

Valley County Planning & Zoning Commission

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Ray Cooper, Commissioner
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MINUTES

Valley County Planning and Zoning Commission

March 11, 2021

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 6:00 p.m.

Chairman Defoort explained tonight's public hearing procedures which are based on the Governor's current requirements for Covid-19. The public can livestream the meeting and may testify either in person or telephonically.

A. OPEN: Meeting called to order at 6:00 p.m. Quorum exists.

P&Z Administrator – Cynda Herrick:	Present
P&Z Commissioner – Brian Benton:	Present
P&Z Commissioner – Ray Cooper:	Present
P&Z Commissioner – Johanna Defoort:	Present
P&Z Commissioner – Scott Freeman:	Present
P&Z Commissioner – Neal Thompson:	Excused
P&Z Technician – Lori Hunter:	Present

B. MINUTES: Commissioner Benton moved to approve the minutes of February 11, 2021. Commissioner Cooper seconded the motion. Motion carried unanimously.

D. OLD BUSINESS:

- 1. C.U.P. 20-05 Treetop Terrace – Final Plat:** Montford Family Living Trust 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. This plat consists of seven single-family residential lots on approximately 25 acres. Access will be from West Mountain Road (public) onto Franks Road (public). The site is RP16N03E296085 located in the SW Section 29, T.16N, R.3E, Boise Meridian, Valley County, Idaho. Action Item. [Not a public hearing.]

Chairman Defoort asked for the Staff Report. Staff presented the staff report and summarized the following exhibits:

- **Exhibit 1** – Revised Final Plat – received March 11, 2021. Wetlands were added but building sites will need to be removed from the final plat prior to recordation. The

declaration of utilities note was corrected.

Michael Montford, the applicant, referred to Conditions of Approval 11 and 13. The engineer's report, previously submitted, stated that the existing condition was adequate for stormwater drainage. The Idaho Power plan was also submitted; power lines are underground. The homeowner association is referred to in the submitted CCRs. The required water tank has been bonded with Donnelly Fire who will inspect and approved the water tank before building permits are issued by Valley County.

Commissioner Freeman moved to approve C.U.P. 20-05 Treetop Terrace – Final Plat and authorize the Chairman to sign. Commissioner Benton seconded. Motion carried unanimously.

6:18 p.m.

E. NEW BUSINESS:

- 1. C.U.P. 21-01 Hansen Acres Subdivision – Preliminary Plat:** Gordon Hansen of IWS LLC is requesting a conditional use permit for a mixed-use subdivision that includes single-family residential, multi-family, and commercial use subdivision on 20 acres. Three 2-acre residential lots and one 12-acre commercial lot are proposed. Three RV spots for employees are proposed. Six commercial buildings, each with 11,972 sq.ft. of floor space, and an office area of 2,304 sq.ft. of floor space are proposed. Individual wells and septic system are proposed. Access to each lot would be from a private road with access onto Highway 55. The site is parcels RP18N03E280604 and RP18N03E282404 located in Section 28, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

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

Chairman Defoort asked for the Staff Report. Staff presented the staff report and summarized the following exhibits:

- **Exhibit 1** – Applicant letter dated March 9, 2021.
- **Exhibit 2** – Noticing requirement and information for City of McCall, February 9, 2021.
- **Exhibit 3** – Additional comments received after staff report completed.

Discussion of the zoning categories within McCall.

Chairman Defoort asked for the applicant's presentation.

Gordon Hansen, Burley, has been selling boats for nearly 30 years. He currently has three locations and approximately 15 employees. The company has a long-term relationship with Tamarack Resort, Shore Lodge, and Mile High. There is numerous clients that already use their boats in Valley County. Recreation has boomed. There is a high demand for both retail sales and service. His business needs to spread the load to take care of people closer to where they use their boats. The site would have boat storage with the added value of service and sales. Dealer permit will be required. His business would provide dock-site pickup and delivery and high-end service. The site is close to the boat ramps; it would reduce the number of vehicles towing boats driving up and down the canyon.

Gregg Tankersley, Crestline Engineers, McCall, referred to the site plan. Workforce housing is needed locally. This proposal has both commercial and residential use. Maximum of six residential units on the three residential lots plus three RV spaces. In response to employee needs, it made sense to create the RV spots for short-term use. Building 1 would be contain service area and office. Buildings 2-6 are for storage, primarily for boats. There is a 100-ft setback from Highway 55. Boats are shuttled by employees from the buildings to the gate or docks. He referred to the architectural renderings of Building 1 (**Exhibit 4**). They are proposing nicer building than a standard basic steel metal building. The other buildings are behind Building 1. Undulated berms are proposed, 2-4 ft tall to screen buildings, but not one solid berm along the highway. They hired a transportation engineer and have discussed access with Idaho Transportation Department. The project meets the State's requirements. The access easement to the property to the west was discussed; they are proposing what ITD preferred. There are two 20-acre parcels that straddle a 50-ft wide access easement to another parcel located to the west. ITD wants all three parcels to use the same access from Highway 55. The required notes, etc. will be on the final plat. The RV spaces will be screened by the buildings. Public will not be allowed 24-hour access to the storage facilities.

Maximum number of employees is expected to be 12. Typical hours of operation are 9:00 a.m. to 6:00 p.m., Monday - Saturday. Buildings will be earth-toned. They do not anticipate applying for a building permit prior to final plant recordation. The intent is to get approval of everything but the six additional "future" buildings. They have contacted the irrigation district. Fencing will be chain-link with screen slats.

Mr. Tankersley referred to the comments received. They have addressed traffic and worked with appropriate agencies. A traffic study was required and approved; it did not require a turn-lane. They are proposing a greater than 100-ft setback. Landscaping and nice-looking project. People do not want to build their homes along the highway. This use does not belong in downtown McCall. There is not much vacant land near McCall. There is a lot of trees planned. There is ample snow storage area.

They have met with Garrett de Jong of McCall Fire Department and will meet the Department's requirements. The site is not within the airport zone of concern. Mr. Tankersley referred to information taken from a recent report on the McCall Airport and its effect on the land to the south. (**Exhibit 5**)

The applicant and Mr. Tankersley responded to questions from the Commissioners. Only employees will have access to stored boats. = Building 1 will include a showroom, sales area, and service area. There will be security gates, accessible by Emergency Services. A private road is proposed. Future adjacent property owners and access were discussed. ITD wanted the "jog" in the road. The housing would be provided for employees to recruit and retain employees. The lots might be sold for residences for private ownership. No outside storage. Translucent panels on storage buildings to let in light. There would be regular windows on Building 1.

Perc testing is in process. The office space would have a have its own septic as would the RV location and residential lots. The building heights of the storage buildings would be within a

foot difference due to topography and retaining walls.

Chairman Defoort asked for proponents.

Scott Turlington, Tamarack Resort, said that Idaho Water Sports has been a valuable partner and would like their service to be available locally. This would benefit Tamarack Resorts' future plans.

David Kyle supports the use. It will have attractive and functional buildings. This use would decrease vehicles towing outdoor recreational equipment on Highway 55.

Chairman Defoort asked for undecided. There were none.

Chairman Defoort asked for opponents.

Tim Deinhard, McCall, has seen tremendous amount of traffic and growth. Part of the business proposal includes shuttling boats to and from the docks. This increases the daily traffic of the boats along Highway 55. The Commission should limit and specify exactly what will be built, not promises.

Jason Wright, 14107 Highway 55, is concerned how fuel, oil, soap, detergents, etc. will be contained and disposed of. He is concerned about effects on the water and septic systems.

Chairman Defoort asked for rebuttal from the applicant.

Gordon Hansen replied that the business model is a seasonal service for boat owners with waterfront property; it is not a daily shuttle service. The intent is to hold all the property for the benefit of the company. There are no plans to store fuel on site. Waste oil is valuable as a heat source and will be used to heat buildings. Water usage is regulated by Department of Environmental Quality (DEQ) regulations; they will recycle and treat water for the service facilities. Shop drains cannot be connected the ground. The primary use of well water will be for bathrooms and irrigation. They prefer the residential lots be west of the commercial use, further from the highway.

[Due to video issues with livestream recording, a new session was started: PZ Meeting March 11, 2021 #2.]

Gregg Tankersley anticipates that the septic design process will involve CDH and DEQ as part of the final design process. They are still collecting ground water information. The sits in a low-lying area. They four lots will have four wells. The well for the commercial space lot will have low use for the business and be primarily used by the RVs and landscaping. The landscaping will be drought-tolerant plants and use drip irrigation system. People do not want their homes along the highway. Two lots could be sold, and duplexes built on the other 2 lots.

Chairman Defoort closed the public hearing.

The Commission deliberated. They agree it is best to place houses away from the highway. Seasonal transport with occasional use for service, etc., will reduce the Highway 55 traffic compared to daily shuttles of trailers. This is a well-put-together application. Commissioner Cooper noted that the 45-day period for the City of McCall to comment has not yet been met. Chairman Defoort wants the traffic plan & ITD approval letter submitted for the file. The application is requesting preliminary approval of subdivision and commercial use of part of the site. The applicant will need to show that the conditions of approval requirements have been met before the subdivision plat can be recorded. Chairman Defoort would prefer more information on Lots 2, 3, and 4. The Commission understands the public's sentiment of open pasture areas but growth is occurring. There is not a lot of room within the City of McCall. Access along the highway is better for businesses; business buildings can absorb the sound instead of homes. The application includes landscaping, tree, berms, and an attractive facility. Valley County is a recreational community; this proposal promotes recreation and a recreational economy.

COA: Hours of operation will be 9:00 a.m. to 6:00 p.m., Monday – Saturday.

COA: Must submit approval traffic study and approval letter from Idaho Transportation Department.

COA: Shared access easement is allowed from Highway 55 with access to lots from the private road.

COA: Letter from Lake Irrigation District should be submitted concerning if the District will be impacted.

COA: No fueling allowed on site.

COA: Must have approval from Central District Health and Department of Environmental Quality for septic, drains, and water usage.

COA: Must allow access to adjoining property off the private road if they agree to participate in maintenance and snow removal.

COA: If there are substantial concepts from the City of McCall in accordance with Valley County Code 10-1-4, they will be incorporated into the final plat submittal. If not acceptable to applicant and there is no agreement, staff will set another public hearing.

COA: Must submit site plan with landscaping concepts for the multi-family lots with the final plat submittal package.

COA: No outside storage of boats for sale.

Conditional use permit will not be issued until after 45 days from the noticing of City of McCall that occurred on Feb. 9, 2021.

Commissioner Benton moved to approve C.U.P. 21-01 Hansen Acres Subdivision – Preliminary Plat with the stated conditions. Commissioner Freeman seconded the motion. Motion carried unanimously.

Chairman Defoort explained the ten-day appeal period to the Valley County Board of Commissioners.

Short-recess; recording was muted.

8:10 p.m.

2. C.U.P. 21-02 Hamblin Multiple Residence/Residential Business: James Hamblin and Melinda Voicu are requesting a conditional use permit for three residential homes on one parcel and a shop that will also include their home-based masonry business. The residences will include a primary residence, mother-in-law residence, and a small home for guests. All buildings will be less than 25-ft tall due to FAA restrictions. Wells and septic systems are proposed. Access will be from a shared driveway onto Norwood Road, a public road. The property is approximately 32 acres that was a part of RP18N03E282405. It is located in the SENW Section 28, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

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

Chairman Defoort asked for the Staff Report. Staff presented the staff report.

Chairman Defoort asked for the applicant's presentation.

James Hamblin and Melinda Voicu, 14141 Highway 55, are willing to build 30+ feet from the actual property line, greater than the setback required by Valley County. They will screen the site using landscaping. There will not be daily use of the site by employees. There is a 2-ton dump truck and 2-ton flatbed which will be stored on-site. Most materials are delivered to job sites, not their personal home. Sometimes equipment is repaired on weekends at their home. They have been in contact with the Army Corps of Engineers and Idaho Power regarding the wetlands and underground power. They will do power overhead on part of the property instead of attempting underground power through the wetlands. They will properly maintain vehicle and use the waste oil in a oil-burner heater. The applicant referred to correspondence with Lake Irrigation District. They could work with the future property owners of adjoining parcels to form an association for water, but it is unknown at this time if they will.

Chairman Defoort confirmed that the people in audience are not here to testify for this application and asked for telephonic testimony. Chairman Defoort asked for proponents.

Tim Deinhard is not sure where the actual property line on the ground. The existing fence line is not the property line. He appreciates the 30-ft setback.

Chairman Defoort asked for undecided.

Jason Wright, 14107 Highway 55, said that the applicant will be building right behind his house. There are also fence line issues with his adjoining property. He asked for clarification of the location of the overhead power lines.

Chairman Defoort asked for opponents. There were none.

Chairman Defoort asked for rebuttal from the applicant.

Ms. Voicu discussed the site of the large trees and the wetland. The power lines will be a mix of overhead and underground; exact locations still being determined with Idaho Power. Culverts will allow for separation of homes. The driveway will go from Norwood Road, along the canal outside the maintenance road. There is an existing access easement to the property.

Chairman Defoort closed the public hearing.

The Commission deliberated. They stated they see no red flags for this applicaiton.

COA: East property setback shall be 30 feet.

COA: Shall comply with Lake Irrigation District requirements if they want to use water.

COA: Shall mark property lines prior to construction.

Commissioner Benton moved to approve C.U.P. 21-02 Hamblin Multiple Residence/Residential Business with the stated conditions. Commissioner Cooper seconded the motion. Motion carried unanimously.

Chairman Defoort explained the ten-day appeal period to the Valley County Board of Commissioners.

8:30 p.m.

3. C.U.P. 21-03 Tamarack Resort P.U.D. – Aspen Ridge – Preliminary Plat: Tamarack Resort Two is requesting a conditional use permit to amend a portion of Tamarack Resort Planned Unit Development Phase 1 Village Block 19. The plat would include 18 single-family lots, a new private road, a shared driveway, and open space lots. Access would be from Village Drive, a private road. The site is served by Northlake Recreational Sewer and Water District and Tamarack Municipal Water System. The 16-acre site is in NE ¼ Section 5, T.15N, R.3E, B.M., Valley County, Idaho. Action Item.

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

Chairman Defoort asked for the Staff Report. Staff presented the staff report and summarized the following exhibits:

- **Exhibit 1** – Donnelly Fire District responded about road standards (March 11, 2021)
- **Exhibit 2** – Donnelly Fire District’s revised letter dated Feb 22, 2021
- **Exhibit 3** – Email and letter from attorneys for Angstman Johnson

Valley County Code 9-9-7.5 references open space in planned unit developments. Substantial changes from original approved P.U.D. 98-01 will require approval from both Planning and Zoning Commission and Board of County Commissioners. Plats such as this one were anticipated in the original approval.

Chairman Defoort asked for the applicant’s presentation.

Chris Kirk, Planning Consultant for Tamarack Resort, and Scott Turlington, president of Tamarack Resort, are representing the applicant.

This proposal does change the use of the site from planned in the original facilities plan as noted in the application and staff report. The site is on a knoll on the eastern side of the Resort, near the main entrance, with lake and mountain views. The name of the subdivision will change due to conflicts with existing Valley County subdivisions.

There are 1484 acres total and 2043 dwelling units were approved. Currently, there are 381 dwelling units which include estate lots, chalet lots, cottages, townhomes, and condominiums. This proposal will add 18 dwelling units; C.U.P. 21-04 will add six more. The 50% open space requirement is currently met.

Chairman Defoort asked for proponents. There were none.

Chairman Defoort asked for undecided.

TJ Angstman, 88 Golden Bar Court, Tamarack Resort, is representing Idaho Pacific Investments who are the current owners of what was the golf course at Tamarack Resort. His concerns:

1. Does the open space calculation include the property owned by his clients which Tamarack Resort does not own anymore? His clients are not required to maintain the former golf course as open space and may develop it.
2. There is an historic access through this proposed subdivision that they have an easement on. Historic easements in use at the time property was divided are valid easements. The owners of Tamarack are not willing to stub a 70-ft access at this time. He wants the Commission to be aware of this and his clients' desire for access.

Chairman Defoort asked Mr. Angstman questions regarding future development of the Idaho Pacific Investments property and other accesses to their property. Mr. Angstman said that future development of the "golf course" may be in litigation for several more years. There is only one legally platted access: through Blue Mountain Subdivision which was platted but not developed. Tamarack Resort owns a strip a land along West Mountain Road, separating the Idaho Pacific Investment property from West Mountain Road. Mr. Angstman stated that "implied easements" exist to the Idaho Pacific Investment property.

Chairman Defoort asked for opponents. There were none.

Chairman Defoort asked for rebuttal from the applicant.

Scott Turlington agrees there will be a lot of litigation. Tamarack Resort disagrees with Mr. Angstman regarding access and water to the "golf course" property. The golf course property is still within the approved P.U.D. open space.

Chris Kirk stated that there is an easement to the "golf course property" but at a different location that Mr. Angstman referred to. He showed this easement on the preliminary plat. The "older road" is shown on the preliminary plat but it is not a platted access nor a recorded

easement. During 2015-2107, the site was used during Huckleberry Jam as an access for camping, previous large boulders vehicular restricted access to the meadow area.

Mr. Krik and Mr. Turlington responded to questions from the Commissioners. Employee housing includes rentals at Mountain View RV park, workforce housing within Tamarack Resort, and off-site rentals. There are currently about 60 beds for employees. The P.U.D. includes on-site housing requirements for employees.

Administrator Herrick responded to Commissioners questions regarding the P.U.D. process; the approved use goes with the land, not the owner. There is a comprehensive plan of various uses for Tamarack Resort. The Facilities Plan documented approved uses per specific locations. The C.U.P. / preliminary plat application is where they get their recorded approval.

Chairman Defoort closed the public hearing. Discussed matters should be relevant to this specific application. The Commission deliberated. This is a preliminary plat. The lots are bigger lots This fits in with the current approved P.U.D. There are no substantial changes to the previous approved P.U.D. The P.U.D gives flexibility for the locations of various uses (Section 1) The applicant is deciding where to best fits houses and other uses. The applicant is not near the maximum of dwelling units allowed. The P.U.D. approval process anticipated that there would be changes and modifications over time. The 30-ft-wide access easement was discussed. The Planning and Zoning Commission is reviewing land use, not determining if an easement is “legal”.

COA – If there is a legal easement through this property, it must be shown on the plat.

The Commissioners believe the applicant is meeting requirements for employee housing. The Capital Contribution Plan was discussed; Tamarack Resort is working with the Board of County Commissioners and the Road Department.

Chairman Defoort reopened the public hearing.

Administrator Herrick stated that the previous owners of Tamarack Resort left engineering fees unpaid. Taxpayer money was used to reimburse the Valley County Engineer.

Scott Turlington said the engineering payments will be paid.

There were no further comments on the topic.

Chairman Defoort closed the public hearing.

Commissioner Freeman moved to approve C.U.P. 21-03 Tamarack Resort P.U.D. – Aspen Ridge – Preliminary Plat with the stated conditions. Commissioner Cooper seconded the motion. Motion carried unanimously.

Chairman Defoort explained the ten-day appeal period to the Valley County Board of Commissioners.

9:25 p.m.

4. C.U.P. 21-04 Tamarack Resort P.U.D. – Crest Court – Preliminary Plat: Tamarack Resort Two is requesting a conditional use permit to amend a portion of Tamarack Resort Planned Unit Development Phase 2.1 Block 6. The plat would include 6 single-family lots, a new private road, a shared driveway, and a recreational-easement lot. Access would be from Whitewater Drive, a private road. The site is served by Northlake Recreational Sewer and Water District and Tamarack Municipal Water System. The 6.6-acre site is in SW ¼ Section 32, T.16N, R.3E, B.M., Valley County, Idaho. Action Item.

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

Chairman Defoort asked for the Staff Report. Staff presented the staff report and summarized the following exhibits:

- **Exhibit 1** – Donnelly Fire District responded about road standards (March. 11, 2021)
- **Exhibit 2** – Donnelly Fire District revised letter dated Feb 22, 2021

The Tamarack P.U.D. does have an approved wildfire protection plan.

Chairman Defoort asked for the applicant's presentation.

Chris Kirk, Planning Consultant for Tamarack Resort, said the site is at the top of the Whitewater area. It was originally anticipated to be 18 villa lots; therefore, there is a reduction in density with the proposed change to six estate lots. One can ski down to this area from the Buttercup Run. The applicant agrees with all conditions of approval stated in the staff report.

Chairman Defoort asked for proponents.

Jeff Neumeyer built his house at 656 Whitewater Drive in 2016-2017 near this proposed subdivision and fully supports the proposal. He referred to the recreational easements on the plat. Chris Kirk is very thoughtful on how homes should be placed on the lots.

Chairman Defoort asked for undecided. There were none.

Chairman Defoort asked for opponents. There were none.

Chairman Defoort asked for rebuttal; the applicant choose not to make additional comments.

Chairman Defoort closed the public hearing.

The Commission deliberated. This fits with the existing PUD

Commissioner Benton moved to approve C.U.P. 21-04 Tamarack Resort P.U.D. – Crest Court – Preliminary Plat with the stated conditions. Commissioner Freeman seconded the motion. Motion carried unanimously.

Chairman Defoort explained the ten-day appeal period to the Valley County Board of Commissioners.

9:40 p.m.

5. Ordinance Amendment 9-6-2 Flood Prone Areas: This amendment is being proposed to allow legally platted lots that existed on February 1, 2019, and are in a floodplain to be developed. If there is no portion of the lot where the structures can be located outside the identified flood prone area, then a permit can be issued so long as there is compliance with subsection D and Title 11 of the Valley County Code. (Previously heard, but recorder shut off ten minutes before the end of the hearing.) Action Item.

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

This matter was previously heard on January 14, 2021; however, there was an issue with the video recorder. Thus, an additional public hearing is being held.

Chairman Defoort asked for the Staff Report. Staff presented the staff report. This matter could be tabled to a future date to observe high water in the spring. Regardless the matter will need to go to the Board of County Commissioners for an additional public hearing.

The majority of lots identified by Mr. Kellor were rural parcels or open space lots, not subdivision platted lots for building purposes. Some of the parcels/lots were partially within the floodplain with areas still available for building purposes. The rural parcels that Mr. Kellor identified cannot be developed into subdivisions because lots cannot be developed that are completely within the floodplain. Any building permits for the existing lots within the floodplain would require base flood determinations.

Administrator Herrick summarized the following exhibits:

- **Exhibit 1** – Mark Lotta’s email received March 9, 2021; owner of Blackhawk on the River Lot 91.
- **Exhibit 2** – Email correspondence from Jim Pfeifer
- **Exhibit 3** – Floodplain analysis by Kara Utter, Valley County GIS

Chairman Defoort stated for the record that there is no one in the audience.

Chairman Defoort asked for proponents.

Mark Lotta, Wisconsin, owns two lots within Blackhawk on the River that were purchased over 10 years ago. He is now in a position to build on one lot and has a builder and architect ready for this season. Due to the ordinance, one lot is now unbuildable and not salable. He has not seen evidence of flooding on his lot. Existing lots should have been “grandfathered in” as buildable lots. He has been paying taxes and the property has been assessed as if it was a buildable lot.

Chairman Defoort asked for undecided. There were none.

Chairman Defoort asked for opponents. There were none.

Chairman Defoort closed the public hearing.

The Commission deliberated. Property assessments were discussed, and the effect of a lot know being unbuildable. Mr. Lotta plans on building this year. This may or may not be a high flood year. The head gate on the ditch and its effect on three lots was discussed.

[Due to video issues with livestream recording, a new session was started: PZ Meeting March 11, 2021 #3.]

Chairman Defoort said based on public testimony and new information, she is comfortable recommending approval of the ordinance to the Board of County Commissioners who will also hold a public hearing on this matter. The other Commissioners agreed. Administrator Herrick clarified that before Valley County will issue a building permit issued, Mr. Lotto will need to identify the base flood elevation (BFE). All buildings on his lot must be constructed two-feet about the BFE and have proper flood venting.

Commissioner Freeman moved to recommend approval of Ordinance Amendment 9-6-2 Flood Prone Areas to the Board of County Commissioners. Commissioner Benton seconded the motion. Motion carried unanimously.

Chairman Defoort explained the ten-day appeal period to the Valley County Board of Commissioners.

F. FACTS AND CONCLUSIONS – Action Items:

- C.U.P. 20-28 Eis RV Site
- C.U.P. 20-34 RHP RV Site
- VAC 20-04 Workman Vacation of Utility Easement

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

Administrator Herrick mentioned two documents that the Commissioners received tonight:

- Correspondence from the Lake Irrigation District
- Payette River Scenic Byway Advisory Committee's recommended considerations for the Scenic Byway (Highway 55)

Chairman Defoort adjourned the meeting at 10:08 p.m.