

Valley County Planning and Zoning

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STAFF REPORT:	SUB 25-015 Devil's View Subdivision - Preliminary and Final Plat
MEETING DATE:	August 14, 2025
TO:	Planning and Zoning Commission
STAFF:	Cynda Herrick, AICP, CFM Planning and Zoning Director
APPLICANT:	Ben Dreier 270 Elkhorn Ranch RD, McCall, ID 83638
PROPERTY OWNER:	Benjamin J Dreier and Emily Marie Dreier 270 Elkhorn Ranch RD, McCall, ID 83638
SURVEYOR:	John Russell, Russel Surveying INC, McCall, ID 83611
LOCATION:	Part of parcel RP17N03E027805 located in the NWSE Section 2, T.17N, R.3E, Boise Meridian, Valley County, Idaho
SIZE:	Approximately 2.6 acres
REQUEST:	1-Lot Single-Family Residential Subdivision
EXISTING LAND USE:	Agricultural

Ben Dreier is requesting a conditional use permit for a one-lot, single-family residential subdivision on 2.6 acres. This property is currently part of a 22.6-acre rural parcel.

An individual septic system and individual well are proposed.

The lot would be accessed from Redtail Lane, a graveled, private road, and onto Farm to Market Road, a public road. An access easement would provide ingress and egress to the remainder of the parcel.

The application states the property has water rights. Irrigation water from Boulder Irrigation District would be provided to the new lot. A new diversion with pump would be constructed as specified by Boulder Irrigation Company will service the new lot.

The short form of a Wildfire Urban Interface Mitigation Plan was submitted with the application.

FINDINGS:

1. A neighborhood meeting is not required for a 1-lot subdivision (VCC 9-5H-1.D).
2. The application was submitted on June 24, 2025.

3. Legal notice was posted in the *Star News* on July 24, 2025, and July 31, 2025. Potentially affected agencies were notified on July 15, 2025. Neighbors within 300 feet of the property line were notified by fact sheet sent July 17, 2025. The site was posted on July 29, 2025. An additional notice sign was posted at the intersection of Redtail Lane and Farm to Market Road on August 1, 2025. The notice and application were posted online at www.co.valley.id.us on July 15, 2025.

4. Agency comment received:

Brent Copes, Central District Health, stated a subdivision application, fees, test holes, ground water monitoring, and engineering report are required. (August 1, 2025)

Ryan Garber, McCall Fire & EMS, listed requirements for driveways, turnarounds, and security gates. (August 4, 2025)

Brandon Flack, Idaho Fish and Game Regional Technical Assistance Manager, submitted general recommendations for subdivisions, which include controlling pets, vegetative recommendations, prohibiting feeding of wildlife, riparian barriers around wetlands, pond requirements, and wildlife friendly fencing. (November 21, 2024)

Emily Hart, McCall Airport Manager, had no comments. (July 22, 2025)

5. Public comment received:

Myron McCumber, 231 Elkhorn Ranch Road, supports the proposal. He requests that Redtail Lane remain unconnected to Elkhorn Ranch Road and that CCRS be adopted to prohibit mobile homes, trailers, manufactured dwellings, shipping containers, storage units, and the long-term outdoor storage of junk vehicles, debris, or inoperable equipment. These restrictions would maintain safety, privacy, property values, and rural character of the area. (August 5, 2025)

6. Physical characteristics of the site: The area is relatively sloped with a flatter building site.
The area has grass and conifer components.
Boulder Ditch would be adjacent to the new lot.

7. The surrounding land use and zoning includes:

North: Single-Family Residential Parcel with Home

South: Single-Family Residential Parcel with Home

East: Single-Family Residential Subdivision Lots

West: Single-Family Residential Parcel with Home (remainder of parcel) and Single-Family Residential Lots

8. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:

- 2. Residential Uses (c) Subdivision for single-family subdivision.

Review of Title 9 - Chapter 5 Conditional Uses and Title 10 Subdivision Regulations should be done.

TITLE 9 LAND USE AND DEVELOPMENT

9-5-3: STANDARDS:

B. Setbacks:

1. Structures Exceeding Three Feet In Height: The setbacks for all structures exceeding three feet (3') in height are specified herein under the site and development standards for the specific use.
2. Highway 55: All structures shall be set back one hundred feet (100') from the right of way line of Highway 55 unless a more restrictive setback is required within other sections of this title.
3. High Water Line: All residential buildings shall be set back at least thirty feet (30') from high water lines. All other buildings shall be set back at least one hundred feet (100') from high water lines.
4. Front Yards: Front yards shall be determined by the structure establishing the principal use on the property and the location of the access street or road.
5. Encroachment On Yards: No other structure may encroach on the yards determined for the structure establishing principal use.
6. Measurement: All building setbacks shall be measured horizontally, on a perpendicular to the property line, to the nearest corner or face of the building including eaves, projections, or overhangs.

9-5A-1: GRADING:

- A. Permit Required: Grading to prepare a site for a conditional use or grading, vegetation removal, construction or other activity that has any impact on the subject land or on adjoining properties is a conditional use. A conditional use permit is required prior to the start of such an activity.
- B. Exemptions: Grading for bona fide agricultural activities, timber harvest, and similar permitted uses herein are exempt from this section.
- C. Flood Prone Areas: Grading within flood prone areas is regulated by provisions of section 9-6-2 of this title and title 11 of this code. A permit, if required, shall be a part of the conditional use permit.
- D. Wetlands: Grading or disturbance of wetlands is subject to approval of the U.S. corps of engineers under the federal clean water act. The federal permit, if required, shall be part of the conditional use permit.
- E. Site Grading Plan:
 1. The conditional use permit application shall include a site grading plan, or preliminary site grading plan for subdivisions, clearly showing the existing site topography and the proposed final grades with elevations or contour lines and specifications for materials and their placement as necessary to complete the work. The plan shall demonstrate compliance with best management practices for surface water management for permanent management and the methods that will be used during construction to control or prevent the erosion, mass movement, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development. The plan shall be subject to review of the county engineer and the soil conservation district. The information received from the county engineer, the soil conservation district, and other agencies regarding the site grading plan shall be considered by the planning and zoning commission and/or the board of county commissioners in preparing the conditions of approval or reasons for denial of the applications.
 2. For subdivisions, preliminary site grading plans and stormwater management plans must be presented for review and approval by the commission as part of the conditional use permit application. However, prior to construction of the infrastructure, excavation, or recordation of the final plat, the final plans must be approved by the county engineer.
- F. Land Surfaces Not Used For Roads, Buildings And Parking: All land surfaces not used for roads, buildings and parking shall be covered either by natural vegetation, other natural and undisturbed open space, or landscaping.
- G. Stormwater Management Plan: Prior to issuance of building permits, the administrator must receive a certification from the developer's engineer verifying that the stormwater management plan has been implemented according to approved plans.

9-5A-2: ROADS AND DRIVEWAYS:

- A. Roads For Public Dedication And Maintenance: Roads for public dedication and maintenance shall be designed and constructed in accordance with title 10 of this code and in accordance with "Construction Specifications And Standards For Roads And Streets In Valley County, Idaho".

- B. Access Roads Or Driveways: Residential developments, civic or community service uses, and commercial uses shall have at least two (2) access roads or driveways to a public street wherever practicable.
- C. Private Roads: Private roads shall meet the provisions of the Valley County subdivision ordinance and any policies adopted by the board of county commissioners.
- D. Cattle Guards: Cattle guards shall not be installed in public roads within residential developments.
- E. Access To Highway 55: Access to Highway 55 shall be limited at all locations and may be prohibited where other access is available. An access permit from the Idaho transportation department may be required.

-5A-5: FENCING:

- C. Livestock In Residential Development: If livestock are allowed in a residential development, then fencing shall be installed to keep livestock out of public street rights of way. Cattle guards shall not be installed in public roads within residential developments.
- E. Construction And Materials: Fence construction and materials shall be in accordance with commonly accepted good practices to produce a neat appearing durable fence. The location, height, and materials used for constructing a fence shall be approved by the commission and specified in the conditional use permit. Fences required for any conditional use shall be maintained in good repair.
- F. Conditional Use Adjoins Agricultural Uses: Where a conditional use adjoins an agricultural use where animal grazing is known to occur for more than thirty (30) consecutive days per year, the permittee shall cause a fence to be constructed so as to prevent the animals from entering the use area. The permittee shall provide for the maintenance of said fence through covenants, association documents, agreement(s) with the adjoining owner(s), or other form acceptable to the commission prior to approval of the permit so that there is reasonable assurance that the fence will be maintained in functional condition so long as the conflicting uses continue.
- G. Obstruction Of Vision: Sight obscuring fences, hedges, walls, latticework, or screens shall not be constructed in such a manner that vision necessary for safe operation of motor vehicles or bicycles on or entering public roadways is obstructed.

9-5A-6: UTILITIES:

- A. Direct Access Required: All lots or parcels, for or within conditional uses, shall be provided, or shall have direct access to, utility services including telephone, electrical power, water supply, and sewage disposal.
- B. Central Water Supply And Sewage Systems: Central water supply and sewage systems serving three (3) or more separate users shall meet the requirements of design, operation, and maintenance for central water and sewage systems in the subdivision ordinance.
- C. Probability Of Water Supply: Probability of water supply, as referred to in subsection A of this section, can be shown by well logs in the general area or by a determination of a professional engineer, hydrologist, or soil scientist.
- D. Individual Septic Systems: If individual septic systems are proposed to show compliance with sewage disposal requirements in subsection A of this section, sanitary restrictions must be lifted on every lot prior to recordation unless it is designated as a lot where a building permit will never be issued for a residential unit, such as pasture lot, common area, open space, or a no build lot.
- E. Easements Or Rights Of Way: Easements or rights of way shall be set aside or dedicated for the construction and maintenance of utilities in accordance with the provisions of the subdivision ordinance.
- F. Utility Plan: A utility plan showing the schedule of construction or installation of proposed utilities shall be a part of the conditional use permit.

9-5B-2: LIGHTING

9-5B-4: EMISSIONS:

- C. Wood Burning Devices: Wood burning devices shall be limited to one per site. Wood burning devices shall be certified for low emissions in accordance with EPA standards.

9-5C-2: MINIMUM LOT AREA:

B. New Subdivisions:

- 1. Single-Family Residences: New subdivisions for single-family residences shall provide the following minimum lot sizes:
 - a. One acre where individual sewage disposal systems and individual wells are proposed.

- C. Frontage On Public Or Private Road: Frontage on a public or private road shall not be less than thirty feet (30') for each lot or parcel. The lot width at the front building setback line shall not be less than ninety feet (90').

9-5C-5: SITE IMPROVEMENT:

- A. Off Street Parking Spaces: Two (2) off street parking spaces shall be provided for each dwelling unit. These spaces may be included in driveways, carports, or garages.
- B. Utility Lines: All utility lines, including service lines, that are to be located within the limits of the improved roadway in new residential developments must be installed prior to placing the leveling coarse material.

9-5C-6: DENSITY:

- A. The density of any residential development or use requiring a conditional use permit shall not exceed two and one-half (2.5) dwelling units per acre, except for planned unit developments or long-term rentals. Long-term rental density can be determined by the Planning and Zoning Commission in regards to compatibility with surrounding land uses and will require a deed restriction.
- B. Density shall be computed by dividing the total number of dwelling units proposed by the total acreage of land within the boundaries of the development. The area of existing road rights of way on the perimeter of the development and public lands may not be included in the density computation.

TITLE 10 SUBDIVISION REGULATIONS

10-4-3: LOTS:

- A. Size, Depth, Shape, Orientation And Setback Lines: The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Every lot shall abut upon a street. Corner lots for residential use shall have extra width to permit appropriate building setbacks from, and orientation to, both streets.
- B. Double Frontage And Reverse Frontage Lots: Double frontage, and reverse frontage lots, shall be avoided, except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A screening easement of at least ten feet (10'), and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.
- C. Side Lot Lines: Side lot lines shall be within twenty degrees (20o) of right angles or radial to street lines.

10-4-6: EASEMENTS:

- A. Utility Easements: There shall be provided easements for the utilities upon and across the front of lots of a width of a minimum of twelve feet (12') (except for entrance service) or as and where considered necessary by the commission.
- B. Stormwater Easement Or Drainage Right Of Way: Where a subdivision is crossed or bounded by a watercourse, drainageway, channel, irrigation ditch, or stream there shall be provided a stormwater easement or drainage right of way conforming substantially with the lines of such watercourse, and such further width or construction, or both, as will be adequate for the purpose.
- C. Drainage: Provisions for adequate drainage shall be made by the subdivider as prescribed by the county engineer in accordance with the manual containing the drainage standards and specifications as adopted by Valley County.

D. Existing Easements: All existing easements must be shown on the subdivision plat.

10-5-1: STREET AND UTILITY IMPROVEMENTS:

- A. Installation Required: Public street, utility, conduit for fiber optics, and other off site improvements, as hereinafter listed, shall be installed in each new subdivision at the subdivider's expense or at the expense of the party agreeing to install the same, in accordance with the minimum standards set forth below prior to the acceptance of any final plat for recordation, except as provided in subsections C and D of this section. A right of way permit will be required (see section 5-7-2 of this code).
- B. Acceptance By County: The county shall not accept the dedication of any public rights of way and any easements shown on the plat, together with appurtenant facilities lying therein which the county would have a duty to maintain after dedication, which are not improved, or construction thereof guaranteed in accordance with the provisions of this title or with the policies, standards, designs and specifications set forth in the road and street specifications adopted by Valley County. 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 plats shall contain in their notes this statement: "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."

Dedication of public rights-of-way does not guarantee that the public road will be maintained by Valley County. Public rights of way are allowed with roads that are maintained by homeowners. Public rights of way shall be provided through properties to adjacent lands for the purpose of circulation, when reasonable.

- D. Declaration Of Installation Of Utilities: A declaration of installation of utilities shall also be recorded. The declaration shall describe the utilities that will be placed by the subdivider, verify when the utilities will be installed and state that Valley County will have no responsibility for the installation or maintenance of utilities. If all utilities are not installed prior to recordation of the plat, a note shall be placed on the face of the plat that states: "Utilities have not been installed at the time of recordation of this plat".
- E. Connection To Public Road Required: The county shall not accept any new subdivision unless the streets within the subdivision, whether public or private, are connected directly to an existing public road. In the event the subdivision is not connected to a public road with an approved minimum standard as determined by the Valley County Road Director, then the subdivider shall construct, or guarantee the construction as provided by this title, a connector road to county standards, either private roads or public roads, which shall provide access to the subdivision. All subdivisions shall be required to be accessed by a road system that meets the minimum standard as determined by the Valley County Road Director. When access has historically been provided through the subdivision to other ownerships, the subdivider shall provide for continuation of the public right of way.

CHAPTER 7 WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN

10-7-4: SUBMISSION REQUIREMENTS:

- A. General: All developers of proposed subdivisions shall provide a wildland urban interface fire protection plan (the plan) for review and approval by the planning and zoning commission with their preliminary plat application or planned unit development submittal.
- B. Content: The plan shall be based upon a site specific wildfire risk assessment that includes consideration of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, fire protection systems and equipment, defensible space, and vegetation management.
1. Preparation: The plan shall be developed by a "professional" (see definition in section 10-7-2 of this chapter). Professionals can be prequalified by the commission and a list will be maintained at the Valley County planning and zoning office.
 3. Submittal, Implementation And Verification:
 - a. The plan shall be submitted with the preliminary plat application to the Valley County planning and zoning office.

- b. Planned mitigation work must be completed or financially guaranteed prior to the recordation of the final plat. A schedule for the phased completion of mitigation work may be approved in conjunction with recordation of final plats.
 - c. Verification of completed implementation of mitigation actions will be the responsibility of the jurisdictional structural fire district. Where no structural fire district exists, the Valley County sheriff shall appoint a county representative.
 4. Exceptions: Proposed administrative plats of less than five (5) lots and proposed subdivisions with lands less than twenty percent (20%) "forested" (see definition in section 10-7-2 of this chapter) are exempt from the professional requirement. For proposed subdivisions fitting these descriptions, the developer may complete the plan (see the fire protection form). The plan for an administrative plat can be approved by the administrator upon receiving an approval letter from the fire district.
 5. Cost: The cost and implementation of the plan preparation shall be the responsibility of the applicant.
 6. Plan Retention: The approved plan shall be retained at the Valley County planning and zoning office and the jurisdictional fire district or designated agency where no fire district exists.
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SUMMARY:

Staff's compatibility rating is a +37.

The Planning and Zoning Commission should do their own compatibility rating prior to the meeting (form with directions attached). Be prepared to submit your compatibility rating or state which lines on staff's compatibility rating needs to be changed.

STAFF COMMENTS / QUESTIONS:

1. This site is within the McCall Fire District, Water District 65K, and Boulder Irrigation District. It is not within a herd district.
2. Staff does not believe the two access roads required by 9-5A-2.B are necessary for this site.
3. Valley County Code 9-5C-2.C states that frontage on a public or private road shall not be less than 30-ft for each lot. It does not appear that Redtail Lane, a private road, has been constructed to the proposed subdivision.
 - o The applicant's surveyor has stated that the road will be constructed to the property line
4. The Assessor's Plat shows a 70-ft easement to and across this property. This easement is not shown on either the preliminary or final plat. See attached.
 - o The applicant's surveyor has stated that the intent is to vacate the easement prior to recording the final plat.
5. If the easement is to be used to access the site, a shared-driveway maintenance agreement must be recorded and noted on the final plat.
6. The applicant should particularly note the driveway and turnaround requirements of McCall Fire & EMS.
7. Will the remainder parcel need access across Boulder Ditch? Has the applicant contacted the ditch rider?
8. Plat Note 6 refers to Water District 65D; the property is within Water District 65K.
9. Plat Note 8 should be corrected to read Redtail Lane, not Red Tail Lane.
10. Plat Note 1 states there are no CCRs; Plat Note 11 refers to CCRs.

Question to P&Z Commission:

1. Does this subdivision meet the minimum standards in Title 9, Chapter 5, of the Valley County Code in regards to frontage, lot size, etc.? If not, which ones does it not comply with?
2. Does this subdivision meet the minimum standards in Title 10 of the Valley County Code in regards to the access road, etc.?
3. Are impacts being properly mitigated? If not, which impacts are not mitigated?

Standard of Approval:

1. Will the application result in an increase in value of private property? VCC 9-5-2(B)(3).
2. Will the approval of the application result in an undue adverse impact on the environment? VCC 9-5-2(B)(3).
3. Will the approval of the application result in an undue adverse impact on adjoining properties? VCC 9-5-2(B)(3).
4. Will the approval of the application result in an undue adverse impact on governmental services? VCC 9-5-2(B)(3).
5. Is the application consistent with the Valley County Comprehensive Plan? VCC 9-5-2(B)(3).
6. Conditional uses may be approved only after a C.U.P. has been evaluated to determine that the impacts can be mitigated through conformance with conditions of approval. VCC 9-5-2(A).

These six standards should be a significant focus of attention during the public hearing and deliberations because they need to be resolved in order to justify approval. VCC 9-5-1(C) directs the decision-making body to encourage conditional uses where noncompatible aspects of the application can be satisfactorily mitigated through development agreements for the costs to service providers and impacts to surrounding land uses. Because mitigation measures are a requirement of approval the applicant needs to understand that he/she will be required to perform some off-site improvements. They are not mandatory but without them the application cannot satisfy the mitigation of impacts requirement and would be denied under the ordinance.

ATTACHMENTS:

- Proposed Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Location Map
- Aerial Map
- Images from Google Maps
- Photos taken July 29, 2025, and August 1, 2025
- Assessor Plat – T.17N R.3E Section 2
- Record of Surveys 6-703 and 10-109
- Redhawk Ridge Subdivision Plat – Sheet 1
- Redhawk Ridge Subdivision Declaration of Private Roads, Instrument #276009
- Preliminary Plat
- Responses

- Lake Irrigation District – for educational purposes
- Septic System Handout

Proposed Conditions of Approval

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. 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.
4. A Development Agreement may be required for mitigation of off-site impacts. The applicant shall work with the Valley County Engineer and Planning and Zoning Director on an agreement for off-site infrastructure improvements that will be approved by the Board of County Commissioners.
5. The final plat shall be recorded within two years, or this permit will be null and void.
6. Sanitary Restrictions must be removed by Central District Health prior to recording the final plat.
7. A letter of approval is required from McCall Fire District. This should include approval of the Wildland Urban Interface Fire Protection Plan.
8. Must have a fencing plan with neighboring properties if they run livestock for over 30 days per year.
9. All easements shall be shown on the final plat.
10. Must have letter of approval from Boulder Meadows Irrigation District.
11. A shared-driveway maintenance agreement is required prior to recordation and must be noted on the face of the plat.
12. A Declaration of Installation of Utilities shall be noted on the face of the plat referencing electrical power, phone, and fiber.
13. Shall place addressing numbers at the residence and at the driveway entrance if the house numbers are not visible from the road. Said numbers shall contrast with their background and be at least three and one-half inches (3 ½-in) height.
14. CCR's, if recorded, should address lighting, noxious weeds, septic maintenance, wildfire prevention, fire wise wildland urban interface landscaping requirements, prohibiting yews in landscaping, dogs being a nuisance to adjacent agricultural uses, and limit each lot to one wood-burning device.
15. Shall record the Wildfire Urban Interface Protection Plan with the final plat.
16. The following notes shall be placed in the notes on the face of the final plat:
 - "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 per lot."
- "Surrounding land uses are subject to change."
- Wildfire Urban Interface Protection Plan recorded as instrument # _____."
- "Shared Driveway Maintenance Agreement was recorded as Instrument # _____."

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use: _____

Prepared by: _____

YES/NO X Response
Value

Use Matrix Values:

(+2/-2) X 4 _____

1. Is the proposed use compatible with the dominant adjacent land use?

(+2/-2) X 2 _____

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

(+2/-2) X 1 _____

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) X 3 _____

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

(+2/-2) X 1 _____

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

(+2/-2) X 2 _____

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

(+2/-2) X 2 _____

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

(+2/-2) X 2 _____

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

(+2/-2) X 2 _____

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Sub-Total (+) _____

Sub-Total (--) _____

Total Score _____

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

9-11-1: APPENDIX A, COMPATIBILITY EVALUATION:

- A. General: One of the primary functions of traditional zoning is to classify land uses so that those which are not fully compatible or congruous can be geographically separated from each other. The county has opted to substitute traditional zoning with a multiple use concept in which there is no separation of land uses. Proposed incompatible uses may adversely affect existing uses, people, or lands in numerous ways: noise, odors, creation of hazards, view, water contamination, loss of needed or desired resources, property values, or infringe on a desired lifestyle. To ensure that the county can continue to grow and develop without causing such land use problems and conflicts, a mechanism designed to identify and discourage land use proposals which will be incompatible at particular locations has been devised. The compatibility evaluation of all conditional uses also provides for evaluations in a manner which is both systematic and consistent.
- B. Purpose; Use:
1. The compatibility rating is to be used as a tool to assist in the determination of compatibility. The compatibility rating is not the sole deciding factor in the approval or denial of any application.
 2. Staff prepares a preliminary compatibility rating for conditional use permits, except for conditional use permits for PUDs. The commission reviews the compatibility rating and may change any value.
- C. General Evaluation: Completing the compatibility questions and evaluation (form):
1. All evaluations shall be made as objectively as possible by assignment of points for each of a series of questions. Points shall be assigned as follows:
 - Plus 2 - assigned for full compatibility (adjacency encouraged).
 - Plus 1 - assigned for partial compatibility (adjacency not necessarily encouraged).
 - 0 - assigned if not applicable or neutral.
 - Minus 1 - assigned for minimal compatibility (adjacency not discouraged).
 - Minus 2 - assigned for no compatibility (adjacency not acceptable).
 2. Each response value shall be multiplied by some number, which indicates how important that particular response is relative to all the others. Multipliers shall be any of the following:
 - x4 - indicates major relative importance.
 - x3 - indicates above average relative importance.
 - x2 - indicates below average relative importance.
 - x1 - indicates minor relative importance.
- D. Matrix - Questions 1 Through 3: The following matrix shall be utilized, wherever practical, to determine response values for questions one through three (3). Uses classified and listed in the left hand column and across the top of the matrix represent possible proposed, adjacent, or vicinity land uses. Each box indicates the extent of compatibility between any two (2) intersecting uses. These numbers should not be changed from proposal to proposal, except where distinctive uses arise which may present unique compatibility considerations. The commission shall determine whether or not there is a unique consideration.
- E. Terms:
- DOMINANT ADJACENT LAND USE: Any use which is within three hundred feet (300') of the use boundary being proposed; and
1. Comprises at least one-half (1/2) of the adjacent uses and one-fourth (1/4) of the total adjacent area; or
 2. Where two (2) or more uses compete equally in number and are more frequent than all the other uses, the one with the greatest amount of acreage is the dominant land use; or
 3. In all other situations, no dominant land use exists. When this occurs, the response value shall be zero.
- LOCAL VICINITY: Land uses within a one to three (3) mile radius. The various uses therein should be identified and averaged to determine the overall use of the land.
- F. Questions 4 Through 9:
1. In determining the response values for questions 4 through 9, the evaluators shall consider the information contained in the application, the goals and objectives of the comprehensive plan, the provisions of this title and related ordinances, information gained from an actual inspection of the site, and information gathered by the staff.
 2. The evaluator or commission shall also consider proposed mitigation of the determined impacts. Adequacy of the mitigation will be a factor.

APPENDIX A

MATRIX FOR RATING

QUESTIONS 1, 2, and 3

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
1. AGRICULTURAL	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
2. RESIDENCE, S.F.	+2		+2	+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	-1	+1		+1	-2	-2
3. SUBDIVISION, S.F.	-1	+2		+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+2	+1	-1	+2	+1	-2	-2
4. M.H. or R.V. PARK	-2	+1	+1		+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
5. RESIDENCE, M.F.	-2	+1	+1	+1		+2	+2	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
6. SUBDIVISION, M.F.	-2	+1	+1	+1	+2		+2	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
7. P.U.D., RES.	-2	+1	+1	+1	+2	+2		+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
8. REL., EDUC & REHAB	+1	+2	+1	+1	+1	+1	+1		+1	+1	-1	+2	-2	-1	-1	+2	+2	+1	+1	-1	+1	-2	-1
9. FRAT or GOVT	+1	+1	+1	+1	+1	+1	+1	+1		+1	-1	+2	-2	-1	-1	+1	+1	+1	+1	-1	+1	-2	-2
10. PUBLIC UTIL. (1A-3.1)	+1	-1	-1	-1	-1	-1	-1	+1	+1		+1	+1	-1	+1	+1	+1	-1	+1	+1	+1	+1	+2	+2
11. PUBLIC REC	+1	+2	+2	+2	+2	+2	+2	-1	-1	+1		+2	-1	+1	+1	+1	+2	+1	+1	+1	+1	-1	-1
12. CEMETERY	+2	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2		+1	+1	+1	+1	+1	+1	+1	+1	+2	+1	+1
13. LANDFILL or SWR. PLANT	+1	-2	-2	-2	-2	-2	-2	-2	-2	-1	-1	+1		-1	-1	-2	-2	-2	-2	-1	+2	+2	+2
14. PRIV. REC. (PER)	+1	+1	+1	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1		+1	+1	+2	+2	+1	+2	+2	-1	+1
15. PRIV. REC. (CON)	-1	-1	-1	-1	-1	-1	-1	-1	-1	+1	+1	+1	-1	+1		-2	-2	-1	-2	-2	+2	-1	+1
16. NEIGHBORHOOD BUS.	-1	+1	+1	+1	+1	+1	+1	+2	+1	+1	+1	+1	-2	+1	-2		+1	+2	+2	+1	+2	-1	-1
17. RESIDENCE BUS.	+2	+2	+2	+1	+1	+1	+1	+2	+1	-1	+2	+1	-2	+1	-2	+1		+1	+1	+1	+1	-2	-2
18. SERV. BUS.	-1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+1		+2	+2		+1	+1
19. AREA BUS.	-2	-1	-1	-1	-1	-1	-1	+1	+1	+1	+1	+1	-2	+1	-2	+2	-1	+2		+1	+2	-2	-2
20. REC. BUS.	-2	+2	+2	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1	+2	-2	+1	+1	+2	+1		+2	-2	+1
21. LIGHT IND.	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+2	+2	+2	+2		+1	+1
22. HEAVY IND.	+2	-2	-2	-2	-2	-2	-2	-2	-2	+2	-1	+1	+2	-1	-1	-1	-2	-1	-2	-2	+1		+2
23. EXTR. IND.	+2	-2	-2	-2	-2	-2	-2	-1	-2	+2	+1	+1	+2	+1	+1	-1	-2	-1	-2	-1	+1	+2	23

RATE THE SOLID SQUARES AS +2

Compatibility Questions and Evaluation

Matrix Line # / Use: #3

Prepared by: CH

YES/NO X Response Value

Use Matrix Values:

(+2/-2) +2 X 4 +8

1. Is the proposed use compatible with the dominant adjacent land use?

S.F. Residential

(+2/-2) +2 X 2 +4

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

S.F. Subdivision

(+2/-2) +1 X 1 +1

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

See 1 & 2 with Agricultural

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) +2 X 3 +6

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

There are trees for screening.

(+2/-2) +2 X 1 +2

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

Yes

(+2/-2) +2 X 2 +4

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

Yes

(+2/-2) +2 X 2 +4

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

Yes

(+2/-2) +2 X 2 +4

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

Yes

(+2/-2) +2 X 2 +4

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Yes

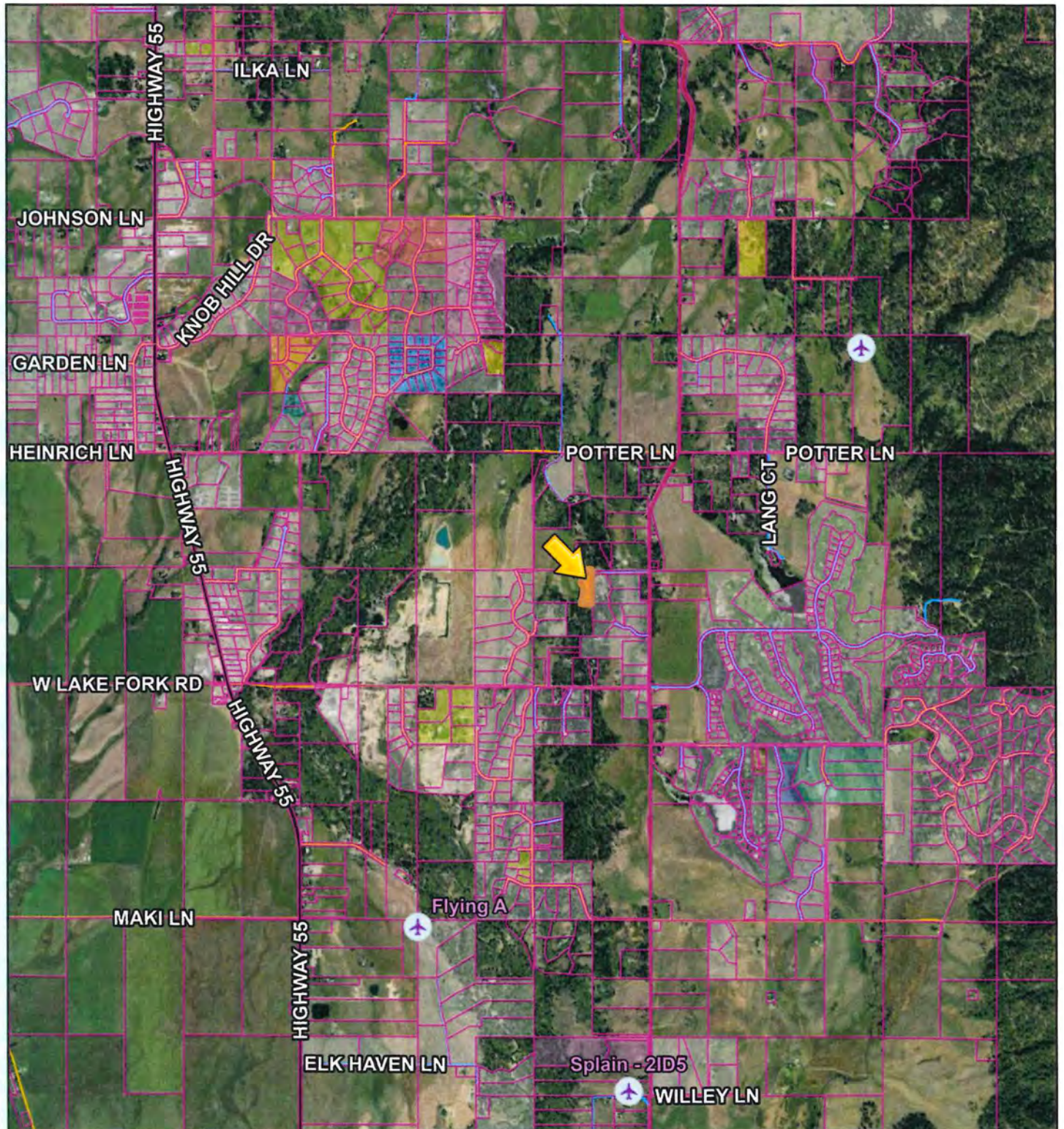
Sub-Total (+) 37

Sub-Total (--) -

Total Score +37

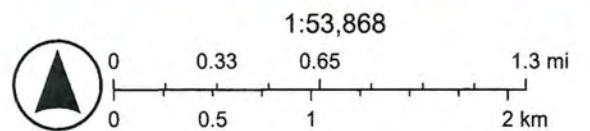
The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

SUB 25-015 Location Map



6/27/2025, 10:16:21 AM

-  Airstrips
-  Parcel Boundaries



Earthstar Geographics

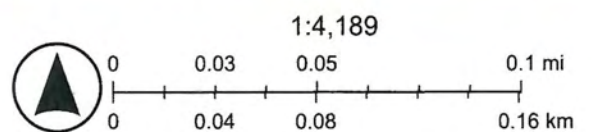
SUB 25-015 - Approximate Boundary



6/27/2025, 10:08:55 AM

Permits

	CUP		STR
	ADU		Address Points
	Parcel Boundaries		



Maxar

Google Maps – Aerial View - 2025





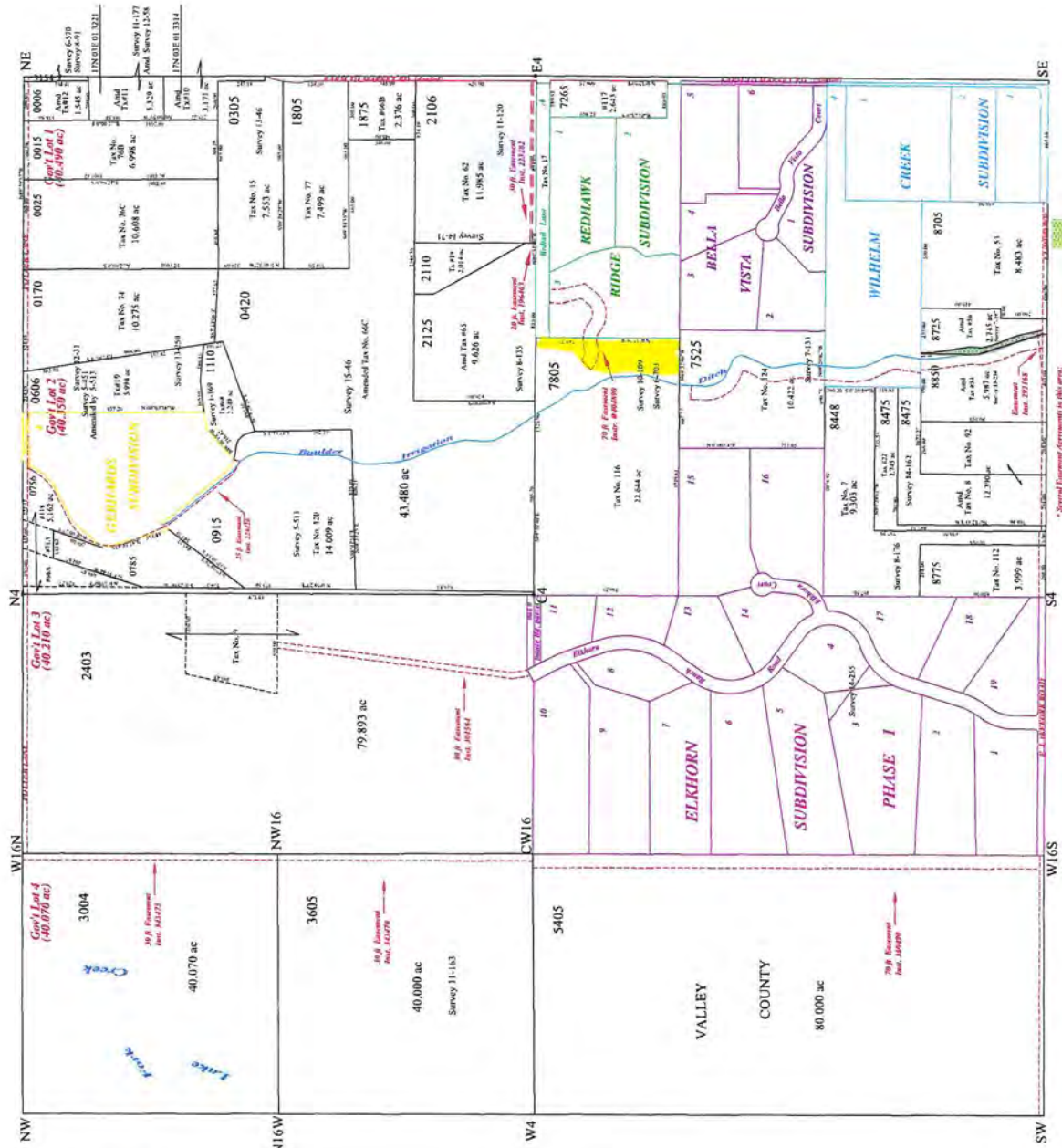


PLAT TITLE

T W P . 1 7 N R O S E S E C . 0 2

VALLEY COUNTY
Cartography Dept.
Assessor's Office
Cascade, ID 83611

Filename:
Valley County Base Map
Scale: 1" = 400'
Date: 10/3/2024
Drawn by: L. Frederick



POSSIBLE OVERLAP

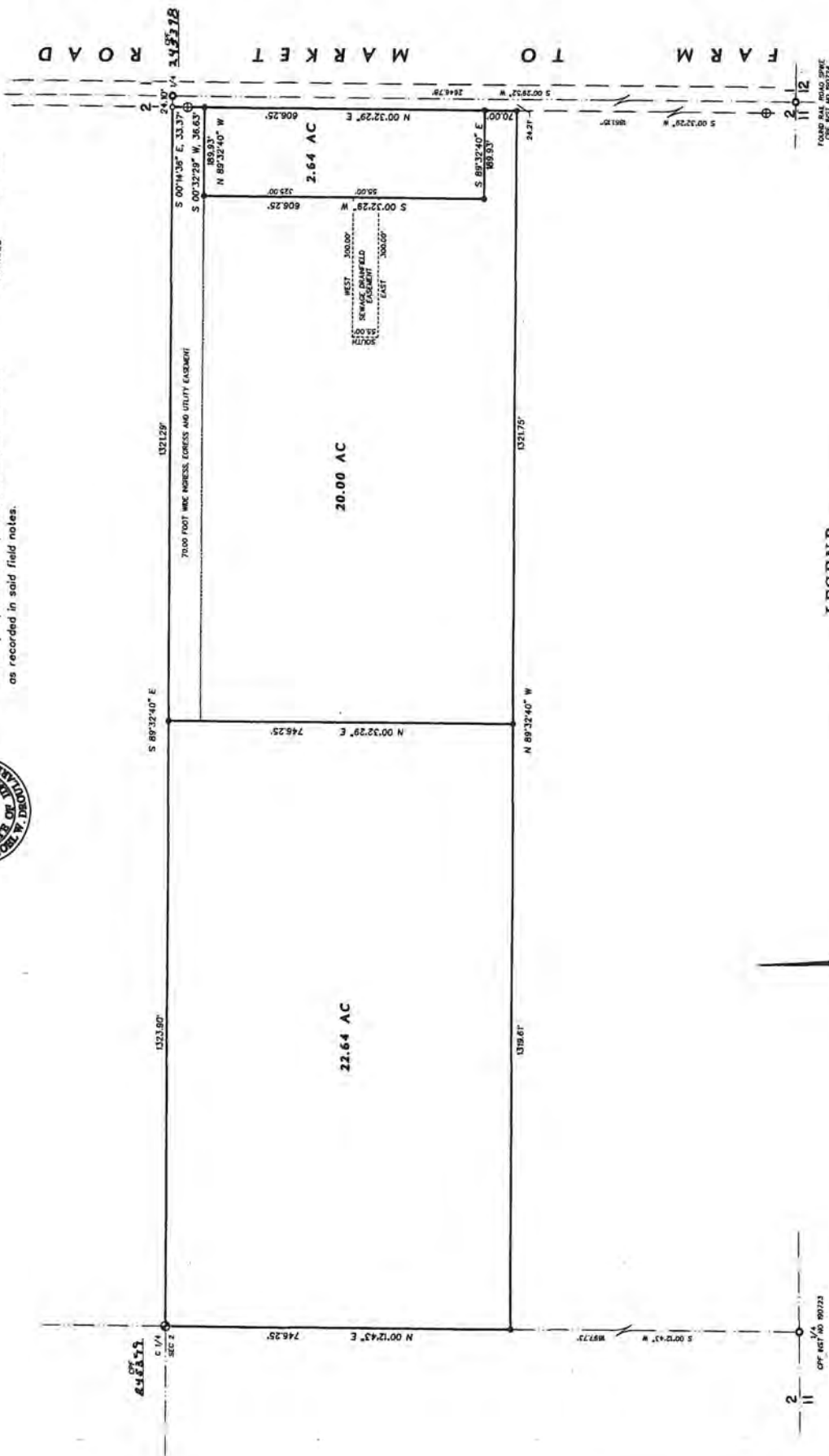
This drawing is to be used for Reference Purposes ONLY. The County is NOT Responsible for Any Inaccuracies Contained Herein.

245403
TYPE: Survey
BY: J. W. Drouillard
FEE: \$11

I, Joel W. Drouillard, a Professional Land Surveyor,
do hereby certify that this plat was prepared from
notes taken during an actual survey made under my
direct supervision in July of 1999, and that it
correctly represents the points, courses, and distances
as recorded in said field notes.



*00 JUN 20 PM 3 02
REQUESTED BY: [Signature]
RECORDED



FOUND NAIL ROAD SPICE
OFF NOT NO 199724

LEGEND

- 5/8" rebar found
- set 1/2" x 24" rebar w/plastic cap
- ⊕ found 3 1/4" brass cap
- ⊙ set 3 1/4" aluminum cap

scale : 1 in = 150 ft

Bearings based on State Plane Grid Azimuth

RECORD OF SURVEY
VALLEY COUNTY, STATE OF IDAHO

COLLINS / FARMER PROPERTY

situate in the N 1/2 of the SE 1/4
Section 2, T. 17 N., R. 3 E., B.M.
Valley County, Idaho

DRAWN BY: JMD	REVISION:	INDEXED
KERR SURVEYING	MCCALL, IDAHO	JANUARY 2000

Located in
the NE1/4 of the SE1/4 of Section 2, T.17N., R.3E., B.M.

See "Syllabus" for more information. <http://www.fishbase.org>

Instrument # 276009

VALLEY COUNTY, CASCADE, IDAHO

2003-09-22 10:35:54 No. of Pages: 1

Recorded for : SECESH ENG

LELAND G. HEINRICH

Ex-Officio Recorder Deputy

Index to: MISCELLANEOUS RECORD

Fee: 3.00

OWNER'S DECLARATION OF PRIVATE ROADS

The undersigned, being the owner of certain lands which are platted as Redhawk Ridge Subdivision, which lands are located in Valley County, Idaho, and are more particularly described in the final plat for Redhawk Ridge Subdivision, which is filed of record with the office of Recorder of Valley County, and, further, being the Declarant of the Declaration of Protective Covenants, Conditions and Restrictions for Redhawk Ridge Subdivision, hereby states and declares as follows:

All roads and easements, as the same are depicted on the aforesaid final plat, are and shall be private. Valley County shall have no responsibility for the maintenance, upkeep, or control of said roads and easements. As is provided in the aforesaid Declaration of Protective Covenants, the Lot owners who use such roads and easements shall be solely responsible for the maintenance, repair, upkeep and control of the aforesaid roads and easements.

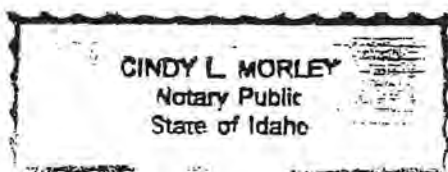
DATED this 18th day of Sept, 2003.


ROBERT D. COLLINS

STATE OF IDAHO,)
 (ss.
County of Valley.)

On this 18th day of September, 2003, before me the undersigned, personally appeared Notary Public in and for said State, personally appeared ROBERT D. COLLINS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.




NOTARY PUBLIC FOR IDAHO
Residing at: 2200 E. 1st St.
My Commission Expires:
My Commission Expires On
August 16, 2007



Valley County Transmittal
Division of Community and Environmental Health

Return to:

- ☐ Cascade
☐ Donnelly
☐ McCall
☐ McCall Impact
☒ Valley County

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat _____

SUB 25-015 Ben Dreier

- ☐ 1. We have No Objections to this Proposal.
- ☐ 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 appropriate entities are submitted, we can approve this proposal for:
☐ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☐ central water
☐ individual sewage ☐ individual water
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☐ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☐ central water
- ☐ 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 submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store

- ☒ 14. Subdivision application, fees, test holes, ground water monitoring and engineering report required.

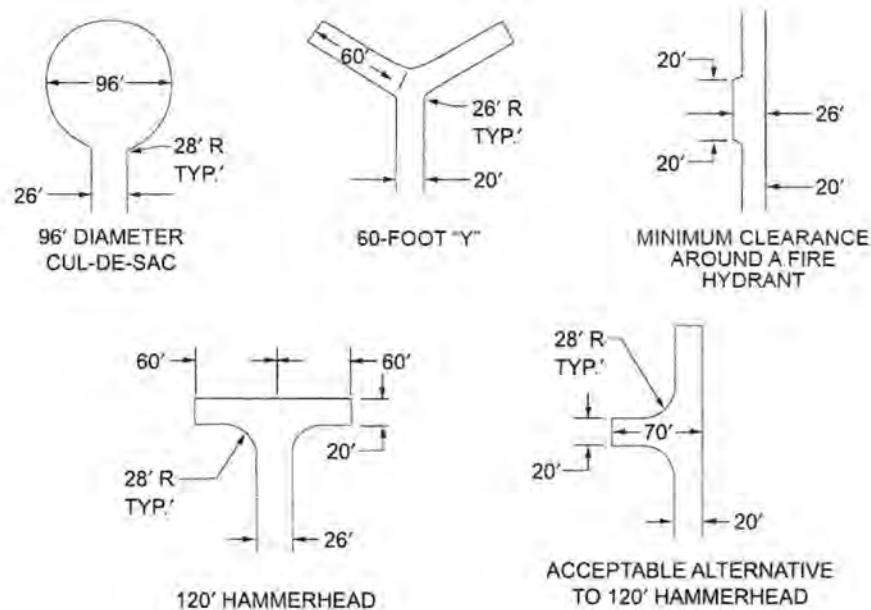
Reviewed By: Rachel Cooper

Date: 8/1/25

From: Ryan Garber <ryan@mccallfire.com>
Sent: Tuesday, August 5, 2025 12:15 PM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: SUB 25-015 Devils View Subdivision
Cynda,

I have the following comments on SUB 25-015:

- Driveways will provide a minimum unobstructed width of 12 feet and a minimum unobstructed height of 13 feet 6 inches.
- Driveways in excess of 150 feet in length need to be provided with turnarounds.
- Turnarounds shall meet the requirements in IFC appendix D 103.4



For SI: 1 foot = 304.8 mm.

FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

- Driveway turnarounds need to have an inside turning radius of not less than 30 feet and an outside turning radius of not less than 45 feet
- Grade. The gradient for driveways cannot exceed 10 percent unless approved by the fire code official. (503.7.6)
- Security Gates. Any security gates shall be installed in accordance with UL325, have an SOS gate module installed for emergency means of operation (503.6), and meet

the width standards according to Section D103.5. The security gates and emergency operation will be maintained operational at all times. (503.7.7)

- Surface. Driveways need to be designed and maintained to support the imposed loads of local responding fire apparatus and will be surfaced as to provide all weather driving capabilities. (503.7.8)
- Driveways shall be capable of supporting a 70,000 lb vehicle.
- Driveways in excess of 200 feet in length and less than 20 feet in width may require turnouts in addition to turnarounds.

Captain Ryan Garber

Fire Prevention / Code Enforcement

McCall Fire & EMS

201 Deinhard Lane

McCall, ID 83638

www.mccallfire.com

Office: (208) 634-4306

Cell: (208) 469-0135

[Schedule a Short Term Rental Safety Inspection](#)

[Schedule a Phone Call with Ryan](#)

[Schedule a Firewise Safety Inspection](#)

[Schedule another type of inspection](#)



Sign up for Emergency Notifications

 **CodeRED™**

Keeping citizens informed.

[Please click to sign up for CodeRED!](#)

This message has been sent to you as official business of the McCall Fire Protection District. If you have a concern about the authenticity of this communication, including any attachments, please contact the sender directly for confirmation, either by telephone or separate e-mail. Unencrypted e-mail is inherently insecure and should be treated with caution.

Electronic Privacy Notice. This e-mail, and any attachments, contains information that is, or may be, covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing this information in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.



[Book time to meet with me](#)

Subdivision Recommendations

From: Flack, Brandon <brandon.flack@idfg.idaho.gov>

To: Lori Hunter

Cc: Berkley, Regan; Messner, Jordan; Royse, Josh

Thu 11/21/2024 10:00 AM

Hi Lori,

I got your voicemail. Hopefully this is what you were looking for. All of these won't apply to every residential development, e.g., not every subdivision will have a private pond where they need a water right from IDWR or a private pond permit from IDFG.

In general, IDFG recommends the following practices for residential subdivisions/developments:

- Residents should control pets, including cats, at all times (fenced yard, keep indoors, kenneled, leashed, etc.). Pets, at-large, dramatically increase a residential subdivision's negative effects on wildlife.
- Avoiding or minimizing the potential for wildlife depredations in a subdivision is the responsibility of the individual property owner.
 - Prohibit the feeding of wildlife and require that potential wildlife attractants (pet food, trash cans, gardens, hay stacks, bird feeders, etc.) be maintained in a way to reduce attraction of wildlife species (skunks, foxes, raccoons, magpies, big game, etc.).
 - For example, leaving livestock feed outside will attract big game animals. Make sure any feed is stored in a closed barn or shed.
 - The developer and individual homeowners should be made aware that ornamental plants can attract big game animals and they will eat those plants. Therefore, protecting ornamental plants is the responsibility of the individual property owner.
 - Yew species are highly toxic to wildlife, pets, and humans and should not be used as landscaping plants.
- Native vegetation should be retained to the extent possible during project implementation to support native birds, small mammals, and pollinator species.
- Retain buffers of riparian vegetation that surround any wetland resources on the project property.
- If ponds exist or are developed on the project property, legal water rights issued by the Idaho Department of Water Resources are required for the appropriate beneficial use (storage, irrigation, recreation, etc.). If the ponds will be used for fishing, a private pond permit from IDFG is required to stock the ponds with fish, and a live fish transport permit from IDFG may also be required.
- All fencing within and around the subdivision should be wildlife friendly. IDFG can provide additional details upon request.

Please let me know if you have additional questions.

Brandon Flack

Regional Technical Assistance Manager

Idaho Dept. of Fish and Game

Southwest Region

15950 N. Gate Blvd.

Nampa, ID 83687

Ph: (208) 854-8947



From: Emily Hart <ehart@mccall.id.us>

Sent: Tuesday, July 22, 2025 12:58 PM

To: Lori Hunter <lhunter@valleycountyid.gov>

Cc: Cynda Herrick <cherrick@valleycountyid.gov>; Meredith Todd <mtodd@mccall.id.us>

Subject: Re: Valley County PZ - Public Hearings - August 14, 2025

Hi Lori,

McCall Airport has no comment on any of the New Business items on this agenda. Additional written comment regarding SUB 25-009 Wood Run Heights will be submitted by 5:00 on August 6, 2024.

Thank you,
Emily

Emily Hart, C.M. | McCall Airport Manager
336 Deinhard Lane Hangar 100 | McCall, ID 83638
Direct: 208.634.8965 | Cell: 208.630.3441
www.mccall.id.us/airport



Fw: Public Comment in Support of CUP for Ben Dreier (RP17N03E027805).

From: Myron McCumber [REDACTED]

Sent: Tuesday, August 5, 2025 7:10 PM

To: Cynda Herrick <cherrick@valleycountyid.gov>

Subject: Public Comment in Support of CUP for Ben Dreier (RP17N03E027805).

To the Valley County Planning & Zoning Commission,

My name is Myron McCumber, and I reside at 231 Elkhorn Ranch Road, McCall, Idaho 83638.

I am writing in support of Ben Dreier's request for a conditional use permit to subdivide a 2.6-acre single-family residential lot from his existing 22.6-acre parcel off Redtail Lane. The proposal appears well-planned and appropriate, with provisions for an individual well, septic system, private access via Redtail Lane, and irrigation supplied by Boulder Irrigation District. I also appreciate that a Wildland-Urban Interface Mitigation Plan has been submitted to address wildfire risk.

While I support this CUP application, I respectfully request that the Commission and the applicant consider the following:

1. Preserve Redtail Lane as a Dead-End Road

Please ensure that Redtail Lane remains permanently unconnected to Elkhorn Ranch Road, now and in the future. Maintaining its current dead-end configuration is important to preserve the safety, privacy, and rural character valued by residents. Any road connection would likely increase traffic and compromise the neighborhood's peaceful quality.

2. Adopt Basic CC&Rs to Maintain Rural Standards

I encourage the adoption of Covenants, Conditions, and Restrictions (CC&Rs) for the new lot to help preserve the area's visual integrity and consistency. Recommended provisions include:

- Prohibiting mobile homes, trailers, or manufactured dwellings as permanent residences
- Prohibiting shipping containers, storage units, or similar structures as permanent installations
- Disallowing the long-term outdoor storage of junk vehicles, debris, or inoperable equipment

These modest restrictions would help maintain property values and the rural residential appeal of the Redtail Lane area.

In closing, I support Mr. Dreier's thoughtful approach to land development. With the added safeguards regarding road access and sensible CC&R protections, I believe this subdivision will be an asset to the neighborhood.

Thank you for your time and consideration. Please feel free to contact me at [REDACTED] with any questions.

Best regards,
Myron McCumber
231 Elkhorn Ranch Road
McCall, Idaho 83638
[REDACTED]

Date: August 5, 2025

Contact your local irrigation entity before you begin any construction, landscaping or other activity within a ditch easement.

Any unauthorized encroachments will be removed at your expense, in accordance with Idaho law.

Can I relocate and/or pipe the irrigation facility on my property?

Yes. But you must first obtain written permission from the entity operating the irrigation facility.

To obtain permission, contact your local irrigation entity to determine what information they will need to review your request. They will also advise you of any standards and/or specifications relating to moving or piping an irrigation facility.

Generally, canals and lateral ditches may only be relocated or piped during the non-irrigation season, after water is out of the delivery system.

Will the irrigation entity work with me to address my questions?

Yes. Contact your local irrigation entity if you have questions about the ditch easement on your property.

The irrigation entity can give you information about the irrigation facility in question. This may include:

- The scope of the ditch easement, including the access necessary to operate, clean, maintain and repair the facility; and
- Any policies and/or procedures regarding encroachments and/or modifications.

We appreciate your cooperation in working to protect our irrigation facilities. Feel free to contact us if you have any questions.

PO Box 3126

McCall, Idaho 83638

Shirley Florence
SECRETARY
208-634-9235

John Leedom
MANAGER
208-634-9672

Board Members

Justin Florence
Will Maki
Art Troufner

LAKE IRRIGATION DISTRICT

What do I need to
know About
Irrigation
Easements and
Rights-of-Way?



In Partnership With



IDAHO
**WATER
USERS**
ASSOCIATION

Each year, Idaho's water users divert millions of gallons of water from Idaho's rivers, reservoirs and aquifers. This water is delivered to farms, neighborhoods, parks and schools throughout the state through thousands of miles of canals, laterals, ditches and other facilities.

Since many of these facilities cross private property, it is important for you to understand the rights and obligations associated with a ditch easement or right-of-way (referred to as a "ditch easement").

What is a ditch easement?

- A ditch easement includes the irrigation facility and enough land along both banks to allow access for operation, cleaning, maintenance and repair. The width of the easement will vary depending on the facility.
- Access allows operators to remove sediment and other debris, mow, spray/burn and refurbish facilities and to perform other maintenance activities.



What are the irrigation entity's duties?

Irrigation entities must operate and maintain the facilities to minimize the risk of overtopping the banks, failure of the facility and/or blockage. This includes regular monitoring of water flows, ditch banks and irrigation structures.

Ditch easements are necessary to perform these duties. Access must not be blocked.

What happens if I encroach on a ditch easement?

Encroachments onto ditch easements interferes with access for operation, cleaning, maintenance and repair activities.

Idaho statute (42-1209) prohibits the placement of any encroachment within a ditch easement – including buildings, parking areas, fences, landscaping and other structures or activities within the ditch easement.



- The ditch easement includes the right to deposit any removed debris or other material on the banks of that facility.

- It is not required for a ditch easement to be recorded or notated on your deed(s). Mere existence of the facility constitutes notice of the ditch easement.

- Ditch easements are not public property and are not open to public use. Unauthorized third-party use of this land is a trespass.

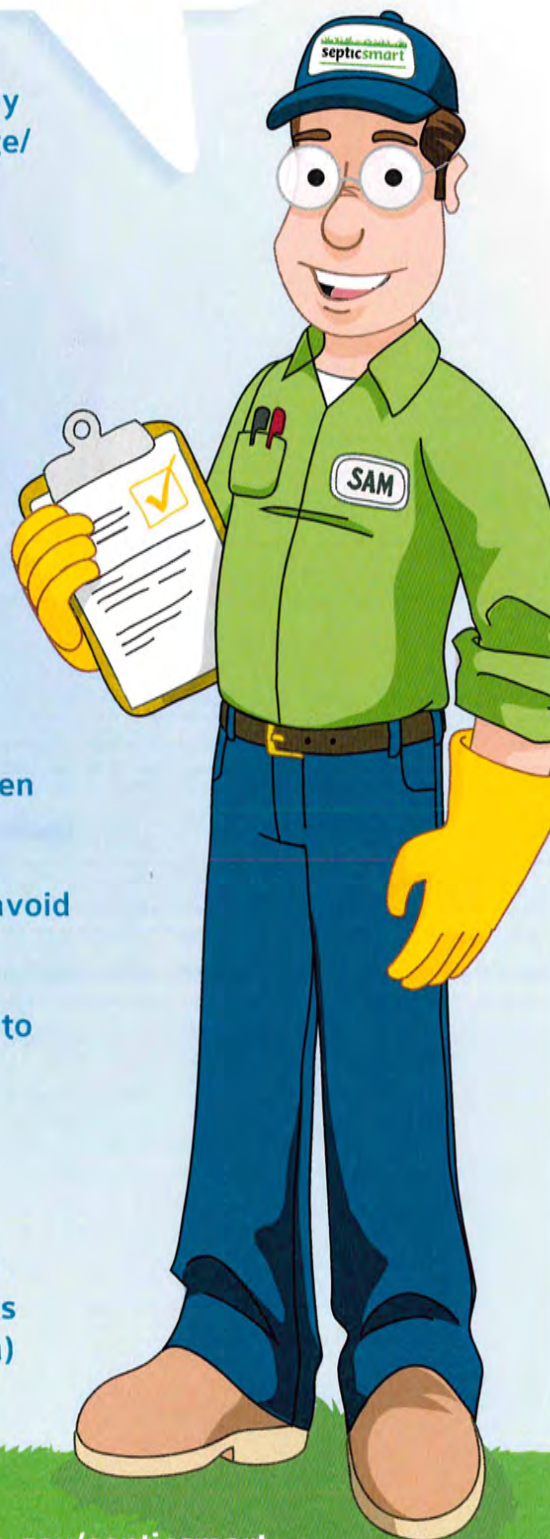
Is there a ditch easement on my property?

If your land is crossed by a water delivery facility, there is likely an easement on your land.

You may use the easement area. However, you cannot interfere with access for operation, cleaning, maintenance or repair activities.

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)



A Homeowner's Guide to Septic Systems



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

January 2001

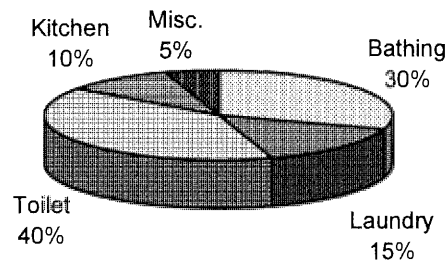


Do you have a home septic system? As an Idaho resident, there is a good chance you do—thirty-six percent of Idaho's homes, or about 210,000 residences, use septic systems to treat their sewage. These systems discharge more than 53 million gallons of wastewater into Idaho's soils annually, and this figure 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.

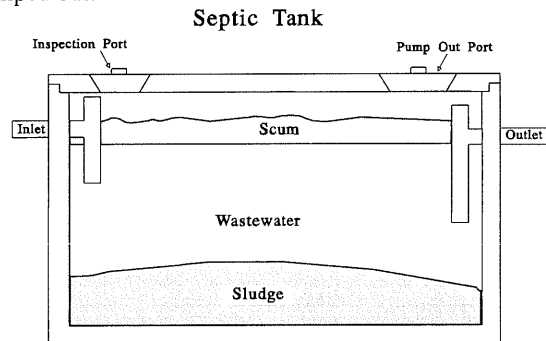
Septic Tank

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.

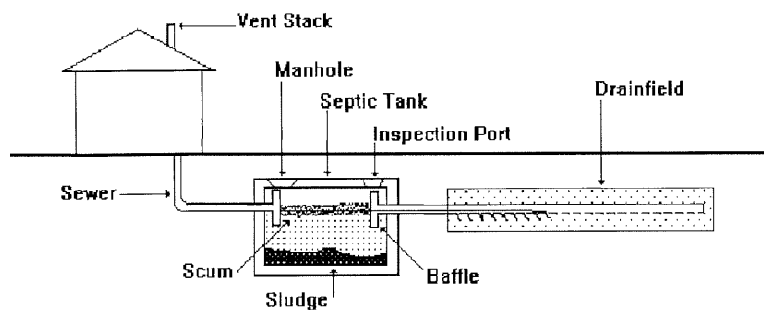
When raw wastewater enters the tank, heavy solids sink to the bottom of the tank as sludge. Light solids, such as grease and paper, float to the surface as scum. During the wastewater storage period, bacteria digest organic material in the wastewater. During this process, the solid material is reduced 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 coarse 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

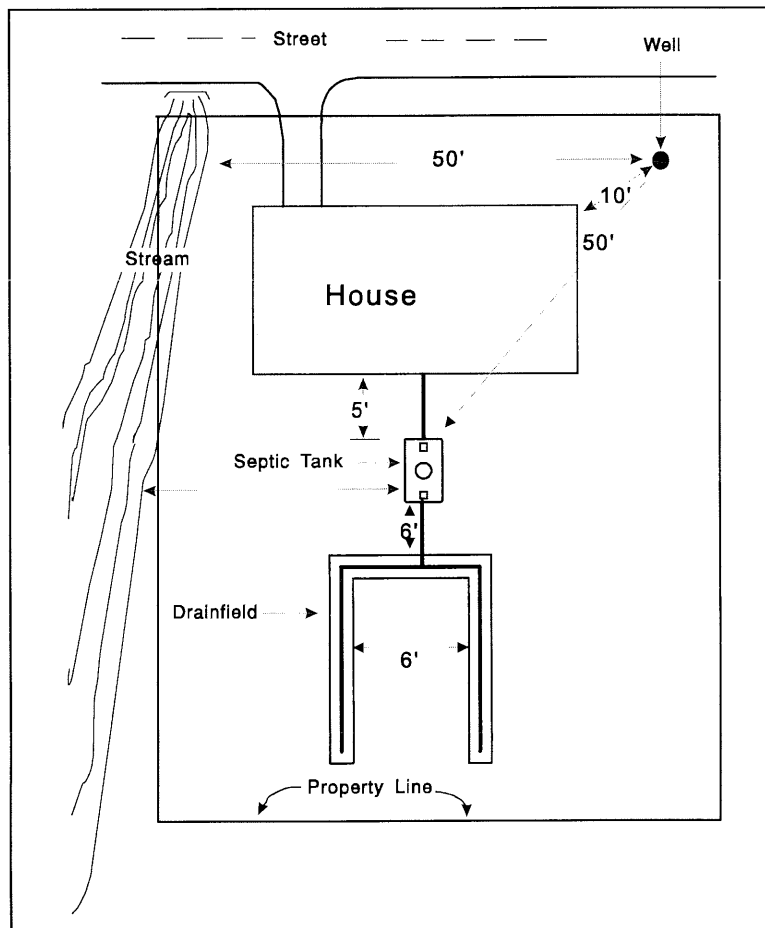
Pumping your septic tank every three years (or as determined by your inspections) will remove accumulations of solids, help keep the drainfield from becoming clogged, and help prevent you from experiencing sewage backups or septic system failure. An accumulation of sludge exceeding 35% of the total water 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

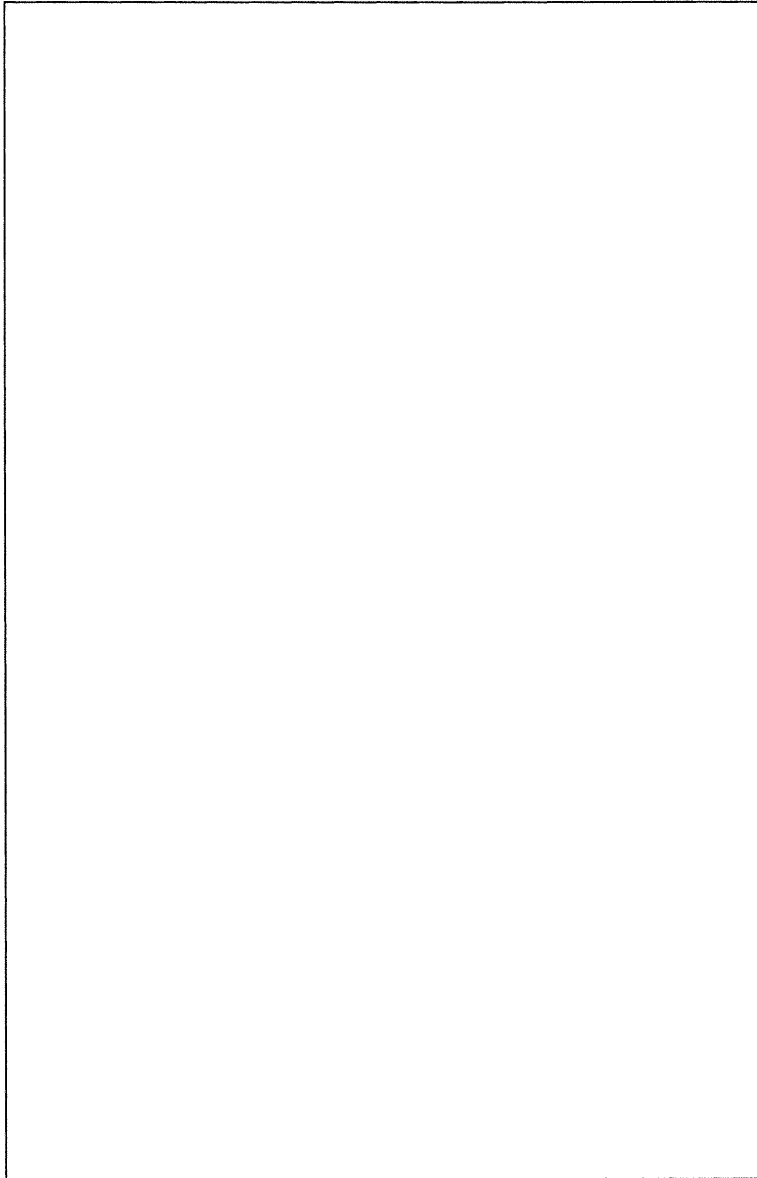
Proper operation of a septic system can prevent costly repairs or replacement. Observing the following guidelines will help to keep your system running efficiently.

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.
 - Repair leaky faucets and plumbing fixtures immediately.
 - Reduce toilet reservoir volume or flow.
 - Take short showers.
 - Take baths with a partially filled tub.
 - Wash only full loads of dishes and laundry.
 - Shut off the water while shaving or brushing your teeth.
 - 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