

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

Wednesday, June 17, 2015 at 7:00pm

Agenda

PLEASE SILENCE CELL PHONES

CALL TO ORDER

ESTABLISH QUORUM

- | | |
|---|--|
| <input type="checkbox"/> Chairperson Patti Osborn | <input type="checkbox"/> Vice-Chairman 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

OLD BUSINESS

PUBLIC HEARING

- **Continuation for Intermountain Development (Jim Carrie) for a Conditional Use Permit to subdivide an existing 5-lot subdivision Frontage Estates into a 57-lot subdivision (Blue Sage Subdivision) in the Agriculture Zone/Mountain Home Area of City Impact. Case Number: CUP-2015-09.** The site is located in NW1/4, Section 15, Township 3S, Range 6E, B.M. A common way of locating the property is from Sunset Strip turn onto Frontage Road. The property is located approximately 1 mile on the right.

NEW BUSINESS

PUBLIC HEARING

- **Sunview Dairy for an expansion of an existing dairy permit, Confined Animal Facility Operation (CAFO) in the Agriculture Zone. Case Number: CAFO-2015-01.** The site is located in the NW1/4 Sec 8, Township 5 South, Range 6 East, NE1/4 Sec 7, Township 5 South, Range 6 East, B.M. A common way of locating the property is from Mountain Home head southwest on Highway 51 to SW Blanksma Rd, turn Right. The dairy is located ½ mile on the right.

ITEMS FROM THE PUBLIC

FCO and MINUTES

- **FCO for Case Number: CUP-2015-10 Second Life Recycling, LLC**
- **Minutes from 06-03-15**

INFORMATION ITEMS

- Upcoming P & Z Schedule

MEETING ADJOURNED



Elmore County Land Use and Building Department

520 East 2nd South Street
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Phone: (208) 587-2142 ext. 254
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Alan Christy
Director

Tell Riley
Building Official

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Supplemental Staff Report to the Planning and Zoning Commission

Meeting/Hearing Date: 6/17/2015 **Date Report Compiled:** 6/04/15

Agenda Item: Conditional Use Permit to subdivide an existing 5 lot subdivision into a 57 lot subdivision.

Applicant: Intermountain Development (Jim Carrie)

Case Number: CUP-2015-09

Staff: Beth Bresnahan

Location: Portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec 15, Township 3 South, Range 6 East, B.M. A common way of locating the property is from Sunset Strip turn onto Frontage Road. The property is located approximately 1 mile on the right.

Zoning: Agriculture/Mountain Home Area of City Impact

Parcel Numbers: RP 003210010010A, RP 003210010020A, RP 003210010030A, RP 003210010040A and RP 003210010050A

STAFF COMMENTS/RECOMMENDATION

Staff has reviewed the master site plan and believes it meets the requirements of Chapter 18 Master Site Plan Requirements of the Zoning and Development Ordinance:

Section 6-18-7: Required Findings:

A. *In order to approve the application, the Director shall find the following:*

1. *The master site plan complies with the applicable Comprehensive Plan; and*

Staff: Land Use Objective 6: Encourage orderly development if subdivisions and individual land parcels, and require development agreements when appropriate.

Suburban Mountain Home Vicinity: 5. Land Use: Recognize that residential development should occur near the City of Mountain Home...but development must blend and complement the existing rural lifestyle in the area.

2. *When applicable, the master site plan complies with Section 6-18-4 General Required Standards in regards to:*
 - a. *Location of Structures on the site; and*
Staff: There are no structures on the site at the present time.
 - b. *Non-vehicular Access and Internal Circulation; and*
Staff: Note #7 on the preliminary plat submitted as a master site plan states: "A permanent public utilities, irrigation, sidewalk and property drainage easement is hereby designated as follows, unless otherwise dimensioned: 16' wide along the subdivision boundary and public right of ways, 10' wide along rear lot lines, and 5' wide on each side of the side lot lines."
 - c. *Automobile Access and Internal Circulation; and*
Staff: Note #1 on preliminary plat submitted as a master site plan states: "The Mountain Home Highway District grants use for access into this subdivision per instrument number 181256."
 - d. *Additional Off-Street Parking Design Standards.*
Staff: N/A
3. *The applicant has submitted a natural features analysis compliant with Section 6-18-5 indicating that the proposed development and master site plan sufficiently addresses:*
 - a. *Any natural constraints detected or observed; and*
Staff: Contour lines are on the preliminary plat submitted as a master site plan.
 - b. *Historical and Cultural Resources; and*
Staff: N/A
 - c. *Sensitive Plant and Wildlife Species; and*
Staff: N/A
 - d. *Any Impacts on Natural Features.*
Staff: N/A
4. *The master site plan complies with Section 6-18-6 Other Required Standards in regards to:*
 - a. *Screening; and*
Staff: As noted on the preliminary plat; there will be 4 berms, these berms will have juniper trees, sage brush and native grass planted on them.
 - b. *Drainage; and*
Staff: Application states "lot drainage will be self-contained. Streets will have borrow ditches to accommodate drainage system." Drainage from

public right of ways will have to be approved by the Mountain Home Highway District.

- c. *Water Supply and Sewage Disposal; and*
Staff: Application states: "individual well and septic systems."
- d. *Filling, Excavation, and Earthmoving; and*
Staff: Road construction is the only filling, excavating and earthmoving anticipated.
- e. *Irrigation Services and Delivery Systems; and*
Staff: No irrigation system is proposed at this time.
- f. *Utilities; and*
Staff: Note #7 on preliminary plat submitted as a master site plan states: "A permanent public utilities, irrigation, sidewalk and property drainage easement is hereby designated as follows, unless otherwise dimensioned: 16' wide along the subdivision boundary and public right of ways, 10' wide along rear lot lines, and 5' wide on each side of the side lot lines."
- g. *Maintenance; and*
Staff: Note #6 on preliminary plat submitted as a master site plan states: "Lot 1 and 34, Block 1 and Lot 1 and 24 Block 2 are common lots for the purpose of a berm along Frontage Road, public utilities and water storage, and shall be owned and maintained by the homeowners association."
- h. *Supplemental Information; and*
Staff: N/A
- i. *Alternate Site Development.*
Staff: N/A

If approved, staff would recommend the following conditions of approval:

1. The subdivision will comply with Title 6, Chapter 28 and Title 7, Chapter 1 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. The subdivision shall meet all State and Federal regulations.
5. The subdivision shall have no more than 57 lots and 3 phases.
6. The preliminary plat shall be approved within one year of the conditional use permit approval. The first phase of the final plat must be recorded within 24 months of the Commission's approval of the preliminary plat. Each subsequent final plat phase shall be recorded within 24 months of the previous final plat recording.
7. The subdivision shall be developed in substantial conformance with the master site plan.
8. Idaho DEQ and/or Central District Health Department shall approve sewage disposal.
9. Lot 1 and 34 Block 1 and Lot 1 and 24 Block 2, as identified on the master site plan,

will be maintained by the Homeowner's Association.

10. All subdivision improvements shall be completed or bonded prior to recording the final plat.
11. Berms shall be constructed on Lots 1 and 34 Block 1 and Lot 1 and 24 Block 2 as specified on the master site plan, 2 feet above Frontage Road centerline, 20 feet long and the length of the of lot (Lot 1 Block 1 307.97 feet, Lot 34 Block 1 229.75 feet, Lot 1 Block 2 311.43 feet and Lot 24 Block 2 315.33).

**BEFORE THE PLANNING AND ZONING COMMISSION
OF ELMORE COUNTY**

IN RE: CUP-2015-10)	
Conditional Use Permit for a)	
Recycling Plant or Processing)	FINDINGS OF FACT
Facility in the Interstate)	CONCLUSIONS OF LAW
Commercial and Light)	AND ORDER
Industrial Zone)	
)	
)	
Applicant:)	
Second Life Recycling, LLC)	
4110 E. Pine Bluff Dr.)	
Meridian, ID 83642)	

This matter having come before the Planning and Zoning Commission of Elmore County, Idaho, the 3rd day of June, 2015, for a public hearing, held pursuant to public notice as required by law, on a request for a Conditional Use Permit for a Recycling Plant or Processing Center. Property is located in portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 1 South, Range 4 East, B.M., and is zoned Interstate Commercial and Light Industrial. The Commission heard from the applicant in support of the application. The Commission received written testimony and information in regards to the application. Upon conclusion of the public hearing, the Commission duly considered all that was presented to them. Based upon all this information, the Planning and Zoning Commission now makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The applicant has applied for a Conditional Use Permit for a proposed tire sorting and resale facility in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 1 South, Range 4 East, B.M.
2. The proposed use is considered a Recycling Plant or Processing Center.
3. Notice of public hearing was given to agencies and property owners on May 7, 2015. Notice of public hearing was publicized in Mountain Home Newspaper on May 13, 2015. Notice of public hearing was posted on the property on May 21, 2015.
4. Applicant conducted the neighborhood meeting on April 14, 2015.
5. The property is located within the Interstate Commercial and Light Industrial Zones.
6. The surrounding land uses are commercial, grazing and light industrial.
7. 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) of the Elmore County Zoning and Development Ordinance ("Ordinance"). A Recycling Plant or Processing

Facility requires a conditional use permit in the Interstate Commercial (C2) zone. There are additional requirements found in the Ordinance Section 6-8-179: Recycling Plant or Processing Facility.

8. The proposed use will be in accordance with the following goals and objectives of the Comprehensive Plan:
Land Use Objective 5: Encourage and support commercial and industrial development if it complies with County ordinances and guidelines to create jobs and expand the tax base. Maintain two industrial zones: heavy and light.
Land Use Objective 8: Review all commercial and industrial development proposals to determine the land use compatibility and impact to surrounding areas, and with all the applicable provisions of the Zoning and Development Ordinance.
9. The proposed use will comply with all applicable County Ordinances.
10. This use complies with this purpose statement of the Light Industrial zone: "The purpose of the M1 district is to provide for commercial and light industrial development and opportunities for employment of Elmore County citizens and area residents and reduce the need to commute to neighboring cities. The M1 district will encourage the development of manufacturing, wholesale, and distribution establishments which are clean, quiet, and free of hazardous or objectionable elements, such as noise, odor, dust, smoke, or glare and that are operated entirely or almost entirely within enclosed structures or fenced yards; to delineate areas best suited for industrial development because of location, topography, existing facilities, and relationship to other land uses. Uses within the M1 district require reasonable access to arterial roadways. Land uses in this category may require a mix of commercial or light industrial uses that consists of clean types of manufacturing, processing, warehousing, repair and general industrial uses."
11. This use complies with the purpose statement of the Interstate Commercial zone: "The purpose of the C2 district is to permit the establishment of general business and commercial uses that have direct access to State Highways and convenient access to the Interstate. Shopping centers will be encouraged and strip development shall be discouraged. This district may also be located on arterial thoroughfares or in areas where general commercial business is compatible with surrounding land uses. The Highway/Interstate commercial category is needed to accommodate large or intensive commercial and/or business establishments that are typically oriented to a major roadway or freeway interchange."
12. 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. The proposed use will not create excessive additional requirements at public cost. The site is an

existing facility with an existing approach to Simco Road. The structure utilizes and existing well and septic.

13. 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. There is an existing approach to the property from Simco Road.
14. 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 existing facilities within 5 miles of the proposed project that store and/or recycle different materials; US Ecology, a medical waste facility and Alternative Environmental Systems.
15. The proposed use will not be hazardous or disturbing to existing or future neighboring uses.
16. 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. No data was provided that shows the proposed use will not create excessive additional requirements at public costs.
17. 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. No excessive smoke, fumes, glare or odors are anticipated with the proposed use.
18. The proposed use will not result in destruction, loss or damage of a natural or scenic feature of major importance.

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 for Recycling Plant or Processing Center in SE¼NE¼, Section 15, Township 1 South, Range 4 East, B.M., should be and is hereby **APPROVED** with these additional conditions:

ADDITIONAL CONDITIONS

- 1. Proposed use will comply with Chapter 27 and Section 6-8-179 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. The use shall comply with all State and Federal regulations.
- 5. The applicant shall obtain financial assurance in the form of a cash bond as per Idaho State Statute 39-6502.
- 6. Prior to utilizing the site, the applicant shall obtain zoning/building permit approval from the Elmore County Land Use and Building Department to ensure the existing structure is designed and constructed to house the proposed use.
- 7. Applicant shall submit building and site plans to Idaho State Fire Marshal for review/approval.

COMMISSION VOTE:

CHAIRPERSON PATTI OSBORN	VOTED AYE
VICE CHAIRPERSON K.C. DUERIG	VOTED AYE
SUSAN FISH	VOTED AYE
BETTY VAN GHELUWE	ABSENT
SHANE ZENNER	VOTED AYE
ED OPPEDYK	ABSENT
JEFF BLANKSMA	VOTED AYE

Patti Osborn, Chairperson

ATTEST:

Alan Christy, Director

DATED this _____ day of _____ 2015.

*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 the Land Use and Building Department 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.

**ELMORE COUNTY
PLANNING AND ZONING COMMISSION**

MINUTES

Wednesday, June 3, 2015 at 7:00 pm

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

PLEDGE OF ALLEGIANCE

Osborn asked for a motion to amend the agenda to hear the old business public hearing prior to hearing new business.

Duerig moved to hear the old business public hearing prior to hearing new business.

Blanksma seconded.

Motion carried unanimously

OLD BUSINESS

PUBLIC HEARING

Continuation for Intermountain Development (Jim Carrie) for a Conditional Use Permit to subdivide an existing 5-lot subdivision (Frontage Estates) into a 57-lot subdivision (Blue Sage Subdivision) in the Agriculture Zone/Mountain Home Area of City Impact. Case Number: CUP-2015-09. The site is located in NW1/4, Section 15, Township 3S, Range 6E.

This hearing was heard first.

Bresnahan gave staff report and background. She stated that the applicant provided new information to staff. She stated that staff has not had time to review the new information as it was submitted to staff one day prior to this public hearing. She stated that staff is recommending that this hearing be tabled for two weeks to allow for staff and the commission time to evaluate the information.

Duerig moved to table this public hearing to June 17, 2015 to give the commission, staff and the public time to review the information.

Zenner seconded.

Motion carried unanimously.

Osborn called a 5 minute recess.

Osborn re-opened this meeting.

NEW BUSINESS

PUBLIC HEARING**Second Life Recycling, LLC for a Conditional Use Permit for a tire sorting and shredding facility in the Interstate Commercial (C2) and Light Industrial (M1) Zone. Case Number:**

CUP-2015-10. The site is located in the SE 1/4 NE 1/4, Section 15, Township 1 South, Range 4 East, B.M. A common way of locating the property is from Mountain Home head west on I-84, take Simco Road exit and head south, property is on the east approximately ½ mile. Site address is 1733 Simco Road.

Bresnahan gave staff report and background.

Rob Child is the applicant. He stated that he has no additional information but will take any questions the commission may have.

Fish asked if they will be both storing and shredding tires.

Child stated that they will be sorting tires and reselling them. He stated that they will not be shredding them.

There was no one signed up to testify.

Osborn closed this public hearing.

Commission action:

Duerig moved to approve with conditions presented in the supplemental staff report.

Blanksma seconded.

Motion carried unanimously.

Minutes

Minutes for May 20, 2015.

Blanksma moved to approve.

Duerig seconded.

Motion carried unanimously.

INFORMATION ITEMS

Upcoming P&Z Schedule.

Christy stated that there are two public hearings scheduled for June 17, 2015. He stated that no meeting is anticipated for July 1, 2015 due to Independence Day. He stated that there will be a regularly scheduled meeting is for July 15, 2015.

MEETING ADJOURNED at 7:38 p.m.

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Draft

Patti Osborn, Chairperson

Date:

Attest: _____
Alan Christy, Director

Date: