



Valley County Planning & Zoning Commission

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Todd Hatfield, Chairman
Harry Stathis, Vice-Chairman

Ed Allen, Commissioner
Mike Diem, Commissioner
Gerald Patterson, Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: February 14, 2008

TIME: 6:00 P.M. to 7:00 P.M.

LOCATION: Valley County Courthouse

ATTENDANCE: Commissioner present: Chairman Todd Hatfield, Harry Stathis and Gerald Patterson. Staff members present: Cynda Herrick, AICP, Planning and Zoning Administrator and Paula Amundson, Planning and Zoning Administrative Assistant. Ed Allen and Mike Diem were excused.

The meeting was called to order by Chairman Hatfield at 6:00 p.m.

MINUTES: Chairman Hatfield asked if there were any changes or corrections to the January 10, 2008 minutes. Chairman Hatfield stated that a couple of changes needed to be made regarding Centennial Log & Timber Homes. Commissioner Patterson moved to approve minutes for January 10, 2008 with changes. Commissioner Stathis seconded the motion. The motion carried unanimously.

A. OLD BUSINESS:

1. **C.U.P. 06-20 Liberty Springs Subdivision No. 3 – Final Plat:** The applicant is Heath Cunningham, of Gannessa, Inc. They are requesting final plat approval of a four lot single-family subdivision on approximately 7.89 acres. The Commission will review the final plat and Conditional Use Permit to determine conformance with the preliminary plat. The site is accessed from Herrick Lane and is located in Sec. 20, T.12N, R.4E, B.M., Valley County, Idaho.
Postponed to March 13, 2008 per applicant's request.

2. **C.U.P. 04-22 The Woods on Norwood, fka Sherwood Forest Subdivision - Final Plat:** The applicant is Donnelly Land Development. They are requesting approval for a 16-lot single family subdivision on 18.38 acres. The Commission will review the final plat and Conditional Use Permit to determine conformance with the preliminary plat. Access to the subdivision will be from Norwood Road. The site is located on RP16N03E163976A in the NW ¼ of Section 16, T.16N, R.3E, B.M., Valley County, Idaho.

Chairman Hatfield announced the item and stated it was not a public hearing. He then asked for the staff report.

Staff presented the staff report. Final plat approval was given previously by the Planning and Zoning Commission but the 90 day approval period has now expired. Staff recommended final plat approval with corrections being made with the mylars.

Commissioner Stathis moved to approve final plat for C.U.P. 04-22 The Woods on Norwood and authorized the chairman to sign. Chairman Patterson seconded the motion. The motion carried unanimously.

1. C.U.P. 06-02 Settler's Mill Subdivision No. 1, Phase 1 – Final Plat: The applicant is Copper Canyon Development and Darell & Alyce Kelley. They are requesting final plat approval of Phase 1 that consists of 25 single-family lots, 5 common lots, and future condominiums phases. The Commission will review the final plat and Conditional Use Permit to determine conformance with the preliminary plat. Access will be from Loomis Lane. The site is on the northwest corner of Hwy 55 and Loomis Lane, in the SWSE of Sec. 23 T.16N, R3E, B.M., Valley County, Idaho.

Chairman Hatfield announced the item and stated it was not a public hearing. He then asked for the staff report.

Staff presented the staff report. Final plat approval was given previously by the Planning and Zoning Commission but the 90 day approval period has now expired. Staff recommended final plat approval and authorized the chairman to sign.

Commissioner Stathis asked if there were any changes.

Staff stated that there are changes that will be made for final plat indicated by the surveyor and cartographer with some road name changes. There have been no changes since last Planning and Zoning Commission approval.

Commissioner Patterson wanted to comment on their CCR's and CCR's in general and stated that it should be encouraged to the developers to provide alternative sources of energy like solar panels for their clients if they are wanted. He felt CCR's should not be so restrictive as to stop people from using alternate forms of energy were it could be possible and practical.

Commissioner Stathis understood but stated that if a developer does not want to put that in their CCR's they do not have to. Commissioner Patterson realized that but they should start encouraging developers to become more energy conscientious.

Commissioner Stathis moved to approve final plat for C.U.P. 06-02 Settler's Mill Subdivision No. 1 Phase 1 and authorized the chairman to sign. Chairman Patterson seconded the motion. The motion carried unanimously.

2. C.U.P. 06-02 Settler's Mill Subdivision No. 1, Phase 2 Condominiums – Final Plat: The applicant is Copper Canyon Development and Darell & Alyce Kelley. They are requesting final

plat approval of Phase 2 that consists of 20 two-story, single-family condominiums and 1 common lot. The Commission will review the final plat and Conditional Use Permit to determine conformance with the preliminary plat. The site is on the northwest corner of Hwy 55 and Loomis Lane, in the SWSE of Sec. 23 T.16N, R3E, B.M., Valley County, Idaho.

Chairman Hatfield announced the item and stated it was not a public hearing. He then asked for the staff report.

Staff presented the staff report. Final plat approval was given previously by the planning and zoning commission but the 90 day approval period has now expired. There are changes to be made indicated by the surveyor and cartographer and Staff recommended final plat approval and authorize the chairman to sign.

Commissioner Stathis moved to approve final plat for C.U.P. 06-02 Settler's Mill Subdivision No. 1 Phase 2 Condominiums and authorized the chairman to sign. Commissioner Patterson seconded the motion. The motion carried unanimously.

5. C.U.P. 98-01 P.U.D. 98-01 Tamarack Resort, Phase 4.1 – Final Plat: The applicant is Tamarack Resort, LLC. They are requesting approval of 112 lots on 104.78 acres. The Commission will review for conformity to the preliminary plat and compliance with the Land Use and Development Ordinance and Subdivision Regulations. The site is located in the S ½ of Sec. 5, NE ¼ of Sec. 7, and the N ½ of Sec.8, T.15N, R.3E, B.M., Valley County, Idaho

Chairman Hatfield announced the item and stated it was not a public hearing. He then asked for the staff report.

Staff stated that this was for a final plat that was previously approved. At that time there were concerns for some of the shared driveways so they changed the plat and made some of those shared driveways roads.

Ralph Miller, Secesh Engineering, stated that some of the recreation easements had been changed also.

Discussion ensued between the commissioners regarding the roads and fire turnarounds previously addressed. Staff stated there will be a letter of approval from Donnelly Fire before the final plat goes in front of county commissioners.

Commissioner Stathis moved to approve final plat for C.U.P. 98-01 & P.U.D. 98-01 and authorized the chairman to sign. Chairman Patterson seconded the motion. The motion carried unanimously.

B. NEW BUSINESS:

1. V-6-07 Whitehawk Subdivision - Sky Ridge Cul-de-sac & Shared Driveway: The applicant is Whitehawk Land Development. They are requesting approval of a variance for a cul-de-sac exceeding the maximum 900' length allowed by Valley County. The proposed cul-de-sac is 3200 feet and serves 7 lots total. The shared driveway would establish a 60' wide easement between lots 23 & 24. The property is RP11N03E114656A and RP11N03E140006A

and is located in the S ½ Sec. 11 & N ½ Sec. 14, T.11N, R.3E, B.M., Valley County, Idaho.

Chairman Hatfield announced the item and asked for any ex parte or conflict of interest. There was none.

Staff presented staff report. Since the staff report had been completed the following correspondence had been received:

Ball Family, Smith's Ferry Subdivision #1 (exhibit 1), responded by letter dated February 14, 2008 and had the following comments:

- Are the roads in Whitehawk Subdivision to be maintained as public or private roads?
- Will there still be access to the wilderness area off of Packer John Road?
- Main concern is identification and classification of roads in the area as it impacts maintenance responsibility and public access.

Lori Hunter responded by memo dated February 12, 2008 (exhibit 2). She received a phone call from Mike Morrison, 9682 Packer John Road, Smith's Ferry Sub. #2 and he was concerned with:

- The safety of the proposal.
- In the past P & Z has not allowed long cul-de-sacs due to fire and safety concerns.
- Why would you consider one that is 3200 feet long?

Chairman Hatfield stated at this time they would hear from the applicant.

Karen Strauss, Professional Engineer, W & H Pacific, 3501 W. Elder Street, Boise, Idaho representing the client. She displayed Whitehawk Phasing Plan marked as exhibit 3 (lot numbers will be changing). Karen made the following comments:

- The proposed cul-de-sac is in Phase 2 and is for access to seven residential lots.
- The reason for the request for the variance for the cul-de-sac length was after analyzing the road alignment it seemed that to connect to the two additional lots there would be a lot of earth work, scarring and potential environmental damage to the property.
- The cul-de-sac would be a much greener decision for Valley County.
- The shared drive is for actual lots 23 and 24 for topographic reasons. There are a lot of valleys and hills on the property. The shared drive will save scarring from driveways.

Commissioner Patterson asked who would maintain shared driveway.

Karen Strauss stated they spoke with staff and she recommended that we provide a shared driveway maintenance agreement. The two lot owners of the shared driveway will be responsible for maintenance. If they do not maintain it then the homeowner's association will maintain and charge them for it.

Commissioner Patterson stated the cul-de-sac is very long and read that there would be signage and wanted to know the plan for this. Karen Strauss stated the sign would read dead end and no outlet. Commissioner Patterson stated the sign should also state how far the distance is. Karen Strauss said that would not be a problem for the sign to read the distance also. Karen also stated all the roads are private.

Commissioner Stathis commented that this was a very long cul-de-sac and felt it would be unsafe for the fire department. Ms. Strauss stated that is why they contacted Mr. Hass with the Cascade Rural Fire Department and went over the design of the cul-de-sac with him for his approval.

It was discussed where did the 900 feet cul-de-sac derive from and staff stated it was established in 1971 as part of boiler plate ordinances adopted back then.

Commissioner Patterson asked what was the cost for making the road connection versus not making the road connection. Ms. Strauss stated that it would be about two-thirds of a mile and a ball park figure would be \$700,000. She also stated that there is a large drainage that runs right through there and to put the road in could cause a lot of erosion.

Chairman Hatfield asked if this was visible from Highway 55. Ms. Strauss didn't believe it was.

Commissioner Stathis asked why this problem was now just coming about or had it been this way all along. Ms. Strauss stated this issue had not been overlooked. Initially with the preliminary plat they did have the road design planned. As they got into construction and laying down the road and looking at the road profile that is when they came up with the idea that it sure would be better not to have to build that road. That's why we came in front of Planning and Zoning to see if that would be possible.

Staff asked what the grade would be on that road. Ms. Strauss stated it would be the county maximum of 10%.

Commissioner Hatfield was for less scarring of the hillside. Commissioner Patterson agreed. Commissioner Patterson also reiterated that the fire department has approved the cul-de-sac as long as there were only seven residential lots with access.

Chairman Hatfield asked for proponents. There were known.

Chairman Hatfield asked for undecided.

Chuck Smith, 9608 Packer John Road, Smiths Ferry. He stated that in summer time cul-de-sacs are great. They eliminate people with four wheelers to loop around continuously. But in the winter cul-de-sacs are not so great. In our subdivision we have a cul-de-sac and when a vehicle gets jack knifed in the road or a tree falls in the road, I am one of the people who gets called to try to get it cleared. There is only one way in and out. He thought it would be a reasonable idea to leave the right of way in the plat for the future property owners in case one day they decided they would like to have the road go all the way through. In our subdivision we don't have a right of way to connect to roads and we wish we did.

Michael Ball, he is with the family who wrote the letter. They have no objection to the cul-de-sac being proposed. Their concern is more general for the overall period of time of the subdivision development. Hoped that with the future phases this does not set a precedent to establish more extension of cul-de-sacs in the phases as they are developed. He was here representing a number of home owners that will be isolated by the development from the wilderness. The Hick's, the Schroeder's, the Pieser's and the Ball's have enjoyed the wilderness for years and wanted to be sure that even through the development they will be able to enjoy the

wilderness around them like they have in the past. They just want to see sensible decisions being made with this development going on.

Chairman Hatfield asked for opponents. There were none.

Chairman Hatfield asked for applicant's rebuttal.

Karen Strauss stated that they are in the last phases of design and this is the only long cul-de-sac that will be requested for the subdivision.

Commissioner Stathis stated referring to Mr. Ball's letter, if those people will still have access to Packer John area. Karen Strauss stated yes.

Sal Galucci, Whitehawk Land Development Company, came forward and stated this is a private subdivision with private roads as stated in the preliminary plat approval.

Staff asked if they would consider putting an easement through there in case 20 years from now they would want to continue that road. Mr. Galucci stated then you could be impacting property ownership and uncertainty in preserving the rights of each respective lot owner who bought those properties that could be impacted by the easement in the future.

Commissioner Stathis asked what was the reasoning behind not letting people onto the private roads for access. Mr. Galucci stated the reasons are that they are maintaining the roads, don't want other liabilities, and they want to keep the preservation and quality they are offering to each individual property owner.

Staff stated Packer John Road is a public road and will continue to be a public road.

Commissioner Patterson commented that the internal trail system they have proposed for the subdivision is quite extensive.

Chairman Hatfield brought it back to the table. Chairman Hatfield asked if they should require them to maintain an easement for future development of the previously proposed road. Commissioner Patterson stated that probably wouldn't be very practical to do that. The cost of putting in the road and the area appears to be pretty steep. Chairman Hatfield agreed because that is state land that adjoins those lots and will probably not have future development there.

Commissioner Patterson moved to recommend approval to the Board of County Commissioners for Variance V-6-07 Whitehawk Subdivision – Sky Ridge Cul-de-sac and Shared Driveway with the added condition of approval that the length of the cul-de-sac be stated on the dead end sign. Commissioner Stathis seconded the motion. Motion carried unanimously.

C. OTHER ITEMS:

1. Facts and Conclusions:

- C.U.P. 07-25 Centennial Log & Timber Homes - Approved with changes being made in the minutes for January 10, 2008 pertaining to this application.

- C.U.P. 07-30 Boulder Peak Ranch - Approved as presented.

2. Correspondence:

- Resolution for BMP's has been adopted by the Board of County Commissioners to abandon Valley County's Stormwater Best Management Practices and adopting the states manual. There is an additional addendum that changes a few things that are specific to Valley County. This will result in that everybody will have access to the same manual on their website and everybody will be on the same page.
- Amendment to Matrix – Appendix A of the LUDO
Board of County Commissioners would like the Planning and Zoning Commission to consider revisions to the matrix and the whole appendix A compatibility rating evaluation system. We will go through and evaluate each line of the existing system and add any additional lines that you think are necessary based upon your experience with this tool. Then we would have Parametrix review it. Time was set at the end of the next Planning and Zoning meeting March 13, 2008 to go over the matrix and compatibility rating evaluation.
- Scenic Byway Ordinance hearing will be set for public hearing April 3, 2008 at 6:00 p.m.

Meeting adjourned.