

The regular meeting of the Fruitland Planning and Zoning Commission was held at the Fruitland City Hall on Tuesday, September 13, 2022 at 7:00 p.m. Commissioners present were Cathy Yasuda, Helen Dickinson, Jim Ashley, Terry Heitz, Barry Carlman, Tami DeCroc, Mike Smith, Lindsey Judson, and Sharon Blacketter.

Staff present were Stuart Grimes and Beth Earles. Guests present included Brandon Tarvin, Debbie Bartlett, David Dunn, Dawn Walker, Dean Leas, Sara and Travis Plott, Lorrie Spickelmire, Dave Landers, Myra Grafton, Tyson Aubrey, Misty Myers, Desiree Wallace, David Wallace, Tony Godinho, Ron & Carolyn Long, Melissa Zueger, Melinda Capps, Sam Hamilton and Janette Proctor.

Commissioner Smith made the motion to approve the August 9, 2022 meeting minutes. Commissioner DeCroc seconded the motion. Motion carried.

Public Hearings

Bouma USA – Conditional Use Permit to Allow Educational Facilities for a Parcel in the North 500 Block of SW 4th Street, and 315 S. Colorado Avenue; Variance to Allow a Reduction of the Ten Foot Street Landscape Buffer Requirement on the South Side of a Parcel in the North 500 Block of SW 4th Street; Development Agreement for the Development of Treasure Valley Classical Academy at 424 SW 3rd Street, 500 SW 3rd Street, a Parcel in the North 500 Block of SW 4th Street, and 315 S. Colorado Avenue (Cont'd from June 14, July 12, August 9): Hearing Officer, Stuart Grimes, explained the hearings for the Bouma USA proposals would be continued to the regular meeting on October 11, 2022 at the request of the applicants and pending information.

A hearing was opened at 7:01 p.m. Hearing Officer, Stuart Grimes, explained the public hearing procedures and asked for any conflicts to be disclosed. No conflicts were declared.

Sara & Travis Plott - Conditional Use Permit to Allow Air Bed and Breakfast at 347 Syringa Springs Drive: Sara Plott testified she desires to use her five bedroom, three bath home as a short term rental of less than thirty days when her family is not residing in it. She will use Airbnb and VRBO companies to take reservations for the property and will maintain the property herself with the potential of utilizing a property manager in the future. Ms. Plott will install noise detectors, security cameras, and have regulations to mitigate impact on neighboring properties. Renters will have the ability to use the three-car garage and driveway for parking. Ms. Plott estimates the maximum occupancy to be twelve to sixteen people with determination considered on a case by case basis. Only service and support animals will be allowed.

Written testimony was received in opposition from Mary L. Hill.

Brian Molthen (766 Poppy Street) representing the Syringa Springs Homeowners Association testified the state does not allow homeowner associations to limit the duration of rental stays. Mr. Molthen testified the association gave the subdivision residents the opportunity to voice their concerns and of the respondents, six were in favor and fifteen were opposed to the proposal. Opposition was due to concerns for property values, encouraging additional rentals, potential criminal elements and lack of maintenance.

David Dunn (338 Orchid Avenue) testified the subdivision covenants do not allow businesses and homeowners agree to the regulations when they purchase their homes. Mr. Dunn testified he shares the same concerns as those expressed in opposition.

Myra Grafton (755 Zinnia Street) testified to her experience with air bed and breakfast in a neighborhood that resulted in problems and is concerned with a decrease in property values.

Debbie Bartlett (415 Poppy Street) testified she is concerned for the impact on Fruitland and surrounding cities if the short term rental is approved and the caliber of renters.

Sara Plott testified the rental is priced for quality renters and has the final decision as to accept or decline a reservation. Ms. Plott stated the area is not a tourist destination and doesn't see the proposal increasing short term rentals in the area and causing a detriment to communities. Competition will eliminate those who don't keep and maintain their property values. Ms. Plott submitted to the commission legislative bills regarding Idaho Code citing protection from regulations prohibiting the use of private property for short term rentals.

With no further testimony, the hearing was closed at 7:35 p.m.

Decisions

Bouma USA - Conditional Use Permit to Allow Educational Facilities for a Parcel in the North 500 Block of SW 4th Street, and 315 S. Colorado Avenue: No deliberation as hearing will be continued to the next meeting scheduled for October 11, 2022.

Sara & Travis Plott – Conditional Use Permit to Allow Air Bed and Breakfast at 347 Syringa Springs Drive: Commissioner Smith made a motion to approve a conditional use permit with the conditions a current phone number and email address is provided to the HOA president, and maintain the ability to respond within two hours to any issues that arise. Commissioner Ashley seconded the motion. Motion carried.

Recommendations

Bouma USA – Variance to Allow Reduction of the Ten Foot Street Landscape Buffer Requirement on the South Side of a Parcel in the North 500 Block of SW 4th Street: No deliberation as hearing will be continued to the next meeting scheduled for October 11, 2022.

Bouma USA – Development Agreement for the Development of Treasure Valley Classical Academy at 424 SW 3rd Street, 500 SW 3rd Street, a Parcel in the North 500 Block of SW 4th Street, and 315 S. Colorado Avenue: No deliberation as hearing will be continued to next meeting scheduled for October 11, 2022.

Impact Area Recommendation

PAR Repair – Comprehensive Plan Change from Residential to Commercial-2 at 8075 N Pennsylvania Avenue: Commissioner Dickinson made a motion to send an unfavorable recommendation due to surrounding properties zoned Residential and lack of justification for increasing the impact. Commissioner Smith seconded the motion. Motion carried.

Chairman Carlman adjourned the meeting at 8:00 p.m.

Barry Carlman, Chairman

ATTEST:

Beth Earles, Secretary