

MASTER ADMINISTRATIVE REVIEW APPLICATION

GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT

109 South McKinley, Emmett, Idaho 83617 www.co.gem.id.us phone: (208) 365-5144 fax: (208) 365-2499

TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

CERTIFICATE OF ZONING COMPLIANCE COMPLIANCE A COMPLIANCE WITH PRIOR)AD	SECONDARY DWE SITE PLAN SIGN PERMIT TEMPORARY HAR PERMIT TEMPORARY USE	DSHIP
PROJECT NAME: Event (entir	(Dovit h	we a remede	1)
SITE INFORMATION:			Į.	(2)
(This information can be found on the Ass Quarter: 21 W Section: 3	sessor's proper	rty information assessm nship: <u> イアル</u> Range:	ent sheet.) Total Acre	 s:
Subdivision Name (if applicable): $\frac{N}{++}$		(65)	Salasan saa	
Site Address: 2627 N.Pluz	0	Lot: City:	Block:	
Tax Parcel Number(s): RPOTWOIW	1343048	rrent Zoning: <u>5 U.P.</u>		ys school
PROPERTY OWNER: Sapp		Name: Kand		Hallmar
Address: 12693 Heriford	d Rd	Address: 4807 (ter h
City: Donnelly State: IP	zip: \$31e15		State: I D Zip	<u>8361</u> 0
Telephone 209 941-793 Fax:		Randy 208 86 Telephone: 208 8591 Email: Terrinall	10 /Bal.	icom
I consent to this application and allow Develo Services staff to enter the property for site insprelated to this application.		I certify that the informat the best of my knowledg		correct to
Andy Sapp 04/21/22 04	÷/21/22	DeuxaET6	W 9-1	4-21-22
Signature: (Owner)	Date	Signature: (Applicant)		Date
NOTE: THIS APPLICATION M	HET RE SHRWY	TED WITH THE ABOUTCA	RI E CHECKI IST (S)	
11/2			our cribition (o).	
SUMMUL CO3 File No.: Received By: \	OFFICE U	SE ONLY 22 - 22 Fee: 45	Receipt No: 10	12-00214
				T

Special use Permit

2627 N. Plaza

Emmett, Idaho 83617

The Center that was used for Novitas School is perfectly situated and designed for the use as an Event center.

Primarily, the event center would be a place that families could come and have a reunion, or family event in a peaceful, quiet area, without outside influence. The homes would be perfect for the families who travel long distances to spend time with family and friends.

We would like to strategically place some electrical and water hook-ups dispersed appropriately for people to bring an RV for the event. There is no intention of making any hook-up permanent. That is why there will be no sewer hook-ups or dump station.

This is so it would be convenient for families to come and stay for an event without having to find a hotel miles away.

The change in use, would not affect the surrounding area except that it would be a bit different, from the existing use.

Most of the use would be daytime hours, and we would require that the event center close by 10 pm.

The days of use would vary. Most of the use time would be Friday thru Sunday.

However, we would be open to host business meetings, and various gatherings from time to time. The events will be appropriately planned, and managed and shall not be disruptive.

We do anticipate that most events would bring from 25 to 75 people.

We are planning on planting more trees, shrubs, and flowers, adding to the beauty and serene landscape. We are also planning on putting in nice fencing to define parking and driving areas.

Because this was a school, everything is up to code with the fire district and city.

Nothing that we plan will interfere with the flow of traffic, since it is on a private Road that is paved. If needed we can plant more trees, but the line of sight from the road is beautiful as is.

The beauty of this property is that not much needs to be done to change the use from a school to an event center.

We plan to plant pasture and hay fields on the remaing proprtey to enhance the natural beauty and the land.

In Summary

Randy and I are from the valley and love the area and wish to enhance what Emmett has to offer the people who live here.

We plan on living on the property with our dog, cats, and horses. We fell in love with this property and immediately we both wanted to create a place that families can come and spend time together.

We love our privacy, but also love to share. This place is truly a little slice of heaven. It needs to be a part of others lives too. As well as the people who come here; will have only positive things to say about Emmett Idaho.

Supplemental Information

- 1. The current SUP improvement requirements are in place.
- 2. The road entrance is paved and all fire, and emergency access roads are in compliance and will remain.
- 3. Additionally, all the buildings are currently served by supplemental water storage and commercial fire sprinkler systems installed in all structures including alarms for each.
- 4. There is a large, paved parking area in place and an additional compacted pad for additional parking is in place.
- 5. There is a four-sided enclosure for the trash collection adequately distanced from any buildings as to not be visible.
- 6. There is currently a wastewater treatment facility on site. It is constantly monitored and maintained.
- 7. There is current approved lighting provided on the street entry and parking area.
- 8. Currently there are large unimproved areas of weeds and grass. The improvement plans mentioned in the letter are to plant both grasses and Alfalfa hay field. The intent is to have agricultural area to provide for owner to reside on site and provide for livestock and fencing for small residential farming activities compliant to the current zoning.
- 9. In summary, the request to change the use of the current facility to a gathering place for small events while enjoying the natural beauty is really a modification to a much more appropriate use.



* Approximate Location



GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT

nced within one (1) year of the date of the final OFFICE OF THE ADMINISTRATOR OFFICE OF THE ADMINISTRATOR PLANNING & ZONING

PHONE: (208) 365-5144

WEB PAGE: WWW. GEMCOUNTY.ORG

STAFF REPORT

DESCRIPTION:

SPECIAL USE PERMIT APPLICATION -EVENT VENUE

FILE NUMBER: SUP-22-003

ZONING COMMISSION HEARING DATE: July 11, 2022

APPLICANT:

RANDAL AND TERESA HALLMAN

4807 W LITTLE FEATHER LANE

EAGLE, ID 83616

PROPERTY OWNER:

SAME

SUBJECT PROPERTY: 2627 PLAZA ROAD, IN T 07N, R 01W, SECTION 34

STAFF PLANNER: JENNIFER KHARRL

1. APPLICATION SUMMARY

The applicant, Randal and Teresa Hallman, is requesting approval of a Special Use Permit (SUP) to allow an event center on private, residential property. The venue is proposed at 2627 North Plaza Road and is located in the A-2, Rural Transitional Agriculture zone (5-acre minimum). The subject property consists of approximately 16.19 acres, on two adjacent parcels. Off-site caterers, portable toilet providers, and other services associated with special events would also be permitted (if applicable).

"Event Venue" is not a land use that is listed in Gem County Code (GCC) 11-5-5, Zoning Matrix. It is a unique category. The most similar land use in the Zoning Matrix is probably "cultural activities" under the sub-heading of "Entertainment and Recreation," which requires a SUP in the A-2 zone. GCC 11-5-3 states that "uses not specifically listed or not deemed similar to allowed uses shall require a special use permit." The property lies within the "County Residential Area, Priority Growth Area #1" land designation of the Future Land Use Map.

2. APPLICATION & PROPERTY FACTS

A. Site Address/Location:

The property is located at 2627 North Plaza Road. The property is located in a portion of Section 34, T 07N, R 01W.

B. Current Owner(s): Randal and Teresa Hallman 4807 W Little Feather Lane Eagle, ID 83616

C. Applicant(s): Same as owner

D. Present Zoning: A-2, Rural Transitional Agriculture

E. Present Comprehensive Plan Designation: County Residential Area, Priority Growth Area #1

F. Property Size: 16.19 +/- acres (comprised of 2 parcels)

3. APPLICATION PROCESS FACTS

A. Application Submittal:

The application for this item was received and deemed complete by the Development Services Department on April 22, 2022.

B. 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 11-7-6 on June 22, 2022. Notice of this public hearing was mailed to property owners within 300 feet of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-7-6 on June 21, 2022. The physical property was posted for the public hearing on June 22, 2022. Requests for all impact agencies' reviews were mailed on June 22, 2022.

We received two (2) response letters from impact agencies – Gem County Road and Bridge Department and Assessors Office.

Public hearing notices were mailed to ten (10) parcels in the immediate vicinity. No written comments were received.

C. Relevant Ordinances and Required Actions:

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

- D. History of Previous Actions on Property: The Zoning Commission approved a SUP for Novitas Academy in 2014 and had subsequent amendments.
- E. Companion Applications: None.

4. LAND USE

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

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
North of site	County Residential Area, Priority Growth Area #1	A-2, Rural Transitional Agriculture	Payette River
South of site	County Residential Area, Priority Growth Area #1	A-2, Rural Transitional Agriculture	Rural Residential, Irrigated Pastureland
East of site	County Residential Area, Priority Growth Area #1	A-2, Rural Transitional Agriculture	Rural Residential, Irrigated Pastureland; Last Chance Ditch
West of site	County Residential Area, Priority Growth Area #1	R-3, Rural Residential	Rural Residential, Irrigated Pastureland; Payette River

D. Existing Site Characteristics:

The property is relatively flat and irrigated, contains a single-family residence, a commercial school building and is bordered by the Payette River to the north and the Last Chance Ditch to the east.

E. Physical Constraints and Opportunities:

- 1. Wastewater & Domestic Water: Currently, the property has an individual domestic well and septic system for the home and a community well and septic for the school building.
- 2. Topography: Relatively Flat.
- Vegetation: Native vegetation and pastureland.
- 4. Floodplain: FEMA Community panel number 160127-0337 B, Zone X: areas of .2 % annual chance flood hazard. A small portion of zone A, floodplain.
- 5. Hazards: Staff is not aware of any existing or potential hazards on the property. The applicant should disclose any other known hazards on the property at the public hearing.
- F. Special Use Information: A Special Use Permit application is required for the proposed special events in the A-2 zone.
- G. Building Setback Information. Any new structures over 120 square feet in size would have to receive a building permit and comply with setbacks in effect at the time.
- H. Streets and/or Access Information: Vehicular access to the property is taken off of Plaza Road via a shared driveway.

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 defines the "County Residential Area, Priority Growth Area 1" category (in Chapter 12) as follows:

"This is a special land use designation immediately adjacent to the City of Emmett and Area of City Impact. The County Residential Area is set aside for primarily residential development. The Priority Growth Area 1 allows densities at one (1) unit per acre, as the Zoning and Subdivision Ordinances allow. The long term vision for this planning area is to maintain the uniquely rural character and to preserve non-conforming uses."

This property is located in an A-2 zone and within the County Residential Area, Priority Growth Area 1 designation of the Future Land Use Map. The proposed use is only allowed in the existing zone (A-2) if the Commission grants a SUP.

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

- A. Schedule of Zoning Regulations: Gem County Code 11-5-3, allows special land uses not listed in the Zoning Matrix to be granted through a Special Use Permit.
- B. Purpose Statement of Zone: Gem County Code 11-4-2.A. lists the purpose of the A-2, Rural Transitional Agricultural, 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 Commission must find that the proposed use is consistent with the purpose of the zone.

Other: The following sections of the Zoning Ordinance directly and/or indirectly address the application:

• 11-3-5.F. Residential Area Use: No facilities or use can be permitted in residential areas unless it is clearly demonstrated that the proposed use will not result in smoke, dirt, litter, smog, air or water pollution, excessive noise or offensive odors beyond the limits of the facility.

There are a few nearby residences. The proposed special event use may generate excessive noise at times. The Commission must find a way to mitigate the noise.

7. REQUIRED FINDINGS & STAFF ANALYSIS [Staff comments and analysis are shown in italics.]

A. Will in fact, constitute a special use as established on the Official Schedule of District Regulations for the zoning district involved;

Staff finds that the subject property lies within the A-2, Prime Agriculture zone. "Special Events" is not a land use that is listed in Gem County Code (GCC) 11-5-5, Zoning Matrix. It is a unique category. The most similar land use in the Zoning Matrix is "cultural activities" under the sub-heading of "Entertainment and Recreation," which requires a SUP in the A-2 zone. GCC 11-5-3 states that "uses not specifically listed or not deemed similar to allowed uses shall require a special use permit."

B. Will be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or the Zoning Ordinance;

Staff finds that the proposed use, if operated according to the proposed conditions of approval, will be in accordance with the objectives and policies of the "County Residential Area, Priority Growth Area #1" designation on the Future Land Use Map of the Comprehensive Plan, as outlined in Section 5 of this report. The increased noise and traffic may cause a nuisance.

C. Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

Staff finds the <u>existing</u> character of the area is rural and agricultural, with scattered single-family residential and hobby farm uses in the vicinity. The <u>intended</u> character of the area (as defined in Chapter 12 of the Comprehensive Plan) is an area set aside for primarily residential development and to maintain the uniquely rural character and to preserve non-conforming uses.

Depending upon the level of traffic and services (including deliveries) and the number of special events, the proposed use has the potential to change the character of the area, especially if the events extend into late night hours. For this reason, staff finds some special conditions are necessary in order to protect the character of the area.

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

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

Staff finds that the proposed use has the potential to be disturbing to neighboring uses with the traffic generated by the special events (as compared to residential or agricultural uses) and, potentially, music or other amplification associated with the outdoor activities. These levels will be beyond normal A-2 zone levels. The Commission should review this finding in relationship to the proposed conditions and other evidence presented at the hearing.

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

Staff finds that the proposed use could be adequately served by the Gem County Sheriffs Department, Mosquito Abatement District, Emmett Sanitation and Gem Rural Fire District #1. The Commission should also refer to any comments submitted from impact agencies during the course of the open public hearing. Staff received correspondence from the Gem County Road and Bridge Department, which has a couple conditions.

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

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

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

As noted in finding D above, the main foreseeable detriment to the general welfare could be excessive noise and traffic. Staff finds that the use will not be detrimental to persons or property if operated in accordance with Gem County laws and the conditions below. Special events do not typically generate smoke, fumes, glare or odors, except the typical side effects of food preparation.

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

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

The existing driveway shouldn't create an interference with traffic and public thoroughfares.

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

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

8. IMPACT AGENCIES NOTIFIED

Gem County Road Department
Gem County Mapping
Southwest District Health Department
Gem County Sheriff
Fire District #1
Emmett Irrigation District
Gem County Building Official
Idaho Transportation Department

9. STAFF RECOMMENDATION

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

EXHIBIT A

PRELIMINARY SITE SPECIFIC CONDITIONS OF APPROVAL HALLMAN FILE #SUP-22-003

- 1. This permit is subject to an annual review by the Development Services Department.
- 2. The permit is non-transferable to another property and is only valid at 2627 N Plaza Road.
- 3. The events associated with the Special Use Permit shall only take place on Friday through Sunday between 8:00 AM and 10:00 PM.
- 4. Applicant shall comply with the conditions from the Gem County Road and Bridge Department letter dated June 30, 2022.
- 5. All trash and/or garbage collection areas shall be enclosed on at least three sides by a solid wall or fence of at least four feet in height or within an enclosed building or structure.
- 6. The applicant is responsible to keep all refuse and trash on their property.
- 7. Music shall be played no later than 10:00pm at a low decibel as to not create a nuisance to the neighboring properties.
- 8. Illegal fireworks are prohibited to be discharged at any time.
- 9. No parking is allowed on Plaza Road.
- 10. No event associated with this permit shall allow for more than 75 guests on the property at any given time.
- 11. The applicant is responsible to provide all events with on-site toilet and sanitation services that comply with Southwest District Health Department rules and standards.
- 12. The applicant shall comply and/or ensure compliance by off-site caterers with all Southwest District Health Department standards for dispensing food to the public.
- 13. All lighting used during special events shall be fully contained within the property boundaries and not cause a nuisance or distraction to neighboring properties or to drivers.
- 14. No permanent off-premise signs are permitted with this permit and all on-premise signs shall comply with the Gem County Sign Ordinance.

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

(1) Commencement: When a special use permit is granted, the land use or construction of its facility proposed in the application must have commenced within one (1) year of the date of the final decision by the Commission, or the Board or a court of appropriate jurisdiction (if appealed) and completed within two (2) years of the same date. Upon expiration of the use or the approval of that use as provided by this section, the applicant can seek approval of the use only by filing a new initial application for review by the Commission.

(2) Expiration: After the one (1) year period has expired, if any person, including staff or member of the Commission, files a written notice presenting sufficient evidence, as determined by the Administrator, to establish that the land use or construction of its facility provided for in the special use permit, has not commenced, or after the two (2) year period that said use has been abandoned or has ended, the Commission may find that the use has not been implemented or has been abandoned or has ended. If so, the Commission shall set aside the prior approval and order the property to revert to its prior status. An aggrieved person may appeal any Commission decision made under this section to the Board pursuant to Chapter 11-7-9 of this chapter.

GCC 11-7-12: REQUEST FOR EXTENSION:

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

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

June 30, 2022

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

RE: SUP (Event Center)

Dear Jennifer,

Gem County Road & Bridge (GCRB) has reviewed the Special Use Permit application of Randal & Teresa Hallman for an event center, located at 2627 N Plaza Road. The property in question meets GCRB driveway approach standards, GCRB has no comments in regards to this Special Use Permit.

If you have any questions please contact me at the office phone number 208-365-3305.

Thank you,

Neal Capps, Director

Gem County Road & Bridge Department

Gem County Assessor

Hollie Ann Strang
415 E Main Street, Room 201 ~ Emmett, Idaho 83617
Phone: (208) 365-2982 ~ Fax: (208) 365-2163 ~ Email: assessor@co.gem.id.us

	1 1101101 (200) 303 L302 Tax. (2	200) 303-2103 ~ E	man. assesson@c	co.gem.id.us			
A	amınıstrat	Assessor's ubdivision ive Combo	/Property	Boundary	Adjustm			
Date receiv	ved from DS:	122 22 Due D	Date: 7/5/20	Review #: <u>_</u>	DS File #:	<u>3UP-Hallman</u>		
Current par	cel numbers:	Hallmans	- RP07	NO1W343	3190			
The Gem Cobelow.	ounty Assessor's	s office has review	ed the submitted	documents. Our	r findings are su	mmarized		
		Compliant	Non-compliant	Not Reviewed	Initials			
	Conveyances			X	<u>SW</u>			
	Closures			×	<u>SW</u>			
	Fit			×	8W			
Comments:	· Convey	ances Clo	sures and	Fit is v	16t veurei	ixd		
Comments: Convergences, Closures and Fit is not reviewed Sor Special Use Permit Applications								
				11				
				(TOOM 6)				
	* I have no comments to add for this Special							
		ermit App				1 <u>A k</u>		
		to rece oup	Man (Corv.)	at our c	rro.			
,								
	2.1	Idoslan	3	× 2	×	8		
Mapper Signs	ature	Date Completed	Ass	essor Signature		Date		

CERTIFICATE OF MAILING

I hereby certify that on the <u>21st</u> day of <u>June</u> 2022, I served a true and correct copy of the foregoing upon:

PROPERTY OWNER LIST WITHIN 300 FEET

Hallman Event Center T07N, R01W, Section 34

Dern Anthony 2769 N. Plaza Rd Emmett, ID 83617

Idaho House LLC 2775 N. Plaza Rd Emmett, ID 83617

Marie Michelle Hawkins 3110 Fuller Rd Emmett, ID 83617

Leland Gotcher Jr. 2751 N. Plaza Rd Emmett, ID 83617

Jeremiah Vickery 2775 River Ranch Lane Emmett, ID 83617

Marshall A & Kathleen E Rodelli Trust 2777 Plaza Road Emmett, ID 83617 Frank McBee 1566 Kathy Street Emmett, ID 83617

Novitas Real Estate LLC PO Box 580 Emmett, ID 83617

Harlan Martin 64491 E 256 PL Grove, OK 74344

Mark & Lindy Family Trust 1035 N Seneca Springs Way Star, ID 83669

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

Stephanie Crays, Development Services Coordinator