

Staff Report Edgeview Estates #3 Subdivision, PP-24-002

Public Hearing Date: June 10, 2024

Development Services Department

Applicant:

Kyle Stratton

Property Owner:

Edgemont Estates, LLC

Representative:

Same

Surveyor/Engineer:

Jeff Beagley, PLS, Sawtooth Land Surveying

Planner:

Jennifer Kharrl

Parcel Number:

RP06N02W010000

Parcel Address:

Edgemont Road

Lot Size/Project Area:

9.02+/-

Impact Area:

N/A

Current Zone:

"R-2" (Residential Transitional)

Comprehensive Plan:

2023 Comprehensive Plan Future Land Use: County

Residential

Current Uses:

Bare

Parcel History:

This property was conditionally rezoned from A-2 to R-2 in 2023 with a Development Agreement.

Applicable Zoning Land Use

Regulations: GCC 12-3-7

Notification:

5/10/24-Agency

5/10/24-Mailing

5/22/24-Publication

5/16/24-Posting

Exhibits:

Standard Subdivision Application

Brief Summary of Request

The applicant, Kyle Stratton, on property owned by Edgemont Estates, LLC of which he is a member of, has applied for a Standard Subdivision Permit application (referred to as "Preliminary Plat" (PP) herein) to create eight (8), single-family lots on approximately 9.02+/- acres located in the R-2, Residential Transitional zone. Vehicular access for the new lots will be via a new private road. The property is bare. The new lots are proposed to have an individual well and septic. The site is designated Rural, on the 2023 Comprehensive Plan Future Land Use Map.



Description of Character of Surrounding Area

The immediate vicinity includes a combination of rural residential and irrigated pasture land.

	COMP PLAN	ZONING	LAND USE
North	County Residential	R-2	Irrigated agricultural land; rural residential; 4 Lot Minor Subdivision (1 acre); Trailer Park
South	County Residential	R-2	Rural residential; Edgemont Subdivision 14 Lots (.32 to .56 acre)
East	County Residential	R-2	Irrigated agricultural land; rural residential (.65 acre to 2.00-acre size parcels); Edgeview Estates #1 and #2 9 Lots (1 acre)
West	County Residential	A-2, R-2	Irrigated agricultural land; rural residential

Comments

Public Comments

Public hearing notices were mailed to nineteen (19) parcels in the immediate vicinity. At the time of this report staff hadn't received any written comments regarding the proposed subdivision.

County Agency Comments

Staff informed applicable agencies of the proposed development and the responses are attached as exhibits.

Staff/Administrator Recommendation

Staff finds the majority of the Comprehensive Plan policies and required findings support the approval of the PP application under the proposed conditions. If the Commission feels all requirements have been adequately addressed at the hearing, a recommendation can be sent to the Board.

Decision Options

- The Commission may **recommend approval** of the Preliminary Plat as presented; or
- The Commission may recommend approval with modified conditions of approval; or
- The Commission may **recommend** denial of the Preliminary Plat.

STAFF REPORT EXHIBITS

Exhibit A – Required Findings

Exhibit B – Site Specific Conditions of Approval

Exhibit C – Proposed Preliminary Plat

EXHIBIT A

REQUIRED FINDINGS FOR STANDARD SUBDIVISION PERMIT Edgeview Estates #3 Subdivision (File #PP-24-002)

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 R-2 zone. Gem County Code doesn't require a public drinking water system in the R-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.

As part of the Rezone process, the Board of County Commissioners approved the Rezone with a Development Agreement that required the applicant to hire an engineer to conduct a water quality and quantity study. The County Engineer reviewed the study and accepted it.

The proposed subdivision complies.

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

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 one new private road to serve the subdivision.

Edgemont Road is identified as a Local Road (60' total right-of-way width) with the Average Daily Traffic (ADT) volumes exceeding 2,000 vehicles trips per day at full build out and a 30' foot right-of-

way from centerline is requested from the Gem County Road and Bridge Department. Gem County Subdivision Ordinance (12-5-5) requires the area to be dedicated to be free and clear of all liens and encumbrances, this includes but is not limited to fences or structures.

The Gem County Road & Bridge Department (Neal Capps) was notified of the application and responded in writing regarding the new approach off of Edgemont 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 R-2, Residential Transitional and falls within the County Residential Impact Area designation on the Gem County Comprehensive Plan future land use map. The R-2 zone has a minimum lot size of one (1) acre. The purpose of the R-2 zone is to provide lands for the development of single-family dwellings in areas that can be served by individual well and septic systems.

As the applicant is proposing single-family residential lots 1+/- acres in size, this requirement has been met for both the Zoning Ordinance and Comprehensive Plan.

The intent and purpose of the County Residential Area is to allow rural residential development to become the predominant land use. As the applicant is proposing a residential use, this requirement has been met for both the zoning ordinance and Comprehensive Plan.

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.

Edgemont Road is identified as a Local Road (60' total right-of-way width) with the Average Daily Traffic (ADT) volumes exceeding 2,000 vehicles trips per day at full build out and a 30' foot right-of-way from centerline is requested from the Gem County Road and Bridge Department. Gem County Subdivision Ordinance (12-5-5) requires the area to be dedicated to be free and clear of all liens and encumbrances, this includes but is not limited to fences or structures. This area will need to be confirmed at the time of Final Plat application.

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.

Emmett Irrigation District will have requirements for the irrigation system and access easements for their maintenance needs. Other than these items, no other requests for public facilities have been made by other agencies and/or departments.

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.

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) <u>Natural Feature Areas</u> n/a
- b) <u>Utilities</u> 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) <u>Domestic Water Supply</u> individual domestic wells; to be constructed at time of future building permit see Finding #1 above
- d) <u>Irrigation</u> Emmett Irrigation District
- e) <u>Sewage Disposal</u> individual septic systems to be approved via the SER; to be constructed at time of future building permit see Finding #2 above
- f) <u>Public & Private Streets</u> street dedication along Edgemont Road is shown as required (30' right-ofway from centerline) and a private road is proposed to serve all Lots
- g) <u>Lots</u> –The R-2 zone requires a one (1) acre minimum lot size. GCC allows for one substandard Lot due to the required ROW dedication.
- h) <u>Remainder lots</u> n/a
- i) <u>Blocks</u> n/a
- j) <u>Drainage</u> suitable drainage facilities required; will be reviewed by County Engineer at time of construction drawing submittal
- k) <u>Park or School Site Dedication</u> n/a
- l) <u>Public Access Easements</u> n/a
- m) <u>Easements</u> 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 <u>Floodplain</u> subdivision or as a <u>Hillside</u> 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 application complies with the standards of Gem County Code, Title 12.

EXHIBIT B

STAFF RECOMMENDED CONDITIONS OF APPROVAL EDGEVIEW ESTATES #3 SUBDIVISION (#PP-24-002)

General Conditions

- 1. The Preliminary Plat for "Edgeview Estates #3 Subdivision" by Jeff Beagley, PLS, 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 (5/10/24) (this condition does not technically apply until Final Plat)
 - b. Keller Associates (County Engineer) letter not available for Commission hearing
 - c. Gem County Road and Bridge (5/28/24)
 - d. Emmett School District (5/31/24)
 - e. Water District No 65 (5/20/24)
 - f. Emmett Irrigation District (6/3/24)
- 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 that shall be provided to each platted lot. Utilities can be either overhead or underground <u>outside</u> of the subdivision boundary but must be underground <u>within</u> 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 Edgeview Estates #3 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.

Private Road Application

- 7. The proposed Private Road name of "Ruth Lane" is approved by the Street Naming Committee and shall be shown on the plat.
- 8. Applicant shall hire an engineer to design constructions drawings for the private road to be reviewed by the County Engineer.
- 9. 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.
- 10. Applicant shall purchase and install a blue private road sign and a stop sign at the intersection of the private road and Edgemont Road (see attachment for proper placement).
- 11. Per GCC 12-6-1.F.4.d, the developer shall construct the private road as a subdivision improvement. The road shall be 24' wide and obtain a final inspection prior to the Board signature of the Mylar.

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GEM COUNTY TREASURER

Megan Keene

415 East Main Street, Suite 200 Emmett, Idaho 83617

E-mail: <u>treasurer@co.gem.id.us</u> Phone: (208) 365-3272 Fax: (208) 365-2163



May 10, 2024

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

RE: Edgemont Estates No. 3 Standard Subdivision, Preliminary Plat PP-24-002

Loc: Edgemont Rd, Emmett, ID PIN(s): Parent: RP06N02W010000

Dear Olivia,

After reviewing the application for Edgemont Estates No. 3, the following are my comments regarding the subject parcel(s):

Parcel RP06N02W010000 has the 2023 taxes paid in full, and will have 2024 taxes due at a future date.

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, 2024 in order to show up in the 2024 Assessment Roll and 2024 Tax Roll. Anything recorded after that date will be valued and taxed based on how the property was as of January 1, 2024 and will need the current years estimated/actual taxes paid.

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

Sincerely,

Laura Wheeler

Gem County Treasurer's Office

:lw

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

May 28, 2024

Jennifer Kharrl Development Services 109 S. McKinley Ave. Emmett, ID 83617

RE: Edgeview Estates #3

Dear Jennifer,

Gem County Road & Bridge Department (GCRB) has reviewed the Subdivision Application of Edgeview Estates #3, an 8 lot subdivision located adjacent to Edgemont Road. Edgemont Road is a local road under the Transportation Functional Classification of Gem County. If proposed subdivision is approved, this would bring the total lots of all three phases to 17. The proposed phase 3 subdivision will create an additional 170 Average Daily Trips (ADT) to this roadway, per day. (10 trips per household national average). Edgemont Road was constructed of 3 inches of asphalt at a width of approximately 20 feet. GCRB has concerns regarding the intersection at Edgemont Road and Shady Lane, this intersection is too narrow to accommodate the additional traffic generated from this subdivision.

GCRB shall recommend the following conditions be added to the Subdivision, if approved;

- 1. Applicant shall apply for a driveway approach permit with GCRB.
- 2. 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.
- 3. Applicant shall pave the approach to the proposed subdivision.
- 4. 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%.
- 5. Applicant shall hire an experienced paving contractor licensed in the State of Idaho.
- 6. Applicant or contractor, shall provide commercial asphalt mix design to GCRB for approval, prior to paving approach.
- 7. Applicant shall saw cut the edge of the existing pavement and apply tack oil on said roadway, prior to paving approach.
- 8. 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%.

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

- 9. Approach shall meet Gem County approach standards upon completion.
- 10. Applicant shall reconstruct, widen and pave the intersection of Edgemont Road and Shady Lane. Reconstruction shall proceed on Edgemont Road for a total of 100 Feet. This intersection shall be built to GCRB Road Ordinance 2007-09 Highway Street Standards.
 - a. For construction design, see page 13 table 4 of Highway Street Standards.

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

Thank you,

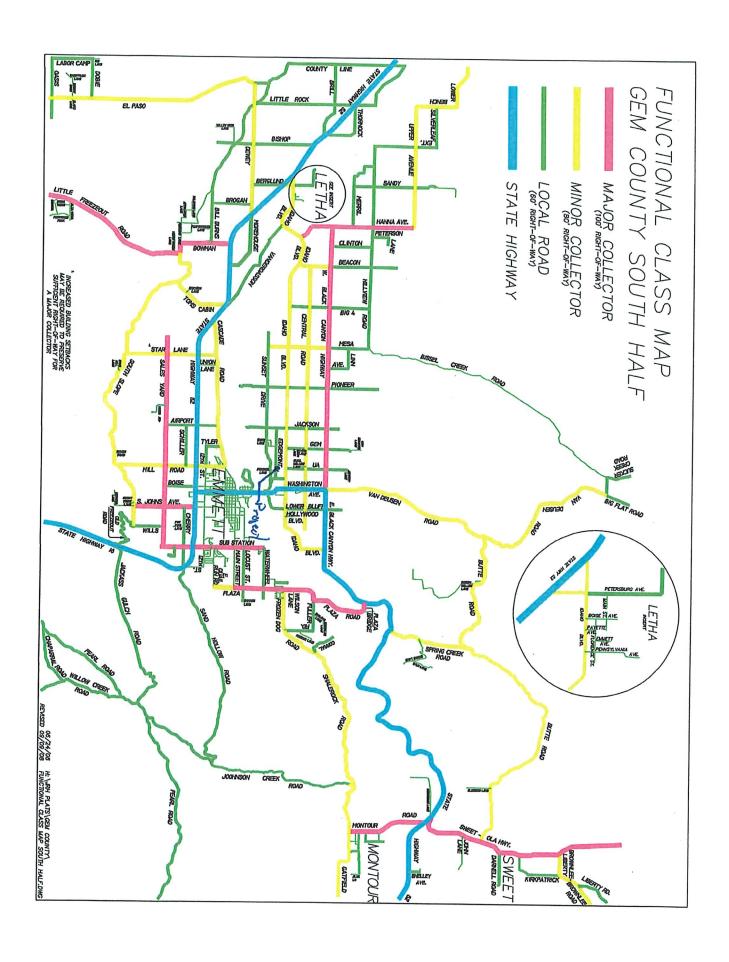
Neal Capps, Director Gem County Road & Bridge

LAND USE APPLICATION

DATE: 05-28-2024
PROJECT: Edgeview Estate #3
ROAD:
Edgemont Road
MAJOR/MINOR COLLECTOR:
Local Rod
ROAD PROJECTS:
N/A
ROAD SURFACE: Asphalt
Aspirat
ROAD WIDTH:
Approximately 20Ft.
ROAD LENGTH:
Approximately 1.5 mile
RIGHT OF WAY - DISTANCE:
30 feet form center

APPROACH PERMIT:		
Need to obtain		
SAFETY IMPROVEMENTS:		
Shoulder Maintenance, Grader Patching		
TRAFFIC COUNTS:		
N/A		
all]		
SIGNATURE:	DATE:	





Olivia Mocnik

From:

Angela Mattingly <amattingly@isd221.net>

Sent:

Friday, May 31, 2024 3:34 PM

To:

Olivia Mocnik

Subject:

Re: Edgeview Estates #3

Emmett School District has no concerns with this project at this time. We want to request a bus stop on Edgemont Rd in the plans.

Angela Mattingly
District Secretary
Clerk of the Board

Emmett Independent School District #221 District Office 119 N Wardwell Ave Emmett, Idaho 83617 208-365-6301

www.emmettschools.org

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On Fri, May 10, 2024 at 4:05 PM Olivia Mocnik < omocnik@co.gem.id.us > wrote:

Good afternoon,

State of Idaho Watermaster Water District No. 65

102 N. Main

Phone: 208-642-4465

Watermaster, Neil Shippy Payette, ID 83661

Fax: 208-642-1042

E-mail: neil.waterdistrict65@gmail.com

May 20, 2024

GEM COUNTY DEVELOPMENT SERVICES ATTN: OLIVIA MOCNIK ASSOCIATE PLANNER,

Re: Edgemont Estates LLC Edgeview Estates #3.

To whom it may concern:

Upon review of the proposed plans for the Edgeview Estates #3 Subdivision, Water District 65 has no objections to the application but would recommend the following conditions be met:

- Pump station and irrigation piping plan that will deliver the full allotment of water to each parcel.
- An agreement for the shared maintenance and power costs.
- An easement free of all obstructions for operation and maintenance for all parties with interest in pump station.
- Water Right 65-10542 to be split among all parcels within its Place of Use.
- Final inspection of installed irrigation system by the watermaster of Water District 65.
- Since this property has water entitlement from Emmett Irrigation, the developer can choose to abandon this water right by filling out the attached form and summitting it to the Western Division of the Department of Water Resources.

Additional questions can be directed to the watermaster at 208-642-4465 or via email to
neil.waterdistrict65@gmail.com

Respectfully,

Neil Shippy

Watermaster

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

Notice of Abandonment of Water Right

Print Name of Water Right Owner(s):	
Mailing Address:	
	Phone:
Note: If you are not listed as the current owner of the wayou must include evidence of ownership of the water rig include a warranty deed, quitclaim deed, court decree, co	ater right in the Idaho Department of Water Resources' records, ht (or portion of the water right) with this form. Evidence may ntract of sale, etc.
I am the current owner of all, or part of Water Resources' records as Water Right No	of, the water right described in the Idaho Department of
	r right designated above. This abandonment is intentional permanently eliminates the right to divert and use water
	water right, please indicate which part is abandoned by ame or storage volume, and place of use (include acres if p identifying the specific locations.
Signature of Water Right Owner(s) or Authorized F	Representative Date
Signature of water Right Owner(s) of Authorized P	Representative
Print Name and Title of Authorized Representative (Complete if applicable and include your authority to act	
State of) ss County of)	
County of	
On this day of	20, the signer(s) of the above instrument appeared e executed the same.
	Notary Public
SEAL	My commission expires:

Emmetit District Irrigation District

222 E. Park St. Emmett, Idaho 83617

Serving the Valley Since 1910

emmettirrigationshop@gmail.com

208-365-4582 Fax 208-365-1324

06/03/2024

Re: PP-24-002 Edgeview Estates No. 3

To whom it may concern,

Please review the below comments, and coordinate any questions or concerns through the office.

- 1. Engineer certified irrigation delivery system installed within the irrigation easements on the subdivision plat to each parcel. An overflow with the ability to take all flows available to the entirety of the development for a minimum of 24 hrs. in case of power outage or non-use.
- 2. Copy of the Certified Irrigation Plan delivered to EID.
- 3. Designate a watermaster for the delivery point and coordinate designee with the District.
- 4. After Final Plat is approved a copy will need to be provided to the EID Office.
- 5. Warranty deed of title.
- 6. Runoff and drainage from the proposed Land Use Change should be addressed to ensure downstream users are not adversely affected by the proposed changes.

The Emmett Irrigation District Board of Directors meets the first Tuesday of each month, requests or appeals need to be on the Agenda 48 hours in advance of the meeting and coordinated through the main office.

Thank you,

Carl Hayes

Emmett Irrigation District



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 A	APPLY.)
☐ DEVELOPMENT AGREEMENT ☐ SUBDIVISIO	☐ VACATION
PROJECT NAME:Edgeview Estates No. 3	
Subdivision Name (if applicable):	Lot: Block: City:Emmett
PROPERTY OWNER: Name: SAMEAS P.P.GLICAN Address: State: Zip:	APPLICANT: Name:Kyle Stratton Address:PO Box718 City:EmmettState:ID Zip:_83716_
Telephone:Email:	
I consent to this application and allow Development Services 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: (Owner) Date	e Signature: (Applicant) Date
OFFICE	USE ONLY

Date:

Fee:

Receipt No:

File No.:

Received By:



Sawtooth Land Surveying, LLC

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

April 12, 2024

Development Services

RE: Edgeview Estates No. 3

To whom it may concern,

On behalf of Kyle Stratton, we are pleased to submit this Letter of Intent, the attached application, and supporting documents for the proposed preliminary subdivision for Edgeview Estates No. 3.

Address	Parcel Number	Acreage
No Situs Edgemont Road	RP06N02W010000	9.020

This property is within Gem County and is currently zoned R2.

Edgeview Estates No. 3 is proposing 8 lots, ranging from 1.000 to 1.717 acres.

The proposed subdivision will not create excessive additional requirements at public expense. Additional services will be supported by property taxes and/or fees paid directly to service providers.

There is no know health, safety or environmental issues that currently exist or that will exist as a result of this development.

All lots will have their own wells and septic systems.

Please contact us should you have any questions or if we can be of any assistance with your processing of these applications.

Sincerely,

Amy Rosa Project Manager Sawtooth Land Surveying, LLC

