



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 CHECK ALL THAT APPLY.)

- | | | |
|--|--|---|
| <input type="checkbox"/> APPEAL | <input type="checkbox"/> PLANNED COMMUNITY | <input type="checkbox"/> SUPPLEMENTAL AMENDMENT |
| <input type="checkbox"/> COMPREHENSIVE PLAN TEXT AMENDMENT | <input type="checkbox"/> REZONE | <input type="checkbox"/> VACATION |
| <input type="checkbox"/> COMPREHENSIVE PLAN MAP AMENDMENT | <input type="checkbox"/> SPECIAL USE PERMIT | <input checked="" type="checkbox"/> VARIANCE |
| <input type="checkbox"/> DESIGN REVIEW | <input type="checkbox"/> SPECIAL USE PERMIT (MINERAL EXTRACTION) | <input type="checkbox"/> ZONING TEXT AMENDMENT |
| <input type="checkbox"/> DEVELOPMENT AGREEMENT | <input checked="" type="checkbox"/> SUBDIVISION, PRELIMINARY | |
| <input type="checkbox"/> PLANNED UNIT DEVELOPMENT | <input type="checkbox"/> SUBDIVISION, MODIFICATION | |

PROJECT

NAME: Morehouse Estates Subdivision

SITE INFORMATION:

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

Quarter: NE Section: 07 Township: 7N Range: 2W Total Acres: 40.0
 Subdivision Name (if applicable): Morehouse Estates Subdivision
 Lot: N/A Block: N/A
 Site Address: 0 Highway ID-52, Emmett, ID 83617 City: Emmett
 Tax Parcel Number(s): RP06N02W071801 Current Zoning: A2 (RTA) Current Land Use: Grazing Field

PROPERTY OWNER:

Name: Teakwood Investments, LLC (Contact: Ryan Tolley)

Address: 11230 S. Teakwood Circle

City: Sandy State: UT Zip: 84092

Telephone: 415-205-4618

Email: tolleygrant@gmail.com

APPLICANT:

Name: Cotner Development Company, LLC (Contact: John Cotner)

Address: PO Box 785

City: Meridain State: ID Zip: 83680

Telephone: 208-941-9623

Email: john@cotnerbuilding.com

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

[Signature] 3/8/23
 Signature: (Owner) Date

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

[Signature] 3/8/23
 Signature: (Applicant) Date

PP 23002
 File No.: _____ Received By: sc OFFICE USE ONLY Date: 3-31-23 Fee: \$1795 Receipt No: _____
 2023-00193

July 31, 2023

Jennifer Kharri
Gem County
109 S McKinley Ave,
Emmett, ID 83617



1619 N. Linder Rd, Suite 110
Kuna, Idaho 83634
208-466-8181
AspenEngineers.com

**SUBJECT: Preliminary Plat for
MOREHOUSE ESTATES SUBDIVISION
0 Highway ID-52
Emmett, Gem County, Idaho**

Dear Jennifer:

The purpose of this letter is to describe the requested Preliminary Plat Approval for Morehouse Estates Subdivision, which is located in an A-2 (Rural Transitional Agricultural) zone. The project includes one parcel owned by Cotner Development Company LLC, and has an address of 0 Highway ID-52 in Gem County, Idaho. The parcel is located at the northwest corner of the Highway ID-52 and Morehouse Rd. The property has an area of approximately 40.67 acres.

The property is generally vacant land that is used as a pasture for livestock. The proposed development has Rural-Residential properties along the East, North and West, with farm land to the south. The average lot size of Morehouse Estates Subdivision is roughly 5 acres with one 4-acre lot, so we believe that it will fit well into the area, which is made up of mostly farm land, large property with homes.

In accordance with Gem County Code 12-6-1.F.3, Lot 4 of Block 1 will be substandard in size due to right-of-way dedication required with the plat. This lot will be at least 4 acres in size.

The private roadway will exceed 1000 ft due to the property having to relinquish access to ID-52 and Morehouse, not including the proposed private roadway approach. This makes all lots require access from Morehouse Rd which, due to the length of the property, a roadway that provides all lots with frontage to the Private roadway can not be less than 1000 ft.

It is proposed that the development will be served by a private roadway of approximately 1200 ft that will take access from Morehouse Rd. The configuration of the proposed roads has been discussed with the Gem County Road and Bridge. As per our discussions with Road and Bridge, there will be no new access to Highway ID-52. The lots that are adjacent to Morehouse Rd and ID-52 will be relinquished access. The private road is currently planned to be gravel with a width of 24', the road will end in a cul-de-sac sized per Road and Bridge requirements. All 8 lots will take access off the private road.

Irrigation water for the property will be provided by the pressurized irrigation system. The water system is proposed to have one pump located near the Maxfield ditch in lot 7. The private pressure irrigation system will be piped in an easement along property lines and outside of the proposed private roadway and utility easements. Irrigation water will be provided by Maxfield Ditch Company and Reed Ditch Company. Irrigation water from Reed Ditch Company will enter the site on the south side of the property in Lot 6, the water will be piped along the Lot line to the proposed well and pump system. Water from

Jennifer Kharri
Gem County
July 31, 2023



the Maxfield Ditch will enter the system from a new headgate on the south side of the ditch.

Each of the buildable lots will have a septic system and individual domestic well to be constructed as part of each home construction. Test holes have been dug on each buildable lot to confirm the suitability of onsite soils for each lot with SWDH present during the test hole digging. The septic systems for each of the lots will be designed and developed to the specifications of the Southwest District Health Department. A pre-development meeting has been held with Southwest District Health Department and they do not have any objections to the development. At this time, we are proposing only 1 lot smaller than 5 acres (remaining above 4.0 acres) so we anticipate that there will be room on each lot for a septic field and domestic well without crowding the proposed lots or neighboring properties.

We believe that the enclosed preliminary plat meets the County requirements and we ask that the County approve the preliminary plat.

Feel free call me at 208-466-8181 if you have any questions or need additional information.

Respectfully,
Aspen Engineers, Chartered

A handwritten signature in blue ink that reads "Lance Warnick". The signature is stylized with a long horizontal stroke at the end.

Lance Warnick, PE
Principal Engineer

cc: Aspen 21050
Olivia Mocnik (Gem County)



GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT

109 S. MCKINLEY AVENUE EMMETT, IDAHO 83617

**OFFICE OF THE ADMINISTRATOR
PLANNING & ZONING**

PHONE: (208) 365-5144

WEB PAGE: GEMCOUNTY.ORG

STAFF REPORT

DESCRIPTION: STANDARD SUBDIVISION PERMIT FOR MOREHOUSE ESTATES

FILE NUMBERS: PP-23-002

PLANNING AND ZONING COMMISSION HEARING DATE: SEPTEMBER 11, 2023

APPLICANT: COTNER DEVELOPMENT COMPANY, LLC
JOHN COTNER
PO BOX 785
MERIDIAN, ID 83680

PROPERTY OWNER: TEAKWOOD INVESTMENTS, LLC
11230 S. TEAKWOOD CIRCLE
SANDY, UT 84092

STAFF PLANNER: JENNIFER KHARRL

1. APPLICATION SUMMARY & OVERVIEW

The applicant, Cotner Development Company, LLC, on property owned by Teakwood Investments, LLC, has applied for a Standard Subdivision Permit application (referred to as "Preliminary Plat" (PP) herein) to construct a single-family residential development on approximately 40.00 acres at the northwest corner of Highway 52 and Morehouse Road. The property is currently bare. The property is zoned A-2, Rural Transitional Agriculture. The site is designated Agriculture/Natural Resources on the Joint Comprehensive Plan Future Land Use Map.

The PP application proposes 8 building lots. Individual wells and septic systems are proposed for each lot. One new private road is proposed through the development.

There are two exceptions, to be considered, to the Subdivision Ordinance (as allowed per Section 1-12) –to allow a block length over 1,000 feet without a secondary access and to allow a private road length over 1,200 feet without a secondary access. The applicant will be required to submit a letter from the Fire District regarding allowing one access. The Commission must make a recommendation to the Board regarding whether to grant or deny the exception – only the Board may grant exceptions to the Subdivision Ordinance.

Application Review Process

Standard subdivisions require one public hearing before the Commission and one public hearing before the Board. The Board is the final, decision-making body. The Commission must make a recommendation to the Board within 45 days after the public hearing.

Staff Recommendation

Staff finds the majority of the Comprehensive Plan policies and required findings support the approval of the PP application under the proposed conditions. (See further analysis in Sections 4 - 6 below.) If the Commission feels all requirements have been adequately addressed at the hearing, a recommendation can be sent to the Board.

2. APPLICATION & PROPERTY FACTS

A. Site Address/Location:

The property is located at the northwest corner of Highway 52 and Morehouse Road. The property is located in Section 7 of Township 6N, Range 2W.

B. Current Owner(s): Teakwood Investments, LLC

C. Applicant(s): Cotner Development Company, LLC

D. Present Zoning: A-2 Rural Transitional Agriculture (5-acre min. lot size)

E. Present Comprehensive Plan Designation: Agriculture/Natural Resources

F. Property Size: Approx. 40.00 acres

3. APPLICATION PROCESS FACTS

A. Pre-Application Conference & Neighborhood Meeting:

In accordance with Gem County Code 12-3-2, a pre-application conference was held on the PP application at the Development Services Department on August 12, 2021.

B. Application Submittal:

The complete Preliminary Subdivision application for this item was received by the Development Services Department on March 31, 2023.

C. Notice of Public Hearing:

Notice of Public Hearing on the application for the Gem County Zoning Commission was published in accordance with requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-15-5 on August 23, 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 August 2, 2023. The physical property was posted for the public hearing August 22, 2023. Requests for all impact agencies' reviews were mailed on August 2, 2023.

D. Relevant Ordinances and Required Actions:

The Standard Subdivision Permit application review process is outlined in Gem County Code 12-3-8. Standard subdivisions require a public hearing before the Planning and Zoning Commission and the Board of County Commissioners ("Board"). The Administrator makes a recommendation to the Commission; the Commission reviews and makes a recommendation to the Board, and the Board is the final, decision-making body (after holding a second public hearing of their own). A final written decision for approval, approval with conditions or denial must be issued by the Board within 30 days of the close of their public hearing (GCC 12-3-8-5).

E. History of Previous County Actions on Property. None.

F. Companion Applications: Private road application.

4. LAND USE

A. Existing Land Use(s): Bare, irrigated grazing land.

B. Description of Character of Surrounding Area: The immediate vicinity includes a combination of pasturelands and low-density single-family residential properties.

C. Adjacent Comprehensive Plan, Zoning and Land Use:

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
North of site	Agriculture/Natural Resources	A-2, Rural Transitional Agriculture	pastureland; rural residential
South of site	Agriculture/Natural Resources	A-2, Rural Transitional Agriculture	pastureland; rural residential; West Highway 52
East of site	Agriculture/Natural Resources	A-2, Rural Transitional Agriculture	pastureland; rural residential
West of site	Agriculture/Natural Resources	A-2, Rural Transitional Agriculture	pastureland; rural residential

D. Physical Constraints and Opportunities:

1. Wastewater & Domestic Water: The applicant intends to provide individual wells and septic systems within the development.
2. Vegetation: Pastureland
3. Floodplain: Lots 1-4 lie within the 100-year floodplain and will be subject to Gem County Code, Title 13, Flood Damage and Prevention Ordinance.
4. Canals/Ditches/Irrigation/Creeks: The Maxfield Ditch bisects the property. The property has water rights from Maxfield Ditch Company.
5. Hazards: Staff is not aware of any hazards. Any potential hazards should be addressed by the applicant at the public hearing.
6. Streets and/or Access Information: The plat proposes to construct a private road. All Lots will access the private road off of Morehouse Road.

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

The Comprehensive Plan **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.”

The Plan also notes that “this is an area where the community recognizes that there will be rural residential in long-range planning, but the purpose of this land-use policy is to buffer agricultural pursuits and to provide guidelines for conversion to future rural residential development of 1 unit to 40 acres or more. . New building and development within the Agriculture/Natural Resources area is based upon the existing zoning.”

This property is located in A-2 zone and within the Agriculture/Natural Resources designation of the Future Land Use Map. The property contains 40.00 acres all proposed lots will meet the minimum zoning requirement.

Supporting Policies/Goals

The Comprehensive Plan includes the following policies that generally support this application:

- Natural Resources, 6.11 – Prevent contamination of groundwater from sewage and wastewater through appropriate planning, treatment and through regulations.
- Housing, 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.
- Housing, 3.1.3 – Encourage compatible infill development, which will complement existing neighborhoods.
- Housing, 3.1.8 Rural residential and small ranchette type development shall be encouraged in areas where it is compatible with existing agricultural and ranching development.
- Natural Resources, 6.10 – Manage storm water generation and disposal consistent with best-available technology to prevent degradation of water quality and natural resources.
The developer will be required to contain all stormwater run-off on site. An engineered plan is required to be submitted as part of the construction drawings to be reviewed by the County Engineer.
- Transportation, 10.1.4 Encourage clustering of uses and access points along arterials where applicable by land use
- Land Use, 12.2.1 – Encourage the provision of quality and diverse housing, as well as creative subdivision designs, of all prices ranges for present and future residents.

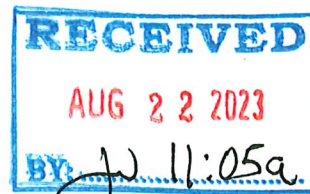
6. ZONING ORDINANCE [Staff comments and analysis are shown in *italics*.]

Gem County Code (GCC) 11-4-2.A. lists the purpose of the A-2, Rural Transitional Agriculture, zone as follows: “Lands lying within those unincorporated portions of Gem County that are likely to undergo a more intensive urban development. The regulations governing this zone are designed to protect agricultural pursuits and provide guidelines for conversion to suburban development. The minimum lot size is 5 acres.”

The property is found to comply with the intent and purpose of the A-2 zone to allow single-family uses on 5-acre lots.

Attached Exhibits

- Exhibit A – Required Findings
- Exhibit B – Proposed Conditions of Approval
- Exhibit C – Proposed Preliminary Plat



Dear planning and Zoning

After careful examination of the proposed property to be made into a subdivision I have a few concerns I would like to be considered.

#1 more cars creating more dust on Morehouse Rd.

#2 it has come to my attention that the perk test holes and ground samples were looked at by the engineers who are involved in the permitting process. It seems to me there needs to be an outside agency who is looking out for the citizens of Gem County. This piece of property is a severally dehydrated piece of property that at one time was irrigated and has not been for 5 years. If it was properly irrigated they would not pass perk tests as the water table in this area is very high. After a ¼ inch rain there was standing water in a number of areas.

#3 the area labeled lot #1 is mostly swamp type ground when watered with a lot of swamp grass still growing there even after 5 years with no irrigation. There is no test hole in that lot and I don't believe that is an acceptable build lot. Lot # 8 which crosses the ditch is also an area of a lot of swamp grass.

#4 speaking on behalf of a prospective buyer I would be mad if a property was sold to me as a 5 acre lot only to find out I had purchased part of a ditch and part of a road and my useable acreages was only 4 acres rather than 5 and I had to spend \$30,000 for a septic system because the water table is so high. If I am not mistaking this property is 39.7 Acres which crosses over Morehouse rd. That being the case there should not be 8 buildable lots because 8×5 is not less than 40. In my opinion the roads and ditched should not belong to the person owning a piece of property in a subdivision. The situation is different if you own say 20 acres and the ditch goes through the middle of the property. Building a subdivision is like building a little town and the utilities which

irrigation water is considered should not be considered part of the lot size.

#5 now speaking on behalf of a few of my neighbors and I hope that they speak for themselves. There is a discrepancy between the new and old survey. This will either create 4 substandard lots or someone will be asked to give up their drain field. If the law states 5 acre minimum then that is what the lots should be.

#6 now speaking for those of us who have shallow wells - what will it do to our water table to add 8 new wells to our aquifer? Has anyone studied the potential effects of all the new septic systems being put in, in our area?

I am asking that you carefully consider this issues I have brought up prior to approving this subdivision.

I think we need to do more long-term planning and get the infrastructure in place before we continue to overbuild Gem County. You need to look at better options for the septic than having multiple drain fields in each subdivision. We also need to make sure we don't have a partially build subdivision and the contractor walking away because of the downturn in the economy and have a bunch of partly built homes in our county.

I am opposed to this subdivision.

Thank you for your time

Annette Smith

A handwritten signature in cursive script that reads "Annette Smith".

Olivia Mocnik

From: sue boswell <artbysue@live.com>
Sent: Friday, September 1, 2023 5:56 AM
To: Olivia Mocnik
Cc: Jonesd@risebroadband.net; sue boswell; Sue Boswell
Subject: Morehouse Estates- Cotner

Olivia,
Unfortunately my personal email on desktop computer is down and I was not able to move this letter from me and Doug Jones onto a Word Doc as planned. Please accept my apologies, as I intended to send it on Word Doc as promised.

Thank you so much for your help!!

LETTER DATED 9/1/23

>> Development Services Office
>> Olivia Mocnik
>> 109 So McKinley Ave
>> Emmett, ID 83617

>> Re: Preliminary Subdivision Plat by Cotner Development - Morehouse
>> Estates

>> We are writing to voice our deep concern about the proposed project of creating 8 residential lots (5 acres each) at Morehouse Road. With a combined tenure of more than 50 years of living in Gem County in property just a short distance (300') from the proposed development site, we have invested our lives in building a future for our families and our beloved animals who live off the precious pasture on our properties! Growing food is our survival and when it's gone it's a catastrophe! When we lose water adequate to irrigate, grow gardens, pasture land and to survive in our homes what are our recourses at that point in time??

>> Just over this past few years with the influx of new residences, we all have experienced a significant reduction in water pressure. As much as possible 50% less!!! This has created an urgency like we've never experienced till now.

>> It must be mentioned that several of us have reached out to Reed Ditch and I don't believe we have received any answers or true concern. We honestly don't know IF there has been any planning and management of water on their part!?

>> We need to be sure that proper action is taking place now and planned for the precious water that is truly our survival and future for each of us here now and our future generations.

>> SUE BOSWELL
>> 6103 W Hwy 52,
>> Emmett, ID 83617
>> 208-861-0286

FROM Doug Jones -

>> I would also add my concern about my domestic well. With 8 more wells

>> drawing from the ground water, that will drop the current water table. As my domestic well is 25 foot, that may run my well low or dry.

>> Douglas W. Jones

>> 6089 W. Hwy 52

>> Emmett, Idaho 83617

>> 208-908-1328

EXHIBIT A

REQUIRED FINDINGS FOR STANDARD SUBDIVISION PERMIT Morehouse Estates (File #PP-23-002)

GCC 12-3-8-6 outlines the following required findings the County must make before an application can be approved. It states that “No standard subdivision permit application shall receive a recommendation of approval from the Commission or be approved by the Board unless each of the following findings and conclusions are made.” There are nine (9) required findings. Each of these is listed below with staff comments and analysis shown in *italics* below each one. The Commission or Board may agree, disagree, and/or modify staff’s proposed findings, but a finding cannot be omitted altogether. Each finding must be found to be either in favor or not in favor of the application.

1. Adequate provisions have been made for a domestic water supply system that meets or exceeds the adopted water quality standards within Gem County and the State of Idaho.

The applicant is proposing private, individual domestic wells for each lot, which is permitted under Gem County Code for lots in the A-2 zone. Gem County Code doesn't require a public drinking water system in the A-2 zone. This means the subdivision is not subject to the DEQ rules for a public drinking water system, which is defined by DEQ in the Idaho Administrative Code as having at least 15 service connections or serving 25 individuals daily at least 60 days out of the year. Gem County does not have any adopted water quality standards separate from the State of Idaho (DEQ or IDWR). Neither the SWDH or DEQ have testing requirements for private wells, so it is incumbent upon each property owner to have their individual wells tested. SWDH recommends testing at least one time per year, especially since contaminant levels can fluctuate. It is unlikely that each property owner will have their wells tested this often.

Domestic wells (those used for homes and other drinking purposes, used to irrigate no more than a ½ acre of land, and where no more than 13,000 gallons per day is used) are exempt from having to obtain a water right under Idaho statute.

The Department of Water Resources was sent a copy of the plat application but no response was received regarding the water supply.

The proposed subdivision complies.

2. Adequate provisions have been made and approvals from the health authority sought for treatment of wastewater within the subdivision.

Southwest District Health received a copy of the preliminary plat but provided no written comment on the application. Upon submittal of the Final Plat application, the applicant will need to comply with SWDH requirements including hiring an engineer to supply a Subdivision Engineering Report (SER) and septic permits must be issued before any building permits are released by Gem County. DEQ standards shall be required as administered by Southwest District Health Department (SWDH).

3. Proposed streets are consistent with the transportation element of the Comprehensive Plan and meet Gem County Road and Bridge Department Standards.

The plat proposes to construct a new private road to serve the subdivision. Morehouse Road is classified as a Local Road roadway and requires a minimum 60-foot right-of-way width.

The applicant is proposing to dedicate 30-feet of public right-of-way from the centerline of Morehouse Road to meet this requirement.

The Gem County Road & Bridge Department (Neal Capps) was notified of the application and responded in writing regarding improvements to Morehouse Road and the requirements for the proposed private road.

4. **All areas of the proposed subdivision that may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses of these areas are compatible with such conditions.**

Staff is not aware of any soil or topographical conditions that may present a hazard within this development.

5. **The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in the Gem County Code and the Comprehensive Plan.**

The subject property is zoned A-2, Rural Transitional Agriculture, and is within the Agriculture/Natural Resources designation on the Gem County Comprehensive Plan Future Land Use map. The A-2 zone allows for the development of single-family dwellings on minimum 5-acre lot sizes.

This minimum lot size is met with the Morehouse Estates Subdivision application and the plat states the proposed use is only single-family residential. The 4.06 acre parcel complies with Gem County Code 12-6-F.3 that allows one substandard Lot, due to dedication of right-of-way, as long as its size is not less than eighty (80) percent of the size required in the A-2 zone.

The Comprehensive Plan defines the "Agriculture/Natural Resources" area of the Future Land Use Map as being intended for agricultural pursuits and/or natural resource operations with "limited" residential uses. A section in Chapter 12 of the Plan states, ". . .this is an area where the community recognizes that there will be rural residential in long-range planning, but the purpose of this land use policy is to buffer agricultural pursuits. . . ." The primary agricultural pursuit in this area is pasture activities. Other than houses, the overall character of the area should remain open, rural, and very low density (i.e. 5-acre lots or larger) to comply with the Comprehensive Plan goals.

6. **The applicant has made adequate plans to ensure that Gem County and its citizens will bear no more than their fair share of costs to provide services, by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within Gem County.**

In order to mitigate other impacts on the Gem County Road and Bridge system and other public facilities, the Board adopted an Impact Fee Ordinance which establishes impact improvement costs required for any new residence. This fee is required at the time of building permit issuance of a new residence.

The developer is also be responsible, at their cost, to ensure all proposed utilities are available to the subdivision. Future lot owners are responsible to pay for private wells, private septic systems and extending the utilities from the subdivision boundary to their house.

Other than these items, no other requests for public facilities have been made by other agencies and/or departments.

7. The proposed subdivision complies with the design and improvement standards set forth in this Ordinance.

GCC 12-6-1 sets the following standards for subdivision improvements:

- a) Natural Feature Areas – *The Maxfield Ditch bisects the property*
- b) Utilities – *the subdivision developer is responsible to extend power, phone and other proposed utilities to the subdivision boundary and provide utility easements to ensure each lot has legal access to said utility. Utilities will be more specifically designed at the time of Final Plat construction drawing submittal.*
- c) Domestic Water Supply – *individual domestic wells; to be constructed at time of future building permit – see Finding #1 above*
- d) Irrigation – *Maxfield Ditch Company*
- e) Sewage Disposal – *individual septic systems to be approved via the SER; to be constructed at time of future building permit – see Finding #2 above*
- f) Public & Private Streets – *the required 30' ROW dedication of Morehouse Road is shown on the plat. The proposed private road is shown on the plat.*
- g) Lots – *The A-2 zone requires a five (5) acre minimum lot size. As the applicant is proposing 5.00+ acre parcels, this standard has been met.*
- h) Remainder lots – *n/a*
- i) Blocks – *n/a*
- j) Drainage – *suitable drainage facilities required; will be reviewed by County Engineer at time of construction drawing submittal*
- k) Park or School Site Dedication – *n/a*
- l) Public Access Easements – *n/a*
- m) Easements – *All required easements will be more specifically designed for the Final Plat*

8. The proposed subdivision, when applicable, meets any standards for subdivision in floodplain or hillside areas.

This subdivision does not qualify as a Floodplain Subdivision or Hillside subdivision.

9. The proposed subdivision complies with all other standards set forth in this Ordinance or any other applicable ordinance or statute.

Staff finds that the following standards have not been met at this time:

- *Gem County Code, Title 12-6-1.F.4.c states that if the private road is more than 1,000 feet in length, a secondary emergency access must be provided. This is something the Board of County Commissioners can waive if they agree to it.*
- *Gem County Code, Title 12-6-1.M.2 states that any residential block length greater than 1,200 feet in length shall provide the necessary mitigation as required by the fire authority having jurisdiction. Final mitigation requirements shall be determined during the Board review and made conditions of approval. This is something the Board of County Commissioners can waive if they agree to it.*

Otherwise, the application is found to comply with the standards of Gem County Code, Title 12.

EXHIBIT B

STAFF RECOMMENDED CONDITIONS OF APPROVAL MOREHOUSE ESTATES (#PP-23-002)

General Conditions

1. The Preliminary Plat for "Morehouse Estates" by Aspen Engineering, Lance Warnick, PE, is approved with conditions, as noted below.
2. The applicant shall comply with the conditions/comments of the following impact agencies:
 - a. Gem County Treasurer (8/4/23) (*this condition does not technically apply until Final Plat*)
 - b. Keller Associates (County Engineer (9/1/23)
 - c. Gem County Road and Bridge (8/31/23)
 - d. Idaho Transportation Department (8/23/23)
 - e. Maxfield Ditch Association (8/20/23)
 - f. Reed Ditch Company (8/14/23)

3. The Final Plat application shall be filed in accordance with the timeframes and format as required in Chapter 3 and 4 of the Subdivision Ordinance for Gem County.

Subdivision Improvement & Mitigation Conditions

4. Per GCC 12-6-1.C, the applicant must install utilities and underground service connections shall be provided to each platted lot. Utilities can be either overhead or underground outside of the subdivision boundary but must be underground within the subdivision. Appropriate easements will need to be in place on the plat. It is the applicant's responsibility to ensure that future lot owners will bear no additional charge to obtain phone or power service for their lot.
5. Prior to the Board signature of the Final Plat, the subdivider shall prepare a new Quitclaim Deed for Lots 1 - 8, Block 1 of Morehouse Estates Subdivision. Copies of the new deed shall be provided to the Development Services Department for recordation with the plat.
6. The developer shall submit engineered construction drawings for the required improvements including a storm water drainage plan to be reviewed by the County Engineer.
7. Prior to submittal of construction drawings, applicant shall meet with and submit a written statement from Southwest District Health Department indicating compliance with all SER requirements.

Private Road Application

8. The proposed Private Road name of "Tolley Flats Lane" is approved by the Street Naming Committee and shall be shown on the plat.
9. Applicant shall hire an engineer to design constructions drawings for the private road to be reviewed by the County Engineer.
10. Applicant shall comply with all Gem County Fire District #1 requirements for emergency turnarounds on the private road. Submit a letter of approval from Gem County Fire District #1 prior to the Board signature of the Mylar.

- If the waivers for block length and road length are approved, submit a letter of approval from Gem County Fire District #1 prior to the Board signature of the Mylar.
11. Applicant shall purchase and install a blue private road sign and a stop sign at the intersection of the private road and Morehouse Road.
 12. Per GCC 12-6-1.F.4.d, the developer shall construct the private road as a subdivision improvement. The road shall be built to a 24' wide driving surface and obtain a final inspection prior to the Board signature of the Mylar.
 13. Submit a signed and ready-to-record Maintenance Agreement for the private road to the Development Services Department prior to the Board signature of the Mylar.

GEM COUNTY

OFFICE OF
Megan Keene
TREASURER
TAX COLLECTOR
PUBLIC ADMINISTRATOR



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

August 4, 2023

Gem County Development Services Department
Attn: Olivia Mocnik
109 S. McKinley Avenue
Emmett, ID 83617

RE: Morehouse Estates – Standard Subdivision (Preliminary Plat) – PP23-002
Loc: Hwy 52, Morehouse Rd
PIN: RP06N02W071801

Dear Olivia,

After reviewing the application for Morehouse Estates – Standard Subdivision (preliminary plat), the following are my comments regarding the subject parcel:

Parcel RP06N02W071801 has the 2022 taxes paid in full. This parcel will have 2023 taxes due. The **estimated** 2023 tax amount to be billed is \$124.12.

Any split/combined/property boundary adjustment/minor sub parcels must have all taxes paid in full.

***Please note--Splits, Combos, PBAs, Platted Subdivisions, and Manufactured Homes Declared Real need to be correctly recorded by no later than May 1, 2023, in order to show up in the 2023 Assessment Roll and 2023 Tax Roll. Anything recorded after that date will be valued and taxed based on how the property was as of January 1, 2023.*

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

Sincerely,

Megan Keene
Gem County Treasurer

lh:



100 East Bower Street, Suite 110
Meridian, ID 83642

(208) 288-1992

September 1, 2023

Jennifer Kharri
Gem County
Planning Director
109 S McKinley
Emmett, Idaho 83617

Re: Morehouse Estates Subdivision Preliminary Plat Application

Dear Jennifer:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Morehouse Estates Subdivision dated July 31, 2023. We reviewed this package to check conformance with the County Subdivision Ordinance. We have the following comments in order for the applicant to satisfy the County's requirements:

1. Depict cross access easements for shared driveways.
2. Show proposed well and septic locations.
3. Provide a typical section of the private road and portion of Morehouse Road that will be paved. Private road shall be constructed with 12" of pit run and 3" of road mix.
4. County will require Morehouse Road be paved from ID-52 to Tolley Flats Lane.
5. Provide written communication from ITD stating the amount of right of way dedication they will require. Why does plat show 40' ITD easement and not 40' ITD right of way dedication?
6. Provide fire department approval for the private road exceeding 750', per County Code.
7. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
8. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
9. Plat shall comply with Idaho Transportation Department (ITD) requirements.
10. Plat shall comply with irrigation district requirements.
11. Plat shall comply with Southwest District Health requirements.

We recommend that the **conditions 1 through 6 listed above be addressed prior to approval of the Preliminary Plat.** Any variance or waivers to the Gem County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above-referenced Preliminary Plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

Sincerely,

KELLER ASSOCIATES, INC.



Justin Walker, P.E.
County Engineer

cc: File

**Gem County
Road & Bridge Dept.
402 N. Hayes Ave.
Emmett, ID 83617**



**Neal Capps, Director
Phone: 208-365-3305
Fax: 208-365-2530
Email: gcrb@co.gem.id.us**

August 31, 2023

Jennifer Kharri, Administrator
Development Services
109 S. McKinley
Emmett, ID 83617

RE: Morehouse Estates Subdivision

Dear Jennifer,

Gem County Road & Bridge (GCRB) has reviewed the application of Morehouse Estates Subdivision, a proposed 8 lot standard subdivision, located adjacent to Morehouse Road. In review of the letter submitted by Aspen Engineers, I would like to clarify a couple of statements for access to this development. This development shows access to Morehouse Road for proposed lots. GCRB does not have jurisdiction to State Highway 52, therefore GCRB cannot dictate access approval for any lots located adjacent to State Highway 52. Morehouse Road is a gravel roadway that is approximately one and a half miles long. The proposed subdivision will generate an additional 80 trips per day to this roadway. In review of the preliminary plat map, Lot #4 has a drain pipe running through the property that is not indicated on the plat map in question. See (Att: Google Earth Image).

GCRB recommends the follow conditions be added to the subdivision if approved;

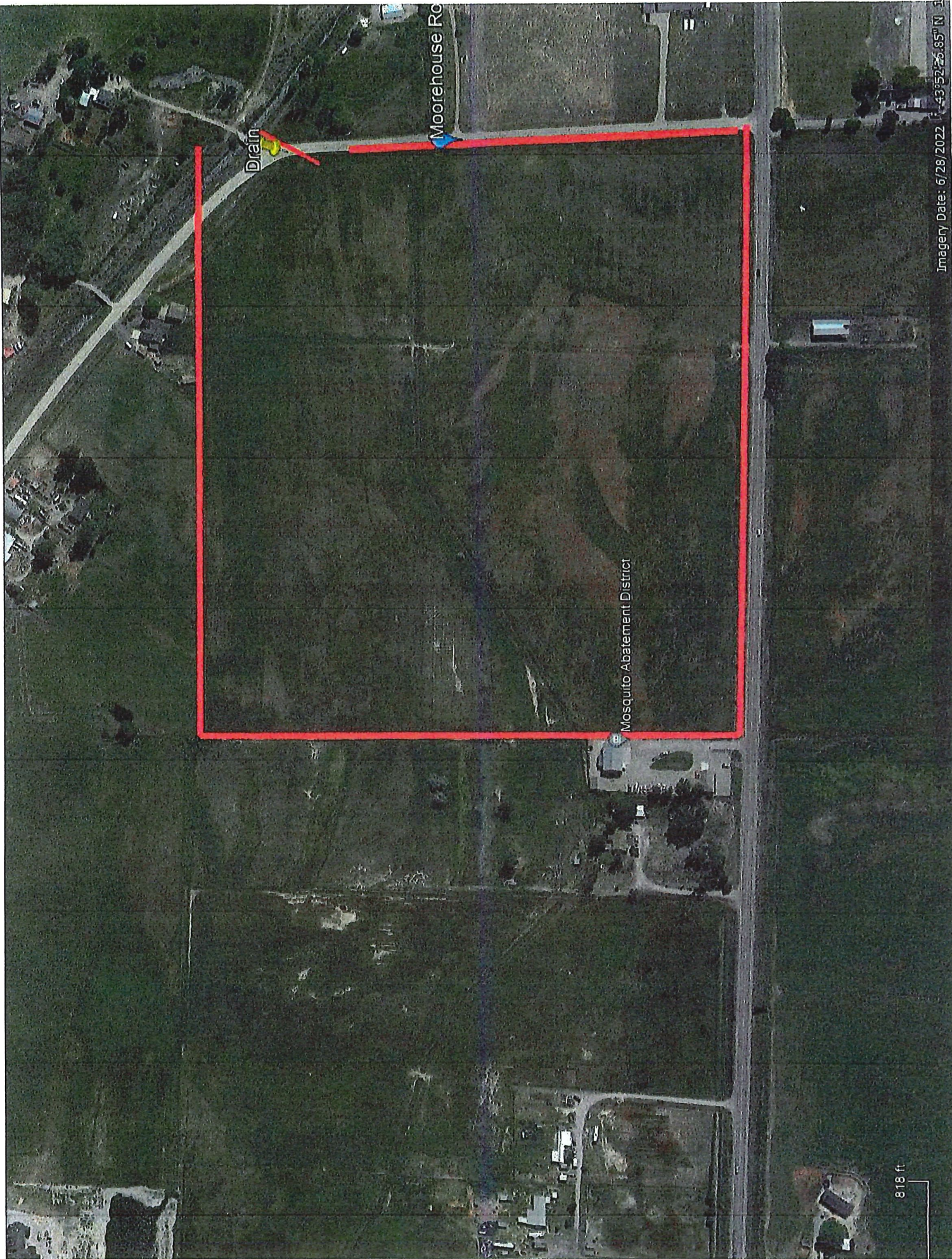
1. Applicant shall engineer and improve Morehouse Road from State Highway 52 running North passed the subdivision approach for approximately 800 feet.
2. All road construction shall meet GCRB Road Design Ordinance 2007-09 for Local Roads.
3. Applicant shall apply for 2 driveway approach permits with GCRB.
4. Approach shall be constructed to Gem County approach standards, at a 2% fall away from the existing roadway, with 12 inches of pit run and 4 inches of road mix.
5. Applicant shall pave the approach to the proposed subdivision.
6. Applicant shall provide GCRB with compaction test results for all road materials, subbase, pit run, road mix and asphalt. The compaction tests shall be a minimum of 92%.
7. Applicant shall hire an experienced paving contractor licensed in the State of Idaho.
8. Applicant or contractor, shall provide commercial asphalt mix design to GCRB for approval, prior to paving approach.
9. Applicant shall saw cut the edge of the existing pavement and apply tack oil on said roadway, prior to paving approach.
10. Paved approach shall be a minimum of 30 feet in width and a minimum of 20 feet in length. The asphalt shall be a depth of 3 inches after compaction. The compaction test shall be a minimum of 92%.
11. Approach shall meet Gem County approach standards upon completion.

If you have any questions, please contact me at 208-365-3305.

Thank you,

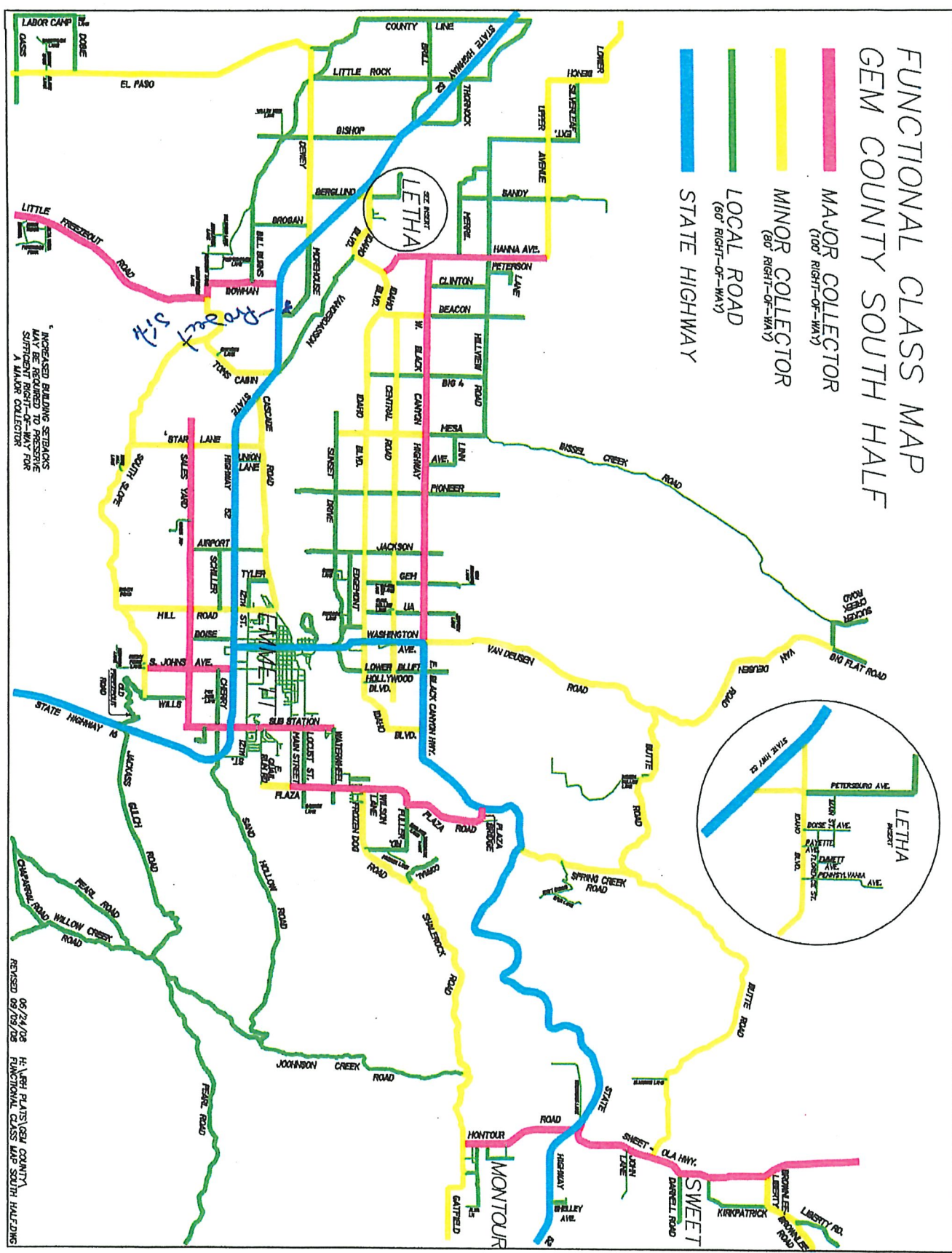
Neal Capps, Director
Gem County Road & Bridge

A handwritten signature in blue ink, appearing to read "Neal Capps", is written over the typed name and title.

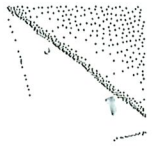


FUNCTIONAL CLASS MAP GEM COUNTY SOUTH HALF

- MAJOR COLLECTOR
(100' RIGHT-OF-WAY)
- MINOR COLLECTOR
(80' RIGHT-OF-WAY)
- LOCAL ROAD
(60' RIGHT-OF-WAY)
- STATE HIGHWAY



06/24/06 H. LARSEN PLANNING & DESIGN
REVISED 09/09/06 FUNCTIONAL CLASS MAP SOUTH HALF



LAND USE APPLICATION

DATE: 08-31-2023

PROJECT: Morehouse Estates

ROAD:

Morehouse Road

MAJOR/MINOR COLLECTOR:

Minor Collector

ROAD PROJECTS:

N/A

ROAD SURFACE:

Gravel

ROAD WIDTH:

Approximately 24 Ft.

ROAD LENGTH:

Approximately 1.5 miles

RIGHT OF WAY - DISTANCE:

30 feet form center

APPROACH PERMIT:

Need to obtain permit

SAFETY IMPROVEMENTS:

N/A

TRAFFIC COUNTS:

N/A


SIGNATURE:

8-31-23
DATE:



**Your Safety • Your Mobility
Your Economic Opportunity**

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

August 23, 2023

Olivia Mocnik
Gem County, Associate Planner
109 S McKinley Ave
Emmett, ID 83617

VIA EMAIL

Development Application	PP-23-002
Project Name	Morehouse Estates
Project Location	NW Corner of SH-52 (MP 24.56) and Morehouse Rd.
Project Description	8 residential lots approx. 4 – 5 acres each.
Applicant	Cotner Development Company, LLC

The Idaho Transportation Department (ITD) reviewed the referenced application and has the following comments:

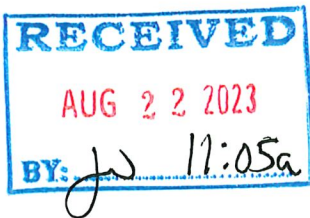
1. This project abuts the State Highway system.
2. No additional access to the State Highway system is requested with this application and none is approved. Connection to or modification of an existing access to the State Highway system will require a permit from ITD.
3. The Idaho Administrative Procedure Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Program Manager for ITD's Headquarters Right-of-Way Section at (208)334-8832 for more information.
4. ITD does not object to this application as presented. If change in access changes, notification will be required and application shall be further analyzed.

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

Sincerely,

Niki Benyakhlef

Niki Benyakhlef
Development Services Coordinator
Niki.Benyakhlef@itd.idaho.gov



Maxfield Ditch association
6848 W Highway 52
Emmett, ID 83617

August 20, 2023

Gem County Development Services Department
109 S, McKinley Av.
Emmett, ID 83617

Regarding: Preliminary Subdivision Plat (Morehouse Estates) application

Dear Planning and Zoning committee,

Thank you for notifying me regarding the upcoming hearing regarding the proposed Morehouse Estates subdivision. I have had previous conversations with Aspen Engineers and still have a few questions that need to be resolved.

We currently have an open application regarding this subdivision and are missing some of the required documentation. It was indicated the missing or incomplete application items will be provided at a later time; therefore, our Board of Directors cannot accept or decline the status of the application until all requirements are provided. Additional requirements needed include, a completed Irrigation plan, Ditch Crossing plan, and Water Users Association contact. Once these items are submitted, the Board of Directors can meet and discuss the application.

They are proposing a pressurized irrigation and I am ok with their initial concept. However, looking at the schematics of the proposed system, I am not seeing any measuring devices that indicate the amounts of water being pumped out from Maxfield Ditch and measuring the amount of water incoming to the system from Reed. As this subdivision will be fed by two ditches, we need to ensure that the appropriate allotted water shares are being pulled from the respective ditches.

Who is responsible to oversee the development of this pressurized system to insure everything is in compliance? Some of the stipulations of our Irrigation plan are not indicated on the drafted plans that we have been provided, so if I have questions and concerns regarding the design of the irrigation system, who do we contact? For example, is a 12-inch pipe required to pull water from our Maxfield ditch? Would this size pipe draw too much water from our ditch and effect the flow of the ditch water, making it so others down the ditch line are impacted?

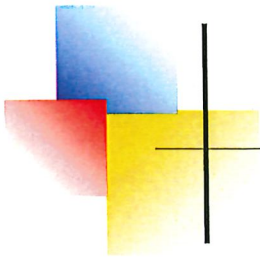
Will this be a pressurized flood system or sprinkle system?

The letter provided by Aspen Engineers indicated that there was a pre-development meeting with SWDH and each buildable lot had test holes dug with SWDH present. When was this meeting conducted? A visual inspection of the property indicates that some lots do not appear to have test holes. What are the proposed locations of septic systems in relation to our ditch and are they in compliance with SWDH? Since part of this parcel is indicated to be part of a flood zone, we want to clarify that that this subdivision meets any standards for subdivisions in floodplain areas, to maintain the integrity of the water quality that is continuing down the line to other properties.

Thank you for your time.

A handwritten signature in cursive script that reads "Annette Smith". The signature is written in dark ink and is positioned below the "Thank you" text.

Annette Smith, Maxfield Ditch President



REED DITCH COMPANY

3740 COUNTY LINE ROAD ~ EMMETT, IDAHO 83617

3740 County Line Road
Emmett, ID 83617

Date: August 14, 2023

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

Gem County Development Services,

The Reed Ditch Company (RDC) has received notice from the Gem County Development Services that there is a proposed subdivision within RDC service area.

The Board of Directors reviewed the application and letter of intent for the standard subdivision – Morehouse Estates and have the following requirements for the said property:

1. The developer is required to deliver water to each parcel. Developer must submit a written irrigation and waste water plan and be approved by the RDC board. A pressurized system is required.
2. The irrigation and waste water plan must be approved and installed prior to the sale of parcels and prior to any building permits issued for said property.
3. All plans must abide by the RDC right of way policy.
4. The developer must submit subdivision blue prints.
5. The developer must complete a Subdivision Application and return it with appropriate fees.
6. The developer must create a water users association.
7. The developer must name a watermaster.
8. The developer must obtain a permissive use permit for underground power, utilities or bridges that cross RDC right of way.
9. Before approval is granted by RDC, all documents and appropriate fees listed above need to be submitted to RDC. They will be reviewed at the next Board of Directors meeting.

Sincerely,

Michelle Potter
Reed Ditch Secretary / Treasurer

CERTIFICATE OF MAILING

I hereby certify that on the 1 day of August 2023, I served a true and correct copy of the foregoing upon:

PROPERTY OWNER LIST WITHIN 300 FEET

Morehouse Estates Subdivision
T06N, R02W, Section 7

Sue Boswell
6103 W Highway 52
Emmett, ID 83617

Randle Gipson
12425 Landau Way
Nampa, ID 83686

Kenneth Cooper
1212 Morehouse Rd
Emmett, ID 83617

John Buck
1248 Morehouse Rd
Emmett, ID 83617

Bruce Walton
2310 Bowman Rd
Emmett, ID 83617

Brad Butzbach
1518 E. South Slope Rd
Emmett, ID 83617

Joseph & Amanda Samarin
6848 W Highway 52
Emmett, ID 83617

Nicholas & Shawna Larson Trust
1245 Morehouse Rd
Emmett, ID 83617

Glen Grim
1253 Morehouse Rd
Emmett, ID 83617

John Buck
1248 Morehouse Rd
Emmett, ID 83617

Sharon Touchstone
1222 Morehouse Rd
Emmett, ID 83617

Laura Legg
1355 Morehouse Rd
Emmett, ID 83617

WK Smith Ranch, LLC
1162 Vanderdasson Rd
Emmett, ID 83617


Dixie Land, LLC
22993 Howe Rd
Caldwell, ID 83607

Daryl Lambeth
6085 W Highway 52
Emmett, ID 83617

Dan Tilson
2992 Bowman Rd
Emmett, ID 83617

Douglas Jones
6089 W Highway 52
Emmett, ID 83617

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

A handwritten signature in black ink, appearing to read "O. Mocnik", written over a horizontal line.

Olivia Mocnik
Associate Planner



moorhouse

Hwy 52

0



Hwy 52

GEM COUNTY PARCEL -

Date: 4/28/2023

RP06N02W071801

LEGG SUB MIN 18-005
Bk5/Pg40 - Inst 318752

RP06N02W070245

RP06N02W083193

RP06N02W071200

RP06N02W071801

Morehouse Rd

R/S 239561

R/S 289561

STATE
HWY 52

State Hwy 52

RP06N02W071806



This map was created by the Gem County Assessor's Office.
Gem County assumes no responsibility for any possible errors or omissions.

90 45 0 90 Feet



