

BINGHAM COUNTY PLANNING AND ZONING COMMISSION
HEARING DATE: November 9, 2022

APPLICATION OF: Conditional Use Permit for a Temporary Second Dwelling for Medical Hardship in an “R/A” Residential/Agriculture Zoning District
PROPERTY OWNER: Micaela Williams

A. REQUESTED ACTION: Micaela Williams is requesting a Conditional Use Permit for a Temporary Secondary Dwelling to be placed on her property located at 191 N 300 W, Blackfoot, to allow her to assist in caring for her grandmother, Karen Short. Pursuant to Bingham County Code Sections 10-7-4(B-H), each lot, tract, or parcel of property, considered a buildable parcel, shall be allowed one additional temporary dwelling for a medical hardship with a statement from a licensed physician attesting to the medical condition and need for assistance, with an approved Conditional Use Permit. The Code also requires a minimum of two acres for consideration unless otherwise approved by the Commission; the Applicants parcel is 1.26 acres in size. The Applicant shall apply for and receive a Building Permit from Bingham County prior to the placement, or occupancy, of the structure, per Bingham County Code. **(A-1 Application, A-2 Narrative, A-3 Site Plan and Photo of Structure)**

B. GENERAL BACKGROUND:

1. The parcel is located at approx. 191 N 300 W, Blackfoot ID, Parcel No. RP8268010, Township 2S, Range 35E, Section 27, Casa de Campo Subdivision Lot 2, Block 1, consisting of approx. 1.26 acres **(A-1 Application and S-6 Aerial Map, S-15 Site Photos)**
2. All the surrounding land uses are “R/A” Residential/Agriculture. **(S-3 Zoning Map)**
3. The Comprehensive Plan, adopted November 20, 2018, has the parcel identified as Residential/Residential Agriculture. **(Comp Plan 11-20-2018, (S-4 Comp Plan Map)**
4. Governing Districts:
 - a. Blackfoot/Snake River Fire District
 - b. Blackfoot School District
5. The parcel is not within the flood plain, but is within the City of Blackfoot Area of Impact. **(S-5 Flood Plain Map, S-8 Area of Impact Map)**
6. This property is not within the Nitrate Priority Area. **(S-11 Nitrate Priority Map)**
7. Nearby Subdivisions include J&D Anderson Subdivision (5 lots, 2.21 – 4.11 acres), Legacy Heaven Subdivision (9 lots, 1.05 – 2.2 acres), R&B Estates (4 lots, 1.75 – 2 acres), Stallings Subdivision (13 lots, 0.50 – 3.14 acres), Black Subdivision (2



acres, 1.57 – 2.04 acres), Nephi Subdivision (11 acres, 0.35 – 0.68 acres), New Meadows Subdivision (16 lots, 0.50 – 0.58 acres) and Wildflower Meadow Subdivision (39 lots, 0.30 – 0.43 acres). **(S-7 Subdivision Map)**

C. MEETING NOTICE AND INFORMATION:

1. The Planning & Development Department received the Conditional Use Permit Application on September 28, 2022. The Application was deemed to be complete and scheduled for Public Hearing to be held on November 9, 2022.
2. Notice of the Commissions Public Hearing was:
 - a. Sent to Government Agencies on October 18, 2022.
(S-17 List of Government Agencies and Notice)
 - b. Published in the Bingham News Chronicle on October 18, 2022.
(S-16 Affidavit of Publ.)
 - c. Sent to a total of 10 property owners within 300' of the parcel on October 18, 2022. **(S-18 Property Owners Mailing List and Notice)**
 - d. The site was posted and pictures were taken on October 24, 2022.
(S-14 Property Posting and S-15 Site Pictures)
3. Governmental Agencies who returned comments were:

(T-1) Bingham County Public Works, has no comments or concerns at this time.

(T-2) Allan Johnson, Regional Engineering Manager with Idaho Department of Environmental Quality, provided general land development recommendations as shown in his response.

(T-3) Jeff Gardner, Bingham County Sheriff, had no comments or concerns.
4. No public response has been received regarding this Application.

D. STANDARDS TO BE REVIEWED BY THE PLANNING AND ZONING COMMISSION

**BINGHAM COUNTY CODE
TITLE 10 – ZONING REGULATIONS**

**CHAPTER 2
DEFINITIONS & INTERPRETATION**

10-2-3: DEFINITIONS:

Conditional Use: Use of a structure or use of land permitted within a zone other than a principally permitted use that requires a Conditional Use Permit and approval of the Board and may be subject to limitations and conditions. (Same as a Special Use Permit).

**CHAPTER 4
ZONING DISTRICTS**

10-4-2: PURPOSE OF ZONES:

- C. Residential/Agricultural (R/A): The purpose of the R/A Zone is to permit the establishment of low density single-family dwellings with lot sizes sufficient for individual sewer and water facilities that have:
1. Suitability of parcel for agricultural purposes.
 2. Proximity to existing areas of similar population density.
 3. Lot size compatible with existing lot sizes in the immediate area.
 4. Compatible with the existing uses in the immediate area.
 5. Protection from incompatible uses.
 6. Accessibility to adequate utilities.
 7. Adequate service by roadways.

**CHAPTER 6
HEIGHT, SETBACK, FRONTAGE & AREA REGULATIONS**

10-6-6: AREA REGULATIONS:

Area requirements vary between zones, and the following minimum size requirements shall apply:

- B. Platted subdivisions shall require the following minimum lot sizes:
1. R and R/A Zone: One acre minimum with individual well and septic.

**CHAPTER 7
SPECIFIC USE PERFORMANCE STANDARDS**

10-7-4: ADDITIONAL DWELLING UNIT, TEMPORARY:

B. Each lot, tract, or parcel of property, considered a buildable parcel, shall be allowed one additional temporary dwelling for a medical hardship; a conditional use permit shall be required. The conditional use permit shall be based on the following provisions:

1. The owner of the real property shall be the applicant. *Staff Comments: The Quitclaim Deed recorded on February 24, 2020, Instrument No. 715282, as well as our GIS system show Micaela Williams as the current owner of this property.*
2. The proposed location shall consist of a parcel with a minimum of two (2) acres unless otherwise approved by the conditional use permit. *Staff Comments: The parcel is approx. 1.26 acres in size and therefore the Commission shall also give consideration to the parcel size as it less than the required 2 acres for this Application.*

3. The temporary residence must meet setback requirements and all other provisions of this title. *Staff Comments: The proposed location of the temporary residence will meet setback requirements as it will be placed to the north of the existing dwelling and will be sufficient distance from property lines, existing structures and roads. Additionally, setbacks will be reviewed further at the time a building permit application is received and ensured to meet this Code section as well as Bingham County setback standards, prior to the structure being placed. (A-3 Site Plan)*

C. Detached temporary dwelling units shall be located to the side or rear of a primary dwelling. No portion of the temporary dwelling unit shall be located in front of the primary dwelling unit. *Staff Comments: The proposed location of the temporary dwelling will be to the north of the primary dwelling which is to the side of the existing residence. (A-3 Site Plan)*

D. At least one parking space shall be provided on site for the temporary dwelling unit in addition to the required parking for the existing residential unit. *Staff Comments: The Applicant's Site Plan indicates that there will be parking space in front of the temporary dwelling. (A-3 Site Plan)*

E. The temporary residence must obtain approval for water and sanitary facilities from the health authority. *Staff Comments: The Applicant provided a Septic Permit for the Second Dwelling from the Idaho Department of Public Health. Further, the Applicant plans to connect the temporary dwelling to her existing culinary well. The Applicant states in her Conditional Use Permit Description that this connection will not require any permitting for use of the existing well given that the Applicant is not physically modifying the well. (A-6 Septic Permit, A-8 Compliance with Title 10, Chapter 8 standards)*

F. The Application must include a current statement by a licensed physician attesting to the existing medical condition and need for assistance thereof. *Staff Comments: Included in each of the Commissioners packets are letters from Dr. Carl D. Vance and Dr. Guss Grimmett regarding the medical condition of Karen Short. (A-7 Physician Letters – only included in Commissioners Packets)*

G. The Applicant must provide a statement that the temporary second dwelling will be removed upon termination of occupancy by either the dependent or care provider or is not in compliance with conditional use permit conditions. *Staff Comments: A letter, dated October 13, 2022, by Micaela Williams was provided stating that the Applicant agrees to commit to removing the temporary second dwelling from the property located at 191 N 300 W when the requirements necessitating the onsite care are either mitigated or no longer a factor. (A-9 Applicant's Statement to Remove Structure).*

H. In the event the property is sold or leased, the conditional use permit is not transferable to the new owner(s) of the property.

CHAPTER 8
CONDITIONAL USE PERMIT

10-8-1: GENERAL STATEMENT:

- A. It is recognized that an increasing number of uses are appearing that have characteristics of a unique and special nature such that the specific use must be considered individually. We recognize that these uses are not permitted without adding certain conditions making them compatible with permitted uses in the underlying zone. The commission may require higher standards of site development than those listed specifically in this title in order to assure that the proposed use will be compatible with other conforming property and uses in the vicinity.
- B. The commission shall hold a public hearing on each conditional use permit as listed on the land use chart and new uses brought by the Administrator. The commission may approve, conditionally approve or deny a conditional use permit under the standards listed in this chapter and may require such additional safeguards that will uphold the intent of this title.

10-8-2: CONTENTS OF APPLICATION FOR PERMIT:

An application for a conditional use permit shall be filed with the Administrator by the property owner or by the occupant with owner approval. At a minimum, the application shall contain the following information:

- A. Name, address and phone number of applicant. *Staff Comments: the name address and phone number of the applicant were provided on the application (A-1 Application)*
- B. Legal description of the property. *Staff Comments: a Quitclaim Deed containing a legal description of the property was provided by the Applicant. (A-4 Deed)*
- C. Description of existing use. *Staff Comments: The use existing use of the property is residential.*
- D. Current zoning designation. *Staff Comments: The property is currently zoned "R/A" Residential Agriculture (S-3 Zoning Map)*
- E. Description of use being proposed. *Staff Comments: The proposed use of the property will remain residential as the Applicant is requesting a temporary secondary dwelling on the property for medical purposes. (A-2 Narrative)*
- F. A scaled site plan/drawing showing the location of the following: *Staff Comments: The Applicant provided a detailed site plan which depicts all applicable requirement as listed below. (A-3 Site Plan)*
 - 1. All buildings, parking and loading area. *Staff Comments: The existing residence and accessory structures are shown in the Site Plan as well as the parking area.*
 - 2. Traffic access and traffic circulation.

3. Open spaces, landscaping, refuse and service areas.
4. Utilities, signs.
5. Any other information that may be required to determine if the proposed conditional use meets the requirements of this title.
6. A statement evaluating the effects on adjoining property that may include, but is not limited to, such elements as noise, odor, fumes and vibration. An accurate statement of the compatibility with adjacent and other properties in the zone, and the relationship of the proposed use to the plan. *Staff Comments: The Applicant does not feel the use will have any effects on adjoining properties.*
7. More specifically, the following adverse effects shall be mitigated through setbacks, buffers, sound attenuation and/or hours of operation:
 - a. Noise, odor, or vibrations, or direct or reflected glare detectable by the human senses without the aid of instruments.
 - b. Radioactivity and electric or electromagnetic disturbances that unduly interfere with the normal operation of equipment, instruments, or appliances on abutting properties.
 - c. Any other emission or radiation that endangers human health, results in damages to vegetation or property or which exceeds health and safety standards.

G. The appropriate filing fees. *Staff Comments: the Applicant paid the appropriate filing fees on September 28, 2022.*

10-8-3: REVIEW OF APPLICATION:

- A. The commission shall review the particular facts and circumstances of each proposed conditional use permit in terms of the following standards and shall find adequate evidence showing that such use at the proposed location will:
 1. Constitute a conditional use as established on the official schedule of zoning regulations or as determined by the commission to be a conditional use for the zone involved.
 2. Be in accordance with the general objectives or with any specific objection of the Comprehensive Plan and/or this title.
 3. Be designed, constructed, operated and maintained to be appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area as far as is possible.

4. Not be unduly hazardous or disturbing to existing or future neighboring uses; nor involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to persons, property or the general welfare of the public by reason of excessive production of traffic, noise, smoke, fumes, odors or other pollutants.
 5. Not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the County.
 6. Be served adequately by essential public facilities and services or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide such services.
 7. Have legal access to the subject property for the development. Have vehicular approaches to the property that are designed to eliminate a traffic hazard on adjacent public thoroughfares.
 8. Not result in the destruction, loss or damage to a scenic or historic feature of major importance.
 9. If applicable, have adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and have utility systems provided to accommodate said use.
- B. If the literal enforcement of the provisions herein contained would result in unnecessary hardship, the commission may consider exceptions to nonconforming uses as permitted in [chapter 9](#) of this title.

10-8-4: ADDITIONAL STUDIES:

Prior to making a decision concerning a conditional use permit request, the commission or Board may request additional studies at the applicant's expense, of the social, economic, fiscal, and environmental effects of the proposed conditional use permit.

10-8-5: LAND USE TIME LIMITATIONS:

- A. When a conditional use permit is granted, the land use or construction of its facility proposed in the application must have commenced within three (3) years of the date of the final decision by the commission, or the Board or a court of appropriate jurisdiction, if appealed, and completed within five (5) years of the same date.
- B. Upon expiration of the use or the approval of that use as provided by this section, the applicant may seek approval of the use only by filing a new initial application for review by the commission.

10-8-6: HEARING AND NOTICE:

Prior to granting a conditional use permit, the commission shall follow the hearing procedures as identified in [chapter 3](#) of this title.

10-8-7: ACTION BY COMMISSION:

- A. The commission shall approve, conditionally approve or disapprove the application as presented. If more information is needed for a determination to grant a conditional use permit, the commission may request information from the planning staff or public agencies concerning social, economic, fiscal and environmental effects of the proposed conditional use. If the application is approved or approved with modifications, the commission shall direct the Administrator to issue a conditional use permit listing the conditions specified for approval.
- B. The commission may attach conditions that include, but are not limited to, the following:
1. Minimizing adverse impact on other development.
 2. Controlling the sequence and timing of development.
 3. Controlling the duration of development.
 4. Assuring that plans are developed to properly maintain the project.
 5. Designating the exact location and nature of development.
 6. Requiring more restrictive standards than those generally required in this title
 7. Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.

10-8-8: SUPPLEMENTARY CONDITIONS AND SAFEGUARDS:

The commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title over and above those listed in section [10-8-7](#) of this chapter. Violations of any conditions, bonds or safeguards, when made a part of the terms under which the conditional use permit is granted, shall be deemed a violation of this title.

- A. Upon granting or denying an application, the commission shall specify:
1. The ordinance and standards used in evaluating the application.
 2. The reasons for approval or denial.
- B. A conditional use permit shall not be considered as establishing a binding precedent to grant other conditional use permits. A conditional use permit is not transferable from one parcel of land to another.

10-8-9: APPEAL TO BOARD:

The applicant or any affected person may appeal the decision of the commission to the Board, following the hearing procedures requirements of chapters 3 and 10 of this title.

10-8-10: REQUEST FOR TIME EXTENSION FOR PERMIT:

- A. An applicant may request extension of the time period provided by this section by filing an application for extension with either the commission or the Board depending on who approved the conditional use permit.
1. Such application must be filed at least sixty (60) calendar days prior to the date of expiration.
 2. The matter shall be heard at a public hearing before the commission or the Board, whichever made the final decision, in accordance with the notice and hearing procedures of [chapter 3](#) of this title.
 3. A renewal extension, if granted, shall be limited to three hundred sixty five (365) calendar days.
- B. The commission or the Board, whoever made the final decision, may extend the commencement period or the completion period as provided in subsection A of this chapter upon proof of good cause by the applicant. Good cause shall be determined at the discretion of the commission or the Board.

10-8-11: REVOCATION OF PERMIT:

A conditional use permit may be revoked upon violation of any of the conditions imposed therein. The Administrator or designee shall verify that a violation has occurred. The permit holder shall be notified that a violation has been noted and shall be given a reasonable time to correct said violation. If compliance is not or cannot be reached within an approved time, the Administrator shall notify the commission or Board, whichever approved the original conditional use permit, so that they may review the preponderance of the evidence to determine if after due process the conditional use permit should or should not be revoked.

10-8-12: MODIFICATION OF APPROVED PERMIT:

- A. A conditional use permit or previously approved special use permit may be modified upon a request of the Board, commission or the property owner(s). The Board or commission shall follow the same hearing procedures as per [chapter 3](#) of this title for a conditional use permit.
- B. Modification shall only be granted if the Board or commission finds that the modification is consistent with the provisions of the plan and will not be detrimental to the general public health, safety or welfare.

**2018 BINGHAM COUNTY
COMPREHENSIVE PLAN**

RESIDENTIAL / AGRICULTURAL AREA

The R/A Area corresponds with the R and R/A Zones in the Zoning Ordinance and is established to direct the orderly and timely conversion of land as the need arises into residential areas that are still rural in character. This will include larger lots and open space to allow for the raising of livestock and agriculture uses to provide for family food and the pleasure of those residing on the premises.

This area allows for the continuation of those agriculture uses already established, but will limit the establishment of new agriculture uses that may significantly impact urbanizing areas with noise, dust, odor, and other nuisances associated with agriculture uses, such as livestock confinement operations or agriculture-related businesses.

**IDAHO STATE CODE §67-6512(b) and
BINGHAM COUNTY CODE SECTION 10-3-6**

The Planning & Development Department met the requirements of Idaho Code §67-6512(b) because the public hearing was noticed in the official newspaper a minimum of fifteen (15) days prior to the hearing, the public hearing notice was posted on the premises a minimum of one (1) week prior to the hearing, and notice was provided to all property owners within 300 feet of the proposed project prior to the hearing.

E. DECISION

Commission Decision. The Commission may approve, deny, or approve with conditions. The decision may be appealed to the Board of County Commissioners in writing within 10 days from the date of the Reasons and Decision.

Sample Motion for Approval: Based on the record and the discussion this evening, I move to approve the request by Micaela Williams, for a Conditional Use Permit allowing a Temporary Secondary Dwelling to be placed on their property located at 191 N 300 W, Blackfoot, Idaho, on less than 2 acres, with a condition that the Applicant obtain an approved Building Permit prior to placement, or occupancy of the Structure, to allow the Applicant to care for Karen Short who requires medical assistance, as described in the Application materials as supplemented with additional information in the Staff Report, in accordance with the requirements of Bingham County Code Title 10 “Zoning Regulations” and subject to all applicable laws and regulations and subject to the Idaho Department of Public Health issuing a Septic Permit for the temporary dwelling.

Sample Motion for Approval with Conditions: Based on the record and the discussion this evening, I move to approve the request by Micaela Williams, for a Conditional Use Permit allowing a Temporary Secondary Dwelling to be placed on their property located at 191 N 300 W, Blackfoot, Idaho, on less than 2 acres, to allow the Applicant to care for Karen Short who requires medical assistance, as described in the Application materials as supplemented with

additional information in the Staff Report, in accordance with the requirements of Bingham County Code Title 10 “Zoning Regulations” and subject to all applicable laws and regulations, subject to the Idaho Department of Public Health issuing a Septic Permit for the temporary dwelling WITH THE ADDITIONAL FOLLOWING CONDITIONS.....

1. The Applicant obtain an approved Building Permit prior to the placement or occupancy of the structure; and

Sample Motion for Denial: Based on the record and the discussion this evening, I move to deny the request by Micaela Williams, for a Conditional Use Permit allowing a Temporary Secondary Dwelling to be placed on their property located at 191 N 300 W, Blackfoot, Idaho, as described in the Application materials as supplemented with additional information in the Staff Report, in accordance with the requirements of Bingham County Code Title 10 “Zoning Regulations” and subject to all applicable laws and regulations. The basis for the denial is _____.

NOTE: Any opposing votes shall declare the reasons for the opposition citing Idaho Code or Bingham County Code (specifically)

Bingham County

Planning & Zoning Department
501 N Maple, room 223, Blackfoot, Idaho 83221
Phone: (208) 782-3178 | Fax: (208) 782-3868
Email: ajackman@co.bingham.id.us

File No. 3151

Date: 9/28/22

APPLICATION FOR CONDITIONAL USE PERMIT

Applicant: Micaela Williams Phone: 208-604-5855
Address: 191 N 300 W City/Zip: Blackfoot, 83221
Location: 191 N 300 W Email: micbrummondfamily19
(project location for application) @gmail.com
Property Owner(s): Micaela Williams

Location & Legal Description

2S

Township

35E

Range

27

Section

Zoning: Residential / Agriculture

Acreage: 1.26

RP 8268010

Parcel No. Lot # 2 Casa de Campo

Submit:

- Completed Application
- Recorded Deed to Property
- Detailed Site Plan
- Narrative - write a detailed narrative addressing the following:
 - Identify the existing use of the property
 - Reason for Conditional Use Permit Request
 - Evaluating effects of proposed Conditional Use on adjoining property that may include, but is not limited to, such elements as noise, odor, fumes and vibration
 - General compatability with other properties and uses in the area
 - Evaluating effects of proposed Conditional Use on public facilities/utilities
- application fee paid

Application Fees:

Application Fee	275
Deposit for Mailing & Publication	75
Total=	350

Exhibit
A-1

Appointment of Designated Agent

I/We the undersigned owner(s) of the property described throughout this Application, hereby appoint the following person as my/our representative for all transactions regarding this Application between myself/ourselves, as owner(s), and Bingham County.

Property Owner(s): _____

_____ Date

Property Owner(s) : _____

_____ Date

Designated Representative: _____

In granting a Conditional Use Permit the Planning & Zoning Commission may prescribe appropriate conditions and safeguards in conformity with the current Bingham County Zoning Ordinance. Violation of such conditions and safeguards, when made part of the terms under which the Conditional Use Permit is granted shall be deemed a violation of the Ordinance. The approval of a Conditional Use Permit does not permit the violation of any section of the Building Code, or any other County Ordinance. All Conditional Use Permits, whether approved or denied have a ten(10) day appeal period and must be appealed in writing at the Bingham County Planning & Zoning Office.

DECLARATION: By signing this application, it is understood and agreed that permission is hereby given to the duly authorized representative of Bingham County to, place & remove signs on the subject property and verify authenticity of the applicant(s) and property owner(s). It is further understood that the Zoning Administrator and staff may inspect the subject property, take photographs and obtain any verifications and data necessary for preparation of its report to the Planning & Zoning Commission. I hereby acknowledge that I have read this application and understand the contents. I also state that the above information is correct.

Applicant(s):

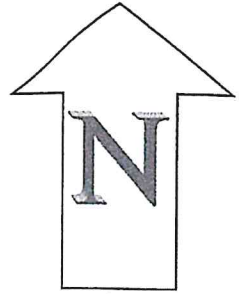
Signature: Micaela Williams

Date: 9/28/22

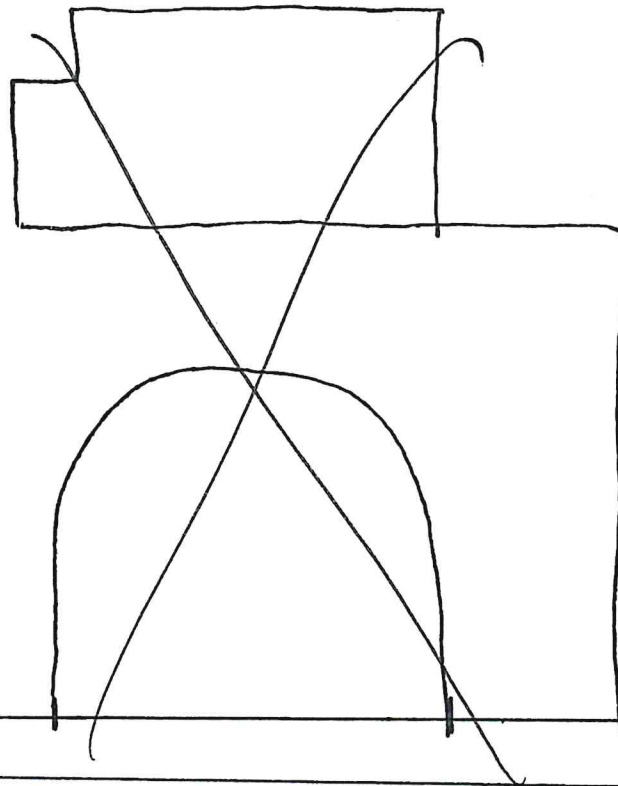
Signature: _____

Date: _____

Site Plan - Show drawing of location (including roads, all buildings, parking areas, service areas, yards, signs, utilities, traffic - pattern, etc.). **Please show all distances between buildings & property lines.**



*See attached
next page*



9 27 22

To Whom it may concern.

On Sept 16th I was approached by grandmother Karen Short stating that once my grandfather passed away she would need a place to live because my aunt no longer wanted to take care of her. On September 23rd my grandfather passed away and my aunt told her it was time to go so we moved her out and into our home on September 24th. She wants to be close to me because im home all day and can give her the care she deserves. We decided the tiny mobile house is the best solution to keep her close but give her her own space.
Thank you for your time.

Exhibit
A-2



Proposed Location
For 2nd Dwelling

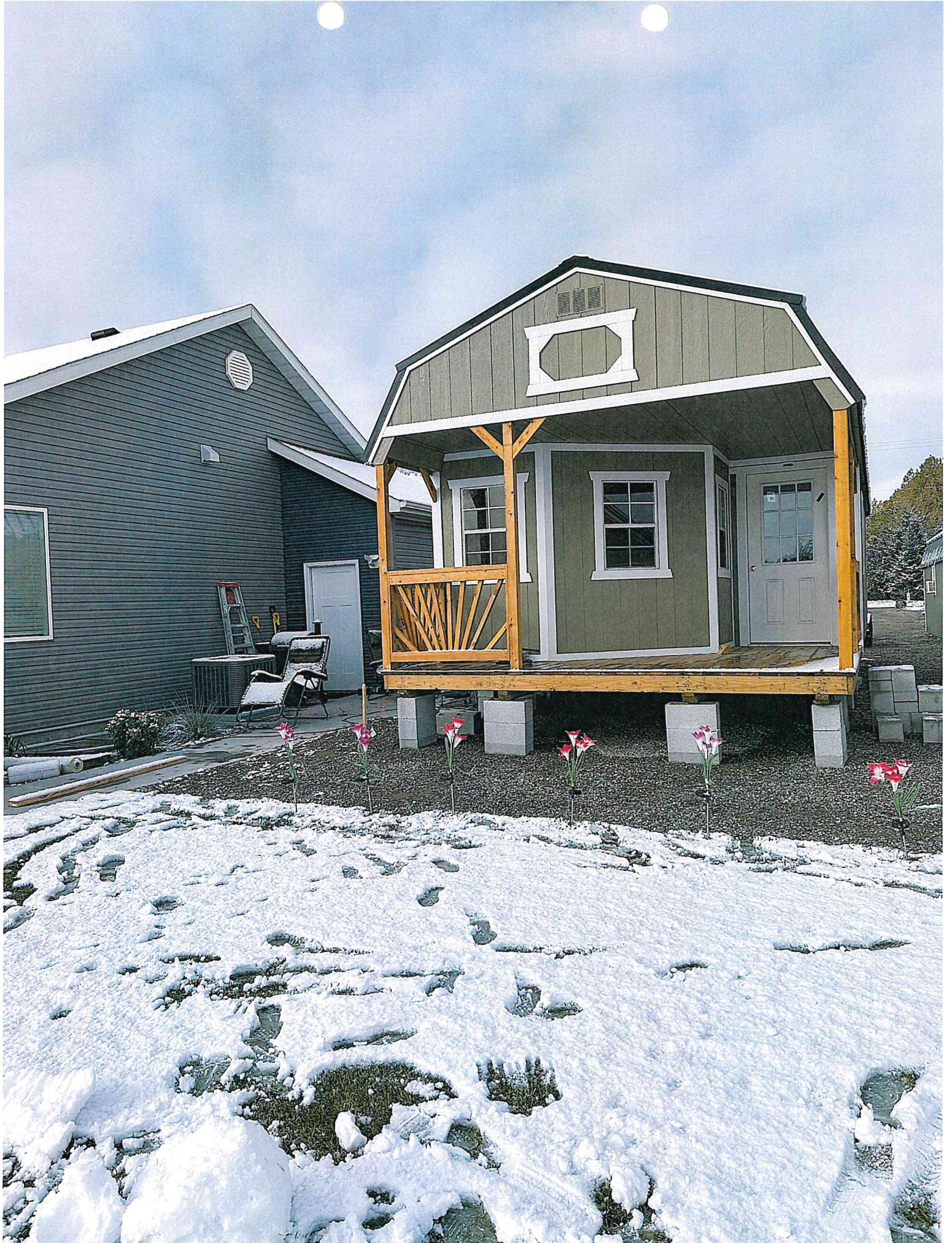
195

191

189

300 W Washington Rd.

Exhibit
A-3



QUITCLAIM DEED

FOR VALUE RECEIVED,

Micaela Williams, a single Women Wayne Short, a married man
as his sole and separate property do(es) hereby convey, release, remise and forever quitclaim unto

Micaela Williams, a single Women

whose current address is: 191 N. 300 W. Blackfoot, ID 83221

the following described premises:

Lot 2 in Block 1 of Casa De Campo, Bingham County, Idaho, as shown on the plat recorded March 30, 2017, as Instrument No. 685240.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Dated: 2-24-2020

Wayne Short Karen Short

State of Idaho) ss
County of Bingham)

On this 24th day of February, 2020, before me, the undersigned, a Notary Public in and for said state, personally appeared

Wayne & Karen Short known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed 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.

Melissa Goodwin
Notary Public for the State of Idaho
Residing at: Blackfoot, ID
Commission Expires: May 8, 2020

MELISSA GOODWIN
COMMISSION #52367
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 05/08/2020

OLD HICKORY SHEDS, LLC

P.O. BOX 331973
MURFREESBORO, TN 37133

GENERAL NOTES:

- STRUCTURE HAS BEEN DESIGNED IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE AND THE 2018 INTERNATIONAL BUILDING CODE.
- ALL MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE ABOVE CODES AT THE TIME OF MANUFACTURE.
- DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONS.
- STRUCTURES ARE CLASSIFIED AS "MINOR STORAGE FACILITIES" (RISK CATEGORY I) PER IBC TABLE 1604.5 AND SHOULD NOT BE USED FOR HUMAN HABITATION.
- SIDING FASTENERS SHALL NOT BE INSTALLED IN PANEL SIDING GROOVES IN THE FIELD OF THE PANEL OR WHEN THE SIDING GROOVES OCCUR AT CUT EDGES OF THE SIDING PANEL.
- STRUCTURES SHOULD HAVE 25 YEAR RATED FIBERGLASS/ ASPHALT SHINGLES OR 29 GA METAL ROOFING OVER WOOD SHEATHING.
- WOOD FRAMING SHALL COMPLY WITH THE ANSI/AWC "NATIONAL DESIGN SPECIFICATION (NDS) FOR WOOD CONSTRUCTION", 2018.
- ALL ROOF DECKING IS TO BE 3/8" OSB.
- ALL EXTERIOR NAILS ARE TO BE ZINC COATED.

- ALL SIDING IS TO BE 5/8" TREATED T1-11 PLYWOOD, 3/4" LP SMART PANEL, OR LP DUTCH LAP SIDING. 3/8" OSB WALL SHEATHING IS TO BE INSTALLED ON ALL WALLS USING DUTCH LAP SIDING.
- ALL FLOOR JOISTS ARE TO BE PRESSURE TREATED SYP #2, OR BETTER.
- ALL UN-TREATED WOOD FRAMING IS TO BE SPF #2 OR BETTER.
- ALL FLOOR DECKING IS TO BE 5/8" OR 3/4" PLYWOOD OR ENGINEERED FLOORING.
- ALL SKIDS ARE TO BE 4x6 PRESSURE TREATED, RATED FOR GROUND CONTACT.
- SECTIONS AND DETAILS SHOWN ARE INTENDED TO BE TYPICAL AND SHALL APPLY AT ALL SIMILAR LOCATIONS, UNLESS NOTED OTHERWISE.

- DESIGN CRITERIA:**
- RISK CATEGORY I
 - FLOOR LIVE LOAD: 40 PSF
 - SNOW LOADS ARE BASED ON THE FOLLOWING:
GROUND SNOW LOAD, P_g = 60 PSF
FLAT ROOF SNOW LOAD, P_f = 40 PSF
EXPOSURE FACTOR, C_e = 1.0
IMPORTANCE FACTOR, I = 0.8
THERMAL FACTOR, C_t = 1.2
 - WIND LOADS ARE BASED ON THE FOLLOWING:
V_{ult} = 115 MPH
RISK CATEGORY I
EXPOSURE CATEGORY C
INTERNAL PRESSURE COEFFICIENT:
G_{cpi} = -0.18
COMPONENTS & CLADDING:
ROOF-ZONE 1 = 12.1, -15.7 PSF
ROOF-ZONE 2 = 12.1, -26.6 PSF
ROOF-ZONE 3 = 12.1, -40.0 PSF
WALL-ZONE 4 = 17.3, -16.2 PSF
WALL-ZONE 5 = 17.3, -23.0 PSF

- PIERS (IF REQUIRED):**
- PIERS ARE NOT REQUIRED WHEN THE SKIDS CAN BE SUPPORTED ON FIRM, LEVEL GROUND. PIERS ALONG INTERIOR SKIDS SHALL BE ORIENTED WITH THE LONG SIDE PERPENDICULAR TO THE SKID. PIERS ALONG THE OUTSIDE SKIDS OF BUILDINGS WITH 4 SKIDS ARE PERMITTED TO BE ORIENTED WITH THE LONG SIDE PARALLEL TO THE SKID PROVIDED THAT THE PIERS ALONG THE INTERIOR SKID ARE ORIENTED PERPENDICULAR TO THE SKID.

- PIERS SHALL TYPICALLY BE 8"x16" OPEN CELL OR SOLID CONCRETE BLOCKS DRY STACKED TO A MAXIMUM HEIGHT OF 36". THE BLOCK IN CONTACT WITH THE GROUND AT EACH PIER SHALL BE A 4"x8"x16" SOLID BLOCK. OPEN CELL BLOCKS AND 2" THICK SOLID BLOCKS ARE NOT TO BE USED AS THE BASE OF ANY PIERS. OPEN CELL BLOCKS ARE TO BE PLACED ON TOP OF SOLID BLOCKS AS NEEDED WITH THE OPEN CELLS RUNNING VERTICALLY AND MUST NOT BE PLACED ON THEIR SIDE.

CORNER PIERS OVER 20" TALL SHALL BE DOUBLE STACKED CONCRETE BLOCKS. TIE DOUBLE STACKED BLOCKS BY ALTERNATING THE DIRECTION OF BLOCKS ON EACH ROW.

- OLD HICKORY SHEDS IS NOT RESPONSIBLE FOR THE PREPARATION OF THE PROPOSED SITE OR DETERMINATION OF THE SITE'S SUITABILITY TO SUPPORT THE PROPOSED STRUCTURE. IT IS THE PROPERTY OWNER'S RESPONSIBILITY TO DETERMINE IF SITE CONDITIONS ARE SUITABLE TO SUPPORT THE STRUCTURE.

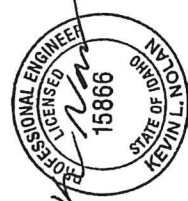
- PIERS SHOWN ON SHEET S-1 ARE CONCEPTUAL AND MAY NOT REFLECT ACTUAL CONDITIONS. THE PIER LAYOUT MAY BE ADJUSTED AS NEEDED BASED ON SITE CONDITIONS, PROVIDED THAT THE MAXIMUM SPACING SHOWN IS NOT EXCEEDED.

NOTE: C&C WIND PRESSURES SHOWN ARE FOR A 10 SQUARE FOOT EFFECTIVE AREA (A_e) AND MAY BE REDUCED FOR LARGER AREAS AS ALLOWED BY CODE.

- SEISMIC LOADS ARE BASED ON THE FOLLOWING:
RISK CATEGORY I
SITE CLASS D
DESIGN CATEGORY D

ITEMS BY OTHERS:

- THE FOLLOWING ITEMS ARE TO BE SUPPLIED AND INSTALLED BY OTHERS. THESE ITEMS MAY BE SUBJECT TO LOCAL JURISDICTION APPROVAL. OLD HICKORY SHEDS IS NOT RESPONSIBLE FOR THESE ITEMS.
- THE COMPLETE FOUNDATION AND TIE-DOWN SYSTEM
- RAMPS, STAIRS, AND GENERAL ACCESS
- ELECTRICAL SERVICE HOOKUP



7-6-20

LOFTED BARN--IDAHO--SNOW=60PSF--IBC 2018



PROJECT NO:	
DATE:	07-06-2022
DRAWN BY:	KLN
CHECKED BY:	KLN
REVISION:	

SHEET NUMBER
S-0
SCALE: NONE

PERMIT-Subsurface Sewage Disposal



Public Health
Prevent. Promote. Protect.

Southeastern Idaho Public Health
1901 Alvin Ricken Dr
Pocatello ID 83201
(208) 239-5270

Permit # : 41117
Date : 10/12/2022
Parcel # : RP8268010

Idaho Public Health Districts

Applicant's Name: Micaela Williams
 Owners Name: Micaela Williams
 Property Address: 191 N 300 W Blackfoot ID 83221
 Legal Description: _____ Township _____ Range _____ Section _____
 Subdivision: Casa De Campo Lot 2 Block 1 Size(acres): 1.26

Type of Installation	Type of System (check all that apply)			Water Supply
<input type="checkbox"/> Tank Only	<input checked="" type="checkbox"/> Absorption Bed	<input type="checkbox"/> Gravelless Drainfield	<input type="checkbox"/> Pressurized DF	<input checked="" type="checkbox"/> Private <input type="checkbox"/> Shared <input type="checkbox"/> Public
<input checked="" type="checkbox"/> New System	<input type="checkbox"/> Capping Fill	<input type="checkbox"/> Gray Water Sump	<input type="checkbox"/> Recirculating GF	
<input type="checkbox"/> Expansion	<input type="checkbox"/> Central System	<input type="checkbox"/> Gray Water System	<input type="checkbox"/> RV Dump Station	Water Source
<input type="checkbox"/> Repair	<input type="checkbox"/> Composting Toilet	<input type="checkbox"/> Holding Tank	<input type="checkbox"/> Sand Mound	
<input type="checkbox"/> LSAS Repair	<input type="checkbox"/> Drip Distribution	<input type="checkbox"/> Incinerator Toilet	<input type="checkbox"/> Seepage Pit	<input checked="" type="checkbox"/> Well <input type="checkbox"/> Spring
<input type="checkbox"/> LSAS New	<input type="checkbox"/> ETPS	<input type="checkbox"/> Individual Lagoon	<input type="checkbox"/> Steep Slope Drainfield	
<input checked="" type="checkbox"/> Basic System	<input type="checkbox"/> Experimental	<input type="checkbox"/> Intermittent SF	<input type="checkbox"/> Two Cell Lagoon	
<input type="checkbox"/> Complex System	<input type="checkbox"/> Extra Drainrock	<input type="checkbox"/> Intrench SF	<input type="checkbox"/> Vault Privy	
	<input type="checkbox"/> Evapotranspiration	<input type="checkbox"/> Tank Only	<input type="checkbox"/> Other (see below)	
	<input type="checkbox"/> Gravel Drainfield	<input type="checkbox"/> Pit Privy		

Conditions of Approval:

Inspection required before cover. 48 Hours advanced notice required for inspection. Install a Standard Absorption Bed according to IDAPA 58.01.03.008.10., between 2 and 4 feet below native ground surface.
Maximum depth of excavation of drainfield is 4 feet below native ground surface. Install septic system according to IDAPA 58.01.03. Septic system sized for 150 gallons of wastewater per day. Drainfield and replacement area must be minimum 100 feet from any well, minimum 50 feet from any canal or ditch, minimum 25 feet from any waterline, minimum 10 feet from crawl space or slab and minimum 5 feet from property line. Septic system must be installed by either the property owner or a septic system installer, licensed in Idaho. Install drainfield along the contour of the slope, keeping the trench bottom level. The Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems can be found at: <http://www.deq.idaho.gov/water-quality/wastewater/septic-systems/technical-guidance-manual.aspx>

Residential permit 1 Bedrooms
150 Gallons Per Day
 Non-residential permit Gallons Per Day

Soil Type: C-1 USDA
 The minimum septic tank capacity is: 900 Gallons
 The minimum effective drainfield absorption area is: 500 Square Feet
 The drainfield can be no closer to permanent/intermittent surface water than: 100 Feet

Note: Final approval of this permit requires inspection of the uncovered system.

See page 2 for additional terms and conditions.

EHS Signature

10/12/2022

Date Issued

Revision Date 03/05/2021

**Exhibit
A-6**

PERMIT-Subsurface Sewage Disposal



Public Health
Prevent. Promote. Protect.

Southeastern Idaho Public Health
1901 Alvin Ricken Dr
Pocatello ID 83201
(208) 239-5270

Permit # : 41117
Date : 10/12/2022
Parcel # : RP8268010

Idaho Public Health Districts

Applicant's Name: Micaela Williams
Owners Name: Micaela Williams
Property Address: 191 N 300 W Blackfoot ID 83221
Legal Description: Township Range Section
Subdivision: Casa De Campo Lot 2 Block 1 Size(acres) 1.26

This permit expires if the system is not constructed as approved within two years from the date issued. Once the system is constructed and approved by the Health District, all requirements of the approved plans and specifications, permit and permit application (including operations, maintenance, monitoring, and reporting) are applicable indefinitely and convey through transfer of property ownership unless the system is abandoned, removed, replaced, or the permit is renewed. A permit may be renewed if the permit application is received on or before the expiration date of the previous permit. Prior to a transfer of property, the transferor must inform the transferee of all applicable requirements of the permit and application. Failure to satisfy the permit or application requirements may result in enforcement action.

**CHAPTER 8
CONDITIONAL USE PERMIT**

SECTION:

- 10-8-1: General Statement
- 10-8-2: Contents Of Application For Permit
- 10-8-3: Review Of Application
- 10-8-4: Additional Studies
- 10-8-5: Land Use Time Limitations
- 10-8-6: Hearing And Notice
- 10-8-7: Action By Commission
- 10-8-8: Supplementary Conditions And Safeguards
- 10-8-9: Appeal To Board
- 10-8-10: Request For Time Extension For Permit
- 10-8-11: Revocation Of Permit
- 10-8-12: Modification Of Approved Permit

10-8-1: GENERAL STATEMENT:

- A. It is recognized that an increasing number of uses are appearing that have characteristics of a unique and special nature such that the specific use must be considered individually. We recognize that these uses are not permitted without adding certain conditions making them compatible with permitted uses in the underlying zone. The commission may require higher standards of site development than those listed specifically in this title in order to assure that the proposed use will be compatible with other conforming property and uses in the vicinity.
- B. The commission shall hold a public hearing on each conditional use permit as listed on the land use chart and new uses brought by the Administrator. The commission may approve, conditionally approve or deny a conditional use permit under the standards listed in this chapter and may require such additional safeguards that will uphold the intent of this title. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-8-2: CONTENTS OF APPLICATION FOR PERMIT:

An application for a conditional use permit shall be filed with the Administrator by the property owner or by the occupant with owner approval. At a minimum, the application shall contain the following information:

Please explain how the application provided is complete and meets the following requirements of this code section: (if a question is not applicable to your application please state not applicable and explain why)

- A. Name, address and phone number of applicant. Micaela Williams
191 N 300 W Blackfoot ID 83221 (208-604-5855)
- B. Legal description of the property. Lot 2, block 1, Casa Decampo, Bingham County
- C. Description of existing use. Singal family dwelling

- _____
- _____
- _____
- D. Current zoning designation. Residential
- E. Description of use being proposed. 2nd temporary dwelling for medical hardship for grandmother.
- _____
- _____
- F. A scaled site plan/drawing showing the location of the following:
1. All buildings, parking and loading area.
 2. Traffic access and traffic circulation.
 3. Open spaces, landscaping, refuse and service areas.
 4. Utilities, signs.
 5. Any other information that may be required to determine if the proposed conditional use meets the requirements of this title. Doctors letters provided
 6. A statement evaluating the effects on adjoining property that may include, but is not limited to, such elements as noise, odor, fumes and vibration. An accurate statement of the compatibility with adjacent and other properties in the zone, and the relationship of the proposed use to the plan. N/A
- _____
- _____
- _____
7. More specifically, the following adverse effects shall be mitigated through setbacks, buffers, sound attenuation and/or hours of operation:
- a. Noise, odor, or vibrations, or direct or reflected glare detectable by the human senses without the aid of instruments. N/A
 - b. Radioactivity and electric or electromagnetic disturbances that unduly interfere with the normal operation of equipment, instruments, or appliances on abutting properties. N/A
 - c. Any other emission or radiation that endangers human health, results in damages to vegetation or property or which exceeds health and safety standards. N/A
 - d. The appropriate filing fees. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-8-3: REVIEW OF APPLICATION:

A. The commission shall review the particular facts and circumstances of each proposed conditional use permit in terms of the following standards and shall find adequate evidence showing that such use at the proposed location will:

Please explain how your request complies with the following criteria:

1. Constitute a conditional use as established on the official schedule of zoning regulations or as determined by the commission to be a conditional use for the zone involved.
2. Be in accordance with the general objectives or with any specific objection of the Comprehensive Plan and/or this title.

The general objectives and specific purpose of the Comprehensive Plan is to promote the health, safety and general welfare of the people of the county as follows:

- a) To protect property rights and the use of property while not adversely impacting neighboring property values more than is necessary. _____
No it will not affect anything the new
struceter and will be painted to match
essiting.
- b) To ensure that adequate public facilities and services are provided to the people at reasonable cost. N/A

- c) To ensure that the economy of the county is protected and enhanced. _____
Temporary Structure

- d) To ensure that the important environmental features of the county are protected and enhanced. N/A

- e) To encourage the protection of prime agricultural, forestry and mining lands for production of food, fiber and minerals. N/A

- f) To encourage urban and urban-type development within or near incorporated cities. Temporary Structure

g) To avoid undue concentration of population and overcrowding of land. N/A

h) To ensure that the development on land is commensurate with the physical characteristics of the land. N/A

i) To protect life and property in areas subject to natural hazards and disasters. N/A

j) To protect fish, wildlife and recreation resources. N/A

k) To avoid undue water and air pollution. N/A

l) To allow local school districts to participate in community planning and development to address school needs and impacts on an ongoing basis. N/A

3. Be designed, constructed, operated and maintained to be appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area as far as is possible.

New construction will match paint to existing home.

4. Not be unduly hazardous or disturbing to existing or future neighboring uses; nor involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to persons, property or the general welfare of the public by reason of excessive production of traffic, noise, smoke, fumes, odors or other pollutants. N/A

5. Not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the County. _
private well and septic. We will be
hooking the second dwelling up to our
existing well.
6. Be served adequately by essential public facilities and services or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide such services. private
7. Have legal access to the subject property for the development. Have vehicular approaches to the property that are designed to eliminate a traffic hazard on adjacent public thoroughfares. existing approach
8. Not result in the destruction, loss or damage to a scenic or historic feature of major importance. N/A
9. If applicable, have adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and have utility systems provided to accommodate said use. _
Installing new septic system

B. If the literal enforcement of the provisions herein contained would result in unnecessary hardship, the commission may consider exceptions to nonconforming uses as permitted in chapter 9 of this title. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-8-4: ADDITIONAL STUDIES:

Prior to making a decision concerning a conditional use permit request, the commission or Board may request additional studies at the applicant's expense, of the social, economic, fiscal, and environmental effects of the proposed conditional use permit. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-8-5: LAND USE TIME LIMITATIONS:

- A. When a conditional use permit is granted, the land use or construction of its facility proposed in the application must have commenced within three (3) years of the date of the final decision by the commission, or the Board or a court of appropriate jurisdiction, if appealed, and completed within five (5) years of the same date. The following exceptions shall be limited to ten (10) years of the date of the final decision by the commission or the Board or a court of appropriated jurisdiction, if appealed. If the use is not implemented within this time period, the use and its approval shall expire:

1. Gravel pits in other than A or A/NR Zones.
 2. Electrical public service facilities.
 3. Commercial wind turbines in other than A or A/NR Zones.
- B. Upon expiration of the use or the approval of that use as provided by this section, the applicant may seek approval of the use only by filing a new initial application for review by the commission. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-8-6: HEARING AND NOTICE:

Prior to granting a conditional use permit, the commission shall follow the hearing procedures as identified in chapter 3 of this title. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-8-7: ACTION BY COMMISSION:

- A. The commission shall approve, conditionally approve or disapprove the application as presented. If more information is needed for a determination to grant a conditional use permit, the commission may request information from the planning staff or public agencies concerning social, economic, fiscal and environmental effects of the proposed conditional use. If the application is approved or approved with modifications, the commission shall direct the Administrator to issue a conditional use permit listing the conditions specified for approval.
- B. The commission may attach conditions that include, but are not limited to, the following:
1. Minimizing adverse impact on other development.
 2. Controlling the sequence and timing of development.
 3. Controlling the duration of development.
 4. Assuring that plans are developed to properly maintain the project.
 5. Designating the exact location and nature of development.
 6. Requiring more restrictive standards than those generally required in this title.
 7. Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-8-8: SUPPLEMENTARY CONDITIONS AND SAFEGUARDS:

The commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title over and above those listed in section 10-8-7 of this chapter. Violations of any conditions, bonds or safeguards, when made a part of the terms under which the conditional use permit is granted, shall be deemed a violation of this title.

- A. Upon granting or denying an application, the commission shall specify:
1. The ordinance and standards used in evaluating the application.
 2. The reasons for approval or denial.
- B. A conditional use permit shall not be considered as establishing a binding precedent to grant other conditional use permits. A conditional use permit is not transferable from one parcel of land to another. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-8-9: APPEAL TO BOARD:

The applicant or any affected person may appeal the decision of the commission to the Board, following the hearing procedures requirements of chapters 3 and 10 of this title. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-8-10: REQUEST FOR TIME EXTENSION FOR PERMIT:

- A. An applicant may request extension of the time period provided by this section by filing an application for extension with either the commission or the Board depending on who approved the conditional use permit.
 - 1. Such application must be filed at least sixty (60) calendar days prior to the date of expiration.
 - 2. The matter shall be heard at a public hearing before the commission or the Board, whichever made the final decision, in accordance with the notice and hearing procedures of chapter 3 of this title.
 - 3. A renewal extension, if granted, shall be limited to three hundred sixty five (365) calendar days.
- B. The commission or the Board, whoever made the final decision, may extend the commencement period or the completion period as provided in subsection A of this chapter upon proof of good cause by the applicant. Good cause shall be determined at the discretion of the commission or the Board. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-8-11: REVOCATION OF PERMIT:

A conditional use permit may be revoked upon violation of any of the conditions imposed therein. The Administrator or designee shall verify that a violation has occurred. The permit holder shall be notified that a violation has been noted and shall be given a reasonable time to correct said violation. If compliance is not or cannot be reached within an approved time, the Administrator shall notify the commission or Board, whichever approved the original conditional use permit, so that they may review the preponderance of the evidence to determine if after due process the conditional use permit should or should not be revoked. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-8-12: MODIFICATION OF APPROVED PERMIT:

- A. A conditional use permit or previously approved special use permit may be modified upon a request of the Board, commission or the property owner(s). The Board or commission shall follow the same hearing procedures as per chapter 3 of this title for a conditional use permit.
- B. Modification shall only be granted if the Board or commission finds that the modification is consistent with the provisions of the plan and will not be detrimental to the general public health, safety or welfare. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

Amanda Willard

From: Micaela Williams <micbrummondfamily19@gmail.com>
Sent: Thursday, October 13, 2022 8:27 AM
To: Amanda Willard
Subject: 2nd dwelling removal letter

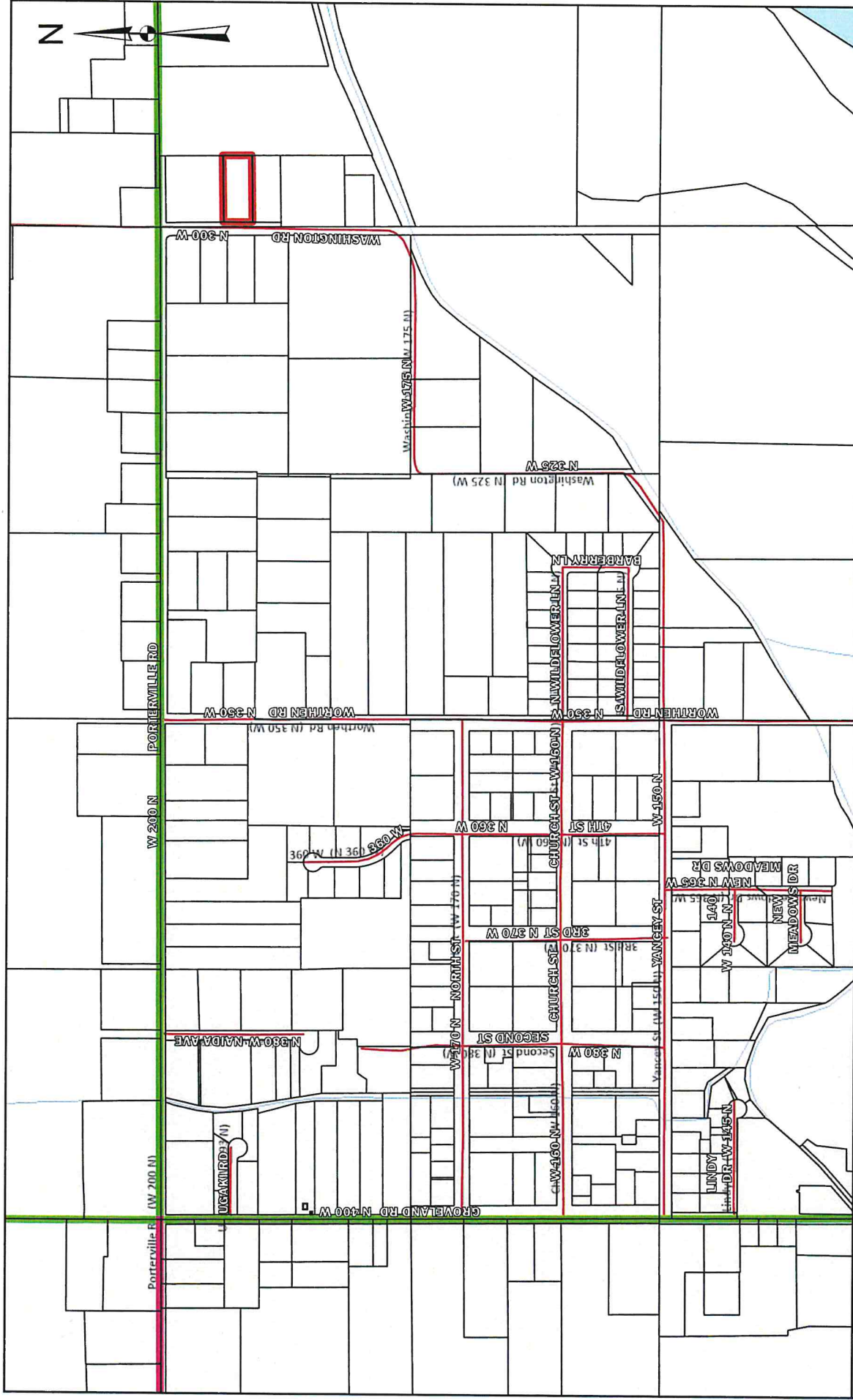
To whom it may concern

After there is no further need for the second dwelling upon the passing of my grandma. I Micaela Williams will have the second dwelling removed from 191 N 300 W I, Blackfoot, Idaho, 83221 in a reasonable time. Thank you for your time and consideration in this matter.

Regards

Micaela Williams

MICAELA WILLIAMS 2ND TEMPORARY DWELLING CUP - PARCEL MAP



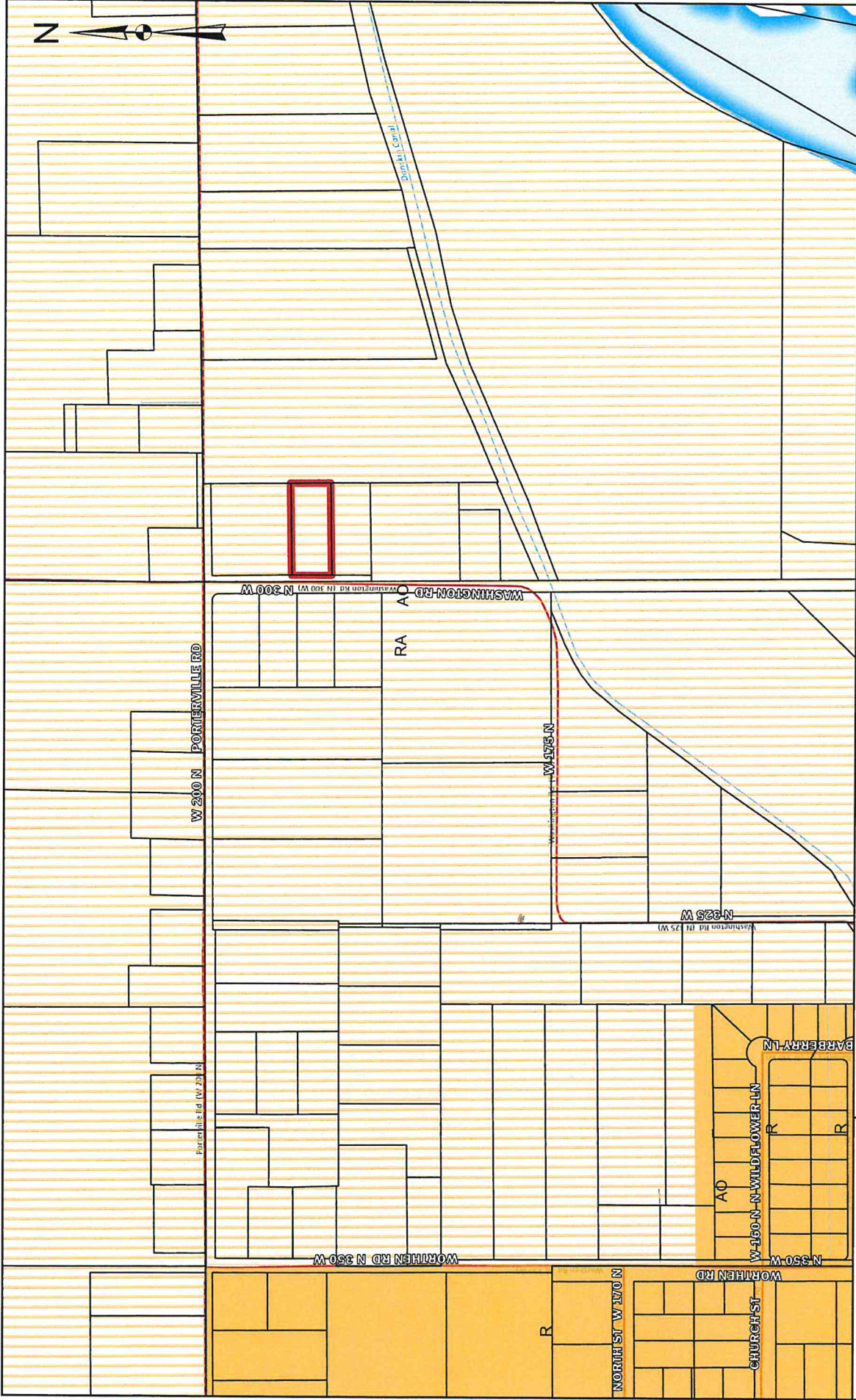
LEGEND

- Williams - CUP
- Minor Arterial 80' ROW
- Major Collector 70' ROW
- Parcels
- Roads






EXHIBIT S-2

0 0.040.08 0.16 Miles

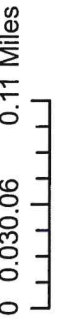
MICAELA WILLIAMS 2ND TEMPORARY DWELLING CUP - ZONING MAP



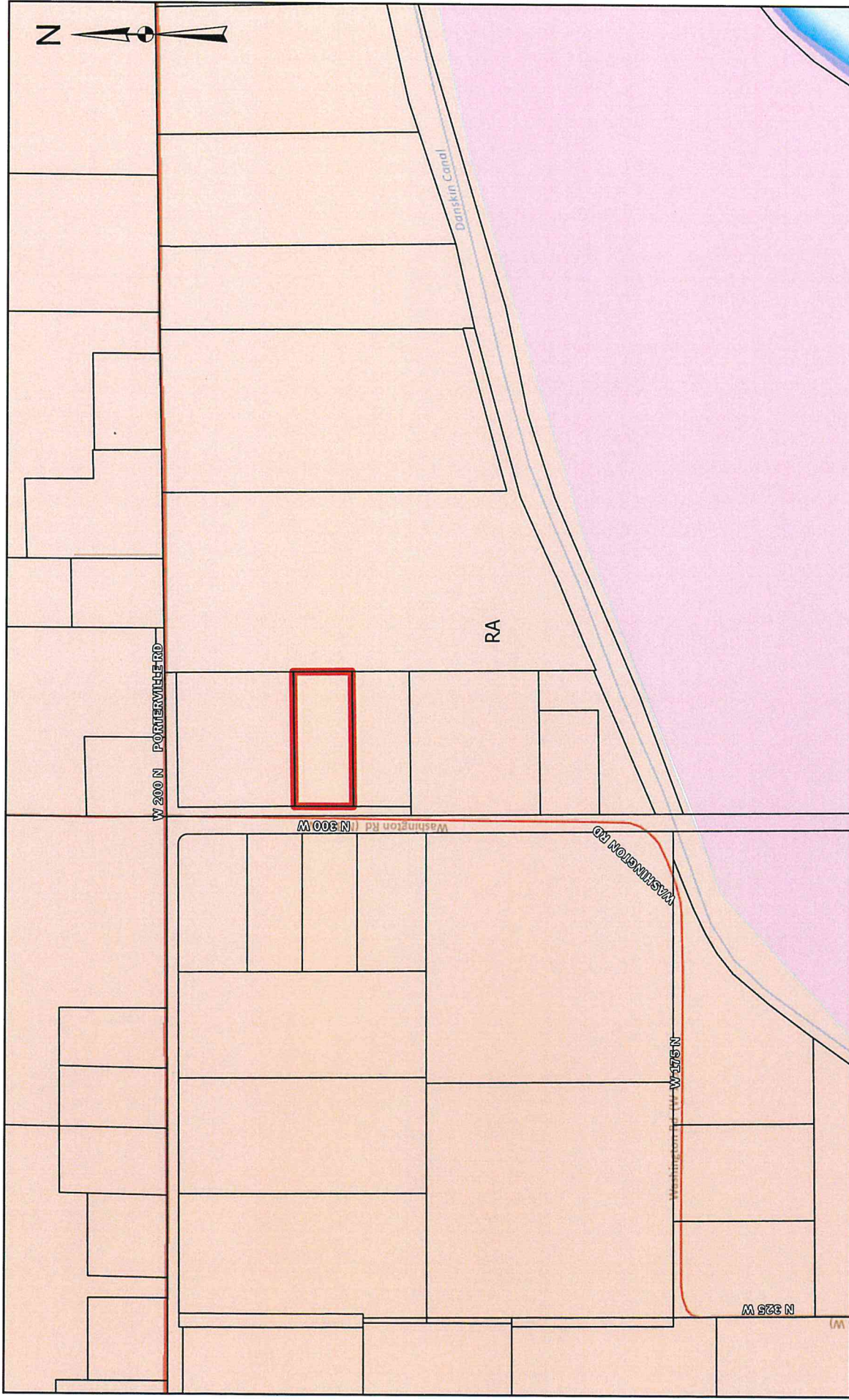
LEGEND

-  Williams - CUP
-  Parcels
-  Roads
-  RA - Residential/Agriculture
-  R - Residential

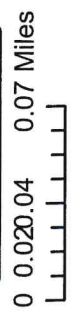
**EXHIBIT
S-3**










MICAELA WILLIAMS 2ND TEMPORARY DWELLING CUP - COMPREHENSIVE PLAN MAP



**EXHIBIT
S-4**

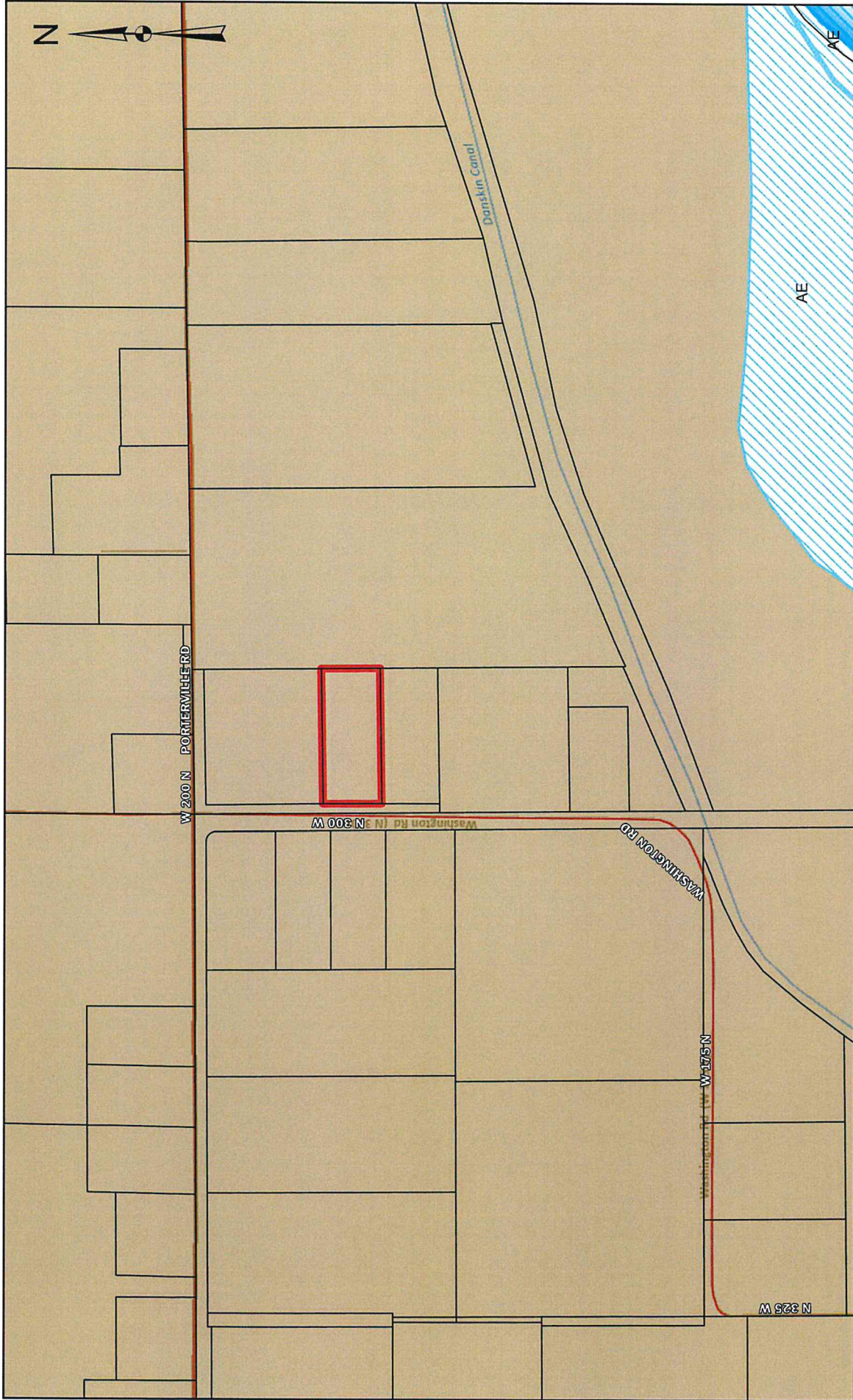


LEGEND

-  Williams - CUP
-  Parcels
-  Roads
-  Industrial/Commercial
-  Multi_Use
-  Natural Resource Area/Agriculture
-  Residential/Residential Agriculture



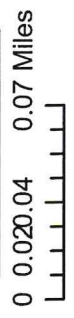
MICAELA WILLIAMS 2ND TEMPORARY DWELLING CUP - FLOOD PLAIN MAP



LEGEND

-  Williams - CUP
-  Parcels
-  Roads
-  A; AE; AH; AO - In
-  X - Out

EXHIBIT S-5

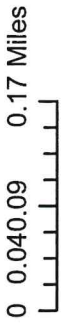


MICAEALA WILLIAMS 2ND TEMPORARY DWELLING CUP - AERIAL MAP

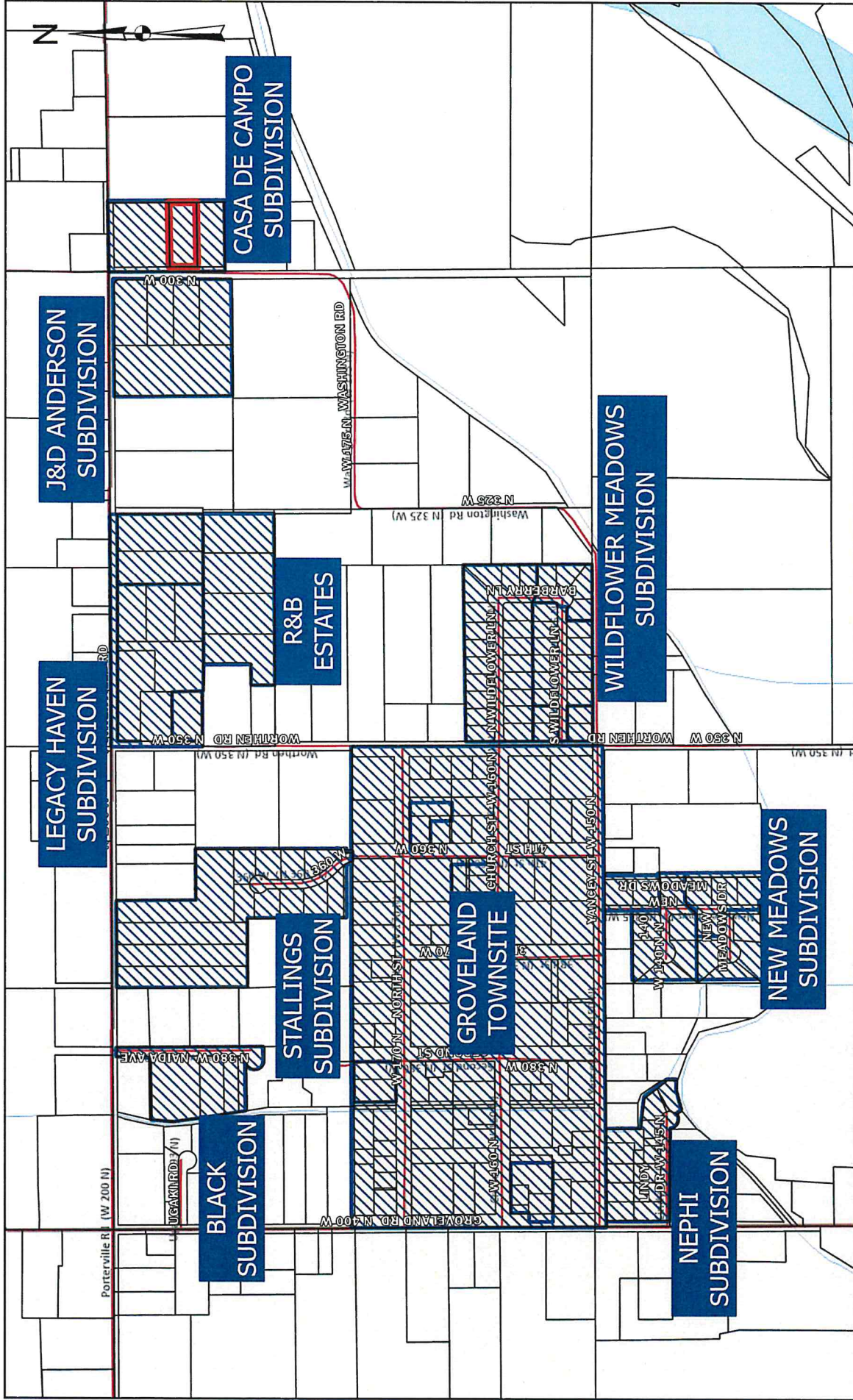


LEGEND

- Williams - CUP
- Parcels
- Roads



MICHAELA WILLIAMS 2ND TEMPORARY DWELLING CUP - SUBDIVISION MAP



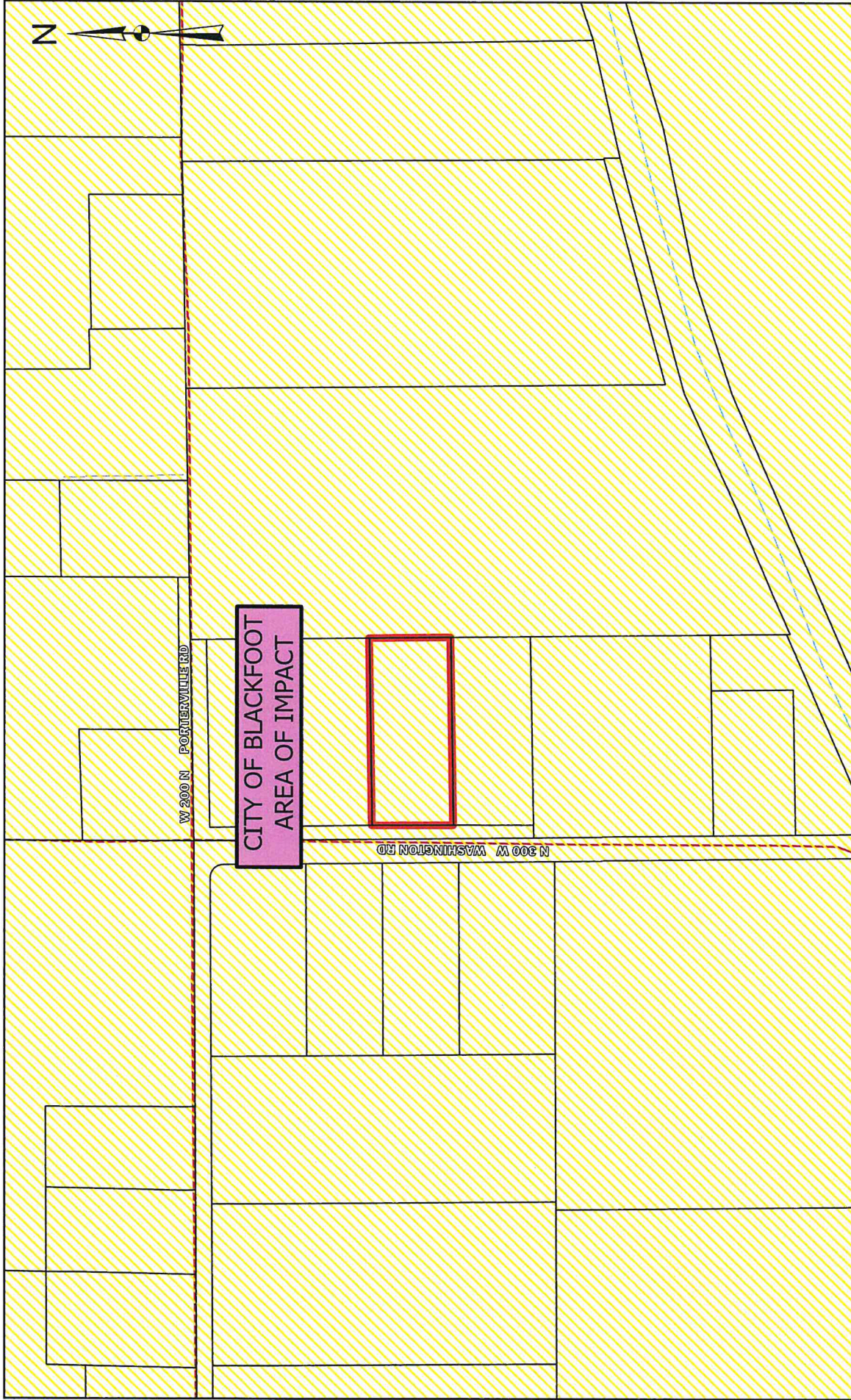
LEGEND

-  Williams - CUP
-  Subdivisions
-  Parcels
-  Roads

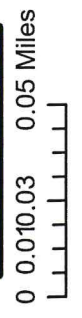
EXHIBIT S-7






MICAELA WILLIAMS 2ND TEMPORARY DWELLING CUP - AREA OF IMPACT MAP



**EXHIBIT
S-8**

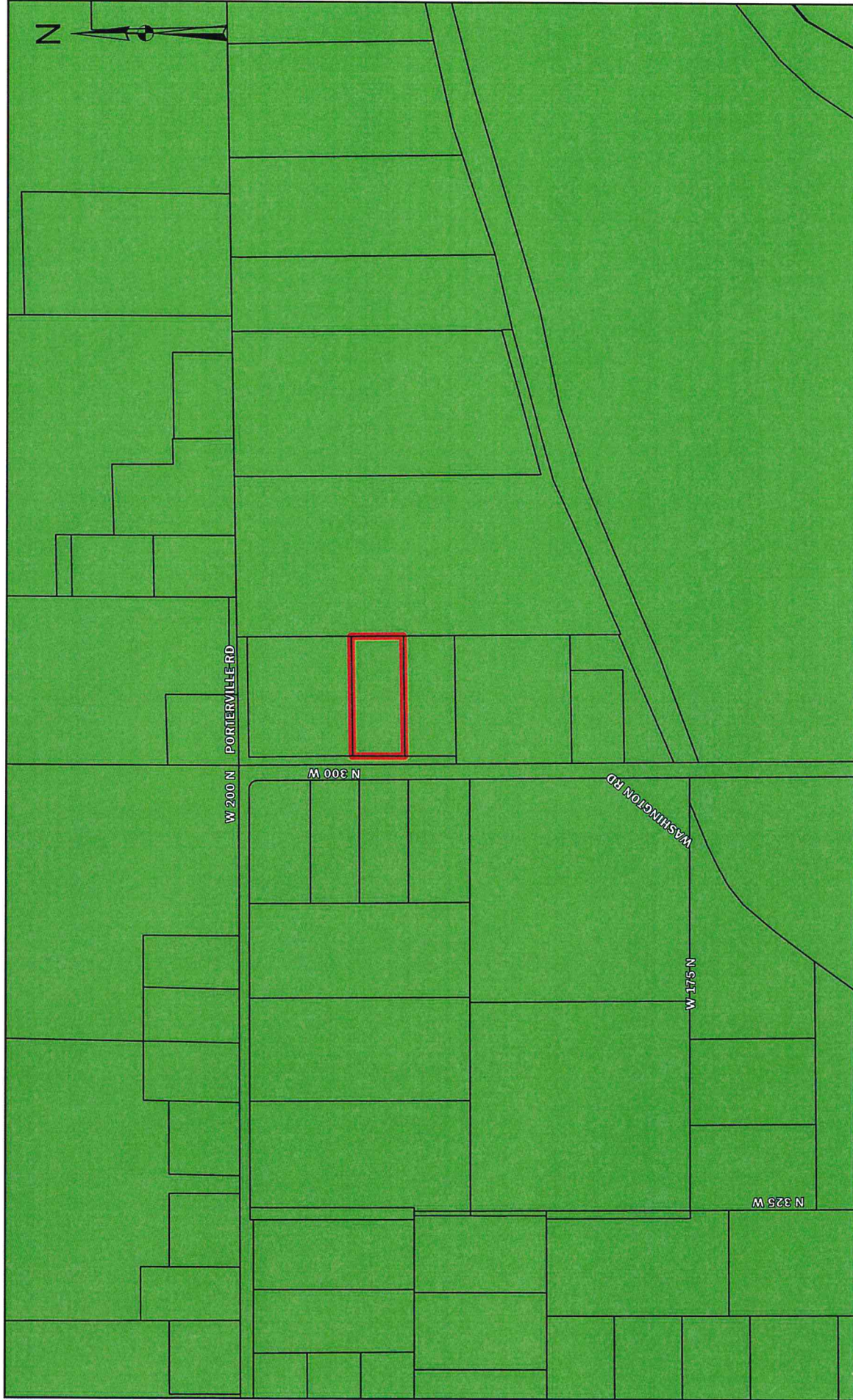


LEGEND

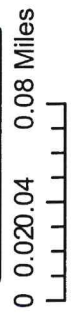
-  Williams - CUP
-  Parcels
-  Roads
-  Impact Area



MICAELA WILLIAMS 2ND TEMPORARY DWELLING CUP - SCHOOL DISTRICT MAP



**EXHIBIT
S-9**



LEGEND

- Williams - CUP
- Parcels
- Roads
- Blackfoot School District



MICAELA WILLIAMS 2ND TEMPORARY DWELLING CUP - UTILITIES MAP



LEGEND







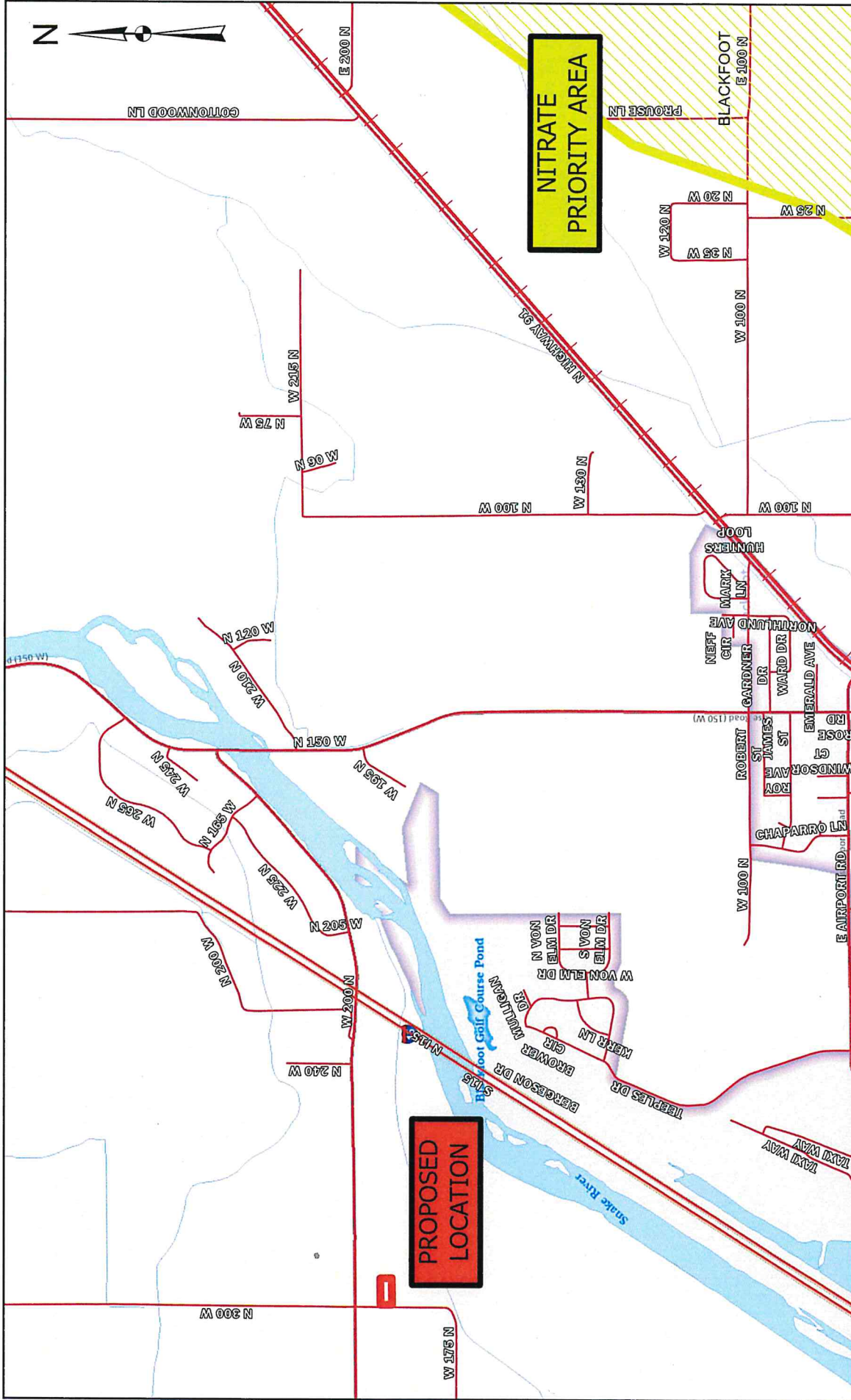
-  Williams - CUP
-  Sanitary Sewer Manholes
-  Parcels
-  Sanitary Sewer Lines
-  Roads
-  Gas Service Line

EXHIBIT S-10



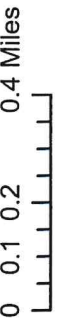
MICAEALA WILLIAMS 2ND TEMPORARY DWELLING CUP - NITRATE PRIORITY AREA MAP



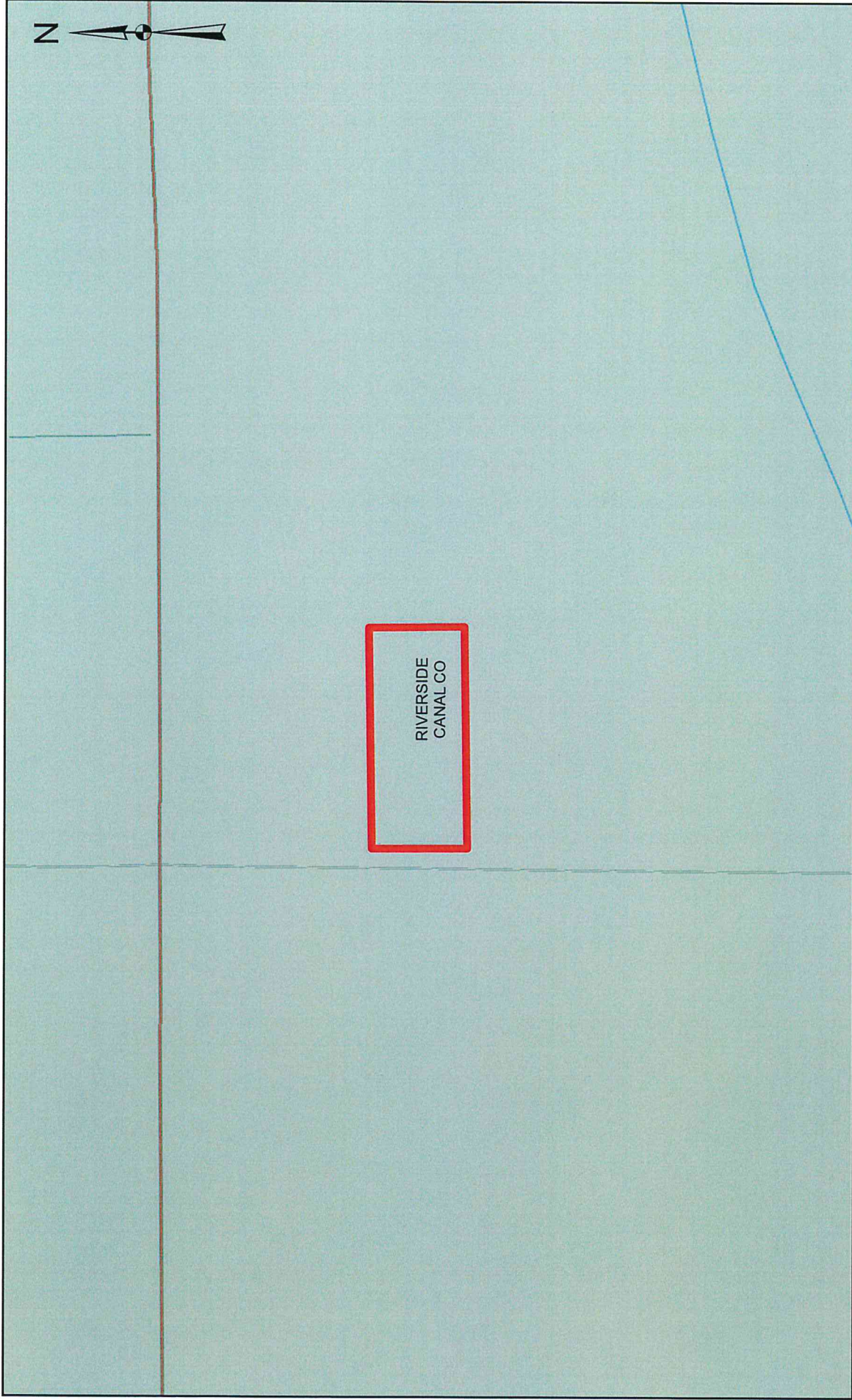
LEGEND

-  Williams - CUP
-  Nitrate_Priority_Areas
-  Parcels
-  Roads

**EXHIBIT
S-11**



MICAELA WILLIAMS 2ND TEMPORARY DWELLING CUP - IRRIGATION PROVIDER MAP



LEGEND

-  Williams - CUP
-  Parcels
-  Roads

EXHIBIT S-12



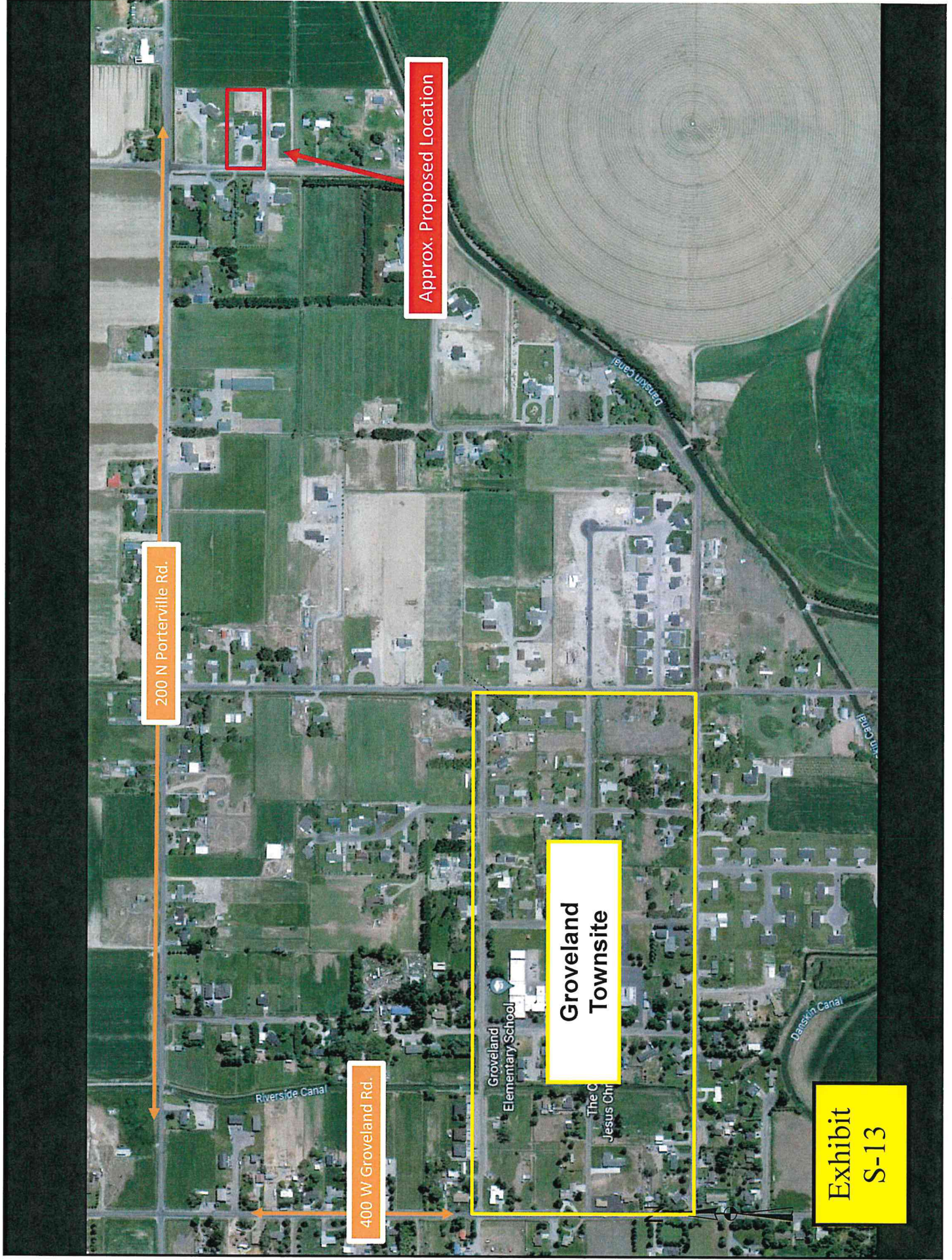
200 N Porterville Rd.

400 W Groveland Rd.

Approx. Proposed Location

Groveland
Townsite

Exhibit
S-13



BINGHAM COUNTY
PLANNING & DEVELOPMENT SERVICES

NOTICE OF POSTING

I hereby certify that on October 24, 2022, I personally posted the Bingham County, Planning & Development Department Notice for File No. 3151 at the following location(s):

Approx. Location: 191 N 300 W, Blackfoot, ID 83221, Parcel No. RP8268010, Casa de Campo Subdivision (Lot 2 Block 1), Township 2S, Range 35E, Section 27, consisting of approx. 1.26 acres



Addie Jo Harris

Addie Jo Harris
Assistant Director/Lead Planner

Exhibit
S-14

Proposed 2nd Dwelling



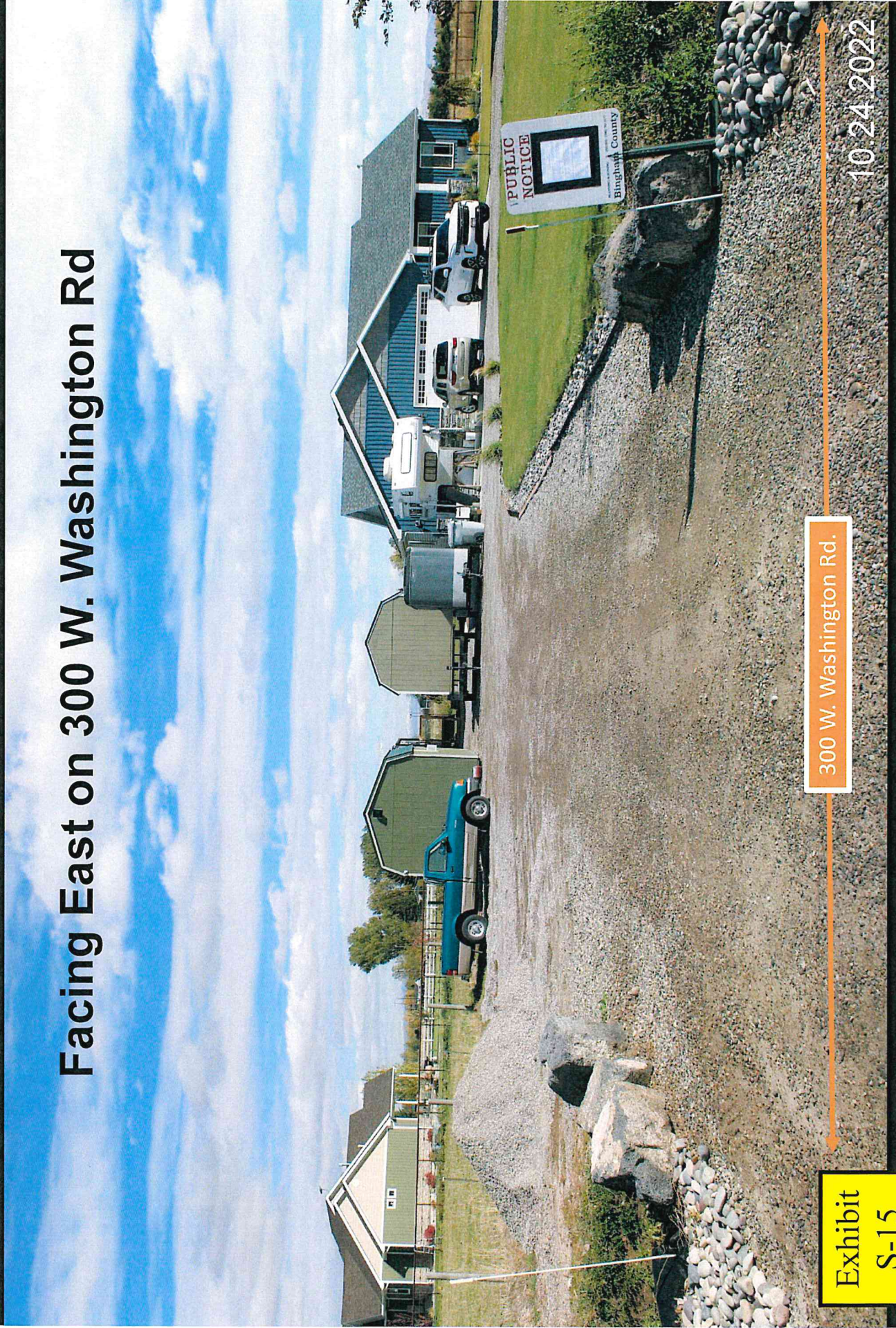
300 W. Washington Rd.

Exhibit S-15

10/24/2022



Facing East on 300 W. Washington Rd

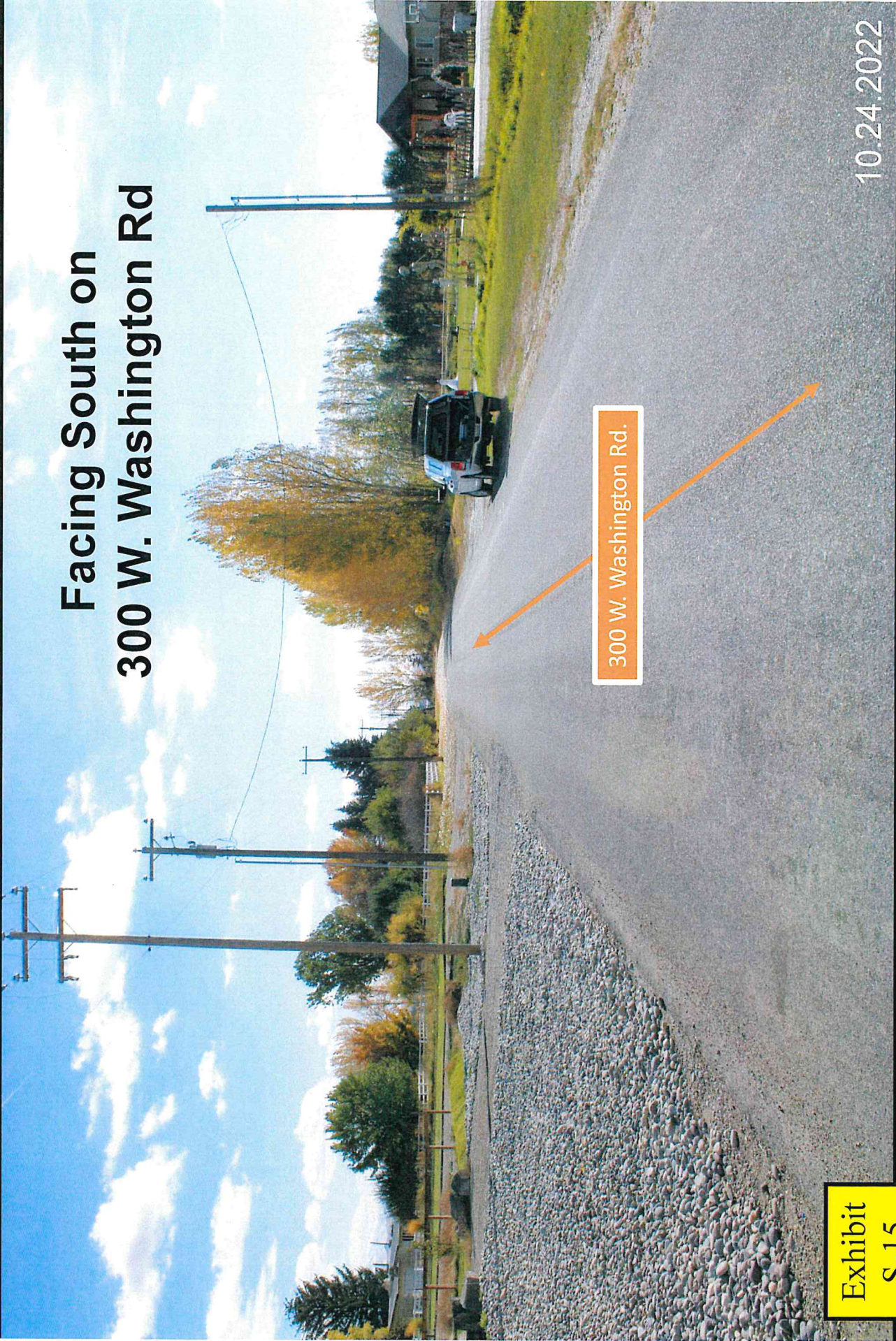


300 W. Washington Rd.

Exhibit
S-15

10.24.2022

Facing South on 300 W. Washington Rd



300 W. Washington Rd.

Exhibit
S-15

10.24.2022

Facing West on 300 W. Washington Rd

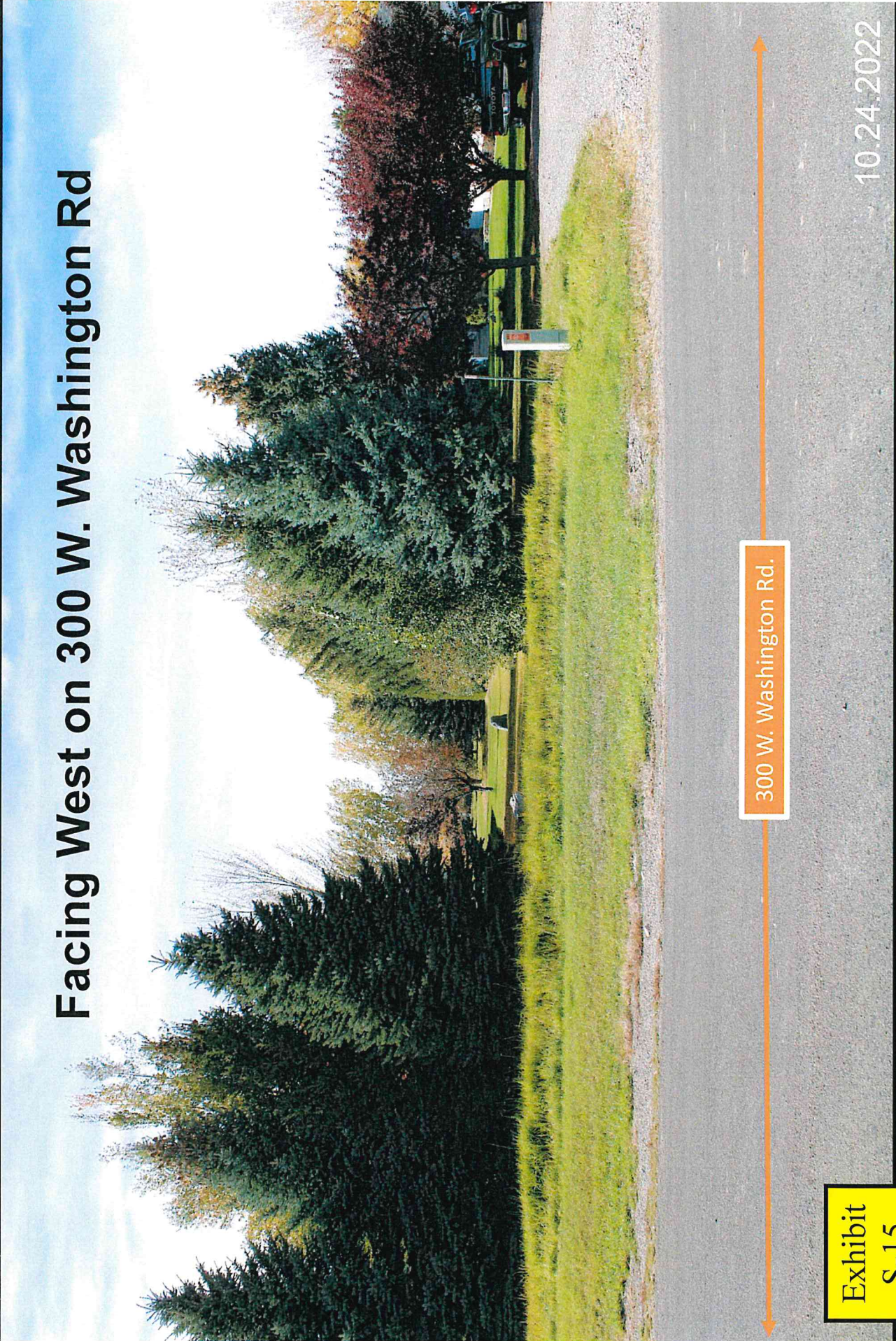


Exhibit
S-15

10.24.2022

Facing North on 300 W. Washington Rd



Exhibit
S-15

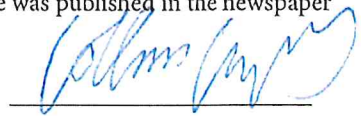
10.24.2022

PROOF OF PUBLICATION Bingham News Chronicle

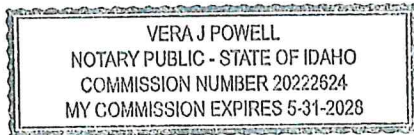
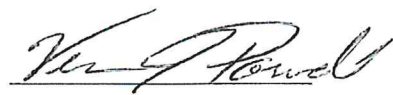
State of Idaho
County of Bingham

I, ~~Dawn Giannini~~, or Collins Crapo first being duly sworn, depose and say: That I am the ~~Classified Manager~~, or Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of Bingham News Chronicle, a newspaper of general circulation, published 2 days, Tuesday, and Friday at Blackfoot, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Bingham News Chronicle for 1 day(s), first publication having been made on 10/18/2022 last publication having been made on 10/18/2022, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.



Subscribed and sworn to before me, on this 18th day of October, 2022



Notary Public
My commission expires:

_____ attached jurat _____

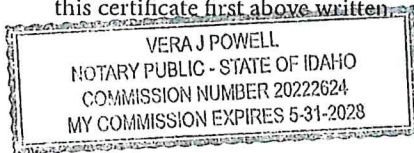
STATE OF IDAHO

ss.

COUNTY OF BINGHAM

On this 18th day of October, 2022 before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ or Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they 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 APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires:

**BINGHAM COUNTY
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Bingham County Planning & Zoning Commission will hold a Public Hearing on **November 9, 2022** in Courtroom #1, Bingham County Courthouse, 501 N. Maple, Blackfoot, Idaho. The meeting will start at 7:00 pm or as soon as it may be heard. For more information on the Applications please refer to www.co.bingham.id.us/planning_zoning/planning_zoning.html.

The following Public Hearing Applications will be heard:

1. CONDITIONAL USE PERMIT: DIVISION RIGHT TRANSFER (ACTION ITEM: DECISION) Property Owner/Location: N. Von Mecham, Approx. Location: Sending Parcel: RP0019600 T1N, R31E, Sec 3, approx. 30.42 acres | Receiving Parcel: RP0157203 T4S, R33E, Sec 10, approx. 12 acres

2. CONDITIONAL USE PERMIT: REPLACE A COMMERCIAL BILLBOARD SIGN (ACTION ITEM: DECISION) Property Owner/Location: Thomas Vea James, 821 Frontage Rd, Blackfoot, Parcel No RP0358301, T3S, R35E, Sec 4, approx. 5.58 acres

3. CONDITIONAL USE PERMIT: TEMPORARY SECOND DWELLING FOR MEDICAL HARDSHIP (ACTION ITEM: DECISION) Property Owner/Location: Teresa Wellard, 940 N 1000 E, Shelley, RP0507801, T1S, R37E, Sec 15, approx. 7 acres

4. CONDITIONAL USE PERMIT: MONOPOLE TELECOMMUNICATION TOWER (ACTION ITEM: DECISION) Property Owners/Location: Von & Linda Cornelison, 315 N 150 E, Blackfoot, RP0430100, T2S, R36E, Sec 17, consisting of approx. 38.8 acres

5. CONDITIONAL USE PERMIT: TEMPORARY SECOND DWELLING FOR MEDICAL HARDSHIP (ACTION ITEM: DECISION) Property Owners/Location: Micaela Williams, 191 N 300 W, Blackfoot, RP8268010, Casa de Campo Subdivision (Lot 2 Block 1), T2S, R35E, Sec 27, approx. 1.26 acres

6. ROD HENDRICKS SUBDIVISION, 4 LOT SUBDIVISION (ACTION ITEM: RECOMMENDATION) Property Owners/Location: Rodney & Robin Hendricks, 480 W 300 N, Blackfoot, RP0302002, RP0302010 & RP0302012, T2S, R35 E, Sec 17, approx. 4.50 acres

7. CONDITIONAL USE PERMIT: INDOOR BMX TRACK (ACTION ITEM: DECISION) Property Owners/Location: Jasen Gibbons, 1546 W 800 S, Pingree, RP0156913, T4S, R33E, Sec 9, approximately 7.16 acres

All persons interested or persons who are affected are invited to attend said Public Hearings to show cause, if any, if the requested Applications meet Bingham County Code and may give testimony in favor, neutral, or in opposition of said requests. According to Bingham County Code Section 10-3-6(7) no more than two pages of written testimony will be accepted less than eight calendar days before a hearing. Written testimony can be provided via mail at 490 N. Maple, Suite A, Blackfoot, ID 83221 or by email at planningtestimony@co.bingham.id.us. Individuals who need accessible communications or other accommodations in order to participate are invited to make their needs known to the Bingham County Clerk, 3 to 5 days in advance. ADA/504 Compliance.

Dated 14th day of October, 2022.

Tiffany G. Olsen
Tiffany G. Olsen

Planning & Development Director
Bingham County, Idaho

Published: October 18th, 2022 (BCC26092-293882)

Blackfoot/Snake River Government Agency Notice

Company Name	Attention	Address	City	St	Zip
Bingham County Appraisal					
Bingham County Assessor					
Bingham County Public Works		245 N 690 W	Blackfoot	ID	83221
Bingham County Sheriff					
Bingham County Surveyor					
Bingham County Treasurer					
Aberdeen/Springfield Canal Co.		P.O. Box 857	Aberdeen	ID	83210
Blackfoot Fire District	Verl Jarvie	225 N. Ash	Blackfoot	ID	83221
Blackfoot Irrigation Co		108 E 200 N	Blackfoot	ID	83222
Blackfoot Post Office	Postmaster	165 W Pacific	Blackfoot	ID	83221
Blackfoot School District	Superintendent	270 E. Bridge	Blackfoot	ID	83221
Bureau of Land Management	Land & Realty	4350 S. Cliffs Dr.	Pocatello	ID	83204
Bureau of Land Management	Land & Realty	1405 Hollipark Dr.	Idaho Falls	ID	83401
Bureau of Reclamation	Laura Crandall	470 22nd Street	Heyburn	ID	83336
City of Blackfoot	Mayor/City Council	157 N. Broadway	Blackfoot	ID	83221
Corbet Slough Ditch Company		78 N 100 W	Blackfoot	ID	83222
Department of Environmental Quality	Allan Johnson	444 Hospital Way #300	Pocatello	ID	83201
Department of Water Resources	Jared Adamson	900 N. Skyline Dr. #A	Idaho Falls	ID	83402
Eastern Idaho Water Company		279 N 400 E	Blackfoot	ID	83221
Groveland Water & Sewer	Marc Pange	144 N 400 W	Blackfoot	ID	83221
Health Department	Ken Keller	145 W Idaho Street	Blackfoot	ID	83221
Idaho Department of Lands	Pat Brown	3563 Ririe Highway	Idaho Falls	ID	83401
Idaho Department of Transportation	Eric Staats	5151 S. 5th Ave	Pocatello	ID	83204
Idaho Fish & Game	Becky Johnson	1345 Barton Road	Pocatello	ID	83204
Idaho Irrigation District		496 E. 14th Street	Idaho Falls	ID	83404
Idaho Power	Design Leader	301 E Benton Street	Pocatello	ID	83201
Intermountain Gas Co	Pocatello Marketing	12584 N Tyhee Rd.	Pocatello	ID	83202
Moreland Water & Sewer District		PO Box G	Moreland	ID	83256
New Lavaside Canal	Von Cornelison	66 E. River Road	Blackfoot	ID	83221
Parson's Ditch Co		638 W 100 S	Blackfoot	ID	83222
People's Canal & Irrigation Co		1050 W. Highway 39	Blackfoot	ID	83221
Qwest Engineering	Jon Davidson	930 W. Cedar Street	Pocatello	ID	83201
Riverside Canal Co		379 W 150 N	Blackfoot	ID	83221
Shoshone Bannock Tribal Land Use Policy Commission		PO Box 306	Fort Hall	ID	83203

**Exhibit
S-17**

Blackfoot/Snake River Government Agency Notice

Smith-Maxwell Ditch Co		839 W Riverton Rd.	Blackfoot	ID	83220
Snake River School District	Superintendent	103 S. 900 W.	Blackfoot	ID	83221
Snake River Valley Irrigation		P.O. BOX 70	Basalt	ID	83218
United Canal Company		762 W Hwy 39	Blackfoot	ID	83221
United Canal Company	Spencer Larsen	864 W 650 N	Blackfoot	ID	83221
Watson Canal Co	Karl Williams	237 S 900 W	Blackfoot	ID	83221
Wearyrick Ditch Co		74 N 600 W	Blackfoot	ID	83222

41 Government Agencies

NOTICE OF MAILING

I hereby certify on October 18, 2022 I, Addie Jo Harris, personally mailed notice of the proposed request to the above named Government Agencies

Addie Jo Harris

Addie Jo Harris,
Assistant Director/Lead Planner

Exhibit
S-17


BINGHAM COUNTY
PLANNING & DEVELOPMENT SERVICES

To: Government Agency

October 18, 2022

NOTICE IS HEREBY GIVEN that the Bingham County Planning & Zoning Commission will hold a Public Hearing on **November 9, 2022** in Courtroom #1, Bingham County Courthouse, 501 N. Maple, Blackfoot, Idaho. The meeting will start at 7:00 pm or as soon as it may be heard.

CONDITIONAL USE PERMIT: TEMPORARY SECOND DWELLING FOR MEDICAL HARDSHIP (ACTION ITEM: DECISION) Micaela Williams is requesting a Conditional Use Permit allowing a Temporary Secondary Dwelling to be placed on her property located at 191 N 300 W, Blackfoot, to allow her to assist in caring for her grandmother, Karen Short. Pursuant to Bingham County Code Sections 10-7-4(B-H), each lot, tract, or parcel of property, considered a buildable parcel, shall be allowed one additional temporary dwelling for a medical hardship with a statement from a licensed physician attesting to the medical condition and need for assistance, with an approved Conditional Use Permit.

Approx. Location: 191 N 300 W, Blackfoot, ID 83221, Parcel No. RP8268010, Casa de Campo Subdivision (Lot 2 Block 1), Township 2S, Range 35E, Section 27, consisting of approx. 1.26 acres

PLEASE EMAIL COMMENTS AND/OR QUESTIONS TO THE BINGHAM COUNTY PLANNING & DEVELOPMENT DEPARTMENT AT planningtestimony@co.bingham.id.us AS SOON AS POSSIBLE AND NO LATER THAN **OCTOBER 27, 2022. THANK YOU.**

MICAELA WILLIAMS 2ND TEMPORARY DWELLING CUP - AERIAL MAP



LEGEND

- Williams - CUP
- Parcels
- Roads



**PROPERTY OWNERS LIST
MICAELA WILLIAMS CUP**

OWNER	ADDRESS	CITY STATE ZIP
BRIAN & DIANA RISA	306 W 175 N	BLACKFOOT ID 83221-6400
DARIN & JALENE GAMBLES	196 N 300 W	BLACKFOOT ID 83221-5057
DAVID & CINDY ROBBINS	198 N 300 W	BLACKFOOT ID 83221-5057
HAROLD & MARGARET MANGUM	183 N 300 W	BLACKFOOT ID 83221-6400
JEREMY & KANDICE DUKE	189 N 300 W	BLACKFOOT ID 83221-0000
MARK & JENNY DALSSASS	190 N 300 W	BLACKFOOT ID 83221-0000
MICAELA WILLIAMS	191 N 300 W	BLACKFOOT ID 83221-0000
ROY & MICHELLE BRESHEARS	195 N 300 W	BLACKFOOT ID 83221-0000
SERIA GARDNER	192 N 300 W	BLACKFOOT ID 83221-0000
STEVEN & STACEY MCCLELLAN	281 W 200 N	BLACKFOOT ID 83221-6400

10 PROPERTY OWNERS

NOTICE OF MAILING

I hereby certify on October 18, 2022 I, Addie Jo Harris, personally mailed notice of the proposed request to the above named property owners who are within 300 feet of the property in question.

Addie Jo Harris

Addie Jo Harris
Assistant Director/Lead Planner

**Exhibit
S-18**

BINGHAM COUNTY
PLANNING & DEVELOPMENT SERVICES

**NOTICE TO PROPERTY OWNERS WITHIN 300 FEET
PER BINGHAM COUNTY CODE 10-3-6**

**BINGHAM COUNTY
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Bingham County Planning & Zoning Commission will hold a Public Hearing **NOVEMBER 9, 2022** in Courtroom #1, Bingham County Courthouse, 501 N. Maple, Blackfoot, Idaho. The meeting will start at 7:00 pm or as soon as it may be heard. Please refer to our website to see the order of the meeting and for more information on the Application.

THE PLANNING & ZONING COMMISSION MEETING WILL BE LIVE STREAMED VIA ZOOM FOR AUDIO PURPOSES ONLY, UNLESS OTHERWISE PRE-APPROVED BY THE PLANNING & DEVELOPMENT DIRECTOR. ALL INDIVIDUALS WISHING TO PROVIDE PUBLIC TESTIMONY MUST BE PRESENT AT THE PUBLIC HEARING TO DO SO – TESTIMONY VIA ZOOM WILL NOT BE RECEIVED.

The following Application will be heard:

CONDITIONAL USE PERMIT: TEMPORARY SECOND DWELLING FOR MEDICAL HARDSHIP (ACTION ITEM: DECISION) Micaela Williams is requesting a Conditional Use Permit allowing a Temporary Secondary Dwelling to be placed on her property located at 191 N 300 W, Blackfoot, to allow her to assist in caring for her grandmother, Karen Short. Pursuant to Bingham County Code Sections 10-7-4(B-H), each lot, tract, or parcel of property, considered a buildable parcel, shall be allowed one additional temporary dwelling for a medical hardship with a statement from a licensed physician attesting to the medical condition and need for assistance, with an approved Conditional Use Permit.

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All persons interested or persons who are affected are invited to attend said Public Hearing to show cause, if any, if the requested Application meets Bingham County Code and may give testimony in favor, neutral or in opposition of said request. According to Bingham County Code Section 10-3-6(7), no more than two pages of written testimony will be accepted less than eight calendar days before a hearing. You may mail at 501 N. Maple (Box 203), Blackfoot, ID 83221 or by email at planningtestimony@co.bingham.id.us Individuals who need accessible communications or other accommodations in order to participate are invited to make their needs known to the Bingham County Clerk, 3 to 5 days in advance. ADA/504 Compliance.

Dated this 18th day of October, 2022.

Addie Jo Harris

Addie Jo Harris
Assistant Director/Lead Planner

**Exhibit
S-18**

MICAELA WILLIAMS 2ND TEMPORARY DWELLING CUP - AERIAL MAP



LEGEND

- Williams - CUP (Red outline)
- Parcels (Black outline)
- Roads (Red line)

EXHIBIT S-6

0 0.040.09 0.17 Miles

BINGHAM COUNTY PLANNING & DEVELOPMENT SERVICES

To: Government Agency
Bingham County Public Works

October 18, 2022

NOTICE IS HEREBY GIVEN that the Bingham County Planning & Zoning Commission will hold a Public Hearing on **November 9, 2022** in Courtroom #1, Bingham County Courthouse, 501 N. Maple, Blackfoot, Idaho. The meeting will start at 7:00 pm or as soon as it may be heard.

CONDITIONAL USE PERMIT: TEMPORARY SECOND DWELLING FOR MEDICAL HARDSHIP (ACTION ITEM: DECISION) Micaela Williams is requesting a Conditional Use Permit allowing a Temporary Secondary Dwelling to be placed on her property located at 191 N 300 W, Blackfoot, to allow her to assist in caring for her grandmother, Karen Short. Pursuant to Bingham County Code Sections 10-7-4(B-H), each lot, tract, or parcel of property, considered a buildable parcel, shall be allowed one additional temporary dwelling for a medical hardship with a statement from a licensed physician attesting to the medical condition and need for assistance, with an approved Conditional Use Permit.

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PLEASE EMAIL COMMENTS AND/OR QUESTIONS TO THE BINGHAM COUNTY PLANNING & DEVELOPMENT DEPARTMENT AT planningtestimony@co.bingham.id.us AS SOON AS POSSIBLE AND NO LATER THAN **OCTOBER 27, 2022**. THANK YOU.

Bingham County Public Works has no objections or concerns at this time.



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

444 Hospital Way, #300, Pocatello, ID 83201
(208) 236-6160

Brad Little, Governor
Jess Byrne, Director

October 26, 2022

Ms. Addie Jo Harris, Planner
planningtestimony@co.bingham.id.us
Bingham County Planning & Zoning
501 N. Maple #203
Blackfoot, ID 83221

Subject: Conditional Use Permit – Temporary Second Dwelling for Medical Hardship – Williams

Dear Ms. Harris:

The Idaho Department of Environmental Quality (DEQ) has reviewed the subject document and would like to offer our general recommendations for land development (attached).

If you have questions or comments, please contact me at (208) 236-6160 or via email at Allan.Johnson@deq.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Allan Johnson".

Allan Johnson, P.E.
Regional Engineering Manager
DEQ Pocatello Regional Office

EDMS# 2022AGD9045

Attachments: DEQ General Recommendations for Land Development Projects.

c: Katy Bergholm, Regional Administrator, DEQ Pocatello Regional Office
Tiffany Olsen, Bingham County Planning & Development Director

Exhibit
T-2

General Recommendations

The following comments are generally applicable to land development projects or other land use activities with the potential to cause impacts to ground water, air quality or surface water. DEQ provides this guidance in lieu of more site-specific comments when information regarding the land use proposal is limited.

Engineering

DEQ recommends consolidation of drinking water and/or wastewater services wherever feasible especially in areas where ground water used for public drinking water supplies is potentially impacted. DEQ considers the following alternatives generally more protective of ground water resources than using individual well and septic systems for each lot, and we recommend that the county require the developer to investigate the following options:

- Provide either a centralized, community drinking water or centralized community wastewater system or both, or
- Connect each lot to an existing community drinking water system or to an existing community wastewater system or both.

In accordance with Idaho Code 39-118, construction plans & specifications prepared by a professional engineer are required for DEQ review and approval prior to construction if the proposed development is to be served by either a community drinking water or sewer system. DEQ requires that a water system serving 10 or more connections is constructed and operated in compliance with IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems."

Air Quality

New emission sources are generally required to follow applicable regulations for permitting or exempting new sources. These are outlined in the Rules for the control of Air Pollution in Idaho.

Of particular concern is IDAPA 58.01.01.200-228 which establishes uniform procedures and requirements for the issuance of "Permits to Construct".

Sections 58.01.01.220-223 specifically may be used by owners or operators to exempt certain sources from the requirements to obtain a permit to construct.

Land development projects are generally required to follow applicable regulations outlined in the Rules for the control of Air Pollution in Idaho. Of particular concern is IDAPA 58.01.01.650 and 651 Rules for Control of Fugitive Dust.

Section 650 states, "The purpose of sections 650 through 651 is to require that all reasonable precautions be taken to prevent the generation of fugitive dust."

Section 651 states "All reasonable precautions shall be taken to prevent particulate matter from becoming airborne. In determining what is reasonable, consideration will be given to factors such as the proximity of dust emitting operations to human habitations and/or activities and atmospheric conditions which might affect the movement of particulate matter. Some of the reasonable precautions may include, but are not limited to, the following:

01. Use of Water or Chemicals. Use, where practical, of water or chemicals for control of dust in the demolition of existing building or structures, construction operations, the grading of roads, or the clearing of land.
02. Application of Dust Suppressants. Application, where practical of asphalt, oil, water, or suitable chemicals to, or covering of dirt roads, materials stockpiles, and other surfaces which can create dust.

03. Use of Control Equipment. Installation and use, where practical, of hoods, fans and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations.

04. Covering of Trucks. Covering, when practical, open bodied trucks transporting materials likely to give rise to airborne dusts.

05. Paving. Paving of roadways and their maintenance in a clean condition, where practical.

06. Removal of Materials. Prompt removal of earth or other stored materials from streets, where practical.”

Surface Water Quality

Land disturbance activities associated with development (i.e. - road building, stream crossings, land clearing) have the potential to impact water quality and riparian habitat.

If this project will ultimately disturb one or more acres and there is a possibility of discharging stormwater or site dewatering water to Surface Waters of the United States, the operator may need to submit a Notice of Intent (NOI) for coverage under the Idaho Pollutant Discharge Elimination System (IPDES) 2022 Construction General Permit (CGP). NOIs can be submitted via the IPDES E-Permitting System (<https://www2.deq.idaho.gov/water/IPDES/>). The 2022 IPDES CGP requires a Storm Water Pollution Prevention Plan (SWPPP), implementation of Best Management Practices (BMPs) to reduce the sediment and other pollutants discharged and requires regular site inspections by persons trained and knowledgeable about erosion, sediment control, and pollution prevention.

Site contractors should remove equipment and machinery from the vicinity of the waterway to an upland location prior to any refueling, repair, or maintenance. After construction is completed, disturbed riparian areas should be re-vegetated.

Waste Management - Hazardous Material - Petroleum Storage

With the increasing population in southeast Idaho, to ensure sufficient solid waste capacity and service availability. It is recommended that subdivision developers be instructed to contact the appropriate solid waste collection provider and landfill for solid waste disposal coordination.

Accidental surface spills of hazardous material products and petroleum hydrocarbon products (i.e., fuel, oil, and other chemicals) are most associated with the transportation and delivery to work sites or facilities. The following Idaho, storage, release, reporting and corrective action regulations may be applicable:

- Hazardous and Deleterious Material Storage IDAPA 58.01.02.800
- Hazardous Material Spills, IDAPA 58.01.02.850
- Rules and Standards for Hazardous Waste IDAPA 58.01.05
- Petroleum Release Reporting, Investigation and Confirmation IDAPA 58.01.02 .851
- Petroleum Release Response and Corrective Action IDAPA 58.01.02.852

Please note, The Idaho Release, Reporting and Corrective Action Regulations, IDAPA 58.01.02.851; require notification within 24 hours of any spill of petroleum product greater than 25 gallons and notification for the release of lesser amounts if they cannot be cleaned up within twenty-four (24) hours. The cleanup requirements for petroleum are also contained in these regulations.

For reporting requirements of hazardous substances please see Idaho Statute Title 39 Chapter 7, Hazardous Substance Emergency Response Act including section 39-7108 Notification of Release is Required.

Mariela Mejia

To: Jeff Gardner
Subject: RE: Planning & Zoning Commission Public Hearing Items - November 2022

From: Jeff Gardner <JGardner@co.bingham.id.us>
Sent: Thursday, October 27, 2022 5:33 PM
To: Mariela Mejia <mmejia@co.bingham.id.us>
Cc: Tiffany Olsen <tolsen@co.bingham.id.us>; Addie Jo Jackman <ajackman@co.bingham.id.us>
Subject: Re: Planning & Zoning Commission Public Hearing Items - November 2022

Mariela after reviewing the November items I see no concern from the Sheriffs Office.

Sheriff Jeff Gardner