

Valley County Planning and Zoning

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



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STAFF REPORT: P.U.D. 98-1 Tamarack Resort
C.U.P. 22-09 Osprey Meadows Estates - Preliminary Plat

HEARING DATE: April 14, 2022

TO: Planning and Zoning Commission

STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director

APPLICANT: Martin Pico
c/o Scott Turlington
311 Village Drive PMB 3026
Tamarack, ID 83615

REPRESENTATIVE: Christopher Kirk
311 Village Drive, PMB 316
Tamarack, ID 83615

OWNER: Tamarack Resort Two LLC
c/o Scott Turlington
311 Village Drive PMB 3026
Tamarack, ID 83615

ENGINEER: ABCO Engineering
119 N Midland BLVD
Nampa, ID 83651

SURVEYOR: Dunn Land Surveys
25 Coyote Trail
Cascade, ID 83611

LOCATION: Tamarack Resort Planned Unit Development in the NE ¼ of Section 5,
T.15N, R.3E,
Boise Meridian, Valley County, Idaho

SIZE: 12.69 acres

REQUEST: Amend P.U.D. 98-01 to Relocate Approved Single-Family Residential Lots

EXISTING LAND USE: Bare Land and portion of Golf Course

Martin Pico and Tamarack Two LLC are requesting a conditional use permit for 17-lot single-family subdivision on 13 acres within the Tamarack Resort P.U.D. boundary.

Fifteen (15) estate lots to the east of the existing Osprey Meadows Golf Course and to the southwest of the Poison Creek Campground along West Mountain Road.

Two lots are proposed along Discovery Drive on an area that was originally part of the Osprey

Meadows Golf Course and contiguous to the Tamarack Phase 1 plat.

Lots would be accessed from West Mountain Road (public), Discovery Drive (private), and a new private road.

The lots, setbacks, roadways, and rights-of-ways will be developed to the Tamarack Resort standards set forth in the Design Guidelines.

Central sewer and water would be provided by Northlake Recreational Sewer and Water District and Tamarack Municipal Water System.

The plat would include utility, landscape, and recreational easement areas. Wetlands are delineated on the preliminary plat. Portions of existing trails and golf-court cart path would be modified. An Idaho Power easement would be vacated.

The intent is to develop these lots in concert with the redevelopment and rehabilitation of the Osprey Meadows Golf Course. Some of the golf course was re-aligned, freeing up area for residential lots. The area for 15 of the lots was not called out on the original PUD as an area for development, but as part of the proposed golf course. The applicant is requesting an amendment to the PUD to shift existing allowed residential use to these lots. It is not a request for an expansion of the PUD allowed uses.

FINDINGS:

1. The application was submitted on March 2, 2022.
2. Legal notice was posted in the Star News on March 24, 2022, and March 31, 2022. Potentially affected agencies were notified on March 15, 2022. Property owners within 300 feet of the property line were notified by fact sheet sent March 15, 2022. The site was posted on March 18, 2022. The notice was posted online at www.co.valley.id.us on March 15, 2022.

3. Agency comment received:

Central District Health requires an application and an engineering report. (March 16, 2022)

Jeff McFadden, Road Department Superintendent, said the road is wide with good visibility in both directions. Applicant must apply for an approach permit. (March 17, 2022)

Jess Ellis, Donnelly Rural Fire Protection District Fire Marshal, listed requirements for roads, "No Parking Signs", driveways, address posting, water supply for fire protection, and short-term rentals. (March 19, 2022)

Idaho Department of Environmental Quality (DEQ) provided general comments on air quality, wastewater, drinking water, surface water, hazardous waste, and ground water contamination. (March 25, 2022)

4. Neighbor comment received: none

5. Physical characteristics of the site: Relatively Flat to Rolling Topography.
Wetlands would not be impacted.

6. The surrounding land use and zoning includes:
North: Tamarack Resort PUD – Proposed Aspen Glade Subdivision
South: Tamarack Resort PUD – Osprey Meadows Golf Course
East: Tamarack Resort PUD – U.S. Bureau of Reclamation and Idaho Parks and Recreation – Poison Creek Campground
West: Tamarack Resort PUD – Osprey Meadows Golf Course
7. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:
- 2. Residential Uses (h) Planned Unit Development
 - 2. Residential Uses (c) Subdivision for single-family residence
8. PUD 98-1 Tamarack Resort, a Planned Unit Development as approved by CUP 02-04 and 02-05, as amended in the following list and as originally approved:
- Original WestRock CUP Components Grading, Drainage, Road, Utilities and Related Facilities drawings pertinent to this location (attached)
 - Facilities Program Summary (original)
9. Valley County Code (Title 10): Subdivision Regulations. This title should be reviewed for determination of technical issues of the plat.

Standards are allowed to be relaxed as part of the planned unit development:

- Valley County requires a 70-ft right-of-way width; however, this is a planned unit development, which previously had a reduction in width of right-of-way approved for the internal private roads; original PUD allowed 50-ft rights-of-way.
- The PUD also allows lots to have no frontage on a platted road. (Valley County Code 9-5C-2C).

10-4-4: STREETS:

- A. Conformance With Adopted Standards And Policies: The classification, ownership, design and location of all streets shall conform to adopted standards and policies, and shall be considered in their relation to existing and planned streets, topographic conditions, to public convenience or safety, and in their appropriate relation to the projected traffic demand of the land to be served by such streets.

10-5-1: STREET AND UTILITY IMPROVEMENTS:

- A. Installation Required: Public street, utility, conduit for fiber optics, and other off site improvements, as hereinafter listed, shall be installed in each new subdivision at the subdivider's expense or at the expense of the party agreeing to install the same, in accordance with the minimum standards set forth below prior to the acceptance of any final plat for recordation, except as provided in subsections C and D of this section. A right of way permit will be required (see section 5-7-2 of this code).
- B. Acceptance By County: The county shall not accept the dedication of any public rights of way and any easements shown on the plat, together with appurtenant facilities lying therein which the county would have a duty to maintain after dedication, which are not improved, or construction thereof guaranteed in accordance with the provisions of this title or with the policies, standards, designs and specifications set forth in the road and street specifications adopted by Valley County. The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed. All plats shall contain in their notes this statement: "The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."

Dedication of public rights-of-way does not guarantee that the public road will be maintained by Valley County. Public rights of way are allowed with roads that are maintained by homeowners. Public rights

of way shall be provided through properties to adjacent lands for the purpose of circulation, when reasonable.

- C. **Private Road Declaration:** In the event that private roads, streets and ways are shown on a subdivision plat, the width of the right of way must meet specifications set forth in road and street specifications adopted by the board of county commissioners. A private road declaration shall be recorded and state that the county will have no responsibility for the installation or maintenance of the private roads, shall describe who is responsible for maintenance of the private roads, and describe the construction schedule for the private roads. Construction of private roads shall be the responsibility of the subdivider and shall be constructed to the minimum standards as set forth in the road and street specifications for private roads adopted by the county.
- D. **Declaration Of Installation Of Utilities:** A declaration of installation of utilities shall also be recorded. The declaration shall describe the utilities that will be placed by the subdivider, verify when the utilities will be installed and state that Valley County will have no responsibility for the installation or maintenance of utilities. If all utilities are not installed prior to recordation of the plat, a note shall be placed on the face of the plat that states: "Utilities have not been installed at the time of recordation of this plat".
-

SUMMARY:

No compatibility rating has been done. It was previously done as part of the overall Planned Unit Development.

STAFF COMMENTS:

1. The Commission should be aware that the original Planned Unit Development approved documents included a provision for flexibility in Section I – Application Overview. It reserved the right to modify the Facilities Plan in a number of ways; provided for preliminary and final platting in future phases; and stated the modifications do not materially change any component of the prior approvals, as listed. (attached) In the future if there is a material change the Planned Unit Development would need to be formally amended and process through the Planning and Zoning Commission along with the Board of County Commission as per 9-5H-8.5.
2. I recommend the following changes:
 - Lots 12 and 13 should be Block 2, Lots 1 and 2
 - Lots 14 and 15 should be Block 3, Lots 1 and 2
 - Lots 17 and 16 should be Block 4, Lots 1 and 2
(or some renumbering configuration with 4 different blocks)
3. I recommend that the four lots that front on West Mountain RD share an access point to reduce the number of driveways entering West Mountain RD.

ATTACHMENTS:

- Conditions of Approval
- Vicinity Map
- Aerial Map
- Assessor's Plat – T.15N R.3E Section 5
- Pictures from West Mountain Road – March 18, 2022
- Preliminary Site Plan with Topography
- Approved PUD 98-01 Preliminary Plat Sheets 1, 2, and 3

- Approved PUD 98-01 Appendix B Components Drawings – Sheets 1, 3 and 9
- Resort Facilities Phasing Plan Map, Feb. 12, 2002
- PUD Flexibility - Amendments
- Responses

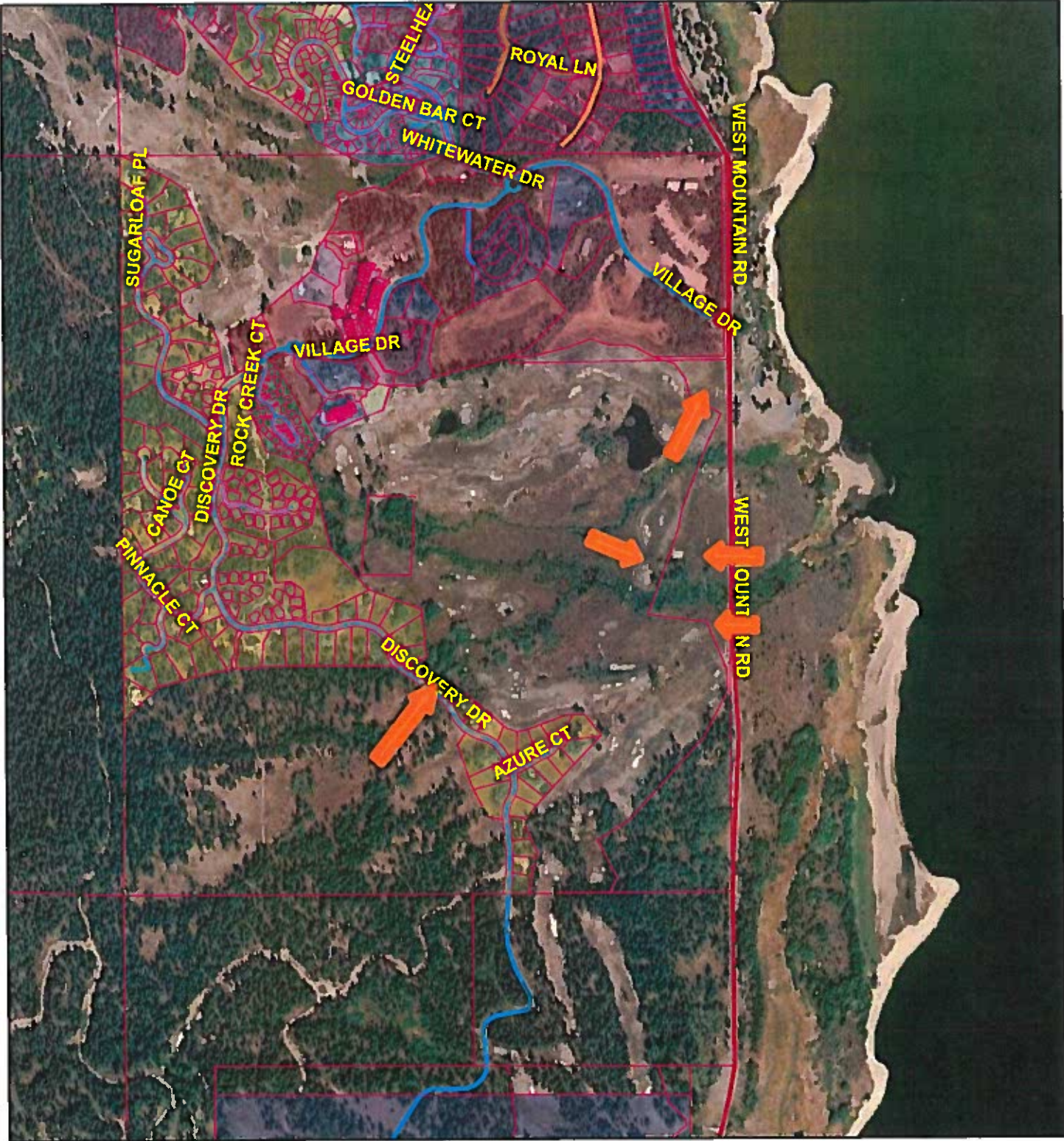
Conditions of Approval

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The final plat for shall be recorded within two years or this permit will be null and void.
4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
5. Must comply with all requirements previously approved as P.U.D 98-01 Tamarack Resort and any subsequent amendments.
6. Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any work being done on-site.
7. Prior to final plat, the applicant's engineer shall certify that the roads have been built to approved standards or be financially guaranteed.
8. Wetlands must be shown on the final plat.
9. Must bury conduit for fiber optics with utilities.
10. Applicant's engineer shall confirm all utilities were placed according to the approved plans.
11. A private road declaration is required to confirm that the road will be maintained by the Tamarack Municipal Association.
12. A letter of approval is required from Donnelly Fire District prior to recording the final plat.
13. Shall work with Southern Idaho Timber Protection Association along with the Donnelly Rural Fire Protection Association to implement the Wildfire Prevention and Protection Plan and amend as agreed.
14. Must have approval from Idaho Power Company for vacation of the easement shown on Page 1 of the Preliminary Plat.
15. CCR's should address, lighting, wildfire prevention, noxious weeds, and limit each lot to one wood burning device.

16. All lighting must comply with the Valley County Lighting Ordinance.
17. Shall place addressing numbers at each residence and at the driveway entrance if the house numbers are not visible from the road.
18. The following note shall be placed in the notes on the face of the final plat:
 "The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."
19. Note 4 should be changed to say Northlake Recreational Sewer and Water District Facilities.
20. Note 7 should include Valley County Planning and Zoning Commission.
21. There should be a note that states all lots shall be accessed from internal Tamarack roads and not West Mountain RD, except for the four lots with no frontage on the internal roads.

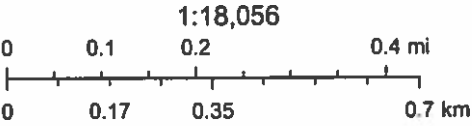
END OF STAFF REPORT

C.U.P. 22-09 Osprey Meadows Estates



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- Parcel Boundaries
- URBAN/RURAL
- All Road Labels
- PRIVATE
- Roads
- County Boundaries
- COLLECTOR
- VALLEY COUNTY






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C.U.P. 22-09 Osprey Meadows Estates



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 Parcel Boundaries  PRIVATE
All Road Labels County Boundaries
Roads VALLEY COUNTY
 COLLECTOR

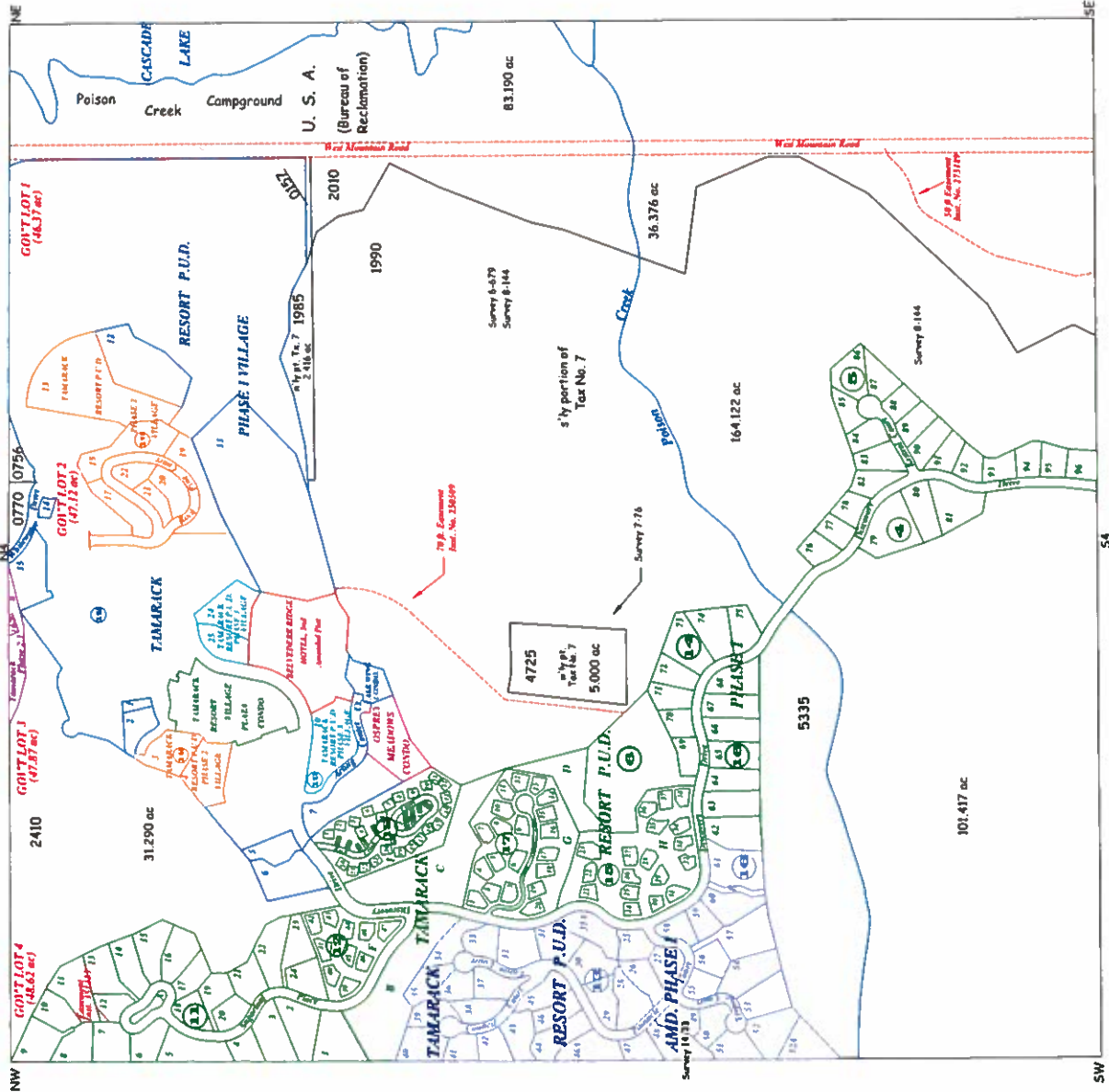
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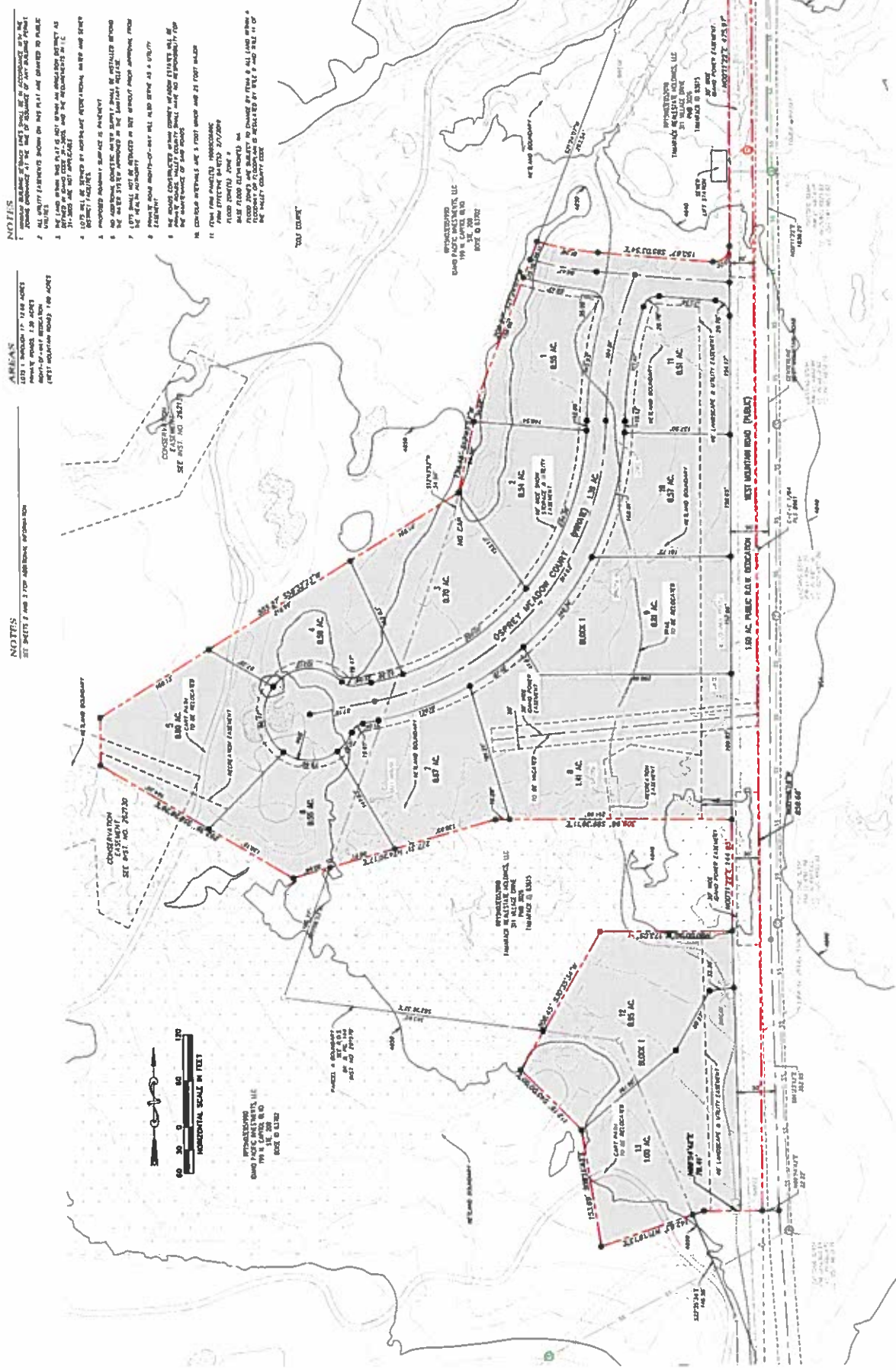
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VALLEY COUNTY
Cartography Dept.
Assessor's Office
Cascade, ID 83611

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| Drawn by: | L. Frederick |

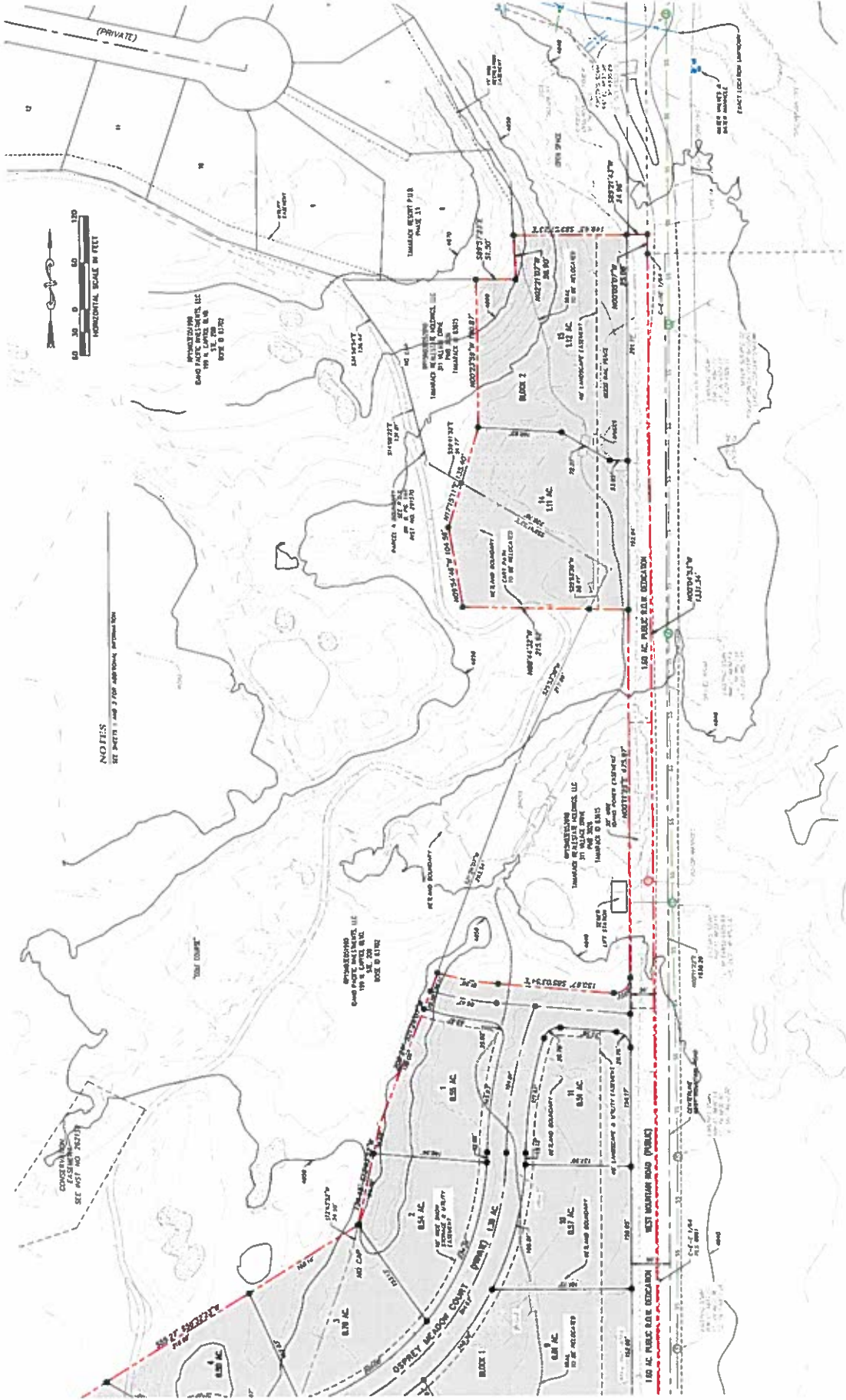


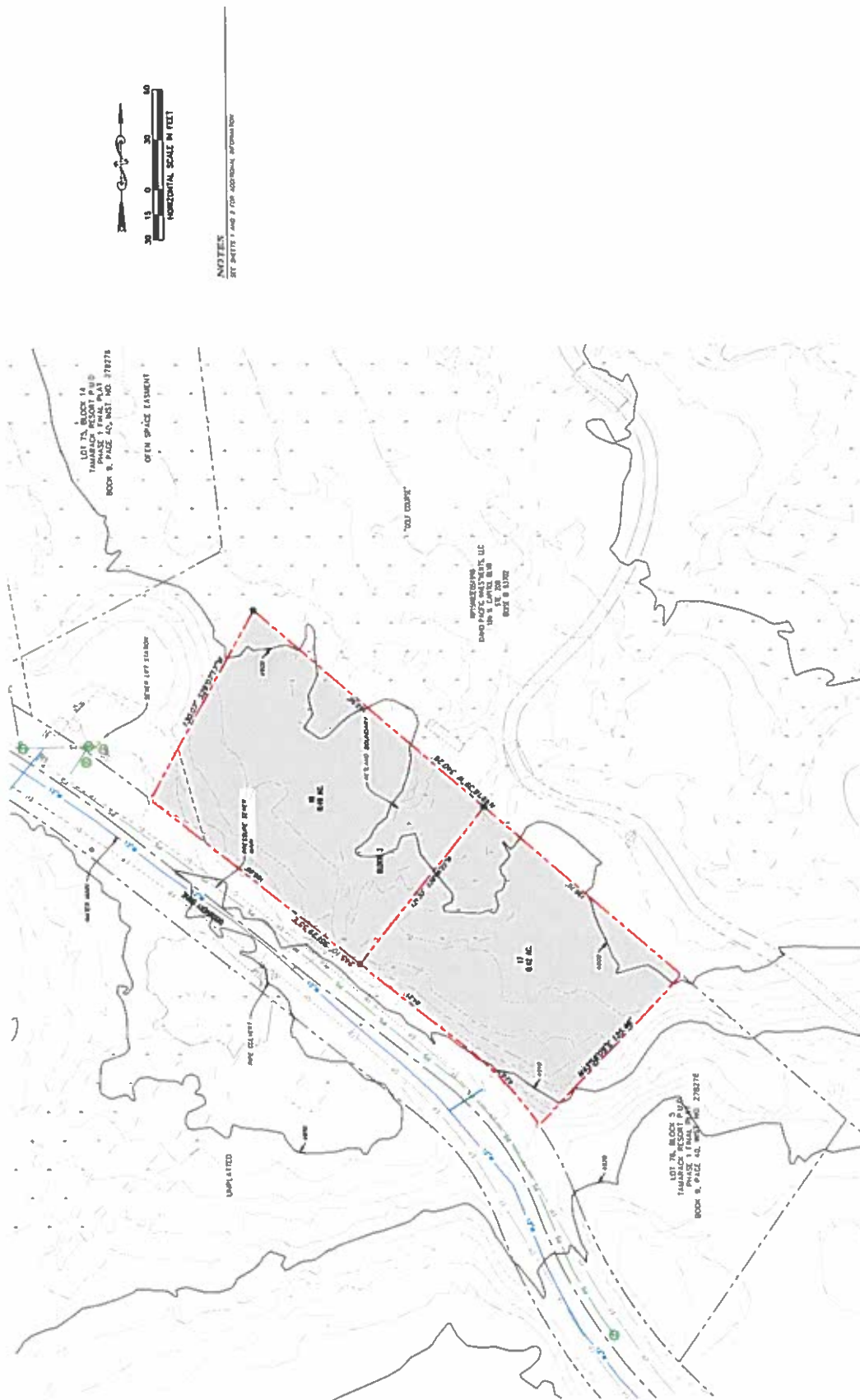




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| SHEET DATA |
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NOTES

A horizontal scale in feet, ranging from 30 to 60. A drawing of a person is shown next to the scale.

1. MAINTENANCE, REPAIR AND UTILITY EXPENDITURES SHALL BE PROVIDED FOR ALL UTILITIES NOT LOCATED IN A LOT THAT PROVIDES SEWERAGE FOR THOSE LOTS.
2. ALL LOTS SHALL COMPLY WITH THE DRAINAGE, EROSION, STORM WATER, AND OTHER GEOTECHNICAL RESTRICTIONS AS PROVIDED IN THE WETSPRING DEVELOPMENT GUIDE AND ARCHITECTURAL DESIGN GUIDELINES.
3. TWO ENTRY ROADS ALONG WEST LOUISIANA ROAD, RESULT FROM ROAD RIGHT-OF-WAY EXISTING RECORDED MAY 28, 1980 AS INSTRUMENT NO. 10815. RECORDS OF WALLEY COUNTY, OIAO. EACH IS A 75 FT WIDE DRIVEWAY WITH A 10 FT ACCESS DRIVEWAY OR RECREATION ROAD, UNITED STATES OF AMERICA, AS SHOWN ON SHEETS 3 AND 4.
4. FOREST SERVICE ROAD NO. 424, IS SHOWN AS AN EXISTING ROAD WHICH WILL BE USED AS A TRAIL IN THE WETSPRING DEVELOPMENT. THIS ROAD IS A REMAINDER OF THE FOREST SERVICE SECTIONS 7, 8 AND 12, AS SETLED FOR RECORDED IN THE OFFICE OF RECORDER OF WALLEY COUNTY, DATED ON APRIL 23, 1980 AND IS INSTRUMENT NO. 11102 FOR THE ADJACENTNESS AND FUTURE ACCESS BETWEEN WEST LOUISIANA ROAD AND RECREATION ROAD. THIS ROAD IS A 75 FT WIDE DRIVEWAY WITH A 10 FT ACCESS DRIVEWAY OR RECREATION ROAD, UNITED STATES OF AMERICA, AS SHOWN ON SHEETS 3 AND 4.
5. THE RECORDS OF WALLEY COUNTY, OIAO, SHOW THE LOCATION OF THE EXISTING FOREST SERVICE ROAD NO. 424, WHICH WILL DETERMINE AND SET THE RECORDS OF PRIVATE LAND AT OR NEAR THE SAME LOCATIONS AS CURRENTLY DEEDS, AS SHOWN ON SHEETS 6 AND 7.
6. CONSERVATION EASEMENT ALONG ALONG ROCK AND PIGEON CREEKS ARE PROVIDED TO PRESERVE AND PROTECT THE REMAINING FOREST AS RESPECTED.
7. EASEMENTS ON RIGHTS-OF-WAY NOT NOTED ON THIS PRELIMINARY PLAT ARE LOCATED IN APPENDIX B-TITLE RECORDS OF THIS CUP APPLICATION PACKAGE.
8. LEGAL DESCRIPTIONS OF RECORD LOTS ARE FOUND IN APPENDIX C OF THE CUP APPLICATION APPROVED BY WALLEY COUNTY ON AUGUST 1, 2001. ALSO SEE UPDATED TITLE REPORT IN APPENDIX D OF THE CUP APPLICATION PACKAGE.
9. BOUNDARY INFORMATION SHOWN FOR PRIVATE LANDS IS A COMPOSITE OF RECORDED RECORDS:
BOOK NUMBER 8 PAGE NUMBER 579 INSTRUMENT NUMBER 244031
BOOK NUMBER 8 PAGE NUMBER 579 INSTRUMENT NUMBER 250033
BOOK NUMBER 8 PAGE NUMBER 579 INSTRUMENT NUMBER 244031
BOOK NUMBER 8 PAGE NUMBER 601 INSTRUMENT NUMBER 214033
10. BOUNDARIES SHOWN FOR STATE LANDS ARE REMAINDER DEEDS WHERE THEY ARE WITHIN PRIVATE LANDS. STATE LAND BOUNDARIES ARE BASED ON AERIAL PHOTO DOCUMENTATION PROVIDED BY BUREAU OF REVENUE OF IOWA.
11. THIS PRELIMINARY PLAT REFLECTS TWO PROPOSED, RECORDED PLATS, AS FOLLOWS:

PLAT 1: BUREAU OF REVENUE OF IOWA RECORDER - WALLEY COUNTY, IOWA
Submitted to the Recorder on 11/17/2001
Book 7 & Page 43
Certificate of Owners Instrument No. 106226
Bundling this plat and Occupancy Restrictions Instrument No. 106226
Approved by instrument No. 115784
By-Laws of Property Owners Association Instrument No. 104230

PLAT 2: FOREST W. SUBDIVISION NO. 1
Submitted to the Recorder on 11/17/2001
Book 7 & Page 43
Certificate of Owners Instrument No. 111743
Bundling this plat and Occupancy Restrictions Instrument No. 111743
Approved by instrument No. 115784
By-Laws of Property Owners Association Instrument No. 104230

- [illegible]

NOTES

LEGEND

- | SECTION NUMBER | BLOCK NUMBER | WELL SITE |
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| 28 | 11 | 282 |



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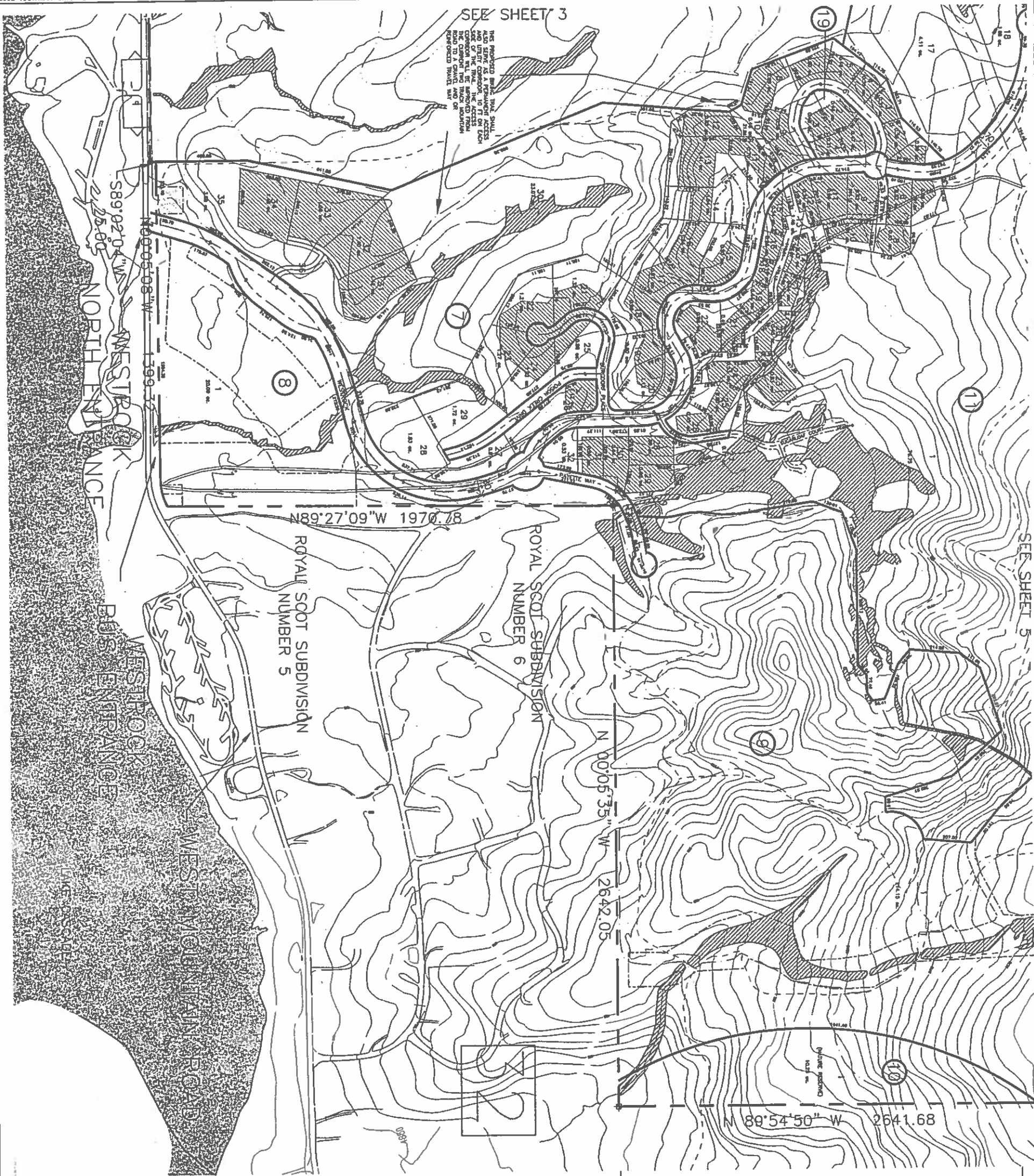
TOOTHMAN-ORTON ENGINEERING COMPANY
CONSULTING ENGINEERS, SURVEYORS AND PLANNERS

9777 CHINDEN BOULEVARD
BOISE, IDAHO 83714-2008
(208) 323-2288
FAX (208) 323-2399

OFFICES IN:
BOISE, IDAHO
COEUR d'ALENE, IDAHO

**WESTROCK
PRELIMINARY PLAT
INDEX**

DATE: March 13, 2002
PROJECT: 00004
SHEET 1 OF 7



NOTES

1. WESTROCK RESERVES THE RIGHT TO CONSTRUCT UNDERGROUND ACCESS AND PARKING FACILITIES IN EXISTENTS UNDERLYING ANY OF THE VALLEYVIEW-0252 LOTS.
2. WESTROCK RESERVES THE RIGHT TO CONSTRUCT OVERHEAD ACCESS AND UTILITY FACILITIES AT ANY LOCATION WITH IN THE VALLEYVIEW-0252 AREA.

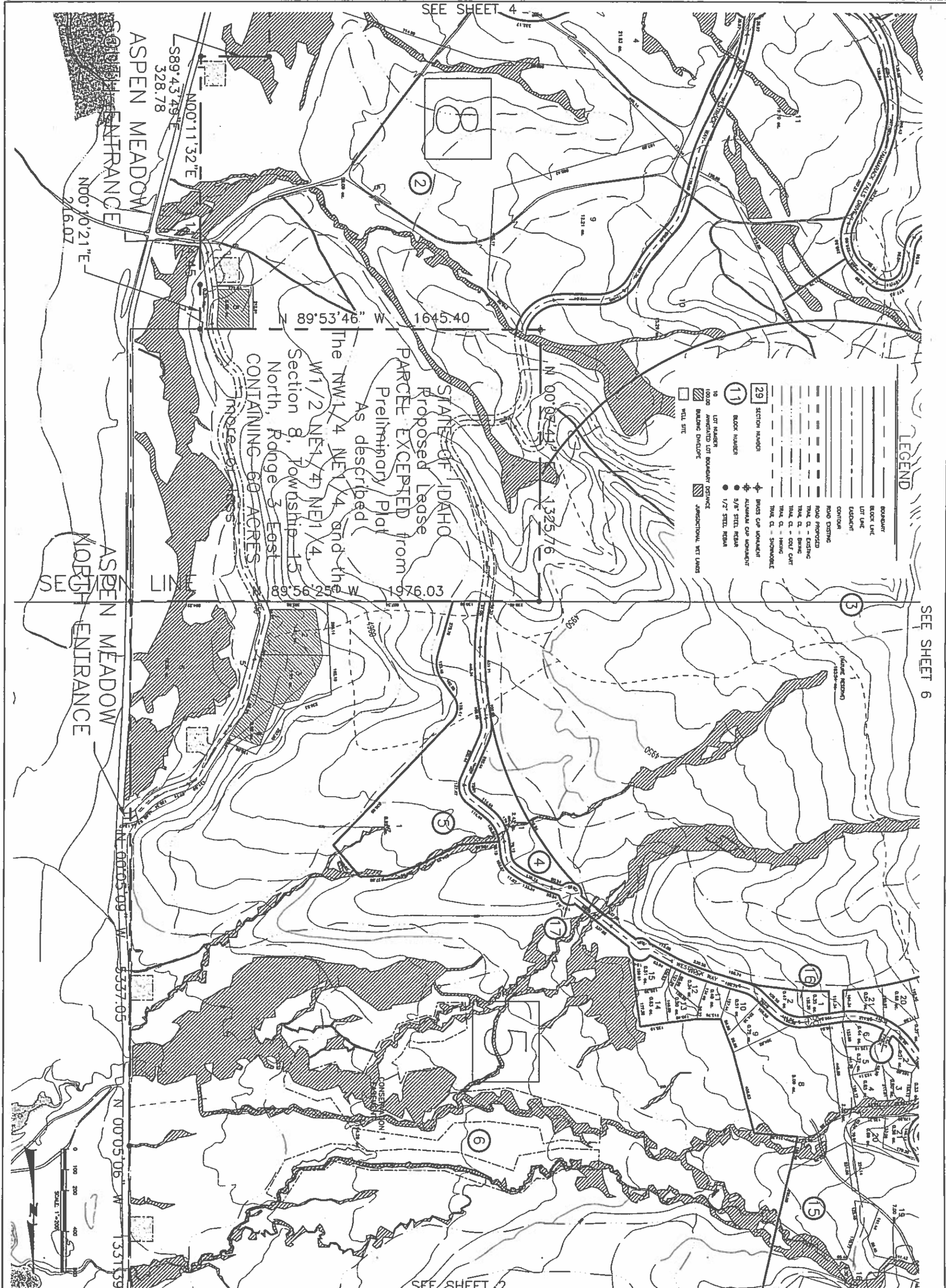
LEGEND

- BOUNDARY
- BLK LINE
- LOT LINE
- EXISTENT
- CONTINUED
- ROAD EXISTING
- ROAD PROPOSED
- TRAIL CL. - EXISTING
- TRAIL CL. - BRNG
- TRAIL CL. - COLT CLRT
- TRAIL CL. - HORNG
- TRAIL CL. - SHOWNORE
- BRASS CAR MONUMENT
- ALUMINUM CAR MONUMENT
- 5/8\"/>
- 1/2\"/>
- 10. LOT NUMBER
- 11. BLOOD NUMBER
- 29. SECTION NUMBER
- 10. TOTAL ADJACENT LOT BOUNDARY DISTANCE
- 11. BUILDING ENVELOPE
- 29. WELL SITE



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**WESTROCK
PRELIMINARY PLAT**

TOOTHMAN-ORTON ENGINEERING COMPANY
CONSULTING ENGINEERS, SURVEYORS AND PLANNERS

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BOISE, IDAHO 83714-2008
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OFFICES IN:
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| BOUNDARY | PROPOSED UNDERGROUND POWER |
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| CLIENT | TRAIL CENTRELINE - EXISTING |
| EDGE OF PAVEMENT | TRAIL CENTRELINE - BRIDGE |
| LOT BOUNDARY | TRAIL CENTRELINE - GOLF CART |
| PROPOSED WATER LINE | TRAIL CENTRELINE - HIGHWAY |
| PROPOSED DRAINAGE | TRAIL CENTRELINE - SHOWN/ABLE |
| PROPOSED IRRIGATION LINE | BUILDING DEVELOPE |
| PROPOSED PROPANE GAS LINE | JUNCTIONAL WETLANDS |
| PROPOSED RAW WATER LINE | PROPOSED BLUE OAK BASINS AND STREAMS |
| PROPOSED STEEL LINE | PROPOSED BWP POINTS |
| PROPOSED SHOWING/LINE | PROPOSED GOLF POINTS |
| PROPOSED STORM DRAIN | PROPOSED SOI RUNS |
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| SHEET 1 | PROPOSED SHOWWALKING RECEIVER |
| 180.00 | SHEET BOUNDARY |
| ③ | ANNOTATED LOT BOUNDARY DISTANCE |
| ④ | BLOCK NUMBER |
| + | BUILDING ORIGINATOR |
| W | CHECK WALK |
| 7 | COLD COMPACT HOLE NUMBER |
| ⑤ | LOT NUMBER |
| ⑥ | PRESSURE WALK |
| ⑦ | SOI LOT |
| ⑧ | WALK HOUSE |
| ⑨ | WELL SITE |

LIST OF ADDITIONAL SHEETS

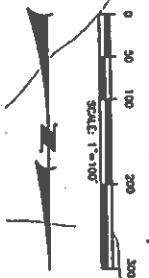
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| SHEET 36 | COO COLLECT SELECTING CLADDING | SHEET 49 | TYPICAL EROSION CONTROL |
| SHEET 37 | MOUNTAIN WATER PUMP | SHEET 50 | TYPICAL EROSION CONTROL |
| SHEET 38 | TRAIL CONSTRUCTION PRESCRIPTIONS | SHEET 51 | TYPICAL EROSION CONTROL |
| SHEET 39 | MOUNTAIN PUMPING PUMP | SHEET 52 | TYPICAL EROSION CONTROL |
| SHEET 40 | SHOWING PUMP | SHEET 53 | TYPICAL EROSION CONTROL |
| SHEET 41 | EROSION CONTROL PLAN | SHEET 54 | SHOWING RESPECTIVE EROSION CONTROL |
| SHEET 42 | MOUNTAIN UTILITY PLAN | SHEET 55 | DETAILS |
| SHEET 43 | UT TERNAL, PRELIMINARY GRADING PLAN | SHEET 56 | INITIAL VALUZE GRADING/PARKING - PHASE P |
| SHEET 44 | UT TERNAL, PRELIMINARY GRADING PLAN | SHEET 57 | INITIAL VALUZE GRADING/PARKING - PHASE 1 |
| SHEET 45 | UT TERNAL, PRELIMINARY GRADING PLAN | SHEET 58 | TRAIL PLAN |
| SHEET 46 | UT TERNAL, PRELIMINARY GRADING PLAN | SHEET 59 | POSSIBLE HOTEL SITES |
| SHEET 47 | SHOWING RESPECTIVE PRE GRADING PLAN | SHEET 60 | WETLAND IMPACTS (APPROVED SECTION 404 PERMIT |
| SHEET 48 | | | |
| SHEET 49 | STAFF AREA PRELIMINARY GRADING PLAN | | |

SEE SHEET 5

ASPEN MEADOW NORTH ENTRANCE

SEE SHEET 9

SEE SHEET 3



**WESTROCK CUP COMPONENTS
GRADING, DRAINAGE, ROAD, UTILITIES
AND RELATED FACILITIES**

TOOTHMAN-ORTON ENGINEERING COMPANY
CONSULTING ENGINEERS, SURVEYORS AND PLANNERS

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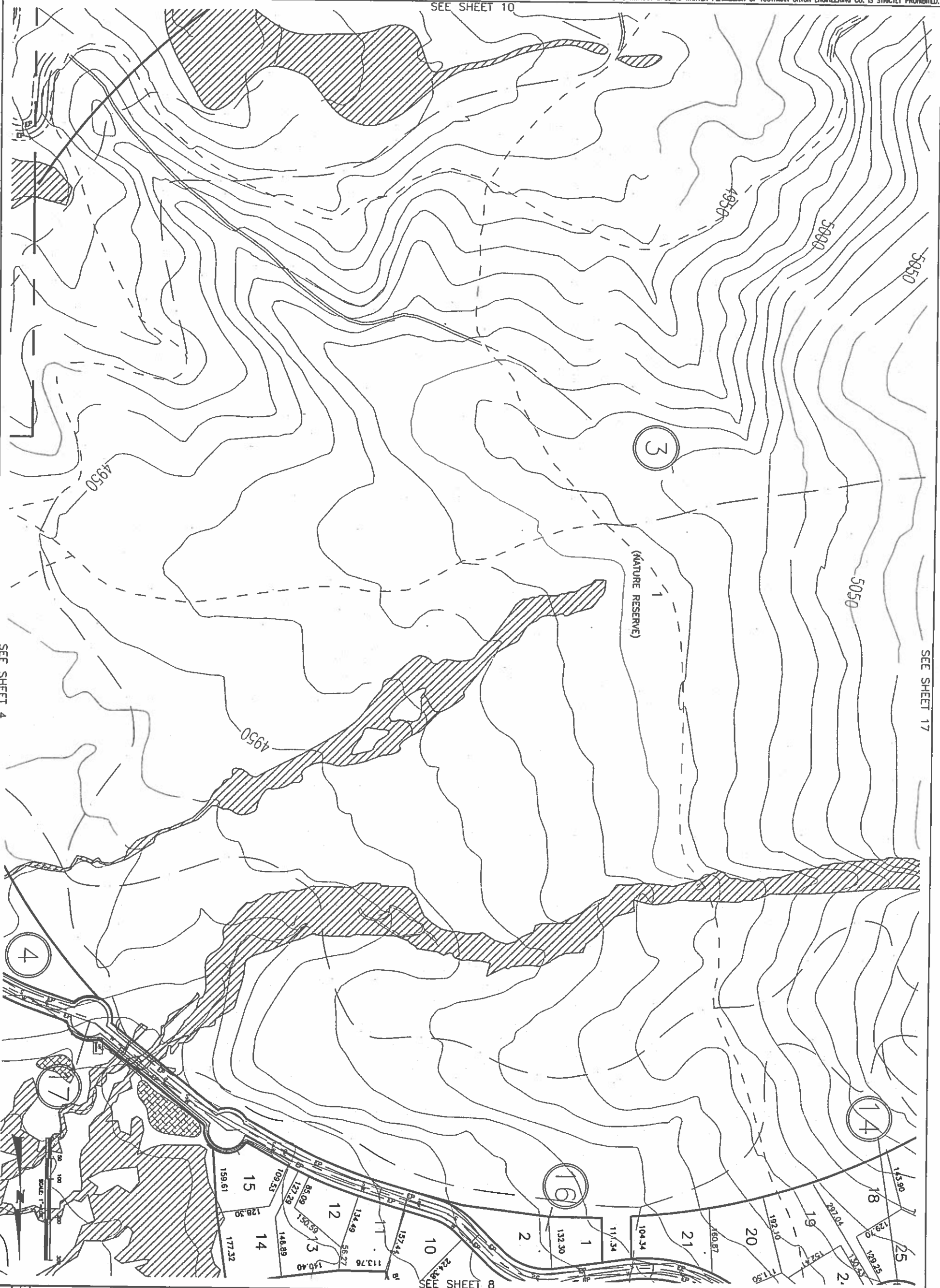
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BOISE, IDAHO
COEUR D'ALENE, IDAHO

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SHEET 4 OF 80

SEE SHEET 10



SEE SHEET 4

SEE SHEET 17

SEE SHEET 8

SHEET 9 OF 60

**WESTROCK CUP COMPONENTS
GRADING, DRAINAGE, ROAD, UTILITIES
AND RELATED FACILITIES**

TOOTHMAN-ORTON ENGINEERING COMPANY
CONSULTING ENGINEERS, SURVEYORS AND PLANNERS

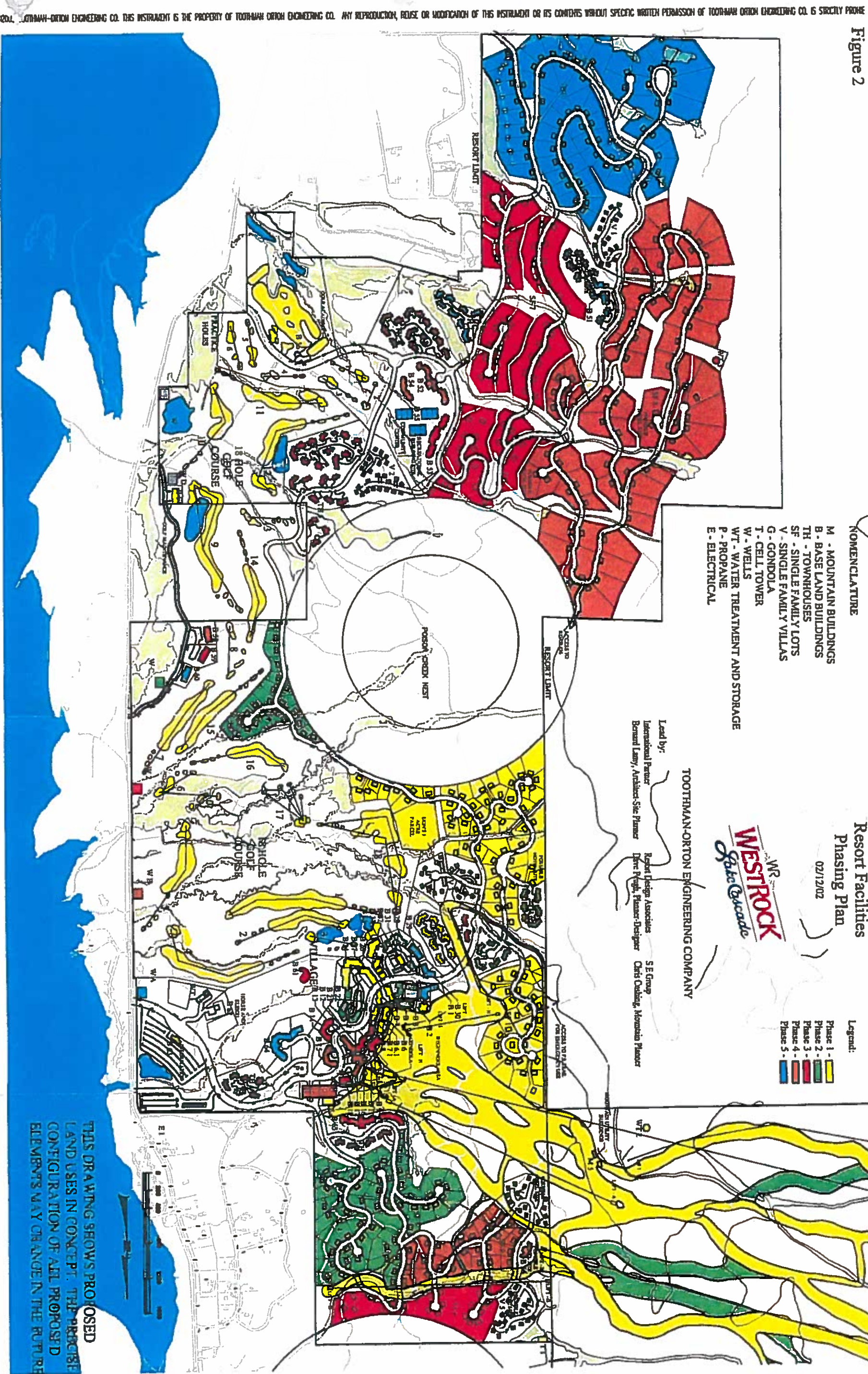
9777 CHINDEN BOULEVARD
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OFFICES IN:
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Figure 2



SECTION I – Application Overview

PUD Flexibility
- amendments

A. This Application

On August 1, 2002, WestRock's Planned Unit Development (PUD) Application was approved by Valley County. Subsequent to that approval, a Capital Contribution Agreement was consummated between Valley County and WestRock on September 10, 2001, see *Document F in Appendix A – Prior Valley County Approvals and Actions*. This Application document is referenced as a CUP package, because it contains three (3) applications: 1) a CUP/Preliminary Plat Application for all development components to be built or placed on the private lands, 2) a CUP Application for those components to be built or placed on the State of Idaho leased lands, and 3) a request to approve modifications to the currently approved PUD.

B. General Project Concept

The project is broken into five phases of three years each plus a one-year predevelopment phase, totaling a sixteen-year build-out to completion. At build-out, the Resort will be a full-service all-seasons destination resort offering a wide variety of residential options and a range of recreational activities featuring skiing and golf. The timing and order of sequencing of phases and facilities may vary in response to market demand, however adherence to the amenity guarantees will still be required as described in the Sequencing Plan contained below.

C. Ownership

The Resort, is owned by WestRock Associates LLC ("WRA"), who will be the master developer of the Resort complex. Given the diversity of real estate products and amenities, WestRock will sell segments of the Resort real estate for development by others. WestRock Associates will retain design and development control of all products through the attached Development Guide, Architectural Design Guidelines and the Declaration of Covenants, Conditions and Restrictions.

D. Site / Infrastructure

The site consists of several distinct geographical areas—a flat meadow close to Lake Cascade; a shelf area above the meadow where the Village will be located; rolling foothill terrain well suited to residential development, mountain slopes offering a variety of skiing and hiking experiences; and the mountain top offering commanding views, and recreational opportunities for mountain biking, snow-mobiling and cross-country skiing as well as a restaurant. The land, excluding the ski areas and a small portion of the golf course is privately owned by WRA, while the remaining land will be leased. Total site infrastructure, including roads and utility systems (electricity, water, sanitary and storm sewer, and telecommunications), is to be supplied to the perimeter of each development site by WRA.

E. Facilities

The resort facilities are summarized and located in *Appendix G - Facilities Program Summary*. Golf facilities will consist of an 18-hole course designed by Robert Trent Jones II, a par-3

teaching course, a Golf Academy and clubhouse. Ski related facilities are summarized in the Mountain Master Plan Summary, located in *Appendix F*. The Sequencing Plan, contained below, identifies the minimum Phase 1 facilities, which will be constructed to assure that a stand-alone resort, with sufficient critical mass, is established as part of Phase 1 of the development. WestRock reserves the right to modify the Facilities Plan, without further County approval, as follows: 1) the order of construction of facilities may be modified; 2) facilities within Multi-Use areas may be moved among lots within such Multi-Use areas; 3) total commercial, administrative and service square footage may be altered, and 4) the mix of dwelling units which comprise the total 2,043 units approved in the PUD (i.e. single family residence, townhome, villa, multi-family and hotel) may be altered; PROVIDED, that: a) the total number of units allowed by the WestRock CUP is not exceeded; and, b) the aforesaid land uses remain in their designated land use areas, as depicted in the Land Use Map, see *Figure 4* in *Section VIII*. All such modifications shall be promptly provided to County staff for use in reviewing Building Permit submittals and enforcing the terms and conditions of the CUP. Modifications to the Facilities Plan shall be submitted to the Planning and Zoning Administrator, whose review of the proposed modifications shall be to determine whether the proposed modifications are consistent with the locations of land use types and overall mix of land uses contained in the approved CUP. The Administrator shall advise the Developer within 15 days after submittal of any objections which the Administrator has to the proposed modifications, under the aforesaid criteria. If no such objections are voiced, then the modifications shall be deemed approved and shall become part of the CUP.

F. Compliance with Valley County Approval Process

Because this is an application for Conditional Use Permit for both the private and State lease lands, and for Preliminary Plat approval for the private lands, this Application package addresses Chapter III of the Land Use and Development Ordinance (LUDO), the Valley County Comprehensive Plan and Article II of the Subdivision Regulations.

In addition, because the Application package seeks approval of certain modifications to the PUD, the Application package addresses Appendix C of the LUDO, to establish that the proposed modifications should not alter the previously granted PUD and Concept approvals.

The Preliminary Plats for the private land contain the information required by the Valley County Subdivision Regulations. The parcels in Phase 2, 3, 4 and 5 will be further platted, preliminarily and finally, as the development moves into those Phases.

G. Proposed Modifications to the approved PUD

As design and layout of the PUD move into the more detailed CUP and platting stage, certain modifications to the PUD have been found to be necessary. These modifications do not materially change any component of the prior approvals, but they are, nonetheless, identified in the interest of full disclosure. Proposed modifications to the PUD include:

- Revisions to the Phasing Plan
- Adjusted dwelling units among residential use categories, without altering the total 2,043 units previously approved.

- Modest increase of the total commercial, administrative and service square footage within the areas of the resort in which those uses were previously approved.
- Increased the number of parking spaces from 3,392 to 5,068.
- Added a Cellular Communications Tower.
- Added a horse corral for horseback riding and sleigh ride purposes
- Recalculated open space at approximately 52% of the private and approximately 80% of the total resort property
- Adjusted Wildlife Habitat Conservation Plan to reflect reduced impact to Threatened and Endangered Species
- Added certain uses to the village, such as a non-denominational Chapel and the Nature Interpretive Center.
- Noted the potential for and reserved the right to construct a school on site.
- Identified eight potential small hotel sites outside of the village, a maximum of four (4) of which may be developed. If developed, these hotels will be architecturally compatible with the surrounding single-family residential neighborhoods and will reduce the total allowable dwellings units in the PUD, according to the equivalency formula contained in the LUDO.
- Revised/updated the Development Guide, Architectural Design Guidelines, and CC&R's.
- Moved a well site mistakenly shown on State of Idaho land.
- Reserved the addition of a small number of buildings and structures on State land.
- Updated the WestRock Development Guide to reflect the development of the Facilities Program, which also involves minor changes to the Land Use Map e.g. a small Multi-Use area has been added to Phase 5, to service the surrounding single family residential neighborhood.

H. Requested Entitlements and Approvals

- Issuance of a Conditional Use Permit for the private lands, which provides the following entitlements under the terms of the LUDO:
 - A CUP for the entire PUD, including the land uses and densities (i.e. total number of units and/or square footage of commercial (multi-use) facilities) for Phases 2, 3, 4, and 5;
 - Preliminary Plat approval for Phase 1. WestRock shall be entitled to Preliminary Plat approval of Phases 2, 3, 4, and 5 PROVIDED that those Plats substantially comply with the terms of the WestRock CUP and with the platting provisions of the Valley County Subdivision Regulations,
 - No further CUP's will be required for the WestRock PUD, provided that WestRock substantially complies with the terms and conditions of this CUP.
 - WestRock considers the CUP to include all components, terms, and conditions of the approved PUD, except to the extent modified in this Application package, as approved.
- Issuance of a Conditional Use Permit for the State of Idaho lands, contingent upon issuance by the State Land Board of a Lease or binding commitment to lease the State lands; and,
- Approval of the modifications to Concept and PUD Approval.



Valley County Transmittal
Division of Community and Environmental Health

Return to:

- ☐ Cascade
☐ Donnelly
☐ McCall
☐ McCall Impact
☒ Valley County

Rezone # _____

Conditional Use # CUP 22-09

Preliminary / Final / Short Plat _____

Tamamack Resort PUD Osprey Meadows Estates

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☒ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
☒ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☒ central water
☐ individual sewage ☐ individual water
- ☒ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☒ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☒ central water
- ☐ 10. Run-off is not to create a mosquito breeding problem
- ☐ 11. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 12. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 13. We will require plans be submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☒ 14. Application for subdivision & engineering report required

Reviewed By: [Signature]

Date: 3/16/22

Jeff Mcfadden
Thu 3/17/2022 12:41 PM
To: Cynda Herrick; Lori Hunter
Cc: **Valley County Commissioners**

- CUP 22-05 I have already commented
- CUP 22-06 No comment
- VAC 22-01 No comment
- CUP 22-07 No comment
- CUP 22-08 Nissula Road is a rural county road that gets maintenance when needed. It has low traffic volume. It is a year-round maintained road. It is not a bus route or major road. It get's plowed once a day in the winter when needed. Since it is not a main road, it does not get extra plowing on it during drifting events. During big snow events, this section of road might not get plowed until all other main roads are plowed, sometimes it might be the next day. The road tends to get "washboards and potholes" in the surface quite frequently. Residents need to know that the county does not do dust suppression.
- CUP 22-09 Road is wide with good visibility in both directions. Need to apply for a approach permit through the road dept.

Thank you

Jeff McFadden, Superintendent
Valley County Road Department



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

March 19th 2022

Valley County Planning & Zoning Commission
P.O. Box 1350
Cascade, Idaho 83611

RE: C.U.P. 22-09 Tamarack Resort P.U.D. Osprey Meadows Estates Preliminary Plat

After review, the Donnelly Rural Fire Protection District (DRFPD) will require the following.

- All roads shall be built to Valley County Road Department standards or **Section 503.2 IFC 2018**
- All fire apparatus access roads shall comply with **Section D103.4 IFC 2018**, All roads shall be inspected and approved by the DRFPD personnel prior to final plat
- In accordance with **Section D103.6 IFC 2018**, where required by the fire code official, NO PARKING – FIRE LANE signs shall be posted on both side sides of fire apparatus access roads.
- **Section 503.7 IFC 2018** Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 12 feet and a minimum unobstructed height of 13 feet 6 inches. Driveways in excess of 150 feet in length shall be provided with turnarounds. Driveways in excess of 200 feet in length and 20 feet in width may require turnouts in addition to turnarounds.
- In accordance with **Section 503.7.6 IFC 2018** the gradient for driveways cannot exceed 10 percent unless approved by the fire code official
- **Section 503.7.8 IFC 2018** Driveways shall be designed and maintained to support the imposed loads of local responding fire apparatus and shall be surfaced as to provide all weather driving capabilities
- Roads and driveways shall be inspected and approved by Donnelly Rural Fire Protection District personnel prior to certificate of occupancy being issued
- **Section 503.7.5 IFC 2018** all buildings shall have a permanently posted address, that shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and maintained thereafter.

- In accordance with **Section 507.1 IFC 2018** an approved water supply capable of supplying the required fire flow for fire protection shall be provided to the premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction
- An engineered drawing of the water system with hydrant placement shall be submitted for review prior to construction. Water system shall be a looped system
- The DRFPD requires a minimum Fire flow of 1125 GPM with a duration of not less than two hours all fire hydrants shall be tested and approved by DFRPD prior to final plat
- Any residence utilized as a short term rental shall comply with Valley County Ordinance 19-09 Liquefied Petroleum Gas

Please call 208-325-8619 with any questions.

Jess Ellis



Fire Marshal
Donnelly Fire Department



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1445 N Orchard Street, Boise, ID 83706
(208) 373-0550

Brad Little, Governor
Jess Byrne, Director

March 25, 2022

By e-mail: cherrick@co.valley.id.us

Valley County Planning and Zoning
P.O. Box 1350
Cascade, ID 83611

Subject: Osprey Meadows Estates (Tamarack Resort), CUP 22-09

Dear Ms. Herrick:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
- All property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.

- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.

- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Rebecca Blankenau, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.

Response to Request for Comment

March 25, 2022

Page 5

- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,

A handwritten signature in black ink that reads "Aaron Scheff". The signature is written in a cursive, flowing style.

Aaron Scheff
Regional Administrator
DEQ-Boise Regional Office

EDMS#: 2022AEK55