



Valley County Planning & Zoning Commission

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Rob Garrison, Chairman
Kathy Deinhardt Hill, Vice-Chair

Ed Allen, Commissioner
Scott Freeman, Commissioner
Bryan Cooley, Commissioner

MINUTES

Valley County Planning and Zoning Commission
March 10, 2016
Valley County Court House - Cascade, Idaho

A. OPEN: Call to Order

P&Z Commissioner - Ed Allen: Present
P&Z Commissioner - Kathy Deinhardt Hill: Present
P&Z Commissioner - Bryan Cooley: Present
P&Z Commission Chairman - Rob Garrison: Present
P&Z Commissioner - Scott Freeman: Present
P&Z Staff – Cynda Herrick, AICP: Present

B. MINUTES: February 11, 2016

Motion: Moved to approve the minutes of February 11, 2016.

P&Z Commissioner - Ed Allen: Motion
P&Z Commissioner - Scott Freeman: 2nd

P&Z Commissioner - Ed Allen: Approve
P&Z Commissioner - Kathy Deinhardt Hill: Abstain
P&Z Commissioner - Bryan Cooley: Approve
P&Z Commission Chairman - Rob Garrison: Approve
P&Z Commissioner - Scott Freeman: Approve

C. OLD BUSINESS:

There was none.

D. NEW BUSINESS:

- VAC 16-01 Utility and Drainage Easement Vacation:** Herb & Laura Clemens are requesting a vacation of the 10-foot wide utility and drainage easement that is centered on the lot line

between Lots 62 & 63 in Gold Dust Ranch #1. They own all of lot 63 and part of lot 62 and wish to build over the original lot line as platted. The 1.867 acre site is addressed as 1903 Gold Dust Road and is in the W ½ Section 10 T.13N R.4E, Boise Meridian, Valley County, Idaho.

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

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

Chairman Garrison asked for the applicant's presentation.

The applicant, Herb Clemens, 1203 W. Orchard, Nampa, introduced himself and made the following comments:

- Purchased both parcels as a unit.
- Did not know there was an easement until they tried to build.
- Only decent place to build with a slope and it has a good view.
- Will not interfere with any neighbors.

Commissioner Allen asked about the purchase of lot with a portion of Lot 62. Laura responded that they bought the parcel with the portion of the other lot as one package.

Commissioner Hill asked if there were utilities down the lot line. Mr. Clemens clarified that the house would be past the last power pole and would not need to remove anything. It will comply with Idaho Power. They Are not building where the power pole is located. The applicant showed on the map the location of the power pole. He indicated its location. Power poles services the residence – a secondary pole. (exhibit 1).

Chairman Garrison asked for proponents. There were none.

Chairman Garrison asked for uncommitted.

Don Whipple, Gold Dust, asked the following:

- The power pole on his property will have to service his pole across his property.
- Right now they access both poles from this site.
(applicant stated Idaho Power can drive to it from their pole.)
- Will this be a double story or single story? (applicant said a house with a loft)

Chairman Garrison asked for opponents. There were none.

Chairman Garrison asked for rebuttal. There was none.

Chairman Garrison closed the public hearing.

The Commission deliberated.

Commissioner Allen stated that there will need to be documentation submitted from Idaho Power prior to recordation of the vacation verifying that they are in compliance (COA).

Commissioner Hill agreed, (COA) vacation documents should be attached to the building permit.

Commissioner Cooley said it makes sense to have the approval in writing from Idaho Power.

Motion: Moved to recommend approval of VAC 16-01 Utility and Drainage Easement Vacation to the Board of Commissioners with the conditions of approval.

P&Z Commissioner - Ed Allen: Motion

P&Z Commissioner - Bryan Cooley: 2nd

P&Z Commissioner - Ed Allen: Approve

P&Z Commissioner - Kathy Deinhardt Hill: Approve

P&Z Commissioner - Bryan Cooley: Approve

P&Z Commission Chairman - Rob Garrison: Approve

P&Z Commissioner - Scott Freeman: Approve

2. C.U.P. 16-01 Huckleberry Jam Camping Site: Mike Owens of Townsquare Media Boise is requesting approval for a camping area for approximately 500 people during the Huckleberry Jam held August 11 – 13, 2016 (date will change annually). A shuttle will be available for transportation and porta-potties would be on-site. The camping and associated parking area would be at Tamarack Resort on land owned by New TR Acquisition CO LLC, and includes a portion of Blue Mountain Subdivision and RP15N03E085175 located in Section 8 T.15N 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 summarized the following exhibits: Response from “townsquare media boise” (the applicant) to comments in response letters (exhibit 1); Donnelly Rural Fire Dept. letter dated February 26, 2016 (exhibit 2), Letter from Lisa Beck received March 7, 2016 (exhibit 3), Letter from David Sloyer received March 3, 2016 (exhibit 4); and, Letter from Bambi Turner dated March 3, 2016 (exhibit 5).

Commissioner Allen asked where they camped last year. Staff explained they camped on the Donnelly Airport, and I told them that this year they would need a conditional use permit, so thought it would be better where the concert was located (Tamarack) and I received no complaints last year. Chairman clarified that the main concert is at the Tamarack proper and the mini-concert Thursday will be where the tents are located.

Chairman Garrison asked for the applicant’s presentation.

The applicant, Pete Mills, 827 E. Park Blvd., Boise, introduced himself and made the following comments:

- Wrote a description of other large events they have managed such as Boise Music Festival, Boise's Largest Garage Sale, etc.
- Those events have over 14,000 to 70,000 attendees vs this one at 3500.
- They address a lot of the concerns.
- They are asking for **200 campsites with a total of 500 people** – last year they had 120 campsites.
- This is one weekend a year.
- Campers wear special wrist band to prevent other people from entering.
- Will not allow camping outside area.
- Security camps on-site....matt security is also used by Boise State University for their football events. Last year he wasn't allowed in without his band.
- Will use portable fencing to define campground areas with signage.
- 1 porta potty per every 10 people. Separate dumpsters for trash and recycling.
- Sound curfew strictly enforced from 10 p.m. to 8 a.m.
- 2 water sprayers on-site for dust and fire suppression.
- No alcohol will be sold at campground.
- Free shuttle service for attendees to prevent drinking and driving.
- This is a mile versus 10 miles last year.
- Traffic will be run on a schedule.
- Insurance is purchased specific to this event at \$2 million.
- Light towers and rules are shown.
- Campground opens at noon Thursday thru noon Sunday.
- All bags and tents are subject to search.
- No more than 4 people per car and campsite.
- No trailers vehicles ...read rules.
- Submitted reference from the City of Boise, Parks special events coordinator at Ann Morrison Park.

Commissioner Allen asked if the lighting could be down lighting vs. construction lighting. Applicant said they could be lowered.

Commissioner Hill asked if sheriff was contacted. The applicant said there were no complaints or calls last year, except for a bee sting.

Chairman Garrison asked about on-site first aide location. He said they can add that to the campground. Other applicant said it is part of the security and will be on-site.

Chairman Garrison asked about fugitive dust between the roundabout and entrance. They are looking for a water tanker to use.

Commissioner Freeman recommended they water the site before the event to dampen the area. The applicant said his staff starts preparing the week before the event.

Commissioner Cooley asked about the shuttle route and if it is through the resort. Tom Place said there is a shuttle plan to go between campground and concert and from campground to Donnelly. Last year they didn't need the water truck.

Chairman Garrison asked for proponents.

Brad Larson, General Manager of Tamarack, 40 Twin Creek, Tamarack, Idaho, made the following comments:

- These guys are good at the nuts and bolts of the event.
- Last year the owners at Tamarack had the same questions.
- It was a very polished and well run event last year, permitting, security, etc. did everything they said they would do.
- Mike Owens called each one of the people who submitted letters if he could get a hold of them.
- There were no complaints from the Tamarack Resort property owners after last year's event.
- Optimistic as the leader of the resort. They have no other intentions on that site, no other events, no permanent structures, etc.

Chairman Garrison asked for uncommitted.

Steve Case, 1777 Grouse Trail, asked about the road. There are 50 people per day and will go to hundreds. Encourage the road be graded and watered before and after the event, or else the taxpayers will have to pay for it.

Theresa Perry, 11 Red Fox Road, Cascade, asked if there was any consideration for showers? There is only one public shower facility on that side of the lake. One of the pages said no open flame grills, but small propane cook stoves are allowed. How will they differentiate?

Chairman Garrison asked for opponents.

Brian Reese owns a lot in Northlake, Box 775, 13276 Finlandia, Donnelly, made the following comments:

- He has nothing against the music festival.
- Opposes the campground.
- Means none of the requirements of Title 9 of the Valley County Code. Chapter 5 covers conditional uses, says that external impacts on adjacent properties, "the latter determined with regard to permitted uses on that property", which is a residential subdivision. All uses would violate HOA rules.
- Section 5.2.b.3 concerning value of properties and undue impact to environment and adjacent properties.
- Does not enhance Tamarack Resort.
- No barriers between site and residential subdivision.
- No way to keep people from invading the private land.
- There are 2 streams that flow through this campground.
- There is no parking where they are going to park.
- They have a large parking lot on north side of resort.
- Dozens of campgrounds up and down the road.
- Don't do this to taxpayers.

Brad Web, 22 Longview Drive, Emmett, at 1915 Lonetree agrees with Brian.

- Everything ran smooth last year, why do they have to move it here this year?
- There are better spots in other locations.
- The area is environmentally fragile.
- His wife is broken hearted about this.
- Said a lot of things would not be allowed...drinking, smoking.

Chairman Garrison asked for rebuttal.

Pete Mills rebutted, as follows:

- Difference between grills and open flame – grills will be 3' off the ground.
- No idea how much it would be to grade the road? They did not make any profit last year.
- Area is previously approved for recreation use.
- Did not outgrow airport, wanted to move closer so there would be less traffic and shuttles on the road.
- Designated parking area is cordoned off, not graveled.
- Drinking and smoking – can put in designated smoking area.
- People bring in coolers – they do not sale food – that is why security is there.
- They did not provide showers last year – can look at next year.
- They do not provide potable water – they bring their own. It is provided at the concert venue.
- Shuttles will be run every 40 – 45 minutes to Donnelly.

Chairman Garrison closed the public hearing.

The Commission deliberated.

Commissioner Hill asked if this permit is annual? Staff said yes, during Huckleberry Festival.

Commissioner Allen said he understands both sides. This is just one weekend, if it builds up it has to come back to the Commission. There is a limit of 500 people. We have been through this with a number of events such as Roseberry, Snowmobile Races, etc. Concern is with the management. ***COA: This permit is specifically approved for Townsquare media boise – cannot be transferred to a different management company.***

- Discussed references to ordinances were not specific measureable standards.
- These are public roads and they are available to the public.
- Traffic is there anyway – shuttles will minimize the traffic.

Commissioner Hill expects more traffic this year.

Commissioner Allen commented that some things are in our control and some are not.

Commissioner Cooley agreed with Commissioner Allen:

- This isn't a daily, ongoing event. It is only 3 days out of the year. Additional approvals will be required for any additional use.
- He knows the area very well.
- The concerts will be heard.
- It is within the boundaries of the Tamarack P.U.D.

- Appears to be professional management and security.
- Adjacent to old laydown yard where materials were screened and industrial uses occurred.

Commissioner Hill thinks concert is fine. Does not agree with camping. Conflicting number of individuals. Where will people do dishes? There are plenty of places for people to camp elsewhere. Jaded by what happens in McCall. Contradictory numbers of security guards – worried about getting out of control.

Commissioner Freeman asked if North Beach is a professionally managed event? Hard to compare the two events when there is no management at North Beach. This is aimed at a different type of people – they have to pay to get in.

Commissioner Allen said this is an attempt to be organized.

Commissioner Cooley said there were no complaints from last year.

Commissioner Allen said we do have the option to shut this off at any time.

Chairman Garrison said there are some discrepancies with the application. We can limit to 500 people. North Beach had no control to begin with – these people are trying to do this correctly.

Commissioner Cooley said this is private land professionally managed.

Commissioner Allen said this company has experience. He is concerned with potable water. Chairman Garrison said would have to comply with CDHD and have hand washing stations.

COA: Shall comply with conditions of CDHD concerning wash stations and have potable water available for drinking.

COA: There shall be a limit of 500 people and 200 campsites with one car per campsite.

COA: Change COA #9 to state "Water shall be on-site...."

COA: Will be annual review with staff within 30 days after the event to relay complaints or concerns. Staff can require the applicant to go before P&Z Commission if necessary.

COA: Shall comply with Donnelly Rural Fire Department requirements in letter dated 2/26/2016.

Motion: Moved to approve **C.U.P. 16-01 Huckleberry Jam Camping Site** with the conditions of approval as stated.

P&Z Commissioner - Bryan Cooley: Motion

P&Z Commissioner - Ed Allen: 2nd

P&Z Commissioner - Ed Allen: Approve

P&Z Commissioner - Kathy Deinhardt Hill: Disapprove

P&Z Commissioner - Bryan Cooley: Approve

P&Z Commission Chairman - Rob Garrison: Approve
P&Z Commissioner - Scott Freeman: Approve

Motion carried.

Chairman Garrison explained there is a ten day appeal period.

E. FACTS AND CONCLUSIONS

- C.U.P. 15-17 Lake Fork Commercial Center

Motion: Moved to approve Facts and Conclusions for C.U.P. 15-17 Lake Fork Commercial Center.

P&Z Commissioner - Ed Allen: Motion
P&Z Commissioner - Scott Freeman: 2nd

P&Z Commissioner - Ed Allen: Approve
P&Z Commissioner - Kathy Deinhardt Hill: Oppose
P&Z Commissioner - Bryan Cooley: Approve
P&Z Commission Chairman - Rob Garrison: Approve
P&Z Commissioner - Scott Freeman: Approve

Adjourned at 7:50 p.m.