

## **Addendum to Staff Report**

### **Valley County Comprehensive Plan Analysis of Portions Related to: Proposed Ordinance 2022-12 Removal of Exception to Subdivision Ordinance December 6, 2021 by Cynda Herrick, AICP, CFM, Planning and Zoning Director**

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It is intended that there will be a second step to this process. The subdivision ordinance will be amended to allow different types of subdivision plats such as Off-Grid Subdivisions, Short Plats, Record of Survey processes, review of all plats by the Board of County Commissioners, etc. in the near future.

The basis of this analysis is that in order to implement the portions of the Valley County Comprehensive Plan as listed in the following, review of all property splits not already in a legally platted subdivision, is needed. Select portions of the Plan guide review of divisions of land so as to meet the requirements.

(Chapter 14 Implementation)

Adoption of the Comprehensive Plan (Plan) will not ensure its success. The goals and objectives outlined in the Plan will only be realized if the necessary tools for implementation are fully utilized. The following are means of implementing the Plan and must be maintained if the Plan is to accomplish the desired results.

2. **SUBDIVISION ORDINANCE.** A revision of the existing Valley County Subdivision Ordinance shall be prepared by the Planning and Zoning Commission and proposed to the Board of County Commissioners for adoption.

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(Chapter 13 Land Use)

Of the 2,354,048 acres of land in Valley County, 2,147,983 acres are under federal, state, or county control. The remaining 206,065 acres are private.

12 Land-use patterns in Valley County have radically altered during the past decades away from the traditional agricultural-use pattern to one of recreation home and subdivision development. This rapidly evolving pattern, which places more demands on the environment and community than the former one, creates the need for a thoughtful response from the community to prevent future damages to the environment and community which attracted development here in the beginning.

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(Chapter 1 Purpose)

The purpose of this act shall be to promote the health, safety, and general welfare of the people of the State of Idaho, as follows:

- (a) To protect property rights, while making accommodations for other necessary types of development such as low-cost housing and mobile home parks.
- (b) To ensure that adequate public facilities and services are provided to the people at reasonable cost.
- (c) To ensure that the economy of the state and localities is protected.
- (d) To ensure that the important environmental features of the state and localities are protected.
- (e) To encourage the protection of prime agricultural, forestry and mining lands for the production of food, fiber and minerals.

- (f) To encourage urban and urban-type development within incorporated cities.
- (g) To avoid undue concentration of population and overcrowding of land.
- (h) To ensure that the development on land is commensurate with the physical characteristics of the land.
- (i) To protect life and property in areas subject to natural hazards and disasters.
- (j) To protect fish, wildlife, and recreation resources.
- (k) To avoid undue water and air pollution.
- (l) To allow local school districts to participate in the community planning and development process so as to address public school needs and impacts on an ongoing basis.

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#### (Chapter 2 Population)

Goal I: Accommodate growth and development while protecting quality of life within Valley County.

##### Objectives:

1. Maintain or improve existing levels of service as new growth occurs.
2. Evaluate the likely impact on the costs of services for new growth to ensure it does not create an undue hardship for Valley County residents.
3. Collaborate with other regional partners and communities.

Goal II: Retain the rural/small town character enjoyed by residents and visitors in Valley County.

##### Objective:

1. Consider the community's stated vision to retain its attractive rural character and existing advantages for the future: In 2030, Valley County will have more people and more businesses, but will retain the character of small towns in a rural setting.

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#### (Chapter 3 Private Property Rights)

Goal I: Protect individual private property rights while considering community rights.

##### Objectives:

1. Design all provisions of the Comprehensive Plan in order to protect both private property rights and the community's rights to have a safe and healthy community.
2. Protect private property from the negative effects of recreational uses (trespassing, property damage, opened gates) and nearby incompatible uses.
3. Protect each citizen in the community from unsafe and unhealthy conditions caused or worsened by activities, uses, structures, buildings or other factors located on someone else's

privately owned property.

4. Implement the Plan, in order: "...to ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property..."(Idaho Code section 67-6508(a)).
5. Design land use regulations to protect the health, safety, and welfare of the community, avoiding any unnecessary conditions, delays, and costs.
6. Protect all persons from being deprived of private property without due process of law.

*Staff Comment: Platting property does not create an undue hardship or create excessive restrictions or fees. Platting does promote consideration of community concerns and collaboration with other agencies and jurisdictions.*

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(Chapter 4 Natural Resources)

Goal I: Conserve and manage groundwater and surface water in all its forms in order to prevent depletion or pollution.

Objectives:

1. Orient watershed management practices toward the improvement and maintenance of ground and surface water quality throughout Valley County.
3. Encourage open space buffers adjacent to rivers and creeks in order to preserve riparian areas.
4. Promote agricultural practices which protect and improve water quality and the expansion of those practices.
5. Protect the recreational value of the county's water bodies and water courses.
6. Protect important riparian areas by:
  - a) Promoting the designation and mapping of critical areas.
  - b) Promoting the preservation of riparian habitats and stream conditions.
  - c) Promoting the rehabilitation and enhancement of degraded riparian habitat and stream conditions.
7. Encourage improvement of irrigation water management practices which conserve water and reduce ground and surface water pollution or contamination.
9. Encourage the retention of existing wetlands in order to protect water quality and establishment of new wetlands.

Goal II: Preserve and protect the rich natural resources, assets, property values, animals, and

people in Valley County from the threat of wildfire.

Objectives:

1. Promote planned developments through the use of the Wildland Urban Interface Fire Protection Plan portions of the Subdivision Regulations for new subdivisions.
2. Educate landowners about defensible space around new and existing structures.
3. Educate landowners on available resources.
4. Encourage landowners to annually treat hazardous vegetative fuels to reduce wildfire risk, increase water quality, and improve wildlife habitat.
5. Consider firewise implementation on private properties.

Goal III: To protect fish and wildlife as natural resources of critical importance in Valley County.

Objectives:

1. Valley County shall encourage:
  - a) Preservation, protection, and enhancement of wildlife and fish.
  - b) Preservation of open space buffers adjacent to rivers and creeks for wildlife and fish habitat.
  - c) Preservation of historical wildlife movement corridors.

Goal IV: To maintain sustainable commercial harvesting and use of renewable timber land resources.

Objective:

2. Support responsible and sustainable forest management activities, including logging and firewise activities.

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(Chapter 5 Hazardous Areas)

Goal II: To protect the health and safety of Valley County residents and visitors, structural and infrastructure assets, and wildlife/natural resources from wildfires and the aftermath of wildfires.

Objectives:

1. Recognize the Wildland-Urban Interface Wildfire Mitigation Plan portion of the All Hazard Mitigation Plan – commonly referred to as the County Wildfire Protection Plan (CWPP), an annually updated plan which includes a Wildfire Risk Assessment Map.
2. Utilize the Wildland Urban Interface Fire Protection Plan portion of the Subdivision Regulations to guide new and renewed applications toward recognizing wildland fire risk.

3. Encourage property owners to review the Wildfire Section of the All Hazard Mitigation Plan and reduce the wildland fire risk in their communities and areas of risk.
4. Encourage property owners in the WUI to be proactive and learn how to prepare and protect their homes and businesses from the threat of uncontrolled wildland fire. Each and every homeowner is personally responsible for creating and maintaining effective defensible space.

*Staff Comment: The only way to implement firewise management and the Wildland Urban Interface Protection Plan is through the subdivision platting process. The process assists with public education and development in the Wildland Urban Interface to reduce wildland fire risk.*

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(Chapter 6 Special Areas and Sites)

Goal I: To identify, protect and maintain historically significant buildings and sites within Valley County.

Objectives:

1. Promote continued identification and mapping of cultural and historical resources within the county.
2. Promote establishment of buffer zones surrounding historically significant buildings and sites.
3. Explore ways to provide incentives for owners of historically significant buildings to preserve and maintain them.

Goal II: To recognize the waterways and water bodies in Valley County as special areas.

Objectives:

3. Encourage retention of vegetation along specific waterways.

Goal III: To recognize important wildlife habitats.

Objectives:

1. Consider the needs of fish and wildlife in policies and regulations for the preservation of water quality.
2. Include consideration of the needs of the fisheries and wildlife resources of the areas in specific plans for the North Fork of the Payette River, and other watercourses or water bodies.
3. Consider the effects on wildlife ecosystems in development and special area protection decisions.

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(Chapter 7 Transportation)

Goal I: To improve county-wide transportation.

Objectives:

1. Maintain the comprehensive county wide transportation plan.
2. Encourage coordination of road construction and maintenance decisions between the various agencies with jurisdiction.
3. Encourage improving road conditions and better road maintenance, rather than construction of new roads.
6. Explore acquisition of abandoned railroad rights-of-way for use as future transportation corridors.
7. Continue to utilize a Road Surface Management System to prioritize future improvements.
8. Encourage participation of developers in Capital Improvements to roads by requiring them to contribute property or funds through Road Development Agreements.

Goal II: To ensure that roadways in new development are properly planned for good circulation, will provide for future expansion needs, and are aesthetically pleasing.

Objectives:

1. Discourage new development of permanent dead-end roads.
2. Encourage underground utilities in new developments.
3. Use design techniques for new development along Highway 55 and major collectors in order to reduce turning movements and preserve the safety and future capacity.

Goal IV: To develop a valley-wide pathway system.

Objectives:

1. Endeavor to develop a valley-wide pedestrian pathway system in Valley County that connects to the pathway systems now under planning and development in the City of McCall, the City of Donnelly, and the City of Cascade.
2. Work with developers who come forward with new subdivisions and other development projects to obtain easements and finished pathways in areas where the developments overlay key pathway corridors in Long Valley, as identified in the Valley County Concept Master Plan. The objective is to capture opportunities to develop new pathways as part of new developments when the developments overlay key pathway corridors. Easements obtained from developers should be held by Valley County government.

3. The Valley County Pathway Committee should work with the Valley County Road and Bridge Department to collaboratively look for opportunities to incorporate pedestrian and bicycling facilities into the design of road and bridge projects in areas where regional pathways are proposed and elsewhere.
4. The Valley County Pathways Committee should work with existing landowners and subdivision owners to obtain temporary and long-term access agreements to open key pedestrian pathway corridors to the general public. These negotiations should be done in a way that respects landowners' private property rights. Any temporary or long-term access agreements should be held by Valley County government.
5. Developers should be encouraged to develop neighborhood pathways, bike lanes and/or sidewalks in areas near regional pathway corridors so people living in adjacent neighborhoods can connect to the regional pathway system.
6. The Valley County Pathway Committee should work with the Valley County Road and Bridge Department to create multiple options for financing and maintaining a valley-wide pathway system.
7. Pathway systems should comply with minimum design standards and guidelines as outlined in the Idaho Bicycle and Pedestrian Plan.
8. After new pathways are built in Valley County, the Valley County Pathways Committee should work with the county to create a map and brochure of valley pathways.
9. A uniform signage system for Valley County pathways should be developed, and trailheads with rest rooms should be developed in strategic locations.

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## Chapter 8 Housing and Community Design

Goal III: To encourage innovative and attractive designs for new development, preservation of the rural flavor of the region, and protection of special areas.

### Objectives:

2. Encourage clustering of buildings within developments when it will preserve special areas, scenic views, or open space.
3. Encourage the preservation of views and rural openness as design considerations.
5. Encourage developers to promote the scenic aspects of existing water courses, forests, and natural topography as design considerations.
6. Discourage the use of continuous berms in scenic areas.
7. Encourage mitigation and reclamation of impacts created by hillside grading.

9. Promote buffers and screening between agricultural and non-agricultural uses.

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## Chapter 10 Recreation and Open Space

Goal I: To promote and support a viable recreation and tourism program that is in harmony with the Land Use section of this plan.

Objective:

2. Encourage new developments to provide and maintain on-site developed recreational facilities, parks, greenbelts, pathways, or open space.
4. Protect access to public lands.
5. Consider the county's natural resources which are important to recreation, such as open space areas; riparian areas; lakes, rivers and creeks; and, wildlife populations and habitats.

Goal II: To promote and support acquisition and protection of open space that is in harmony with the Land Use section of this plan.

1. To communicate with land trusts.
2. To promote clustering of structures in new developments so as to preserve open space while allowing density.

Goal III: To promote and support acquisition and protection of our trail systems and recreation sites.

1. To actively pursue identification of recreation trails that provide access to public lands.
2. To obtain easements to key trail systems.
3. To consider purchase of easements and property that is key to our recreation access points.
4. Continue to develop facilities and infrastructure for all recreation uses.

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## Chapter 11 Public Facilities, Utilities and Services

Goal I: To establish a Capital Improvements Program.

Objectives:

1. Prevent the effect new growth has on costs for services so that it does not drive up the costs for services to the point where they cause a hardship for Valley County citizens.
2. Recognize that levels of service vary throughout the county and are dependent upon numerous factors.



3. Land purchasers in remote developments shall be furnished a brochure, tailored after Colorado's Code of the West, explaining that levels of services may be limited to their properties.

Goal II: To assure that new development pays for its own impacts on facilities, utilities, and services.

Objectives:

1. Ensure that necessary infrastructure improvements for new development shall be provided for prior to need. Coordination of utilities and services with land use plans will maximize efficiency and minimize costs.
2. New development shall not be allowed to overload existing services.

Goal III: To promote and protect the livability, vitality, and social needs of the residents of the county.

Objectives:

1. Promote the highest level of fire protection possible given existing and anticipated needs and resources.
2. Ensure the continued functioning of existing irrigation systems.
3. Encourage the development of adequate water and sewer systems that meet current and anticipated needs while protecting the public health.
4. Encourage the development of solid waste disposal systems that safely meet the current and anticipated needs of the county and its municipalities; and, to include the encouragement of recycling.
5. Minimize environmental pollution.
6. Promote cultural enrichment and creative pursuits by establishing appropriate public facilities and services.
7. Achieve coordination and integration of development efforts throughout the county as they are affected by various local, state and federal agencies.
8. Encourage development of uniform codes and ordinances which take into account the area's climate.
9. Establish procedures by which residents will be informed and involved in local government.
10. Cooperate with agencies to reduce the threat of wildland fire to remote areas or private property.

11. Promote the use and development of alternative energy uses.

Goal IV: Coordinate with providers to develop plans for energy services and public utility facilities for the long-term energy and utility needs of Valley County.

(Facilities)

1. Promote the development of energy services and public utility facilities to meet public needs.
2. Encourage the enhancement of the capacity and reliability of renewable energy resources.
3. Encourage the multiple-use of utility corridors by utility providers.
4. Support longer term (10 year) conditional use permits to enable utilities to purchase sites well in advance of needing to build substations.
5. Support siting of utility corridors within identified or designated transportation corridors and allow the appropriate placement of facilities on public rights-of-way.
6. Recognize need of siting of utility corridors to ensure that they connect to similar facilities in adjacent jurisdictions.
7. Impacts should be kept to a minimum and mitigated in a way so as not to jeopardize wetlands and other critical areas while recognizing that electric facilities sometimes must cross these areas; and, be conscious that access is essential for repair and maintenance of the facilities, so long as impacts are kept to the least amount of impact.

(Sustainability & Energy Efficiency)

1. Promote conservation of energy through support of public education, incentives and other tools that encourage conservation.
2. Adopt and implement guidelines and standards for energy conservation practices.
3. Encourage LEEDS (Leadership in Environment and Energy Design) certification for all construction including public buildings.
4. Create and use incentives for energy-efficient design in private development and construction.
5. Partner with Idaho Power to develop and promote sustainability programs for new construction and development as well as for existing businesses and homes.
6. Encourage the enhancement of the capacity and reliability of renewable energy resources.

### (Economic Development)

1. Recognize the need for utility facilities that are sufficient to support economic development.
2. Encourage Idaho Power to make additions to and improvements of electric utility facilities that provide adequate capacity for projected growth.
3. Encourage Idaho Power to work with Valley County to provide periodic update of population, employment, and development projections. The County and Idaho will seek to jointly evaluate actual patterns and rates of growth, and compare such patterns and rates to electrical demand forecasts.

### (Other Services and Utilities Goals)

1. Encourage all utilities to be under ground at the time of development.
2. Designate the general locations and visual impacts of existing and proposed electric facilities.
3. Work to encourage communication and cooperation on landscape, design and locating future facilities to limit visual impacts.
4. Encourage Idaho Power to establish sites for new electric facilities before development occurs and provide sufficient buffers and setbacks from residential use.

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### Chapter 13 Land use

Goal I: Retain the rural atmosphere of Valley County by protecting its natural beauty and open characteristics and preserving its historical and scenic beauty.

#### Objectives:

1. Encourage those land use practices that protect and reserve the best agricultural land for agricultural use.
2. Promote the control of despoilers of natural beauty by:
  - a) Promoting rural fire protection.
  - b) Promoting protection and improvement of waters ways.
  - c) Improving aesthetic values by maintaining minimum stream flow and holding lake and reservoir levels high.
  - d) Control particulate, noise, light, and air pollution.
3. Discourage scattered, sprawling, haphazard suburban development by:
  - a) Controlling suburban development on open foothills.
  - b) Continuing to implement land use planning in order to avoid conflicts with non-compatible uses.
  - c) Encouraging development in timbered areas and in compact subdivisions thus facilitating better use of utilities, road maintenance, police, and fire protection.

4. Emphasize natural beauty when designing projects, such as bridges, roadways, commercial buildings, subdivisions, and homes.
5. Promote coordination and communication among the federal, state, and county agencies and private land owners.
6. Relate future county development to natural site advantages and limitations such as soil, slope, water table, view, flood hazards, and wind direction. Recognition of such factors will produce optimum development and prevent hazardous and costly conditions from developing.

Goal II: Increase the economic value of privately owned land in Valley County.

Objectives:

1. Increase the production of land consistent with recommended BMPs.
2. Guide marginal land and wasteland into more profitable uses depending upon the basic resources and the local situation by:
  - a) Selecting better crops -- plan well-adapted varieties.
  - b) Considering establishment of forestry plantings, wind-breaks, and attractive shrubs and trees.
  - c) Developing attractive residential areas in select locations.
  - d) Developing more recreational areas.

Goal III: Develop a policy of clean-up and fix-up.

Objectives:

1. Encourage roadside beautification and the beautification of existing buildings.
2. Promote the removal of dilapidated, useless buildings, yet preserving those of historical value.
3. Promote the removal of unsightly debris.
4. Encourage the removal of diseased and dying trees.
5. Encourage owners to plant hardy trees, shrubs, and flowers for windbreaks and scenic purposes.
6. Promote spring clean up days in cooperation with the cities.