



Valley County Planning & Zoning Commission

PO Box 1350
219 North Main Street
Cascade, ID 83611-1350

Phone: 208.382.7115
Fax: 208.382.7119
Email: cherrick@co.valley.id.us
Website: www.co.valley.id.us

Todd Hatfield, Chairman
Harry Stathis, Vice-Chairman

Ed Allen, Commissioner
Rob Garrison, Commissioner
Tom Olson, Jr., Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: May 14, 2009

TIME: 6:00 p.m. – 9:00 p.m.

LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present: Vice-Chairman Harry Stathis (Acting Chairman), Rob Garrison, and Tom Olson, Jr., Chairman Hatfield and Commissioner Allen were excused. Staff member present: Cynda Herrick, AICP, Planning and Zoning Administrator.

MINUTES:

Commissioner Garrison moved to approve the April 9, 2009, minutes. Commissioner Olson seconded the motion. Motion carried.

OLD BUSINESS:

1. **C.U.P. 06-02 Settler's Mill # 1 Subdivision – Extension:** The applicants, Darrell & Alyce Kelley, are requesting approval of a two-year extension of the conditional use permit that expires on June 8, 2009. The 31.167 acre site is located at the northwest corner of State Hwy 55 and Loomis Lane, in the SWSE Sec. 23, T.16N, R.3E, B.M., Valley County, Idaho. [Not a public hearing.]

Chairman Stathis announced the item. Staff made comments.

Alyce and Darryll Kelley, 2742 E. Main, Emmett, Idaho, identified themselves

Commissioner Olson asked what the intensions were to improve the stormwater issues and place BMPs. Commission Garrison stated he viewed the site. There are some bad areas. There are some runoff issues. There are no silt fences.

Applicants stated work was stopped in the Fall of 2007, there should have been some reseeded and planting. The developer that was their partner declared bankruptcy and now they have 100% ownership and are trying to get up to speed on what has been accomplished, without much assistance from Copper Canyon. They need the extension to get up to speed to determine what

needs to be done. The property is listed.

Condition of Approval: “Bring the site into compliance with appropriate BMPs as negotiated with the Valley County Engineer.”

Commissioner Garrison moved to approve a 2-year extension with the condition of approval. Commissioner Olson seconded the motion. Motion carried.

Chairman Stathis explained the ten day appeal period.

2. PUD 07-01 Wild Wings Townhomes – Extension: The applicants, Loomis Homes, INC, are requesting approval of an extension of the conditional use permit that expires on June 11, 2009. The site is accessed from Day Star Lane and is located in the NW ¼ of Section 4, T.15N, R.3E, B.M., Valley County, Idaho. [Not a public hearing.]

Chairman Stathis announced the item. Staff made comments.

Steve Loomis, 30 Plum Drive, Horseshoe Bend, identified himself. They took a couple of lots from their single family subdivision and did the PUD to overlay the Wild Wings Subdivision in order to comply with housing needs. Now, they are not sure if they want to construct the townhomes themselves. Want an extension on the original PUD. The lots in the location of the PUD meet requirements for PUD and single family subdivision, which will give them some leeway.

Commissioners deliberated – they recognize it will give them some options to create the housing once the market picks up.

Commissioner Garrison moved to approve a one year extension. Commissioner Olson seconded the motion. Motion carried.

Chairman Stathis explained the ten day appeal period.

3. C.U.P. 05-48 Wild Wings Subdivision – Final Plat: The applicants, Loomis Homes, INC, are requesting final plat approval. The Commission will review the final plat and Conditional Use Permit to determine conformance with the preliminary plat. The property is accessed from Day Star Lane and is located in the NW ¼ of Section 4, T.15N, R.3E, B.M., Valley County, Idaho. [Not a public hearing.]

Chairman Hatfield announced the item. Staff presented the staff report.

Commissioner Garrison questioned where they are with the Will Serve letter from Northlake. Loomis stated that they have paid the fees, installed the sewer and water, and have worked to improve the Day Star area water. Working with Northlake to connect to well in Gold Fork Bay Village. Are working on master plan to provide water. They are finishing up a reimbursement agreement with Northlake so Rod Higgins can get some money back. Road will be paved when the area dries up. Issues with Donnelly Fire will be complied with as soon as they are hooked up to the water.

Commissioner Olson moved to approve the final plat for C.U.P.05-48 Wild Wings Subdivision and authorized the Chairman to sign the plat. Commissioner Garrison seconded the motion. Motion carried.

4. C.U.P. 08-20 Elk Meadows River Ranches Subdivision, Phases 1 & 2 – Final Plats: The applicant, Elk Meadows River Ranches, LLC, is requesting final plat approval. The Commission will review the final plats and Conditional Use Permit to determine conformance with the preliminary plat. The property is currently addressed 536 Gold Fork Road, and is located in the E ½ E ½ of Sec. 30, T.16N, R.4E, B.M., Valley County, Idaho. [Not a public hearing.]

Chairman Stathis announced the item. Staff presented the staff report.

Commissioner Garrison took issue with some items in the Donnelly Fire Letter. Section 304.1.2 of the International Fire Code does not require cleanup throughout the subdivision and we have no impact fees yet. He does not believe we should enforce ordinances before they are adopted.

Jim Fodrea stated that there is a lot of activity. Believe they can record by mid-July for Phase 1 and mid-September for Phase 2.

Commissioner Stathis felt there was a lot of incomplete items to be asking for a Final Plat. Commissioner Olson agreed. Jim Fodrea addressed the Health Certificate. Road plans are drafted and ready to go for review. Are moving ahead to complete septic, roads, and fire requirements. The existing well is the water source for the buried fire tank.

Commissioner Garrison asked that they address fire mitigation on a long-term basis. Fodrea stated it will be addressed with firewise requirements. Road will be named “Empty Saddle Way”.

Commissioner Olson moved to approve the final plat for C.U.P.08-20 Elk Meadows River Ranches Subdivision, Phases 1 & 2 for 90 days and authorized the Chairman to sign the plat. Commissioner Garrison seconded the motion. Motion carried.

NEW BUSINESS:

1. C.U.P. 09-03 Prairie Pine Subdivision – Preliminary and Final Plat: The applicant, Christopher Clark, is requesting approval for a 2-lot single-family residential subdivision on 10.0 acres. The subdivision would be served by individual well and septic systems. The property is currently addressed as 44 Heinrich Lane and is located in the W ½ E ½ SESW of Section 33, T.18N, R3E, BM, Valley County, Idaho.

Chairman Stathis 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 two additional letters: exhibit 1 – letter from Joice Eld; exhibit

2 – letter from Clark and Cindy Goodwin.

Ralph Miller, 56 Heinrich Lane, McCall, ID, Secesh Engineering, presented the application. The applicant lives on lot 1 and wishes to develop lot 2.

Commission Olson questioned the irrigation system. Ralph stated there is no irrigation system.

Commission Garrison asked how to address neighbor's concern that if a well is placed within 100' of the northern property line it will encroach on the only location for their septic system. Mr. Miller stated they will put a note on the face of the plat prohibit a well in the area and make it part of the Sanitary Restriction letters.

Chairman Stathis asked for proponents. There were none.

Chairman Stathis asked for uncommitted. There were none.

Chairman Stathis asked for opponents. There were none.

Chairman Stathis closed the public hearing for deliberations.

The Commission deliberated.

Commissioner Garrison moved to approve C.U.P. 09-03 Prairie Pine Subdivision Preliminary and Final Plat with the condition of approval to place a note on the face of the plat concerning the well being located 100' from the property line and authorized the Chairman to sign the plat.

Commissioner Olson seconded the motion. Motion carried.

Chairman Stathis explained the ten day appeal period.

2. C.U.P. 09-04 McCall Pet Services: The applicant, Brian Corcoran, is requesting approval for kennels to house dogs and cats, a training area, and pet grooming services. Current structures would be remodeled. Existing well and septic systems would be used. The property is currently addressed as 13911 Hwy 55 and is located in the SWNW Sec. 3 and SENE Sec. 4, T.17N, R.3E, BM, Valley County, Idaho.

Chairman Stathis 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 corrected the report stating there would be no retail uses.

Brian Corcoran, 13911 State Highway 55, McCall, ID 83638 and father (Brian D. Corcoran), presented the application. They are expanding the business at this site.

Commissioner Olson asked if the animals will be boarded inside or outside. Corcoran stated, boarded inside, but there will be training areas outside. At night they will be secured in an insulated outbuilding.

Commission Stathis asked about waste disposal. Corcoran responded that CDHD gave them guidelines that will be implemented. There will be no additional buildings, but there will be 6' fences behind the existing structures.

Commissioner Garrison asked about compliance with setback for parking. Corcoran confirmed they can comply with it.

Commissioner Olson questioned ITD permit. Corcoran stated ITD stated they will not need a different permit.

Chairman Stathis asked for proponents. There were none.

Chairman Stathis asked for uncommitted. There were none.

Chairman Stathis asked for opponents. There were none.

Chairman Stathis closed the public hearing for deliberations.

Discussion ensued. Commission believed it was a better location than in the City of McCall.

Commissioner Olson moved to approve C.U.P. 09-04 McCall Pet Services with the conditions of approval. Commissioner Garrison seconded the motion. Motion carried.

Chairman Stathis explained the ten day appeal period.

3. C.U.P. 09-05 Jug Mountain Ranch – Snow Sports Activity Area: The applicant, Jug Mountain Ranch, LLC, is requesting approval for a lift-operated tubing hill and terrain park. It would be located on the slope northwest of the existing Clubhouse. A yurt may be added to the site. The facility would be open to the public. Parking, central water, and central sewage treatment facilities already exist. The clubhouse is addressed as 800 Jug Mountain Ranch Road and is within Jug Mountain Ranch PUD Phase 2. It is located in the E ½ Sec 1, T.17N, R3E, and W ½ Sec. 6, T17N, R4E, BM, Valley County, Idaho

Chairman Stathis 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

David Carey, Box 2332, McCall, Id presented the application. This will be a public/private amenity in line with the golf course, restaurant, ski trails, etc. The main access is a private road done to county specifications. There will be less traffic than for the golf course. Swanson's are about 1 ½ miles from the actual site. Less impact than current uses. This will add some energy to the winter use of the PUD. Will employ some of the golf crew in winter. Requested that condition of approval #3 be changed to five years.

Commissioner Garrison asked if they really needed five years. Carey responded, that it will be a matter of finding the right lift. They want to move slowly on the project.

Chairman Stathis asked for proponents.

Lynn Wilson, 13919 Lang Court. Can see the facility from her home and she fully supports this project.

Chairman Stathis asked for uncommitted. There were none.

Chairman Stathis asked for opponents. There were none.

Chairman Stathis closed the public hearing for deliberations.

Discussion ensued. Commission believes it is a good project. Commission believes that the slow progression is a good idea. Pleased with potential jobs.

Commissioner Garrison moved to approve C.U.P. 09-05 Jug Mountain Ranch – Snow Sports Activity Area with the conditions of approval as changed to allow a 5 year phasing plan. Commissioner Olson seconded the motion. Motion carried.

Chairman Stathis explained the ten day appeal period.

4. Amendment to Ordinance 06-4 Valley County Land Use and Development Ordinance (LUDO) – Roseberry Townsite Historical Overlay District: The proposed amendment would alter 4.04.01.d - Prohibited Uses. It currently states that "...Recreational Events after 10:00 p.m." are prohibited. The proposal is to change this to: "...Recreational Events after 10:00 p.m., excepting the Summer Music Festival" are prohibited.

Chairman Stathis 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 explained that the Board of County Commissioners were the applicant. Chairman Hatfield called in and wanted his comments made part of the record. He believes 10:00 p.m. is late enough, since there are residences in close proximity and this is suppose to be a family event. He stated that if you shut down at 10:00 p.m., it will be 11:00 p.m. before all the people are gone.

Chairman Stathis asked for proponents.

Lynn Wilson, 13919 Lang Court, McCall, Treasuer for McCall Folklore Society. Main event is music festival at Roseberry. Festival caters to families, prices are at a minimum. Building new facility and have faced stage to the East. Last year for three nights there were over 1400 people in three nights. The proposed change is for only three nights a year.

Commissioner Stathis asked why they want to go for another hour. Wilson responded that people want to stay longer. They actually lose money on the festival.

Phyllis Bulgin, 1033 Delayne Road, Board Member of Long Valley Preservation Society. She

believes extending the time for just this one event is acceptable. Usually the best bands play later and do not get a chance to play longer.

Dan Wilson, 13669 Farm to Market Road. The headliners are the last group and they are cut short – the extra hour will allow it to go on until dark.

Lois Fry, 430 Floyd, McCall. The money that is spent is a lot of money. The extra hour will allow the musicians to really get into their music. Commissioner asked for clarification of nights. Fry stated it is on Thursday, Friday, and Saturday.

David Carey, McCall, stated he and his family go to the event. It would be preferable to go the extra hour.

Chairman Stathis asked for uncommitted. There were none.

Chairman Stathis asked for opponents.

Helen Layton, 13123 Farm to Market Road, Roseberry. She has never called Sheriff since most of the functions are on Frank Eld's property not the Long Valley Preservation Society Property. None of the music is ever done by 10:00 p.m. The music goes long and is loud enough to rattle her windows. Also stated there should be no mobile homes or trailer parks. There are two mobile homes placed behind the church that they are for storage that do not have building permits.

Commissioner Olson asked about orientation of the facility. Dan Wilson stated that there is a newly erected barn and the stage faces to the east. The barn will be a sound buffer.

Commissioner Stathis asked if new barn would hold the bands. Wilson stated the acoustics are not good in the barn.

Chairman Stathis closed the public hearing for deliberations.

Discussion ensued.

Commissioner Garrison is not opposed to changing it to 11:00. Has an issue changing an ordinance to accommodate only one event. He thought the law should be changed so it is equitable for all events. Commissioner Stathis and Olson agreed. They feel for the opponent, but LVPS and Music Society have tried to mitigate with changing orientation, sound systems, etc.

Commissioner Garrison moved to recommend approval of the amendment to the Valley County Land Use and Development Ordinance with changing the time in 4.04.01.d from 10:00 to 11:00 for all recreational events. Commissioner Olson seconded the motion. Motion carried.

OTHER ITEMS:

1. Facts & Conclusions:

- **C.U.P. 09-01 Blackhawk Lake Estates, Phase 3 & 4**

Commissioner Garrison moved to approve and authorize the Chairman to sign the Facts and Conclusions. Commissioner Olson seconded the motion. Motion carried.

2. Correspondence:

- **C.U.P. 08-19 Rustic Outlet – outside vendor events**

Staff explained that Rustic Outlet wanted to expand their use according to the letter presented.

Chairman Stathis asked for clarification. Janis Benton, 13985 Wrangler, McCall. There are 25 vendors in her store. They would like to expand out a few times a year, such as an antler trailer, and move it outdoors. This is not for a flea market event. She clarified that one is for vendors and the other is for a coffee cart. Brian Benton stated that a high school girl would like to run an espresso barn on Thursday, Fridays, and Saturdays. There would be a maximum of 15 vendors once per month. Space will limit number of events. Porta potties will be provided in accordance with Central District Health.

The Commission determined that a conditional use permit is required; however, they can hold one event prior to obtaining a conditional use permit to assess impacts and potential mitigation. The coffee cart is considered a temporary use and is permitted.

- **Tamarack Resort Plant Lane Property – ROS Bk 11 pg. 10**

Staff explained that a portion of the property within the conditional use permit had been deeded back to Jim Yates. However, the use identified in the conditional use permit would continue, it would just be under two ownerships. Documents will be recorded.

- **Tamarack View Subdivision - Demolition of home & rebuild – variance needed?**

Staff explained that the applicants wished to build in the existing footprint, but it was only an 18' setback from the rear yard. The Commission stated that it is okay, so long as they build within the existing footprint.

- **C.U.P. 06-14 Westwoods # 2 Extension of Final Plat**

Staff explained that this is actually the second phase of a plat that was originally approved in the 1970's. The first phase was approved for septic and recorded, the second phase needed to be hooked up to sewer.

Spoke with Bill Eddy, Northlake Recreation Sewer & Water District, and he said the lift station was in, but they had to wait for the land to dry before they lay the pipes this spring.

Commissioner Olson moved to approve a one year extension for Westwoods #2 Extension.

3. Scheduling of Special Meeting

Staff requested that a special public hearing be set for June 25, 2009. A large development

application is expected and based on past experiences a separate, dedicated meeting would be advised. The Commission confirmed.

Meeting adjourned 9:00 p.m.