



MASTER PUBLIC HEARING APPLICATION

GEM COUNTY DEVELOPMENT SERVICES

109 SOUTH MCKINLEY, EMMETT, IDAHO 83617 WWW.GEMCOUNTY.ORG PHONE: (208) 365-5144

TYPE OF APPLICATION: (PLEASE C	HECK ALL THAT APPLY.)
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☐ COMPREHENSIVE PLAN TEXT AMENDMENT ☐ REZONE ☐ COMPREHENSIVE PLAN MAP AMENDMENT ☐ SPECIAL U ☐ DESIGN REVIEW ☐ SPECIAL U ☐ DEVELOPMENT AGREEMENT ☐ SUBDIVISI	COMMUNITY SUPPLEMENTAL AMENDMENT VACATION USE PERMIT VARIANCE USE PERMIT (MINERAL EXTRACTION) VARIANCE ZONING TEXT AMENDMENT ON, PRELIMINARY ON, MODIFICATION
PROJECT NAME: HSB Riverside Shaw	jumping
SITE INFORMATION:	
(This information can be found on the Assess	
Quarter: OFN Section: 25 Town	nship: Range: 01 Total Acres: 18
Subdivision Name (if applicable): Riverview Man	ver 02
	Lot: 03 Block: 01
Site Address: 11860 N HIGHWAY 52	
Tax Parcel Number(s): Cur	rent Zoning:Current Land Use:
1	APPLICANT: Name: Some Address: City: State: Zip:
Telephone: 208-869-5116 Email: Kenneth @ Cascaderaft.com	Геlephone: Email:
	I certify this information is correct to the best of my knowledge.
1/2 2 m 12/15/22	K 3 / 12/15/22
Signature: (Owner) Date	Signature: (Applicant) Date
SUP 23-001 OFFICE US	
File No.: Received By: 50 Date: / - /	3 - 23 Fee: 450 Receipt No:

KENNETH & ANNE LONG 208-869-5116 ANNE@CASCADERAFT.COM



11800 N. Highway 52, Horseshoe Bend, ID 83629 | 208.869.5116 | kenneth@cascaderaft.com

12 December 2022

Gem County Development Services 109 South McKinley Emmett, ID 83617

Dear Gem County Development Services:

We are proposing to accept clients who wish to board and train their horses at our location in Horseshoe Bend (Gem County). As this would constitute commercial use, we submit this application for a special use permit. Currently, we keep, ride, breed and develop our own horses for the sport of show jumping. Training, horse care and barn management is performed by our daughter, Rachel Long, and mother/mother-in-law, Deborah Long who are both top professionals and members of the US Equestrian Federation, US Hunter/Jumper Association and serve on the Zone 9 Committee (Washington, Oregon, Idaho, Nevada. Montana).

The area surrounding our location is comprised of small ranches and farms (minimum of 5 acres). All of our immediate neighbors have animals, from horses and cows to goats and llamas, so we feel that allowing selected non-residents to board their horses and participate in training at our facility would in no way alter the harmonious and appropriate use, general character and appearance of the general vicinity. The property and facilities are already in place for our personal use and are professional operated and well-maintained. Indeed, a large, manicured green field or freshly-tractored arena with colorful jumps is a beautiful and idyllic sight that enhances the reputation of our lovely valley.

Within the grounds there is ample area for parking, including space for horse trailers, and the access from State Highway 52 is wide and the approach already paved. The driveway entrance is located on a straight section of the highway where there is good visibility in both

directions. There would be no need for any alterations nor any interference with current traffic patterns. The property is not served by public water, sewer, or refuse disposal, so there would be no impact on any of these services nor additional requirements. For operational hours, the barns and riding arenas would be open to boarders from 8 am to 6 pm May through September and from 11 am to 4 pm October through April. The facility is closed on Mondays. We have personal RV's that are parked on site, similar to our trailers, but there are no established RV amenities or hook-ups on the property, nor any provision or intent to allow client RV's.

Thank you for your consideration of this application. If there are additional details we can provide, please do not hesitate to contact us.

anne & Long

Sincerely,

Kenneth & Anne Long

208-869-5116

anne@cascaderaft.com

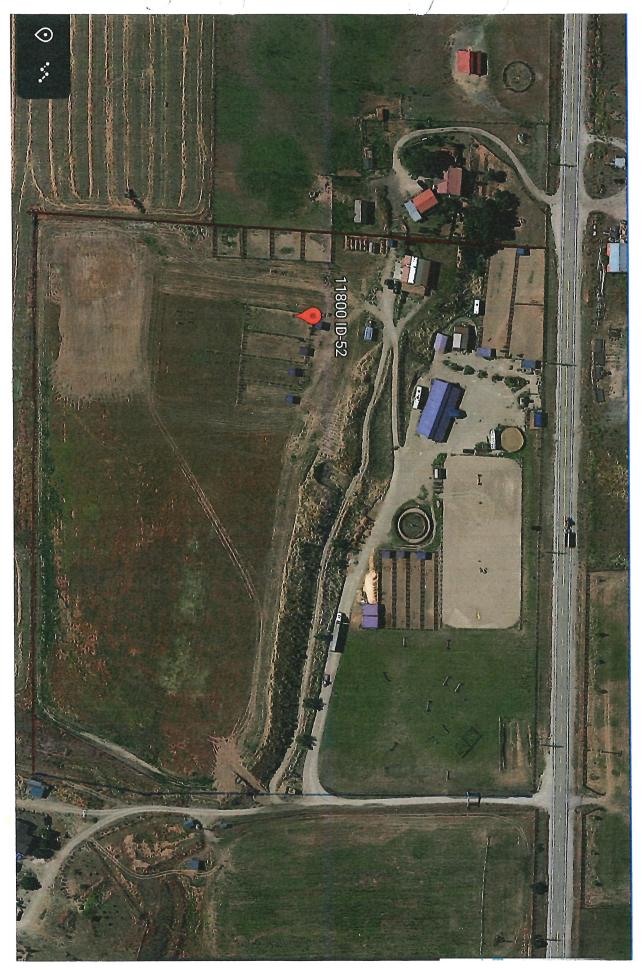
Description of Existing Use:

Currently we are occupying the property as our primary residence and a location to keep and train our horses. Since we purchased the property in 2015 we have installed fencing to create paddocks or areas to turn out the horses, a riding arena and grass field for riding, various covered areas for storage, and a barn to house the horses. Our next addition to infrastructure (whether for ourselves or to include others) would be a covered riding arena for the winter months.

Description of Proposed Special Use:

We propose to allow clients to board and train their horses at our property. They would pay fees associated with these services, so the use would be commercial in addition to our current personal use.





Site Plan







GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT

109 S. MCKINLEY AVENUE EMMETT, IDAHO 83617 OFFICE OF THE ADMINISTRATOR PLANNING & ZONING

PHONE: (208) 365-5144

WEB PAGE: WWW. GEMCOUNTY.ORG

STAFF REPORT

DESCRIPTION:

SPECIAL USE PERMIT APPLICATION – HORSE BOARDING AND

TRAINING

FILE NUMBER: SUP-23-001

PLANNING AND ZONING COMMISSION HEARING DATE: AUGUST 14, 2023

APPLICANT:

KENNETH AND ANNE LONG

11800 N HIGHWAY 52

HORSESHOE BEND, ID 83629

PROPERTY OWNER:

SAME AS APPLICANT

SUBJECT PROPERTY: 11800 N HIGHWAY 52, IN T 07N, R 01E, SECTION 25

STAFF PLANNER: JENNIFER KHARRL

1. APPLICATION SUMMARY

The applicant, Kenneth and Anne Long, is requesting approval of a Special Use Permit (SUP) to allow a horse boarding and training facility on their property. The facility is proposed on three contiguous properties located at 11800 North Highway 52 and is located in the A-3, Rural 3 Agriculture zone (5-acre minimum). The subject properties consist of approximately 18.00 acres collectively.

"Horse Boarding and Training" is not a land use that is listed in Gem County Code (GCC) 11-5-5, Zoning Matrix. It is a unique category in the matrix. GCC 11-5-3 states that "uses not specifically listed or not deemed similar to allowed uses shall require a special use permit." The property lies within the "Agriculture/Natural Resources" land designation of the 2007 Future Land Use Map.

2. APPLICATION & PROPERTY FACTS

A. Site Address/Location:

The property is located at 11800 North Highway 52. The property is located in a portion of Section 25, T 07N, R 01E. (Tax parcels RPC61450010030, RPC61450010010, RPC61450010020)

B. Current Owner(s):

Kenneth J and Anne E Long 11800 North Highway 52

Horseshoe Bend, ID 83629

C. Applicant(s): Same as owner

D. Present Zoning: A-3, Rural Agriculture

E. Present Comprehensive Plan Designation: Agriculture/Natural Resources

F. Property Size: 18+/- acres (comprised of three contiguous parcels)

3. APPLICATION PROCESS FACTS

A. Application Submittal:

The application for this item was received and deemed complete by the Development Services Department on January 13, 2023.

B. Notice of Public Hearing:

Notice of Public Hearing on the application for the Gem County Planning and Zoning Commission was published in accordance with requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-15-5 on June 21, 2023. 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 and Gem County Code 11-7-6 on June 16, 2023. The physical property was posted for the public hearing on June 16, 2023. Requests for all impact agencies' reviews were mailed on June 16, 2023.

We received one (1) response letter from impact agencies – Idaho Transportation Department (with a few conditions).

Public hearing notices were mailed to seven (7) parcels in the immediate vicinity. Six (6) written comments in opposition have been received.

C. Relevant Ordinances and Required Actions:

The subject application constitutes a Special Use as determined by Gem County Code (GCC). By reason of the provisions of the GCC Title 11, Chapter 7, a public hearing is required before the Planning and Zoning Commission on this matter.

4. LAND USE

- A. Existing Land Use(s): Single-family dwelling and outbuildings with irrigated pasture.
- B. Description of Character of Surrounding Area: Irrigated pastureland and rural single-family dwellings.
- C. Adjacent Comprehensive Plan, Zoning and Land Use:

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
North of site	Agriculture/Natural Resources	A-3, Rural Agricultural	Rural Residential, Irrigated Pastureland
South of site	Agriculture/Natural Resources	A-3, Rural Agricultural	Rural Residential, Irrigated Pastureland
East of site	Agriculture/Natural Resources	A-3, Rural Agricultural	Rural Residential, Irrigated Pastureland
West of site	Agriculture/Natural Resources	A-3, Rural Agricultural	Rural Residential, Irrigated Pastureland

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

The Comprehensive Plan 2007 Future Land Use Map identifies the subject property as Agriculture/Natural Resources.

The Comprehensive Plan defines the "Agriculture/Natural Resources" category (in Chapter 12) as follows:

"Irrigated and non-irrigated lands located throughout the county that consist of a diversity of natural resource-based land uses, including crops, pastures, grazing, mining, forestry and similar industries that are land-dependent."

This property is located in an A-3 zone and within the Agriculture/Natural Resources designation of the Future Land Use Map. The proposed use is only allowed in the existing zone (A-3) if the Commission grants a SUP.

- **6. ZONING ORDINANCE** [Staff comments and analysis are shown in *italics*.]
 - A. Schedule of Zoning Regulations: Gem County Code 11-5-3, allows special land uses not listed in the Zoning Matrix to be granted through a Special Use Permit.
 - B. Purpose Statement of Zone: Gem County Code 11-4-3 lists the purpose of the A-3, Rural Agricultural, zone as follows: "Lands lying within those unincorporated portions of Gem County that are restrained by topography and/or vehicular access and are intended to remain rural in nature without urban development. The regulations governing this zone are designed to protect long-term agricultural pursuits."

The Commission must find that the proposed use is consistent with the purpose of the zone.

- 7. REQUIRED FINDINGS & STAFF ANALYSIS [Staff comments and analysis are shown in italics.]
 - **A.** Will in fact, constitute a special use as established on the Official Schedule of District Regulations for the zoning district involved;
 - Staff finds that the subject property lies within the A-3, Rural Agriculture zone. "Horse Boarding and Training" is not a land use that is listed in Gem County Code (GCC) 11-5-5, Zoning Matrix. It is a unique category in the matrix. GCC 11-5-3 states that "uses not specifically listed or not deemed similar to allowed uses shall require a special use permit." Therefore, the storage units are found to constitute a special use as established on the Official Schedule of District Regulations.
 - **B.** Will be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or the Zoning Ordinance;
 - Staff finds that the proposed use, if operated according to the proposed conditions of approval, will be in accordance with the objectives and policies of the "Agriculture/Natural Resources" designation on the Future Land Use Map of the Comprehensive Plan, as outlined in Section 5 of this report.
 - C. Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

Staff finds the <u>existing</u> character of the area is rural and agricultural, with scattered single-family residential and hobby farm uses in the vicinity. The <u>intended</u> character of the area (as defined in Chapter 12 of the Comprehensive Plan) is an area set aside is to retain the rural, natural resource, and

open space nature of the area. Depending upon the level of traffic, odors and noise, the proposed use has the potential to change the character of the area. For this reason, staff finds some special conditions are necessary in order to protect the character of the area.

Staff finds that determining what is "harmonious" in a particular neighborhood relies strongly on the residents of that neighborhood. As such, the Commission should review this finding after hearing from both existing residents and the applicant and their plans to address any compatibility concerns.

D. Will not be hazardous or disturbing to existing or future neighboring uses;

Staff finds that the proposed use has the potential to be disturbing to neighboring uses with the traffic, odors and noise generated from the training sessions (as compared to residential or personal agricultural uses). The Commission should review this finding in relationship to the proposed conditions and other evidence presented at the hearing.

E. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishments of the proposed use shall be able to provide adequately any such services;

Staff finds that the proposed use could be adequately served by the Gem County Sheriffs Department, Mosquito Abatement District, Emmett Sanitation and Gem Rural Fire District #2. The Commission should also refer to any comments submitted from impact agencies during the course of the open public hearing. Staff received correspondence from the Idaho Transportation Department, which has a few conditions.

F. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

Staff finds that the proposed use will not significantly increase demands on public facilities or services, assuming all conditions of approval are met. No public service providers raised this as a concern during the public comment period. The applicant is responsible for paying all improvement and other costs associated with ensuring the operation complies with public requirements. There are no anticipated negative impacts on the public facilities and services. If operated in accordance with county regulations, it should not be detrimental to the economic welfare.

G. Will not involve uses, activities, processes, materials, equipment and conditions or operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;

As noted in finding D above, the main foreseeable detriment to the general welfare could be noise, odors and traffic. Staff finds that the use will not be detrimental to persons or property if operated in accordance with Gem County laws and the conditions below.

Staff finds that determining what is "detriment" in a particular neighborhood relies strongly on the residents of that neighborhood. As such, the Commission should review this finding after reviewing the written comments and hearing from existing residents and the applicant and their plans to address any such concerns.

H. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;

The existing driveway shouldn't create an interference with traffic and public thoroughfares. The Idaho Transportation Department has a couple of conditions regarding the access.

I. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Staff finds that the application would not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance. There are no known historical structures in the area.

8. IMPACT AGENCIES NOTIFIED

Gem County Road Department Gem County Mapping Fire District #2 Idaho Transportation Department

9. STAFF RECOMMENDATION

The Commission must consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application. Staff has raised questions concerning findings "C", "D", and "G" that the Commission should address at the public hearing. Should the Commission make positive findings of fact and vote to approve this application, staff recommends that the approval be subject to the Site Specific Conditions of Approval attached in Exhibit A.

EXHIBIT A

SITE SPECIFIC CONDITIONS OF APPROVAL LONG FILE #SUP-23-001

♦ These conditions of approval, if the SUP is granted, shall be met prior to the operation of the business. ♦

- 1. This permit shall be in substantial compliance with the applicant's attached letter of intent and site plan.
- 2. This permit is subject to an annual review by the Development Services Department.
- 3. The permit is non-transferable to another property and is only valid on parcels RPC61450010030, RPC61450010010, RPC61450010020.
- 4. The hours associated with the Special Use Permit shall only take place on Sunday through Saturday between 8:00 AM and 6:00 PM during the months of May through September and between 11:00 AM and 4:00 PM during the months of October through April.
- 5. Any lighting associated with the facility shall be fully contained within the property boundaries and not cause a nuisance or distraction to neighboring properties or to drivers.
- 6. The applicant shall provide designated parking areas for each training session and shall ensure a minimum 20-foot wide open fire and emergency vehicle access lane is provided within 150 feet of the training area. Emergency vehicles must have clear and unencumbered access to within 150 feet of the training area. Comply with any Gem Fire District #2 special requirements for any training session. The applicant shall submit a letter from Fire District #2 stating that their standards have been met.
- 7. Applicant shall comply with the conditions from the attached Idaho Transportation Department letter dated June 26, 2023.
- 8. No parking is allowed on North Highway 52.
- 9. All trash and/or garbage collection areas shall be enclosed on at least three sides by a solid wall or fence of at least four feet in height or within an enclosed building or structure.
- 10. The applicant is responsible to keep all refuse and trash on their property.
- 11. The owner shall have a continuing obligation to maintain adequate housekeeping and sanitation practices and remain in compliance with all animal waste guidelines designed to prevent the leeching into domestic wells nearby and to reduce the factors of odor as to not create a public nuisance.
- 12. No off-premise signs are permitted with this permit and all on-premise signs shall comply with the Gem County Sign Ordinance.

GCC 11-7-11: LAND USE TIME LIMITATIONS:

- (1) Commencement: When a special use permit is granted, the land use or construction of its facility proposed in the application must have commenced within one (1) year of the date of the final decision by the Commission, or the Board or a court of appropriate jurisdiction (if appealed) and completed within two (2) years of the same date. Upon expiration of the use or the approval of that use as provided by this section, the applicant can seek approval of the use only by filing a new initial application for review by the Commission.
- (2) Expiration: After the one (1) year period has expired, if any person, including staff or member of the Commission, files a written notice presenting sufficient evidence, as determined by the Administrator, to establish that the land use or construction of its facility provided for in the special use permit, has not commenced, or after the two (2) year period that said use has been abandoned or has ended, the Commission may find that the use has not been implemented or has been abandoned or has ended. If so, the Commission shall set aside the prior approval and order the property to revert to its prior status. An aggrieved person may appeal any Commission decision made under this section to the Board pursuant to Chapter 11-7-9 of this chapter.

GCC 11-7-12: REQUEST FOR EXTENSION:

- (1) Request: An applicant may request extension of the time period provided by this section by filing an application for extension with the Administrator. Such application must be filed at least sixty (60) calendar days prior to expiration of the one (1) year period for commencement of the land use or sixty (60) calendar days prior to the expiration of the two (2) year period for completion of the project. The matter shall be heard at a public hearing before the Commission or the Board, whichever made the final decision, in accordance with the notice and hearing procedures of this chapter. If the application is not timely filed, it shall be denied. A renewal extension, if granted, may be limited to three hundred sixty five (365) calendar days, which shall commence at the expiration of either period.
- (2) Decision: The Commission or the Board may extend the commencement period or the completion period as provided above upon proof of good cause by the applicant. The burden of proof as to the showing of good cause for the extension shall be on the applicant, and good cause shall be determined at the discretion of the Commission or the Board.



IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028 • Boise, ID 83707-2028 (208) 334-8300 • itd.idaho.gov

July 25, 2023

Stephanie Crays Gem County Development Services, Dévelopment Services Coordinator 109 South McKinley Ave Emmett, ID 83617

VIA EMAIL

Development Application	SUP23-001
Project Name	HSB Riverside Show Jumping
Project Location	11800 N. Hwy 52 (approx. MP 48.77)
Applicant	Kenneth and Anne Long

The Idaho Transportation Department (ITD) reviewed the referenced special use permit applications and has the following comments:

- 1. The current access is permitted under ITD Permit No. 3-19-006 for multi-family with shared use access. A change of use will require submittal of a new ITD Right-of-Way Encroachment Application and Permit- Approaches or Public Streets (ITD Form 2109).
- 2. As of July 25, 2023, ITD has not received a permit application.
- 3. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.

If you have any questions, you may contact me at (208)334-8337.

Sincerely

Niki Benyakhlet

Development Services Coordinator

Niki.Benyakhlef@itd.idaho.gov

June 27, 2003

RE: A SPECIAL USE PERMIT REQUEST BY KENNETH LONG FOR BOARDING AND TRAINING HORSES AT 11800 N HIGHWAY 52. T 07N, R 01E, SECTION 25. RPC61450010030

To Whom It May Concern:

We are neighbors of the Long Family on Highway 52. Our address is 11730 N Hwy 52. They have an easement to use our property to get to their home.

They are great neighbors, always kind and courteous to us.

We have no problems with them being granted a special use permit for the above purpose.

Thank you,

Michael and Gina Thornton



Shawn & Trina Moss 11725 N Hwy 52 Horseshoe Bend, ID 83629 8/3/23

Gem County Development Services Department 109 South McKinley Ave. Emmett, ID 83617

559-706-3785

thefarmerandwife@aol.com

To All It May Concern,

Regarding the property located at 11800 N. Highway 52 in Horseshoe Bend, and the owners Kenneth & Anne Long, I would like to express our experience and observations in the time that we have lived in the area, and as a close neighbor.

We purchased our property across the street from the Longs, and noticed right away that they were generous, and quick to lend a hand, loan a tool or equipment if needed. We are aware of their current operation in show jumping, and the other workings that go with that. We fully believe from our experience that they are very community minded and considerate of others. They are a hard-working family with lots of talent. They have well maintained and managed the barn & property. We always enjoy seeing what's going on over there. We completely support Kenneth & Anne in their endeavors and look forward to seeing their success.

Sincerely,

Shawn & Trina Moss

Stephanie Crays

From:

Kenneth Long <kenneth@cascaderaft.com>

Sent:

Thursday, August 3, 2023 2:57 PM

To:

Stephanie Crays

Subject:

Fwd: Welsh - neighbor in favor of special use permit at 11800 N Hwy 52

Hi Stephanie,

Some of my neighbors have send me letters of support for the upcoming hearing. Is email the best way to get them to you? Let me know if there is something else I should do or ask them to do.

Thanks! Kenneth

Begin forwarded message:

From: Debbi Long <debbi@cascaderaft.com>

Subject: Fwd: Welsh - neighbor in favor of special use permit at 11800 N Hwy 52

Date: August 2, 2023 at 4:16:01 PM MDT **To:** Anne Long <anne@cascaderaft.com>

Begin forwarded message:

From: Kimberly Welsh <pythonharley@gmail.com>

Subject: Welsh - neighbor in favor of special use permit at 11800 N

Hwy 52

Date: August 2, 2023 at 1:26:06 PM MDT

To: "Tom J. & Debbi Long" <debbi@cascaderaft.com>

I am in favor of the request for a special use permit to expand horse boarding and lessons by the Long Family residing at 11800 N Hwy 52. I believe the granting of the special use permit will benefit our neighborhood and our local economy.

I reside at 11715 North Highway 52, Horseshoe Bend ID 83629. This is an environmentally friendly use that will not have an impact on the flow of traffic on Highway 52, and in fact, this horse jumping farm is a visually appealing aspect of Idaho's newest scenic byway the Lower Payette River Heritage Byway/Hwy 52.

Please do not hesitate to contact me at 208-869-2171 if you have any questions or would like to discuss this further thank you.

Kimberly Welsh, Co-Lead Horseshoe Bend Valley Chamber

CERTIFICATE OF MAILING

I hereby certify that on the 20 day of July, 2023, I served a true and correct copy of the foregoing upon:

PROPERTY OWNER LIST WITHIN 300 FEET

Long T 07N, R 01E, Section 25

Cliff Ohler P.O. Box 215 Horseshoe Bend, ID 83629

Laurie West P.O. Box 117 Horseshoe Bend, ID 83629

Nicole Cundiff 11900 N. Highway 52 Horseshoe Bend, ID 83629

RIO LLC P.O. Box 2330 Eagle, ID 83616

Marie Thornton P.O. Box 83 Horseshoe Bend, Id 83629

Samuel Cookson 16 Teds Cabin Rd Horseshoe bend, ID 83629

Shawn Moss 11725 N. Hwy 52 Horseshoe Bend, ID 83629

By depositing a copy thereof in the United States mail, with first class postage prepaid.

Stephanie Crays, Development Services Coordinator

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