



May 1, 2026

City of Donnelly
Planning and Zoning
160 Halferty Street
Donnelly, ID 83615

RE: Conditional Use Permit and Planned Unit Development associated with the Boulder Creek development – Valley County parcel #s RPD00000151350 and RP16N03E151340

To whom it may concern,

On behalf of Reuben Ortega and the Freedom Management Group, LLC, we are submitting a Conditional Use Permit application for a Planned Unit Development and proposed uses.

Site History and Background:

The subject site consists of two (2) parcels which total approximately 22.83 acres in size and identified as Valley County parcel numbers RPD00000151350 and RP16N03E151340. The northern parcel is located within the City of Donnelly's corporate limits.

The northern parcel consists of approximately 10.71-acres. The parcel is bordered on the north and west by Eld Lane. The parcel contains an existing dwelling and accessory structures located adjacent to Eld Lane. The remaining portion of the parcel contains portions of Boulder Creek, a few existing trees with the remainder relatively bare.

The southern parcel consists of approximately 12.12-acres. A majority of the parcel contains a Special Flood Hazard Area and wetlands associated with Boulder Creek. A portion of the parcel is bordered on the west by Eld Lane. There are mature trees located throughout the site.

The site is bordered by the following uses:

- North – Single-family dwellings
- South – Single-family dwelling and a vacant parcel
- East – Single-family dwellings (3) and vacant parcels (2)
- West – Wastewater Treatment Plant

The Donnelly Comprehensive Plan Future Land Use Map designates the north parcel as **Compact Residential:**

COMPACT RESIDENTIAL: This designation is intended to provide a diverse mix of housing types with a maximum residential density of eight (8) dwelling units per acre to encourage compact development. Cottage or home-based businesses are encouraged in Compact Residential Districts provided there are no nuisance characteristics.

The Donnelly Comprehensive Plan Future Land Use Map designates the south parcel as **Public Lands and Open Space:**

PUBLIC USE, PARKS, OPEN SPACE: Suitable primarily for the development of such uses as golf courses, parks, recreation facilities, greenways, schools, cemeteries, and public service facilities such as government offices. All development within this land use is encouraged to be designed to accommodate the different needs, interests,



and age levels of residents and visitors in matters concerning both recreation and civil activities. Open space should be designed to capitalize on and expand the open space areas around natural features and environmentally sensitive areas. Priorities for preservation include: the most sensitive resources – floodways and floodplains (including riparian and wetland areas), locally significant features, and scenic viewpoints. Fragmentation of open space areas should be minimized so that resource areas are able to be managed and viewed as an integrated network. Open space areas along the Boulder Creek should be designed to function as part of a larger area open space network.

The subject property contains areas of floodway; however, these areas are not identified on the Donnelly Comprehensive Plan Future Land Use Map.

FLOODWAY: Floodway areas are defined as specifically shown on the newest edition of the Federal Emergency Management Administration Flood Insurance Rate Maps (FIRM) (generally shown as floodway on the Land Use Map). These areas are to remain open space because of the nature of the floodway which can pose significant hazards during a flood 2023-2045 Donnelly Comprehensive Plan Crossroads to Recreation 21 event. Floodway areas are excluded from being used for calculating residential and development densities. **Any portion of the floodway developed as a substantially improved wildlife habitat and/or wetlands area is open to and usable by the public for open space, such as pathways, ball fields, parks, or similar amenities, as may be credited toward the minimum open space required for a development, if approved by the City Council.** Portions of the floodway property are private property and are subject to property rights. When discrepancies exist between the floodway boundary shown on the Land Use Map and the floodway boundary shown on the FIRM maps so that the floodway area is smaller than that shown on the Land Use Map, the adjacent land use designation shown should be considered to abut the actual floodway boundary. (The following image has been sourced from the official FIRM on FEMA’s website.)

Application Details

The applicant is requesting conditional use permit approval for a planned unit development. The applicant is proposing a planned unit development based on the proposed uses of single-family attached dwellings, multi-family dwellings, a recreational cabin park, and open space.

The proposed single-family attached dwellings, multi-family dwellings, and recreational cabin park will be located within the western area (approximately 11-acres) being rezoned to R-8-DA (Residential with a development agreement). The open space will be located within both the western area being rezoned to R-8-DA (Residential with a development) and the eastern area to be rezoned to PU/OS (Public Use and Open Space). A majority of the open space will be designed to protect Boulder Creek, riparian areas, and wetlands.

This request has been prepared to be in conformance with the objectives and policies based on the following standards as identified within the Donnelly Comprehensive Plan and Donnelly City Code:

Donnelly Comprehensive Plan

Chapter 5 – Land Use

5.6 Directives

II. OBJECTIVE(S):

- b. Implement the Future Land Use Map and land use policies as the official guide for development.



- c. Encourage land uses that are in harmony with existing resources, scenic areas, natural resources and wildlife areas, and surrounding land uses.

III. POLICIES:

- a. Any deviations from the land use criteria herein must include substantial justification that the deviation is in the best interest of the public, subject to City Council review.
- e. Housing projects proposing multiple units are to vary in size and price point to offer a variety of housing options for residents of the City.
- l. Where feasible, open space is to be provided to protect the rural character of the area and preserve environmentally sensitive areas.

Chapter 7 – Housing

7.2 Directives

I. GOAL(S):

- a. Provide an inventory of housing that meets the needs and lifestyle of current and future residents of the City.

II. OBJECTIVE(S)

- a. Maintain a viable inventory of housing that is affordable to all City residents.

III. POLICIES:

- a. Encourage affordable and workforce housing within close proximity to shopping and services.
- e. Identify priority areas for affordable and workforce housing that are co-located with city services or within walking distance to city services.

Chapter 8 – Transportation

8.7 Street Classification Map

- s. Implement applicable sections of the Street Classification Map as development occurs.

The Street Classification Map provides a guide for future roadway corridors. Future collectors are shown as concept only with precise locations to be established as development is proposed. Minor or major collector classifications for future collectors are to be determined by future trip generation analysis.

I. GOALS(S)

- a. Achieve efficient and safe movement of people, goods and services, within the City of Donnelly and throughout the Area of City Impact.

III. POLICIES:

- s. Implement applicable sections of the Street Classification Map as development occurs.

Chapter 9 – Natural Resources

9.1 Introduction

The natural resources of the Donnelly area include waterways, floodplain areas, wetlands, forested areas, natural vegetation, and diverse wildlife. Steep slopes of over 25 percent are minimal. A review of development proposals



should consider the purpose for which land is best suited, as defined by a combination of its natural characteristics, location, and the goals of the city.

I. GOAL(S):

- a. Protect and preserve the natural resources within the City of Donnelly and its planning area.

III. POLICIES:

- a. Priority wetlands and stream banks should be identified and restored to reduce run-off and sedimentation.
- k. All new development and redevelopment projects should provide open space and architectural features that break-up building surface and allow for scenic viewsheds.

Donnelly City Code, Section 18.05.010: Districts, established, purposes and restrictions:

R RESIDENTIAL DISTRICT: To provide regulations and districts for various residential neighborhoods. Gross density in an R district shall be determined according to the numeral following the R. The numeral designates the maximum number of dwelling units per acre. Multifamily, attached single family and two-family units/developments are prohibited in R-1, R-2, R-3 and R-4 zoning districts. Centralized water and sewer facilities are required for all development applications submitted after the effective date hereof in all districts except for the RR zone.

PU/OS PUBLIC USE AND OPEN SPACE: To provide for public/semipublic development such as golf courses, parks, recreation facilities, greenways, schools, and public service facilities such as government offices.

Donnelly City Code, Section 18.05.130: Definitions define the proposed uses as follows:

PLANNED UNIT DEVELOPMENT

A project controlled by one owner, partnership, or corporation, and characterized by a unified site design which may include multiple uses, involving varying the normal zoning requirements and restrictions so that the maximum long-range benefit can be gained and the unique features of the site preserved and enhanced.

DWELLING, MULTIFAMILY

A dwelling consisting of three or more dwelling units with varying arrangements of entrances and party walls, commonly referred to as apartments. Multifamily housing may include public housing.

DWELLING, SINGLE-FAMILY ATTACHED

A dwelling consisting of two or more dwelling units attached to one another by common walls with each dwelling unit being on a separate lot, commonly referred to as townhouses and/or townhomes.

RECREATIONAL CABIN PARK

A recreational cabin park is a tract of land that includes cabins, casitas, and/or other temporary living quarters, ranging from 400 square feet to 1,000 square feet, not to exceed 1,000 square feet, designed and operated for leisure, vacation, or temporary recreational purposes. Use as permanent living quarters is prohibited. These parks are to offer facilities for a variety of non-permanent guests, providing cabins, casitas or similar recreational structures as temporary living quarters instead of recreational vehicles. The number of units permitted shall be as determined by the city council as a part of the conditional use permit and the units shall not be considered dwelling units for density calculations.



Donnelly City Code, Section 18.10.030: Schedule of district use regulations:

A planned unit development, multifamily dwelling and recreational cabin park requires approval of a conditional use permit within the R-8 (Residential) zoning district.

Justification of the Conditional Use Permit:

- A. Will, in fact, constitute a conditional use as established within Donnelly City Code for the zoning district involved:

A planned unit development, multifamily dwelling and recreational cabin park requires approval of a conditional use permit within the R-8 (Residential) zoning district.

- B. Will be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or Donnelly City Code:

The site is designed to be in conformance with the goals and policies of the comprehensive plan relative to the density, providing a variety of housing options, located adjacent to a future collector (Eld Lane), protection of floodplain areas, and natural resources (wetlands).

The site is designed in conformance with Donnelly City Code relative to density, setbacks, and conditional permitted uses.

- C. Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area:

The site is designed to be harmonious and appropriate in appearance with the existing and intended character of the area. A majority of the site is bordered by vacant parcels or public property. The existing residential homes located north of the proposed development are located within an area which is shown as Commercial on the Donnelly Comprehensive Plan Future Land Use Map and currently zoned R-8 (Medium Density Residential). There is a parcel located contiguous with the northeast corner of the property which is shown as Commercial on the Donnelly Comprehensive Plan Future Land Use Map and currently zoned R-4 (Low Density Residential).

- D. Will not be hazardous or disturbing to existing or planned future neighborhood uses:

The area where the single-family attached dwellings are proposed is bordered to the north by Eld Lane and residential uses. There is a proposed buffer area located adjacent to Eld Lane. The area to the east is utilized for the wastewater treatment plan and is designated Industrial on the Donnelly Comprehensive Plan Future Land Use Map. The area where the multifamily dwellings and recreational cabins are proposed is bordered on the west by the wastewater treatment plan. This area is designated Industrial on the Donnelly Comprehensive Plan Future Land Use Map. The recreational cabin area is bordered on the south by a vacant property. A majority of the area where development is to occur, is bordered by the area which will remain open space.

- E. Will be served adequately by essential public facilities such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services:

The applicant is extending all central services to the site. Development of sewer, water, drainage, streets and other services will be provided at the developer's expense. The Donnelly Comprehensive Plan identifies that



the schools are currently operating below capacity. The applicant has been working with the Donnelly Rural Fire Protection District regarding the district's requirements for access and fire flows.

- F. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community:

The costs of the extension of all public facilities and services will be borne by the developer and must be approved at the time of installation and before acceptance by the City of Donnelly and the Donnelly Rural Fire Protection District.

- G. Will not involve uses, activities, processes, 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:

It is not anticipated that the proposed uses or activities will be detrimental to the surrounding properties upon completion of the site work and construction of the improvements (inclusive of the dwellings and recreational cabins). The development will be served by internal drives connected to Eld Lane at four (4) separate points of ingress/egress. Eld Lane extends to State Highway 55.

- H. Will have vehicular approaches to the property which are designed as not to create an interference with traffic on surrounding public thoroughfares:

Access to the development will be from Eld Lane (future collector) which has access to State Highway 55. The applicant is proposing to pave Eld Lane running east to west and provide pedestrian facilities adjacent to both sides of the street. The design and construction of the roadways and entrances will be guided by the City of Donnelly.

- I. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance:

The applicant is working with an environmental engineer and hydraulic engineers to address the Special Flood Hazard Area and the wetland areas located within the site. The applicant will be required to conform with Donnelly City Code associated with any development within the Special Flood Hazard Area. The applicant will also be required to obtain any permits from the United States of America Corps of Engineers associated with any proposed changes to the wetland areas.

Justification of a Planned Unit Development:

- 1. A maximum choice of living environments by allowing a variety of housing and building types, lot dimensions, yards, building setbacks and area requirements;

The proposed development will provide single-family attached dwellings and multifamily dwellings to provide a variety of housing as identified within the Donnelly Comprehensive Plan. The site is designed in conformance with the density, dimensional standards and setbacks required pursuant to Donnelly City Code.

- 2. A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses, office uses and services;

The site will contain substantial open space and adjacent to the Special Flood Hazard Area. The site is proposed with pathways to provide a place where residents and tourists may recreate and enjoy Boulder Creek.



3. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns;

The site is designed to preserve natural topography and natural drainage areas. The applicant is aware they will be required to mitigate for any proposed changes to the natural environment.

4. A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets; and

The site is designed to take advantage of the areas which are conducive to the construction of dwellings and cabins. The open space natural areas will be designed to preserve the Special Flood Hazard Area and the wetlands.

5. A development pattern in harmony with the objective for land use density, transportation and community facilities as presented in the comprehensive plan.

The development is designed to be in conformance with the Donnelly Comprehensive Plan in regard to density, transportation and the extension of community infrastructure.

6. A development pattern that provides for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding noncommercial areas.

The site is designed to allow for internal traffic circulation and parking to not be a burden on the adjacent street. The building design, orientation of buildings, and landscaping will be subject to design review approval.

Thank you,

John D. Roters, PLA, ASLA, Principal
Applicant/Representative Printed Name

A handwritten signature in black ink, appearing to read "John D. Roters".

05/01/2026

Applicant/Representative Signature

Date

South Landscape Architecture P.C.
Db: South, Beck and Baird Landscape Architecture