



Boise County Planning and Zoning Commission
VALLEYWIDE CO-OP - CUP #2026-001
Findings of Fact, Conclusions of Law, Conditions of Approval and Order

November 20, 2025

The Boise County Planning and Zoning Commission ("Commission") held a public hearing on November 20, 2025 to consider Valleywide Co-op's ("Applicant") application for a Conditional Use Permit ("CUP"), application number CUP #2026-001 ("Application"), pursuant to Boise County Amended Unified Land Use Ordinance #2024-002 (ULO) Section 2.5.

FINDINGS OF FACT

Based upon the file, hearing, and evidence received in the above-noted matter, the Commission issues the following Findings of Fact and Conclusions:

A. Documents Received Into the Record

1. The Planning and Zoning Department's ("Department") file and record in this matter:
 - a. Conditional Use Permit Application #2026-001.
 - b. Exhibits 1-16.
 - c. Planning and Zoning Staff Report dated November 20, 2025.

B. Procedural History

1. On October 15, 2025, the Department sent notice of the CUP application and public hearing to agencies and surrounding properties in accordance with the ULO and applicable law.
2. On October 29, 2025 and November 5, 2025, notice of the CUP application and public hearing was published in The Idaho World in accordance with the ULO and applicable law.
3. On November 7, 2025, notice of the CUP application and public hearing was posted on the subject property in accordance with the ULO and applicable law.
4. On November 20, 2025, the Commission held a public hearing on the Application.
5. After hearing all testimony from Applicant and the public, the Commission deliberated the application and approved the CUP with site-specific conditions.

C. Facts

1. The public had the opportunity to provide testimony at the November 20, 2025 public hearing. No member of the public was prevented from testifying.
2. The property subject to this CUP is located at 85 Severance Road in Garden Valley, Parcel # RP09N04E270655.
3. The property consists of 57.84 acres of land.
4. The surrounding property uses consist of vacant and rural residential uses, Severance Sand and Gravel, and Garden Valley School approximately 1,500' away.
5. Applicant is seeking a CUP to use the property for propane storage relocated from center of the City of Crouch.
6. The subject property consists of an industrial use; severance sand and gravel, which operates daily
7. Garden Valley Fire Department will provide emergency fire response and EMS services to the property.

8. The Boise County Sheriff will provide law enforcement services.
9. The subject property is accessed from Severance Road, a privately maintained gravel road. Applicant will be applying dust abatement to mitigate its disturbance to neighbors.
10. This business is currently located in the center of Crouch and is relocating to a less densely populated area; therefore, any demand on services and traffic in the region should not be increased at all.

CONCLUSIONS OF LAW

Based on the facts contained in the record, including the facts identified above, the Commission makes the following conclusions of law:

A. The record contains sufficient facts for the Commission to make the following findings and conclusions regarding the Required Findings in ULO Section 4.3.E.

1. The Commission finds that the proposed use meets the recreation use identified as both Flammable Substance Storage and Propane Storage as specified in Table 4.1.D.6 (industrial uses) of the ULO is a conditional use.
2. The Commission finds that the proposed use meets the goals and policies of the Boise County Comprehensive Plan, specifically those goals and policies identified in Chapter 1-Private Property Rights and Chapter 4-Economic Development, Chapter 5-land use (combining industrial uses on one parcel) and Chapter 13-Community Design (combining industrial uses on one parcel), in addition to other goals and policies therein.
3. The Commission finds that, with site-specific conditions imposed, the proposed use will be operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the proposed use will not change the essential character of the same area. The surrounding vicinity consists of vacant and open land in the immediate vicinity, and other industrial or commercial uses a bit further out. The subject property currently consists of an industrial operation, and this would be adding an industrial use on the property. No large structures are planned, and the area will be fenced to prevent uninvited parties. This location does not change the character of the area as the parcel is already used for industrial purposes that are arguably more disruptive to neighbors than the requested use, and thus will keep the current appearance and fit with the existing character of the general vicinity.

In addition, the site-specific conditions require Applicant to: (i) use lighting that will be shielded to prevent glare, be inward facing, and dark-sky compliant; (ii) setbacks to be maintained; (iii) protect the flammable materials from fire; and (iv) keep all structures and grounds in a clean and orderly condition. These site-specific conditions will ensure that the proposed use will be operated to be harmonious with the existing character of the vicinity.

4. The Commission finds that, with site-specific conditions imposed, the proposed use will not be hazardous or in conflict with existing neighboring uses. Existing neighboring uses include vacant land, civic uses (Garden Valley School), and industrial uses (Severance Sand and Gravel) (Creekside Campground and Events Center). The proposed use will

have a detailed safety plan, and is relocating from a high density area to a low density one.

The site-specific conditions also require Applicant to: (i) use lighting that will be shielded to prevent glare, be inward facing, and dark-sky compliant; (ii) setbacks to be maintained; (iii) protect the flammable materials from fire; and (iv) keep all structures and grounds in a clean and orderly condition. These site-specific conditions will ensure that the proposed use will not be in conflict with existing neighboring uses.

5. The Commission finds that, with site-specific conditions imposed, the proposed use will be served adequately by essential public facilities and services. The Boise County Sheriff and Garden Valley Fire Department did not object to the Application or suggest that they could not provide adequate services for the proposed use. Further, Central District Health Department ("CDH") did not oppose the Application so long as applies for a permit if a restroom facility is installed. CDH's requirements are incorporated as required standard conditions of approval pursuant to ULO § 4.3.D.6. With these conditions imposed, the proposed use will be served adequately by essential public facilities and services.
6. The Commission finds that, with site-specific conditions imposed, the proposed use will not create excessive additional costs on public facilities and services and will not be detrimental to the economic welfare of the community. No evidence of any additional cost was provided at hearing, and the business already exists and is simply relocating, meaning what services are use are already in use. The use of the property for propane storage will have limited or no additional costs to the public.
7. The Commission finds that, with site-specific conditions imposed, the proposed use will not be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors. The parcel is already being used for industrial purposes producing noise, traffic, and potential fumes and odors. The current separation from other uses ensures that the addition of propane storage on this industrially used parcel will not be detrimental from noise, fumes or odors.

Additionally, Severance Road has already been improved to accommodate more traffic and safer entrance and exit from Banks-Lowman Road, and the applicant will apply dust abatement to ensure no detriment from its use of the road. This ensures that the proposed use will not be detrimental by reason of excessive traffic.

Further, the site-specific conditions also require Applicant to use lighting that will be shielded to prevent glare, be inward facing, and dark-sky compliant, which will ensure that the proposed use will not be detrimental by reason of excessive glare.

8. The Commission finds that, the proposed use will have a vehicular approach that will not create an interference with traffic on surrounding public thoroughfares. The vehicular approach to the property is off of Severance Road, a privately maintained dirt road, which has recently been widened and the entrance to Banks Lowman Road improved in conjunction with other projects in the area. The Applicant will also apply dust abatement to reduce impact from its use of the road. Given these facts, the proposed use will have a vehicular approach that will not create an interference with traffic on surrounding public thoroughfares.

9. The Commission finds that the proposed use will not result in destruction of a natural, scenic, or historic feature. No evidence of such features was presented.

SITE-SPECIFIC CONDITIONS OF APPROVAL

The Commission approves the CUP with the following site-specific conditions:

1. This conditional use permit is non-transferable to another property and is only valid at RP09N04E270655.
2. Lighting shall be shielded to prevent glare, be inward facing and dark-sky compliant, and shall not create glare that extends onto other properties.
3. Applicant shall keep all structures and grounds in a clean and orderly condition.
4. Applicant shall amend their emergency action plat to include defensible space around the tanks on their property (mowing, etc.) in accordance with the Emergency Manager's recommendations.
5. Applicant shall relocate the shed on the site plan to be within industrial setbacks.

REQUIRED STANDARD CONDITIONS OF APPROVAL

Approval of the CUP is subject to the Required Standard Conditions of Approval identified in ULO Section 4.3.D. In the event a Required Standard Condition of Approval conflicts with a Site-Specific Condition of Approval contained herein, the Site-Specific Condition of Approval shall control. The Required Standard Conditions of Approval are:

- 4.3.D.1** The property must be in compliance, or brought into compliance by this action, with all applicable Idaho State Statutes and Boise County Ordinances prior to commencement of approved conditional use activity. All permits must be secured prior to commencement of work subject to permit approval.
- 4.3.D.2** Applicant must provide proof of property ownership or valid leasehold from the property owner.
- 4.3.D.3** All property taxes, including current year (prepaid) taxes, shall be paid in full.
- 4.3.D.4** Prior to commencement of work, applicant must provide proof of legal access and proof of the authority to alter/improve the access to accommodate fire and ambulance services.
- 4.3.D.5** Fire Department vehicular access shall meet the standards as set forth in this Ordinance.
- 4.3.D.6** The applicant shall comply with any required conditions imposed by Central District Health Department.
- 4.3.D.7** The applicant shall identify the days and hours of operation of the conditional use permit activity.
- 4.3.D.8** Building construction shall meet the requirements of the Idaho Building Code Act, Idaho Code Title 39, Chapter 41.
- 4.3.D.9** Applicant shall prepare and present to the Planning & Zoning Department its Emergency Services Action Plan, specifically, but not limited to, fire and ambulance services.
- 4.3.D.10** The conditional use shall be considered null and void if not started within a period of twelve (12) months from the date of approval by the Commission.
- 4.3.D.11** Prior to the expiration of the conditional use permit, the Administrator may, upon written request by the holder, grant a one (1) year time extension. Any extension request beyond one (1) year shall be subject to the review and approval by the Commission. A review before the Commission shall be scheduled for public hearing

and with public notice. The hearing shall be for the purpose of modifying, amending or revoking approval of the Applicant's Conditional Use Permit. A maximum of three (3) extensions may be granted if good cause is shown. The Commission shall make the final decision on the extension request.

- 4.3.D.12** CUP approval does not include approval of any signage. A separate Sign Permit will be required from the Boise County Planning and Zoning Department prior to installation of a sign(s).
- 4.3.D.13** The Applicant shall comply with any and all applicable requirements of the U.S. Army Corps of Engineers.
- 4.3.D.14** No change in the terms and conditions of the conditional use approval shall be valid unless in writing and signed by the applicant or an authorized representative. Any change in the terms and conditions shall be reviewed and approved or denied by the Commission.
- 4.3.D.15** Any change by the applicant in the planned use of the property which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant or its successors in interest advises the County of its intent to change the planned use of the property;
- 4.3.D.16** All development authorized by this conditional use approval must be completed within four (4) years from the date of the Commission's approval; and
- 4.3.D.17** Failure to abide by any condition of this Conditional Use Permit shall be grounds for revocation by the Commission.
- 4.3.D.18** The Applicant shall comply with all local, state and federal rules and regulations.

ORDER

Based upon the Findings of Fact, Conclusions of Law, Site-Specific Conditions, and Required Standard Conditions of Approval contained herein, the Planning and Zoning Commission approves Valleywide Co-op Propane Storage CUP #2026-001, a conditional use permit located at 85 Severance Drive, Garden Valley, Parcel # RP09N04E270655.

APPROVED this 20th day of November, 2025.

PLANNING AND ZONING COMMISSION
BOISE COUNTY, IDAHO



Doug Bergey, Commissioner

APPEAL OF PLANNING AND ZONING DECISION

ULO SECTION 2.10 APPEALS PROCEDURES:

Any decision or action may be appealed as set forth in this Ordinance. The appellant shall be an affected person as defined in Idaho Code §67-6521(1) (a). Any request for reconsideration or appeal must be filed on an application as provided by the P&Z Department and such request for reconsideration or appeal must identify specific deficiencies in the decision for which reconsideration or appeal is sought, and must otherwise comply with Idaho Code §67-6535(b).

2.10.B APPEAL OF PLANNING AND ZONING COMMISSION DECISION:

- 2.10.B.1** An affected person aggrieved by a decision of the Commission that was made pursuant to the provisions of this Ordinance may appeal to the Board.
- 2.10.B.2** A request for reconsideration or appeal shall be filed with Planning and Zoning Department within fourteen (14) calendar days after the date of the Findings, Conclusions and Order were signed by the Commission or the Findings, Conclusions and Order were reconsidered and a final reconsidered decision is made.
- 2.10.B.3** For an appeal, the Board shall hold a public hearing to consider the decision of the Commission and any additional evidence that may be offered by the public, applicant or Administrator.
- 2.10.B.4** The Board may affirm, reverse or modify, in whole or in part, the Commission's decision.