

Valley County Planning and Zoning Commission

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Neal Thompson, Chairman
Ken Roberts, Vice-Chair

Sasha Childs, Commissioner
Katlin Caldwell, Commissioner
Scott Freeman, Commissioner

MINUTES

Valley County Planning and Zoning Commission

May 12, 2022

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 6:00 p.m.

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

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|-------------------------------------|---------|
| PZ Director – Cynda Herrick: | Present |
| PZ Commissioner – Katlin Caldwell | Present |
| PZ Commissioner – Sasha Childs: | Present |
| PZ Commissioner – Scott Freeman: | Present |
| PZ Commissioner – Ken Roberts: | Present |
| PZ Commissioner – Neal Thompson: | Present |
| PZ Assistant Planner – Lori Hunter: | Present |

B. MINUTES: Commissioner Caldwell moved to approve the minutes of April 14, 2022, and April 19, 2022. Commissioner Childs seconded the motion. Motion carried unanimously.

C. OLD BUSINESS:

1. C.U.P. 21-06 Moon View Ranch Subdivision – Final Plat: Mathew Falvey and Joanne Young are requesting final plat approval. The commission will review the final plat to determine conformance with the preliminary plat, approved densities, and conditional use permit. This plat consists of 14 single-family residential lots on approximately 63 acres. Access will be from a new private road onto Moonridge Drive (public). The site is parcel RP18N03E297804, RP18N03E295280, and RP18N03E298106 in Section 29, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item. [Not a public hearing.]

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

Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits

- **Exhibit 1** – Proposed CCRs received May 10, 2022
- **Exhibit 2** – Revised final plat received May 12, 2022
- **Exhibit 3** – Response from Lake Irrigation District (May 12, 2022)

Director Herrick would like clarification from the applicant on the purpose for the line shown in Lots 1 and 2. It may be from a previous survey. It should be removed from the final plat prior to recordation so it does not look like a lot line boundary.

Prior to submittal of a final plat packet to the Board of County Commissioners, all requirements will be completed. Director Herrick addressed issues that still require completion as shown in the list of conditions of approval (COA). A letter from Lake Irrigation District was received today.

The Declaration of Utilities will be submitted prior to plat recordation. A 70-ft right-of-way already exists for Moonridge Drive. The status of COA # 19 is unknown. The applicant should clarify if the property owner of "internal parcel" will be able to access via the new private road within this subdivision. The private road is not completed at this time. Before final plat submittal to the Board of County Commissioners, the applicant will either have a financial agreement in place or the County Commissioners have a comfort level that the road will be completed. Idaho Power has been prepaid for utilities.

Mathew Falvey, applicant, is unsure of the purpose of the line shown on plat in Lots 1 and 2; it may show the location of a fence line that has been removed. The line can be removed from final plat prior to submittal to the Board of County Commissioners.

Director Herrick clarified the process of final plat approval. The Commissioners are to determine if the final plat is substantially similar to the approved preliminary plat. At this time, what is needed is verbiage changes in the CCRs and minor changes to the plat. These will be completed prior to submittal to the Board of County Commissioners.

Steve Millemann, representing the applicant, clarified that changes were made to the CCRs to comply with the COA numbers 13, 20, and 21.

Mr. Falvey referred to COA #19 regarding access for adjacent parcel on the private road. He is willing to allow this use and has had conversations with adjoining property owner. The number of vehicular crossings over the adjacent pathway would be reduced if the adjacent landowner accesses the property from the private road instead of directly from Moonridge Drive.

Commissioner Childs moved to approve the final plat of C.U.P. 21-06 with the removal of the extra lines in Lots 1 and 2 and addition of the buried water tank location on the final plat, and authorize the Chairman to sign. Commissioner Freeman seconded. Motion carried unanimously.

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

D. NEW BUSINESS:

- 1. C.U.P. 22-11 Central Mountain Land Services:** Michael Filbin is requesting a conditional use permit for an excavation business and storage of equipment. The site has a home and outbuildings and uses individual well and septic system. The 1.95-acre parcel is addressed at 143 E Lake Fork Road and located in the NWNE Section 11, T.17N, R.3E, Boise Meridian, Valley County, Idaho. Action Item

Chairman Thompson introduced the item and opened the public hearing. Chairman Thompson asked if there was any *ex parte* contact or conflict of interest. He recused himself and left the room.

Acting Chairman Roberts 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** – Jess Ellis, Donnelly Fire Department Fire Marshal, listed requirements. (May 6, 2022)
- **Exhibit 2** – The applicant submitted a revised site plan showing areas for equipment storage, north and east of the shop. (May 9, 2022)
- **Exhibit 3** – Joseph and Grace Wilson, 146 E. Lake Fork Road, are opposed to this use in a residential area. Traffic is also a concern. (May 12, 2022)

The location of the site was discussed. The site is approximately 1 ½ miles from Highway 55 and approximately 4700 feet east of the Valley County Lake Fork Shop.

The hours of operation listed in the conditions of approval are the standard hours and days of operation historically set from commercial, excavation businesses, and gravel operations in this area. The applicant can clarify the extent of the business and expected travel times.

Acting Chairman Roberts asked for the applicant's presentation.

Michael Filbin said this is for a family-owned excavation business. He is the sole proprietor. He believes the site is an excellent fit as the existing shop building with driveway has been in use as a commercial operation since the 1990's. No additional construction is needed for his business. The proposed use is similar to the existing business. Larger operations already exist on East Lake Fork Road. Most equipment and vehicles will be stored inside. Equipment trailers will be stored outside the building which is approximately 300-ft from the road shoulder of E Lake Fork Road. The site is screened by large trees and not visible from road, which provides both screening and security. He is very aware of maintaining property for fire safety. Fire safety. Utilities already exist on the property. Fencing has not been necessary for the existing business. His business will have no customer traffic unlike the current commercial use at the property. The dust will be controlled; rock will be used to reduce mud and dust in the traveled way. Outside storage will be kept to a minimum and will be in an orderly manner. He replied to the questions listed in the staff report:

- The amount of equipment will vary daily from zero to four: Dump truck, water truck, tractors, and trailers.
- There are no employees; this is an owner-operator business.
- The number of daily trips will vary; on average he expects a few per day.
- He will not store refuse from job sites nor do any burnings at this location.

Regarding the issues raised by the neighbor, large vehicular traffic already exists at the site. The current business, The Machine Shop, receives at least one metal delivery plus one freight truck weekly. There have been no issues. Mr. Filbin is safety conscious and has had a Commercial Driver's License (CDL) for 20+ years. This site seems to be a good fit. There is a lot of existing screening of aspen and cottonwood trees.

He is currently unsure of the use of the existing residence; it will be either used by family member or a long-term rental. The home will not be used as a short-term rental.

He currently is in escrow for the entire property.

The likely hours of operation are 7:00 a.m. to 5:00 p.m.; however, the proposed 7:00 a.m. to 7:00 p.m. will give a bit more flexibility. Any business expansion would not affect the number of daily trips

Acting Chairman Roberts asked for proponents. There were none.

Acting Chairman Roberts asked for undecided. There were none.

Acting Chairman Roberts asked for opponents.

Neal Thompson is concerned as a neighbor. The area east of the Valley County shop has become residential and has grown since the original conditional use permit for The Machine Shop was approved. This is a commercial/light industrial use in a residential area. There are

nine excavation business closer to Highway 55, all west of the VC Shop. The hill and fast traffic make this an unsafe area for large vehicular traffic.

Acting Chairman Roberts asked for rebuttal from the applicant.

Mr. Filbin said this site is listed as "Lakefork Area Commercial" on the Valley County GIS maps. [Assessor's Office classification]. The commercial use predates the residential use in the area. In addition, recently there was a large crane parked in front on a nearby home where a contractor lives. The site is not more dangerous than other sites in Valley County. His safety record is impeccable. He has been looking for years for a site for his business. His trucks have filters allowing they do not blow black smoke. Approval of the conditional use permit is a condition of closing on the property purchase.

Acting Chairman Roberts closed the public hearing.

The Commission deliberated. Staff clarified that the current conditional use permit is only transferrable as a similar business, specifically a machine shop. The Valley County Comprehensive Plan show a map of the Lake Fork Village on page 72. The existing machine shop is considered light-industrial use with enclosed manufacturing occurring at the site. The proposal is for the storage and maintenance of equipment. For the most part, the work will occur off-site. The site is surrounded by residential. Expansion of the business would have an impact. Projects can go later than 5:00 p.m., especially when travel from a job site is included. Would be different if they were processing gravel or chipping. Equipment is not necessarily brought back to the site daily as it may be left at the job site until completion of a project.

COA: This conditional use permit will expire if the property or business has a change in ownership.

Condition of Approval # 9 is appropriate. No recommended changes.

COA: If landscaping buffer is removed must replace vegetation with similar density of screening. Must re-vegetate so neighbors cannot see equipment.

Commissioner Freeman moved to approve C.U.P. 22-11 with the stated conditions and Commissioner Childs 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.

Chairman Thompson returned to the meeting room.

7:00 p.m.

2. C.U.P. 22-12 Gemma's Outdoor Market: Monty Moore is requesting a conditional use permit for an outdoor market. Vendor employees will occupy approximately 1,000-sqft of tent space for retail and 300-sqft for storage within the existing parking lot for Gemma's Italian Deli and Market. No new permanent structures are proposed. The 1.5-acre site is addressed at 13840 and 13844 Highway 55 and located in the NW ¼ Section 10, T.17N, R.3E, Boise Meridian, Valley County, Idaho. Action Item

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

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** – Jess Ellis, Donnelly Fire Department Fire Marshal, listed requirements. (May 6, 2022)
- **Exhibit 2** – Central District Health stated that patrons of the outdoor market will not be able to use restrooms at Gemma's. Portable toilets will need to be provided to accommodate 50 patrons/day for specified number of hours the market will be open. (May 5, 2022)

This site is in the Lake Fork Village as identified in the Valley County Comprehensive Plan.

The existing access to Highway 55 is approved by Idaho Transportation Department. There is a clear line of site to the south.

Chairman Thompson asked for the applicant's presentation.

Monty Moore, McCall, is requesting an open-air market in the existing parking lot of Gemma's Italian Deli and Market. He does not expect the outdoor market to increase traffic on the already busy highway and East Lake Fork Road. Temporary tents would be used, not permanent structures. Parking areas and porta-potties already exist. The outdoor market would not use the existing septic system. The parking lot will be treated to reduce dust. Access for the fire department as well as delivery trucks will be maintained. The vendor tents will be located on the south side of the building. A coffee-food truck trailer was previously at the same location. There is an RV parked there for staff to live in. The RV in the back of the property belongs to Mr. Moore and is unoccupied. Mr. Moore is currently repairing that RV. The existing parking area along Highway 55 will accommodate the customers of Gemma's deli. There is additional parking area on the southeastern property edge for outdoor market customers.

Director Herrick recommends that the Commissioners consider allowing the use every year unless there are issues or an expansion of the use. Mr. Moore is in agreement.

Commission Roberts has concerns regarding the adjacent irrigation canal located directly below the proposed parking area. Debris from the site could blow into canal blocking headgates. He also is concerned about the existing berm at crest of canal; he is concerned about a vehicle or kids slipping into the canal. Mr. Moore replied that the parking has been like this for many years with a berm but no other barrier. There has not been an issue. Commissioner Roberts is that the additional cars will bring more congestion in the parking area.

Mr. Moore said that the parking lot will be graded prior to the dust abatement application. He could have the berm height increased.

Chairman Thompson asked for proponents. There were none.

Chairman Thompson asked for undecided.

Chris Church, 12 Buckskin Drive, is concerned that oil applied for dust abatement could flow into the irrigation canal.

Susan Dorris asked if vendors be living on site as they did at the closed Cascade Flea Market. Otherwise, she approves of the proposal.

Allison Hatzenbuehler asked if the tents would be assembled weekly or stay up for the entire summer. Waving flags would be a distraction at an already busy intersection.

Chairman Thompson asked for opponents. There were none.

Chairman Thompson asked for rebuttal from the applicant.

Mr. Moore replied that oiling of the parking lot is regular maintenance done every few years to reduce dust. The application is not a seal-coat oil. The tents will be up for the entire season. No flags will be erected as they are not allowed per Valley County Code. The vendor tent will be up against the building. There are people living in the RV adjacent to the building who will work the booth and provide security to the property. The vendor will sell clothing and similar goods. There will be one vendor only.

Chairman Thompson closed the public hearing. The Commission deliberated. Employees living on the site was not mentioned in staff report nor is housing specifically stated in the existing conditional use permits for Gemma's Deli. The RV ordinance allows one RV per site. The previous coffee trailer was hooked up to the septic system. Staff and Commissioners are unsure if the RV is attached to the septic system.

Proposed additional Conditions of Approval discussed included Central District Health approval prior to using the RV as a residence; berm height; approval time length; and dust treatment.

Commissioner Roberts moved to approve C.U.P. 22-12 with the previously stated conditions and four additional conditions. Commissioner Childs seconded the motion.

The berm height was discussed further. Commissioner Caldwell disagrees with this requirement as there has been a commercial use at the site for many years with no issues regarding the canal. This requirement would be an additional cost to applicant, especially with the current price of gravel. Commissioner Freeman concurs.

Commissioner Roberts moved to amend his motion to approve C.U.P. 22-12 with the stated conditions and

- **COA:** Must obtain Central District Health approval prior to using the RV as a residence.
- **COA** – Approval is for one year only. The Commissioners will hold a public hearing to review the application prior to summer of 2023.
- **COA** – Must use chloride dust palliative abatement, not an oil treatment.

Commissioner Childs 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.

7:30 p.m.

3. C.U.P. 22-13 Paikka Bakery: Finn Place LLC is requesting a conditional use permit for a bakery. The existing building would be remodeled, and a greenhouse added. Up to 18 dinners per year will also be held at the site. The site also has a shop with apartment. The existing septic system and individual wells would be used. The 3-acre site is addressed at 14118 Highway 55 and located in the NE ¼ Section 18, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item

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

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

Staff recommends changes to the proposed conditions of approval based on conversations with the applicant:

- **COA 10**: Hours of operation for public visitation are limited to 8:00 a.m. to 10:00 p.m.
- **COA 11**: The public would be allowed on-site to pick up orders one day per week and for dinner events.

The applicant has requested up to 18 dinners per year to be held at the site. Idaho Transportation Department's (ITD) review is part of the application packet and accounts for the additional business traffic.

Chairman Thompson asked for the applicant's presentation.

Steve Millemann, McCall, is representing the applicant. The applicant wanted to determine if the use would be feasible and then structure the proposal based on ITD requirements. Therefore, ITD has reviewed and approved the access location for the various proposed uses and is in the process of finalizing the approval. Finn Church Subdivision has preliminary approval for two residential lots; the bakery would be on Lot 1. Two previous conditional use permits existed for same structure that the bakery would use. There would be deliveries to local vendors; the public would be allowed to pick up orders one day per week.

The proposal includes a greenhouse. The applicants are both chefs thus the request for up to 18 special dinners per year either inside or in a tented area on the property. The dinners are limited in number, days, and times to avoid peak travel times on Highway 55. The projected traffic analysis has been completed and reviewed by ITD. There are currently three driveways in close proximity. One driveway will be closed as requested by ITD and a shared driveway for Lots 1 and 2 will be added. Additional landscaping is planned. The number of employees is in addition to owners. The newly constructed shop will be used to store equipment and vehicles and includes an apartment. Paikka means "the gathering place".

Chairman Thompson asked for proponents. There were none.

Chairman Thompson asked for undecided. There were none.

Chairman Thompson asked for opponents. There were none.

Chairman Thompson closed the public hearing. The Commissioners deliberated. No issues were raised. This is a good proposal for the site.

Commissioner Caldwell moved to approve C.U.P. 22-13 with the stated conditions as amended by Staff and approval by Parametrix [Valley County Engineer]. 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 to 7:55 p.m.

E. P.U.D. 22-01 Roseberry PUD – a Manufactured Home Park and C.U.P. 22-10 Preliminary Plat: Continued from May 5, 2022. Action Item

Commissioner Roberts moved to remove P.U.D. 22-01 from the table for consideration. Commissioner Caldwell seconded the motion. Motion carried unanimously.

Director Herrick summarized the following exhibits:

- **Exhibit 1** – Large submittals from last meeting previously given to Commissioners (Exhibits 6 – 10, May 5, 2022)
- **Exhibit 2** – Summary of local housing needs from Local Housing Action Plan, McCall Area, January 14, 2021
- **Exhibit 3** – Idaho State Code Title 67-6535 APPROVAL OR DENIAL OF ANY APPLICATION TO BE BASED UPON EXPRESS STANDARDS AND TO BE IN WRITING.

Director Herrick stated that the Planning and Zoning Commission's recommendation will go to the Board of County Commissioners for a public hearing and decision. Director Herrick clarified that this is a new P.U.D. and conditional use permit application on the property that was previously approved for The Meadows at West Mountain Phase 4. The previous approval expired.

Chairman Thompson closed the public hearing and asked if there was any *exparte* contact or conflict of interest. There was none.

The commissioners deliberated.

Commissioner Caldwell referred to the Valley County Comprehensive Plan. Chapter 8 Housing and Community Design specifies that mobile/manufacture homes are to be treated in the same manner as stick-built homes. Goal III states that Valley County shall not disallow the plans and specifications of a manufactured home community solely because the housing within the community will be manufactured homes. Goal V is to provide a variety of housing types and includes the amending the land use ordinance to increase densities in areas supported by sewer and where it is compatible with surrounding land uses.

Chairman Thompson stated that this has been touted as a project for workforce housing; however, the math does not pencil out. He referenced the *Summary of Local Housing Needs* report (**Exhibit 3**) and recently announced median income of \$60,000 for the Boise area. This project does not meet the median family income of a two-income family. The proposed one entrance road is not safe for ingress and egress. The proposal is too dense.

Commissioner Childs added that based on the income information provided, 43% of our workforce makes significantly less than the estimated cost of home and space rental. There are probably 200 people that could afford this housing proposal. However, she also agrees this proposal would not meet a local need for affordable housing for our local workforce.

Commissioner Caldwell stated that this proposal is for an affordable housing project, not a low-income housing project. This would provide housing for workers who cannot afford the current cost of buying land and building a home.

Commissioner Childs stated that based on the average income for Valley County, this project at baseline barely pencils. In five years, the site rental will be \$750, in 12 years over \$1000. This is too much for average income of Valley County. Therefore, employers will purchase these homes which would change the dynamic of neighborhood.

Commissioner Roberts stated that the Valley County Code and Valley County Comprehensive Plan must be the foundation for the Commissioners' decision. He is opposed for reasons other than economic concerns. Commissioner Roberts raises these points:

- Idaho State Statute 67-6502 – The purpose of the land use planning act is to promote the health, safety, and general welfare of the people of the state of Idaho. Specific issues include:
 - He is unsure if this application protects private property rights of nearby properties.
 - Open Space is valued.
 - Agricultural land is productive land and should be protected.
 - Urban densities should be within incorporated city limits.
 - Overcrowding of land is a concern; proposed density is significantly higher than surrounding properties.
 - Land development is to be commensurate with the physical characteristics of the land. Approved PUDs in Valley County have taken in account the topography of the site
 - Flooding hazards can be significant in this area and should be planned for.
- Idaho State Statute 67-6508 – Planning Duties, property rights, and adverse impacts. The Commission may not discriminate against manufactured or mobile homes.
- The application is noncompliant with Valley County Comprehensive Plan.
 - Chapter 2 – Populations, Goals I and II. The proposal conflicts with the desire for small rural town characteristics.
 - Chapter 3 Personal Property Rights, Goal 1, #3 Flood water and impacts must be considered.
 - Chapter 7 Transportation, Goal II, dead end roads should be discouraged, this application has twelve proposed.
 - Chapter 8 Housing, Goal III, recommends clustering to preserve open space and Goal IV encourages new development occur in or near the existing cities and areas of impact.
 - Chapter 10 Open Space, Goal II, promotes open space. This application requests a variance to reduce open space.
- The application does not comply with Valley County Code (VCC).
 - VCC 9-9-2 was read into the record in full. PUD must “demonstrate better than average quality of development”. This application does not, nor does it meet the 50% open space requirement.
 - VCC 9-9-3 (c) - speaks to clustering to maintain open space.
 - VCC 9-9-3 (e) - the proposal is likely in violation of the statement “That it is more desirable to have a PUD than a subdivision or some other singular use, and that the PUD is not being proposed simply to bypass or vary the more restrictive standards required of a subdivision, business, industry, or other similar use.”
 - VCC 9-9-6 (f) – snow removal and storage plan concerns exist.
 - VCC 9-9-6 (g) – surface water and flooding planning concerns exist.
 - VCC 9-9-7 (d) – refers to density. “It is recognized that the increased residential density of a PUD shall be in relationship to the site and structure location, application of technology, design, construction techniques, landscaping and topography.” Staff prepared adjacent densities; most have two or three units per acre. The existing townhouses are two-story structures, so the higher density takes up less ground.
 - VCC 9-9-7 (e) – fire could easily spread between buildings.
 - VCC 9-9-7 (g) – parking spaces.
 - VCC 9-9-7 (h) –street width would affect access.
 - VCC 9-9-7 (i) – A residential PUD requires 50% common open space; the applicant is requesting a variance to reduce this to 25%, leading to the high proposed density.

- VCC 12-1-5 (d) – Allowing a lighting variance would increase the vehicle / pedestrian danger.
- VCC 9-11-1 (d) – Compatibility evaluation allows for unique considerations, including the density of surrounding subdivisions.
- Northlake Recreation Sewer and Water District's will serve letter is not for this particular application. The applicant would need to reapply for service.
- The proposed construction timeline is unrealistic for Valley County.
- The public is overwhelming opposed. This opposition is a good indicator this application is not harmony with the general population.
- The Idaho Statutes, Valley County Comprehensive Plan, and the Valley County Ordinances are the foundation for the decision to be rendered. The rule of law must prevail.

Commissioner Childs stated that minimum lot sizes and setbacks for mobile home / manufactured home parks have already been reduced in Title 12. In her opinion, the standards in Title 12 are already the absolute minimums that should be allowed.

Commissioner Caldwell asked staff to clarify the proposed setbacks. The proposal maintains 20 feet between homes, greater than what is required by Valley County Code. The applicant is requesting a five-foot setback from interior lot line instead of six feet. The required and requested square footage of sites were discussed. Higher residential densities are allowed with PUD approval.

Staff had requested no streetlights in the development to reduce illumination of the dark sky. The amount of common open space may be reduced per Valley County Code 9-9-7 (i). The amount of open space in The Meadows at West Mountain includes roadways. The definition of open space was changed after that subdivision was approved to no longer include roadways.

Commissioner Caldwell agrees with the majority of Commission Roberts' comments. However, the townhouses still have the same number of vehicles and people even though the homes are two-stories. Commissioner Caldwell's biggest concern is the safety issue of only one entrance into the development; the emergency access could be blocked by snow. The housing may be affordable now but not necessarily in four years. Proposed density is high. The Valley County Engineer should verify that proper snow storage areas are available if the application is approved.

Commissioner Freeman agrees with previous comments. The lack of access, high density, number of dead-end roads, and snow storage are specified concerns.

Commissioner Childs discussed the difference between mobile home parks and mobile home subdivisions. In mobile home subdivisions, the homeowner also owns the lot; this creates "real property". Seven percent of people in the United States live in mobile home parks. Commissioner Roberts referred to Idaho Statute 67-6509B. Manufactured homes communities, whether fee-simple-land-sales (own dirt) or land leased or rented, are allowed by state law. Commissioner Caldwell stated there are several examples of mobile home and manufacture home communities within Valley County; not everyone wants to own land at every stage in their life. Commissioner Childs stated that manufacture home parks are needed in Valley County; however, this is not the right density nor location.

Chairman Thompson stated that the applicant's brochure refers to workforce housing. This would not be affordable for his workers.

Commissioner Roberts moved to recommend denial of PUD 22-01 Roseberry Park and C.U.P. 22-10 Preliminary Plat to the Board of County Commissioners based upon the reasons previously

stated. Commissioner Childs seconded the motion.

The Commissioners acknowledge that manufactured housing is acceptable for all residential developments per both Idaho Statute and Valley County Code.

Commissioner Roberts said Valley County is struggling to find where people can live. How long these current economic conditions will last is unknown; there is not an easy answer to affordable housing. This is a supply-demand issue. What is the proper role of government to engage in housing issue? We, as volunteer commissioners, as well as Planning and Zoning staff, have spent many hours discussing these issues and there are no easy answers.

Commissioner Caldwell added that manufactured home parks are viable options. There should not be negative connotations made for this type of housing.

Motion passed unanimously.

There will be a future public hearing with the Board of County Commissioners that will be properly noticed.

8:48 p.m.

F. OTHER:

- **Vault Privy Request – Little Donner Tract II Lot 6 – 80 Mountain Air Drive - Action Item**

Director Herrick showed the site on the Valley County GIS map. The lot is currently used as a camping area. There is no electricity or well on the property. The lot is small, less than one acre. There are other privies in the area. Due to the small lot size and steep topography, it is difficult to maintain the proper distances between wells and septic sites in this area. Staff would not recommend a vault privy in a high-density area. The topography will screen the privy from neighbors. Central District Health must also approve the use. Waste would be contained in a concrete vault. The property owners do not want a port-potty at the site.

Commissioner Caldwell moved to approve a vault privy for Little Donner Tract II Lot 6. Commissioner Roberts seconded the motion. The motion passed unanimously.

- **October Meeting – Change in Date**

Director Herrick has a conference during the regularly scheduled meeting on October 13, 2022. The Commission agreed to move the meeting to October 20, 2022.

G. FACTS AND CONCLUSIONS – Action Items:

- VAC 22-01 Thomson Vacation of Utility Easement
- C.U.P. 22-05 Gold Fork Reserve – Preliminary Plat
- C.U.P. 22-06 Schafer Subdivision – Preliminary Plat
- C.U.P. 22-07 Wilson RV Rental Site
- C.U.P. 22-08 Bear's Den Subdivision – Preliminary and Final Plat
- C.U.P. 22-09 Tamarack Resort P.U.D. - Osprey Meadows Estates – Preliminary Plat

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

Chairman Thompson adjourned the meeting at 9:58 p.m.