



# Valley County Planning & Zoning Commission

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Bryan Cooley, Chairman  
Scott Freeman, Vice-Chair

Ed Allen, Commissioner  
Ray Cooper, Commissioner  
Johanna Defoort, Commissioner

## MINUTES

Valley County Planning and Zoning Commission

August 9, 2018

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 Commissioner – Ed Allen:	Present
P&Z Commissioner – Bryan Cooley:	Excused
P&Z Commissioner – Ray Cooper:	Present
P&Z Commissioner – Johanna Defoort :	Present
P&Z Commissioner – Scott Freeman:	Present

**B. MINUTES:** Commissioner Cooper moved to approve the minutes of July 12, 2018. Commissioner Allen seconded the motion. Motion carried unanimously.

**C. NEW BUSINESS:**

- V-1-18 TerTelgte Setback Variance:** Coleen TerTelgete is requesting a variance to relax the side yard setback from the required 7.5 feet to zero feet for a previously constructed storage shed that she is unable to move. The site is Yellow Pine Townsite, Lot 8, Block D and is addressed at 355 Behne Ave. The 0.14-acre lot is located in SW ¼ Section 21, T.19N, R.8E, Boise Meridian, Valley County, Idaho.

Acting Chairman Freeman stated the application was postponed to 6:00 p.m. on September 13, 2018, at the request of the applicant. However, we will hear any testimony from anyone who would like to comment at this time. There was no testimony

- C.U.P. 18-11 Lakeport Storage II:** The applicant is Sam Worley. He is proposing to construct eight dry public storage facilities for boats and trailers. The project will be built in 4 phases – 2 buildings each year. Access is from Rogers Lane. The site is 13 acres and is parcel # RP00555000003C in the Hinson Subdivision, located in the NE ¼ Sec. 3, T.17N, R.3E, Boise Meridian, Valley County, Idaho.

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

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

- **Exhibit 1** – Response to Staff Report from Sam Worley dated August 8, 2018
- **Exhibit 2** – Letter from Shirley Florence, Lake Irrigation District dated August 7, 2018
- **Exhibit 3** – Neighbor Letter – Amy Guardia in Opposition dated August 7, 2018
- **Exhibit 4** – Neighbor Letter – Gene and Vaughnie Klaft in Opposition dated August 3, 2018
- **Exhibit 5** – Neighbor Letter – Karen and Jack Gantz - Irrigation dated August 7, 2018
- **Exhibit 6** – Neighbor Letter – Myrlean Flemmer in Opposition dated July 28, 2018

Commissioner Defoort asked if we have to follow the response of Idaho Transportation Dept. (ITD) . Staff stated that is a legal question. Staff explained that we solicit input from various agencies to make the decision. Typically a traffic study is done by an engineer based upon AASHTO guidelines and the use proposed. With that information ITD could determine if upgrades are needed for access. Staff stated that ITD cannot approve or deny an access on a county road.

Acting Chairman Freeman asked for the applicant's presentation.

Sam Worley, PO Box 4010, 201 Cold Creek Court, McCall, ID. And Dave Bingham, Cleary Building, Eagle, ID, made the following comments:

- He owns Mile High Marina, Mile High Power Sport, and Lakeport Storage since 2004.
- Currently has 22 employees at power sports and more at other businesses.
- Owns Lot 1, Lot 2, and Lot 3...all with access to Rogers Lane. He also has two access points on Highway 55. He is using one access from Highway 55.
- He has a showroom, mechanics bay and two storage units in the facility. There are eighty boats on Lot 2 that are funneled through Mile High Power Sports with no access to Rogers Lane.
- He leases storage buildings all over the valley – the desire is to consolidate his storage at this location. The storage is not due to a growing business.
- Wanted to put storage units on the southern portion of Lot 3, away from the neighbors along Rogers Lane. The east property line is over 1,200 ft. long.
- This is not a public storage facility. The boat owner calls and they go get the boat or have it delivered to the marina. They prepare boats for winter and then store the boat.
- Customers are not allowed access.
- The appearance is similar to what he already has and identical to Kesler's down the road.
- Primary access will be through Mile High Power Sports with a secondary access from Rogers if needed on a minimal basis. Do not intend to use Rogers Lane.
- He owns several large storage buildings all over the valley. He has to dispatch a person to go get boats bring them back and then deliver them. The storage buildings will eliminate that traffic.
- Will reduce traffic on Highway 55.

- Is aware of the ditch and irrigation needs. Has been in communication with John Leedom, the ditch master, and has been maintaining the ditch for 14 years.
- Between Rogers and Lakefork, there are several businesses that he listed...approximately 15+. Going north there are additional businesses. Believes based on these uses it is compatible.
- Would like to put a solar powered downward light over the man door.
- Fire extinguishers will be provided. There are numerous 10# extinguishers.
- Outside storage will be eliminated if these buildings are allowed. He is spilling over at the adjoining Lakeport storage.
- Building design on Lakeport is dark green with tan roof...these will be the same.
- There is a landscaping plan from McCall Design. There is a berm that is 30" high and planted with trees to shield along Rogers Lane. There will be native flowers and irrigation. Has planted over 200 trees at this location already. There will be some trees along the east property line. He cannot see Flemmer's property from this site due to the existing trees around their house.
- There is currently a fence on-site. He does not intend to change it unless there are security issues in the future.
- There are conditions listed that need to be complied with and does not object to the proposed conditions.
- Spoke with Ken at ITD. He wrote his letter based on agenda description. He explained the plan and there were no decisions at this time. Will work with them.

Dave talked about concerns of neighbors and impact of the large structures. The thought is to keep the structures low and minimize the height and move away from Rogers Lane. The lighting issue will be minimal and not industrial. This will decrease traffic impact to Highway 55. Blending of building colors will fit the area. Biggest consideration was to the neighbors and decreasing the eyesore due to outside storage of trailers.

Commissioner Defoort asked if they are motion detector lights. Dave confirmed they will be motion lights. She asked if gate on Rogers will be locked? Sam said the headgate is not inside the fence. She commented that hours are 10-6 Monday through Saturday and then it is locked. Sam stated the use will be seasonal and periodic. Mostly just normal business hours...and not November through May. They do not offer valet service. Most boats delivered before July 4 and through September. Dave said the goal is to get two buildings up by November. Sam will continue to talk to Ken with ITD.

Commissioner Allen stated there are several conditional use permits in this complex. He said that the business continues to grow and recommends at some point there be a master plan. For example, there were going to be signs on the building -- Sam said their dealer agreements require certain signage. Commissioner Allen said they are not in compliance with the sign permit for the sign on the highway. Discussed the sign permit. Should review the project in its entirety versus what was started there fifteen years ago. Commissioner Allen said there are trailers all over the property in violation of the current conditional use permits. Staff explained the locations where they are allowed are in the buildings and to the east of the new showroom. Mr. Worley said this is being proposed to eliminate that

overflow. Commissioner Allen said there has been difficulty with lighting in the past. There is currently a small maintenance building on the property. There will be more than 7 ½' setback of structures from the east property line.

Commissioner Defoort said that the setbacks shown on Heather's Plan shows at least 30' from the property line.

Commissioner Allen would like to see a site plan that shows all of the CUPs in one. Commissioner Defoort asked if there was additional ownership beyond the four lots. Sam does not know what he is doing with Lot 1 and said he had thought about adding more buildings to Lot 2 but wanted to stay away from the riparian area. Commissioner Allen would like to see some additional landscaping along western side of buildings on previous conditional use permit.

Acting Chairman Freeman asked for proponents. There are none.

Acting Chairman Freeman asked for uncommitted.

Gary Jeffus, 66 Scheline Lane, recommended that we would take a look at the state Highway plan. There are lots of impacts and state needs to look at access from the highway. Sounds like a good project.

Acting Chairman Freeman asked for opponents.

Vaughnie Klaft, 36 Rogers Lane, made the following comments:

- Can see lights on the new building.
- This will block their views to the south.
- Feel this use is too close to their neighborhood.
- Would rather have him build on the riparian area.
- Concerned with current violations.
- Will the gate on Rogers just be an emergency exit, or will it be used?
- Would like trees all along the east and north.
- Would like lighting to be dark sky compliant.
- Main concern is appearance from Roger's Lane and decreased property values.

Cynthia Belec, 13964 Turner Lane, made the following comments:

- Lived on Pinedale in McCall.
- Built on Turner because she could no longer see the night sky.
- Fell in love with this area due to the peace of the neighborhood.
- Eight additional buildings will be huge.
- There are only two access points to the Carefree Subdivisions.
- Feels this is a development of convenience to help the developer.
- There is a building boom now and we will end up with empty buildings.
- Will not decrease the traffic.
- Opposed on many levels.

Acting Chairman Freeman asked for rebuttal.

Sam Worley gave the following rebuttal:

- He is sensitive to the residents.
- Putting these buildings as far from neighborhood as possible.
- Lighting will be motion lights – he understands the night sky.
- Intention is not to use Rogers Lane.
- Traffic impact will be reduced by half since maintenance workers will not have to get vehicles and then come back, do maintenance, and then leave again.

Acting Chairman Freeman closed the public hearing.

The Commission deliberated.

Commissioner Defoort made the following comments:

- Need to clear up issues with ITD.
- Understands need to build this year.
- Important for us to realize that we can't stop growth. Growth and industry in our area should be encouraged and we should shape it. The application as proposed with the placement, color, etc. are all in the positive column.
- The negative is the impact to the highway, so need to clear that up.
- She understands that it is great to have a big pasture by your house, but it cannot be expected to stay that way.
- This is a good plan and in compliance with the Comprehensive Plan.
- All lights need to be dark sky compliant.
- She drove down Rogers Lane and she did not notice the buildings due to the color and thinks this is a great area and will be hidden behind the existing building.
- It is on the edge of the industrial area.

Commissioner Cooper agrees, as follows:

- Biggest concern is the traffic impact.
- Will need to work with ITD.
- This will consolidate it in one location; will not have to go get, service and then take back.
- Really likes the landscaping concept.
- Shouldn't be greater traffic impact than what is there now since employee access only.
- This is seasonal and not in the hectic morning traffic due to hours of operation.
- Agrees there should be a master plan with long range build out.

Acting Chairman Freeman would like them to be more proactive than reactive.

Commissioner Allen made the following comments:

- He lives down Rogers Lane.
- We have to work within the framework of the ordinance.
- Planning has to be worked to balance uses – it never is quite what is planned.

- Sometimes it is difficult when there is no response to compliance with past permits.
- Should we take this as an opportunity to balance with other uses in the area, but our ordinances do not limit us.
- We are to look at compatibility and opportunities to mitigate impacts.
- Traffic is concern but understands the rationale of the decreasing traffic due to having storage on-site -- will need resolution with ITD.

Commissioner Cooper said turning lanes will be established when needed like Clear Creek and Gold Dust.

Commissioner Allen would like all lighting on site to be in compliance.

- There will be very minimal noise.
- Would like a review between phases.

**COA:** Will review compliance with all conditional use permits at this complex by the Planning and Zoning Commission prior to being approved for an additional phase.

**COA:** Have to have a legal access permit from ITD prior to issuance of a building permit.

P&Z would like the county to discuss with ITD, turn lanes at all of these dangerous locations.

**COA:** Prior to issuance of building permit will have all signs and lighting of existing conditional use permits in compliance.

Commissioner Cooper commented that we have a recreational based economy and we have to allow growth of these types of business.

Commissioner Defoort moved to approve CUP 18-11 with the stated conditions of approval. Commissioner Cooper seconded the motion. Motion carried.

There is a ten day appeal period.

**3. Valley County Comprehensive Plan:** Revisions are being proposed to the Comprehensive Plan previously revised on August 23, 2010. The revisions include updated information on various statistics, agencies and changes. The Plan presents historical background and an analysis of current situations. This is a public hearing.

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

Acting Chairman Freeman asked for the Staff Report. Staff presented the staff report and commented on the new maps, tables, etc. Staff stated we added a technology portion.

Commissioner Defoort stated Kathy Deinhardt Hill did a fantastic job revising the history. She has a talent to condense.

Like the inclusion of the pathways, history and industry of the county.

Commissioner Allen believes this is a step up from what we have had in the past. We have to understand that it is an all inclusive guide and addresses industry and rural areas. It also says we consider more than just that.

Acting Chairman Freeman asked for proponents.

Acting Chairman Freeman asked for uncommitted.

Acting Chairman Freeman asked for opponents.

Acting Chairman Freeman closed the public hearing.

The Commission deliberated.

Commissioner Allen moved to recommend for approval to the Board of County Commissioners. Commissioner Defoort seconded the motion. Motion carried.

- **OTHER:**

- **C.U.P. 06-34 Jeffus Storage Facility aka Log Jammer Storage** – not a public hearing

The Commission determined this would not change the nature or scope and approved.

- **Privy Request** – Paradise Valley Summer Home , 105 Paradise Valley Road

Commissioner Allen moved to approve so long as it meets requirements of Central District Health and Forest Service. Commissioner Cooper seconded. Motion carried.

- **Reschedule October meeting date due to conflicts**

The Planning and Zoning Commission approved rescheduling the meeting to October 18, at 6:00 p.m. Staff will send out a reminder.

- **FACTS AND CONCLUSIONS:**

- VAC 18-02 Riverview Road
- C.U.P. 18-09 Horsethief Heights No. 2
- C.U.P. 18-10 Garcia/Fredriks Multiple Residence

Commissioner Defoort moved to approve the facts and conclusions as presented and authorized chairman to sign. Commissioner Allen seconded the motion. Motion carried.

Acting Chairman Freeman adjourned the meeting at 8:08 p.m.