

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

April 9, 2026

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

Chairman Roberts reviewed the agenda with the audience and announced that the following items have been postponed to the PZ Commission meeting on May 14, 2026:

- C.U.P. 26-004 Maxton Short-Term Rental
- SUB 26-004 Orange Sky Subdivision - Preliminary Plat
- SUB 26-005 Pine Creek Ranch South Subdivision - Preliminary Plat

In addition, the extension request for C.U.P. 21-05 Lake Fork Industrial Center has been withdrawn by the applicant.

B. MINUTES: Commissioner Schneider moved to approve the minutes of March 12, 2026. Commissioner Mabe seconded the motion. Motion passed unanimously.

The Commissioners congratulated Director Herrick on her 30-year career with Valley County.

C. OLD BUSINESS:

- 1. C.U.P. 25-032 McClellan/Smith Solar Panels:** Magic Valley Electric LLC is requesting a conditional use permit for a 45-ft x 10-ft ground-mounted solar panel array for residential use. Maximum height would be 17-ft, 7¾-in. Access is from Flicker Road, a public road. The 8.7-acre parcel is RP17N04E076605, addressed at 30 Flicker Road, and located in the SESW Section 7, T.17N, R.4E, Boise Meridian, Valley County, Idaho. **Tabled from January 8, 2026.** Action Item.

Chairman Roberts introduced the item. There were no ex parte contacts nor conflict of interest. Commissioner Mabe moved to move C.U.P. 25-032 McClellan/Smith Solar Panels from the table; Commissioner Schneider seconded. Motion passed unanimously.

Director Herrick presented the staff report and summarized the following exhibits:

- **Exhibit 1** – Email from applicant regarding proposed screening, landscaping, and berm. (April 2, 2026)
- **Exhibit 2** – Central District Health approval. (March 26, 2026)
- **Exhibit 3** – Lori Ronay wants the solar panel array removed or relocated. (April 5, 2026)
- **Exhibit 4** – Julia Thrower, attorney for Dr. Thomas and Ms. Lori Ronay, submitted a letter in opposition. (April 8, 2026)
- **Exhibit 5** – Ms. Thrower submitted a five-page letter in opposition. Per email correspondence with Director Herrick, the PZ Commission may choose not to accept the letter into the record as it was received less than seven days in advance of the hearing (VCC 9-5H-11). (Received April 8, 2026)

The Commissioners had no objections to accepting **Exhibit 5** as part of the record; the action does not set a precedent.

Chairman Roberts asked for the applicant's presentation.

Joey Richardson, Jerome, Idaho, represented Magic Valley Electric LLC, the applicant and installer of the solar panel array. He clarified the project and permitting timeline. The solar array had to be installed by the end of 2025 to obtain residential tax credits. The State of Idaho electrical permit and the Idaho Power customer generation application was approved prior to installation. The building permit application was emailed to Valley County Building Department on November 6; in response the company learned a conditional use permit would be required. The application was submitted after the deadline for the January 2026 Commission meeting. The site is not within a homeowner association. The property owners have received both negative and positive feedback. The CCRs were established in 2002 for four parcels. The CCRs are a civil matter between the property owners of the four parcels. The CCRs do not specifically prohibit solar panels.

Kristen McClellan, property owner, reviewed communication efforts since the previous public hearing. On February 17th, she received a list of ten property owners within the vicinity plus the + president of Jughandle. She met onsite with two property owners who were willing to participate, another two were unable to meet due to work or health issues. Staff summarized the results well. The solar panels are coated to reduce glare and reflection and reflect less than a window. Thus glare should not be a significant issue. There was one positive comment; however, that neighbor requested not to be named. Ms. McClellan discussed the topography and the reason the site was chosen. The property slopes down to east and then back up. The properties to west and to the southwest are lower down the hill. Ms. McClellan referred to the pictures and revised site plan included in the staff report. She would like to screen the three closest, existing and potential home sites by creating a vegetative screen of native evergreen trees.

Bruce Smith, property owner, addressed the visibility and aesthetic concerns that have been raised. The property is at the end of a culdesac. The array is immediately north of the garage and directly in line with the garage with a view looking south. It is a lower density area. Reasons the site was chosen include erosion and drainage concerns. The three closest homes in Jughandle Estate subdivision vary from about 275-ft to just under 1,000-ft away from the solar panels. Of these homes, only one homeowner can see the solar panels directly from the end of their driveway but not from the house itself. It does not further hinder the viewshed to the south.

The property owner to the southwest is approximately 430-ft away and is mostly concerned by potential reflectance. They have agreed to mitigation through vegetative screening. The Ronay property to the west has not yet been built on; they are adamantly opposed to the solar array. The distance from the array to their proposed house footprint is about 500-ft with a 20-ft vertical drop. They would see the array when enter their driveway enroute to proposed homesite and perhaps from the second story. Overall, the solar panel array has a low impact on visibility due to the low density and topography. The site was chosen partially due to topography; the flatter site made for easier construction with minimal site grading. They would like time to express a response in writing to the letter from Julia Thrower.

Chairman Roberts opened the public hearing and asked for proponents.

Danielle Mockwitz, 12 Hams Lane, agrees with people who want their property to be protected.

Chairman Roberts asked for undecided.

David Kennedy, 12 Jughandle Place, resides north of site and met with the applicant as did the neighbor who lives closest. They walked the property. He originally wanted to move the solar array to a different location. However, moving the array to the east would make it significantly more visible to the neighbor immediately north of the site. Moving to the south would put the array on top of the hill. Thus, he concluded the best location is the current one. The proposed landscaping and berm plan is the best solution. Approval would be consistent with the adjoining subdivision.

Chairman Roberts asked for opponents.

Todd Silverman, 15 Flicker Road, stated the array is visible within his property, from the road, and from neighboring properties. The applicant did not get the required permit; installation occurred over a weekend. Rules were not followed. Magic Valley Electric should be responsible for cost of removal and relocation. Vegetation barriers or fencing would be unsightly and not a solution. This is an infraction of the CCRs which exist to protect property rights.

Kristi Pedersen, 16 Flicker Road, stated trees take a while to grow, die, and also blow down. A camouflage tarp is currently on top of the array. When upright, the array is very visible, including from her deck. No consideration of the neighbors was given prior to construction. They should be penalized and made to relocate the panels onto the roof.

Kathy Lomei [spelling unknown], 15 Flicker Road, stated the very large array is visible from her front yard and is an eye sore that does not belong in a residential area. The array is out of the owner's view but in view of many other property owners. She referred to the previously submitted petition in opposition. A berm would appear unnatural and would not hide it. How long would it take trees to grow to screen the site? The permitting process was bypassed. The solar panels should be relocated to the roof or east of the home. A conditional use permit is not needed for roof installation.

Thomas Ronay, Nampa and property owner of 40 Flicker Road, is currently building on his parcel. The properties were created in about 2000 with CCRs to make sure houses had building envelopes with no unsightly views or drainage issues. The CCRs increases the value of property and enjoyment of property. He does not want an industrial area corridor. Building permits were not obtained for the array. Although there is not a homeowner association, the CCRs are still valid. The property owner disregarded the CCRs. Berms would change the

topography and drainage of the property. The property owner has not explained why relocation is not viable. He referred to **Exhibit 6**.

Lori Ronay, owner of adjacent property, stated the array was illegally installed and does not fit surrounding area. It cannot be adequately screened. The applicant violated the CCRs and did not apply for all required permits. There are other location options out of view of neighbors.

Chairman Roberts asked for rebuttal from the applicant.

The applicant and property owners responded to testimony and addressed questions from Commissioners. The operational full height results in a 50° angle. The array is currently at a flatter spring / summer angle. The camouflage netting is a temporary solution to decrease contrast and visibility. She clarified that this was Magic Valley Electric's second solar panel installation in Valley County and first that required a conditional use permit. The other violations referred to by Commissioners and in testimony were by other companies. The array is connected to the public grid and supplies energy to the grid. The owner draws off both the grid and the solar array. If the array was moved to the east, it would be in complete 100% view of the panel. The owners to the west will likely see the array from their second-floor windows.

Chairman Roberts closed the public hearing. The Commission deliberated. The Commission does not administer CCRs; they are a civil matter between interested parties, including homeowner associations. The six "Standards of Approval" from VCC 9-5 were discussed.

1. *Will the application result in an increase in value of private property? VCC 9-5-2(B)(3).*

The use will result in an increase of the applicant's private property value.

2. *Will the approval of the application result in an undue adverse impact on the environment? VCC 9-5-2(B)(3).*

As long as building permit requirements are met and site plan grading obtain approval, there is no adverse impact. Reflection of panels can be an environmental impact. However, the applicant did state coating has been done to mitigate the reflection.

3. *Will the approval of the application result in an undue adverse impact on adjoining properties? VCC 9-5-2(B)(3).*

Additional mitigation needed was discussed. Coating will reduce glare. The property owners are willing to add berm and vegetation for screening. The biggest concern raised is opposition has been the unsightliness of panels. Mitigation works if the vegetation actually blocks the panels. At peak height, the array is 17 feet high. There was review of the site plan, pictures of trees, and further discussion. The fake trees staged in the picture were 6-ft and 9-ft tall. A 3 ft berm or rise in elevation with staggered 6-ft height trees would be adequate to mitigate the visibility of the array. The property owners are working with a landscape architect.

4. *Will the approval of the application result in an undue adverse impact on governmental services? VCC 9-5-2(B)(3).*

No impact.

5. *Is the application consistent with the Valley County Comprehensive Plan? VCC 9-5-2(B)(3).*

The Comprehensive Plan promotes the use of alternative energy. The solar array fits as long as applicant mitigates for the neighbors' complaints. The parcel is almost nine acres in size; this solar array would not fit on a 1-acre lot.

6. *Conditional uses may be approved only after a C.U.P. has been evaluated to determine that the impacts can be mitigated through conformance with conditions of approval. VCC 9-5-2(A).*

Chairman Roberts stated the conditional use permit was not secured prior to construction and the applicant knowingly still continued construction. Tax credit timeliness is responsibility of applicant not the Commission. Commissioner Mabe concurred that this is a valid concern. There was further discussion on precedent setting. Obtaining a conditional use permit is the remedy. Commissioner Schneider stated that the applicant and Commission have gone through a similar process than if the conditional use permit was applied for correctly. Thus, the Commissioners would come to same conclusion. Commissioners concurred that there has been much discussion, deliberation, and public comments resulting in fair and due diligence.

Commissioner Schneider moved to approve C.U.P. 25-032 McClellan/Smith Solar Panels with the stated conditions.

COA: Shall require a 3-ft raise in elevation topped with minimum 6-ft tall native evergreens staggered to conceal the array.

COA: If a tree dies, it must be replaced.

COA: Full concealment is required at time of planting trees.

Commissioner Mabe seconded the motion. There was further discussion on tree height and timeline. Chairman Roberts stated he would not support the motion. He agreed that the Commission would likely end up with the same results; however, it is problematic that the applicant did not follow proper procedure for a conditional use permit.

The motion carried on a 3-2 vote. The motion was supported by Commissioner Mabe, Commissioner Schneider, and Commissioner Potter. Chairman Roberts and Commissioner Oyarzo voted in opposition.

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

There was discussion between Staff and Commissioners regarding changing the Valley County Code to enable a penalty or fine for knowingly violating the requirement to obtain a conditional use permit.

7:34 p.m.

2. **SUB 25-021 Hummingbird Haven Subdivision – Preliminary and Final Plat:** Bennett and Alexandria Childs are requesting a conditional use permit for a two-lot single-family residential subdivision on 6 acres. Proposed lot sizes are 1.3 acres and 4.7 acres. Individual septic systems and individual wells are proposed. Access would be from a shared driveway onto Ilka Lane, a private road. The site, addressed at 62 Ilka Lane, is parcel RP18N03E274204 in the NW ¼ Section 27, T.18N, R.3E, Boise Meridian, Valley County, Idaho. ***Tabled from February 12, 2026.*** Action Item.

Chairman Roberts introduced the item Commissioner Schneider moved to move SUB 25-021 Hummingbird Haven Subdivision from the table; Commissioner Potter seconded. Motion passed unanimously. Chairman Roberts asked if there was any exparte contact or conflict of interest; there was none.

Director Herrick presented the staff report. Chairman Roberts asked for the applicant's presentation.

Alexandria Childs stated that the additional information regarding the road requested previously was received. The Road Director approved the existing 24-ft road width. The only neighbor who opposed the application has withdrawn his opposition.

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. No issues were raised.

Commissioner Schneider moved to approve the conditional use permit, preliminary plat, and final plat of SUB 25-021 Hummingbird Haven Subdivision – Preliminary and Final Plat and authorize the Chairman to sign. 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.

7:30 p.m.

D. NEW BUSINESS:

- 1. SUB 26-003 Green Acres Subdivision - Preliminary Plat:** Andrew Wheeler is requesting a conditional use permit for a single-family residential subdivision with four buildable lots and two common lots on 1.76 acres. Proposed buildable lot sizes range from 12,031-sqft to 15,156-sqft. Individual wells are proposed. Central sewer would be provided by North Lake Recreational Sewer and Water District. The lots would be accessed from a new private road onto Vickery Court, a private road. The site, addressed at 12850 Vickery CT, includes parcels RP16N03E279491 and RP16N03E279505 located in the SESE Section 27, T.16N, 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 summarized the following exhibit:

- **Exhibit 1** – Slide Presentation Submitted by Applicant

Director Herrick stated that lot coverage maximum calculations could be reduced by using permeable pavers instead of solid concrete driveways.

Chairman Roberts asked for the applicant's presentation.

Andrew Wheeler, Boise, Idaho, referred to **Exhibit 1**. The request is for a subdivision with four homesites and lot for a sewer pump station. The owner wants to divide the property for four children. Each home would have an RV bay and garage. The road parcel for Vickery Court is owned by the applicant. They would amend lot coverage if needed; this project has been in the works for two years or so, prior to the change in Valley County Code on January 1, 2026. Application submittal occurred in early February. A sewer line would be installed and Vickery Court improved. They are working with North Lake Recreational Sewer and Water District to be annexed into their system; North Lake requires approval of the preliminary plat approval. Vickery Court road width is currently 12 to 15 feet wide. The current residents on Vickery Court have individual septic systems. Other property owners could choose to tie into the sewer line; this would be a benefit to the community.

There was discussion between the applicant, Commissioners, and Staff on locations of existing sewer lines and when Idaho Code requires people located near central sewer to hook up to the system. This should be discussed with North Lake and researched further. North Lake will need to size the new sewer line accordingly.

7:56 p.m. - Short break due to recording difficulties.

There was discussion between the applicant, Commissioners, and Staff on lot coverage requirements. Previous definition of lot coverage included any structure that required a building permit; it did not contain concrete driveways or patios. As of January 1, 2026, the ordinance changed to include all impervious surface including concrete and asphalt. Property owners can use permeable gravel or paving stones instead of concrete to meet this requirement. Maximum lot coverage is 35% for residential parcels and 40% for commercial uses.

Mr. Wheeler stated they would prefer concrete over pavers or gravel due to maintenance and snow removal; therefore, they are requesting approval of a variance.

Vickery Court is owned by the applicant. A road maintenance agreement was discussed. A homeowner association would control and maintain Vickery Court as a private road with cross access easements. The applicant does not have information on the current users of Vickery Court; at least five other lots are using Vickery Court for access. Vickery Court is platted already as a private road within the Vickery Subdivision. It is not a part of this proposed subdivision. Commissioners concurred that there needs to be a road maintenance agreement; this may include adjacent landowners using Vickery Court. The existing roadway goes to Cascade Lake through land managed by the U.S. Bureau of Reclamation; the current owner of the proposed subdivision property has access and owns the dock. Currently other people are using this private site with permission of the property owner.

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

Chairman Roberts asked for undecided.

Larry Crump, Boise, shares property off Vickery Court [Vickery Subdivision Lot 4]. The previous owner owned the road; he is not aware of any formal agreement for road maintenance with the various lot owners. The previous owner would do maintenance work and then send a bill to lot owners. Individual owners have also done minor work, such as filling in potholes. He is concerned that access be maintained. Nor does he want to be billed for future road maintenance that the lot owners have not agreed to. The U.S. Bureau of Reclamation has a gate. All the owners on Vickery Court have had access to the dock area and boat ramp to put boats on Cascade Lake. There is also a swing gate on Westwind Lane that is supposed to be open April through October due to litigation. The gate has been open year-round. There is a recorded easement for people who own property along Vickery Court; the property owners want to maintain access to their property.

Director Herrick stated the application would not replat Vickery Court. There is an existing Declaration of Private Road for Vickery Court; the recorded plat also shows access. Both are included in the Staff Report. Thus, the easements will remain in place. However, the plat does not give access across the "gap" or "strip" that crosses the roadway to Lake Cascade.

Chairman Roberts asked for opponents. There were none.

The applicant had no rebuttal to add.

Chairman Roberts closed the public hearing. The Commission deliberated. Commissioners concurred that connecting the lots to central sewer would benefit the community, particularly due to the proximity to Lake Cascade. The road maintenance agreement should be required. The Commissioners agreed to recommend approval of a variance to the maximum lot coverage; it is a minimal change. The applicant was informed that asphalt typically works better than concrete in Valley County.

Commissioner Schneider moved to approve the conditional use permit and preliminary plat for SUB 26-003 Green Acres Subdivision with the stated conditions and:

- COA:** Shall record a deed transferring the new private road to a homeowner association.
- COA:** Shall be extension of maintenance agreement for Vickery Court for owners of lots within Green Acres Subdivision.
- COA:** Cannot block access to lots along Vickery Court.
- COA:** Commissioners recommend approval of the requested variance to the maximum lot coverage. The Board of County Commissioners will determine if this variance is allowed.

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.

8:18 p.m.

2. C.U.P. 26-003 Lamon Solar Panels: Jim Lamon is requesting a conditional use permit for ground-mounted solar panel arrays for agricultural and residential uses. Access is from Corral Creek Road, a public road. A variance from property line setbacks is requested. The panels are located on RP13N04E154805 and RP13N04E150006 located in Section 15, 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 summarized the following exhibits:

- **Exhibit 1** – Additional information from applicant regarding location, setbacks, and construction. (April 2, 2026; March 12, 2026)
- **Exhibit 2** – Applicant’s response to neighbor’s opposition in Staff Report; photos provided. (April 4, 2026)
- **Exhibit 3** – Applicant’s photo of solar panel arrays near entrance to property. (April 9, 2026)

Corral Creek Road is a public road until it reaches Mr. Lamon’s property.

Chairman Roberts asked for the applicant’s presentation.

Jim Lamon, 400 Corral Creek Road, did not realize that conditional use permit would be required. He has worked with the adjacent seven neighbors using Corral Creek Road to rebuild and raise the roadbed. He took exception to a submitted photograph in the staff report; the solar panels are a small part of the complaining neighbor’s overall view. The off-grid solar is used for both residential and agricultural use; the property is three miles from nearest Idaho Power connection. The land is used for a cattle operation, including the wintering of cattle. He plans to add an additional barn; thus, he will need additional panels as requested.

Chairman Roberts opened the public hearing and asked for proponents.

Alejandro [last name illegible], 400 Corral Creek Road, is employed by the applicant. The solar panels are used in agricultural operation and power irrigation for hay production. The solar panels are far from neighbor's homes. Solar panels are modern agricultural equipment. Removal of them would make it harder to keep the agricultural operation operational

Kyle Christianson, Cascade, is employed by the applicant and stated the property is well maintained. Solar panels are necessary for agricultural production. The fire mitigation that is done by Lamon Farms is needed and benefits the neighbors.

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 GIS map and solar array's locations were reviewed on the projector screen. Locations of solar panels and adjacent neighbors were discussed. Commissioners reviewed the six standards of approval from Valley County Code 9-5.

1. *Will the application result in an increase in value of private property? VCC 9-5-2(B)(3).*

It would increase the value of the parcels owned by the applicant.

2. *Will the approval of the application result in an undue adverse impact on the environment? VCC 9-5-2(B)(3).*

None noted.

3. *Will the approval of the application result in an undue adverse impact on adjoining properties? VCC 9-5-2(B)(3).*

The Commissioners discussed the submitted pictures; neighbors can see the solar panels at one site, near the western property boundary. Landscaping could be planted for mitigation. The applicant could offer to plant trees on the opposed neighbor's property at 92 Goslin Loop.

4. *Will the approval of the application result in an undue adverse impact on governmental services? VCC 9-5-2(B)(3).*

None noted.

5. *Is the application consistent with the Valley County Comprehensive Plan? VCC 9-5-2(B)(3).*

Yes, Chapter 11 promotes the use of alternative energy.

6. *Conditional uses may be approved only after a C.U.P. has been evaluated to determine that the impacts can be mitigated through conformance with conditions of approval. VCC 9-5-2(A).*

Commission Mabe stated he would approve the use with reasonable mitigation.

Commissioners and Staff discussed how solar installation companies and property owners can be become better informed about the requirements for building permits and conditional use permits for ground-mounted solar. Notification has been sent to various installation companies throughout Idaho. Staff will communicate these requirements to Idaho Power and the public through social media.

Commissioner Mabe moved to approve C.U.P. 26-003 Lamon Solar Panels with the stated conditions.

COA: Recommend the applicant plant some trees on 92 Goslin Loop for screening of the solar panels near the western property line.

COA: Commissioners recommend approval of the requested variance to setback along the western side property line. The Board of County Commissioners will determine if this variance is allowed.

Commissioner Potter seconded the motion. Motion carried unanimously.

The setback variance will be discussed by the Board of County Commissioners as an action item. Since this was a unanimous decision, a public hearing for the variance is not required.

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

- 3. C.U.P. 26-004 Maxton Short-Term Rental:** Maxton Restoration Company LLC is requesting a conditional use permit for short-term rental of the existing home and monthly rental of the studio apartment attached to a detached shop. The residences share an individual well and individual septic system. The 1.26-acre site, addressed at 761 Stockton Drive, is West Place Subdivision Lot 6D Block 3, located in the SW ¼ Section 15, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Postponed to May 14, 2026.

7:52 p.m.

- 4. C.U.P. 21-07 Jug Mountain Ranch Storage Units – Extension Request:** Jug Mountain Ranch LLC is requesting a two-year extension of a conditional use permit for four new buildings for recreational vehicle storage. Construction was to be completed by April 20, 2026. The 22.8-acre site, addressed as 280 Jug Mountain Ranch Road, is within the Jug Mountain Ranch P.U.D. and located in the SW ¼ Section 1, 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; Commissioner Schneider recused herself. Director Herrick presented the staff report.

Chairman Roberts asked for the applicant's presentation.

David Carey, McCall, is requesting an extension to existing condition use permit. The first building was constructed a few years ago and is fully occupied. Construction of the next building is expected to beginning by the end of year. It will include smaller doors compared to the first building. The remainder phases are market driven. The landscape berm has been completed; they wish to protect the golf course experience. The storage units are an amenity for the property owners at Jug Mountain Ranch; no rental to the public. The units do reduce traffic on roads outside of Jug Mountain Ranch since owners are not driving off site to other storage sites. Mr. Carey is willing to accept a longer extension period. He has been very transparent about the applicant's intentions.

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 and concurred that this is a straightforward request. No negative issues have been identified.

Commissioner Potter moved to approve a **five-year extension** of C.U.P. 21-07 Jug Mountain Ranch Storage Units. 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.

5. SUB 26-004 Orange Sky Subdivision - Preliminary Plat: Leo Stoddard is requesting a conditional use permit for a two-lot single-family residential subdivision on 2.42 acres. Lot sizes are 1.0 and 1.4-acres. Individual septic systems and individual wells are proposed. The lots would be accessed from Stockton Drive, a public road. The site, addressed at 651 Stockton Drive, is West Place Subdivision Tax No. 43 in Lot 15 Block 1, in the SWSW Section 15, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Postponed to May 14, 2026.

6. SUB 26-005 Pine Creek Ranch South Subdivision - Preliminary Plat: Pine Creek Ranch LLC is requesting a conditional use permit for a four-development parcel subdivision on 90.87 acres. Permanent public right-of-ways with privately maintained 28-ft wide gravel roads would be platted. The site would be accessed from Stockton Court, a public road. The site, addressed at 389 Stockton Court, is parcel RP18N03E154641 in the S ½ Section 15, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Postponed to May 14, 2026.

7. C.U.P. 21-05 Lake Fork Industrial Center – Extension Request: Draper Development LLC is requesting an extension of a conditional use permit for two mixed-use buildings and a storage building. Approved commercial uses include office, retail, and light industrial. The 2.5-acre site would be accessed from Pleasant Acres Drive using a shared driveway. The site, addressed at 5 Pleasant Acres Drive, is Lots 7A & 7B of Krueger’s Folly Subdivision in the SW ¼ Section 3, T.17N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Withdrawn by Applicant.

9:06 p.m. Chairman Roberts was excused from the remainder of the meeting.

8. C.U.P. 26-005 Amendment to C.U.P. 25-025 Intermountain Sports Rentals and Repair: Brian and Cindy Patterson are requesting an amendment to allow three shipping containers and to allow test driving of equipment within the two-acres of the parcel that includes the business. Existing approval includes retail, rental, and repair of power sport equipment; an office; a 50-ft by 90-ft building; fencing; and landscaping. Access is from Gold Dust Road, a public road. The 80-acre parcel RP13N04E049005, addressed at 56 Gold Dust Road, is in the S ½ SE ¼ Section 4, T.13N, R.4E, Boise Meridian, Valley County, Idaho. Action Item.

Acting-Chairman Potter 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 summarized the following exhibit:

- **Exhibit 1** – Alexandra Rickert opposed the request. (April 7, 2026)

The applicant has already gone to the Board of County Commissioners for approval of a development agreement. The site and surrounding area were reviewed on the GIS map.

Vice Chairman Potter asked for the applicant’s presentation.

Brian Patterson, Nampa, explained his request. There would be limited snowmobile use (mostly loading and unloading of machines), primarily testing of ATVs and side-by-sides in the area west of the new building site. This would also allow training of people renting equipment. Snowmobiles are tested inside the shop on a stand. He believes there will be less noise at this site than the Valley County Road Department site across the road. The new shipping containers will be off-white in color and would be used to store equipment. The business has also operated at a Nampa location for 22 years, adjacent to a subdivision. He has received no complaints over this time frame.

Vice Chairman Potter opened the public hearing and asked for opponents, undecided, or proponents. There was no one who wished to testify.

Vice Chairman Potter closed the public hearing. The Commission deliberated. Commissioner Mabe questioned if a one-year review should be required given previous feedback regarding noise and the reason for the approved conditions restricting operation of equipment. Commissioner Schneider agreed with the applicant that the Road Department property will likely be more of a nuisance to the neighborhood than what applicant is proposing. Gold Dust Road right-of-way would not be impacted. The applicant needs to follow conditions of approval or would be in violation. Hours of operation are 9:00 a.m. to 6:00 p.m., Sunday through Saturday. Only two acres of the entire 80-acre parcel will be impacted. Gold Dust Road is paved. Previous comments were opposed to test driving along the road and within the entire 80 acres. Commissioner Mabe stated he is okay with the modification if only two acres are impacted; no review necessary.

Commissioner Schneider moved to approve C.U.P. 26-005 Amendment to C.U.P. 25-025 Intermountain Sports Rentals and Repair with the stated conditions. Commissioner Mabe seconded the motion. Motion passed unanimously (4-0).

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

E. FINAL PLATS:

- 1. C.U.P. 24-13 Saddle Rock Subdivision Phase 4 – Final Plat:** Ryan and Heidi Schneider are 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 a 23-lot single-family residential subdivision on 79 acres in two phases. Phase 3 with seven lots has been recorded. Phase 4 would add 11 lots. Access would be from private roads onto State Highway 55. The site is located within the East ½ of Section 18 and NW ¼ Section 17, T.12N, R.4E, Boise Meridian, Valley County, Idaho. *Not a public hearing.* Action Item.

Vice Chairman Potter introduced the item and asked if there was any ex parte contact or conflict of interest; there was none. Commissioner Schneider recused herself as she is the applicant. Director Herrick presented the staff report.

Heidi Schneider stated that approval from the fire district and engineers has been obtained. Plat notes will be amended as requested in the staff report. Information has been submitted to Central District Health. There are no major changes from the preliminary plat. There was a change in the external boundary to include more land to improve connection with Dakota Way.

Commissioner Mabe moved to approve the final plat of C.U.P. 24-13 Saddle Rock Subdivision Phase 4 and authorize the Chairman to sign. Commissioner Oyarzo seconded. Motion passed unanimously (4-0).

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

9:30 p.m. Commissioner Schneider returned to the Commission.

- 2. C.U.P. 24-02 River Fork Ranch – Final Plat:** Lake Fork Ranch 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. The plat has 30 single-family residential lots and three common lots. Access would be from private roads onto Spink Lane, a public road. The site is located within the SE ¼ Section 22, T.17N, R.3E, Boise Meridian, Valley County, Idaho. *Not a public hearing.* Action Item.

Vice Chairman Potter introduced the item and asked if there was any ex parte contact or conflict of interest; there was none. Director Herrick presented the staff report and summarized the following exhibits:

- **Exhibit 1** – Amy Holm, representing the applicant, submitted a revised Declaration of Installation of Utilities that states utilities will be stubbed to each lot.

Director Herick stated the applicant is currently working with the Road Department Director and Valley County Engineering regarding off-site improvements to Spink Lane. Director Herrick explained the modifications to the approved conditional use permit by the Board of County Commissioners. There has been a change in the external boundary and reduction in acreage due to 1) a fence line agreement dispute along the western property line and 2) an exclusion of about 0.25-acres in what was originally Lot 11C to allow for a fire pond. A letter from the applicant's engineer stating the road is done according to plans and an approval letter from the fire department must be received prior to submittal to Board of County Commissioners.

Amy Holms, McCall, attorney for the applicant, stated the application has been through robust hearings on the development agreement. The internal roads are paved. Small changes exist compared to the approved preliminary plat, including a reduction in overall size. Access to Mahala Ditch has been maintained. The perimeter fence is constructed. CCRs have been drafted. The applicant is requesting financial guarantees.

Commissioners and staff discussed financial guarantees process and timeline. Off-site financial guarantees can be in the form of a bond, letter of credit, escrow agreement, or prepayment to someone who will complete the job. Applicant states the cost of the required improvements; the Valley County Engineer confirms the costs. Valley County Code Title 10 requires financial guarantees for 120% of cost estimates. The approved and recorded development agreement states the applicant will make the improvements.

Commissioners agreed that the final plat request is straightforward with no major modifications from the approved preliminary plat.

Commissioner Mabe moved to approve the final plat of C.U.P. 24-02 River Fork Ranch and authorize the Chairman to sign; Commissioner Schneider seconded. Motion passed unanimously (4-0).

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

9:40 p.m.

- 3. SUB 25-014 Herrick North – Final Plat:** L&P 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. The plat is for a 12-lot single-family residential subdivision on 37 acres. Access would be from private roads onto State Highway 55. The site is parcel RP12N04E087220 located in the E ½ Section 8, T.12N, R.4E, Boise Meridian, Valley County, Idaho. *Not a public hearing.* Action Item.

Vice Chairman Potter introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report.

Commissioners and Staff discussed road access and private roads. Valley County Code requires that subdivisions be connected to public roads. They can use private roads built to County standards to connect to public roads. This subdivision is using a platted private road to connect to State Highway 55. The applicant has an agreement allowing the use of Laurins Lane, a private road, for a specific number of lots. A change from the approved preliminary plat was the addition of platted right-of-way to continue Laurins Lane. Access from these lots must be on a platted road, not an easement. Each lot will have frontage on the private road.

Rob Pair, Crestline Engineers, McCall, represented the applicant. There is an existing agreement for this parcel to use the platted private road for a specific number of lots. The subdivision will convert a 60-ft access easement into a private road right-of-way. The applicant is requesting financial guarantees to complete the started but unfinished wildland fire mitigation and road work. The applicant has paid a deposit for a water tank for fire suppression. Idaho Power has been paid in full and should be starting their work next week.

Director Herrick stated that the improvements must be completed or be financially guaranteed at 120% of cost. For example, the applicant must financially guarantee 120% of labor costs for the water tank installation and provide an invoice that tank has been paid for. Mr. Pair stated he has drafted an escrow agreement that will also include costs to complete the fire mitigation and road work. Director Herrick stated that Valley County prefers escrow agreements over bonds or letters of credit.

Commissioner Schneider moved to approve the final plat of SUB 25-04 Herrick North and authorize the Chairman to sign. Commissioner Mabe seconded. Motion passed unanimously (4-0).

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

F. OTHER:

1. Discussion On Standard Final Plat Notes and CCR Recommendations. Action Item.

Director Herrick recommends a standard list of Final Plat Notes and CCR Recommendations for all subdivision conditional use permits. This would reduce repetitiveness in staff reports. There would be a condition of approval that the standard final plat notes must be placed on the final plat. The applicant would be given the list.

Commissioner Mabe moved to approve utilization of lists of Standard Final Plat Notes and CCR recommendations. Commissioner Schneider seconded. Motion passed unanimously (4-0).

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

- 2. C.U.P. 24-07 CM Backcountry** - Appeal of Administrative Decision to require an amended conditional use permit to add an additional building for equipment storage. Action Item.

CM Backcountry received a conditional use permit at 11 Rogers Lane. An approved shop with residential use for employees and guests on the second floor is under construction. The building is also adjacent to Highway 55. The business owner would like to add another shop for storage for both personal and commercial use.

The Commissioners discussed the request and size of proposed shop. The Commissioners concurred that the addition would be a change in the nature and/or scop and is also within the scenic corridor. Thus, a new conditional use permit application is required.

Commissioner Mabe moved that the administrative appeal is denied, and an amended conditional use permit will be required to add an additional building to the site plan; Commissioner Oyarzo seconded. Motion passed unanimously (4-0).

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

- 3. SUB 26-002 Newton Subdivision** – Does the exclusion of both the Clara Foltz Ditch and the portion of Lot 4 east of the ditch and a reduction in buildable lots constitute a change in nature or scope that would require a new application? Action Item.

Vice Chairman Potter recused herself as she is a nearby neighbor to the site.

The Applicant has discussed the approved preliminary plat with the neighbors. The neighbors want to purchase the property east of the Clara Foltz ditch. The portion left may be used as common area or be absorbed by adjacent lots.

Commissioner Schnieder and Commissioner Mabe agreed that this would be a good solution to previously issues raised. The number of buildable lots would be reduced. An easement would be added to the ditch area.

Commissioners concurred that this change is acceptable and allowed.

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

G. FACTS AND CONCLUSIONS - Action Items:

- C.U.P. 25-035 Albright Camping Sites
- SUB 26-001 Bitton Subdivision
- C.U.P. 26-001 Murph's RV Park Expansion – Amendment of C.U.P. 88-2 and 12-1
- C.U.P. 26-002 Harris Cove Lodge
- SUB 26-002 Newton Subdivision

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

Vice Chairman Potter adjourned the meeting at 10:04 p.m.