

Valley County Planning and Zoning

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STAFF REPORT:	C.U.P. 25-033 Brown Commercial Lease Space
MEETING DATE:	January 8, 2026
TO:	Planning and Zoning Commission
STAFF:	Cynda Herrick, AICP, CFM Planning and Zoning Director
APPLICANT / PROPERTY OWNER:	Colton & Kendra Brown PO Box 606, Donnelly ID 83615
LOCATION:	To Be Determined Loomis Lane Parcel RP16N03E260605 located in the NWNE Section 7, T.17N, R.3E, Boise Meridian, Valley County, Idaho
SIZE:	10 acres
REQUEST:	Area Businesses
EXISTING LAND USE:	Agricultural (Non-irrigated Ag and Productive Forest)

Colt and Kendra Brown are requesting a conditional use permit for an open commercial space for leasing by businesses needing outdoor storage, operational yard area, or temporary workspaces.

No permanent buildings or utilities are proposed.

Access to the site would be from Loomis Lane, a public road. The 10-acre site is located south of Loomis Lane and west of Highway 55.

A 20-ft easement exists on the west side of the property; see attached Assessor's Plat.

FINDINGS:

1. The application was submitted on November 19, 2025.
2. Legal notice was posted in the *Star News* on December 18, 2025, and December 25, 2025. The applicant was notified by letter on December 9, 2025. Potentially affected agencies were notified on December 9, 2025. Property owners within 300 feet of the property line were notified by fact sheet sent December 9, 2025. The notice was posted online at www.co.valley.id.us on December 9, 2025. The site was posted on December 11, 2025.
3. Agency comment received:

Brent Copes, Central District Health, recommends the use of portable sanitation units (port-potties) to be available on the property. (December 10, 2025)

Jerry Holenbeck, Donnelly Fire Marshal, listed requirements regarding fencing, defensible space, outdoor storage and material handling, hazardous materials and flammable liquids storage, and operational and tenant oversite. (December 16, 2025)

Kendra Conder, Idaho Transportation Department, stated she does not want to impose anything that is not proportionate; however, some of the proposed uses vary in traffic demand. A more detailed or defined use should be identified before ITD can formally comment. (December 30, 2025)

Brandon Flack, Idaho Fish and Game, had no comments. (December 29, 2025)

Emily Hart, McCall Airport Manager, had no comments. (December 31, 2025)

4. Public comment received:

Cody Fletcher, C. Fletchers Enterprises, stated having a space to rent for his business is imperative. He lives in a subdivision that does not have space nor allows business equipment. (December 29, 2025)

Tyler Woodhouse, Woodhouse Construction, stated he has owned and operated an excavation business for seven years and struggles to find space for the equipment. Approval would provide needed parking and staging for equipment and employee parking. (December 30, 2025)

Andrew Shutz, Action Land Services, stated the proposal would allow him and others who do not own land in Valley County to operate businesses. (December 30, 2025)

Scott Sterett, 34 White Fir Loop, stated providing a designated space near the Wagon Wheel area would offer contractors and equipment operators an appropriate and nearby location for overnight and weekend parking. This would alleviate congestion, improve traffic flow, and reduce impacts to residential neighborhoods without adverse impacts to nearby residential homes or local roadways. (December 30, 2025)

5. Physical characteristics of the site: Flat; part of the sites has been graded and vegetation removed. See pictures.

6. The surrounding land use and zoning includes:

North: Single-Family Residential Parcels

South: Agricultural (Irrigated Grazing Lease from U.S. Bureau of Reclamation; Productive Forest Land)

East: Highway 55; U.S. Bureau of Reclamation managed land; Agricultural (Dry Grazing); Single-Family Residential Parcel (with home owned by the applicant)

West: Agricultural (Irrigated Cropland) with homesite to the northwest

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 9-5 Conditional Uses should be done.

TITLE 9 LAND USE AND DEVELOPMENT

9-5-3: STANDARDS:

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

B. Setbacks:

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

TABLE 5-A STANDARDS FOR CONDITIONAL USES

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

9-5A SITE IMPROVEMENTS

9-5A-1: GRADING:

- 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.
- Exemptions: Grading for bona fide agricultural activities, timber harvest, and similar permitted uses herein are exempt from this section.
- 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.
- Site Grading Plan:
 1. The conditional use permit application shall include a site grading plan, or preliminary site grading plan for subdivisions, clearly showing the existing site topography and the proposed final grades with elevations or contour lines and specifications for materials and their placement as necessary to complete the work. The plan shall demonstrate compliance with best management practices for surface water management for permanent management and the methods that will be used during construction to control or prevent the erosion, mass movement, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development. The plan shall be subject to review of the county engineer and the soil conservation district. The information received from the county engineer, the soil conservation district, and other agencies regarding the site grading plan shall be considered by the planning and zoning commission and/or the board of county commissioners in preparing the conditions of approval or reasons for denial of the applications.
 - F. Land Surfaces Not Used For Roads, Buildings And Parking: All land surfaces not used for roads, buildings and parking shall be covered either by natural vegetation, other natural and undisturbed open space, or landscaping.

G. Stormwater Management Plan: Prior to issuance of building permits, the administrator must receive a certification from the developer's engineer verifying that the stormwater management plan has been implemented according to approved plans.

9-5A-2: ROADS AND DRIVEWAYS:

B. Access Roads Or Driveways: Residential developments, civic or community service uses, and commercial uses shall have at least two (2) access roads or driveways to a public street wherever practicable.

9-5A-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.

g. Sight Obscuring Landscape Features: Sight obscuring landscape features such as hedges shall be maintained in such a manner that vision necessary for safe operation of motor vehicles or bicycles along or entering public roadways is not obstructed.

B. Landscaping; Standards Of Design:

1. Minimum Requirements: Each site to be developed under a conditional use permit shall be required to provide landscape areas equal to or exceeding the following minimum amounts:

b. Service/Commercial Use: Each site for proposed service/commercial use shall have a minimum of fifteen percent (15%) of the net site/lot area in landscaping.

d. Additional Landscaping: In addition to the minimum on site landscaping, there shall be landscaping in the entire area of the right of way, between street property line and back of street curb, road, back slope, or fill slope, except for approved driveways, walkways, bike paths, and snow storage areas.

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.

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.

9-5B PERFORMANCE STANDARDS

9-5B-1: NOISE:

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

9-5B-2: LIGHTING:

9-5B-3: ELECTRICAL INTERFERENCE:

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

9-5B-4: EMISSIONS:

- A. **Obnoxious Odors; Toxic Or Corrosive Fumes Or Gases:** The emission of obnoxious odors of any kind shall not be permitted, nor the emission of any toxic or corrosive fumes or gases.

B. Dust: Dust created by an industrial, commercial, or recreational operation shall not be exhausted or wasted into the air. All operations shall be subject to the standards in appendix C, fugitive dust 1. State air quality permits, when required, may be a condition of approval of the conditional use permit or may be required to be a part of the conditional use permit at the discretion of the commission.

9-5B-5: DUST:

A. Minimization Required: Dust and other types of air pollution borne by the wind from such sources as storage areas and roads, shall be minimized by appropriate landscaping, paving, oiling, watering on a scheduled basis, or other acceptable means.

B. Created By Approved Operation: Dust created by any approved operation shall not be exhausted or wasted into the air. The standards in appendix C, fugitive dust 1 along with state air quality permits, when required, may be a condition of approval of the conditional use permit or may be required to be a part of the conditional use permit at the discretion of the commission.

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:

1. The minimum setbacks for neighborhood businesses shall be thirty feet (30') from front, rear, and side street property lines and ten feet (10') from all side property lines.
2. The minimum setbacks for service and recreation businesses shall be fifty feet (50') from rear, front, and side street property lines and thirty feet (30') from side property lines.
3. The minimum setbacks for area businesses shall be the same as those for neighborhood businesses. Salvage yards, auto wrecking yards, or commercial agricultural businesses shall be located not less than one thousand feet (1,000') from any residential development, civic or community service use, or other noncompatible commercial use, unless the impacts are adequately mitigated by implementation of standards as approved by the commission. The setbacks will be determined in relation to impact mitigation.

C. Maximum Building Height And Floor Area:

1. Building heights shall not exceed thirty five feet (35') above the lower of the existing or finished grade.
2. The building size or floor area shall not exceed the limitations of subsections 9-5-3A and C of this chapter and title 6, chapter 1 of this code.
3. No building or combination of buildings may cover more than forty percent (40%) of the lot or parcel, except recreation business buildings may not cover more than one percent (1%) of the lot and agricultural business buildings may not cover more than twenty percent (20%) of the lot or parcel.

D. Site Improvements:

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 + 6.

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

STAFF COMMENTS / QUESTIONS:

1. This site is within the Donnelly Fire District, Water District 65, and a herd district.
2. A site plan that shows setbacks for parking areas is required.
3. A landscaping plan and potential for screening along Loomis LN is required; 15% landscaping is required. Will trees along Highway 55 be retained?
4. Will each business have its own fencing?
5. How many businesses will be allowed on-site?
6. What are the hours of operation? Will the tenants be allowed to light the work area?
7. Will tenants be allowed to work on machinery at this site?
8. Will the entire acreage be leveled and covered with gravel?
9. Will there be multiple driveways, if so, what is the proposed distance between driveways? Will there be a frontage road?
10. Will each business be allowed to post a sign?
11. Will there be porta-potties and wash stations?
12. A site grading/stormwater management plan will be required and will need to be approved by the Valley County Engineer (including SWPPP with State of Idaho).
13. A Development Agreement will be required if approved. A traffic study may be needed.

The applicant submitted answers to questions from Staff on December 31, 2025. See attached. The applicant also asked for clarification on landscape requirements.

Question to P&Z Commission:

1. Does this use meet the minimum standards in Title 9, Chapter 5, of the Valley County Code, etc.? If not, which ones does it not comply with?
2. Would impacts be properly mitigated? If not, which impacts would not be mitigated?
3. What could the applicant do to gain approval?

Standards of Approval:

1. Will the application result in an increase in value of private property? VCC 9-5-2(B)(3).
2. Will the approval of the application result in an undue adverse impact on the environment? VCC 9-5-2(B)(3).
3. Will the approval of the application result in an undue adverse impact on adjoining properties? VCC 9-5-2(B)(3).

4. Will the approval of the application result in an undue adverse impact on governmental services? VCC 9-5-2(B)(3).
5. Is the application consistent with the Valley County Comprehensive Plan? VCC 9-5-2(B)(3).
6. Conditional uses may be approved only after a C.U.P. has been evaluated to determine that the impacts can be mitigated through conformance with conditions of approval. VCC 9-5-2(A).

These six standards should be a significant focus of attention during the public hearing and deliberations because they need to be resolved in order to justify approval. VCC 9-5-1(C) directs the decision-making body to encourage conditional uses where noncompatible aspects of the application can be satisfactorily mitigated through development agreements for the costs to service providers and impacts to surrounding land uses. Because mitigation measures are a requirement of approval the applicant needs to understand that he/she will be required to perform some off-site improvements. They are not mandatory but without them the application cannot satisfy the mitigation of impacts requirement and would be denied under the ordinance.

ATTACHMENTS:

- Proposed Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Location Map
- Aerial Map
- Google Maps – Aerial View – 2025; Google Map Street Images - 2024
- Topographical Map
- Assessor Plat – T.16N R.3E Section 26
- Photos Taken December 3, 2025, and December 11, 2023
- Site Plan Submitted with Application
- Responses
- Submittal from Applicant, December 31, 2025.

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. 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.
6. Must have a stormwater management plan and site grading plan approved by the Valley County Engineer prior to doing any dirt work, leveling of ground, or placement of gravel on-site.
7. Must comply with requirements of Central District Health.
8. Must comply with the requirements of the Donnelly Fire District.
9. There shall be no vehicular access directly onto Highway 55 from this property.
10. There shall only be [REDACTED] shared vehicular access points onto Loomis Lane from this property for the businesses. This does not limit access for easement holders onto the easement on the west side of the property
11. Shall not block the easement on the west side of the property; no parking or storage within the easement.
12. No parking allowed in the setback areas: 30 feet from the front and rear property lines; 10-ft from the west side property line, and 100-ft from the property line along Highway 55.
13. Snow must be stored on-site.
14. The site must be kept in a neat and orderly manner.
15. Shall obtain a sign permit from Valley County prior to installation of any sign.
16. Noise shall be kept to a minimum between 10:00 p.m. and 7:00 a.m.
17. Building permits will be required for any fencing over 6-ft in height.
18. Landscaping shall be installed prior to October 1, 2027. If landscaping dies, it must be replaced. Noxious weeds must be controlled using proper land management principles.
19. A minimum of one tree should be maintained for every 25 feet of linear street frontage along the property line. The trees may be grouped or planted in groves.
20. Any berms shall have slopes no steeper than three to one (3:1) and be planted with vegetation.
21. Shall work with Valley County Road Department and Planning and Zoning Director on a Development Agreement for off-site infrastructure improvements that will be approved by the Board of County Commissioners.

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use: _____

Prepared by: _____

YES/NO X Response Value

Use Matrix Values:

(+2/-2) _____ X 4 _____

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

(+2/-2) _____ X 2 _____

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

(+2/-2) _____ X 1 _____

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

(+2/-2) _____ X 3 _____

Site Specific Evaluation (Impacts and Proposed Mitigation)

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

(+2/-2) _____ X 1 _____

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

(+2/-2) _____ X 2 _____

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

(+2/-2) _____ X 2 _____

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

(+2/-2) _____ X 2 _____

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

(+2/-2) _____ X 2 _____

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

Sub-Total (+) _____

Sub-Total (--) _____

Total Score _____

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

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

- A. General: One of the primary functions of traditional zoning is to classify land uses so that those which are not fully compatible or congruous can be geographically separated from each other. The county has opted to substitute traditional zoning with a multiple use concept in which there is no separation of land uses. Proposed incompatible uses may adversely affect existing uses, people, or lands in numerous ways: noise, odors, creation of hazards, view, water contamination, loss of needed or desired resources, property values, or infringe on a desired lifestyle. To ensure that the county can continue to grow and develop without causing such land use problems and conflicts, a mechanism designed to identify and discourage land use proposals which will be incompatible at particular locations has been devised. The compatibility evaluation of all conditional uses also provides for evaluations in a manner which is both systematic and consistent.
- B. Purpose; Use:
 - 1. The compatibility rating is to be used as a tool to assist in the determination of compatibility. The compatibility rating is not the sole deciding factor in the approval or denial of any application.
 - 2. Staff prepares a preliminary compatibility rating for conditional use permits, except for conditional use permits for PUDs. The commission reviews the compatibility rating and may change any value.
- C. General Evaluation: Completing the compatibility questions and evaluation (form):
 - 1. All evaluations shall be made as objectively as possible by assignment of points for each of a series of questions. Points shall be assigned as follows:
 - Plus 2 - assigned for full compatibility (adjacency encouraged).
 - Plus 1 - assigned for partial compatibility (adjacency not necessarily encouraged).
 - 0 - assigned if not applicable or neutral.
 - Minus 1 - assigned for minimal compatibility (adjacency not discouraged).
 - Minus 2 - assigned for no compatibility (adjacency not acceptable).
 - 2. Each response value shall be multiplied by some number, which indicates how important that particular response is relative to all the others. Multipliers shall be any of the following:
 - x4 - indicates major relative importance.
 - x3 - indicates above average relative importance.
 - x2 - indicates below average relative importance.
 - x1 - indicates minor relative importance.
 - 3. 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

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

Compatibility Questions and Evaluation

Matrix Line # / Use: #19 Office Business

Prepared by: CH

YES/NO	X	Response Value
--------	---	----------------

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

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

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

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

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

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

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

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

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

Sub-Total (+) 17

Sub-Total (-) 11

Total Score +6

Use Matrix Values:

1. Is the proposed use compatible with the dominant adjacent land use?
Agricultural
2. Is the proposed use compatible with the other adjacent land uses (total and average)? *Abandoned Residential*
~
3. Is the proposed use generally compatible with the overall land use in the local vicinity?
Mostly Ag w/ Residential

Site Specific Evaluation (Impacts and Proposed Mitigation)

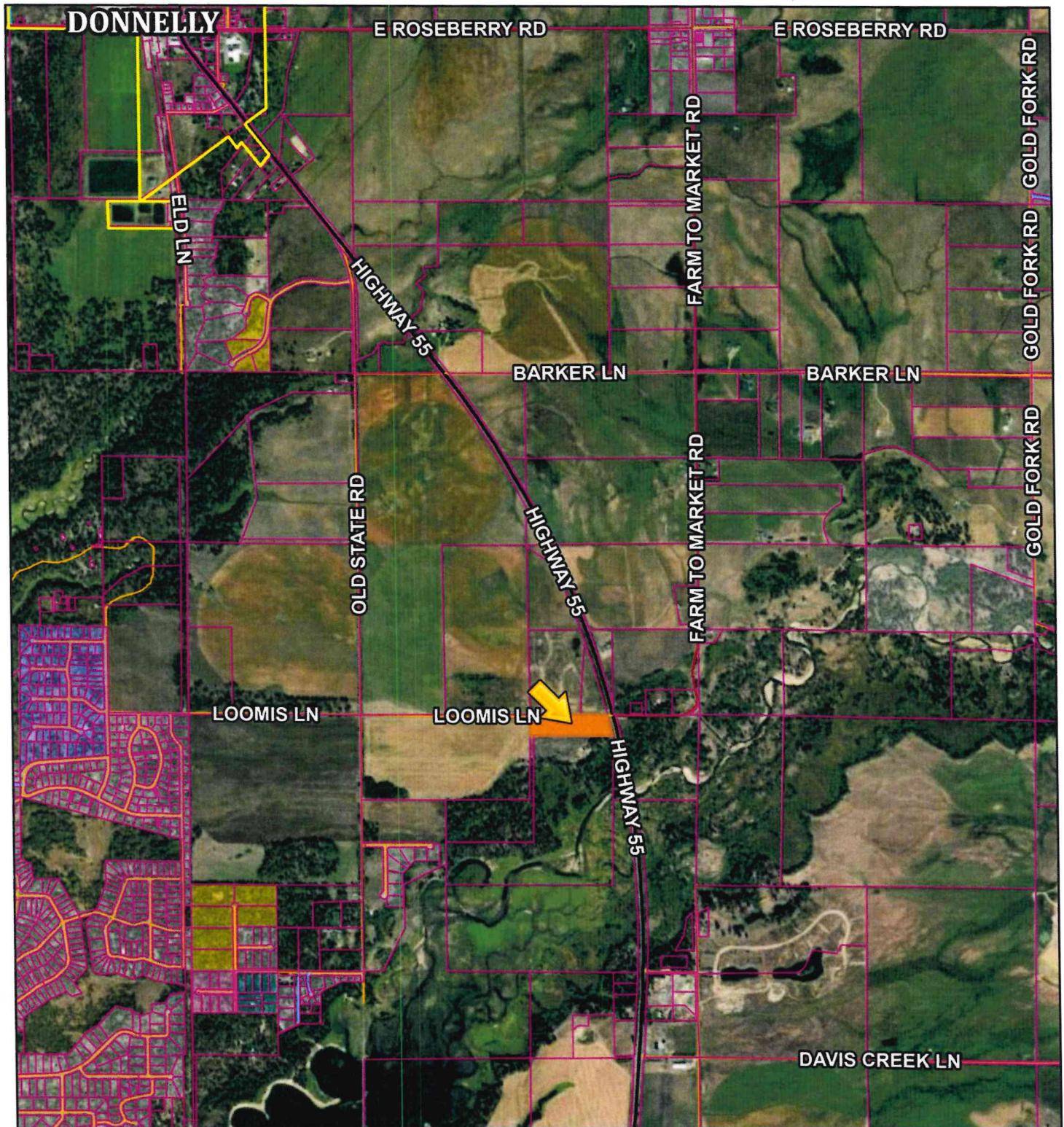
4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses? *Large enough depending on number of contractors. No screening from Zoning.*
5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?
No Change - No structure
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? *Mostly Ag is adjacent; do not know amount of traffic to be generated.*
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?
Too many unknowns: # & type of contractors
8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas? *Yes - major road*

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

Yes

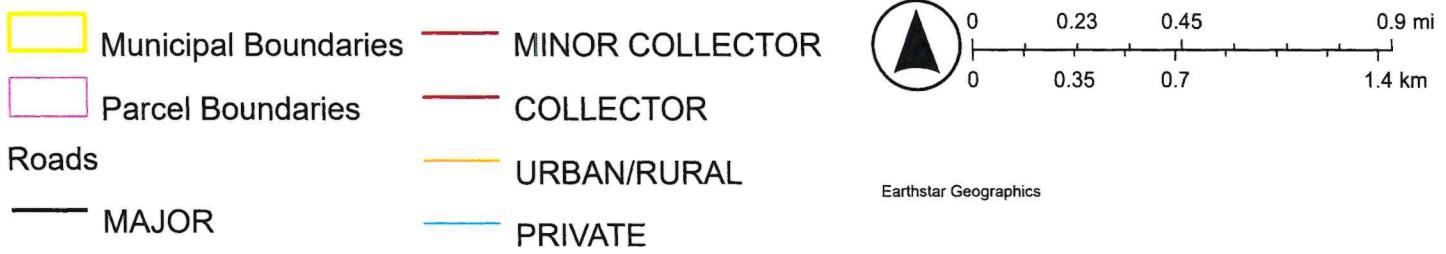
The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

C.U.P. 25-033 Location Map



11/26/2025, 2:08:00 PM

1:36,598



C.U.P. 25-033 Aerial Map



12/9/2025, 9:46:51 AM

1:4,754

Permits

◆ FP

■ Address Points

■ Parcel Boundaries

Roads

— MAJOR

— COLLECTOR

— URBAN/RURAL



0
0

0.03
0.04

0.06
0.09

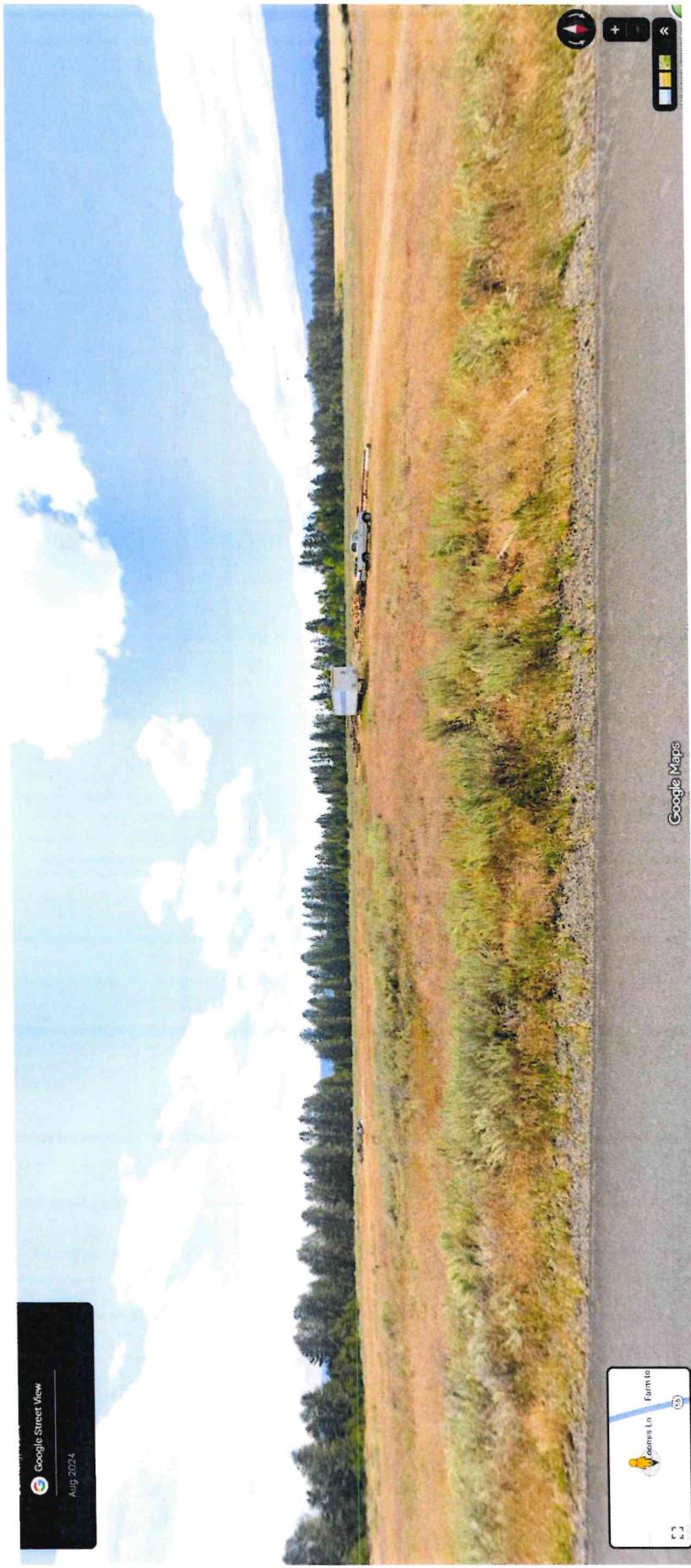
0.11 mi
0.18 km

Vantor

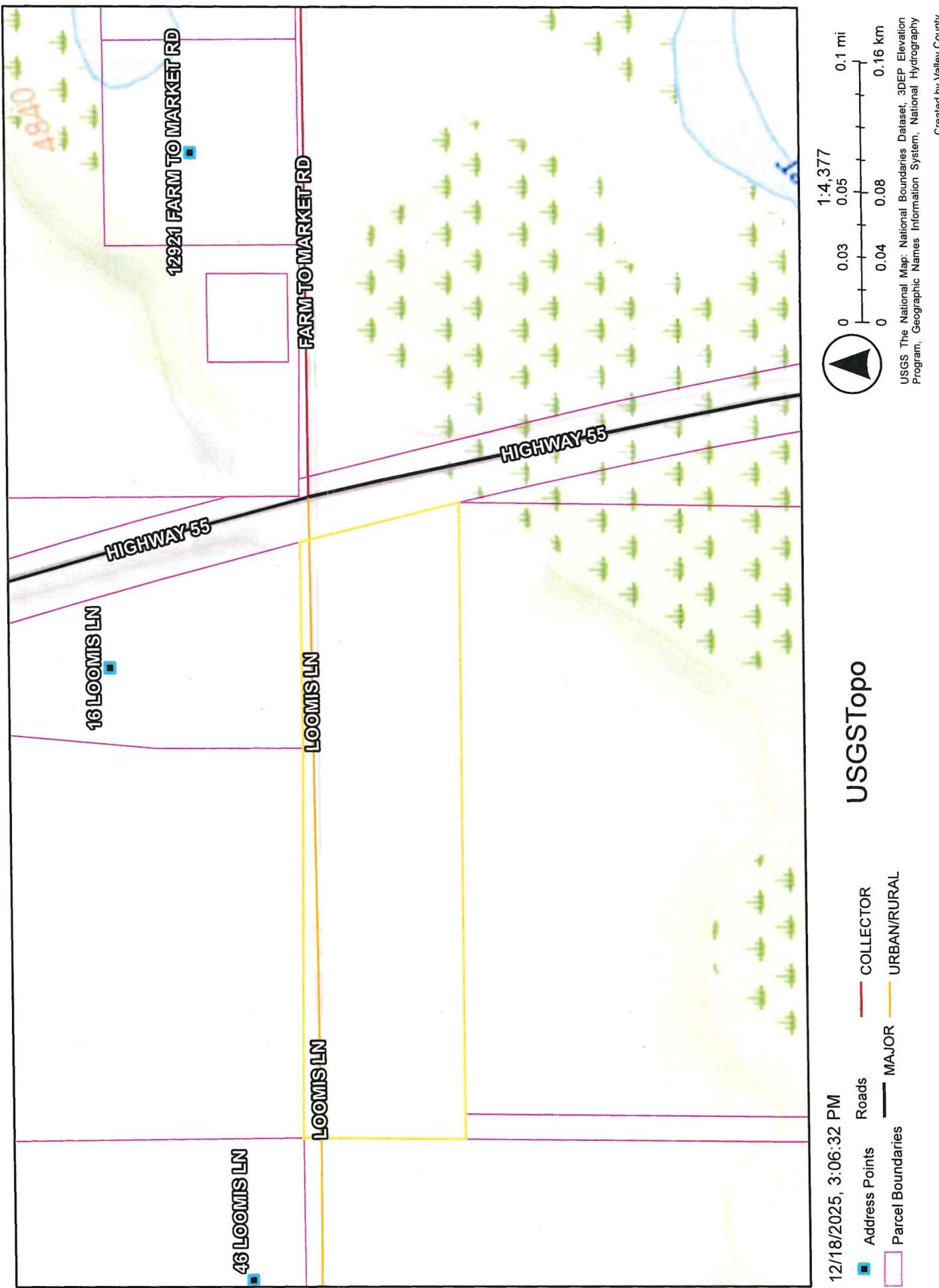
Google Maps – Aerial View - 2025



Looking southerly from Loomis Lane (Source Google Maps – Street View, August 2024)



C.U.P. 25-033 Topographic Map

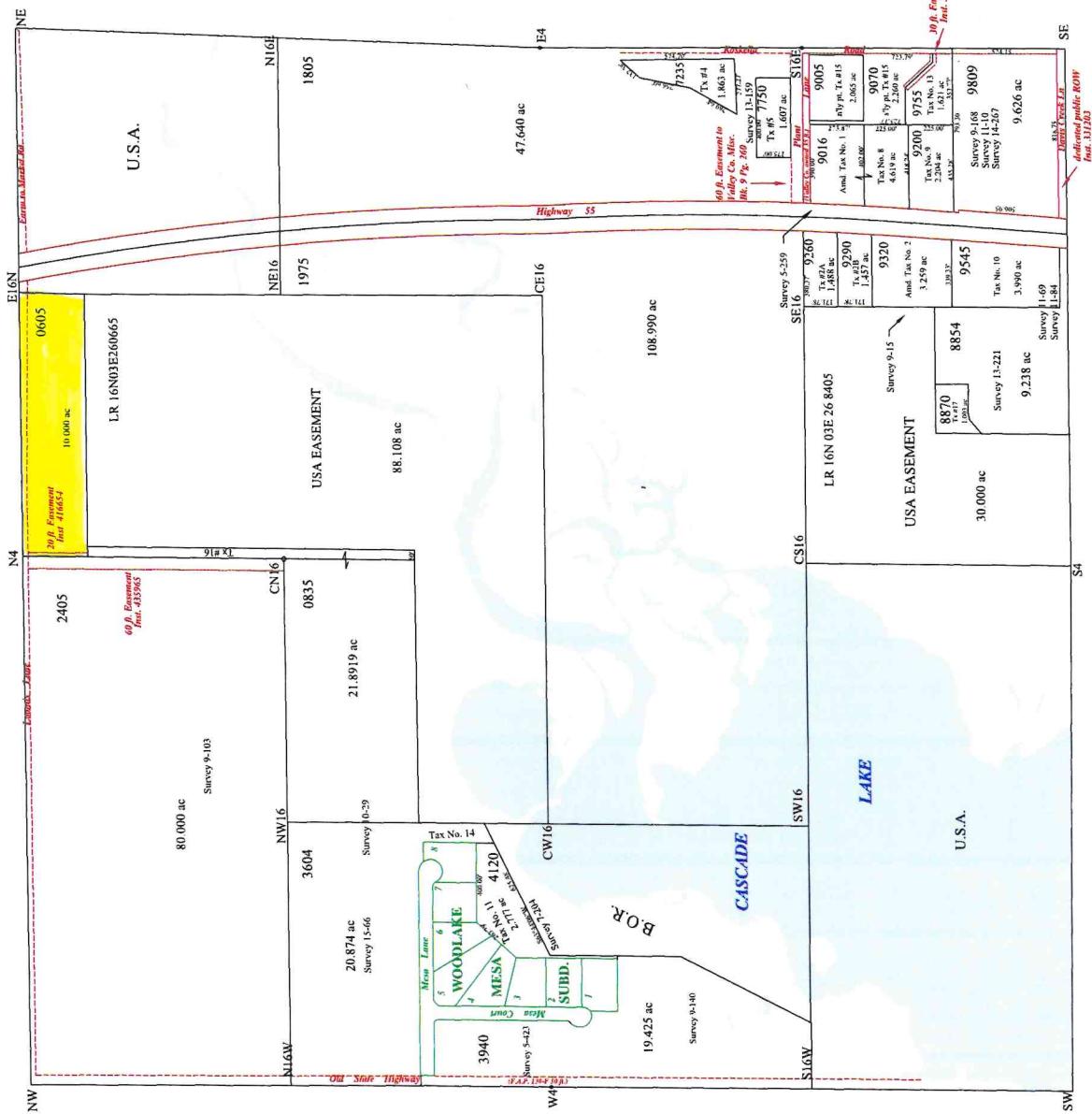


PLAT TITLE

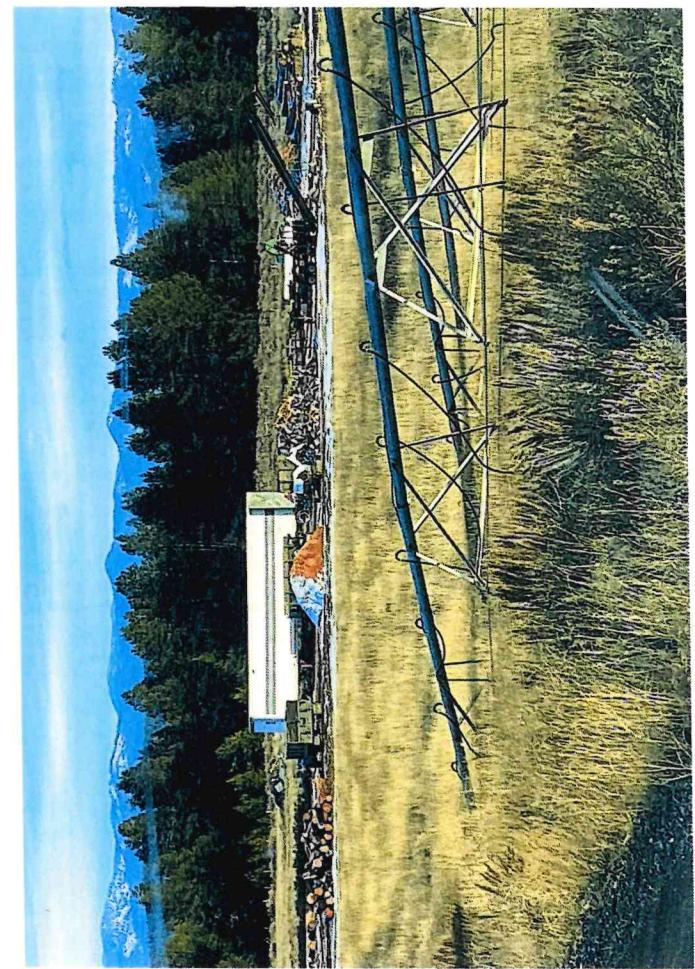
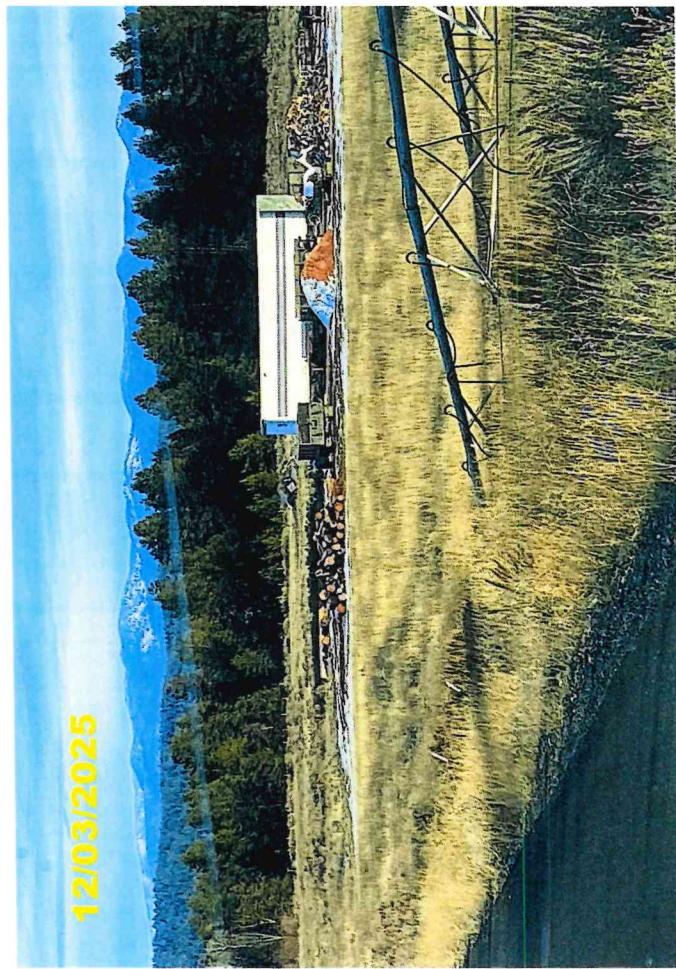
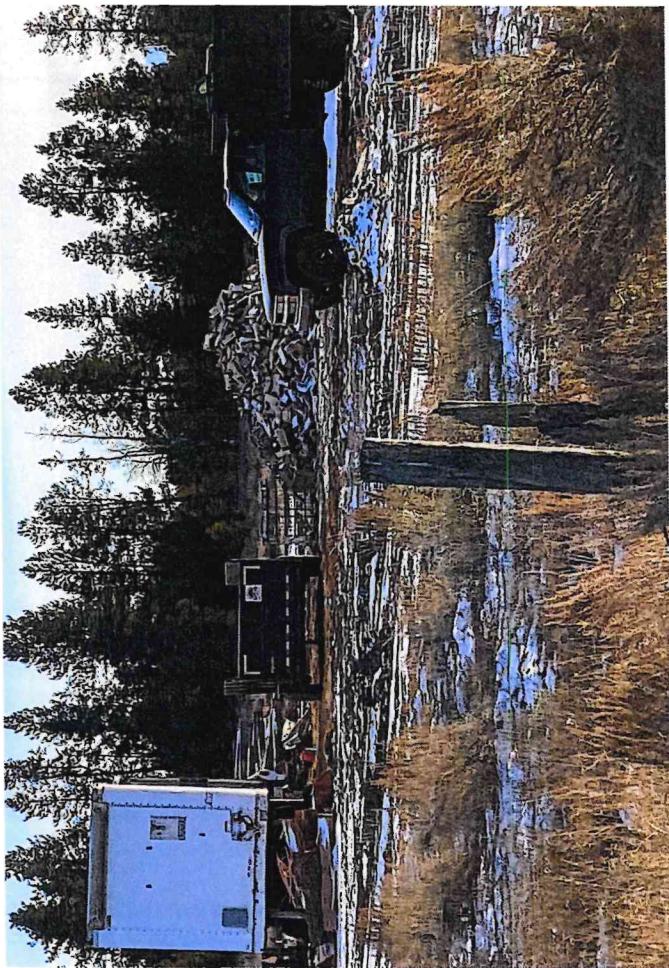
TWP. 16N R03E SEC. 26

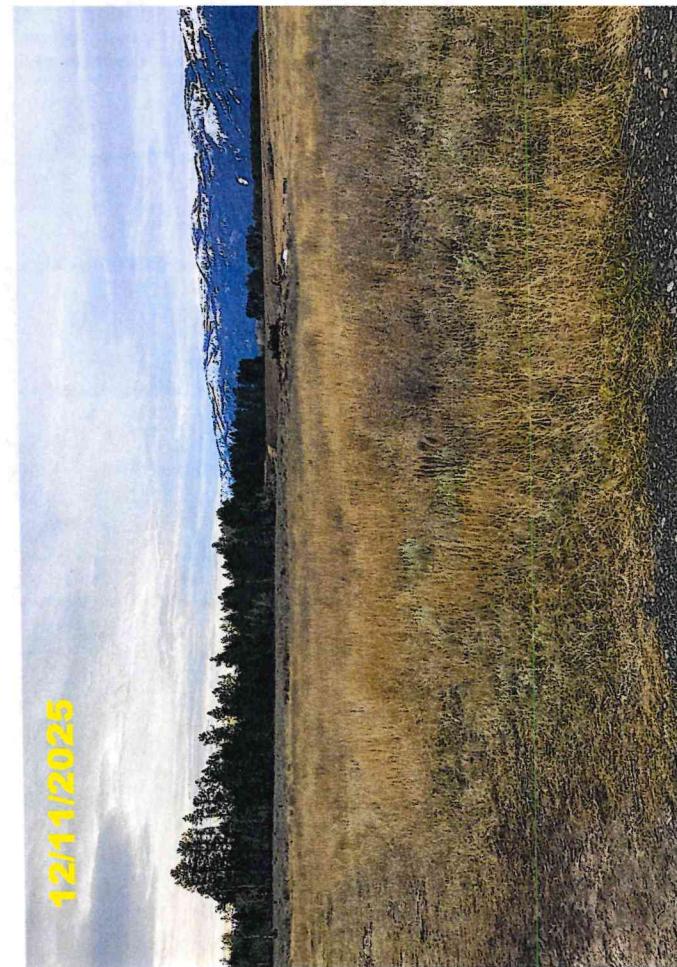
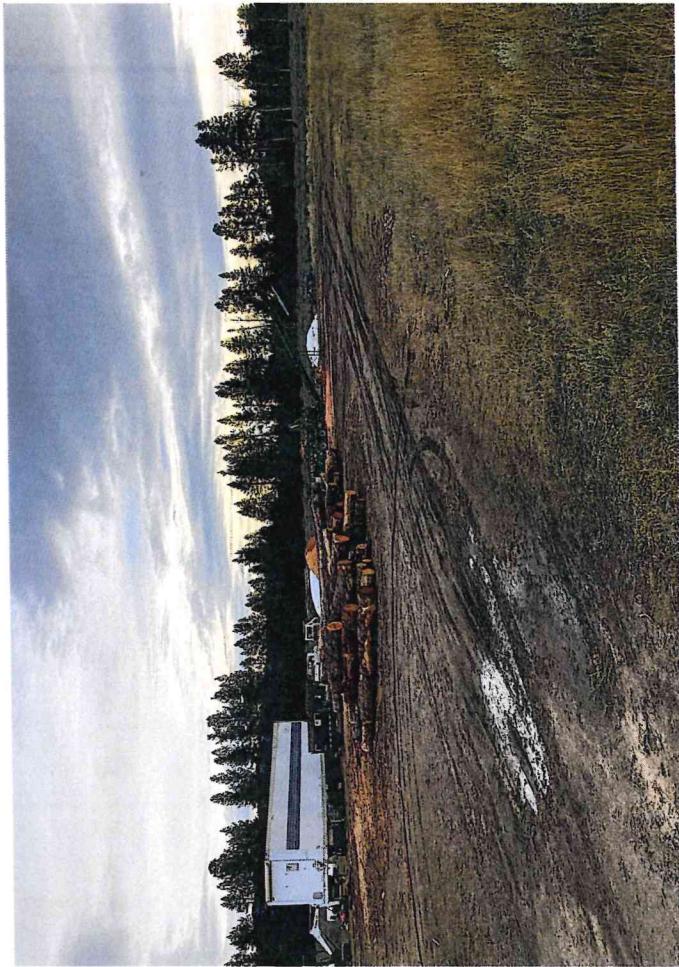
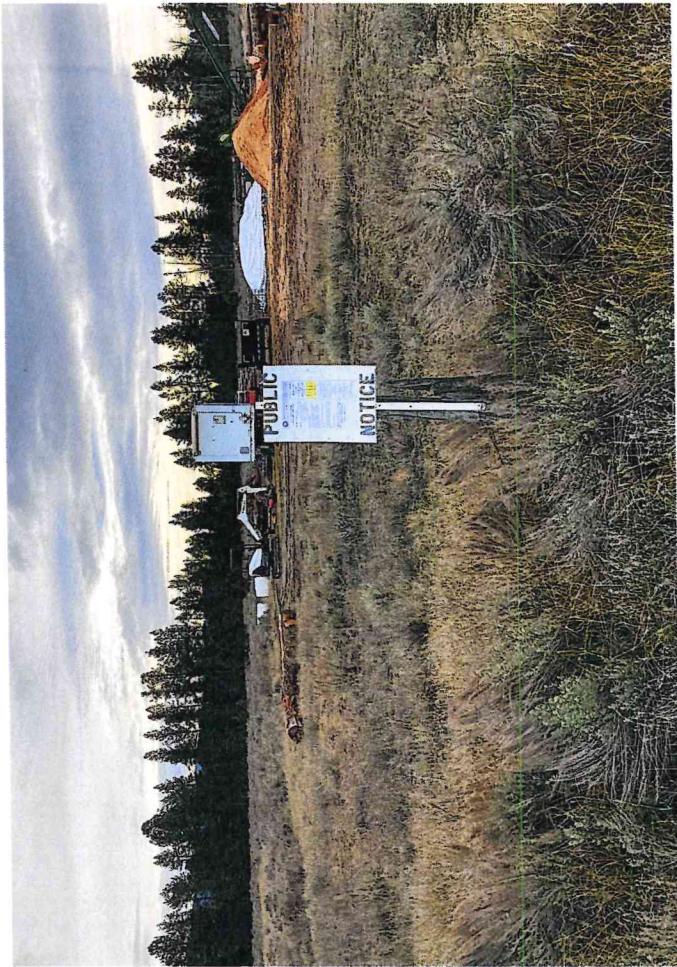
VALLEY COUNTY
Cartography Dept.
Assessor's Office
Cascade, ID 83611

Filename:	Valley County Base Map
Scale:	1:100,000
Date:	3/12/2025
Drawn by:	L Frederick



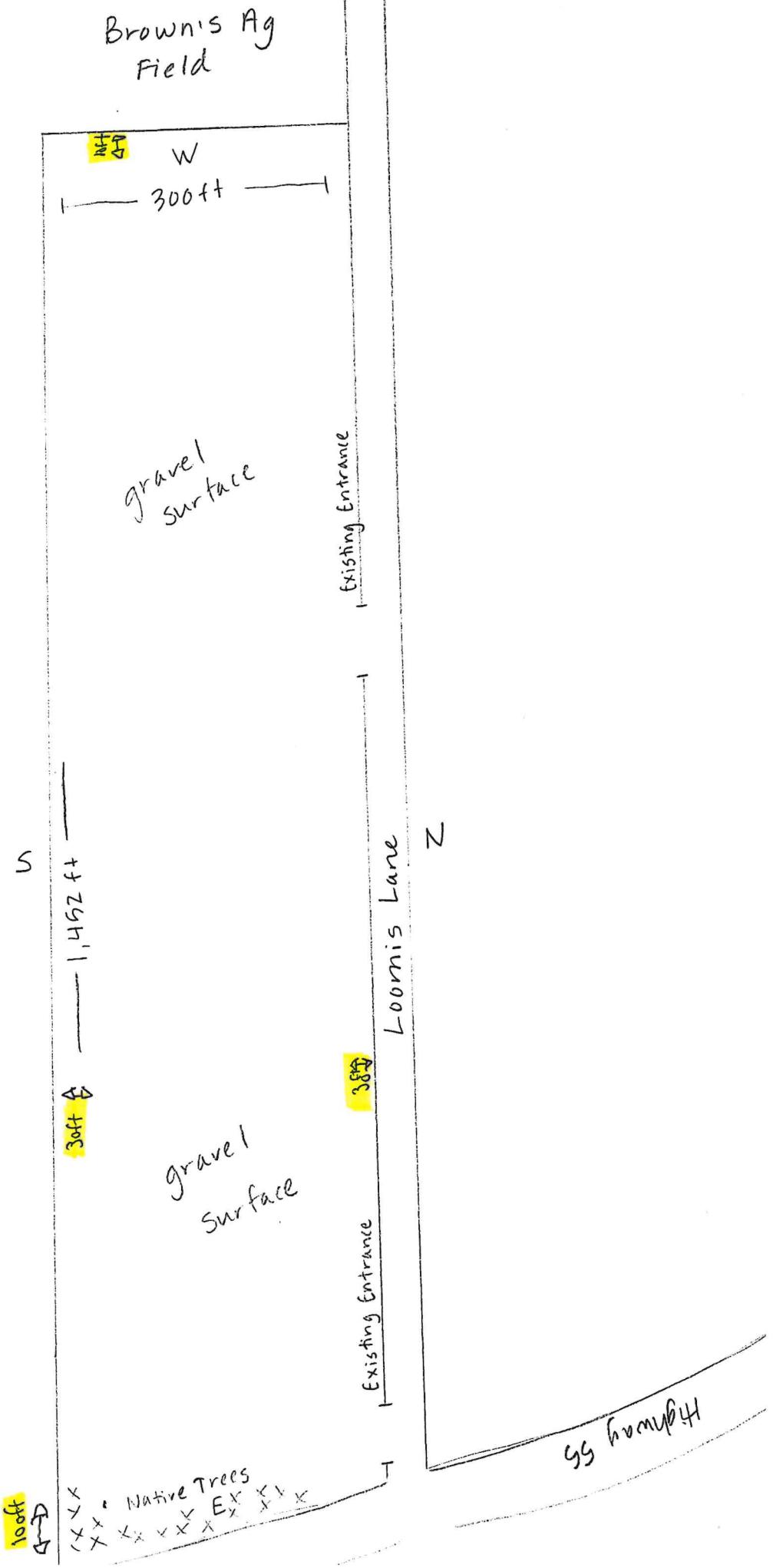
This Drawing is to be Used for Reference Purposes ONLY. The County is NOT Responsible for Any Inaccuracies Contained Herein.





U.S. Bureau of Reclamation

BLM Ground





Valley County Transmittal
Division of Community and Environmental Health

Rezone # _____

Conditional Use # CUP 25-033 Brown Commercial Lease Space

Preliminary / Final / Short Plat _____

Return to:

Cascade
 Donnelly
 McCall
 McCall Impact
 Valley County

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 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. CDAH recommends the use of Portable Sanitation Units (Porta potty)
to be available on the property for restroom needs.

Reviewed By: Brent W. Cope

Date: 12/10/25



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615
208-325-8619 Fax 208-325-5081

December 16, 2025

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

RE: C.U.P. 25-033 Brown Commercial Lease Space

After review, the Donnelly Fire Department will require the following.

- **Site Accessibility** If fencing is installed, include lockable gates compliant with IFC 2018 Section 503.6, allowing fire department access via Knox padlock.
- **Vegetation Management and Defensible Space** Incorporate NFPA 1143 (Standard for Wildland Fire Management) for site-specific fuel reduction, including annual inspections to maintain the gravel surface as a non-combustible buffer.
- **Outdoor Storage and Material Handling Restrictions** Limit storage piles to comply with IFC 2018 Section 315 (General Storage): outdoor combustible materials not within 10 feet of lot lines or roads; maximum pile sizes (e.g., 20 feet high for general combustibles) with 50-foot fire lanes between piles.
- **High Hazard Storage** Require tenant agreements prohibiting high-hazard storage (e.g., tires, plastics) without additional permits, per IFC 2018 Section 315.4.
- **Hazardous Materials and Flammable Liquids Storage** Prohibit or regulate storage of flammable/combustible liquids per NFPA 30 (Flammable and Combustible Liquids Code), Section 9.4 (Outdoor Storage): maximum quantities (e.g., 1,100 gallons in drums) with secondary containment and 20-foot separation from combustibles. Require hazardous materials inventory and permits under IFC 2018 Chapter 50 (Hazardous Materials—General Provisions) if thresholds are exceeded (e.g., 55 gallons of Class I liquids).
- **Operational and Tenant Oversight** To ensure long-term compliance, submit tenant lease clauses mandating compliance with all codes and emergency contact protocols.

Thank you,

A handwritten signature in black ink, appearing to read "Jerry Holenbeck".

Jerry Holenbeck
Fire Marshal
Donnelly Fire Department
firemarshal@donnellyfire.net
Cell: (208) 849-2438

From: Kendra Conder <Kendra.Conder@itd.idaho.gov>
Sent: Tuesday, December 30, 2025 10:10 AM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: Brown Commercial Lease Space Comments

Good morning, Cynda,

I don't feel like I have enough information about the intended use of the site to make fair comments about the application. I don't want to impose anything that is not proportionate, however, some of the proposed uses vary in traffic demand. For this application I would ask that a more detailed or defined use be identified before ITD can formally comment. Additionally, I am more than happy to talk with the applicant about their plans.

Thank you!

Kendra Conder
District 3 | Development Services Coordinator
Idaho Transportation Department
Office: 208-334-8377
Cell: 208-972-3190

From: Flack, Brandon <brandon.flack@idfg.idaho.gov>
Sent: Monday, December 29, 2025 2:24 PM
To: Lori Hunter <lhunter@valleycountyid.gov>; Cynda Herrick <cherrick@valleycountyid.gov>
Subject: Re: Valley County PZ - Public Hearings - Jan 8 2026

Hi Cynda and Lori,

No comments from IDFG on these applications.

Thanks,

Brandon Flack

Regional Technical Assistance Manager
Idaho Dept. of Fish and Game
Southwest Region
15950 N. Gate Blvd.
Nampa, ID 83687
Ph: (208) 854-8947



From: Emily Hart <ehart@mccall.id.us>
Sent: Wednesday, December 31, 2025 10:48 AM
To: Lori Hunter <lhunter@valleycountyid.gov>
Cc: Steffen Verdin <steffen.verdin@itd.idaho.gov>; Favors Schildgen, Jennifer L (FAA) <jennifer.l.favors.schildgen@faa.gov>; Trotta, Roxanne (FAA) <roxanne.trotta@faa.gov>; Michelle Groeneveld <mgroeneveld@mccall.id.us>; Meredith Todd <mtodd@mccall.id.us>; Forest Atkinson <FAtkinson@mccall.id.us>; ncuvala@ardurra.com <ncuvala@ardurra.com>; mhagedorn@ardurra.com <mhagedorn@ardurra.com>; kbissell@to-engineers.com <kbissell@to-engineers.com>; Airport Advisory Committee <AirportAdvisoryCommission@mccall.id.us>
Subject: RE: Valley County PZ - Public Hearings - Jan 8 2026

Lori,

Regarding the Agenda for the Jan. 8, 2026, Valley County PZ Public Hearing, McCall Airport has No Comment on:

P.U.D. 23-01 and C.U.P. 23-01 Garnet Valley
C.U.P. 25-032 McClellan/Smith Solar Panels
C.U.P. 25-033 Brown Commercial Lease Space

C.U.P. 25-035 Albright Camping Sites:

This proposed camping area is 2.34 miles from Runway 34 in the Horizontal Surface. If no buildings are constructed, no additional Airport comments.

C.U.P. 25-034 Bambic Campground:

McCall Airport recommends denial of C.U.P. 25-034.

The proposed campground is in the Approach Surface of Runway 34 as well as the Departure for Runway 16. The campsites are between 2,700' and 3,100' feet from Runway 34 centerline. Campgrounds congregate people and would be considered a residential type of land use, which is not a compatible land use in the Inner Critical Zone. A campground should not be allowed in this location due to the higher potential for accidents and annoyance issues.

As an Airport Sponsor that accepts FAA AIP (Airport Improvement Program) funds for airport capital improvement projects, the City of McCall is obligated to adhere to FAA Grant Assurances; in this case, FAA Grant Assurance 21: *Compatible Land Use. It (the Airport Sponsor) will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility*

12/29/2025

To whom it May Concern;

I am a small business owner in Valley County, and I own several trucks, trailers, and pieces of equipment. I live in a subdivision that does not have space or allow my business assets to be parked at my house. Having a space in Valley County to rent is imperative to be able to operate my business. The CUP permit the Brown's are proposing would help several businesses in Valley County and I am in full support.

Thank you,

Cody Fletcher



Owner of *C. Fletchers Enterprise LLC*



Kendra Brown

From: Lauren Woodhouse [REDACTED] on behalf of Lauren
Woodhouse
Sent: Tuesday, December 30, 2025 11:29 AM
To: Kendra Brown
Subject: Re: CUP Letter

To whom it may concern;

I have owned and operated an excavation business in Valley County for 7 years now. I am constantly struggling to find space to park the equipment my business requires. An open space like the Brown's would provide needed parking and staging for my equipment and employee parking. I am writing in support of their CUP permit and ask you to approve it to help those of us looking for space to lease.

Tyler Woodhouse

Woodhouse Construction

Kendra Brown

From: Andrew Shutz [REDACTED] on behalf of Andrew Shutz
Sent: Tuesday, December 30, 2025 11:51 AM
To: Kendra Brown
Subject: Re: Letter for CUP Permit

To whom it may concern;

I work full time operating equipment but I also process and sell firewood. I do not own open space in Valley County and the Browns have allowed me to process firewood on their property. Without this space I would not be able to have my business. This CUP permit needs approval to help facilitate this space for my business and others that do not own land in Valley County.

Andrew Shutz

Action Land Services LLC

From: Scott S [REDACTED]
Sent: Tuesday, December 30, 2025 3:56 PM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: Support for C.U.P. 25-033 – Brown Commercial Lease Space

Members of the Valley County Planning and Zoning Commission,

I am writing in support of Conditional Use Permit C.U.P. 25-033, regarding the Brown Commercial Lease Space for open commercial space intended for leasing by businesses requiring outdoor storage, operational yard space, and/or temporary work space.

As a resident of Fir Grove Estates, I have observed an increase in trailers, heavy equipment, and cranes being parked overnight and through weekends on residential roads. This trend has grown alongside recent housing development and increased activity from contractors and tree service operations.

These vehicles contribute to traffic bottlenecks and congestion, particularly during peak occupancy months when residential on-street parking is already strained by guest vehicles, boats, and snowmobiles.

Providing a designated commercial lease space near the Wagon Wheel area would offer contractors and equipment operators an appropriate and nearby location for overnight and weekend parking. This would help alleviate congestion, improve traffic flow, and reduce impacts to residential neighborhoods.

Given the referenced parcel's location and its proximity to U.S. Highway 55, I do not foresee adverse impacts to nearby residential homes or local roadways if this conditional commercial lease use is approved.

For these reasons, I am in favor of granting the requested conditional use permit.

Thank you for your time and consideration.

Sincerely,

Scott Sterett
34 White Fir Loop
Donnelly, ID 83615

From: Cynda Herrick <cherrick@valleycountyid.gov>
Sent: Friday, January 2, 2026 8:14 AM
To: Kendra Brown <kendra@centralmountaincpa.com>; Lori Hunter <lhunter@valleycountyid.gov>
Cc: [REDACTED]
Subject: Re: CUP Permit 25-033

Hello Kendra,

We will see what the P&Z Commission thinks...typically there is landscaping along roads that provide screening; this is a major collector with the potential for development to the north. Yes, I agree the cost of landscaping and watering the vegetation is large, but some would say that is, "the cost of doing business". I first heard that from the P&Z Commission 30 years ago...

Happy New Year ☺

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

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

Service **T**ransparent **A**ccountable **R**esponsive

From: Kendra Brown <kendra@centralmountaincpa.com>
Sent: Wednesday, December 31, 2025 4:30 PM
To: Cynda Herrick <cherrick@valleycountyid.gov>; Lori Hunter <lhunter@valleycountyid.gov>
Cc: [REDACTED]
Subject: CUP Permit 25-033

Cynda & Lori,

I have attached the response to the questions we were mailed to be included in our report. Also, I have a couple letters of support to include as well.

Cynda – question for you on the landscaping piece. We intend to leave the tree on the property besides the dead ones that need cleaned up. Other than that, can you help me with some suggestions for the 15% landscaping requirement?? We don't have any water to this property so I don't want to commit to planting trees and shrubs without water. It would cost a significant amount of money to bring water to this site so I am wondering what we do in this situation? Any advice would be much appreciated.

Thank you,

Kendra Brown, CPA

Central Mountain CPA LLC
PO Box 606
Donnelly, ID 83615
[REDACTED]

CUP 25-003 Required Information

1. A site plan that shows setbacks for parking areas
 - a. Our current site plans shows the 100ft set back from Highway 55 and the 30 ft set back from the county road and the property lines. Specific parking is dependent on the tenant but setbacks will be maintained.
2. A landscaping plan and potential for screening along Loomis Ln required; 15% landscaping is required. Will trees along Highway 55 be retained?
 - a. All living trees along Highway 55 will be retained and all dead trees will be removed.
 - b. We are looking for some help/recommendations for this question. The site does not have water and it would be a hardship to bring water to the site.
3. Will each business have its own fencing?
 - a. Fencing will be up to the tenants and if they need it for their operation.
4. How many businesses will be allowed on-site?
 - a. The number of businesses allowed on-site is flexible from 1 to a maximum of 10. The minimum tenant space shall be 1 acre. Fewer tenants using multiple acres is preferred. It is not our intention for the tenants to be doing business from this site. This is more of a staging/parking area.
5. What are the hours of operation? Will the tenants be allowed to light the work area?
 - a. Tenants will be required to limit their operations from 7:00 am to 7:00 pm. Any tenant provided lighting shall follow the Valley County Lighting Ordinance.
6. Will tenants be allowed to work on machinery at this site?
 - a. Tenants will only be allowed to do daily maintenance on site. Anything beyond that won't be allowed such as oil or fluid changes.
7. Will the entire acreage be leveled and covered with gravel?
 - a. The portions of the property that are used for regular vehicle traffic will be graveled as needed by the tenant. All remaining areas shall retain existing natural vegetation.
8. Will there be multiple driveways? A frontage road?
 - a. No frontage road is proposed. All driveways will access Loomis Lane and shall be shared between two tenant spaces if possible and shall not exceed 5 driveways over the entire length of the subject property. All driveways will be approved by the Valley County Road Department.

9. Will each business be allowed to post a sign?
 - a. If a business desires to have a sign they will be required to apply for and secure a sign permit from Valley County. All signs shall be compliant with the Valley County Sign Ordinance. It is not our intention for the tenants to be doing business from this site. This is more of a staging/parking area.
10. A site grading/stormwater management plan will be required and will need to be approved by the Valley County Engineer (including SWPPP with State of Idaho)
 - a. We will work with the Valley County Engineer to accomplish the required plan.