



Valley County Planning & Zoning Commission

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Ed Allen, Chairman
Rob Garrison, Vice-Chair

Tom Olson, Jr, Commissioner
Kathy Deinhardt Hill, Commissioner
Ronda Sandmeyer, Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: July 8, 2010

TIME: 6:00 p.m. – 7:54 p.m.

LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present: Chairman Ed Allen, Rob Garrison, and Ronda Sandmeyer. Staff member present: Cynda Herrick, AICP, Planning and Zoning Administrator.

OPEN: Call to Order

Commissioner Garrison moved to amend the agenda to include the Cascade Impact Area. Commissioner Sandmeyer seconded the motion. Motion carried.

MINUTES:

Commissioner Garrison moved to approve the minutes as presented for June 10, 2010. Commissioner Sandmeyer seconded the motion. Motion carried.

1. V-1-10 Sabatasse Shared Driveway Variance: James Sabatasse, Linda Rose, and Jason Castellucci are requesting approval of a variance for a shared driveway to access two parcels. The variance is requested to limit the number of access points on Hwy 55. The parcels are RP15N03E256611 and RP15N03E254930 located in the S ½ Section 25, T.15N R.3E, B.M., Valley County, Idaho.

Chairman Allen announced the item and asked if there was any exparte contact or conflict of interest. Commissioner Garrison recused himself.

Chairman Allen opened the public hearing. Staff presented staff report.

Commissioner Sandmeyer asked for clarification of site plan. Discussion ensued concerning ITD comment about southern access point.

Jim Sabatasse, 12206 Hwy. 55, identified himself as the applicant and made the following comments:

- Southern access is used primarily for agricultural uses.

- Indicated existing uses on site plan

Chairman Allen asked for proponents.

Dave O'Brien, 58 Joshua Drive, Cascade, ID, made the following comments:

- Responded to question of Commission "why not use separate entrances? Proposed access is more structurally sound and would eliminate the eyesore of an additional driveway.

Chairman Allen asked for uncommitted.

Dan Davis, 508 N. Idaho, Cascade, ID, made the following comments:

- Access points need to be controlled for future planning.
- Agriculture access can be used for single family too.

Chairman Allen asked for opponents. There were none.

Mr. Sabatasse rebutted as follows:

- Southern access has been there forever.
- Castellucci will use subdivision road in the future – it has already been designed.

Chairman Allen closed the public hearing.

Commissioner Sandmeyer agreed with Davis – she understands the necessity to plan. Discussion ensued.

Commissioner Sandmeyer moved to recommend approval of V-1-10 Sabatasse Shared Driveway to the Board of County Commissioners so long as southern access is limited to agricultural uses. Commissioner Allen seconded the motion. Motion carried.

Staff explained the item would be set on the BOCC's agenda.

2. C.U.P. 10-3 Valdez Gravel Borrow Source – Phase 2: Gordon Valdez is requesting approval to complete phase 2 of a gravel borrow source on a five acre portion of a 40-acre tract east of Yellow Pine. Access would be via a private drive off Murph's Avenue. The location is addressed as 329 Murphs Avenue and is within the SESW Section 21, T19N, R8E, B.M., Valley County, Idaho.

Chairman Allen announced the item and asked if there was any ex parte contact or conflict of interest.

Chairman Allen opened the public hearing. Staff presented staff report.

Jerry Robinson identified himself as the applicant's agent; Valley County Road Department made the following comments:

- This is the only gravel site in the area – the only alternative is to haul from the valley.
- Explained the Storm Water Pollution Prevention Plan.
- Payette National Forest is in favor of expanding the gravel permit into forest land.

Chairman Allen asked for proponents. There were none.

Chairman Allen asked for uncommitted. There were none.

Chairman Allen asked for opponents. There were none.

Chairman Allen closed the public hearing.

Discussion ensued concerning the letter from the Boise National Forest. The Commission agreed that the proposed expansion would not affect the BNF and if in the future the property owner wanted to expand into the forest they would have to gain permission from both the county and the forest service.

Commissioner Garrison moved to approve C.U.P. 10-03 Valdez Gravel Phase II with the six conditions of approval. Commissioner Sandmeyer seconded the motion. Motion carried.

Chairman Allen stated there would be a ten day appeal period.

E. OTHER: All the following listed documents can reviewed on the Valley County web site: www.co.valley.id.us under the Planning and Zoning Department section.

Commissioner Garrison moved to remove the by-laws, Comprehensive Plan, Land Use and Development Ordinance, and Subdivision Regulations from the table. Commissioner Sandmeyer seconded the motion. Motion carried.

1. City of Cascade Impact Area & Agreement: The City of Cascade and Valley County have agreed on a new City of Cascade Impact Area boundary and an agreement by which to govern the area. The Valley County Comprehensive Plan, Land Use and Development Ordinance, Subdivision Regulations, and Flood Plain Ordinance will be administered by the Valley County Administrator in the Cascade Impact Area.

Chairman Allen announced the item.

Chairman Allen opened the public hearing. Staff commented that the agreement presented had been agreed to by both Commissions and that John Russell had completed the description of the boundary.

Chairman Allen asked for proponents.

Dan Davis, Cascade Planning and Zoning, stated that the agreement made at the last meeting attended by both Commissions was acceptable.

Chairman Allen asked for uncommitted. There were none.

Chairman Allen asked for opponents. There were none.

Chairman Allen closed the public hearing.

Commissioner Garrison moved to recommend approval of the Cascade Impact Area Agreement

and boundary to the Board of County Commissioners. Commissioner Sandmeyer seconded the motion. Motion carried.

2. Bylaws for the Planning & Zoning Commission as most recently amended November 22, 1999: The proposed amendments include but are not limited to allowing Robert's Rules of Order to be suspended during deliberations; removal of public hearing procedure since it is included in the LUDO; and, change of time for last item to begin from 12:00 a.m. to 10:00 p.m. Chairman Allen announced the item and asked if there was any exparte contact or conflict of interest.

Chairman Allen announced the item.

Chairman Allen opened the public hearing.

Chairman Allen asked for proponents. There were none.

Chairman Allen asked for uncommitted. There were none.

Chairman Allen asked for opponents. There were none.

Chairman Allen closed the public hearing.

Commissioner Garrison moved to recommend approval of the proposed changes to the Bylaws for the Planning & Zoning Commission as most recently amended November 22, 1999, to the Board of County Commissioners. Commissioner Sandmeyer seconded the motion. Motion carried.

3. Valley County Comprehensive Plan as most recently revised April 10, 2006: The proposed amendments include but are not limited to the addition of a future land use map for the City of Cascade Impact Area and changes in statistical information and including the requirements of Idaho Code 67-6508 to include high power transmission line requirements to Chapter 11.

Chairman Allen announced the item and asked if there was any exparte contact or conflict of interest.

Chairman Allen opened the public hearing. Staff commented that the future land use map as approved by the Commission would be included in color when presented to the Board of County Commissioners.

Chairman Allen asked for proponents. There were none

Chairman Allen asked for uncommitted. There were none

Chairman Allen asked for opponents. There were none.

Chairman Allen closed the public hearing.

Commissioner Sandmeyer moved to recommend approval of the changes to the Valley County

Comprehensive Plan as most recently revised April 10, 2006, to the Board of County Commissioners. Commissioner Garrison seconded the motion. Motion carried.

4. Valley County Land Use and Development Ordinance (LUDO) as most recently published September 21, 2006: The proposed amendments include but are not limited to changes to remove compliance with CCR's for ADU's in Chapter 2; clarify processes, extension requirements, and ordinance amendments; revamped PUD's to exclude the illusion of Concept Approval; and, insertion of Alternative Energy Uses standards. Chairman Allen announced the item and asked if there was any exparte contact or conflict of interest.

Chairman Allen opened the public hearing.

Chairman Allen asked for proponents. There were none.

Chairman Allen asked for uncommitted. There were none.

Chairman Allen asked for opponents. There were none.

Chairman Allen closed the public hearing.

Commissioner Garrison moved to recommend the changes to the Valley County Land Use and Development Ordinance (LUDO) as most recently published September 21, 2006, to the Board of County Commissioners. Commissioner Sandmeyer seconded the motion. Motion carried.

5. Valley County Subdivision Regulations as most recently amended December 10, 2001: The proposed amendments include but are not limited to changes that include insertion of all previous amendments into the text of the document; addition of pathway requirements; addition of different tiers of subdivisions such as Administrative, Short Plat, and Long Plat; removal of subdivision classifications; addition of impact areas to Section 120; and, inclusion of Wildland Urban Interface Fire Mitigation Plan as Appendix A. Chairman Allen announced the item and asked if there was any exparte contact or conflict of interest.

Chairman Allen opened the public hearing. Staff presented the changes to incorporate the changes due to the Cascade Impact Area and clarification of appropriate state agency review.

Chairman Allen asked for comments.

Todd Hatfield, 665 Woodlands Dr., McCall, ID, made the following comments in regards to Appendix A:

- Submitted exhibit A – Appendix A of the Community Wildfire Protection Plan.
- Fuel reduction does not help – used Warm Lake, South Fork, and Yellow Pine as examples.
- Policies of federal agencies need to change.
- Commended Southern Idaho Timber Association – they put fires out when they start.
- Put fire breaks on federal lands not on private lands.
- Should ask Valley Soil and Water Conservation District if fuel reduction affects water

- quality.
- Regulations would make legal parcels nonconforming which would prohibit improvements in the future.
- This is a feel good policy.
- Has general concerns with Valley Adams Regional Housing Authority (VARHA) .
- We have unsustainable levels of government.

Stephanie Johnson, 205 Titus, Donnelly, ID, made the following comments:

- has spent two years working on these amendments,
- Addendum presented by Mr. Hatfield is a wish list and the addendum is what was referred to as the “working document”, not the ordinance changes.

There was no one else who wished to comment.

Chairman Allen closed the public hearing.

Commissioner Garrison made the following comments:

- Local government governs best.
- The international Fire Code is extremely restrictive.
- This plan does not affect individual site plans, but the IFC would – this plan only effects future subdivision and will not be applied retroactively.
- If you have access and water sources you have a better chance.
- Feds need to clean up their side of the boundary too.
- If we are the only county who doesn’t adopt standards our insurance rates will go up significantly.

Commissioner Sandmeyer made the following comments:

- Agreed with Commissioner Garrison.
- When some ordinances are adopted it makes some lots nonconforming.
- It is easier to legislate ourselves.

Chairman Allen made the following comments:

- Understands Todd’s concerns of more regulation.
- If we don’t address than other agencies or insurance companies will do it for us.
- Have asked for analysis.

Commissioner Sandmeyer moved to recommend approval of the Valley County Subdivision Regulations as most recently amended December 10, 2001, to the Board of County Commissioners. Commissioner Garrison seconded the motion. Motion carried.

Staff announced that the Board of County Commissioners have scheduled their public hearing for August 2, 2010, at 1:00 p.m.

F. CORRESPONDENCE:

1. C.U.P. 04-46 Betts Landscaping & Storage: The Commission discussed the situation at what was previously Bett’s Landscaping. They decided that they had previously revoked the conditional use permit and the owner’s are currently trying to sell the equipment. The

Commission directed staff to write a letter and advise the Bett's that they need to sell the equipment or move it as soon as possible; keep the property in a clean and organized manner; and revegetate the property.

2. Administrative Denial of ADU 10-01: Staff explained that the CCR's prohibited additional residential units on lots, but that was one of the changes being proposed in the LUDO amendments.

ADJOURNED: 7:55 p.m.