



ONEIDA COUNTY COMMISSIONERS

Bill Lewis, Chairman – Ken Eliason – Brian Jeppsen

10 Court Street, Malad, Idaho 83252

Public Hearing – Development Code – APA, RV, Zone Amendment CAFO, LCF, WUI

09 DECEMBER 2024 – 1:00 PM *RECORDING 241209-0099 #1,
241209-0099 #2, 241209-0103, 241209-0105, 241209-0107*

IN ATTENDANCE

County Commissioners Bill Lewis, Brian Jeppsen, Ken Eliason, P&Z Administrator Rhonda Neal, Attorney Lyle Fuller

AGENDA ITEM

Proposed Development Code Amendments: File 24-0038 D-Code Amendment for APA, RV Modification to language (P&Z hearing 11/6/24) and File 24-0031 D-Code Amendment for WUI, PUD, AFO (P&Z hearing was 10/2/24)

The hearing was opened by Commissioner Bill Lewis who reminded all that comments would be limited to the issue at hand. Notices were posted per Idaho Code. P&Z Administrator Rhonda Neal then presented the proposed amendments.

After each amendment was presented, commissioners returned to the regular meeting for deliberation and then returned to the hearing to hear the presentation on the next item.

Commissioner Lewis made a motion to amend the agenda to cover the first public hearing amendment file 24-0038 and make a decision on that before moving into the public hearing for file 24-0031. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

APA-RV Modification

- Chapter 4G-4 proposed adding provisions regarding time limits and conditions for using recreational vehicles (RV) as primary living quarters.

- It was proposed to add a new chapter (Chapter 8) to incorporate the Agricultural Protection Act, with accompanying definitions added to the definitions section of the Ordinance.
 - The APA is automatically renewable unless the owner notifies planning and zoning in writing prior to the renewal.

Public Comment - None

Commissioner Lewis motioned to move out of the hearing and into the regular meeting for deliberation on the RV and APA amendments. Seconded by Commissioner Eliason. All ayes. Motion carried.

The commissioners moved back into the public hearing for file number 24-0031 for development code amendment for WUI, PUD, AFO.

WUI

If living outside the primary areas designated on the risk map, owners must clear a 30-foot space around the property as defense against fire.

Modifications to chapter 3A were proposed to clarify the scope of the Wildlife-Urban Interface Overlay District.

Participation in the Wildlife Urban Interface (WUI) grants some assurance. It is a good-faith statement to the federal government that our county is doing what we can to minimize risks.

Public Comment

John Williams with the Oneida County Fire Department said that the purpose is to help us be fire wise. The thirty-foot space needs to be groomed, mowed down, and modified to something different than what is next to it. This is not being forced on us by the federal government. Adopting the WUI shows good faith and a desire to be fire wise.

Steve Daniels with Planning and Zoning stated the purpose of this is to protect your neighbor and cited statistics that as much as 80% of wildfires in Idaho are caused by people. Chapter 5 concept plan is for everyone to use. It tells the planning and zoning commission what standard to follow.

Commissioner Jeppsen questioned what enforcement would look like if adopted and stressed that it would be effective from the adoption date (and not retroactive). Adoption can be controversial; enforcement can be challenging. Commissioner Jeppsen also wondered if there would be any

incentives with insurance companies for complying with the wildlife urban interface.

Commissioner Lewis views this as advice. Good for all homeowners and it should be incorporated now to minimize threats to home and property when a fire starts.

Commissioner Lewis motioned to move out of deliberation and into regular meeting for a decision on Wildlife Urban Interface (WUI). Seconded by Commissioner Jeppsen. All ayes. Motion carried.

The commissioners moved back into the public hearing.

AFO - Livestock Confinement

It was proposed to modify chapter 1 and chapter 2A-3 regarding definitions regarding Animal Feed Operation (AFO) Small, Animal Feed Operation (AFO) Large, Feed Lot, and Livestock Confinement Facility, and clarified conditions for their use, including when such operations require a conditional use permit.

Public Comment

Steve Daniels with Planning & Zoning researched multiple counties. Nearly all had detailed charts, by animal type, and used them to model a version that best matches the needs of the county that protects those who are here as well as those coming in. Feels like it is reasonable and protects our county. Also likes the idea of contiguous operations.

Commissioner Lewis motioned to move out of the hearing and into the regular meeting to deliberate Animal Feed Operations (AFO). Seconded by Commissioner Jeppsen. All ayes. Motion carried.

The commissioners moved back into the public hearing.

PUD

Proposed clarification for chapter 5 that concept plans would be required for all conditional use permits, and outlining the process for concept plan approval.

Proposal to amend Chapter 2 to provide that a zoning designation may include Planned Unit Development (PUD) or Development Agreement (DA) on the official map to guide future development; and that approval of a Planned Unit Development (PUD) requires rezoning and a Development Agreement (DA) as well as a conditional use permit.

Public Comment - None

Commissioner Lewis motioned to move out of the public hearing and back into the regular meeting in order to make a decision on planned unit development (PUD). Seconded by Commissioner Eliason. All ayes. Motion carried.

The commissioners moved back into the public hearing.

Development Agreement (DA) / Concept Development Plan

Moving language to a new place in the development code because it was originally placed in the wrong area. This encapsulates everything needed for a concept plan.

Public Comment - None

The public hearing was adjourned as commissioners moved back to the regular meeting.

Commissioner Lewis motioned to move out of the public hearing and back into the regular meeting in order to make a decision on the concept development plan. Seconded by Commissioner Eliason. All ayes. Motion carried.