



Valley County Planning & Zoning Commission

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Todd Hatfield, Chairman
Gerald Patterson, Vice-Chairman

Ed Allen, Commissioner
Harry Stathis, Commissioner
Rob Garrison, Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: February 12, 2009

TIME: 6:00 p.m. to 9:10 p.m.

LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present: Ed Allen, Harry Stathis, Gerald Patterson, Rob Garrison, and Chairman Todd Hatfield. Staff member present: Cynda Herrick, AICP, Planning and Zoning Administrator.

MINUTES: Commissioner Stathis moved to approve the minutes for January 8, 2009. Commissioner Patterson seconded the motion with corrections identified. Motion carried.

OLD BUSINESS:

1. Subdivision Wildfire Mitigation Plan Ordinance – This proposed ordinance requires that a fire mitigation plan be submitted with all preliminary plat applications. The plans will be reviewed by the Planning & Zoning Commission and the applicable Fire District. Fire Mitigation Plans must include such things as: existing site description and maps to include topography, aspect, structures, roads, and distribution of fuel models (e.g. short grass, timber, brush, and logging slash), fuel breaks, power lines, propane tanks, hydrants and emergency sources of water. The Plan must include features of the site that might aid in firefighting, map of perimeter and internal fuel breaks, strategies for defensible space around building sites, and maintenance schedule for vegetation near above-ground power lines. The plan must also include details on how the requirements will be conveyed to future owners. *Tabled from November 11, 2008 meeting.* **POSTPONED – Asking for Workshop**

Chairman Hatfield announced the item.

Discussion ensued concerning the Plan.

Staff explained that after speaking with Stephanie Johnson, John Lillehaug (Dept. of Lands), and Mark Woods (SITPA), it would be best to meet in a workshop with the fire mitigation.

The Commission discussed course of action. Commissioner Patterson moved to reserve last hour

of April meeting along with requested information for a workshop with fire group along with information requested at prior meeting. Commissioner Allen seconded the motion. Motion carried.

A. NEW BUSINESS:

1. V-4-08 Hansen Variance to Relax Front Yard Setback: The applicant is Von L. Hansen. He is requesting a variance to relax the front yard setback from the required 20' to 7.5'. The site is addressed as 204 Shadows Trail Road. It is located in Mountain Shadows Subdivision No. 2, Lot 23, NW ¼ Sec. 3, T.15N, R.3E, B.M., Valley County, Idaho.

Chairman Hatfield announced the item and asked for any exparte contact or conflict of interest. There were none. He then asked for the Staff Report.

Staff presented the Staff Report and added exhibit 1 (Paul Proctor e-mail). Commissioner Garrison asked if there was a response from Northlake Sewer. Staff stated she had not.

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

Von Hansen, 11128 W. Hickory Park Drive, Boise, came forward and gave presentation.

- Has owned property in Valley County for 20 years.
- Described layout of road system.
- Demonstrated comments with pictures existing in file.
- Will be 7 ½ feet from property line and 57 ½ from traveled way.
- Variance being requested due to orientation of existing road .

Commissioner Patterson said they must reserve property rights...if straight road is not dedicated there will be serious problems in the future if the owner wants the road moved.

Commissioner Allen asked size of garage. Applicant stated the size is about 30'x 30'.

Chairman Hatfield recommended he meet with the Board and the other property owner in order to get the easement across the private property for the road where it lays.

Chairman Hatfield asked if the existing garage complies with the setbacks. It does – the existing garage is 40' from property line.

Chairman Hatfield asked to hear from the proponents.

Rod Givens, 1951 E Mountain Man Drive, Meridian, Id. This is a unique situation due to the alignment of the sewer lift station.

Chairman Hatfield asked to hear from the undecided.

Chairman Hatfield asked to hear from the opponents.

The public hearing was closed.

Deliberation ensued amongst the Commission. The Commission is recommending the applicant meet with staff and try to get easement for the road across the neighbors property where it currently is located.

Commissioner Patterson moved to recommend approval for Variance V-4-08 Hansen to the Board of County Commissioners with the following conditions: 1) must communicate with county and resolve straightening right-of-way to match where road currently is constructed.. Commissioner Stathis seconded the motion. The motion carried unanimously.

2. C.U.P. 08-20 Elk Meadows River Ranches Subdivision – Preliminary Plat: The applicant is Elk Meadows River Ranches, LLC. They are requesting approval of a 14-lot single-family residential subdivision on 107.98 acres. Three common areas are proposed. Three phases are proposed. The subdivision would be served by individual wells and septic systems. Access would be provided via Gold Fork Road and one new paved private road. The property is addressed as 536 Gold Fork Road, parcels RP16N04E300004 & RP16N04E307355, located in the E ½ E ½ of Sec. 30, T.16N, R.4E, B.M., Valley County, Idaho.

Chairman Hatfield announced the item and asked for any exparte contact or conflict of interest. There were none. He then asked for the Staff Report.

Staff presented the Staff Report. Commissioner Patterson wanted the comments from the Fire Department removed from the Staff Report.

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

Jim Fodrea, appeared as applicant's representative, and made the following comments:

- Presented the application and describes site with aerial map (exhibit 1).
- Will leave conservation easement area in natural state.
- Will be geared towards people who own horses.
- Will probably abandon idea of easements around existing barns due to lack of structural integrity.
- Power lines will be underground.
- Can comply with fire district.
- Will apply to FEMA to resolve flood plain issues.
- Will be a private, paved road, with 24' of width in a 70' right-of-way.
- Submitted responses to staff comments (exhibit 2).

Commissioner Patterson questioned page 4 of 16 of the Staff Report.

Commissioner Stathis asked if septic systems and wells will be typical? He is concerned with landscaping being required so that the appearance is not unsightly. Fodrea responded that there will be landscaping requirements in CCR's. Discussed septic systems for ADU's.

Commissioner Allen asked if the site was recently grazed. Fodrea responded, yes.

Discussion concerning variance on road length, riprap in river, water quality protection, extension of the road to the next property, plan on recording conservation easement with phase 1.

Janet Zandersmith, 376 Stockton Drive, McCall, Idaho. Discussed market demand for equestrian type of properties. Discussed her history in the project. Commented on Winchester Hills.

Chairman Hatfield asked to hear from the proponents. There were none.

Chairman Hatfield asked to hear from the undecided.

George W. Davis, owns 120 acres of property to the south and west. He has 4 concerns:

- Traffic should go out to east due to width of road.
- Common area 2 borders that site – would like a wildlife friendly fence between his property and the subdivision.
- Would like to see old barn stay.

Chairman Hatfield asked to hear from the opponents. There were none.

Jim Fodrea rebutted, as follows:

- Traffic will have a tendency to go out Davis Creek.
- Will do wildlife friendly fencing and no trespassing signage between common areas and adjacent private property.
- Stated their original plan was to open the barns and historic buildings to the owners, but after talking to the inspector it would be too cost prohibitive due to structural integrity of the older buildings.
- Horses will be allowed in conservation easement area.

The public hearing was closed.

Deliberation ensued amongst the Commission. Discussed the variance on the length of the cul-de-sac due to topography, fire mitigation, requirements of fire department, BMPs.

Condition of approval #6 shall be changed to eliminate requirement of cleaning up slash or paying impact fees.

Commissioner Allen moved to approve C.U.P. 08-20 Elk Meadows River Ranch with the conditions of approval as defined. Commissioner Stathis seconded the motion. The motion carried unanimously.

Chairman Hatfield explained the ten day appeal process.

3. C.U.P. 08-21 Rafter CC Acres Subdivision – Preliminary & Final Plat: The applicants are Gordon & Alyce Cruickshank. They are requesting approval of a 5-lot single-family residential subdivision on 15.98 acres. The subdivision would be served by individual wells and septic systems. Access would be provided via Heinrich Lane and a new private gravel road. The

property is currently addressed as 260 Heinrich Lane and 111 Teal Lane. It is parcel RP18N03E316005A and is located in the SWSW Sec. 31, T.18N, R.3E, B.M., Valley County, Idaho.

Chairman Hatfield announced the item and asked for any exparte contact or conflict of interest. There were none. He then asked for the Staff Report.

Staff presented the Staff Report. Submitted exhibit 1 from Secesh.

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

Ralph Miller, Secesh Engineering, presented plat. All improvements will be financially guaranteed. Responded to staff comments. Canal has been abandoned, but the easement still exists. Discussed splits, CCR's, gravel pit, fire protective materials being required in CCR's, vacation of the easement, and lack of access from Red Horse Way.

Chairman Hatfield asked to hear from the proponents.

Gordon Cruickshank, applicant, made the following comments:

- Would like to deed land to son and can only do that with a subdivision plat.
- Explained splitting of lots.
- Gravel pit next door has been reclaimed.
- Read from CCR's the firewise requirements.
- Explained Red Horse Lane and Teal Lane.

Chairman Hatfield asked to hear from the undecided. There were none.

Chairman Hatfield asked to hear from the opponents. There were none.

The public hearing was closed.

Deliberation ensued amongst the Commission.

Commissioner Garrison moved to approve the preliminary and final plat for C.U.P. 08-21 Rafter CC Acres Subdivision with the conditions of approval and authorized the Chairman to sign the plat. Commissioner Allen seconded the motion. The motion carried unanimously.

Chairman Hatfield explained the ten day appeal period.

B. OTHER ITEMS:

1. Correspondence:

- **Larry Brown – Log Jammer Storage:** Commissioner Stathis made a motion a new cup would be required. Commissioner Allen seconded. Motion carried.

- **Hatfield Log Homes:** Mr. Hatfield asked if he could store logs at Hayes Storage. The Commission did not have any issues.
- **Alpha Nursery:** Planning and Zoning Commission determined that this is not a change in use. A new conditional use permit is not required. Stalls will only be on wrap around porch, anything more will require approval or a new conditional use permit. Commissioner Allen moved to approve as requested by applicant. Commissioner Stathis seconded. Motion carried.
- **Special Meeting and Workshop on March 3, 2009**
- **McCall Brouhaha Backcountry Ski Event:** The Commission agreed that a conditional use permit was not needed since the only activity in Valley County was the use of the trail system.

Meeting adjourned