



Valley County Planning & Zoning Commission

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Todd Hatfield, Chairman
Harry Stathis, Vice-Chairman

Ed Allen, Commissioner
Rob Garrison, Commissioner
Tom Olson, Jr., Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: August 25, 2009

TIME: 6:00 p.m. – 7:00 p.m.

LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present: Chairman Todd Hatfield, Rob Garrison, Tom Olson, Jr., Harry Stathis, and Ed Allen were present. Staff member present: Cynda Herrick, AICP, Planning and Zoning Administrator.

OLD BUSINESS:

Impact Fees – Amendment to Comprehensive Plan: The Planning and Zoning Commission held a public hearing in order to hear testimony on amendments to the Valley County Comprehensive Plan. The amendment includes adoption of Capital Improvement Plans (CIP) for the Donnelly Rural Fire Association and the Valley County Sheriff's Department.

Chairman Hatfield announced the item and asked for a Staff Report. Staff gave Staff Report.

Chairman Hatfield opened the public hearing.

Chairman Hatfield asked for proponents:

Juan Bonilla, Donnelly Rural Fire, made the following comments:

- P&Z continues to debate impact fees.
- All parties should agree to work together while taking into consideration current residents.
- Development has not paid for itself.
- Tamarack LLC has not established a mitigation agreement.
- There is more traffic, more people, etc and has caused more incidents.
- Run volume has continued to rise.
- Grass roots people have paid and will continue to pay through taxes, volunteerism, membership dues, and as voters to establish taxing districts.

- Reason for impact fees is that current means of revenue generation only pays for maintenance and operation.
- Submitted new CIPs. (exhibit 1)
- Stated Star News article was wrong concerning calculated impact fees, and satellite station in Lake Fork.
- Asked Commission take into consideration funding of new development.
- Stated the CIP submitted tonight was correct – does not know why Westcott changed numbers.

Commissioner Garrison asked about \$42,000 on CIP – Juan stated it came from Wescott. Commissioner Garrison asked why square footages were reduced. Juan said that this was a minimum square footage. After discussion confirmed calculations and made changes -- Juan said Wescott's math was incorrect.

Chairman Hatfield asked for undecided. There were none

Chairman Hatfield asked for opponents.

Ray Moore, Board of Realtors, McCall, ID, made the following comments:

- Submitted IC 67-8207 (exhibit 2)
- Growth does pay for itself.
- Building department generates enough net income to fund all departments.
- Subdivision new growth more than offsets demand of growth.
- Analysis of fire department financials shows Donnelly has enough money to fund budget.
- Every claim he has made he has backed up with facts.
- Anne Wescott has not even done an analysis of financial statements, which law requires.
- If you have enough money you do not need to add a new tax.
- When does it end?
- Donnelly had 1,000% raise in budget in last few years.
- Stated Donnelly has more than enough.
- New EMS district? Fire mitigation? When does it stop?
- Consultant and DRF said P&Z does not need to be concerned with anything but CIP and whether they are sized appropriately....that is where handout shows different.
- Do not let them discount the Commission.
- Requirements of IDAFA have not been met.

Dave O'Brien, 58 Joshua Drive, made the following comments:

- Concurs with realtors' board.
- Growth does pay for itself.

Carolyn Plehal, Cascade, ID, made the following comments:

- Questions legality.
- Believes Commission should protect residents from litigation.
- Has serious questions about consultant report that was done.

Chairman Hatfield closed the public hearing.

Commissioner Olson said he is disappointed in the consulting firm. He has never heard from consultant. Legality is a big problem and is opposed to the impact fees.

Commissioner Allen made the following comments:

- He came into the process with a different mind set – new development should chip in.
- State statutes do not require developers to pay impact fees – it is the home builder who pays – this is a common misunderstanding.
- We have been able to fund improvements in the past.
- Grass roots people have or have not paid a big share.
- Mr. Moore did a great job pointing out a lot of problems.

Commissioner Stathis made the following comments:

- Thinks impact fees help a district.
- If someone wants to build a big hotel – do you wait until it is needed – then it is too late.
- Agrees with Tom – need to get some of our money back.
- He missed June meeting and it was an important one.

Commissioner Garrison made the following comments:

- We need to do exactions. The way state code reads we can't according to Matt Williams, because we don't actually rezone. We are hung up in law.
- We need to pursue having state code changed.
- 1.5 million in court fund is to build capital improvements.
- Advisory committee should have caught a lot of stuff that we have found.
- Whole process is skewed.
- Not just Idaho is suspending Impact Fees – all across the country people are not collecting Impact Fees because economy needs to be stimulated.
- Managing the impact fees will be a nightmare.
- Does not agree with consultant that if you don't meet your goal you just drop down the list.
- We are not complying with the law with the current Impact Fee Study.
- Impact fees do not hit the developer – they are paid by the homeowner.

Commissioner Stathis asked if impact fee will stymie lots sales? Commissioner Garrison explained it hits the guy who is building and trying to make it. Commissioner Stathis said lots will continue to sale.

Commissioner Garrison believes exactions are better way to go – even with two year lag in taxes -- exactions are up front and the developer pays them.

Commissioner Allen stated that if current funding is working then we need to look at alternatives for the future.

Chairman Hatfield stated that it will hurt affordable housing, because for a large house it will be very little impact and for a small house it will be a large percentage.

- study is flawed from the beginning
- it is not an accurate honest report
- current system is working and is working legally

The Commission reviewed and made changes to the recommendations in the staff report.

Commissioner Allen moved to make a recommendation to the Board to not pursue impact fees based upon conclusions as presented in the staff report with changes. Commissioner Garrison seconded the motion.

Discussion ensued:

Commissioner Stathis questioned whether the change was due to bad impact fee study. Commissioner Allen stated fire departments need to have a comfort level with future capital improvements. Commissioner Garrison stated he agreed with impact fees until he understood them and what Idaho code requires – understands needs of service providers.

Chairman Hatfield called for a vote. Motion carried. Commissioner Stathis voted nay.

Meeting adjourned 7:00 p.m.