

7. The proposed conditional use will be in accordance with goals and objectives of the Comprehensive Plan and with all the applicable provisions of the Zoning and Development Ordinance.
8. The proposed conditional use will be served adequately by existing essential public facilities and services such as highways, streets, schools, police and fire protection, drainage structures, refuse disposal, water and sewer or the person responsible for the establishment of the proposed conditional use shall adequately provide any such services.
9. The proposed conditional 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 of Highway 67 and Frederick Road.
10. The proposed conditional use will be designed, constructed, operated and maintained to be harmonious with the existing or the intended character of the general vicinity and such use will not change the essential character of the same area. There will be limited visibility from public roads and highways.
11. The proposed conditional use will not be hazardous or disturbing to existing or future neighboring uses.
12. The proposed conditional use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
13. The proposed conditional 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.
14. The proposed conditional use will not result in destruction, loss or damage of a natural or scenic feature of major importance.
15. Similar projects were approved one (1) mile to the east in March 2010.
16. This parcel has an approved variance for lot coverage in agriculture zone.
17. Previous approved conditional use permit that has expired.

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

CONCLUSIONS OF LAW

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

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

ORDER

The application for a Conditional Use Permit for a solar generating facility located in SE1/4 of 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 6-8-95 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. The proposed use will be constructed in substantial conformance with the master site plan.
4. Prior to the issuance of a building permit, an overall site plan must be approved by the County Engineer to ensure drainage and storm water management is adequate.
5. Failure to comply with any of the conditions will result in revocation of the Conditional Use Permit.
6. Granted approval for a period of two (2) years.

COMMISSION VOTE:

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



Patti Osborn, Chairperson

ATTEST:



Alan Christy, Director

DATED this 20th day of March 2013.

*Effective at 12:01 A.M. on the 30th day of March 2013.

*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 Growth and Development Department or the Elmore County Clerk.