Valley County Planning and Zoning

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STAFF REPORT:

C.U.P. 23-01 Sands 55 Subdivision - Preliminary Plat

MEETING DATE:

March 9, 2023

TO:

Planning and Zoning Commission

STAFF:

Cynda Herrick, AICP, CFM Planning and Zoning Director

APPLICANT /

Lake Fork 55 LLC

OWNER:

c/o Ryan Montoya

4688 N Arrow Villa Way, Boise, ID 83703

REPRESENTATIVE:

lim Fronk

PO Box 576, McCall, ID 83638

SURVEYOR:

Dan Dunn

25 Coyote Trail, Cascade, ID 83611

LOCATION:

To Be Determined Highway 55

Parcel RP17N03E033995 located in the W 1/2 Sec. 03, T.17N, R.3E,

Boise Meridian, Valley County, Idaho

SIZE:

10.3 acres

REQUEST:

Mixed-Use Subdivision

EXISTING LAND USE:

Bare Land

Lake Fork 55 LLC is requesting a conditional use permit for a 4-lot, mixed-use subdivision that includes commercial use, light- industrial use, and multiple-residences (apartments). The site is 10.3 acres.

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		Commercial Use	Residential Use
Lot 1	3.27 acres	15,000-sqft metal building - currently under contract for sale to a water sport company to house, winterize, and maintain customer's watercraft	2 Apartments with garages on 1st floor
	3.01	Commercial or Light Industrial Use	Residential Use
Lot 2	acres	15,000-sqft building – see 2/28/23 letter	4 Apartments with garages on 1st floor
	244	Commercial or Light Industrial Use	
Lot 3	3.11 acres	17,200-sqft building + 4,800-sqft three-sided shed	
Lot 4	0.87	Shared Access Lot Only	
	acres	No Building Proposed	

Staff Report C.U.P. 23-01 Page 1 of 12 The apartment buildings would have garages on the first floor and residences on the second floor. Individual wells and individual septic systems are proposed. No buildings or parking would be allowed in the 100-foot setback from State Highway 55. The plat contains two shared access sites from Highway 55. The internal driveways would be paved.

The project site does not have wetlands according to a letter submitted by the Department of the Army, Corps of Engineers, on December 15, 2005.

The site is located in the Lake Fork Village as designated in the Valley County Comprehensive Plan.

A variance is requested for the requirement of a Wildland Urban Fire Protection Plan since there are no trees on the property.

The applicant is requesting the approval of building permits prior to recording the final plat.

FINDINGS:

- 1. The complete application was submitted on January 30, 2023. The documentation from the neighborhood meeting held on February 23, 2023, is also attached.
- 2. Legal notice was posted in the *Star News* on February 16, 2023, and February 23, 2023. Potentially affected agencies were notified on February 6, 2023. Property owners within 300 feet of the property line were notified by fact sheet sent on February 7, 2023. The notice and application were posted online at www.co.valley.id.us on February 6, 2023. The site was posted on February 24, 2023.
- 3. Agency comment received:

Central District Health stated application, test holes, ground water monitoring, engineering, and specific information on the intended use of commercial and light industrial structures will need to be provided. (Feb. 14, 2023)

Wendy Howell, Idaho Transportation Department, replied with requirements. A Traffic Impact Study (TIS) reflecting the full buildout is required. Form 2109 must be submitted. (Feb. 14, 2023)

Garrett de Jong, McCall Fire Chief, stated requirements for a 30,000-gallon water storage tank for fire protection and automatic fire sprinkler systems for mixed-use buildings. (Feb. 17, 2023)

Emily Hart, McCall Airport Manager, states that this site is over three miles from the McCall Airport and Airport Management has no comment. (Feb. 16, 2023)

- 4. Public comment received: None
- 5. Physical characteristics of the site: Relatively Flat; No Wetlands
- 6. The surrounding land use and zoning includes:

North: Single-Family Residential and Agricultural (Grazing)

South: Commercial Businesses

East: Highway 55; Commercial Businesses; Light Industrial; Single-family Residential;

C.U.P. 21-32 has been approved for Office and Residential Condos

West: Single-Family Residential and Agricultural (Grazing)

Staff Report C.U.P. 23-01 Page 2 of 12

- 7. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:
 - · 2. Residential Uses (j) Multiple Residences on One Parcel
 - 5. Commercial Uses
 - 6. Industrial Uses (a) Light Industry

Review of Title 9 - Chapter 5 Conditional Uses and Title 10 should be done.

9-5-3: STANDARDS:

The provisions of this chapter shall apply to the various buildings and uses designated herein as conditional uses.

B. Setbacks:

- 1. Structures Exceeding Three Feet In Height: The setbacks for all structures exceeding three feet (3') in height are specified herein under the site and development standards for the specific use.
- 2. Highway 55: All structures shall be set back one hundred feet (100') from the right of way line of Highway 55 unless a more restrictive setback is required within other sections of this title.
- 3. High Water Line: All residential buildings shall be set back at least thirty feet (30') from high water lines. All other buildings shall be set back at least one hundred feet (100') from high water lines.
- 4. Front Yards: Front yards shall be determined by the structure establishing the principal use on the property and the location of the access street or road.
- 5. Encroachment On Yards: No other structure may encroach on the yards determined for the structure establishing principal use.
- 6. Measurement: All building setbacks shall be measured horizontally, on a perpendicular to the property line, to the nearest corner or face of the building including eaves, projections, or overhangs. (Ord. 10-06, 8-23-2010)

9-5-4: TABLE 5-A - STANDARDS FOR CONDITIONAL USES

	Bu	ilding S	etbacks (f	eet)	Minimum Lot Area	Max. % Lot Cover	Minimum Street Frontage	Max. Building Height	Minimum Parking Spaces	
Use Description	Front Side		Side Street Rear						12.7.7.7	
Commercial Uses		SELEM			SECOND TO M	NAME OF STREET		THE WAR DOWN	RECORDERATE OF THE PARTY OF THE	
Area Business	30	10	30	30		40	75	35	1+ 1/250 sqft	
Neighborhood	30	10	30	30		40	75	35	1+ 1/250 sqft	
Recreation Business	50 30		50	50				45	1 / each 4 occupants	
Service Business	50	30	50	50		40	75	35	1+ 1/250 saft	
Industrial Uses	110200						201/2019UNI	= x210x02ys		
Extractive Industry	30	10	30	30			75			
Heavy Industry	150	75	150	100		30	75	45	1+ 1/400 sqft	
Light Industry	50	30	50	- 50		35	75	45	1 + 1/250 sqft	
Residential Uses				(GREEN)						
Condominium, townhouse, or multi- family residence	30	15	30	30		40	30	35	2 / residential unit	

9-5A SITE IMPROVEMENTS

9-5A-1: GRADING:

A. Permit Required: Grading to prepare a site for a conditional use or grading, vegetation removal, construction or other activity that has any impact on the subject land or on adjoining properties is a conditional use. A conditional use permit is required prior to the start of such an activity.

E. Site Grading Plan:

- 1. The conditional use permit application shall include a site grading plan, or preliminary site grading plan for subdivisions, clearly showing the existing site topography and the proposed final grades with elevations or contour lines and specifications for materials and their placement as necessary to complete the work. The plan shall demonstrate compliance with best management practices for surface water management for permanent management and the methods that will be used during construction to control or prevent the erosion, mass movement, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development. The plan shall be subject to review of the county engineer and the soil conservation district. The information received from the county engineer, the soil conservation district, and other agencies regarding the site grading plan shall be considered by the planning and zoning commission and/or the board of county commissioners in preparing the conditions of approval or reasons for denial of the applications.
- 2. For subdivisions, preliminary site grading plans and stormwater management plans must be presented for review and approval by the commission as part of the conditional use permit application. However, prior to construction of the infrastructure, excavation, or recordation of the final plan, the final plans must be approved by the county engineer.
- F. Land Surfaces Not Used For Roads, Buildings And Parking: All land surfaces not used for roads, buildings and parking shall be covered either by natural vegetation, other natural and undisturbed open space, or landscaping.
- G. Stormwater Management Plan: Prior to issuance of building permits, the administrator must receive a certification from the developer's engineer verifying that the stormwater management plan has been implemented according to approved plans.

9-5A-2: ROADS AND DRIVEWAYS:

- A. Roads For Public Dedication And Maintenance: Roads for public dedication and maintenance shall be designed and constructed in accordance with title 10 of this code and in accordance with "Construction Specifications And Standards For Roads And Streets In Valley County, Idaho".
- B. Access Roads Or Driveways: Residential developments, civic or community service uses, and commercial uses shall have at least two (2) access roads or driveways to a public street wherever practicable.
- E. Access To Highway 55: Access to Highway 55 shall be limited at all locations and may be prohibited where other access is available. An access permit from the Idaho transportation department may be required.

9-5A-3: PARKING AND OFF STREET LOADING FACILITIES:

- A. Site Plan: The site plan for a conditional use permit shall include a detailed scale drawing showing the parking area plan including driveways, parking spaces, setbacks, landscaping, buildings, vehicle maneuver areas including firetrucks and refuse collection trucks, snow storage, and drainage.
- B. Accessory Parking And Loading Facilities Required: Accessory parking and loading facilities shall be provided as required herein for every building and structure erected, and every land use established after the effective date hereof; unless the commission or the board determines that the proposed parking is adequate.
- C. Required Spaces: The minimum number of spaces required is specified herein under the site and development standards for the specific use.
- D. Parking Space, Maneuvering Area And Aisle Dimensions: All parking spaces and on site vehicular circulation areas shall comply with the following minimum sizes:
 - 1. Parking Area Dimensions:
 - a. Minimum size parking spaces shall measure eight feet six inches by eighteen feet (8'6" x 18').
 - b. All parallel parking spaces shall measure a minimum of eight feet six inches by twenty two feet (8'6" x 22').
 - Recreational vehicle parking spaces shall measure a minimum of ten feet by twenty four feet (10' x 24').

- 2. End Parking Space Maneuvering: A three foot (3') wide maneuvering area shall be provided for end parking spaces in single access parking areas as shown below.
- 3. Vehicle Overhang:
 - a. Recreational Vehicles And Parking Spaces: Recreational vehicles and parking spaces are not allowed to overhang sidewalks, curbs or landscape areas.
 - b. Standard Size Parking Spaces:
 - (1) Landscaped Areas: Standard size parking spaces are allowed to overhang landscaped areas and curbs but this overhang shall not encroach into any required setback and this area shall not be considered in meeting any required percentage of lot to be landscaped.
 - c. Access To And From Streets: Parking areas must have safe, convenient, and unobstructed access to and from streets by means of a driveway not less than ten feet (10') wide nor more than forty feet (40') wide that extends onto the private property at least twenty feet (20') beyond the property line. Driveways to loading facilities will enable vehicles to leave and enter streets in a forward direction.
 - d. Driveways: All driveways shall be designed and constructed in accordance with the county approach policies.
 - e. Surface: Parking areas and driveways shall be surfaced with asphalt, concrete, compacted gravel, and crushed rock, or other dust free, durable material.
 - f. Surface Water Drainage: Drainage of surface water shall be provided that will be adequate to drain the surface of the parking area while preventing flows of water onto adjacent properties. Surface waters shall be managed in accordance with best management practices to protect or improve water quality.
 - g. Screening: Parking areas containing more than ten (10) spaces shall be effectively screened on all sides adjoining residential uses by a wall, fence, or plantings not less than four feet (4') in height.
 - h. Prohibited In Setback Zone: No part of a parking area shall be located within a required setback zone such as a side, front, or rear yard.
 - i. Off Street Loading Facilities: Off street loading facilities shall be provided separately from parking spaces for commercial, industrial, and institutional uses. The facilities shall be adequate to provide loading and unloading without obstruction to the street or parking areas.
 - j. Maintenance: Parking areas and off street loading facilities shall be maintained in good order, clear of debris, and shall not be used for any other use that interferes with or limits the intended use.
 - k. Lighting: Only indirect lighting may be used to illuminate a parking area. See other lighting regulations in section 9-5B-2 of this chapter.
 - 1. See parking diagram in section <u>9-5-4</u> of this chapter.

9-5A-4: LANDSCAPING:

- B. Landscaping; Standards Of Design:
 - Minimum Requirements: Each site to be developed under a conditional use permit shall be required to provide landscape areas equal to or exceeding the following minimum amounts:
 - a. Multi-Family Use: Each site for a proposed multi-family use shall have a minimum of thirty percent (30%) of the net site/lot area in landscaping.
 - b. Service/Commercial Use: Each site for proposed service/commercial use shall have a minimum of fifteen percent (15%) of the net site/lot area in landscaping.
 - c. Industrial Use: Each site for a proposed industrial use shall have a minimum of ten percent (10%) of the net site in landscaping.
 - d. Additional Landscaping: In addition to the minimum on site landscaping, there shall be landscaping in the entire area of the right of way, between street property line and back of street curb, road, back slope, or fill slope, except for approved driveways, walkways, bike paths, and snow storage areas.
 - 2. Future Commercial And Industrial Development: Future commercial and industrial development sites shall be landscaped in the first phase of construction, unless a phased plan is approved by the commission.
 - 4. Use Adjacent To Single-Family Residential Development: Where multi-family, commercial, office or industrial uses are adjacent to or separated by an alley or lesser separation from a single-family

- residential development, such trees shall be planted at ten feet (10') on center, with every other tree being a minimum twenty four inch (24") box size.
- 5. Commercial, Office Or Industrial Use Adjacent To Residence: Where a commercial, office or industrial user of over fifty thousand (50,000) square feet building area is located adjacent to a residence, the landscape buffer described in subsection B3 of this section shall be increased to fifteen feet (15') (adjacent to that user), with two (2) rows of trees along the interior side of the property line. Each row is to contain minimum fifteen (15) gallon trees spaced fifteen feet (15') on center, staggered for maximum effect in buffering the two (2) uses.
- 6. Criteria For Trees Along Street Frontage: Trees shall be required along all street frontages according to the following criteria:
 - a. A minimum of one tree shall be planted for every twenty five feet (25') of linear street frontage. The trees may be grouped or planted in groves;
 - b. Fifty percent (50%) shall be twenty four inch (24") box size or larger with the balance being minimum fifteen (15) gallon size;
 - c. The trees selected shall be compatible with the overall site and landscape plan as well as adjacent sites.
- 7. Standard Tree Planting Detail: All trees shall be planted and staked in accordance with the "Standard Tree Planting Detail" diagram in section 9-5-4 of this chapter. Plant sizes to be in accordance with Nurseryman Association standards.
- 8. On Site Water Retention Areas: All on site water retention areas, other than paved surfaces, shall be entirely landscaped and shall comply with the following criteria:
 - a. The retention areas shall not occupy more than sixty seven percent (67%) of the on site street frontage landscape area;
 - b. All retention areas shall maintain slopes no steeper than three to one (3:1).
- 9. Mounding And Berming: All mounding and berming shall have slopes no steeper than three to one (3:1).
- 10. Ground Cover: A minimum of fifty percent (50%) of the landscaped areas is to be planted with vegetative ground cover. Minimum size and spacing to be one gallon size plants at a maximum three feet (3') on center.
- Landscape Designs: Landscape designs shall be compatible with adjacent properties. Selected stock shall be especially suited for this climate or shall be from native stock.

9-5A-5: FENCING:

- A. Substituted For Planting Screens: Fencing may be substituted for planting screens subject to the approval of the staff and the commission.
- B. Separation Or Screening: Fencing shall be installed to provide separation or screening as specified in the site or development standards for the specific use. A sight obscuring fence required by the commission for any conditional use shall be stained or painted a single solid color, shall not be used for advertising, and shall be maintained in good repair.
- F. Conditional Use Adjoins Agricultural Uses: Where a conditional use adjoins an agricultural use where animal grazing is known to occur for more than thirty (30) consecutive days per year, the permittee shall cause a fence to be constructed so as to prevent the animals from entering the use area. The permittee shall provide for the maintenance of said fence through covenants, association documents, agreement(s) with the adjoining owner(s), or other form acceptable to the commission prior to approval of the permit so that there is reasonable assurance that the fence will be maintained in functional condition so long as the conflicting uses continue.
- G. Obstruction Of Vision: Sight obscuring fences, hedges, walls, latticework, or screens shall not be constructed in such a manner that vision necessary for safe operation of motor vehicles or bicycles on or entering public roadways is obstructed.

9-5A-6: UTILITIES:

- A. Direct Access Required: All lots or parcels, for or within conditional uses, shall be provided, or shall have direct access to, utility services including telephone, electrical power, water supply, and sewage disposal.
- B. Central Water Supply And Sewage Systems: Central water supply and sewage systems serving three
 (3) or more separate users shall meet the requirements of design, operation, and maintenance for central water and sewage systems in the subdivision ordinance.

- C. Probability Of Water Supply: Probability of water supply, as referred to in subsection A of this section, can be shown by well logs in the general area or by a determination of a professional engineer, hydrologist, or soil scientist.
- D. Individual Septic Systems: If individual septic systems are proposed to show compliance with sewage disposal requirements in subsection A of this section, sanitary restrictions must be lifted on every lot prior to recordation unless it is designated as a lot where a building permit will never be issued for a residential unit, such as pasture lot, common area, open space, or a no build lot.
- E. Easements Or Rights Of Way: Easements or rights of way shall be set aside or dedicated for the construction and maintenance of utilities in accordance with the provisions of the subdivision ordinance.
- F. Utility Plan: A utility plan showing the schedule of construction or installation of proposed utilities shall be a part of the conditional use permit.

9-5B PERFORMANCE STANDARDS

9-5B-1: NOISE:

A. Commercial Or Industrial Activity: The noise emanating from any commercial or industrial activity shall be muffled so as not to become objectionable due to intermittent beat, frequency or shrillness, and shall not exceed forty (40) decibels between the hours of seven o'clock (7:00) P.M. and seven o'clock (7:00) A.M., and sixty (60) decibels at other hours at the property line if adjacent uses are not the same.

9-5B-2: LIGHTING:

C. Standards:

- Turn Off Required: All nonessential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.
- Recreational Facilities: Recreational facilities such as baseball, softball, soccer, volleyball or football fields; driving ranges; outdoor arenas and amphitheaters; ski trails; or other outdoor field recreation facilities are exempt from height restrictions provided the lights are used only while the field is in use.
- 4. All Other Outdoor Lighting: All other outdoor lighting shall meet the following standards and at a minimum the standards in title 6, chapter 2 of this code:
 - The height of any light fixture or illumination source shall not exceed twenty feet (20').
 - b. All lighting or illumination units or sources shall be hooded or shielded in a downward direction so they do not produce glare or cause light trespass on any adjacent lot or real property as depicted in section 9-5-4 of this chapter.
 - c. Lights or illumination units shall not direct light, either directly or through a reflecting device, upon any adjacent lot or real property. Lighting should not illuminate the sky or reflect off adjacent water bodies or produce glare or cause light trespass on any adjacent lot or real property.
 - d. External lighting of the face of signs shall be placed above the sign and shielded and directed in a manner that the illumination source shall not be visible from any adjacent lot or real property. Sign lighting shall not reflect or glare beyond the face of the sign and immediately below the sign 1.
- 5. Parking Areas, Walkways Or Similar Uses: All outdoor lights used for parking areas, walkways, and similar uses mounted on poles eight feet (8') or greater in height shall be directed downward. The light source shall be shielded so that it will not produce glare or cause light trespass on any adjacent lot or real property.
- 6. Searchlights: Searchlights shall only be operated for special events or grand openings for a maximum of one week. Searchlights shall not be operated on residential or agricultural property.
- 7. Mercury Vapor Lights: The installation of mercury vapor lamps is hereby prohibited.
- 8. Flashing, Intermittent Or Moving Lights Prohibited: Flashing or intermittent lights, lights of changing degree of intensity, or moving lights shall not be permitted. This subsection shall not be construed so as to prohibit the flashing porch light signal used only while emergency services are responding to a call for assistance at the property, or holiday lights.

- 9. Industrial And Exterior Lighting: Industrial and exterior lighting shall not be used in such a manner that produces glare on public highways and neighboring property. Arc welding, acetylene torch cutting, or similar processes shall be performed so as not to be seen from any point beyond the property line. Exceptions will be made for necessary repairs to equipment.
- 10. Sensor Activated Lights: Sensor activated lights, provided:
 - a. They are located in such a manner as to prevent glare and lighting onto properties of others or into a public right of way.
 - b. They are set to only go on when activated and to go off within five (5) minutes after activation has ceased.
 - c. They shall not be triggered by activity off the property.
- 11. Towers, Power Lines And Power Poles: Lighting of radio, communication and navigation towers along with power lines and power poles, provided the owner or occupant demonstrates that the federal aviation administration (FAA) regulations can only be met through the use of lighting.
- 12. Outdoor Lighting Plan: All applications for a conditional use permit shall include an outdoor lighting plan for the entire site which indicates how the above standards are to be met. The approved permit shall be a part of the conditional use permit and/or the building permit.

9-5B-4: EMISSIONS:

- A. Obnoxious Odors; Toxic Or Corrosive Fumes Or Gases: The emission of obnoxious odors of any kind shall not be permitted, nor the emission of any toxic or corrosive fumes or gases.
- B. Dust: Dust created by an industrial, commercial, or recreational operation shall not be exhausted or wasted into the air. All operations shall be subject to the standards in appendix C, fugitive dust 1. State air quality permits, when required, may be a condition of approval of the conditional use permit or may be required to be a part of the conditional use permit at the discretion of the commission.
- C. Wood Burning Devices: Wood burning devices shall be limited to one per site. Wood burning devices shall be certified for low emissions in accordance with EPA standards.

9-5B-5: DUST:

- A. Minimization Required: Dust and other types of air pollution borne by the wind from such sources as storage areas and roads, shall be minimized by appropriate landscaping, paving, oiling, watering on a scheduled basis, or other acceptable means.
- B. Created By Approved Operation: Dust created by any approved operation shall not be exhausted or wasted into the air. The standards in appendix C, fugitive dust 1 along with state air quality permits, when required, may be a condition of approval of the conditional use permit or may be required to be a part of the conditional use permit at the discretion of the commission. (Ord. 10-06, 8-23-2010)

9-5B-6: OPEN STORAGE:

All storage shall be located within an area not closer than twenty feet (20') from the street right of way line and shall be enclosed with a heavy wire or board fence not less than six feet (6') high, or by plantings the same height. Lumber, coal, or other combustible material will be fully accessible to firetrucks at all times. Open storage of toxic or hazardous materials shall not be allowed. (Ord. 10-06, 8-23-2010)

9-5B-7: FIRE PROTECTION:

Provisions must be made to implement prefire activities that may help improve the survivability of people and homes in areas prone to wildfire. Activities may include vegetation management around the home, use of fire resistant building materials, appropriate subdivision design, removal of fuel, providing a water source, and other measures. Recommendations of the applicable fire district will be considered.

9-5C RESIDENTIAL USES

9-5C-6: DENSITY:

A. The density of any residential development or use requiring a conditional use permit shall not exceed two and one-half (2.5) dwelling units per acre, except for planned unit developments or long-term rentals. Long-term rental density can be determined by the Planning and Zoning Commission in regards to compatibility with surrounding land uses and will require a deed restriction.

B. Density shall be computed by dividing the total number of dwelling units proposed by the total acreage of land within the boundaries of the development. The area of existing road rights of way on the perimeter of the development and public lands may not be included in the density computation.

9-5F COMMERCIAL AND INDUSTRIAL USES

9-5F-2: INDUSTRIAL USES; SITE OR DEVELOPMENT STANDARDS:

Industrial uses requiring a conditional use permit shall meet the following site or development standards: A. Minimum Lot Area:

- 1. The minimum lot area shall be adequate to accommodate the use, associated activities or use, and to adequately contain adverse impacts.
- 2. The minimum frontage along a public or private road shall not be less than seventy five feet (75').

B. Minimum Setbacks:

- Light Industrial Uses: The minimum building setbacks for light industrial uses shall be fifty feet (50') from front, rear, and side street property lines and thirty feet (30') from side property lines.
- 2. Heavy Industrial Uses:
 - a. The minimum building or use setbacks for heavy industrial uses shall be one hundred fifty feet (150') from front and side street property lines, one hundred feet (100') from rear property lines, and seventy five feet (75') from side property lines. Heavy industrial uses shall be located not less than one thousand feet (1,000') from any residential development, civic, or community service use or commercial use, unless the impacts are adequately mitigated by implementation of standards as approved by the commission. The setbacks will be determined in relation to impact mitigation.
 - b. The current use of vacant adjacent property shall be presumed to be its highest and best permitted use.
 - d. The above specified minimum setback from any residential development, civic or community service use, or commercial use shall not apply to those extractive industry uses specifically related to gravel and other building or landscape materials including excavation, stockpiling, and/or hauling said materials at sites approved by the county for said purposes that are located outside the North Fork of the Payette River drainage of the county.

C. Maximum Building Height And Floor Area:

- 1. Building heights shall not exceed forty five feet (45') for light industrial uses, and shall be unlimited herein for extractive industrial uses. Building heights for heavy industrial uses shall not exceed forty five feet (45').
- 2. The building size or floor area shall not exceed the limitations of subsections 9-5-3A and C of this chapter.
- 3. No building or combination of buildings may cover more than forty percent (40%) of a lot for light industrial uses and thirty percent (30%) of a lot for heavy industrial uses.

D. Site Improvements:

- Applications for extractive industry uses proposing excavations exceeding fifteen feet (15') below the average surface grade shall include an operations plan and a final reclamation plan according to the guidelines in subsection E of this section.
- Fencing shall be installed in heavy industrial and extractive industry uses where hazardous conditions or operations are proposed. The fencing shall be adequate in height and construction to secure against random entry into such areas.
- 3. Parking spaces shall be provided at the rate of one plus one per two hundred fifty (250) square feet of floor area where applicable for light industrial uses; and one plus one per four hundred (400) square feet of floor area for heavy industrial uses. In any event the parking area shall be adequate to provide parking for employees and visitors.

TITLE 10 SUBDIVISION REGULATIONS

10-4-6: EASEMENTS:

A. Utility Easements: There shall be provided easements for the utilities upon and across the front of lots of a width of a minimum of twelve feet (12') (except for entrance service) or as and where considered necessary by the commission.

- B. Stormwater Easement Or Drainage Right Of Way: Where a subdivision is crossed or bounded by a watercourse, drainageway, channel, irrigation ditch, or stream there shall be provided a stormwater easement or drainage right of way conforming substantially with the lines of such watercourse, and such further width or construction, or both, as will be adequate for the purpose.
- C. Drainage: Provisions for adequate drainage shall be made by the subdivider as prescribed by the county engineer in accordance with the manual containing the drainage standards and specifications as adopted by Valley County.
- D. Existing Easements: All existing easements must be shown on the subdivision plat.

10-5-1: STREET AND UTILITY IMPROVEMENTS:

- A. Installation Required: Public street, utility, conduit for fiber optics, and other off site improvements, as hereinafter listed, shall be installed in each new subdivision at the subdivider's expense or at the expense of the party agreeing to install the same, in accordance with the minimum standards set forth below prior to the acceptance of any final plat for recordation, except as provided in subsections C and D of this section. A right of way permit will be required (see section 5-7-2 of this code).
- B. Acceptance By County: The county shall not accept the dedication of any public rights of way and any easements shown on the plat, together with appurtenant facilities lying therein which the county would have a duty to maintain after dedication, which are not improved, or construction thereof guaranteed in accordance with the provisions of this title or with the policies, standards, designs and specifications set forth in the road and street specifications adopted by Valley County. The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed. All plats shall contain in their notes this statement: "The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."
 - Dedication of public rights-of-way does not guarantee that the public road will be maintained by Valley County. Public rights of way are allowed with roads that are maintained by homeowners. Public rights of way shall be provided through properties to adjacent lands for the purpose of circulation, when reasonable.
- C. Private Road Declaration: In the event that private roads, streets and ways are shown on a subdivision plat, the width of the right of way must meet specifications set forth in road and street specifications adopted by the board of county commissioners. A private road declaration shall be recorded and state that the county will have no responsibility for the installation or maintenance of the private roads, shall describe who is responsible for maintenance of the private roads, and describe the construction schedule for the private roads. Construction of private roads shall be the responsibility of the subdivider and shall be constructed to the minimum standards as set forth in the road and street specifications for private roads adopted by the county.
- D. Declaration Of Installation Of Utilities: A declaration of installation of utilities shall also be recorded. The declaration shall describe the utilities that will be placed by the subdivider, verify when the utilities will be installed and state that Valley County will have no responsibility for the installation or maintenance of utilities. If all utilities are not installed prior to recordation of the plat, a note shall be placed on the face of the plat that states: "Utilities have not been installed at the time of recordation of this plat".
- E. Connection To Public Road Required: The county shall not accept any new subdivision unless the streets within the subdivision, whether public or private, are connected directly to an existing public road. In the event the subdivision is not connected to a public road with an approved minimum standard as determined by the Valley County Road Director, then the subdivider shall construct, or guarantee the construction as provided by this title, a connector road to county standards, either private roads or public roads, which shall provide access to the subdivision. All subdivisions shall be required to be accessed by a road system that meets the minimum standard as determined by the Valley County Road Director. When access has historically been provided through the subdivision to other ownerships, the subdivider shall provide for continuation of the public right of way.

CHAPTER 7 WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN 10-7-4: SUBMISSION REQUIREMENTS:

- A. General: All developers of proposed subdivisions shall provide a wildland urban interface fire protection plan (the plan) for review and approval by the planning and zoning commission with their preliminary plat application or planned unit development submittal.
- B. Content: The plan shall be based upon a site specific wildfire risk assessment that includes consideration of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, fire protection systems and equipment, defensible space, and vegetation management.

SUMMARY:

Staff's compatibility rating is a +30.

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 McCall Fire District and the Lake Irrigation District boundaries. It is not within a herd district.
- 2. Parking cannot be located in setback areas. Parking is shown in the side setback areas in the original submittal. This has been corrected in the revised Preliminary plat received March 1, 2023.
- 3. Specific uses and/or limitations of types of commercial and industrial uses on Lot 2 should be designated.
- 4. The applicant is requesting the approval of building permits prior to recording the final plat. The building department typically does not issue building permits without Central District Health approval of a septic system.
- 5. When will landscaping be placed; will it be financially guaranteed?
- 6. See February 28 submittal for proposed uses on Lot 2.

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- List of Specific Uses for Lot 2 Letter Dated Feb. 28, 2023
- Results of Neighborhood Meeting
- Vicinity Map
- Aerial Map
- Assessor Plat T.17N R.3E Section 3
- Revised Preliminary Plat Received March 1, 2023
- Pictures Taken February 24, 2023
- Responses
- Septic System Handouts

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 final plat shall be recorded within two years, or this permit will be null and void.
- 3. Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any work being done on-site.
- 4. Wetland delineation must be updated.
- 5. Must bury conduit for fiber optics with utilities.
- 6. A Declaration of Installation of Utilities shall be recorded and noted on the face of the plat.
- A letter of approval is required from McCall Fire District prior to recording the final plat.
- 8. CCR's should address septic maintenance, dark sky compliant lighting, wildfire prevention, noxious weeds, and limit each lot to one wood burning device.
- 9. All lighting must comply with the Valley County Lighting Ordinance.
- 10. Shall place addressing numbers on each building.
- 11. All easements shall be shown on the final plat.
- 12. Shall create a "Shared Access Maintenance Agreement" and note it on the plat as a recorded document.
- 13. Building permits will be approved prior to recording of final plat; however, final occupancy will not be approved until after the recording of the final plat.
- 14. Planning and Zoning Director will need to approve proposed use for Lot 2. A conditional use permit may be required.
- 15. If lots are sold in the future, conditional use permits may be required, depending on the use. This note should be placed on the final plat.
- 16. The following notes shall be placed in the notes on the face of the final plat:
 - "The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."
 - "All lighting must comply with the Valley County Lighting Ordinance."
 - "Only one burning device is allowed on each lot."
 - "Surrounding land uses are subject to change."

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use:	Prepared by:
· ·	g //
Response YES/NO X 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?
(+2/-2) X 3	Site Specific Evaluation (Impacts and Proposed Mitigation) 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 <u>lots and/or</u> 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 question receives a single final score.	ns shall be totaled so that each land use and development proposal

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 faind 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:

- 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.
- 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).
 - 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 $(^{1}I_{2})$ of the adjacent uses and one-fourth $(^{1}I_{4})$ 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:

- 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.

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APPENDIX A

RATE THE SOLID SQUARES AS +2

Compatibility Questions and Evaluation

Matrix Line # / Use	19	Prepared by:
54		65 · 12
YES/NO X	Response Value	Use Matrix Values:
(+2/-2) <u>+2</u> X	4 +8 1	Is the proposed use compatible with the dominant adjacent land use?
(+2/-2)/ X	22	. Is the proposed use compatible with the other adjacent land uses (total and average)?
(+2/-2) <u>+/</u> X	13	. Is the proposed use generally compatible with the overall land use in the local vicinity?
(+2 <i>l</i> -2) \neq X	3 <u>+6</u>	Site Specific Evaluation (Impacts and Proposed Mitigation) 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? Property 3
(+2/-2) <u>+/</u> X	1_7/	Is the size or scale of proposed lots and/or structures similar to adjacent ones? Yes - similar size lots, somewhat keyer building
(+2/-2) <u>*</u>	2 74	. 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, onsite roads, or access roads? **Highway** 55**
(+2/-2) <u>+2</u> 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 - will be in measured noise, but is adjacent
(+2/-2) <u>† 2</u> -X		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?
(+21-2) +2 X		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?

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

Sub-Total

Sub-Total

Total Score

+30

Cynda Herrick
Director
Planning and Zoning
Valley County
PO Box 1350
Cascade, ID 83611

RE: C.U.P. 23-01 Sands 55 Subdivision – Preliminary Plat

Dear Ms. Herrick:

This letter is in response to your letter dated February 2, 2023, regarding C.U.P 23-01 Sands 55 Subdivision – Preliminary Plat. Item two of the letter requests that a specific use and or limitations of types of commercial and industrial uses on Lot 2 be provided. While it is difficult to ascertain the specific future use, the following are uses (not exclusive) that are considered to be complimentary for the project.

Parcel 2 uses:

- Residential and/or affordable housing (workforce housing)
- · Repair business, auto, small engine repair, appliance, or other service business
- · Building materials, retail, wholesale
- Enclosed manufacturing, packing, or warehousing (except meatpacking plants)
- General business
- Transfer station

I look forward to meeting with you and the commissioners at the March 9, 2023, Planning and Zoning Meeting.

Regards,

Ryan Montoya

Manager

Lake Fork 55, LLC

Cynda Herrick
Director
Planning and Zoning
Valley County
PO Box 1350
Cascade, ID 83611

RE: C.U.P. 23-01 Sands 55 Subdivision - Preliminary Plat (Neighborhood Meeting)

Dear Ms. Herrick:

This letter is regarding C.U.P 23-01 Sands 55 Subdivision – Preliminary Plat. On February 23, 2023, Lake Fork 55, LLC hosted a neighborhood meeting at Gemma's Italian Deli & Market 12844 Highway 55, McCall, ID 83638. In advance, Lake Fork 55, LLC sent notices to neighbors within 300' of the proposed project (sample letter attached).

Prior to the meeting, Ms. Michelle Butler, neighboring owner to the north, provided a letter voicing concerns and suggestions of neighboring owners. This letter was helpful in guiding the conversation and discussion with Ms. Butler prior to the meeting as well as with the neighbors in attendance on February 23, 2023 (meeting sign in sheet attached).

In addition to two owners of Lake Fork 55, LLC in attendance was James Fronk, civil engineer for the project and Tyrell McKibben, future owner and operator of Parcel 1. The meet began at 6:30 pm and ended at 7:30 pm. A summary of the meeting discussion is attached and within the Concerns and Suggestions letter from Ms. Butler and the neighboring owners.

I look forward to meeting with you and the commissioners at the March 9, 2023, Planning and Zoning Meeting.

Regards,

Ryan Montoya

Manager

Lake Fork 55, LLC



RE: Neighborhood Meeting Notice for Project in your Neighborhood

To whom it may concern,

You are invited to a neighborhood meeting to discuss a project we are proposing near your property. The purpose of the meeting is to discuss the project, answer any questions, and listen to your feedback and suggestions.

Meeting Date: February 23, 2023

Meeting Time: 6:30 - 7:30 pm Mountain Time

Meeting Location: Gemma's Italian Deli & Market 13844 Hwy 55, McCall, ID 83638.

A group of local business owners (Mike, Ryan, Lenny, and Michael) are developing a light industrial park .3 miles north of the intersection of Highway 55 and Lake Fork Road (Parcel No. RP17N03E033995). These buildings, if approved, will meet a much-needed demand for light industrial space in Valley County. On February 23, 2023, we will be holding a public meeting at Gemma's Italian Deli & Market 13844 Hwy 55, McCall, ID 83638, and are excited to share with you our plans and other information about the industrial park. Additional details can be found enclosed in this letter.

If you would like to contact us ahead of the meeting or receive copies of the site plan and architectural drawings, please feel free to reach us at 208-508-1303 or ryanm@fs-cap.com. If you are unable to attend in person, please contact us and we can provide an online meeting environment. We look forward to hearing from you.

Thank you,

Ryan Montoya Managing Member

Enclosure: Sands 55 Project Summary

	Phone																	
orhood Meeting 2/23/23	Email																	
Sands 55 Subdivision - Neighborhood Meeting 2/23/23	Address	150x 2386 M.C. 11	18	484 MC	N. Maret	4033 N. Araw Vila Van Rok	1376/ Harizun Viens									Sec. (5)		
	Name ,	A Consideran	Desta Shimaker	Alexis Gle		Rica Marky	Carry Od So	Zin Fart										

Summary and response in red by Lake Fork 55, LLC

Concerns and Suggestions regarding the 4-lot subdivision on Parcel No. RP17N033995 Proposed by Lake Fork 55LLC.

This is from the 3 families that own property on the North and West sides of proposed development.

1. PRIVACY:

A. If housing is allowed to be built as proposed, 4 dwellings on lot #2 will have second story decks that can look over fencing directly into the home and yard of owners on the west. See P202.1

Suggestions: - Continue trees proposed along west side of Lot 3 across Lot 2 also.

- Remove upper decks from dwellings in lot #2 or put decks on East instead of West side.
- Generally: Discussed that the County needs workforce housing and housing generally.
- Parcel 3: Parcel 3's proposed housing is intended to have its employees use the housing.
- Lot 2: Developer will look at placing trees (small caliber now that will grow into the site) at the corner of Lot 2 to help block views. The trees will need to be placed near the irrigation ditch but also be water tolerant.
- Lot 2: Also, explained that the design has the decks set into the building and the facing windows are set back further. Additionally, the design has railing that will restrict vision and the roof overhang will further limit vision.
- Generally: Concern that there will be trash and household items stored on decks and along rear buildings. Developer's CC&Rs restrict those stored items and the property must be kept orderly.
- Generally: Concern about loose dogs. Developer's CC&Rs will discuss keeping animals within boundary and to keep property free from animal excrement.
- Generally: Concerned about people wandering onto other owner's property. Owners will work with neighbors should this become an issue.

2. ACCESS on Lot #4 and Noxious weed control:

A. Driveway access was given to Judy Leister several years ago for the purpose of access IF development was unable to obtain a better access from the ITD (Idaho Transportation Department). Since two other access points have been granted, and this is no longer needed for development, we would like to have the access to our drive way returned. Lot 4 is not useful to anyone else and is used by both the owner on the North and West to enter the highway. We have maintained the driveway for over 20 years. Suggestions: - Deed back to previous owners the portion of driveway marked as "Access

Easement" on Lot 4.

At this point, the Developer would like to get through the subdivision process before discussing any disposition of Lot 4.

B. Homeowners on the North were given permission to use a small access road (the same one used by Lake Irrigation District) slightly South of their driveway for farm

equipment when they purchased this property. This agreement is not in writing. Because of ditch location this is the only way to get onto the area to spray weeds and maintain the property. Owner has been spraying this property and lot #4 since they purchased the land 7 years ago. Another concern is future control of weeds on lot #4.

Suggestions: - Grant owners legal access to continue to use this access point.

- Have a plan for control of: Knapweed, Thistles, Toadflax, Curly Dock, and Oxeye Daisy. So they do not spread to our land.

 Weed question: No problem with weed control, can add that to Plat or CC&Rs if needed.
- Deed all of Lot 4 to owners on North. Documents received from P&Z on 2/9 and Elevate Development on 2/11 both state "No plan to change or improve" Lot 4. Because this is only 70' it is not useful to anyone as it is part of the 100' Setback required on highway 55. This would clean up property lines and they would then be responsible for weed control.
- Developer will provide an easement (revokable or license) for access to the area of Michelle's property to the south of the current entrance.

3. WILDLIFE:

- A. The number of wild animals killed on this section of highway 55 has increased every year. We now average 3 or more large animals yearly by our driveway. With the growing amount of development the migration corridor continues to narrow. This development will narrow this further.
- Suggestions: Promote Wildlife crossing signage with flashing lights to be installed. We have made several calls and tried for many years to get this done with no success.

Happy to work with neighbors and sign a petition. If approved, can discuss where to install a sign, preferably on the north by Michelle's property due to new migration pattern of the animals.

- Try to get Lake Fork speed limit of 45mph extended further North.
- Happy to help get and sign a petition to reduce the speed.

Other Notes & Questions for clarification:

- 1. We were under the impression this property was zoned Commercial, which we have known would eventually happen. We are concerned about the Residential portion of this proposal because it will impact:
 - Hours of noise: Housing will create noise past normal Commercial/light industrial business hours of operation. This will likely create disturbance for our animals (our dogs will most likely be barking in the night & early morning as they hear sounds). Developer will include language in the CC&Rs regarding noise pollution and nuisance noise. Also, will provide that occupants must follow all noise ordinances.
 - Water: High probability that the increased amount of water used could affect our wells. What is our course of action if this occurs? When wells are drilled will new development be required to drill our wells deeper or close theirs?

Will have to work with and be subject to IDWR on the wells. The anticipated uses will result in low water use overall. Not anticipated that it will have an impact. It is believed the water is moving south east towards Lake Fork. Reviewed the water levels and effects of the potential well's depth.

- Safety: Irrigation canal is unprotected and close to parking and housing. CUP

Application page #3 item 7 and 10a. appear incorrect by saying "None" We changed this to be 50 feet back with no parking.

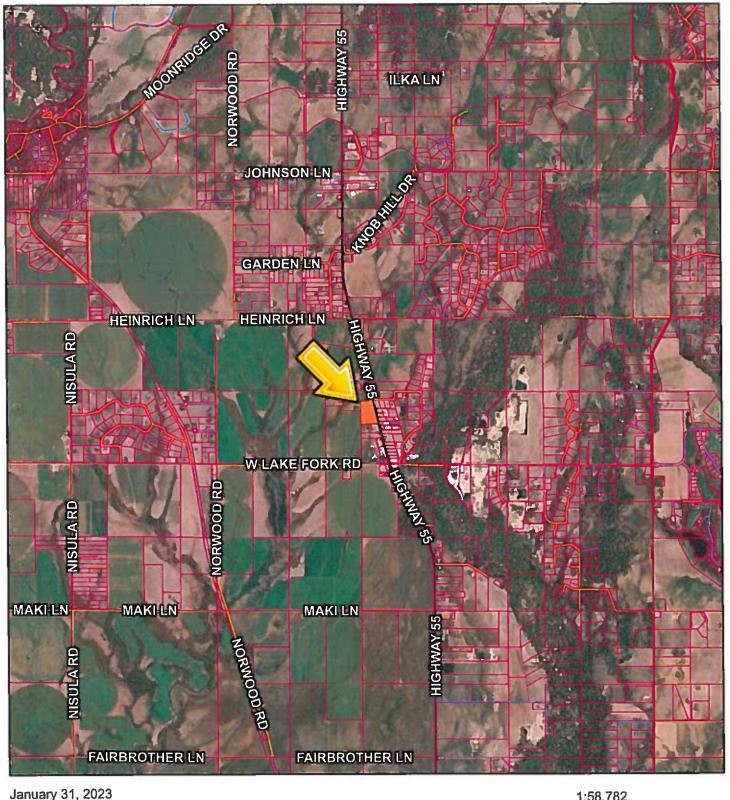
2. How tall is proposed Fencing and will it be installed along the entire West side of development?

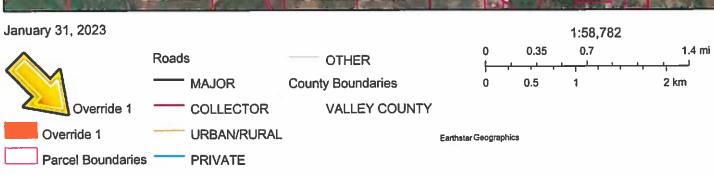
Not sure about fencing at this point, need to work with the users and there are snow storage areas. There will likely be fencing installed on Parcels 1 and 3 to protect the areas.

Misc.

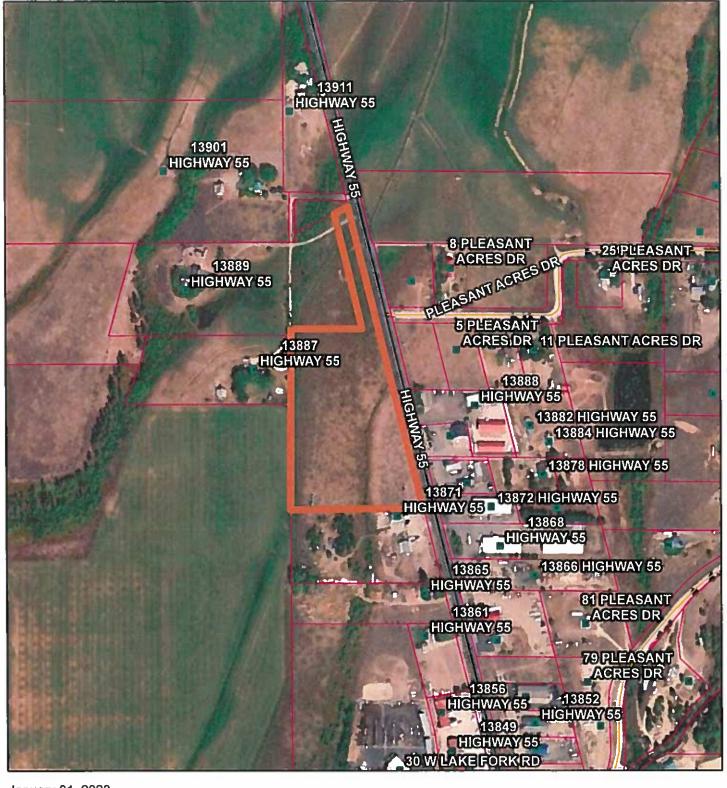
- Neighbor to the south inquired into water abatement onto his property. Discussed how the new retention basins along 55 are deeper and to hold additional water. The water is then diverted back to the center of the south boundary line.
- Discussed onsite water retention generally and that there will be limited water runoff from the development.
- Discussed the snow storage areas and general utility layout.

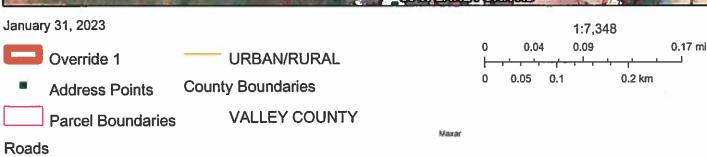
CUP 23-01 Vicinity Map



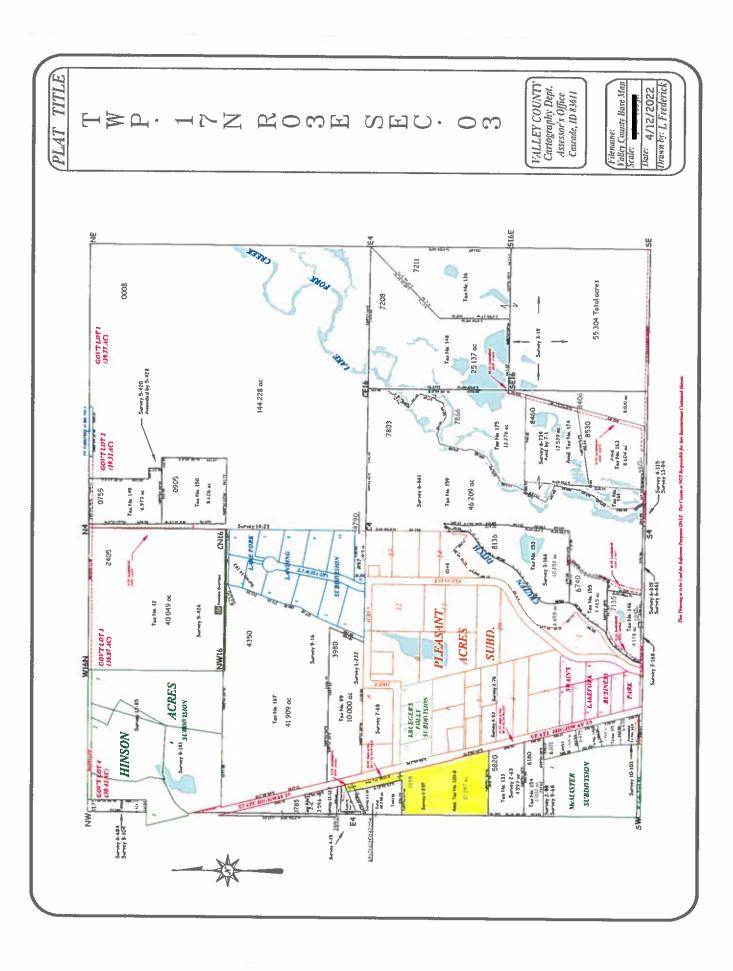


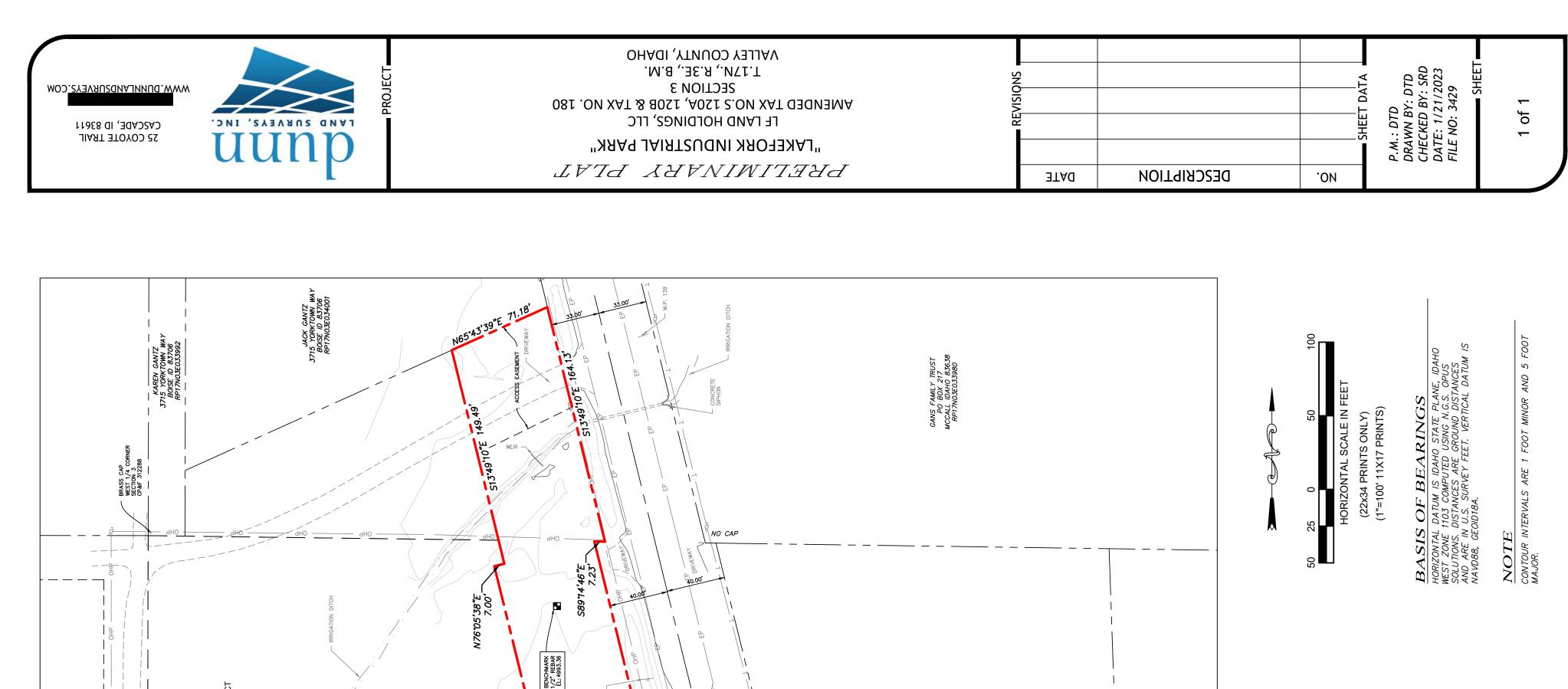
CUP 23-01 Aerial Map

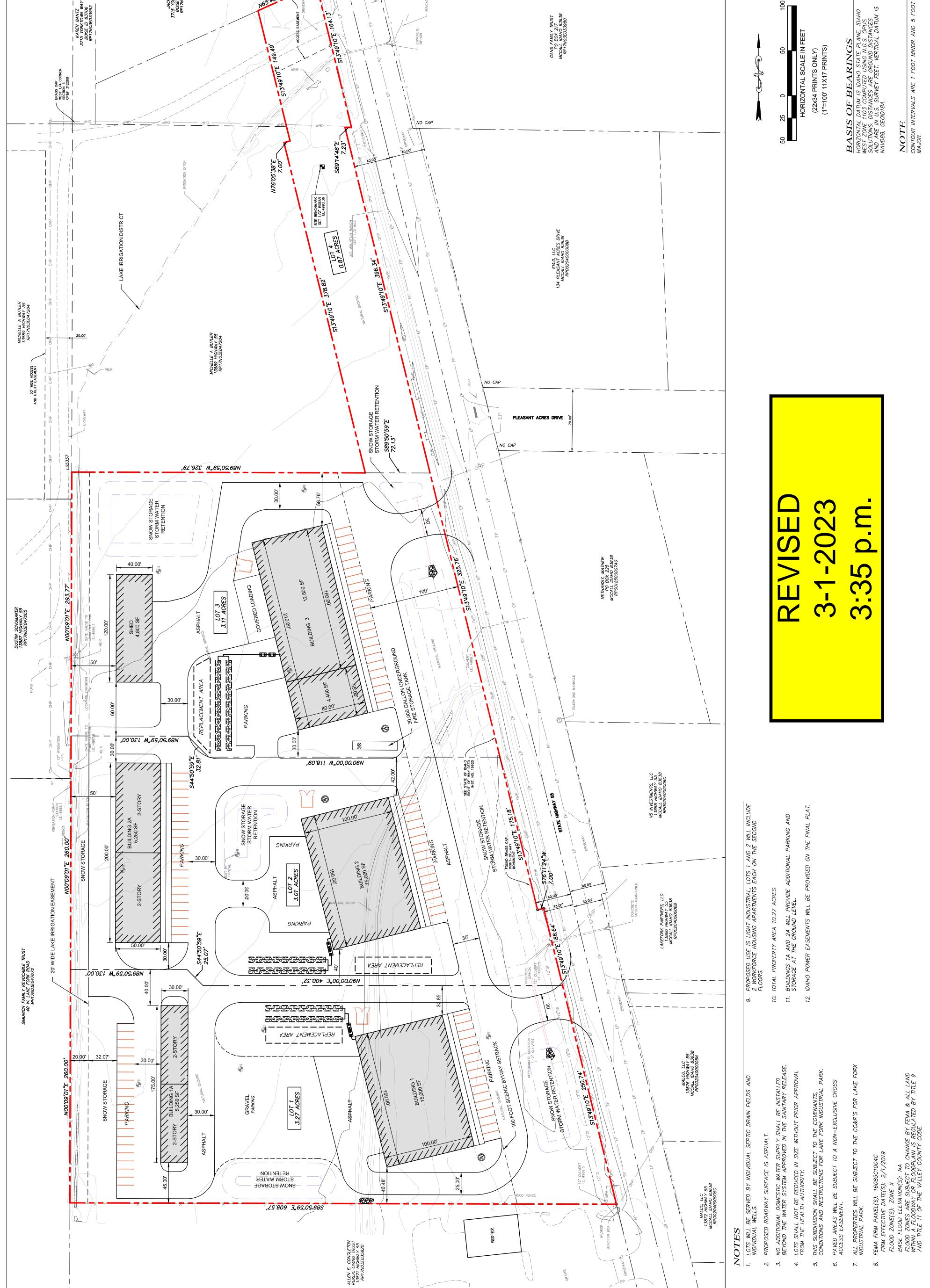




MAJOR















_		
		CENTRAL Valley County Transmittal Return to: DISTRICT Division of Community and Environmental Health Cascade
	Rez	one # McCall
	Cor	nditional Use # CuP 23 -O1
1		100 Valle 6
'	1 4	liminary / Final / Short Plat Spieds 55 Subdivision A valley County
_		
	1.	We have No Objections to this Proposal.
	2.	We recommend Denial of this Proposal
図	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.
A	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
	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

Reviewed By:

holes, ground water wonstorms, engineering, and on on the intended use of commercial & light industrial



IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028 • Boise, ID 83707-2028 (208) 334-8300 • itd.idaho.gov

February 14, 2023

Valley County Cynda Herrick, AICP, CFM Planning & Zoning Director 219 N Main St Cascade, ID 83611

Re: Sands 55 Subdivision, CUP 23-01

Dear Ms. Herrick,

Idaho Transportation Department (ITD) appreciates this opportunity to provide comments regarding the Sands 55 Subdivision located at milepost 138.8 (Parcel No. RP17N03E033995) on the west side of Highway 55, Valley County, Idaho. The application is for a conditional use permit for a mixed-use subdivision that includes commercial use, light industrial use, and apartments on 10.93 acres. Please see the below comments:

- 1. This project abuts State Highway 55 (SH-55).
- 2. No direct access to the State Highway system has been requested with this application.
- 3. Traffic generation numbers were not provided with this application. Based on the change of land use and its proximity to SH-55, ITD will require the applicant to provide a Traffic Impact Study (TIS) reflecting the full build. ITD needs more information to determine what mitigations if any, the applicant may be required to construct on the State Highway system. Any necessary mitigation for traffic impacts identified by the TIS shall be the responsibility of the applicant to construct.
- 4. The ITD Form 2109, "Right-of-Way Encroachment Application" must be submitted with the TIS. For additional information please contact Josh Nopens at <u>Josh Nopens@itd.idaho.gov</u>.
- 5. Any addition, modification, change use, relocation, maintaining, or removal of an encroachment of the state highway or use of highway right-of-way for any purpose other than normal travel, shall obtain an Encroachment Permit (ITD Form 2110) to use state right-of-way. Please contact Shona Tonkin at Shona.Tonkin@itd.idaho.gov for additional information on this permit.
- 6. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State highway.
- 7. The Idaho Administrative Procedures Act (IDAPA) 39.03.60 governs advertising along the State highway system. The applicant may contact Justin Pond, Program Manager for ITD's Headquarters Right-of-Way Section at (208) 334-8832 for more information.

The County is reminded that the SH-55 corridor is already congested. This project will increase the number of vehicle trips in the corridor. As the area continues to add additional trips to the corridor through development, the congestion will worsen until the roadway system is ultimately overloaded and fails. ITD reserves the right to make further comments upon review of submitted traffic generation data or other documents.

Sincerel

Wendy I. Howell, Development Project Coordinator

ITD - District 3

CUP 23-01 Sands 55 Subdivision - Preliminary Plat

From: Garrett de Jong <garrett@mccallfire.com>

Sent: Friday, February 17, 2023 8:38 AM
To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: CUP 23-01 Sands 55 Subdivision - Preliminary Plat

Hi Cynda,

I have the following comments regarding the CUP 23-01 Sands 55 Subdivision - Preliminary Plat application:

- In lieu of meeting the fire flow requirements in Appendix B of the 2018IFC (International Fire Code), a 30,000 gallon water storage tank for fire protection shall be installed on-site, in accordance with NFPA 22, inspected and made operable prior to building construction (501.4, IFC2018). The site plan, including the tank location, position, accessibility, etc., needs to be approved by the fire district prior to the installation. If the applicant phases the project, the water storage tank should be inspected and made operable prior to the dwelling units being granted certificate of occupancy.
- The buildings that are "mixed-use" (residential over commercial), those buildings are required to
 be constructed under the 2018 International Building Code, and have a monitored automatic
 fire sprinkler system installed in accordance with Section 903 of the 2018IFC. A KNOX box is
 required on each monitored building(506.1, 2018IFC). Fire extinguishers with a minimum rating
 of 2-A shall be located within 75 feet of travel distance throughout the business portion of the
 buildings, and 1-A fire extinguishers shall be installed in each dwelling unit (906, 2018IFC).

Thank you,

Garrett

Garrett de Jong Fire Chief - McCall Fire & EMS



Scan QR code below or click here to sign up for CodeRED!



C.U.P. 23-01 Sands 55 Subdivision- Preliminary Plat

From: Emily Hart <ehart@mccall.id.us>
Sent: Thursday, February 16, 2023 10:56 AM
To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: C.U.P. 23-01 Sands 55 Subdivision- Preliminary Plat

Good day Cynda,

C.U.P 23-01 Sands 55 Subdivision is over three miles from McCall Airport and Airport Management has no comment.

Regards, Emily

Emily Hart | McCall Airport Manager 336 Deinhard Lane Hangar 100 | McCall | ID 83638 Direct: 208.634.8965 | Cell: 208-630-3441 Top 10 Ways to Be a Good Septic Owner

- Have your system inspected every three years by a qualified professional or according to your state/ local health department's recommendations
- Have your septic tank pumped, when necessary, generally every three to five years
- Avoid pouring harsh products (e.g., oils, grease, chemicals, paint, medications) down the drain
- Discard non-degradable products in the trash (e.g., floss, disposable wipes, cat litter) instead of flushing them
- Keep cars and heavy vehicles parked away from the drainfield and tank
- Follow the system manufacturer's directions when using septic tank cleaners and additives
- Repair leaks and use water efficient fixtures to avoid overloading the system
- Maintain plants and vegetation near the system to ensure roots do not block drains
- Use soaps and detergents that are low-suds, biodegradable, and low- or phosphate-free
- Prevent system freezing during cold weather by inspecting and insulating vulnerable system parts (e.g., the inspection pipe and soil treatment area)



For more SepticSmart tips, visit www.epa.gov/septicsmart

SAM

A Homeowner's Guide to Septic Systems



Idaho Department of Environmental Quality
1410 N. Hilton
Boise, ID 83706

January 2001

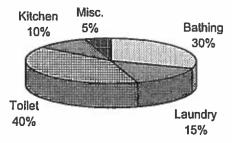


Do you have a home septic system? As an Idaho resident, there is a good chance you do—thirty-six percent of Idaho's homes, or about 210,000 residences, use septic systems to treat their sewage. These systems discharge more than 53 million gallons of wastewater into Idaho's soils annually, and this figure grows each year. In 1999, Idaho's seven health districts issued over 6,100 permits for new septic systems.

Septic systems dispose of household sewage, or wastewater, generated from toilet use, bathing, laundry, and kitchen and cleaning activities. Because septic systems are underground and seldom require daily care, many homeowners rarely think about routine operations and maintenance. However, if a septic system is not properly designed, located, constructed, and maintained, groundwater may become contaminated.

Household Wastewater

Households that are not served by public sewers depend on septic tank systems to treat and dispose of wastewater. Household wastewater carries with it all wastes that go down the drains in our homes, including human waste, dirt, food, toilet paper, soap, detergents, and cleaning products. It contains dissolved nutrients, household chemicals, grease, oil, microorganisms (including some that cause disease), and solid particles. If not properly treated by your septic system, chemicals and microorganisms in wastewater can travel through the soil to groundwater and pose a health hazard.



The average person uses between 50 and 75 gallons of water per day; mostly in the bathroom. Reducing your water use will help your septic system to work more efficiently.

Your Septic System

A conventional septic system has three working parts: a septic tank, a drainfield, and surrounding soil.

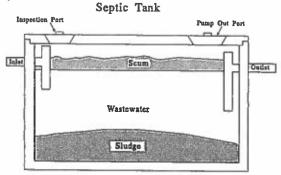
Septic Tank

Septic tanks can be made of concrete, fiberglass, or plastic and must be approved by the state. Minimum sizes of tanks have been established for residences based on the number of bedrooms in the dwelling. In Idaho, a 1,000-gallon septic tank is required for homes with three or four bedrooms. Larger tanks are required for larger homes. Local district health departments issue permits for septic systems and specify the minimum size tank. Some systems installed before the current rules and regulations may have smaller septic tanks.

A septic tank has three main functions:

- to remove as many solids as possible from household wastewater before sending the liquid, called "effluent," to a drainfield;
- to decompose solids in the tank; and
- to store solids that do not decompose.

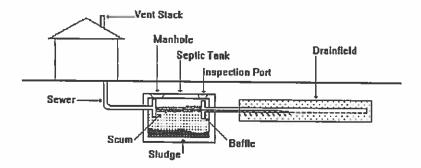
When raw wastewater enters the tank, heavy solids sink to the bottom of the tank as sludge. Light solids, such as grease and paper, float to the surface as scum. During the wastewater storage period, bacteria digest organic material in the wastewater. During this process, the solid material is reduced in volume and composition. Solids that do not decompose accumulate in the tank and eventually must be pumped out.



Tees, or baffles, are provided at the tank's inlet and outlet pipes. The inlet tee slows the incoming wastes and reduces disturbance of the settled sludge. The outlet tee keeps the solids and scum in the tank. As new wastewater enters the tank through the inlet tee, an equal amount of wastewater is pushed out of the tank through the outlet tee. The effluent that leaves the tank has been partially treated but still contains disease-causing bacteria and other pollutants.

Drainfield

Each time raw wastewater enters the tank it forces an equal amount of effluent into a drainfield. A standard drainfield is composed of a series of perforated pipes buried in gravel-filled trenches in the soil. The effluent seeps out of the perforated pipes and percolates through the gravel to the soil.



<u>Soil</u>

The soil below the drainfield provides the final treatment and disposal of the septic tank effluent. After the effluent has passed into the soil, most of it percolates downward and outward, eventually entering the groundwater. Soils are critical to the treatment of septic tank wastewater.

A system that is not functioning properly will release nutrient-rich and bacterial-laden wastewater into the groundwater and/or surface water. These contaminated waters pose a significant public health threat to people that come into contact with them. Wastewater that moves with groundwater can transport bacteria considerable distances. This can result in a threat to public health and adversely affect the quality of ground and surface waters.

Caring for Your Septic System

Installing Your System

In order to have a septic system installed on your property, you must first obtain a permit. Permit applications are available from your local district health department. Next, you must have a site evaluation performed. Make arrangements for this with your district health department and with a licensed septic system installer. Note that not all property is suitable for septic systems, so some permits may be denied. It is recommended that you have a site evaluation performed before you purchase property. Finally, have your system installed by a licensed installer and inspected by your local health district. Provide regular, preventative, maintenance to keep your system running smoothly.

Inspecting Your System

When too much sludge and scum are allowed to accumulate in your tank, the incoming sewage will not have enough time in the septic tank for solids to settle. Solids may flow to the drainfield and clog the pipes, causing the sewage to overflow to the ground surface, where it exposes humans and animals to disease-causing organisms. To prevent this from happening, it is very important to inspect your tank regularly and have it serviced when needed. All tanks have accessible manholes for inspecting and pumping. Some excavation work may be needed to uncover the manhole.

Properly designed tanks should have enough capacity for three to eight years of use before needing service. This is dependent upon the amount of wastewater generated. It is recommended that an average family of four have its septic tank pumped out every three to five years. Don't wait for signs of system failure to have your tank pumped. Your tank should be checked annually to measure sludge and scum levels. A licensed septic tank pumper can provide a septic tank inspection and recommend when the tank should be pumped. A tank inspection should include measuring the depth of scum and sludge and inspecting the tees in the septic tank.

If you do the inspection yourself, it is important to understand that septic tanks always appear full because both the inlet and the outlet are at the top of the tank. What you will need to know is how much of the tank's volume is being taken up by scum and sludge. When sludge and scum take up more than 35 percent of the tank volume, these solids need to be removed by pumping. A pole wrapped in a course weave cloth can be used to check the sludge depth. An extension on the pole can be used to measure the scum depth. Record these measurements as part of your pumping records. To check the tees, uncover the inspection ports.

Never allow anyone to enter your septic tank. Dangerous gases and the lack of oxygen can kill in minutes.

While it is impractical to inspect the pipes in your drainfield, it is important to watch for drainfield failure or overuse. See "Warning Signs of System Failure" in this booklet for information.

Maintaining Your System

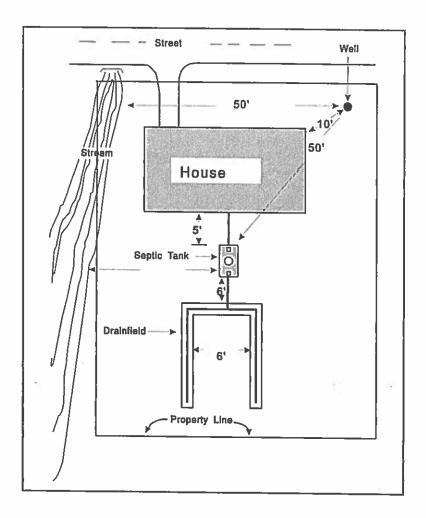
Pumping your septic tank every three years (or as determined by your inspections) will remove accumulations of solids, help keep the drainfield from becoming clogged, and help prevent you from experiencing sewage backups or septic system failure. An accumulation of sludge exceeding 35% of the total water depth in the septic tank could cause solids to enter the drainfield and clog the system. Hire a licensed septic tank pumper to pump your tank for you.

Mapping Your System

In order to take proper care of your septic system, you must know the location of the septic tank and drainfield. The location of your septic tank can be determined from plot plans, septic system inspection records, architectural or landscape drawings, or from observations of the house plumbing. If you do not have access to drawings, find where the sewer pipe leaves your house. Some installers mark the location where the waste pipe comes out of the house with an "S" on the foundation. You may want to do this as well. Probe in the ground 10 to 15 feet directly out from the location where the pipe leaves your house to find your tank.

Once the septic tank has been located, make several plot plan diagrams (with measurements) that include a rough sketch of your house, septic tank cover, drainfield area, well, and any other permanent reference points (such as trees or large rocks) and place them with your important papers. You'll find a sample system diagram on the next page, and a place to draw your own inside the front cover of this booklet. You may also want to hang a diagram in your garage and provide one to your local district health office.

Maintain a permanent record of any septic system maintenance, repair, sludge and scum levels, pumping, drainfield condition, household backups, and operations notes.



Create a septic system diagram, similar to this one, for your system.

Warning Signs of System Failure

While proper use, inspections, and maintenance should prevent most septic tank problems, it is still important to be aware of changes in your septic system and to act immediately if you suspect a system failure. There are many signs of septic system failure:

- surfacing sewage or wet spots in the drainfield area;
- plumbing or septic tank backups;
- slow draining fixtures;
- gurgling sounds in the plumbing system;
- sewage odors in the house or yard (note that the house plumbing vent on the roof will emit sewage odors and this is normal); and
- tests showing the presence of bacteria in well water.

If you notice any of these signs, or if you suspect your septic tank system may be having problems, contact a licensed septic system professional or your local district health agency for assistance.

Septic System Dos and Don'ts

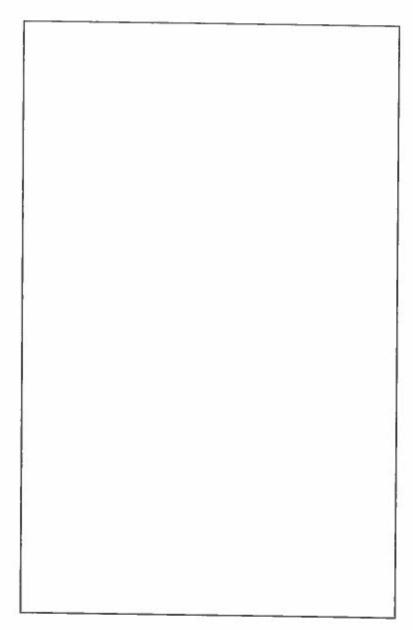
Proper operation of a septic system can prevent costly repairs or replacement. Observing the following guidelines will help to keep your system running efficiently.

Do

- ...practice water conservation. The more wastewater you produce, the more wastewater your system must treat and dispose. By reducing and balancing your use, you can extend the life of your system and avoid costly repairs.
 - Use water saving devices such as low flow showerheads.
 - o Repair leaky faucets and plumbing fixtures immediately.
 - o Reduce toilet reservoir volume or flow.
 - Take short showers.
 - o Take baths with a partially filled tub.
 - Wash only full loads of dishes and laundry.
 - Shut off the water while shaving or brushing your teeth.
 - o Balance your water use (e.g., avoid washing several loads of laundry in one day).
- ...keep accurate records. Know where your septic tank is, keep a diagram of its location using the space provided in this booklet, and keep a record of system maintenance.
- ...inspect your system annually. Check the sludge and scum levels inside the tank and periodically check the drainfield for odors, wet spots, or surfacing sewage.
- ...pump your system routinely. Pumping your septic tank is probably the single most important thing you can do to protect your system.
- ...keep all runoff away from your system. Water from roofs and driveways should be diverted away from the septic
 tank and drainfield area. Soil over your system should be mounded slightly to encourage runoff.
- ...protect your system from damage. Keep vehicles and livestock off your drainfield. The pressure can compact the soil or damage the pipes. Before you dig for any reason, check the location of your system and drainfield area.
- ...landscape your system properly. Plant grass over the drainfield area. Don't plant trees or shrubs or place
 impermeable materials, such as concrete or plastic, over the drainfield.
- ...use cleaning chemicals in moderation and only according to manufacturer's directions.

Don't

- ...flood irrigate over your system or drainfield area. The best way to irrigate these areas is with sprinklers.
- ...use caustic drain openers for clogged drains. Use boiling water or a drain snake to clean out clogs.
- ...enter a septic tank. Poisonous gases or a lack of oxygen can be fatal.
- ...use septic tank additives. They are not necessary for the proper functioning of your tank and they do not reduce the need for pumping. In fact, some additives can even harm your system.
- ...flush harmful materials into your tank. Grease, cooking oil, coffee grounds, sanitary napkins, and cigarettes
 do not easily decompose in septic tanks. Chemicals, such as solvents, oils, paints, and pesticides, are harmful to
 your systems operation and may pollute groundwater.
- ...use a garbage disposal. Using a garbage disposal will increase the amount of solids entering the septic tank
 and will result in the need for more frequent pumping.



Map your septic system here

For More Information

If you need to obtain a permit for a new or replacement septic system, or if you have questions about septic systems and their operation and maintenance, please contact your local health district.

Panhandle District Health Department 8500 N. Atlas Road Hayden, ID 83835 208-415-5100

North Central District Health Department 215 10th Street Lewiston, ID 83501 208-799-0353

Southwest District Health Department 920 Main Street Caldwell, ID 83605 208-455-5400

Central District Health Department 707 N. Armstrong Place Boise, ID 83704 208-327-7499

South Central District Health Department 1020 Washington Street North Twin Falls, ID 83303 208-734-5900

Southeastern District Health Department 1901 Alvin Ricken Drive Pocatello, ID 83201 208-239-5270

District 7 Health Department 254 "E" Street Idaho Falls, ID 83402 208-523-5382