Planning & Zoning Commission Meeting

October 18, 2023

Salmon, ID

The Commission opened the regular Planning and Zoning meeting at 7:00 p.m.

Those in attendance: County: James Malcolm, Vinn Strupp, Cody Settles and Jeff Nofsinger

County Planning & Zoning Staff: Lisa Olson and Chris Horton

Members of the commission introduced themselves.

**Consent Agenda**

Approval of minutes from July 19, 2023

A motion was made to approve the minutes of July 19, 2023. All voted aye and the motion carried.

James asked if there were any Communications, there were none.

**Public Hearing on BCM Subdivision**

**James:** Let’s get on with the public hearings and start with BCM Subdivision.

**Kristin:** Hello my name is Kristin Hayden and I am representing Paul Miller for the BCM Subdivision. Asked if everyone had seen the preliminary subdivision plat and if there were any questions. None of the board members had questions. The purpose of this basically is they would like to separate the Baker Country Market-BCM, from the Miller residence and there were no lot splits available through the Lemhi County Development Code so they went through the subdivision process. The Special Use Permit went through everything needed to develop the store so this is kind of after the fact. Would you like me to read through the chapters of the application?

**James:** Anything that pertains to this yes.

**Kristin**: BCM Subdivision Lemhi County, developer Paul Miller. BCM Subdivision is a two-lot subdivision, the purpose of this development is to create two lots for the separation of the Baker Country Market and the Miller residence which are currently situated on the same parcel and there were no lot splits available so the Subdivision Application was completed. No bare lots have been created, just a division line between the two. So, I will now address the chapters for the Development Code.

Chapter 5 Division 1 Developments Defined

5.1.1 Does not apply as one lot has a Special Use Permit for the Baker Country Market. 5.1.2 Does not apply as this subdivision proposal is for two lots only, due to no lot splits available on this parcel. 5.1.3 Does apply as one lot was approved in April 2015 for commercial use as a market. 5.1.3.1.4 Mixed Use-This is the best category for the current land utilization, Commercial no the 4.9 acres, while the 1.9 acre parcel will remain residential. 5.1.4 Does not apply as the residential lot will not have a Home Occupation.

Division 2- Development Locations. The proposed subdivision is not located in an airport approach, surface, a Special Flood Hazard Area, a wetland nor on a slope in excess of 30%.

Chapter 6 Performance Standards for all Developments. Division 1 General Standards.

6.1.1 Setbacks. Current buildings meet setback requirements. 6.1.2 Lot Size, both lots fall within the minimum lot size requirements. 6.1.3 Building Height, current buildings have met the building department’s requirements. 6.1.4 Soils, there are no questionable soils on the lots. 6.1.5 slopes, there are no slopes in excess of 30% on the lots. 6.1.6 Air Quality, this subdivision will continue to comply with State and Federal air quality regulations. 6.1.7 Water Quality, this subdivision will continue to comply with State and Federal water quality regulations. There is also a letter from the Idaho Dept of Water Resources stating that they are ok with this subdivision proposal.

Division 2 Ensuring Adequate Provision of Facilities

Chapter 7 Additional Performance Standards for Specific Zoning Districts.

Division 1, This subdivision does not lie within the Airport Zoning District so this Division does not apply. Division 2, This subdivision does not lie within the Area of Impact so this does not apply. Division 3, This subdivision is not in Elk Bend or Gilmore so this does not apply.

Chapter 8 Additional Performance Standards for Specific Uses.

Division 1, Home Occupations-There will be no home occupations on the residential lot but the lot containing the Baker Country Market will continue to have commercial activity. Division 2, Short Term Vacation Rentals-Neither of these lots will have short term or vacation rentals as the existing usage is to stay as is. Division 3, Recreational Vehicle Living Quarters- Neither of these lots will allow for recreational vehicle living quarters. Division 4- Salvage and Junk Yards- Neither of these lots will have salvage or junk yards. Division 5- Confined Animal Feeding Operations- Neither of these lots will have confined animal feeding operations. Division 6- Manufactured and/or Mobile Home Parks- Neither of these lots will have a manufactured home or be turned into a mobile home park. Division 7- Subdivision Standards- BCM Subdivision will comply with the standards set forth by Division 7, both lots are fully developed at the time of this application with electric, power and telephone connections; The Baker Country Market on Lot 1 and the Miller Residence on Lot 2. No new development is proposed on either of these lots at this time. Lot 1 has access off Baker Lane and Lot 2 has access from Idaho State Highway 28, no new or additional access is needed at this time. Division 8- Buffering, Screening & Landscaping for Special Uses- During the development and construction of the Baker Country Market all standards set forth in Division 8 were satisfied under a Special Use Permit approved by Lemhi County. Division 9- Lighting Standards- During the development and construction of the Baker Country Market all standards set forth in division 9 were satisfied under a Special Use Permit approved by Lemhi County. Division 10- Off-Street Parking & Loading- During the development and construction of the Baker Country Market all standards set forth in division 10 were satisfied under a Special Use Permit approved by Lemhi County. Division 11- Signs- and construction of the Baker Country Market all standards set forth in division 11 were satisfied under a Special Use Permit approved by Lemhi County.

Chapter 9 Required Improvements- During the development and construction of the Baker Country Market all standards set forth in Chapter 9 were satisfied under a Special Use Permit approved by Lemhi County.

Appendix A- Developments within the Area of City Impact- BCM Subdivision does not lie within the Area of City Impact. Appendix B- Design Standards for Roads- BCM Subdivision does not have any proposed road development as access is established from Baker Lane and Idaho State Highway 28. Appendix C- Development in the Special Flood Hazard Area- During the development and construction of the Baker Country Market all standards set forth in Appendix C were satisfied under a Special Use Permit approved by Lemhi County.

I think that satisfies the application. Are there any questions?

**Cody**: The house is already existing, is that correct?

**Kristin**: Yes

**Cody**: Is part of the market going to be on that parcel?

**Kristin**: No not at all, as you can see on the aerial it kind of goes through the garden. The market is going to have 4.1 acres and the house will have 1.9. The reason it kind of extends past the existing fence line is to satisfy the leach field and septic requirements.

**James**: Do both of them have separate septic and leach fields?

**Kristin**: Yes

**James**: Are there any other questions? Ok if there are no further questions, we will go into people making comments. If there is anyone for the proposal they can get up now, against, any noncommitted? Since there are no proposals, you don’t need to make a rebuttal. Ok we will close the hearing.

Kristin thanks the board members.

**James**: To me it’s pretty straightforward, I don’t see any problems with this. Does anybody have any discussion?

**Cody**: To me it’s just like a lot split only they didn’t have a split left. Septic and everything is in place, I don’t have any issues.

**James**: Yes, so they just had to go through the subdivision process.

**Cody**: I make a motion to approve BCM Subdivision.

**Vinn**: I’ll second

**James**: Moved and second to approve the application for the BCM Subdivision

All were in favor by saying aye. No one opposed and motion carried.

**James**: We will move on to Cactus River Ranch RV Park. What we’re going to do is you will make a presentation, then comments from the audience but there isn’t one so I don’t think that’s a problem and then we will discuss it. We do have 30 days to make a decision.

**Jessica**: Hello my name is Jessica Martin and this is my husband, Brandon. What we’re proposing at 148 Williams Lake Road, on a parcel that’s 8.36 acres, is a small RV Park with three complete hookups. Each RV will have water, power, sewer and one additional camping spot with its own bath and shower house that would be divided there. Currently the property is agricultural and used for grazing horses. This project is located within the Floodway so we would have to complete the LOMA elevation certificate which we have already completed for the property next door. The LOMA was approved for that property and this property is a little higher. It does not have slope in excess of 15% The adjacent properties currently to the North is residential 15 Hagel Lane and we own that property. The East is located the Salmon River and across the river is residential. South of the property is grazing for agricultural use owned by Kevin and Sharon Hoffman. West is public use for trails.

**James**; Is that BLM ground?

**Jessica**: BLM and also I believe there’s a Lemhi land trust with a couple of private pieces. If you look back it’s on Appendix A, Lemhi Regional Land Trust has the property.

**James**: What is the current use for that?

**Brandon**: Kevin said something about making a trailhead at some point.

**Jessica**: The existing similar uses are 12 Mile Cabin rentals located across the river and highway to the south/southeast, Greyhouse Inn Bed and Breakfast located across the river and to the south/southeast and Gypsy Wagons located on the other side of the river further south along the highway. There are also Airbnb Rentals up Williams Creek Road.

This property has frontage along the main Salmon River The back side of the property is located along Williams Lake Road.

Section 2 Plot Plan- The address is 148 Williams Lake Road. Township 20N, Range 21E, Section 13, 8.6 acres. Proposed RV Park and Hookups- Three complete RV hookup stations with water, power and sewer hookups. The approved septic permit #3022021 from East Idaho Public Health is for 500 gallons per day. Currently per the DEQ, each RV space is rated for 125 GPD and 1 camp spot with bathroom and shower is 90 GPD, for a total of 465 GPD usage. Parking- Each RV site will have its own space to accommodate a full-size pickup with proper spacing. Setbacks- All the setbacks have been met. Property line/arterial roads are more than 25 feet from the RV hook-up locations. Setbacks from the irrigation ditch meet Idaho State Statute 42-1102. We have a signed letter from the Irrigation Company Ed Tolman that he is aware and accepts the location of the RV site. The RV hook-up locations will not impede operation of the irrigation ditch, maintenance, cleaning or upkeep from the Rainbow Ditch Company. Setbacks from RV hookup locations to the Main Salmon River are 25 feet. Each site is 30 feet in between posts.

Buffering- Natural buffering is located along the west side property line, in the form of a large willow brush patch that blocks much of the view of the parked RVs from the main Williams Lake Road. Cotton wood trees along the irrigation ditch also block the majority of the view of the RVs from the main road. Signs- Will be discreet and professional. One nameplate, for each RV hookup location, will provide identification of RV spot for rental purposes. Signs will be smaller than 6 square feet for each RV spot. One sign will be placed along the entrance of the RV park, designating name and contact information for the RV park Signe will be smaller than 32 square feet per 8.11.5.2. One 8x11 sign posted at entry to designate speed limit on access road.

Section 3 Plan of Operation- This section describes the hours of operation, number of employees and average ADT. Hours of operation- The RV Park will have an online booking system through a website of Airbnb for 24-hour access to booking. You will be able to call for assistance between 9am-4pm daily. RV park will be managed by Jessica Martin and Brandon Schloemer. Occasionally, skilled workers may be hired for grounds work, cleaning services, pumping of septic, weed control and office staffing.

Average Daily Traffic- 3 RV hookups, 2 people per hookup (on average) = 6 people per day. One campsite- 1 to 6 people per day using 6 people per day (high end of estimation). ADT of 12 people per day. Activity will increase and decrease based on the season. Estimating there will be an increase in traffic during the summer and fall and lower amounts for early spring and winter.

Garbage Disposal-A garbage container will be available from Lemhi County and dumped from the site. Solid waste fees of $79 per unit (Collected with Property Tax) will be paid.

Section 4 Legal Description- A parcel of land located in the NE ¼ SW ¼ and in Government Lot 6, Section 13, T. 20 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows: Commencing at the W ¼ Corner of said Section 13, from which the SW Corner of Section 13 bears S 00°07’45” W, 2571.32ft., the Basis of Bearing of this description, run thence S 63°47’02” E a distance of 1411.74 ft. to a point on the westerly boundary of said NE ¼ SW ¼ of Section 13, Thence S 84°56’37” E a distance of 878.08 ft. to a point of the easterly right-of-way of Williams Lake Road said point being the POINT OF BEGINNING; Thence N 61°33’10” E a distance of 520.46 ft. Thence S 84°05’30” E a distance of 94.06 ft. to a point on the westerly bank of the Salmon River; Thence along said bank the following courses: S 00°44’24’ W, 269.37 ft.; S 22°17’20” E, 297.30ft.; S 31°42’22” E, 271.55 ft. to a point on the southerly boundary of said Government Lot 6; Thence S 89°04’43” W along said southerly boundary and along the southerly boundary of said NE ¼ SW ¼ a distance of 562.81 ft. to a point on said easterly right-of-way of Williams Lake Road; Thence along said right-of-way the following courses: N20°52’26” W, 425.42 ft.; N 30°50’48” W, 173.29 ft. to the POINT OF BEGINNING. Parcel contains 8.36 acres, one split remains. Section 6 Lemhi County Development Code- Requesting a Special Use Permit for Commercial 5.1.3.1.2 Chapter 6- Performance Standards for all Developments. A. Ground Water Quality will be kept to high standards with use of individual sewer hookups for each RV. Waste water from the bathhouse will be connected into the main septic system. No dumping of wastewater will be permitted, and it will be listed in the rules section before booking on the property. B. Public Health and Safety-The RV Park will be clearly marked with address for emergency service vehicles and driveway will be kept open in a loop drive for ease of access. Fire hazards will include removal of dead fuels-trees/branches, and a gravel parking lot with limited dry grass. Fires will not be allowed on the premises when Fire Restrictions are in place on the National Forest or when designated conditions are not met on the property deemed by Jessica or Brandon. C. Adequate facilities will be provided with access to Wi-Fi for internet and calling services, direct hookups for water, power and sewer for each RV site. Each campsite will have access to internet, water, sewer and shower facilities. D. Road access will be off Williams Lake Road, which is a County Road and has a Right of Way, larger than 60 feet. Access permit was completed and signed by Lemhi County Road and Bridge. Road access then goes to a private land with a finished surface of base ¾ inch gravel and distance across of 24 feet. The driveway is a loop drive for easy entry and egress. If RV Park remains open in the winter, plowing will be completed as needed for access. Designated speed limit will be posted. RV driveway and parking area are located on mostly flat ground, under 8% slope. 1.Agricultural Preservation Areas will be properly fenced with jack fence to continue agricultural use where possible and continued grazing of livestock. 2.Agricltural Water Systems/Irrigation-RV hookups are located 10+ feet off the irrigation ditch and will not impede access to ditch for maintenance or cleaning. New culverts were put in on the loop driveway to prevent erosion and keep irrigation access. 3.Natural Environment-The RV Park will keep an all natural buffering from the main road, which includes willows and cottonwood trees. There is limited development on the site that impacts the natural physical conditions and impact to fish and wildlife. Native animals will continue to have access to the area. Division 3: Williams Lake Road RV Park will HAVE: I. 3 approved septic hookups, permit #3022024 from East Idaho Public Health. II. No single RV will be located on the property for longer than 6 months and all will be highway ready. III. Each RV Site will have approved sewage management system. IV. Physical address of RV Park will be visible on RV entrance sign 32 square feet, located at beginning of 148 Williams Lake driveway entrance for an easy to read access for emergency purposes. V. Plot plan demonstrated adheres to county setbacks. VI. Approved access permit issued by Lemhi County Road and Bridge. VII. Solid waste tax will be paid per regulations. VIII. 148 Williams Lake Road is located in the flood plain per Lemhi County. Section 7 Lemhi County Development Code Chapters 7,8,9, & Appendix ABC I. RV Park Improvements- A. Topography site has good drainage with much of location being flat, allows for easy RV placement and ease of maintenance. B. 3 RV hookups will be available with individual water, power and sewer hookups. C. RV locations meet minimum buffering requirements of 15 feet side to side and 10 feet end to end. I. 8.6.6.1 Each manufactured mobile home RV space must be not less than 1,250 square feet in area and should be at least 25 feet wide. 1. Each RV spot is 30 feet away from the other site side to side. The front of the site has 75 feet of access room before the 25 feet buffer space for the river and then 10 feet of space at the end of each RV to the irrigation ditch. II. 8.6.8 Driveway is in a circular/loop pattern for parking RVs and towing vehicles Each space has enough room to park one full sized truck, plus RV. Other designated parking areas are available for more than one vehicle if needed. All roads are continuous. Garbage removal will be located on the continuous loop drive for ease of dumping. Walking distance to the bathhouse is less than 220 feet for each RV site and Campsite. There is suitable vehicular access for fire-fighting equipment, delivery of fuel, removal of garbage and for other necessary services. Main access road is two lane and at least 24 feet wide. B. Off street parking will be provided with adequate loading areas, graded, and drained gravel surfaces. Each RV hookup location will have one associated parking space that will accommodate a full size pickup truck. C. Chapter 6 Performance Standards for All Developments- I. 6.1.1 Setbacks- All developments shall comply with the setback requirements of Table 6.6, 6.7, 7.3.1, 7.3.2- RV Park is set more than 25 feet off the arterial road, Williams Lake Road. RVs are located off the Salmon River 25 feet from the average annual high water mark. D. Addressing Appendix C- I. Temporary Placement- The RVs/campers will be onsite for fewer than 180 consecutive days and be fully licensed and ready for highway use. No permanent placement vehicles will be allowed on site. II. If bathhouse is built, there will be completion of a Flood Plain Development Plan. Including a plot plan to scale, an elevation certificate or LOMA for the building location. The bathhouse floor plans are included in this permit for future development options. If GDP usage is increased as proposed above, a two bath two shower unit could potentially be built, or a two bath two shower with washer and dryer unit, depending upon GDP usage. Per DEQ if you can get data submissions report additional hookups may be possible. We would like to propose one additional spot if the GDP data permits reflected over a year and finished by a licensed professional. That is something we would like to propose if the data permits, over a year is an additional RV and campsite. **James**: That’s something I had a question about, that someone comes in to check. **Brandon**: They put meters on the spigots to measure how much water they’re actually using. It says 125 gallons a day but if it’s less over a year you could have another RV spot. Done by a licensed engineer. **James**: So, a year down the road this would require our approval. **Brandon**: Yes. Jessica also mentions the possibility of expanding the bathhouse in a year’s time. She then goes over plot plans that meet setbacks and shows the loop drive with septic, power and RV layout. James questions where the additional RV spot would be, next to the power? Brandon says yes and it will probably be just an additional camping spot(s) as this would be an easier way to go. Jeff asks about bathhouse and proposition at the end of a year before they build it. Jessica explains floor plans with one bathhouse with storage on the other side. At the end of the year the storage would be converted to another bath facility. Same building, just expanding it to two bath areas instead of one. **Cody**: You have two tanks in there and is it a pump system? **Brandon** confirms yes to both. **Chris** asks if they still wanted the board to consider a mobile bathhouse. Discussion on floodplain and having a mobile ready facility because of the floodplain continued. Brandon stated that they were building the 10x16 bathhouse after going back and forth with the Building Department on it being permitted. Brandon and Jessica are currently in the LOMA process. RV property is higher than their property which is next to the park. **Jeff**: As this stands we would be permitting a permanent structure? **Brandon** confirmed yes. **James** asks about fires being permitted when no restrictions were in place. Jessica and Brandon said yes, they would have fire pits at the sites and none permitted when there were restrictions. James also questions the campsite and what would be there. Brandon affirmed it was for tents and there would be a fire pit and picnic table at the site. Jeff asks about a water spigot at the campsite and Jessica said yes. **Cody** inquires if water will be public or well, **Jessica** affirms well water. **James** asks if park is in view of Williams Lake Road and confirmed that you can hardly see it at all from the road. Brandon invites board to come by anytime to check out location, Jeff said he had already been by it and knew the area. **James** asks if that is all for their proposal, confirmed with yes by Jessica and Brandon. Asks board if they have any other questions. He then asks for public comment for, against or neutral and there is none. Hearing is then closed. **James** asks for any discussion. Cody affirms that he has no discussion and to approve it as is and if they wanted to add anything in the future, they would have to do a modification to add the spots. Jeff asks if it’s a modification to the Permit so they wouldn’t have to complete a new Special Use, just an addition since it’s already in this application. They have the information/data to support an extra spot so they could just add to current permit. Jeff agrees to approve what has been presented and come back with data for addition proposed. Vinn asks about where the power lines come across it, if it comes in front of all the parking spots. If there’s another spot would it cut across other spot, Brandon says no. Chris asks about culverts and if they would support Emergency vehicles and Brandon confirms yes. Also, discussion on Emergency routes and there is a lot of space available to turn around and park if there is an emergency. Road must be 24’ wide confirmed by Chris.

**Jeff** moves to approve Cactus River Ranch RV Park and Cody seconds. James moves and seconds to approve the RV Park. All say aye, none opposed. Motion carried.

**James** asks for any unfinished or new business. Lisa points out sheet on page 99 of Lemhi County Development Code that requires a 60’ road easement for new access. There have been many issues with this being too wide. Even the 50’ wide when development potential is limited by terrain or government lands is too wide. There have been complaints from builders with new lots saying it is excessive.

**James** would like to have emergency personnel there to discuss or letters from them with their recommendations. Discussion continues on the 60’ and how it can reduce the area of your building project with setbacks, septic, etc… Different acceptable widths were brought up. Kristin has been noticing that it’s an issue on a lot of the lot splits she has been surveying. Chris spoke with EMS and Sherriff and they all feel it’s too much. He plans on speaking with Road and Bridge also, putting information together. James agrees it’s something the board needs to look into.

**Jeff** motions to adjourn the meeting, Cody seconds. James motions and seconds to adjourn, all agree by saying aye.

Meeting adjourns at 8:00 pm

Meeting adjourned at 8:05 pm

Lisa Olson