

Valley County Planning and Zoning

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



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Email: cherrick@co.valley.id.us

STAFF REPORT: C.U.P. 22-54 Haney Solar Panels
HEARING DATE: January 12, 2023
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director
**APPLICANT /
PROPERTY OWNER:** David S Haney
10668 Onondaga Place, Boise ID 83709
LOCATION: 1504 Crown Point Parkway
Alberta Estate Subdivision Lot 6
NWSE Sec. 11, T.11N, R.3E, Boise Meridian, Valley County, Idaho
SIZE: 1.5 acres 14N
REQUEST: Ground-Mounted Solar Panel
EXISTING LAND USE: Single-family Residential

David Haney is requesting a conditional use permit for an existing ground-mounted solar panel in the front yard of an existing home.

According to the State of Idaho Division of Building Safety – Permit Information website, an electrical permit for solar install was applied for on September 2, 2022, and finalized on September 19, 2022.

The solar panel is approximately 83-ft from the front property line along Crown Point Parkway. It is visible from the public road.

The 1.5-acre parcel is addressed at 1504 Crown Point Parkway.

Valley County Code 9-5G-1 states that conditional use permits are required for solar panels greater than eight (8) square-feet that are detached from the primary structure. This requirement has been in effect since 2010.

FINDINGS:

1. The application was submitted on November 23, 2022.
2. Legal notice was posted in the *Star News* on December 22, 2022, and December 29, 2022. The property owner and applicant were notified by letter on November 7, 2022, and December 13, 2022. Potentially affected agencies were notified on December 13, 2022. Property owners within 300 feet of the property line as well as all additional people who previously commented were notified by fact sheet sent December 13, 2022. The notice was

posted online at www.co.valley.id.us on December 13, 2022. The site was posted on January 1, 2023.

3. Agency comment received:

Central District Health states the applicant needs to submit an accessory use application to ensure the location of the posts for the solar panels do not impact the septic system. (Dec. 14, 2022)

4. Public comment received: *none*

5. Physical characteristics of the site: Sloped topography with conifers

6. The surrounding land use and zoning includes:

North: Single-Family Residential – Alberta Estate

South: Single-Family Residential – Alberta Estate

East: Single-Family Residential – Alberta Estate

West: Single-Family Residential – Pelican Heights Subdivision

7. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:

- 7. Alternative Energy Uses (b) Solar panels – detached from primary structure and > 8-feet in area

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

9-5G-1: SITE OR DEVELOPMENT STANDARDS

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

A. Solar Panels Greater Than Eight Square Feet In Accumulated Area and Detached From Primary Structure:

1. Must be a minimum of fifteen feet (15') from property lines.
2. Glare shall not create a hazard to vehicular traffic.
3. Cannot be over thirty feet (30') in height.
4. Impact to neighbors will be a determining factor.

SUMMARY:

Staff's compatibility rating is a +13.

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

STAFF COMMENTS / QUESTIONS:

1. This site is within the Cascade Fire District, is within a herd district, but not within an irrigation district.

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation
- Staff's Compatibility Evaluation
- Vicinity Map
- Aerial View
- Assessor's Plat T.14N R.3E Section 11
- Assessor's Plat – Alberta Estate
- Site Plan
- Pictures – August 5, 2022, and January 1, 2023
- Responses
- Information from Idaho Division of Building Safety Website

Conditions of Approval

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
4. The use shall be established within one year, or a permit extension will be required.
5. All exterior lights shall be fully shielded so that there is not upward or horizontal projection of lights.
6. Shall obtain a building permit for the solar panel structure.
7. All setback requirements must be met.
8. All noxious weeds on the property must be controlled.

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use: _____

Prepared by: _____

YES/NO X Response
Value

Use Matrix Values:

(+2/-2) X 4 _____

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

(+2/-2) X 2 _____

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

(+2/-2) X 1 _____

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

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) X 3 _____

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

(+2/-2) X 1 _____

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

(+2/-2) X 2 _____

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

(+2/-2) X 2 _____

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

(+2/-2) X 2 _____

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

(+2/-2) X 2 _____

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

Sub-Total (+) _____

Sub-Total (--) _____

Total Score _____

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

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

A. General: One of the primary functions of traditional zoning is to classify land uses so that those which are not fully compatible or congruous can be geographically separated from each other. The county has opted to substitute traditional zoning with a multiple use concept in which there is no separation of land uses. Proposed incompatible uses may adversely affect existing uses, people, or lands in numerous ways: noise, odors, creation of hazards, view, water contamination, loss of needed or desired resources, property values, or infringe on a desired lifestyle. To ensure that the county can continue to grow and develop without causing such land use problems and conflicts, a mechanism designed to identify and discourage land use proposals which will be incompatible at particular locations has been devised. The compatibility evaluation of all conditional uses also provides for evaluations in a manner which is both systematic and consistent.

B. Purpose; Use:

1. The compatibility rating is to be used as a tool to assist in the determination of compatibility. The compatibility rating is not the sole deciding factor in the approval or denial of any application.
2. Staff prepares a preliminary compatibility rating for conditional use permits, except for conditional use permits for PUDs. The commission reviews the compatibility rating and may change any value.

C. General Evaluation: Completing the compatibility questions and evaluation (form):

1. All evaluations shall be made as objectively as possible by assignment of points for each of a series of questions. Points shall be assigned as follows:

Plus 2 - assigned for full compatibility (adjacency encouraged).

Plus 1 - assigned for partial compatibility (adjacency not necessarily encouraged).

0 - assigned if not applicable or neutral.

Minus 1 - assigned for minimal compatibility (adjacency not discouraged).

Minus 2 - assigned for no compatibility (adjacency not acceptable).

2. Each response value shall be multiplied by some number, which indicates how important that particular response is relative to all the others. Multipliers shall be any of the following:

x4 - indicates major relative importance.

x3 - indicates above average relative importance.

x2 - indicates below average relative importance.

x1 - indicates minor relative importance.

D. Matrix - Questions 1 Through 3: The following matrix shall be utilized, wherever practical, to determine response values for questions one through three (3). Uses classified and listed in the left hand column and across the top of the matrix represent possible proposed, adjacent, or vicinity land uses. Each box indicates the extent of compatibility between any two (2) intersecting uses. These numbers should not be changed from proposal to proposal, except where distinctive uses arise which may present unique compatibility considerations. The commission shall determine whether or not there is a unique consideration.

E. Terms:

DOMINANT ADJACENT LAND USE: Any use which is within three hundred feet (300') of the use boundary being proposed; and

1. Comprises at least one-half ($1/2$) of the adjacent uses and one-fourth ($1/4$) of the total adjacent area; or
2. Where two (2) or more uses compete equally in number and are more frequent than all the other uses, the one with the greatest amount of acreage is the dominant land use; or
3. In all other situations, no dominant land use exists. When this occurs, the response value shall be zero.

LOCAL VICINITY: Land uses within a one to three (3) mile radius. The various uses therein should be identified and averaged to determine the overall use of the land.

F. Questions 4 Through 9:

1. In determining the response values for questions 4 through 9, the evaluators shall consider the information contained in the application, the goals and objectives of the comprehensive plan, the provisions of this title and related ordinances, information gained from an actual inspection of the site, and information gathered by the staff.
2. The evaluator or commission shall also consider proposed mitigation of the determined impacts. Adequacy of the mitigation will be a factor.

APPENDIX A

MATRIX FOR RATING QUESTIONS 1, 2, and 3

1. AGRICULTURAL

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
	+2	-1	-2	-2	-2	-2																
+2		+2	+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
-1	+2		+1	+1	+1	+1	+1	+1	-1	+2	+1	-2		+1	+1	+2	+1	-1	+2	+1	-2	-2
-2	+1	+1		+1	+1	+1	+1	+1	-1	+2	+1	-2		+1	+1	+1	+1	-1	+1	+1	-2	-2
-2	+1	+1	+1		+2	+2			-1	+2	+1	-2		+1	+1	+1	+1	-1	+1	+1	-2	-2
-2	+1	+1	+1	+2		+2			+1	+2	+1	-2		+1	+1	+1	+1	-1	+1	+1	-2	-2
-2	+1	+1	+1	+2	+2				+1	+2	+1	-2		+1	+1	+1	+1	-1	+1	+1	-2	-2

7. P.U.D., RES.

+1	+2	+1	+1	+1	+1	+1		+1	+1	-1	+2	-2		-1	+2	+1	+1	-1	+1	+1	-2	-1
+1	+1	+1	+1	+1	+1	+1		+1	+1	-1	+2	-2		-1	+1	+1	+1	-1	+1	+1	-2	-2
+1	-1	-1	-1	-1	-1	-1		+1	+1	+1	+1	-1		+1	+1	+1	+1	+1	+1	+1	+2	+2
+1	+2	+2	+2	+2	+2	+2		-1	-1	+1	+2	-1		+1	+1	+1	+1	+1	+1	+2	+1	+1
+2	+1	+1	+1	+1	+1	+1		+2	+2	+2	+2	+1		+1	+1	+1	+1	+1	+1	+2	+2	+2
+1	-2	-2	-2	-2	-2	-2		-2	-2	-1	+1			-1	-2	-2	-2	-2	-1	+2	+2	+2

13. LANDFILL or SWR. PLANT

+1	+1	+1	+1	+1	+1	+1		-1	-1	+1	+1	-1		+1	+1	+1	+2	+1	+2	+2	-1	+1
-1	-1	-1	-1	-1	-1	-1		-1	-1	+1	+1	-1		+1	-2	-2	-1	-2	-2	+2	-1	+1

15. PRIV. REC. (CON)

-1	+1	+1	+1	+1	+1	+1		+2	+1	+1	+1	-2		+1	-2		+1	+2	+1	+2	-1	-1
+2	+2	+2	+1	+1	+1	+1		+2	+1	-1	+2	-2		+1	-2		+1	+1	+1	+1	-2	-2

16. NEIGHBORHOOD BUS.

-1	+1	+1	+1	+1	+1	+1		+2	+1	+1	+1	-2		+1	-2		+1	+2	+1	+2	-1	-1
+2	+2	+2	+1	+1	+1	+1		+2	+1	-1	+2	-2		+1	-2		+1	+1	+1	+1	-2	-2

17. RESIDENCE BUS.

-1	+1	+1	+1	+1	+1	+1		+1	+1	+1	+2	+2		+2	+2		+2	+1	+2	+2	+1	+1
-2	-1	-1	-1	-1	-1	-1		+1	+1	+1	+1	-2		+1	-2		+2	-1	+2	+1	-2	-2

19. AREA BUS.

-2	+2	+2	+1	+1	+1	+1		-1	-1	+1	+1	-1		+2	-2		+1	+2	+1	+2	-2	+1
-2																						

21. LIGHT IND.

+1	+1	+1	+1	+1	+1	+1		+1	+1	+1	+2	+2		+2	+2		+2	+1	+2	+2	+1	+1

22. HEAVY IND.

+2	-2	-2	-2	-2	-2	-2		-2	-2	+2	-1	+2		-1	-1		-1	-2	-1	-2	-2	+1

23. EXTR. IND.

+2	-2	-2	-2	-2	-2	-2		-1	-2	+2	+1	+2		+1	+1		-1	-2	-1	-2	+1	+2

THE SOLID SQUARES AS +2

Matrix Line # / Use: 10Prepared by: CH

YES/NO X Response Value

Use Matrix Values:

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

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

S.F. Subdivision

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

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

Same as 1

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

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

Same as 1

Site Specific Evaluation (Impacts and Proposed Mitigation)

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

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

It is large enough. Not screened from view of road

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

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

No others, but not bigger than house

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

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

No Impact

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

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

Yes

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

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

No Impact

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

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

No Change

Sub-Total (+) 20

Sub-Total (--) 7

Total Score +13

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

C.U.P. 22-54 Vicinity Map

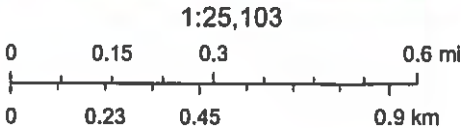


December 2, 2022

- Override 1
- PRIVATE
- Parcel Boundaries
- County Boundaries

Roads VALLEY COUNTY

URBAN/RURAL



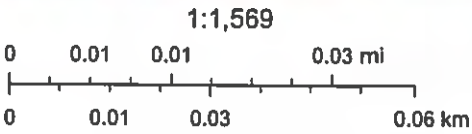
Maxar

C.U.P. 22-54 Aerial Map



December 2, 2022

- Override 1
- ▭ Override 1
- Address Points
- ▭ Parcel Boundaries
- Roads
 - URBAN/RURAL
 - PRIVATE
- County Boundaries



Maxar, Microsoft

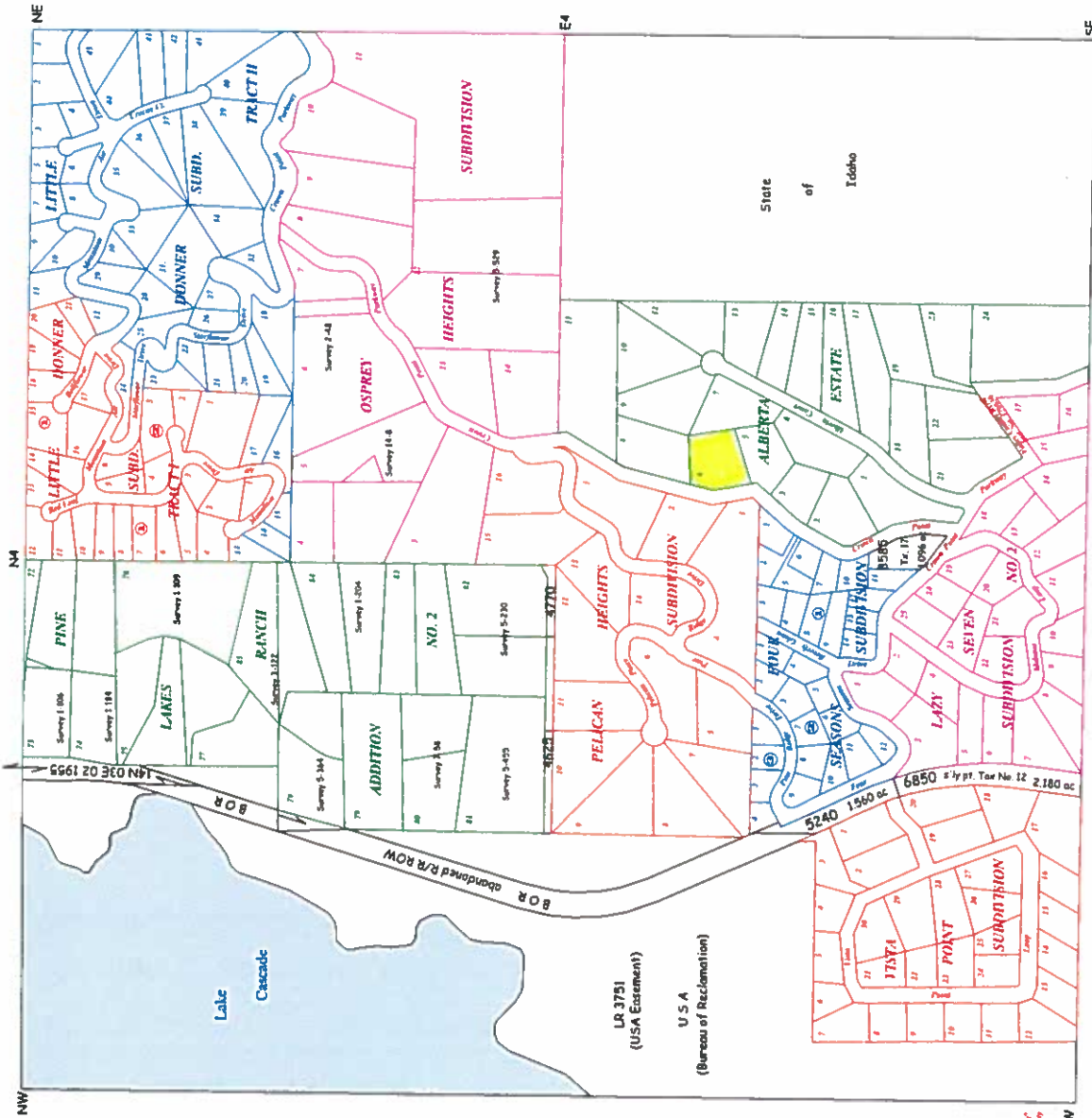
VALLEY COUNTY

PLAT TITLE

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

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

Filename:
Valley County Base Map
Scale: 1" = 400 ft.
Date: 2/25/2020
Drawn by: L. Frederick



This Drawing is to be used for Reference Purposes ONLY. The County is NOT Responsible for Any Inaccuracies or Omissions Herein.

See "Reference Only" for the Assessor's Office Map 2020

BN 7 14 16
 Post 00153 10 23 718
 CCT 5 1011 18154
 Surveying regulations in force
 Chapter 12, Idaho Code

CURVE DATA

CURVE	R	A	T	L	Ch	Dr. BEARING
C-1	455.00	100° 34' 23"	82.56	163.38	182.50	N 33° 10' 24" E
C-2	480.00	100° 34' 23"	88.37	175.84	178.00	N 33° 10' 24" E
C-3	523.00	100° 34' 23"	93.58	188.81	182.00	N 33° 10' 24" E
C-4	580.00	100° 34' 23"	102.00	204.36	188.41	N 33° 10' 24" E
C-5	650.00	100° 34' 23"	113.10	233.25	210.33	N 33° 10' 24" E
C-6	730.00	100° 34' 23"	126.07	276.15	240.33	N 33° 10' 24" E
C-7	820.00	100° 34' 23"	140.95	335.81	310.33	N 33° 10' 24" E
C-8	920.00	100° 34' 23"	158.81	414.36	380.33	N 33° 10' 24" E
C-9	1030.00	100° 34' 23"	179.81	525.81	490.33	N 33° 10' 24" E
C-10	1150.00	100° 34' 23"	204.00	672.36	630.33	N 33° 10' 24" E
C-11	1280.00	100° 34' 23"	231.56	858.81	800.33	N 33° 10' 24" E
C-12	1420.00	100° 34' 23"	262.56	1080.36	1030.33	N 33° 10' 24" E
C-13	1570.00	100° 34' 23"	297.00	1342.36	1300.33	N 33° 10' 24" E
C-14	1730.00	100° 34' 23"	334.95	1648.81	1610.33	N 33° 10' 24" E
C-15	1900.00	100° 34' 23"	376.41	1995.36	1960.33	N 33° 10' 24" E
C-16	2080.00	100° 34' 23"	422.40	2386.81	2350.33	N 33° 10' 24" E
C-17	2270.00	100° 34' 23"	472.92	2827.36	2800.33	N 33° 10' 24" E
C-18	2470.00	100° 34' 23"	527.95	3318.81	3300.33	N 33° 10' 24" E
C-19	2680.00	100° 34' 23"	587.49	3860.36	3850.33	N 33° 10' 24" E
C-20	2900.00	100° 34' 23"	651.54	4452.81	4440.33	N 33° 10' 24" E
C-21	3130.00	100° 34' 23"	720.00	5095.36	5080.33	N 33° 10' 24" E
C-22	3370.00	100° 34' 23"	792.95	5797.81	5780.33	N 33° 10' 24" E
C-23	3620.00	100° 34' 23"	870.41	6560.36	6550.33	N 33° 10' 24" E
C-24	3880.00	100° 34' 23"	953.46	7382.81	7370.33	N 33° 10' 24" E

ALBERTA ESTATE

A PORTION OF THE
 SW1/4 SE1/4 and NW1/4 SE1/4, Section 11, T14N, R3E, B.M.
 VALLEY COUNTY, IDAHO



LEGEND

- 3/8" Rebar w/2"x2" while guard stake
- Existing 5/8" Rebar w/Aluminum Cap
- Stone
- 2"x2" stake for 10' easement

NOTE: ~All lot lines have a 6 foot side and front utility easement and a 20 foot utility easement centered on rear lot lines.

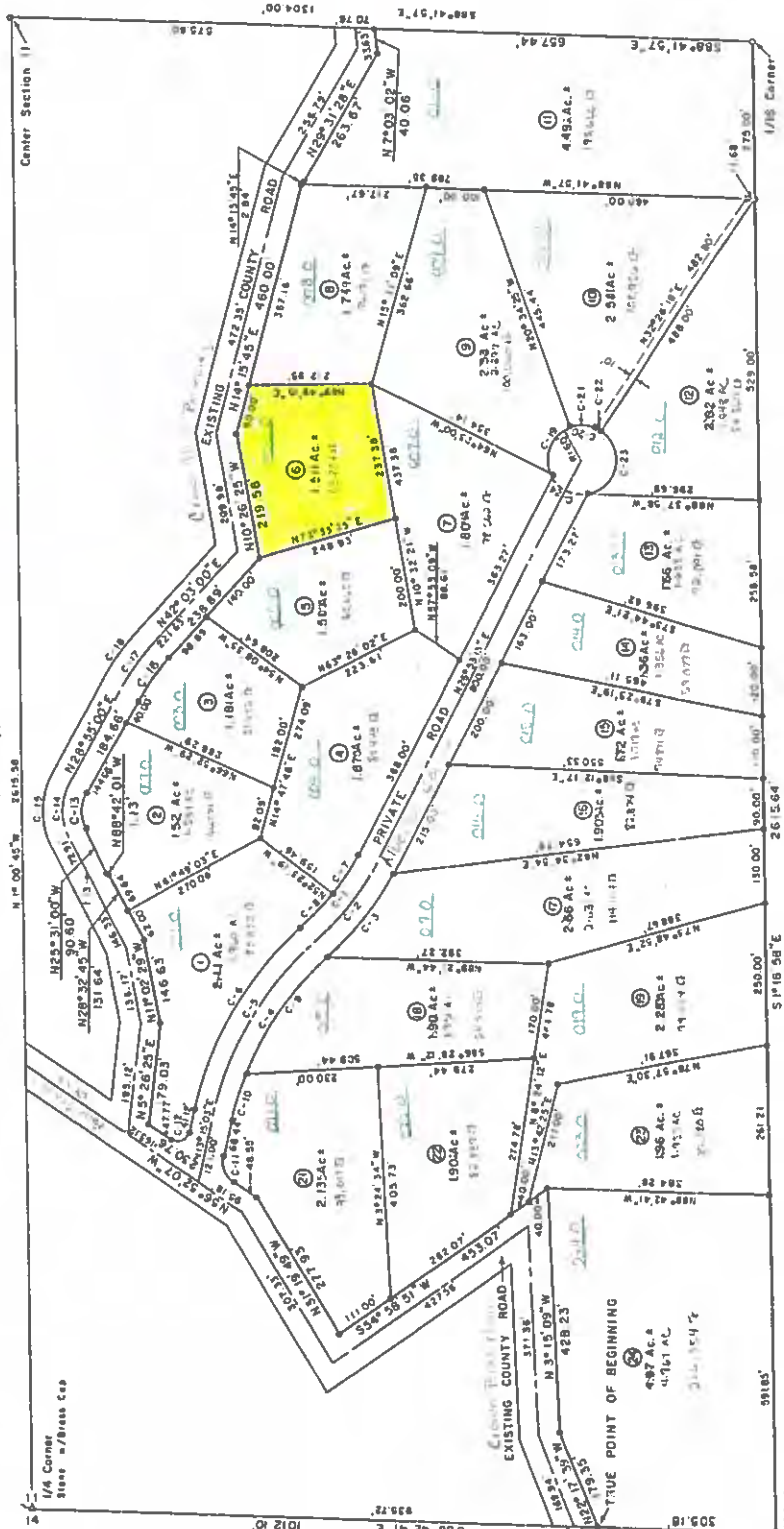
~No lots shall be subdivided.

~Lot 19 shall have only one dwelling unit and only when it is combined with one other adjoining lot

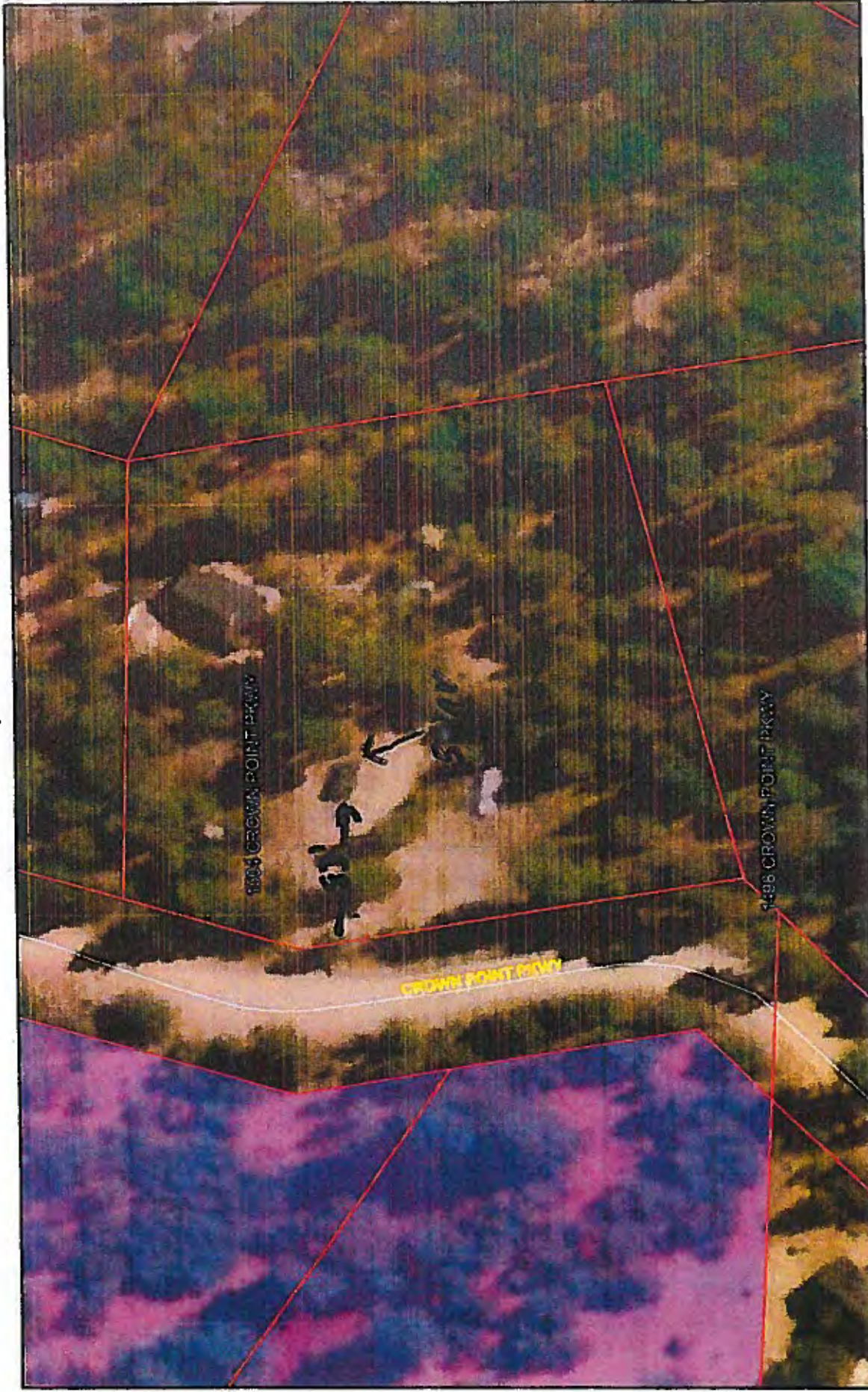
~Lot 20 was combined into lots 18, 21 and 22.

PRIVATE ROAD AGREEMENT

For declaration of private road in Alberta Estate Subdivision and Property Owners Association, recorded _____ day of _____, 1978, Instrument No. _____ in the office of the Recorder of Valley County, Idaho.



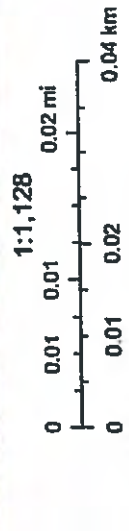
Assessor's Map & Parcel Viewer



11/9/2022, 8:48:14 AM

- Address Points

☐ Parcel Summary & Improvement Report



Mazur, Microsoft



08/05/2022





Valley County Transmittal
Division of Community and Environmental Health

Return to:

- ☐ Cascade
☐ Donnelly
☐ McCall
☐ McCall Impact
☒ Valley County

Rezone # _____

Conditional Use # CUP 22-54

Preliminary / Final / Short Plat Harvey Solar Panels

1504 Crown Point Parkway
Lot 6 Alberta Estates Sub

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
☐ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☐ central water
☐ individual sewage ☐ individual water
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☐ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☐ central water
- ☐ 10. Run-off is not to create a mosquito breeding problem
- ☐ 11. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 12. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 13. We will require plans be submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☒ 14. Applicant will need to submit an accessory use application so we can ensure that the location of the posts for the Solar Panels do not impact the septic system. Reviewed By: [Signature]
Date: 12/14/22

https://web.dbs.idaho.gov/eTRAKiT3/Custom/Idaho_PermitsSearchRslts.aspx

Home | [Setup an Account](#) | [Log In](#)

Licensee Username Password ☐ REMEMBER ME [Forgot Password](#)

PERMIT Search [Search Again](#) [Download Results](#) [Printable View](#)

Permit Number	Permit Type	Site Address	Site City	Site Zip Code	Site Parcel Number	Applicant Name
WEB2008-04984	ELECTRICAL	1504 CROWN POINT PKWY	CASCADE	83611	TMP278022	DAVID HANEY
WEB2009-00289	ELECTRICAL	1504 Crown Point PKWY	CASCADE	83611	TMP278738	DAVID HANEY
WEB2204-03915	PLUMBING	1504 Crown Point Parkway	CASCADE	83611	TMP357357	Dales Pump Works Inc
WEB2204-03918	ELECTRICAL	1504 Crown	CASCADE	83611	TMP357358	DALES PUMP WORKS INC
WEB2208-06824	PLUMBING	1504 Crown Point Parkway	CASCADE	83611	TMP357357	DAVID HANEY

Page: 1 of 1

Details - Permit# WEB2009-00289

[Permit](#)

Permit Info	Site Info	Fees \$220.00	Inspections (2)	Reviews
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Type: ELECTRICAL
Subtype: HOMEOWNER
Description of Work:
Status: FINALED
Applied Date: 9/2/2020
Approved Date:
Issued Date: 9/2/2020
Finaled Date: 9/19/2022
Expiration Date: 9/19/2022
Description of Work: Solar install