

Valley County Planning and Zoning

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Cascade, ID 83611-1350



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STAFF REPORT: P.U.D. 97-1 Jug Mountain Ranch
C.U.P. 21-40 Phase 3B - Preliminary Plat

HEARING DATE: December 9, 2021

TO: Planning and Zoning Commission

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

APPLICANT / OWNER: Jug Mountain Ranch LLC and Carey Real Estate Management LLC
David John Carey II, Manager
PO Box 2332
McCall, ID 83638

REPRESENTATIVE: Amy Pemberton, Millemann, Pemberton & Holm LLP
PO Box 1066
McCall, ID 83638

ENGINEER: Gregg Tankersley, Crestline Engineers, Inc.
PO Box 2330
McCall, ID 83638

SURVEYOR: Ralph Miller, Secesh Engineering, Inc
P.O. Box 70
McCall, ID 83638

LAND PLANNER: David J. Peugh, Epikos LLC
PO Box 2490
McCall, ID 83638

LOCATION: RP17N04E066455 and part of RP17N04E060006, a 483-acre parcel, in the SW ¼ Section 6, T.17N, R.4E, Boise Meridian, Valley County, Idaho

SIZE: 29.37 acres

REQUEST: Single-Family Residential Subdivision

EXISTING LAND USE: Agricultural –Timber

Jug Mountain Ranch Planned Unit Development consists of 1,430 acres of which 1,104 acres are planned for platted recreation and open space, including the 18-hole golf course. The development is occurring in phases. The narrative in the application details the approved uses, existing facilities and plats, and future plat phases. Buildout will allow 325 residential and mixed residential units. There have been 161 lots recorded in previous phases.

A Road Development Agreement was entered into with Valley County and is attached. The RDA will need to be analyzed for compliance. A new traffic study may be needed due to the increased traffic volumes from the various recreation uses.

Jug Mountain Ranch LLC is requesting a conditional use permit to amend C.U.P. 04-34 and approve a preliminary plat.

The plat would include 16 single-family residential lots and 4.19 acres of open space on 29.37 acres. No change in approved uses or densities is requested. The requested amendment is to incorporate the entirety of the Phase 3B property into the previously approved Phase 3 by expanding the east boundary.

Shared-driveway variances are requested.

Emergency access easement thru Phase 3B would connect with Ashton Lane. This access would be reserved for use by emergency service providers and for use by the Jug Mountain Ranch Association and Declarant for service access and maintenance.

The lots will be accessed from private roads onto Jug Mountain Ranch Road, an existing private road, and then onto Farm-to Market Road, public. The homes will use the existing central sewer and water systems for Jug Mountain Ranch.

FINDINGS:

1. The application was submitted on October 25, 2021.
2. Legal notice was posted in the Star News on November 18, 2021, and November 24, 2021. Potentially affected agencies were notified on November 9, 2021. Neighbors within 300 feet of the property line were notified by fact sheet sent November 10, 2021. The site was posted on November 17, 2021. The notice and extension request were posted online at www.co.valley.id.us/public-hearing-information on November 9, 2021.
3. Agency comment received:

 Jess Ellis, Donnelly Fire Department Fire Marshall, listed requirements. (Nov. 14, 2021)

 Central District Health requires an application and engineering report. (Nov. 15, 2021)

 Jeff McFadden, Road Department Director, has no comments. (Dec. 1, 2021)

 Idaho Department of Environmental Quality (DEQ) provided general comments on air quality, wastewater, drinking water, surface water, hazardous waste, and ground water contamination. (Nov. 19, 2021)
4. Neighbor comment received: none
5. Physical characteristics of the site: Rolling; Portion with Steeper Slope; Scattered Timber
6. The surrounding land use and zoning includes:
 North: Agriculture - Timber
 South: Single-Family Residential – Jughandle Estates
 East: Agriculture - Timber
 West: Jug Mountain Ranch – Phase 3 – Single-Family Residential
7. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:

- 2. Residential Uses (h) Planned Unit Development

Review of Title 9 - Chapter 5 Conditional Uses and Title 10 should be done.

9-5A-1: GRADING:

- A. Permit Required: Grading to prepare a site for a conditional use or grading, vegetation removal, construction or other activity that has any impact on the subject land or on adjoining properties is a conditional use. A conditional use permit is required prior to the start of such an activity.
- E. Site Grading Plan:
1. The conditional use permit application shall include a site grading plan, or preliminary site grading plan for subdivisions, clearly showing the existing site topography and the proposed final grades with elevations or contour lines and specifications for materials and their placement as necessary to complete the work. The plan shall demonstrate compliance with best management practices for surface water management for permanent management and the methods that will be used during construction to control or prevent the erosion, mass movement, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development. The plan shall be subject to review of the county engineer and the soil conservation district. The information received from the county engineer, the soil conservation district, and other agencies regarding the site grading plan shall be considered by the planning and zoning commission and/or the board of county commissioners in preparing the conditions of approval or reasons for denial of the applications. (Ord. 10-06, 8-23-2010)
 2. For subdivisions, preliminary site grading plans and stormwater management plans must be presented for review and approval by the commission as part of the conditional use permit application. However, prior to construction of the infrastructure, excavation, or recordation of the final plat, the final plans must be approved by the county engineer. (Ord. 10-06, 8-23-2010; amd. Ord. 11-5, 6-6-2011)
- F. Land Surfaces Not Used For Roads, Buildings And Parking: All land surfaces not used for roads, buildings and parking shall be covered either by natural vegetation, other natural and undisturbed open space, or landscaping.
- G. Stormwater Management Plan: Prior to issuance of building permits, the administrator must receive a certification from the developer's engineer verifying that the stormwater management plan has been implemented according to approved plans. (Ord 10-06, 8-23-2010)

9-5A-6: UTILITIES:

- A. Direct Access Required: All lots or parcels, for or within conditional uses, shall be provided, or shall have direct access to, utility services including telephone, electrical power, water supply, and sewage disposal.
- B. Central Water Supply And Sewage Systems: Central water supply and sewage systems serving three (3) or more separate users shall meet the requirements of design, operation, and maintenance for central water and sewage systems in the subdivision ordinance.
- E. Easements Or Rights Of Way: Easements or rights of way shall be set aside or dedicated for the construction and maintenance of utilities in accordance with the provisions of the subdivision ordinance.
- F. Utility Plan: A utility plan showing the schedule of construction or installation of proposed utilities shall be a part of the conditional use permit. (Ord. 10-06, 8-23-2010)

9-5B-7: FIRE PROTECTION:

Provisions must be made to implement prefire activities that may help improve the survivability of people and homes in areas prone to wildfire. Activities may include vegetation management around the home, use of fire resistant building materials, appropriate subdivision design, removal of fuel, providing a water source, and other measures. Recommendations of the applicable fire district will be considered. (Ord. 10-06, 8-23-2010)

9-5C-6: DENSITY:

- A. The density of any residential development or use requiring a conditional use permit shall not exceed two and one-half (2.5) dwelling units per acre, except for planned unit developments or long-term rentals. Long-term rental density can be determined by the Planning and Zoning Commission in regards to compatibility with surrounding land uses and will require a deed restriction.
- B. Density shall be computed by dividing the total number of dwelling units proposed by the total acreage of land within the boundaries of the development. The area of existing road rights of way on the perimeter of the development and public lands may not be included in the density computation. (Ord. 11-5, 6-6-2011; amd. Ord. 20-12, 7-6-2020)

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:

A compatibility rating was done for the Planned Unit Development and was found to be positive. Changes do not substantiate an amended compatibility rating.

STAFF COMMENTS:

1. This subdivision is not within a herd district nor in a designated floodplain.
2. The site is within the Boulder Meadows Irrigation INC.
3. Conduit for fiber optics is required.
4. Please describe all of the various types of recreation use in Jug Mountain Ranch PUD. Is a new traffic study needed?
5. Should a Wildfire Mitigation Plan be required since this is a new conditional use permit? When Jug Mountain Ranch was originally approved it was not required.
6. Who will maintain the emergency access road into the future? Should it be a platted right-of-way so as to permanently preserve the access?
7. Will access easements be built to fire code?

ATTACHMENTS:

- Conditions of Approval
- Road Development Agreement
- Vicinity Map
- Aerial Map
- Assessor Plat T.17N R.4E Section 6
- Jug Mountain Ranch Master Land Use – Figure 6
- Preliminary Plat
- Existing Physical Conditions with Preliminary Site Plan
- Pictures Taken November 17, 2021
- 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 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.
6. Prior to final plat, the applicant's engineer shall certify that the roads have been built to approved standards or be financially guaranteed.
7. Must bury conduit for fiber optics with utilities.
8. A Declaration of Installation of Utilities shall be placed on the face of the plat if all utilities are not in place at the time of recordation.
9. A private road declaration is required.
10. A letter of approval is required from Donnelly Fire District prior to recording the final plat.
11. CCR's should address, lighting, wildfire prevention, noxious weeds, and limit each lot to one wood burning device.
12. All lighting must comply with the Valley County Lighting Ordinance.
13. Shall place addressing numbers at each residence and at the driveway entrance if the house numbers are not visible from the road.
14. Shall work with the Valley County Road Director to determine if the original Road Development Agreement needs to be amended and whether improvements should be required for E. Lake Fork RD, Ashton LN, and/or Farm to Market RD.
15. 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."

END OF STAFF REPORT

PRELIMINARY DEVELOPMENT AGREEMENT

THIS AGREEMENT is entered into by and between **JUG MOUNTAIN RANCH COMPANY**, an Idaho corporation (hereinafter generally referred to as "Developer") and **VALLEY COUNTY**, a political subdivision of the State of Idaho, (hereinafter generally referred to as "Valley County"), effective the 4th day of September 1998.

RECITALS

Developer has submitted an Application for Concept Approval of the Jug Mountain Ranch Planned Unit Development (hereinafter "PUD").

As part of the Application, Developer has submitted the Jug Mountain Ranch Traffic Study, authored by Dobie Engineering, Inc., and dated November 4, 1997 (hereinafter "The Traffic Study").

The Traffic Study identifies certain off-site impacts of the proposed PUD. Developer has agreed to participate in the cost of addressing such impacts.

Valley County and the Developer desire to memorialize the terms of their preliminary agreement regarding the Developer's participation in the funding of certain of the aforesaid improvements.

AGREEMENT

Therefore, it is agreed as follows:

1. **Intention of Agreement:** This Agreement is intended only to memorialize agreed-upon compensation and reimbursements to Valley County for impacts as negotiated in work sessions with the appropriate County entities. This Agreement is not intended to grant the Developer any guarantees or rights without first satisfying any and all Conditional Use Permits required and the Planned Unit Development requirements.

2. **Off-Site Road Improvements:** Developer agrees to pay a sum equal to twenty-eight percent (28%) of the total project costs, as defined below, of the following off-site road improvement projects, not in any case to exceed a total expenditure by the Developer on such projects of Two Hundred Twenty-Four Thousand and No/100 Dollars (\$224,000.00), adjusted for inflation/deflation as provided in Paragraph 6(f) below:

(a) **East Lake Fork Road/Vertical Curves:** The reduction of the vertical curves on East Lake Fork Road, between State Highway 55 and Farm to Market Road.

(b) **East Lake Fork Road/Lake Fork Creek Crossing:** Installation of approach guard rails at the Lake Fork Creek Crossing of the East Fork Lake Fork Road, between State Highway 55 and Farm to Market Road.

(c) **Elo Road Shoulder Improvements:** Shoulder widening on Elo Road, between State Highway 55 and Boulder Creek Road, as deemed necessary by Valley County.

(d) **Farm To Market Road Shoulder Improvements:** Shoulder widening, as deemed necessary by Valley County, on Farm to Market Road.

(e) **Ashton Lane-Farm to Market Road Intersection:** To the extent practical, reduction of slope and improvement of the intersection of Ashton Lane with

Farm to Market Road, and shoulder and asphalt work between the PUD (Phase I) entrance and the Farm to Market Road intersection.

(f) **Turning Lanes:** Installation of left turn lanes on Farm to Market Road at the intersection of Farm to Market Road and East Lake Fork Road and on East Lake Fork Road at the intersection with State Highway 55.

(g) **South Farm to Market Road Traffic Study:** No later than the submittal of the Application for Preliminary Plat Approval of the First Phase of the PUD to be platted, Developer shall submit to Valley County a supplement to the Traffic Study, identifying the potential impacts of the PUD on South Farm to Market Road (i.e. South of Ashton Lane).

3. **Method/Timing of Payments:** The Developer's aforesaid contribution shall be paid as follows:

(a) Upon the final approval of the preliminary plat for the first phase of the PUD to be platted, payment of Fifty Six Thousand and No/100 Dollars (\$56,000.00).

(b) Upon the closing of the sale of the 130th lot/unit in the PUD, a sum equal to twenty-eight percent (28%) of the cost of those of the aforesaid road improvement projects which have been completed by Valley County prior to the date of contribution, or are budgeted for completion within the next full fiscal year following the date of contribution, not to exceed a total of One Hundred Twelve Thousand and No/100 Dollars (\$112,000.00). The prior Developer contribution pursuant to Paragraph 3(a) shall constitute a credit against this contribution;

(c) Upon the closing of the sale of the 195th lot/unit, a sum equal to twenty-eight percent (28%) of the cost of those of the aforesaid road improvement projects which have been completed by Valley County prior to the date of contribution or are budgeted for completion in the next full fiscal year following the date of contribution, not to exceed the total sum of One Hundred Sixty Eight Thousand and No/100 Dollars (\$168,000.00). Prior Developer contributions pursuant to Paragraph 3(a) and (b) shall constitute credits against this contribution; and,

(d) Upon the closing of the sale of the 260th lot/unit in the PUD, a sum equal to twenty-eight percent (28%) of the cost of those of the aforesaid road improvement projects which have been completed by Valley County prior to the date of the contribution or which are budgeted for completion within the next full fiscal year following the date of contribution, not to exceed a total of Two Hundred Twenty-Four Thousand and No/100 Dollars (\$224,000.00), as adjusted for inflation/deflation pursuant to Paragraph 6(f) below. Prior Developer contributions pursuant to Paragraphs 3(a) - 3(c) shall constitute credits against this contribution. It is, thus, the mutual intent of the parties that, effective the date of the closing of the sale of the 260th lot/unit in the PUD, with the Developer's final aforesaid payment, the Developer shall have contributed a sum equal to the lesser of twenty-eight percent (28%) of the cost of the aforesaid projects or Two Hundred Twenty-Four Thousand and No/100 Dollars (\$224,000.00), as adjusted for inflation/deflation.

4. **Prioritization of Projects:** Absent agreement to the contrary between the parties, the road improvement projects identified in Paragraph 2 above shall be constructed and completed by Valley County in the following order:

(a) Reduction of vertical curves and construction of approach guardrails at the Lake Fork Creek Crossing, on East Lake Fork Road, between State Highway 55 and Farm to Market Road;

(b) Completion of addendum to the Traffic Study for South Farm to Market Road;

(c) Analysis and, if practical, improvements of Ashton Lane;

(d) Shoulder improvements on Elo Road and on Farm to Market Road;

(e) Turn lanes on Farm to Market Road at its intersection with East Lake Fork Road and on East Lake Fork Road at its intersection with State Highway 55.

5. **Modification of Developer's Payment Schedule:** It is acknowledged by Valley County and the Developer that the reduction of the vertical curves on East Lake Fork and construction of approach guardrails of the Lake Fork Creek Crossing are improvements which it is mutually beneficial to Valley County and the Developer to complete at the earliest possible date. In the event that Valley County demonstrates that a modification or acceleration of the timing of Developer's aforesaid contributions would facilitate an earlier completion of this project, the Developer shall negotiate in good faith regarding the possible modification of and/or acceleration of the aforesaid payment schedule.

6. **Additional Terms and Conditions:**

(a) To the extent that Developer desires to receive "in-kind" credit against his aforesaid contribution responsibility (ex: the cost of engineering/design), the Developer shall present a proposal to the County specifying the particular work or product for which the Developer desires in-kind contribution and the reasonable value to the County of such in-kind contribution.. Valley County and the Developer shall then negotiate in good faith as to whether the proposed in kind contribution will be allowed and to what extent.

(b) Prior to the presentation of the final plat for each phase of the PUD which is platted, the Developer shall provide to Valley County a letter of credit in an amount equal to the maximum dollar contribution which could be required of Developer under Paragraph 3 if all lots/units in that phase, together with any phase(s) already platted, were sold. The letter of credit to be provided by Developer shall contain the Stipulation that the funds represented therein may only be used for costs related to the aforesaid road improvement project, if Developer fails to comply with the terms of this Agreement. The funds represented by said letter of credit may not be accessed or used by Valley County for any other purpose. Developer shall be required to extend the said letter of credit on an annual basis until the contribution installment secured thereby has been paid. The Valley County Commissioners shall annually re-evaluate the required dollar amount of the letter of credit and reduce the required amount of the letter of credit by the amount of any installments which have been made by the Developer to Valley County pursuant to the terms of Paragraph 3 hereinabove, rounded to the nearest ten thousand dollars. During the term of the letter of credit, Valley County will submit to Developer documentation regarding all expenses incurred by Valley County regarding or relating to the completion of the road improvement projects specified in Paragraph 2 above.

(c) It is understood and agreed by the parties that the aforesaid commitment by Developer to contribute twenty-eight percent (28%) of the costs of the specified off-site road improvements is based upon the analysis of traffic contained in the Traffic Study. This analysis includes an analysis of traffic which will be generated by off-site

development (i.e. development outside of the boundaries of the PUD). Specifically, the Traffic Study assumes that an additional one hundred fifty (150) homes will be constructed in the Jug Mountain area on previously approved but undeveloped lots which access State Highway 55 via East Lake Fork Road/Farm to Market Road or via Elo Road. To the extent that, during the term of Developer's contribution installments, due to subsequently approved developments, the developable lots in the area accessed by these roads substantially exceeds one hundred fifty (150) in number, then Valley County will negotiate in good faith with Developer toward the end of determining whether credit, rebate or other adjustment of the contributions required herein is appropriate.

(d) The contributions made by Developer to Valley County pursuant to the terms of this Agreement shall be segregated by Valley County and earmarked and applied only to the project costs of the off-site road improvement projects which are specified in Paragraph 2 above, or to such other projects as are mutually agreeable to the parties.

(e) The sale by Developer of part or all of the PUD property prior to the platting thereof shall not trigger any payment or contribution responsibility. However, in such case, the purchaser of such property, and the successors and assigns thereof, shall be bound by the terms of this Agreement in the same respect as Developer, regarding the property purchased. Otherwise, the sale of any lot/unit within any platted phase of the PUD shall constitute a lot/unit sale for purposes of calculating the installment obligations specified in Paragraph 3 above.

(f) The unpaid portion of the Developer's aforesaid contribution shall be adjusted annually for inflation/deflation, on the successive annual anniversaries of this Agreement, according to the Department of Labor, Bureau of Labor Statistics Consumer Price Index for the smallest geographic region which includes Idaho. 1998 shall be considered the base year for purposes of calculating such adjustments.

(g) The Developer shall have the option of prepaying the unpaid balance of his aforesaid contribution, and, thereby, fully satisfying his obligations hereunder, by paying the difference between Two Hundred Twenty-Four Thousand and No/100 Dollars (\$224,000.00), as adjusted annually for inflation/deflation, and the amount already paid by Developer to the County and/or credited by the County to the Developer.

(h) This Agreement shall be binding on and inure to the benefit of the successors, and assigns of Developer.

7. **Recordation:**

(a) It is intended that this Agreement will be recorded by Valley County. The intent of the recordation will be to document the official aspect of the contractual obligations set forth in this Agreement. This Agreement will not be recorded to in any way establish a lien or other interest in favor of Valley County as to any real property owned by Jug Mountain Ranch Company at the time of recording, or any real property which may be acquired by Jug Mountain Ranch Company on any date after the recording of this Agreement.

(b) In conjunction with the foregoing Paragraph 7(a), it is specifically noted that Valley County does hereby release all real property now owned or hereafter acquired by Jug Mountain Ranch Company from any lien, obligation or other interest which may be said to arise from the recording of this Agreement.

(c) Notwithstanding the foregoing Paragraphs 7(a) and 7(b), nothing stated herein shall be deemed to constitute a release of Jug Mountain Ranch Company's obligation to fully comply with the terms of this Agreement.

**VALLEY COUNTY BOARD
OF COMMISSIONERS:**

By: Terry F. Gestain Date: Sept. 4, 1998
Commissioner / Chairman: TERRY F. GESTAIN

By: F. Phillip Davis Date: Sept 4, 1998
Commissioner: F. Phillip Davis

By: Thomas W. Kerr Date: September 4, 1998
Commissioner: Thomas W. KERR

ATTEST:

VALLEY COUNTY CLERK:

Leland Heinrich
LELAND HEINRICH

Date: September 4, 1998

JUG MOUNTAIN RANCH COMPANY

By: DJH
Title: PRESIDENT

Date: 9/4/98

STATE OF IDAHO,)
(ss.
County of Valley.)

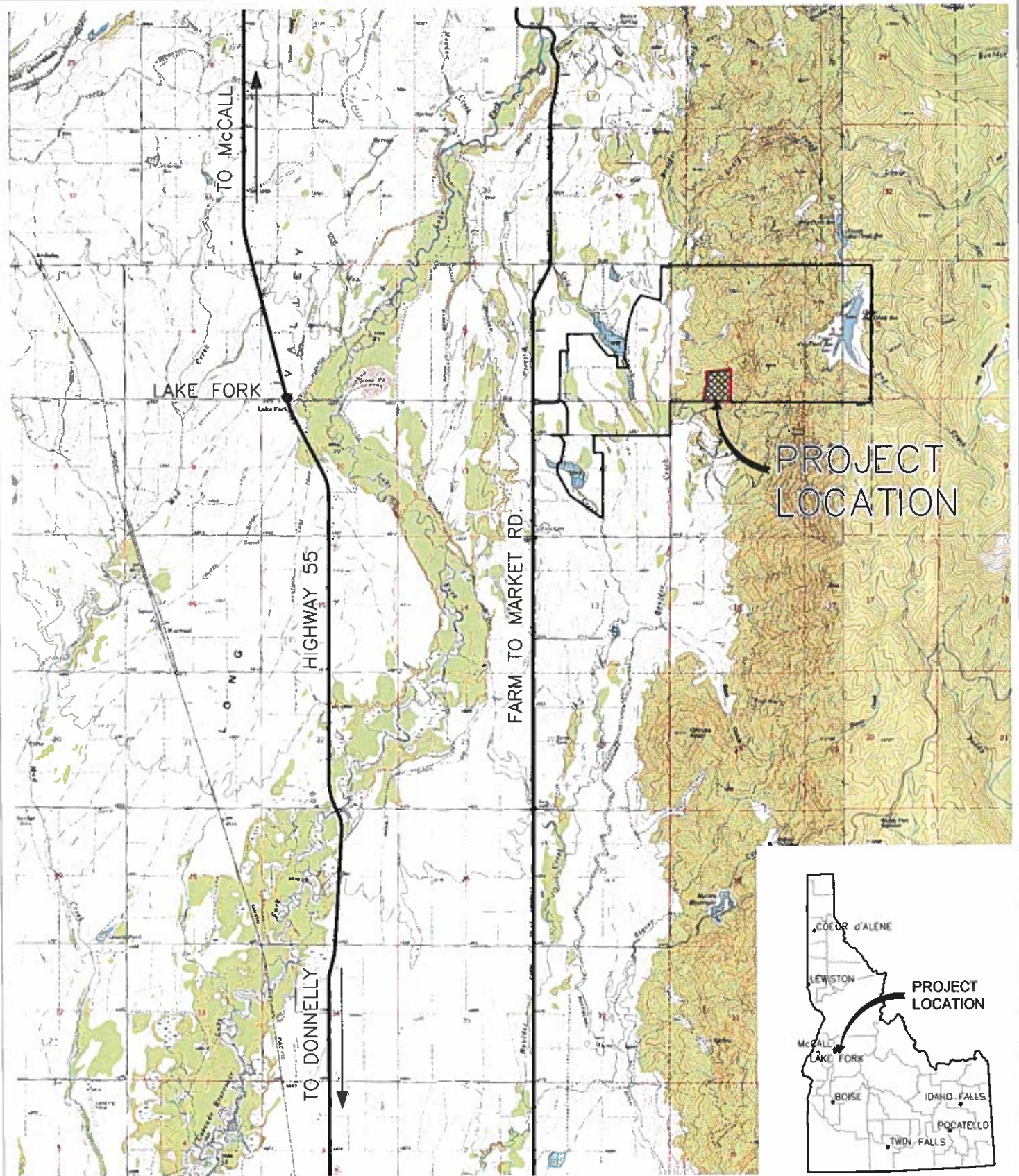
On this 4 day of September, 1998, before me, Patti K Bolen, a Notary Public in and for said State, personally appeared David John Carey, known or identified to me to be the President of **JUG MOUNTAIN RANCH COMPANY**, the corporation that executed the instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Patti K Bolen
NOTARY PUBLIC FOR IDAHO
Residing at: Cascade
My Commission Expires: 4/3/2004

Preliminary Development Agreement
09/04/98 10:36 AM

234997
TYPE: mar
LELAND HENRICH
VALLEY COUNTY RECORDER
BY: [Signature]
FEE: 100
38 SEP 4 PM 2 47
REQUESTED BY U County
RECORDED



NORTH
SCALE: 1" = 5000'

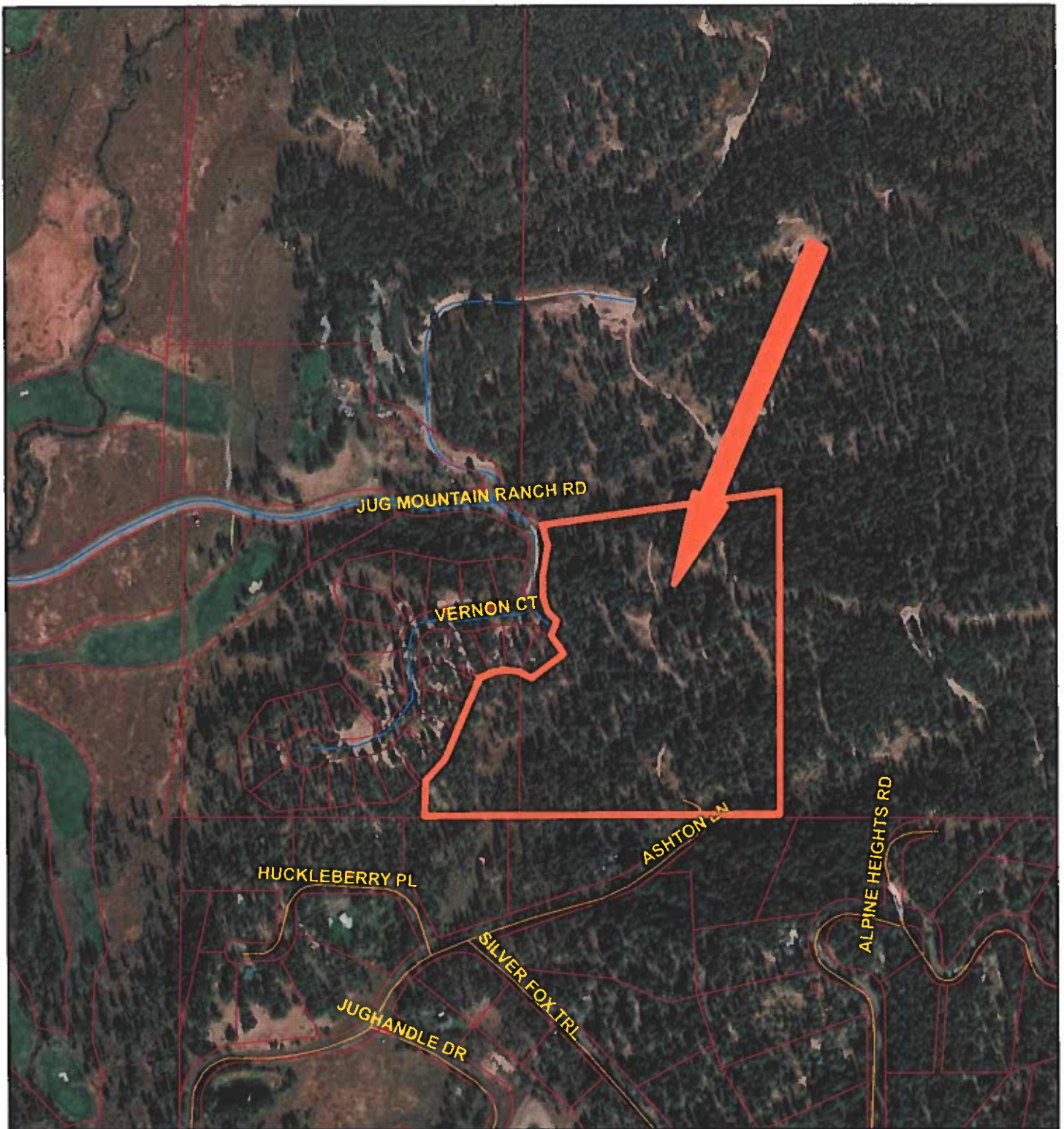
CRESTLINE ENGINEERS

323 DEINHARD LANE, SUITE C · PO BOX 2330
McCALL, IDAHO 83638
208.634.4140 · 208.634.4146 FAX

JUG MOUNTAIN RANCH PHASE 3B VICINITY MAP

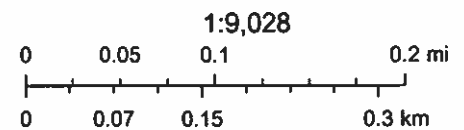
PROJECT	15028-002	DRAWN	EXHIBIT NO.
DATE	10/21/2021	AMD	EX-4.1

C.U.P. 21-40 Approximate Boundary



10/29/2021, 5:01:12 PM

- Parcel Boundaries
- Roads
- URBAN/RURAL
- PRIVATE
- All Road Labels



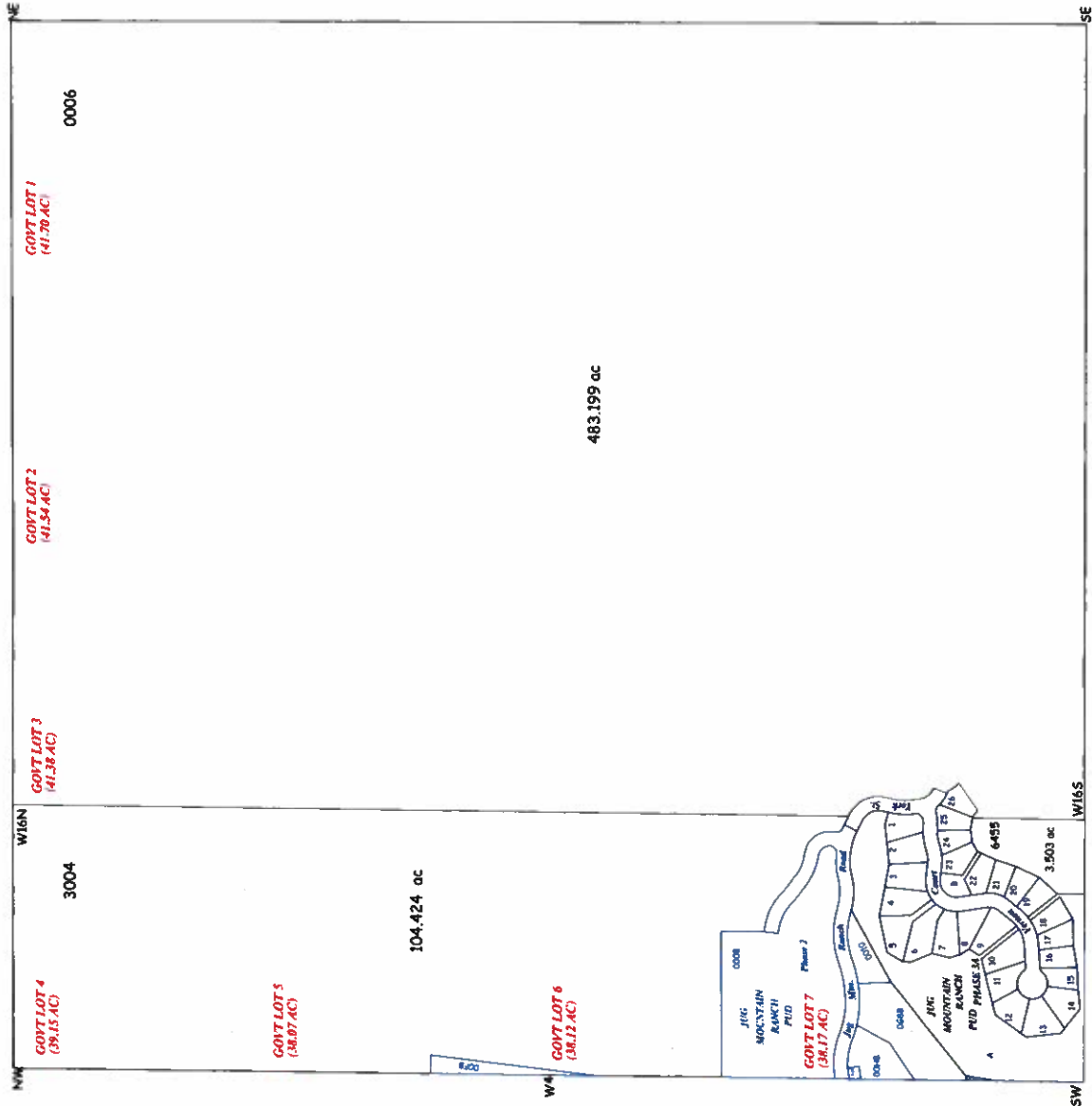
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PLAT TITLE

T W P . 1 7 N R O 4 E S E C . 0 6

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

Filename: J:\Vandal Valley County Base Map
Scale: 1" = 400 ft.
Date: 4/16/19
Drawn by: L. Fredrick





Not To Scale

LAND USE LEGEND

PHASE I

	Single Family Residential	57 Ac.
	Recreation/Open Space	198 Ac.
	Sewage CUP/Maint. Facility	18 Ac.
Approximate Total		273 Ac.

PHASE II

	Single Family Residential	24 Ac.
	Residential	3 Ac.
	Recreation/Open Space	224 Ac.
Approximate Total		251 Ac.

PHASE III

	Mixed Use/Mixed Residential	89 Ac.
	Recreation/Open Space	51 Ac.
Approximate Total		140 Ac.

PHASE IV

	Single Family Residential	51 Ac.
	Recreation/Open Space	71 Ac.
Approximate Total		122 Ac.

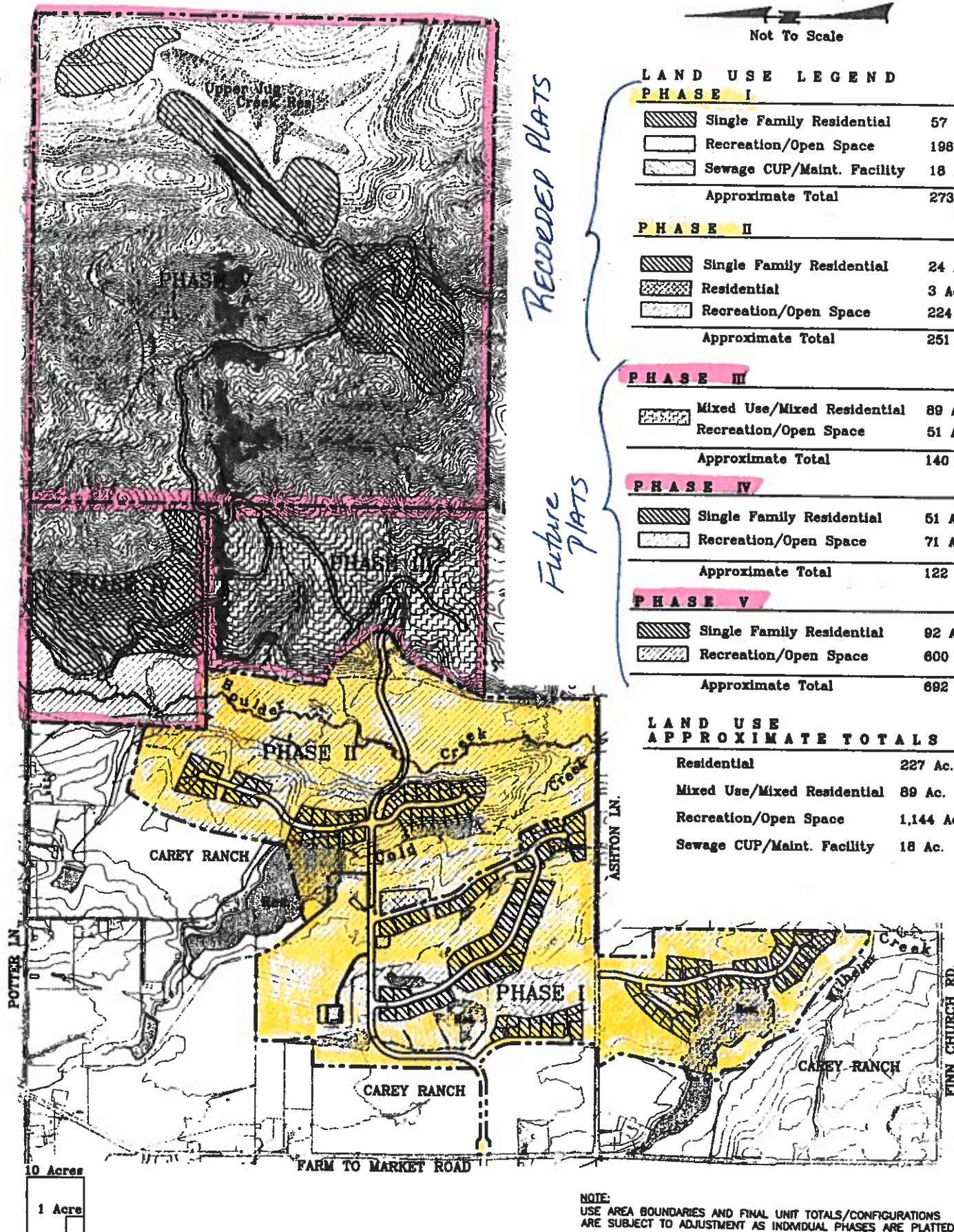
PHASE V

	Single Family Residential	92 Ac.
	Recreation/Open Space	600 Ac.
Approximate Total		692 Ac.

LAND USE APPROXIMATE TOTALS

Residential	227 Ac.
Mixed Use/Mixed Residential	89 Ac.
Recreation/Open Space	1,144 Ac.
Sewage CUP/Maint. Facility	18 Ac.

NOTE:
USE AREA BOUNDARIES AND FINAL UNIT TOTALS/CONFIGURATIONS
ARE SUBJECT TO ADJUSTMENT AS INDIVIDUAL PHASES ARE PLATTED.



July, 2004

Proposed Master Land Use Acreage

Figure 6

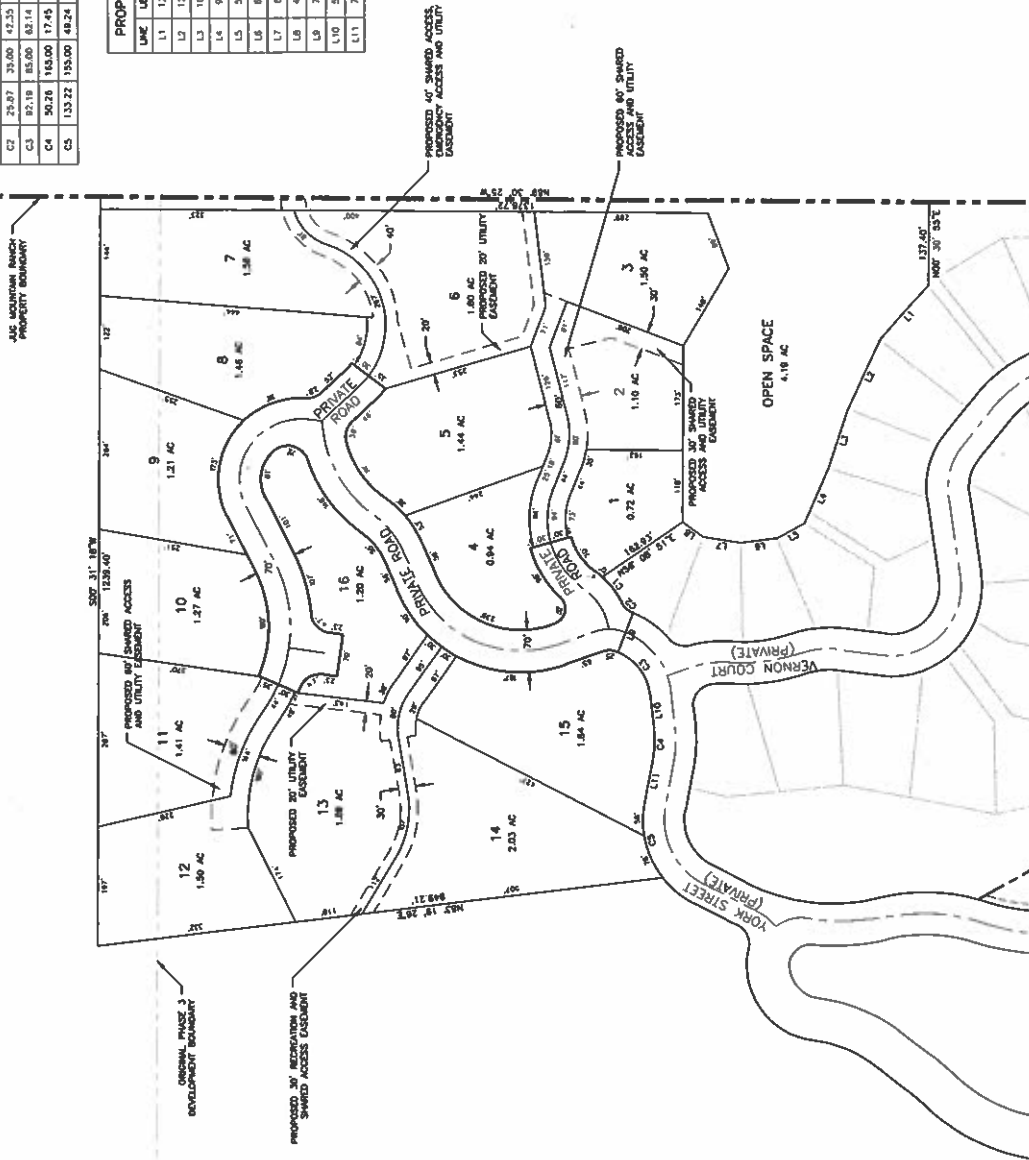
CUP 04-34
182

PRELIMINARY PLAT-JUG MOUNTAIN RANCH - PHASE 3B

A RESIDENTIAL SUBDIVISION LOCATED IN
THE SW 1/4 OF SECTION 6,
T.17N., R.4E., E.M.
VALLEY COUNTY, IDAHO
2021

PROPERTY CURVE TABLE			
CURVE	LENGTH	RADIUS	BEARING
C1	53.98	135.00	437° 33' 57"W
C2	29.07	25.00	42° 35' 17"W
C3	82.18	85.00	437° 23' 33"W
C4	50.28	165.00	402° 24' 18"E
C5	133.22	135.00	413° 29' 25"W

PROPERTY LINE TABLE		
LINE	LENGTH	BEARING
L1	130.75	442° 07' 48"E
L2	128.78	423° 10' 10"E
L3	104.28	418° 40' 24"E
L4	99.06	427° 50' 11"E
L5	52.14	481° 04' 22"E
L6	68.26	482° 53' 23"E
L7	82.81	381° 00' 28"E
L8	42.80	535° 06' 50"E
L9	70.00	421° 32' 12"E
L10	57.86	406° 19' 18"W
L11	71.79	411° 07' 54"E



NOTES:
THE SUBDIVISION OF THIS PROPOSED DEVELOPMENT IS:
JUG MOUNTAIN RANCH, LLC
PO BOX 2332
MCALL, ID 83440

1. THE LAND SURVEYOR OF THIS PROPOSED DEVELOPMENT IS:
STEVEN ENGINEERING INC.
MCALL, ID 83440
2. THE EXISTING LAND USE/ZONING IS PRODUCTIVITY FOREST.
3. THE TOTAL AREA FOR THE DEVELOPMENT IS APPROXIMATELY 4.29-4.37 ACRES.
4. REFER TO COUNTY NO. 82-4-3 FOR EXISTING CONDITIONS AND TOPOGRAPHY.
5. SETBACKS WILL COMPLY WITH VALLEY COUNTY STANDARDS.

DEVELOPMENT DATA:

PROPERTY AREA 28.37 ACRES
PRIVATE RIGHT-OF-WAY AREA 2.31 ACRES
LOTTES AREA 22.87 ACRES
OPEN SPACE 4.18 ACRES

FLOOD PLAIN NOTE:

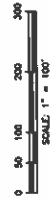
FROM FIRM PANEL(S): 16095C133C
FIRM EFFECTIVE DATED: 5/17/2018
FLOOD ZONE(S): ZONE X
BASE FLOOD ELEVATION(S): N/A
LAND ZONE A FLOODPLAIN OR FLOODPLAIN IS REGULATED BY TITLE 9 AND TITLE 11 OF THE VALLEY COUNTY CODE.

LEGEND:

- PROPERTY BOUNDARY
- PHASE BOUNDARY
- ADJACENT PROPERTY LINE
- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- ROAD CENTER LINE
- PROPOSED LOT LINE
- PROPOSED EASEMENT LINE



NORTH



NO.	BY	DATE	REVISION
1.	VALLEY COUNTY PRELIMINARY PLAT SUBMITTAL		
	DESIGN	DATE	REVISION
	DESIGN	DATE	REVISION
	DESIGN	DATE	REVISION
	DESIGN	DATE	REVISION
	DESIGN	DATE	REVISION

CRESTLINE
ENGINEERS
323 DEINHARD LANE, SUITE C - PO BOX 2330
MCALL, IDAHO 83638
208.634.4140 - 208.634.4146 FAX

JUG MOUNTAIN RANCH - PHASE 3B
VALLEY COUNTY, IDAHO
PRELIMINARY PLAT

PROJECT	16095C133C
DATE	10/21/2021
EXHIBIT NO.	SHEET NO.
EX-2	







Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

November 14, 2021

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

RE: C.U.P. 21-40 Jug Mountain Ranch Subdivision – Phase 3B – 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
- **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 DRFPD prior to final plat
- Property utilized as rental units shall comply with Valley County Ordinance 19-09 Liquefied Petroleum Gas (LPG) Systems.

Please call 208-325-8619 with any questions.

Jess Ellis

Fire Marshal
Donnelly Fire Department



Valley County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone # PUD 97-1 Jug Mountain Ranch

Conditional Use # CUP 21-40 Phase 3B

Preliminary / Final / Short Plat _____

- ☐ 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, & Engineering Report Required.

Reviewed By: SHR

Date: 11, 15, 21

From: Jeff Mcfadden <jmcfadden@co.valley.id.us>
Sent: Wednesday, December 1, 2021 11:14 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Re: P&Z Matters :)

CUP 21-39

I have been on site at the proposed driveway and flagged an area that I would approve for the driveway approach onto Finn Church Lane. Mr. Carey has been approved for this access.

I have no comments on the other CUP's

From: Cynda Herrick <cherrick@co.valley.id.us>
Sent: Wednesday, December 1, 2021 8:44 AM
To: Jeff Mcfadden <jmcfadden@co.valley.id.us>
Cc: Sarah McFadden <SMcFadden@co.valley.id.us>; Mickee Ellis <mellis@co.valley.id.us>
Subject: P&Z Matters :)

Just a reminder that we have a bunch of new applications on the agenda for December 9. I have attached the agenda and I believe I sent you the RDA for Jug Mountain last week....

Staff Reports go out in tomorrow.

Thanks, Cynda

Cynda Herrick, AICP, CFM
Valley County
Planning and Zoning Director
Floodplain Coordinator
PO Box 1350
Cascade, ID 83611
(208)382-7116

"Live simply, love generously, care deeply, speak kindly, and leave the rest...."

Service **T**ransparent **A**ccountable **R**esponsive



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Brad Little, Governor
Jess Byrne, Director

November 19, 2021

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

Valley County Planning & Zoning
219 N. Main Street
Cascade, ID 83611

Subject: Jug Mountain Ranch Ph 3B, CUP 21-40

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 Pollution 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 Albert Crawshaw, 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.
- 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.

Response to Request for Comment
November 19, 2021
Page 5

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#: 2021AEK259