

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

SUBJECT: CUP 22-34 Shoemaker Donnelly Storage – Extension Request

INTRODUCTION

This matter came before the Valley County Planning and Zoning Commission on May 14, 2026. The Commission reached a quorum. Commission members in attendance were Ben Oyarzo, Carrie Potter, Heidi Schneider, and Chairman Ken Roberts.

Steve Thiessen of Hatch Design Architecture was present and requested a three-year extension of the conditional use permit that expires on May 23, 2026. The approval includes a public self-storage facility containing an office and five storage buildings. Access would be from Old State Road, a public road. The site, addressed at 13051 Old State RD, is part of the 26.97-acre parcel RP16N03E157408, located in the SE ¼ Section 15 T.16N R.3E, Boise Meridian, Valley County, Idaho.

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 meeting dated May 14, 2026, the Valley County Planning and Zoning Commission hereby made the following findings of fact:

1. The extension request and information presented at the public hearing meets all the requirements of the Valley County Ordinances as codified in Title 9 of the Valley County Code.
2. 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, and by the Laws of the State of Idaho.
 - The extension request was received from the applicant on March 13, 2026.
 - Legal notice was posted in the *Star News* on April 23, 2026; and April 30, 2026.
 - Potentially affected agencies were notified on April 14, 2026.
 - Property owners within 300 feet of the property line were notified by fact sheet sent on April 16, 2026.
 - The notice and application were posted online at www.co.valley.id.us on April 14, 2026.
 - The agenda that was sent to the applicant, agencies, and neighbors and posted online stated the meeting started at 4:00 p.m., the fact sheet stated 6:00 p.m. Therefore, on April 22, 2026, the applicant, potentially affected agencies, and neighbors within 300 feet of the property line were noticed that the correct meeting start time was 4:00 p.m.
 - The site was posted on April 21, 2026. The meeting time was corrected to 4:00 p.m. on April 22, 2026.
 - A public hearing was held on May 14, 2026.

3. A conditional use permit was previously approved and recorded as Instrument # 457122. The effective date was May 23, 2023.
4. Two people commented in opposition during public testimony on the proposal. Written comments were received from agencies. See the staff report and minutes of the meeting.

CONCLUSIONS

Based on the foregoing findings, the Valley County Planning and Zoning Commission concludes as follows:

1. The Valley County Comprehensive Plan was modified since the original application was approved.
2. Additional issues at the site include traffic studies, public safety at the intersection, water, wetlands, and surface water runoff.

ORDER

The Valley County Planning and Zoning Commission, pursuant to the aforementioned, orders that the extension request of Hatch Design Architecture for CUP 22-34 Shoemaker Donnelly Storage – Extension Request, 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

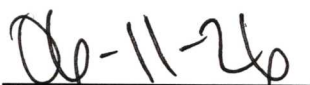
The Applicant is hereby notified that pursuant to Idaho Code §67-8003, an owner of real property that is the subject of an administrative or regulatory action may request a regulatory taking analysis. Such requests must be in writing and must be filed with the Valley County Clerk not more than twenty-eight (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

Facts and Conclusions

CUP 22-34 Shoemaker Donnelly Storage – Extension Request

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Valley County Planning and Zoning

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STAFF REPORT: C.U.P. 22-34 Shoemaker Donnelly Storage – Extension Request
MEETING DATE: May 14, 2026
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director
APPLICANT: Jeff Hatch, Hatch Design Architecture
200 W 36th ST, Boise, ID 83714
PROPERTY OWNER: Shoemaker Properties LLC
PO Box 759, Eagle, ID 83616
LOCATION: 13051 Old State RD
Parcel RP16N03E157408 located west of Highway 55 at the
intersection of Old State RD and Eagle Lane. The site is in the SE ¼
Section 15 T.16N R.3E, Boise Meridian, Valley County, Idaho
SIZE: 26.97 acres
REQUEST: Extension of Approval of a Public Storage Facility
EXISTING LAND USE: Bare Land

Jeff Hatch is requesting a three-year extension of the conditional use permit that expires on May 23, 2026.

The approval includes a public self-storage facility containing an office and five storage buildings on the southern portion of a 29.67 parcel. Access would be from Old State Road, a public road.

The request is due to on-going ground water monitoring.

Proposed timeline:

2026 – Phase 1 – All site improvements and the construction of Building C and Canopy D.

2028 – Phase 2 – Construction of Buildings A, B, and E.

A revised site plan is attached.

FINDINGS:

1. The extension request was submitted on March 13, 2026.
2. Legal notice was posted in the *Star News* on April 23, 2026; and April 30, 2026. Potentially affected agencies were notified on April 14, 2026. Neighbors within 300 feet of the property line were notified by fact sheet sent April 16, 2026. The notice and extension request were posted online at www.co.valley.id.us on April 14, 2026.

3. The agenda that was sent to the applicant, agencies, and neighbors and posted online stated the meeting started at 4:00 p.m., the fact sheet stated 6:00 p.m. Therefore, on April 22, 2026, the applicant, potentially affected agencies, the City of Donnelly, and neighbors within 300 feet of the property line were noticed that the meeting start time was 4:00 p.m.
4. The site was posted on April 21, 2026. The meeting time on the sign was corrected to 4:00 p.m. on April 22, 2026.
5. Agency comment regarding the extension request:

Paul Ashton, Parametrix and Valley County Engineer, recommended approval of the revised grading and drainage plans and stormwater drainage report. (May 4, 2026)

Brent Copes, Central District Health, stated CDH has no objection to the extension. The septic application will expire December 11, 2027. (April 15, 2026)

Idaho Department of Environmental Quality (DEQ) provided general comments on air quality, wastewater, drinking water, surface water, solid waste, hazardous waste, water quality, ground water contamination, and best management practices. (May 4, 2026)

Kendra Conder, Idaho Transportation Department, stated ITD does not have any concerns with the extension request. Prior to permitting, the applicant may need to provide an updated traffic study as conditions will inherently change. (May 6, 2026)

Jerry Holenbeck, Donnelly Fire Marshal, stated all existing requirements will continue to apply. (April 29, 2026)

Brandon Flack, Idaho Dept of Fish and Game, had no comments. (May 6, 2026)

6. Public comment received: *none*

STAFF QUESTIONS / COMMENTS / RECOMMENDATION:

- The applicant should recap the recent discussions with ITD and the Valley County Road Department concerning the realignment of Old State Road
- When would the work be completed on the realignment?
- A development agreement discussion and agreement is required prior to any on-site improvements.

ATTACHMENTS:

- Extension Request and Revised Site Plan
- Conditional Use Permit 22-34, Instrument #457122
- Vicinity Map
- Aerial Map
- Google Maps – Aerial View
- Google Maps – Street Views, 2024
- Photos taken April 21, 2026, and April 22, 2026
- Assessor's Plat T16N R3E Section 15
- Responses

END OF STAFF REPORT

Valley County Planning and Zoning Commission

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Cascade, ID 83611-1350



Phone: 208-382-7115
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Ken Roberts, Chairman
Carrie Potter, Vice-Chair

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

MINUTES

Valley County Planning and Zoning Commission
May 14, 2026
Valley County Court House - Cascade, Idaho
PUBLIC HEARING - 4:00 p.m.

A. OPEN: Meeting called to order at 4:06 p.m. by Chairman Roberts. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Brad Mabe	Excused
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 March 31, 2026; April 9, 2026; and April 21, 2026. Commissioner Potter seconded the motion. Motion passed unanimously.

C. OLD BUSINESS:

- 1. SUB 25-003 Tamarack Resort Phase 3.7 Buttercup Villas – Final Plat:** Tamarack Resort Two LLC is requesting is requesting final plat approval. The commission will review the final plat to determine conformance with the preliminary plat, approved densities, and conditional use permit. Original approval was for 10-lot single-family residential lots, an open space lot, and recreational easements. Clearwater Court (private) would be extended to access these lots. The site is a 4.3-acre portion of parcel RP00515006000B in the NESW Section 32, T.16N, R.3E, Boise Meridian, Valley County, Idaho. Not a public hearing. Action Item. *Postponed from March 12, 2026, on request of applicant.*

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff reports, displayed plat and the GIS map on the projector screen, and summarized the following exhibits:

- Exhibit 1** – Paul Ashton, Parametrix and Valley County Engineer, recommended approval of the grading and drainage plans and drainage calculations. (April 1, 2026)
- Exhibit 2** – Paul Ashton, Parametrix and Valley County Engineer, did not review the final plat. (May 7, 2026)

Chris Kirk, planning consultant for Tamarack Resort, concurred with staff report and conditions. He responded to questions from Commissioners. The recreational easement is for residents and is an existing bike trail that will be relocated. The easement accesses Tamarack property and eventually State Land. Sanitary restrictions will be lifted prior to final plat recordation.

6. **C.U.P. 22-34 Shoemaker Donnelly Storage – Extension Request:** Jeff Hatch is requesting a three-year extension of the conditional use permit that expires on May 23, 2026. The approval includes a public self-storage facility containing an office and five storage buildings. Access would be from Old State Road, a public road. The site, addressed at 13051 Old State RD, is part of the 26.97-acre parcel RP16N03E157408, located in the SE ¼ Section 15 T.16N R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site, GIS map, and site plan on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Paul Ashton, Parametrix and Valley County Engineer, stated original CUP conditions and review apply. (May 7, 2026)

Director Herrick is currently working on the development agreement. Applicant has been working with Valley County Road Director and ITD on realignment of Old State Road.

Chairman Roberts asked for the applicant's presentation.

Steve Thiessen, Hatch Design Architecture, Boise, stated diligent and thorough septic monitoring has occurred as the site is near wetlands. Central District Health is evaluating if they will accept current monitoring or require another year. Groundwater monitoring has been taking place for three to four years. Mr. Thiessen pointed out locations on the map. Monitoring has resulted in change of locations for septic and modification of the site plan.

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.

Heather Beamon, 13017 Old State Road, stated the original approval was based on conditions that existed at that time. Since then, the surrounding land use has changed rapidly. She would like the applicant to return with new conditional use permit application which would result in new review. The Commission should reevaluate if the proposal remains appropriate for the area.

Brad Beaman, 13017 Old State Road, stated the only visible change in three years has been pipes in the ground. The use already received a two-year extension for ground water monitoring. He is concerned about stormwater runoff from buildings and septic systems located right next to wetland area. His biggest concern is the realignment of Old State Road. Idaho Transportation Department (ITD) is currently doing a study of Highway 55. He asks that the Commission not grant extension and obtain the results from the ITD study for future planning.

Chairman Roberts asked for rebuttal from the applicant.

Mr. Thiessen stated the neighbors' concerns are in regard to infrastructure which is currently being evaluated. The use and realignment have approval from ITD. There has been discussion regarding deceleration lanes. They are open to the Commission using this extension to impose additional safety mechanisms on that intersection beyond what ITD and the applicant's traffic engineer and civil engineer have suggested. The extension is needed to complete monitoring and road realignment. Buildings would be constructed without plumbing and utilities in 2026. The stormwater and drainage plan for the buildings and hardscape are approved.

Chairman Roberts closed the public hearing. The Commission deliberated. The conditional use permits was applied for in 2022. ITD requirements were discussed. The Valley County Road Director is working with the Valley County Engineer and ITD for requirements to include in the Valley County Planning & Zoning

development agreement. The applicant had offered to realign Old State Road to a 90° intersection with Highway 55.

Chairman Roberts was opposed to approving an extension. The Comprehensive Plan was recently updated with significant changes and standards. The applicant has already had one extension. The impacted wetland area directly drains into Lake Cascade. This is not optimal site and is prone to flooding.

Commissioner Schneider stated she was not here for original application. A three-year extension is not necessary; 18 months would allow monitoring and sign off by CDH. If have approval from CDH and from Valley County Engineer, then the only question is if they would need a revised traffic impact study based on ITD's recent response.

Commissioner Potter agreed with Chairman Roberts. A reapplication with revised traffic impact study is not a bad idea.

Commissioner Oyarzo preferred a reapplication under the revised Comprehensive Plan.

Director Herrick stated the application was originally approved by the PZ Commission on a split vote. The decision was appealed by neighbors. The Board of County Commissioners denied the appeal and approved the conditional use permit in December of 2023. The history of the application was discussed by Staff and Commissioners.

Commissioner Potter moved to deny C.U.P. 22-34 Shoemaker Donnelly Storage Extension Request. Commissioner Oyarzo seconded the motion. Commissioner Potter, Commissioner Oyarzo, and Chairman Roberts voted in favor. Commissioner Schneider voted in opposition of the extension denial. The motion carried 3-1.

Reasons for denial were discussed for the record. These include:

- Lack of action,
- Change in Valley County Comprehensive Plan since original approval.,
- Traffic studies,
- Concerns about water and wetlands,
- Surface water runoff, and
- Public safety at the intersection.

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

8:38 p.m.

- 7. C.U.P. 26-006 Idaho Tree Equipment Storage and Employee Housing:** Idaho Tree and Utility Solutions is requesting a conditional use permit for storage of equipment, materials, parking, a shop, and two employee houses. RVs would be used for housing until structures are built. An individual well and individual septic system are proposed. Access is from Highway 55 and Gunsmoke Road, a private road within a public road right-of-way. The 5.58-acre site, addressed at 13480 Gunsmoke RD, Lots 2 and 3 of Big Valley Estates, in the SE¼ Section 27, T.17N, R.3E, Boise Meridian, Valley County, Idaho. Action Item

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site, GIS map, and site plan on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Paul Ashton, Parametrix and Valley County Engineer, described requirements. (May 7, 2026)