



AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO

Live Stream Viewing:

<https://www.youtube.com/c/MountainHomeIdaho>

Tuesday, June 4, 2024, at 5:30 PM

I ESTABLISH A QUORUM

II APPROVE MINUTES

*April 16, 2024

III RECOGNIZING PERSONS NOT ON THE AGENDA

IV CONFLICT OF INTEREST/EX-PARTE CONTACT DECLARATIONS

* Does any Commissioner, Commissioner's employer, or Commissioner's family member have an economic interest in any matter on the agenda? (Idaho Code 67-6506)

* Have any Commissioners received communications or engaged in discussions regarding matters on this agenda outside of this meeting?

V PUBLIC HEARING AND ACTION

***Action Item** – Preliminary Plat – Paiute Place

Applicant – Providence Holdings, LLC

A request to approve the Paiute Place Preliminary Plat. The plat consists of nineteen (19) lots, with sixteen (16) fourplex lots, and three (3) common lots. The development will provide sixty-four (64) total dwelling units at complete build out. The site is located at the northeast corner of South 5th West and SW Paiute.

(RPA3S06E365610)

Application: PZ-24-11

***Action Item** – Annex and Zone C-4 – Hamilton Road

Applicant – City of Mountain Home

A request to annex and zone to C-4 Heavy Commercial two parcel of land consisting of eighty (80) acres. The parcels of land are located on the north side of Hamilton Road, west of South 18th East Street and east of Highway 51. This annexation will also include the entirety of Hamilton Road that fronts these parcels of land.

(RP04S06E119000 & RP04S06E126000)

Application: PZ-24-17

VI NEW BUSINESS

***Action Item** – Preliminary Plat Extension – Blue Yonder Subdivision

A request for Preliminary Plat Extension of the previously approved Blue Yonder Subdivision (PZ-22-90).

Application: PZ-24-21

*Action Item – Preliminary Plat Extension – Eagles Nest Subdivision



A request for Preliminary Plat Extension of the previously approved Eagles Nest Subdivision (PZ-23-16).

Application: PZ-24-22

VII

OLD BUSINESS

***Action Item** – Findings of Fact - Preliminary Plat – Axtell Subdivision

Applicant – Sharolynn Hammond

A request to approve the Axtell Subdivision Preliminary Plat. The plat consists of forty lots, including twenty-nine single-family lots, eight duplex lots, and three common lots. The development will provide forty-five (45) dwelling units at complete build out. The site is just east of Colonial Estates Subdivision on the east side of South 10th East Street, and West of Highway 30.

(RP03S06E368070, RP03S06E368080)

Application: PZ-24-7

* Discuss - Review Land Use Chart

VIII

DEPARTMENT HEAD ITEMS

* Monthly Building Permit Report – April 2024

* Monthly Code Enforcement Report – April 2024

*Monthly GIS Report – April 2024

IX

ITEMS REQUESTED BY COMMISSIONERS/STAFF

* None

X

ADJOURN

P & Z / COUNCIL MAY REVIEW ALL PLATS AT CITY HALL AND DISCUSS ALL ITEMS OF BUSINESS WITH STAFF AT CITY HALL PRIOR TO MEETING

More Information or Questions contact Community Development Department



**MINUTES OF THE PLANNING AND ZONING COMMISSION REGULAR MEETING
CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO**

Live Stream Viewing:

<https://www.youtube.com/c/MountainHomeIdaho>

Tuesday, April 16th, 2024, at 5:30 PM

ESTABLISH A QUORUM

Vice Chairperson William Roeder noted a quorum present and called the April 16, 2024, Regular Meeting of the Planning and Zoning Commission to order. Attending were Planning and Zoning Commission Members, Travis Eikeness, Cristina Drake, and William Roeder.

Commission Member Kristopher Wallert and Commission Member Rob McCormick were not in attendance.

Staff members attending were Senior City Planner Brenda Ellis, City Planner Nicole Coffey, Legal Counsel Geoff Schroeder, and Besty Hiddleston recorded the meeting.

MINUTES

*Action Item – Minutes, April 2nd, 2024

Commission Member Travis Eikeness made a motion to approve the minutes for April 2nd, 2024. Commission Member Cristina Drake seconded the motion. All in favor. The motion passed by a unanimous vote.

RECOGNIZING PERSONS NOT ON THE AGENDA

Brendan McCarthy spoke about the Gold Tap outdoor seating with the fence and how it could cause a potential issue and needs to be addressed in the ordinance. Concern is with the alcohol then being consumed off premises and stated State Code Title 23 Chapter 10 section J which defines premise owned leased or used under government permit. Mr. McCarthy states “That Gold Tap does not own or lease the property that allows them to do that. The fence is up and bolted to the sidewalk which is Public Property. Now do we put the city or the business liability?” “I think they need to have a yearly permit the business needs to apply for.”

CONFLICT OF INTEREST DECLARATION

* Does any Commissioner, Commissioner's employer, or Commissioner's family member have an economic interest in any matter on the agenda? (Idaho Code 67-6506) - None

* Have any Commissioners received communications or engaged in discussions regarding matters on this agenda outside of this meeting? - None

PUBLIC HEARING AND ACTION

*None

NEW BUSINESS

***None**

OLD BUSINESS

***Action Item** – Preliminary Plat – Axtell Subdivision Applicant – Sharolynn Hammond

A request to approve the Axtell Subdivision Preliminary Plat. The plat consists of forty lots, including twenty-nine single-family lots, eight duplex lots, and three common lots. The development will provide forty-five (45) dwelling units at complete build out. The site is just east of Colonial Estates Subdivision on the east side of South 10th East Street, and West of Highway 30.

(RP03S06E368070, RP03S06E368080) **Application: PZ-24-7**

Daniel Sharp came up and spoke to the commission members informing them that they did fix the legal description to make the plat. There are agreements regarding the garage that was over the boundary line and the well will be removed and moved.

There was a discussion about the agreements and if they were verbal or written. As of now they are verbal. Written agreements were requested.

Commission Member Cristina Drake motioned to approve the Preliminary Plat for Axtell Subdivision pending the resolution to the issues we had last time that is application PZ-24-7. I would like to amend the motion to include moving the well and moving the garage that is over the property lines so that they can go ahead and build. Commission Member Travis Eikeness seconded the motion. All in favor Aye. The motion passed unanimously.

*** Discuss - Review of City Ordinances**

There was a discussion about the residential part of the City Ordinance. Removing items that have been discussed with also moving items into their own group and making sure the permitted use matches up to the code for each zone.

There was a discussion about PUD's. Do we have too many PUDs? Will too many PUDs take away the organic small town feel based on the Comprehensive Plan. We see a lot of PUDs coming through and not wanting Mountain Home to become one big PUD. The point of a PUD is it is flexible (Colthorp Commons was given as an example). PUDs are a case-by-case analysis that we need to do and ask how it is cohesive with that area.

There was a discussion about the Comprehensive Plan when it can be reviewed. Comprehensive plans can be viewed and adjusted every 6 months.

There was a discussion about the comp plan and explaining more what the city would like to see when it comes to PUDs. A good mix of housing gives everyone the opportunity to buy a home. Not everyone can afford to buy a high-priced luxury home and here in Mountain Home we don't really have those.

There was a discussion about the small town feel and the walking ability will be paramount to that. Giving the option to park and walk around and shop and not having to drive. People would feel more connected if they could walk places.

The difference between a PUD and Subdivision was discussed. The PUDs you can add the element of commercial because there is flexibility in that zoning. Subdivision you get what you get and watches what is permitted and the size of lots. PUDs add variety to what can be done. Main goal is to make sure Mountain Home is safe, and economical.

DEPARTMENT HEAD ITEMS

*** Code Enforcement Report**

*** Building Permit Report**

There was a discussion on the Code Enforcement Report asking about parking in the front yard.

ITEMS REQUESTED BY COMMISSIONERS/STAFF

* None

ADJOURN

Vice Chairperson William Roeder adjourned the meeting at 6:22 p.m.

Chair



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Brenda Ellis, Senior City Planner

Request: To **Approve the Paiute Place Preliminary Plat** consisting of 4.68 acres located at 1490 South 5th West.

(RPA3S06E365610)

Application: PZ-24-11

Applicant:

Providence Holdings LLC

851 N. Hickory Ave., Ste. 105

Meridian, ID 8364

Request Summary

To approve the **Paiute Place Preliminary Plat** consisting of 4.68 acres located at 1490 South 5th West, tax parcel ID RPA3S06E365610. The proposed development consists of nineteen (19) lots, with sixteen (16) pinwheel fourplex buildings, providing sixty-four (64) total dwelling units, and three (3) common lots.

History

The property has an existing single-story house built-in 1957.

The proposed site has received prior zoning approval as an R-4 PUD, and approval of the preliminary plat by City Council on January 11, 2022. Due to failure to receive final plat approval within one year of approval by the Planning and Zoning Commission the preliminary plat expired.

The parcel has changed ownership since the prior submittal and the new owner of record is requesting approval of the Paiute Place Preliminary Plat. There are no changes to the Paiute Place Preliminary Plat and it is identical

to the previously approved preliminary plat.

Approval Process

P&Z Commission Review & Action:

The Commission shall review the preliminary plat, comments from the concerned persons and agencies, and the report from the administrator to arrive at a decision on the preliminary plat.

In determining the acceptance of a proposed subdivision, the Commission shall consider the objects of this chapter and at least the following:

1. The availability of public services to accommodate the proposed development;
2. The continuity of the proposed development with the capital improvement program, if applicable;
3. The public financial capability of supporting services for the proposed development; and
4. The other health, safety, or environmental problems may be brought to the Commission's attention.

City Council Action:

Upon recommendation from the Commission, the council will either reject the plat or approve it subject to conditions set forth. These conditions will be expressed in a written letter to the developer. After adding these conditions to the plat, the developer will then resubmit it to the administrator to review and approve technical data, placement of utilities, etc.

Comprehensive Plan Compliance

The subject property is designated as Residential per the Future Land Use Map.

The City's adopted Comprehensive Plan illustrates that the public and City Officials alike determined that housing is one of the City's top five (5) priorities (pg. 9). The City and Comprehensive Plan recognizes that a diverse housing product selection is needed to have a prosperous community.

Notification & Responses

- A notification was sent to thirty-five (35) property owners within 300 ft. on 04/12/2024.
 - A notification was sent to twenty-eight (28) Public Entities on 04/12/2024.
 - Notice of Public Hearing was in the Mountain Home News on 04/17/2024 and 04/24/2024.
 - Notice of the Public Hearing was posted on the property on 04/18/2024.
 - As of 05/01/2024, we have received no letters in opposition to the proposed preliminary plat.
 - As of 05/01/2024, we have received no letters in favor of the proposed preliminary plat.
3. Per City Code 9-16-10(J), Failure to file and obtain the certification of the acceptance of the final plat application by the administrator within one year after action by the Commission shall cause all approvals of said preliminary plat to be null and void unless a one-year extension of time is applied for, thirty (30) days before the expiration, by the subdivider and granted by the Commission. A preliminary plat may be extended one time only, after which it shall be deemed null and void.
 4. Before a Final Plat can be approved all proposed public improvement must be made according to the approved development plans or suitable financial guarantees are provided. The applicant shall receive all necessary approvals regarding water and sewer infrastructure from the Central Health District.
 5. All development regarding this application will be subject to the City of Mountain Home's ability to provide municipal water and wastewater services.

Applicable Regulations or Codes

City Code 9-16-10, City of Mountain Home rules and regulations concerning the procedures and decisions for a Preliminary Plat.

Conclusion

After review, the Staff found that the proposed preliminary plat conforms with Preliminary Plat requirements and the R-4 PUD Agreement. Further, If the Commission determines the proposed request appropriate, you may recommend approval to the City Council, as presented, subject to the following conditions.

1. Subject to site plan amendments as required by Building, Public Works, Fire, and Zoning Officials to comply with applicable City Codes and standards.
2. The Final Plat and all future development will comply with the uses, and bulk & coverage controls provided in attachments #5 "Planned Unit Development Agreement."

Attachments

1. Vicinity Map
2. Site Photos
3. Proposed Preliminary Plat
4. CC Findings of Fact 2022 Approval
5. Approved Planned Unit Development Agreement (PZ21-0053)

Paiute Place Location Map



WEST LOOKING EAST



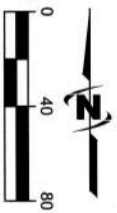
EAST LOOKING WEST



PRELIMINARY PLAT FOR
PAUTE PLACE SUBDIVISION
A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF THE NORTHWEST
QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36,
TOWNSHIP 3 SOUTH, RANGE 6 EAST, BOISE MERIDIAN,
MOUNTAIN HOME, IDAHO
2021

BOUNDARY LEGEND

- Subdivision Boundary Line
- Section Line
- Lot Line
- Center Line
- Right-of-way Line
- Existing Parcel Line
- Section Corner
- Quarter-Section Corner
- Property Corner



SCALE IN FEET

VICINITY MAP
SCALE: 1"=1000'

SCALE: 1"=1000'

- NOTES:

1. DRIVE INLET AND SPOT ELEVATION DATA IS REFERENCED TO NAVD '88 DATUM.
2. DRIVE, CONC. AND PARKING PAVED IN THIS DEVELOPMENT ARE PRIVATE AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE MINIMUM HOME STANDARDS FOR PRIVATE DRIVES AND PARKING. SEE SHEET PP-02 FOR PROTOTYPE/PLAN CONCEPT DETAIL/SECTION.
3. ALL LOTS ARE RESIDENTIAL. BUILDING LOTS EXCEPT LOTS 4 AND 15, BLOCK 1, WHICH ARE COMMON AREA/DRAINAGE STORAGE LOTS, LOT 8, BLOCK 1, IS DESIGNATED FOR INCREASED DENSITY AND PARKING.
4. STORMWATER RUN-OFF GENERATED ON THIS SITE SHALL HAVE A QUALITY CONTROL TREATMENT PRIOR TO BEING CONVEYED TO ON-SITE STORAGE FACILITIES.
5. PUBLIC UTILITIES SHALL INCLUDE WATER, SEWER, ELECTRIC POWER, NATURAL GAS, TELEPHONE, AND CABLE TELEVISION. TRIBUTARY OFFICIAL COMMUNITY/PLANS SHALL BE INSTALLED AS MAY BE REQUIRED BY THE CITY OF MOUNTAIN HOME. LOCATION TO BE DETERMINED BY THE FINAL DRAIN TRENCH LOCATION.
6. SURFACE IRRIGATION IS NOT CURRENTLY AVAILABLE FOR THIS PROJECT. THE LANDSCAPED AREAS WILL BE DESIGNED AND MAINTAINED AS NOTED ON THE APPROVED PUD PLAN AND IN ACCORDANCE WITH APPLICABLE CITY CODE AND CONDITIONS OF APPROVAL.
7. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO PERSON SHALL BE DENIED THE RIGHT TO ENGAGE IN ANY TYPE OF AGRICULTURAL OPERATION, INCLUDING BUT NOT LIMITED TO PRIVATE OR PUBLIC, IN AN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE SURROUNDING NONAGRICULTURAL ACTIVITIES EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT BE APPLICABLE TO ANY AGRICULTURAL OPERATION THAT IS AN ESSENTIAL OR NECESSARY OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
8. DOMESTIC AND FIRE PROTECTION WATER SHALL BE PROVIDED BY THE CITY OF MOUNTAIN HOME.
9. SANITARY SEWER COLLECTION SHALL BE PROVIDED BY THE CITY OF MOUNTAIN HOME.
10. IF APPLICABLE, ANY IRRIGATION RITCHES THROUGH THE PROJECT SHALL BE PIPED WHERE THEY CROSS ROADWAYS WITH ALL STRUCTURES LOCATED BEYOND ANY PUBLIC RIGHT-OF-WAY.
11. LANDSCAPED COMMON LOTS ARE LOCATED THROUGHOUT THE PROJECT AND ARE IDENTIFIED ON THE PUD PLAN. THESE LOTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
12. BUILDING SETBACKS AND DIMENSIONAL STANDARDS SHALL BE IN ACCORDANCE WITH THE CITY OF MOUNTAIN HOME STANDARDS IN EFFECT AT THE TIME OF DEVELOPMENT AND/OR APPLICABLE PUD APPROVALS.
13. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN AFFECT AT THE TIME OF THE RE-SUBDIVISION.
14. THE OWNER SHALL COMPLY WITH IDAHO CODE, SECTION 31-3605 OR ITS PROVISIONS THAT MAY APPLY TO IRRIGATION RIGHTS.
15. ALL EXISTING STRUCTURES TO BE REMOVED.
- LAND USE SUMMARY**
- | | |
|---------------------------|-----------------|
| TOTAL AREA: | 4.86 AC. |
| TOTAL LOTS: | 16 LOTS |
| RESIDENTIAL LOTS: | 16 LOTS |
| COMMON AREA LOTS: | 2 LOTS |
| DRIVEWAY/PARKING LOT: | 1 LOT |
| RESIDENTIAL UNITS: | 64 UNITS |
| RESIDENTIAL DENSITY: | 13.17 DU/AC |
| COMMON AREA: | 0.42 AC. (8.6%) |
| EXISTING ZONE: | R-4 |
| PROPOSED ZONING: | R-4 W/PUD |
| PARKING, SUMMARY: | |
| REQUIRED PARKING: | 126 SPACES |
| PROVIDED SPACES: | 138 SPACES |
| REQUIRED HANDICAP SPACES: | 5 SPACES |
| PROVIDED HANDICAP SPACES: | 5 SPACES |
- OWNER/DEVELOPER**
- ARTHUR YOUNG
NORTH CITY CORP.
1330 JUNIPER
MT. HOME, IDAHO 83647
208-371-4275
- PROJECT MANAGER**
- VAN ELG, SR. PLANNER
J-U-B ENGINEERS
2760 W. EXCURSION LANE
STE. 400
MERIDIAN, ID 83642
208-376-7330
- LEGEND**

LAND USE SUMMARY

TOTAL AREA:	4.86 AC.
TOTAL LOTS:	19 LOTS
RESIDENTIAL LOTS:	16 LOTS
COMMON AREA LOTS:	2 LOTS
DRIVEWAY/PARKING LOT:	1 LOT
RESIDENTIAL UNITS:	64 UNITS
RESIDENTIAL DENSITY:	13.17 DU./AC.
EXISTING ZONE:	R-42 AC.
PROPOSED ZONING:	R-4 W/P
PARKING SUMMARY:	128 SPACES
REQUIRED PARKING SPACES:	136 SPACES
PROVIDED HANDICAP SPACES:	5 SPACES
REMOVED HANDICAP SPACES:	5 SPACES

OWNER/DEVELOPER

ARTHUR YOUNG
NORTH CITY CORP.
1330 JUNIPER
MT. HOME, IDAHO 83647
208-371-4275

PROJECT MANAGER

VAN ELG, SR. PLANNER
J-U-B ENGINEERS
2760 W. EXCURSION LANE
STE. 400
MERIDIAN, ID 83642
208-376-7330

CIVIL ENGINEER

KEITH H. MORSE, P.E.
J-U-B ENGINEERS
2760 W. EXCURSION LANE
STE. 400
MERIDIAN, ID 83642
208-376-7330

LAND SURVEYOR

ROBERT L. KAZARINOFF, P.L.S.
J-J-B ENGINEERS
2760 W. EXCURSION LANE
STE. 400
MERIDIAN, ID 83642
208-376-7330

BOUNDARY CERTIFICATION



15 Oct 2021



LEGEND

- | EXISTING | PROPOSED |
|---------------------------|---------------------------|
| 5" - | 5" - |
| 4" - | 4" - |
| 3" - | 3" - |
| 2" - | 2" - |
| 1" - | 1" - |
| 0" - | 0" - |
| Sanitary Sewer Line | Sanitary Sewer Line |
| Water Line | Water Line |
| Granny Irrigation Pipe | Granny Irrigation Pipe |
| Pressure Irrigation Line | Pressure Irrigation Line |
| Storm Drain Line | Storm Drain Line |
| Centreline | Centreline |
| Lot Line | Lot Line |
| 6" Vertical Curb & Gutter | 6" Vertical Curb & Gutter |
| Rolled Curb & Gutter | Rolled Curb & Gutter |
| 5' Sidewalk | 5' Sidewalk |
| Sewer Manhole | Sewer Manhole |
| Ditch Flow Line | Ditch Flow Line |
| Irrigation Manhole | Irrigation Manhole |
| Street Light | Street Light |
| Tree Deciduous | Tree Deciduous |
| Tree Conifer | Tree Conifer |
| Edge of Pavement | Edge of Pavement |
| Gas Line | Gas Line |
| Fence Line | Fence Line |
| Fire Hydrant | Fire Hydrant |
| 5' Contour Line | 5' Contour Line |
| 1' Contour Line | 1' Contour Line |
| Covered Parking | Covered Parking |
| Yard Hydrant | Yard Hydrant |

REUSE OF DRAWINGS
J-U-B SHALL RETAIN ALL COMMON LAW, STATUTORY, COPYRIGHT AND OTHER RESERVED RIGHTS OF THESE DRAWINGS, AND THE SAME SHALL NOT BE REUSED WITHOUT J-U-B'S PRIOR WRITTEN CONSENT. ANY REUSE WITHOUT WRITTEN CONSENT BY J-U-B WILL BE AT CLIENT'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO J-U-B.

REVISION

[illegible]


J-U-B ENGINEERS, INC.
2760 W. Excursion Lane
Suite 400
Meridian, ID 83642

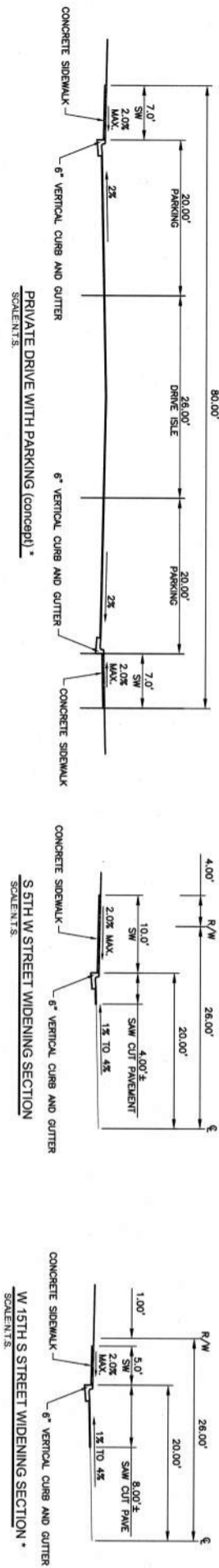
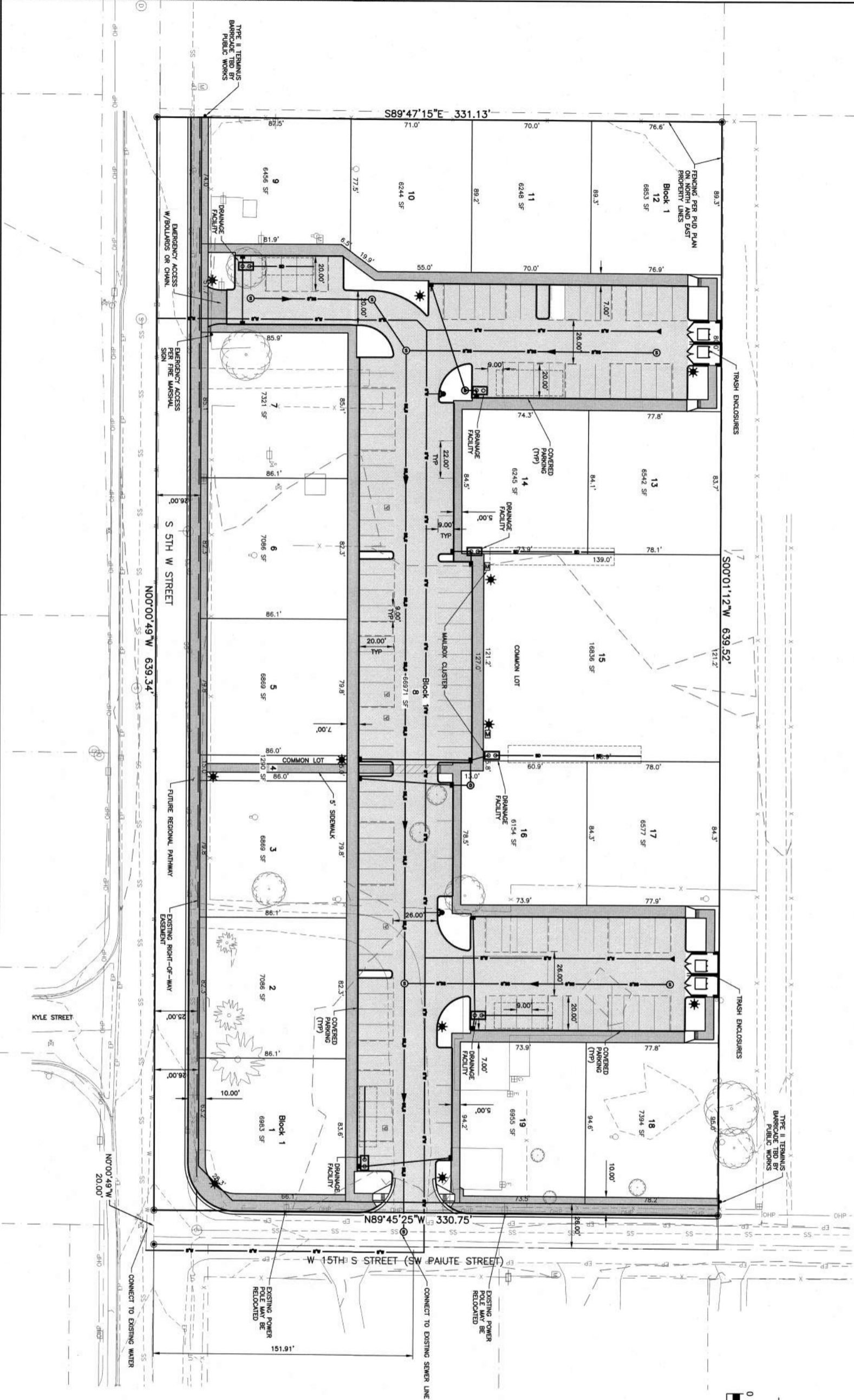
Phone: 208.376.7330
www.jub.com

PAIUTE PLACE SUBDIVISION
MOUNTAIN HOME, IDAHO

PROPERTY BOUNDARY AND PROJECT INFORMATION

PP-01

FILE: 10-21-083 PRE-PLAT
JOB PROJ. #: 10-21-083
DRAWN BY: ***
DESIGN BY: ***
CHECKED BY: ***

AT FULL SCALE, IF NOT ONE
INCH, SCALE ACCORDINGLY
LAST UPDATED: 10/15/2021
SHEET NUMBER:



NOTE:
SEE PUD MASTER PLAN FOR BUILDING AND
INTERIOR CIRCULATION LOCATIONS.
* FINAL STREET SECTION CONSTRUCTION DESIGN
TO BE DETERMINED AFTER GEOTECH REPORT IS
COMPLETE AND PUBLIC WORKS CD PLAN
APPROVAL.



**BEFORE THE CITY COUNCIL FOR
THE CITY OF MOUNTAIN HOME**

IN RE:)	
)	
Arthur Young c/o	)	FINDINGS OF FACT AND
Teran Mitchell, TKM Architecture)	)	CONCLUSIONS OF LAW
Paiute Place PUD & PPLAT)	
Applicant.)	
)	

This matter came for deliberation and decision before the City Council of the City of Mountain Home on the 11th day of January, 2022 following a public hearing and recommendation rendered by the Planning and Zoning Commission of the City of Mountain Home, Idaho, on November 15th, 2021, held pursuant to notice as required by law, on a request for rezoning to planned unit development and approval of preliminary plat of certain real property that is within the corporate boundaries of the City of Mountain Home, Idaho. Having heard from the Applicant in support of the application and having heard one (1) member of the public appearing to testify in favor of the request and two (2) members of the public appearing to testify regarding traffic impact and development height concerns, the Commission being fully advised in the matter, having adopted the staff report as part of its deliberation, issued findings and conclusions of law recommending approval with conditions. The City Council hereby adopts the Commission's findings, conditions, and recommendations as follows:

FINDINGS OF FACT

1. The Applicant has applied for the rezone and preliminary platting of real property legally described in attachment "A" attached hereto and by this reference made a part hereof with a requested initial zoning of R-4 as described as "Paiute Place" PUD Zone.
2. Paiute Place will be a fourplex rental community intended to provide rental housing products.
3. Notice of public hearing has been given as required by law.
4. The Owner of the real property for which rezoning, and a preliminary plat is sought has requested in writing that the property be rezoned and preliminary platting.
5. Per City of Mountain Home City Code 9-18, a Planned Unit Development (PUD) is designed to accommodate appropriate combinations of uses that may be

planned, developed, and operated as integral land-use units either by a single owner or a combination of owners. The purpose of a PUD is to accomplish some or all of the following:

- a. Foster and promote a variety of appropriate land use combinations in a preplanned development pattern;
 - b. Encourage developers to use a creative approach in land development.
 - c. Retain and conserve natural land and topographic features;
 - d. Promote greater use of streetscape and pedestrian-oriented aesthetics;
 - e. Promote the creation and efficient use of open spaces;
 - f. Create flexibility and variety in the location of improvements on lots;
 - g. Provide flexibility in development standards to facilitate creative land development concepts.
6. Mountain Home City Code 9-7-8 specifies a minimum lot size in the R-4 zone as 5,000 square feet, with a minimum street frontage of fifty (50') feet, no maximum lot coverage, and side setbacks of five feet (5') and twelve feet (12').
7. The Applicant's PUD request includes a minimum fourplex lot of 6,000 square feet, and the side setbacks shall vary in size from zero-lot-line for Buildings 8, 9, & 10 to between 2' and 4' for Buildings 11-16. Buildings 1-7 exceed 5' min. side yard setback requirements.
8. The proposed subdivision will provide sixty-four (64) townhouse dwelling units within sixteen (16) fourplex buildings and residential lots.
9. The proposed subdivision will provide the following amenities:
 - a. Privately-owned and operated 16,836 gsf Community Green Space for tenant use, including:
 - i. Community pavilion with outdoor seating
 - ii. Two (2) children's playsets
 - b. Water Conservation Landscaping improvements throughout the site and perimeter utilizing native grasses, flowers, and trees maintained by the Owner.
 - c. Pedestrian connectivity to public rights-of-way and resident amenities with walking trails throughout maintained by Owner.

10. The proposed subdivision will have private internal roadway widths as narrow as twenty-six (26) feet with on-street parking on both sides.

- a. Nodda Dive: Nodda Drive will provide a twenty (20') wide internal roadway with parking on one side and provide ingress/egress for emergency access.

11. Staff verified that the City of Mountain Home has adequate water and sewer capacity to service the subdivision as proposed.

12. The City of Mountain Home Fire Department has verified that fire apparatus can operate safely on streets measuring twenty-six (26) feet with parking on both sides.

13. City Staff has found that due to the size of the proposed development and the accessibility to South 5th West, there will be minimal traffic impact from the proposed development.

14. Staff has recommended the approval of the rezoning of the property as R-4 "Paiute Place" PUD.

15. The requested zoning of the property as R-4 "Paiute Place" PUD was found by the Planning & Zoning Commission to be in accordance with the city's Planned Unit Development Ordinance (9-18):

- a. The proposed uses are not detrimental to any surrounding uses, nor shall they be detrimental to the public's health, safety, and general welfare.
- b. The requested variations from the underlying zoning district development requirements are warranted by the design and amenities incorporated in the conceptual development plan.
- c. The underlying zoning district and the conceptual development plan conform to the comprehensive plan.
- d. The existing and proposed streets, roadways, and utility services are suitable and adequate for the proposed development.

Based on the foregoing FINDINGS OF FACT, the City Council for the City of Mountain Home hereby makes the following:

CONCLUSIONS OF LAW

1. The notice and hearing requirements of Idaho Code Section 67-6509(a) have been met.
2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code, the Idaho Regulatory Takings Act.
3. Relevant criteria and standards for consideration of this application are set forth in Mountain Home City Code Section 9-6-4 & Idaho Code § 50-222 and Mountain Home City Code Section 9-18-6 which the City Council deems to be in full compliance.
4. Having taken note of the Planning & Zoning Commission vote of 7-0 to recommend approval of the request to zone to R-4 PUD and approve the preliminary plat, the City Council hereby enters the following:

DECISION

The City Council hereby APPROVES the application to zone the property to R-4 with the PUD entitled "Paiute Place" PUD along with the requested preliminary plat with the following conditions:

1. Subject to site plan amendments as required by Building, Public Works, Fire, and Zoning Officials to comply with applicable City Codes and standards.
2. The Final Plat and all future development will comply with the uses and bulk & coverage controls as provided in attachments "B," "Proposed Planned Unit Agreement," and "C," "Site Masterplan & Landscape Plan."
3. Before a Final Plat is recorded, the Applicant shall receive all necessary approvals regarding water and sewer infrastructure from the Central Health District.
4. Per City Code 9-16-10(J), Failure to file and obtain the certification of the acceptance of the final plat application by the administrator within one year after action by the Commission shall cause all approvals of said preliminary plat to be null and void unless a one-year extension of time is applied for, thirty (30) days before the expiration, by the subdivider and granted by the Commission. A preliminary plat may be extended one time only, after which it shall be considered null and void.

DATED this 11th day of January, 2022.

CITY OF MOUNTAIN HOME

By 
Rich Sykes, Mayor

ATTEST:


Tiffany Belt, City Clerk



NOTICE OF RIGHT TO APPEAL

An applicant denied an application or aggrieved by a final decision or any affected person aggrieved by a final decision concerning matters identified in section 67-6521(1)(a), Idaho Code, may within twenty-eight (28) days after all remedies have been exhausted under local ordinance seek judicial review under the procedures provided by chapter 52, title 67, Idaho Code.

NOTICE OF RIGHT TO REQUEST REGULATORY TAKINGS ANALYSIS

Please take notice of the applicant's right to request a regulatory taking analysis pursuant to section 67- 8003, Idaho Code, the Idaho Regulatory Takings Act.

CERTIFICATE OF MAILING

I hereby certify on this 11th day of January 2022 a true and correct copy of the foregoing document with attachments was mailed by U.S. Mail to the following:

Emailed to:
Brenda Ellis – Development Services Department
Hank Patrick – Building Official

By: 
Tiffany Belt, City Clerk

PAIUTE PLACE R-4 PUD
Planned Unit Development Agreement

THIS AGREEMENT is made effective this 11th day of January, 2022, by and between the CITY OF MOUNTAIN HOME, IDAHO, a municipal corporation organized pursuant to the laws of the State of Idaho, of P. O. Box 10, Mountain Home, Idaho 83647, hereinafter referred to as the “City,” and Young Investment Enterprises, LLC., an Idaho limited liability company, hereinafter referred to as the “Owner” or “PP LLC”.

WHEREAS, the owner owns and desires to develop certain real property located in the City of Mountain Home, Idaho, Elmore County Tax Assessor Parcel Numbers RP03S06E365610, the “Property”, which is legally described in Exhibit A, attached hereto and incorporated herein by this reference.

WHEREAS, the owner desires to develop the property consistent with the Paiute Place Site Master Plan (the “Masterplan”), which is attached hereto as Exhibit B, and incorporated herein by this reference.

WHEREAS, this Development Agreement intends to ensure the Property is developed in a manner consistent with Mountain Home’s City Code; and

WHEREAS, the Owner has agreed to the development standards set forth herein upon the use and development of the Property with the requirements outlined in this Development Agreement; and

WHEREAS, the Paiute Place R-4 Planned Unit Development is proposed to be an attractive residential community that provides the following:

- (64) attached townhouses with 4-unit per building arranged in a pinwheel configuration.
- Walkable, family-oriented residential community within 2/3 mile of Airbase Road and 3/4 of a mile from West Elementary School.
- Privately-owned and operated 16,836 gsf Community Green Space for tenant use.
- (19) individual lots development consisting of (16) individually platted lots for each 4-unit pinwheel townhouse and (3) common lots consisting of approximately 4.86-acres under ownership of the Paiute Place HOA. (By-laws and CCR’s to be developed by Young Investment Enterprises, LLC and NC Assets, Inc. (Owner) and reviewed and approved by City of Mountain Home prior to issuance of the first Certificate of Occupancy)
- Water Conservation Landscaping improvements throughout the site and perimeter utilizing native grasses, flowers, and trees maintained by Owner.
- Exceptional pedestrian connectivity to public rights-of-way and resident amenities with walking trails throughout maintained by Owner.
- Community pavilion with outdoor seating and (2) children’s playsets. (To be reviewed and approved by City of Mountain Home prior to issuance of first Certificate of Occupancy)

NOW, THEREFORE, IN CONSIDERATION of the covenants and conditions set forth herein, the parties agree as follows:

1. Construct to City Standards: Owner agrees that all improvements required by this Agreement or by City codes shall be built to City standards or to the standards of any applicable public agency providing service to the development, adhering to all City policies and procedures; including, but not limited to the sanitary sewer improvements, water lines, fire hydrants, flood works, stormwater management, curbs, sidewalks, and roads UNLESS otherwise exempted in the proposed Planned Unit Development or this Agreement. Such policies include extending the utility lines in a manner acceptable to the City to make service available to adjoining lands and to maintain continuity of municipal systems at minimal public cost.
2. Applicable Standards: The Owner agrees that all laws, standards, policies, and procedures regarding public improvement construction that the Owner is required to comply with or otherwise meet according to this Agreement or City codes shall be those in effect when construction is commenced. If Owner fails to comply with applicable laws while constructing improvements, public or otherwise, on the lands subject to this Agreement, Owner consents to suspension of issuance of building permits or denial of certificates of occupancy until such compliance is attained.
3. Covenant to Run with the Land: The covenants herein to be performed by Owner shall be binding upon Owner and Owner's heirs, assigns, and successors in interest, and shall be deemed to be covenants running with the land.
4. Severability: Should any provision of this Agreement be declared invalid by a court of competent jurisdiction; the remaining provisions shall continue in full force and effect and be interpreted to effectuate the purposes of the entire Agreement to the greatest extent possible.
5. Merger and Amendment: All promises and prior negotiations of the parties merge into this Agreement. The parties agree that this Agreement shall only be amended in writing and signed by both parties. The parties agree that this Agreement shall not be amended by a change in law. The parties agree that this Agreement is not intended to replace any other requirement of City Code and that its execution shall not constitute a waiver of requirements established by City ordinance or other applicable provisions of law.
6. Allowed Land Use Permitted by Right:
 - a. Residential Area:
 - i. Single-Family Detached Homes
 - ii. Single-Family Attached Homes
 - iii. Townhouse Residential

*All allowed uses shall not have an on-street parking requirement.

7. Development Schedule: It is the intent of the Applicant/Owner to commence site development as soon as possible after engineering approval, with the goal of completing all civil improvements and recording a plat no later than one year after City Council approval. The preliminary plat approval shall become null and void if the applicant fails to either 1) obtain the City Engineer signature on a final plat within one year; or 2) obtain approval of a time extension of one year from City Council. Vertical construction, other than model homes, shall commence thereafter and continue at a pace driven by market absorption.
8. Subdivision Design Standards: All future development and improvements shall conform to the standards and regulations of Mountain Home City Code Title 9 – Chapter 16 – Section 13: Subdivision Design Standards for the area designated as “Paiute Place R-4 PUD”, or as amended, and all references to other sections therein except for the following:
- a. Street Right of Way Widths:
 - i. Perimeter Streets:
 - 1. S5th W Street: 52’ ROW (no additional ROW required). Owner to construct ½ width frontage.
 - 2. SW Paiute Street: 52’ ROW (no additional ROW required). Owner to construct ½ width frontage.
 - ii. Internal Streets.
 - 1. Esa Drive: 26’ inside curb-to-curb w/ integrated curb and gutter both sides and sidewalk on north side.
 - 2. Padooa Drive: 26’ inside curb-to-curb integrated curb and gutter both sides and sidewalk on west side.
 - 3. Ada Drive: 26’ inside curb-to-curb integrated curb and gutter both sides.
 - 4. Nodda Drive: 20’ inside curb-to-curb integrated curb and gutter both sides.
 - iii. Pedestrian Walkways
 - 1. Sidewalks will be contiguous with the public streets and will be concrete and 10’ wide along S 5th W and SW Paiute Streets. Sidewalks will be located within the street right of way OR in a street-side buffer strip/common lot.
 - 2. Pathways will be concrete and at least 5’ wide located in common internal circulation paths including all accessible routes to all development amenities.
 - b. Mailboxes
 - i. The development shall provide cluster mailboxes as indicated on the Site Masterplan plan or as approved by the local postmaster and Public Works Director.
 - c. Easements/Utility and Drainage way
 - i. Unobstructed utility easements shall be provided consistent with sheets PP-01 and PP-02 of the PUD Application. Easements of greater width may be required along lines across lots or along boundaries where necessary for surface drainage or the extension of main sewers or other utilities.

Stormwater from public roadway improvements on the south and west sides of the project may shed drain to stormwater inlets located within the curb and gutter to stormwater retention facilities located within project perimeter landscape buffers.

d. Lots/Blocks:

- i. Blocks: Block length shall not exceed nine hundred feet (900').
- ii. Lots
 1. Corner lots shall NOT BE REQUIRED to be twenty percent (20%) greater in size than the minimum lot size for the zoning district.
 2. At the time of platting, corner lots ARE NOT required to be larger to accommodate setbacks for two (2) street frontages.

e. Buffer yards And Reserve Strips

- i. Buffer Yards and Reserve Strips: Fifteen-foot (15') buffer yard areas shall be located along features such as arterial roadways, highways, railroads, commercial or industrial uses to screen the view from residential properties and may include a part of the normal street right of way or utility easement, as approved through engineering plan review. Fifteen-foot (15') min. front and rear buffer yard area shall be located adjacent to S 5th W and SW Paiute Street property lines. Five-foot (5') min. side buffer yard area shall be located at north property line; and Ten-foot (10') side buffer yard area shall be located at east property line. Streetlights may be located in the buffer areas, provided that a maintenance easement is noted on the face of the plat. These fifteen-foot buffer areas shall be developed according to the landscape standards of the Paiute Place R-4 PUD.

f. Public Spaces, Open Spaces, & Amenities

- i. The Owner shall construct and provide the following, as shown on the Site Masterplan:
 1. A privatetenant community green spacethat is a minimum 16,836 gross square feet for the private use and enjoyment of the community residents. The Park at minimum shall consist of the following components:
 - a. Two (2)Children's Playground Sets.
 - b. Community Outdoor Pavilion.
 - i. Including two (2) picnic tables and chairs.
 - c. Screened Trash Enclosure Areas.
 2. A covered school bus stop with LED lighting on S5th W Street owned and maintained by Paiute Place HOA.
 3. Public street, private drive, and private parking exterior 100% LED downlighting.
 4. A minimum of one (1) assigned covered resident parking per unit with one (1) uncovered assigned parking stall.
 5. Unassigned visitor parking.

6. Screened trash enclosures.
 7. A minimum of (1,600) lineal feet of internal neighborhood pathways, to be owner and maintained by the HOA.
- g. Homeowners' Agreement And/or Maintenance Agreement: to be recorded after recordation of the first final plat for Paiute Place R-4 PUD. It shall include, at a minimum, the following elements:
- i. Shared parking agreement for the common parking area for visitor parking stalls.
 - ii. Maintenance obligations of the Homeowner's Association, including all PUD common areas and buffers.
 - iii. Maintenance obligation of each owner.
 - iv. Pet policies and limitations for each Homeowner.
9. Bulk & Coverage Standards; Setbacks: All future development and improvements shall conform to the standards and regulations of Mountain Home City Code Title 9 – Chapter 7 – Section 6: Zoning Districts, (C) R-4 zone/residential zone for the area designated as “Paiute Place R-4 PUD”, or as amended, and all references to other sections therein except for the following:
- a. Minimum Lot Size: *R-4 minimum per 9-7-8 is 5,000 gsf.* Each 4-unit lot shall be in excess of 5,000 gsf.
 - b. Lot Coverage: *R-4 is N/A per 9-7-8.*
 - c. Minimum Street Frontage: *R-4 is 50feet per 9-7-8.* Each lot shall exceed the 50' min. frontage requirement per City Ordinance.
 - d. Side setback, interior: *R-4 is 5 feet per 9-7-8.* The side setbacks shall vary in size from zero-lot-line for Buildings 8, 9, & 10 to between 2' and 4' for Buildings 11-16. Buildings 1-7 exceed 5' min. side yard setback requirements.
 - e. Street side yard setback: *R-4 is 15 feet from ROW edge per 9-7-8.* PP shall provide minimum 15'-0" side yard setback.
 - f. Interior side yard setback: *R-4 is 5' from property line per 9-7-8.* PP shall provide minimum 5'-0" side yard setback.
 - g. Front yard setback: *R-4 is 15 feet from ROW edge per 9-7-8.* PP shall provide minimum 15'-0" front yard setback.
 - h. Rear yard setback: *R-4 is 15 feet from property line per 9-7-8.* PP shall provide a minimum 10'-0" rear yard setback.
 - i. Maximum building height: *R-4 is 30 feet from grade per 9-7-8.* PP shall not exceed 30'-0" in height.
 - j. Minimum floor area: *R-4 is N/A per 9-7-8.*
10. Residential Planned Unit Development Design Standards: All future development and improvements shall conform to the standards and regulations of Mountain Home City Code Title 9 – Chapter 19 – Article B: Residential Planned Unit Development Design Standards for

the area designated as “Paiute Place R-4 PUD”, or as amended, and all references to other sections therein except for the following:

- a. Landscaping: Landscaping will be as illustrated on the Paiute Place Concept Site Masterplan (Ex. B), with detailed City of Mountain Home review and approval through the engineering review process. Paiute Place shall plant/maintain all landscaping consistent with PUD Application with Water Conservation Landscaping plants. Native vegetation is encouraged when and where available and feasible.
- b. Building Design:
 - i. Conceptual building designs are included as Exhibit C to this Agreement. Final building designs shall be materially and substantially consistent with the conceptual plans illustrate in Exhibit C.
 - ii. Lot coverage shall not exceed seventy percent (70%).

11. Sign Regulations:

- a. A single monument sign shall be provided as follows:
 - i. An approximate 3' x 8' “rock or stone monument sign” located at the community entrance at corner of Esa Drive and SW Paiute Street, and shall generally follow the aesthetics indicated with attached example image:
 - 1. Said monument sign shall be maintained and repaired/replaced by the Paiute Place HOA if damaged at any time throughout the lifespan of the development. The same responsibility for maintenance shall be transferable to new owner(s) at the time of purchase.



12. Landscaping Requirements: All future development and improvements shall conform to the standards and regulations of Mountain Home City Code Title 9 – Chapter 11 – Sections 7: Residential Landscaping, and consistent with the Paiute Place Concept Site Masterplan (Ex. B).

13. Community Building and Office Permits: Provided that all essential utility connections are available, the project shall be eligible for one 4-unit model home building permit and limited model home certificate of occupancy prior to the final plat recording, including.

a. Attached townhome.

i. A building permit will be allowed for construction of the attached multi-unit plex, HOWEVER only one model of a multi-unitplex may be finished and receive a temporary certificate of occupancy prior to plat recording.

14. Fiber Infrastructure Requirements:

a. The developer shall install fiber conduit, ducts, vaults, and handhold boxes as designed by the City and provided for by City standards for fiber installation at the time of construction. All such installations shall be subject to City inspection and require City approval before cable installation.

b. Developer and/or Property owner shall designate on the required final plat and building site plan the locations where the fiber drop duct ends shall terminate. All installation of fiber duct and related infrastructure shall be installed according to the standards adopted by the City of Mountain Home and subject to inspection and approval by the City of Mountain Home before issuance of a certificate of occupancy.

c. The developer shall pay all associated fiber development fees at the time building permits are pulled pursuant to the applicable city ordinance.

15. Impact Fees:

a. Development impact fees shall be calculated at the time of building permit application and imposed at time of building permit issuance according to applicable City of Mountain Home impact fee ordinance.

16. Traffic Impact Mitigation:

a. The Owner shall be responsible for restriping S 5thW Street from the edge of property line to the intersection of SW Paiute Street consistent with existing striping and traffic patterns.

i. The owner shall complete the improvement prior to any building or dwelling unit receiving certificate of occupancy (excluding the model units).

17. Future Development Agreement(s):

This Planned Unit Development Agreement does not prohibit the City of Mountain Home from requesting additional development agreements concerning new or different

infrastructure and public improvements that is not addressed in this Agreement or the approved Concept Site Masterplan, provided that nothing therein shall be construed to be an additional post-approval requirement for plat recording.

18. Enforcement - Attorney's Fees: Should either party require the services of legal counsel to enforce compliance with the terms of this Agreement, the prevailing party shall be entitled to its reasonable attorney's fees and related costs of enforcement.

IN WITNESS WHEREOF, the City of Mountain Home has caused this Agreement to be executed by its Mayor and City Clerk, and the Owner has executed this Agreement to be effective the day and year first above written.

SIGNATURE PAGES FOLLOW

CITY OF MOUNTAIN HOME

By:

Rich Sykes
Rich Sykes, Mayor

ATTEST:

Tiffany Belt
Tiffany Belt, City Clerk



STATE OF IDAHO)

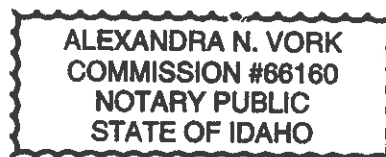
) ss.

County of Elmore)

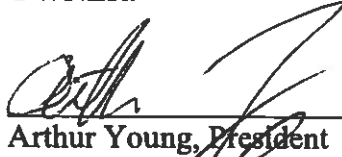
On this 11th day of January, 2022, before me, the undersigned, a Notary Public in and for said state, personally appeared Rich Sykes and Tiffany Belt, known to me to be the Mayor and City Clerk, respectively, of the City of Mountain Home and the persons who executed the foregoing instrument and acknowledged to me that they executed this Agreement on behalf of the City of Mountain Home in their official capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year in this certificate above written.

Alexandra N. Vork
Notary Public for Idaho
Residing at Mountain Home, Idaho.
Commission Expires: 8/26/2027



OWNER:




Arthur Young, President

ACKNOWLEDGMENT

STATE OF Idaho)
) ss.
County of Elmore)

On this 31st day of January, 2022, before me, the undersigned, a Notary in and for the State of Idaho, personally appeared Arthur Young, known or identified to me to be the persons who executed the foregoing instrument and acknowledged to me that they executed the same as Owner of the Property.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by notarial seal the day and year in this certificate first written.



Notary Public for Idaho
Residing at: Hammett
Commission Expires: 3-1-2022

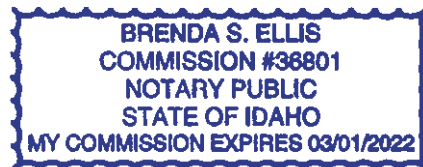


EXHIBIT A: PROPERTY LEGAL DESCRIPTION



YOUNG PROPERTY LEGAL DESCRIPTION

That portion of the Southwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 36, Township 3 South, Range 6 East, Boise Meridian, Limore County, Idaho, particularly described as follows:

COMMENCING at the southwest corner of said Section 36, from which the south quarter corner of said Section 36 bears South 89°41'18" East, 2,638.80 feet, Thence along the west line of said Section 36, North 00°02'01" West, 1338.39 feet to the south sixteenth corner of said Section 36, thence North 00°00'49" West, 20.00 feet along said west line to the **POINT OF BEGINNING**;

Thence continuing North 00°00'49" West, 639.34 feet along said west line to the northwest corner of said Southwest Quarter of the Northwest Quarter of the Southwest Quarter, Thence South 89°47'15" East, 331.13 feet along the north line of said Southwest Quarter of the Northwest Quarter of the Southwest Quarter, Thence South 00°01'12" West, 639.52 feet departing from said north line to the south line of said Southwest Quarter of the Northwest Quarter of the Southwest Quarter, Thence North 89°45'25" West, 330.75 feet along said south line to the **POINT OF BEGINNING**

The above-described parcel contains 4.86 acres of land, more or less

END DESCRIPTION

This description was prepared by me or under my supervision. If any portion of this description is modified or removed without the written consent of Robert L. Kazarnoff, PLS, all professional liability associated with this document is hereby declared null and void.

Robert L. Kazarnoff, PLS 16642

Date

ATTACHMENT "A"

TRUSTEES' DEED

Marcia E Bianco Trustee, of the Marcia E Bianco Living Trust dated December 7, 2017 as grantor and parties of the first part, and Arthur Young and Odontuya Young, husband and wife as community property with right of survivorship whose address is 1330 Juniper ST, Mountain Home, ID 83647 grantee and parties of the second part,

WITNESSETH, that the said party of the first part, for good and other valuable consideration, to them in hand paid by said parties of the second part, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey without warranty unto the said party of the second part the following property situated in Elmore County, State of Idaho, to-wit:

Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho
Section 36: S1/2W1/2W1/2NW1/4SW1/4

SAVE AND EXCEPT the South 20 feet conveyed to Mountain Home Highway District, a quasi-municipal corporation for highway purposes by Deed recorded October 14, 1964 in Book 4 of Highway Deeds at page 16, records of Elmore County, Idaho.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with appurtenances, unto the party of the second part and their heirs and assigns forever.

DATED this 21st day of October, 2020

rcia E Bianco

rcia E Bianco, Trustee

lastraaat # "8!t19 # J
ELMORE COUNTY, Idaho
Oct 27, 2020 10:55: - fee: S 15.08
For: GUARANTY nn.J: INC
SHELLEY ESSL Recorder
DELLIS, Deputy

See Attached
Acknowledgement for
By
Jenny Public

ATTACHMENT "A"

STATE California

COUNTY OF i"d

On this 22. day of October, 2020 before me a Notary Public in and for said State, personally appeared Marcia E Bianco be the person whose name is subscribed to the within instrument as trustee of the Marcia E Bianco Living Trust and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate (first abo

C..v:42

Notary Public for California
Residing at: ""u\o.u2.
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PAIUTE PLACE
149 S 5TH W STREET
MOUNTAIN VIEW, ID 83414

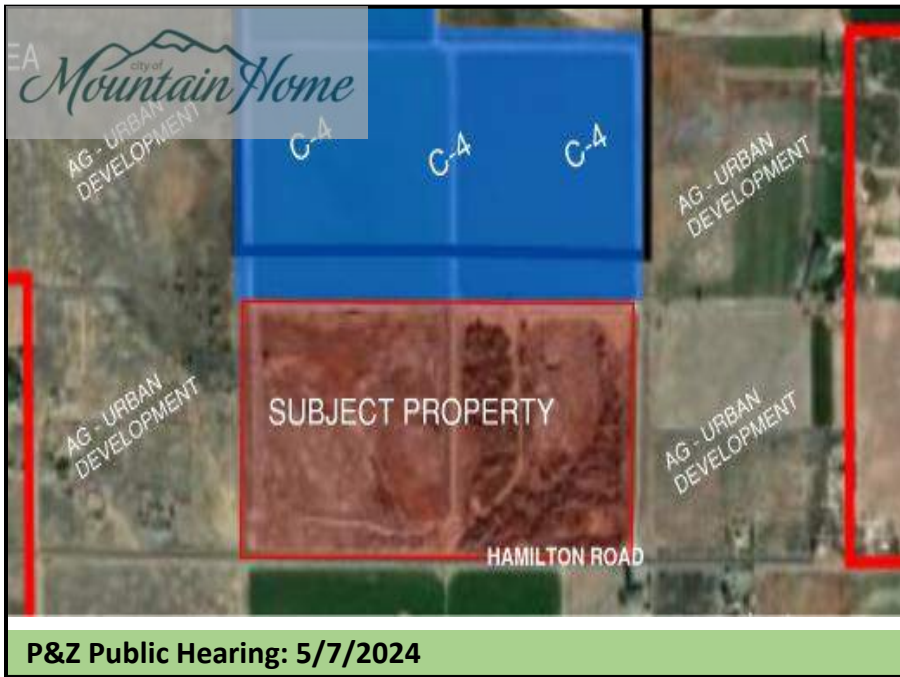
CONCEPT SITE MASTER PLAN
A101

PAIUTE PLACE
149 S 5TH W STREET
MOUNTAIN VIEW, ID 83414

CONCEPT SITE MASTER PLAN
A101

EXHIBIT C: CONCEPTUAL BUILDING DESIGNS





Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Brenda Ellis,
Senior City Planner

Request: To **Annex and Zone to C-4** two parcels of land located on the north side of Hamilton Road, West of South 18th East and east of Highway 51. This annexation will also include the entirety of Hamilton Road that fronts these parcels of land.

Application: PZ-24-17

Applicant:

Chris Curtis, City of Mountain Home Public Works Director
1150 South Main Street
Mountain Home, ID 83647

Request Summary

To **Annex and Zone to C-4** two parcels of land which is approximately 80 acres located north side of Hamilton Road, west of South 18th East Street and east of Highway 51. This annexation will also include the entirety of Hamilton Road that fronts these parcels of land. (RP04S06E119000 & RPO04S06E126000)

The annexation of the two parcels abut the existing Wastewater facility and will allow the expansion of the City's Wastewater treatment facility.

The parcels inside the City Limits of the City of Mountain Home that make up the City's wastewater lagoon system are zoned C-4 Heavy Commercial. Staff has determined that given the location of the subject property to the existing C-4 Commercial District, and the Future Land-Use Map defines the area as open space, and that the City of Mountain Home seeks to expand wastewater treatment facility the C-4 Commercial Zoning designation is appropriate and recommended. The facility will be compatible with the area.

Property History

The two parcels are currently vacant and owned by the City of Mountain Home.

Approval Process

Under Title 9, Chapter 6, Section 4: Annexation, The Planning & Zoning Commission shall hold at least one public hearing for each annexation and zoning request as prescribed by Idaho Code and this chapter, public hearings. Further, the

The Commission shall file its recommendation on each annexation application with the city clerk as prescribed in this chapter. The Commission's recommendation on annexation applications shall be in accordance with the following policies:

- That the annexation shall incorporate the city sewer planning area.
- Be consistent with existing areas of impact agreements.
- Attempt to balance costs of services with anticipated revenues.

d. Promote other population balance goals, contiguous development, and prevention of costs due to leapfrog development.

e. Promote to keep city limit boundaries that are squared off and not irregular in shape.

Notification & Responses

- A notification was sent to eight (8) property owners within 300 ft. on 04/11/2024.
- A notification was sent to twenty-eight (28) Public Entities within 300 ft. on 4/11/2024.
- Notice of Public Hearing was in the Mountain Home News on 4/17/2024 and 4/24/2024.
- Notice of the Public Hearing was posted on the property on 4/11/2024.
- As of 05/01/2024, we have received No letters in support of the proposed Annex and Zone Permit.
- As of 05/01/2024, we have received no letters in opposition to or in favor of the proposed Annex and Zone.

Comprehensive Plan Compliance

The comprehensive plan identifies the need to maintain a quality sewer system for the community. To minimize sanitary sewer overflows. Maintain to the highest standards all facilities and community equipment in order to provide reliable service, and update and install new infrastructure when needed (Comp. Plan Pg. 106). In addition, the Comprehensive Plan identifies the importance of proactive planning for existing and future sewer needs of the community in order to provide for orderly and rational extension of the sewage facility (Comp. Plan Pg. 107).

The City of Mountain Home will continue to look toward landowner willingness for annexation. This annexation has been initiated by the landowner and is within the City's Area of Impact. (Comp. Plan Pg. 40)

Applicable Regulations or Codes

Idaho Code Section 50-222, The City of Mountain Home is authorized to annex land into its corporate boundary. This is a Class A annexation, initiated by the landowner.

City Code 9-6-4, City of Mountain Home Annexation Regulations.

Conclusion

If the Commission determines the proposed request appropriate, you may recommend approval of the requested annex and zone to the City Council with the following conditions:

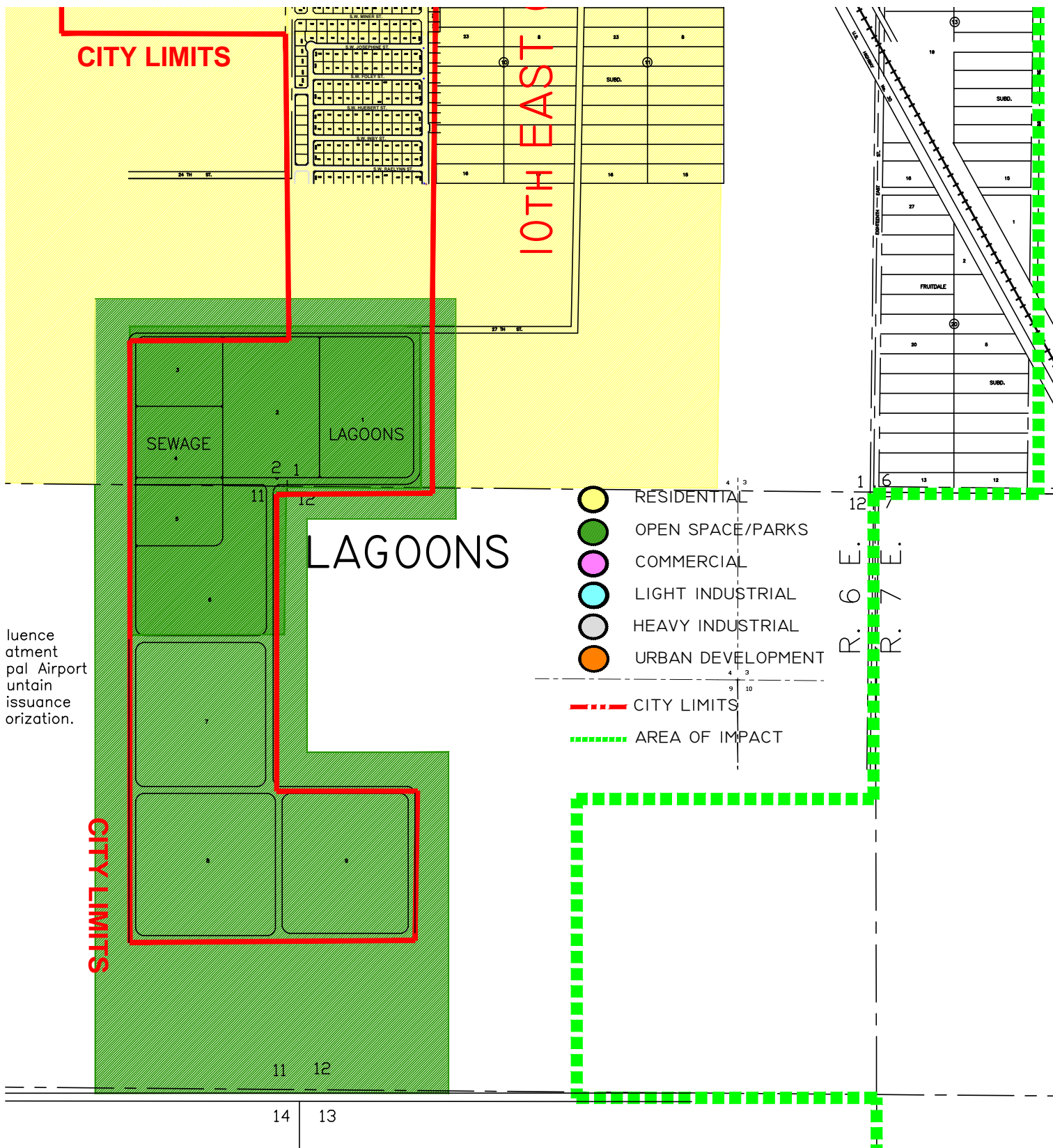
1. Subject to site plan amendments as required by Building, Public Works, Fire, and Zoning Officials to comply with applicable City Codes and standards.
2. All future development will comply with the use, bulk, and coverage controls of the C-4

(Heavy Commercial) Zoning District.

Attachments

1. Current Zoning Map
2. Future Land Use Map
3. Vicinity Map
4. Applicant Narrative





Future Land Use Map



The parcel number is RP04S06E119000
Owner Name: CITY OF MOUNTAIN HOME
Address:
Subdivision: T4S R6E
Legal Description: Se4se4, Sec 11, T4s R6e

The parcel number is RP04S06E126000
Owner Name: CITY OF MOUNTAIN HOME
Address:
Subdivision: T4S R6E
Legal Description: Sw4sw4, Sec 12, T4s R6e

Hamilton Road

Hamilton Road

Hamilton Road

Vicinity Map

City Property Annexation Narrative

The City of Mountain Home is seeking to annex two parcels of land (RP04S06E119000, RP04S06E126000) and rezone it to C-4 (Heavy Commercial) for the expansion of the City's Wastewater treatment facility. The City currently owns both properties, and the Idaho Department of Environmental Quality (IDEQ) is working closely with the City to ensure that the land use is appropriate and won't have any adverse effects on the neighboring properties. It's worth noting that while Elmore County has designated the land as Agricultural, the City's Area of Impact Map identifies it as Urban Development, indicating the City's long-term plans for the area.

Thank you for considering our application.



June 4, 2024

Re: Preliminary Plat Extension Request (PZ-24-21) – Blue Yonder PZ-22-90

Planning & Zoning Commission,

Before you is a request for a preliminary plat extension. Shawn Brownlee of Trilogy Development, on behalf of the owner Endurance Holdings, has submitted a request and a narrative (Attachment A) for a preliminary plat (Attachment B) extension for the Blue Yonder Subdivision.

The Planning & Zoning Commission may grant a one-year extension on an approved Preliminary Plat, per City Code, 9-16-10 (J), with the provision that the request for extension is applied for thirty (30) days before expiration.

9-16-10(J) Approval Period: Failure to file and obtain the certification of the acceptance of the final plat application by the administrator within one year after action by the commission shall cause all approvals of said preliminary plat to be null and void, unless a one year extension of time is applied for, thirty (30) days before the expiration, by the subdivider and granted by the commission. A preliminary plat may be extended one time only, after which it shall be resubmitted to the administrator and the commission.

The application submittal of the Blue Yonder Subdivision Preliminary Plat and a Conditional Use Permit was submitted by Jane Suggs of Gem State Planning on August 22, 2022. A public hearing was held on October 17, 2022 before the Planning & Zoning Commission and formal approval of the Findings of Fact were signed and dated November 7, 2022 (Attachment C). Formal approval of the Findings of Fact by City Council were signed and dated November 28, 2022. (Attachment D).

Development Plans for the Blue Yonder Subdivision phase one (PZ-23-10) for thirty-six lots were submitted by Judy Schmidt, of Bailey Engineers, on February 15, 2023, and the fees were paid on February 24, 2023. On 03/03/2023 Fiber and Streets, uploaded review comments to the portal. Planning and zoning, Fire, Police, Water, and Wastewater made no comments regarding the development plans, and the Development Plans received final approval on March 17, 2023, with a final comment that the QLPE had been sent.

On May 11, 2023, Judy Schmidt, submitted the development plans for phase two (PZ-23-33), which included seven lots, plus fourteen of the four-plex units approved by a conditional use



permit. The fees for Phase two were paid June 14, 2023. On 06/21/2023 Fire uploaded comments for fire hydrant spacing, and Water and Sewer commented that they were awaiting the QLPE to be complete. Planning and Zoning, Police, Fiber, and streets made no comments regarding the development plans, and the Development Plans received final approval on October 30, 2023.

According to the applicant, they were on track to request the extension request In September of 2023, before the expiration date, however the applicant was given faulty information via email, as seen in the narrative letter. The applicant was informed that if the project has approved plans and the project is active that no time extension request is necessary. If approval of the extension is granted the commission could decide to do a retroactive extension of the preliminary plat, dated back to the Planning and Zoning Commission approval date of November 7, 2023, thereby extending the plat expiration to November 7, 2024.

Applicant has submitted their final plat for phase one of the Blue Yonder if the extension request is approved the applicant anticipates recording the plat in June or July . All infrastructure has been approved.

This item was scheduled for the May 7th, 2024 Planning and Zoning meeting but due to not having a quorum it has been moved to the next meeting set for May 21st, 2024 at 5:30 P.M.. The May 21, 2024 meeting was also cancelled due to a lack of quorum and is set to be heard on June 4, 2024.

As mentioned there was no notification system for upcoming expirations of applications in place as a courtesy to applicants. Staff has created a reminder system utilizing the calendars in Outlook, as well as a date of notification reminder of upcoming expiration in the Planning & Zoning Repository spread sheet. Staff is also looking to modify the OpenGov application portal to generate a reminder as well. Had a system been in place prior to plat expiration, the developer may have been able to avoid the plat becoming null and void and the added time delay of an additional public hearing for approval of a prior approved preliminary plat.

For your consideration.

Brenda Ellis
City of Mountain Home
Senior City Planner

Attachment A – Applicant Narrative
Attachment B – Preliminary Plat



Attachment C – PZ FOF

Attachment D – CC FOF

Trilogy Development, INC.

9839 W. Cable Car St.
Boise, ID 83709

Office: 895-8858
Fax: 895-0714

April 10, 2024

Brenda Ellis
City of Mountain Home
160 S 3rd East
Mountain Home, ID 83647

RE: Blue Yonder Subdivision | Preliminary Plat Reinstatement

Dear Mountain Home P&Z and City Council:

We are requesting the consideration of the council to renew the status of the Preliminary Plat under the name Blue Yonder Subdivision.

On behalf of Trilogy Development, please accept this request for Blue Yonder Subdivision. The project is in the SE ¼ of the SE ¼ of Section 35, T.3S., R.6E., B.M., of Mountain Home, Elmore County, Idaho. It is slated to provide 254 total dwelling units on approximately 39.97+/- acres.

The City Council initially heard this matter on November 14th, 2022; the Decision and Recommendation was signed and dated on November 28th, 2022. According to City Code 9-16-10(J), failure to obtain certification of the acceptance of the final plat application within one year causes all approvals of our preliminary plat to be null and void.

We would like to explain ourselves and why we failed to submit the final plat application within the first year. Our internal process to submit a time extension was initiated in September 2023, but we received faulty information that stopped this process. We were led to believe that a time extension was not necessary if we had approved plans, and the project was active (see attached email thread). The construction of the project was underway, and we were on track to complete the improvements needed to record the final plat in 2024. We held a preconstruction meeting with the City on 8-1-23; the project is currently prepping roadways for asphalt.

The City Code states in 9-16-11(C) that the final plat shall be filed and recorded with the Elmore County recorder within one year after the approval by the council. We would like to ask for reinstatement of the Preliminary Plat as we will be ready to have the final plat recorded within 2024. If the Council were to reinstate the Preliminary Plat, we are confident that we would be able to fulfill the general time window of 2 years that the Code allows for a final plat to be recorded (under normal conditions).

We are asking the City Council to reinstate the Preliminary Plat and accept our Final Plat application, along with any time extension fees, and to reinstate along with the condition that we must record within 6 months of reinstatement. If any questions, please call me at 208-860-8371.

Sincerely,



Shawn Brownlee
Trilogy Development, Inc.



Brady Leggett

From: Shawn Brownlee
Sent: Thursday, September 28, 2023 3:34 PM
To: Brady Leggett
Subject: RE: Reminder: Final Plat (Blue Yonder #1 2023), Send Reminder, 09/15/23

Good news, Mtn Home says that if the project has approved plans and project is active, no TE necessary 😊

Thanks,



Shawn Brownlee
9839 W Cable Car Ste 101
Boise, ID 83709
(208) 639-7293 office
(208) 860-8371 cell

From: Brady Leggett via Smartsheet <reminder@app.smartsheet.com>
Sent: Friday, September 15, 2023 3:18 AM
To: Shawn Brownlee <shawn@trilogyidaho.com>
Subject: Reminder: Final Plat (Blue Yonder #1 2023), Send Reminder, 09/15/23



Row 44

City Mountain Home

Project Manager Shawn Brownlee

Project Name Blue Yonder #1

Row Type F-Plat

WBS# F-Plat

Task Name Final Plat

Duration 262d

Start 11/14/22

Finish 11/14/23

Send Reminder 09/15/23

Predecessors

Subcontractor

Status Need!

Comments

Assigned To Shawn Brownlee

Ready By

Cost

Start (manual)

**Finish
(manual)**

Pre-Con 08/01/23

Asphalt done 11/22/23

**Final Plat
Status**

Ownership

Buildable lots

Winter Work

Plan Status

Engineer

Surveyor

Print?

**Land Drive
status**

IRR District

LA Status

**P-Plat
Approval Date** 11/14/22

**P-Plat
Expiration** 11/14/23

P-Plat Status Need!

**P-Plat
Comments** 11/14/22 was approval of PPlat.

**Final Plat
Approval Date** 11/14/22

**Final Plat
Expiration** 11/14/23

**Final-Plat
Status** Need!

**Final Plat
Comments**

**Road
Contractor**

**Pipe
Contractor**

Cut In/Grading DONE

Joint Trench Idaho Power

Concrete Xcel

**Asphalt
Prep/Pave** Wright Const

Street Lights B&B

Fence Butte Fence

Landscape Eloy

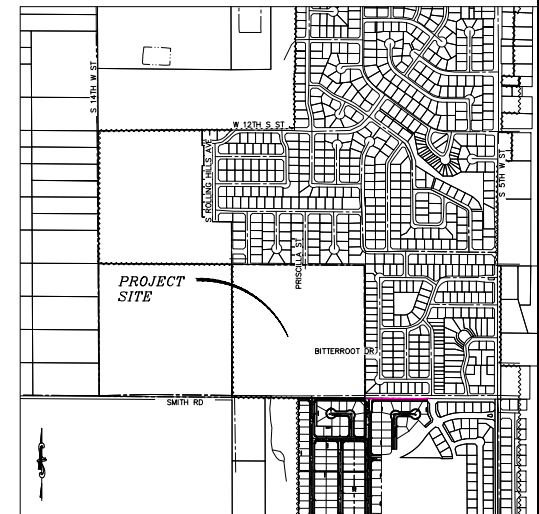
Billed

**Payment
Received**

**Bid Budget
Approved** Approved/Not Sent/Sent

PRELIMINARY PLAT FOR
BLUE YONDER SUBDIVISION

LOCATED IN THE E 1/2 OF THE SW 1/4 AND THE SW 1/4 SR 1/4
OF SECTION 35 T.35S, R.66E, B.M.
CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO
2022



PLAN SHEET INDEX

SHEET	DESCRIPTION
PP-1	SHEET INDEX, VICINITY MAP, NOTES.
PP-2	PRELIMINARY PLAT
PP-3	PRELIMINARY PLAT TABLES
PP-4	EXISTING FEATURES
PP-5	ADJACENT PROPERTIES
PP-6	CONCEPTUAL ENGINEERING PLAN
PP-7	CONCEPTUAL SEWER PROFILES
PP-8	CONCEPTUAL SEWER PROFILES
PP-9	CONCEPTUAL SEWER PROFILES
PP-10	CONCEPTUAL SEWER PROFILES

OWNERS
ENDURANCE HOLDING LLC
1871 E OVERLAND RD
MERIDIAN, ID 83842

DEVELOPER
TRILODY DEVELOPMENT, INC.
9839 W CABLE CAR ST
BOISE, ID 83709

ENGINEER
DAVID A. BAILEY, P.E.
BAILEY ENGINEERING, INC.
1178 E. STATE ST., SUITE 210
EAGLE, ID 83616

PLANNER/CONTACT
SHAWN BROOKHUIS
TRILODY DEVELOPMENT, INC.
9839 W CABLE CAR ST
BOISE, ID 83709
208-655-8555

JANE BUGGS
GENESTATE PLANNING, LLC
8840 W OVERLAND RD, STE 120
BOISE, ID 83616

LEGEND	
RIGHT-OF-WAY LINE	LOT LINE
PROPOSED SEWER LINE	PROPOSED WATER LINE
STORM DRAIN LINE	ROAD CENTERLINE
ROLLUP CURB/OUTER AND SIDEWALK	LOT NUMBER
LOT AREA	BLOCK NUMBER
FLOW ARROW	STREET NAME
HANDICAP RAMP	HYDRANT
STREET LIGHT	

SURVEY LEGEND	
SUBDIVISION BOUNDARY	EXISTING CONTOUR
EXISTING CURB & SIDEWALK	EXISTING EDGE OF PAVEMENT
EXISTING WATER LINE	EXISTING SEWER LINE
FOUND ALLUMINUM CAP MOUNTING, PLS 15758 UNLESS OTHERWISE NOTED	FOUND 1/2" x 24" 80% PIN WITH PLASTIC CAP, PLS 15758
FOUND 1/2" x 24" 80% PIN WITH PLASTIC CAP, PLS 15758 UNLESS OTHERWISE NOTED	FOUND 1/2" x 24" 80% PIN WITH PLASTIC CAP, PLS 15758 UNLESS OTHERWISE NOTED
EXISTING POWER POLE	EXISTING STOP POLE
WALKWAY CLUSTER	

DEVELOPMENT FEATURES

ACREAGE
PARCEL: 35.57 ACRES

LOTS
TOTAL LOTS: 117
TOTAL DWELLING UNITS: 254
5F RESIDENTIAL: 18 LOTS
4PLEX BUILDINGS: 36, 1 LOT, 140 UNITS
DUPLEX BUILDINGS: 10, 10 LOTS, 20 UNITS
COMMON LOTS: 12

DENSITY
OVERALL DENSITY: DUACRE - 6.35

OPEN SPACE
COMMON AREA: 3.23 ACRES TOTAL
MINUS BUFFER: 2.75 ACRES
PARK IN APLEXES: 1.5 ACRES
USABLE OPEN SPACE: 4.2 ACRES 10.5%

PARKING
311 REGULAR PARKING SPACES
16 HANDICAP VAN ACCESSIBLE

ZONING
EXISTING: COUNTY RR
EXISTING: MOUNTAIN HOME R4
PROPOSED: R4

SEWAGE DISPOSAL
CITY OF MOUNTAIN HOME

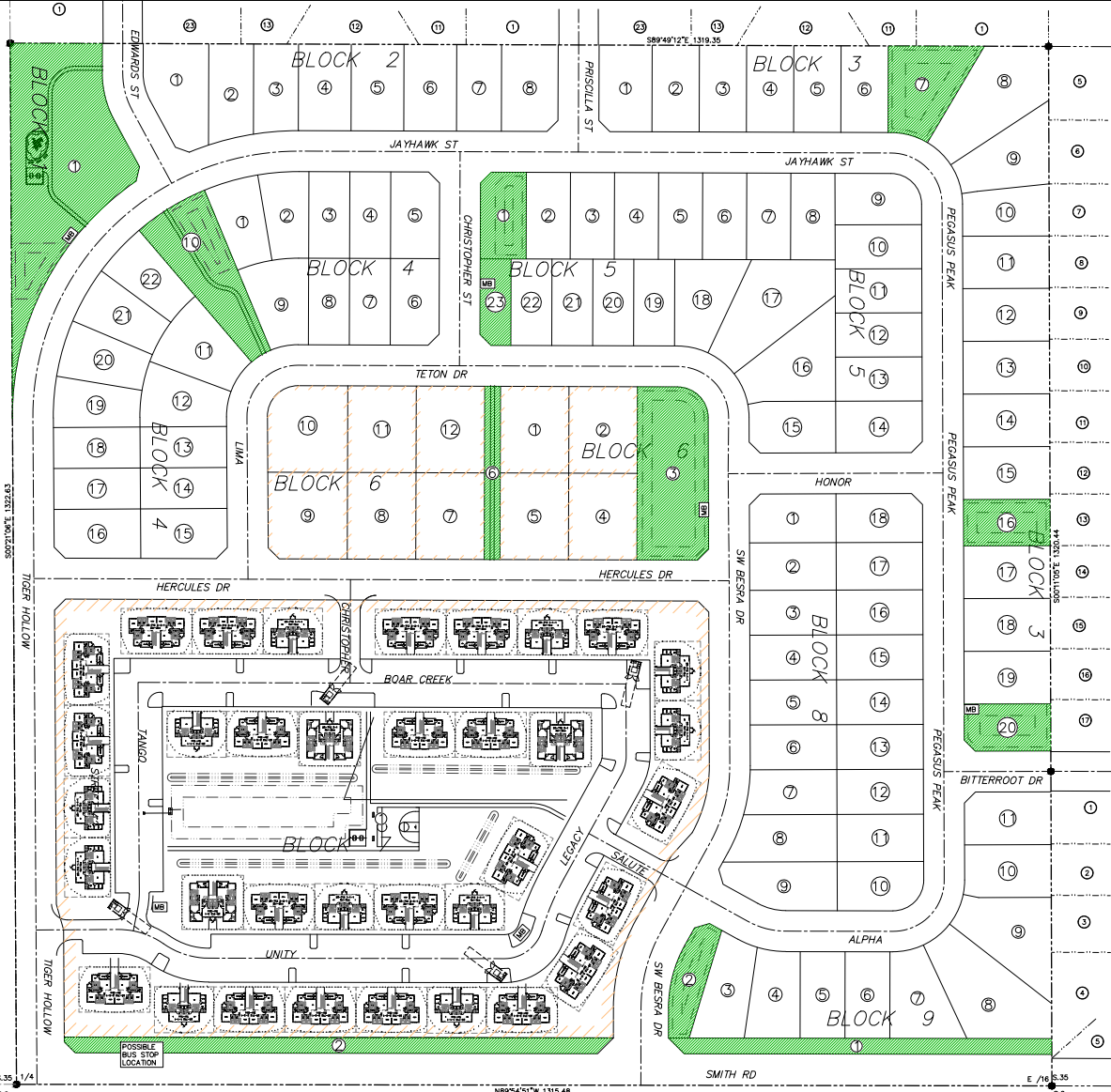
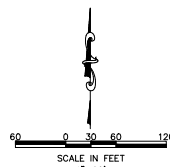
WATER SUPPLY
CITY OF MOUNTAIN HOME

CITY
MOUNTAIN HOME

SCHOOL DISTRICT
MOUNTAIN HOME

FIRE DISTRICT
MOUNTAIN HOME

IRRIGATION DISTRICT
NONE



- NOTES:
- A TEN (10) FOOT WIDE PERMANENT PUBLIC UTILITIES AND PROPERTY DRAINAGE EASEMENT IS HEREBY DESIGNATED ALONG ALL LOT LINES COMMON TO A PUBLIC RIGHT-OF-WAY AND ALONG ALL REAR LOT LINES. A FIVE (5) FOOT WIDE PUBLIC UTILITIES AND PROPERTY DRAINAGE EASEMENT IS HEREBY DESIGNATED ALONG EACH SIDE OF INTERIOR LOT LINES UNLESS OTHERWISE SHOWN.
 - ANY RE-SUBDIVISION OF THIS PLAT SHALL BE IN COMPLIANCE WITH THE MOST RECENTLY APPROVED SUBDIVISION STANDARDS OF THE CITY OF MOUNTAIN HOME.
 - THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NON-AGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS NOT CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
 - BUILDING SETBACKS IN THIS SUBDIVISION SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS IN EFFECT FOR THE CITY OF MOUNTAIN HOME.
 - ALL COMMON LOTS SHALL BE OWNED AND MAINTAINED BY THE BLUE YONDER HOMEOWNERS' ASSOCIATION. ALL COMMON LOTS ARE SUBJECT TO A BLANKET PUBLIC UTILITY EASEMENT AND IRRIGATION EASEMENT.
 - THE DEVELOPMENT SHALL CONSIST OF A MIXTURE OF LOTS: 84 SINGLE FAMILY RESIDENCE, 10 DUPLEX AND 1 4PLEX LOT WITH 35 4PLEX BUILDINGS, 13 COMMON LOTS TOTAL INCLUDING THE 2 BUFFER LOTS ALONG SMITH RD.
 - EXISTING SEWER MAINS ARE SHALLOW 50 FILL IS PLANNED TO BE IMPORTED AND PORTIONS OF THE SITE RAISED TO ACCOMMODATE SEWER DEPTH AND COVER. AREAS OF FILL AND AMOUNTS TO BE DETERMINED WITH FINAL CONSTRUCTION PLANS.

BAILEY Engineering, Inc.
CIVIL ENGINEERING PLANNING CADD
1110 JORDAN AVENUE
BOISE, ID 83702
PHONE: 208-333-8888
FAX: 208-333-8889
WWW.BAILEYENGINEERING.COM

CHECKED BY: CHAS. A. BAILEY, P.E.
DRAWN BY: JAMIE STETSON
DATE: 08-24-2022

REVISIONS
NO. DESCRIPTION

INDEX, NOTES & VICINITY
BLUE YONDER SUBDIVISION
TRILODY DEVELOPMENT, INC.

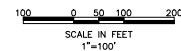
DATE: 08-24-2022
PROJECT: 2022-0014
SHEET: 11
PP-1

Buildable Lots			
Lot	Area	Lot	Type
BLOCK 8 Lot 3	6270	SFR	
BLOCK 8 Lot 4	6270	SFR	
BLOCK 8 Lot 5	6270	SFR	
BLOCK 8 Lot 6	6270	SFR	
BLOCK 8 Lot 7	6448	SFR	
BLOCK 8 Lot 8	7813	SFR	
BLOCK 8 Lot 9	8058	SFR	
BLOCK 8 Lot 10	6654	SFR	
BLOCK 8 Lot 11	6564	SFR	
BLOCK 8 Lot 12	6270	SFR	
BLOCK 8 Lot 13	6270	SFR	
BLOCK 8 Lot 14	6270	SFR	
BLOCK 8 Lot 15	6270	SFR	
BLOCK 8 Lot 16	6270	SFR	
BLOCK 8 Lot 17	6639	SFR	
BLOCK 8 Lot 18	6722	SFR	
BLOCK 9 Lot 3	7530	SFR	
BLOCK 9 Lot 4	7014	SFR	
BLOCK 9 Lot 5	6270	SFR	
BLOCK 9 Lot 6	6270	SFR	
BLOCK 9 Lot 7	8075	SFR	
BLOCK 9 Lot 8	13649	SFR	
BLOCK 9 Lot 9	10010	SFR	
BLOCK 9 Lot 10	7349	SFR	
BLOCK 9 Lot 11	7284	SFR	

Curve Table				
Curve #	Radius	Chord	Bearing	Delta
C42	311.00	52.55	54.29	94.254°
C43	310.00	49.19	56.30	94.000°
C44	310.00	47.48	58.24	93.746°
C45	310.00	45.75	60.12	93.492°
C46	310.00	44.03	61.94	93.238°
C47	310.00	42.34	63.70	92.984°
C48	311.00	70.53	70.38	92.949°
C49	311.00	73.58	72.14	92.914°
C50	311.00	76.63	73.90	92.879°
C51	311.00	79.68	75.66	92.844°
C52	311.00	82.73	77.42	92.809°
C53	91.00	48.24	48.4	93.845°
C54	91.00	48.65	48.53	90.000°
C55	91.00	50.61	50.57	91.603°
C56	91.00	52.57	52.56	93.206°
C57	91.00	54.54	54.52	94.809°
C58	91.00	56.51	56.48	96.412°
C59	91.00	58.48	58.37	97.975°
C60	91.00	60.45	60.23	99.538°
C61	91.00	62.43	62.10	101.101°
C62	91.00	64.40	63.96	102.664°
C63	91.00	66.38	65.82	104.227°
C64	91.00	68.36	67.68	105.790°
C65	91.00	70.34	69.54	107.353°
C66	91.00	72.32	71.40	108.916°
C67	91.00	74.30	73.26	110.479°
C68	91.00	76.28	75.12	112.042°
C69	91.00	78.26	76.98	113.605°
C70	91.00	80.24	78.84	115.168°
C71	91.00	82.22	80.70	116.731°
C72	91.00	84.20	82.56	118.294°
C73	91.00	86.18	84.42	119.857°
C74	91.00	88.16	86.28	121.420°
C75	91.00	90.14	88.14	122.983°
C76	91.00	92.12	90.00	124.546°
C77	91.00	94.10	91.86	126.109°
C78	91.00	96.08	93.72	127.672°
C79	91.00	98.06	95.58	129.235°
C80	91.00	100.04	97.44	130.798°
C81	91.00	102.02	99.30	132.361°
C82	91.00	104.00	101.16	133.924°
C83	91.00	105.98	103.02	135.487°
C84	91.00	107.96	104.88	137.050°
C85	91.00	109.94	106.74	138.613°
C86	91.00	111.92	108.60	140.176°
C87	91.00	113.90	110.46	141.739°
C88	91.00	115.88	112.32	143.302°
C89	91.00	117.86	114.18	144.865°
C90	91.00	119.84	116.04	146.428°
C91	91.00	121.82	117.90	147.991°
C92	91.00	123.80	119.76	149.554°
C93	91.00	125.78	121.62	151.117°
C94	91.00	127.76	123.48	152.680°
C95	91.00	129.74	125.34	154.243°
C96	91.00	131.72	127.20	155.806°
C97	91.00	133.70	129.06	157.369°
C98	91.00	135.68	130.92	158.932°
C99	91.00	137.66	132.78	160.495°
C100	91.00	139.64	134.64	162.058°
C101	91.00	141.62	136.50	163.621°
C102	91.00	143.60	138.36	165.184°
C103	91.00	145.58	140.22	166.747°
C104	91.00	147.56	142.08	168.310°
C105	91.00	149.54	143.94	169.873°
C106	91.00	151.52	145.80	171.436°
C107	91.00	153.50	147.66	172.999°
C108	91.00	155.48	149.52	174.562°
C109	91.00	157.46	151.38	176.125°
C110	91.00	159.44	153.24	177.688°
C111	91.00	161.42	155.10	179.251°
C112	91.00	163.40	156.96	180.814°
C113	91.00	165.38	158.82	182.377°
C114	91.00	167.36	160.68	183.940°
C115	91.00	169.34	162.54	185.503°
C116	91.00	171.32	164.40	187.066°
C117	91.00	173.30	166.26	188.629°
C118	91.00	175.28	168.12	190.192°
C119	91.00	177.26	170.00	191.755°
C120	91.00	179.24	171.86	193.318°
C121	91.00	181.22	173.72	194.881°
C122	91.00	183.20	175.58	196.444°
C123	91.00	185.18	177.44	198.007°
C124	91.00	187.16	179.30	199.570°

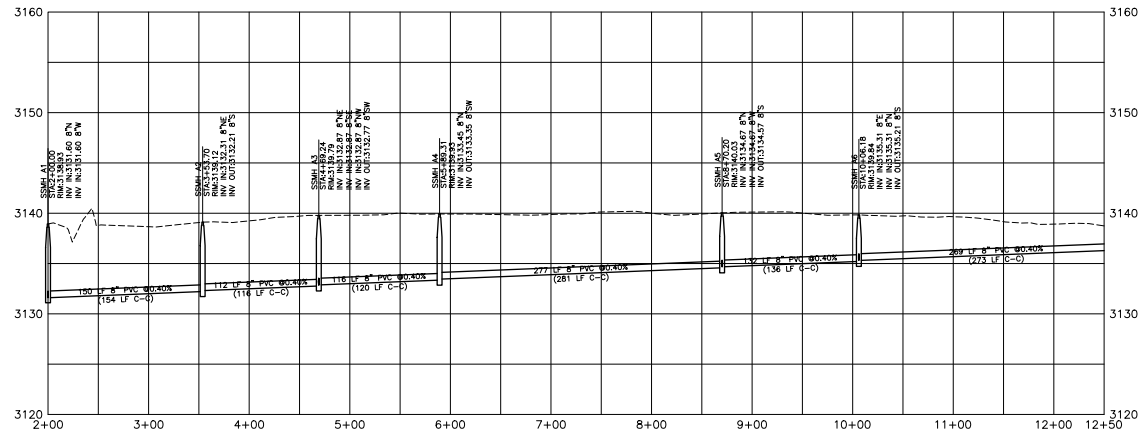
Common Lots		
Lot	Area	Type
BLOCK 1 Lot 1 OPEN	37622	PARK OPEN
BLOCK 3 Lot 7 OPEN	10606	DRAINAGE- DUAL USE OPEN
BLOCK 3 Lot 16 OPEN	14149	DRAINAGE- DUAL USE OPEN
BLOCK 3 Lot 20 OPEN	6473	DRAINAGE- DUAL USE OPEN
BLOCK 4 Lot 10 OPEN	13920	DUAL USE STORM DRAIN
BLOCK 5 Lot 1 OPEN	6311	DUAL USE SD
BLOCK 5 Lot 23 OPEN	4210	PATHWAY
BLOCK 6 Lot 3 OPEN	19471	DUAL USE STORM DRAIN
BLOCK 6 Lot 6 OPEN	4460	PATHWAY
BLOCK 7 Lot 2 OPEN	13650	BUFFER
BLOCK 9 Lot 1 OPEN	9540	BUFFER
BLOCK 9 Lot 2 OPEN	5552	STORM DRAIN

LOCATED IN THE E 1/2 OF THE SW 1/4 AND THE SW 1/4 SE 1/4
OF SECTION 35 T.3S., R.6E., B.M.
CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO
2022

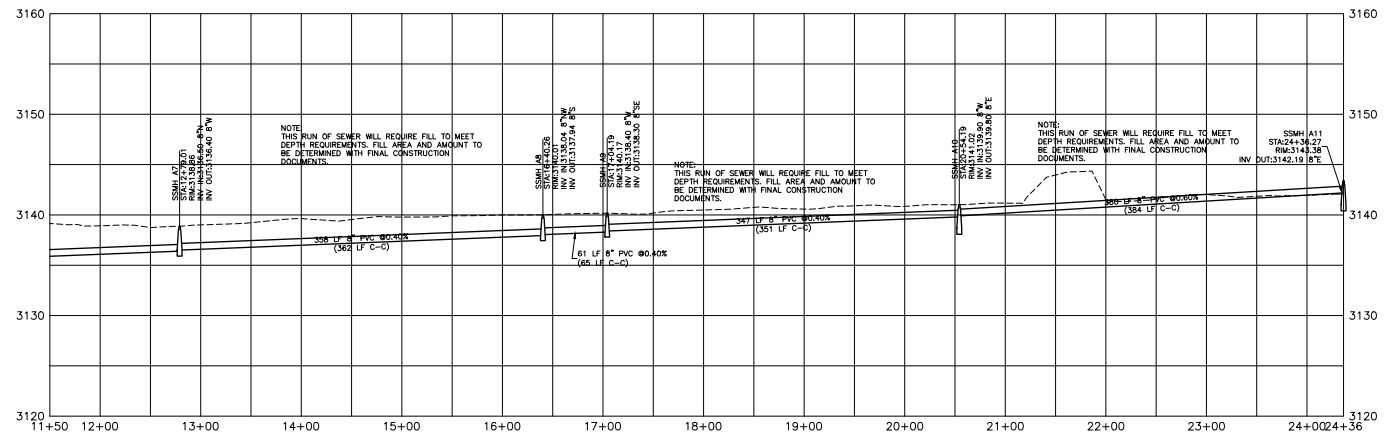


PRELIMINARY ENGINEERING PLAN FOR BLUE YONDER SUBDIVISION

SEWER LINE A PROFILE



SEWER LINE A PROFILE



NO.	DATE	DESCRIPTION
1	01/11/2024	ISSUED FOR PERMIT
2	01/11/2024	ISSUED FOR PERMIT
3	01/11/2024	ISSUED FOR PERMIT
4	01/11/2024	ISSUED FOR PERMIT
5	01/11/2024	ISSUED FOR PERMIT
6	01/11/2024	ISSUED FOR PERMIT
7	01/11/2024	ISSUED FOR PERMIT
8	01/11/2024	ISSUED FOR PERMIT
9	01/11/2024	ISSUED FOR PERMIT
10	01/11/2024	ISSUED FOR PERMIT
11	01/11/2024	ISSUED FOR PERMIT
12	01/11/2024	ISSUED FOR PERMIT
13	01/11/2024	ISSUED FOR PERMIT
14	01/11/2024	ISSUED FOR PERMIT
15	01/11/2024	ISSUED FOR PERMIT
16	01/11/2024	ISSUED FOR PERMIT
17	01/11/2024	ISSUED FOR PERMIT
18	01/11/2024	ISSUED FOR PERMIT
19	01/11/2024	ISSUED FOR PERMIT
20	01/11/2024	ISSUED FOR PERMIT
21	01/11/2024	ISSUED FOR PERMIT
22	01/11/2024	ISSUED FOR PERMIT
23	01/11/2024	ISSUED FOR PERMIT
24	01/11/2024	ISSUED FOR PERMIT
25	01/11/2024	ISSUED FOR PERMIT
26	01/11/2024	ISSUED FOR PERMIT
27	01/11/2024	ISSUED FOR PERMIT
28	01/11/2024	ISSUED FOR PERMIT
29	01/11/2024	ISSUED FOR PERMIT
30	01/11/2024	ISSUED FOR PERMIT
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65	01/11/2024	ISSUED FOR PERMIT
66	01/11/2024	ISSUED FOR PERMIT
67	01/11/2024	ISSUED FOR PERMIT
68	01/11/2024	ISSUED FOR PERMIT
69	01/11/2024	ISSUED FOR PERMIT
70	01/11/2024	ISSUED FOR PERMIT
71	01/11/2024	ISSUED FOR PERMIT
72	01/11/2024	ISSUED FOR PERMIT
73	01/11/2024	ISSUED FOR PERMIT
74	01/11/2024	ISSUED FOR PERMIT
75	01/11/2024	ISSUED FOR PERMIT
76	01/11/2024	ISSUED FOR PERMIT
77	01/11/2024	ISSUED FOR PERMIT
78	01/11/2024	ISSUED FOR PERMIT
79	01/11/2024	ISSUED FOR PERMIT
80	01/11/2024	ISSUED FOR PERMIT
81	01/11/2024	ISSUED FOR PERMIT
82	01/11/2024	ISSUED FOR PERMIT
83	01/11/2024	ISSUED FOR PERMIT
84	01/11/2024	ISSUED FOR PERMIT
85	01/11/2024	ISSUED FOR PERMIT
86	01/11/2024	ISSUED FOR PERMIT
87	01/11/2024	ISSUED FOR PERMIT
88	01/11/2024	ISSUED FOR PERMIT
89	01/11/2024	ISSUED FOR PERMIT
90	01/11/2024	ISSUED FOR PERMIT
91	01/11/2024	ISSUED FOR PERMIT
92	01/11/2024	ISSUED FOR PERMIT
93	01/11/2024	ISSUED FOR PERMIT
94	01/11/2024	ISSUED FOR PERMIT
95	01/11/2024	ISSUED FOR PERMIT
96	01/11/2024	ISSUED FOR PERMIT
97	01/11/2024	ISSUED FOR PERMIT
98	01/11/2024	ISSUED FOR PERMIT
99	01/11/2024	ISSUED FOR PERMIT
100	01/11/2024	ISSUED FOR PERMIT

Bailey Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD
4302 N. BROOKSIDE LANE
BOISE, ID 83714
TEL: 208-608-0013
www.baileyengr6.com

[illegible][illegible]

DATE:
06-09-2022
PROJECT:
C2020-028
SHEET
PP-8

The profile view shows the proposed road section with elevations on the vertical axis (3120 to 3160) and stationing on the horizontal axis (12+50 to 2+00). The profile includes a dashed line for the existing ground and a solid line for the proposed road grade. The road grade is a straight line with a 0.40% slope. The profile also shows the locations of three manholes (SM4-B3, SM4-B2, SM4-B1) and a culvert (SM4-A1). The culvert is a 36-inch diameter pipe with a 0.40% slope. The manholes are 48-inch diameter structures. The profile also shows the locations of three manholes (SM4-B3, SM4-B2, SM4-B1) and a culvert (SM4-A1). The culvert is a 36-inch diameter pipe with a 0.40% slope. The manholes are 48-inch diameter structures.

Station	Structure	Structure Type	Structure Size	Structure Material	Structure Slope	Structure Elevation (ft)
12+50	SM4-B3	Manhole	48"	PVC	0.40%	3140.00
12+50	SM4-B2	Manhole	48"	PVC	0.40%	3140.00
12+50	SM4-B1	Manhole	48"	PVC	0.40%	3140.00
12+50	SM4-A1	Culvert	36"	PVC	0.40%	3140.00

Profile view of sewer line showing elevation (feet) on the vertical axis (3120 to 3160) and stationing on the horizontal axis (23+48 to 11+50). The profile includes a solid line representing the sewer line and a dashed line representing the ground surface. Key features include manholes (MH) and pipe segments with their respective lengths, diameters, and slopes.

Manhole Data:

Station	Manhole ID	Ground Elevation (ft)	Manhole Elevation (ft)	Notes
23+48	SMH, BS	3142.0	3142.0	INV 0.013 14.10 S.W.
22+50	SMH, BS	3142.8	3142.8	INV 0.013 14.28 S.W.
20+00	SMH, BS	3142.8	3142.8	INV 0.013 14.28 S.W.
19+00	SMH, BS	3142.8	3142.8	INV 0.013 14.28 S.W.
15+50	SMH, BS	3142.72	3142.72	INV 0.013 14.72 S.W.
11+50	SMH, BS	3142.72	3142.72	INV 0.013 14.72 S.W.

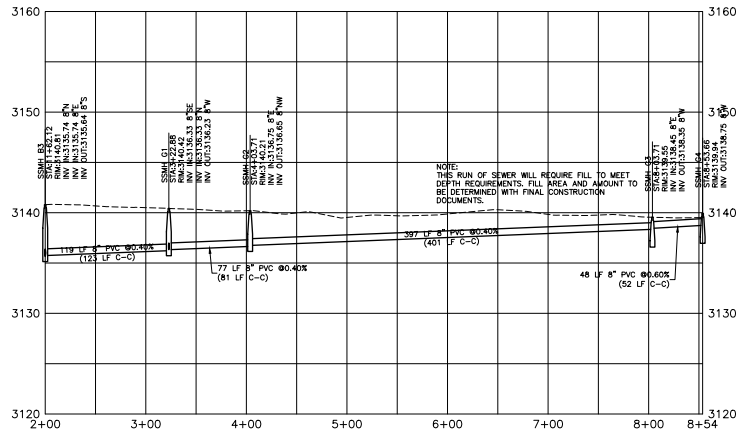
Pipe Segment Data:

Station Range	Length (ft)	Diameter (in)	Slope (%)
23+48 to 22+50	100	8"	0.60%
22+50 to 20+00	201	8"	0.40%
20+00 to 19+00	145	8"	0.40%
19+00 to 15+50	326	8"	0.40%
15+50 to 11+50	386	8"	0.40%

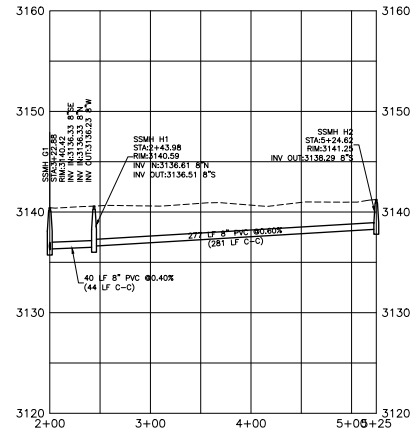
Notes:

- THIS RUN OF SEWER WILL REQUIRE FILL TO MEET DEPTH REQUIREMENTS. FILL AREA AND AMOUNT TO BE DETERMINED WITH FINAL CONSTRUCTION DOCUMENTS.

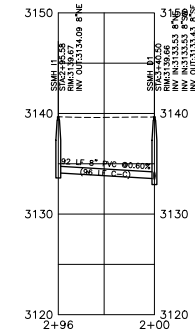
SEWER LINE G PROFILE



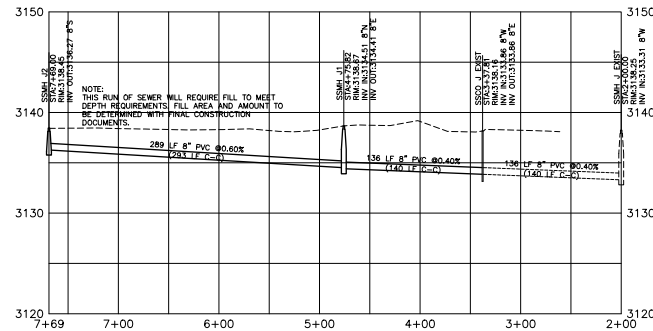
SEWER LINE H PROFILE

PRELIMINARY ENGINEERING PLAN FOR
BLUE YONDER SUBDIVISION

SEWER LINE I PROFILE



SEWER LINE J PROFILE



**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MOUNTAIN HOME**

IN RE:)	
)	
Trilogy Development c/o)	
Jane Suggs)	
9839 W. Cable Car Street,)	
Suite 101)	
Boise, ID 83709	)	DECISION AND
	)	RECOMMENDATION
Blue Yonder Subdivision)	
Preliminary Plat and)	
Conditional Use Permit)	
(Multifamily on a single lot))	
PZ-22-90 & 91)	
)	
Applicant.)	

This matter came before the Planning and Zoning Commission of the City of Mountain Home, Idaho, on October 17th, 2022, for a public hearing held pursuant to notice as required by law on a request for rezoning to planned unit development and preliminary plat within the corporate boundaries of the City of Mountain Home, Idaho. The notice of public hearing was given as required by law. Having heard from the Applicant in support of the application, three (3) members of the public appearing to express concerns or disfavor regarding the development, the Commission being fully advised in the matter, having adopted the staff report as part of its deliberation, issues findings, and recommendations as follows:

FINDINGS OF FACT

1. The Applicant has applied for the preliminary platting of real property legally described in Attachment "A" attached hereto and, by this reference, described as "Blue Yonder Preliminary Plat.
2. Further, in conjunction with the preliminary plat application, the Applicant has submitted a Conditional Use Permit regarding the development of multifamily (multiple fourplexes) on a single lot within the proposed subdivision.

3. The Owner of the real property for which preliminary platting and a conditional use permit are sought has requested so in writing.
4. The proposed "Blue Yonder Preliminary Plat" is proposed to provide two-hundred-fifty-four total dwelling units on 39.97 acres, consisting of:
 - a. Ninety-Four (94) Single-family home lots.
 - b. Ten (10) duplex lots (twenty (20) total dwellings).
 - c. A designated park / green area (to be owned and maintained by the future Blue Yonder HOA), approximately .86 acres, consisting of:
 - i. A Children's Playground
 - ii. Picnic Shelter
 - iii. Pathway and a small grassy area for recreating
 - d. A single lot with thirty-five (35) fourplex buildings (one-hundred forty (140) total dwellings).
 - i. The fourplex lot will be built on ten (10) acres.
 - ii. The fourplex development will provide three hundred sixteen (316) total parking spaces. City Code requires a minimum of two-hundred eighty (280) parking spaces.
 - iii. The fourplex development will provide amenities specifically for the fourplex development, including:
 1. A Children's Playground
 2. Picnic Shelter
 3. ½ Basketball Court
5. Note that the fourplexes on a single lot require the approval of a conditional use permit.
 - a. Further, in the Applicant's Conditional Use Permit application, the Applicant has requested a deviation from the side building setback standards for blocks four, five, and eight of the proposed "Blue Yonder Preliminary Plat" be allowed a 5' & 7' side setback instead of the 5' and 12' side setback required by City Code.

- i. However, note the City Attorney has advised the City Staff and the Commission that the Applicant is unable to utilize the Conditional Use Permit to request the setback deviation based on the following:
 - 1. The approval of the single-family home lots associated with the preliminary plat application is not affiliated with the conditional use permit application. The conditional use permit is only regarding the fourplex use.
 - 2. The portion of the Conditional Use Permit Ordinance (9-17-1-D(i) which does allow a deviation of property development standards only allows so in accordance with variance procedures, which standards the Applicant does not meet.
- 6. Notice of public hearing has been given as required by law.
- 7. Three (3) members of the public spoke concerning the development regarding the following:
 - a. Water Concerns
 - i. Concerns regarding whether the City has the capacity to serve the proposed development.
 - 1. Further, concerns were expressed that being the City opposed the Mayfield Planned Community in Elmore County based on water concerns, then why would the City consider the development at hand?
 - a. Staff explained that the proposed development and Mayfield development utilize different water systems.
 - b. School Facilities
 - i. Concerns regarding whether the community has appropriate school facilities to serve the new development.
 - 1. Staff confirmed that the Mountain Home School District had been notified and had not provided a comment.
 - c. Development Design

- i. Concerns that the proposed development did not completely align with the existing neighborhoods in terms of lot dimensions/size.
 - 1. The Applicant confirmed that along the eastern boundary of the development, they have been able to match up the new lots to the existing ones with almost complete success.
 - 2. However, the Applicant also confirmed that the property boundaries to the north, consisting of existing cul-de-sacs, were more difficult to mirror.
 - ii. Further concerns about potential two-story homes were expressed, intruding upon the privacy of existing single-story homes.
 - iii. Finally, there were concerns and objections towards any building-side setback deviation.
 - d. Flood Collection / Drainage Area
 - i. Concerns regarding the crushed material being used in these areas.
 - e. Future Construction Harms
 - i. Concerns regarding dust, weed, and debris control during construction.
 - ii. City Staff confirmed that city ordinances require the cleanliness of construction sites and areas.
 - f. Potential Fire Vulnerabilities from Surrounding open spaces.
8. The Commission has reviewed the City of Mountain Home City Code 9-16-10 (Preliminary Plat Requirements) and 9-17-1 (Conditional Use Permit Requirements), including:
- a. Preliminary Plat Approval Requirements:
 - i. The availability of public services to accommodate the proposed development;
 - 1. Staff verified that public services are sufficient to accommodate the proposed development.
 - ii. The continuity of the proposed development with the capital improvement program, if applicable;

- iii. The public financial capability of supporting services for the proposed development; and
- iv. The other health, safety, or environmental problems that may be brought to the Commission's attention.

b. Conditional Use Permit Approval Requirements

- i. Will constitute an allowed conditional use in that zone, as determined by the use chart in chapter 7 of this title;
- ii. Will be in accordance with the goals and objectives of the Mountain Home comprehensive plan and with all the applicable provisions of this zoning ordinance;
- iii. Will be designed, constructed, operated and maintained to be harmonious with the existing or the intended character of the general vicinity and that such use and/or expansion will not change the essential character of the same area;
- iv. Will not be hazardous or disturbing to existing or future neighboring uses;
- v. Will be served adequately by existing essential public facilities and services such as highways, streets, schools, police and fire protection, drainage structures, refuse disposal, water and sewer, or that the person responsible for the establishment of the proposed conditional use shall be able to provide adequately any such services;
- vi. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
- vii. Will not involve uses, activities, processes, materials, equipment, or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of the environment or excessive production of traffic, noise, smoke, fumes, glare, or odors;

- viii. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets; and
- ix. It will not result in the destruction, loss, or damage of a natural or scenic feature of major importance.

9. The requested conditional use permit was found unanimously by the Planning & Zoning Commission to be in accordance with the City's Conditional Use Permit Ordinance (9-17), with the exception of the Applicant's request to deviate from side-yard building requirements.

10. Further, the Planning & Zoning Commission determined that it should be denied if the proposed preliminary plat allowed the requested side-yard building setback deviation.

11. However, Staff believes that the Planning & Zoning Commission would recommend approval of both the preliminary plat and conditional use permit without the requested side-yard setback deviation.

Based on the foregoing FINDINGS OF FACT, the City of Mountain Home Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The notice and hearing requirements of Idaho Code Section 67-6509(a) have been met.
2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code, the Idaho Regulatory Takings Act.
3. Relevant criteria and standards for consideration of this application are set forth in Mountain Home City Code Sections 9-6-4, 9-16-8, and 9-17-1.
4. Based upon the evidence presented by the Applicant and testimony on the record, the proposed Conditional Use Permit meets relevant standards and criteria except side-yard setback minima, while the Preliminary Plat with a deviated side-yard building setback does not meet the relevant standards and criteria for approval as presented.
5. The Planning & Zoning Commission voted 4-0 to recommend the approval of the Conditional Use Permit request without the requested side-yard building setback deviations.
6. The Planning & Zoning Commission voted 4-0 to recommend denial of the proposed Preliminary Plat, based upon the proposed plat lot size and layout being dependent upon the approval of a CUP with side-yard setback minima reductions. seeking a deviation from the City Code regarding the side-yard building setback.

Based on the forgoing CONCLUSIONS OF LAW, the City of Mountain Home Planning and Zoning Commission hereby enters the following:

DECISION AND RECOMMENDATION

The Planning and Zoning Commission hereby recommends to the City Council that the application for a Conditional Use Permit to allow more than one fourplex on a single lot be approved without the requested side yard setback deviation and that the Preliminary Plat "Blue Yonder Subdivision" application be denied based upon the plat's lot size and layout being dependent upon the approval of a CUP with side-yard setback minima reductions be denied by the City Council as presented to the Planning & Zoning Commission.

DATED this 7th day of November, 2022.

CITY OF MOUNTAIN HOME
PLANNING AND ZONING COMMISSION

By 
William Roeder, P&Z Vice Chair

ATTEST:



Chris Curtis, Assistant City Planner

**BEFORE THE CITY COUNCIL
OF THE CITY OF MOUNTAIN HOME**

IN RE:)	
)	
Trilogy Development c/o)	
Jane Suggs)	
9839 W. Cable Car Street,)	
Suite 101)	
Boise, ID 83709)	
	)	DECISION
Blue Yonder Subdivision)	
Preliminary Plat and)	
Conditional Use Permit)	
(Multifamily on a single lot))	
PZ-22-90 & 91)	
)	
Applicant.)	

This matter initially came for deliberation and decision before the City Council of Mountain Home on November 14th, 2022, following a public hearing and recommendation rendered by the Planning and Zoning Commission of the City of Mountain Home, Idaho, on October 17th, 2022, held pursuant to notice as required by law on a request for rezoning to planned unit development and preliminary plat within the corporate boundaries of the City of Mountain Home, Idaho. The notice of public hearing was given as required by law. Having heard from the Applicant in support of the application, three (3) members of the public appearing to express concerns or disfavor regarding the development, the City Council being fully advised in the matter, having adopted the staff report as part of its deliberation, findings, and decision as follows:

FINDINGS OF FACT

1. The Applicant has applied for the preliminary platting of real property legally described in Attachment "A" attached hereto and, by this reference, described as "Blue Yonder Preliminary Plat.
2. Further, in conjunction with the preliminary plat application, the Applicant has submitted a Conditional Use Permit regarding the development of multifamily (multiple fourplexes) on a single lot within the proposed subdivision.

3. The Owner of the real property for which preliminary platting and a conditional use permit are sought has requested so in writing.
4. The proposed "Blue Yonder Preliminary Plat" is proposed to provide two-hundred-fifty-four total dwelling units on 39.97 acres, consisting of:
 - a. Ninety-Four (94) Single-family home lots.
 - b. Ten (10) duplex lots (twenty (20) total dwellings).
 - c. A designated park / green area (to be owned and maintained by the future Blue Yonder HOA), approximately .86 acres, consisting of:
 - i. A Children's Playground
 - ii. Picnic Shelter
 - iii. Pathway and a small grassy area for recreating
 - d. A single lot with thirty-five (35) fourplex buildings (one-hundred forty (140) total dwellings).
 - i. The fourplex lot will be built on ten (10) acres.
 - ii. The fourplex development will provide three hundred sixteen (316) total parking spaces. City Code requires a minimum of two-hundred eighty (280) parking spaces.
 - iii. The fourplex development will provide amenities specifically for the fourplex development, including:
 1. A Children's Playground
 2. Picnic Shelter
 3. ½ Basketball Court
5. Note that the fourplexes on a single lot require the approval of a conditional use permit.
 - a. Further, in the Applicant's Conditional Use Permit application, the Applicant has requested a deviation from the side building setback standards for blocks four, five, and eight of the proposed "Blue Yonder Preliminary Plat" be allowed a 5' & 7' side setback instead of the 5' and 12' side setback required by City Code.

- i. However, note the City Attorney has advised the City Staff and the Commission that the Applicant is unable to utilize the Conditional Use Permit to request the setback deviation based on the following:
 1. The approval of the single-family home lots associated with the preliminary plat application is not affiliated with the conditional use permit application. The conditional use permit is only regarding the fourplex use.
 2. The portion of the Conditional Use Permit Ordinance (9-17-1-D(i) which does allow a deviation of property development standards only allows so in accordance with variance procedures, which standards the Applicant does not meet.
6. Notice of public hearing has been given as required by law.
7. Three (3) members of the public spoke concerning the development regarding the following:
 - a. Water Concerns
 - i. Concerns regarding whether the City has the capacity to serve the proposed development.
 1. Further, concerns were expressed that being the City opposed the Mayfield Planned Community in Elmore County based on water concerns, then why would the City consider the development at hand?
 - a. Staff explained that the proposed development and Mayfield development utilize different water systems.
 - b. School Facilities
 - i. Concerns regarding whether the community has appropriate school facilities to serve the new development.
 1. Staff confirmed that the Mountain Home School District had been notified and had not provided a comment.
 - c. Development Design

- i. Concerns that the proposed development did not completely align with the existing neighborhoods in terms of lot dimensions/size.
 - 1. The Applicant confirmed that along the eastern boundary of the development, they have been able to match up the new lots to the existing ones with almost complete success.
 - 2. However, the Applicant also confirmed that the property boundaries to the north, consisting of existing cul-de-sacs, were more difficult to mirror.
 - a. City Council expressed concerns regarding community design by allowing a development design which would create up to four (4) new shared lot boundaries for existing residential properties.
 - ii. Further concerns about potential two-story homes were expressed, intruding upon the privacy of existing single-story homes.
 - iii. Finally, there were concerns and objections towards any building-side setback deviation.
 - 1. City Council also expressed concern about any side setback deviation proposed by the applicant.
 - d. Flood Collection / Drainage Area
 - i. Concerns regarding the crushed material being used in these areas.
 - e. Future Construction Harms
 - i. Concerns regarding dust, weed, and debris control during construction.
 - ii. City Staff confirmed that city ordinances require the cleanliness of construction sites and areas.
 - f. Potential Fire Vulnerabilities from Surrounding open spaces.
8. The Commission has reviewed the City of Mountain Home City Code 9-16-10 (Preliminary Plat Requirements) and 9-17-1 (Conditional Use Permit Requirements), including:
- a. Preliminary Plat Approval Requirements:

- i. The availability of public services to accommodate the proposed development;
 - 1. Staff verified that public services are sufficient to accommodate the proposed development.
 - ii. The continuity of the proposed development with the capital improvement program, if applicable;
 - iii. The public financial capability of supporting services for the proposed development; and
 - iv. The other health, safety, or environmental problems that may be brought to the Commission's attention.
- b. *Conditional Use Permit Approval Requirements*
- i. Will constitute an allowed conditional use in that zone, as determined by the use chart in chapter 7 of this title;
 - ii. Will be in accordance with the goals and objectives of the Mountain Home comprehensive plan and with all the applicable provisions of this zoning ordinance;
 - iii. Will be designed, constructed, operated, and maintained to be harmonious with the existing or the intended character of the general vicinity and that such use and/or expansion will not change the essential character of the same area;
 - iv. Will not be hazardous or disturbing to existing or future neighboring uses;
 - v. Will be served adequately by existing essential public facilities and services such as highways, streets, schools, police and fire protection, drainage structures, refuse disposal, water, and sewer, or that the person responsible for the establishment of the proposed conditional use shall be able to provide adequately any such services;
 - vi. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

- vii. Will not involve uses, activities, processes, materials, equipment, or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of the environment or excessive production of traffic, noise, smoke, fumes, glare, or odors;
 - viii. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets; and
 - ix. It will not result in the destruction, loss, or damage of a natural or scenic feature of major importance.
9. The requested conditional use permit was found unanimously by the City Council to be in accordance with the City's Conditional Use Permit Ordinance (9-17), with the exception of the Applicant's request to deviate from side-yard building requirements.
10. Further, the City Council determined that the proposed preliminary plat should be approved with minor modifications of lots along the northern boundary of the plat.

Based on the foregoing FINDINGS OF FACT, the City of Mountain Home City Council hereby makes the following:

CONCLUSIONS OF LAW

1. The notice and hearing requirements of Idaho Code Section 67-6509(a) have been met.
2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code, the Idaho Regulatory Takings Act.
3. Relevant criteria and standards for consideration of this application are set forth in Mountain Home City Code Sections 9-6-4, 9-16-8, and 9-17-1.
4. Based upon the evidence presented by the Applicant and testimony on the record, the proposed Conditional Use Permit meets relevant standards and criteria except side-yard setback minima, while the Preliminary Plat with a deviated side-yard building setback does not meet the relevant standards and criteria for approval as presented.
5. The City Council voted 4-0 to recommend the approval of the Conditional Use Permit request without the requested side-yard building setback deviations.
6. The City Council voted 4-0 to recommend approval of the proposed Preliminary Plat, with the condition that the existing residential lots along the northern boundary of the proposed preliminary plat shall share their southern boundary with no more than two (2) single-family residential lots.

Based on the forgoing CONCLUSIONS OF LAW, the City of Mountain Home City Council hereby enters the following:

DECISION AND RECOMMENDATION

The City Council hereby approves the Conditional Use Permit to allow more than one fourplex on a single lot be approved without the requested side yard setback deviation and that the Preliminary Plat "Blue Yonder Subdivision" application with the following conditions:

In regard to the Preliminary Plat:

1. The existing residential lots along the northern boundary of the proposed preliminary plat shall share their southern boundary with no more than two (2) single-family residential lots.
2. The allowance of building permits regarding the proposed development will be based upon municipal water availability.
3. Subject to site plan amendments as required by Building, Public Works, Fire, and Zoning Officials to comply with applicable City Codes and standards.
4. The Final Plat and all future development will comply with the proposed "Blue Yonder Subdivision Plat" as found in attachment "B," "Proposed Preliminary Plat," and "C," "Preliminary Plat Landscape Plan."
5. Before a Final Plat is recorded, the Applicant shall receive all necessary approvals regarding water and sewer infrastructure from the Central Health District.
6. Per City Code 9-16-10(J), Failure to file and obtain the certification of the acceptance of the final plat application by the administrator within one year after action by the Commission shall cause all approvals of said preliminary plat to be null and void unless a one-year extension of time is applied for, thirty (30) days before the expiration, by the subdivider and granted by the Commission. A preliminary plat may be extended one time only, after which it shall be considered null and void.

In regard to the Conditional Use Permit:

1. The approved conditional use permit be subject to site plan amendments as required by Building, Public Works, Fire, and Zoning Officials to comply with applicable City Codes and standards.

DATED this 28th day of November 2022.

CITY OF MOUNTAIN HOME
CITY COUNCIL

By 
Rich Sykes, Mayor

ATTEST:


Tiffany Belt, City Clerk



Attachment A: Legal Description

Description for
Blue Yonder Subdivision
June 23, 2022

A parcel of land located within the Southwest 1/4 of the Southeast 1/4 of Section 35, Township 3 South, Range 6 East, Boise Meridian, Mountain Home, Elmore County, Idaho more particularly described as follows:

BEGINNING at the South 1/4 corner of said Sections 35 from which the Southeast corner of said Section 35 bears South 89°54'15" East, 2,631.03 feet;

thence North 00°21'06" West, 1,322.63 feet to the Center-South 1/16 corner of said Section 35, coinciding with the Southwest corner of Rolling Hills Subdivision No. 3 recorded on April 19, 2000 as Instrument No. 321561, records of Elmore County, Idaho;

thence on the south boundary line of said Rolling Hills Subdivision No. 3, South 89°49'12" East, 1,319.35 feet to the Southeast 1/16 corner of said Section 35, coinciding with the Northwest corner of Mountain Ridge Subdivision recorded on April 11, 1996 as Instrument No. 292699, records of Elmore County, Idaho;

thence on the west boundary line of said Mountain Ridge Subdivision, South 00°11'05" East, 1,320.44 feet to the East 1/16 corner of said Section 35;

thence North 89°54'51" West, 1,315.48 feet to the **REAL POINT OF BEGINNING**.

Containing 39.967 acres, more or less.

End of Description.

Attachment B: Proposed Preliminary Plat



Attachment C: Preliminary Plat Landscape Plan

BLUE YONDER SUBDIVISION
MOUNTAIN HOME, ID **PRELIMINARY PLAT LANDSCAPE PLAN**





June 4, 2024

Re: Preliminary Plat Extension Request – Eagle’s Nest Subdivision – PZ-23-16

Planning & Zoning Commission,

Before you is a request for a preliminary plat extension. Stephanie Hopkins of KM Engineering, LLP, representative for CKMH Holdings, who is the current owner submitted a request for a preliminary plat extension for the Eagle’s Nest Subdivision on April 18, 2024. The Planning & Zoning Commission may grant a one-year extension on an approved Preliminary Plat, per City Code, 9-16-10 (J), with the provision that the request for extension is applied for thirty (30) days before expiration.

9-16-10(J) Approval Period: Failure to file and obtain the certification of the acceptance of the final plat application by the administrator within one year after action by the commission shall cause all approvals of said preliminary plat to be null and void, unless a one year extension of time is applied for, thirty (30) days before the expiration, by the subdivider and granted by the commission. A preliminary plat may be extended one time only, after which it shall be resubmitted to the administrator and the commission.

The application submittal of the Eagle’s Nest Subdivision Preliminary Plat was submitted by Stephanie Hopkins of KM Engineering, LLP on March 10, 2023. A public hearing was held on April 17, 2023, before the Planning & Zoning Commission and formal approval of the Findings of Fact were signed and dated May 1, 2023. Formal approval of the Findings of Fact by City Council were signed and dated May 24, 2023. (see Attachment “A” for Findings of Fact).

Development Plans for the Eagle’s Nest Subdivision were submitted by Christen Haisty, of KM Engineering LLP, on September 25, 2023. To date the application fees for PZ-23-80 have not been paid. No reviews of the Development Plans for Eagle’s Nest Subdivision have been initiated due to non-payment of fees.

This item was scheduled for the May 7th, 2024 Planning and Zoning meeting but due to not having a quorum it has been moved to the next meeting set for May 21st, 2024 at 5:30 P.M.. The May 21, 2024 meeting was also cancelled due to a lack of quorum and is set to be heard on June 4, 2024.



The Applicant requests an time extension to allow for additional time to finalize construction plans and prepare a team of contractors to complete work associated with the first phase of development. Since the original approval, the market has fluctuated resulting in changes in the cost of materials and availability of contractors, resulting in a longer time frame needed. While the applicant did not submit the request a full 30 days prior to the expiration date, they did submit the request prior to the final expiration date.

For your consideration.

Brenda Ellis
City of Mountain Home
Senior City Planner

Attachment A – Applicant Narrative
Attachment B – Preliminary Plat
Attachment C – PZ FOF
Attachment D – CC FOF

April 18, 2024
Project No.: 23-003

Ms. Brenda Ellis
Development Services
City of Mountain Home
160 S 3rd East
Mountain Home, Idaho 83647

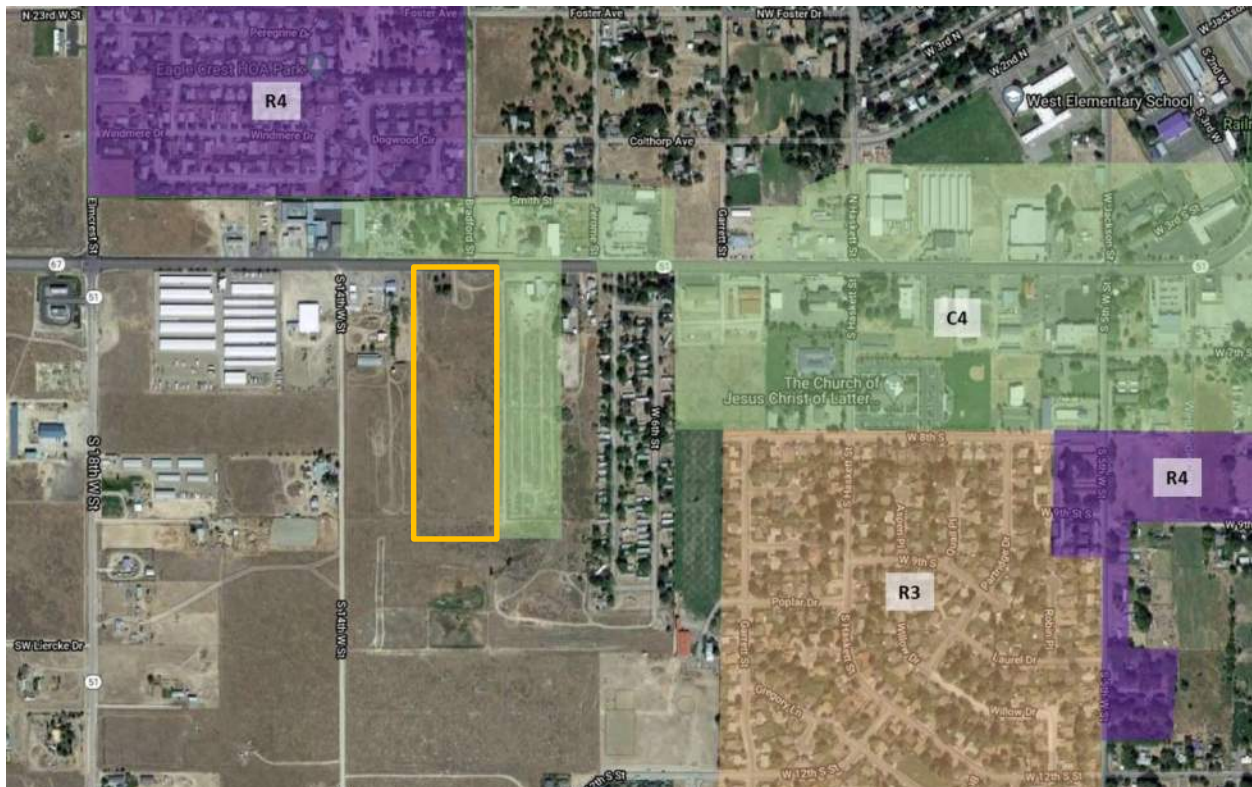
**RE: Eagle's Nest Subdivision – Mountain Home, Idaho
Time Extension Request for Preliminary Plat**

Dear Brenda:

On behalf of CKMH Holdings LLC., we are submitting the attached application and required supplements for a time extension application for the Preliminary Plat approved for the Eagle's Nest Subdivision by City Council on May 8, 2023. The Findings of Fact, Conclusions of Law for the decision were signed by Mayor Sykes on May 24, 2023.

Site History and Information

The subject property is approximately 13.055 acres and is located south of Airbase Road in between S 14th W Street and Jerome Street in Elmore County. An application including annexation and zoning and a preliminary plat for Eagle's Nest Subdivision was approved by City Council on May 8, 2023. The Mayor signed the Findings of Fact, Conclusions of Law on May 24, 2023.



Preliminary Plat

Eagle's Nest consists of 45 lots overall, with 38 buildable lots, 6 common lots and 1 private roadway lot. The development will be comprised of 152 units within 38 fourplex buildings. The overall density for the project is 12 units an acre, which will be compatible with adjacent residential and commercial development.

The proposed subdivision will relocate an existing entrance into the site to align with Bradford Street north of Airbase Road. A 2109 permit and traffic impact analysis have been submitted to the Idaho Transportation Department for review. Internal private roadways will serve as primary access for each of the buildings within the subdivision. Direct access for proposed homes is not proposed to Airbase Road. Parking for each unit has been placed adjacent to each building to provide convenient access to future residents. Overall, 366 parking spaces are proposed, which is over 2 spaces per unit.

Time Extension Request

Mountain Home City Code 9-16-10J requires that acceptance of a final plat application be obtained within one year after initial action by the Commission for a preliminary plat. The Applicant requests an administrative time extension to allow for additional time to finalize construction plans and prepare a team of contractors to complete work associated with the first phase of development. Since the original approval, the market has fluctuated resulting in changes in the cost of materials and availability of contractors, resulting in a longer timeframe needed.

The Applicant is eager to keep the project moving forward and does not anticipate any additional delays.

Conclusion

We are excited to bring the Eagle's Nest Subdivision to the City of Mountain Home. The design of the site and density proposed were supported by staff and the city when originally approved. The development will complement existing uses and provide needed housing within this area of Mountain Home.

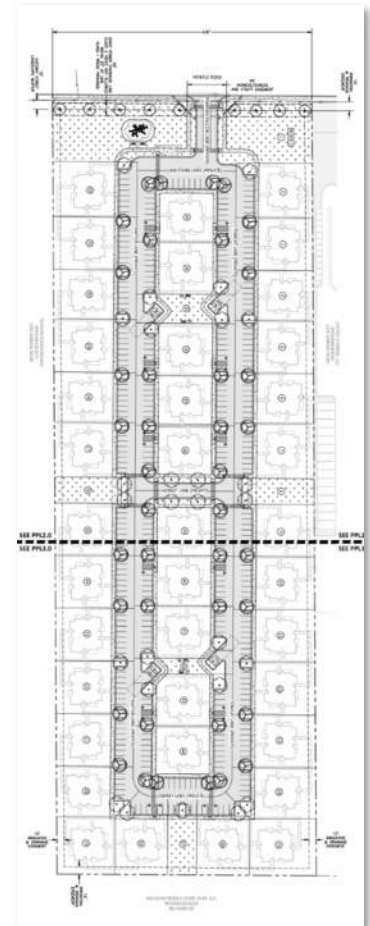
We appreciate the time you have spent to help us understand the steps needed to accomplish this project. Should you have questions or require further information in order to process this application, please feel free to contact me.

Sincerely,
KM Engineering, LLP



Stephanie Hopkins
Land Planning Manager

cc: CKMH Holdings LLC.



PRELIMINARY PLAT SHOWING EAGLE'S NEST SUBDIVISION

A PARCEL OF LAND SITUATED IN THE NE 1/4 OF THE NW 1/4 OF
SECTION 35, TOWNSHIP 3 SOUTH, RANGE 6 EAST, BOISE MERIDIAN,
ELMORE COUNTY, IDAHO
MARCH 2023



PRELIMINARY PLAT NOTES

1. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-SUBDIVISION.
2. MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT OR AS SPECIFICALLY APPROVED AND/OR REQUIRED.
3. THIS DEVELOPMENT IS SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS.
4. THIS DEVELOPMENT RECOGNIZES 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLECTFUL OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREON."
5. ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION, SEWERAGE, LOT DRAINAGE AND PRIVATE ROADWAY. THE EASEMENT MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
6. HERCULES LANE, MUSTANG LANE, TOMCAT LANE, APACHE LANE, HORNET LANE, & RAPTOR LANE ARE PRIVATE ROADWAYS WHICH SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
7. THE HOMEOWNER'S ASSOCIATION, UNDERLYING PROPERTY OWNER, OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES LOCATED OUTSIDE THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL ROUTINE AND HEAVY MAINTENANCE.

1. DOMESTIC WATER SERVICE WILL BE PROVIDED BY THE CITY OF MOUNTAIN HOME. THE PROPERTY WILL BE SERVED BY CONNECTING TO EXISTING INFRASTRUCTURE ALONG AIRBASE ROAD. EXACT LOCATION TO BE DETERMINED DURING FINAL DESIGN.
2. SANITARY SEWER SERVICE WILL BE PROVIDED BY THE CITY OF MOUNTAIN HOME. THE PROPERTY WILL BE SERVED BY CONNECTING TO EXISTING INFRASTRUCTURE ALONG AIRBASE ROAD. EXACT LOCATION TO BE DETERMINED DURING FINAL DESIGN.
3. WATER AND SEWER LINE SIZES AND LOCATIONS ARE PRELIMINARY AND WILL BE REFINED DURING FINAL DESIGN AND WILL BE INSTALLED IN ACCORDANCE WITH THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY & CITY OF MOUNTAIN HOME REQUIREMENTS.
4. STORM DRAINAGE FROM THE ROADWAYS AND LOTS WILL BE COLLECTED IN ROADSIDE CURB AND GUTTER AND ROUTED TO STORM INFILTRATION FACILITIES IN THE COMMON AREAS SHOWN ON THE PLAN. THE STORM INFILTRATION FACILITIES SHOULD BE DESIGNED TO MEET THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY AND CITY OF MOUNTAIN HOME REQUIREMENTS. THE STORM DRAINAGE FACILITIES SHOWN ARE PRELIMINARY AND SHALL BE DETERMINED DURING FINAL DESIGN.
5. ANY PEDESTRIAN RAMPS, CROSSINGS AND PATHWAYS ARE SHOWN IN A CONCEPTUAL MANNER AND WILL BE REFINED AND DETAIL DURING FINAL DESIGN.
6. SANITARY SEWER, WATER, STORM DRAINAGE FACILITIES LOCATED OUTSIDE A PUBLIC RIGHT-OF-WAY WILL BE PROVIDED IN A PERMANENT PUBLIC UTILITY EASEMENT.

SURVEY CONTROL NOTES

1. ALL SURVEY DATA IS BASED ON THE NAD83 STATE PLANE COORDINATE SYSTEM (IDAHO WEST 1103) AND NAVD 88 VERTICAL DATUM.

PROJECT SUMMARY

SEE DATA	
PARCEL NUMBER(S)	RPO3506352450
PROPERTY ADDRESS	NONE
PROJECT AREA	12.66 ACRES
NUMBER OF EXISTING LOTS	1
NUMBER OF PROPOSED LOTS	38 DEVELOPABLE LOTS 6 LANDSCAPE/Common LOTS 44 TOTAL LOTS
NUMBER OF UNITS	152 UNITS
DENSITY	12.0 UNITS PER ACRE
CURRENT FIRM DESIGNATION	COMMERCIAL/URBAN DEVELOPMENT
PROPOSED ZONING	C-4 (HEAVY COMMERCIAL)
9-7-B ZONING SCHEDULE OF BULK AND COVERAGE CONTROLS	
SETBACKS	30'(1) 8' WITH ALLEY 18' NO ALLEY
REAR:	5'(2) 30'
INTERIOR SIDE:	
STREET SIDE:	
MAXIMUM LOT COVERAGE:	NO PORTION OF LOT SHALL BE UNDEVELOPED
MAXIMUM BUILDING HEIGHT:	45'
MAXIMUM STREET FRONTAGE:	N/A

- (1) GATEWAY/HIGHWAYS 30 FEET, ARTERIAL OR COLLECTORS, 25 FEET, LARGE SIZED BUILDINGS AND/OR HEIGHT OF BUILDING MAY REQUIRE A 60 FOOT SETBACK.
- (2) IF PROPERTY ADJUTS RESIDENTIAL ZONE, 10 FOOT SETBACK WITH BUFFER SCREENING REGULATIONS.

WATER:	CITY OF MOUNTAIN HOME
SEWER:	CITY OF MOUNTAIN HOME
ELECTRICAL:	IDAHO POWER
NATURAL GAS:	INTERMOUNTAIN GAS CO.
TELEPHONE:	CENTURYLINK

PROJECT TEAM

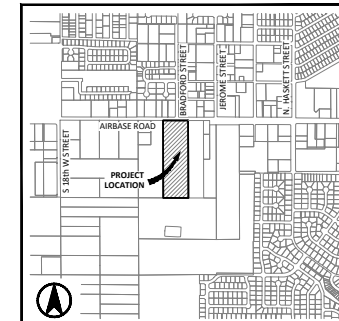
PROPERTY OWNER / DEVELOPER	
NAME:	DMH HOLDINGS, LLC.
CONTACT:	KETH BUCHER
ADDRESS:	P.O. BOX 1833
CITY/STATE/ZIP:	EAGLE, IDAHO 83616
PHONE:	208.395.1500
EMAIL:	kbucher@diamondmarkconstructionllc.com
ENGINEERING	
NAME:	KM ENGINEERING, LLP
CONTACT:	KELLY KOWHAR, P.E., P.L.S.
ADDRESS:	5725 N. DISCOVERY WAY
CITY/STATE/ZIP:	BOISE, IDAHO 83713
PHONE:	208.639.6930
EMAIL:	kelly@kmenllp.com
LANDSCAPE ARCHITECT	
NAME:	KM ENGINEERING, LLP
CONTACT:	ALYSSA YENSEN, P.L.A.
ADDRESS:	5725 N. DISCOVERY WAY
CITY/STATE/ZIP:	BOISE, IDAHO 83713
PHONE:	208.639.6930
EMAIL:	ayensen@kmenllp.com
ARCHITECT	
NAME:	BRIS ARCHITECTS
CONTACT:	ANDREW DAVIS
ADDRESS:	1010 S. ALLEN PLACE, SUITE 100
CITY/STATE/ZIP:	BOISE, IDAHO 83709
PHONE:	208.336.8370
EMAIL:	andrew@brisarchitects.com

INDEX OF DRAWINGS

SHEET NO.	SHEET TITLE
PP1.0	COVER SHEET
PP2.0	EXISTING CONDITIONS
PP3.0	LOT DIMENSIONS
PP3.1	LOT DIMENSIONS
PP4.0	PRELIMINARY ENGINEERING
PP4.1	PRELIMINARY ENGINEERING
PP1.1-0	LANDSCAPE PLAN COVER
PP1.2-0	LANDSCAPE PLAN
PP1.3-0	LANDSCAPE PLAN

VICINITY MAP

NOT TO SCALE



LINE	BEARING	DISTANCE
L1	N00°18'52"W	40.78
L2	N00°20'35"W	40.84



Plan Scale: 1" = 50'

EAGLE'S NEST SUBDIVISION
ELMORE COUNTY
PRELIMINARY PLAT - COVER

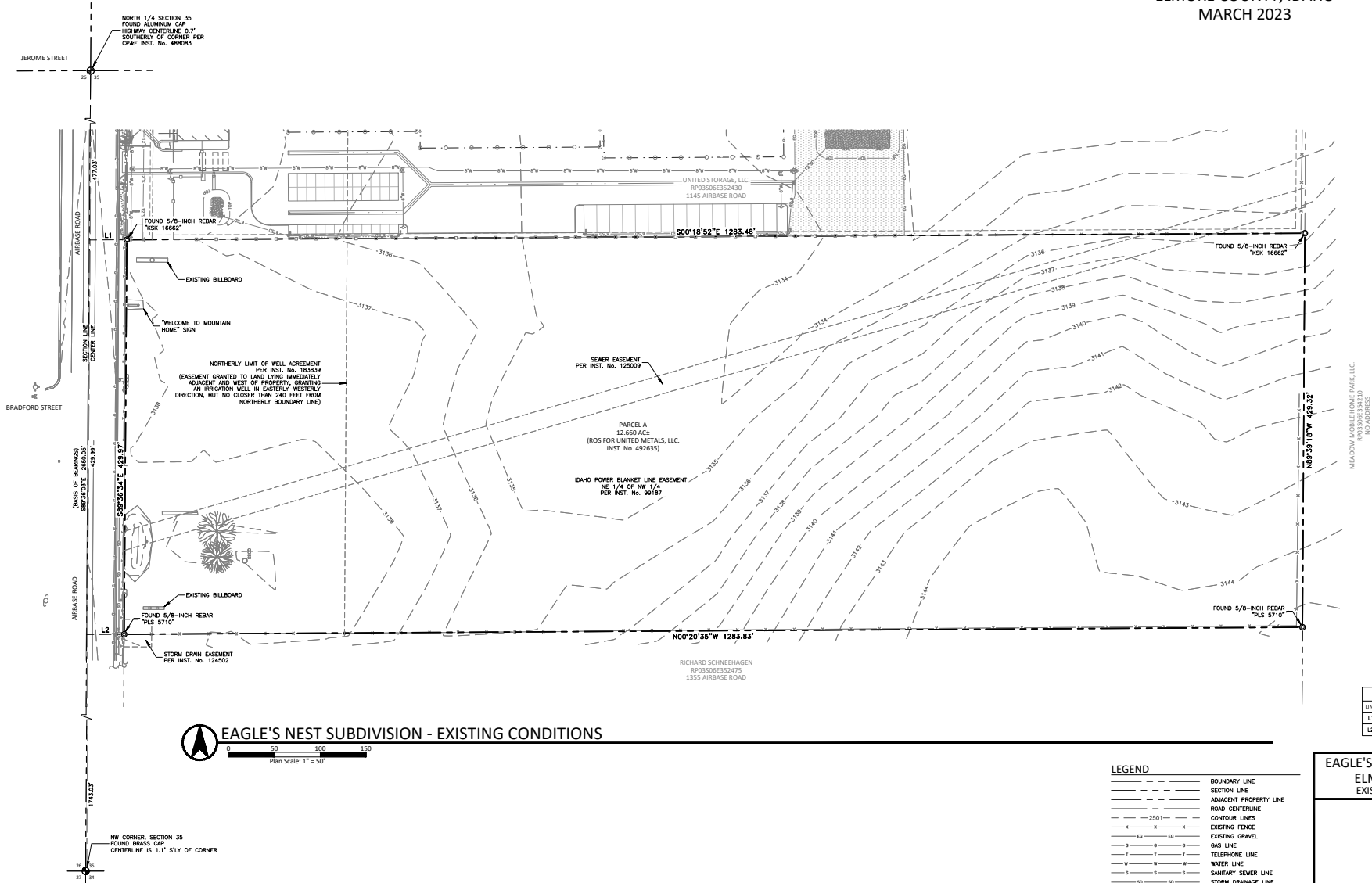
km
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmenllp.com

DATE: MARCH 13, 2023
PROJECT: 23-003

SHEET NO. PP1.0

PRELIMINARY PLAT SHOWING EAGLE'S NEST SUBDIVISION

A PARCEL OF LAND SITUATED IN THE NE 1/4 OF THE NW 1/4 OF
SECTION 35, TOWNSHIP 3 SOUTH, RANGE 6 EAST, BOISE MERIDIAN,
ELMORE COUNTY, IDAHO
MARCH 2023



EAGLE'S NEST SUBDIVISION - EXISTING CONDITIONS

0 50 100 150
Plan Scale: 1" = 50'

LEGEND

- BOUNDARY LINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- ROAD CENTERLINE
- CONTOUR LINES
- EXISTING FENCE
- EXISTING GRAVEL
- GAS LINE
- TELEPHONE LINE
- WATER LINE
- SAWTOOTH SEWER LINE
- STORM DRAINAGE LINE
- POWER POLE
- FIRE HYDRANT
- WATER VALVE
- SEWER CLEAN-OUT

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°18'52"E	40.78
L2	S00°20'35"E	40.84


EAGLE'S NEST SUBDIVISION
ELMORE COUNTY
EXISTING CONDITIONS

km
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6889
kengineering.com

DATE: MARCH 13, 2023
PROJECT: 23-003
SHEET NO. PP2.0

A PARCEL OF LAND SITUATED IN THE NE 1/4 OF THE NW 1/4 OF
SECTION 35, TOWNSHIP 3 SOUTH, RANGE 6 EAST, BOISE MERIDIAN,
ELMORE COUNTY, IDAHO
MARCH 2023



_____	BOUNDARY LINE
_____	SECTION LINE
_____	ADJACENT PROPERTY LINE
_____	LOT LINE
_____	EASEMENT LINE
	COMMON AREA

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°18'52"W	40.78
L2	N00°20'35"W	40.84

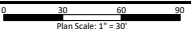


k&m
ENGINEERING
ESTABLISHED 1960

DATE:	MARCH 13, 2023
PROJECT:	23-003
SHEET NO.	
PP3.0	



EAGLE'S NEST SUBDIVISION - LOT DIMENSIONS



PRELIMINARY PLAT SHOWING EAGLE'S NEST SUBDIVISION

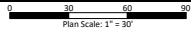
A PARCEL OF LAND SITUATED IN THE NE 1/4 OF THE NW 1/4 OF
SECTION 35, TOWNSHIP 3 SOUTH, RANGE 6 EAST, BOISE MERIDIAN,
ELMORE COUNTY, IDAHO
MARCH 2023



LEGEND	
	BOUNDARY LINE
	SECTION LINE
	ADJACENT PROPERTY LINE
	LOT LINE
	EASEMENT LINE
	COMMON AREA



EAGLE'S NEST SUBDIVISION - LOT DIMENSIONS



EAGLE'S NEST SUBDIVISION
ELMORE COUNTY
LOT DIMENSIONS

km
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6889
kmengr.com

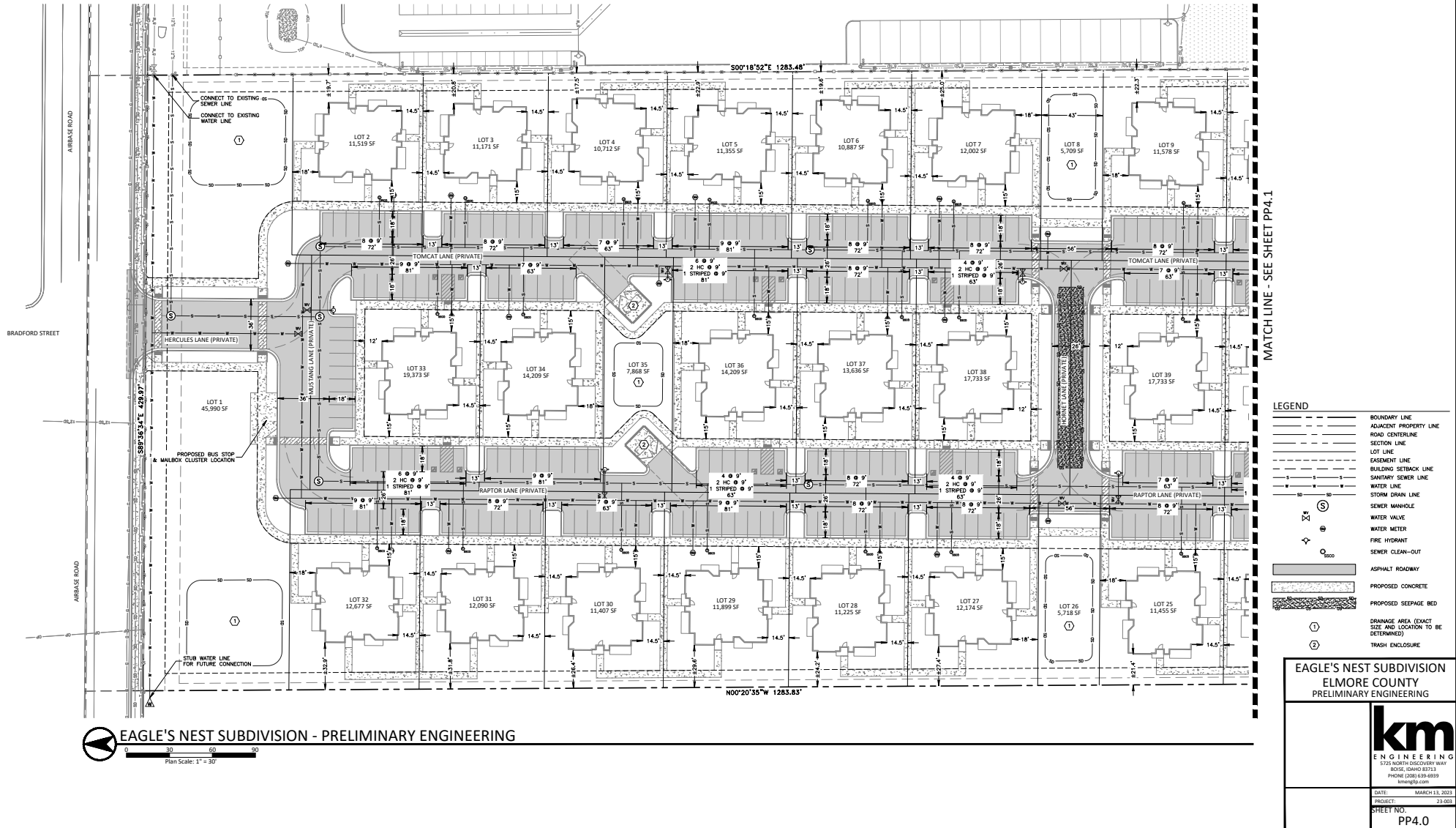
DATE: MARCH 13, 2023

PROJECT: 23-003

SHEET NO. PP3.1

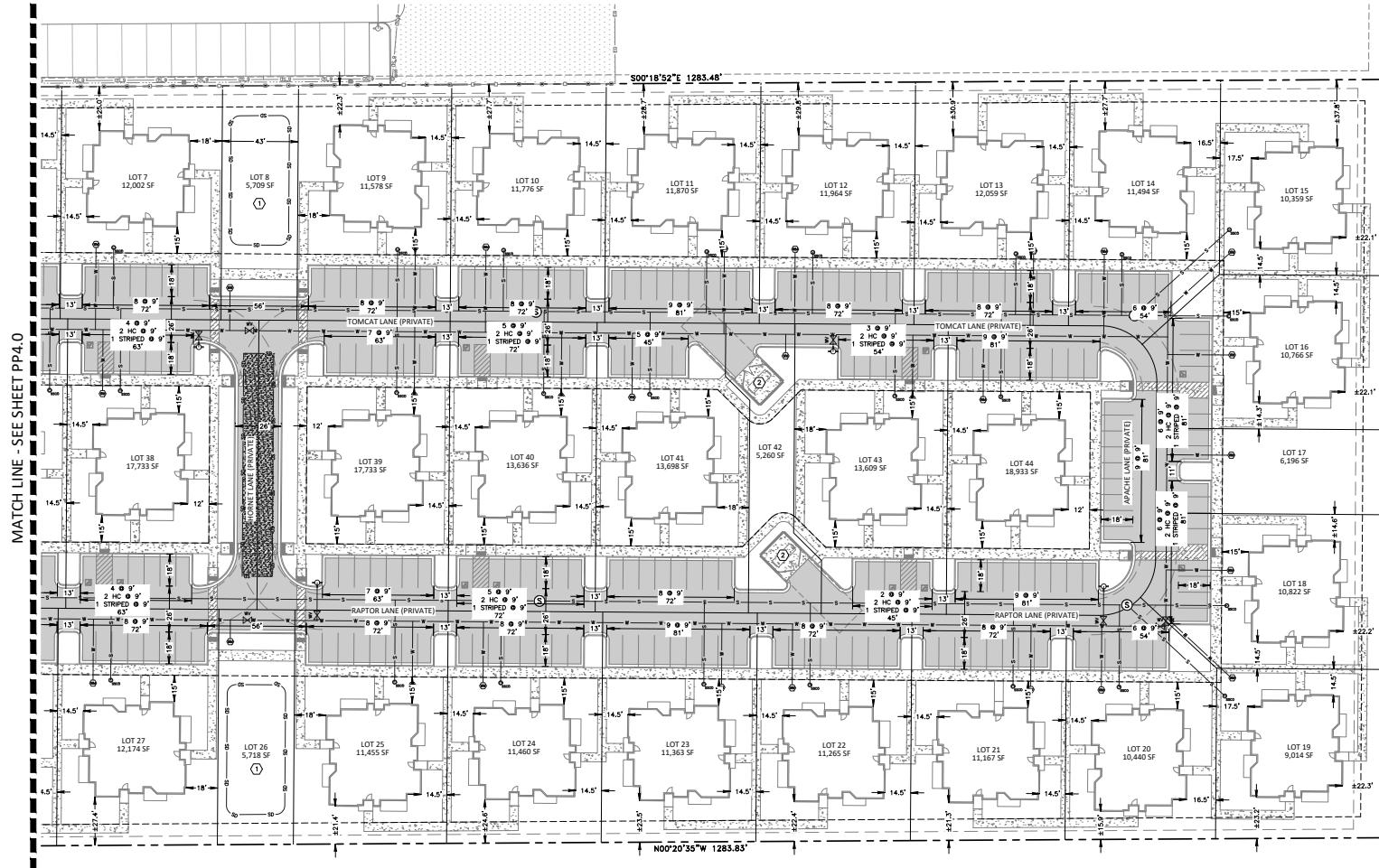
PRELIMINARY PLAT SHOWING EAGLE'S NEST SUBDIVISION

A PARCEL OF LAND SITUATED IN THE NE 1/4 OF THE NW 1/4 OF
SECTION 35, TOWNSHIP 3 SOUTH, RANGE 6 EAST, BOISE MERIDIAN,
ELMORE COUNTY, IDAHO
MARCH 2023



PRELIMINARY PLAT SHOWING EAGLE'S NEST SUBDIVISION

A PARCEL OF LAND SITUATED IN THE NE 1/4 OF THE NW 1/4 OF
SECTION 35, TOWNSHIP 3 SOUTH, RANGE 6 EAST, BOISE MERIDIAN,
ELMORE COUNTY, IDAHO
MARCH 2023



LEGEND	
	BOUNDARY LINE
	ADJACENT PROPERTY LINE
	ROAD CENTERLINE
	SECTION LINE
	LOT LINE
	EASEMENT LINE
	BUILDING SETBACK LINE
	SANITARY SEWER LINE
	WATER LINE
	STORM DRAIN LINE
	SEWER MANHOLE
	WATER VALVE
	WATER METER
	FIRE HYDRANT
	SEWER CLEAN-OUT
	ASPHALT ROADWAY
	PROPOSED CONCRETE
	PROPOSED SEEPAGE BED
	DRAINAGE AREA (EXACT SIZE AND LOCATION TO BE DETERMINED)
	TRASH ENCLOSURE

EAGLE'S NEST SUBDIVISION
ELMORE COUNTY
PRELIMINARY ENGINEERING



EAGLE'S NEST SUBDIVISION - PRELIMINARY ENGINEERING

Plan Scale: 1" = 30'

km
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6889
kmg@kmg.com

DATE: MARCH 13, 2023
PROJECT: 23-003
SHEET NO. PP4.1

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MOUNTAIN HOME**

IN RE:)	
)	
CKMH Holdings LLC, c/o	)	DECISION AND
Stephanie Hopkins,	)	RECOMMENDATION
KM Engineering)	
Applicant.)	
)	
PPLAT, PZ-23-16)	
)	
)	

This matter came before the Planning and Zoning Commission of the City of Mountain Home, Idaho, on April 17, 2023, for a public hearing held pursuant to notice as required by law on a request for approval of a preliminary plat of certain real property that is within the corporate boundaries of the City of Mountain Home, Idaho. The notice of public hearing was given as required by law. Having heard from the Applicant in support of the application and having four (4) members of the public express concerns, the Commission, being fully advised in the matter, having adopted the staff report as part of its deliberation, issues findings and recommendations as follows:

FINDINGS OF FACT

1. The applicant has applied for the preliminary platting of the real property that is legally described in Exhibit A, which is attached hereto.
2. The owner of the real property for which preliminary platting is sought has requested in writing that the property be annexed to and made a part of the City of Mountain Home.
3. The proposed "Eagles Nest Preliminary Plat" is a parcel of approximately 13.055 acres which is proposed to consist of:
 - a. Forty-five (45) lots overall.
 - b. Thirty-eight (38) buildable lots, with the intention to build a single fourplex on each lot, allowing for 152 total dwelling units.

- i. City Staff verified that the proposed fourplex use is permitted by right in the requested C-4 zoning district, provided each fourplex is on its lot.
 - c. Six (6) common lots, and;
 - d. One (1) private roadway.
- 4. Further, the proposed multi-family development will provide:
 - a. Sidewalks on the periphery of the subject property and internally to provide efficient pedestrian connectivity.
 - b. A children's play structure.
 - c. Bike racks
 - d. Seating areas adjacent to community open space and walkways; and
 - e. Designated safe drop-off for school buses.
- 5. Notice of public hearing has been given as required by law.
- 6. As required by Idaho and City Code, a public hearing was held regarding the request.
 - a. Four (4) members of the public spoke regarding their concerns about:
 - i. Whether there is appropriate parking.
 - 1. Staff confirmed there will be 366 parking spaces, allowing for two designated spaces per dwelling unit and an additional 62 spaces for guest parking.
 - ii. Is the one point of access off Air Base Road appropriate?; why isn't the development taking secondary access off Autumn Road?
 - 1. Staff confirmed that the Fire Marshall has no concerns with the single access off Air Base Road. Further, Legal informed the Commission that Autumn Road is a private access easement and not a dedicated public right-of-way. Thus, any connection to the roadway would not be allowed.
 - 2. Further, the applicant has completed a Traffic Impact Analysis (TIA), which the Idaho Transportation Department (ITD) has reviewed with the single condition

that the proposed development access line up with Bradford Street to the north.

iii. Whether the proposed development will be low-income or market rate housing.

1. The Applicant confirmed that the proposed development is intended to be a market-rate housing product.

iv. Whether school busing has been considered.

1. Staff confirmed that the applicant has been in contact with Caldwell Transportation and that a busing route for the development has been identified.

v. The need for another elementary school on the west side of town.

1. Staff confirmed that the school district had received notification of the development and other developments in the area.

2. Further, it was established by Legal, after an inquiry from a Commission member, that the State of Idaho does not allow the collection of development impact fees for school districts at this time.

7. City Staff Confirmed that the proposed preliminary plat and associated multi-family development complies with City Code 9-16-10 Preliminary Plat requirements, City Code 9-19 Article A – Multi-Family Development Design Standards, and City Code Chapter 11 Landscaping & Open Space Standards.

8. Further, City Staff and the Commission have considered the following per 9-16-10 of the Mountain Home City Code concerning preliminary plats:

- a. The availability of public services to accommodate the proposed development.
- b. The continuity of the development with the capital improvement program.
- c. The public financial capability of supporting services for the proposed development.

9. However, there was some discussion by the Commission whether the proposed density of the development (12 units per acre) was harmonious with

the Comprehensive Plan, being the Comprehensive Plan states that new development should be harmonious with its surroundings.

Based on the foregoing FINDINGS OF FACT, the City of Mountain Home Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The notice and hearing requirements of Idaho Code Section 67-6509(a) have been met.
2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code, the Idaho Regulatory Takings Act.
3. The applicant has met the requirements of Mountain Home City Code 9-16-10, 9-19.
4. The requested zoning is consistent with the City's Comprehensive Plan.
5. The Planning & Zoning Commission voted 5-0 in favor of recommending approval of the request.

Based on the forgoing CONCLUSIONS OF LAW, the City of Mountain Home Planning and Zoning Commission hereby enters the following:

DECISION AND RECOMMENDATION

The Planning and Zoning Commission hereby recommends that the application (PZ-23-15) to annex the property described in Exhibit A to the City of Mountain Home, Idaho, and the zoning of said property as C-4 should be approved and granted by the City under the following conditions:

1. Subject to site plan amendments as required by Building, Public Works, Fire, and Zoning Officials to comply with applicable City Codes and standards.
2. All future development will comply with the bulk and coverage controls of the C-4 Zoning District.

DATED this 1st day of May 2023.

COMMISSION

CITY OF MOUNTAIN HOME
PLANNING AND ZONING

By 
Kristopher Wallert, Chairman

ATTEST:


Chris Curtis, Assistant City Planner

Exhibit A: Legal Description

March 2, 2023
Project No. 20-192
PZ-23-15

Exhibit A Legal Description for Annexation and Zone to C4 Parcel RP03S06E352450

A parcel of land situated in the Northeast 1/4 of the Northwest 1/4 of Section 35, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho and being more particularly described as follows:

Commencing at a found aluminum cap marking the North 1/4 corner of said Section 35, which bears S89°36'03"E a distance of 2,650.05 feet from a found aluminum cap marking the Northwest corner of said Section 35;

Thence following the northerly line of said Northeast 1/4 of the Northwest 1/4, N89°36'03"W a distance of 477.02 feet;

Thence leaving said northerly line, S00°23'57"W a distance of 0.77 feet to the centerline of Airbase Road and being the **POINT OF BEGINNING**.

Thence S00°18'52"E a distance of 1,323.49 feet to a found 5/8-inch rebar on the southerly line of said Northeast 1/4 of the Northwest 1/4;

Thence following said southerly line, N89°39'18"W a distance of 429.32 feet to a found 5/8-inch rebar;

Thence leaving said southerly line, N00°20'35"W a distance of 1,323.84 feet to said centerline of Airbase Road;

Thence following said centerline, S89°36'34"E a distance of 429.99 feet to the **POINT OF BEGINNING**.

Said parcel contains 13.055 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

Exhibit B: Proposed Preliminary Plat

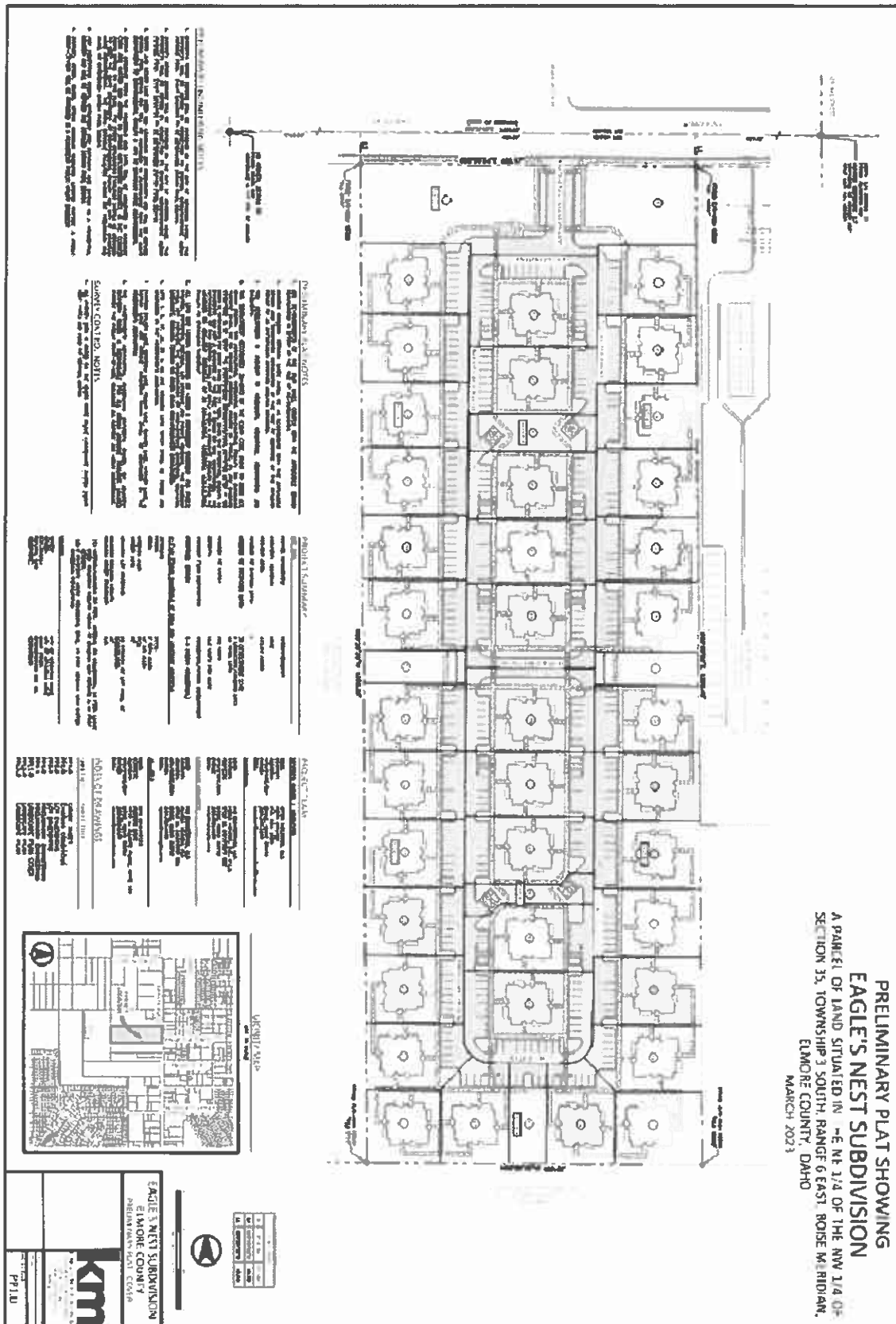


Exhibit C: Proposed Multi-family Building Elevation



**BEFORE THE CITY COUNCIL FOR
THE CITY OF MOUNTAIN HOME**

IN RE:)	
	)	DECISION
CKMH Holdings LLC, c/o)	
Stephanie Hopkins,)	
KM Engineering)	
Applicant.)	
)	
PPLAT, PZ-23-16)	
)	
)	

This matter came for deliberation and decision before the City Council for the City of Mountain Home on May 8, 2023, following a public hearing and recommendation rendered by the Planning and Zoning Commission of the City of Mountain Home, Idaho, on April 17, 2023, held pursuant to notice as required by law on a request for approval of a preliminary plat of certain real property that is within the corporate boundaries of the City of Mountain Home, Idaho. The notice of public hearing was given as required by law. Having heard from the Applicant in support of the application and having four (4) members of the public express concerns, the Commission being fully advised in the matter, having adopted the staff report as part of its deliberation, issues findings and recommending approval, the City Council, having adopted the staff report as part of its deliberation, hereby adopts the Commission's findings, conditions, and recommendation, as follows:

FINDINGS OF FACT

1. The applicant has applied for the preliminary platting of the real property that is legally described in Exhibit A, which is attached hereto.
2. The owner of the real property for which preliminary platting is sought has requested in writing that the property be annexed to and made a part of the City of Mountain Home.
3. The proposed "Eagles Nest Preliminary Plat" is a parcel of approximately 13.055 acres which is proposed to consist of the following:
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 - i. City Staff verified that the proposed fourplex use is permitted by right in the requested C-4 zoning district, provided each fourplex is on its lot.
- c. Six (6) common lots, and;
- d. One (1) private roadway.
- 4. Further, the proposed multi-family development will provide:
 - a. Sidewalks on the periphery of the subject property and internally to provide efficient pedestrian connectivity.
 - b. A children's play structure.
 - c. Bike racks
 - d. Seating areas adjacent to community open space and walkways; and
 - e. Designated safe drop-off for school buses.
- 5. Notice of public hearing has been given as required by law.
- 6. As required by Idaho and City Code, a public hearing was held regarding the request.
 - a. Four (4) members of the public spoke regarding their concerns about:
 - i. Whether there is appropriate parking.
 - 1. Staff confirmed there will be 366 parking spaces, allowing for two designated spaces per dwelling unit and an additional 62 spaces for guest parking.
 - ii. Is the one point of access off Air Base Road appropriate?; why isn't the development taking secondary access off Autumn Road?
 - 1. Staff confirmed that the Fire Marshall has no concerns with the single access off Air Base Road. Further, Legal informed the Commission that Autumn Road is a private access easement and not a dedicated public right-of-way. Thus, any connection to the roadway would not be allowed.
 - a. This item was once again discussed as an item of concern, particularly regarding emergency

circumstances within or in proximity to the proposed development. Ultimately members of the City Council wanted to ensure a 25' emergency access easement was incorporated if approved.

2. Further, the applicant has completed a Traffic Impact Analysis (TIA), which the Idaho Transportation Department (ITD) has reviewed with the single condition that the proposed development access line up with Bradford Street to the north.
 - iii. Whether the proposed development will be low-income or market rate housing.
 1. The Applicant confirmed that the proposed development is intended to be a market-rate housing product.
 - iv. Whether school busing has been considered.
 1. Staff confirmed that the applicant has been in contact with Caldwell Transportation and that a busing route for the development has been identified.
 - v. The need for another elementary school on the west side of town.
 1. Staff confirmed that the school district had received notification of the development and other developments in the area.
 2. Further, it was established by Legal, after an inquiry from a Commission member, that the State of Idaho does not allow the collection of development impact fees for school districts at this time.
 - vi. Members of the City Council brought up whether the proposed development was too dense and if the subject property would be better suited for strictly commercial development being the property is zoned C-4 Commercial.
7. City Staff Confirmed that the proposed preliminary plat and associated multi-family development complies with City Code 9-16-10 Preliminary Plat

requirements, City Code 9-19 Article A – Multi-Family Development Design Standards, and City Code Chapter 11 Landscaping & Open Space Standards.

8. Further, City Staff and the Commission have considered the following per 9-16-10 of the Mountain Home City Code concerning preliminary plats:

- a. The availability of public services to accommodate the proposed development.
 - b. The continuity of the development with the capital improvement program.
 - c. The public financial capability of supporting services for the proposed development.
9. However, there was some discussion by the Commission whether the proposed density of the development (12 units per acre) was harmonious with the Comprehensive Plan, being the Comprehensive Plan states that new development should be harmonious with its surroundings.

Based on the foregoing FINDINGS OF FACT, the City Council for the City Mountain Home hereby makes the following:

CONCLUSIONS OF LAW

1. The notice and hearing requirements of Idaho Code Section 67-6509(a) have been met.
2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code, the Idaho Regulatory Takings Act.
3. The applicant has met the requirements of Mountain Home City Code 9-16-10, 9-19.
4. The requested zoning is consistent with the City's Comprehensive Plan.
5. The Planning & Zoning Commission voted 5-0 in favor of recommending approval of the request.
6. The City Council voted 2-2 to approve the requested preliminary plat. The Mayor broke the tie, resulting in the vote being 3-2, approving the request.

Based on the forgoing CONCLUSIONS OF LAW, the City Council for the City of Mountain Home hereby enters the following:

DECISION

The City Council for the City of Mountain Home hereby approves the request for Preliminary Plat (PZ-23-16).

1. Subject to site plan amendments as required by Building, Public Works, Fire, and Zoning Officials to comply with applicable City Codes and standards.
2. All future development will comply with the bulk and coverage controls of the C-4 Zoning District.
3. All development regarding this request will be subject to the City of Mountain Home's ability to provide municipal water services.
4. The applicant shall provide a 25' secondary emergency access easement on the development's west or southern boundary.

DATED this 24th of May 2023.

CITY OF MOUNTAIN HOME

By 
Rich Sykes, Mayor

ATTEST:


Tiffany Belt, City Clerk



Exhibit A: Legal Description

March 2, 2023
Project No. 20-192
PZ-23-15

**Exhibit A
Legal Description for Annexation and Zone to C4
Parcel RP03S06E352450**

A parcel of land situated in the Northeast 1/4 of the Northwest 1/4 of Section 35, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho and being more particularly described as follows:

Commencing at a found aluminum cap marking the North 1/4 corner of said Section 35, which bears S89°36'03"E a distance of 2,650.05 feet from a found aluminum cap marking the Northwest corner of said Section 35;

Thence following the northerly line of said Northeast 1/4 of the Northwest 1/4, N89°36'03"W a distance of 477.02 feet;

Thence leaving said northerly line, S00°23'57"W a distance of 0.77 feet to the centerline of Airbase Road and being the **POINT OF BEGINNING**.

Thence S00°18'52"E a distance of 1,323.49 feet to a found 5/8-inch rebar on the southerly line of said Northeast 1/4 of the Northwest 1/4;

Thence following said southerly line, N89°39'18"W a distance of 429.32 feet to a found 5/8-inch rebar;

Thence leaving said southerly line, N00°20'35"W a distance of 1,323.84 feet to said centerline of Airbase Road;

Thence following said centerline, S89°36'34"E a distance of 429.99 feet to the **POINT OF BEGINNING**.

Said parcel contains 13.055 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.



#2128

Exhibit C: Proposed Multi-Family Building Elevation



**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MOUNTAIN HOME**

IN RE:)	
)	
Sharolynn Hammond	)	DECISION AND
Axtell Subdivision	)	RECOMMENDATION
Preliminary Plat)	
Applicant.)	
)	
PPLAT, PZ-24-7)	
)	
)	

This matter came before the Planning and Zoning Commission of the City of Mountain Home, Idaho, on April 2, 2024, for a public hearing held pursuant to notice as required by law on a request for approval of a preliminary plat of certain real property that is within the corporate boundaries of the City of Mountain Home, Idaho. The notice of public hearing was given as required by law. The matter was tabled by the Commission by a motion to the April 16, 2024, Planning and Zoning meeting, to provide an amended preliminary plat consistent with the legal description and time for the applicant to resolve the issue with an adjacent property owner of parcel number RP03S06E368050 regarding structures built across and onto a shared boundary line. At the April 16, 2024, meeting the applicant having provided an amended plat and having reached an agreement with the adjacent owner, and having heard from the Applicant in support of the application and having one (1) members of the public express concerns, the Commission, being fully advised in the matter, having adopted the staff report as part of its deliberation, issues findings and recommendations as follows:

FINDINGS OF FACT

1. The applicant has applied for the preliminary platting of the real property that is legally described in Exhibit A, which is attached hereto.
2. The owner of the real property for which preliminary platting is sought has requested in writing that the property be preliminary platted.
3. The proposed “Axtell Subdivision Preliminary Plat” consists of approximately 3.53 acres and would include the following:
 - a. Forty (40) lots overall, including:
 - i. Twenty-nine (29) single-family lots;
 - ii. Eight (8) duplex lots; and
 - iii. Three (3) common lots

- iv. The proposed development will consist of Forty-five (45) dwellings at the completion of the development.
- 4. Notice of public hearing has been given as required by law.
- 5. As required by Idaho and City Code, a public hearing was held regarding the request.
 - a. One (1) member of the public spoke regarding their concerns about:
 - i. Security Fencing abutting their property.
 - a. Staff confirmed that the PUD stipulated that fencing will be installed along the north, south, and east boundaries of the subdivision.
 - b. Applicant submitted a preliminary plat that was not consistent with the legal description in anticipation of acquiring additional land on the southerly boundary line that was not owned by the applicant at the time of submittal of the Planned Unit Development and submittal of the preliminary plat.
 - i. Applicant modified the preliminary plat with boundary lines consistent with the legal description on the warranty deeds eliminating the area not owned by the applicant.
 - c. There was a conflict with adjacent property wherein the adjacent landowner had constructed accessory structures and a well over boundary lines onto the applicant's parcel.
 - i. Applicant has reached an agreement with the adjacent parcel owner to remove the structure to a location within the proper boundary line and to connect the well at a different location within the boundary of the adjacent parcel owner's boundary.

6. City Staff Confirmed that the proposed preliminary plat and associated development comply with City Code 9-16-10 Preliminary Plat requirements, and the Planned Unit Development Agreement, of which conforms to Chapter 9, Section 19, Residential Planned Unit Development Design Standards.

7. Further, City Staff and the Commission have considered the following per 9-16-10 of the Mountain Home City Code concerning preliminary plats:

- a. The availability of public services to accommodate the proposed development.
 - i. Staff confirmed that there are sufficient public services to accommodate the proposed development.

- b. The continuity of the development with the capital improvement program.
 - i. Staff confirmed that the proposed development does not interfere with the current capital improvement program.
- c. The public financial capability of supporting services for the proposed development.
 - i. Staff confirmed they do not foresee any issues with supporting services being able to accommodate the proposed development.

Based on the foregoing FINDINGS OF FACT, the City of Mountain Home Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

- 1. The notice and hearing requirements of Idaho Code Section 67-6509(a) have been met.
- 2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code, the Idaho Regulatory Takings Act.
- 3. The applicant has met the requirements of Mountain Home City Code 9-16-10 and 9-19.
- 4. The requested preliminary plat is consistent with the City's Comprehensive Plan.
- 5. The Planning & Zoning Commission voted 3-0 in favor of recommending approval of the request.

Based on the forgoing CONCLUSIONS OF LAW, the City of Mountain Home Planning and Zoning Commission hereby enters the following:

DECISION AND RECOMMENDATION

The Planning and Zoning Commission hereby recommends that the application (PZ-24-7) to approve the requested preliminary plat "Axtell Subdivision" Exhibit A, located as described in Exhibit B, in the City of Mountain Home, Idaho, should be approved and granted by the City Council under the following conditions:

- 1. Subject to site plan amendments as required by Building, Public Works, Fire, and Zoning Officials to comply with applicable City Codes and standards.
- 2. All future development will comply with the uses and bulk & coverage controls of the R-4 Zoning District and the proposed Axtell Subdivision Planned Unit Development (PZ-23-67) Exhibit C.

3. Failure to file and obtain the certification of the acceptance of the final plat application by the administrator within one year after action by the Commission shall cause all approvals of said preliminary plat to be null and void unless a one-year extension of time is applied for, thirty (30) days before the expiration, by the subdivider and granted by the Commission. A preliminary plat may be extended one time only, after which it shall be resubmitted to the administrator and the Commission.
4. Before the Final Plat is recorded, the Applicant shall receive all necessary approvals regarding water and sewer infrastructure from the Central Health District.
5. All development regarding this application will be subject to the City of Mountain Home's ability to provide municipal water services.

DATED this 7th day of May 2024.

CITY OF MOUNTAIN HOME
PLANNING AND ZONING COMMISSION

By _____
Kristopher Wallert, Chairman

ATTEST:

Brenda Ellis, Senior City Planner

Exhibit B

LEGAL DESCRIPTION of PROPERTY

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Elmore, State of Idaho, described as follows:

Tract I:

Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho
Section 36: Commencing 734 feet South of the Northwest Corner of the Southeast Quarter, Section 36,

Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho

Thence East 546 feet

Thence Southeasterly 334.85 feet along highway right of way

Thence West 708 feet

Thence North 20 feet

Thence East 185 feet

Thence North 125.25 feet

Thence West 185 feet

Thence North 146.5 feet to the Point of Beginning.

Save and except those portions used for roadway purposes. Also save and except the following described parcel:

A tract of land, situated in the Southeast Quarter of Section 36, Township 3 South, Range 6 East, Boise

Meridian, Elmore County, Idaho, more particularly described as follows, to-wit:

Beginning at the Northwest Corner of the Southeast Quarter of Section 36, Township 3 South, Range 6

East, Boise Meridian, and running thence South along the Quarter section line of said Section 36 a distance of 734 feet to a point, the Real Point of Beginning, running thence East 250 feet, to a point, running thence

South 80 feet, to a point, running thence

West 250 feet, to a point, running thence

North 80 feet, to a point, the Point of Beginning.

Save and except those portions used for roadway purposes.

Except any house trailer or mobile home located thereon.

Tract II:

A tract of land situated in the Southeast Quarter of Section 36, Township 3 South, Range 6 East, Boise

Meridian, Elmore County, Idaho, more particularly described as follows, to-wit:

Beginning at the Northwest Corner of the Southeast Quarter of Section 36, Township 3 South, Range 6

East, Boise Meridian, and running thence

South along the Quarter section line of said Section 36 a distance of 734 feet to a point, the Real Point of

Beginning, running thence

East 250 feet, to a point, running thence

South 80 feet, to a point, running thence

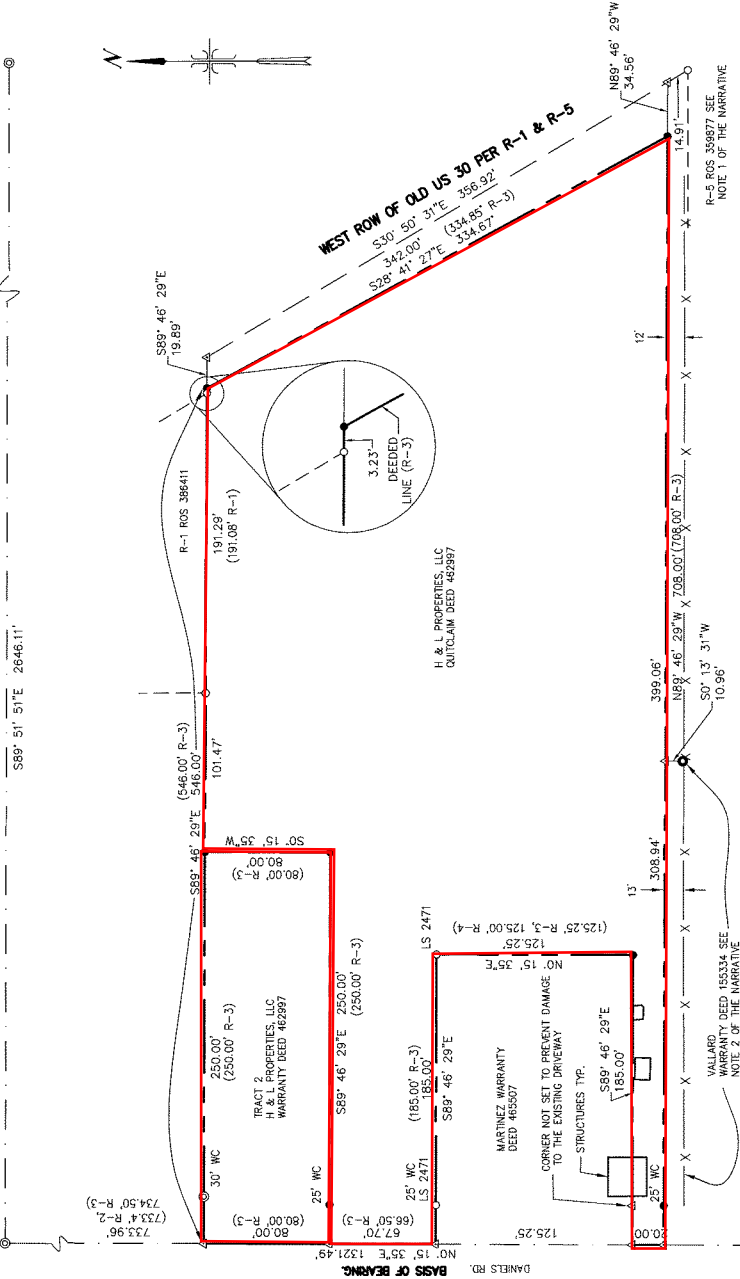
West 250 feet, to a point, running thence

North 80 feet, to a point, The Point of Beginning.

Save and except those portions used for roadway purposes.

C 1/4 CORNER
SECTION 36
CP&F NO. 463544

E 1/4 CORNER
SECTION 36
CP&F NO. 231575

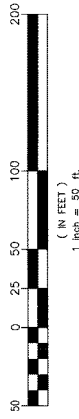


REFERENCES R-#

REFERENCE IS MADE TO THE FOLLOWING:

- 1) RECORD OF SURVEY NUMBER 386411
- 2) WARRANTY DEED 380927
- 3) QUITCLAIM DEED 462997
- 4) WARRANTY DEED 465507
- 5) RECORD OF SURVEY 359877 WITH AFFIDAVIT OF CORRECTION 362948
- 6) WARRANTY DEED 155334

GRAPHIC SCALE



CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT I, ERIC HOWARD, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, HEREBY ATTEST THAT THIS IS A REASONABLY ACCURATE REPRESENTATION OF A SURVEY AS MADE BY ME OR UNDER MY SUPERVISION, AND IS IN CONFORMITY WITH THE CORNER REQUIREMENTS OF THE IDAHO FILING ACT - IDAHO CODE 55-1601 THROUGH 55-1613.



RECORD OF SURVEY - BOUNDARY LINE AGREEMENT

FOR
LONNIE MCDONOUGH

**A PARCEL OF LAND LYING IN THE SE 1/4 OF SECTION 36,
T.35N., R.6E., B.M., ELMORE COUNTY, IDAHO.**



J.J. HOWARD
ENGINEERING & SURVEYING

5983 W. State St., Ste. D / Boise, ID 83703
PHONE: (208) 846-8837 FAX: (208) 846-8822

DATE:	DESIGN BY:	DATE:	SHEET:
11/20/19	EJH	11/20/19	1
SCALE:	DRAWN BY:	INDEX NO.	
1"=50'	EJH	362-36-200	

2018 LONNIE MCDONOUGH

NARRATIVE

THIS SURVEY WAS COMPLETED AT THE REQUEST OF THE PROPERTY TO IDENTIFY QUITCLAIM DEED 462997. AS SHOWN ON THIS MAP THERE IS A GAP IN THE BOUNDARY LINE BETWEEN THE CENTER 1/4 CORNER OF SAID DEED AND THE BOUNDARY WAS SET USING DIRECT CALLS FROM SAID DEED AND EAST WEST DIRECTIONS FROM THE NORTH LINE OF THIS PARCEL AND MONUMENTS FOUND FROM ROS 386411. NORTH SOUTH CALLS REFERENCED IS SAID PARALLEL THE MERIDIONAL CENTERLINE.

- 1) THERE APPEARS TO BE A GAP FROM THIS SURVEY AND BOUNDARY SET BY ROS 359877.
- 2) TALKING WITH MRS. VALLARD (PROPERTY OWNER TO THE SOUTH) SHE INDICATED HER PROPERTY WAS SURVEYED (NO RECORD WAS FOUND) PRODUCED SHE TOLD ME HER BOUNDARY (SHE FOUND APPROXIMATE FENCE LINE BUILT BY HER HUSBAND) AND THE 3/4" IRON PIN SET BY SAID UNDOCUMENTED SURVEY THIS POSSESSION LINE IS IN CONFLICT WITH HER DEED. WARRANTY DEED 155334 CALLS A POINT OF BEGINNING 1027 FEET SOUTH OF THE CENTER 1/4 CORNER. THE APPROXIMATE MEASURED DISTANCE TO HER POSSESSION LINE IS 1040' SOUTH OF THE CENTER 1/4 CORNER.

LEGEND

- SECTION LINE
- ADJOINING DEED LINES
- TE LINES
- EXISTING FENCE
- BOUNDARY LINE
- CALCULATED POINT-NOT SET
- FOUND 5/8" IRON PIN
- FOUND BRASS CAP
- FOUND 1/2" IRON PIN
- SET 1/2" X 24" IRON PIN W/ CAP
- FOUND 3/4" IRON PIN

Instrument # 188955
Map 15 101 111
For: J.J. HOWARD LLC
SHELLEY ESSL, Recorder
KENNEDY, Deputy

Pages: 1

**AXTELL SUBDIVISION LLC
55 Years and Up
Planned Unit Development Agreement**

THIS AGREEMENT is made effective this 15th day of December, 2023, by and between the CITY OF MOUNTAIN HOME, IDAHO, a municipal corporation organized pursuant to the laws of the State of Idaho, of P. O. Box 10, Mountain Home, Idaho 83647, hereinafter referred to as the "City," and Axtell Subdivision, LLC., an Idaho limited liability company, hereinafter referred to as the "Owner".

WHEREAS, the owner owns and desires to develop certain real property located in the City of Mountain Home, Idaho, Elmore County Tax Assessor Parcel Numbers RP03S06E368070A and RP03S06E368080A, consisting of Tract I & II, the "Property", which is legally described in Exhibit A, attached hereto and incorporated herein by this reference.

WHEREAS, the owner desires to develop the property into a 55 Years Plus Community consistent with the Axtell Subdivision Site Master Plan (the "Masterplan"), which is attached hereto as Exhibit B, and incorporated herein by this reference.

WHEREAS, this Development Agreement intends to ensure the Property is developed in a manner consistent with Mountain Home's City Code; and

WHEREAS, the Owner has agreed to the development standards set forth herein upon the use and development of the Property with the requirements outlined in this Development Agreement; and

WHEREAS, the Axtell Planned Unit Development is proposed to be an attractive residential community providing the following:

- (42) individual lots which will consist of the following:
 - The Clubhouse will be built on Lot 41 (72.625' deep X 57' wide) and will be owned by the HOA for all of the residents. The building will be 780 square feet and will have a kitchen unit for parties, a workout room, an entertainment room for movies and games, an office and 1 Handicap bathroom. Outside there will be a pickle ball court, Picnic Area and BBQ Pit. One handicap parking spot as well as 13 regular parking spaces will be provided. Clubhouse will meet all required setbacks. Mailbox will be located next to Clubhouse (per Postmaster's approval), so residents can pull into parking spaces to retrieve their mail.
 - 9 Duplex Dwellings will be built on the following lots:
 - Lots 1 thru 7, will be 72' width X 73' 3" depth
 - Lot 24 will be 72' width X 135' 3" depth at its longest point. It will have 6,693 square feet total.
 - Lot 34 will be 110' width along the South border X 72' 7.5" depth minus ½ the roadway. The square footage of the actual lot is 5,739.

- Duplexes will meet all required setbacks. There will be 6 designated parking spaces (9' X 18') for each Duplex. They will be built of quality materials and craftsmanship and all plans will be turned into the City for approval and building permits. They will meet all applicable city codes.
 - 29 Single-family Dwellings will be built on the following lots:
 - Lot 8 will be 42' width X 73' 3" depth.
 - Lots 10 thru 23 will be 39' width X 73' 3" depth.
 - Lots 25 thru 32 will be 39' width X 72' 7.5" depth.
 - Lots 35 thru 40 will be 39' width X 72' 7.5" depth.
 - Single family dwellings will meet all required setbacks. There will be 3 designated parking spaces (9' X 18') for each dwelling. They will be built of quality materials and craftsmanship and all plans will be turned into the City for approval and building permits. They will meet all applicable city codes.
 - HOA lots are as follows:
 - Lot 9 Water retention 5,959 sq. ft.
 - Lot 33 Roadway 3,700 sq. ft
 - Lot 41 Clubhouse
 - Lot 42 Water Retention & Dog Park 13,025 sq. ft.
- All of these lots will be owned by the HOA and will be designated for Community Space.
- A 20' wide road will wrap through the community with a 15 mile per hour speed limit that will be strictly enforced. The road will be private and each lot line will go to the center of the road. The road, HOA Lots and clubhouse will be maintained by the HOA as spelled out in the HOA By-Laws and CC&R's to be developed by Axtell Subdivision LLC (Owner) and reviewed and approved by City of Mountain Home with Final Plat Approval.
 - Walkable, family-oriented residential community with a club house, Pickle Ball Court BBQ area/Picnic area and a pet park for residents use and enjoyment.
 - Water Conservation Landscaping improvements throughout the site and perimeter utilizing drought resistant native grasses, flowers, and trees maintained by Owner of each individual lot or by the HOA for their lots. All landscaping will be done according to City code.
 - Exceptional pedestrian connectivity to public rights-of-way and resident amenities maintained by HOA.

NOW, THEREFORE, IN CONSIDERATION of the covenants and conditions set forth herein, the parties agree as follows:

1. Construct to City Standards: Owner agrees that all improvements required by this Agreement or by City codes shall be built to City standards or to the standards of any applicable public agency providing service to the development, adhering to all City policies and procedures; including, but not limited to the sanitary sewer improvements, water lines, fire hydrants, flood works, stormwater management and roads, unless otherwise exempted in the proposed Planned Unit Development

or this Agreement. Water Line will be looped through the North entrance off Daniels Road and exit the South entrance off Daniels Road.

1. Applicable Standards: The Owner agrees that all laws, standards, policies, and procedures regarding public improvement construction that the Owner is required to comply with or otherwise meet according to this Agreement or City codes shall be those in effect when construction is commenced. If Owner fails to comply with applicable laws while constructing improvements, public or otherwise, on the lands subject to this Agreement, Owner consents to suspension of issuance of building permits or denial of certificates of occupancy until such compliance is attained.
1. Covenant to Run with the Land: The covenants herein to be performed by Owner shall be binding upon Owner and Owner's heirs, assigns, and successors in interest, and shall be deemed to be covenants running with the land.
2. Severability: Should any provision of this Agreement be declared invalid by a court of competent jurisdiction; the remaining provisions shall continue in full force and effect and be interpreted to effectuate the purposes of the entire Agreement to the greatest extent possible.
3. Merger and Amendment: All promises and prior negotiations of the parties merge into this Agreement. The parties agree that this Agreement shall only be amended in writing and signed by both parties. The parties agree that this Agreement shall not be amended by a change in law. The parties agree that this Agreement is not intended to replace any other requirement of City Code and that its execution shall not constitute a waiver of requirements established by City ordinance or other applicable provisions of law.
4. Allowed Land Use Permitted by Right:
 - a. Residential Area:
 - 4.a.i. Single-Family Dwellings Residential
 - 4.a.ii. Multi-Family Duplex Residential
 - 4.a.iii. One Amenity Lot for the Club House.
 - 4.a.iv. No on street parking will be allowed.
5. Development Schedule: It is the intent of the Applicant/Owner to commence site development immediately after engineering and plat approval. Final plat approval will be obtained within 12 months of P & Z and City Council approval. It is the developers intention to get plat approval immediately and start developing the infrastructure in the spring of 2024 with the goal of completing all earthwork and horizontal infrastructure improvements no later than Twelve Months after Final Plat approval. The preliminary plat approval shall become null and void if the applicant fails to either 1) obtain the City Engineer signature on a final plat within Twelve Months; or 2) obtain approval of a time extension of Six months from City

Council. Construction of dwellings shall commence immediately after infrastructure improvement and continue at a pace driven by market absorption.

6. Subdivision Design Standards: All future development and improvements shall conform to the standards and regulations of Mountain Home City Code Title 9 – Chapter 16 – Section 13: Subdivision Design Standards for the area designated as “Axtell Subdivision PUD”, or as amended, and all references to other sections therein except for the following:
 - a. Street Right of Way Widths:
 - 6.a.i. Axtell Circle: This is a private Drive 20' in width and has a 2' curb and gutter on both sides with a 5' sidewalk on one side of the roadway.
 - 6.a.ii. 16% of site paved or crushed paving road.
 - 6.a.iii. Maintenance of the private drive will be the responsibility of the Axtell Subdivision HOA
 - b. Mailboxes
 - 6.b.i. The development shall provide cluster mailboxes as indicated on the Site plan as lot 34 or as approved by the local postmaster and Public Works Director along with a turnout so as not to impede traffic or put pedestrians in harms way.
 - c. Easements/Utility and Drainageway
 - 6.c.i. Unobstructed utility easements of 12' on each side of the road shall be provided consistent with the PUD Application. Easements of greater width may be required along lines across lots or along boundaries where necessary for surface drainage or the extension of main sewers or other utilities. Stormwater will be retained on the development as indicated on the attached proposed plat.
 - 6.c.ii. Storm drainage will run through buried culvert down one side of the road with proper grates located per engineering specification and flowing to the water retention areas of Lots 9 & 43.
 - d. Lots/Blocks:
 - 6.d.i. Lots
 - 6.d.i.1. Corner lots shall NOT BE REQUIRED to be twenty percent (20%) greater in size than the minimum lot size for the zoning district.
 - 6.d.i.2. At the time of platting, corner lots ARE NOT required to be larger to accommodate setbacks for two (2) street frontages.
 - 6.d.i.3. Lighting: Individually on each dwelling
 - 6.d.i.4. Density: 14 Dwellings per Acre
 - 6.d.i.5. Forty seven (47) total personal dwellings.
 - 6.d.i.6. 24% of site devoted to building coverage
 - 6.d.i.7. Thirty (30) foot maximum building height.
 - 6.d.i.8. Three Parking Spaces shall be provided on each Single Family Dwelling Lot and Six parking spaces for each

Duplex Dwelling Lot and Sixteen parking spaces for the clubhouse. All parking spaces will be 9' X 18'.

- e. Buffer and screening
 - 6.e.i. Six (6) foot high fence to provide screening/privacy on the North, East and South property lines
- f. Public Spaces, Open Spaces, & Amenities
 - 6.f.i. The Owner shall construct and provide the following, as shown on the Concept Site Masterplan:
 - 6.f.i.1. Three (3) Lots will be used for private tenant community spaces that combined are a minimum of 19,000 gross square feet for water retention and the private use and enjoyment of community residents.
- 7. **Bulk & Coverage Standards; Setbacks:** All future development and improvements shall conform to the standards and regulations of Mountain Home City Code Title 9 – Chapter 7 –Section 6: Zoning Districts, (C) R-4 zone/residential zone for the area designated as “Axtell Subdivision PUD”, or as amended, and all references to other sections therein except for the following:
 - a. Minimum Lot Size: *2800 square feet instead of 5000*
 - b. Minimum Street Frontage: *39' linear lot street frontage instead of 50'*
 - c. Front yard setback: R-4 is 15 feet from property line per 9-7-8. Owner shall provide minimum 35'-0" front yard setback which includes 10' of road, 7' of curb/gutter/sidewalk and 18' parking space..
 - d. Street side yard setback: *5' side building setback instead of 12' and 5'.*
 - e. Rear yard setback: *R-4 is 15 feet from property line per 9-7-8. we request a variance from 15'-0" to 10'-0" rear yard setback at all rear yard setback locations.*
 - f. Maximum building height: *R-4 is 30 feet from grade per 9-7-8. Structures shall not exceed 30'-0" in height.*
- 8. **Residential Planned Unit Development Design Standards:** All future development and improvements shall conform to the standards and regulations of Mountain Home City Code Title 9 – Chapter 19 –or as amended, and all references to other sections therein except for the following:
 - a. Landscaping: Landscaping will be according to Mountain Home City Code for each lot. We will use drought resistant plants and trees.
 - b. Building Design:
 - 8.b.i. Conceptual building designs are included in pictures in this agreement. Final building designs shall be submitted to the building department for approval for building permits.
- 9. **Fiber Infrastructure Requirements:**

- a. The developer shall install fiber conduit, ducts, vaults, and handhold boxes as designed by the City and provided for by City standards for fiber installation at the time of construction. All such installations shall be subject to City inspection and require City approval before cable installation.
- b. Developer and/or Property owner shall designate on the required final plat and building site plan the locations where the fiber drop duct ends shall terminate. All installation of fiber duct and related infrastructure shall be installed according to the standards adopted by the City of Mountain Home and subject to inspection and approval by the City of Mountain Home before issuance of a certificate of occupancy.
- c. The developer shall pay all associated fiber development fees at the time building permits are pulled pursuant to the applicable city ordinance.

10. Impact Fees:

- a. Development impact fees shall be calculated at the time of building permit application and imposed at time of building permit issuance according to applicable City of Mountain Home impact fee ordinance.



11. *Future Development Agreement(s):*

This Planned Unit Development Agreement does not prohibit the City of Mountain Home from requesting additional development agreements concerning new or different infrastructure and public improvements that is not addressed in this Agreement or the approved Concept Site Masterplan, provided that nothing therein shall be construed to be an additional post-approval requirement for plat recording.

12. Enforcement - Attorney's Fees: Should either party require the services of legal counsel to enforce compliance with the terms of this Agreement, the prevailing party shall be entitled to its reasonable attorney's fees and related costs of enforcement.

SIGNATURE PAGES FOLLOW

CITY OF MOUNTAIN HOME

By:

Rich Sykes
Rich Sykes, Mayor

ATTEST:

Tiffany Belt
Tiffany Belt, City Clerk



STATE OF IDAHO)

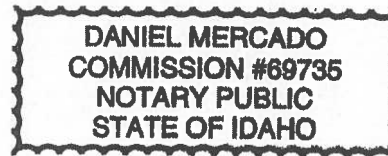
) ss.

County of Elmore)

On this 15th day of December, 2023, before me, the undersigned, a Notary Public in and for said state, personally appeared Rich Sykes and Tiffany Belt, known to me to be the Mayor and City Clerk, respectively, of the City of Mountain Home and the persons who executed the foregoing instrument and acknowledged to me that they executed this Agreement on behalf of the City of Mountain Home in their official capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year in this certificate above written.

Daniel Mercado
Notary Public for Idaho
Residing at Mountain Home, Idaho.
Commission Expires: 4.13.2029



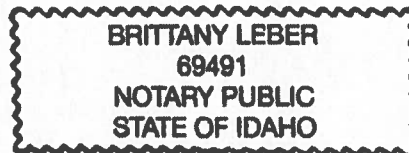
#2198

OWNER:

Sharolynn Hammond
Sharolynn Hammond

ACKNOWLEDGMENT

STATE OF Idaho)
) ss.
County of Canyon)



On this 9 day of January, ²⁰²⁴~~2023~~, before me, the undersigned, a Notary in
and for the State of Idaho, personally appeared Leo Yasinski, Colton Yasinski, known or
identified to me to be the persons who executed the foregoing instrument and
acknowledged to me that they executed the same as Owner of the Property. → Sharolynn Hammond

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by notarial seal the
day and year in this certificate first written.

Brittany Leber
Notary Public for Idaho
Residing at: Canyon
Commission Expires 3/7/29

CURRENT LAND USE CHART - RESIDENTIAL with Edits

Residential:	R-1	R-2	R-3	R-4	LO/R	C-1	C-2	C-3	C-4	I-1	I-2
Apartments (see Dwellings)											
Condominium (we have definition/No designation)											
Dwelling/conversions			G	G	G	G	G	P	P		
Dwellings/commercial ³ (mixed use/single unit)						P	P	P	P		
Dwellings, duplex and attached single-family			P	P	P	P	P	P	P		
Dwellings, multiple with more than 4 units ⁴				C	C	C	C	C	C		
Dwellings, multiple with 3 - 4 units and townhouses			C	P	P	P	P	P	P		
Dwellings, single-family ⁵	P	P	P	P	P	P	P	C	C		
Dwellings, Attached Single-Family		P	PUD								
Dwellings, Townhouses (we have no definition)			PUD								
Garage/carport (residential)	PA	PA	PA	PA	PA	PA	PA	PA	PA		
Group care facility					C	C	C	P	P	P NP	
Group home/no more than 8	G P	G P	G P	G P	P	P	P	P	P	P NP	
Halfway house	P	P	P	P	C	C	C	P	P	P	
Handicapped residence	P	P	P	P	P	P	P	G	G		
Manufactured comm. units (individual lots/temporary)									C	C	C
Manufactured home park	P P	P P	P P	C		C		C	G		
Manufactured home subdivision	P	P	P	P	C			C	C		
Manufactured homes (class A/individual lots)	P ⁶	P ⁶	P ⁶	P ⁶	P ⁶	P ⁶	P ⁶				
Nursing home/retirement home			C	P	C	C	C	P	P	P	

Notes:

1. Agriculture use, excluding commercial feedlots, dairies, commercial poultry and poultry products production, pig farms and similar agriculture related uses.
2. Under no condition shall the keeping of animals create a nuisance element for adjoining property owners.
3. Mixed use/residential and commercial in a commercial zone shall be under 1 structure.
4. More than 4 units requires planning and zoning review/council approval.
5. An existing single-family residence that is destroyed by fire may be rebuilt to required codes.
6. A manufactured home shall have its own lot in accordance with the R-4 lot specifications.

(Ord. 1628, 1-12-2015; amd. Ord. 1643, 2-8-2016; Ord. 1685, 12-23-2019 ; Ord. 1757, 8-23-2022; Ord. 1764, 8-23-2022)

CONDOMINIUM: A building, or group of buildings, in which units are owned individually, and the structure, common area and facilities are owned by all the owners on a proportional undivided basis.
CONDOMINIUM, COMMERCIAL: A building, or group of buildings, used for offices, businesses, professional services, other commercial enterprises and may contain a mixed residential/commercial use, owned and maintained as a condominium as per Idaho state law.
DWELLING, MULTIPLE: A building consisting of three (3) or more attached dwelling units where all such units are on the same lot.
DWELLING, SINGLE-FAMILY: A dwelling which is not attached to any other dwelling by any means and is used exclusively for the occupancy of one family, including a "group home" as defined by Idaho Code.
DWELLING, SINGLE-FAMILY ATTACHED: A building containing two (2) dwelling units attached by a common wall(s), where each dwelling unit is located on a separate lot.
DWELLING, TOWNHOUSE: A townhouse/row house is a building containing three (3) or more dwelling units attached by a common wall(s), where each dwelling unit is located on a separate lot, and no unit is located over another unit.
DWELLING, TWO-FAMILY DUPLEX: A building, on a single lot, designed or used exclusively for the occupancy of two (2) families, consisting of two (2) dwelling units which may be either attached by a common wall side by side or one above the other.
DWELLING UNIT: Any structure or portion thereof which meets adopted building codes and is used as a residence or living quarters of one or more persons. The dwelling unit does not include any attached or detached accessory structures.
GROUP HOME: As per Idaho Code, a profit or nonprofit place of residence for the sheltering of eight (8) or fewer mentally and/or physically handicapped or elderly persons to live in normal residential surroundings as single-family dwellings as provided for by Idaho Code.
GROUP CARE FACILITY: A facility or dwelling unit housing persons unrelated by blood or marriage and operating as a group family household. May include recovery home, home for elderly, battered women and children, etc.
MOBILE HOME: A factory assembled structure or structures generally constructed prior to June 15, 1976, and equipped with the necessary service connections and made so as to be readily movable as a unit or units on their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation.
MOBILE HOME PARK: A mobile home park (MHP overlay) means any site or tract of land under single ownership or control which has been planned and improved for the placement of more than one mobile home for nontransient use.
MOBILE HOME SUBDIVISION: A parcel of land divided into two (2) or more mobile home lots for sale and/or rent.

9-7-6: ZONING DISTRICTS:

The incorporated area of the city shall be divided into the following zoning districts whose boundaries are shown on the official city zoning map. In addition, **the specific purpose of each zoning district shall be as stated herein.** (See section 9-7-4, "Land Use Chart", of this chapter, for all zoning districts.)

A. **R-1 zone/residential zone** (very low density residential/17,000 square foot minimum lot): The intent of this district is to provide a very low density environment for **single-family households** free from encroachment of commercial and industrial activities.

1. Uses Allowed: See uses allowed by right and by conditional use in section 9-7-4 of this chapter.
2. Development Requirements: See bulk/coverage chart, section 9-7-8 of this chapter.

B. **R-2 zone/residential zone** (low density residential/9,000 square foot minimum lot): The intent of this district is to provide a low density residential environment with a mix of both single-family households and **attached single-family dwellings** that are free from encroachment by commercial and industrial activities.

1. Uses Allowed: See uses allowed by right and by conditional use in section 9-7-4 of this chapter.
2. Development Requirements: See bulk/coverage chart, section 9-7-8 of this chapter.
3. Percentage Of Single-Family Attached: Unless development is through a planned unit development (PUD) no more than ten percent (10%) may be single-family attached.

C. **R-3 zone/residential zone** (medium density residential/6,500 square foot minimum lot): The intent of this district is to provide a **medium density residential environment with a mix of both single-family households and duplex dwellings** free from encroachment of commercial and industrial activities. Single-family attached and townhouse dwelling units may be permitted through a planned unit development. Triplex and fourplex dwellings may be permitted by conditional use if all code requirements are met.

1. Uses Allowed: See uses allowed by right and by conditional use in section 9-7-4 of this chapter.
2. Development Requirements: See bulk/coverage chart, section 9-7-8 of this chapter.
3. Duplex Units; Single-Family Attached, And Townhouse Dwelling Units:
 - a. Each duplex, single-family attached, and townhouse dwelling unit shall have a total ground floor area of not less than eight hundred (800) square feet per unit.
 - b. The minimum lot size for each duplex unit shall be the minimum lot size shown in the bulk/coverage chart, section 9-7-8 of this chapter.
 - c. Duplex, single-family attached, and townhouse dwelling units located on corner lots shall have entrances to each unit on opposing streets.
4. Multiple Units:

- a. More than a duplex requires a conditional use permit.

D. **R-4 zone/residential** (single-family/5,000 square feet) and **high density dwellings**: The intent of this district is to provide an environment with a **mix of single-family households, multiple dwellings and cluster developments**.

1. Uses Allowed: See uses allowed by right and by conditional use in section 9-7-4 of this chapter.
2. Development Requirements: See bulk/coverage chart, section 9-7-8 of this chapter.
3. Duplex Units:
 - a. The minimum lot size for each duplex unit shall be the minimum lot size shown in the bulk/coverage chart, section 9-7-8 of this chapter.
 - b. Duplex units located on corner lots shall have entrances to each unit on opposing streets.
4. Multiple Units:
 - a. A structure on one lot or parcel which contains more than four (4) dwelling units shall require a conditional use permit.

E. **LO/R zone/limited office and residential zone**: Limited office district/minimum lot size for LO/R shall be seven thousand (7,000) square feet. The intent of this district is to allow **professional offices and higher density residential**, i.e., single-family, duplex, cluster and multiple dwellings. It is intended that this zoning designation shall act as a buffer between more intense nonresidential uses and residential uses. It is intended that office uses permitted in this category be located and designed so as to be in harmony with adjacent residential uses. The setbacks and materials used in construction shall correlate more closely to those used in residential areas.

1. Uses Allowed: See uses allowed by right and by conditional use in section 9-7-4 of this chapter. All residential development shall comply with the R-4 regulations.
2. Development Requirements: See bulk/coverage chart, section 9-7-8 of this chapter.
3. Design: Design shall be compatible to surrounding residential uses.
4. Landscaping: Nonresidential shall comply with the landscape ordinance, chapter 11 of this title.

F. **C-1 zone/neighborhood commercial**: The intent of this district is to permit the compatible coexistence of **residential and small scale convenience business uses which are intended to meet the daily needs and service of the residents** of an immediate neighborhood, to encourage clustering and strategic siting of such businesses and avoid intrusion of such uses into the adjoining residential districts. All such districts should be very limited in size and shall give direct access of transportation to arterials or collectors and shall not constitute all or any part of a strip development concept.

1. Uses Allowed: See uses allowed by right and by conditional use in section 9-7-4 of this chapter.
2. Development Requirements: See bulk/coverage chart, section 9-7-8 of this chapter.
3. Abutting Residential: When abutting a residential use the side yard setback shall be buffered.
4. Design: Design shall be compatible with surrounding residential uses.

5. Landscaping: Landscaping shall be equal to ten percent (10%) of the total lot area. The development services department shall review and may approve with modifications or disapprove any landscape plan for compliance with the provisions of chapter 11, "Landscaping/Open Space Requirements", of this title.

G. **C-2 zone/central business district:** The intent of this district is to accommodate and encourage a broad spectrum of commercial activities of various sizes and to promote and **allow higher density residential development** in the central business area.

1. Uses Allowed: See uses allowed by right and by conditional use in section 9-7-4 of this chapter.
2. Development Requirements: See bulk/coverage chart, section 9-7-8 of this chapter; landscaping, chapter 11 of this title; parking, chapter 12 of this title; and any other applicable requirements.
3. Existing: Front and sides/zero lot line.
4. New Construction: Street frontages, minimum of ten feet (10').
5. Landscaping: New construction shall provide some landscaping in front and parking areas, i.e., planter boxes, etc. The development services department shall review and may approve with modifications or disapprove any landscape plan.

H. **C-3 zone/general commercial:** This district is intended for **residential use and commercial activities as allowed in the C-1 and C-2 districts**, but also allows general business uses that are of a larger scale and more motor oriented to fulfill the need for travel related services as well as retail. Businesses shall be operated within enclosed buildings (excepting service station displays). This district promotes attractive "gateway" development along American Legion Boulevard and around perimeters of the C-2 district as defined on the zoning map and shall not be used to further promote any other strip development.

1. Uses Allowed: See uses allowed by right and by conditional use in section 9-7-4 of this chapter.
2. Development Requirements: See bulk/coverage chart, section 9-7-8 of this chapter; landscape, chapter 11 of this title; parking, chapter 12 of this title; and any other applicable requirements.

I. **C-4 zone/heavy commercial:** This district is intended for **commercial activities allowed in other commercial zones** but also allows heavy commercial activities such as large equipment/auto sales, wholesale, warehouse, and light manufacturing in conjunction with retail sales along already established

1. Uses Allowed: See uses allowed by right and by conditional use in section 9-7-4 of this chapter.
2. Development Requirements: See bulk/coverage chart, section 9-7-8 of this chapter; landscape, chapter 11 of this title; parking, chapter 12 of this title; and any other applicable requirements.

J. **I-1 zone/light industrial:** The intent of this district is to provide for light nonpolluting industrial development which is compatible with C-4, **without residential intrusion**, and to encourage the development of manufacturing and wholesale establishments which are clean, quiet, free of hazardous conditions or nuisances and are operated primarily within enclosed structures. Any outside storage/accessory shall be located in the rear, within a

1. Uses Allowed: See uses allowed by right and by conditional use in section 9-7-4 of this chapter.
2. Residential: Not permitted. A caretaker's/night watchman's sleeping quarters which is not used for living purposes may be permitted by conditional use.
3. Development Requirements: See bulk/coverage chart, section 9-7-8 of this chapter; landscape, chapter 11 of this title; parking, chapter 12 of this title; and any other applicable requirements.
4. Side Yard: When abutting residential zone, the side yard shall have a ten foot (10') side yard setback with buffer or screen required. (See landscape, chapter 11 of this title.)

K. **I-2 zone/heavy industrial:** The intent of this district is to provide industrial users ample room in the city to develop and expand without encroachment of noncompatible uses. No use is intended to be included, which, by reason of its location with respect to the boundaries of the district or by reason of its operational characteristics, would create hazardous conditions or a threat to the health, safety and general welfare of the public or surrounding land uses.

The city may require special studies and reports as deemed necessary before any site, public or private, is allowed to develop. Any I-2 development shall be in such proximity to be annexed and must also be in such proximity to ensure connection to the municipal water and sewer systems of the city. Any I-2 area development shall be subject to requirements deemed necessary for protection of the aquifer (see unique uses/area of critical concern, chapter 9 of this title) and air quality. The city may require special studies and reports as deemed necessary before any site, public or private, is allowed to develop.

1. Uses Allowed: See uses allowed by right and by conditional use in section 9-7-4 of this chapter.
2. Residential Permitted: A caretaker's/night watchman's sleeping quarters which are not used for living purposes shall be permitted.
3. Development Requirements: See bulk/coverage chart, section 9-7-8 of this chapter; landscape, chapter 11 of this title; parking, chapter 12 of this title; and any other applicable requirements. (Ord. 1628, 1-12-2015; amd. Ord. 1644, 2-8-2016; Ord. 1702, 11-23-2020)

Residential

Apartments (see Dwellings)											
Dwelling/conversions			C	C	C	C	C	P	P		
Dwellings/commercial ³ (mixed use/single unit)						P	P	P	P		
Dwellings, duplex and attached single- family			P	P	P	P	P	P	P		
Dwellings, multiple with more than 4 units ⁴				C	C	C	C	C	C		
Dwellings, multiple with 3 - 4 units and townhouses			C	P	P	P	P	P	P		
Dwellings, single-family ⁵	P	P	P	P	P	P	P	C	C		
Garage/carport (residential)	PA	PA	PA	PA	PA	PA	PA	PA	PA		
Group care facility					C	C	C	P	P	P	
Group home/no more than 8	C	C	C	C	P	P	P	P	P	P	
Halfway house	P	P	P	P	C	C	C	P	P	P	
Handicapped residence	-	-	-	-	-	-	-	-	-	-	-
Manufactured comm. units (individual lots/temporary)									C	C	C
Manufactured home park	-	-	-	C		C		C	C		
Manufactured home subdivision	P	P	P	P	C			C	C		
Manufactured homes (class A/individual lots)	P ⁶	P ⁶	P ⁶	P ⁶	P ⁶	P ⁶	P ⁶				
Nursing home/retirement home			C	P	C	C	C	P	P	P	

Accessory buildings to principal use	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Temporary structures (see section 9-9-26 of this title)											

Possible add in lines

Condominium											
Condominium, Commercial											

Notes:

P6. A manufactured home shall have its own lot in accordance with the R-4 lot specifications.

DEFINITIONS

We do have CONDOMINIUM and CONDOMINIUM, COMMERCIAL in your definitions but not on our land use chart would we like to add them?

CONDOMINIUM:

A building, or group of buildings, in which units are owned individually, and the structure, common area and facilities are owned by all the owners on a proportional undivided basis.

CONDOMINIUM, COMMERCIAL:

A building, or group of buildings, used for offices, businesses, professional services, other commercial enterprises and may contain a mixed residential/commercial use, owned, and maintained as a condominium as per Idaho State Law.

DWELLING, TOWNHOUSE:

A townhouse/row house is a building containing three (3) or more dwelling units attached by a common wall(s), where each dwelling unit is located on a separate lot, and no unit is located over another unit.

We have Manufactured subdivisions and park but the definitions we have are for Mobile Home. The Ordinance is labeled as Manufactured Home/ Mobile Home. Suggestion to label on the Land Use Chart as Manufactured/ Mobile Home Park and for the subdivision. Chapters 14 and 15 are included in the packets.

MANUFACTURED BUILDINGS/TRANSPORTABLE DWELLING STRUCTURE (other than Manufactured/Mobile Homes):

These structures are constructed according to building code and built at a location other than a permanent home site and are known by a variety of names such as: modular homes, factory-built dwellings, prefabricated houses, relocatable, factory crafted homes, and similar names. These structures are built at one site for the specific purpose of being moved to be permanent home site. This type of dwelling normally remains at one permanent home site, unless moved by special moving equipment to another permanent home site. This type of dwelling must be built to meet the requirements of the adopted building code and city building code, and a regular footing and foundation must be prepared before the structure can be moved into the city. These structures may consist of one or more sections. However, each section or unit requires the use of special mobility equipment for transportation to a permanent home site. "Manufactured home" means a structure constructed after June 15, 1976, in accordance with the HUD Manufactured home construction and safety standards, and is transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 USC section 5401 et seq.

MOBILE HOME:

A factory assembled structure or structures generally constructed prior to June 15, 1976, and equipped with the necessary service connections and made to be readily movable as a unit or units on their own running gear and designed to be used as a dwelling or units with or without a permanent foundation.

MOBILE HOME PARK:

A mobile home park (MHP overlay) means any site or tract of land under single ownership or control which has been planned and improved for the placement of more than one mobile home for nontransient use.

MOBILE HOME SUBDIVISION:

A parcel of land divided into two (2) or more mobile home lots for sale and/or rent.

DWELLING, MULTIPLE:

A building consisting of three (3) or more attached dwelling units where all such units are on the same lot.

We do not have a dwelling conversions definition

9-15-3: MANUFACTURED/MOBILE HOME SPACES:

The minimum mobile home space requirements for a new or expanding mobile home park are as follows:

A. Lot Size: The minimum size of a mobile home lot space shall not be less than three thousand (3,000) square feet.

B. Spacing: The minimum distance between manufactured or mobile homes shall be ten feet (10').

C. Front Yard Setback: Front yard setback shall be twenty feet (20').

D. Yard Requirements: All manufactured or mobile homes shall be located at least twenty-five feet (25') from any park property boundary line abutting upon a public street and at least fifteen feet (15') from other park boundary lines or common areas. (Ord. 1628, 1-12-2015)

Apartment definitions in ours and other Cities.

Apartment: (**Ours**) A room or suite of rooms in a multiple-family structure which is arranged, designed, or used as single housekeeping unit and has complete and permanently installed kitchen and bathroom facilities. (suggested: Dwellings, multiple with more than four units.)

The City of Kuna has a Dwelling, multifamily/Apartments (3 or more units under one roof)

The City of Twin Falls has Dwelling, Multiple (A building or portion thereof, designed three (3) or more households living independently of each other and including apartment hotels.

The City of Rexburg has Dwelling Multi-family (A residential building containing three or more dwelling units, where the building is owned by a single owner. This includes what is commonly known as an apartment building or condominium.

The City of McCall has Dwelling, Multi-family (A dwelling consisting of three (3) or more dwelling units including townhouses, condominiums, and apartments, with varying arrangements of entrances.

Amusement and Recreation Services: Both definitions include bowling alleys, and are similar in activities.

Establishment engaged in providing amusement or entertainment for a fee or admission charge and include such activities as dance halls, studios; theatrical producers; bands orchestras, and other musical entertainment; bowling alleys and billiard and pool establishments commercial sports such as arenas, rinks, racetracks, public golf courses and coin operated devices; amusement parks; membership sports and recreation clubs; amusement and bathing beaches; swimming pools; riding academies; carnival operations; expositions; game parlors and horse shows.

ENTERTAINMENT FACILITIES: Any structure housing any "for profit" activity, which is generally related to the entertainment field, such as motion picture theaters, taverns, nightclubs, cocktail lounges, bars, bowling alleys and similar entertainment activities.

TAVERN: Any premises where beer, wine or liquor, as defined by Idaho Code, is sold for consumption on premises.

BAR/TAVERN: A structure or part of a structure used primarily for the sale or dispensing of beer, wine, alcoholic beverages or liquor by the drink.

PARK/COMMERCIAL: A privately owned park and/or recreation area which is used for financial gain.

CHAPTER 14

MANUFACTURED HOMES

SECTION:

9-14-1: Purpose

9-14-2: Permits Required

9-14-3: General Provisions

9-14-1: PURPOSE:

This chapter establishes the minimum standards for the location and approval of manufactured housing. (Ord. 1628, 1-12-2015)

9-14-2: PERMITS REQUIRED:

A building permit as established by the city council is required before moving or locating a manufactured/mobile home within the city limits to ensure that all city and state laws and codes are met. (Ord. 1628, 1-12-2015)

9-14-3: GENERAL PROVISIONS:

The use of a manufactured home as a permanent residential dwelling on an individual lot shall be permitted in any zoning district which permits installation of family site built dwellings provided the following standards are met:

- A. Is multi-section and at least twenty feet (20') wide;
- B. Has a minimum floor area of one thousand (1,000) square feet;
- C. Has roofing materials which are generally acceptable for site built housing. Any roofing materials may be used provided it has the appearance of a nonmetallic shingle, shake or tile roof. Roofs shall also have a minimum slope of twenty five percent (25%) (3:12) and overhanging eaves;
- D. Has siding materials which are generally acceptable for site built housing. Any siding materials may be used provided it has the appearance of wood, masonry or horizontal metal siding. Reflection from horizontal metal siding shall be no greater than that from siding coated with white, gloss enamel;
- E. Has a foundation of concrete or other material allowed by the international building code for site built homes which is aesthetically compatible with the manufactured home having the appearance of site built construction. This means the fascia shall be an extension of the siding or be of materials having the appearance of site built foundations such as brick, concrete or concrete block;
- F. Is permanently affixed per manufacturer's instructions. Footings shall be of poured masonry extending twenty four inches (24") below grade;
- G. Has a crawl space with the following minimum measurements: 1) eighteen inches (18") of clearance; 2) twelve inches (12") of clearance under beams; and 3) an eighteen inch by twenty four inch (18" x 24") door;
- H. Complies with all applicable lot size, setback, and other requirements of the zoning district in which it is to be located;
- I. Provides two (2) off street parking spaces and shall be improved with such material to provide a durable and dust free surface;
- J. Has a single car garage, or a carport with an attached enclosed storage room;
- K. Provides right of way improvements in the same manner as site built construction, in accordance with city policy;
- L. Manufactured home owners or purchasers shall own or be purchasing the land upon which their home is to be placed. The owner or purchaser shall record with the county recorder a nonrevocable option declaring the manufactured home as real property. These requirements shall not apply within any duly approved mobile home park. Exceptions may also be granted as a part of a planned unit development approval;
- M. Manufactured homes shall be provided with smoke detectors as required in the international building code, section 1210, "Smoke Detectors And Sprinkler Systems" before final inspection and occupancy. Smoke detectors required in addition to those provided for in the department of housing and urban developments, part 3280 of 24 CFR, "Manufactured Home Construction And Safety Standards", may be of the battery operated type;
- N. Manufactured homes not meeting standards in subsection B, E or J of this section shall only be allowed in mobile home parks, as permitted pursuant to chapter 15 of this title. Placement of manufactured homes not meeting standards in subsection B, E or J of this section may be considered by the planning commission on a case by case basis in all other residential use districts in accordance with the conditional use permit. (Ord. 1628, 1-12-2015)

CHAPTER 15

MHP SUBDISTRICT ZONE MOBILE HOME PARK DISTRICT

SECTION:

9-15-1: Purpose

9-15-2: General Provisions

9-15-3: Manufactured/Mobile Home Spaces

9-15-4: Recreation Park Areas

9-15-5: Storage Areas

9-15-6: Landscaping Requirements

9-15-7: Streets/Access

9-15-8: Parking

9-15-9: Walks

9-15-10: Refuse Handling

9-15-11: Utilities

9-15-12: Fire Protection

9-15-13: Stormwater

9-15-14: Signs

9-15-15: Plan Review And Approval

9-15-16: Completion Of Improvements And Occupancy

9-15-17: Fee

9-15-1: PURPOSE:

The intent of this district is to provide for the development of mobile home parks for self-contained manufactured homes and mobile homes and to establish minimum standards for the design, construction, alteration, extension and maintenance of mobile home parks and related utilities and facilities, and to authorize the issuance of permits, licensing (if applicable) and inspection of such mobile home parks. All mobile home parks may be subdivided pursuant to the city subdivision ordinance, chapter 16 of this title, or shall be processed as a conditional use at the option of the applicant. The following additional provisions shall apply. (Ord. 1628, 1-12-2015)

9-15-2: GENERAL PROVISIONS:

- A. Conditional Use Permit: Mobile home parks shall be permitted by conditional use permit in zone districts R-4, C-1, C-3 and C-4.
- B. Definition: "Mobile home lot" means a parcel of land within a mobile home park for the placement of a single mobile home.
- C. Applicable Codes: All city codes apply, including floodplain regulations.
- D. Expansion/Existing Park: A conditional use permit may be issued for the expansion (increase in the number of lots or spaces) of an existing mobile home park in any district. However, any expansion of an existing park shall require that the mobile home park be brought up to code with regard to this chapter and title, and all other applicable city or state codes. (Ord. 1628, 1-12-2015)

9-15-3: MANUFACTURED/MOBILE HOME SPACES:

The minimum mobile home space requirements for a new or expanding mobile home park are as follows:

- A. Lot Size: The minimum size of a mobile home lot space shall not be less than three thousand (3,000) square feet.
- B. Spacing: The minimum distance between manufactured or mobile homes shall be ten feet (10').
- C. Front Yard Setback: Front yard setback shall be twenty feet (20').
- D. Yard Requirements: All manufactured or mobile homes shall be located at least twenty five feet (25') from any park property boundary line abutting upon a public street and at least fifteen feet (15') from other park boundary lines or common areas. (Ord. 1628, 1-12-2015)

9-15-4: RECREATION PARK AREAS:

A minimum of two hundred (200) square feet for a common recreation area shall be provided on site for each mobile home space. This requirement shall be in addition to yard requirements. Open space and/or a community center are desirable and encouraged. Open space and/or recreation areas shall be improved and maintained. Such open areas and landscaping shall be continuously maintained by the owner. (Ord. 1628, 1-12-2015)

9-15-5: STORAGE AREAS:

A common fenced area shall be provided on site for the storage of recreational vehicles such as boats, vacation trailers and campers owned by park residents. Such items shall be stored in the storage area and not be parked beside the manufactured or mobile home. The said storage area shall contain paved access and a minimum of one paved parking space ten feet by twenty feet (10' x 20') for each two (2) mobile home spaces. The required fence shall be six feet (6') high and sight obscuring.

In addition to the above, one permanent storage building, with a minimum of forty (40) square feet of floor area, shall be provided for each mobile home space. (Ord. 1628, 1-12-2015)

9-15-6: LANDSCAPING REQUIREMENTS:

All mobile home parks located adjacent to residential, commercial or industrial land uses shall be in compliance with this title. (Ord. 1628, 1-12-2015)

9-15-7: STREETS/ACCESS:

Access to mobile home parks shall be designed to minimize congestion and hazards at the entrance or exit. Roadways shall be paved with concrete or asphalt and be designed and constructed as established by the city engineer. All roadways within an existing mobile home park shall be paved with concrete or asphalt within five (5) years of the adoption hereof. (Ord. 1628, 1-12-2015)

9-15-8: PARKING:

Off street parking areas shall be provided in all mobile home parks for the use of occupants and guests. Each mobile home lot shall be designed to provide two (2) off street parking spaces. Parking may be in tandem. Guest parking shall be conveniently located in the park at the standard of one additional space for every four (4) homes. (Ord. 1628, 1-12-2015)

9-15-9: WALKS:

All parks shall be provided with safe, convenient all season pedestrian access of adequate width for intended use, durable and convenient to maintain, between individual mobile homes, the park streets and all community facilities provided for park residents. Such private common walks shall be hard surfaced. (Ord. 1628, 1-12-2015)

9-15-10: REFUSE HANDLING:

The storage, collection and disposal of refuse in the park shall be so conducted as to create no health hazard, rodent harborage, insect breeding areas, accident or fire hazards or air pollution and shall be in compliance with this title. (Ord. 1628, 1-12-2015)

9-15-11: UTILITIES:

Sewage disposal, electrical systems, natural gas systems, liquefied petroleum gas systems and fuel oil supply systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems. (Ord. 1628, 1-12-2015)

9-15-12: FIRE PROTECTION:

Fire protection shall be subject to the rules and regulations adopted by the city and subject to the approval of the city fire chief. (Ord. 1628, 1-12-2015)

9-15-13: STORMWATER:

Stormwater management shall meet city code requirements and policies. (Ord. 1628, 1-12-2015)

9-15-14: SIGNS:

The sign regulations of chapter 13 of this title shall apply. (Ord. 1628, 1-12-2015)

9-15-15: PLAN REVIEW AND APPROVAL:

Before construction permits are issued for a mobile home park, the applicant shall provide the site plan and required documents pertaining to the development plan and shall first obtain a conditional use permit as provided in this title. (Ord. 1628, 1-12-2015)

9-15-16: COMPLETION OF IMPROVEMENTS AND OCCUPANCY:

A. Possession Or Occupancy: No possession or occupancy of a mobile home park shall be allowed until all the required improvements are completely and properly constructed. However, if the developer desires occupancy for a portion of the partially developed park, then he shall post an irrevocable letter of credit, cashier's check or surety bond written by a surety company authorized to do business in the state in an amount equal to one hundred twenty percent (120%) of the estimated cost for the completion of all improvements as shown on the final site plan and shall include engineering fees. Upon the posting of one of the above securities, occupancy may be granted upon a partially constructed mobile home park.

B. Estimates: All estimates of completion costs shall be submitted to the city engineer for his approval.

C. Duration Of Bond: The duration of any bond or other security posted for the completion of improvements and development of mobile home parks shall be for a maximum of two (2) years from the date of approval of the final site plan by the commission. An extension of time may be granted by the council, upon application by the developer, provided such application is submitted at least sixty (60) calendar days prior to the expiration of the bond and provided the issuer of the bond is willing to extend the time of the assurance.

D. Default: In the event the developer defaults, fails or neglects to satisfactorily install the required improvements within the time limitation, the council may declare the bond forfeited and the city may install or cause to be installed the required improvements using the proceeds from the irrevocable letter of credit, cashier's check or surety bond to defray the expense.

E. Continuing Obligation: The park developer or his assigns shall be responsible for maintaining the mobile home park in accordance with the approved management policies, covenants, conditions, restrictions and agreements previously approved by the commission. Any neglect to do so will be deemed a violation and shall be enforced in accordance with this title.

All maintenance of private drives, including, but not limited to, utilities, drainage, roadways and snow removal is the responsibility of the park owner. (Ord. 1628, 1-12-2015)

9-15-17: FEE:

Persons filing preliminary, final site plans and development plans for mobile home parks shall pay a nonrefundable fee for

preliminary plan, final plan and development plan which is established by the city council. (Ord. 1628, 1-12-2015)

Amusement/Recreation

Amusement center/indoors (see Recreation facilities)											
Art galleries and supplies					P	P	P	P	P	P	P
Billiard and pool rooms							P	P	P	P	P
Casino/gaming facility										C	C
Classes/piano, dance, ceramics, craft (more than 5)			C	C	P	P	P	P	P	C	
Florist greenhouses								C	P	P	P
Music stores (instrument and record)							P	P	P	P	P
Park/commercial								P	P	P	C
Park/playground private	P	P	P	P	C	C	C	C	C	C	
Park/public	P	P	P	P	C	C	C	C	C	C	
Photographer's studio						P	P	P	P	P	P
Radio, television station (see Broadcasting tower)											
Rifle/pistol range									C	C	C
School/art, dance (see Classes)											
School/trade or industrial							P	P	P	P	P

CITY OF MOUNTAIN HOME - BUILDING DEPARTMENT

PERMITS ISSUED - April 2024

BP#	Date	Owner	Address	Construction	Value	BP Fee	Misc Fees	Builder
BLDG-24-113	4/2/2024	Corey Worthington	1117 Phillips Drive	Roof Permit	\$14,000.00	\$237.00	\$0.00	Bravo Roofing
BLDG-24-108	4/2/2024	Mark Cotton	110 NE Lightning Street	Patio Cover	\$10,200.00	\$195.00	\$0.00	Patio Covers Unlimited of Idaho
BLDG-24-81	4/1/2024	Eugene Lyman	590 North 4th East	Sidewalk	\$2,500.00	\$20.00	\$0.00	Custom DFR Ect
BLDG-24-110	4/3/2024	Nate Crossley	1535 American Legion	Commercial Remodel	\$2,500.00	\$116.20	\$100.00	Phil Mills
BLDG-24-116	4/4/2024	William Smith	1725 Castle Way	Patio Cover	\$1,000.00	\$181.00	\$0.00	Michael Kaiser
BLDG-24-54	4/8/2024	Ken Stone	950 Sunset Strip	Propane Storage	\$10,000.00	\$0.00	\$75.00	Suburban Propane
BLDG-24-125	4/9/2024	Glorie Johnson	440 South 2nd East	Roof Permit	\$5,840.00	\$125.00	\$0.00	Billington Construction
BLDG-24-123	4/15/2024	William Morris	2680 American Legion	Sign Permit	\$2,998.50	\$116.20	\$0.00	self
BLDG-24-134	4/15/2024	Paul Rinehart	600 SW Miner Street	Fence Building Permit	\$750.00	\$20.00	\$0.00	self
BLDG-24-129	4/15/2024	Lew Manglos	1250 SUNSET STRIP	Sign Permit	\$500.00	\$33.60	\$0.00	self
BLDG-24-102	4/15/2024	Elizabeth Deschene	315 South 3rd East	Roof Permit	\$38,822.00	\$533.00	\$0.00	Erie Construction Mid-West
BLDG-24-127	4/15/2024	Ruthanne Hagensen	215 Alvaras Dr	Solar Permit	\$10,892.00	\$20.00	\$23.50	Big Dog Renewable Energy
BLDG-24-126	4/15/2024	Renee Demickson	1100 Phillips Cir	Solar Permit	\$18,462.30	\$20.00	\$23.50	Arizona Solar Solutions
BLDG-24-137	4/16/2024	Shylar Richards	385 East 2nd South	Roof Permit	\$18,812.00	\$307.00	\$0.00	Sawtooth Construction Unlimited INC
BLDG-24-138	4/16/2024	Danble Caldwell	651 Brookside Court	Fence Building Permit	\$5,075.00	\$20.00	\$0.00	Green Pastures, LLC
BLDG-24-140	4/16/2024	Larry Cundick	1381 NE Brandt Dr	Solar Permit	\$13,000.00	\$20.00	\$23.50	Big Dog Solar
BLDG-24-141	4/19/2024	Chris Dodd	1603 NE Quarry Ave	Fence Building Permit	\$5,000.00	\$20.00	\$0.00	Big E's Services LLC
BLDG-24-139	4/22/2024	Victor Vasquez	1755 Wasatch Dr	Roof Permit	\$27,821.00	\$421.00	\$0.00	Sawtooth Construction Unlimited INC
BLDG-24-131	4/22/2024	Cheryl Matson	1620 Terrace ST	Roof Permit	\$14,288.00	\$251.00	\$0.00	Idaho Roofing Contractors
BLDG-24-145	4/22/2024	Doug Reol	1460 Christy Court	Solar Permit	\$17,000.00	\$20.00	\$23.50	Freedom Forever
BLDG-24-147	4/22/2024	Enca Pedraza	190 East 2nd North	Window Permit	\$6,500.00	\$233.80	\$0.00	Pedraza Construction
BLDG-24-150	4/23/2024	Carol Irving	204 North 4th West	Roof Permit	\$16,954.00	\$279.00	\$0.00	Erie Home
BLDG-24-146	4/24/2024	Tiffany Harper	940 Poplar Dr	Roof Permit	\$14,301.46	\$251.00	\$0.00	Bartlett Roofing
BLDG-24-152	4/25/2024	Don Bussell	555 Amber Dr	Roof Permit	\$18,961.00	\$307.00	\$0.00	Little Buckaroo Construction
BLDG-24-148	4/26/2024	Gaeron Brunner	605 SW Nuyget	Fence Building Permit	\$500.00	\$20.00	\$0.00	Self
BLDG-24-154	4/26/2024	George & Donna Kaphen	1762 North Haslett	Fire Alarm Install	\$7,850.00	\$153.00	\$0.00	Local Handyman & Roofing
BLDG-24-155	4/28/2024	CBH Permitting	550 N Haslett St	C of O	\$4,500.00	\$0.00	\$150.00	Crane Alarm
BLDG-24-132	4/11/2024	Cor Signs LLC	404 N Main		\$0.00	\$40.00	\$23.50	City of Mountain Home
BLDG-24-142	4/20/2024	Mike McKinney	838 NE Tanager Street	Roof Permit	\$27,983.22	\$421.00	\$0.00	BuildProof Roofing LLC
BLDG-24-133	4/25/2024	Richard McKenna Charter Schools	675 South Haslett Street	Addition	\$8,000,000.00	\$29,022.48	\$73,640.50	Crusthal Construction
BLDG-24-122	4/4/2024	Jose Alanz	1245 East 16th North	Fence Building Permit	\$150.00	\$20.00	\$0.00	Self
BLDG-24-112	4/1/2024	Dan & Martha Hazebaker	1125 North 8th East	Roof Permit	\$13,750.00	\$237.00	\$0.00	208 Roofing
BLDG-24-111	4/1/2024	Dick & Virginia Edgar	1145 North 6th East	Roof Permit	\$18,000.00	\$283.00	\$0.00	208 Roofing
BLDG-24-103	4/8/2024	United Storage	1145 Adabee Road	Commercial Building Permit	\$350,000.00	\$5,659.42	\$14,287.50	Rod Ebert
BLDG-24-84	4/16/2024	CBH Permitting	1900 SW Basra Drive	Single Family Residential with attached garage	\$160,000.00	\$1,220.40	\$12,478.75	CBH
BLDG-24-83	4/16/2024	CBH Permitting	1910 SW Basra Drive	Single Family Residential with attached garage	\$160,000.00	\$1,746.61	\$12,478.75	CBH
BLDG-24-82	4/16/2024	CBH Permitting	1930 SW Basra Drive	Single Family Residential with attached garage	\$160,000.00	\$1,153.49	\$12,478.75	CBH
BLDG-24-81	4/16/2024	CBH Permitting	1940 SW Basra Drive	Single Family Residential with attached garage	\$160,000.00	\$1,369.22	\$12,478.75	CBH
BLDG-24-79	4/16/2024	CBH Permitting	1950 SW Basra Drive	Single Family Residential with attached garage	\$160,002.00	\$1,499.23	\$12,478.75	CBH
BLDG-24-78	4/16/2024	CBH Permitting	1960 SW Basra Drive	Single Family Residential with attached garage	\$160,000.00	\$1,676.93	\$12,478.75	CBH
BLDG-24-77	4/16/2024	CBH Permitting	1970 SW Basra Drive	Single Family Residential with attached garage	\$160,000.00	\$1,378.96	\$12,478.75	CBH
BLDG-24-68	4/16/2024	CBH Permitting	1955 SW Basra Drive	Single Family Residential with attached garage	\$160,000.00	\$2,113.72	\$12,478.75	CBH
BLDG-24-67	4/16/2024	CBH Permitting	1975 SW Basra Drive	Single Family Residential with attached garage	\$160,000.00	\$1,906.01	\$12,478.75	CBH
BLDG-24-65	4/16/2024	CBH Permitting	1985 SW Basra Drive	Single Family Residential with attached garage	\$160,000.00	\$1,718.30	\$12,478.75	CBH
BLDG-24-65	4/16/2024	CBH Permitting	1985 SW Basra Drive	Single Family Residential with attached garage	\$160,000.00	\$1,564.73	\$12,478.75	CBH

Total# 45

Total Permit Values		\$10,460,649.48		
Fee Totals		\$56,980.32	\$225,606.75	\$282,567.07

2023 totals	January - April 2023	January- April 2024	New Residential Construction	\$1,760,002.00	# permits	11
89	11	37	New Non-Residential	\$350,000.00	# permits	2
7	0	6	Additions, alterations, & repairs	\$8,350,647.48	# permits	31
			No value		# permits	1
			Total	\$10,460,649.48		45

Handwritten signature: Tony Dotlik

City of Mountain Home Building Official

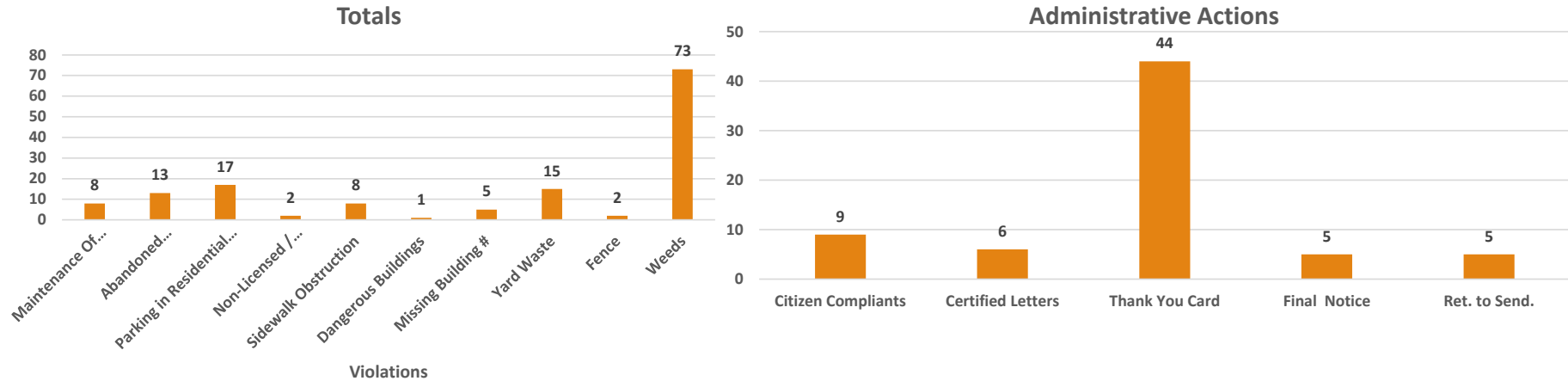


Code Enforcement

Kody Collins

April 2024

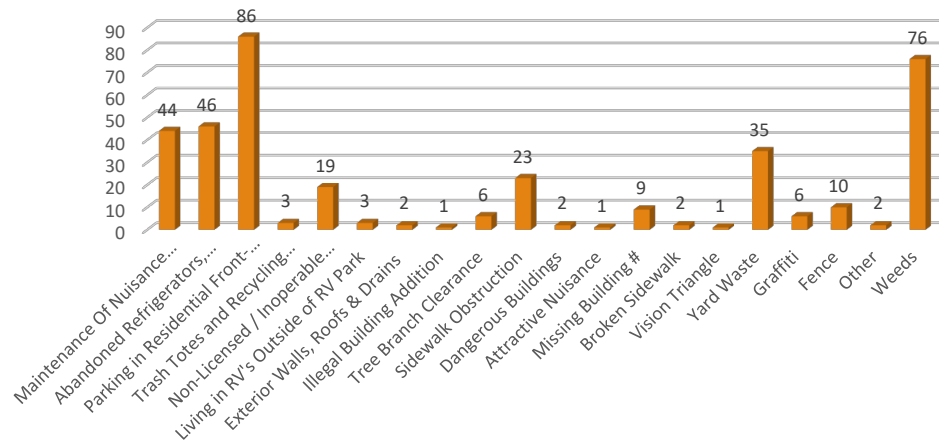
144 Violation Identified



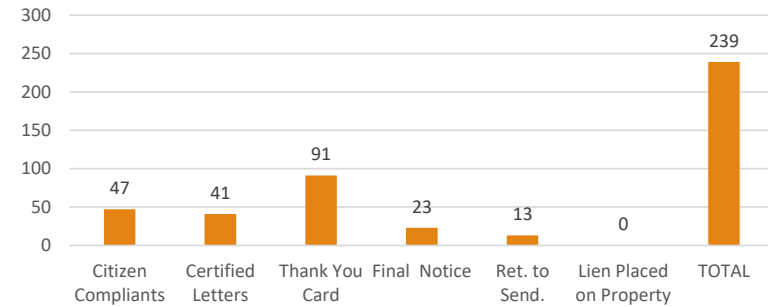
2024 Totals

377 Violations identified as of April 30th

2024 Totals



Administrative actions





GIS Administrator Monthly Report April 2024:

GIS Mapping:

- 1) Review Water Service Meter Collection Project with water crew.
- 2) Add Backflow Devices to water map.
- 3) Update Fiber "As-Built" map information.
- 4) Update subdivision and zoning layers.
- 5) 25 Mile Radius map for Councilman Harjo
- 6) Large 4-6 block map of Elmore County Courthouse for 1st responders training
- 7) Project area maps for N 6th East and S 14th East proposed street projects.
- 8) Meeting with Keller GIS team to go over City map, and set them up to access the City GIS data.

CAD Drawings:

- 1) Cemetery Map updates
- 2) Update to Fiber As Built layer.
- 3) City Water system map books for Water Dept.
- 4) Draw layout of Carl Miller Park with new building.
- 5) Concept drawing of new concession stand/rest rooms for Carl Miller Park.

Other:

- 1) Review legal description of properties to be developed and approve on Open Gov.
- 2) Drone photos of Well site 17, S 14th East, W 5th South, N 6th East, Elmcrest extension.
- 3) Drone photos of S 10th East, E 12th South finished projects.
- 4) Review legals for City property to be annexed (Lagoons).
- 5) Research R.O.W. for South 10th East (Danials Road).
- 6) Take over all "DIG-LINE" calls for the City.