

## Valley County Planning and Zoning

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<b>STAFF REPORT:</b>	C.U.P. 23-16 Forge Landworks
<b>HEARING DATE:</b>	June 8, 2023
<b>TO:</b>	Planning and Zoning Commission
<b>STAFF:</b>	Cynda Herrick, AICP, CFM Planning and Zoning Director
<b>APPLICANT:</b>	Forge Landworks LLC, c/o Jordan Campbell PO Box 54, McCall, ID 83638
<b>PROPERTY OWNER:</b>	Teufel Holly Farms INC 160 SW Miller RD, Portland OR 97225
<b>LOCATION:</b>	13722 Highway 55 Parcel RP17N03E150465 located in the NE ¼ Section 15, T.17N, R.3E, Boise Meridian, Valley County, Idaho.
<b>SIZE:</b>	A portion of a 33.5-acre parcel
<b>REQUEST:</b>	Equipment Storage / Construction Yard
<b>EXISTING LAND USE:</b>	Single-Family Residential Parcel

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Forge Landworks LLC is requesting a conditional use permit for an equipment storage and construction yard on a portion of a 33.5-acre parcel. Equipment includes excavators, skid steers, roller, service truck, dump truck, fuel trailer, dump trailer, and equipment trailers. A covered storage building of approximately 1120-sqft is proposed.

The applicant requests unlimited access to equipment and materials (24 hours / 7 days per week). No customer or business transactions would occur at this site. The property is gated and locked. A cedar split-rail and ranch fence were previously placed around the property to improve security. The property has existing mature aspen trees forming a sight buffer from Highway 55. A water hydrant is shown on the site plan.

Access is from a shared driveway onto Highway 55. The existing approach to Highway 55 is approximately 50-ft wide.

The existing home is addressed at 13722 Highway 55. An individual well and individual septic system are available. The home is not included in the portion of the property that Forge Landworks LLC would use.

Conditional use permits have previously been granted for this parcel:

- C.U.P. 05-24 Tamarack Tree & Shrubbery Farm
- C.U.P. 06-27 Teufel Landscaping / Nursery Operations (Expired 2017)

## FINDINGS:

1. The application was submitted on March 27, 2023.
2. Legal notice was posted in the *Star News* on April 27, 2023, and May 4, 2023. Potentially affected agencies were notified on April 11, 2023. Property owners within 300 feet of the property line were notified by fact sheet sent on April 11, 2023; these owners were also sent the revised public hearing date information on April 21, 2023. The notice and application were posted online at [www.co.valley.id.us](http://www.co.valley.id.us) on April 11, 2023, and updated on April 21, 2023. The site was posted on April 26, 2023.
3. The meeting was postponed from May 18, 2023, to June 8, 2023, upon a request by the applicant.

### 4. Agency comment received:

Mike Reno, Central District Health, states the applicant will need to submit an accessory use application. (April 19, 2023)

Wendy I. Howell, Idaho Transportation Department, responded with requirements. An approach permit is required for the shared driveway. More information on trip generations is needed to determine what mitigations may be required. ITD Form 2109 must be submitted. (May 1, 2023)

Jess Ellis, Donnelly Fire Marshal, replied with requirements for driveways, addressing, security gates, vegetation clearance, on-site storage of fuel/oil, and portable fire extinguishers. (May 8, 2023)

Laura Bettis, Westside Lakefork Lateral Ditch Co. (WLLDC), referenced the shared irrigation ditch that crosses the property. WLLDC is not opposed to the CUP, but consideration should be made to ensure the continued access of downstream right holders and WLLDC personnel. Any fuel storage or other hazardous materials should be done as to not interfere with the downstream water right holders access to clean irrigation water. (May 10, 2023)

### 5. Neighbor comment received:

Carrie O'Rear and Barry Shane Snyder, 13712 Highway 55, own property directly adjacent to the site and are opposed. Recently the footprint and volume of equipment storage has spread and increased and now includes large piles of materials including rocks and dirt. Pictures are attached. They are concerned that continued growth and expansion of heavy commercial use will continue in a residential and agricultural setting. Other concerns include hazardous materials, the existing irrigation ditch used by downstream properties, vague application, lack of plans for irrigation, lighting, and mitigation. The use is not screened from adjacent properties. If approved, conditions should include specific building plans, specific area of use, lighting plan, and protection for the irrigation ditch. (May 10, 2023)

### 6. Physical characteristics of the site: Relatively Flat site.

### 6. The surrounding land use and zoning includes:

North: Agricultural (Irrigated Grazing Land)

South: Single-family Residential Parcels, C.U.P. 22-01 Multiple Residence and 2 RV sites for family and friends (no rentals)

East: Agricultural (Irrigated Grazing Land)  
West: Agricultural (Irrigated Crop Land) with a Homesite.

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.
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.
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.
7. 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.
- 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-4: LANDSCAPING:**

**A. Purpose And General Regulations**

**3. General Regulations**

- f. Use Of Landscaped Areas: Landscaped areas shall not be used for parking of vehicles, display of merchandise or other uses detrimental to the landscaping.

**4. Maintenance:**

- a. Responsibility For Maintenance: The landscape areas on site, as well as in the right of way, shall be maintained by the owner or owner's association (should the property be subdivided) or the lessee of the site. Any areas designated and intended for the purposes of on site water retention shall be maintained and reserved for that specific purpose. Any alteration or deterioration of those areas shall be considered a violation of this title and any applicable ordinance.
- b. Replacement Of Plant Material: Any plant material that does not survive shall be replaced within thirty (30) days of its demise.
- c. Removal Or Destruction Of Landscape Material: The removal or destruction of landscape material previously approved by the county shall constitute a violation of this title. Replacement of landscape material shall be of like size as that which was removed or destroyed.
- d. Maintained In Accordance With Site And/Or Landscape Plan: Landscaping, irrigation systems, walls, screening devices, curbing and lighting shall be reasonably maintained in accordance with the approved site and/or landscape plan. Plant material shall not be severely pruned such that the natural growth pattern or characteristic forms are significantly altered.
- e. Modification And/Or Removal Of Existing Landscaping: Modifications and/or removal of existing landscaping shall require prior approval.
- f. Lack Of Maintenance: The lack of maintenance shall constitute a violation of this title.

**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.
- 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.

**9-5B-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 <sup>1</sup>. 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.

**9-5F-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.

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**SUMMARY:**

Compatibility Rating: Staff's compatibility rating is a +10.

The Planning and Zoning Commission should do their own compatibility rating prior to

the meeting (form with directions attached).

#### STAFF COMMENTS / QUESTIONS:

*The applicant submitted an update on May 24, 2023. Responses to prior questions are in italics.*

1. This site is within the Donnelly Fire District and a herd district. It is not within an irrigation district.
2. Will you be burning materials from jobs on-site? *The applicant requests the ability to burn large slash piles derived from customer sites twice per year, in the fall and spring. How large will the piles be?*
3. How large will stockpiles of aggregates and other material will be that are stored on-site? What will be stored on-site? *The existing dirt pile was part of the previous C.U.P. and acts as a partial screen to the southeast. The applicant may want to increase the size of the pile by 50%. The applicant plans to store 1-4 truckloads of road mix, 3+ minus, bedding chips, sand, boulders, and drain rock in addition to employee firewood.*
4. How many trips per day are planned? *Approximately 12 vehicles per day.*
5. How many employees do you have? How many are expected in five years? Will employees be parking on-site? *Currently three employees, including the owner, with no plans to exceed eight employees in the next five years.*
6. Will you be servicing equipment on-site? If so, what provisions have been made to prevent spillage? *Equipment maintenance will include oil and filter changes, tire pressure checks, and pressure washing. Heavy maintenance will be conducted off-site. Where will water drain from the pressure washing and how will you keep oil from the soils?*
7. Will you be constructing a building for storage? What type of building? *There are no permanent buildings or structures allowed by the property owner. The current proposed structure is two shipping containers with a roof between for covered storage.*
8. Valley County Code states that commercial uses shall have at least two access roads or driveways to a public street wherever practicable. Staff does not believe this requirement is practical for this use at this location.
9. The Commissioners should determine if the existing landscaping is adequate. *The site has partial screening via aspen and conifer trees as well as an existing dirt pile. Some existing trees may need to be removed due to tree health.*

*The applicant also stated that:*

- *There will be no lights beyond vehicle and equipment lights.*
- *The site has been reduced from 10 acres to 1.5 acres to reflect current use. See attached revised site plan.*
- *The have contacted the fire marshal and will comply with all requirements.*
- *The existing septic system will not be used by this business; the applicant will obtain an accessory use permit from CDH.*
- *Care will be taken to not impeded flow of the existing ditches.*
- *The applicant has applied for an approach permit from Idaho Transportation Department.*
- *The applicant requests the ability to store equipment east of the covered storage.*

## **ATTACHMENTS:**

- Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Vicinity Map
- Aerial Map
- Wetlands Map
- Assessor Plat – T.17N R.3E Section 15
- Applicant's Submittal & Revised Site Plan – May 24, 2023
- Pictures Taken February 24, 2023, and April 26, 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 comply with the requirements of Donnelly Fire Department.
6. No parking allowed in the setback areas, including the 100-ft setback from Highway 55.
7. The site must be kept in a neat and orderly manner. Equipment shall be stored on the east side of or in the structure.
8. All lights shall be fully shielded so that there is not upward or horizontal projection of lights. All existing non-compliant lighting should be brought into compliance within one year of approval of the conditional use permit.
9. All noxious weeds on the property must be eradicated.
10. Shall obtain a sign permit prior to installation of a sign.
11. Shall clearly post the address at the driveway entrance.
12. Shall not burn slash at this site. Slash from jobs must be disposed of off-site; cannot be collected on this site.
13. Cannot impede the flow of the irrigation ditch(es).
14. Cannot expand storage area beyond current boundaries without Planning and Zoning Commission approval.
15. Only equipment and use associated with Forge Landworks can be located at this site. Equipment and use cannot include subcontractors.

## **END OF STAFF REPORT**

## Compatibility Questions and Evaluation

Matrix Line # / Use: \_\_\_\_\_

Prepared by: \_\_\_\_\_

YES/NO      X      Response  
   Value

Use Matrix Values:

(+2/-2)      X      4      \_\_\_\_\_

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

(+2/-2)      X      2      \_\_\_\_\_

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

(+2/-2)      X      1      \_\_\_\_\_

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

### Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2)      X      3      \_\_\_\_\_

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

(+2/-2)      X      1      \_\_\_\_\_

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

(+2/-2)      X      2      \_\_\_\_\_

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

(+2/-2)      X      2      \_\_\_\_\_

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

(+2/-2)      X      2      \_\_\_\_\_

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

(+2/-2)      X      2      \_\_\_\_\_

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

Sub-Total      (+)      \_\_\_\_\_

Sub-Total      (--)      \_\_\_\_\_

Total Score      \_\_\_\_\_

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

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

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

### B. Purpose; Use:

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

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

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

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

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

0 - assigned if not applicable or neutral.

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

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

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

x4 - indicates major relative importance.

x3 - indicates above average relative importance.

x2 - indicates below average relative importance.

x1 - indicates minor relative importance.

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

### E. Terms:

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

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

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

### F. Questions 4 Through 9:

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

# APPENDIX A

## MATRIX FOR RATING

### QUESTIONS 1, 2, and 3

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

RATE THE SOLID SQUARES AS +2

# Compatibility Questions and Evaluation

Matrix Line # / Use: 19

Prepared by: CH

Area Business

YES/NO X Response Value

Use Matrix Values:

(+2/-2) -3 X 4 -8

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

Agricultural

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

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

10 F Residential (Multi-Family)

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

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

South of Lakewood, residential, Agricultural

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?

There are numerous trees along highway. Large property.

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

5.

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

Yes

(+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?

Very little traffic

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

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

Activity occurs off-site

(+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

(+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?

Yes

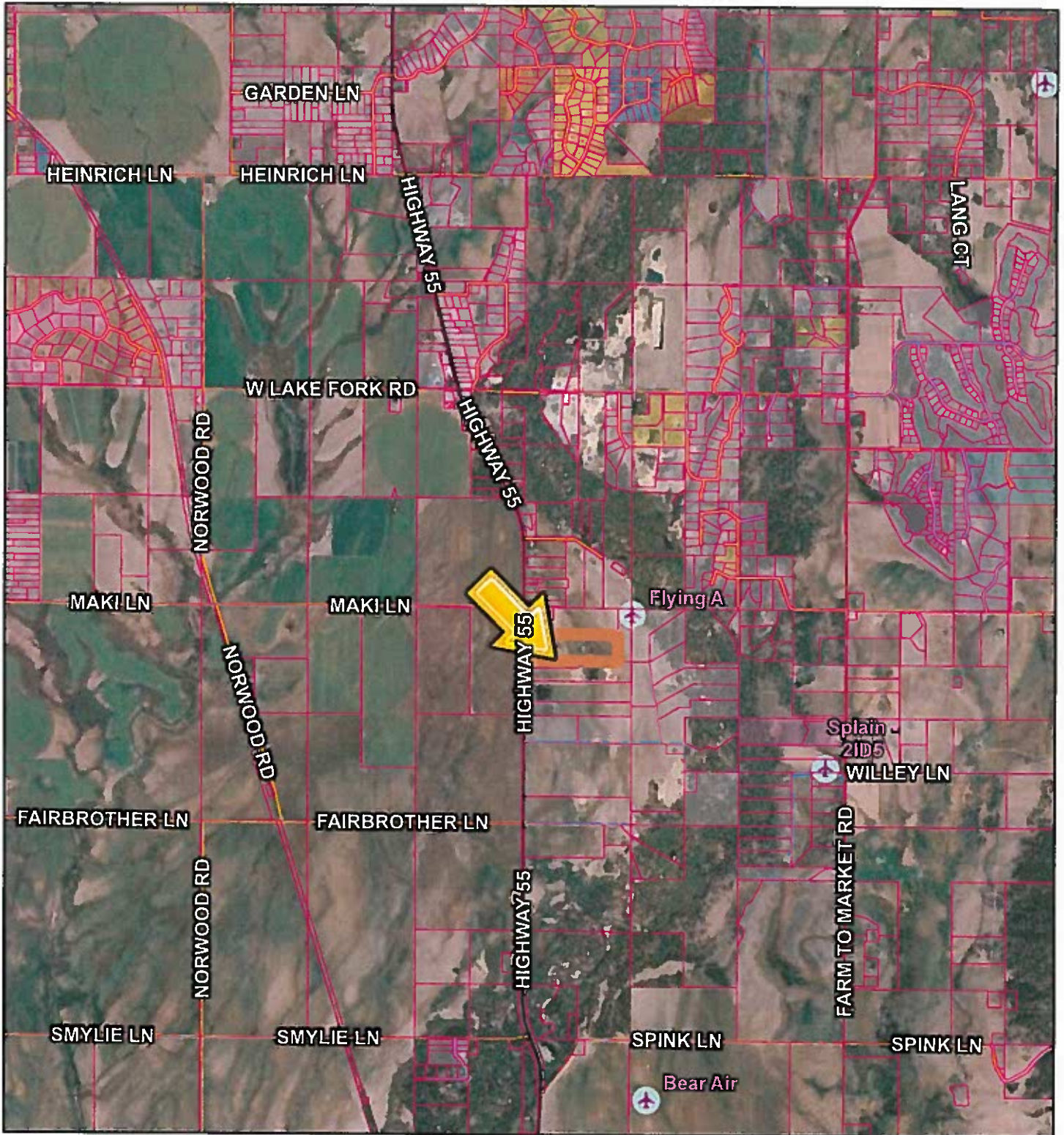
Sub-Total (+) 21

Sub-Total (-) 11

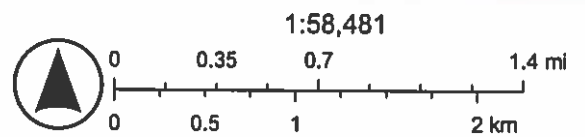
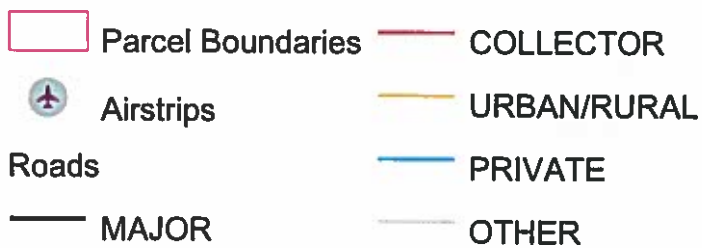
Total Score +10

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. 23-16 Vicinity

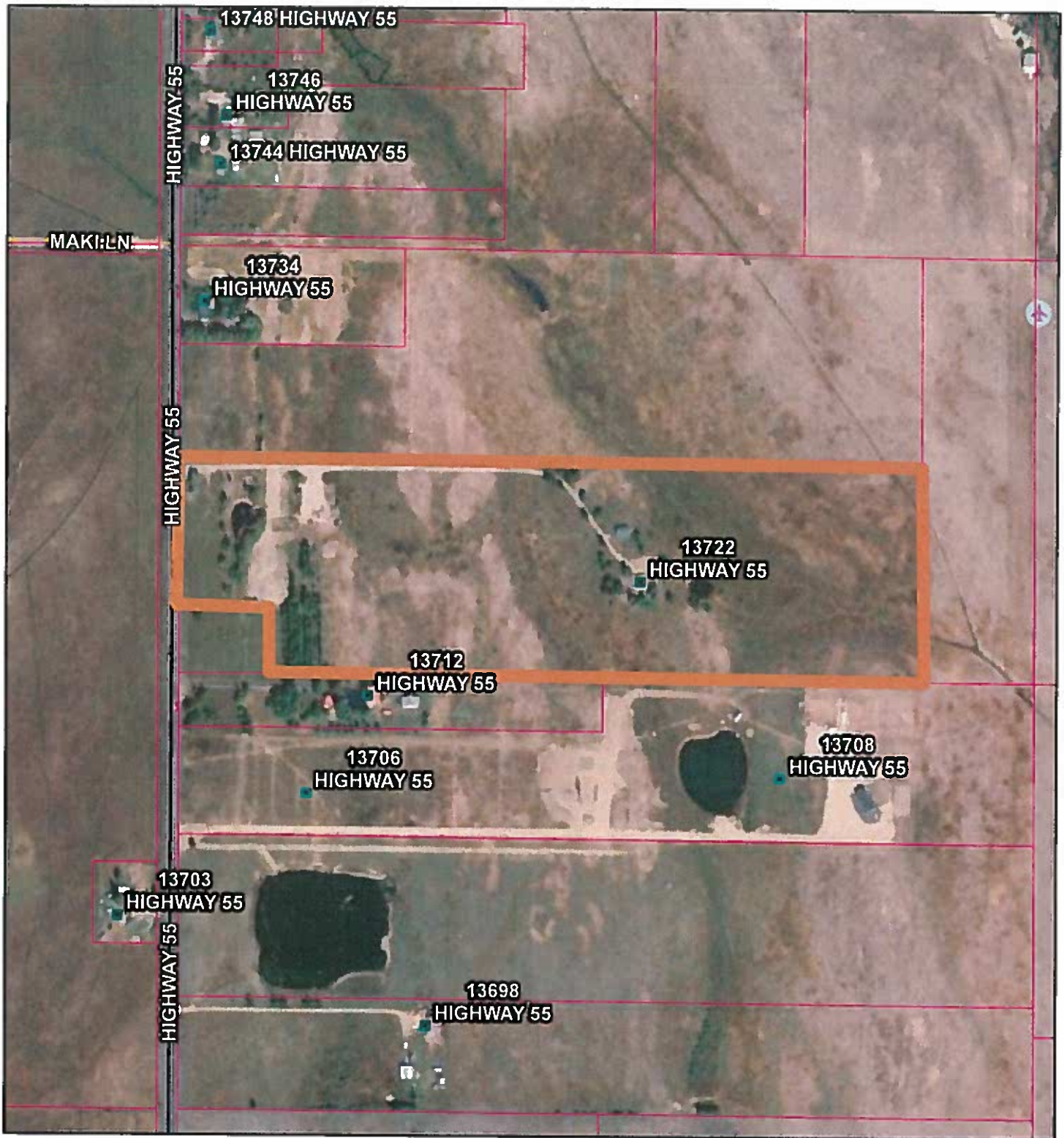


March 29, 2023



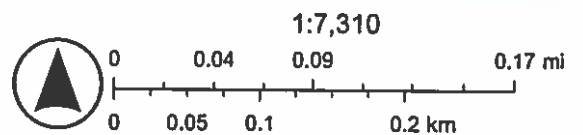
Earthstar Geographics

# C.U.P. 23-16 Aerial



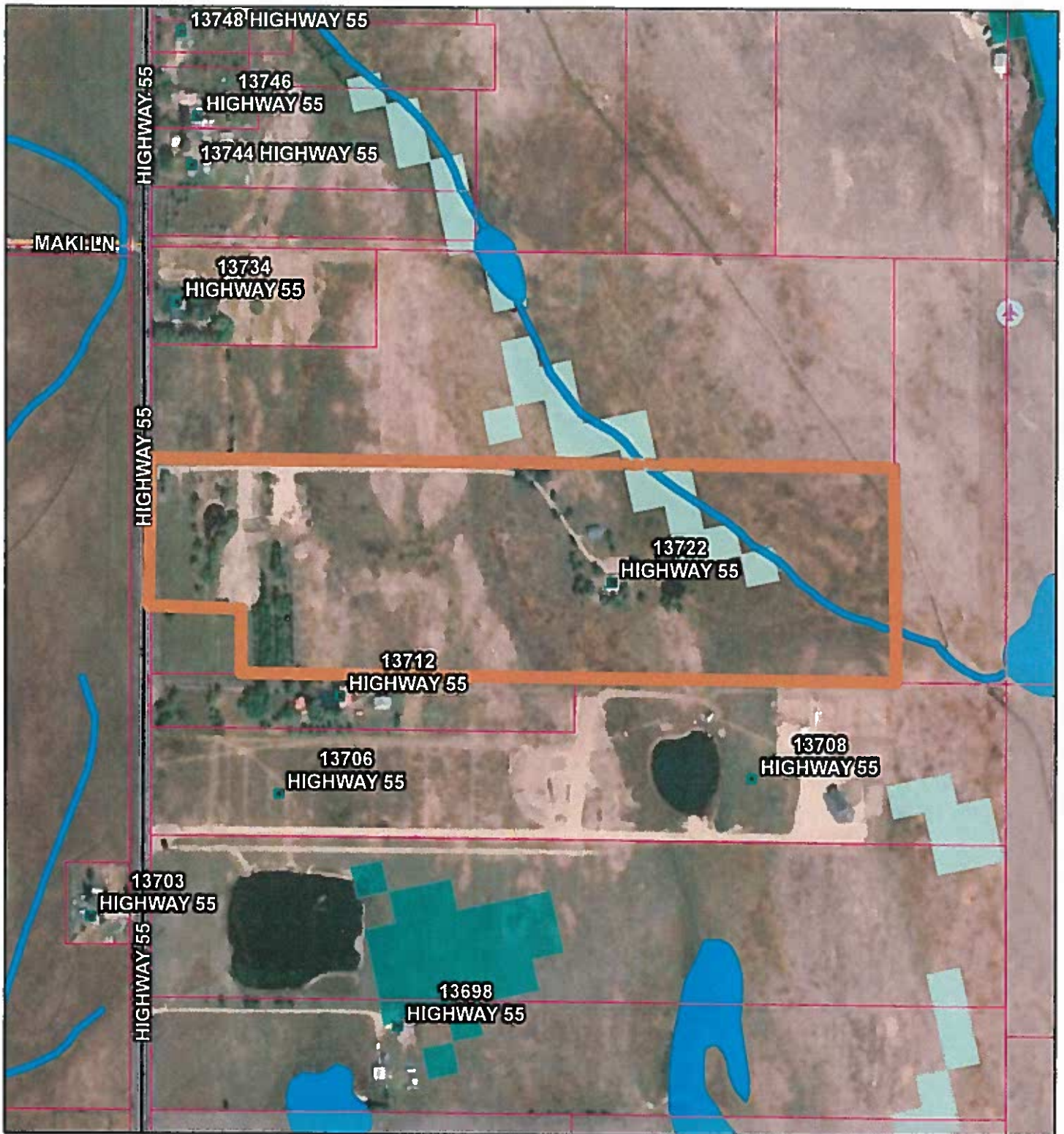
March 29, 2023

- Address Points
- Parcel Boundaries
- ✈ Airstrips
- Roads
- MAJOR
- URBAN/RURAL



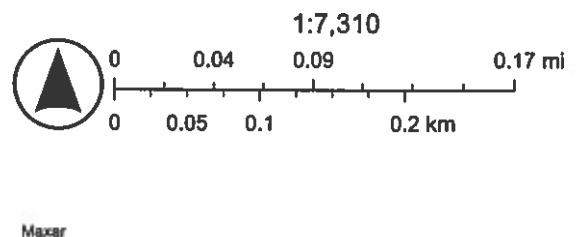
Mexar

# C.U.P. 23-16 Wetlands



March 29, 2023

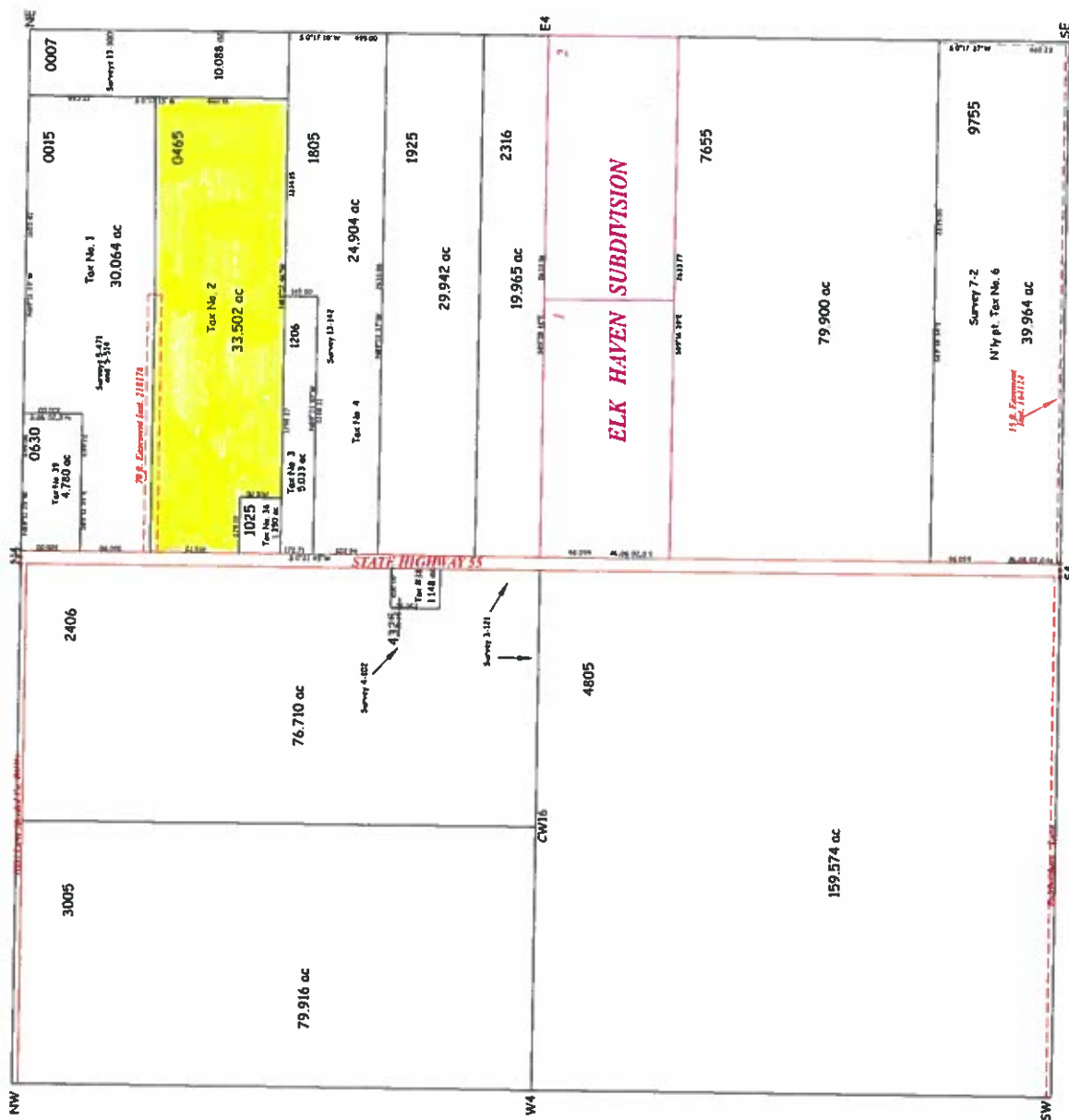
- Address Points
- Parcel Boundaries
- ✈ Airstrips
- Wetlands (USFWS)
- Wetlands (NLCD)
- Emergent Herbac. Wetlands
- Woody Wetlands
- <all other values>
- Roads
- MAJOR
- URBAN/RURAL



TWP. 17N ROSE SEC. 15

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

Filename:	Valley County Base Map
Scale:	1" = 400'
Date:	4/29/2022
Drawn by:	L. Frederick



**This Drawing is to be Used for Reference Purposes ONLY. The Contractor is NOT Responsible for Any Interpretation Contained Herein.**

## **CUP Application - Forge Landworks, 13722 Highway 55**

**From:** Jordan Campbell [REDACTED]

**Sent:** Wednesday, May 24, 2023 6:23 AM

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

**Subject:** Re: Fw: CUP Application - Forge Landworks, 13722 Highway 55

Good Morning Cynda,

Here are a few updates to our CUP Application for 13722 Hwy 55.

- **Lighting** - We will have zero installed property lights and have no need beyond vehicle and equipment lights.
- **Traffic** - The potential for traffic coming in and out of the property is approximately 12 vehicles per day
- **Screening** - The sight has partial screening via aspen and various conifer trees as well as an existing dirt pile
- **Slash Burning** - We request the ability to burn large slash piles derived from customer sites twice per year, in the fall and in the spring. This saves customers money and cuts down on emissions when compared to transporting slash to the transfer station. However we understand the concerns of the neighbors and are open to not burning on site. Currently a no burning condition exists in the application.
- **Employees** - Forge Landworks currently employs 3 people including the owner with no plans to go over 8 in the next 5 years
- **Plot Plan Area** - Reduced from 10 acres to 1.5 acres reflecting current usage with no allowance for growth, see attached
- **Landscaping** - There is existing landscaping. However there are a few trees currently stressed by highway chemicals used that may need to be removed in the near future.
- **Buildings** - There are no permanent buildings or structures allowed by the property owner. The current proposed structure is not permanent in any way, it is two shipping containers with a roof between for covered storage
- **Fire Marshal** - We have been in contact with the fire marshal and will comply with all requirements
- **Central District Health** - The septic system currently on site will not be used, however an accessory use permit is in the works to ensure we are not interfering with the existing on-site septic system
- **Irrigation Ditches** - Care will be taken to not impede flow of the existing ditches and strategic placement of fuel storage implemented.
- **Idaho State Approach Permit** - The permit has been applied for.

- Storage East of Containers - We request the condition of storing equipment east of the covered storage be removed as there is not ample space with the presence of utilities, though it would work well for screening purposes.
- Aggregate and Dirt Storage - The existing dirt pile was part of the previous CUP and acts as a partial screen to the southeast. We may look to increase the size of the dirt pile by 50% if it helps our customers and revenues. We plan to store 1-4 truckloads of road mix, 3" minus, bedding chips, sand, boulders, and drain rock as a way of continuing work on the weekends when the local quarries are closed. We may also look to store firewood for employee use.
- Equipment Maintenance - This will include routine maintenance like oil and filter changes, tire pressure checks, and pressure washing. Care is taken to manage spills with appropriate drip pans and used oil storage. Spill kits are also available. Heavy maintenance like engine or transmission changes will be conducted off site.

As always, any feedback is very much appreciated.

Thank you,  
Jordan

Forge Landworks LLC  
200 Scott St  
McCall, ID 83638

**RECEIVED**  
MAY 24 2023  
BY: \_\_\_\_\_

Jordan Campbell

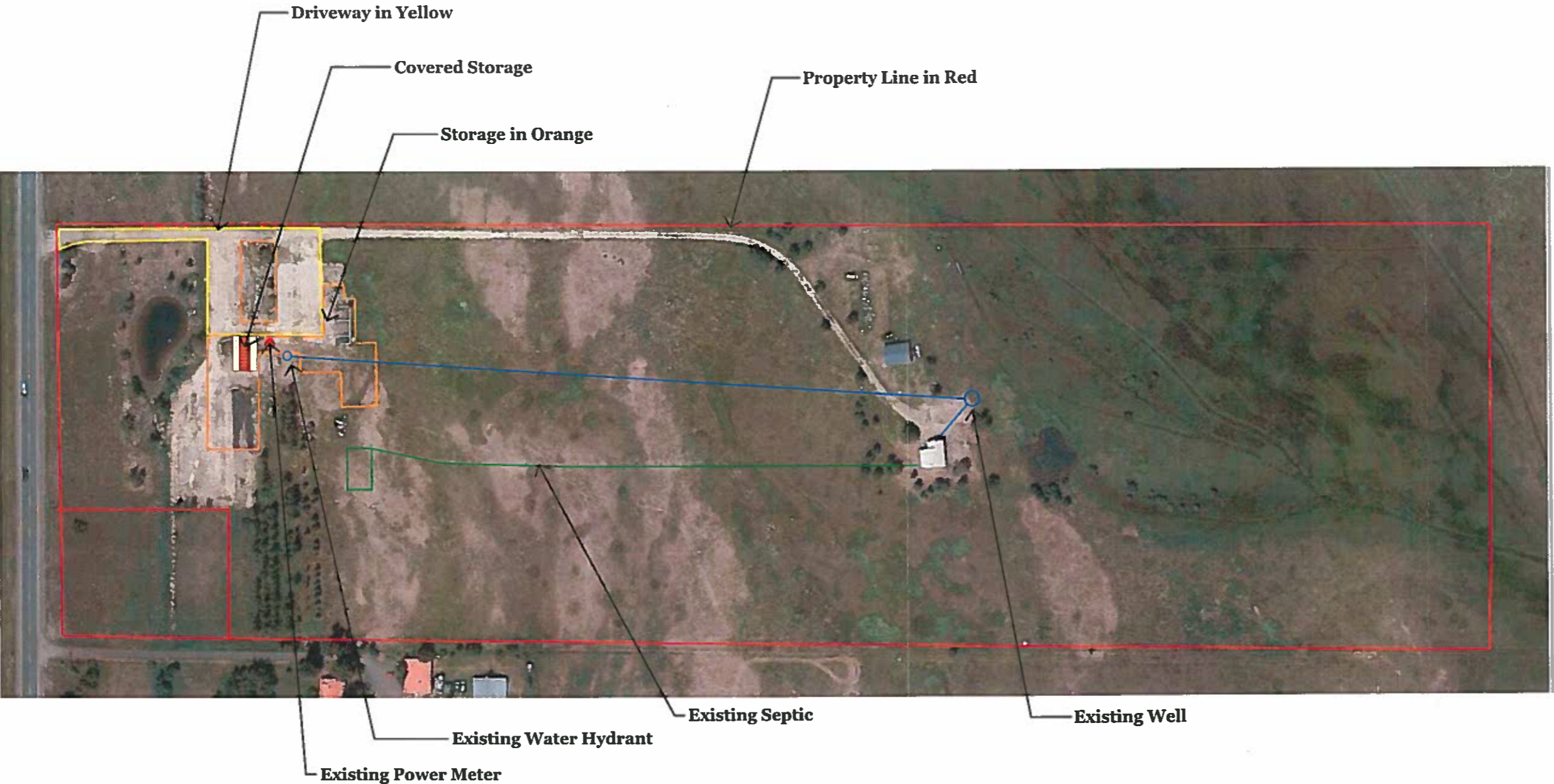
**CLIENT**  
Forge Landworks  
13722 Hwy 55  
McCall, ID 83638

**PROJECT**  
Covered Storage

**DRAWN BY**  
Jordan Campbell

**ISSUE**  
3/24/23

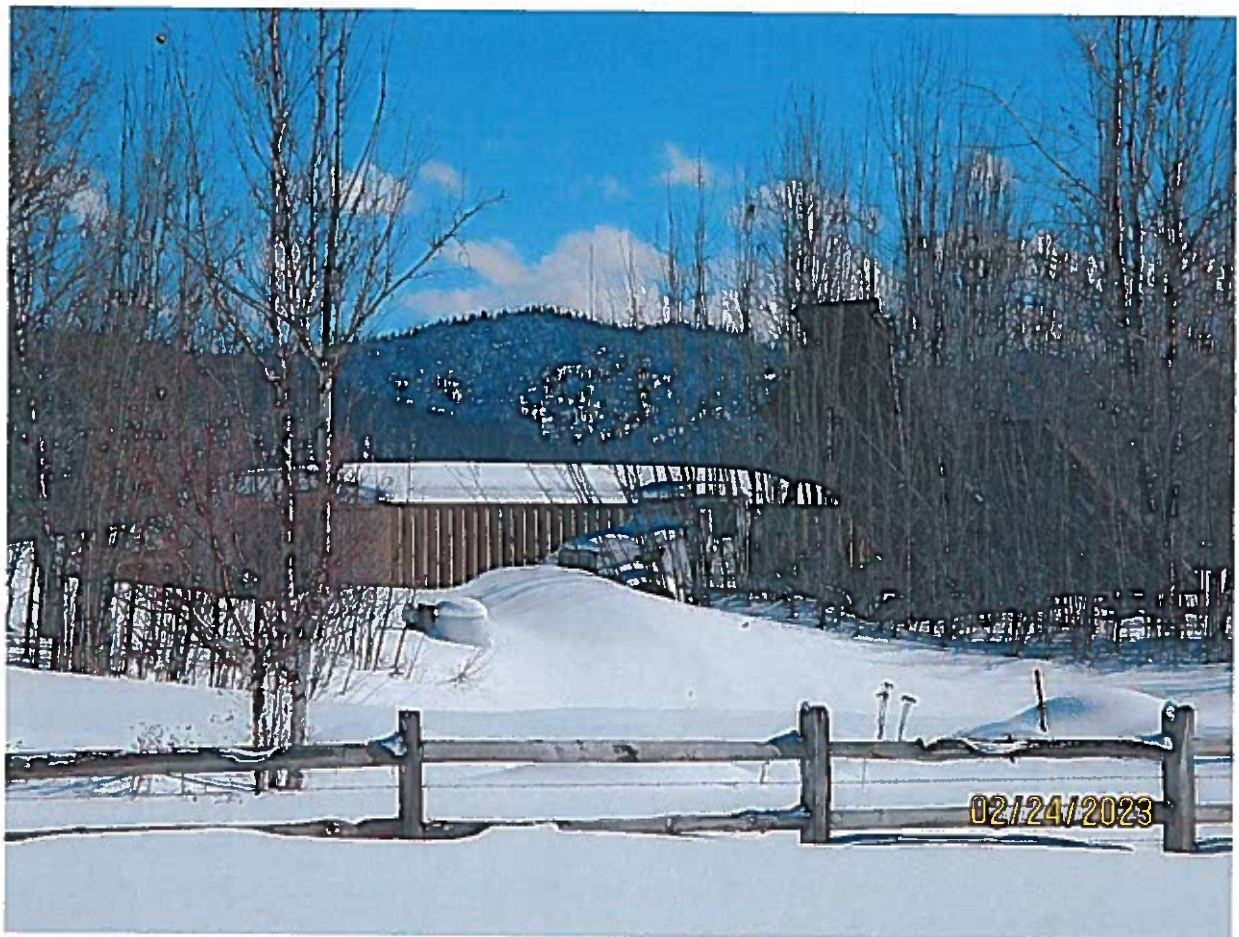
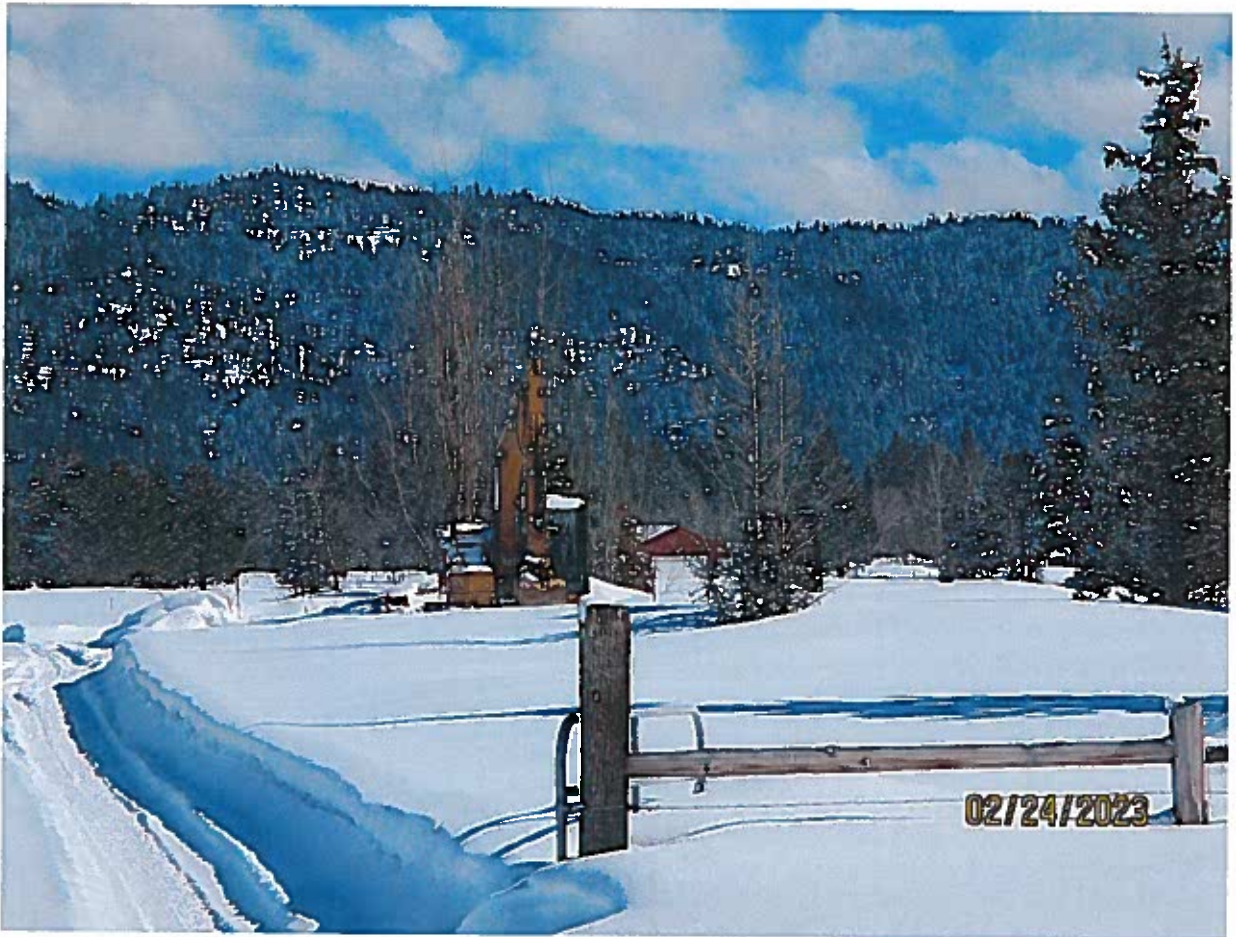
**DESCRIPTION**  
Front/North Side



NORTH



**A<sub>0.1</sub>**









Valley County Transmittal  
Division of Community and Environmental Health

Return to:

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

Rezone # \_\_\_\_\_  
Conditional Use # CUP 23-16  
Preliminary / Final / Short Plat Forge Landworks  
13722 Highway 55  
Sec 15

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

☒ 14. Applicant will need to submit an Accessory Use Application to CDH.

Reviewed By: [Signature]

Date: 4/29/23



**Your Safety • Your Mobility  
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028 • Boise, ID 83707-2028

(208) 334-8300 • [itd.idaho.gov](http://itd.idaho.gov)

May 1, 2023

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

Re: Forge Landworks, Case No. CUP 23-16

Dear Ms. Herrick,

Idaho Transportation Department (ITD) appreciates this opportunity to provide comments regarding Forge Landworks located at 13722 Highway 55 (Mile Post 137.2), McCall, Idaho. The application is for a conditional use permit for equipment storage and a construction yard on 33.5 acres. Please see the following 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. An approach permit is required for the shared driveway due to the change of land use.
3. Traffic generation numbers were not provided with this application. ITD needs more information on the trip generations to determine what mitigations, if any, the applicant may be required to construct on the State Highway system. If the new development generates 100 or more new trips in the peak hour or 1,000 new trips in a day, a Traffic Impact Study (TIS) is required.
4. The ITD Form 2109, *Right-of-Way Encroachment Application and Permit Approaches or Public Street* must be submitted with the TIS. For permitting information, please contact Josh Nopens at [Josh.Nopens@itd.idaho.gov](mailto:Josh.Nopens@itd.idaho.gov).
5. Any addition, modification, change of use, relocation, maintenance, 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. The applicant may contact Shona Tonkin at [Shona.Tonkin@itd.idaho.gov](mailto:Shona.Tonkin@itd.idaho.gov).
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.

ITD reserves the right to make further comments on this project as deemed necessary.

Sincerely,

Wendy I. Howell, PCED  
Development Services Coordinator  
ITD – District 3



## Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

May 8, 2023

Valley County Planning & Zoning Commission  
P.O. Box 1350  
Cascade, Idaho 83611

RE: C.U.P. 23-16 Forge Landworks

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

- **Section 503.7 IFC 2018** Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 12 feet and a minimum unobstructed height of 13 feet 6 inches. Driveways in excess of 150 feet in length shall be provided with turnarounds. Driveways in excess of 200 feet in length and 20 feet in width may require turnouts in addition to turnarounds
- **Section 503.7.5 IFC 2018** all buildings shall have a permanently posted address, that shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and maintained thereafter
- **Section 503.7.7 IFC 2018** where security gates are installed, they shall have an approved means of emergency operation. The security gates and emergency operation shall be maintained operational at all times
- **Section 503.7.8 IFC 2018** Driveways shall be designed and maintained to support the imposed loads of local responding fire apparatus and shall be surfaced as to provide all weather driving capabilities
- Driveways shall be inspected and approved by Donnelly Rural Fire Protection District personnel prior to certificate of occupancy being issued
- **Section 304.1.2 IFC 2018** Weeds, grass, vines or other growth that is capable of being ignited and endangering the property, shall be cut down and removed by the owner or the occupant of the premises. Vegetation clearance requirements in urbane-wildland interface areas shall be in accordance with the International Wildland-Urban Interface Code
- Any on site storage of fuel/oil shall require compliance with Section 57 of the 2018 International Fire Code
- Building plans shall be submitted to the Donnelly Fire Department for review prior to construction

- Portable fire extinguishers shall be installed in accordance with **Section 906.1 IFC 2018**

Please call 208-325-8619 with any questions.

Jess Ellis

A handwritten signature in black ink, appearing to read 'Jess Ellis', written over a horizontal line.

Fire Marshal  
Donnelly Fire Department

sent to C.U.P. 23-16  
Applicant  
5/15/2023  
RH

**CUP 23-16**

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

Wed 5/10/2023 1:55 PM

To: Laura Bettis [REDACTED]

Cc: Lori Hunter <lhunter@co.valley.id.us>; Skyler Chambers [REDACTED]

Hello Laura,

I will place these comments in the record and share them with the applicant.

The applicant will need to work with the ditch company to continue distribution of water in accordance with Idaho water laws.

Thank you, Cynda

Cynda Herrick, AICP, CFM  
Valley County  
Planning and Zoning Director  
Floodplain Coordinator  
PO Box 1350  
Cascade, ID 83611  
(208)382-7116

"Live simply, love generously, care deeply, speak kindly, and leave the rest...."

**S**ervice **T**ransparent **A**ccountable **R**esponsive

---

**From:** Laura Bettis [REDACTED]

**Sent:** Wednesday, May 10, 2023 12:27 PM

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

**Subject:** CUP 23-16

To Whom It May Concern,

It was brought to my attention as Secretary of the Westside Lakefork Lateral Ditch Co. (WLLDC) that this CUP was along our shared irrigation ditch. The landowner has rights on the ditch and the ditch runs through the property to a couple of downstream water rights holders. These water rights are all in District 65K. The ditch is not labeled or identified in any manner on the site plan for the CUP. WLLDC is not opposed to the proposed CUP, but consideration should be made to ensure that continued access of downstream right holders and WLLDC personnel to the ditch is permitted when required. Additionally, any fuel storage or other hazardous material storage should be done in such a manner and location as to not interfere with the downstream water right holders access to clean irrigation water.

Thank you,  
Laura Bettis  
Secretary  
Westside Lakefork Lateral Ditch Co.  
[REDACTED]

May 10, 2022

Cynda Herrick, AICP, CFM Submitted via Email Transmittal {cherrick@co.valley.id.us}  
Planning and Zoning Director  
P.O. Box 1350  
Cascade, Idaho 83611

Dear Ms. Herrick:

RE: CUP-23-16 – Hearing May 18, 2023 – Forge Landworks, LLC  
Property Owner – Teufel Holly Farms, Inc.

Please allow this correspondence to serve as the written comments and objections of Barry Snyder and Carrie O'Rear regarding the Forge Landworks, LLC , C.U.P. 23-16 application for a proposed use of Equipment Storage/Construction Yard submitted by Jordan Campbell for the property located at 13722 Highway 55, McCall, Idaho 83638. As noted in the application, the property is owned by Teufel Holly Farms, Inc.

Mr. Snyder and I own property located directly adjacent to the south of the Teufel Holly Farms property. Our address is 13712 Highway 55, McCall Idaho 83638. We purchased in October of 2020, at which time there was no conditional use approval/permit existing for the property. The previous CUP on this property was declared null and void in 2017. Photo 1 attached shows generally what the property looked like in 2020. Photo 1 also shows two areas close to Highway 55 that have been used for storing some equipment since we have been there. We have not had concerns about this minimal use and have a good line of communication with and a good relationship with the owner. However, in the recent past the footprint and volume of this storage has spread and increased, and now includes large piles of materials including rocks and dirt. As a result, there is more of an impact to the adjacent properties. We have attached a few photos that show the current view from our home/driveway and from Highway 55.

We are concerned that the use(s) outlined in the CPU application will allow for the continued growth and expansion of heavy commercial use of property in what has previously been a residential and agricultural setting. The application reflects that it is the intent of the applicant to utilize a significantly larger percentage of the property, to build a structure (1120 square feet), to increase noise and vibration levels, to create gravel dust and smoke from slash burning, to conduct routine slash burning, to potentially store hazardous materials on site and to create exhaust emissions.

Some specific concerns are as follows:

- There will be hazards on site as well as hazardous materials on site. The applicant is Hazmat certified in freight shipping and has stated they intend to store a fuel trailer on site.
- The site includes a common irrigation ditch that is part of the Westside Lakefork Lateral Ditch Co. and is in the 65K Water District. The common ditch serves several properties downstream of the applicant. There is no Irrigation Plan that was submitted with the application.

- The application calls for 10 acres which is far in excess of the previous storage that was mostly sheltered by trees.
- The application is not specific in identifying the area the applicant is seeking approval to utilize, and does not contain any specifics about the building it intends to construct. The application is vague as to the amount and type of equipment and materials to be stored, and the hours that it will be in operation and running the vehicles and equipment.
- There is no light plan.
- There is no mitigation plan. If the applicant uses the orange area currently indicated in the application, the storage and operation of machinery and the construction yard will not be screened from adjacent properties.

Some of these concerns appear to have been raised by Planning and Zoning based upon communications contained in the packet on P&Z's website, but the materials currently on the website do not show any supplements or amendments to the application that address the concerns.

In consideration of the above, we would ask that Planning and Zoning require the applicant to resubmit a modified application that is complete, accurate to his intended use and specific to his plans as to size and scope of storage and as to the specifics of the building that he intends to construct. We would also request that Planning and Zoning reset the current hearing of May 18, 2023, to allow for comments/responses to the updated application.

In the alternative, we would request that if the Commission determines it should approve the CUP that it limit its approval and/or provide conditions that include: Specific building plans for the structure or deny the structure at this time; Specific designation of area to be utilized and request that the area be limited to an area that is contained within the tree buffer; a light plan if appropriate; a mitigation plan and protection for the irrigation ditch serving downstream properties. We would also respectfully ask that the Commission consider the dissimilarity to the neighboring uses and the external impact upon adjacent properties as well as the impact to the neighboring property values if it were to approve the application as it currently written.

Thank you for your efforts, and for your consideration of our comments and concerns.

Sincerely,

Carrie O'Rear and Barry Shane Snyder

Attachments: Photographs

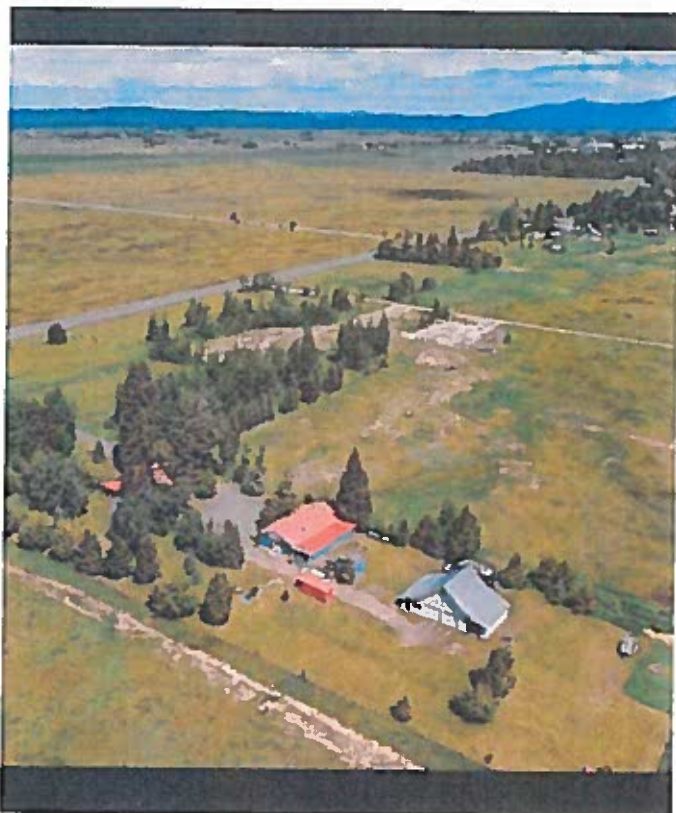


Photo 1 - 2020



From 55

From our driveway.



