



# SUBDIVISION ORDINANCE

Passed 6-10-2019  
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SUBDIVISION ORDINANCE  
ORDINANCE NO. 175

AN ORDINANCE OF THE COUNTY OF CAMAS, IDAHO, REPEALING ORDINANCE NO.152, PROVIDING SUBDIVISION REGULATIONS; GENERAL PROVISIONS; DEFINITIONS; PROCEDURE FOR SUBDIVISION APPROVAL; DESIGN STANDARDS; IMPROVEMENT STANDARDS; SPECIAL DEVELOPMENT SUBDIVISIONS; VACATIONS AND DEDICATIONS; VARIANCES; DETECTION OF VIOLATION, ENFORCEMENT AND PENALTIES; AMENDMENT PROCEDURES; AFFIRMING THAT PRESCRIBED NOTICE AND HEARING REQUIREMENTS WERE MET IN ACCORDANCE WITH TITLE 67, CHAPTER 65, IDAHO CODE; ADOPTING AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, after sending mailings, holding public workshops and public hearings, and providing legal notice, all according to law, the County Commissioners of Camas County, Idaho, unanimously voted to approve the 2019 Subdivision Ordinance; and

WHEREAS, the Camas County Commissioners hereby find that the proposed 2019 Subdivision Ordinance complies with all provisions of the Idaho Code; and

NOW THEREFORE BE IT ORDAINED BY THE CAMAS COUNTY COMMISSIONERS THAT Ordinance No.175, is hereby adopted by the Camas County Commissioners on June 10, 2019, and is as follows:

Section 1: Repeals Ordinance 152 and any amendments.

Section 2: Enacts this Ordinance, to be known as the Subdivision Ordinance, hereby attached as Exhibit A, of Camas County, which contains the following chapters:

Article I	General Provisions
Article II	Definitions
Article III	Procedure for Subdivision Approval
Article IV	Design Standards
Article V	Improvement Standards
Article VI	Special Development Subdivisions
Article VII	Vacations and Dedications
Article VIII	Variances
Article IX	Detection of Violation, Enforcement and Penalties
Article X	Amendment Procedures

Section 3: This ordinance shall be in full force and become effective upon publication.

The full text of Ordinance No. 175 is available for public inspection during normal office hours at the office of the Camas County Planning and Zoning Administrator.

ADOPTED by the Camas County Commissioners of Camas County, Idaho, this 10<sup>th</sup> day of June, 2019.

By \_\_\_\_\_  
Travis Kramer, County Commissioner

By \_\_\_\_\_  
Marshall Ralph, County Commissioner

By \_\_\_\_\_  
Galen Coulter, County Commissioner

ATTEST:

\_\_\_\_\_  
Kori Blodgett, County Clerk

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## ARTICLE I

### GENERAL PROVISION

#### SECTION A. TITLE

These regulations shall be known and cited as the Camas County Subdivision Regulations, hereinafter referred to as the “Subdivision Ordinance.”

#### SECTION B. AUTHORITY

These regulations are authorized by Title 50, Chapters 12 and 13 of the Idaho Code, as amended or subsequently codified.

#### SECTION C. PURPOSE

The purposes of these regulations are to promote the public health, safety, and general welfare, and to provide for:

1. The harmonious development of the area.
2. The coordination of streets and roads within the subdivision with other existing or planned streets and roads.
3. Adequate open space for travel, light, air and recreation.
4. Adequate transportation, water drainage and sanitary facilities.
5. The avoidance of the subdivision of land that would result in either of the following:
  - a. The lack of water supply, sewer service, drainage, transportation, or other public services.
  - b. The unnecessary imposition of an excessive expenditure of public funds for the supply of such services.
6. The requirements as to the extent and the manner in which:
  - a. Roads shall be created and improved.
  - b. Water and sewer and other utility mains, piping connections, or other facilities shall be installed.
7. The manner and form of making and filing of any plat.
8. The administration of these regulations by defining the powers and duties of approval authorities.

#### SECTION D. JURISDICTION

These regulations shall apply to the subdividing of all lands within the unincorporated territory of Camas County, excepting the Area of Impact of the City of Fairfield, and as provided under the requirements of Section 50-1306, Idaho Code as amended or subsequently codified.

#### SECTION E. INTERPRETATION

All subdivisions as herein defined shall be submitted for approval by the Board and shall comply with the provisions of these regulations. These regulations shall supplement all other regulations, and where at variance with other laws, regulations, ordinances or resolutions, the more restrictive requirements shall apply.

#### SECTION F. ADMINISTRATION

The Board shall appoint an administrator to carry out the provisions as herein specified and to serve at the pleasure of the commission. The administrator shall receive and process all subdivision applications.

#### SECTION G. COMBINING OF PERMITS

The commission is hereby required to coordinate with other departments and agencies concerning all permits that may be required in this ordinance and previously or subsequently adopted Camas County ordinances. A one-stop permit application and processing procedure may be developed with the respective departments and agencies for the purpose of reducing errors, misunderstanding, confusion and unnecessary delay for everyone involved.

#### SECTION H. SEVERABILITY

Where any word, phrase, clause, sentence, paragraph, or section, or other part of these regulations are held invalid by a court of competent jurisdiction, such judgment shall affect only that part so held invalid.

## ARTICLE II

### DEFINITIONS

#### SECTION A. INTERPRETATION OF TERMS OR WORDS

Terms or words used herein shall be interpreted as follows:

1. The present tense includes the past or future tense, the singular includes the plural, and the plural includes the singular.
2. The word “shall” or “will” is mandatory; “may” is permissive; and the word “should” is preferred.
3. The masculine shall include the feminine.

#### SECTION B. MEANING OF TERMS OR WORDS

- **ADMINISTRATOR:** An official, having knowledge of the principles and practices of subdividing, and who is appointed by the board to administer this ordinance.
- **BLOCK:** A group of lots, tracts, or parcels within well-defined boundaries, usually streets.
- **BOARD:** The Board of County Commissioners of Camas County, Idaho.
- **BUILDING:** A structure designed or used as the living quarters for one or more families, or a structure designed or use for occupancy by people for commercial or industrial uses.
- **BUILDING SETBACK LINE:** An imaginary line established by a zoning ordinance that requires all buildings to be set back a certain distance from lot lines.
- **BUILDING SITE:** An area proposed or provided and improved by grading, filling, excavation or other means for erecting pads for buildings.
- **CEMETERY:** A lot that has been platted for the selling of sites for the burial of animal or human remains.
- **CITY:** The city having jurisdiction of the parcel of land under consideration.
- **COMMISSION:** The Camas County Planning and Zoning Commission, appointed by the Board.



- **COMPREHENSIVE PLAN:** An adopted document that herein may be referred to as a comprehensive plan or comprehensive development plan. The document shall show the general location and extent of present and proposed development, including, but not limited to, housing, industrial and commercial uses, streets, parks, schools and other community facilities.
- **CONDOMINIUM:** An estate consisting of an undivided interest in common in real property, in an interest or interests in real property, or in any combination thereof; together with a separate interest in real property, in an interest or interests in real property, or in any combination thereof. (Section 55-101B, Idaho Code).
- **COUNTY RECORDER:** The office of the Camas County Recorder.
- **COVENANT:** a written promise or pledge.
- **CUL-DE-SAC:** A street connected to another street at one end only and provided with a turn-around space at its terminus.
- **CULVERT:** A drain that channels water under a bridge, street, road or driveway.
- **DEDICATION:** The setting apart of land or interests in land for use by the public by ordinance, resolution, or entry in the official minutes as by the recording of a plat. Dedicated land becomes public land upon the acceptance by the Board.
- **DEVELOPER:** Authorized agent(s) of a subdivider or the subdivider himself.
- **DEVELOPMENT:** A subdivision.
- **DWELLING UNIT:** Any building or other structure proposed or built for the occupancy by people.
- **EASEMENT:** A grant by a property owner to specific persons or to the public to use land for specific purposes. Also, a right acquired by prescription.
- **ENGINEER:** Any person who is licensed in the State to practice professional engineering.
- **FLOOD PLAIN:** The relatively flat area or low land adjoining the channel of a river, stream, lake or other body of water which has been or may be covered by water of a flood of one hundred year frequency. The flood plain includes the channel, floodway and floodway fringe, as established per the engineering practices as specified by the Army Corps of engineers, as follows:
  - a. "Flood of one hundred year frequency" shall mean a flood magnitude that has a one percent (1%) chance of being equaled or exceeded in any given year.
  - b. "Flood" shall mean the temporary inundation of land by overflow from a river, stream, lake, or other body water.
  - c. "Channel" shall mean the natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water.
  - d. "Floodway" shall mean the channel or a watercourse and those portions of the flood plain adjoining the channel, which are reasonably required to carry and discharge the flood water of any watercourse.

- e. “Flood Fringe” shall mean that part of the flood plain that is beyond the floodway. Such areas will include those portions of the flood plain which will be inundated by a flood of one hundred year frequency but which may be developed when such development will not have a significant effect upon the floodwater carrying capacity of the floodway and the flood water levels. Shallow flood depths and low velocities of water flow characterize such areas.
- **GOVERNING BODY:** The Board of County Commissioners of Camas County, Idaho.
- **HILLSIDE SUBDIVISION:** Any subdivision, or portion thereof, having an average slope of ten percent (10%) or more.
- **HIGHWAY:** A street designated as a highway by an appropriate State or Federal agency.
- **IMPROVEMENT:** Any alteration to the land or other physical constructions associated with subdivision and building site developments.
- **LARGE SCALE DEVELOPMENT:** A subdivision, the size of which consists of twenty (20) or more lots or dwelling units.
- **LOT:** A parcel, plot, tract, or other land area of suitable size as required in these regulations and the existing zoning ordinance; and created by subdivision for sale, transfer or lease.
- **LOT AREA:** The area of any lot shall be determined exclusive of street, highway, alley, road, or other rights of way.
- **LOT TYPES:** As used in these regulations, lot types are as follows:
  - a. Corner Lot is a lot located at the intersection of two or more streets.
  - b. Interior Lot is a lot other than a corner lot, with frontage on only one street.
  - c. Through Lot or double frontage lot is a lot with frontage on more than one street other than a Corner Lot.
- **MANUFACTURED HOME (formerly MOBILE HOME):** Means a structure, constructed according to HUD/FHA mobile home construction and safety standards, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. All manufactured homes built before June 1976 must meet the State of Idaho’s Department of Building Safety standards, and HUD standards. This is in regard to electrical, plumbing and installation of stabilizing systems.
- **MINOR SUBDIVISION: SHORT PLAT (See Article III Sect. C, 5.)**
- **MOBILE HOME SUBDIVISION:** A subdivision designed and intended for exclusive mobile home residential use.
- **MONUMENT:** Any permanent marker either of concrete, galvanized iron pipe, or iron or steel rods, used to identify any tract, parcel, lot or street lines, as specified in Section 50- 1303, Idaho Code.

- **OPEN SPACE:** An area open to the sky for outdoor recreation activity, exclusive of streets, buildings, or other covered structures.
- **ORIGINAL PARCEL OF LAND:** Defined as: A lot or tract as recorded on any plat or record on file in the office of the Camas County Recorder including Government Lots, Tax Lots and Patented Mining Claims or any unplatted contiguous parcel of land held and of record on or before November 12, 1974.
  1. Original parcels of land may be split one time. Each resulting parcel is entitled to a building permit subject to the following:
    - a. No parcel shall be less than one acre in size with the length and width to comply with county standards.
    - b. The parcel shall comply with county, state, and federal guidelines regarding water wells and sewage disposal.
- **OWNERSHIP:** The individual, firm, association, syndicate, partnership, or corporation having any interest in the land to be subdivided.
- **PERFORMANCE BOND:** An amount of money or other negotiable security paid by the subdivider or his surety to the Camas County Clerk and Recorder which guarantees that the subdivider will perform all actions required by the governing body regarding an approved plat, and provides that if the subdivider defaults and fails to comply with the provisions of an approved plat, the subdivider or his surety will pay damages up to the limit of the bond, or the surety will itself complete the requirements of the approved plat.
- **PLANNED UNIT DEVELOPMENT SUBDIVISION:** A subdivision designed as a combination of residential, commercial and industrial uses planned for a tract of land to be developed as a unit under single ownership or control, which is developed for the purpose of selling individual lots or estates, whether fronting on private or dedicated streets, which may include two or more principal buildings.
- **PLAT:** The drawing, mapping, or planning of a subdivision, cemetery, townsite or other tract of land or a re-platting of such including certifications, descriptions and approvals:
  - a. Preliminary Plat – the first formal presentation by drawings of a proposed subdivision.
  - b. Final Plat – the final and formal presentation by drawings of an approved subdivision development, the original and one copy of which is filed with the Camas County Clerk and Recorder.
- **RESERVE STRIP:** A strip of land between a partial street and adjacent property that is reserved or held in public ownership for future street extension or widening.
- **RIGHT OF WAY:** A strip of land dedicated or reserved for use as a public way, which normally includes streets, sidewalks and other public utilities or service areas.
- **SHORT PLAT:** A plat of five (5) lots or less.
- **STANDARD SPECIFICATIONS:** Shall be the specifications as specified in this ordinance or as officially adopted by the Board.

- **STREET:** A right of way that provides access to adjacent properties the dedication of which has been officially accepted by the Board of Commissioners. The term “street” also includes the terms highway, thoroughfare, parkway, road, avenue, boulevard, lane, place, and other such terms.
  - a. Alley – A minor street providing secondary access at the back or side of a property otherwise abutting a street.
  - b. Minor – A street that has the primary purpose of providing access to abutting properties.
  - c. Collector – A street designated for the purpose of carrying traffic from minor streets to other collector streets and/or arterial streets.
  - d. Arterial – a street designated for the purpose of carrying fast and/or heavy traffic.
  - e. Loop – A minor street with both terminal points on the same street of origin.
  - f. Cul-de-sac – A street connected to another street at one end only and provided with a turn-around space at its terminus.
  - g. Frontage – A minor street, parallel to and adjacent to an arterial street to provide access to abutting properties.
  - h. Partial – a dedicated right of way providing only a portion of the required street width, usually along the edge of a subdivision or tract of land.
  - i. Private – A street that is not accepted for public use or maintenance which provides vehicular and pedestrian access. (Private streets may not be allowed where there is a need for public access to adjacent lands.)
- **STATE:** The State of Idaho.
- **SUBDIVIDER:** A subdivider shall be deemed to be the individual, firm, corporation, partnership, association, syndicate, trust, or other legal entity that executes the application and initiates proceedings for the subdivision of land in accordance with the provisions of this ordinance. The subdivider need not be the owner of the property; however, he shall be an agent of the owner or have sufficient proprietary rights in the property to represent the owner.
- **SUBDIVISION:** The result of an act of dividing an original lot, tract, or parcel of land into more than two parts for the purpose of transfer of ownership, the dedication of a public street, and the addition to, or creation of a cemetery. However, this ordinance shall not apply to any of the following:
  - a. An adjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width, depth or building setback lines of each building site below the minimum zoning requirements, and does not change the original number of lots in any block of the recorded plat.
  - b. An allocation of land in the settlement of an estate of a decedent or a court decree for the distribution of property.
  - c. The unwilling sale of land as a result of legal condemnation as defined and allowed in the Idaho Code.
  - d. Widening of existing streets to conform to the Comprehensive Plan.

- e. The acquisition of street rights of way by a public agency in conformance with the Comprehensive Plan.
  - f. The exchange of land for the purpose of straightening property boundaries that does not result in the change of the present land usage.
  - g. The division of land into a minimum of eighty (80) acre lots.
  - h. For the growing of agricultural crops including grass, shrubs and trees.
- **SURVEYOR:** Any person who is licensed in the State as a public land surveyor to do professional surveying.
  - **UTILITIES:** Installations for conducting water, sewage, gas, electricity, television, storm water, and similar facilities providing services to and used by the public.
  - **VARIANCE:** A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of this ordinance would result in unnecessary and undue hardship.
  - **VICINITY MAP:** A small scale map showing the location of a tract of land in relation to a larger area.

## ARTICLE III

### PROCEDURE FOR SUBDIVISION APPROVAL

#### SECTION A. SUBDIVISION REQUIRED

Any person desiring to create a subdivision as herein defined shall submit all necessary applications to the Administrator. No final plat shall be filed with Camas County recorder or improvements made on the property until the plat has been acted upon by the Commission and approved by the Board. No lots shall be sold until the final plat has been recorded in the office of the Camas County Recorder.

It shall be required that the subdivider be represented in all stages of subdivision approval procedure by an individual authorized to make any required changes to the proposal or plat. This person shall attend all meetings or hearings at which the proposed subdivision is to be considered. No consideration shall be given a subdivision proposal unless said person attends the meeting or hearing. Notice will be given the subdivider of all meetings at which the subdivision proposal will be considered.

#### SECTION B. PRE-APPLICATION

1. APPLICATION: The subdivider may submit a pre-application to enable the Administrator to review and comment on the proposed subdivision. The pre-application shall include at least one (1) copy of a sketch plan. The sketch plan shall include the entire developmental scheme of the proposed subdivision, in schematic form and including the following:
  - a. Compliance of the proposed development with existing local or state policies, goals, and objectives or comprehensive plans.
  - b. Determination if additional special permits or ordinance conflicts, such as rezone, special development permit, conditional use permits, or variance are needed, and the manner of coordinating such permits.
  - c. Consideration of any unique environmental features or hazardous concerns that may be directly or indirectly associated with the subject property, such as areas that have been designated by the State as area of critical environmental concern, unique plant or animal life, flood plain, airport flight pattern, etc.
  - d. Consideration of local and state agencies that the subdivider should contact before preparing a preliminary plat.

#### SECTION C. PRELIMINARY PLAT

1. APPLICATION: The subdivider shall file with the Administrator a completed subdivision application and preliminary plat data as required in this ordinance.

2. COMBINING PRELIMINARY AND FINAL PLATS: The applicant may request that the subdivision application be processed as both a preliminary and final plat if all the following exist:
  - a. The proposed subdivision does not exceed five (5) lots.
  - b. No new street dedication or street widening is involved.
  - c. No major special development considerations are involved, such as development in a flood plain, hillside development, etc.
  - d. All required information for both preliminary and final is complete and in an acceptable form.
3. CONTENT OF PRELIMINARY PLAT: The contents of the preliminary plat and related information shall be in such a form as stipulated by the Commission; however, any additional maps or data deemed necessary by the Administrator might also be required. The subdivider shall submit to the Administrator at least the following:
  - a. Two (2) copies of the Preliminary Plat of the proposed subdivision, drawn in accordance with the requirements hereinafter stated. Each copy of the Preliminary Plat shall be on good quality paper, shall have dimensions of not less than 24 inches by 36 inches, shall be drawn to a scale of legible size, shall show the drafting date, and shall indicate thereon, by arrow, the generally northerly direction. Additionally, twelve (12) legible size 18x27 and twenty (20) legible size, 11x17 shall also be submitted.
  - b. Two (2) sets of preliminary engineering plans for streets, water, sewers, sidewalks and other required public improvements; however, such engineering plans shall contain sufficient information and detail to enable the County to make a determination as to conformance of the proposed improvements to applicable regulations, ordinances, and standards.
  - c. A written application requesting approval of the Preliminary Plat.
  - d. Appropriate information that sufficiently details the proposed development within any special development area, such as hillside, planned unit development, flood plain, cemetery, mobile home park, large scale development, hazardous and unique area of development.
4. REQUIREMENT OF PRELIMINARY PLATS: The following shall be shown on the Preliminary Plat or shall be submitted separately:
  - a. The name of the proposed subdivision.
  - b. Proof of ownership or interest.
  - c. Title Report showing any existing easements and the last deed to the property.
  - d. The names, addresses and telephone numbers of the subdivider(s) and the engineer or surveyor who prepared the plat.
  - e. The name and address of all adjoining owners of property within 300 feet of the owner of the subdivision's property.
  - f. The legal description of the subdivision.

- g. A statement of the intended use of the proposed subdivision, such as: residential single family, two family and multiple housing, commercial, industrial, recreational, or agricultural, and a showing of any sites proposed for parks, playgrounds, schools, churches or other public uses.
  - h. A map of the entire area scheduled for development, if the proposed subdivision is a portion of a larger holding intended for subsequent development.
  - i. A vicinity map showing the relationship of the proposed plat to the surrounding area (1/2-mile minimum radius, scale optional).
  - j. The land use and existing zoning of the proposed subdivision and the adjacent land.
  - k. Streets, street names, rights of way and roadway widths, including adjoining streets or roadways.
  - l. Lot lines and blocks, showing the dimensions and numbers of each.
  - m. Contour lines, shown at five (5) feet intervals where land slope is greater than ten percent (10%), and at two (2) feet intervals where land slope is ten percent (10%) or less, referenced to an established bench mark, including location and elevation.
  - n. A site report as required by the South-Central District Health Department where individual wells or septic tanks are proposed.
  - o. Any proposed or existing utilities, including, but not limited to, storm and sanitary sewers, irrigation laterals, ditches, drainages, bridges, culverts, water mains, fire hydrants, and their respective profiles.
  - p. A copy of any proposed or existing deed restrictions and/or CCR's.
  - q. Any dedications to the public and/or easements, together with a statement of location, dimensions, and purpose of such.
  - r. Any additional required information for special developments as specified in Article VI of this ordinance.
  - s. A statement as to whether or not a variance, as specified in Article VIII, will be requested with respect to any provision of this ordinance describing the particular provision, the variance requested, and the reasons therefore.
  - t. All adjacent land that the subdivider may intend to subdivide in the future with a sketch of the proposed future subdivisions.
5. MINOR SUBDIVISION: SHORT PLAT A subdivision application may be processed as a Minor Subdivision if all of the following exist:
- a. The proposed subdivision does not exceed five (5) lots.
  - b. The proposed subdivision does not involve special development considerations, such as lying within the Flood Plain Overlay District, Critical Area District, Tourism Overlay District, Streamside Overlay District, and is not a Hillside and foothill Area Development.
  - c. All required information for the preliminary plat is complete.



When the Planning and Zoning Administrator deems the minor subdivision preliminary plat application complete and valid, and all relevant agencies have been notified, the Administrator may then take the preliminary plat to the Board of County Commissioners for their review and decision. The Planning and Zoning Commission is not engaged in the review of a minor subdivision preliminary plat application, unless the Administrator requests their review.

6. ADMINISTRATOR REVIEW:

- a. **ACCEPTANCE:** Upon receipt of the preliminary plat, and all other required data as provided for herein, the Administrator shall accept the application as complete and shall affix the date of application acceptance thereon. He may, thereafter, place the preliminary plat on the agenda for consideration at the next regular meeting of the Planning and Zoning Commission or Board of Commissioners that is held no less than ten (10) days after said date of acceptance nor more than forty-five (45) days thereafter.
- b. **REVIEW BY OTHER AGENCIES:** The Administrator shall refer the preliminary plat and application to as many agencies as deemed necessary. Such agencies may include the following:
  - (1). Other governing bodies having joint jurisdiction.
  - (2). The appropriate utility companies, irrigation companies or districts and drainage districts.
  - (3). The Superintendent of the school district.
  - (4). Other agencies having an interest in the proposed subdivision.
- c. **ADMINISTRATOR REVIEW:** upon expiration of the time allowance for department and agency review, the Administrator shall prepare a staff report for the Planning and Zoning Commission or Board of Commissioners.

7. PUBLIC NOTIFICATION:

- a. **NOTIFICATION TO PROPERTY OWNERS:** The Administrator shall notify all adjoining property owners, per Idaho code, who appear on the list of property owner's names and addresses that have been provided by the subdivider. Such written notification shall be mailed at least fifteen (15) days prior to the Public Hearing.
- b. **FAILURE TO NOTIFY:** The Administrator's failure to comply with notification provision shall not invalidate the Commission's action, provided the spirit of the procedure is observed.

8. COMMISSION ACTION:

- a. **HEARING BY COMMISSION:** Within a reasonable time, the Commission shall review the preliminary plat, comments from concerned persons and agencies and the report from the Administrator to arrive at a recommendation on the preliminary plat.
- b. **COMMISSION'S RECOMMENDATION:** In reviewing the proposed subdivision the Commission shall consider the objectives of this ordinance and at least the following:
  - (1). The conformance of the subdivision with the comprehensive development plan.
  - (2). The availability of public services to accommodate the proposed development.
  - (3). The continuity of the proposed development with the capital improvement program.
  - (4). The public financial capability of supporting services for the proposed development.
  - (5). The other health, safety or environmental problems that may be brought to the Commission's attention.
- c. **ACTION ON THE PRELIMINARY PLAT:** (Approval of a final plat shall be contingent upon the filing of a weed control plan with the county weed supervisor). The Commission may recommend, conditionally recommend, not recommend, or table the preliminary plat for the additional information or deliberation. Such action shall occur within thirty (30) days of the date of the regular meeting at which the Commission first considers the plat. The Administrator shall forward a statement of the action taken and recommendations, together with a copy of the preliminary plat to the Board for their information and decision.
- d. **APPROVAL OF THE PRELIMINARY PLAT:** After the Board has received the Commission's recommendation on the preliminary plat, the Board shall review the administrative record and approve, conditionally approve, deny, or table the preliminary plat for additional information within thirty (30) days of the date of the regular meeting at which the plat is first considered. The Board may also, at its discretion, hold an additional public hearing on the preliminary plat.

The Board's final action, and the reasons for such action shall be stated in writing, and forwarded to the applicant.

- e. **ACTION ON COMBINED PRELIMINARY AND FINAL PLAT:** If the Commission's conclusion is favorable to the subdivides request for the subdivision to be considered as both a preliminary plat and final plat, then a recommendation shall be forwarded to the Board in the same manner as herein specified for a final plat. The Commission may recommend that the combined application be approved, approved conditionally or disapproved.
9. **APPEALS:** Any person or aggrieved party who appeared in person or writing before the Commission or the subdivider may appeal in writing the decision of the Commission relative to the final action taken by the commission. Such appeal must be submitted to the Board within ten (10) days from such Commission action.
11. **APPROVAL PERIOD:**
- a. Failure to file and obtain acceptance of the final plat application by the developer within one (1) year after action by the Board shall cause all approvals of said preliminary plat to be null and void, unless an extension of time is applied for by the subdivider and granted by the Board.
  - b. In the event that the development of the preliminary plat is made in successive contiguous segments in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of one (1) year may be considered for final approval without resubmission for preliminary plat approval.

#### **SECTION D. FINAL PLAT**

1. **APPLICATION:** After the approval or conditional approval of the preliminary plat, the subdivider may cause the total parcel, or any part thereof, to be surveyed and a final plat prepared in accordance with the approved preliminary plat. The subdivider shall submit to the administrator the following:
- a. Three (3) copies of the final plat.
  - b. Three (3) copies of the final engineering construction drawings for streets, water, sewers, sidewalks, and other public improvements.

2. CONTENT OF FINAL PLAT: The final plat shall include and be in compliance with all items required under Title 50, Chapter 13 of the Idaho Code and shall be drawn at such a scale and contain lettering of such size as to enable the same to be placed on one sheet of 18 inch by 27 inch drawing paper, with no part of the drawing nearer to the edge than one (1) inch. The final plat shall include at least the following:
  - a. A written application for approval of such final plat as stipulated by the Board.
  - b. Proof of current ownership of the real property included in the proposed final plat.
  - c. Such other information as the Administrator or Board may deem necessary to establish whether or not all proper parties have signed and/or approved said final plat.
  - d. Conformance with the approved preliminary plat and meeting all requirements or conditions thereof.
  - e. Conformance with all requirements and provisions of this ordinance.
  - f. Acceptable engineering practices and local standards.
  
3. ADMINISTRATOR REVIEW:
  - a. **ACCEPTANCE**: upon receipt of the final plat, and compliance with all other requirements as provided for herein, the Administrator shall accept the application as complete and shall affix the date of acceptance thereon.
  - b. **RESUBMITTAL OF FINAL PLAT**: The administrator shall review the final plat for compliance with the approved or conditionally approved preliminary plat. If the Administrator determines that there is substantial difference in the final plat than that which was approved as a preliminary plat or conditions that have not been met, the Administrator may require that the final plat be submitted to the Commission in the same manner as required in the preliminary plat process.
  - c. **SUBMISSION TO THE BOARD**: Upon the determination that the final plat is in compliance with the preliminary plat and all conditional requirements have been met, the Administrator shall place the final plat on the board agenda within forty-five (45) days from the date that an acceptable final plat application was received and acknowledged by the Administrator.

4. AGENCY REVIEW: The Administrator may transmit one copy of the final plat, or other documents submitted, for review and recommendation to the departments and agencies as he deems necessary to ensure compliance with the preliminary approval and/or conditions of preliminary approval. Such agency review shall also include the construction standards of improvements, compliance with the health standards, the cost estimate for all improvements and the legal review of the performance bond.
5. BOARD ACTION: The Board at its next meeting following receipt of the Administrator's report shall consider the Commission's recommendations, and comments from concerned persons and agencies to arrive at a decision on the final plat. The Board shall approve, approve conditionally, disapprove, or table the final plat for additional information within thirty (30) days of the date of the regular meeting at which the plat is first considered. A copy of the approved plat shall be filed with the Administrator.
6. APPROVAL PERIOD: Final plat shall be filed with the County recorder within one (1) year after written approval by the Board; otherwise, such approval shall become null and void unless prior to said expiration date and extension of time is applied for by the subdivider and granted by the Board.
7. METHOD OF RECORDING: Upon approval of the final plat by the Board, the subdivides prepayment of recording fees for construction of offsite improvements or posting of surety bond, and the inclusion of the following signatures on the final plat, the Developer shall submit the final plat to the Camas County recorder for recording:
  - a. Certification and signature of the Board verifying that the subdivision has been approved.
  - b. Certification and signature of the Camas County Clerk, the Camas County Engineer, and the Camas County Road Supervisor verifying that the subdivision meets the Camas County requirements and has been approved by the board.
  - c. The Camas County Treasurer that all taxes have been paid.
  - d. Certification of the sanitation restrictions on the face of the plat per section 50-1326, Idaho Code, and as amended hereafter.
  - e. Verify that the right of way has been dedicated to the County if required
8. SPLITTING SUBDIVISIONS: No lot of an approved recorded subdivision can be split and a parcel thereof be transferred or sold without filing a subdivision plat as required herein.

## ARTICLE IV

### DESIGN STANDARDS

#### SECTION A. MINIMUM DESIGN STANDARDS REQUIRED

All plats submitted pursuant to the provisions of this ordinance, and all subdivisions, improvements and facilities done, constructed or made in accordance with said provisions shall comply with the minimum design standards set forth hereinafter in this Article; provided, however, that any higher standards adopted by the Camas County Road and Bridge Department, Idaho Transportation Department (ITD) or the South Central District Health Department shall prevail over those set forth herein.

#### SECTION B. DEDICATION

Within a proposed subdivision, all streets shall be dedicated to the county for public use unless they are deemed to be private streets.

#### SECTION C. LOCATION

Street and road location shall conform to the following:

1. **STREET LOCATION AND ARRANGEMENTS:** When an official street plan or comprehensive development plan has been adopted, subdivision streets shall conform to such plans.
2. **MINOR STREETS:** Shall be so arranged as to discourage their use by through traffic.
3. **STUB STREETS:** Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall be such that said streets extend to the boundary line of the tract to make provisions for the future extension of said streets into adjacent areas. A reserve strip may be required and held in public ownership.
4. **RELATION TO TOPOGRAPHY:** Streets shall be arranged in proper relation to topography so as to result in usable lots, safe streets and acceptable gradients with due consideration for snow removal.
5. **ALLEYS:** Alleys shall be provided in high density or commercial subdivisions unless other provisions are made for service access and off-street loading and parking. Dead-end alleys shall be prohibited in all cases.

6. FRONTAGE ROADS: Where a subdivision abuts or contains a major arterial street, it shall be required that there be frontage roads approximately parallel to and on each side of such arterial street; or, such other treatment as is necessary for the adequate protection of residential properties and to separate through traffic from local traffic.
7. CUL-DE-SAC-STREETS: Cul-de-sac streets shall comply with the International Fire Code and/or the Idaho State Fire Code and/ or Camas County Street Construction Standards.
8. HALF STREETS: Half streets shall be prohibited except where unusual circumstances make it necessary to the reasonable development of a tract, in conformance with this ordinance, and where satisfactory assurance for dedication of the remaining part of the street is provided. Whenever a tract to be subdivided borders on an existing half or partial street, the other part of the street shall be dedicated within such tract.
9. PRIVATE STREETS: Private streets and roads may be allowed including those within planned unit developments. (See Camas County Street Construction Standards.)

#### SECTION D. SPECIFICATIONS

1. STREET RIGHT OF WAY WIDTHS: street and road right of way widths shall conform to the adopted major street plan or comprehensive development plan and the rules of ~~ITD~~ or Camas County Street Construction Standards.
2. STREET GRADES: Street grades and street alignment shall follow good engineering practices and shall be approved by the County Engineer. (See. Camas County Street Construction Standards)

#### SECTION E. STREET NAMES

1. Street names shall not duplicate any existing street name within the county except where a new street is a continuation of an existing street; street names that may be spelled differently but sound the same as existing streets shall not be used.
2. All new streets shall be named as follows: Streets having a predominantly north-south direction shall be named "Avenue" or "Road"; streets having a predominantly east-west direction shall be named "Street" or "Way"; meandering streets shall be named "Drive", "Lane", or "Trail", and cul-de-sacs shall be named "Circle", "Court", and "Place".

## SECTION F. INTERSECTIONS

Intersections shall conform to the following:

1. **ANGLE OF INTERSECTION:** Streets shall intersect at ninety (90) degrees or as closely thereto as possible, and in no case shall streets intersect at less than seventy (70) degrees.
2. **SIGHT TRIANGLES:** minimum clear sight distance at all minor street intersections shall permit vehicles to be visible to the driver of another vehicle when each is one hundred (100) feet from the center of the intersection.
3. **NUMBER OF STREETS:** No more than two (2) streets shall cross at any one intersection.
4. **“T” INTERSECTIONS:** “T” intersections may be used wherever such design will not restrict the free movement of traffic.
5. **CENTERLINE OFFSETS:** Street centerlines shall be offset by a distance of at least one hundred twenty-five (125) feet.
6. **VERTICAL ALIGNMENT OF INTERSECTION:** A nearly flat grade with appropriate drainage slopes is desirable within intersections. This flat section shall be extended a minimum of one hundred (100) feet each way from the intersection. An allowance of two percent (2%) maximum intersection grade in rolling terrain, and four percent (4%) in hilly terrain, will be permitted.

## SECTION G. PEDESTRIAN WALKWAYS

Right of way for pedestrian walkways in the middle of long blocks may be required where necessary to obtain convenient pedestrian circulation to schools, parks or shopping areas; the pedestrian easement shall be at least ten (10) feet wide.

## SECTION H. EASEMENTS

Unobstructed easements shall be provided along front lot lines, rear lot lines, and side lot lines when deemed necessary; total easement width shall not be less than twelve (12) feet. Unobstructed drainage way easements shall be provided as required by the Board.

## SECTION I. BLOCKS

Every block shall be so designed as to provide two (2) tiers of lots, except where lots back onto an arterial street, natural feature, or subdivision boundary; blocks shall not be less than three hundred (300) feet long in all cases.



SECTION J. LOTS:

Lots shall conform to the following:

1. ZONING: The lot width, depth, and total area shall not be less than the requirements of any applicable zoning ordinance.
2. FUTURE ARRANGEMENTS: Where parcels of land are subdivided into unusually large lots (such as when large lots are approved for septic tanks), the parcels shall be divided, where feasible, so as to allow for future re-subdividing into smaller parcels. Lot arrangements shall allow for the ultimate extension of adjacent streets through the middle of wide blocks. Whenever such future subdividing or lot splitting is contemplated, the Commission prior to the taking of such action thereof shall approve the plan.
3. SUFFICIENT AREA FOR SEPTIC TANK: Where individual septic tanks have been authorized sufficient area shall be provided for a replacement sewage disposal system.

SECTION K. PLANTING STRIPS AND RESERVE STRIPS:

Shall conform to the following:

1. PLANTING STRIPS: Planting strips may be required to be placed next to incompatible features such as highways, railroads, commercial, or industrial uses to screen the view from residential properties. Such screening shall be a minimum of twenty (20) feet wide, and shall not be a part of the normal street right of way or utility easement.
2. RESERVE STRIPS:
  - a. RESERVE STRIPS – PRIVATE: privately held reserve strips controlling access to streets shall be provided.
  - b. RESERVE STRIPS – PUBLIC: A one foot reserve may be required to be placed along half streets that are within the subdivision boundaries and shall be deeded in fee simple to Camas County for future street widening.

SECTION L. PUBLIC SITES AND OPEN SPACES

Shall conform to the following:

1. PUBLIC USES: Where it is determined that a proposed park, playground, school or other public use as shown on the Comprehensive Development Plan is located in whole or in part within a proposed subdivision, sufficient area for such public use shall be dedicated to the public or reserved and offered for public purchase. If within two (2) years of plat recording the purchase is not

agreed on, the reservation shall be cancelled or shall automatically cease to exist.

2. **NATURAL FEATURES:** Existing natural features that add value to residential development and enhance the attractiveness of the community (such as trees, watercourses, historic spots, and similar irreplaceable assets) shall be preserved in the design of the subdivision.
3. **SPECIAL DEVELOPMENTS:** In the case of planned unit developments and large-scale developments the Commission may require sufficient park or open space facilities of acceptable size, location, and site characteristics that may be suitable for the proposed development.

## ARTICLE V

### IMPROVEMENT STANDARDS

#### SECTION A. RESPONSIBILITY FOR PLANS

It shall be the responsibility of the subdivider of every proposed subdivision to have prepared by a registered engineer, a complete set of construction plans, including profiles, cross-sections, specifications, and other supporting data, for all required public streets, utilities and other facilities. Such construction plans shall be based on preliminary plans that have been approved with the preliminary plat, and shall be prepared in conjunction with the final plat. Construction plans are subject to approval by the responsible public agencies. All construction plans shall be prepared in accordance with the Camas County and public agencies' standards or specifications.

#### SECTION B. REQUIRED PUBLIC IMPROVEMENTS

Every subdivider shall be required to install the following public and other improvements in accordance with the conditions and specifications as follows:

1. **ROAD ACCESS:** No platted subdivision of more than five (5) lots (also known as a "major subdivision") shall be developed without access to a public street or road. Should such access not be built to county standards, it shall be the responsibility of the property owners whose property is being developed to improve the access road to county standards, as set by ~~the~~ Camas County Street Construction Standards prior to final plat approval. If the county road accessing a platted subdivision of more than five lots (also known as a "major subdivision") is not up to county road standards, it shall be the responsibility of the developer to bring the county road to county standards as set forth by ~~the~~ Camas County Street Construction Standards prior to final plat approval.
2. **STREETS (INCLUDING BRIDGES), ALLEYS, CURBS, GUTTERS AND BICYCLE PATHWAYS:** In a platted subdivision of more than five (5) lots (also known as a "major subdivision") all streets, bridges, curbs and gutters shall meet the requirements set forth by the, ITD, in order to qualify a street for Highway User funds, and Camas County Street Construction Standards. All streets, bridges, curbs, and gutters are subject to approval by the Camas County Engineer.
3. **INSTALLATION OF PUBLIC UTILITIES:** Underground utilities are encouraged and may be required subject to Board adopted policies and ordinances.
4. **DRIVEWAYS:** All driveway openings in curbs shall be as specified by the Camas County Engineer based on Camas County Street Construction Standards and/or ITD.
5. **STORM DRAINAGE:** An adequate storm drainage system shall be required in all subdivisions. The Board shall establish the requirements for each

particular subdivision. Construction shall follow the specifications and procedures established by the Board.

6. **PUBLIC WATER SUPPLY AND SEWER SYSTEMS:** All public water supply or sewer systems (serving two (2) or more separate premises or households) shall be constructed in accordance with any adopted local plans and specifications. All new public water supply or sewer systems shall be an extension of an existing public system whenever possible. In the event that the proposed public water supply or sewer system is not an extension of an existing public system, there shall be a showing by the subdivider that the extension is not feasible and not ~~to~~ in the best interest of the public.

Section 50-1326, of the Idaho Code, requires that all water and sewer plans be submitted to the State Department of Health and Welfare or its authorized agent for approval.

7. **MAINTENANCE AND OPERATION OF PUBLIC WATER SUPPLY AND SEWER SYSTEMS:** The subdivider shall provide for a perpetual method of maintenance and operation of the public water supply or sewer system (serving two (2) or more separate premises or households) to insure the continued usefulness of the system.
8. **FIRE HYDRANTS AND WATER MAINS:** Adequate fire protection shall be required in accordance with the appropriate fire district standards.
9. **STREET NAME SIGNS:** Street name signs may be installed in the appropriate locations at each street intersection in accordance with the local standards. A fee may be required.
10. **SIDEWALKS AND PEDESTRIAN WALKWAYS:** Sidewalks may be required on both sides of the street, except where the average width of lots, as measured at the street frontage line or at the building setback line, is over one hundred (100) feet, sidewalks on only one side of the street may be allowed. Pedestrian walkways, when required, shall have easements at least ten (10) feet in width and include a paved walk at least five (5) feet in width. Sidewalks and crosswalks shall be constructed in accordance with the standards and specifications as adopted by the Board.
11. **GREENBELT:** Greenbelts or landscaping screening may be required for the protection of residential properties from adjacent major arterial streets, waterways, railroad rights of way or other features. Subdivision plats shall show the location of any greenbelt areas.

12. **STREET LIGHTING:** Streetlights may be required to be installed at intersections throughout the subdivision. A subdivider shall conform to the requirements of Camas County and the public utility providing such lighting.
13. **MONUMENTS:** Monuments shall be set in accordance with Section 50-1303, Idaho Code.

### SECTION C. GUARANTEE OF COMPLETION OF IMPROVEMENTS

1. **FINANCIAL GUARANTEE ARRANGEMENTS:** In lieu of the actual installation of required public improvements before filing of the final plat, the Board may permit the subdivider to provide a financial guarantee of performance in one or a combination of the following arrangements for those requirements which are over and beyond the requirements of any other agency responsible for the administration, operation and maintenance of the applicable public improvement.
2. **SURETY BOND:**
  - a. **ACCRUAL:** The bond shall accrue to Camas County covering construction, operation and maintenance of the specific public improvement.
  - b. **AMOUNT:** The bond shall be in an amount equal to one hundred fifty percent (150%) of the total estimated cost for completing construction of the specific public improvement, as estimated by the Camas County engineer and approved by the Board.
  - c. **TERM LENGTH:** The term length in which the bond is in force shall be for a period specified by the Board for the specific public improvement.
  - d. **BONDING FOR SURETY COMPANY:** The bond shall be with a surety company authorized to do business in the State of Idaho, acceptable to the Board.
  - e. **ESCROW AGREEMENT:** The escrow agreement shall be drawn and furnished by the Board.
3. **CASH DEPOSIT, CERTIFIED CHECK, NEGOTIABLE BOND, OR IRREVOCABLE BANK LETTER OF CREDIT:**

One hundred fifty percent (150%) of the estimated cost of construction for the specific public improvement, as estimated by the Camas County engineer and approved by the Board.

  - a. **TREASURER, ESCROW AGENT OR TRUST COMPANY:** A cash deposit, certified check, negotiable bond, or an irrevocable bank letter of credit, such surety acceptable by the Board shall be deposited with an escrow agent or trust company.
  - b. **DOLLAR VALUE:** The dollar value of the cash deposit, certified check, negotiable bond, or an irrevocable bank letter of credit, shall be equal to one hundred fifty (150%) of the estimated cost of construction

for the specific public improvement, as estimated the Camas County engineer and approved by the board.

- c. ESCROW TIME: The escrow time for the cash deposit, certified check, negotiable bond, or irrevocable bank letter of credit, shall be for a period to be specified by the Board.
  - d. PROGRESSIVE PAYMENT: In the case of cash deposits or certified checks, an agreement between the Board and the subdivider may provide for progressive payment out of the cash deposit or reduction of the certified check, negotiable bond or irrevocable bank letter of credit, to the extent of the cost of the completed portion of the public improvement, in accordance with a previously entered into agreement.
4. CONDITION APPROVAL OF FINAL PLAT: With respect to financial guarantees, the approval of all final subdivision plats shall be conditioned on the accomplishment of one of the following:
- a. The construction of improvements required by this ordinance shall have been completed by the subdivider and approved by the Board.
  - b. Surety acceptable to the Board shall have been filed in the form of a cash deposit, certified check, a negotiable, irrevocable bank letter of credit or surety bond.
5. INSPECTION OF PUBLIC IMPROVEMENTS UNDER CONSTRUCTION: Before approving a final plat and construction plans and specifications for public improvements, an agreement between the subdivider and the Board shall be made to provide for checking or inspecting the construction and its conformity to the submitted plans.
6. PENALTY IN CASE OF FAILURE TO COMPLETE THE CONSTRUCTION OF A PUBLIC IMPROVEMENT: In the event the subdivider shall, in any case, fail to complete such work within the period of time as required by the conditions of the guarantee for the completion of public improvements, it shall be the responsibility of the Board to proceed to have such work completed. In order to accomplish this, the Board shall reimburse itself for the cost and expense thereof by appropriating the cash deposit, certified check, irrevocable bank letter of credit, or negotiable bond that the subdivider may have deposited in lieu of a surety bond, or may take such steps as may be necessary to require performance by the bonding or surety company, and as included in a written agreement between the Board and the subdivider.

## ARTICLE VI

### SPECIAL DEVELOPMENT SUBDIVISIONS

#### SECTION A. PURPOSE

The purpose of this article is to identify various types of developments that normally pose special concerns to the Commission and elected officials when reviewing and acting upon subdivision requests. This article outlines the plan submittal requirements and design standards that shall be taken into consideration when acting on special developments. The provisions of this article are in addition to the plan requirements, design standards and improvement standards that are required by Articles III, IV, and V.

#### SECTION B. HILLSIDE SUBDIVISION

1. APPEARANCE AND PRESERVATION: In order to preserve, retain, enhance and promote the existing and future appearance, natural topographic features, qualities and resources of hillsides, special consideration shall be given to the following:
  - a. Skyline and ridge tops.
  - b. Rolling grassy land forms, including knolls, ridges, and meadows.
  - c. Tree and shrub masses, grass, wild flowers and topsoil.
  - d. Rock outcroppings.
  - e. Streambeds, draws and drainage swales, especially where tree and plant formations occur.
  - f. Characteristic vistas and scenic panoramas.
  - g. Snow
2. HILLSIDE DEVELOPMENT EVALUATION:
  - a. All development proposals shall take into account and shall be judged by the way in which land use planning, soil mechanics, engineering geology, hydrology, civil engineering, environmental and civic design, architectural and landscape design are applied in hillside areas, including but not limited to:
    - 1) Planning of development to fit the topography, soils, geology, hydrology and other conditions existing on the proposed site.
    - 2) Orientation of development on the site so that grading and other site preparation is kept to an absolute minimum.
    - 3) Shaping of essential grading to blend with natural land forms and to minimize the necessity of padding and/or terracing of building sites.
    - 4) Division of large tracts into smaller workable units on which construction can be completed within one construction season

so that large areas are not left bare and exposed during the winter-spring runoff period.

- 5) Completion of paving as rapidly as possible after grading.
- 6) Allocation of areas not well suited for development because of soil, geology or hydrology limitations for open space and recreation uses.
- 7) Minimizing disruption of existing plant and animal life.
- 8) Consideration of the view from and of the hills.
- 9.) Avoidance of avalanche areas.

Areas having soil, geology or hydrology hazards shall not be developed unless it is shown that their limitations can be overcome; that hazard to life or property will not exist; that the safety, use or stability of a public way or drainage channel is not jeopardized; and that the natural environment is not subjected to undue impact.

3. ENGINEERING PLANS: The developer shall retain a professional engineer (s) to obtain the following information:
  - a. SOILS REPORT: For any proposed hillside development a soils engineering report shall be submitted with the preliminary plat. This report shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures, and opinions and recommendations covering the adequacy of sites to be developed.
  - b. GEOLOGY REPORT:
    - 1) For any proposed hillside development, a geology report shall be submitted with the preliminary plat. This report shall include an adequate description of site geology and an evaluation of the relationship between the proposed development and the underlying geology and recommendations for remedial remedies.
    - 2) The investigation and subsequent report shall be completed by a professional geologist registered in the State of Idaho.
  - c. HYDROLOGY REPORT:
    - 1) For any proposed hillside development a hydrology report shall be submitted with preliminary plat. This report shall include an adequate description of the hydrology, conclusions and recommendations regarding the effect of hydrologic conditions on the proposed development, and opinions and recommendations covering the adequacy of sites to be developed.
    - 2) Flood frequency curves shall be provided for the area proposed for development.

4. GRADING PLAN:



- a. A preliminary grading plan shall be submitted with each hillside preliminary plat proposal and shall include the following information:
  - 1) Approximate limiting dimensions, elevations or finish contours to be achieved by the grading, including all cut and fill slopes, proposed drainage channels and related construction.
  - 2) Preliminary plans and approximate locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs and other protective devices to be constructed.
  - 3) A description of methods to be employed in disposing of soil and other material that is removed from the grading site, including location of the disposal site.
  
- b. A final grading plan shall be submitted with each final plat and shall include the following information:
  - 1) Limiting dimensions, elevations or finish contours to be achieved by the grading, including all proposed cut and fill slopes, and proposed drainage channels and related construction.
  - 2) Detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs and other protective devices to be constructed.
  - 3) A schedule showing when each stage of the project will be completed, including the total area of soil surface that is to be disturbed during each stage together with estimated starting and completion dates. In no event shall the existing (“natural”) vegetative ground cover be destroyed, removed or disturbed more than fifteen (15) days prior to grading.

5. DEVELOPMENT STANDARDS:  
(SOILS)

- a. Fill areas shall be prepared by removing organic material, such as vegetation and rubbish, and any other material that is determined by the soils engineer to be detrimental to proper compaction or otherwise not conducive to stability; no rock or similar irreducible material with a maximum dimension greater than eight (8) inches shall be use as fill material in fills that are intended to provide structural strength.
- b. Fills shall be compacted to at least ninety-five percent (95%) of maximum density, as determined by AASHO T99 and ASTM D698.
- c. Cut slopes shall be no steeper; than two (2) horizontal to one (1) vertical; subsurface drainage shall be provided as necessary for stability.
- d. Fill slopes shall be no steeper than two (2) horizontal to one (1) vertical; fill slopes shall not be located on natural slopes 2:1 or steeper, or where fill slope toes out within twelve (12) feet horizontally of the top of and existing or planned cut slope.

- e. Tops and toes of cut and fill slopes shall be set back from property boundaries a distance of three (3) feet plus one-fifth (1/5) of the height of the cut or fill but need not exceed a horizontal distance of ten (10) feet; tops and toes of cut and fill slopes shall be set back from structures a distance of six (6) feet plus one-fifth (1/5) the height of the cut or fill, but need not exceed ten (10) feet.
- f. The maximum horizontal distance of disturbed soil surface shall not exceed seventy-five (75) feet.

(ROADWAYS)

- a. Road alignments should follow natural terrain and no unnecessary cuts or fills shall be allowed in order to create additional lots or building sites.
- b. One-way streets shall be permitted and encouraged where appropriate for the terrain and where public safety would not be jeopardized. Maximum width shall be seventeen (17) feet between the backs of curbs plus adequate easement for snow removal.
- c. The width of the graded section shall extend three (3) feet beyond the curb back or edge of pavement on both the cut and fill sides of the roadway. If sidewalk is to be installed parallel to the roadway, the graded section shall be increased by the width of the sidewalk plus one foot beyond the curb back.
- d. Standard vertical curb (six inches) and gutter shall be installed along both sides of all paved roadways per ISPWC.
- e. A pedestrian walkway plan may be required.

(DRIVEWAYS AND PARKING)

Combinations of collective private driveways, cluster parking areas and on-street parallel parking bays shall be used to attempt to optimize the objectives of minimum soil disturbance, minimum impervious cover, excellence of design and aesthetic sensitivity. Snow removal must be considered in all driveway and parking area.

6. VEGETATION AND REVEGETATION:

- a. The developer shall submit a slope stabilization and revegetation plan that shall include a complete description of the existing vegetation, the vegetation to be removed and the method of disposal, the vegetation to be planted, and slope stabilization measures to be installed. The plan shall include an analysis of the environmental effects on slope stability, soil erosion, water quality and fish and wildlife.
- b. Vegetation sufficient to stabilize the soil shall be established on all disturbed areas as each stage of grading is completed. Areas not contained within lot boundaries shall be protected with perennial vegetative cover after all construction is completed. Efforts shall be made to plant those species that tend to recover from fire damage and do not contribute to a rapid rate of fire spread.

- c. The developer shall be fully responsible for any destruction of native vegetation proposed for retention. He shall carry the responsibility both for his own employees and all subcontractors from the first day of construction until the notice of completion is filed. The developer shall be responsible for replacing such destroyed vegetation.
- 7. MAINTENANCE: The owner of any private property on which grading or other work has been performed pursuant to a grading approved or a building permit granted under the provisions of this ordinance shall continuously maintain and repair all graded surfaces and erosion prevention devices, retaining walls, drainage structures, and other protective devices, plantings and ground cover installed or completed.
- 8. UTILITIES: All new service utilities shall be placed underground.

SECTION C: PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS

- 1. GENERAL: Planned unit and condominium developments shall be subject to requirements set forth in the zoning ordinance and also subject to all provisions within this ordinance.
- 2. MINIMUM AREA: A planned unit development for the following principal uses shall contain an area of not less than:
  - a. Three (3) acres or one (1) city block for residential use, except for a mobile home subdivision.
  - b. Five (5) acres for mobile home subdivision.
  - c. Five (5) acres for residential use with subordinate commercial use.
  - d. Ten (10) acres for commercial use.
  - e. Ten (10) acres for industrial use.
- 3. SITE DEVELOPMENT PLAN: The developer shall provide the Commission with a colored rendering of adequate scale to show the completed development that will include at least the following:
  - a. Architectural style and building design.
  - b. Building materials and color.
  - c. Landscaping.
  - d. Screening.
  - e. Garbage areas.
  - f. Parking.
  - g. Open space.
- 4. PRIVATE STREETS: Private street construction standards shall be based upon recommendations from the Camas County engineer. Adequate construction standards may vary depending on the size of the development and the demands placed on such improvements.

5. STORAGE AREAS: Storage areas shall be provided for the anticipated needs of boats, campers and trailers. For typical residential development, one adequate space shall be provided for every two (2) living units. The Board may reduce this if there is a showing that the needs of a particular development are less.
6. PARKING SPACE: One additional parking space beyond that which is required by the zoning ordinance may be required for every three (3) dwelling units to accommodate visitor parking.
7. MAINTENANCE BUILDING: A maintenance structure shall be provided, size and location to be suitable for the service needs that are necessary for the repair and maintenance of all common areas.
8. OPEN SPACE: The location of open space shall be appropriate to the development and shall be of such shape and area to usable and convenient to the residents of the development.
9. CONTROL DURING DEVELOPMENT: Single ownership or control during the development shall be required and a time limit may be imposed to guarantee the development is built and constructed as planned.

#### SECTION D. MOBILE HOME SUBDIVISION

1. GENERAL: Mobile home subdivisions shall be subject to any requirements set forth in the zoning ordinance.
2. SPECIAL REQUIREMENTS: Mobile home subdivisions shall be subject to the following special requirements:
  - a. Developed as a planned unit development with a minimum lot area for the planned development of five (5) acres.
  - b. Screening from adjacent areas, other than subdivisions of the same type, by aesthetically acceptable fences, walls, living planting areas and existing natural or man-made barriers.
  - c. Creation of a Home Owners Association to assure that all common areas are adequately maintained.

#### SECTION E. SHORT PLATS

1. The proposed subdivision does not exceed five (5) lots.
2. The proposed short plat complies with the zoning ordinance and Idaho Code Title 50 Chapter 13.

#### SECTION F. LARGE SCALE DEVELOPMENT SUBDIVISION

1. REQUIRED INFORMATION: Due to the impact that a large-scale development would have on public utilities and services, the developer shall submit the following information along with the preliminary plat:

- a. Identification of all public services that would be provided to the development (re: fire protection, police protection, central water, central sewer, road construction, parks and open space, recreation, maintenance, schools, and solid waste collection).
- b. Estimate the public service costs to provide adequate service to the development.
- c. Estimate the tax revenue that will be generated from the development.
- d. Suggested public means of financing the services for the development if the cost for the public services would not be offset by tax revenue received from the development.
- e. Environmental Impact Statement (per Section H. part 3).

SECTION G. CEMETERY SUBDIVISION:

1. FUNCTION: The developer shall provide the Commission with written documentation that will sufficiently explain the functions of the proposed cemetery for either human or animal remains.
2. COMPLIANCE WITH IDAHO CODE: The developer shall submit a written statement that has been prepared by an attorney that adequately assures the compliance of the proposed cemetery with the procedural management requirements that are outlined in Title 27, Idaho Code.

SECTION H. SUBDIVISION WITHIN A FLOOD PLAIN

1. FLOOD AREAS: For any proposed subdivision that is located within a FEMA designated flood plain, the developer shall provide the Commission with a development plan of adequate scale and supporting documentation that will show and explain at least the following:
  - a. Location of all planned improvements.
  - b. The location of the floodway and the floodway fringe per engineering practices as specified by the Army corps of Engineers and/or the FEMA FIRM panels.
  - c. The location of the present water channel.
  - d. Any planned rerouting of waterways.
  - e. All major drainage ways.
  - f. Areas of frequent flooding.
  - g. Means of flood proofing buildings.
  - h. Means of insuring loans for improvements within the flood plain.
2. JUSTIFICATION FOR DEVELOPMENT: Upon the determination that buildings are planned within the flood plain or that alterations of any kind are anticipated within the flood plain area that will alter the flow of water, the developer shall demonstrate conclusively to the Commission that such development will not present a hazard to life, limb or property; will not have

adverse effects on the safety, use or stability of a public way or drainage channel or the natural environment.

No subdivision or part thereof shall be approved if levees, fills, structures or other features within the proposed subdivision will individually or collectively significantly increase flood flows, heights, or damages. If only part of a proposed subdivision can be safely developed, the Board shall limit development to that part and shall require that development proceed consistent with that determination.

#### SECTION I. SUBDIVISION WITHIN AN AREA OF CRITICAL CONCERN

1. **GENERAL:** Hazardous or unique areas may be designated as areas of critical concern by the Board or by the State. Special consideration shall be given to any proposed development within an area of critical concern to assure that the development is necessary and desirable and in the public interest in view of the existing unique conditions. Hazardous or unique areas that may be designated as areas of critical concern are as follows:
  - a. Avalanche paths.
  - b. Earthquake locations.
  - c. Unstable soils.
  - d. Unique animal life.
  - e. Unique plant life.
  - f. Scenic areas.
  - g. Historical significance.
  - h. Flood plain.
  - i. Other areas of critical concern.
2. **PLAN SUBMISSION:** The developer shall prepare and submit an environmental impact statement along with the preliminary plat application for any development that is proposed within an area of critical concern.
3. **CONTENT OF ENVIRONMENTAL IMPACT STATEMENT:** The content of the environmental impact statement shall usually be prepared by an interdisciplinary team of professionals that shall provide answers to the following questions:
  - a. What changes will occur to the area of environmental concern as a result of the proposed development?
  - b. What corrective action or alternative development plans could occur so as not to significantly change the area of environmental concern?
  - c. What changes in the area of environmental concern are unavoidable?

#### SECTION J. SUBDIVISIONS NOT SERVED BY PUBLIC SEWER AND/OR WATER

1. **PURPOSE:** The purpose of this section is to promote the public health, general welfare and to provide for adequate water supplies, sewage disposal, and solid waste management.
2. **APPLICABILITY:** This section of the subdivision ordinance governing lot size and elevation shall be applicable to any subdivision not served by a public sewer and/or public water system, and where provision for such service shall be considered to have been made only if the entire subdivision will be served by a public sewer at the time of occupancy of the first two buildings constructed therein, or the municipality, city, or sanitary district that has by resolution or other official action provided that public sewers will be intended to buildings within the subdivision as they are occupied. Any community sewage system and/or water system must provide a mechanism for perpetual maintenance and operation. No individual sewer or water system can be approved if a public service system is available. All individual sewer systems must be approved by the South-Central District Health Department.
3. **DEFINITIONS:**
  - a. **Bedrock:** Any solid rock exposed at the surface or overlain by unconsolidated material.
  - b. **Detailed Soil Map:** A map prepared by or approved by a state or Federal Agency or registered professional civil engineer showing soil series, type and phases at a scale of not more than 2,000 feet to the inch.
  - c. **District:** The South-Central District Health Department.
  - d. **Minimum Lot Area:** The area established in the Zoning Ordinance as a minimum area for a given situation.
  - e. **Nuisance:** Any condition that is offensive to the sight, smell, hearing, and/or well being of people; a condition that deprives a person of the free and enjoyable use of his property.
  - f. **Primary Plat Approving Authority:** The governing authority of the municipality, city or county in which the proposed subdivision is located.
  - g. **Public Sewers:** Sewers and treatment facilities used in connection therewith which are maintained and operated by a municipality or any other public entity, or a private corporation or associations established to create, construct and maintain a sewer system, including sewage treatment facilities, which has perpetual existence and offers service to all persons and property within a defined geographical area where ten or more separate premises, household or businesses are being served or intended to be served.
  - h. **Central Sewer System:** Same as “g.”
  - i. **Water Supply System:** This is a water system that includes the works and auxiliaries for collection, treatment, and distribution of the water from the source of supply to the free-flowing outlet of the ultimate consumer.

- j. Absorption System: A seepage bed, pit, or trench system for the underground disposal of sewage effluent.
  - k. Soil: All unconsolidated material overlying bedrock.
  - l. Subdivision Plan: A map showing the number and boundary lines of all lots and blocks. Such may be a copy of the plat of a proposed subdivision.
  - m. Planned Unit Development: a planned unit development, as defined in this ordinance, shall be considered to be a subdivision for the purposes of water and sewer systems.
  - n. Public Water System: Public Water System means all mains, pipes, and structures through which water is obtained and distributed to the public including wells and well structures, intakes and cribs, pumping station, treatment plants, reservoirs, storage tanks and appurtenances collectively or severally actually used or intended for use for the purposes of furnishing water for drinking or general domestic use in incorporated municipalities or unincorporated communities where ten (10) or more separate premises or households are being served or intended to be served or any other supply that serves water to the public.
  - o. Private Water Systems: Private water systems means all mains, pipes, and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment facilities, reservoirs, storage tanks and appurtenances collectively or severally actually used or intended for use for the purposes of furnishing water for drinking or general domestic use where less than ten (10) separate premises or house are being served or intended to be served.
4. PROHIBITED SYSTEMS: If public water and sewer systems are available, no individual water or sewer system will be allowed.
  5. LOT AREA: The area of any lot shall be set by the Zoning Ordinance.
  6. SOIL TESTS: All soil tests are administered by the South-Central District Health Department.
  7. WATER SUPPLY: A community water system may be used provided it meets the State of Idaho Standards and is approved by the State Health and Welfare Department engineers and further provided that a mechanism for perpetual maintenance and care and operation is provided.
  8. INDIVIDUAL WATER SUPPLY SYSTEMS: These systems shall be constructed in accordance with Idaho State law.
  9. PLANNED UNIT DEVELOPMENT: A planned unit development must provide a complete plan for subdivision and development including street,



curbs, gutters, public utility right-of-way, public sewage system and if private systems, location on each lot; water systems public or private, and, if private, location of well on each lot; building area locations on each lot and all other planned developments; i.e. parks, walks, shopping areas, industrial areas, residential areas, schools. (Also see the Camas County Zoning Ordinance).

10. CONFLICT OF ORDINANCES: In any case where a provision of this section of the ordinance is found to be in conflict with the provisions of any state or local zoning, building, fire, safety, or health ordinance existing on the effective date of this ordinance, the provision that, in the judgment of the Commission, establishes a higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this section of the ordinance is found to be in conflict with the provision for any other ordinance or code existing on the effective date of this section of the ordinance that establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this section of the ordinance shall be deemed to prevail.

## ARTICLE VII

### VACATIONS AND DEDICATIONS

#### SECTION A. APPLICATION PROCEDURE

1. APPLICATION: Any property owner desiring to vacate an existing subdivision, public right-of-way or easement, or desiring to dedicate a street right-of-way or easement shall complete and file an application with the Administrator. These provisions shall not apply to the widening of any street that is shown in the Comprehensive Development Plan, or the dedication of streets rights of way, or easements to be shown on a recorded subdivision.
2. ADMINISTRATION ACTION: Upon receipt of the completed application, the Administrator shall affix the date of application acceptance thereon. The Administrator shall place the application on the agenda for consideration at the next regular meeting of the Commission that is held not less than fifteen (15) days after said date of acceptance.

#### SECTION B. ACTION

1. COMMISSION RECOMMENDATION: The Commission shall review the request and all agency response and make a recommendation to the Board for approval, conditional approval or denial.
2. BOARD ACTION:
  - a. When considering an application for vacation procedures, the Board shall establish a date for a public hearing and give such public notice as required by law. The Board may approve, deny or modify the application. Whenever public rights-of-way or lands are vacated, the Board shall provide adjacent property owners with a quitclaim deed for the vacated rights of way in such proportions as are prescribed by law.
  - b. When considering an application for dedication procedures, the Board may approve, deny or modify the application. When a dedication is approved, the required street improvements shall be constructed or a bond furnished assuring the construction, prior to acceptance of the dedication. To complete the acceptance of any dedication of land, the owner shall furnish to the Board a deed describing and conveying such lands to be recorded with the Camas County Recorder.

## ARTICLE VIII

### VARIANCES

#### SECTION A. PURPOSE

The Commission may recommend to the Board as a result of unique circumstances such as topographic-physical limitations or a planned unit development, a variance from the provisions of this ordinance on a finding that undue hardship results from the strict compliance with specific provisions or requirements of the ordinance or that application of such provision or requirement is impracticable.

#### SECTION B. FINDINGS

No variance shall be favorably acted upon by the Board unless there is a finding upon written recommendation by the Commission, as a result of a public hearing, that all of the following exist: (Written findings relating to the following five points.):

1. That there are such special circumstances or conditions affecting the property that the strict application of the provisions of this ordinance would clearly be impracticable or unreasonable; in such cases, the subdivider shall first state his reasons in writing as the specific provision or requirement involved.
2. That strict compliance with the requirements of this ordinance would result in extraordinary hardship to the subdivider because of unusual topography, other physical conditions, or other such conditions that are not self-inflicted, or that these conditions would result in inhibiting the achievement of the objectives of this ordinance.
3. That the granting of the specified variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.
4. That such variance will not violate the provisions of the Idaho Code.
5. That such variance will not have the effect of nullifying the interest and purpose of this ordinance and the Comprehensive Development Plan.

## ARTICLE IX

### DETECTION OF VIOLATION, ENFORCEMENT AND PENALTIES

#### SECTION A. DETECTION OF VIOLATION

The Administrator shall periodically research the county Assessor's records and perform the necessary investigation to detect any violations of the ordinance.

#### SECTION B. ENFORCEMENT

No subdivision plat required by this ordinance or the Idaho Code shall be admitted to the public land records of the county or recorded by the Camas County recorder, until such subdivision plat has received final approval by the board. No public board, agency, commission, official or other authority shall proceed with the construction of or authorize the construction of any of the public improvements required by this ordinance until the final plat has received the approval of the Board. The Camas County Prosecuting Attorney shall, in addition to taking whatever criminal action deemed necessary, take steps to civilly enjoin any violation of this ordinance.

#### SECTION C. PENALTIES

Penalties for failure to comply with the provisions of this ordinance shall be as follows:

‘Violation of any of the provisions of this ordinance or failure to comply with any of its requirements shall constitute a misdemeanor; and each day such violation continues shall be considered a separate offense. The landowner, tenant, subdivider, builder, public official or any other person, who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense. Nothing herein contained shall prevent the Board or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this ordinance or of the Idaho Code.’

## ARTICLE X

### AMENDMENT PROCEDURES

The Board may, from time to time, amend, supplement, or repeal the regulations and provisions of this ordinance in the manner prescribed by the Idaho Code. A proposed amendment, supplement or repeal may be originated by the board, Commission, or by petition. All proposals not originating with the Commission shall be referred to it for a report thereon before the Board takes any action on the proposal.