

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

May 9, 2019

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 6:00 p.m.

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

P&Z Administrator – Cynda Herrick:	Present
P&Z Commissioner – Ed Allen:	Present
P&Z Commissioner – Bryan Cooley:	Present
P&Z Commissioner – Ray Cooper:	Present
P&Z Commissioner – Johanna Defoort:	Present
P&Z Commissioner – Scott Freeman:	Present
P&Z Technician – Lori Hunter:	Present

B. MINUTES: Commissioner Freeman moved to approve the minutes of April 11, 2019. Commissioner Cooper seconded the motion. Motion carried unanimously.

C. OLD BUSINESS:

- 1. C.U.P. 05-17 and 14-03 White Cloud Phase 1 & Phase 2 – Amended Plats:** Final plats have been submitted by property owners to amend elements of White Cloud Phase 1 which was recorded at Book 10, Page 53 on July 25, 2006; White Cloud Phase 2, at Book 12, Page 54, on December 20, 2011; and First Amended White Cloud Phase 2, at Book 13, Page 15, on July 28, 2014. The Commission will review the amended final plats. No lot lines are being modified. No new lots or roads are proposed. The subdivision is located partially within the City of McCall Impact Area and partially within Valley County jurisdiction. The site is accessed from West Mountain Road. It is approximately 448 acres located in SE ¼ Sec. 24 and NE ¼ Sec. 25, T.18N, R.2E, and SW ¼ Sec. 19 and NW ¼ Sec. 30, T.18N, R.3E, Boise Meridian, Valley County, Idaho. **[Not a public hearing.] Action Item**

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

Chairman Cooley asked for the Staff Report. Staff presented the staff report.

Commissioners discussed reasons for amendments.

Commissioner Defoort moved to approve final plats and authorize the Chairman to sign. Commissioner Freeman seconded. Motion carried unanimously

Chairman Cooley explained the ten day appeal period.

D. NEW BUSINESS:

[06:06:32 PM \(00:06:57\)](#)

1. VAC 19-01 Vacation of Road Easement in Timbered Acres: Carroll and Barbara Smith are requesting a vacation of a road easement that was platted along the eastern portion of Timbered Acres Subdivision, Lot 1. The intention was to provide access to an unplatted parcel to the north, which has now been combined with this parcel. They would also like to vacate the platted public right-of-way that was originally used as a cul-de-sac that is no longer needed. The easement is located at 222 Wildwood Drive in the NWNE Section 33, T.16N, R.3E, Boise Meridian, Valley County, Idaho. *Action Item*

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

Chairman Cooley asked for the Staff Report. Staff presented the staff report.

Chairman Cooley asked for the applicant's presentation.

Kent Smith, representing Carroll Smith, stated that this application is to clean up the deed on property.

Chairman Cooley asked for proponents. There were none.

Chairman Cooley asked for undecided. There were none.

Chairman Cooley asked for opponents. There were none.

Chairman Cooley closed the public hearing.

The Commission deliberated. The history of the creation of the culdesac and the lot combination was discussed. To split the lot in the future would require a subdivision plat.

Commissioner Allen moved to recommend approval of VAC 19-01 to the Board of County Commissioners. Commissioner Defoort seconded the motion. Motion carried unanimously.

Chairman Cooley explained the ten day appeal period.

[06:13:16 PM \(00:13:42\)](#)

2. C.U.P. 18-08 Eagle Nest 3 – Extension Request: Eagle Nest LLC is requesting a seven month extension of the conditional use permit and preliminary plat that expire on May 10, 2019. The approval was for a 21-lot residential subdivision on 100 acres. The extension is requested due to studies for the Northern Idaho Ground Squirrel. The site is located in Sections 17 and 20, T.14N, R.4E, Boise Meridian, Valley County, Idaho. *Action Item*

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

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

- **Exhibit 1** – Idaho DEQ standard response letter dated May 2, 2019.

Allen asked about Parametrix letter; Staff responded that there will be a final approval letter by Parametrix prior to the final plat submittal.

Chairman Cooley asked for the applicant's presentation.

Phil Davis, 19 Warm Lake Highway, as Staff stated that some issues still needed resolved; particularly Northern Ground Squirrel surveys required by EPA delayed the project. EPA needs to be noticed with agency notice letters. The one-year time approval should be increased. No ground squirrels were found at the site.

Administrator Herrick added that the Northern Ground Squirrel map that is in the P&Z office does not include the Eagle Nest area; only the Round Valley area in Valley County.

Chairman Cooley asked for proponents. There were none.

Chairman Cooley asked for undecided. There were none.

Chairman Cooley asked for opponents. There were none.

Chairman Cooley closed the public hearing.

The Commission deliberated. Since this was an issue that the applicant was previously unaware of, there are no concerns with approving an extension.

Commissioner Allen moved to approve a one-year extension of C.U.P. 18-08 with the stated conditions. Commissioner Cooper seconded the motion. Motion carried unanimously. Chairman Cooley explained the ten day appeal period.

3. C.U.P. 19-06 Blackhawk on the River Event Venue – Amendment to C.U.P. 17-04:

Blackhawk on the River LLC is requesting approval to amend the existing conditional use permit that established an event venue at the Blackhawk River Lodge. The request includes extended hours of operation, outdoor amplified music and PA systems, removal of limits on the number and type of events, and additional commercial use. The existing buildings, parking lot, and lawns would be used. The 2-acre site is addressed at 11 Shooting Star PL, located in Blackhawk on the River Phase 2, Lot 99, Block 3, SE ¼ Section 25, T.18N, R.2, Boise Meridian, Valley County, Idaho. ***Application Withdrawn by Applicant***

4. **C.U.P. 19-10 Lake Fork Living:** Payette Financial Services, LLC is requesting approval to establish 20 tiny homes on a 21 acre parcel; each would be 400 sq.ft. plus an open loft. The homes would be clustered on approximately five acres and the remaining 16 acres would be for RV storage and future use. Shared wells, individual septic tanks, and a shared leach field are proposed. Access would be from Pleasant Acres Drive, a public road. The site is RP17N03E034205 located in the SENW Section 3 T.17N R.3E, Boise Meridian, Valley County, Idaho. *Action Item*

Chairman Cooley introduced the item. Chairman Cooley asked if there was any *exparte* contact or conflict of interest. There was none. Commissioner Allen did state that some people have asked him questions but he has not had an *exparte* contact.

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

- **Exhibit 1** – McCall Fire Department response via email on May 8, 2019. The access road will need to have a minimum width of 20', exclusive of shoulders and should be constructed to county load standards. A turnaround also needs to be provided in accordance with 2015 International Fire Code.
- **Exhibit 2** – Valley Soil & Water Conservation District response letter dated May 2, 2019, advises that the applicant consults Lake Irrigation District so plans can be engineered to ensure effective water delivery and continued operation of Lake Irrigation Ditches.
- **Exhibit 3** – Idaho DEQ standard response letter dated May 2, 2019.
- **Exhibit 4** – Robert Clements, 56 Pleasant Acres Drive, replied via letter received May 6, 2019. He is opposed due to increase traffic and dust, adverse effects on water supply, environmental concerns, disruption of natural wildlife movement, excessive increase in housing density, and increased law enforcement issues.
- **Exhibit 5** – Randy & Deanna Morell, 13882 & 13884 Highway 55, and 27 W Lake Fork Road, replied via email on May 3, 2019. They are opposed due to density and believe new development should have similar type and density of the area in which it is located.
- **Exhibit 6** – Phil Lansing, 81 Rogers Lane, replied via email received May 3, 2019. He shares ¼ mile of property line with the proposed project. This project is not compatible with the area and is similar to a rental mobile home park in terms of density, impacts, and economics. Storage areas don't make good buffers. It is in the middle of a key elk corridor.
- **Exhibit 7** – William Quarton and Virginia Hansen, replied via email on May 6, 2019. As homeowners to the north and east of the proposed development, they are opposed. It is not compatible with the surrounding neighborhood. It would decrease property values and impact wildlife.

- **Exhibit 8** – Gene Gans phoned on May 8, 2019. This is on his east property line. He is opposed due to septic and potential damage to wells.

Commissioner Allen asked Staff to clarify the tiny home definition. Per State Statute, park models are recreational vehicles. Tiny homes are 400 sq ft or less in floor space, excluding lofts. Valley County has adopted the tiny home ordinance, Valley County Code Title 5, effective January 1, 2018. The proposal is for tiny homes on permanent foundations.

Chairman Cooley asked for the applicant's presentation.

Cody Draper, 2589 South Groom Way, Meridian, is a builder in Valley County. This proposal would solve some housing issues while keeping open space on the parcel.

- **Exhibit 9** – Additional application info including proposed building sketches, applicant's vision, responses to Staff questions, and comments from Agencies.

Buildings would be permanent structures with slab foundations on grade, 400 sqft plus loft, 20 ft. x 20 ft. They would be condensed versions of a high quality home for workers and recreationists. The project meets density requirements. Many homes in Valley County are secondary homes being rented; these would require a minimum 1 month rental. Homes are needed in Valley County. There would be seasonal RV/boat/trailer storage. Each tiny home would have a detached garage.

In response to Administrator Herrick's March 27th letter:

- Each tiny home would have same layout but vary in color. Non-reflective roofs. Earth tones.
- Homes will be 150-300 feet apart.
- All exterior lights will be downward facing. There will be motion lights.
- RV storage will not be enclosed. There will be a graveled area with 300-400 sq. ft. spaces available May until November.
- The RV storage area may result in a second phase of tiny homes or construction of covered storage.
- Landscaping will be added. Around the homes will be 30% natural landscaping, including feather grass to buffer property line and RV area.
- Snow will be stored on each side of the driveways and along the road inside the parcel.
- Have discussed electrical connection with Idaho Power.
- Will be two parking spaces in front of each home (see exhibit 9).
- Large vehicles and trailers will be parked in the RV trailer storage area, not in front of homes.
- Open storage only; buffered with natural landscaping.
- There will be an on-site manager.
- He has met with the Lake Irrigation District and spoken with Mike Reno of CDHD
- Each home to have own leach field
- One public well and a cistern for water for homes and fire response.
- They are researching the past site data for septic and will dig test holes to start monitoring as required by CDHD.

- Wetland/spring locations are noted on application; they will not be disturbing these.
- Shirley Florence, Lake Irrigation District, said it is possible to pipe and backfill ditch with approved pipe size and materials.
- ITD requires traffic generation numbers which are being researched.
- They will build as required by the McCall Fire Chief.
- All perc testing is done. Has to be monitored thru next spring.

Clustering the homes will allow for open space and wildlife travel. Worker housing is a critical need in Valley County. These will be built to high standards. Clustering smaller homes is a better design than the typical subdivision. This project would increase diversification of housing opportunities in Valley County.

Commissioner Defoort asked about the 300-400 open space storage? Mr. Draper clarified that it would contain 8 x 11 feet spaces on gravel; open May thru November only. The site plan is in the original application. It would be 300-400 sqft, NOT 300-400 unit spaces but about 75 spaces. The storage space would be open to both tenants and public.

Commissioner Allen asked about the distance between units. Mr. Draper responded that there would be no more than 100 yards between units; detached garages would be shared. The application contains a general site plan idea. Commissioner Allen would like a specific site plan. Mr. Draper said the exact dimensions will change; he expects 100 to 300 feet between houses.

There was clarification that this application is only for phase 1. Phase 2 would be a new application.

The applicant discussed the site plan. The homes will not be exactly as site plan shows them in a straight line. Plans will be drawn up to show exact locations.

The applicant referred to splitting the lots to meet CDHD requirements. He said it could be split into no less than 2-acre lots with 10 lots total. Administrator Herrick clarified it could be subdivided by a plat only; not a lot split. A subdivision plat would require a new public hearing. Mr. Draper added he could reduce from 20 to 15 tiny homes to meet CDHD requirements for the parcel.

Commissioner Cooper questioned the rental figures, up to \$1500 per month. Mr. Draper said based on research in Valley County, \$150/night is minimum Airbnb rental in the area. Some tiny homes would be furnished at a higher rent option. There was discussion on rentals and workers; cost of workers commuting from the Boise area is high.

Commissioner Defoort asked about road maintenance. Mr. Draper replied that they are willing to help with dust and maintenance on the gravel road.

Chairman Cooley asked for proponents. There were none.
 Chairman Cooley asked for undecided. There were none.
 Chairman Cooley asked for opponents.

Chairman Cooley reminded the audience of the three minute time limit per speaker.

Jim Newcombe, 31 Pleasant Acres Drive, said that septic system and irrigation system conflict. Irrigation lines, even piped, can't go thru septic systems. Wetlands on both sides of property will be a problem for septic drainfields and drainfield replacement. Neither the drainfield or replacement drainfield area can be driven over. This limits building sites. Smaller lots with permanent buildings would be better option.

Patti Pfof, 71 Pleasant Acres Drive, has two photographs of the road (**Exhibit 10**). Pleasant Acres Drive is a two-lane dirt road and narrows to one lane in winter due to snow. The road already does deteriorate; this project will cost the County a lot more money for road maintenance.

Robert Clements, 56 Pleasant Acres Drive, is retired from law enforcement and has work with DEQ and EPA. This proposal would not just be residential traffic but RVs, trailers, etc. He is concerned about the water supply and wells and the disruption of herds of elk and deer. Housing density is a concern as it is currently a low density rural housing area. Thirty days is a short term rental; transient renters will increase the need for law enforcement. The proposal does not comply with the Valley County Comprehensive Plan; in particular it will not protect quality of life nor retain rural character of the area. It does meet DEQ and EPA regulations. This is not an appropriate area for this proposal; there are other areas.

Craig Newcombe, 38 Pleasant Acres Drive, at the corner, adjacent to this proposal. He moved out of the city limits so his kids would be able to play outside. The proposal is too dense. Trailers can't be parked in subdivisions because people don't want to look at them; why should he have to.

Sally Nutt, 81 Rogers Lane, owns property directly adjacent to this property. She is opposed for the reasons previously mentioned: water, wildlife, traffic, noise, 20 homes, pets, dirt bikes, parties, etc. Thirty days is short term rental; the tenants will not be invested in the property. She is concerned about the aesthetics of the proposed storage and questions if the utilities will be underground. The site plan doesn't match what was discussed by the applicant. She is concerned about the management of the site. This is currently open space, back beyond the industrial part of Lake Fork. She is not opposed to affordable housing but this is wrong place.

Katie Morell, 11 Pleasant Acres Drive, stated that affordable housing is needed but this is not the right place. It is currently a quiet, safe community with people invested in area. The current residents are not a transient population.

Randy Morell, 27 W Lake Fork Road, owns property in the area. The 6 foot tall grass suggested as landscaping would be as a fire hazard.

Barr Quarton, 71 Rogers Lane, his main concerns have been covered by previous speakers. Twenty homes and monthly rental of homes and storage would equal quite a lot of money for the three partners. The proposal would not be affordable houses for people who want to live

in Valley County. He previously thought there might eventually be three or four homes on the site; this is much higher density.

Steve Millemann, 1171 Elo Road, is representing multiple property owners who own near this site. He contrasted the original application to what was presented earlier in the meeting. The proposal should be denied, not continued for more information. The applicant has chosen to provide the Commission with an application that is incomplete and is lacking a final plat, complete site plan, full landscaping plan, and screening along road. There was no information about garages or management in the original application. The application is for 20 homes and undefined, uncovered storage on the property. The information mentioned by the applicant does not match the original application. This is an unscreened commercial and multi-family application, packing people and trailers into a small area. The applicant may need to have a subdivision to avoid the requirements of DEQ. It has been standard in previous C.U.P. applications to demonstrate feasibility. This application has a hand-drawn line of 20 leach fields. The verbal accounts from applicant about agencies differ from written responses. The Commission could tell the applicant that more info is needed; however, this application is not close enough to the Valley County ordinance requirements to do so. There are visual impacts in all directions. A landscaping plan, sewage disposal feasibility, portable water feasibility, and number of wells are needed. The application states tiny homes will be screened by open storage area. There are no grading or outdoor lighting plans. The impact report is minimal. This is not affordable homes for workers for year-round workers. There is no information on existing surface water, soil, and wetlands. There is no information on management structure and accountability. These are all required in the Valley County ordinance. In the conditional use process, Commissioners are to determine compatibility. The application does not provide this. The application should be denied.

Mark Wood, 25 Pleasant Acres Drive, said his letter was read by Staff. He is opposed.

Gene Gans, 114 Carefree Lane, owns 10 acres directly east of the site. He agrees with Steve Millemann.

Chairman Cooley asked for rebuttal from applicant. Mr. Draper responded to previous comments. Irrigation water will be piped down the side of the internal road; the flow can be moved 15-20 feet from current ditch. He has contacted the responding agencies. He is willing to finalize. The property can be split; there is plenty of room. Septic testing has been done; they are researching the data. He is willing to help with snow removal and dust. He is trying to cluster homes and maintain open space. This proposal has less fencing and barriers to wildlife movement compared to a typical subdivision. Patrolling would reduce issues with speeding, biking, and kid safety. Rentals would be for a minimum of 30 days, unlike much of Valley County. There would be an on-site manager and pet-leash requirements. Landscaping would help break up area; they want natural vegetation, not bare ground. Currently building in the area is expensive. There does need to be some payback (rental money) to help pay for the investment in the project. He mentioned the current housing crisis, tiny homes, and clustering. In regards to the public water system, it was noted on application that it might be one well.

Landscaping would include one tree per house. For this property, this project is a solution that fits in and gives people housing options in Valley County.

Chairman Cooley closed the public hearing.

The Commission deliberated. Commissioner Defoort said there are unanswered questions; she agrees with Mr. Millemann that the application is incomplete. She would like more information on: traffic, management, longer-term lease, lower rents for affordable housing, landscaping, storage (open space would not visually appealing), engineered studies of wetlands, grading of site plan, and an accurate site plan.

Commissioner Cooper concurs and added concerns including the impact of trailers on road, noise, and an incomplete application. It is not affordable housing for those who want to make a living in Valley County.

Commissioner Defoort stated there is a difference in traffic between family vehicles and those with trailers.

Commissioner Allen also concurs; the application doesn't match what Mr. Draper said during his presentation. This is rental "worker housing" for people from Boise area similar to a hotel/motel rental. He is in favor of tiny homes, but not in favor of this application. It is a misleading and inadequate application. The proposal has tall grass as a visual barrier; however, grass doesn't grow fast enough at this location. The project needs to be on an established water and sewer system.

Commissioner Freeman also concurs. The spatial dimension of the site plan does not add up. The site plan isn't representative and the layout is unknown. Missing information includes setbacks, septic, and irrigation. The undefined storage can't be mitigated and would be a big gravel lot.

Commissioner Allen added that storage units north of this site are required to store stuff inside due to visual impacts.

Chairman Cooley concurs that the application is incomplete and inaccurate; the written application does not match the verbal presentation. Infrastructure for this type of project is important and information is lacking. Feasibility is unknown. It is an incompatible use of rural low density housing and the adjacent uses.

Commissioner Freeman said the plan is incomplete.

Commissioner Defoort moved to deny C.U.P. 19-10. Commissioner Cooper seconded the motion. Motion carried unanimously.

Chairman Cooley explained the ten day appeal period.

[08:09:27 PM \(02:09:53\)](#) - Chairman Cooley announced a break.
[08:18:02 PM \(02:10:18\)](#)

5. C.U.P. 19-11 Tamarack Storage Plus: Ben Poulsen is requesting approval to construct public storage facilities. The proposal includes an office, nine storage buildings (between 4900 and 9800 sq.ft.) and three 60'x245' covered RV parking areas. Individual well, an individual septic system, and electricity are proposed. Access would be via Coho Lane. The site is approximately 10 acres within a 62-acre parcel (RP16N03E036650) located in the S ½ SW ¼ Section 3, T.16N R.3E, Boise Meridian, Valley County, Idaho. *Action Item*

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

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

- **Exhibit 1** – Valley Soil & Water Conservation District response letter dated May 2, 2019, request that the Commission evaluate the proposed engineering to mitigate surface flooding and drainage. Stormwater runoff has been addressed in the past; a 1996 letter is attached. The District recommends an independent engineering review of the project.
- **Exhibit 2** – Idaho DEQ standard response letter dated May 2, 2019.

Commissioner Allen asked Staff about drainage, run-off potential, and flooding. Administrator Herrick replied that there must be approved engineering which shows containment of water on site. The existing storage units on Burr Drive have retention ponds. She will let applicant describe the proposed stormwater plan.

In response to Commissioner Defoort's question, Administrator Herrick replied that the proposed 10 acres are designated in a specific area within the 63-acre parcel. The applicant can't expand without additional approvals.

Chairman Cooley asked for the applicant's presentation.

Lucas Hansen, 4114 Nelson Lane, Caldwell, spoke on behalf of the property owner, Ben Poulsen. They are proposing roughly 55,000 sq.ft. of storage; 30,000 sq.ft. would be covered. Civil engineers have drawn up a plan for drainage. Run off water that floods the property annually will still be able to flow through. The plans include gutters, sand-grease traps, and seepage pond.

- **Exhibit 3** – drainage plan, colored to show seepage pond on west side of property, covered storage buildings (green), roadway gutters (blue), and DI's (pink) where water will flow downward into the pipes.

Lighting will be dark-sky compliant and include motion detector lights. There will be security gates with codes. Nighttime closure will be 10:00 p.m. Daily traffic on Coho Lane to storage units will be minimal. He referred to the landscaping plan. Buildings will be earth tone colors.

The site will not be an eye-sore. The covered storage will have an open front and be closed on the other three sides.

Mr. Hansen responded to questions from Commissioners. There will be no chain link fence; the buildings will act as a fence. The seepage pond will be located on the west side. Snow will be removed and stored on the part of the parcel south of the storage units. There will be buildings and security gates along Coho Lane.

Commissioner Allen asked about a request to have a pathway easement along the old railroad bed that is on the parcel. This location is in the Valley County Pathways Plan. It would allow people from Coho area to use a pathway to reach Donnelly.

Ben Poulsen, 2294 N Windchime Drive, Meridian, spoke as the property owner. In regards to pathway, he would be willing to open up an easement for future access. The railroad bed is outside the storage unit site by about 500 feet. He is willing to have the pathway easement be a condition of approval. On the west side of the proposed storage units, there are natural existing evergreen trees blocking view from Coho Estates.

Commissioner Allen asked if the applicant would be willing to change the name so there is not confusion with Tamarack Resort area. Mr. Poulsen replied that he isn't opposed but the name Tamarack Storage was chosen for name recognition and the name Donnelly Storage is already in use. In regards to property being devalued, Brett Shepherd's letter says that storage sites can benefit neighboring areas. Storing trailers in protected, covered buildings is better visually.

Commissioner Defoort asked if fill material would be added to increase the ground level at the site. The applicant replied that road base fill would be added. The drainage plan will still allow floodwaters to flow. Administrator Herrick added that what historically sheds off, can't increase due to the new use. The swell will be engineered to retain water on site.

Chairman Cooley asked for proponents. There were none.

Chairman Cooley asked for undecided. There were none.

Chairman Cooley asked for opponents.

Eric Gehrung, current president of Coho Estates Property Owners Association, resides at 13276 Rainbow Road. Last year, a creek ran thru this parcel, into Coho Estates, and flooded multiple lots. This resulted in insurance claims and a floating propane tank. The Valley County Road Department helped with a pump. It was found that an irrigation ditch had been breached; the out-of-state owner of the parcel was not able to be contacted. He referred to a 1996 plan to divert water along Nasi Ditch to divert water to Lake Fork Creek. A culvert has been removed and water now flows thru where the storage units are proposed.

Scott Henson, 13274 Rainbow Road, is a commercial architect. If the project is approved, then conditions of approval are necessary. Coho Lane is the only entrance to our neighborhood. Flooding is a concern. The parcel is relatively flat and a 2-4 feet increase to a raised platform would affect the area. The grading plan does not address the conveyance of water around the property, flood mitigation, percolation testing, nor the high water table. The swell would be

full of snow when it is needed for flood water. Lighting is a concern; motion lights would be set off by animals. The site plan has two pole lights and six wall packs; there should be down-directional screened lighting only. The site plan doesn't say where and how high the berm is to be. Landscaping is undefined and does not include type of plants nor distances. The site should be more densely screened than appears on the plan.

- **Exhibit 4** – lighting on buildings at Riggins Storage which is not downward.
- **Exhibit 5** – An existing berm on Highway 55 near Pearson Lane should be the model used for this location.

Diana Bryant, 32 Coho Lane, lives directly across from the westernmost part of the 63 acre parcel. If this commercial project is allowed, it would lead to more commercial use of the entire parcel. There is a conflict between the storage facility and the comprehensive plan. Traffic safety on Coho Lane and the intersection with Highway 55 is a concern. People bought in Coho Estates because it is outside of Valley County towns and commercial uses. Other negatives are drainage, lighting, and degradation of the scenic byway of Highway 55. This site is not in a town or impact area. It is for single family private home development and not designated for commercial use.

Bobby Bicandi, 13128 Brookie Drive, owns along the fence line of the larger parcel. When the land is compacted, water goes either towards highway or towards Coho Lane. Snow will be pushed and will melt but frozen ground does not accept water. One settling pond will not be enough. The storage units should not be next to residential community.

Regan Berkley, 13265 Kokanee Drive, is concerned about safety due to increased traffic. The school bus stop at Coho Lane and Highway 55 is already difficult due to 65 miles per hour speed limit on Highway 55. Coho Lane is a narrow road, particularly during winter. There should be a separate access from Highway 55 with turn lane into the storage units. The conditions of approval should include specific hours of operation. Light should not project horizontally. Wetlands and water are concerns as previously mentioned.

Jackie Hurzeler, 28 Coho Lane, lives in the first residence on Coho Lane. The applicant said the building will be the wall which does not appear to match the site plan. The site needs good berms and landscaping. She doesn't want to see it from her yard. Aesthetics are important. She questioned if the gates will be coded for entrance 24 hours per day. Flooding is a huge concern. She would like to evaluate the drainage plan. She questioned what happens if the project is partially or completely developed and then the property is sold. She bought in the area to be away from commercial buildings. Traffic safety is also a concern.

Chairman Cooley asked for rebuttal from applicant. Civil engineer is hired to determine drainage, flooding, retention pond, etc. Moisture that comes off the roofs determines the size of the required drainage pond. Lighting will be pointed downward and fully shielded. There will be a landscaping berm along east side. They do want storage units to be visible from Highway 55 but don't want ugly buildings. There will be minimal daily traffic to and from storage units. Gates are controlled by a computerized system so times can be set; fire trucks can still get in when closed. Suggested operating times are 6:00 a.m. opening and 10:00 p.m. closure.

Administrator Herrick added that the Valley County ordinance requires access from county road if frontage is available on both Highway 55 and a county road. Highway 55 is a limited access highway.

Commissioner Defoort asked for clarification on landscaping on the north side, along Coho Lane. There will be a berm to keep water flowing along Coho Lane. "Building A" will run east-to-west to block view into the site.

Commissioner Allen received clarification that the office would have septic approval.

Ben Poulsen also added in response to the concerns of traffic safety, that the vet clinic will see more daily traffic than the storage units. The average American visits their storage facility three or four times per year. The old railroad bed is elevated and works as a dam. The storage units would be east of the railroad bed. He plans to build his own home on the remaining parcel; therefore, he has incentive to build an attractive facility.

Chairman Cooley closed the public hearing.

The Commission deliberated. Commissioner Allen wanted people to understand the concept of planning in Valley County: Multiple Use - Performance Based planning with only one zone.

Commissioner Freeman questioned drainage, not only from the roof of the buildings but the amount of water coming onto the site. He asked if the total volume will be accounted for. Administrator Herrick referenced the Valley County Engineer letter; the applicant will have to meet the 25-year event calculations to contain the water on the site. The plan will have to be submitted to Parametrix (Valley County Engineer) for final approval. There was further discussion. The whole area has high ground water. Engineers mitigate and approve the calculations. COA # 9 concerns stormwater. Lighting is covered under existing ordinance and includes lighting height requirements.

COA: Hours of operation are limited to 6:00 a.m. to 10:00 p.m. Gates will be locked when closed.

COA: – Will provide easement for pathway on old railroad bed upon construction of pathway from Coho to Donnelly. Applicant shall not construct anything that will prevent the pathway on the old railroad bed.

Board of County Commissioners stated that we cannot require ("shall") a pathway as part of conditional use permit; however, the easement was offered in this particular case.

In regards to lighting concerns, particularly height of lights, Administrator Herrick referred to the application and the minimal requirements of the Ordinance. Application specifies that lights on storage buildings will be a maximum of about 9 ft. off the ground, those located on RV buildings will be a maximum of approximately 15 ft. off ground.

COA: – All lighting will be controlled by motion detectors.

Commissioner Defoort said additional landscaping should be included on the north side. Commissioners discussed berm height, trees, and aesthetics. Administrator Herrick stated she had asked applicant to cluster landscaping. The ordinance states 25 feet between trees although trees may be grouped or planted in groves. Trees should not be planted in a straight line like a fence. Berms can undulate and don't have to be a straight line. The berm should be established on top of new grade, not existing. The berm is part of the stormwater management plan to direct water along Coho Lane.

COA: – Berm on north side should be elevated above new grade and not have a slope no greater than 3:1.

COA: – A minimum of one tree should be planted for every 25 feet of linear street frontage. The trees may be grouped or planted in groves.

Commissioner Allen said Coho Lane is a county road and, therefore, is accessible to use by the public. The speed limit on Highway 55 is ITD's responsibility.

Commissioner Cooper concurs with previous comments. Landscaping to north is important. Drainage and possible flooding are big concerns. This will need to be dealt with proper engineering as required. Water and drainage in the area was further discussed by Commissioners.

COA: – Shall allow additional offsite water retention on adjacent lands owned by applicant, if necessary.

Commissioner Allen moved to approve C.U.P. 19-11 **Tamarack Storage Plus** with the stated conditions. Commissioner Defoort seconded the motion. Motion carried unanimously.

Chairman Cooley explained the ten day appeal period.

[09:51:31 PM \(03:43:47\)](#)

6. C.U.P. 19-12 Pickens Subdivision – Preliminary Plat: Nathan Pickens is requesting a conditional use permit for a 2-lot residential subdivision on 4.8 acres. Lots are proposed to range in size from approximately 1 to 3.8 acres. Both lots would be served by a shared well and each would have a septic system. A residence currently exists on the proposed lot 1. Access would be from Big Pine Drive and Lone Tree Road, both public roads. The site is located in a portion of "unplatted" Northlake Subdivision 1 in the SW ¼ Section 8 and NW ¼ Sec. 17, T.15N, R.3E, Boise Meridian, Valley County, Idaho. *Action Item*

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

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

- **Exhibit 1** – Wildfire Risk Assessment by Dan Dunn for the applicant. A 2-lot subdivision does not require a professional wildfire plan; however, Mr. Dunn did consult with Stephanie Nelson.
- **Exhibit 2** – Idaho DEQ standard response letter dated May 2, 2019.

Chairman Cooley asked for the applicant’s presentation.

Nathan Pickens, 212 Arlington Avenue, Caldwell, said the lot sizes have been adjusted as required. CCR’s will address lighting. The electricity for Lot 2 will come from Big Pine Road, not over Lot 1.

Chairman Cooley asked for proponents. There were none.
 Chairman Cooley asked for undecided. There were none.
 Chairman Cooley asked for opponents. There were none.
 Chairman Cooley closed the public hearing.

The Commission deliberated.

Commissioner Allen moved to approve C.U.P. 19-12 **Pickens Subdivision – Preliminary Plat** with the stated conditions. Commissioner Freeman seconded the motion. Motion carried unanimously.

Chairman Cooley explained the ten day appeal period.

[09:58:39 PM \(03:50:55\)](#)

7. **C.U.P. 19-13 Frost Property Management:** Jonathan Frost is requesting a conditional use permit to operate a property management business. The proposal includes a 5,000 sqft office building and a covered storage/parking building to both store their equipment and rent space for RV and boat storage as well as Inland Marine’s equipment. An individual well and electrical utilities exist; sewer is provided by North Lake Recreational Sewer and Water District. Access would be via an existing entrance to Highway 55. The site is approximately four acres addressed at 13175 Highway 55 and located in the NESW Sec. 10 T.16N R.3E, Boise Meridian, Valley County, Idaho. *Action Item*

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

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

- **Exhibit 1** – Idaho DEQ standard response letter dated May 2, 2019.

Commissioner Defoort asked about the previous approved conditional use permits. This new C.U.P. would vacate the previously approved conditional use permits. The proposal does include the continued use by Inland Marine.

Commissioner Allen asked about the proposed sprung structure. Administrator Herrick said it would be similar to the one in Lake Fork; she recommends it not be allowed per Donnelly's design requirements.

Chairman Cooley asked for the applicant's presentation.

Jonathan Frost, 150 W Roseberry Road, said they have will not use the sprung structure. After discussing building types with other business, they would prefer a metal-covered pole building.

- **Exhibit 2** – picture of building type desired instead of sprung structure.

The existing septic would be used initially and is shared with Midas Gold Office Building to the immediate north. Storage spaces are not the primary business objective but they would like to store their RV and some others, maximum of 10 storage spaces. Currently their equipment is spread throughout the county. Currently a chain-link fence on the east, north, and south sides; they would improve the maintenance of the fence. The peak height of storage building would not exceed 20 feet.

Commissioner Defoort asked about a phasing plan and existing structures. The existing storage buildings and construction job trailer would be used in interim. The building, behind trees, was built in 1914 and has equipment/tools inside it. Inland Marine would continue to rent space to conduct their business at this site; some of this happens outside. However, removal of existing refuse and materials would occur. Construction trailers to be used originally. He anticipates a two-year construction time for storage building and five years for office building.

Commissioner Defoort said more application information is need.

Chairman Cooley asked for proponents. There were none.

Chairman Cooley asked for undecided. There were none.

Chairman Cooley asked for opponents.

Cami Hedges, Donnelly City Clerk, said this is an incomplete application and needs more information on drainage, parking, and landscaping. Water services are available from the City. There are wetlands to the west along the railroad. When the current Midas Gold building was built, there were legal issues with fill placed in the wetlands. The property across the highway was annexed in 2016. The City of Donnelly would like to see building design plans before the Commission makes a decision. She questioned what will be done with existing stuff on property.

Eric Engberg is on the Donnelly P&Z Commission. His concerns include engineering, blueprints, site plans, ITD-approved access from highway, and water drainage.

Cami Hedges added that water drainage from the site is an issue.

The applicant chose to not add any rebuttal.

Chairman Cooley closed the public hearing and then reopened the public hearing.

The Commissioners agreed that more information is needed. Commissioner Defoort believes the proposed use is better than current use. She is glad to have the proposed sprung building removed from application.

The Commission requested the following information from the applicant by June 5, 2019: Phasing plan, more detailed phased-site plan, building design, lighting plan, information on people living on site, information on other business use, landscaping, and drainage.

Commissioner Allen moved to table public hearing for C.U.P. 19-13 to June 13, 2019.

Commissioner Freeman seconded the motion. Motion carried unanimously.

Chairman Cooley explained the ten day appeal period.

E. ADMINISTRATIVE APPEAL – Concrete plant at intersection of Plant Lane and Koskella Road – Action Item

Gold Fork Ready Mix used to be at this location. Knife River would like to put in a comparable size hot plant; Knife River believes it is a grandfathered use. Commissioners discussed this issue. Commissioner Allen moved that a hot plant is not a grandfathered use for this site; Commissioner Cooper seconded the motion. Motion carried unanimously.

F. FACTS AND CONCLUSIONS - Action Items:

- V-1-19 Odle Front Setback Variance
- C.U.P. 19-04 Sands RV Campsite
- C.U.P. 19-09 The Retreat McCall
- C.U.P. 19-08 Housley Campsite

Commissioner Defoort moved to approve the Facts and Conclusions as presented and authorize the chairman to sign. Commissioner Cooley seconded the motion. Motion carried unanimously.

Chairman Cooley adjourned the meeting at 10:38 p.m.