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STAFF REPORT

Conditional Use Permit Application No. 21-01
JanGo Acres Subdivision - Preliminary Plat
(application is for Hansen Acres Subdivision)
Idaho Water Sports - McCall

HEARING DATE: March 11, 2021

TO: Planning and Zoning Commission

STAFF: Cynda Herrick, AICP, CFM

APPLICANT/OWNER: Gordon Hansen
IWS LLC
2165 Overland AVE
Burley, ID 83318

SURVEYOR: Crestline Engineers
PO Box 2330
McCall, ID 83638

LOCATION/SIZE: Parcels RP18N03E280604 and RP18N03E282404 located in
Section 28, T.18 N, R.3E, Boise Meridian, Valley County, Idaho
20 acres

REQUEST: Mixed Single-Family Residential and Commercial Use
Subdivision

EXISTING LAND USE: Agriculture - Irrigated Grazing Land

BACKGROUND:

Gordon Hansen is requesting a conditional use permit mixed single-family residential and commercial use subdivision on 20 acres.

Three 2-acre residential lots and one 12-acre commercial lot is proposed. Six commercial buildings, each with 11,972 sq.ft. of floor space, and an office area of 2,304 sq.ft. of floor space are proposed. The maximum height of the storage structure will be 31' in height to the top of the building. The lots will range in size from 2 to 12 acres.

One or more of the residential lots are proposed to be for the workforce and/or multi-family (duplex) housing. The applicant is proposing one or two duplexes on Lot 2 and one duplex or single-family residence on the other two lots for a total of no more than six residential units.

The commercial buildings would be used for boat service, retail sales, and boat and/or recreational vehicle storage.

Individual wells and septic system are proposed. Access to each lot would be from a new private road with access onto Highway 55. Utilities will be underground when possible.

Proposed stages of construction depend on the availability of building materials, contractors, surveyors, and utility companies scheduling. The applicants would like the project timing to be subject to market changes and financing. The application includes an estimated phasing plan and construction timeline ranging from 2021 to 2025.

2021 – roadway construction, site grading, landscaping, RV spaces, and construction of buildings 1 and 2

2022 – site grading, landscaping, and residential construction on lot 2

2023 – site grading, landscaping, construction of buildings 3 and 4

2024 – site grading and residential construction on lot 3

2025 – site grading, landscaping, construction of buildings 5 and 6 and residential construction on lot 4

The property's future development includes up to three employee RV sites, six additional commercial buildings, and one or more residential/multi-family workforce dwelling units established across lots 2, 3, and 4. This will require an additional conditional use permit.

FINDINGS:

1. Application was made to Planning and Zoning on January 22, 2021.
2. Legal notice was posted in the *Star News* on Feb. 18, 2021 and Feb. 25, 2021. Potentially affected agencies were notified on Feb. 9, 2021. Neighbors within 300 feet of the property lines were notified by fact sheet sent Feb. 10, 2021. The site was posted on Feb. 22, 2021, 2020. The application and notice were posted on the Valley County website "Public Hearing Information" on Feb. 9, 2021.
3. Agency comment received:

Central District Health said that an application, test holes, & engineering report are required before comment can be made. Specific use of commercial buildings will also need to be provided. (Feb. 19, 2021)

Garrett de Jong, McCall Fire & EMS Fire Chief, said the subdivision will need to comply with the 2018 International Fire Code specifications, including water supply, fire hydrants, road construction, and security gates emergency operations. (Feb. 23, 2021)

Idaho Department of Environmental Quality (DEQ) provided general comments on air quality, wastewater, drinking water, surface water, hazardous waste, and ground water contamination. (Feb. 19, 2021)

4. Neighbor comments received:

Lothar and Sheri Kososik, 13970 Easy Street, are opposed to permanently marring the landscaping at this site. A letter wrote by Tim Deinhard and published in *The Star News* was attached.

5. Physical characteristics of the site: Pastureland with irrigation ditches and rolling topography. Existing wetlands are shown on the preliminary site plan.

6. The surrounding land use and zoning includes:

North: McCall Impact Area – Rural Residential

South: Single-family Residential Rural Parcels and Grazing

East: Single-family Residential Rural Parcels

West: Single-family Residential Rural Parcels and Grazing

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

5. Commercial Uses d. Area Business 6. Shopping center

and

5. Commercial Uses d. Area Business 8. Mini-warehouse storage

and

2. Residential Uses, f. Condominium, townhouse, or other multi-family residence

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

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. (Ord. 10-06, 8-23-2010)

2. For subdivisions, preliminary site grading plans and stormwater management plans must be presented for review and approval by the commission as part of the conditional use permit application. However, prior to construction of the infrastructure, excavation, or recordation of the final plat, the final plans must be approved by the county engineer. (Ord. 10-06, 8-23-2010; amd. Ord. 11-5, 6-6-2011)

- 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. (Ord. 10-06, 8-23-2010)

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

- A. Site Plan: The site plan for a conditional use permit shall include a detailed scale drawing showing the parking area plan including driveways, parking spaces, setbacks, landscaping, buildings, vehicle maneuver areas including firetrucks and refuse collection trucks, snow storage, and drainage.
- B. Accessory Parking and Loading Facilities Required: Accessory parking and loading facilities shall be provided as required herein for every building and structure erected, and every land use established after the effective date hereof; unless the commission or the board determines that the proposed parking is adequate.
- D. Parking Space, Maneuvering Area And Aisle Dimensions: All parking spaces and on site vehicular circulation areas shall comply with the following minimum sizes 1 :
1. Parking Area Dimensions:
 - a. Minimum size parking spaces shall measure eight feet six inches by eighteen feet (8'6" x 18').
 - b. All parallel parking spaces shall measure a minimum of eight feet six inches by twenty two feet (8'6" x 22').
 - c. Recreational vehicle parking spaces shall measure a minimum of ten feet by twenty four feet (10' x 24').
 2. End Parking Space Maneuvering: A three foot (3') wide maneuvering area shall be provided for end parking spaces in single access parking areas as shown below.
 3. Vehicle Overhang:
 - a. Recreational Vehicles and Parking Spaces: Recreational vehicles and parking spaces are not allowed to overhang sidewalks, curbs or landscape areas.
 - b. Standard Size Parking Spaces:
 - (1) Landscaped Areas: Standard size parking spaces are allowed to overhang landscaped areas and curbs but this overhang shall not encroach into any required setback and this area shall not be considered in meeting any required percentage of lot to be landscaped.
 - (2) Sidewalks: Standard size parking spaces are allowed to overhang sidewalks only where the sidewalk is a minimum of six feet (6') in width.
 - c. Access To and From Streets: Parking areas must have safe, convenient, and unobstructed access to and from streets by means of a driveway not less than ten feet (10') wide nor more than forty feet (40') wide that extends onto the private property at least twenty feet (20') beyond the property line. Driveways to loading facilities will enable vehicles to leave and enter streets in a forward direction.
 - d. Driveways: All driveways shall be designed and constructed in accordance with the county approach policies.
 - e. Surface: Parking areas and driveways shall be surfaced with asphalt, concrete, compacted gravel, and crushed rock, or other dust free, durable material.
 - f. Surface Water Drainage: Drainage of surface water shall be provided that will be adequate to drain the surface of the parking area while preventing flows of water onto adjacent properties. Surface waters shall be managed in accordance with best management practices to protect or improve water quality.
 - g. Screening: Parking areas containing more than ten (10) spaces shall be effectively screened on all sides adjoining residential uses by a wall, fence, or plantings not less than four feet (4') in height.
 - h. Prohibited In Setback Zone: No part of a parking area shall be located within a required setback zone such as a side, front, or rear yard.
 - i. Off Street Loading Facilities: Off street loading facilities shall be provided separately from parking spaces for commercial, industrial, and institutional uses. The facilities shall be adequate to provide loading and unloading without obstruction to the street or parking areas.
 - j. Maintenance: Parking areas and off street loading facilities shall be maintained in good order, clear of debris, and shall not be used for any other use that interferes with or limits the intended use.
 - k. Lighting: Only indirect lighting may be used to illuminate a parking area. See other lighting regulations in section 9-5B-2 of this chapter. (Ord. 10-06, 8-23-2010)

Notes 1. See parking diagram in section 9-5-4 of this chapter.

9-5A-4: LANDSCAPING:

B. Landscaping; Standards Of Design:

1. Minimum Requirements: Each site to be developed under a conditional use permit shall be required to provide landscape areas equal to or exceeding the following minimum amounts:
 - 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.
 - d. Additional Landscaping: In addition to the minimum on site landscaping, there shall be landscaping in the entire area of the right of way, between street property line and back of street curb, road, back slope, or fill slope, except for approved driveways, walkways, bike paths, and snow storage areas.
2. Future Commercial And Industrial Development: Future commercial and industrial development sites shall be landscaped in the first phase of construction, unless a phased plan is approved by the commission.
3. Uses Adjacent To Multi-Family Residential Development: Fifteen (15) gallon size trees (of a nondeciduous variety) fifteen feet (15') on center shall be planted along any property lines of parcels developed for multi-family, commercial, office, or industrial uses which are adjacent to or separated by an alley from a multi-family residential development. Minimum width of landscape buffer shall be six feet (6') clear. For commercial/industrial users of over fifty thousand (50,000) square feet, see subsection B5 of this section.
4. Use Adjacent To Single-Family Residential Development: Where multi-family, commercial, office or industrial uses are adjacent to or separated by an alley or lesser separation from a single-family residential development, such trees shall be planted at ten feet (10') on center, with every other tree being a minimum twenty four inch (24") box size.
5. Commercial, Office Or Industrial Use Adjacent To Residence: Where a commercial, office or industrial user of over fifty thousand (50,000) square feet building area is located adjacent to a residence, the landscape buffer described in subsection B3 of this section shall be increased to fifteen feet (15') (adjacent to that user), with two (2) rows of trees along the interior side of the property line. Each row is to contain minimum fifteen (15) gallon trees spaced fifteen feet (15') on center, staggered for maximum effect in buffering the two (2) uses.
6. Criteria For Trees Along Street Frontage: Trees shall be required along all street frontages according to the following criteria:
 - a. A minimum of one tree shall be planted for every twenty five feet (25') of linear street frontage. The trees may be grouped or planted in groves;
 - b. Fifty percent (50%) shall be twenty four inch (24") box size or larger with the balance being minimum fifteen (15) gallon size;
 - c. The trees selected shall be compatible with the overall site and landscape plan as well as adjacent sites.
7. Standard Tree Planting Detail: All trees shall be planted and staked in accordance with the "Standard Tree Planting Detail" diagram in section 9-5-4 of this chapter. Plant sizes to be in accordance with Nurseryman Association standards.
8. On Site Water Retention Areas: All on site water retention areas, other than paved surfaces, shall be entirely landscaped and shall comply with the following criteria:
 - a. The retention areas shall not occupy more than sixty seven percent (67%) of the on site street frontage landscape area;
 - b. All retention areas shall maintain slopes no steeper than three to one (3:1).
9. Mounding And Berming: All mounding and berming shall have slopes no steeper than three to one (3:1).
10. Ground Cover: A minimum of fifty percent (50%) of the landscaped areas is to be planted with vegetative ground cover. Minimum size and spacing to be one gallon size plants at a maximum three feet (3') on center.
11. Landscape Designs: Landscape designs shall be compatible with adjacent properties. Selected stock shall be especially suited for this climate or shall be from native stock. (Ord. 10-06, 8-23-2010)

Notes: 1. See landscaping diagrams in section 9-5-4 of this chapter.

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.
- 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. (Ord. 10-06, 8-23-2010)

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: (Ord. 17-02, 2-13-2017)
 - 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.
 - d. External lighting of the face of signs shall be placed above the sign and shielded and directed in a manner that the illumination source shall not be visible from any adjacent lot or real property. Sign lighting shall not reflect or glare beyond the face of the sign and immediately below the sign 1.
 - 5. Parking Areas, Walkways Or Similar Uses: All outdoor lights used for parking areas, walkways, and similar uses mounted on poles eight feet (8') or greater in height shall be directed downward. The light source shall be shielded so that it will not produce glare or cause light trespass on any adjacent lot or real property.

6. Searchlights: Searchlights shall only be operated for special events or grand openings for a maximum of one week. Searchlights shall not be operated on residential or agricultural property.
7. Mercury Vapor Lights: The installation of mercury vapor lamps is hereby prohibited.
8. Flashing, Intermittent Or Moving Lights Prohibited: Flashing or intermittent lights, lights of changing degree of intensity, or moving lights shall not be permitted. This subsection shall not be construed so as to prohibit the flashing porch light signal used only while emergency services are responding to a call for assistance at the property, or holiday lights.
9. Industrial And Exterior Lighting: Industrial and exterior lighting shall not be used in such a manner that produces glare on public highways and neighboring property. Arc welding, acetylene torch cutting, or similar processes shall be performed so as not to be seen from any point beyond the property line. Exceptions will be made for necessary repairs to equipment.
10. Sensor Activated Lights: Sensor activated lights, provided:
 - a. They are located in such a manner as to prevent glare and lighting onto properties of others or into a public right of way.
 - b. They are set to only go on when activated and to go off within five (5) minutes after activation has ceased.
 - c. They shall not be triggered by activity off the property.
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. (Ord. 10-06, 8-23-2010)

9-5B-6: OPEN STORAGE:

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

9-5C-6: DENSITY:

The density of any residential development or use requiring a conditional use permit shall not exceed two and one-half (2.5) dwelling units per acre, except for planned unit developments. Density shall be computed by dividing the total number of dwelling units proposed by the total acreage of land within the boundaries of the development. The area of existing road rights of way on the perimeter of the development and public lands may not be included in the density computation. (Ord. 11-5, 6-6-2011)

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:
 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.
 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.

8. Valley County Code (Title 10): Subdivision Regulations. This title should be reviewed for determination of technical issues of the plat.

10-4-4: STREETS:

- A. Conformance With Adopted Standards And Policies: The classification, ownership, design and location of all streets shall conform to adopted standards and policies, and shall be considered in their relation to existing and planned streets, topographic conditions, to public convenience or safety, and in their appropriate relation to the projected traffic demand of the land to be served by such streets.
- F. Street Layout: Street layout shall provide for reasonable development of adjoining areas and the entire neighborhood, and shall provide for the following:
 6. Cul-de-sac streets, designed to be so permanently, shall not be longer than nine hundred feet (900') unless specifically approved by the commission and board and shall be provided with a turnaround with a right of way radius of at least sixty feet (60').

10-5-1: STREET AND UTILITY IMPROVEMENTS:

- C. Private Road Declaration: In the event that private roads, streets and ways are shown on a subdivision plat, the width of the right of way must meet specifications set forth in road and street specifications adopted by the board of county commissioners. A private road declaration shall be recorded and state that the county will have no responsibility for the installation or maintenance of the private roads, shall describe who is responsible for maintenance of the private roads, and describe the construction schedule for the private roads. Construction of private roads shall be the responsibility of the subdivider and shall be constructed to the minimum standards as set forth in the road and street specifications for private roads adopted by the county.
- D. Declaration Of Installation Of Utilities: A declaration of installation of utilities shall also be recorded. The declaration shall describe the utilities that will be placed by the subdivider, verify when the utilities will be installed and state that Valley County will have no responsibility for the installation or maintenance of utilities. If all utilities are not installed prior to recordation of the plat, a note shall be placed on the face of the plat that states: "Utilities have not been installed at the time of recordation of this plat".

SUMMARY:

Compatibility Rating: Staff's compatibility rating is a + 8.

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

Staff Questions/Comments/Recommendation:

- There is a platted 70' right-of-way platted off Highway 55. That is not where the functioning access is located. So, in reality you are accessing all the parcels off an easement; easements cannot be used to access multiple residences and lots without a variance. This needs to be discussed. I understand ITD will only allow one access point from the Highway. I thought the discussion was including the other property in the plat with the adjoining property or allowing them access off your private road.

- The preliminary plat does not look like a preliminary plat ie title/header, floodplain notes, Central District Health signature line, second page, etc.
- Are you proposing the RV spots during phase 1? Where are the RVs located? Will there only be a maximum of 3 RVs?
- What is the percentage of boats versus RV storage?
- Will owners be allowed 24/7 access to their boat or RV? Who will be transporting the boat or RV to this storage site?
- What is the maximum number of employees anticipated?
- What are your hours of operation?
- What color are your buildings? Will they be one or two toned?
- Do you anticipate wanting a building permit for storage structures prior to recordation of the plat? Would most likely require approval from Central District Health and Idaho Transportation Department.

Applicant's Responses are in italics (Feb. 22, 2021). Staff's response is in yellow.

1. Hansen Acres is not an acceptable name; there is already a Hanson Subdivision.

Is JanGo Acres an acceptable name? This name is approved.

2. The application contradicts itself concerning irrigation – does irrigation go through property? Will it continue to be transported through the site?

The applicant believes they do not have any water rights other than a 65-2729 "flood" water right, which declares that early-season water could potentially be used, but which the applicant does not intend to use. The existing irrigation ditches on the property will be terminated due to septic system requirements. There are no easements on the Record of Survey stating the applicant must continue to transport water through the property or provide access for the irrigation district. The landscaping will be irrigated with private well water. Applicant needs a letter from Lake Irrigation District confirming that there is nothing required to plat this property and all the ditches can be decommissioned.

3. Need to be more specific about the types of residential uses. If you are proposing duplexes it will need to be a part of this application or a subsequent conditional use permit application.

The applicant is proposing one or two duplexes on Lot 2 and one duplex or single-family residence on the other two lots for a total of no more than six residential units.

4. Need to be more specific concerning types of commercial uses in the six additional buildings. Will all the commercial buildings be for boat repair, maintenance, and storage?

Building 1: winter boat or other recreational vehicle storage, boat repair and maintenance, customer service, parts, accessory sales, and retail boat sales.

Building 2 – 6 and any other commercial buildings constructed beyond the initial six are intended to serve as boat or recreational vehicle storage. The undeveloped area will require a different conditional use permit.

5. A narrative about the project would be helpful in understanding the uses and extent.

See response letter. The project will provide boat storage, marine maintenance and repair, a sales facility, and employee housing. An undulating berm will be along the east side of building 1 and will have native trees, shrubs, and grasses. (4:1 slope per grading plan). Access to the other storage facilities will be through a security gate on the west side of building 1. Another landscape berm will be on the south side of storage building 2 and 4, creating a stormwater detention basin. Stormwater detention basins are planned between storage buildings 2, 3, 4, and 5. There will be a security fence.

The primary purpose of lots 2, 3, and 4, and the R.V. spaces will be to provide housing opportunities for the owner, manager, and staff. The phasing plan outlines that the initial build will include the access road, buildings 1 and 2, R.V. spaces, stormwater facilities, and associated landscaping.

What type of fencing is proposed?

6. Will you have CCR's? A private road declaration and association will be required.

There will be CCRs.

7. Will you be putting in fiber optic conduit?

Yes. There will be power and telephone service as well as two extra conduit lines for cable tv and/or fiber optic lines within the utility easement along the road.

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation
- Compatibility Evaluation
- Vicinity Map
- Aerial Views of Parcel
- Assessor Plat – T.18N R.3E Sec. 8
- Preliminary Site Plan with Topography
- Pictures Taken February 22, 2021
- Responses
- Applicant's Response – February 22, 2021

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 final plat shall be recorded within two years or this permit will be null and void. The other uses shall be in accordance with the phasing plan as presented.
4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
5. Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any work being done on-site.
6. Roads shall be constructed in accordance with the Valley County Private Road standards. The Valley County Engineer shall review and approve construction drawings prior to development.
7. Prior to recordation of the plat, the Developer's engineer shall certify that the road is constructed in accordance with the plans approved by the Valley County Engineer.
8. A Private Road Declaration is required prior to recordation.
9. Based upon information that is provided by the Army Corps of Engineers, the wetlands shall be marked as "no build" area on the final plat.
10. A letter of approval is required from McCall Fire & EMS stating all infrastructure, including road and buried tank, is in place prior to recording the final plat. Must comply with gate requirements for access by emergency vehicles.
11. CCR's should address lighting and limit each lot to one wood burning device.
12. All lighting must comply with the Valley County Lighting Ordinance.
13. Shall place addressing numbers at each driveway and each building.
14. A letter from the Lake Irrigation is required stating they have no concerns with this subdivision or development.
15. Building permits are required for each building.

END OF STAFF REPORT

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 ($\frac{1}{2}$) of the adjacent uses and one-fourth ($\frac{1}{4}$) 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

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
1. AGRICULTURAL		+2	-1	-2	-2	-2	-2		+1	+1	+1	+2	+1	+1	-1	-1	-1	+2	-1	-2	+1	+2	+2
2. RESIDENCE, S.F.	+2		+2	+1	+1	+1	+1	+1	+1	-1	+2	+1	-2		+1	+1	+1	+1	-1	+1	+1	-2	-2
3. SUBDIVISION, S.F.	-1	+2		+1	+1	+1	+1	+1	+1	-1	+2	+1	-2		+1	+1	+2	+1	-1	+2	+1	-2	-2
4. M.H. or R.V. PARK	-2	+1	+1		+1	+1	+1	+1	+1	-1	+2	+1	-2		+1	+1	+1	+1	-1	+1	+1	-2	-2
5. RESIDENCE, M.F.	-2	+1	+1	+1		+2	+2	+1	+1	-1	+2	+1	-2		+1	+1	+1	+1	-1	+1	+1	-2	-2
6. SUBDIVISION, M.F.	-2	+1	+1	+1	+2		+2	+1	+1	-1	+2	+1	-2		+1	+1	+1	+1	-1	+1	+1	-2	-2
7. P.U.D., RES.	-2	+1	+1	+1	+2	+2		+1	+1	-1	+2	+1	-2		+1	+1	+1	+1	-1	+1	+1	-2	-2
8. REL., EDUC & REHAB	+1	+2	+1	+1	+1	+1	+1		+1	+1	-1	+2	-2		-1	-1	+2	+1	+1	-1	+1	-2	-1
9. FRAT or GOVT	+1	+1	+1	+1	+1	+1	+1	+1		+1	-1	+2	-2		-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	+1	+1	+2	+2
11. PUBLIC REC	+1	+2	+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	+1	+2	+2	+2	+2		+1		+1	+1	+1	+1	+1	+1	+2	+1	+1
13. LANDFILL or SWR. PLANT	+1	-2	-2	-2	-2	-2	-2	-2	-2	-1	-1	+1			-1	-1	-2	-2	-2	-1	+2	+2	+2
14. PRIV. REC. (PER)	+1	+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		+1	-2	-2	-1	-2	-2	+2	-1	+1
16. NEIGHBORHOOD BUS.	-1	+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	+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	+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	+1	-2		+1	-2	+2	-1	+2	+1	+2	-2	-2
20. REC. BUS.	-2	+2	+2	+1	+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	+1	+2	+2		+2	+2	+2	+1	+2	+2		+1	+1
22. HEAVY IND.	+2	-2	-2	-2	-2	-2	-2	-2	-2	+2	-1	+1	+2		-1	-1	-1	-2	-1	-2	+1		+2
23. EXTR. IND.	+2	-2	-2	-2	-2	-2	-2	-1	-2	+2	+1	+1	+2		+1	+1	-1	-2	-1	-2	+1	+2	23

THE SOLID SQUARES AS +2

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.

Compatibility Questions and Evaluation

Matrix Line # / Use: 3, 5, 19

Prepared by: CH

YES/NO X Response Value

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

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

(+2/-2) 0 X 1 0

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

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

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

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

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

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

Sub-Total (+) +13 2/3

Sub-Total (-) 5 2/3

Total Score +8

Use Matrix Values:

West is Industrial

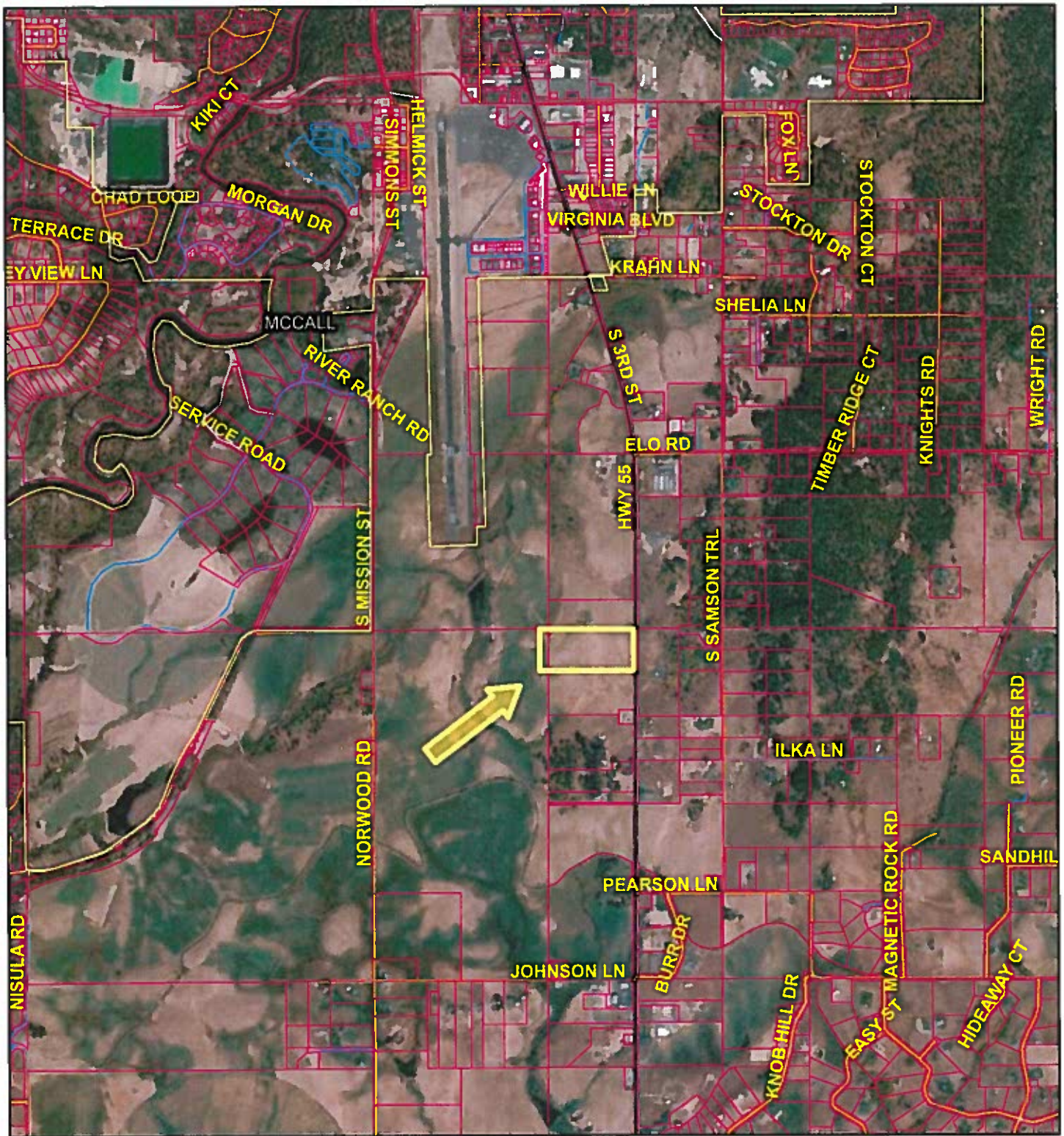
1. Is the proposed use compatible with the dominant adjacent land use? Agriculture
3) -1 5) -2 9) +1
2. Is the proposed use compatible with the other adjacent land uses (total and average)? Rural Res
3) +2 5) +1 9) +1
3. Is the proposed use generally compatible with the overall land use in the local vicinity? Impact Area Industrial
3) 5) 9)

Site Specific Evaluation (Impacts and Proposed Mitigation)

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses? Large - 20 acres, flat
5. Is the size or scale of proposed lots and/or structures similar to adjacent ones? No - very large buildings
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? Will increase traffic and not residential; fronts on Highway 55
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? Noise, but residential next residential; commercial across from Ten Forest
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, next to impact area
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? Will provide housing, employment and increased tax base.

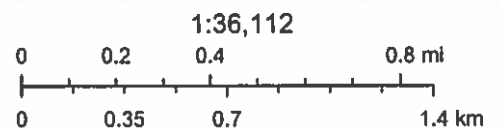
The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

C.U.P. 21-01 Hansen Acres Subdivision



1/29/2021, 10:59:55 AM

- Municipalities
- Parcel Boundaries
- All Road Labels
- Roads
 - MAJOR
- COLLECTOR
- URBAN/RURAL
- PRIVATE
- OTHER



USDA FSA, GeoEye, Maxar

C.U.P. 21-01 Hansen Acres Subdivision



1/29/2021, 10:57:47 AM

Municipalities

Parcel Boundaries

Addresses

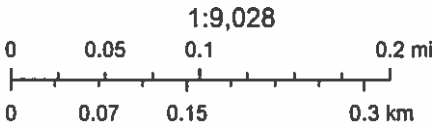
All Road Labels

Roads

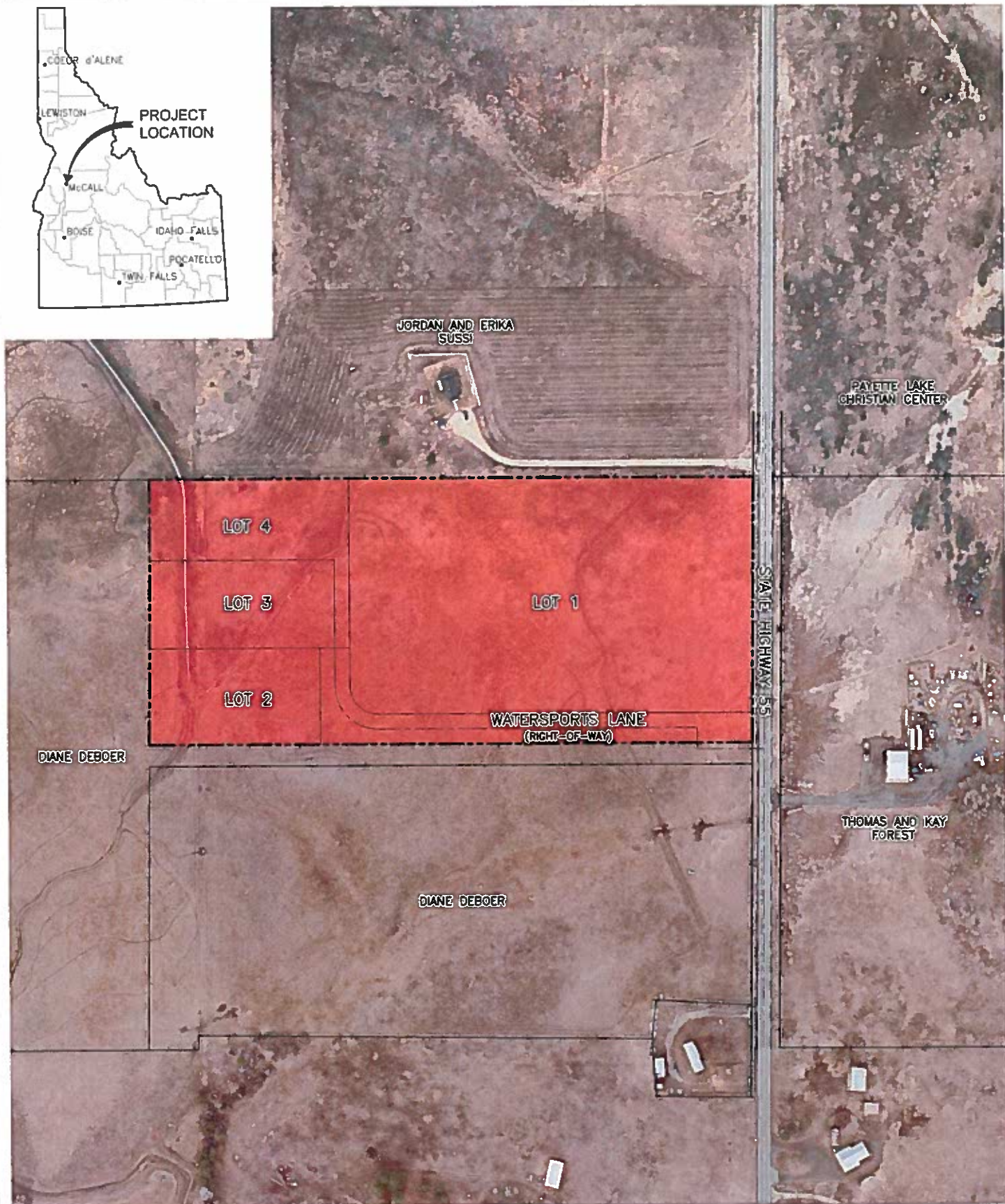
MAJOR

URBAN/RURAL

PRIVATE



USDA FSA, GeoEye, Maxar



NORTH
SCALE: 1" = 300'

CRESTLINE
ENGINEERS

323 DEINHARD LANE, SUITE C • PO BOX 2330
McCALL, IDAHO 83638
208.634.4140 • 208.634.4146 FAX

HANSEN ACRES/IDAHO WATER SPORTS
VALLEY COUNTY, IDAHO
PROPOSED SUBDIVISION STREET NAMES AND LOTS

PROJECT	20025	DRAWN	FIGURE NO.
DATE	1/22/2021	RFP	1 OF 1

T W P . 18 N R O 3 E S E C . 28

Drawn by: L. Frederick



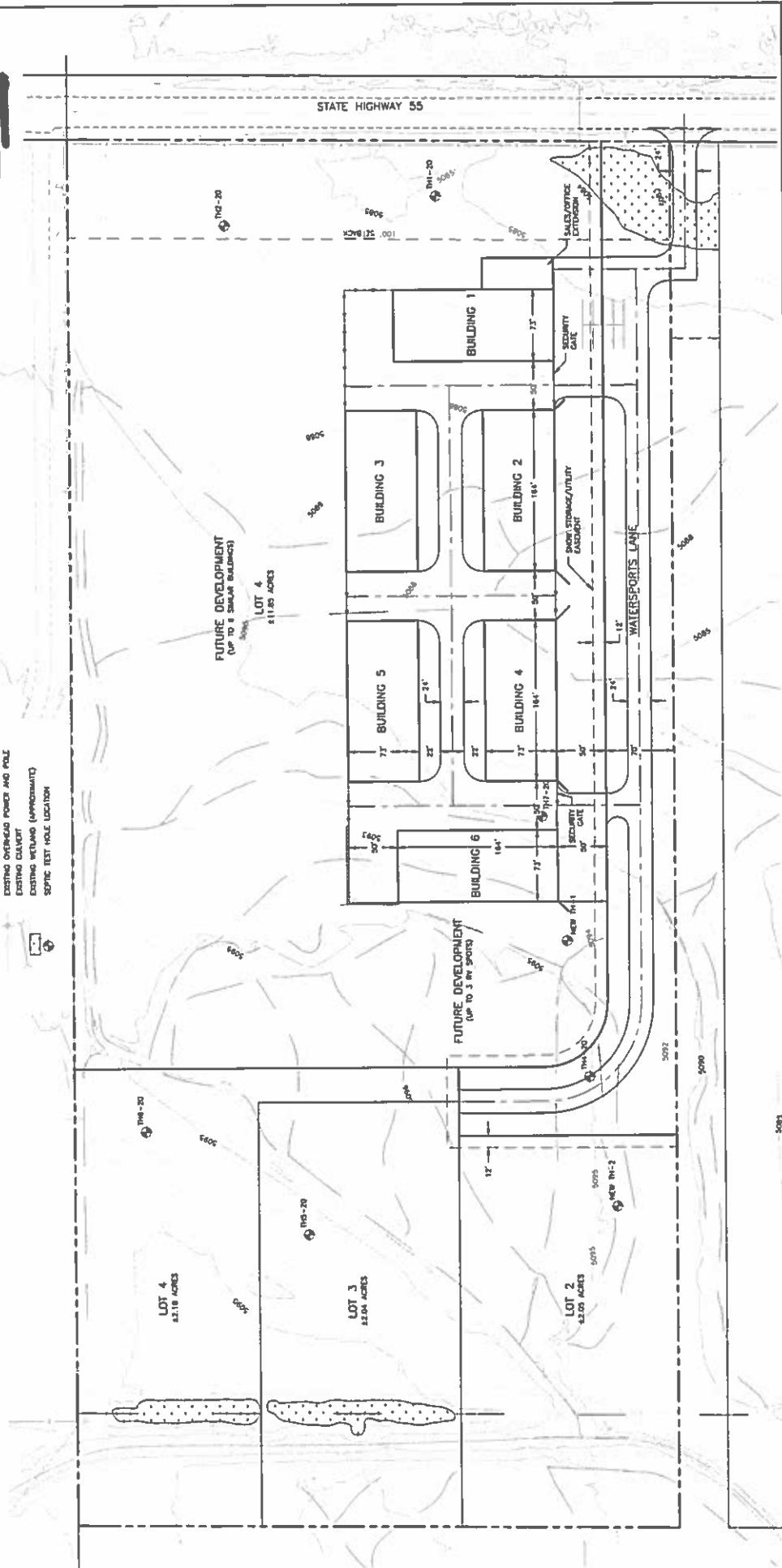


LEGEND:

- PROPERTY BOUNDARY
- RIGHT-OF-WAY LINE
- EASEMENT LINE
- PROPERTY SETBACK LINE
- EXISTING CONTOUR
- ROAD CENTER LINE
- EXISTING EDGE OF PAVEMENT
- EXISTING DITCH CENTERLINE
- EXISTING OVERHEAD POWER AND POLE
- EXISTING CULVERT
- EXISTING WETLAND (APPROXIMATE)
- SCPIE TEST HOLE LOCATION

NOTES:

1. CERTAIN PROPOSED PROPERTY DIMENSIONS AND BASE SURVEY DATA SHOWN ON THIS PLAN ARE BASED UPON SURVEY DATA PROVIDED BY DARR LUND SURVEYS, INC. AND DARR LUND SURVEYS, INC.
2. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE CORRECTNESS OR UTILITY OF THE EXISTENCE OF DIMENSIONS OR UTILITIES SHOWN ON THESE DRAWINGS AS THE ENGINEER HAS NOT OBTAINED FROM SOURCES OF INFORMATION.
3. THE PROPERTY SLOPES ACROSS THE SITE ARE APPROXIMATELY 1% TO 3% THE SLOPES LOCATED ON THE PROPERTY CONTOURS OF ACHAM/CRESTLINE LOCAL.
4. THE PROJECT IS LOCATED IN:
NW 1/4, SEC. 17, T.14N, R.12E, S.14W,
SECTION 28, T.14N, R.12E, S.14W,
VALLEY COUNTY, IDAHO



NO. 1		BY: [Signature]		DATE: 12/22/2021	REVISION: 1	BY: [Signature]		DATE: 12/22/2021	REVISION: 1
1. VALLEY COUNTY LAND USE APPLICATION SUBMITTAL									
CRESTLINE ENGINEERS 323 DENHARD LANE SUITE C PO BOX 2330 MCALL IDAHO 83638 208.534.4140 208.534.4146 FAX									
HANSEN ACRES/IDAHO WATER SPORTS MCCALL VALLEY COUNTY, IDAHO									
EXISTING PHYSICAL CONDITIONS WITH PRELIMINARY SITE PLAN									
SHEET NO. EX-1								1 OF 5	





Valley County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone # _____

Conditional Use # CUP 21-01

Preliminary / Final / Short Plat Hansen Acres Subdivision

- ☐ 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. Application, test holes, & engineering report required before comment can be made. Specific use of commercial buildings will also need to be provided.

Reviewed By: [Signature]

Date: 2/19/21

From: Garrett de Jong <garrett@mccallfire.com>
Sent: Tuesday, February 23, 2021 8:55 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: CUP – 21-01 Hansen Acres Subdivision

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CUP – 21-01 Hansen Acres Subdivision

Hi Cynda,

The subdivision will need to comply with the 2018 International Fire Code provisions as adopted by the State of Idaho, including:

- Provide an approved water supply for fire protection, per Section 507, and comply with Section B105. According to the proposed plans, the needed fire flow would be 3,000 gallons per minute for 3 hours, or 2,250 gallons per minute for 2 hours if the buildings have automatic fire sprinklers installed.
- Fire hydrants shall be located within 400 feet of each building constructed, per Section 507.5.1.
- Roadways will need to comply with Section 503 or be built to county standards, and an approved turnaround for fire apparatus will need to be provided at the end of the access road, per Section 503.2.5.
- Security gates will need to have an emergency means of operation (SOS gate module) or another approved method, per Section 503.6.
- Access roads and water supply for fire protection shall be installed and serviceable prior to and during construction, per Section 501.4.

Thank you,
Garrett

Garrett de Jong
Fire Chief
McCall Fire & EMS
201 Deinhard Lane
McCall, ID 83638
www.mccallfire.com
PH: 208.634.7070
FAX: 208.634.5360



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1445 N Orchard Street, Boise, ID 83706
(208) 373-0550

Brad Little, Governor
Jess Byrne, Director

February 19, 2021

By e-mail: cherrick@co.valley.id.us

Valley County Planning & Zoning
PO Box 1350
Cascade, Idaho 83611

Subject: Hansen Acres Subdivision, CUP 21-01, PP

Dear Ms. Herrick:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
- All property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites. Information on fugitive dust control plans can be found at: http://www.deq.idaho.gov/media/61833-dust_control_plan.pdf
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.

- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: deq.idaho.gov/water-quality/drinking-water.aspx). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.

- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.
- Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. A Construction General Permit from EPA may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/stream/channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).
- Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Aaron Scheff
Regional Administrator
DEQ-Boise Regional Office

EDMS#: 2021AEK11

I am writing in protest to request of a conditional use permit for C.U.P. 21-01 Hansen Acres Subdivision as stated below.

C.U.P. 21-01 Hansen Acres Subdivision – Preliminary Plat: Gordon Hansen is requesting a conditional use permit for a mixed use that includes single-family residential, multi-family, and commercial use subdivision on 20 acres. Three 2-acre residential lots and one 12-acre commercial lot are proposed. Three RV spots for employees are proposed. Six commercial buildings, each with 11,972 sq.ft. of floor space, and an office area of 2,304 sq.ft. of floor space are proposed. Individual wells and septic system are proposed. Access to each lot would be from a private road with access onto Highway 55. The site is parcels RP18N03E280604 and Valley County Planning & Zoning Page 2 of 2 updated 2/9/2021
RP18N03E282404 located in Section 28, T.18N, R.3E, Boise Meridian, Valley County, Idaho.

RECEIVED

MAR 03 2021

I agree in full to the enclosed letter from Tim Deinhard. Why you all are choosing to even entertain such a request is beyond me. This will change the beauty and mar the landscape, forever. Is that what we want or need in our community. It seems there is a land grab, it seems that people moving in want to make it look like what they left. We cannot allow that to happen. Most of us moved here for the beauty of our area, and have fought the fight to keep it that way. McCall nor the County needs this type of complex right at our front door.

My husband moved here in 1974, I moved here in 1982 and we have always strived to be a positive force for our community. We provided a value system to our children in picking up after yourself, being kind to not only the community but nature. If those values are not continued, and we allow the type of destruction that the Hansen Acres Subdivision is proposing, we will never be able to have the serenity, magical place that we all love.

Our names are Lothar & Sheri Kososik, 13970 Easy Street, McCall. Phone number is 208-866-9420.

Thank you for your consideration and hopefully your denial to this proposal.

Sheri Kososik
Lothar Kososik

13970 Easy ST
McCall ID 83638

Planned complex on Idaho 55 would mar the countryside

To the Editor:

As you head north to McCall on scenic Idaho 55, just past Elk Creek Church over the knoll and down into the small saddle before the next rise, one can't help but notice the pastoral beauty of the land.

The homes dotting the acreage with the gorgeous views of West Mountain to the left and the peaceful wind rustling the trees to the right. This is the last vestige of the valley prior to entering McCall with some semblance of the spacious unmarred beauty along scenic Idaho 55 that makes Valley County so wondrous.

All of that is going to end abruptly if Valley County Planning and Zoning Commission approves CUP 21-01. A 20-acre parcel has been sold smack dab in the middle of that saddle on the left hand side of the highway as you view West Mountain.

The new owner plans to build what will look like an industrial complex with six buildings of 11,972 square-feet each. These

are six buildings basically 80 feet x 150 feet. In addition the new owner plans to build an office space building of another 2,304 square feet (approximately another 40 x 60 building).

Next to these buildings he is also going to install a small RV park so "employees" can have a place to live. Additionally, the owner plans to carve out three more two-acre plots and build three homes.

An industrial complex, a trailer park, and a housing complex, all jammed into 20 acres and marring the countryside in an area that has become more of a residential ranch setting than a crowded industrial development.

Is this the destruction of our county beauty you would like to see? The traffic hazard this development will cause will be significant. Traffic barreling over the crest northbound into the saddle at 55 mph will not have the time to carefully avoid slamming into someone trying to turn into the complex.

The meeting by the Valley County Planning and Commission to consider this proposal is to be held on March 11, 2021, 6 p.m. in Cascade, 219 North Main St. (208-382-7115). If you believe this is the type of development that should not occur at this location, I urge you to express your opinion to the commission.

The matter is CUP 21-01, Hansen Acres subdivision. You can simply cut out this article, sign your name, address and phone number and mail it to the commission.

Tim Deinhard
McCall



February 22, 2021

Cynda Herrick, AICP, C.F.M.
Valley County Planning and Zoning
219 North Main Street
Cascade, Idaho 83611

Subject: JanGo Acres / Idaho Water Sports McCall – C.U.P. & Preliminary Plat Application Responses

Dear Cynda,

We have received your initial review of our application. Below are responses to the items you have requested that we address:

1. *Hansen Acres is not an acceptable name; there is already a Hansen Subdivision.*

Response: The applicant would like to see if the name, JanGo Acres, is acceptable.

2. *The application contradicts itself concerning irrigation- does irrigation go through the property? Will it continue to be transported through the site?*

Response: It is the applicant's understanding that they do not have any water rights other than a 65-2729 "flood" water right, which declares that early-season water could potentially be used but which the applicant does not intend to use. There are currently existing irrigation ditches on the property that will be terminated due to septic system requirements. There are no easements on the Record of Survey stating the applicant must continue to transport water through the property or provide access for the irrigation district. The applicant plans to irrigate the landscaping as needed with private well water.

3. *Need to be more specific about the types of residential uses. If you are proposing duplexes, they need to be a part of this application or a subsequent conditional use permit.*

Response: The applicant is proposing one or two duplexes on lot 2 and one duplex or single-family residence on the other two lots for a total of no more than six residential units.

4. *Need to be more specific concerning types of commercial uses in the six additional buildings. Will all the commercial buildings be for boat repair, maintenance, and storage?*

Response: Building 1 will enclose the following uses: winter boat or other recreational vehicle storage, boat repair and maintenance, customer service, parts, accessory sales, and retail boat sales. Buildings 2-6 and any other commercial buildings constructed

beyond the initial six are intended to serve as boat or recreational vehicle storage as well.

5. *A narrative about the project would be helpful in understanding the uses and extent.*

Response: The applicant has provided the narrative below;

Response: The applicant has provided the narrative below;

Our vision is to develop the land to serve the recreational boater by providing boat storage, marine maintenance and repair, a sales facility, and employee housing. Access to the subdivision will be through the ITD approved shared approach on State Highway 55.

As you look north, you will see building 1 facing the south with a parking lot and storefront. The service and sales facilities will be enclosed in building 1, with the retail/customer service entry on the right side. An undulating landscape berm will wrap around the east side of building 1 and have native trees, shrubs, and grasses. The first access to the other storage facilities will be through a security gate on the west side of building 1.

As you travel west down Watersports Lane, another landscape berm will be built into the south sides of storage buildings 2 and 4, creating a natural detention basin within the existing topography. Another access point to the storage facilities will be on the west side of storage building 4. There will be stormwater detention basins amongst either side of the road between storage buildings 2, 3, 4, and 5. A security fence will encompass the parking lot in between each building. Due to the existing topography, an ecology block retaining wall will be constructed starting at the northwest corner of building 6 and wrap around to the east towards building 5 to reduce the buildings' elevation. A swale will be built around the proposed buildings' perimeter to catch roof runoff and convey stormwater around the site.

To the west of the second entry point, Watersports Lane will provide access to the residential lots and R.V. spaces. 1 or 2 duplexes will be constructed on lot 2, and a duplex or single-family residence will be erected on lots 3 and 4 for a total of no more than 6 residential units. The primary purpose of lots 2, 3 and 4, and the R.V. spaces will be to provide housing opportunities for the owner, manager, and staff. The phasing plan outlines that the initial build will include the access road, buildings 1 and 2, R.V. spaces, stormwater facilities, and associated landscaping.

6. *Will you have any C.C.R.'s? A private road declaration and association will be required.*

Response: The applicant is currently working on developing C.C.R.'s for the subdivision. The applicant would prefer to develop the road to serve all three of the parcels that share the approach to Highway 55. The applicant is currently discussing with the potential buyers a development agreement for the private road. The subdivision will conform to Valley County Standards and the project C.U.P.

7. *Will you be putting in fiber optic conduit?*

Response: Yes, we will provide power and telephone service to the subdivision in a designated utility easement along the access road and plan to install two extra conduit lines for cable tv and/or fiber optic lines.

Thank you for your attention to these responses and please feel free to contact me by phone or email at your earliest convenience should you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert F. Pair". The signature is fluid and cursive, with a horizontal line extending from the end.

Robert Pair, E.I.T.
Associate Engineer

Cc: Gordon Hansen, Applicant