

Amend Title 9 Subdivision Regulations; Section 9-3-2 Subdivision or Planned Unit Development; Subsection D Final Plat Phase; Subsection 3 Plat Changes, to read as follows:

3. **Plat Changes:** Any changes to an approved plat of a subdivision or Planned Unit Development, and the accompanying Master Plan shall be reviewed and approved or denied pursuant to this Subsection by the Planning Administrator who shall determine if the changes are insignificant, substantial- increase, or substantial- decrease in nature. The Planning Administrator has the discretion to schedule meeting time in front of the Commission and/or the Board for an evaluation of the changes. Plat changes shall be approved or denied pursuant to this subsection.-

A. Purpose and Intent. The purpose and intent of this Subsection is to provide an efficient procedure for reviewing changes to previously approved plats of subdivisions and Planned Unit Developments. It is the further purpose and intent to ensure the revised plats and Planned Unit Developments comply with all applicable regulations but to avoid unnecessary duplication of studies and analyses that may have been required as part of the initial plat application and approval. The purpose and intent also is to reduce the intrusion of development into sensitive natural areas of the county and reduce governmental costs associated with scattered development by expediting changes to recorded plats that reduce the number of vacant platted lots in the county.

B. Definitions. For purposes of this Subsection the following definitions shall apply.

i. Insignificant Changes. Insignificant changes have minimal direct impact on the immediate neighborhood, general vicinity of the subdivision or overall community. Insignificant changes may include:

- a. the re-arrangement or relocation of five (5) or fewer lots, parcels or buildings that does not encroach further into natural resource areas or Overlay Areas as defined in Title 8 or Title 9 or move closer to neighboring property;
- b. minor changes to the layout of roads, utilities or other facilities; or
- c. other changes of similar magnitude and minimal direct impact.

ii. Substantial Changes – Increase Scale, Impact. Substantial Changes – Increase Scale, Impact are changes that increase the scale or scope of the platted subdivision, or increase the direct or indirect impacts on the immediate neighborhood, general vicinity of the subdivision or overall community. These substantial changes may include the following:

- a. an increase in the number of lots;
- b. the re-arrangement or relocation of lots that encroach further into natural resource areas or Overlay Areas as defined in Title 8 or Title 9 or move closer to neighboring property;
- c. the relocation of parking facilities, buildings, or other elements of the development that encroach further into natural resource areas or Overlay

Areas as defined in Title 8 or Title 9 or move closer to neighboring property; or

- d. other changes of similar magnitude or projected impact.

iii. Substantial Changes – Decrease Scale, Impact. Substantial Changes – Decrease Scale, Impact are changes that substantially decrease the scale or scope of the platted subdivision, and substantially decrease the direct or indirect impacts on the immediate neighborhood, general vicinity of the subdivision or overall community. These substantial changes may include the following:

- a. a reduction in the number of lots or parcels;
- b. the re-arrangement or relocation of more than five (5) lots or parcels that does not encroach further into natural resource areas or Overlay Areas as defined in Title 8 or Title 9 or move closer to neighboring property;
- c. other changes of similar magnitude or reduction of impacts.

C. Criteria for Approval, Submittal Requirements. Applications for changes shall include submittal items established below and comply with the following Criteria for Approval.

i. Insignificant Changes.

- a. The Planning Administrator shall determine the revised drawings, maps, reports or other submittal items that are necessary to review changes that are proposed by the applicant. The applicant shall submit to the Planning Administrator the required submittal items for review.
- b. The plat for a subdivision or Planned Unit Development, including the proposed changes, shall comply with all applicable criteria and standards of the county regulations, conditions of approval established in the previous approval, and the development agreement approved as part of the previous approval.
- c. Insignificant changes shall not reduce the area of designated open space or increase the number of lots or the overall amount of area of development.
- d. Insignificant changes shall not increase or create new direct or indirect impacts on the neighborhood, vicinity of the subdivision or overall community.

ii. Substantial Changes – Increase Scale, Impact. ~~If the Planning Administrator determines that the proposed plat changes are substantial increase scale, impact, the application shall be subject to the requirements of a new submission.~~

- ~~a.~~ The Planning Administrator shall determine the revised, or additional, drawings, maps, reports or other submittal items that are necessary to review the changes that are proposed by the applicant. The applicant shall submit to the Planning Administrator the required submittal items as outlined in Title 9-3-2 for review. Revisions or supplemental submissions may be required to the following submittal items to the extent necessary to evaluate the proposed changes:

~~1. Existing Conditions Inventory and Existing Conditions Map;~~

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- ~~2. Existing Contour Map;~~
- ~~3. Maps of Overlay Areas as established in Title 8 and Title 9;~~
- ~~4. Existing Land Management Plan;~~
- ~~5. Fiscal and Services Analysis~~
- ~~6. Natural Resource Analysis; and,~~

~~7.a. Traffic Impact Study;~~

b. Application review fees shall be paid pursuant to the currently adopted fee schedule and additional impact fees may be required pursuant to the currently adopted regulations.

~~e. The master plan and plat for a subdivision or Planned Unit Development, including the proposed changes, shall comply with all applicable criteria and standards of the current county regulations, conditions of approval established in the previous approval, and the development agreement approved as part of the previous approval.~~

~~d.c.~~ Any increase in direct or indirect impacts may require additional mitigation pursuant to the criteria and standards of county regulations.

iii. Substantial Changes – Decrease Scale, Impact.

a. The applicant shall submit to the Planning Administrator revised maps showing the proposed revisions to the layout of lots or buildings and any reduction in the number of lots or buildings. This revised layout shall be accompanied by the maps and analyses that were submitted as part of the previous application and approval. These maps and analyses include the following to the extent they were required for the previous approval:

- 1. Existing Conditions Inventory and Existing Conditions Map;
- 2. Existing Contour Map;
- 3. Maps of Overlay Areas as established in Title 8 and Title 9;
- ~~4. Existing Land Management Plan or Open Space Management Plan;~~
- ~~5. Fiscal and Services Analysis;~~
- ~~6. Natural Resource Analysis; and,~~
- ~~7. Traffic Impact Study.~~

b. No additional studies or analyses are required.

c. No additional application review fees ~~or impact fees~~ are required.

d. The master plan and plat for subdivision or Planned Unit Development, including the proposed changes, shall reduce governmental costs for operations and capital expenses and provide sufficient financial surety. As applicable, shall reduce the intrusion of development into natural resource areas that are protected by criteria in county regulations ~~or~~; reduce development in the Overlay Areas as these areas are defined in Title 8 or Title 9, ~~and reduce governmental costs for operations and capital expenses.~~

D. Procedure. Proposed changes to an approved plat for a subdivision or Planned Unit Development shall be reviewed pursuant to the following procedures.

~~i. Insignificant Changes.~~ Upon determining the application Complete, insignificant changes may be approved, approved with conditions or denied by the Planning Administrator pursuant to the criteria and standards in county regulations. ~~However, if the Planning Administrator determines that the proposed changes may affect neighboring property owners, requests for approval of insignificant changes may be scheduled for review by the Planning and Zoning Commission. The Planning and Zoning Commission shall then conduct a public hearing on the application for changes and following the hearing, shall approve, approve with conditions or deny the changes pursuant to the criteria and standards in county regulations~~

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ii. **Substantial Changes – Increase Scale, Impact.** Upon the Planning Administrator determining the application Complete, it shall be reviewed as a revised Preliminary Plat and revised Final Plat pursuant to the procedures established for such applications. The Planning Administrator shall schedule the application for review by the Planning and Zoning Commission and Board of County Commissioners pursuant to the procedures established in this regulation for Preliminary and Final Plats.

iii. **Substantial Changes – Decrease Scale, Impact.** Upon the Planning Administrator determining the application Complete, it shall be reviewed by the following procedure.

a. **Concept Review by Planning Commission.** The application for proposed changes shall be reviewed by the Planning ~~and Zoning~~ Commission as a Concept Plan. The Commission shall recommend approval, approval with conditions or denial to the Board ~~of County Commissioners.~~

b. **Final Plat by County Commission.** Upon receiving a recommendation from the Planning ~~and Zoning~~ Commission the Board ~~of County Commissioners~~ shall review the application as a partial or full plat vacation and a replat of the subdivision or Planned Unit Development. The Final Plat application shall be submitted pursuant to Title 50 of the Idaho Code and Title 9, and shall be accompanied with a revised Development Agreement and/or Conditions, Covenants and Restrictions (CCR) as such revisions may be necessary to implement the Final Plat. The Board ~~of County Commissioners~~ shall approve, approve with conditions or deny the proposed Mater Plan, Final Plan and Development Agreement pursuant to the criteria set forth in C-iii-d of this section. ~~the criteria and standards of county regulations.~~

~~b.~~
iv. **Public Hearings and Public Notice.** The scheduling, public notice and conduct of public hearings as required in this Subsection shall comply with the standard procedures established in county regulations and the Idaho Code.

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