



# 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 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: Cherry Heights Subdivision No. 1

### SITE INFORMATION:

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

Quarter: E 1/2 Section: 20 Township: 6N Range: 1W Total Acres: 68.90  
 Subdivision Name (if applicable): Cherry Heights Subdivision No. 1  
 Site Address: 3700 Wills Rd. Lot: \_\_\_\_\_ Block: \_\_\_\_\_  
 City: Emmett  
 Tax Parcel Number(s): RP06N01W201805 Current Zoning: R-2 Current Land Use: County Residential

### PROPERTY OWNER:

Name: Cherry Heights Development

Address: 2775 W Navigator Dr. Ste 110

City: Meridian State: ID Zip: 83642

Telephone: 208.869.9885

Email: lane@beaconidaho.com

### APPLICANT:

Name: Hess Properties LLC

Address: 15031 Spyglass Ln.

City: Caldwell State: ID Zip: 83607

Telephone: 208.409.0864

Email: tyler@hesspropertiesidaho.com

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

Authentisign

[Signature] 11/01/22

Signature: (Owner)

Date

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

[Signature]

Signature: (Applicant)

Date

File No.:

Received By:

Date:

OFFICE USE ONLY

Fee:

\$1590.00

Receipt No:

*Held  
Ch until  
3-13-23*

February 28, 2023  
Project No.: 21-129

Ms. Jennifer Kharri  
Planning Director  
Gem County  
109 South McKinley  
Emmett, ID 83617

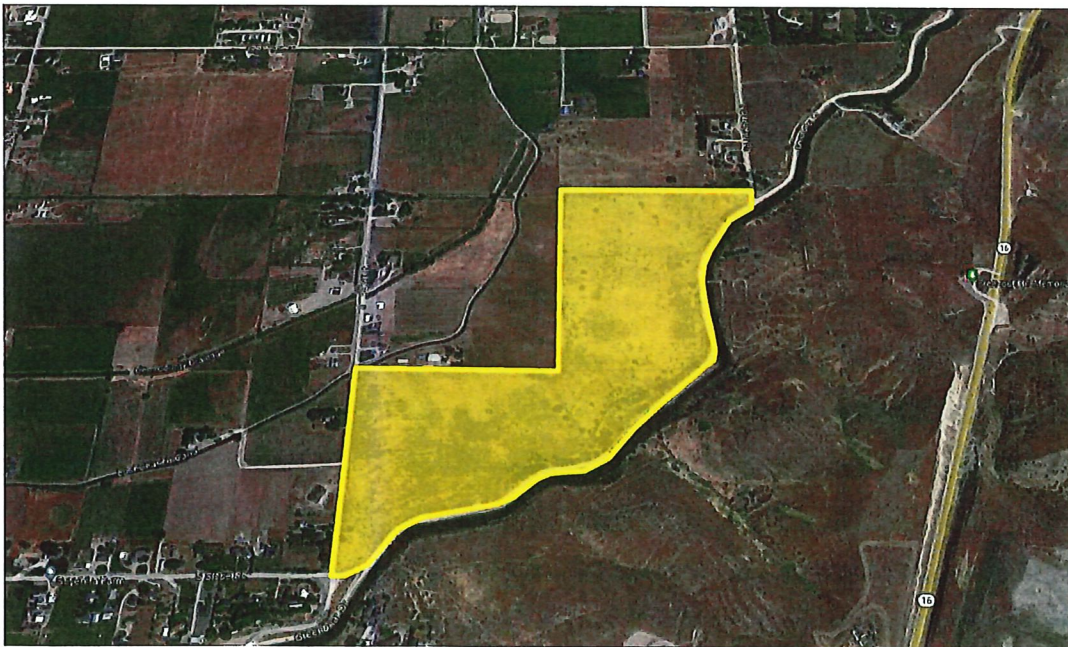
**RE: Cherry Heights Subdivision – Gem County, ID**  
**UPDATED Preliminary Plat Application**

Dear Ms. Kharri:

On behalf of Hess Properties, LLC, we are pleased to submit the attached preliminary plat application and required supplements for Cherry Heights Subdivision.

### **Site & Background Information**

The subject property is an approximately 68.90-acre parcel, identified as Parcel No. RP06N01W201805, located east of Wills Road between Sales Yard Road and Slope Road in Gem County. A Development Agreement (Inst. #321365) was entered into on May 6<sup>th</sup>, 2019, between Gem County and Sands Orchard Inc. As part of this Development Agreement, the subject property was rezoned from A-2 (Rural Transitional Agriculture) to the R-2 (Residential Transition) zone. The subject property is designated on the Gem County Future Land Use Map as a County Residential Area and lies within Priority Growth Area 1. Adjacent properties to the north and west are zoned A-2 and properties to the south and east are zoned A-3 (Rural Agriculture).



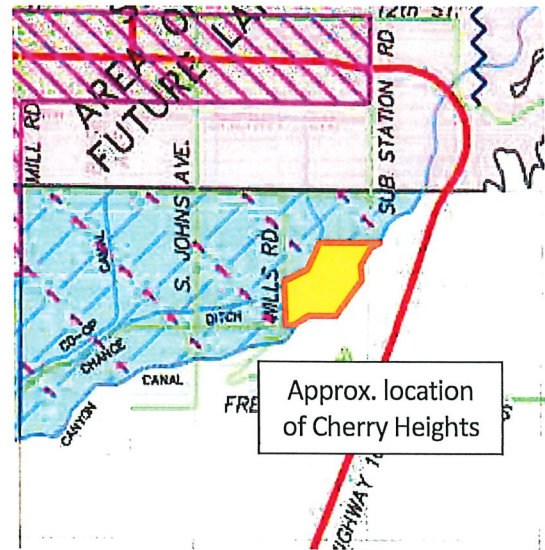


We held a neighborhood meeting on Tuesday, October 25, 2022. This meeting was attended by at least two dozen neighbors, who expressed numerous concerns about the overall Cherry Heights Development. In this narrative, we will discuss how we have addressed these concerns.

## Comprehensive Plan

The subject property lies within a County Residential Area, specifically Priority Growth Area 1. Consistent with Gem County's Comprehensive Plan, Cherry Heights will not detract from the rural character of the area and does not burden the Gem community with the cost of development. In Priority Growth Area 1, densities at 1 unit per 1 acre are allowed.

Cherry Heights will help the Gem community achieve many of its Comprehensive Plan goals and policies. The Housing Element of the Comprehensive Plan encourages development that conserves open space, reduces unnecessary cost, and provides current and future residents with quality housing choices. Cherry Heights has been designed to conserve open space and integrate with its surroundings. Housing Policy 3.1.8 encourages rural residential development in areas where it is compatible with existing agricultural and ranching development. We have designed Cherry Heights with single-family homes on large, 1-acre lots to complement the existing agricultural character, without detracting from the natural beauty of the area.



Further, Residential Land Use Policy 12.13 encourages the provision of quality and diverse housing, as well as creative subdivision designs, of all prices for present and future residents. We have met with neighbors and coordinated with numerous agencies to ensure the lots provided within this development will provide a foundation for high quality homes and will not negatively impact neighboring properties. We have also utilized frontage along the Black Canyon Canal to provide residents with access to open space near their homes.

## Preliminary Plat

The attached preliminary plat for Cherry Heights includes a total of 37 single-family residential lots and 1 common lot on approximately 68.90 acres. The proposed layout reflects a gross density of 0.54 lots per acre with an average lot size of 54,869 square feet, which exceeds the standards of the R-2 zoning district. Buildable lots range in size from approximately 1.01 acres to 2.04 acres, providing large lots with favorable configurations. The lots have been designed to exceed minimum requirements to enhance the availability of low-density single-family living options, which is an objective of the R-2 district.

Cherry Heights will develop in two phases. A separate application to rezone parcel RP06N01W201200 to the R-2 zoning district was submitted on November 2, 2022, and a subsequent preliminary plat application for Cherry Heights No. 2 is forthcoming. Anticipated construction will depend on market conditions as well as coordination and approval timelines with reviewing agencies.

### ***Development Agreement***

A Development Agreement (Inst. #321365) was entered into on May 6<sup>th</sup>, 2019, between Gem County and Sands Orchard Inc. Condition 8.4 of the DA requires the development to be generally designed in accordance with an approved concept plan. The basic residential areas, circulation, and access control has been designed to be generally like the concept plan, with some minor differences. The concept plan depicts one access point to Wills Rd., whereas the preliminary plat proposes two access points to Wills Rd. An additional access point will reduce congestion and improve circulation when adjacent parcels develop in the future. A property boundary adjustment application was approved which removed approximately 7.63 acres from the subject parcel and joined it with Parcel #RPO6N01W201200 to the northwest to create a more desirable configuration to accommodate future development.

The developer met with the Gem County Development Services Department in a pre-application meeting prior to submitting this application. A traffic impact study (TIS), preliminary grading and drainage plan, irrigation plan, geotechnical report, and engineering report were submitted to the County for review. We have incorporated comments received from the County into this application.

### ***Access & Connectivity***

Cherry Heights proposes two primary access points via Wills Road. Homes within Cherry Heights will take access from internal local roadways, all of which will be improved to the standards of the Gem County Road and Bridge Department. Connectivity is provided through parcel RP06N01W201200 to accommodate future development.

A traffic impact study (TIS) was completed by CR Engineering, Inc. in June 2022. This study concluded that the proposed development is anticipated to have minimal impacts on the existing transportation system. Additionally, the existing roadways and intersections within the study area are anticipated to continue to operate at an acceptable level of service with the build-out of the proposed development.

### **Water Rights Statement**

The developer possesses adequate surface and or groundwater rights to meet the needs of the development. 81.3 miner's inches of water are available to the property, flowing at a rate of 0.02 cfs/miner's inch. This is an adequate quantity of water to meet the proposed domestic and landscape needs of the development; additional rights will not be sought.

The Irrigation District for the property is the Lake Reservoir Company and Emmett Irrigation District.

### **12-3-8-6: Required Findings for Approval of Standard Subdivision Applications**

*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:*

- A. 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.*



Domestic water service for each lot will be provided by individual wells. All domestic water wells will be installed in accordance with the Idaho Department of Environmental Quality and Southwest District Health Department's requirements.

A concern expressed by neighbors was how the number of new wells would affect the area's water supply. We are working with well companies familiar with this area to ensure that there is adequate supply to accommodate this development.

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

Sanitary sewer service will be provided for each lot by individual septic systems. We have held a pre-development meeting with Southwest District Health to determine what will be required for new septic systems. All sanitary sewer septic systems will be installed in accordance with the Idaho Department of Environmental Quality and Southwest District Health Department's requirements.

At this time, Atlas Technical Consultants, LLC is conducting a nutrient pathogen (NP) study to ensure that the soils, geologic conditions, and water resources in this area can accommodate the number of proposed septic systems.

- C. Proposed roads are consistent with the transportation element of the comprehensive plan and meet Gem County Road and Bridge department standards.*

Homes within Cherry Heights will take access from internal local roadways, all of which will be improved to the standards of the Gem County Road and Bridge Department. Connectivity is provided to adjacent lots to accommodate future development.

- D. 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.*

No hazards have been identified at this time. The proposed use, single-family residential, is compatible with the present conditions of the site.

- E. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code and the comprehensive plan.*

A Development Agreement (Inst. #321365) was entered into on May 6<sup>th</sup>, 2019, between Gem County and Sands Orchard Inc. As part of this Development Agreement, the subject property was rezoned to the Residential Transitional Zone (R-2), subject to the provisions of the Development Agreement. Single-family residences are an allowed use in this zone. Additionally, Cherry Heights Subdivision conforms to policies found in the Gem County Comprehensive Plan, as discussed above.

- F. 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 roads, parks, and other public facilities within Gem County.*

The development is a private venture to be financed through private funds. Therefore, no public funds will be required for the site improvements.

*G. The proposed subdivision complies with the design and improvement standards set forth in this title.*

Cherry Heights Subdivision will comply with all design and improvement standards. A diverse mixture of quality housing products will be offered in this subdivision which will create and maintain a high quality of life for residents.

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

The proposed subdivision is not situated within a floodplain or on a hillside.

*I. The proposed subdivision complies with all other standards set forth in this title or any other applicable ordinance or statute.*

The applicant will cooperate with Gem County to ensure compliance with all standards throughout the duration of this project.

## **Conclusion**

Cherry Heights has been designed to ensure compatibility with adjacent land uses and consistency with existing and anticipated development in the area. We have taken steps to mitigate neighbors' concerns with the development, and these changes will be carried over into the second phase; all studies that have been conducted or are underway include both phases. Cherry Heights will provide quality and diverse housing options to residents of Gem County. Residents will enjoy proximity to a full-service community in Emmett as well as access to recreational opportunities across the County.

Should you have questions or require further information to process these applications, please feel free to contact me.

Sincerely,  
**KM Engineering, LLP**



Stephanie Hopkins  
Land Planning Manager

cc: Cherry Heights Development, LLC





## **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 CHERRY HEIGHTS SUBDIVISION**

**FILE NUMBERS: PP-22-014**

**PLANNING AND ZONING COMMISSION HEARING DATE: MAY 8, 2023**

**APPLICANT: HESS PROPERTIES, LLC**

**PROPERTY OWNER: CHERRY HEIGHTS DEVELOPMENT, LLC  
2775 W NAVIGATOR DR STE 110  
MERIDIAN, ID 83642**

**SITE LOCATION: WILLS ROAD, T 06N R 01W Section 20**

**STAFF PLANNER: JENNIFER KHARRL**

#### **1. APPLICATION SUMMARY & OVERVIEW**

The applicant, Hess Properties, LLC, on property owned by Cherry Heights Development, 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 68 acres located on Wills Road. The property is bare. The property is zoned R-2, Residential Transitional.

The PP application proposes 37 building lots. All Lots meet the minimum lot size of 1 acre. Individual wells and septic systems are proposed for each lot. Four new public roads are proposed through the development to be built. A neighborhood meeting was held on October 25, 2022 and twenty four (24) people attended the meeting.

##### 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 on the east side of Wills Road and is within Township 6N, Range 1W, Sections 20 & 21 (Tax Parcel #RP06N01W201806). The property has approximately 1,303 feet of frontage along Wills Road.
- B. Current Owner(s): Cherry Heights Development, LLC
- C. Applicant(s): Hess Properties, LLC
- D. Present Zoning: R-2, Residential Transitional (1-acre min. lot size)
- E. Present Comprehensive Plan Designation: County Residential Area, Priority Growth Area #1
- F. Property Size: Approx. 68.90 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 October 12, 2022. A Notice to Proceed was issued on October 26, 2022. In accordance with Gem County Code 12-3-3, the applicant conducted a neighborhood meeting on October 25, 2022.
- B. Application Submittal:  
The complete Preliminary Subdivision application for this item was received by the Development Services Department on March 27, 2023.

- C. 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 April 19, 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 April 7, 2023. The physical property was posted for the public hearing on April 10, 2023. Requests for all impact agencies' reviews were mailed on April 7, 2023.

Gem County Development Services received a reply letter from the following public impact agencies: Gem County Road and Bridge Department, Emmett Irrigation District, Keller Associates, Black Canyon Irrigation District, Gem County Treasurer, ITD, Idaho Power and IDWR.

Public hearing notices were mailed to one hundred and four (104) parcels in the immediate vicinity including the properties within 300 feet and to all of the properties that submitted letters after the developer held a neighborhood meeting on site. 148 letters of opposition were sent in after the neighborhood meeting raising concerns regarding traffic, wells, septic and storm water. Five letters of opposition were received for the Commission public hearing.

- 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. The Board of County Commissioners conditionally approved a rezone from A-2 (5-acre Lot size) to R-2 (1-acre Lot size) in 2018 with a robust Development Agreement that required a Traffic Impact Study (“TIS”), to include impacted roadways and intersections at current conditions/the time of development and project build-out; a Preliminary Grading and Drainage Plan with preliminary water retention facilities design for the project site; an Irrigation Plan encompassing handling of waste water and delivery to downstream water rights; a Geotechnical Report including soils analysis; and an Engineering Report with well log research and impacts of proposed well and sanitary septic to establish the proposed density can be supported.
- F. Companion Applications: A rezone application of the adjoining property to the north that is intended to be a second phase.

#### 4. LAND USE

- A. Existing Land Use(s): Irrigated pasture land.
- B. Description of Character of Surrounding Area: The immediate vicinity includes a combination of active and inactive agricultural lands and single-family residential properties. The entire vicinity contains irrigated and/or irrigatable lands (Emmett Irrigation District). R-2 and R-3 zones are scattered throughout the A-2 zone.
- C. Adjacent Comprehensive Plan, Zoning and Land Use:

	<b>COMP PLAN DESIGNATION</b>	<b>ZONING DESIGNATION</b>	<b>LAND USE</b>
<b>North of site</b>	County Residential Area, Priority Growth Area #1	A-2, Rural Transitional Agriculture and R-3, Rural Residential	Irrigated pasture land; rural residential;
<b>South of site</b>	Agriculture/Natural Resources	A-3, Rural Agriculture	Black Canyon Canal
<b>East of site</b>	Agriculture/Natural Resources	A-3, Rural Agriculture	Irrigated pasture land/Black Canyon Canal
<b>West of site</b>	County Residential Area, Priority Growth Area #1	R-2, Residential Transitional and R-3, Rural Residential	Irrigated agricultural land; 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: Irrigated pasture land.
3. Floodplain: The parcel lies outside of any FEMA mapped Floodplain.

4. Canals/Ditches/Irrigation/Creeks: The property lies within the boundaries of the Emmett Irrigation District jurisdiction. The Black Canyon Canal runs along the southern and eastern property boundaries.
5. Hazards: Staff is not aware of any hazards. Any potential hazards should be addressed by the applicant at the public hearing.

E. Streets and/or Access Information: The plat proposes to construct and dedicate to Gem County four new public streets to serve the subdivision (Rainier Road, Stella Road, Magenta Road and Regina Road). All Lots, will access the new roads.

## 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 County Residential Area, Priority Growth Area 1.

The Comprehensive Plan Future Land Use Map identifies the subject property as **County Residential Area, Priority Growth Area 1**. The County Residential Area is set aside for primarily residential development. The long-term vision for this planning area is to maintain the uniquely rural character and to preserve non-conforming uses. The Priority Growth Area 1 allows densities down to one (1) unit per one (1) acre, or as the Zoning and Subdivision Ordinances currently allow.

*This property is located in R-2 zone and within the County Residential Area, Priority Growth Area #1 designation of the Future Land Use Map. The property contains 68.90 acres and the thirty-seven proposed lots will meet the minimum zoning requirement.*

### Supporting Policies/Goals

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

- 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.
- Natural Resources, 6.11 – Prevent contamination of groundwater from sewage and wastewater through appropriate planning, treatment and through regulations.

*The proposed plan appears to conform with SWDH standards, as preliminarily determined by SWDH staff during on-site visits for this application. This will be determined during the Subdivision Engineering Report (SER) process.*

- Housing, 3.1.3 and Land Use, 12.2.3 – Encourage compatible infill development, which will complement existing neighborhoods.

*The Wills Road area includes a mix of R-2 and R-3 zoned parcels.*

- 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 was required to be submitted as part of the Development Agreement and was reviewed by the County Engineer.*

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

Purpose Statement of Zone: Gem County Code 11-4-4A lists the purpose of the R-2 zone as follows:

“Purpose: To provide lands for the development of single-family dwellings, in areas that can be served by



individual well and septic systems as approved by the health department.” The R-2 zone has a one (1) acre minimum lot size requirement.

*The property is found to comply with the intent and purpose of the R-2 zone to allow single-family uses on 1-acre lots.*

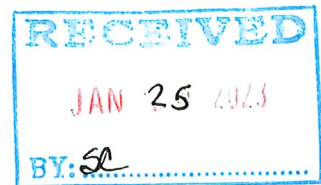
**Attached Exhibits**

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

Development Services received the attached letter from 148 concerned citizens following the required neighborhood meeting that the developer held on site on October 25, 2022. Also attached is the list of citizens who sent in the letters.



RE: Cherry Heights Subdivision  
3700 Wills Road  
Emmett, ID 83617



County Commissioners,

Many of the existing property owners have significant concerns regarding the proposed Cherry Heights Subdivision at 3700 Wills Road. The questions that were asked at the "Neighborhood Review" meeting which KM Engineering held on Tuesday, October 25, 2022 went unanswered for the most part. Some of the concerns that we need answers to are following:

1. **Water:**

The proposal calls for a well on each building site. This alone caused great concern for the residents down slope because of the amount of ground water that will be extracted, there are potential issues for existing properties that could experience water quantity if existing wells have to be redone by drilling deeper or re-drilling completely? Most of the down gradient wells have been in service for over 30 years. As the County is the approving agency, will you assure and be liable for changes to existing water quantity and quality issues that arise?

2. **Septic:**

The proposal calls for each building site to have a leach line septic system. This again causes great concern for the down gradient property owners and relates again to water quality concerns for their domestic wells. The proposed subdivision is on a sand hill that will provide for a superb leach field, the problem is that the sand overlays a silt clay base which will then direct affluent down gradient causing the potential for the down gradient wells to be affected with Nitrate, Nitrite and coli-form contamination. How will you assure that this does not happen?

3. **Run-off Water and Storm Water:**

The proposed subdivision is on a highly erodible hillside, the addition of hard surfaces that will deflect and aggregate water causing a larger volume of run-off and storm water coming off the site. This is problematic from an erosion stand point but also may cause drainage issues. Last Chance Ditch runs along the bottom of the property and is not able to accommodate the increased fluctuations this volume can/will cause. The large drainage ditch, which would have to handle any run-off is not maintained until it reaches South Johns. So, who is responsible to assure that the existing culverts and drain are adequate to handle the increased water volume? Who will clean/maintain the drain ditch of the sand that washes off the hill? As it is now after a storm, water running along Wills Road washes out along the edges and sand flows across the intersection at the top of Wills Road, more run-off does not make this situation better!

4. **Traffic**

KM Engineering state that a traffic survey has been completed for Wills Road. That being said, the roads in the lying area are not sufficient for ingress and egress for the additional traffic that a subdivision of this size will bring. Wills Road at this time with normal traffic is too narrow. Cars have to move to the shoulder to pass, let alone larger vehicles or farm equipment. The shoulders deteriorating with the current traffic and consistent erosion issue lend to the question of widening the road to accommodate the additional traffic load. That is only one piece of the puzzle as Wills Road is not a through road so additional traffic will have to travel Old Freezeout, Salesyard, Substation or Cherry Lane to connect to an arterial that will get them over the hill for work or shopping or to South Johns to get into Emmett. Widening Wills Road makes little sense to widen, as it does not directly connect to an arterial road.

These concerns need to be addressed as KM Engineering could not provide answers to our questions in the meeting they conducted on Tuesday, October 25, 2022.

This subdivision is extremely detrimental to the environment, the community, the surrounding neighbors, but also the quality of life that this community has in the Emmett valley.

Thank you for your consideration on this matter.

Printed Name: NANCY L. DAVIS Signed: Nancy L. Davis  
Address: 950 E South Slope Rd  
Emmett, ID 83617

Sent Post Card 1-25-23

First	Last	Address	City	State	Zipcode
DeAnna	Barrett	740 Cherry Lane	Emmett	ID	83617
Dianna	Troudt	744 Cherry Lane	Emmett	ID	83617
Larry	Troudt	744 Cherry Lane	Emmett	ID	83617
Nicole	Sims	3700 Wills Road	Emmett	ID	83617
Bruce	Sims	3700 Wills Road	Emmett	ID	83617
Peter	Dill	2222 S. Johns Ave	Emmett	ID	83617
Margrieth	Dill	2295 S. Johns Ave	Emmett	ID	83617
Susan	Dill	2222 S. Johns Ave	Emmett	ID	83617
Russell	Einwalter	800 Cherry Ln	Emmett	ID	83617
Brenda	Hansen	1687 Cherry Ln	Emmett	ID	83617
Roy	Hansen	1687 Cherry Ln	Emmett	ID	83617
Joshua	Gearheard	3370 S. Johns Ave	Emmett	ID	83617
Samantha	Crossley	3370 S. Johns Ave	Emmett	ID	83617
Stuart	Peterson	1515 E. Sales Yard Rd	Emmett	ID	83617
Elizabeth	Peterson	1515 E. Sales Yard Rd	Emmett	ID	83617
Ron	Jackson	3395 S. Johns Ave	Emmett	ID	83617
Brenda	Moyer	3414 Wills Rd	Emmett	ID	83617
Carl	Moyer	3414 Wills Rd	Emmett	ID	83617
Robert	Payne	3440 S. Johns Ave	Emmett	ID	83617
Lillie	Payne	3440 S. Johns Ave	Emmett	ID	83617
Kodi	Quenzer	922 E. Sales Yard	Emmett	ID	83617
Joseph	Schissler	2275 Cherry Ln	Emmett	ID	83617
Bailey	Schissler	2275 Cherry Ln	Emmett	ID	83617
Mary	McCown	2190 Cherry Ln	Emmett	ID	83617
Robert	McCown	2190 Cherry Ln	Emmett	ID	83617
Beverly	Carroll	2714 Orchard Ln	Emmett	ID	83617
Michael	Carroll	2714 Orchard Ln	Emmett	ID	83617
Jason	Sebastian	4450 Old Freeze Out	Emmett	ID	83617
Zobin	Sebastian	4450 Old Freeze Out	Emmett	ID	83617
Marvin	Johnson	720 E. South Slope Rd	Emmett	ID	83617
Roba	Johnson	720 E. South Slope Rd	Emmett	ID	83617
Rodric	Smith	3777 S. Johns Ave	Emmett	ID	83617
Cindy	Smith	3777 S. Johns Ave	Emmett	ID	83617
Tony	Norella	2677 S. Substation	Emmett	ID	83617
Mic	Norella	2677 S. Substation	Emmett	ID	83617
Erwin	Jantz	2260 Cherry Ln	Emmett	ID	83617
Sherry	Jantz	2260 Cherry Ln	Emmett	ID	83617
Mary	Morris	1286 E. Sales Yard	Emmett	ID	83617
Jeremy	Morris	1286 E. Sales Yard	Emmett	ID	83617
Ira	Fallon	3287 Breshears Ln	Emmett	ID	83617
Pam	Fallon	3287 Breshears Ln	Emmett	ID	83617
John	Dollar	3575 Willis Rd	Emmett	ID	83617
Michelle	Dollar	3575 Willis Rd	Emmett	ID	83617
Kitti	Roberts	2660 S. Sub Station Rd	Emmett	ID	83617
Roderick	Roberts	2660 S. Sub Station Rd	Emmett	ID	83617
Catherine	Bacon	2670 S. Substation Rd	Emmett	ID	83617



Gary	Bacon	2670 S. Substation Rd	Emmett	ID	83617
Steven	Weston	3333 Wills Rd	Emmett	ID	83617
Wendy	Weston	3333 Wills Rd	Emmett	ID	83617
Laura	Cloherty	4452 Old Freezeout Rd	Emmett	ID	83617
Nadine	Burak	1495 E. Sales yard Rd	Emmett	ID	83617
Steven	Burak	1495 E. Sales yard Rd	Emmett	ID	83617
Gudrun	Robinson	3535 S. Johns Ave	Emmett	ID	83617
Sherry	Lamb	807 E. South Slope Rd	Emmett	ID	83617
Gale	Lamb	807 E. South Slope Rd	Emmett	ID	83617
Margret	Brierley	3427 Wills Rd	Emmett	ID	83617
E.R.	Brierley	3427 Wills Rd	Emmett	ID	83617
Mary	Heflin	2240 Cherry Ln	Emmett	ID	83617
Lisa	Garcia	808 E. South Slope Rd	Emmett	ID	83617
James	Lund	2222 Cherry Ln	Emmett	ID	83617
Terri	Lund	2222 Cherry Ln	Emmett	ID	83617
Sharon	Boatman	743 E. South Slope Rd	Emmett	ID	83617
Matthew	Boatman	743 E. South Slope Rd	Emmett	ID	83617
James	Schaad	2160 Cherry Ln	Emmett	ID	83617
Theresa	Schaad	2160 Cherry Ln	Emmett	ID	83617
Lucinda	Plotts	3130 S Johns Ave	Emmett	ID	83617
Richard	Plotts	3130 S Johns Ave	Emmett	ID	83617
Donna	Martin	2615 S. Substation Rd	Emmett	ID	83617
Gerry	Case	2505 S. Substation Rd	Emmett	ID	83617
Steve	Case	2505 S. Substation Rd	Emmett	ID	83617
Roswitha	Hubbard	2520 S. Substation Rd	Emmett	ID	83617
Jerry	Davison	2550 S. Substation Rd	Emmett	ID	83617
Maral	Davison	2550 S. Substation Rd	Emmett	ID	83617
Erin	Maurer	2665 S. Substation Rd	Emmett	ID	83617
Thomas	Brodock	2630 S. Substation Rd	Emmett	ID	83617
Patricia	Brodock	2630 S. Substation Rd	Emmett	ID	83617
Donald	McGregor	2620 S. Substation Rd	Emmett	ID	83617
Lynn	Garcia	3957 Wills Rd	Emmett	ID	83617
Michael	Combs	3957 Wills Rd	Emmett	ID	83617
Jess	Careage	2610 S. Substation Rd	Emmett	ID	83617
Roma	Careage	2610 S. Substation Rd	Emmett	ID	83617
Maria	Marin	2580 S. Substation Rd	Emmett	ID	83617
Gabriela	German	2580 S. Substation Rd	Emmett	ID	83617
Paul	Jacobsen	999 E. Salesyard Rd	Emmett	ID	83617
Kayla	Jacobsen	999 E. Salesyard Rd	Emmett	ID	83617
Steve	Dixon	3387 Wills Rd	Emmett	ID	83617
Cynthia	Dixon	3387 Wills Rd	Emmett	ID	83617
Eugene	Parks	2386 S. Substation Rd	Emmett	ID	83617
Donald	Wyatt	3540 Wills Rd	Emmett	ID	83617
Catherine	Ballard	3540 Wills Rd	Emmett	ID	83617
Katrina	Andrews	3680 Wills Rd	Emmett	ID	83617
Wayne	Andrews	3680 Wills Rd	Emmett	ID	83617
Susan	Griffith	2575 S. Substation Rd	Emmett	ID	83617

Charles	Griffith	2575 S. Substation Rd	Emmett	ID	83617
Donna	Martin	2615 S. Substation Rd	Emmett	ID	83617
Donald	Martin	2615 S. Substation Rd	Emmett	ID	83617
Toni	Bucciero	3624 Wills Rd	Emmett	ID	83617
Duane	Ross	2490 S. Substation Rd	Emmett	ID	83617
Geraldene	Ross	2490 S. Substation Rd	Emmett	ID	83617
Jeanne	Wiegand	3655 S. Johns Ave	Emmett	ID	83617
Betty	Williamson	3010 Wills Rd	Emmett	ID	83617
Ken	Williamson	3010 Wills Rd	Emmett	ID	83617
Robert	Suyehira	777 E. South Slope Rd	Emmett	ID	83617
Ruth Ann	Suyehira	777 E. South Slope Rd	Emmett	ID	83617
Gregory	Forte	811 E. South Slope Rd	Emmett	ID	83617
Connie	Bigelow	1210 E. Salesyard Rd	Emmett	ID	83617
Theodore	Smith	2280 Cherry Ln	Emmett	ID	83617
Susie	Smith	2280 Cherry Ln	Emmett	ID	83617
Justin	Sirohlman	3397 S. Johns Ave	Emmett	ID	83617
Michael	Bowling	4460 Old Freeze Out Rd	Emmett	ID	83617
Patrick	Palmer	3979 Wills Rd.	Emmett	ID	83617
Natasha	Palmer	3979 Wills Rd.	Emmett	ID	83617
Edward	Illingworth	3411 S. Substation Rd	Emmett	ID	83617
Adrianne	Illingworth	3411 S. Substation Rd	Emmett	ID	83617
Daniel	Fimby	945 E. South Slope Rd	Emmett	ID	83617
Belinda	Fimby	945 E. South Slope Rd	Emmett	ID	83617
William	Walburn Jr.	1300 E. Sales Yard Rd	Emmett	ID	83617
Bobbie	Walburn Jr.	1300 E. Sales Yard Rd	Emmett	ID	83617
Rose	Tucker	3303 S. Johns Ave	Emmett	ID	83617
Lawrence	Tucker	3303 S. Johns Ave	Emmett	ID	83617
Bruce	Evans	798 E. South Slope Rd	Emmett	ID	83617
Sherry	Evans	798 E. South Slope Rd	Emmett	ID	83617
Sandra	Goehring	901 E. Sales Yard Rd	Emmett	ID	83617
Barbara	Driemeyer	2180 Cherry Ln	Emmett	ID	83617
Dennis	Driemeyer	2180 Cherry Ln	Emmett	ID	83617
Gary	McDonald	2677 S. Johns Ave	Emmett	ID	83617
Carol	Robison	2677 S Johns Ave	Emmett	ID	83617
Jaime	Kurata	1720 E. Salesyard Rd	Emmett	ID	83617
Matthew	Kurata	1720 E. Salesyard Rd	Emmett	ID	83617
Elfreida	Bennett	2570 S. Substation Rd	Emmett	ID	83617
Richard	Bennett	2570 S. Substation Rd	Emmett	ID	83617
David	Warrick	2520 Foxfire Ln	Emmett	ID	83617
Lindsey	Warrick	2520 Foxfire Ln	Emmett	ID	83617
Harley	Warrick	2520 Foxfire Ln	Emmett	ID	83617
Kerri	Vaughn	2590 S.Substation	Emmett	ID	83617
Troy	Vaughn	2590 S. Substation	Emmett	ID	83617
Randy	Reiman	1104 Cherry Ln	Emmett	ID	83617
Mary	Carson	1108 Cherry Ln	Emmett	ID	83617
M.	Carson	1108 Cherry Ln	Emmett	ID	83617
Michael	Darling	920 Cherry Lane	Emmett	ID	83617

Becky	Darling	920 Cherry Lane	Emmett	ID	83617
Elsie	Kimball	3010 S. Johns Ave	Emmett	ID	83617
Dana	Guerrno	1117 Cherry Lane	Emmett	ID	83617
Michael	Guerrno	1117 Cherry Lane	Emmett	ID	83617
Brent	Kimball	759 E. Salesyard Road	Emmett	ID	83617
Debbie	Kimball	759. E. Salesyard Road	Emmett	ID	83617
Tinker	Bell Mead	737 Cherry Lane	Emmett	ID	83617
Julianne	Prince	737 Cherry Lane	Emmett	ID	83617





**Stephanie Crays**

**From:** Robbie Roberts <robnkitti@gmail.com>  
**Sent:** Monday, April 17, 2023 4:27 PM  
**To:** Stephanie Crays  
**Cc:** Robbie Roberts; tyler@hesspropertiesidaho.com; lane@beaconidaho.com  
**Subject:** Cherry Heights Application

Hi Stephanie,

Robbie Roberts, former Economic Developer for the City of Emmett here. I am writing in response to the Cherry Heights application and have serious concerns about the developer's responses relative to the availability of well water for the properties within this application.

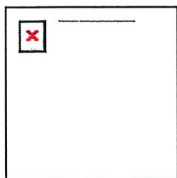
I've reviewed both of the packet's documents and the developer has not answered whether a recognized expert believes there is sufficient groundwater to prevent loss of well water availability to existing properties near the development. Sorry, but asking local well companies to verify that there is sufficient water availability is a conflict of interest as these companies benefit from drilling new wells. An Idaho state-recognized authority needs to verify that sufficient water capacity exists that will provide sufficient water for the development and not harm existing water capacity for existing properties adjacent to the development.

The Water Rights Statement contains language that is unfamiliar to me; however, it appears that this is limited to water taken from the adjacent Black Canyon canal for landscaping purposes.

Until an Idaho state-recognized authority determines that there is sufficient well water capacity to accommodate the new development without negatively affecting the well water capacity of existing properties adjacent to the development, I would ask Planning & Zoning to reject the application until such guarantees can be verified.

Many thanks for the efforts of the Planning & Zoning Commission and the work by the Gem County Development Services department as Gem County is seeing new growth!

All the best...

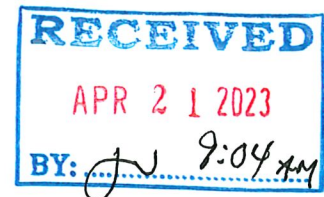


**Robbie Roberts**

(208) 631-1530 | robnkitti@gmail.com

"All we have to decide is what to do with the time that is given us."

Gem County Development Services Department  
109 S. McKinley Ave. Emmett Idaho 83617  
Office of the Administrator  
Planning and Zoning



Attention: Olivia Mocnik Associate Planner

Regarding: Cherry Heights application to rezone A2 to R2

To maintain the small-town character & rural feel, it is a mistake to rezone the foothills from A2(5 acre) to R2(1 acre). The proposed subdivision, Cherry Heights, will spread urbanization into the rural county lands ultimately decreasing values of existing properties.

Other concerns include the 37 lots will put a stress on the aquafer, the septic systems will be leaching into the ground effecting ground water for existing properties, increased traffic on Wills Road. and S. Substation Road will affect the rural perception existing in the county today.

Community designing and planning needs to recognize the special qualities of Emmett that you can see when driving down the Freeze-Out Hill on Highway 16. From the Memorial Site, the Cherry Height Subdivision would not fit into the overall feel of our valley.

Sincerely, Donna Martin

2615 S. Substation Road (208-963-2995)



April 27, 2023



Gem County Planning and Zoning Commission

Re Wills Road development

Dear Commissioners,

We live at 2222 South Johns Avenue. We have serious concerns about the proposed development off Wills Road.

We are very concerned about water quality for the existing homes nearby and for this development if septic systems are installed at this density and with this topography. We are also very concerned about traffic affecting existing homes and this development. To add 37 or 60 homes to the traffic flow on Wills road and/or Substation, or the Canal Road, will be intense. The entrance near the southwest corner of the site near the complex intersection of Wills Road, the Canal Road and South Slope looks to create traffic congestion and accident risk. Currently there are approximately 70 homes accessing Substation directly. The increase by this development is remarkable and complicating for existing residents. If approved, this request sets a precedent and if the pattern continues it looks quite unmanageable. Who will pay to re-do this set of old roads?

The county has been through a long process preparing a new comprehensive plan. Hours and hours have been spent discerning what density and development approaches would benefit the county and protect existing neighbors. While the Cherry Heights application precedes the new comprehensive plan and may not be subject to it, your task as Planning and Zoning is to determine what is wise and appropriate. All the reasons why the new comprehensive plan chose a less dense zoning for the area including this parcel are still wise and appropriate for applications not governed strictly by the new plan. Please reject the application or ask them to revise it to meet the current comp plan which is a good plan going forward.

Sincerely,

Peter and Susan Dill

*Susan Dill*      *Peter Dill*

Theresa Schaad  
2160 Cherry Lane,  
Emmett, ID 83617

Gem County Planning and Zoning Commission

April 26, 2023

Dear Chairman and Board Members of Gem County Planning and Zoning Commission,

Thank you all for serving our community. I know you are very busy with many things on your agenda and its impossible to know every detail. I love this community; I love growth and people! I believe you have its best interests at heart in your decisions.

Id like to address the Cherry Heights subdivision.  
I hope you will give concern, study and answers in 3 areas:

**Issue # 1.** I request a county road and traffic study, beyond the developer, on the roads that will see increased traffic. Wills, are very narrow, almost shoulderless and in poor repair. Not TODAY, but if this subdivision is built, there will be MANY heavy equipment vehicles traveling as well as future daily increased traffic on those and entrance roads such as Cherry Lane, Substation Rd and S. Johns.

Forbes.com says Idaho and Wyoming tied for the highest rate of car ownership nationwide, with 96.2% of households in both states reporting access to at least one vehicle in 2021.

Car ownership rates by state from Motley website shows this for 2022 for Idaho:

State	Percentage of households with at least one vehicle	Average number of vehicles per household
Idaho	96.1%	3.0

These factual numbers will impact Emmet's roads far more than the developers "estimate"

**Issue #2** is existing and future wells, protection for existing homeowners. The KM / developers state there is enough water for THEIR development but what about the existing homes with wells in the area with increased us and no more agriculture to replenish the ground water supply. What is YOUR plan to protect your citizen's existing wells in the area? Will the City or County dig new wells in a timely manner at NO further expense to homeowners in the area? Will the developer? Has there been any accurate water studies? How will you protect existing citizens?

Boise/Kuna have seen wells drying up due to rapid development and have a long waiting list and ridiculous expense for new wells needed for existing homeowners. Middleton as well has experienced this.

BOISE, Idaho (CBS2)(KBOI) — Some wells in Southwest Boise are drying up. It's not because of the hot dry summers, but **in part because of development in the Boise area.**

KTVB 7 quotes "The development and growth of the area have impacted the wells. "As more and more subdivisions go in, less and less farmland is there. With less farmland, the aquifer doesn't get replenished," said Nick Estes, a nearby resident who just had a well dug before the company left town.



The above problems WILL occur HERE. I am presuming you fully understand land facts and am eager to hear your plan to protect existing wells and land/homeowners.

**Issue #3** is a request to do a land study, in terms of layers and ability of the land to absorb rain, runoff, water, septic, etc. that will affect the homes. Please keep the zoning at 5-acre parcels to help prevent future problems for existing residents.

Thank you so much for your consideration to make growth compatible with existing residents! I will be part of the meeting via zoom to allow for others to fill the chairs.

😊

A handwritten signature in pink ink that reads "Theresa Schaad". The signature is written in a cursive, flowing style.

Theresa Schaad

## Stephanie Crays

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**From:** Deborah Weaver <dmfweaver@yahoo.com>  
**Sent:** Thursday, April 27, 2023 12:54 PM  
**To:** Stephanie Crays  
**Subject:** Re: Development at 3700 Willis Road

I am writing to voice my opposition to the new development/rezone. This breaking up of large pieces of rural transitional agriculture ground needs to stop. The water table here will not support so many wells/septics in a relative small parcel. I have friends who have no water pressure on Star Lane and others in the Sand Hollow area who have had to drill new wells. We built a new house 2 years ago - drilled a new well and had to go down twice the depth of our old well (on the same property and are sucking up lots of sand (requiring expensive filters, etc.). Services such as law enforcement/EMS/road department are stressed to deal with the new developments that have already been put in.

Please reconsider leaving it 5 acres - even at that it's a lot of wells/septics. Our water is not unending.

Thank you,

Deborah Weaver  
4185 County Line Road  
Emmett, ID. 83617



## EXHIBIT A

### REQUIRED FINDINGS FOR STANDARD SUBDIVISION PERMIT Cherry Heights Subdivision (File #PP-22-014)

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 and sent in a generic letter regarding water supply with some general observations regarding the increased numbers of subdivisions in Gem County and the amount of individual wells. There were no specific recommendations for this subdivision.*

*The proposed subdivision complies.*

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

*An on-site, Pre-Development Meeting with Southwest District Health and the applicant/developer was held on 11/16/22. Their preliminary review does not indicate any potential problems with individual systems. 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 and dedicate to Gem County four new public streets to serve the subdivision that will be classified as local roads. Wills Road is classified as a Local Road 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 Wills Road to meet this requirement.*

*The Gem County Road & Bridge Department (Neal Capps) was notified of the application and responded in writing regarding the new approaches off of Wills Road and Substation Road and the requirements for the proposed public roads.*

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. Per the Development Agreement, the developer submitted an engineered geotechnical report prepared by Atlas Technical Consultants, LLC that determined that the site is adequate for the proposed 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.**

*See Comprehensive Plan analysis in section 5 of the staff report for details. Staff finds that the PP application proposes a minimum lot size of 1 acre. The current R-2 zone allows for a minimum lot size of 1 acre and is intended to provide lands for the development of single-family houses. The subdivision is intended for single-family, on-site built houses, which complies with the R-2 purpose and dimensional standards.*

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.**

*Wills Road is identified as a Local Road (60' total right-of-way width) with the Average Daily Traffic (ADT) volumes exceeding 2,000 vehicle trips per day at full build out and a 30' right-of-way from centerline is requested from the Gem County Road and Bridge Department. The proposed public roads will offer the full 60' right-of-way for local roads. If the plat is approved, those areas of right-of-way would be provided to the county. Gem County Subdivision Ordinance (12-5-5) requires that areas to be dedicated are free and clear of all liens and encumbrances; this includes but is not limited to: fences or structures of any kind. This area will need to be confirmed at the time of Final Plat application. The County Engineer has recommended a discussion to determine pavement rehabilitation or replacement measures on Wills Road.*

*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 and private septic systems. To date, 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 – n/a
- b) Utilities – the subdivision developer is responsible to install the required utilities prior to the recordation of the final plat
- c) Domestic Water Supply – individual domestic wells; to be constructed at time of future building permit – see Finding #1 above
- d) Irrigation – Emmett Irrigation District
- c) Sewage Disposal – individual septic systems to be approved via the SER; to be constructed at time of future building permit – see Finding #2 above
- d) Public & Private Streets – street dedication along existing Wills Road is shown as required (30' right-of-way). The four proposed public roads will be reviewed by County Engineer at time of construction drawing submittal in conjunction with the Road and Bridge Director.
- e) Lots – The R-2 zone requires a one (1) acre minimum lot size. As the applicant is proposing 1.00+ acre parcels, this standard has been met.
- f) Remainder lots – n/a
- g) Blocks – n/a
- h) Drainage – suitable drainage facilities required; will be reviewed by County Engineer at time of construction drawing submittal.
- i) Park or School Site Dedication – n/a
- j) Public Access Easements – n/a
- k) 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 or Hillside subdivision.*

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

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