



# Valley County Planning & Zoning Commission

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Rob Garrison, Chairman  
Kathy Deinhardt Hill, Vice Chair

Ed Allen, Commissioner  
Ronda Sandmeyer, Commissioner

## VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: November 7, 2013  
TIME: 6:00 p.m. – 7:00 p.m.  
LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present: Commissioners Ed Allen (telephonically), Dusty Hibbard, and Chairman Rob Garrison. Staff member present: Cynda Herrick, AICP, CFM, Planning and Zoning Administrator.

OPEN: Call to Order

MINUTES: October 3, 2013

Commissioner Allen moved to approve the minutes for October 3, 2013, with changes. Commissioner Hibbard moved to second the motion. Motion carried.

### A. OLD BUSINESS:

#### 1. P.U.D. 97-1 Jug Mountain Ranch C.U.P. 04-34 Phases 2 & 3 – Extension Request:

David Carey is requesting a 10-year extension of the conditional use permit which expires November 30, 2013. Phase 2 was recorded in 2006. Phase 3 was approved as the “Village” and will consist of mixed use, mixed residential, recreation, and open space. It is to the east of Phase 2 and includes approximately 140 acres in the W ½ Section 6, T.17N, R.4E, B.M., Valley County, Idaho.

Chairman Garrison introduced the item and asked if there was any exparte contact or conflict of interest. There was none.

Chairman Garrison asked for the Staff Report. Staff gave the Staff Report.

Chairman Garrison asked for the presentation from the applicant.

David Carey, Box 2012, McCall, ID, made the following comments:

- Have had two successful phases.
- Permission of 325 units with different combinations.
- Have sold 100 units thus far...last few years it has dropped off significantly.
- They have Nordic trails, golf course, mountain biking trails, restaurants...those businesses keep them relevant and keep people coming to the property.
- Run own sewer and water and everything is sound and runs well.
- They have approvals for large event spaces, etc. and don't want to do what was originally proposed – trying to revolve with the times.
- Have a lot of bookings for next year and want to stay the course.
- Phase II they did a little bit of annexation from phase III for the clubhouse.
- Want to do an event pavilion, outdoor concert area, camping, expanding Nordic bike uses, etc.
- Have various uses proposed for phase III and want to continue, as is.
- Year 7 to 17 have been different and want to evolve with fluidity.
- Will continue to improve in phase III, but don't want to draw the lines at this time.

Chairman Garrison asked about platting of village – typically on longer phases we like to see types of uses – such as sewer this spring, this in two years, etc. Can you do a tentative plan?

David Carey said between reality and a work of fiction he could put together something. Will definitely do sewer in 2014, a pavilion, and other uses.

Commissioner Allen asked about an on-going process of tracking. Staff responded that anything that was done would obtain either a building permit or be an approved use and would be part of the record.

Chairman Garrison said he would like a yearly plan, even if it is a best guess. Mr. Carey said as long as it can be changed and is fluid – most likely won't be very valuable.

Chairman Garrison asked for proponents.

Chairman Garrison asked for uncommitted.

Chairman Garrison asked for opponents.

Chairman Garrison asked for rebuttal from the applicant.

Chairman Garrison closed the public hearing for deliberations.

Commissioner Allen said he feels comfortable. The track record with Jug Mountain has been good. Appreciates they are looking at this critically before developing.

Commissioner Hibbard said he also feels comfortable. Only concern was the longevity of (10 years).

Chairman Garrison said most have been five years, but would like a periodic review in 2-3 years.

COA: Must brief staff every two years on progress. Any substantial changes will be taken to the Commission.

Commissioner Allen moved to approve a ten year extension of P.U.D. 97-1 Jug Mountain Ranch C.U.P. 04-34 Phases 2 & 3 – Extension Request. Commissioner Hibbard seconded the motion. Motion carried.

- 2. P.U.D. 04-01 Meadows at West Mountain, Phases 4-6 – Extension Request:** Mark Reichman of Timberline Development LLC is requesting a one-year extension of the conditional use permit which states that a phase will be developed at least every two years. Phases 1, 2, and 3 have been platted and recorded. The site approximately 60 acres located in W ½ NE ¼ Section 17, T.16N, R.3E, B.M., Valley County, Idaho.

Chairman Garrison introduced the item and asked if there was any ex parte contact or conflict of interest. There was none.

Chairman Garrison asked for the Staff Report. Staff gave the Staff Report.

Chairman Garrison asked for the presentation from the applicant.

Larry Mangum, 36 Mangum Drive, made the following comments (exhibit 1):

- In 2004 they had 3 successful phases.
- They are coming out of economic hardship.
- Have lost some investors and one is going through bankruptcy.
- Of original 212, 72% have resold.
- Were hit hard by unpaid HOA fees.
- The Meadows Water Company is taken care of by a company in Boise.
- Next phase is for 39 single family homes.

Chairman Garrison asked for proponents.

Cheryl Tiede, representing a tenant.

- They live in a wonderful community.
- They have a maintenance crew that takes wonderful care of the properties.
- It only makes sense to give a one year extension approval.

Chairman Garrison asked for uncommitted.

Chairman Garrison asked for opponents.

Kurt Holten, 20 Mangum,

- Resale was due to foreclosures.
- Can't duplicate cost of houses in sales.
- Homeowner's have born costs of subdivision \$200K + per year.
- HOA should be able to maintain proper quality of life.
- He is supposed to be on board, but they haven't had a meeting in 2 years.
- Want to keep future development open to maintain all their votes on the board.
- All funds go directly to someone who doesn't even own a home on-site.
- Trees have died and not been replaced, planter boxes never finished, and have stated they will never put another dime in property. Quoted Idaho Business Review 11/23/12
- Just busy suing each other.

Chairman Garrison asked for rebuttal from the applicant.

Larry Mangum stated they have had board meetings, but owners have had some battles amongst themselves. There have been homeowner's on board. Have been trying to work with HOA to get improvements.

Chairman Garrison closed the public hearing for deliberations.

Commissioner Hibbard stated it sounds like a lot of HOA and CCR disputes which don't pertain to us. He feels for them, but it is not our deal. Asking for a one year extension, not ten or five. To him he has no issue with one year with any changes being brought to the Commission with a 6 month review.

Commissioner Allen said he agrees he does not have a problem with a one year extension. Homeowner's concerns are issues we have no control over – they have to be resolved in HOA. Our concern is to allow them an extra year to figure out what they are going to do.

Chairman Garrison stated that it is unfortunate that we don't deal with CCRs and HOA...our task is to determine if we should grant a one year extension with a 6 month review and any review of any changes.

Commissioner Hibbard moved to approve a one year extension, with a 6 month update and any changes be brought to the Commission, for P.U.D. 04-01 Meadows at West Mountain, Phases 4-6 – Extension Request. Commissioner Allen seconded the motion. Motion carried.

**B. CORRESPONDENCE:**

1. Lot line adjustments – Mountain Shadows Subdivision # 4 Lots 5, 6, and 11  
COA: Prosecuting Attorney will approve split due to note on face of plat.  
COA: No additional single family building sites will be created. ADUs are permitted.  
COA: Must have letter from HOA approving split.  
COA: Does not entitle other property owners to split their property.

2. Proposed Horse/hay barn – C.U.P. 06-32 Blackhawk Equestrian Center

Seems to enhance equestrian center.

Commissioner Hibbard moved to allow an agricultural building permit be issued for a barn for the storage of hay and housing of horses at the old Hait Ranch. Commissioner Allen seconded the motion. Motion carried.

MEETING ADJOURNED