

Allison Kennedy

From: Kristine Hilt
Sent: Wednesday, January 25, 2023 9:44 AM
To: Allison Kennedy
Cc: Kathy Grotto
Subject: RE: Drinkers of the Wind Subdivision- Agency Comment Requested
Attachments: 2023-01-03 Drinkers of the Wind Preliminary Plat w Aerial.pdf



Hi Allison,

Per your request, here are my comments regarding the Drinkers of the Wind Subdivision. I reviewed the Preliminary Plat dated 01-03-2023 (attached).

1. Without building envelopes, this application cannot satisfy the requirements of **10-5-1B.3** and **10-5-2D**.
2. Every lot shall have a BE outside of the mapped floodplain per **10-5-2D** and **9-17-6.D**. This includes the area removed via LOMA. None of the lots shall be under 5 acres per **9-17-6.D: Development Density: The base development density in the Floodplain Overlay District shall be the base density in the adjacent zoning district or one unit per five (5) acres, whichever is less dense. Floodway land may be included in determining development density. For a parcel of land which straddles the Floodplain Overlay District and a residential district, individual lots may be drawn which include portions of the Floodplain Overlay District. However, each lot shall include land outside of the riparian setback and outside of the Floodplain Overlay District.**
3. Lot 1 should have a BE drawn around all of the existing structures. This BE is technically legally non-conforming. I'm not sure how to address an additional BE located outside of the FP closer to the road.
4. There should be a "non-developable area" shown on the plat that follows at least the minimum 200' setback. This setback should be measured from the backside of the rock riprap per the following definition:
 - a. **9-17-5: ORDINARY HIGH WATER MARK:** *The mark on all watercourses, where the presence and action of waters is so common and continued in all ordinary years as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation and destroy its value for agricultural purposes. With respect to the riparian setback, in areas where riprap bank stabilization has occurred, the measurement shall begin on the landward side of such stabilization work.*
 - b. The applicant shall conduct a site survey to locate all of the riprap since Archie installed much of without authorization from this office, IDWR or USACE.
 - c. Non-developable shall apply to agricultural uses, as well. See definition of development: **9-17-5: DEVELOPMENT:** *Any manmade change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures, or the construction of additions or substantial improvements to buildings, structures or accessory structures; the placement of mobile homes; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials; and the deposition or extraction of materials, including the construction of dikes, berms and levees.*
5. A plat note should restrict all structures to the BE.
6. A plat note shall restrict all rock riprap to the BE.

Let me know if you have any questions about these comments.

Regards,

Kristine Hilt CFM

Code Compliance Specialist

Certified Floodplain Manager

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