

**ELMORE COUNTY PLANNING AND ZONING COMMISSION**  
**War Memorial (American Legion Hall), 515 East 2<sup>nd</sup> South Street, Mountain Home, ID**  
**83647**

---

**Wednesday, November 5, 2014 at 7:00pm**

**Agenda**

**PLEASE SILENCE CELL PHONES**

**CALL TO ORDER**

**ESTABLISH QUORUM**

- |   |   |
|---|---|
| <input type="checkbox"/> Chairperson Patti Osborn       | <input type="checkbox"/> Vice-Chairperson K.C. Duerig |
| <input type="checkbox"/> Debbie Lord                    | <input type="checkbox"/> Betty Van Gheluwe            |
| <input type="checkbox"/> Sue Fish                       | <input type="checkbox"/> Ed Oppedyk                   |
| <input type="checkbox"/> Shane Zenner                   | <input type="checkbox"/> Jeff Blanksma                |
| <br>  |   |
| <input type="checkbox"/> Attorney of Record Phil Miller |   |

**PLEDGE OF ALLEGIANCE**

**WORK SESSION**

- Discuss recreational vehicles ordinance amendment.

**PUBLIC MEETING**

- Final plat for Case Number for SUB-2014-02 Elk Valley Subdivision 2.

**ITEMS FROM THE PUBLIC**

**MINUTES**

- Minutes from 10-2-2014.
- Minutes from 10-3-2014.

**INFORMATION ITEMS**

- Upcoming P & Z Schedule.

**MEETING ADJOURNED**



# Elmore County Land Use and Building Department

520 East 2<sup>nd</sup> South Street  
Mountain Home, ID 83647  
Phone: (208) 587-2142 ext.254  
Fax: (208) 587-2120

Alan Christy  
Director

Tell Riley  
Building Official

Beth Bresnahan  
Planner I

Kacey Ramsauer  
Administrative  
Assistant

## Memorandum

**Date:** 10/27/14

**To:** Elmore County Planning and Zoning Commission

**From:** Alan Christy, Director

**Re:** Recreational Vehicles Public Meeting November 5, 2014, 7:00p.m.

### Background

The Land Use and Building Department ("Department") started receiving numerous complaints in early 2013 regarding properties with too many recreational vehicles ("RV's"). The Department conducted research and investigations into the matter. The Department sent out letters of violation and the property owners came into compliance.

In early 2014 the Department received additional complaints regarding properties with too many RV's. The Department again conducted research and investigations into the matter. The Department has sent out letters of violation to property owners. At this time many of the citizens in the Pine/Featherville corridor have expressed concern with how the county Zoning and Development Ordinance ("Ordinance") is written. The county conducted a meeting in Pine on August 8, 2014 and additional concerns were expressed to the Department and the Board of County Commissioners ("Board").

The Department had a brief meetings with both the Board and the Elmore County Planning and Zoning Commission ("Commission") for guidance on an amendment to the Ordinance. The Department and members of the Commission conducted an information gathering meeting on September 30, 2014 at the Pine Senior Center.

Some of the testimony was mixed in regards to the draft amendment to the ordinance. However, one point of consensus was there should be time limits on multiple RV's if services are not available. Staff has provided another draft amendment to the Ordinance for the Commission's review

The Commission may still want to consider the following:

- Total number of RV's per property, RV's per acre?
- Seasonal dates for use, April through November?
- Time limits, 16 days?

**Attachments:**



# Elmore County Land Use and Building Department

520 East 2<sup>nd</sup> South Street  
Mountain Home, ID 83647  
Phone: (208) 587-2142 ext. 254  
Fax: (208) 587-2120  
www.elmorecounty.org

Alan Christy  
Director

Tell Riley  
Building  
Inspector

Beth Bresnahan  
Planner I

Kacey  
Ramsauer  
Administrative  
Assistant

## ***Staff Report to the Planning and Zoning Commission***

**Meeting/Hearing Date:** 11/5/14      **Date Report Compiled:** 10/28/14

**Agenda Item:** Final Plat Elk Valley Subdivision #2

**Applicant:** Dave Mickelson, Elk Valley Ranch, Inc.

**Case Number:** SUB-2014-02

**Staff:** Alan Christy

**Location:** Section 9 and 16, Township 3 North, Range 10 East, B.M. A common means of locating the property is from Pine travel North on Pine-Featherville Rd. approximately 7.8 miles, property is located on the west side of the road.

**Zoning:** Agriculture (Ag), Wildland Urban Interface, South Fork Boise Area of Critical Concern.

**Parcel Number(s):** RP 002490010140A, RP 002490010280A, RP 002490010390A

The application falls under the current Zoning and Development Ordinance. The process used for plats is found in section 6-28-3 of Zoning and Development Ordinance, a public hearing is not required for this application.

A neighborhood meeting for the proposed subdivision was held on-site for the Conditional Use Permit on December 13, 2013.

The proposed subdivision is seven (7) lots. All lots have legal access to privately maintained roads. All lots meet the width and depth size requirements found in Chapter 8 of the ordinance. Three lots will be for residential development. One lot will be for the existing homeowners associated as open space / common area. One lot is for the operation and maintenance of a wastewater treatment facility. One lot is for part of a previously approved RV park. The remaining lot will be retained by the owner for the existing golf course and future development.

The right to subdivide has been granted through the Conditional Use Permit, case # CUP-2014-08.

All fees have been paid at this time.

### **STANDARDS ALL FINAL PLATS MUST MEET:**

#### **Section 6-28-20: Required Findings: B. Final Plat:**

- 1. The final plat is in substantial conformance with the preliminary plat; and**

Staff believes the final plat is in substantial conformance with the preliminary plat.

**2. All conditions of the approved preliminary plat have been satisfied.**

*Preliminary Plat Conditions:*

1. *All improvements, including road turnarounds must be completed or bonded prior to recording of final plat. If turnarounds are not constructed a full 60' easement must be recorded for all roads on the final plat.*
2. *Final Plat must be recorded within 2 years*

*Additional Conditions from Conditional Use Permit:*

1. *Proposed use will comply with Chapter 28, Subdivision Requirements, of the Elmore County Zoning and Development Ordinance.*
2. *Failure to comply with any condition may result in the revocation of the conditional use permit.*
3. *All improvements, including roads, must be completed or bonded prior to recording the final plat.*
4. *All outstanding taxes and fees must be paid.*
5. *Lots will be designated as follows:*
  - 3 lots residential: Lot 5, 6, 7 Block 1*
  - 1 Home Owner Association: Lot 4 Block 1*
  - 1 Wastewater Treatment System: Lot 3 Block 1*
  - 1 RV Park: Lot 2 Block 1*
  - 1 future development/Golf Course: Lot 1 Block 1*
6. *Development must comply with Central District Health Department and/or DEQ for Wastewater Treatment Systems.*
7. *Preliminary Plat must be approved by the Planning and Zoning Commission within 1 year.*
8. *All future development must comply with the current Elmore County Zoning and Development Ordinance.*

Staff believes all additional conditions have been met.

There will be 2 copies of the mylars presented at the meeting.

**ATTACHMENTS**

1. Final Plat Elk Valley #2

**RECOMMENDATION**

Staff recommends **approval** of the final plat.

**ELMORE COUNTY  
PLANNING AND ZONING COMMISSION**

---

**MINUTES**  
**Wednesday, October 2, 2014**

Chairperson Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Vice Chairperson K.C. Duerig, Jeff Blanksma, Sue Fish, and Betty Van Gheluwe. Also present were Attorney of Record Phillip Miller, Director Alan Christy, and staff members Beth Bresnahan, and Kacey Ramsauer.

**PLEDGE OF ALLEGIANCE**

**SPECIAL PUBLIC HEARING**

**Idaho Country Concerts, LLC for a Conditional Use Permit for an annual 4 day country music festival that includes a primary stage, secondary small stage, children's activity area, food and craft vendors, wine and beer vending, sponsor exhibits, tent and RV camping in an Agriculture (AG) Zone. Case Number: CUP-2014-11.** The site is located in portions of Sections 13, 14, 15, 22, 23 and 24, Township 1 South, Range 10 East, B.M. A common mean of locating the property is from Mountain Home take Hwy 20 for 33 miles, turn left on to South Pine-Featherville Road, the property is located on the right hand side of the road.

Christy gave staff report and background.

Tim Flowerday is one of the applicants. He stated that he represents Idaho Country Concerts who are the producers of the event. He stated that this company currently produces two events in Oregon. He stated that both concerts have an established history and have been very successful as far as concerns for public health, welfare and safety. He stated that he made a mistake in saying there would be 9,000 campers, He stated that it would be 12,000. He stated that not all people camp and that some people do drive daily. He stated to a large degree their record speaks for itself in that at the festivals they maintain a great working relationship with local law enforcement. He stated that they have adequate law enforcement, security, sanitation facilities, and waste disposal. He stated they address potable water issues and they also make sure that guests are taken care of medically. He stated ambulances and life flight are available. He stated that they have a field hospital with doctors on site and they maintain 3-4 paramedics around the clock.

Duerig asked why they chose this area for their expansion.

Flowerday stated that they based it on a 6 hour driving radius where they could get the most impact in that 6 hour radius and this area is very centrally located to include Salt Lake City, Utah and parts of Oregon and Montana. He stated that they are all small town people and want to be associated with small town communities.

Duerig asked what entertainers they've had at past events.

Flowerday stated that they have had Blake Shelton, Brad Paisley, Carrie Underwood and Eric Church which are some of the biggest names in country music.

Fish asked if the only area allowed for drinking will be in the designated beer garden area. Flowerday stated that they have used that model at the other festivals and are considering carrying that model to this one as well as it has been very successful. He stated that they do not allow drinking in the camping area.

Karama Billick is one of the applicants. She stated that they did have a problem with drinking in the campground with people having parties and it was causing problems because it is a family event. She stated that it was getting to where they did not want to be known as the party concert so they put into place a no alcohol in the campground rule. She stated that the no alcohol policy has decreased the 911 calls by over 50%.

Miller asked how many security people will they have onsite?

Billick stated that they are looking at hiring multiple security companies for this event as they are anticipating many people. She stated at a previous event they had 7,600 hours of security and this was not including local law enforcement.

Van Gheluwe asked if by removing section 19 from the site map if that had taken care of the issue with the Tree Top Ranches.

Billick stated that she believes it does.

Van Gheluwe asked about the concern for mitigating potential for fires associated with the event.

Flowerday stated that they are talking to a wild fire agency about providing service onsite but they would not be patrolling the forest service lands. He stated that because there is not any rural fire service out there that this is addressed. He stated that they are very cautious about fires and do not allow any campfires at the campsites.

Billick said they have had conversation with the Mountain Home Fire Chief regarding this as well. She stated that they are very concerned with the fire danger up there.

Flowerday stated that they are very cautious about fire and they are fanatical about maintaining fire lanes and the make sure the spaces between the RV's are adequate and that there is protection if one catches fire the others will not.

Fish asked how far from the camping area is from the concert area.

Billick stated that it is right next to it. She stated that most campers are in RV's but they do also have tent campers. She stated that they have portable showers set up for them as well. She stated that they always exceed the amount of porta potties required. She stated that they usually have about 30 craft vendors and 30 food vendors.

Duerig asked what the source of potable water for this venue is.

Flowerday said there is an existing well on this site but their intent is to drill another well and they are working with the property owner about the location of it.

Billick stated that they have spoken with Marty Jones with Central District Health about testing the water. She stated that the general public at the event does not drink the water. She stated that the water will be used mainly for the showers and for vendors to clean their dishes and equipment but they do make sure that the water is potable.

Billick stated that they incorporate the local schools to do a lot for them and in turn they donate to the schools. She stated that they allow the schools to sell tickets prior to the event and they keep a portion of the proceeds. She stated that children from the schools will come and volunteer at the events as well. She stated that they create partnerships with the schools.

Nick Schilz signed up in support but did not wish to testify.

Bonnie Harper signed up in support. She stated that she is the executive director of Southwest Idaho Rural Development. She stated that she has been working with this group to hopefully bring them here to this community. She stated that as far as economic development goes, an

opportunity like this for our community doesn't come along very often. She stated this is will help smaller communities within Elmore County as well.

Duerig asked in what ways she sees the economic ripple effect coming out and if she will be working with organization to advertise the tourist attractions in the area.

Harper stated they are hoping to work with the music festival organizers and provide that information to them if that is something that they feel would be valuable to their campers.

Lori Ancrum is with the Forest Service. She signed in as neutral but did not wish to testify.

Stephanie Church is with the Forest Service. She signed in as neutral but did not wish to testify.

Bill Moulder signed in as neutral. He stated that he is with Tree Top Ranches and they own the property to the north and to the east of the proposed site. He stated that they would normally be very supportive of this and they hope with some conditions they can reach the point where they can support it. He stated that he thinks there are a number of problems out there right now that need to be resolved. He stated that they run cows in this area and the concert will be right in the middle of their season.

He presented a map of the area.

Christy entered this into the record as neutral exhibit #1.

Moulder stated that one of their concerns is their well that was mentioned. He stated that he leases this well from the property owner and they have an agreement with him that the well provides stock water and he has a difficult time believing that the well can provide water for him per the agreement as well as water for the venue. He stated that he's hoping they can come up with a condition to satisfy this. He stated that East High Prairie Road runs through the middle of his pasture and is not fenced on either side of the road. He stated that he is concerned that people may run off the road into the pasture. He stated that he is concerned and appalled the just because the property owner may want to develop something in one area that his event gets pushed over next to him. He stated that this is a huge impact on agriculture to have this many people in that area. He stated that he is concerned about the roads as well. He stated that they are not equipped for this type of traffic. He stated that he is concerned with people camping offsite on Forest Service and BLM property. He stated this increases the risk of fire. He wants to see a temporary restriction in place that would prohibit camping or parking in those areas.

Miller stated that the planning and zoning commission doesn't have the legal authority to prohibit anyone from camping on public lands. Regarding the well issue Miller stated that if the owner of that well wanted to sell part of that water the planning and zoning commission cannot prohibit that either.

Jay Wilson signed in as neutral. He is the ambulance manager for Elmore Ambulance Service. He stated that after reading through the paper work he has a few minor concerns. He stated that their emergency plan seems like a good one. He asked how many people they anticipate having the first year and is there a backup plan if it's more than anticipated. He asked if someone needs life flight who will dispatch that. He stated that he really wants there to be communication with their emergency responders and the responders from Elmore County.

Neil Helmick signed in as opposed. He stated that he owns the property to the south of this location. He said a portion of section 24 is his private ground. He stated the map shows his land as part of the site.

Christy stated that he doesn't have the updated files from the assessor showing he owns this property. So that section is not part of the application.

Helmick stated that John McGrew is a property owner to the north and he is representing him tonight as well. He stated the fire that happened in that area in 2013 burned 330,000 acres and pretty much ruined the lives of many ranchers in the area. He stated that the applicants are from Oregon and they cannot comprehend what these fires do here. He stated that it's absurd that

anyone would plan something like this in this area that time of the year. He stated that if they wanted to move to June or the first part of July that would be different, otherwise he is completely against it. He stated that if this is allowed there needs to be 2-3 full fires crews on site hand. He stated if the west is burning up that will be hard to do. He stated that if people choose to camp outside of the concert site in other areas of public land or campgrounds who will monitor them? He stated that he is concerned about people bringing ATVs and running them all over the area as well. He stated that if they drill another well there won't be enough water to be sufficient.

Sandra Helmick signed in as opposed but did not wish to testify.

There was no further testimony.

Billick rebutted the testimony. She stated that the other concerts they have brought in millions of dollars in tourism to the county and they are hoping this will be the same for Elmore County. The first year there won't be so much but as people get to know the area it will bring in more tourism. She stated that they list things to do and to see in the area on their website as well. She stated that in regards to the emergency services; they do have a command center on site. She stated that they have people on call out there and they work very closely with local law enforcement and they are in close communication with the local hospitals as well. She stated that they develop and maintain a helicopter pad on site as well. She stated that staff does use ATVs on the property as it helps them move around the property efficiently. She stated that they don't allow attendees to bring in ATVs and they are not allowed on the property. She stated that she cannot say what is allowed outside of the event. She stated that the event runs solely off of generators.

Flowerday stated that the generators are studio quality and they have spark arrestors. He stated that they are serviced before the festival. He stated that they make sure that there is complete safety with the generators. He stated that the light towers are for lighting and they try to ensure that they have spark arrestors also.

Osborn asked if the applicants had considered a different time frame based on the testimony regarding fire concerns.

Flowerday stated that economics led them to choosing these dates. He stated another event is that weekend in Oregon and the performers are more likely to come if they have multiple performances in a close proximity.

Flowerday said they have not submitted a traffic plan yet but they will submit one. He stated this is done at all of the other events. He stated that they do not give choices to the public as far as driving routes are concerned because is it safer that way. He stated that the signage will be adequate and they have enough trained traffic personnel that people get where they need to go without having to stop and ask for directions.

Miller asked if they have a pretty good idea of the water usage based on water usage from the other events.

Flowerday stated that they have a very good idea. He stated that it's about 7,500 to 10,000 gallons a day and they won't exceed that. He stated that they are very conscious of the water usage and ensure they aren't taking away from neighboring property owners.

Miller asked whether they think they can contract private wild land fire protection for this event.

Flowerday stated at a minimum they will have a fire crew there with two trucks for sure.

Duerig asked if they would agree to work out a memorandum of understanding (MOU) with the Tree Top Ranches regarding security, traffic, and water usage.

Flowerday stated that he is willing to have dialogue about it but he is concerned that security is very costly and they already have adequate security in place. He stated that he does understand the concerns of neighbors but it does not feel right that they should provide private

security for all the neighboring properties as it is their responsibility to maintain their own property.

Billick stated they absolutely will have dialogue with concerned neighbors but it has to be reasonable on both sides. She stated until they see what the event will be like it will be hard to make them completely comfortable. She stated that they have never written a contractual agreement with any neighbors at any of the other events.

Fish asked what the hours of the music were.

Billick stated that they music starts at a different time each day but it's usually around 12:00 or 1:00 pm and it ends by 11:00 pm.

Fish asked if all tickets were sold in advance or can they be purchased at the entry gate the weekend of the event.

Billick stated that it just depends on if they are sold out or not. They are usually sold out.

Miller asked if this site is more remote than the others.

Billick stated that it was which will increase the number of people staying on site.

There was no further testimony.

Osborn closed this public hearing.

There was a 5 minute break.

### **Commission action:**

Duerig stated that he was impressed with the packet the applicants provided.

Blanksma stated that he's concerned that there may be a greater public safety risk than they may be aware of regarding open range and cattle on the road in the middle of the night that people may not be used to.

Osborn asked if that may be something that could be added to their website making people aware of.

Blanksma said he'd be comfortable with that.

Van Gheluwe stated she would like to see a condition that the applicants not only work with the neighbors but the respective agencies to come up with an agreement for the public safety and fire concerns.

Osborn stated that all the agencies have been addressed.

Van Gheluwe stated that the offsite camping should be addressed.

Miller stated that its public ground and they have no authority to condition that as it is public ground.

Osborn state that in the Forest Service letter provided addressed the concern.

Miller stated that he is not even sure that the Forest Service can prohibit camping there either.

Osborn proposed an additional condition regarding the private wild land firefighting contract specific to the testimony of the applicant that they would be amenable to providing that contract essentially guaranteeing resources onsite.

Van Gheluwe stated that she thinks everyone wants this to move forward and they want to keep the neighbors interest in mind also. She stated that prior to this meeting she would have liked to see some discussion with the neighboring property owners because she thinks it could have been worked out. She stated that she would like to see some condition on an agreement with the neighbors.

Duerig stated that the Tree Top Ranches were at the neighborhood meeting prior to this public hearing.

Blanksma moved to approve with the conditions proposed by staff with the additional condition proposed by Osborn.

Duerig seconded.

Motion carried unanimously.

Osborn did a roll call vote:

Blanksma: AYE

Fish: AYE

Van Gheluwe: AYE

Duerig: AYE

Osborn: AYE

### **INFORMATION ITEMS**

#### Upcoming P & Z Schedule

Christy stated that hearing for the FCO will be held Friday October 3, 2015 at 10:00 am in the Commissioners room at the courthouse and that will start the 10 day process of appeal.

### **MEETING ADJOURNED**

---

Patti Osborn, Chairperson

Date:

Attest: \_\_\_\_\_  
Alan Christy, Director

Date:

**ELMORE COUNTY  
PLANNING AND ZONING COMMISSION**

---

**MINUTES**  
**Wednesday, October 3, 2014**

Chairperson Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Vice Chairperson K.C. Duerig, Jeff Blanksma, Sue Fish, and Betty Van Gheluwe. Also present were Director Alan Christy, and staff member Kacey Ramsauer.

**PLEDGE OF ALLEGIANCE**

**PUBLIC MEETING**

Osborn moved to amend the agenda to add the FCO for Case Number: CUP-2014-11 Idaho County Concerts. LLC.

Duerig moved to approve.

Van Gheluwe seconded.

Motion carried unanimously.

Extension for Case Number: CUP-2013-02 Grand View Solar PV Two, LLC.

Christy gave staff report and background.

Duerig moved to approve.

Blanksma seconded.

Motion carried unanimously.

Minutes from September 17, 2014.

Duerig moved to approve.

Van Gheluwe seconded.

Motion carried unanimously.

Recommendation for CPA-2102-01.

Duerig moved to approve.

Van Gheluwe seconded.

Motion carried unanimously

FCO for Case Number: CUP-2014-11 Idaho County Concerts. LLC.

Duerig stated that they need to refine verbiage for condition 11 stating that they need to provide proof of contract from wild land firefighters 60 days prior to the event.

Blanksma asked that it be specific to a fire firefighting entity.

Commission consensus was that it say agency and/or entity.

Duerig moved to approve with the changes discussed.

Fish seconded.

Motion carried unanimously.

**INFORMATION ITEMS**

Upcoming P&Z Schedule

Christy stated that there is nothing scheduled for the regular meeting on October 15, 2014 so he suggests it be cancelled.

Van Gheluwe moved to cancel.

Duerig seconded.

Motion carried unanimously.

Christy stated the next regularly scheduled meeting will be held November 5, 2014 at the American Legion Hall at 7:00 pm.

**MEETING ADJOURNED**

---

Patti Osborn, Chairperson

Date:

Attest: \_\_\_\_\_  
Alan Christy, Director

Date: