

# Valley County Planning & Zoning Department

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208-382-7115



## Accessory Dwelling Unit (ADU) (Administrative Permit)

Valley County Code Section 9-4-7

TO BE COMPLETED BY THE PLANNING AND ZONING DEPARTMENT

ADU PERMIT #: \_\_\_\_\_

FEE: \$ 50.00  Check # \_\_\_\_\_ or  Cash

ACCEPTED BY: \_\_\_\_\_

DATE RECEIVED: \_\_\_\_\_

CROSS REFERENCE FILE(S): \_\_\_\_\_

DATE ISSUED: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### The following must be completed and submitted with this application:

- ❖ A **site plan**, drawn to scale, showing the following:
  - **Existing or new structures**
  - **Setbacks from property lines, other buildings, high-water line, etc.** Structures over three (3) feet in height shall be subject to single family residential setback requirements.
  - **Parking:** The ADU must have one parking space which is in addition to those required for any other structure on the property. Parking shall not be in a road right-of-way or in a setback area.
  - **Lighting:** Height and type of fixtures (max of 20', 3000 lumens, fully shielded – VCC Title 6-2)
  - **Lot Coverage Maximum:** All structures, parking lots, fire pits, and impervious areas cannot cover more than 35% of the lot.
  - **Square Footage:** The square footage of the ADU may not exceed the lesser of 1,000-sqft or 50% of the square footage of the primary structure, excluding open storage areas, garages, and carports
- ❖ **Pictures and/or Drawings:** The ADU must utilize design elements of the primary structure to maintain consistency and signify its subordinate relationship to the primary structure. These elements may include roof pitch, siding, structure shape and placement, etc. The exterior appearance of the structure must be compatible with the primary structure.
- ❖ **An approved permit** from the Idaho Central District Health (CDH) or central sewage treatment facility such as North Lake Recreational Sewer and Water District. See Question #6

Valley County Code 9-4-7 is online at [www.co.valley.id.us](http://www.co.valley.id.us) or at the Planning & Zoning Office.

OWNER: \_\_\_\_\_ PHONE #: \_\_\_\_\_

OWNER'S MAILING ADDRESS: \_\_\_\_\_ ZIP \_\_\_\_\_

EMAIL ADDRESSES: \_\_\_\_\_

TAX PARCEL NUMBER: \_\_\_\_\_ SITUS ADDRESS OF PROPERTY: \_\_\_\_\_

SUBDIVISION NAME – LOT/BLOCK (IF APPLICABLE): \_\_\_\_\_

SIZE OF PROPERTY: \_\_\_\_\_ Acres  or \_\_\_\_\_ Square Feet

DESCRIBE ANY EXISTING LAND USES OR STRUCTURES:

\_\_\_\_\_

\_\_\_\_\_

**STANDARDS:**

1. ADUs are permitted only when one of the residences on the property is owner-occupied. Owner-occupied structure does not need to be the primary residence. Ownership cannot be fractional or timeshare ownerships. Please initial that you are aware of this restriction: \_\_\_\_\_

2. The ADU cannot be used as a commercial use, bed and breakfast, or short-term rental use without a conditional use permit. Sleeping quarters only are not considered an ADU; however, sleeping quarters cannot be rented. Please initial that you are aware of this restriction: \_\_\_\_\_

3. If used as a permitted residential rental property, an ADU must be rented for a minimum of more than thirty (30) days (not as a weekly or daily rental). Please initial that you are aware of this restriction: \_\_\_\_\_

4. The square footage of the ADU may not exceed the lesser of 1,000-sqft or 50% of the square footage of the primary structure, excluding open storage areas, garages, and carports.

What is the square footage of the primary residence? \_\_\_\_\_

What is the proposed square footage of the ADU? \_\_\_\_\_

5. Check ( ✓ ) all which apply for the ADU:

\_\_\_ Attached to primary structure

\_\_\_ Attached to the garage

\_\_\_ Free-standing

6. Describe Design Features:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. The ADU must meet all requirements of the Idaho Central District Health (CDH) with respect to the provision of individual potable water and sewage disposal facilities, portable holding tanks, or have a permit from an approved central sewage treatment facility. The ADU must not adversely impact others within the neighborhood from obtaining a permit for septic, sewer, or well if the neighbor has not constructed their first residence on their neighboring lot.

**Check ( ✓ ) all which apply and attach approval from CDH or sewage treatment facility for the ADU.**

\_\_\_ Individual potable water

\_\_\_ Individual septic system

\_\_\_ Permit from sewage treatment facility

## REQUIREMENTS AND DEFINITIONS:

ACCESSORY DWELLING UNIT (ADU): Secondary living unit on a single-family lot. An ADU contains its own kitchen, sleeping area, and bathroom facilities. ADUs can be attached or detached from the primary residential unit. ADUs are subordinate in size, location, and appearance to the primary dwelling unit. ADUs are commonly referred to as mother-in-law apartments, ECHO homes (elder cottage housing opportunities), guest cottages, caretaker cottages, garden cottages, carriage houses, or rental units.

ADUs are permitted only when one of the residences on the property is owner-occupied. Owner-occupied structure does not need to be the primary residence. Ownership cannot be fractional or timeshare ownerships.

The ADU cannot be used as a commercial use or bed and breakfast use without a conditional use permit. Sleeping quarters only are not considered ADUs.

If used as a permitted residential rental property, an ADU must be rented for a minimum of more than thirty (30) days (not as a weekly or daily rental).

[If the ADU changes from a long-term rental to a short-term rental or is constructed with the intent of being a short-term rental property of 30 days or less, then a conditional use permit will be required and must be in compliance with the rules of the state tax commission under Chapter 36, Title 63, Idaho Code.](#)

The ADU permit will be a condition of the building permit.

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## PROCEDURE:

- An application for an ADU shall be submitted to and reviewed by the Planning and Zoning Administrator for completeness prior to issuance of the permit.
  - The administrator shall determine whether the exterior appearance of the ADU is compatible with the primary structure.
  - The Valley County Planning and Zoning Office will notify property owners within 300 ft of the property boundaries and active Home/Property Owner Associations.  
\_\_\_\_\_ (DATE COMPLETED)
  - Objections to the application must be written and received by the Planning and Zoning Administrator within 10 working days. Objections must give specific grounds and facts upon which the objection is based. If the Planning and Zoning Administrator determines that objections are sufficient to warrant a conditional use permit, the applicant shall be notified promptly that a conditional use permit is required.  
\_\_\_\_\_ (OBJECTION DATE DEADLINE)
  - If there are no objections within 10 working days, the ADU will be issued an administrative permit and be a permitted use.  
\_\_\_\_\_ (DATE ISSUED)
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