

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

Wednesday, November 19, 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"/> Betty Van Gheluwe | <input type="checkbox"/> Sue Fish |
| <input type="checkbox"/> Ed Oppedyk | <input type="checkbox"/> Shane Zenner |
| <input type="checkbox"/> Jeff Blanksma | |
|
 | |
| <input type="checkbox"/> Attorney of Record Phil Miller | |

PLEDGE OF ALLEGIANCE

PUBLIC MEETING

- Extension request for SUB-2014-06 Carlon
- Voting of new officers for 2015
- Discuss recreational vehicles draft ordinance amendment

ITEMS FROM THE PUBLIC

MINUTES

- Minutes from 11-5-2014.

INFORMATION ITEMS

- Upcoming P & Z Schedule.

MEETING ADJOURNED



Elmore County Land Use and Building Department

520 East 2nd 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 Official /
Code Enforcer

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Staff Report to the Planning and Zoning Commission

Meeting/Hearing Date: 11/19/14

Date Report Compiled: 11/10/14

Agenda Item: Extension request for a Conditional Use Permit Application to subdivide property into a two (2) lot subdivision in an Agriculture (Ag) zone. Case # CUP-2014-06

Applicant: Marie Carlon
506 W 3rd N
Mountain Home, ID 83647

Case Number: CUP-2014-06 – Extension

Staff: Beth Bresnahan

Location: Section 34, Township 3 South, Range 6 East, B.M. A common mean of locating the property is from I-84 take exit 95 toward Mountain Home, turn south on American Legion Blvd. Turn left onto N. Main St.. Continue to ID 51 S turn left onto ID 51S for approximately for 1 1/2 miles, turn right onto SW Smith for approximately 0.6 miles. The property is located on the right side of the road at 2848 SW Smith.

Zoning: Agriculture

Parcel Number(s): RP 03S06E348410 A

BACKGROUND

The Conditional Use Permit was granted on March 5, 2014 and effective on March 15, 2014 for a period of 1 year. Extensions are granted by the Planning and Zoning Commission pursuant to section 6-26-6 of the Elmore County Zoning and Development Ordinance.

The Director has determined that a public hearing is not required because there have been no land use changes in the vicinity and no hazardous situations have developed or been discovered in the area. No agencies and no one from the public have been notified of the extension request.

The fees for the extension request have been paid and the application was filed with the Land Use and Building Department on November 10, 2014.

Applicant is requesting a two (2) year extension with a planned completion date of January 2017.

If the applicant fails to meet the required conditions within one year the Conditional Use Permit will become null and void. If more time is required the applicants will have to re-apply for a Conditional Use Permit under the current ordinance.

ATTACHMENTS

1. Approved FCO for CUP-2014-06.
2. Application requesting extension.

STAFF RECOMMENDATION

Staff recommends **approval** of the request for a two (2) year extension to March 15, 2017 for the following reasons:

1. Applicant provided the justification for an extension.
2. The application was filed within the required timeframe.
3. All fees have been paid.
4. There have been no changes in the vicinity.



ELMORE COUNTY LAND USE & BUILDING DEPARTMENT
 520 E 2nd South – Mountain Home, ID 83647 – (208) 587-2142
www.elmorecounty.org
 Application for Extension of Approval
 \$500

Please attach additional sheets of paper if necessary. Do not fax! Please complete in INK.

Name: Marie Carlon

Address: 506 W. 3rd N. Mt. Home

Email / Phone: marie.carlon@yahoo.com 208-587-8540

Case # and Background: CUP-2014-06

Relevant address: 2848 SW Smith Rd. Mountain Home

Conditional Use Permit was granted February 2014 to subdivide relevant above listed parcel into a 2-lot subdivision in an Ag Zone.

Reasons for extension: Due to the additional costs and fees associated with plat surveying and plat application fees, applicant is financially unable to submit the plat applications before the CUP expires in February 2015, and therefore requests an extension.

Improvements: None

Previous Extensions: None

Planned Completion Date: January 2017

Signature: Marie J Carlon

Printed Name: MARIE J. CARLON

For Administrative Use Only	
File Number:	<u>CUP-2014-06</u>
Fee: \$500	Date Paid: <u>11/10/2014</u>
Receipt Number:	<u>20-10034</u>
Date Accepted: <u>11-10-2014</u>	By: <u>(Signature)</u>

6. The proposed use will, in fact, constitute an allowed conditional use in that zone, as determined by the Land Use Matrix and Zoning District regulations Chapter 8, Table 6-8-11 (C) and Chapter 27 of the Elmore County Zoning and Development Ordinance.
7. The proposed use will be in accordance with goals and objectives of the Comprehensive Plan; Land Use Objective #6- Encourage orderly development of subdivisions and individual land parcels, #11- Encourage and support land use proposals that are consistent with the community design objectives of all communities and districts within the County, and with all the applicable provisions of the Zoning and Development Ordinance.
8. The proposed use will comply with all applicable County Ordinances.
9. The proposed use will be served adequately by existing essential public facilities and services such as highways, streets, schools, police and fire protection, drainage structures, refuse disposal, water and sewer or the person responsible for the establishment of the proposed conditional use shall adequately provide any such services. Any additional services, such as the road, will be at the expense of the applicant.
10. The proposed use will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public streets. Parcels will have access off of Smith Rd and a private road will need to be constructed at applicant's expense.
11. The proposed use will be designed, constructed, operated and maintained to be harmonious with the existing or the intended character of the general vicinity and such use will not change the essential character of the same area. There are 11 platted subdivisions within 1 mile, 706 parcels within 1 mile with an average size of 5.32 acres and 621 parcels are under 5.0 acres in size in the vicinity.
12. The proposed use will not be hazardous or disturbing to existing or future neighboring uses. There are a number of residential homes and platted subdivisions in the vicinity.
13. The proposed use 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. All improvements will be constructed at the applicant's expense.
14. The proposed use will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of the environment, or excessive production of traffic, noise, smoke, fumes, glare, or odors.
15. The proposed use will not result in destruction, loss or damage of a natural or scenic feature of major importance.
16. Property is adjacent to Mountain Home Area of City Impact.

Based on the foregoing **FINDINGS OF FACT**, the Elmore County Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The requirements of Idaho Code Section §67-6509 have been met.
2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code.
3. The applicant has met the requirements of the Zoning and Development Ordinance Chapter 27 for a Conditional Use Permit as shown above in the findings of fact.

Based on the forgoing **CONCLUSIONS OF LAW**, the Elmore County Planning and Zoning Commission hereby enters the following:

ORDER

The application for a Conditional Use Permit to subdivide property into a proposed two (2) lot subdivision in Section 34, Township 3 South, Range 6 East, B.M., should be and is hereby **APPROVED** with these additional conditions:

ADDITIONAL CONDITIONS

1. **Proposed use will comply with Chapter 28 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 outstanding taxes and fees must be paid.**
4. **All improvements must be completed or bonded prior to recording the final plat.**

COMMISSION VOTE:

CHAIRPERSON PATTI OSBORN	VOTED AYE
VICE CHAIRPERSON K.C. DUERIG	VOTED AYE
DEBBIE LORD	ABSENT
SUSAN FISH	VOTED AYE
BETTY VAN GHELUWE	VOTED AYE
JIM MARTIN	VOTED AYE
ED OPPEDYK	ABSENT
JEFF BLANKSMA	ABSENT

Patti Osborn
Patti Osborn, Chairperson

ATTEST:

Alan Christy
Alan Christy, Director

DATED this 5th day of March 2014.

*Effective at 12:01 A.M. on the 15th day of March 2014.

*Note A decision made by the Elmore County Planning and Zoning Commission may be appealed to the Board of Elmore County Commissioners provided the appeal is submitted in writing to said Board within ten (10) calendar days of Commission action. Questions concerning appeals or deadlines should be asked of the Elmore County Land Use and Building Department or the Elmore County Clerk.

BY-LAWS

ELMORE COUNTY PLANNING AND ZONING COMMISSION

ARTICLE I. ORGANIZATION, MEETINGS, AND RULES

SECTION I. ANNUAL MEETING: The annual meeting of the Elmore County Planning and Zoning Commission ("Commission") shall be the regular meeting in the month of November of each year. Such meeting shall be devoted to the election of officers for the ensuing year and such other business as shall be scheduled.

SECTION II. REGULAR MEETINGS: There shall be a minimum of nine (9) meetings of the Elmore County Planning and Zoning Commission in each year. Those meetings shall be held at 7:00 p.m. on the first and third Wednesdays of each month in a location duly published within Elmore County, or such other place as the Chairman may designate, except the months when no meetings are held. At such meetings the Commission shall consider all matters properly brought before them without the necessity of prior notice thereof given to any member. A regular meeting may be cancelled or re-scheduled by the Chairman of the Commission provided said cancellation occurs at least one week before the regular meeting. The Chairman in consultation with the Board Liaison and Land Use and Building Department Director may cancel a meeting at any time.

SECTION III. SPECIAL MEETINGS: Special meetings of the Commission shall be held at a time and place designated by the Chairman or Vice-Chairman acting in the absence of the Chairman. Notice of the special meetings shall be given to all members not less than forty-eight (48) hours in advance. Special meetings may include, but not limited to, work sessions, community meetings, trainings and site visits.

SECTION IV. MEMBERSHIP: Members of the Commission shall be appointed by the Board of County Commissioners in accordance with Idaho Code § 67-6504 and Chapter 7 of the Elmore County Zoning and Development Ordinance and shall consist of a minimum of three (3) and a maximum of twelve (12) members. Members may be removed for cause by a majority vote of the governing board.

SECTION V. QUORUM: At any meeting of the Planning and Zoning Commission a quorum shall consist of a majority of the members of the Commission then appointed and serving. No action shall be taken in absence of a quorum, except to adjourn the meeting to a subsequent date.

SECTION VI. VOTING: At all meetings of the Commission, each member attending shall be entitled to cast one (1) vote. The Chairman shall always be a voting member. The secretary, as defined below, shall have no vote in any proceedings. Voting shall be by voice, except as otherwise required by these by-laws. In the event that any member shall have a conflict of interest in any matter before the Commission as defined in Idaho Code § 67-6506, he shall so state and disqualify himself from voting and discussion of that matter, and the secretary shall record in the minutes that no vote was cast by said member. The affirmative vote of the majority of those present shall be necessary for the adopting of any resolution or any voting matter. In the event that a member steps down because of a conflict of interest, that member is not counted to

determine the majority needed for passage of that vote, but that member is counted towards members present for purposes of determining a quorum.

SECTION VII. RULES OF PROCEDURE: All meetings of the Commission shall be conducted in accordance with the following procedure:

1. The order of Commission business at meetings shall be: establish a quorum, pledge of allegiance, public hearings, old/new business, items from the public, minutes/FCOs and informational items.
2. Public Hearing procedure:
 - a. The Chairman will open the hearing and request Land Use and Building Department staff to read the staff report.
 - b. The Chairman asks the applicant or a representative to come forward and present the application. When the hearing item is a planning or zoning matter proposed by the Land Use and Building Department or another officer of the County, the staff report will be considered to be the application.
 - c. The Chairman will open the public comment period and call for testimony in the following order: in support of, neutral to and opposed to the application. Those who wish to comment must sign in, provide their mailing address and state their name for the record.
 - d. After public testimony the Chairman will call for final comments by the applicant. The Commission members may ask questions of the staff, the applicant and witnesses at any point during the public hearing. The Chairman will then close the public hearing. The Chairman will call for Commission members' discussion and a motion on the application.
 - e. Abstentions: A member may abstain from voting, abstentions shall not count in tallying the vote. The abstention of member does not affect the quorum.
 - f. Conflict of Interest: Commission members shall be subject to all applicable conflict of interest provisions of Idaho State law. A member of the Commission, shall not participate in any proceeding or action when the person, or employer, business partner, business associate, or any person related by affinity or consanguinity within the second (2nd) degree, has as economic interest in any proceeding or legally significant *ex parte* contact should be disclosed at, or before, any meeting at which the action is being heard or considered. Any such disclosure shall be noted in the minutes.
 - g. Recusal: When a member rescues him or herself, he is in effect only attending the meeting to aid in constituting a quorum. On recusal, the member does not participate in discussion on the item. The nonparticipation of a member does not affect does not the quorum.
 - h. Modifications: Due to the scope and complexity of a public hearing the Commission may modify the hearing procedure prior or during a public hearing. Modification of the hearing procedure shall be made by motion and majority vote.
3. Motions: To make a motion, a member will seek recognition of the Chairman, the Chairman will recognize the member, who then makes a motion to approve, deny, or make a recommendation as the process may dictate, and the Chairman then will entertain a second of the motion. If there is no second, the motion dies and is withdrawn for consideration. If seconded, the Chairman will state the motion and ask for discussion.

4. Amendments and secondary motions: Members may suggest modifications to the motion, and the moving member may accept the modifications or withdraw the motion.

5. Voting: The concurring vote of a majority of the Commission present shall be necessary to sustain a finding, determination, recommendation or decision. The approval of minutes, general business and agenda items may be voice vote or roll call vote. Voting may only take place when a quorum is present. Mail-in, telephone or proxy voting is not allowed.

6. Tabling: An item of business may be tabled to a date certain at the discretion of the Commission by a majority vote.

7. Written Report: In cases involving a hearing, the review of plats, or applications where a finding, determination, decision or recommendation has been made on a subject which has been a matter of contest, the Commission shall file a written report with the Clerk of the Board within a reasonable statement that explains the criteria, standards, factual information contained in the record and applicable provisions of Elmore County Code.

ARTICLE II. OFFICERS

SECTION I. OFFICERS: The officers of the Commission shall consist of a Chairman and a Vice-Chairman, elected by the Commission at the annual meeting for a term of one (1) year beginning the first meeting or hearing in January of the following year. Election for officers shall be by secret ballot after nominations made from the floor and an opportunity for each nominee to make a statement. The Land Use and Building Department Director appointed by the Board of County Commissioners, shall serve as the secretary of the Commission. In the event the secretary shall be absent from any meeting, the Director shall designate a Land Use and Building Department staff member to preside as the acting secretary with the Chairman's approval.

SECTION II. DUTIES OF OFFICERS: The duties and powers of the officers of the Commission shall be as follows:

1. Chairman:

- a. To preside at all meetings of the Commission;
- b. To call special meetings of the Commission in accordance with these By-Laws;
- c. To sign documents of and for the Commission;
- d. To appoint committees and serve as *ex-officio* member of all committees except those to which he assigns *ex-officio* membership to the Vice-Chairman;
- e. To appoint *ex officio* advisers to committees for the Commission and to appoint *ex officio* advisory committees or neighborhood groups to advise and assist the Commission in carrying out its responsibilities.
- f. To see that all actions of the Commission are properly taken.

2. Vice-Chairman:

- a. The Vice-Chairman, in the absence of the Chairman, shall perform all the duties and be subject to all the responsibilities of the Chairman.

- b. In the event the Chairman resigns or becomes unable to fulfill his or her duties before the end of his terms as Chairman, the Vice-Chairman shall fulfill the remainder of the Chairman's term.
3. Secretary: Secretary or the Secretary's designee shall be responsible:
 - a. To keep the minutes of all meetings of the Commission;
 - b. To give or serve all notices required by the law or by these By-Laws;
 - c. To prepare the agenda for all meetings of the Commission; and
 - d. To be custodian of the Commission records.
 - e. To handle all correspondence relating to the business of the Commission.
 - f. To handle funds allocated to the Commission in accordance with its directions, law, and County regulations.

In the event the Chairman and Vice-Chairman are unable to preside at a meeting, the most senior Planning and Zoning Commission member will assume the duties and powers of the Chairman.

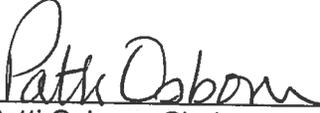
SECTION III. VACANCIES: Should any vacancy occur among members of this Commission by reason of death, disability, resignation, or otherwise, the Secretary thereof shall give notice to the Clerk of the Board of County Commissioners. Should the Chairman become unable to fulfill his duties as Chairman before the end of his term because of death, disability, resignation or otherwise, the Vice-Chairman shall assume the duties of the Chairman at the next regular meeting/hearing and complete the term of the Chairman. Upon assumption of those duties, the new Chairman shall call an election for Vice-Chairman that shall occur at the following regular meeting of the Commission. The new Vice-Chairman shall be elected by secret ballot after nominations from the floor. The same procedure shall be followed if, because of death, disability resignation or otherwise, the Vice-Chairman cannot fulfill his duties except that the Chairman shall call an election at the next regular meeting of the Commission.

ARTICLE III. AMENDMENTS

SECTION I. AMENDING: These By-Laws may be amended at any meeting of the Planning and Zoning Commission, provided that notice of said proposed amendment is given to each member in writing at least five (5) days prior to said meeting.

ADOPTION

The Elmore County Planning and Zoning Commission adopted these By-Laws on the 18th day of December, 2013.



Patti Osborn, Chairman

Attest:



Alan Christy, Director



Elmore County Land Use and Building Department

520 East 2nd 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: 11/12/14

To: Elmore County Planning and Zoning Commission

From: Alan Christy, Director

Re: Recreational Vehicles Public Meeting November 19, 2014, 7:00p.m.

Background

The Elmore County Planning and Zoning Commission ("Commission") conducted a public meeting on November 5, 2014 to discuss ordinance changes. The Commission directed staff to revise an ordinance change to just address the difference between commercial and private recreational vehicle use. A draft ordinance change is attached to this memorandum. The Commission can discuss these draft changes during the public meeting on November 19, 2014.

Attachments:

1. Draft Ordinance Changes

BUILDING OFFICIAL: The officer or other designated authority charged with the administration and enforcement of the Elmore County building code, or the building official's duly authorized representative.

BUILDING, PRINCIPAL: A building in which is conducted the main or principal use of the lot on which the building is located.

BUILDING SETBACK LINE: An imaginary line established by this Ordinance that requires all buildings to be set back a certain distance from lot lines.

BUILDING SITE: A proposed pad for construction of a habitable structure that is not subject to hazards such as wildfire, flooding, high ground water, subsidence, avalanche, landslide, and infringement on wildlife areas, contamination of water tables or other similar hazards.

BUSINESS: A site where the activity of making, buying, selling goods and/or providing services in exchange for money and/or services.

BULK: A term used to describe the size and relationships of buildings and other structures, spaces, streets and parking, and overall land area.

BURIAL GROUNDS, FAMILY: A lot or portion thereof set aside for the burial of human remains of deceased family members of the owner or owners of the lot and not intended for subdivision or sale separate from the remainder of the lot or land parcel.

BUTCHERING: See Slaughterhouse and Meatpacking.

C

CAFO: See Elmore County Confined Animal Feeding Operations (CAFO) Ordinance.

CAFO: also referred to as “concentrated animal feeding operation” or “confined animal feeding operation,” means a lot or facility where the following conditions are met:

- A. Animals have been, are, or will be stabled or confined and fed or maintained for a total of ninety (90) consecutive days in any twelve-month period; or
- B. Crops, vegetation, forage growth or post harvest residues are not sustained in the normal growing season over any portion of the lot or facility; or

CAMPGROUND / RECREATIONAL VEHICLE PARK: A facility where camper/recreational vehicles may stop or park for short periods of time. An area or tract of land that accommodates one or more temporary residential uses, including, but not limited to, cabins, tents, campers, travel trailers, motor homes, and/or recreational vehicles and where sewer and water hook-ups are provided.

CARPORIT: A covered shelter for no more than three (3) automobiles open on two (2) or more sides.

CAR WASH: An establishment or area that provides facilities for washing and cleaning vehicles, which may use production line methods with a conveyor, blower, or other mechanical devices, and that may employ some hand labor. The facility may include vacuums and drying areas as accessory uses.

CEMETERY: Land used or intended to be used for the burial of the human and animal remains, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

CERTIFICATION: Certification is the act whereby the Director verifies that an application is complete and complies with relevant ordinance requirements.

CERTIFICATE OF OCCUPANCY: A certificate issued by the building inspector to indicate that, after construction of the building has been completed or a change of use or alteration of an existing building is completed, that the building is in compliance with the terms of this Ordinance and applicable building code.

CHECK DAM: A structure erected perpendicular to the direction of flow of floodwaters in a foothill or other hillside tributary floodway, and which does not exceed ten (10') feet in height or fifty (50) acre-feet of storage capacity and is constructed for the purpose of reducing the velocity of floodwaters or reducing flood flows downstream or both. For the purposes of this ordinance, energy dissipating devices shall be considered check dams.

CHEMICAL MANUFACTURING: A use that creates products by transforming organic and inorganic raw materials with chemical processes.

CHILD / DAY CARE FACILITY: Any home, structure, or place where non-medical care, protection, or supervision is regularly provided to children under fourteen (14) years of age for periods of less than twenty-four (24) hours per day while parents or guardians are not on the premises. There are three (3) types of childcare facilities:

- A Family Child Care Home - A child care facility, which provides care for five (5) or fewer children throughout the day;
- B Group Child Care Home - A child care facility which provides care for six (6) to twelve (12) children throughout the day; and

EXPLOSIVE MANUFACTURING OR STORAGE: The use of machines, tools and labor to produce explosives to use, sale or storage.

EXTENDED CARE FACILITY: A medical facility providing short or long term sub-acute care, or a facility or distinct part of a facility licensed or approved as a nursing home; or a governmental medical institution.

EXTRACTION: Removal and processing of any mineral such as, but not limited, to mining, quarrying, separating, or cleaning mineral resources.

F

FACILITY: Refers to any business or corporation that is built, installed, or established to serve a particular purpose.

FAMILY: A family is defined as:

- A. A person living alone or two (2) or more persons related by blood or marriage; or
- B. A group of not more than eight (8) persons who need not be related by blood or marriage living together in a dwelling unit; or
- C. Any home in which eight (8) or fewer unrelated mentally and/or physically handicapped or elderly persons reside; and which is supervised. Resident staff, if employed, need not be related to each other or to any of the mentally and/or physically handicapped or elderly persons residing in the home but no more than two (2) of such staff shall reside in the dwelling at any one time.

FARM: A property in agricultural use that is five (5) acres in size or greater.

FARM SERVICE AGENCY (FSA): Farm Service Agency of the United States Department of Agriculture.

FARM RESIDENTIAL PARCEL: The residential parcel created as a result of a farm development right.

FARM WORKER HOUSING COMPLEX: A complex of dwellings established for the purpose of providing housing for laborers of seasonal agricultural operations, such as harvesting of agricultural crops.

FEDERAL AGENCY: An agency managed and operated by the United States Federal Government, such as but not limited to the Environmental Protection Agency (EPA), Federal Energy Regulatory Commission (FERC) and the National Regulatory Commission (NRC).

RECREATIONAL VEHICLE: A portable structure primarily designed as temporary living accommodation for recreational, camping, and travel use and as defined in Idaho Code section 49-119.

RECREATIONAL VEHICLE PARK: A premises facility upon which two (2) or more parking sites are located, established, or maintained for occupancy by recreational vehicles for temporary use for recreation or vacation purposes.

RECREATIONAL VEHICLE SALES OR SERVICE: The sale, trade, or lease of new or used recreational vehicles or personal recreation items in operating condition and any repair work or minor service. Repair work or minor service shall include, but not be limited to, replacement of parts (e.g., tires, shocks, brakes, mufflers, windshields, radiators, upholstery), oil change, minor engine repair, tune up, and accessory sales of replacement parts.

RECYCLING CENTER: An establishment that is not a junkyard and in which recoverable resource materials, such as paper products, glassware, and metal cans, are collected, sorted, flattened, crushed, or bundled within a completely enclosed structure prior to shipment to others who use such resource materials to manufacture new products.

RECYCLING PLANT: An establishment that is not a junkyard and in which recoverable resource materials, such as paper products, glassware, and metal cans, are recycled, reprocessed, and treated to return such products to a condition in which they may be reused for production.

REFERENCE ROAD: Any Federal public road, State highway or road, or County road designated as a graded and drained or higher improvement designation on the Official maps of the Highway Districts within Elmore County.

REMEDIATION: Structures and/or activities that remove contaminants from soil or water.

REMEDIATION, IN SITU: Remediation that occurs on the same site where the contaminated soil or water exists. In SITU remediation does not involve removal or transportation of soil or water off site.

~~**RENDERING PROCESSING PLANT:** An animal processing facility or plant which may include: a) slaughtering, b) meat canning, c) curing, d) smoking, e) salting, f) packing, g) rendering, h) freezing, or other similar establishments in which meat products are so processed for sale to the public and where the inspection of meat, meat byproducts and meat food products are maintained.~~

RENEWABLE ENERGY: Energy that can be produced or managed from sources that is self-sustaining and is considered non-depleteable.

REPAIR: The reconstruction, renewal or maintenance of real or personal property.

REQUIRED YARD: See definition of Yard.



Elmore County Land Use and Building Department

520 East 2nd South Street
Mountain Home, ID 83647
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Fax: (208) 587-2120

Alan Christy
Director

Tell Riley
Building Official

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Memorandum

Date: 11/5/14

To: Board of County Commissioners

From: Alan Christy, Director

Re: Planning and Zoning Members

Debbie Lord has informed me that she has moved out of Elmore County and has turned in her resignation from the Elmore County Planning and Zoning Commission. At this time we have had no new applicants to the Planning and Zoning Commission. Patti Osborn previously notified that Board that she would be willing to continue her service on the Commission. Patti's term expires January 8, 2015.

The Board may want to consider the following options:

1. Leave the number of Commission members at 7.
2. Post notice in the newspaper and wait for an application.
3. The Board has historically tried to get members from all areas of the County. Debbie was from the Mayfield area and the Board may want to appoint someone from that area.

I have attached the current Commission roster to this memorandum. It is important to note that pursuant to state law and our zoning ordinance the Board cannot appoint more than 1/3 of the members living in incorporated cities. There are currently two of the seven members living within an incorporated city.

I will be available to discuss this matter with the Board on November 10, 2014.

Attachments:

1. Current Planning and Zoning Roster

**ELMORE COUNTY
PLANNING AND ZONING COMMISSION**

MINUTES
Wednesday, November 5, 2014

Chairperson Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Vice Chairperson K.C. Duerig, Ed Oppedyk, Sue Fish, Shane Zenner, and Betty Van Gheluwe. Also present were Attorney of Record Phillip Miller, Director Alan Christy, and staff member Beth Bresnahan.

PLEDGE OF ALLEGIANCE

PUBLIC MEETING

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

Christy stated that the plat has been signed by the county surveyor, Central District Health, and the Mountain Home Highway District. He stated that there is a supplemental staff report with information about the county ordinance and the state code regarding vacations. He stated the applicant/owner in this case has matched up the road easements with where the roads actually are. He stated that they have cleaned that up so it's just a matter of procedure on the vacation and rededication. He stated that the state code and the ordinance are a little vague on how to handle that. He stated that if it does need to be vacated it's just means that the board will conduct a public hearing.

Miller stated that state law says that if you are going to abandon or vacate any portion of the private right of way that was accepted as part of a recorded platted subdivision that abandonment or vacation shall be accomplished pursuant to the provisions in chapter 13 title 50.

Eric Howard is representing the applicant. He stated that during the plat process they viewed it as platting over the old plat. He stated that he can re-label the plat to say relocate instead of vacate.

Christy stated that the change, if any, will not change the number of lots and should not affect the decision made as they can go over with counsel and staff another time.

Duerig moved to approve.

Oppedyk seconded.

Motion carried unanimously.

WORK SESSION

Discuss recreational vehicles ordinance amendment.

Christy provided an updated memorandum. He stated that there was a public meeting at the Pine Senior Center and after going through his notes he saw there are still some outstanding

issues but that they are on the right track for an ordinance amendment. He asked if they want to set a number of RV's per acre, do they want seasonal dates, and do they want a timeline? Fish stated that they should let the seasons dictate when to pull the RV's out because every year is different.

Osborn stated that this is not specific to the Pine/Featherville area this ordinance is county wide. Christy stated that they are trying to differentiate between private and commercial uses for RV's. Fish stated that the people who have problems with the RV's are the ones in the newer subdivisions. She stated that the majority of people up there don't seem to mind it at all. She stated that it should be left up to each individual subdivision how they feel about the RV's.

Van Gheluwe asked if the 16 day time limit would still be in place.

Christy stated that they would do away with that.

Miller stated that the simplest way to do it is to just change nothing but the definition of the RV campground/RV park to require payment. He stated that way if there is no payment exchanged it does not come under the definition and therefore wouldn't be subject to regulation.

Commission consensus is to change the definition of RV Campground/Park to require money exchange to make it commercial.

MINUTES

Minutes from 10-2-2014.

Van Gheluwe moved to approve with correction.

Fish seconded.

Motion carries unanimously with Oppedyk abstaining.

Minutes from 10-3-2014.

Van Gheluwe moved to approve with correction.

Fish seconded.

Motion carries unanimously with Oppedyk abstaining.

INFORMATION ITEMS

Upcoming P & Z Schedule.

Christy stated the next regularly scheduled meeting will be on November 19, 2014. He stated it will be the annual meeting so they will be electing Chairperson and Vice Chairperson.

Christy stated that the concert that was approved at the October 2nd meeting has been appealed and that hearing will be held on December 8, 2014 with the board of county commissioners.

Christy stated that after the board hearing on the Red Baron Estates appeal hearing the Board ordered that both Red Baron and Soles Rest subdivisions have 90 days to come up with an agreement. The final decision has been stayed until an agreement is reached.

Christy stated that Debbie Lord has turned in her resignation on the Planning and Zoning Commission.

MEETING ADJOURNED

Patti Osborn, Chairperson

Date:

Attest: _____
Alan Christy, Director

Date: