

## OWYHEE COUNTY PLANNING & ZONING

Post Office Box 128  
17069 Basey Street  
Murphy, Id. 83650

Telephone: (208) 495-2095  
Facsimile: (208) 495-2051  
Web Site [www.owyheecounty.net](http://www.owyheecounty.net)

Dear Applicant:

To equip and prepare you for filing your conditional use permit application, the following items are enclosed:

1. Detailed Instructions
2. Table of Contents/Checklist (Note that each section must be tabbed & compiled in the order of the included table of contents)
3. Application Form
4. Affidavit
5. Fee Schedule
6. Hearing Regulations
7. Contact List
8. Right to Farm Disclosure Statement
9. Standard Special Conditions

Prior to completing this packet, please schedule a pre-application meeting with the Administrator to discuss the conditional use permit process. Once you have completed your packet, please schedule an application review meeting with the Administrator to review your completed application packet. The Owyhee County Code and the Comprehensive Plan are also available to download on the County Web site under the "Codes and Plans" tab. We will be happy to assist you with any questions you have while compiling your packet. If your application is found to be incomplete, it will not be accepted. Applications are not considered filed until they are accepted and signed by staff as complete. No hearing will be scheduled until the application is signed by staff as complete and all fees are paid.

Please read Chapter Five 5 of the Zoning Ordinance carefully, as it sets out your responsibility when applying for a conditional use permit. To summarize:

By the requesting of a Conditional Use Permit, you are asking that you be excused from the law, as it pertains to your land use situation. This is not a request that is taken lightly. The Applicant has the burden of proof; this means that you **must** supply sufficient evidence which will justify the granting of the permit as it relates to the Comprehensive Plan and the Owyhee County Code. The following questions must be addressed by you, with substantial supporting evidence. The following criteria are the standards used by the County to decide whether or not a conditional use permit will be issued to you. A one sentence answer will not be sufficient.

1. Whether the proposed use may have adverse impact on water supplies, both surface and underground.
2. Whether the intended use is necessary or desirable to the public convenience and welfare.
3. Whether the proposed use may create a hazard, nuisance, detriment or other injury to other property in the immediate vicinity or to the health or safety to the citizens of the county in general.
4. Whether essential public services, or the general public health or safety, or the general public environment may be negatively impacted by such use or whether there may be a requirement of additional public funding in order to meet the needs created by the requested use.
5. Whether adequate sewer, water and drainage facilities, and utility and other service systems are to be provided by the applicant to accommodate said use.
6. Whether the geological base on which the use is to be placed may or may not support the proposed use.
7. Whether the proposed use at the site may endanger human health, animal life and plant life in the surrounding area and/or the county in general. (i.e. species of animals or plants, or their habitats which might be harmed or interfered with by the proposed use.)
8. Whether the proposed use compliments, benefits, and is compatible with the surrounding land uses.
9. Whether special conditions could be imposed upon the proposed use which would so minimize any adverse impact as to justify the granting of the conditional use permit. In responding to this point, please consider and propose any special conditions which the commission could issue which would minimize or mitigate any adverse impact as described in all of the above questions.

Every conditional use permit will have standard special conditions imposed on it, a copy of those are attached as part of this application packet. Be advised that when special conditions are placed upon a conditional use permit approval, any violation of the special conditions will be deemed a violation of the County Code.

If you have questions about what type of information to supply please refer to the detailed instruction page. If your question is still not answered, please contact our office at: (208) 495-2095, ext. 2, fax: (208) 495-2051, or email [mhuff@co.owyhee.id.us](mailto:mhuff@co.owyhee.id.us)

Thank you,  
Owyhee County Planning & Zoning

## INSTRUCTIONS TO PROVIDING A COMPLETE APPLICATION

Incomplete submissions will be returned.

No hearing will be scheduled until applications are certified as complete by staff and all fees paid.

**One complete original file and six identical copies must be submitted to our office.**

(Remember to prepare a copy for yourself to be used in your hearing presentation)

**Submitted application must be compiled in order of the provided table of contents. Additionally, each main heading page must be tabbed and indexed according to table of contents for ease of presentation.**

### Your letter to the Commission must contain:

1. A detailed description of your request. Summarize your project.
2. Exactly how and where the parcel is legally accessed.
3. If the access will require crossing over private property other than your own, a recorded easement to the subject parcel must be provided in your submitted application.
4. Weather or not the subject parcel is in a herd district. If you are in a herd district, livestock must be fenced in by the owner. If you are not in a herd district, it is each individual's responsibility to fence out livestock.
5. A description of the surrounding land uses of all property bordering the subject parcel in all directions, north, east, south, and west.
6. Describe source of domestic water and ownership (example: private well, shared well and with whom, community water system)
7. If there is irrigation water allocated to the property, provide a letter from the applicable irrigation district advising of the number of water shares and description of the point(s) of diversion.
8. Your well thought out answers to the below 9 review criteria. Each question is to be presented in your application packet with the **review criteria being stated first and your answer providing sufficient facts and evidence to follow**. Please do not just restate the review criteria with a yes or no preceding it. This is your opportunity to try to prove to the Commission why granting you a conditional use permit is desirable to Owyhee County, the area surrounding your parcel and its neighboring land owners.
  1. Whether the proposed use may have adverse impact on water supplies, both surface and underground.
  2. Whether the intended use is necessary or desirable to the public convenience and welfare.
  3. Whether the proposed use may create a hazard, nuisance, detriment or other injury to other property in the immediate vicinity or to the health or safety to the citizens of the county in general.
  4. Whether essential public services, or the general public health or safety, or the general public environment may be negatively impacted by such use or whether there may be a requirement of additional public funding in order to meet the needs created by the requested use.
  5. Whether adequate sewer, water and drainage facilities, and utility and other service systems are to be provided by the applicant to accommodate said use.
  6. Whether the geological base on which the use is to be placed may or may not support the proposed use.

7. Whether the proposed use at the site may endanger human health, animal life and plant life in the surrounding area and/or the county in general. (i.e. species of animals or plants, or their habitats which might be harmed or interfered with by the proposed use.)
8. Whether the proposed use compliments, benefits, and is compatible with the surrounding land uses.
9. Whether special conditions could be imposed upon the proposed use which would so minimize any adverse impact as to justify the granting of the conditional use permit. In responding to this point, please consider and propose any special conditions which the commission could issue which would minimize or mitigate any adverse impact as described in all of the above questions.

## Deeds

A copy of the current recorded deed must also be provided along with the legal description of the property.

IF requesting to split/divide parcel: A recorded deed with a legal description showing how the parcel appeared on August 13<sup>th</sup>, of 1979 is required if the parcel is less than five acres, along with the deed history showing each time the property was divided. If the property did not change hands at that time, then the most recent deed prior to August 13<sup>th</sup>, 1979 must be provided. If you do not have access to these documents, you can research this information at the County Courthouse or some title companies will perform a deed search for you. The purpose of the deeds shows how many parcels have been made out of the original parcel from 1979 to determine if your proposed use will be subject to the Owyhee County Subdivision Ordinance.

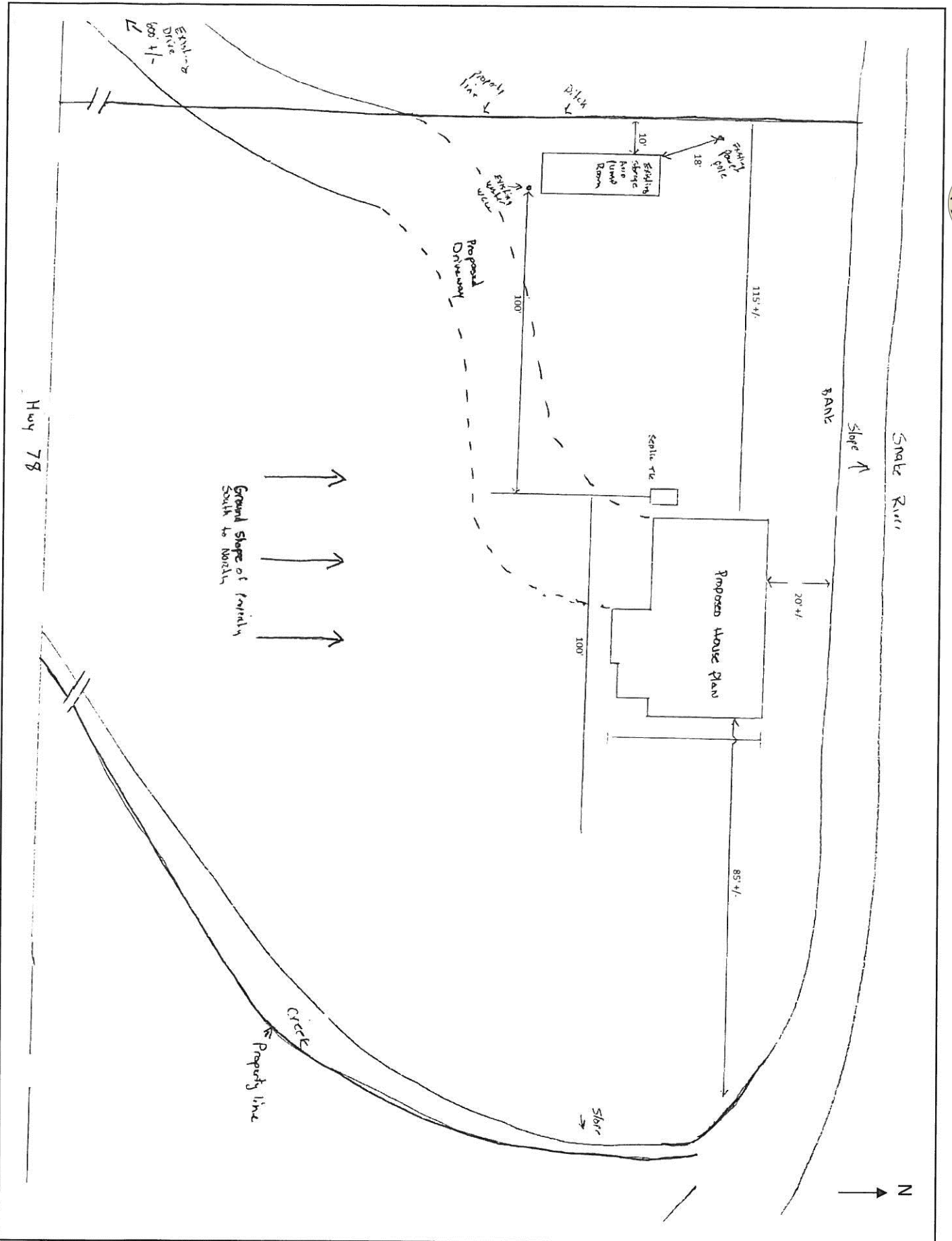
## Maps (PLEASE HIGHLIGHT YOUR LOCATION AND IDENTIFY NORTH ON ALL MAPS)

**Detailed site plan must show:** (see attached example)

1. Minimum size of paper for site plan shall be 8 ½" x 11"
2. North should be up on your map indicated by a directional arrow.
3. The size, shape and dimensions of the entire subject property
4. The location of all existing structures with their uses indicated: Residence, outbuildings, fences etc...
5. Placement of all proposed or future structures or outlined construction zone to be no larger than one acre.
6. Nearest Public roads, existing and proposed number of accesses.
7. Width and length of proposed roads.
8. Power lines, phone lines, and water lines.
9. Type and width of any easements.
10. The location of any distinguishing physical features located on or adjacent to the property including but not limited to streams, ponds, culverts, drainage ways, wetlands, slopes, bluffs ditches or canals.
11. Indicate direction of ground slope and water flow.



# Owyhee County Conditional Use Permit Site Plan Example



### **Vicinity Map**

The vicinity map should show your location in relation to the surrounding vicinity. A commercial county road map within a one mile radius would be sufficient. Please identify your location on the map with a highlighted box around it. This map should allow anyone to be able to find your location by reading the map. You can get this sort of map from the internet at websites like [www.maps.live.com](http://www.maps.live.com) or [www.mapquest.com](http://www.mapquest.com)

### **Assessor's parcel map**

You can get this map from the Assessor's office. IF requesting to split/divide parcel this map must have outlined and highlighted the original parcel from which you are requesting to split your parcel from showing how it appeared in 1979. Your proposed parcel must also be clearly identified by highlighter, and any proposed divisions must be drawn in with dotted lines. (Deeds provided must include the legal description that matches the outlined parcel from 1979 or the most recent deed prior to that date. This will show how many times the parcel has been split since 1979)

### **Color Aerial Map**

Your aerial map must be in color and show a one mile radius from your proposed site. Please identify and outline your proposed location with a highlighter or marker. This type of a map can be obtained from various internet sources such as Google Earth. This map should show the land bordering your subject parcel on all sides, but should also be close enough to show existing buildings on the subject property and surrounding parcels.

### **Zone Map**

You can get this map from the Planning & Zoning office. Show your proposed location by highlighting your location on the zone map.

### **Soil Classification**

This must be the soil classification as determined by U.S. NRCS, 19 Reich, Marsing, Idaho. This report will show a map with land contours and soil classifications within each of the outlined areas of the soil classification land map. The first page of this report will be an overview of the parcel with the contours and the following pages will list the soil types found on your parcel and details about their classifications. This information can also be obtained from their web site at [websoilsurvey.nrcs.usda.gov](http://websoilsurvey.nrcs.usda.gov)

### **Correspondence**

The Commission requires that you contact local public agencies to inform them of your proposal and request comments from their office. A copy of your letter must be included with your submitted application. Your letter should include a description of your proposed project along with the location of the subject parcel and a simple map showing the area. By contacting these agencies, it gives you the opportunity to address any of their concerns prior to your public hearing. The Planning and Zoning staff will also send out a notification of your proposed project to each of these agencies as the date for your public hearing gets closer. Your letter to the road district should specifically point out the location of all access roads which enter a public road or highway and request comments as to safety concerns if any. A response from each agency will help meet your burden of proof as to no adverse impact on the agency; we encourage you to make every attempt to get a response. Sending letters by registered mail is not required, but would at least satisfy the burden of proof that you have made every attempt to solicit comments. If you receive no comment, you should be prepared to prove to the commission that there will be no adverse impact on the agency.

# TABLE OF CONTENTS

## **General**

Application .....  
Affidavit (this only needs to be filled out if you do not own the property) .....  
Detailed Letter Describing the Request .....  
Review Criteria 1- 9 .....

## **Legal Documents**

Copy of current deed or quit claim deed.....  
Legal Description .....

## **Maps** (highlight your location and identify North on all maps)

Detailed Site Plan with all proposed structures .....  
Vicinity Map .....  
Assessor Parcel Map .....  
Aerial Map .....  
Zone Map .....

## **Environmental**

Soil Classification .....

## **Correspondence** – Letter to agency and their response back

Applicant Letter requesting comments .....  
Fire District .....  
Irrigation District .....  
Road District .....  
School District .....

## **Appendix A** – (If needed)

Additional Information Pertinent to Application .....

**Owyhee County  
Planning & Zoning**

**PO Box 128, Murphy Id. 83650  
Phone (208) 495-2095 Fax (208) 495-2051**

**Land Use Permit Application  
Requiring Public Hearing**

- SINGLE FAMILY RESIDENCE     COMMERCIAL     SUBDIVISION     CAFO     INDUSTRIAL  
 REZONE     OTHER \_\_\_\_\_

\_\_\_\_\_  
APPLICANT/ APPLICANT REPRESENTATIVE

\_\_\_\_\_  
PROJECT ADDRESS/LOCATION

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
SECTION    TOWNSHIP    RANGE

\_\_\_\_\_  
CITY                      STATE                      ZIP CODE

\_\_\_\_\_  
TELEPHONE                      FAX

\_\_\_\_\_  
TAX ASSESSOR'S PARCEL NUMBER(s)

\_\_\_\_\_  
OWNER'S NAME

\_\_\_\_\_  
CURRENT ZONING OF THE SUBJECT PARCEL

\_\_\_\_\_  
OWNER'S MAILING ADDRESS

\_\_\_\_\_  
CURRENT USE OF THE SUBJECT PARCEL

\_\_\_\_\_  
CITY                      STATE                      ZIP CODE

\_\_\_\_\_  
PROPOSED USE

\_\_\_\_\_  
OWNER'S TELEPHONE NUMBER

\_\_\_\_\_  
TOTAL SQ. FT OF ALL PROPOSED STRUCTURES

I DECLARE UNDER PENALTY OF PERJURY that I/we, \_\_\_\_\_, being duly sworn, depose and say that I/we am/are the applicant(s) in the foregoing application, that I/we have read the foregoing application and know the content thereof and state that the same is true and correct to the best of my knowledge. Furthermore, all information and data submitted to Owyhee County in support of my application is true and correct to the best of my knowledge. I/we acknowledge that by submitting this application a member or members of the planning and zoning commission may physically make a site visit to the proposed site and surrounding vicinity. I/we understand that this will be done at an unannounced time without conversation with owners, applicants, or the public.

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_

On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned Notary Public, personally appeared, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

\_\_\_\_\_  
Notary Public

Residing at \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

FOR ADMINISTRATIVE USE  
File No. \_\_\_\_\_ Rec'd by: \_\_\_\_\_ Date: \_\_\_\_\_ Pd. \_\_\_\_\_ Check No. \_\_\_\_\_



# AFFIDAVIT

STATE OF IDAHO )  
COUNTY OF OWYHEE )

I, \_\_\_\_\_, being duly sworn, depose and say that I am the applicant in the foregoing application, that I have read the foregoing application and know the content thereof and state that the same is true and correct to the best of my knowledge. Furthermore, all information and data submitted to Owyhee County in support of my application is true and correct to the best of my knowledge.

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY/STATE/ZIP

\_\_\_\_\_  
TELEPHONE

I, \_\_\_\_\_, the owner (if other than the applicant) of the real property involved in this application, do hereby consent to the filing of this application.

\_\_\_\_\_  
OWNER SIGNATURE

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY/STATE/ZIP

\_\_\_\_\_  
TELEPHONE

On the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

\_\_\_\_\_  
Notary Public

Residing at \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

# Fee Schedule

All Fees include payment for an application, processing, and a decision.

Fees do not include the following, when required, which the applicant will be required to pay after costs are determined:

- 1) Bonding required improvements,
- 2) Recording any documents at the Recorder's Office, and
- 3) Actual expenses for facility rental and/or County-contracted engineering (plat/plan review, improvement inspections, etc.)
- 4) Any studies deemed necessary by the Planning & Zoning Commission

ZONING		FEE	
	Property Research Information	\$100.00	Per parcel
	Certificate of Zoning Compliance	\$25.00	
	Floodplain Development	\$70.00	
	Simple Changes to Recorded Plat	\$245.00	
	Administrative Discretion Decision	\$200.00	
	Time and Materials	Actual cost	
	Variance	\$1,000.00	
PLANNING		FEE	
	Comprehensive Plan Change	\$2,008.00	
	Conditional Use Permit		
	Seeking Single Family Residence	\$1,200.00	
	Seeking a second dwelling on a parcel	\$1,200.00	
	Seeking two dwellings on one parcel	\$1,500.00	
	Seeking temporary anemometer tower	\$379.00	
	Seeking Commercial/Industrial Use	\$4,000.00	
	Seeking Gravel Pit	\$4,500.00	
	Seeking Dairy or Feedlot Use	\$5,500.00	Add' 1 per head over 5000 Add' 2 per head over 10,000
	Other Uses	\$3,000.00	
	Modification of special condition	\$1,000.00	
	Time Extensions	\$1,000.00	
	Minor Subdivision (up to 10 lots)	\$1,600.00	\$1600 for first lot - \$300.00 for each additional lot
	Major Subdivision (Over 10 lots)	\$4,000.00	Add' \$25.00 per lot
	Major Industrial		Negotiated on case-by-case basis
	Conditional Use Permit Vacation Request	\$350.00	
	Conditional Rezone	\$5,000.00	
	Development Agreement Administrative Review	\$2,500.00	
	Decision		
	Any Decision to BOCC (appeal, change road name, amend Board condition, etc.)	\$3,000.00	
	Ordinance Amendment	\$4,000.00	
	Planned Unit Development		Negotiated on a case-by-case basis
	Rezone with/without Comprehensive Plan Map Change	\$2,008.00	
	Subdivision		
	Preliminary Plat	\$980.00	
	Final Plat	\$700.00	
	Short Plat	\$1,680.00	
	Grading Plan (Includes Preliminary and Final Plan)	\$140.00	
	Vacate a plat, lot, road, easement, etc.	\$805.00	
	Irrigation Plan	\$70.00	
	Waivers	\$70.00	
	Mediation (Payment for Notification only) 07-05-07		
	By Resolution on a case by case basis		

**Refund Policy for Applications that are Withdrawn:**

An applicant may request a refund of 90% of the application fee within 7 calendar days of the application, after which time no refund may be granted.

**Note: Fees are cumulative.**

**HEARING NOTICE PLEASE TAKE NOTE:**

This is an evidentiary hearing before the Owyhee County Planning and Zoning Commission. It is not a town meeting where anyone in the audience just stands up to talk. Each individual wishing to speak will need to sign in and will be given the opportunity to testify when they are called upon.

This will be a ‘quasi-judicial’ hearing, conducted for the purpose of hearing evidence in the form of testimony under oath and/or offering exhibits relevant to the application.

Because of the nature of the hearing being quasi-judicial, it is not appropriate for a proponent or opponent to contact any member of the Planning and Zoning Commission to discuss a pending application. If you have questions, please direct them to the Planning and Zoning office at 208-495-2095 ext. 2.

Petitions containing some sort of statement with signatures may or may not be relevant. This is not a voting contest, it is a hearing authorized by the Idaho Code and the Owyhee County Code (Zoning Ordinance).

Hearing procedures are posted in the hearing room at least 30 minutes prior to the start of the hearing. Additionally, general procedures will be announced prior to the commencement of the hearing. Persons who qualify to testify will be called upon to speak under oath. The applicant and any witnesses of the applicant will testify first, then anybody who signs in wishing to testify as neutral, and finally, any opposition will testify last followed by a rebuttal by the applicant.

It is possible that a time limit will be imposed on speakers sworn to testify. If this is a concern, please call ahead of time to find out if time limits will be imposed.

It is important that members of the audience remain quiet during the proceedings and that only one person speak at a time so that the recording of the hearing will remain clear for transcription as required by law. Please make sure that all cell phones are turned off during the hearing. If you need to make a phone call, please step outside to do so.

Any person needing special accommodations to participate in a public hearing should contact The Planning and Zoning Department at least seven (7) days prior to the meeting at Owyhee County Annex Building, PO Box 128, Murphy, Idaho 83650, or by calling 208-495-2095 est. 2.

# Contact List

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## **County**

Owyhee County  
Planning and Zoning  
PO Box 128  
Murphy, ID 83650  
208-495-2095  
Fax 208-495-2051

Owyhee County Sherriff  
PO Box 128  
Murphy, ID 83650  
208-495-1154

Owyhee County Assessor  
PO Box 128  
Murphy, ID 83650  
208-495-2817

Civil Dynamics  
422 S 9<sup>th</sup> Ave  
Caldwell, ID 83605  
208-453-2028

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## **Homedale**

Gem Irrigation District  
South Board of Control  
PO Box 67  
Homedale, ID 83628  
208-337-3760

Homedale Fire Protection District  
PO Box 905  
Homedale, ID 83628  
208-573-0732

Homedale School District  
Superintendent  
116 E. Owyhee Ave  
Homedale, ID 83628  
208-337-4611

Homedale Highway District  
PO Box 713  
Homedale, ID 83628  
208-337-3500

City of Homedale  
PO Box 757  
Homedale, ID 83628  
208-337-4641

## **Bruneau**

Bruneau Fire District  
PO Box 276  
Bruneau, ID 83604  
208-845-2931

Bruneau Water & Sewer District  
PO Box 194  
Bruneau, ID 83604

Bruneau Road District  
22120 River Rd.  
Grand View, Id. 83624  
Don Best  
208-845-2746

Bruneau/Grand View  
School Dist. #365  
PO Box 310  
Grand View, ID 83624  
208-834-2253

\*\*\*\*\*

## **Murphy**

Reynolds Irrigation District  
PO Box 12  
Melba, ID 83641  
Brad Huff 208-495-2950

Murphy Road District  
Road Supervisor  
PO Box 128  
Murphy, ID 83650  
208-495-1170

Murphy/Reynolds/Wilson  
Fire District  
11606 State Hwy 78  
Melba, ID 83641  
590-9967 Wes Anderson  
495-2151 Commissioner Young

Melba Quick Response Unit  
PO Box 189  
Melba, ID 83641  
208-495-1211

Melba School District  
Superintendent  
520 Broadway Ave.  
PO Box 185  
Melba, ID 83641  
208-495-1141

# Contact List

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## **Marsing**

Gem Highway District  
PO Box 453  
Marsing, ID 83639  
Rick 208-880-8215  
Shop 208-896-4581

City of Marsing  
PO Box 125  
Marsing, ID 83639  
208-896-4210

Marsing Fire Dept.  
PO Box 299  
Marsing, ID 83639  
Road Inspection 208-896-4511

Marsing School District  
Superintendent  
PO Box 340  
Marsing, ID 83639  
208-896-4111

Opaline Irrigation District  
PO Box 331  
Marsing, ID 83639  
208-896-5273

\*\*\*\*\*

Castle Creek Irrigation District  
24912 Collett Rd  
Oreana, ID 83650  
208-834-2306

\*\*\*\*\*

## **Grand View**

Bruneau/Grand View  
School Dist. #365  
PO Box 310  
Grand View, ID 83624  
208-834-2253

Grand View Fire District  
PO Box 54  
Grand View, ID 83624  
208-845-2857

Grand View Irrigation District  
PO Box 9  
Grand View, ID 83624  
208-834-2700

City of Grand View  
PO Box 69  
Grand View, ID 83624  
208-834-2700

## **Three Creek**

Three Creek Road District  
56562 Blossom Rd  
Rogerson, ID 83302  
208-434-2939

Three Creek School District  
49909 Three Creek Highway  
Rogerson, ID 83302  
208-857-2281

\*\*\*\*\*

Owyhee Cattlemen's Association  
PO Box 400  
Marsing, ID 83639  
208-896-4104  
Fax 208-896-4105

\*\*\*\*\*

Idaho Agricultural Aviation Association, Inc.  
George Parker  
1594 N 1300 E  
Terreton, ID 83450  
208-251-9192

\*\*\*\*\*

Intermountain Gas Company  
Western region Office  
555 S Cole Rd  
PO Box 7608  
Boise, ID 83707  
208-377-6000  
Fax 208-377-6867

Idaho Power Company  
1221 W Idaho St  
Boise, ID 83707  
208-388-2200

## **BLM**

Owyhee Field Office  
20 First Ave W  
Marsing, ID 83639  
Loretta Chandler 208-896-5912

Bureau of Land Management  
Attn. Kelley Moore  
3948 Development Ave.  
Boise, ID 83705  
208-384-3300

Boise District BLM  
District Manager  
3948 Development Ave  
Boise, ID 83705  
208-384-3391

# Contact List

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## State Offices

Idaho Dept. of Water Resources  
Western Regional Office  
2735 Airport Way  
Boise, ID 83705  
208-334-2190

Idaho Transportation Dept.  
PO Box 8028  
Boise, ID 83707  
208-334-8301

Southwest District Health  
PO Box 850  
Caldwell, ID 83606  
208-455-5406

Idaho Dept. of Lands  
8355 W State St  
Boise, ID 83714  
208-334-3488  
Fax 208-853-6372

Idaho Dept. of Fish & Game  
Southwest Region Office  
31015 Powerline Rd  
Nampa, ID 83686  
208-465-8465  
Fax 208-465-8467

Idaho State Dept. of Agricultural  
John Bilderback  
PO Box 790  
Boise, ID 83701  
208-332-8560  
Fax 208-334-2378

Idaho Transportation Dept.  
Aeronautics Division  
PO Box 7129  
Boise, ID 83707  
208-334-8611  
Fax 334-2006

DEQ  
Boise Region Office  
1445 N Orchard  
Boise, ID 83706  
208-373-0550  
Fax 208-373-0287

United States Dept. of the Interior  
Fish & Wildlife Services  
1387 S Vinnell Way, Room 368  
Boise, ID 83709  
208-378-5243

## Military

Mountain Home Air Force Base  
1030 Liberator St.  
Mountain Home, Id. 83647  
Byron Schmidt  
208-828-4722

Gowen Field  
Brian Fox  
4040 W Guard St, Bldg 600  
Boise, ID 83705  
208-422-5242

FAA  
3295 Elder St Airport Plaza Suite 350  
Boise Idaho 83705  
387-4000

Idaho Army National Guard  
Army Aviation Support Facility  
3448 Harvard St Bldg 599  
Boise, ID 83705  
208-272-3976  
Fax 208-272-3974

Army Corps of Engineers  
10095 W Emerald St  
Boise, ID 83704  
208-345-2286

# Owyhee County, Idaho



## RIGHT TO FARM Disclosure Statement

- A. It is the intent of the Legislature of the State of Idaho pursuant to IDAHO CODE Title 22 Chapter 45, RIGHT TO FARM ACT to reduce the loss to the state of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to be a nuisance.
- B. It is the intent of the Owyhee County Board of Commissioners and the Planning and Zoning Commission to uphold, support, and enforce the RIGHT TO FARM ACT.
- C. The County of Owyhee fully supports and permits "agricultural operations" as defined in IDAHO CODE 22-4502, Definitions, when operated in accordance with generally recognized agricultural practices which includes conformity with Federal, State, and local laws and regulations and when not adversely affecting public health and safety.

I acknowledge Idaho's RIGHT TO FARM, and I accept the agricultural environment they protect and do agree to live within said environment.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Legal Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Assessor's Parcel Number: \_\_\_\_\_

STATE OF IDAHO, County of Owyhee ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared:

\_\_\_\_\_

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 the same.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Residing at: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

## STANDARD SPECIAL CONDITIONS

- a. Access to the new use must be constructed with an all weather driving surface at least twenty (20) feet wide with a six (6) inch gravel base, graded and compacted, and a turnaround space provided pursuant to the 2012 International Fire Code (Attachment A). Written approval of the access from the local fire district must be provided prior to the issuance of a building permit. If subject property is not within the boundaries of a fire district, the access shall be constructed as previously stated, and approved by the Building Official prior to the issuance of a building permit.
- b. Applicants must recognize, and any future occupant or purchaser of subject parcel must be advised, through recorded marketing disclosure and /or deed restrictions, that any agricultural activity, which is in existence on lands adjoining or in the vicinity of the subject property, may not be considered a nuisance pursuant to the Idaho Right to Farm Act. A signed and recorded Right to Farm affidavit must be provided to the Administrator prior to the issuance of a Certificate of Occupancy.
- c. Approval by Southwest District Health of the septic system and well site must be submitted prior to the issuance of a certificate of occupancy for the new use.
- d. This decision will be recorded by the Administrator prior to the issuance of a certificate of compliance, recording fee having been included in the application fee.
- e. The Applicant must comply with all applicable laws and regulations.
- f. All structures, improvements, and construction must be developed according to the presentation given under oath at the public hearing for which the conditional use permit was approved.
- g. Any new exterior lighting must be shielded. The bulb shall not be visible below a horizontal plane running through the lowest point of the fixture, and no light shall be emitted from the sides of the fixture.
- h. Abandoned and/or junk vehicles, debris, rubbish, or other solid waste will not be allowed to accumulate on the property.
- i. A containment area for trashcans must be constructed to minimize the occurrence of wind, animals, or other uncontrollable sources spreading trash to surrounding areas.
- j. Applicant will control weeds and pests (including, but not limited to, gophers) on the parcel for which the permit is granted.
- k. This conditional use permit will expire twenty-four (24) months from the date the written decision is signed if substantial progress toward development of the use permitted by the conditional use permit has not been accomplished or an extension of the life of the permit has been requested prior to the expiration of the permit.



# FIRE APPARATUS ACCESS ROADS

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

## SECTION D101 GENERAL

**D101.1 Scope.** Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

## SECTION D102 REQUIRED ACCESS

**D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

## SECTION D103 MINIMUM SPECIFICATIONS

**D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

**D103.2 Grade.** Fire apparatus access roads shall not exceed 10 percent in grade.

**Exception:** Grades steeper than 10 percent as *approved* by the fire chief.

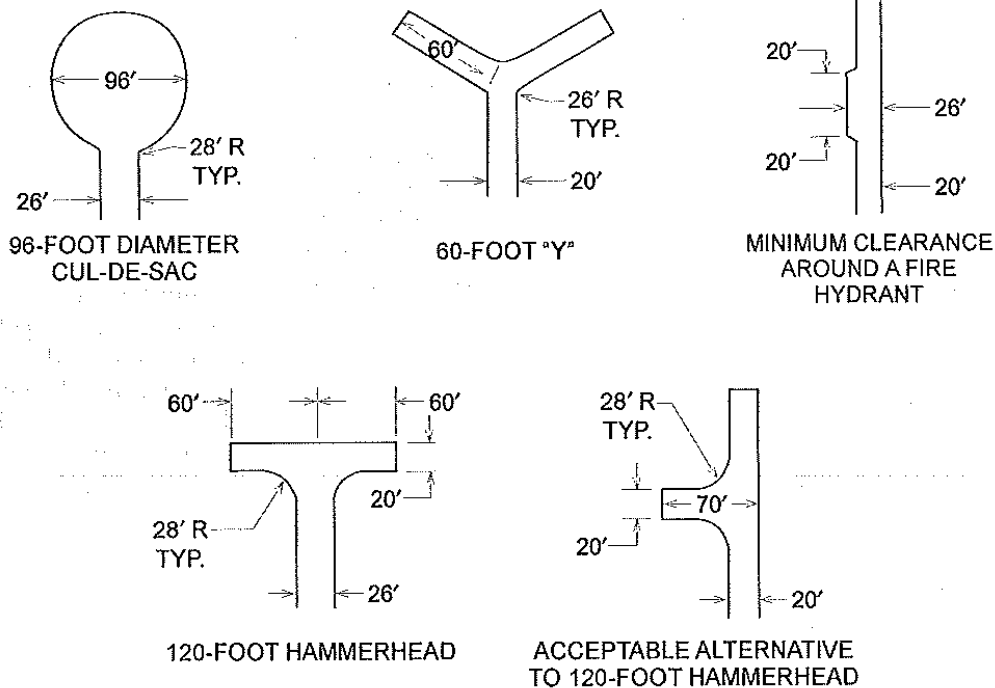
**D103.3 Turning radius.** The minimum turning radius shall be determined by the *fire code official*.

**D103.4 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

**TABLE D103.4  
REQUIREMENTS FOR DEAD-END  
FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.



For SI: 1 foot = 304.8 mm.

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