

Camas County  
Board of County Commissioners  
April 5, 2021  
Rezone # RZ 01-20

CAMAS COUNTY  
Recorded for:  
MAS COUNTY BOARD OF COM  
3:43:30 pm 04-05-2021  
**2021-090263**  
No. Pages: \$ Fee: \$  
KATHERINE RABLIN  
County Clerk  
Deputy: KRABLIN

RE: Rezone Ix-Nay Investment Trust  
Hearing date: March 8, 2021

FINDING OF FACTS, CONCLUSIONS OF LAW

1. Applicant requests a rezone of approximately 300 acres from Ag-5 to Ag-80. The property is further described herein as Exhibit "A"
2. Notice of Public Hearing:
  - a. Published Notice: Camas Courier and the Weekly Beaver, 2/17/2021, 2/24/2021 & 3/3/2021
  - b. Letters to agencies: 2/17/2021
  - c. Notice to adjacent property owner & political subdivisions: 2/17/2021
  - d. The property was posted on February 23, 2021.
3. The public hearing was opened at 1:00 PM on March 8, 2021 and the applicant, Ix-Nay Investment Trust, presented the proposed Rezone change to the Board of County Commissioners.
4. The administrator read the staff report for the application and is incorporated herein as Exhibit "B".
5. Testimony was taken in the order that the public signed the sign in sheet. The chairman also provided the opportunity for everyone else who was in attendance or via Zoom if there was additional testimony.
6. The applicant provided rebuttal.
7. The Board chairman closed the hearing after all those who wished to testify were allowed to do so.
8. Deliberations were opened and a discussion followed. The Board spoke of many matters such as:
  - a. The effect of the rezone and how the new zoning would be a down zone which is more restrictive on residential density than the Ag-5 zone;
  - b. Lack of development in the Ag-5 zone and how this would allow development because of what the applicant has planned for the use of his property;
  - c. The rezone did not remove that many acres from Ag-5 and that it was putting the acreage back to what it was originally;
  - d. Commissioner Kramer stated comprehensive plan does have a high priority for agriculture but it does not require a landowner to be handcuffed to farming;
  - e. The owner of the property is requesting the rezone to match the rest of his property as shown on the zoning map.;
  - f. The rezone offers opportunity for community benefit and potential uses could increase land valuation.

9. The notice of public hearing for the Rezone was mailed to the following political subdivisions and related non-governmental agencies.
    - a. Camas County Road & Bridge
    - b. Camas County Airport Mgr.
    - c. Camas Creek Cooperative Weed Mgt. Area
    - d. Camas County School District:
    - e. Camas County Sheriff
    - f. Camas County Soil Conservation District
    - g. Galena Engineering
    - h. Frontier Telephone
    - i. Idaho Fish & Game
    - j. Idaho Power
    - k. City of Fairfield
    - l. Bureau of Land Management
    - m. State of Idaho ITD District IV
    - n. US Forest Service
    - o. Volunteer Fire Department
    - p. Forsgren Associates Inc.
    - q. West Magic Fire District
    - r. Family Health Services
    - s. Water District 37B
    - t. South Central District Health
  10. Responses have been received from Camas County Road and Bridge, Idaho Department of Fish and Game & Bureau of Land Management.
  11. Comment letters were received from Laurence Bauman, Mary Ann Mix, David Skinner, Dave Konrad, Mark Brown, Chad Blincoe, Bob & Eileen Rodman, William Green, Randy Pew, Judith Freeman and Benjamin Worst with accompanying affidavits from several persons from Case No. CV 2017-04.
  12. Notices were posted at all property lines and all other required locations.
  13. P and Z held a public hearing on September 22, 2020 and deliberations and voted to recommend for approval to the Board on October 6, 2020.
  14. Notice was published in the Camas Courier and the Weekly Beaver as required by Idaho Code Section 67-6509.
  15. All requirements for the conduct of public hearings as set forth in Title 67, Chapter 65, Idaho Code and ordinances of the County of Camas have been met.
  16. The applicant shall comply with all applicable federal, state and local laws.
- Board of Commissioners Decision:

The Board of Commissioners voted 3-0 to Rezone from Ag-5 to Ag-80 approximately 300 acres as requested by the applicant, Ix-Nay Investment Trust.

Travis Kramer:  Date: 4-5-2021  
Chairman, Camas County Board of Commissioners

**EXHIBIT "A"**

Township 1 South, Range 16 East, Boise Meridian, Camas County, Idaho.:

A parcel of land being following, all of which is within T.1S., R.16E., Boise Meridian, Camas County, Idaho

The Southwest Quarter of Section 5 (160 Acres +/-)

The East Half of the Northwest Quarter of Section 8 (80 Acres +/-)

The East Half of the Southwest Quarter of Section 8, excepting there from the southerly portion currently zoned R-4, SE1/4SW1/4, approximately 20 Acres. (60 Acres +/-)

**EXHIBIT "A"**

**EXHIBIT "B"**

**CAMAS COUNTY STAFF REPORT**

TO: Camas County Board of Commissioners

DATE: February 8, 2021

DESCRIPTION & FILE NO.: Comp Plan Future Land Use Map, FLUM 01-20

**GENERAL INFORMATION:**

**Applicant:** Ix-nay Investment Trust

**Representative:** Gary Slette

**Requested Action:** Comprehensive Plan Future Land Use Map Amendment

**Purpose:** Develop a Private use airport.

**Location:** Approximately 10 miles East & 1.5 miles North of the intersection of US 20 and Soldier road.

**Existing Land Use and Zoning:** Agricultural zoned A-5

**Surrounding Land Use and Zoning:** Agricultural

**N:** Land use: Zoning: Agricultural & Ag

**S:** Land use: Zoning: Agricultural & Ag

**E:** Land use: Zoning: Agricultural & Ag

**W:** Land use: Zoning: Agricultural & Ag-5

**Applicable Regulations: Camas County Comprehensive Plan Resolution # 162 adopted 5/12/2014**

**Comprehensive Plan Resolution # 162:**

**Section I Private Property Rights**

The County of Camas wishes to ensure that land use policies, ordinances, restrictions, conditions and fees do not violate private property rights, adversely impact private property values or create unnecessary technical limitations upon the use of the property which will constitute an unconstitutional taking of private property rights as set forth in Idaho Code 67-8003

**SECTION IV**

**ECONOMIC DEVELOPMENT**

Camas County borders Blaine County and has been affected by that County's high growth rate. Camas County has seen some "spill over" from the Wood River Valley, mainly by providing residences for people who work there but cannot afford to reside there. This growth has stabilized somewhat, but may continue or increase if the economy accelerates. That continued growth may have a significant impact on Camas

County. Benefits may or may not be large enough to offset the costs they bring to the county in the way of services and transportation systems. Careful analysis must be done to avoid developments which do not pay for the costs of growth they bring. Any benefits will be somewhat dependent upon maintaining a good transportation system throughout the County.

**OBJECTIVES:**

- 1) To attract new and retain current businesses in Camas County, with a focus on agriculture, the recreational industry, tourism and light manufacturing and production, and other home based or cottage industries of all types thus creating more employment opportunities for County residents.
  
- 2) To sustain and improve year-round visitation and recreational opportunities for tourists, including the Centennial Marsh, Soldier Mountain Ski Resort, Magic Reservoir as well as recreational opportunities including kite boarding, snowmobiling, cross country skiing and mountain biking. Camas County has about 200 miles of groomed snowmobile trails in the winter. The Sawtooth National Forest has many hiking and mountain biking trails in addition to camping in the summer.

**Section V Land Use**

Camas County is a large and beautiful county that has been entrusted to its citizens and elected officials. In preparing a plan to use this land, the citizens of Camas County must consider not only what they think is most desirable, but also the constraints of what are reasonable. For example, some citizens would prefer Camas County to remain entirely agricultural, with no population expansion. Some citizens would like to see subdivisions developed and summer home areas established, with reasonable population expansion.

Upon obtaining the citizen's input, the Board of County Commissioners must decide upon the best course of action that represents the majority of the people. Overall, it has become clear through the public process that controlled growth is desired.

**Agricultural Land Use:**

Large tracts of land are best suited for agricultural land use. The sizes of these tracts may vary depending upon the area, current uses, soil suitability and other factors. Any non-agricultural development in the agricultural land use area must comply with development standards as set by the county Zoning and Subdivision ordinances.

**Planning and Zoning:**

The Planning and Zoning commission held a public hearing on September 22, 2020. They deliberated on October 6, 2020 and a recommendation, along with the Findings of

Facts Conclusions of Law were sent to the Board of Commissioner on December 7, 2020. The recommendation was to approve the Comprehensive Plan Future Land Use Map.

SPECIAL INFORMATION:

**Notice of Public Hearing: 1/20/2021**

**Notice to Political Subdivisions: 1/20/21**

**Notice to Affected Parties: 1/20/21**

**The property was posted for the public hearing on 1/25/2021**

**The public Hearing is to be held, with a zoom meeting also, on the 8<sup>th</sup> of February at 9:00 AM at the American Legion Building, 114 E Camas in Fairfield, ID.**

**The public hearing on the 8<sup>th</sup> of February was cancelled due to a posting error and rescheduled for March 8, 2021 at the same time and place.**

**All noticing was done on February 17, 24 & March 3, 2021.**

**The site posting was done on February 23, 2021 prior to the hearing.**

**The agenda was posted on February 25, 2021.**

**Political Subdivision Responses:**

**Public Utilities:**

**Public Services:**

**Transportation:**

**Weed Management:**

**Fire Protection:**

**Water:**

**Idaho Fish and Game Department: Craig White for Frank Edelman neutral**

**Camas County Sheriff Department:**

**Camas County Engineer:**

**Camas County School District:**

**Camas Soil Conservation:**

**BLM: General requirement letter**

**General:**

Communication from Ben Worst attorney received 9/14/2020

Mary Ann Mix in favor

David Skinner opposed

Dave Konrad opposed

Laurence Bauman in favor

Joseph Schwarzbach

Ali Golden

Michele Willows

Jeff Kreyssig

## BACKGROUND INFORMATION

**Current Zoning:** Ag-5

**Compliance with Comp Plan:** The application appears to be in compliance with the Comprehensive Plan FLUM if the map is changed. The property to the east is shown as A-80. That property is the applicant's property and is indicated as A-80 on the map. If the map change is approved by the Board of Commissioners all of the owner's property will then be shown as A-80 and the Board of Commissioners can address the applicant's application for a rezone.

**Environmentally Sensitive Areas: steep slopes, wetlands, woodlands, stream corridor, flood plain:** This application site is located on private land located in an Agricultural zone and surrounded with land also zoned Agricultural. Currently there is no FEMA map in the County with one stream corridor (Willow Creek) on the Easterly boundary of the property.

**Historic Building Sites:** There are no historic building sites to this office's knowledge.

**Archeological Sites:** There are none to this office's knowledge.

**Traffic and Parking Implications:** There will be some increase in traffic and the off-road parking will be adequate for the usage. Applicant has agreed to the conditions of the Conditional Use Permit as approved by the Planning and Zoning Commission.

**Access and street design-secondary access-pedestrian access-sidewalks-residential buffer from arterial streets-additional right-of-way-access to adjacent properties if appropriate** Access will be from a new road from US. 20 and some use of county road 100 N, 1000 East Road (Princess Mine) and 1300 East Road as stated in the Conditional Use Permit.

**Neighborhood parkland:** None

**Storm water management:** Storm water will need to be retained on site with Best Management Practices (BMP) and retention ponds per EPA requirements. Several seasonal drainages are on the property and the seasonal flows will need to be addressed with culverting.

**Infrastructure: sanitary sewer and water main:** The proposed change would not affect the current infrastructure because there is no infrastructure at this time. There is an existing well on the property.

**Summary:** The proposed change would allow for a down zone, thus lowering the density in the area and would have less demand of infrastructure.

**PROPOSED CONDITIONS & STAFF RECOMMENDATIONS:**

This map change would allow the applicant a down zone from the current zoning. Down zones, in past history, have not been denied. The applicant is requesting the change to the map to enable them to rezone the acreage and then to construct a private airport.

Staff recommends approval of proposed Comp Plan Future Land Use Map amendment.

**DEFICIENCIES AND DISCREPANCIES:** None

“This report has been prepared prior to the public hearing”