

Valley County Planning and Zoning Commission

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, Chairman
Neal Thompson, Vice-Chair

Brian Benton, Commissioner
Katlin Caldwell, Commissioner
Scott Freeman, Commissioner

MINUTES

Valley County Planning and Zoning Commission

December 9, 2021

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 6:00 p.m.

A. OPEN: Meeting called to order at 6:00 p.m. by Acting Chairman Thompson. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Brian Benton:	Excused
PZ Commissioner – Katlin Caldwell	Present
PZ Commissioner – Scott Freeman:	Present
PZ Commissioner – Neal Thompson:	Present
PZ Assistant Planner – Lori Hunter:	Present

B. MINUTES: Commissioner Caldwell moved to approve the minutes of November 10, 2021. Commissioner Freeman seconded the motion. Motion carried unanimously.

C. OLD BUSINESS:

- 1. C.U.P. 21-03 Tamarack Resort P.U.D. Phase 3.1 Aspen Glade Subdivision – Final Plat:** Tamarack Resort Two LLC is requesting final plat approval. The commission will review the final plat to determine conformance with the preliminary plat, approved densities, and conditional use permit. The plat includes 18 single-family residential lots, a new private road, a shared driveway, and open space lots. The 16.6-acre site is in the NE ¼ Section 5, T.15N, R.3E, B.M., Valley County, Idaho. Action Item. [Not a public hearing.]

Acting Chairman Thompson introduced the item and stated this is not a public hearing. Acting Chairman Thompson asked if there was any *ex parte* contact or conflict of interest. Commissioner Caldwell recused herself from participating in deliberations and this decision due possible conflict of interest caused by a family member's contract with the applicant.

Acting Chairman Thompson asked for the staff report. Director Herrick presented the report, displayed the site and GIS map on the projector screen, and summarized the following exhibit:

- Exhibit 1** – Letter and email correspondence from Donnelly Rural Fire Protection District. "No Parking – Fire Lane" signs shall be posted on both side of fire apparatus access roads in Tamarack Resort. (December 2021)

CV42-21-00166 Petition for Judicial Review affects this proposed subdivision. A stay and suspension has been signed by the judge. The Commissioners may make a recommendation to approve the final plat at this time. However, the plat will not go to Board of County Commissioners for final plat approval and recording until after the court case has been dismissed by the judge.

Commissioner Freeman moved to approve the final plat of C.U.P. 21-03 after CV42-21-00166 Petition for Judicial Review has been dismissed by the judge and authorize the Chairman to sign the plat. Commissioner Thompson seconded. Motion carried unanimously

6:07 p.m.

2. C.U.P. 21-04 Tamarack Resort P.U.D. Phase 2.5 Tamarack Crest Court – Final Plat:

Tamarack Resort Two LLC is requesting final plat approval. The commission will review the final plat to determine conformance with the preliminary plat, approved densities, and conditional use permit. The plat includes six single-family residential lots, a new private road, and a recreational-easement lot. The 6.6-acre site is in the SW ¼ Section 32, T.16N, R.3E, B.M., Valley County, Idaho. Action Item. [Not a public hearing.]

Acting Chairman Thompson introduced the item and stated this is not a public hearing. Acting Chairman Thompson asked if there was any *ex parte* contact or conflict of interest. Commissioner Caldwell previously recused herself from participating in deliberations and this decision due to a family member's contract.

Acting Chairman Thompson asked for the staff report. Director Herrick presented the report and displayed the site and GIS map on the projector screen.

CV42-21-00166 Petition for Judicial Review affects this proposed subdivision. A stay and suspension has been signed by the judge. The Commissioners may make a recommendation to approve the final plat at this time. However, the plat will not go to Board of County Commissioners for final plat approval and recording until after the court case has been dismissed by the judge.

The new private road will not be paved until spring. Financial guarantees can be made, or the final plat can be recorded after the road has been paved.

Commissioner Freeman moved to approve the final plat for C.U.P. 21-04 after CV42-21-00166 Petition for Judicial Review has been dismissed by the judge and authorize the Chairman to sign the plat. Commissioner Thompson seconded. Motion carried unanimously

6:15 p.m.

D. NEW BUSINESS:

Commissioner Caldwell rejoined the Commission.

- 1. C.U.P. 15-06 Shoreline Chalets – Extension Request:** William Rhoads is requesting a five-year extension of the conditional use permit that expires on December 31, 2021. The approval included converting 45 campsites into 45 homes. The 3.4-acre site is addressed at 1111 West Roseberry RD and in the NENE Section 16 T.16N R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Acting Chairman Thompson introduced the item and opened the public hearing. Acting Chairman Thompson asked if there was any *ex parte* contact or conflict of interest. There was none.

Acting Chairman Thompson asked for the staff report. Director Herrick presented the report and displayed the submitted site plan and the GIS map of area on the projector screen.

Park models are considered recreational vehicles (RVs) by Idaho State Statute.

Acting Chairman Thompson asked for the applicant's presentation.

William Rhoads, Donnelly, ID, and Williamsburg, VA, is addressing work-force housing with this project. The site plan met setback requirements. There are two paved parking spots for every site. The southeast area is used for summer camping and winter snow storage. He worked with

the previous Valley County Building Official to meet setbacks. The smallest allowed structure was 400-sqft; larger building footprints were allowed as setbacks are met. He did not originally anticipate the sewer renovation nor the lack of electricity at the site. This plus the lack of surveyors, construction workers, and supplies has slowed progress. The project will be an asset to the community. There are currently five homes and will be 12 next year. All but three sites have been paved at this time. The RV use will be moved to the back as additional homes are built. The homes have a 600-sqft footprint and a 300-sqft second floor. The road is paved. Homes are rentals; he does not anticipate selling them.

Staff responded to Commissioner questions. Tiny Homes, 400-sqft, have different building codes than a standard home.

The site has now been annexed by Northlake Recreational Sewer and Water District and SAF fees have been paid for the entire project.

Acting Chairman Thompson asked for proponents. There were none.

Acting Chairman Thompson asked for uncommitted. There were none.

Acting Chairman Thompson asked for opponents. There were none.

Acting Chairman Thompson closed the public hearing. The Commission deliberated.

COA: The applicant must file FAA 7460-1 Notice of Proposed Construction or Alteration.

Commissioner Caldwell moved to recommend approval of a five-year extension for C.U.P. 15-06. Commissioner Freeman seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

6:33 p.m.

2. C.U.P. 21-34 Saddle Rock Subdivision – Preliminary Plat: Ryan and Heidi Schneider are requesting a conditional use permit for a 32-lot single-family subdivision on 165 acres. Lots would be accessed from new private roads onto Highway 55. Proposed lot sizes range from 2 acres to 9.4 acres. Individual wells, individual septic systems, and shared driveways are proposed. It includes parcels RP12N04E174094, RP12N04E175764, and RP12N04E175821 in the SW ¼ Section 17 and the S ½ Section 18, T.12N, R.4E, Boise Meridian, Valley County, Idaho. Action Item.

Acting Chairman Thompson introduced the item and opened the public hearing. Acting Chairman Thompson asked if there was any *ex parte* contact or conflict of interest.

Prior to being appointed as a Planning and Zoning Commissioner, Commissioner Caldwell had vague discussions regarding this proposal. She does not believe that the discussion would sway her opinion either for or against this proposal.

Acting Chairman Thompson asked for the Staff Report. Staff presented the report; displayed the site and GIS map on the projector screen; and summarized the following exhibits:

- **Exhibit 1** – Email from Heidi Schneider with Idaho Transportation Department (ITD) permits for the two approaches from Highway 55 (Dec. 8, 2021).
- **Exhibit 2** – Josh Davis supports the proposal. The compatibility rating is fair. Minimal impacts to public services. The main access point to Highway 55 has been reviewed and approved by ITD. Internal roads will be maintained by the homeowner's association (HOA) (Dec. 8, 2021)

Short-term rentals were discussed. If the applicant chooses to prohibit short-term rentals, it should be stated in CCRs. Fire Mitigation provisions for both implementation and long-term prevention and fire-wise education of lot owners should be included in CCRs. The site includes existing logging roads; the area has been recently logged. Roads will be built to private road standards and will be maintained by the HOA. Private road standards allow gravel roads.

Acting Chairman Thompson asked for the applicant's presentation.

Heidi Schneider, McCall, will add the requested information to CCRs and will amend road names. Cattle are not currently grazed on surrounding land. Single-family residential subdivisions exist to the south and east of the site. Idaho Transportation Department (ITD) has approved permits for the two accesses onto Highway 55. There is a wildfire mitigation plan and there will have a water tank as required by the fire department. The site rolling hills that has been selectively logged. The surrounding area will also be logged as recommended in the wildfire plan.

Acting Chairman Thompson asked for proponents. There were none.
Acting Chairman Thompson asked for undecided.

Eric Swanson, 10532 Highway 55 is concerned about the safety of the accesses onto Highway 55 as there are no turning lanes.

Acting Chairman Thompson asked for opponents. There were none.

Heidi Schneider addressed the Highway 55 safety concerns. ITD has confirmed that the approaches will meet the conditions and requirements. The first phase will be 18 homes.

Acting Chairman Thompson closed the public hearing. The Commission deliberated. The traffic safety concerns were discussed. ITD has approved the access locations.

Commissioner Freeman moved to approve C.U.P. 21-34 with the stated conditions and the preliminary plat. Commissioner Caldwell seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

7:00 p.m.

3. C.U.P. 21-35 Bowman Subdivision – Preliminary and Final Plat: Vicki Bowman is requesting a conditional use permit and short plat approval for a 2-lot single-family subdivision on 4.9 acres. Lots would be accessed from Potter Lane, a public road. Proposed lot sizes range from 2 acres to 2.6 acres. Individual wells and individual septic systems are proposed. The site is addressed at 243 Potter Lane, RP17N03E012415 in the NENW Section 1, T.17N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Acting Chairman Thompson introduced the item and opened the public hearing. Acting Chairman Thompson asked if there was any *ex parte* contact or conflict of interest. There was none.

Acting Chairman Thompson asked for the staff report. Director Herrick presented the report; displayed the preliminary plat and the GIS map on the projector screen; and summarized the following exhibit:

- **Exhibit 1** – Garrett de Jong, McCall Fire & EMS Fire Chief, has no comments. (Dec. 8, 2021).

Staff clarified the existing parcel and proposed lots. The plat does include a road right-of-way dedication as required by Valley County Code.

Acting Chairman Thompson asked for the applicant's presentation.

Nerida Jones, McCall, is representing Vicki Bowman, her mother. This project will result in an affordable lot for a local family; a purchase agreement is already in place. The ownership issue on the plat will be addressed.

Staff clarified this is a preliminary and final plat request. The applicant should contact the Valley County Road Director (Conditional of Approval # 10).

Acting Chairman Thompson asked for proponents. There were none.

Acting Chairman Thompson asked for undecided. There were none.

Acting Chairman Thompson asked for opponents. There were none.

Acting Chairman Thompson closed the public hearing. The Commissioners deliberated. This is a good subdivision with minimal impacts. The application is complete.

Commissioner Caldwell moved to approve preliminary and final plat of C.U.P 21-35 with the stated conditions and authorize the chairman to sign. Commissioner Freeman seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

Short recess

7:20 p.m.

4. C.U.P. 21-36 Tamarack Resort P.U.D. – Blue Mountain Subdivision Amended –

Preliminary Plat: Tamarack Resort Two is requesting a conditional use permit to amend a portion of Blue Mountain Subdivision within the Tamarack Resort P.U.D. boundary. The plat would include eight single-family lots. Lots will be accessed from paved private roads onto an existing easement to West Mountain Road. The site would be served by individual wells and septic systems until additional sewer and water infrastructure is constructed. The 13-acre site is in Section 5, T.15N, R.3E, B.M., Valley County, Idaho. Action Item.

Acting Chairman Thompson introduced the item and opened the public hearing. Acting Chairman Thompson asked if there was any *ex parte* contact or conflict of interest. There was none.

Acting Chairman Thompson asked for the Staff Report. Director Herrick presented the staff report and displayed the site and GIS map on the projector screen. Blue Mountain Subdivision was platted in 1980 but never developed. Approval of this subdivision plat would vacate that portion of the existing plat. Unlike the northern portion of Tamarack Resort, the southern portion was not preliminarily platted. This area was included in the original concept plan.

Acting Chairman Thompson asked for the applicant's presentation.

Scott Turlington, President of Tamarack Resort, stated there will be no substantial impact to the golf course; a few things will be moved as the golf course is re-established. The new homes will be along the fairways.

Acting Chairman Thompson asked for proponents.

T.J. Angstman, Donnelly, represents IPI, the current owner of the property. These will be the largest residential lots in Tamarack Resort. He is excited to get the golf course open once again.

Acting Chairman Thompson asked for undecided. There were none.

Acting Chairman Thompson asked for opponents. There were none.

Acting Chairman Thompson closed the public hearing. The Commission deliberated. The site was discussed. The addition of the homes and the re-opening of the golf course will have a positive impact.

Commissioner Freeman moved to recommend the Valley County Board of County Commissioners approve C.U.P. 21-03 and preliminary plat with the stated conditions.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

7:40 p.m.

5. C.U.P. 21-37 Tamarack Resort P.U.D. – Ponderosa Ridge Chalet Lots – Preliminary Plat:

Tamarack Resort Two is requesting a conditional use permit to amend part of Block 19 Phase 1 Village and Phase 2 Village within the Tamarack Resort P.U.D. boundary. The plat would include 15 "Chalet Lots" and open space, utility, and recreational easement areas. Lots would be accessed from private roads onto Village Drive. The site is served by Northlake Recreational Water and Sewer District and Tamarack Municipal Water System. The 8.8-acre site is in N½ Section 5, T.15N, R.3E, B.M., Valley County, Idaho. Action Item.

Acting Chairman Thompson introduced the item and opened the public hearing. Acting Chairman Thompson asked if there was any *ex parte* contact or conflict of interest. There was none.

Acting Chairman Thompson asked for the Staff Report. Director Herrick presented the staff report and displayed the site and GIS map on the projector screen.

Acting Chairman Thompson asked for the applicant's presentation.

Chris Kirk, planning consultant for Tamarack Resort, said the staff report was really complete. The P.U.D. allows a total of 2043 dwelling units. The current number of dwelling units, including this application, will be 578 including all single-family residential lots and condominiums, just over a quarter of the allowed dwelling units. The P.U.D. allows 278,000-sqft of commercial space; approximately 50,000-sqft has been built. The Village is a work in progress; the residential area and commercial areas will be mostly finished by the end of summer 2022. The golf course is expected to be open in 2 to 2.5 years.

Acting Chairman Thompson asked for proponents. There were none.

Acting Chairman Thompson asked for undecided. There were none.

Acting Chairman Thompson asked for opponents. There were none.

Acting Chairman Thompson closed the public hearing. The Commission deliberated. The application and staff report are thorough. Traffic considerations for West Mountain Road would be discussed between the V.C. Road Department, County Commissioners, and applicant.

Acting Chairman Thompson reopened public hearing for new information on future plans.

Scott Turlington, President of Tamarack Resort, referred to the employee housing plan that was presented to the County; it is expected to be ready for winter season of 2022-23. The first phase includes approximately 64 beds for employees and up to 585 beds at full build-out. Traffic considerations for West Mountain Road were reviewed in the approval for the P.U.D. Tamarack Resort does contribute to the snow plowing on West Mountain Road. The number of homes outside of Tamarack Resort that are accessed by West Mountain Road has also increased.

Director Herrick commented. The existing capital contribution agreement included a road development agreement. Tamarack Resort has been in compliance. The capital contribution agreement includes good faith consideration of future items such as dust abatement, plowing, and additional paving of West Mountain Road. This conversation would be initiated by Tamarack Resort with the Road Director and then taken to the Board of County Commissioners. Mr. Turlington will reach out to the Road Department. This is a replat of a previously platted area. The paved portion of West Mountain Road currently ends at the northern entrance to Tamarack Resort at the roundabout. There are other lots in the area in addition to Tamarack Resort. This subdivision plat is for 15 lots. A traffic impact study was previously done for the area and results were included in the capital contribution agreement. Property taxes for the lots do not pay for road maintenance.

There were no additional comments. Acting Chairman Thompson closed the public hearing.

COA – Shall work with Road Department Director and Valley County Commissioners on continued involvement with road development agreement.

Commissioner Caldwell moved to approve C.U.P. 21-37 with the stated conditions and the preliminary plat. Commissioner Freeman seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

The agenda order will be modified at this point from the posted agenda to permit those present in the audience to testify earlier.

6. C.U.P. 21-39 Finn Church Lane Subdivision – Preliminary and Final Plat: David John Carey II is requesting a conditional use permit and short plat approval for a 1-lot single-family subdivision. The 2.2-acre lot would be accessed from Finn Church Lane, a public road. An individual well and septic system is proposed. The site is part of a 107-acre parcel RP17N03E125420 in the SESW Section 12, T.17N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Acting Chairman Thompson introduced the item and opened the public hearing. Acting Chairman Thompson asked if there was any *ex parte* contact or conflict of interest. There was none.

Acting Chairman Thompson asked for the Staff Report. Director Herrick presented the staff report; displayed the site and GIS map on the projector screen; and summarized the following exhibit:

- **Exhibit 1** – Amy Pemberton submitted redlined version of the CCRs, declaration of utilities, and stated that the final plat will have the required note regarding level of service for public roads. (Dec. 7, 2021).

Minimum lot size and frontage requirement were clarified by staff. Compatibility Rating Question number 5 and nearby parcel sizes were discussed.

Acting Chairman Thompson asked for the applicant's presentation.

David Carey, Lang Court, McCall, is asking for a similar development to C.U.P. 21-35 that was approved tonight. This is a small portion of 107-acre parcel that is currently grazed by cattle. This one-lot subdivision will allow one home for a local family. He purposely chose to not put the lot directly on Farm-to-Market Road nor on the top of the knoll. Mr. Carey desires to keep the majority of the area in pasture.

Acting Chairman Thompson asked for proponents.

Colby Rampton, McCall, owns property to the north that he is building on and overlooks this property. This is a reasonable request.

Acting Chairman Thompson asked for undecided. There were none.

Acting Chairman Thompson asked for opponents.

Kelly Martin, Finn Church Lane, opposes the proposal. She is opposed to any development with less than 5-acre lot sizes in all rural area of Valley County. Concerns include impacts to well water and ditch water as well as separation between well sources and septic systems. Allowing small parcels in rural area is setting a negative precedent. She does not want high density lot development in rural areas of Valley County.

Acting Chairman Thompson asked for rebuttal from the applicant.

David Carey, understands Ms. Martin's concerns but does not believe her concerns are valid for this proposal. This is why the subdivision regulations exist. This proposal will result in a 2-acre lot and a 105-acre parcel. He carefully chose the location to lessen impact to neighborhood and views. This proposal meets Valley County subdivision requirements.

Acting Chairman Thompson closed the public hearing. The Commission deliberated. Minimum acre size was discussed. This will provide a home for a local work-force family. The home will have the appearance of being connected to the 105-acre grazing pasture. Valley County Code does encourage clustering of homes to promote open space and view corridors.

Commissioner Caldwell moved to approve preliminary and final plats of C.U.P 21-39 with the stated conditions and authorize the chairman to sign. Commissioner Freeman seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

8:37 p.m.

7. C.U.P. 21-38 Jug Mountain Ranch P.U.D. – Phase 3 Village South – Preliminary Plat: Jug Mountain Ranch LLC is requesting a conditional use permit to amend C.U.P. 04-34 and approve a preliminary plat in a part of Part of Jug Mountain Ranch Planned Unit Development 97-1 Block 3, Phase 2, and a portion of RP17N04E063004. The plat would include 8 single-family residential lots and approximately 1.5 acres of open space on 3.33 acres. The following variances are requested: shared driveways; setbacks of 5-ft for the front, rear, and sides; 0.10-acre minimum lot size; 70% maximum lot cover; and 0-ft minimum street frontage. Lots will be accessed from Jug Mountain Ranch Road, private, onto Farm-to-Market Road, public. The homes would use the existing central sewer and water systems for Jug Mountain Ranch. The site is in the SW ½ Section 6, T.17N, R.4E, B.M., Valley County, Idaho. Action Item.

Acting Chairman Thompson introduced the item and opened the public hearing. Acting Chairman Thompson asked if there was any *ex parte* contact or conflict of interest. There was none.

Acting Chairman Thompson asked for the Staff Report. Director Herrick presented the staff report; displayed the site and GIS map on the projector screen; and summarized the following exhibits:

- **Exhibit 1** – Emails and attachments between Amy Pemberton and Cynda Herrick. Road development agreement details are being discussed between the applicant, Road Department Director, and the Valley County Clerk. (Dec. 7, 2021)
- **Exhibit 2** – Lenard Long email regarding Jug Mountain Subdivision wastewater treatment. (Dec. 4, 2021)

Staff clarified the wastewater treatment requirements.

Acting Chairman Thompson asked for the applicant's presentation.

David Carey, Jug Mountain Ranch, McCall, stated that Jug Mountain Ranch is a P.U.D. This is the Village site where the higher density will be near the clubhouse. The approved P.U.D. allows a hotel, retail uses, and higher density. There is a large percentage of open space in this development. Water pollution is a concern. Removing the cows from the Boulder Creek area and the Jug Mountain sewer system has a positive impact on the water quality. Direct discharge is tested constantly and there has only been two minor violations in 17 years. The site is 82 feet above the meadow and out of the floodplain.

Acting Chairman Thompson asked for proponents. There were none.

Acting Chairman Thompson asked for undecided. There were none.

Acting Chairman Thompson asked for opponents. There were none.

Acting Chairman Thompson closed the public hearing. The Commission deliberated. The Commissions like the clustering and location of the higher density near the clubhouse. The application is complete. This provides another variety of housing in Valley County. The floodplain requirement is included in the conditions of approval.

Commissioner Freeman moved to approve C.U.P. 21-38 with the stated conditions and the preliminary plat. Commissioner Benton seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

8:57 p.m.

8. **C.U.P. 21-21-40 Jug Mountain Ranch P.U.D. – Phase 3B – Preliminary Plat:** Jug Mountain Ranch LLC is requesting a conditional use permit to amend C.U.P. 04-34 and approve a preliminary plat in a part of Part of Jug Mountain Ranch Planned Unit Development 97-1. The plat would include 16 single-family residential lots and 4.19 acres of open space on 29.37 acres. No change in approved uses or densities is requested. Shared driveway variances are requested. The lots will be accessed from private roads onto Jug Mountain Ranch Road, an existing private road, and then onto Farm-to Market Road, public. The homes will use the existing central sewer and water systems for Jug Mountain. The site is in the SW ½ Section 6, T.17N, R.4E, B.M., Valley County, Idaho. Action Item.

Acting Chairman Thompson introduced the item and opened the public hearing. Acting Chairman Thompson asked if there was any *ex parte* contact or conflict of interest. There was none.

Acting Chairman Thompson asked for the Staff Report. Director Herrick presented the staff report; and displayed the preliminary plat, site, and GIS map on the projector screen; and summarized the following exhibits:

- **Exhibit 1** – Emails and attachments between Amy Pemberton and Cynda Herrick regarding the road development agreement and Fire Districts. Jug Mountain Ranch is located within both the McCall and Donnelly Fire Districts. Jug Mountain Ranch would like to be fully annexed into the McCall Fire District. (Dec. 7, 2021)
- **Exhibit 2** – Don Gulliksen and Susie Erickson, 320 Ashton Lane, are opposed to the use of Ashton Lane for any use other than emergency service providers. (Dec. 2, 2021)
- **Exhibit 3** – Amy Pemberton submitted information regarding the JMR sewer system and replied to the previous comments for the Friends of Lake Cascade and staff comments in the staff report. (Dec. 9, 2021)

Private roads and the proposed emergency ingress/egress road and easement were discussed

Acting Chairman Thompson asked for the applicant's presentation.

David Carey, Lang Court, stated Phase 3A was platted a few years ago. This phase will extend the road and has slightly larger lots than Phase 3A due to steeper topography. There will be open space, sewer system, fire hydrants, and a pressurized water tank for firefighting. They have been working with Stephanie Nelson for fire wise thinning. The connection to Ashton Lane is not required but would allow access for heavy equipment for firefighting and emergencies. The access is already there. It will not be for public access. A gate would be added. The paved road ends at the front of Lots 6 and 7.

The Jug Mountain Homeowners Association voted to not allow short-term rentals within the existing homes in Jug Mountain Ranch. This would also be true for this phase. It is likely that short-term rentals would be allowed in Phase 3 Village South.

Amy Pemberton, representative, stated that maintenance of the emergency access is required in the CCRs and could be added to the plat for further clarification.

Acting Chairman Thompson asked for proponents. There were none.

Acting Chairman Thompson asked for undecided. There were none.

Acting Chairman Thompson asked for opponents. There were none.

Acting Chairman Thompson closed the public hearing. The Commission deliberated. This is a good development. The emergency access is important for safety and firefighting access.

COA: Shall add a plat note for emergency access maintenance.

Commissioner Caldwell moved to approve C.U.P. 21-40 with the stated conditions and the preliminary plat. Commissioner Freeman seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

9:23 p.m.

9. C.U.P. 21-41 Snow Bike Race: R&R Promotions LLC is requesting a conditional use permit for a commercial event on January 29, 2022, and then on an annual basis. The site is north of Warm Lake Road, approximately one mile from Highway 55, on property owned by Davis Cattle Company. Parking and portable toilets would be available at the site; 500-1,000 total people are expected. The site is part of parcel RP14N04E190006 located in the S ½ Section 19, T.14N, R.4E, Boise Meridian, Valley County, Idaho. Action Item.

Acting Chairman Thompson introduced the item and opened the public hearing. Acting Chairman Thompson asked if there was any *ex parte* contact or conflict of interest.

Commissioner Caldwell recused herself as an owner of the property where the proposed event would occur.

Acting Chairman Thompson asked for the Staff Report. Director Herrick presented the staff report and displayed the site and GIS map on the projector screen.

Acting Chairman Thompson asked for the applicant's presentation.

Ron Dillon, Ontario, Oregon, stated this race started in 2009 on the McCall Golf Course. The event was moved to the Warm Lake Road site in 2021 due to Covid restrictions. Eight or nine portable toilets will be on the site. Not everyone stays the entire time due to winter conditions; most people are present between 11:30 a.m. and 4:30 p.m. He answered the portion of the impact report within the application that was incomplete. The event benefits the local economy, particularly gas stations and hotels. This event will be included as a McCall Winter Carnival activity. There was positive support of the event in the Cascade area last year. The event went well last year.

Staff clarified that approval would be for January 2022 and future years at the same site.

There will be a food trailer and beverages with proper permits. There will also be demo rides available from retailers. This will be the 257th event Mr. Dillon has facilitated.

Acting Chairman Thompson asked for proponents. There were none.

Acting Chairman Thompson asked for undecided. There were none.

Acting Chairman Thompson asked for opponents. There were none.

Acting Chairman Thompson closed the public hearing. The Commission deliberated. The Commissioners believe this is a positive impact on the local economy with limited impacts at the site.

Commissioner Freeman moved to approve C.U.P. 21-41 with the stated conditions.

Commissioner Thompson seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

9:48 p.m.

E. CORRESPONDENCE:

- **C.U.P. 19-31 Daugherty Excavation – Is a new C.U.P. required?**

In 2019 the conditional use permit for Daugherty Excavation was approved. A building is currently under construction. The owners would like to add an apartment in the shop. The conditional use permit did not include an apartment. The Commissioners must determine if this is a substantial enough change to require a new conditional use permit. Historically, we have allowed residential uses on commercial sites. This would meet the requirements of an accessory dwelling unit. A revised building permit and septic permit would be required. The Commissioners agreed that an apartment is okay as long as it is not used as a rental; employee housing is allowed.

F. FACTS AND CONCLUSIONS - Action Items:

- VAC 21-07 Vacation of a Portion of Longhorn Way and Durham Lane
- C.U.P. 21-30 McCall Woodworks Custom Furniture
- C.U.P. 21-31 Hamblin Sawmill
- C.U.P. 21-32 Lake Fork Village Condos & Offices
- C.U.P. 21-28 Laurel Cell Tower
- C.U.P. 21-33 Lawrence Farm

Commissioner Caldwell moved to approve the Facts and Conclusions as presented and authorize the Chairman to sign. Commissioner Freeman seconded the motion. Motion carried unanimously.

Acting Chairman Thompson adjourned the meeting at 9:55 p.m.