

Rocky Mountain Storage Unit Denial Appeal

CUP Case No. SUB 25-019

Presentation to Valley County Commissioners

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Grounds for Appeal: Procedural Error & Statutory Non-Compliance

Failure to Issue Written Findings of Fact and Conclusions of Law (LLUPA § 67-6535)

The Legal Requirement:

- Under the Idaho Local Land Use Planning Act (LLUPA) and Valley County Code, every final decision to approve or deny a permit **must** be accompanied by a reasoned statement in writing.
- This document must explain the specific criteria and facts used to reach the decision.

The Procedural Breach:

- The Planning and Zoning Commission reached a verbal consensus/vote to deny the CUP.
- To date, no Written Findings of Fact or Conclusions of Law have been issued or served to the applicant.

Impact of the Omission:

- Lack of Transparency: Without a written record, the applicant cannot identify which specific county standards (e.g., compatibility, infrastructure) were allegedly not met.
- Prejudice to Appeal: An applicant cannot effectively argue against a "silent" denial, depriving them of due process.

Scenic Byway Concerns Addressed

- Low-profile structures
- Neutral design
- Landscaping buffers
- Limited lighting/signage

Result: Minimal visibility from roadway



Consistency with Recent Approvals

- Stor-It McCall - approved
- Paradigm Storage - approved

Both recognized as low-impact uses





Traffic Impact on Highway 55

- Low trip generation
- Infrequent visits
- No peak-hour congestion

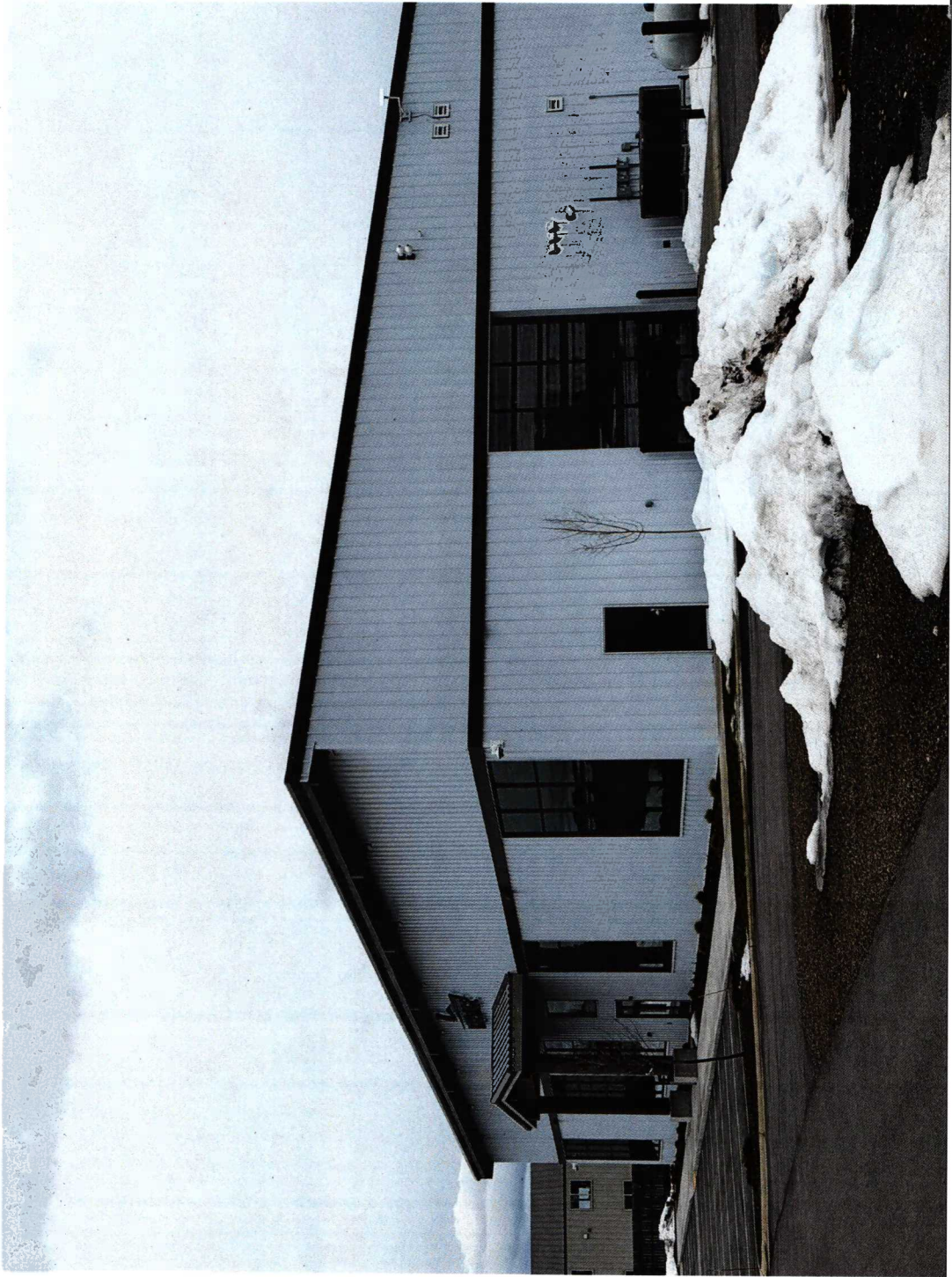
Traffic impact is negligible









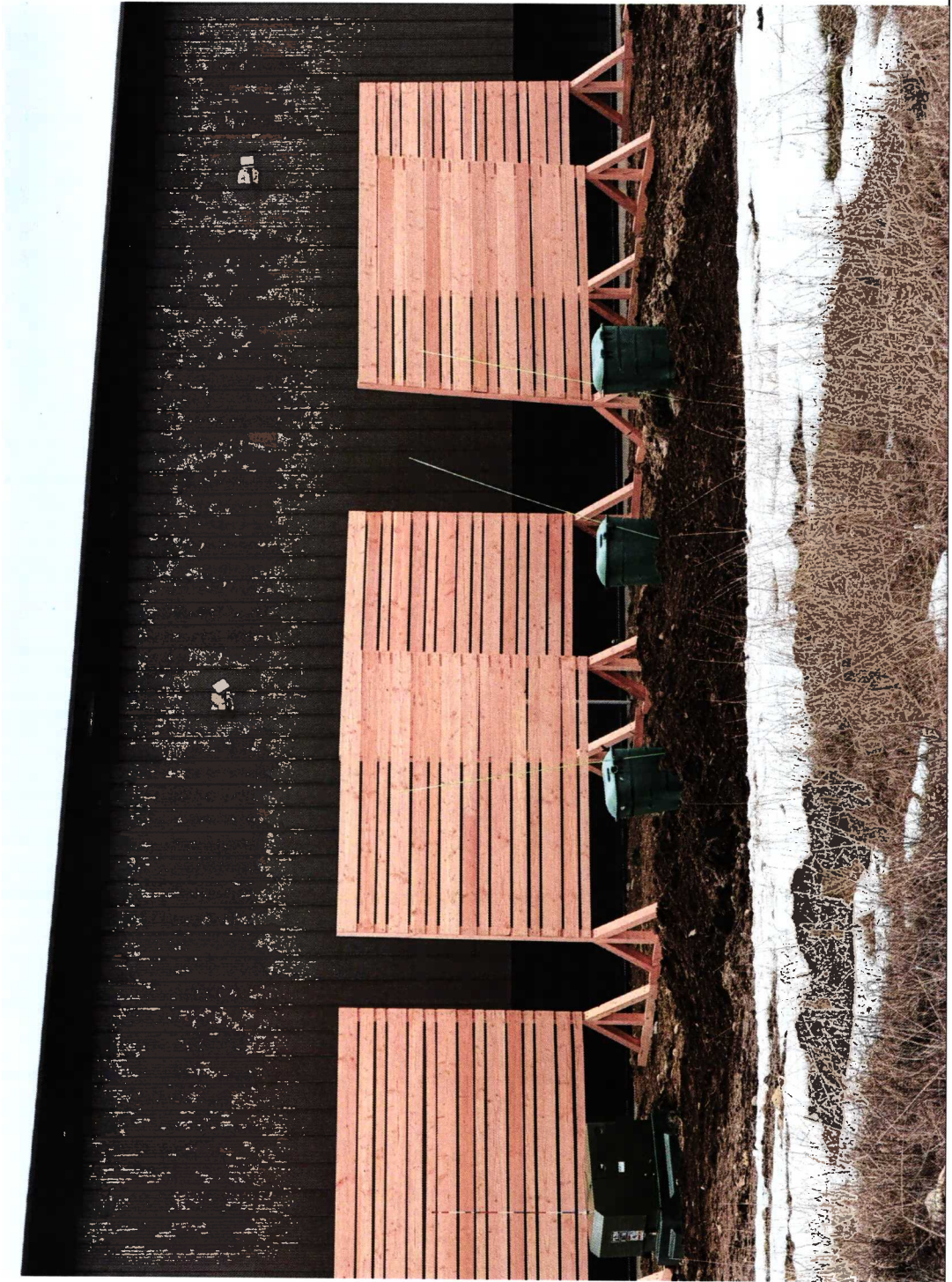
























Storage Purposes

- Personal
- Business

Prohibited Uses

- Retail or Wholesale Outlet
- Manufacture or Assembly
- Repair Activity
- Noxious Activity
- Storage of Hazardous Substances
- Residential Use
- RV Dump
- Animals

Vehicle Parking

- No long-term parking outside of unit, this includes vehicle, trailer, boat, or RV

Conclusion

- Scenic impacts minimized
- No highway impact
- Consistent with County precedent

Project meets all approval criteria and should be approved