

McCALL AREA PLANNING AND ZONING COMMISSION

Minutes

December 3, 2013 – 5:30 p.m.

McCall City Hall – Lower Level

216 East Park Street, McCall, ID 83638

COMMISSION MEETING – Begins at 5:30 p.m.

CALL TO ORDER AND ROLL CALL

Chair Apperson, Commissioner Fereday, Commissioner Thompson, Commissioner Tunnell, Commissioner Callan, Commissioner Farnsworth and Commissioner Williamson were present. City Planner Delta James and Administrative Assistant Deb Smith were also present.

WORK SESSION

Sign Code – review of draft ordinance

Ms. James presented the draft sign ordinance which includes the latest recommendations as shown in the draft ordinance (attached as Exhibit A). Commission members reviewed the draft ordinance and suggested relocation of the language regarding flags and illuminated signs to provide clarity that these signs were subject to the maximum sign allowance for each business as allowed for its zone.

REVIEW & APPROVAL OF MINUTES

Commissioner Fereday moved to approve the November 12, 2013 minutes as presented. Commissioner Williamson seconded the motion. The motion carried.

PRELIMINARY DEVELOPMENT PLAN REVIEW MEETINGS

Pre-application (CUP, DR)

1300 Roosevelt Avenue

Donald Hardy representing Tamara Tresko: Conditional Use Permit and Design Review for commercial and residential mixed use and construction of a new three-story building on the subject property. The property is zoned CBD - Central Business District.

Don Hardy, 1300 Roosevelt Avenue, explained the pre-application. The plan is to have a mixed use building with a wooden boat showroom and retail sales on the first floor. They plan to have two stories of living space, making the building height of approximately 44 feet. The outside of the building will have aesthetics similar to the Hub.

Ms. James asked if he would be utilizing the existing structure. He said they will try to use everything existing.

She also asked what kind of timeline they are looking at. Mr. Hardy said that they hope to have a solid direction by spring.

CONSENT AGENDA

ROS-13-13

229 and 227 Ernesto Drive

Richard Rockrohr and Joseph De Angelis: A Record of Survey application to adjust lot lines to combine area square footage along Rio Vista pond into lots of record. The properties are zoned R4 – Low Density Residential.

ROS-13-14

910 Chipmunk Trail Road

Donna Day Jacobs representing Day Family Trust: A Record of Survey application to create four lots from two lots of record. The properties are zoned R4 – Low Density Residential.

ROS-13-15

2424 and 2426 Sharlie Lane

Rod Skiftun representing Christian and Katheryn Zimmerman: A Record of Survey to combine two lots of record. The properties are zoned R4 – Low Density Residential.

Commissioner Tunnell moved to approve the consent agenda ROS 13-13, ROS-13-14, ROS-13-15; Commissioner Williamson seconded the motion; the motion carried.

OLD BUSINESS

None

NEW BUSINESS

CUP-13-03

299 S. 3rd Street

Carrie Carter: Conditional Use Permit application to open a day care center within the existing building. The property is zoned CC – Community Commercial.

Carrie Carter would like to open a day care center at 299 S. 3rd Street. Hours of operation will be 7:00 a.m. until 5:30 p.m. The maximum occupancy will be 50 children. They are currently working on an interior remodel to put in a kitchen and another restroom. She is working with the Fire District to be sure all fire codes are met. There is plenty of parking and the back yard is fenced.

She has had very positive feedback from the Idaho Department of Labor with whom they will be sharing the building.

Ms. James presented her staff report. An additional condition was added stating that the day care shall not open until such time that all state permits have been secured.

Chair Apperson opened the public hearing. There were no comments. The public hearing was closed.

Commissioner Williamson moved to recommend CUP-13-03 for approval with original conditions and one additional condition; without the need for an additional public hearing to City Council.

Commissioner Tunnell seconded the motion. There was a roll call vote: Chair Apperson-aye,

Commissioner Fereday-aye, Commissioner Thompson-aye, Commissioner Williamson-aye,

Commissioner Callan-aye, Commissioner Tunnell-aye and Commissioner Farnsworth-aye. The motion carried.

Downtown Master Plan 2013

A recommendation to City Council regarding adoption by resolution of the proposed McCall Downtown Master Plan, an update to the 1997 Downtown McCall Master Plan for Central Business District, as an official City of McCall planning document.

Ms. James introduced the Downtown Master Plan to the commission. This is an update to the 1997 Downtown Plan.

Harmony Design and its consultant team were hired earlier this spring to guide the community through the downtown master planning process. There were three different multi-day workshops and public input sessions. One occurred in May, one occurred in August and the final one in November. These were opportunities for the public to participate in the planning and hundreds of people did participate.

The master planning process was guided by a seven member advisory committee. The committee consisted of downtown business owners, property owners, designers and members of the community at large.

Ms. James explained that this is a plan that is intended to provide concepts for future implementation.

Discussion continued.

Chair Apperson opened the public hearing.

Brent Johnson, 234 Ernesto, spoke of his concern for the citizens that are just beyond the border of the Downtown Master Plan. He presented a letter explaining his concerns which is attached (Exhibit B) to these minutes.

Ms. James read an email into the record which she received December 2, 2013 from Lisa Mohler. This email is also an attachment (Exhibit C) to these minutes.

A letter from Idaho Department of Lands was also read into the record and is also attached (Exhibit D) to these minutes.

The public hearing was closed.

Commissioner Fereday moved to recommend adoption of the Downtown Master Plan 2013 to City Council. Commissioner Williamson seconded the motion. There was a roll call vote: Chair Apperson-aye, Commissioner Fereday-aye, Commissioner Thompson-aye, Commissioner Williamson-aye, Commissioner Callan-aye, Commissioner Tunnell-aye and Commissioner Farnsworth-aye. The motion carried.

OTHER

Review of signs approved administratively

Ms. James administratively approved the signs at the new location of Salmon River Brewery.

Ms. James asked the commission if the starting time for the Planning and Zoning meeting could remain at 5:30 P.M. Everyone agreed this was a more convenient time for them to begin.

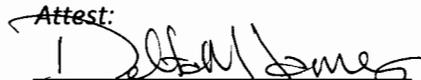
ADJOURNMENT

The meeting was adjourned at 7:35 pm.

Signed: January 7, 2014



Kimberly A. Apperson, Chair
McCall Area Planning and Zoning Commission

Attest:


Delta M. James
City Planner

Kimberly A. Apperson, Chair
McCall Area Planning and Zoning Commission

Delta M. James
City Planner

Exhibit 'A'

ORDINANCE NUMBER ____

AN ORDINANCE OF THE CITY OF McCALL, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, VALLEY COUNTY, IDAHO AMENDING McCALL CITY CODE TITLE 3 CHAPTER 9 SIGNS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for approval of zoning ordinance amendments, pursuant to MCC 1-1-3, was submitted by the City of McCall on _____, 2013; and

WHEREAS, the McCall Area Comprehensive Plan (2007) includes an objective that states, "Assistance to existing and new businesses is one of the highest priority actions the City can take to protect and nurture the economic base;" and

WHEREAS, City Staff has identified that businesses would benefit from additional methods to visually advertise sales and special events; and

WHEREAS, the McCall Area Planning and Zoning Commission held a properly noticed and regularly scheduled public hearing on _____, 2013 to consider these proposed zoning ordinance amendments; and

WHEREAS, at its _____, 2013 meeting the McCall Area Planning and Zoning Commission recommended this proposed zoning ordinance amendment for approval by the McCall City Council and Valley County Board of Commissioners; and

WHEREAS, the City Council held a properly noticed and regularly scheduled public hearing on _____, 2013 to consider the proposed zoning ordinance amendments; and

WHEREAS, the zoning ordinance amendments were approved by the McCall City Council at a regularly scheduled and properly noticed public meeting on _____, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF McCALL, IDAHO, AS FOLLOWS:

Section 1: McCall City Code Title 3 Chapter 9: SIGNS is amended to read as follows:

3.9.01: PURPOSE:

Signage is a significant design element affecting the visual quality and therefore the viability of commercial activity and quality of life in residential areas, as well as the directional needs of cars and people. Signs not only enhance and define the architecture, but support the intended function of the business being advertised or other important information. Because they are publicly viewed, signs can either add or detract from the community character. Therefore, the purpose of this chapter is:

(A) To establish standards to regulate all exterior signs so as to protect the health, safety and general welfare of residents and visitors.

(B) To regulate the sizes, location, character and other pertinent features of all exterior signs in the planning jurisdiction.

(C) To reduce undue and confusing competition between signs.

(D) To prevent conflicts and confusion between advertising signs and traffic control signs or signals.

(E) To prevent possible harm from outdoor signs suspended from or placed on top of structures and otherwise erected above the ground and especially where susceptible to high winds and/or ice fall.

(F) To preserve the small town character of the community.

3.9.02: DEFINITIONS:

The following words and terms shall, for the purpose of this chapter and as used elsewhere in this code, have the meanings shown herein.

ABANDONED SIGN: A sign structure that has ceased to be used, and the owner intends no longer to have used, for the display of sign copy, or as otherwise defined by state law.

ANIMATED SIGN: A sign employing actual motion or the illusion of motion. "Animated signs", which are differentiated from "changeable signs" as defined and regulated by this code, include the following types:

(A) **Electrically Activated:** Animated signs producing the illusion of movement by means of electronic, electrical or electromechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:

1. **Flashing:** Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of nonillumination. For the purposes of this chapter, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds four (4) seconds.

2. **Patterned Illusionary Movement:** Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

(B) **Environmentally Activated:** Animated signs or devices motivated by wind, thermal changes or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.

(C) Mechanically Activated: Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

ARCHITECTURAL PROJECTION: Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building, but that does not include signs as defined herein. See also definitions of Awning; Backlit Awning; Canopy (Attached); and Canopy (Freestanding).

AWNING: An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or nonrigid materials and/or fabric on a supporting framework that may be either permanent or retractable, including such structures that are internally illuminated by fluorescent or other light sources.

AWNING SIGN: A sign displayed on or attached flat against the surface or surfaces of an awning. See also definition of Wall or Fascia Sign.

BACKLIT AWNING: An awning with a translucent covering material and a source of illumination contained within its framework.

BANNER: A flexible substrate on which copy or graphics may be displayed.

BANNER SIGN: A sign utilizing a banner as its display surface.

BILLBOARD: See definition of Outdoor Advertising Sign.

CANOPY (ATTACHED): A multisided overhead structure or architectural projection supported by attachments to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. See also definition of Marquee.

CANOPY (FREESTANDING): A multisided overhead structure supported by columns, but not enclosed by walls. The surface and or soffit of a freestanding canopy may be illuminated by means of internal or external sources of light.

CANOPY SIGN: A sign affixed to the visible surface(s) of an attached or freestanding canopy.

CHANGEABLE SIGN: A sign with the capability of content change by means of manual or remote input, including signs which are:

(A) Electrically Activated: Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting

devices; or it may be from an external light source designed to reflect off the changeable component display. See also definition of Electronic Message Sign Or Center.

(B) Manually Activated: Changeable sign whose message copy or content can be changed manually.

COMBINATION SIGN: A sign that is supported partly by a pole and partly by a building structure.

COPY: Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, excluding numerals identifying a street address only.

DEVELOPMENT COMPLEX SIGN: A freestanding sign identifying a multiple-occupancy development, such as a shopping center, business park or planned industrial park, which is controlled by a single owner or landlord, approved in accordance with section 3.9.03 of this chapter.

DIRECTIONAL SIGN: Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

DOUBLE FACED SIGN: A sign with two (2) faces, back to back.

ELECTRIC SIGN: Any sign activated or illuminated by means of electrical energy.

ELECTRONIC MESSAGE SIGN OR CENTER: An electrically activated changeable sign whose variable message capability can be electronically programmed.

EXTERIOR SIGN: Any sign placed outside a building.

FASCIA SIGN: See definition of Wall Or Fascia Sign.

FLASHING SIGN: See definition of Animated Sign, Electrically Activated.

FREESTANDING SIGN: A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground.

FRONTAGE (BUILDING): The length of an exterior building wall or structure of a single premises oriented to the public way (street) or other properties that it faces.

FRONTAGE (PROPERTY): The length of the property line(s) of any single premises along either a public way or other properties on which it borders.

GROUND SIGN: See definition of Freestanding Sign.

IDENTIFICATION SIGN: Owner or proprietor, business name, address, phone number, hours

of operation, etc. Maximum letter size is four inches (4") height.

ILLUMINATED SIGN: A sign characterized by the use of artificial light, either projecting through its surface(s) (internally illuminated); or reflecting off its surface(s) (externally illuminated).

IMPOUNDED SIGN: A sign which has been collected by the city as a result of legal action.

INTERIOR SIGN: Any sign placed within a building, but not including "window signs" as defined in this section. "Interior signs", with the exception of "window signs" as defined in this section, are not regulated by this chapter.

MANSARD: An inclined decorative rooflike projection that is attached to an exterior building facade.

MARQUEE: See definition of Canopy (Attached).

MARQUEE SIGN: See definition of Canopy Sign.

MENU BOARD: A freestanding sign for a restaurant that advertises the menu items available and which has no more than twenty percent (20%) of the total area for such a sign utilized for business identification.

MULTIPLE-FACED SIGN: A sign containing three (3) or more faces.

OFF PREMISES SIGN: See definition of Outdoor Advertising Sign. Off premises signs do not include directional signs, traffic control devices, or jurisdictional limit signs.

ON PREMISES SIGN: A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

OUTDOOR ADVERTISING SIGN: A permanent sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or noncommercial messages not appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed, but not including directional signs, traffic control signs or devices, or jurisdictional limit signs.

PARAPET: The extension of a building facade above the line of the structural roof.

POLE SIGN: See definition of Freestanding Sign.

POLITICAL SIGN: A temporary sign intended to advance a political statement, cause or candidate for office. A legally permitted outdoor advertising sign shall not be considered to be a political sign.

PORTABLE SIGN: Any sign not permanently attached to the ground or to a building or building surface.

PROJECTING SIGN: A sign other than a wall sign that is attached to or projects more than eighteen inches (18") from a building face or wall or from a structure whose primary purpose is other than the support of a sign.

REAL ESTATE SIGN: A temporary sign advertising the sale, lease or rental of the property or premises upon which it is located.

REVOLVING SIGN: A sign that revolves three hundred sixty degrees (360°) about an axis. See also definition of Animated Sign, Mechanically Activated.

ROOF SIGN: A sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such a building. Signs mounted on mansard facades, pent eaves and architectural projections such as canopies or marquees shall not be considered to be roof signs. For a visual reference, and a comparison of differences between roof and fascia signs, see figure 3.9.02 in this section.

ROOFLINE: The top edge of a peaked roof or, in the case of an extended facade or parapet, the uppermost point of said facade or parapet.

SIGN: Any device visible from a public place that displays either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. Noncommercial flags or any flags displayed from flagpoles or staffs will not be considered to be signs.

SIGN AREA: The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face. The area of any double sided or "V" shaped sign shall be the area of the largest single face only. The area of a sphere shall be computed as the area of a circle. The area of all other multiple-sided signs shall be computed as fifty percent (50%) of the sum of the area of all faces of the sign.

SIGN COPY: Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, exclusive of numerals identifying a street address only.

SIGN FACE: The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.

(A) In the case of panel or cabinet type signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate upon which the sign copy is displayed or illustrated, but not open space between separate panels or cabinets.

(B) In the case of sign structures with routed areas of sign copy, the sign face shall include the entire area of the surface that is routed, except where interrupted by a reveal, border, or a contrasting surface or color.

(C) In the case of signs painted on a building, or individual letters or graphic elements affixed to a building or structure, the sign face shall comprise the sum of the geometric figures or combination of regular geometric figures drawn closest to the edge of the letters or separate graphic elements comprising the sign copy, but not the open space between separate groupings of sign copy on the same building or structure.

(D) In the case of sign copy enclosed within a painted or illuminated border, or displayed on a background contrasting in color with the color of the building or structure, the sign face shall comprise the area within the contrasting background, or within the painted or illuminated border.

SIGN, LIGHTING DEVICE: Any light, string of lights or group of lights located or arranged so as to cast illumination on a sign.

SIGN STRUCTURE: Any structure supporting a sign.

TEMPORARY SIGN: A sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

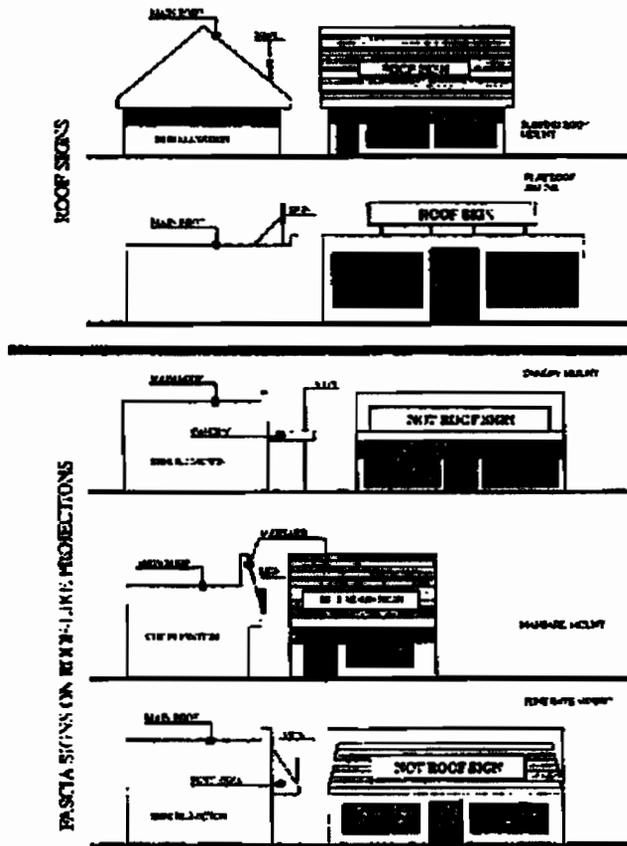
UNDER CANOPY SIGN OR UNDER MARQUEE SIGN: A sign attached to the underside of a canopy or marquee.

V SIGN: Signs containing two (2) faces of approximately equal size, erected upon common or separate structures, positioned in a "V" shape with an interior angle between faces of not more than ninety degrees (90°) with the distance between the sign faces not exceeding five feet (5') at their closest point.

WALL OR FASCIA SIGN: A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than eighteen inches (18") from the building or structure wall, including signs affixed to architectural projections from a building, provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed. For a visual reference and a comparison of differences between wall or fascia signs and roof signs, see figure 3.9.02 in this section.

WINDOW SIGN: A sign affixed to the surface of a window with its message intended to be visible to and readable from the public way or from adjacent property.

Figure 3.9.02
Roof And Fascia Signs



3.9.03: SIGN STANDARDS BY ZONE:

(A) General Standards Applicable To All Zones:

1. Sign Standards: The following sign standards by zone are intended to include every zone in the planning jurisdiction. The zones are as defined by this title. Only signs as described herein and as may be described under sections 3.9.04, "Temporary Signs", and 3.9.05, "Exempt Signs", of this chapter, will be permitted in each particular zone. The area of a sign shall be computed; if a sign includes silhouette designs or letters, whether cut out of the interior of a background, or projecting beyond the edges of a background,

or freestanding, the area of the sign shall be computed to include the square footage of a rectangle that would enclose such designs. For example, should a sign that is attached flat against a building that is three feet (3') on a side (9 square feet) have a pine tree silhouette attached to and extending above it, such tree being one foot (1') wide at the widest and two feet (2') tall, then the one foot by two foot (1' x 2') rectangle which could enclose that tree shall be added to the nine (9) square feet of the rest of the sign of which it is a part for a total of eleven (11) square feet, notwithstanding that some of that area in fact includes space around the tree. Additionally, in calculating the size of a two (2) sided sign, only one side is counted.

2. New Zone Created: If a new zone is created after March 16, 2006, no signs shall be permitted therein until this chapter shall be amended to include such zone.

3. Development Complex Sign: For traffic operations, emergency response, and land use compatibility, the city may require that a development complex sign be placed at the entrance(s) of a planned unit development ~~or large~~, subdivision, mixed use development, apartment building, shopping center, or industrial park; each sign shall not exceed an area of fifty (50) square feet and is subject to the other requirements of this chapter.

4. ~~Outdoor Advertising~~ Wayfinding Signs: ~~Outdoor advertising~~ Wayfinding signs may be permitted by the administrator when used to advertise publicly accessible ~~recreational~~ facilities remote from the sign location. Wayfinding signs may provide general descriptions of public facilities, but shall not advertise specific business names. Such signs should be designed to include one or more such facilities located in the same area. These signs may be located on public property, with the permission of the jurisdictional authority, or private property, with the permission of the owner, such location to be approved by the administrator. ~~The maximum sign area is five (5) square feet.~~

5. Illumination: Illumination of signs is permitted but in accordance with the restrictions specified in section 3.9.08 of this chapter.

6. Changeable Signs: Wooden-framed permanent structure up to fifteen (15) sq. ft. that will allow for interior banners or similar material to be changed to advertise special events, sales, or other promotions. A Conditional Use Permit is required for signs with individual changeable letters. No more than fifty percent (50%) of any given sign face may include a space for changeable letters. Permitted changeable signs shall be of a high quality, and the letters used on such signs shall be of a durable material such as Lexan® or acrylic plastic, with a minimum thickness of 0.08 inches and a height not to exceed nine inches (9"). Messages are to be nonscrolling.

(B) Residential Zones:

I. General: The regulations and specifications set forth herein shall apply to the agriculture and forest (AF); rural residential (RR); residential estate (RE); R1, R4, R8, and R16 zones.

2. Size: One sign not exceeding two (2) square feet in area shall be permitted per dwelling unit. For multiple dwellings per platted lot, one or more additional signs totaling twelve (12) square feet in area shall be permitted.

3. Location: Permitted signs may be anywhere on the premises, except that they may not project beyond any property line and except that, if freestanding, the top shall be not over five feet (5') above the ground; and, if building mounted, shall be flush mounted, shall not be mounted on any roof of the building, and shall not project above the eaves line.

4. Content: Signs allowed in residential zones are normally used for identification and directional purposes. The additional sign area permitted for multiple dwellings shall be only for identification of the building. See also subsection 9.6.02(R) of this code for address numbers.

(C) Commercial Zones:

1. General: The regulations and specifications set forth herein shall apply to the civic use (CV), neighborhood commercial (NC), community commercial (CC), and central business district (CBD) zones.

2. Size:

(a) A total sign area of one and one-half ($1\frac{1}{2}$) square feet for each linear foot of building frontage or one-half ($\frac{1}{2}$) square foot for each linear foot of property frontage, whichever results in the larger sign area, but the maximum total area of all permitted signs for any establishment shall not exceed one hundred (100) square feet. All window signs shall be included when calculating total permitted square footage. Interior signs are not to be included in area calculations.

(b) Building frontage shall be measured along a horizontal plane from one end of the building to the other along the street which the sign faces.

(c) Where frontage is on more than one street, the allowable size of signs facing one of those streets shall be based on the frontage of the building or property facing that street.

3. Location:

(a) Signs may be wall or fascia signs and located anywhere on the surface of the building.

(b) Signs may be projecting signs only if, under the applicable zoning, there is no building setback, and then may project six feet (6') or less beyond the street property line, but no closer than two feet (2') to a curb line, and must have a minimum clearance of eight feet (8') above the curb line and public sidewalk, and fifteen feet (15') above driveways or alleys.

(c) When a projecting sign is closer than twelve feet (12') to a corner of the property, its projection shall be no more than a distance equal to one-half ($1/2$) the horizontal distance from the sign to that corner.

(d) ~~Except in the CBD, W~~ where a building does not cover the full area of the property, a sign may be freestanding and may be located anywhere back of the street setback lines. The top of such a sign may extend up to ten feet (10') above the average ground level at the base of the sign.

(e) Signs may be on the vertical faces of marquees and may project below the lower edge of the marquee not more than twelve inches (12"). The bottom of marquee signs shall be no less than eight feet (8') above the sidewalk or grade at any point. No part of the sign shall project above the vertical marquee face.

(f) Signs shall not project above the roofline or roof peak (highest elevation).

(g) Signs shall not be located on any property which is not the site of the subject of the information on the sign; e.g., a sign advertising a business may only appear on the same lot or parcel of real estate that is the location of the business (except, see subsection (A)4 of this section).

(h) Signs may be incorporated into building awnings. In terms of calculating sign size, the procedure shall be to calculate the area of the letters and design according to the "silhouette" sign described in subsection (A)1 of this section.

4. Multi-Tenant Buildings Or Plazas: The total signage area may not exceed the area for a single tenant building of the same frontage; exceptions may be approved by the administrator with cause shown. Signs for individual tenants may be wall mounted or hanging, but not projecting beyond eighteen inches (18"). The portion of total signage available to each tenant shall be determined by the building or plaza owner.

(D) Industrial And Business Park, Zones I And BP:

1. General: The regulations and specifications set forth herein shall apply to the industrial (I) and business park (BP) zones.

2. Size: ~~There shall be permitted in these zones, for each business park or industrial establishment, one identity sign for each building with a street frontage, each with a maximum area of one square foot for each linear foot of building frontage, or one half ($1/2$) square foot for each linear foot of property frontage, whichever is greater, but not exceeding one hundred (100) square feet. Requirements shall be the same as specified for the commercial zones.~~

3. Location: Requirements shall be the same as specified for the commercial zones.

4. Content: Signs permitted in these zones shall be identification signs only.

~~5. Changeable Signs: Changeable signs are not permitted except to advertise the pricing of fuels and event hours. A conditional use permit is required as well as following the design review procedure of chapter 16 of this title. No more than fifty percent (50%) of any given sign face may include a space for changeable letters. Permitted changeable signs shall be of a high quality, and the letters used on such signs shall be of a durable material such as Lexan[®] or acrylic plastic, with a minimum thickness of 0.08 inches and a height not to exceed nine inches (9").~~

~~6-5. Undue Hardship: If special conditions and circumstances unique to the type of business, the land, or structure, make compliance with subsection (D)5 of this section an undue hardship, then the commission may take into consideration the products or services offered by the establishment; the requirements for a conditional use permit (see chapter 13 of this title) will be applied.~~

(E) Public Zones And Special Districts:

1. Agriculture And Forest (AF) Zone: Apply the same standards as for the residential zones.
2. Civic Use (CV) Zone: Apply the same standards as the commercial zones.
3. Airport (AP) Zone: Signing to be located within the AP (airport) zone requires an administrative permit, except for the signage required by authorities for safety or security purposes. Otherwise, the same standards apply as the ~~industrial or business~~ park commercial zones.
4. Special Districts: Apply the same standards as for the zone in which the district falls.

3.9.04: TEMPORARY SIGNS:

The following signs shall be permitted anywhere within the planning jurisdiction and shall not require a permit:

(A) Site Development Signs:

1. One site development sign is permitted for each project.
2. A sign which identifies the architects, engineers, contractors and other individuals or firms involved with a construction project, but not including any advertisement of any product, and signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, with a maximum area of sixteen (16) square feet.

3. The signs shall be confined to the site of the construction, may be placed up to thirty (30) days prior to start of construction, and shall be removed within fourteen (14) days after the beginning of an occupancy use of the project.

(B) Real Estate Signs:

1. Signs advertising the sale, rental or lease of the premises or part of the premises on which the signs are displayed:

(a) For properties of one acre or less, the total area of the signage shall not exceed five (5) square feet on one face. A double sided sign may have a total sign surface of ten (10) square feet.

(b) For properties of over one acre but less than ten (10) acres, the total area of the signage shall not exceed sixteen (16) square feet.

(c) For properties over ten (10) acres, the total area of the signage shall not exceed thirty two (32) square feet.

(d) For properties facing the lake front, the total area of the signage shall not exceed sixteen (16) square feet.

2. Such signs shall be placed only on the property advertised and shall be removed within seven (7) days after the sale, rental, or lease is documented and closed.

3. "Open House" signs shall not exceed six (6) square feet in total area. Open house signs shall be removed upon completion of the "open house" but in no event shall the sign be placed longer than twenty four (24) hours.

4. Illuminated, reflective and Day-Glo[®] type materials are not permitted on any real estate signs.

5. Signs shall be maintained in good repair. Damaged signs, or signs which have fallen over, etc., are subject to removal by the city (see section 3.9.11 of this chapter).

6. Real estate signs shall not be placed upon or extend over public rights of way.

(C) Political Signs: The following provisions apply to candidates for public office, bond elections, referenda, and initiatives. Prior to any enforcement action, the city shall seek legal advice for each case.

1. Signs announcing the candidates seeking public political office and other data pertinent thereto, up to an area of thirty two (32) square feet for each premises.

2. Such signs shall be confined within private property and removed within seven (7) days after the election for which they were made.

(D) Over The Road Banners: Banners advertising a public entertainment or event are allowed as described by resolution adopted by the city council.

(E) Window Signs: Window signs intending to announce the display of merchandise, when incorporated with such a display, are permitted, so long as they do not cover more than 25% of the total window area and shall not result in the property exceeding the maximum allowable signage as calculated for its zone. They need not be related in content with the display.

(F) New Business Signs: With prior written notice to the administrator and the code enforcement officer, with their written concurrence that the business is new, and upon payment of a fee set by council from time to time by resolution, a new business may display a temporary sign for not more than a total of sixteen (16) consecutive days to announce its opening, which sign shall be on the premises where the business is located. Such a sign is in addition to the permanent sign and shall not be larger than a sign permitted to the business.

(G) Other Signs: Signs which express ideas or comments of a citizen may be displayed with size and duration approved by the administrator, or, if requested by the applicant or by a concerned citizen, by action of the commission and council for a conditional use permit at a public hearing.

(H) Pennants Or Banners On Utility Poles And Light Standards: Pennants or banners sponsored by a public agency or public benefit, nonprofit group are allowed as described by resolution adopted by the city council.

3.9.05: EXEMPT SIGNS:

The following types of signs are exempt from all the provisions of this chapter, except for construction and safety regulations and the following requirements:

(A) Public Signs: Signs of a noncommercial nature and in the public interest, erected by or on the order of, a public officer in the performance of the public officer's public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, informational signs, and the like.

~~(B) Institution:~~

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~~1. Signs setting forth the name or any simple announcement for an institution located entirely within the premises of that institution up to an area of twenty four (24) square feet.~~

~~2. Such signs may be illuminated in accordance with the regulations specified in section 3.9.08, "Illumination", of this chapter.~~

~~3. If building mounted, these signs shall be flat wall signs and shall not project above the roofline. If freestanding, the top shall be no more than six feet (6') above ground level, except when mounted upon a bona fide gateway at a height to permit vehicles to pass beneath the sign.~~

(~~E~~B) Integral: Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar materials or made of bronze, aluminum, or other permanent type construction, and made an integral part of the structure.

(~~D~~C) Private Traffic Direction:

1. Signs directing traffic movement onto a premises or within a premises, not exceeding three (3) square feet in area for each sign; signs must not be located in a public right of way.

2. Such signs may be illuminated in accordance with the regulations specified in section 3.9.08, "Illumination", of this chapter.

3. Horizontal directional signs on and flush with paved areas are exempt from these standards.

(~~E~~D) Small Signs: Signs not exceeding two (2) square feet in area, attached flat against the building, stationary and not illuminated, announcing only the name and occupation of building tenant.

(~~F~~E) Rental Signs: Signs on the premises announcing rooms for rent, table board, apartment or house for rent and not exceeding four (4) square feet in area.

(~~G~~F) Vehicles: Signs on vehicles of any kind, provided the sign is painted or attached directly to the body of the original vehicle and does not project or extend beyond the sides or ends of the vehicle.

1. Registered: The motor vehicle or trailer must be currently registered with the relevant motor vehicle authorities and be ~~currently, regularly, and principally~~ used daily for a transportation purpose other than display of such sign. Signs which would otherwise be mounted on a building or in a freestanding frame may not be placed vertically on the roof, hood, or trunk of a car, nor in the bed nor on the cab of a truck, unless being used to transport the sign to a permanent location.

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2. Located: The vehicle's location when not in use upon the public streets must be consistent with the most logical implementation of the principal use of the vehicle.

3. Not Actually Used As A Sign: A vehicle shall not be parked such that the principal purpose of the vehicle, while parked, is that of a sign. This subsection shall be construed so as to prevent the use of vehicles for a sign except under the foregoing circumstances.

(H) No Trespassing Or Restricted Entry Signs: These signs are permitted if each sign is no larger than two (2) square feet in area and no more than one sign is placed every fifty feet (50') of fencing or building frontage.

(I) Religious Symbols, Seasonal Declarations: Religious symbols and seasonal decorations within the appropriate public holiday season.

(J) Flags: United States or Idaho state flags and the flags of other states or nations are permitted, and if displayed, shall be displayed with appropriate respect and proper methods. Each business may display one additional flag not to exceed fifteen (15) square feet and not to exceed five (5) feet in length or width that is mounted directly to an existing building or structure, provided such flag does not result in the business or property exceeding the total allowable sign square footage as calculated for its zone or use.

~~(K) Menu Boards: Permitted for restaurants, with a maximum area of fifteen (15) square feet.~~

3.9.06: NONCONFORMING SIGNS:

(A) Where a lawful sign existed on the effective date, July 6, 1999, of the previous sign regulations (previously title III, chapter 24 of this code), that could not be lawfully installed under the terms of current regulations, such sign may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such nonconforming sign may be enlarged or altered, ~~other than changing copy,~~ in a way which increases its nonconformity, but any sign may be altered to bring it into conformity.

2. Should such nonconforming sign or nonconforming portion of sign be damaged to an extent or require maintenance that would cost more than fifty percent (50%) of the sign's replacement cost at the time of the damage or maintenance, it shall not be maintained or repaired, but shall be removed or reconstructed in conformity with the provisions of this title.

3. Should such nonconforming sign be moved for any reason for any distance whatsoever, it shall thereafter conform to the provisions of this title.

(B) Any sign in violation of section 3.9.07, "Prohibited Signs", of this chapter shall be removed, altered or repaired in accordance with the provisions of this title within sixty (60) days after March 16, 2006.

Field Code Changed

(C) Nonconforming Signs: Nonconforming signs installed or erected after July 6, 1999, which are structurally altered, facially altered, relocated or replaced shall comply immediately with all provisions of this code.

(D) Temporary Signs In Violation: Any sign in violation of section 3.9.04, "Temporary Signs", of this chapter shall be removed, altered or repaired within thirty (30) days after March 16, 2006.

Field Code Changed

(E) Nonconforming Uses: Signage associated with any nonconforming building or land use shall, nevertheless, comply with all the provisions of this chapter applicable to the zone in which the nonconforming building or use would be conforming. If there is more than one such zone, the most restrictive regulations among those of the two (2) or more other zones shall apply.

(F) Sign Not Removed By The Expiration: In the event a sign is not removed by the expiration of the time provided, it may be removed as provided in section 3.9.11 of this chapter.

3.9.07: PROHIBITED SIGNS:

The following signs are prohibited (the judgment of the administrator shall be final in these cases):

(A) Signs that contain statements, words or pictures of an obscene character.

(B) Signs that contain or are an imitation of an official traffic sign or signal or contain the words "stop", "go slow", "caution", "danger", "warning", or similar words.

(C) Signs that are of a size, location, movement, content, coloring or manner of illumination which may be confused with or construed as a traffic control device, or hide from view any traffic or street sign or signal.

(D) Signs that advertise an activity, business, product or service not conducted, or no longer conducted, on the premises upon which the sign is located.

(E) Signs that have a moving part which is a major attraction of the sign or constitutes more than ten percent (10%) of the sign area.

(F) Signs that contain or consist of balloons, banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners or other similarly moving devices. These devices, when not part of any sign, are similarly prohibited, except as permitted by sections 3.9.03 and 3.9.04 of this chapter.

(G) Signs that swing or otherwise noticeably move as a result of wind pressure in a fashion which may distract and/or cause a danger to the public, or signs which, due to

structural weakness, design defect, or other reason, constitute a threat to the health, safety, and welfare of any person or property.

(H) Outdoor advertising signs as defined in section 3.9.02, "Definitions", of this chapter, except as permitted by subsection 3.9.03(A)4 of this chapter.

(I) Portable changeable signs, V signs, or other temporary signs not permitted by section 3.9.04 of this chapter.

(J) Signs mounted on vehicles that are operated solely or primarily for the purpose of displaying the sign in the public right of way. Or signs mounted in or on a motor vehicle parked unattended other than at the home or business premises of the business advertised or of its owner. A vehicle shall not be considered unattended if the driver is in the vehicle or if the driver is in the ordinary course of trade or business on the premises where parked.

(K) Changeable signs ~~in residential zones~~, except where permitted by section 3.9.03 of this chapter, ~~a conditional use permit for a commercial, business park or industrial use.~~

(L) Roof signs in any residential zone, unless for an approved business use with a conditional use permit.

3.9.08: ILLUMINATION:

Allowed methods of illumination are divided into several types as described below; all other forms of sign lighting are prohibited. All lighted signs shall comply with chapter 14, "Outdoor Lighting", of this title.

(A) Unlighted: A sign with neither an internal light nor an external source intended specifically for the purpose of lighting the sign.

~~(B) Internally Lighted Halo Lighted: A sign with opaque letters or logos that are slightly raised from the surface of the sign and behind which lights are mounted to create a halo lighting effect around the opaque letter(s) or logo.~~

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(C) Externally Lighted: A sign with an external light source intended specifically to illuminate the sign. External light fixtures which produce glare shall not be permitted.

3.9.081: GENERAL REQUIREMENTS:

(A) The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness will not be objectionable to surrounding areas.

(B) No sign shall have blinking, flashing or fluttering lights or other illumination, brightness or color. Beacon lights are not permitted. Signs which utilize low wattage

(LED, for example) lamps for the purpose of public information, such as an indication of time or temperature, are permitted with the approval of the administrator.

(C) No colored lights shall be used at any location or in any manner that could be confused with a traffic control device.

(D) Neither the direct, nor reflected, light from primary light sources shall tend to create a traffic hazard to operators of motor vehicles on public thoroughfares.

(E) No exposed reflective type bulbs and no strobe light or incandescent lamps which individually or cumulatively exceed fifteen (15) watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property.

~~(F) Changeable signs may be attached to buildings, and may be illuminated, but must meet all sign area requirements. Usage of low wattage lamps (such as LED lamps) is permitted, provided the sign illumination does not result in potential traffic hazards, in the opinion of the administrator, and the copy change does not occur more than once per day. Messages are to be nonscrolling.~~

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(F) Two (2) neon or similarly illuminated signs with a maximum size of three (3) square feet each shall be permitted for each commercial, business or industrial use within any zone, provided these signs do not flash, blink, or scroll and are mounted only within the interior of windows or are flush-mounted on the building, provided the sign(s) are in accordance with the maximum window sign coverage as described in section 3.9.04(E) of this chapter and comply with the maximum sign allowance of the building or property.

3.9.09: PERMITS AND FEES:

(A) Permit Requirements:

1. All signs require a permit, except:

(a) Temporary signs as described in section 3.9.04 of this chapter.

(b) Exempted signs as described in section 3.9.05 of this chapter.

(c) Residential address and occupant name signs as described in subsection 3.9.03(B) of this chapter.

2. Permits will be issued subject to review and approval by the community development director or his/her designee in accordance with chapter 13, "Permits And Applications", of this title.

3. No sign ~~requiring a permit~~ shall be erected, altered or relocated ~~without a permit~~ first obtaining any necessary permits issued by the building inspector.

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~~4. Electrical permits, when required, shall be obtained at the same time as the sign permit.~~

(B) Applications: The permit application shall contain the location of the sign structure, the name and address of the sign owner and of the sign erector, drawings showing the design and location of the sign and such other pertinent information as the building official may require to ensure compliance with this title.

(C) Fees: Fees for sign permits shall be as fixed from time to time by the council.

(D) Nullification: A sign permit shall become null and void if the work for which the permit was issued has not begun within a period of one hundred twenty (120) days from the date of the permit. A new permit will require assessment of an additional fee.

(E) Permit Exceptions: The following operations shall not be considered as creating a sign and, therefore, shall not require a sign permit.

1. Replacing Copy: The changing of the advertising copy of a message on an approved painted or printed sign or on a theater marquee and similar approved signs which are specifically designed for the use of replaceable copy.

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2. Maintenance: Maintenance, painting, repainting, cleaning and other normal maintenance and repair of a sign or a sign structure unless a structural change is made.

3.9.10: STRUCTURAL REQUIREMENTS:

All signs shall comply with the pertinent requirements of the international building and electrical codes as adopted by the city.

3.9.11: INSPECTION, REMOVAL, SAFETY:

(A) Maintenance: All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.

(B) Removal Of Sign: The building official may order the removal of any sign erected or maintained in violation of this title. He shall give thirty (30) days' notice in writing to the owner of such sign, or of the building, structure or premises on which such sign is located, to remove the sign or to bring it into compliance. The building inspector may remove a sign immediately and without notice if, in the building inspector's opinion, the condition of the sign is such as to present an immediate threat to the safety of the public.

(C) Abandoned Signs: A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove it, the building inspector shall give the owner or lessee fifteen (15) days' written notice to remove it.

Upon their refusal or failure to comply with this notice, the building inspector or a duly authorized representative may remove the sign at cost to the owner.

(D) Impounded Signs: An impounded sign may be retained by the city until completion of any criminal prosecution or other court proceedings respecting the erection or maintenance of the sign; if an owner has reoffended after having been convicted of a violation in putting up a sign, and the new offense involves the same sign, or a sign which in pertinent aspect(s) is a like sign, such sign shall be forfeited to the city and shall be subject to disposal as deemed appropriate by the city manager.

Section 3: Effective Date: That this ordinance shall take effect and be in full force upon its passage, approval, and publication, and upon the adoption of a corresponding ordinance by the Board of Commissioners for Valley County, Idaho, and upon the publication of the same in accordance with Idaho law.

PASSED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF McCALL, IDAHO, THIS ____ DAY OF ____, 2013.

Approved:

By _____

Donald C. Bailey, Mayor

Attest:

By _____

BessieJo Wagner, City Clerk

December 03, 2013

To:

City of McCall City Council
City of McCall Planning and Zoning Commission
County of Valley Court House
Payette Lakes Star News
Citizens, home owners, taxpayers of City of McCall and or County of Valley
Concerned people:

We the undersigned go on public record requesting a change in language to the proposed McCall Downtown Master Plan so that, if the proposal is adopted and passed by McCall City Council, the Master Plan states that any development shall at no time extend east along the lake shore line, sand shore and the water itself of Big Payette Lake beyond the current most eastern property line and extension of that boundary line northward into Big Payette Lake of real property on the property tax rolls of Valley County belonging to Oliver Murphy Trust P.O. Box 1885 McCall, Idaho. That eastern property line of Oliver Murphy Trust is the same as the western most property line of Robert A Hunt P.O. Box 210 N. 3ed. Street McCall Idaho, as described in general terms in the Assessors Office of the County of Valley, Idaho Courthouse.

We the undersigned go on public record requesting a change in language to the proposed McCall Downtown Master Plan so that, if the proposal is adopted and passed by McCall City Council the change in language shall state that any and all development shall be paid for entirely by businesses of the downtown, grants, liquor or lodging sales and at no time will the development be paid for, or funded by local option tax and or bonds and or taxation of real property private home owners of Valley County Idaho.

We the undersigned go on public record strongly objecting to the current language of the present proposal McCall Downtown Business Plan as it leaves open the future development beyond the boundary line of real property east of eastern property line of Oliver Murphy Trust is the same as the western most property line of Robert A Hunt P.O. Box 210 N. 3ed. Further We the undersigned go on public record strongly objecting to the current language of the present proposal McCall Downtown Business Plan as it leaves open the high likelihood of taxation to property owners who will bear the burden of paying for development.

We press for the change of the language of McCall Downtown Business Plan to ensure the preservation of the following said real property and to ensure that taxpayers of real property in McCall not be burdened. We also press for the change of language to the McCall Downtown Business Plan to ensure the exclusion of any present or future proposal, plan scheme boardwalk, pathway, trail, walkway, motor way, rail or public transport, or 'other' way of 'development', improvement or otherwise public and or private commercial development, and or incorporation and or any slight or direct relation to commercial and or business and or incorporation and or any entity for profit and or business to the following said real property. Any change or alter of form from the present state and environs of lake front property lake

shore beach or water of Big Payette Lakes in Long Valley Idaho of the following areas of real property. The property is the following in general terms: starting at the eastern property line of Oliver Murphy Trust is the same as the western most property line of Robert A Hunt P.O. Box 210 N. 3ed. Street McCall Idaho as described in general terms in the Assessors Office of the County of Valley Idaho Courthouse and going westward through and including all real property to the eastern border line of Rotary Park as described in general terms in the Assessors Office of the County of Valley, Idaho Courthouse.

Reasons for the strong objection to the present language in the present downtown proposal is that any 'development' and or 'improvement' and or change west of the eastern property line of Oliver Murphy Trust is the same as the western most property line of Robert A Hunt P.O. Box 210 N. 3ed for general public use by the City of McCall will cause alter the present park like environs and will cause an arbitrary and capricious burden on real property homeowners owning property along the shoreline of Big Payette Lake, starting from said border line running west to the eastern boundary line of Rotary Park. Further, any development for general public use by the City of McCall will further will significantly devalue the resale value of property and also devalue the marketability of sale of real property under ownership of Oliver Murphy Trust, David Odmark, Jean Odmark Don and Ann Eberle, Walter W. Hair, Robert J. Gordon, L. M. Bus and Marion Johnson, Harry Soulen, Philip Soulen.

'Development' and or 'improvements' and or 'changes' such as boardwalks etc. (the current downtown business development proposal) to any real property east of the Oliver Murphy Trust and Robert A Hunt property line to and including Legacy Park are not challenged in this public notice. However, how that 'development' and or 'improvements' and or 'changes' such as boardwalk (the current downtown business development proposal) is strongly objected to by the undersigned when funded and or paid for by bonds and or taxation real property private home owners of Valley County Idaho.

Further, any future proposal, drawing, scheme, plan, sketch, committee nomination, and or other form, and or otherwise will be are viewed with a 'skeptical eye' as to the intent and nature of such proposal, drawing, scheme, plan, sketch, committee nomination, and or other form. Any change, improvement scheme, plan and otherwise as described that alters the present state and or environs of described real property will be first brought to the attention of all property owners in and between described boundaries found in the record of the Courthouse of Valley County Idaho. The bringing forth of attention will by personal contact door to door and or by U.S. Post Office mail, and or telephone call and or email and or other means of communication including public notice in the local public news paper. The bring forth of attention applies when the proposed changed environs and or state is of a nature present or future boardwalk, pathway, trail. walkway, motor way, rail or 'other' way of 'development', improvement or otherwise public or private commercial development. We the undersigned strongly objected to any form of any boardwalk, pathway, trail. walkway, motor way, rail or 'other' way of 'development', improvement or otherwise public or private commercial development, change or cauterization from the present state and environs of lake front property of Big Payette Lakes in Long Valley Idaho, lake front beach of Big Payette Lakes in Long Valley Idaho, lake shore or water of Big Payette Lakes in Long Valley Idaho of the following areas of real property.

Further, we the undersigned strongly object to any present or future increase of taxation from the City of McCall and or County of Valley Idaho and or any legally recognized board corporation and or committee and or any legally recognized taxation entity of said real property and all real property within the bounds of the City of McCall and the County of Valley for any present or future proposal, plan scheme boardwalk, pathway, trail, walkway, motor way, rail or 'other' way of 'development', improvement or otherwise public or private commercial development, and or Incorporation and or any slight or direct relation to commercial and or business and or incorporation and or any entity for profit and or business.

Any monies, payment, taxation, grants, liquor or lodging tax and or any fund raising on the part of business and or downtown McCall area or City of McCall and or County of Valley Idaho and or State of Idaho for above said changes 'development', improvement or otherwise public or private commercial development, and or incorporation and or any slight or direct relation to commercial and or business and or incorporation and or any entity for profit and or business shall in any and all terms be funded and paid for exclusively by those businesses, commercial ventures, cooperation's or other legally described entities and all legal and or private ventures that wish to raise monies and or funds or other funding instruments souly be those businesses, commercial ventures corporations or other legally described entities and all legal and or private ventures. No monies, taxation, general fund operations and or movement of monies shall be drawn from taxation of real property private home owners of Valley County Idaho

Historically, when there was any 'improvement' or art or historic reconciliation was funded entirely by the efforts and energies of the down town businesses. In short, the businesses relied on themselves. Business people reached down in their own pockets and paid for 'improvements' out of their own private money. They only raised funds through fund drives such as parking lot breakfasts and private volunteer non-paid efforts. They did not ask one penny in any form through taxation.

The current language as written in the McCall downtown Business Plan only burdens the taxpayer while exclusive business owners only profit. The current language is non-historic, counter productive, and a win for business only at the expense of taxpayers of private homeowner property (a very few individual business win while honest taxpayers loose) (rich get richer and the honest person is harmed). The idea that any money from taxation of real property private home owners of Valley County Idaho is to fund the proposed development is shameful.

Lets ensure that McCall stays a untied and win-win community instead of tearing it apart, as the current language of the proposal in current form will do only for the soul gain of just a few.

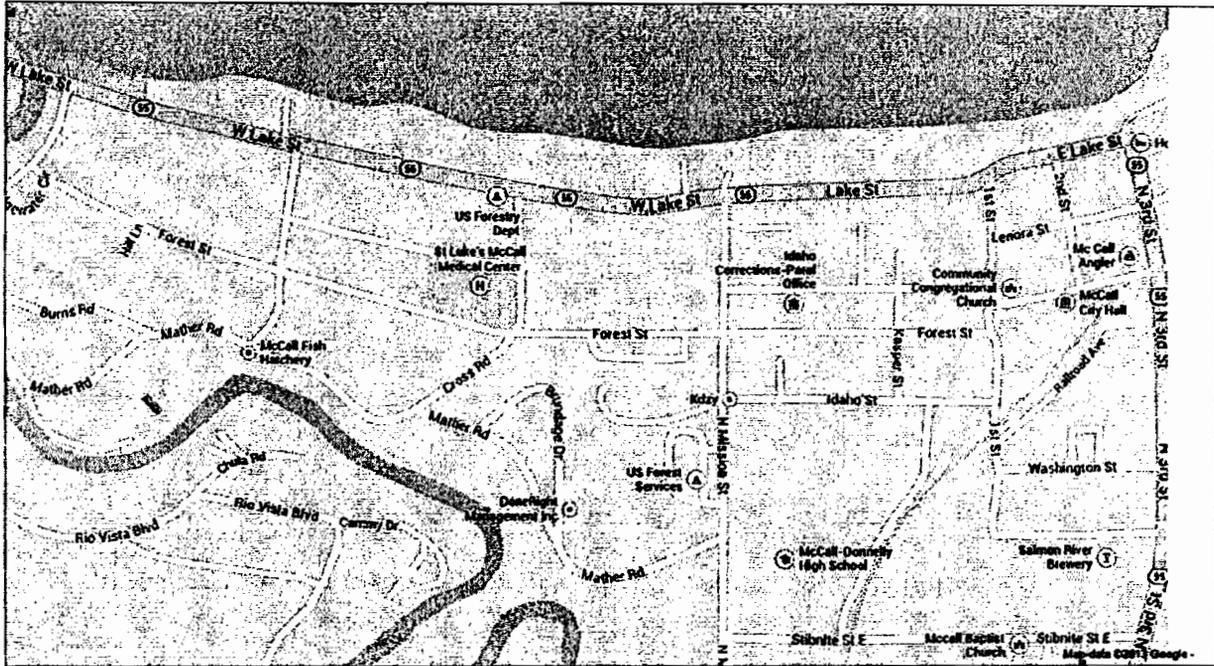
Change the current language for the good of all.

Kindly,
Brent Johnson

Be Rae Johnson
Miss Johnson
Marion R. Johnson

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



Delta James

From: Lisa Mohler [lisamohler47@gmail.com]
Sent: Monday, December 02, 2013 5:34 PM
To: Delta James
Subject: P&Z McCall; Boardwalk Plaza (Please forward to all P&Z members)

Categories: Semi Permanent - 5yr - General Admin

P&Z McCall; Boardwalk Plaza Project Nov 30,3013

I have read Star-news article twice and examined the photo very carefully and I find no reason for this project to pass at the present time. Right now in McCall there are 3 major project unfinished.

- #1 100 year corner Project
- #2 Sidewalk Project
- #3 Street repair behind Paul's Market

Please do not approve any new projects till these have been finished. The business owners of McCall are stressed enough right now by not having the town show that it can complete a project with out it disrupting their business and the money they have lost by always having McCall tore up because someone has a new idea.

Please finish what has been started;

- #1 Finish selling all bricks and no more work done on project to show visitors we can complete a project to the end.
- #2 Sidewalk- all new Lamp post have to have banners purchased made and hung for project to be completed.
- #3 Finish street so locals who live there and the new collage can access these locations(I also use the street weekly and would like to enter Paul's from the backside and not use main street)

Again please put a hold on boardwalk project till local business have recouped loss money on Sidewalk Project.

Thank-you for your time,
Lisa Mohler
McCall ID

PAYETTE LAKES
SUPERVISORY AREA
555 Deinhard Lane
McCall ID 83638
Phone (208) 634-7125
Fax (208) 634-5117



TOM SCHULTZ, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS
C.L. "Butch" Otter, Governor
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Brandon D. Woolf, State Controller
Tom Luna, Sup't of Public Instruction

December 3, 2013

Delta James
City Planner
City of McCall
216 E. Park Street
McCall, ID 83638

via e-mail: djames@mccall.id.us

**RE: McCall Downtown Master Plan 2013 Amendment
Planning & Zoning Commission's Recommendation to McCall City Council**

Dear Ms. James:

Thank you for the opportunity to review and comment on the Downtown Master Plan 2013 (DMP) Amendment.

As you may know, Idaho Department of Lands' (IDL) mission is to manage State Endowment Trust Lands (Endowment Lands) in a manner that will maximize long-term financial returns to the Beneficiary Institutions. The IDL mission is a constitutional mandate and is overseen by the State Board of Land Commissioners. Endowment Lands are not managed for the public at large and should not be referred to as "public lands" or "open space," either specifically or in a generic sense. These are working lands producing revenue for the Beneficiary Institutions.

In addition to the management of Endowment Lands, the State of Idaho owns the bottom of navigable lakes and streams (Public Trust Lands) and IDL is the regulatory agency that manages that resource. IDL approves or denies permit applications for all improvements in, on, or over the beds of navigable waters as defined by the ordinary high water mark (OHWM). IDL is the regulatory agency which determines the location of the OHWM. Payette Lake is considered navigable and therefore subject to these requirements (IDAPA Administrative Rules 20.03.04)

IDL's cursory review of the DMP indicates a pedestrian boardwalk, a floating walkway, public boat dock, and a public or city owned pier. The DMP Districts Framework Map on page 21, does not show the OHWM, therefore it is uncertain if these proposed items will require IDL review and processing.

IDAPA's definition of navigational encroachments are separated into two categories, "in aid of Navigation" includes "docks, piers, jet ski and boat lifts, buoys, pilings, breakwaters, boat ramps, channels or basins, and other facilities used to support water craft and moorage on, in or above the beds or waters of a navigable lake." The second category "not in aid of navigation" includes structures "not constructed primarily for use in aid of navigation." Processing of applications for

"Trusted Stewards of Idaho's Resources, From Main Street to Mountaintop"

these non-navigational types of encroachments is located in IDAPA Administrative Rules 20.03.04 030 and also enclosed in this correspondence for your reference.

Encroachments not in aid of navigation in navigable lakes will normally not be approved by the Department and will be considered on a case by case basis.

IDL recommends this DMP indicate the OHWM location on all maps. And IDL also encourages review of the OHWM location, IDAPA rules, and discussion with IDL Payette Lakes Area Staff to help determine the feasibility of the boardwalk, floating walkway, docks, and piers concepts.

Thank you again for the opportunity to review and comment on this amendment. Please contact our Payette Lakes Area Manager Scott Corkill at (208) 634-7125 or myself at the phone or e-mail listed below, if you have questions or need more information.

Sincerely,



Julianne Shaw
Assistant Planner
IDL Director's Office Boise, Idaho
(208) 334-0262
jshaw@idl.idaho.gov

Attachment:

IDAPA Administrative Rules 20.03.04 030 Processing of Applications for
All Other Types of Encroachments

Ecc: Scott Corkill, Area Manager Payette Lakes Area
Kate Langford, Bureau Chief, Strategic Business Bureau
Jasen X. King, Senior Lands Resource Specialist