

**ELMORE COUNTY
PLANNING AND ZONING COMMISSION**

MINUTES

Wednesday, August 21, 2013 at 7:00 pm

Chairperson Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Vice Chairperson K.C. Duerig, Jim Martin, Ed Oppedyk, Betty Van Gheluwe, Sue Fish, and Jeff Blanksma. Also present were Attorney of record Phil Miller, Director Alan Christy and staff members Beth Bresnahan and Kacey Ramsauer.

PUBLIC HEARING

Casa Del Norte, LP (John McCallum) for a Conditional Use Permit to subdivide property for a 17 lot subdivision and a Preliminary Plat for a 17 lot subdivision in a Recreation (Rec) Zone. Case Number: CUP-2009-03 and SUB-2009-01. The site is located in Section 9, Township 1 South, Range 9 East, B.M. A common means of locating this property is 2 miles north of intersection of US Highway 20 and Little Camas Reservoir Road.

Christy gave staff report and background.

Gordon Sorenson is representing the applicant. He stated that he did submit road plans but did not realize that he needed to submit an application along with that. He stated that he prepared a presentation for this application. He stated this is a division of 97.19 acres of land. He stated that it was broken down into 17 recreational/residential lots averaging in size at 5.76 acres. He stated that this application was made under the previous zoning ordinance and is being reviewed as such. He stated that this subdivision is planned to be platted in 2 phases. He stated phase 1 will be for 12 lots and construction of the loop road called Lakeside Circle. He stated that the second phase will be recorded later and will be for 5 lots at which time the cul-de-sac road Shorecrest Place will be constructed. He stated that they are asking for approval of both phases and to allow for separate filings and recordings of the plat. He stated that access to the subdivision is by US Hwy 20 and Little Camas Reservoir Road. He stated all roads within the subdivision will be private roads. He stated that this will be a recreational subdivision and is surrounded by many recreational attractions. He stated that the daily traffic county is low. He stated that he has provided the commission with all of the information on traffic counts. He stated that the MHHD (Mountain Home Highway District) has requested a traffic impact study. He stated that there is a memorandum of understanding between the highway district and IDOT (Idaho Department of Transportation) that there is no need for a traffic impact study until the ADT count from a new subdivision reaches a certain number. He stated that trespass of the residents of the subdivision is a concern to the neighboring ranchers. He stated that the additions of these homes will not likely add to the problem as trespass is an age-old problem that has hampered private owners for decades. He stated the problem most occurs over hunting issues and those who have little regard for private land ownership or wildlife game rules. He stated that an email from the Little Bear RV Park states that there are no other sub-developments in the area. He stated that they excluded their own rental development with 60 plus or minus sites that causes much more traffic than this subdivision will. He stated that this

development is in the middle of open range grazing and being an open range all the lots will be sold with a disclosure that it is so and it will be the property owners' responsibility to fence out the livestock as this is life in most of rural Idaho.

Van Gheluwe asked if he as in agreement that a fence be erected around the subdivision to keep the livestock out.

Sorenson stated that if it is a condition he has no problem with that.

Fish asked who will maintain the fences.

Sorenson stated that it would be the homeowners association.

Van Gheluwe asked how they would plan on trying to work with the neighbors' objection to this subdivision.

Sorenson stated that he does not think there is any mitigation on their part.

Osborn stated that she is concerned with the disclosure regarding the lack of snow removal on Little Camas Road. She stated that should be stated on the plat.

Sorenson stated that it would not be a problem.

Fish stated that she really does have a concern over having no wildlife mitigation.

Don McFarland signed up in support but did not wish to testify.

Mike Grimmitt signed up as neutral. He stated that he is mainly concerned about the habitat for the wildlife as this is a primary area for the Sandhill crane and that is an issue that should be taken care of. He stated that as a homeowner in the area he knows water will be very expensive to obtain in that area.

Sondra Grimmitt signed in as opposed but did not wish to testify.

There was no one else signed up to testify.

The applicant did not wish to rebut the testimony.

Osborn closed this public hearing.

Commission action:

Van Gheluwe stated that she is concerned with the applicant's lack of willingness to work with the neighbors on their concerns about this subdivision.

Osborn stated that if this is approved there needs to be a timeline that this has to completed by.

Martin stated that under the old ordinance there was no time limit on completion.

Duerig stated that this is why they must put some definite timelines in. He stated that he also cannot see 17 homes at full build out creating anything that would be detrimental to the existing residents in the area.

Fish asked what wildfire mitigations will do for this subdivision.

Fish asked who would fight the fires.

Christy said this mitigation was strictly on the building.

Martin moved to approve with all conditions and adding note to the final plat regarding snow removal to potential buyers and the striking of condition number 1 in the staff report and the recording of the final plat within 5 years from the signing of the FCO.

Duerig seconded.

A roll call vote was taken:

Martin-Aye

Van Gheluwe-Nay

Blanksma-Aye

Osborn-Aye

Duerig-Aye

Fish-Nay

Oppedyk-Aye

Motion carried 5-2.

Continuation for Willa Rose (S.H.E. Inc.) for a Conditional Use Permit for a Dude Ranch in an Agriculture (Ag) Zone. Case Number: CUP-2013-07. The site is located in Section 1, Township 2 South, Range 5 East, B.M. A common means of locating the property is from Interstate 84, exit 90, and west on to Ditto Creek Road to Martha Ave, property is approximately 1.5 miles, 8894 W Martha Ave.

Christy gave staff report and background.

Willa Rose is the applicant. She stated that she sent a packet to staff defending their idea of a dude ranch. She stated that they were guided towards doing a cluster subdivision in 2008. She stated that there was a cluster law that would allow for up to 9 homes on the property without having to divide the entire property into a subdivision. She stated that in 2010 they were told that it sounds more like a dude ranch and that it could go on that way but they did not complete their application so now they have begun this process again. She stated that the homes would be anywhere from 500-900 feet on approximately 80x80 lots that would surround the main house. She stated that they would also like an additional building for a martial arts studio and for guests to stay overnight for clinics and workshops. She stated that she wanted to provide information on intentional communities. She stated that there is a 40 year old organization that promotes intentional communities throughout the world. She stated that are 16 in Idaho. She believes they fall into this. She states it's about living together as communities to cultivate their gardens and grow their own livestock and have a nice facility for their horses and make that available for the public to work in a community environment. She presented pictures of the area to the commission. She stated that she met with the Oasis Fire Department and the talked at length as to what the goals were and how they can work in harmony on this project.

Duerig asked who will own the houses and if you are allowed to build 6 homes.

Rose stated that the community is a partnership and the people that own the houses are the members. They will have title to the home and own a portion of the corporation.

Joseph Morrisette is a property owner. He stated that the intent is to have all property owned by the corporation. He stated that they aren't for sure legally how they will handle that.

Duerig stated that what they are looking at is really not a subdivision but cluster housing. He stated that they do have to be concerned with the impact from 6 to 8 homes even though they are small from the water usage and waste usage and these are addressed under the cluster development ordinance. He stated that he is thinking they may need to separate the homes out of the dude ranch idea.

Christy stated that all the aspects other than the housing for the dude ranch can be approved tonight but if they come back later with a cluster subdivision part of that is that you must maintain a certain amount of open space as part of the cluster subdivision. He stated that the actual subdivision would potentially enhance and protect open space and potentially protect and maintain the dude ranch in the future and it could work hand in hand really well.

There was no further testimony.

Osborn stated that the gun range was topic of concern. She asked if it continues to be a concern is that something she would consider to pull from the drawings for a later date.

Rose stated that she would.

Christy stated that there are county regulations on firing ranges and when they are ready to move forward with it they can obtain a zoning permit and that would probably be good enough at that time.

Miller stated that they can add a condition that when they are preparing to put the firing range in that it must be inspected and it meet the requirements of the county ordinance.

Approved

Approved

Osborn closed this public hearing.

Commission Action:

Duerig moved to approve with conditions.

Martin seconded.

Motion carried unanimously.

PUBLIC MEETING

Preliminary and Final Plat for Heaton Ranch Subdivision

Duerig moved to approve as presented by staff.

Van Gheluwe seconded.

Motion carried unanimously.

MINUTES

Minutes from August 7, 2013

Van Gheluwe moved to approve.

Martin seconded.

Motion carried unanimously.

INFORMATION ITEMS

Upcoming P&Z Schedule

The Prairie meeting will be held September 11, 2013 at 1:00 pm at the community hall. He stated that the Mayfield meeting has been moved back to September 25, 2013 at the Lord Ranch at 6:00 pm. The next regular meeting is scheduled for September 18, 2013 at 7:00 pm. The Glenss Ferry meeting has been pushed back to the end of October.

MEETING ADJOURNED

Approved

Approved



Patti Osborn, Chairperson

9/18/13

Date:



Attest:
Alan Christy, Director

9.18.13

Date: