

Valley County Planning and Zoning

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

STAFF REPORT:	C.U.P. 21-09 Copper Rock Subdivision – Final Plat Extension Request
HEARING DATE:	October 19, 2023
TO:	Planning and Zoning Commission
STAFF:	Cynda Herrick, AICP, CFM Planning and Zoning Director
APPLICANT / PROPERTY OWNER:	Biltmore Investment Group INC 1580 W Cayuse Way, Meridian, ID 83646
REPRESENTATIVE	Jason Polson, Biltmore Company 1580 W Cayuse Way, Meridian, ID 83646
SURVEYOR:	Bailey Engineering INC 1119 E State ST, Suite 210, Eagle, ID 83616
LOCATION:	Portion of parcel RP16N03E161805 along Dawn Drive in the SWSE Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho
SIZE:	Original Application for 4.15 acres; final plat includes 6.4 acres
REQUEST:	Extension of Final Plat Approval

The site is adjacent to the south side of the Donnelly City Park and Boat Ramp.

The approval for a conditional use permit and preliminary plat was effective April 20, 2021, for a 14-lot single-family residential subdivision on 4.15 acres.

The final plat submittal consists of 13 single-family residential lots and two common lots. The common lots for the North Lake Recreational Sewer and Water District lift station, the fire protection water tank, utilities, and access easements. The increase in acreage from the preliminary plat is due to the addition of two common lots and platting of 70-ft wide road dedication for Dawn Drive. Dawn Drive is currently a 50-ft prescriptive easement at this site.

Lots would be accessed from six shared driveways onto Dawn Drive (public).

The Planning and Zoning Commission approved the final plat for C.U.P. 21-09 on March 9, 2023 (minutes attached). At this time an extension was also approved to October 20, 2023, to allow more time for infrastructure completion. The plat was to be recorded by October 20, 2023.

Jason Polson, Biltmore Company, is requesting a one-year extension of the final plat approval.

Currently there is one remaining item to be completed from the Conditions of Approval:

- **COA # 7 – A letter of approval is required from Donnelly Rural Fire District.**
 - The Fire Protection Tank is not able to pass inspection due to part delays.
 - The applicant is willing to bond this item to proceed with Final Plat Approval with the Board of County Commissioners.
 - Anticipated completion is late Fall of 2023 or Spring 2024, depending on the arrival of parts.

FINDINGS:

1. The extension request was submitted on October 4, 2023.

2. This is not a public hearing.

3. Agency comment received in 2023:

Jess Ellis, Donnelly Fire Marshal, states that the Donnelly Fire District requirements for final plat have not been met. Fire protection water storage tank specifications need submitted. The connecting water line, automatic fill and float devices have not been inspected or tested. (Feb. 13, 2023)

Kathy Riffie, Valley County Cadastral Specialist Technician I, found no discrepancies with the plat. A vesting deed to the North Lake Recreational Sewer and Water District for Block 2 Lot 2 is anticipated after the subdivision plat has been recorded. (Feb. 16, 2023)

Paul Ashton, Parametrix and Valley County Engineer, recommends approval of the Storm Water Pollution Protection Plan. (Oct. 13, 2022)

Paul Ashton, Parametrix and Valley County Engineer, stated the previous recommended approval included measures for the proposed grading along Lots 1-5, satisfying COA 16. Individual lot development and construction by separate parties will require site specific stormwater management and pollution protection measures prior to construction. (August 21, 2023)

STAFF QUESTIONS / COMMENTS / RECOMMENDATION:

Staff recommends that a final plat extension be approved.

The below comments are from the Staff Report dated March 9, 2023. They are included to remind the applicant of the required plat changes and requirements.

1. Additional Notes on the plat are needed, as follows:

- The Wildland Urban Interface Fire Protection Plan is recorded as Instrument # _____.
- CCRs are recorded as Instrument # _____.
- Shared Driveway Maintenance Agreement recorded as Instrument # _____.
- Declaration of Utilities is needed.
- Lots are limited to one wood burning device.

- 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.
2. Must submit a Shared Driveway Maintenance Agreement. Shared driveways are not shown on Block 1, Lots 2 and 12.
 3. A six (6) foot wide Public Pedestrian Easement is referenced on the plat, but I do not see it on the plat. If there is a public pedestrian easement, then it should be in the dedication as a public easement under the certificate of owners?
 4. Dawn Drive needs to be shown as a public right-of-way on the plat.
 5. CCRs shall reference shared driveways, fire water tank maintenance, the Wildland Urban Interface Fire Protection Plan, lighting, and limit each lot to one wood-burning device.
 6. The following are the conditions of approval and comments as to whether the applicant has complied with each condition.
 7. The western property line is shown as a section line, not the lot line.
 8. I question whether the Surveyors Narrative should be removed on final plats.

ATTACHMENTS:

- Extension Request
- C.U.P. 21-09, Instrument # 439480
- Vicinity Map
- Aerial Map
- Proposed Final Plat
- PZ Commission Meeting Minutes – March 9, 2023
- Responses

END OF STAFF REPORT



BILTMORE CO.

September 21, 2023

**Valley County
Planning & Zoning Department
P.O. Box 1350
219 North Main Street
Cascade, Idaho 83611**



**Project: Copper Rock Subdivision
Dawn Dr.
Donnelly, ID 83616**

Subject: Final Plat Narrative - CUP 21-09 Extension

To Whom it may concern:

Biltmore Investments is requesting Plat approval for the Copper Rock Subdivision, a 15-lot single-family subdivision on approximately 4.15 acres and is a portion of parcel RP16N03E161805 in the SWSE Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho. For this Plat, Lot 1 Block 2 and Lot 2 Block 2 are common lots with the sewer lift station and fire protection water tank that service the project. Lots are accessed from Dawn Drive with six shared driveways.

Building setbacks and dimensional standards in the subdivision shall be in compliance with the applicable zoning regulations of Valley County. Additionally, there shall be a no disturbance of land within the seven and a half (7.5) foot wide setback from Bureau of Reclamation Land to the West.

Currently, there is 1 remaining item to be completed from the Conditions of Approval list. The item remaining to be completed are;

- Item #7 - A letter of approval is required from Donnelly Rural Fire District
 - The Fire Protection tank is not able to pass inspection due to part delays.
 - We are willing to Bond this item to proceed with Final Plat Approval.
 - Anticipated completion is late Fall of 2023 or Spring 2024 depending on parts.

Conditions of Approval from recorded CUP:

Biltmore...Built Better!

O. [REDACTED]

1580 W. Cayuse Creek Dr.
Meridian, ID 83646



BILTMORE CO.

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 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
Conditional Use Permit.

Page 1

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 have a storm water management plan approved by the Valley County Engineer prior to any excavation work being done.
6. Must have approval from the Valley County Road Department prior to any work being done in the Valley County 50' prescriptive easement (roadway).
7. A letter of approval is required from Donnelly Rural Fire District.
8. CCR's should address lighting, wildfire prevention, and limit each lot to one wood burning device.

Biltmore. Built Better!

O. [REDACTED]

1580 W. Cayuse Creek Dr.
Meridian, ID 83646



BILTMORE CO.

9. All lighting must comply with the Valley County Lighting Ordinance.
10. Shall place addressing numbers at each driveway and each building.
11. Must meet density requirements.
12. Shall place floodplain note on the final plat.
13. Shall place fiber optic conduit in road with utility lines if new utility lines are placed.
14. The final plat should be submitted 45 days before the Planning and Zoning Commission meeting.
15. Shall place a note on the face of the plat that states there shall be no disturbance of land within the 7 ½' setback to the BOR property, including hardened surfaces, decks, etc. Landscaping will be allowed, but there cannot be vegetation removal except for landscaping.
16. 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.
17. A 70-foot dedicated public right-of-way along Dawn Drive will be platted in this subdivision.

END CONDITIONAL USE PERMIT

This project has met all but one of the Conditions of Approval from the recorded C.U.P. and we are willing to Bond any items to Commission deems remaining.

If you have any questions please reach out.

Respectfully,

Jason Polson
Biltmore Company

Biltmore... Built Better!



Planning and Zoning Commission
VALLEY COUNTY
IDAHO

P.O. Box 1350/219 North Main Street/Cascade, Idaho 83611-1350

Phone: 208.382.7115

FAX: 208.382.7119

[Recording Sticker]
Instrument # 439480

VALLEY COUNTY, CASCADE, IDAHO

4-21-2021 10:20:28 AM No. of Pages: 3

Recorded for : PLANNING AND ZONING

DOUGLAS A. MILLER

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COUNTY MISC

AK

**CONDITIONAL USE PERMIT
NO. 21-09
Osprey Pointe Subdivision**

Issued to: **Biltmore Investment Group INC**
1580 W Cayuse Way
Meridian ID 83646

Property Location: The site is 4.15 acres and is a portion of parcel RP16N03E161805 in the SWSE Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho.

There have been no appeals of the Valley County Planning and Zoning Commission's decision of April 8, 2021. The Commission's decision stands, and you are hereby issued Conditional Use Permit No. 21-09 with Conditions for establishing a 14-lot single family subdivision as described in the application, staff report, and minutes.

The effective date of this permit is April 20, 2021.

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 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

Conditional Use Permit

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 have a storm water management plan approved by the Valley County Engineer prior to any excavation work being done.
6. Must have approval from the Valley County Road Department prior to any work being done in the Valley County 50' prescriptive easement (roadway).
7. A letter of approval is required from Donnelly Rural Fire District.
8. CCR's should address lighting, wildfire prevention, and limit each lot to one wood burning device.
9. All lighting must comply with the Valley County Lighting Ordinance.
10. Shall place addressing numbers at each driveway and each building.
11. Must meet density requirements.
12. Shall place floodplain note on the final plat.
13. Shall place fiber optic conduit in road with utility lines if new utility lines are placed.
14. The final plat should be submitted 45 days before the Planning and Zoning Commission meeting.
15. Shall place a note on the face of the plat that states there shall be no disturbance of land within the 7 ½' setback to the BOR property, including hardened surfaces, decks, etc. Landscaping will be allowed, but there cannot be vegetation removal except for landscaping.
16. 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.
17. A 70-foot dedicated public right-of-way along Dawn Drive will be platted in this subdivision.

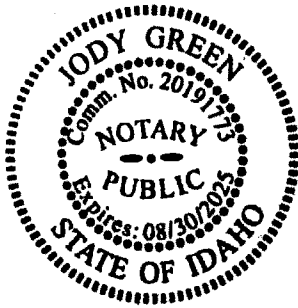
END CONDITIONAL USE PERMIT

Date April 20, 2021
Approved by Cynda Herrick

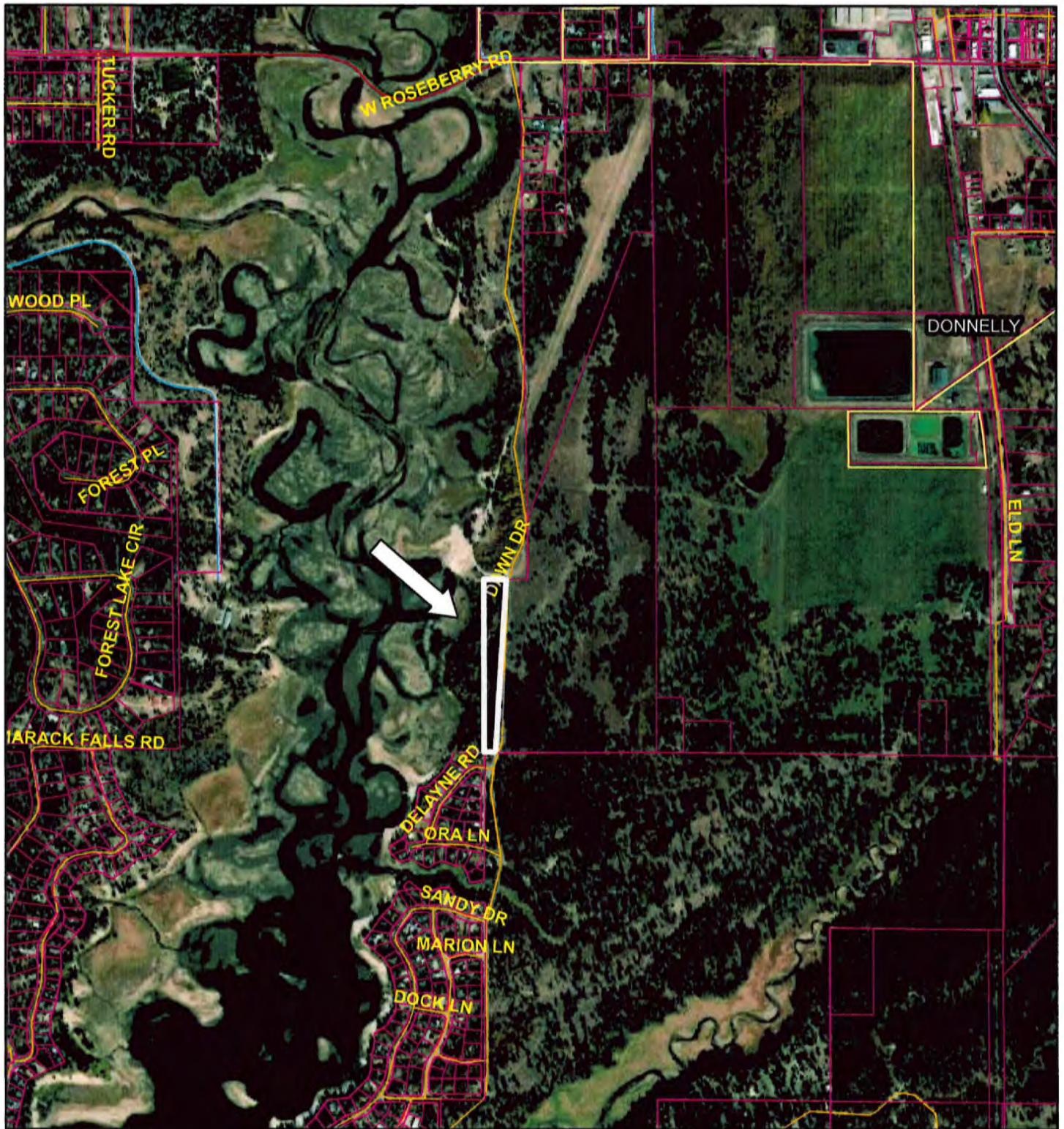
On this 20 day of April, 2021, before me, a notary public in and for said State, Cynda Herrick personally appeared, and is known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate above written.

Jody Green
Notary Public
Residing at: Valley County
Commission Expires: 8/30/25



C.U.P. 21-09 Vicinity Map



3/2/2021, 2:55:48 PM

Municipalities

Parcel Boundaries

Other Parcels

All Road Labels

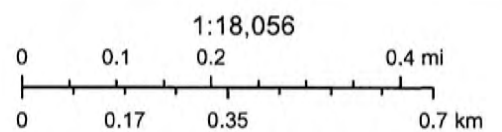
Roads

MAJOR

COLLECTOR

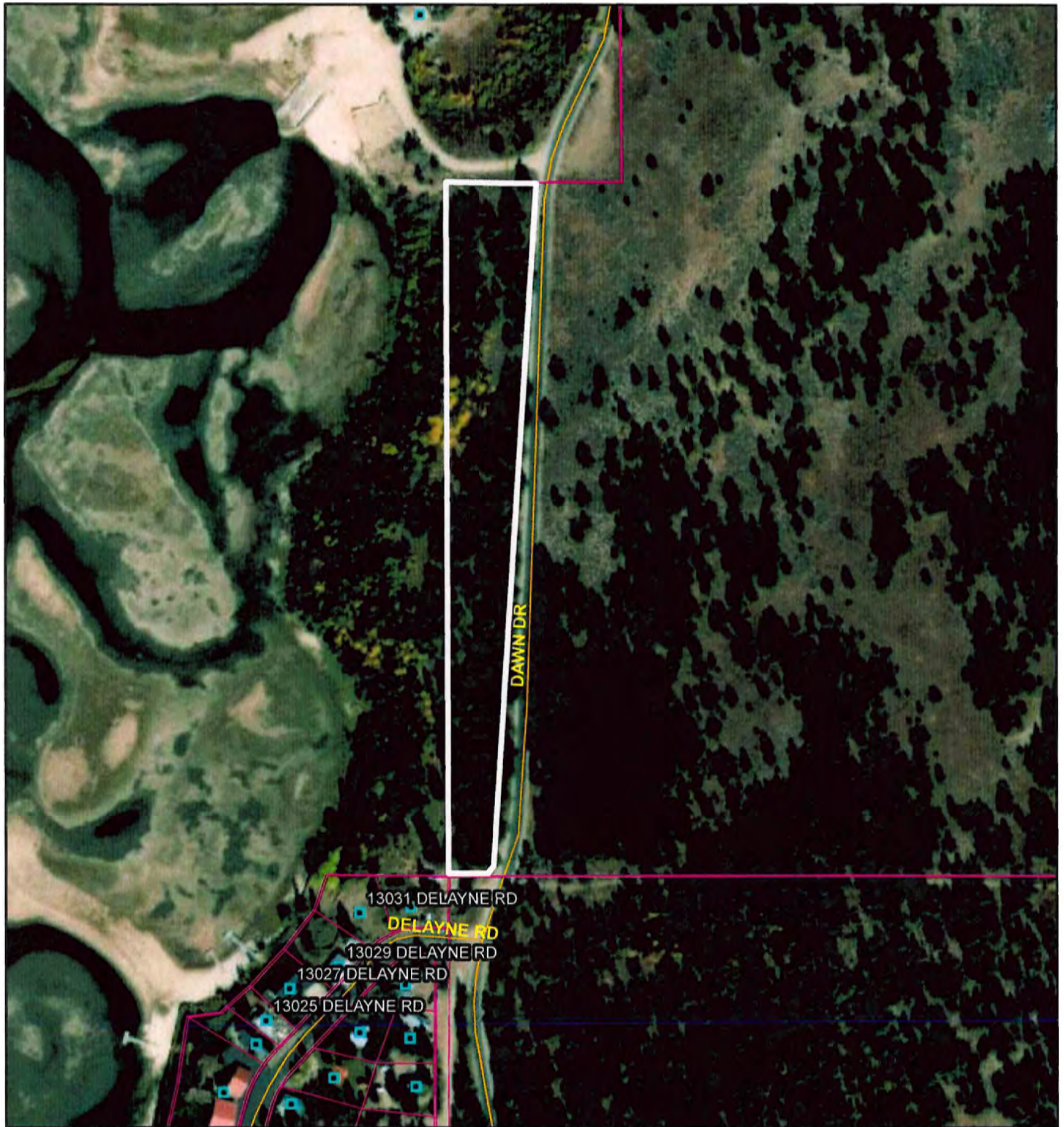
URBAN/RURAL

PRIVATE



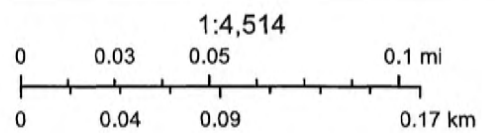
USDA FSA, GeoEye, Maxar

C.U.P. 21-09 Approximate Location



3/2/2021, 2:48:18 PM

-  Parcel Boundaries
-  Other Parcels
-  Addresses
- All Road Labels
- Roads
-  URBAN/RURAL

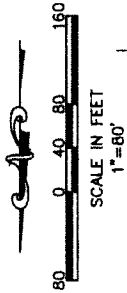


USDA FSA, GeoEye, Maxar

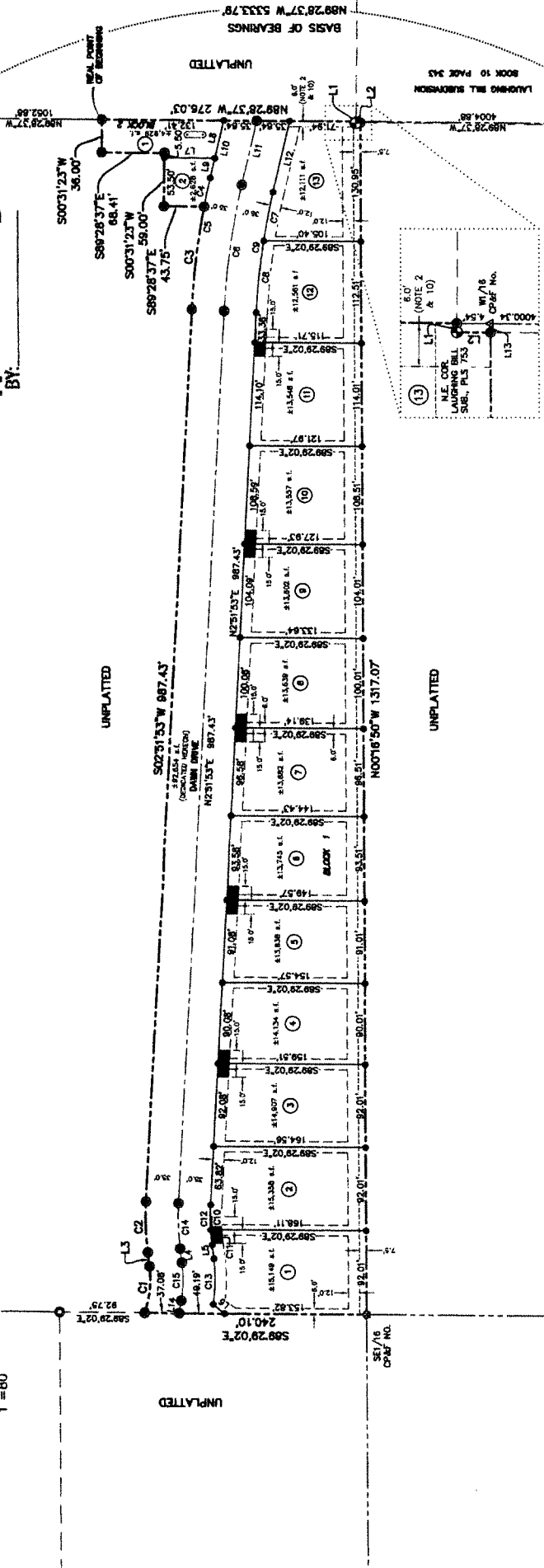
PLAT SHOWING

COPPER ROCK SUBDIVISION

LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16,
TOWNSHIP 16 NORTH, RANGE 3 EAST, BOISE MERIDIAN,
VALLEY COUNTY, IDAHO 2023



RECEIVED
FEB 22 2023
BY:



NOTES:

- There shall be a no disturbance of land within the seven and a half (7.5) foot wide setback from Bureau of Reclamation Land. Vegetation removal for purposes other than landscaping is prohibited.
- A twelve (12) foot wide Permanent Public Utilities and Property Drainage Easement is hereby designated adjacent to a Public Right-of-Way as delineated and referenced herein. A twelve (12) foot wide Public Utilities and Property Drainage Easement is hereby designated adjacent to the seven and a half (7.5) foot wide setback from Bureau of Reclamation Land. A six (6) foot wide Public Utilities and Property Drainage Easement is hereby designated adjacent to each side of the lot for lots shown otherwise above.
- Any Re-Subdivision of this Plat shall be in compliance with the most recently approved Subdivision Standards of the Valley County.
- This development recognizes Idaho Code Section 22-4503, right to farm act, which states: "No agricultural operation, agricultural facility or expansion thereof shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after it has been in operation for more than one (1) year, when the operation, facility or expansion was not a nuisance at the time it began or was constructed. The provisions of this section shall not apply to any agricultural operation, agricultural facility or expansion thereof."
- Building setbacks and dimensional standards in this subdivision shall be in compliance with the applicable zoning regulations of Valley County.
- Lot 1, Block 2 is a common lot to be owned and maintained by the Copper Rock Homeowners Association. This lot is subject to a blanket access easement for Lot 2, Block 2 and a blanket public utility easement.
- Lot 2, Block 2 is common lot which contains a North Lake Recreational Sewer and Water Diversion Lift Station. This lot shall be owned and maintained by North Lake Recreational Sewer and Water District. This lot is subject to a blanket public utility easement.
- 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.
- Access to Lots 1 through 12, Block 1 is restricted to the Shared Driveway Easements as delineated and referenced herein.
- Lots 13, Block 1 shall be subject to a six (6) foot wide Public Pedestrian Access Easement as delineated and referenced herein.
- Surrounding land uses are subject to change.

Curve Table

Curve #	Radius	Length	Chord	Bearing	Delta
C1	115.00'	51.70'	51.70'	S08°00'05"W	25°42'30"
C2	335.00'	56.98'	56.98'	S02°00'23"E	9°44'32"
C3	833.00'	114.26'	114.17'	S08°47'05"W	7°50'25"
C4	835.00'	32.35'	32.35'	N11°46'54"E	21°31'31"
C5	835.00'	146.61'	146.42'	S07°33'41"W	10°33'37"
C6	800.00'	140.47'	140.29'	N07°33'41"E	10°33'37"
C7	765.00'	54.77'	54.76'	S10°32'28"W	4°08'08"
C8	765.00'	76.55'	76.51'	S05°56'37"W	5°37'28"
C9	765.00'	134.32'	134.15'	N07°33'41"E	10°33'37"
C10	263.00'	28.25'	28.23'	S00°11'20"E	6°08'26"
C11	263.00'	16.81'	16.81'	S03°03'56"E	3°38'08"
C12	263.00'	45.06'	45.00'	N02°00'23"W	9°44'32"
C13	165.00'	50.06'	48.83'	S05°32'39"W	15°30'37"
C14	300.00'	51.01'	50.95'	N02°00'23"W	9°44'32"
C15	150.00'	41.88'	41.74'	S01°07'14"W	15°54'47"

Line Table

Line #	Direction	Length
L1	N00°17'22"E	1.22'
L2	N89°25'28"W	4.55'
L3	S08°32'38"E	15.36'
L4	N08°52'38"W	15.36'
L5	S08°32'38"E	15.36'
L6	S05°00'00"E	15.90'
L7	N89°26'37"W	54.87'
L8	N12°55'30"E	42.48'
L9	N12°55'30"E	22.29'
L10	N12°55'30"E	64.78'
L11	N12°55'30"E	72.45'
L12	S12°55'30"W	80.16'
L13	S00°16'50"E	1.23'
L14	N08°07'07"E	13.95'

LEGEND

- SUBDIVISION BOUNDARY
- NO DISTURBANCE LINE (SEE NOTE 1)
- EASEMENT LINE (SEE NOTE 2)
- EASEMENT LINE, AS NOTED
- STREET CENTERLINE
- LOT LINE
- ADJACENT SUBDIVISION BOUNDARY/PARCEL LINE
- LOT NUMBER
- FOUND BRASS CAP
- FOUND 5/8" IRON PIN, NO CAP, SET PLASTIC CAP, PLS 11779
- SET 5/8" x 24" IRON PIN WITH PLASTIC CAP, PLS 11779
- SET 1/2" x 24" IRON PIN WITH PLASTIC CAP, PLS 11779
- SET 7/8" x 24" IRON PIN WITH ALUMINUM CAP, PLS 11779
- SHARED DRIVEWAY EASEMENT (NOTE 9)
- FIRE WATER TANK

SURVEYORS NARRATIVE:

The purpose of this survey is to subdivide the property shown herein. The property is a portion of the property conveyed by a Warranty Deed recorded as Instrument No. 10,000 of Valley County, Idaho. The property is adjacent to Laughing Bull Subdivision as filed in Book 10 of Page 343, records of Valley County, Idaho and the unrecorded retracement survey of Cascade Reserve Boundary Subdivision, as filed in Book 10 of Page 343, records of Valley County, Idaho. The property is located in the Southeast 1/4 of the Southeast 1/4 of Section 16, Township 16 North, Range 3 East, Boise Meridian, Valley County, Idaho. The survey was conducted on 02/22/2023. The survey was conducted by CODY M. MCNAMON, PLS 11779, 8925 W. EMERALD STREET, BOISE, ID 83704.

REFERENCE DOCUMENTS

ROS: 228785, 304221, 325822

DEED:

LAUGHING BULL SUB, BK 10, PG. 343

UNRECORDED RETRACEMENT SURVEY 1978- BILL CHRONIC

CODY M. MCNAMON, PLS 11779
8925 W. EMERALD STREET,
BOISE, ID 83704



SHEET 1 OF 3

Balley Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD

COPPER ROCK SUBDIVISION

RECEIVED
FEB 22 2023
BY:

CERTIFICATE OF OWNERS

Know all men by these presents. That Billmore Investment Group LLC, an Idaho Limited Liability Company is the owner of the property described as follows:

A parcel of land situated within the Southeast 1/4 of the Southeast 1/4 of Section 16, Township 16 North, Range 3 East, Boise Meridian, Valley County, Idaho being more particularly described as follows:

Commencing at the Section corner common to Sections 15, 16, 21, and 22, T. 16N, R. 3E, B.M., from which the Section corner common to Sections 15, 17, 20, and 21, T. 16N, R. 3E, B.M. bears North 89°28'37" West, 5333.79 feet; thence on the South boundary line of Section 16, North 89°28'37" West, 1,052.86 feet to the REAL POINT OF BEGINNING;

thence continuing on said south boundary line, North 89°28'37" West, 276.03 feet to the exterior boundary line of Laughing Bill Subdivision as filed in Book 10 of Plats at Page 343, records of Valley County, Idaho;

thence on said exterior boundary line the following two (2) courses and distances:

North 00°17'22" East, 1.22 feet;

North 89°25'28" West, 4.55 feet to the west boundary line of the Southeast 1/4 of the Southeast 1/4 of said Section 16;

thence on said west boundary line, North 00°16'50" West, 1,317.07 feet to the Southeast 1/16 corner of said Section 16;

thence on the north boundary line of the Southeast 1/4 of the Southeast 1/4 of Section 16, South 89°28'02" East, 240.10 feet;

thence leaving said north boundary line, 51.70 feet along the arc of a curve to the left having a radius of 115.00 feet, a central angle of 25°45'28" and a long chord which bears South 06°00'05" West, 51.27 feet;

thence South 06°52'39" East, 15.38 feet;

thence 58.98 feet along the arc of a curve to the right having a radius of 335.00 feet, a central angle of 09°44'32" and a long chord which bears South 02°00'23" East, 56.89 feet;

thence South 02°51'53" West, 987.43 feet;

thence 114.26 feet along the arc of a curve to the right having a radius of 835.00 feet, a central angle of 07°50'25" and a long chord which bears South 06°47'05" West, 114.17 feet;

thence South 89°28'37" East, 43.75 feet;

thence South 00°31'23" West, 59.00 feet;

thence South 89°28'37" East, 89.41 feet;

thence South 00°31'23" West, 38.00 feet to the REAL POINT OF BEGINNING

Containing 6.428 acres, more or less.

It is the intention of the undersigned to hereby include the above described property in this plat and to dedicate to the public, the public streets as shown on this plat. The easements as shown on this plat are not dedicated to the public. However, the right to use said easements is hereby perpetually reserved for public utilities and such other uses as designated within this plat, and no permanent structures are to be erected within the lines of said easements. All lots in this plat will not be served by any water system common to one (1) or more lots but will be served by individual wells (Idaho Code 50-1334). In compliance with the disclosure requirements of Idaho Code 31-3805, the land within this plat is not within an Irrigation District as defined in Idaho Code 31-3805 and the requirements in Idaho Code 31-3805 are not applicable.

Billmore Investment Group LLC, an Idaho Limited Liability Company

Kevin F. Anar, Member

ACKNOWLEDGMENT

State of Idaho)

County of Ada) s.s.

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said State, personally appeared Kevin F. Anar, known or identified to me to be a member of Billmore Investment Group LLC, an Idaho Limited Liability Company, the corporation which executed the within instrument and acknowledged to me that he executed the same of behalf of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My commission expires _____

Notary Public for Idaho
Residing in _____, Idaho

CERTIFICATE OF SURVEYOR

I, Cody M. McCammon, do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat as described in the "Certificate of Owners" was drawn from an actual survey made on the ground under my direct supervision and accurately represents the points plotted thereon, and is in conformity with the State of Idaho Code relating to plats and surveys.



COPPER ROCK SUBDIVISION

RECEIVED
FEB 22 2023
BY: _____

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied according to the letter to be read on file with the county recorder or their agent listing the conditions of approval. Sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a Certificate of Disapproval.

Central District Health _____ Date _____

APPROVAL OF THE BOARD OF VALLEY COUNTY COMMISSIONERS

Accepted and approved this _____ day of _____, 20____, by the Valley County Commissioners.

Chairman _____

APPROVAL OF THE VALLEY COUNTY PLANNING AND ZONING COMMISSION

Accepted and approved this _____ day of _____, 20____, by the Valley County Planning and Zoning Commission.

Chairman _____

CERTIFICATE OF COUNTY SURVEYOR

I, the undersigned, Professional Land Surveyor in and for Valley County Idaho, hereby certify that I have checked this plat and that it complies with the State of Idaho Code relating to plats and surveys

Valley County Surveyor

CERTIFICATE OF COUNTY TREASURER

I, the undersigned, County Treasurer in and for the County of Valley, State of Idaho, per the requirements of I.C. 50-1308 do hereby certify that any and all current and/or delinquent county property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

Date _____

County Treasurer



Valley County Planning and Zoning Commission

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



Phone: 208-382-7115
Email: cherrick@co.valley.id.us

Katlin Caldwell, Chairman
Ken Roberts, Vice-Chairman

Sasha Childs, Commissioner
Scott Freeman, Commissioner
Gary Swain, Commissioner

MINUTES

Valley County Planning and Zoning Commission
March 9, 2023
Valley County Court House - Cascade, Idaho
PUBLIC HEARING - 6:00 p.m.

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

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Katlin Caldwell	Present
PZ Commissioner – Sasha Childs:	Present
PZ Commissioner – Scott Freeman:	Present
PZ Commissioner – Ken Roberts:	Present
PZ Commissioner – Gary Swain:	Present
PZ Assistant Planner – Lori Hunter:	Present

B. **MINUTES:** Commissioner Childs moved to approve the minutes of February 9, 2023, and February 21, 2023. Commissioner Roberts seconded the motion. Motion passed unanimously.

C. OLD BUSINESS:

1. **C.U.P. 21-09 Copper Rock Subdivision – Final Plat:** Biltmore Investments 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 13 single-family residential lots and two common lots. Lots would be assessed from shared driveways onto Dawn Drive (public). The 6.4-site is a portion of parcel RP16N03E161805 in the SE 1/4 Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho. Action Item. **Not a public hearing.**

Chairman Caldwell introduced the item. Chairman Caldwell asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report and displayed the site and GIS map on the projector screen.

Condition of Approval No. 3 requires the final plat to be recorded by April 20, 2023. The applicant is asking for an extension to allow time to complete infrastructure.

Keven Amar, Meridian, Idaho, representing Biltmore Investments, finds general agreement with the conditions of approval. The improvements are in the ground but ran out of time to complete installation and electrical connections due to weather. The electric work has been scheduled with Idaho Power. Changes will be made to the plat as stated in the staff report. Fiber optics

have been installed along the west side of Dawn Drive. Storm Water Pollution Prevention Plan (SWPPP) will be complete [COA 16].

Commissioner Roberts moved to approve the final plat of C.U.P. 21-09 Copper Rock Subdivision with the changes and to extend the final plat approval to October 20, 2023, and authorize the Chairman to sign the plat. Commissioner Childs seconded.

The Commissioners discussed the motion. Conditions of approval must be completed prior to review by the Board of County Commissioners. Valley County Code requires that the final plat conform substantially to the approved preliminary plat. Commissioners believe that the submitted final plat is substantially compliant; fine tuning will occur prior to approval of Board of County Commissioners. Before the plat is recorded, Donnelly Fire Department must submit an approval letter. The six-month extension allows time for Idaho Power to complete the electrical work; the electrical work must be completed before Donnelly Fire Department will write an approval letter.

Commissioner Childs, Commissioner Freeman, Commissioner Roberts, and Chairman Caldwell voted in favor of the motion. Commissioner Swain abstained from voting. Motion passed.

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

6:17 p.m.

- 2. C.U.P. 22-04 The Preserve at McCall Ranch – Final Plat:** River Investments LLC is requesting final plat approval. The commission will review the final plat to determine conformance with the preliminary plat, approved densities, and conditional use permit. This plat consists of eight single-family residential lots. Lots would be assessed from a new private road onto Norwood Road (public) and Johnson Lane (public). The 20-acre site is currently addressed at 86 Johnson Lane and is parcel RP18N03E299005 in the SESE Section 29, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item. **Not a public hearing.**

Chairman Caldwell introduced the item. Chairman Caldwell asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibit:

- **Exhibit 1** – U.S. Army Corps of Engineers letter regarding wetland delineation. (Feb. 14, 2022)

The proposed Y-shaped turn-around was clarified. The water delivery easement was clarified; Note 13 on the plat specifies the easement information.

Rob Pair, Crestline Engineering, McCall, represented the applicant. Plat Note 11 limits each lot to one wood-burning device. The Y-turnaround design is approved in the International Fire Code but not in Valley County Code. They will have a letter from McCall Fire Department stating their approval of the design prior to recording the final plat.

Commissioner Roberts moved to approve the final plat of C.U.P. 22-04 The Preserve at McCall Ranch, authorize the Chairman to sign, and accept the Y-turnaround as addressed by Valley County Engineer and the McCall Fire Department. Commissioner Childs seconded. Motion carried unanimously.

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



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

February 13, 2023

Valley County Planning & Zoning Commission

P.O. Box 1350

Cascade, Idaho 83611

RE: C.U.P. 21-09 Copper Rock Subdivision – Final Plat

After review, C.U.P 21-09 Copper Rock Subdivision has not met Donnelly Fire District requirements for final plat. Below are the items that need to be completed.

- Fire protection water storage tank specifications have not been submitted for review
- The connecting water line, automatic fill and float device have not been inspected or tested

Please call 208-325-8619 with any questions.

Jess Ellis

A handwritten signature in black ink, appearing to read "Jess Ellis".

Fire Marshal
Donnelly Fire Department

Valley County Assessor's Office

P.O. Box 1350 • 219 N. Main Street
Cascade, Idaho 83611-1350
Phone (208) 382-7126 • Fax (208) 382-7187

SUE LEEPER

Assessor
sleeper@co.valley.id.us



Department of Motor Vehicles
Phone (208) 382-7141 • Fax (208) 382-7187

DEEDEE GOSSI

Chief Deputy Assessor
kgossi@co.valley.id.us

February 16, 2023

Cynda Herrick
Valley Co. P&Z Administrator
Valley County Courthouse
Cascade, Idaho 83611

RE: Final Plat Review "Copper Rock Subdivision "

Dear Cynda,

This letter is in response to your request for our office to review the final plat of the above referenced subdivision.

I have run a traverse of the subdivision boundary from the legal description provided on the Certificate of Owners. Enclosed you will find a copy. This **2024** proposed plat is a portion of a parcel referenced on the Assessment Roll as SESE; E/2 NESE; E/2 W/2 NESE; E/2 SENE; E/2 W/2 SENE, EXCEPT PT. AMENDED TAX NO. 4; S16 T16N R3E. The parcel number and ownership are as follows:

RP **16N03E161805** – Biltmore Investment Group LLC

I have enclosed a copy of the GIS plat, T16N R03E Section 16, with this proposed replat highlighted. We have found no discrepancies. Cynda, would you let the surveyor, Cody McCammon, know that per Note #7 on the plat face, we anticipate that a vesting deed to the North Lake Recreational Sewer and Water District will be recorded for Block 2 Lot 2 *after* this subdivision has been recorded.

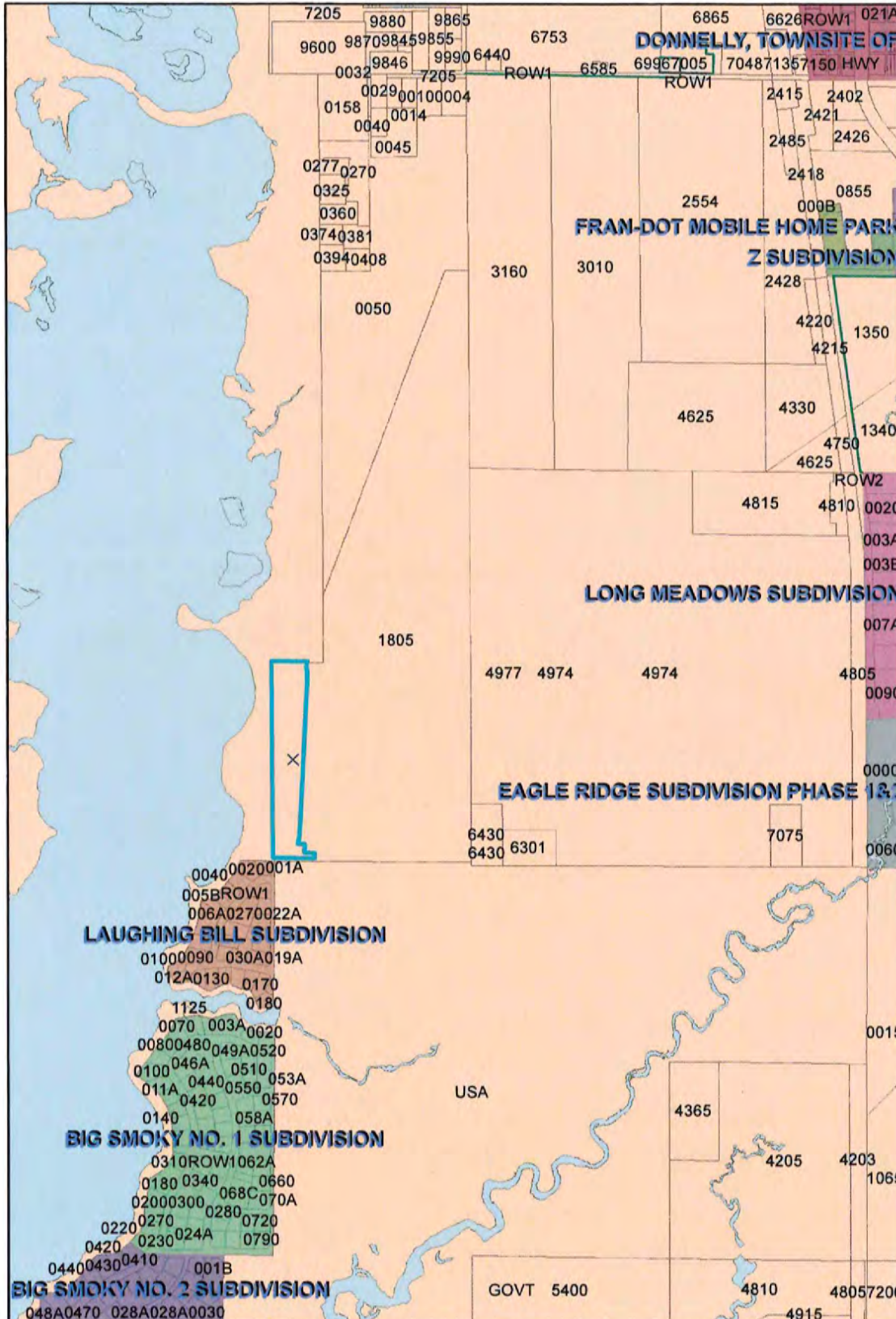
Please feel free to contact our office with any further questions or inquiries. Thank you for allowing us the opportunity to review this plat.

Sincerely,

Kathy Riffie
Cadastral Specialist Technician I
Valley County Cartography Department

Cc: Valley Co. Surveyor; Chip Bowers, Bowers Land Surveys, Inc.

Proposed "COPPER ROCK SUBDIVISION"
Portion of RP16N03E161805



- Legend**
- Proposed
 - Water
 - Parcels**
 - Parcels

J:\Traverse PC\traverse 2013\16n\3E\16Copper Rock Subd.trv
T16N R3E S16
Copper Rock Subd Boundary

280050.8644 SqFt 6.4291 Acres

Point	Type	Grid Bearing	Grid Dist	Radius	Arc Length	Delta	Northing	Easting
1							9.612	-1052.836
2		N89°28'37"W	276.03				12.132	-1328.855
3		N0°17'22"E	1.22				13.351	-1328.848
4		N89°25'28"W	4.55				13.397	-1333.398
SE16		N0°16'50"W	1317.07				1330.451	-1339.847
6	PC	S89°29'02"E	240.10				1328.289	-1099.757
7	PT	S6°00'05"W	51.27	-115.00	51.70	25°45'37"	1277.300	-1105.118
8	PC	S6°52'39"E	15.36				1262.050	-1103.278
9	PT	S2°00'23"E	56.89	335.00	56.96	9°44'30"	1205.195	-1101.286
10	PC	S2°51'53"W	987.43				218.999	-1150.636
11	PT	S6°47'05"W	114.17	835.00	114.26	7°50'25"	105.629	-1164.124
12		S89°28'37"E	43.75				105.229	-1120.376
13		S0°31'23"W	59.00				46.232	-1120.915
14		S89°28'37"E	68.41				45.607	-1052.507
1'		S0°31'23"W	36.00				9.609	-1052.836

Wednesday, February 15, 2023 08:56:15
kriffie

Copper Rock Subdivision SWPPP

From: Paul Ashton [REDACTED]

Sent: Thursday, October 13, 2022 3:40 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Cc: Jonah Duncan [REDACTED]; Tanner Amar [REDACTED]; Jeremy Amar [REDACTED]; Judy Schmidt [REDACTED]; Jason Polson [REDACTED]; Valley County Road Department <roaddept@co.valley.id.us>; Cody Janson [REDACTED]

Subject: RE: Copper Rock Subdivision SWPPP

Hi Cynda,

I have reviewed the SWPPP document provided by Biltmore and recommend approval of the plans and documents for the Copper Rock Subdivision.

Please let me know if you need anything else from us for this development.

Thank you!

Parametrix

ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

Paul Ashton, PE

Senior Engineer

[REDACTED] | direct
[REDACTED] | mobile



From: Jason Polson [REDACTED]

Sent: Wednesday, October 12, 2022 17:14

To: Paul Ashton [REDACTED]

Cc: Jonah Duncan [REDACTED]; Tanner Amar [REDACTED]; Jeremy Amar [REDACTED]; cherrick@co.valley.id.us; Judy Schmidt [REDACTED]

Subject: Copper Rock Subdivision SWPPP

Paul,

Per your conversations with Tanner Amar, here is the Copper Rock Subdivision SWPPP plan for your review and reference.

Dropbox link for the file here:

<https://www.dropbox.com/s/f1ja45jni3o5siw/SWPPP-Copper%20Rock%20Subdivision.pdf?dl=0>

Please let Tanner or I know if you have any questions or need any additional information.

Thank you,

Jason Polson

Biltmore Company

M: [REDACTED]
1580 W. Cayuse Creek Dr. | Meridian, ID 83646

Follow Us - [Facebook](#)

SENT VIA EMAIL

August 21, 2023

Ms. Cynda Herrick, AICP, CFM
Valley County Planning and Zoning Administrator
P.O. Box 1350
Cascade, ID 83611

Re: Copper Rock Subdivision (fka Osprey Pointe Sub.) – SWPPP Approval

Dear Cynda:

The Stormwater Pollution Prevention Plan (SWPPP) submitted on October 12, 2022, for the above referenced project provided the necessary erosion control measures and appropriate BMPs for the construction of the subdivision infrastructure and grading features as shown in the construction plan set submitted on August 31, 2022. Following my review of the SWPPP, I recommended approval of the plans and documents for the subdivision in an email dated, October 13, 2022.

The recommended approval included approval of stormwater management measures for the proposed grading along Lots 1-5 as part of the subdivision development. This approval should satisfy Condition No. 16 of C.U.P. 21-09 (as included in the Staff Report for the Valley County P&Z meeting held on March 9, 2023).

Individual lot development and construction by separate parties will require site specific stormwater management and pollution protection measures as required by Valley County prior to construction.

Please contact me with any questions or comments.

Sincerely,

PARAMETRIX
Valley County Engineer



Paul Ashton, P.E.

cc: Project File

Jeff McFadden / Valley County Road Department

Jason Polson, Biltmore Company

Tanner Amar, Biltmore Company