Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street Cascade, ID 83611-1350



Phone: 208-382-7115 Fax: 208-382-7119 Email: cherrick@co.valley.id.us

STAFF REPORT: C.U.P. 09-01 Blackhawk Lake Estates Phases III & IV

Extension Request

HEARING DATE: April 13, 2023

TO: Planning and Zoning Commission

STAFF: Cynda Herrick, AlCP, CFM

Planning and Zoning Director

APPLICANT / Liang Wu

PROPERTY OWNER: 2911 E Wildernest LN, Boise, ID 83706

SURVEYOR: Joe Pachner, P.E, KM Engineering

9233 West State Street, Boise, ID 83714

LOCATION: Parcel RP17N02E022485 plus common area within Blackhawk Lake

Phase 2 located on the west side of Blackhawk Lake in the N ½ Section 2, T.17N, R.2E, Boise Meridian, Valley County, Idaho

SiZE: Approximately 26 acres

REQUEST: Single-Family Residential Subdivision

EXISTING LAND USE: Agriculture (Timber)

Liang Wu is requesting a two-year extension of the conditional use permit and preliminary plat that expires on April 22, 2023. The 25.87-acre site is located on the west side of Blackhawk Lake between Blackhawk Lake Estates 5 and Blackhawk Lake Estates Phase II.

Access would be from Blackhawk Lake Drive (private) onto West Mountain Road (public).

The original approval was to establish a single-family subdivision that will contain 9 residential lots, 1 common lot, and 3 open space parcels. Individual wells and septic systems are proposed; there will be a common drainfield. It will contain an internal private road (Blackhawk Lake Drive), which is a continuation of the existing road.

2023 Extension request:

- Since the 2021 extension, the civil construction plans and final plat have been completed.
- The Wildfire Mitigation Plan is in compliance and current.
- They will continue to work with the homeowner association.
- The applicant anticipates completing the platting process and site improvements by the summer of 2023.

2021 Extension request:

Since the 2019 extension, they have evaluated alternative on-site sanitary sewer

Staff Report C.U.P. 09-01 Extension 2023 Page 1 of 4 options.

- They are currently finalizing the site layout to meet on-site sewer constraints.
- The Wildfire Mitigation Plan is in compliance and current.
- They will continue to work with the homeowner association.
- They anticipate completing the platting process by the fall of 2021 and completing the site improvements by the summer of 2022.

2019 Extension request:

- Have evaluated alternative on-site sanitary sewer options that have been acceptable to Central District Health Department
- Continuing to finalize the site layout to meet the on-site sewer constraints.
- Continue to work with the Blackhawk Homeowners Association
- Wildfire Mitigation Plan is still in compliance and current
- Anticipate completing the platting process by fall of 2020 and completing the site improvements by summer of 2021.

2017 Extension request:

- 2-year extension request approved
- Mention was made that Central District Health accepted their sanitary sewer options.
- The Wildfire Mitigation Plan was still in compliance and current.

2015 Extension Request

- 2-year extension request approved to complete the following
 - o Finalize site layout of on-site sewer constraints.
 - Continue to work with Blackhawk Homeowners Association in regards to the Wildfire Mitigation Plan.

2013 & 2011 Extension Requests

- 2-year extension requests approved.
- Time needed for DEQ to review the revised nutrient pathogen study.

FINDINGS:

- 1. The extension request was submitted on February 7, 2023.
- Legal notice was posted in the Star News on March 23, 2023, and March 30, 2023.
 Potentially affected agencies were notified on March 14, 2023. Property owners within 300 feet of the property line were notified by fact sheet sent on March 20, 2023. The notice and application were posted online at www.co.valley.id.us on March 14, 2023. The site was posted on March 29, 2023.
- 3. Agency comment received:

Central District Health has no objection to the extension. (March 14, 2023)

4. Public comment received: None

STAFF COMMENTS / QUESTIONS:

- 1. This site is within the McCall Fire District. It is not within an irrigation district nor a herd district.
- 2. Additional Required Plat Notes include:
 - "The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."
 - "All lighting must comply with the Valley County Lighting Ordinance."
 - "Only one wood burning device is allowed on each lot."
 - "Surrounding land uses are subject to change."
 - Floodplain Note
- 3. Have all improvements been made, such as construction of the road? If not, when will it be constructed?
- 4. In 2021, the applicant stated they were working with Idaho Department of Environmental Quality (DEQ) to further evaluate the options for sewer/septic systems. Has this been completed?
- 5. Must submit letter of approval to use the existing Blackhawk Lake Drive and describe how it is a continuation from Phase II.
- 6. CCRs should address exterior lighting, wildfire prevention, control of noxious weeds, septic system maintenance, wetlands, the common area, posting address numbers at home and driveway, and limit each lot to one wood burning device.
- 7. The conditional use permit and preliminary plat were originally approved effective April 21, 2009. An amended C.U.P. was recorded on April 27, 2011, which added additional conditions of approval and modified the original COA #5. The original COA #5 stated "Must enter into a Road Development Agreement with the Board of County Commissioners."

May want to change to our current condition of approval: Prior to construction of any on-site improvements, the applicant shall meet with the Valley County Road Director and/or Board of County Commissioners to discuss off-site road improvements. If an agreement cannot be reached the application shall be set for another public hearing with the Valley County Planning and Zoning Commission to determine if the application can be approved without improvements and still meet their mandates concerning public health, safety, and welfare matters. The discussion will be concerning current road conditions and potential mitigation for impacts caused by the development.

Previously Approved Conditions of Approval (#359960, Apr. 27, 2011)

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance and Subdivision Regulations are all made a part of this permit as if written in full

herein.

- 2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
- 3. The use must be established according to the phasing plan or the conditional use permit will be null and void.
- 4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
- 5. Must discuss a Road Development Agreement with the Board of County Commissioners.
- 6. Must comply with the requirements of the McCall Rural Fire District. A letter of approval is required.
- 7. The CCRs shall address wood burning devices by limiting to one per site and incorporating firewise wildland urban interface landscaping requirements.
- 8. The Valley County Engineer shall approve the final site grading/storm water management plan prior to construction or excavation.
- 9. Must submit a letter from Southern Idaho Timber Protective Association or the Blackhawk Lake Property Owner Association stating that they are working with them on the Fire Mitigation Plan.
- 10. Must submit a more specific timeline after DEQ approval is received.

ATTACHMENTS:

- Extension Request
- Amended Conditional Use Permit 09-01, Instrument #359960
- Vicinity Map
- Aerial Map
- Assessor's Plat
- Preliminary Plat
- Enlarged Portion of Plat
- Photo taken March 29, 2023
- Responses
- Septic System Handouts

END OF STAFF REPORT

Staff Report C.U.P. 09-01 Extension 2023 Page 4 of 4



February 7, 2023 Project No.: 21-199

Valley County Planning & Zoning Commission PO Box 1350 219 North Main Street Cascade, ID 83611-1350

RE: Extension Request for Conditional Use Permit No. 09-01
Blackhawk Lakes Subdivision Phases III & IV

Dear Commissioners:

On behalf of Liang Wu, the new property owner, we are pleased to present the enclosed extension request for Conditional Use Permit No. 09-01 for Blackhawk Lakes Subdivision Phases III and IV. We are requesting a two-year extension to the CUP, which will provide us the necessary time to complete the project. Since our last extension we have completed the civil construction plans and final plat. These documents will be delivered to the governing agencies for their review and approval. We have continued our coordination work with the Blackhawk Homeowners Association for the connection and extension of Blackhawk Lake Drive through the platted Blackhawk Lake Estates Subdivision No. 5. Lastly, the Wildfire Mitigation Plan is still in compliance and current.

We anticipate completing the platting process by the summer of 2023, along with completing the site improvements.

I have attached a check in the amount of \$300.00, as requested.

We look forward to providing a highly desirable project in the near future. We are again requesting an opportunity to discuss the above-mentioned details regarding the need to extend the CUP approval with the Commission.

Please feel free to contact me with additional questions.

Sincerely,

KM Engineering, LLP

Joe Pachner, P.E. Principal Engineer

cc: Liang Wu, Developer



Planning and Zoning Commission VALLEY COUNTY IDAHO

P.O. Box 1350/219 North Main Street/Cascade, Idaho 83611-1350

Phone: 208.382.7115 FAX: 208.382.7119

Date

Approved by

Instrument # 359960

VALLEY COUNTY, CASCADE, IDAHO 4-27-2011 10:52:28 No. of Pages: 2

Recorded for : VALLEY COUNTY P & Z ARCHIE N. BANBURY Fee: 0

Ex-Officio Recorder Deputy

index to COUNTY MISC

AMENDED
CONDITIONAL USE PERMIT

NO. 09-01

Blackhawk Lake No. III & IV

Issued to:

L.B. Industries, Inc.

842 E. Winding Creek Drive

Eagle, ID 83616

Property Location:

Located in N1/2 of Section 2, Township 17North, Range 2 East, Boise

Meridian, Valley County, Idaho. The property is approximately 25.87

acres.

There have been no appeals of the Valley County Planning and Zoning Commission's decision of April 14, 2011. The Commission's decision stands and you are hereby issued a two year extension for Conditional Use Permit No. 09-01 with Conditions for establishing a single family subdivision as described in the application, staff report, and minutes.

This permit will expire on April 21, 2012. Any extensions must be approved by the Commission prior to that date.

However additional conditions of approval were placed on the extension and COA #5 was changed.

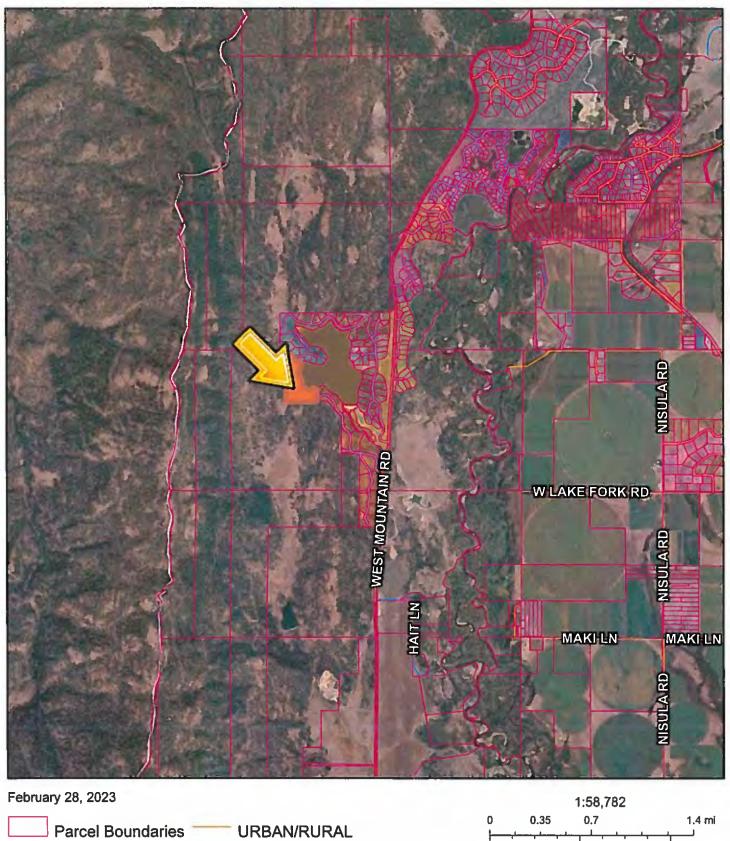
Conditions of Approval:

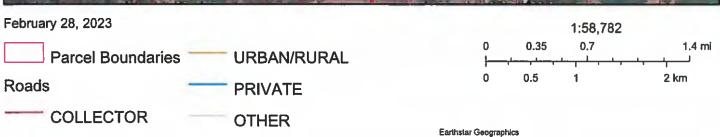
1. The application, the staff report, and the provisions of the Land Use and Development Ordinance and Subdivision Regulations are all made a part of this permit as if written in full herein.

- 2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
- 3. The use must be established according to the phasing plan or the conditional use permit will be null and void.
- 4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
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- 10. Must submit a more specific timeline after DEQ approval is received.

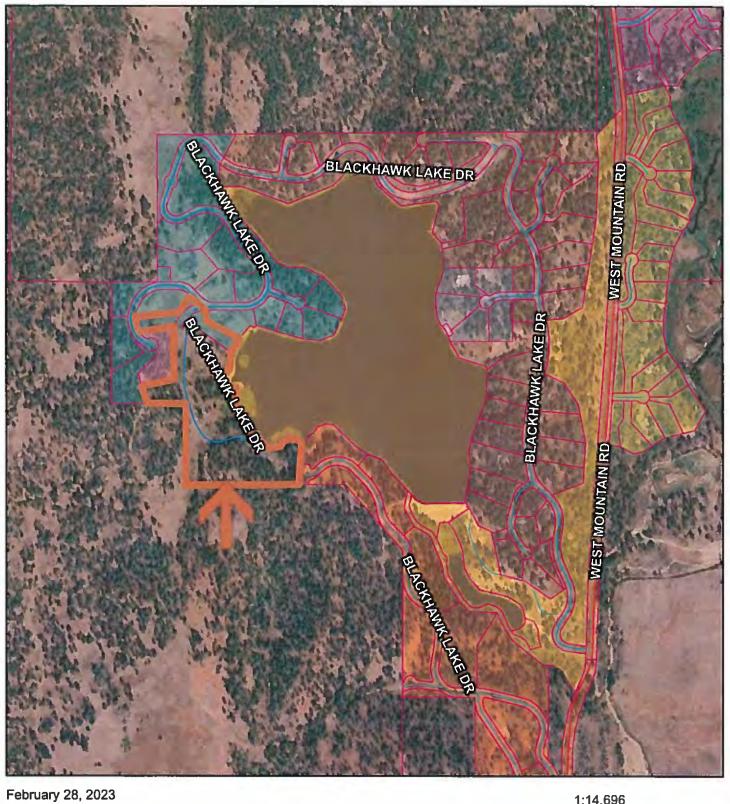
END CONDITIONAL USE PERMIT

C.U.P. 09-01 Vicinity Map

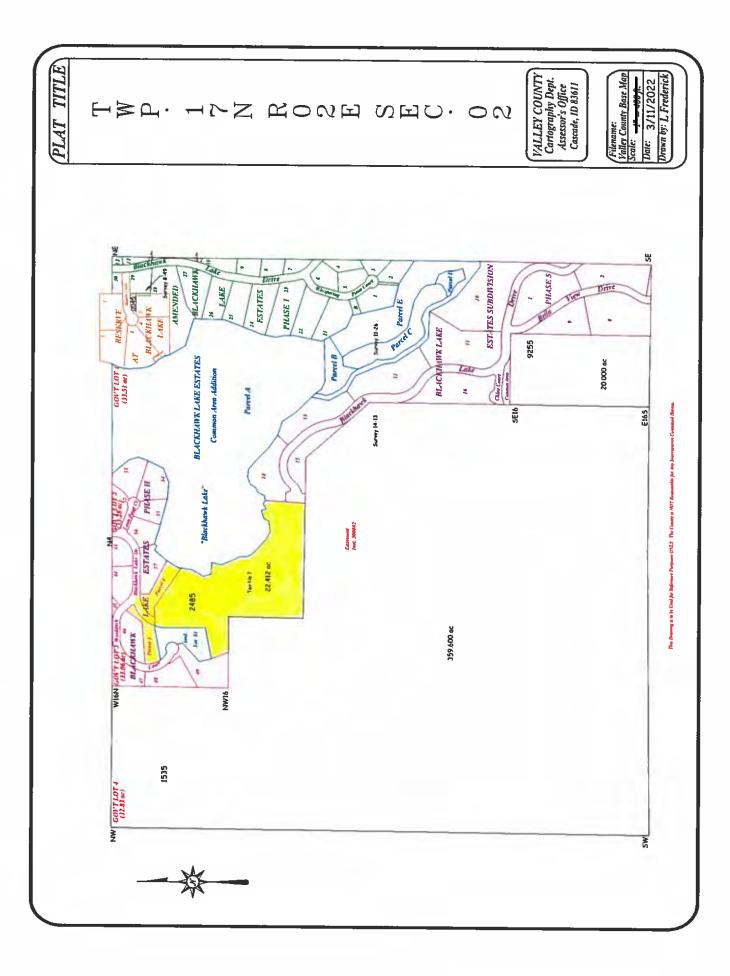


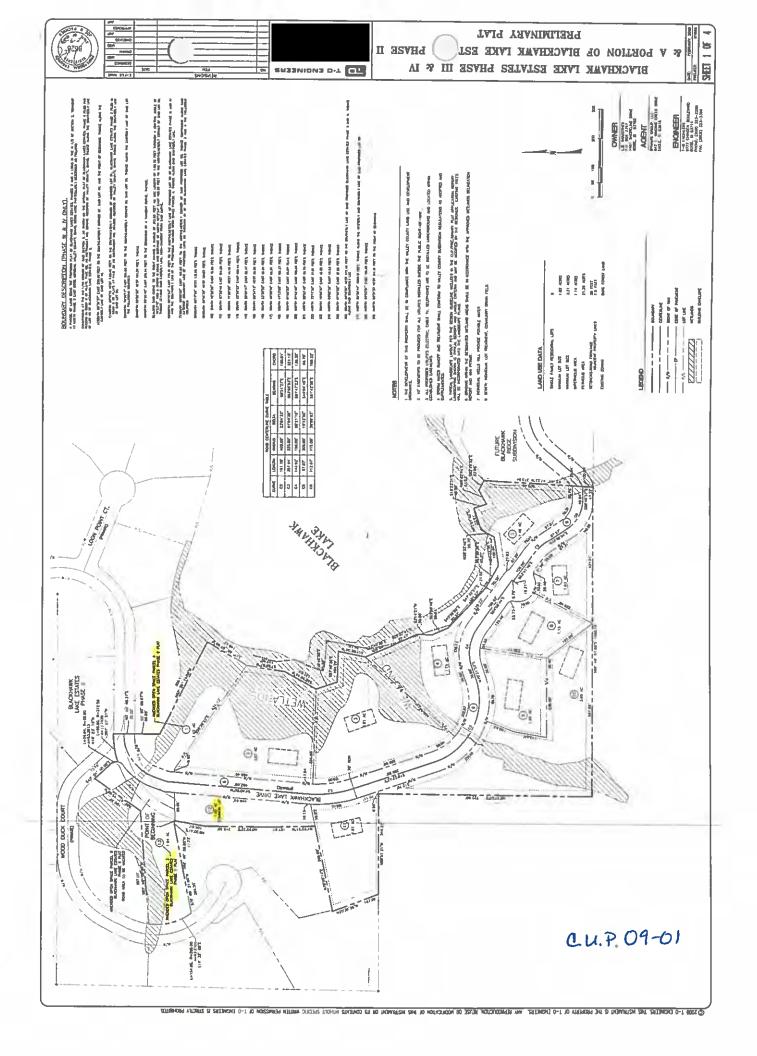


C.U.P. 09-01 Aerial Map













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	(CENTRAL DISTRICT HEALTH	Valley County Transmittal Division of Community and Environmental Health	Return to. Cascade
	Rez	one #		☐ Donnelly ☐ McCall
	Coi	nditional Use #	CUP 09-01	☐ McCall Impac
	Pre	liminary / Final / Short	Plat	Valley County
	Plackhawk Luke BST. Phone 3&4			
_				
	L	We have No Objections to this Proposal		
' <u>_</u>	2.:	We recommend Denial of this Proposal.		
	3	Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.		
	4_	We will require more data concerning soil conditions on this Proposal before we can comment.		
	5	Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of: high seasonal ground water waste flow characteristics bedrock from original grade other		
	6.	This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.		
	7.	This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.		
	8.	After written approvals from an central sewage interim sewage individual sewag	Central water	or: nity water well
	9,	The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality: central sewage		
	10,	Run-off is not to create a mosquito breeding problem		
	11	This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.		
	12.	If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.		
	13	We will require plans be submit food establishm beverage establ	ent swimming pools or spas Childica	re center
	14	WE have a	no objection to the BRTBASic	on/
			Reviewed By.	with.
			ra e	Date: 5,54,23

Review Sheet

Top 10 Ways to Be a Good Septic Owner

- Have your system inspected every three years by a qualified professional or according to your state/ local health department's recommendations
- Have your septic tank pumped, when necessary, generally every three to five years
- Avoid pouring harsh products (e.g., oils, grease, chemicals, paint, medications) down the drain
- Discard non-degradable products in the trash (e.g., floss, disposable wipes, cat litter) instead of flushing them
- Keep cars and heavy vehicles parked away from the drainfield and tank
- Follow the system manufacturer's directions when using septic tank cleaners and additives
- Repair leaks and use water efficient fixtures to avoid overloading the system
- Maintain plants and vegetation near the system to ensure roots do not block drains
- Use soaps and detergents that are low-suds, biodegradable, and low- or phosphate-free
- Prevent system freezing during cold weather by inspecting and insulating vulnerable system parts (e.g., the inspection pipe and soil treatment area)



For more SepticSmart tips, visit www.epa.gov/septicsmart

SAM



A Homeowner's Guide to Septic Systems



Idaho Department of Environmental Quality 1410 N. Hilton Boise, ID 83706

January 2001

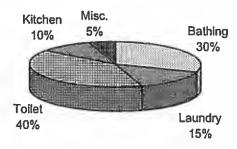


Do you have a home septic system? As an Idaho resident, there is a good chance you do—thirty-six percent of Idaho's homes, or about 210,000 residences, use septic systems to treat their sewage. These systems discharge more than 53 million gallons of wastewater into Idaho's soils annually, and this figure grows each year. In 1999, Idaho's seven health districts issued over 6,100 permits for new septic systems.

Septic systems dispose of household sewage, or wastewater, generated from toilet use, bathing, laundry, and kitchen and cleaning activities. Because septic systems are underground and seldom require daily care, many homeowners rarely think about routine operations and maintenance. However, if a septic system is not properly designed, located, constructed, and maintained, groundwater may become contaminated.

Household Wastewater

Households that are not served by public sewers depend on septic tank systems to treat and dispose of wastewater. Household wastewater carries with it all wastes that go down the drains in our homes, including human waste, dirt, food, toilet paper, soap, detergents, and cleaning products. It contains dissolved nutrients, household chemicals, grease, oil, microorganisms (including some that cause disease), and solid particles. If not properly treated by your septic system, chemicals and microorganisms in wastewater can travel through the soil to groundwater and pose a health hazard.



The average person uses between 50 and 75 gallons of water per day; mostly in the bathroom. Reducing your water use will help your septic system to work more efficiently.

Your Septic System

A conventional septic system has three working parts: a septic tank, a drainfield, and surrounding soil.

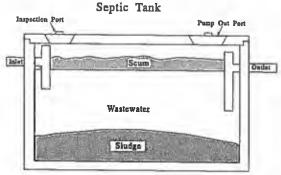
Septic Tank

Septic tanks can be made of concrete, fiberglass, or plastic and must be approved by the state. Minimum sizes of tanks have been established for residences based on the number of bedrooms in the dwelling. In Idaho, a 1,000-gallon septic tank is required for homes with three or four bedrooms. Larger tanks are required for larger homes. Local district health departments issue permits for septic systems and specify the minimum size tank. Some systems installed before the current rules and regulations may have smaller septic tanks.

A septic tank has three main functions:

- to remove as many solids as possible from household wastewater before sending the liquid, called "effluent," to a drainfield;
- to decompose solids in the tank; and
- to store solids that do not decompose.

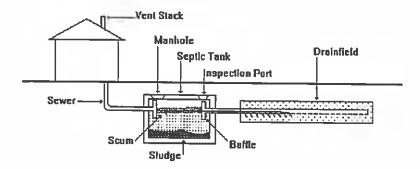
When raw wastewater enters the tank, heavy solids sink to the bottom of the tank as sludge. Light solids, such as grease and paper, float to the surface as scum. During the wastewater storage period, bacteria digest organic material in the wastewater. During this process, the solid material is reduced in volume and composition. Solids that do not decompose accumulate in the tank and eventually must be pumped out.



Tees, or baffles, are provided at the tank's inlet and outlet pipes. The inlet tee slows the incoming wastes and reduces disturbance of the settled sludge. The outlet tee keeps the solids and scum in the tank. As new wastewater enters the tank through the inlet tee, an equal amount of wastewater is pushed out of the tank through the outlet tee. The effluent that leaves the tank has been partially treated but still contains disease-causing bacteria and other pollutants.

Drainfield

Each time raw wastewater enters the tank it forces an equal amount of effluent into a drainfield. A standard drainfield is composed of a series of perforated pipes buried in gravel-filled trenches in the soil. The effluent seeps out of the perforated pipes and percolates through the gravel to the soil.



Soil

The soil below the drainfield provides the final treatment and disposal of the septic tank effluent. After the effluent has passed into the soil, most of it percolates downward and outward, eventually entering the groundwater. Soils are critical to the treatment of septic tank wastewater.

A system that is not functioning properly will release nutrient-rich and bacterial-laden wastewater into the groundwater and/or surface water. These contaminated waters pose a significant public health threat to people that come into contact with them. Wastewater that moves with groundwater can transport bacteria considerable distances. This can result in a threat to public health and adversely affect the quality of ground and surface waters.

Caring for Your Septic System

Installing Your System

In order to have a septic system installed on your property, you must first obtain a permit. Permit applications are available from your local district health department. Next, you must have a site evaluation performed. Make arrangements for this with your district health department and with a licensed septic system installer. Note that not all property is suitable for septic systems, so some permits may be denied. It is recommended that you have a site evaluation performed before you purchase property. Finally, have your system installed by a licensed installer and inspected by your local health district. Provide regular, preventative, maintenance to keep your system running smoothly.

Inspecting Your System

When too much sludge and scum are allowed to accumulate in your tank, the incoming sewage will not have enough time in the septic tank for solids to settle. Solids may flow to the drainfield and clog the pipes, causing the sewage to overflow to the ground surface, where it exposes humans and animals to disease-causing organisms. To prevent this from happening, it is very important to inspect your tank regularly and have it serviced when needed. All tanks have accessible manholes for inspecting and pumping. Some excavation work may be needed to uncover the manhole.

Properly designed tanks should have enough capacity for three to eight years of use before needing service. This is dependent upon the amount of wastewater generated. It is recommended that an average family of four have its septic tank pumped out every three to five years. Don't wait for signs of system failure to have your tank pumped. Your tank should be checked annually to measure sludge and scum levels. A licensed septic tank pumper can provide a septic tank inspection and recommend when the tank should be pumped. A tank inspection should include measuring the depth of scum and sludge and inspecting the tees in the septic tank.

If you do the inspection yourself, it is important to understand that septic tanks always appear full because both the inlet and the outlet are at the top of the tank. What you will need to know is how much of the tank's volume is being taken up by scum and sludge. When sludge and scum take up more than 35 percent of the tank volume, these solids need to be removed by pumping. A pole wrapped in a course weave cloth can be used to check the sludge depth. An extension on the pole can be used to measure the scum depth. Record these measurements as part of your pumping records. To check the tees, uncover the inspection ports.

Never allow anyone to enter your septic tank. Dangerous gases and the lack of oxygen can kill in minutes.

While it is impractical to inspect the pipes in your drainfield, it is important to watch for drainfield failure or overuse. See "Warning Signs of System Failure" in this booklet for information.

Maintaining Your System

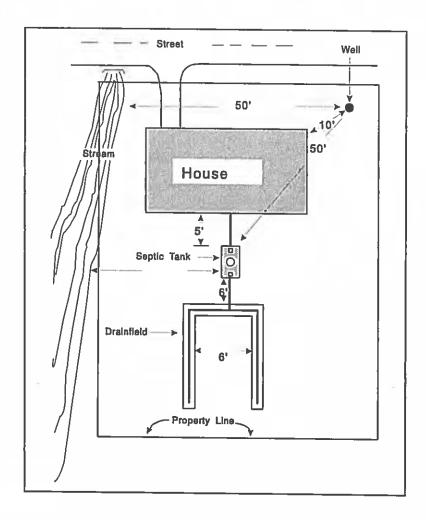
Pumping your septic tank every three years (or as determined by your inspections) will remove accumulations of solids, help keep the drainfield from becoming clogged, and help prevent you from experiencing sewage backups or septic system failure. An accumulation of sludge exceeding 35% of the total water depth in the septic tank could cause solids to enter the drainfield and clog the system. Hire a licensed septic tank pumper to pump your tank for you.

Mapping Your System

In order to take proper care of your septic system, you must know the location of the septic tank and drainfield. The location of your septic tank can be determined from plot plans, septic system inspection records, architectural or landscape drawings, or from observations of the house plumbing. If you do not have access to drawings, find where the sewer pipe leaves your house. Some installers mark the location where the waste pipe comes out of the house with an "S" on the foundation. You may want to do this as well. Probe in the ground 10 to 15 feet directly out from the location where the pipe leaves your house to find your tank.

Once the septic tank has been located, make several plot plan diagrams (with measurements) that include a rough sketch of your house, septic tank cover, drainfield area, well, and any other permanent reference points (such as trees or large rocks) and place them with your important papers. You'll find a sample system diagram on the next page, and a place to draw your own inside the front cover of this booklet. You may also want to hang a diagram in your garage and provide one to your local district health office.

Maintain a permanent record of any septic system maintenance, repair, sludge and scum levels, pumping, drainfield condition, household backups, and operations notes.



Create a septic system diagram, similar to this one, for your system.

Warning Signs of System Failure

While proper use, inspections, and maintenance should prevent most septic tank problems, it is still important to be aware of changes in your septic system and to act immediately if you suspect a system failure. There are many signs of septic system failure:

- surfacing sewage or wet spots in the drainfield area;
- plumbing or septic tank backups;
- slow draining fixtures;
- · gurgling sounds in the plumbing system;
- sewage odors in the house or yard (note that the house plumbing vent on the roof will emit sewage odors and this is normal); and
- tests showing the presence of bacteria in well water.

If you notice any of these signs, or if you suspect your septic tank system may be having problems, contact a licensed septic system professional or your local district health agency for assistance.

Septic System Dos and Don'ts

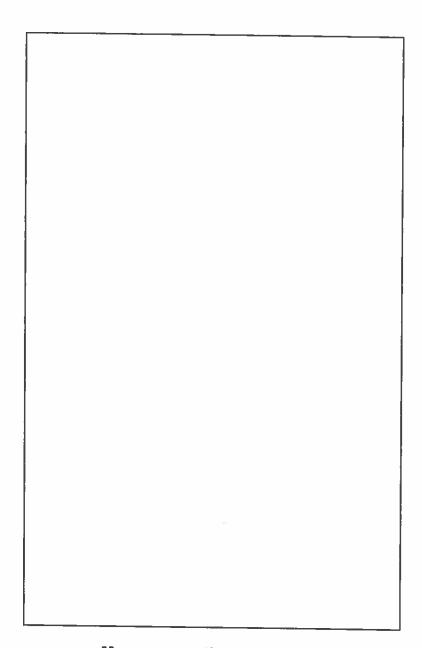
Proper operation of a septic system can prevent costly repairs or replacement. Observing the following guidelines will help to keep your system running efficiently.

Do

- ...practice water conservation. The more wastewater you produce, the more wastewater your system must treat and dispose. By reducing and balancing your use, you can extend the life of your system and avoid costly repairs.
 - Use water saving devices such as low flow showerheads.
 - o Repair leaky faucets and plumbing fixtures immediately.
 - o Reduce toilet reservoir volume or flow.
 - Take short showers.
 - Take baths with a partially filled tub.
 - o Wash only full loads of dishes and laundry.
 - Shut off the water while shaving or brushing your teeth.
 - o Balance your water use (e.g., avoid washing several loads of laundry in one day).
- ...keep accurate records. Know where your septic tank is, keep a diagram of its location using the space provided in this booklet, and keep a record of system maintenance.
- ...inspect your system annually. Check the sludge and scum levels inside the tank and periodically check the drainfield for odors, wet spots, or surfacing sewage.
- ...pump your system routinely. Pumping your septic tank is probably the single most important thing you can do to protect your system.
- ...keep all runoff away from your system. Water from roofs and driveways should be diverted away from the septic
 tank and drainfield area. Soil over your system should be mounded slightly to encourage runoff.
- ...protect your system from damage. Keep vehicles and livestock off your drainfield. The pressure can compact the soil or damage the pipes. Before you dig for any reason, check the location of your system and drainfield area.
- ...landscape your system properly. Plant grass over the drainfield area. Don't plant trees or shrubs or place
 impermeable materials, such as concrete or plastic, over the drainfield.
- ...use cleaning chemicals in moderation and only according to manufacturer's directions.

Don't

- ...flood irrigate over your system or drainfield area. The best way to irrigate these areas is with sprinklers.
- ...use caustic drain openers for clogged drains. Use boiling water or a drain snake to clean out clogs.
- ...enter a septic tank. Poisonous gases or a lack of oxygen can be fatal.
- ...use septic tank additives. They are not necessary for the proper functioning of your tank and they do not
 reduce the need for pumping. In fact, some additives can even harm your system.
- ...flush harmful materials into your tank. Grease, cooking oil, coffee grounds, sanitary napkins, and cigarettes
 do not easily decompose in septic tanks. Chemicals, such as solvents, oils, paints, and pesticides, are harmful to
 your systems operation and may pollute groundwater.
- ...use a garbage disposal. Using a garbage disposal will increase the amount of solids entering the septic tank
 and will result in the need for more frequent pumping.



Map your septic system here

For More Information

If you need to obtain a permit for a new or replacement septic system, or if you have questions about septic systems and their operation and maintenance, please contact your local health district.

Panhandle District Health Department 8500 N. Atlas Road Hayden, ID 83835 208-415-5100

North Central District Health Department 215 10th Street Lewiston, ID 83501 208-799-0353

Southwest District Health Department 920 Main Street Caldwell, ID 83605 208-455-5400

Central District Health Department 707 N. Armstrong Place Boise, ID 83704 208-327-7499

South Central District Health Department 1020 Washington Street North Twin Falls, ID 83303 208-734-5900

Southeastern District Health Department 1901 Alvin Ricken Drive Pocatello, ID 83201 208-239-5270

District 7 Health Department 254 "E" Street Idaho Falls, ID 83402 208-523-5382