

CITY OF EMMETT, IDAHO
ZONING COMMISSION

www.cityofemmett.org/zoningmeeting

AGENDA

Monday, December 2, 2024, 6:00 P.M.
Emmett City Hall, 501 E. Main St.

REGULAR MEETING

1. Call to Order:
2. Roll Call:
3. Pledge of Allegiance:
4. Review Agenda:
5. Approval of Minutes: November 4, 2024 Action Item

Continued Public Hearing

Public Hearing: SUP 24-001, Special Use Permit for Nursery for Children and Private Preschool, 905 E. 4th St.

- Zoning Administrator's Presentation
- Applicant Presentation
- Public input
- Rebuttal
- Decision of Public Hearing: **ACTION ITEM**

6. New Business: Action Items
 - a. Accessory Dwelling Unit's review
 - b. Approval of meeting schedule 2025
7. Unfinished Business: Action Items
8. Items from the Commission:
9. Items from the Building Official/Zoning Administrator:
10. Upcoming Meeting(s): Monday, January 6, 2025
11. Adjournment

This institution is an equal opportunity provider. Any person needing special accommodations to participate in the above noticed meeting should contact City Hall prior to the meeting at 501 East Main Street, Emmett, Idaho (208-365-6050)

Posted Wednesday, November 27, 2024, at _____ am/pm by: _____

EMMETT CITY ZONING COMMISSION

November 4, 2024

The Emmett City Zoning Commission held a Regular Meeting at 501 E. Main Street, Emmett, Idaho.

Commissioner Gregory called the meeting to order at 6:00 p.m.

Commissioner Gregory led the **Pledge of Allegiance**.

Commissioners Present: Brian Gregory, Tracy Howard, Kim Butler

Commissioners Online: none

Commissioners Absent: Gwen Earls, Larry Jenkins

Staff Present: Zoning Administrator, Brian Sullivan; City Attorney, Jake Sweeten; Recording Clerk, Shannon Ferraro

Staff Online: none

Public Present:

Tisha Vanderwiel and Jason Gyer, 203 W 1st Street, Emmett

Spencer and Janet Murphy 908 E 4th Street, Emmett

Montalbo 906 E 4th Street

Review of Agenda: Commissioner Butler made a motion to approve the agenda. Commissioner Howard seconded the motion. Motion Carried.

Approval of Minutes: Commissioner Butler made a motion to approve the minutes from October 7, 2024. Commissioner Howard seconded the motion. Motion Carried. All in favor, minutes approved.

Public Hearing: SUP24-001 Special Use Permit for a nursery for children and a private preschool.

Administrator Sullivan comes forward. We have a Special Use Permit application for a private nursery and preschool for children. The SUP number is SUP24-001. Tonight is the Zoning Commission hearing. The owner is Tisha Vanderwiel and Jason Gyer, 203 W 1st Street, Emmett, Idaho 83617. The applicant is also Tisha Vanderwiel. The subject property is 905 E 4th Street, located in Township 06 North, Range 01 West, Section 08, Parcel number RP06N01W085415. The application summary and overview. The applicant Tisha Vanderwiel has applied for a Special Use Permit, to operate a nursery and private preschool facility in a residential zone, in the city of Emmett. The site is approximately .50 acres, which is half an acre located on East 4th St.; the property is currently a residential home. The applicant intends on providing nursery services to children and a private preschool. Business will operate Monday through Friday 8am-6pm.

The required findings and staff analysis are read.

a. Will, in fact, constitute a special use as established on the official schedule of district regulations for the zoning district involved;

ECC, 9-5-2 lists Nursery for children and Private Preschool as requiring a SUP in the R-1 zone. A nursery for children and private preschool is permitted with an SUP within a residential zone. Staff determined that an SUP was appropriate for this type of application.

b. Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this zoning title;

Staff finds the following applies to this application:

RECREATION AND OPEN SPACE

4. Enhance community walkability.

A. Encourage the development of neighborhood schools and safe routes to school.

The location and characteristics of the defined land uses reflect the overall community vision and opportunities as identified from community discussion throughout the planning process:

--Emphasize residential development within surrounding neighborhoods, but ensure a mix of housing types and sizes, and allow the flexibility for low-impact mixed-uses.

-- Mixed Residential Neighborhoods (MR)
Secondary Uses: civic uses, schools, parks, and open space

According to the land use map, this property is located on the Safe Route to School Corridor of E. 4th St.

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;

The existing area is primarily residential houses. The existing building to be used as the nursery/private preschool is a residential home and will remain harmonious and appropriate in appearance with the general vicinity.

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

The facility will be primarily within the existing building. But there will be outside activity. Staff does not find this to be hazardous but could be disturbing to the neighboring uses.

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 establishment of the proposed use shall be able to provide adequately any such services; Staff finds that all public/private services will need to be provided.

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;

No additional public facilities or services would be required to serve the proposed nursery and preschool.

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

Staff finds there will be an increase in traffic during drop off and pick up times, and the noise in the area could increase from the children playing in the yard. This noise will be typical of a residential use with children.

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.

Vehicular access is taken directly from E. 4th St. Email from Director of Public Works states parking along E. 4th Street will not be allowed due to cars backing into traffic creating a safety issue.

i. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance. (Ord. 804,11-28-1989)

Staff finds the site is not located in an area encouraged for preservation, or known to be of specific importance as to the natural, scenic or historic features.

6. SITE SPECIFIC CONDITIONS OF APPROVAL

Section 9-8-4: SUPPLEMENTARY CONDITIONS AND SAFEGUARDS:

In considering any special use, the city may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be grounds for terminating the special use permit. (Ord. 939, 9-13-2001)

If the Commission decides to approve the use, the following conditions are recommended:

- a)Hours and days of operation need to be discussed. Application states M-F 8:00 to 6:00.
- b)If SUP is approved, submit a copy of the State of Idaho Childcare license.
- c)The applicant shall coordinate with Emmett Fire Department and obtain a fire inspection.

7. STAFF RECOMMENDATION

Staff finds the proposed Special Use Permit could meet all the required findings from the Zoning Ordinance and Comprehensive Plan listed in Section 5 of this report. Based on the information presented to date and available to staff, we recommend approval for this application.

Administrator Sullivan opens up for questions from the commission. Commissioner Gregory comments about the location to confirm. Commissioner Howard asks about parking. Commissioner Gregory then calls up the applicant.

Tisha Vanderwiell steps forward states her name and address. Ms. Vanderwiell gives a little bit of a background in being an educator. She owned and operated a preschool in 1996 for 10 years. Children are her passion. She recently moved to Emmett, and would like to be a part of the community through educating children. Commissioner Howard brings up the parking, and the comments made by Clint Seamons the Public Works Director. Vanderwiell comments that they can still do parallel parking, and that there is a lot of room in the back of the property for parking as well. She also mentions a loop style parking lot where people can enter on one end and exit out around a loop. The time frame for hours of operation are brought up. Tisha states that the hours from 8-6 are approximate, they may be a little earlier perhaps 7am. Also, she states that if there was a specific time frame that is needed to stay within, then they are happy to stay within that given time frame. But they would like to make it so parents can drop off their children before work, and pick them up after work. But not at the exact same time parents are dropping off at other school. The Emmett School District times are discussed.

Commissioner Gregory opens the floor to the public.

Spencer and Janet Murphy step forward. Mr. Murphy states that they live across the street, and have big concerns about safety. He then mentions that the sidewalk is on their side of the street, not the schools side. Also that the street does not have street lights. The closest street light is at 4th and DeClark. He is concerned about children walking in the dark to cross the street to get to the sidewalk. Another concern is where parents will park for holiday parties etc., also that their parking spots on the public street may be taken by parents of the students. They also bring up a light-up sign for the school, and they do not want anymore light pollution. The Murphy's are concerned that a sign will impede on the characteristics of a residential neighborhood. Also drop off times are brought up again. Mrs. Murphy inquires about what will hold the school to commit to specific hours of operation. Will the school be able to change their operation times if they want to?

Ms. Montalbo steps up. Her mother owns the residence right across the street, and directly next to the Murphy's. She did not have more to add, but wanted to step forward to validate the Murphy's concerns.

There are no more comments from the public.

Tisha Vanderwiell steps forward again to address the public's concerns. She begins by stating she understands all of their concerns. She then brings up the issue of parking, and states that they have plenty of room in the back of the property to put the parking. She then states that they plan on redoing the sidewalks and ramp when they do the landscaping. As far as hours of operation, once the hours are set, they will stay in place. Ms. Vanderwiell wants the times to be when the parents need to drop off and pick up their children before and after work, in order to meet the needs of these families. With regards to the sign, she would like to do whatever the commission thinks will be most beneficial to the neighborhood. Not lit up, or flashy. She wants to get along with the neighbors, and mentions that there will only be a small number of children on the playground at once, and talks a little bit about pick up times being staggard.

Commissioner Butler brings up the age range of the students, and that none of the students are of age to come and go on their own without a parent. Tisha confirms the age range. Commissioner Butler brings up licensing for the site, and the number of clients that can be served, what would the maximum number of students be? Ms. Vanderwiell states that they have not gone through the licensing yet, but it is usually 1 per every 35 square feet which would make it around 40-60 children at any one time. It could be a little more, it could be a little less depending on what the fire department says.

Attorney Sweeten then advises the commission to make sure that they have all information needed to make this decision before closing the public hearing.

Commissioner Butler asks if the Fire Chief has made any comments. There are none. **Commissioner Gregory** brings up lighting. **Administrator Sullivan** answers a few questions about lighting the property.

Commissioner Gregory closes the public hearing. **Commissioner Gregory** asks **Attorney Sweeten** if there is anything in the City Code about preschools. To Sweetens knowledge the city does not regulate preschools, and they are only referenced as a type of use in a zone. **Administrator Sullivan** then states that there will be a business license that will be required as well as a fire department review, and the SUP will be reviewed annually.

Commissioner Gregory inquires about what can be put in the wording of the SUP, since there is not anything in the code in regards to preschools. **Attorney Sweeten** answers that the number of children can be limited.

Administrator Sullivan then states that the Fire Department will do a walk through and will give a classification based on square footage, which will determine the number of children that can be on site at any one time.

Commissioner Gregory suggests that more information may be needed to make a decision. **Commissioner Butler** agrees that more must be added to aid the staff report. Discussion about parking, and the other concerns ensues.

Attorney Sweeten addresses the commissioners.

There are a few questions they seem to have. The questions of 1) How many? 2) When? and 3) How? He advises the commission that if they are not ready to approve or to deny SUP24-001, that they may reopen the public hearing, and then direct either staff or the applicant to bring back some additional information, with 1) reasonable numbers 2) reasonable times 3) reasonable solutions to how it's going to work, to better help make a decision. Then the public hearing remains open, take that information into the next meeting, and then go from there.

Commissioner Butler motions to reopen the public hearing on SUP24-001 Special Use Permit for a nursery/private preschool at 905 E 4th St. **Commissioner Howard** seconds. All in favor, motion carried.

Commissioner Gregory proposes to **Administrator Sullivan** that they have the following.

- 1) The proper sight lines coming out of the driveway
- 2) The front being muddy, possibly a curb
- 3) A map, layout of property (width of driveway included)
- 4) The fire department do an inspection; get a more accurate number of how many children will be allowed
- 5) Hours of operations. Days of the week etc.
- 6) Clarification on the sign
- 7) Lighting, and an idea of what the lighting will look like, times of day/night the lighting will be on
- 8) Possible conditions for no parking on opposite side of street

Commissioner Gregory moves the public hearing for SUP24-001 to Decembers meeting.

New Business: Accessory Dwelling Workshop to be continued at next meeting.

Unfinished Business: none

Items from the Commission: none

Items from the Building Official/ Zoning Administrator: none

Next Regular Meeting –December 2, 2024

Commissioner Howard made a motion to adjourn. **Commissioner Butler** seconds the motion. Motion Carried.

Meeting adjourned at 7:10 pm

Chairman Gwen Earls

Acting Secretary



CITY OF EMMETT
PLANNING AND ZONING DEPARTMENT
601 E. 3rd St. EMMETT, IDAHO 83617
OFFICE OF THE ADMINISTRATOR
PLANNING & ZONING

FAX: (208) 365-4651

PHONE: (208) 365-9569 Ex. 6

WEB PAGE: www.cityofemmett.org

STAFF RECOMMENDATION

DESCRIPTION: SPECIAL USE PERMIT APPLICATION FOR NURSERY/PRESCHOOL FOR CHILDREN

FILE NUMBER: SUP 24-001

ZONING COMMISSION PUBLIC HEARING DATE: NOVEMBER 4, 2024 CONTINUED TO 12/2/24

OWNER: TISHA VANDERWIEL AND JASON GYER
203 W. 1ST
EMMETT, IDAHO, 83617

APPLICANT: TISHA VANDERWIEL
203 W. 1ST
EMMETT, ID 83617

SUBJECT PROPERTY: 905 E. 4TH ST.
T 6N; R 1W; SECTION 8; PARCEL RP06N01W085415

STAFF PLANNER: BRIAN SULLIVAN

1. APPLICATION SUMMARY & OVERVIEW

The applicant, Tisha Vanderwiel, has applied for a Special Use Permit to operate a Nursery/Private Preschool facility in a residential zone within the city limits. The site is approximately .50 acres located on E. 4th St. The property is currently a residential home. The applicant intends on providing nursery services to children and a private preschool. Business will operate Monday through Friday, 7am to 6pm.

2. APPLICATION & PROPERTY FACTS

A. Site Address/Location:

The property is located at 905 E. 4th St. It's within Township 6N, Range 1W, Section 8, Parcel RP06N01W085415.

- B. Current Owner(s): Jason Gyer and Tisha Vanderwiel
- C. Applicant(s): Jason Gyer and Tisha Vanderwiel
203 W. 1st
Emmett, ID 83617
- D. Representative: Same
- E. Present Zoning: Residential
- F. Present Comprehensive Plan Designation: MR- Mixed Residential
- G. Property Size: Approximately .50 acres

3. APPLICATION PROCESS FACTS

A. Application Submittal:

The complete application for this item was received by the Planning and Zoning Department on September 24, 2024.

B. Notice of Public Hearing:

- Notice of Public Hearing on the application for the City of Emmett Zoning Commission public hearing was published in accordance with requirements of Title 67, Chapter 65, Idaho Code and Emmett City Code 9-8-5 on October 16, 2024.
- 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 9-8-5 on October 9, 2024.
- The physical property was posted for the public hearing on October 23, 2024.
- Impact agency reviews were sent on October 9, 2024.

No letters were received from adjoining property owners for this Special Use Permit request. The City of Emmett Planning and Zoning received the following letters from impact agencies.

1. Director of Public Works
2. Assessor's office

C. Relevant Ordinances and Required Actions:

The subject application will constitute a Special Use as determined by City of Emmett Code 9-8-1. A public hearing on this matter is required under ECC Title 9, Chapter 8 Section 5.

D. History of Previous Actions on Property: None

E. Companion Applications: None

4. LAND USE

A. Existing Land Use(s): Residential dwelling

B. Description of Character of Surrounding Area: The property is bordered on the east by a vacant lot for the future Calvary Church who has a special use permit to construct, and on the north, west, and south residential properties.

C. Adjacent Comprehensive Plan, Zoning and Land Use:

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
North of site	MR	R-1 Single Family Residential	Residential home
South of site	MR	R-1 Single Family Residential	Residential home
East of site	MR	R-1 Single Family Residential	Vacant land
West of site	MR	R-1 Single Family Residential	Residential home

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

Section 9-8-1 General Standards in the Special Use Chapter of the City of Emmett Zoning Ordinance states the following: The commission shall review the facts and circumstances of each proposed special use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

- a. Will, in fact, constitute a special use as established on the official schedule of district regulations for the zoning district involved;

ECC, 9-5-2 lists Nursery for children and Private Preschool as requiring a SUP in the R-1 zone. A nursery for children and private preschool is permitted with an SUP within a residential zone. Staff determined that an SUP was appropriate for this type of application.

- b. Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this zoning title;

Staff finds the following applies to this application:

RECREATION AND OPEN SPACE

4. Enhance community walkability.

A. Encourage the development of neighborhood schools and safe routes to school.

The location and characteristics of the defined land uses reflect the overall community vision and opportunities as identified from community discussion throughout the planning process:

o Emphasize residential development within surrounding neighborhoods, but ensure a mix of housing types and sizes, and allow the flexibility for low-impact mixed-uses.

Mixed Residential Neighborhoods (MR)

o Secondary Uses: civic uses, schools, parks, and open space

According to the land use map, this property is located on the Safe Route to School Corridor of E. 4th St.

- 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;

The existing area is primarily residential houses. The existing building to be used as the nursery/private preschool is a residential home and will remain harmonious and appropriate in appearance with the general vicinity.

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

The facility will be primarily within the existing building. But there will be outside activity. Staff does not find this to be hazardous but could be disturbing to the neighboring uses.

- 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 establishment of the proposed use shall be able to provide adequately any such services;

Staff finds that all public/private services will need to be provided.

- 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;

No additional public facilities or services would be required to serve the proposed nursery and preschool.

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

Staff finds there will be an increase in traffic during drop off and pick up times, and the noise in the area could increase from the children playing in the yard. This noise will be typical of a residential use with children.

- 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.

Vehicular access is taken directly from E. 4th St. Email from Director of Public Works states parking along E. 4th Street will not be allowed due to cars backing into traffic creating a safety issue.

- i. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance. (Ord. 804,11-28-1989)

Staff finds the site is not located in an area encouraged for preservation, or known to be of specific importance as to the natural, scenic or historic features.

6. SITE SPECIFIC CONDITIONS OF APPROVAL

Section 9-8-4: SUPPLEMENTARY CONDITIONS AND SAFEGUARDS:

In considering any special use, the city may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be grounds for terminating the special use permit. (Ord. 939, 9-13-2001)

If the Commission decides to approve the use, the following conditions are recommended:

- a) Hours and days of operation need to be discussed. Application states M-F 8:00 to 6:00.
- b) If SUP is approved, submit a copy of the State of Idaho Childcare license.
- c) The applicant shall coordinate with Emmett Fire Department and obtain a fire inspection.

Commission requested more information at the November 4, 2024 meeting. The following are the questions asked with answers:

1. The proper sight lines coming out of the driveway. *There is a fence on the west boundary. The fence sits back from the curb along 4th street 15' giving adequate vision looking both directions.*
2. Muddy area along fourth street. *Parallel parking along 4th street will be graveled.*
3. A map of the property with driveway included. *Provided- Driveway is 28 ft wide*
4. Fire department inspection to establish occupant load for children. *Provided, 37 occupants allowed.*
5. Hours of operation and days open. *Hours of operation are proposed 7am to 6pm, M-F.*
6. Clarification on sign. *Wall sign is allowed, 6 sf. total.*
7. Lighting for property. *Exterior lighting will be on a timer, mirroring hours of operation.*
8. Possible condition for no parking on opposite side of street. *Needs to be discussed, this is a public street and would be very difficult to police.*

7. STAFF RECOMMENDATION

Staff finds the proposed Special Use Permit could meet all the required findings from the Zoning Ordinance and Comprehensive Plan listed in Section 5 of this report. Based on the information presented to date and available to staff, we recommend approval for this application.

Possible Motion:

I move to approve application SUP 24-001 and adopt the staff report as part of the approval.

OR

I move to deny application SUP 24-001 for the following reason(s):

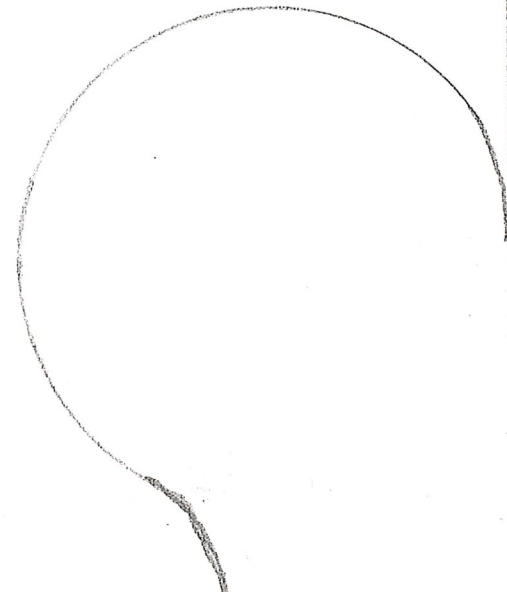
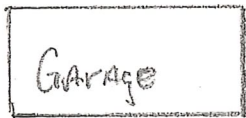
Church lot

E

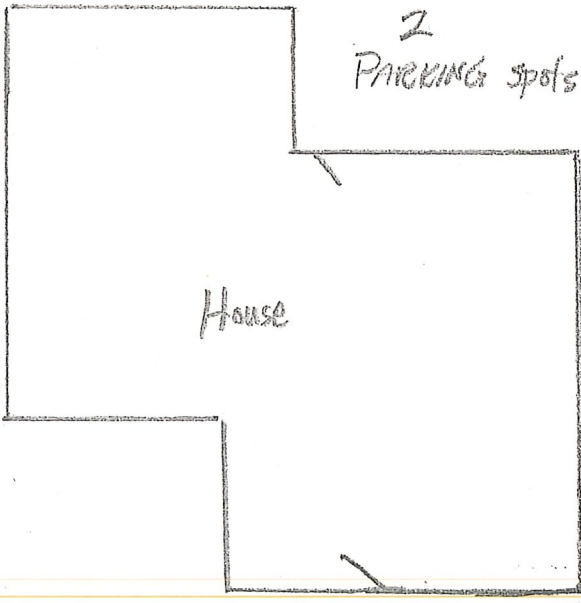
200' →

5
← 100' →

↑
80'
↓



2
PARKING spots



House

← 28' →

W

Start of fence



← 100' →

with st.

↑ 15' ↓

N

Emmett Fire Department

501 E. Main St.

Emmett, ID 83617



This is to certify that the maximum occupant load has been determined by the Emmett Fire Department in accordance with the 2018 International Fire Code for the following location. The maximum occupant load is subject to change if any conditions within the premises are change by the occupant following the original issue date listed.

Occupancy by more than 37 People could be dangerous and unlawful

Business Name:

Physical Address: 905 East 4th Street Emmett, Idaho

Business Owner:

Fire Department Representative: Fire Marshal Michael Giery

Michael Giery



ORDINANCE NO. O2024-

AN ORDINANCE OF THE CITY OF EMMETT, IDAHO; AMENDING TITLE 9, CHAPTER, SECTION, SUBSECTION:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF EMMETT, IDAHO, as follows:

ACCESSORY DWELLING UNIT:

Accessory Dwelling Units (ADUs) are dwelling units that contain a kitchen, a full bathroom (including a shower or tub), and living and sleeping areas (which may be combined), that is incidental and subordinate to the principal use of the premises, that is located on the same lot or parcel as a principal dwelling unit, and that does not alter the essential characteristic of the principal use of the property.

A. Private Restrictions: This section is not intended to impair or interfere with other regulations of private restrictions on the use of land improvements and structures. The provisions of this section shall be in addition to, and shall not be deemed to repeal, abrogate, or impair, any other easement, covenant, or deed restriction. Where this section imposes greater restrictions than that imposed by private restrictions, this section shall prevail.

B. Setbacks And Dimensional Standards:

1. Setbacks shall meet the zoning district setback requirements;
2. No accessory dwelling unit structure shall be allowed in front of the principal structure.

C. Additional Standards: In addition to meeting all building codes for a dwelling unit the following provisions shall be complied with:

1. Not more than one (1) accessory dwelling unit shall be allowed per property;
2. Direct ingress and egress to accessory dwelling unit shall be provided;
3. ADU must have a separate water and sewer connection, and pay any impact fee that may be associated.

3. Accessory dwelling unit may be eight hundred (800) square feet or up to fifty percent (50%) of the size of the principal dwelling unit, whichever is greater, up to a maximum of one thousand two hundred (1,200) square feet. If there is no principal dwelling, the accessory dwelling shall comply with the criteria set forth for a single family dwelling;

4. Accessory dwelling unit shall have at least three hundred (300) square feet of habitable space as defined by the building code;

5. Accessory units may contain no more than two bedrooms and no more than one bathroom.

5. Accessory dwelling unit shall be clearly incidental to the principal structure in use. For the purposes of accessory dwelling units, "incidental" means in connection with the residential use and structure on site, but does not constitute the principal dwelling unit;

6. Accessory dwelling unit shall be compatible in design, materials, and scale with the principal structure;

7. Accessory dwelling unit shall be declared real property and be on a foundation;

7. A minimum of one off street parking space shall be provided.

8. Accessory dwelling unit shall be identified with an approved address;

9. Accessory dwelling unit shall provide a kitchen with appliances for the cooking of food, a sink and storage;

10. Accessory dwelling unit shall provide a bathroom with minimally a sink, toilet and bathtub and/or shower;

11. Accessory dwelling unit shall provide for at least one (1) closet.

14. The ADU cannot be used as a commercial use, ie: Bed and Breakfast, short-term rental (nightly, weekly).

15. ADU's are permitted only when one of the structures on the property are owner-occupied. Owner-occupied structure does not need to be the primary residence. Ownership cannot be fractional or timeshare ownerships.

16. ADU's are not "tiny homes on wheels," as these are mobile dwellings and are considered recreation vehicles or campers. Such homes, (tiny homes, recreation vehicles) are prohibited from being classified as an ADU.

Passed by City Council on the _____ day of _____, 2024.

Approved by the Mayor on the _____ day of _____, 2024.

MAYOR

ATTEST:

CITY CLERK



**City of Emmett Zoning Commission
Hearing Schedule
2025
Meetings start at 6:00 p.m.**

<u>Month</u>	<u>Hearing Date</u>	<u>Application Deadline</u>
January	6 th	November 26 th
February	3 rd	December 22 nd
March	3 rd	January 21 st
April	7 th	February 26 th
May	5 th	March 14 th
June	2 nd	April 21 st
July	7 th	May 26 th
August	4 th	June 23 rd
September	8 th	July 21 st
October	6 th	August 25 th
November	3 rd	September 22 nd
December	1 st	October 20 th

******APPLICATIONS WILL NOT BE SCHEDULED FOR A PUBLIC HEARING UNTIL WE
HAVE A COMPLETE APPLICATION******