

Valley County Planning and Zoning

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STAFF REPORT: Variances Requests for:

- C.U.P. 25-018 Idaho Power Cascade Switching Station
- C.U.P. 25-019 Idaho Power Scott Valley Substation
- C.U.P. 25-020 Idaho Power Stibnite Substation

MEETING DATE: October 22, 2025

TO: Board of County Commissioners

STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director

APPLICANT: Idaho Power Company, ATTN Jeff Maffuccio
PO Box 70, Boise, ID 83707

REQUEST: Variances from Valley County Code

On September 11, 2025, the Planning and Zoning Commission approved three conditional use permits that included variations from standards:

- 1) C.U.P. 25-018 Idaho Power Cascade Switching Station
 - A variance from setbacks for fence height greater than 6-ft
 - Fence would be 7-ft in height.
- 2) C.U.P. 25-019 Idaho Power Scott Valley Substation
 - A variance from setbacks for fence height greater than 6-ft
 - Fence would be 7-ft in height.
- 3) C.U.P. 25-020 Idaho Power Stibnite Substation
 - A variance from setbacks for fence from high water line.
 - Fence would be 7-ft in height and 78' from high water line.

FINDINGS:

1. The Planning and Zoning Commission held properly noticed public hearings on each of the three conditional use permit applications on September 11, 2025. See attached Staff Reports, Meeting Minutes, and Facts and Conclusions.
2. The Commission unanimously recommended approval of variances for each of the three applications.

3. This is not a public hearing.
4. Valley County Code:

9-5H-10: VARIANCES:

- A. Conditions: Pursuant to Idaho Code section 67-6516, the commission shall be empowered to grant variances relaxing or modifying the requirements of this title with respect to lot size, setbacks, parking space, height of buildings, or other provisions of this title affecting the size or shape of a structure upon lots, and other land use requirements of this title. In the case of a PUD involving variations from the requirements of this title, it shall not be necessary for the applicant to file a separate application for such variances. Variances may also be heard simultaneously with conditional use permit applications.
- B. Application:
 1. A variance may be granted to an applicant only upon a showing of undue hardship as a result of characteristics of the site.
 2. A written application for a variance shall be submitted to the administrator or staff containing:
 - a. Description of the nature of the variance requested.
 - b. A narrative statement and graphic material demonstrating:
 - (1) That special conditions and circumstances exist which are not a result from any action of the applicant, which are peculiar to the land use or structure involved, and which are not applicable to other similar or adjacent lands, uses, or structures.
 - (2) That granting the variance requested will not result in any special privilege otherwise denied to other similar or adjacent lands, uses, and structures.
 - c. A site plan showing the location of the variance and the special characteristics of the site.
 - d. A list of adjoining property owners within three hundred feet (300') of the site.
 - e. The fee set by resolution of the board shall accompany the application for a variance.
- C. Procedure: An application for a variance shall be reviewed by the administrator or staff and the commission in accordance with section 9-5H-11 of this article. The administrator shall post notice of the public hearing to the applicant, adjoining property owners, on site, and the public in accordance with subsection 9-5H-6B of this article.
- D. Granting Of Variance:
 1. A variance may be granted if the commission makes specific findings of fact based directly on the particular evidence in the application which supports the conclusion that the above conditions have been met by the applicant.
 2. Within ten (10) days after a decision has been rendered, the administrator or staff shall provide the applicant with written notice of the action by regular mail if so requested by the applicant.
 3. The commission's decision shall be a recommendation to the board.
 4. The clerk, upon receipt of a recommendation from the commission, shall set the item on the agenda of the board at the earliest possible regular meeting of the board.
 5. The board shall consider and act upon the commission's recommendations by following the procedures outlined in section 9-5H-11 of this article. However, if the commission's recommendation is unanimous and there is no opposition to approval of the variance, then the board need not hold a public hearing, but may make a decision as a regular agenda item. Only the applicant must be notified as to the time on the agenda of the public meeting.
 6. A permit for the variance may be issued by the administrator or staff only after approval by the board.
 7. The variance approval is valid for five (5) years, unless a more specific date is specified.

9-4-3-2: SETBACKS:

- A. Buildings Exceeding Three Feet In Height: The setbacks for all buildings exceeding three feet (3') in height shall be in accordance with section 9-4-8, table 4-A of this chapter.
- B. Setback From Highway 55: All buildings shall be set back one hundred feet (100') from the right of way line of Highway 55 unless a more restrictive setback is required within other sections of this title.
- C. High Water Lines And Ditches: All residential buildings shall be set back at least thirty feet (30') from high water lines and ditches. All other buildings shall be set back at least one hundred feet (100') from high water lines and ditches.
- D. Front Yard: Front yard shall be determined by the structure establishing the principal use on the property and the access street or road.
- E. Encroachment By Other Structures: No other structures may encroach on the yards determined for the structure establishing the principal use.
- F. Measurement: Setbacks shall be measured horizontally, perpendicular to the property line, to the nearest corner or projections or overhang.
- G. Adjustment Of Front Or Rear Yard Setbacks: The minimum front or rear yard setbacks may be adjusted to allow a proposed principal use building to conform with the average setback of existing similar buildings on adjoining properties within the same block; however, no setback may be less than seven and one-half feet (7.5').
- H. Lots Having Common Boundary Line With BLM Property Surrounding Cascade Reservoir: Minimum rear yard setbacks for those lots having a common boundary line with bureau of reclamation property surrounding Cascade Reservoir are seven and one-half feet (7.5'), but may not be less than that provided for in subsection C of this section.

STAFF COMMENTS:

The Board is reviewing only the variances contained within the conditional use permit application. The Planning and Zoning Commission already approved the conditional use permits.

Recommended Motion if Approved:

I move to approve the following variances from Valley County Code as per the Planning and Zoning Commission recommendations and adopt the Facts and Conclusions as our own:

- 1) A variance from setbacks for fence height greater than 6-ft for C.U.P. 25-018 Cascade Switching Station.
- 2) A variance from setbacks for a fence height greater than 6-ft for C.U.P. 25-019 Idaho Power Scott Valley Substation.
- 3) A variance from setbacks for a fence height greater than 6-ft from the high-water line that is 78-ft versus 100-ft. for C.U.P. 25-020 Idaho Power Stibnite Substation

Recommended Motion if Denied:

I move to deny the requested variances.

ATTACHMENTS:

- PZ Commission Facts and Conclusions for each C.U.P. (DRAFT)
– Includes Conditions of Approvals
- PZ Commission Meeting Minutes (DRAFT) – September 11, 2025
- Applicant's Slide Presentations for each C.U.P. with Site Plans (Exhibits)
- Staff Reports for each C.U.P.

END OF STAFF REPORT

**FINDINGS OF FACT AND CONCLUSIONS OF LAW BEFORE
THE VALLEY COUNTY PLANNING AND ZONING COMMISSION**

SUBJECT: C.U.P. 25-018 Idaho Power Cascade Switching Station

INTRODUCTION

This matter came before the Valley County Planning and Zoning Commission on September 11, 2025. The Commission reached a quorum. Commission members in attendance were Brad Mabe, Ben Oyarzo, Carrie Potter, Heidi Schneider, and Chairman Ken Roberts.

Leon Letson, representing the applicant Idaho Power Company, was present and requested a conditional use permit for an electrical switching station. The proposal includes a transformer, breakers, a 65-ft x 27-ft concrete masonry control building, microwave tower, and a chain-link fence with two gates. Access would be from Warm Lake Road. The 5.5-acre site is part of RP14N03E250005, located in the SESW Section 4, T.12N, R.4E, Boise Meridian, Valley County, Idaho.

FINDINGS OF FACT

Having given due consideration to the application and evidence presented at the Public Hearing, which is summarized in the Minutes of the Commission's meeting dated September 11, 2025, the Valley County Planning and Zoning Commission hereby made the following findings of fact:

1. The application and submittal information presented at the public hearing meets all the requirements of the Valley County Ordinances as codified in Title 9 of the Valley County Code.
2. That the proper legal requirements for advertisement of the hearing have been fulfilled as required by the Valley County Land Use and Development Ordinance, Valley County Code, and by the Laws of the State of Idaho.
 - The complete application was submitted on July 24, 2025.
 - Legal notice was posted in the *Star News* on August 21, 2025, and August 28, 2025.
 - Potentially affected agencies were notified on August 12, 2025.
 - Property owners within 300 feet of the property line were notified by fact sheet sent August 13, 2025.
 - The notice and application were posted online at www.co.valley.id.us on August 12, 2025.
 - The site was posted on August 21, 2025.
 - A public hearing was held on September 11, 2025.
2. That the existing use of the property is Agricultural.
3. That the proposed land use categorization in Valley County Code (Table 9-3-1) is as follows:
 - 3. Civic or Community Service Uses (j) public utility supply, transfer, or relay facilities including administration

4. That the surrounding land uses are Agricultural (Irrigated Grazing / Meadow) Warm Lake Road, Agricultural with Home Site, and City of Cascade boundary [Agricultural with Home, Granite Excavation, and Cell Tower].
5. One person, the landowner, testified as a proponent. See the meeting minutes.

CONCLUSIONS

Based on the foregoing findings, the Valley County Planning and Zoning Commission concludes as follows:

1. Valley County must follow the laws of the State of Idaho and those identified in the Valley County Code.
2. Valley County has opted to substitute traditional zoning with a multiple use zone in which there is no separation of land uses.
3. Valley County has one mixed use zone that is a performance-based ordinance which promotes mitigation of impacts.
4. The proposed use is in harmony with the general purpose of Valley County ordinances and policies and will not be otherwise detrimental to the public health, safety, and welfare.
5. The proposed use, with required conditions of approval, is compatible with surrounding land uses. This application had a positive compatibility rating in accordance with Valley County Code Appendices 9-11-1.
6. The proposed use will not negatively impact private property values in the surrounding area.
7. The proposed use will not have an undue adverse impact on the environment.
8. The proposed use will not have an undue adverse impact on adjoining private property.
9. The proposed use will not have an undue adverse impact on government services.
10. The proposed use is consistent with the Valley County Comprehensive Plan.
11. The proposed use has been thoroughly and adequately evaluated and that mitigation measures can effectively ameliorate impacts to adjacent land uses through the conditions of approval.
12. The infrastructure is needed for the mine at Stibnite and would be an economic benefit for Valley County.

ORDER

The Valley County Planning and Zoning Commission, pursuant to the aforementioned, orders that the application of Idaho Power Company for C.U.P. 25-018 Idaho Power Cascade Switching Station, as described in the application, staff report, correspondence, and minutes of the meeting, be approved.

Special conditions applied to the proposed use are:

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
4. The use shall be established within three years, or a permit extension will be required.
5. All lighting must comply with the Valley County Lighting Ordinance. All lights shall be fully shielded so that there is not upward or horizontal projection of lights.
6. All noxious weeds on the property must be controlled.
7. A wetland delineation shall be completed by a qualified professional.
8. Must have a stormwater management plan and site grading plan approved by the Valley County Engineer prior to doing any dirt work on-site.
9. Must comply with requirements of the Cascade Fire District.
10. Shall obtain a sign permit prior to installation of any sign.
11. Snow must be stored on-site.
12. The site must be kept in a neat and orderly manner.
13. Shall clearly post the physical address at the driveway entrance.
14. Noise shall be kept to a minimum between 10:00 p.m. and 7:00 a.m.
15. A building permit is required for the control building.
16. Building permits will be required for any fencing over 6-ft in height.
17. Minimum setbacks are 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines of the ditch and stream. A variance is requested to allow a 7-ft fence within the setback area.
18. Landscaping shall be installed prior to November 1, 2027. If landscaping dies, it must be replaced.
19. A minimum of one tree should be maintained for every 25 feet of linear street frontage along the property line. The trees may be grouped or planted in groves.
20. Landscaping is required as shown in the revised site plan.
21. A Development Agreement is required for mitigation of off-site impacts. The applicant shall work with Valley County Road Department on an agreement for off-site infrastructure improvements that will be approved by the Board of County Commissioners. This may include dedication of road right-of-way along Warm Lake Road.
22. The Commission recommends to the Board of County Commissioners that a variance from setbacks for fence height greater than 6-ft be granted.

23. Cannot do any earthwork until ownership is deeded to Idaho Power.

NOTICE OF FINAL ACTION AND RIGHT TO REGULATORY TAKING ANALYSIS

The Applicant is hereby notified that pursuant to Idaho Code §67-8003, an owner of real property that is the subject of an administrative or regulatory action may request a regulatory taking analysis. Such requests must be in writing and must be filed with the Valley County Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.

Please take notice that if this is a decision of the Planning and Zoning Commission it can be appealed to the Valley County Board of Commissioners in accordance with Valley County Code 9-5H-12. The appeal should be filed with the Valley County Planning and Zoning Administrator within ten days of the decision made at the public hearing.

Please take notice that if this is a decision of the Board of County Commissioners it is a final action of the governing body of Valley County, Idaho. Pursuant to Idaho Code §67-6521, an affected person i.e., a person who has an interest in real property which may be adversely affected by the issuance or denial of the application to which this decision is made, may within twenty-eight (28) days after the date of this Decision and Order, seek a judicial review as provided by Chapter 52, Title 67, Idaho Code, after seeking reconsideration within 14 days in accordance with Valley County Code 9-5H-13 and Idaho Code §67-6535 .

END FACTS AND CONCLUSIONS

Valley County Planning and Zoning Commission Chairman

Date: _____

**FINDINGS OF FACT AND CONCLUSIONS OF LAW BEFORE
THE VALLEY COUNTY PLANNING AND ZONING COMMISSION**

SUBJECT: C.U.P. 25-019 Idaho Power Scott Valley Substation

INTRODUCTION

This matter came before the Valley County Planning and Zoning Commission on September 11, 2025. The Commission reached a quorum. Commission members in attendance were Brad Mabe, Ben Oyarzo, Carrie Potter, Heidi Schneider, and Chairman Ken Roberts.

Leon Letson, representing the applicant Idaho Power Company, was present and requested a conditional use permit for an electrical substation. The proposal includes a transformer, regulator, breaker, reclosers, an 18-ft x 12-ft concrete masonry control building, and a chain-link fence with one gate. Access would be from Warm Lake Road. The 0.5-acre site is part of RP14N05E074475, located in the NW ¼ Section 7, T.14N, R.5E, Boise Meridian, Valley County, Idaho.

FINDINGS OF FACT

Having given due consideration to the application and evidence presented at the Public Hearing, which is summarized in the Minutes of the Commission's meeting dated September 11, 2025, the Valley County Planning and Zoning Commission hereby made the following findings of fact:

1. The application and submittal information presented at the public hearing meets all the requirements of the Valley County Ordinances as codified in Title 9 of the Valley County Code.
2. That the proper legal requirements for advertisement of the hearing have been fulfilled as required by the Valley County Land Use and Development Ordinance, Valley County Code, and by the Laws of the State of Idaho.
 - The complete application was submitted on July 24, 2025.
 - Legal notice was posted in the *Star News* on August 21, 2025, and August 28, 2025.
 - Potentially affected agencies were notified on August 12, 2025.
 - Property owners within 300 feet of the property line were notified by fact sheet sent August 13, 2025.
 - The notice and application were posted online at www.co.valley.id.us on August 12, 2025.
 - The site was posted on August 21, 2025.
 - A public hearing was held on September 11, 2025.
2. That the existing use of the property is Approved C.U.P. 20-12 Stibnite Gold Project Logistics Facility – Currently Bare Land.
3. That the proposed land use categorization in Valley County Code (Table 9-3-1) is as follows:
 - 3. Civic or Community Service Uses (j) public utility supply, transfer, or relay facilities including administration

4. That the surrounding land uses are Agricultural (Timber / Irrigated Grazing / Dry Grazing / Meadow) and Warm Lake Road.
5. No one testified during the public hearing. See the meeting minutes.

CONCLUSIONS

Based on the foregoing findings, the Valley County Planning and Zoning Commission concludes as follows:

1. Valley County must follow the laws of the State of Idaho and those identified in the Valley County Code.
2. Valley County has opted to substitute traditional zoning with a multiple use zone in which there is no separation of land uses.
3. Valley County has one mixed use zone that is a performance-based ordinance which promotes mitigation of impacts.
4. The proposed use is in harmony with the general purpose of Valley County ordinances and policies and will not be otherwise detrimental to the public health, safety, and welfare.
5. The proposed use, with required conditions of approval, is compatible with surrounding land uses. This application had a positive compatibility rating in accordance with Valley County Code Appendices 9-11-1.
6. The proposed use will not negatively impact private property values in the surrounding area.
7. The proposed use will not have an undue adverse impact on the environment.
8. The proposed use will not have an undue adverse impact on adjoining private property.
9. The proposed use will not have an undue adverse impact on government services.
10. The proposed use is consistent with the Valley County Comprehensive Plan.
11. The proposed use has been thoroughly and adequately evaluated and that mitigation measures can effectively ameliorate impacts to adjacent land uses through the conditions of approval.
12. The infrastructure is needed for the mine at Stibnite and would be an economic benefit for Valley County.

ORDER

The Valley County Planning and Zoning Commission, pursuant to the aforementioned, orders that the application of Idaho Power Company for C.U.P. 25-019 Idaho Power Scott Valley Substation, as described in the application, staff report, correspondence, and minutes of the meeting, be approved.

Special conditions applied to the proposed use are:

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
4. The use shall be established within three years, or a permit extension will be required.
5. All lighting must comply with the Valley County Lighting Ordinance. All lights shall be fully shielded so that there is not upward or horizontal projection of lights.
6. All noxious weeds on the property must be controlled.
7. A wetland delineation shall be completed.
8. Must have a stormwater management plan and site grading plan approved by the Valley County Engineer prior to doing any dirt work on-site.
9. Must comply with recommendations of the Cascade Fire District.
10. Shall obtain a sign permit prior to installation of any sign.
11. Snow must be stored on-site.
12. The site must be kept in a neat and orderly manner.
13. Noise shall be kept to a minimum between 10:00 p.m. and 7:00 a.m.
14. A building permit is required for the control building.
15. Shall clearly post the physical address at the driveway entrance once assigned.
16. Building permits will be required for any fencing over 6-ft in height.
17. Minimum setbacks are: 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines of the ditch and stream.
18. Landscaping, including existing native vegetation, must be maintained on the perimeter of the site. If landscaping dies, it must be replaced. Noxious weeds must be controlled using proper land management principles.
19. A minimum of one tree should be maintained for every 25 feet of linear street frontage along the property line. The trees may be grouped or planted in groves.
20. A Development Agreement is required for mitigation of off-site impacts. The applicant shall work with Valley County Road Department on an agreement for off-site infrastructure improvements that will be approved by the Board of County Commissioners.
21. The Commission recommends to the Board of County Commissioners that a variance from setbacks for fence height greater than 6-ft be granted.
22. Cannot do any earthwork until easement is recorded or lease is signed with the property owner.

**NOTICE OF FINAL ACTION AND
RIGHT TO REGULATORY TAKING ANALYSIS**

The Applicant is hereby notified that pursuant to Idaho Code §67-8003, an owner of real property that is the subject of an administrative or regulatory action may request a regulatory taking analysis. Such requests must be in writing and must be filed with the Valley County Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.

Please take notice that if this is a decision of the Planning and Zoning Commission it can be appealed to the Valley County Board of Commissioners in accordance with Valley County Code 9-5H-12. The appeal should be filed with the Valley County Planning and Zoning Administrator within ten days of the decision made at the public hearing.

Please take notice that if this is a decision of the Board of County Commissioners it is a final action of the governing body of Valley County, Idaho. Pursuant to Idaho Code §67-6521, an affected person i.e., a person who has an interest in real property which may be adversely affected by the issuance or denial of the application to which this decision is made, may within twenty-eight (28) days after the date of this Decision and Order, seek a judicial review as provided by Chapter 52, Title 67, Idaho Code, after seeking reconsideration within 14 days in accordance with Valley County Code 9-5H-13 and Idaho Code §67-6535 .

END FACTS AND CONCLUSIONS

Valley County Planning and Zoning Commission Chairman

Date: _____

**FINDINGS OF FACT AND CONCLUSIONS OF LAW BEFORE
THE VALLEY COUNTY PLANNING AND ZONING COMMISSION**

SUBJECT: C.U.P. 25-020 Idaho Power Stibnite Substation

INTRODUCTION

This matter came before the Valley County Planning and Zoning Commission on September 11, 2025. The Commission reached a quorum. Commission members in attendance were Brad Mabe, Ben Oyarzo, Carrie Potter, Heidi Schneider, and Chairman Ken Roberts.

Leon Letson, representing the applicant Idaho Power Company, was present and requested a conditional use permit for an electrical substation. The proposal includes transformers, breakers, a 60-ft x 20-ft concrete masonry control building, and a 7-ft tall fence with four gates. Access would be from Stibnite Road. The 4-acre site is part of parcel RP18N09E115495 located in the SW ¼ Section 11, T.18N, R.9E, Boise Meridian, Valley County, Idaho.

FINDINGS OF FACT

Having given due consideration to the application and evidence presented at the Public Hearing, which is summarized in the Minutes of the Commission's meeting dated September 11, 2025, the Valley County Planning and Zoning Commission hereby made the following findings of fact:

1. The application and submittal information presented at the public hearing meets all the requirements of the Valley County Ordinances as codified in Title 9 of the Valley County Code.
2. That the proper legal requirements for advertisement of the hearing have been fulfilled as required by the Valley County Land Use and Development Ordinance, Valley County Code, and by the Laws of the State of Idaho.
 - The complete application was submitted on July 24, 2025.
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 - Potentially affected agencies were notified on August 12, 2025.
 - Property owners within 300 feet of the property line were notified by fact sheet sent August 13, 2025.
 - The notice and application were posted online at www.co.valley.id.us on August 12, 2025.
 - The site was posted on August 21, 2025.
 - A public hearing was held on September 11, 2025.
2. That the existing use of the property is Approved C.U.P.s 14-07, 12-01, and 11-02 related to Stibnite Mining Area and Perpetua Resources INC.
3. That the proposed land use categorization in Valley County Code (Table 9-3-1) is as follows:
 - 3. Civic or Community Service Uses (j) public utility supply, transfer, or relay facilities including administration

4. That the surrounding land uses are U.S. Forest Service Managed Land, East Fork of the South Fork of the Salmon River, Stibnite Road, and remainder of parcel RP18N09E115495 with buildings and equipment associated with mining activities
5. No one testified during the public hearing. See the meeting minutes.

CONCLUSIONS

Based on the foregoing findings, the Valley County Planning and Zoning Commission concludes as follows:

1. Valley County must follow the laws of the State of Idaho and those identified in the Valley County Code.
2. Valley County has opted to substitute traditional zoning with a multiple use zone in which there is no separation of land uses.
3. Valley County has one mixed use zone that is a performance-based ordinance which promotes mitigation of impacts.
4. The proposed use is in harmony with the general purpose of Valley County ordinances and policies and will not be otherwise detrimental to the public health, safety, and welfare.
5. The proposed use, with required conditions of approval, is compatible with surrounding land uses. This application had a positive compatibility rating in accordance with Valley County Code Appendices 9-11-1.
6. The proposed use will not negatively impact private property values in the surrounding area.
7. The proposed use will not have an undue adverse impact on the environment.
8. The proposed use will not have an undue adverse impact on adjoining private property.
9. The proposed use will not have an undue adverse impact on government services.
10. The proposed use is consistent with the Valley County Comprehensive Plan.
11. The proposed use has been thoroughly and adequately evaluated and that mitigation measures can effectively ameliorate impacts to adjacent land uses through the conditions of approval.
12. The infrastructure is needed for the mine at Stibnite and would be an economic benefit for Valley County.

ORDER

The Valley County Planning and Zoning Commission, pursuant to the aforementioned, orders that the application of Idaho Power Company for C.U.P. 25-020 Idaho Power Stibnite Substation, as described in the application, staff report, correspondence, and minutes of the meeting, be approved.

Special conditions applied to the proposed use are:

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
4. The use shall be established within three years, or a permit extension will be required.
5. All lighting must comply with the Valley County Lighting Ordinance. All lights shall be fully shielded so that there is not upward or horizontal projection of lights.
6. All noxious weeds on the property must be controlled.
7. A wetland delineation shall be completed.
8. Must have a stormwater management plan and site grading plan approved by the Valley County Engineer prior to doing any dirt work on-site.
9. Shall obtain a sign permit prior to installation of any sign.
10. Snow must be stored on-site.
11. The site must be kept in a neat and orderly manner.
12. Noise shall be kept to a minimum between 10:00 p.m. and 7:00 a.m.
13. A building permit is required for the control building.
14. Shall clearly post the physical address at the entrance once assigned.
15. Building permits will be required for any fencing over 6-ft in height.
16. Minimum setbacks are: 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines of the ditch and stream.
17. Landscaping, including existing native vegetation, must be maintained on the west side of the substation. If landscaping dies, it must be replaced. Noxious weeds must be controlled using proper land management principles.
18. A minimum of one tree should be maintained for every 25 feet of linear street frontage along the property line. The trees may be grouped or planted in groves.
19. The Commission recommends to the Board of County Commissioners that a variance from setbacks for a fence height greater than 6-ft from the high-water line that is 78-ft versus 100-ft. be approved
20. Cannot do any earthwork until a lease is signed with the property owner.

**NOTICE OF FINAL ACTION AND
RIGHT TO REGULATORY TAKING ANALYSIS**

The Applicant is hereby notified that pursuant to Idaho Code §67-8003, an owner of real property that is the subject of an administrative or regulatory action may request a regulatory taking analysis. Such requests must be in writing and must be filed with the Valley County Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.

Please take notice that if this is a decision of the Planning and Zoning Commission it can be appealed to the Valley County Board of Commissioners in accordance with Valley County Code 9-5H-12. The appeal should be filed with the Valley County Planning and Zoning Administrator within ten days of the decision made at the public hearing.

Please take notice that if this is a decision of the Board of County Commissioners it is a final action of the governing body of Valley County, Idaho. Pursuant to Idaho Code §67-6521, an affected person i.e., a person who has an interest in real property which may be adversely affected by the issuance or denial of the application to which this decision is made, may within twenty-eight (28) days after the date of this Decision and Order, seek a judicial review as provided by Chapter 52, Title 67, Idaho Code, after seeking reconsideration within 14 days in accordance with Valley County Code 9-5H-13 and Idaho Code §67-6535 .

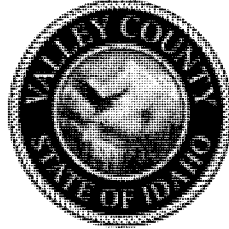
END FACTS AND CONCLUSIONS

Valley County Planning and Zoning Commission Chairman

Date: _____

Valley County Planning and Zoning Commission

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

Ken Roberts, Chairman
Carrie Potter, Vice-Chair

Brad Mabe, Commissioner
Ben Oyarzo, Commissioner
Heidi Schneider, Commissioner

MINUTES

Valley County Planning and Zoning Commission
September 11, 2025
Valley County Court House - Cascade, Idaho
PUBLIC HEARING - 6:00 p.m.

A. OPEN: Meeting called to order at 6:00 p.m. by Chairman Roberts. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Brad Mabe	Present
PZ Commissioner – Ben Oyarzo:	Present
PZ Commissioner – Carrie Potter:	Present
PZ Commissioner – Ken Roberts:	Present
PZ Commissioner – Heidi Schneider:	Present
PZ Planner II – Lori Hunter:	Present

B. MINUTES: Commissioner Schneider moved to approve the minutes of August 14, 2025, and August 28, 2025. Commissioner Potter seconded the motion. Motion passed unanimously.

C. OLD BUSINESS:

- 1. C.U.P. 25-016 Harvey Property Management and Equipment Storage:** Karen and Aaron Harvey are requesting a conditional use permit for the operation and equipment storage of a property management business using an existing shop. An individual well and individual septic system would be used. Access is from an easement across 13978 Rustic Road to Rustic Road, a public road. The 1-acre parcel, addressed at 13978 B Rustic Road, is the east half of Lot 3 of Eld's Country Subdivision in the NWSE Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho. *Tabled from August 14, 2025. Action Item*

Commissioner Mabe moved to move C.U.P. 25-016 Harvey Property Management and Equipment Storage from the table. Commissioner Potter seconded. Motion passed unanimously

Chairman Roberts introduced the item and asked if there was additional information. Director Herrick applied in the affirmative, presented the staff report with additional information, and displayed the site plan and GIS map on the projector screen.

Ion Electric is not interested in sharing access to Highway 55. The nearby Crawford Landscaping business has a condition of approval to work with the Valley County Road Department to mitigate dust and to travel northward on Rustic Road to access Highway 55. Proposed Conditional # 19 would require using a shorter trip on an unpaved road to Highway 55 rather than by traveling to the south on Rustic Road; thereby, limiting business traffic past homes.

Chairman Roberts asked for the applicant's presentation.

Karen Harvey, 14033 Nisula RD, referred to the additional information submitted and included in the latest staff report. The parking situation and setbacks were previously unclear. They have since gone onsite to revise the site plan. All equipment during the day will be inside the shop. The existing carport has room for six cars to nose in for parking. There is plenty of room for vehicle parking and to allow moving of vehicles and trailers. Privacy screening and fencing were concerns mentioned at the previous public hearing. They would irrigate and add landscaping. They are willing to work with the owner to the immediate west to add additional landscaping for screening in the easement area. Ms. Harvey also submitted photos of neighboring properties that are private residences visible from the road; she stated they would do a better job.

Ion Electric is opposed to shared access to Highway 55; thus, they must access from Rustic Road. There is not an existing traffic study for the site. The increase in traffic would be small and controlled. The business peak season is mid-May through mid-August. Highest numbers would be about 10 employee vehicles and about four business vehicles. Business traffic would occur during short time frames in the morning and early evenings. During the late spring and early fall, the business runs a much smaller crew, with about three to five employees and about three business vehicles. During the winter season, there are three or four full-time employees who would not be doing daily visits to the site. The employees do not visit the site on weekends.

Rustic Road is used by people outside the neighborhood to access Heinrich Road. There are conditional use permits in the neighborhood that have upset residents. They are willing to help with dust abatement. Customers do not visit the site. They have been in business for 19 years and have had no issues or complaints. The site is a mixed-use neighborhood, and other businesses are along Highway 55 in this area.

Commissioner Mabe thanked Ms. Harvey for putting together additional information. Chairman Roberts stated the revised site and landscape plan is much clearer. He asked the applicant for a timeframe to complete landscaping. Ms. Harvey asked for a year to complete due to weather limitations. Ms. Harvey stated that proposed COA # 20 is acceptable as is a requirement to restrict travel only to the north on Rustic Road to Garden Lane.

Chairman Roberts opened the public hearing and asked for proponents. There were none. Chairman Roberts asked for undecided. There were none. Chairman Roberts asked for opponents. There were none.

Chairman Roberts closed the public hearing. The Commission deliberated. Commissioner Mabe stated that the applicant wishes to be a good neighbor, understands setback requirements, and discussed a possible shared access with Ion Electric. Proposed conditions of approval #15, #19, and # 20 were discussed. Commissioners recommended requiring dust abatement and limiting business travel on Rustic Road from the site to the north only.

Commissioner Mabe moved to approve C.U.P. 5-016 Harvey Property Management and Equipment Storage with the stated conditions.

Revised COA # 15: Landscaping shall be installed prior to ~~July 1, 2026~~ October 1, 2026. If landscaping dies, it must be replaced. Noxious weeds must be controlled using proper land management principles.

Commissioner Schneider seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

6:23 p.m.

2. C.U.P. 21-36 Tamarack Resort P.U.D. Montelago – Final Plat: Idaho Pacific Investments LLC is requesting is requesting final plat approval. The commission will review the final plat to determine conformance with the preliminary plat, approved densities, and conditional use permit. Original approval was for an eight-lot single-family residential subdivision on 13 acres; the final plat requests nine lots. Lots will be accessed from private roads onto an existing easement to West Mountain RD. The site is in NE ¼ Section 8, T.15N, R.3E, Boise Meridian, Valley County, Idaho. Not a public hearing. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site, plat, and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Megan Myers, Valley County Communications Supervisor, and Kathy Riffie, Valley County Cadastral Specialist Technician II, approval the subdivision name but not either proposed road names due to spelling difficulties and Apostrophes. (August 7, 2025; August 11, 2025)
- **Exhibit 2** – Additional information from the applicant. (September 5, 2025)
- **Exhibit 3** – Jim Fronk supplied pictures demonstrating the completion of the fire management plan. (September 9, 2025)

This plat was originally named Blue Mountain Amended; the applicant has requested a name change to Montelago. Condition of Approval # 20 is not obtainable as the applicant does not own all the original Blue Mountain Subdivision; thus, the condition should be eliminated. This is not considered a replat. There is existing access from West Mountain Road. Individual wells will be used for potable water. Dry lines to provide have been installed within the subdivision; properties will be required to hook-up to Tamarack Municipal Water when available. Currently, water and sewer lines end near the Tamarack Resort employee housing site, north of this location. When Tamarack Resort plats the next portion, between the employee housing and Montelago, the lines will connect. These required connections were discussed by the PZ Commission during the original preliminary plat approval. Septic systems were allowed as the property is not within 200-ft distance of a sewer system line.

Tim Tyree, Donnelly, represented the applicant, Idaho Pacific Investments. Individual septic systems will not be installed; all lots are connected to central sewer provided by North Lake Recreational Water and Sewer District (NLRWSD). Dry lines for water are installed within the subdivision to each lot and hook-up will be required by each lot owner once water lines are installed along West Mountain Road. This requirement is included within the Declaration of Utilities and is a conditional of approval of the conditional use permit. The supplemental declaration is incorporated within the Tamarack Municipal Association. There are no shared wells; each lot will have a domestic well. Mr. Tyree believes the wells have already been drilled. Roads are being paved this week.

Commissioner Schneider was concerned that future buyers need to be aware of future responsibility and cost to hook up to central water. Mr. Tyree responded that the declaration of utilities is a recorded document that would be included in purchase documents. NLRWSD has been prepaid for the connection fees. It will be the responsibility of the future homeowner to install lines from the existing stub to the home.

Commissioner Schneider moved to approve the final plat of C.U.P. 21-36 Tamarack Resort P.U.D. Montelago and authorize the Chairman to sign. Commissioner Mabe seconded. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

6:50 p.m.

D. NEW BUSINESS:

- 1. C.U.P. 25-017 Smith Solar Panels:** Will Smith is requesting a conditional use permit for a ground-mounted solar panel array for residential use and C.U.P. 20-31 Tall Timbers Sawmill. The 5-acre site is Long Valley # 1 Lots 4A and 5B, addressed at 228 Maki Lane, and located in the SWSW Section 8, T.17N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Roberts introduced the item, and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Brent Copes, Central District Health, has no objection. Accessory use application from CDH may be required. (September 4, 2025)

Required setback from solar panels to property lines is 15-feet.

Chairman Roberts asked for the applicant's presentation.

Will Smith, 228 Maki Lane, pointed out the solar panels and other buildings on the projector screen. Provides well and lights in machine shop. Idaho power provides electric power for the tools in the machine shop. He owns adjacent lot to the south. The combined lots are 330 feet wide and 672 feet long.

Chairman Roberts opened the public hearing and asked for proponents. There were none.

Chairman Roberts asked for undecided. There were none.

Chairman Roberts asked for opponents. There were none.

Chairman Roberts closed the public hearing. The Commission deliberated. Commissioners had no concerns other than setbacks if the two lots were ever sold to different owners.

Commissioner Potter moved to approve C.U.P. 25-017 Smith Solar Panels with the stated conditions.

COA: If parcels are sold separately, Lot 4 must be split to accommodate the minimum setback requirements.

Commissioner Mabe seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

7:01 p.m.

- 2. C.U.P. 25-018 Idaho Power Cascade Switching Station:** Idaho Power Company is requesting a conditional use permit for an electrical switching station. The proposal includes a transformer, breakers, a 65-ft x 27-ft concrete masonry control building, microwave tower, and a chain-link fence with two gates. Access would be from Warm Lake Road. The 5.5-acre site is part of RP14N03E250005, located in the SESW Section 4, T.12N, R.4E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Annette Derrick, Valley County Building Official, does not have any issues with Idaho Power obtaining a variance for the fence. Engineering would not be required. (September 11, 2025)

- **Exhibit 2** – Brent Copes, Central District Health, has no objection. (September 4, 2025)
- **Exhibit 3** – Presentation by applicant.

Commissioners and Staff discussed fencing. Fencing greater than 6 ft tall requires a building permit per Valley County Code Title 6. Structures requiring building permits cannot be within setbacks. The Commission can make a recommendation to the Board of County Commissioners to approve a variance for a fence greater than 6-ft tall within the setback areas.

The parcel is not eligible for simple split, but a parcel line adjustment could be done. The property is currently owned by Davis Cattle Company.

The truck length and turn area needed from Warm Lake Road is a concern of the Commission. The location and setback from Warm Lake Road of the existing large transmission lines was discussed. Idaho Power is currently updating a 10-year corridor management plan. Valley County has a prescribed easement for Warm Lake Road at this location. Warm Lake Road is listed as a minor collector in the Valley County Transportation Plan.

Chairman Roberts asked for the applicant's presentation.

Leon Letson, Boise, Idaho Power, provided additional details (**Exhibit 1**). This proposal, and the following two applications, would increase electrical capacity and reliability for Valley County and the Stibnite Gold Project. The project would be 100% funded by Perpetua Resources, not other users. The sites have been located to easily connect to existing transmission lines. This site is over 2,500+-ft from the scenic Highway 55 corridor. The site is approximately 5.5 acres that would be purchased from Davis Cattle Company. A setback variance for a 8-ft fence height is requested. All equipment will meet all setbacks. Slides showing the view of the site from various aspects were shown, such as Leisure Time and Highway 55. The site plan was reviewed; there are two access points, each with a gate and an approximate 50-ft apron from Warm Lake Road. The fence would be about 40-ft from the existing pavement. The tallest structures would be approximately 50-ft tall dead-end poles. The driveway and station yard would be graveled.

Mr. Letson reviewed the proposed landscaping. A revised rendering with additional landscaping for screening along the east and south perimeter was reviewed. An additional fence would keep cattle away kept from the plantings. The site is limited due to topography, existing irrigation lines, easements, the creek to east, and existing cattle operations. Thus, no landscaping is proposed along the western boundary.

Idaho Power selects a suitable location based on sites they can acquire, adjacent land uses, residences further away, and easy connections to existing electrical lines.

Idaho Power requested minor modifications to proposed conditions of approval:

COA # 4 – The use shall be established within ~~one year~~ three years, or a permit extension will be required.

COA # 17 – Minimum setbacks are 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines of the ditch and stream. ~~Fences over 6-ft tall cannot be constructed within the setback area.~~ A variance is requested to allow a 7-ft fence within the setback area.

The switching station will make the electrical system more robust. It is independent from the recently approved Clear Creek Substation. The existing electrical line will be upgraded to 138KV. The existing transmission lines are on both the north and south sides of Warm Lake Road. The line will be rebuilt on the north side only and then will turn to the south on Thunder

city Road.

Irrigation ditch and landscaping were discussed with Commissioners. The site and wet areas were shown on the GIS map on the projector screen. Idaho Power proposes both a security fence for the substation and a typical ranch fence around the site to protect landscaping. Fences will be maintained by Idaho Power. The area for landscaping along the west side is limited. Chain link fence with slats would be an option for this side.

Transmission lines are currently on both sides of Warm Lake Road. Will be rebuilt on the north only. There will be a connection with the transmission line along Thunder City Road from the south.

Chairman Roberts opened the public hearing and asked for proponents.

Phil Davis, 19 Warm Lake Highway, is the landowner of the property. There are two 12-in water lines on the south side of this project. There is about a 10-ft rise and it sits above the pipelines. There is another domestic water line that runs just south of Warm Lake Road his house and 125 Warm Lake Road. These have been surveyed and will be protected. Mr. Davis supports a variance allowing the fence to be within the setback area along Warm Lake Road. He will work with Idaho Power to be able to close the gates when cattle are being moved. Idaho Power intends to purchase the site. One of the existing transmission lines in his pasture to the south and will be removed; this will be advantageous to both Idaho Power and Mr. Davis' cattle operation.

The road right-of-way was discussed with Commissioners. It is a prescribed easement at this section of road.

Chairman Roberts asked for undecided. There were none.
Chairman Roberts asked for opponents. There were none.

Chairman Roberts asked for rebuttal from the applicant.

Mr. Letson appreciated Mr. Davis's testimony and had nothing further to add.

Chairman Roberts closed the public hearing. The Commission deliberated.

Commissioner Mabe was concerned with the lack of landscaping as one drives eastward on Warm Lake Road; however, he does not have a solution given space limitations. A slatted fence would be a start. He has no concerns with 8-ft high fence instead of 7-ft nor with the change to three-year time frame.

Director Herrick stated that the request for a variance for an 8-ft fence within the setback area would be added to a regularly scheduled meeting of the Board of County Commissioners.

Commissioner Schneider was not concerned about view from east [the west side of the site].

Chairman Roberts stated that if the applicant can, additional landscaping would be better as space permits. He stated that Idaho Power's other sites in Valley County and Idaho are mostly very neat and tidy. They are required to keep them clean because of potential fire hazards. The infrastructure is needed for the mine at Stibnite and would be an economic benefit for Valley County.

Commissioner Potter moved to approve C.U.P. 25-018 Idaho Power Cascade Switching Station with the stated conditions and:

Revised COA #4: The use shall be established within ~~one-year~~ three years, or a permit extension will be required.

Revised COA #17: Minimum setbacks are 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines of the ditch and stream. ~~Fences over 6-ft tall cannot be constructed within the setback area.~~

Revised COA #20: Landscaping is required ~~along all sides of the perimeter~~ as shown in the revised site plan.

COA: The Commission recommends to the Board of County Commissioners that a variance from setbacks for fence height greater than 6-ft be granted.

COA: Cannot do any earthwork until ownership is deeded to Idaho Power.

Commissioner Schneider seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

7:41 p.m.

3. C.U.P. 25-019 Idaho Power Scott Valley Substation: Idaho Power Company is requesting a conditional use permit for an electrical substation station. The proposal includes a transformer, regulator, breaker, reclosers, an 18-ft x 12-ft concrete masonry control building, and a chain-link fence with one gate. Access would be from Warm Lake Road. The 0.5-acre site is part of RP14N05E074475, located in the NW ¼ Section 7, T.14N, R.5E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Brent Copes, Central District Health, has no objection. Any building generating waste water must have a septic system. (September 4, 2025)
- **Exhibit 2** – Presentation by applicant.

Chairman Roberts asked for the applicant's presentation.

Leon Letson, Boise, Idaho Power, provided additional details (**Exhibit 2**). The project objective is the same as C.U.P. 25-018. The substation would be a 0.5-acre portion of the approved Scott Valley Logistics Center site. Idaho Power is looking into a perpetual easement instead of purchasing the property through a subdivision plat. There is a lot of natural landscaping at the site. The 50 to 60 feet of existing lodgepole would be retained. The site is well back from the edge of the pavement, about 70-ft.

Idaho Power requests a variance to allow an 8-ft fence within the setbacks; this would reduce the size of easement required.

The existing substation that is located to the southwest would be removed. A modular control building would be added. This site would be a distribution substation.

Chairman Roberts opened the public hearing and asked for proponents. There were none. Chairman Roberts asked for undecided. There were none.

Chairman Roberts asked for opponents. There were none.

Chairman Roberts closed the public hearing. The Commission deliberated. Reasons for approval and additional conditions of approval are similar to the previous C.U.P. 25-018. There should be no construction until an easement or lease is in place.

Commissioner Mabe moved to approve C.U.P. 25-019 Idaho Power Scott Valley Substation with the stated conditions.

Revised COA #4: The use shall be established within ~~one-year~~ three years, or a permit extension will be required.

Revised COA #17: Minimum setbacks are 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines of the ditch and stream. ~~Fences over 6-ft tall cannot be constructed within the setback area.~~

COA: The Commission recommends to the Board of County Commissioners that a variance from setbacks for fence height greater than 6-ft be granted.

COA: Cannot do any earthwork until easement is recorded or lease is signed with the property owner.

Commissioner Potter seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

7:55 p.m.

4. **C.U.P. 25-020 Idaho Power Stibnite Substation:** Idaho Power Company is requesting a conditional use permit for an electrical substation. The proposal includes transformers, breakers, a 60-ft x 20-ft concrete masonry control building, and a 7-ft tall fence with four gates. Access would be from Stibnite Road. The 4-acre site is part of parcel RP18N09E115495 located in the SW ¼ Section 11, T.18N, R.9E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Brent Copes, Central District Health, has no objection. A septic permit is required for any building generating wastewater. (September 4, 2025)
- **Exhibit 2** – Presentation by applicant.

Staff and Commissioners discussed equipment, property lease, and future end of mining operations.

Chairman Roberts asked for the applicant's presentation.

Leon Letson, Boise, Idaho Power, provided additional details (**Exhibit 1**). This proposal has similar objectives as the last two conditional use permits discussed. Idaho Power would use a 4-acre portion owned by the mining company. The actual location would be further south and east than the originally submitted site plan. Existing mining camp housing would be moved. The equipment would be removed at end of project. There would be a large masonry control building and an 8-ft tall perimeter fence around the substation. The fence would not be within the setbacks from property line; however, a variance from the high-water mark is needed. Mr. Letson referred to the last slide labeled "Project Location" with the locations of a perennial

stream, the fill slop edge, the perimeter fence line, and the control building. The control building would be 150-ft from high water; the perimeter fence would be 78-ft.

Jordan Nielsen, Boise, Perpetua Resources, responded to questions from the Commissioners. The U.S. Forest Service does require removal of substation and transmission line back to the Johnson Creek substation during the reclamation and restoration of the mining project.

Chairman Roberts opened the public hearing and asked for proponents. There were none. Chairman Roberts asked for undecided. There were none. Chairman Roberts asked for opponents. There were none.

Chairman Roberts closed the public hearing. The Commission deliberated. Reasons for approval and additional conditions of approval are similar to the previous C.U.P. 25-018 and C.U.P. 25-019. There should be no construction until a lease is in place. Commissioner Mabe no issues with the project. A variance reducing the setback from the high-water line should result in stream protection.

Commissioner Mabe moved to approve C.U.P. 25-020 Idaho Power Stibnite Substation with the stated conditions.

Revised COA #4: The use shall be established within ~~one-year~~ three years, or a permit extension will be required.

Revised COA #16: Minimum setbacks are: 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines of the ditch and stream. ~~Fences over 6-ft tall cannot be constructed within the setback area.~~

COA: The Commission recommends to the Board of County Commissioners that a variance from setbacks for a fence height greater than 6-ft from the high-water line that is 78-ft versus 100-ft. be approved

COA: Cannot do any earthwork until a lease is signed with the property owner.

Commissioner Oyarzo seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

Short recess to 8:17 p.m.

5. C.U.P. 25-021 Perpetua Resources Office: Perpetua Resources INC is requesting a conditional use permit for a 2,193-sqft office in the village of Yellow Pine. The former Silver Dollar Grill building, addressed at 345 Yellow Pine Avenue, would be remodeled. Access would be from Yellow Pine Avenue and Arnold Alley, both public roads. The 0.28-acre site is Townsite of Yellow Pine Lots 5A and 6, Block C, located in the SWSW Section 21, T.19N, R. 8E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Steve Holloway supports the proposal. (September 8, 2025)
- **Exhibit 2** – Brent Copes, Central District Health, has no objection. An evaluation of the wastewater flows will need to be conducted regarding the remodel. An accessory application or septic permit may be required. (September 4, 2025)

Staff recommend the location of property lines be determined and a lot line adjustment occur between adjacent property owners.

Chairman Roberts asked for the applicant's presentation.

Belinda Provancher, Cascade, represented Perpetua Resources INC. The work will benefit Yellow Pine. A barn and two carport buildings that are not structurally sound will be removed; this area would then become the driveway area. Another shed that was used as an office is not on foundation and will be removed. The propane tank is located on the septic leach field. The leach field has also been damaged by previous vehicular traffic. Thus, the leach fields have been damaged; material will be removed and a new system developed. The building would contain a conference room, two offices, and larger cubicle spaces. The remodel would occur over the winter. An education area would be added later in 2026. The front deck is within the setback of the roadway. Perpetua Resources will improve the look of the building by sanding and staining the wood. An accessible ramp south side of building that meets the Americans with Disabilities Act (ADA) would be added. The two bathrooms will be remodeled to meet ADA requirements. Parking would occur on the south side of the building, off the main roads. In response to the concerns of the Yellow Pine Water Users association, a variance for landscaping is requesting until such time sufficient water is available.

Chairman Roberts stated water-wise landscaping is recommended for the Yellow Pine area due to the very harsh climate.

Chairman Roberts opened the public hearing and asked for proponents. There were none.

Chairman Roberts asked for undecided. There were none.

Chairman Roberts asked for opponents. There were none.

Chairman Roberts closed the public hearing. The Commission deliberated.

Chairman Roberts stated that it does not make sense to add landscape that does not fit the character of Yellow Pine. Commissioner Mabe concurred.

Commissioner Schneider moved to approve C.U.P. 25-021 Perpetua Resources Office with the stated conditions.

Commissioner Potter seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

8:32 p.m.

6. C.U.P. 25-022 Paikka Bakery - Amendment of C.U.P. 22-13: Finn Place LLC is requesting an amendment to a conditional use permit to allow the public to pick up orders on-site five days per week, to modify approved site plan, and to add an additional greenhouse. The existing septic system and individual wells would be used. The 3-acre site is addressed at 14118 Highway 55 and located in Finn Barn Subdivision Lot 1 Block 1 in the SENE Section 18, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site, site plan, and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Revised Landscape and exterior lighting plan that includes locations of all existing and proposed structures.

- **Exhibit 2** – Brent Copes, Central District Health, said CDH will need to evaluate if there are additional wastewater flows and then determine if expanding the septic system is required. (September 4, 2025)

Director Herrick stated the 100-ft setback from Highway 55 and various site plans conflict. The applicant needs to clarify. A site plan submitted with sign permit application received today by Staff does not match the site plan submitted with the application nor with **Exhibit 1** which shows parking within the 100-ft setback from property line along Highway 55. Director Herrick replied to questions from the Commissioners. The original conditional use permit stated no parking allowed in the setback areas. Porta-potties are used for dinners. The original conditional use permit restricted the public to only one day per week based on Idaho Transportation Department (ITD) restrictions; the original application stated that public would only be onsite one day per week. It was not a limitation added by Valley County.

Chairman Roberts asked for the applicant's presentation.

Fred Coriel, of Millemann Pemberton & Holm LLP, McCall, represented the applicant, Finn Place LLC. He responded to the confusion with the site plans and parking. The area is actually a vegetable and flower garden, not parking as shown on submitted site plan. There are 11 marked parking spaces adjacent to the commercial building, including handicap parking. Around the side and back are another 16 spaces. There is no parking within the setback area. The owner of the property has used signage to direct parking by customers. This is a local farm-to-table produce seller and bakery. The business would like to have people on site five days per week to pick up orders due to increased demand.

The original traffic study given to ITD identified Friday and Sunday as peak traffic periods for Highway 55. The proposed five days for customers are Saturday and Monday through Thursday, avoiding the peak traffic days. Special event dinners primarily occur on Thursdays and Saturdays, also avoiding the Friday and Sunday traffic.

Mr. Coriel responded to questions from Commissioners. Two buildings have restroom facilities. The commercial building has a bathroom and a septic tank. The septic drainfield is shared with the shop and apartment building. The increase in public days is only for pick-up orders. Porta-potties are brought to the site for the 18 dinners. The proposed conditions of approval require CDH approval.

The Commissions want a corrected site plan prior to approval of the amended conditional use permit. The site plan shows gravel parking; however, the area has been asphalted as is visible in the photos within the staff report. The site plan from the original application does show the 100-ft setback. The corrected site plan should show the 100-ft setback and all parking.

Chairman Roberts opened the public hearing and asked for proponents. There were none.
Chairman Roberts asked for undecided. There were none.
Chairman Roberts asked for opponents. There were none.

The Commissioners stated the landscaping plan has been followed. The site looks nice. The site plan needs corrected.

Commissioner Schneider moved to table C.U.P. 25-022 Paikka Bakery to October 16, 2025, at 6:00 p.m. Commissioner Mabe seconded the motion. Motion carried unanimously.

Director Herrick stated if the existing sign will not comply with the setback, a variance may be needed.

9:00 p.m.

- 7. SUB 25-019 HWY 55 Storage – Preliminary Plat:** Pearson Storage Partners LLC is requesting a conditional use permit for a subdivision on 28.5 acres. Block 1 would include 108 condominium storage units and two offices/bathroom units. Individual septic systems and individual wells are proposed. The use for Block 2 is undefined. Access would be from a joint driveway onto State Highway 55. The site, addressed at 14014 Highway 55, includes parcel RP18N03E331807 and Vandal Flats Subdivision Lot 2 Block 1, located in the NE ¼ Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest. Commissioner Potter recused herself and left the meeting room.

Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Annette Derrick, Valley County Building Official, stated a building permit will be required to convert the existing storage units to commercial use. (Sept. 11, 2025)
- **Exhibit 2** – Brent Copes, Central District Health, stated a subdivision application, fees, test holes, ground water monitoring and engineering report are required. (September 4, 2025)
- **Exhibit 3** – Crestline Engineers replied to Staff Questions listed in the Staff Report. (September 11, 2025)

The applicant has stated that the proposed Block 2, platted as Vandal Subdivision Lot 2, will be removed from the proposal. This would not affect the number of storage units or proposed land use.

Commissioner Schneider asked for clarification of the existing storage building and use. Director Herrick stated that she originally determined that a conditional use permit would be required for the storage unit building. This decision was appealed to the PZ Commission. The applicant stated the storage units would be used only for personal use of his family and business partners' families, not commercial use. The PZ Commission approved the use. The decision was then appealed to the Board of County Commissioners who also approved the use. The applicant has since had changes in this business operations and wishes to convert the site to commercial use. A building permit would be required to convert the existing building from personal use to a commercial use. The various phases were reviewed by Staff and Commissioners.

Chairman Roberts asked for the applicant's presentation.

Rob Pair, Crestline Engineers, McCall, represented the applicant and clarified the change in the proposal. The proposed plat only includes the rural parcel, not the adjacent portion of Vandal Flats Subdivision. The proposal is still below the maximum lot coverage requirement. The wetland boundary has been delineated and approved by U.S. Army Corps of Engineers. Landscaping berms would be adjacent to highway. The wetland area already has mature vegetation. A pond is proposed for fire protection. The majority of landscaping would be along Highway 55. The applicant does not want a wall of trees along the highway and has proposed a mixture of trees, shrubs, and rocks.

The current building is Phase 1. Landscaping would be established during Phase 2. The current access from Highway 55 will be used until Phase 2; the new landscaping would cover the current driveway access. A property owner association will be established to maintain landscaping. The proposal will be revised to meet the 100-ft setback from highwater line.

The irrigation easement mentioned for vacation in the application is only on portion that has been removed from proposal (Vandal Flats Lot 2); thus, this project will no longer include vacation of irrigation easement.

Mr. Pair gave more details and responded to questions from the Commissioners.

The Lake Irrigation District allocates water rights to users within the District. Mr. Pair has reached out to Shirley Florence and will obtain a letter from the District prior to final plat. Irrigation water flows through a pond located on the property to the northeast, then into an existing pond on the east portion of this property. The existing 140-ft easement is on Lot 2 of Vandal Flat Subdivision, not part of this property. The application originally included vacating this easement; this is no longer part of the proposal.

A subdivision name change request will be submitted to Staff. An approach permit will be obtained from Idaho Transportation Department. Water rights for the new pond will be obtained from Idaho Department of Water Resources. Based on a discussion with Ryan of McCall Fire, two dry hydrants will be added for fire protection. Water would still be available for fire protection during winter. The fire volume available calculation does not include top 6-ft, which allows for ice buildup and the vortex from the pump. The pond would be constructed to be about 13-ft deep and would hold more than 30,000 gallons of water. The application shows a pond for fire protection plus a 4-ft deep retention pond for stormwater. Overflow would go the pond and then to the existing natural drainage.

Only one person attended the neighborhood meeting; this person was pleased that a residential subdivision was not proposed.

Director Herrick stated the applicant intends to break up the visual design of the structures along the highway instead of building one long storage building along Highway 55.

A traffic study has not been completed yet; it was not a requirement of the application submittal. The change in access location was reviewed. The new access would be across the highway from Sunbridge Drive. It would be a shared access that was included in the approval of Vandal Flat subdivision to consolidate access points.

Phase 1 is underway. The building has been erected, foundation was poured, and the shell has been constructed for the private use. Electrical power has not been energized. No more dirt work, other what is associated with the existing building, can be done until a stormwater plan is approved.

All work done regarding draining and trenches to mitigate ground water in 2022 was permitted and excess material was removed.

Chairman Roberts opened the public hearing and asked for proponents. There were none.
Chairman Roberts asked for undecided. There were none.
Chairman Roberts asked for opponents. There were none.

Chairman Roberts asked for rebuttal from the applicant.

The applicant, Dusty Bitton, McCall, responded to questions. They are planning to get approval from Lake Fork Irrigation for a dry well. Landscaping would be irrigated with existing water rights. Phase 1 was constructed to commercial standards with fire walls. The irrigation easement is for an old irrigation pipe that runs behind the Nez Perce office building through Vandal Flats Lot 2 and ends prior to Mr. Bitton's property. The owner of Vandal Flats Lot 2 is

trying to get the easement abandoned. The Vandal Flat portion of the application submittal has been removed. He was going to do a lot line adjustment but could not get a deal done at this time. The stormwater management plan needs approval. Extra soil from the previous dewatering project has been removed.

Mr. Bitton responded to questions from Chairman Roberts. The current application is for storage unit condominiums. The existing building would be used for various personal recreational vehicles if the subdivision application is not approved. Business changes have occurred; he is going in a different direction than previously planned.

Commissioner Mabe asked for more details regarding the landscaping plan, particularly the view of the site from northbound drivers. The proposed berms are between the buildings and Highway 55. Mr. Pair stated the proposed pond may shrink or could move slightly to the east; if so, the landscaping berm could continue further south. That area is heavily treed.

Mr. Mabe asked if the proposed buildings have been designed. Director Herrick stated that building design can be used to mitigate visual impacts on the designated scenic byway. Mr. Pair referred to other storage building sites in the McCall area; accents can be added so the result is not just a solid wall of metal. Mr. Bitton stated having two buildings along the highway instead of one breaks up the visual barrier. They are considering staggered, screening walls, less than 6-ft high. The buildings would have overhanging eaves, unlike the storage units being constructed across the highway. He does not want to add exterior wooden beams due to maintenance concerns.

Chairman Roberts closed the public hearing. The Commission deliberated.

Chairman Roberts stated the original application no longer matches the current proposal. The parameters keep changing. The plan is not complete. A traffic study should be done as this would result in lots of units on Highway 55. The landscaping plan is lacking. He would like the applicant to verify water rights going downstream from this property. This may not involve Lake Irrigation District; however, existing water rights may exist to downstream users. Applicant needs to give more details as there are too many loose ends.

Commissioner Mabe has concerns about more storage units along Highway 55 during this sensitive time. The proposed landscaping plan may not do a good job of screening from Highway 55. He would like a rendering of proposed landscaping.

Commissioner Schneider is not as concerned about the landscaping; she is not sure of the landscaping requirements for the Paradigm storage units across Highway 55. She is concerned about seeing what ITD will require. ITD approval is a proposed condition of approval.

Commissioner Oyarzo stated a traffic study takes precedence over landscaping.

Chairman Roberts stated he had a difficult time completing the compatibility rating. The applicant is not clear and not detailed. There are not enough details regarding mitigation to answer compatibility rating questions 4 through 9. There are companies that prepare traffic studies and put a number to the infrastructure impact.

Director Herrick understands that the Commissioners are requesting additional information and wanted to clarify this for the applicant. Desired items include a traffic study to ensure safety, the applicant shall work with ITD, landscape and building renderings, a monitoring well, and determine if an easement is needed to deliver water through the site.

Commissioner Mabe moved to table SUB 25-019 HWY 55 Storage to November 13, 2025, at 6 to allow the applicant to submit the desired information. Commissioner Oyarzo seconded the motion. Commissioner Mabe, Commissioner Oyarzo, and Chairman Roberts voted in favor of the motion; Commissioner Schneider voted in opposition. The motion passed.

Commissioner Potter returned to the Commission.

E. FACTS AND CONCLUSIONS - *Action Items:*

- C.U.P. 25-015 Vore Solar Panels
- SUB 25-015 Devil's View Subdivision
- SUB 25-016 South Ranch

Commissioner Schneider moved to approve the Facts and Conclusions as presented and authorize the chairman to sign. Commissioner Potter seconded the motion. Motion carried unanimously.

Upcoming Meetings

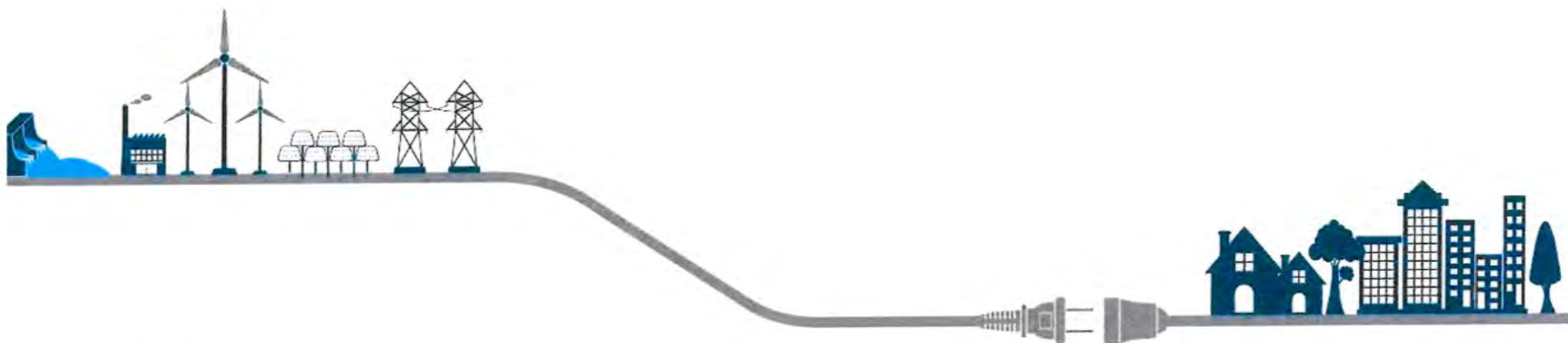
October 16, 2025, 6:00 p.m. – Public Hearings. Commissioner Mabe will not be able to attend.

October 23, 2025, 4:00 p.m. – Anticipated public hearing for revisions to the Comprehensive Plan and Valley County Code.

Chairman Roberts adjourned the meeting at 10:05 p.m.

CUP 25-018 Public Hearing

Cascade Switching Station



September 11, 2025

Leon Letson



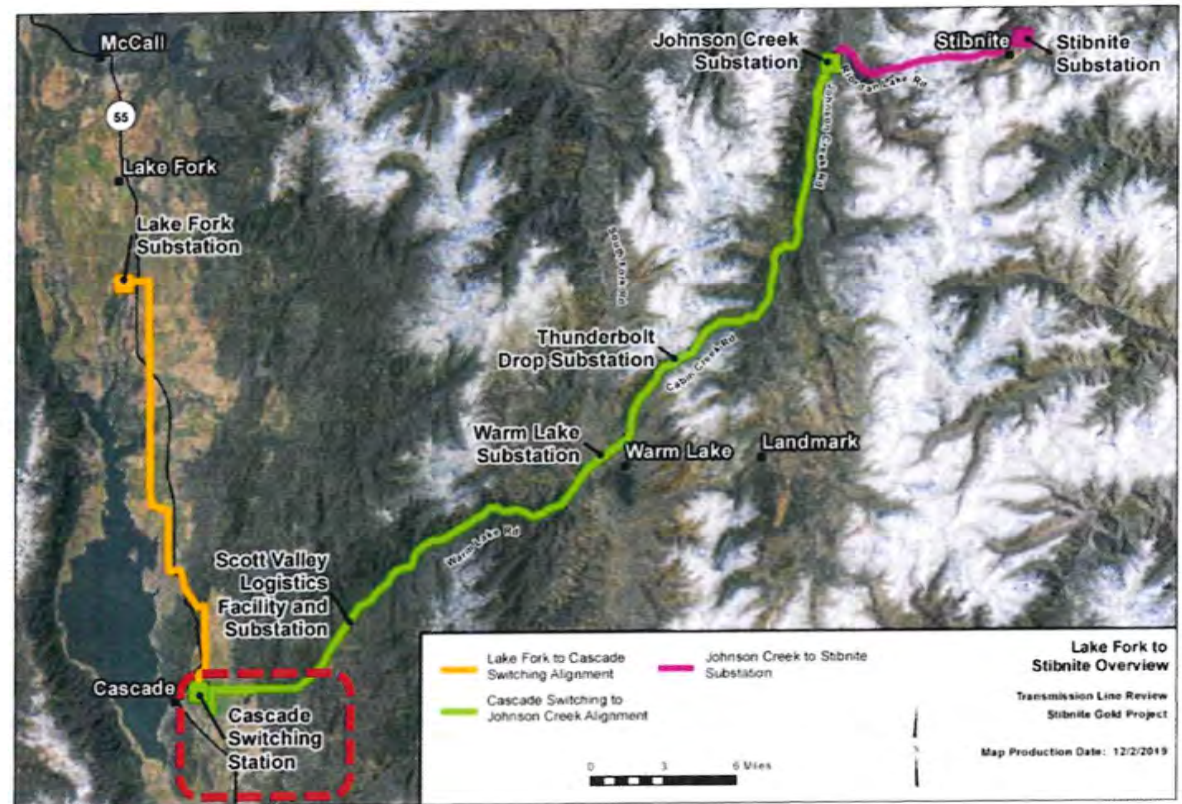
Project Objective

- ✓ Increase electrical capacity for Valley County and the Stibnite Gold Project.
- ✓ Reinforce the electrical system.
- ✓ Improve reliability and resiliency.
- ✓ Minimize impacts to the surrounding area through siting and station design.
- ✓ 100% funded by Perpetua Resources.



Project Area

- Located so existing transmission lines can be easily connected.
- Located to most effectively serve the Stibnite Gold Project needs.
- Located more than 2,500' from a scenic highway corridor.
- Appropriately-sized 5.5-acre parcel.

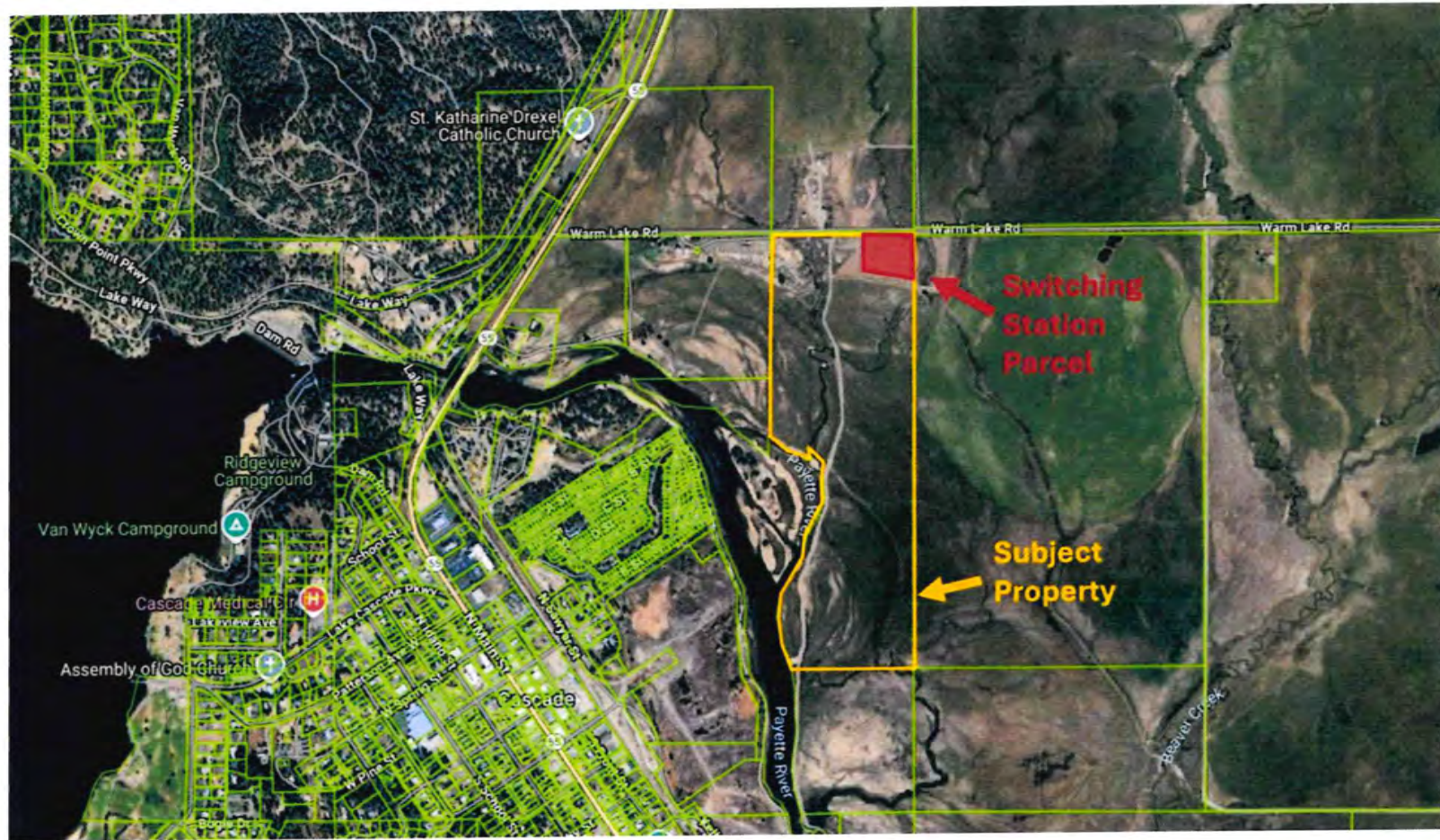


Project Location

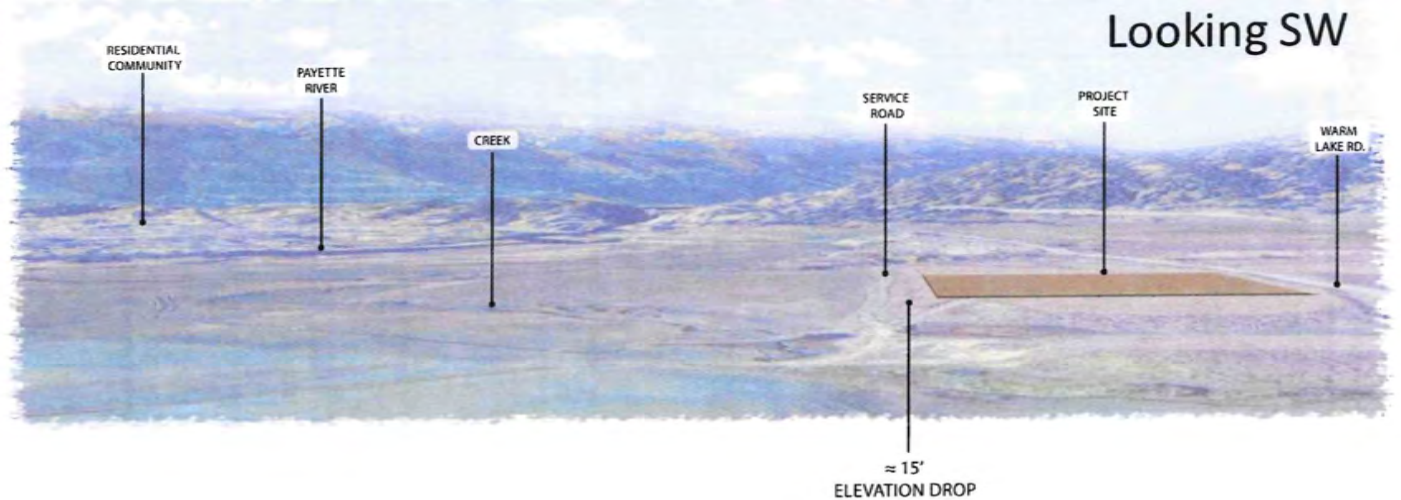
A horizontal line that starts on the left, goes straight, then curves downwards and to the right, ending in a small plug icon.

- The substation is located Warm Lake Road, approximately 2,800 feet east of State Highway 55.
- Idaho Power, thru Perpetua Resources, will acquire an approximately 5.5-acre parcel from the 112.3-acre property owned by Davis Cattle Company Inc.
- Site constraints include topography, ranch irrigation lines, a creek, and the need to maintain access west of the substation for an active cattle ranching operation.
- Nearest residence not owned by Davis Cattle Company Inc. is more than 2300' to the southwest.

Project Location

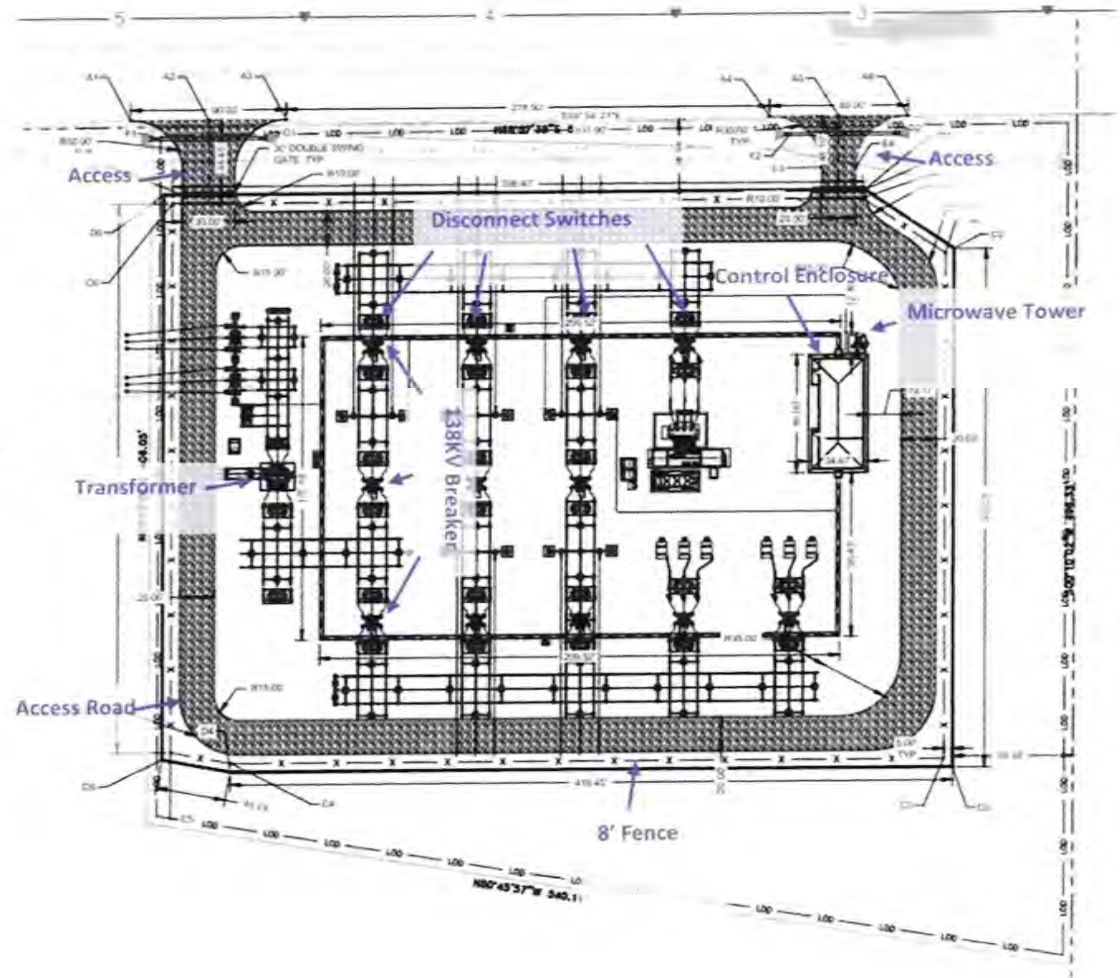


Project Location

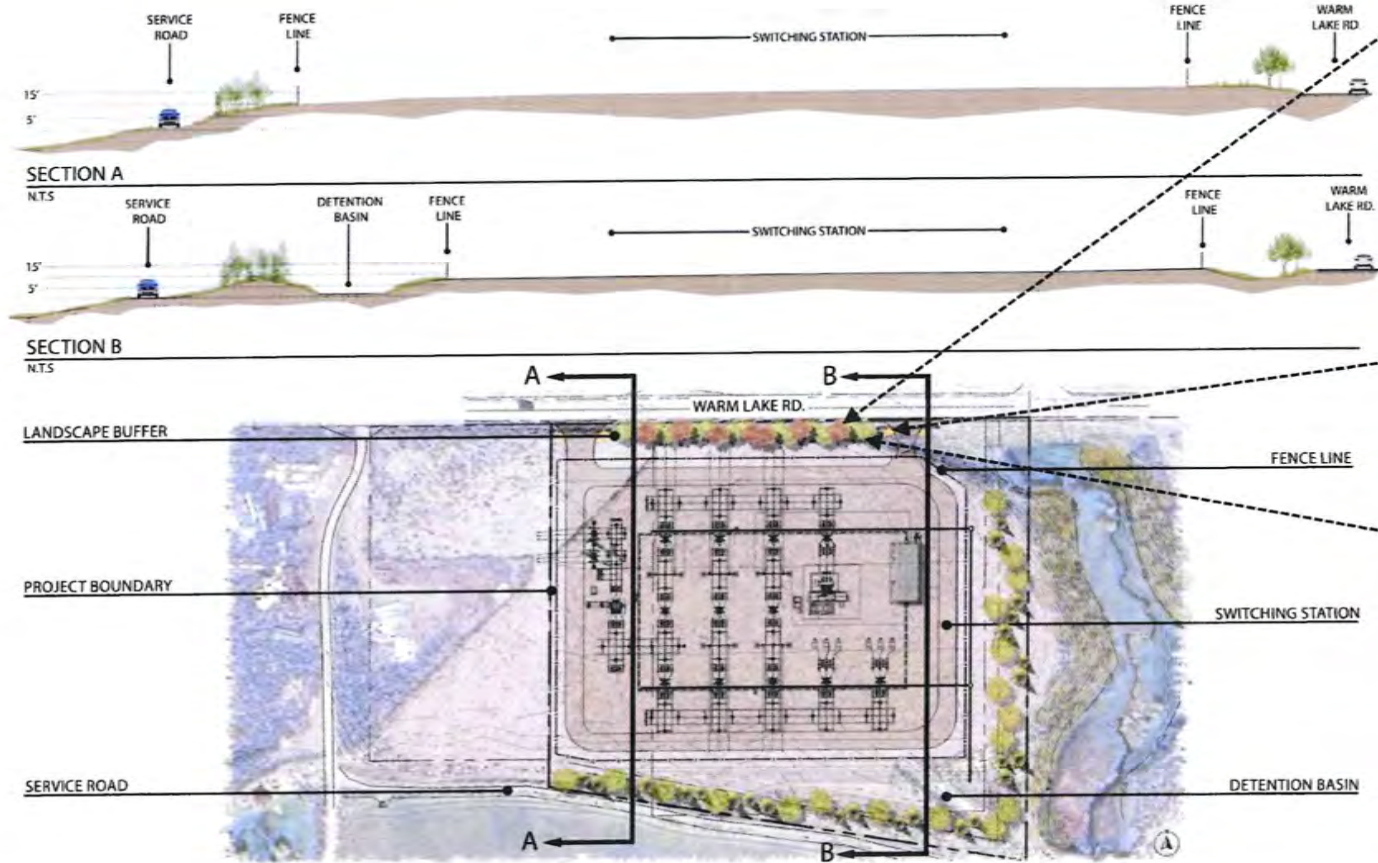


Project Features

- Station will be landscaped along Warm Lake Road and obscured from Highway 55.
- Tallest structures are the "dead-end" poles connecting the existing transmission line into the substation.
- 8-ft tall chain-link perimeter fence with two 30-ft gates.
- Station driveway and yard will be gravel.
- Station will be secured from public entry.



Project Features



CANADA RED CHOKECHERRY



ARROWLEAF BALSAMROOT



AUTUMN BRILLIANCE SERVICEBERRY

Standards Evaluation

- ✓ This location is most suitable in terms of acquisition, adjacent land uses, electrical system connections, and minimal impacts (this property has been previously disturbed).
- ✓ With requested minor modifications to the conditions of approval, the station has been designed to be compatible with zoning and setback standards, and site-obscuring methods have been taken to reduce visual impacts.
- ✓ No undesirable effects such as odors, fumes, vibrations, or noise during operations.
- ✓ No undo impacts to adjacent properties, traffic, habitats, vegetation or water.

Conditions Evaluation

- ✓ Idaho Power will meet all Conditions of the permit in the Staff Report.
- ✓ Idaho Power requests the following condition modifications:
 - Condition #4 (establish use) be changed from 1 year to 3 years:
 - *The CUP approval is necessary right now to complete the purchase process.*
 - *Construction planned to start in 2027 and will require almost a year to complete several complex steps.*
 - *Idaho Power expects to have this station operating by Early 2028.*
 - Condition #17 (fencing) be changed to allow a maximum fence height of 8' within the setbacks or seek a variance from the Board of County Commissioners:
 - *The National Electric Safety Code (NESC) Rule 110.A.1 requires a minimum fence height of 7'.*
 - *IPC Specification 95-120 requires a minimum fence height of 7' plus 1' of barbed wire stranding located on top of or inside of the fence.*

BACKUP SLIDES AS NEEDED...



Project Location



South end of Leisure Time



Waters Edge (first RV park)

Project Location



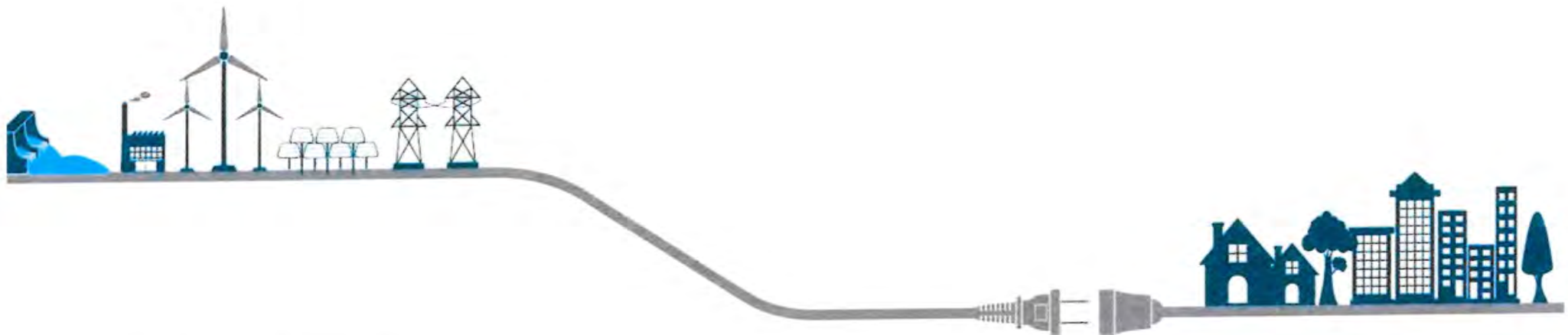
North end of Leisure Time

Project Location



CUP 25-019 Public Hearing

Scott Valley Logistics Center



September 11, 2025

Leon Letson



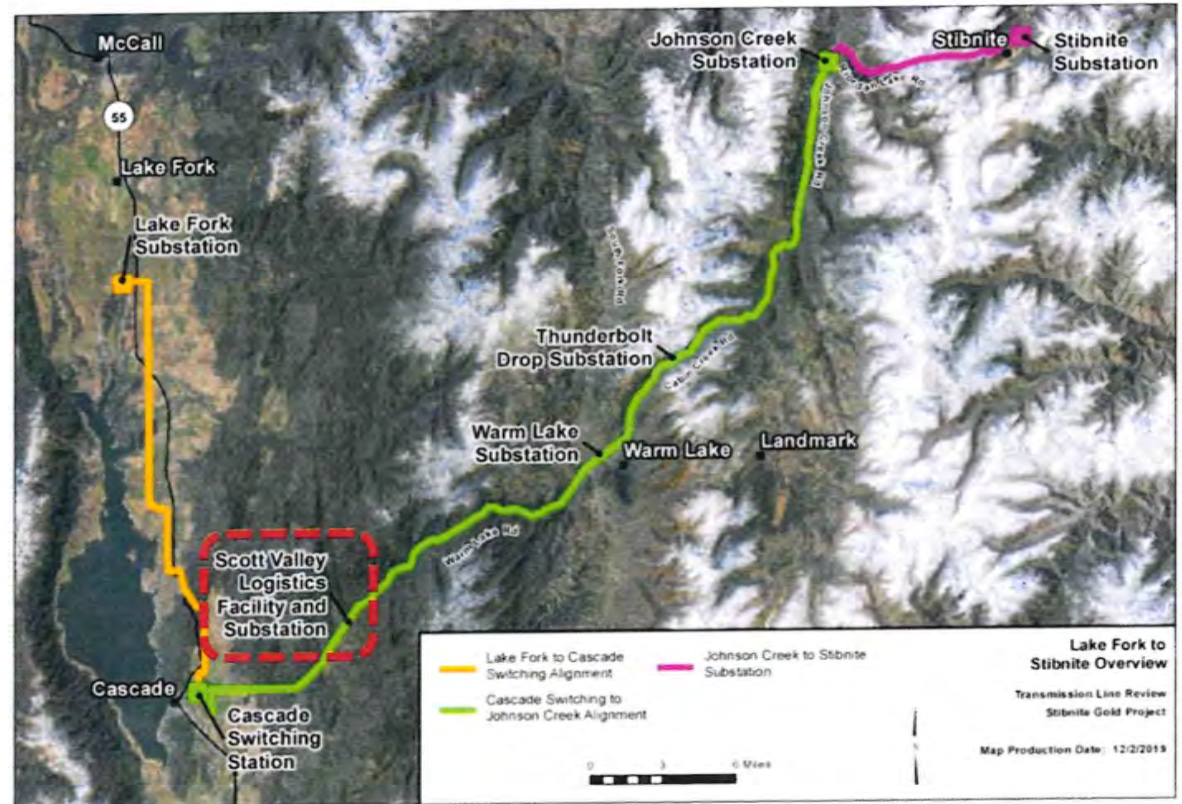
Project Objective

- ✓ Increase electrical capacity for Valley County and the Stibnite Gold Project.
- ✓ Reinforce the electrical system.
- ✓ Improve reliability and resiliency.
- ✓ Minimize impacts to the surrounding area through siting and station design.
- ✓ 100% funded by Perpetua Resources.

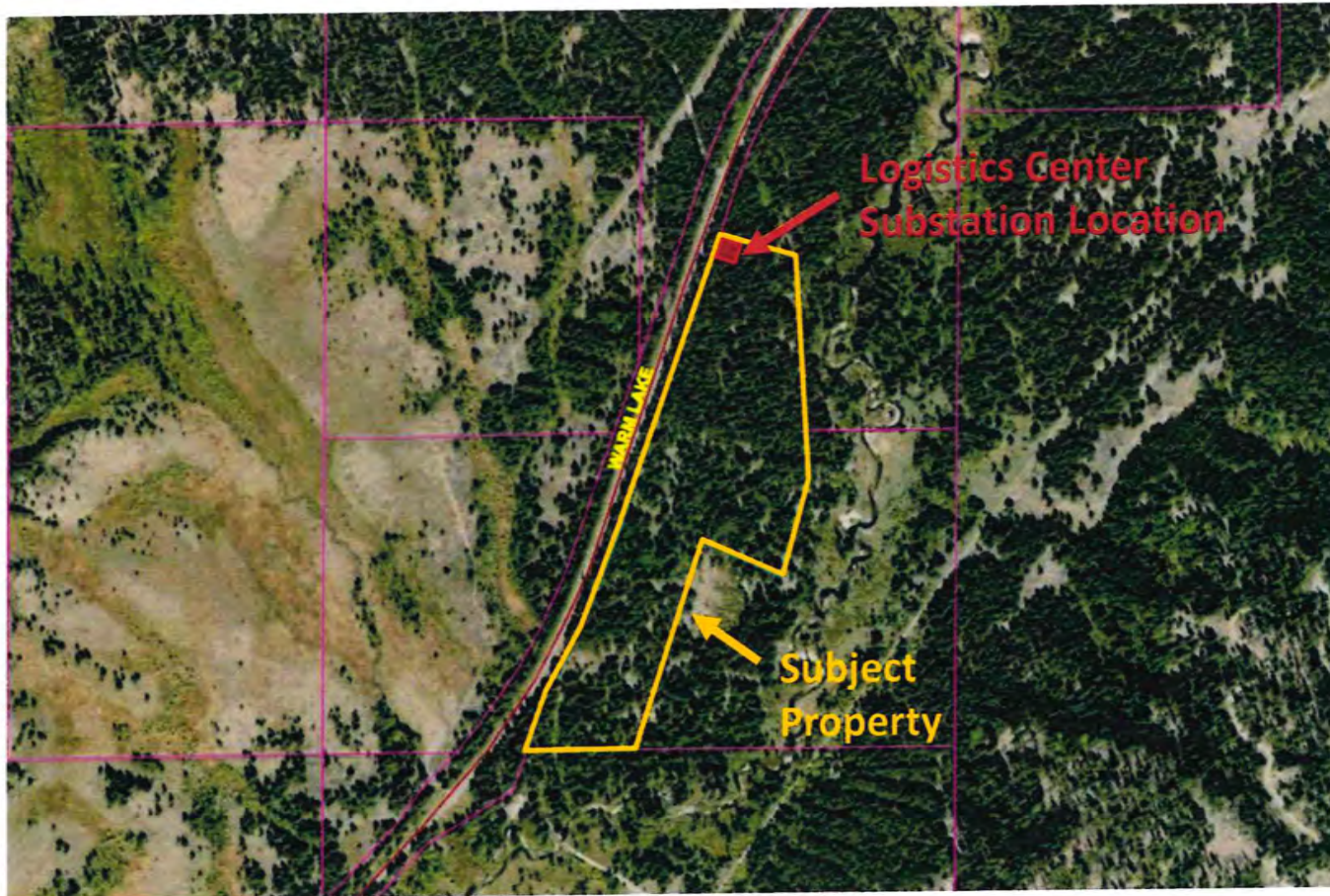


Project Area

- Located along Line 328 for easy connections into grid.
- Located to most effectively serve Stibnite Gold Project needs.
- Located more than 8 miles from scenic highway corridor.
- Appropriately-sized 0.5-acre portion of a 25-acre parcel.

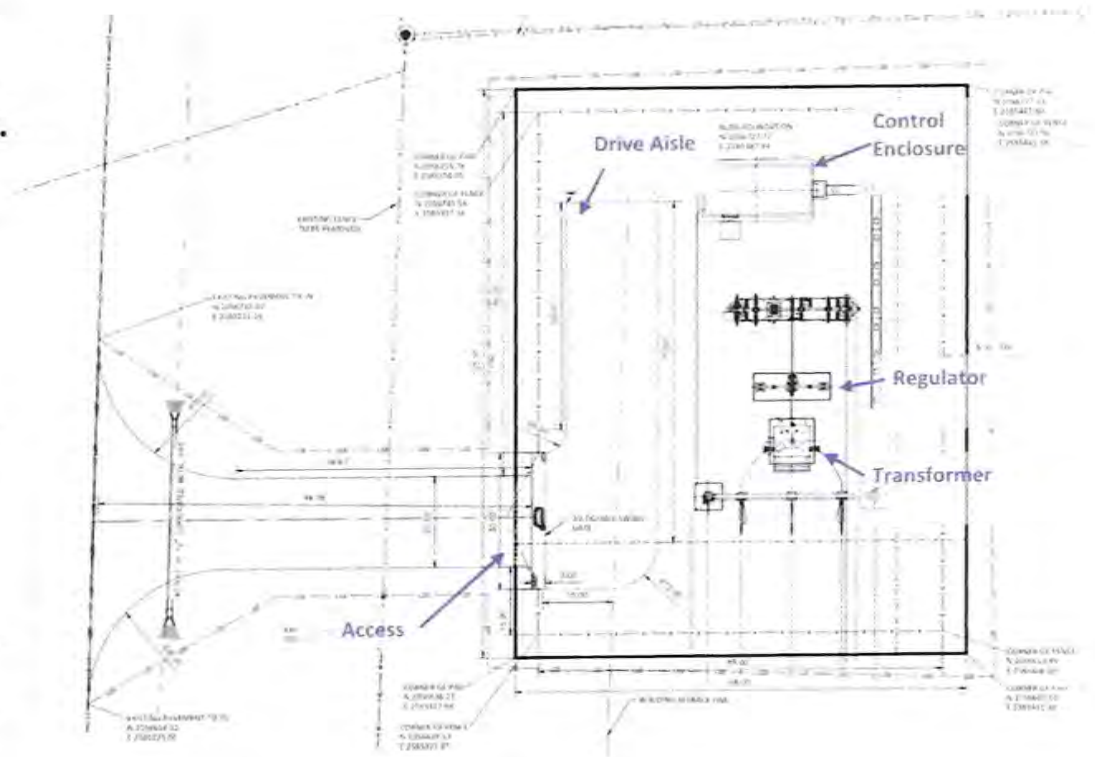


Project Location



Project Features

- Retention of existing lodgepole pine for landscaping/screening along Warm Lake Road and neighboring parcel to the north.
- 8-ft tall chain-link perimeter fence with one 30-ft gate.
- One transformer to serve two (2) distribution feeders for customers. One voltage regulator, breaker, and two (2) reclosers to manage power flows.
- 18-ft by 12-ft modular control enclosure.
- Station driveway and yard will be gravel.
- Station will be secured from public entry.



Standards Evaluation

- ✓ This location is most suitable in terms of acquisition, adjacent land uses, electrical system connections, and minimal impacts.
- ✓ With requested minor modifications to the conditions of approval, the substation has been designed to be compatible with zoning and setback standards, and site-obscuring methods have been taken to reduce visual impacts.
- ✓ No undesirable effects such as odors, fumes, vibrations, or noise during operations.
- ✓ No undo impacts to adjacent properties, traffic, wetlands, habitats, vegetation or water.

Conditions Evaluation

- ✓ Idaho Power will meet all Conditions of the permit in the Staff Report.
- ✓ Idaho Power requests the following condition modifications:
 - Condition #4 (establish use) be changed from 1 year to 3 years:
 - *The CUP approval is necessary right now to complete the purchase process.*
 - *Construction planned to start in 2027 and will require almost a year to complete several complex steps.*
 - *Idaho Power expects to have this station operating by Early 2028.*
 - Condition #17 (fencing) be changed to allow a maximum fence height of 8' within the setbacks or seek a variance from the Board of County Commissioners:
 - *The National Electric Safety Code (NESC) Rule 110.A.1 requires a minimum fence height of 7'.*
 - *IPC Specification 95-120 requires a minimum fence height of 7' plus 1' of barbed wire stranding located on top of or inside of the fence.*

CUP 25-020 Public Hearing

Stibnite Substation



September 11, 2025

Leon Letson



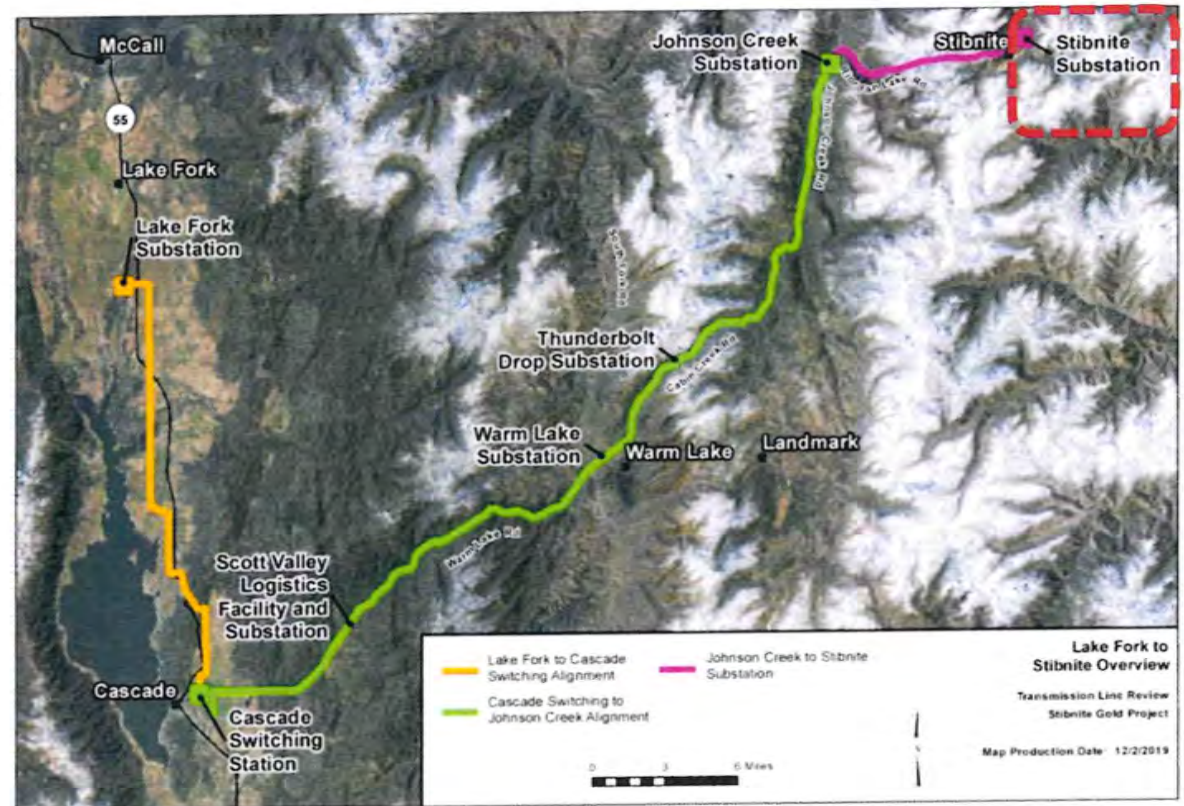
Project Objective

- ✓ Increase electrical capacity for Valley County and the Stibnite Gold Project.
- ✓ Reinforce the electrical system.
- ✓ Improve reliability and resiliency.
- ✓ Minimize impacts to the surrounding area through siting and station design.
- ✓ 100% funded by the developers of the Stibnite Gold Project.

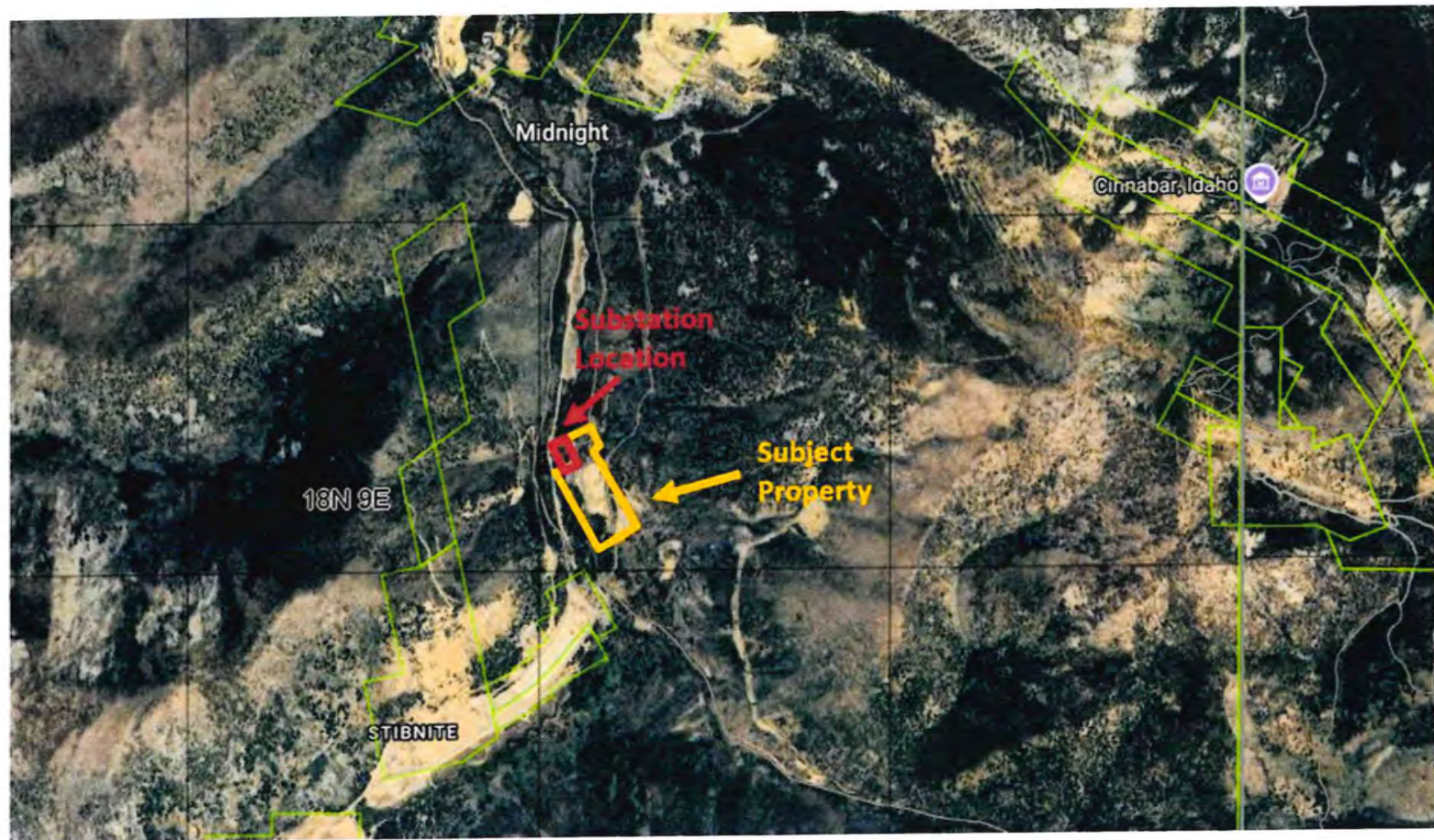


Project Area

- Located along Line 328 for easy connections into grid.
- Located to most effectively serve Stibnite Gold project needs.
- Located more than 8 miles from scenic highway corridor.
- Appropriately-sized 4-acre portion of a 54-acre parcel.

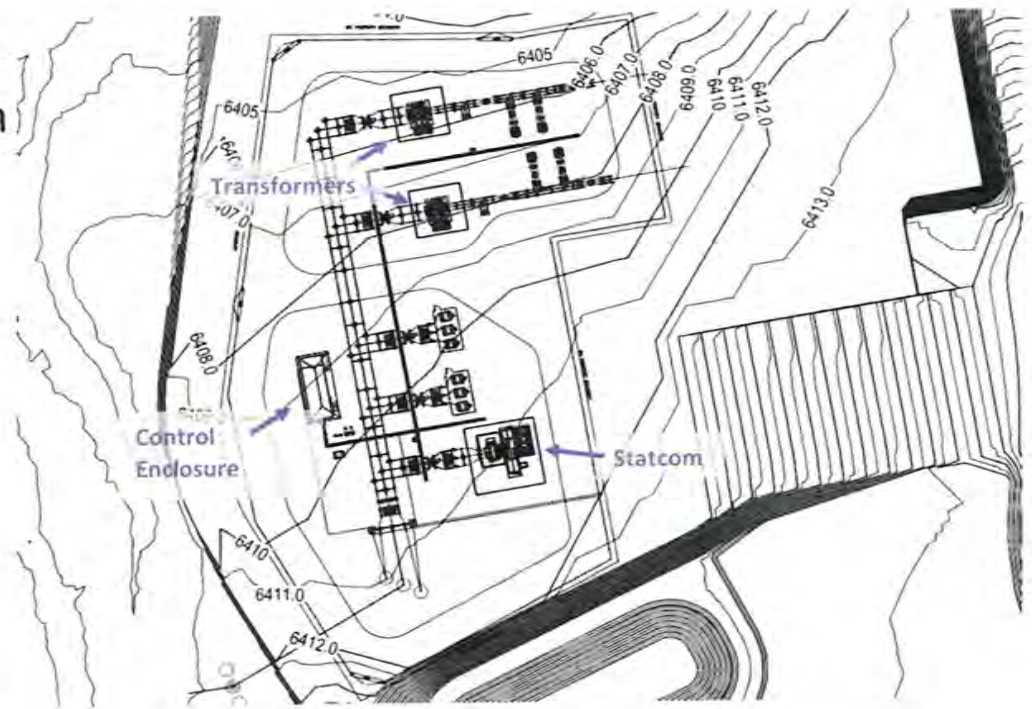


Project Location



Project Features

- Retention of existing lodgepole pine for landscaping/screening along Stibnite Road and 8-ft tall chain-link perimeter fence with four (4) 30-ft gates.
- Two (2) transformers to connect distribution feeders for customers. Five (5) breakers and other apparatus to manage power flows.
- 60-ft by 20-ft concrete masonry control enclosure.
- Station driveway and yard will be gravel.
- Station will be secured from public entry.



Standards Evaluation

- ✓ This location is most suitable in terms of acquisition, adjacent land uses, electrical system connections, and minimal impacts (this property has been previously disturbed).
- ✓ With requested minor modifications to the conditions of approval, the substation has been designed to be compatible with zoning and setback standards, and site-obscuring methods have been taken to reduce visual impacts.
- ✓ No undesirable effects such as odors, fumes, vibrations, or noise during operations.
- ✓ No undo impacts to adjacent properties, traffic, wetlands, habitats, vegetation or water.

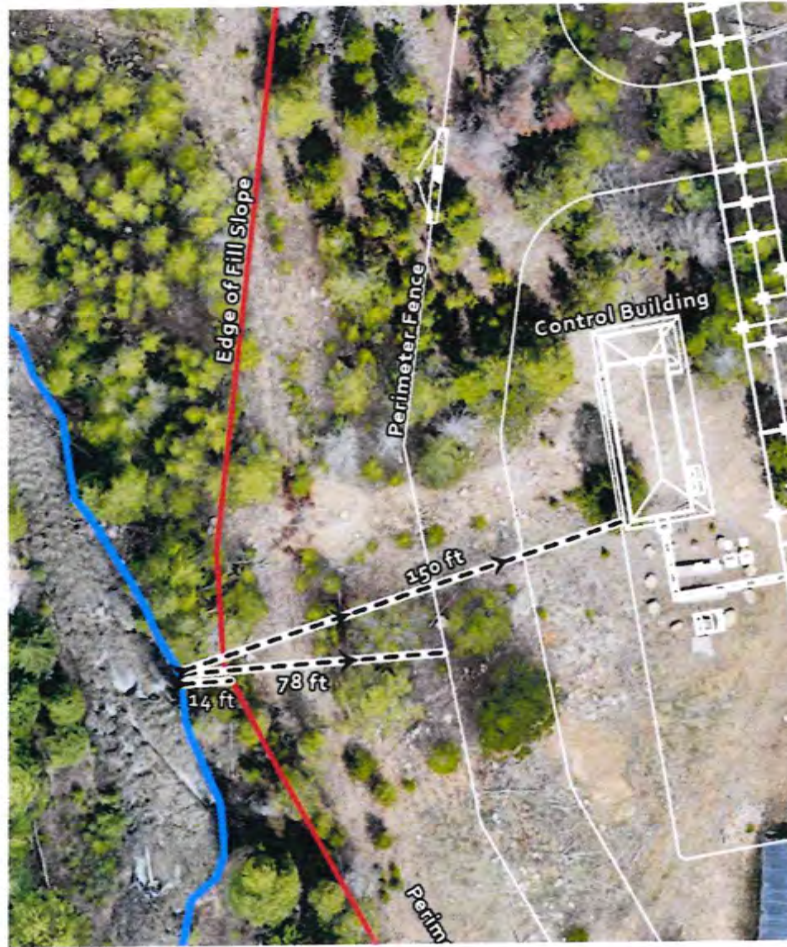
Conditions Evaluation

- ✓ Idaho Power will meet all Conditions of the permit in the Staff Report.
- ✓ Idaho Power requests the following condition modifications:
 - Condition #4 (established use) be changed from 1 year to 3 years:
 - *The CUP approval is necessary right now to complete the purchase process.*
 - *Construction planned to start in 2027 and will require almost a year to complete several complex steps.*
 - *Idaho Power expects to have this station operating by early 2028.*
 - Condition #17 (fencing) be changed to allow a maximum fence height of 8' within the setbacks or seek a variance from the Board of County Commissioners:
 - *The National Electric Safety Code (NESC) Rule 110.A.1 requires a minimum fence height of 7'.*
 - *IPC Specification 95-120 requires a minimum fence height of 7' plus 1' of barbed wire stranding located on top of or inside of the fence.*

BACKUP SLIDES AS NEEDED...



Project Location



Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

STAFF REPORT: C.U.P. 25-018 Idaho Power Cascade Switching Station
HEARING DATE: September 11, 2025
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director
APPLICANT: Idaho Power Company, ATTN Jeff Maffuccio
PO Box 70, Boise, ID 83707
PROPERTY OWNER: Davis Cattle Company Inc
19 Warm Lake Highway, Cascade ID 83611
LOCATION: South of Warm Lake Road – A 5.5-acre portion of parcel
RP14N03E250005 located in the NENE Section 25, T.14N, R.3E,
Boise Meridian, Valley County, Idaho
SIZE: Approximately 5.5-acres of a 112.34-acre parcel
REQUEST: Electric Switching Station
EXISTING LAND USE: Agricultural (Irrigated Pasture and Meadow)

Idaho Power Company is requesting a conditional use permit for an electrical switching station. The proposal includes:

- a transformer,
- breakers,
- a 65-ft x 27-ft concrete masonry control building,
- microwave tower, and
- a 7-ft tall perimeter chain-link fence

The switching station would be located over 2,500 feet from Highway 55 and enclosed with a chain-link fence approximately 20 feet south of Warm Lake Road.

The Cascade Switching Station would connect the upgraded transmission line from Lake Fork and provide 138kV transmission service to the Stibnite mine site. The switching station would connect with the Cascade Generation Facility while providing additional capacity and stability to the overall electrical system.

Any operational noises would not exceed 65dB per the Code of Federal Registry Section 24. The design includes open gravel areas for safety and to minimize spread of fire and heat.

The landscaping plan includes Canada Red Chokecherry, Arrowleaf Balsamroot, and Autumn Brilliance Serviceberry along the switching station's frontage.

There is an irrigation ditch and drainage easement within the larger parcel. Staff is unclear of the status of the Drainage Easement recorded as instrument # 201673.

Access would be from two 30-ft wide gates along the south side of Warm Lake Road.

FINDINGS:

1. The application was submitted on July 24, 2025.
2. Legal notice was posted in the *Star News* on August 21, 2025, and July 31, 24, 2025. Potentially affected agencies were notified on August 12, 2025. Neighbors within 300 feet of the property line were notified by fact sheet sent August 13, 2025. The site was posted on August 21, 2025. The notice and application were posted online at www.co.valley.id.us on August 12, 2025.
3. Agency comment received:

Emily Hart, McCall Airport Manager, had no comments. (August 21, 2025)

Steve Hull, Cascade Fire Chief, stated the application addresses ground fuel mitigation and adequate access to comply with Cascade Rural Fire Protection District standards. Additional comments are not needed for this application. (August 28, 2025)
4. Public comment received: none
5. Physical characteristics of the site: relatively flat, sagebrush-covered
6. The surrounding land use and zoning includes:
North: Warm Lake Road; Agricultural with Home Site
South: Agricultural (Irrigated Grazing / Meadow)
East: Agricultural (Irrigated Grazing)
West: Agricultural; City of Cascade boundary [Agricultural with Home, Granite Excavation, and Cell Tower.
7. Valley County Code (Title 9) in Table 9-3-1. This proposal is categorized under:
 - 3 Civic or Community Service Uses (j) public utility supply, transfer, or relay facilities including administration

Review of Title 9 - Chapter 5 Conditional Uses should be done.

9-5-3: STANDARDS:

The provisions of this chapter shall apply to the various buildings and uses designated herein as conditional uses.

B. Setbacks:

1. Structures Exceeding Three Feet In Height: The setbacks for all structures exceeding three feet (3') in height are specified herein under the site and development standards for the specific use.
2. Highway 55: All structures shall be set back one hundred feet (100') from the right of way line of Highway 55 unless a more restrictive setback is required within other sections of this title.
3. High Water Line: All residential buildings shall be set back at least thirty feet (30') from high water

lines. All other buildings shall be set back at least one hundred feet (100') from high water lines.

4. Front Yards: Front yards shall be determined by the structure establishing the principal use on the property and the location of the access street or road.
5. Encroachment On Yards: No other structure may encroach on the yards determined for the structure establishing principal use.
6. Measurement: All building setbacks shall be measured horizontally, on a perpendicular to the property line, to the nearest corner or face of the building including eaves, projections, or overhangs.

9-5A SITE IMPROVEMENTS

9-5A-1: GRADING:

- A. Permit Required: Grading to prepare a site for a conditional use or grading, vegetation removal, construction or other activity that has any impact on the subject land or on adjoining properties is a conditional use. A conditional use permit is required prior to the start of such an activity.
- D. Wetlands: Grading or disturbance of wetlands is subject to approval of the U.S. corps of engineers under the federal clean water act. The federal permit, if required, shall be part of the conditional use permit.
- E. Site Grading Plan:
 1. The conditional use permit application shall include a site grading plan, or preliminary site grading plan for subdivisions, clearly showing the existing site topography and the proposed final grades with elevations or contour lines and specifications for materials and their placement as necessary to complete the work. The plan shall demonstrate compliance with best management practices for surface water management for permanent management and the methods that will be used during construction to control or prevent the erosion, mass movement, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development. The plan shall be subject to review of the county engineer and the soil conservation district. The information received from the county engineer, the soil conservation district, and other agencies regarding the site grading plan shall be considered by the planning and zoning commission and/or the board of county commissioners in preparing the conditions of approval or reasons for denial of the applications.
- F. Land Surfaces Not Used For Roads, Buildings And Parking: All land surfaces not used for roads, buildings and parking shall be covered either by natural vegetation, other natural and undisturbed open space, or landscaping.
- G. Stormwater Management Plan: Prior to issuance of building permits, the administrator must receive a certification from the developer's engineer verifying that the stormwater management plan has been implemented according to approved plans.

9-5A-2: ROADS AND DRIVEWAYS:

- B. Access Roads Or Driveways: Residential developments, civic or community service uses, and commercial uses shall have at least two (2) access roads or driveways to a public street wherever practicable.

9-5A-4: LANDSCAPING:

- A. Purpose And General Regulations:
 3. General Regulations
 - d. Strip, Excavate, Remove Topsoil Or Berm Up Soil On Site: No person, firm or corporation shall strip, excavate or remove topsoil nor shall they berm up soil on a site, except to accommodate an approved building, building addition or facilitate necessary and approved site improvements. These changes must be part of the approved site grading and stormwater management plan. This subsection does not apply to sites where permitted uses exist or are proposed.
 - f. Use Of Landscaped Areas: Landscaped areas shall not be used for parking of vehicles, display of merchandise or other uses detrimental to the landscaping.

4. Maintenance:
 - a. Responsibility For Maintenance: The landscape areas on site, as well as in the right of way, shall be maintained by the owner or owner's association (should the property be subdivided) or the lessee of the site. Any areas designated and intended for the purposes of on site water retention shall be maintained and reserved for that specific purpose. Any alteration or deterioration of those areas shall be considered a violation of this title and any applicable ordinance.
 - b. Replacement Of Plant Material: Any plant material that does not survive shall be replaced within thirty (30) days of its demise.
 - c. Removal Or Destruction Of Landscape Material: The removal or destruction of landscape material previously approved by the county shall constitute a violation of this title. Replacement of landscape material shall be of like size as that which was removed or destroyed.
 - d. Maintained In Accordance With Site and/or Landscape Plan: Landscaping, irrigation systems, walls, screening devices, curbing and lighting shall be reasonably maintained in accordance with the approved site and/or landscape plan. Plant material shall not be severely pruned such that the natural growth pattern or characteristic forms are significantly altered.
 - e. Modification and/or Removal Of Existing Landscaping: Modifications and/or removal of existing landscaping shall require prior approval.
 - f. Lack Of Maintenance: The lack of maintenance shall constitute a violation of this title.
 - g. Sight Obscuring Landscape Features: Sight obscuring landscape features such as hedges shall be maintained in such a manner that vision necessary for safe operation of motor vehicles or bicycles along or entering public roadways is not obstructed.
- B. Landscaping; Standards Of Design:
 1. Minimum Requirements: Each site to be developed under a conditional use permit shall be required to provide landscape areas equal to or exceeding the following minimum amounts:
 - b. Service/Commercial Use: Each site for proposed service/commercial use shall have a minimum of fifteen percent (15%) of the net site/lot area in landscaping.
 - d. Additional Landscaping: In addition to the minimum on site landscaping, there shall be landscaping in the entire area of the right of way, between street property line and back of street curb, road, back slope, or fill slope, except for approved driveways, walkways, bike paths, and snow storage areas.
 4. Use Adjacent To Single-Family Residential Development: Where multi-family, commercial, office or industrial uses are adjacent to or separated by an alley or lesser separation from a single-family residential development, such trees shall be planted at ten feet (10') on center, with every other tree being a minimum twenty four inch (24") box size.
 5. Commercial, Office Or Industrial Use Adjacent To Residence: Where a commercial, office or industrial user of over fifty thousand (50,000) square feet building area is located adjacent to a residence, the landscape buffer described in subsection B3 of this section shall be increased to fifteen feet (15') (adjacent to that user), with two (2) rows of trees along the interior side of the property line. Each row is to contain minimum fifteen (15) gallon trees spaced fifteen feet (15') on center, staggered for maximum effect in buffering the two (2) uses.
 6. Criteria For Trees Along Street Frontage: Trees shall be required along all street frontages according to the following criteria:
 - a. A minimum of one tree shall be planted for every twenty five feet (25') of linear street frontage. The trees may be grouped or planted in groves;
 - b. Fifty percent (50%) shall be twenty four inch (24") box size or larger with the balance being minimum fifteen (15) gallon size;
 - c. The trees selected shall be compatible with the overall site and landscape plan as well as adjacent sites.
 7. Standard Tree Planting Detail: All trees shall be planted and staked in accordance with the "Standard Tree Planting Detail" diagram in section 9-5-4 of this chapter. Plant sizes to be in accordance with Nurseryman Association standards.
 8. On Site Water Retention Areas: All on site water retention areas, other than paved surfaces, shall be entirely landscaped and shall comply with the following criteria:

- a. The retention areas shall not occupy more than sixty seven percent (67%) of the on site street frontage landscape area;
- b. All retention areas shall maintain slopes no steeper than three to one (3:1).
- 9. Mounding And Berming: All mounding and berming shall have slopes no steeper than three to one (3:1).
- 10. Ground Cover: A minimum of fifty percent (50%) of the landscaped areas is to be planted with vegetative ground cover. Minimum size and spacing to be one gallon size plants at a maximum three feet (3') on center.
- 11. Landscape Designs: Landscape designs shall be compatible with adjacent properties. Selected stock shall be especially suited for this climate or shall be from native stock.

9-5A-5: FENCING:

- A. Substituted For Planting Screens: Fencing may be substituted for planting screens subject to the approval of the staff and the commission.
- B. Separation Or Screening: Fencing shall be installed to provide separation or screening as specified in the site or development standards for the specific use. A sight obscuring fence required by the commission for any conditional use shall be stained or painted a single solid color, shall not be used for advertising, and shall be maintained in good repair.
- E. Construction And Materials: Fence construction and materials shall be in accordance with commonly accepted good practices to produce a neat appearing durable fence. The location, height, and materials used for constructing a fence shall be approved by the commission and specified in the conditional use permit. Fences required for any conditional use shall be maintained in good repair.
- F. Conditional Use Adjoins Agricultural Uses: Where a conditional use adjoins an agricultural use where animal grazing is known to occur for more than thirty (30) consecutive days per year, the permittee shall cause a fence to be constructed so as to prevent the animals from entering the use area. The permittee shall provide for the maintenance of said fence through covenants, association documents, agreement(s) with the adjoining owner(s), or other form acceptable to the commission prior to approval of the permit so that there is reasonable assurance that the fence will be maintained in functional condition so long as the conflicting uses continue.
- G. Obstruction Of Vision: Sight obscuring fences, hedges, walls, latticework, or screens shall not be constructed in such a manner that vision necessary for safe operation of motor vehicles or bicycles on or entering public roadways is obstructed.

9-5B PERFORMANCE STANDARDS

9-5B-1: NOISE:

- A. Commercial Or Industrial Activity: The noise emanating from any commercial or industrial activity shall be muffled so as not to become objectionable due to intermittent beat, frequency or shrillness, and shall not exceed forty (40) decibels between the hours of seven o'clock (7:00) P.M. and seven o'clock (7:00) A.M., and sixty (60) decibels at other hours at the property line if adjacent uses are not the same.

9-5B-2: LIGHTING:

9-5B-3: ELECTRICAL INTERFERENCE:

Provisions must be made for necessary shielding or other preventive measures against interferences occasioned by mechanical, electrical, electronic, and nuclear equipment, uses or processes with electrical apparatus in nearby buildings or land uses.

9-5B-4: EMISSIONS:

- A. Obnoxious Odors; Toxic Or Corrosive Fumes Or Gases: The emission of obnoxious odors of any kind shall not be permitted, nor the emission of any toxic or corrosive fumes or gases.
- B. Dust: Dust created by an industrial, commercial, or recreational operation shall not be exhausted or wasted into the air. All operations shall be subject to the standards in appendix C, fugitive dust 1. State air quality permits, when required, may be a condition of approval of the conditional use permit or may be required to be a part of the conditional use permit at the discretion of the commission.

9-5B-5: DUST:

- A. Minimization Required: Dust and other types of air pollution borne by the wind from such sources as storage areas and roads, shall be minimized by appropriate landscaping, paving, oiling, watering on a scheduled basis, or other acceptable means.

- B. Created By Approved Operation: Dust created by any approved operation shall not be exhausted or wasted into the air. The standards in appendix C, fugitive dust 1 along with state air quality permits, when required, may be a condition of approval of the conditional use permit or may be required to be a part of the conditional use permit at the discretion of the commission.

9-5B-6: OPEN STORAGE:

All storage shall be located within an area not closer than twenty feet (20') from the street right of way line and shall be enclosed with a heavy wire or board fence not less than six feet (6') high, or by plantings the same height. Lumber, coal, or other combustible material will be fully accessible to firetrucks at all times. Open storage of toxic or hazardous materials shall not be allowed.

9-5B-7: FIRE PROTECTION:

Provisions must be made to implement prefire activities that may help improve the survivability of people and homes in areas prone to wildfire. Activities may include vegetation management around the home, use of fire resistant building materials, appropriate subdivision design, removal of fuel, providing a water source, and other measures. Recommendations of the applicable fire district will be considered.

9-5D CIVIC OR COMMUNITY SERVICE USES

9-5D-1: - SITE OR DEVELOPMENT STANDARDS:

Civic or community service uses shall meet the following site or development standards:

A. Minimum Lot Areas:

1. Hospitals, sanatoriums, retirement homes, government administration buildings, cemeteries, and similar uses shall be located on lots or parcels of minimum area as computed from subsection 9-5-3A2 of this chapter but shall not be less than one acre.
2. Sanitary landfills for solid waste disposal sites shall be in accordance with federal and state standards and not be less than five (5) acres. Central sewage treatment facility sites shall not be less than two (2) acres. This minimum area does not apply to undesignated sewage treatment facilities.
3. Other uses in this category shall occur on sites of an area sufficient to accommodate the use, associated activities or uses, and to adequately contain adverse impacts.
4. Frontage along a public or private road shall not be less than seventy five feet (75').

B. Minimum Setbacks:

1. The minimum building setbacks shall be fifty feet (50') from front, rear, and side street property lines and thirty feet (30') from side property lines except the minimum setbacks for cemeteries shall be thirty feet (30') from front and side street property lines, ten feet (10') from side property lines and fifteen feet (15') from rear property lines. Central sewage treatment facilities shall be set back at least one hundred feet (100') from any property line.

C. Maximum Building Heights And Floor Area:

1. Building heights shall not exceed thirty five feet (35') above the lower of the existing or finished grade. The building size or floor area may not exceed the limitations of subsections 9-5-3A and C of this chapter.
2. No structure or combination of structures may cover more than forty percent (40%) of the lot.

D. Site Improvements: Parking spaces shall be provided at the rate of one per two hundred fifty (250) square feet of floor area as applicable where buildings are a part of the use or as determined by the commission.

SUMMARY:

Staff's compatibility rating is a +15.

The Planning and Zoning Commission should do their own compatibility rating prior to the meeting (form with directions attached).

STAFF COMMENTS / QUESTIONS:

1. This site is within the Cascade Fire District and Water District 65; it is not within a herd district. There is an irrigation ditch and drainage easement within the property.
2. RP14N03E250005 was created on August 14, 2008, instrument numbers 334103 and 334104. Parent parcel RP14N03E250001 was split into RP14N03E250005 and RP14N03E290005. Therefore, the parcel is not eligible for a simple split. However, a lot-line adjustment can be done. Davis Cattle Company would deed a portion of the parcel to Idaho Power. Then Davis Cattle Company would combine the remaining piece (approximately 106.8 acres) with an adjoining parcel that the Company owns.
3. Warm Lake Road is a prescribed easement at this location.
4. Landscaping should include visual screening on all perimeters. Landscaping is currently proposed between the facility and Warm Lake Highway; it should be on the sides for the view corridor from the east and west, and south for screening from the residential uses across the pasture in the city.
5. Minimum setbacks are 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines of the ditch and stream. Fences over 6-ft tall cannot be constructed within the setback area; therefore, the setback would be 50' from the northern property line. Landscaping can be placed between the fence and Warm Lake Highway.
6. Should gates be farther from Warm Lake Highway, at the fence line, to accommodate vehicles pulling off the highway and allowing for gates to open?

Question to P&Z Commission:

1. Does this use meet the minimum standards in Title 9, Chapter 5, of the Valley County Code in regard to frontage, lot size, etc.? If not, which ones does it not comply with?
2. Would impacts be properly mitigated? If not, which impacts would not be mitigated?
3. If not approved, what could the applicant do to gain approval?

Standards of Approval:

1. Will the application result in an increase in value of private property? VCC 9-5-2(B)(3).
2. Will the approval of the application result in an undue adverse impact on the environment? VCC 9-5-2(B)(3).
3. Will the approval of the application result in an undue adverse impact on adjoining properties? VCC 9-5-2(B)(3).
4. Will the approval of the application result in an undue adverse impact on governmental services? VCC 9-5-2(B)(3).
5. Is the application consistent with the Valley County Comprehensive Plan? VCC 9-5-2(B)(3).
6. Conditional uses may be approved only after a C.U.P. has been evaluated to determine that the impacts can be mitigated through conformance with conditions of approval. VCC 9-5-2(A).

These six standards should be a significant focus of attention during the public hearing and deliberations because they need to be resolved in order to justify approval. VCC 9-5-1(C) directs the decision-making body to encourage conditional uses where noncompatible aspects of the application can be satisfactorily mitigated through development agreements for the costs to service providers and impacts to surrounding land uses. Because mitigation measures are a requirement of approval the applicant needs to understand that he/she will be required to perform some off-site improvements. They are not mandatory but without them the application cannot satisfy the mitigation of impacts requirement and would be denied under the ordinance.

ATTACHMENTS:

- Proposed Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Location Map
- Aerial Map
- Assessor's Plat – T.14N R.3E Sec. 25
- Google Maps View of Area, 2024
- Google Street View, August 2024
- Wetland Map
- Pictures Taken Augst 21, 2025
- Site Plan
- Responses

Proposed Conditions of Approval

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
4. The use shall be established within one year, or a permit extension will be required.
5. All lighting must comply with the Valley County Lighting Ordinance. All lights shall be fully shielded so that there is not upward or horizontal projection of lights.
6. All noxious weeds on the property must be controlled.
7. A wetland delineation shall be completed by a qualified professional.
8. Must have a stormwater management plan and site grading plan approved by the Valley County Engineer prior to doing any dirt work on-site.
9. Must comply with requirements of the Cascade Fire District.
10. Shall obtain a sign permit prior to installation of any sign.

11. Snow must be stored on-site.
12. The site must be kept in a neat and orderly manner.
13. Shall clearly post the physical address at the driveway entrance.
14. Noise shall be kept to a minimum between 10:00 p.m. and 7:00 a.m.
15. A building permit is required for the control building.
16. Building permits will be required for any fencing over 6-ft in height.
17. Minimum setbacks are 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines of the ditch and stream. Fences over 6-ft tall cannot be constructed within the setback area.
18. Landscaping shall be installed prior to November 1, 2027. If landscaping dies, it must be replaced.
19. A minimum of one tree should be maintained for every 25 feet of linear street frontage along the property line. The trees may be grouped or planted in groves.
20. Landscaping is required along all sides of the perimeter.
21. A Development Agreement is required for mitigation of off-site impacts. The applicant shall work with Valley County Road Department on an agreement for off-site infrastructure improvements that will be approved by the Board of County Commissioners. This may include dedication of road right-of-way along Warm Lake Road.

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use: _____

Prepared by: _____

YES/NO X Response
Value

Use Matrix Values:

(+2/-2) _____ X 4 _____

1. Is the proposed use compatible with the dominant adjacent land use?

(+2/-2) _____ X 2 _____

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

(+2/-2) _____ X 1 _____

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) _____ X 3 _____

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

(+2/-2) _____ X 1 _____

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

(+2/-2) _____ X 2 _____

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

(+2/-2) _____ X 2 _____

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

(+2/-2) _____ X 2 _____

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

(+2/-2) _____ X 2 _____

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Sub-Total (+) _____

Sub-Total (--) _____

Total Score _____

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

9-11-1: APPENDIX A, COMPATIBILITY EVALUATION:

- A. General: One of the primary functions of traditional zoning is to classify land uses so that those which are not fully compatible or congruous can be geographically separated from each other. The county has opted to substitute traditional zoning with a multiple use concept in which there is no separation of land uses. Proposed incompatible uses may adversely affect existing uses, people, or lands in numerous ways: noise, odors, creation of hazards, view, water contamination, loss of needed or desired resources, property values, or infringe on a desired lifestyle. To ensure that the county can continue to grow and develop without causing such land use problems and conflicts, a mechanism designed to identify and discourage land use proposals which will be incompatible at particular locations has been devised. The compatibility evaluation of all conditional uses also provides for evaluations in a manner which is both systematic and consistent.
- B. Purpose; Use:
1. The compatibility rating is to be used as a tool to assist in the determination of compatibility. The compatibility rating is not the sole deciding factor in the approval or denial of any application.
 2. Staff prepares a preliminary compatibility rating for conditional use permits, except for conditional use permits for PUDs. The commission reviews the compatibility rating and may change any value.
- C. General Evaluation: Completing the compatibility questions and evaluation (form):
1. All evaluations shall be made as objectively as possible by assignment of points for each of a series of questions. Points shall be assigned as follows:
 - Plus 2 - assigned for full compatibility (adjacency encouraged).
 - Plus 1 - assigned for partial compatibility (adjacency not necessarily encouraged).
 - 0 - assigned if not applicable or neutral.
 - Minus 1 - assigned for minimal compatibility (adjacency not discouraged).
 - Minus 2 - assigned for no compatibility (adjacency not acceptable).
 2. Each response value shall be multiplied by some number, which indicates how important that particular response is relative to all the others. Multipliers shall be any of the following:
 - x4 - indicates major relative importance.
 - x3 - indicates above average relative importance.
 - x2 - indicates below average relative importance.
 - x1 - indicates minor relative importance.
- D. Matrix - Questions 1 Through 3: The following matrix shall be utilized, wherever practical, to determine response values for questions one through three (3). Uses classified and listed in the left hand column and across the top of the matrix represent possible proposed, adjacent, or vicinity land uses. Each box indicates the extent of compatibility between any two (2) intersecting uses. These numbers should not be changed from proposal to proposal, except where distinctive uses arise which may present unique compatibility considerations. The commission shall determine whether or not there is a unique consideration.
- E. Terms:
- DOMINANT ADJACENT LAND USE:** Any use which is within three hundred feet (300') of the use boundary being proposed; and
1. Comprises at least one-half (1/2) of the adjacent uses and one-fourth (1/4) of the total adjacent area; or
 2. Where two (2) or more uses compete equally in number and are more frequent than all the other uses, the one with the greatest amount of acreage is the dominant land use; or
 3. In all other situations, no dominant land use exists. When this occurs, the response value shall be zero.
- LOCAL VICINITY:** Land uses within a one to three (3) mile radius. The various uses therein should be identified and averaged to determine the overall use of the land.
- F. Questions 4 Through 9:
1. In determining the response values for questions 4 through 9, the evaluators shall consider the information contained in the application, the goals and objectives of the comprehensive plan, the provisions of this title and related ordinances, information gained from an actual inspection of the site, and information gathered by the staff.
 2. The evaluator or commission shall also consider proposed mitigation of the determined impacts. Adequacy of the mitigation will be a factor.

APPENDIX A

MATRIX FOR RATING QUESTIONS 1, 2, and 3

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
1. AGRICULTURAL	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
2. RESIDENCE, S.F.	+2		+2	+1	+1	+1	+1		+1	+1	-1	+2	+1	-2	+1	+1	+1	+1	-1	+1	+1	-2	-2
3. SUBDIVISION, S.F.	-1	+2		+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+2	+1	-1	+2	+1	-2	-2
4. M.H. or R.V. PARK	-2	+1	+1		+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
5. RESIDENCE, M.F.	-2	+1	+1	+1		+2	+2		+1	+1	-1	+2	+1	-2	+1	+1	+1	+1	-1	+1	+1	-2	-2
6. SUBDIVISION, M.F.	-2	+1	+1	+1	+2		+2		+1	+1	-1	+2	+1	-2	+1	+1	+1	+1	-1	+1	+1	-2	-2
7. P.U.D., RES.	-2	+1	+1	+1	+2	+2			+1	+1	-1	+2	+1	-2	+1	+1	+1	+1	-1	+1	+1	-2	-2
8. REL., EDUC & REHAB	+1	+2	+1	+1	+1	+1	+1		+1	+1	-1	+2	-2	-1	-1	+2	+2	+1	+1	-1	+1	-2	-1
9. FRAT or GOV'T	+1	+1	+1	+1	+1	+1	+1	+1		+1	-1	+2	-2	-1	-1	+1	+1	+1	+1	-1	+1	-2	-2
10. PUBLIC UTIL. (1A-3.1)	+1	-1	-1	-1	-1	-1	-1	+1	+1		+1	+	-1	+1	+1	+1	-1	+1	+1	+1	+1	+2	+2
11. PUBLIC REC	+1	+2	+2	+2	+2	+2	+2	-1	-1	+1		+2	-1	+1	+1	+1	+2	+1	+1	+1	+1	-1	+1
12. CEMETERY	+2	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2		+1	+1	+1	+1	+1	+1	+1	+1	+2	+1	+1
13. LANDELL or SWR. PLANT	+1	-2	-2	-2	-2	-2	-2	-2	-2	-1	-1	+1		-1	-1	-2	-2	-2	-2	-1	+2	+2	+2
14. PRIV. REC. (PER)	+1	+1	+1	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1		+1	+1	+1	+2	+1	+2	+2	-1	+1
15. PRIV. REC. (CON)	-1	-1	-1	-1	-1	-1	-1	-1	-1	+1	+1	+1	-1	+1		-2	-2	-1	-2	-2	+2	-1	+1
16. NEIGHBORHOOD BUS.	-1	+1	+1	+1	+1	+1	+1	+2	+1	+1	+1	+1	-2	+1	-2		+1	+2	+2	+1	+2	-1	-1
17. RESIDENCE BUS.	+2	+2	+2	+1	+1	+1	+1	+2	+1	-1	+2	+1	-2	+1	-2	+1		+1	+1	+1	+1	-2	-2
18. SERV. BUS.	-1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+1		+2	+2		+1	+1
19. AREA BUS.	-2	-1	-1	-1	-1	-1	-1	+1	+1	+1	+1	+1	-2	+1	-2	+2	-1	+2		+1	+2	-2	-2
20. REC. BUS.	-2	+2	+2	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1	+2	-2	+1	+1	+2	+1		+2	-2	+1
21. LIGHT IND.	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+2	+2	+2	+2		+1	+1
22. HEAVY IND.	+2	-2	-2	-2	-2	-2	-2	-2	-2	+2	-1	+1	+2	-1	-1	-1	-1	-2	-1	-2	+1		+2
23. EXTR. IND.	+2	-2	-2	-2	-2	-2	-2	-1	-2	+2	+1	+1	+2	+1	+1	-1	-1	-2	-1	-2	+1	+1	+2

RATE THE SOLID SQUARES AS +2

Compatibility Questions and Evaluation

Matrix Line # / Use: #10

Prepared by: CH

YES/NO X Response Value

Use Matrix Values:

(+2/-2) +1 X 4 +4

1. Is the proposed use compatible with the dominant adjacent land use?

Agricultural

(+2/-2) +1 X 2 +2

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

to not - Commercial

(+2/-2) +1 X 1 +1

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

1 & 2 with s.f. residential

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) -1 X 3 -3

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

Large enough, but no trees.

(+2/-2) -1 X 1 -1

5. *Flat land. (Landscaping Proposed)*

Is the size or scale of proposed lots and/or structures similar to adjacent ones?

No, larger.

(+2/-2) +1 X 2 +2

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

Will be very little traffic.

(+2/-2) +1 X 2 +2

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

Yes, some "white" noise

(+2/-2) +2 X 2 +4

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

Will provide a service

(+2/-2) +2 X 2 +4

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Will ↑ tax revenues

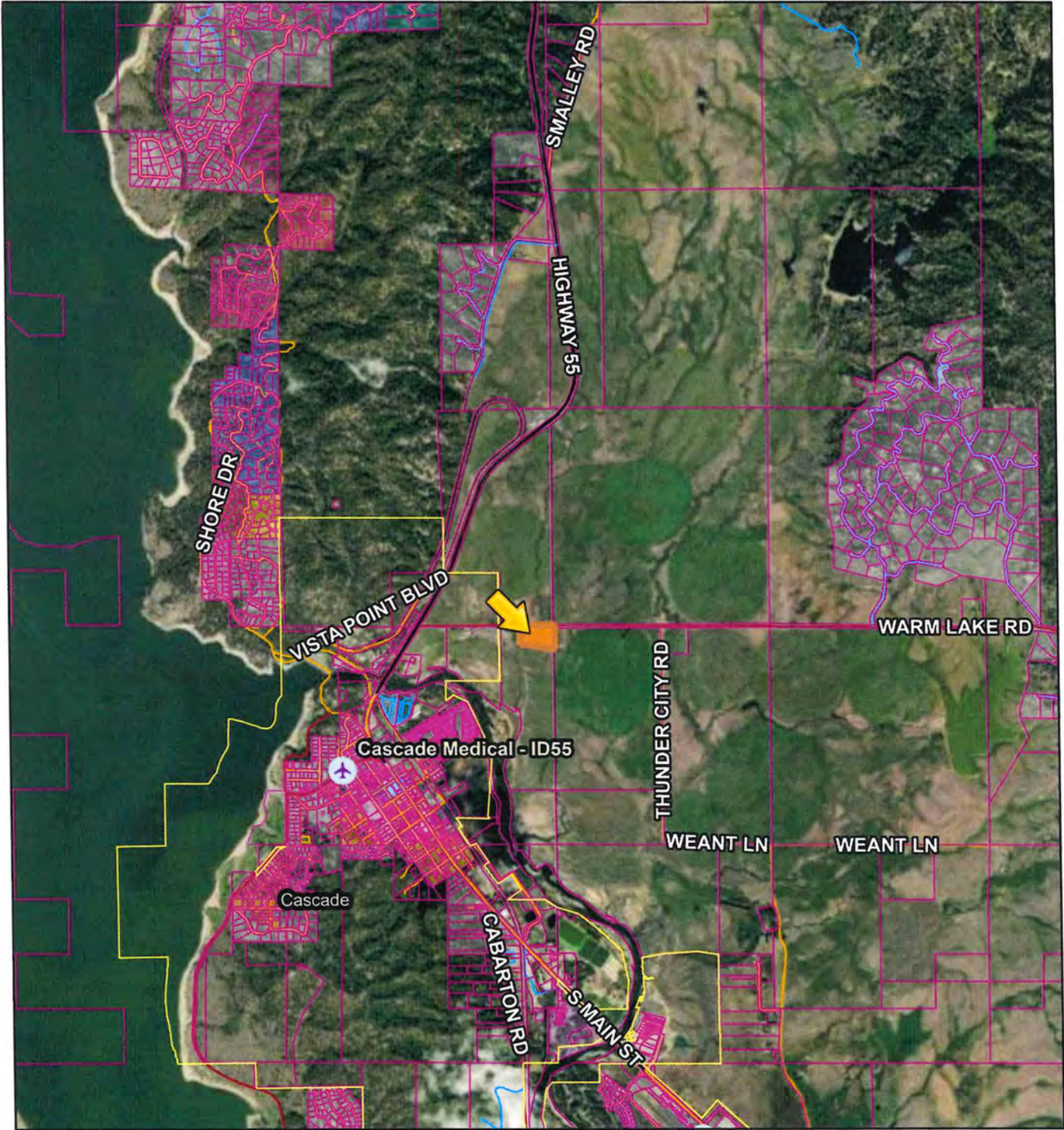
Sub-Total (+) 19

Sub-Total (-) 4

Total Score +15

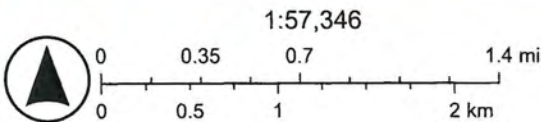
The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

C.U.P. 25-018 Location Map



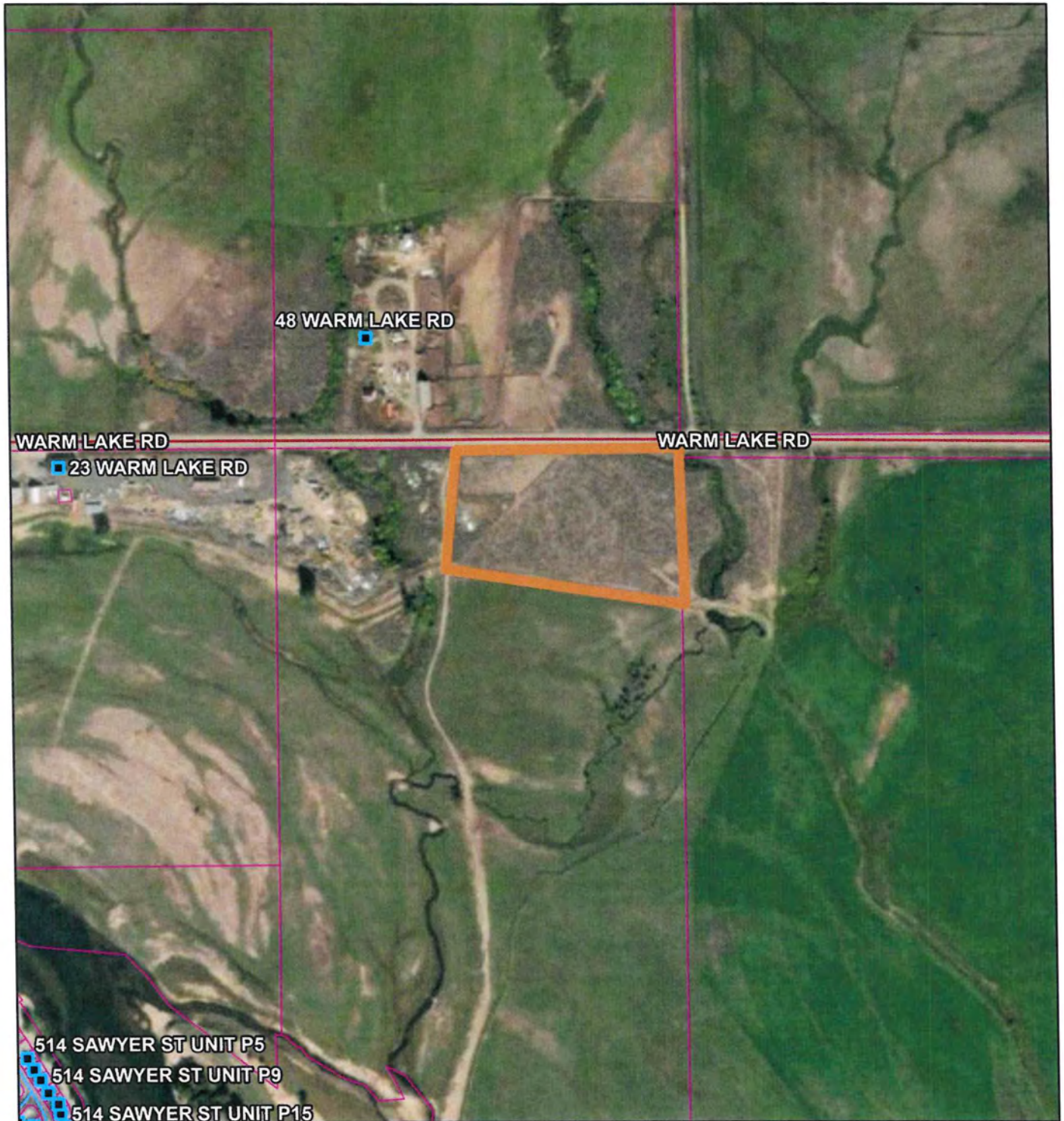
8/1/2025, 8:21:07 AM

-  Airstrips
-  Municipalities
-  Parcel Boundaries



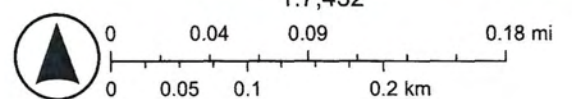
Earthstar Geographics

C.U.P. 25-018 Aerial - Approximate Boundary



8/1/2025, 8:18:43 AM

- Address Points
- Parcel Boundaries



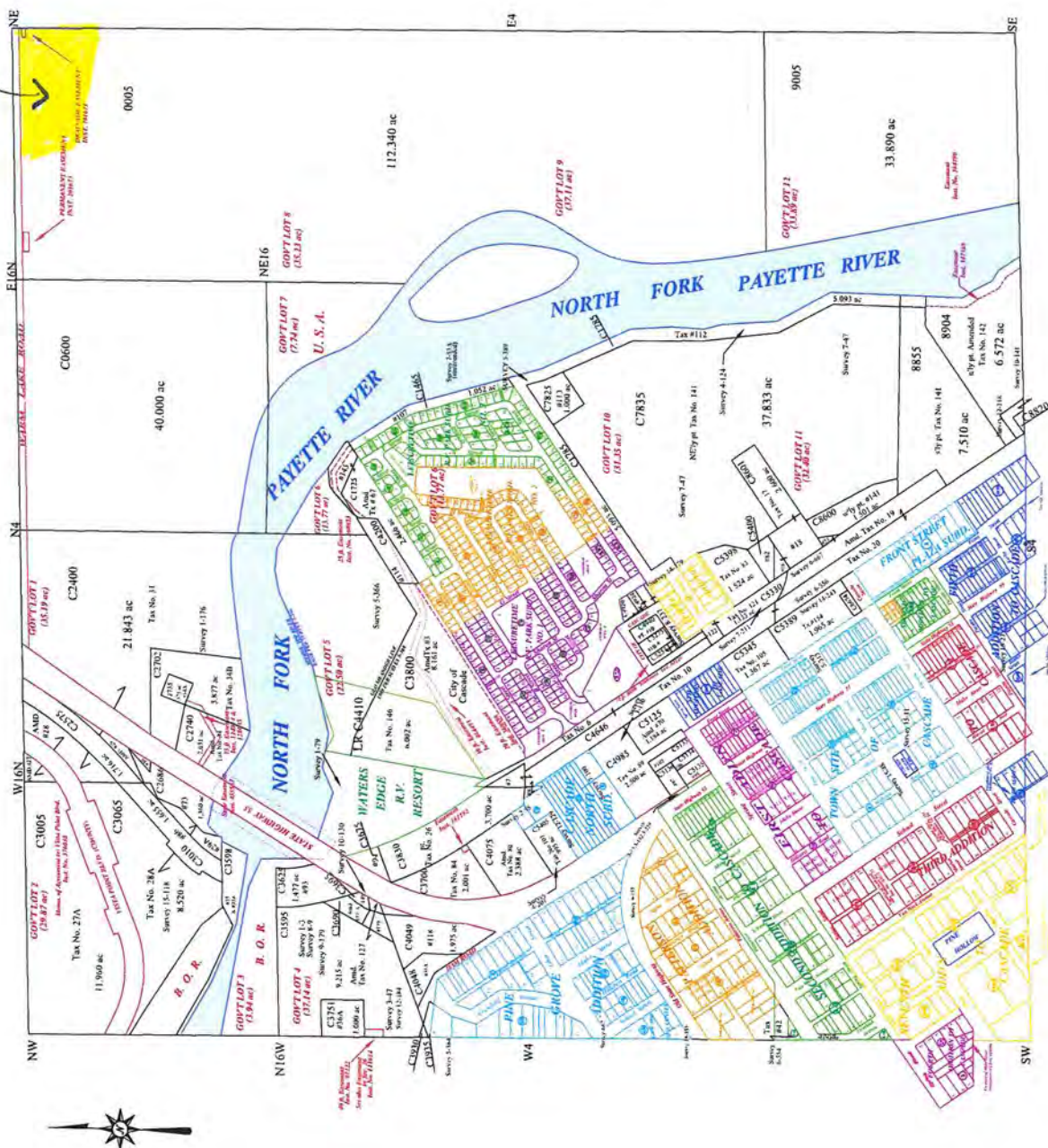
Maxar

T W P . 1 4 N R O S E S E C . 2 5

VALLEY COUNTY
Cartography Dept.
Assessor's Office
Cascade, ID 83611

Filename: Valley County Base Map
Scale: ~~1"=1000'~~
Date: 7/14/2025
Drawn by: L Frederick

Approximate

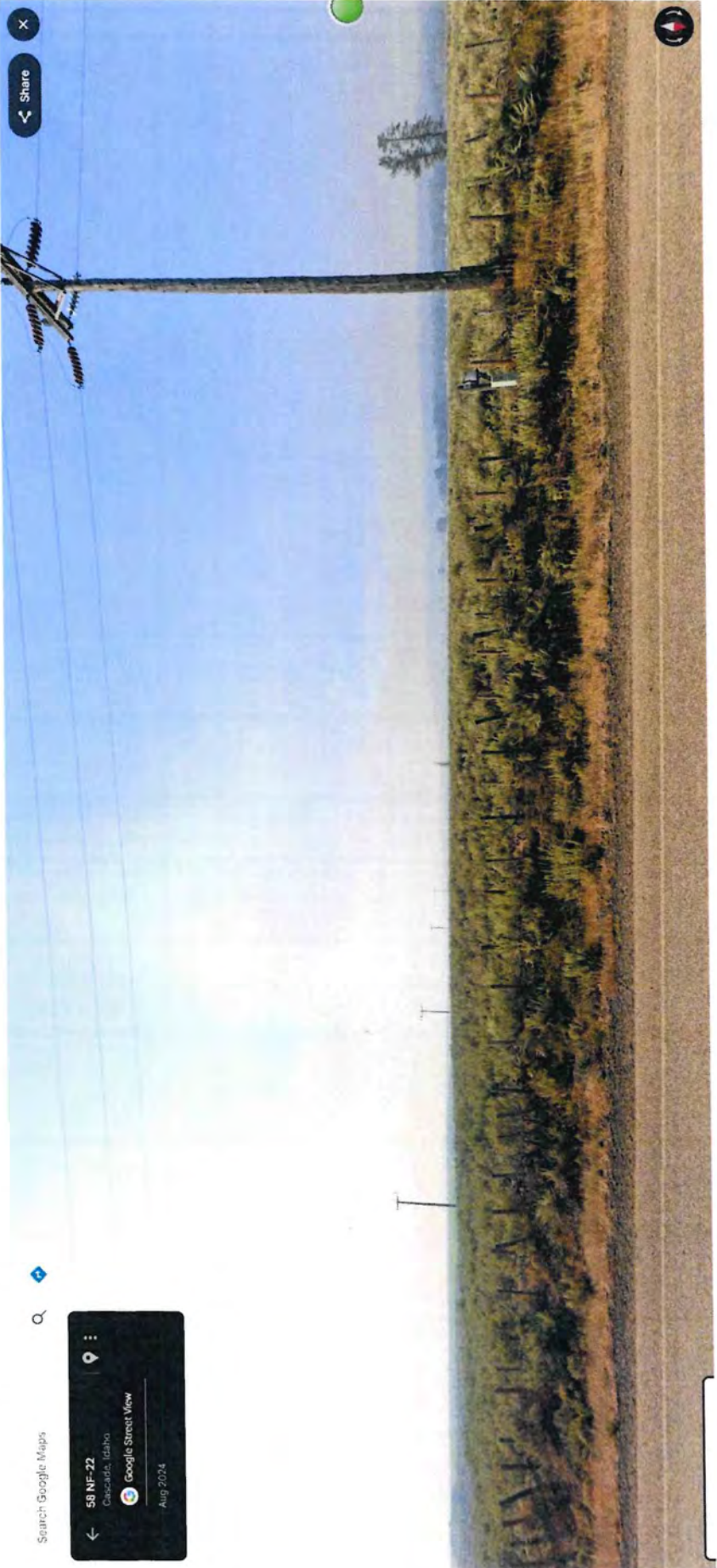


This Document is to be Used for Reference Purposes ONLY. The County is NOT Responsible for Any Insurance Claimed Harvin.

Google Maps – Aerial View - 2025



Warm Lake Road, Looking Southerly (Source Google Maps – Street View, August 2024)





U.S. Fish and Wildlife Service

National Wetlands Inventory

Wetland Map - National Wetlands Inventory



August 25, 2025

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



08/21/2025



From: Emily Hart <ehart@mccall.id.us>
Sent: Thursday, August 21, 2025 10:52 AM
To: Lori Hunter <lhunter@valleycountyid.gov>
Subject: Re: Public Hearings - Valley County PZ - Sept. 11, 2025

Lori,

SUB 25-019 is 1.8 miles from Runway 34. In Horizontal Surface. Prescreen for FAA Form 7460-1 submittal <https://oeaaa.faa.gov/oeaaa/oe3a/main/#/noticePrescreen>

Obstruction Evaluation / Airport Airspace Analysis (OE3A)

The Federal Aviation Administration (FAA) Obstruction Evaluation Group (OEG) is currently closed. Unfortunately, due to this closure we will not be able to accept new or process previously submitted applications for off-airport filings under 14 CFR Part 77. Upon our return, the OEG staff will immediately begin accepting e-filings via this website and process applications as quickly as possible ...

oeaaa.faa.gov

No other Airport comments for the Sept. 11 Agenda.

Have a great day,

Emily

Emily Hart, C.M. | McCall Airport Manager
336 Deinhard Lane Hangar 100 | McCall, ID 83638
Direct: 208.634.8965 | Cell: 208.630.3441
www.mccall.id.us/airport

From: Steven Hull <steve@cascaderuralfire.com>

Sent: Thursday, August 28, 2025 10:34 AM

To: Cynda Herrick <cherrick@valleycountyid.gov>

Subject: Idaho Power CUP 25-018

Cynda,

I've reviewed CUP 25-018 for a Switching Station off Warmlake Road and is within CRFPD. This CUP application addresses the ground fuel mitigation and adequate access to comply with CRFPD standards.

Additional comments are not needed for this application.

Thanks



Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

STAFF REPORT: C.U.P. 25-019 Idaho Power - Scott Valley
Logistics Center Switching Station

HEARING DATE: September 11, 2025

TO: Planning and Zoning Commission

STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director

APPLICANT: Idaho Power Company, ATTN Jeff Maffuccio
PO Box 70, Boise, ID 83707

PROPERTY OWNER: Idaho Gold Resources Company LLC
PO Box 429, Donnelly, ID 83615

LOCATION: Easterly side of Warm Lake Road; 0.5-acre portion of parcel
RP14N05E074475 located in the NW ¼ Section 7, T.14N, R.5E,
Boise Meridian, Valley County, Idaho

SIZE: Approximately 0.5-acres of a 25-acre parcel

REQUEST: Electric Switching Station

EXISTING LAND USE: Approved C.U.P. 20-12 Stibnite Gold Project Logistics Facility –
Currently Bare Land

Idaho Power Company is requesting a conditional use permit for an electrical switching station in the Scott Valley area, northwest of Cascade, Idaho. The proposal includes:

- a transformer,
- regulator
- breaker,
- 2 reclosers,
- an 18-ft x 12-ft concrete masonry control building, and
- a 7-ft tall perimeter chain-link fence

The switching station site would be located 50-ft from Warm Lake Road and 30-ft from the property line to the north. A 7-ft tall chain-line perimeter fence with one 30-ft wide gate would surround the switching station site.

The proposed site is an approximately 0.5-acre portion in the northwest corner of a 25-acre property previously approved for C.U.P. 20-12 Stibnite Gold Logistics Facility. An existing single-transformer substation, located about 1.8 miles south on parcel RP14N04E136005, would be removed.

Any operational noises would not exceed 65dB per the Code of Federal Registry Section 24. The

design includes open gravel areas for safety and to minimize spread of fire and heat.

Where possible, existing trees and vegetation would be retained to provide screening to Warm Lake Road and surrounding properties. No wetlands will be impacted.

Access would be from a new 30-ft wide gate along the easterly side of Warm Lake Road

The 25-acre parcel is currently approved for C.U.P. 20-12 Stibnite Gold Logistics Facility. This allowed a light-industrial facility, employee parking, an assay laboratory building, a cores sampling facility, warehouses, laydown yards, equipment inspection areas, a truck scale, and an administration building.

FINDINGS:

1. The application was submitted on July 24, 2025.
2. Legal notice was posted in the *Star News* on August 21, 2025, and July 31, 24, 2025. Potentially affected agencies were notified on August 12, 2025. Neighbors within 300 feet of the property line were notified by fact sheet sent August 13, 2025. The site was posted on August 21, 2025. The notice and application were posted online at www.co.valley.id.us on August 12, 2025.
3. Agency comment received:
Emily Hart, McCall Airport Manager, had no comments. (August 21, 2025)
4. Public comment received: none
5. Physical characteristics of the site: relatively flat, conifer-covered
6. The surrounding land use and zoning includes:
North: Agricultural (Timber); Warm Lake Road
South: Agricultural (Timber / Meadow) and remainder of parcel (Bare Rural Parcel)
East: Agricultural (Irrigated Grazing / Timber); Big Creek
West: Warm Lake Road; Agricultural (Dry Grazing / Timber)
7. Valley County Code (Title 9) in Table 9-3-1. This proposal is categorized under:
 - 3 Civic or Community Service Uses (j) public utility supply, transfer, or relay facilities including administration

Review of Title 9 - Chapter 5 Conditional Uses should be done.

9-5-3: STANDARDS:

The provisions of this chapter shall apply to the various buildings and uses designated herein as conditional uses.

B. Setbacks:

1. Structures Exceeding Three Feet In Height: The setbacks for all structures exceeding three feet (3') in height are specified herein under the site and development standards for the specific use.
2. Highway 55: All structures shall be set back one hundred feet (100') from the right of way line of Highway 55 unless a more restrictive setback is required within other sections of this title.
3. High Water Line: All residential buildings shall be set back at least thirty feet (30') from high water

- lines. All other buildings shall be set back at least one hundred feet (100') from high water lines.
4. Front Yards: Front yards shall be determined by the structure establishing the principal use on the property and the location of the access street or road.
 5. Encroachment On Yards: No other structure may encroach on the yards determined for the structure establishing principal use.
 6. Measurement: All building setbacks shall be measured horizontally, on a perpendicular to the property line, to the nearest corner or face of the building including eaves, projections, or overhangs.

9-5A SITE IMPROVEMENTS

9-5A-1: GRADING:

- A. Permit Required: Grading to prepare a site for a conditional use or grading, vegetation removal, construction or other activity that has any impact on the subject land or on adjoining properties is a conditional use. A conditional use permit is required prior to the start of such an activity.
- D. Wetlands: Grading or disturbance of wetlands is subject to approval of the U.S. corps of engineers under the federal clean water act. The federal permit, if required, shall be part of the conditional use permit.
- E. Site Grading Plan:
 1. The conditional use permit application shall include a site grading plan, or preliminary site grading plan for subdivisions, clearly showing the existing site topography and the proposed final grades with elevations or contour lines and specifications for materials and their placement as necessary to complete the work. The plan shall demonstrate compliance with best management practices for surface water management for permanent management and the methods that will be used during construction to control or prevent the erosion, mass movement, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development. The plan shall be subject to review of the county engineer and the soil conservation district. The information received from the county engineer, the soil conservation district, and other agencies regarding the site grading plan shall be considered by the planning and zoning commission and/or the board of county commissioners in preparing the conditions of approval or reasons for denial of the applications.
- F. Land Surfaces Not Used For Roads, Buildings And Parking: All land surfaces not used for roads, buildings and parking shall be covered either by natural vegetation, other natural and undisturbed open space, or landscaping.
- G. Stormwater Management Plan: Prior to issuance of building permits, the administrator must receive a certification from the developer's engineer verifying that the stormwater management plan has been implemented according to approved plans.

9-5A-2: ROADS AND DRIVEWAYS:

- B. Access Roads Or Driveways: Residential developments, civic or community service uses, and commercial uses shall have at least two (2) access roads or driveways to a public street wherever practicable.

9-5A-4: LANDSCAPING:

- A. Purpose And General Regulations:
 3. General Regulations
 - d. Strip, Excavate, Remove Topsoil Or Berm Up Soil On Site: No person, firm or corporation shall strip, excavate or remove topsoil nor shall they berm up soil on a site, except to accommodate an approved building, building addition or facilitate necessary and approved site improvements. These changes must be part of the approved site grading and stormwater management plan. This subsection does not apply to sites where permitted uses exist or are proposed.
 - f. Use Of Landscaped Areas: Landscaped areas shall not be used for parking of vehicles, display of merchandise or other uses detrimental to the landscaping.
 4. Maintenance:

- a. Responsibility For Maintenance: The landscape areas on site, as well as in the right of way, shall be maintained by the owner or owner's association (should the property be subdivided) or the lessee of the site. Any areas designated and intended for the purposes of on site water retention shall be maintained and reserved for that specific purpose. Any alteration or deterioration of those areas shall be considered a violation of this title and any applicable ordinance.
 - b. Replacement Of Plant Material: Any plant material that does not survive shall be replaced within thirty (30) days of its demise.
 - c. Removal Or Destruction Of Landscape Material: The removal or destruction of landscape material previously approved by the county shall constitute a violation of this title. Replacement of landscape material shall be of like size as that which was removed or destroyed.
 - d. Maintained In Accordance With Site and/or Landscape Plan: Landscaping, irrigation systems, walls, screening devices, curbing and lighting shall be reasonably maintained in accordance with the approved site and/or landscape plan. Plant material shall not be severely pruned such that the natural growth pattern or characteristic forms are significantly altered.
 - e. Modification and/or Removal Of Existing Landscaping: Modifications and/or removal of existing landscaping shall require prior approval.
 - f. Lack Of Maintenance: The lack of maintenance shall constitute a violation of this title.
 - g. Sight Obscuring Landscape Features: Sight obscuring landscape features such as hedges shall be maintained in such a manner that vision necessary for safe operation of motor vehicles or bicycles along or entering public roadways is not obstructed.
- B. Landscaping; Standards Of Design:
1. Minimum Requirements: Each site to be developed under a conditional use permit shall be required to provide landscape areas equal to or exceeding the following minimum amounts:
 - b. Service/Commercial Use: Each site for proposed service/commercial use shall have a minimum of fifteen percent (15%) of the net site/lot area in landscaping.
 - d. Additional Landscaping: In addition to the minimum on site landscaping, there shall be landscaping in the entire area of the right of way, between street property line and back of street curb, road, back slope, or fill slope, except for approved driveways, walkways, bike paths, and snow storage areas.
 4. Use Adjacent To Single-Family Residential Development: Where multi-family, commercial, office or industrial uses are adjacent to or separated by an alley or lesser separation from a single-family residential development, such trees shall be planted at ten feet (10') on center, with every other tree being a minimum twenty four inch (24") box size.
 5. Commercial, Office Or Industrial Use Adjacent To Residence: Where a commercial, office or industrial user of over fifty thousand (50,000) square feet building area is located adjacent to a residence, the landscape buffer described in subsection B3 of this section shall be increased to fifteen feet (15') (adjacent to that user), with two (2) rows of trees along the interior side of the property line. Each row is to contain minimum fifteen (15) gallon trees spaced fifteen feet (15') on center, staggered for maximum effect in buffering the two (2) uses.
 6. Criteria For Trees Along Street Frontage: Trees shall be required along all street frontages according to the following criteria:
 - a. A minimum of one tree shall be planted for every twenty five feet (25') of linear street frontage. The trees may be grouped or planted in groves;
 - b. Fifty percent (50%) shall be twenty four inch (24") box size or larger with the balance being minimum fifteen (15) gallon size;
 - c. The trees selected shall be compatible with the overall site and landscape plan as well as adjacent sites.
 7. Standard Tree Planting Detail: All trees shall be planted and staked in accordance with the "Standard Tree Planting Detail" diagram in section 9-5-4 of this chapter. Plant sizes to be in accordance with Nurseryman Association standards.
 8. On Site Water Retention Areas: All on site water retention areas, other than paved surfaces, shall be entirely landscaped and shall comply with the following criteria:
 - a. The retention areas shall not occupy more than sixty seven percent (67%) of the on site street frontage landscape area;
 - b. All retention areas shall maintain slopes no steeper than three to one (3:1).

9. Mounding And Berming: All mounding and berming shall have slopes no steeper than three to one (3:1).
10. Ground Cover: A minimum of fifty percent (50%) of the landscaped areas is to be planted with vegetative ground cover. Minimum size and spacing to be one gallon size plants at a maximum three feet (3') on center.
11. Landscape Designs: Landscape designs shall be compatible with adjacent properties. Selected stock shall be especially suited for this climate or shall be from native stock.

9-5A-5: FENCING:

- A. Substituted For Planting Screens: Fencing may be substituted for planting screens subject to the approval of the staff and the commission.
- B. Separation Or Screening: Fencing shall be installed to provide separation or screening as specified in the site or development standards for the specific use. A sight obscuring fence required by the commission for any conditional use shall be stained or painted a single solid color, shall not be used for advertising, and shall be maintained in good repair.
- E. Construction And Materials: Fence construction and materials shall be in accordance with commonly accepted good practices to produce a neat appearing durable fence. The location, height, and materials used for constructing a fence shall be approved by the commission and specified in the conditional use permit. Fences required for any conditional use shall be maintained in good repair.
- F. Conditional Use Adjoins Agricultural Uses: Where a conditional use adjoins an agricultural use where animal grazing is known to occur for more than thirty (30) consecutive days per year, the permittee shall cause a fence to be constructed so as to prevent the animals from entering the use area. The permittee shall provide for the maintenance of said fence through covenants, association documents, agreement(s) with the adjoining owner(s), or other form acceptable to the commission prior to approval of the permit so that there is reasonable assurance that the fence will be maintained in functional condition so long as the conflicting uses continue.
- G. Obstruction Of Vision: Sight obscuring fences, hedges, walls, latticework, or screens shall not be constructed in such a manner that vision necessary for safe operation of motor vehicles or bicycles on or entering public roadways is obstructed.

9-5B PERFORMANCE STANDARDS

9-5B-1: NOISE:

- A. Commercial Or Industrial Activity: The noise emanating from any commercial or industrial activity shall be muffled so as not to become objectionable due to intermittent beat, frequency or shrillness, and shall not exceed forty (40) decibels between the hours of seven o'clock (7:00) P.M. and seven o'clock (7:00) A.M., and sixty (60) decibels at other hours at the property line if adjacent uses are not the same.

9-5B-2: LIGHTING:

9-5B-3: ELECTRICAL INTERFERENCE:

Provisions must be made for necessary shielding or other preventive measures against interferences occasioned by mechanical, electrical, electronic, and nuclear equipment, uses or processes with electrical apparatus in nearby buildings or land uses.

9-5B-4: EMISSIONS:

- A. Obnoxious Odors; Toxic Or Corrosive Fumes Or Gases: The emission of obnoxious odors of any kind shall not be permitted, nor the emission of any toxic or corrosive fumes or gases.
- B. Dust: Dust created by an industrial, commercial, or recreational operation shall not be exhausted or wasted into the air. All operations shall be subject to the standards in appendix C, fugitive dust 1. State air quality permits, when required, may be a condition of approval of the conditional use permit or may be required to be a part of the conditional use permit at the discretion of the commission.

9-5B-5: DUST:

- A. Minimization Required: Dust and other types of air pollution borne by the wind from such sources as storage areas and roads, shall be minimized by appropriate landscaping, paving, oiling, watering on a scheduled basis, or other acceptable means.
- B. Created By Approved Operation: Dust created by any approved operation shall not be exhausted or wasted into the air. The standards in appendix C, fugitive dust 1 along with state air quality permits,

when required, may be a condition of approval of the conditional use permit or may be required to be a part of the conditional use permit at the discretion of the commission.

9-5B-6: OPEN STORAGE:

All storage shall be located within an area not closer than twenty feet (20') from the street right of way line and shall be enclosed with a heavy wire or board fence not less than six feet (6') high, or by plantings the same height. Lumber, coal, or other combustible material will be fully accessible to firetrucks at all times. Open storage of toxic or hazardous materials shall not be allowed.

9-5B-7: FIRE PROTECTION:

Provisions must be made to implement prefire activities that may help improve the survivability of people and homes in areas prone to wildfire. Activities may include vegetation management around the home, use of fire resistant building materials, appropriate subdivision design, removal of fuel, providing a water source, and other measures. Recommendations of the applicable fire district will be considered.

9-5D CIVIC OR COMMUNITY SERVICE USES

9-5D-1: - SITE OR DEVELOPMENT STANDARDS:

Civic or community service uses shall meet the following site or development standards:

A. Minimum Lot Areas:

1. Hospitals, sanatoriums, retirement homes, government administration buildings, cemeteries, and similar uses shall be located on lots or parcels of minimum area as computed from subsection 9-5-3A2 of this chapter but shall not be less than one acre.
2. Sanitary landfills for solid waste disposal sites shall be in accordance with federal and state standards and not be less than five (5) acres. Central sewage treatment facility sites shall not be less than two (2) acres. This minimum area does not apply to undesignated sewage treatment facilities.
3. Other uses in this category shall occur on sites of an area sufficient to accommodate the use, associated activities or uses, and to adequately contain adverse impacts.
4. Frontage along a public or private road shall not be less than seventy five feet (75').

B. Minimum Setbacks:

1. The minimum building setbacks shall be fifty feet (50') from front, rear, and side street property lines and thirty feet (30') from side property lines except the minimum setbacks for cemeteries shall be thirty feet (30') from front and side street property lines, ten feet (10') from side property lines and fifteen feet (15') from rear property lines. Central sewage treatment facilities shall be set back at least one hundred feet (100') from any property line.

C. Maximum Building Heights And Floor Area:

1. Building heights shall not exceed thirty five feet (35') above the lower of the existing or finished grade. The building size or floor area may not exceed the limitations of subsections 9-5-3A and C of this chapter.
2. No structure or combination of structures may cover more than forty percent (40%) of the lot.

D. Site Improvements: Parking spaces shall be provided at the rate of one per two hundred fifty (250) square feet of floor area as applicable where buildings are a part of the use or as determined by the commission.

SUMMARY:

Staff's compatibility rating is a +28.

Per Conditional Use Permit 20-12, Condition of Approval # 19, the Scott Valley Logistical Facility is not to be considered a permanent land use change for compatibility considerations in review of other conditional use permit type of applications.

The Planning and Zoning Commission should do their own compatibility rating prior to the meeting (form with directions attached).

STAFF COMMENTS / QUESTIONS:

1. This site is within Water District 65. It is not within a Fire District, a herd district, nor a irrigation district.
2. RP14N05E074475 was created in 2018 by combing three parcels. Those three parcels were created by Grant Deed #402106 recorded October 28, 2016. Therefore, the RP14N05E074475 is not eligible for a simple split. Will the site be leased by Idaho Power or will a subdivision plat application be submitted?
3. Valley County owns Warm Lake Road right-of-way at this location.
4. Landscaping should include visual screening on all perimeters. The site is surrounded by private land. Warm Lake Road is classified as a "minor collector" and receives a high amount of recreational traffic year-round.
5. Minimum setbacks are: 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines. Fences over 6-ft tall cannot be constructed within the setback area.

Question to P&Z Commission:

1. Does this use meet the minimum standards in Title 9, Chapter 5, of the Valley County Code in regards to frontage, lot size, etc.? If not, which ones does it not comply with?
2. Would impacts be properly mitigated? If not, which impacts would not be mitigated?
3. If not approved, what could the applicant do to gain approval?

Standards of Approval:

1. Will the application result in an increase in value of private property? VCC 9-5-2(B)(3).
2. Will the approval of the application result in an undue adverse impact on the environment? VCC 9-5-2(B)(3).
3. Will the approval of the application result in an undue adverse impact on adjoining properties? VCC 9-5-2(B)(3).
4. Will the approval of the application result in an undue adverse impact on governmental services? VCC 9-5-2(B)(3).
5. Is the application consistent with the Valley County Comprehensive Plan? VCC 9-5-2(B)(3).
6. Conditional uses may be approved only after a C.U.P. has been evaluated to determine that the impacts can be mitigated through conformance with conditions of approval. VCC 9-5-2(A).

These six standards should be a significant focus of attention during the public hearing and deliberations because they need to be resolved in order to justify approval. VCC 9-5-1(C) directs the decision-making body to encourage conditional uses where noncompatible aspects of the application can be satisfactorily mitigated through development agreements for the costs to service providers and impacts to surrounding land uses. Because mitigation measures are a requirement of approval the applicant needs to understand that he/she will be required to perform some off-site improvements. They are not mandatory but without them the application cannot satisfy the mitigation of impacts requirement and would be denied under the ordinance.

ATTACHMENTS:

- Proposed Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Location Maps
- Aerial Map
- Google Maps View of Area, 2025
- Assessor's Plat – T.14N R.5E Sec. 7
- Record of Surveys 13-047 and 15-047
- Pictures Taken August 21, 2025
- C.U.P. 20-12 Recorded as #433940
- C.U.P. 20-12 Site Plan
- Site Plan
- Responses

Proposed Conditions of Approval

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
4. The use shall be established within one year, or a permit extension will be required.
5. All lighting must comply with the Valley County Lighting Ordinance. All lights shall be fully shielded so that there is not upward or horizontal projection of lights.
6. All noxious weeds on the property must be controlled.
7. A wetland delineation shall be completed.
8. Must have a stormwater management plan and site grading plan approved by the Valley County Engineer prior to doing any dirt work on-site.
9. Must comply with recommendations of the Cascade Fire District.
10. Shall obtain a sign permit prior to installation of any sign.
11. Snow must be stored on-site.
12. The site must be kept in a neat and orderly manner.
13. Noise shall be kept to a minimum between 10:00 p.m. and 7:00 a.m.
14. A building permit is required for the control building.
15. Shall clearly post the physical address at the driveway entrance once assigned.

16. Building permits will be required for any fencing over 6-ft in height.
17. Minimum setbacks are: 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines of the ditch and stream. Fences over 6-ft tall cannot be constructed within the setback area.
18. Landscaping, including existing native vegetation, must be maintained on the perimeter of the site. If landscaping dies, it must be replaced. Noxious weeds must be controlled using proper land management principles.
19. A minimum of one tree should be maintained for every 25 feet of linear street frontage along the property line. The trees may be grouped or planted in groves.
20. A Development Agreement is required for mitigation of off-site impacts. The applicant shall work with Valley County Road Department on an agreement for off-site infrastructure improvements that will be approved by the Board of County Commissioners.

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use: _____

Prepared by: _____

YES/NO X Response
Value

Use Matrix Values:

(+2/-2) X 4 _____

1. Is the proposed use compatible with the dominant adjacent land use?

(+2/-2) X 2 _____

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

(+2/-2) X 1 _____

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) X 3 _____

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

(+2/-2) X 1 _____

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

(+2/-2) X 2 _____

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

(+2/-2) X 2 _____

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

(+2/-2) X 2 _____

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

(+2/-2) X 2 _____

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Sub-Total (+) _____

Sub-Total (--) _____

Total Score _____

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

9-11-1: APPENDIX A, COMPATIBILITY EVALUATION:

- A. General: One of the primary functions of traditional zoning is to classify land uses so that those which are not fully compatible or congruous can be geographically separated from each other. The county has opted to substitute traditional zoning with a multiple use concept in which there is no separation of land uses. Proposed incompatible uses may adversely affect existing uses, people, or lands in numerous ways: noise, odors, creation of hazards, view, water contamination, loss of needed or desired resources, property values, or infringe on a desired lifestyle. To ensure that the county can continue to grow and develop without causing such land use problems and conflicts, a mechanism designed to identify and discourage land use proposals which will be incompatible at particular locations has been devised. The compatibility evaluation of all conditional uses also provides for evaluations in a manner which is both systematic and consistent.
- B. Purpose; Use:
1. The compatibility rating is to be used as a tool to assist in the determination of compatibility. The compatibility rating is not the sole deciding factor in the approval or denial of any application.
 2. Staff prepares a preliminary compatibility rating for conditional use permits, except for conditional use permits for PUDs. The commission reviews the compatibility rating and may change any value.
- C. General Evaluation: Completing the compatibility questions and evaluation (form):
1. All evaluations shall be made as objectively as possible by assignment of points for each of a series of questions. Points shall be assigned as follows:
 - Plus 2 - assigned for full compatibility (adjacency encouraged).
 - Plus 1 - assigned for partial compatibility (adjacency not necessarily encouraged).
 - 0 - assigned if not applicable or neutral.
 - Minus 1 - assigned for minimal compatibility (adjacency not discouraged).
 - Minus 2 - assigned for no compatibility (adjacency not acceptable).
 2. Each response value shall be multiplied by some number, which indicates how important that particular response is relative to all the others. Multipliers shall be any of the following:
 - x4 - indicates major relative importance.
 - x3 - indicates above average relative importance.
 - x2 - indicates below average relative importance.
 - x1 - indicates minor relative importance.
- D. Matrix - Questions 1 Through 3: The following matrix shall be utilized, wherever practical, to determine response values for questions one through three (3). Uses classified and listed in the left hand column and across the top of the matrix represent possible proposed, adjacent, or vicinity land uses. Each box indicates the extent of compatibility between any two (2) intersecting uses. These numbers should not be changed from proposal to proposal, except where distinctive uses arise which may present unique compatibility considerations. The commission shall determine whether or not there is a unique consideration.
- E. Terms:
- DOMINANT ADJACENT LAND USE:** Any use which is within three hundred feet (300') of the use boundary being proposed; and
1. Comprises at least one-half (1/2) of the adjacent uses and one-fourth (1/4) of the total adjacent area; or
 2. Where two (2) or more uses compete equally in number and are more frequent than all the other uses, the one with the greatest amount of acreage is the dominant land use; or
 3. In all other situations, no dominant land use exists. When this occurs, the response value shall be zero.
- LOCAL VICINITY:** Land uses within a one to three (3) mile radius. The various uses therein should be identified and averaged to determine the overall use of the land.
- F. Questions 4 Through 9:
1. In determining the response values for questions 4 through 9, the evaluators shall consider the information contained in the application, the goals and objectives of the comprehensive plan, the provisions of this title and related ordinances, information gained from an actual inspection of the site, and information gathered by the staff.
 2. The evaluator or commission shall also consider proposed mitigation of the determined impacts. Adequacy of the mitigation will be a factor.

APPENDIX A

MATRIX FOR RATING QUESTIONS 1, 2, and 3

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
RESIDENTIAL USES	1. AGRICULTURAL	+2	-1	-2	-2	-2	-2	+1	+1	+1	+1	+2	+1	+1	-1	-1	+2	-1	-2	-1	+1	+2	+2
	2. RESIDENCE, S.F.	+2	+2	+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
	3. SUBDIVISION, S.F.	-1	+2	+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+2	+1	-1	+2	+1	-2	-2
	4. M.H. or R.V. PARK	-2	+1	+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
	5. RESIDENCE, M.F.	-2	+1	+1	+1	+2	+2	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
	6. SUBDIVISION, M.F.	-2	+1	+1	+1	+2	+2	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
	7. P.U.D., RES.	-2	+1	+1	+2	+2		+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
CIVIC or COMMUNITY SERVICE USES	8. REL., EDUC & REHAB	+1	+2	+1	+1	+1	+1		+1	+1	-1	+2	-2	-1	-1	+2	+2	+1	+1	-1	+1	-2	-1
	9. FRAT or GOVT	+1	+1	+1	+1	+1	+1	+1		+1	-1	+2	-2	-1	-1	+1	+1	+1	+1	-1	+1	-2	-2
	10. PUBLIC UTIL. (1A-3.1)	+1	-1	-1	-1	-1	-1	+1	+1		+1	+1	-1	+1	+1	+1	-1	+1	+1	+1	+1	+2	+2
	11. PUBLIC REC	+1	+2	+2	+2	+2	+2	-1	-1	+1		+2	+1	+1	+1	+1	+2	+1	+1	+1	+1	-1	+1
	12. CEMETERY	+2	+1	+1	+1	+1	+1	+2	+2	+2	+2		+1	+1	+1	+1	+1	+1	+1	+1	+2	+1	+1
	13. LANDFILL or SWR. PLANT	+1	-2	-2	-2	-2	-2	-2	-2	-1	-1	+1		-1	-1	-2	-2	-2	-2	-1	+2	+2	+2
	14. PRIV. REC. (PER)	+1	+1	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1		+1	+1	+1	+2	+1	+2	+2	-1	+1
COMMERCIAL USES	15. PRIV. REC. (CON)	-1	-1	-1	-1	-1	-1	-1	-1	+1	+1	+1	-1	+1		-2	-2	-1	-2	-2	+2	-1	+1
	16. NEIGHBORHOOD BUS.	-1	+1	+1	+1	+1	+1	+2	+1	+1	+1	+1	-2	+1	-2		+1	+2	+2	+1	+2	-1	-1
	17. RESIDENCE BUS.	+2	+2	+1	+1	+1	+1	+2	+1	-1	+2	+1	-2	+1	-2	+1		+1	-1	+1	+1	-2	-2
	18. SERV. BUS.	-1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+2		+2	+2		+1	+1
	19. AREA BUS.	-2	-1	-1	-1	-1	-1	+1	+1	+1	+1	+1	-2	+1	-2	+2	+2	+2		+1	+2	-2	-2
	20. REC BUS.	-2	+2	+2	+1	+1	+1	-1	-1	+1	+1	+1	-1	+2	-2	+1	+1	+2	+1		+2	-2	+1
	21. LIGHT IND.	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+2	+2	+2			+1	+1
INDUST. USES	22. HEAVY IND.	+2	-2	-2	-2	-2	-2	-2	-2	+2	-1	+1	+2	-1	-1	-1	-1	-2	-1	-2	+1		+2
	23. EXTR. IND.	+2	-2	-2	-2	-2	-2	-1	-2	+2	+1	+1	+2	+1	+1	-1	-1	-2	-1	-2	+1	+2	

RATE THE SOLID SQUARES AS +2

Compatibility Questions and Evaluation

Matrix Line # / Use: #10

Prepared by: CH

YES/NO X Response Value

Use Matrix Values:

(+2/-2) +1 X 4 +4

1. Is the proposed use compatible with the dominant adjacent land use?

Agricultural

(+2/-2) +1 X 2 +2

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

Area Business - Logistics Facility

(+2/-2) +1 X 1 +1

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

Mostly Ag

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) +1 X 3 +3

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

Yes, with trees &

(+2/-2) +2 X 1 +2

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

Natural screening

Yes - or similar to what was approved

(+2/-2) +2 X 2 +4

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

Yes - to logistics facility

(+2/-2) +2 X 2 +4

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

Will be little emissions, some noise

(+2/-2) +2 X 2 +4

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

Will provide a service

(+2/-2) +2 X 2 +4

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

+ tax revenue

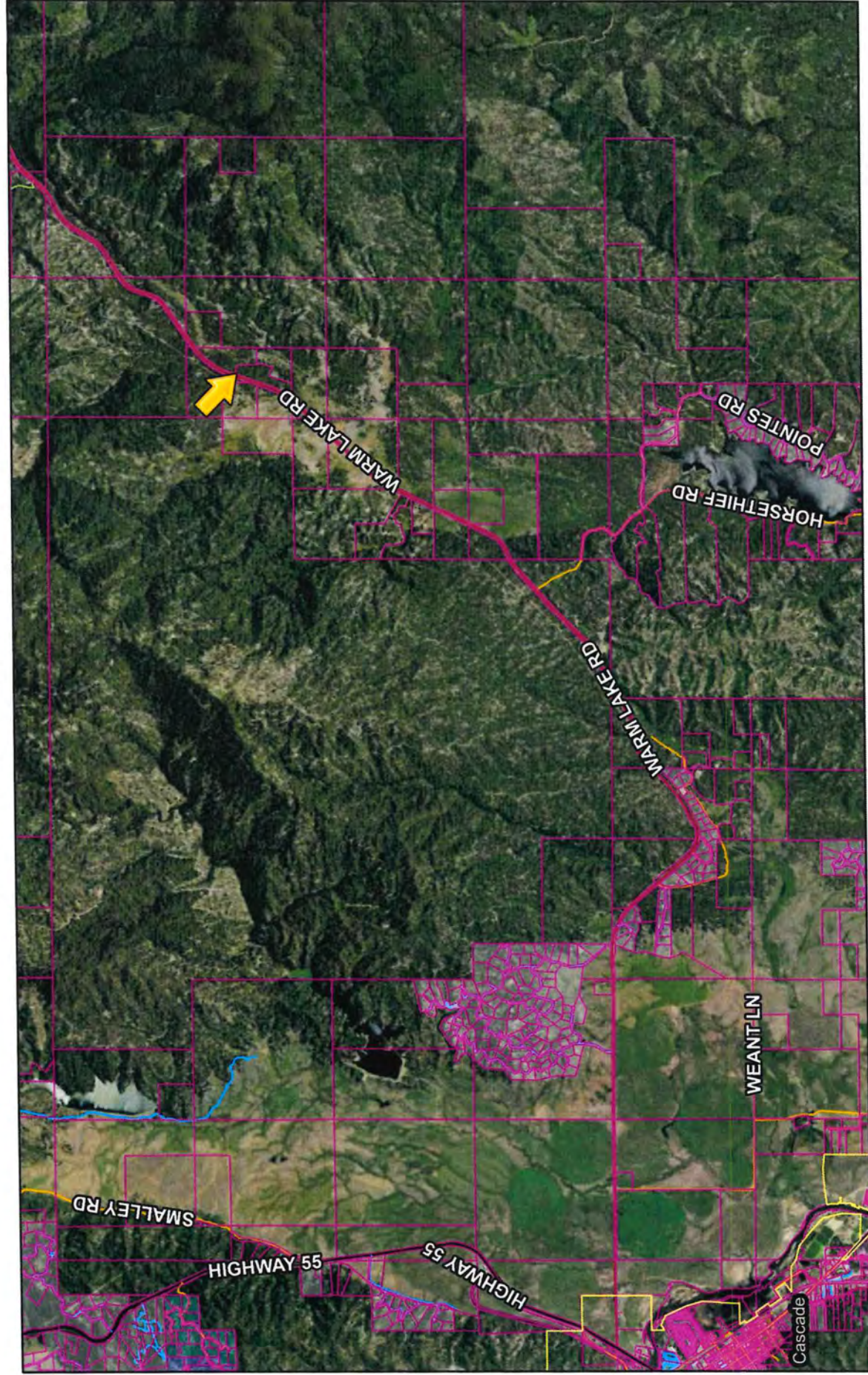
Sub-Total (+) 28

Sub-Total (--) -

Total Score +28

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

C.U.P. 25-019 Location Map 1



8/1/2025, 10:55:53 AM

Municipalities

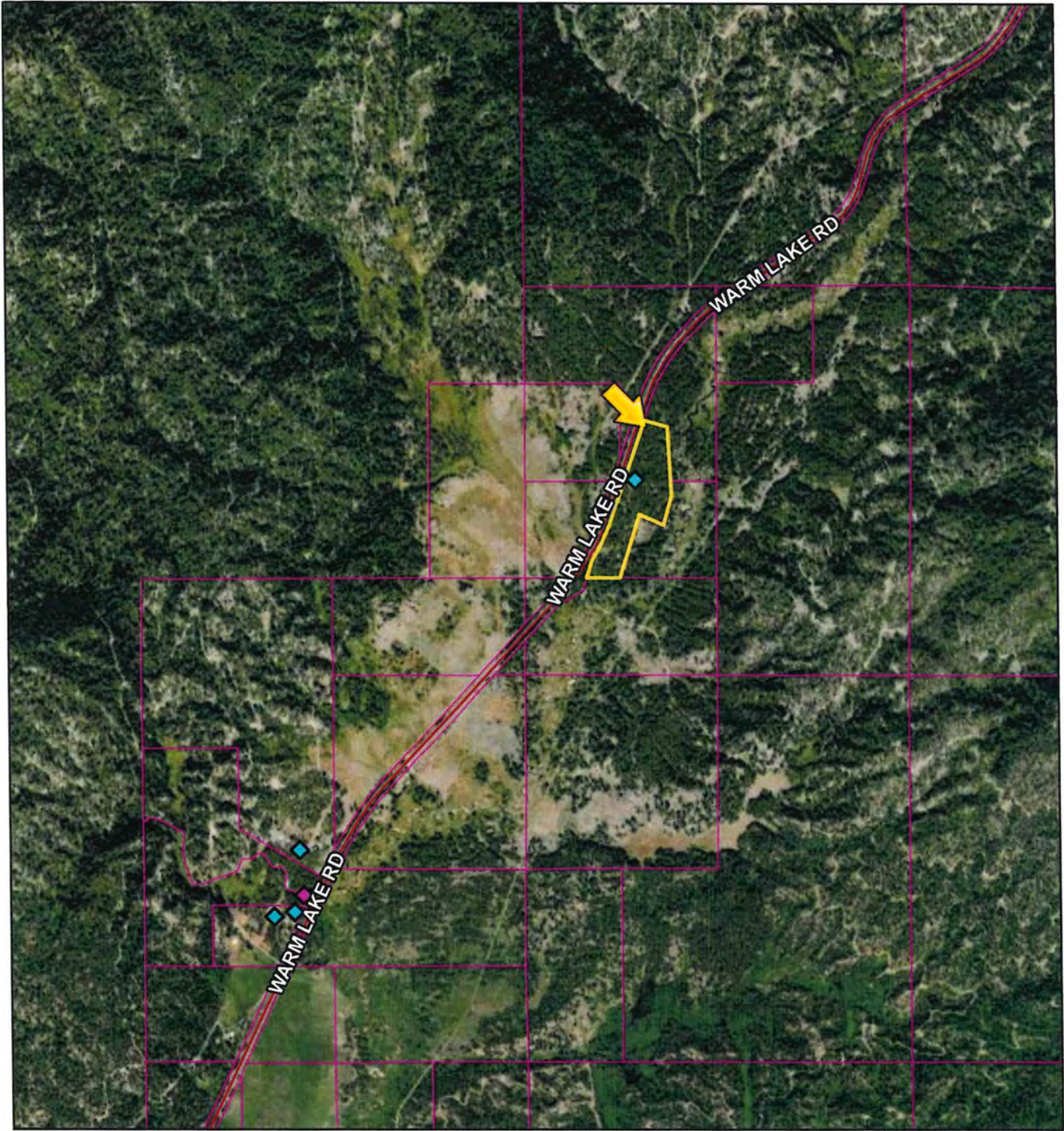
Parcel Boundaries



Earthstar Geographics


Created by Valley County

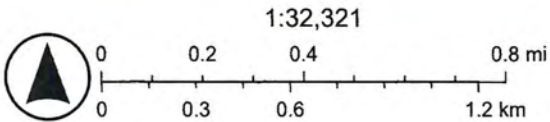
C.U.P. 25-019 Location Map 2



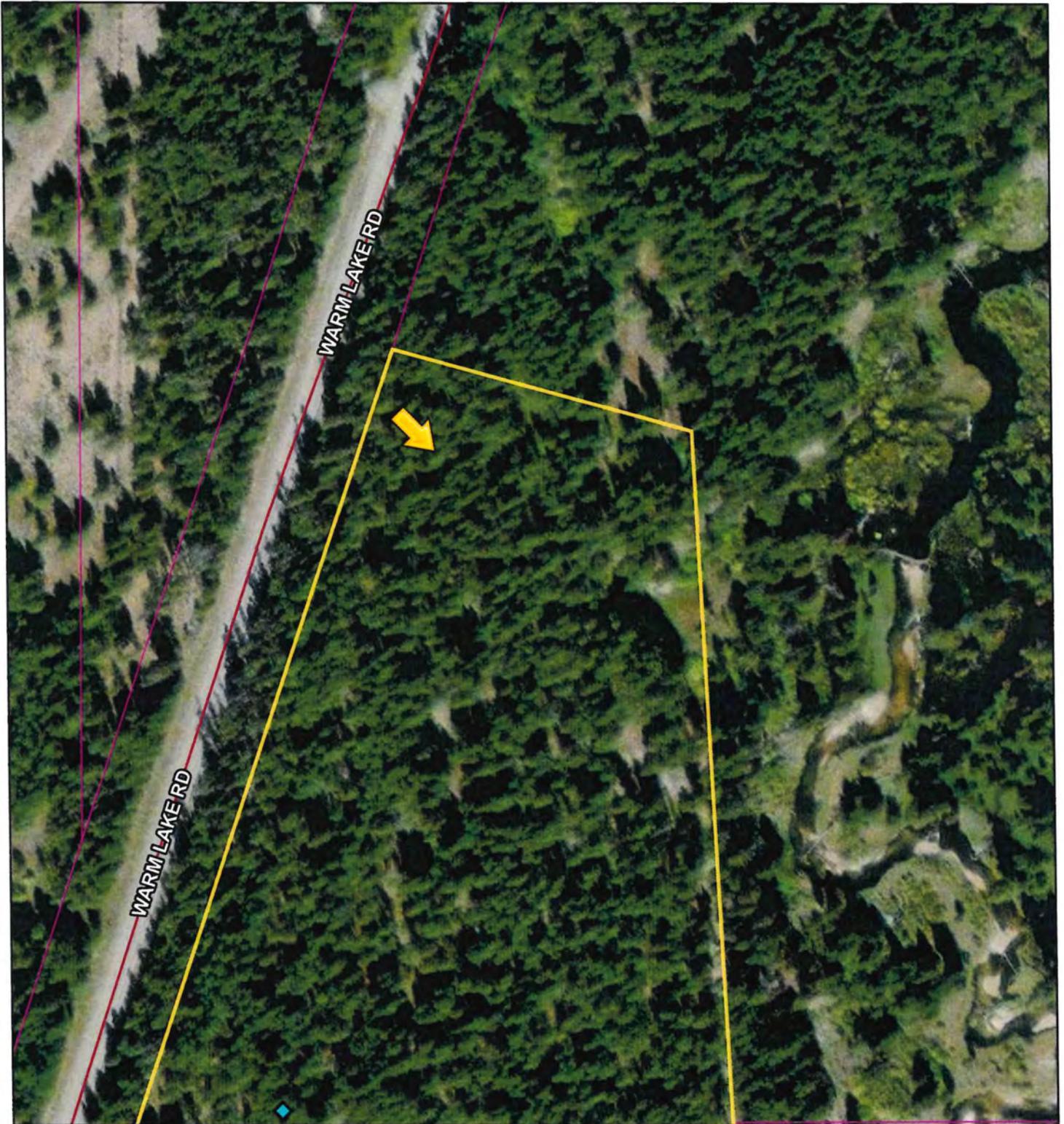
8/1/2025, 10:50:51 AM

Permits

-  CUP
-  VAR
-  Parcel Boundaries



C.U.P. 25-019 Aerial Map



8/1/2025, 10:52:31 AM

Permits

◆ CUP

□ Parcel Boundaries



1:2,513
0 0.01 0.03 0.06 mi
0 0.02 0.04 0.09 km

Maxar

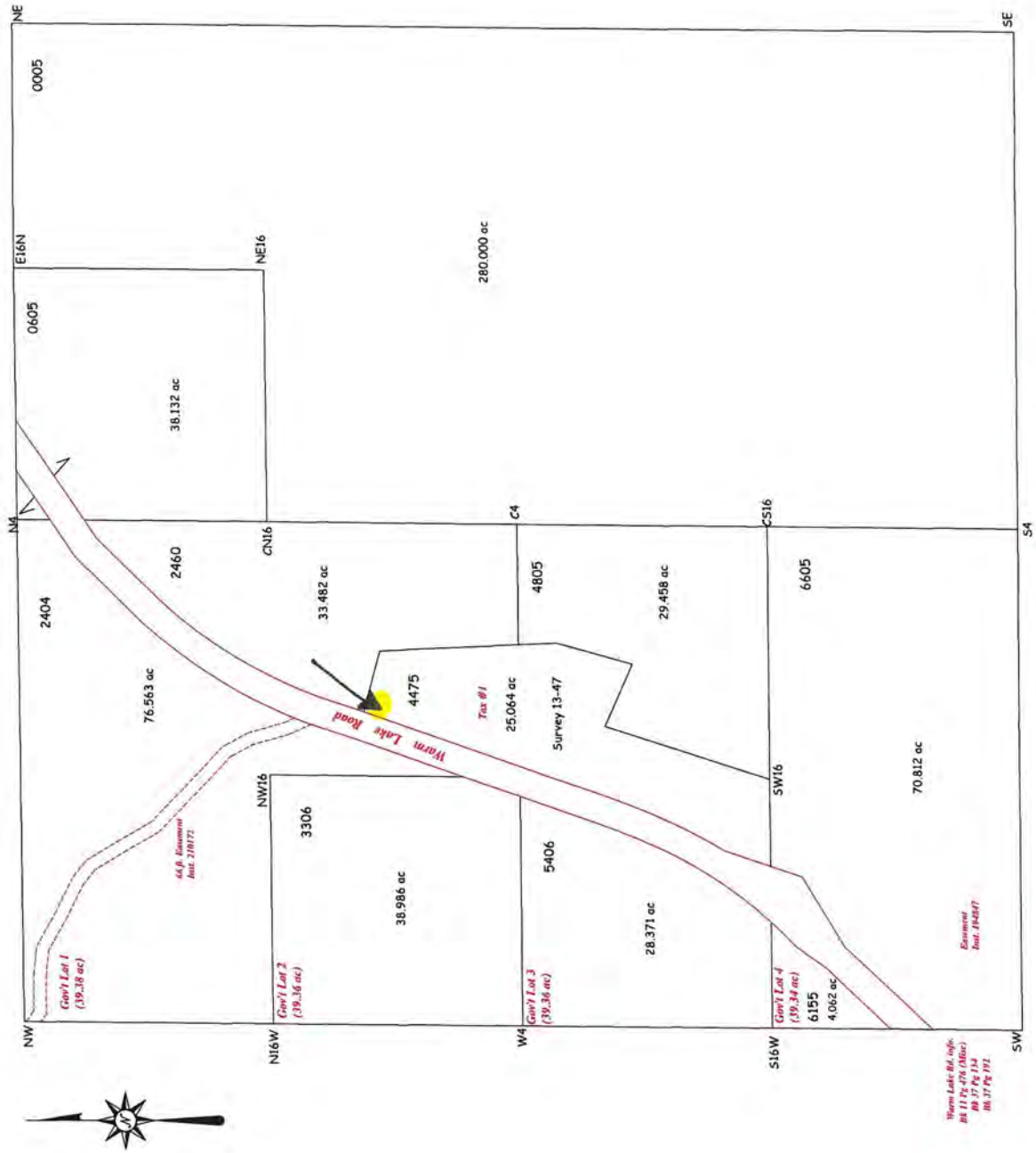
Google Maps – Aerial View - 2025



TWP. 14N R05E SEC. 07

VALLEY COUNTY
Cartography Dept.
Assessor's Office
Cascade, ID 83611

Filename: Valley County Base Map
Scale: 1" = 400 ft.
Date: 7/10/2024
Drawn by: L Frederick



This drawing is to be used for Reference Purpose ONLY. The County is NOT Responsible for Any Inaccuracies/Confused Errors

RECORDERS STAMP

Book 13, Page 47
of Records of Surveys.

ALTA/NSPS Land Title Survey

Based upon Title Commitment No. 329736 of Chicago Title Insurance Company bearing an effective date of September 9, 2016

Survivor's Certification

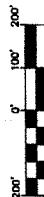
This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2018 Minimum Standards Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes no items of Table A, thereof. This field work was completed on 10/15/2018.

Date of Plot or Map: 10/20/16

John Russell, Idaho PLS No. 6021

EXCEPTIONS

Survey completion is subject to recording of this plat with Valley County, Idaho.



9

based on GPS derived

State Plane Grid

Elevations based on Geoid 128, NAVD88

RUSSELL SURVEYING, INC.
P.O. Box 945, 702 West Lakeside, McColl, ID 83638
208-630-4737 r_russ@frontiernet.net

DRAWN: J. Russell DATE: 9/22/18 SHEET: 1 of 1
REV: JR 9/24-27, 10/6-20

RS# 718-0188 Drawing: 18-1888.dwg ROS tab
 (C) Scott Valley Map 1, Russell Geometric (2016) All Rights Reserved

ALTA - NSPS Land Title Survey

TRAIS GOLD RESOURCES COMPANY LTD

Scott Valley Parcel

situated in the

situated in the
Southwest 1/4 Northwest 1/4

Southwest $1/4$ Northwest $1/4$,
at $1/4$ Southwest $1/4$ & Cont

Section 7 T 14N P 5E RM

Section 7, T.14N., R.3E., B.M.
Valley County Idaho

valley County, Idaho

Russell Surveying, Inc. ~ McCall,

October 2016

10/20/46

Sheet 1 of 2

10/20/16 Sheet 1 of 2

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Journal compilation © 2006 Blackwell Publishing Ltd

[illegible]

A parcel of land, adjoining and falling east of the Cascade-Warm Lake Highway, situated in the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, the Northeast $\frac{1}{4}$, the Southwest $\frac{1}{4}$, and Government Lot 3, of Section 7, Township 14 North, Range 5 East, Boise Meridian, Teton County Idaho, more particularly described as follows:

[illegible]

Subject to telephone line easement found at InsL #32835, in Deed Book 24 Pages 100-101 dated Jan. 20, 1945.

 = Found Section, 1/4, or 1/16 corners
 = Set 1/4 and 1/16 corners
 = Found Right of Way Monuments with stations
 400.00 0 = Set 5/8 "30" rebar mark, PL56021
 = Corner not monumented
 = Utility Pole
 = Gate
 = Fence line
 = Section Line
 = 1/4 Section Line
 = 1/16 Section Line
 = Right of Way Line
 = Overhead Power Line
 = Easement, Item 22, affects parcel
 = Telephone line easement, see Sched. B-1
 = Blanket Reforestation Agreement, see Sched. B-1

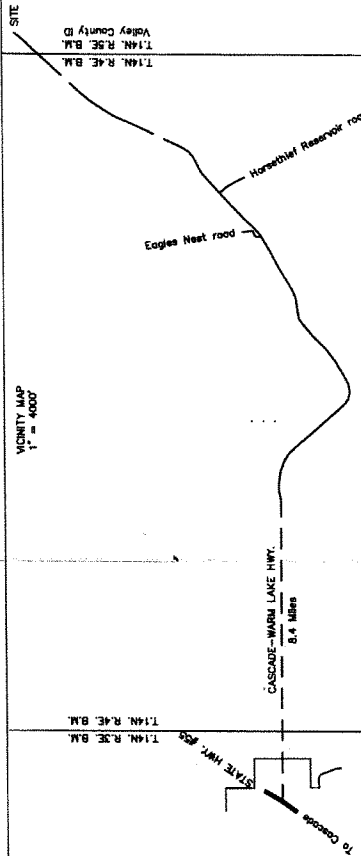
RUSSELL SURVEYING, INC.
P.O. Box 945, 702 West Lakeside, McColl, ID 83838
208-630-4737; y_reis@frontiernet.net

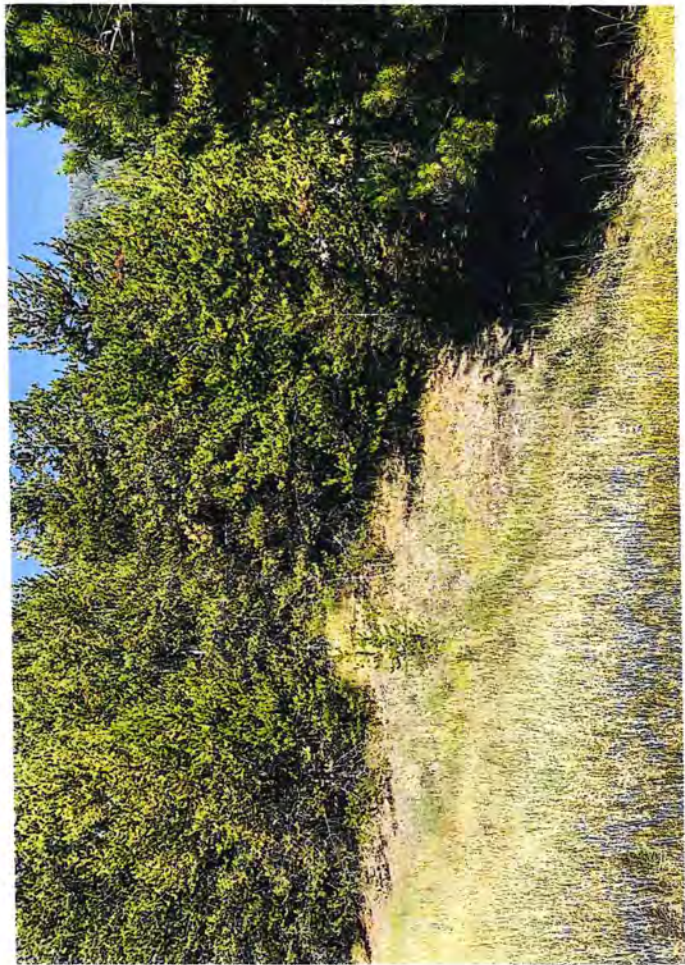
DRAWN: JRussell DATE: 9/22/16 SHEET: 1 of 1
REV: JR 9/24-27, 10/6-20
PSI #16-0188 Drawing: 16-1888.dwg ROS tab
(C) Scott Valley Map 1, Russell Geometric (2016) All Rights

ALTA - NSPS Land Title Survey
IDAHO GOLD RESOURCES COMPANY, LLC
Scott Valley Parcel

situated in the
Southeast 1/4 Northwest 1/4,
Northeast 1/4 Southwest 1/4 & Govt. Lot 4
Section 7, T.14N., R.5E., B.M.
Valley County, Idaho
Russell Surveying, Inc. ~ McCall, Idaho
October

10/20/16 Sheet 2 of 2







Planning and Zoning Commission
VALLEY COUNTY
IDAHO

P.O. Box 1350/219 North Main Street/Cascade, Idaho 83611-1350

Phone: 208.382.7115
FAX: 208.382.7119

Instrument # 433940

VALLEY COUNTY, CASCADE, IDAHO

10-28-2020 11:35:20 AM No. of Pages: 1

Recorded for : LORI HUNTER

DOUGLAS A. MILLER

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COUNTY MISC

AF

CONDITIONAL USE PERMIT

NO. 20-12

Stibnite Gold Project Logistics Facility

Issued to: Midas Gold Idaho INC
PO Box 429
Donnelly, ID 83615

Property Location: Warm Lake RD; Parcel RP14N05E074475 located in the W1/2 Sec. 7, T. 14N, R. 5E, B.M., Valley County, Idaho. The site is approximately 25 acres.

On October 5, 2020, the Board of County Commissioners upheld the Valley County Planning and Zoning Commission's decision of approval that was made on July 16, 2020. The Commission's decision stands, with amendments made by the Board, and you are hereby issued Conditional Use Permit No. 20-12 with Conditions for establishing a logistics facility as described in the application, staff reports, and minutes of the Planning and Zoning Commission and Board of County Commissioners.

The Findings of Fact and Conclusions of Law were signed by the Board of County Commissioners on October 26, 2020. The effective date of this permit is October 6, 2020.

Conditions of Approval:

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The use shall be established according to the phasing plan or this permit shall be null and void. The use shall not be started until approval of mining activities is approved.

Conditional Use Permit

Page 1

4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
5. All lights shall be fully shielded so that there is not upward or horizontal projection of lights. The lights can only be a maximum of 20' in height and 3000° Kelvin.
6. The applicant shall provide and maintain orderly and proper disposal of waste including by-products of the operation, other solid waste, hazardous waste, and sanitary waste.
7. Must comply with Central District Health requirements.
8. The minimum building setbacks for light industrial uses shall be fifty feet (50') from front, rear, and side street property lines and thirty feet (30') from side property lines.
9. Parking lots must comply with setback standards.
10. New structures, including fencing greater than 6-feet tall, must have building permits and be approved as part of a conditional use permit.
11. The site must be kept neat and orderly.
12. Shall obtain a sign permit prior to installation of a sign.
13. Perimeter landscaping shall be installed prior to July 1, 2021. If landscaping dies, it must be replaced. Landscaping must be irrigated and maintained. Landscaping shall provide adequate screening from Warm Lake Highway to decrease visual impacts.
14. Hours of operation are limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday.
15. A stormwater management plan shall be approved by the Valley County Engineer prior to excavation.
16. Will need an approach permit from the Valley County Road Department.
17. Shall enter into an agreement with the Board of County Commissioners and Idaho Transportation Department to mitigate impacts to the road system, including maintenance of Warm Lake RD, prior to any site grading or improvements, except placement of a sign and timber/fuel removal for fire protection.
18. After reclamation of the mine site and the facility is no longer needed by Midas as a logistics facility, a new conditional use permit will be required prior to use by any other entity. If there is no further use of the site after a two-year time frame, the structures will be removed and the site reclaimed. A reclamation bond will be required.

19. This use is not to be considered a permanent land use change for compatibility considerations in review of other conditional use permit type of applications.
20. Shall enter into an agreement with the Board of County Commissioners to mitigate impacts to community housing prior to issuance of any building permits.
21. Shall enter into an agreement with the Board of County Commissioners to mitigate impacts to other county service providers and infrastructures, such as EMS, Sheriff, solid waste, etc.

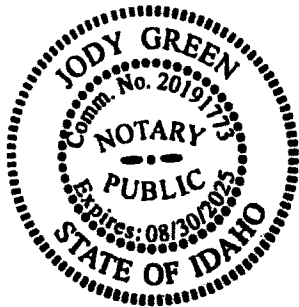
END CONDITIONAL USE PERMIT

Date October 28, 2020

Approved by Cynda Herrick

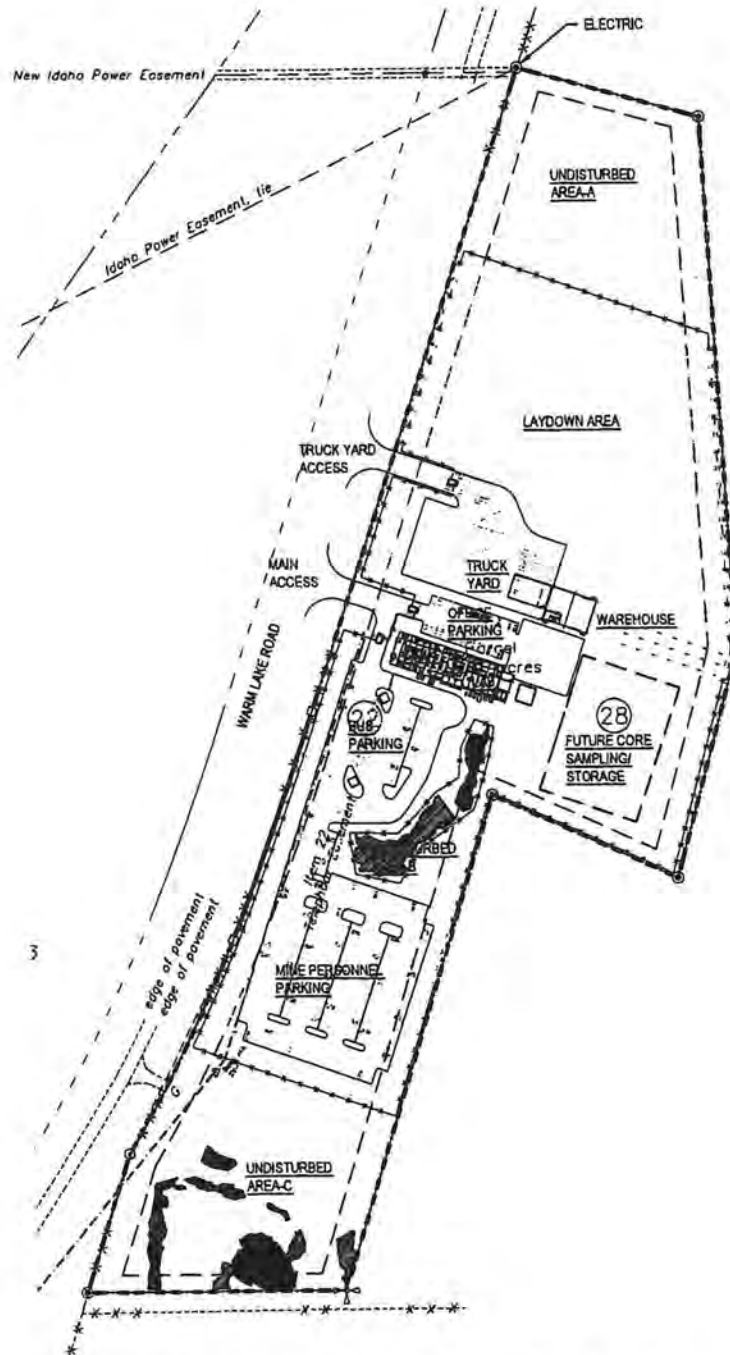
On this 28th day of October, 2020, before me, a notary public in and for said State, Cynda Herrick personally appeared, and is known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate above written.



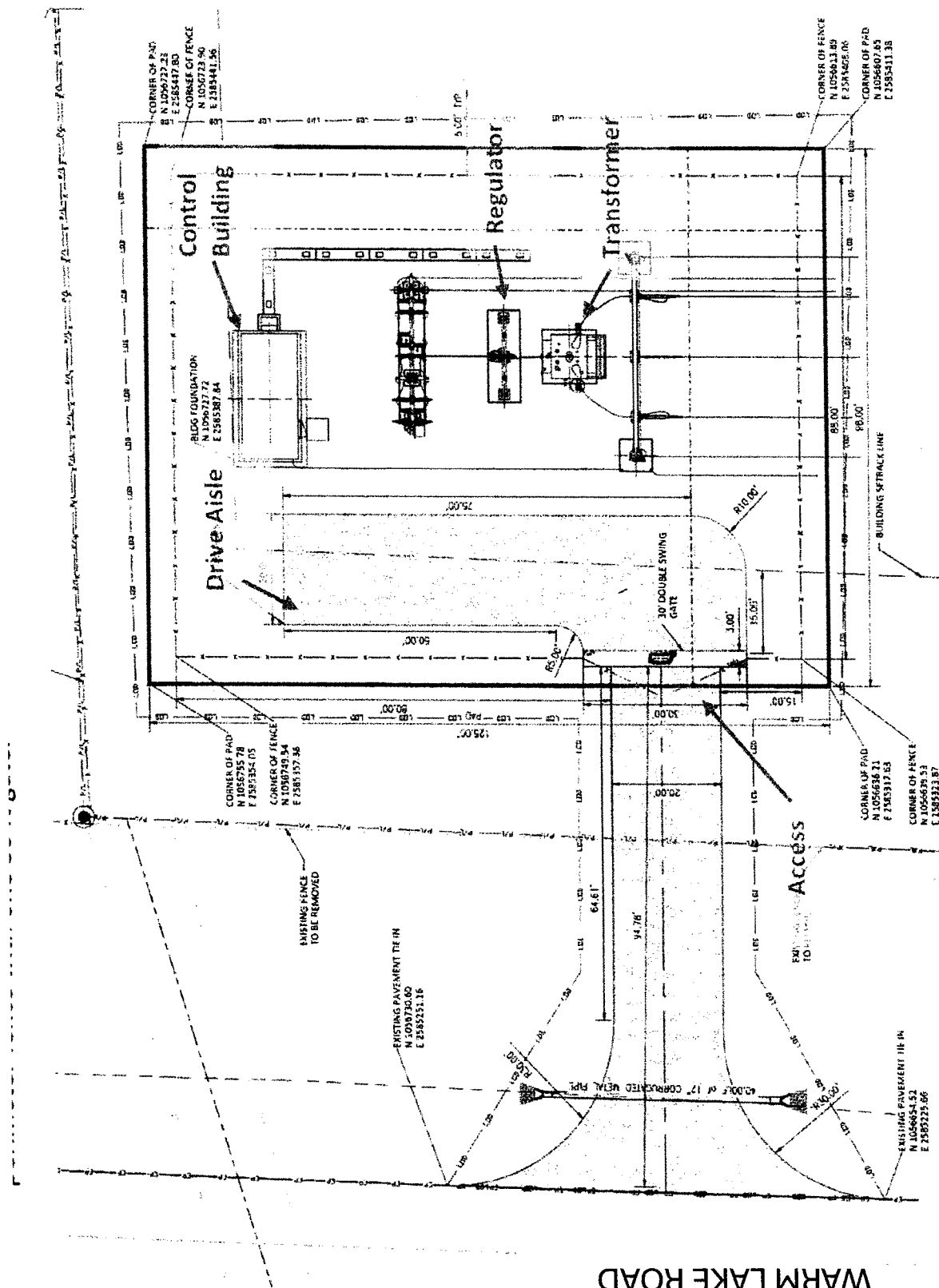
[Signature]
Notary Public
Residing at: Valley County
Commission Expires: 8/30/25

C.U.P. 20-12
site plan



LOGISTICS FACILITY OVERALL SITE PLAN





From: Emily Hart <ehart@mccall.id.us>
Sent: Thursday, August 21, 2025 10:52 AM
To: Lori Hunter <lhunter@valleycountyid.gov>
Subject: Re: Public Hearings - Valley County PZ - Sept. 11, 2025

Lori,

SUB 25-019 is 1.8 miles from Runway 34. In Horizontal Surface. Prescreen for FAA Form 7460-1 submittal <https://oeaaa.faa.gov/oeaaa/oe3a/main/#/noticePrescreen>

Obstruction Evaluation / Airport Airspace Analysis (OE3A)

The Federal Aviation Administration (FAA) Obstruction Evaluation Group (OEG) is currently closed. Unfortunately, due to this closure we will not be able to accept new or process previously submitted applications for off-airport filings under 14 CFR Part 77. Upon our return, the OEG staff will immediately begin accepting e-filings via this website and process applications as quickly as possible ...

oeaaa.faa.gov

No other Airport comments for the Sept. 11 Agenda.

Have a great day,

Emily

Emily Hart, C.M. | McCall Airport Manager
336 Deinhard Lane Hangar 100 | McCall, ID 83638
Direct: 208.634.8965 | Cell: 208.630.3441
www.mccall.id.us/airport

Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

STAFF REPORT:	C.U.P. 25-020 Idaho Power Stibnite Substation
HEARING DATE:	September 11, 2025
TO:	Planning and Zoning Commission
STAFF:	Cynda Herrick, AICP, CFM Planning and Zoning Director
APPLICANT:	Idaho Power Company, ATTN Jeff Maffuccio PO Box 70, Boise, ID 83707
PROPERTY OWNER:	Idaho Gold Resources Company LLC PO Box 429, Donnelly, ID 83615
LOCATION:	4-acre portion of parcel RP18N09E115495 located in the SW ¼ Section 11, T.18N, R.9E, Boise Meridian, Valley County, Idaho
SIZE:	Approximately 4-acres of a 53.6-acre parcel
REQUEST:	Electric Substation
EXISTING LAND USE:	Approved C.U.P.s 14-07, 12-01, 11-02

Idaho Power Company is requesting a conditional use permit for a substation in the Stibnite Mining Area, southeast of Yellow Pine, Idaho. The proposal includes:

- 2 transformers,
- 5 breakers,
- a 60-ft x 20-ft concrete masonry control building, and
- a 7-ft tall chain-link perimeter fence with four 30-ft wide gates.

The Stibnite Substation would be the northern terminus for the upgraded transmission service for the Stibnite Gold Mine. The proposed site is an approximately 4-acre portion of a 54-acre parcel. It would be near the ore and mineral processing facilities. An existing mining camp would be moved to accommodate the substation.

The facility would be accessed from Stibnite Road through the Perpetua Resources facilities.

Any operational noises would not exceed 65dB per the Code of Federal Registry Section 24.

The design includes open gravel areas for safety and to minimize spread of fire and heat. A retention stormwater pond for drainage would be used.

Where possible, existing trees would be retained to provide screening from Stibnite Road.

The intent is for Idaho Power to lease the site. This would allow for simpler reclamation once mining operations have concluded.

FINDINGS:

1. The application was submitted on July 24, 2025.
2. Legal notice was posted in the *Star News* on August 21, 2025, and July 31, 24, 2025. Potentially affected agencies were notified on August 12, 2025. Neighbors within 300 feet of the property line were notified by fact sheet sent August 13, 2025. The site was posted on August 21, 2025. The notice and application were posted online at www.co.valley.id.us on August 12, 2025.
3. Agency comment received:
Emily Hart, McCall Airport Manager, had no comments. (August 21, 2025)
4. Public comment received: none
5. Physical characteristics of the site: Previously disturbed area with rocks and conifers.
6. The surrounding land use and zoning includes:
North: East Fork of the South Fork of the Salmon River; U.S. Forest Service managed land
South: U.S. Forest Service Managed Land; remainder of parcel RP18N09E115495 with buildings and equipment associated with mining activities
East: U.S. Forest Service managed land
West: East Fork of the South Fork of the Salmon River; Stibnite Road; U.S. Forest Service managed land
7. Valley County Code (Title 9) in Table 9-3-1. This proposal is categorized under:
 - 3 Civic or Community Service Uses (j) public utility supply, transfer, or relay facilities including administration

Review of Title 9 - Chapter 5 Conditional Uses should be done.

9-5-3: STANDARDS:

The provisions of this chapter shall apply to the various buildings and uses designated herein as conditional uses.

B. Setbacks:

1. Structures Exceeding Three Feet In Height: The setbacks for all structures exceeding three feet (3') in height are specified herein under the site and development standards for the specific use.
2. Highway 55: All structures shall be set back one hundred feet (100') from the right of way line of Highway 55 unless a more restrictive setback is required within other sections of this title.
3. High Water Line: All residential buildings shall be set back at least thirty feet (30') from high water lines. All other buildings shall be set back at least one hundred feet (100') from high water lines.
4. Front Yards: Front yards shall be determined by the structure establishing the principal use on the property and the location of the access street or road.
5. Encroachment On Yards: No other structure may encroach on the yards determined for the structure establishing principal use.
6. Measurement: All building setbacks shall be measured horizontally, on a perpendicular to the property line, to the nearest corner or face of the building including eaves, projections, or overhangs.

9-5A SITE IMPROVEMENTS

9-5A-1: GRADING:

- A. Permit Required: Grading to prepare a site for a conditional use or grading, vegetation removal, construction or other activity that has any impact on the subject land or on adjoining properties is a conditional use. A conditional use permit is required prior to the start of such an activity.
- D. Wetlands: Grading or disturbance of wetlands is subject to approval of the U.S. corps of engineers under the federal clean water act. The federal permit, if required, shall be part of the conditional use permit.
- E. Site Grading Plan:
 - 1. The conditional use permit application shall include a site grading plan, or preliminary site grading plan for subdivisions, clearly showing the existing site topography and the proposed final grades with elevations or contour lines and specifications for materials and their placement as necessary to complete the work. The plan shall demonstrate compliance with best management practices for surface water management for permanent management and the methods that will be used during construction to control or prevent the erosion, mass movement, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development. The plan shall be subject to review of the county engineer and the soil conservation district. The information received from the county engineer, the soil conservation district, and other agencies regarding the site grading plan shall be considered by the planning and zoning commission and/or the board of county commissioners in preparing the conditions of approval or reasons for denial of the applications.
- F. Land Surfaces Not Used For Roads, Buildings And Parking: All land surfaces not used for roads, buildings and parking shall be covered either by natural vegetation, other natural and undisturbed open space, or landscaping.
- G. Stormwater Management Plan: Prior to issuance of building permits, the administrator must receive a certification from the developer's engineer verifying that the stormwater management plan has been implemented according to approved plans.

9-5A-2: ROADS AND DRIVEWAYS:

- B. Access Roads Or Driveways: Residential developments, civic or community service uses, and commercial uses shall have at least two (2) access roads or driveways to a public street wherever practicable.

9-5A-4: LANDSCAPING:

- A. Purpose And General Regulations:
 - 3. General Regulations
 - d. Strip, Excavate, Remove Topsoil Or Berm Up Soil On Site: No person, firm or corporation shall strip, excavate or remove topsoil nor shall they berm up soil on a site, except to accommodate an approved building, building addition or facilitate necessary and approved site improvements. These changes must be part of the approved site grading and stormwater management plan. This subsection does not apply to sites where permitted uses exist or are proposed.
 - f. Use Of Landscaped Areas: Landscaped areas shall not be used for parking of vehicles, display of merchandise or other uses detrimental to the landscaping.
 - 4. Maintenance:
 - a. Responsibility For Maintenance: The landscape areas on site, as well as in the right of way, shall be maintained by the owner or owner's association (should the property be subdivided) or the lessee of the site. Any areas designated and intended for the purposes of on site water retention shall be maintained and reserved for that specific purpose. Any alteration or deterioration of those areas shall be considered a violation of this title and any applicable ordinance.
 - b. Replacement Of Plant Material: Any plant material that does not survive shall be replaced within thirty (30) days of its demise.
 - c. Removal Or Destruction Of Landscape Material: The removal or destruction of landscape material previously approved by the county shall constitute a violation of this title.

Replacement of landscape material shall be of like size as that which was removed or destroyed.

- d. Maintained In Accordance With Site and/or Landscape Plan: Landscaping, irrigation systems, walls, screening devices, curbing and lighting shall be reasonably maintained in accordance with the approved site and/or landscape plan. Plant material shall not be severely pruned such that the natural growth pattern or characteristic forms are significantly altered.
- e. Modification and/or Removal Of Existing Landscaping: Modifications and/or removal of existing landscaping shall require prior approval.
- f. Lack Of Maintenance: The lack of maintenance shall constitute a violation of this title.
- g. Sight Obscuring Landscape Features: Sight obscuring landscape features such as hedges shall be maintained in such a manner that vision necessary for safe operation of motor vehicles or bicycles along or entering public roadways is not obstructed.

B. Landscaping; Standards Of Design:

- 1. Minimum Requirements: Each site to be developed under a conditional use permit shall be required to provide landscape areas equal to or exceeding the following minimum amounts:
 - b. Service/Commercial Use: Each site for proposed service/commercial use shall have a minimum of fifteen percent (15%) of the net site/lot area in landscaping.
 - d. Additional Landscaping: In addition to the minimum on site landscaping, there shall be landscaping in the entire area of the right of way, between street property line and back of street curb, road, back slope, or fill slope, except for approved driveways, walkways, bike paths, and snow storage areas.
- 4. Use Adjacent To Single-Family Residential Development: Where multi-family, commercial, office or industrial uses are adjacent to or separated by an alley or lesser separation from a single-family residential development, such trees shall be planted at ten feet (10') on center, with every other tree being a minimum twenty four inch (24") box size.
- 5. Commercial, Office Or Industrial Use Adjacent To Residence: Where a commercial, office or industrial user of over fifty thousand (50,000) square feet building area is located adjacent to a residence, the landscape buffer described in subsection B3 of this section shall be increased to fifteen feet (15') (adjacent to that user), with two (2) rows of trees along the interior side of the property line. Each row is to contain minimum fifteen (15) gallon trees spaced fifteen feet (15') on center, staggered for maximum effect in buffering the two (2) uses.
- 6. Criteria For Trees Along Street Frontage: Trees shall be required along all street frontages according to the following criteria:
 - a. A minimum of one tree shall be planted for every twenty five feet (25') of linear street frontage. The trees may be grouped or planted in groves;
 - b. Fifty percent (50%) shall be twenty four inch (24") box size or larger with the balance being minimum fifteen (15) gallon size;
 - c. The trees selected shall be compatible with the overall site and landscape plan as well as adjacent sites.
- 7. Standard Tree Planting Detail: All trees shall be planted and staked in accordance with the "Standard Tree Planting Detail" diagram in section 9-5-4 of this chapter. Plant sizes to be in accordance with Nurseryman Association standards.
- 8. On Site Water Retention Areas: All on site water retention areas, other than paved surfaces, shall be entirely landscaped and shall comply with the following criteria:
 - a. The retention areas shall not occupy more than sixty seven percent (67%) of the on site street frontage landscape area;
 - b. All retention areas shall maintain slopes no steeper than three to one (3:1).
- 9. Mounding And Berming: All mounding and berming shall have slopes no steeper than three to one (3:1).
- 10. Ground Cover: A minimum of fifty percent (50%) of the landscaped areas is to be planted with vegetative ground cover. Minimum size and spacing to be one gallon size plants at a maximum three feet (3') on center.
- 11. Landscape Designs: Landscape designs shall be compatible with adjacent properties. Selected stock shall be especially suited for this climate or shall be from native stock.

9-5A-5: FENCING:

- A. Substituted For Planting Screens: Fencing may be substituted for planting screens subject to the approval of the staff and the commission.

- B. Separation Or Screening: Fencing shall be installed to provide separation or screening as specified in the site or development standards for the specific use. A sight obscuring fence required by the commission for any conditional use shall be stained or painted a single solid color, shall not be used for advertising, and shall be maintained in good repair.
- E. Construction And Materials: Fence construction and materials shall be in accordance with commonly accepted good practices to produce a neat appearing durable fence. The location, height, and materials used for constructing a fence shall be approved by the commission and specified in the conditional use permit. Fences required for any conditional use shall be maintained in good repair.
- F. Conditional Use Adjoins Agricultural Uses: Where a conditional use adjoins an agricultural use where animal grazing is known to occur for more than thirty (30) consecutive days per year, the permittee shall cause a fence to be constructed so as to prevent the animals from entering the use area. The permittee shall provide for the maintenance of said fence through covenants, association documents, agreement(s) with the adjoining owner(s), or other form acceptable to the commission prior to approval of the permit so that there is reasonable assurance that the fence will be maintained in functional condition so long as the conflicting uses continue.
- G. Obstruction Of Vision: Sight obscuring fences, hedges, walls, latticework, or screens shall not be constructed in such a manner that vision necessary for safe operation of motor vehicles or bicycles on or entering public roadways is obstructed.

9-5B PERFORMANCE STANDARDS

9-5B-1: NOISE:

- A. Commercial Or Industrial Activity: The noise emanating from any commercial or industrial activity shall be muffled so as not to become objectionable due to intermittent beat, frequency or shrillness, and shall not exceed forty (40) decibels between the hours of seven o'clock (7:00) P.M. and seven o'clock (7:00) A.M., and sixty (60) decibels at other hours at the property line if adjacent uses are not the same.

9-5B-2: LIGHTING:

9-5B-3: ELECTRICAL INTERFERENCE:

Provisions must be made for necessary shielding or other preventive measures against interferences occasioned by mechanical, electrical, electronic, and nuclear equipment, uses or processes with electrical apparatus in nearby buildings or land uses.

9-5B-4: EMISSIONS:

- A. Obnoxious Odors; Toxic Or Corrosive Fumes Or Gases: The emission of obnoxious odors of any kind shall not be permitted, nor the emission of any toxic or corrosive fumes or gases.
- B. Dust: Dust created by an industrial, commercial, or recreational operation shall not be exhausted or wasted into the air. All operations shall be subject to the standards in appendix C, fugitive dust 1. State air quality permits, when required, may be a condition of approval of the conditional use permit or may be required to be a part of the conditional use permit at the discretion of the commission.

9-5B-5: DUST:

- A. Minimization Required: Dust and other types of air pollution borne by the wind from such sources as storage areas and roads, shall be minimized by appropriate landscaping, paving, oiling, watering on a scheduled basis, or other acceptable means.
- B. Created By Approved Operation: Dust created by any approved operation shall not be exhausted or wasted into the air. The standards in appendix C, fugitive dust 1 along with state air quality permits, when required, may be a condition of approval of the conditional use permit or may be required to be a part of the conditional use permit at the discretion of the commission.

9-5B-6: OPEN STORAGE:

All storage shall be located within an area not closer than twenty feet (20') from the street right of way line and shall be enclosed with a heavy wire or board fence not less than six feet (6') high, or by plantings the same height. Lumber, coal, or other combustible material will be fully accessible to firetrucks at all times. Open storage of toxic or hazardous materials shall not be allowed.

9-5B-7: FIRE PROTECTION:

Provisions must be made to implement prefire activities that may help improve the survivability of people and homes in areas prone to wildfire. Activities may include vegetation management around the home, use of fire resistant building materials, appropriate subdivision design, removal of fuel, providing a water source, and other measures. Recommendations of the applicable fire district will be considered.

9-5D CIVIC OR COMMUNITY SERVICE USES

9-5D-1: - SITE OR DEVELOPMENT STANDARDS:

Civic or community service uses shall meet the following site or development standards:

A. Minimum Lot Areas:

1. Hospitals, sanatoriums, retirement homes, government administration buildings, cemeteries, and similar uses shall be located on lots or parcels of minimum area as computed from subsection 9-5-3A2 of this chapter but shall not be less than one acre.
2. Sanitary landfills for solid waste disposal sites shall be in accordance with federal and state standards and not be less than five (5) acres. Central sewage treatment facility sites shall not be less than two (2) acres. This minimum area does not apply to undesignated sewage treatment facilities.
3. Other uses in this category shall occur on sites of an area sufficient to accommodate the use, associated activities or uses, and to adequately contain adverse impacts.
4. Frontage along a public or private road shall not be less than seventy five feet (75').

B. Minimum Setbacks:

1. The minimum building setbacks shall be fifty feet (50') from front, rear, and side street property lines and thirty feet (30') from side property lines except the minimum setbacks for cemeteries shall be thirty feet (30') from front and side street property lines, ten feet (10') from side property lines and fifteen feet (15') from rear property lines. Central sewage treatment facilities shall be set back at least one hundred feet (100') from any property line.

C. Maximum Building Heights And Floor Area:

1. Building heights shall not exceed thirty five feet (35') above the lower of the existing or finished grade. The building size or floor area may not exceed the limitations of subsections 9-5-3A and C of this chapter.
2. No structure or combination of structures may cover more than forty percent (40%) of the lot.

D. Site Improvements: Parking spaces shall be provided at the rate of one per two hundred fifty (250) square feet of floor area as applicable where buildings are a part of the use or as determined by the commission.

SUMMARY:

Staff's compatibility rating is a +35.

The Planning and Zoning Commission should do their own compatibility rating prior to the meeting (form with directions attached).

STAFF COMMENTS / QUESTIONS:

1. Where is the specific location of the site relative to other uses?
2. Will site be removed when mine is depleted and reclaimed?
3. Staff believes a variance from VCC 9-5D-1-A.4 requiring 75-ft of road frontage should be allowed.
4. Minimum setbacks are: 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines. Fences over 6-ft tall cannot be constructed within the setback area.
5. The distance of the fenced perimeter from the high-water line of the East Fork of the South Fork of the Salmon River and any tributaries is unclear on the submitted drawings.

Question to P&Z Commission:

1. Does this use meet the minimum standards in Title 9, Chapter 5, of the Valley County Code in regards to frontage, lot size, etc.? If not, which ones does it not comply with?
2. Would impacts be properly mitigated? If not, which impacts would not be mitigated?
3. If not approved, what could the applicant do to gain approval?

Standards of Approval:

1. Will the application result in an increase in value of private property? VCC 9-5-2(B)(3).
2. Will the approval of the application result in an undue adverse impact on the environment? VCC 9-5-2(B)(3).
3. Will the approval of the application result in an undue adverse impact on adjoining properties? VCC 9-5-2(B)(3).
4. Will the approval of the application result in an undue adverse impact on governmental services? VCC 9-5-2(B)(3).
5. Is the application consistent with the Valley County Comprehensive Plan? VCC 9-5-2(B)(3).
6. Conditional uses may be approved only after a C.U.P. has been evaluated to determine that the impacts can be mitigated through conformance with conditions of approval. VCC 9-5-2(A).

These six standards should be a significant focus of attention during the public hearing and deliberations because they need to be resolved in order to justify approval. VCC 9-5-1(C) directs the decision-making body to encourage conditional uses where noncompatible aspects of the application can be satisfactorily mitigated through development agreements for the costs to service providers and impacts to surrounding land uses. Because mitigation measures are a requirement of approval the applicant needs to understand that he/she will be required to perform some off-site improvements. They are not mandatory but without them the application cannot satisfy the mitigation of impacts requirement and would be denied under the ordinance.

ATTACHMENTS:

- Proposed Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Location Maps
- Aerial Map
- Google Maps View of Area, 2025
- Pictures Taken August 21, 2025 – Entrance to Larger Site
- Site Plan
- Responses

Proposed Conditions of Approval

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.

2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
4. The use shall be established within one year, or a permit extension will be required.
5. All lighting must comply with the Valley County Lighting Ordinance. All lights shall be fully shielded so that there is not upward or horizontal projection of lights.
6. All noxious weeds on the property must be controlled.
7. A wetland delineation shall be completed.
8. Must have a stormwater management plan and site grading plan approved by the Valley County Engineer prior to doing any dirt work on-site.
9. Shall obtain a sign permit prior to installation of any sign.
10. Snow must be stored on-site.
11. The site must be kept in a neat and orderly manner.
12. Noise shall be kept to a minimum between 10:00 p.m. and 7:00 a.m.
13. A building permit is required for the control building.
14. Shall clearly post the physical address at the entrance once assigned.
15. Building permits will be required for any fencing over 6-ft in height.
16. Minimum setbacks are: 50-ft from front and rear property lines; 30-ft from side property lines; and 100-ft from high-water lines of the ditch and stream. Fences over 6-ft tall cannot be constructed within the setback area.
17. Landscaping, including existing native vegetation, must be maintained on the west side of the substation. If landscaping dies, it must be replaced. Noxious weeds must be controlled using proper land management principles.
18. A minimum of one tree should be maintained for every 25 feet of linear street frontage along the property line. The trees may be grouped or planted in groves.

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use: _____

Prepared by: _____

YES/NO X Response
Value

Use Matrix Values:

(+2/-2) X 4 _____

1. Is the proposed use compatible with the dominant adjacent land use?

(+2/-2) X 2 _____

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

(+2/-2) X 1 _____

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) X 3 _____

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

(+2/-2) X 1 _____

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

(+2/-2) X 2 _____

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

(+2/-2) X 2 _____

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

(+2/-2) X 2 _____

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

(+2/-2) X 2 _____

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Sub-Total (+) _____

Sub-Total (--) _____

Total Score _____

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

9-11-1: APPENDIX A, COMPATIBILITY EVALUATION:

- A. General: One of the primary functions of traditional zoning is to classify land uses so that those which are not fully compatible or congruous can be geographically separated from each other. The county has opted to substitute traditional zoning with a multiple use concept in which there is no separation of land uses. Proposed incompatible uses may adversely affect existing uses, people, or lands in numerous ways: noise, odors, creation of hazards, view, water contamination, loss of needed or desired resources, property values, or infringe on a desired lifestyle. To ensure that the county can continue to grow and develop without causing such land use problems and conflicts, a mechanism designed to identify and discourage land use proposals which will be incompatible at particular locations has been devised. The compatibility evaluation of all conditional uses also provides for evaluations in a manner which is both systematic and consistent.
- B. Purpose; Use:
1. The compatibility rating is to be used as a tool to assist in the determination of compatibility. The compatibility rating is not the sole deciding factor in the approval or denial of any application.
 2. Staff prepares a preliminary compatibility rating for conditional use permits, except for conditional use permits for PUDs. The commission reviews the compatibility rating and may change any value.
- C. General Evaluation: Completing the compatibility questions and evaluation (form):
1. All evaluations shall be made as objectively as possible by assignment of points for each of a series of questions. Points shall be assigned as follows:
 - Plus 2 - assigned for full compatibility (adjacency encouraged).
 - Plus 1 - assigned for partial compatibility (adjacency not necessarily encouraged).
 - 0 - assigned if not applicable or neutral.
 - Minus 1 - assigned for minimal compatibility (adjacency not discouraged).
 - Minus 2 - assigned for no compatibility (adjacency not acceptable).
 2. Each response value shall be multiplied by some number, which indicates how important that particular response is relative to all the others. Multipliers shall be any of the following:
 - x4 - indicates major relative importance.
 - x3 - indicates above average relative importance.
 - x2 - indicates below average relative importance.
 - x1 - indicates minor relative importance.
- D. Matrix - Questions 1 Through 3: The following matrix shall be utilized, wherever practical, to determine response values for questions one through three (3). Uses classified and listed in the left hand column and across the top of the matrix represent possible proposed, adjacent, or vicinity land uses. Each box indicates the extent of compatibility between any two (2) intersecting uses. These numbers should not be changed from proposal to proposal, except where distinctive uses arise which may present unique compatibility considerations. The commission shall determine whether or not there is a unique consideration.
- E. Terms:
- DOMINANT ADJACENT LAND USE: Any use which is within three hundred feet (300') of the use boundary being proposed; and
1. Comprises at least one-half (1/2) of the adjacent uses and one-fourth (1/4) of the total adjacent area; or
 2. Where two (2) or more uses compete equally in number and are more frequent than all the other uses, the one with the greatest amount of acreage is the dominant land use; or
 3. In all other situations, no dominant land use exists. When this occurs, the response value shall be zero.
- LOCAL VICINITY: Land uses within a one to three (3) mile radius. The various uses therein should be identified and averaged to determine the overall use of the land.
- F. Questions 4 Through 9:
1. In determining the response values for questions 4 through 9, the evaluators shall consider the information contained in the application, the goals and objectives of the comprehensive plan, the provisions of this title and related ordinances, information gained from an actual inspection of the site, and information gathered by the staff.
 2. The evaluator or commission shall also consider proposed mitigation of the determined impacts. Adequacy of the mitigation will be a factor.

APPENDIX A

MATRIX FOR RATING QUESTIONS 1, 2, and 3

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
1. AGRICULTURAL		+2	-1	-2	-2	-2	-2	+1	+1	+1	+1	+2	+1	+1	-1	-1	-1	+2	-1	-2	+1	+2	+1
2. RESIDENCE, S.F.	+2		+2	+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
3. SUBDIVISION, S.F.	-1	+2		+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+2	+1	-1	+2	+1	-2	-2
4. M.H. or R.V. PARK	-2	+1	+1		+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
5. RESIDENCE, M.F.	-2	+1	+1	+1		+2	+2	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
6. SUBDIVISION, M.F.	-2	+1	+1	+1	+2		+2	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
7. P.U.D., RES.	-2	+1	+1	+1	+2	+2		+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
8. REL., EDUC & REHAB	+1	+2	+1	+1	+1	+1	+1		+1	+1	-1	+2	-2	-1	-1	+2	+2	+1	+1	-1	+1	-2	-1
9. FRAT or GOVT	+1	+1	+1	+1	+1	+1	+1	+1		+1	-1	+2	-2	-1	-1	+1	+1	+1	+1	-1	+1	-2	-2
10. PUBLIC UTIL. (1A-3.1)	+1	-1	-1	-1	-1	-1	-1	+1	+1		+1	+	-1	+1	+1	+1	-1	+1	+1	+1	+1	+2	+2
11. PUBLIC REC	+1	+2	+2	+2	+2	+2	+2	-1	-1	+1		+2	-1	+1	+1	+1	+2	+1	+1	+1	+1	-1	-1
12. CEMETERY	+2	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2		+1	+1	+1	+1	+1	+1	+1	+1	+2	+1	+1
13. LANDFILL or SWR. PLANT	+1	-2	-2	-2	-2	-2	-2	-2	-2	-1	-1	+1		-1	-1	-2	-2	-2	-2	-1	+2	+2	+2
14. PRIV. REC. (PER)	+1	+1	+1	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1		+1	+1	+1	+2	+1	+2	+2	-1	+1
15. PRIV. REC. (CON)	-1	-1	-1	-1	-1	-1	-1	-1	-1	+1	+1	+1	-1	+1		-2	-2	-1	-2	-2	+2	-1	+1
16. NEIGHBORHOOD BUS.	-1	+1	+1	+1	+1	+1	+1	+2	+1	+1	+1	+1	-2	+1	-2		+1	+2	+2	+1	+2	-1	-1
17. RESIDENCE BUS.	+2	+2	+2	+1	+1	+1	+1	+2	+1	-1	+2	+1	-2	+1	-2	+1		+1	+1	+1	+1	-2	-2
18. SERV. BUS.	-1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+1		+2	+2		+1	+1
19. AREA BUS.	-2	-1	-1	-1	-1	-1	-1	+1	+1	+1	+1	+1	-2	+1	-2	+2	-1	+2		+1	+2	-2	-2
20. REC. BUS.	-2	+2	+2	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1	+2	-2	+1	+1	+2	+1		+2	-2	+1
21. LIGHT IND.	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+2	+2	+2	+2		+1	+1
22. HEAVY IND.	+2	-2	-2	-2	-2	-2	-2	-2	-2	+2	-1	+1	+2	-1	-1	-1	-2	-1	-2	-2	+1		+2
23. EXTR. IND.	+2	-2	-2	-2	-2	-2	-2	-1	-2	+2	+1	+1	+2	+1	+1	-1	-2	-1	-2	+1	+1	+2	+2

RATE THE SOLID SQUARES AS +2

Compatibility Questions and Evaluation

Matrix Line # / Use: 10

Prepared by: CH

YES/NO X Response Value

Use Matrix Values:

(+2/-2) +2 X 4 +8

1. Is the proposed use compatible with the dominant adjacent land use?

Uses associated with mine

(+2/-2) +1 X 2 +2

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

See #1 (housing)

(+2/-2) +1 X 1 +1

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

See #1 (offices)

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) +2 X 3 +6

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

Yes, large site adjacent to mining activities

(+2/-2) +2 X 1 +2

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

Yes - processing & housing

(+2/-2) +2 X 2 +4

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

Very little traffic after construction

(+2/-2) +2 X 2 +4

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

Same noise

(+2/-2) +2 X 2 +4

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

Is a utility provider

(+2/-2) +2 X 2 +4

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

↑ revenue

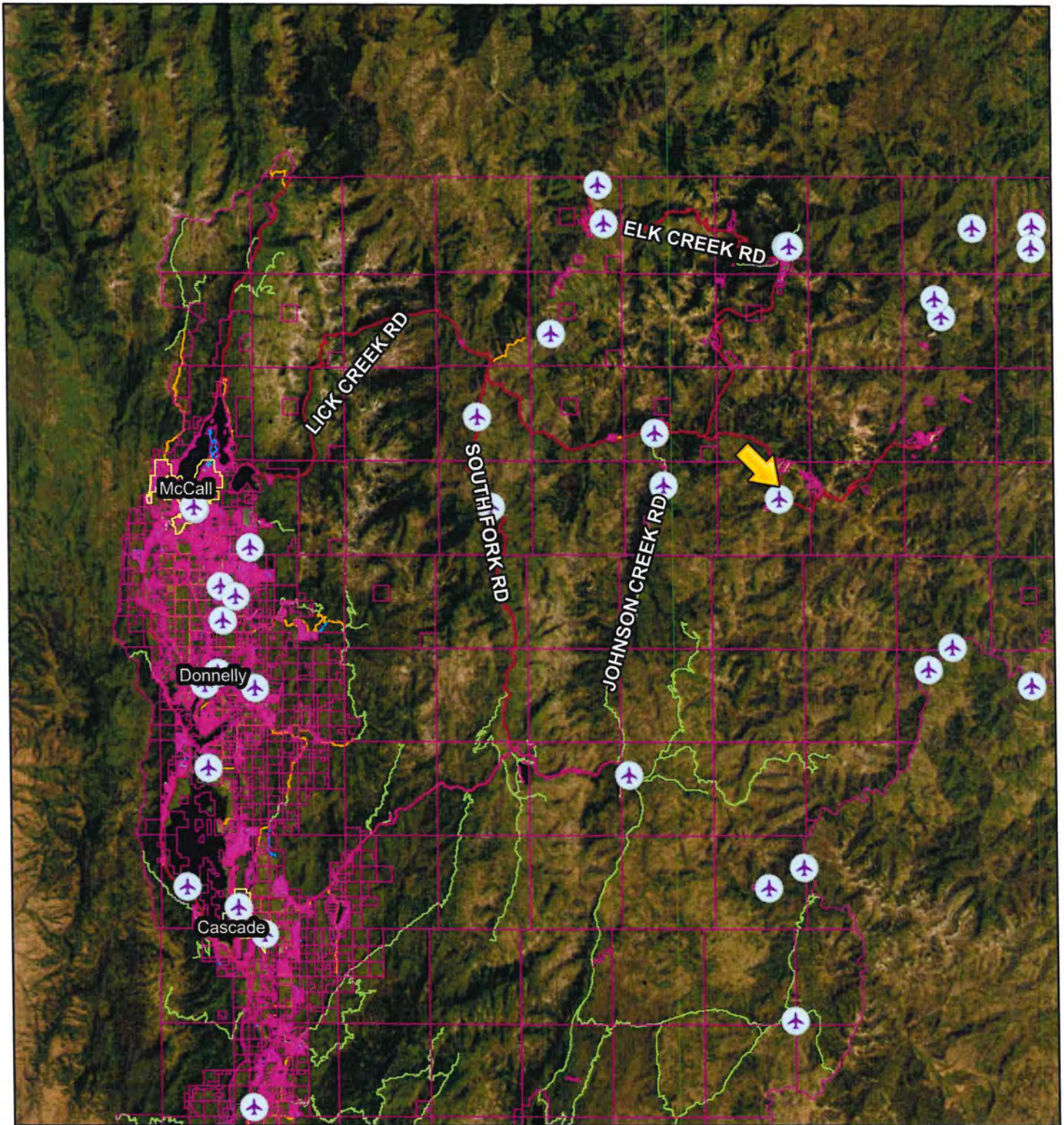
Sub-Total (+) 35

Sub-Total (-) _____

Total Score _____

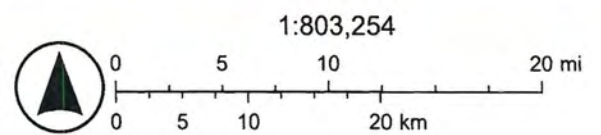
The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

C.U.P. 25-020 Location Map



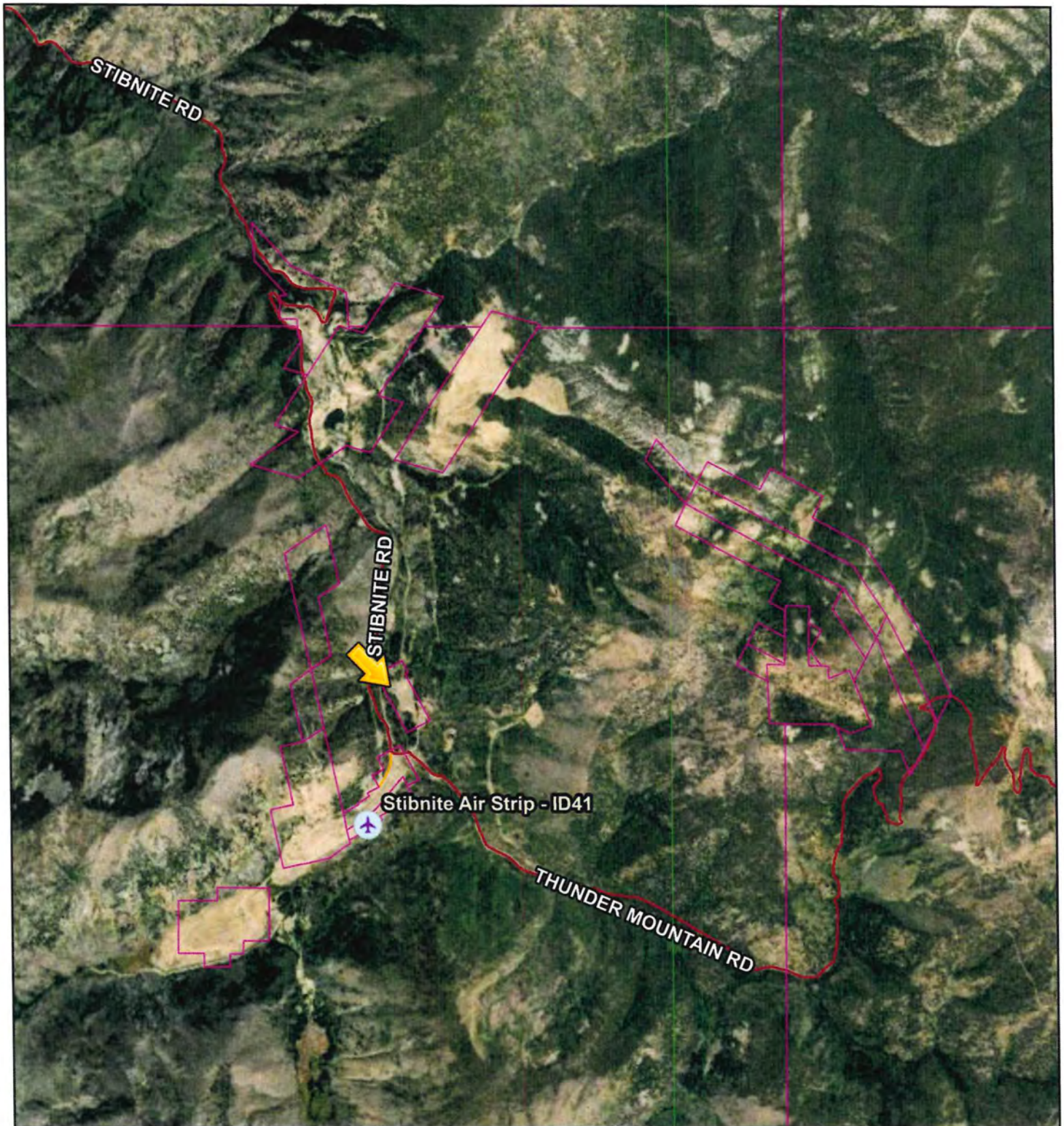
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-  Airstrips
-  Municipalities
-  Parcel Boundaries



Earthstar Geographics

C.U.P. 25-020 Location Map 2



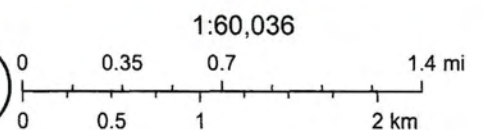
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Airstrips



Parcel Boundaries



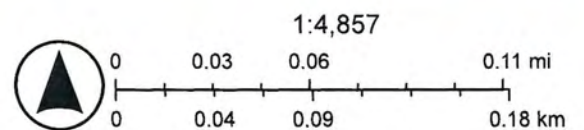
Earthstar Geographics

C.U.P. 25-020 Aerial Map



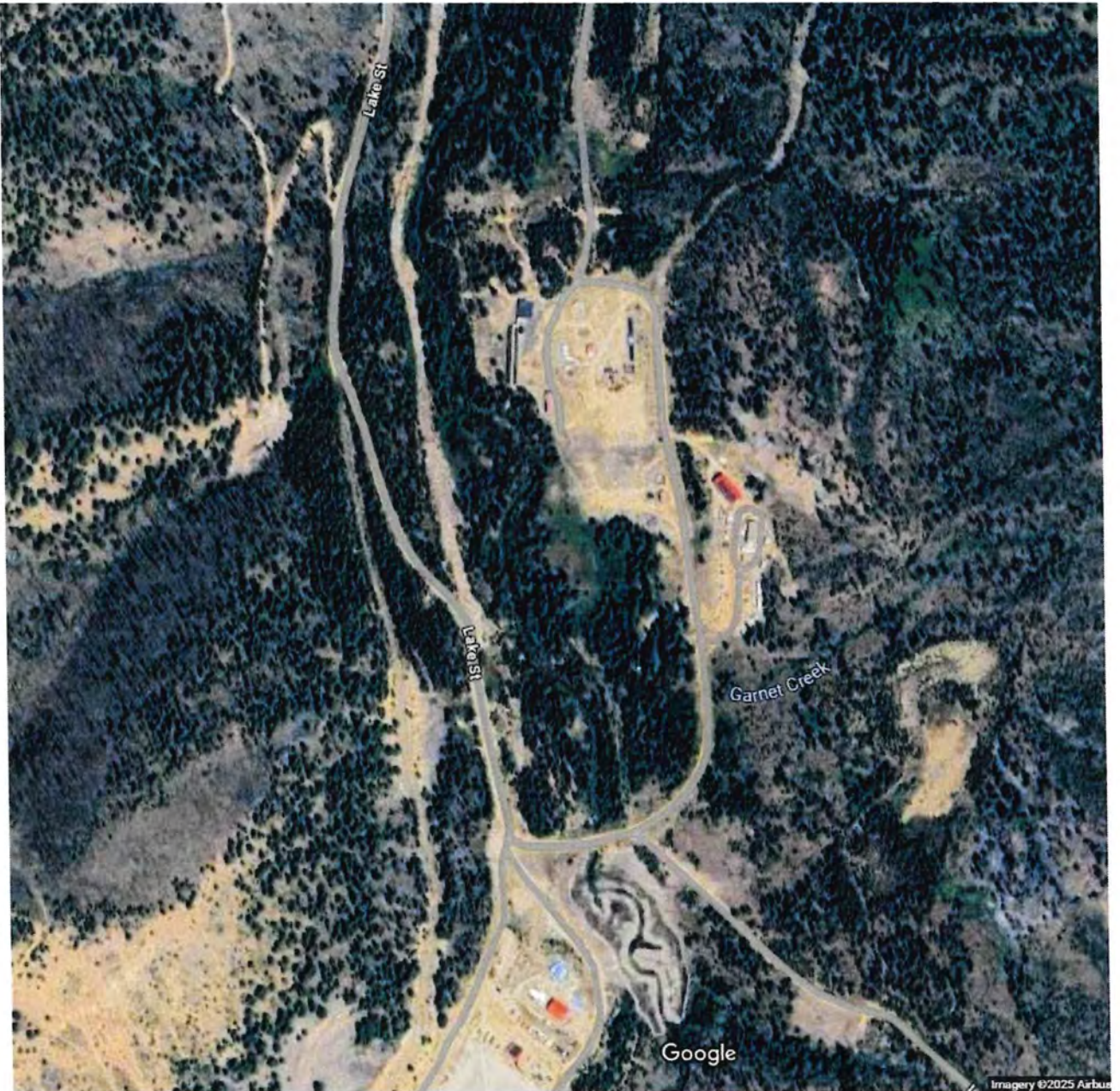
8/1/2025, 2:07:14 PM

- Address Points
- Parcel Boundaries



Maxar

Google Maps – Aerial View - 2025





Stibnite Substation

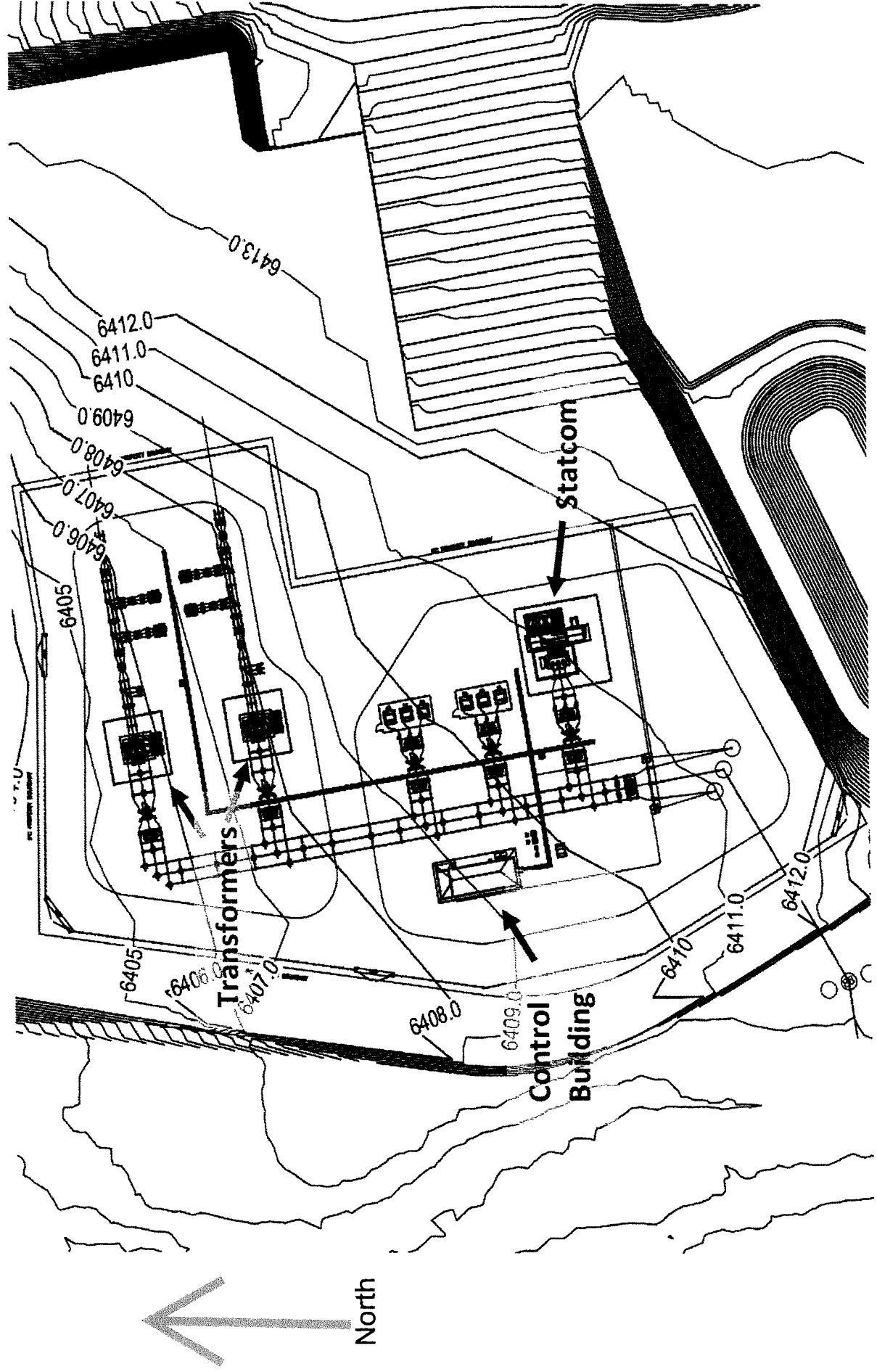


Image 3. Site Plan.

From: Emily Hart <ehart@mccall.id.us>
Sent: Thursday, August 21, 2025 10:52 AM
To: Lori Hunter <lhunter@valleycountyid.gov>
Subject: Re: Public Hearings - Valley County PZ - Sept. 11, 2025

Lori,

SUB 25-019 is 1.8 miles from Runway 34. In Horizontal Surface. Prescreen for FAA Form 7460-1 submittal <https://oeaaa.faa.gov/oeaaa/oe3a/main/#/noticePrescreen>

Obstruction Evaluation / Airport Airspace Analysis (OE3A)

The Federal Aviation Administration (FAA) Obstruction Evaluation Group (OEG) is currently closed. Unfortunately, due to this closure we will not be able to accept new or process previously submitted applications for off-airport filings under 14 CFR Part 77. Upon our return, the OEG staff will immediately begin accepting e-filings via this website and process applications as quickly as possible ...
oeaaa.faa.gov

No other Airport comments for the Sept. 11 Agenda.

Have a great day,

Emily

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