

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

October 16, 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	Excused
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 September 11, 2025, with the corrected condition of approval for C.U.P. 25-020 . Commissioner Potter seconded the motion. Motion passed unanimously.

C. OLD BUSINESS:

- 1. 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. *Tabled from September 11, 2025.* Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Commissioner Schneider moved to approve C.U.P 25-022 Paikka Bakery from the table. Commissioner Potter seconded. Motion passed unanimously

Director Herrick presented the staff report and displayed the site and GIS map on the projector screen.

Chairman Roberts asked for the applicant's presentation.

Fred Coriel, McCall, legal representative for the applicant, explained the additional submitted materials. The revised site plan was reviewed; the 100-ft setback is met. The asphalted area within the 100-ft setback is used for vehicle turn-arounds and will be marked "no parking". The parking area has been striped. The septic system was sized for 35 people per day for the special events; the additional use requested would not exceed this use. Porta-potties are not required by Central District Health (CDH). The owner is removing the existing sign and has applied for a sign permit for two (2) one-way signs. The sign on the north would be placed on the berm. The sign permit application and a placement permit for the greenhouse have been submitted. CDH has given accessory use authorization. There are two septic drain fields, not one as previously stated.

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. The applicant has addressed concerns from previous meeting. Parking has been removed from within the 100-ft setback from Highway 55 and striping for parking spots has been added. The proposed conditions of approval address the issues raised.

Commissioner Schneider moved to approve C.U.P. 25-022 Paikka Bakery 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.

6:17 p.m.

2. C.U.P. 21-15 360° Ranch - Phase 2 - Final Plat: GFL Holdings LLC 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. This plat consists of three single-family residential lots. Building sites are specified. Lots would be accessed from Norwood Road onto Compass Lane, a private road. The 8.5-acre site is in the SW ¼ Section 28, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item. *Not a public hearing.*

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 and displayed the site, GIS map, and final plat on the projector screen.

The Commissioners discussed the reason the lots were not platted in Phase 1; it is likely that additional septic testing was needed for the lots in Phase 2. The Commission acknowledges the amended CCRs. The CCR recording information will be added to the plat so future purchasers are aware. CCRs are a private contract.

Commissioner Potter moved to approve the final plat of C.U.P. 21-15 360° Ranch - Phase 2 and authorize the Chairman to sign. Commissioner Schneider 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.

6:24 p.m.

- 3. C.U.P. 21-09 Copper Rock Subdivision – Final Plat Extension Request:** Biltmore Investments is requesting a 3-month extension of final plat approval to January 20, 2026. The plat contains 13 single-family residential lots, two common lots, and road dedication of a portion of Dawn Drive. The 6.4-site is a Parcel RP16N03E167640 in the SESE Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho. Action Item. *Not a public hearing.*

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, GIS map, and plat on the projector screen, and summarized the following exhibit:

- **Exhibit 1** – Dan Smith, Idaho Department of Environmental Quality, stated the sanitary restrictions requirements have been sufficiently satisfied such that DEQ recommends that previously imposed restrictions may be released. (October 15, 2025)

The PZ Commission previously approved the final plat. Individual lot owners would have to submit stormwater management plans with building permits. A 70-ft right-of-way would be platted. The applicant owns property on both sides of Dawn Drive in addition to the existing road area. They will deed the 50-ft wide prescribed easement and 10-ft on each side of the roadway within the plat.

Commissioner Schneider moved to approve a three-month extension of the final plat for C.U.P 21-09 Copper Rock Subdivision and authorize the Chairman to sign. Commissioner Potter 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.

6:30 p.m.

D. NEW BUSINESS:

- 1. C.U.P. 21-43 Huckleberry Ridge- Extension Request:** Sal Gallucci is requesting a four-year extension of the conditional use permit and preliminary plat approval that expire on December 31, 2025. Approval was for a 9-lot single-family residential subdivision. Access would be from a new private road onto West Mountain Road, a public road. The 40-acre site includes parcel RP17N02E230004 and RP17N02E230065 located in the NE ¼ Section 23, T.17N, R.2E, 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, GIS map, and plat on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Jerry Holenbeck, Donnelly Fire Marshal, stated all prior requirements shall remain in effect. (October 13, 2025)
- **Exhibit 2** – The applicant submitted a groundwater study and previously submitted Central District Health application (October 16, 2025)
- **Exhibit 3** – The applicant responded to Staff Comments and questions within the staff report. (October 16, 2025)

Chairman Roberts asked for the applicant's presentation.

Sal Gallucci, McCall, responded to questions within the staff report and referred to Exhibit 3. He has requested four years as he would like to see West Mountain Road paved in this area. He is working on this with various private and public parties. Grants, the County, and affected

property owners would pay for the road paving. He was previously told that paving this portion was high priority for the County. Since then, the priority has been reduced due to a reduction in grant funding. He has had a favorable reception to the road improvement plans. The proposed plan for Lot 9 is not an option; nor does the road need to go to the western boundary of the property. Efforts have been made for wildfire mitigation including sheep grazing.

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.

Chairman Roberts closed the public hearing. The Commission deliberated. Commissioner Potter had no issues and appreciates the applicant's efforts toward road improvements. Director Herrick stated that, in general, a risk with extension approvals is the future approval of major changes to Valley County Code prior to completion of the subdivision platting process. This may not be a concern with this application. New requirements to Valley County Code are likely to be related to building permit approvals and construction.

Commissioner Potter moved to approve the four-year extension request for C.U.P. 21-43 with the stated conditions. 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.

6:48 p.m.

- 2. C.U.P. 25-023 Restoration Pro:** Matthew Evans is requesting a conditional use permit for the office and equipment storage of a business. An individual well and individual septic system would be used. Access is from both Highway 55 and Garden Lane, a public road. The 1-acre parcel, addressed at 13995 Highway 55, is in the NWSE 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; there was none. Director Herrick presented the staff report, displayed the site, GIS map, and site plan on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Elisha Hedin is opposed. (October 14, 2025)

The site, existing buildings, setbacks, storage areas, and driveways were reviewed. The driveway entrance onto Highway 55 would be closed. The type and numbers of equipment was discussed.

Chairman Roberts asked for the applicant's presentation.

Matthew Evans, 13995 Highway 55, has owned the company for 18 years and has been commuting to Valley County from Boise for many years. He purchased this site for a business location as he wanted Highway 55 frontage. There is a lot of commercial businesses along the Highway corridor already. The house is useable and recently remodeled. He does not intend to live in it. He does occasionally stay in the home occasionally, but the building would be an office if approved.

Setbacks from road and ditch were discussed with Commissioners. Mr. Evans would like to tear down the garage eventually and replace it with a new shop. There are no permanent employees at this location yet. The site has been used to stage some equipment. Materials would be stored inside the garage, not outside. There would be three or four employees daily; company trucks are typically driven home by employees. He expects a maximum of two dump trailers, 2 construction trailers, and four pickups on site.

Mr. Evans stated landscaping and berms will be completed as needed. The appropriate number of trees would be planted as required by Valley County Code. The proposed berm would be modified to block the existing access to Highway 55. He would like to add a sign on his private property along Highway 55. Director Herrick clarified that this would require a sign permit from Valley County, not Idaho Transportation Department. Director Herrick clarified that the existing gravel driveway within the 100-ft setback could be used to access the garage; however, vehicles and equipment could not be parked within the setback area.

Mr. Evans is currently unsure of the size of his future shop; he would need to scale it properly to meet setbacks and maximum lot coverage. His future goal is to build a larger shop and park all equipment inside.

Chairman Roberts stated his concerns are the lot size, proposed use, and setbacks. This would change an existing residential home to a commercial use.

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. Director Herrick reminded the Commission that the parcel lines on the GIS map may not be accurate. Commissioner Schneider stated she is also concerned about how to address future growth, the setbacks, and maximum 40% lot coverage. Chairman Roberts stated this is a request for a commercial use request within the 100-ft setback of Highway 55. The site plan is not complete particularly with ITD's requirement to remove the driveway access on Highway 55. It might be appropriate to have the applicant update the site plan. He questions how the business will work without operating within 100-ft setback area. Commissioner Schneider is not as concerned with the commercial use along the highway. The house was built in 1940; Commissioner Schneider does not consider the home a negative. Director Herrick stated that using the GIS map, approximately 2600-sqft of the 1.0-acre parcel is covered. The 40% maximum lot coverage would be about 17,424-sqft. Commissioner Potter stated the removal of the Highway 55 driveway access is a positive result; however, parking needs to be mitigated. Director Herrick stated the Commission could limit the maximum number of vehicles and equipment; the applicant could come back in the future for an amendment to expand use and add a larger shop. Chairman Roberts is not sure if he has all information needed to make a decision and suggested tabling the item for a revised site plan. More details on maximum number of vehicles and equipment that will fit the site, location of the future shop, and proposed lot coverage are desired. Commissioner Potter also wanted a revised site plan from the applicant.

Commissioner Schneider moved to table C.U.P. 25-023 Restoration Pro to November 13, 2025, at 6:00 pm. Additional information requested includes a revised site plan and confirmation of maximum number of vehicles and equipment at the site. Commissioner Potter seconded the motion. Motion carried unanimously.

7:22 p.m.

- 3. C.U.P. 25-024 North Fork Championship:** North Fork Championship INC is requesting a conditional use permit to hold the North Fork Championship Kayak events on and along the North Fork of the Payette River between Smith's Ferry and Banks. Parking, camping and festival events would be based out of Wellington Snow Park and Campground sites located in the SW ¼ Section 10, T.11N, R.3E, Boise Meridian. Overflow camping is also proposed at Smiths Ferry Subdivision Lots 57 - 60, Block 6, addressed at 23 Smiths Ferry Drive. Parking, campground use, and highway use will be affected between highway mile markers 78 and 98. 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** – David Stambaugh, Valley County Sherrif Department, commented on a marine event permit submitted by the applicant. (October 14, 2025)
- **Exhibit 2** – Colby Nielsen supports the proposal. (October 16, 2025)

An annual three-day event is proposed. The actual dates would change every year. Commissioners could add a requirement that Staff is notified of dates annually and a future review. The Valley County Sheriff's Office is not going to require a large group permit for this event. The number of porta-potties would be set by the State of Idaho. The Sheriff's Office would respond to emergencies but would not provide security or traffic control

Chairman Roberts asked for the applicant's presentation.

James Byrd, president of the non-profit, stated organizing the event is a work in progress with lots of moving parts. The North Fork Championship was previously held over nine years in both Valley and Boise counties. They would like to bring back the competition with changes to make it more sustainable. All proposed activities would be in Valley County. In regard to the comments from the Sheriff's Office, Boise County had different requirements. Thus, changes will be made to the plans to correspond to Valley County Sheriff requirements. They will also work with the Valley County Emergency Services, and an Air St. Lukes helicopter will be available.

The competition was moved from a weekend activity to Tuesday, Wednesday, and Thursday. This will significantly reduce the conflict with vehicles traveling on Highway 55. People will be shuttled from the Wellington Campground area; this will reduce the number of cars from competitors and spectators parked along Highway 55. Idaho State Police would be involved through the ITD permit. The applicants are discussing a temporary reduced but enforceable speed limit with Idaho Transportation Department (ITD). A private traffic control company will be contracted.

The applicants are willing to limit the event to only Tuesday – Thursday, no weekends. The event times vary daily; approval would come from ITD. The applicants are willing to add a condition requiring a review of the permit after a few years.

Vendors will be at the Wellington site as well as food vendor(s) located on the riverside of Highway 55 near events.

Chairman Roberts opened the public hearing and asked for proponents.

Mike Drake, 56 Smith Ferry Drive, Smiths Ferry Homeowners Association (HOA) president, supports the proposal. The applicant's representatives have been proactive as they met with the HOA and neighbors to discuss concerns such as access and safety. The representatives attended HOA meeting in September 2025 and fielded questions; this was a positive interaction.

He expects a low impact to the local community. Events have been previously held in the community, such as sled-dog race check-ins and the solar eclipse.

Fred Coriel, McCall, spoke to the long legacy of North Fork Payette River competitions for about 30 years. The organizers are professionals who are very good at risk management. Running rivers such as the North Fork Payette River requires contemplated and intentional decisions. This event is a well-known, world-class competition for the kayaking community.

Dave Bingaman, Valley County Parks and Recreation Director, first met with the organizers in June 2025. They have been good to work with and have also worked with the snowmobile club and area homeowners. This event would showcase the Wellington Campground and be a revenue maker for Valley County. Fees collected will be used to fund improvements to the site and used as matches for grants. Moving the event to weekdays will reduce traffic concerns.

Aaron Pruzan, of Wilson, Wyoming, is on the non-profit board for the North Fork Championship. They have also been working closely with Idaho Rivers United. He has been paddling the North Fork regularly since 1992. The North Fork Championship is considered a special event to the paddling community of all ages, both internationally and locally.

Stan Prichard, of Carbondale, Colorado, has been recreating on the Payette River for over 20 years. He supports the event as it would showcase Valley County, the whitewater community on the Payette River, and the kayaking community as a whole.

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 Schneider has driven through this even once before; traffic on Highway 55 and pedestrian activity was dangerous at that time. An approved traffic control plan from ITD is needed. The proposal appears to be well thought out. The Tuesday – Thursday event schedule should be a condition of approval. A review in two years is recommended. Do the roadside vendors create a hazard; is there a safe location adjacent to Highway 55?

Chairman Roberts stated there are places in the canyon where there is room for roadside vendors. He is concerned about additional traffic and pedestrian use. Vendor sites need to be located in a safe area that is not immediately adjacent to Highway 55.

Commissioner Potter appreciates the overwhelming support for this proposal.

Chairman Roberts thanked the organizers for meeting with the HOA prior to this public hearing. He also supports a condition of approval limiting events to Tuesday – Thursday and a two-year review. The location of vendors along Highway 55 should be addressed by ITD. Traffic control is difficult as it is the people passing by that are likely to park across the highway and run across traffic. This is part of the reason for the suggestion review in two years.

Commissioner Potter said signage would be helpful.

Commissioner Schneider asked about the compatibility rating. Director Herrick reminded commissioners that the compatibility rating is a tool, not the sole deciding factor for a decision. Valley County Code Appendix A gives the Commission an opportunity to change the initial three numbers (Questions 1, 2, and 3). The Commissioners can determine that the adjacent forest should be considered a recreational use rather than an agricultural use, resulting in a positive

score. Commissioners discussed this further and agreed that this would be true for this application.

Commissioner Potter moved to approve C.U.P. 25-024 with the stated conditions and:

COA: The competition shall only be held on Tuesday, Wednesday, and/or Thursday.

COA: The Commission shall review the use after two years to assess operations and safety.

COA: Vendor sites shall be setback from Highway 55 with adequate room for parking and be approved by Idaho Transportation Department.

COA: Shall have traffic control through signage and personnel.

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.

Short recess to 8:03 p.m.

- 4. SUB 25-017 Moss Landing - Preliminary Plat:** Living 3M Ranch LLC is requesting a conditional use permit for an 11-lot, single-family residential subdivision on 39 acres. Proposed lot sizes range from 2 acres to 4 acres. Individual septic systems and individual wells are proposed. Lots would be accessed from a new private road onto State Highway 55. A variance is requested for a cul-de-sac road longer than 900-ft. The site is part of parcel RP17N03E157655 located in the SE ¼ Section 15, 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, GIS map, and preliminary plat on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Jerry Holenbeck, Donnelly Fire Marshal, listed requirements. (October 13, 2025)
- **Exhibit 2** – Lori Moody and Mike Leedom have concerns regarding the existing irrigation pipe and related easement, future repair of any damage, and fencing. (October 13, 2025)

Chairman Roberts asked for the applicant's presentation.

Jim Fronk, McCall, represented the applicant. He presented information and responded to questions from Commissioners. An application for this site was previously submitted three years ago with greater lots and an entrance on Elk Haven Lane, a private road. An agreement to use Elk Haven Lane was not reached with the Homeowner Association who owns the private road. Thus, the preliminary plat was modified and a new application submitted. The new proposed private road meets the Idaho Transportation Department (ITD) requirements for distances between roads and traffic counts; however, an application has not yet been submitted to ITD. The intent is to transfer the water rights to the remaining 40 acres in the parcel that will not be platted. The applicant also owns the adjacent parcel. There are currently no trees on the property. The new private road will have a slight grade. The existing irrigation pipe has been located since the application was originally submitted. This resulted in a modification to the lot lines on the preliminary plat dated October 8, 2025. No fencing will be allowed within the irrigation easement. The lot owner and/or association would be responsible for repairing any damage to the irrigation pipe. Driveways would not be allowed on top of the easement. These requirements will be included in CCRs.

A WUI plan was submitted. There would be no direct access from lots to Highway 55. The extra residences on each lot would be up to individual lot owners and would provide affordable housing units. The applicant is willing to limit the accessory residences to 1000-sqft of living space.

The applicant agreed to the proposed conditions of approval.

The traffic study considered the possibility of developing the adjacent 40 acres. An application has not been submitted to ITD; this would occur after approval of preliminary plat. The submitted traffic study stated a turn lane was not likely to be warranted. This traffic study was completed by an independent traffic engineer. The remainder parcel to the east will be accessed from the proposed cul-de-sac that is stubbed to the adjoining property.

The 100-ft setback from Highway 55 will be met. Landscaping within this setback will consist of Engleman spruce and aspen planted in clusters in diagonal lines, not as a solid line or berm. Tree sizes would be 1.5 to 2-inch caliper, either in a 10-gallon container or ball of burlap. These tree species would provide good color and screening throughout the year. In addition, these shallow-rooted species like wetter ground and the site has high ground water. No berm is proposed. Sediment basins would be on site to contain water and rapid snow melt in the spring. Building sites would be elevated one foot or more.

There was additional discussion on the water rights and proposed transfer. This would be done through the Idaho Department of Water Resources as required by Idaho Statute 67-6537. Separation distances of septic systems from irrigation will be met.

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.

Lori Moody, 250 Kimble Way, represented Michael Leedom, the immediately adjacent property owner to the south referred to **Exhibit 2**. Mr. Leedom would like to be able to approve the wording for the irrigation easement portion of the CCRs.

Chairman Roberts asked for rebuttal from the applicant. Mr. Fronk had nothing to add at this time.

Chairman Roberts closed the public hearing. The Commission deliberated. The pump station is on the neighboring property. Conditions of approval were discussed. Additional condition of approval should include the existing irrigation pipe and related easement, including responsibility of any damage and prohibition of fencing. This easement is also protected by state law. Dark sky lighting is a requirement and shall be included in CCRs. Director Herrick recommended that the applicant widen the entrance area on the plat to add a pull-in and out area for a cluster mailbox and mail vehicle and/or a school bus. This would be on private land, not within the Highway 55 right-of-way. Allowing the applicant to add a "Lots for Sale" to the bottom of a future subdivision sign was discussed. Chairman Roberts referred to Questions 8 and 9 of the Compatibility Rating and asked what is it in this application to mitigate impacts? Chairman Roberts did not attain a positive compatibility score; the added tax base of a residential lot does not move the score to a positive rating. Director Herrick stated scores must be assigned based on the requirements of VCC 9-11-1.C.1, i.e., a +2 is assigned for full compatibility, +1 for partial compatibility, zero for not applicable or neutral, -1 for minimal compatibility, and -2 for no compatibility. The Idaho Statute on water rights must be met. The applicant agreed to widen the 30-ft wide access point, so the driveway does not overlap with the irrigation easement.

Commissioner Schneider moved to approve the conditional use permit and preliminary plat for SUB 25-017 Moss Landing with the stated conditions.

COA: Dark sky lighting requirements shall be included in CCRs.

COA: A “Lots are Available for Sale” sign is allowed on the subdivision entrance sign until such time lots have been sold.

COA: Micheal Leedom must approve the language in CCRs concerning the irrigation easement. If no agreement can be reached, the conditional use approval will not be nullified.

In addition, the Commission recommends (1) approval of variance for a cul-de-sac road longer than 900 feet, and (2) a pullout area for a cluster mailbox which should be included in the grading plan.

Commissioner Oyarzo seconded the motion. Commissioner Oyarzo, Commissioner Potter, and Commissioner Schneider voted in favor; Chairman Roberts voted in opposition. Motion carried.

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

8:48 p.m.

5. **SUB 25-018 Tripod View - Preliminary Plat:** Steven Emerson is requesting a conditional use permit for a 12-lot, single-family residential subdivision on 46 acres. Proposed lot sizes range from 1.8-acres to 4.2 acres. Individual septic systems and individual wells are proposed. The lots would be accessed from a new private road onto Dry Buck Road, a public road. Variances are requested for shared driveways and a cul-de-sac road longer than 900-ft. The site is part of parcels RP1ON02E130606 and RP1ON02E131915 located in the NE ¼ Section 13, T.10N, R.2E, 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, GIS map, and preliminary plat on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Wildland Urban Interface Protection Plan (October 12, 2025)

Director Herrick referred to the pictures within Exhibit 1 which show open sagebrush and scatter conifers. Other subdivisions in the High Valley area were reviewed on the GIS map. The site does have electrical power.

Chairman Roberts asked for the applicant’s presentation.

Steven Emerson, Star, Idaho, purchased 650 acres in the area [multiple parcels]. He intends to live full time on the property; the remainder will be used for timber, livestock grazing, and hay growing. Funds from the sale of these lots would be used to preserve the remainder of the ranch property. This site was selected as it would have the least impact on the overall ranch operation and provide building sites with views.

Jim Fronk, McCall, represented the applicant. The site abuts up against the hill and is somewhat open. There would be view corridors of Tripod. He referred to the WUI Plan (**Exhibit 1**). The CCRs and HOA documents will include recommendations of the Fire Plan. He discussed building design criteria and HOA design review. Solar panels are likely to be used by future lot owners; however, electrical power will be provided to the subdivision. Director Herrick stated a conditional use permit would be required if solar panels were ground mounted.

The road grade follows the natural contours, with approximately 6-7% slope and limited cuts and fills. The adjacent neighbors have their own dedicated access which will not be destroyed but each on of those lots were provided crossover to reach the main road. There is a hammerhead at the end of the new road and turnaround at shared driveways as required by Valley County Code. The lots meet the frontage requirements.

It is the applicant's intent to meet the recommendations of the Cascade Fire Chief; however, Cascade Fire District does not service the area. Property insurance is being lost throughout the country. The applicant does not wish to bury a water tank for fire suppression as no fire district apparatus would be available to connect to a tank. The applicant prefers onsite mitigation such as sprinklers. U.S. Forest Service and Southern Idaho Timber Protection Association (SITPA) would respond to wildfires in this area. The existing building and driveway are shown on preliminary plat for adjacent Parcel F.

Chairman Roberts stated he likes the shared driveways.

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

Jennifer Hunn, Boise, owns adjacent 141 Dry Buck Road located to immediate south. Without seeing the proposed CCRs, her concerns include wildfire, water, and grazing rights. Her property has two wells; neither provides enough water for the home. One well is 280-ft deep through fractured granite and provides 1 gallon of water per minute. They fill a cistern with buckets. The overall area has fire breaks created by meadows, roads, and livestock grazing. There are currently five homes in the area. This proposal would increase the number of homes and the likelihood of wildfire. The existing cattle grazing provides an economic benefit as well as reduction in fuel (grass) for a wildfire.

The production of the three wells in the area were reviewed by Saff and Commissioners.

Chairman Roberts asked for opponents. There were none.

Chairman Roberts asked for rebuttal from the applicant.

Mr. Fronk stated that currently Mr. Emerson's cows graze the site. Wells were discussed with Commissioners. A test well could be done. Residences could also use water storage methods. Requiring fire sprinklers would be possible in kitchens and high-flammable areas. That is expensive but so is a water tank. The WUI plan includes clearing spaces and fuel breaks. SITPA could use the creek or existing ponds at the subdivision entrance and north of lots for water. The pond at the entrance could be made deeper. The proposed road and existing easements are on the applicant's property.

Steve Emerson has had many conversations with John Lillehaug. The road from Smith's Ferry to Dry Buck Road is closed approximately six months every year; the Cascade Fire District has stated they would not respond to a structure fire. Thus, a water tank would not be used and would be expensive to install and maintain. It would be more effective to follow the WUI Plan and spend money on fuel breaks.

Chairman Roberts closed the public hearing. The Commission deliberated. Chairman Roberts is concern about the effects on the health and safety for future lot owners. Commissioners agreed that fire risk is the primary concern; how would this be mitigated. Director Herrick stated the Commission could require a dry hydrant in the pond and require the CCRs to regulate

maintenance, similar to a project in Round Valley. Size and locations of existing ponds were discussed. Does water exist year-round? Could the ponds be made bigger? Only a portion of the pond by the entrance is on the applicant's property. The site and pond was reviewed on the GIS map. Sprinklers could be required in the home. The WUI Plan would be implemented. WUI plan does not address water source for fire protection. A dry hydrant would not be helpful if there was not a fire truck available to pump it. SITPA would respond to a wildland fire, not a structural fire. A pond is helpful but more information on size is needed; could the pond be used as a dipping site by a helicopter? There is also a large pond at Wilderness Lake Ranch approximately three miles away.

The production of wells in the area was reviewed by Staff and Commissioners. Not all well logs are on the Idaho Department of Water Resources website, nor are all the marked locations precise.

Commissioner Potter moved to table SUB 25-018 Tripod View to November 13, 2025, at 6:00 p.m., for more information from the applicant on wells, structural fire protection, and water sources for fire suppression. Commissioner Schneider seconded the motion. Motion carried unanimously.

Director Herrick stated the applicant might consider speaking to a fire district in the Ola area in Gem County.

9:35 p.m.

- 6. VAC 25-001 Zrile Vacation of Utility Easements:** Albin Zrile is requesting vacations of 12-ft utility easements that are centered on the lot lines between Little Donner Subdivision Tract II Lots 29, 30, and 33 in order to build over the easements. The 2.62-acre site is addressed at 67, 73, and 77 Mountain Air Drive and located in the NE ¼ Section 11, T.14N, 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 and displayed the site and GIS map on the projector screen.

No utilities are located in these easement areas. Staff has not yet heard from Idaho Power.

Chairman Roberts asked for the applicant's presentation.

Aaron Bell, Idaho City, represented the applicant. He is the applicant's land surveyor. The applicant would like to build over the lot lines. An application has also been submitted to Idaho Power Company.

Director Herrick stated the property owner will be required to combine the lots in order to build over the lot line. The Assessor's Office would combine the lots for tax purposes; this process does not remove the actual lot line from the plat.

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 issues as long as Idaho Power is in favor.

Commissioner Schnieder moved to recommend approval of VAC 25-001 to the Board of County Commissioners. Commissioner Potter seconded the motion. Motion carried unanimously.

9:43 p.m.

- 7. C.U.P. 25-025 Intermountain Sports Rentals and Repair:** Brian and Cindy Patterson are requesting a conditional use permit for retail, rental, and repair of power sport equipment. The proposal includes an office, a 50-ft by 90-ft building, fencing, and landscaping. An individual well and individual septic system would be used. Access is from Gold Dust Road, a public road. The 80-acre parcel RP13N04E049005 is in the S ½ SE ¼ Section 4, T.13N, 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 and displayed the site, GIS map, and site plan on the on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Fred Lindsey is opposed. (October 10, 2025)

Director Herrick recommended, if approved, a condition be added that test driving of equipment cannot occur on the property or on Gold Dust Road.

Chairman Roberts asked for the applicant's presentation.

Brian Patterson, Nampa, stated that he owns a small family business. The Cascade location currently has four locations with limited retail. He has been operating within the City of Cascade for 11 years and has struggled with keeping a location. The site he has been renting has been offered to another Cascade Building Supply; he will lose that lease in March 2026. There is not anyone else in the Cascade area renting similar product; Tackle Tom's rents some equipment for fishing. They work with the Sherrif's Office to make sure customers are not causing problems.

Based on previous comments from Staff, Mr. Patterson adjusted site plan from the original application. Business hours would be 9:00 a.m. – 6:00 p.m., employees would be at the site approximately an hour prior and 15 minutes afterwards. There are four (4) permanent employees; during the summer season, approximately 15-20 additional employees between Cascade and Nampa sites.

He is respectful of neighbors. He operates a similar business in the Nampa area and is surrounded by subdivisions; he has received no complaints. Equipment would not be operated on Gold Dust Road. Equipment would be traileed to and from the site. The business has many customers rent for multi-day periods; thus, the traffic impact is less. As noted in the supplemental letter he submitted, there were 22 customers during the busiest day in 2025. A place is needed for equipment by March 2026. Over the winter, there will be a couple of employees that will be doing maintenance and repair. No customers would be at the site until after the septic permit is obtained. Central District Health and Landmark Engineering have reviewed the site and do not expect trouble obtaining septic. No plumbing will be connected to the building until the septic and well are approved. He is not expecting any issues with the stormwater plan.

His intent is to break ground and start construction as soon as possible. In the spring a septic system would be added. Office space would be added by mid-June. Equipment will not be stored on property until after building is constructed.

Equipment would be stored outside on display, including in front of the building. A lot of the equipment would be stored within the fenced area. Equipment includes snowmobiles, boats, and trailers. Snowmobiles would not be used on the larger property, but would be operated within the two-acre southwest portion of the parcel. The irrigation ditch is greater than 200 feet

to the north. All equipment would be trailered from this site. He did research the property prior to purchase for wetlands and septic ability.

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 Schneider stated she had no issues. Chairman Roberts stated the proposal goes against the Comprehensive Plan of maintaining the rural atmosphere of Valley County and Valley County Code. It is a good and needed business but in the wrong location. Commissioner Potter stated the site is directly across from the Valley County Road Department and Weed Department site. Commissioner Potter's concern was ingress/egress, but this will be mitigated as all equipment will be trailered to the site. The building will be limited to the southwest corner of the parcel. Commissioner Schneider believes there will be road impacts, but these will be mitigated with a development agreement with the County Commissioners. Commissioner Schneider stated it would be different if there were residential uses immediately adjacent to the site. The proposal fits the current use to the south. Chairman Roberts stated, that if approved, there should be no test driving on site or Gold Dust Road. Noise was discussed, including loading and unloading equipment. Hours of operation shall be 8:00 a.m. – 6:00 p.m., seven days per week.

Commissioner Potter moved to approve C.U.P. 25-025 with the stated conditions.

COA: No test driving of equipment on site or Gold Dust Road right-of-way.

Revised COA # 15: Hours of operation are 8:00 a.m. to 6:00 p.m., seven days per week.

Commissioner Schneider seconded the motion. There was discussion of number of units; the application states a maximum of 40 units.

Commissioner Oyarzo, Commissioner Potter, and Commissioner Schneider voted in favor; Chairman Roberts voted in opposition. Motion carried.

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

10:12 p.m.

E. OTHER:

1. Is Conditional Use Permit Needed for Additions to Northwest District of the Bible Missionary Church at 825 Elo Road, McCall? Action Item.

Director Herrick referred to the letter from the Church Camp. The use is currently "grandfathered" non-conforming use. The camp predates Valley County Code requiring a conditional use permit. The camp wants to add 10 to 12 recreational vehicle (RV) sites to the camp for staff in specific locations. There are some RV use already. The camp is currently only open during the summer season, not year-round. The site is not rented out. The Commissioners determined that the request would change the scope of the existing activity as it would increase the occupancy. Therefore, the Camp must apply for a conditional use permit to add RV sites.

2. C.U.P. 12-01 - Is Conditional Use Permit Needed for Additional RV pedestals within Murph's RV Park, Yellow Pine? Action Item.

Director Herrick referred to the letter from Perpetua Resources. A conditional use permit was previously granted for a modular camp for workers. There are also some older rustic cabins for rent on the site. The Commissioners agreed that using the site is a good option for the company; but a public hearing would make sure the use fits the neighborhood. Therefore, a new conditional use permit application will be required for additional RV pedestals within Murph's RV Park in Yellow Pine.

3. Is Conditional Use Permit Needed for Dirt Bike Racetrack for Personal Use? Action Item.

A person who wishes to remain anonymous recently asked this question. Previously, the PZ Commission determined that anyone can put a dirt bike track on personal property and invite friends to use. However, the potential impact can be large. Valley County Code Table 3.1 states a private racetrack, rodeo arena, or rifle range requires a conditional use permit. The Commissioners discussed reasons why a conditional use permit would be required. Location, hours of operation, amount of use, and noise can be variable. Commissioners discussed the intent of the ordinance and private property rights. The Commission asked that Prosecutor Brian Oakey provide a legal determination. Further consideration of this matter will occur at a future time.

4. Tamarack Municipal Association Facility and Office Modulares Location within Tamarack Resort. Action Item.

The modulares located off Village Drive have been relocated. [The site has been approved for Ponderosa Ridge No. 2 Subdivision.] Some modulares will be used for employee housing on Tamarack Resort Property. Tamarack Municipal Association would like to relocate two modulares for offices in the area between the new Aspen Townhomes plat and the new Trillium Parking Area. The modulares would not be on a permanent foundation but would be hooked up to sewer and water services. No timeline for removal has been set. Another modular would be used as a recreational facility at the employee housing area. These uses have been approved within the P.U.D. 98-1, just not these specific locations. Commissioners determined that the use is approved and a conditional use permit is not needed. Director Herrick will sign the building permits for these uses.

F. FACTS AND CONCLUSIONS - Action Items:

- C.U.P. 25-016 Harvey Property Management and Equipment Storage
- C.U.P. 25-017 Smith Solar Panels
- 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
- C.U.P. 25-021 Perpetua Resources Office

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.

Chairman Roberts adjourned the meeting at 10:33 p.m.