



# Valley County Planning & Zoning Commission

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Ed Allen, Chairman  
Kathy Deinhardt Hill, Vice-Chairman

Rob Garrison, Commissioner  
Dusty Hibbard, Commissioner  
Bryan Cooley, Commissioner

## VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: June 11, 2015  
TIME: 6:00 p.m. to 9:03 p.m.  
LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present -- Commissioners Bryan Cooley, Kathy Deinhardt Hill, Dusty Hibbard, and Chairman Ed Allen. Staff member present: Cynda Herrick, AICP, CFM, Planning and Zoning Administrator. Commissioner Garrison was excused.

### A. MINUTES: May 14, 2015

Commissioner Hill moved to approve the minutes for May 14, 2015. Commissioner Cooley seconded the motion. Motion carried.

### B. NEW BUSINESS:

- V-2-15 Schneider Shared Driveway Variance:** The applicant, Ryan Schneider, is requesting approval of a variance to share driveways in two separate locations. The first driveway would be to two 20 acre parcels due to steep topography. The second driveway would be to three parcels, with the ability to be used by a maximum of six homes, due to having to place a structurally sound bridge over Boulder Creek. The site is located in Sections 19, 29, & 30 T18N, R4E, 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 and the following exhibits: Letter from McCall Fire & EMS (exhibit #1), The Shaw Family Partnership, LLC (exhibit #2), and e-mail between staff and applicant (exhibit #3).

Commissioner Hibbard asked about Corps of Engineer's response. Staff clarified that so long as

the bridge spans the creek there will be no need for a permit from the Corps.

Chairman Allen asked for the presentation from the applicant.

The applicant, Ryan Schneider, 990 W. Waterfront, Drive, Eureka, CA, made the following statements:

- Greg Martinez approved the application.
- Waiting on an approval from Idaho Dept. of Water Resources.

Commissioner Hill asked about the size of the bridge. Mr. Schneider said that the bridge meets the requirements of the fire department and has been engineered.

Commissioner Hill asked about clarification of number of building sites. Mr. Schneider said that it would be a maximum of 5 sites.

Chairman Allen asked that he respond to the letter submitted by the Shaws. Mr. Schneider made the following comments:

- Have approval to put in power from Idaho Department of Lands (IDL) from another property owner and will be underground, approximately 1500 feet – has preliminary approval.
- There will be no phone.
- Road has been graded – they have already logged the property and the agreement with IDL and Forest Service said they must.
- Will not be replacing any culverts.
- If road is plowed it will be done by the county or with the county's approval.
- Have no intention of paving the road.

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 Hibbard asked about number of houses off of a driveway before it becomes a private road. Staff clarified the ordinance and the process as saying that each building site has to have separate access, unless they have a variance for a shared driveway. It is the Administrative Plat that has a limit on the number of lots.

Commissioner Hibbard moved to recommend approval to the Board of County Commissioners

V-2-15 Schneider Shared Driveway Variance for up to 5 or less buildings on the southern driveway and 2 on the northern driveway with the conditions of approval as stated: the McCall Fire Department approves the bridge and driveway, that the driveway meet county shared driveway standards, and a recorded shared driveway agreement. Commissioner Cooley seconded the motion. Motion carried, unanimously.

- 2. V-3-15 Davis Shared Driveway Variance:** The applicant, William Seth Davis, is requesting approval to share a driveway to two building sites. The driveway would be shared through the existing family ranch site and would then branch off to his building parcel. The site is located in the W ½ of the NE ¼ of Section 25, T17N, R3E, 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. Staff also recommended that the Commission determine whether the building permit could be issued prior to approval by the Board of County Commissioners with the conditional that if it is not approved they will construct a different driveway.

Chairman Allen asked for the presentation from the applicant.

The applicant, Jennifer Davis, Spink Lane, made the following statements:

- Read a prepared letter (exhibit 1).
- Given this piece of land from his grandfather on the ranch developed in the late 1900's.
- Have a recorded easement.
- Variance is so they do not have to cross swampy lands and irrigation ditches.
- Will help them in working on ranch.
- Advised that they could get a building permit before this approval.
- Said Cynda asked that Central District Health hold the permits until they had approval.
- Don't think they should have to build the driveway until later, but sometime during this process.
- Looking into a system called a grass paver that will sustain a truck.
- Do not want to introduce soils or product to build an adequate driveway due to the fear of invasive weeds. Do not understand driveway specs.
- Were told on June 3 they could get their approval if they had CDHD and Cynda's approval.
- Concerned with the process.
- Met with Bill Willey and he told them they could get their permit.
- This is only for them – have no plans to share driveway with any other parties.

Chairman Allen asked for proponents.

Neil Thompson, 1430 Samson Trail, McCall, ID, made the following comments:

- Jenny has been my friend since she was a little girl.
- Should be given a conditional building permit so they can move forward.

Chairman Allen asked for uncommitted.

Juan Bonilla, Donnelly Fire Chief, made the following comments:

- Addressed International Fire Code (IFC).
- County and fire department adopt the fire codes.
- Working on an IDAPA administrative code to better clarify the IFC – if you use a shared driveway you are now subject to 2 or more occupancies and IFC does apply.
- Infrastructure for everything is first – water and accessibility.
- They recommend based upon IFC – they have to hold the code – they can't lessen the code, unless there is a specific reason.
- Not for or against, just dictates what the code states.
- Has to meet so many foot pounds to hold the weight of the truck. Have to have turnarounds every 150' so they don't have to back up the fire truck.
- He also is a member of the Davis family.

Chairman Allen asked about the road design of the grass. Bonilla has not looked at the specs – only knows what Seth told him.

Chairman Allen asked for opponents.

Chairman Allen asked for rebuttal. There was none.

Chairman Allen closed the public hearing.

The Commission deliberated.

Chairman Allen commented that we do have to follow a process, once you get into shared driveways we have to follow the process. Issues are road specs and a recommendation to the county commissioners.

Commissioner Hill said it makes sense to go past the homestead to the house without going over the wetlands.

Commissioner Hibbard asked if they are going to have a separate vote on the building permit.

Discussion ensued concerned when they would get their building permit.

The Commission confirmed that the driveway has to be built to fire code.

Commissioner Hill moved to recommend approval of the shared driveway to the Board of County Commissioners V-3-15 Davis Shared Driveway Variance with the conditions of approval that the driveway meet fire department codes for shared driveways, shared driveway agreement be recorded, and approval of the building permit with condition that if not approved will build road in a different location as stated. Commissioner Cooley seconded the motion.

Motion carried.

3. **C.U.P. 15-06 Shoreline Chalets:** The applicant, William Rhoads, is requesting approval to establish 45, 400-sq. ft. homes to facilitate a dual purpose of affordable housing and short-term recreation rental units for visitors to the community. The site is an existing RV Park on 3.4 acres at the corner of Dawn Drive and W. Roseberry, and is TAX NO. 18 IN E ½ W ½ NE 1/4 NE ¼ Section 16 T16N R3E "MOUNTAIN VIEW R.V. PARK", Donnelly, 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 along with the following: Donnelly Rural Fire Protection District letter dated June 1, 2015 (exhibit 1), Donnelly Rural Fire Protection District letter dated June 11, 2015 (exhibit 2), Letter from owner of "Cougar Dave's" dated June 11, 2015 (exhibit 3), and a pamphlet from the Division of Building Safety (exhibit 4).

Chairman Allen asked for the presentation from the applicant.

The applicant, Bill Rhoads, 101 Williamsburg, VA 23118, made the following statements:

- Has been coming to the community for 25 years.
- Owns 160 acres on backside of West Mountain and has a small cabin.
- Stumbled onto this RV park before Tamarack came alive.
- They are in hospitality business – owns other RV parks – this is what he does.
- This park has been a struggle due to the economic situation in Valley County and the storms that blew over 100 trees off the site. – have repaired and replaced everything.
- Has no future as an RV park.
- Needs to support itself and be an asset to the community.
- Showed 45 existing sites in green – yellow areas are common areas and managers home.
- Streets previously paved.
- Turned into a man camp during Tamarack days – it was a man camp and they would put insulation around the bottom of the campers – this was a conflict to him, because it was an eyesore.
- He wishes to cater to small business workforce and Tamarack workers – wants stable sustainable housing for young professionals.
- It would provide sustainability for small businesses by providing housing for employees.
- 400 sq. ft. on ground, on foundation, seismic, etc.
- Does not want to put park models, but nice structures.
- Provided picture of sites showing building pad and existing RV sites with parking and a deck – all are side load doors.
- Reviewed concerns in letters – there is plenty of space for common areas; due to the repetitive nature of the structures he will do about 5 different facades, with rock, some wood, some wainscoting.
- Changing focus of camp – there is an abundance of campsites, but no work force housing.

- Would like to see 5 units in this year and see what the response is so they can assess whether they will be full.
- Will focus on employee housing, but will not completely eliminate recreation use.
- Previously sought sewer, but denied so the health department allowed him to install a microbotic/microfast system that will service 45 units per day. Jeff Lappin was fascinated and is inspected regularly. Has a competent sewer system – currently sized for 46, proposing 45.
- Have 3 wells on-site, 1 shallow and 2 deep – water tested through Idaho DEQ each year.
- Will be a home and office on-site.
- If there is a good response to units he will put in water storage for fire protection after the first 5 units per the fire department.
- Used exhibits 5 and 6 for presentation – large exhibits.

Commissioner Hill asked about the on-site manager. Confirmed the manager will be on-site full-time.

Commissioner Hill asked who would control number of people in a unit. Mr. Rhoads said he would have a lease that would be enforced. Limit will be 2 names per address. Will have boundaries between the units.

Chairman Allen asked about the metal roofs, in theory, will hold the snow. He said they have been engineered for snow load and seismic codes. Mr. Rhoads said he uses the one acre (blue parcel) that was previously a single family residence for snow storage.

Chairman Allen asked about suitability. Mr. Rhoads said lines are 5 feet deep. Will make sure all lines are engineered.

Chairman Allen asked about renting to weekenders and timeshares. Mr. Rhoads said that is not his focus.

Chairman Allen questioned type of houses in pamphlet. Mr. Rhoads confirmed this product is site built.

Chairman Allen asked for proponents. There were none.

Chairman Allen asked for uncommitted.

Donnelly Fire Chief Bonilla, 226 Spink, said they have worked with Mr. Rhoads. He seems willing to comply with all requirements. Has been assured that once the 6<sup>th</sup> building is started, a water system will be in place.

Geneva Smith, 15128 Dawn Drive, Donnelly, ID stated that this was her father's park at one time. Have had all kinds of people in the park. Have never had anyone in the park being boisterous or thieves for over 40 years. Doesn't think anything he puts over there will cause any problems at all. This will be good for the community.

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 Hibbard made the following comments:

- We have been talking about affordable housing for six months.
- He agrees we need it in the right way.
- Personally likes this concept.
- Can see there could be issues, but could be issues with RVs too.
- Has no issues.

Commissioner Cooley made the following comments:

- This is exactly what we have been looking for and is an improvement on the existing park.
- Looks like a good layout.

Commissioner Hill made the following comments:

- Doesn't like the density.
- Brushed over the setbacks.
- How close are they?
- Worried about how close they are together.
- 45 scares her.
- RVs are transient.
- \$800 is not affordable for some employees.
- People with little kids will be living here.
- Concerned with density.

Chairman Allen re-opened the hearing.

Mr. Rhoads made the following comments:

- The envelope is to the setback – building is only 25' long.
- Goal is not to cram them in.
- Will have parking on side.
- 20' on front.

Melvin Smith made the following comments:

- Ever since they have been here they have put fences up – road grader takes them out.
- Normal snow year the fences will be wiped out.

Chairman Allen closed the public hearing.

Chairman Allen made the following comments:

- He also had concerns with density.
- There will be issues for the manager.
- Likes idea of the small units – option would be condos.
- Would like to see how small house living goes in this area.

Commissioner Cooley made the following comments:

- To make affordable housing you have to have smaller units – decrease density and then rents have to go up.
- Discussed size of envelopes.

Commissioner Hibbard said he could just do park models tomorrow without any approval – looking at those versus this -- this is more appealing.

Commissioner Hibbard moved to approve C.U.P. 15-06 Shoreline Chalets with the conditions of approval as stated with the condition that prior to issuance of the sixth building permit there will be a buried storage tank per fire code standards. Commissioner Cooley seconded the motion. Motion carried.

Chairman Allen explained the ten day appeal period.

- 4. Donnelly Comprehensive Plan & Area of Impact Agreement:** Comments will be taken during a public hearing on the Donnelly Comprehensive Plan relative to its adoption in the Donnelly Impact Area and on the proposed Area of Impact Agreement between City of Donnelly and Valley County.

Chairman Allen announced the item. Chairman Allen asked if there had been any exparte contact or conflict of interest.

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

Chairman Allen asked for the presentation from the applicant.

The applicant, Sally Gilbert, Chairman Donnelly P&Z Commission, made the following statements:

- Will have city adopt the changes made.
- Have zoning laws made to back up the comprehensive plan.
- Will then negotiate an agreement.

Chairman Allen asked for proponents. There were none.

Chairman Allen asked for uncommitted. There were none.

Chairman Allen asked for opponents. There were none.

Larry Eld, 13053 Eld Lane, Donnelly, ID, made the following comments:

- He and Arlene own the property adjacent to the sewer lagoons.
- Has a copy of the plan and the whole ranch is in this comprehensive plan.
- Why would we want to be in the plan? All he will get is more regulations.
- He gets nothing from Donnelly.

Mary Fariman, 13282 Coho, Donnelly, ID, made the following comments:

- Board member of Coho estates.
- Concerned with impact of a portion of Coho Estates being in the impact area.

Chairman Allen asked for rebuttal. There was none.

Staff explained the various sides of being in the impact area to the Elds and Coho Estates.

Chairman Allen closed the public hearing.

The Commission deliberated.

Commissioner Hibbard moved to recommend adoption of the April 29, 2015, Donnelly Comprehensive Plan for application in the area of impact to the Board of County Commissioners. Commissioner Cooley seconded the motion. Motion carried.

### **C. OLD BUSINESS:**

1. **C.U.P. 12-09 2 Sister Mercantile:** Debbie Roberts, business owner, would like to update the site plan for the existing business at 13844 State Highway 55 in Lake Fork. Changes include addition of small lot for access on the highway, some required ISLD signage, and parking areas. The site is located in the NW ¼ NW ¼, Section 10, T. 17N, R. 3E, B.M., Valley County, Idaho.

Chairman Allen introduced the item.

There was no exparte contact or conflict.

Debbie Roberts, 13844 Highway 55, explained the diagram that was presented.

- There have been no changes on parcel #25.
- Decking fell off building and was removed.
- Acquired parcel 3045 and demolished the building and have an access permit from ITD.
- Placed a porta-potty for people to use.
- Everything is the same except access point.
- Retained handicap accessibility.

- Will not replace the deck.

Commissioner Hill moved to approve site plan for C.U.P. 12-09 with additional property. Commissioner Hibbard seconded the motion. Motion carried.

**D. OTHER ITEMS:**

**1. Appeal of Administrative Decision: William E. Smith – Need for a CUP for a Sawmill**

The Commission felt a conditional use permit was needed to protect Will from future potential conflicts with neighbors.

**2. Nuisance – Eyesore – Abandoned Vehicle Ordinance Discussion**

Try to combine the Gem County and Canyon County ordinance.

**3. FACTS AND CONCLUSIONS**

- a. C.U.P. 15-05 Disaster Response
- b. V-1-15 Peterson & Fry Shared Driveway Variance

Commissioner Hill moved to approve the Facts and Conclusions for C.U.P.15-05 Disaster Response and V-1-15 Peterson & Fry Shared Driveway Variance. Commissioner Cooley seconded the motion. Motion carried.

**MEETING ADJOURNED 9:03 p.m.**