment received:

Central District Health stated that the septic system is currently approved for a 4-bedroom home and a 2-bedroom home. Permit approved August 23, 2007. (August 12, 2021)

4. Neighbor comment received:

Brad and Jill Sprenger, 7 Sarah Way, support the request. (August 14, 2021)

5. Physical characteristics of the site: Slope; Home is on the hilltop

6. The surrounding land use and zoning includes:

North: Single Family Residential – Eagle Nest subdivisions

South: Single Family Residential – Eagle Nest subdivisions

East: Single Family Residential – Eagle Nest subdivisions

West: Single Family Residential – Eagle Nest subdivisions

7. Valley County Code (Title 9) in Table 9-3-1. This proposal is categorized under:

- 2. Residential Uses (j) Multiple Residences on One Parcel

Review of Title 9, Chapter 5 Conditional Uses should be done.

SUMMARY:

Compatibility Rating: Staff's compatibility rating is a +31.

The Planning and Zoning Commission should do their own compatibility rating prior to the meeting (form with directions attached).

Staff Questions/Comments:

None

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation
- Staff's Compatibility Evaluation
- Vicinity Map
- Aerial View
- Eagle Nest Subdivision Plat
- Pictures – August 31, 2021
- Responses

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.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The use shall be established within one year, or a permit extension will be required.
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. All lights shall be fully shielded so that there is not upward or horizontal projection of lights.
6. Shall clearly post the address(es) at the driveway entrance and on both residences. Two addresses can be issued if requested.
7. Renting any of the buildings for less than 30 days will require a separate conditional use permit.

END OF STAFF REPORT

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 ($\frac{1}{2}$) of the adjacent uses and one-fourth ($\frac{1}{4}$) 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

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23		
1. AGRICULTURAL		+2	-1	-2	-2	-2	-2	+1	+1	+1	+1	+2	+1	+1	-1	-1	+2	-1	-2	-1	+1	+2	+1		
2. RESIDENCE, S.F.	+2		+2	+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2	2	
3. SUBDIVISION, S.F.	-1	+2		+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-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	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2	4	
5. RESIDENCE, M.F.	-2	+1	+1	+1		+2	+2	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2	5	
6. SUBDIVISION, M.F.	-2	+1	+1	+1	+2		+2	+1	+1	-1	+2	+1	-2	+1	-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	+1	-2	-2	7	
8. REL, EDUC & REHAB	+1	+2	+1	+1	+1	+1	+1		+1	+1	-1	+2	-2	-1	-1	+2	+2	+1	+1	-1	+1	-2	-1	8	
9. FRAT or GOVT	+1	+1	+1	+1	+1	+1	+1	+1		+1	-1	+2	-2	-1	-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	+1	+1	+2	+2	10	
11. PUBLIC REC	+1	+2	+2	+2	+2	+2	+2	-1	-1	+1		+2	-1	+1	+1	+1	+2	+1	+1	+1	+1	-1	+1	11	
12. CEMETERY	+2	+1	+1	+1	+1	+1	+1	+2	+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	-2	-1	-1	+1		-1	-1	-2	-2	-2	-2	-1	+2	+2	+2	13	
14. PRIV. REC. (PER)	+1	+1	+1	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1		+1	+1	+1	+2	+1	+2	+2	-1	+1	14	
15. PRIV. REC. (CON)	-1	-1	-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	+1	+2	+1	+1	+1	+1	-2	+1	-2		+1	+2	+2	+1	+2	-1	-1	16	
17. RESIDENCE BUS.	+2	+2	+2	+1	+1	+1	+1	+2	+1	-1	+2	+1	-2	+1	-2	+1		+1	+1	+1	+1	-2	-2	17	
18. SERV. BUS.	-1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+2	+1		+2	+2	+1	+1	21	
19. AREA BUS.	-2	-1	-1	-1	-1	-1	-1	+1	+1	+1	+1	+1	-2	+1	-2	+2	+2	-1	+2		+1	-2	-2	19	
20. REC. BUS.	-2	+2	+2	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1	+2	-2	+1	+1	+2	+1	+2	+2	-2	+1	20	
21. LIGHT IND.	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+2	+1	+2	+2	+2	+1	+1	21	
22. HEAVY IND.	+2	-2	-2	-2	-2	-2	-2	-2	-2	+2	-1	+1	+2	-1	-1	-1	-1	-2	-1	-2	-2	+1	+1	+2	22
23. EXTR. IND.	+2	-2	-2	-2	-2	-2	-2	-1	-2	+2	+1	+1	+2	+1	+1	-1	-1	-2	-1	-2	+1	+1	+2	23	

Compatibility Questions and Evaluation

Matrix Line # / Use: 5

Prepared by: CH

YES/NO X Response Value

Use Matrix Values:

(+2/-2) +1 X 4 +4

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?

(+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?

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

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

(+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?

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

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) +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?

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

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 (+) 31

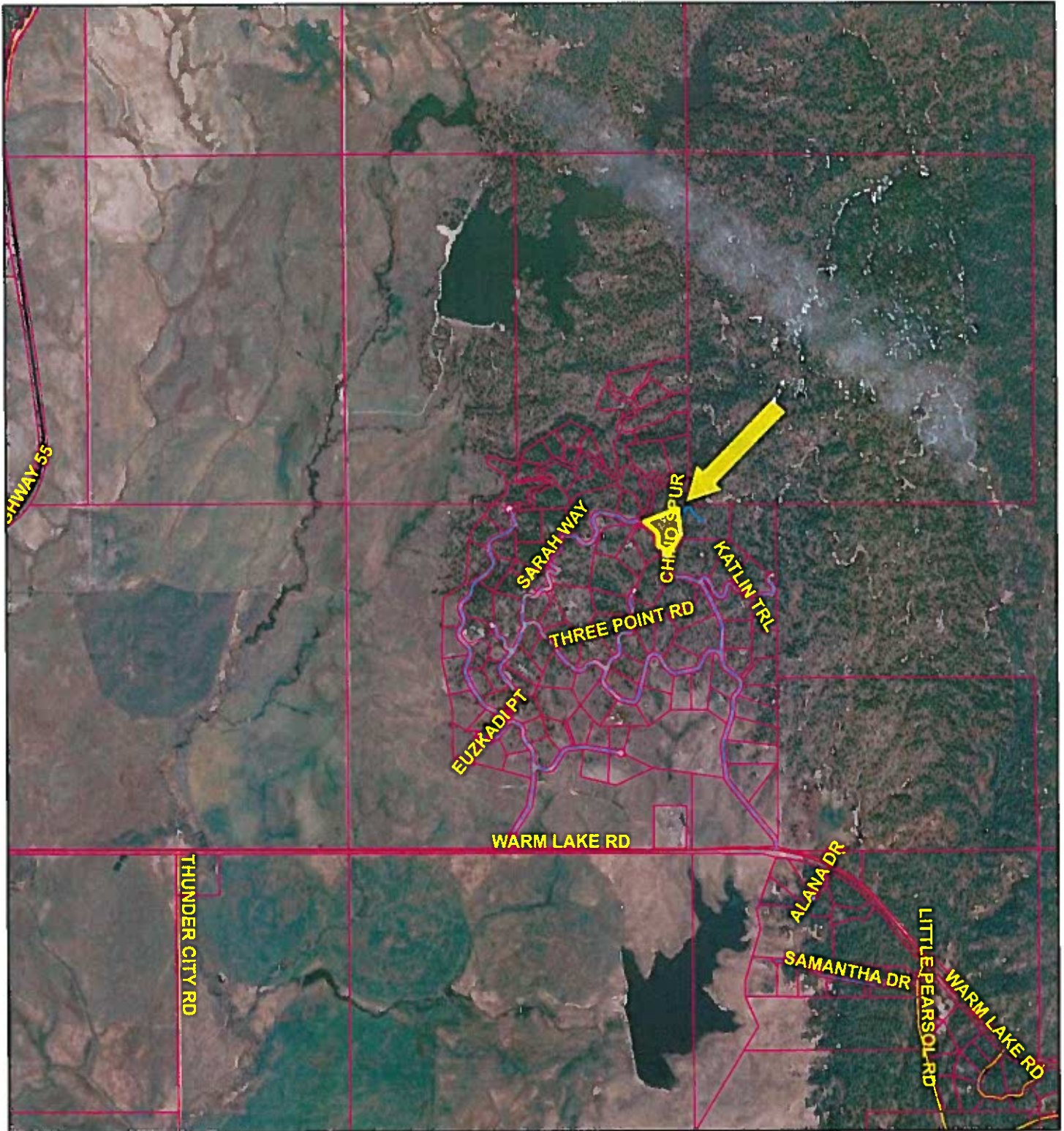
~~26~~ No Impact

Sub-Total (-) -

Total Score +31

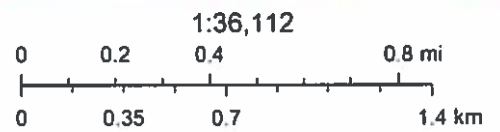
The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

C.U.P. 21-23 at 10 Sarah Way



8/3/2021, 2:04:37 PM

- Parcel Boundaries
- MINOR COLLECTOR
- All Road Labels
- URBAN/RURAL
- Roads
- PRIVATE
- MAJOR



Maxar



Eagle Nest

A Subdivision Located in Sections 20 and 21, T. 14 N., R. 4 E., B.M., Valley County, Idaho

Book 9
Page 27
CCR 256598

Instrument # 256598
VALLEY COUNTY, CASCADE BASIN
RECORDS, PUBLIC UTILITIES
LELAND G. HENRICH
E-Childs Recorder Deputy
May 11, 2005

Building Setbacks
Setbacks will comply with Valley County Regulations.

Utility and Drainage Easements
Utility and drainage easements shall be 10 ft. wide on the interior side of all lot lines adjoining roads. The right-of-way of roads, trails, and ways shall further serve as utility and drainage easements.

Notes
Lots shall not be reduced in size.
No additional domestic water supplies shall be installed beyond the water system approved in the sanitary restriction release.
Reference is made to public health letter on file regarding additional restrictions.

Sarah Way Cul-de-sac-- the land within the 50 ft. center-of-enclosure side area 70 ft. wide road right-of-way shall revert to the owners of the adjoining lots on the extension of Sarah Way

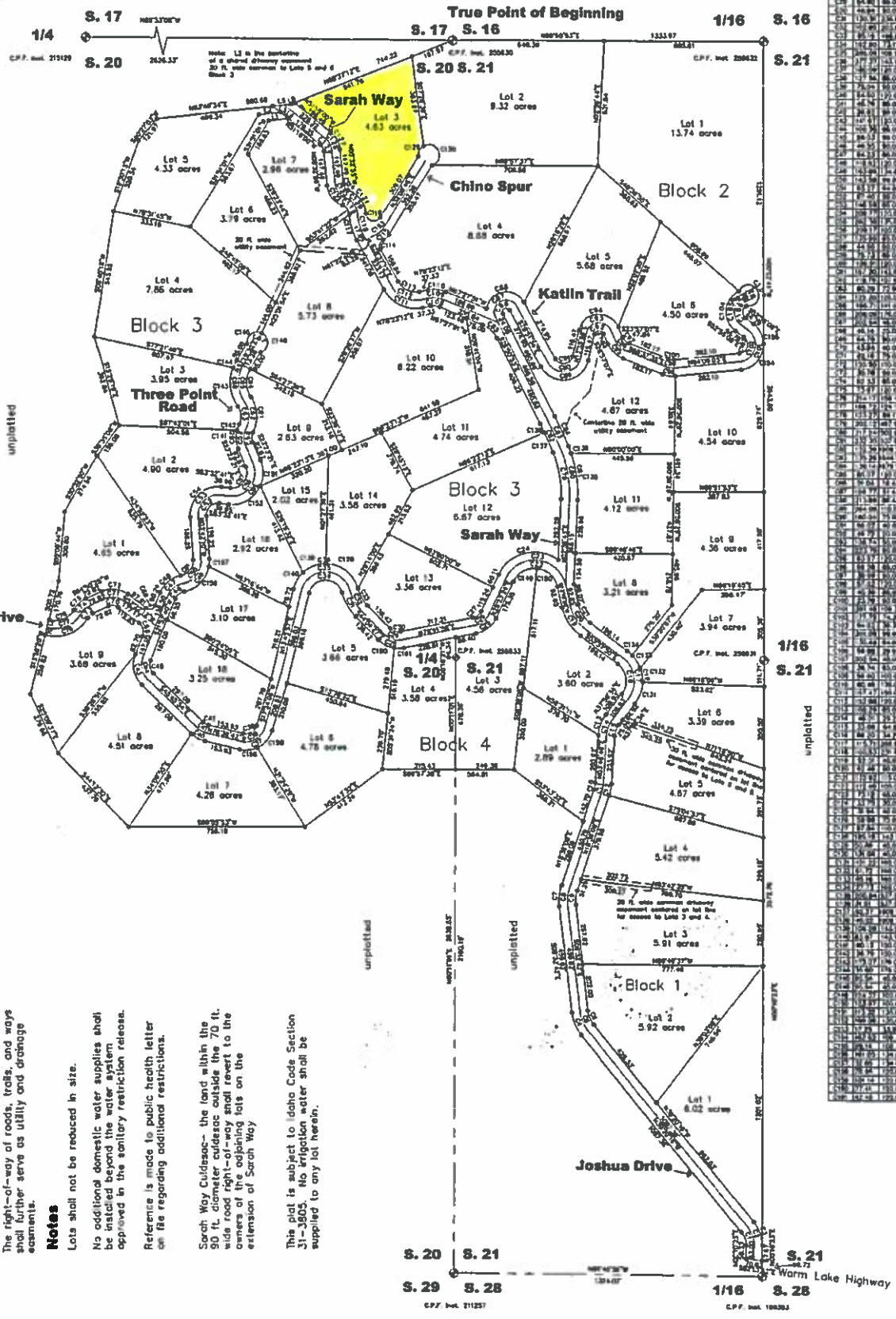
This plat is subject to Idaho Code Section 31-3005. Modification after shall be supplied to any lot herein.

Scale 1" = 300'

Legend

- Set 5/8 inch rebar
- ◊ Found 1/16, 1/14 or Section Corner
- Boots of bearing from solar observation.

Lot	Area	Acres	Remarks
1	62.31	1.37	RETRACTED
2	21.21	0.48	RETRACTED
3	22.48	0.49	RETRACTED
4	42.48	0.93	RETRACTED
5	47.21	1.02	RETRACTED
6	12.48	0.28	RETRACTED

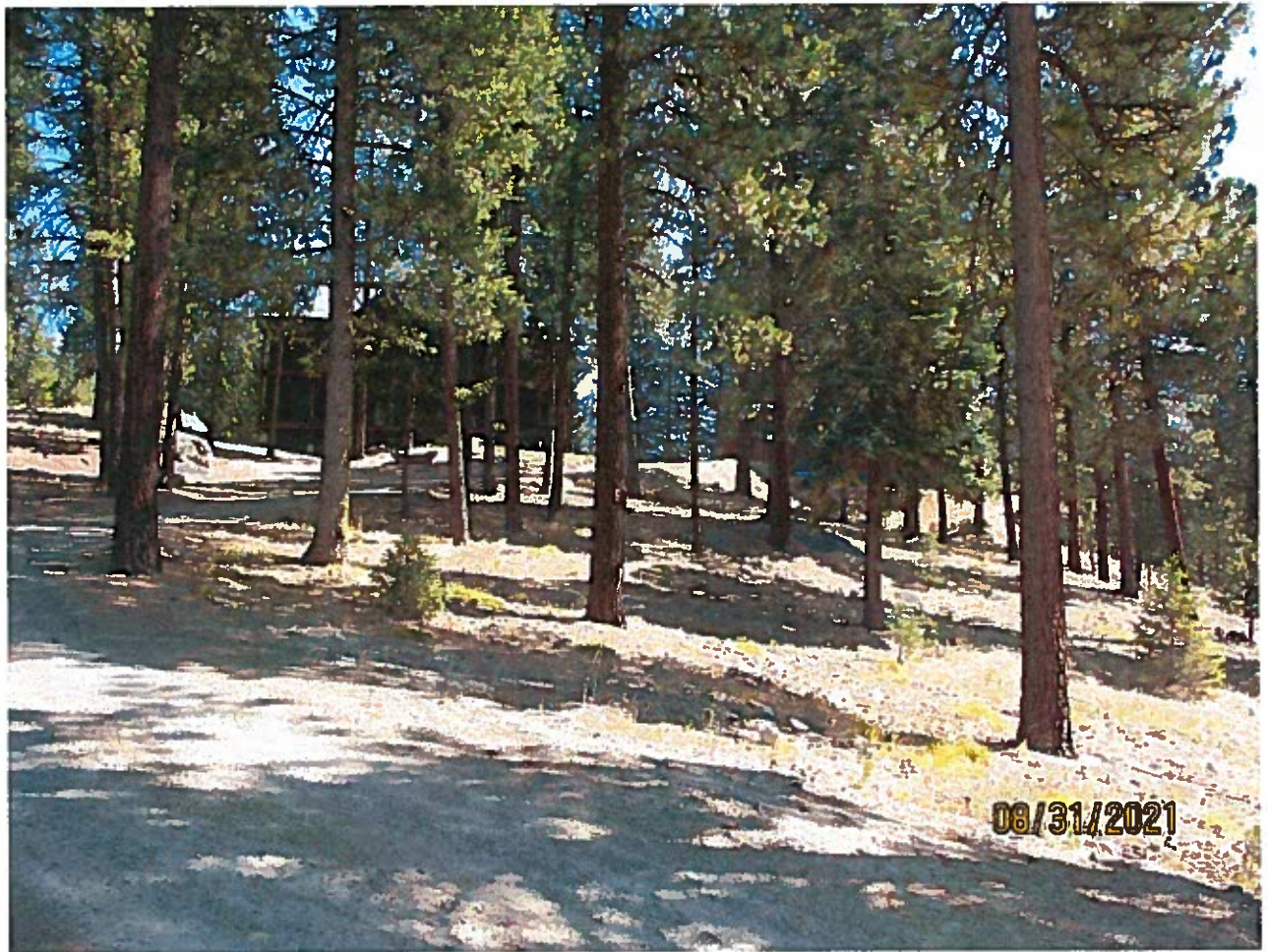


Health Certificate

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13 have been satisfied. Sanitary restrictions may be reimposed in accordance with Section 50-1326, Idaho Code by the issuance of a certificate of disapproval.

Valley Health Department
Date 5/11/05
Instrument 256598

Lot	Area	Acres	Remarks
1	62.31	1.37	RETRACTED
2	21.21	0.48	RETRACTED
3	22.48	0.49	RETRACTED
4	42.48	0.93	RETRACTED
5	47.21	1.02	RETRACTED
6	12.48	0.28	RETRACTED
7	2.96	0.07	RETRACTED
8	5.68	0.13	RETRACTED
9	3.79	0.08	RETRACTED
10	8.22	0.18	RETRACTED
11	4.74	0.10	RETRACTED
12	4.67	0.10	RETRACTED
13	3.56	0.08	RETRACTED
14	3.58	0.08	RETRACTED
15	2.63	0.06	RETRACTED
16	2.92	0.06	RETRACTED
17	3.10	0.07	RETRACTED
18	3.25	0.07	RETRACTED
19	3.68	0.08	RETRACTED
20	4.31	0.09	RETRACTED
21	4.28	0.09	RETRACTED
22	4.78	0.10	RETRACTED
23	3.88	0.08	RETRACTED
24	3.50	0.08	RETRACTED
25	3.60	0.08	RETRACTED
26	3.39	0.07	RETRACTED
27	3.39	0.07	RETRACTED
28	4.67	0.10	RETRACTED
29	5.91	0.13	RETRACTED
30	5.92	0.13	RETRACTED
31	6.02	0.13	RETRACTED
32	5.42	0.12	RETRACTED
33	2.79	0.06	RETRACTED
34	2.79	0.06	RETRACTED
35	2.79	0.06	RETRACTED
36	2.79	0.06	RETRACTED
37	2.79	0.06	RETRACTED
38	2.79	0.06	RETRACTED
39	2.79	0.06	RETRACTED
40	2.79	0.06	RETRACTED
41	2.79	0.06	RETRACTED
42	2.79	0.06	RETRACTED
43	2.79	0.06	RETRACTED
44	2.79	0.06	RETRACTED
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76	2.79	0.06	RETRACTED
77	2.79	0.06	RETRACTED
78	2.79	0.06	RETRACTED
79	2.79	0.06	RETRACTED
80	2.79	0.06	RETRACTED
81	2.79	0.06	RETRACTED
82	2.79	0.06	RETRACTED
83	2.79	0.06	RETRACTED
84	2.79	0.06	RETRACTED
85	2.79	0.06	RETRACTED
86	2.79	0.06	RETRACTED
87	2.79	0.06	RETRACTED
88	2.79	0.06	RETRACTED
89	2.79	0.06	RETRACTED
90	2.79	0.06	RETRACTED
91	2.79	0.06	RETRACTED
92	2.79	0.06	RETRACTED
93	2.79	0.06	RETRACTED
94	2.79	0.06	RETRACTED
95	2.79	0.06	RETRACTED
96	2.79	0.06	RETRACTED
97	2.79	0.06	RETRACTED
98	2.79	0.06	RETRACTED
99	2.79	0.06	RETRACTED
100	2.79	0.06	RETRACTED





Valley County Transmittal
Division of Community and Environmental Health

- Return to:
- Cascade
 - Donnelly
 - McCall
 - McCall Impact
 - Valley County

Rezone # _____

Conditional Use # CUP 21-23

Preliminary / Final / Short Plat _____

Lot 3 Blk 2 Eagles Nest
10 Sarah Way

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water
 - bedrock from original grade
 - waste flow characteristics
 - other _____
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
 - central sewage
 - interim sewage
 - individual sewage
 - community sewage system
 - central water
 - individual water
 - community water well
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - sewage dry lines
 - community sewage system
 - central water
 - community water
- 10. Run-off is not to create a mosquito breeding problem
- 11. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 12. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 13. We will require plans be submitted for a plan review for any:
 - food establishment
 - beverage establishment
 - swimming pools or spas
 - grocery store
 - child care center

14. The septic system on this parcel is currently approved for (1) 4 bedroom home & (1) 2 bedroom home. Permit Approved 8/23/07

Reviewed By: [Signature]

Date: 8/12/21

From: bradsprenger@gmail.com <bradsprenger@gmail.com>
Sent: Saturday, August 14, 2021 12:51 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Cc: 'Jill Sprenger' <sprengerjill@gmail.com>
Subject: Coughlin conditional use permit

Ms. Herrick,

My wife and I own the property at 7 Sarah Way in Cascade.

We are writing to you IN SUPPORT of Shirley Coughlin's request for a conditional use permit at their property at 10 Sarah Way.

In our conversation with Shirley, the apartment above their garage will be used for short term guest accommodations and will not be used as a rental property.

We encourage you to approve her request.

Thanks and let us know if you need more information from us.

Brad Sprenger
bradsprenger@gmail.com
208 761 7050

Jill Sprenger
sprengerjill@gmail.com