



Valley County Planning & Zoning Commission

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Ed Allen, Chairman
Kathy Deinhardt Hill, Vice-Chairman

Rob Garrison, Commissioner
Dusty Hibbard, Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: May 8, 2014

TIME: 6:00 p.m. to 8:30 p.m.

LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present: Commissioners Kathy Deinhardt Hill, Dusty Hibbard, Rob Garrison, and Chairman Ed Allen. Staff member present: Cynda Herrick, AICP, CFM, Planning and Zoning Administrator.

MINUTES: April 10, 2014

Commissioner Hill moved to approve the minutes for April 10, 2014, with the date change. Commissioner Hibbard seconded the motion. Motion carried.

A. OLD BUSINESS

- 1. C.U.P. 05-61 Comfort Woods Phase 2 – Extension Request:** J. Gerald McManus is requesting approval of a one-year extension of the conditional use permit that expires May 12, 2014. Phase 1 was recorded in 2010. The 28.4 acre site is located in the NWSW Section 35, T.18N, R.3E, B.M., Valley County, Idaho.

Chairman Allen announced the item. Chairman Allen asked if there had been any exparte contact or conflict of interest. There was none.

Chairman Allen asked for the Staff Report. Staff presented the Staff Report with the following exhibits: exhibit 1 – Letter from Joan Caswell with a picture of elk.

Chairman Allen asked for the presentation from the applicant.

The applicant, Dr. McManus, 123 Scott Road, Whitebird, ID, made the following statements:

- The well driller placed the road in the previously approved right-of-way.
- Has three bids on the road.
- Will have subdivision completed before the end of the year.
- Plan on recording in September or October.

- Plat will be recorded this year.
- Put in the covenants that there can be no outbuildings as tall as the house.

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 asked for rebuttal. There was none.

Chairman Allen closed the public hearing.

The Commission deliberated.

Commissioner Garrison is pleased – they have made progress. They have combined some of the lots and just need time to complete the road.

Commissioner Hill asked about the building setback line along the rim? It was stated that there is a restriction to build on the rim. Discussion ensued concerning county enforcing height restrictions beyond their current standards.

Commissioner Garrison moved to approve a one-year extension for C.U.P. 05-61 Comfort Woods Phase 2. Commissioner Hill seconded the motion. Motion carried.

2. P.U.D. 04-01 The Meadows at West Mountain - Update: An extension of the conditional use permit was approved at the Planning & Zoning Commission's public hearing on November 7, 2013, with the conditions that the approval is for a one year extension with a 6 month update, and any changes to be brought to the Commission. The site is approximately 60 acres located in the W ½ NE ¼ Section 17, T.16N, R.3E, B.M., Valley County, Idaho.

Chairman Allen announced the item. Chairman Allen asked if there had been any exparte contact or conflict of interest. There was none.

Staff explained that the applicants were given a one-year extension with a six month review and presented Staff Report.

Larry Mangum, 36 Charters Drive, stated the following:

- Update from principal investor – as of last week, the bankruptcy is complete and perhaps in two months we can move forward.
- We will try to build on the remaining two lots, seek additional investors.
- As you know, a lot of the future depends upon what happens at Tamarack.
- We have to wait until the bankruptcy clears.
- The annual HOA meeting will be the 24th of May.

Chairman Allen stated it sounds like there has been some forward motion.

Commissioner Garrison asked if they foresee coming back with another extension. Mangum hopes not, they have had some discussion with Joe Pachner, the engineer. He would like to come back with some preliminary plats.

2. **C.U.P. 12-11 ASAP Portable Storage – Settlement Conference:** The owners of ASAP Portables, Ned and Nichole Crossley, will be present to discuss alleged violations of the conditions of approval, including but not limited to the outside storage of porta-potties, completion of buildings, and vehicle parking. The discussion with the Planning and Zoning Commission will be a settlement conference in accordance with Section 9-2-5 County Enforcement and Authority of the Valley County Code. The site is addressed as 14031 Highway 55 and consists of 9.58 acres located in Lot 2 of Oster Subdivision., Section 33, T.18N, R.3E, B.M., Valley County, Idaho.

Chairman Allen announced the item. Chairman Allen asked if there had been any exparte contact or conflict of interest. There was none.

Staff presented photographs taken by the Building Official on May 8, 2014. Nichole submitted photographs.

Staff explained this was a settlement conference between the Commission and the Crossleys. She had met with the Crossley and had been unable to come to an agreement.

Staff explained the process that this would be agreed upon, appealed to the Board, or sent to the prosecutor.

Chairman Allen went through the conditions of approval. The issues are the parking in COA #10 and completion of the buildings.

Ned explained that there is a 2-3 foot gap at the bottom for access to his porta potties. Chairman Allen clarified that the outside walls will be 2'-3' from the ground. Ned said the sides are permanently hinged – Chairman Allen said essentially you have panels so that you don't have to clear to the ground with snow. Commissioner Willey (Board) had said that it would be a small impact.

Commissioner Garrison does not have a problem with the panels swinging up and the 2'-3' gap at the bottom.

Chairman Allen does not have an issue with the panels – his issue is getting it done and having doors on the end and all of the items outside being put inside.

The Commission agreed:

- Colors are okay
- Okay with 2' at the bottom
- Okay for 7' screening fence/gate between buildings until center building is done.

Ned described two – 15’ gates, 1 foot off ground for room to swing, clear siding on top for light.

Ned described the landscaping.

Will provide a copy of the ITD permit.

Driveway will be completed by October 30, 2014.

Settlement Agreement:

By October 31, 2014, the parking area will be completed and evidence will be shown to staff. The parking lot will be on the north end of the foundation of the old Quonset hut. See picture.

No outside storage of porta-potties. Buildings will be sided from 1’ – 3’ up. Ends will be screened with 7’ x 15’ swinging gates, clear “lexan” for light exposure on gable ends. Two buildings will be completed by June 11, 2014. The middle portion of the building will be completed by November 1, 2018.

Loaded trailers will be stored between the two existing buildings that are to be adjoined by November 1, 2018, except when actual washing is taking place. If toilets are not on trailer they shall be in buildings.

Landscaping is acceptable. Tidiness is the key to good appearance.

Commissioner Hill is not in agreement with buildings.

B. Facts & Conclusions:

- **C.U.P. 14-01 Inland Marine**

Commissioner Garrison moved to approve the Facts and Conclusions for CUP 14-01 Inland Marine. Commissioner Hill seconded the motion. Motion carried.

C. Correspondence - Jug Mountain P.U.D. - Update

Staff presented the letter dated from David Carey that explained the improvements that would take place. Staff believes it complies with the original approval – this is just an update for the Commission. The Commission liked the diagrams and agreed that it was a previously approved use.

D. Comprehensive Plan Update: The Commission discussed Chapter 1 History and Chapter 2 Population.

MEETING ADJOURNED