

Valley County Planning and Zoning

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STAFF REPORT:	C.U.P. 23-54 Lake Port Storage Amendment to C.U.P. 18-11
HEARING DATE:	February 8, 2024
TO:	Planning and Zoning Commission
STAFF:	Cynda Herrick, AICP, CFM Planning and Zoning Director
APPLICANT / PROPERTY OWNER:	Lake Port Holdings LLC, c/o Sam Worley PO Box 927, McCall ID 83638
AGENT:	Dave Daniel, Cleary Building 326 E Franklin RD, Meridian ID 83642
LOCATION:	13924 B Highway 55 Hinson Subdivision Lot 3C, located in the NWNW ¼ Sec. 3, T.17N, R.3E, Boise Meridian, Valley County, Idaho
SIZE:	Approximately 13.5 acres
REQUEST:	Public Storage Facility – Additional Buildings
EXISTING LAND USE:	Public Storage Facility – 8 Buildings – C.U.P. 18-11

Lake Port Holdings LLC is requesting a conditional use permit to construct two additional buildings adjacent to the eight existing storage buildings.

Each tan and green building would be approximately 11,952-sqft in size (72-ft x 166-ft). Each building would contain 40 boats/trailers. The buildings would be located over 600-ft from Rogers Lane.

All buildings would continue to be used as dry public storage facilities for boats and trailers. Lighting will be in accordance with the Valley County lighting ordinance; motion-detection and solar-powered lights will be located on the buildings. The storage buildings would have no power, water or sewer services.

Fencing may be installed for privacy, security, and screening purposes.

Primary access would be through Mile High Power Sports onto Highway 55 with minimal use of the secondary access from Rogers Lane.

The site is 13.5 acres.

FINDINGS:

1. The application was submitted on December 19, 2023.
2. Legal notice was posted in the *Star News* on January 18, 2024, and January 24, 2024. Potentially affected agencies were notified on January 9, 2024. Neighbors within 300 feet of the property line were notified by fact sheet sent January 9, 2024. The site was posted on January 25, 2024. The notice and application were posted online at www.co.valley.id.us on January 9, 2024.
3. Agency comment received:

Mike Reno, Central District Health, stated the applicant will need to show that the proposed structures will meet all septic setbacks from the existing septic system located on this lot. (Jan. 9, 2024)

Emily Hart, McCall Airport Manager, had no comments. (Jan. 11, 2024)
4. Public comment received:

Katharina Roth, Carefree Subdivision, is opposed. Concerns include adding buildings to original dry storage, road maintenance, and increased traffic on Rogers LN. (Jan. 28, 2024)

Sharon Rhodes, owner of property across Highway 55 from Mile High Power Sports, is opposed to increased traffic on Highway 55. She was denied access from their property onto Highway 55 as they had access via Henrich Lane. Similarly, the applicant has access from Rogers Lane. (Jan. 30, 2024)
5. Physical characteristics of the site: Relatively flat with irrigation ditch and easement as shown on attached Assessor Plat of Hinson Acres Subdivision.
6. The surrounding land use and zoning includes:
 - North: Single-Family Residential Parcels and Agricultural
 - South: Agricultural (Irrigated Grazing Land)
 - East: Single-Family Residence and Agricultural (Irrigated Grazing Land)
 - West: Mile-High Power Sports and Lakeport Storage (C.U.P. 00-15, 16-05, and 06-29)
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.

TITLE 9 LAND USE AND DEVELOPMENT

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.
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

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

9-5A-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.
- 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

- d. Strip, Excavate, Remove Topsoil Or Berm Up Soil On Site: No person, firm or corporation shall strip, excavate or remove topsoil nor shall they berm up soil on a site, except to accommodate an approved building, building addition or facilitate necessary and approved site improvements. These changes must be part of the approved site grading and stormwater management plan. This subsection does not apply to sites where permitted uses exist or are proposed.
- 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:
 - a. Multi-Family Use: Each site for a proposed multi-family use shall have a minimum of thirty percent (30%) of the net site/lot area in landscaping.
 - b. Service/Commercial Use: Each site for proposed service/commercial use shall have a minimum of fifteen percent (15%) of the net site/lot area in landscaping.
- 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:

C. Standards:

2. Turn Off Required: All nonessential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.
4. All Other Outdoor Lighting: All other outdoor lighting shall meet the following standards and at a minimum the standards in title 6, chapter 2 of this code:
 - a. The height of any light fixture or illumination source shall not exceed twenty feet (20').
 - b. All lighting or illumination units or sources shall be hooded or shielded in a downward direction so they do not produce glare or cause light trespass on any adjacent lot or real property as depicted in section 9-5-4 of this chapter.
 - c. Lights or illumination units shall not direct light, either directly or through a reflecting device, upon any adjacent lot or real property. Lighting should not illuminate the sky or reflect off adjacent water bodies or produce glare or cause light trespass on any adjacent lot or real property.
10. **Sensor Activated Lights:** Sensor activated lights, provided:
 - a. They are located in such a manner as to prevent glare and lighting onto properties of others or into a public right of way.
 - b. They are set to only go on when activated and to go off within five (5) minutes after activation has ceased.
 - c. They shall not be triggered by activity off the property.
12. Outdoor Lighting Plan: All applications for a conditional use permit shall include an outdoor lighting plan for the entire site which indicates how the above standards are to be met. The approved permit shall be a part of the conditional use permit and/or the building permit.

9-5B-4: EMISSIONS:

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

9-5B-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:

Commercial uses requiring a conditional use permit shall meet the following site or development standards, except as may be modified by a PUD:

A. Minimum Lot Area:

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:

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:

1. Where commercial uses are proposed on a lot or parcel having frontage on Highway 55 and a side street, the access shall be limited to the side street
 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:

Staff's compatibility rating is a + 23.

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

STAFF COMMENTS / QUESTIONS:

1. This site is within the McCall Fire District and Lake Irrigation District. It is not within a herd district.
2. What is the maximum height of the structures?
3. Please state how all conditions of approval for C.U.P. 18-11 have been complied with. See attached conditional use permit.
4. Please send recent pictures of landscaping that was required for C.U.P. 18-11.
5. Was landscaping added along the east property line and south property lines? Staff recommends landscaping be provided at a minimum along the southern property boundary to break up the visual impacts from Highway 55. See attached landscaping plan from CUP 18-11.
6. A site plan is needed that shows accurate setbacks for the use at a minimum of 10' on the side yard, driveways, access points, etc.
7. Are customers allowed access to the existing storage units? Clarify if there will be an increased impact to Rogers LN – See Impact Report Response #16?
8. Has regular control of noxious weeds occurred on this property?

9. Has Idaho Transportation Department approved the expanded use?
10. What is the long-term plan for building maintenance?
11. How do you retain stormwater runoff on-site?
12. Do you still have outside storage at 13924 A Highway 55? There was to be no outside storage at this site.
13. Staff does not believe there is a septic on this property, but is on the parcel to the west addressed at 13924 Highway 55.

ATTACHMENTS:

- Proposed Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Vicinity Map
- Aerial Map
- Assessor Plat – T.17N R.3E Sec. 3
- Assessor Plat – Hinson Acres Subdivision
- Record of Survey 12-85 Showing Lot Line Adjustment
- Pictures Taken January 25, 2024
- Proposed Site Plan
- Responses
- C.U.P. 18-11 Instrument # 415644
- C.U.P. 18-11 Landscaping Plan

Proposed Conditions of Approval

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
4. The use shall be established within one year or a permit extension will be required.
5. A letter of approval is required from McCall Fire District.
6. Must have approval from Central District Health. Shall maintain existing septic system and drainfield.
7. Must have a letter of approval from Lake Irrigation District.
8. An approved ITD access permit or an ITD stating a permit is not required must be submitted to Staff.
9. All lighting must comply with the Valley County Lighting Ordinance. All lights shall be fully

- shielded so that there is not upward or horizontal projection of lights.
10. No parking allowed in the setback areas.
 11. The site must be kept in a neat and orderly manner.
 12. Landscaping shall be installed prior to October 1, 2024. Landscaping shall be maintained. If landscaping dies, it must be replaced.
 13. A minimum of one tree should be planted for every 25 feet of linear street frontage. The trees may be grouped or planted in groves.
 14. Berms shall have slopes no steeper than three to one (3:1).
 15. All noxious weeds on the property must be controlled.
 16. The primary access to the storage buildings is from Highway 55.
 17. No outside storage is allowed.
 18. A stormwater management plan shall be approved by the Valley County Engineer prior to issuance of building permits.

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use: 19

Prepared by: CH

YES/NO X Response Value

Use Matrix Values:

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

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

Whe High Power Sports & Storage (Area Bus)

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

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

S.F. Residential + Ag

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

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

See 1 & 2

Site Specific Evaluation (Impacts and Proposed Mitigation)

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

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

It is large & flat - very little vegetation.

(+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?

Yes

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

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

Yes

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

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

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?

+ Taxes

Sub-Total (+) 28

Sub-Total (-) 5

Total Score +23

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																							
RESIDENTIAL USES	2. RESIDENCE, S.F.	+2																					
	3. SUBDIVISION, S.F.	-1																					
	4. M.H. or R.V. PARK	-2																					
	5. RESIDENCE, M.F.	-2																					
	6. SUBDIVISION, M.F.	-2																					
CIVIC or COMMUNITY SERVICE USES	7. P.U.D., RES.	-2																					
	8. REL. EDUC & REHAB	+1																					
	9. FRAT or GOV'T	+1																					
	10. PUBLIC UTIL (1A-3.1)	+1																					
	11. PUBLIC REC.	+1																					
COMMERCIAL USES	12. CEMETERY	+2																					
	13. LANDFILL or SWR PLANT	+1																					
	14. PRIV. REC. (PER)	+1																					
	15. PRIV. REC. (CON)	-1																					
	16. NEIGHBORHOOD BUS.	-1																					
INDUST. USES	17. RESIDENCE BUS.	+2																					
	18. SERV. BUS.	-1																					
	19. AREA BUS.	-2																					
	20. REC BUS.	-2																					
	21. LIGHT IND.	+1																					
22. HEAVY IND.	+2																						
23. EXTR. IND.	+2																						

RATE THE SOLID SQUARES AS +2

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?

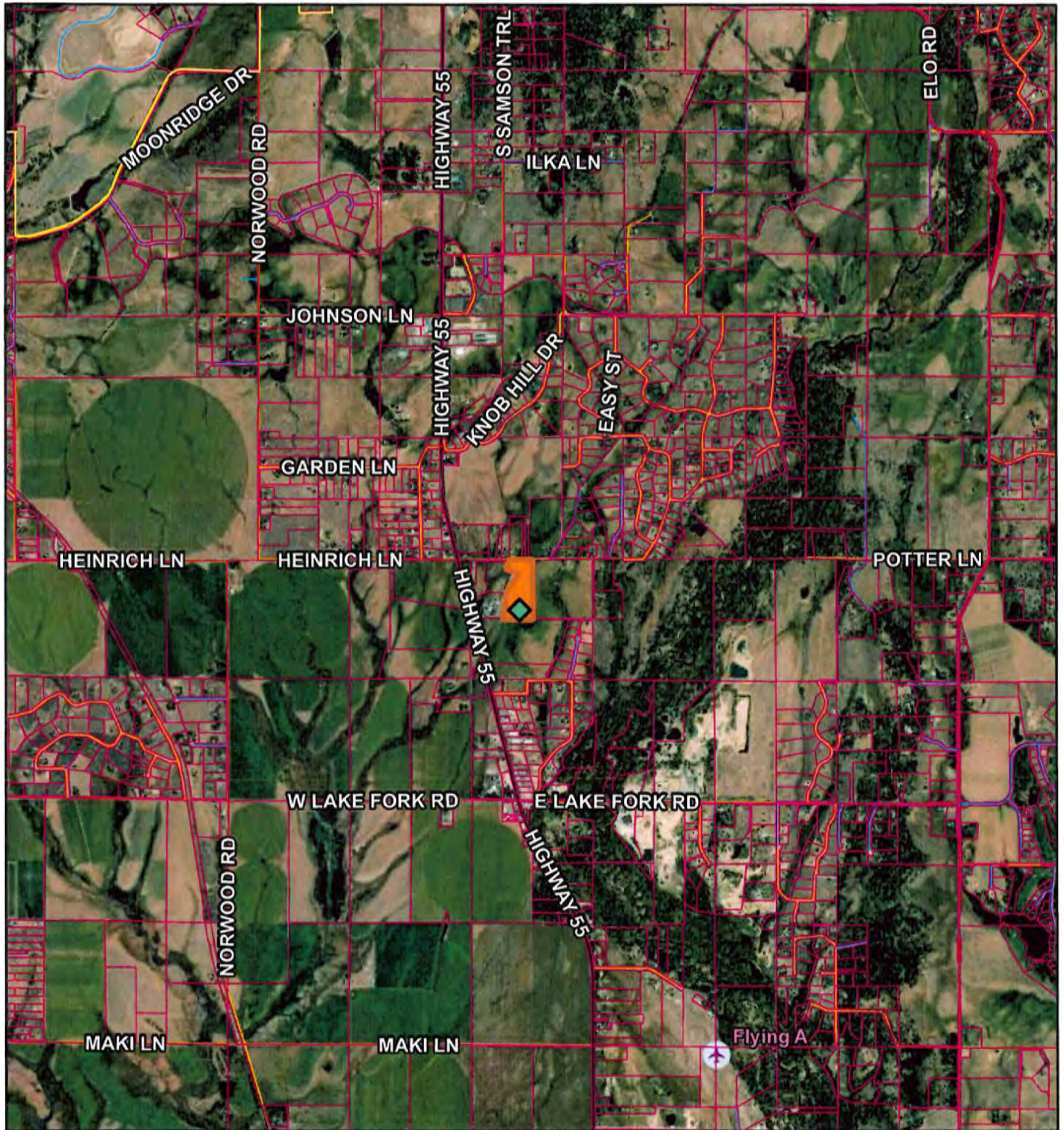
Sub-Total (+) _____

Sub-Total (--) _____

Total Score _____

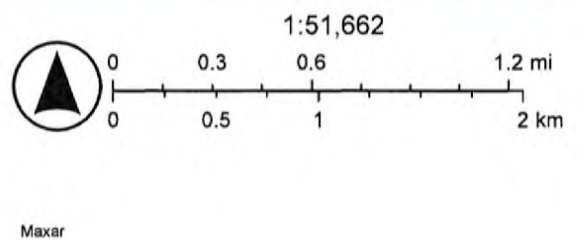
The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

CUP 23-54 Vicinity Map

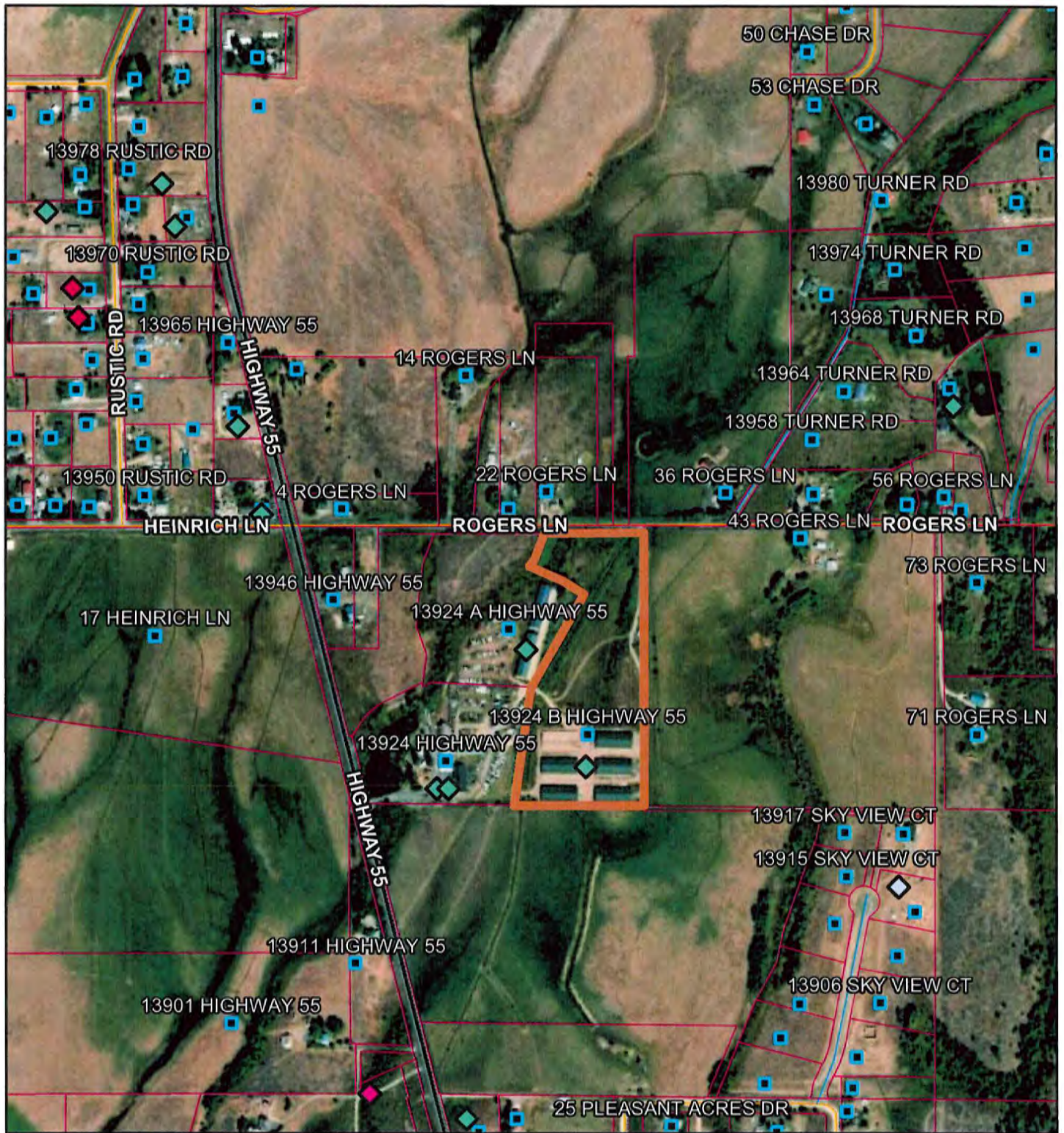


12/28/2023, 3:35:49 PM

- Municipalities
- Parcel Boundaries
- Airstrips
- Roads
 - MAJOR
- COLLECTOR
- URBAN/RURAL
- PRIVATE



CUP 23-54 Aerial Map



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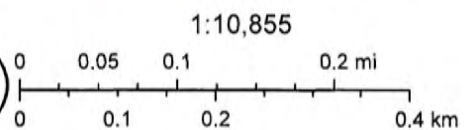
Permits

- ◆ CUP
- ◆ ADU
- ◆ STR
- ◆ VAR
- Address Points

Parcel Boundaries

Roads

- MAJOR
- URBAN/RURAL
- PRIVATE



Maxar

HINSON ACRES SUBDIVISION

PORTION OF GOVT LOT 4, SECTION 3, T. 17 N., R. 3 E., B.M.
PORTION OF GOVT LOT 1, SECTION 4, T. 17 N., R. 3 E., B.M.
VALLEY COUNTY, IDAHO

Instrument # 307578
VALLEY COUNTY, CASCADE QUAD
Recorded by RINGEL & ASSOCIATES
LELAND D. RINGEL, Surveyor
2717 S. 10th St. Boise, Idaho 83725

Revised Sanitary Restrictions 10/31/2014 4:14:15

RESTRICTIVE COVENANTS 307580, RECORDS OF VALLEY COUNTY.

BUILDING SETBACKS

SET BACKS WILL COMPLY WITH VALLEY COUNTY REGULATIONS.

DECLARATION OF PUBLIC ROADS

THAT PORTION OF ROGERS LAKE WITHIN THE BOUNDARY OF HINSON ACRES SUBDIVISION IS HEREBY DEDICATED TO THE PUBLIC'S USE FOREVER. ROAD DEVELOPMENT AGREEMENT WITH VALLEY COUNTY IS FILED UNDER INSTRUMENT NO. 307576

DECLARATION OF UTILITIES

THE UTILITIES SERVING HINSON ACRES SUBDIVISION HAVE BEEN INSTALLED. VALLEY COUNTY SHALL HAVE NO RESPONSIBILITY FOR THE CONSTRUCTION OR MAINTENANCE OF SAID UTILITIES.

RELEASE OF SANITARY RESTRICTIONS

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13, ARE IN FORCE FOR LOTS 1 AND 2, AND HAVE BEEN SATISFIED AND ARE LIFTED FOR LOTS 3 AND 4, ACCORDING TO THE TERMS OF THE RELEASE OF SANITARY RESTRICTIONS RECORD OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL.

SANITARY RESTRICTIONS MAY BE RE-IMPOSED IN ACCORDANCE WITH IDAHO CODE, TITLE 50, CHAPTER 13, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

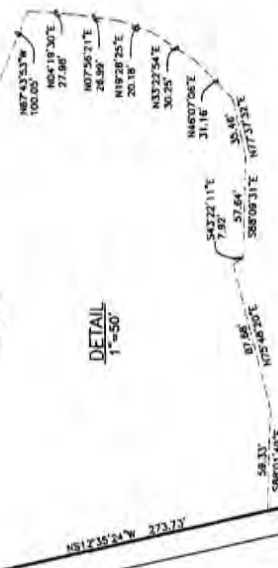
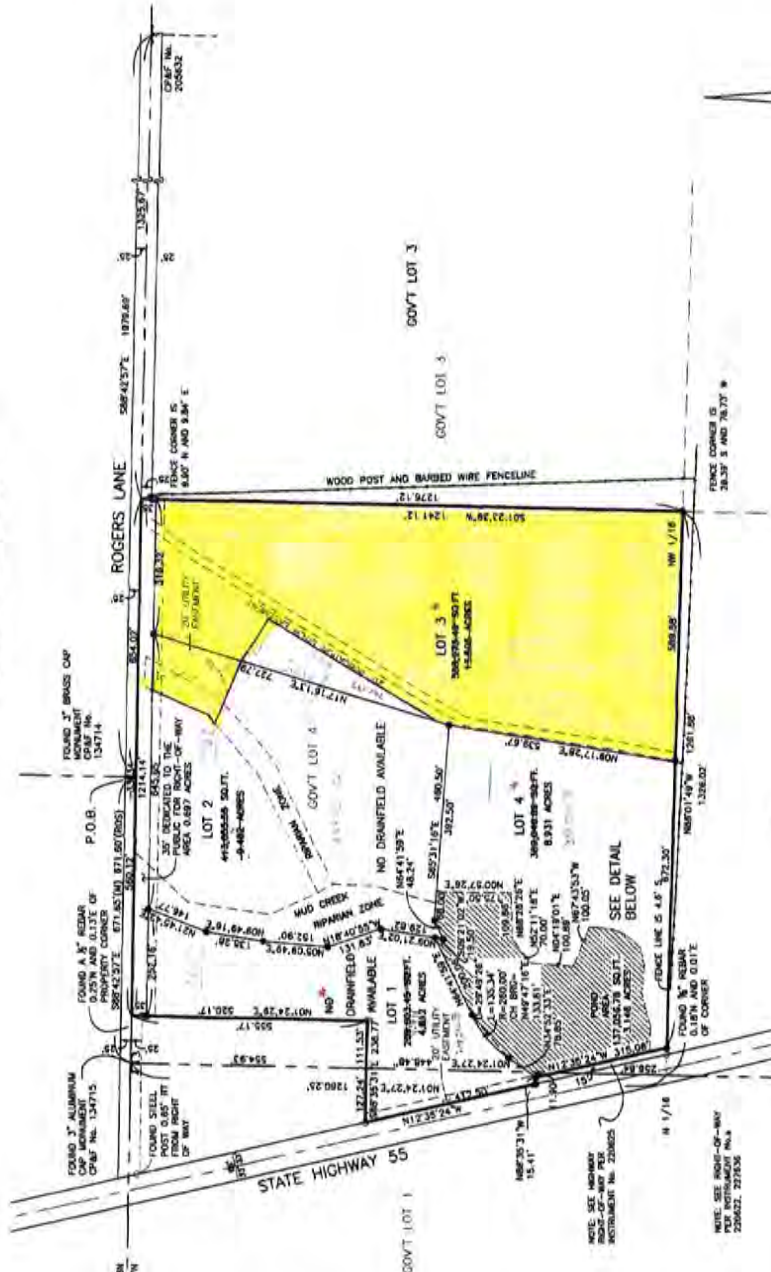
DATE 5/25/2014
DISTRICT HEALTH DEPARTMENT, REIDS

LETTER OF APPROVAL ON FILE WITH THE VALLEY COUNTY RECORDER UNDER INSTRUMENT NO. 307579

NOTES

- 1) 30' UTILITY EASEMENTS ARE SHOWN ALONG ROGERS LAKE AND HIGHWAY 55.
- 2) THIS PLAT IS SUBJECT TO IDAHO CODE SECTION 31-3802. NO IRRIGATION WATER SHALL BE SUPPLIED TO ANY LOT HEREIN.
- 3) EXISTING LOTTING SHALL COMPLY WITH THE VALLEY COUNTY LAND USE AND DEVELOPMENT ORDINANCE.
- 4) SUBJECT TO A RECORD OF SURVEY, BOOK 3, PAGE 428, RECORDED SEPTEMBER 9, 1994 AS INSTRUMENT NO. 220741 OF OFFICIAL RECORDS. (FENCE LINE IS NOT THE PROPERTY LINE).

SEE RECORD OF SURVEY BOOK 6, PAGE 191, INSTRUMENT NO. 254187 REFER TO RECORD OF SURVEY INSTRUMENT NO. 254488, BOOK 8, PAGE 195.



SCALE IN FEET

LEGEND

- SET 5/8" x 3/4" REBAR #7/YELLOW @ CAP & 27x27 WHITE CONCRETE SLAB
- FOUND 5/8" REBAR

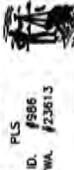
CERTIFICATE OF SURVEYOR

I, Frederick D. Ringel, Registered Professional Land Surveyor No. 986, do hereby certify that the plat of Hinson Acres Subdivision is a true and accurate representation of a survey conducted by me and accurately represents the points plotted thereon, and is in conformance with Idaho Code Title 50, Chapter 13.

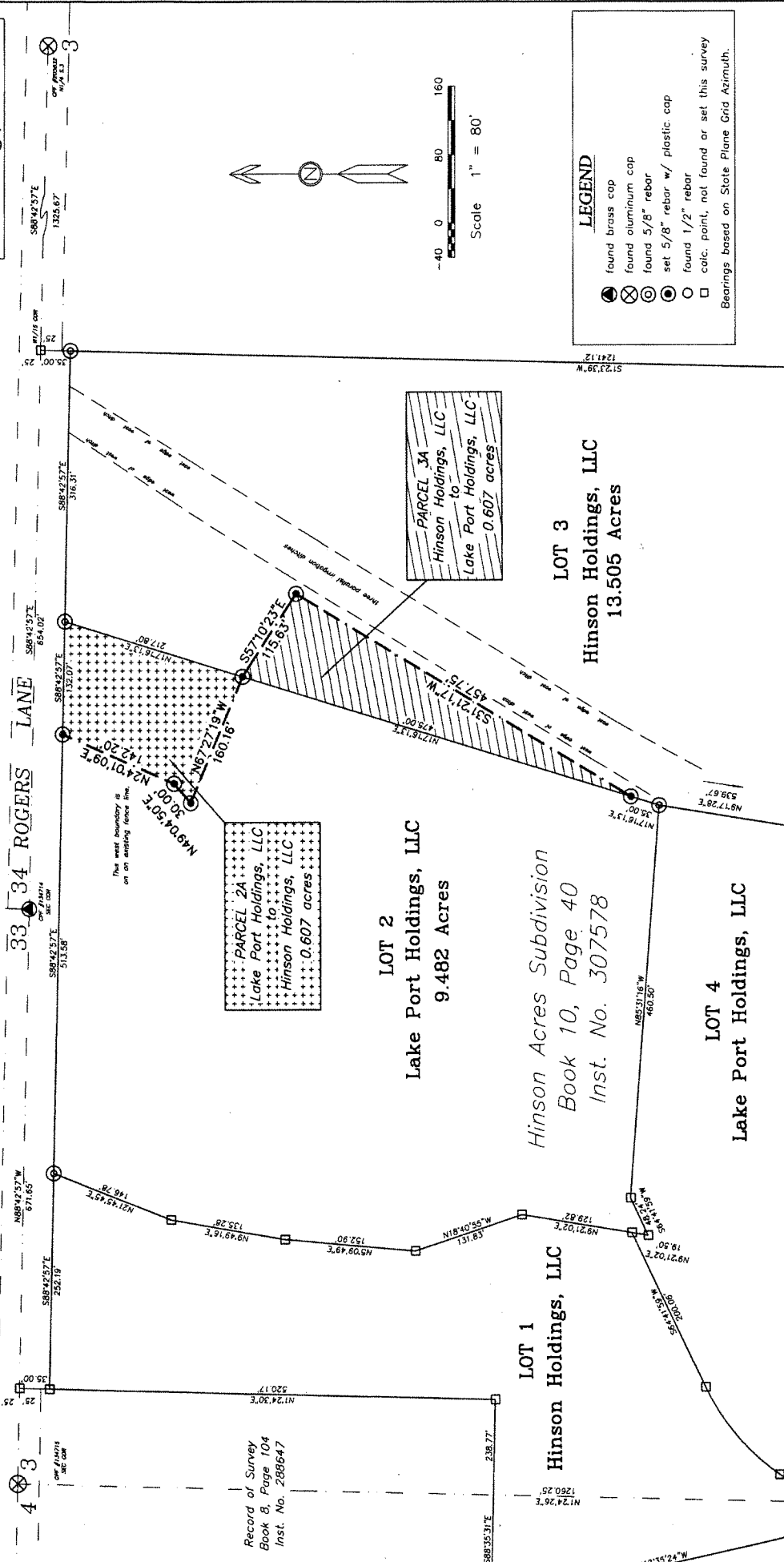
Frederick D. Ringel
3-22-06 PLS 986 ID



RINGEL & ASSOCIATES
P.O. BOX 742
CASCADE, IDAHO 83411



Instrument # 383082
VALLEY COUNTY, CASCADE IDMO
RECORDED FOR: SIFTUN LAND SURVEYING, INC.
DOUGLAS A. MILLER
DATE OF RECORDING: 2/1/2014



NOTE:

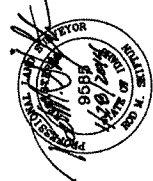
This record of survey has been drawn and recorded to show the adjustment of the line between Lots 2 and 3 of Hinson Acres Sub. This adjustment was done to provide more room on the east side of the storage buildings on Lot 2 owned by Lake Port Holdings, LLC. Hinson Holdings, LLC, the owner of Lot 3 wishes to maintain enough room along the west side of the irrigation ditch through Lot 3 to allow ingress-egress to Rogers Lane on that side of the ditch.

SURVEY REFERENCES

ROS Aug 1996, Bk. 5, Pg. 426 Inst. No. 220741
ROS Nov 1999, Bk. 6, Pg. 684, Inst. No. 244183
ROS Oct 2004, Bk. 8, Pg. 104, Inst. No. 288647
ROS May 2005, Bk. 8, Pg. 181, Inst. No. 295182
ROS Dec 2005, Bk. 9, Pg. 16, Inst. No. 303533

PLAT Hinson Acres Sub., April 2006, Bk. 10, Pg. 40, Inst. No. 307578

I, Rod M. Skiftun, a Professional Land Surveyor, do hereby certify that this plat was prepared from notes taken during an actual survey made under my direct supervision January 2014, and that it correctly represents the points, courses and distances as recorded in said field notes.



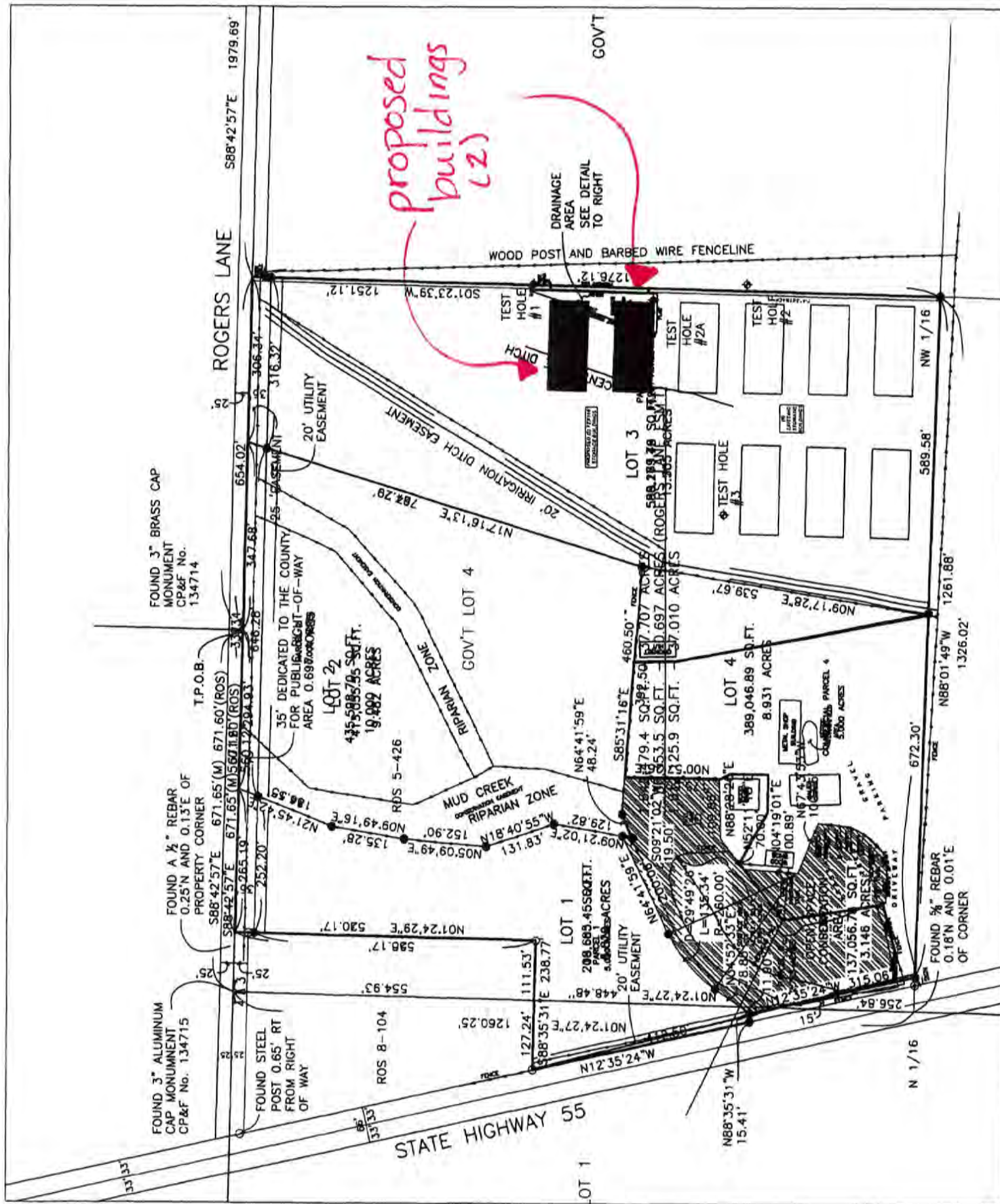
RECORD OF SURVEY
LOT LINE ADJUSTMENT
Valley County, State of Idaho

HINSON HOLDINGS, LLC
LAKE PORT HOLDINGS, LLC
Lots 2 and 3, Hinson Acres Subdivision
Gov't Lot 4, Section 3, T. 17 N., R. 3 E., B.M.
Valley County, Idaho

COMPUTED BY: RAS
FILE NAME: HINSON ACRES LOTS 2&3 LINEADJ 2014.DWG
LOCATION: 1703003 04



SKIFTUN LAND SURVEYING, INC.
13784 HIGHWAY 55
MEGALL, IDAHO 83618









Valley County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone # _____

Conditional Use # CUP 23-54

Preliminary / Final / Short Plat Link Port STORAGE

13924 Highway 55

- ☐ 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:
- | | |
|------------------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> high seasonal ground water | <input type="checkbox"/> waste flow characteristics |
| <input type="checkbox"/> bedrock from original grade | <input type="checkbox"/> 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:
- | | | |
|--------------------------------------------|--------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> central sewage | <input type="checkbox"/> community sewage system | <input type="checkbox"/> community water well |
| <input type="checkbox"/> interim sewage | <input type="checkbox"/> central water | |
| <input type="checkbox"/> individual sewage | <input type="checkbox"/> individual water | |
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- | | | |
|-------------------------------------------|--------------------------------------------------|------------------------------------------|
| <input type="checkbox"/> central sewage | <input type="checkbox"/> community sewage system | <input type="checkbox"/> community water |
| <input type="checkbox"/> sewage dry lines | <input type="checkbox"/> 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:
- | | | |
|-------------------------------------------------|-------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> food establishment | <input type="checkbox"/> swimming pools or spas | <input type="checkbox"/> child care center |
| <input type="checkbox"/> beverage establishment | <input type="checkbox"/> grocery store | |

☒ 14. There is an existing septic system on this lot. Applicant need to show that the proposed structures will meet all septic setbacks from existing system.

Reviewed By: AKR

Date: 1.9.24

CUP 23-54

From: Katharina Roth [REDACTED]
Sent: Sunday, January 28, 2024 10:09 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: CUP 23-54

Dear Cynda,

I live in Carefree Subdivision, between Rogers and Pearson Lane. Over the past few years Lake Port Holdings has considerably added on to the original dry storage, and now there shall be two more buildings, accessible from 55 and from Rogers Lane.

I am just baffled. How many more boat and RV storage places can Valley County take?

Living here in this area I oppose this application. Who is going to maintain Rogers Lane which is already in dire need of repair? What about the increased traffic?

Thank you for your time,

Katharina Roth

Katharina Roth
[REDACTED]

C.U.P. 23-54 Lake Port Storage Amendment

From: Sharon Rhodes [REDACTED]

Sent: Tuesday, January 30, 2024 2:21 PM

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

Subject: Fwd: C.U.P. 23-54 Lake Port Storage Amendment

Thank you for the opportunity to respond to the caption matter.

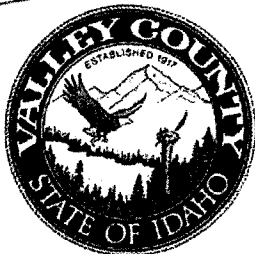
We own the property across Highway 55 from Mile High Power Sports. As we understand it, the applicant is requesting primary access for Lake Port Holdings LLC to/from Highway 55 with secondary access from Rogers Lane. We are not in favor of this amendment as Highway 55 is already so busy. This area of access is also located in a dip part of the Highway, thus slowing traffic even more, creating a potentially dangerous low-visibility situation.

In addition, a few years ago we requested access from our property onto Highway 55 and that was denied because we already had access via Henrich Lane. Similarly, the current applicant already has access off of Roger's Lane. So we oppose this request from Lake Port Holdings LLC for Highway 55 access from Mile High Power Sports.

Thanks for the opportunity to respond.

Sincerely,

Sharon Rhodes
[REDACTED]



Planning and Zoning Commission
VALLEY COUNTY
IDAHO

P.O. Box 1350/219 North Main Street/Cascade, Idaho 83611-1350

Phone: 208.382.7115
FAX: 208.382.7119

Date August 21, 2018

Approved by Greta Kervick

CONDITIONAL USE PERMIT

NO. 18-11

Lakeport Storage II

Issued to:

Lake Port Holdings LLC
Sam Worley
P.O. Box 927
McCall, ID 83638

Instrument # 415644

VALLEY COUNTY, CASCADE, IDAHO
8-21-2018 11:54:28 AM No. of Pages: 2
Recorded for : VALLEY COUNTY P & Z
DOUGLAS A. MILLER Fee: 0.00
Ex-Officio Recorder Deputy
Index to: COUNTY MISC

A handwritten signature, likely of Douglas A. Miller, the Ex-Officio Recorder Deputy.

Property Location:

13 acre site is Hinson Subdivision Lot 3, located in the NE ¼
Section 3, T.17N, R.3E, Boise Meridian, Valley County, Idaho.

There have been no appeals of the Valley County Planning and Zoning Commission's decision of August 9, 2018. The Commission's decision stands and you are hereby issued Conditional Use Permit No. 18-11 with Conditions for establishing boat storage as described in the application, staff report, and minutes.

The effective date of this permit is August 21, 2018.

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.
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 four years of the date of approval or this permit shall be null and void.

Conditional Use Permit

Page 1

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 requirements of the McCall Rural Fire District. A letter of approval is required.
6. Lighting must comply with Valley County Standards.
7. The site must be kept in a neat and orderly manner.
8. Storage buildings must be two-tonal in color and look similar in design to Mile High Power Sports.
9. There shall be no outside storage of anything, including empty boat trailers.
10. Any use other than storage buildings will require an additional conditional use permit.
11. The stormwater management plan shall be approved prior to excavation of the site. The fee for engineering review shall be reimbursed at 105%.
12. Landscaping shall be installed prior to July 1, 2019. If landscaping dies it must be replaced.
13. Must have an approach permit from the Valley County Road Department.
14. Will review compliance with all conditional use permits at this complex by the Planning and Zoning Commission prior to being approved for an additional phase.
15. Must have a legal access permit from ITD prior to issuance of a building permit.
16. Prior to issuance of a building permit, will have all signs and lighting of existing conditional use permits in compliance.

END CONDITIONAL USE PERMIT

