



## Valley County Board of County Commissioners Invites You to Participate in a PUBLIC HEARING

### Appeal of PZ Commission Decision that a Conditional Use Permit Is Required for Solar Panels at 505 Collier View Road

**Appellant & Property Owner:** Michael Falconer

**Location:** 505 Collier View RD  
Ponderosa Shores Subdivision No. 2 Lot 29,  
in Section 12, T.13N, R.3E, Boise Meridian,  
Valley County, Idaho.

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Valley County Code 9-5G-1 states that conditional use permits are required for solar panels greater than eight square-feet that are detached from the primary structure. This requirement has been in effect since 2010.

Staff determined that detached solar panel had been erected at 505 Collier View Road without approval of a conditional use permit. The solar panel is visible from the public road and from the Valley County GIS imagery map.

On January 12, 2023, the Valley County Planning and Zoning Commission determined that a conditional use permit is required for existing solar panels at 505 Collier View Road.

#### Valley County Code

##### 9-5G-1: Site or Development Standards

Alternative energy uses requiring a conditional use permit shall meet the following site or development standards:

- A. Solar Panels Greater Than Eight Square Feet in Accumulated Area and Detached From Primary Structure:
1. Must be a minimum of fifteen feet from property lines.
  2. Glare shall not create a hazard to vehicular traffic.
  3. Cannot be over thirty feet in height.
  4. Impact to neighbors will be a determining factor.

**Reason for Appeal:** Mr. Falconer is appealing the requirement for a conditional use permit because:

*Continued on reverse side.*

## PUBLIC HEARING

(In-Person)

February 27, 2023

1:00 p.m.

Valley County Courthouse  
2<sup>nd</sup> Floor  
219 North Main Street  
Cascade, Idaho

You are invited to participate in the public hearing and/or comment on the proposal.

You may view the hearing by going to our website, [www.co.valley.id.us](http://www.co.valley.id.us), and click on "Watch Meetings Live".

You may comment in person, by U.S. Postal Service mail, or by email.

Written comments greater than one page must be received at least seven days prior to the public hearing. To be included in the staff report, comments must be received by

5:00 p.m., February 20, 2023.

**Direct questions and written comments to:**

Cynda Herrick, AICP, CFM  
Planning & Zoning Director  
PO Box 1350  
Cascade, ID 83611  
208-382-7115  
[cherrick@co.valley.id.us](mailto:cherrick@co.valley.id.us)

Contact Douglas Miller,  
Valley County Clerk, at 208-382-7100  
if you need special accommodations

1. He was targeted to submit a conditional use permit eight years after receiving a Certificate of Occupancy which certifies that he was in compliance with the 2012 International codes and various ordinance of Valley County regulating building construction or use.
2. The panels were installed on a structure. Primary structure is not defined.
3. None of the applications, instruction, residential construction requirements, checklists, building permits, or local building codes from that time made any reference to conditional use permits.

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Previous written and emailed comments will be included in the record and sent to the Board of County Commissioners.

This is an Action Item.

Maps and the site plan are attached.

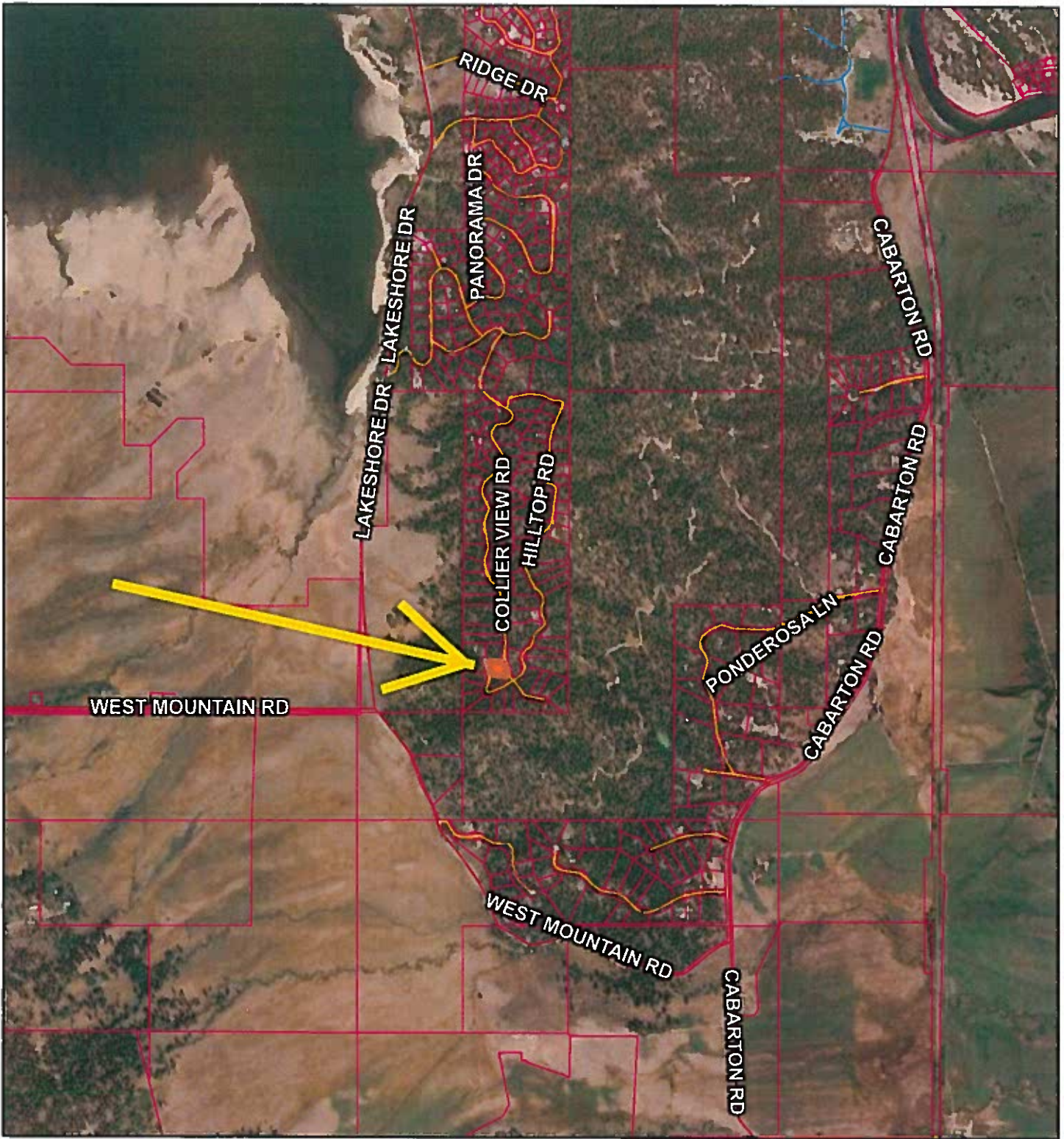
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Applications and the contents of the files can be reviewed at the Planning and Zoning office located in the Valley County Courthouse at 219 North Main Street in Cascade, Idaho.







**More information,  
including the appeal and staff report  
will be posted online at:**

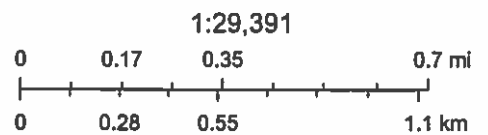
**[www.co.valley.id.us](http://www.co.valley.id.us)**

# Vicinity Map - 505 Collier View RD



December 22, 2022

- |  |   |
|--|---|
|  Override 1        |  PRIVATE |
|  Parcel Boundaries |  OTHER   |
| <b>Roads</b>   | <b>County Boundaries</b>  |
|  COLLECTOR         | VALLEY COUNTY   |
|  URBAN/RURAL       |   |



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