



**CITY OF SUN VALLEY  
PLANNING AND ZONING COMMISSION  
AGENDA REPORT**

**To:** Planning and Zoning Commission  
**From:** *MH* Mark Hofman, Community Development Director  
**Meeting Date:** November 13, 2014  
**Agenda Item:** **Draft Ordinance No. 472  
Sun Valley Water & Sewer District Zoning Map Amendment**

---

**SUBJECT:** Public hearing for a recommendation on a **Zoning Map Amendment** Application (draft Ordinance No. 472) for the proposed rezone of: a Sun Valley Company portion of land within Parcel J of the White Clouds Subdivision adjacent to the golf course; and, a portion of the Sun Valley Elkhorn Association lands above the Meadowridge Subdivision, adjacent to Parcel C of the Lane Ranch North Subdivision. The rezones are required as conditions of approval by the City of Sun Valley as part of the construction of new water reservoir structures on the subject areas. **Applicant:** Pat McMahan for the Sun Valley Water & Sewer District, on behalf of Sun Valley Company and Sun Valley Elkhorn Association. **Location:** Parcel J of the White Clouds Corrected PUD Subdivision and Sun Valley Elkhorn Association property above the Meadowridge Subdivision adjacent to Parcel C of the Lane Ranch North Subdivision. **Application Number:** ZMA 2014-02.

**BACKGROUND:** The applicant applied for and received approval of development permits from the City to construct new reservoir tanks on two different properties. The two project approvals contained specific conditions of approval requiring the properties to be rezoned upon completion of the improvements. The subject Zoning Map Amendment from the Sun Valley Water & Sewer District (SVW&SD) proposes to rezone the two reservoir tank sites and comply with the conditions of approval.

**Sun Valley Company Property-** On May 14, 2009 the City approved a design review permit (No. DR 2009-010) for a new domestic water reservoir tank as a component of the new White Clouds Subdivision water delivery system. The new tank was constructed adjacent to the 7th Green of the Gun Club Nine Golf Course, on Parcel J of the White Clouds Corrected PUD Subdivision. Condition of Approval #7 of DR 2009-010 reads and requires as follows:

- 7. As required by Condition of Approval #16 of the White Clouds Preliminary Plat approval, the Applicant shall apply for and receive approval for a Zone Map Amendment for all existing and future water reservoir sites within the former Gun Club area. The sites shall be zoned Public/Institution (PI) District and the Zone Map Amendment application shall be filed prior to the processing of any permit applications for structures on the newly created lots. Specifically, the Condition on the Preliminary Plat reads as follows: "16. The existing and future water*

*reservoir sites within the Gun Club area shall be rezoned as may be appropriate in the future to comply with the City of Sun Valley Comprehensive Plan. Applicable applications for rezoning shall be submitted to the City prior to or concurrent with any residential development applications for the Gun Club LUPA.”*

Ordinance No. 472 proposes to rezone the approximately 0.66-acre White Clouds reservoir site from Recreation (REC) Zoning District to Public/Institution (PI) Zoning District. The property owner, Sun Valley Company, was noticed and is aware of the rezone requirement/proposal and authorizes SVW&SD to submit and request the zoning map amendment.

**Sun Valley Elkhorn Association Property-** On July 25, 2013 the City approved a design review permit (No. DR 2013-21) for a new reuse water reservoir tank as a component of the District's new reuse water delivery system. The new tank was constructed on a portion of Sun Valley Elkhorn Association (SVEA) property in a hilltop saddle above the existing Meadowridge Subdivision. A portion of the reservoir tank lies on Parcel C of the approved Lane Ranch North Subdivision. Condition of Approval #7 of DR 2013-21 reads and requires as follows:

- 7. The applicant shall apply for a Zoning Map Amendment for the portion of the project on property owned by the SVEA and zoned Outdoor Recreational (OR-1) prior to final inspection and operation of the reuse water reservoir pursuant to City Code Section 9-5B-9.*

Ordinance No. 472 proposes to rezone the approximately 1.0-acre reuse water reservoir site on SVEA property from Outdoor Recreational (OR-1) Zoning District to Public/Institution (PI) Zoning District. The property owner, SVEA, has been noticed and is aware of the rezone requirement/proposal. In 2013 SVEA authorized the construction of the reservoir tank on their property and provided an easement for the facility. However, the SVW&SD and the City requested formal authorization from SVEA for this rezone action. Prior to any public hearing and action by the City Council on the draft Ordinance, SVEA, as property owner, should provide written authorization for the rezone request. SVEA staff agreed that a Planning and Zoning Commission public hearing and recommendation could take place prior to a formal authorization from the SVEA Board. It is anticipated that the SVEA Board will grant formal written authorization at their meeting scheduled for the first week of January, 2015.

**ANALYSIS:** The draft Ordinance, if enacted, would rezone both reservoir sites to Public/Institution (PI) Zoning District in compliance with the specific conditions of approval required for each of the project design review approvals. Above grade utilities are a land use permitted by right in the PI Zoning District. Draft Ordinance No. 472 is attached to this report as **Exhibit “PZ-A”** for comment, consideration, and recommendation by the Commission. Legal descriptions/exhibits for each of the rezone areas are attached to the draft Ordinance.

**Alternative Actions:** Alternative actions available to the Planning and Zoning Commission include: (1) review the attached draft Ordinance No. 472, make the required findings, and take action to recommend adoption to the City Council; (2) continue the hearing for further information and review; or (3) discuss the findings and take action to recommend denial of Ordinance 472 to the City Council.

**RECOMMENDATION:** Before public comment is received, the Commission should disclose all information and contacts received outside the hearing on this item upon which the decision will be based, receive public testimony, and consider the facts and findings necessary to make a recommending decision on the draft Ordinance. The Community Development Director

recommends that the Commission recommend approval of draft Ordinance No. 472 to the City Council based on the facts and findings contained in **Exhibit "PZ-A"**.

**LIST OF ATTACHEMENTS:**

Exhibit "PZ-A"            Draft Ordinance No. 472 for the Sun Valley Water & Sewer District Zoning Map Amendment.

\*\*The entire administrative record for this Zoning Map Amendment application is available for review in the Community Development Department at City Hall.

**EXHIBIT "PZ-A"**

**(DRAFT) ORDINANCE NO. 472**

**SUN VALLEY WATER & SEWER DISTRICT  
ZONING MAP AMENDMENT**

AN ORDINANCE OF THE CITY OF SUN VALLEY, IDAHO, PROVIDING FOR CERTAIN FINDINGS AND AMENDING THE SUN VALLEY OFFICIAL ZONING MAP; BY CHANGING THE ZONE DISTRICT BOUNDARY OR DESIGNATION FOR A PORTION OF SUN VALLEY COMPANY OWNED PROPERTY ON PARCEL J OF THE WHITE CLOUDS CORRECTED PUD SUBDIVISION IN THE CITY OF SUN VALLEY, BLAINE COUNTY, IDAHO, FROM RECREATION (REC) ZONING DISTRICT TO THE PUBLIC/INSTITUTION (PI) ZONING DISTRICT; BY CHANGING THE ZONE DISTRICT BOUNDARY OR DESIGNATION FOR A PORTION OF SUN VALLEY ELKHORN ASSOCIATION OWNED PROPERTY ADJACENT TO PARCEL C OF THE LANE RANCH NORTH SUBDIVISION IN THE CITY OF SUN VALLEY, BLAINE COUNTY, IDAHO, FROM OUTDOOR RECREATIONAL (OR-1) ZONING DISTRICT TO THE PUBLIC/INSTITUTION (PI) ZONING DISTRICT; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Sun Valley has adopted the *2005 Comprehensive Plan Update (Comprehensive Plan)* by Resolution 2005-12, on September 8, 2005, and subsequent amendments; and

**WHEREAS**, the *Comprehensive Plan* is the primary document to guide and balance future development within the City of Sun Valley and establishes a general framework for use in making decisions about the physical, social, economic, and environmental development of the Community; and

**WHEREAS**, Section 9-5B-9B of the Municipal Code, amended as part of Ordinance No. 387 approved by the City Council on June 21, 2007, requires that "Lands that are zoned Open Recreation (OR-1) prior to the adoption of the Development Code and the creation of the Recreation and Open Space Zoning Districts (Ordinance No. 382, 2006), and designated as OR-1 on the Official Zoning Map shall be required to apply for and receive an Official Zoning Map Amendment consistent with the land use designation shown on the Future Land Use Map of the *Comprehensive Plan* prior to, or in conjunction with, the processing of any development applications for improvements on the respective OR-1 zoned lands; and

**WHEREAS**, on May 14, 2009 the City of Sun Valley approved a design review permit (No. DR 2009-010) for a new domestic water reservoir tank as a component of the new White Clouds Subdivision water delivery system. The new tank was constructed adjacent to the 7th Green of the Gun Club Nine Golf Course, on Parcel J of the White Clouds Corrected PUD Subdivision. Condition of Approval #7 of DR 2009-010 requires the Applicant to apply for and receive approval for a Zone Map Amendment for all existing and future water reservoir sites within the former Gun Club area. The sites shall be zoned Public/Institution (PI) District; and

**WHEREAS**, on July 25, 2013 the City of Sun Valley approved a design review permit (No. DR 2013-21) for a new reuse water reservoir tank as a component of the Sun Valley Water & Sewer District's (SVW&SD) new reuse water delivery system. The new tank was constructed on a portion of Sun Valley Elkhorn Association (SVEA) property in a hilltop saddle above the existing Meadowridge Subdivision. A portion of the new reservoir tank lies on Parcel C of the approved Lane Ranch North Subdivision. Condition of Approval #7 of DR 2013-21 requires the applicant to apply for a Zoning Map Amendment for the portion of the project on property owned by the SVEA and zoned Outdoor Recreational (OR-1); and

**WHEREAS**, the applicant, with the express authorization of the two associated property owners, has timely filed an application for zoning map amendment (Application No. ZMA 2014-02) with the City of Sun Valley to amend the Official Zoning Map of the City to: rezone the approximately 0.66-acre White Clouds reservoir site owned by Sun Valley Company from Recreation (REC) Zoning District to Public/Institution (PI) Zoning District; and, rezone the approximately 1.0-acre reuse water reservoir site on SVEA owned property from Outdoor Recreational (OR-1) Zoning District to Public/Institution (PI) Zoning District; and

**WHEREAS**, Title 9, Chapter 2, Section 1 of the Sun Valley Development Code establishes the Public/Institution (PI) Zoning District; and

**WHEREAS**, above grade utilities are a land use permitted by right in the Public/Institution (PI) Zoning District; and

**WHEREAS**, the applicant satisfactorily completed a pre-application conference with the Community Development Director of the City of Sun Valley, filed a complete application, paid applicable fees, and gave proper public hearing notice for a zoning map amendment pursuant to Development Code Section 9-5B-9; and

**WHEREAS**, the Planning and Zoning Commission of the City of Sun Valley held a properly noticed public hearing for the purpose of reviewing the zoning map amendment application at their November 13, 2014 regular meeting and passed a motion recommending approval of Ordinance No. 472, Sun Valley Water & Sewer District Zoning Map Amendment, to the City Council; and

**WHEREAS**, the City Council of the City of Sun Valley held a properly noticed public hearing on ~~#####~~ ~~##~~, 2015 for the zoning map amendment to review the application and administrative record, consider the Planning and Zoning Commission's recommendation on Ordinance No. 472, take public and applicant testimony, and consider the required findings for taking action.

**NOW, THEREFORE; THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SUN VALLEY, IDAHO, DO ORDAIN AS FOLLOWS:**

**SECTION 1. FINDINGS-** Based on the statements above, the City Council for the City of Sun Valley adopts the following findings regarding the rezone of a portion of Sun Valley Company owned property on Parcel J of the White Clouds Corrected PUD Subdivision and a portion of Sun Valley Elkhorn Association owned property adjacent to Parcel C of the Lane Ranch North Subdivision:

- A. The Official Zoning Map amendment is consistent with the *Comprehensive Plan* and Future Land Use Map and implements the applicable provisions of the *Comprehensive Plan*. The approximately 0.66-acre White Clouds reservoir site is to be rezoned from Recreation (REC) Zoning District to Public/Institution (PI) Zoning District to match the newly constructed above grade utility facility. The approximately 1.0-acre reuse water reservoir site on SVEA property is to be rezoned from Outdoor Recreational (OR-1) Zoning District to Public/Institution (PI) Zoning District to match that newly constructed above grade utility facility. The PI Zoning District is the most appropriate designation for the subject sites at this time because of the current land use, size of the development areas, and limited additional future development potential due to the long term nature of the facility and utility use. Therefore, the proposed amendment meets the spirit and intent of the *Comprehensive Plan*; and
- B. The Official Zoning Map amendment complies with the regulations in effect for the proposed Public/Institution (PI) Zoning District, including the purpose statements, and is suitable for the existing permitted and constructed uses; and
- C. The Official Zoning Map amendment has no adverse impacts on the natural environment, including but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features. The need for a zoning amendment was caused by construction of two new community-serving utility infrastructure facilities on the subject sites by the Sun Valley Water & Sewer District and no additional development or disturbance is proposed as part of the zoning amendment; and
- D. The Official Zoning Map amendment is not materially detrimental to the public health, safety, and welfare. No significant impacts requiring mitigation have been identified by the Planning and Zoning Commission or City Council; and
- E. Essential public facilities and services, including but not limited to emergency services, transit, public street maintenance, workforce housing and schools, are available to support the proposed uses and density or intensity without creating additional requirements at public costs for such public facilities and services.

**SECTION 2. ZONING MAP AMENDMENT-** The portion of Sun Valley Company owned property on Parcel J of the White Clouds Corrected PUD Subdivision (consisting of the SVW&SD domestic water reservoir tank site and depicted overall in the attached *Legal Description and Exhibit- Exhibit "A"*), and the portion of Sun Valley Elkhorn Association owned property adjacent to Parcel C of the Lane Ranch North Subdivision (consisting of a portion of the SVW&SD reuse water reservoir tank site and depicted overall in the attached *Legal Description and Exhibit- Exhibit "B"*) is hereby rezoned and the Official Zoning Map of the City of Sun Valley is hereby amended to reflect the change from Recreation (REC) and Outdoor Recreational (OR-1) Zoning Districts to Public/Institution (PI) Zoning District; and

**SECTION 3. SAVINGS AND SEVERABILITY-** If any section, subsection, paragraph, subparagraph, item, provision, regulation, sentence, clause, or phrase is declared by a Court of competent jurisdiction to be invalid, such actions shall not affect the validity of this ordinance as a whole or any part thereof other than the part declared invalid.

**SECTION 4. REPEALER CLAUSE-** All City of Sun Valley Ordinances or parts thereof which are in conflict herewith are hereby repealed.

**SECTION 5. EFFECTIVE DATE-** This Ordinance shall be in full force and effect from and after its approval, passage, and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF SUN VALLEY, IDAHO, AND APPROVED BY THE MAYOR OF THE CITY OF SUN VALLEY on this ##th day of #####, 2015.

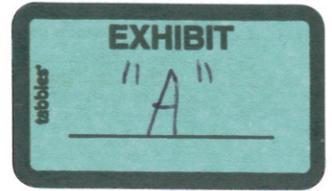
EFFECTIVE DATE OF PUBLICATION: ##### ##, 2015.

APPROVED:

\_\_\_\_\_  
Dewayne Briscoe, Mayor  
City of Sun Valley

ATTEST:

\_\_\_\_\_  
Alissa Weber, City Clerk  
City of Sun Valley



**Benchmark Associates, P.A.**  
Engineering, Planning, Surveying, Mapping  
100 Bell Drive  
PO Box 733,  
Ketchum, Idaho 83340  
Tel: 208 788-1479 Fax: 208 726-9514

**DESCRIPTION FOR A WATER TANK PARCEL  
LOCATED ON PARCEL J, BLOCK 1 OF THE  
WHITE CLOUDS, CORRECTED P.U.D.**

A Parcel of land within Parcel J, Block 1 of White Clouds, Corrected P.U.D., recorded as Instrument No. 571308, Records of Blaine County, located in Section 6, Township 4 North, Range 18 East, Boise Meridian, City of Sun Valley, Blaine County, Idaho. Said Parcel being more particularly described as follows:

Commencing at a Brass Cap, which marks the Center 1/4 corner of said Section 6, said Center 1/4 Corner bears North 01°13'37" West, 2630.88 feet from a Brass Cap which marks the South 1/4 corner of said Section 6;

Thence South 30°46'59" West, 991.16 feet to the REAL POINT OF BEGINNING;

Thence North 48°38'56" West, 70.26 feet;

Thence South 41°21'04" West, 169.00 feet;

Thence South 48°38'56" East, 169.00 feet;

Thence North 41°21'04" East, 169.00 feet;

Thence North 48°38'56" West, 98.74 feet to the REAL POINT OF BEGINNING, said Parcel contains 0.66 acres more or less.

See Exhibit Map attached hereto and made a part hereof.



**FOUND BC  
CENTER 1/4 SECTION 6**

N 89°25'08" W 1324.38

808.17'

203.73'

300.52'

11.95'

991.16' W

991.16' W

N 01°13'37" W 2630.88'

OS  
PARCEL L  
BLOCK 1

WATER TANK PARCEL  
0.66 ACRES±

EXISTING WATER TANK

PARCEL J - GOLF COURSE  
(WINTER NORDIC SKI AND SNOWSHOE TRAILS)

REAL POINT  
OF BEGINNING

CENTERLINE 50' WIDE WATERLINE  
AND ACCESS EASEMENT PER PARCEL

MONARCH LANE

DIAMOND BACK ROAD (PUBLIC)

REC BLOCK 1

9

10

11

12

13

14

15

16

17

3



**SCALE 1" = 300'**

**SOUTH 1/4 CORNER  
SECTION 6 FOUND B.C.**

**EXHIBIT MAP FOR WATER TANK  
PARCEL LOCATED ON PARCEL J,  
BLOCK 1 OF THE**

**WHITE CLOUDS, CORRECTED P.U.D.**

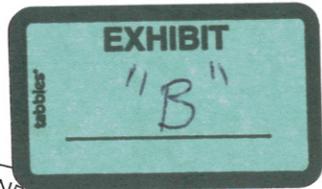
LOCATED WITHIN  
SECTION 6, TOWNSHIP 4 NORTH, RANGE 18 EAST, B.M.,  
CITY OF SUN VALLEY, BLAINE COUNTY, IDAHO

LINE	BEARING	DISTANCE
L1	N 48°38'56" W	70.26'
L2	S 41°21'04" W	169.00'
L3	S 48°38'56" E	169.00'
L4	N 41°21'04" E	169.00'
L5	N 48°38'56" W	98.74'



# Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING  
P.O. Box 733 - 100 Bell Drive  
Ketchum, Idaho 83340  
208/726-9512 Fax 208/726-9514 www.benchmark-associates.com



## TANK PARCEL DESCRIPTION

Within: TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN  
SECTION 20, SUN VALLEY, BLAINE COUNTY, IDAHO

Commencing at a Brass Cap marking the N1/4 corner of said section 20; Thence  
S00°57'27"W a distance of 470.26' to the Point of Beginning;

Thence S44°02'33"E a distance of 295.16';  
Thence S45°57'27"W a distance of 295.16';  
Thence N00°57'27"E a distance of 2417.42' to the Point of Beginning,  
Having an approximate area of ±43560 Square Feet, or ±1.0 Acres.

