

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- 32 Lake Fork Village Condos & Offices Extension Request
MEETING DATE:	December 14, 2023
TO:	Planning and Zoning Commission
STAFF:	Cynda Herrick, AICP, CFM Planning and Zoning Director
APPLICANT / PROPERTY OWNER:	EVLD LLC and Draper Developments, c/o Cody Draper, 8068 W Woodlark ST, Boise, ID 83709
SURVEYOR:	Dan Dunn 25 Coyote Trail, Cascade, ID 83611
LOCATION:	4 Pleasant Acres Drive RPOD204000008B - Pleasant Acres Subdivision Lot 8B NWSW Section 3, T.17N, R.3E, Boise Meridian, Valley County, Idaho
SIZE:	1.6-acre lot
REQUEST:	Two-year extension Request
EXISTING LAND USE:	Existing conditional use permit for mixed-use building containing offices and apartments

Draper Developments is requesting a two-year extension of the conditional use permit approval that expires on December 31, 2023. Delays were caused by supply shortages and new stormwater and site plan designs due to high water levels.

The approval includes a two-story building with both business facilities and residential condominiums and a detached building with eight storage units.

Modifications to the site plan were approved by the Planning and Zoning Commission on June 9, 2022, and August 11, 2022. The most recently approved site plan is attached.

The modified construction timeline requested is:

- 2024 – Construction of Storage Units, grading, driveway, and landscaping.
- 2025 – Construction of office and condominium building

The 1.6-acre site is addressed at 4 Pleasant Acres Drive.

FINDINGS:

1. The extension request was submitted on October 20, 2023.

2. Legal notice was posted in the *Star News* on November 22, 2023, and November 30, 2023. Potentially affected agencies were notified on November 14, 2023. Neighbors within 300 feet of the property line were notified by fact sheet sent November 15, 2023. The site was posted on November 21, 2023. The notice and extension request were posted online at www.co.valley.id.us on November 14, 2023.

3. Agency comment received since the public hearing on November 10, 2021:

Mike Reno, Central District Health, has no objections to time extension. (November 14, 2023)

Paul Aston, Valley County Engineer, recommended approval of the Stormwater Drainage Report. Driveways must be constructed per Figure 200 in the Valley County Standards. (September 20, 2022)

4. Public comment received: None

STAFF QUESTIONS / COMMENTS / RECOMMENDATION:

None

ATTACHMENTS:

- Extension Request
- Conditional Use Permit 21-32, Instrument #446200
- Vicinity Map
- Aerial Map
- Photos taken November 21, 2023
- Site Plan Approved August 11, 2023
- Planning and Zoning Meeting Minutes of Nov. 10, 2021, June 9, 2022, and Aug. 11, 2022
- Responses

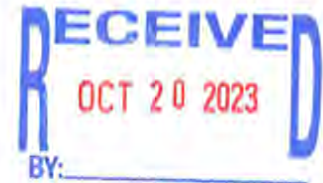
END OF STAFF REPORT



DRAPER DEVELOPMENTS
Real Estate Creations

October 18, 2023

Valley County Planning and Zoning
219 North Main Street
Cascade, ID 83611



Dear County,

This letter is in regards to CUP 21-32 Lake Fork Village Condos and Offices located at 4 Pleasant Acres Drive. I am requesting an extension of this CUP. The original plan was altered to allow the storage units to be removed from under the original offices and condo plan due to high water and the county approved us placing those on the parcel in a different location. This resulted in us going back to the engineer to create the new stormwater/site plan. Since the approval from the county's engineer, we have visited with Idaho Power for the location set, met with Dunn Surveying and had them stake, CDHD as well and have begun our site prep for the garages section. That area has been excavated and prepped with base material and is ready for concrete to be started. We are still currently waiting on our meter packs for the buildings as there was a shortage nationwide on those. We have had all of our fencing material delivered to Lake Fork and I expect that fence to be installed by mid-to end of November. Moving forward we expect to pour the 8 garage storages in May of 2024 when the snow melts and have that building finished by the end of summer. At that time I will update the county. We are planning to also complete the road and site work next summer for the offices and condos, the stormwater install as well as landscaping. We are projected to be ready to build the condos and offices building in May of 2025 and be completed on the whole CUP by the end of fall of 2025. We are asking for a 2 year extension on this CUP.

Sincerely,

Cody Draper



Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350
Phone: 208-382-7115
Email: cherrick@co.valley.id.us



Instrument # 446200

VALLEY COUNTY, CASCADE, IDAHO
11-23-2021 11:03:34 AM No. of Pages: 2
Recorded for : P & Z
DOUGLAS A. MILLER
Ex-Officio Recorder Deputy
Index to: COUNTY MISC

Fee: 0.00

AF

CONDITIONAL USE PERMIT

NO. 21-32

Lake Fork Village Condos and Offices

Issued to: Cody Draper
EVLD LLC
2589 S Groom Way
Meridian, ID 83642

Property Location: The site is 1.6 acres identified as parcel RP00204000008B - Pleasant Acres Subdivision in the NWSW Section 3, T.17N, R.3E, Boise Meridian, Valley County, Idaho.

There have been no appeals of the Valley County Planning and Zoning Commission's decision of November 10, 2021. The Commission's decision stands, and you are hereby issued Conditional Use Permit No. 21-32 with Conditions for establishing apartments and office space as described in the application, staff report, and minutes.

The effective date of this permit is November 23, 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 approved in the application shall require an additional Conditional Use Permit.
3. The use shall be established by December 31, 2023, or this permit shall 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.

Conditional Use Permit

Page 1

5. Must comply with requirements of the McCall Fire District. A letter of approval is required.
6. Lighting must comply with Valley County Standards. All lighting must be full cut-off. Lights cannot project onto other properties.
7. The site must be kept in a neat and orderly manner.
8. The stormwater management plan shall be approved prior to excavation of the site. The fee for engineering review shall be reimbursed at 105%.
9. Shall obtain Central District Health approval prior to issuance of building permits.
10. Landscaping shall be installed prior to October 1, 2023. If landscaping dies, it must be replaced. Noxious weeds must be controlled using proper land management principles.
11. A minimum of one tree should be planted for every 25 feet of linear street frontage along the north, east, and west properties lines. The trees may be grouped or planted in groves.
12. There shall be only one ground-mounted sign in the 100-foot setback. Signage can also be located on the buildings.
13. Parking is not allowed in the 100' setback area.
14. Must have an approved approach permit from the Valley County Road Department for both driveway entrances from Pleasant Acres Drive.
15. Business hours of operation are limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday.
16. The apartments must be for long-term rentals only.

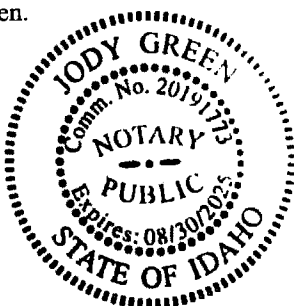
END CONDITIONAL USE PERMIT

Date November 23, 2021

Approved by Cynda Herrick

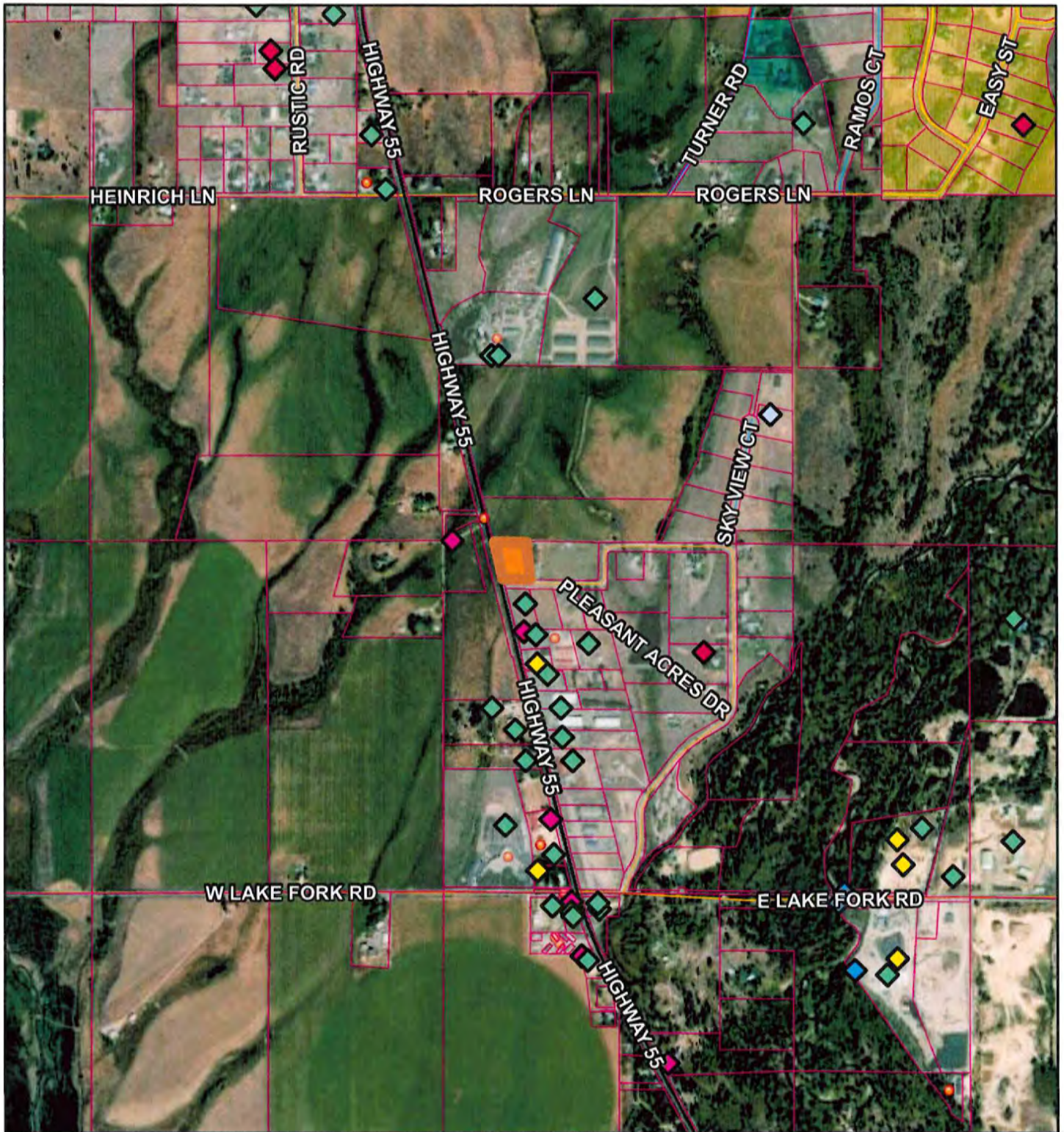
On this 23 day of November, 2021^{***}, before me, a notary public in and for said State, Cynda Herrick personally appeared, and is known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

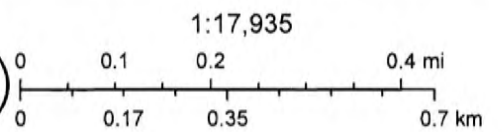
CUP 21-32 Vicinity Map



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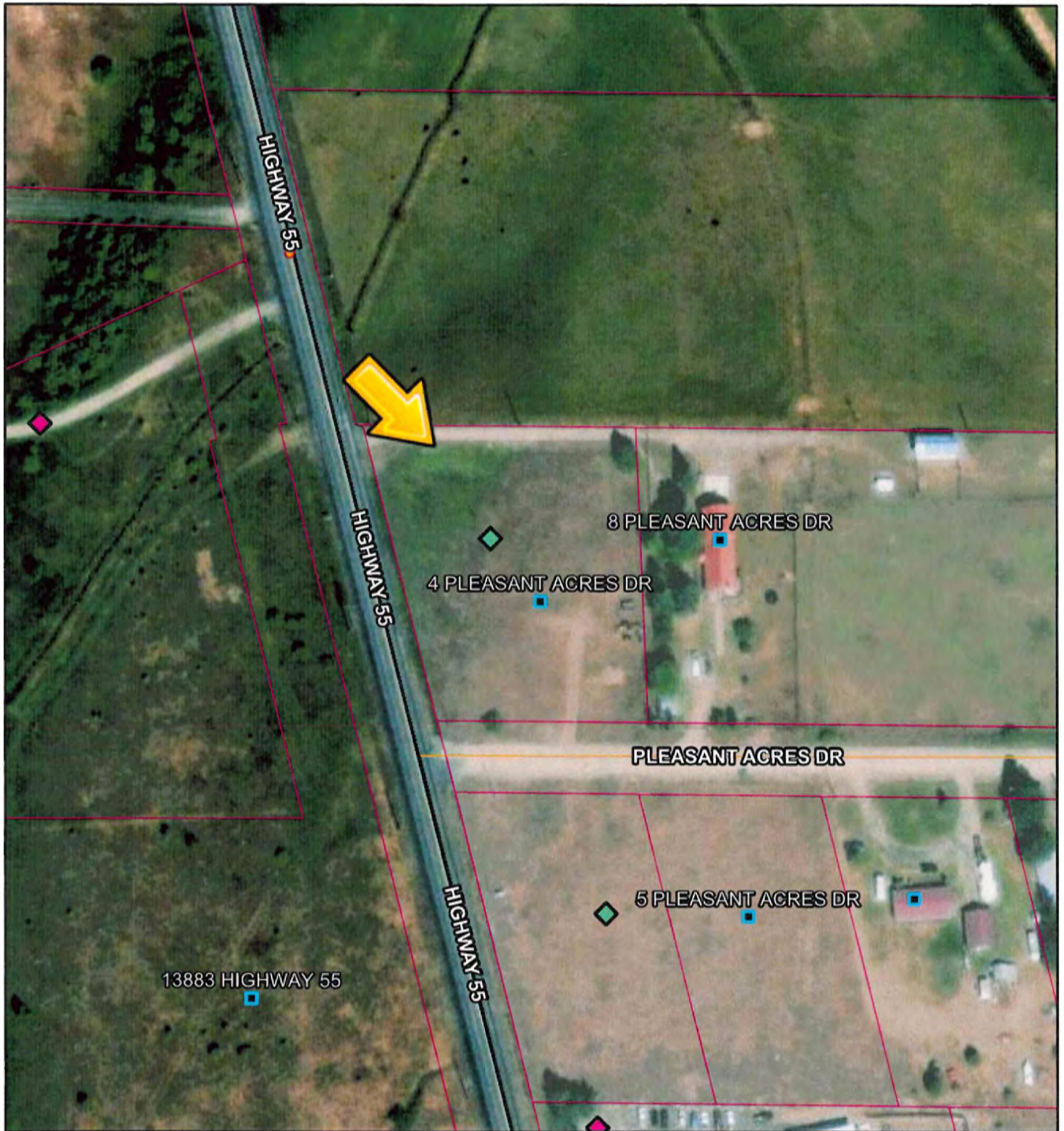
- Permits**
- ◆ CUP
 - ◆ ADU
 - ◆ FP
 - ◆ GF
 - ◇ STR
 - ◇ VAR
 - Parcel Boundaries
 - Points of Interest

- Roads**
- MAJOR
 - URBAN/RURAL
 - PRIVATE



Maxar

CUP 21-32 Aerial Map



11/3/2023, 4:40:16 PM

Permits

◆ CUP

◆ VAR

■ Address Points

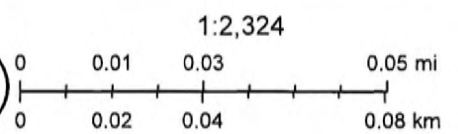
□ Parcel Boundaries

● Points of Interest

Roads

— MAJOR

— URBAN/RURAL



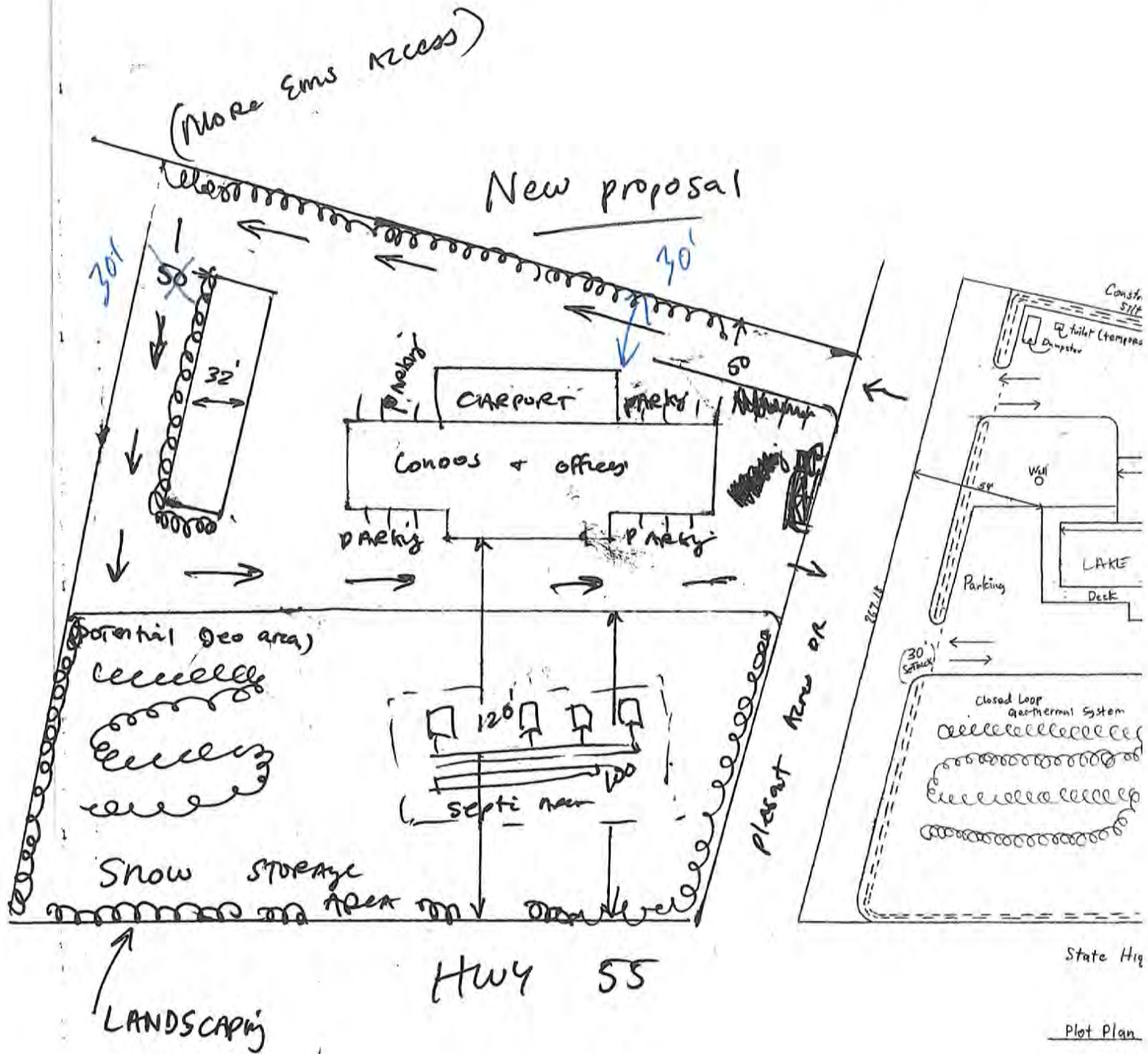
Maxar, Microsoft



11/21/2023



C.U.P. 21-32
August 2022



State Hig

Plot Plan

Lot 8 Pleasant Acres



TABLE 5-A STANDARDS FOR CONDITIONAL USES

Use Description	Building Setbacks (feet)				Max. Lot Cover	Minimum Street Frontage	Max. Building Height	Minimum Parking Spaces
	Front	Side	Side Street	Rear				
Commercial uses:								
Area business	30	10	30	30	40 %	75 ft	35 ft	1 +1/250 square feet
Neighborhood Business	30	10	30	30	40 %	75 ft	35 ft	1+1/250 square feet
Recreational Business	50	30	50	50			45	1/each 4 occupants
Service Business	50	30	50	50	40	75	35	1+1/250 square feet
Residential uses:								
Condominium, townhouse, or multi- family residence	30	15	30	30	40 %	30 ft	35 ft	2/residential unit

9-5F-1: COMMERCIAL USES; SITE OR DEVELOPMENT STANDARDS:

Commercial uses requiring a conditional use permit shall meet the following site or development standards, except as may be modified by a PUD:

B. Minimum Setbacks:

1. The minimum setbacks for neighborhood businesses shall be thirty feet (30') from front, rear, and side street property lines and ten feet (10') from all side property lines.
2. The minimum setbacks for service and recreation businesses shall be fifty feet (50') from rear, front, and side street property lines and thirty feet (30') from side property lines.
3. The minimum setbacks for area businesses shall be the same as those for neighborhood businesses. Salvage yards, auto wrecking yards, or commercial agricultural businesses shall be located not less than one thousand feet (1,000') from any residential development, civic or community service use, or other noncompatible commercial use, unless the impacts are adequately mitigated by implementation of standards as approved by the commission. The setbacks will be determined in relation to impact mitigation.

C. Maximum Building Height And Floor Area:

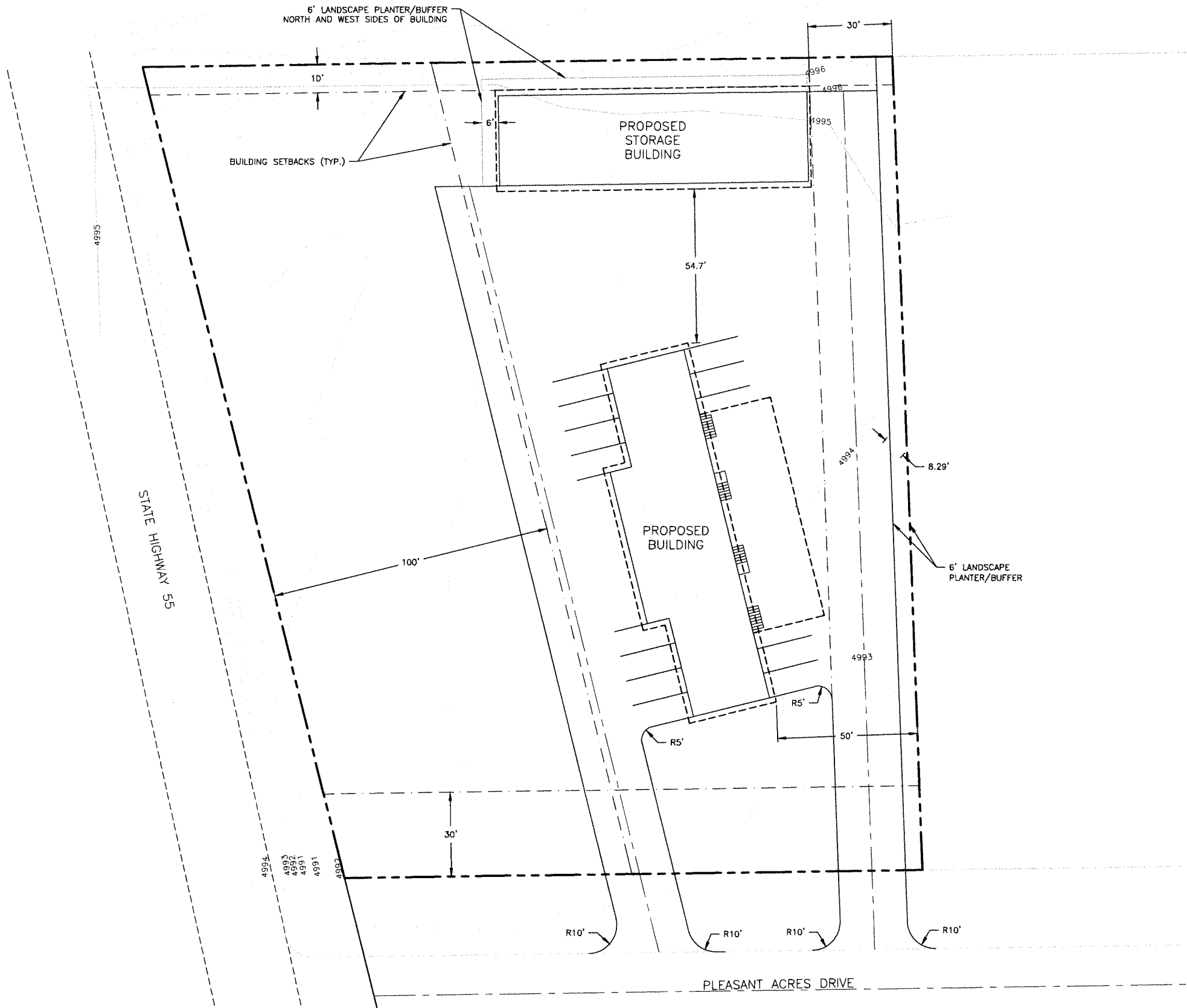
1. Building heights shall not exceed thirty five feet (35') above the lower of the existing or finished grade.
3. No building or combination of buildings may cover more than forty percent (40%) of the lot or parcel, except recreation business buildings may not cover more than one percent (1%) of the lot and agricultural business buildings may not cover more than twenty percent (20%) of the lot or parcel.

NOTES:

1. EXISTING TOPOGRAPHY AND PROPERTY BOUNDARIES AS SHOWN ON THIS PLAN HAVE BEEN DIGITIZED FROM THE "LEVEL 1 NUTRIENT-PATHOGEN EVALUATION PROPOSED MIXED-USE DEVELOPMENT PLEASANT ACRES SUBDIVISION VALLEY COUNTY, IDAHO" REPORT PREPARED BY STRATA, INC. PROPOSED IMPROVEMENTS AS SHOWN ON THE PLAN ARE BASED UPON DRAWINGS PROVIDED THE OWNER.
2. THE EXISTING SITE INFORMATION IS PROVIDED FOR THE CONVENIENCE OF THE CONTRACTOR AND SHALL BE FIELD VERIFIED BY THE CONTRACTOR'S CONSTRUCTION SURVEY PRIOR TO THE START OF ANY PROJECT CONSTRUCTION. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS OR ACCURACY OF THE EXISTENCE OF OBJECTS OR UTILITIES ENCOUNTERED, BUT WHICH ARE NOT SHOWN ON THESE DRAWINGS.

LEGEND:

- PROPERTY BOUNDARY
- - - - - EXISTING CONTOUR (APPROXIMATE)



NO.	REVISION	BY	DATE	DESIGN
				GTT
				DRAWN
				SMR
				CHECKED
				GTT
				APPROVED

CRESTLINE
ENGINEERS
323 DEINHARD LANE, SUITE C · PO BOX 2330
McCALL, IDAHO 83638

LAKE FORK VILLAGE CONDOS & OFFICES
VALLEY COUNTY, IDAHO
REVISED SITE PLAN
8/9/2022

VERIFY SCALE BAR IS ONE INCH ON FULL SIZE DRAWING 0 1"	
PROJECT	22014
DATE	8/9/2022
DRAWING NO.	SHEET NO.
C-1	1 OF 1

Modify COA #19: The Valley County Engineer shall confirm there is adequate snow storage on-site.

Commissioner Childs seconded the motion. Motion passed unanimously.

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

C. OTHER – Action Items:

- **Approval Of Professional Forester Under Title 10**

Crestline Engineers has submitted resumes for two people to prepare Wildland Urban Interface Fire Protection Plans: Katherine Lanspery and Richard Rehberg. Commissioner Caldwell moved to allow these people to submit Wildland Urban Interface Fire Protection Plans with the condition that approval can be rescinded if the plans are not satisfactory. Commissioner Childs seconded. Motion passed unanimously.

- **Whole Home Incinerator Approval Request**

There are some lots that cannot get septic approval due to high water level. The Planning and Zoning Commission agreed to allow the Planning and Zoning Director to approve whole home incinerators at an administrative level.

- **C.U.P. 21-32 Lake Fork Village Condos and Offices – Site Plan Approval**

Cody Draper, the applicant, has submitted a rearranged site plan. All setbacks will be met. The Planning and Zoning Commission concurs that this is not a change in the scope of use of the approved conditional use permit.

- **C.U.P. 19-09 The Retreat McCall – Building Configuration**

This conditional use permit is for an event venue that was approved on Boulder Lake Road. It included approval of five separate cabins for guest use. Colby and Tammy Rampton have requested to build one structure with five separate units for a more cost-effective building. The overall building footprint would be reduced. There would be no changes to the septic system requirements. The Planning and Zoning Commission concurs that this is not a change in the scope of use of the approved conditional use permit.

D. FACTS AND CONCLUSIONS – Action Items:

- VAC 22-02 Wykert Vacation of Utility Easement
- VAC 22-03 Wardwell Vacation of Utility and Drainage Easement
- C.U.P. 22-22 Round Valley Haven Subdivision
- C.U.P. 22-23 Keller Multiple Residences:
- C.U.P. 22-24 Alvarez RV Rental Site
- C.U.P. 22-25 Paddy Summit Subdivision
- C.U.P. 22-26 Glory Ridge Subdivision

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

ADJOURNED: 10:01 p.m.

D. OTHER

1. C.U.P. 21-20 Gold Fork River Estates: Removal of COA # 17. Action Item.

Crestline Engineering, on behalf of the applicant, has submitted a request to remove Condition of Approval #17. Staff discussed the proposed subdivision and the basis for removing COA #17. Valley County Code Title 11 states that Base Flood Elevations (BFE) are required to subdivide land. Typically, a Letter of Map Amendment (LOMR) would be submitted to formally publish new BFEs. Director Herrick recently attended training held by the National Flood Insurance Program and the Federal Emergency Management Agency (FEMA) and confirmed that BFEs are required for land subdivision, but they do not have to be published. BFEs for the location of C.U.P. 21-20 have already been established but were not published.

LOMRs are costly and time consuming. There will be no development nor building sites allowed in the floodplain. Staff does not see a need for a conditional LOMR as BFEs do exist for the site. The face of plat will include the floodplain shown as "no-build" areas. There will be open space on the plat.

Commissioner Caldwell moved to approve the removal of COA #17 as stated for C.U.P. 21-20. Commissioner Childs seconded. Motion passed unanimously.

2. C.U.P. 21-32 Lake Fork Village Condos & Offices: Alteration Request. Action Item

Director Herrick stated that the applicant is present and available for questions from Commissioners. The site is at the northeast corner of Pleasant Acres Drive and Highway 55. Approval of C.U.P. 21-32 included a multi-level, mixed-use building for office, storage, and residences. The proposed storage areas were in the semi-basement area, five feet in the ground. Due to the high-water table, the applicant wants to remove the storage from the basement and add an 8-unit storage area to the northern part of the property. This would lower the height of the building five feet. The applicant will screen the parking on the east side of the building. Landscaping is proposed. Does the Commission think this changes the nature of the scope of the business? The Commissioners stated that scope of the business remains the same and a new application is not necessary. Cody Draper, applicant, confirmed that the storage area will match the design of the primary building.

Caldwell moves to approve the alteration request for C.U.P. 21-32. Commissioner Childs seconded. Motion passed unanimously.

E. FACTS AND CONCLUSIONS – Action Items:

- C.U.P. 22-11 Central Mountain Land Services
- C.U.P. 22-12 Gemma's Outdoor Market
- C.U.P. 22-13 Paikka Bakery

Commissioner Caldwell moved to approve the Facts and Conclusions as listed and authorized the Chairman to sign. Commissioner Childs seconded the motion. The Facts and Conclusions for PUD 22-01 will be postponed to June 23, 2022, to enable all Commissioners to review. Motion carried unanimously.

F. WORK SESSION

The work session will be postponed to a further date when more commissioners can be present. The Commissioners prefer to split the July public hearings into two separate dates due to the number of items scheduled. The regular meeting will be July 14, 2022. An additional meeting will be held on Tuesday, July 19, 2022, and will include two final plats, C.U.P. 22-26, C.U.P. 22-27, and a work session if time allows. The work session may include McCall Impact Area, Comprehensive Plan, and Subdivision Regulations.

ADJOURNED: 8:50 p.m.

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

, Chairman
Neal Thompson, Vice-Chair

Brian Benton, Commissioner
Katlin Caldwell, Commissioner
Scott Freeman, Commissioner

MINUTES

Valley County Planning and Zoning Commission

November 10, 2021

Valley County Court House - Cascade, Idaho

WORKSESSION – 5:30 p.m.

PUBLIC HEARING - 6:00 p.m.

A. OPEN: Meeting called to order at 5:30 p.m. by Acting Chairman Thompson. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Brian Benton:	Present
PZ Commissioner – Katlin Caldwell	Present
PZ Commissioner – Scott Freeman:	Excused
PZ Commissioner – Neal Thompson:	Present
PZ Assistant Planner – Lori Hunter:	Present

B. 5:30 p.m. - WORKSESSION: Fire Code Standards

Jess Ellis, Donnelly Fire Department, Steve Hull, Cascade Fire Department, the Commissioners, and PZ Director Herrick discussed the draft requirements that the Cascade, Donnelly, and McCall Fire Districts are proposing. These standard requirements are based on Fire Code. A set of standards are proposed so all three districts will have the same requirements.

These standard requirements will include roads, access, gates, water supply, water tanks, flow requirements, occupancy, and short-term rentals. Previously, water supply requirements have differed in each Fire District. Valley County Sheriff has jurisdiction in areas that are outside the Fire Districts. Shared driveways are required to be built to Fire Code. Long driveways, water tanks, fire hydrants, short-term rental homes, and sprinkler-system recommendations were also discussed.

Fire wise landscaping and building materials will be discussed at a future time.

Short recess.

6:00 p.m.

C. MINUTES: Commissioner Benton moved to approve the minutes of October 14, 2021. Commissioner Caldwell seconded the motion. Motion carried unanimously.

D. OLD BUSINESS:

- 1. C.U.P. 21-10 Pearson Landing – Final Plat:** BP Properties 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 on approximately 11.8 acres. Access will be from a new private road onto Pearson Lane (public). The site is parcel RP18N03E2289006 in Section 28, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item. [Not a public hearing.].

Acting Chairman Thompson asked for undecided. There were none.
Acting Chairman Thompson asked for opponents. There were none.

Acting Chairman Thompson closed the public hearing. The Commission deliberated. It is compatible with surrounding land uses. This is a rural area. The sawmill is electric. The 360° development will have a private road with a separate access than the sawmill site. The applicants must comply with requirements of McCall Fire Department (COA #8)

COA: Must control dust on driveway.

COA: Cannot exceed the maximum of two logging trucks per day and average of once per week.

COA: Cannot exceed four employees, including the two applicants.

The Commissioners determined that the proposed landscaping and pole barn will adequately mitigate the reduced distance from the proposed residences. The site must be kept neat and orderly (COA #10)

The requested variance from frontage requirements and the Road Department Director's response were discussed.

COA: Approach must meet the standards for heavy equipment use.

This site is in a bowl; therefore, screening and topography will mitigate noise. The variance from the 150-ft front setback requirement is requested so the existing ditches will not be affected. The electric motor will be quieter than a typical sawmill. The hours of operation were discussed.

Commissioner Caldwell moved to approve C.U.P. 21-31 with the stated conditions and recommend approval of the variances to the Board of County Commissioners. Commissioner Benton seconded the motion. Motion carried unanimously.

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

This was a unanimous decision; therefore, the Valley County Board of County Commissioners are not required to have a public hearing on the variances prior to making a decision.

7:18 p.m.

4. **C.U.P. 21-32 Lake Fork Village Condos & Offices:** EVLD LLC is requesting a conditional use permit for a 12,000-sqft mixed-use building on 1.6 acres. The building will have business facilities on the main floor, four two-bedroom condos on the second floor, and storage areas in the basement. An individual well and septic systems will be used. Access will be from Pleasant Acres Drive. The site is Pleasant Acres Subdivision Tax No. 165 in Lot 8 in Section 3, T.16N, R.3E, Boise Meridian, Valley County, Idaho. Action Item

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

Acting Chairman Thompson asked for the Staff Report. Director Herrick presented the staff report and displayed the site and GIS map on the projector screen. The maximum density is 2.5 dwelling units per acre unless long-term rentals. The 100-ft setback was discussed; the applicant is proposing the drainfield be included in the 100-ft setback from Highway 55.

Acting Chairman Thompson asked for the applicant's presentation.

Cody Draper, Meridian, said the previous owner [C.U.P. 21-16 South Fork Excavation] wanted to sell the property. Mr. Draper believes his proposal is a good fit for the area and is similar to a previous proposal at the same site [C.U.P. 05-44 Payette Plaza]. He has been working with Central District Health. There will be no access from Highway 55; the two entrances access Pleasant Acres Drive. McCall Fire Department has reviewed the application.

Mr. Draper further explained the site plan. Title companies have researched the property and no easements exist across the property onto Highway 55. The offices will be on the main floor and apartments upstairs. There will be no short-term rentals of the apartments. There will be covered parking for apartment renters and an outside staircase to access apartments. Storage area will be accessed from stairs inside the main floor. There is plenty of room in the setback areas for snow storage, septic system, and the heating/cooling loop system.

Proposed business hours of operation are 7:00 a.m. to 7:00 p.m., Monday – Saturday. Mr. Draper clarified the proposed parking. The covered parking area will allow two cars for each of the four apartment. There are four offices and plenty of room for business parking. Snow storage will not occur in the parking area. The water tank required by the McCall Fire District will be north of the building, near well, with easy access for fire trucks. Sprinklers will be included in the building in case of fire. The facilities will be managed by Mr. Draper. He is requesting a completing date in 2023 in case of delays due to electrical installation. However, he anticipates submitting building plans and beginning construction in 2022.

Director Herrick clarified that the building setback from the side property line must be a minimum of 50-ft.

Acting Chairman Thompson asked for proponents. There were none.

Acting Chairman Thompson asked for undecided. There were none.

Acting Chairman Thompson asked for opponents.

Krista Rauch, 8 Pleasant Acres Drive, is the adjacent neighbor to the east. She also recently commented on the application for C.U.P. 21-16. She acknowledged that there is not a legal easement across the northern part of the property; however, it is the way they get to their garage and RV storage. The existing graveled way is also used by Idaho Power to access the overhead powerline. She has completed her fence for screening. Four businesses and four residences are too many at this site. The apartments will overlook her home.

Acting Chairman Thompson asked for rebuttal from the applicant.

Mr. Draper said he believed the existing road issue was solved by the previous owner. Electrical lines are also along Pleasant Acres Drive. He does not think there are utility easements across the property; however, Idaho Power can move electric lines if needed. He is willing to work with the neighbor; however, there are other ways to get to the back of the neighbor's property. He is willing to add landscaping to help screen the building.

Acting Chairman Thompson closed the public hearing. The Commission deliberated. They discussed the site plan; it is not drawn to scale. There would be a shared deck on the east side of building. Trees can be planted to help screen the property and reduce noise. The side setback is required to be 50-ft. There is room on the property for the proposed building and parking. Access to the rear portion of 8 Pleasant Acres Drive was discussed; the owner has options.

COA: The apartment must be for long-term rentals only.

Commissioner Benton moved to approve C.U.P. 21-32 with the stated conditions.
Commissioner Caldwell seconded the motion. Motion carried unanimously.

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

8:03 p.m.

5. C.U.P. 21-33 Lawrence Farm: Amy and Stanley Lawrence are requesting a conditional use permit for horse boarding, riding arena, and parking for year-round use by the public. The barn and indoor arena are preexisting; a porta-potty would be added. The 24.8-acre site is addressed at 277 Potter Lane, parcels RP17N03E010160 and RP17N03E010020, in the NE ¼ Section 1, T.17N, R.3E, Boise Meridian, Valley County, Idaho. Action Item

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

Acting Chairman Thompson asked for the Staff Report. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Jan Busby and family, adjacent neighbor, is opposed. (Nov. 7, 2021)
- **Exhibit 2** – Ronald, Cheryl, and Rhonda Yost, 250 Potter Lane, are concerned with traffic, road damage, dust, and noise. (Nov. 9, 2021)

The applicant has removed the parking area for public access to the state and federally managed land from their proposal. Additional information was submitted by the applicant and included in the staff report.

Acting Chairman Thompson asked for the applicant's presentation.

Amy and Stanley Lawrence, 277 Potter Lane, are the applicants. Teresa Bateman, 152 W Lake Fork Road, is a partner in the venture and has many years of horse ownership, training, and teaching lessons. The applicants own 24 acres in a rural area, surrounded by agricultural lands and Jug Mountain Golf Course. They live on-site. The property includes a 9000-sqft indoor riding arena and attached barn with stalls. The arena will not be open to the general public but will be used by people who are boarding horses on the property. The arena will be available between noon and 6:00 p.m. The clinics will be limited to six attendees per clinic. Clinics would occur only Friday, Saturday and/or Sunday between the hours of 9:00 a.m. and 6:00 p.m. The high school rodeo team will use the site and be limited to six riders at a time in the arena.

No new construction is required as all facilities are existing. The use is not meant to be a main source of income. People are looking for a safe dry place to keep and ride horses during the winter. Part-time employees to help with upkeep of facilities.

The applicants revised their original plan after meeting with group of neighbors. Allowing parking to access across a neighbor's property was removed. They will not be hosting large riding events and will have a maximum of six riders at a time. No parking will occur on Potter Lane. There will be no overnight parking. They will modify the driveway to improve the trailer turn-around. Horses will already be on site. They do not expect a significant increase in daily traffic.

The applicants want further clarifications of conditions of approval 9 & 10 as listed in the staff



Valley County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone # _____

Conditional Use # CUP 21-32

Preliminary / Final / Short Plat _____

Lake Fork Village Condos And Offices
Lot 83 Pleasant Acres Sub 4 Pleasant Acres DE

- ☐ 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. COH has no objections to the time extension

Reviewed By: [Signature]

Date: 11 14 23

SENT VIA EMAIL

September 20, 2022

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

Re: Lake Fork Village Condos & Offices – Stormwater Drainage Report

Dear Cynda:

I have reviewed the above referenced drainage report, including the Site Plan and Storm Water Management Plan drawings included in the appendix, against the current Valley County (VC) Private and Public Road standards. Per my review and after contacting the applicant directly with a few questions, it is my opinion that the drainage report and associated drawings meet the VC standards and requirements with the exception of the driveway layouts at Pleasant Acres Dr, as shown on the Storm Water Management Plan drawing. The applicant will need to construct the driveways per Figure 200 in the VC standards. Conditioned upon this directive, I am recommending approval of the drainage report.

Please contact me with any questions or comments.

Sincerely,

PARAMETRIX
Valley County Engineer

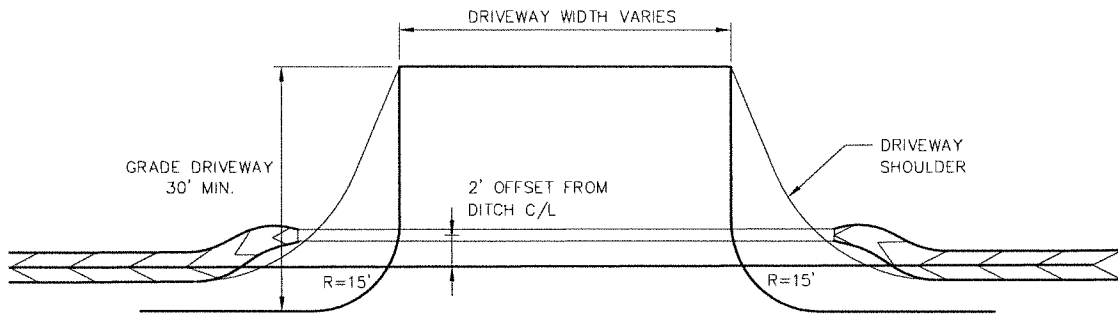


Paul Ashton, PE

cc: Project File

Jeff McFadden / Valley County Road Department

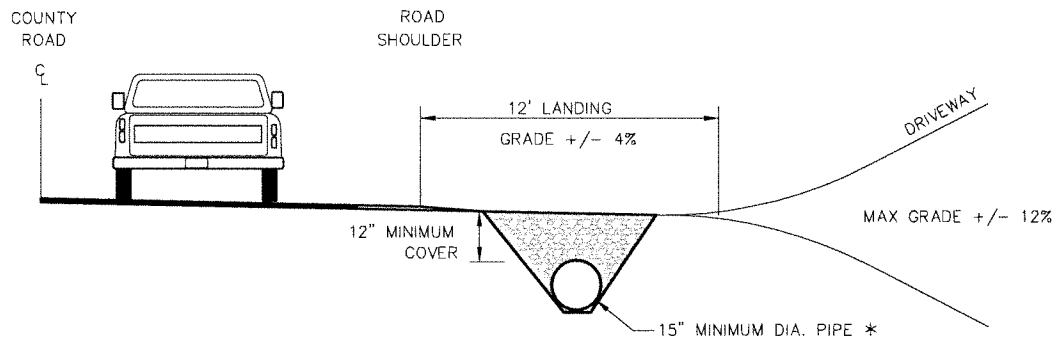
Robert Pair, E.I.T., Crestline Engineers



COUNTY ROAD

PLAN VIEW

NTS



DRIVEWAY PROFILE

NTS

* APPROVED MATERIAL
STEEL CMP 16 GAGE
RIBBED POLYETHYLENE
ALUMINUM 14 GAGE

VALLEY COUNTY
ROAD
DEPARTMENT

DRIVEWAY PLAN

FIGURE
200