

**FINDINGS OF FACT AND CONCLUSIONS OF LAW BEFORE
THE VALLEY COUNTY PLANNING AND ZONING COMMISSION**

SUBJECT: SUB 25-019 Rocky Mountain Storage

INTRODUCTION

This matter came before the Valley County Planning and Zoning Commission on September 11, 2025. The Commission reached a quorum. Commission members in attendance were Brad Mabe, Ben Oyarzo, Carrie Potter, Heidi Schneider, and Chairman Ken Roberts. Commissioner Potter recused herself from this matter. A public hearing was held. The matter was tabled to November 13, 2025, at 6:00 p.m., for additional information from the applicant.

This matter came before the Valley County Planning and Zoning Commission on January 8, 2026. The Commission reached a quorum. Commission members in attendance were Brad Mabe, Ben Oyarzo, Carrie Potter, and Chairman Ken Roberts. Commissioner Potter recused herself from this matter. A public hearing was held. The matter was tabled to February 12, 2026, at 6:00 p.m., for additional information.

This matter came before the Valley County Planning and Zoning Commission on February 12, 2026. The Commission reached a quorum. Commission members in attendance were Brad Mabe, Ben Oyarzo, Carrie Potter, and Chairman Ken Roberts. Commissioner Potter recused herself from this matter. A public hearing was held.

Pearson Storage Partners LLC requested a conditional use permit and preliminary plat approval for a subdivision on 28.5 acres. Block 1 would include 108 condominium storage units and two offices/bathroom units. Individual septic systems and individual wells are proposed. The use for Block 2 is undefined. Access would be from a joint driveway onto State Highway 55. The site, addressed at 14014 Highway 55, includes parcel RP18N03E331807 and Vandal Flats Subdivision Lot 2 Block 1, located in the NE ¼ Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho.

The application was modified by the removal of Vandal Flats Subdivision Lot 2 Block 1 and a reduction to 18.47 acres with 105 condominium storage units and two offices/bathroom units. Individual septic systems and individual wells are proposed. Access would be from a shared driveway onto State Highway 55. The site, addressed at 14014 Highway 55, is parcel RP18N03E331807 in the NE ¼ Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho

The applicant was represented by Dusty Bitton; Rob Pair and Gregg Tankersley of Crestline Engineering; and, Matthew Parks of Clark Wardle.

FINDINGS OF FACT

Having given due consideration to the application and evidence presented at the Public Hearing, which is summarized in the Minutes of the Commission's meetings dated September 11, 2026; November 13, 2025; and February 12, 2026, the Valley County Planning and Zoning Commission hereby made the following findings of fact:

1. That the proper legal requirements for advertisement of the hearing have been fulfilled as required by the Valley County Land Use and Development Ordinance, Valley County Code,

4. That the proposed use is not in harmony with the general purpose of Valley County ordinances and policies and will not be otherwise detrimental to the public health, safety, and welfare.
5. That the proposed use at this specific site is not consistent with the Valley County Comprehensive Plan; specifically, regarding the Scenic Byway and viewshed. The applicant chose to not modify the site plan and building design as requested by Commissioners.
6. The Commissioners requested a traffic study. Although one was submitted to the Idaho Transportation Department, the results were not submitted to Valley County. Thus, the Commissioners and Valley County Engineer have not reviewed the traffic report to know if the proposal would adversely impact governmental services, including response by emergency services.
7. The impact on adjacent landowners, especially the residential areas immediately adjacent or who would overlook this site. This proposal has a significant amount of roof space compared to other possible commercial uses that could locate at the site. Approval would likely negatively impact the property values of adjacent properties.
8. Impacts to the environment are likely, due to runoff of oil and other contaminants into the creek and irrigation ditch.
9. Approval would set a precedent that one can get a building permit, do whatever they want, and then incorporate the building into a conditional use permit. This denies the Commission the ability to apply current ordinances to a building that was built for personal use and creates an unequal playing field for applicants.
10. Possible mitigation for approval would include modifications to the building layout and design, improvements to highway safety, and lessening the impact on adjacent properties
11. The parcel can still be used as a single-family residence, personal storage, and agriculture.

ORDER

The Valley County Planning and Zoning Commission, pursuant to the aforementioned, orders that the application of Pearson Storage Partners LLC for SUB 25-019 Rocky Mountain Storage, as described in the application, staff report, correspondence, and minutes of the meetings be denied.

NOTICE OF FINAL ACTION AND RIGHT TO REGULATORY TAKING ANALYSIS

The Applicant is hereby notified that pursuant to Idaho Code §67-8003, an owner of real property that is the subject of an administrative or regulatory action may request a regulatory taking analysis. Such requests must be in writing and must be filed with the Valley County Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.

Please take notice that if this is a decision of the Planning and Zoning Commission it can be appealed to the Valley County Board of Commissioners in accordance with Valley County Code 9-5H-12. The appeal should be filed with the Valley County Planning and Zoning Administrator within ten days of the decision.

Please take notice that if this is a decision of the Board of County Commissioners it is a final action of the governing body of Valley County, Idaho. Pursuant to Idaho Code §67-6521, an affected person i.e., a person who has an interest in real property which may be adversely affected by the issuance or denial of the application to which this decision is made, may within twenty-eight (28) days after the date of this Decision and Order, seek a judicial review as provided by Chapter 52, Title 67, Idaho Code, after seeking reconsideration within 14 days in accordance with Valley County Code 9-5H-13 and Idaho Code §67-6535 .

END FACTS AND CONCLUSIONS



Valley County Planning and Zoning Commission Chairman

Date: 3/12/2026

Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street
 Cascade, ID 83611-1350



Phone: 208-382-7115
 Email: cherrick@valleycountyid.gov

STAFF REPORT: SUB 25-019 HWY 55 Storage – Preliminary Plat

MEETING DATE: September 11, 2025

TO: Planning and Zoning Commission

STAFF: Cynda Herrick, AICP, CFM
 Planning and Zoning Director

APPLICANT / OWNER: Pearson Storage Partners LLC
 PO Box 4110, McCall, ID 83638

OWNER – VANDAL FLAT SUBDIVISION LOT 2: High Rock Residential LLC
 52640 NE First ST, Scappoose OR 97056

ENGINEER: Rob Pair, Crestline Engineers
 PO Box 2330, McCall, ID 83638

SURVEYOR: Dan Dunn
 25 Coyote Trail, Cascade, ID 83611

LOCATION: 14014 Highway 55 - Includes parcel RP18N03E331807 and Vandal Flats Subdivision Lot 2 Block 1, located in the NE ¼ Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho

SIZE: 28.5 acres

REQUEST: Storage Unit Condominium Subdivision Plat – Commercial Use

EXISTING LAND USE: Storage Unit Building Approved for Private Use

Pearson Storage Partners LLC is requesting a conditional use permit for a subdivision on 28.5 acres. Block 1 would include 108 condominium storage units and two offices/bathroom units. Proposed lot coverage is approximately 26%. Individual septic systems and individual wells are proposed. The use for Block 2 is undefined.

Phase 1	2025	Construction of Units 1-12; grading, drainage, and stormwater management improvements
Phase 2	2026	Units 13-30; office/bathroom #1; grading, drainage, and stormwater management improvements, join access improvements, landscaping
Phase 3	2027	Units 31-66; grading, drainage, and stormwater management improvements
Phase 4	2028	Units 78-90; grading, drainage, and stormwater management improvements
Phase 5	2029	Units 91-108; office/bathroom #2, grading, drainage, and stormwater management improvements

Wetland areas are delineated on the plat and would be marked as “no build” areas. An undulating landscape berm is proposed along Highway 55. Electrical utilities would be underground. The site plan shows the required 100-ft setback for buildings from Highway 55.

A wildland urban interface fire protection plan has been submitted. It is anticipated that a pond and two dry hydrants would be used for fire protection.

The applicant proposes to vacate an existing 140-ft irrigation use maintenance and repair easement located along the eastern boundary.

Access would be from a new shared driveway onto State Highway 55 that would also be used by C.U.P. 12-10 McCall Donnelly School District Transportation Facility. This new access would align with the Sunbridge Drive on the west side of the highway. The existing access point would be abandoned.

The existing storage building that is under construction was permitted for personal use only, by his family and business partner’s family. (PZ Commission meeting February 9, 2023, as an appeal of an administrative decision; Board of County Commissioner’s approval of an appeal of the P&Z Commission decision ; Building Permit # 25-060). Older buildings were recently torn down.

Vandal Flats Subdivision was recorded May 31, 2023, as Book 13 page 98, and instrument # 457227. Sanitary restrictions are in force for Vandal Flats Subdivision Lot 2.

There are multiple existing conditional use permits in the surrounding area, particularly to the north and west of the site.

FINDINGS:

1. The neighborhood meeting, as required by VCC 9-5H-1.D, was held on-site on July 24, 2025. A summary is included in the application submittal.
2. The complete application was submitted on July 29, 2025.
3. Legal notice was posted in the *Star News* on August 21, 2025, and ~~July 31, 24, 2025~~ ^{Aug. 28}. Potentially affected agencies were notified on August 12, 2025. Neighbors within 300 feet of the property line were notified by fact sheet sent August 13, 2025. The site was posted on August 19, 2025. The notice and application were posted online at www.co.valley.id.us on August 12, 2025.
4. Agency comment received:

Emily Hart, McCall Airport Manager, stated the site is 1.8 miles from Runway 34, in Horizontal Surface. The applicant should prescreen for FAA Form 7460-1. (August 21, 2025)

Kendra Conder, Idaho Transportation Department (ITD), stated ITD will need to review turn lane warrants that include traffic that will be generated from all parcels using the shared access. The applicant will need to apply for an ITD encroachment permit and must meet ITD specifications for a commercial two-way approach. Installation of any landscaping within the ITD right-of-way will need a permit. (August 29, 2025)

Ryan Garber, McCall Fire & EMS, listed requirements for fire flow, hydrants, driveways, security gates, and fire extinguishers. Roads and water supply for fire protection shall be installed, inspected, and operable prior to final plat or building construction within each phase. (September 2, 2025)

Shirley Florence, Lake Irrigation District (LID), listed requirements for the LID water assigned to the proposed subdivision. (September 3, 2025)

5. Public comment received: None
6. Physical characteristics of the site: Relatively flat. .
7. The surrounding land use and zoning includes:
 - North: C.U.P. 12-10 McCall Donnelly School District Transportation Facility; C.U.P. 18-06 and C.U.P. 20-14 Rocky Mountain Crane and Pinetop Office; C.U.P. 17-09 Kesler Storage
 - South: Single-Family Residential Rural Parcels and Knob Hill Estates Subdivision Lots
 - East: Knob Hill Estates Subdivision 1 and 2 Lots; Agricultural (Irrigated Grazing)
 - West: Highway 55; C.U.P. 25-007 High Mountain Cabinets; C.U.P. 23-42 Paradigm Storage Condominiums; C.U.P. 25-004 Hells Canyon Rafting
8. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:
 - 5. Commercial Uses d. Area Business

Review of Title 9 - Chapter 5 Conditional Uses and Title 10 should be done.

TABLE 5-A STANDARDS FOR CONDITIONAL USES

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

9-5-3: STANDARDS:

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.

9-5A SITE IMPROVEMENTS

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.
 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.
- F. Land Surfaces Not Used For Roads, Buildings And Parking: All land surfaces not used for roads, buildings and parking shall be covered either by natural vegetation, other natural and undisturbed open space, or landscaping.
- G. Stormwater Management Plan: Prior to issuance of building permits, the administrator must receive a certification from the developer's engineer verifying that the stormwater management plan has been implemented according to approved plans.

9-5A-2: ROADS AND DRIVEWAYS:

- B. Access Roads Or Driveways: Residential developments, civic or community service uses, and commercial uses shall have at least two (2) access roads or driveways to a public street wherever practicable.
- E. Access To Highway 55: Access to Highway 55 shall be limited at all locations and may be prohibited where other access is available. An access permit from the Idaho transportation department may be required.

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

- A. Site Plan: The site plan for a conditional use permit shall include a detailed scale drawing showing the parking area plan including driveways, parking spaces, setbacks, landscaping, buildings, vehicle maneuver areas including firetrucks and refuse collection trucks, snow storage, and drainage.
- B. Accessory Parking And Loading Facilities Required: Accessory parking and loading facilities shall be provided as required herein for every building and structure erected, and every land use established after the effective date hereof; unless the commission or the board determines that the proposed parking is adequate.
- C. Required Spaces: The minimum number of spaces required is specified herein under the site and development standards for the specific use.
- D. Parking Space, Maneuvering Area And Aisle Dimensions: All parking spaces and on site vehicular circulation areas shall comply with the following minimum sizes¹:
 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.
 - 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.
 - 1. See parking diagram in section 9-5-4 of this chapter.

9-5A-4: LANDSCAPING:

A. Purpose And General Regulations:

1. Introduction:

- a. This section provides minimum standards for landscaping, walls, screening devices and lighting so as to promote the general welfare of the community. This is accomplished by encouraging the creation of an attractive appearance as well as screening from view any and all uses which may be unattractive to public view. Landscaping materials, including ground covers, shrubs and trees not only improve appearance, but also facilitate control of erosion, reduction of dust and glare, and visually soften building masses. Additionally, walls and screening devices allow for separation and aid in buffering incongruous and intense activities. Used together, landscaping, walls, screening devices and lighting help ensure privacy, aid in promoting logical land development and enhance property values.

- b. The county encourages the use of low water plant material in such a way that a lush appearance is presented. Plant material that is high in pollen production is discouraged. Also, extreme care should be exercised when using plants that are known to be poisonous. Noxious weeds shall not be used.
 - c. Plants should be placed in such a way as to maximize survivability (i.e., low water use plants should not be placed in drainageways, and the use of frost tender plants should be limited to accent locations, not primary focal points).
2. Definitions:
3. General Regulations
- a. Applicability: The provisions of this subsection A3 shall apply to all new buildings, all new uses of land, and any addition to existing buildings and uses requiring a conditional use permit. Maintenance requirements of this section shall apply to all sites and uses where a conditional use permit was issued.
 - b. Site Plan And Landscape Plan: The approved site plan and landscape plan shall be a part of the conditional use permit.
 - c. Installation Of Walls, Screening Devices And Lighting:
 - (1) Required Prior To Issuance Of Occupancy Permit: Prior to issuance of an occupancy permit, the walls, screening devices and lighting shall be installed in accordance with the approved construction plans.
 - (2) Cash Deposit Or Letter Of Credit In Lieu Of Installation: In lieu of the installation of plant material or public art prior to issuance of an occupancy permit, a cash deposit or an irrevocable letter of credit in an amount guaranteeing the complete installation of the plant material or public art within six (6) months may be accepted by the administrator. Failure to install the material in the six (6) month time period shall result in the forfeiture of the deposit or bond, and deemed to be a violation of this section.
 - 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.
 - g. Naturally Occurring Vegetation: Naturally occurring vegetation in good condition and conforming with the goals for landscaping herein can be included as essential parts of the plan. The boundary of groves or masses of trees can be shown on the plan in lieu of showing the location of each individual tree.
4. Maintenance:
- a. Responsibility For Maintenance: The landscape areas on site, as well as in the right of way, shall be maintained by the owner or owner's association (should the property be subdivided) or the lessee of the site. Any areas designated and intended for the purposes of on site water retention shall be maintained and reserved for that specific purpose. Any alteration or deterioration of those areas shall be considered a violation of this title and any applicable ordinance.
 - b. Replacement Of Plant Material: Any plant material that does not survive shall be replaced within thirty (30) days of its demise.
 - c. Removal Or Destruction Of Landscape Material: The removal or destruction of landscape material previously approved by the county shall constitute a violation of this title. Replacement of landscape material shall be of like size as that which was removed or destroyed.
 - d. Maintained In Accordance With Site And/Or Landscape Plan: Landscaping, irrigation systems, walls, screening devices, curbing and lighting shall be reasonably maintained in accordance with the approved site and/or landscape plan. Plant material shall not be severely pruned such that the natural growth pattern or characteristic forms are significantly altered.
 - e. Modification And/Or Removal Of Existing Landscaping: Modifications and/or removal of existing landscaping shall require prior approval.

- f. Lack Of Maintenance: The lack of maintenance shall constitute a violation of this title.
- B. Landscaping; Standards Of Design:
1. Minimum Requirements: Each site to be developed under a conditional use permit shall be required to provide landscape areas equal to or exceeding the following minimum amounts:
 - a. Multi-Family Use: Each site for a proposed multi-family use shall have a minimum of thirty percent (30%) of the net site/lot area in landscaping.
 - b. Service/Commercial Use: Each site for proposed service/commercial use shall have a minimum of fifteen percent (15%) of the net site/lot area in landscaping.
 - c. Industrial Use: Each site for a proposed industrial use shall have a minimum of ten percent (10%) of the net site 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.
 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.

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.

- 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.

9-5A-6: UTILITIES:

- A. Direct Access Required: All lots or parcels, for or within conditional uses, shall be provided, or shall have direct access to, utility services including telephone, electrical power, water supply, and sewage disposal.
- B. Central Water Supply And Sewage Systems: Central water supply and sewage systems serving three (3) or more separate users shall meet the requirements of design, operation, and maintenance for central water and sewage systems in the subdivision ordinance.
- C. Probability Of Water Supply: Probability of water supply, as referred to in subsection A of this section, can be shown by well logs in the general area or by a determination of a professional engineer, hydrologist, or soil scientist.
- D. Individual Septic Systems: If individual septic systems are proposed to show compliance with sewage disposal requirements in subsection A of this section, sanitary restrictions must be lifted on every lot prior to recordation unless it is designated as a lot where a building permit will never be issued for a residential unit, such as pasture lot, common area, open space, or a no build lot.
- E. Easements Or Rights Of Way: Easements or rights of way shall be set aside or dedicated for the construction and maintenance of utilities in accordance with the provisions of the subdivision ordinance.
- F. Utility Plan: A utility plan showing the schedule of construction or installation of proposed utilities shall be a part of the conditional use permit.

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:

- C. Standards:
 - 2. Turn Off Required: All nonessential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.
 - 4. All Other Outdoor Lighting: All other outdoor lighting shall meet the following standards and at a minimum the standards in title 6, chapter 2 of this code:
 - a. The height of any light fixture or illumination source shall not exceed twenty feet (20').
 - b. All lighting or illumination units or sources shall be hooded or shielded in a downward direction so they do not produce glare or cause light trespass on any adjacent lot or real property as depicted in section 9-5-4 of this chapter.
 - c. Lights or illumination units shall not direct light, either directly or through a reflecting device, upon any adjacent lot or real property. Lighting should not illuminate the sky or reflect off adjacent water bodies or produce glare or cause light trespass on any adjacent lot or real property.

- 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.
11. Towers, Power Lines And Power Poles: Lighting of radio, communication and navigation towers along with power lines and power poles, provided the owner or occupant demonstrates that the federal aviation administration (FAA) regulations can only be met through the use of lighting.
12. Outdoor Lighting Plan: All applications for a conditional use permit shall include an outdoor lighting plan for the entire site which indicates how the above standards are to be met. The approved permit shall be a part of the conditional use permit and/or the building permit.

9-5B-4: EMISSIONS:

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

9-5B-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:

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.

TITLE 10 SUBDIVISION REGULATIONS**10-4-6: EASEMENTS:**

- A. Utility Easements: There shall be provided easements for the utilities upon and across the front of lots of a width of a minimum of twelve feet (12') (except for entrance service) or as and where considered necessary by the commission.
- B. Stormwater Easement Or Drainage Right Of Way: Where a subdivision is crossed or bounded by a watercourse, drainageway, channel, irrigation ditch, or stream there shall be provided a stormwater easement or drainage right of way conforming substantially with the lines of such watercourse, and such further width or construction, or both, as will be adequate for the purpose.
- C. Drainage: Provisions for adequate drainage shall be made by the subdivider as prescribed by the county engineer in accordance with the manual containing the drainage standards and specifications as adopted by Valley County.
- D. Existing Easements: All existing easements must be shown on the subdivision plat.

10-5-1: STREET AND UTILITY IMPROVEMENTS:

- A. Installation Required: Public street, utility, conduit for fiber optics, and other off site improvements, as hereinafter listed, shall be installed in each new subdivision at the subdivider's expense or at the expense of the party agreeing to install the same, in accordance with the minimum standards set forth below prior to the acceptance of any final plat for recordation, except as provided in subsections C and D of this section. A right of way permit will be required (see section 5-7-2 of this code).

- B. **Acceptance By County:** The county shall not accept the dedication of any public rights of way and any easements shown on the plat, together with appurtenant facilities lying therein which the county would have a duty to maintain after dedication, which are not improved, or construction thereof guaranteed in accordance with the provisions of this title or with the policies, standards, designs and specifications set forth in the road and street specifications adopted by Valley County. The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed. All plats shall contain in their notes this statement: "The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."

Dedication of public rights-of-way does not guarantee that the public road will be maintained by Valley County. Public rights of way are allowed with roads that are maintained by homeowners. Public rights of way shall be provided through properties to adjacent lands for the purpose of circulation, when reasonable.

- 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".
- E. **Connection To Public Road Required:** The county shall not accept any new subdivision unless the streets within the subdivision, whether public or private, are connected directly to an existing public road. In the event the subdivision is not connected to a public road with an approved minimum standard as determined by the Valley County Road Director, then the subdivider shall construct, or guarantee the construction as provided by this title, a connector road to county standards, either private roads or public roads, which shall provide access to the subdivision. All subdivisions shall be required to be accessed by a road system that meets the minimum standard as determined by the Valley County Road Director. When access has historically been provided through the subdivision to other ownerships, the subdivider shall provide for continuation of the public right of way.

CHAPTER 7 WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN

10-7-4: SUBMISSION REQUIREMENTS:

- A. **General:** All developers of proposed subdivisions shall provide a wildland urban interface fire protection plan (the plan) for review and approval by the planning and zoning commission with their preliminary plat application or planned unit development submittal.
- B. **Content:** The plan shall be based upon a site specific wildfire risk assessment that includes consideration of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, fire protection systems and equipment, defensible space, and vegetation management.

SUMMARY:

Staff's compatibility rating is a +22.

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

STAFF COMMENTS / QUESTIONS:

1. This site is within the McCall Fire District, Water District 65, and Lake Irrigation District. It is not within a herd district.
2. The designated wetland is shown on the preliminary plat.
3. The submitted landscape plan is only for the area along Highway 55. Additional areas require landscaping per VCC and needs consideration by the Commission:
 - a. Doesn't make sense to screen between property line and Knob Hill or other commercial/industrial storage areas such as Kesler's and the bus barns.
4. Will landscaping be financially guaranteed? How will it be maintained? The code states: **Future commercial and industrial development sites shall be landscaped in the first phase of construction, unless a phased plan is approved by the commission.**
5. Who will own the common area / open area?
6. What is the distance from the structure to the high-water line of the ditch?
7. The 140.00-ft irrigation use, maintenance, and repair easement termination must be approved by the Lake Fork Irrigation District in writing. A document vacating the easement must be recorded with the final plat.
8. The application states the property has no water rights; this conflicts with the letter from Lake Irrigation District. The applicant should clarify.
9. The name of the proposed subdivision must change. A business named Highway 55 Storage already exists near the intersection of Highway 55 and Coho Lane.

Question to P&Z Commission:

1. Does this subdivision meet the minimum standards in Title 9, Chapter 5, of the Valley County Code in regards to frontage, lot size, etc.? If not, which ones does it not comply with?
2. Does this subdivision meet the minimum standards in Title 10 of the Valley County Code in regards to the access road, etc.?
3. Are impacts being properly mitigated? If not, which impacts are not mitigated?

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Location Map
- Aerial Map
- Map of Nearby Conditional Use Permits
- Assessor Plat – T.18N R.3E Sec. 33
- Vandal Flats Subdivision

- Google Maps -Aerial View – 2025
- Google Maps – Street View – August 2024
- Pictures Taken June 24, 2024
- Quit Claim Deed #223106 with Easement
- Relevant Portion of PZ Commission Meeting Minutes of February 9, 2023
- Preliminary Plat
- Responses
- Septic System Handout

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 final plat shall be recorded within two years, or this permit will be null and void.
3. Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any more dirt work being done on-site.
4. Wetland delineation shall be shown on the final plat and marked as a “No Build Area”.
5. A Declaration of Installation of Utilities shall be recorded and noted on the face of the plat.
6. A letter of approval is required from McCall Fire District prior to recording the final plat.
7. Must have approval from Central District Health prior to issuance of a building permits.
8. Must have approval from Idaho Transportation Department for Joint Access approach prior to approval of the final plat.
9. Must have a letter of approval from Lake Irrigation District.
10. All easements must be shown on the final plat.
11. CCR’s should address septic maintenance, dark sky compliant lighting, wildfire prevention, noxious weeds, wetlands, and landscape maintenance.
12. 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. This includes any pathway lighting. Motion lights are recommended.
13. Landscaping, as shown on the submitted landscaping plan, shall be installed prior to October 1, 2026. If landscaping dies, it must be replaced.
14. Shall place addressing numbers on each building.
15. All easements shall be shown on the final plat.

16. Shall obtain a sign permit prior to installation of any signs. Construction trailers cannot be used as signage.
17. No outside storage is allowed.
18. Any additional uses on Block 1 or Block 2 will require approval of a new conditional use permit.
19. Must have Idaho Transportation Department approval of the change in access and use.
20. The following notes shall be placed in the notes on the face of the final plat:
 - “The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed.”
 - “All lighting must comply with the Valley County Lighting Ordinance.”
 - ““Surrounding land uses are subject to change.”
 - There shall be no division of any unit depicted on this plat except as permitted in the declaration AND with approval of the Health Authority and Planning and Zoning Commission.

END OF STAFF REPORT

Valley County Planning and Zoning Commission

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

Ken Roberts, Chairman
Carrie Potter, Vice-Chair

Brad Mabe, Commissioner
Ben Oyarzo, Commissioner
Heidi Schneider, Commissioner

MINUTES

Valley County Planning and Zoning Commission
September 11, 2025
Valley County Court House - Cascade, Idaho
PUBLIC HEARING - 6:00 p.m.

A. OPEN: Meeting called to order at 6:00 p.m. by Chairman Roberts. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Brad Mabe	Present
PZ Commissioner – Ben Oyarzo:	Present
PZ Commissioner – Carrie Potter:	Present
PZ Commissioner – Ken Roberts:	Present
PZ Commissioner – Heidi Schneider:	Present
PZ Planner II – Lori Hunter:	Present

B. MINUTES: Commissioner Schneider moved to approve the minutes of August 14, 2025, and August 28, 2025. Commissioner Potter seconded the motion. Motion passed unanimously.

C. OLD BUSINESS:

1. C.U.P. 25-016 Harvey Property Management and Equipment Storage: Karen and Aaron Harvey are requesting a conditional use permit for the operation and equipment storage of a property management business using an existing shop. An individual well and individual septic system would be used. Access is from an easement across 13978 Rustic Road to Rustic Road, a public road. The 1-acre parcel, addressed at 13978 B Rustic Road, is the east half of Lot 3 of Eld's Country Subdivision in the NWSE Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho. *Tabled from August 14, 2025. Action Item*

Commissioner Mabe moved to move C.U.P. 25-016 Harvey Property Management and Equipment Storage from the table. Commissioner Potter seconded. Motion passed unanimously

Chairman Roberts introduced the item and asked if there was additional information. Director Herrick applied in the affirmative, presented the staff report with additional information, and displayed the site plan and GIS map on the projector screen.

Ion Electric is not interested in sharing access to Highway 55. The nearby Crawford Landscaping business has a condition of approval to work with the Valley County Road Department to mitigate dust and to travel northward on Rustic Road to access Highway 55. Proposed Conditional # 19 would require using a shorter trip on an unpaved road to Highway 55 rather than by traveling to the south on Rustic Road; thereby, limiting business traffic past homes.

9:00 p.m.

7. **SUB 25-019 HWY 55 Storage – Preliminary Plat:** Pearson Storage Partners LLC is requesting a conditional use permit for a subdivision on 28.5 acres. Block 1 would include 108 condominium storage units and two offices/bathroom units. Individual septic systems and individual wells are proposed. The use for Block 2 is undefined. Access would be from a joint driveway onto State Highway 55. The site, addressed at 14014 Highway 55, includes parcel RP18N03E331807 and Vandal Flats Subdivision Lot 2 Block 1, located in the NE ¼ Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any ex parte contact or conflict of interest. Commissioner Potter recused herself and left the meeting room.

Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Annette Derrick, Valley County Building Official, stated a building permit will be required to convert the existing storage units to commercial use. (Sept. 11, 2025)
- **Exhibit 2** – Brent Copes, Central District Health, stated a subdivision application, fees, test holes, ground water monitoring and engineering report are required. (September 4, 2025)
- **Exhibit 3** – Crestline Engineers replied to Staff Questions listed in the Staff Report. (September 11, 2025)

The applicant has stated that the proposed Block 2, platted as Vandal Subdivision Lot 2, will be removed from the proposal. This would not affect the number of storage units or proposed land use.

Commissioner Schneider asked for clarification of the existing storage building and use. Director Herrick stated that she originally determined that a conditional use permit would be required for the storage unit building. This decision was appealed to the PZ Commission. The applicant stated the storage units would be used only for personal use of his family and business partners' families, not commercial use. The PZ Commission approved the use. The decision was then appealed to the Board of County Commissioners who also approved the use. The applicant has since had changes in this business operations and wishes to convert the site to commercial use. A building permit would be required to convert the existing building from personal use to a commercial use. The various phases were reviewed by Staff and Commissioners.

Chairman Roberts asked for the applicant's presentation.

Rob Pair, Crestline Engineers, McCall, represented the applicant and clarified the change in the proposal. The proposed plat only includes the rural parcel, not the adjacent portion of Vandal Flats Subdivision. The proposal is still below the maximum lot coverage requirement. The wetland boundary has been delineated and approved by U.S. Army Corps of Engineers. Landscaping berms would be adjacent to highway. The wetland area already has mature vegetation. A pond is proposed for fire protection. The majority of landscaping would be along Highway 55. The applicant does not want a wall of trees along the highway and has proposed a mixture of trees, shrubs, and rocks.

The current building is Phase 1. Landscaping would be established during Phase 2. The current access from Highway 55 will be used until Phase 2; the new landscaping would cover the current driveway access. A property owner association will be established to maintain landscaping. The proposal will be revised to meet the 100-ft setback from highwater line.

The irrigation easement mentioned for vacation in the application is only on portion that has been removed from proposal (Vandal Flats Lot 2); thus, this project will no longer include vacation of irrigation easement.

Mr. Pair gave more details and responded to questions from the Commissioners.

The Lake Irrigation District allocates water rights to users within the District. Mr. Pair has reached out to Shirley Florence and will obtain a letter from the District prior to final plat. Irrigation water flows through a pond located on the property to the northeast, then into an existing pond on the east portion of this property. The existing 140-ft easement is on Lot 2 of Vandal Flat Subdivision, not part of this property. The application originally included vacating this easement; this is no longer part of the proposal.

A subdivision name change request will be submitted to Staff. An approach permit will be obtained from Idaho Transportation Department. Water rights for the new pond will be obtained from Idaho Department of Water Resources. Based on a discussion with Ryan of McCall Fire, two dry hydrants will be added for fire protection. Water would still be available for fire protection during winter. The fire volume available calculation does not include top 6-ft, which allows for ice buildup and the vortex from the pump. The pond would be constructed to be about 13-ft deep and would hold more than 30,000 gallons of water. The application shows a pond for fire protection plus a 4-ft deep retention pond for stormwater. Overflow would go the pond and then to the existing natural drainage.

Only one person attended the neighborhood meeting; this person was pleased that a residential subdivision was not proposed.

Director Herrick stated the applicant intends to break up the visual design of the structures along the highway instead of building one long storage building along Highway 55.

A traffic study has not been completed yet; it was not a requirement of the application submittal. The change in access location was reviewed. The new access would be across the highway from Sunbridge Drive. It would be a shared access that was included in the approval of Vandal Flat subdivision to consolidate access points.

Phase 1 is underway. The building has been erected, foundation was poured, and the shell has been constructed for the private use. Electrical power has not been energized. No more dirt work, other what is associated with the existing building, can be done until a stormwater plan is approved.

All work done regarding draining and trenches to mitigate ground water in 2022 was permitted and excess material was removed.

Chairman Roberts opened the public hearing and asked for proponents. There were none. Chairman Roberts asked for undecided. There were none. Chairman Roberts asked for opponents. There were none.

Chairman Roberts asked for rebuttal from the applicant.

The applicant, Dusty Bitton, McCall, responded to questions. They are planning to get approval from Lake Fork Irrigation for a dry well. Landscaping would be irrigated with existing water rights. Phase 1 was constructed to commercial standards with fire walls. The irrigation easement is for an old irrigation pipe that runs behind the Nez Perce office building through Vandal Flats Lot 2 and ends prior to Mr. Bitton's property. The owner of Vandal Flats Lot 2 is

trying to get the easement abandoned. The Vandal Flat portion of the application submittal has been removed. He was going to do a lot line adjustment but could not get a deal done at this time. The stormwater management plan needs approval. Extra soil from the previous dewatering project has been removed.

Mr. Bitton responded to questions from Chairman Roberts. The current application is for storage unit condominiums. The existing building would be used for various personal recreational vehicles if the subdivision application is not approved. Business changes have occurred; he is going in a different direction than previously planned.

Commissioner Mabe asked for more details regarding the landscaping plan, particularly the view of the site from northbound drivers. The proposed berms are between the buildings and Highway 55. Mr. Pair stated the proposed pond may shrink or could move slightly to the east; if so, the landscaping berm could continue further south. That area is heavily treed.

Mr. Mabe asked if the proposed buildings have been designed. Director Herrick stated that building design can be used to mitigate visual impacts on the designated scenic byway. Mr. Pair referred to other storage building sites in the McCall area; accents can be added so the result is not just a solid wall of metal. Mr. Bitton stated having two buildings along the highway instead of one breaks up the visual barrier. They are considering staggered, screening walls, less than 6-ft high. The buildings would have overhanging eaves, unlike the storage units being constructed across the highway. He does not want to add exterior wooden beams due to maintenance concerns.

Chairman Roberts closed the public hearing. The Commission deliberated.

Chairman Roberts stated the original application no longer matches the current proposal. The parameters keep changing. The plan is not complete. A traffic study should be done as this would result in lots of units on Highway 55. The landscaping plan is lacking. He would like the applicant to verify water rights going downstream from this property. This may not involve Lake Irrigation District; however, existing water rights may exist to downstream users. Applicant needs to give more details as there are too many loose ends.

Commissioner Mabe has concerns about more storage units along Highway 55 during this sensitive time. The proposed landscaping plan may not do a good job of screening from Highway 55. He would like a rendering of proposed landscaping.

Commissioner Schneider is not as concerned about the landscaping; she is not sure of the landscaping requirements for the Paradigm storage units across Highway 55. She is concerned about seeing what ITD will require. ITD approval is a proposed condition of approval.

Commissioner Oyarzo stated a traffic study takes precedence over landscaping.

Chairman Roberts stated he had a difficult time completing the compatibility rating. The applicant is not clear and not detailed. There are not enough details regarding mitigation to answer compatibility rating questions 4 through 9. There are companies that prepare traffic studies and put a number to the infrastructure impact.

Director Herrick understands that the Commissioners are requesting additional information and wanted to clarify this for the applicant. Desired items include a traffic study to ensure safety, the applicant shall work with ITD, landscape and building renderings, a monitoring well, and determine if an easement is needed to deliver water through the site.

Commissioner Mabe moved to table SUB 25-019 HWY 55 Storage to November 13, 2025, at 6 to allow the applicant to submit the desired information. Commissioner Oyarzo seconded the motion. Commissioner Mabe, Commissioner Oyarzo, and Chairman Roberts voted in favor of the motion; Commissioner Schneider voted in opposition. The motion passed.

Commissioner Potter returned to the Commission.

E. FACTS AND CONCLUSIONS - Action Items:

- C.U.P. 25-015 Vore Solar Panels
- SUB 25-015 Devil's View Subdivision
- SUB 25-016 South Ranch

Commissioner Schneider moved to approve the Facts and Conclusions as presented and authorize the chairman to sign. Commissioner Potter seconded the motion. Motion carried unanimously.

Upcoming Meetings

October 16, 2025, 6:00 p.m. – Public Hearings. Commissioner Mabe will not be able to attend.

October 23, 2025, 4:00 p.m. – Anticipated public hearing for revisions to the Comprehensive Plan and Valley County Code.

Chairman Roberts adjourned the meeting at 10:05 p.m.

Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

STAFF REPORT: SUB 25-019 HWY 55 Storage - Preliminary Plat
MEETING DATE: November 13, 2025
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director
**APPLICANT /
PROPERTY OWNER:** Pearson Storage Partners LLC
PO Box 4110, McCall, ID 83638
ENGINEER: Rob Pair, Crestline Engineers
PO Box 2330, McCall, ID 83638
SURVEYOR: Dan Dunn
25 Coyote Trail, Cascade, ID 83611
LOCATION: 14014 Highway 55 - Includes parcel RP18N03E331807 and Vandal
Flats Subdivision Lot 2 Block 1, located in the NE ¼ Section 33, T.18N,
R.3E, Boise Meridian, Valley County, Idaho
SIZE: 28.5 acres
REQUEST: Storage Unit Condominium Subdivision Plat - Commercial Use
EXISTING LAND USE: Storage Unit Building Approved for Private Use

On September 11, 2025, the PZ Commission tabled SUB 25-019 to ~~October 16, 2025~~ ^{Nov 13} 2025. Please refer to the previous staff report for additional information.

The Commissioners requested additional information from the Applicant:

- A traffic study to ensure safety; the applicant shall work with ITD,
- Landscape and building renderings,
- A monitoring well added to the site, and
- Determine if an easement is needed to deliver water through the site.

FINDINGS:

1. On September 11, 2025, the PZ Commission tabled SUB 25-019 to November 13, 2025, at 6:00 p.m. The public hearing was closed but can be reopened since new information has been submitted by the applicant.
2. Legal notice was posted in the *Star News* on October 23, 2025, and October 30, 2025.
3. No additional submittals have been received from the Applicant nor representatives as of noon on November 6, 2025

4. All Agency comments received:

Shirley Florence, Lake Irrigation District, stated the applicants and their engineers are working with the District's Board regarding the District's easement through the site. (November 6, 2025)

Kendra Conder, Idaho Transportation Department, stated ITD's request for turn lane warrants has not been met. (October 15, 2025)

Kendra Conder, Idaho Transportation Department (ITD), stated ITD will need to review turn lane warrants that include traffic that will be generated from all parcels using the shared access. The applicant will need to apply for an ITD encroachment permit and must meet ITD specifications for a commercial two-way approach. Installation of any landscaping within the ITD right-of-way will need a permit. (August 29, 2025)

Emily Hart, McCall Airport Manager, stated the site is 1.8 miles from Runway 34, in Horizontal Surface. The applicant should prescreen for FAA Form 7460-1. (August 21, 2025)

Ryan Garber, McCall Fire & EMS, listed requirements for fire flow, hydrants, driveways, security gates, and fire extinguishers. Roads and water supply for fire protection shall be installed, inspected, and operable prior to final plat or building construction within each phase. (September 2, 2025)

Shirley Florence, Lake Irrigation District (LID), listed requirements for the LID water assigned to the proposed subdivision. (September 3, 2025)

Annette Derrick, Valley County Building Official, stated a building permit will be required to convert the existing storage units to commercial use. (Exhibit 1 - September 11, 2025)

Brent Copes, Central District Health, stated a subdivision application, fees, test holes, ground water monitoring and engineering report are required. (Exhibit 2 – September 11, 2025)

5. All Public comment received:

April Whitney commented and sent pictures on the dirt work occurring on the site after the public hearing on September 11, 2025. (September 18, 2025)

- Dusty Bitton replied, stating the digging was occurring for underground electrical lines and propane tanks. (September 22, 2025)

Kathy Deinhardt Hill, 14068 Pioneer Road, is opposed. The constructed storage units should remain for personal use. Highway 55 has been made more dangerous by the unlimited commercial development. A full turn lane from Lake Fork to McCall and a reduced speed limit are needed before approval of additional commercial development. Commissioner Potter should recuse herself from review of this application. (November 3, 2025)

STAFF COMMENTS / QUESTIONS:

1. The designated wetland is shown on the preliminary plat.
2. The submitted landscape plan is only for the area along Highway 55. Additional areas require landscaping per VCC and needs consideration by the Commission.

- Does not make sense to screen between property line and Knob Hill or other commercial/industrial storage areas such as Kesler's and the bus barns.
3. Will landscaping be financially guaranteed? How will it be maintained? The code states: Future commercial and industrial development sites shall be landscaped in the first phase of construction, unless a phased plan is approved by the commission.
 4. Who will own the common area / open area?
 5. What is the distance from the structure to the high-water line of the ditch?
 6. The 140.00-ft irrigation use, maintenance, and repair easement termination must be approved by the Lake Fork Irrigation District in writing. A document vacating the easement must be recorded with the final plat.
 7. The application states the property has no water rights; this conflicts with the letter from Lake Irrigation District. The applicant should clarify.
 8. The name of the proposed subdivision must change. A business named Highway 55 Storage already exists near the intersection of Highway 55 and Coho Lane.

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 - Revised
- Draft Relevant PZ Commission Minutes – September 11, 2025
- Responses not included in the Staff Report for September 11, 2025
- Additional Submittals from Applicant
 - Exhibit 3, September 3, 2025 – Crestline Engineers replied to Staff Questions listed in the Staff Report

Proposed Conditions of Approval - Revised

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 final plat shall be recorded within two years, or this permit will be null and void.
5. Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any more dirt work being done on-site.
6. Wetland delineation shall be shown on the final plat and marked as a "No Build Area".
7. A Declaration of Installation of Utilities shall be recorded and noted on the face of the plat.
8. A letter of approval is required from McCall Fire District prior to recording the final plat.
9. Must have approval from Central District Health prior to issuance of a building permit.
10. Must have approval from Idaho Transportation Department for Joint Access approach prior to approval of the final plat.
11. Must have a letter of approval from Lake Irrigation District.
12. All easements must be shown on the final plat.
13. CCR's should address septic maintenance, dark sky compliant lighting, wildfire prevention, noxious weeds, wetlands, and landscape maintenance.

14. 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. This includes any pathway lighting. Motion lights are recommended.
15. Landscaping, as shown on the submitted landscaping plan, shall be installed prior to October 1, 2026. If landscaping dies, it must be replaced.
16. Shall place addressing numbers on each building.
17. All easements shall be shown on the final plat.
18. Shall obtain a sign permit prior to installation of any signs. Construction trailers cannot be used as signage.
19. No outside storage is allowed.
20. Any additional uses on Block 1 or Block 2 will require approval of a new conditional use permit.
21. Must have Idaho Transportation Department approval of the change in access and use. *prior to construction.*
22. The following notes shall be placed in the notes on the face of the final plat:
 - "The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."
 - "All lighting must comply with the Valley County Lighting Ordinance."
 - "Surrounding land uses are subject to change."
 - There shall be no division of any unit depicted on this plat except as permitted in the declaration AND with approval of the Health Authority and Planning and Zoning Commission.
23. A building permit will be required to convert the storage units to commercial use.
24. First well installed will be a monitoring well for data collection by Idaho Department of Environmental Quality or their assigned.

END OF STAFF REPORT

Valley County Planning and Zoning Commission

PO Box 1350 • 700 South Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

Ken Roberts, Chairman
Carrie Potter, Vice-Chair

Brad Mabe, Commissioner
Ben Oyarzo, Commissioner
Heidi Schneider, Commissioner

MINUTES

Valley County Planning and Zoning Commission
November 13, 2025
Valley County Court House - Cascade, Idaho
PUBLIC HEARING - 6:00 p.m.

A. **OPEN:** Meeting called to order at 6:00 p.m. by Chairman Roberts. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Brad Mabe	Present
PZ Commissioner – Ben Oyarzo:	Present
PZ Commissioner – Carrie Potter:	Present
PZ Commissioner – Ken Roberts:	Present
PZ Commissioner – Heidi Schneider:	Excused
PZ Planner II – Lori Hunter:	Present

B. **MINUTES:** Commissioner Potter moved to approve the minutes of October 16, 2025, and October 23, 2025. Commissioner Mabe seconded the motion. Motion passed unanimously.

C. **OLD BUSINESS:**

1. **SUB 25-019 HWY 55 Storage – Preliminary Plat:** Pearson Storage Partners LLC is requesting a conditional use permit for a subdivision on 28.5 acres. Block 1 would include 108 condominium storage units and two offices/bathroom units. Individual septic systems and individual wells are proposed. The use for Block 2 is undefined. Access would be from a joint driveway onto State Highway 55. The site, addressed at 14014 Highway 55, includes parcel RP18N03E331807 and Vandal Flats Subdivision Lot 2 Block 1, located in the NE ¼ Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho. *Tabled from September 11, 2025.*
Action Item.

Commissioner Mabe moved to move SUB 25-019 HWY 55 Storage from the table. Commissioner Oyarzo seconded. Motion passed unanimously. Commissioner Potter did not vote.

Chairman Roberts introduced the item and asked if there was any ex parte contact or conflict of interest. Commissioner Potter recused herself.

Director Herrick presented the staff report, displayed the site, GIS map, and plat on the projector screen, and summarized the following exhibits submitted by the applicant:

- **Exhibit 1** – Revised Preliminary Plat (7 sheets), received November 10, 2025. Vandal Flats Subdivision Lot 2 Block 1 has been removed from the preliminary plat.
- **Exhibit 2** – Revised Landscape Concept, received November 10, 2025

- **Exhibit 3** – Federal Aviation Administration (FAA) pre-screening results received November 10, 2025. Applicant is not required to file with FAA.
- **Exhibit 4** – Renderings of proposed buildings and landscaping received November 10, 2025.
- **Exhibit 5** – Landscape compilation video received November 10, 2025

Director Herrick stated that she has been informed that a construction business has moved to site and two shipping containers that need placement permits are at the site. The applicant should clarify.

Commissioner Mabe inquired if similar requests from Idaho Transportation Department (ITD) are usually met at this time of the application process. Director Herrick responded that condition of approval typically states that ITD approval is required prior to construction. The applicant needs to be working towards this approval.

Chairman Roberts asked for the applicant's presentation.

Rob Pair, Crestline Engineering, McCall, represented the applicant. Additional information requested by Commissioners has been provided. The name was changed to Rocky Mountain Storage due to a conflict with an existing business name. They have been working with staff, ITD, a traffic engineer, and Lake Irrigation District. Following the September PZ Commission meeting, applicant's representatives met with ITD. Their initial feedback indicated that a traffic study would need completed prior to submitting an application to ITD. The team then consulted with a private traffic engineer who will prepare a traffic study to be submitted to ITD. The company has prepared a scoping study and a trip generation analysis which has been submitted to ITD. Traffic counts to provide baseline traffic volumes are ongoing. Trip generation at full buildout for Rocky Mountain storage is anticipated to be equivalent to approximately 12 single family residences. Other adjacent developments such as McCall Landing and Paradigm Storage, which include 19 single-family homes and 121 storage condominiums, have been approved for access by Valley County and ITD. The 105 storage condominiums in Rocky Mountain Storage will generate less trips. Once this analysis is complete and the final report is furnished, we should expect an answer from ITD in or around January 2026. Staff has proposed Conditions of Approval 10 and 21 which establish the requirements for access and use through ITD. The applicant will adhere to ITD requirements.

More detailed renderings of proposed landscaping have been submitted. The video compilation was played on the large screen (**Exhibit 5**). The renderings reflect the updated landscape plan and include the proposed pond, berms, trees, rock, shrubbery, and snow fencing. Questions regarding the existing irrigation ditch were raised at the September PZ Commission meeting. Since then, Mr. Pair attended the Lake Irrigation District board meeting. There was discussion of the need for an easement to be placed over the ditch for access and maintenance. Lake Irrigation District did not make a decision at the board meeting and wished to look further into the matter. Mr. Pair expects the next Lake Irrigation District meeting to occur on the second Tuesday in December. If an easement is required, one will be included on the final plat. Another option would be to reference language specific to Idaho code on the plat. The applicant has no issues with allowing monitoring of the first well installed at the site.

Mr. Pair responded to questions from Commissioners. Commissioner Mabe appreciated the additional information. However, the very long plain brown metal building will be visible even with berms. Can the applicant design the building to be more interesting, particularly as Highway 55 is designated a Scenic Byway? Mr. Pair stated he would defer questions regarding the design to the applicant; berms and landscaping are intended to improve the site.

Dusty Bitton, 14076 Morell Road, recently sold two storage units he owned on Deinhardt Lane; the two shipping containers at the site are currently being used to store these items. Some stuff is being moved into the existing storage unit building now. He will be building some mezzanines in the back for future owners. Scaffolding, saws, and other things are being unloaded from the shipping containers for this construction. Then the shipping containers will be moved to the Rocky Mountain Crane yard.

The new storage units would be two-toned like the existing building, black on the bottom, brown on top, black fascia, and a black roof. A couple of storage units have already been lost by breaking up the front solid building into two buildings. The opening will be used to assist in snow removal. The front buildings also provided screening of the interior of the project from Highway 55. The lower, 18-ft high eave side of the building will be along Highway 55.

Mr. Bitton clarified that a well would not be dug specifically for monitoring by Idaho Department of Environmental Quality (DEQ). However, when the first well is dug, he will let DEQ install monitoring equipment in the well.

There was further discussion between Mr. Bitton and the Commissioners regarding the ditch, easement, and building design. The ditch is 100% within the wetland area, winds in and out along the property line. Buildings would not interfere with the ditch. The ditch is currently not maintained; it enters the property on the northeast corner. Chairman Roberts stated that any water conveyance must have access for maintenance. Mr. Bitton stated he had no issues with giving an easement; he is not planning on moving or piping or doing anything that would obstruct the waterway. Commission Mabe asked if he was willing to modify the building design. Mr. Bitton replied he should not be asked to do more than anyone else has had to do. It is a nice-looking building. There are already multiple steel buildings along Highway 55. Paradigm Storage across Highway 55 is already selling storage units and has installed no landscaping yet. Mr. Bitton would add mature trees to the site as part of the landscaping. Commissioner Mabe stated that Idaho Waterworks has a visually pleasing metal building; Mr. Bitton countered that there is no screening to the five 200-ft by 300-ft metal buildings from Highway 55 at that site. Chairman Roberts cautioned that the application is being considered on its own merits and not compared to previously approved applications.

Chairman Roberts opened the public hearing and asked for proponents. There were none.
Chairman Roberts asked for undecided. There were none.
Chairman Roberts asked for opponents. There were none.

Chairman Roberts closed the public hearing. The Commission deliberated. Commissioners would like to see the results of the traffic impact study and also hear further from Lake Irrigation District.

Commissioner Mabe moved to table the conditional use permit and preliminary plat for SUB 25-019 to February 12, 2025, at 6:00 p.m. Commissioner Oyarzo seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

6:34 p.m.

Valley County Planning and Zoning

PO Box 1350 • 700 North Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

STAFF REPORT: SUB 25-019 Rocky Mountain Storage - Preliminary Plat
MEETING DATE: February 12, 2026
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director
**APPLICANT /
PROPERTY OWNER:** Pearson Storage Partners LLC
PO Box 4110, McCall, ID 83638
ENGINEER: Rob Pair, Crestline Engineers
PO Box 2330, McCall, ID 83638
SURVEYOR: Dan Dunn
25 Coyote Trail, Cascade, ID 83611
LOCATION: 14014 Highway 55
Parcel RP18N03E331807 in the NE ¼ Section 33, T.18N, R.3E, Boise
Meridian, Valley County, Idaho
SIZE: 18.47 acres
REQUEST: Storage Unit Condominium Subdivision Plat - Commercial Use
EXISTING LAND USE: Storage Unit Building Approved for Private Use

Pearson Storage Partners LLC is requesting a conditional use permit for a subdivision on 18.47 acres. Block 1 would include 105 condominium storage units and two offices/bathroom units.

Wetland areas are delineated on the plat and would be marked as "no build" areas. An undulating landscape berm is proposed along Highway 55.

A wildland urban interface fire protection plan has been submitted. It is anticipated that a pond would be used for fire protection.

Access would be from a new shared driveway onto State Highway 55; this access would align with the access driveway on the west side of the highway. The existing access point would be abandoned.

The applicant changed the name of the development from HWY 55 Storage to Rocky Mountain Storage.

Please refer to the previous staff reports and meeting minutes for additional information.

Additional information requested by Commissioners include:

- Results of the traffic impact study and
- A response from Lake Irrigation District.

FINDINGS:

1. A properly notice public hearing was held September 11, 2025. The PZ Commission tabled SUB 25-019 to November 13, 2025, at 6:00 p.m.
2. A properly notice public hearing was held November 13, 2025. The PZ Commission tabled SUB 25-019 to February 12, 2026, at 6:00 p.m. The public hearing was closed but can be reopened since new information has been submitted by the applicant and agencies.
3. Legal notice was posted in the *Star News* on January 22, 2026, and January 29, 2026. Since the matter was table to a specific date and time, additional public hearing notice was not required.
4. Rob Pair, representing the applicant, submitted additional information on January 15, 2026:
 - An encroachment permit was submitted in November to ITD. The traffic impact study was submitted to ITD. Response from ITD is attached.
 - He attended the December Lake Irrigation District meeting. The District has submitted a letter.
5. All Agency comments received:

Shirley Florence, Lake Irrigation District (LID), listed requirements for the LID water assigned to the proposed subdivision. (September 3, 2025) The applicants and their engineers are working with the District's Board regarding the District's easement through the site. (November 6, 2025) Agreements have been made: 1) A 20-ft easement on the delivery ditch in the southeast corner and 2) Idaho Code 42-1102 will be reference on the plat. (January 13, 2025)
2026

Annette Derrick, Valley County Building Official, stated, the existing structure was permitted as a residential detached garage. It was finaled without mezzanines in the structure. If this structure is being used as a commercial structure, a new building permit will be required. (January 29, 2026)

(Prior Agency Requirements)

Kendra Conder, Idaho Transportation Department, stated ITD's request for turn lane warrants has not been met. (October 15, 2025) ITD will need to review turn lane warrants that include traffic that will be generated from all parcels using the shared access. The applicant will need to apply for an ITD encroachment permit and must meet ITD specifications for a commercial two-way approach. Installation of any landscaping within the ITD right-of-way will need a permit. (August 29, 2025)

Emily Hart, McCall Airport Manager, stated the site is 1.8 miles from Runway 34, in Horizontal Surface. The applicant should prescreen for FAA Form 7460-1. (August 21, 2025)

Ryan Garber, McCall Fire & EMS, listed requirements for fire flow, hydrants, driveways, security gates, and fire extinguishers. Roads and water supply for fire protection shall be installed, inspected, and operable prior to final plat or building construction within each phase. (September 2, 2025)

Annette Derrick, Valley County Building Official, stated a building permit will be required to convert the existing storage units to commercial use. (Exhibit 1 - September 11, 2025)

Brent Copes, Central District Health, stated a subdivision application, fees, test holes, ground water monitoring and engineering report are required. (Exhibit 2 – September 11, 2025)

6. All Public comment received:

John Humphries, 108 Magnetic Rock RD, is opposed. The proposed size and scale is not compatible with adjacent single-family residential subdivision to the south or the agricultural land use to the east. Without any turn lanes, acceleration or deceleration lanes, this project would exasperate the existing dangerous section of Highway 55. The existing building was for personal use only; however, power meters have been added for each unit. There is a lack of landscaping for the numerous commercial buildings along Highway 55. The proposed storage units are not in the best interest of the community. Zoning laws should be considered. (February 1, 2026)

Kathy Deinhardt Hill, 14068 Pioneer Road, is opposed. A turn lane, reduced speed limit, and a no passing zone is needed in this area. The first 12 units, supposedly for personal use, are already completed; however, each unit has a power meter. What businesses will be allowed in the offices/bathroom buildings. Allowing people to run businesses from the storage units would have a negative impact; does the County have resources to make sure that kind of activity does not happen at this site? Enforcement of landscaping requirements is needed. The proposed use is incompatible with the areas to the south and east sides. The only reason it is compatible with the north and west sides is because industrial, commercial, and storage units have been allowed. (February 1, 2026)

Katharina and Geoffrey Roth are opposed to any more storage units along the scenic highway. If approved, require a 90% visual barrier using vegetation and a low berm. (February 2, 2026)

Drew Dodson, a reporter for BoiseDev.com and ValleyLookout.com, submitted information regarding lease agreements for business entities owned by Dusty Bitton for the existing storage building. He also requested information on enforcement or violations of Valley County Code. (February 4, 2026)

(Prior Public Comments)

April Whitney commented and sent pictures on the dirt work occurring on the site after the public hearing on September 11, 2025. (September 18, 2025)

- Dusty Bitton replied, stating the digging was occurring for underground electrical lines and propane tanks. (September 22, 2025)

Kathy Deinhardt Hill, 14068 Pioneer Road, is opposed. The constructed storage units should remain for personal use. Highway 55 has been made more dangerous by the unlimited commercial development. A full-turn lane from Lake Fork to McCall and a reduced speed limit are needed before approval of additional commercial development. Commissioner Potter should recuse herself from review of this application. (November 3, 2025)

STAFF COMMENTS / QUESTIONS:

1. Are you allowing commercial uses to be conducted from the current structure? Before this garage is used commercially, a building permit is required.
2. Does each unit currently have a separate utility meter and separate gas connections?

3. Are there firewalls in the structure approved for commercial uses?
4. At the last meeting you said your construction equipment was on-site to put in mezzanines...are the mezzanines permitted?
5. There was discussion concerning the design of the buildings; has anything changed from the original application?

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 - Revised
- Draft Relevant PZ Commission Minutes – September 11, 2025, and November 13, 2025
- Additional responses received after November 13, 2025
- Additional Submittals from Applicant
 - Email received January 15, 2026, and attachment

Proposed Conditions of Approval - Revised

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 final plat shall be recorded within two years, or this permit will be null and void.
5. Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any more dirt work being done on-site.
6. Wetland delineation shall be shown on the final plat and marked as a "No Build Area".
7. A Declaration of Installation of Utilities shall be recorded and noted on the face of the plat.
8. A letter of approval is required from McCall Fire District prior to recording the final plat.
9. Must have approval from Central District Health prior to issuance of a building permit.
10. Must have approval from Idaho Transportation Department for Joint Access approach prior to approval of the final plat.
11. Must have a letter of approval from Lake Irrigation District.
12. All easements must be shown on the final plat.
13. CCR's should address septic maintenance, dark sky compliant lighting, wildfire prevention, noxious weeds, wetlands, and landscape maintenance.
14. 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. This includes any pathway lighting. Motion lights are recommended.
15. Landscaping, as shown on the submitted landscaping plan, shall be installed prior to **October 1, 2027**. If landscaping dies, it must be replaced.
16. Shall place addressing numbers on each building.
17. All easements shall be shown on the final plat.
18. Shall obtain a sign permit prior to installation of any signs. Construction trailers cannot be used as signage.
19. No outside storage is allowed.
20. Any additional uses on Block 1 or Block 2 will require approval of a new conditional use permit.

21. Must have Idaho Transportation Department approval of the change in access and use.
22. The following notes shall be placed in the notes on the face of the final plat:
 - "The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."
 - "All lighting must comply with the Valley County Lighting Ordinance."
 - "Surrounding land uses are subject to change."
 - There shall be no division of any unit depicted on this plat except as permitted in the declaration AND with approval of the Health Authority and Planning and Zoning Commission.
 - Idaho Code 42-1102 shall be referenced.
23. A building permit will be required to convert the storage units to commercial use. The units cannot be rented until permit issued and in compliance with fire code and commercial codes.
24. First well installed will be a monitoring well for data collection by Idaho Department of Environmental Quality or their assigned.

END OF STAFF REPORT

Valley County Planning and Zoning Commission

PO Box 1350 • 700 South Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

Ken Roberts, Chairman
Carrie Potter, Vice-Chair

Brad Mabe, Commissioner
Ben Oyarzo, Commissioner
Heidi Schneider, Commissioner

MINUTES

Valley County Planning and Zoning Commission
February 12, 2026
Valley County Court House - Cascade, Idaho
PUBLIC HEARING - 6:00 p.m.

A. OPEN: Meeting called to order at 6:00 p.m. by Chairman Roberts. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Brad Mabe	Present
PZ Commissioner – Ben Oyarzo:	Present
PZ Commissioner – Carrie Potter:	Present
PZ Commissioner – Ken Roberts:	Present
PZ Commissioner – Heidi Schneider:	Excused
PZ Planner II – Lori Hunter:	Present

B. MINUTES: Commissioner Mabe moved to approve the minutes of January 8, 2026. Commissioner Potter seconded the motion. Motion passed unanimously.

C. OLD BUSINESS:

1. C.U.P. 25-031 Sterling Landscaping: Jody Hurst is requesting a conditional use permit for a landscaping business. The existing home would be used for housing; an 1800-sqft shop is proposed. A variance for a 30-ft setback instead of 100-ft from the front setback along Highway 55 is requested. An individual well and individual septic system would be used. Access would be from one driveway onto Highway 55. The 0.99-acre parcel RP18N03E339481, addressed at 13965 Highway 55, is in the SESE Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho. **Tabled from January 8, 2026.** Action Item

Chairman Roberts introduced the item.

Commissioner Potter moved to remove C.U.P. 25-031 Sterling Landscaping from the table; Commissioner Mabe seconded. Motion passed unanimously. Director Herrick presented the staff report and displayed the site and GIS map on the projector screen.

Chairman Roberts asked for the applicant's presentation. Mike Williams of South Beck & Baird, Boise, represented the applicant. The Commissioners previously requested additional information. Mr. Williams submitted this information (**Exhibit 1**). An updated site plan showed the parking area and the removal of the proposed shop. The widest part of the property is 150 feet. The requested variances were reduced and would allow for parking and the five temporary 13-ft by 13-ft storage bins within the setback areas. The requested variances would allow a 5-ft setback on the south (side property line instead of the required 10-ft. The western (rear)

6:25 p.m.

2. **SUB 25-019 Rocky Mountain Storage – Preliminary Plat:** Pearson Storage Partners LLC is requesting a conditional use permit for a subdivision on 18.47 acres. Block 1 would include 105 condominium storage units and two offices/bathroom units. Individual septic systems and individual wells are proposed. Access would be from a shared driveway onto State Highway 55. The site, addressed at 14014 Highway 55, is parcel RP18N03E331807 in the NE ¼ Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho. **Tabled from November 13, 2025.** Action Item.

Chairman Roberts introduced the item and asked if there was any ex parte contact or conflict of interest. Commissioner Potter recused herself.

Commissioner Mabe moved to move SUB 25-019 Rocky Mountain Storage – Preliminary Plat from the table. Commissioner Oyarzo seconded. Motion passed unanimously.

Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Correspondence from Gregg Tankersley of Crestline Engineers to Kendra Conder of Idaho Transportation Department regarding ITD's response and a right-of-way Encroachment Application submitted November 26, 2025. (February 6, 2026)
- **Exhibit 2** – Dusty Bitton submitted landscaping information, landscape renderings, and CCRs for McCall Valley Storage Condos, similar to the proposed use. (February 10, 2026)
- **Exhibit 3** – Revised Approach Detail Drawing with added signature and striping submitted by Crestline Engineering. Kendra Conder, Idaho Transportation Department, stated there are no issues from ITD's perspective that should hold up the PZ hearing. (February 6, 2026; February 9, 2026; February 10, 2026; February 11, 2026)

Chairman Roberts asked if a traffic study was submitted to Planning and Zoning Staff. Director Herrick stated there is not one in the file, only references that it was submitted to ITD.

Chairman Roberts asked for the applicant's presentation.

Matthew Parks, of Clark Wardle, Boise, represented the applicant. Both Gregg Tankersley and Rob Pair, Crestline Engineering, McCall, were available for clarifications. Mr. Parks summarized the application for 105 storage condominiums, two restrooms, common areas, drive aisles, and landscaping. Lot 2 would remain undeveloped. The public hearing is not about the prior use of the land which includes a personal storage building approved by the County Commissioner through the appeal process. This application should stand on its merits.

Chairman Roberts asked for clarification. Director Herrick stated the issue is well documented. A building permit for a personal garage was issued for the existing structure. It would have to be retrofitted for commercial use and meet commercial building standards if the project is approved.

Mr. Parks stated a building permit would be submitted for commercial use. There is no commercial use at this time. The applicant was envisioning the possibility for future commercial use during construction so retrofitting will not be necessary. However, a new commercial building permit would be required. Mr. Parks referenced public and reporter comments regarding the use of the building and stated the applicant did not think that what he was doing was more than personal use.

Mr. Parks stated the site is well suited for the proposed use which is similar to the existing storage condominiums across Highway 55. The site is not well suited for residential use. Staff rating the compatibility as +22. The Paradigm Storage received a comparable +23. Benefits to Valley County include economic growth, short-term growth, and increased taxbase. It would provide a needed use for residents.

Commissioners previously requested additional information. A traffic study has been submitted to ITD who had no concerns and indicated that turning lanes, deceleration lane, nor acceleration lane are warranted in this location. ITD indicated that there was minimal impact on traffic expected from storage facilities. Regarding water rights and irrigation easements, the applicant has been working with Lake Irrigation District. There are water rights available at this property. There will be a 20-ft wide easement provided to the Lake Irrigation District to clear up any confusion as to the legality of the easement. The staff report indicated that two ponds are proposed. The McCall Fire Department approved the location of the dry hydrants and had no issues with the ponds being used to provide fire protection water supply.

Mr. Parks addressed questions within the staff report. The existing building is not being used for commercial purposes. The applicant believed he could use the property to store vehicles or other things as a business owner. Obtaining the commercial use permit will remedy the issue. Individual meters were installed based on the potential for scaling the operation. Firewalls are in place for the completed units. The building would need inspected by Valley County Building Department to confirm that it meets all the building code requirements. There are no mezzanines in the existing building, just shelving at this time. Adding mezzanines in the future would require building permits.

Mr. Parks reviewed the conditional use permit standards as stated in the staff report. There would be an increase in property value to applicant and economic benefits to community. There are minimal or no environmental impacts. There are no impacts on adjacent properties. ITD has addressed concerns regarding turning lanes. The proposal meets the Comprehensive Plan. It is an allowed conditional use in the area. Impacts can be addressed through conditions of approval. The project is well located, compatible, and provides tangible economic and community benefits.

Chairman Roberts asked if Mr. Parks had thoroughly reviewed the record of the previous decision about the existing building, the 2023 approval, and subsequent appeal to the Board of County Commissioners. Mr. Parks replied that he has reviewed meeting minutes and comments.

Commissioner Mabe stating that the public's dislike of additional storage units along the Scenic Byway has been raised at past meetings. The Commission has asked the applicant on multiple occasions if he would be open to modifying the building layout, so the result was not a long strip of two-toned buildings and changing the layout to provide visibility in the scenic corridor along Highway 55. Mr. Parks said this has been considered. The site plan has been modified and the number of units decreased from 108 to 105 to create a break in the building line parallel to Highway 55. This would be good for both aesthetics and snow removal. Commissioner Mabe stated that the modifications have been to screen the buildings instead of modifying the layout; the buildings and proposed landscaping would block the view from the highway. That is in contrast to the storage buildings across the highway. He would prefer a different alignment of buildings. Mr. Parks disagreed and stated that the site is a low area, and the buildings would not block the viewshed. The landscape screening would break up the monotony more than separation of buildings. Mr. Parks added that the buildings would not be two-story structures but would be similar in design to those storage buildings across the highway.

Commissioner Roberts also commented on the viewshed. He appreciates the existing trees that screen the site. He stated that the area slopes downward to the west. Thus, the buildings on the west side of the highway are lower than buildings on the east.

Rob Pair responded to the landscaping and site plan comments. The traffic study has been submitted to ITD and they are willing to share the study with Commissioners and PZ Staff. ITD will not require turn lanes. The proposal consolidates three access locations into one; currently the Bus Barn, this use, and Sunbridge Drive on the west side of the highway all access Highway 55 at different locations. This consolidation is supported by ITD. An encroachment permit was submitted to ITD in November 2025 but was overlooked by ITD. It is currently under review; Mr. Pair believes the permit will be granted based on ITD's email response. Lake Irrigation District representatives did visit the site. In response to the District's concerns, a 20-ft easement for the ditch and Idaho Code will be added on the front of the plat. Additional building and landscaping renderings were submitted in **Exhibit 2**. The buildings would have a single-pitch roof with the lower side closer to highway. The landscaping interacts with the buildings and breaks up the single wall, solid look.

Chairman Roberts opened the public hearing and asked for proponents. There were none. Chairman Roberts asked for undecided. There were none. Chairman Roberts asked for opponents.

Kathy Deinhardt Hill, 14068 Pioneer Road, is opposed for two reasons. First, the existing building with 12 units was built under the guise of personal use. Commissioners should consider that the applicant was not upfront at the beginning. The proposal includes two storage units with bathrooms. What type of business will use these? She is concerned that business will operate out of the units. The storage units in McCall located behind the carwash along Highway 55 have businesses operating out of the storage units. This has impacts. Would these businesses ask for permission prior? How would this be enforced? Secondly, she is concerned about traffic. She does not have faith in ITD as the recently stated that Highway 55 is at maximum capacity. The highway is busy both during the work week and during the weekend. A turn lane, double solid center line, and a reduced speed limit are necessary at this location. Development should be stopped in this area until these are required.

Scott Harris, 86 Ilka Lane, urged caution. The initial construction was approved for private use but established a precedent for having similar buildings at the site that might have otherwise not been approved. The applicant was deceptive. He is concerned that a turn lane was recommended at Elo Road and Highway 55 for a nearby storage unit use; thus, one should be located here. There is also standing water at times on this property. It is past time to take more aggressive measures to preserve the Scenic Byway.

Chairman Roberts asked for rebuttal from the applicant.

Mr. Parks stated the concerns have been addressed. ITD has reviewed the proposal and determined that turn lanes are not warranted. Wetlands will be labeled as "no-build" areas. The conditional use permit application should be reviewed on its merits.

Mr. Pair added that the two proposed bathrooms are for use by the entire 105 storage units. CCRs would prohibit retail and wholesale outlets, storefront businesses, manufacturer assembly, repair activity, noxious activity, and storage of hazardous materials, high pile combustible storage, residential use, or animals. Chairman Roberts asked for clarification that a business owner such as a plumber could use the unit to store materials and access them. Mr. Pair referred to the permissible uses in the sample CCRs which do allow maintenance and

inventory turnover but not manufacturing. Mr. Pair was unsure if vehicle maintenance would be allowed. Mr. Parks clarified that an owner would be able to winterize a boat in a storage unit or do an oil change on a personal vehicle. That is different than using the unit to do car shop work such as with a lift. These uses can be clarified and limited within CCRs. The intent is not to have manufacturing or day-to-day business operations occurring. Only storage of equipment and the ability to pick up and drop off materials, but not like a shipping or retail business. The units could be used to store seasonal vehicles and owners should have the ability to maintain this equipment within the storage units.

Commissioner Mabe expressed concerns that businesses would use the units for more than storage of materials.

Commissioner Mabe referred to the earlier statements that the individual gas and electric meters were installed to allow for future scaling of the use. Mr. Parks stated that the owner wanted the ability to scale up at a future time; Mr. Parks does not want to revisit the issue if a conditional use permit for commercial use should have been applied for earlier. A homeowner could have multiple meters on a property for different buildings. The firewalls were added during construction in case of a future change of use. Chairman Roberts stated that the applicant originally asked and was approved for personal use of the storage building for family and friends. This limitation was discussed in the appeals process, and the applicant was aware that a change in use would require a conditional use permit. Mr. Parks stated that if a violation has occurred, then the cure is to get a conditional use permit for that use. It was the applicant's understanding that storing his business vehicles was an allowed personal use. Chairman Roberts read from the meeting minutes of February 9, 2023, when Dusty Bitton stated he bought the property and wanted to replace the existing dilapidated buildings with a new storage building. The new building would be used for personal use by his family and his business partners' family. The building would be used to store boats, snowmobiles, trailers, and RVs, and other seasonal equipment. He was clear that was to be used for personal storage, not business equipment. He was aware that a conditional use permit would be required before the building could be used for business use. Director Herrick clarified, for the record, that the use of these storage units for Mr. Bitton's other businesses has recently been in the news. There were leases recorded that state that Mr. Bitton has leased the units to his other businesses. Mr. Bitton's other LLCs are leasing the units. For the record, the leases show business use of the building. Chairman Roberts stated that these leases contradict Mr. Bitton's statements on February 9, 2023.

Chairman Roberts closed the public hearing. The Commission deliberated.

Commissioner Mabe stated the primary issue is a long strip of buildings blocking the scenic view in the middle of the scenic corridor; this is not in alignment with the Comprehensive Plan. The applicant has been asked about landscaping and building modifications. He believes the Commission needs to continue to focus on enabling the scenic view while screening the development that does go into those areas. The other issues raised are not as important. The Commission has asked for site plan modifications to be more in line with the scenic corridor protection, but this has not been done. This proposal does not enhance Valley County. Commissioner Mabe is not supportive of this proposal.

Commissioner Oyarzo concurred with Commission Mabe on issues regarding the scenic byway and viewshed.

Chairman Roberts stated he has a few concerns regarding this proposal:

- 1) Approval would set a precedent that one can get a building permit, do whatever they want, and then incorporate the building into a conditional use permit. This denies the

Commission the ability to apply current ordinances to a building that was built for personal use and creates an unequal playing field for applicants.

- 2) He also concurred with Commissioner Mabe's concerns for the scenic byway and viewshed. If the highway was lined with storage units, one would not see any of the mountains from the highway. This proposal does not meet the Comprehensive Plan. In particular, Chapter 2 - Goals 1 and 2 speak to maintaining the rural atmosphere of Valley County.
- 3) The impact on adjacent landowners, especially the residential areas immediately adjacent or who would overlook this site. This proposal has a significant amount of roof space compared to other possible commercial uses that could locate at the site.
- 4) Safety of Highway 55 is a concern. As a quasi-judicial commission, the Commissioners are to review applications through Idaho Statutes, the Comprehensive Plan, and Valley County Ordinances. Health and safety are two big issues. Adding to the congestion on Highway 55 would lead to more crashes.
- 5) In addition, many impact reports in applications are lacking. That is true for this application. A traffic impact study should have been completed prior to submittal of the application to PZ Staff. The PZ Commission relies on the County Engineer to verify what the applicant's engineer might say. Thus, more information should be included in the original submittal.

Based on these reasons, Chairman Roberts is opposed.

The Commissioners deliberated further and discussed the questions and standards of approval listed on page 4 of the staff report and the policy in Valley County Code Title 9. Standards in Title 9, Chapter 5, that are not met include scenic quality and safety on Highway 55. These are items the Board of County Commissioners have recently asked the Commission to be aware of. The Commission has on multiple occasions asked the applicant to modify the design of the proposal. Chairman Roberts stated that the application will likely negatively impact the property values of adjacent properties. Working on vehicles and equipment in the units could lead to oil and other contaminants draining into the ground; not everyone will have an oil pan. There are runoff ponds for the stormwater; however, there is a tremendous amount of roof area and asphalt that would be impermeable surfaces. Thus, greater amount of water will run off into the creek and irrigation ditch. There would be both negative financial and visual impacts to adjoining properties, including roof glare. The Commissioners and Valley County Engineer have not seen the traffic report to know if this proposal would adversely impact governmental services. The application is not consistent with the Comprehensive Plan, particularly the scenic byway guidelines in the open space section. Possible mitigation for approval would include modifications to the building layout and design, improvements to highway safety, and lessening the impact on adjacent properties.

Commissioner Mabe moved to deny the conditional use permit and preliminary plat for SUB 25-019 Rocky Mountain Storage based on the Commissioner discussion. Commissioner Oyarzo seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

Short recess to 7:42 p.m.