

Valley County Planning and Zoning Commission

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Neal Thompson, Chairman
Ken Roberts, Vice-Chair

Sasha Childs, Commissioner
Katlin Caldwell, Commissioner
Scott Freeman, Commissioner

MINUTES

Valley County Planning and Zoning Commission

March 1, 2022

Valley County Court House - Cascade, Idaho

WORK SESSION - 6:00 p.m.

A. OPEN: Meeting called to order at 6:05 p.m. by Acting Chairman Thompson. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Katlin Caldwell	Excused
PZ Commissioner – Sasha Childs:	Present [Microsoft Teams]
PZ Commissioner – Scott Freeman:	Present
PZ Commissioner – Ken Roberts:	Present
PZ Commissioner – Neal Thompson:	Absent
PZ Assistant Planner – Lori Hunter:	Present

Deputy Prosecutor Brian Oakey was also present and available for questions.

B. WORK SESSION

Director Herrick provided the Commissioners a letter from Gary Swain regarding impact fees for their future review. A discussion about impact fees will be added to future work session agenda.

The work session meeting dates for the remainder of 2022 were reviewed. Open houses with public involvement are tentatively scheduled for May 2022.

1. Letter from Board of County Commissioners

The letter from the Board of County Commissioners was discussed. The Commissioners discussed whether an outside consultant will be needed to facilitate public meetings, revise the Comprehensive Plan, and write ordinances. They will need to determine by May if want to ask for consulting fees to be included in the upcoming Valley County budget. At this time the Commission was hesitant to hire a consultant until they determine if the Comprehensive Plan is outdated.

The Board of County Commissioners have received public comment regarding environmental concerns; groundwater quality and quantity; the fundamental character of the county; loss of rural character of Valley County; short-term rentals; road access and maintenance; predictability of land use; and notice to prospective buyers. Deputy Prosecutor Oakey addressed the Board's concerns regarding the character of Valley County and planning for growth, including industrial and commercial. Clustering of uses was discussed. Is the Compatible Use Matrix review effective and does it result in a consistent outcome? The matrix is publicly available for people to review possible uses on particular pieces of land. Zoning overlay would be a hybrid of the current single-use zone and predetermined Euclidian Zoning system.

The PZ Commissioners should discuss what is working and what is not. Areas and uses that have been issues should be identified. Public comment is needed. The Comprehensive Plan was discussed.

Commissioner Roberts said that the Multiple Use Zoning system works well. He believes it is time to review and update ordinances and help streamline the workload for staff. He prefers creating Commercial and Industrial Area Zoning Overlays to see how successful the overlay zoning will work. He does not wish to zone the entire county

There are some great examples of subdivision developments in Valley County. Some existing subdivisions predate the Subdivision Ordinance; these are often the areas with issues with density, roads, etc. The Commissioners discussed current and future locations of asphalt batch plants, gravel pits, concrete plants, etc., which would be included in an Industrial Overlay. Rock pits go where rock is located; sites are limited. A growing community needs increased services. Pattern of use can be used to predict future land use.

Per Idaho State Code, Valley County cannot do a development agreement without a rezone. Establishing impact fees requires further analysis, advisory committee, adopt ordinance, and post. Valley County does not have structure in place yet. Impact fees at this time have to be voluntary, not as a condition of approval.

Rezoning an area for subdivision requires map changes and Comprehensive Plan modifications. A rezone is a complicated process that requires amending the Comprehensive plan, amending ordinance(s) and receiving final approval by the Board of County Commissioners.

Impact fees were briefly mentioned, and further discussion will be added to an upcoming work session agenda.

The PZ Commissioners stated that upcoming work sessions should include meetings with:

- Fire Departments and Southern Idaho Timber Protective Association (SITPA)
- Board of County Commissioners regarding impact fees and/or development agreements
- Sewer and water districts and private companies regarding future plans
- Central District Health
- Idaho Department of Environmental Quality
- Valley County Soil and Water Conservation District
- Idaho Transportation Department (road width, approaches, intersections, etc.)
- Valley County Road Department

Commissioner Roberts would like a Lake Cascade Basin Plan to be included in the review. Are there special considerations or conditions that should be included for subdivisions or uses that are within this the Lake Cascade Basin area?

2. Subdivision Regulations

- **Change in Types of Subdivisions for Different Review Levels**
- **Off-Grid Subdivision Proposal**
- **Requested Maps showing 40+, 80+, and 160+ acre parcels in Valley County**

The PZ Commissioners discussed the worksheet to determine required improvements based on subdivision types.

The Board of County Commissioners did adopt the recommendation from the PZ Commissioners for a review of all property splits. The exceptions allowed under Valley County

Code 10-1-3C were discussed. These include:

- A readjustment of lot lines as shown on a recorded plat or the assessor's plat which does not result in a violation of the setbacks or dimensional standards of the Valley County land use and development ordinance or any covenant pertaining to said plat, and does not increase the number of building sites.
- An easement providing rights for ingress and egress, utilities, or drainage for one building site across any portion of a parcel of land, which does not transfer title to any portion of the parcel.
- A division of land for financing or mortgage purposes only where the entire parcel remains in one ownership.
- Allocation of land in the settlement of an estate of a decedent as provided in a will or a court decree for the distribution of property in the settlement of an estate of a decedent.
- Allocation of land for a pathway that can be used by the public.
- Any acquisition or division of land by a public agency.
- Separation of lots to their original configuration from a previously platted subdivision shall be allowed so long as it does not create a violation of setbacks. This includes lots that were combined by the assessor for taxing purposes only.

The approved ordinance removed Exception # 5 which allowed a division of land into parcels of 20 acres or more.

Valley County Code 10-3-1 details the current types of plats allowed in Valley County. Valley County Code also has requirements for minimum lot sizes, density, building setbacks, etc. Valley County private road standards are more restrictive than fire code standards; the differences were discussed.

The current requirements for an Administrative Plat were discussed and clarified. Administrative Plats do not require a public hearing. The PZ Director reviews and approves an administrative plat instead of the PZ Commission. Agencies and neighbors are notified for an administrative plat. PZ Commissioners and staff discussed what a revised Administrative Plat would entail. These include:

- Safe access for emergency and firefighting equipment.
- Whether or not internal private roads should be included; Director Herrick believes Administrative Plats should not include new roads.
- Power / utilities to plat are required.
- Maximum four (4) lots.
- No adjacent land ownership.
- Sanitary restrictions must be released by Central District Health.
- If the property boundary is within 200-feet of existing central sewer infrastructure, the developer must ask to be included in the sewer and/or water district/company boundary. If the district is not willing to include the property, then sanitary restrictions must be released by CDH prior to plat approval.
- Individual water systems (wells) are allowed if addition into a central water district/company is denied.
- Buried water tank requirement determined by relevant fire department.
- Fire mitigation plan required if over 20% of the parcel is forested.
- Minimum one-acre lot sizes.
- Administrative plats may also be used to combine lots into a new subdivision.
- Fire Department must approve.
- Road Department must approve.

The maps produced by Kara Utter, Valley County GIS, which show parcels of 40+, 80+, and 160+ acres were discussed. The PZ Commission briefly discussed the addition of off-grid plats.

Septic tank and drainfield maintenance and education were discussed. Commissioner Roberts will discuss an education campaign with Central District Health and Valley County Soil and Water District.

Idaho House Bill 643 was briefly discussed. This will be added to the agenda for March 10, 2022.

Housing issues were briefly discussed. The Idaho State Legislature determined that short-term rentals in Idaho are allowed and cannot be prohibited by local jurisdictions. Only health and safety concerns of short-term rentals can be regulated. The Valley County short-term rental ordinance does restrict the number of people staying in a short-term rental to protect the integrity of the neighborhood. Homeowner associations can limit short-term rentals.

Cynda Herrick will be meeting with the local realtors in April 2022.

The possibility of hiring a consultant to help with public comment regarding Comprehensive Plan revision and ordinance updates was discussed further. The PZ Commissioners would like more specific information regarding the comments that the Board of County Commissioners are receiving regarding planning and zoning issues.

Items for future work session:

- Worksheet to determine required improvements based on subdivision types.
- Compatibility Worksheet and Matrix
- Comprehensive Plan
- Review of the Local Land Use Planning Act - Idaho Code - Title 67-65

This work session will be continued to March 22, 2022.

Chairman Thompson adjourned the meeting at 8:30 p.m.