



Land Use and Building Department

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Staff Report to the Planning and Zoning Commission

Hearing Date: August 28, 2025. **Date Report Compiled:** August 07, 2025

Agenda Item: Conditional Use Permit to install two off-site billboards in the AG Zone

Applicant: Seth Saunders/YESCO Outdoor Media

Case Number: CUP-2025-02

Staff: Andrew Meek, Planner II

Location/Site: NE1/4 of the NW1/4 & portions of the N1/2 of the SE1/4 of Section 14, Township 3 S, Range 6 E Boise Meridian

Zoning: AG - General Agriculture

Parcel Number: RP03S06E142415

Property Size: 41.919

BACKGROUND:

CUP-2025-02 is an application for a conditional use permit to install two Standard Billboard Signs on thirty (30') feet high poles and ten by thirty feet (10'*30') size double face in the General Agriculture (AG) Zone along the south side of Parcel RP03S06E142415 along I-84 Westbound West of Canyon Creek Rd ("Application"). The billboards will be illuminated with 2 lights at the base of the billboards pointed up.

The applicant is Seth Saunders with YESCO Outdoor Media ("Applicant"). Applicant had a preapplication meeting with the Land Use and Building Department (the "Department") on November 6, 2024, pursuant to Zoning Ordinance § 7-3-2(A), 2018-03 (the "Zoning Ordinance"). Neighborhood meeting letters were sent on February 14th, 2025, giving notice of the time, date, and location of the meeting to neighboring property owners within one thousand feet (1000') per Zoning Ordinance § 7-3-3(B) and conducted the required neighborhood meeting on February 27th, 2025 per Zoning Ordinance § 7-3-3. Exhibit A. A conditional use permit ("CUP") application was submitted on March 26th, 2025, and the required four hundred (\$400) dollar fee was submitted to the Department on April 1st, 2025, per Zoning Ordinance § 7-9-3. Exhibit B. A site map was provided on April 23rd, 2025. Exhibit C. The Application was

deemed complete on June 17th, 2025, and a Public Hearing date was set for August 28th, 2025. The public hearing notice was mailed to landowners within one thousand feet (1000') of the property on August 18th, 2025, per Zoning Ordinance § 7-3-5(C). Exhibit D. The public hearing notice and application were mailed to agencies on August 18th, 2025, per Zoning Ordinance § 7-3-4. The public hearing notice was published in the Mountain Home News on August 13th, 2025, as required by Zoning Ordinance § 7-3-5(A) Exhibit E. The public hearing notice was posted on the property on August 18th, 2025, per Zoning Ordinance § 7-3-5(B). Exhibit F.

The surrounding uses of the Site are the following:

- North: AG General Agriculture
- East: AG General Agriculture
- South: Interstate-84
- West: AG General Agriculture

The Site of the Application is not located in a designated flood zone, Exhibit G. The Site is within the City of Mountain Home's Area of Impact.

The documents, recordings, and exhibits constituting the CUP record are numbered sequentially as they become available. This report references the following portions of the CUP record, which are included as Exhibits:

- A. Neighborhood Meeting Notice
- B. Application
- C. Site Map
- D. Public Hearing Notice
- E. Newspaper Public Notice
- F. Posted of Property
- G. Floodplain Map

The CUP record provided with this staff report includes all written public comments submitted to the Department by physical or electronic delivery by 5:00 p.m. WEDNESDAY THE WEEK BEFORE MEETING, for the Public Hearing scheduled for HEARING DATE August 28th, 2025. The notices from the Elmore County Assessor and Treasurer indicate that all taxes have been paid on the Site. The CUP record also includes all documents obtained as part of staff's analysis and review of the Application, and all documents and exhibits submitted prior to the close of the public hearing as received by the Commission. Those portions of the CUP record that arrive after the staff report is submitted may be provided to the Commission under separate cover as a part of the Commissioners' supplemental packet.

REQUIRED FINDINGS FOR CONDITIONAL USE PERMITS, ZONING ORDINANCE SECTION 7-9-7:

- 1. The proposed use shall, in fact constitute a Conditional Use as determined in Table 7-2-26 (B), Elmore County Land Use Table, as contained in Elmore County Zoning and Development Ordinance 2018-03:**

Staff Response: The parcel is zoned AG. Elmore County Zoning Ordinance Table 7-2-26 (B) does not identify billboard sign as a use. However, Title 7 Chapter 7 addresses Sign Standards and all billboard signs require a conditional use permit approval pursuant to Zoning Ordinance § 7-7-22 (F).

The proposed use is in accordance with the Zoning Ordinance pursuant to Zoning Ordinance § 7-7-22(F) that Billboard signs require a Conditional Use Permit.

2. The proposed use shall be in harmony with and in accordance with the Elmore County Comprehensive Plan 2014 and Zoning and Development Ordinance (Title 7) 2018-03:

Staff Response: Staff analyzed relevant sections of the Comprehensive Plan for a Conditional Use Permit to install two Illuminated Billboards 30' in height in the AG Zone. The Comprehensive Plan states that the AG is the base zone for Elmore County while also stating that AG contains a variety of productive lands ranging from croplands, forestlands as well as lands of lesser agricultural value. The Billboards would be installed on land currently being used for mining operations, which is mentioned under the Comprehensive Plan and would not detract away from said usage. 7-7-22(C) of the Zoning and Development Ordinance also allows for Billboards on AG zoned land, which would be in accordance with said Ordinance.

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: The purpose statement for the General Agriculture base zone is found in Zoning Ordinance §7-2-5(A), providing:

General Agriculture: 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. The "Ag" land use designation is the base zone throughout Elmore County. It contains areas of productive irrigated croplands, grazing lands, forestland, mining lands, public lands as well as rangeland and ground of lesser agricultural value.

The General Agriculture zone allows a variety of uses that may require a Conditional Use Permit. The proposed billboard signs is consistent with CUP uses in the applicable base zone with the required conditions staff proposes.

The Application is also reviewed for specific use standards in compliance with Zoning Ordinance § 7-7-22(G) for Billboard Signs as discussed further below.

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

Staff Response: The proposed CUP was mailed to agencies and the following Elmore County agencies replied. Their comments are integrated in the proposed conditions of approval to ensure that this Application meets all applicable Elmore County Ordinances. Furthermore, Title 11, Chapter 1 goes into detail describing the Elmore County/City of Mountain Home Area of Impact and the requirements therein. In particular, 11-1-3 (D) describes accounting for man-made barriers which may influence the direction of development to include I-84. The billboards are on the north side of I-84, still in the Area of City Impact and while limited by I-84, do allow for development within said Impact Area. The City of Mountain Home did not comment via writing, however, during Agency meetings they did have questions about lighting standards for the billboards which were provided.

- City of Mountain Home: No comment
- Mountain Home Rural Fire District – No issues

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

Staff Response: The proposed CUP was mailed to the following State agencies and the following state agencies replied. Their comments are integrated in the proposed conditions of approval to ensure that this Application meets all applicable State and Federal regulations.

- Central District Health – No issues.
- Idaho Transportation Department – Will need an application.

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: The Site is to the West of Canyon Creek Rd and is surrounded by General Agriculture (AG) with I-84 to the South. The Site is zoned AG. Staff believe the proposed use does not present significant impacts or substantial changes to the essential character of the said area.

Aesthetically, the proposed use will not change existing views from the west, east, north, or south. The site plan shows the two signs to be installed along the southern border of the parcel along I-84 W. The Application, with the proposed conditions, will be operated and maintained in such a way as to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity and will not change the essential character of the area.

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

Staff Response: The proposed use will not impede normal development within the area. This area is zoned General Agriculture, which while mostly deals with agricultural practices, does allow for a variety of other uses. Zoning Ordinance § 7-7-22(C) further

allows for Billboards in the AG Zone as long as they are along main thoroughfares like Interstates, which these Billboards will be located. Furthermore, there are Billboards located across the Interstate in AG as well. The proposed dimension of the sign complies with the Zoning Ordinance. The location of the sign will not hinder passing vehicles, or nearby businesses.

- 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 is served by the following public facilities:

Highways/Roads – I 84 is maintained by Idaho Transportation Department (ITD).

Fire Protection – Mountain Home Rural Fire District (MHRFD)

Drainage Structures – No drainage structures for the proposed use are planned or required at this time.

Refuse Disposal – Applicant will be responsible for obtaining and maintaining appropriate refuse disposal.

Water/Sewer –The existing structure has a private well and septic system.

The Application, and its proposed use, will be adequately served by available public facilities and services such as highways, streets, law enforcement, fire protection, and Emergency Services.

- 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: All on-site improvements will be funded by the Applicant.

Agencies that could potentially be impacted by this Application have been notified; at this time there have not been any notable comments submitted to the Department except for Idaho Transportation Department which stated that the parcel is in AG and would need some research with the application that will be required by the applicant.

- 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: The use of the billboards will not be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise smoke, fumes, glare, or odors. The height of the proposed billboard signs meets Zoning Ordinance 7-7-22.

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

Staff Response: The property is not on or near a scenic feature of major importance.

REQUIRED FINDINGS FOR BILLBOARD SIGNS, ZONING ORDINANCE SECTION 7-7-22(G):

1. **That the location and placement of the billboard will not endanger motorists or pedestrians and does not interfere with the clear vision triangle at street, railroad, or street driveway intersections:**

Staff Response: The proposed location of the signs is to be installed per the Site Plan and within the proper distance from each other per 7-7-22(E). It will be thirty (35') feet from the right of way of I 84 W with twenty (20') foot setbacks. The location does not interfere with the clear vision triangle, as there is no railroad or intersection near the proposed sign location.

2. **The Billboard will not cover or blanket any prominent view of a structure or façade of historical or architectural significance:**

Staff Response: The location of the proposed billboards has no significant historical or architectural buildings or views in the general vicinity.

3. **The billboard will not obstruct the view of the users of adjacent buildings to side yards, yards, or to nearby open space. This requirement does not include views of distant vistas:**

Staff Response: The height and location of the proposed signs will not obstruct views of adjacent buildings side yards, yards, or nearby open space.

4. **The billboard will not negatively impact the visual quality of a public open space such as a recreation facility, square, plaza, courtyard, and the like:**

Staff Response: There are no recreation facilities, squares, plaza, or court yards in the vicinity. The area is predominantly agriculture.

5. **The height of the billboard, spacing, dimensional requirements, and setbacks are compliant with the requirements of this section:**

Staff Response:

Zoning Ordinance § 7-7-22(D)(1) for painted billboards requires that the billboards shall not exceed eleven (11') feet in height and thirty-six (36') feet in horizontal length, nor exceed three hundred seventy-eight (378') square feet in area. The proposed billboards face is ten (10') feet in height and thirty (30') feet in length, making the total area of the billboards three hundred fifty (300') square feet in area.

Zoning Ordinance § 7-7-22(D)(8) requires that the maximum height requirement of signs erected upon the ground, which shall not exceed forty (40') feet above grade. The proposed thirty (30') feet height of the proposed billboards is under this requirement and therefore is compliant with this dimensional requirement. Zoning Ordinance § 7-7-22(D) (5) No sign shall project over public property, except that cutouts may project no more than two (2') feet over public property if the lowest portion of the cutout is at least twelve (12') feet above grade; and (9) For purpose of illumination, lights shall not extend more than five (5') feet from the sign structure if attached to the sign or sign structure in any way; and (10) No billboard ground or freestanding shall be located closer than five (5') feet to any property line. The setback from any property line that is common with the property line of an Agricultural base district zoned parcel shall match the setback of that district; and (11) the full face of a Billboard shall be able to be viewed along the line of travel to which it is exposed for a distance of at least two hundred fifty (250') feet measured along the center of the street from a point opposite the center of the sign and perpendicular to the street's center line; and (12) Animation shall be prohibited.

6. The billboards lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect, or spill onto adjacent property:

Staff Response: Staff required Applicant to communicate the proposed illuminated billboard signs with Idaho Transportation Department ("ITD"). ITD provided a letter stating there is no objection to the size, location or use of the billboards. The Applicant will have to apply for a permit from ITD after approval of the CUP as required in the proposed conditions of approval.

STAFF RECOMMENDATION

The Application, with the conditions of approval, will comply with the foregoing requirements. Subject to evidence being presented at the public hearing that would contradict certain facts within Staff's analysis above, Staff recommends **approval** of Conditional Use Permit CUP-2025-02, to install two illuminated billboards on private property in the General Agriculture AG Zone, subject to the following proposed conditions of approval:

PROPOSED CONDITIONS OF APPROVAL

1. Conditional Use Permit 2025-02 shall be granted to YESCO/Seth Saunders, to install two off-site Illuminated Billboard Signs 30' height from the ground and 10'*30' in size in the General Agriculture AG Zone on Parcel RP03S06E142415.
2. The illuminated billboards shall only be a double face static (not digital) billboard and shall have a maximum height of thirty feet (30').
3. The Billboard Signs shall only have a maximum of four (4) LED lights and a maximum of two (2) on each face.
4. The Billboard Signs shall be installed and operational within a year of CUP-2025-02 approval and all necessary site improvements shall be completed per Elmore County Zoning Ordinance.

5. The Applicant shall receive an approval from Idaho Transportation Department (ITD) for the Billboard Signs prior to applying for a building permit with the Land Use and Building Department.
6. The Billboard Signs shall comply with all requirements of Title 7 Chapter 2 ("Zoning"), Chapter 7 ("Sign") and Chapter 9 ("Conditional Use Permit") of the Elmore County Zoning and Development Ordinance 2018-03 at all times.
7. The Billboard Signs shall comply with all requirement of Title 7, Chapter 7, Sign Standards of the Elmore County Zoning and Development Ordinance 2018-03.
8. The Applicant shall obtain applicable permits for any structures and/or other permissible improvements on the site to include required state and local permits.
9. The Applicant shall maintain the Billboards over the course of their lifespan to include lighting, structure and Billboard face. If any issues arise, the Applicant has 48 hours to address the problems or violations will be issued.
10. The Applicant shall be able to provide the lease document for the site to the Land Use and Building Department upon request.
11. The Applicant shall keep the lease with the property owner current and inform the Department if the lease is transferred.
12. The Applicant shall ensure all property taxes are kept current.
13. The Applicant shall comply with all local, state and federal laws and regulations.
14. Failure to comply with any of the above conditions of approval may result in the revocation of the Conditional Use Permit.