

Valley County Planning and Zoning

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STAFF REPORT:	Appeal of PZ Commission Approval of SUB 26-005 Pine Creek Ranch South Subdivision - Preliminary Plat
MEETING DATE:	July 27, 2026
TO:	Board of County Commissioners
STAFF:	Cynda Herrick, AICP, CFM, Planning and Zoning Director
APPELLANTS:	Mathew Falvey, Randy Wall, P.E, and Stockton Neighborhood Property Owners – represented by Abigail R. Germaine of Elam & Burke, 251 E Front ST STE 300, Boise, ID 83702
APPLICANT / PROPERTY OWNER:	Pine Creek Ranch LLC 517 E Parkcenter Blvd Apt 203, Boise ID 83706
SURVEYOR:	NV5, 690 S Industry Way Suite 120, Meridian ID 83642
ENGINEER	Crestline Engineers INC, PO Box 2330, McCall, ID 83638
LOCATION:	389 Stockton Court Parcel RP18N03E154641 in the S ½ Section 15, T.18N, R.3E, Boise Meridian, Valley County, Idaho
SIZE:	90.87 acres
REQUEST:	Single-Family Residential Subdivision – 4 Residential Lots
EXISTING LAND USE:	Single-Family Residential Parcel with a Residence

On June 11, 2026, the Valley County Planning and Zoning Commission unanimously approved SUB 26-005 Pine Creek Ranch South Subdivision conditional use permit and preliminary plat in a 4-0 vote. This decision was appealed.

Background:

Pine Creek Ranch LLC requested a conditional use application and preliminary plat with four-development parcels on 90.87 acres. The site is located in the City of McCall Impact Area.

The primary purpose of this application is to create a permanent 80' wide public right-of-way with a privately maintained gravel access road. The roadway surface would be 24-ft wide with 2-ft wide gravel shoulders. This would create connectivity to a parcel to the north within the City of McCall and fulfill the requirement for secondary access should that parcel be developed. An additional road would also provide access.

The owner(s) would be responsible for maintaining both proposed roadways while the right-of-way will be dedicated or deeded to Valley County.

Four development parcels are remnants of the road design process and it is not the intent to provide housing options inside of the development parcels. Development Parcel 2 includes an existing residence, well, septic system, and outbuildings. Each new parcel would have available one single-family residence until a new subdivision plat was entitled through a platting process.

The site would be accessed from Stockton Court, a public road.

Development Parcel 2 includes an existing residence, well, septic system, and outbuildings.

Existing wetlands, including a reservoir, are present on the property. The property has an existing water right.

Variances from VCC 9-5A-6: UTILITIES and 10-5-1 Street and Utility Improvements are part of the permit. No utilities are proposed at this time and the plat shall be marked.

The applicant was represented by Craig Groves, Gregg Tankersly of Crestline Engineers, Rob Pair of Crestline Engineers, and Mathew Parks of Clark Wardle LLP.

The Appeal

The appeal (attached) was received in a timely manner on June 22, 2026, with the appropriate \$1,000 fee.

Valley County Code (VCC) 9-5H-12: APPEALS:

Each appeal must clearly state the name, address and phone number of the person or organization appealing and the specific issues, items or conditions that are being appealed, and state the nature of his or their interest and extent of damages.

The appeal summarized the application and listed the following reasons for the appeal:

- 1) The Commission failed to provide the required reasoned statement and failed to resolve relevant contested facts.
- 2) The record does not establish that the impacts associated with the proposed use have been satisfactorily mitigated.
- 3) The commission failed to identify the applicable standards governing the project.
- 4) The commission failed to meaningfully evaluate the actual use being approved and improperly deferred essential issues to future proceedings.

APPLICANT'S RESPONSE TO APPEAL:

The applicant submitted a detailed response to the Appeal on July 20, 2026, and lists the following reasons to deny the appeal and approve SUB 26-005.

- 1) The appeal consistently conflates this application with future development that is not before the Board.

- 2) Idaho Code § 67-6535 requires the board to make its own reasoned decision.
 - 3) The Commission's findings are supported by substantial evidence.
 - 4) The City of McCall's comments reflect a difference in planning philosophy—not a violation of Valley County Code.
 - 5) The record demonstrates responsible long-term transportation planning.
 - 6) The appeal improperly assumes that every future impact must be resolved during this preliminary plat.
 - 7) The record supports the required findings.
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Findings:

1. The application and submittal 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. The site is within the City of McCall Impact Area.
3. That the existing use of the property is Single-Family Residential Lot with a residence.
4. That the land use categorization in Valley County Code (Table 9-3-1) is as follows:
 - 2. Residential Uses (c) Subdivision for single-family subdivision.
5. That the surrounding land uses are City of McCall boundary with area zoned as Civic (Barbara R Morgan Elementary School and Payette Lakes Middle School) and R4 (Low Density Residential: maximum density of 4 dwelling units per acre – Woodlands No. 2 and Fox Ridge Subdivision and bare land); Single-Family Residential Subdivision (West Place Recorder's Plat); and Agricultural (Bare Forestland).
6. Submittals by the applicant were as follows:
 - A neighborhood meeting is not required for a 4-lot subdivision (VCC 9-5H-1.D).
 - The application was received from the applicant on February 23, 2026.
 - The Wildland Urban Interface Fire Mitigation Plan (WUI) short-form was submitted on February 24, 2026.
 - A draft WUI plan that was previously submitted to the City of McCall for both the 90-acre and 68-acre parcels was submitted on May 12, 2026 (Exhibit 6 – May 14, 2026).
 - Craigs Groves provided information on Traffic Impact Studies (TIS). A TIS was completed in September 2025 based on developing the entire 158 acres containing approximately 492 homes. A revised TIS will focus on 176 units on 68 acres located in the City of McCall. The final report will address the Stockton 90 secondary access allocating 10% of the traffic generated to exit out of Stockton Court. Any future subdivision of one or more of proposed development parcels would require a new TIS. (May 6, 2026)
 - Craig Groves submitted an application statement. (Dated May 11, 2026; Exhibit 4 - May 14, 2026)

- Craig Groves submitted Payette Lakes Recreational Water and Sewer District's (PLRWSD) technical memos from April 30, 2025, and June 28, 2021. (Received May 11, 2026; Exhibit 5 - May 14, 2026)
 - Matthew Parks', legal representative, letter dated June 9, 2026, in opposition of the request to reopen public hearing.
7. The Planning and Zoning Commission held a properly noticed public hearing on May 14, 2026.
- The City of McCall was sent the application for review on March 10, 2026, and April 14, 2026. The application was emailed to City Clerk BessieJo Wagner, Community & Economic Development Director Michelle Groenevelt, City & Sustainability Planner Meredith Todd, Planning & Building Specialist Rachel Santiago-Govier, GIS Program Manager Yoram Terleth, and McCall Airport Manager Emily Hart.
 - The matter was postponed to May 14, 2026, per Valley County Codes 7-1-9 and 10-1-4
 - VCC 7-1-9 requires a minimum 45-day notice to the City of McCall for development requests within the McCall Area of Impact.
 - VCC 10-1-4 requires subdivision applications for property within one mile outside the limits or impact area of any incorporated city be submitted to city for review. If no recommendation is given by the city council within 45 days of receipt of an application, it will be assumed that there are no issues.
 - Legal notice was posted in the *Star News* on March 19, 2026; March 26, 2026; April 23, 2026; and April 30, 2026.
 - The applicant was notified of the postponement on March 12, 2026. Potentially affected agencies were notified of the postponement on March 12, 2026 (by email), and March 13, 2026 (by mail). Neighbors within 300 feet of the property line were notified of the postponement by mail sent March 13, 2026.
 - On April 22, 2026, the applicant, surveyor, engineer, potentially affected agencies, the City of McCall, and neighbors within 300 feet of the property line were noticed that the meeting start time was 4:00 p.m.
 - 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.
 - A public hearing was held on May 14, 2026.
 - People in attendance commented as proponents and opponents during public testimony on the proposal. Written comments were received from agencies and the public. See the PZ Commission staff reports and meeting minutes.
 - The public hearing was closed. Commissioners directed Staff to write a proposal that included tiered conditions of approval with options
 - The matter was tabled to June 11, 2026.
 - Although the public hearing was closed, the notice was posted in the *Star News* on May 21, 2026, and May 28, 2026.
8. On June 11, 2026, the Commissioners deliberated further.

9. A motion to approve the conditional use permit and preliminary plat for SUB 26-005 Pine Creek Ranch South Subdivision was made and seconded. **The motion passed unanimously (4-0).** Commissioner Mabe, Commissioner Potter, Commissioner Schneider, and Chairman Roberts voted in favor of the motion; Commission Oyarzo was excused and not present.
 10. An appeal from the applicant's representative and the required \$1000 fee was received on June 22, 2026.
 11. Legal notice for the Appeal was completed, as follows:
 - Posted in the *Star News* on July 2, 2026.
 - Posted in the *Star News* on July 9, 2026.
 - The applicant/property owner, appellants, legal representatives, engineer, and surveyor were notified by fact sheet sent June 26, 2026.
 - Potentially affected agencies were notified on June 26, 2026.
 - Property owners within 300 feet of the property line were notified by fact sheet sent June 26, 2026.
 - The fact sheet was also sent on June 26, 2026, to people who previously commented on this matter.
 - The appeal letter and public hearing notice were posted online at www.co.valley.id.us on June 26, 2026.
 - The site was posted on July 9, 2026.
 12. The Minutes of the P&Z Commission Meetings and the Facts and Conclusions are attached, along with information submitted by the applicant and public.
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Conclusions

The primary purpose of this application is to create a permanent 80' wide public right-of-way with a privately maintained gravel access road. The roadway surface would be 24-ft wide with 2-ft wide gravel shoulders. This would create connectivity to a parcel to north and fulfill the requirement for secondary access should that parcel be developed. An additional road would also provide access.

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

1. Valley County must follow the laws of the State of Idaho and those identified in the Valley County Code.
2. Valley County has opted to substitute traditional zoning with a multiple use zone in which there is no separation of land uses.
3. Valley County has one mixed use zone that is a performance-based ordinance which promotes mitigation of impacts.
4. The proposed use is 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. The proposed use is compatible with surrounding land uses. This application had a positive compatibility rating in accordance with Valley County Code Appendices 9-11-1.

6. The proposed use will increase the value to the general public.
 - Additional access for emergency services and traffic circulation.
 - The proposed connections would provide essential secondary emergency access to areas that are currently difficult or impossible for emergency services to reach, thereby improving overall public safety.
 - Plat includes road right-of-way width for a detached pathway for use by pedestrians and bicyclists, a desirable and well-used public amenity in the McCall area.
7. The proposed use will increase the value of private property.
 - The value of the parcel will increase due to the additional building sites.
8. The proposed use will not have an undue adverse impact on the environment.
 - Wetland areas will be delineated and marked as “no-build” areas.
 - Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any work being done on-site.
 - Fertilizer on lawns shall be wildlife friendly and not contribute to degradation of water quality.
 - Future building would be required to meet the standards of Valley County Code 9-6-6 Riparian Overlay.
9. The proposed use will not have an undue adverse impact on government services.
 - A development agreement will be required for mitigation of a proportional share of off-site impacts.
 - The proposed connections would provide essential secondary emergency access to areas that are currently difficult or impossible for emergency services to reach, thereby improving overall public safety.
 - Engineering plans would be required for review as well as a maintenance or development agreement.
 - Any future development of the four parcels beyond a single-family residential use, would require a new traffic impact study paid for by the future applicant.
 - Any future development of the four parcels beyond single-family residence, would require approval of new development agreements.
 - All structures will be reviewed for FAA 7460-1 submission requirements at the time of building permit due to the proximity to the McCall Municipal Airport.
 - Electricity, water, and sewer connections should be coordinated with road construction to reduce future costs to governmental services.
 - Financial guarantees will be required to ensure road construction, utility installation, and mitigation obligations are fulfilled.
 - Construction standards must meet Valley County Standards.
10. The proposed use is consistent with the Valley County Comprehensive Plan.
 - The Plan promotes development near existing infrastructure.
 - This project is in the City of McCall Impact Area where the Comprehensive Plan recommends development occur.
 - Chapter 13 Land Use Goal II is to increase the economic value of privately owned land in Valley County.
11. Valley County should provide varying lot sizes and a mix of housing types.

12. The density is acceptable and meets all standards in the Valley County Code.
- Additional developments will require approval of new subdivision(s).
13. The proposed use has been thoroughly and adequately evaluated. Mitigation measures can effectively ameliorate impacts to adjacent land uses through the conditions of approval.
14. Approval from other agencies will be required prior to recording the final plat.
15. Variation from VCC 9-5A-6: UTILITIES and VCC 10-5-1 STREET AND UTILITY IMPROVEMENTS are part of the permit. No utilities are proposed at this time and the plat shall be marked.
- 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.
 - Each future development parcel has direct access.
 - 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.
 - Potable water is not being proposed at this time.
 - 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.
 - In the future on the development parcels, central sewer is proposed.
 - 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.
 - This is provided in the application.
 - Utility Plan: A utility plan showing the schedule of construction or installation of proposed utilities shall be a part of the conditional use permit.
 - No utilities are provided at this time. Utilities will be placed when the future development parcels are developed.
 - VCC 10-5-1: STREET AND UTILITY IMPROVEMENTS 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).

- Will be provided at the time that the parcels are developed.
 - 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"**.
16. Existing wetlands, including a reservoir and ponds, are present on the property and have been delineated. Impacts necessitated by road construction would be permitted through the U.S. Army Corps of Engineers. The property has an existing water right.
 17. A Traffic Impact Study (TIS) was completed in September 2025 based on developing the entire 158 acres containing approximately 492 homes. A revised TIS will focus on 176 units on 68 acres located in the City of McCall. The final report will address the Stockton 90 secondary access allocating 10% of the traffic generated to exit out of Stockton Court. Any future subdivision of one or more of proposed development parcels would require a new TIS.
 18. Kerstin Dettrich, Valley County Road & Bridge Director, stated there are no provisions in place that would discourage addition of 'emergency access' roadway connections, assuming all roadways are constructed to Valley County and McCall Fire standards. The proposed connections would provide essential secondary emergency access to areas that are currently difficult or impossible for emergency services to reach, thereby improving overall public safety. Engineering plans would be required for review as well as a maintenance or development agreement.
 19. Ryan Garber, McCall Fire & EMS, stated the plans attached to the application appear to meet the standards for access roads; however, site verification by MFPD or Valley County Roads Department is recommended before issuance of final plat.
 20. Emily Hart, McCall Airport Manager, stated 389 Stockton CT is 1.16 miles from end of Runway 16. East edge of proposed development is 1.4 miles from end of Runway 16. Development Parcels 1-4 are all in the Horizontal Surface. Pre-screening is recommended for required FAA 7460-1 submission for both proposed lots / building envelopes and notice of proximity to the McCall Municipal Airport.
 21. City of McCall stated the city recognizes the importance of coordinated review for development with the McCall Impact Area to ensure consistency with long-range planning objectives, infrastructure capacity, and orderly extension of municipal services. They made the following comments received on May 4, 2026:
 - The proposed road will connect with the city's roadway network. The City received an application for a new PUD for the parcel to the north of this development proposing 176 new dwelling units currently named "Woodlands 3". A Traffic Impact Study has not been completed. Even though they support interconnected street networks and coordinated access planning, they have questions regarding timing, surfacing, and maintenance.

- The proposed road sections appear to meet the city's gravel road standards, except for a missing geotextile fabric layer. But this is not a concern until they are annexed into the city and they would have to reconstruct to a paved surface. They are also off-center of ROW. This road would act as the secondary access to a property inside the city.
 - The subdivision lacks specificity and predictability; therefore, the city is not currently supportive of the application.
22. West Place subdivision is a Recorder's Plat that provided multiple future access points to this parcel. The plan was to continue Stockton CT, Sheila DR, and Knights RD for future access.
23. VCC 7-1-5: APPLICATION FOR ANNEXATION REQUIREMENT:
When property located within the McCall impact area is contiguous to the City of McCall and the owner or their agent desires to change the principal land use, the owner must first apply for annexation into the city. A property owner may not purposefully circumvent this requirement by creating a strip of undeveloped land, as determined by the administrator of Valley County. If the annexation is denied, then the owner may proceed with an application to Valley County in accordance with this agreement.
- This is not a change in the principal land use. The site currently has a residence on-site.
 - The current land use of the site is residential. The proposed use is also residential. Thus, a land use change is not requested and VCC 7-1-5 does not apply.
 - Applicant was recently denied annexation into the sewer district.
24. VCC 7-1-10: PUBLIC IMPROVEMENT STANDARDS:
All public improvements within the City of McCall impact area should be designed and constructed according to the city standards for future annexation consideration when appropriate. Valley County should consider adopting City of McCall public improvement standards for use within the impact area if changes or annexation are requested. City of McCall water and sewer service may be available subject to City of McCall service extension policies and city code requirements being met. All costs associated with upgrading or extending main lines and/or connecting to city services will be paid by the landowner or developers according to the city code and fee schedule.
- An 80' right-of-way with pathway is proposed to connect with a similar ROW in the city.
 - Sewer in this area is provided by Payette Lakes Recreational Sewer and Water District.
 - Water would require annexation into the city of McCall.
25. VCC 10-4-4: STREETS:
- B. Arrangement Of Streets: The arrangement of streets in a subdivision shall either:
 1. Provide for the continuation or appropriate projection of existing streets in surrounding areas; or
 2. Conform to a plan for the neighborhood approved or adopted by the commission to meet a particular traffic, circulation or topographic condition.
 - F. Street Layout: Street layout shall provide for reasonable development of adjoining areas and the entire neighborhood, and shall provide for the following:
 1. Adequate access within a public right of way to adjoining lands when there may be future development.
- This development provides for continuation of streets to adjoining lands.
27. Wildland Urban Interface Protection Plan information:

DATE	SUBMITTAL
February 23, 2026	Application submitted to Staff. Did not include a WUI plan.
February 24, 2026	WUI short-form submitted by Crestline Engineers INC
March 11, 2026	Mara Hlawatschek, Valley County Wildfire Mitigation Director, stated the proposal does not meet the requirements for exemption to VCC 10-7-2. Thus a full WUI plan is required.
May 11, 2026	Mara Hlawatschek, Valley County Wildfire Mitigation Director, revised previous comments and stated once the parcels are further developed or proposed for residential development, a WUI plan is recommended. (Exhibit 1)
May 12, 2026	Crestline Engineers INC submitted the Draft WUI plan that was previously submitted to the City of McCall for both the 90-acre and 868-acre parcels. (Exhibit 6)

- A Wildland Urban Interface Fire Protection Plan (short form) was submitted. A site-specific WUI will be submitted for each future development parcel.

Additional Information

- 1) Blank Compatibility Evaluation and Instructions
- 2) Staff's Compatibility Questions and Evaluation
- 3) List of Exhibits
- 4) Planning and Zoning Commission Staff Reports & Meeting Minutes
 - May 14, 2026
 - June 11, 2026
- 5) All Agency comment received - **Comments received after the PZ Commission Decision are highlighted in yellow:**

Kerstin Dettrich, Valley County Road & Bridge Director, stated:

- There are no provisions in place that would discourage addition of 'emergency access' roadway connections, assuming all roadways are constructed to Valley County and McCall Fire standards. The proposed connections would provide essential secondary emergency access to areas that are currently difficult or impossible for emergency services to reach, thereby improving overall public safety. Engineering plans would be required for review as well as a maintenance or development agreement. (April 2, 2026)
- Responded to a May 13, 2026, email from Laurence Huie. (Exhibit 2 - May 14, 2026)

Megan Myers, Valley County Communications Supervisor, and Laurie Frederick, Valley County Cadastral Specialist III, approve of the road name Pine Creek Drive. However, both are concerned with duplication of property addresses along Stockton Drive, Stockton Court, and the proposed Stockton Boulevard. (February 27, 2026; March 2, 2026)

Emily Hart, McCall Airport Manager, stated 389 Stockton CT is 1.16 miles from end of Runway 16. East edge of proposed development is 1.4 miles from end of Runway 16. Development Parcels 1-4 are all in the Horizontal Surface. Pre-screening is recommended for required FAA 7460-1 submission for both proposed lots / building envelopes and notice of proximity to the McCall Municipal Airport. (March 11, 2026)

Mara Hlawatschek, Valley County Wildfire Mitigation Director, stated:

- The proposal does not meet the requirements for an exemption to VCC 10-7-2. Thus, a full Wildland Urban Interface Fire Protection Plan is required. (March 11, 2026)
- Since developable lots are not proposed at this time, A WUI plan is not currently recommended. Once the parcels are further developed or proposed for residential development a WUI plan is recommended. (Dated May 11, 2026; Exhibit 1 - May 14, 2026)

Brent Copes, Central District Health, stated additional information is required before CDH can comment. (March 27, 2026)

Ryan Garber, McCall Fire & EMS, stated the plans attached to the application appear to meet the standards for access roads; however, site verification by MFPD or Valley County Roads Department is recommended before issuance of final plat. Relevant codes are attached. (March 18, 2026; July 2, 2026)

Brandon Flack, Idaho Fish and Game Regional Technical Assistance Manager, submitted general recommendations for subdivisions, which include controlling pets, vegetative recommendations, prohibiting feeding of wildlife, riparian barriers around wetlands, pond requirements, and wildlife friendly fencing. (November 21, 2024)

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; July 13, 2026)

Michelle Groenevelt, McCall Community & Economic Development Director, responded to questions from Director Herrick concerning annexation. The City of McCall's annexation process would begin with a meeting with the City Planner. The application fee is \$2000, and consideration is based on City Code, the Comprehensive Plan, and State Code provisions. Annexation into the sewer district requires annexation into City limits. (April 16, 2026)

City of McCall stated the city recognizes the importance of coordinated review for development with the McCall Impact Area to ensure consistency with long-range planning objectives, infrastructure capacity, and orderly extension of municipal services. They made the following comments received on May 4, 2026:

1. The proposed road will connect with the city's roadway network. The City received an application for a new PUD for the parcel to the north of this development proposing 176 new dwelling units currently named "Woodlands 3". A Traffic Impact Study has not been completed. Even though they support interconnected street networks and coordinated access planning, they have questions regarding timing, surfacing, and maintenance.
2. The proposed road sections appear to meet the city's gravel road standards, except for a missing geotextile fabric layer. But this is not a concern until they are annexed into the city and they would have to reconstruct to a paved surface. They are also off-center of ROW. This road would act as the secondary access to the Woodlands 3.
3. The subdivision lacks specificity and predictability; therefore, the city is not currently supportive of the application.

Paul Ashton, Parametrix and Valley County Engineer, described requirements for further review and approval. (Dated May 7, 2026, Exhibit 3, May 14, 2026)

Annette Derrick, Valley County Building Official, stated building permits would be required. (July 16, 2026)

5) All Public Comments Received - Comments received after the PZ Commission Decision are highlighted in yellow:

Concerns include: 1) purpose of the proposed roads; 2) maintenance agreement; 3) wildfire mitigation; and McCall City Council review. The incomplete applicant is a piecemeal approach to a potentially significant development spanning the City limits and the Area of Impact. Submitted March 17, 2026, on behalf of:

1. Doug Campbell, 648 Brady Drive, Testimony – May 14, 2026
2. Dave Carter, 656 Douglas Drive
3. Melissa and Todd Daniels, 656 Brady Drive
4. Mac Keller, 751 Stockton Drive
5. Karl Lindstrom, 650 Woodlands Drive
6. Sheree Sonfiled and Bob Bechaud, 664 Woodlands Drive
7. Pattie Soucek, 615 Woodlands Drive
8. Gary Thompson, 300 May Road
9. Pam and Mike Wissenbach, 280 May Road
10. Marcia Witte, 669 Woodlands Drive

Laurence Huie, 275 S Samson Trail, is concerned about the traffic impacts, increased dust, and road maintenance. Paving the road would be a workable solution. Pictures are attached. (March 31, 2026; April 1, 2026; April 2, 2026; April 13, 2026; May 6, 2026)

There was email correspondence between Director Herrick and Marcia Witte regarding VCC 7-1-5 and requirements regarding annexation. The applicant previously applied for and was denied annexation into the sewer district. Director Herrick stated that the current land use of the site is residential. (April 16, 2026)

Tim Thomas shared three photos near the beginning of the proposed easement from the 90-acre parcel toward the road connection near Fox Ridge Lane. The area appears to be an important wetland for wildlife. Thus, the area should be carefully evaluated and protected as part of the planning process. (April 10, 2026)

Property owners within Fox Ridge Subdivision responded in a letter dated April 10, 2026. Concerns include the lack of information on how many houses would be constructed on the 90 acres; additional future roads; and the intent for the easement from Fox Ridge Lane to this property. Agreeing to add an unknown number of vehicles onto narrow streets frequently used by cyclists, pedestrians, and children seems unwise. Will the County require any type of environmental assessment? Without a timeline for development, it seems premature to approve the application.

1. Dawn Cardwell and Scott Sword, 633 Fox Ridge Lane
2. Sheri and Jason Class, 174 Fox Lane
3. Heidi and Matt Galyardt and Sandy Schlotterbeck, 637 Fox Ridge Lane
4. Jill and Chris Gaughan, 683 Fox Ridge Lane
5. Joan Heider, 629 Fox Ridge Lane
6. Erin Hurley, 645 Fox Ridge Lane
7. Lindsey and Sam Jensen, 634 Fox Ridge Lane
8. Michelle and Craig Johnson, 609 Fox Ridge Lane
9. Robert and Madeline Johnson, 150 Fox Lane
10. Kelsey and Adam Jorck, 625 Fox Ridge Lane
11. Suzanne Mack and Jason Lawhorn, 166 Fox Lane

12. Jamie Parker, 621 Fox Ridge Lane
13. Fabio Pellizzer, 664 Fox Ridge Lane
14. Craig and Cheryl Rabe, 686 Fox Ridge Lane
15. Bruce and Gail Rankin, 675 Fox Ridge Lane
16. Ed and Karen Taylor, 690 Fox Ridge Lane
17. Ryan Taylor, 155 Fox Lane
18. Shawna and Tim Thomas, 656 Fox Ridge Lane

Comments in Favor of SUB 26-005

Kyle Kirby, McCall, is local business owner and supports the secondary access road as an important part of infrastructure planning. This proposal would help with housing needs. (Testimony – May 14, 2026)

Comments in Opposition of SUB 26-005 and **Comments in Favor of Appeal** – Reasons Given

- Opposition to any public street connectivity between the site and the Woodlands neighborhood. The current quiet cul-de-sacs were not designed to handle a high volume of transit traffic.
- If approved, then the following requirements: 1) Emergency Access Only between the two developments; 2) Physical barriers; 3) all residential and construction traffic for Pine Creek Ranch should be routed through Deinhard Lane or other arterial roads.
- This application should be denied or contingent upon the approval of the Woodlands 3 PUD by the City of McCall. This should not be evaluated as a standalone component of a larger development.
- The application should be denied or deferred until full impacts and intended use of the road are evaluated as part of overall development plan.
- Fails to provide for a cohesive and comprehensive plan and fails to consider the broader impact to existing community and limited infrastructure.
- The application lacks information for the County to determine the full impact on County services and infrastructure as well as full future impact on adjacent property owners.
- A Traffic Impact Study should be required; this should show impact on the proposed gravel road as well as other roads and intersections including Stockton Court, Stockton Drive, and South Samson Trail. TIS should include both proposed and existing uses.
- A privately maintained gravel road does not meet the access requirements of McCall City Code 9.3.04(K) for a proposed 176-unit development.
- Future maintenance of road is unknown. What are penalties if not maintained? If approved, the road should be paved and maintained by Valley County.
- There should be a viable water supply in case of wildfire.
- The proposal fails to meet the County's approval criteria as it relates to public interest, infrastructure adequacy, and long-term fiscal responsibility.
- The graveled road would be inadequate, particularly for emergency vehicles and construction traffic.
- Impacts of increased traffic in the Woodlands, Fox Ridge, and Stockton Drive areas; these are quiet neighborhood roads with school children, pedestrians, and cyclists in the roadways.
- Negative impacts on existing water users and septic users in the adjacent neighborhoods and downstream.

- A complete wildfire mitigation plan required by Valley County Code was not submitted.
- Negative ecological impacts.
- Long-term planning and community impacts should be considered.
- Alternatives are to have separate infrastructure for access for the applicant's 68-acre and 90-acre parcels that do not connect to the Woodlands or have the 90-acre parcel annexed into the City of McCall so a single jurisdiction can be the governing authority.
- Recent history of development proposals for this property and adjacent property is available from the City of McCall, Payette Lakes Recreational Water and Sewer District, and woodlandsmccall.org.
- Compatibility Rating should take into account the various future development scenarios for this and adjacent properties.
- Questioned if City of McCall received an application to annex this property within the Impact Area.
- Many mitted analyses of impacts and associated mitigation measures. Requesting variances to self-imposed hardships should be denied.
- Stockton Drive and Stockton Court do not meet requirements for curve radius nor road width. Substantial improvements to these roads should be required for off-site mitigation.
- A decision should not be made until more information about the intended use of the development parcels is provided. The applicant submitted information to McCall Parks and Recreation Advisory Committee where Parcel 4 would be a city park and city housing (May 20, 2026)
- Commentors agreed with reasons listed within appeal letter.

1. Kristen McCoy, March 30, 2026; June 5, 2026; July 19, 2026
2. Iryna and Brian Nelson, 663 Woodlands DR, April 14, 2026
3. Tom and Kathy Kilgore, McCall, April 16, 2026
4. Emma and Clint Barnett, April 22, 2026; July 19, 2026
5. Ryan Marquez, April 22, 2026
6. Walt Czarniecki, Homeowner within The Woodlands, April 24, 2026; July 20, 2026
7. Mac Keller, 751 Stockton DR, April 25, 2026; Testimony – May 14, 2026; July 20, 2026
8. Shauna Enders, April 30, 2026
9. Melissa and Todd Daniels, 656 Brady Drive, May 2, 2026; Testimony – May 14, 2026
10. Jim and Angela Troy, 668 Koski Drive, May 3, 2026
11. John and Ginger Riggins, 662 Koski Drive, May 3, 2026; Testimony – May 14, 2026
12. Michael and Pam Wissenbach, 280 May Road, April 30, 2026; May 4, 2026; Testimony – May 14, 2026; July 20, 2026
13. McCall and Mariah Keller, 751 Stockton Drive, April 30, 2026; May 4, 2026
14. David and Laura Crawford, April 30, 2026; May 4, 2026
15. Elva Tores, 631 Stockton Drive, May 4, 2026
16. Chris Connolly, 331 May Road, May 4, 2026
17. Gary S. Thompson, JR, 300 May Road, May 4, 2026
18. Larry Huie, 375 S Samson Trail, May 4, 2026
19. Dave and Lewann Ball, 375 May Road, May 4, 2026
20. Raul De La Rosa and Rocio Garcia, Stockton Drive, May 4, 2026
21. Bob and Kathy O'Neil, 476 Ellis, May 4, 2026
22. Alice Brown, 624 Woodlands Drive, May 4, 2026
23. Sheree Sonfield, 664 Woodlands Drive, May 4, 2026; June 8, 2026; July 17, 2026
24. Russell and Janey Royal, 654 Brady Drive, May 4, 2026; July 10, 2026
25. Scott Durham, 657 Brady Drive, May 4, 2026

26. Dawn Matus, 618 Woodlands Drive, May 4, 2026; Testimony – May 14, 2026; July 20, 2026
27. Louise Laduke, 657 Woodlands Drive, May 5, 2026
28. Nancy Cussler, 652 Woodlands Drive, May 5, 2026
29. Marcia Witte, 669 Woodlands Drive, May 5, 2026; Testimony – May 14, 2026; June 8, 2026; July 19, 2026
30. Matt and Heidi Galyardt and Sandy Schlotterbeck, 637 Fox Ridge Lane, May 6, 2026
31. Dave Carter, 656 Douglas Drive, May 6, 2026; Testimony – May 14, 2026
32. Don and Pam Sanda, May 6, 2026; July 20, 2026
33. Denise and Mark Shepard, May 6, 2026
34. Darin W. Hibler, 601 Woodlands Drive, May 6, 2026; July 20, 2026
35. Michelle and Craig Johnson, 609 Fox Ridge Lane, May 6, 2026
36. Woodlands Homeowners' Association, May 6, 2026
37. John Gatt, Woodlands residents, May 6, 2026
38. Lynne Hodges, Lisa Lewis, and Thom Lewis, May 7, 2026
39. Sonja and Mark Engibous, 646 Brady Drive, May 8, 2026; Exhibit 7 – May 14, 2026; Testimony – May 14, 2026
40. Brad and Tracy Brault, 669 Koski Drive, May 10, 2026; Exhibit 8 – May 14, 2026; July 19, 2026
41. David and Jessica Argon, May 13, 2026; Exhibit 9 – May 14, 2026; May 27, 2026
42. Shealyn and Andre Mascheroni, Woodlands Drive, May 13, 2026; Exhibit 10 – May 14, 2026
43. Pat and Kim Allen, 650 Stockton Drive, May 12, 2026; Exhibit 11 – May 14, 2026; Testimony – May 14, 2026
44. Donna Bush, 659 Brady Drive, Testimony – May 14, 2026
45. Karl Lindstrom, 650 Woodlands Drive, Testimony – May 14, 2026
46. Todd McKenna, 659 Douglas Drive, Testimony – May 14, 2026
47. Randy Wall, June 3, 2026,
48. Mathew Falvey, 781 Stockton Drive, June 3, 2026
49. Bob Bechaud, July 10, 2026; July 13, 2026
50. Jeff Hulskamp, Resident of The Woodlands, July 20, 2026
51. Jeff McCoy, July 20, 2026
52. Allen King, 610 Woodlands Drive, July 20, 2026

Other:

Abigail R. Germain of Elam & Burke requested the public hearing be reopened and continued to a future date for further consideration and deliberation. (June 5, 2026)

Valley County Code

In Table 9-3-1, this proposal is categorized under:

- 2. Residential Uses (c) Subdivision for single-family subdivision.

Review of Title 7-1 McCall Area of City Impact, Title 9 - Chapter 5 Conditional Uses, and Title 10 Subdivision Regulations should be done.

TITLE 7 AREAS OF CITY IMPACT - CHAPTER 1 McCALL AREA OF CITY IMPACT

7-1-5: APPLICATION FOR ANNEXATION REQUIREMENT:

When property located within the McCall impact area is contiguous to the City of McCall and the owner or their agent desires to change the principal land use, the owner must first apply for annexation into the city. A property owner may not purposefully circumvent this requirement by creating a strip of undeveloped land, as determined by the administrator of Valley County. If the annexation is denied, then the owner may proceed with an application to Valley County in accordance with this agreement.

7-1-7: ZONING:

The Valley County land use and development ordinance and subsequent amendments thereto as officially adopted by Valley County shall apply within the McCall impact area as set forth in Idaho Code title 67, chapter 65. All permits within the impact area including, but not necessarily limited to, zone changes, variances, records of survey, conditional use permits, special use permits, and planned unit developments, shall be reviewed by the Valley County planning and zoning commission with final approval authority resting with the Valley County board of commissioners.

7-1-9: JOINT REVIEW AND TIME LINES FOR ACTION:

- A. Upon receipt of any development request, permit application or discretionary action submitted to Valley County for developments within the City of McCall area of impact, the county shall deliver a copy of the completed application and supporting documents to the City of McCall at least forty five (45) days prior to any county public hearing or public meeting.
- B. The City of McCall will then have the opportunity to review the application and submit recommendations or opinions. These must be submitted in writing to the Valley County planning and zoning commission on official city letterhead at least seven (7) days prior to the county hearing or meeting date.
- C. All official communications between the city and county pertaining to a development proposal within the City of McCall impact area shall be in writing. If the city does not provide written comment on any particular proposal, then the note, "No comment from the City of McCall", will be entered into the official public record for the affected project.

7-1-10: PUBLIC IMPROVEMENT STANDARDS:

All public improvements within the City of McCall impact area should be designed and constructed according to the city standards for future annexation consideration when appropriate. Valley County should consider adopting City of McCall public improvement standards for use within the impact area if changes or annexation are requested. City of McCall water and sewer service may be available subject to City of McCall service extension policies and city code requirements being met. All costs associated with upgrading or extending main lines and/or connecting to city services will be paid by the landowner or developers according to the city code and fee schedule.

TITLE 9 LAND USE AND DEVELOPMENT

9-1-10 DEFINITIONS

Lot Coverage: That portion of a lot that is occupied by the principal building and its accessory buildings, including overhangs, along with any structures requiring a building permit, and other impervious surfaces, such as driveways, patios, and accessory structures.

9-4-8: TABLE 4-A, STANDARDS FOR PERMITTED USES:

	Building Setbacks (feet)							
Use Description	Front	Side	Side Street	Rear	Minimum Lot Area Acres	Max. Lot Cover	Minimum Street Frontage	Max. Building Height
Residential Uses	20	7.5	20	20	Var.	35%	30 ft	35 ft

9-5-3: STANDARDS:

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-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.
- B. Exemptions: Grading for bona fide agricultural activities, timber harvest, and similar permitted uses herein are exempt from this section.
- C. Flood Prone Areas: Grading within flood prone areas is regulated by provisions of section 9-6-2 of this title and title 11 of this code. A permit, if required, shall be a part of the conditional use permit.
- 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. The Valley County Engineer or assigns shall approval all site grading and stormwater management plans prior to earthwork being don on-site.
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 or assigns.
3. For purposes of sizing stormwater basin permanent management facilities (excluding first flush water quality treatment facilities), Drainage Peak Flow Calculations shall use the Soil Conservation Service (SCS) method as preferred, but the Rational Method is acceptable for smaller areas (generally 100 acres or less). See VCC 9-6-6C for requirements that apply to detention basins within the Riparian Area Overlays.
 - a. Public Roads Require: 100-yr storm event for major roads, bridges, etc. and 50-year for all other facilities.
 - b. Private Roads Require: 100-yr storm event for major roads, bridges, etc. and 25-year event for all other facilities.

- c. Site Development not directly specified shall use the 25-year storm event.
- 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.
- H. Riparian Area Overlay: Grading within the Riparian Area Overlay is regulated by provisions of section 9-6-6 of this title. A permit, if required, shall be part of the conditional use permit.

9-5A-2: ROADS AND DRIVEWAYS:

- A. Roads For Public Dedication And Maintenance: Roads for public dedication and maintenance shall be designed and constructed in accordance with title 10 of this code and in accordance with "Construction Specifications And Standards For Roads And Streets In Valley County, Idaho".
- 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.
- C. Private Roads: Private roads shall meet the provisions of the Valley County subdivision ordinance and any policies adopted by the board of county commissioners.
- D. Cattle Guards: Cattle guards shall not be installed in public roads within residential developments.
- 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-5: FENCING:

- C. Livestock In Residential Development: If livestock are allowed in a residential development, then fencing shall be installed to keep livestock out of public street rights of way. Cattle guards shall not be installed in public roads within residential developments.
- E. Construction And Materials: Fence construction and materials shall be in accordance with commonly accepted good practices to produce a neat appearing durable fence. The location, height, and materials used for constructing a fence shall be approved by the commission and specified in the conditional use permit. Fences required for any conditional use shall be maintained in good repair.
- F. Conditional Use Adjoins Agricultural Uses: Where a conditional use adjoins an agricultural use where animal grazing is known to occur for more than thirty (30) consecutive days per year, the permittee shall cause a fence to be constructed so as to prevent the animals from entering the use area. The permittee shall provide for the maintenance of said fence through covenants, association documents, agreement(s) with the adjoining owner(s), or other form acceptable to the commission prior to approval of the permit so that there is reasonable assurance that the fence will be maintained in functional condition so long as the conflicting uses continue.
- G. Obstruction Of Vision: Sight obscuring fences, hedges, walls, latticework, or screens shall not be constructed in such a manner that vision necessary for safe operation of motor vehicles or bicycles on or entering public roadways is obstructed.

9-5A-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-2: LIGHTING

9-5B-4: EMISSIONS:

- 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.

9-5C-2: MINIMUM LOT AREA:

- B. New Subdivisions:
 - 1. Single-Family Residences: New subdivisions for single-family residences shall provide the following minimum lot sizes:
 - a. One acre where individual sewage disposal systems and individual wells are proposed.
- C. Frontage On Public Or Private Road: Frontage on a public or private road shall not be less than thirty feet (30') for each lot or parcel. The lot width at the front building setback line shall not be less than ninety feet (90').

9-5C-5: SITE IMPROVEMENT:

- A. Off Street Parking Spaces: Two (2) off street parking spaces shall be provided for each dwelling unit. These spaces may be included in driveways, carports, or garages.
- B. Utility Lines: All utility lines, including service lines, that are to be located within the limits of the improved roadway in new residential developments must be installed prior to placing the leveling coarse material.

9-5C-6: DENSITY:

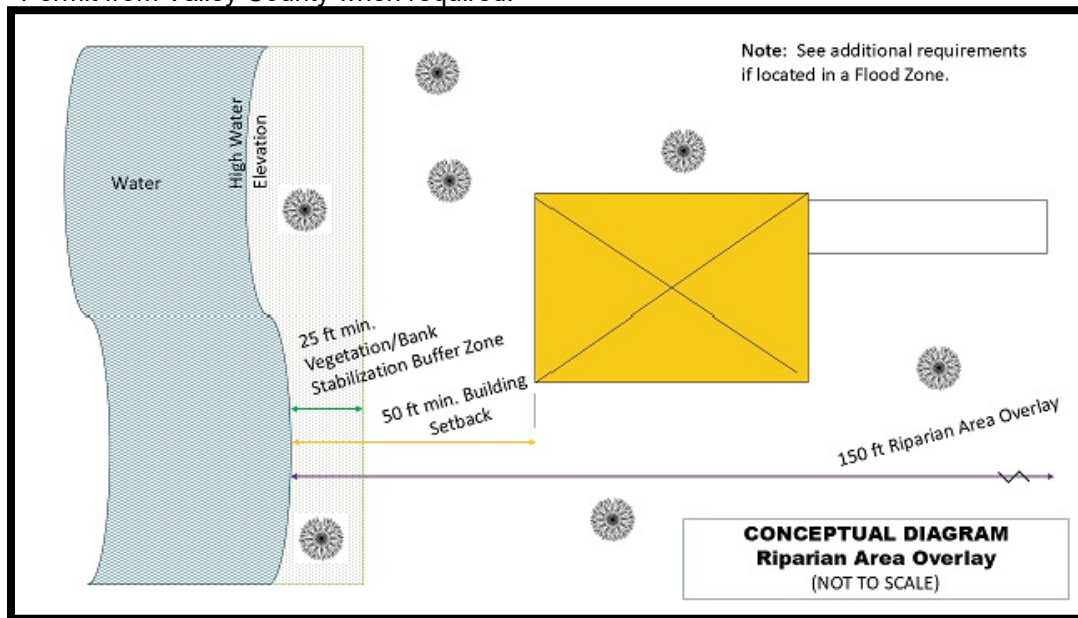
- A. The density of any residential development or use requiring a conditional use permit shall not exceed two and one-half (2.5) dwelling units per acre, except for planned unit developments or long-term rentals. Long-term rental density can be determined by the Planning and Zoning Commission in regards to compatibility with surrounding land uses and will require a deed restriction.
- B. Density shall be computed by dividing the total number of dwelling units proposed by the total acreage of land within the boundaries of the development. The area of existing road rights of way on the perimeter of the development and public lands may not be included in the density computation.

9-6-6: Riparian Area Overlay

- A. Purpose: The purpose of this special overlay is to protect the health and safety of the public, and to minimize damage to property and fragile ecologies by preventing surface and ground water pollution along with protection of waterbodies. It will also serve to protect water quality.
- B. Areas of Application: The standards and procedures for riparian areas shall apply to those lands which are within 150 feet of any lake, pond, river, or year-round flowing creek or stream.
- C. Standards:
 - 1. Setback shall be 50' from high water line for residential buildings and appurtenant structures and 100' for all other buildings and appurtenant structures. If a lot was platted prior to adoption of this standard and there is no area to construct, a variance may be granted by administrators if runoff control measures as prepared by the applicant are recommended for approval by the Valley County Engineer based on stormwater standards.
 - 2. Prior to any excavation or construction, the property owner, general contractor or the responsible party shall provide proof of stormwater certification training or responsible person training.

Training and certification must be on an approved training provider list that can be obtained at the Valley County Building Department.

3. Stormwater detention basins, retention basins, swales or other techniques shall be used when recommended or required by the Valley County Engineer.
 - a. Basins must be designed and sized to filter or infiltrate runoff from the construction site and permanent drainage.
 - b. Basins must be designed to accommodate the “first-flush” volume sized to capture the runoff from the initial rainfall depth most responsible for pollutant loading. The “first-flush” volume design storm depth is defined herein as 0.77-inch of rainfall (24-hour 95th-percentile storm).
 - c. For purposes of sizing stormwater basin permanent management facilities (excluding first flush water quality treatment facilities), Drainage Peak Flow Calculations shall use the Soil Conservation Service (SCS) method as preferred, but the Rational Method is acceptable for smaller areas (generally 100 acres or less)
 - d. The storm duration is a 1-hour event when using the Rational Method, or a 24-hour event when using the SCS method.
 - e. Basin design shall be approved by the Valley County Engineer and inspected by the Valley County building department or other qualified inspectors assigned to such duties. Special inspections may be needed in some instances. The applicant’s engineer shall also submit a certification that the approved plan was implemented prior to final occupancy.
 - f. Basin design shall comply with Idaho Department of Water Resources (IDWR) water rights requirements.
4. There shall be no filling or dredging of lake bottoms, rivers, or wetlands without proper jurisdictional permits, i.e. IDWR, USACE, Valley County, etc.
5. There shall be no excessive clearing of vegetation.
6. Stormwater harvest and infiltration techniques are encouraged.
7. Riprap for shoreline protection is allowed with the proper turbidity controls and permits from appropriate jurisdictions (IDWR, USACE, USBR, IDL, etc), including a Floodplain Development Permit from Valley County when required.



100' ft min. Building Setback for all other buildings.

TITLE 10 SUBDIVISION REGULATIONS

10-1-6 DEFINITIONS:

SUBDIVISION: The division of an original parcel of land by deed, mortgage, deed of trust, or contract of sale which: a) results in more than two (2) subparcels of the original parcel; or b) provides land for a new street, either on the perimeter or across any portions of a parcel of land; or c) the redivision of any lot or

parcel that was divided from an original parcel as defined by the subdivision regulations for Valley County, Idaho, adopted April 29, 1970.

10-4-3: LOTS:

- A. Size, Depth, Shape, Orientation And Setback Lines: The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Every lot shall abut upon a street. Corner lots for residential use shall have extra width to permit appropriate building setbacks from, and orientation to, both streets.
- B. Double Frontage And Reverse Frontage Lots: Double frontage, and reverse frontage lots, shall be avoided, except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A screening easement of at least ten feet (10'), and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.
- C. Side Lot Lines: Side lot lines shall be within twenty degrees (20°) of right angles or radial to street lines.

10-4-4: STREETS:

Any parcel of land that is intended to be used, or is actually used, to provide vehicular access to more than one building site, whether said street is public or private and whether the parcel is set aside by deed, easement, or other means, unless an administrative variance is allowed for a shared driveway to adjacent properties, all having the required frontage on an existing street if in a platted subdivision or a legal parcel, is in the best interest of all parties involved due to unusual circumstances or topographic reasons, as determined by the administrator. Administrative variances cannot be given for more than three (3) building sites and shall at a minimum require the shared driveway to be built to the satisfaction of the fire department and have a shared driveway agreement.

- A. Conformance With Adopted Standards And Policies: The classification, ownership, design and location of all streets shall conform to adopted standards and policies, and shall be considered in their relation to existing and planned streets, topographic conditions, to public convenience or safety, and in their appropriate relation to the projected traffic demand of the land to be served by such streets.
- B. Arrangement Of Streets: The arrangement of streets in a subdivision shall either:
 - 1. Provide for the continuation or appropriate projection of existing streets in surrounding areas; or
 - 2. Conform to a plan for the neighborhood approved or adopted by the commission to meet a particular traffic, circulation or topographic condition.
- C. Arterial Or Major Collector Streets: Where a subdivision abuts or contains an existing or proposed arterial or major collector street, the commission may require frontage streets, backage streets or similar treatment necessary for adequate protection of residential properties and control of access.
- D. Railroad Or Limited Access Highway Right Of Way: Where a subdivision borders on or contains a railroad right of way or limited access highway right of way, the commission may require a street approximately parallel to and on each side of such right of way, at a distance suitable for the appropriate use of the intervening land.
- E. Reserve Strips: Reserve strips controlling access to streets shall be prohibited, except where their control is placed in the county under conditions approved by the commission.
- F. Street Layout: Street layout shall provide for reasonable development of adjoining areas and the entire neighborhood, and shall provide for the following:
 - 1. Adequate access within a public right of way to adjoining lands when there may be future development.
 - 2. Streets intersecting at right angles, or as nearly as possible, to meet the requirements of the county road standards.
 - 3. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of this title, and where the planning commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. In all other instances where a half street is adjacent to an undeveloped tract, the other half of the street shall be platted within such tract.

4. No street names shall be used which will duplicate or may be confused with the names of existing streets in any city or in the county area. Street names shall be subject to the approval of the commission.
5. If street trees are to be installed, the minimum standard shall be forty feet (40') to sixty feet (60') apart. No shrubbery, fencing, or other obstruction exceeding three feet (3') in height will be allowed within a forty foot (40') sight distance triangle at the street corner, except for traffic control signs and street lighting, unless specifically authorized by the board.
6. Cul-de-sac streets, designed to be so permanently, shall not be longer than nine hundred feet (900') unless specifically approved by the commission and board and shall be provided with a turnaround with a right of way radius of at least sixty feet (60').
- G. Property Lines: Property lines at street intersections shall be chamfered at approximately a forty five degree (45o) angle with a minimum chamfer leg of twenty feet (20') or rounded with a minimum radius of twenty feet (20'). A greater radius or chamfer leg length may be required for collector streets or where the commission deems it desirable, or upon recommendations by the county engineer.
- H. Street Jogs: Street jogs with centerline offsets of less than one hundred twenty five feet (125') should be avoided.
- I. Driveways: Driveways on local streets should be offset a minimum distance of fifty feet (50') from intersections with collector or external streets.

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.

10-6-1: STREET DEDICATIONS; GRANT OF RIGHTS OF WAY OR EASEMENTS:

- A. **Filing Of Application Required:** Any person wishing to dedicate a street, right of way or easement for the benefit of the public within the unincorporated area of Valley County shall complete and file with the administrator an "application for dedication of street, or grant of right of way or easement".
- B. **Placement On Commission Agenda:** Upon receipt of the completed application and such other information as he may require, the administrator shall place said application on the agenda of the commission to be considered at its next regular meeting. The application shall be subject to the same time limits prescribed for preliminary plat application.
- C. **Proposed Dedication Within One Mile Of Incorporated City:** Where such proposed dedication lies within one mile of the incorporated limits of any city, village or town, the application shall be submitted to the proper officials of said city, village or town for their review.
- D. **Commission Review:** The commission shall review the proposed dedication for conformance with the comprehensive plan and neighborhood plan and shall consider its relationship to all existing and proposed streets and other developments.
- E. **Improvement Plans:** Improvement plans shall be in conformance with Valley County specifications for pedestrian pathways, roads and streets and shall be subject to the approval of the county engineer.
- F. **Commission Recommendations:** The commission shall make recommendations concerning the application to the board who may accept or reject the proposed dedication and improvements.
- G. **Acceptance By Board:** When the board accepts a dedication of land, such acceptance shall be noted in the official minute book of the board, and a deed describing and conveying such lands to Valley County for rights of way or other purposes shall be filed with the county recorder by the applicant.

CHAPTER 7 WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN

10-7-2: DEFINITIONS

FORESTED: Idaho Code title 38, chapter 1 (Idaho forestry act) defines "forestland" as meaning "any land which has upon it sufficient brush or flammable forest growth of any kind or size, living or

dead, standing or down, including debris or growth following a fire or removal of forest products, to constitute a fire menace to life (including animal) or property".

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. The plan shall be submitted to the Wildfire Mitigation Director by Planning and Zoning Staff for review and comments to the Planning and Zoning Commission.
- 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.
 - 1. Preparation: The plan shall be developed by a "professional" (see definition in section [10-7-2](#) of this chapter). Professionals can be prequalified by the commission and a list will be maintained at the Valley County planning and zoning office.
 - 3. Submittal, Implementation And Verification:
 - a. The plan shall be submitted with the preliminary plat application to the Valley County planning and zoning office.
 - b. Planned mitigation work must be completed or financially guaranteed prior to the recordation of the final plat. A schedule for the phased completion of mitigation work may be approved in conjunction with recordation of final plats.
 - c. Verification of completed implementation of mitigation actions will be the responsibility of the jurisdictional structural fire district. Where no structural fire district exists, the Valley County sheriff shall appoint a county representative. Each authority will act in conjunction with the Wildfire Mitigation Director.
 - 4. Exceptions: Proposed administrative plats of less than five (5) lots and proposed subdivisions with lands less than twenty percent (20%) "forested" (see definition in section [10-7-2](#) of this chapter) are exempt from the professional requirement. For proposed subdivisions fitting these descriptions, the developer may complete the plan (see the fire protection form). The plan for an administrative plat can be approved by the administrator upon receiving an approval letter from the Valley County Wildfire Mitigation director in conjunction with the applicable fire district.
 - 5. Cost: The cost and implementation of the plan preparation shall be the responsibility of the applicant.
 - 6. Plan Retention: The approved plan shall be retained at the Valley County planning and zoning office and the jurisdictional fire district or designated agency where no fire district exists.

RECOMMENDATIONS / COMMENTS BY STAFF

Board of County Commissioner's Decision

- 1) Part of the Valley County Board of Commissioners deliberation and decision should be a **"reasoned statement"** that explains the criteria and standards considered relevant; state the relevant **facts relied upon**, and **explain the rationale for the decision based on applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record**, 'all of which' should be part of the motion to approve or deny, or should be developed with staff assistance for action at a subsequent meeting." (VCC 9-5H-11.8)
- 2) **Formulate the reasoned decision and rationale for the finding as follows...**
 - I. List Issues
 - II. Develop Reasoned Statements on the issues.

- III. Base decisions on evidence in the record.
- IV. Base decisions on applicable ordinances, etc.

3) **Idaho Code 67-6519. APPLICATION GRANTING PROCESS.**

- (5) **Whenever a governing board or zoning or planning and zoning commission grants or denies an application**, it shall specify:
 - (a) The ordinance and standards used in evaluating the application;
 - (b) The reasons for approval or denial; and
 - (c) **The actions, if any, that the applicant could take to obtain approval.**

- 4) **Facts and Conclusions** will be prepared for Board of County Commissioner's decision final decision for approval at a later date.
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List of Attachments:

- A. Appeal
 - Appeal letter received June 22, 2026.
- B. Applicant's Submittals, Including Exhibits
 - Application
 - Wildland Urban Interface Fire Mitigation Plan (WUI) short-form
 - A draft WUI plan that was previously submitted to the City of McCall (Exhibit 6).
 - Traffic Impact Studies (TIS) information submitted May 6, 2026
 - Application statement. (Exhibit 4)
 - Payette Lakes Recreational Water and Sewer District's technical memos from April 30, 2025, and June 28, 2021. (Exhibit 5 - May 14, 2026)
 - Matthew Parks, legal representative, submitted a letter dated June 9, 2026, in opposition to requests to reopen public hearing.
 - Response to Appeal submitted June 20, 2026
- C. PZ Commission Information
 - **Conditions of Approval per motion made June 14, 2026, including Development Agreement Recommendation (Outline)**
 - Standard Final Plat Notes and Standard Recommended CCRs
 - PZ Commission Facts and Conclusions
 - PZ Commission Minutes and Staff Reports – May 14, 2026; June 14, 2026
- D. Maps / Pictures
 - Location Map
 - Aerial Map
 - Image from Google Maps
 - Photos taken April 21, 2026; April 22, 2026; and July 9, 2026
 - Assessor Plat – T.18N R.3E Section 15 – Roadways Highlighted
 - Record of Survey 14-212
 - City of McCall Zoning Map, February 2026

- E. Idaho Code
 - Idaho Code 67-6519 Application Granting Process
- F. List of Exhibits
- G. All Agency Responses, Including Exhibits
- H. All Public Comments, Including Exhibits
- I. Compatibility Rating
 - Blank Compatibility Rating with Instructions
 - Staff's Compatibility Rating

END OF STAFF REPORT