

CITY OF EMMETT, IDAHO
ZONING COMMISSION

Live Stream

www.cityofemmett.org/zoningmeeting

AGENDA

Monday, November 1, 2021, 6:00 P.M.
Emmett City Hall, 501 E. Main St.

REGULAR MEETING

1. Call to Order:
2. Roll Call:
3. Pledge of Allegiance:
4. Review Agenda: **ACTION ITEM**
5. Approval of Minutes: October 4, 2021 **ACTION ITEM**

#1 PUBLIC HEARING: Re-Zone Application by Gene G. King, 919 S. Wardwell from R-2, Duplex to R-3, Multi-Family

- Zoning Administrator's Presentation
- Applicant Presentation
- Public input
- Rebuttal
- Decision of Public Hearing: **ACTION ITEM**

REGULAR MEETING

6. New Business:
 - a. Discussion about email regarding zoning ordinance changes
 - b. Approval of 2022 Meeting Dates **ACTION ITEM**
7. Unfinished Business:
7. Items from the Commission:
8. Items from the: Building Official/Zoning Administrator:
9. Upcoming Meeting(s): Monday, December 6, 2021
10. Adjournment

This institution is an equal opportunity provider. Any person needing special accommodations to participate in the above noticed meeting should contact City Hall prior to the meeting at 501 East Main Street, Emmett, Idaho (208-365-6050)

Posted Thursday October 28, 2021, at 11:00 am/pm by: _____



EMMETT CITY ZONING COMMISSION

October 4, 2021

The Emmett City Zoning Commission held a Regular Meeting at 501 E. Main Street, Emmett, Idaho.

Chairman Earls called the meeting to order at 6:00 p.m.

Chairman Earls led the Pledge of Allegiance.

Commissioners Present: Gwen Earls, Brian Gregory, Kim Butler

Commissioners Online: Jeff Wiechmann

Commissioners Absent: Marta Henry

Staff Present: City Attorney Jake Sweeten; Zoning Administrator, Brian Sullivan; Recording Clerk, Alishia Elliott

Staff Online: None

Public Present: Fred R Bilbrey, Jolene Vaughn, Joe Rohrbacher, Joann Rohrbacher, Jerry Betzold, Lori Dixon, Dawn Ferdinand, Don Newell, Blaine Womer, Jeff Bickford, Danell Bickford, Andrew Newell, Matt Brown, Suzanne Shemwell, Matthew Braica, Robert Riggs, Fred Betzold

Review of Agenda:

Commissioner Gregory made a motion to approve the agenda. Commissioner Butler seconded the motion. **Motion Carried.**

Approval of Minutes: Commissioner Gregory made a motion to approve the September 13, 2021 minutes.

Commissioner Butler seconded the motion. **Motion Carried.**

#1 Public Hearing: Annexation with Zoning Classification and Preliminary Plat, Payette River Estates Subdivision, W 12th St. and Homestead Drive

Zoning Administrator's Presentation

Zoning Administrator Brian Sullivan read the staff report application summary to the commission. Commissioner Wiechmann asked how the development could benefit the local school district. Sullivan informed the commission that the school district did not submit any comments on this development. Commissioner Gregory asked what the average lot size of this development is. Sullivan responded with an average of 7,000 square feet. Commissioner Gregory asked about the railroad easement to the north of this property. Sullivan responded that the development would be required to put in a privacy fence up to the railroad right-of-way and that the development could not encroach on the right-of-way. Commissioner Gregory asked what irrigation company services this property and if any comments were submitted. Sullivan responded that the packet was sent to Farmers Coop and no comments were received. Commissioner Gregory asked Attorney Sweeten if there is anything we can do for the agency not submitting any comments. Attorney Sweeten explained that the city can not control comments submitted by agencies. Commissioner Gregory stated his concerns for the traffic on Mill Road. Sullivan stated that the section of Mill Road that Gregory is speaking of is controlled by Gem County Road and Bridge and they submitted a letter with no comments for this development.

Applicant Presentation

Applicant, Andrew Newell, presented his application to the commission and informed them that they have reached out to Farmers Coop Irrigation and they do have irrigation shares for the development. Mr. Newell stated that his client has reviewed the staff report and agrees with all the conditions of approval. Commissioner Wiechmann asked for the address of the subdivision. Newell informed the commissioners that the property is located N of W 12th St and West of Twin Buttes Subdivision. Commissioner Gregory asked if this development would consist of custom homes and how they would sell off the lots. Newell stated he does not have an answer at this time. The commissioners had no further questions for the applicant.

Public Input

Don Newell, owner of the development, informed the commission that the homes will be semi-custom homes and that the lots will be sold to three different builders. Commissioner Gregory asked what the average home size would be. Newell informed Gregory that the average home would be 1,600 square foot single family homes. Commissioner Gregory asked Newell if they are stuck on the average square foot lot size. Newell informed Gregory that the development meets all zoning requirements for lot size and width. Commissioner Gregory stated that he does not agree with the city zoning code, that it does not represent a small town. Commissioner Wiechmann

asked Newell if the builders are local. Newell informed the commission that Cambridge Homes and RTL Homes will be building in the development and he is not sure on the third builder.

Commissioner Earls asked if the zoning of R-1 allows duplexes or multi-family housing. Sullivan informed the commission that R-1 only allows single family, and the development is only requesting single family housing. Commissioner Earls asked what the current zoning of the property is as it is located in the county. Sullivan stated the property is zoned (M-1) light and (M-2) heavy industrial, both Gem County zoning classifications. Commissioner Butler asked where city limits end in relation to the property in question.

Lorrie Dixon, 712 Tyler Rd, asked if the letters she submitted in opposition of the application were received by the commission. Sullivan informed Dickson that four letters were received and are in the zoning packet. Dickson stated concerns of a lot bordering her property.

Fred Bilbrey, 1452 W 12th St., stated concerns of his animals causing a nuisance to the development and asked that there will be a resolution, so that they do not have to get rid of their animals.

Jerry Betzold, 1390 W 12th St., stated concerns of security with his storage units bordering the property. Betzold is a representative for the 4th St Ditch Company and asked about the irrigation wastewater from his property to this property and how it will be handled. Betzold also informed the commission that to his knowledge the property is serviced by two ditches.

Robert Riggs, 1382 W 12th St., stated concerns of traffic off of W 12th St.; noise, security and the fence line between the proposed new road and his property.

Danny Bigford, 1321 W 12th St., stated concerns of her animals, and the traffic and width of W 12th St. Bigford stated concerns of a traffic study for this development.

Applicant Andrew Newell, addressed the questions of the larger lot on the SW corner, informing the commission that it will be a residential lot with a large backyard and setbacks for the house. Newell informed the public that they will be doing a disclosure statement for the properties that border the houses with animals, informing them that there will be animals and noise. Newell informed the commission that the development will be placing a vinyl fence around the border of the property.

Commissioner Earls asked about the two ditches that service the property. Newell informed the commission that he researched the irrigation rights for the property and it is serviced by Farmers Cooperative Irrigation Company. Commissioner Gregory asked the applicant about the irrigation wastewater ditch on the property. Newell informed the commission that the ditch will be piped during construction. Commissioner Gregory asked Zoning Administrator Sullivan how far the entrance to the subdivision is from Mill Road. Sullivan stated it is $\frac{3}{4}$ of a mile from Mill Rd.

Robert Riggs, 1382 W 12th St., asked if his property would be subject to annexation with the entrance of the subdivision bordering his property. Zoning Administrator Sullivan informed the commission and Mr. Riggs that the city does not force annexation, so the property is not subject to annexation unless requested by the owner. Attorney Sweeten stated that the current city administrative policy is that the city is not looking to annex property without consent from the property owner.

Commissioner Gregory stated concerns of the lot size and density of this development and traffic impacts on the local roads.

Joe Rohrbacher, 1438 W 12th St., stated concerns of larger lot sizes and the maintenance of the lots. Commissioner Gregory agreed with Rohrbacher and stated that he would like the minimum lot size for this development to be 7,500 square feet.

Applicant Andrew Newell, informed the commission that they can add a minimum 65-foot lot frontage for the development to make the larger lots that Commission Gregory is interested in. Commissioner Wiechmann stated that he agreed with Gregory on the larger lots.

Blaine Womer, with Womer Engineering, informed the commission that the commission could write into the approval that the development would have a 65-foot lot frontage, which would increase their average lot size to above 7,500 square feet. Commissioner Butler stated concerns of traffic on W 12th and Homestead Dr.

Don Ferdinand, 783 Tyler Rd, informed the commission that there was another subdivision approved by Gem County on Tyler Rd. Ferdinand asked about the roads crossing the railroad tracks. Commissioner Gregory informed Ferdinand that the railroad does not cross the development.

Zoning Administrator Sullivan read the site-specific conditions of approval as stated in the staff report to the commission.

Matthew Braica, 816 Comanche Trail, stated concerns of lot size and density.

Rebuttal

Blaine Womer, with Womer Engineering, informed the commission that the developer is willing to add a left turn lane onto W 12th St. from the development to aid in traffic concerns.

Decision of Public Hearing: ACTION ITEM

Motion #1: Commissioner Gregory made a motion to recommend to the City Council approval of the annexation application and zoning classification as R-1 single family for Payette River Estates Subdivision. Commissioner Wiechmann seconded the motion. Commissioner Butler opposed. **Motion Carried.**

Motion #2: Commissioner Gregory made a motion to recommend the approval of the Preliminary Plat, adopt site specific conditions, adopt the staff report into record, require a 65-foot lot frontage minimum, state in the CCR's that the neighbors will have animals with the smell and noise, and require a turn lane entering onto W 12th St. Commissioner Wiechmann seconded the motion. **Motion Carried.**

#2 Public Hearing: Re-Zone Application by Gene King, 919 S Wardwell from R-2, Duplex to R-3, Multi-Family

Zoning Administrator's Presentation

The applicant, Gene King, was not in attendance and unable to present his application.

Decision of Public Hearing: ACTION ITEM

Commissioner Wiechmann made a motion to keep the public hearing open and table the item to the November 1st meeting. Commissioner Butler seconded the motion. **Motion Carried.**

New Business:

None

Unfinished Business:

None

Items from the Commission:

None

Items from the Building Official/ Zoning Administrator:

Zoning Commission Manuals, the zoning commissioners were presented their zoning commission manuals by Planning Clerk Alishia Elliott and Zoning Administrator Brian Sullivan.

Next Regular Meeting – November 1, 2021

Commissioner Butler made a motion to adjourn the meeting. Commissioner Gregory seconded the motion. Meeting adjourned at 7:43 p.m.

Chairman Gwen Earls

Acting Secretary



**CITY OF EMMETT
PLANNING & ZONING DEPARTMENT**

STAFF REPORT

DESCRIPTION: REZONE APPLICATION OF .557+/- ACRES FROM R-2 (TWO FAMILY DUPLEX) TO R-3 (MULTI-FAMILY RESIDENTIAL)

APPLICATION # RZ21-004

**ZONING COMMISSION HEARING DATE: OCTOBER 4, 2021 6:00PM
COUNCIL HEARING DATE: TBD**

**APPLICANT: GENE G. KING
22965 RED TOP ROAD
WILDER, ID, 83676**

PROPERTY OWNER: GENE G. KING

SUBJECT PROPERTY LOCATION: T 06N; R 01W; SECTION 7; 919 S. WARDWELL

PARCEL#: RP06N01W079260

STAFF PLANNER: BRIAN SULLIVAN

1. APPLICATION SUMMARY/BACKGROUND:

The applicant, Gene G. King, is requesting approval of a Rezone application on a parcel of land totaling approximately .0557 acres from R-2 (Two Family/Duplex) to R-3 (Multi-Family/Apartments). The applicant states he would like to build multi-family dwellings. The property is located on the South side of S. Wardwell Avenue at 919 S. Wardwell Ave. The property is bordered on the east and west by residential uses and on the south by the cities RV park.

Parking is required for constructing multi-family residences at 1.5 space per unit. Open space is required at 250 sf up to 1,200 sf of living space, 350 sf per unit containing more than 1,200 sf. All parking, landscaping, open space, setbacks and amenities will be reviewed at time of construction for conformance with ECC.

This summary gives a brief description of the application and what is being asked. For information on how this application complies with the comprehensive plan and zoning ordinance, please look at section 5 and 6.

Comprehensive Plan / Future Land Uses

The parcel falls within the *Area of City Impact* designation of the 2007 Future Land Use Map of the Comprehensive Plan.

2. APPLICATION & PROPERTY FACTS:

- A. Site Address/Location: 919 S. Wardwell Ave.
The parcel is in Township 06N, Range 01W, Section 7
- B. Assessor Parcel No(s): RP06N01W079260
- C. Current Owner(s): Gene G. King
22965 Red Top Road
Wilder, Id, 83676
- D. Applicant(s): Same
- E. Representative: Same
- F. Present Zoning: R-2, Two family/Duplex
- G. Present Comprehensive Plan Designation: Area of City Impact
- H. Property Size: Approximately 0.557 +/- acres

3. APPLICATION PROCESS FACTS:

- A. Application Submittal:
The Rezone application was received by the Zoning Department on 8-16-2021.
- B. Notice of Public Hearing:
Notice of Public Hearing on the application for the Emmett Zoning Commission was published in accordance with requirements of Title 67, Chapter 65, Idaho Code on September 15, 2021. Notice of this public hearing was mailed to property owners within 300 feet of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code on September 15, 2021. The physical property was posted for the public hearing on September 23, 2021 and will remain thru the Council Hearing.
- C. Relevant Ordinances and Required Actions:
The subject application will in fact constitute a rezone as determined by Emmett City Code. By reason of the provisions of the Emmett City Code Title 9, Chapter 15, a public hearing is required before the Zoning Commission and the City Council on this matter.
- C. History of Previous Actions on Property: None
- D. Companion Applications: None
- E. Response Letters Received from:
- Gem County Assessor's Office (no comments)
 - City Fire Department (see comments)
 - Idaho Power (no comments)
 - Emmett Public Works (no comments at this time)
 - Emmett Police Chief (no comments)
 - IT Director (no comments)
 - Last Chance Ditch Company (no comments)

- Last Chance Ditch Company (no comments)

4. LAND USE

- A. Existing Land Use(s): Vacant land
- B. Description of Character of Surrounding Area
- C. Adjacent Comprehensive Plan, Zoning and Land Use:

	ZONING DESIGNATION	CURRENT LAND USES
North	R-2, Duplex	Duplex and single-family
South	P Public	City RV Park and softball field
East	R-2, Duplex	Single-Family residence
West	R-2 and R-3	Duplex and single-family

- D. Streets and/or Access Information: Parcel has frontage on S. Wardwell Ave.

5. COMPREHENSIVE PLAN GOALS & POLICIES [Staff comments and analysis are shown in *italics*.]

Before the City of Emmett can approve a Rezone application, it must determine that the proposed zone (R-3, multi-Family) complies with the goals and policies of the Comprehensive Plan and Future Land Use Map. The Zoning Commission and City Council must review both the Future Land Use Map and the text of the Plan to see if the proposed zoning matches the vision described in the Plan. Below, staff has copied pertinent sections of the Comprehensive Plan.

Related Excerpts from Comp Plan Chapter 3 Housing:

Purpose: Encourage a variety of housing to fit the individual needs of all residents.

Introduction: The housing element has a pivotal role in growth management plans. The element encourages the development of housing in a way which conserves open space, reduces unnecessary cost, and provides housing choices. With this approach, the Gem Community has a way to guide the effects of growth without losing its sense of community. Providing a wide range of housing opportunities for our residents, encourages neighborhoods to remain strong and people to care about community. We desire to maintain the quality of our neighborhoods while planning for the future.

Future Conditions: Continuous planning must occur to reflect the changing economic conditions and/or policies locally and statewide. The Gem Community must recognize and anticipate that future national and state energy polices will impact housing standards. In planning for residential growth, various densities and housing types should be allowed. Examples of housing types include, multi-family, duplex, townhouses, zero-lot -line development, and single family detached. The Gem Community is committed to orderly, logical and fiscally-sound growth (pay as you go, not putting the burden on current residents).

1.0 General Housing Goal Statement: The Gem Community recognizes that housing is one of the most basic and important human needs. All citizens must be provided with the opportunity for adequate housing. Housing policies focus on these areas:

- Encourage development within the Emmett Area of City Impact and Rural Residential areas in the County.
- Encourage workforce housing (affordable to households earning from 80% to 140% of the Area Median Income) in the Gem Community

- Encourage diversified housing including single-family, multi-family and rental housing.

Policy 3.1.1 Encourage the provision of quality and diverse housing, as well as creative subdivision designs, of all price ranges for present and future residents.

The above sections of the Joint Comprehensive Plan, support the request to re-zone the property from R-2, Duplex to R-3 multi-Family.

Related Excerpts from Comp Plan Chapter 12 Land Use: defining “Area of City Impact”

“Area of City Impact is expected to be the most urbanized area of Gem County. It contains Emmett, which is the county seat and center of government activities and is also the employment center of the county. . .

A planning goal of the Area of City Impact is to keep enough land within this area to ensure an adequate supply of land for urban growth into the future.”

“These land areas are generally adjacent to arterials and are anticipated for a variety of residential densities. Residential areas in close proximity of city limits, activity centers and public transportation routes should range in density from 3 to 25 units per acre. Radiating from city centers, decreased density should be at 2 to 6 units per acre to ensure compatibility with existing residential development and continue to promote the community vision. Examples of housing types include, multi-family, townhouses, zero-lot-line development, single-family attached and single family detached. This designation is only intended for use in the Area of City Impact.”

These descriptions of the Area of City Impact land designation outline the purpose of existing and future uses in this area. It is intended to be “the most urbanized area of Gem County,” which is interpreted to mean land that is designed to accommodate a higher population base, increased density and more traffic than rural areas and is served with water and sewer services and other utilities. These Chapter 12 policies also call for adequate land for “urban growth.”

Related Excerpts from Comp Plan Chapter 12 Land Use: Future Conditions

There are several important social, economic and environmental factors and trends, which will influence future land use in the Gem community throughout the planning period of 2007-2025. These factors and trends are:

- Increasing population and increasing employment
- Providing for housing diversity
- Increasing demand for business development
- Increasing development along the Payette River
- 12.15 Encourage compatible infill development, which will complement existing neighborhoods.

6. ZONING ORDINANCE

- A. Purpose Statement of Zone: Residential R District: The purpose of the R district is to permit the establishment of residential dwellings and other uses that are compatible with residential uses. Centralized water and sewer facilities are required in the R district in accordance with section 7-6-2 of this code.
- B. The difference between the R-2 Duplex (existing zone) and the R-3, multi-family (proposed zone), besides the uses allowed, is the maximum building height, setbacks, and the minimum lot area, see comparison chart below.

	R-2	R-3 multi-Family	
Max Height	40 ft	45 ft	
Set Back	5’ sides, 5 feet rear, 15’ front living, 20’ garage	10 ft (sides and rear) 15’ front living, 20’ garage	
Min Lot Area	8,000 sq. ft.	8,000 sq ft (for first 2 units) plus 800 sq ft per additional unit	

7. REQUIRED FINDINGS & STAFF ANALYSIS

Emmett City Code 9-15-4, Transmittal to Commission, outlines the process and findings for review and approval of Zoning Amendment applications, which is what Rezone applications are classified under. Section B requires the Commission to find that the request is “in accordance with the adopted Comprehensive Plan.” This is the only standard in the Zoning Ordinance by which the Commission must evaluate Rezone requests. Staff’s analysis of relevant Comprehensive Plan policies is provided above. The Commission and Council must find that the Comprehensive Plan map and policies support the Rezone application.

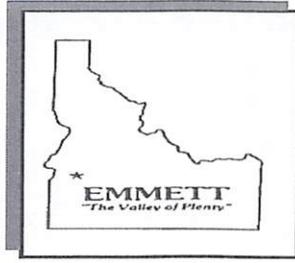
8. STAFF RECOMMENDATION

Staff finds that the proposed Rezone from R-2, Duplex to R-3, multi-Family conforms with the basic intent of the Comprehensive Plan policies and Future Land Use Map. Staff finds the location, which is a parcel adjacent to a previously zoned R-3 parcel and the conformance of this request with the Gem Community Comprehensive Plan are key considerations for approval of this application.

At any time during the processing for an annexation or a rezone application, a request to enter into a development agreement for the subject property may be submitted by the applicant, or may be recommended by the Planning and Zoning Commission at the Commission’s public hearing, or may be required by the City Council at the public hearing.

The Commission or Council must decide if a Development Agreement (DA) should be required for this type of rezone, and state the specific issues to be addressed in the DA. If the applicant agrees to submit an application for a DA, then the commission shall defer its recommendation to the council until a public hearing on the DA is held.

Staff does not feel a DA is relevant for this type of application due to the residential zoning.



CITY OF EMMETT REZONE SUBMITTALS AND CHECKLIST

CITY OF EMMETT

601 E. 3rd Street, Emmett, Idaho 83617 www.cityofemmett.org Phone: (208) 365-9569 Fax (208) 365-4651

No rezone shall be recommended for approval by the Commission or granted by the City Council unless they find that the requested rezone is in accordance with the adopted Comprehensive Plan.

PRESENT LAND USE: RESIDENTIAL LOT

PROPOSED LAND USE: MULTI-FAMILY

EXISTING ZONING CLASSIFICATION: R2 PROPOSED ZONING: R3

COMPREHENSIVE PLAN DESIGNATION: _____

Submittal Requirements:

FEE: A \$450.00 fee must accompany this completed application. (*Non-refundable*)

LETTER OF INTENT:

- Intended uses of property if Rezone approved.
- How the proposed rezone relates to the Comprehensive Plan (please refer to page and section numbers of the Comprehensive Plan).

LEGAL DESCRIPTION: A metes and bounds description or lot and block reference of proposed property.

DIGITAL COPY OF LEGAL DESCRIPTION.

SITE PLAN: A vicinity map, which is drawn to scale, must be attached showing the location of the property under consideration.

PROOF OF OWNERSHIP OR VALID OPTION HOLDER: Attach a recorded copy of your property deed, option agreement, quit claim deed, or title report.

*PLAT MAP: Show property under consideration and surrounding properties.

*AERIAL PHOTO: Show property under consideration and surrounding properties.

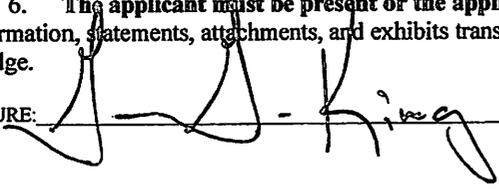
*(THE ABOVE ITEMS WILL BE PROVIDED BY THE ZONING STAFF)

I understand:

1. This application is subject to acceptance by the City of Emmett upon determination that this application is complete.
2. The hearing date is tentative and subject to change with notice.
3. This application is subject to a review by the Administrator and a recommendation shall be forwarded to the City Council that the application be approved, approved conditionally or disapproved.
4. Any review by the City of Emmett's Engineering firm will be subject to a fee determined by the Engineering firm and will be paid by the applicant.
5. The application fee is non-refundable.
6. **The applicant must be present or the application will not be heard.**

All information, statements, attachments, and exhibits transmitted with this application submitted are true to the best of my knowledge.

SIGNATURE:



DATE:

11-19-2020

****FOR OFFICE USE ONLY****

APPLICATION COMPLETION DATE: _____ COMMISSION HEARING DATE: _____

Checklist

<u>SUBMITTALS</u>	<u>APPLICANT</u> (√)	<u>STAFF</u> (√)
FEE	/	
LETTER OF INTENT	/	
LEGAL DESCRIPTION	/	
DIGITAL COPY	/	
SITE PLAN	/	
PROOF OF OWNERSHIP	/	
PLAT MAP	N/A	
AERIAL PHOTO	N/A	
PROPERTY OWNERS WITHIN 300'	N/A	

The Administrator reserves the right to not officially accept this application until total review is accomplished and all required information is submitted.

The date of the public hearing will be established by the Administrator upon the acceptance of complete application.

Applicant will be responsible for all publication fees involved with a rezone and change to the zoning ordinance map.

Applicant's Signature Kim Borch Date: 8/16/21

FOR OFFICE USE ONLY

APPLICATION COMPLETION DATE: _____ COMMISSION HEARING DATE: _____



1500 S. Washington Ave., Ste. B
Emmett, ID 83617

Instrument # 330303

EMMETT, GEM, IDAHO
2020-11-10 04:06:53 PM No. of Pages: 2
Recorded for: PIONEER TITLE COMPANY OF GEM C
SHELLY TILTON Fee: \$15.00
Ex-Officio Recorder Deputy SStewart
Index To: QUIT CLAIM DEED
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 748180 /KS

QUITCLAIM DEED

For Value Received

Amanda M. King, spouse of the Grantee

do hereby convey, release, remise and forever quit claim unto

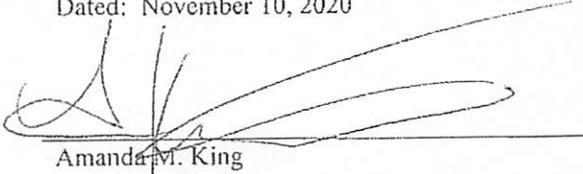
Gene King, a married man as his sole and separate property
whose address is 12195 Redtop Rd Wilder ID 83676

the following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

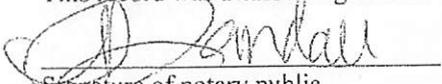
together with their appurtenances.

Dated: November 10, 2020


Amanda M. King

State of ID, County of Gem

This record was acknowledged before me on November 10, 2020 by Amanda M King


Signature of notary public
Commission Expires:

Residing in Emmett, Idaho
My commission expires: February 27, 2021

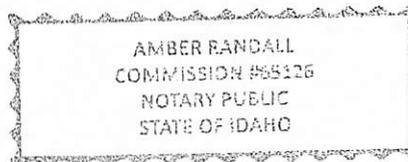


EXHIBIT A

A tract of land in the NW1/4 of the SE1/4 of the SE1/4 of Section 7, Township 6 North, Range 1 West, B.M., Gem County, Idaho , more particularly described as follows:

Beginning at the Southwest corner of the NW1/4 of the SE1/4 of the SE1/4 of said Section 7; thence East on the South line of the said NW1/4 of the SE1/4 of the SE1/4 160 feet to the REAL POINT OF BEGINNING; thence North 45° East, 104.5 feet; thence Southeasterly along a curve to the left, which curve has a radius of 200 feet and a center point located 330 feet East and 262 feet South from the Northwest corner of the NW1/4 of the SE1/4 of the SE1/4, 50.03 feet; thence South parallel to the 1/16th line, 204.3 feet to the South line of the NW1/4 of the SE1/4 of the SE1/4; thence West 120 feet to the REAL POINT OF BEGINNING.



Emmett Zoning Department
 601 E. 3rd St. Emmett, Idaho, 83617
Brian Sullivan:
 bsullivan@cityofemmett.org
Doricela Millan-Sotelo: dmillan-sotelo@cityofemmett.org
 Ph. (208)365-9569 F. (208)365-4651

Affidavit of Legal Interest

I, Gene G. King, residing at 22965 Red Top Rd
Wildce ID 83676 being first duly sworn upon oath, depose
 and say:

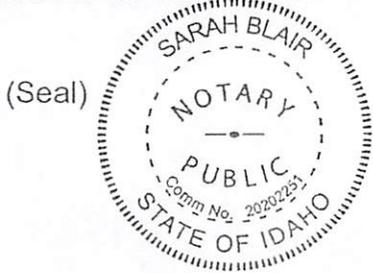
1. That I am the record owner of the property described on the attached, and I grant my permission to Sawtooth Land Surveying to submit the accompanying application pertaining to that property.
2. I agree to indemnify, defend and hold Emmett City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property, which is the subject of the application.

Dated this 16th day of August, 2021.

Gene G. King
 Signature

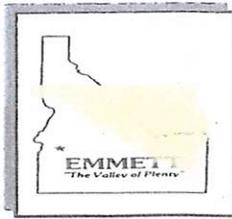
State of Idaho)
 S.S.
 County of Canyon

On this 16th day of August, in the year of 2021, before me
 _____ a notary public, personally appeared Gene G. King,
 proved to me on the basis of satisfactory evidence to be the person whose name is
 subscribed to the within instrument, and acknowledged that he/she executed the same.



Sarah Blair
 Notary Public

My Commission Expires on 06/15/2026



RECEIVED
AUG 16 2021

CITY OF EMMETT MASTER PUBLIC HEARING APPLICATION

601 E. 3rd Street, Emmett, Idaho 83617 www.cityofemmett.org phone: (208) 365-9569 fax (208) 365-4651

TYPE OF APPLICATION: (Please check all that apply.)

- | | | |
|---|---|---------------------------------------|
| <input type="checkbox"/> ANNEXATION | <input type="checkbox"/> DEVELOPMENT | <input type="checkbox"/> SUBDIVISION, |
| <input type="checkbox"/> APPEAL | AGREEMENT | MODIFICATION |
| <input type="checkbox"/> COMPREHENSIVE PLAN | <input checked="" type="checkbox"/> REZONE | <input type="checkbox"/> VACATION |
| TEXT AMENDMENT | <input type="checkbox"/> SPECIAL USE PERMIT | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> COMPREHENSIVE PLAN | <input type="checkbox"/> SUBDIVISION, | <input type="checkbox"/> ZONING TEXT |
| MAP AMENDMENT | PRELIMINARY | AMENDMENT |
| <input type="checkbox"/> DESIGN REVIEW | <input type="checkbox"/> SUBDIVISION, FINAL | |
| | SUBDIVISION, | |
| | COMBINED/MINOR | |

PROJECT NAME: Ambercrombie

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: SE Section: 7 Township: 6N Range: 1W Total Acres: 0.5570

Subdivision Name (if applicable): Ambercrombie N/A

Site Address: 919 S. Wardwell Ave Lot: _____ Block: _____
City: Emmett

Tax Parcel Number(s): RP06N01W079200 Current Zoning: R2 Current Land Use: _____

PROPERTY OWNER:
Name: Gene G. King
Address: 22905 Red Top Road
City: Wilder State: Id. Zip: 83676

APPLICANT:
Name: _____
Address: _____
City: _____ State: _____ Zip: _____

Telephone: 208-941-6368 Fax: N/A

Telephone: 208-516-8146 Fax: N/A
Email: kingexcavation@ie.aol.com

I consent to this application and allow City staff to enter the property for site inspections related to this application.

I certify this information is correct to the best of my knowledge.

[Signature] 11-19-2020
Signature: (Owner) Date

[Signature] 11-19-2020
Signature: (Applicant) Date

NOTE: THIS APPLICATION MUST BE SUBMITTED WITH THE APPLICABLE CHECKLIST (S).

OFFICE USE ONLY
File No.: R221-0004 Received By: BSS Date: 8-16-21 Fee: 450.00 Receipt No: 993728

Oct 4th hearing



Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

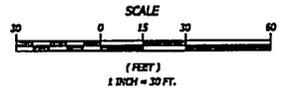
LETTER OF INTENT For Gene King

City of Emmett Planning and Zoning,

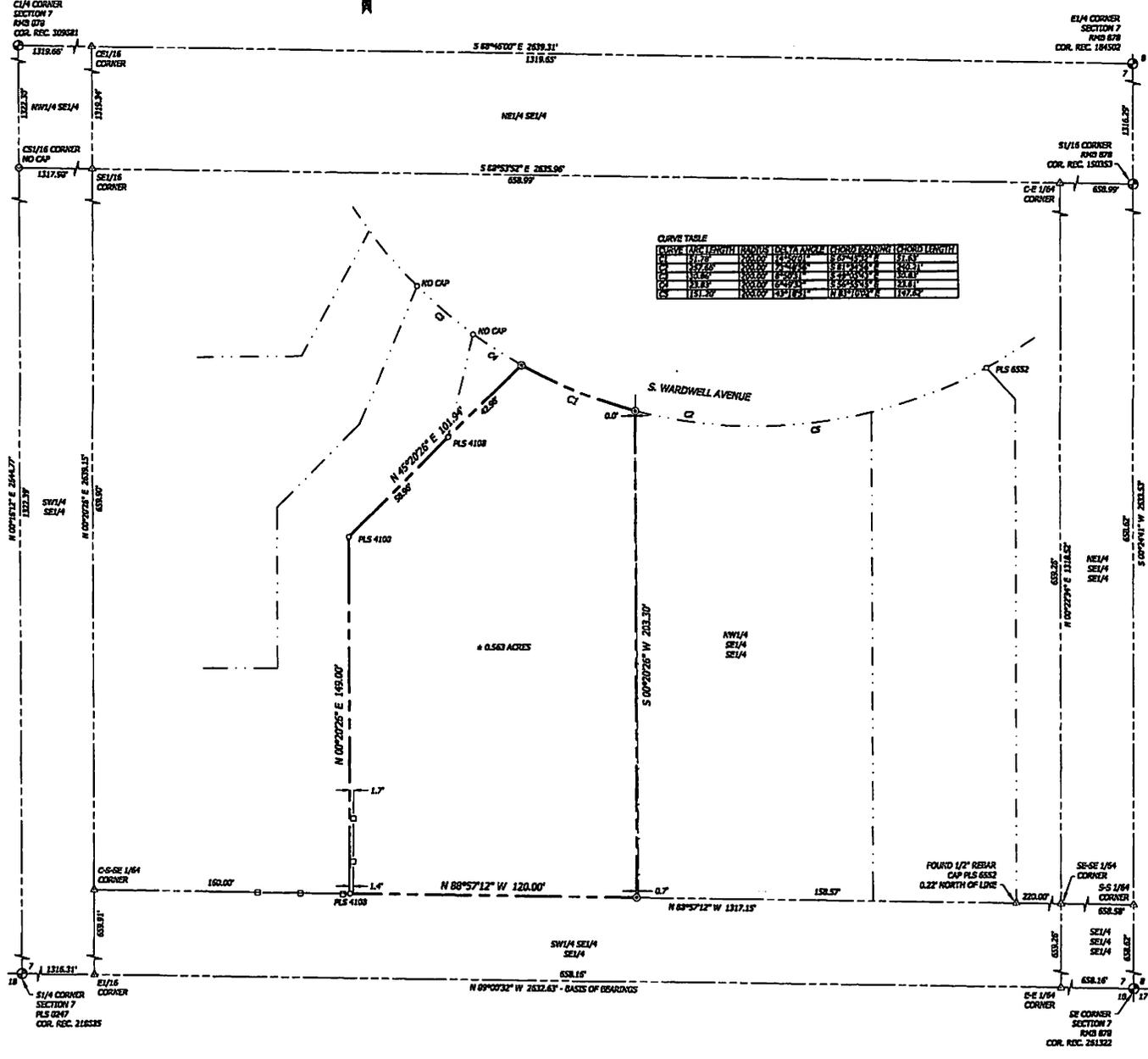
Please accept this letter of intent for Gene King. Gene wishes to rezone his parcel for R2 to R3 for the purpose of building multi-family dwellings. The parcel is located at 919 S. Wardwell Avenue and the Assessor's Parcel No. is RP06N01W079260.

- a) The current parcel is conforming and will remain with the standards prescribed by the zoning ordinance.
- b) This Rezone will not increase the original number of properties.
- c) This Rezone will not change or move any public street, private lanes, easements or publicly dedicated area in any manner.

**RECORD OF SURVEY
FOR GENE KING
LOCATED IN THE NW1/4 SE1/4 SE1/4 OF SECTION 7, T. 6 N., R. 1 W., B.M.
CITY OF EMMETT, GEM COUNTY, IDAHO
2021**



BASIS OF BEARINGS IS NORTH 89°00'32" WEST BETWEEN THE SOUTHEAST CORNER AND S1/4 CORNER OF SECTION 7, T. 6 N., R. 1 W., B.M. I.S.P.C.D. WEST ZONE



CURVE TABLE

CHORD (ARC LENGTH)	CHORD (RADIUS)	CHORD (TANGENT)	CHORD (SUBTENSE)	CHORD (CHORD)	CHORD (CHORD)
117.25	1000.00	117.25	117.25	117.25	117.25
117.25	1000.00	117.25	117.25	117.25	117.25
117.25	1000.00	117.25	117.25	117.25	117.25
117.25	1000.00	117.25	117.25	117.25	117.25
117.25	1000.00	117.25	117.25	117.25	117.25
117.25	1000.00	117.25	117.25	117.25	117.25

- LEGEND**
- PROPERTY BOUNDARY LINE
 - SECTIONAL LINE
 - OTHER DEED LINE
 - EXISTING WOOD FENCE
 - EXISTING WIRE FENCE
 - ⊕ FOUND BRASS CAP MONUMENT
 - ⊙ FOUND 5/8" REBAR AS NOTED
 - ⊙ FOUND 1/2" REBAR AS NOTED
 - ⊙ SET 5/8" REBAR/CAP PLS 10561
 - △ CALCULATED POINT

SURVEYOR'S NARRATIVE

THIS RECORD OF SURVEY WAS PERFORMED TO RETRACE AND MONUMENT THE PARCEL DESCRIBED IN QUITCLAIM DEED INST. NO. 330303, A MISSING CALL AFTER THE POINT OF BEGINNING OF "THENCE NORTH PARALLEL TO THE 1/16TH LINE, 149 FEET" WAS FOUND IN A PREVIOUS DEED, QUITCLAIM DEED INST. NO. 211493, AND USED. THIS LINE ALSO MATCHES THE GEOMETRY CREATED BY RECORD OF SURVEY INST. NO. 176888. THE SOUTHERLY RIGHT OF WAY LINE OF S. WARDWELL AVENUE HOLDS THE FOUND MONUMENTS ON EITHER SIDE OF THE SUBJECT PARCEL.

- REFERENCES:**
- R1) PLAT OF THE CITY OF EMMETT AND OUTLYING DISTRICTS
 - R2) RECORD OF SURVEY INST. NO. 176888
 - R3) RECORD OF SURVEY INST. NO. 181688
 - R4) QUITCLAIM DEED INST. NO. 330303
 - R5) QUITCLAIM DEED INST. NO. 211493

CERTIFICATE OF SURVEYOR

I, KEVIN M. BORAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY ON THE GROUND UNDER MY DIRECT SUPERVISION, AND ACCURATELY REPRESENTS THE POINTS MAPPED HEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS, SURVEYS, AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE.



KEVIN M. BORAH, P.L.S. 10561

SURVEY INDEX NO. 614-7-2-4-00-00

2030 S. WASHINGTON AVE.
EMMETT, ID 83617
(208) 398-8104
FAX (208) 398-8105

SAWTOOTH
Land Surveying, LLC
WWW.SAWTOOTHLS.COM

SHEET: 1 OF 1	DATE: 8/2021	DRAWN BY: KB	CHECKED BY: AR	JOB#: 120382
------------------	-----------------	-----------------	-------------------	-----------------

DWG# 120382-805



Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

Parcel Legal Description

A parcel of land located in the NW1/4 SE1/4 SE1/4 of Section 7, Township 6 North, Range 1 West of the Boise Meridian, City of Emmett, Gem County, Idaho, more particularly described as follows:

COMMENCING at the southwest corner of said NW1/4 SE1/4 SE1/4 (C-S-SE 1/64 Corner) of Section 7;

Thence South 88°57'12" East, coincident with the south line of said NW1/4 SE1/4 SE1/4 of Section 7, a distance of 160.00 feet to a 1/2 inch rebar/cap PLS 4108 and the **POINT OF BEGINNING**;

Thence North 00°20'26" East, parallel with the west line of said NW1/4 SE1/4 SE1/4 of Section 7, a distance of 149.00 feet to a 1/2 inch rebar cap PLS 4108;

Thence North 45°20'26" East, 128.05 feet to the centerline of S. Wardwell Avenue and the beginning of a non-tangent curve to the left, the radius point of said curve is 330 feet east and 262 feet south from the northwest corner of said NW1/4 SE1/4 SE1/4 of Section 7;

Thence easterly, along the arc of said curve to the left and coincident with said centerline, an arc distance of 31.76 feet, having a radius of 175.00 feet, a central angle of 10°23'49" and subtended by a chord bearing of South 67°51'08" East, 31.71 feet;

Thence South 00°20'26" West, parallel with said west line, 229.25 feet to said south line, marked by a 5/8 rebar/cap PLS 10561;

Thence North 88°57'12" West, coincident with said south line, 120.00 feet to the **POINT OF BEGINNING**.

BASIS OF BEARINGS for this legal description is North 89°00'32" West, between the southeast corner and the S1/4 corner of Section 7, T. 6 N., R. 1 W., B.M., Gem County, Idaho. I.S.P.C.S., West Zone.

Brian Sullivan

From: Curt Christensen
Sent: Wednesday, September 22, 2021 11:37 AM
To: Alishia Elliott; Brian Sullivan
Cc: Mike Giery
Subject: Rezone Application RZ 21-004
Attachments: SCAN0005.PDF; E12-02.pdf

Brian,

The reviewed hydrant flow rates of the hydrant found on Wardwell (Hydrant #E12-02) are attached to this email. In accordance with IFC2018 Appendix B, the necessary fire flow for a one and two family Group R-3 and R-4 Buildings and townhouse would require a 1000 GPM flow for a 1-hour duration. On that same table, if a 13D sprinkler system were to be added to a R-3/R-4 building then the flow is adjusted to 500 gallons per minute for a duration of half an hour. This hydrant found on at the end of Wardwell produces 638 gallons per minute when pumped down to 20 psi; I assume it would sustain that for the 30 minutes.

The proposed Rezoning application RZ 21-004 would be serviced by the aforementioned Hydrant #E12-02. Construction of any R-3 serviced by hydrant #E12-02 would be require either an upgrade to a hydrant that produced 1000gpm for 1 hour or need the addition of a 13D sprinkler system.

In service,

Chief Christensen
Emmett Fire Chief

On Sep 15, 2021, at 1:58 PM, Alishia Elliott <aelliott@cityofemmett.org> wrote:

<RZ 21-004 Impact Agency Packet .pdf>

APPENDIX B

FIRE-FLOW REQUIREMENTS FOR BUILDINGS

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

SECTION B101 GENERAL

B101.1 Scope. The procedure for determining fire-flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this appendix. This appendix does not apply to structures other than buildings.

SECTION B102 DEFINITIONS

B102.1 Definitions. For the purpose of this appendix, certain terms are defined as follows:

FIRE-FLOW. The flow rate of a water supply, measured at 20 pounds per square inch (psi) (138 kPa) residual pressure, that is available for fire fighting.

FIRE-FLOW CALCULATION AREA. The floor area, in square feet (m²), used to determine the required fire flow.

SECTION B103 MODIFICATIONS

B103.1 Decreases. The fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical.

B103.2 Increases. The fire chief is authorized to increase the fire-flow requirements where conditions indicate an unusual susceptibility to group fires or conflagrations. An increase shall not be more than twice that required for the building under consideration.

B103.3 Areas without water supply systems. For information regarding water supplies for fire-fighting purposes in rural and suburban areas in which adequate and reliable water supply systems do not exist, the *fire code official* is authorized to utilize NFPA 1142 or the *International Wildland-Urban Interface Code*.

SECTION B104 FIRE-FLOW CALCULATION AREA

B104.1 General. The fire-flow calculation area shall be the total floor area of all floor levels within the *exterior walls*, and under the horizontal projections of the roof of a building, except as modified in Section B104.3.

B104.2 Area separation. Portions of buildings which are separated by *fire walls* without openings, constructed in accordance with the *International Building Code*, are allowed to be considered as separate fire-flow calculation areas.

B104.3 Type IA and Type IB construction. The fire-flow calculation area of buildings constructed of Type IA and Type IB construction shall be the area of the three largest successive floors.

Exception: Fire-flow calculation area for open parking garages shall be determined by the area of the largest floor.

SECTION B105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS

B105.1 One- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration requirements for one- and two-family *dwellings*, Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.1(1) and B105.1(2).

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration for buildings other than one- and two-family *dwellings*, Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.2 and B105.1(2).

Home HYDRANTS PUMP & TANK

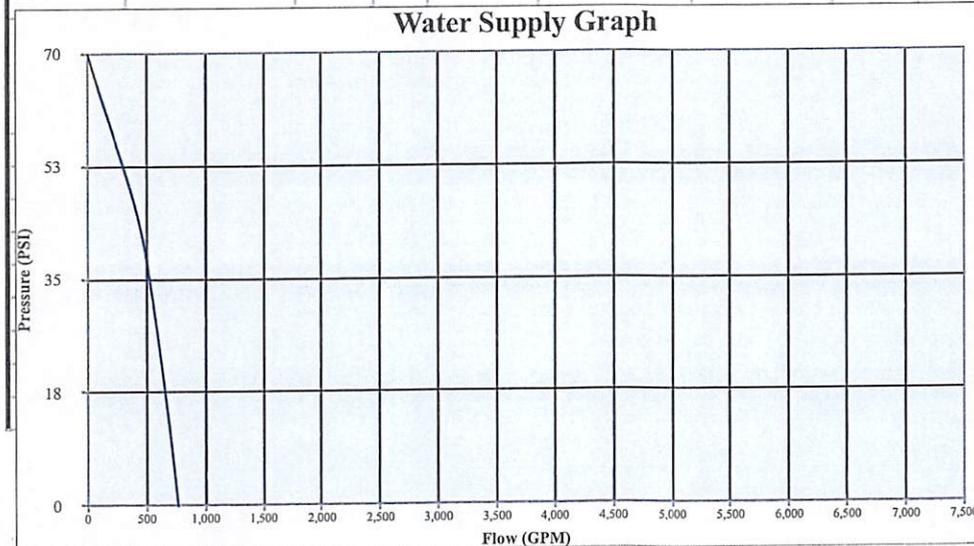
**TABLE B105.1(1)
REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES**

FIRE-FLOW CALCULATION AREA (square feet)	AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
0-3,600	No automatic sprinkler system	1,000	1
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
0-3,600	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	500	1/2
3,601 and greater	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	1/2 value in Table B105.1(2)	1

For SI: 1 square foot = 0.0929 m², 1 gallon per minute = 3.785 L/m.

Hydrant Flow Result Sheet

				0
City:	City of Emmett	Rating Rep.	500	
Date:	5/12/21	Results:	1,000	
Time:	1000	Hydrant Flow:	237	1,500
Location:	Wardwell Loop	Flow @ 20 PSI:	638	2,000
Near:	Wardwell Loop	Pressure @ 1500 GPM:	-173	2,500
Hydrant Number		Address:	3,000	
Size:	6"	Wardwell Loop	3,500	
Data Input:			4,000	
			4,500	
Static	70 psi	Residual	62 psi	5,000
				5,500
Pitot	2 psi	Diameter	2 1/2 inches	6,000
				6,500
Co	0.9	Flowing	237 gpm	7,000
				7,500



Brian Sullivan

From: Steve Kunka
Sent: Wednesday, September 15, 2021 4:15 PM
To: Brian Sullivan
Subject: Rezone Application 21-004, 919 S Wardwell

Brian,

I do not have any comments.

Steve

Sent from my iPhone

Brian Sullivan

From: Uhrig, Jake <JUhrig@idahopower.com>
Sent: Thursday, September 16, 2021 8:08 AM
To: Brian Sullivan
Subject: FW: Rezone Application 21-004, 919 S Wardwell
Attachments: RZ 21-004 Impact Agency Packet .pdf

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Idaho Power has no comments.

Jake Uhrig

WESTERN DESIGN LEADER
1550 S. Main Street
Payette, ID 83661
Idaho Power | Payette Operations Center
(208) 642-6278
juhrig@idahopower.com

From: Alishia Elliott <aelliott@cityofemmett.org>
Sent: Wednesday, September 15, 2021 1:59 PM
To: Steve Kunka <skunka@emmettpolice.com>; brandi.j.richter@usps.gov; Curt Christensen <cchristensen@cityofemmett.org>; Mike Giery <mgiery@cityofemmett.org>; assessor@co.gem.id.us; lboston@co.gem.id.us; swiley@co.gem.id.us; treasurer@co.gem.id.us; mkeene@co.gem.id.us; Uhrig, Jake <JUhrig@idahopower.com>; IGCOwyheeDistrictOperationsAide@intgas.com; Jessica.mansell@intgas.com; monica.taylor@intgas.com; lastchanceditch@gmail.com; Clint Seamons <cseamons@cityofemmett.org>; Mike Knittel <mknittel@cityofemmett.org>; care.inquiry@centurylink.com; director@gcmad.org; Jennifer Kharrl <jkharrl@co.gem.id.us>
Cc: Brian Sullivan <bsullivan@cityofemmett.org>; Doricela Millan-Sotelo <dmillan-sotelo@cityofemmett.org>; jsweeten@gravislaw.com
Subject: [EXTERNAL]Rezone Application 21-004, 919 S Wardwell

KEEP IDAHO POWER SECURE! External emails may request information or contain malicious links or attachments. Verify the sender before proceeding, and check for additional warning messages below.

Good Afternoon,

Attached is the Rezone Application RZ 21-004 made by Gene King for the rezone of 919 S Wardwell, see more information attached with this email. The parcel is approximately .557 +/- acres.

We are asking for comments by **Tuesday September 28, 2021.** If you do not have any comments you can just reply to bsullivan@cityofemmett.org stating so, for the record.

Thank you in advance.

Alishia Elliott
Planning Clerk
City of Emmett

Brian Sullivan

From: lastchanceditch@gmail.com
Sent: Thursday, September 16, 2021 11:15 AM
To: Brian Sullivan
Cc: lastchanceditch@gmail.com
Subject: RE: Rezone Application 21-004, 919 S Wardwell

Caution! This message was sent from outside your organization.

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Last Chance Ditch has no objection to the rezone request.

Karen V. Fraley
Treasurer
Last Chance Ditch Company
PH 208-365-1902 * FAX 208-365-1903
Email: lastchanceditch@gmail.com
PO Box 428
118 N Commercial Ave
Emmett ID 83617

From: Alishia Elliott <aelliott@cityofemmett.org>
Sent: Wednesday, September 15, 2021 1:59 PM
To: Steve Kunka <skunka@emmettpolice.com>; brandi.j.richter@usps.gov; Curt Christensen <cchristensen@cityofemmett.org>; Mike Giery <mgiery@cityofemmett.org>; assessor@co.gem.id.us; lboston@co.gem.id.us; swiley@co.gem.id.us; treasurer@co.gem.id.us; mkeene@co.gem.id.us; juhrig@idahopower.com; IGCOwyheeDistrictOperationsAide@intgas.com; Jessica.mansell@intgas.com; monica.taylor@intgas.com; lastchanceditch@gmail.com; Clint Seamons <cseamons@cityofemmett.org>; Mike Knittel <mknittel@cityofemmett.org>; care.inquiry@centurylink.com; director@gcmad.org; Jennifer Kharrl <jkharrl@co.gem.id.us>
Cc: Brian Sullivan <bsullivan@cityofemmett.org>; Doricela Millan-Sotelo <dmillan-sotelo@cityofemmett.org>; jsweeten@gravislaw.com
Subject: Rezone Application 21-004, 919 S Wardwell

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Thank you in advance.

Alishia Elliott
Planning Clerk
City of Emmett
601 E 3rd St
Emmett, Idaho 83617

Brian Sullivan

From: Clint Seamons
Sent: Thursday, September 16, 2021 1:33 PM
To: Alishia Elliott; Brian Sullivan
Subject: RE: Rezone Application 21-004, 919 S Wardwell

No Comment.

Clint Seamons
Public Works Director

City of Emmett
601 E 3rd Street
Emmett, ID 83617
Office: (208) 365-9569

From: Alishia Elliott <aelliott@cityofemmett.org>
Sent: Wednesday, September 15, 2021 1:59 PM
To: Steve Kunka <skunka@emmettpolice.com>; brandi.j.richter@usps.gov; Curt Christensen <cchristensen@cityofemmett.org>; Mike Giery <mgiery@cityofemmett.org>; assessor@co.gem.id.us; lboston@co.gem.id.us; swiley@co.gem.id.us; treasurer@co.gem.id.us; mkeene@co.gem.id.us; juhrig@idahopower.com; IGCOwyheeDistrictOperationsAide@intgas.com; Jessica.mansell@intgas.com; monica.taylor@intgas.com; lastchanceditch@gmail.com; Clint Seamons <cseamons@cityofemmett.org>; Mike Knittel <mknittel@cityofemmett.org>; care.inquiry@centurylink.com; director@gcmad.org; Jennifer Kharrl <jkharrl@co.gem.id.us>
Cc: Brian Sullivan <bsullivan@cityofemmett.org>; Doricela Millan-Sotelo <dmillan-sotelo@cityofemmett.org>; jsweeten@gravislaw.com
Subject: Rezone Application 21-004, 919 S Wardwell

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We are asking for comments by **Tuesday September 28, 2021**. If you do not have any comments you can just reply to bsullivan@cityofemmett.org stating so, for the record.

Thank you in advance.

Alishia Elliott
Planning Clerk
City of Emmett
601 E 3rd St
Emmett, Idaho 83617
(208)365-9569 ext 6

Brian Sullivan

From: Hollie Ann Strang <hstrang@co.gem.id.us>
Sent: Tuesday, September 21, 2021 12:48 PM
To: Brian Sullivan
Cc: Sharron Wiley
Subject: Rezone Application 21-004, 919 S Wardwell

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My office has no comments at this time.

Hollie Ann Strang

Gem County Assessor
415 E. Main St. Rm. 201
Emmett, ID 83617
208-477-2010

GEM COUNTY CONFIDENTIALITY DISCLAIMER: *This message (including any attachments) may be privileged, confidential and/or protected from disclosure under applicable law. It is intended only for the use of the individual or entity above-named. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you are not the intended recipient please notify the sender by reply email and immediately delete this email.*

GEM COUNTY

OFFICE OF
Megan Keene
TREASURER
TAX COLLECTOR
PUBLIC ADMINISTRATOR



415 E MAIN STREET
ROOM 200
EMMETT, IDAHO 83617
(208) 365-3272

September 21, 2021

City of Emmett
Zoning Commission
Attn: Brian Sullivan, Zoning Administrator
601 E. 3rd Street
Emmett, ID 83617

RE: Re-zone–Property Owner, Gene G. King
Loc: 919 S. Wardwell
PIN: RP06N01W079260
FILE NO.: RZ 21-004

Dear Brian,

After reviewing the Re-zone application for Gene King following are my comments concerning the subject parcel:

Parcel RP06N01W079260 has the 2020 taxes paid in full. This parcel or sub parcels will have 2021 taxes billed at a future date.

*****Please note–Splits, Combos, PBAs, Platted Subdivisions, and Manufactured Homes Declared Real need to be correctly recorded by no later than May 1, 2021, in order to show up in the 2021 Assessment Roll and 2021 Tax Roll. Anything recorded after that date will be valued and taxed based on how the property was as of January 1, 2021.***

If you have any questions please feel free to contact the Treasurer's office.

Sincerely,

Megan Keene
Gem County Treasurer

Alishia Elliott

From: Brian Gregory
Sent: Tuesday, October 05, 2021 6:53 PM
To: Gwen Earls; Kim Butler; Jeff Wiechmann; Marta Henry; Alishia Elliott
Subject: City Ordinances and Zoning.

Staff and Commission.

I have been thinking a lot about our current zoning ordinances. My terminology may be off so bear with me, I am still trying to get my mind straight on what are ordinances and what are zoning laws and how they interact.

I have a concern that we have a zoning ordinance that puts lot sizes at 6000 sq feet minimum for R-1 housing. In addition to the lot size, the setbacks on the sides and back of the property are set at 7 feet. This does not give Emmett a "Small-town" feel. It is a "tract home" feel with most of it being high density, which I learned last night is set at 7 homes per acre. That tract home feel is especially pronounced with the setback numbers we are using.

9-6-2: SETBACKS AND YARDS:

All building setbacks and minimum yard areas shall be as set forth in section [9-6-3](#), "Height And Area Regulations", of this chapter. (Ord. O2013-7, 12-10-2013)

City of Emmett9-6-3: HEIGHT AND AREA REGULATIONS:

OFFICIAL HEIGHT AND AREA REGULATIONS

Name	District	Maximum Height	Front	Rear	Interior Side	Street Side	Minimum Lot Area	Minimum Frontage	
Agricultural		A	40 ft.	60 ft. ^b	8 ft.	8 ft.	60 ft. ^b	5 acres	60 ft.
Single-family		R-1	35 ft.	See note e	7 ft.	7 ft.	See note e	6,000 sq. ft.	60 ft.
Duplex		R-2	40 ft.	See note e	5 ft.	5 ft.	See note e	8,000 sq. ft.	50 ft.

Apartments	R-3	45 ft.	15 ft.	10 ft.	10 ft.	15 ft.	8,000 plus 800 per unit over 2 units	50 ft.
------------	-----	--------	--------	--------	--------	--------	---	--------

As I understand it, the city set this "minimum" based upon downtown "old" size lots. What this has done is it has allowed any developer to come into the valley and "submit" for application; a high-density development.

I feel that we should address this ordinance by adding one or more additional zoning classifications. I used the current Meridian Idaho zoning for some of my ideas. I DO NOT want to be Meridian. But they have done a good job addressing some of the things we are dealing with, and what we will deal with in the future. https://library.municode.com/id/meridian/codes/code_of_ordinances?nodeId=TIT11UNDECO_CH2DIRE_11-2-1ZODIES

Basically, I think our minimum should be 8000 sq ft. for R-1 developments. The frontage we could discuss, and the front setback. If we do this, then that will mess with the "downtown" lots, or other areas in the city; that is why we should add a classification or 2 to address that. We cannot build our city on tract home/starter home style lots. WE need the diversity of property values so that our cost of services does not out run our property values. A developer will only build to the code we set, very rarely do you see a developer come in and exceed the standards we have set.

I would like to know if the commission is open to talk about this and/or if you have any ideas, I would love to hear it.

Brian Gregory



City of Emmett Zoning Commission
Hearing Schedule
2022
Meetings start at 6:00 p.m.

<u>Month</u>	<u>Hearing Date</u>	<u>Application Deadline</u>
January	10 th	November 29 th
February	7 th	December 27 th
March	7 th	January 24 th
April	4 th	February 21 st
May	2 nd	March 21 st
June	6 th	April 25 th
July	11 th	May 30 th
August	1 st	June 20 th
September	12 th	August 1 st
October	3 rd	August 22 nd
November	7 th	September 26 th
December	5 th	October 24 th

******APPLICATIONS WILL NOT BE SCHEDULED FOR A PUBLIC HEARING UNTIL WE HAVE A COMPLETE APPLICATION******