

Valley County Planning and Zoning Commission

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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 Commissioners 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.