



Valley County Planning & Zoning Commission

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Rob Garrison, Chairman
Bryan Cooley, Vice-Chair

Ed Allen, Commissioner
Johanna Defoort, Commissioner
Scott Freeman, Commissioner

MINUTES

Valley County Planning and Zoning Commission

December 14, 2017

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 6:00 p.m.

A. OPEN: Meeting called to order at 6:00 p.m.

P&Z Administrator - Cynda Herrick:	Present
P&Z Chairman - Rob Garrison:	Present
P&Z Commissioner - Ed Allen:	Present
P&Z Commissioner - Bryan Cooley:	Present
P&Z Commissioner - Scott Freeman:	Present
P&Z Commissioner- Johanna Defoort:	Present
P&Z Assistant - Lori Hunter:	Present

Administrator Herrick presented an appreciation plaque to Rob Garrison for 10 years of service to Valley County as a P&Z Commissioner.

B. MINUTES: Commissioner Allen moved to approve the minutes of November 9, 2017. Commissioner Freeman seconded the motion. Motion carried unanimously.

C. OLD BUSINESS:

- 1. C.U.P. 03-05 Clear Creek Mini Storage - Extension:** Vern Ward is requesting a five-year extension of his Conditional Use Permit allowing him to increase the capacity at an existing mini-storage business. An extension was previously granted in 2013. The property is 2.47 acres located at 7 Clear Creek Road in the W ½ N ½ Section 4, T.12N, R.4E, Boise Meridian, Valley County, Idaho.

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

Chairman Garrison asked for the Staff Report. Staff presented the staff report. There were no questions of staff at this time.

Chairman Garrison asked for the applicant's presentation.

Vern Ward, P.O. Box 1048, 97 Panorama Drive, Cascade, spoke as the applicant. The proposed buildings have not yet been built due to depressed economy during the past few years. The economy is turning around and he still wants to submit storage-area building plans to build in future.

Chairman Garrison asked for proponents. There were none.

Chairman Garrison asked for undecided. There were none.

Chairman Garrison asked for opponents. There were none.

Chairman Garrison closed the public hearing. The Commission deliberated. There does not seem to be any complications or any change in ordinances [since this was originally permitted] that would affect this extension. The property boundary locations would be marked during building permitting process.

Commissioner Cooley moved to approve the five year extension request for C.U.P. 03-05 Clear Creek Mini Storage with the stated conditions. Commissioner Allen seconded the motion. Motion carried unanimously.

Chairman Garrison explained the ten day appeal period.

[06:11:03 PM \(00:10:56\)](#)

2. C.U.P. 02-14 Eagle Nest Subdivision No. 2 – Amended Plat: A final plat has been submitted by property owners to amend elements of Eagle Nest Subdivision No. 2 which was recorded at Book 9, Page 41 on December 3, 2003. The Commission will review the amended final plat. This plat consists of 17 single-family residential lots currently platted as Lot 11, Blk 2; Lots 1-6, Blk 3; and Lots 1-10, Blk 4, Eagles Nest Subdivision No. 2. No new lots or roads are proposed. The site is accessed via Joshua Drive, a private road. It is approximately 64 acres located in Section 20, T.14N, R.3E, Boise Meridian, Valley County, Idaho. **[Not a public hearing – POSTPONED from October 19, 2017.]**

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

Chairman Garrison asked for the Staff Report. Staff presented the staff report and summarized the following exhibits:

- Exhibit 1 – Response letter from Chip Bowers, Valley County Surveyor, with technical changes to make to the plat.

Administrator Herrick said there were discussions on how to get the multiple property owner signatures on the plat prior to recordation. It was decided to use a Power of Attorney process.

Chairman Garrison asked for confirmation that this amended plat is similar to the previous amendment for another subdivision due to the sanitary restriction release. Administrator

Herrick confirmed that it is similar to the recently amended Sweetwater Run and is needed to change the sanitary restriction release. The lots on the amended plat currently have no buildings. The original CDHD sanitary restriction release letter required complex systems and the requirements have changed. Therefore, the amended plat changes the sanitary restrictions.

Commissioner Allen moved to approve final plat C.U.P. 02-14 Eagle Nest Subdivision No. 2 – Amended Plat and authorize the Chairman to sign. Commissioner Freeman seconded the motion. Motion carried unanimously.

D. NEW BUSINESS:

- 1. V-6-17 Ross Front Setback Variance:** David Ross is requesting a variance to relax the front yard setback from the required 20 feet to five feet in order to build a detached garage. The applicant asserts that the steep topography limits the buildable area for both the structure and drainfields. The site is Finlandia Estates 1 Lot 14 addressed at 13296 Finlandia Road. The 2.06-acre lot is located in the NW ¼ Section 6, T.16N, R.4E, Boise Meridian, Valley County, Idaho. **WITHDRAWN BY APPLICANT**

[06:17:58 PM \(00:17:50\)](#)

- 2. C.U.P. 17-16 Redline Recreational Toys:** Redline Recreational Toys INC is requesting approval to establish a rental business for snowmobiles, ATV's, and UTV's. The existing buildings would be used. The 0.97-acre site is part of Pleasant Acres Subdivision Lot 5, addressed at 13876 Highway 55. It is located in the SW ¼ Section 3, T.17N, R.3E, Boise Meridian, Valley County, Idaho.

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

Chairman Garrison asked for the Staff Report. Staff presented the staff report and commented on lighting and landscaping.

Commissioner Defoort asked Staff when landscaping was required in the code and if landscaping was required for the previous C.U.P.s at this site. Administrator Herrick said the code was first written in 1982. C.U.P. 92-4 did require landscaping; however, the requirement was not complied with. The buildings to the south (Robertson's Supply) have some minimal landscaping. The buildings to the immediate north (Coastline and CTR) have much more extensive landscaping.

Chairman Garrison asked for the applicant's presentation.

Dustin Weniger, 13876 Hwy 55, Lake Fork, and 600 N Eagle Road, Meridian, spoke as a representative of the applicant. Redline Recreational Toys has been operating for 10 years in Meridian. There has been a large demand by existing customers to have easier access for

equipment for use in Valley County. They have existing customers and want to expand the business. He does not expect to affect the traffic flow as customers are already headed to this area. Current landscaping includes a small berm and a pine tree. When weather allows he is willing to make it fit in and fit the code. He wants the facility to look nice. The company spent a lot of money fixing a building in Meridian for their business.

The existing lighting is domed and downward-facing. The sign is to be repaired; the internal backlighting will be removed and downward lighting supplied. Rocky Mountain Signs will update the sign and they are familiar with local code. The sign is currently damaged and does not look nice. There will be little noise. There is a nice shop to work on equipment inside.

Chairman Garrison asked if there were any questions for applicant.

Commissioner Allen asked about the required landscaping plan. Mr. Weniger referenced the pictures showing the berm and pine tree in front of CTR – also owned by Scott Nunes. The landscaping will look similar to these sites. The Valley County Code requires a tree to be planted every 25 linear feet along the road; would be approximately 2 or 3 trees. Natural landscaping that flows with landscaping in front of CTR is desired. Commissioner Allen added that an official plan is needed in the record for future clarification. A site plan with landscaping is required.

Commissioner Allen does not believe the ITD limits requiring a traffic study will be reached.

Commissioner Allen asked if the company plans to do trailhead rentals and/or deliveries of equipment to customers, for example trailers parked long-term at trailheads. Mr. Weniger replied that there will be occasions that they will deliver equipment but will not park trailers in the parking areas to rent snowmobiles, etc.

Chairman Garrison said the site plans show buildings within the 100' setback and asked about parking. Mr. Weniger asked about the 100' setback and what is allowed. Customers should be able to park in the existing area in front of the building. The building and entrance are already located; his customers will not be parked for long time periods as there are scheduled times to pick up equipment. Administrator Herrick stated that the conditions of approval and the ordinance state no parking allowed within the 100-ft setback. Commissioner Allen asked for confirmation that no one would be able to park at the front of the building. Mr. Weniger referred to the picture of the building. Customer parking between buildings 1 and 3 would interrupt traffic flow to the area where equipment is stored. Therefore, short term parking for customers in front of the building would be useful. The neighboring businesses also have parking in front. Administrator Herrick replied that the equipment parked in front of Coastline/Cesco is grandfathered. Commissioner Defoort asked if there would be room for parking in the front if landscaping is completed similar to neighbors? Mr. Weniger replied that there would be room, especially if parking is at an angle. Nature of people is that customers will pull in and park by the front door; he expects one or two cars at any given time for no more than 15 minutes. The structure was built in 1976. Employees will not park in the front.

There is currently one employee, with a possible increase to five employees in 2018 including lot tech(s), manager, and a receptionist.

Commissioner Allen said that a variance application may be possible to allow parking in front of the building due to the fact that the building predates the ordinance and is within the setback. The Ordinance states no parking in the setback. The other commissioners agreed. Coastline business location is grandfathered and equipment is allowed within the 100 foot setback. Administrator Herrick stated the ordinance require parking in front of building 3 on site plan. Commissioner Defoort asked for the intent of the 100' setback; was it to discourage building along the highway in case the width is expanded. Administrator Herrick said there are multiple reasons including safety and uniformity. Commissioner Defoort says she finds it difficult to say that one cannot park in front of a building that is already built in the 100-foot setback. Commissioner Cooley said that the Ordinance requires no parking in the setback and a variance would be required. Administrator Herrick replied that the Commission could approve the C.U.P. with a condition stating no parking in setback and allow the applicant to apply for a variance for parking within the setback. She confirmed that a separate application is now required as the request was not part of this application.

Commissioner Allen stated that he wants the applicant to understand that landscaping and site plans are important.

Mr. Weniger has been paying monthly rent for nearly six months and hasn't been able to use the facility nor advertise the business. He was led to believe that a new conditional use permit would not be needed as it was previously used as a similar business. At this time, he would like to move forward to get approval with conditions.

There were no other questions for the applicant at this time.

Chairman Garrison asked for proponents. There were none.

Chairman Garrison asked for undecided. There were none.

Chairman Garrison asked for opponents. There were none.

Chairman Garrison closed the public hearing. The Commissioners deliberated. The 100-ft setback is complicated by the fact that the building already exists inside of the setback.

Chairman Garrison said the conditions of approval should include a requirement for a landscape site plan submitted and reviewed by the P&Z Administrator to be sure it is in compliance. In regards to the parking, the applicant could apply for a variance; a hardship may exist. Administrator Herrick replied that the buildings to the south meets the 100' setback. Commissioner Defoort added that the old flea market building does not. Commissioner Freeman asked if there was something in the ordinance to accommodate the existing structure and how site was designed to have parking in front. Administrator Herrick replied that the previous C.U.P. was able to comply with the parking setback. There was further discussion that applicant could redesign the parking or apply for a variance to allow parking in the front of the building. There was agreement that this seems to be a good case for a variance. The applicant could apply for variance or choose to realign parking.

There was discussion on berm and landscaping requirements.

COA 9 – Landscaping shall be installed according to Valley County Code. Landscaping will be added from the existing sign south to the existing berm. The berm width and tree density will match the width of the adjacent berm to the south. The applicant will submit the landscape plan to the P&Z Administrator prior to installation. Landscaping will be in place by July 1, 2018.

COA 10 – There shall be no parking in setbacks unless a variance is approved.

Commissioner Defoort moved to approve C.U.P. 17-16 Redline Recreational Toys with the stated and additional conditions of approval. Commissioner Freeman seconded the motion. Motion carried unanimously.

Chairman Garrison explained the ten day appeal period.

E. FACTS AND CONCLUSIONS:

- VAC 17-02 Knight Utility Easement

Commissioner Allen moved to approve the Facts and Conclusions as listed and authorized the Chairman to sign. Commissioner Freeman seconded the motion. Motion carried unanimously.

Chairman Garrison adjourned the meeting at 7:05 p.m.