

City of Cambridge
Public Hearing
May 28, 2024
7:30 PM

A public hearing was held for the purpose of receiving comments on the following matter.

Leland and Deidre Roundtree have requested a Special Use Permit within the impact area.

Levi Harrison led the Pledge of Allegiance.

Mayor Mark Loveland introduced himself and other participants, City Clerk, Sandra McKee, Public Works, Corey Morgan and City Council members. We have Bonnie Brent from Washington County Planning and Zoning. We are here for this hearing for an application for Leland and Deidre Roundtree.

The application is a request for a Special Use Permit to allow for a dwelling to be placed on a parcel greater than one acre, but less than 20 acres of property, located off Mill Road, East of Cambridge within the Cambridge City Area of Impact. Description of the property, RP14N03W022300.

Application must first be considered by the city with a recommendation to the county. Jurisdiction to approve or deny the request lies with the county.

Excluding building permits, all permits required for planning, zoning, subdivision, variances, conditional uses and any other matters covered by the Land Use Planning Act of 1975, within the Cambridge City Impact Area, shall first be submitted to the City of Cambridge for such action as the mayor and council may deem appropriate. After final action by the city and upon recommendation to the Board of County Commissioners by the city, the board shall approve, disapprove or remand for further consideration any request for action. The Board of County Commissioners shall act upon any recommendation within forty-five (45) days of a recommendation being forwarded. The decision of the Washington County Commissioners shall be based upon regulations and ordinances negotiated between the city and the board and adopted by the board.

Until such time as the City of Cambridge and Washington County adopt different regulations as to zoning, subdivision, and building requirements, the Washington County ordinances in effect at that time shall be controlling within the City Impact Area.

The City Comp Plan 5.2 Development projects and agricultural area should incorporate strategies for preserving agricultural use. 5.8 Goal 3 ensure that the City of Cambridge has sufficient available land within the city and in its area of city impact to accommodate

projected city growth. Follow Washington County Code 5-9-2 General Standard Applicable to Special Use.

These are the steps we must go through. Completed application with the county, notice published in the newspaper. Notice sent to property owners, and other agencies via mail. Notice posted on the property. Gather information from other agencies.

Sandra read the notice of public hearing as advertised in the Upper Country News reporter, the city's legal newspaper.

Legal notice is hereby given that the City of Cambridge City Council will hold a public hearing on the 28th day of May 2024 at 7:00 PM at Cambridge City Hall, 80 S Superior St. Cambridge, ID.

The purpose of this hearing will be to receive comment on the following matter. Leland and Deidre Roundtree's Special Use request. The applicant is requesting a Special Use Permit to allow for a dwelling to be placed on a parcel greater than one acre but less than 20 acres on a property located off of Mill Rd, East of Cambridge, within the Cambridge City Area of Impact RP14 N 03 W 022300. All interested persons are invited to attend the hearing and comment or submit written comment prior to or at the hearing. Any person needing special accommodation to participate in the notice meeting should contact the City of Cambridge seven days prior to the meeting at 208-257-3318, published in The Record Reporter on May 8th, 2024, and May 22nd, 2024.

Mayor Loveland asked if any council member or himself have a conflict of interest. It was determined that there were no conflicts of interest.

Each person who wants to be heard shall step to the microphone and identify themselves for the record and express their feelings concerning this matter. Although no one is going to be administered in the individual oath. All persons giving testimony will be doing so under penalty of perjury. This hearing will be recorded on an audio recording device capable of being transcribed and any person desiring to have a copy may obtain a copy at their own expense. This is not a courtroom, and no one will be subject to cross examination.

Although the council members may have a few questions of the people who give testimony, the council members will entertain no questions. If you desire to know how an individual council member stands on the issue, you are most welcome to attend the meeting which will follow the hearing, listen to the council's discussion and observe the voting.

APPLICANT PRESENTATION – Mayor Loveland asked applicant Deidre Roundtree to present. We have applied for a Special Use Permit to build a single resident family home. We purchased the land over eight years ago knowing that there was a dwelling

permit that was going to come with the land. What we did not know was it was zoned A1. Then when we were going to get ready to build, we found that out. So, we are now going through the process, and we know that the property was unusable agriculture ground as we don't have access to irrigation water or any water rights. This is why we chose to spend the money to do the land survey and get the Weiser River Trail easements. We don't plan on having any noise variations, anything special to the property, we plan on going and living out there and building a home and raising some animals and having our stuff taken care of. They asked some serious questions that I didn't necessarily understand, but like, does it benefit the public? We are out of town. We are away from people. Yes, we are in the City Impact Zone. But again, we are going to take care of our land. We are in the process of securing financing and all permitting and everything right now, so us being able to get the Special Use Permit that we've paid for and get through the process will allow us to get things kind of rolling a little bit further. We hope to break ground sometime in July.

I know that some concerns were that we are on a floodplain, but where we are building is actually not in the floodplain. I have site plans for that. I have actually proven to the bank and the bank has come back to us and said, no, you're not going to be required anything special.

Gladhart came out and made sure that the Fire Department had full access to it and everything that we're building because we share that easement with Timmy and so he has access to his agricultural land and then we have access to our place. The County Road and Bridge signed off on that knowing that everything is good to go. We just got to get through this process to move forward.

Mayor Loveland asked if the council members had any questions. No questions or discussion.

STAFF PRESENTATION (COUNTY) - BONNIE BRENT DOWELL WASHINGTON COUNTY PLANNING AND ZONING ADMINISTRATOR 256 East Court Weiser, Idaho –

Mayor Loveland introduced Bonnie Brent Dowell, Washington County Planning and Zoning Administrator. A full written report from Bonnie was submitted to the council.

By Washington County Code under section 5-4-1 G, lots larger than one acre and smaller than 20 acres require special use permit in A1 agricultural zone, which is why they're here. There is an original parcel dwelling right available to the subject property. It just wasn't done in accordance with the one or twenty or greater lot size.

As far as design, constructed, operated, and maintained to be harmonious and appropriate and appearance with the existing or intended character of the general vicinity and not change the essential character of the same area, it's appearing that it's going to be.

Basically, what's already in the area, a single-family home with agricultural use attached to it. Not disturbing or hazardous to existing or future neighboring uses. Again, it's a rural residential land use with agricultural.

Will be served adequately by essential public facilities and services. This is a good one for you guys to answer, I guess. As far as if it was ever annexed into the city or anything like that, but at this time it would be served by the Cambridge Fire District, School District, Washington County Sheriff and Washington County Road and Bridge.

And then of course, it would have to have an individual well and septic permit approved through Idaho Department of Water Resources and Southwest District Health.

Not involve uses activities, process of materials, equipment and conditions of operation that will be detrimental to any persons property or the general welfare by reason of excessive production of traffic noise, smoke fumes, glare or odors again and not a significant change. I mean it's going to be. It sounds like what's already in the area. And then as far as the vehicular approaches to the property to not create interference with traffic on surrounding public thoroughfares. There is a letter from the Washington County Road Supervisor in your information that is an approved access off Mill Rd.

And then as far as I know, it will not result in the destruction, loss or damage of a natural scenic or historic feature. Maybe somebody else knows something different, but I don't know. So that's how it applies to our general standards as far as I can tell from the application so.

Mayor Loveland asked if the council members had any questions. No questions or discussion occurred.

STAFF REPORT (CITY) - COREY MORGAN PUBLIC WORKS SUPERINTENDENT – 80 South Superior Street Cambridge, Idaho - Corey Morgan, Public Works Superintendent for the City of Cambridge, on the Special Use Permit for Leland and Deidre Roundtree in the Area of City Impact.

Application was submitted to Washington County for Special Use Permit for approval of building a single-family dwelling on land in the Area of City Impact, see Washington County Code 5-4-1, B. Lot Area In zone A1 no dwelling shall be sold, transferred, or built with less than twenty (20) acres of lot area except as provided in subsection C of this section. No residential subdivisions shall be allowed in A1 zone. Only one single family residence allowed per approved lot exceptions. Original parcels that have been in existence prior to April 9th, 1979, and have not been subsequently divided since that date may be eligible for up to three one-acre splits depending upon the size of the original parcel and the number of previous divisions of the parcel. Such one-acre divisions shall be allowed on a formula of one division per five acres of total area of the

original parcel not to exceed three divisions of the original parcel, creating no more than four lots.

If the original parcel has been divided under this allowance after April 9th, 1979, and prior to the date of this title into more than one parcel, regardless of size, such divisions already taken shall count as part of the maximum of three splits allowed on the original parcel per 5 acres of total area. The size of the one-acre split may be increased only through the Special Use process. It is recommended where possible that splits be clustered and placed upon land considered marginal for agricultural use.

Location of the property located at, to be determined Mill Rd. address, Cambridge, Idaho 83610. Approximately .68 miles from Cambridge City limits.

The property is adjacent to Mill Road and is mostly surrounded by farm ground and some existing residences. Approximately 2/3 of the property is in the 100-year FEMA mapped floodplain. The existing use and structures property is currently an empty parcel with a pole, barn, shop, shipping container power and a well.

Zoning City Future Land Use map shows parcel is zoned agricultural. See Cambridge City Code below 10-4-1 A. Agricultural Zones. Purpose and agricultural purpose of agricultural land is defined as land with an area of five acres or more.

B. A1 Agricultural Zone. Definition, the A1 zone shall include all tracts of land which are being used for agricultural purposes and are not devoted to uses included within classifications A2.

Residential R,C1,C2,D and shall be designated as A1 zones. Lot area restrictions in zone A1, no dwelling, the construction of which was begun after May 8th, 1995, shall be sold, transferred, or built with less than five acres of lot area.

In zone A1, no dwelling shall be erected, or building altered to serve as a family residence on less than five acres of lot area.

Permitted uses. The following uses and no other shall be deemed Class A1 uses. Airports by special, permit of the City Council. CAFOs by special permit of the City Council. The following restrictions will apply to CAFOs.

Any new CAFO or major expansion, 50% or more of an existing CAFO shall be by conditional use permit. No CAFO may be constructed within 1000 feet of the adjoining property lines. Cemeteries by conditional use, cultivation, storage, and sale of crops, vegetables, fruits, plants, flowers, nursery stock produced on the premises. Fairgrounds by conditional use farm and ranch houses, buildings and other structures, gravel pits and quarries by conditional use permit.

Livestock and poultry raising, feeding and sale but not including commercial feed lots, kennels and veterinary or animal hospitals. Radio and television transmitting stations by conditional use permit riding stables by conditional use permit.

C. A-2 Agricultural Transitional Zone. The A2 zone shall be an area that is presently used for agricultural purposes, but due to its size and environmental conditions, it would be better suited for development. For example, non-irrigable plateau in an existing farm or a rock outcropping? That makes it uneconomical to farm this land use will be evaluated on a case-by-case basis by the City Council.

Permitted uses. The following uses and no other shall be deemed. Class A2 uses and shall be permitted in all A2 zones.

All uses as permitted in an A1 agricultural zone and such other uses or development as determined on a case-by-case basis by the city council.

Background. The subject property is in Washington County but is within the Area of City Impact for Cambridge. Washington County Planning and Zoning supplied the City of Cambridge with information about that.

The property does have a dwelling right attached to it but is a non-conforming lot size of 4.41 acres due to being part of an original parcel that has met the maximum number of splits allowed by county code, indicating there are no splits available on this parcel. See Washington County code 541 C. As a result of this, the subject property is in between the counties conforming lot sizes, therefore requiring a Special Use Permit.

City of Cambridge Comprehensive Plan is the primary document which guides land use within the City of Cambridge and its Area of Impact, as well as a guide to the city's vision for the future. The Comprehensive Plan is intended to be a set of positive rather than restrictive statements concerning what the City of Cambridge, Cambridge wishes to be and to accomplish.

The following excerpts from the city's comprehensive plan may be relevant for consideration of the request: Chapter 5 Land Use.

5.1 Introduction to the land use surrounding Cambridge is primarily agriculture and ranching. The land use designation serves as a planning tool that assists the city of Cambridge in sustaining reasonable growth and development.

5.2 Current land use patterns, agriculture, the agriculture category provides for the production of crops, aperies and livestock, excluding CAFOs, and for the location of necessary processing facilities accessory units and compatible recreation uses development projects proposed in these areas should incorporate strategies for preserving agricultural use.

5.5 Area of City Impact- the Area of City Impact is the area that the city expects to grow within a designated time frame based upon city policy.

The City of Cambridge should have an agreement in place with Washington County for land use decisions in predefined impact areas surrounding the city.

The boundaries of the area of the city impact should be contingent upon negotiations with Washington County and should be developed in a timely fashion.

In some cases, as requested by a landowner, the city may annex outside its area of city impact.

Growth issues affect both the city and county.

Effective growth management will require a coordinated effort involving city and county land use regulations. Some of the more specific growth-related issues include:

Potential for growth in the areas outside this of the city and within this area of city impact modifications to the area of city impact and possible annexation, expansion of city services only in areas within the city limits of Cambridge.

The city recognizes that they can only make recommendations on land use issues in the Area of City Impact and impacts of growth can affect the efficiency of existing and future transportation corridors.

Analysis recommendations to Washington County for approval of the Special Use Permit should be based on the following criteria:

That the proposed special use conforms to applicable regulations and standards. (A) If approved, the special use will conform to applicable regulations and standards by the Washington County Zoning Ordinance. (B) If approved, the special use will not conform to the City of Cambridge's current future land use, zoning, designation of agriculture.

Two that the establishment maintenance or operation of the special use will not be detrimental to or endanger the public health, safety or welfare at this time. Staff cannot identify any factors that would cause the proposed special use to be detrimental to public health, safety or welfare.

That the use of values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment of the special use.

Again, staff cannot identify any factors that would diminish or impair the uses, values and enjoyment in the neighborhood based on the applicant's narrative. They want to build a single-family dwelling and become a sustainable homestead.

For that, the establishment of the proposed special use will not impede the normal and orderly development and improvement of the surrounding property for use permitted in the zone.

Staff cannot foresee any conditions of the proposed special use that would impede any developments or improvements of the surrounding property. That the special use does not adversely impact service delivery on the Postal Service, Cambridge School District, Fire Protection District, Ambulance District or Sheriff's Department. There are no foreseeable factors that would demonstrate that the proposed special use would have any would have an adverse impact on any of the above-named local government service deliveries that would require any sort of mitigation.

RECOMMENDATION - Staff recommend approving the Special Use Permit to allow the building of the single-family dwelling as proposed in the applicant narrative, subject to the following conditions. That the general standards applicable to Special Uses in 5-9-2 of Washington County Code have been met.

WRITTEN CORRESPONDENCE - Mayor Loveland asked if there was any written correspondent. City Clerk Sandra McKee stated that one piece of written correspondence was received by Robin L Thorson and Ethel Pearson, dated May 28th, 2024.

Sandra read the letter: To the City of Cambridge City Council regarding the request of Leland and Deidre Rountree for special use permit for the property parcel RP14 N 03 W 022300. We understand that the request for the special use permit is to allow a dwelling to be placed on a parcel greater than one acre, less than 20 acres off Mill Rd., East of Cambridge and within the impact zone. We believe that such a permit will maintain the integrity of the present agricultural zone and so we have no objections to the permit. We are the owners of the fields directly across Mill Rd. from the parcel in question.

TESTIMONY BY THOSE IN SUPPORT OF APPLICATION -

Tim Bumgarner (no address was stated on record) - I was the original owner of the property that Leland and Deidre own. My question to you guys is where is the boundary of the impact zone city impact zone? (Corey shows Tim a map and shows him the boundary lines. Discussion about the map occurs.) Another question or not, it's not even a question is I've had that farm for 40 years and that is not A1 ground, it is not. It's not financially viable to farm that ground. These people are the future of your town. Whatever you decide, keep that in mind. And then also the acreage. Is the acreage an issue? Will it, is it come under different categories if the acreage was greater? Because I hear some if it it's below 4 or it's below 5 acres. So, if it was more than that would it fall into a different category that would just go to planning and zoning in the county and bypass the city?

Corey stated that as long as it is in the city impact zone you have to jump through these hoops.

Like I said, these guys are your future of your city. You know, we're going to be gone, and they'll still be here. And hopefully their kids will be here. When they bought the property from me and stuff. I mean, that's the reason that they bought has have, you know, dreams of the future of building a home and to live in this area. I understand we have rules.

Mike Page (no address was stated into record) - Mike Page, Cambridge, I own property that is adjacent to Roundtree's, and I am just here to voice my opinion of approval for their special use permit. And after living here all my life, I see there being no changes whatsoever to the property. Pending their approval and with that, I would look forward to having them as neighbors. Hopefully that's the case. Thank you.

TESTIMONY BY THOSE NEUTRAL ON APPLICATION – None received.

TESTIMONY BY THOSE OPPOSED TO APPLICATION – None received.

REBUTTAL BY APPLICANT – None needed.

Mayor Loveland closed the hearing at 7:39 PM.

Sandra McKee, City Clerk

Mark Loveland, Mayor