

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

Wednesday, January 6, 2016 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"/> Dave Holland | <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 HEARING

- **S Bar Ranch, LLC for a Conditional Use Permit for an Aircraft Landing Field – Private, in the Agriculture Zone. Case Number: CUP-2016-02.** The site is located in Section 10, Township 2 South, Range 10 East, B.M. A common way of locating the property is from Highway 20 north turn right on Cat Creek Road, turn right on Bennett Mountain Road, turn left on Hill City Road, proceed 8 ½ miles to the ranch entry gate on the left.

NEW BUSINESS

- Extension for Case Number: CUP-2014-01 Grandview PV Solar Two, LLC
- Extension for Case Number: CUP-2014-02 Grandview PV Solar Two, LLC
- Extension for Case Number: CUP-2014-03 Grandview PV Solar Two, LLC
- Extension for Case Number: CUP-2014-04 Grandview PV Solar Two, LLC.
- Extension for Case Number: CUP-2014-05 Grandview PV Solar Two, LLC.

ITEMS FROM THE PUBLIC

MINUTES

- Minutes from 12-16-2015

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

Beth Bresnahan
Planner I

Kacey
Ramsauer
Administrative
Assistant

Staff Report to the Planning and Zoning Commission

Meeting/Hearing Date: 1/06/2016 **Date Report Compiled:** 12/28/2015

Agenda Item: Conditional Use Permit for an Aircraft Landing Field – Private

Applicant: S Bar Ranch, LLC

Case Number: CUP- 2016-02

Staff: Beth Bresnahan

Location: Section 10, Township 2 South, Range 10 East, B.M. A common way of locating the property is from Highway 20 north turn right on Cat Creek Road, turn right on Bennett Mountain Road, turn left on Hill City Road, proceed 8 ½ miles to the ranch entry gate on the left.

Zoning: Agriculture

Parcel Number: RP 02S10E107800 A & RP 02S10E107240 A

BACKGROUND:

In October of 2015 a complaint was received of a private airstrip that was built on private property on Bennet Mountain. A letter was mailed to property owners. A pre-application meeting was held on November 17, 2015 with the owners and the Director.

An application for a conditional use permit for an Aircraft Landing Field - Private was turned into the Land Use and Building Department on December 2, 2015. The application was deemed complete on December 4, 2015. Notice of public hearing was sent to surrounding property owners on December 11, 2015 and was mailed to agencies on December 11, 2015. Notice of public hearing was published in the Mountain Home Newspaper on December 16, 2015. The property was posted by the applicants on December 24, 2015.

The applicant conducted the required neighborhood meeting on November 29, 2015.

The applicant is proposing an Aircraft Landing Field – Private. Section 6-8-66, Elmore County Zoning and Development Ordinance adopted March 21, 2012, amended September 19, 2012 and July 23, 2014, (the “Ordinance”) defines Aircraft Landing Field as:

“AIRCRAFT LANDING FIELD: A privately owned area of land that is used or intended for the landing and takeoff of aircraft, including the necessary accessory structures or facilities for storing and maintenance of aircraft.”

The following additional requirements are found in Ordinance Section 6-8-33:

“Section 6-8-33: Aircraft landing Field, Private:

A. Prior to application, the applicant or owner shall receive airspace approval from the federal aviation administration.

B. The runway design shall comply with the design and construction standards and recommendations in the federal aviation administration handbook Title "Airport Design" advisory circular 150/5300-13.

C. If applicable, the applicant shall provide verification of compliance with the regulations and requirements of the following agencies:

1. Federal Aviation Administration.

2. Idaho Transportation Department (Bureau of Aeronautics).

3. Idaho Military Division-National Guard.

4. The City of Mountain Home and Glenn's Ferry airport officials.

D. Any accessory uses including, but not limited to, fuel storage areas, structures or facilities for storing and maintenance of aircraft, and any outdoor storage or tie down areas shall be included on the master site plan for the aircraft landing field.

E. As applicable, the applicant shall obtain written approval for fuel tanks from Idaho Division of Environmental Quality, Idaho Department of Water Resources, and the appropriate fire authority.

F. The aircraft landing field shall not be located within the Snake River natural area birds of prey and canyon preservation as noted on the Comprehensive Plan Generalized Future Land Use Map or within the Snake River Birds Of Prey National Conservation Area.”

LETTERS FOR THE RECORD

1. Email from 366 OSS/OSA, Byron Schmidt, dated December 17, 2015
2. Email from 366 CES/CENP, Sam Shearman, dated December 17, 2015
3. Elmore County Assessor/Treasurer, received on December 18, 2015
4. ITD Division of Aeronautics, Mark Lessor, dated December 17, 2015
5. ITD, James Morrison, dated December 23, 2015

ATTACHMENTS:

1. Application
2. Map
3. Site plan
4. Posting photos from the Applicants

REQUIRED FINDINGS FOR CONDITIONAL USE PERMITS, ORDINANCE SECTION 6-27-7:

1. **The proposed use shall, in fact constitute a Conditional Use as determined in Chapter 8, Table 6-8-11 (C), Elmore County Land Use Table, as contained in this Ordinance;**

Staff Response: Table 6-8-11(C) shows that an Aircraft Landing Field-Private requires a Conditional Use Permit. Additional standards are found in Ordinance Section 6-8-33.

2. **The proposed use shall be in harmony with and in accordance with the Elmore County Comprehensive Plan and this Ordinance (Title 6);**

Staff Response: Staff has been unable to find any conflict with the Elmore County Comprehensive Plan and Ordinance. Staff believes this proposal is in harmony with

Land Use Objective #12 – Encourage and support land use proposals that are consistent with the community design objectives of all communities and districts within the County.

Land Use Objective #17- Evaluate all development proposals in terms of land use and environmental compatibility. Discourage development proposals, which negatively impact land use patterns and negatively impact human and natural environment.

3. **The proposed use complies with the purpose statement of the applicable base zone and with the specific use standards as set forth in this Chapter;**

Staff Response: Staff believes the proposed use complies with the purposed statement of the applicable base zone. Ordinance Section 6-8-5 is the purpose statement and states: "The purpose of the Ag district is to preserve and protect the supply of agriculture and grazing land in Elmore County until development is appropriate. This

district will also control the infiltration of urban development and other uses into agriculture areas, which will adversely affect agricultural operations. Uses that are compatible with farming, ranching, grazing, forest products, and limited mining may be considered in this district. Residential land use is allowed in the Ag zone subject to site development standards and compatibility with agricultural operations.” Staff believes the proposed use will not interfere with agricultural uses such as ranching, grazing, farming, etc.

4. The proposed use shall comply with all applicable County Ordinances;

Staff Response: Staff believes this use will comply with all applicable County Ordinances with the proposed conditions of approval.

5. The proposed use shall comply with all applicable State and Federal regulations;

Staff Response: State and Federal agencies have been notified of this application and have no written concerns. The Department received emails from the Mountain Home Air Force Base and letters from ITD Division of Aeronautics and ITD stating there were no concerns or objections.

6. The proposed use shall be designed, constructed, operated, and maintained in such a way as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity; and that such use shall not change the essential character of said area;

Staff Response: Staff believes that the essential character of the area will not be negatively changed with this proposed use. The Applicant stated in the application that the airstrip is located in the interior of the property and is not visible to any surrounding properties. The Applicant also stated the airstrip will remain private with few flights.

7. The proposed use shall not be hazardous or disturbing to existing neighboring uses or impede their normal development;

Staff Response: The neighbor within 1,000 feet was notified of this application. The Land Use and Building Department has received no input from them. Applicant stated on neighborhood meeting form that the neighboring landowner and the grazing leaseholder had no problem with the application.

8. The proposed use shall be served adequately by available public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer, or that the person responsible for the establishment of the proposed conditional use shall be able to provide adequately any such services;

Staff Response: The proposed use will not create excessive additional requirements at public cost.

Highways: Glenns Ferry Highway District has no comment

Streets: Hill City Road is non paved road maintained by Glenns Ferry Highway District.

Police and Fire Protection: Elmore County Sheriff, no fire protection is provided.

Drainage Structures: not applicable

Refuse Disposal: not applicable

Water: not applicable

Sewer: not applicable

9. **The proposed use shall not create excessive additional requirements at public cost for public facilities and services and the proposed use shall not be detrimental to the economic welfare of the County;**

Staff Response: There is no data provided that the proposed use will not create excessive additional requirements at public costs. The Applicant has proposed the airstrip to be private. The Staff has proposed a condition to ensure the airstrip is privately maintained.

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

Staff Response: Staff believes that no excessive smoke, fumes, glare or odors are anticipated with the proposed use. There will be an increase in noise; however, staff does not believe it will be excessive. The applicant has stated in the application that the airstrip will be private with few flights.

11. **The proposed use shall have vehicular approaches which shall be so designed as not to create an interference with traffic on surrounding public or private roadways;**

Staff Response: No new approaches are anticipated, any new approaches will be approved through Glenns Ferry Highway District.

12. **The proposed use shall not result in the destruction, loss or damage of a natural or scenic feature of major importance.**

Staff Response: The area is not designated as having a natural or scenic feature of major importance.

STAFF COMMENT

Staff has questions about the amount of fuel, if any, stored on site.

STAFF RECOMMENDATIONS

Without taking into consideration any public testimony, staff recommends Approval of the proposed Conditional Use Permit CUP-2016-02 with the proposed conditions:

PROPOSED CONDITIONS OF APPROVAL

1. The use shall comply with Ordinance section 6-8-33.
2. The use shall comply with all state and federal regulations.
3. Failure to comply with any condition may result in the revocation of the conditional use permit.
4. The landowner shall be responsible for maintaining the runway.
5. Any expansion or increase in the use shall require an approval of an amended conditional use permit.

Beth Bresnahan

From: SCHMIDT, BYRON L GS-11 USAF ACC 366 OSS/OSOA
Sent: Thursday, December 17, 2015 9:52 AM
To: Elmore County Growth and Development (PnZ) (achristy@elmorecounty.org); Beth Bresnahan (bbresnahan@elmorecounty.org)
Cc: SHEARMAN, SAMUEL A III GS-11 USAF ACC 366 CES/CENP
Subject: CUP-2016-02

Alan,

The CUP-2016-02 action will have no effect on airspace that I manage or maintain for MHAFB operations. It could have an effect on IDANG operations because it is within the corridor route width of VR1300/1303. On another note, it is very close to the Cat Creek wind turbine development project site. I suspect that they are NOT connected? Thanks and have a Merry Christmas.

Byron Schmidt, DAFC
Chief, Airspace Management
366 OSS/OSOA
Mountain Home AFB, Idaho 83648
Byron.Schmidt@us.af.mil
DSN 728-4722
COM 208-828-4722
FAX 208-828-4573

Beth Bresnahan

From: SHEARMAN, SAMUEL A III GS-11 USAF ACC 366 CES/CENP
Sent: Thursday, December 17, 2015 10:07 AM
To: Elmore County Growth and Development (PnZ) (achristy@elmorecounty.org); Beth Bresnahan (bbresnahan@elmorecounty.org)
Cc: SCHMIDT, BYRON L GS-11 USAF ACC 366 OSS/OSOA
Subject: RE: CUP-2016-02

Alan & Beth,

MHAFB Community Planning has no issues as well with CUP-2016-02.

I hope everything went well at the meeting last night, I unfortunately was not able to make it to heckle the applicant.

Merry Christmas!

V/R,

Sam Shearman, RLA

Community Planner
366 CES/CENP
1030 Liberator St.
Mountain Home AFB, ID 83648
Comm: (208)828-2734 DSN: 728-2734

-----Original Message-----

From: SCHMIDT, BYRON L GS-11 USAF ACC 366 OSS/OSOA
Sent: Thursday, December 17, 2015 9:52 AM
To: Elmore County Growth and Development (PnZ) (achristy@elmorecounty.org); Beth Bresnahan (bbresnahan@elmorecounty.org)
Cc: SHEARMAN, SAMUEL A III GS-11 USAF ACC 366 CES/CENP
Subject: CUP-2016-02

Alan,

The CUP-2016-02 action will have no effect on airspace that I manage or maintain for MHAFB operations. It could have an effect on IDANG operations because it is within the corridor route width of VR1300/1303. On another note, it is very close to the Cat Creek wind turbine development project site. I suspect that they are NOT connected? Thanks and have a Merry Christmas.

Byron Schmidt, DAFC
Chief, Airspace Management
366 OSS/OSOA
Mountain Home AFB, Idaho 83648
Byron.Schmidt@us.af.mil
DSN 728-4722
COM 208-828-4722

FAX 208-828-4573



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

received
12-18-15 1381B

Alan Christy
Director

Tell Riley
Building Official

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Elmore County Assessor - Parcel Number: 02510E107800
 Comments: 02510E107240
 Elmore County Treasurer - Taxes 1st Half _____ 2nd Half _____
 Late Charges: Yes _____ No _____ Comments: 2015 Taxes PIF

Date: December 4, 2015
 To: Whom It May Concern
 Subject: Notice of Public Hearing
 Applicant: S Bar Ranch, LLC - Conditional Use Permit for an Aircraft Landing Field - Private in the Agriculture Zone
 Case #: CUP-2016-02

12-18-2015
 Cathy Smith

A public hearing will be held before the Elmore County Planning and Zoning Commission on the enclosed application. The hearing is scheduled for Wednesday, November 18, 2015 at 7:00 p.m. in the War Memorial (American Legion) Hall at 515 East 2nd South Street, Mountain Home, Idaho.

Please review the application and return your written comments to the Elmore County Land Use and Building Department, 520 East 2nd South Street, Mountain Home, ID, 83647, by 5 p.m. on Monday, December 28, 2015, so your comments are included in the record. If you prefer, please come to the hearing to testify before the Commission.

If you have any questions or if we can be of any assistance, please do not hesitate to contact the office. To ensure compliance with the American Disabilities Act (ADA) of 1993, the Elmore County Clerk the responsible coordinator. Provisions will be made for persons with disabilities who are unable to attend this hearing. A grievance procedure is available from M. Bate, Elmore County Courthouse, in accordance with the ADA regulations.

Sincerely,

Alan Christy
Director

Enclosures: Application
AC:bsb



IDAHO TRANSPORTATION DEPARTMENT
Division of Aeronautics
3483 Rickenbacker Street • Boise ID 83705

received
12-21-15 BJB

(208) 334-8775
itd.idaho.gov/aero

December 17, 2015

Alan Christy, Director
Elmore County Growth and Development Department
520 East 2nd South Street
Mountain Home, ID 83647

RE: CUP -2016-02 application– S Bar Ranch LLC, Private Airstrip

Dear Mr. Christy,

Thank you for the opportunity to review and provide comments on the application for a Conditional Use Permit for a private airstrip to be located approximately 24 miles WSW of the nearest public use airport (Camas County Airport) in Fairfield, Idaho.

The Division of Aeronautics has no objection to the proposal based on the site information provided in the CUP application package received by this office on December 16th, 2015.

Sincerely,

Mark Lessor
Aviation Technician
Idaho Division of Aeronautics



IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028
Boise, ID 83707-2028

(208) 334-8300
itd.idaho.gov



December 23, 2015

Alan Christy
Elmore County Land Use and Building Department
520 East 2nd South Street
Mountain Home, Idaho 83647

RE: CUP-2016-02 S BAR RANCH AIRCRAFT LANDING FIELD

Dear Mr. Christy:

The Idaho Transportation Department (ITD) has reviewed the referenced conditional use application for the S Bar Ranch aircraft landing field located south of SH-20 at approximately milepost 128. ITD has the following comments:

1. ITD has no objections to this application and does not require any mitigation.
2. This property does not abut the State highway system.

If you have any questions, you may contact Shona Tonkin at 334-8341 or me at 332-7191.

Sincerely,

A handwritten signature in blue ink that reads 'James K. Morrison'.

James K. Morrison
Development Services Manager
jim.morrison@itd.idaho.gov



ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 E 2nd South – Mountain Home, ID 83647 – (208) 587-2142

www.elmorecounty.org

Conditional Use Permit Application

The Elmore County Land Use & Building Department **DOES NOT** accept faxed applications or signatures.

Application must be completed in **INK**. Please use addition sheets of paper if necessary. This application must be complete and all fees paid prior to acceptance by the Elmore County Land Use & Building Department. A public hearing will not be scheduled until the application is accepted.

The Conditional Use Permit Application must be in compliance with Chapter 27 of the Elmore County Zoning and Development Ordinance.

Pre-application meetings are strongly encouraged for Conditional Use Permit Applications. Pre-application meetings are by appointment only. Do not hesitate to contact the Land Use & Building Department with any questions or concerns.

1. Name of applicant: Chris Stephens for S Bar Ranch, LLC

2. Address of applicant: PO Box 1065, Sun Valley, ID 83353

3. Daytime telephone number of applicant: 208-720-0972

4. Email Address: crs@5bi.com

5. Name, address, and daytime telephone number of developer: Same

6. Address of subject property: See attached Exhibit A

7. Name, address, and daytime telephone number of property owner (if different from applicant): Same

8. Attach Legal Description and acreage of property and legal description and acreage of part that CUP is to encompass:

Attach at least one of the following:

Deed Proof of Option Earnest Money Agreement Lease Agreement Assessor's Parcel Master Inquiry RP# 02S10E 107800A & 02S10E 107240A

9. Common directions of how to get to the proposed Conditional Use Permit property from a known beginning point: Take Highway 20 north to Cat Creek Rd, Turn right, proceed to Bennett Mountain Road, turn right, go to Hill City Rd, turn left and go 8-1/2 miles to the ranch entry gate on the left

Coordinates of gate are: 43.261594, -115.234205

10. a. Current zoning: Ag b. Current district (if applicable): _____

11. a. Is the proposed location within an Area of Critical Concern (ACC) or Community Development Overlay (CDO)?

Yes No If in a CDO, what CDO? _____ If in an ACC or CDO, technical studies, an environmental assessment, or an environmental impact statement may be required.

b. Is the proposed development within any city's impact area? Yes No

c. Is the proposed site within an Airport Hazard Zone or Air Port Sub Zone? Yes No
If yes, applicant shall provide approval from the Federal Aviation Administration and/or the Idaho Department of Aeronautics and Transportation.

d. Is any portion of the property located in a Floodway or 100-year Floodplain? Yes No

If yes submit map showing location of floodway and/or floodplain in relation to the property and/or proposal.

e. Does any portion of this parcel have slopes in excess of 10%? Yes No If yes, submit contour map.

f. The impacts of a proposed development and/or land use on adjacent land uses and transportation facilities must be considered. The applicable Highway District or Transportation Department may require a Traffic Impact Study (TIS) if the proposed development or land use has associated with it special circumstances deemed by the district or department to warrant a study. A notation and signature from the applicable district or department stating no study is required or a copy of this study must be submitted with this application.

g. The impacts of the CUP on existing public services and facilities (such as the fire department, emergency services, sheriff's department, schools, etc.) must be considered. A letter from the applicable agency governing the public service or facility stating how the developer will provide for said services with plans and/or drawings or that said services are not required may need to be submitted with the application.

h. Are there any known hazards on or near the property (such as canals, hazardous material spills, soil or water contamination, etc.)? Yes No If yes, describe and give location: _____

i. Are there hazardous materials and/or wastes involved either in your operation or generated off site and brought onto the property? Yes No

12. Does any other agency require a permit (DEQ, EPA, IDWR, FAA, state, federal, etc.)? Yes No If yes, who? We have filed with the FAA for an airport identifier

Proof of having applied for or acquired other agency(ies) permit(s) submitted with CUP application.

13. ADJACENT PROPERTIES have the following uses:

North Ag, open grazing

East Ag, open grazing

South Ag, open grazing

West Ag, open grazing

14. EXISTING USES and structures on the property are as follows: Ag, no structures

15. A written narrative stating the specific PROPOSED USE. Include as much detail as possible (use additional sheets of paper if necessary):

We are requesting a Conditional Use Permit for an Aircraft Landing Field - Private, 25' wide x 1,800' long, dirt, and an associated hanger building.

16. a. The conditional use is requested to begin within one days/ months after permit approval (permit expires if not used within 1 year of approval) and is for _____ years or perpetuity.

b. Construction or improvements associated with conditional use is expected to begin within: six days/ month/ years and be completed within ten days/ months/ years.

17. Proposed Use(s): private airfield Hours of Operation: Daylight hours

Days of Operation: 365 available Maximum Number of Patrons: _____

Sewage disposal: municipal / individual septic

Water: municipal supply / community well / individual well

Number of employees during largest shift: 0 Proposed number of parking spaces: _____

18. PRELIMINARY FLOOR PLANS: To a professional standard with sizes and types of interior spaces indicated, 15 copies 8½" x 11".

19. ENVIRONMENTAL IMPACT STATEMENT AND/OR ASSESSMENT: When a development or proposal is of a more complex nature, when it is required by the Zoning and Development Ordinance, and/or when the site is located within an Area of Critical Concern, and Environmental Impact Statement and/or Assessment may be required at the expense of the applicant.

(The Land Use & Building Director will determine if an EIS is required)

EIS Required: Yes No Director Initial AL

Department Note: _____

20. PROPERTY OWNER'S ADDRESS: A list of property owner's/purchaser's of record names and addresses within a minimum radius of 300' (1000' Minimum in Agriculture Zone) of property boundaries encompassed by proposed Conditional Use Permit. Said list shall be obtained from the tax records of the appropriate county.

**Radius extended to: 1000 ^{Ag Zone} feet mile(s) Date: 11.17.15 Initial AE

21. Is this application submitted with any additional applications? No

22. Ordinance Chapter 27, Section 6-27-7 states that the Elmore County Planning and Zoning Commission shall review all proposed conditional use applications and find adequate evidence that such use meets all of the following standards. The applicant must provide said evidence. Following are the standards the conditional use must meet (please use additional sheets of paper if necessary):

How does the proposed land use constitute a conditional use as determined by the land use matrix?
Aircraft Landing Field - Private

How will the proposed land use be in harmony and accordance with the Comprehensive Plan and the Ordinance?
The Future Land Use Map anticipates this land to stay in its current Ag zoning designation as does this application.

How will the proposed land use comply applicable base zone and with the specific standards as set forth in the Ordinance?
This private airstrip, along with the limited private use envisioned for the entire property is consistent with the existing Ag zoning and surrounding Ag zoned property.

How does the propose land use comply with all applicable County Ordinance?
The proposed Aircraft Landing Field - Private is an anticipated Conditional Use in the ordinance. We will comply with Section 6-8-33 and all other applicable ordinances.

How does the propose land use comply with all applicable State and Federal regulation?
Private airstrips are allowed by Federal and State law. An application has been filed with the FAA.

What about the proposed land use's design, construction, operation and maintenance makes it harmonious and appropriate in appearance with the existing or intended character of the general vicinity and how will it not change the essential character of said area?
The overall property is over 2,700 acres. The airstrip is located in the interior of the property and is not visible to any surrounding properties. An infrequently used airstrip will not change the character of the area.

Why or how will the proposed land use not be hazardous or disturbing to existing or future neighboring uses?

Neighboring uses are all Ag in nature, mostly open grazing. The airfield will be private with few flights and will not be disturbing to neighboring Ag uses.

How will the proposed land use be served adequately by available public facilities/services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer or how will these public services be provided by the applicant/developer?

The subject property is not served by any public utilities and will remain "off the grid". The proposed airfield will not increase the impact on any public services.

Why or how will the proposed land use not create excessive additional requirements at public cost for public facilities/services or be detrimental to the economic welfare of the county?

The private airfield will create no additional impacts on public facilities or services.

Why or how will the proposed land use not involve uses, activities, processes, materials, equipment, and/or conditions of operation that will be detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors?

The proposed private airfield will be used infrequently and is located in a sparsely populated area.

How will the proposed land use have vehicular approaches to property designed to not create interference with traffic on surrounding public or private roadways?

All vehicular approaches currently exist and the airfield will not increase the use of any surrounding roads.

Why or how will the proposed land use not result in the destruction, loss or damage of a natural or scenic feature of major importance?

The airfield cannot be seen from any adjacent properties and is located on a flat portion of the property, minimizing the cuts and fills and therefore does not disturb any prominent features.

23. **ADDITIONAL INFORMATION:** Any additional information as required or needed by the Planning and Zoning Commission, Land Use & Building Department, or interested agency.

A neighborhood meeting must be conducted prior to submitting application. Requirements for a neighborhood meeting are outlined in the Elmore County Zoning and Development Ordinance Chapter 4 Section 6-4-3.

A master site plan is required with this application. Requirements for a master site plan are found in Chapter 18 of the Elmore County Zoning and Development Ordinance.

Agency signature sheet on page 8 of this application.

Elmore County reserves the right to withhold processing and/or issuance of any County Conditional Use Permit until the County is satisfied that County approval may be the final action in any multi-agency approval process. Proof of having obtained or applied for necessary permits and/or approvals from applicable local (other than Elmore County) state, and/or federal agencies may be required prior to issuance of a Conditional Use Permit by Elmore County. If required, documentation shall be submitted with the Conditional Use Permit application.

The Planning and Zoning Commission shall hold at least one public hearing on an application for a Conditional Use Permit. A public hearing will be scheduled within sixty (60) days after acceptance of the application. The Land Use & Building Department will mail hearing notices to the surrounding property owners and to any agency that may have an interest in the proposal. The Land Use & Building Department will place a Notice of Public Hearing in the Mountain Home News at least fifteen (15) days prior to said hearing. The Land Use & Building Department will post notice of the hearing on the premises not less than seven (7) days prior to the hearing.

This application may be approved, conditionally approved, denied, or tabled.

If the application is approved or conditionally approved by the Planning and Zoning Commission, the applicant will be sent a document that is the official "Conditional Use Permit". This document may be in the form of a Findings of Fact, Conclusions of Law, and Order, and will enumerate the conditions attached to the approval and issuance of the permit and will state the consequences of failure to comply. The permit shall not become effective until after an elapsed period of 10-days from the date of the Planning and Zoning Commission Chairperson's signature on the Findings of Fact, Conclusions of Law, and Order. During this time, any interested person may appeal the action to the Board of Elmore County Commissioners. The applicant will be notified of any pending appeals. An appeal will stay all proceedings until its resolution.

If the Conditional Use Permit is denied by the Planning and Zoning Commission, the applicant may reapply or the applicant may appeal the decision in writing to the Board of Elmore County Commissioners. Appeal of a Planning and Zoning Commission decision must be made within ten (10) days after the date of the Planning and Zoning Commission Chairperson's signature on the Findings of Fact, Conclusions of Law, and Order,

The applicant hereby agrees to pay the fees established by the Board and agrees to pay any additional fees incurred (initial) *PA* . The applicant also verifies that the application is complete and all information contained herein is true and correct (initial) *PA* . The initial applicant understands there could be a delay in a decision should the applicant or their representative not attend any meeting where the application is being considered.

	11/23/2015		11/23/2015
Property Owner Signature	Date	Applicant Signature	Date

ADMINISTRATIVE USE ONLY

Date of Acceptance 12/21/2015

Accepted by (KN)

CUP FEE: \$800.00

Fee \$ 800.00 (Pd) Receipt # 20-10263

Date Paid: 12/21/2015

Case# CUP- 2016-02

Agency signatures are used for the applicant to make initial contact with certain agencies to address issues prior to a public hearing and application submittal. Additional agencies not listed may have additional requirements. The agencies listed below may be required for future approvals or signatures depending on the type of conditional use. The signature does not constitute a final approval by the agency. The agency signatures below do not guarantee approval from the Elmore County Land Use & Building Director, Elmore County Planning and Zoning Commission or Elmore County Board of Commissioners. The agencies listed below will be notified of the public hearing. Elmore County Land Use & Building Staff will inform the applicant of the desired agency signatures prior to application submittal.

Agency Comments & Signatures

Notes for agency signatures.

1. It is recommended that applicants set up appointments with the following agencies once the application is complete with all required information.
2. Agency signature does not guarantee any future approvals.
3. Agencies may attach additional sheets of paper for comment and/or conditions if necessary.
4. Agencies may have additional comments and/or conditions at a later time.

• Central District Health (or other Sewer District) Sewer Permit (580-6003) _____ Date

Comment: _____

Jim Gluch Supt Cleburne Ferry Highway JLG Roadway Jurisdiction (MHHD 587-3211) (GFHD 366-7744) (AHD 864-2115) _____ Date *Nov 23 2015*

Comment: _____

• Fire District (MHRFD 587-2117) (Oasis 796-2115) (GFFD 366-2689) (BGRFD 834-2511) (AFD 2182) _____ Date

Comments: _____

• Assessor's Office (Verify Legal Description) (ext. 247) _____ Date

Comments: _____

• Treasurer's Office (Verify Tax Status) (ext. 501) _____ Date

Comments: _____

Agency Comments & Signatures

Notes for agency signatures.

1. It is recommended that applicants set up appointments with the following agencies once the application is complete with all required information.
2. Agency signature does not guarantee any future approvals.
3. Agencies may attach additional sheets of paper for comment and/or conditions if necessary.
4. Agencies may have additional comments and/or conditions at a later time.

Marty Jones RERB

11-25-15

• Central District Health (or other Sewer District) Sewer Permit (580-6003) _____ Date

Comment: _____

Jim [unclear] Tim Gluch Supt. Cedar Lake W. Hwy J.R.

Nov 23 2015

• Roadway Jurisdiction (MHHD 587-3211) (GFHD 366-7744) (AHD 864-2115) _____ Date

Comment: _____

• Fire District (MHRFD 587-2117) (Oasis 796-2115) (GFFD 366-2689) (BGRFD 834-2511) (AFD 2182) _____ Date

Comments: _____

• Assessor's Office (Verify Legal Description) (ext. 247) _____ Date

Comments: _____

• Treasurer's Office (Verify Tax Status) (ext. 501) _____ Date

Comments: _____

PARCEL 1:

Township 2 South, Range 10 East, of the Boise Meridian, Elmore County

Section 4: All that portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ lying South of the centerline of the Malad River (also shown of record as Camas Creek)

Section 5: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 6: SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 7: E $\frac{1}{2}$

Section 8: All, EXCEPTING THEREFROM that portion lying North of the centerline of the Malad River (also shown of record as Camas Creek)

Section 9: All, EXCEPTING THEREFROM that portion lying North of the centerline of the Malad River (also shown of record as Camas Creek)

Section 10: W $\frac{1}{2}$ SE; SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$

Section 15: Northwest Quarter of the Northeast Quarter; North Half of the Northwest Quarter

Section 17: North Half of the Northeast Quarter

PARCEL 2:

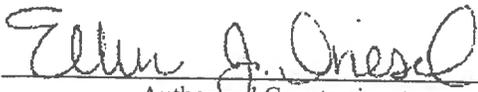
Township 2 South, Range 10 East, Boise Meridian, Elmore County, Idaho

Section 10: East Half Southeast Quarter

Section 11: Southwest Quarter and that portion of the Southwest Quarter of the Southeast Quarter lying West of the Hill City Road

Section 14: That portion of the Northwest Quarter Northeast Quarter and the North Half Northwest Quarter lying North and West of the Hill City Road

Section 15: Northeast Quarter Northeast Quarter



Authorized Countersignature

(This Schedule A valid only when Schedule B is attached.)

End of Schedule A

Exhibit "B"

Legal Description for the Eighty acre portion of the property encompassed by the Conditional Use Permit

Township 2 South, Range 10 East, of the Boise Meridian, Elmore County

Section 10: Top Half of the Southeast Quarter



MAKE CHECKS PAYABLE TO:
 Elmore County Collector
 Amber Sloan (208)587-2138 #501
 150 S. 4th East Suite 4
 Mtn. Home, ID 83647-3000

2015 PROPERTY TAX STATEMENT

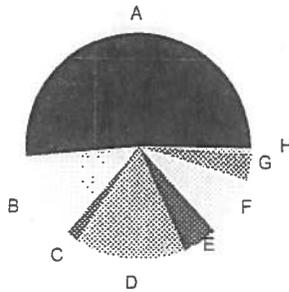
PARCEL NUMBER: RP02S10E107240A ASSESSED VALUE: 1,680
 BILL NUMBER: 16512 LAND 1,680
 CODE AREA: 31-0000 TOT MKT 1,680
 TOT ACRES: 40.000

PROPERTY ADDRESS:

S BAR RANCH LLC
 P O BOX 1065
 SUN VALLEY ID 83353

LEGAL DESCRIPTION:
 NE4SE4
 SEC 10
 T2S R10E

Distribution of your 2015 Tax



DESCRIPTION	RATE	AMOUNT
A= COUNTY SCHOOL #192	.004774058	8.02
B= #192-BOND	.001165699	1.96
C= #192-TORT	.000160742	0.26
D= GLENN'S FERRY HW	.001453526	2.44
E= EEC REC DIST	.000462484	0.78
F= HOSPITAL DIST	.000800000	1.34
G= AMBULANCE DIST	.000339000	0.56
H= PEST ABATEMENT	.000087504	0.14
AMOUNT DUE	.009243013	15.50

DELINQUENT TAX YEARS - please call for amount due

NONE

First Half Tax Due December 20, 2015 7.75
 Second Half Tax Due June 20, 2016 7.75
Total Tax Due: 15.50

*** IMPORTANT ***
 PLEASE READ BOTH FRONT AND BACK
 *** MONTHLY PAYMENTS ARE ACCEPTED ***

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

CREDIT/DEBIT CARDS ACCEPTED - 2.50% FEE
 ONLINE PAYMENTS ACCEPTED AT
 WWW.ELMORECOUNTY.ORG

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.



2ND HALF

1ST HALF

FULL

7.75

7.75

15.50

Elmore County Tax Collector
 Amber Sloan
 150 S 4th East Suite 4
 Mtn. Home, ID 83647-3000

Elmore County Tax Collector
 Amber Sloan
 150 S 4th East Suite 4
 Mtn. Home, ID 83647-3000



Account: S BAR RANCH LLC
 Parcel Number: RP02S10E107240A
 Bill Number: 16512
 Code Area: 31-0000

Account: S BAR RANCH LLC
 Parcel Number: RP02S10E107240A
 Bill Number: 16512
 Code Area: 31-0000

LATE
 INT
 COST
 TOTAL

LATE
 INT
 COST
 TOTAL

DELINQUENT IF NOT PAID ON OR BEFORE

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2016

DECEMBER 20, 2015



MAKE CHECKS PAYABLE TO:
 Elmore County Tax Collector
 Amber Sloan (208)587-2138 #501
 150 S. 4th East Suite 4
 Mtn. Home, ID 83647-3000

2015 PROPERTY TAX STATEMENT

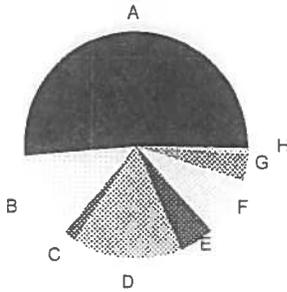
PARCEL NUMBER: RP02S10E107800A ASSESSED VALUE: 1,680
 BILL NUMBER: 16513 LAND 1,680
 CODE AREA: 31-0000 TOT MKT 1,680
 TOT ACRES: 40.000

PROPERTY ADDRESS:

S BAR RANCH LLC
 P O BOX 1065
 SUN VALLEY ID 83353

LEGAL DESCRIPTION:
 NWSE
 SEC 10
 T2S R10E

Distribution of your 2015 Tax



DESCRIPTION	RATE	AMOUNT
A= COUNTY SCHOOL #192	.004774058	8.02
B= #192-BOND	.001165699	1.96
C= #192-TORT	.000160742	0.26
D= GLENN'S FERRY HW	.001453526	2.44
E= EEC REC DIST	.000462484	0.78
F= HOSPITAL DIST	.000800000	1.34
G= AMBULANCE DIST	.000339000	0.56
H= PEST ABATEMENT	.000087504	0.14
AMOUNT DUE	.009243013	15.50

DELINQUENT TAX YEARS - please call for amount due

NONE

First Half Tax Due December 20, 2015 7.75
 Second Half Tax Due June 20, 2016 7.75
Total Tax Due: 15.50

*** IMPORTANT ***
 PLEASE READ BOTH FRONT AND BACK
 *** MONTHLY PAYMENTS ARE ACCEPTED ***

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

CREDIT/DEBIT CARDS ACCEPTED - 2.50% FEE
 ONLINE PAYMENTS ACCEPTED AT
 WWW.ELMORECOUNTY.ORG

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.



2ND HALF
 7.75



Elmore County Tax Collector
 Amber Sloan
 150 S 4th East Suite 4
 Mtn. Home, ID 83647-3000

Account: S BAR RANCH LLC
 Parcel Number: RP02S10E107800A
 Bill Number: 16513
 Code Area: 31-0000

LATE
 INT
 COST
 TOTAL

JUNE 20, 2016

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.



1ST HALF
 7.75



Elmore County Tax Collector
 Amber Sloan
 150 S 4th East Suite 4
 Mtn. Home, ID 83647-3000

Account: S BAR RANCH LLC
 Parcel Number: RP02S10E107800A
 Bill Number: 16513
 Code Area: 31-0000

LATE
 INT
 COST
 TOTAL

DELINQUENT IF NOT PAID ON OR BEFORE

DECEMBER 20, 2015

REQUESTING 5B8

AIRPORT MASTER RECORD

>1 ASSOC. CITY: HILL CITY 4. STATE: IDAHO LOC ID: FAA SITE NR:
>2 AIRPORT NAME: S BAR RANCH 5 COUNTY: ELMORE IDAHO
3 CBD TO AIRPORT (NM): 00NE 6 REGION/ADO: ANM/HLN SECT AERO CHT: SALT LAKE CITY

GENERAL	SERVICES	BASED AIRCRAFT
10 OWNERSHIP: PRIVATE	>70 FUEL: No W	90 SINGLE ENG: 0
11 OWNER: S BAR RANCH, LLC		91 MULTI ENG: 0
12 ADDRESS: PO Box 1065		92 JET: 0
SUN VALLEY, IDAHO 83353		TOTAL: 0
13 PHONE NR: (208) 726-4300		93 HELICOPTERS: 0
14 MANAGER: CHRIS STEPHENS		94 GLIDERS: 0
15 ADDRESS: PO Box 1065		95 MILITARY: 0
SUN VALLEY, IDAHO 83353		96 ULTRA-LIGHT: 0
16 PHONE NR: 208 720-0972		
17 ATTENDANCE SCHEDULE: UNATNOD		
MONTHS DAYS HOURS		

FACILITIES	
>80 ARPT BCN:	
>81 ARPT LGT SKED:	
>82 UNICOM:	YES
83 WIND INDICATOR:	NO
84 SEGMENTED CIRCLE:	NO
85 CONTROL TWR:	NO
86 FSS: Boise	NO
87 FSS ON ARPT:	NO
88 FSS PHONE NR:	
89 TOLL FREE NR:	1-800-LUX-BRIEF

18 AIRPORT USE: PRIVATE

19 ARPT LAT: 43° 15.6520' N
20 ARPT LON: 115° 15.1767' W
21 ARPT ELEV: 5358'
22 ACREAGE: 15 Acres
>23 RIGHT TRAFFIC: NO
24 NON-COMM LANDING: NO

RUNWAY DATA

>30 RUNWAY IDENT: 09/27
>31 LENGTH: 1800
>32 WIDTH: 25
33 SURF TYPE-COND: DRT

LIGHTING/APCH AIDS

>40 EDGE INTENSITY: NO
>42 RWY MARK TYPE-COND: NO

OBSTRUCTION DATA

50 PART 77 CATEGORY:	/	/	/	/	/
51 DISPLACD THLD:	/	/	/	/	/
52 CTLG OBSTN:	/	/	/	/	/
53 OBSTN MARKED/LGTD:	/	/	/	/	/
54 HGT ABOVE RWY END:	/	/	/	/	/
55 DIST FROM RWY END:	/	/	/	/	/

> ARPT MGR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY>

>110 REMARKS:
A110-001 LAND UPHILL RWY, DEPART DOWNHILL RWY 27
A110-002 RESTRICTED USE, PRIOR PERMISSION REQ'D

111 OWNER/MANAGER SIGNATURE  113 DATE: 9 NOV 2015

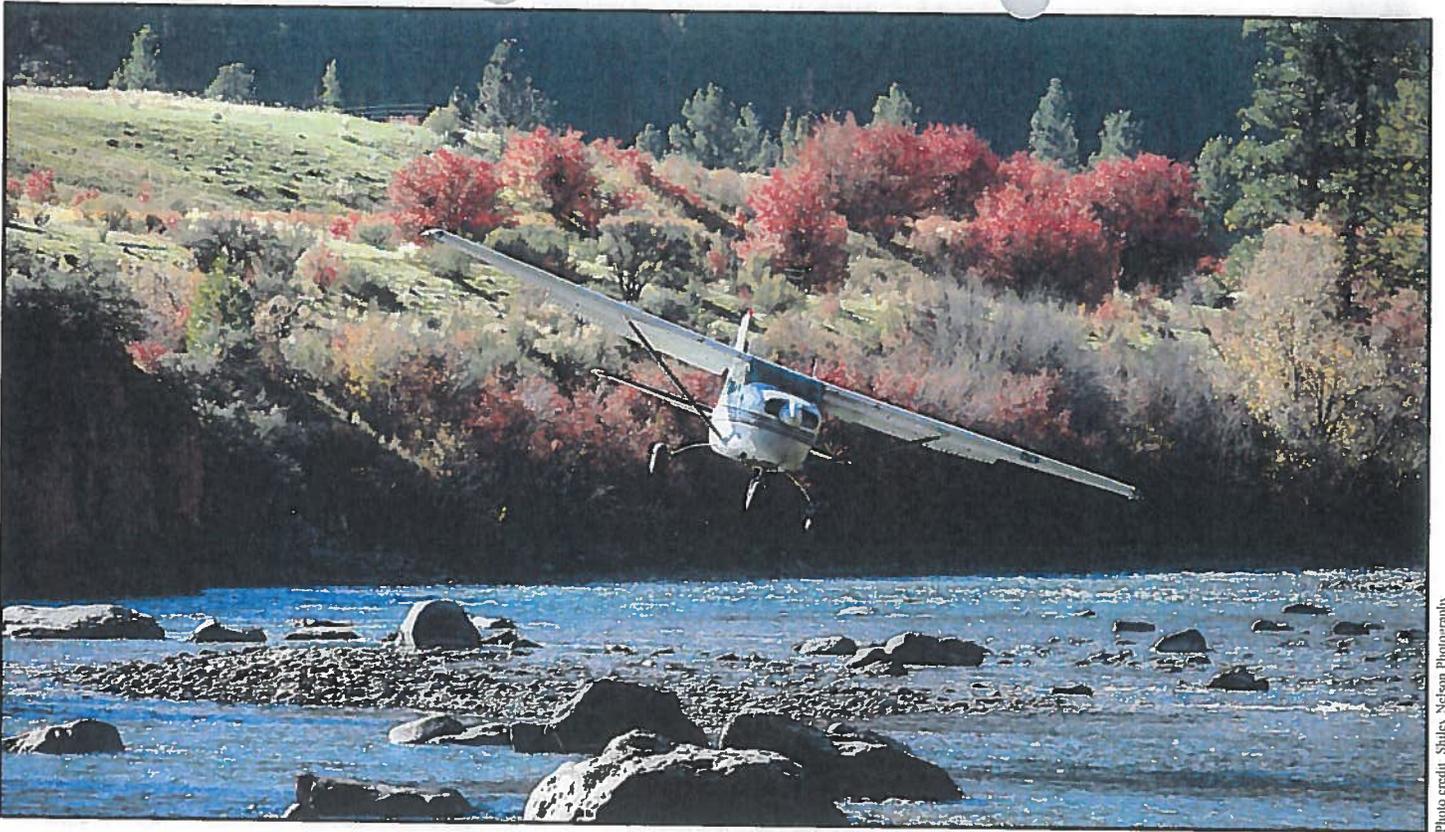
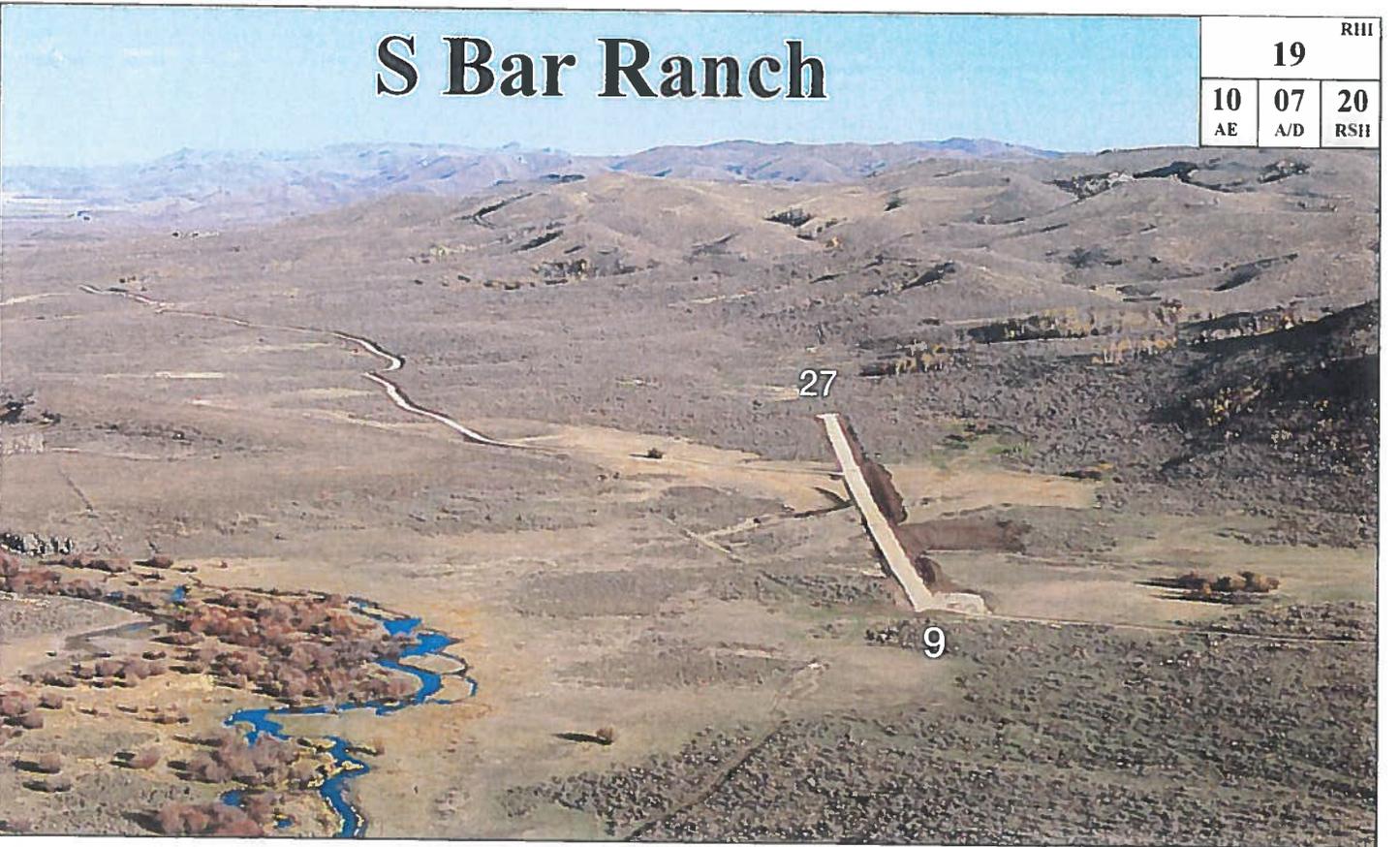


Photo credit: Shirley Nelson Photography

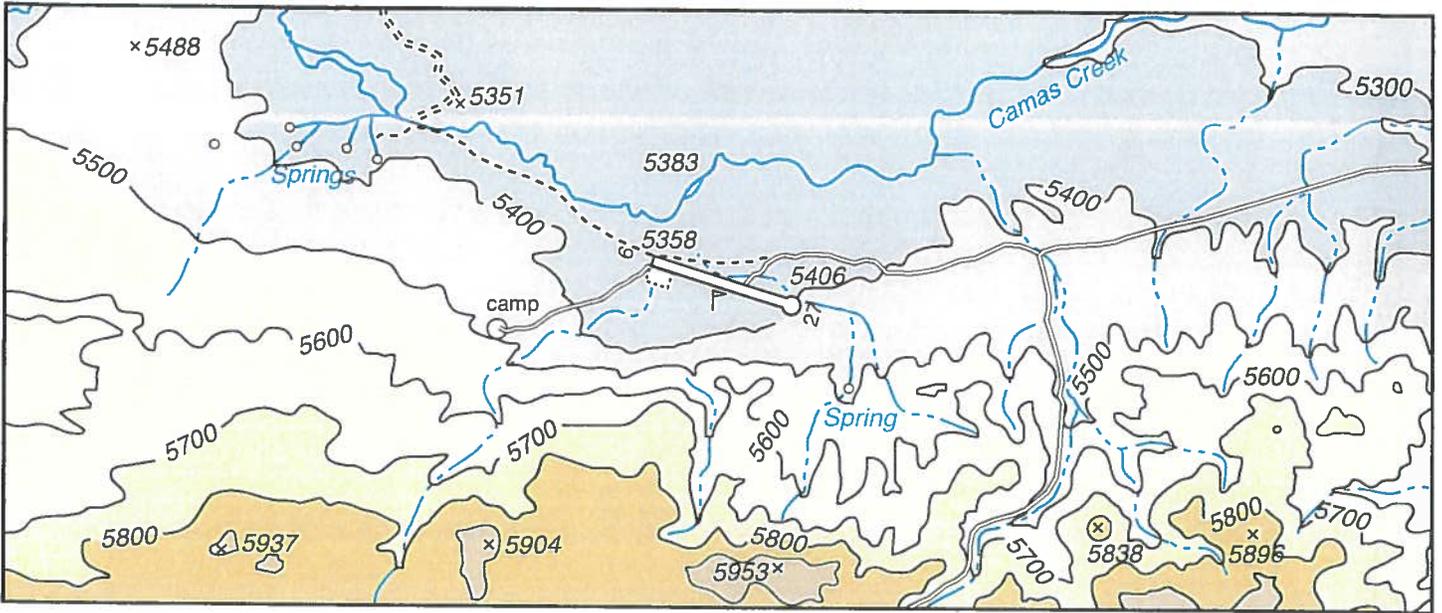
A-1



S Bar Ranch

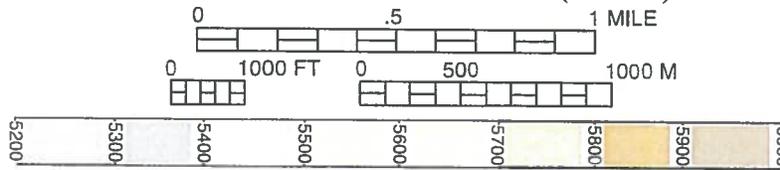
		19	RIII
10	07	20	
AE	A/D	RSII	

A-2 S Bar Ranch



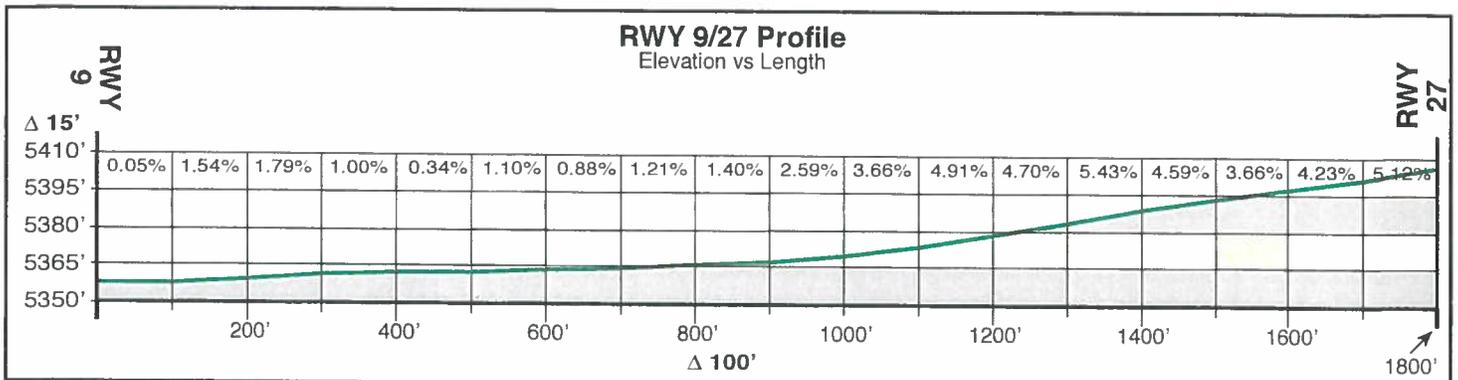
S Bar Ranch Terrain Elevation Model (TEM)

100' Colored Elevation Contours



S Bar Ranch Runway Elevation Profile (REP)

ARP: none	RWY 9 Elev: 5358'	Length: 1800'	Elevation Gain: 48'	Survey Date: 10/21/15
ARP Elev: n/a	RWY 27 Elev: 5406'	Width: 25' useble	RWY 9 Uphill: 2.66%	Surveyors: glh



S Bar Ranch
A-3
A-4
S Bar Ranch

S Bar Ranch

User WPT: SBAR

CTAF: 122.9

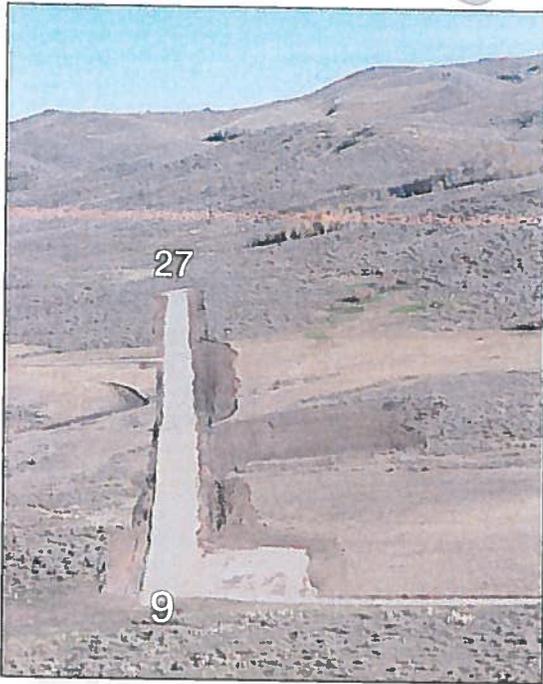
Lat: 43° 15.6520' N

Class: Private

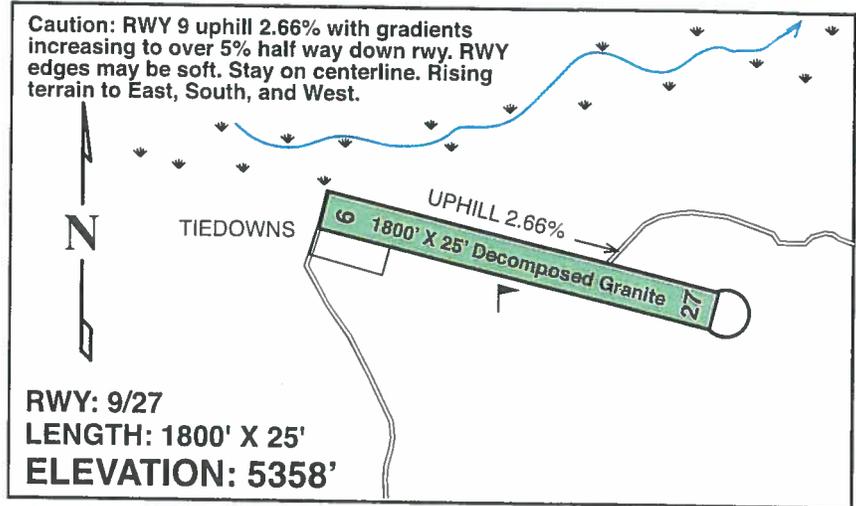
AvGas: No

Long: 115° 15.1767' W

Chart: Uncharted



S Bar Ranch



AIRPORT REMARKS • Lnd uphill Rwy 9; Dep downhill Rwy 27. • RWY sfc is decomposed granite in excellent condition. • No winter maintenance. • Located in Bennett Mountain foothills. • Edges of RWY can be soft. • Turn around at upper end is a little tight. Stay on prepared surface. • Use caution for large game animals and livestock. • Prior permission required.

A-5

A-6



5B INVESTMENTS, INC.

November 19, 2015

Scott Tracy
1047 E. 2681 S.
Hagerman, ID 83332

You are invited to attend a neighborhood meeting at on Sunday, November 29, 2015 at 2:00pm at S Bar Ranch, east gate off Hill City Rd, GPS coordinates 43.261594, -115.234205. This meeting is to inform property owners of Conditional Use Permit application for an Aircraft Landing Field-Private. Your comments are greatly appreciated as we move forward with our application.

Sincerely,

Chris R. Stephens
President 5B Investments, Manager
S Bar Ranch, LLC

U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
Chris Stephens	
Box 1065	
Sun Valley, ID	
One piece of ordinary mail addressed to:	
Scott Tracy	
1047 E. 2681 S.	
Hagerman, ID 83332	



U.S. POSTAGE
PAID
SUN VALLEY, ID
83353
NOV 19 15
AMOUNT
\$1.35
R2302E129838-

PS Form 3817, January 2001

Ken Herich

From: Chris R. Stephens <cstephens@5BI.com>
Sent: Sunday, November 22, 2015 7:53 PM
To: Ken Herich
Cc: Rebecca Cole
Subject: Airstrip meeting

Buddy Allen called me tonight on my cell. He leases Tracy Scott's land. Tracy called him after he received the meeting notice. Buddy thought it was the meeting to get final approval and was going to drive over with Tracy to speak in favor of the project. I explained that it was just a required neighborhood meeting and we only sent one letter....to Tracy. I explained that after this meeting requirement was met I could then request a hearing with the County for approval. He said he and Tracy were happy to attend and speak in support. We agreed that we didn't need to meet at the gate on Sunday and I would let him know when County hearing is scheduled. Obviously he has been to the airstrip as I showed him the first day we met and exchanged contact information. They are great neighbors and offered to speak directly to the commissioners. I told him that it shouldn't be a big deal and I think it will find its own way to approval. We left it that it would be great to meet Tracy next summer. Evidently Tracy just owns those two parcels across the creek. Seems like all the other area ranchers own 1000's of acres.

Since the one and only letter went to Tracy and he and his lesser won't be at the meeting, I don't think it is necessary for you to be there unless we need to check the box.

Feel free to forward this to Alan Christie, if appropriate.

CRS

Chris R. Stephens, CEO

5B Investments, Inc.

O [\(208\)726-4300](tel:(208)726-4300)

P [\(208\)806-0725](tel:(208)806-0725)

E cstephens@5BI.com

Post Office [Box 1065](#)

[Sun Valley, ID 83353](#)

Executive Assistant: Rebecca Cole

P [\(208\)806-0727](tel:(208)806-0727) **E** rcole@5BI.com



ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 East 2nd South • Mountain Home, ID • 83647 • Phone: (208) 587-2142

Fax: (208) 587-2120 • www.elmorecounty.org

Neighborhood Meeting Sign Up Sheet

Start Time of Neighborhood Meeting: Sunday Nov. ²⁹ ~~30~~, 2015 2:00 PM

End Time of the Neighborhood Meeting: N/A

Attendees:

Name

Address

1. Tracy Scott

2. Chris Stephens spoke with Buddy

3. Aller, grazing leaseholder on Tracy Scott's

4. land, by phone after Tracy received the

5. Neighborhood Meeting notification letter.

6. Neither Tracy or Buddy had any problem

7. with the application and offered to

8. testify in favor at any hearings.

9. _____

10. _____

11. _____

12. Nov 29, 2015

13. No neighbors showed up for the meeting.

14. _____

15. _____

16. _____

17. _____

- 18. _____
- 19. _____
- 20. _____
- 21. _____
- 22. _____
- 23. _____
- 24. _____
- 25. _____

Neighborhood Meeting Certification:

Applicants shall conduct a neighborhood meeting for comprehensive plan amendments, variance, conditional uses, zoning ordinance map amendments and expansions or extensions of nonconforming uses as per Elmore County Zoning and Development Ordinance Section 6-4-3.

Description of the proposed project: Aircraft Landing Field - Private

Notice Sent to neighbors on: November 19, 2015

Date and time of the neighborhood meeting: November 27, 2015

Location of the neighborhood meeting: East ranch side of S Bar Ranch off Hill City Road, GPS coordinates 43.261594, -115.2341205

Applicant:

Name: Chris Stephens for S Bar Ranch, LLC

Address: PO Box 1265

City: Sun Valley State: ID Zip: 83353

Telephone: 208-720-0972 Fax: _____

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with the Elmore County Zoning and Development Ordinance Section 6-4-3.

Ken Derick P.M.
Signature: (Applicant)

11/23/2015
Date

Ken Derick P.M.

11/29/2015

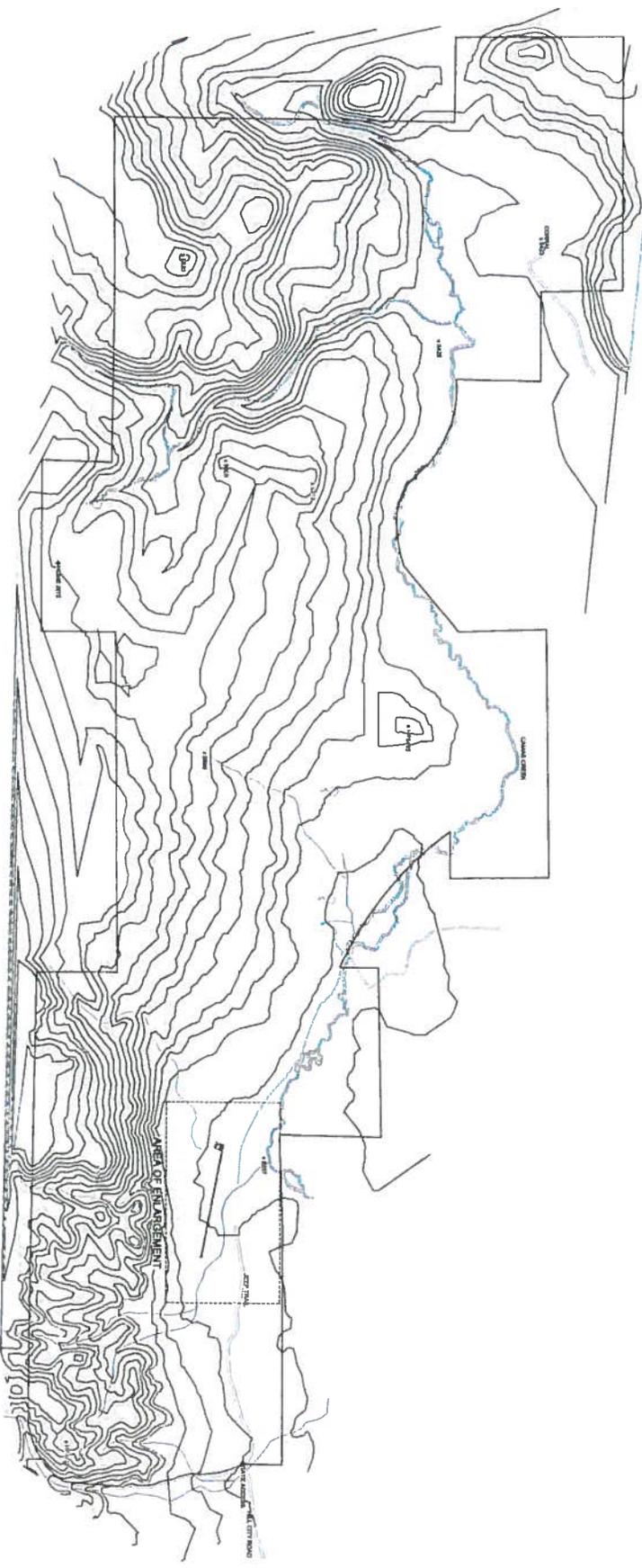
Elmore County Zoning and Development Ordinance

Section 6-4-3: Neighborhood Meetings:

- A. Applicants shall conduct a neighborhood meeting for Comprehensive Plan amendments, variances, conditional uses, zoning ordinance map amendments, expansions or extensions of nonconforming uses, and subdivisions, excluding Planned Community, Planned Unit Development, and Planned Unit Development District applications as specified in this Title.
- B. It shall be the sole duty of the applicant to provide written notice to all property owners or purchasers of record owning property within the radius required in this Title of the exterior boundary of the application property and to all registered neighborhood associations deemed appropriate by the Director. Notice of a neighborhood meeting shall be in addition to, and not in lieu of, mailed radius notices already required by this Title. Notice of neighborhood meeting must be mailed at least ten (10) days prior to the date of the neighborhood meeting.
- C. The purpose of the neighborhood meeting shall be to review the proposed project.
 1. The meeting shall be on a weekend between ten o'clock (10:00) A.M. and seven o'clock (7:00) P.M. or on a weekday between six o'clock (6:00) P.M. and eight o'clock (8:00) P.M. The meeting shall not be on a holiday, a holiday weekend, or the day before a holiday or holiday weekend.
 2. The meeting shall be held at one of the following locations, excluding Planned Community, Planned Unit Development, and Planned Unit Development District applications as specified in this Title:
 - a. On the subject property; or
 - b. At the nearest available public meeting place including, but not limited to, fire station, library, or community center; or
 - c. At an office space with suitable meeting facilities if such facilities are within a one-mile radius of the nearest public meeting place.
- D. The neighborhood meeting shall be conducted prior to acceptance of the application.
- E. The neighborhood meeting shall not be conducted more than six (6) months prior to acceptance of the application.
- F. The application materials shall include written verification of the neighborhood meeting on the forms provided by the Growth and Development Department.

OVERALL SITE PLAN

SCALE: 1" = 600'-0"



L10

PROJECT NO.	101515104
DRAWN BY	SK
CHECKED BY	SK
DATE	06-24-14



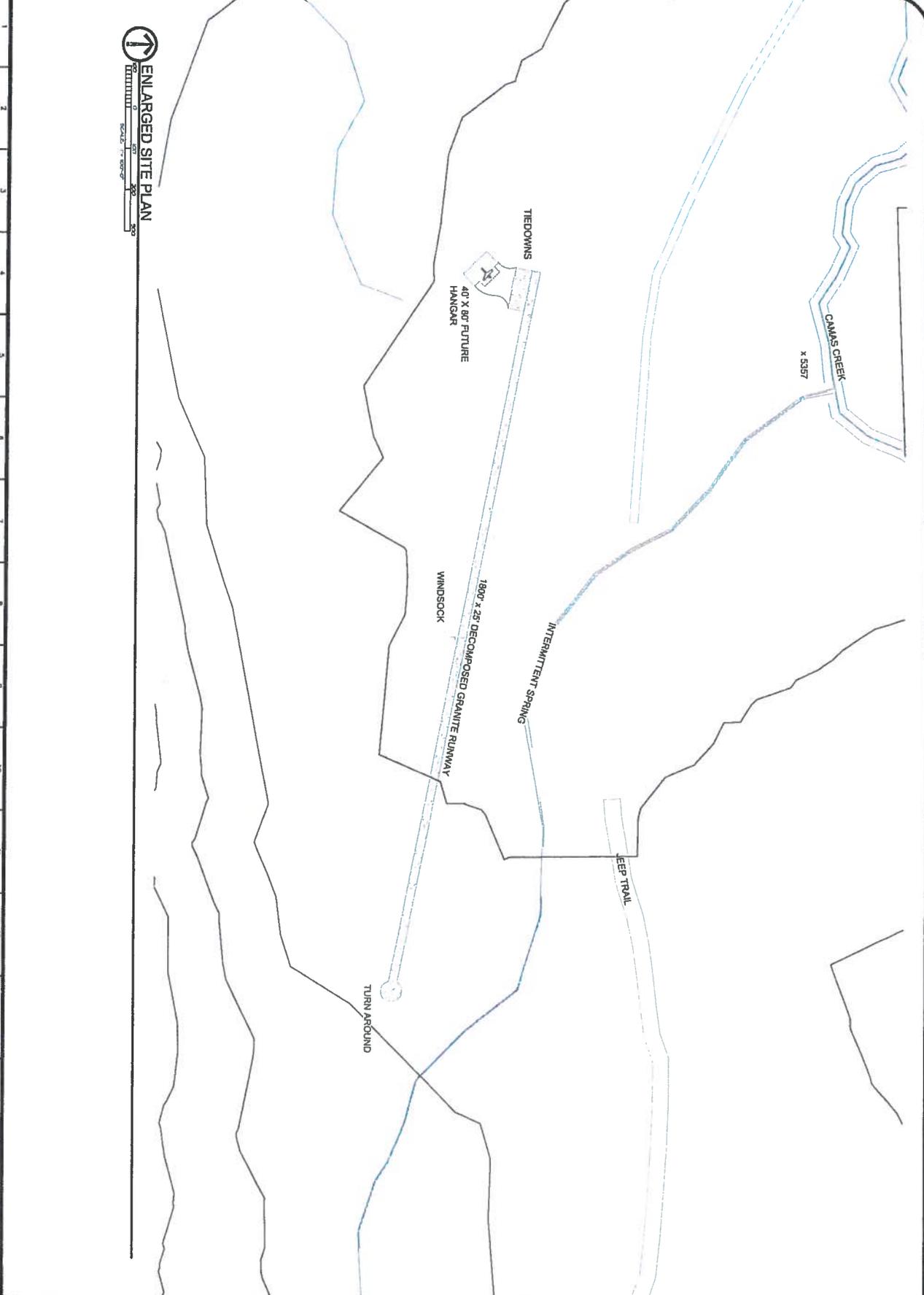
**S BAR RANCH
ELMORE COUNTY, IDAHO
CONDITIONAL USE
MASTER SITE PLAN**

Copyright © 2014
Breckon Landscape Architecture



- Landscape Architecture
- Planning & Engineering Consulting
- Environmental Site Assessment
- Historic Preservation
- Urban Planning
- Land Use Planning





<p>BRECKON LAND MANAGEMENT</p> <p>1200 S. 10th St. Pocatello, ID 83421 Phone: (208) 237-4444 Fax: (208) 237-4444 www.breckon.com</p>	<p>OWNER S BAR RANCH</p>	<p>PROJECT NO. 15004</p> <p>DRAWN BY A.L. W.</p> <p>CHECKED BY C.W.B.</p> <p>DATE 11-11-15</p>	<p>PROJECT NAME S BAR RANCH</p> <p>SHEET NUMBER L11</p>
	<p>PROJECT LOCATION ELMORE COUNTY, IDAHO</p>		
	<p>PROJECT TYPE CONDITIONAL USE</p>		
	<p>PROJECT PHASE ENLARGED SITE PLAN</p>		



Elmore County Land Use & Building Department

520 East 2nd South
Mountain Home, ID 83647
Phone: (208) 587-2142
Fax: (208) 587-2120

Pre Application Meeting Form

Date: 11.17.15 Meeting Location: Land Use + Building Department

Elmore County Staff: Alan Christy

Applicant Name: Ken Horich, Chris Stephens

Applicant Email: horich1@windspring.com | crs@sbi.com

Applicant Phone Number: 720-1871 720-0972

Applicant Address: P.O. Box 1065 Sun Valley 83353

Property Owner: S-Bar Ranchy LLC

Property Address: see attached

Parcel Number: see attached

Proposed Use/Application: Private Runway | Hangar Building
1 Cabin

Application(s) required: Conditional Use Permit

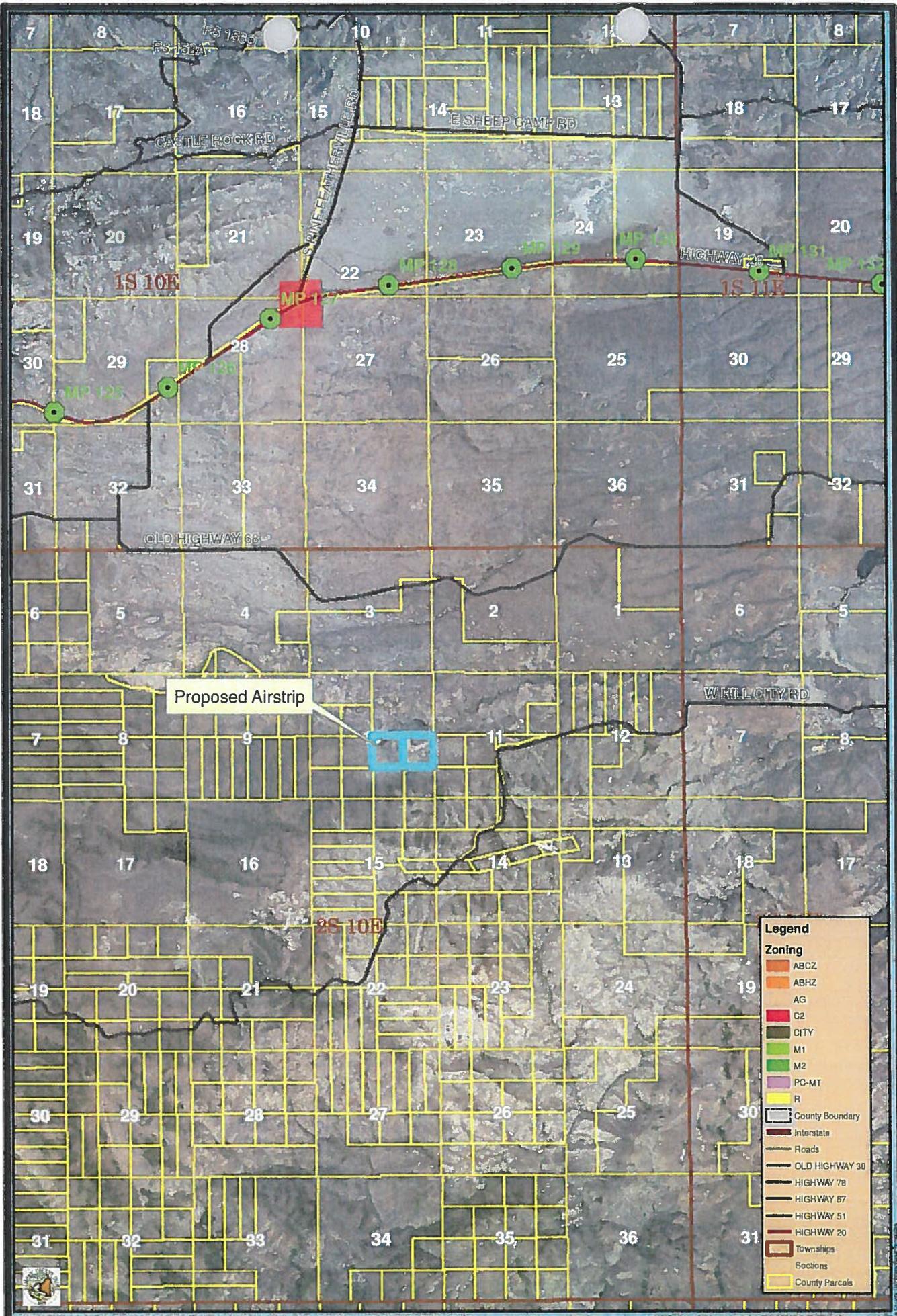
Notification distance: 1000' - Ag Zone

Other requirements: FAA requirements

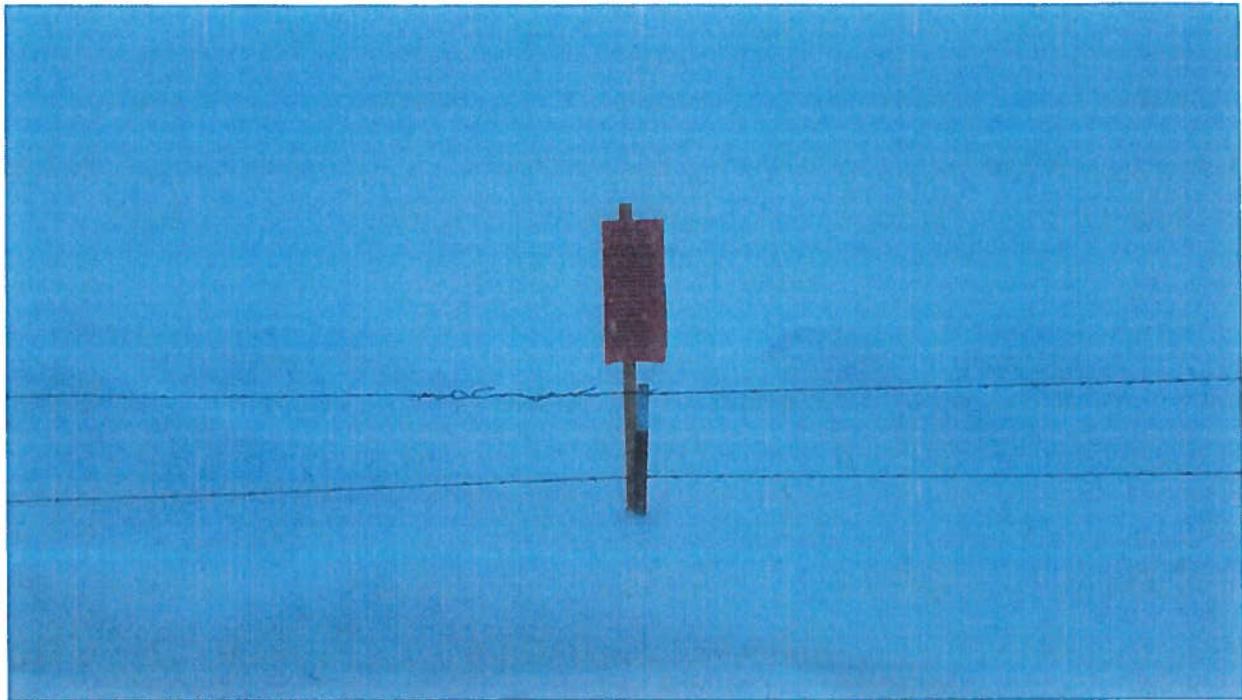
Additional Meeting Required: Not at this time.

Case Number: _____

Additional Notes: _____



Legend	
Zoning	
[Orange]	ABCZ
[Light Orange]	ABHZ
[Red]	AG
[Pink]	C2
[Green]	CITY
[Light Green]	M1
[Dark Green]	M2
[Purple]	PC-MT
[Yellow]	R
[Grey outline]	County Boundary
[Thick black line]	Interstate
[Thin black line]	Roads
[Dashed black line]	OLD HIGHWAY 30
[Dotted black line]	HIGHWAY 78
[Dotted black line]	HIGHWAY 67
[Dotted black line]	HIGHWAY 51
[Dotted black line]	HIGHWAY 20
[Thin black line]	Townships
[Thin black line]	Sections
[Yellow outline]	County Parcels



Posting was done on December 24, 2015 by applicant.





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

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Staff Report to the Planning and Zoning Commission

Meeting/Hearing Date: 1/6/16

Date Report Compiled: 12/29/15

Agenda Item: Extension request for a Conditional Use Permit Application for a proposed solar electric generating facility. Case # CUP-2014-01

Applicant: Grand View Solar PV Two, LLC
C/O Clenera, LLC
PO Box 7128
Boise, ID 83702

Case Number: CUP-2014-01 – Extension

Staff: Beth Bresnahan

Location: NW1/4, Section 6, Township 5 South, Range 4 East, B.M. A common mean of locating the property is from Mountain Home, proceed west on Grand View Highway approximately 16 miles, turn left on Frederick Road, continue for approximately 1 ½ miles to the northeast corner of the site.

Zoning: Agriculture

Parcel Number(s): RP 05S04E061810 A and RP 05S04E060010 A

BACKGROUND

CUP-2014-01 was approved on January 15, 2014 and effective on January 25, 2014 for a period of 2 years. 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.

Conditional Use Permits are allowed only one extension and they are good for one year from the effective date on the approved FCO.

The fees for the extension request have been paid and the application was filed with the Land Use and Building Department on December 9, 2015.

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-2013-02.
2. Application requesting extension.

STAFF RECOMMENDATION

Staff recommends **approval** of the request for a one year extension to January 25, 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: Grand View PV Solar Three, LLC (now Grand View PV Solar Two, LLC)

Address: c/o Clenera, LLC P.O. Box 7128, Boise, ID 83707

Email / Phone: dustin.shively@clenera.com (208) 639-3232 x116

Case # and Background:

CUP-2014-01 was approved in January 2014 as part of a photovoltaic solar facility consisting of five other permits associated with the project. The design is being finalized with a start of construction anticipated for early 2016.

Reasons for extension:

An 1-year extension is being requested to provide time for completing the design before submitting for building permits. Currently a building permit must be issued before the expiration of the CUP's. The design will be submitted to the County for building permits in early 2016.

Improvements: No improvements have yet been made at the site.

Previous Extensions: None

Planned Completion Date: 09/01/2016

Grand View PV Solar Two, LLC

By: CRE-Grandview Idaho LLC, its sole Member and Manager

Signature: Keith Holst

Keith

Printed Name: Holst, Operations Committee Member

For Administrative Use Only
File Number: WP-2014-01
Fee: \$500 Date Paid: 12-9-15
Receipt Number: 20-10243
Date Accepted: 12-9-15 By: JCN

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

IN RE:)
CUP-2014-01)
Conditional Use Permit) **FINDINGS OF FACT**
For a 20MW PV solar) **CONCLUSIONS OF LAW**
Project (electrical) **AND ORDER**
Generating facility) in a)
Agriculture (Ag) Zone)
)
)

Applicant:

Grand View PV Solar Three, LLC
515 N 27th Street
Boise, ID 83702

This matter having come before the Planning and Zoning Commission of Elmore County, Idaho, the 18th day of December, 2013, for a public hearing, held pursuant to public notice as required by law, on a request for a Conditional Use Permit for a proposed 20 MW solar project (electrical generating facility) in an Agriculture (Ag) Zone. Property is located in NW, Section 6, Township 5 South, Range 4 East, B.M., and is zoned Agriculture (Ag). 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 20 MW solar project (electrical generating facility) located in NW, Section 6, Township 5 South, Range 4 East, B.M.
2. Notice of public hearing has been given.
3. The property in question is zoned Agriculture, pursuant to the Zoning and Development Ordinance of Elmore County. The property is designated agriculture "Ag" as a land use classification in the duly adopted 2004 Comprehensive Growth and Development Plan for Elmore County.
4. Notice of public hearing has been given to agencies on November 22, 2013 and property owners within 1000 feet on November 22, 2013, publicized in Mountain Home Newspaper on November 27, 2013, and posted on the property on December 9, 2013.
5. A waiver for lot coverage was applied for.
6. Similar projects were approved in the area in March 2010, December 2010 and May 2012.

7. Electrical generating facilities are required to have a Conditional Use Permit under Chapter 8, Table 6-8-11 (C) of the Elmore County Zoning and Development Ordinance.
8. The existing land uses in the immediate area of the property in question are agriculture and BLM rangeland.
9. The propose use is in harmony with and in accordance with the Elmore County Comprehensive Plan Land Use Objective #17 and this Ordinance (Title 6) 6-8-94.
10. The proposed use will comply with all applicable County Ordinances.
11. The proposed use will comply with all applicable State and Federal regulations.
12. The proposed use will be designed, constructed, operated and maintained in such a way as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity; and that such use shall not change the essential character of said area. There will be limited visibility from public roads and highways.
13. The proposed use will not create excessive additional requirements at public cost for public facilities and service because no improvements are required.
14. 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. Access will be off Highway 67 and has been approved by Idaho Transportation Department.
15. The proposed use will not be detrimental to the economic welfare of the County because improvements will be completed by the applicant.
16. The proposed use will not be hazardous or disturbing to existing or future neighboring uses because of limited private property and residence.
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. The panels will be of a non-reflective material.
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.

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

ORDER

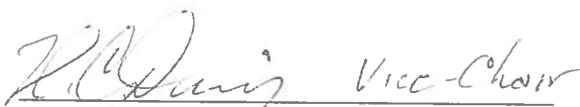
The application for a Conditional Use Permit for 20 MW solar project (electrical generating facility) located in NW, Section 6, Township 5 South, Range 4 East, B.M., should be and is hereby **APPROVED** with these additional conditions:

ADDITIONAL CONDITIONS

1. The proposed use will comply with all the requirements of section 6-8-94 of the Elmore County Zoning and Development Ordinance.
2. All outstanding fees, if any, must be paid prior to the issuance of an Elmore County building permit.
3. Failure to comply with any of the conditions may result in revocation of the Conditional Use Permit.
4. The proposed use will be constructed in substantial conformance with the master site plan.
5. Prior to issuance of building permit, an overall site plan, stamped and signed, must be approved by the County Engineer to ensure drainage and storm water management is adequate.
6. Entire project area will be fenced with a security fence.
7. Conditional Use Permit is good for a period of 2 years.

COMMISSION VOTE:

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


Patti Osborn, Chairperson

ATTEST:


Alan Christy, Director

DATED this 15th day of January 2014.

*Effective at 12:01 A.M. on the 25th day of January 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.



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

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Staff Report to the Planning and Zoning Commission

Meeting/Hearing Date: 1/6/16 **Date Report Compiled:** 12/29/15

Agenda Item: Extension request for a Conditional Use Permit Application for a proposed solar electric generating facility. Case # CUP-2014-02

Applicant: Grand View Solar PV Two, LLC
C/O Clenera, LLC
PO Box 7128
Boise, ID 83702

Case Number: CUP-2014-02– Extension

Staff: Beth Bresnahan

Location: SW1/4, Section 5, Township 5 South, Range 4 East, B.M. A common mean of locating the property is from Mountain Home, proceed west on Grand View Highway approximately 16 miles, turn left on Frederick Road, continue for approximately 1 ½ miles to the northeast corner of the site.

Zoning: Agriculture

Parcel Number(s): RP 05S04E053020 A

BACKGROUND

CUP-2014-02 was approved on January 15, 2014 and effective on January 25, 2014 for a period of 2 years. 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.

Conditional Use Permits are allowed only one extension and they are good for one year from the effective date on the approved FCO.

The fees for the extension request have been paid and the application was filed with the Land Use and Building Department on December 9, 2015.

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-2013-02.
2. Application requesting extension.

STAFF RECOMMENDATION

Staff recommends **approval** of the request for a one year extension to January 25, 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: Grand View PV Solar Four, LLC (now Grand View PV Solar Two, LLC)

Address: c/o Clenera, LLC P.O. Box 7128, Boise, ID 83707

Email / Phone: dustin.shively@clenera.com (208) 639-3232 x116

Case # and Background: _____

CUP-2014-02 was approved in January 2014 as part of a photovoltaic solar facility consisting of five other permits associated with the project. The design is being finalized with a start of construction anticipated for early 2016.

Reasons for extension: _____

An 1-year extension is being requested to provide time for completing the design before submitting for building permits. Currently a building permit must be issued before the expiration of the CUP's. The design will be submitted to the County for building permits in early 2016.

Improvements: No improvements have yet been made at the site.

Previous Extensions: None

Planned Completion Date: 09/01/2016

Grand View PV Solar Two, LLC

By: CRE-Grandview Idaho LLC, its sole Member and Manager

Signature: *Keith Holst*

Keith

Printed Name: Holst, Operations Committee Member

For Administrative Use Only	
File Number: <u>WR-2014-02</u>	
Fee: <u>\$500</u>	Date Paid: <u>12-9-15</u>
Receipt Number: <u>20-10243</u>	
Date Accepted: <u>12-9-15</u>	By: <u><i>ICR</i></u>

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

IN RE:)
CUP-2014-02)
Conditional Use Permit) **FINDINGS OF FACT**
For a 20MW PV solar) **CONCLUSIONS OF LAW**
Project (electrical) **AND ORDER**
Generating facility) in a)
Agriculture (Ag) Zone)
)
)

Applicant:

Grand View PV Solar Four, LLC
515 N 27th Street
Boise, ID 83702

This matter having come before the Planning and Zoning Commission of Elmore County, Idaho, the 18th day of December, 2013, for a public hearing, held pursuant to public notice as required by law, on a request for a Conditional Use Permit for a proposed 20 MW solar project (electrical generating facility) in an Agriculture (Ag) Zone. Property is located in SW1/4, Section 5, Township 5 South, Range 4 East, B.M., and is zoned Agriculture (Ag). 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 20 MW solar project (electrical generating facility) located in SW1/4, Section 5, Township 5 South, Range 4 East, B.M.
2. Notice of public hearing has been given.
3. The property in question is zoned Agriculture, pursuant to the Zoning and Development Ordinance of Elmore County. The property is designated agriculture "Ag" as a land use classification in the duly adopted 2004 Comprehensive Growth and Development Plan for Elmore County.
4. Notice of public hearing has been given to agencies on November 22, 2013 and property owners within 1000 feet on November 22, 2013, publicized in Mountain Home Newspaper on November 27, 2013, and posted on the property on December 9, 2013.
5. Similar projects were approved in the area in March 2010, December 2010 and May 2012.
6. Electrical generating facilities are required to have a Conditional Use Permit under Chapter 8, Table 6-8-11 (C) of the Elmore County Zoning and Development Ordinance.

7. The existing land uses in the immediate area of the property in question are agriculture and BLM rangeland.
8. The proposed use is in harmony with and in accordance with the Elmore County Comprehensive Plan Land Use Objective #17 and this Ordinance (Title 6) 6-8-94.
9. The proposed use will comply with all applicable County Ordinances.
10. The proposed use will comply with all applicable State and Federal regulations.
11. The proposed use will be designed, constructed, operated and maintained in such a way as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity; and that such use shall not change the essential character of said area. There will be limited visibility from public roads and highways.
12. The proposed use will not create excessive additional requirements at public cost for public facilities and service because no improvements are required.
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. Access will be off Highway 67 and has been approved by Idaho Transportation Department.
14. The proposed use will not be detrimental to the economic welfare of the County because improvements will be completed by the applicant.
15. The proposed use will not be hazardous or disturbing to existing or future neighboring uses because of limited private property and residence.
16. 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. The panels will be of a non-reflective material.
17. 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.

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

ORDER

The application for a Conditional Use Permit for 20 MW solar project (electrical generating facility) located in SW1/4, Section 5, Township 5 South, Range 4 East, B.M., should be and is hereby **APPROVED** with these additional conditions:

ADDITIONAL CONDITIONS

1. The proposed use will comply with all the requirements of section 6-8-94 of the Elmore County Zoning and Development Ordinance.
2. All outstanding fees, if any, must be paid prior to the issuance of an Elmore County building permit.
3. Failure to comply with any of the conditions may result in revocation of the Conditional Use Permit.
4. The proposed use will be constructed in substantial conformance with the master site plan.
5. Prior to issuance of building permit, an overall site plan, stamped and signed, must be approved by the County Engineer to ensure drainage and storm water management is adequate.
6. Entire project area will be fenced with a security fence.
7. Conditional Use Permit is good for a period of 2 years.

COMMISSION VOTE:

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


 Patti Osborn, Chairperson

ATTEST:


 Alan Christy, Director

DATED this 15th day of January 2014.

*Effective at 12:01 A.M. on the 25th day of January 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.



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

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Staff Report to the Planning and Zoning Commission

Meeting/Hearing Date: 1/6/16 **Date Report Compiled:** 12/29/15

Agenda Item: Extension request for a Conditional Use Permit Application for a proposed solar electric generating facility. Case # CUP-2014-03

Applicant: Grand View Solar PV Two, LLC
C/O Clenera, LLC
PO Box 7128
Boise, ID 83702

Case Number: CUP-2014-03 – Extension

Staff: Beth Bresnahan

Location: NW1/4, Section 4, SE1/4, Section 5, Township 5 South, Range 4 East, B.M.
A common mean of locating the property is from Mountain Home, proceed west on Grand View Highway approximately 16 miles, turn left on Frederick Road, continue for approximately 1 ½ miles to the northeast corner of the site.

Zoning: Agriculture

Parcel Number(s): RP 05S04E053020 A and RP 05S04E045410 A

BACKGROUND

CUP-2014-03 was approved on January 15, 2014 and effective on January 25, 2014 for a period of 2 years. 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.

Conditional Use Permits are allowed only one extension and they are good for one year from the effective date on the approved FCO.

The fees for the extension request have been paid and the application was filed with the Land Use and Building Department on December 9, 2015.

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-2013-02.
2. Application requesting extension.

STAFF RECOMMENDATION

Staff recommends **approval** of the request for a one year extension to January 25, 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: Grand View PV Solar Five, LLC (now Grand View PV Solar Two, LLC)

Address: c/o Clenera, LLC P.O. Box 7128, Boise, ID 83707

Email / Phone: dustin.shively@clenera.com (208) 639-3232 x116

Case # and Background: _____

CUP-2014-03 was approved in January 2014 as part of a photovoltaic solar facility consisting of five other permits associated with the project. The design is being finalized with a start of construction anticipated for early 2016.

Reasons for extension: _____

An 1-year extension is being requested to provide time for completing the design before submitting for building permits. Currently a building permit must be issued before the expiration of the CUP's. The design will be submitted to the County for building permits in early 2016.

Improvements: No improvements have yet been made at the site.

Previous Extensions: None

Planned Completion Date: 09/01/2016

Grand View PV Solar Two, LLC

By: CRE-Grandview Idaho LLC, its sole Member and Manager

Signature: *Keith Holst*

Keith

Printed Name: Holst, Operations Committee Member

For Administrative Use Only	
File Number:	<u>CUP-2014-03</u>
Fee: \$500	Date Paid: <u>12-9-15</u>
Receipt Number:	<u>20-10243</u>
Date Accepted: <u>12-9-15</u>	By: <u><i>KH</i></u>

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

IN RE:)
CUP-2014-03)
Conditional Use Permit) **FINDINGS OF FACT**
For a 10MW PV solar) **CONCLUSIONS OF LAW**
Project (electrical) **AND ORDER**
Generating facility) in a)
Agriculture (Ag) Zone)
)
)

Applicant:
Grand View PV Solar Five, LLC
515 N 27th Street
Boise, ID 83702

This matter having come before the Planning and Zoning Commission of Elmore County, Idaho, the 18th day of December, 2013, for a public hearing, held pursuant to public notice as required by law, on a request for a Conditional Use Permit for a proposed 10 MW solar project (electrical generating facility) in an Agriculture (Ag) Zone. Property is located in NW1/4, Section 4, SE1/4, Section 5, Township 5 South, Range 4 East, B.M., and is zoned Agriculture (Ag). 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 10 MW solar project (electrical generating facility) located in NW1/4, Section 4, SE1/4, Section 5, Township 5 South, Range 4 East, B.M.
2. Notice of public hearing has been given.
3. The property in question is zoned Agriculture, pursuant to the Zoning and Development Ordinance of Elmore County. The property is designated agriculture "Ag" as a land use classification in the duly adopted 2004 Comprehensive Growth and Development Plan for Elmore County.
4. Notice of public hearing has been given to agencies on November 22, 2013 and property owners within 1000 feet on November 22, 2013, publicized in Mountain Home Newspaper on November 27, 2013, and posted on the property on December 9, 2013.
5. A waiver for lot coverage was applied for.
6. Similar projects were approved in the area in March 2010, December 2010 and May 2012.

7. Electrical generating facilities are required to have a Conditional Use Permit under Chapter 8, Table 6-8-11 (C) of the Elmore County Zoning and Development Ordinance.
8. The existing land uses in the immediate area of the property in question are agriculture and BLM rangeland.
9. The propose use is in harmony with and in accordance with the Elmore County Comprehensive Plan Land Use Objective #17 and this Ordinance (Title 6) 6-8-94.
10. The proposed use will comply with all applicable County Ordinances.
11. The proposed use will comply with all applicable State and Federal regulations.
12. The proposed use will be designed, constructed, operated and maintained in such a way as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity; and that such use shall not change the essential character of said area. There will be limited visibility from public roads and highways.
13. The proposed use will not create excessive additional requirements at public cost for public facilities and service because no improvements are required.
14. 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. Access will be off Highway 67 and has been approved by Idaho Transportation Department.
15. The proposed use will not be detrimental to the economic welfare of the County because improvements will be completed by the applicant.
16. The proposed use will not be hazardous or disturbing to existing or future neighboring uses because of limited private property and residence.
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. The panels will be of a non-reflective material.
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.

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 10 MW solar project (electrical generating facility) located in NW1/4, Section 4, SE1/4, Section 5, Township 5 South,

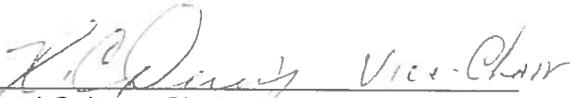
Range 4 East, B.M., should be and is hereby **APPROVED** with these additional conditions:

ADDITIONAL CONDITIONS

1. The proposed use will comply with all the requirements of section 6-8-94 of the Elmore County Zoning and Development Ordinance.
2. All outstanding fees, if any, must be paid prior to the issuance of an Elmore County building permit.
3. Failure to comply with any of the conditions may result in revocation of the Conditional Use Permit.
4. The proposed use will be constructed in substantial conformance with the master site plan.
5. Prior to issuance of building permit, an overall site plan, stamped and signed, must be approved by the County Engineer to ensure drainage and storm water management is adequate.
6. Entire project area will be fenced with a security fence.
7. Conditional Use Permit is good for a period of 2 years.

COMMISSION VOTE:

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


Patti Osborn, Chairperson

ATTEST:


Alan Christy, Director

DATED this 15th day of January 2014.

*Effective at 12:01 A.M. on the 25th day of January 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.



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

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Staff Report to the Planning and Zoning Commission

Meeting/Hearing Date: 1/6/16

Date Report Compiled: 12/29/15

Agenda Item: Extension request for a Conditional Use Permit Application for a proposed solar electric generating facility. Case # CUP-2014-04

Applicant: Grand View Solar PV Two, LLC
C/O Clenera, LLC
PO Box 7128
Boise, ID 83702

Case Number: CUP-2014-04 – Extension

Staff: Beth Bresnahan

Location: NW1/4, Section 4, SE1/4, Section 5, Township 5 South, Range 4 East, B.M. A common mean of locating the property is from Mountain Home, proceed west on Grand View Highway approximately 16 miles, turn left on Frederick Road, continue for approximately 1 ½ miles to the northeast corner of the site.

Zoning: Agriculture

Parcel Number(s): RP 05S04E053020 A and RP 05S04E045410 A

BACKGROUND

CUP-2014-04 was approved on January 15, 2014 and effective on January 25, 2014 for a period of 2 years. 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.

Conditional Use Permits are allowed only one extension and they are good for one year from the effective date on the approved FCO.

The fees for the extension request have been paid and the application was filed with the Land Use and Building Department on December 9, 2015.

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-2013-02.
2. Application requesting extension.

STAFF RECOMMENDATION

Staff recommends **approval** of the request for a one year extension to January 25, 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: Grand View PV Solar Five A, LLC (now Grand View PV Solar Two, LLC)

Address: c/o Clenera, LLC P.O. Box 7128, Boise, ID 83707

Email / Phone: dustin.shively@clenera.com (208) 639-3232 x116

Case # and Background: _____

CUP-2014-04 was approved in January 2014 as part of a photovoltaic solar facility consisting of five other permits associated with the project. The design is being finalized with a start of construction anticipated for early 2016.

Reasons for extension: _____

An 1-year extension is being requested to provide time for completing the design before submitting for building permits. Currently a building permit must be issued before the expiration of the CUP's. The design will be submitted to the County for building permits in early 2016.

Improvements: No improvements have yet been made at the site.

Previous Extensions: None

Planned Completion Date: 09/01/2016

Grand View PV Solar Two, LLC

By: CRE-Grandview Idaho LLC, its sole Member and Manager

Signature: *Keith Holst*

Keith

Printed Name: Holst, Operations Committee Member

For Administrative Use Only	
File Number: <u>WR 2014-54</u>	
Fee: <u>\$500</u>	Date Paid: <u>12-9-15</u>
Receipt Number: <u>20-10243</u>	
Date Accepted: <u>12-9-15</u>	By: <u>KR</u>

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

IN RE:)	
CUP-2014-04)	
Conditional Use Permit)	FINDINGS OF FACT
For a 10MW PV solar)	CONCLUSIONS OF LAW
Project (electrical)	AND ORDER
Generating facility) in a)	
Agriculture (Ag) Zone)	
)	
)	

Applicant:
Grand View PV Solar Five, A, LLC
515 N 27th Street
Boise, ID 83702

This matter having come before the Planning and Zoning Commission of Elmore County, Idaho, the 18th day of December, 2013, for a public hearing, held pursuant to public notice as required by law, on a request for a Conditional Use Permit for a proposed 10 MW solar project (electrical generating facility) in an Agriculture (Ag) Zone. Property is located in NW1/4, Section 4, SE1/4, Section 5, Township 5 South, Range 4 East, B.M., and is zoned Agriculture (Ag). 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 10 MW solar project (electrical generating facility) located in NW1/4, Section 4, SE1/4, Section 5, Township 5 South, Range 4 East, B.M.
2. Notice of public hearing has been given.
3. The property in question is zoned Agriculture, pursuant to the Zoning and Development Ordinance of Elmore County. The property is designated agriculture "Ag" as a land use classification in the duly adopted 2004 Comprehensive Growth and Development Plan for Elmore County.
4. Notice of public hearing has been given to agencies on November 22, 2013 and property owners within 1000 feet on November 22, 2013, publicized in Mountain Home Newspaper on November 27, 2013, and posted on the property on December 9, 2013.
5. A waiver for lot coverage was applied for.
6. Similar projects were approved in the area in March 2010, December 2010 and May 2012.

7. Electrical generating facilities are required to have a Conditional Use Permit under Chapter 8, Table 6-8-11 (C) of the Elmore County Zoning and Development Ordinance.
8. The existing land uses in the immediate area of the property in question are agriculture and BLM rangeland.
9. The propose use is in harmony with and in accordance with the Elmore County Comprehensive Plan Land Use Objective #17 and this Ordinance (Title 6) 6-8-94.
10. The proposed use will comply with all applicable County Ordinances.
11. The proposed use will comply with all applicable State and Federal regulations.
12. The proposed use will be designed, constructed, operated and maintained in such a way as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity; and that such use shall not change the essential character of said area. There will be limited visibility from public roads and highways.
13. The proposed use will not create excessive additional requirements at public cost for public facilities and service because no improvements are required.
14. 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. Access will be off Highway 67 and has been approved by Idaho Transportation Department.
15. The proposed use will not be detrimental to the economic welfare of the County because improvements will be completed by the applicant.
16. The proposed use will not be hazardous or disturbing to existing or future neighboring uses because of limited private property and residence.
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. The panels will be of a non-reflective material.
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.

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 10 MW solar project (electrical generating facility) located in NW1/4, Section 4, SE1/4, Section 5, Township 5 South,

Range 4 East, B.M., should be and is hereby **APPROVED** with these additional conditions:

ADDITIONAL CONDITIONS

1. The proposed use will comply with all the requirements of section 6-8-94 of the Elmore County Zoning and Development Ordinance.
2. All outstanding fees, if any, must be paid prior to the issuance of an Elmore County building permit.
3. Failure to comply with any of the conditions may result in revocation of the Conditional Use Permit.
4. The proposed use will be constructed in substantial conformance with the master site plan.
5. Prior to issuance of building permit, an overall site plan, stamped and signed, must be approved by the County Engineer to ensure drainage and storm water management is adequate.
6. Entire project area will be fenced with a security fence.
7. Conditional Use Permit is good for a period of 2 years.

COMMISSION VOTE:

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

VOTED AYE
VOTED AYE
VOTED AYE
VOTED AYE
VOTED AYE
ABSENT
ABSENT
VOTED AYE


Patti Osborn, Chairperson

ATTEST:


Alan Christy, Director

DATED this 15th day of January 2014.

*Effective at 12:01 A.M. on the 25th day of January 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.



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

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Staff Report to the Planning and Zoning Commission

Meeting/Hearing Date: 1/6/16 **Date Report Compiled:** 12/29/15

Agenda Item: Extension request for a Conditional Use Permit Application for a proposed substation. Case # CUP-2014-05

Applicant: Grand View Solar PV Two, LLC
C/O Clenera, LLC
PO Box 7128
Boise, ID 83702

Case Number: CUP-2014-05 – Extension

Staff: Beth Bresnahan

Location: NW1/4 N1/4, Section 5, Township 5 South, Range 4 East, B.M. A common mean of locating the property is from Mountain Home, proceed west on Grand View Highway approximately 16 miles, turn left on Frederick Road, continue for approximately 1 ½ miles to the northeast corner of the site.

Zoning: Agriculture

Parcel Number(s): RP 05S04E053020 A

BACKGROUND

CUP-2014-05 was approved on January 15, 2014 and effective on January 25, 2014 for a period of 2 years. 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.

Conditional Use Permits are allowed only one extension and they are good for one year from the effective date on the approved FCO.

The fees for the extension request have been paid and the application was filed with the Land Use and Building Department on December 9, 2015.

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-2013-02.
2. Application requesting extension.

STAFF RECOMMENDATION

Staff recommends **approval** of the request for a one year extension to January 25, 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: Grand View substation (now Grand View PV Solar Two, LLC)

Address: c/o Clenera, LLC P.O. Box 7128, Boise, ID 83707

Email / Phone: dustin.shively@clenera.com (208) 639-3232 x116

Case # and Background: _____

CUP-2014-05 was approved in January 2014 as part of a photovoltaic solar facility consisting of five other permits associated with the project. The design is being finalized with a start of construction anticipated for early 2016.

Reasons for extension: _____

An 1-year extension is being requested to provide time for completing the design before submitting for building permits. Currently a building permit must be issued before the expiration of the CUP's. The design will be submitted to the County for building permits in early 2016.

Improvements: No improvements have yet been made at the site.

Previous Extensions: None

Planned Completion Date: 09/01/2016

Grand View PV Solar Two, LLC

By: CRE-Grandview Idaho LLC, its sole Member and Manager

Signature: *Keith Holst*

Keith

Printed Name: Holst, Operations Committee Member

For Administrative Use Only	
File Number:	<u>CUP-2014-05</u>
Fee: \$500	Date Paid: <u>12-9-15</u>
Receipt Number:	<u>20-10243</u>
Date Accepted:	<u>12-9-15</u> By: <u><i>CH</i></u>

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

IN RE:)	
CUP-2014-05)	
Conditional Use Permit)	FINDINGS OF FACT
For a substation in a)	CONCLUSIONS OF LAW
Agriculture (Ag) Zone)	AND ORDER
)	
)	
)	
)	

Applicant:
Alternative Power Development, Northwest, LLC
515 N 27th Street
Boise, ID 83702

This matter having come before the Planning and Zoning Commission of Elmore County, Idaho, the 18th day of December, 2013, for a public hearing, held pursuant to public notice as required by law, on a request for a Conditional Use Permit for a substation in an Agriculture (Ag) Zone. Property is located in NW1/4 N1/4, Section 5, Township 5 South, Range 4 East, B.M., and is zoned Agriculture (Ag). 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 a substation located in NW1/4 N1/4, Section 5, Township 5 South, Range 4 East, B.M.
2. Notice of public hearing has been given.
3. The property in question is zoned Agriculture, pursuant to the Zoning and Development Ordinance of Elmore County. The property is designated agriculture "Ag" as a land use classification in the duly adopted 2004 Comprehensive Growth and Development Plan for Elmore County.
4. Notice of public hearing has been given to agencies on November 22, 2013 and property owners within 1000 feet on November 22, 2013, publicized in Mountain Home Newspaper on November 27, 2013, and posted on the property on December 9, 2013.
5. Electrical Transmission Lines and substations are required to have a Conditional Use Permit under Chapter 8, Table 6-8-170.E.3 of the Elmore County Zoning and Development Ordinance.
6. The existing land uses in the immediate area of the property in question are agriculture and BLM rangeland.

7. The proposed use is in harmony with and in accordance with the Elmore County Comprehensive Plan Land Use Objective #17.
8. The proposed use will comply with all applicable County Ordinances.
9. The proposed use will comply with all applicable State and Federal regulations.
10. The proposed use will be designed, constructed, operated and maintained in such a way as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity; and that such use shall not change the essential character of said area. There will be limited visibility from public roads and highways.
11. The proposed use will not create excessive additional requirements at public cost for public facilities and service because improvements will be paid by developers.
12. 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. Access will be off Highway 67 and has been approved by Idaho Transportation Department.
13. The proposed use will not be detrimental to the economic welfare of the County because improvements will be completed by the applicant.
14. The proposed use will not be hazardous or disturbing to existing or future neighboring uses because of limited private property and residence.
15. 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.
16. 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.

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

ORDER

The application for a Conditional Use Permit for a substation located in NW1/4 N1/4, Section 5, Township 5 South, Range 4 East, B.M., should be and is hereby **APPROVED** with these additional conditions:

ADDITIONAL CONDITIONS

1. All outstanding fees, if any, must be paid prior to the issuance of an Elmore County building permit.

2. Failure to comply with any of the conditions may result in revocation of the Conditional Use Permit.
3. The proposed use will be constructed in substantial conformance with the master site plan.
4. Prior to issuance of building permit, an overall site plan, stamped and signed, must be approved by the County Engineer to ensure drainage and storm water management is adequate.
5. Entire project area will be fenced with a security fence.
6. Conditional Use Permit is good for a period of 2 years.

COMMISSION VOTE:

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

VOTED AYE
 VOTED AYE
 VOTED AYE
 VOTED AYE
 VOTED AYE
 ABSENT
 ABSENT
 VOTED AYE



 Patti Osborn, Chairperson

ATTEST:



 Alan Christy, Director

DATED this 15th day of January 2014.

*Effective at 12:01 A.M. on the 25th day of January 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.

**ELMORE COUNTY
PLANNING AND ZONING COMMISSION**

MINUTES

Wednesday, December 16, 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, Sue Fish, Jeff Blanksma, Shane Zenner, Ed Oppedyk and Dave Holland. Also present were Attorney of Record Philip Miller, Director Alan Christy and staff member Beth Bresnahan.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Cat Creek Energy, LLC Appeal Hearing for the requirement of an Environmental Impact Statement for a Conditional Use Permit application for a Pump Storage Hydroelectric Electrical Generating Facility.

Cat Creek Energy, LLC Appeal Hearing for the requirement of an Environmental Impact Statement for a Conditional Use Permit application for a Solar Electrical Generating Facility.

Cat Creek Energy, LLC Appeal Hearing for the requirement of an Environmental Impact Statement for a Conditional Use Permit application for a Substation.

Cat Creek Energy, LLC Appeal Hearing for the requirement of an Environmental Impact Statement for a Conditional Use Permit application for a Transmission Line.

Cat Creek Energy, LLC Appeal Hearing for the requirement of an Environmental Impact Statement for a Conditional Use Permit application for a Wind Turbine Electrical Generating Facility.

Christy stated that he has provided the commission with a supplemental staff report with 2 attachments. He stated that the first attachment was submitted to staff on December 11, 2015. He stated that it is a Wildlife Mitigation Plan. The second attachment is an email from the applicant's representative asking to table the application to a date certain of February 17, 2016. He stated that with the information being submitted so recently staff did not have the time to review it nor have any county consultants or impacted agencies. He stated that after taking that in to consideration staff recommends tabling the 5 appeal applications to a date certain of February 17, 2016.

Miller stated that basically the issue that would have been heard tonight is that after looking at the application Christy decided as the Director that it needed more environmental information and a study done before the application was complete. He stated the appeal was the applicant contesting that finding by the Director. He stated that in the meantime they have provided this document but staff needs time to fully review and send to the county consultants. Miller stated that if Christy and the consultants decide that this document is adequate and other requirements met that the applicants are working on, then Christy can conclude that the application is complete and can go forward with the conditional use permits. Miller stated that if he determines that there is not enough information provided then an appeal hearing will still be heard on February 17, 2016.

Oppedyk moved to table this public hearing to February 17, 2016.

Duerig seconded.

Motion carried unanimously.

MINUTES

Minutes from December 2, 2015

Duerig moved to approve.

Blanksma seconded.

Motion carried with Oppedyk abstaining as he was absent for this meeting.

INFORMATION ITEMS

Upcoming P&Z Schedule

Christy stated that the next meeting is scheduled for January 6, 2016.

MEETING ADJOURNED at 7:10 pm.

Patti Osborn, Chairperson

Date:

Attest: _____
Alan Christy, Director

Date: