

Valley County Planning and Zoning Commission

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Neal Thompson, Chairman
Ken Roberts, Vice-Chair

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

MINUTES

Valley County Planning and Zoning Commission
September 1, 2022
Valley County Court House - Cascade, Idaho
WORK SESSION – 5:30 p.m.

You may view the hearing by going to www.co.valley.id.us and click on “Watch Meetings Live”.

A. OPEN: Meeting called to order at 5:30 p.m. by Chairman Thompson..

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Katlin Caldwell	Present
PZ Commissioner – Sasha Childs:	Present
PZ Commissioner – Scott Freeman:	Excused
PZ Commissioner – Ken Roberts:	Arrived after meeting began at 6:40 p.m.
PZ Commissioner – Neal Thompson:	Present
PZ Assistant Planner – Lori Hunter:	Present

Other people in attendance were Brian Parker, McCall City Planner, and Brian Oakey, Valley County Prosecutor’s Office.

C. Work Session

• Impact Areas for Cascade, Donnelly, and McCall

Commissioners previously received packet with maps of the current impact areas and Idaho Statute 67-6526. The packet also included questions posted to you by the Valley County Board of County Commissioners. Recommendations are to be given to the Board of County Commissioners by November 1, 2022.

City impact area boundaries are based on (1) trade area; (2) geographic factors; and (3) areas that can reasonably be expected to be annexed to the city in the future.

For each of the three impact areas, the Planning and Zoning Commissioners should review respective Comprehensive Plan, impact area boundaries, and ordinances. The Commissioners shall make any recommendations for changes to the Valley County Board of Commissioners. The Board will then renegotiate the impact area boundaries and applicable ordinances. There is flexibility to devise a process that works.

The annexation process was discussed. If an area is going to be annexed into a city, the ordinances should be similar for future development. Property has to be in the impact area prior to an annexation by a city. Director Herrick is unsure if cities are required to provide services such as water and sewer within city limits. City councils are responsible for planning and density control within city limits. No change in tax revenue for cities until a property is annexed; properties within the impact area do not pay city taxes.

State statute requires a 10-year review of impact areas. Proposes can be made at any time. Cities must have a plan to annex impact area within a reasonable time.

Ordinances implement comprehensive plans. Conditional use permit applications and sewer water district planning within and near impact area boundaries was discussed.

The Cascade, Donnelly, and McCall Impact Areas are all handled differently at this time. The PZ Commissioners should discuss if the cities should control decisions within impact areas; which ordinances (County or City) should apply; or if some sort of hybrid model should be used. Negotiations between the city councils and the Board of County Commissioners have resulted in different negotiations for each city impact area.

Brian Oakey stated that impact areas are required by Idaho statute. He recommends that the Commissioners be mindful of each city's goals and objectives. The impact area boundaries put property owners on notice that they may be annexed in the future.

The impact areas are currently handled as listed:

1. Cascade Impact Area is currently under jurisdiction of Valley County and governed by Valley County Ordinances.
2. Donnelly Impact area is governed by Valley County Ordinances and the 2002 Donnelly Comprehensive Plan. The most recent Donnelly Comprehensive Plan (2014) was not adopted by the Board of County Commissioner.
3. McCall Impact Area is governed by the 2018 McCall Comprehensive Plan and McCall Ordinances. However, the Board of County Commissioners did not approve the expanded impact area that was within the 2018 Plan.

The Valley County GIS maps were used to view impact areas on the large screen. The Commissioners also have printed maps.

Cascade Impact Area

The current impact area boundaries were discussed as well as the expected growth area for the city of Cascade. The Valley County Comprehensive Plan and Valley County ordinances apply to the City of Cascade Impact Area.

The Crown Point area as well as an area around West Mountain Road was removed from the impact area in 2010 as the City of Cascade did not plan on annexing the area. Boundary changes were discussed. It makes sense to have the airport area within the impact area.

Recommendations discussed by the Commissioners:

1. Adjust the southern boundary northward at least a mile to the southern section line of T.13N R.4E Sections 7 and 8 (approximately from Bear Wallow Road eastward to State Highway 55 north of One-Eleven Way)
2. Move the northern boundary to include additional area west of Highway 55 and north of Warm Lake Road.
3. Continue to apply Valley County Comprehensive Plan and Valley County ordinances

Donnelly Impact Area

The current impact area was discussed as well as the expected growth area for the city of Donnelly. Donnelly Comprehensive Plan was discussed. The latest Donnelly Comprehensive Plan (2014) was not adopted by Valley County Board of County Commissioners due to errors and needed changes. Valley County ordinances currently apply to the City of Donnelly Impact Area.

Boundary changes were discussed. The Commissioners would like to know more specifics about the Donnelly Comprehensive Plan.

Recommendations discussed by the Commissioners:

1. Northern boundary of Wallace Lane makes sense.
2. Western boundary at the waterline of Lake Cascade makes sense.
3. Southern line at Barker Lane makes sense.
4. Eastern line should be modified to remove the large agricultural (pasture) area.
5. Change to apply Valley County Comprehensive Plan and Valley County ordinances.
6. In near future, recommend that the application of the Donnelly Comprehensive Plan be reconsidered once it has been redesigned.
7. The Board of County Commissioners should ask the City of Donnelly if they have any desire or plans to annex the area across the S-Bridge.

McCall Impact Area

The current impact area was discussed as well as the expected growth area for the city of McCall. Maps of the existing zoning map, impact area boundaries, and city limits were reviewed. The latest impact area boundary map was not adopted by Valley County Board of County Commissioners. Proposed changes were discussed. Currently the Board has adopted a mirror image of the McCall Comprehensive Plan and McCall ordinances. McCall has a joint planning and zoning commission that includes three representatives from the impact area. The joint commission makes recommendations for McCall and the McCall Impact Area. The final decision maker for the McCall Impact Area is the Board of County Commissioners.

The City of McCall wants to include additional area south to Johnson Lane. The city would like more control on development in the area around the airport. However, The McCall Airport personnel can comment on proposals within the area of the airport at this time. The Board of County Commissioners recently approved an additional requirement for building permits (FAA Form 7460-1).

Brian Parker, McCall City Planner, stated that McCall does not do forced annexation. People can apply to be annexed.

Building permit fees in the McCall Impact Area go to City of McCall. The city reviews building permits and does building inspections in the impact area. The Valley County Road Department has jurisdiction for roads within the impact area.

There are some things that aren't quite clear in the impact area. Short-term rentals in the McCall Impact Area were discussed; no one is requiring permits for them at this time. Other loopholes include large gatherings that do not require permits under City of McCall Code although a conditional use permit would be required for the same use in other areas of Valley County. The Sheriff will issue permit for a large gathering in McCall Impact Area. Enforcement in the impact area was discussed. The City of McCall investigates and writes reports which are forwarded to the Valley County

Prosecutors Office. There is confusion by the public if they should contact McCall or Valley County for violations within the impact area.

The effect of reducing the McCall Impact Area was discussed. The expectation of current property owners is that existing zoning will remain. Mr. Oakey asked the PZ Commissioners to consider if it makes sense to apply city ordinances if there is not an associated plan for annexation. Mr. Oakey stated that the joint planning and zoning commission is legal but the way it is currently being operated may not be. Clarification is needed to determine if all joint commission members should be voting on issues within the Impact Area. These procedures will be modified through this process and review.

The Commissioners discussed McCall's plans for future annexation and providing services. If subdivision proposals are adjacent to city services, the Commissioners agreed that it makes sense to expand the services and the city limits. There should be an organized plan to increase city limits. Utility providers have to have a master plan for service area.

The current zoning in the impact area was discussed. McCall does do development agreements. The Commissioners would like further discussion on the pros and cons on revising McCall impact area boundaries, particularly for the land currently managed by Idaho Department of Lands. The city of McCall does want to protect their drinking water which comes from Payette Lake.

The southeast boundary seems to be geographically drawn. White Cloud Subdivisions are currently split with a portion within the impact area. Valley County does maintain some of the roads within the White Cloud Subdivisions.

Recommendations discussed by the PZ Commission:

1. Boundary changes to include portion of Whitetail P.U.D. that was annexed into the city but outside the impact area boundary as well as part of RP18N02E130006 that has McCall city limits on three sides.
2. Include portion of River Ranch already in city limits but south of the current impact area boundary.
3. Removal of White Cloud Subdivisions from the impact area.
4. New ordinances for short-term rentals and events, and remove requirement of Accessory Dwelling Units (ADUs) in new shop/garage buildings
5. Modify Joint Planning and Zoning Commission to be lawful.
6. City of McCall shall submit an annexation plan

- **The review of the Valley County Comprehensive Plan will be discussed at a later time.**

ADJOURNED: 7:40 p.m.