

# Valley County Planning & Zoning Commission

PO Box 1350  
219 North Main Street  
Cascade, ID 83611-1350



Phone: 208-382-7115  
Fax: 208-382-7119  
Email: [cherrick@co.valley.id.us](mailto:cherrick@co.valley.id.us)  
Website: [www.co.valley.id.us](http://www.co.valley.id.us)

Johanna Defoort, Chairman  
Scott Freeman, Vice-Chair

Brian Benton, Commissioner  
Ray Cooper, Commissioner  
Neal Thompson, Commissioner

## MINUTES

Valley County Planning and Zoning Commission

April 8, 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:	Present
P&Z Technician – Lori Hunter:	Present

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

**1. VAC 21-01 Vacation of Utility and Drainage Easements:** Steve and Merrie Chapman are requesting a vacation of 10-foot-wide utility and drainage easements that are centered on the lot lines between Lot 244 and 245 of Gold Dust Ranch No. 2. The site is addressed at 57 and 59 E Prospector Drive and is in the SW ¼ Section 10, T.13N, R.4E, Boise Meridian, 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.

Chairman Defoort asked for the applicant's presentation.

Steve and Merrie Chapman, 1935 E Lockmeadow ST, Meridian, want to build across the lot line. They own both lots. In response to the neighbor's comment, the natural drainage is to the west part of the property while they will build closer to the road on the east side of the lots.

Chairman Defoort asked for proponents. There were none.

Chairman Defoort asked for undecided. There were none.

Chairman Defoort asked for opponents. There were none.

Chairman Defoort asked for rebuttal from the applicant.

Chairman Defoort closed the public hearing.

The Commission deliberated. They saw no issues. Idaho Power is not opposed.

Commissioner Benton moved to recommend approval of VAC 21-01 to the Board of County Commissioners. Commissioner Thompson seconded the motion. Motion carried unanimously.

6:08 p.m.

**2. C.U.P. 09-01 Blackhawk Lake Estates Phases III & IV – Extension Request:** LB Industries is requesting a two-year extension of the conditional use permit and preliminary plat that expire on April 22, 2021. The original approval was for nine residential lots and 1 common lot. The 25.87-acre site is located on the west side of Blackhawk Lake in N ½ Section 2, T.17N, R.2E, Boise Meridian, 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. Valley County Code allows for extensions allowed if applicant is making progress towards completion.

Chairman Defoort asked for the applicant's presentation.

Stephanie Hopkins, KM Engineering, 5725 N Discovery Way, Boise, represented the applicant. A two-year extension is requested. They are working with Idaho Department of Quality (DEQ) to further evaluate the options for sewer/septic systems once the snow melts this spring. A community drainfield was previously approved; however, they may change to individual septic systems for the lots. They are hoping to finalize the platting process this fall and complete site improvements in 2022. The road construction has not been finalized. The Wildfire Mitigation plan is current. Ms. Hopkins will follow up on this and make sure staff has a copy.

Administrator Herrick stated that the surrounding Blackhawk Lake subdivisions have approved wildfire mitigation plans.

Chairman Defoort asked for proponents. There were none.

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. Another two-year extension will allow them to continue to move forward. Staff does not have any issue with another extension approval. The developer is in compliance with the current subdivision codes. No opposition has been received.

Commissioner Benton moved to approve the two-year extension request for C.U.P. 09-01 Blackhawk Lake Estates Phases III & IV 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.

6:25 p.m.

**3. C.U.P. 21-05 Lake Fork Industrial Center:** Unique Holdings LLC is requesting a conditional use permit for two 80-ft by 100-ft commercial buildings and a storage building. The buildings would include shop space, bathrooms, kitchenettes, and two rental apartments. The approved commercial use would include office, retail, and light industrial. The 2.5-acre site would be accessed from Pleasant Acres Drive using a shared driveway. The site is Lots 7A & 7B of Krueger's Folly Subdivision in the SW ¼ Section 3, T.17N, 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 *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** – Driveway Approach Permit Application Submitted to Road Department in 2016
- **Exhibit 2** – Lake Irrigation District letter (April 1, 2021)
- **Exhibit 3** – McCall Fire & EMS requirements (April 2, 2021)

Chairman Defoort asked for the applicant's presentation.

Matthew Nethaway, 14199 Franklin Road, McCall, said their business has grown and more space is needed. They plan to initially occupy half of one building with their business and rent out the rest to other commercial businesses. The building will be built with the ability to partition the building for renters to use with separate utilities. Their business includes machining metal and aluminum projects. Storage of hazardous materials will occur in small quantities but nothing in 5-gallon drums; chemicals will be locked in fire-safe cabinets.

The most current plot plan has an entrance from Pleasant Acres Drive; the other plot plat is from the previous C.U.P. 15-17 approval. There will be no parking in the 100-foot setback from Highway 55. The landscaping plan is same as approved with C.U.P. 15-17 at the same site.

The Commissioners, Staff, and applicant discussed landscaping requirements for both Highway 55 and Pleasant Acres Drive. The requirement is one tree per 25-feet, planted in clusters and irrigated.

In regard to parking, 8-10 employees are expected. Office space is included in the buildings; potential renters may need some office space for clients. Two apartments are proposed for the second floor of the south building. The lower level may be their business or for rental to other uses. The business types are not currently specified but the same type of business are proposed as in C.U.P. 15-17. They would like some flexibility in the number and type of businesses that would occupy the buildings. They want similar businesses to their business, including light industrial or storage of materials. Four businesses in a building would likely be maximum.

Administrator Herrick referred to the types of uses that are allowed and prohibited; these are listed in the application.

There would be no outside storage or disposal of chemicals on the property.

Commissioner Benton would like applicant to reach out to the residence across Pleasant Acres Drive regarding the landscaping. Commissioner Cooper would like clarification regarding Lake Irrigation District's letter. The applicant said they have been in contact with Lake Irrigation District. There is a buried water pipe as shown on plat and along the proposed service road; the road will not be built on the easement.

Administrator Herrick clarified that approval of this conditional use permit would null C.U.P. 15-17. However, the information the applicant included in the application from C.U.P. 15-17 would be valid.

James Corbett, 14155 Jefferson Road, McCall, is one of the applicants. He understands that a water storage tank will be needed on site to meet the needs of McCall Fire District,

Drainfield location was discussed. Drain fields can be within the setback from Highway 55 although the proposed site is in the southeast corner of the property.

Administrator Herrick read from Valley Code regarding landscaping requirements; this was also noted in the staff report. Landscaping is needed along both Highway 55, east property line, and Pleasant Acres Drive. Groves of trees can be planted.

Proposed fencing was described by Mr. Corbett. A gate will be placed at the service road entrance along Pleasant Acres Drive. Lighting will comply with Valley County Code.

The questions in the staff report were reviewed. Fourteen percent of the site will be devoted to buildings, 40% in landscaping, 23% in roadways/parking, and 2% for storage. Storage on the site will either be a permanent building or railroad car. Earth toned buildings as shown in drawings submitted. There will be parking sites between the buildings.

Chairman Defoort asked for proponents. There were none.  
Chairman Defoort asked for undecided. There were none.  
Chairman Defoort asked for opponents. There were none.

Chairman Defoort would like more information, such as landscaping plan and driveway approach, to be submitted for Staff's review and approval.

The applicant is agreeable to the hours of 7:00 a.m. to 10:00 p.m., 7 days per week.

Chairman Defoort closed the public hearing.

The Commission deliberated. This is a good opportunity for the company; they have a well-presented plan. It is an extension of the adjacent uses at Lake Fork. Small businesses opportunities are needed. They have addressed concerns. Lake Fork area is a central location of these types of businesses. Landscape plan and approach permit are needed. The apartments are needed.

**COA:** Landscaping plan approved by Staff prior to any construction.

**COA:** Hours of operation are 7:00 a.m. to 10:00 p.m., 7 days per week.

**COA:** A letter of approved access issued by Valley County Road Department is required.

Commissioner Benton moved to approve C.U.P. 21-05 Lake Fork Industrial Center 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.

7:10 p.m.

**4. C.U.P. 21-06 Moon View Ranch Subdivision – Preliminary Plat:** Mathew Falvey and Joanne Young are requesting a conditional use permit for a 13-lot single family subdivision on approximately 63 acres. Lots would be accessed from Moonridge Drive onto a private road. A shared driveway is proposed. Proposed lots sizes are 2.06 to 12.2 acres. Individual wells and septic systems are proposed. The site is parcel RP18N03E297805 in Section 29, 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 *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** – Lake Irrigation District letter (April 1, 2021)
- **Exhibit 2** – McCall Fire & EMS' requirements (April 2, 2021)
- **Exhibit 3** – Valley County Pathway's responses (April 6, 2021 and April 1, 2021)
- **Exhibit 4** – Payette River Subdivision No. 2 Property Owner's Association (April 2, 2021)
- **Exhibit 5** – Sharon Hudson's opposition response (April 2, 2021)
- **Exhibit 6** – Mike DeBoer comments (April 5, 2021)
- **Exhibit 7** – Gary and Vickie Blaylock's comments (April 1, 2021)

- **Exhibit 8** – Brundage Mountain Resort LLC comments regarding Activity Barn and requested CCR requirements for future owners (April 1, 2021)

Commissioner Thompson asked about the 30,000-gallon water storage tank required by the McCall Fire District for structural fires. Staff said this is required for rural developments. The proposed cul-de-sac is over 900 feet long and will require approval of the Commission. The use of the “flag”, the pathway easement, and minimum lot size were discussed. The applicant will need to give more information.

Chairman Defoort asked for the applicant’s presentation.

Matthew Falvey, 781 Stockton Court, McCall, is the applicant. Amy Pemberton is also available to answer questions telephonically.

The arcs in road will follow natural contours and give a country feel to the development. The road grade does not exceed 10%. The buried water tank location was pointed out on the preliminary plat. They are currently monitoring test holes with Central District Health and do not anticipate issues. Crestline Engineers did attend today’s Lake Irrigation District meeting and has spoken with the District. They did not deny the proposal.

Mr. Falvey is not sure how accessible fiber conduit will be; it is not currently available in area. Chairman Defoort stated that the Commission is planning for future development. Mr. Falvey said he could provide conduit. The “flag” was deeded in the sale as an access to part of the property. It is not proposed as an access to Moonridge Drive. Irrigation easements were discussed. Lake Irrigation district is wanting an easement for ditch maintenance. The “flag” on Lot 3 allows frontage on a roadway as is required in the subdivision code. There will be a shared driveway through Lot 2 to access Lot 3.

The pathway is an existing permanent easement. The applicant has an agreement with Valley County Pathways. Signage will be initially provided by the developer; maintenance and sign replacements will be provided by Valley County Pathways.

The applicant will propose a new road name.

Access for parcel RP18N03E297955 was discussed. Mr. Falvey is not opposed to the other property owner using the private road for access but does not want it to be a requirement. Amy Pemberton responded that she was involved with the record of survey and property division of original property. This subdivision combines three parcels and therefore already removes two crossings of the pathway. The pathway easement has been recorded. There is also a recorded easement for Lake Irrigation District. Notice has been previously recorded regarding the Activity Barn.

The buried fire tank will be filled initially. The Homeowner Association will be responsible for any refill of the tank; this will be added to the CCRs.

Regarding Staff Report question # 6, the typo in the CCRs which will be corrected.

Final plat should list instrument number for the pathway easement. Administrator Herrick also stated that 35 feet from the center of Moonridge needs to be platted along subdivision boundary as road right-of-way.

Power is intended to be underground. There are existing utility easements to adjacent property owners. The applicant will work with Idaho Power.

Chairman Defoort asked for proponents.

Steve Stuebner, 711 Broken Rein, McCall, is the president Valley County Pathways. They were very pleased to get the permanent easement from the Deboer's prior to the property split and subsequent sales. They are concerned with numerous driveways crossing the pathway. This proposal limits one road access for 13 lots. They are working with developer to maintain access for both summer and winter trail use. They have an agreement with developer. He wants the PZ Commissioners to be aware of future issues with access from other parcels and possible effect on the pathway. They want to preserve the trail. The trail is groomed with McCall LOT money and volunteer time. They also receive donations from individuals and the Payette River Subdivision No. 2. Use of the trail is free to the public.

Chairman Defoort asked for undecided. There were none.

Chairman Defoort asked for opponents. There were none.

The applicant clarified that the private road would be a graveled surface.

Chairman Defoort closed the public hearing.

**COA:** All lots should have access off the private road.

**COA:** Must bury conduit for fiber optics with utilities.

**COA:** Must dedicate a 35-foot right-of-way to Valley County for Moonridge Road.

**COA:** Irrigation easements must be shown on plat.

**COA:** At time of final plat, will update Commission on access to interior parcel.

**COA:** Must place a note documenting the recorded pathway agreement on the face of the plat and in the CCRs.

**COA:** Should notice lot owners of the presence of the Activity Barn and the potential for future expansion.

The Commission deliberated. They agreed that the road is adequate to provide access for the 13 lots. The water tank is sufficient.

Commissioner Benton moved to approve C.U.P. 21-06 Moon View Ranch Subdivision and the 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.

8:05 p.m. – short recess

**5. C.U.P. 21-07 Jug Mountain Ranch Storage Units:** Jug Mountain Ranch LLC is requesting a conditional use permit for four new buildings for recreational vehicle storage. Building size would be 5,616 to 6,240 sqft each. The site is Jug Mountain Ranch Phase 1, Stage 2, Lot 55, Block 4. The parcel is addressed as 280 Jug Mountain Ranch RD in the SW ¼ Section 1, T.17N, 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.

David Carey, 13895 Lang Court, McCall, said the goal of this proposal is to make things look nice and tidy. A map and site plan were projected on the large screen (**Exhibit 1**). The site will be used for long-term storage to keep individual homesites tidy. Seasonal items are currently stored there by homeowners; this will allow covered storage. Additional buildings will be added as needed by property owners. The first building will have 12 bays, a gravel floor, and be tan-and-gray-colored to coordinate with existing structures on lot. Lighting will be inside the buildings and be compliant. No fence or gates. A new berm with plant screening along west side will improve view from neighbors on the west side. There are already berms in the area; they will add additional berms and more trees. Dry storage buildings. No septic system or well needed as Jug Mountain Ranch has their own sewer and water system. The buildings will be owned by Jug Mountain Ranch, not individuals. Jug Mountain Ranch will be charging for the use.

This site is within the McCall Fire District. A portion of Jug Mountain Ranch is within the Donnelly Fire District.

Chairman Defoort asked for proponents. There were none.

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. They had no issues. The application was thorough.

Commissioner Cooper moved to approve C.U.P. 21-07 Jug Mountain Ranch Storage Units with the stated conditions. Commissioner Benton seconded the motion. Motion carried unanimously.

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

8:28 p.m.



**6. C.U.P. 21-09 Osprey Pointe Subdivision – Preliminary Plat:** Biltmore Investments is requesting a conditional use permit for a 14-lot single family subdivision on approximately 4.15 acres. One 7,774 sqft lot would be a common lot with a sewer lift station. Proposed residential lots sizes are 12,830 sqft to 14,224 sqft. Lots would be accessed from Dawn Drive; six shared driveways are proposed. Individual wells are proposed. Sewer would be provided by Northlake Recreational Sewer and Water District. The site is a portion of parcel RP16N03E161805 in the SWSE Section 16, T.16N, 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 *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** – Brett Shepherd, Donnelly Community Pathways Group, submitted information showing pathway plans and map overlay for the area (April 2, 2021).

Staff and Commissioners discussed the public right-of-way dedication and density requirements Valley County Code 9-5C-2B-1c states that 12,000 square feet is the minimal single-family lot size for lots with central sewer system and individual wells.

Valley Soil and Water Conservation District has concerns regarding construction on steep topography in the northern five lots. Administrator Herrick referred to the topo map from the submitted application. The Soil and Water Conservation District wants homes to be set back from the ledge to reduce sluffing and sliding into the lake. The applicant wants to have daylight basements. Previously subdivisions have been required to build 10 feet from ledges, this includes Coho Estates and White Cloud Subdivisions.

Short-term Rentals can be prohibited in CCRs. They cannot be retroactively prohibited unless agreed upon. The proposed minimum building size was not a requirement of Valley County.

Chairman Defoort asked for the applicant's presentation.

Kevin Amar, 12837 Dawn Drive, said they will rename the subdivision. The proposal is for 13 residential lots on the west side of Dawn Drive. They also own property on the east side of Dawn Drive but do not currently have plans to develop it.

Corrections will be made to plat as noted in the staff report. The prescriptive pathway easement across Lot 14 will remain. They will fix the existing fence along Bureau of Reclamation. They will dedicate 70-feet of right-of-way on Dawn Drive. The minimum building requirement is similar to the size of adjacent homes. He met with Steve Stuebner and Brett Shepard today regarding pathway. A pathway will be on the on east side of Dawn Drive and connect with planned pathways in area. They did design for daylight basements. After consulting with engineer, they will meet requirements; the rear setback for Lots 1 – 5 will be increased to 20 feet instead of 7.5 feet required from Bureau of Reclamation land. The upper section is relatively flat and has enough room for the bulk of a home. They will work with Donnelly fire to meet their requirements. They prefer to bury a water tank and connect it to a

well. Conduit for fiber optics will be placed. Short-term rentals will be allowed but all parking must be on site and not block share driveways. Short-term rental occupants will be limited to a maximum of 12 people. Short-term rentals will be addressed in CCRs. ADUs would be allowed.

Staff clarified that lot coverage requirement is 35% for structures that require a building permit.

Chairman Defoort asked for proponents. There were none.

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. This is a good use for this small strip.

**COA:** Stormwater management and pollution plan should be submitted for Lots 1-5 with the final plat showing review and approval by the Valley County Engineer.

**COA:** A 70-foot dedicated public right-of-way along Dawn Drive will be platted in this subdivision.

Commissioner Freeman moved to approve C.U.P. 21-09 Osprey Pointe Subdivision and the preliminary plat with the stated conditions. Commissioner Benton seconded the motion. Motion carried unanimously.

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

#### **D. OTHER ITEMS:**

- 1. Appeal of Administrative Decision: Grandfathered Signs at Clear Creek Station –** Lance and Marissa Heindel are appealing the administrative decision that the open flags are grandfathered and permitted since there have been some variation of open flags flown for years. **(Not a public hearing. Tabled from Feb. 11, 2021)**

Administrator Herrick gave an update and referred to Staff Report #2. The Commissioners should determine if the flags grandfathered? Does Void for Vagueness apply? A grandfathered use is one that existed when the ordinance was adopted. It is also referred to as a “non-conforming” use. Idaho state code 67-6538 was referenced.

Clear Creek Station predated the ordinance so it can continue to operate without a conditional use permit in the manner it was previously used. The non-conforming use goes with the land, not the owner. Staff believes that none of the flags and feathers on the site predate the ordinance; therefore, they would not be a grandfathered use. The ordinance states that non-conforming signs in existence when the ordinance was adopted would receive a grandfathered sign permit. The ordinance was adopted June 27, 1994. Mr. Heindel could apply for a conditional use permit or the ordinance could be amended.

Commissioner Cooper recalls that Clear Creek has always had some type of open sign visible for

travelers on Highway 55. He does not have a problem with these signs at the site. He was also confused by what is and is not allowed by the sign ordinance. Administrator Herrick confirmed that the large sign is grandfathered. Commissioner Freeman said the signs were needed to let people know Clear Creek Station was open during the winter unlike under previous owner. Administrator Herrick said the signs could be allowed under the conditional use permit process. Chairman Defoort says she sees a difference between this small open sign and large feathers. Pictures in the file were taken on a singular date and may have been taken at a time the business was not open. To have more than one OPEN flag, a conditional use permit would be needed. Chairman Defoort suggested amending the ordinance and clearly define size and type allowed. Commissioner Cooper thinks one OPEN sign/flag should be considered as grandfathered. A second flag would require a conditional use permit. Chairman Defoort agreed; she wants the business to be successful. The size of the sign was discussed.

Special banners on the building require a sign permit or conditional use permit.

This decision would also apply to the other grandfathered uses, including Cougar Mountain at Smith's Ferry. The vinyl signs tied on with ropes are different and not allowed.

Conditional use permits go with the land, not the owner.

Commissioner Cooper moved that one grandfathered "OPEN" flag be allowed at Clear Creek Station. Commissioner Benton seconded. The motion passed unanimously.

## **2. Zena Creek Ranch – Grandfathered Activities Determination**

Administrator Herrick wants to document grandfathered use of the Zena Creek Ranch. The letter dated including previous use and pictures of the site. Commissioners discussed current and past use. A change of use would require a conditional use permit. Idaho State Statute regarding non-conformance use was discussed. If the use is changed, it cannot go back to the grandfathered use. The potential owners want confirmation that the current use can continue with structural, safety, and sanitary improvements to cabins, buildings, etc for safety.

Boyd Bouwes, 279 Buckcamp Lane, is a potential buyer of the property. Jim Adkins bought the property from Warren Brown in 1973. His wife rented out the cabins to hunters/fisherman. It has been used as a YCC Camp. There is a mess hall. The property is off-the-grid, so the hydro plant is needed. They need confirmation from Planning and Zoning of "grandfathered uses" to get a review by Central District Health. There is a 20,000-gallon septic tank, water rights, and a filtration system. Midas Gold had also recently housed employees there. There is also a general store, restaurant, RV sites, and cabins. Year-round use of the site. The sawmill is no longer on site. The list of structures on the property was projected on the large screen. The site is approximately 50 acres and consists of two parcels.

The Commission reviewed the submittals detailing the uses along with pictures. The Commissioners agreed that the use predates the Valley County Ordinance. Commissioner Freeman moved that the Zena Creek Ranch use is grandfathered. Commissioner Benton seconded. The motion passed unanimously.

**3. C.U.P. 21-01 JanGo Acres – Revised Site Plan:** Are the proposed revisions within the nature and scope of the approved conditional use permit and preliminary plat?

The developer acquired the property to the west and is platting the road from the highway instead of using the easement as originally proposed. They will also add a shared driveway for Lots 3 and 4 to reduce impacts from road. The applicant wants to add a pond for fire safety and stormwater instead of installing a 30,000-gallon buried tank. The applicant also wants to add a ramp to back boats in for testing instead of transporting them to and from the lake. This would reduce traffic on Highway 55 to test boats.

The Commissioners do not think these changes require an amendment to the conditional use permit. The Commissioners believe the road is a good change and was originally a direction that they would like to see happen. The pond makes sense and improves the site so long as McCall Fire approves. The Commissioners agreed that these changes do not require an amended conditional use permit since there is no change in nature or scope of land use activity.

**E. FACTS AND CONCLUSIONS – Action Items:**

- C.U.P. 20-31 Tall Timber Machining & Lumber
- C.U.P. 21-01 JanGo Acres Subdivision – Preliminary Plat
- C.U.P. 21-02 Hamblin Multiple Residence/Residential Business
- C.U.P. 21-03 Tamarack Resort P.U.D. – Aspen Ridge – Preliminary Plat
- C.U.P. 21-04 Tamarack Resort P.U.D. – Crest Court – Preliminary Plat

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

**F. Work Session – Revisions to Valley County Code**

Staff has set a public hearing on the proposed revisions at the meeting on May 2021

- Addressing
- McCall Impact Area appeals for building codes
- Dwelling Unit definition
- Residential business definition
- Sign Standards - Flags
- Lot splits must comply with Title 11 of the Valley County Code – Flood Control
- Short Plat
- Shared Drive Variance
- Fiber optic conduit requirements
- Public road requirements and maintenance level
- Definition of Subdivision in Title 11-1-2

Chairman Defoort adjourned the meeting at 10:15 p.m.