



REGULAR MEETING OF THE  
BOISE COUNTY PLANNING & ZONING COMMISSION

March 15, 2012

Garden Valley School Flex Room  
1053 Banks Lowman Road  
Garden Valley, Idaho 83622

ORIGINAL

**Commissioners:** Present: Chairman Clint Evans, Commissioner Rosemary P. Ardinger, Commissioner Lois K. Murphy and Commissioner Dan Gasiorowski.

**Absent:** Commissioner Jack Kane and Commissioner Jon Bart

**Staff Present:** Planning & Zoning Interim Administrator Rora A. Canody, Deputy Administrative Assistant Mindy Dorau, Mike Williams Planner, Deputy Prosecuting Attorney Cherese McLain and County Engineer Steven Yearsley (Forsgren Associates).

Roll Call was taken and four of the six members were present. Chairman Clint Evans declared a quorum was present and called the meeting to order at 6:45 p.m.

**Selection of Chairman and Vice Chairman**

Chairman Clint Evans made a motion to table the election of new officers until more Commission members could be present. Commissioner Dan Gasiorowski seconded the motion. All Ayes, motion carried.

Chairman Clint Evans requested the election of Chairman and Vice-Chairman be put on the April 19, 2012 agenda.

**Review and Approval of the December 15, 2011 Regular Meeting Minutes**

Commissioner Rosemary P. Ardinger made a motion to approve the minutes of the regular meeting held on December 15, 2011 as written; seconded by Commissioner Dan Gasiorowski. All ayes, motion carried.

**Review and Approval of the January 13, 2012 Special Meeting Minutes**

Commissioner Dan Gasiorowski made a motion to approve the minutes of the special meeting held on January 13, 2012 as written; seconded by Commissioner Lois K. Murphy.

**Middlefork Magic – Conditional Use Permit**

Interim Administrator Rora Canody appeared before the Commission and gave a visual power point presentation to supplement the staff report that had been emailed to the P&Z Commission member and the Applicant. This application, by Steven and Bridget Wright, are requesting to operate a short-term rentals, weekly or 2 night minimum and occasional weddings. The subject property is located in the Garden Valley area, off Middlefork Road. Staff recommends the following be considered by the Commission if their decision is to

Conditionally Approve the request by Steven and Bridget Wright to operate Middlefork Magic.

1. Applicant shall comply with BCZDO, Chapter 3, Section 3-9 Conditional Use Approval-If an allowed conditional use is abandoned for more than twelve (12) months it (the CUP) shall expire.
2. Applicant shall not engage in any additional activity or construction other than what has been applied for without first making application for an Amended Conditional Use Permit.
3. Applicant shall provide to the P&Z Department a copy of their Business Liability Insurance, yearly, in an amount that is practical for this industry.
4. Applicant shall set business hours for wedding events and present to the P&Z Department.
5. Applicant shall comply with BCZDO, Chapter 9-Signage; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage; and must complete the Sign Application form.
6. Applicant shall keep the noise level at 65 decibels or less from the edge of the applicant's property boundary.
7. Applicant shall not exceed a total of four (4) overnight occupants.
8. Applicant shall require port-a-potties be placed on site for large wedding events, per Central District Health Departments comment.
9. Applicant shall provide P&Z Department with a copy of the final Terms and Policy of Property Use to be given to each party requesting use of the facility.
10. Applicant shall comply with BCZDO, Chapter 6, Section 6-6(f) (Glare and Lighting) and shall provide documentation of any proposed exterior lighting fixtures to the P&Z Department for approval.
11. Applicant shall comply with BCZDO, Chapter 7, Off-Street Parking Requirements. Applicant shall submit a parking area improvements plan (Sec. 7-4); and a parking lot design (Sec. 7-5) to the P&Z Department for approval.
12. Comply with all federal, state, and local applicable laws.

Chairman Clint Evans requested the Applicant's presentation. Steven and Bridget Wright gave their presentation to the Commission.

Chairman Clint Evans then proceeds with the public hearing who had signed in to speak. Wayne Wellock spoke in opposition of the application. No other public comments were given.

Chairman Clint Evans called upon the Applicant for any rebuttal testimony to the comments given by the public. Steven and Bridget gave brief testimony.

Chairman Clint Evans closed the public hearing and brought the issue back to the Commission for deliberation. Chairman Clint Evans suggested that a motion be made and then discussion upon the motion. The Commission deliberated possible conditions in order to conditionally approve the CUP application.

Commissioner Rosemary P. Ardinger started a motion to conditionally approve the application, more discussion was held and she withdrew her motion.

Commission asked questions of the applicant regarding the number of people and port-a-potties.

Commissioner Rosemary P. Ardinger moved that the Commission Conditionally Approve the Middlefork Magic Conditional Use Permit, with all of the following conditions.

1. Applicant shall comply with BCZDO, Chapter 3, Section 3-9 Conditional Use Approval-If an allowed conditional use is abandoned for more than twelve (12) months it (the CUP) shall expire.
2. Applicant shall not engage in any additional activity or construction other than what has been applied for without first making application for an Amended Conditional Use Permit.
3. Applicant shall provide to the P&Z Department a copy of their Business Liability Insurance, yearly, in an amount that is practical for this industry.
4. Applicant shall set business hours for wedding events and present to the P&Z Department.
5. Applicant shall comply with BCZDO, Chapter 9-Signage; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage; and must complete the Sign Application form.
6. Applicant shall keep the noise level at 65 decibels or less from the edge of the applicant's property boundary.
7. Applicant shall not exceed a total of four (4) overnight occupants.
8. Applicant shall require port-a-potties be placed on site for large wedding events, per Central District Health Departments comment and the Wedding events are not to exceed 100 participants.
9. Applicant shall provide P&Z Department with a copy of the final Terms and Policy of Property Use to be given to each party requesting use of the facility.
10. Applicant shall comply with BCZDO, Chapter 6, Section 6-6(f) (Glare and Lighting) and shall provide documentation of any proposed exterior lighting fixtures to the P&Z Department for approval.
11. Applicant shall comply with BCZDO, Chapter 7, Off-Street Parking Requirements. Applicant shall submit a parking area improvements plan (Sec. 7-4); and a parking lot design (Sec. 7-5) to the P&Z Department for approval.
12. Comply with all federal, state, and local applicable laws.

Commissioner Lois K. Murphy seconded the motion.

Roll Call: Chairman Clint Evans -yes, Commissioner Rosemary P. Ardinger -yes, Commissioner Lois K. Murphy - yes and Commissioner Dan Gasiorowski - yes.  
Motion carried.

### **Gold Hill Reclamation & Mining 2nd Amendment – Conditional Use Permit**

Chairman Clint Evans called the public hearing back to order for the Gold Hill Reclamation and Mining 2<sup>nd</sup> Amendment and requested the staff report.

Acting/Interim Rora Canody appeared before the Commission and gave visual power point-presentation to supplement the staff report that has been e-mailed to the P&Z Commission members and the Applicant. This Application represented by Lou Meyer of Gold Hill Reclamation & Mining and Justin Tietz of Knife River, is requesting an amendment to original conditions: #5 FROM: Application shall comply with the work schedule of

Monday through Friday, 8:00 a.m. to 3:15 p.m. Up to twelve (12), ten wheel dump trucks twice per day shall be allowed to haul material to Boise daily. Review by Bill Jones, Boise County Road and Bridge Superintendent. TO: requesting the use of 3-8 tractor trailer vehicles per day to haul concentrated ore to Boise. Condition #11 From: Application shall establish hours of operation as Monday through Friday, 8:00 a.m. to 5:00 p.m. between the months of March 1<sup>st</sup> and November 20<sup>th</sup>, and be closed on establish Federal recognized holidays. TO: 1) the yearly working duration to December 25<sup>th</sup> of each calendar year. 2) Amend the working days and hours of operation: for the crushing - Monday through Saturday, 24 hours a day; and 3) raw ore trucking from Quartzburg to Mud Flats hours of operation be Monday through Saturday 7:00 a.m. to 7:00 p.m. Subject property is located on Mud Flats, outside Placerville, Idaho in section 9, 10, 22 & 23, T07N R04E. Property owned by Baumhoff & Company LLC. Staff recommends the following be considered by the Commission if their decision is to Conditional Approve the request by Gold Hill Reclamation & Mining to amend original conditions: #5 & #10.

- a. All original Conditions, 1-4, 6-10 and 12-14, continue to apply to the Conditional Use Permit.
  - b. Applicant shall obtain a Right-of-Way easement from the Bureau of Land Management for the use of Granite Creek Road and submit a copy to the Planning and Zoning Department for the record.
1. Issues for the Planning and Zoning Commission to consider:
- a. Amended Condition #5: shall be amended, the second time, to:
    - 1) Use of 3-8 tractor trailer vehicles per day to haul ore to Boise instead of truck route, convoy all 12 trucks twice a day, school bus schedule 7:00 a.m. to 8:00 a.m. and 3:15 p.m. to 4:30 p.m., hours of operation, and any other issues.
  - b. Amended Condition #11
    - 1) Operation Hours from March 1 to December 25<sup>th</sup> of each year.
    - 2) Operation days and hours for the **Raw Ore Trucking** from Quartzburg to Mud Flats be established as Monday through Saturday 7:00 a.m. to 7:00 p.m.
    - 3) Operation days and hours for **Crushing** be established as Monday through Saturday 7:30 a.m. to 6:00 p.m.
    - 4) Operation days and hours for the **Washing Operation** be established as Monday through Sunday, 24 hours a day

Chairman Clint Evans requested the applicant's presentation. Applicant Justin Tietz and Lou Myers appeared before and gave their presentation.

Chairman Clint Evans proceeded with the public who has signed in to speak. Those in favor of the application were: In support of the project: Don Miller, Dave Turner, Chad Garlock, Oscar Baumhoff, and George Shepperd. In opposition of the project; Kevin Grunke

Chairman Clint Evans called upon the Applicant for any rebuttal testimony to the comments given by the public. Justin Tietz and Lou Myers gave brief rebuttal testimony.

Chairman Clint Evans closed the public hearing and brought the issue back to the Commission for deliberation. The Commission deliberated possible conditions in order to conditionally approve the CUP application.

Commissioner Dan Gasiorowski moved that the Commission Conditionally Approve the Gold Hill Reclamation & Mining Amend Conditional Use Permit #2012-05 Conditions #5 and #11, with all of the following conditions:

- a. All original Conditions 1-4, 6-10 and 12-14, continue to apply to the Conditional Use Permit.
- b. Applicant shall obtain a Right-of-Way easement from the Bureau of Land Management for the use of granite Creek Road and submit a copy to the Planning and Zoning Department for the record.
- c. Condition #5 amended to: Use of 3 to 8 tractor trailer vehicles per day to haul ore to Boise, Monday through Friday only, noting school bus hours of 7:00 a.m. to 8:00 a.m. and 3:15 p.m. to 4:30 p.m.
- d. Condition #11 amended to:
  - i. Operation Hours from March 1 to December 25, 2012.
  - ii. Operation days and hours for the **Raw Ore Trucking** from Quartzburg to Mud Flats be established as Monday through Saturday 7:00 a.m. to 7:00 p.m.
  - iii. Operation days and hours for **Crushing** be established as Monday through Saturday 7:30 a.m. to 6:00 p.m.
  - iv. Operation days and hours for the **Washing Operation** be established as Seven Days (7) per week, Twenty-four (24) hours a day.
  - v. Applicant shall obtain written approval by the Citizen Task Force of the new technology back-up alarm system.

Commissioner Lois K. Murphy seconded the motion.

Roll Call: Chairman Clint Evans – yes, Commissioner Rosemary P. Ardinger – yes, Commissioner Lois K. Murphy – yes, Commissioner Dan Gasiorowski – yes.  
Motion Carried.

### **Elk Meadows – Minor Subdivision**

Chairman Clint Evans called the public hearing to order for the Elk Meadows Minor Subdivision Application and requested the staff report.

Acting/Interim Administrator appeared before the Commission and gave a visual power point presentation to supplement the staff report that had been e-mailed to the P&Z Commission members and the applicant. This application, by Michael Riley, is for a proposed three (3) lot residential subdivision with lots ranging from 11.18 acres to 52.61; access is off of Glennon Ranch Lane, located in Section 15 & 22 T9N R4E. Property is owned by Don Weilmunster.

Staff recommends the following be considered by the Commission if their decision is to Conditional Approve the request by Michael Riley

1. All approved conditions of the Garden Valley RV and Cottage Resort Conditional Use Permit dated February 16, 2011 shall apply to Lot 2, Block 1 of Elk Meadows Minor Subdivision. A copy is attached hereto as Exhibit A.
2. Applicant shall present the final plat with all required Face Notes per Idaho Code; including a note stating "Glennon Ranch Lane, a road platted hereon is a private common use road and no county services, other than emergency in nature will be provided. Boise County assumes no responsibility for maintenance of Glennon Ranch Lane hereon, subject to county ordinance".
3. Applicant shall adhere to the Boise County Wildland Urban Interface Ordinance #2010-03.
4. Applicant shall obtain Central District Health approval prior to the signing of the Final Plat.
5. Applicant shall pay all property taxes due and obtain Boise County Treasurer and Assessor certification prior to the signing of the Final Plat.
6. Applicant shall comply with all conditions prior to the signing of the Final Plat by the Board of County Commissioners.
7. Applicant shall comply with all local, state, and federal requirements and permits.

Chairman Clint Evans requested the Applicant's presentation. Michael Riley appeared on behalf of Don Weilmunster, before the Commission and gave a presentation to the Commission.

Chairman Clint Evans then proceeded with the public who had signed in to speak. Gerald Reddix spoke in opposition to the RV Park. No other public comments were given.

Chairman Clint Evans called upon Mr. Riley, on behalf of the Applicant, for any rebuttal testimony to the comments given by the public. Mr. Riley had no further comments.

Chairman Clint Evans closed the public hearing and brought the issue back to the Commission for deliberation. Chairman Clint Evans suggested that a motion be made and then discussion upon the motion. The Commissioners deliberated possible conditions in order to conditionally approve the Minor Subdivision Application.

Commissioner Lois K. Murphy moved that the Commission Conditionally Approve the Elk Meadows Minor Subdivision Application, with all of the following conditions:

1. All approved conditions of the Garden Valley RV and Cottage Resort Conditional Use Permit dated February 16, 2011 shall apply to Lot 2, Block 1 of Elk Meadows Minor Subdivision.
2. Applicant shall present the final plat with all required Face Notes per Idaho Code; including a note stating "Glennon Ranch Lane, a road platted hereon is a private common use road and no county services, other than emergency in nature will be provided. Boise County assumes no responsibility for maintenance of Glennon Ranch Lane hereon, subject to county ordinance".
3. Applicant shall adhere to the Boise County Wildland Urban Interface Ordinance #2010-03.
4. Applicant shall obtain Central District Health approval prior to the signing of the Final Plat.
5. Applicant shall pay all property taxes due and obtain Boise County Treasurer and Assessor certification prior to the signing of the Final Plat.
6. Applicant shall comply with all conditions prior to the signing of the Final Plat by the Board of County Commissioners.
7. Applicant shall comply with all local, state, and federal requirements and permits.

Commissioner Rosemary P. Ardinger seconded the motion.

Roll Call: Chairman Clint Evans –yes, Commissioner Rosemary P. Ardinger –yes, Commissioner Lois K. Murphy –yes, Commissioner Dan Gasiorowski –yes.  
Motion Carried.

**General Discussion:**

Mike Williams, Planner and temporary part-time employee of Boise County, introduced himself to the Commission and gave a short report on the purpose of his hiring. He will be working with Staff, the P&Z Commission and the Board of County Commissioners on combining all the current land use ordinances into one; and, helping with the process. He stated he is looking forward to meeting with the Commission in the months to come and gave his contact information in case they have any questions of him.

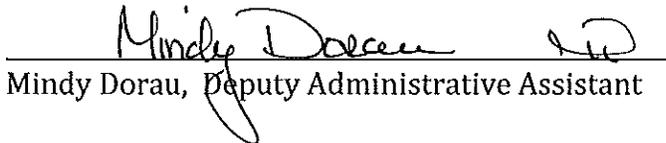
Having no further business, Commissioner Dan Gasiorowski made a motion to adjourn the meeting at 9:15 p.m. Commissioner Lois K. Murphy seconded the motion. All ayes, motion carried.

Approved by the Commission this 19<sup>th</sup> day of April 2012.



Chairman Clint Evans

Attest:



Mindy Dorau, Deputy Administrative Assistant