

## Valley County Planning and Zoning

PO Box 1350 • 700 South Main Street  
Cascade, ID 83611-1350



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|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>STAFF REPORT:</b>      | SUB 26-011 North Fork Landing Subdivision - Preliminary Plat - Addendum                                                                                       |
| <b>MEETING DATE:</b>      | September 3 2026                                                                                                                                              |
| <b>TO:</b>                | Planning and Zoning Commission                                                                                                                                |
| <b>STAFF:</b>             | Cynda Herrick, AICP, CFM<br>Planning and Zoning Director                                                                                                      |
| <b>APPLICANT:</b>         | Jon Vanderhoef, 602 W Watersford DR, Eagle ID 83616                                                                                                           |
| <b>PROPERTY OWNERS:</b>   | Knife River Corporation, 5450 W Gowen RD, Boise, ID 83709<br>CCD Investments One LLC, c/o John Allsbury<br>2685 N. Greenbelt PL, Meridian, ID 83646           |
| <b>REPRESENTATIVE:</b>    | Travis Lukoic<br>1309 W Sherington CT, Eagle, ID 83616                                                                                                        |
| <b>ENGINEER:</b>          | Crestline Engineers Inc, c/o Anthony Dini<br>PO Box 2332, McCall ID 83638                                                                                     |
| <b>LOCATION:</b>          | 16 and 18 Loomis Lane<br>Parcels RP16N03E238450, RP16N03E238421, and RP16N03E237985 in the SE ¼ Section 23, T.16N, R.3E, Boise Meridian, Valley County, Idaho |
| <b>SIZE:</b>              | 46.9 acres                                                                                                                                                    |
| <b>REQUEST:</b>           | 27-lot Flex-use Subdivision                                                                                                                                   |
| <b>EXISTING LAND USE:</b> | Single-Family Residential Parcels – previously approved for Settler's Mill # 1 and Settler's Mill North, both which were not completed and have expired.      |

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Please refer to Staff Report, Exhibits, and meeting minutes for July 9, 2026.

The applicant has submitted additional information including:

- Uses and traffic,
- Septic systems and groundwater protection,
- Roseberry irrigation, pond management, and Idaho Dept. of Water Resources,
- Lot size and development configuration
- CCR enforcement
- Architectural control committee standards, and
- Miscellaneous (Highway 55 information)
- Revised CCRs (draft)
- Architectural Control Committee Guidelines
- A sheet of Allowed and Prohibited Uses

## FINDINGS:

1. A properly noticed public hearing was held July 9, 2026.
  2. The matter was tabled for additional information to September 3, 2026, after 4:00 p.m.
  3. Since a specific date and time was included in the approved motion to table C.U.P. 25-032, additional notice was not required. However, the applicant was notified by letter sent August 4, 2026. Legal notice was posted in the *Star News* on August 13, 2026, and August 20, 2026
  4. Additional Agency comments received since July 9, 2026: *none*
  5. Additional Public comments received since July 9, 2026: *none*
  6. The applicant submitted additional information and clarification on July 15, 2026:
    - Uses and traffic,
    - Septic systems and groundwater protection,
    - Roseberry irrigation, pond management, and Idaho Dept. of Water Resources,
    - Lot size and development configuration
    - CCR enforcement
    - Architectural control committee standards, and
    - Miscellaneous (Highway 55)
  7. The applicant submitted additional information on August 26, 2026:
    - Revised CCRs (draft)
    - Architectural Control Committee Guidelines
    - A sheet of Allowed and Prohibited Uses
    - Central District Health Review Letter
  8. A Preliminary Wetland Delineation drawing and summary was submitted on August 24, 2026.
    - The applicant must submit a Joint Application for to the U.S. Army Corps of Engineers.
    - It is anticipated that permit issuance will fall under Nationwide Permit 41, which does not require wetland mitigation for wetlands associated with irrigation ditch hydrology. (August 24, 2026)
  9. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:
    - 2. Residential Uses (c) Subdivision for single-family subdivision.
    - 5. Commercial Uses
    - 6. Industrial Uses (a) Light Industry
- 

## SUMMARY:

Staff's compatibility rating was a +15.

**The Planning and Zoning Commission should do their own compatibility rating prior to the meeting (form with directions attached). Be prepared to submit your compatibility rating or state which lines on staff's compatibility rating needs to be changed.**

#### **STAFF COMMENTS / QUESTIONS:**

1. This site is within the Donnelly Fire District, Water District 65, Roseberry Irrigation District, and a herd district.
2. The application states that no variances are requested; however, a variance will be required from Valley County Code 10-4-4-F.6 for the length of proposed Base Camp Road, a culdesac.
3. Building setbacks for each lot would be determined at the time of building permit submittal and would be dependent on the type of use.
4. The list of Permitted and Prohibited Uses / Design and Property Standards would be part of the CUP approval and included in a development agreement. This would allow the County to enforce the uses as the County cannot enforce CCRs.
5. The road name suffixes of the cul-de-sacs shall be changed to "Place" per VCC 5-5-5C.
6. Multiple Residences, such as apartments or duplexes, would require a separate conditional use permit, **UNLESS SPECIFICALLY APPROVED AS PART OF THIS CUP**. One Accessory Dwelling Unit is allowed.
7. Parametrix, the Valley County Engineer, determined a Traffic Impact Study was not necessary (Exhibit 1, July 9, 2026)
8. Commissioners should review the Standard of Approval in the July 2026 Staff Report.

#### **ATTACHMENTS:**

- Proposed Conditions of Approval
- Relevant Portion of Meeting Minutes for July 9, 2026
- Applicant Submittal Received July 15, 2026
- Applicant Submittal Received August 25, 2026
- Preliminary Wetland Delineation Summary and Drawing Received August 24, 2026

#### **Proposed Conditions of Approval – Highlighted Revisions Based on Commissioner's Deliberations on July 9, 2026**

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
4. A Development Agreement may be required for mitigation of off-site impacts. The applicant shall work with the Valley County Road Director and Planning and Zoning Director on an agreement for off-site infrastructure improvements that will be approved by the Board of

County Commissioners.

5. The final plat for Phase 1 shall be recorded within three years, or this permit will be null and void. The final phase shall be recorded by December 31, 2031.
6. If the road right-of-way is accepted by the Board of County Commissioners, the applicant shall prepare a deed from the applicant to Valley County for the transfer of road right-of-way for Loomis Lane.
7. Sanitary Restrictions must be removed by Central District Health prior to recording the final plat.
8. A letter of approval is required from Donnelly Fire District for the final plat.
9. A letter of approval of the Wildland Urban Interface Fire Protection Plan is required from the Valley County Wildfire Mitigation Director or assignee prior to recording the plat.
10. Must have a fencing plan with neighboring properties if they run livestock for over 30 days per year.
11. Fertilizer on lawns shall be wildlife friendly and not contribute to degradation of water quality.
12. Shall place addressing numbers at the residence and at the driveway entrance if the house numbers are not visible from the road. Said numbers shall contrast with their background and be at least three and one-half inches (3 ½-in) height.
13. All easements shall be shown on the final plat.
14. Shall include a clustered mailbox and school bus stop. Shall contact Donnelly U.S.P.S. Postmaster and McCall Donnelly School District to determine appropriate sites.
15. Standard Plat Notes shall be included on the final plat.
16. CCR's, if recorded, shall include Standard Conditions of Approval for CCRs.
17. A list of Permitted and Prohibited Uses / Design and Property Standards shall be recorded with the final plat upon approval by the Planning and Zoning Commission.
18. Shall transfer water rights with Idaho Department of Water Resources for the pond.
19. Can record phases of plat as sanitary restrictions are released.
20. Lots must connect to sewer when available in the future.
21. Shall be limited to a single-family residence, accessory dwelling unit, plus one single commercial use per lot.
22. Shall use all water rights on site in coordination with Roseberry Irrigation District.

## **END OF STAFF REPORT**



# Valley County Planning and Zoning Commission

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**Ken Roberts, Chairman**  
**Carrie Potter, Vice-Chair**

**Brad Mabe, Commissioner**  
**Ben Oyarzo, Commissioner**  
**Heidi Schneider, Commissioner**

## MINUTES

Valley County Planning and Zoning Commission  
July 9, 2026  
Valley County Court House - Cascade, Idaho  
PUBLIC HEARING - 4:00 p.m.

**A. OPEN:** Meeting called to order at 4:00 p.m. by Vice Chairman Potter. A quorum exists.

|                                    |                      |
|------------------------------------|----------------------|
| PZ Director – Cynda Herrick:       | Present              |
| PZ Commissioner – Brad Mabe        | Present via Teams    |
| PZ Commissioner – Ben Oyarzo:      | Present              |
| PZ Commissioner – Carrie Potter:   | Present              |
| PZ Commissioner – Ken Roberts:     | Arrived at 4:06 p.m. |
| PZ Commissioner – Heidi Schneider: | Present              |
| PZ Planner II – Lori Hunter:       | Present              |

**B. MINUTES:** Commissioner Schneider moved to approve the minutes of June 11, 2026, and June 25, 2026. Commissioner Mabe seconded the motion. Motion passed unanimously.

### C. OLD BUSINESS:

**1. CUP 22-37 Tamarack Falls Estates No. 1 – Final Plat:** Hess Properties LLC is requesting final plat approval. The commission will review the final plat to determine conformance with the preliminary plat, approved densities, and conditional use permit. Original approval was for 124 residential lots and 5 landscape lots on 115 acres. This plat includes 38 residential lots and 4 common lots on 43 acres. The lots would be accessed from private roads Tamarack Falls Road and Norwood Road, both public roads. The site is in the NE ¼ Section 20, T.16N, R.3E, Boise Meridian, Valley County, Idaho. Not a public hearing. Action Item.

Vice Chairman Potter introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report.

Chairman Roberts arrived and joined the Commission.

Roadway right-of-way will need to be deeded, not just dedicated. Financial guarantees will likely be reduced from what was included in the applicant's submitted and listed in staff report.

Staff and the applicant's representatives are working on development agreement; this will be finalized prior to signing final plat by Board of County Commissioners. Questions in staff report will be finalized prior to taking the plat to the Board. The pedestrian easement from Phase 1 through the southern portion of the property was discussed.

**COA:** Shall deed 35-ft of road right-of-way to Valley County along the south section line that will also be used for the shared driveway for Lots 1 and 2 and the property to the west.

**COA:** Shall specify access easement for property to the west.

**COA:** Utility easement shall not be vacated.

**Revised COA # 8:** A letter of approval is required from McCall Fire District for the final plat, shared driveway, and roadway.

Commissioner Mabe seconded the motion. Motion carried unanimously.

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

5:37 p.m. Commissioner Potter returned to the Commission.

3. **SUB 26-011 North Fork Landing – Preliminary Plat:** Jon Vanderhoef is requesting a conditional use permit for a 27-lot flex-use development that will provide residential living, small business activity, and functional shop spaces on 46.9 acres. Lot sizes range from 1.01 acres to 2.3 acres. An open space lot and two ponds are proposed. Individual septic and wells are proposed. The lots would be accessed by new private paved roads with one access from Loomis Lane and a emergency access to Highway 55. The site includes parcels RP16N03E238450, RP16N03E238421, and RP16N03E237985, addressed at 16 and 18 Loomis LN, is in the SE ¼ Section 23, T.16N, R.3E, Boise Meridian, Valley County Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Chairman Roberts stated his daughter and son-in-law live across the road from the site. However, they have no financial interest; nor has Chairman Roberts.

Director Herrick presented the staff report, displayed the GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Paul Ashton, Parametrix and Valley County Engineer, stated upon further review, a Traffic Impact Study (TIS) will not be required. (July 6, 2026)
- **Exhibit 2** – Kerstin Dettrich, Valley County Road & Bridge Director, listed requirements. A cluster mailbox / school bus stop location is requested. Further coordination with Idaho Transportation Department and Valley County Road and Bridge is required regarding ongoing turn lane warrant analysis as well as identified improvements to the west.
- **Exhibit 3** – Richard Klient of Roseberry Irrigation District stated two parcels do not have Roseberry Irrigation District water rights. To fill ponds, an application must be filed with Idaho Department of Water Resources. Parcel RP16N03E237985 does have Roseberry Irrigation District water rights for general irrigation and livestock use only; filling or maintaining a pond is not permitted. (July 8, 2026)
- **Exhibit 4** – Kendra Conder, Idaho Transportation Department, updated prior comments. The development agreement should include potential for additional traffic analyses and collecting proportionate share if deemed necessary by ITD or Valley County Road and Bridge. (July 9, 2026)

COA # 17 was discussed. This list would be distributed to property owners, similar to Swain's Lake Fork Business Park. If listed, it would be a preapproved use. If not listed, the use would require a conditional use permit.

Director Herrick and Commissioners discussed the compatibility rating, specifically questions 1 and 2, and the decision that a traffic impact study is not needed. If the preliminary plat is approved, there will be further discussion between the applicant, ITD, and Valley County Road and Bridge Department. The proposed pond in Phase 2 would be removed due to lack of water rights. The emergency exit onto Highway 55 currently exists; ITD would have to permit the access for this use. ITD did not comment on the sight restriction at the northwest corner of the Highway 55 and Loomis Lane intersection. A previous subdivision was approved for the site but expired. The site was annexed into North Lake Recreational Sewer and Water District boundary; however, the connection was not constructed as it was deemed cost prohibitive.

Chairman Roberts asked for the applicant's presentation.

Jon Vanderhoef, McCall, a partner in project, stated the site has sat vacant. The proposed use would revitalize the site and address a need in Valley County.

Rob Pair, Crestline Engineers, McCall, represented the applicant. The presentation included in the staff report was shown on the projector screen and referenced by Mr. Pair. The mixed-use project is promoted as flexible in use but tight on standards. The proposal is not a conventional subdivision and not a business park. Average lot size is 1.4 acres and there are more than 3 acres of open space. The proposal is less dense than the development previously approved for the site. The site is relatively flat but higher than the highway. There would be 6-ft high side and rear fencing, chain link slatted with neutral tones or a vertical cedar style; the front yard could be three-rail fencing. Setbacks would adhere to Valley County commercial setbacks which are more restrictive than standard single-family residential setbacks. Extensive CCRs and design requirements are proposed. Campers/RVs would not be used as primary residences. If only a shop is constructed without a residence on a lot, a bathroom would be required to be added to the shop building. The proposal would be a visual improvement compared to the current conditions. There would not be fencing immediately adjacent to Loomis Lane.

The proposal is for local service providers; no destination businesses would be allowed. Quick examples include electricians, plumbers, excavators, landscapers, surveyors, builders, property maintenance companies, snow removal contractors, technology professionals, engineers, and small service businesses.

The original proposed phasing plan will need to be modified due to Central District Health (CDH) requirements. Of the 17 locations monitored during Spring 2026, four sites had minimal water. Therefore, Phase 1 would be platted in subphases, resulting in a lengthened timeline.

A development agreement makes sense for the proposal with off-site improvements. They met with ITD and Valley County Road and Bridge during Spring 2026. There are other projects in the works for the area; the applicant expects to participate in the proportional share of off-site improvements. The existing agricultural entrance for Phase 2 parcel would be gated for emergency access only. It would need to be permitted by ITD. However, the second access is not required for the number of lots.

Septic systems, sewer connection, and water rights were discussed. Mr. Pair was under impression that the applicant had met with Roseberry Irrigation District. The intent is to make sure appropriate water rights are in place for the ponds. They will continue working with the Irrigation District. The Roseberry Irrigation District does not allow district water for pond use; therefore, a well would be permitted through Idaho Department of Water Resources to supplement the ponds. There is a private irrigation line on the border of the parcels.

The draft CCRs stated that no short-term rentals nor campgrounds are allowed. There was



discussion on if portions of the lots could these be subleased. Mr. Vanderhoef stated the CCRs have built in safeguards and prohibit subleasing to someone else. There shall be a single use on each parcel, not multiple businesses on same lot. A property owner association would enforce CCRs. Allowed uses and prohibited uses would be included in development agreement which can be enforced by Valley County.

Chairman Roberts opened the public hearing and asked for proponents.

Mike Robinett, 1002 Violet Way, McCall, is builder. Sites are needed in Valley County for employee housing, contractor housing, shops, and parking of trailers and equipment. This would be a unique development. Although some issues need to be resolved, it is needed. It would allow a business to have a small house and large shop for business or recreational equipment; not all subdivisions can do that.

Tad Elison, owner of adjacent property, supports the project. A place to park equipment and trailers is needed.

Gretel Kleint, 13010 Highway 55, stated the second phase portion was originally part of her ranch and was sold to the previous developer. She is in favor of the proposal as their private property right. That portion is within the Roseberry Irrigation District. The District's water cannot be taken off the land. This particular parcel is at very end of the irrigation district. Taxes still have to be paid; and pipes to each user occurred at other locations. The property owner(s) must cooperate with upstream users. The existing access along Highway 55 is ranch access which she maintains; there is no use of that access by the subject property. The emergency access may need to be located further south.

Patrick Fox, 7 Laguna Place, is a small business contractor who currently rents in an industrial area. This proposal would be a great deal for small business owners.

Chairman Roberts asked for undecided. There were none.

Chairman Roberts asked for opponents. There were none.

Chairman Roberts asked for rebuttal from the applicant.

Mr. Pair stated they will work with the Roseberry Irrigation District and clarify any misinformation. He will also research the emergency access option further.

Chairman Roberts closed the public hearing. The Commission deliberated. The change in the proposed timeline for recording the plats is based on the release of sanitary restrictions. Lots should connect to sewer when available.

Commissioner Mabe believes it is an interesting concept and that the applicant has done a nice job with the architectural portion of putting together commercial and residential uses along Highway 55. The uses are well documented in the CCRs. However, he would like stronger descriptions of the building standards and design in the CCRs and or development agreement.

Chairman Roberts stated that it was a nice presentation. However, he is concerned with water quality and the addition of more septic tanks and drainfields in close proximity to Cascade Reservoir and Gold Fork River. One of the reasons those test wells were dry is because the soil percolates very well at this site. It hits a clay layer, and it goes directly out to the cut bank or to the south goes directly toward the Gold Fork River. That is why the previous subdivision application on this property had a central sewer system on it. Infrastructure must be considered. If these lots were hooked up to central sewer, it would be a great project. The proposed use is much needed. The approved MacGregor Townsite, located half a mile from



this site, will use central sewer and water. The previous developer installed pipes and manholes; however, they may not match the proposed road design.

Commissioner Potter stated the permitted uses are overly broad, specifically as it relates to the resulting traffic on Highway 55. The number of daily trips is dependent on the type of use of each lot and is currently unknown. The type of use would affect the number of employee vehicles, delivery vehicles, residential vehicles, etc.

Commissioner Schneider stated although she would prefer central sewer over septic systems, the Commission relies on the expertise of CDH and Idaho Department of Environmental Quality. She agreed that the permitted uses are overly broad but also thinks the concept is much needed. A concern would be the number of employees per lot and use of campers for temporary residences. It would be quite the task to regulate the uses. The single-use limitation in addition to single-family residential could be on the face of the plat. She questioned how ITD looks at the proposed use to determine traffic numbers.

There was additional discussion on proposed uses and determination of traffic numbers. ITD is waiting to see the results of turn lane warrants for MacGregor Townsite and Brown Commercial Lease Site. The applicant is willing to participate in a proportionate share of improvement costs.

Chairman Roberts likes concept of this business hub; however, adding in single-family use gets problematic. Commissioner Mabe stated this is almost the reverse of the typical application for commercial use in a single-family residential area. Commissioner Schneider stated small business owners would be willing to have their residence in this area. Director Herrick stated single-family homes are likely to be used for employee housing. Commissioner Mabe added small businesses like plumbers might also want to have their business at home instead of a different location. Although the Commission does not want to handcuff potential property owners, the applicant could narrow the list further. There was discussion on delivery trucks and warehouse use. Commissioner Roberts stated that a residential home should be tied to the business use on a lot.

Possible additional Conditions of Approval discussed by the Commissioners and Staff were:

- Shall transfer water rights for a pond with Idaho Department of Water Resources.
- Can record phases of plat as sanitary restrictions are released.
- Must connect to sewer when available.
- Shall be limited to a single-family residence plus one single commercial use per lot.
- Shall use all water rights on site in coordination with Roseberry Irrigation District.
- Shall include a clustered mailbox and school bus stop.
- **Revised COA #5:** The final plat for Phase 1 shall be recorded within three years, or this permit will be null and void. The final phase shall be recorded by December 31, 2031.

Commissioner Mabe moved to table SUB 26-011 North Fork Landing to September 3, 2026, after 4:00 p.m. for additional information. Chairman Potter seconded the motion.

Commissioner Mabe stated he would like more detailed information on type of businesses allowed and how to limit the of daily trips. Usage dictates trip numbers. He is not sure what do about the septic system versus central sewer discussion. Chairman Roberts thinks a traffic study would be nice; however, it is premature when the future uses are unknown.

Motion to table to September 3, 2026, after 4:00 p.m., passed unanimously.

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**Fw: North Fork Landing Hearing Memorandum**

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**From** Cynda Herrick <cherrick@valleycountyid.gov>  
**Date** Wed 7/15/2026 9:50 AM  
**To** Valley County Planning and Zoning Members <pzmembers@valleycountyid.gov>  
**Cc** Lori Hunter <lhunter@valleycountyid.gov>

 1 attachment (22 KB)  
Hearing Memo.docx;

Attached is correspondence for clarification on SUB 26-011 which you will hear again on September 3. The applicant has tried to address all of your concerns.

If you have any questions please let me know...**do not respond to all.**

Thanks, Cynda

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

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

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

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**From:** Travis Lukoic <[REDACTED]@il.gov>  
**Sent:** Wednesday, July 15, 2026 9:31 AM  
**To:** Cynda Herrick <cherrick@valleycountyid.gov>  
**Subject:** North Fork Landing Hearing Memorandum

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

Good morning Cynda,

Thank you again for your time the other day. Attached is a follow-up memorandum to the July 9<sup>th</sup> hearing. If possible, I would like to have this shared with the commissioners to review while the topic and hearing is still fresh.

If there's any thoughts, comments or questions, please feel free to let me know.

Truly appreciate everything!

***Travis Lukoic***

Re/Max Capital City



NORTH FORK LANDING

July 9, 2026 Hearing

Applicant Follow-Up Memorandum

Commissioners,



Thank you for your time, thoughtful questions, and careful consideration of North Fork Landing during the July 9 hearing.

We appreciate the Commission's willingness to engage in a detailed discussion regarding the project. We understand that the continuation of the hearing reflects the Commission's commitment to fully evaluating the proposal and ensuring that all questions and concerns are adequately addressed. We respect that process and appreciate the opportunity to provide additional information.

The questions raised during the hearing demonstrated a genuine interest in understanding both the immediate proposal and the long-term implications of the development. After thoroughly reviewing the discussion, we identified seven primary topics that appeared to be of interest to the Commission:

1. Uses and Traffic
2. Septic Systems and Groundwater Protection
3. Rosebury Irrigation, Pond Management, and Idaho Department of Water Resources
4. Lot Size and Development Configuration
5. CCR Enforcement
6. Architectural Control Committee Standards
7. Miscellaneous Items

The purpose of this memorandum is simply to provide additional clarification regarding these topics and to demonstrate our commitment to continuing to work collaboratively with Valley County staff, reviewing agencies, neighboring property owners, and the Commission. We understand this application has many layers, and we remain committed to refining the proposal where appropriate.

#### **1. Uses and Traffic**

Several commissioners expressed interest in better understanding the types of uses anticipated within North Fork Landing and the level of activity those uses may generate.

Our intent is not to create a commercial center, industrial park, trucking facility, distribution hub, manufacturing area, warehouse district, or destination business development.



The intent is to offer a viable option for property owners that is currently lacking within the local market. One where a property owner can live and work from the same location. One where an owner can build a personal toy, hobby, or storage shop if desired. One where a contractor, tradesperson, service provider, or entrepreneur can have a professional home base while maintaining a high standard of appearance, maintenance, and community character.

The concept behind North Fork Landing recognizes a need that already exists throughout Valley County. Many property owners desire additional space for equipment, workshops, hobby buildings, recreational storage, home-based businesses, and trade/service-related operations that do not fit within traditional residential or commercial developments.

For someone looking to build a traditional mountain getaway or typical vacation home, there are hundreds of residential lots throughout the region better suited to that purpose. North Fork Landing is intended for individuals seeking flexibility, room to grow, space for a shop, and the ability to integrate aspects of their personal and professional lives while maintaining a clean, attractive, and well-managed environment.

The following section is noted within the draft CCR's:

**1.3 General Plan and Flex-Use Character:** The Community is intentionally designed as a controlled "Flex-Use" development. It is not a traditional residential-only subdivision, and it is not an unrestricted commercial setting. Purchasers are hereby advised that Lots may contain shop buildings, contractor storage, business-related vehicles and trailers, trade-support activity, and light indoor commercial/trade/service activity, all as permitted and regulated by this Declaration and applicable law.

The North Fork Landing vision is simple: **"Flexible on use, tight on standards."**

Examples of anticipated property owners include:

- Single-family homeowners
- Shop-houses (Shouse)
- Barndominiums
- Personal RV, boat, snowmobile, and recreational vehicle storage buildings
- Personal workshops and hobby shops
- General contractors
- Professional service businesses
- Electricians
- Plumbers
- HVAC contractors
- Excavation contractors
- Surveyors and engineers

- Insurance and consulting professionals
- Architecture and design studios
- Landscapers
- Property maintenance businesses
- Accounting, bookkeeping, and tax professionals
- Cabinet makers and similar custom trades
- Technology-based businesses
- Small contractor and trade businesses operating from a shop building with attached living

There are countless professions where owners simply need a dedicated space for their livelihood. These are business models that are not dependent on retail storefronts, walk-in sales or walk-in customers

North Fork Landing is designed to accommodate small businesses that have limited employees, generate minimal daily traffic and utilize appointment-only meetings when necessary. Businesses may meet clients by appointment; however, the project is not intended to support uses that generate general public visitation, customer traffic, freight movement, industrial activity, or commercial intensity beyond what would typically be associated with a small trade, service, professional, or contractor-based business.

North Fork Landing is not intended for and will not support:

- Walk-in storefront retail uses
- Outdoor retail sales or display areas
- Restaurants, diners, coffee shops, bars, or drive-through businesses
- Customer-oriented destination retail uses
- Truck terminals and freight distribution facilities
- Equipment rental yards
- Third-party warehousing operations
- Junkyards and salvage yards
- Hazardous material storage facilities
- RV parks and campgrounds
- Unscreened outdoor storage of vehicles, equipment, or supplies
- Uses generating excessive noise, dust, odor, vibration, or traffic

To further address concerns regarding traffic and intensity of use, we are willing to establish operational limitations on commercial uses that remain with the property regardless of future ownership.

| <u>Lot Size Range</u> | <u>Number of Lots</u> | <u>Maximum Employees</u> | <u>Maximum Commercial Vehicles</u> |
|-----------------------|-----------------------|--------------------------|------------------------------------|
| 1.0 – 1.2 Acres       | 15 Lots               | 5                        | 5                                  |
| 1.2 – 1.6 Acres       | 9 Lots                | 8                        | 8                                  |
| 2.0+ Acres            | 3 Lots                | 10                       | 10                                 |

The majority of North Fork Landing lots are between 1.0 and 1.6 acres in size, representing 24 of the project's 27 lots (89%). The standards above are intended to ensure that activity levels remain consistent with a low-intensity residential and trade-service community while still providing flexibility for property owners.

These limits represent maximum allowable activity levels and are not anticipated average conditions.

Additional standards include:

- All employee, customer, business, and equipment parking accommodated entirely on-site
- Building setbacks; 30' front, 10' side and 30' rear.
- Maximum lot coverage of 40% (Valley County code)
- Ten-foot landscape buffers along all side property lines (building set back lines)
- Outdoor storage screening requirements as outlined in CCR's
- Restrictions on excessive traffic-generating uses
- Only one single commercial use per lot

The intent of these standards is to create predictable operational limits that remain with the property regardless of future ownership and provide long-term assurance regarding the character and intensity of development within North Fork Landing.

The applicants have been working directly with ITD and the Valley County Road Department. The most recent correspondence from both agencies acknowledges the applicants' commitment to participate proportionately in future transportation improvements if and when such improvements become necessary.

## **2. Septic Systems and Groundwater Protection**

We recognize and appreciate the Commission's concern regarding groundwater quality.

We, as applicants, share the same concern. All lots will remain subject to DEQ and Central District Health review and permitting requirements. Approval of the subdivision does not replace or eliminate the independent review process required for individual septic systems.

The project's average lot size of approximately 1.4 acres provides substantial area for septic system placement, replacement areas, and required well separation distances.

We are also actively evaluating whether a combination of conventional and engineered septic systems may provide additional groundwater protection where appropriate. We remain willing to work with Valley County, DEQ, and Central District Health regarding any reasonable measures that further protect groundwater quality while maintaining project feasibility.

North Lake Sewer is currently located slightly more than one mile from the property, making connection economically impractical at this time.

Our objective is not simply to satisfy minimum requirements, but to explore practical opportunities to further enhance environmental protection while maintaining project feasibility.

### **3. Rosebury Irrigation, Pond Application, and Idaho Department of Water Resources**

Questions were raised regarding water rights, irrigation uses, and limitations within Rosebury Irrigation District.

On April 20, the applicants and project engineer met onsite with the Rosebury Irrigation Director and neighboring property owners to walk the property and gain a clear understanding of the design and operation of the irrigation system serving the area.

The Rosebury Irrigation Director was shown the preliminary plat, proposed pond location, and overall project vision. Since that meeting, the applicants have continued discussions regarding irrigation facilities, recorded easements, and future operations. We fully intend to continue working cooperatively with Rosebury Irrigation and neighboring property owners.

Applicants understand that any pond request would require review and approval through IDWR and other applicable agencies. If approved, the proposed pond would serve as an aesthetic amenity, open-space enhancement and as a supplemental fire-protection resource.

If a pond is ultimately not approved, the proposed 3.5-acre area would simply remain landscaped open space within the development.

Applicants also understand that the north 15 acres contain irrigation water rights within Rosebury Irrigation District, while the southern 31 acres do not.

Individual wells and water use associated with the project will remain subject to all applicable IDWR requirements and permitting processes.

### **4. Lot Size and Development Configuration**

A comment was made during the hearing regarding whether lots should be two acres or greater in size.

The average lot size within the development is approximately 1.4 acres.

The applicants and engineers worked closely together over several months to configure a



development layout that balances agency requirements, consumer demand, open space, utility placement, traffic circulation, and long-term functionality.

Additional lots could have been created; however, the applicants intentionally chose to preserve open space and create a layout that balances lot size, project viability, and community character.

Additional operational standards may include:

- Lots 14–20 access exclusively from Iron Horse Place
- Lots 9–13 access exclusively from Base Camp Place
- No parking or storage of vehicles, trailers, or equipment within required building setbacks
- Landscape buffers along side yards and setback standards intended to preserve the open-space character of North Fork Landing

## **5. CCR Enforcement**

Several commissioners asked how project standards would be enforced over time.

We agree this is one of the most important questions associated with the project. The applicants intend to establish a Homeowners Association responsible for administration and enforcement of the recorded Covenants, Conditions, and Restrictions.

The CCRs are currently in draft form and will continue to be refined with legal counsel to ensure they are clear, enforceable, and effective. The Association will have the authority to enforce community standards, require corrective action when necessary, and pursue available remedies for ongoing violations. Updated draft CCR's will be made available and included within the staff report for the scheduled 9/3 hearing.

These standards will run with the land and provide a long-term framework for maintaining appearance standards, operational requirements, and community expectations.

The applicants also intend to retain ownership of multiple lots and remain active participants in the community and board for the foreseeable future.

## **6. Architectural Control Committee Standards**

The Commission also expressed interest in how the project's appearance and character would be maintained over time.

We agree that strong ACC standards are critical to the long-term success of the project. The current ACC standards remain in draft form and will continue to be refined with legal counsel. Refined ACC guidelines will be made available and included within the staff report for the scheduled 9/3 hearing.

The applicants intend to establish standards addressing:

- Building design and architectural theme
- Exterior materials
- Colors and finishes
- Fencing
- Landscaping
- Outdoor storage screening
- Lighting
- Property maintenance
- Parking and site layout

The intended architectural theme is mountain modern, creating a cohesive and attractive development while still allowing flexibility for individual property owners.

No structure, site improvement, parking area, lighting plan, storage area, fencing installation, or landscaping plan would receive approval unless it complies with adopted ACC standards. The objective is to ensure that North Fork Landing remains attractive, cohesive, and well maintained for generations to come.

## **7. Miscellaneous Items**

Mrs. Kleint of Needles Ranch expressed concern regarding future access to her property near the proposed emergency access to Highway 55.

We want to be clear that we will work directly with Mrs. Kleint to ensure she maintains the access she needs and desires. We are committed to improving that access where possible and ensuring her property's needs are accommodated.

There was also discussion regarding the embankment located near the northwest corner of Highway 55 and Loomis Lane.

We are willing to work directly with ITD and the Valley County Road Department to evaluate improvements that may enhance visibility in that area. As part of our planned dedication of right-of-way along Loomis Lane, we are also willing to evaluate grading and slope improvements at our expense where practical and beneficial.

## **Closing**

Finally, we would like to emphasize that the materials presented to date have intentionally been presented as proposed, preliminary, and draft in nature.

We remain committed to working collaboratively with Valley County staff, reviewing

agencies, neighboring property owners, and the Commission to address questions, concerns and strengthen the proposal where appropriate.

Based on the research we have conducted, the market demand we have observed, the conversations we have had with potential buyers and community members, we strongly believe North Fork Landing will naturally become a balanced blend of residential homes, shop-houses/barndominiums, personal hobby and recreational storage buildings, small trade and service businesses.

We appreciate the thoughtful questions raised during the hearing and believe they have helped identify opportunities to further refine the project.

Our goal is not simply to obtain approval, but to create a development Valley County can be proud of for decades to come—one that provides opportunities for residents, entrepreneurs, contractors, tradespeople, and small business owners while maintaining a high standard of appearance, stewardship, and community character.

Thank you again for your time, consideration, and service to Valley County.

Respectfully,

Jon Vanderhoef  
&  
Travis Lukoic

**From:** Travis Lukoic <[REDACTED]>  
**Sent:** Tuesday, August 25, 2026 1:06 PM  
**To:** Cynda Herrick <cherrick@valleycountyid.gov>  
**Subject:** North Fork Landing supplemental information

Hi Cynda,

Attached are the revised North Fork Landing CCR's, ACC guidelines and the requested one page "Allowed Uses" to be attached with the developer agreement. Please let me know if there's anything you have any questions on or would like to receive anything else for the Staff Report.

I have left a message for Kendra at ITD and I am still waiting for her reply.

Thank you for all your assistance!

*Travis Lukoic*

Re/Max Capital City

[REDACTED]



DECLARATION OF PROTECTIVE COVENANTS,  
CONDITIONS, RESTRICTIONS AND EASEMENTS  
FOR NORTH FORK LANDING SUBDIVISION

Mountain-Modern Flex-Use Community



VALLEY COUNTY, IDAHO

Commission Review Draft | Prepared for September 3, 2026 Continued Hearing

DOCUMENT ROADMAP

**Articles 1-2:** Purpose, applicability, and defined terms

**Articles 3-5:** Permitted uses, measurable intensity limits, operations, parking, storage, and nuisance prevention

**Articles 6-7:** ACC authority, incorporated Design Guidelines, construction, landscaping, fencing, lighting, and maintenance

**Article 8:** Wells, septic and groundwater protection; irrigation, ponds, and agency jurisdiction

**Articles 9-11:** Roads, Association governance, assessments, and reserves

**Articles 12-14:** Enforcement, Declarant rights, amendments, and general recording provisions

**Exhibits A-B:** Incorporated ACC Guidelines; lot-intensity schedule

CORE STANDARD

North Fork Landing is flexible in the limited types of residential, shop, trade, service, and professional uses it accommodates, but strict in appearance, intensity, traffic, environmental protection, maintenance, and enforcement.

RECITALS

THIS DECLARATION is made effective as of the date it is recorded in Valley County, Idaho, by North Fork Landing LLC, an Idaho limited liability company (the "Declarant").

A. Declarant owns the real property described and shown on the recorded final plat of North Fork Landing Subdivision (the "Property").

B. Declarant intends to establish a controlled 27-lot flex-use community that supports residential living, shop-first construction, personal storage, and limited low-impact trade, service, and professional activity while protecting neighboring property, groundwater, roads, rural character, and long-term property values.

C. These covenants create measurable operating limits, establish the North Fork Landing Property Owners Association, incorporate the North Fork Landing ACC Design Guidelines, and run with the land for the benefit and burden of every Lot.

ARTICLE 1

GENERAL PROVISIONS

1.1 Name

The common-interest community governed by this Declaration is North Fork Landing Subdivision (the "Community").

### 1.2 Property Subject to Declaration

The Property consists of the land described in Exhibit A, the Lots and common areas shown on the Plat, and any land later annexed by a recorded instrument executed in accordance with this Declaration.

### 1.3 Controlled Flex-Use Character

The Community is neither a conventional residential-only subdivision nor an unrestricted industrial or retail business park. Owners are on notice that compliant Lots may contain residences, shops, business vehicles, screened equipment or material storage, and limited daytime trade or service activity. No Owner acquires a right to a purely residential environment; equally, no Owner acquires a right to operate an unrestricted commercial or industrial use.

### 1.4 Purposes and Interpretation

This Declaration shall be interpreted to preserve property values, prevent visual blight and nuisance impacts, protect water and road resources, maintain mountain-modern architectural quality, and allow only the controlled flex-use character expressly stated here. A use not expressly permitted is prohibited unless approved through the process in Section 3.8 and by every governmental authority having jurisdiction.

### 1.5 Running With the Land

This Declaration binds Declarant, the Association, each Owner, and their successors, assigns, tenants, occupants, employees, contractors, guests, invitees, and agents. Each Owner is responsible for violations caused by persons or operations associated with the Owner or Lot.

### 1.6 Priority of Governing Requirements

Applicable law controls when it is more restrictive. This Declaration controls when it is more restrictive than a governmental minimum. The recorded Plat and any final development agreement or conditions of approval also apply. In a conflict among Association documents, this Declaration controls, followed by the incorporated ACC Design Guidelines, Articles and Bylaws, and then Board rules.

### 1.7 No County Enforcement Assumption

The Association has independent responsibility to enforce these private covenants. Nothing in this Declaration requires Valley County or another agency to enforce a private covenant, and private approval does not replace a required governmental approval.

## ARTICLE 2

### DEFINITIONS

**ACC.** the Architectural Control Committee established under Article 6, consisting of at least three members appointed by the Board or Declarant during Declarant control.

**ACC Design Guidelines.** the North Fork Landing ACC Design Guidelines, as approved for the Community, attached or incorporated as Exhibit A and lawfully amended from time to time.

**Accessory Residential Space.** a lawful residential area subordinate to the principal residence or shop on the same Lot and approved by all governmental authorities having jurisdiction. Accessory Residential Space does not create a second separately leasable Dwelling or an additional business tenancy.

**Applicable Law.** all applicable federal, state, Valley County, fire district, health district, irrigation-district, and other governmental statutes, ordinances, rules, permits, and approvals.

**Association.** North Fork Landing Property Owners Association, Inc., an Idaho nonprofit corporation, or its lawful successor.

**Board.** the Association board of directors.

**Business Operation.** All trade, service, professional, repair, fabrication, storage, dispatch, office, or other income-producing activity conducted from or materially associated with a Lot.

**Business-Related Vehicle Trip.** one one-way entrance to or exit from a Lot by a nonresident employee, customer, client, vendor, delivery vehicle, or commercial vehicle associated with a business use. Trips by Lot residents for ordinary personal or commuting purposes are not Business-Related Vehicle Trips.

**Commercial Vehicle.** a motor vehicle or combination used principally in a trade or business and required to be licensed for road use, excluding personal passenger vehicles used incidentally for commuting.

**Common Facilities.** property or improvements owned or maintained by the Association, including private roads, drainage facilities, open space, mail or bus facilities, landscaping, fire-suppression facilities, and any lawfully approved pond or dry hydrant.

**Customer or Client.** A person who enters the Community or a Lot to purchase, receive, discuss, inspect, or arrange goods or services associated with a Business Operation, excluding an Owner, resident, employee, delivery driver, or service provider performing work for the Lot.

**Declarant.** North Fork Landing LLC and any successor expressly assigned Declarant rights by recorded instrument.

**Dwelling.** a lawful structure or portion of a structure designed for residential occupancy with cooking, sleeping, and sanitation facilities.

**Front Setback.** the required setback area between a Lot's road-facing property line and the nearest permitted Improvement or operational use, as established by the Plat, Applicable Law, or the ACC-approved site plan, whichever is more restrictive.

**Improvement.** any building, addition, driveway, parking or storage area, grading, drainage work, fence, wall, retaining wall, sign, exterior lighting, mechanical equipment, utility, landscaping, or other visible site change.

**Lot.** a numbered lot shown on the recorded Plat, excluding common or open-space lots unless the context requires otherwise.

**Material Change.** a change that increases or substantially alters the type of use, ownership or control of a business, number of Nonresident Employees, Commercial Vehicles, Business-Related Vehicle Trips, deliveries, parking, outdoor storage, wastewater demand, hazardous materials, noise or other off-Lot impact.

**Nuisance.** a use, activity, or condition that violates an objective standard in this Declaration or materially and unreasonably interferes with safety, health, property value, or the use and enjoyment of another Lot, considering the Community's disclosed flex-use character.

**Nonresident Employee.** a person who regularly performs full-time work from a Lot but does not maintain a lawful primary residence on that Lot. Independent contractors routinely dispatched from the Lot count as Nonresident Employees; occasional repair or construction contractors do not.

**Outdoor Business Storage/Contractor yard.** means a screened outdoor storage area on a Lot for equipment, tools, materials, trailers, and work-related vehicles used in connection with a lawful trade or business, subject to Article 5.

**Outdoor Storage.** the keeping of vehicles, trailers, equipment, materials, supplies, containers, inventory, or similar items outside a fully enclosed building for more than seventy-two consecutive hours. Ordinary short-term parking of operable vehicles and temporary construction materials associated with active, approved construction are excluded.

**Owner.** the record owner of fee title to a Lot, including a contract purchaser entitled to possession, but excluding a person holding only a security interest.

**Primary Shop.** the principal enclosed building on a Lot used for personal storage, workshop activity, or an approved Business Operation, whether or not the building includes a Dwelling or accessory residential space.



**Screened Area.** an area substantially blocked from line of sight at normal viewing height from internal roads, public roads, common areas, and adjoining Lots by approved building placement, solid fencing, berming, evergreen landscaping, or a maintained combination of those methods.

**Short-Term Rental.** rental or occupancy for fewer than 30 consecutive days.

**Single Business Use.** Multiple legal entities, trade names, divisions, or related companies operating as one integrated business under common control shall constitute one Single Business Use only when they share same employees, vehicles, facilities, and operations and do not create additional intensity or separate tenant occupancy.

Separate subtenants, unrelated businesses, mini-storage tenants, and multiple independently operated enterprises are separate uses and not allowed.

## ARTICLE 3

### LAND USES AND INTENSITY LIMITS

#### 3.1 General Rule

Each Lot may contain no more than one single-family Dwelling, lawful accessory residential space, and one Single Business Use. A residence is not required unless imposed by a final condition of approval, but a shop-only Lot shall contain a code-compliant restroom (shower, toilet and sink) before regular occupancy or business operation. No Lot may be divided, subleased, licensed, or arranged to host multiple unrelated businesses or third-party storage tenants.

#### 3.2 Permitted Residential and Personal Uses

Permitted uses include one single-family residence; a shop-house (shouse) or barndominium; lawful attached or detached accessory living space; a personal workshop or hobby shop; and enclosed or screened storage of an Owner's RVs, boats, snowmobiles, trailers, tools, vehicles, and recreational equipment. All residential components require lawful water and wastewater approval.

#### 3.3 Permitted Low-Impact Business Uses

Subject to written use registration under Section 3.7, intensity limits, ACC site approval, and Applicable Law, examples of integrated businesses may include: specialty contractors and trades; general contractors; electricians; plumbers; HVAC contractors; excavation, landscape, snow-removal, property-maintenance, and similar off-site-dispatched services; survey, engineering, architecture, design, accounting, insurance, consulting, technology, and other professional offices; cabinetmaking and custom trades; and small-scale repair, assembly, fabrication, or warehousing incidental to the approved on-site business when substantially enclosed.

#### 3.4 Business Operating Conditions

Every business shall be owner-operated or under the direct control of a Lot resident or Lot Owner; conduct customer or client meetings by appointment only; provide all employee, customer, vehicle, equipment, delivery, maneuvering, and snow-storage space on the Lot; and remain within the limits in Section 3.6. There shall be no general walk-in sales, public store-front retail or outdoor inventory display.

#### 3.5 Prohibited Uses

The following are prohibited: walk-in or destination retail; shopping centers; restaurants, bars, coffee shops, drive-throughs, and food-service destinations; gas or fueling stations; outdoor retail or inventory display; equipment-rental yards; self-storage, mini-storage, third-party warehousing, or storage rented to unrelated persons; junkyards, salvage yards, scrap or recycling operations; mining, gravel extraction as a principal use, rock crushing, asphalt or concrete batch plants; heavy manufacturing or processing; truck terminals, freight-distribution centers, or continuous heavy-truck operations; hazardous-material storage or processing except



customary lawful trade quantities; commercial landfills; RV parks or campgrounds; commercial kennels or animal boarding; commercialized outdoor events or venues; and any use producing excessive noise, dust, odor, smoke, glare, vibration, traffic, wastewater, or other off-Lot impact.

### 3.6 Maximum Lot Intensity

To maintain an appropriate scale of development and business activity, each Lot shall comply with the maximum building footprint, non-resident employee, commercial vehicle, and total lot coverage limits shown below. These standards apply regardless of the type of permitted use conducted on the Lot.

| Lot size                   | Max. building footprint | Max. nonresident on-site employees | Max. licensed commercial vehicles | Max. lot coverage |
|----------------------------|-------------------------|------------------------------------|-----------------------------------|-------------------|
| 1.00-1.20 acres            | 8,000 sf                | 5                                  | 5                                 | 40%               |
| Over 1.20-under 2.00 acres | 10,000 sf               | 8                                  | 8                                 | 40%               |
| 2.00-2.30 acres            | 12,500 sf               | 10                                 | 10                                | 40%               |

For purposes of this section:

- Building footprint: includes the ground-floor footprint of all buildings and roofed structures on the Lot.
- Non-resident on-site employees: defined as full-time on-site employees or regularly dispatched workers who do not reside on the Lot.
- Commercial vehicles: include licensed motor vehicles primarily used in connection with the approved business.
- Lot coverage: includes all buildings and all impervious parking areas, loading and maneuvering areas, outdoor storage areas, and other operational surfaces.

**All buildings, employees, commercial vehicles, parking, loading, storage, and business operations must remain within these limits and be accommodated entirely on the Lot.** These limits are maximum allowances and do not guarantee approval of the maximum intensity where septic capacity, setbacks, drainage, access, parking, screening, road safety, or other applicable requirements necessitate a lower level of development or activity.

### 3.7 Use Registration and Change Review

Before a business begins, the Owner shall submit a written use statement describing ownership, services, employees, vehicles, anticipated trips, deliveries, parking, storage, wastewater, and hazardous materials. The Board shall confirm in writing that the proposed use fits an express permitted category and applicable caps. Any material change in ownership, use, employees, vehicles, traffic, deliveries, storage, wastewater demand, or exterior operation requires renewed review before the change occurs.

### 3.8 Unlisted Uses

An unlisted use is prohibited unless the Board finds in writing that it is substantially similar in character and impact to an express permitted use, fits every objective limit, and has all required governmental approvals. The Board may require an owner to obtain Valley County review, including a conditional use permit if applicable. Board action cannot authorize a use prohibited by Section 3.5.

### 3.9 No Further Subdivision or Multi-Tenant Conversion

No Lot may be further subdivided. Condominiums, fractional interests creating separate occupancy rights, multi-tenant business parks, separate shop-bay rentals, and separate storage-space rentals are prohibited.

### 3.10 Rentals

A Dwelling or entire approved building may be leased for 30 days or longer under one written lease. Short-Term Rentals are prohibited. The lease shall incorporate this Declaration, and the Owner remains liable for all tenant, employee, contractor, guest, and invitee violations. Subleasing a portion of a Lot or building to create an additional unrelated business is prohibited.

## ARTICLE 4

### OPERATIONAL AND PERFORMANCE STANDARDS

#### 4.1 On-Lot Parking and Circulation

Routine parking on private roads, shoulders, common areas, or road snow-storage areas is prohibited. Each Lot shall provide durable all-weather parking, loading, turnaround, and maneuvering adequate for the approved use. Vehicle stacking into a road is prohibited.

#### 4.2 Setbacks for Parking and Storage

No vehicle, trailer, equipment, material, business parking, loading, or outdoor storage area may be located within the front setback. A minimum 10-foot parking and storage buffer shall be maintained along side Lot lines unless a greater setback is required. Lots 9-13 shall take access from Base Camp Place and Lots 14-20 from Iron Horse Place, subject to the final Plat and governmental approvals.

#### 4.3 Noise, Vibration, Dust, Odor, Smoke and Glare

No operation may create recurring or unreasonable noise, vibration, dust, odor, smoke, glare, fumes, or light at or beyond a Lot boundary. Engines shall not idle unnecessarily. Dust and mud tracking shall be promptly controlled. Outdoor cutting, grinding, welding, sandblasting, spraying, or fabrication is prohibited when it produces an off-Lot impact.

#### 4.4 Deliveries and Heavy Vehicles

Deliveries shall be incidental to the approved use, occur on the Lot, and avoid road blockage. Freight terminals, distribution activity, overnight staging of third-party trucks, and continuous semi-trailer traffic are prohibited. The Board may require delivery scheduling or routing reasonably necessary to protect safety and private roads.

#### 4.5 Hazardous and Flammable Materials

Only lawful customary quantities reasonably necessary for the approved residence or trade may be kept. Materials shall be stored in approved containers with secondary containment when appropriate. Hazardous processing, leaking containers, and any storage creating a fire, health, groundwater, or nuisance risk are prohibited.

#### 4.6 Animals

No animals of any kind, except for household pets, (it is specifically noted that horses, cattle, pigs, llamas, sheep, goats, and comparable sized animals, livestock, poultry, fowl, reptiles, and wild animals are not considered household pets) shall be raised, bred, or kept on any portion of any Lot.

No more than four household pets may be kept on any Lot. No animal shall be kept on any Lot for pay or boarding purposes. Any exception to the maximum four household pet rule requires written approval from the Board.

A. Pets. Household pets may be kept for personal or non-commercial recreational purposes only if the presence of such pets does not constitute a nuisance. Pets must be kept within the boundaries of the Lot unless accompanied by and under the control of the Owner.

B. Dogs. Consistent and/or chronic barking by dogs or threatening or aggressive behavior by any animal shall be considered a nuisance. Owners understand and acknowledge that the Property is bordered by private and public grazing land and that dogs leaving the Property and harassing livestock may be controlled, as allowed by law.

Dog runs shall be allowed with the prior written approval of the Committee.

#### 4.7 Firearms, Burning, and Motorized Recreation

Hunting and discharge of firearms are prohibited within the Community. Trash burning, burn barrels, and routine slash burning are prohibited. ATVs, motorcycles, snow machines, and similar vehicles may use roads only safely, lawfully, and within posted speed limits.

#### 4.8 RVs and Temporary Occupancy

RVs and campers may not serve as a primary or permanent residence. Guest camping is limited to no more than two campers per Lot, no more than 10 consecutive days, at least five days between stays, and eight aggregate weeks per calendar year. During active construction, one RV may be used for temporary owner or contractor occupancy for up to 18 months or until certificate of occupancy, whichever occurs first, subject to lawful sanitation and written Board approval.

#### 4.9 Wood Burning Devices

Pursuant to Valley County Conditional Use Permit No. 23-02 Conditions, no more than one wood burning device shall be allowed per Lot.

### ARTICLE 5

#### OUTDOOR STORAGE, SCREENING, AND PROPERTY CONDITION

##### 5.1 Screening Before Use

No outdoor business storage or contractor yard may begin until the ACC has approved the location, surface, fencing, gates, berms, and landscaping and has confirmed that required screening is installed. Screening is intended to help block views from public and private roads, common areas, and adjoining Lots at normal viewing height. If the Lot is used as an active Contractor Storage Yard prior to completion of a primary structure with restroom facilities, the Owner shall provide sanitary facilities as required by Applicable Law, located in a screened area approved by the Board.

##### 5.2 Storage Height and Order

Equipment, materials, trailers, and supplies shall be orderly, stable, operable, and on gravel, compacted aggregate, asphalt, concrete, or another approved all-weather surface. Bare-dirt storage is prohibited.

### 5.3 Prohibited Outdoor Conditions

Abandoned or inoperative vehicles, dismantled equipment, scrap piles, demolition debris, loose refuse, windblown material, leaking equipment, open chemical containers, and junk accumulation are prohibited. Shipping containers require ACC approval and shall be architecturally integrated or fully Screened; they may not be stacked.

### 5.4 Refuse

Trash and recycling containers shall be enclosed or screened except for placement no earlier than 24 hours before collection and removal no later than 24 hours after collection. Dumpsters require ACC approval, a durable pad, and complete screening.

### 5.5 Maintenance

Each Lot and Improvement shall be kept clean, safe, weed-controlled, structurally sound, and in good repair. Exterior finishes, roofs, fences, landscaping, parking surfaces, drainage, and screening shall be repaired or replaced when faded, leaning, broken, rusted, eroded, dead, or no longer effective.

## ARTICLE 6

### ARCHITECTURAL CONTROL COMMITTEE

#### 6.1 Establishment and Composition

The ACC shall have at least three members appointed by the Board; during Declarant control, Declarant may appoint and remove ACC members. ACC members may include design, construction, landscape, engineering, real estate, or community representatives. A majority of appointed members constitutes a quorum.

#### 6.2 Written Approval Required

No Improvement or material exterior change may begin before written ACC approval. Approval is required for buildings, additions, grading, drainage, driveways, parking and storage, fences, walls, signs, lighting, landscaping, exterior equipment, colors, materials, and visible changes. Governmental approval does not substitute for ACC approval, and ACC approval does not substitute for governmental approval.

#### 6.3 Incorporated Design Guidelines

The ACC Design Guidelines are incorporated into and enforceable as part of this Declaration. Their mountain-modern design, site planning, material, color, fencing, lighting, landscaping, screening, parking, sign, and maintenance standards apply to every Lot. If a conflict exists, this Declaration controls.

#### 6.4 Submittal Requirements

A complete application shall include a dimensioned site plan; setbacks, easements, well, primary and replacement drainfield areas; grading, drainage and snow storage; floor plans, roof plan, and elevations; height and exterior materials; color and product samples; parking, loading and Screened storage; landscape, irrigation, fence, sign, exterior-lighting, utility, propane, refuse, and mechanical-equipment plans; and other information reasonably needed to determine compliance.

#### 6.5 Review and Decision

The ACC shall review complete applications in good faith under this Declaration and the ACC Design Guidelines. It may approve, conditionally approve, or deny in writing with stated reasons. No approval arises from silence. The ACC should issue a decision within 30 days after confirming that a submission is complete, but written approval remains required before work begins.



#### 6.6 Appeal

An Owner may appeal an ACC denial or condition to the Board in writing within 15 days. The Board may affirm, modify, or reverse by majority vote after considering the record and applicable standards. During Declarant control, Declarant may reserve final review as stated in the Bylaws.

#### 6.7 Approval Expiration and Changes

Approval expires if material construction has not begun within 12 months unless extended in writing. A material change to siting, massing, roof, opening, material, color, lighting, fence, sign, parking, storage, grading, drainage, or landscaping requires written approval before installation.

#### 6.8 Inspection and Completion

The ACC or its representative may inspect visible work at reasonable times after notice. An Owner shall correct deviations from approved plans. Construction shall be completed within 18 months after commencement unless extended for documented circumstances beyond the Owner's control.

#### 6.9 No Precedent; No Liability

Approval of one design does not establish a precedent. ACC, Board, Association, and Declarant review is for covenant compliance and does not warrant structural design, code compliance, drainage performance, workmanship, or fitness. Owners remain solely responsible for professional design and legal compliance.

### ARTICLE 7

#### DESIGN, SITE, AND CONSTRUCTION STANDARDS

##### 7.1 Mountain-Modern Character

Improvements shall follow the ACC Design Guidelines and present a simple, durable, refined contemporary interpretation of regional ranch, barn, lodge, and working-building forms. Conventional unmodulated metal warehouses, themed architecture, unfinished structures, and visually dominant overhead-door rows are prohibited.

##### 7.2 Building Size, Height and Set Backs

Unless the ACC approves a more compatible configuration: a primary residence shall contain at least 1,200 square feet of living area if one story or a 1,000-square-foot footprint if multi-story; a primary shop shall contain at least 1,200 square feet; and a shop with living quarters shall contain at least 1,600 total square feet with at least 1,200 square feet at ground level. Building height shall not exceed 35 feet or a lower governmental limit.

Set Backs are as follows. Front – 30' Side Street – 30' Side – 10' Rear - 30'

##### 7.3 Materials, Colors, and Roofs

Quality stone, wood or wood-look siding, fiber cement, vinyl, architectural metal, concrete, masonry, glass, and painted or weathering steel may be approved. Bright bare metal, glossy or highly reflective finishes, exposed sheathing, unfinished CMU, and large saturated or primary-color fields are prohibited. Roofs shall be durable, non-reflective, snow-managed, and within 2:12 to 10:12 unless a specific mountain-modern design is approved under the Guidelines.

##### 7.4 Fencing

Street-facing fencing shall follow a consistent ranch-style or ACC-approved mountain-modern design. Side and rear Screened areas may use solid wood, matte metal, or dark-coated chain link with neutral brown, bronze, or black slats. Barbed wire, razor wire, bright or reflective material, scrap fencing, and mixed patchwork fencing are prohibited. Fencing shall comply with the Plat, scenic corridor, sight-distance, and setback requirements.

### 7.5 Landscaping and Buffers

The predominant goal of Valley View Landing is to maintain, enhance, and preserve the existing natural feel of the area and the site integrity of the individual lots, while allowing diversity in the building and landscape designs. To reach this goal, extensive landscaping is not required nor encouraged, yet landscaping must be executed and maintained in a way as to present a neat and pleasing appearance to all off property views and encouraged to be used as a screening tool for placed or stored items, vehicles and equipment. All lawns or other irrigated areas within each Lot shall not exceed a total of one-half acre. Yew plants are prohibited. Owners shall minimize the application of fertilizers, pesticides, herbicides, and fungicides except as otherwise required by Valley County. The Association shall maintain the landscape buffer that abuts Loomis Lane.

Landscaping should have the least possible impact on water resources. Like any valuable natural resource, water should not be used in a wasteful manner. Continuous irrigation in the dry months is to be discouraged, and the choice of planting materials should make it possible, once the plant material is established, for such irrigation to be minimized. The 10-foot parking and storage buffer shall remain free of operational surfaces and be landscaped where reasonably needed for screening.

### 7.6 Lighting

Exterior lighting shall comply with the Valley County lighting ordinance, use fully shielded downcast fixtures, minimize lumen output, avoid spill onto adjoining Lots or roads, and generally use warm color temperature. Bare bulbs, unshielded floodlights, searchlights, flashing lights, and lighting used to attract public attention are prohibited.

### 7.7 Signs

One approved business identification sign per Lot may be monument-mounted or building-mounted, not to exceed 12 square feet total area or six feet in freestanding height, and be externally illuminated only. One construction sign and one real-estate sign, each no more than eight square feet, are allowed during their applicable period. Digital message boards, flashing or rotating signs, roof signs, banners, inflatables, sandwich boards, pole signs, and vehicle-mounted advertising displays are prohibited.

### 7.8 Driveways, Drainage, and Snow

Driveways and approaches require ACC and governmental approval, durable all-weather surfacing, adequate culverts, on-Lot drainage, and on-Lot snow storage. No Owner may direct additional runoff, snow, sediment, or ice onto a road or adjoining Lot.

### 7.9 Construction Conduct

Construction sites shall remain orderly and secure. Debris shall be contained; roads shall be kept free of mud and tracking; work shall observe approved hours; and temporary facilities shall be screened when practicable. No structure may be occupied before all required approvals and sanitation are in place.

### 7.10 Utilities and Equipment

Permanent utility service shall be underground from Lot line to point of use. Propane and oil tanks, generators, HVAC units, refuse equipment, and similar exterior equipment shall be buried, integrated, or screened as approved. Solar systems are allowed subject to placement, glare, and equipment-screening review.

### 7.11 Manufactured and Modular Homes

Manufactured Homes are prohibited. Modular homes on permanent foundations may be permitted if approved by the ACC and compliant with Applicable Law.

- Constructed to IRC standards
- Installed on a permanent foundation system
- Not constructed on or supported by a permanent transport chassis
- Designed to meet the architectural standards of the development.

### 7.12 Noxious Weeds

Any Lot disturbed as a result of grading or construction shall be revegetated to at least its original state no later than one construction season after being disturbed. Additionally, each Owner shall follow the guidelines provided in the Valley County Comprehensive Noxious Weed Management Plan or shall employ alternative measures approved by the Board.

## ARTICLE 8

### WATER, WASTEWATER, IRRIGATION, AND ENVIRONMENTAL PROTECTION

#### 8.1 Individual Wells

Each Lot shall obtain and maintain a lawful individual well. Well location, construction, setbacks, and use remain subject to Idaho Department of Water Resources, Central District Health, Idaho Department of Environmental Quality, and other Applicable Law.

#### 8.2 Septic Approval and Protected Areas

No Dwelling, shop restroom, business occupancy, or wastewater-generating use may begin without CDH approval for the proposed demand. Each Owner shall preserve the approved well site, primary drainfield, and replacement drainfield area from buildings, paving, compaction, grading, storage, parking, drainage, and contamination. The final site plan shall identify these areas. Septic systems shall require septic operation maintenance including pumping as necessary at a minimum of once every 5 years, or compliance with manufacturer specifications for other similar system type

#### 8.3 Domestic Sanitary Wastewater Only

Septic systems may receive only domestic sanitary wastewater within approved capacity. Industrial or process wastewater; equipment, vehicle, or floor-drain wash water; petroleum; oils; paints; solvents; pesticides; chemicals; concrete or grout waste; and other prohibited material shall not enter any septic system. Unauthorized floor drains are prohibited.

#### 8.4 Inspection, Maintenance, and Records

Each Owner shall inspect, pump, repair, and replace the septic system as required by law and manufacturer guidance.

#### 8.5 Future Sewer Connection

If a lawful public or community sewer becomes available and connection is required by a final condition of approval, development agreement, health authority, sewer district, or other Applicable Law, each affected Owner shall timely connect at the Owner's expense and properly abandon the septic system.

#### 8.6 Drainage and Groundwater Protection

No contaminant, waste, sediment, or concentrated runoff may be discharged to groundwater, surface water, irrigation facilities, drainage features, common areas, or adjoining land. Spill response and cleanup shall be immediate and comply with Applicable Law. The Board may require reasonable containment or corrective measures.

**ARTICLE 9****PRIVATE ROADS, ACCESS, AND COMMON FACILITIES****9.1 Private Roads**

Subdivision roads are private unless accepted by a public authority. Owners, residents, employees, guests, invitees, contractors, and emergency personnel may use them for lawful access subject to this Declaration and Board rules.

**9.2 Maintenance and Snow Removal**

The Association shall maintain, repair, reserve for, and manage private roads and road drainage, including snow removal. Costs are Common Expenses except damage or extraordinary wear attributable to a Lot or Owner may be charged as a Limited Assessment after notice and an opportunity to be heard.

**9.3 Road Protection**

Road blockage, routine on-road loading, material staging, tracked mud, unapproved cuts, drainage alteration, and unauthorized gates are prohibited. An Owner causing damage shall promptly reimburse the Association.

**9.4 Emergency and Neighbor Access**

Emergency access to Highway 55 may be used only as permitted by ITD and fire authorities and shall remain gated or controlled as required. The Community shall honor any recorded neighboring access easement and coordinate its location and maintenance without creating a general public access right.

**9.5 Common Open Space and Fire Facilities**

The Association shall maintain common open space, landscape areas, fire tanks, dry hydrants, and any lawfully approved pond or related facility shown as its responsibility.

**ARTICLE 10****ASSOCIATION AND GOVERNANCE****10.1 Organization and Membership**

The Association shall be an Idaho nonprofit corporation. Every Owner is a Member, and membership is appurtenant to Lot ownership and cannot be severed.

**10.2 Board**

The Board shall consist of not fewer than three and not more than five directors elected or appointed under the Bylaws. It shall administer the governing documents, maintain Common Facilities, adopt budgets and lawful rules, appoint the ACC, obtain insurance and professional services, keep records, and enforce compliance.

**10.3 Declarant Control and Transition**

Declarant may appoint the Board and control the Association until the earlier of a recorded or written voluntary turnover or 60 days after Declarant conveys all Lots, subject to Applicable Law. Declarant may transition authority earlier in stages.

**10.4 Rules**

The Board may adopt reasonable written rules and schedules that implement but do not materially weaken or expand this Declaration. Rules may address forms, review procedures, roads, snow, screening, fire mitigation, records, meetings, enforcement, and fines. Members shall receive notice before a rule takes effect.



**10.5 Records and Fair Administration**

The Association shall maintain minutes, budgets, financial records, ACC decisions, use registrations, and enforcement records as required by law. Decisions shall be made in good faith, on relevant facts, and without unlawful discrimination. Confidential personal, health, security, and proprietary business information shall be protected to the best extent reasonably possible.

**10.6 Owner Responsibility**

An Owner shall provide tenants and business occupants the current governing documents, include compliance duties in leases and occupancy agreements, and remain responsible for all associated persons. No private agreement excuses a violation.

**ARTICLE 11****ASSESSMENTS AND LIENS****11.1 Covenant to Pay**

Each Owner covenants to pay Regular, Special, and Limited Assessments lawfully levied under this Declaration and the Bylaws.

**11.2 Regular Assessments**

Regular Assessments may fund roads, snow removal, drainage, landscaping, open space, fire facilities, insurance, utilities, administration, reserves, professional services, and other Common Expenses. Unless lawfully allocated otherwise for a particular benefit or impact, Regular Assessments shall be uniform per Lot.

**11.3 Special and Limited Assessments**

Special Assessments may fund unbudgeted or capital expenses under the approval procedures in the Bylaws. A Limited Assessment may charge a Lot for enforcement costs, corrective work, damage, extraordinary road wear, or a service benefiting that Lot, after required notice and hearing.

**11.4 Collection and Lien**

Past-due assessments, lawful charges, interest, collection costs, and attorneys' fees are the Owner's personal obligation and may constitute a continuing lien to the extent permitted by Idaho law. Before recording or foreclosing a lien, the Association shall follow all mandatory notice, hearing, and statutory procedures.

**11.5 Reserves**

The Board shall reasonably plan and budget reserves for predictable road, drainage, snow, landscaping, fire-facility, and other Common Facility repair and replacement.

**ARTICLE 12****COMPLIANCE AND ENFORCEMENT****12.1 Who May Enforce**

Declarant during the development period, the Association acting through the Board, and any Owner with standing may enforce this Declaration. The Board has primary administrative responsibility but its inaction does not eliminate another lawful enforcement right.

**12.2 Notice and Opportunity to Cure**

Except for emergencies or conditions creating immediate harm, the Association shall give written notice identifying the violated provision, facts, required corrective action, cure deadline, possible sanction, and hearing or appeal rights. The cure period shall be reasonable for the violation and comply with Idaho law.

### 12.3 Hearing and Decision

Before imposing a fine, suspending a privilege, charging corrective costs, or taking other disciplinary action, the Board shall provide any hearing required by law or the governing documents. A written decision shall state the finding, remedy, effective date, and appeal or reconsideration process.

### 12.4 Fines

After required procedure, the Board may impose a fine under a published schedule permitted by Idaho law. Continuing violations may be fined per day only after the cure deadline and required notice. Fines shall be reasonable and proportionate and shall not replace the duty to cure.

### 12.5 Self-Help and Emergency Action

Where lawful, after notice and failure to cure, the Association may enter a Lot at a reasonable time to remove refuse, abate weeds, repair required screening, address drainage or fire hazards, or perform other specifically noticed corrective work. In an emergency threatening persons, property, water, roads, or Common Facilities, reasonable immediate action may be taken with prompt subsequent notice. Costs may be a Limited Assessment.

### 12.6 Suspension of Use or Approval

The Board or ACC may suspend an Association approval or direct cessation of an unapproved or materially changed business operation, exterior activity, construction, or occupancy until compliance is demonstrated. This remedy does not authorize physical eviction or governmental code enforcement by the Association.

### 12.7 Injunction, Damages, and Attorneys' Fees

An enforcing party may seek temporary, preliminary, or permanent injunctive relief, damages, specific performance, lien remedies, and other relief permitted by law. The prevailing party may recover reasonable attorneys' fees and costs to the extent allowed by law or contract.

### 12.8 No Waiver; Consistency

Delay or failure to enforce once is not a waiver. Different remedies may be used for materially different circumstances, but enforcement shall be in good faith, based on relevant facts, and reasonably consistent. Approval or tolerance of a violation does not amend this Declaration.

### 12.9 Owner-Caused Costs

Investigation, consultant, legal, cleanup, repair, and enforcement costs reasonably caused by an Owner's violation may be charged to that Owner as allowed by law after required procedure.

## ARTICLE 13

### DECLARANT RIGHTS AND EASEMENTS

#### 13.1 Development Rights

While Declarant owns a Lot, Declarant may complete subdivision work, grading, utilities, roads, sales activity, signage, model or construction facilities, and other lawful development without being deemed in violation, provided it acts reasonably, follows governmental approvals, and avoids unnecessary interference.

#### 13.2 Utility, Drainage, Irrigation, Access, and Maintenance Easements

The easements shown on the Plat or recorded separately are reserved for their stated purposes. Declarant and the Association may enter easement areas for inspection, construction, repair, maintenance, drainage, utilities, fire protection, irrigation coordination, and Common Facility work. Owners shall not obstruct an easement or place an Improvement there without written approval and all required third-party consent.

**13.3 Annexation**

Declarant may annex adjacent property by recorded supplemental declaration while Declarant owns a Lot, if permitted by final approvals. After Declarant control, annexation requires approval of at least 67 percent of all Lot votes and any required governmental approval.

**13.4 Assignment**

Declarant rights may be assigned only by an express recorded instrument identifying the assignee and rights transferred.

**ARTICLE 14****TERM, AMENDMENT, AND GENERAL PROVISIONS****14.1 Term**

This Declaration is effective upon recording, continues for 20 years, and automatically renews for successive 10-year periods unless lawfully amended or terminated.

**14.2 Amendment Before First Sale**

Before conveying the first Lot to a third party, Declarant may amend this Declaration by recorded instrument, subject to governmental approvals and vested third-party rights.

**14.3 Amendment After First Sale**

After the first third-party conveyance, an amendment requires approval of at least 67 percent of all Lot votes, not merely those present at a meeting, unless a greater percentage is required by this Declaration or law. Termination requires at least 90 percent of all Lot votes and all required governmental approvals. While Declarant owns a Lot, an amendment materially impairing Declarant rights also requires Declarant's written consent.

**14.4 Protection of Core Commitments**

No Board rule or ACC guideline amendment may authorize multiple unrelated businesses per Lot; a prohibited use; greater employee, vehicle, traffic, building, or coverage intensity; Short-Term Rentals; or weaker septic, screening, lighting, or nuisance standards. A recorded amendment under Section 14.3 is required.

**14.5 Mortgagee Rights**

A lender holding a recorded security interest is not personally liable for a violation solely by reason of that interest. Acquisition through foreclosure does not extinguish prospective compliance duties or assessments except as required by law.

**14.6 Severability**

If a provision is invalid or unenforceable, the remaining provisions remain effective. A court should enforce a provision to the maximum lawful extent consistent with its purpose.

**14.7 Notices**

Notices shall be delivered by a method permitted by the Bylaws and Applicable Law to the address or electronic contact in Association records. Owners shall keep contact information current.

**14.8 Captions, Number, and Gender**

Headings aid reference and do not limit meaning. Singular includes plural and gendered terms include all genders when context permits. "Including" means including without limitation.

## 14.9 Governing Law and Venue

Idaho law governs. Venue for an action concerning the Property shall lie in the court having jurisdiction in Valley County, Idaho, unless controlling law requires otherwise.

## EXECUTION AND ACKNOWLEDGMENT

IN WITNESS WHEREOF, Declarant has executed this Declaration effective upon recording.

North Fork Landing LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF IDAHO )

) ss.

County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2026, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, known or identified to me to be the \_\_\_\_\_ of North Fork Landing LLC, and acknowledged execution of this instrument on behalf of the entity.

Notary Public for Idaho: \_\_\_\_\_

Residing at: \_\_\_\_\_

Commission expires: \_\_\_\_\_

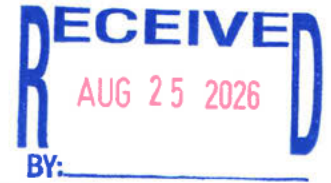
## EXHIBIT A - INCORPORATED ACC DESIGN GUIDELINES

The North Fork Landing ACC Design Guidelines, Commission/recording version dated \_\_\_\_\_, 2026, are incorporated by reference as though fully stated here. A copy shall be maintained with the Association records and delivered to each purchaser. The recording attorney shall determine whether to attach the complete Guidelines or identify them by a recorded instrument number.

## EXHIBIT B - LOT INTENSITY SCHEDULE

Unless the final Plat or a recorded supplement assigns a more restrictive category, each numbered Lot is governed by the acreage category in Section 3.6 based on its final recorded gross acreage. No later boundary adjustment may increase a Lot's intensity category without a recorded amendment approved under Article 14 and all required governmental approvals.





# NORTH FORK LANDING

## ARCHITECTURAL & SITE DESIGN GUIDELINES

Architectural Control Committee (ACC)

**MOUNTAIN MODERN • FLEX-USE • BUILT WITH INTENTION**

**PURPOSE** Clear, practical standards that protect architectural quality, neighboring properties, the Highway 55 scenic corridor, and the long-term character of North Fork Landing.



**DRAFT FOR VALLEY COUNTY P&Z HEARING | SEPTEMBER 3, 2026**

To be coordinated with the recorded Declaration, final plat, development agreement, and applicable law.

# 1. Purpose, Authority & Design Intent

These Guidelines establish the minimum architectural, site, landscape, lighting, screening, and construction standards for all lots in North Fork Landing. They apply to new construction and to exterior additions, alterations, repainting, reroofing, grading, fencing, signage, lighting, and other visible improvements.

**CORE PRINCIPLE** Flexible in permitted use; disciplined in architecture, appearance, screening, upkeep, and compatibility.

## 1.1 Relationship to Other Requirements

Approval by the ACC does not replace permits or approvals required by Valley County, the State of Idaho, utility providers, fire officials, highway or road agencies, or other authorities. Where standards conflict, the more restrictive lawful requirement governs unless the applicable authority determines otherwise in writing.

## 1.2 Binding Effect

These Guidelines are administered under the recorded Declaration for North Fork Landing. Every Owner is responsible for compliance by the Owner's architects, designers, contractors, tenants, occupants, and invitees. ACC approval is specific to the submitted plans and does not approve an unreviewed change in use or operation.

## 1.3 Design Objectives

- Create a cohesive mountain-modern community without requiring identical buildings.
- Use simple, well-proportioned forms with authentic materials and restrained colors.
- Break down the apparent scale of large shop and flex-use buildings.
- Place and screen outdoor activity so it does not dominate streets, neighboring lots, or public views.
- Respond to snow, wildfire, drainage, durability, and Valley County's high-elevation climate.
- Protect the Highway 55 scenic corridor and present a clean, landscaped street edge.
- Require lasting quality, timely completion, and ongoing maintenance.

# 2. Administration & Enforcement

## 2.1 Architectural Control Committee

The Board shall appoint an ACC of not fewer than three members. Members may include Owners and qualified design, construction, landscape, or real-estate professionals. The ACC acts by majority vote and may retain professional consultants at the applicant's expense when specialized review is reasonably required.

## 2.2 Improvements Requiring Written Approval

No regulated improvement may begin until written ACC approval is issued. Approval is required for:

- Buildings, additions, exterior remodels, decks, covered areas, accessory structures, and visible equipment.
- Site clearing, grading, drainage changes, driveways, parking, loading areas, exterior storage areas, walls, and fences.
- Exterior materials or colors, roofs, doors, windows, exterior lighting, signs, landscaping, and screening.
- Any material field change to approved work. Ordinary repair with the same material and color does not require a new review.

## 2.3 Objective and Discretionary Review

The ACC shall apply all measurable standards as written. It may also deny or condition a design that technically meets individual measurements but, as a whole, is visually incompatible, creates an institutional or industrial appearance, relies on false or token architectural features, or conflicts with the stated design objectives. Decisions shall identify the basis and requested correction in writing.

## 2.4 Enforcement

The ACC monitors approved plans and reports violations to the Board. Subject to the Declaration and Idaho law, the Board may issue notices, require corrective work, suspend review or construction privileges, assess lawful fines or reimbursement charges, draw upon any construction deposit, pursue injunctive relief, recover enforcement costs, or exercise other remedies in the governing documents. The ACC does not replace County code enforcement.

## 2.5 Notice, Cure, Appeal & Variance

- The Owner shall receive written notice describing the violation and a reasonable cure period, except immediate action may be required for an unsafe condition, unauthorized clearing, drainage impact, or continuing property damage.
- An Owner may appeal an ACC decision to the Board in writing within 15 calendar days. The Board's written decision is final under the governing documents.
- A variance may be approved only for unusual site conditions or an equal-or-better design solution. Cost, personal preference, prior nonconforming work, or contractor error alone is not hardship.
- A variance shall not waive County requirements, alter an approved use, materially burden another lot, or establish a binding precedent.

## 3. Design Review Process

1. Pre-design consultation (recommended). Review the lot, intended building type, access, screening, utilities, snow storage, and major design direction before detailed plans are prepared.
2. Concept review. Submit a site plan, floor plans, all exterior elevations, roof form, preliminary materials and colors, and representative perspective views.
3. Final review. Submit coordinated construction-level exterior and site information, samples or manufacturer sheets, landscape and lighting plans, and responses to concept comments.
4. Written decision. The ACC will approve, approve with conditions, or deny with reasons. The target response is 15 business days after a complete submittal; incomplete submittals do not start the review period.
5. Pre-construction confirmation. Before work begins, provide the approved contractor, schedule, required permits, construction-management plan, and any fee or deposit required by a separately adopted schedule.
6. Field inspections. The ACC may inspect at staking/foundation, dried-in exterior, and final completion stages. Inspections do not shift construction responsibility from the Owner.
7. Final release. Approval is closed only after the ACC confirms substantial conformity, site cleanup, landscaping or an approved seasonal completion plan, and correction of deficiencies.

### 3.1 Minimum Submittal Checklist

- Owner, lot number, designer, contractor, contact information, intended building use(s), and anticipated schedule.
- Scaled site plan showing boundaries, easements, setbacks, structures, finished-floor elevations, grading, drainage, driveway, parking, loading, walkways, utilities, septic and well areas, propane, refuse, outdoor storage, snow storage, fencing, lighting, signs, and landscaping.
- Dimensioned floor plans, roof plan, and all elevations with existing/proposed grades and maximum height.
- Exterior material and color schedule with actual samples when requested; garage/overhead door, window, lighting, and sign cut sheets.
- Landscape and irrigation plan, including screening and disturbed-area restoration.
- Exterior lighting plan identifying fixture, location, mounting height, lumen output, color temperature, and photometric information when requested.
- Perspective views sufficient to understand street-facing appearance and the relationship of residence, shop, office, and outdoor areas.

### 3.2 Expiration and Changes

Approval expires if construction has not materially commenced within 12 months, unless extended in writing. Any material change—including siting, massing, roof, exterior material, color, openings, lighting, fencing, parking, storage, or landscape screening—requires written approval before installation.

## 4. Site Planning Standards

### 4.1 Building Placement & Setbacks

All improvements shall remain within recorded building envelopes and comply with final-plat setbacks, easements, the Highway 55 scenic corridor, and County requirements. The ACC may require additional separation or screening where necessary to protect drainage, utilities, visibility, snow storage, neighboring properties, or the intended street character.

### 4.2 Street Presence & Orientation

- A principal entrance, porch, office element, glazed bay, or other human-scaled feature shall address the street. A blank shop wall or uninterrupted row of overhead doors shall not be the primary street image.
- Buildings should be oriented so the most refined elevation faces the internal street or other prominent public view.



- Loading, service, refuse, and outdoor work areas shall be placed behind or beside buildings and screened from streets and adjoining lots.
- On corner lots, both street-facing elevations shall receive comparable architectural treatment.

#### 4.3 Access, Parking & Loading

- Driveways and parking shall comply with County and fire-access standards and the approved site plan. Shared or consolidated access is encouraged where feasible.
- No routine on-street parking is permitted. Each lot shall contain the parking, maneuvering, loading, and snow-storage area needed for its approved use.
- Parking shall not dominate the front setback.
- Parking, loading, and travel surfaces shall use asphalt, concrete, pavers, compacted gravel, or another durable all-weather surface approved for the intensity of use. Dust, tracking, erosion, and standing water are prohibited.
- Driveway gates require approval and shall be recessed sufficiently to avoid vehicle stacking in a road or shared access.

#### 4.4 Grading, Drainage & Snow

- Minimize cuts, fills, abrupt grade changes, and unnecessary disturbance. Blend grading into adjacent contours.
- Drainage shall remain on-site or enter an approved system; no increase in concentrated runoff may be directed onto roads, common areas, or neighboring property.
- Retaining walls shall use stone, textured concrete, masonry, steel, timber, or other approved mountain-compatible materials. Long walls shall be stepped or landscaped.
- Provide adequate on-lot snow storage that does not obstruct sight distance, drainage, hydrants, utilities, mail facilities, sidewalks, parking, or neighboring lots.

#### 4.5 Outdoor Storage & Service Areas

Outdoor storage allowed by the governing use restrictions shall be orderly and majority screened from public roads, common areas, and adjoining lots at normal viewing height. Screening may combine building placement, solid fencing, berms, and evergreen landscaping. Hazardous, leaking, inoperable, windblown, or nuisance-producing materials are prohibited.

### 5. Mountain-Modern Architectural Standards



#### 5.1 Overall Character

North Fork Landing's mountain-modern character is a contemporary interpretation of regional ranch, barn, lodge, and working-building forms. Designs should be simple, durable, refined, and connected to the landscape—not themed, ornamental, suburban-commercial, or conventional metal-warehouse architecture.

**EXPECTED EXPRESSION** Bold but simple forms; low-slope and gabled roof compositions; deep shadows; warm natural accents; restrained dark colors; generous glazing where appropriate; and honest use of wood, stone, glass, and metal.

#### 5.2 Massing & Scale

- Compose larger buildings as two or more visually related masses using offsets, roof changes, recessed connectors, porches, canopies, material transitions, or changes in wall plane.
- No prominent wall plane should continue more than 50 feet without a meaningful change in plane, material, roof form, or architectural feature. A token color stripe or shallow trim change is insufficient.



- Long eave or ridge lines should be interrupted by subordinate forms or changes in height when visible from streets or adjoining lots.
- Residential, office, and customer-entry components should be legible and human-scaled even when attached to a substantially larger shop.
- Mechanical penthouses, false fronts, oversized parapets, and applied decoration that do not relate to the building's structure are discouraged.

### 5.3 Height & Proportion

Building height shall comply with the final County approval and applicable zoning. The ACC may require stepped massing, lower eaves, or increased setbacks to reduce apparent bulk near a street or neighboring lot. Tall shop volumes should use lower attached elements, canopies, porches, or material changes to create a comfortable pedestrian scale.

### 5.4 Roofs

- Approved forms include low-slope shed roofs, simple gables, asymmetrical gables, and restrained combinations that read as a unified composition.
- Roof pitch shall suit the chosen form and snow-management strategy. Complex roof clutter, clipped gables, mansards, decorative turrets, and unrelated roof fragments are prohibited.
- Visible roofing shall be standing-seam metal, high-quality architectural shingles, or another approved durable material. Bright galvanized, glossy, or highly reflective finishes are prohibited.
- Snow shedding shall be managed with roof geometry, snow retention, protected entries, and site planning. Roof runoff and snow shall remain within the lot and away from required access.
- Gutters, downspouts, vents, flues, and rooftop equipment shall be dark, low-reflective, coordinated with the building, and grouped where practical.

### 5.5 Exterior Walls & Materials

Use two or more complementary exterior materials or clearly differentiated textures on prominent elevations, unless the ACC finds that a singular material is exceptionally well detailed. Preferred materials include:

- Natural or high-quality manufactured stone used as an integral mass or grounded base.
- Wood or durable wood-look siding in vertical, horizontal, or board-and-batten profiles.
- Architectural metal siding or panels with concealed or intentionally detailed fasteners.
- Fiber-cement siding and panel systems with expressed joints and durable detailing.
- Concrete, masonry, glass, and weathering or painted steel used in a deliberate contemporary composition. Prohibited as a dominant visible finish are unfinished concrete masonry, exposed plywood or sheathing, vinyl siding, plastic imitation masonry, high-gloss panels, bright bare metal, and conventional ribbed metal-building elevations without architectural modulation. Materials shall wrap exposed corners and terminate at logical inside corners or massing changes.



## 5.6 Colors



Use a restrained palette drawn from forest, bark, stone, soil, weathered wood, charcoal, bronze, and muted earth tones. Main-body colors shall generally have low reflectance and moderate-to-dark value. Warm natural wood may provide contrast. Bright white, primary colors, neon colors, and large areas of highly saturated color are prohibited. A limited accent color may be approved at an entrance, sign, or small architectural element.

## 5.7 Windows, Doors & Overhead Doors

- Windows shall be purposefully composed and proportioned to the building. Large panes and contemporary groupings are encouraged where compatible with privacy, energy performance, and night-sky goals.
- Mirrored, highly reflective, or brightly tinted glass is prohibited. Window and door frames shall be dark or otherwise coordinated with the palette.
- Overhead doors shall be high-quality, insulated where appropriate, and integrated through recesses, canopies, darker colors, glazing, adjacent material changes, or landscaping.
- On a primary street-facing elevation, overhead doors shall not occupy more than 60% of the visible building width unless the ACC approves an equal-or-better composition with substantial articulation and screening.
- Bright white overhead doors are prohibited unless the entire approved palette specifically supports them.

## 5.8 Shop-Only, Shop-House & Mixed Buildings

- Shop-only buildings must receive the same level of architectural design on all visible elevations as buildings containing a residence.
- A shop-house or flex building shall read as one coherent building or a compatible compound— not a conventional house attached without transition to a metal box.
- Residential or office portions should be expressed through lower scale, glazing, porches, protected entries, and warmer materials while remaining part of the overall palette.
- Attached or detached accessory structures shall match or intentionally complement the principal building in form, color, materials, roof, and detailing.
- Pre-engineered metal building systems are allowed only when the finished design fully complies with these Guidelines. A manufacturer's standard package alone is not evidence of compliance.



## 6. Landscape, Fencing & Screening



### 6.1 Landscape Intent

Landscaping shall soften buildings and parking, screen service areas, reinforce the street edge, restore disturbed ground, and remain practical in Valley County's climate. Drought-tolerant native or adapted species are encouraged. Landscaping shall not obstruct sight triangles, utilities, drainage, snow storage, or fire access.

### 6.2 Minimum Landscape Expectations

- Provide a designed front landscape zone using trees, shrubs, grasses, boulders, berming, or related native-scale elements rather than unbroken gravel or lawn.
- Use clustered plantings to soften long walls, parking areas, fences, and overhead-door courts while preserving functional access.
- All disturbed soil not occupied by buildings, paving, approved storage, or cultivated landscape shall be stabilized and revegetated during the next suitable planting season.
- Dead or failed required plants shall be replaced during the next planting season. Weeds, erosion, and accumulated debris shall be controlled.
- Landscaping required for screening or approval shall be maintained for the life of the improvement.

### 6.3 Buffers

Maintain a landscaped buffer along side and rear property lines wherever not occupied by approved access, utilities, drainage, septic facilities, or required fire clearance. The intended baseline is 10 feet where site conditions allow. The ACC may adjust plant placement to avoid conflicts while preserving equivalent screening.

### 6.4 Fences & Walls

- All fencing requires approval. Street-facing fencing shall use a consistent community palette and refined materials such as dark metal, stained wood, stone columns, or an approved combination.
- Chain-link fencing is prohibited along street-facing lot lines. Preferred brown or black chain link or regular chain link with matching privacy slats may be approved on side and rear areas when substantially screened by buildings or landscaping.
- Bright vinyl fencing, barbed wire, razor wire, temporary construction fencing after completion, and unfinished utility fencing are prohibited.
- Fence heights shall comply with County requirements and generally not exceed 6 feet.
- Fences shall step with grade, use consistent top lines where practical, and present the finished side outward.

### 6.5 Refuse, Utilities & Mechanical Equipment

Dumpsters, trash containers, propane tanks, generators, transformers, meters, ground-mounted mechanical equipment, and similar service elements shall be located away from prominent views and screened with materials compatible with the building. Screening shall allow required utility and fire access. Roof-mounted mechanical equipment visible from streets or neighboring lots is prohibited unless fully integrated and screened.

## 7. Exterior Lighting & Signs

### 7.1 Dark-Sky Lighting

- All exterior lighting shall comply with the Valley County lighting ordinance and be fully shielded and downward directed, except low-output lighting specifically permitted by law.

- Use warm light with a correlated color temperature of 3000K or lower. Lower temperatures are encouraged near residences and landscape areas.
- Lighting shall be the minimum reasonably necessary for safety and approved operations. Glare, uplighting, sky glow, and light trespass are prohibited.
- Building-mounted fixtures shall generally be at or below the eave and no higher than necessary. Pole lighting requires specific approval and shall use the lowest practical mounting height.
- Exterior lighting shall be controlled by timers, photocells, occupancy sensors, or business-hour controls where practical. Security lighting may not operate as unshielded dusk-to-dawn floodlighting.
- Decorative string lights may be approved in defined outdoor living areas; flashing, chasing, color-changing, and animated lighting are prohibited except temporary seasonal lighting.

## 7.2 Sign Standards

- Signs require ACC approval and all County permits. Signage shall be modest, professionally fabricated, and integrated with the mountain-modern architecture.
- One primary identification sign per approved business or occupancy is preferred. Building-mounted letters, restrained monument signs, and coordinated door/window identification are appropriate.
- Internally illuminated cabinet signs, pole signs, roof signs, moving or flashing signs, exposed raceways, banners used as permanent signs, inflatable devices, and digital message boards are prohibited.
- Sign lighting shall be shielded, downward directed, warm, and extinguished outside approved operating hours unless needed for address or safety identification.
- Address numbers shall remain plainly visible for emergency response and shall follow the community standard when adopted.

# 8. Construction & Completion Standards

## 8.1 Before Construction

The Owner shall provide an approved construction-management plan identifying access, limits of disturbance, material storage, worker parking, sanitation, refuse, erosion and sediment control, fire extinguisher, temporary utilities, and protection of roads, drainage, common areas, and neighboring property.

## 8.2 During Construction

- Construction activity shall remain within the lot and approved limits of disturbance. No staging, parking, storage, or disposal is permitted on roads, common areas, or another lot without written authorization.
- Maintain safe access and control dust, mud, runoff, noise, blowing debris, and weeds. Clean tracked material from community roads promptly.
- Provide a covered dumpster or other secure refuse system and remove debris regularly. Concrete washout shall occur only in a contained, approved on-lot location.
- Construction hours shall comply with County requirements and any more restrictive community rule adopted by the Board. No amplified music may be plainly audible beyond the lot.
- Temporary structures, toilets, storage containers, and signs require location approval and shall be removed promptly at completion.
- Damage to roads, utilities, drainage, common areas, or neighboring property shall be repaired promptly at the responsible Owner's expense.
- Burning construction debris and discharging firearms are prohibited.

## 8.3 Completion & Maintenance

- Exterior construction shall proceed diligently and be substantially complete within 18 months after commencement, subject to written extension for weather, supply interruption, casualty, or other documented cause.
- Before occupancy or use, required life-safety approvals shall be obtained and exterior work, screening, parking, drainage, address identification, and cleanup shall be complete, except seasonal landscaping covered by a written completion plan.
- Buildings, roofs, finishes, fences, signs, lighting, landscaping, parking surfaces, screening, and storage areas shall be kept clean, orderly, safe, and in good repair.
- Faded finishes, damaged siding, failed screening, dead required landscaping, accumulated debris, uncontrolled weeds, visible outdoor clutter, and nuisance conditions shall be corrected after notice.



## 9. Quick Compliance Guide

| Topic            | Expected                                                                                                                  | Not Acceptable                                               |
|------------------|---------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| Architecture     | Simple mountain-modern forms; varied massing; authentic detail                                                            | Generic warehouse, false fronts, suburban-commercial styling |
| Street elevation | Entry or office feature; depth, glazing, landscape<br><br>Wood/wood-look, stone, architectural metal, fiber cement, glass | Blank wall or uninterrupted overhead-door frontage           |
| Color            |                                                                                                                           |                                                              |
| Roof             |                                                                                                                           |                                                              |
| Fencing          |                                                                                                                           |                                                              |
| Signs            |                                                                                                                           |                                                              |

## Appendix A. Owner / Designer Acknowledgment

Lot Number: \_\_\_\_\_ Owner: \_\_\_\_\_

Project: \_\_\_\_\_

Designer / Architect / Engineer: \_\_\_\_\_

Contractor: \_\_\_\_\_

The undersigned acknowledge that they have received and reviewed the current North Fork Landing Architectural & Site Design Guidelines; that written ACC approval is required before regulated work begins; that County or agency approval does not constitute ACC approval; and that material changes require written approval before installation.

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Designer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Contractor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# NORTH FORK LANDING

## ALLOWED USES, OPERATING LIMITS & PROHIBITED USES

27-Lot Mountain-Modern Flex-Use Community | SUB 26-011 | Valley County, Idaho

**Purpose.** This exhibit establishes the approved use envelope for each lot within North Fork Landing. Allowed uses remain subject to all operating standards, intensity limits, recorded covenants, ACC requirements, and applicable County and agency approvals.

| ALLOWED USES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | PROHIBITED USES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Single-family residence; shop-house, shouse, or barn-dominium, including lawful attached living or employee accommodations approved by applicable agencies.</li> <li>Personal hobby/workshop/shop use and storage of the owner's RVs, boats, snowmobiles, trailers, tools, and recreational equipment.</li> <li>General contractors and specialty trades, including builders, electricians, plumbers, HVAC, excavation, cabinetmaking, and similar custom trades.</li> <li>Landscaping, snow removal, property maintenance, and similar off-site-dispatched services.</li> <li>Surveying, engineering, architecture, design, accounting, bookkeeping, insurance, consulting, technology, and other professional services.</li> <li>Small-scale repair, assembly, fabrication, or storage incidental to the approved on-site business and conducted substantially within an enclosed building.</li> <li>Screened outdoor equipment and/or material storage.</li> <li>Rental/leasing of property or building allowed for 30 days or longer under one written lease. Short-Term rentals are not allowed.</li> </ul> | <ul style="list-style-type: none"> <li>Walk-in or destination retail; public storefront retail, outdoor retail, or display of inventory.</li> <li>Restaurants, bars, coffee shops, drive-throughs, or commercial entertainment/event venues.</li> <li>Multiple independent businesses or separate tenant occupancies; equipment-rental yards; self-storage/mini-storage; third-party warehousing; or separate shop-bay rentals.</li> <li>Junkyards, salvage or recycling operations; mining, rock crushing, or asphalt/concrete batch plants.</li> <li>Heavy manufacturing or processing; truck terminals, freight distribution, or continuous heavy-truck operations.</li> <li>Hazardous-material facilities; landfills; RV parks/campgrounds; commercial kennels; or use of an RV, camper, or temporary structure as a primary residence.</li> <li>Any use generating excessive traffic, noise, dust, odor, smoke, glare, vibration, wastewater, or other off-lot impact.</li> </ul> |

### REQUIRED OPERATING STANDARDS

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>One approved, integrated business operation is permitted per lot. Related entities count as one only when they share employees, vehicles, facilities, and operations and create no separate tenancy or added intensity.</li> <li>Customer/client business activity is by appointment only; no walk-in public traffic or public walk-in storefront retail.</li> <li>All employee, customer, business, delivery, equipment, loading, maneuvering, parking, and snow-storage needs must be accommodated entirely on the lot.</li> <li>Parking and storage are prohibited within the property front and side setbacks; side setbacks to maintain at least a 10-foot side parking/storage buffer.</li> </ul> | <ul style="list-style-type: none"> <li>Outdoor storage must be orderly, on an all-weather surface, and substantially screened from roads, common areas, and adjoining lots; screening must remain effective except during active access or loading.</li> <li>Construction, signs, lighting, fencing, landscaping, and visible site changes require written ACC approval and compliance with the ACC Design Guidelines.</li> <li>Only domestic sanitary wastewater may enter a septic system; business activity may not exceed the system's approved design or capacity.</li> <li>Set Backs: Front – 30' Side Street – 30' Side – 10' Rear – 30'</li> <li>All uses must comply with recorded North Fork Landing CCR's.</li> </ul> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### MAXIMUM LOT INTENSITY FOR BUSINESS/COMMERCIAL USES

| LOT SIZE                   | TOTAL MAXIMUM BUILDING FOOTPRINT | NONRESIDENT EMPLOYEES | LICENSED COMMERCIAL MOTOR VEHICLES | MAX. LOT COVERAGE |
|----------------------------|----------------------------------|-----------------------|------------------------------------|-------------------|
| 1.00–1.20 acres            | 8,000 sq. ft.                    | 5                     | 5                                  | 40%               |
| Over 1.20–under 2.00 acres | 10,000 sq. ft.                   | 8                     | 8                                  | 40%               |
| 2.00–2.30 acres            | 12,500 sq. ft.                   | 10                    | 10                                 | 40%               |

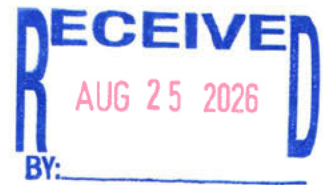
**Counting and review rules.** Building Footprint includes all buildings and roofed structures. Lot Coverage includes Building Footprint plus paved, concrete or other impervious operational surfaces used for driveways, parking, loading, maneuvering, outdoor work, or storage. Nonresident employee count refers to on-sight full-time employee. Limits are maximum caps—not entitlements; lower intensity may be required. Any material change in use, control, employees, vehicles, traffic, deliveries, storage, wastewater demand, or exterior operations requires review before the change occurs.

**ADDITIONAL USES:** Any intended uses outside of these approved parameters must be reviewed with the Valley County Planning and Zoning Director and may require a Conditional Use Permit with Valley County.

**Interpretation and enforcement.** ACC or HOA approval does not replace governmental approval. The more restrictive applicable standard controls. These requirements run with the land and apply to owners, occupants, tenants, businesses, and invitees. Valley County may enforce this exhibit through the Development Agreement; the HOA/ACC may separately enforce the recorded covenants and Design Guidelines.







# EXHIBIT C

## Central District Health Initial-Review Letter

Travis,

Thanks for all of the information you have provided over the last week regarding septic for North Fork Landing. **I look forward our continued work on this project; and a preliminary review of the proposed plat, phase 1, seems to show acceptable room for primary and replacement drainfields and setbacks to individual wells.** Although the map shows acceptable setbacks, soil analysis and groundwater monitoring (spring 2027) of all test holes must be determined to confirm what you are proposing. Each lot will be subject to CDH's normal site-specific evaluation including additional groundwater monitoring, test holes/soil analysis on each lot, and review of engineering documents from your engineer. After soil analysis and groundwater monitoring has been completed, if data on any particular lot require a proprietary treatment device (Eljen, OSCAR-II, Presby, ETPS) CDH will specify such specifications in the subdivision approval letter. I have included information on each proprietary treatment device for your review.

Based on the information presently available, CDH will require a subdivision application, fees (per buildable lot), test holes, groundwater monitoring, and engineering documents prior to subdivision approval and releasing sanitary restrictions. **CDH will continue, with your help, to protect the waters of the state and general public health through our processes and authority.** Let me know if you have any questions.

Thanks

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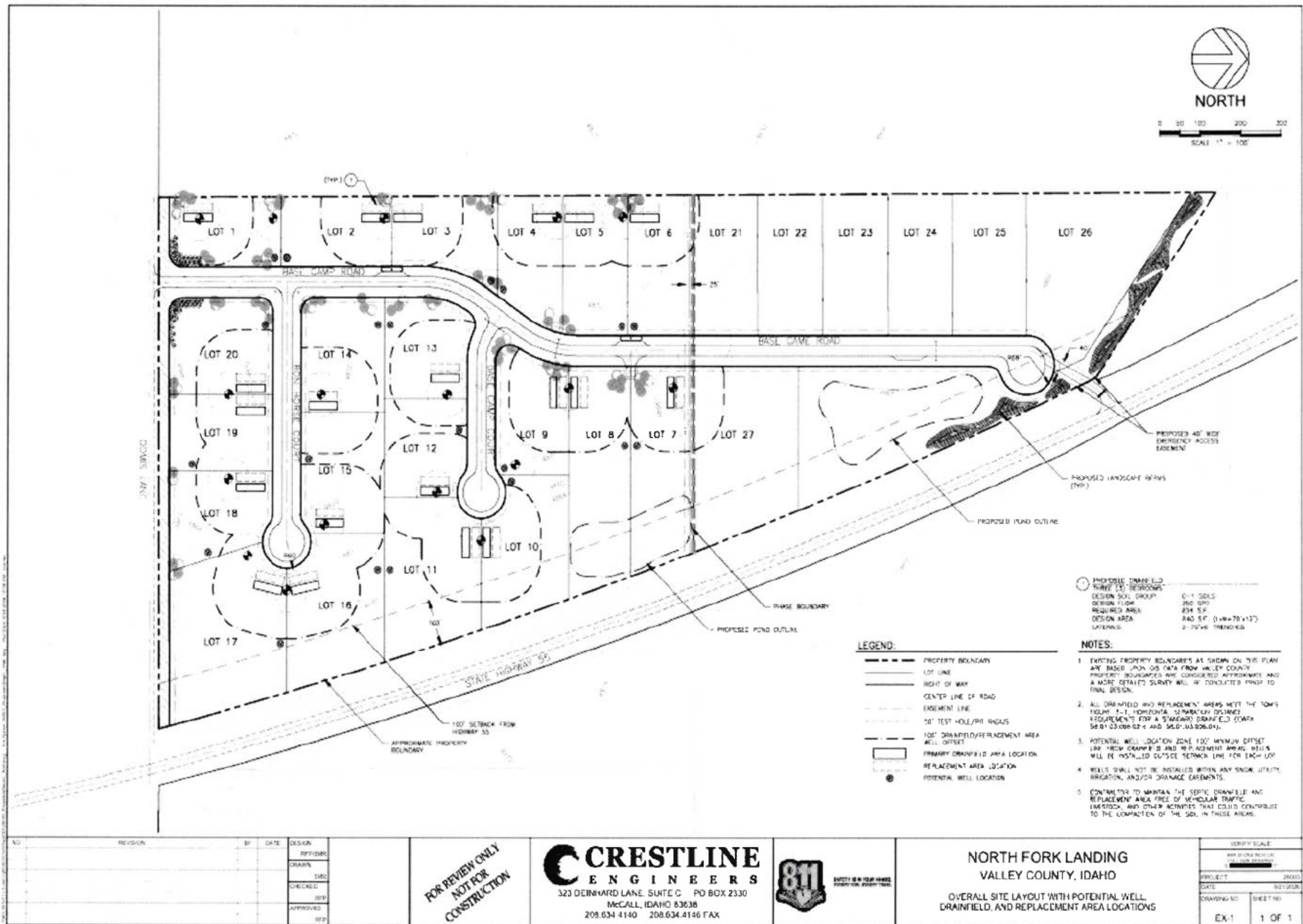
**Brent Copes**, REHS/RS | Environmental Health Lands Program Manager  
Community & Environmental Health | EH Lands

P. 208-327-8522 | M. 208-860-5469 |  
[BCopes@cdh.idaho.gov](mailto:BCopes@cdh.idaho.gov) | [cdh.idaho.gov](http://cdh.idaho.gov)  
707 N. Armstrong Pl. Boise, ID 83704

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James Fronk Consulting, LLC.  
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McCall, Idaho 83638  
208.634.8093  
JamesFronkConsulting@gmail.com

August 24, 2026

Valley County Planning  
& Zoning Administrator  
Cynda Herrick, AICP, CFMO  
700 South Main Street  
P.O. Box 1350  
Cascade, Idaho 83611

RE: C.U.P. North Fork Landing – Loomis Lane – Preliminary Wetland Delineation

Dear Cynda,

Attached is the North Fork Landing Preliminary Wetland Delineation drawing for your information.

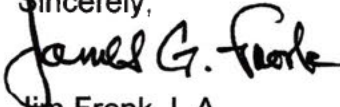
A preliminary wetland delineation was performed on August 22, 2026, at North Fork Landing on Loomis Lane.

Summary of Findings:

- The wetland areas marked on the attached North Fork Landing - Preliminary Wetland Delineation Map satisfy the ACOE criteria for jurisdictional wetlands.
- The applicant must submit a Joint Application for Permit to the ACOE.
- The Preliminary Wetland Delineation assessment determined that the identified wetland areas at North Fork Landing are induced by associated adjacent irrigation ditch water. Because the irrigation ditch water returns to the Payette River water system, an ACOE permit is required. It is anticipated that permit issuance will fall under Nationwide Permit 41, which does not require wetland mitigation for wetlands associated with irrigation ditch hydrology.

Please let me know if you have any questions.

Sincerely,



Jim Fronk, L.A.  
James Fronk Consulting, LLC  
208-634-8093

Cc:  
Travis Lacoic  
Rob Pair



