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Planning and Zoning Commission Staff Report

Meeting/Hearing Date: 06/15/2022 **Date Report Completed:** 05/27/2022

Agenda Item: Mayfield Springs Planned Community Application to include a:

- Comprehensive Plan Amendment
- Zoning Ordinance Map Amendment and Development Agreement and
- Zoning Ordinance Text Amendment

Case Number(s): PC-2021-01

Location:

RP01N04E340040; RP01N04E353010; RP01N04E48400; RP01N04E341210

Current Zoning District and Future Land Use:

Agriculture with WUI (Wildfire Urban Interface) Overlay

Owner/Applicant:

Mr. Gregory B Johnson,
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1861 S. Wells Avenue #210
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Applicant's Principal Contact/Representative:

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EXECUTIVE SUMMARY:

At this public hearing, the Planning and Zoning Commission will review, receive public testimony, and deliberate on the proposed 760-acre Mayfield Springs Planned Community project (PC-2021-01) located adjacent to Desert Wind Road, Baseline Road, and Regina Road in unincorporated areas of Elmore County, Idaho. The proposed site is located at western border in Sections 34 and 35 of Township 01 North, Range 04 East and is located north and east of Interstate 84 (I-84) at the Orchard Exit-71. Danskin Subdivision is located immediately north of the property and Ada County is located immediately west of the property. Public lands administered by the Bureau of Land Management (BLM) is located immediately east of the property and the proposed Ridgeview Estates subdivision is located immediately south of the property.

McElroy Draw bisects the property from north to south and three other drainages run from the center of the property out through the southern boundary to Sand Hollow Creek. Elevation ranges between 3,100 and 3,500 feet above mean sea level. The property is primarily used for animal feed crops and domestic livestock grazing. The property is characterized by flat and rolling hills consisting of dry grasslands and sagebrush with unincorporated rural residential communities in the eastern portions to the north and south of Desert Wind Road. The rest of the property has been converted to crop lands. There are no known riparian areas associated with the property.

As required in the Elmore County Zoning and Development Ordinance 2018-03 (Zoning Ord. or County Code) Title 10 Chapter 11, a planned community project must include a mixture of land uses, in addition to residential units in a variety of densities. A planned community project must also provide number of public facilities and services for its residents to make it a self-supporting community, including fire, sheriff, schools, parks, and municipal water and sewer systems. PC-2021-01 proposes 1682 single family residential, 637 multi-family residential units, with 55,000 square feet of neighborhood serving commercial uses, 96.38 acres of natural open spaces and 87 acres of developed open spaces, and institutional buildings for school, fire, EMS, sheriff, water, sewer, etc. (Attachment 1). The current proposal of this planned community requests a reduced footprint on the same four parcels, in comparison to its 2011 proposal, withdrawn in 2017. The planned community proposal does not include a concurrent preliminary plat application.

Planned Community regulations are addressed in Title 10, Chapter 11, of the Zoning Ord. pursuant to Idaho State Code § 67-6515. The Zoning Ordinance map and text amendments are subject to §§ 7-3-14 and 7-3-15 of the Zoning Ord. pursuant to Idaho State § 67-6511. The Development Agreement requirements are addressed in Title 7 Chapter 10 of the Zoning Ord. pursuant to Idaho State Code § 67-6511A. And lastly, the Comprehensive Plan Amendment is subject to review under § 7-3-16 of the Zoning Ord. pursuant to Idaho State Code § 67-6509. As can be seen in the following sections of staff report, PC-2021-01 has followed requirements of the Elmore County and State Codes.

PRE-APPLICATION AND APPLICATION PROCESS:

The Applicant began meeting with County staff in December 2019 to discuss the materials and process that would be required for the planned community application. Since then, the following pre-application requirements are fulfilled for this proposal pursuant to the Zoning Ord. § 10-11-6:

- On July 07, 2020, the Applicant's representative held a pre-application meeting with the Director to discuss the proposal.
    - Director recommended an expanded mailing radius of ten (10) miles for neighborhood notifications for the application.
- On September 24, 2020, the Applicant's representative completed the pre-application form with the Department along with pre-application fees per Zoning Ord. § 10-11-6(B).

- On October 29, 2020, the Applicant's representatives conducted the first Neighborhood Meeting per Zoning Ord. § 10-11-6(B), where approximately 40 neighbors participated at 6:00pm at the American Legion Hall. The public comments revolved around water, wastewater, traffic, wildlife, and public services issues.
- On December 2, 2020, the Applicant and his representatives conducted an Agency Meeting per Zoning Ord. § 10-11-6(D). This was a well-attended hybrid (in-person and virtual) meeting with 18 participants involving agencies providing services to this area. The primary comments revolved around regional impacts of this development, impacts on existing and future service needs such as sheriff, library, schools, fire, hospitals, etc., economic impacts on local cities, wildlife management, and future opportunities for comments on this proposal.
- On January 13, 2021, the Applicant's representatives conducted the second virtual Neighborhood Meeting along with their water and wastewater consultants to address public comments and answer questions from the neighbors.

Due to COVID19 related restrictions in-effect in Idaho throughout the pre-application phase, the Director had offered reasonable and well documented administrative exemptions from timing (application made within 30 days of the Neighborhood Meetings) and locational (on-site or near the proposed site) requirements of the Zoning Ord. § 7-3-3 for neighborhood and agency meetings.

The following application requirements are fulfilled for this proposal pursuant to Zoning Ord. § 10-11-9:

- On March 24, 2021, the Applicant's representatives submitted the Mayfield Springs Planned Community application packet along with the required fees (Attachment 2).
- On April 30, 2021, the Director deemed the application complete, after the County Qualified Planner, HDR Inc. reviewed it for its completeness (Attachment 3).
- On May 4, 2021, the Director provided a complete copy of the application to affected agencies and service providers (Attachment 4).
- On June 23, 2021, the Applicant's representatives held an Agency Workshop. It was a well participated workshop with 11 people on zoom and 10 attendees in meeting room.
- On October 20, 2021, the Planning and Zoning Commission held a public workshop to introduce the proposal and provide feedback to the Applicant on various aspects of the proposal (Attachment 5).
- On February 8, 2022, the Applicant submitted a Public Hearing draft to the Department that addressed many of the concerns expressed up to this point in the application process.
- On March 9, 2022, the Department conducted an Elmore County agency meeting to ensure that the necessary public facilities and services are required from the application (Attachment 6).
- On March 30, 2022, the Department sent out a letter to the Applicant to discuss a public hearing schedule considering all outstanding information for the application (Attachment 7).
- On May 13, 2022, the Applicant's representative submitted the requested supplemental information to the Department.

With these actions accomplished, the pre-application and application procedural requirements for PC-2021-01 set forth in the Zoning Ord have been completed. A Table of Content for attachments and attachments are provided with this staff report. The PC-2021-01 application, and two sets of drafts thereof, are provided on a Jump-Drive for the Planning and Zoning Commission's review and consideration. Today's public hearing was advertised per Elmore County and State codes (Attachment 8-11).

REQUIRED ELEMENTS OF APPLICATION:

The required elements for a Planned Community pursuant to Zoning Ord. § 10-11-7 are the following:

- Element A: Fees and Application
- Element B: Comprehensive Plan
- Element C: Zoning Map Amendment and Development Agreement
- Element D: Zoning Text Amendment
- Element E: Economic Impact Analysis
- Element F: Development Plan
- Element G: Other studies as required

The proposed Mayfield Springs Planned Community provides the following elements for PC-2021-01 application.

A. Application: The application and fees were submitted to the Department on March 24, 2021.

B. Comprehensive Plan: The Planned Community Comprehensive Plan amendment establishes a sense of community by honoring Old Highway 30 and the pre-interstate era and provides a series of policies that create five interconnected neighborhoods, each representing their unique natural setting. Furthermore, the Comprehensive Plan update provides a detailed Transportation Mobility Plan (Attachment 12) supported by a Traffic Impact Study;

C. Zoning Ordinance Map Amendment and Development Agreement: The map amendment proposes to establish a boundary for Mayfield Springs Planned Community on the Elmore County Zoning Ordinance Map and amends the current Agriculture Zoning District for that geographic boundary to Planned Community Zoning District.

   The Zoning Ordinance Map Amendment proposal is processed concurrently with a proposed Development Agreement between Elmore County and Mayfield Development Corporation pursuant to the Zoning Ord. Title 7 Chapter 10 and pursuant to the authority granted in Idaho Code § 67-6511A (Attachment 13).

D. Zoning Ordinance Text Amendment: The text amendment for PC-2021-01 establishes residential densities and commercial/institutional intensities for the proposed boundary of the Mayfield Springs Planned Community, and if approved, will be adopted as Title 7 Chapter 18 of the Zoning Ord. The proposed zoning ordinance text amendment intends to create new zoning classifications that will ensure orderly development within the planned community with single family residential, multi-family residential, neighborhood serving commercial, open spaces, and other institutional uses.

E. Economic Impact Study: This required element estimates the impact of the Project's home sales, absorption, and resulting population, on the County's General Fund, Special Revenue Funds, and other affected taxing districts. Per this study, most homes will be priced in the low to mid $400,000's with a 10-year buildout scenario for its 2325 residential units. Most of the capital improvements necessary to serve its approximately 5500 future residents will be financed using a combination of private debt, private equity, and the proceeds of land sales. The results of this report anticipate that the proposal will have a substantial cumulative net positive impact on the County's General Fund, Special Revenue Fund, and other Special District Funds.

F. Development Plan: This required element and its 11 sub-elements provide sufficient information to guide and evaluate development within the project with natural features of the site, proposed land uses to respond to site characteristic, existing uses in surrounding areas, growth trends in the region, community services and utilities plan, open space and trails plan, wildlife management plan, phasing plan, drainage plan, public services, and any other

technical information. PC-2021-01 has gone through a few revisions of these sub-elements because of agency and County review.

G. Other Studies: At the request of the County review team, the application for PC-2021-01 has been supplemented with updated cultural inventory, wetland determination, Master Declaration of Covenants, along with limit of development analysis, soils certification, prime farmland analysis, hazardous areas analysis, geology analysis, drainage pattern analysis, erodibility analysis, water source analysis, etc.

The County review team has reviewed the entire application, worked with the applicants in revising technical aspects, and have attached those communications as Exhibits 14 (a-z).

AGENCY REVIEW OF APPLICATION:

On May 4, 2021, the proposed PC-2021-01 documents, including all elements thereof, were transmitted to a total of 34 agencies. The public hearing drafts were transmitted to those agencies and a few additional agencies (47 in total), on May 25, 2022. During this period, the Applicant's representatives and County review team have continued communication with each-other in refining technical matters for this application based on coordination with reviewing agencies. The Applicant's representatives have gone through a rigorous County and agency review process for PC-2021-01 involving three sets of draft documents – original application, public hearing draft, and May 2022 supplement. At the time this staff report was written, the Department has received multiple agency comments and attached them as Attachment 15 (a-z).

PUBLIC REVIEW OF APPLICATION:

The Applicant has notified property owners within a 10-mile radius of the proposed Planned Community in the pre-application phase and for this hearing. Furthermore, the public hearing notification was published twice in the Mountain Home News, four large-scale notices were posted on-site a week in advance of the hearing, and a notice was provided on the Department's website. The proposed PC-2021-01 documents were made available in the Department and provided to the public when requested. All written public comments and records are attached as Attachment 16 (a-z).

REQUIRED FINDINGS FOR APPLICATION:

Section 10-11-18: Planned Community Application Required Findings:

A. *In order to approve a PC application, the Board shall make the following findings:*

1. *The Proposed PC complies with the Comprehensive Plan, including but not limited to the Land Use Section, titled Planned Communities.*

Staff Comment:

The 2014 Comprehensive Plan for Elmore County states that:

The Planned Community "PC" designation is specifically designed to accommodate small town or urban type development that is self-sustainable and self-supporting, that places values and emphasis on community character, heritage, that provides a sense of place characterized by a variety of land uses, a variety of housing opportunities, community connectivity, conservation of open space, developed parks, and preservation of environmental and/or historical elements.

The Comprehensive Plan further states that: *Elmore County will experience new residential growth during the next 10 to 15 years. Through Planned Community, the County will be able to offer urban type clustered development and the preservation of open space, while maintaining the rural country character of the Elmore County.*

Goal 1: To provide for sustainable growth and development that pays for itself within the County without negatively affecting existing communities, land uses and services.

Goal 2: Achieve a land use balance through Planned Communities, while recognizing that new urban or small town residential development may occur in the County and between County boundaries.

Goal 3: To foster the redevelopment of historical towns, through sustainable well designed Planned Communities that do not negatively affect existing communities and land uses.

Goal 4: Planned Communities should strive to provide employment and housing opportunities while encouraging the expansion of existing social and economic opportunities. Where appropriate, Planned Communities should be encouraged to foster recreation and tourism related developments and services.

PC-2021-01 proposal provides for a small-town urban development with approximately 2325 single and multi-family residential units of varying densities, scattered through five neighborhoods that build upon their unique site characteristics. The proposal considers this site's importance in pre-interstate era along Old Highway 30 and incorporates design elements in its urban spaces to create a unique community identity. The proposal provides for mixed use districts, encompassing a total of 35 acres and 55,000 square feet of neighborhood serving commercial to create small-town character with high density residential and commercial uses interspersed around Desert Wind Road. Therefore, the County review team concludes that PC-2021-01 complies with 2014 Comprehensive Plan and its land use section.

2. *The proposed PC complies with local, state and federal laws and regulations.*

Staff Comment:

PC-2021-01 proposal has gone through a lengthy review over the last two years by industry experts on the County review team as well as 47 agencies to ensure that the proposal, and every element thereof, comply with local, state, and federal laws and regulations. This review and all provided comments are used to develop sixty-eight (68) draft conditions of approval for PC-2021-01, which will be a part of Development Agreement as well if approved.

3. *The proposed PC complies with all applicable county ordinances.*

Staff Comment:

PC-2021-01 proposal has gone through the aforementioned review process. In addition, the County review team conducted a meeting on March 9, 2022, with community facilities and service providers within Elmore County to review the proposal and ensure that the proposal meets all applicable County ordinances. Following that meeting, the Department sent out a letter to the Applicant on March 30, 2022, to outline all concerns that were discussed at this meeting. Many of those concerned got addressed in the Applicant's documents submitted as "May 2022 Supplement". Therefore, the County review team concludes that the proposed PC complies with all applicable county ordinances.

4. *The proposed PC provides the necessary development tools to accommodate compatible, mixed-use, small-town or urban-type development while promoting connectivity and walkability.*

   Staff Comment:

   The proposed Element B-3, Image B-3-5, and B-4 as well as proposed Elements F-5 and F-6 address these aspects of the planned community. The Department has been persistent in encouraging the Applicant to provide all amenities of a small-town including, neighborhood parks, inter-connected trails, connectivity with surrounding land uses, park and ride lot, school siting, internal and road connections, road designs etc. As a result, the Applicant has submitted a map that provides an overview of all elements of a small-town urban environment (Attachment 18). In addition, the draft conditions of approval ensure that those amenities and facilities are constructed in a timely manner as envisioned at the time of approval. Therefore, the County review team concludes that the proposed PC provides the necessary development tools to accommodate compatible small-town development that promotes connectivity and walkability.

5. *The proposed PC provides reasonable on-site commercial and community facilities and employment opportunities for its residents commensurate with its size.*

   Staff Comment:

   PC-2021-01 proposal provides for two mixed use districts – Town Center and Mixed Use – encompassing a total of 35 acres (of the total 750 acres) that allow residential, office, institutional, civic, light industrial, and commercial uses around Desert Wind Road and a newly created Mayfield Springs Boulevard, in a compact urban node that is walkable for its approximately 5,500 future residents. These districts offer high-density housing options and neighborhood retail and services for people living within the community and provide opportunities and flexibility in the planning and design of buildings for vertical and horizontal integration of uses. The draft conditions of approval require construction of retail commercial and community facilities throughout its various phases. Therefore, the County review team concludes that the proposal provides commercial and community facilities for its residents.

6. *The PCCP addresses all required components and establishes design concepts for all aspects of the development.*

   Staff Comment:

   PC-2021-01 proposes a comprehensive plan amendment containing Element B-1 for a Vision Statement, B-2 for Coordinated Goals and Policies, B-3 for Conceptual Land Use Map, B-4 for Transportation Mobility Plan, and B-5 for Central Design Concept. Elmore County Code 10-11-7(B)3 provides requirements for conceptual land uses, densities/intensities, and layout of neighborhoods within the proposed planned community. It states that the map shall include proposed land use districts in sufficient details to guide residential neighborhood development. The proposed Table B-3-2T provides for conceptual densities and intensities of the proposed land use districts to be responsive to market conditions. However, the minimum and maximum range for the proposed land use districts seemed too broad in the original proposal for the County to plan future infrastructure, facilities, or services with. Further exasperating the lack of predictability in the land use districts was the fact that the densities and intensities in this table are transferable across its five neighborhoods. The Applicant responded that they have provided a highly detailed land use plan for the project, which shows the actual layout and number of lots throughout the project. They further requested that this layout be adopted as a condition of approval, to provide significant clarity as to the size of lots proposed and the density in any particular area. In response, the County review team requested additional

technical information on site characteristics such as natural features, hydrology, drainage, wetland delineation, topography, cultural and historic resources, etc. to evaluate this detailed land use plan. In conclusion, the County review team believes that the proposal addresses all aspects of development.

7. *The PCDP complies with the zoning ordinance text amendment and follows the guidance of the PCCP.*

   Staff Comments:

   PC-2021-01 proposes a Development Plan for the Mayfield Springs Planned Community as Element F. The proposed Development Plan provides all required elements of the Zoning Ordinance for the planned community and zoning ordinance text amendment. Furthermore, PC-2021-01 proposes a comprehensive plan amendment to place the property in Planned Community (PC) designation, along with a zoning ordinance map amendment to create the boundary of the planned community on adopted Zoning Ordinance Map and a zoning ordinance text amendment to guide development within that boundary. Therefore, the proposed zoning ordinance text amendment does not conflict with the proposed Comprehensive Plan and adopted 2014 Comprehensive Plan. Additionally, the draft conditions of approval are developed to ensure that the new zoning designations and allowed uses are not materially detrimental to the public health, safety, and welfare. Therefore, the County review team determines that the proposed PCDP complies with this requirement.

8. *The PCDP provides for a variety of housing types and designs, including single family attached and detached, and multi-family.*

   Staff Comment:

   Table F-2-T-1 of the Planned Community Development Plan (Element F) offers nine (9) basic zoning districts within the proposed PC-2021-01. Of these, six (6) zoning districts provide a variety of residential housing options and pricing points to include attached, detached, zero-lot, duplexes, and multi-family dwellings. Multi-family dwellings further provide option of triplexes, fourplexes, townhouse, apartments, and condominium. Furthermore, a condition is particularly drafted to ensure that a certain amount of multi-family units will be built within the planned community, along with single-family residential. Therefore, the County review team determines that the proposed development plan provides for a variety of housing types and designs including single family attached and detached and multi-family.

9. *The wildlife mitigation plan adequately avoids, reduces or mitigates any adverse impact on wildlife.*

   Staff Comment:

   The proposed Element F-7 provides a Wildlife Mitigation Plan for PC-2021-01, which is carefully reviewed by the Idaho Department of Fish and Game and the County review team. Initially, the County review team was asking for a site-specific wildlife restoration and enhancement requirements for the proposal. After a discussion with the Idaho Department of Fish and Game, the Applicant has shifted to a more commonly used general approach, that establishes a Conservation Advisory Committee with a director, and Conservation and Education funds to address wildlife mitigation across the board on regional basis. The County review team proposes four conditions of approval that address this approach, including composition of the committee and seed money for the conservation funds. The Applicant has provided a Funding Estimate for the Conservation and Education Program over the next 20 years, which needs to be updated prior to approval of the planned community to reflect accurate lot count.

10. *The financial plan provided by the applicant demonstrates that essential public services will be provided, created and financed by the PC or other agency or jurisdiction.*

Staff Comment:

The proposed Element E provides details of economic impacts of the proposal, financial plan to building and operate county services and fiscal impact to the county services providers. This element is of critical importance to the County and most agencies affected by this proposal. Accurate information is essential to ensure that the development within the planned community is self-supporting and does not place undue financial burden on Elmore County's current residents. The proposed phasing plan shows 10-year build-out with 2325 units, which equates to on-an-average approximately 230 residential permits a year. The concern here is that none of the current Ada County Planned Communities have demonstrated such a market absorption rate and therefore, the phasing plan is not realistic. Therefore, the County review team requested that the Applicant show us market absorption data and demonstrate their ability to manage construction at that pace to support the application's phasing plan. This information is critical as the generation of revenue is allocated to necessary services, which rely on proposed fees for residents and property taxes generated at the pace of the phasing plan. Thus, if growth projections are inaccurate or unrealistic, there will be a significant financial strain on service providers to the Planned Community. Furthermore, the estimated capital costs identified in the Planned Community need to be further examined. For example, $460K as capital cost of a 3-bay fire station in the public hearing draft does not seem feasible in the current market conditions. Therefore, more realistic capital costs throughout economic, market and fiscal impact analyses was requested to show that the proposed planned community will be economically viable and will be self-supporting. In the May 2022 Supplement, the Applicant have provided documents to demonstrate absorption capacity and financial capability to support the proposed Element E. Furthermore, the Applicant has agreed to provide revised capital costs to reflect more accurate construction costs for community facilities and services.

11. *The proposed PC shall not create excessive additional requirements at public cost for public facilities and services and the proposed PC shall not be detrimental to the economic welfare of the county.*

Staff Comment:

The proposed Element E and F-5 were reviewed extensively by the County review team, affected agencies, and services providers to identify necessary public facilities and services needed to support the proposal. This review process included a series of one-on-one meetings between county, Applicant, and service providers as well as a few group meetings over the two-year review period. As a result of all those discussions, the County review team proposes a series of conditions of approval to ensure that the necessary public facilities are provided by the Applicant in a timely manner, and their operational and maintenance costs are recovered through various means as identified by service providers in the thirteen (13) draft conditions. Therefore, the County review team believes that the proposed planned community will not create additional public cost for new public facilities and services needed to support its future residents.

12. *The proposed PC shall be served adequately by public facilities such as highways, streets, police protection, fire protection, drainage structures and refuse disposal.*

Staff Comment:

The proposed Element B-4, as required by Elmore County Code 10-11-7(B)4, addresses internal and external connectivity of roads and alternative modes of transportation to improve

mobility for the residents of proposed planned community. The proposed element is supported by a Traffic Impact Study (TIS), both of which were transmitted to the Idaho Department of Transportation (ITD), Ada County Highway District (ACHD), and Mountain Home Highway District (MHHD). These agencies' reviewing Engineers have provided written comments after review of highways and streets of the proposal. The applicant's consultant has prepared a revised TIS and a detailed response to those comments (Attachment 17).

One outstanding matter is that the County review team as well as ITD has commented on is that the proposed Element B-4 and its TIS, do not recognize the aggregate impact of approved land use applications in their background traffic. This unrecognized background traffic includes, but not be limited to, the Mayfield Townsite Planned Community, Danskin Subdivision, Palm Estate Subdivision, as well as existing rural residential growth and its impact on the transportation network. The Applicant's response is that 2030 background traffic was estimated based on the traffic forecasts from COMPASS model and none of the planned communities and subdivisions shown in the map were known at the time of the TIS, which began in October 2019. Other outstanding matters are queuing and improvements at the Simco Road and Mayfield/Orchard Intersection and required lanes and improvements on Desert Wind Road on both sides of the Elmore/Ada Countyline. Therefore, the County review team is awaiting these transportation agencies' comments.

Elmore County Sheriff and Emergency Medical Services (EMS) Director have participated in all discussions for this proposal over the last two years. The applicant has agreed with them to provide a joint use facility, with approximately 5000 square feet initially, to include a Sheriff substation, EMS station, and Fire Station prior to the first residential building permit. Those requirements are a part of draft conditions of approval. The Applicant is currently working with the Sheriff and EMS Director in design/layout of that joint use emergency response facility.

The Oasis Rural Fire District have declined to provide services to this future urban/suburban type of development due to their limited resources. And therefore, the Applicant has agreed to establish a new Fire District and operate it adequately as documented in the draft conditions of approval.

13. *The PCDP and economic analysis demonstrate that upon build out, the PC contributes to the area's jobs-to-housing balance and places higher density housing near commercial centers.*

Staff Comment:

According to Boise Regional Realtor's data, the median sales price for homes in Ada County reached $595,000 in April 2022. At the same time, the rolling 12-month median sales price for homes in Elmore County was $316,000. The proposed planned community is located within ½ hour driving distance from the City of Boise, Mountain Home Airbase, and City of Mountain Home. Which means that the proposal is also situated ½ hour from existing commercial centers and community amenities with 70% of anticipated trips to and from Ada County and 30% in Elmore County. Therefore, it is safe to assume that PC-2021-01 will provide additional housing opportunities in a currently remote location, at low-to-mid four hundred thousand price range, for Ada and Elmore County residents. However, it tough to determine if the proposed PC would positively contribute to the area's jobs-to-housing balance with on-site wages ranging from $28000-$50000 as anticipated in Element E.

14. *The proposed PC complies with overlay districts specified in the Ordinance.*

Staff Comment:

PC-2021-01 is entirely located within the Wildfire Urban Interface (WUI) Overlay. Elmore County Code, Title 8, Chapter 1 addresses requirements of this overlay. The planned

community draft conditions of approval require that the Applicant demonstrate compliance with WUI overlay at each preliminary plat level. Alternatively, the Applicant has provided an appendix to Wildlife Management Plan, called Fire and Vegetation Management Plan (FVMP). This plan has been developed as an alternative to the Elmore County Code, Title 8, Chapter 1 requirements for construction within the Wildfire Urban Interface (WUI) overlay. The intent of plan is to submit an alternative plan that satisfactorily complies with the intent of the code, and is at least equivalent to the level of quality, strength, effectiveness, fire resistance, durability, and safety prescribed by the existing county code. The County review team has concerns with this proposal mainly for two major items that do not meet the intent of Elmore County Code: 1) the plan only addresses structures directly adjacent to natural open spaces. All other structures are exempt and 2) Highly flammable trees are not allowed in Zone 1, and if allowed, they are considered a part of the structure, extending defensible space beyond those trees. Therefore, the County review team has proposed a condition that only rely on the Elmore County code enforcement at the preliminary plat level to comply with this requirement.

15. *The PC has adequate facilities and programs to promote the use of alternative transportation both within the PC and outside of the PC boundaries.*

    Staff Comment:

    The proposed Element B-4 provides a range of street designs developed to enhance internal and external community connectivity for multiple modes of transportation to include pedestrian and vehicular. The majority of streets, except for those in the lowest density areas, provide sidewalks, combined with the internal trail system. The PC provides convenient walking access from residential units to the mixed-use town center where commercial and community services will be located. The element also provides two roundabouts on Desert Wind Road to allow safe pedestrian crossings and a Park and Ride lot in Town Center to promote carpooling and vanpooling. Additionally proposed image B-4-14 shows Trails and Pathway Plan, which the County review team has found lacking. As a result, the Applicant has submitted a map that provides commercial nodes, community facilities, schools, neighborhood parks, trails, park and ride location, etc. to demonstrate walkability and reduced dependency on automobile. The applicant has also proposed reserving space within the community for transportation alternative educational and informational materials within a central kiosk and a transportation coordinator position within the HOA to further develop carpooling, van pooling and ride-sharing options for inside and outside the community. Therefore, the County review team determines that PC-2021-01 provides adequate facilities and programs to promote alternative transportation both within and outside the proposal boundary.

16. *The PCDP has adequately demonstrated that the PC will be served by a central wastewater collection and treatment facility and a community water system.*

    Staff Comment:

    PC-2021-01 proposal has provided Facility Plans submitted to the Idaho Department of Environmental Quality (IDEQ) for municipal wastewater collection and treatment facility and municipal domestic water system with its initial application document. The project will be served through two water rights issued by the Idaho Department of Water Resources (IDWR). One is an irrigation water right license (63-32616) and the other is a municipal permit to appropriate water (63-32225). The Applicant is owner of the irrigation water right and the ISW (controlled by the Applicant) is the owner of the municipal permit. Since then, the Applicant has received approval of facilities plans, drilled wells on site after receiving permits, and kept the County informed of all the progress made with these state agencies. Furthermore, there are ten (10) conditions in the draft conditions of approval to ensure the Applicant constructs and operates these facilities in compliance with all state and county requirements. Therefore,

the County review teams determines that the proposed planned community will be adequately served by central wastewater treatment and domestic water facilities.

17. *The PC has provided open space and developed parks that meet or exceed the minimum requirements and are adequate to serve the anticipated population.*

    Staff Comment:

    PC-2021-01 proposes Element F-6 for Open Spaces, Parks and Trails Plan. This element provides approximately 96.38 acres to be preserved as Natural Open Space maintained in a conservation easement or conveyed to the homeowners' association to be preserved as permanent open spaces and approximately 87.00 acres as developed open space to be used as neighborhood parks, playgrounds, and trailheads. Preserved natural open space in the proposal are situated in such a manner as to allow for trail and community connectivity in addition to preserving the natural terrain and vegetation found in the steepest areas of the site. The Open Space and Trails Map highlights the natural open space areas proposed. The wildlife mitigation plan also highlights the proposed habitat and vegetative improvements proposed in the natural open space areas. The County review team proposes four (4) conditions to ensure that the trails and open spaces are maintained as proposed in PC-2021-01. A total of 183 acres of 760 acres planned community proposal will be open space to serve a population of 5500. This open space provision exceeds 10% of the total project area or 10 acres per 1000 population. Therefore, the County review team concludes that the proposal provides adequate open spaces to serve the anticipated population.

18. *The proposed natural open space is adequate to preserve views, special sites, important natural features, riparian areas, wetland areas, wildlife habitat and rare plants.*

    Staff Comment:

    Elmore County Code 10-11-7(F) dictates that the planned community application shall provide technical reports and studies prepared and signed by qualified experts, including but not limited to a site constraints analysis and a description of the impact of the project on area air quality, area water quality, slopes, and views. PC-2021-01 application had provided all these studies, however, a few of those studies were prepared for the prior application on the same site in mid 2000s. At the request of the County review team, the Applicant has provided recent cultural resources survey, wetland delineation report, site topography map with one ft (1') counter lines, revisions to wildlife management plan, new inadvertent discovery plan, hydrology report, etc. to address the County review team's concerns with developing a planned community that integrates site's unique characteristics in its design. After review of these revised documents, the County review team concludes that the proposed planned community meets this requirement.

19. *The PC has phased non-residential uses and recreational opportunities that keep pace with housing.*

    Staff Comment:

    PC-2021-01 proposal provides for two mixed use districts encompassing a total of 35 acres that provide opportunities for non-residential uses and a total of 183 acres of open spaces for recreational opportunities that are walkable for its approximately 5500 future residents. The County review team has worked with the Applicants and service providers in drafting conditions of approval that ensure that non-residential uses, including community facilities, institutions and commercial uses as well as natural and developed open spaces improvements keep pace with housing development. Therefore, the proposed planned community meets this requirement.

20. *The PC provides path and trail linkages between parks, schools, neighborhoods and commercial centers. The PC provides connectivity with nearby public trails and public lands where appropriate.*

    Staff Comment:

    The proposed Element F-6 provides path and trail linkages between parks, schools, neighborhoods, and commercial centers. The Trails and Paths Conceptual Plan Map demonstrates that there is a proposed park within a ¼ mile of each residential dwelling. The trail systems and pathways are also within ¼ mile radius of residential development. Finally, almost the entire residential community is within ½ mile of the town center where school, community center, parks, park and ride lot, and commercial activities are concentrated. There are no known or active public trails in nearby areas. Therefore, the County review team concludes that the proposed planned community provides adequate linkages to its future residents.

21. *The phasing plan for development within the PC ensures the integrity of the PC is maintained at the end of each phase.*

    Staff Comment:

    The proposed Element E and F-8 both provide Phasing Plan for the project. According to the County review team, these two documents need to be revised to synch build-out scenario and phasing since Element E discusses 10-year buildout and Element F-8 proposes 25-year buildout (Attachment 19). The Applicant believes that the actual timing to complete all phases may be influenced by several factors such as market conditions, product mix, local housing competition, and other unknown factors. Therefore, actual start and completion of each phase may vary. It is the intention of their Phasing Plan to provide maximum flexibility in starting and completing phases. By allowing flexibility, the development of housing and related amenities can progress in an orderly manner based on market timing and housing demands. Although the County review team has requested additional information and received some information from the Applicant to ensure compliance with this requirement, the County review team is unable to make this finding at this time.

22. *The proposed PC provides adequate mitigation for all identified tax and/or fee revenue shortfalls and negative impacts to existing service providers.*

    Staff Comment:

    Please refer to staff comment in finding # 21.

23. *The proposed PC shall not be hazardous or disturbing to existing neighboring uses or impede their normal development.*

    Staff Comment:

    As discussed in the Executive Summary, the proposed planned community is in unincorporated Elmore County adjoining Ada County, with other existing and future subdivisions in its immediate surrounding. The approved Mayfield Townsite Planned Community is located approximately 0.25 miles northeast of the proposed planned community (Attachment 20). The lack of affordable housing in Ada County has caused employees working in there to reside in other counties, where housing is more affordable. This has caused higher development interest in Mayfield community of Elmore County. PC-2021-01 is a small-town development proposal in a rural area that is envisioned in the County's Comprehensive Plan.

Therefore, the County review team concludes that the proposed planned community responds to housing market and does not impede on normal flow of development. The proposal includes urban and suburban type of developments, with no hazardous uses or activities proposed in it. As discussed in prior sections, the County review team has provided a series of conditions of approval to ensure that the proposal does not disturb existing neighboring uses.

24. *The proposed PC shall not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*

    Staff Comment:

    The proposed planned community is in a high growth area of Elmore County with the City of Boise, Mountain Home Airbase, and City of Mountain Home within ½ hour driving distance. As a result, this community over the next few years and decades will see development activities not common in this area creating some additional traffic, noise, fumes, glare, or odor. However, as discussed in prior sections, the County review team has drafted a series of conditions of approval to ensure that the proposal reduces the any adverse impacts of construction activities. Otherwise, the uses, activities, processes, materials, equipment, and conditions of operation will not be detrimental to any persons, property, or general welfare.

25. *The proposed PC shall not result in the destruction, loss or damage of a natural or scenic feature of major importance.*

    Staff Comment:

    Please refer to staff comment in finding # 18.

OVERALL STAFF COMMENTS:

PC-2021-01 has gone through a two-year long review process during an unparalleled public health crisis. As explained in the aforementioned findings, Mayfield community has seen increasing interest in development activities. The proposed planned community responds to those market conditions and provides much-needed housing opportunities in southwestern Idaho. The County review team, Applicant and reviewing agencies have resolved many technical aspects of the proposal. However, staff would like to identify the following information that require additional review, consideration, and recommendation, by the Planning and Zoning Commission as those were not available when this staff report was written:

a. MHHD, ACHD, ITD, and COMPASS Comments;
b. Updated Wildlife Conservation and Education Program Funding Estimate;
c. Clarification on Phasing Plan, and if needed, updated Element E or F;
d. Updated capital and operational costs for community facilities for Element E and F; and
e. Agreement on compliance with WUI.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission:

- Gather information from the Applicant, public hearing process, and impacted agencies;
- Deliberate on the proposed PC-2021-01 along with the draft Conditions of Approval to ensure compliance with Elmore County and State Codes; and

- Recommend approval to the Board of County Commissioners for PC-2021-01 to include the following, with the draft conditions of approval:
    - Comprehensive Plan Amendment;
    - Zoning Ordinance Map Amendment and Development Agreement; and
    - Zoning Ordinance Text Amendment.

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PROPOSED CONDITIONS OF APPROVAL
FOR MAYFIELD SPRINGS PLANNED COMMUNITY

General Conditions Applicable to All Phases of Development

1. Prior to publication of the ordinance adopting the Mayfield Springs planned community, the owner shall provide a fully executed Development Agreement to the County Land Use and Building Department (the "**Department**") in a form approved by the Department.
2. All development shall comply with adopted Mayfield Springs planned community documents - Comprehensive Plan (Element B), Zoning Ordinance Map and Development Agreement (Element C), Zoning Ordinance (Element C), Economic Impact Study (Element E), and Development Plan (Exhibit F), as well as the Elmore County Zoning and Development Ordinance adopted on May 18, 2018 ("**County Code**"). In the event of any inconsistencies in development standards between County Code and the approved planned community documents, including any element, the latter shall control. In the event of any inconsistencies in procedural requirements between the County Code and the approved planned community documents, the County Code shall apply.
3. Each preliminary and final plat submittal shall meet the specifications and application requirements listed in County Code, including a digital version of the final plat in format as specified by the Department.
4. Prior to application for each final plat, the owner shall receive approval of subdivision and street names from the Department.
5. No building permits for residential lots shall be issued until a final plat is recorded and parcel numbers have been issued by the County Assessor's Office.
6. The owner shall apply for the first Preliminary Plat within one (1) year after the Board of County Commissioners (the "**Board**") adopting the Mayfield Springs planned community. The owner must receive approval of the initial final plat within 24 months of the approval of the first preliminary plat. Successive plats shall proceed in accordance with the approved Phasing Plan (Element F-8), with final plat applications required in no more than one-year intervals. The owner may request a time extension pursuant to County Code.
7. The owner shall submit a "Periodic Evaluation" every two (2) years after the Board adopting the Mayfield Springs planned community, as required by County Code. The periodic evaluation request shall be submitted on the appropriate application form provided by the Department and with the appropriate application fee at the time of submittal.
8. The owner shall submit a Biennial Report with the Period Evaluation in writing and by presentation to the County, on or before the 2-year anniversary date of the adoption of the application, or more frequently as may be requested by the Director or the County. The report shall contain at a minimum a development status report outlining compliance with phasing plan, water and sewer systems plans, fire suppression plans, traffic and roadway plans, and community facilities and services plan. The owner shall work in good faith to implement changes requested in response to the Biennial Report, including any adjustments which may be necessary to cover costs for community facilities and services.

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9. Prior to any site improvements within any final plat affecting federal waters, the owner shall provide a copy of 404 permit approval from the US Army Corp of Engineers ("**USACE**") and Idaho Department of Water Resources, ("**IDWR**"), if applicable.
10. Prior to any site improvements within any final plat, the owner shall receive all other county, state, and federal approvals.
11. The owner shall submit a Wildfire Urban Interface (WUI) Plan with each preliminary plat to ensure compliance with the Fire Prevention and Wildfire Mitigation Standards, Title 8 Chapter 1 of the Elmore County Code.
12. The owner shall submit a Preliminary Grading Plan with each preliminary plat requiring grading or filling of slopes greater than fifteen percent (15%) in compliance with the Hillside Development Requirements of Title 7 Chapter 5 of the Elmore County Code.
13. Prior to any site improvements within any final plat requiring grading or filling of slopes greater than fifteen percent (15%), the owner shall receive an approval letter from the Elmore County Engineer for slope stability and revegetation plan in accordance with Elmore County Code Title 7 Chapter 5.
14. Prior to any site improvements within any final plat requiring grading or filling of slopes greater than fifteen percent (15%), the owner shall identify all floodplain tributaries and alluvial fans as well as all site-specific improvements proposed around those.
15. Prior to any site improvements within any final plat requiring grading or filling of slopes greater than fifteen percent (15%), the owner shall demonstrate that any crossing or grading over gullies that drain more than ten (10) acres within such plat is designed for the flood flows and velocities anticipated in a 100-year flood event.
16. Prior to any site improvements within any final plat encompassing floodplains, the owner shall demonstrate compliance with the Elmore County Flood Damage Prevention, Title 8 Chapter 2 of the Elmore County Code.
17. Prior to approval of the first final plat, the owner shall develop and submit the following documents and any modifications shall require Department approval:
    a. Dust Control Plan to the Department; and
    b. Compliance with Rules for the Control Air Pollution (IDAPA 58.01.01) to the Idaho Department of Environmental Quality ("**IDEQ**").
18. Streetlights shall comply with County Code and the approved Mayfield Springs Wildlife Mitigation Plan ("**WMP**").
19. Installation of public service facilities must comply with requirements of utility providers. All utility easements shall be shown on the final plat and the minimum width of said easement shall be determined by the entities responsible for the construction and/or maintenance of the utility. If not otherwise specified, ten foot (10') easements for utilities, drainage, and irrigation shall be provided along all public rights-of-way and subdivision boundaries.
20. All utility construction shall use design, materials, and construction methods that prevent failure due to flooding. All new and replacement water supply systems shall be designed to eliminate infiltration of floodwaters into the system. New and replacement sewage treatment works and sewage collection and disposal systems shall be designed to eliminate infiltration of floodwaters into the systems as well as discharge from the systems into floodwaters.
21. In connection with County signature of each final plat, the owner shall receive certificates and/or endorsements from the following entities:

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a. The owner(s),
b. The plat surveyor,
c. The County Surveyor,
d. The County Engineer,
e. The Mountain Home Highway District, and
f. The Central District Health Department ("**CDHD**").

22. Prior to approval of each final plat, the County Engineer shall review the pressurized irrigation system. Said irrigation system shall be managed by a private entity, which may include the applicable homeowners' association, as determined by the owner and approved by the Department.
23. Prior to the Board signature of each final plat, all required improvements within the applicable phase shall be completed by the owner as required by County Code. In lieu of completing the required improvements, the owner may deposit a surety with the Director of the Department and sign a surety agreement in accordance with County Code.
24. Prior to the approval of each final plat, the County Engineer shall be sent a letter of completion by the engineer of record to approve all drainage improvements and site grading for that phase. The County Engineer must inspect and approve all drainage improvements, except where bonding or sureties are provided. As-built drawings, acceptable to the County Engineer shall be provided prior to final inspection and approval of these drainage improvements.
25. Prior to County signature of each final plat, the owner shall install interpretive plaques and signage as well as other visual and design elements to support Old US Highway 30 and the pre-interstate era theme including two historic markers along Old US Highway 30 and informational kiosks that elaborate on the site's history.
26. If any unknown subsurface cultural or archaeological finds are encountered during project construction, all work shall stop in the immediate area and the owner shall follow Inadvertent Discovery of Cultural Resources Plan included in Element G.
27. Prior to County signature of the final plat that contains 1,630th dwelling unit, the owner shall demonstrate that at least 30,000 square feet of neighborhood serving commercial uses are developed. If those uses are not yet constructed, during the following Periodic Evaluation, the owner shall provide an updated Economic Feasibility Study (Element E) for those commercial uses to the Department.
28. Prior to approval of the final plat which contains 1,630th dwelling unit, the owner shall demonstrate that a minimum 25% of the units are developed for multi-family units with density range of 8-25 dwelling unit/acre. If this threshold is not reached, during the following Periodic Evaluation, the owner shall provide an updated Economic Feasibility Study (Element E) for multi-family units to the Department.

Conditions Applicable to Water and Wastewater Systems

29. The owner shall submit water and wastewater systems plans to serve all future development identified as the Mayfield Springs planned community with the first preliminary plat submission. Construction of improvements may be made on a plat-by-plat basis in accordance with the approved Phasing Plan.
30. Prior to County signature of the first final plat, the owner shall confirm compliance with all applicable federal, state, and local rules and laws for wastewater treatment, including Idaho

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Administrative Rules ("**IDAPA**") 58.01.02 (Water Quality Standards), 58.01.03 (Individual Subsurface Sewage Disposal Rules), 58.01.16 (Wastewater Rules) and 58.01.17 (Recycled Water Rules). The owner shall receive the necessary IDEQ and/or CDHD approvals (and provide a copy to the Department) of wastewater collection system and treatment facilities.

31. Prior to County signature on the first final plat, the owner shall demonstrate to the Department that they have received approval of Technical, Financial and Managerial Review to construct, operate and maintain the wastewater collection system and treatment facilities from IDEQ.
32. Prior to County signature on the first final plat, the owner shall confirm compliance with all applicable federal, state, and local rules and laws for drinking water system, including IDAPA 58.01.08 (Public Drinking Water Systems) and 58.01.02 (Water Quality Standards). The owner shall receive the necessary IDEQ and/or CDHD approvals (and provide a copy to the Department) of the potable water system.
33. Prior to County signature of the first final plat, the owner shall demonstrate to the Department that they have received approval of Technical, Financial and Managerial Review to construct, operate and maintain the approved potable water system from IDEQ.
34. Prior to County signature of the first final plat and each subsequent final plat, the owner shall demonstrate that the backbone collection system and wastewater treatment facilities are constructed to adequately serve the applicable plat area and shall be managed by a qualified private wastewater treatment company or sewer district as set forth in Idaho Code Section 42-3202. The owner shall ensure that IDEQ and CDHD have completed construction inspections and provided a Final Systems Approval Letter and authorization to the private company/district to serve the public, a copy of which shall be provided to the Department.
35. Prior to County signature of each final plat, the owner shall provide documentation of compliance with all requirements of IDWR related to the municipal water permit (63-32225).
36. Prior to County signature of each final plat, the owner shall demonstrate that the backbone drinking water system is constructed to adequately serve the applicable plat area and managed by a qualified private drinking water company or district as set forth in Idaho Code Section 42-3202. The owner shall ensure that IDEQ has completed their construction inspections and provided a Final Systems Approval Letter and authorization to the private company/district to serve the public, a copy of which shall be provided to the Department.
37. No temporary wastewater lagoon treatment system is permitted.
38. The use of individual septic systems within the Mayfield Springs Planned Community is prohibited.

Conditions Applicable to Wildlife Mitigation

39. Prior to County signature of the first final plat, a conservation advisory committee ("**CAC**") shall be established to ensure implementation of the Wildlife Mitigation Plan (Element F-7). The CAC shall meet at least one time per year to ensure that conservation goals of the approved WMP are achieved by establishing necessary conservation easement criteria and appropriate use of conservation funds. The CAC shall be comprised of at a minimum the following:
    a. The Department (if Elmore County chooses to participate);
    b. Idaho Department of Fish and Game;
    c. The Developer (while they retain an interest in the project);

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d. Homeowner's Association;
e. Elmore County Soil and Water Conservation District;
f. Conservation Fund Administrator; and
g. Conservation Director (voting only in the event of tie vote).

40. Prior to County signature of the first final plat, the owner shall establish a dedicated account and deposit $10,000 seed money for the conservation funds as outlined in the approved WMP (Section 6.0.2.3). Conservation funds may be utilized for wildlife mitigation onsite or offsite, through strategies that may include property acquisition or conservation easements.
41. Prior to County signature of the first final plat, the owner shall enter into a legal agreement with an entity acceptable to both owner and the Department to safeguard conservation funds and to employ such funds should the CAC fail to utilize such funds in a timely manner. A copy of this agreement shall be submitted to the Department.
42. Prior to County signature of each final plat, the owner shall demonstrate that mitigations and enhancement of the approved WMP are utilized as feasible with environmental constraints for area-wide and site-specific planning and construction activities to avoid, minimize, and mitigate impacts on riparian and foothill areas.

Conditions Applicable to Traffic Mitigation

43. Prior to County approval of the first preliminary plat, the owner shall provide a memorandum of agreement with Mountain Home Highway District ("**MHHD**") that provides for ongoing maintenance, replacement, and repair of the public roadways within the Mayfield Springs Planned Community.
44. In connection with each final plat, the owner shall receive a written approval demonstrating compliance with Mountain Home Highway District ("**MHHD**") and/or Idaho Transportation Department ("**ITD**") requirements, as follows:
    a. Prior to County signature of the final plat that contains the 175th dwelling unit, the owner shall complete construction (or contribute its proportionate share to the construction) of a southbound right-turn lane at the westbound ramp of the Mayfield/Orchard interchange and shall otherwise show compliance with MHHD and/or ITD requirements.
    b. Prior to County signature of the final plat that contains the 1,380th dwelling unit, the owner shall (i) ensure preservation of right-of-way (5 lanes) on Indian Creek Road from I-84 to Desert Wind Road (to the extent such right-of-way is within the ownership or control of the owner); and (ii) complete construction (or contribute its proportionate share to the construction) of an eastbound right-turn lane at the intersection of Desert Wind Road and Simco Road, and shall otherwise show compliance with MHHD and/or ITD requirements.
    c. Prior to County signature of the final plat that contains 1,630th dwelling unit, the owner shall complete construction (or contribute its proportionate share to the construction) of: (i) a signal with turn lanes at the westbound ramp of the Mayfield/Orchard interchange; (ii) a signal with turn lanes at the eastbound ramp of the Mayfield/Orchard interchange; and (iii) an eastbound left-turn lane at the intersection of Desert Wind Road and Regina Road, and shall otherwise show compliance with MHHD and/or ITD requirements.

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d. Prior to County signature of the final plat that contains the 1,640th dwelling unit, the owner shall complete construction (or contribute its proportionate share to the construction) of a roundabout at the intersection of Desert Wind Road and Indian Creek Road, and shall otherwise show compliance with MHHD and/or ITD requirements.
e. Prior to County signature of the final plat that contains the 1,730th dwelling unit, the owner shall: (i) complete construction (or contribute its proportionate share to the construction) of a southbound right-turn lane at the westbound I-84 ramp at Simco Road; and (ii) and complete construction (or contribute its proportionate share to the construction) of three lanes on Desert Wind Road from Indian Creek Road to the site, while ensuring preservation of right-of-way (5 lanes) within this same corridor (to the extent such right-of-way is within the ownership or control of the owner), and shall otherwise show compliance with MHHD and/or ITD requirements.
f. Prior to County signature of the final plat that contains the 1,770th dwelling unit, the owner shall complete construction (or contribute its proportionate share to the construction) of a westbound right-turn lane at the intersection of Desert Wind Road and Regina Road, and shall otherwise show compliance with MHHD and/or ITD requirements.
g. Prior to County signature of the final plat that contains the 2,210th dwelling unit, the owner shall complete construction (or contribute its proportionate share to the construction) of a single-lane roundabout at the intersection of "Access A" and Desert Wind Road, and shall otherwise show compliance with MHHD and/or ITD requirements.
h. Prior to County signature of the final plat that contains the 2,320th dwelling unit, the owner shall: (i) install stop signs on the northbound and southwest-bound approaches of the intersection of Indian Creek Road and Regina Road; (ii) complete construction (or contribute its proportionate share to the construction) of a single-lane roundabout at the intersection of "Access B" and Desert Wind Road; and (iii) ensure preservation of right-of-way (3 lanes) on Simco Road from I-84 to Desert Wind Road (to the extent such right-of-way is within the ownership or control of the owner), and shall otherwise show compliance with MHHD and/or ITD requirements.

45. All public rights-of-way shall be dedicated and constructed in accordance with MHHD's Highway Standards and Development Procedures Manual. No public street/road construction shall begin without approval from the MHHD and submission of that approval to the Department.
46. Prior to the issuance of any building permit within the final plat encompassing a Park and Ride lot, the owner shall construct at least ten (10) designated park and ride parking spaces.

Conditions Applicable to Other Facilities and Service Providers

47. The owner shall provide a progress report to the Department on all community facilities and services planning with each preliminary plat application, including school, emergency response facility (Fire, EMS, and Law Enforcement), library, etc. as further set forth in Element

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B and F-5. In this report, the owner shall also provide an update to the economic impact report to demonstrate revenue generated for the County through that plat and developer's expenditures towards community facilities and services needs.

48. Prior to County signature of the first final plat, the owner shall sign Memorandums of Understanding (MOU) with service provider agencies (Elmore County Sheriff and Ambulance) setting out service provisions and facility specifications that meet the intent of Elmore County Code response time and staffing requirements.
49. Prior to the first building permit for dwelling unit, the owner shall de-annex the property from the Oasis Fire District and form a new fire district, to be known as the "Mayfield Springs Fire Protection District" (the "**District**"). In addition, the owner shall provide evidence to the Department that the Fire District is operating in accordance with the plans provided by the owner in Element F-5 and State Code.
50. Prior to the first building permit for dwelling unit, the owner shall receive approval of, and construct, at least 5000 sq. ft. of emergency response joint use facility providing space for the Fire District, Elmore County Sheriff, and Elmore County Ambulance Service, as further set forth in Element F-5.
51. Prior to County signature of the final plat containing the 750th dwelling unit, the owner shall receive approval, and complete construction of, the joint use emergency response facility with 7500 sq. ft. This joint use facility may be partially eligible for the Elmore County Impact Fee credits and/or reimbursement when established. The owner shall request such credits and/or reimbursement from the County with the Biennial Review.
52. As proposed by the owner, ongoing fire district operations shall be supported by a $1,000.00 per unit fee to be charged at the time of each building permit and remitted to the District.
53. As proposed by the owner, Sheriff service will be supported with a $1,000.00 per unit fee to be charged at the time of each building permit and remitted to the Elmore County Sheriff Department.
54. Prior to County signature of the first final plat, the owner shall receive a letter of intent or refusal from the Mountain Home School District ("**MHSD**") to the Department to provide educational services as further set forth in Element F-5.
55. Prior to the first building permit for dwelling unit, the owner shall enter into an agreement with the MHSD or a Charter School and provide a copy to the Department to ensure their participation in design of a school facility.
56. Prior to County signature of the first final plat, the owner shall enter into a Memorandum of Understanding with the MHSD to provide reimbursement of bussing students to existing school locations.
57. Prior to County signature of the final plat containing the 750th dwelling unit, the owner shall receive approval of, and construct, a school facility.
58. Prior to County signature of the first final plat, the owner shall establish a library district within the project and provide library services in accordance with the requirements of the planned community standards of Elmore County Code.
59. Prior to County signature of the final play containing the 750th dwelling unit, the owner shall entre into a Memorandum of Agreement with St. Luke or Desert Sage to ensure onsite medical services.

Conditions Applicable to Open Space, Pathways, and Trails

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60. All developed and natural open space and trails, recreation areas, common lots, etc. shall be owned and maintained by a homeowner's association, unless otherwise specified.
61. Regional trails that extend beyond planned community property lines may have a dead-end on temporary basis for purposes of connectivity.
62. Prior to County signature of each final plat, the owner shall develop, or bond for, pathways, trails, trailheads, parks, and recreation areas located within such final plat in accordance with approved Element F-6 (Open Spaces, Parks and Trails) and Element F-8 (Phasing Plan) of the approved Mayfield Springs Planned Community. All developed open space and recreation areas, including common lots, shall be owned and maintained by a homeowner's association unless otherwise specified.
63. Prior to County signature of each final plat, the owner shall demonstrate that all open space and trails are accessible to the residents of the planned community and that open space and regional trails depicted in Figure F-7e, are accessible to the public in accordance with approved Element F-6 (Open Spaces, Parks and Trails).

Conditions Applicable to CC&Rs and Final Plat Notes

64. Prior to County signature of each final plat, the owner shall provide covenants, conditions and restriction ("**CC&Rs**") to the Department for review and approval, ensuring incorporation of the following provisions that may not be modified without County approval.
    a. Wildlife Mitigation Plan,
    b. Wildfire Urban Interface Overlay,
    c. Wildlife Depredation,
    d. Pressurized irrigation system
    e. Private wastewater company,
    f. Private drinking water company,
    g. Location of Petroleum Pipeline,
    h. High Voltage Power Transmission Lines and required setbacks,
    i. Permanently preserved open spaces and trails in accordance with Element F-7 (Open Spaces, Parks and Trails), and
    j. Identified floodplain, tributaries, and alluvial fans.
65. A note shall be placed on the face of each final plat and included in the approved and recorded CC&Rs that discloses the ownership and management structure of the wastewater treatment facilities to buyers: "This subdivision is serviced by a private sewer company or district, which is not regulated by the Idaho Public Utilities Commission. Fees, including user and maintenance fees, are subject to fluctuation."
66. A note shall be placed on the face of each final plat and included in the approved and recorded CC&Rs that discloses the ownership and management structure of the drinking water system to buyers: "This subdivision is serviced by a private drinking water system, which may be regulated by the Idaho Public Utilities Commission. Fees, including user and maintenance fees, are subject to fluctuation."
67. A note shall be placed on the face of each final plat and included in the approved and recorded CC&Rs that recognizes Idaho State Code 22-4503, Right to Farm Act: "No agricultural operation, agricultural facility or expansion thereof shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after

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it has been in operation for more than one (1) year, when the operation, facility or expansion was not a nuisance at the time it began or was constructed. The provisions of this section shall not apply when a nuisance results from the improper or negligent operation of an agricultural operation, agricultural facility or expansion thereof".

68. A note shall be placed on the face of each final plat and included in the approved and recorded CC&Rs: "There is wildlife habitat in the area of Mayfield Springs. Damage to landscaping from wildlife shall be the responsibility of each individual lot owner and shall not be the responsibility of the State of Idaho or Elmore County. Neither Elmore County nor the State of Idaho will be liable for wildlife depredation."

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Attachments

1. Vicinity Map & Conceptual Land Use Map
2. Mayfield Springs Pre-Application, September 9, 2022 & Mayfield Springs Application, March 24, 2021
3. Letter of Acceptance & HDR Submittal Requirements
4. Agency Notification of Application, May 4, 2021
5. Newspaper Workshop Notice, September 22, 2021
6. Agency Coordination Agenda March 9, 2022)
7. Public Hearing Schedule, March 30, 2022
8. Newspaper Public Hearing Notice, June 15, 2022
9. Site Postings
10. Agency Notification of Public Hearing, May 20, 2022
11. Affidavit of Mailing, May 27, 2022
12. Density and Intensity Map & Transportation Mobility Plan
13. Zoning Ordinance Map and Development Agreement
14. County Comments A-G
15. Agency Comments A-J
16. Public Comments A-B
17. Highway District Response Memo, April 27, 2022
18. Community Amenities & Public Services
19. Phasing Plan
20. West Elmore County Existing and Planned Development