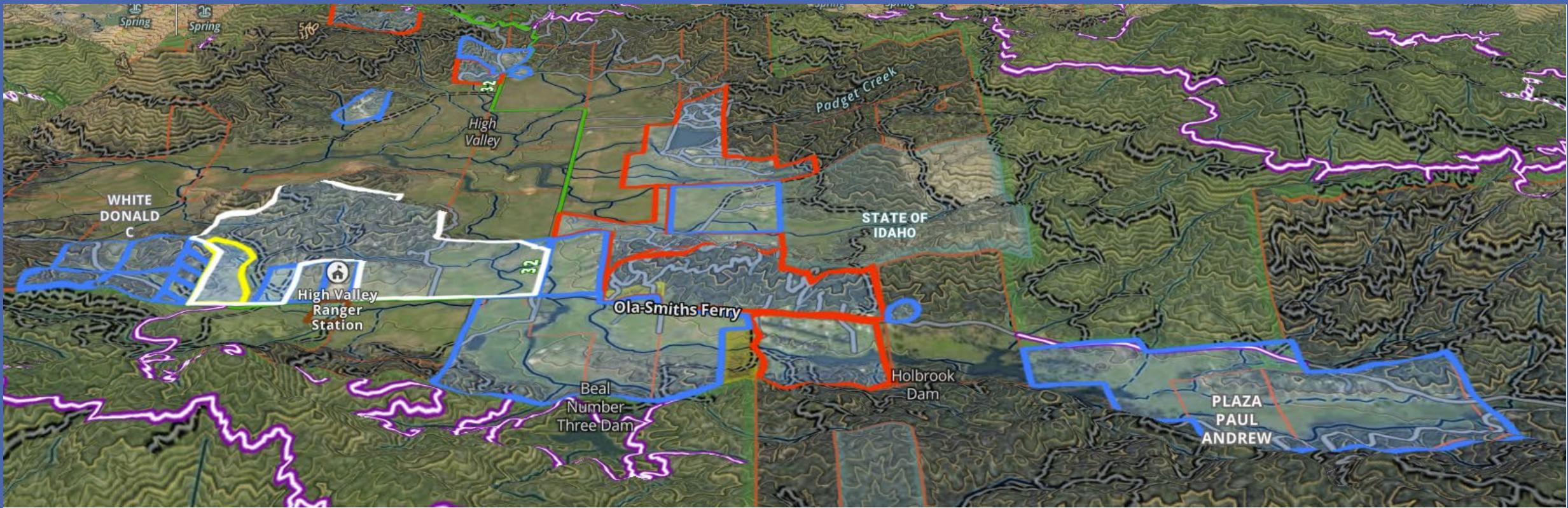


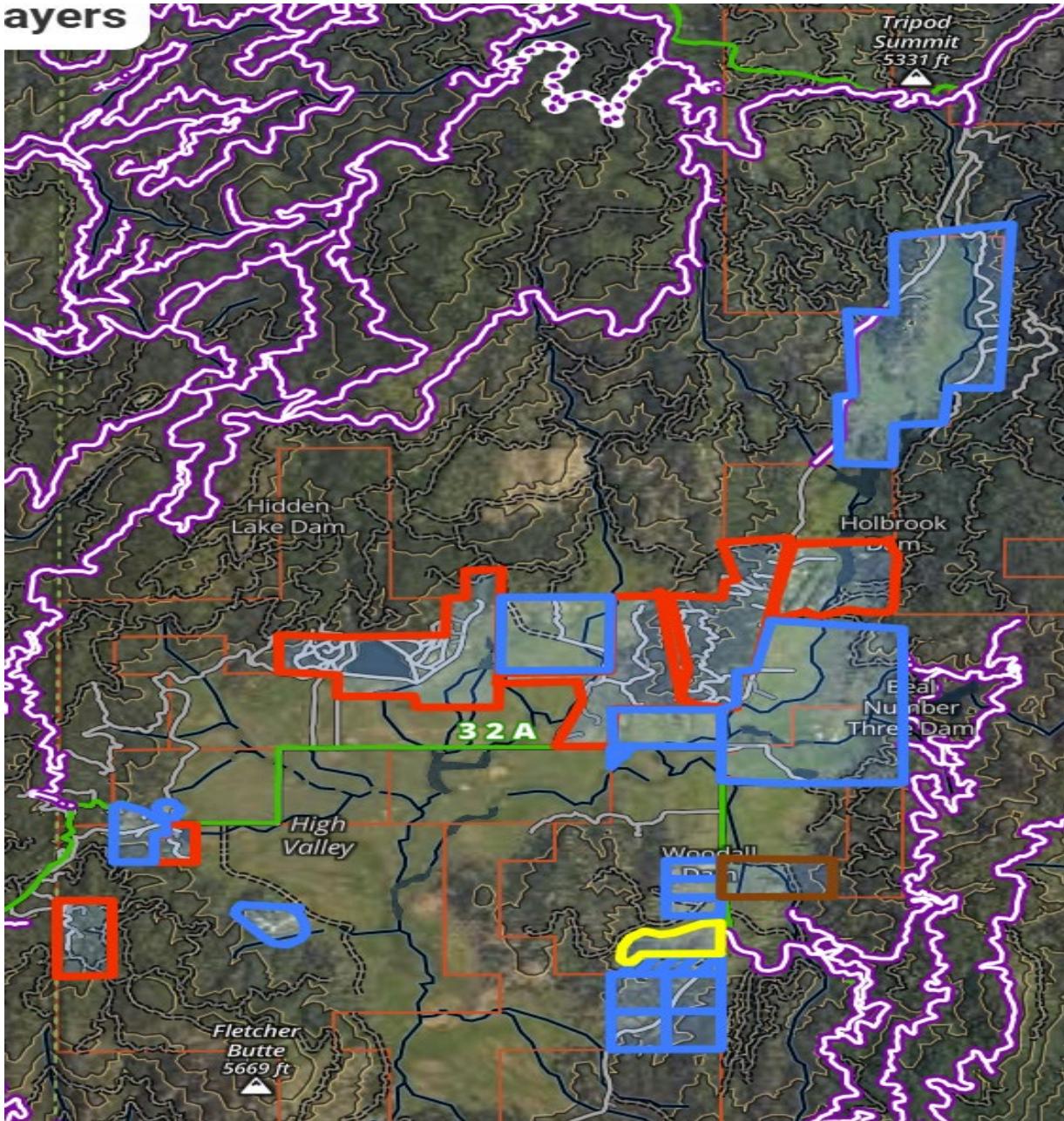


APPEAL OF SUB-25-018 TRIPOD VIEW

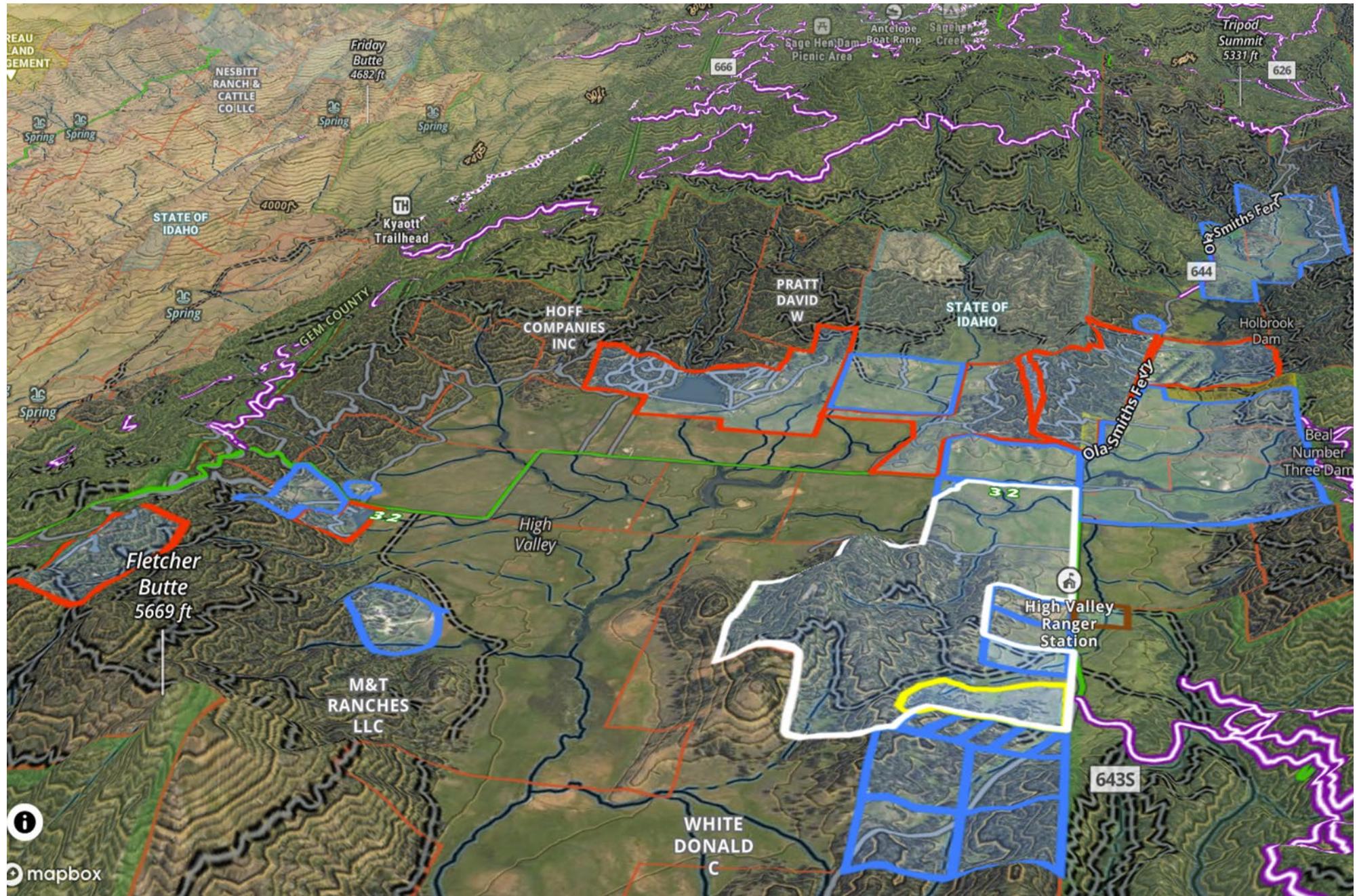
- Presented by Abigail R. Germaine
 - Elam & Burke, PA
 - January 12, 2026



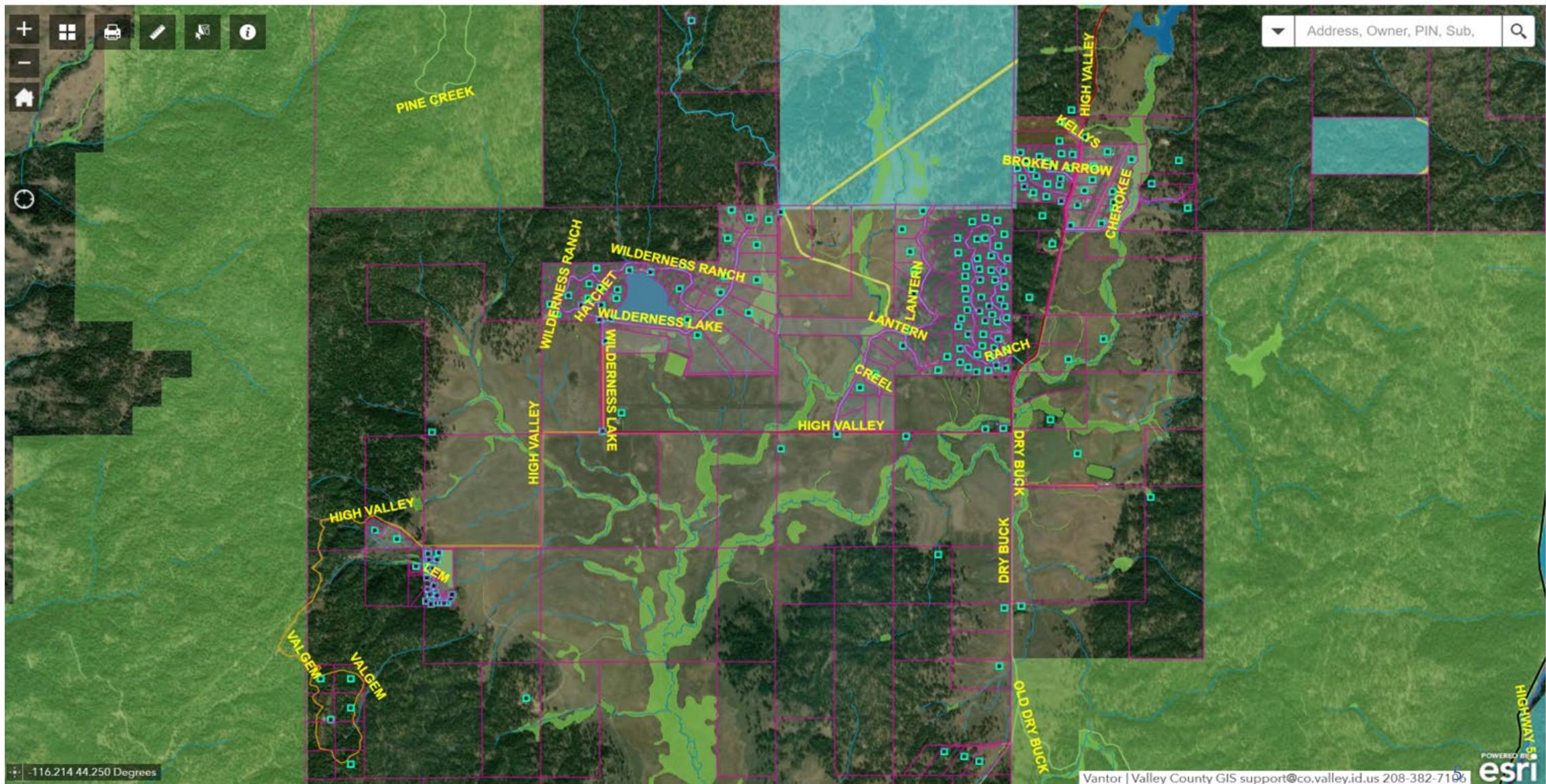
PROJECT OVERVIEW

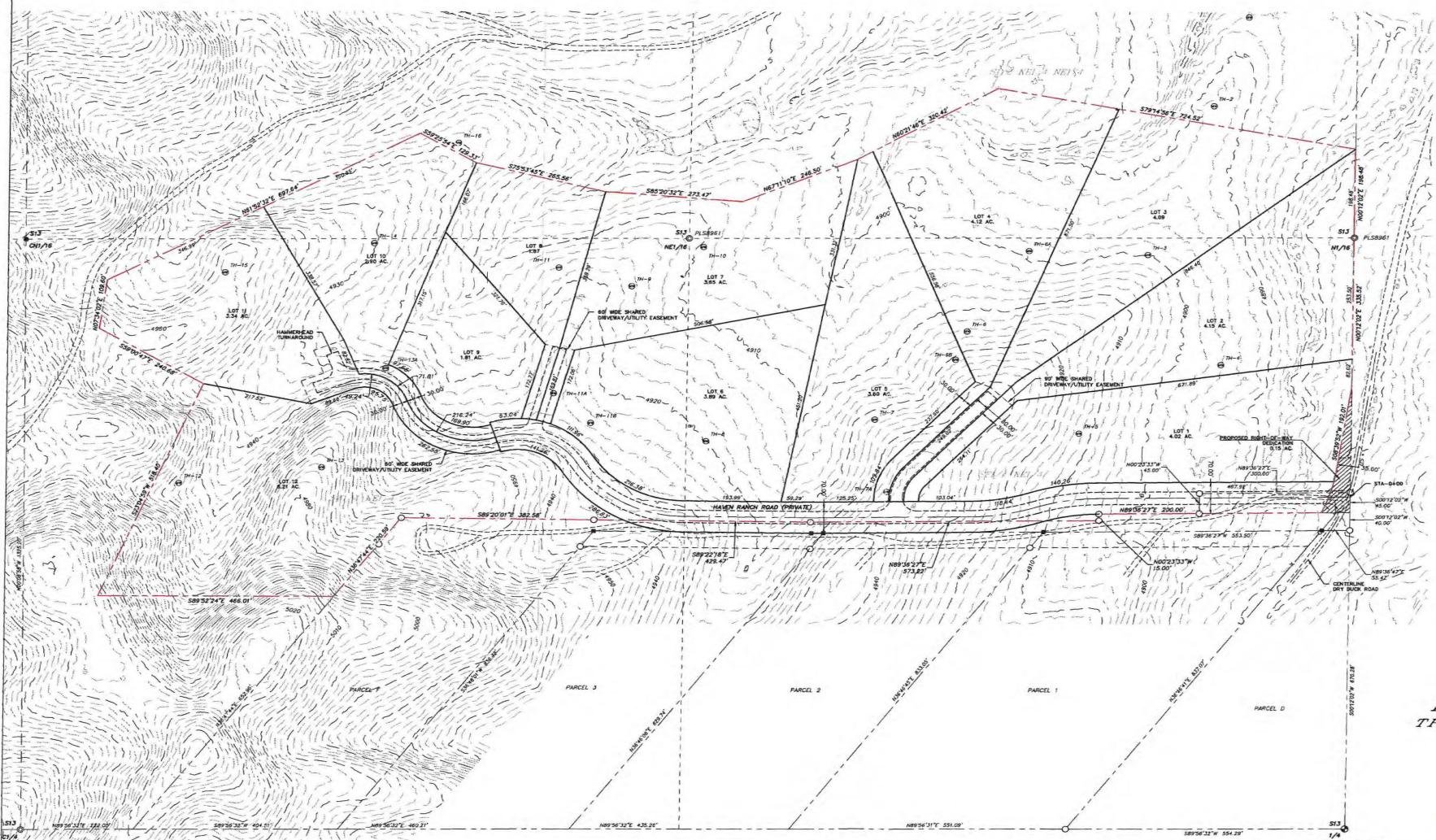


EXISTING SUBDIVISIONS AND RESIDENTIAL DEVELOPMENT



Over 200 existing residences in High Valley





PRELIMINARY PLAT
TRIPOD VIEW SUBDIVISION

A PORTION OF TAX NO. 8
IN THE NE1/4 OF SECTION 13
T.10N., R.2E, B.M.,
VALLEY COUNTY, IDAHO

25 COYOTE TRAIL
CASCADE, ID 83611

①	REMOVE CULDESACS--CREATE SHARED DRIVEWAYS	DTD	6/28/25	
②	MOVE ROAD TO SOUTH BOUNDARY PARCEL F	DTD	3/19/25	
③	REVISION	BT	DATE	
DRAWN BY:	DTD	CB	JOB NO.	SHEET NO.
DATE:	29 JUNE 2025	CHECKED:	3746	1 of 1

Utility Warnings

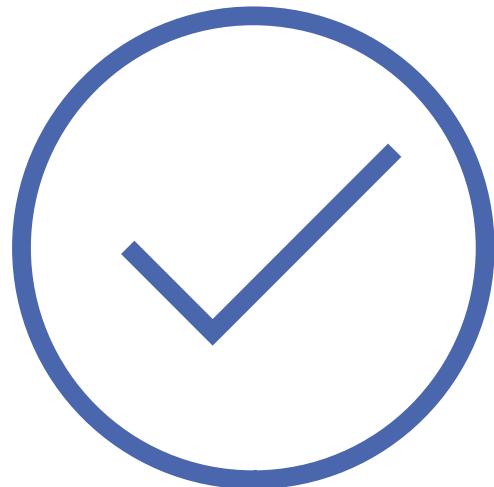
The underground utilities shown have been located from field survey information and existing drawings. The surveyor, herein guaranteed, that the underground utilities shown, constitute all utility lines in the area, in use or abandoned. The surveyor, further, certifies that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

These drawings, or any portion thereof, shall not be used on any project or extensions of this project except by agreement in writing with Dunn Land Surveys, Inc.

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

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.

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



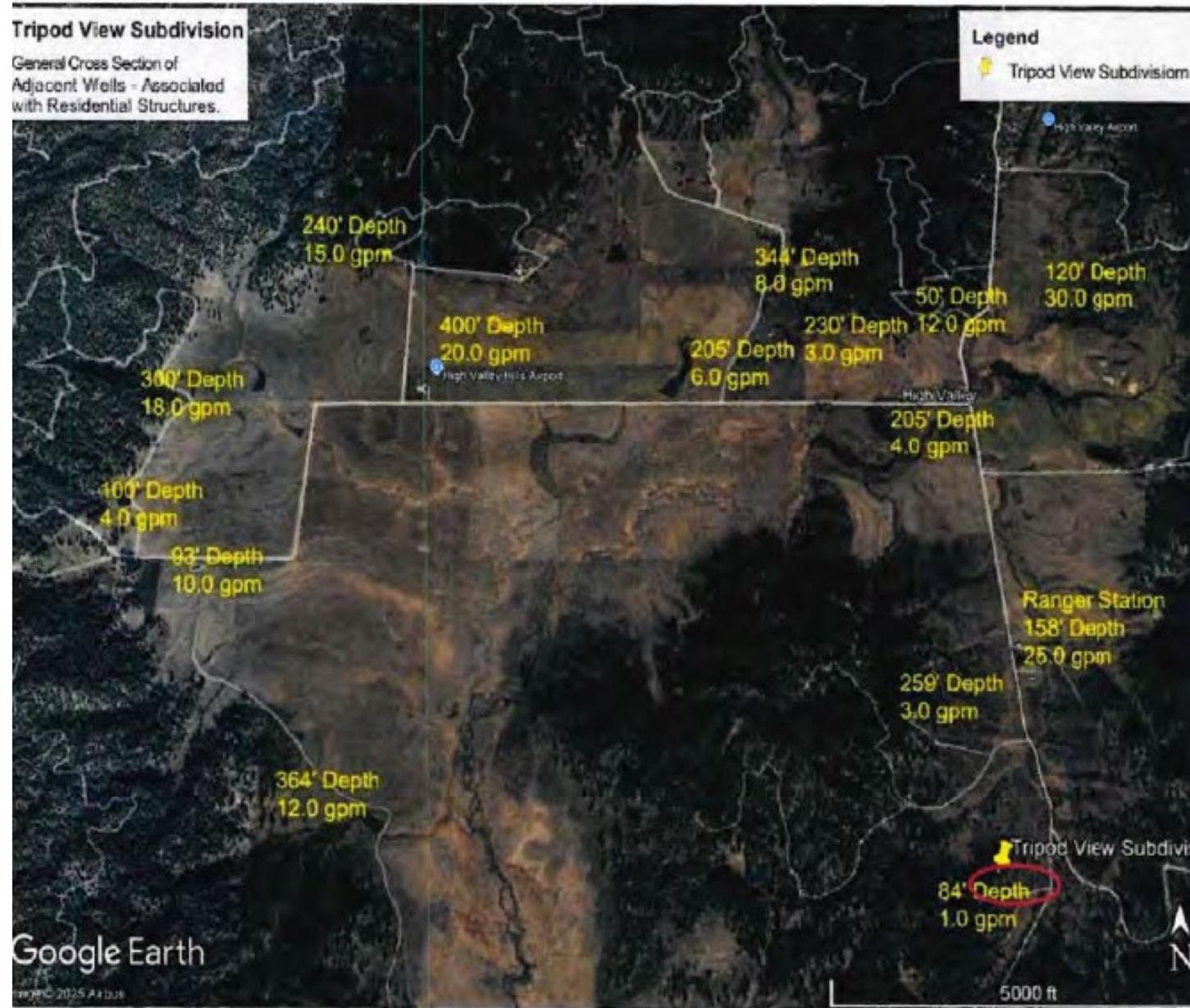
Proposed project makes up less than 6.0% of the population in the High Valley area.



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.



WELL DATA IN AREA

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

Fire

Water

Traffic

Population

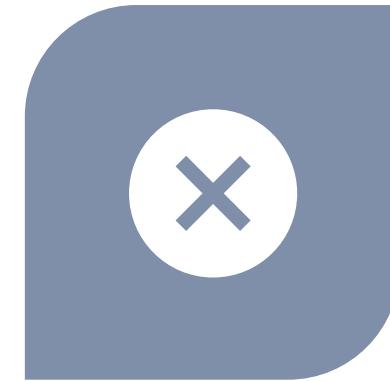
Traffic Issues Preexisting



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

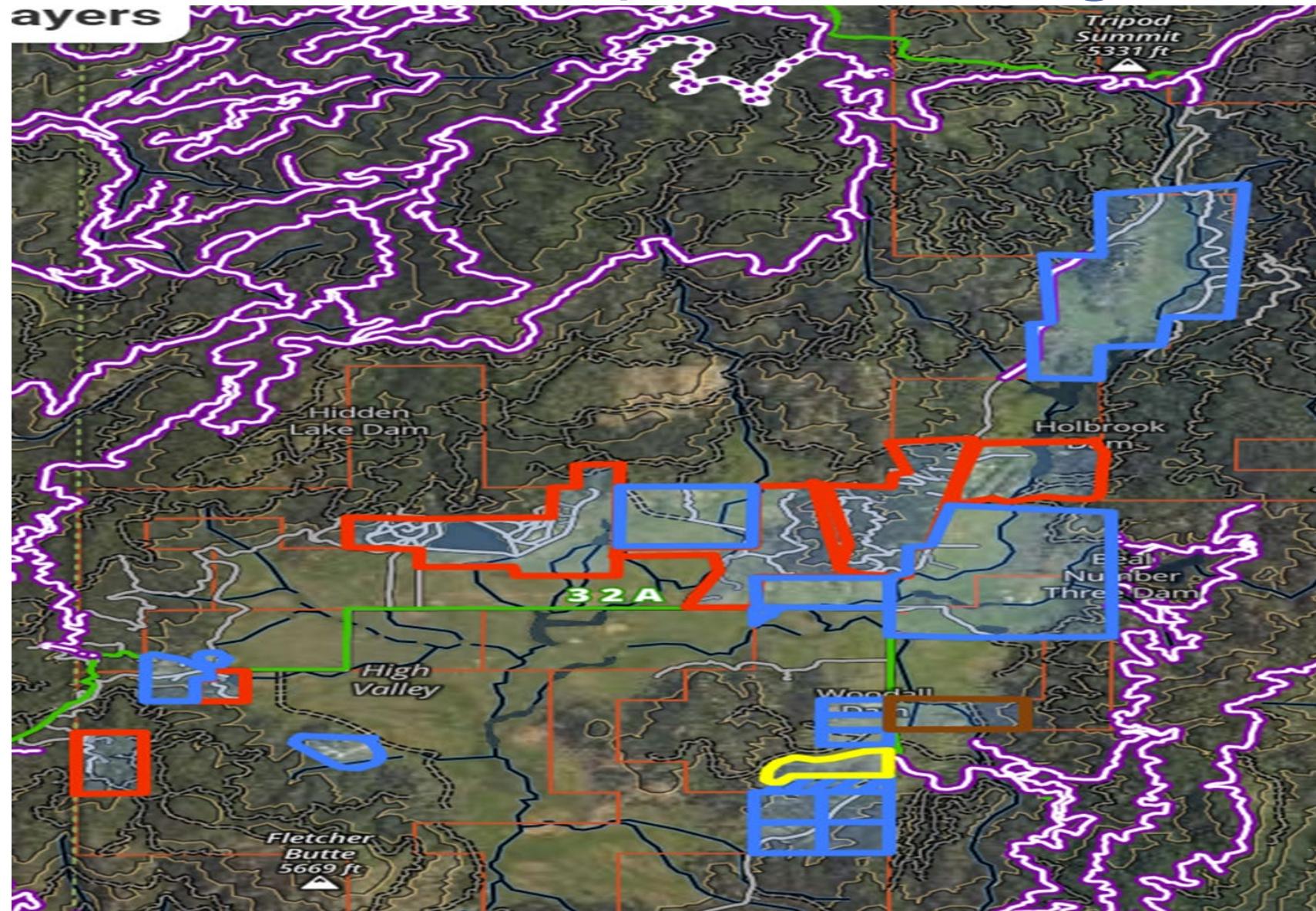


LOGGING TRUCKS ARE THE
CAUSE OF POOR ROAD
CONDITIONS



GEM COUNTY

Population Currently Exists in High Valley



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 8 lots without a subdivision

Placing them in the least impactful area

QUESTIONS
