

# Valley County Planning and Zoning

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**STAFF REPORT:** Valley County Code Amendments  
**HEARING DATE:** June 12, 2023  
**TO:** Board of County Commissioners  
**STAFF:** Cynda Herrick, AICP, CFM  
Planning and Zoning Director

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## BACKGROUND

Multiple code amendments are proposed to Valley County Code (VCC). On April 20, 2023, the Valley County Planning and Zoning Commission held a public hearing and recommended the following changes to Valley County Code:

1. Recommend a neighborhood meeting before certain hearings.

**VCC Title 9-5H-1.D Neighborhood Meetings** would highly recommend applicants to conduct a neighborhood meeting for any proposed variance, vacation, conditional use, zoning ordinance map amendment, expansion of existing use, extension of nonconforming uses requiring a public hearing, or a subdivision of ten (10) or more proposed lots. The purpose of such meetings is to obtain input to improve plans and inform the neighbors.

2. **VCC 9-5H-13** Define "Motions for Reconsiderations".

VCC 9-5H-13 Motions for Reconsideration of Decisions would be added to VCC to better define the timeline and methods for reconsiderations of decisions by the Planning and Zoning Commission and/or the Board of County Commissioners.

3. **VCC 6-1-9.G** Require Federal Aviation Administration Form 7460-1 within a certain distance of an airport.

This is an overlay zone that makes sure building do not impede the future development of airports at Cascade, Donnelly, and McCall.

4. **VCC 9-9-7.D** Increase density for PUDs.

VCC Title 9, Chapter 9 Planned Unit Development, would be modified. The following would be added to VCC 9-9-7: Dwelling units per gross acre can be increased to provide community and workforce housing at negotiated percentages that are memorialized in a development agreement with the Board of County Commissioners.

Higher densities developments are one tool to provide more affordable workforce and community housing, higher densities will be required. Enclosed are articles from various planning magazines.

5. **VCC 6-1-9.H** Require painting of shipping containers.

It was suggested that shipping containers be painted so they better blend into neighborhoods. However, the Planning and Zoning Commission did not recommend this change.

#### **FINDINGS:**

1. A properly noticed public hearing was held by the Planning and Zoning Commission on April 20, 2023.
2. During the Planning and Zoning Commission meeting on May 11, 2023, the Commissioners discussed FAA Form 7460-1 in addition to an emailed response from Therese Gibboney regarding proposed ordinance changes. The Commission determined that the additional information did not result in a change to the Commissioner's recommendations on April 20, 2023. Minutes are attached.
3. Legal notice was posted in the *Star News* on May 18, 2023, and May 25, 2023. Potentially affected agencies were notified on May 10, 2023. The notice fact sheet was also sent to libraries and post offices in Cascade, Donnelly, McCall, and Yellow Pine to be posted on public notice boards. The notice was posted online at [www.co.valley.id.us](http://www.co.valley.id.us) on May 10, 2023.
4. Responses received:

Jennifer L Schildgen, Idaho Division of Aeronautics, proposed additional language to comply with Idaho Statute requirements. (May 15, 2023)

Paul Holmquist, FAA Obstruction Evaluation Group, stated that the Valley County Building Department can determine if the FAA Form is required based on CFR 04 Part 77. Notice for construction is not required if an object that will be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation. (May 19, 2023)

Annette Derrick, Valley County Building Official, has concerns about the enforcement of the requirement to paint shipping containers. (April 12, 2023)

Dennis and Patricia Scroggins would like neighborhood meetings to be prior to submittal of an application. They also do not want to see increased densities in planned unit developments. (April 12, 2023)

Linda Eddy submitted various comments concerning neighborhood meetings should be required prior to submittals, painting of containers, and not wanting to see increased densities. (April 11-12, 2023)

Justin and Alisha Scott, 46 Buckskin DR, are opposed to increasing the density of PUDs. (April 12, 2023)

Pamela McChrystal, McCall, is in favor of required neighborhood meetings and the FAA 7460-1 Notice. She is opposed to increasing the density for PUDs. High density PUDs should be within city limits and on Highway 55 where people could use bus transportation. (April 12, 2023)

Therese Gibboney, Donnelly, is in favor of requiring neighborhood meetings prior to application submittals. The "Increasing Densities for PUD's" is far too vague. This change could be life changing for people and affect lifestyles, home values, and other concerns. (April 12, 2023; April 24, 2023)

April Roberts requests that "proper notice" be considered a minimum of 60 calendar days prior to submission of developers' application. PUD density should be decreased, not increased. Increasing density solely serves the developer, not the county nor the residents. Developers should be required to contribute toward infrastructure, emergency services, drainage, and utility usage, etc. (Exhibit, April 20, 2023)

Gary Swain questioned the requirements for FAA 7460-1. (April 26, 2023)

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**ATTACHMENTS:**

- Draft Ordinance
- Proposed changes to Valley County Code.
- PZ Commission Meeting Minutes – April 20, 2023, and May 11, 2023
- All Responses
- Articles on Housing Densities

**END OF STAFF REPORT**

**VALLEY COUNTY**  
**ORDINANCE NO: 2023-01**  
**Miscellaneous Amendments**

**AN ORDINANCE TO PROVIDE FOR AMENDMENT TO VALLEY COUNTY CODE TITLE 6 PROVIDING FOR REQUIREMENT OF THE FEDERAL AVIATION ADMINISTRATION (FAA) FORM 7460-1; TITLE 9 TO INCLUDE NEIGHBORHOOD MEETINGS, MOTION FOR RECONSIDERATION AND PLANNED UNIT DEVELOPMENT DENSITY INCREASE; AND, PROVIDING THE EFFECTIVE DATE THEREFORE.**

WHEREAS, ordinances are adopted to promote the protection and consideration of the health, safety and general welfare of the people of Valley County;

WHEREAS, there are airports in Cascade, Donnelly, and McCall that receive FAA funding and should be protected from interference by structures that create safety concerns;

WHEREAS, neighborhood meetings will assist in the planning process through education of neighbors and identification of impacts that may lead to changes prior to public hearing;

WHEREAS, the Board of County Commissioners are the final decision makers and should have the opportunity to reconsider Planning and Zoning Commission decisions;

WHEREAS, more flexibility in density within planned unit developments will assist in providing needed housing;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF VALLEY COUNTY, IDAHO, IN THE FOLLOWING FINAL VERSION TO BE PUBLISHED:

- ATTACHMENT A – Include Valley County Code 9-5H-1.D Neighborhood Meetings
- ATTACHMENT B – Include Valley County Code 9-5H-13 Motion for Reconsideration
- ATTACHMENT C – Include Valley County Code 6-1-9 FAA Form 7460-1
- ATTACHMENT D – Amendment to Valley County Code 9-9-7 Increase Density in PUDs

**NOW, THEREFORE, BE IT ORDAINED AND APPROVED by the Valley County Board of Commissioners, Idaho this 12<sup>th</sup> day of June, 2023, with an effective date being the date of publication on June 27, 2023.**

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Elting G. Hasbrouck, Chairman  
Valley County Board of Commissioners

Attest:

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Douglas A. Miller, Valley County Clerk

Valley County Code 9-5H-1

**D. Neighborhood Meetings:** It is highly recommended that applicants conduct a neighborhood meeting for any proposed variance, vacation, conditional use, zoning ordinance map amendment, expansion of existing use, extension of nonconforming uses requiring a public hearing, or a subdivision of ten (10) or more proposed lots. The purpose of such meetings is to obtain input to improve plans and reduce negative comments from neighbors.

- (1) It shall be the sole duty of the applicant to provide written notice to all property owners or purchasers of record owning property within three hundred feet (300') of the exterior boundary of the property subject to the application. In lieu of a neighborhood meeting, evidence can be submitted that the applicant spoke with all property owners within 300'.
  - a) Notification of the neighborhood meeting shall be sent by US mail to all property owners within 300' of the site of the proposed application a minimum of 10 days prior to the neighborhood meeting.
  - b) Notice of a neighborhood meeting shall be in addition to, and not combined with, notices already required by this chapter, and shall include the date, time, location and purpose of the meeting.
- (2) The meeting should not be on a holiday, a holiday weekend, or the day before a holiday or holiday weekend. The meeting shall not be on weekdays between the hours of seven thirty o'clock (7:30) A.M. and five thirty o'clock (5:30) P.M., unless a written consent agreeing to the day and time, signed by at least fifty one percent (51%) of the property owners within three hundred feet (300'), is filed with the department prior to the neighborhood meeting.
- (3) The meeting shall be on the property subject to the application; at a nearby available public meeting place including, but not limited to, a fire station, library, school, or community center; or at a location with suitable meeting facilities if such facilities are within a one mile radius of the nearest public meeting place. Meetings can also be on a virtual platform.
- (4) The neighborhood meeting shall be conducted prior to acceptance of the application. The neighborhood meeting shall not be conducted earlier than six (6) months prior to the acceptance of the application.
- (5) The purpose of the neighborhood meeting shall be to review the proposed project and discuss neighborhood concerns, if any.
- (6) Each application should include a Summary of the Meeting that includes the location, date, time of the meeting; mailing list; a summary of the comments received at the meeting; and, a list of persons attending.

**DRAFT**

9-5H-13 Motions for Reconsideration of Decisions: Any Planning and Zoning Commission (Commission) level or Board of County Commissioner (Board) decision may be brought before the Board of County Commissioners in the following manner:

1. Reconsideration of Planning and Zoning Commission decision by the Board of County Commissioners may be brought before the Board by motion of the Board as an Action Item made before five o'clock (5:00) P.M. of the tenth calendar day after the determination of the Commission has been made. If the request falls on a weekend or holiday, the appeal period is automatically extended to the next workday.
  - a. The reconsideration must be set on the next available agenda.
  - b. A public hearing is not required.
2. Reconsideration of Board of County Commissioner decision within fourteen (14) calendar days by any applicant or affected person seeking judicial review can be made in accordance with IC 67-6535(2)b. Upon receipt of the request for reconsideration, the Board may process as follows:
  - a. Set on the next available agenda for decision.
  - b. Set on the next available agenda for oral arguments if requested by applicant or affected person.
  - c. Must make a decision within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied.

**DRAFT**

## FAA Form 7460-1 and Painting of Shipping Containers

### 6-1-9: PERMIT REQUIREMENTS:

A. Permit Required: It shall be unlawful for any person, firm, co-partnership, association or corporation to do, or cause, or allow to be done, after the effective date hereof, whether acting as principal, agent or employee, any construction, improvement, extension, alteration or demolition of any building, residence or structure, coming under the purview of this chapter, in Valley County, without first procuring a permit authorizing such work to be done. A violation fee may be required by the Building Official as set by resolution of the Board of County Commissioners.

B. Evidence Of Approved Sewer System: Prior to issuance of a building permit for a building proposed to be used for human habitation, the building official shall require evidence of approval of the sanitary sewer system by the Central District Health or sewer district.

C. Compliance With Zoning And Site Development Regulations: No building permit shall be issued or authorized unless the work or project is in compliance with zoning and/or site development ordinances of the county, provided such zoning and/or site development is not in conflict with the codes herein enumerated. A building permit will be required for placement of any structure over three (3') feet in height.

#### D. Energizing Electrical And Other Utility Services; Gas Check:

1. It shall be unlawful for any person, firm or corporation to connect or energize any electrical installation or any other utility service to any building or structure coming under the provisions of this chapter unless the necessary permit covering such installation has been issued.

2. The building official will not approve a final inspection or issue a certificate of occupancy for any building containing a liquefied petroleum gas fixture or appliance without first receiving evidence that a gas check has been completed and approved by a qualified inspector. The gas check will include observation of a pressure test and an inspection of all gas piping, valves, controls, and appurtenances required by applicable codes for a safe, complete and workable installation. Qualified inspectors are those who are licensed plumbers with the state of Idaho or are certified installers by a certification program recognized in the industry and by the building official.

3. The gas check certification is the sole responsibility of the property owner or his agent including providing evidence of the approval to the building official.

#### E. Approach Permit:

1. An approach permit shall be required from the road department prior to the issuance of building permits for any structures on lots that have not previously had buildings constructed and require access onto a public right of way.

2. Driveways should not exceed eight percent (8%) grade and have a minimum of a fifty foot (50') plus/minus four percent ( $\pm 4\%$ ) runout. If this is not achievable on lots platted prior to August 28, 2013, then the road superintendent will work with the applicant on a safe approach. If a safe approach cannot be constructed, the applicant may need to obtain an easement to a public or private road across other property. On lots platted after August 28, 2013, the developer shall assure that all lots can achieve this standard or apply for a variance as part of the conditional use permit/preliminary platting process.

F. Expiration, Suspension Or Revocation Of Permit:

1. Each permit issued under this chapter shall expire if the work or building authorized by the permit is not commenced within one hundred eighty (180) days from the permit date, or if the work or building authorized by the permit once commenced is thereafter suspended or abandoned for a period of three hundred sixty five (365) days. Suspended or abandoned work, for which the original permit has expired, shall be recommenced only after the issuance of a new permit therefor.

2. A building permit, issued by mistake, issued on the basis of incorrect information supplied, or issued in violation of any statute, regulation, or provision of this code may be suspended or revoked by written notice to the permittee.

3. The building official is authorized to grant, in writing, one extension of time for one year. After that one year extension another extension can only be granted by the Board of County Commissioners. The extensions shall be requested in writing and justifiable cause demonstrated. (Ord. 13-5, 9-16-2013; amd. Ord. 21-06, 5-17-2021)

G. FAA Form 7460-1 Notice of Proposed Construction or Alteration Within Vicinity of Airports:

1. All building permits within approximately three (3) miles of the Cascade, Donnelly, and McCall airport runways will submit a copy of the determination from the Notice Criteria Tool – Federal Aviation Administration.

2. If the Notice Criteria Tool identifies that an FAA Form 7460-1 Notice of Proposed Construction or Alteration is not required, print the form and submit the copy with the building permit.

3. If the Notice Criteria Tool identifies that an FAA Form 7460-1 Notice of Proposed Construction or Alteration is required, you must file with the FAA. However, any structure that will be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation need not apply.

4. Valley County Building Department can assist with determinations and contact information. Valley County has developed a tool to determine latitude, longitude, and elevation, which can be found on the Valley County Website, and is named FAA Criteria Data Finder in the Building Department section.

(Do not include the following.)

~~H. Shipping Containers are allowed with a placement permit and must meet setbacks. However, they shall be painted a color that blends with the natural terrain or other structures on the property. Shipping Containers are also referred to as a CONEX box and defined as a large, reuseable steel box designed to protect goods.~~



**DRAFT**

Title 9, Chapter 9 Planned Unit Development

**9-9-1: DEFINITION:**

A "planned unit development" (hereinafter referred to as a PUD) is an area of land controlled by one or more landowners, which is to be developed under a single and comprehensive plan of development. Any mix of residential building types, or any mix of residential commercial, industrial recreational, and agricultural uses may be permitted to provide greater flexibility in land usage. Additional flexibility in development is furnished because setbacks, height, lot size, density, and other site regulations may differ from those normally imposed for similar uses. Residential units and other buildings, if any, may be constructed by either the developer or individual buyers; however, the application must be accompanied by plans and other documents sufficient for the administrator, staff and commission to review the application for compliance with the requirements of this title. (Ord. 10-06, 8-23-2010; amd. Ord. 11-5, 6-6-2011)

**9-9-2: PURPOSE:**

The PUD concept allows the site planner to propose the best use and arrangement of development on the parcel of land by reducing the more rigid regulations herein. A PUD is designed so that buildings are clustered together to create open space of common ownership, preserve natural features and landscape character, more efficiently use the site and to minimize development costs by sharing common walls, shortening and narrowing roads, and concentrating utilities. It is expected that a PUD will provide certain amenities like recreational facilities, landscaping, and natural open spaces for the enjoyment of all owners, employees, etc., and will demonstrate better than average quality of development. (Ord. 10-06, 8-23-2010)

**9-9-7: STANDARDS:**

A. Size: The acreage shall be large enough to accommodate the proposed PUD.

B. Streets, Utilities And Other Site Improvements: Streets, utilities, and other site improvements shall be made for their later installation, at the developer's expense, prior to recording the plat. Streets shall be constructed in accordance with the minimum standards set forth in chapter 5 of this title and all references made therein if they are to be dedicated to the county.

C. Waiver Or Modification Of Specifications, Standards And Requirements: It is recognized that the uniqueness of each proposal for a PUD requires that the specifications, standards, and requirements for various facilities, including, but not limited to: roads, alleys, easements, utilities, signs, parking areas, storm drainage, water supply and distribution, and sewage collection and treatment, may be subject to modification from the specifications, standards, and requirements established for subdivisions and like uses in this title. The commission may, therefore, at the time of general submission as requested by the applicant, waive or modify these specifications, standards, and requirements which otherwise shall be applicable.

D. Averaging And Transferring Densities: Averaging and transferring densities within the PUD shall be allowed: 1) upon a showing that it fits the definition of a PUD; 2) as long as the overall average residential density is no greater than six (6) dwelling units per gross acre; and 3) only if residential units are to be connected to central water and sewer systems. The overall average residential density shall be calculated by summing the number of residential dwelling units planned within the boundary of the PUD and dividing by the total gross area expressed in acres within the boundaries of the PUD, except public lands. It is recognized that the increased residential density of a PUD shall be in relationship to the site and structure location, application of technology, design, construction techniques, landscaping and topography. Dwelling units per gross acre can be increased to provide community and workforce housing at negotiated percentages that are memorialized in a development agreement with the Board of County Commissioners.

# Valley County Planning and Zoning Commission

PO Box 1350 • 219 North Main Street  
Cascade, ID 83611-1350



Phone: 208-382-7115  
Email: cherrick@co.valley.id.us

Katlin Caldwell, Chairman  
Ken Roberts, Vice-Chairman

Sasha Childs, Commissioner  
Scott Freeman, Commissioner  
Gary Swain, Commissioner

## MINUTES

Valley County Planning and Zoning Commission  
April 20, 2023  
Valley County Court House - Cascade, Idaho  
PUBLIC HEARING - 6:00 p.m.

**A. OPEN:** Meeting called to order at 6:00 p.m. by Chairman Caldwell. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Katlin Caldwell	Present
PZ Commissioner – Sasha Childs:	Present
PZ Commissioner – Scott Freeman:	Present
PZ Commissioner – Ken Roberts:	Present
PZ Commissioner – Gary Swain:	Present
PZ Assistant Planner – Lori Hunter:	Present

### C. NEW BUSINESS:

- 1. C.U.P. 23-11 South Ranch Subdivision – Preliminary and Final Plat:** Tommy Ahlquist is requesting a conditional use permit for a two-lot single-family residential subdivision. Proposed lot sizes are 9.5 to 10.6 acres. Individual septic systems and individual wells would be used. The lots would be accessed from a new private road onto West Mountain Road. Right-of-Way for West Mountain Road would be dedicated to Valley County. The 26-acre site is a portion of parcel RP17N02E120635 located in Section 12, T.17N, R.2E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Caldwell introduced the item and opened the public hearing. Chairman Caldwell asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site on the GIS map, and showed the preliminary plat on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – John Simpson, Marten Law, representing The Maria Escosa Revocable Trust, addressed the historical ditch uses, the water system, and a water rights agreement (attached) (April 13, 2023)
- **Exhibit 2** – Valley County Engineer's response (April 17, 2023)

Typically, the Commissioners approve a preliminary plat, the applicant does road work, etc., and then the applicant requests final plat approval. If no road work is necessary, the applicant can request approval of both the preliminary plat and final plat at the same time. If the Commissioners choose to approve both at this time, staff could assure that the road is completed prior to submittal to the Board of County Commissioners. The surrounding land is owned by the applicant but is not included in this subdivision application. West Mountain Road should be a 100-ft right-of-way.

3. **P.U.D. 23-01 Garnet Valley and C.U.P. 23-10 Preliminary Plat:**  
Postponed to June 8, 2023

4. **Valley County Code Amendments:** Valley County Planning and Zoning is proposing code amendments to require a neighborhood meeting before certain hearings; require Federal Aviation Administration Form 7460-1 within a certain distance of an airport; require painting of shipping containers; increase density for PUDs; and define Motions for Reconsiderations.

Chairman Caldwell introduced the item and opened the public hearing. Director Herrick presented the staff report and summarized the following exhibit:

- **Exhibit 1** – April Roberts is opposed to higher densities. (April 20, 2023)

The Commission will make recommendations to the Board of County Commissioners.

- **Valley County Code 9-5H-1.D Neighborhood Meetings**

The Commissioner discussed this proposal. The Commissioners are in favor of making neighborhood meetings highly recommended but not required. Neighborhood meetings held prior to application submittals allow the applicant to make changes and improve the concept based on neighbor comments. This can result in a smoother process. However, there are concerns that neighbor meetings are not controlled situations, can get contentious and go awry, and not be productive. More developers are voluntarily holding neighborhood meetings. Commissioners would not be able to attend due to exparte contact requirements. There have been requests from the public to hold public meetings; the City of McCall requires them. The applicant would submit an attendance list and summary of the neighborhood meeting as part of the application to Valley County. This information becomes part of the application and the public record. Meetings could be held in person or on a digital platform such as Zoom.

The commissioners recommend VCC 9-5H-1D Neighborhood Meetings with the following changes:

- o Neighborhood meetings are highly recommended.
- o Change "shall" to "should"

- **VCC 9-5H-13 Motion for Reconsideration**

This would be a new section in Valley County Code which would better explain the requirements for motions of reconsideration of decisions of the Planning and Zoning Commission and/or Board of County Commissioners. This is in addition to the appeal process. The Motion for Reconsideration is required by Idaho State Statute; it must be done before an appeal of Board of County Commissioners to Idaho District Court.

- **VCC 6-1-9.G Form 7460-1**

Typically, VCC Title 6 does not come before the Planning and Zoning Commission. Form 7460-1 is currently required on all building permits. VCC 6-G would change this requirement to building permits within an approximately 3-mile radius from the airports of Cascade, Donnelly, and McCall. The purpose of this proposal was discussed. The allowed building height depends on the proposed building's relationship from airport. This requirement was requested by Emily Hart, McCall Airport Manager. If not approved, airport financing by FAA could be affected. Director Herrick showed the Commissioners the links that are available online, the application is simple.

- **VCC 6-1-9.H Paint Shipping Containers**

Shipping containers are currently allowed with placement permits and must meet setback requirements. This proposal would require that the shipping containers also be painted a color that blends with the natural terrain or other structures on the property. Placement permits took effect in May 2021; the \$25 permit is required for any structure over 3-ft in height. The Commissioners were concerned that the paint is likely to wear and look worse in a few years. The Commissioners stated that the setback requirement is more important than color and they do not recommend this proposed change.

- **VCC 9-9-7.D Planned Unit Development Density**

Staff is recommending this ordinance change; it was not suggested by anyone else. Dwelling units per gross acre can be increased to provide community and workforce housing at negotiated percentages that are memorialized in a development agreement with the Board of County Commissioners. Currently an applicant could request a variance to obtain higher density. If this change is approved, higher density would require a development agreement with conditions for workforce housing. Higher densities require central sewer and water services. The cities are struggling with their sewer systems. Impact areas were discussed. Existing P.U.D.s were discussed. The Payette Lake Recreational Sewer and Water District does not plan to expand. An applicant could construct their own sewer system outside of the Impact Areas. This proposed change would give an applicant the ability to apply for higher density. The County would not be required to grant the request.

The higher density for workforce housing should not be the last phase of a development. This would encourage workforce housing where the need for workers exists. It would allow more dwelling units in a smaller footprint. The current cap is six dwelling units per acre. This would be a good incentive. Rentals are a viable project. This would be a method to balance neighborhoods instead of separating people by income. Growth should be encouraged within and closer to city limits; however, this is currently limited by sewer capacity. The County cannot force cities to approve particular types of projects.

Chairman Caldwell stated that there is not anyone present in the room to testify. Chairman Caldwell closed the public hearing. The Commission deliberated.

Commissioner Roberts moved to recommend the following changes to Valley County Code:

- VCC 9-5H-1D Neighborhood Meetings with changes
- VCC 9-5H-13 Motion for Reconsideration
- VCC 6-1-9.G Form 7460-1
- VCC 9-9-7.D Planned Unit Development Density

and to not recommend:

- VCC 6-1-9.H Paint Shipping Containers

Commissioner Childs seconded the motion. The motion carried unanimously.

The public hearing notice for May 11 was not printed in The Star News as required. Thus, the Planning and Zoning Commission will hold meetings on both May 11, 2023, and May 18, 2023.

Chairman Caldwell adjourned the meeting at 9:18 p.m.

# Valley County Planning and Zoning Commission

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Katlin Caldwell, Chairman  
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Gary Swain, Commissioner

## MINUTES

Valley County Planning and Zoning Commission

May 11, 2023

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 6:00 p.m.

- A. OPEN:** Meeting called to order at 6:00 p.m. by Acting Chairman Roberts. A quorum exists.
- |                                     |         |
|-------------------------------------|---------|
| PZ Director – Cynda Herrick:        | Present |
| PZ Commissioner – Katlin Caldwell   | Excused |
| PZ Commissioner – Sasha Childs:     | Present |
| PZ Commissioner – Scott Freeman:    | Present |
| PZ Commissioner – Ken Roberts:      | Present |
| PZ Commissioner – Gary Swain:       | Present |
| PZ Assistant Planner – Lori Hunter: | Present |
- B. MINUTES:** Commissioner Freeman moved to approve the minutes of April 13, 2023, and April 20, 2023. Commissioner Swain seconded the motion. Motion passed unanimously.
- C. OLD BUSINESS:**
- 1. C.U.P. 21-06 Moon View Ranch Subdivision Amended – Final Plat:** Sound Holding LLC and Leaway Investments LLC are requesting an amendment to Moon View Ranch Subdivision in accordance with Valley County Code 10-3-4.B in order to expand two lots and correct scrivener's errors. The site is 9.3 acres in Section 29, T.18N, R.3E, Boise Meridian, Valley County, Idaho. Action Item. [Not a public hearing.]

Acting Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibit:

- **Exhibit 1** – Email correspondence between Mike Reno of Central District Health, Director Herrick Cynda, and applicant Matt Falvey regarding release of sanitary restrictions. (May 9-11, 2023)

Sanitary Restrictions will be released prior to recording the final plat. The FAA form and requirements were discussed.

Commissioner Childs moved to approve the final plat of C.U.P. 21-06 Moon View Ranch Subdivision Amended and authorize the Chairman to sign. Commissioner Freeman seconded. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

6. **Tamarack Resort P.U.D. 98-1 Amendment and C.U.P. 23-17 Phase 3.5 - The Cottages at Trillium Creek – Preliminary Plat: [Postponed to May 18, 2023]**
7. **C.U.P. 23-18 Montego Properties Multiple Residences and Solar Panels – Amendment to C.U.P. 22-03: [Postponed to May 18, 2023]**
8. **C.U.P. 23-19 Cascade Valley Estates – Preliminary Plat: [Postponed to May 18, 2023]**

**E. OTHER ITEMS:**

- 1) **Amendment Recommendations:** Should the PZ Commission reconsider due to lack of information and a response that did not get into the Staff Report? Would inclusion change your recommendation? Action Item.

Commission Swain has expressed concerns that the Commission did not have enough information to make a recommendation regarding the proposed ordinance changes to Valley County Code 6-1-9.G requiring Federal Aviation Administration (FAA) Form 7460-1. Director Herrick stated that the PZ Commission does not typically make decisions on Title 6 Building Regulations. However, this proposed code change was brought to the PZ Commission due to the number of requests the Commission has received to require it for specific conditional use permits.

Staff and Commissioners discussed the process for determining if a FAA Form 7460-1 would be required when someone applies for a building permit. Commissioner Childs does not believe this information would change the original PZ Commission recommendation. Commissioner Swain is concerned that everyone would be required to hire someone to complete this form. The FAA does not have jurisdiction enforcement capability. Local enforcement occurs through ordinances. The FAA highly recommends that FAA Form 7460-1 be required within three miles of an airport if certain criteria are met. This is encouraged through airport funding. Staff showed the FAA Criteria Data Finder GIS located on the Valley County website. Director Herrick stated that an applicant could determine the latitude and longitude of the building site using Google Earth or the Valley County website. The FAA Criteria Tool is online. Typical result is “no form 7460-1 needed”. Last year the Board of County Commissioners adopted a policy that all properties within Valley County’s jurisdiction must complete FAA Form 7460-1 when applying for a building permit. The recommendation that the PZ Commission made on April 20, 2023, would require the FAA Criteria Tool be used only for those sites within three miles of an airport.

Commissioner Childs moved to make no changes to the PZ Commission recommendation made on April 20, 2023. Commissioner Freeman seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

Therese Gibboney sent an email response on April 12, 2023, regarding the proposed ordinance changes. This was not given to the PZ Commission for the public hearing on April 20, 2023. Commissioner Childs appreciates Ms. Gibboney’s comments but believes these specific matters were discussed and the additional comments would not change the Commission’s decision. The other Commissioners concurred.

Commissioner Freeman moved that Therese Gibboney’s comments would not change the Commission’s previous decision regarding ordinance changes for neighborhood meetings or P.U.D. densities. Commissioner Childs seconded the motion. Motion carried unanimously.



**IDAHO TRANSPORTATION DEPARTMENT**

Division of Aeronautics  
1390 W Gowen Road, Boise ID 83705

(208) 334-8775  
[itd.idaho.gov/aero](http://itd.idaho.gov/aero)

---

Monday, May 15, 2023

Cynda Herrick, AICP, CFM  
Planning and Zoning Director  
PO Box 1350  
Cascade, ID 83611

Re: Valley County Code Amendments

Dear Cynda,

Thank you for allowing the Idaho Division of Aeronautics to opportunity to review and provide comments on the verbiage concerning proposed construction within the vicinity of airport. We would like to propose an addition to the presented verbiage that include Idaho Statute requirements. This will allow Valley County and the proposed builder to align with Idaho law and rule.

We recommend including the following paragraph:

Per Section 21-515, Idaho Code and Idaho Administrative Code 39.04.01 part 400 the Aeronautics Division Administrator requires notification of construction within 20,000 feet of an airport at least 30 days before construction or alteration is to begin; or the application for construction permit is to be filed. Notice of proposed construction is required so the Department by depict obstructions on aeronautical charts, identify appropriate markings, be made aware of potential aeronautical hazards in order to minimize their danger to the flying public, and protect the lives and property in the air and on the ground.

We sincerely encourage this simple addition in an ongoing effort to protect people and valuable assets. I can make further detailed explanation should Valley County wish but I think this statement is simple enough to understand and I do not wish to cloud the intent of Idaho Code or Rule.

Feel free to contact me if you should have any questions or require further clarification. We thank you again for the opportunity for comment.

Very Respectfully,

*Jennifer L. Schildgen*

Airport Planning Manager  
Idaho Division of Aeronautics

---

RE: 1272 Shore Dr, Ruffing Storage Shed

Holmquist, Paul (FAA) <Paul.Holmquist@faa.gov>

Fri 5/19/2023 10:15 AM

To: Marsha de Lannee de Betrancourt <mmead@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

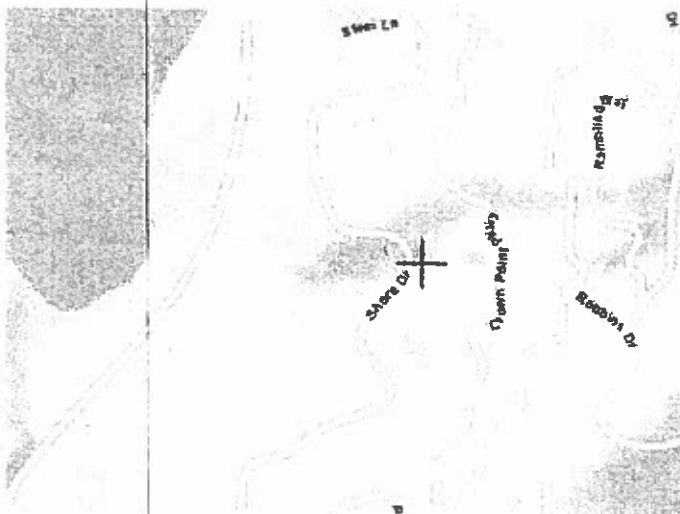
This location wouldn't need it. You can make these decisions yourself if it's obviously on the other side of the high terrain from the airport. Part 77 allows this. I don't mind also checking for you.

CFR 14 Part 77 Subpart B—Notice Requirements

§77.9 Construction or alteration requiring notice.

(e) You do not need to file notice for construction or alteration of:

(1) Any object that will be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation;



Paul Holmquist  
Specialist, FAA Obstruction Evaluation Group  
206-231-2990  
<https://oeaaa.faa.gov>

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From: Marsha de Lannee de Betrancourt <mmead@co.valley.id.us>  
Sent: Friday, May 19, 2023 8:44 AM  
To: Holmquist, Paul (FAA) <Paul.Holmquist@faa.gov>  
Subject: 1272 Shore Dr, Ruffing Storage Shed

Hello Paul,  
Attached is the notice criteria tool results for 1272 Shore Dr. Can you please approve the placement of a shed?  
Coordinates attached.  
Thank you,

Marsha de Lannee de Betrancourt



**changes to codes**

**From:** Annette Derrick <aderrick@co.valley.id.us>

**Sent:** Wednesday, April 12, 2023 10:54 AM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** changes to codes

I have concerns about the enforcement of painting the shipping containers. It will take alot of time on code enforcement to enforce painting of containers

Thanks ,



**Annette Derrick**  
Valley County Building Official  
Building Department  
Office: (208) 382-7114  
219 N. Main | PO Box 1350  
Cascade, ID 83611

**SERVICE**  
**TRANSPARENCY**  
**ACCOUNTABILITY**  
**RESPONSIVE**

## **April 20, 2023 Agenda Item 4**

**From:** Patty Scroggins [REDACTED]  
**Sent:** Wednesday, April 12, 2023 1:07 PM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Subject:** April 20, 2023 Agenda Item 4

Dear Cynda and Planning & Zoning Commissioners:

We are Dennis and Patricia Scroggins, Donnelly, ID.

Please accept this as a response to agenda item number 4. of April 20, 2023 Planning & Zoning meeting.

We request that the item regarding neighborhood meetings states "Require Community/Neighborhood meetings BEFORE developers submit proposed plans to Valley County Planning and Zoning.

I'm regards to the second item of increasing density for PUD's, we are opposed to this. We request that the current density of existing subdivisions and lots be maintained. It is our understanding the density ordinance is intended to provide open space for wildlife migration. and to provide a rural, peaceful environment.

Respectfully,  
Dennis and Patricia Scroggins

## April 20th Agenda - Questions concerning #4 VC code amendments

Cynda Herrick <cherrick@co.valley.id.us>

Wed 4/12/2023 12:38 PM

To: Linda Eddy [REDACTED]

Cc: Lori Hunter <lhunter@co.valley.id.us>

Hello Linda,

I will submit your questions to the P&Z Commission.

There was no specific direction about wording in any ordinance.

Certain criteria may include "deeds restrictions" for long-term rentals, etc. it currently says, "to provide community and workforce housing at negotiated percentages that are memorialized in a development agreement with the Board of County Commissioners."

I do not know when the Board will be holding a public hearing.

Thanks, Cynda

Cynda Herrick, AICP, CFM  
Valley County  
Planning and Zoning Director  
Floodplain Coordinator  
PO Box 1350  
Cascade, ID 83611  
(208)382-7116

"Live simply, love generously, care deeply, speak kindly, and leave the rest...."

**S**ervice **T**ransparent **A**ccountable **R**esponsive

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From: Linda Eddy [REDACTED]

Sent: Wednesday, April 12, 2023 11:51 AM

To: Cynda Herrick <cherrick@co.valley.id.us>

Cc: Gibboney Reese [REDACTED]; Lori Hunter <lhunter@co.valley.id.us>

Subject: Re: April 20th Agenda - Questions concerning #4 VC code amendments

Good morning Cynda,

Thank you for responding to my concerns and recommendations. I'm asking for more clarification on a couple of your responses.

#1-As you may recall from the workshop Reece Gibboney and I had with the VC Commissioners on 2/27/23, you were also present, was to address the developers to meet with the public prior to any application being submitted to the P&Z director which would hopefully save the director and her staff time in processing these applications in a more timely manner and save money by not hiring more staff. As you may recall Sherry Maupin

indicated the county doesn't have the money to hire more staff. All three of the VC Commissioner's agreed with Reece & I that the developer shall meet with the public prior to their submittal and a report of that meeting be included in the application that they meet with the public.

#3-I feel we need more explanation on your answer to "increase density on PUD's".

You answered: This would be for Planned Unit Development that meet a certain criteria". Exactly what does "meet certain criteria" mean. Would you please put in detail what this means.

Last - I asked when these VC P&Z recommendations would be put on a VC Commissioner's upcoming Agenda's for a public hearing. Would you please tell us what month or date they will be having the hearing.

Thanks Cynda for all your help.

Linda Eddy

---

**From:** Cynda Herrick <[cherrick@co.valley.id.us](mailto:cherrick@co.valley.id.us)>

**Date:** April 12, 2023 at 8:10:37 AM MDT

**To:** Linda Eddy [REDACTED]

**Cc:** Lori Hunter <[lhunter@co.valley.id.us](mailto:lhunter@co.valley.id.us)>

**Subject:** Re: April 20th Agenda - Questions concerning #4 VC code amendments

Hello,

The amendments have been proposed to the P&Z Commission by staff based upon conversations with various people/commissioners, etc. The following are my responses to your comments:

#1-"We all agreed at the VC Commissioners Work Shop it should read":

Developers are required as part of their application process to hold a community meeting with home/land owners before submitting the application to P&Z.

I'm asking that this language be required as part of the amendment.

Your comments will be submitted to the P&Z Commission. The Board of County Commissioners did not give me any mandate as to the language or timeline of neighborhood meetings. The perspective I had was that it was to let the neighbors know what was going on and to answer questions.

#2-Require painting of shipping containers- Are you going to require a specific color or "no" designs on them. I sure hope you make this part of your requirement that they paint them a specific color and one color set by Valley County. Could you please explain what you're going to require?

I believe it is to require a solid color that matches other structures on the property...or blends into the surroundings.

#3-Increase density for PUD's - could you please explain what this means and will this be anywhere in VC or in a certain area, residential or strictly commercial. Hopefully "not" in already existing subdivisions.

This would be for Planned Unit Developments that meet a certain criteria.

Also, after these amendments going through P&Z do the VC Commissioners have to approve them at an open meeting or hearing, also how long will this approval take?

The P&Z Commission decision is a recommendation to the Board of County Commissioners who will hold another public hearing.

Thanks, Cynda

Cynda Herrick, AICP, CFM  
Valley County  
Planning and Zoning Director  
Floodplain Coordinator  
PO Box 1350  
Cascade, ID 83611  
(208)382-7116

"Live simply, love generously, care deeply, speak kindly, and leave the rest...."

*Service T transparent A accountable R responsive*

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**From:** Linda Eddy [REDACTED]  
**Sent:** Tuesday, April 11, 2023 11:31 PM  
**To:** Cynda Herrick <[cherrick@co.valley.id.us](mailto:cherrick@co.valley.id.us)>  
**Subject:** April 20th Agenda - Questions concerning #4 VC code amendments

Cynda,

I have some questions concerning the April 20, 2023 #4 VC Code Amendments.

#1-"We all agreed at the VC Commissioners Work Shop it should read":  
Developers are required as part of their application process to hold a community meeting with home/land owners before submitting the application to P&Z.  
I'm asking that this language be required as part of the amendment.

#2-Require painting of shipping containers- Are you going to require a specific color or "no" designs on them. I sure hope you make this part of your requirement that they paint them a specific color and one color set by Valley County. Could you please explain what you're going to require?

#3-Increase density for PUD's - could you please explain what this means and will this be anywhere in VC or in a certain area, residential or strictly commercial. Hopefully "not" in already existing subdivisions.

Also, after these amendments going through P&Z do the VC Commissioners have to approve them at an open meeting or hearing, also how long will this approval take?

Hopefully you can answer all my concerns.

Hope you have a wonderful day tomorrow.

Thanks for all your help.

Linda Eddy

## **April 20th P&Z meeting**

**From:** Alisha Scott [REDACTED]

**Sent:** Wednesday, April 12, 2023 2:11 PM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** April 20th P&Z meeting

Hi Cynda,

Could you please pass on to the P&Z committee that we are opposed to the approval of the Garnet Valley project. The proposal is much too dense for this area and we are concerned about multiple things including traffic on Roseberry Road and over the S bridge, snow removal and proposed use of the roads in the Meadows at West Mountain community.

We are also opposed to increasing the density of PUD's. We do understand that growth is inevitable but feel that there are infrastructure needs that should be met before that growth can happen.

Respectfully,

Justin and Alisha Scott  
46 Buckskin Dr  
Donnelly

April 12, 2023  
Valley County Planning and Zoning

PO Box 1350  
Cascade Idaho 83611



Re: VC Code Amendments public hearing  
This public hearing notice is vague at best.

Require a neighborhood meeting before certain hearings: I completely agree that a neighborhood meeting is a positive step, however what is "before certain meetings"? Taxpayers and community members need more than a three-minute chance to express their feelings at a public hearing for which many are not able to attend, or they are uncomfortable with the format.

FAA 7460-1 Notice of proposed construction: I completely agree that proposed construction in a flight path should be regulated by the FAA and perhaps this is where all the storage units should be built and not homes.

Increase density for PUDs: I completely disagree. Does Planning and zoning really think that everyone reading this hearing notice is familiar with what a PUD is? or does a slang word come to mind? I find this request for increased density of a planned unit development (PUD) highly suspicious as it comes at a time when a developer, Roseberry Park LLC is once again applying for a high-density apartment of 324 units and 10 mobile homes on Roseberry Road and Timberline Drive. This is the same developer that wanted to build a trailer park of 201 mobile homes in the same location. This is the same developer that was to present at this April 20 hearing but rescheduled. Are they waiting for this code amendment to get pushed through or will they rely on a Variance 67-6516? Roseberry Park is proposing 14.2 units per acre!

Planned Unit Development density per Valley County code 9-9-7 Standards is D. 2) as long as the overall average density is NO greater than six dwellings per gross acre.

I realize that increased density is the new big push in cities all over the country including Boise, but Valley County, Idaho isn't those cities, and I hope we never are. People are drawn here for the rural character of the area and that character needs preserving.

High density planned unit development (PUD) needs infrastructure for which Valley County doesn't have. The benefit of high-density housing is that it's easier to connect to infrastructure such as bus lines, groceries, healthcare and work. High density housing/planned unit development works when people can walk to the bus or to the grocery store and not rely on their car. We don't need massive apartment buildings and massive parking lots with hundreds of more cars on the road daily.

I agree that we need more affordable housing and perhaps a better fit for high density planned unit development would be within city limits and on Highway 55 where people could catch a bus to work, the doctor or groceries.

Pamela McChrystal

McCall Idaho



## Amendments on the Agenda 4/20/23

Therese Gibboney [REDACTED]

Wed 4/12/2023 12:13 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

📎 1 attachments (237 KB)

Denisty.JPG;

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

4/12/2023

Hello Cynda,

I am writing in regarding amendments that are on the 4/20/23 agenda for the Valley County Planning and Zoning Commissioners; Katlin Caldwell, Chairman , Ken Roberts, Vice-Chairman, Sasha Childs, Commissioner, Scott Freeman, Commissioner, Gary Swain, Commissioner

1. On the amendment brought to the table during a work shop Linda Kindred Eddy and I requested and held with our esteemed Commissioners, Commissioner Chairman Elting Hasbrouck, Commissioner Sherry Maupin & Commissioner Neil Thompson, one of the items we requested be amended was that developers are required to meet with home/land owners *"before"* they submit their proposed application to Valley County Planning & Zoning. We brought this to the table as a good solution to try to open the lines of communication for everyone during these extremely busy times at Valley County Planning & Zoning. We feel that if it is amended into the law/rules the people of Valley County can have their voices heard and hopefully listened to by developers considering proposed applications in our Valley. Therefore, they can make changes (or choose not to) before submitting to Valley County Planning and Zoning. This would alleviate a tremendous amount of work for all concerned. With that said we are asking this amendment be *"worded"*, as we requested during our workshop with the commissioners, and not in the more vague terms that is noted on the 4/20/23 agenda. **Note:** Commissioner Neil Thompson felt this was a great solution and commented how during Roseberry Park's hearings it showed how concerned citizens can be heard and that community meetings would be beneficial to all. Actually all three Commissioners felt this was a productive amendment for everyone in Valley County.
2. Regarding "Increasing Densities for PUD's". This is far too vague. This needs to be detailed out so that everyone in Valley County will have the full understanding of how this will impact them in their neighborhoods and sub divisions. This amendment could be life changing for people and they deserve *full transparency* on this before it is sent onto the Commissioners. This could effect all of our life styles, home values and a litany of other concerns.

Thank you for your time and consideration in these important matters.

Respectfully,  
Therese Gibboney  
Donnelly, Idaho

**FW: Amendments on the Agenda 4/20/23**

**Therese Gibboney <reesegibb@gmail.com>**

Mon 4/24/2023 11:15 AM

To: Cynda Herrick <cherrick@co.valley.id.us>; Lori Hunter <lhunter@co.valley.id.us>

Cc: Linda Eddy [REDACTED]

Hello Cynda,

Again, why was my email not recorded on the staff report, nor read or noted during this hearing, on 4/20/23, for this very important amendment that Linda Eddy and I presented to the commissioners on 2/27/23? We worked exceedingly hard trying to bring something very positive to the P&Z Commissioners.

Each one of the P&Z Commissioners should be sent my original email (**only**) and it should be noted it did not get recorded on that staff report. It is of the utmost importance that they note that Linda Eddy and I are trying to bring "positive" solutions to our community and open the lines of communication. This will in turn save everyone time and money.

Respectfully,  
Therese Gibboney

Here is that email which you confirmed you received and that it would be included in the staff report for 4/20/23:

4/12/2023

Hello Cynda,

I am writing in regarding amendments that are on the 4/20/23 agenda for the Valley County Planning and Zoning Commissioners; Katlin Caldwell, Chairman, Ken Roberts, Vice-Chairman, Sasha Childs, Commissioner, Scott Freeman, Commissioner, Gary Swain, Commissioner

**1. On the amendment brought to the table during a work shop Linda Kindred Eddy and I requested and held with our esteemed Commissioners, Commissioner Chairman Elting Hasbrouck, Commissioner Sherry Maupin & Commissioner Neil Thompson, one of the items we requested be amended was that developers are required to meet with home/land owners "before" they submit their proposed application to Valley County Planning & Zoning. We brought this to the table as a good solution to try to open the lines of communication for everyone during these extremely busy times at Valley County Planning & Zoning. We feel that if it is amended into the law/rules the people of Valley County can have their voices heard and hopefully listened to by developers considering proposed applications in our Valley. Therefore, they can make changes (or choose not to) before submitting to Valley County Planning and Zoning. This would alleviate a tremendous amount of work for all concerned. With that said we are asking this amendment be "worded", as we requested during our workshop with the commissioners, and not in the more vague terms that is noted on the 4/20/23 agenda. Note: Commissioner Neil Thompson felt this was a great solution and commented how during Roseberry Park's hearings it showed how concerned citizens can be heard and that community meetings would be beneficial to all. Actually all three Commissioners felt this was a productive amendment for everyone in Valley County.**

**2. Regarding "Increasing Densities for PUD's". This is far too vague. This needs to be detailed out so that everyone in Valley County will have the full understanding of how this will impact them in their neighborhoods and sub divisions. This amendment could be life changing for people and they deserve *full transparency* on this before it is sent onto the Commissioners. This could effect all of our life styles, home values and a litany of other concerns.**

Thank you for your time and consideration in these important matters.

Respectfully,  
Therese Gibboney  
Donnelly, Idaho

*Please confirm receipt of this today 4/12/23 before the 5:00 pm deadline and will be on the record/staff report for the hearing on 4/20/23*

## **Amendments on the Agenda 4/20/23**

Therese Gibboney [REDACTED]

Fri 4/21/2023 12:36 PM

To: Cynda Herrick; Lori Hunter

Well just did a triple check and I am only on a CC'd email of Linda Eddy's so please read my first email, review the staff report and let me know.

Thanks Cynda

Therese

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**From:** Therese Gibboney

**Sent:** Friday, April 21, 2023 12:28 PM

**To:** Cynda Herrick; Lori Hunter

**Subject:** FW: Amendments on the Agenda 4/20/23

Sorry just reread everything. Founf my email.....Guess I can blame it on my fever. Maybe Sasha didn't read my email. Still very surprised our workshop with the commissioners was not mentioned.

Thanks,  
Therese

When does this head to the commissioners desk?

---

**From:** Therese Gibboney

**Sent:** Friday, April 21, 2023 12:09 PM

**To:** Cynda Herrick

**Cc:** Lori Hunter

**Subject:** FW: Amendments on the Agenda 4/20/23

Hello Cynda,

My email below that you confirmed would indeed be included in the staff report for last nights P&Z Commissioners meeting, 4/20/23, was not recorded. I double checked the emails and letters on said staff report and mine is not there. Why? The staff report needs to be amended and re-recorded and sent out to each P & Z Commissioner immediately please. This is very important since it now goes onto the Valley County Commissioners.

I watched last nights video and wondered why when Commissioner Child's asked; "Who presented this, the public?" It seems at that time you would have mentioned the "positive" amendment was from the workshop with our commissioners that Linda Kindred Eddy and myself requested. I even emailed you yesterday that I was ill and unable to attend, but felt hopeful about the amendment.

Regards,  
Therese Gibboney

---

**From:** Cynda Herrick

**Sent:** Wednesday, April 12, 2023 12:48 PM

**To:** Therese Gibboney

**Subject:** Re: Amendments on the Agenda 4/20/23

This will be in the Staff Report and placed in the record.  
Thanks, Cynda

Cynda Herrick, AICP, CFM  
Valley County  
Planning and Zoning Director  
Floodplain Coordinator  
PO Box 1350  
Cascade, ID 83611  
(208)382-7116

“Live simply, love generously, care deeply, speak kindly, and leave the rest....”

**S**ervice **T**ransparent **A**ccountable **R**esponsive

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**From:** Therese Gibboney [REDACTED]  
**Sent:** Wednesday, April 12, 2023 12:13 PM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Subject:** Amendments on the Agenda 4/20/23

4/12/2023

Hello Cynda,

I am writing in regarding amendments that are on the 4/20/23 agenda for the Valley County Planning and Zoning Commissioners; Katlin Caldwell, Chairman, Ken Roberts, Vice-Chairman, Sasha Childs, Commissioner, Scott Freeman, Commissioner, Gary Swain, Commissioner

1. On the amendment brought to the table during a work shop Linda Kindred Eddy and I requested and held with our esteemed Commissioners, Commissioner Chairman Elting Hasbrouck, Commissioner Sherry Maupin & Commissioner Neil Thompson, one of the items we requested be amended was that developers are required to meet with home/land owners “*before*” they submit their proposed application to Valley County Planning & Zoning. We brought this to the table as a good solution to try to open the lines of communication for everyone during these extremely busy times at Valley County Planning & Zoning. We feel that if it is amended into the law/rules the people of Valley County can have their voices heard and hopefully listened to by developers considering proposed applications in our Valley. Therefore, they can make changes (or choose not to) before submitting to Valley County Planning and Zoning. This would alleviate a tremendous amount of work for all concerned. With that said we are asking this amendment be “*worded*”, as we requested during our workshop with the commissioners, and not in the more vague terms that is noted on the 4/20/23 agenda. **Note:** Commissioner Neil Thompson felt this was a great solution and commented how during Roseberry Park’s hearings it showed how concerned citizens can be heard and that community meetings would be beneficial to all. Actually all three Commissioners felt this was a productive amendment for everyone in Valley County.
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Thank you for your time and consideration in these important matters.

Respectfully,  
Therese Gibboney  
Donnelly, Idaho

*Please confirm receipt of this today 4/12/23 before the 5:00 pm deadline and will be on the record/staff report for the hearing on 4/20/23*

## **(Con't) response - PUD Planning Amendment**

From: April Roberts [REDACTED]  
Sent: Thursday, April 20, 2023 1:59 PM  
To: Cynda Herrick <cherrick@co.valley.id.us>

Cynda:

I'm wrestling through this headache while getting that these emails to you and I forgot to address the first subject of "proper notice " prior to submission of Application by Developer.

in the judicial system, proper notice is always required. How are you doing my hair by request that "proper notice, "be considered a minimum of 60 calendar days prior to submission of developers application. I believe this is a reasonable amount of time for affected residents to adequately respond, if applicable.

Thank you for your consideration.

April Roberts

---

## **Comprehensive Plan Amendment - PUD Density**

From: April Roberts [REDACTED]  
Sent: Thursday, April 20, 2023 1:50 PM  
To: Cynda Herrick <cherrick@co.valley.id.us>

Good day Cynda!

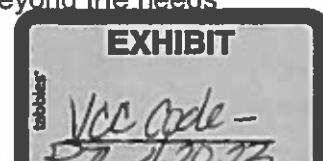
Unfortunately, I am unable to attend this evening meeting pertaining to the above matter. I thank you in advance for your time in considering this voice of a very concerned resident.

I would like to begin stating that I am not opposed to "reasonable" growth in this city (and Valley). However, "reasonable" must be defined. Amending the current Comprehensive Plan to allow for greater PUD density is disastrous, to say the least.

My family and I rented in the "Pumpkin Patch" community and within the last year, moved to the Hawks Bay subdivision. Our home was built and situated to enjoy the views of the open meadows and mountains surrounding us. We sought out the "green pastures," for the benefit our mental and physical health. Growth is evident, and while we understand developers are in the business to maximum their investment, and it is further evident to us (the residents of Donnelly) the proposed Planned Unit Development (aka "PUD") SOLELY serves the interest of the Developers (or rather, the interest of their bank accounts), under the guise of "affordable housing.". This is not what is in the best interest of our county, our city, nor the residents. There is not one person who moved up her to live "on top of each other." The big cities are those communities equipped to welcome in the density, P&Z (appears) to be ushering into Valley County. This is not the place!!! If local ordinances are going to be amended, if anything, it should be amended to liberally DECREASE those numbers.... according to the zones these proposed PUD's will be developed in, the acreage size, and the radius in distance from each other. (For example, the area situated within 1/4 mi radius from Roseberry, Tamarack Falls Rd, Schultz and Norwood, which are pending.)

Commissioner, Planning & Zoning, you were installed to act and protect what is in the best interest of this city. Promises we make to the citizens of Donnelly, and we all see, loud and clear! You have the authority and ability to throw the people, of this beautiful city of ours, into utter chaos. You will set the scene for Valley County as a whole. A new culture of people (and living) will birth from these decisions you make, on behalf of our city.

Putting the cart before the horse is reckless, and DOES NOT WORK!!! Fast forward beyond the needs



of road construction, "S Bridge", and snow plowing.... Local subdivisions already struggle with Sheriff not responding timely (not bashing law enforcement at all!), ambulance emergency service greatly suffering, understaffing/routing with our Post Office (which includes lack of P.O. mailboxes), local businesses unable to staff enough people, already intermittent internet connectivity (for us residents and business that rely on such services to adequately operate our businesses). This density being considered, with possibly an average of 3 children per proposed unit, will require vast expansion of Donnelly El., the middle school in McCall and McCall-Donnelly HS.

I do not feel the need to restate all the other areas of concern, previously brought up by other residents. However, an additional area of concern for myself and my family is the probability of increased criminal activity. This too changes the culture (behaviorisms) of this community. The efforts to undo the damage to our community will be laborious, to say the least.

This is far from an exhaustive list of, injury toward this community, should you ignore the inevitable. Again, I do not oppose growth, but until ordinances are amended to decrease PUD density (to define and established "reasonable growth"), require developers to contribute toward infrastructure, contribute toward emergency services, drainage and utility usage, etc., we will lose our beautiful communities, in the name of greed and profit.

Covid brought many fractures amongst neighbors. I plead with you...do not endorse what the Developers are trying to accomplish (in the name of affordable housing needs). They have not come here concerned about what the people of our county/cities are needing. Their pretenses are deceitful! The Comprehensive Plan Amendment for PUDs MUST NOT INCREASE, but rather decrease. Additional ordinance (etc) must be considered so when Developers do submit their Applications, they must be held responsible to further invest in the various changes needed (previously mentioned) to support the growth (building) they are proposing. This must be acknowledged and agreed upon, simultaneously to submitting their application with P&Z.

Currently, there are too many variables that are being pushed to the back burner. We are YOUR neighbors! Consider our well being, and support "local.". This should be your priority, and the heart behind your decisions.

April Roberts

## FAA form

**From:** Gary Swain [REDACTED]  
**Sent:** Wednesday, April 26, 2023 9:27 AM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Subject:** FW: FAA form

Cynda,

As per your request this is the FFA form given to a person attempting to obtain a building permit in Valley County within the three mile radius of an airport. The land around McCall and Cascade airports is basically flat. I would agree with a form like this for certain parcels of land that could be identified by the airports as elevations of concern that might be a higher than normal and pose a concern but not for everyone to fill out that is on the standard elevation around those airports. It is simply a "known" that any new structure cannot exceed Valley County building height restrictions. Read items #9 & #10 of the Instructions For Completing FFA Form 7460-1 to get an understanding of the requirements everyone within that area must attempt to do.

If this attached form is, in fact, the new requirement I feel the VCPL Commission were not given enough information to make an informed decision on the April 20, 2023 meeting and request we revisit this before this new FFA form is enacted.

Gary

Sent from [Mail](#) for Windows

**From:** [Brandon Swain](#)  
**Sent:** Tuesday, April 25, 2023 2:24 PM  
**To:** [Gary Swain](#)  
**Subject:** FAA form

Sent from Brandon Swain's iPhone



## NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

### § 77.7 Form and time of notice.

(a) If you are required to file notice under §77.9, you must submit to the FAA a completed FAA Form 7460-1, Notice of Proposed Construction or Alteration. FAA Form 7460-1 is available at FAA regional offices and on the Internet.

(b) You must submit this form at least 45 days before the start date of the proposed construction or alteration or the date an application for a construction permit is filed, whichever is earliest.

(c) If you propose construction or alteration that is also subject to the licensing requirements of the Federal Communications Commission (FCC), you must submit notice to the FAA on or before the date that the application is filed with the FCC.

(d) If you propose construction or alteration to an existing structure that exceeds 2,000 ft. in height above ground level (AGL), the FAA presumes it to be a hazard to air navigation that results in an inefficient use of airspace. You must include details explaining both why the proposal would not constitute a hazard to air navigation and why it would not cause an inefficient use of airspace.

(e) The 45-day advance notice requirement is waived if immediate construction or alteration is required because of an emergency involving essential public services, public health, or public safety. You may provide notice to the FAA by any available, expeditious means. You must file a completed FAA Form 7460-1 within 5 days of the initial notice to the FAA. Outside normal business hours, the nearest flight service station will accept emergency notices.

### § 77.9 Construction or alteration requiring notice.

If requested by the FAA, or if you propose any of the following types of construction or alteration, you must file notice with the FAA of:

(a) Any construction or alteration that is more than 200 ft. AGL at its site.

(b) Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:

(1) 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway more than 3,200 ft. in actual length, excluding heliports.

(2) 50 to 1 for a horizontal distance of 10,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway no more than 3,200 ft. in actual length, excluding heliports.

(3) 25 to 1 for a horizontal distance of 5,000 ft. from the nearest point of the nearest landing and takeoff area of each heliport described in paragraph (d) of this section.

(c) Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance, 15 feet for any other public roadway, 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road, 23 feet for a railroad, and for a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it, would exceed a standard of paragraph (a) or (b) of this section.

(d) Any construction or alteration on any of the following airports and heliports:

(1) A public use airport listed in the Airport/Facility Directory, Alaska Supplement, or Pacific Chart Supplement of the U.S.

Government Flight Information Publications;

(2) A military airport under construction, or an airport under construction that will be available for public use;

(3) An airport operated by a Federal agency or the DOD.

(4) An airport or heliport with at least one FAA-approved instrument approach procedure.

(e) You do not need to file notice for construction or alteration of:

(1) Any object that will be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation;

(2) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device meeting FAA-approved siting criteria or an appropriate military service siting criteria on military airports, the location and height of which are fixed by its functional purpose;

(3) Any construction or alteration for which notice is required by any other FAA regulation.

(4) Any antenna structure of 20 feet or less in height, except one that would increase the height of another antenna structure.

Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
10101 Hillwood Parkway  
Fort Worth, TX 76177  
Fax: (817) 222-5920

Website: <https://oeaaa.faa.gov>

## INSTRUCTIONS FOR COMPLETING FAA FORM 7460-1

PLEASE TYPE or PRINT

ITEM #1. Please include the name, address and phone number of a personal contact point as well as the company name.

ITEM #2. Please include the name, address and phone number of a personal contact point as well as the company name.

ITEM #3. New Construction would be a structure that has not yet been built.

Alteration is a change to an existing structure such as the addition of a side mounted antenna, a change to the marking and lighting, a change to power and/or frequency, or a change to the height. The nature of the alteration shall be included in ITEM #21 "Complete Description of Proposal".

Existing would be a correction to the latitude and/or longitude, a correction to the height, or if filing on an existing structure which has never been studied by the FAA. The reason for the notice shall be included in ITEM #21 "Complete Description of Proposal".

ITEM #4. If Permanent, so indicate. If Temporary, such as a crane or drilling derrick, enter the estimated length of time the temporary structure will be up.

ITEM #5. Enter the date that construction is expected to start and the date that construction should be completed.

ITEM #6. Please indicate the type of structure. DO NOT LEAVE BLANK.

ITEM #7. In the event that obstruction marking and lighting is required, please indicate type desired. If no preference, check "other" and indicate "no preference" DO NOT LEAVE BLANK. NOTE: High Intensity lighting shall be used only for structures over 500' AGL. In the absence of high intensity lighting for structures over 500' AGL, marking is also required.

ITEM #8. If this is an existing tower that has been registered with the FCC, enter the FCC Antenna Structure Registration number here.

ITEM #9 and #10. Latitude and longitude must be geographic coordinates, accurate to within the nearest second or to the nearest hundredth of a second if known. Latitude and longitude derived solely from a hand-held GPS instrument is NOT acceptable. A hand-held GPS is only accurate to within 100 meters (328 feet) 95 percent of the time. This data, when plotted, should match the site depiction submitted under ITEM #20.

ITEM #11. NAD 83 is preferred; however, latitude and longitude may be submitted in NAD 27. Also, in some geographic areas where NAD 27 and NAD 83 are not available other datum may be used. It is important to know which datum is used. DO NOT LEAVE BLANK.

ITEM #12. Enter the name of the nearest city and state to the site. If the structure is or will be in a city, enter the name of that city and state.

ITEM #13. Enter the full name of the nearest public-use (not private-use) airport or heliport or military airport or heliport to the site.

ITEM #14. Enter the distance from the airport or heliport listed in #13 to the structure.

ITEM #15. Enter the direction from the airport or heliport listed in #13 to the structure.

ITEM #16. Enter the site elevation above mean sea level and expressed in whole feet rounded to the nearest foot (e.g. 17'3" rounds to 17', 17'6" rounds to 18'). This data should match the ground contour elevations for site depiction submitted under ITEM #20.

ITEM #17. Enter the total structure height above ground level in whole feet rounded to the next highest foot (e.g. 17'3" rounds to 18'). The total structure height shall include anything mounted on top of the structure, such as antennas, obstruction lights, lightning rods, etc.

ITEM #18. Enter the overall height above mean sea level and expressed in whole feet. This will be the total of ITEM #16 + ITEM #17.

ITEM #19. If an FAA aeronautical study was previously conducted, enter the previous study number.

ITEM #20. Enter the relationship of the structure to roads, airports, prominent terrain, existing structures, etc. Attach an 8-1/2" x 11" non-reduced copy of the appropriate 7.5 minute U.S. Geological Survey (USGS) Quadrangle Map MARKED WITH A PRECISE INDICATION OF THE SITE LOCATION. To obtain maps, contact USGS at 1-888-275-8747 or via internet at "<http://store.usgs.gov>". If available, attach a copy of a documented site survey with the surveyor's certification stating the amount of vertical and horizontal accuracy in feet.

ITEM #21.

- For transmitting stations, include maximum effective radiated power (ERP) and all frequencies.
- For antennas, include the type of antenna and center of radiation (Attach the antenna pattern, if available).
- For microwave, include azimuth relative to true north.
- For overhead wires or transmission lines, include size and configuration of wires and their supporting structures (Attach depiction).
- For each pole/support, include coordinates, site elevation, and structure height above ground level or water.
- For buildings, include site orientation, coordinates of each corner, dimensions, and construction materials.
- For alterations, explain the alteration thoroughly.
- For existing structures, thoroughly explain the reason for notifying the FAA (e.g. corrections, no record or previous study, etc.).

Filing this information with the FAA does not relieve the sponsor of this construction or alteration from complying with any other federal, state or local rules or regulations. If you are not sure what other rules or regulations apply to your proposal, contact local/state aviation's and zoning authorities.

Paperwork Reduction Work Act Statement: A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number. The OMB control number for this information collection is 2120-0001. Public reporting for this collection of information is estimated to be approximately 19 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are mandatory for anyone proposing construction or alteration that meets the criteria contained in 14 CFR 77. This information is collected to evaluate the effect of proposed construction or alteration on air navigation and is not confidential. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Please Type or Print on This Form

Form Approved OMB No. 2120-0001  
Expiration Date: 04/30/2023



**Failure To Provide All Requested Information May Delay Processing of Your Notice**

**FOR FAA USE ONLY**

Aeronautical Study Number

U.S. Department of Transportation  
Federal Aviation Administration

**Notice of Proposed Construction or Alteration**

**1. Sponsor (person, company, etc. proposing this action):**  
Attn. of \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**2. Sponsor's Representative (if other than #1):**  
Attn. of \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**3. Notice of:**  New Construction  Alteration  Existing  
**4. Duration:**  Permanent  Temporary ( \_\_\_ months, \_\_\_ days)  
**5. Work Schedule:** Beginning \_\_\_\_\_ End \_\_\_\_\_  
**6. Type:**  Antenna Tower  Crane  Building  Power Line  
 Landfill  Water Tank  Other \_\_\_\_\_  
**7. Marking/Painting and/or Lighting Preferred:**  
 Red Lights and Paint  Dual - Red and Medium Intensity  
 White-Medium Intensity  Dual - Red and high Intensity  
 White -High Intensity  Other \_\_\_\_\_  
**8. FCC Antenna Structure Registration Number (if applicable):**  
\_\_\_\_\_

**9. Latitude:** \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " \_\_\_\_\_ " \_\_\_\_\_ "  
**10. Longitude:** \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " \_\_\_\_\_ " \_\_\_\_\_ "  
**11. Datum:**  NAD 83  NAD 27  Other \_\_\_\_\_  
**12. Nearest City:** \_\_\_\_\_ State \_\_\_\_\_  
**13. Nearest Public-use (not private-use) or Military Airport or Heliport:** \_\_\_\_\_  
**14. Distance from #13. to Structure:** \_\_\_\_\_  
**15. Direction from #13. to Structure:** \_\_\_\_\_  
**16. Site Elevation (AMSL):** \_\_\_\_\_ ft.  
**17. Total Structure Height (AGL):** \_\_\_\_\_ ft.  
**18. Overall Height (#16 + #17) (AMSL):** \_\_\_\_\_ ft.  
**19. Previous FAA Aeronautical Study Number (if applicable):**  
\_\_\_\_\_ -OE

**20. Description of Location:** (Attach a USGS 7.5 minute Quadrangle Map with the precise site marked and any certified survey)

**21. Complete Description of Proposal:**

**Frequency/Power (kW)**

Frequency (MHz)	Power (kW)

Notice is required by 14 Code of Federal Regulations, part 77 pursuant to 49 U.S.C., Section 44718. Persons who knowingly and willingly violate the notice requirements of part 77 are subject to a civil penalty of \$1,000 per day until the notice is received, pursuant to 49 U.S.C., Section 46301(a)

I hereby certify that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to mark and/or light the structure in accordance with established marking & lighting standards as necessary.

Date \_\_\_\_\_ Typed or Printed Name and Title of Person Filing Notice \_\_\_\_\_ Signature \_\_\_\_\_

# Housing Diversity: Supporting Community and Economic Stability

Prepared by Erik Kingston, PCED. Contact [erikk@ihfa.org](mailto:erikk@ihfa.org) | April 1, 2023 | [idahohousing.com](http://idahohousing.com)



## What you need to know about housing

Homes make communities possible. To be sustainable\* housing must be affordable, available and accessible to all residents—first responders, seniors or retirees, families, professionals, and people living with disabilities. *Healthy housing infrastructure reflects the needs and incomes of real people.*

The aim is to support *community housing choice*† within reach of people who:

- *work for a living—at all wage levels\*\**
- *provide essential community services;*
- *engage in community and civic activities; and/or*
- *spend their retirement years and incomes locally*

*"Idaho needs more homes within reach of our workforce, families, and friends."*

**Economic development role.** Housing affordability supports sustainable economic development in many ways. *Employers* benefit from diverse housing types and price points near employment centers. They know a stable labor force supports planning, productivity, and competitiveness, and long commute times or financial strain can impact performance and reliability. *Economic development professionals* recognize housing as *critical infrastructure*—like schools, broadband or health care—essential to recruiting and retaining outside investment, good-paying jobs and dynamic *workforce development*. *Economists* know *local housing control* keeps wages circulating in the local economy.

**Fair housing choice = economic opportunity.** †Fair housing laws give us all the right to live where we choose and can afford. 'Housing choice' affects access to essential community assets such as health care, education and employment. Policies that distribute housing types and prices across neighborhoods and communities support HUD's Affirmatively Furthering Fair Housing Rule, designed to mitigate decades of *de jure* discrimination described in Segregated by Design. The resulting housing equity supports community and economic resilience. Always include the voices of diverse populations when evaluating comprehensive plans, zoning ordinances or development. See more at IHFA's YouTube channel and the 2022 APA Idaho presentation NIMBY, Equity and Liability for Communities.

**Inclusive design gets customers in the door.** Residential construction that reflects basic visitability standards reaches a broader market and lets us all age in place. This reduces overall housing costs, saves tax dollars and improves community cohesion and quality of life. Learn more: inclusivedesign

\**sustainable* used here means enduring forever—just like Idaho's state motto esto perpetua

\*\*70% of Idaho jobs pay under \$20/hour and support rents less than \$1,040/mo; an FTE at \$12/hr can afford less than \$624/mo; a minimum-wage worker can afford less than \$377/mo. See reports.nlihc.org/oor/idaho and the [idahohousing.com](http://idahohousing.com) rent calculator

**Affordability = stability.** Since the National Housing Act of 1937, housing costs below 30% of household income have been considered *affordable*. When costs exceed 30%, households are *cost burdened*; if they exceed 50%, households are *severely cost burdened*. This puts households at risk with negative consequences for families and communities. Alternately, we measure *residual income*—household resources available for housing after other essential costs are met.



**Public subsidy to private equity.** Residential speculation and inflation means a rise in *foregone spending*—money lost to our economy and tax base owing to *housing cost burden*—an estimated \$971M loss for Idaho in 2020. Housing displacement and instability caused by inflation have triggered a wave of *first-time homelessness*, with significant individual and social costs. Acknowledging externalized costs is key to sound policy.

**Diverse housing markets benefit everyone.** When working households, retirees and others can comfortably meet basic costs associated with local housing, they have more time, money and energy to invest locally. Communities benefit from less traffic, more stability, and engaged residents. School and job attendance go up, while public costs tied to community health and safety go down. Stable households in socioeconomically diverse communities are better able to build social capital and cultivate supportive networks essential to economic mobility and opportunity, which in turn *reduces* their overall reliance on social (i.e., taxpayer-funded) assistance.

**NIMBY** opposition to affordability or density can increase costs and often has a *'disparate impact'* on protected classes, perpetuating the discriminatory redlining. Developers have successfully sued communities that reject otherwise compliant developments when discriminatory permitting policies or practices are evident.

*"Stable housing lets each of us build the 'social capital' needed to reach our full potential."*

**T.R.U.V. Index.** Housing is made affordable by increasing wages to compensate for housing inflation or lowering the *TRUV Index*, where *Transportation + Rent + Utilities + Visitability = the net costs of housing location, ownership, condition, efficiency and design*. Sustainable housing reflects all these factors to reduce life-cycle and household costs. Utilities costs vary significantly in homes built when energy and efficiency were undervalued.

**Local needs require local partners and solutions.** A sustainable and diverse range of housing options starts with understanding housing's role in economic and community development; it also requires teamwork among interested parties. These include housing, community and economic development professionals, policy makers, building officials, planners and developers, people with disabilities, seniors (and seniors in training), along with business, corporate, neighborhood, and community leaders who identify local needs and define the scope and direction of planning efforts. *Local control of housing and community assets = accountability and stability.*

*"Employers know that housing is where jobs go to sleep at night."*

**Idaho's housing crisis limits workforce development.** Employers throughout Idaho say the lack of housing options means they can't recruit or retain the essential workers they need—from hospitals, education or retail, to construction workers, care providers or first responders. *We're all affected.*

#### Takeaways:

1. Healthy housing markets are like ecosystems—diversity equals resilience and durability
2. Speculative investors and NIMBY fuel our housing crisis by perpetuating housing shortages.
3. *Workers provide a subsidy to employers and customers* by commuting long distances or living in substandard housing to provide services—at a price we consider affordable
4. Housing that accommodates essential workers, students, retirees, seniors or persons living with disability helps families, knowledge and incomes stay put
5. We can make housing "affordable" one of two ways:
  - *Increase wages indefinitely to keep pace w real estate speculation, housing shortages*
  - *Subsidize employers/consumer prices w project- or tenant-based supports (using taxes)*

## Preserving and Expanding Housing Diversity

**Conservation and preservation matter.** We all know the most cost-effective energy investment is in *negawatts*—energy saved through conservation. Likewise, every community has what's called *naturally occurring* or *legacy* affordability. Legacy housing typically has limited or no debt, reflects lower construction costs, and contains significant *embodied energy*. Preserving existing affordability is like patching the holes in a leaky bucket before trying to fill it. Communities that fail to preserve affordability will bear increasingly higher social costs.

**Conversion, gentrification and speculation erode affordability.** Converting legacy housing to investment property, luxury units or short-term rentals erodes affordability and limits housing choices. New ownership and flipping mean new financing costs and higher rents, and more holes in the bucket.

**New construction costs, supply or demand.** Labor, material, financing and NIMBY costs mean we can't easily build our way out of a housing shortage. While the [laws of supply and demand don't apply equally to housing and corn](#), building high-cost housing in one spot without the ability to increase housing supply to meet demands restricts competition for and alternatives to high-cost units. *New single-family residential developments should be [visitable](#) to meet demand for inclusive and equitable neighborhoods for people of all ages and abilities.*

### Sample Strategies

**Re-think residential codes.** Revise minimum lot size and square foot rules—along with fees, occupancy limits and household definitions—to support '[Gentle Density](#)' or 'Neighborhood-friendly development.' Tiny Homes, ADUs, and conditional density bonuses reduce development and infrastructure costs. These strategies serve the health, welfare and safety of communities best when they preserve local ownership of housing, keeping wages and incomes local. For more on this, see [Top code reform priorities for the housing crisis \(cnu.org 3.28.2023\)](#)

**Land banking.** [Local government, school and highway districts](#), churches and private employers should proactively inventory, protect, acquire and designate key parcels for mixed-used and workforce/affordable residential development. Establish a community fund to purchase tax-delinquent properties each year to support a local housing strategy. Land near transit hubs, employment centers and services is an essential asset.

**Remove land costs from the equation.** [Community land trusts—or housing trusts](#)—hold land in trust via a public or nonprofit entity. Land is leased to qualifying homeowners, who own the improvements and build equity. Alternately, the trust may develop rental housing for households with specific income ranges or essential community workers, preserving long-term affordability. [Learn more.](#)

**Impact and crowd investment.** Federal funds involve legal and regulatory requirements that can inflate the cost per unit and require large developments. Impact or [crowd investing](#) can yield positive, measurable impacts alongside a financial return. This market-based approach to financing *missing middle* or *neighborhood-friendly* residential development can reduce costs and invite local investment. Distributing smaller-footprint projects across communities can also reduce opposition. Models: [Small Change](#), [Guerrilla Development](#), or [Sister City](#)

**Engage local employers.** Remember that diverse housing types and price points represent both a perpetual income boost to workers and valuable recruitment and retention tool for local public and private employers. *Workforce development* and productivity depend on an adequate supply of *workforce housing*—where *workforce* includes all who work for a wage. Employers can partner with other stakeholders to finance and develop housing units that meet the needs of key staff positions and wages.

**Cooperative tenant ownership.** [Housing cooperatives](#) reflect a value for housing stability in many countries and states. Tenants form cooperatives and acquire government-backed or private financing to secure housing with a mix of private and shared space. Like [resident-owned communities](#), this expands local ownership opportunities and builds equity for households, while offering flexible living arrangements and preserving residential capacity.

**Local Housing Solutions.** A great online housing explainer is at [localhousingsolutions.org](#). From basics to understanding and shaping policy, this site presents clear, simple and practical videos and summaries.

**2021 Rural Housing Considerations.** (see [Housing Challenges and Strategies](#) and [Whose Home on The Range?](#))



# Housing Market Realities: Where We Are and How We Got Here

Prepared by Erik Kingston, PCED. Contact [erikk@ihfa.org](mailto:erikk@ihfa.org)

## Key Factors, Trends, and Consequences:

**Shifting Priorities.** After WWII, federal housing finance and urban renewal policy aimed to raise living standards for urban dwellers through 'bigger, better' housing. The feds—and private lenders—shifted support from downtown residential and mixed-use to suburbs. Freeways steadily displaced urban neighborhoods as race-based redlining and associated R-1 zoning ordinances evolved.

Larger suburban homes separated from employment centers led to increased traffic and commuting costs. See 'Housing Transportation Affordability Index.' [htaindex.cnt.org](http://htaindex.cnt.org)

**Housing as a Human Right.** Article 25 of the Universal Declaration of Human Rights—*Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care...*

**Housing inflation drivers.** There is no single factor in housing inflation; several things contribute to our current crisis:

- Tax policy and investment patterns treat housing as an 'asset class,' not a human right. Commodification and speculation detach housing costs from wages or incomes.
- Institutional, foreign and other investors use housing to [launder money](#) or generate profits—without adding value to communities. And [remote control of residential markets](#) undermines local accountability, exports wages and incomes from local economies, and shifts costs to locals.
- [Rising prices triggered a new wave of 'flipping.'](#) Windermere Chief Economist Matthew Gardner calls flipping a 'precursor and contributor to a housing bubble.' —10/10/17 Economic Summit, JUMP

**Density.** Distributing housing diversity and density across all neighborhoods is essential to address the [legacy of redlining and de jure segregation and discrimination](#). Ideally, density is paired with [conditions that ensure long-term community benefits or accountability](#) that maximize its effectiveness.

**6/2022.** [Apartheid by Another Name: How Zoning Regulations Perpetuate Segregation.](#) Exclusionary zoning restricts access to opportunity and concentrates poverty

**10/2022.** [NIMBY, Equity and Liability for Communities.](#) This APA Idaho session describes the costs and risk communities incur as a result of opposition to affordability and density.

**12/2022.** [Institutional Investors in Housing](#) HUD describes how large equity investors limit homeownership options for first-time homebuyers and increase racial wealth gaps.

**2/2023.** [NIMBY opposition's impact on the housing crisis](#) amplifies and extends harms caused by real estate speculation; institutional investors now rely on NIMBY to restrict new construction, which is keeping supply low and rents high.

## Rental Vacancy Rates (RVRs)

The percentage of residential property available for rent. A 'healthy' RVR is 5–7%, balancing supply and demand. Pre-recession RVRs in Treasure Valley markets were in the low-to mid teens. Since 2015, these and other markets have been consistently below 1%. This drives up rents and limits housing choices for full-time workers earning less than \$20/hour, seniors, and Idahoans with disabilities. Context: Idaho's statewide RVR\* declined from 5.47% in Q4 2011 to 0.45% in July 2021 and is slowly increasing.

County	Available Units	Total Units	RVR*
Ada	2	5944	0.03
Adams	0	38	0
Bannock	3	437	0.69
Bear Lake	4	169	2.37
Benewah	0	38	0
Bingham	2	537	0.37
Blaine	1	414	0.24
Boise	0	25	0
Bonner	4	357	1.12
Bonneville	3	1769	0.17
Boundary	0	16	0
Butte	0	29	0
Camas	0	2	0
Canyon	71	2454	2.89
Caribou	2	60	3.33
Cassia	1	323	0.31
Clearwater	0	32	0
Custer	5	57	8.77
Elmore	0	324	0
Franklin	0	49	0
Fremont	0	53	0
Gem	0	111	0
Gooding	0	125	0
Idaho	3	94	3.19
Jefferson	0	190	0
Jerome	0	353	0
Kootenai	28	2065	1.36
Latah	5	541	0.92
Lemhi	0	74	0
Lewis	0	8	0
Lincoln	1	5	20
Madison	2	485	0.41
Minidoka	0	219	0
Nez Perce	0	527	0
Oneida	0	1	0
Owyhee	0	62	0
Payette	0	320	0
Power	0	124	0
Shoshone	0	146	0
Teton	0	111	0
Twin Falls	12	1668	0.72
Valley	3	162	1.85
Washington	0	206	0
*Statewide	152	20724	0.73

\*Source: [housingidaho.com](http://housingidaho.com) 4/1/23 (primarily multifamily and affordable to household income equivalents up to \$20/hr FT)