

# Boise County Planning & Zoning ULO Open House Presentation

Idaho City, Garden Valley  
and Horseshoe Bend  
October, 2014

# Open House Purpose

- Present Boise County's Planning and Zoning Commission's Unified Land Use Ordinance (ULO) content overview
- Make ULO soft and hard copies available to the public for review and comment
- Address questions
- Take public comment

# ULO DEVELOPMENT HISTORY

- January 2012: Board hired a Consultant to work with the P&Z Commission, Board and P&Z Staff to combine all land use ordinances and resolutions into one document.
- January 2012 to Sept. 2014: Joint Committee public workshops to develop the final draft of the ULO.

# ULO Development Mission

Condense, simplify and solidify all current land use ordinances into one unified land use ordinance

# ULO Formatting

- Table of Contents: by Chapter and Section
- Chapters (i.e. Chapter 1)
- Sections with the Chapter
  - (i.e. Chapter 1, Section 1.1)
- Subsections within the Sections
  - i.e. Chapter 1, Section 1.2: 1.2.A, 1.2.B etc.

# ULO Purpose

- 1<sup>st</sup> Comply with the State of Idaho Local Land Use Planning Act, I.C. Title 67, Chapter 65
- 2<sup>nd</sup> Comply with Goals and Objectives of the Boise County Comprehensive Plan, all 12 Chapters.

# ULO Purpose

- Provide
  - Land and development regulations for the county
  - For variances
  - Standards for the construction of public and private roads
  - For designation of hazardous development sites
  - For administration, appeals, amendments, severability, enforcement, penalties, publications and effective dates

# ULO Purpose

- Set
  - Authority, purpose, scope and definition of terms
  - Standards and review procedures
  - Standards and procedures for the subdivision of property
  - Standards and procedures to mitigate risks to life and property from wildland fires
  - Standards and procedures to minimize losses due to floods

# ULO Purpose

- Set
  - Standards and procedures for street naming and addressing
  - General sign regulations
  - Procedures for mitigation of subdivision impacts on school district services
  - Procedures for issuance of building permits and certificates of occupancy or completion

# ULO Content

- Chapter 1: General Regulations
- Chapter 2: Administrative Procedures
- Chapter 3: Regulations Applying to **All** Districts
- Chapter 4: Land Uses
- Chapter 5: Subdivision Regulations
- Chapter 6: Planned Unit Development
- Chapter 7: Planned Community

# Chapter 1: General Regulations

- **Applicability**
  - ULO regulations apply to all real property, buildings, structures or attached fixtures in Boise County outside of any incorporated city.
  - Applies to everyone who plans development in Boise County including developers, residents, districts, departments and county employees
- **Responsibility**
  - Requirements apply to property owner of record or their lawfully designated agent or applicant

# Chapter 1: General Regulations

- If conflicts occur between different ULO regulations, the most restrictive shall apply.
- Building permit and fee required for any structure 200 square feet or larger, or inhabited structure of any size
- All domestic sewage disposal facilities must be approved and a permit issued by the Central District Health Authority
- Definition of terms used in the ULO

# Material Changes-Chapter 1

- Chapter 1 (pg. 9 Section 1.12)
  - Definitions combined from all current ordinances and resolutions
  - Added definitions for clarity
  - Updated some definitions for clarity

# Chapter 2: Administrative Procedures

- P&Z Duties
  - Administrator
  - Commission
  - County Commissioners
- Application Procedures
- Land Use Hearings
- Schedule of Fees
- Variances

# Chapter 2: Administrative Procedures

- Appeal Procedures
- Violations, Enforcement Procedures and Penalties
- Show Cause Hearing
- ULO Amendments

# Material Changes-Chapter 2

- Chapter 2
  - P&Z Commission
    - Will not make final decisions on Conditional Use Permits (pg. 32 Subsection 2.2.A.4)
    - Will be a recommending body to the Board on all land use applications (pg. 32 Subsection 2.2.A.2), same as current ordinances
  - Board of County Commissioners
    - Final decision maker on all land use applications (pg. 33 Subsection 2.3.A.1)
    - Hear reconsiderations (pg. 45 Subsection 2.10.B)

# Material Changes-Chapter 2

## Chapter 2 continued

### — Application Procedures

- At least one (1) pre-application meeting with the Administrator is required (pg. 33 Subsection 2.4.A)

### — Decision by P&Z Administrator

- Recommendation to the Board on a Subdivision Exception (pg. 38 Subsection 2.5.F.1) for final decision

# Material Changes-Chapter 2

## Chapter 2 continued

- Public Hearing & Recommendation by P&Z Commission (pg. 38 Subsection 2.5.G)
  - Recommendation to the Board for final decision on Conditional Use Permit applications and all land use subdivision applications.
- Public Hearing & Decision by the Board (pg. 39 Subsection 2.5.H)
  - Board holds a public hearing and makes final decision on all land use or land development applications.

# Material Changes-Chapter 2

- Mitigation Contract (pg. 41 Subsection 2.7)
  - Provides for applicant to voluntarily enter into an agreement with the County for the proposed use or development.
- Time Extensions (pg. 42 Subsection 2.8)
  - Written Findings required
- Variances (pg. 43 Subsection 2.9)
  - Written Findings required
- Appeal Procedures (pg. 44 Subsection 2.10)
  - Reconsideration then Appeal

# Material Changes-Chapter 2

- Violations, Enforcement Procedures and Penalties
  - Enforcement Procedures (pg. 45 Subsection 2.12.B) notification and time to respond
  - Criminal Penalty (pg. 46 Subsection 2.12.C.1): infraction, each separate instance or day of violation shall constitute a separate offense.
- Show Cause Hearing (pg. 46 Subsection 2.13)
  - Alternative for the resolution of a land use violation prior to directing the Prosecuting Attorney to file criminal charges or to seek a civil court order

# Chapter 3: Regulations Applying to All Districts

- Standard Regulations
  - All developed lots or parcels must have access to a public road.
- Lot Requirements
  - Base Lot Size
  - Height Restrictions
  - Setbacks
- Public and Private Roads
- Road Construction Specifications

# Chapter 3: Regulations Applying to All Districts

- Off-Street Parking Requirements
- Street Naming and Address Numbering
- Sign Regulations
- Building Permits, Requirements and Fees

# Material Changes-Chapter 3:

- Surety Agreements (pg. 51 Subsection 3.1.G)
  - Surety agreement and deposit shall also be required of any public improvements for which the County participates in the initial or matching payment portion of a project.
- Sign Regulations
  - No portable signs on wheeled trailers or vehicles (pg. 88 Subsection 3.6.A.2.c)
- Building Permits Time Extension (pg. 94 Subsection 3.7.H)

# Chapter 4: Land Uses

- Base District
  - Multiple Use Zone District
  - General Types of Uses
    - Allowed
    - Conditional
    - Not Allowed
    - Sub Area Plan
  - Tables of Uses
  - Nonconforming Property Use or Structure

# Chapter 4: Land Uses

- Conditional Uses
- Wildland-Urban Interface Regulations
- Flood Damage Prevention Regulations
- Hazardous Development Site Regulations

# Material Changes-Chapter 4

- Base District (pg. 95 Subsection 4.1.A and 4.1.B.4) addition of “sub-area plan”
- Additional uses added to the CUP Tables (pgs. 96-101)
- CUP appeals follow Section 2.10 (pg. 107 Subsection 4.3.F)

# Material Changes-Chapter 4

- Wildland Urban Interface-Outdoor Fires (pg. 109 Subsection 4.4.E) follows the County Burn Ban Ordinance
- Flood Damage Prevention Setback requirements (pg. 50 Subsection 3.1.E.2)

# Chapter 5: Subdivision Regulations

- Purpose: To provide a process for land owners to legally modify, adjust, consolidate, combine, or divide their real property ...
- Documentation (required)
- Restrictions
- Approval
- Street and Utilities
- Storm Water Management

# Chapter 5: Subdivision Regulations

- Sediment/Erosion Control
- Fire Protection
- Transportation Impact
- Fire Protection
- Protective Covenants
- Preliminary Plat
- Final Plat Review
- Amendments/Vacation of Subdivision Plats or Parts Thereof

# Material Changes-Chapter 5

- Subdivision Exceptions, fka Administrative Exceptions, pg. 126 Section 5.4
  - Final approval by the Board
  - One Time Division (fka Family Split) pg. 127, Subsection 5.4.A.4
  - Probate Estate or Court Order, pg. 127 Subsection 5.4.A.6, transfer of ownership only
  - Mortgage or Deed of Trust Split, pg. 128 Subsection 5.4.A.9, clarifies process

# Material Changes-Chapter 5

- Subdivisions pg.128-143
  - Minor Subdivision has been removed
  - Subdivision may be 2 lots or more
  - No change to Preliminary and Final plat procedures
  - Reconsideration of Board decisions prior to appealing to District Court

# Chapter 6: Planned Unit Development

- Provisions Governing Planned Unit Development (PUD)
- Ownership Requirements
- Approval
- Mixed Uses
- Design Standards
- Common Open Space
- Utility Requirements

# Chapter 6: Planned Unit Development

- Procedures for PUD Application
- Preliminary Development Plan
- Commission Recommendation
- Board Decision
- Final Development Plan
- Action by the Commission
- Action by the Board (of County Commissioners)
- Amendments/Vacation of PUD/Parts thereof

# Material Changes-Chapter 6

- No material changes were made to this chapter

# Chapter 7: Planned Community

- Purpose: To provide standards for the review of Planned Communities
- Planned Community Requirements
- Application Requirements
- Process
- Process for Subsequent Development
- Required Findings
- Approval
- Amendments/Vacation of Planned Community Plan/Parts Thereof

# Material Changes-Chapter 7

- No material changes were made to this chapter

# Questions



# Written Public Comment Instructions

- Public Comment forms can be found:
  - On the table in the back of the room
  - On the Boise County website:  
[www.boisecounty.us/](http://www.boisecounty.us/) on the left side click on the “public comments” (in red), will take you to the public comment form to submit
  - From the P&Z Department office

# Written Public Comments

- Written public comments may be submitted tonight, hand delivered to the P&Z Dept. in Idaho City, mailed to the P&Z Dept. , scanned and emailed to the email address on the website, or sent via the internet.
- **DEADLINE FOR WRITTEN PUBLIC COMMENTS IS:  
5:00 P.M. ON OCTOBER 16, 2014.**

# ORAL COMMENTS

- **Oral comments will be taken at all public hearings:**
  - **P&Z Commission on October 16<sup>th</sup> 6:30 p.m. at the Boise County Courthouse, Idaho City**
  - **Board of County Commissioners**
    - **Dec. 2, 2014, 4:30 p.m. Idaho City**
    - **Dec. 3, 2014, 4:30 p.m. Garden Valley**
    - **Dec. 4, 2014, 4:30 p.m. Horseshoe Bend**