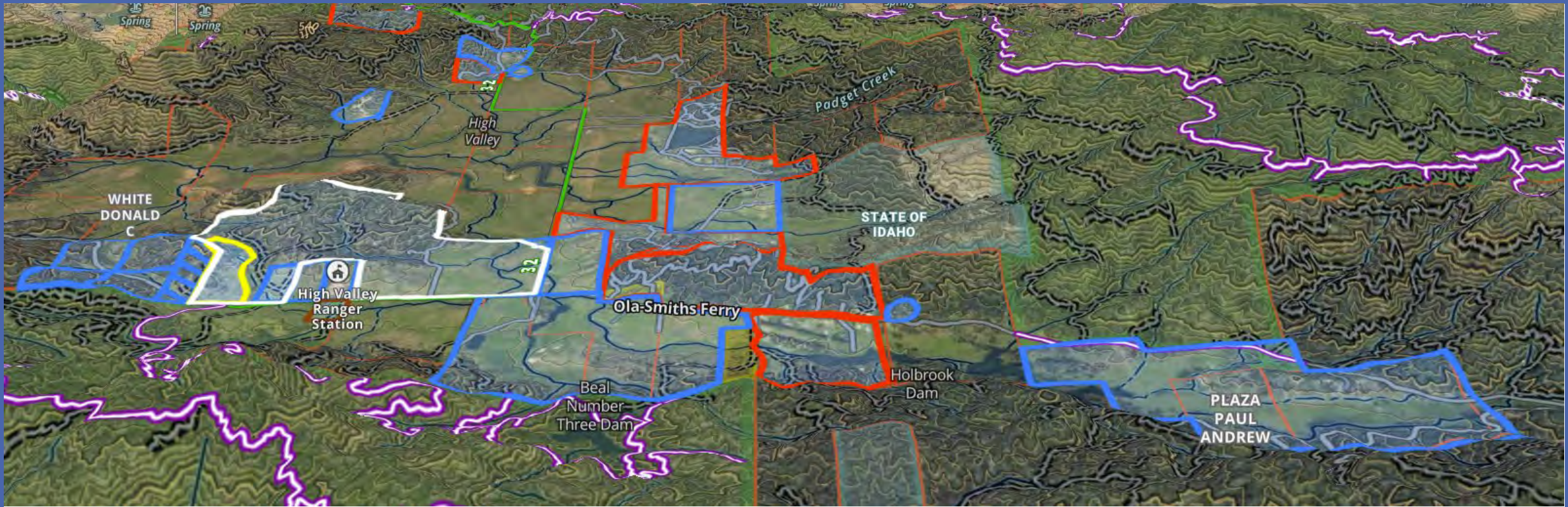




# SUB-25-018 TRIPOD VIEW

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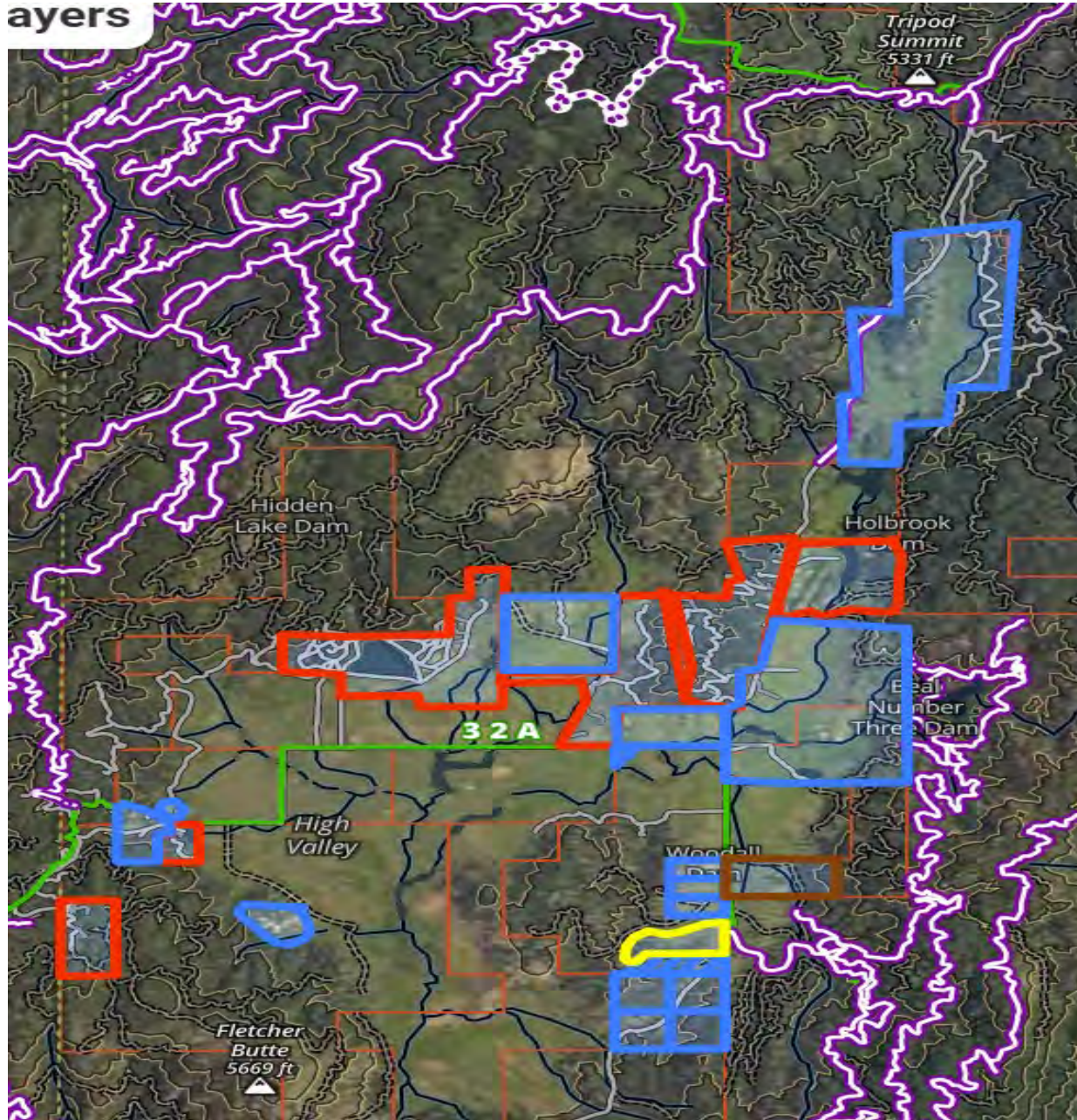
- Presented by Abigail R. Germaine
- Elam & Burke, PA
- June 1, 2026



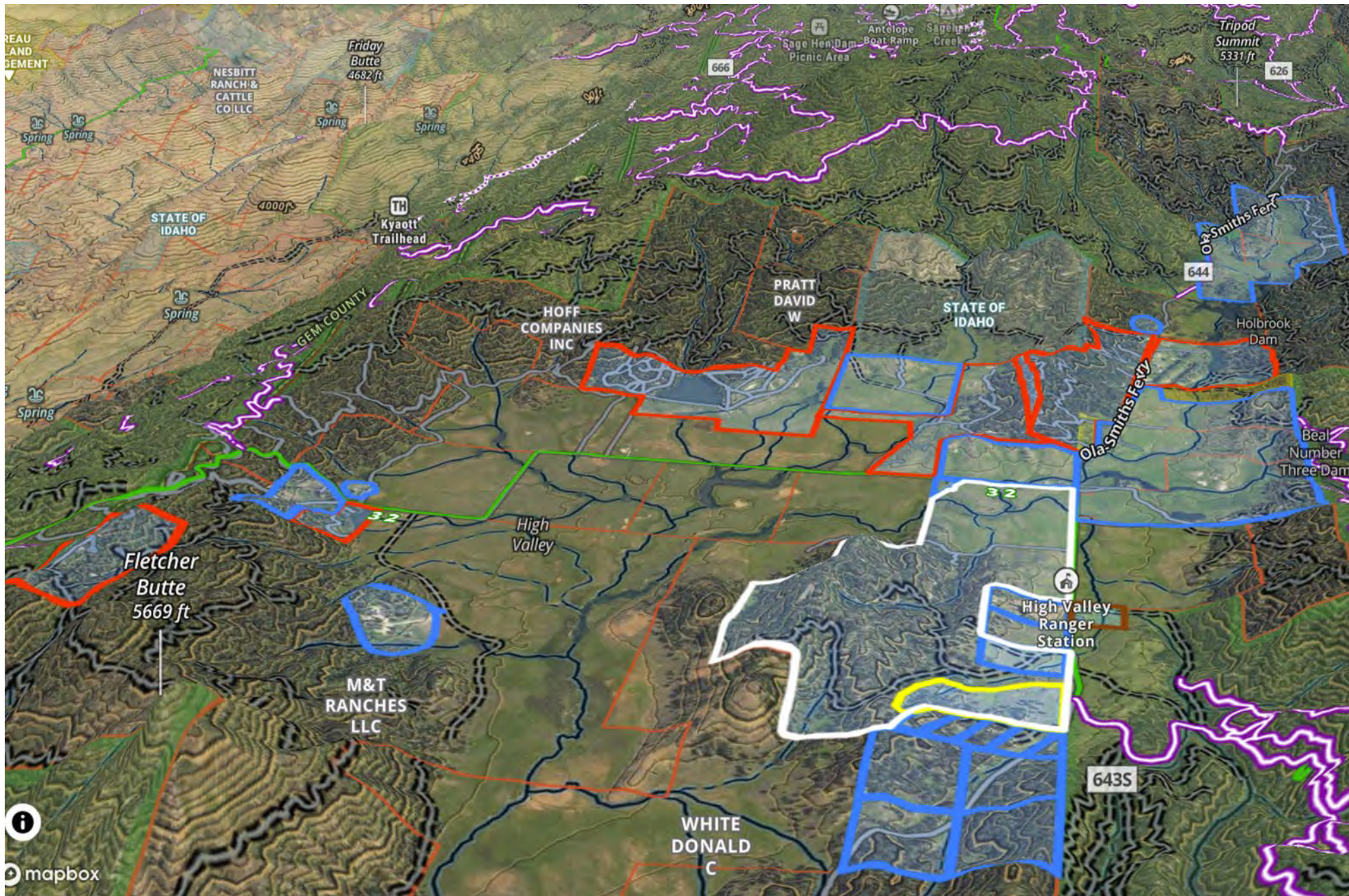
# PROJECT OVERVIEW

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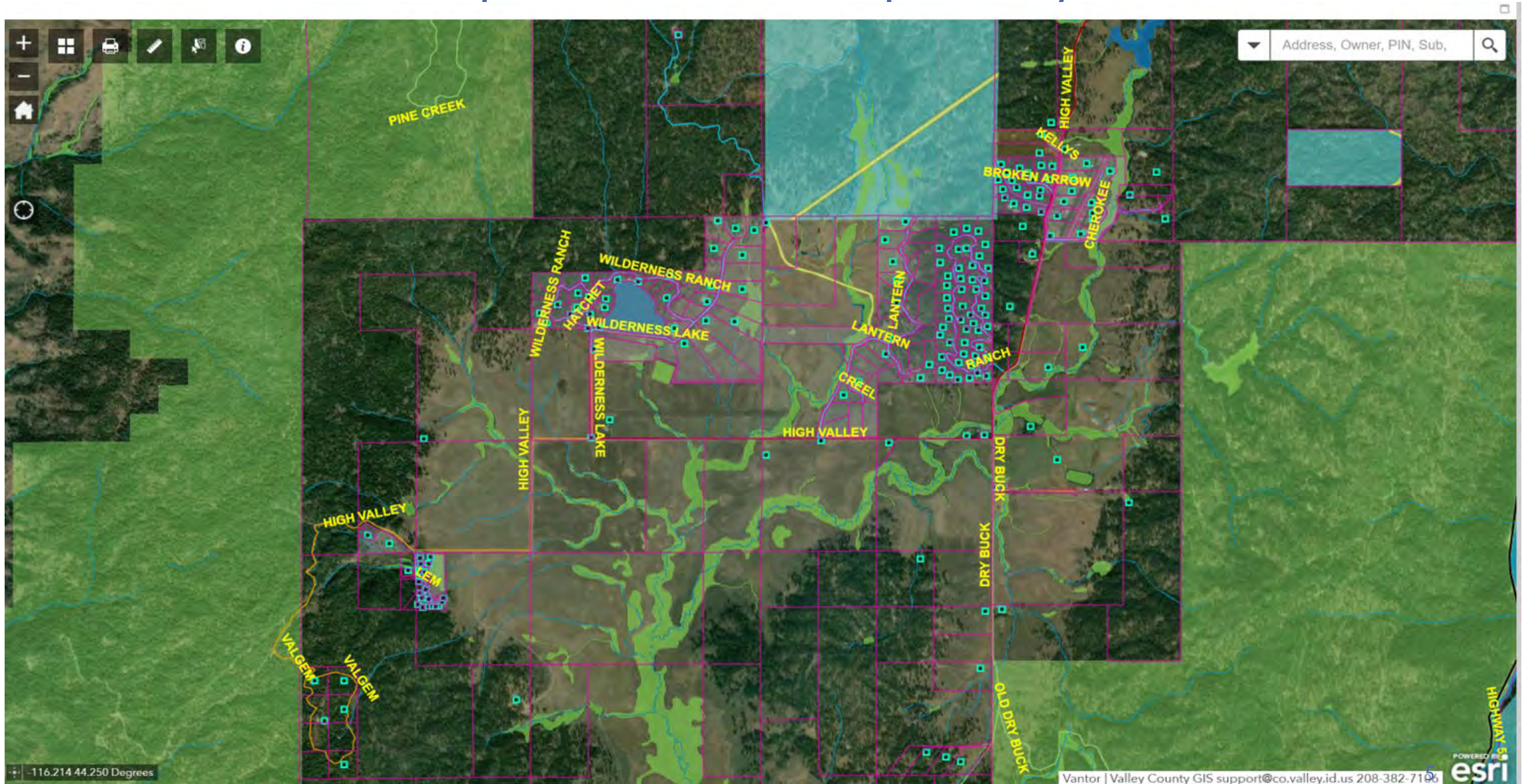
ayers



## EXISTING SUBDIVISIONS AND RESIDENTIAL DEVELOPMENT



# Over 200 existing residences in High Valley





# Valley County Code Section 9-5-2(C)



“[t]he interpretation of the standards and procedures herein *shall be to encourage conditional uses*, where in the opinion of the commission [or Board on appeal] noncompatible aspects can be satisfactorily mitigated through development agreements....”

# STAFF RECOMMENDATION /COMMENTS

All standards have been met.

# Additional Information Requested by Board



A third-party hydrology report that addressed the nature of the water table and the unlikelihood of impacts to adjacent water users; and

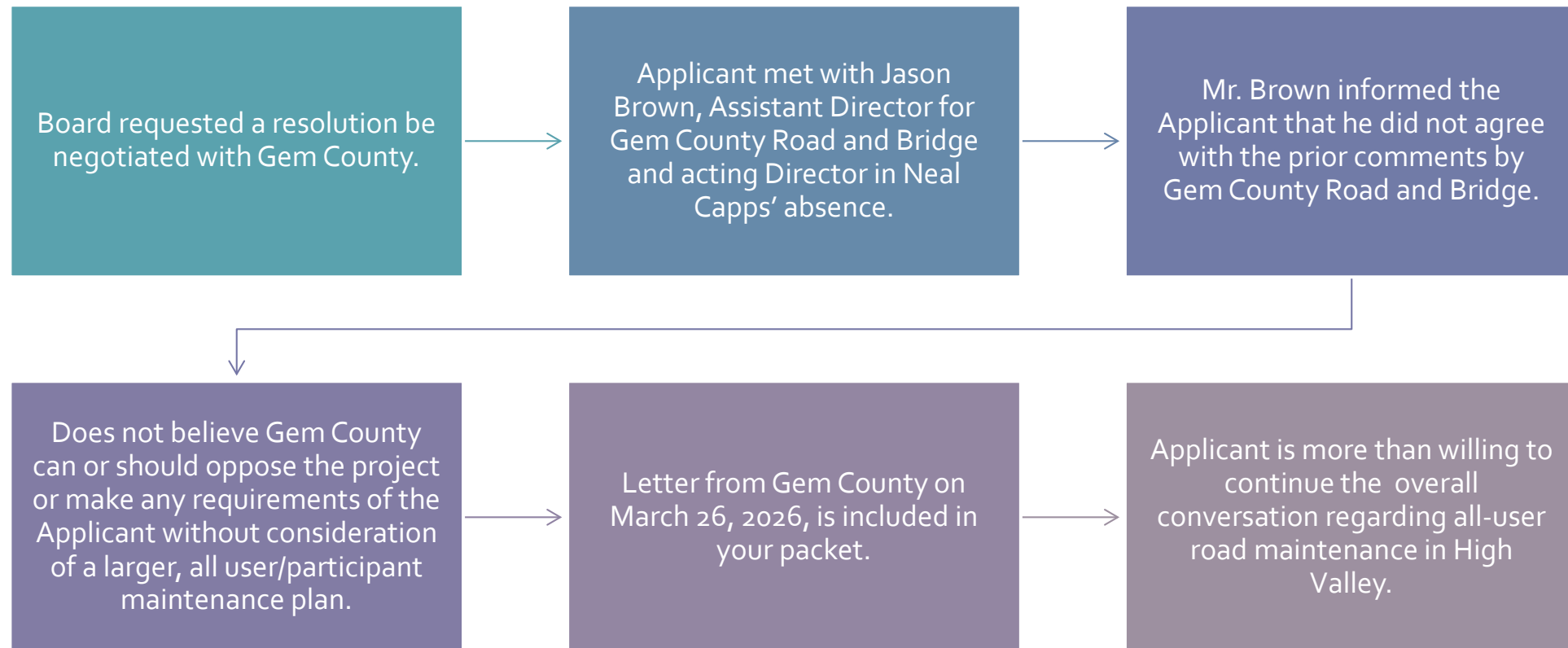


A MOU or other written acknowledgement from Gem County outlining Gem County's requests related to this Application.

# Groundwater Assessment Report

- Groundwater Assessment for Tripod Subdivision in the High Valley Area, Valley County, Idaho - Idaho Water Engineering, LLC , March 23, 2026.
- Kenneth W Neely, Hydrologist
- The report confirms the information we had previously submitted to the Board which is that the high variability in elevations of the static water levels and the tops of the aquifers indicate that wells produce from different fracture zones in the granite at many different elevations,
  - **“Thus the chance of well interference between wells is unlikely.”**

# No MOU or Improvements Requested by Gem County



# Commitments by Applicant

CC&Rs – Board made clear it was important that the CC&Rs address trash disposal, firewise building material requirements, and all other fire mitigation practices as recommended by the Wildland Urban Interface Fire Protection Plan.

Shared Driveway Maintenance Agreement – Will require a recorded driveway maintenance agreement executed and agreed to by all owners.

**NO BASIS FOR DENIAL – ALL  
CRITERIA MET**

## Criteria of Valley County Code is Met

- Valley County Code Title 9 and 10
  - Title 9, Chapter 5 – Criteria for Conditional Use
    - In areas and to standards that will increase the value of privately owned property;
    - Without undue adverse impact on the environment, adjoining properties, or governmental services; and
    - Where consistent with the Comprehensive Plan.
  - Title 10 –Subdivision Regulations

# Low density far below what is allowed

- Density of Project is .26 units per acre
- Lots sizes range from 1.8 acres to 6.2 acres
- Maximum density allowed is 2.5 units per acre
- Could propose 115 units on this 46 acres
- Discussed with staff the most suitable approach for the property.
- Wants to preserve rural nature and conscientious of impacts

# Private Property Rights

640 acres owned by Emersons; only 7.0% of the property is proposed to be developed.

The rest is intended to be preserved for agriculture and ranching operations.

Could obtain roughly 9 lots without a subdivision

Placing them in the least impactful area

# REQUEST APPROVAL OF THE TRIPOD SUBDIVISION

The background of the slide is a dense field of blue, 3D-style question marks. The word "QUESTIONS" is centered in white, bold, uppercase letters. A thin white horizontal line is positioned below the text.

# QUESTIONS



# Planning and Zoning Commission Decision

- Tie vote on approval of the Project
- Motion was made to approve the Project.
- Quite possible the Project would have been approved at the Commission level if a full Commission had been present at the hearing.

# BASIS FOR APPEAL AND APPROVAL

Planning and Zoning  
Commission Decision not  
substantiated

## Idaho Code Requirements

- Idaho Code § 67-6519 – “Whenever a governing board or zoning or planning and zoning commission grants or denies an application, it shall specify:
  - a. The **ordinance and standard** used in evaluating the application; and
  - b. The **reasons** for approval or denial; and
  - c. **The actions if any, that the applicant could take to obtain approval**

# Two of the Four Commissioners Supported the Project

- The two Commissioners who supported the project found that any impacts of the subdivision could be mitigated and were minor in proportion to the effects of all development in the High Valley Area.
- The basis for the denial by the other two Commissioners is not clearly articulated in the written decision, but appears to relate to:
  - Fire concerns
  - Water

# Fire Concerns have been addressed



Wildland Urban Interface Fire Protection Plan has been submitted.



Firewise building materials will be utilized, as well as defensible space integrated.



Steven Hull, Cascade Rural Fire Chief – December 29, 2025 Comments



Commissioner Mabe Comments



All current subdivisions in High Valley were approved without a fire district and with existing water conditions.

# Water Concerns Unsubstantiated



Proposed project makes up less than 6.0% of the population in the High Valley area.



Water issues related to the depth of the aquifer not impacts from adjacent users.




No evidence has been presented related to water impacts from 12 additional homes.

### Tripod View Subdivision

General Cross Section of  
Adjacent Wells - Associated  
with Residential Structures.

### Legend

 Tripod View Subdivision



# WELL DATA IN AREA

Concerns of members of the public are not unique to development and can be mitigated

Fire

Water

Traffic

Population

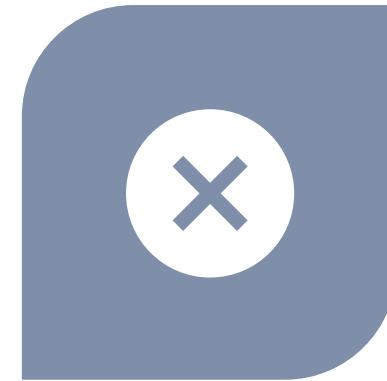
# Traffic Issues Preexisting



EXISTING ROAD ISSUES; NOT  
NEW ISSUES CAUSED SOLELY  
BY THIS PROJECT



LOGGING TRUCKS ARE THE  
CAUSE OF POOR ROAD  
CONDITIONS



GEM COUNTY

# Population Currently Exists in High Valley

