

# Valley County Planning and Zoning Commission

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**Katlin Caldwell, Chairman**  
**Ken Roberts, Vice-Chairman**

**Scott Freeman, Commissioner**  
**Carrie Potter, Commissioner**  
**Gary Swain, Commissioner**

## MINUTES

Valley County Planning and Zoning Commission  
**January 23, 2024**  
**Valley County Court House - Cascade, Idaho**  
**WORK SESSION - 5:00 p.m.**

**A. OPEN:** Meeting called to order at 5:00 p.m. by Chairman Caldwell. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Katlin Caldwell:	Present
PZ Commissioner – Scott Freeman:	Present
PZ Commissioner – Carrie Potter:	Present
PZ Commissioner – Ken Roberts:	Present
PZ Commissioner – Gary Swain:	Present
PZ Planner II – Lori Hunter:	Present

### 1. Election of Officers:

Commissioner Swain nominated Commissioner Caldwell for Chairman; Commissioner Roberts seconded. Motion passed unanimously.

Commissioner Swain nominated Commissioner Roberts for Vice-Chairman; Commissioner Freeman seconded. Motion passed unanimously.

Commissioner Freeman nominated Director Herrick for Secretary. Commissioner Roberts seconded. Motion passed unanimously.

### 2. Development Agreement Policy:

Director Herrick gave an overview of past contribution agreements and road development agreements and process. Addressing impacts includes more than roadways; therefore, development agreements. Development agreements are used to mitigate impacts of site-specific developments on services and infrastructure. The Board of County Commissioners would like the opinion of the PZ Commission regarding the draft policy. This policy incorporates Idaho Code as well as various sections of Valley County Code.

School district superintendents and other agencies are notified of upcoming applications and have the ability to provide comments and information. Local school districts did respond during the West Rock [now known as Tamarack Resort] approval process and mitigation was included in the resulting capital contribution agreement. Possible impacts and mitigation for school districts was discussed by the Commissioners.

Development agreements were further discussed. Commissioners' approval of an application and resulting conditions of approval are affected if an applicant states that no short-term rentals will be allowed in a development. Therefore, restricting short-term rentals would then be included in the development agreement. The Commission can add conditions to a conditional use permit. These conditions can include recommendations of what is included in a development agreement.

Development agreements are different than impact fees. If impact fees are ever adopted at a future date, developer participation in development agreements would be considered as a credit to an impact fee. No Valley County taxes go towards roads, irrigation districts, nor sewer and water infrastructure. The creation process, funding, and timing of impact fees versus development agreements was discussed. Impact fees are generally collected at the time of a building permit. Development agreement funds are paid up front. The possibility of a blended system was discussed. Commissioners agreed that development should pay for development.

A development agreement must be approved by the Board of County Commissioners and recorded prior to work occurring on the site.

Director Herrick should be contacted by individual Commissioners if they are unhappy with any part of this draft policy. If she is contacted, the draft policy would be added to a future agenda for further discussion. Otherwise, Director Herrick will take the policy to the Board of County Commissioners.

### **3. Discussion Concerning Joint Training with Board of County Commissioners**

Director Herrick discussed available training opportunities. This spring, the Idaho Planning Association will provide training videos covering the basics of planning, public hearing procedures, open meetings laws, and more. Other training specific to Valley County can be done. Joint training with the Board of County Commissioners was discussed. These training could include the compatibility rating process, open meeting laws, conflict of interest, and exparte contact. Various memos from Deputy Prosecutor Brian Oakey are available.

Commissioner Roberts would like to have a discussion about revising the compatibility rating form. Director Herrick agrees that numbers in the matrix need revised. However, the Comprehensive Plan needs to be revised first. Valley County Code, including the compatibility rating process, would then be modified by ordinances based on the Comprehensive Plan revision. The compatibility rating form can only be modified by an ordinance change.

Open meeting laws, conflict of interest, and exparte contact were reviewed. The Commission needs to be very clear in their reasoning and have a good record of decisions.

### **4. Agricultural Land and Open Space Preservation**

Director Herrick stated there is a lot of discussion on how to preserve agricultural land and open space; this discussion is not just limited to Valley County. The Commissioners discussed possible tools to preserve these lands and private property rights. The compatibility of developments in the midst of agricultural land was discussed. Applications can not be denied just because of agricultural uses; applications can be denied if there is a lack of mitigation. Possible tools include the Transfer Development Rights (TDRs), zoning, zoning overlays, purchase of open space, and conservation easements. These various tools, the Comprehensive Plan, Idaho Statutes, private property rights, and impacts to property values were discussed. Valley County Soil and Water Conservation District is an entity that can educate property owners about conservation easements. Sewer and water infrastructure

impacts development. Existing sewer and/or water systems in Valley County are: Payette Lake Recreational Sewer and Water District (McCall area), Northlake Recreational Sewer and Water District, Jug Mountain Ranch, West Mountain (Blackhawk/Payette River developments), Warm Lake, YMCA Camp. South Lake Recreational Sewer and Water District exists but has no active system.

The Comprehensive Plan, particularly Chapter 13 Land Use, is a guide to let people know where to develop. Possible zoning Overlays were further discussed. An industrial overlay could include the area where the gravel pits are located.

The Comprehensive Plan needs to be amended. Commissioners will focus on Chapter 13 Land Use and Chapter 10 Recreation and Open Space.

Director Herrick will reach out to other Idaho planners and see what tools are used in other areas of the state.

## **5. 2024 Plan to Amend Comprehensive Plan – Work Session Dates**

Upcoming Work Sessions will be:

- February 12, 2024 Afternoon training with the Board of County Commission followed by a PZ Commission work session. Comprehensive Plan Chapter 13 Land Use will be discussed.
- March 12, 2024 4:00 -6:00 p.m.

Chairman Caldwell adjourned the meeting at 7:00 p.m.