

Valley County Planning and Zoning

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STAFF REPORT: C.U.P. 23-07 Triple M Refrigeration
HEARING DATE: March 16, 2023
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director
APPLICANT: Matthew Moser
PO Box 591, Donnelly, ID 83615
PROPERTY OWNER: Centurian Properties
1961 Silvercreek LN, Boise ID 83706
LOCATION: 13129 Norwood RD
Parcel RP16N03E170006
located in the NENE Section 17, T.16N, R.3E,
Boise Meridian, Valley County, Idaho.
SIZE: 1.7 acres
REQUEST: Area Business
EXISTING LAND USE: Bare Land

Matthew Moser is requesting approval of a conditional use permit for an area business, specifically a heating and air equipment business, as well as employee housing.

The 100-ft x 40-ft building would have an office, equipment storage area, and an apartment on the second floor. An existing individual well would be used; North Lake Recreational Sewer and Water District would provide sewer.

The site is adjacent to Norwood RD and West Roseberry RD. Access would be from Norwood Road, a public road. The western portion of the sit is in a mapped floodplain.

This parcel is currently not a legal parcel. If the application is approved the applicant intends to purchase the property and then plat the subdivision prior to occupancy of the structure. The illegal split occurred in 1998 and has been sold to various people.

FINDINGS:

1. The application was submitted on February 1, 2023.
2. Legal notice was posted in the *Star News* on February 23, 2023, and March 2, 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 16, 2023. The notice

and application were posted online at www.co.valley.id.us on February 6, 2023. The site was posted on March 5, 2023.

3. Agency comment received:

Central District Health has no objections. (Feb. 14, 2023)

Jess Ellis, Donnelly Fire Marshal, listed requirements. (Feb. 27, 2023)

Wendy Howell, Idaho Transportation Department, has no comments as the site does not abut the State Highway system. (Feb. 17, 2023)

4. Neighbor comment received: *none*

5. Physical characteristics of the site: Relatively flat near Norwood RD and then slopes down to Mud Creek.

6. The surrounding land use and zoning includes:

North: Single-Family Residential Subdivision (Mountain Meadows Subd No. 1 and No. 2)

South: Rural Parcels

East: Single-Family Residential Subdivision (Lake Cascade Ranch Subdivision and Rural Parcels)

West: Single-Family Residential Subdivision (West Mountain Estates Subdivision)

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

- 5. Commercial Uses (d) Area business

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

TABLE 5-A STANDARDS FOR CONDITIONAL USES

Use Description	Building Setbacks (feet)				Minimum Lot Area	Max. % Lot Cover	Minimum Street Frontage	Max. Building Height	Minimum Parking Spaces
	Front	Side	Side Street	Rear					
Commercial Use Area Business	30	10	30	30		40	75	35	1 + 1/250 sqft

9-5-3: STANDARDS:

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.
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.
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

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.

- C. Flood Prone Areas: Grading within flood prone areas is regulated by provisions of section 9-6-2 of this title and title 11 of this code. A permit, if required, shall be a part of the conditional use permit.
- D. Wetlands: Grading or disturbance of wetlands is subject to approval of the U.S. corps of engineers under the federal clean water act. The federal permit, if required, shall be part of the conditional use permit.
- 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.
- 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:

- 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.

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 :
 - 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').
 - c. 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.

- (2) Sidewalks: Standard size parking spaces are allowed to overhang sidewalks only where the sidewalk is a minimum of six feet (6') in width.
- 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.

9-5A-4: LANDSCAPING:

B. Landscaping; Standards Of Design:

1. 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:
 - 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.
 - 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.
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.

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.
- D. Random Entry: Fencing shall be installed to secure against random entry into hazardous areas or operations.
- E. Construction And Materials: Fence construction and materials shall be in accordance with commonly accepted good practices to produce a neat appearing durable fence. The location, height, and materials used for constructing a fence shall be approved by the commission and specified in the conditional use permit. Fences required for any conditional use shall be maintained in good repair.
- 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.

9-5B-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:

9-5B-3: ELECTRICAL INTERFERENCE:

Provisions must be made for necessary shielding or other preventive measures against interferences occasioned by mechanical, electrical, electronic, and nuclear equipment, uses or processes with electrical apparatus in nearby buildings or land uses.

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-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.

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-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-1: COMMERCIAL USES; SITE OR DEVELOPMENT STANDARDS

- A. Minimum Lot Area:
 - 1. The minimum lot area shall be unlimited herein except for the provisions of subsection 9-5-3A2 of this chapter, and except the minimum area for a ski area shall be forty (40) acres.
 - 2. Frontage on a public or private road shall not be less than seventy five feet (75') for each lot or parcel.
- B. Minimum Setbacks:
 - 1. The minimum setbacks for neighborhood businesses shall be thirty feet (30') from front, rear, and side street property lines and ten feet (10') from all side property lines.
 - 2. The minimum setbacks for service and recreation businesses shall be fifty feet (50') from rear, front, and side street property lines and thirty feet (30') from side property lines.
 - 3. The minimum setbacks for area businesses shall be the same as those for neighborhood businesses. Salvage yards, auto wrecking yards, or commercial agricultural businesses shall be located not less than one thousand feet (1,000') from any residential development, civic or community service use, or other noncompatible 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.
- C. Maximum Building Height And Floor Area:
 - 1. Building heights shall not exceed thirty-five feet (35') above the lower of the existing or finished grade.
 - 2. The building size or floor area shall not exceed the limitations of subsections 9-5-3A and C of this chapter and title 6, chapter 1 of this code.
 - 3. No building or combination of buildings may cover more than forty percent (40%) of the lot or parcel, except recreation business buildings may not cover more than one percent (1%) of the lot and agricultural business buildings may not cover more than twenty percent (20%) of the lot or parcel.
- D. Site Improvements:
 - 2. Parking spaces for neighborhood and area businesses shall be provided at the rate of one, plus one per each two hundred fifty (250) square feet of floor area.

SUMMARY:

Compatibility Rating: 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 Donnelly Fire District, North Lake Recreational Sewer and Water District, and a herd district. It is not within an irrigation district.
2. There is an easement shown on the Assessor's Plat (#278416). This is a perpetual easement for roadway and drainage purposes. Landscaping will not be allowed in this easement.

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Vicinity Map
- Aerial Map
- Floodplain Map
- Assessor Plat – T.16N R.3E Section 17
- Site Plan
- Easement – Instrument # 278416
- Pictures Taken March 5, 2023
- Responses

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 use shall be established within one year of the date of approval, or a permit extension will be required.
4. 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.
5. Must have approval letter from Donnelly Fire Department. A letter of approval is required.
6. Must obtain an Approach in County Right-of-Way Permit from the Valley County Road Department.
7. No parking allowed in the public road right-of-way or in setback areas.
8. The site must be kept in a neat and orderly manner.

9. All lights shall be fully shielded so that there is not upward or horizontal projection of lights.
10. The minimum building setbacks shall be thirty feet (30') from front, rear and street property lines; ten feet (10) from side property lines; and, 100' from the floodplain.
11. Hours of operation are 7:00 a.m. to 7:00 p.m., Monday through Saturday.
12. No outside storage allowed.
13. Landscaping shall be installed prior to October 1, 2023. If landscaping dies, it must be replaced.
14. A minimum of one tree should be planted for every 25 feet of linear street frontage; this can include existing trees on site. The trees may be grouped or planted in groves.
15. All noxious weeds on the property must be controlled.
16. Shall obtain a sign permit prior to installation of a sign.
17. Shall obtain building permits for all structures.
18. Shall have Valley County Engineer approval of the site grading and stormwater management plan prior to any dirt work on-site.
19. Prior to construction of any on-site improvements, the applicant shall meet with the Valley County Road Director and/or Board of County Commissioners to discuss off-site road improvements. If an agreement cannot be reached the application shall be set for another public hearing with the Valley County Planning and Zoning Commission to determine if the application can be approved without improvements and still meet their mandates concerning public health, safety, and welfare matters. The discussion will be concerning current road conditions and potential mitigation for impacts caused by the development.

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

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	+1	+1	+1	+1	+2	+1	+1	-1	-1	-1	+2	-1	-2	-1	+1	+2	+2	
RESIDENTIAL USES	2. RESIDENCE, S.F.	+2		+2	+1	+1	+1	+1	+1	-1	+2	+1	-2		+1	-1	+1	+1	-1	+1	+1	-2	-2	2	
	3. SUBDIVISION, S.F.	-1	+2		+1	+1	+1	+1	+1	-1	+2	+1	-2		+1	-1	+1	+2	+1	-1	+1	-2	-2	3	
	4. M.H. or R.V. PARK	-2	+1	+1		+1	+1	+1	+1	-1	+2	+1	-2		+1	-1	+1	+1	-1	+1	+1	-2	-2	4	
	5. RESIDENCE, M.F.	-2	+1	+1	+1		+2	+2	+1	+1	-1	+2	+1	-2		+1	-1	+1	+1	-1	+1	-2	-2	5	
	6. SUBDIVISION, M.F.	-2	+1	+1	+1	+2		+2	+1	+1	-1	+2	+1	-2		+1	-1	+1	+1	-1	+1	-2	-2	6	
	7. P.U.D., RES.	-2	+1	+1	+1	+2	+2		+1	+1	-1	+2	+1	-2		+1	-1	+1	+1	-1	+1	-2	-2	7	
CIVIC or COMMUNITY SERVICE USES	8. REL., EDUC & REHAB	+1	+2	+1	+1	+1	+1		+1	+1	-1	+2	-2		-1	-1	+2	+1	+1	-1	+1	-2	-1	8	
	9. FRAT or GOVT	+1	+1	+1	+1	+1	+1	+1		+1	-1	+2	-2		-1	-1	+1	+1	+1	-1	+1	-2	-2	9	
	10. PUBLIC UTIL. (1A-3.1)	+1	-1	-1	-1	-1	-1	+1	+1		+1	+1	-1		+1	+1	+1	-1	+1	+1	+1	+2	+2	10	
	11. PUBLIC REC	+1	+2	+2	+2	+2	+2		-1	-1	+1	+2	-1		+1	+1	+2	+1	+1	+1	+1	-1	+1	11	
	12. CEMETERY	+2	+1	+1	+1	+1	+1	+1	+2	+2	+2		+1		+1	+1	+1	+1	+1	+1	+2	+1	+1	12	
	13. LANDFILL or SWR. PLANT	+1	-2	-2	-2	-2	-2	-2	-2	-2	-1	-1	+1		-1	-1	-2	-2	-2	-1	+2	+2	+2	13	
COMMERCIAL USES	14. PRIV. REC. (PER)	+1	+1	+1	+1	+1	+1		-1	-1	+1	+1	-1		+1	+1	+1	+2	+1	+2	+2	-1	+1	14	
	15. PRIV. REC. (CON)	-1	-1	-1	-1	-1	-1		-1	-1	+1	+1	-1		+1	-2	-2	-1	-2	-2	+2	-1	+1	15	
	16. NEIGHBORHOOD BUS.	-1	+1	+1	+1	+1	+1		+2	+1	+1	+1	-2		+1	-2	+1	+2	+2	+1	+2	-1	-1	16	
	17. RESIDENCE BUS.	+2	+2	+2	+1	+1	+1	+1	+2	+1	-1	+2	+1	-2		+1	-2	+1	+1	-1	+1	+1	-2	-2	17
	18. SERV. BUS.	-1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2		+2	+2	+2	+1	+2	+2		+1	+1	21	
INDUST. USES	19. AREA BUS.	-2	-1	-1	-1	-1	-1	+1	+1	+1	+1	+1	-2		+1	-2	+2	-1	+2	+1	+2	-2	-2	19	
	20. REC. BUS.	-2	+2	+2	+1	+1	+1	-1	-1	+1	+1	+1	-1		+2	-2	+1	+2	+1	+2	+2	-2	+1	20	
	21. LIGHT IND.	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2		+2	+2	+2	+1	+2	+2		+1	+1	21	
	22. HEAVY IND.	+2	-2	-2	-2	-2	-2	-2	-2	-2	-1	+1	+2		-1	-1	-1	-2	-1	-2		+1	+2	22	
	23. EXTR. IND.	+2	-2	-2	-2	-2	-2	-2	-1	-2	+2	+1	+2		+1	+1	-1	-2	-1	-2	+1	+1	+2	23	

RATE THE SOLID SQUARES AS +2

Compatibility Questions and Evaluation

Matrix Line # / Use: #19

Prepared 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)?

Rural Parcel

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

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

See 192; Adjacent Subdivision has a number of construction businesses

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?

Large enough - minimal impact

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

5. to roads. Activity not on-site.

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

Yes - houses with shops

(+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?

Yes - major collector to Tamarack

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

Will be activity twice a day. Trucks coming & going.

(+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?

Yes - major collector

(+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?

↑ Revenue

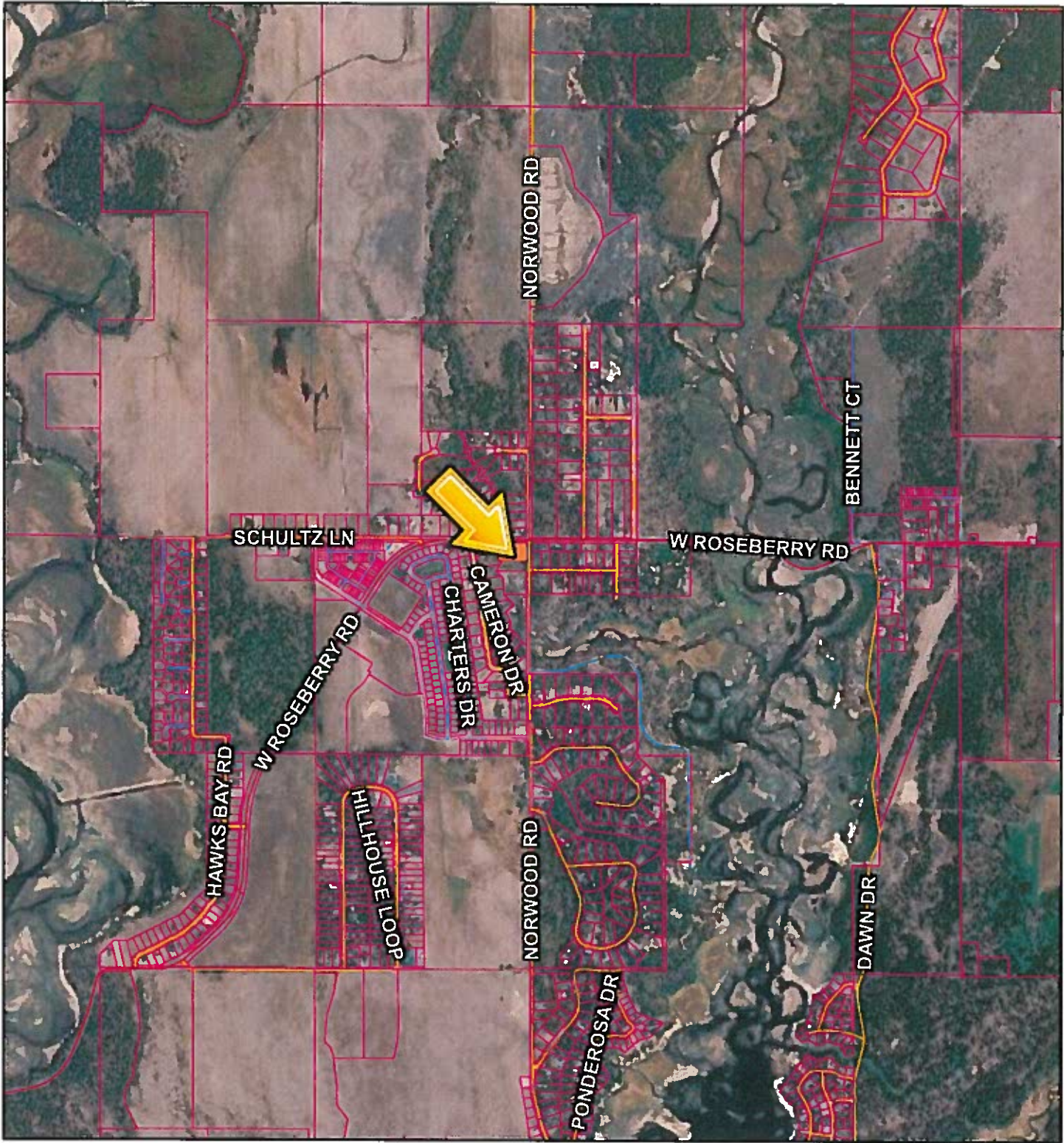
Sub-Total (+) 19

Sub-Total (-) 6

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. 23-07 Vicinity Map



February 1, 2023



Override 1



Override 1



Parcel Boundaries

Roads

COLLECTOR

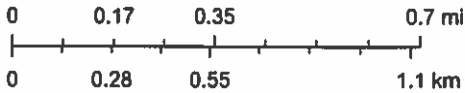
URBAN/RURAL

PRIVATE

County Boundaries

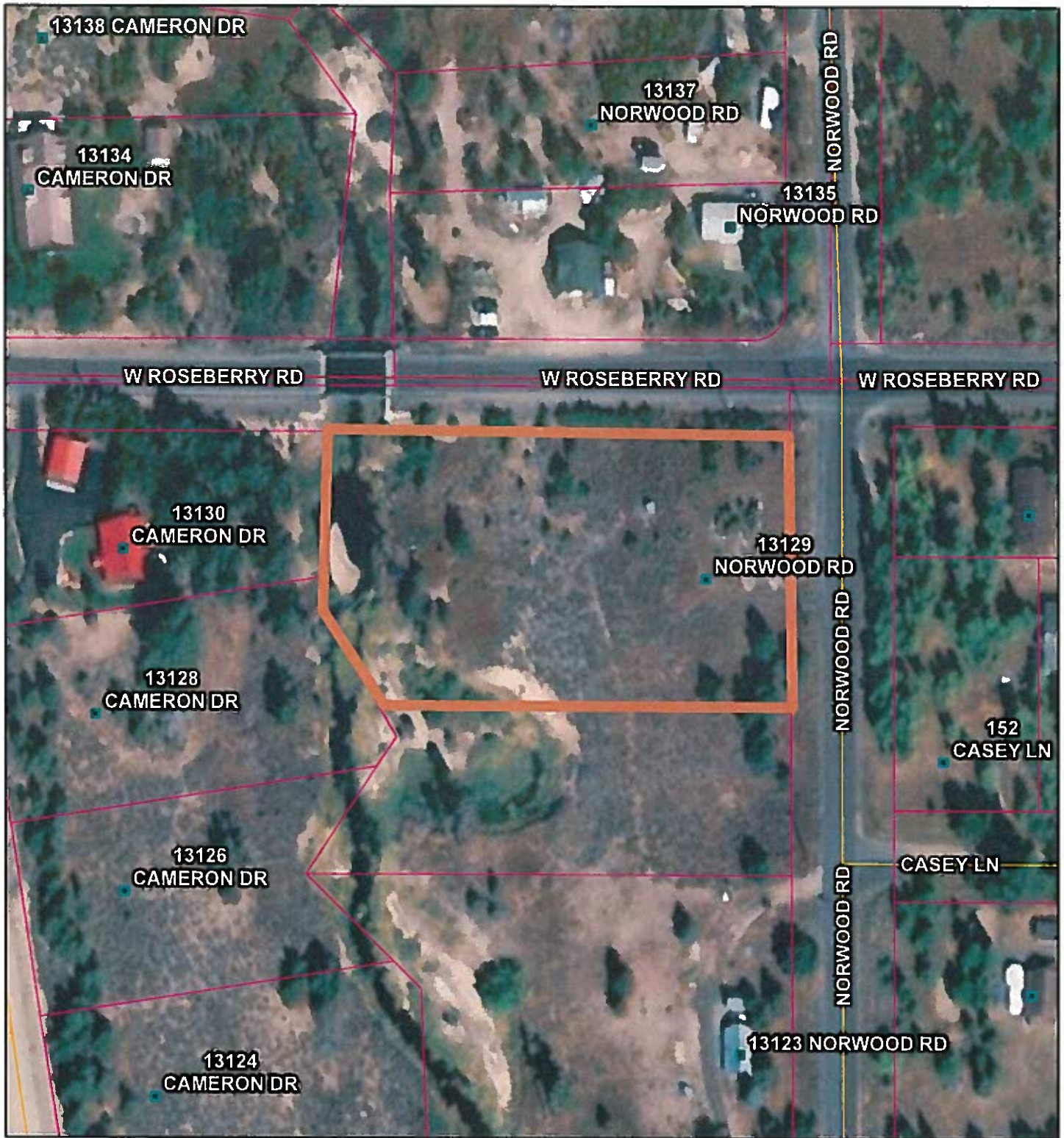
VALLEY COUNTY

1:29,391



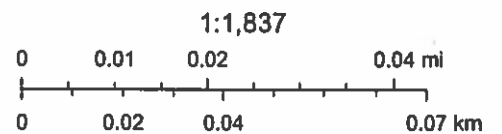
Maxar

C.U.P. 23-07 Aerial Map



February 1, 2023

- Override 1
- Address Points
- Parcel Boundaries
- URBAN/RURAL
- County Boundaries
- VALLEY COUNTY
- Roads
- COLLECTOR



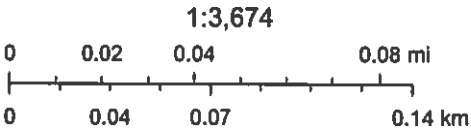
Maxar, Microsoft

C.U.P. 23-07 Floodplain Map

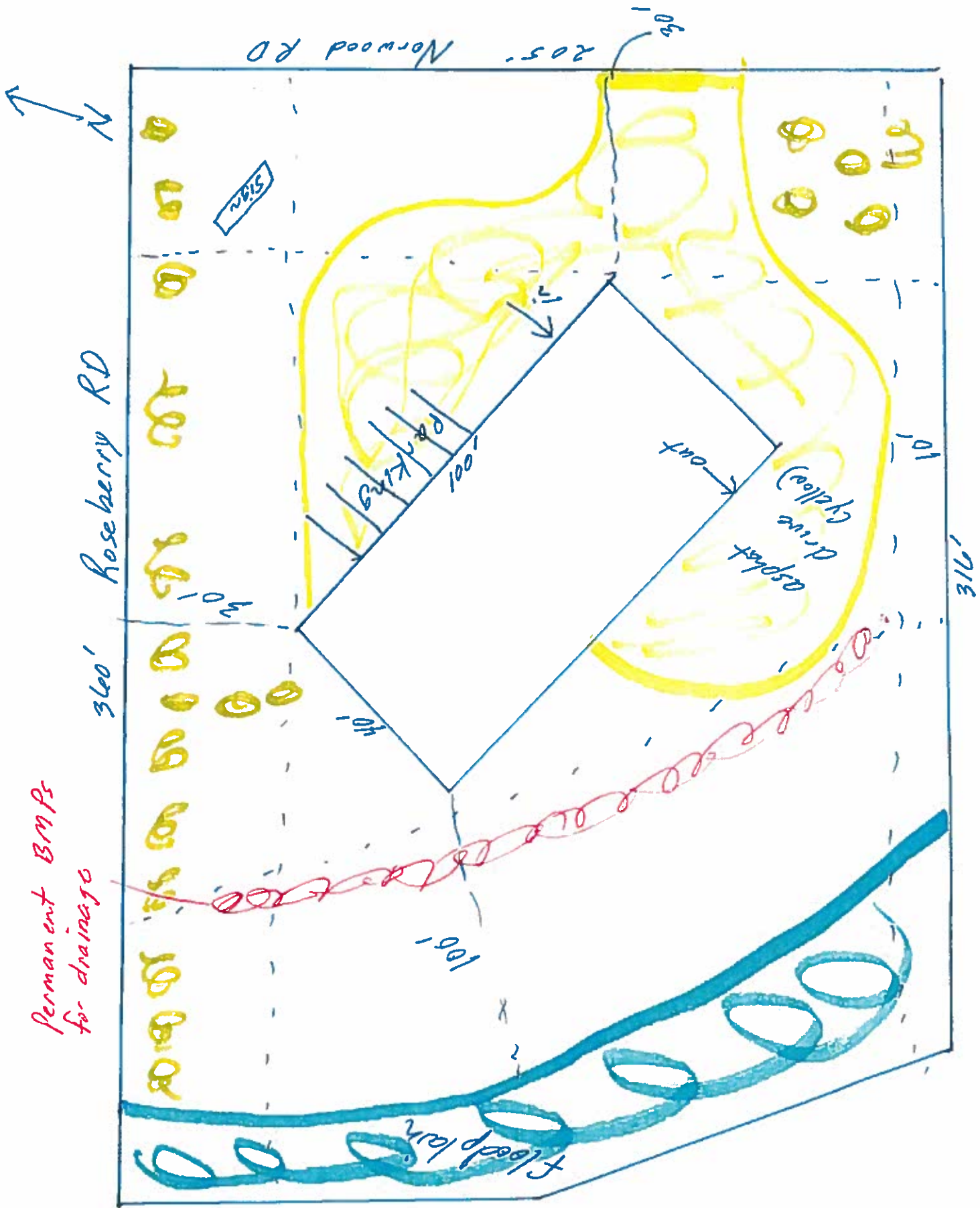


February 1, 2023

- | | |
|-------------------|---------------------------------------|
| Override 1 | County Boundaries |
| Parcel Boundaries | VALLEY COUNTY |
| Roads | Base Flood Elevation |
| COLLECTOR | Floodplain |
| URBAN/RURAL | A (1% Annual Chance, 100-Year) |
| PRIVATE | AE (1% Annual Chance, 100-Year) |
| | Floodway (1% Annual Chance, 100-Year) |



Valley County IT, Maxar



Permanent BMPs
for drainage

GRANT OF EASEMENT

THIS GRANT OF EASEMENT made and entered into this 24 day of November, 2003, by and between Terry C. And Shirley A Brunner, whose address is 508 Colonial Drive, Athens, Texas 75751, (hereinafter referred to as "Grantor") and Valley County, a political subdivision of the State of Idaho, by and through the Valley County Board of Commissioners, (hereinafter referred to as "Grantee").

WITNESSETH

WHEREAS, Grantor is the owner of certain real property in Valley County situate in the NE 1/4 of Section 17, Township 16 North, Range 3 East, B.M., more fully described as Parcel No. RP16N03E170006A of the Valley County Records.

WHEREAS, Grantor wishes to convey a perpetual easement for roadway and drainage purposes, over, along, across, under and through the above described lands, as described in the attached Exhibit "A" under the terms and conditions hereinafter specified.

NOW THEREFORE, in consideration of the sum of One Thousand Six Hundred Thirty Dollars (\$1,630), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants to Grantee, its successors and assigns, the following described easement together with the right of access for equipment and personnel over Grantor's land from the nearest public right-of-way to said easement.

A PERPETUAL EASEMENT as described in Exhibit "A" over, under, along, across and through the above described land (adjacent to the county road at said place and intended hereafter to be a part of said county road) for public access, together with the right to install, construct, reconstruct, excavate, repair, replace and maintain a roadway, and appurtenances and drainage ditches.

IN WITNESS WHEREOF, the EASEMENT has been duly executed and delivered the day, month and year first written above.

GRANTOR

By Terry C. Brunner
Terry C. Brunner

By Shirley A. Brunner
Shirley A. Brunner

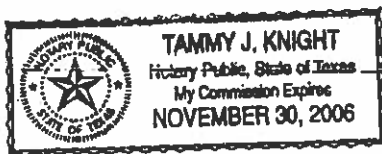
Instrument # 278416
VALLEY COUNTY, CASCADE, IDAHO
2003-12-01 04:05:50 No. of Pages: 3
Recorded for: VALLEY COUNTY ROAD DEPT
LELAND G. HEINRICH Fee: 0.00
Ex-Officio Recorder Deputy J. H. H.
Index to: EASEMENT

STATE OF TEXAS)
COUNTY OF HENDERSON) ss.

The foregoing was acknowledged before me this 24th day of November, 2003, by Terry Brunner.

Witness my hand and seal.

My Commission expires: 11-30-06



Tammy J. Knight
Notary Public

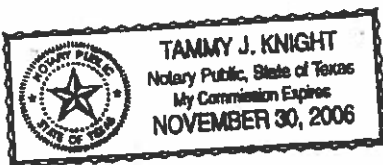
Address:
401 S. Palestine
Athens, TX 75751

STATE OF TEXAS)
COUNTY OF HENDERSON) ss.

The foregoing was acknowledged before me this 24th day of November, 2003, by Shirley Brunner.

Witness my hand and seal.

My Commission expires: 11-30-06



Tammy J. Knight
Notary Public

Address:
401 S. Palestine
Athens TX 75751

EXHIBIT "A"

BRUNNER PARCEL

A parcel of land situate in the NE ¼ of Section 17, T16N, R3E, B.M. Valley County, Idaho, more particularly describes as follows:

Commencing at a brass cap marking the Section Corner common to Section 8, 9, 16 and 17, T16N, R3E, B.M.; thence N. 89° 38' 14" W., 392.51 feet along the north boundary of said Section 17 thence S. 1° 38' 34" W., 35.01 feet the REAL POINT OF BEGINNING:

Thence S. 1° 38' 34" W., 30.01 feet to a point,
thence S. 89° 38' 14" E, 60.88 feet to a point,
thence N. 78° 15' 08" E, 143.00 feet to the point,
thence N. 89° 38' 14" W., 200.02 feet to the Point of Beginning, containing
3913.40 sq. ft. more or less.









Valley County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone # _____

Conditional Use # CUP 23-07

Preliminary / Final / Short Plat _____

Sec 17
13129 Norwood Rd

- ☒ 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. _____

Reviewed By: [Signature]

Date: 2/14/23



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

February 27, 2023

Valley County Planning & Zoning Commission

P.O. Box 1350

Cascade, Idaho 83611

RE: C.U.P. 23-07 Triple M Refrigeration

After review, the Donnelly Rural Fire Protection District will require the following.

- Fire apparatus access roads shall be built to Valley County Road Department standards or **Section 503.2 IFC 2018**
- Smoke detectors shall be installed and maintained in accordance with **Section 907.2.10.2 IFC 2018**
- Portable fire extinguishers shall be installed in accordance with **Section 906.1 IFC 2018**
- A complete set of building plans shall be submitted to the Donnelly Rural Fire Protection District for review prior to construction

Please call 208-325-8619 with any questions.

Jess Ellis

A handwritten signature in blue ink, appearing to read "Jess Ellis".

Fire Marshal
Donnelly Fire Department

March 16th Public Hearing

From: Wendy Howell <Wendy.Howell@itd.idaho.gov>

Sent: Friday, February 17, 2023 12:56 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: March 16th Public Hearing

Hi Cynda,

ITD does not have any comments for the following cases, as they do not abut the State Highway system.

- River Bottom Ranch Subdivision
- Takkinen Estates
- Trip M Refrigeration

Thank you for the opportunity to provide comments.

Thank you,

Wendy J Howell PCED

Development Services Coordinator

Idaho Transportation Department, District 3

8150 W Chinden Blvd

Boise, ID 83714

Phone No: (208) 334-8338

Email: wendy.howell@itd.idaho.gov



YOUR Safety •••► YOUR Mobility •••► YOUR Economic Opportunity