



# Land Use and Building Department

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## Planning and Zoning Commission PUBLIC WORKSHOP MEMO

**Workshop Date:** March 13, 2025

**Date Report Compiled:** March 10, 2025

**Agenda Item:** Elmore County (Former Simco Road) Regional Landfill Workshop

**Applicant:** Republic Services Environmental Solutions III, LLC

**Case Number:** CUP-2025-08

**County Review Team:** Mitra Mehta-Cooper, Director

David Abrahamson, Planner

James Roddin, Staff

Johnny Hernandez, Staff

Angie Micheals, Contract County Engineer

Abbey Germaine, Contract County Attorney

Cindy Liles, County Solid Waste Engineer

**Zoning Designation:** Heavy Industrial/Manufacturing (M2) with Wildland Urban Interface (WUI) Overlay

**Parcel Numbers:** RP02S05E077210, RP02S05E180010, RP02S04E120010

**Property Size:** 640 acres

### **BACKGROUND:**

This Conditional Use Permit ("CUP") is a proposal to operate a municipal solid waste landfill under the Resource Conservation and Recovery Act ("RCRA") Subtitle D, for disposal and management of household and other non-hazardous solid wastes, located at the current Simco Road Regional Landfill site. The applicant and potential owner is Republic Services Environmental Solutions III, LLC ("Applicant"). The site is located on county assessor's parcel numbers RP02S05E077210, RP02S05E180010, and RP02S04E120010 ("Site") and incorporates 640 acres of unincorporated area within Elmore County. In accordance with the Elmore County Zoning and Development Ordinance ("Zoning Ordinance"), the Applicant has filed the Conditional Use Permit – CUP-2025-08 – to remediate, construct, operate, and eventually close the Site.

The Applicant has taken the following pre-application actions to date for this proposal, which deem the pre-application requirements complete as outlined in the Zoning Ordinance.

- In order to initiate the CUP (and associated applications) process, the Applicant has arranged a Pre-application Meeting with the Director of the Department in compliance with Section 7-3-2(A) of the Zoning Ordinance. Three inter-agency Pre-application Meetings have been held with Elmore County, Idaho Department of Environmental Quality, and Central District Health on December 9, 2024, January 2, 2025, and January 23, 2025, to discuss a compliance schedule for existing violations at the Site and the proposed CUP.
- As required in Section 7-3-3 of the Zoning Ordinance, the Applicant has conducted two Pre-application Neighborhood Meetings on January 9, 2025, and January 10, 2025, to discuss this proposal with property owners within a 5-mile radius of the Site.

On January 31, 2025, the Land Use and Building Department (“Department”) received CUP-2025-08 Application packet along with the required fees (Exhibit 1). Since then, the Application is being reviewed by a Review Team comprising of the Department Director, Mitra Mehta-Cooper; Consulting Solid Waste Engineer, Cindy Liles; Consulting County Engineer, Angie Michaels; and Consulting Attorney, Abbey Germaine. Furthermore, the Department transmitted this Application and discussed it with affected agencies on February 5, 2025.

#### **DEVELOPMENT REVIEW STATUS:**

The Site is currently zoned as Heavy Industrial (M-2) as its base zone and is located within the Simco Road District of the Comprehensive Plan. The future land use map designates this Site as Heavy Industrial (M-2) which provides the following guidance in Chapter 13 – Community Design of the Comprehensive Plan:

- *Encourage new development to comply with the County Comprehensive Plan.*
- *Continue to locate Heavy Industry in the Simco Road District.*
- *Continue the current "M2" zone within the district.*
- *The intent of the Simco Road District Heavy Industrial Zoning is to reserve land for heavy industry and job creation following a detailed CUP procedure.*
- *Consider dust control and dust abatement in all land use decisions within the community.*

A Municipal Solid Waste Landfill, or Solid Waste Disposal Landfill is an allowed use in a M-2 zone with a Conditional Use Permit (CUP) per the Zoning Ordinance and is subject to review under Title 8, Chapter 5 of the Zoning Ordinance. The proposal also includes a series of existing Accessory Uses and Structures for the municipal solid waste landfill to include a stormwater collection pond, a weigh scale, 4200 sq. ft. of office and shop building, a 4875 sq. ft. warehouse storage building, and 5000 sq. ft. shredder shop, which may be repurposed.

The Site has a Wildfire Urban Interface (WUI) overlay as defined in the Elmore County Zoning Ordinance. The site is currently not located within a Fire District. The Site is located within Mountain Home Highway District.

The Site currently has a series of code violations of Elmore County and State codes that occurred under the prior ownership. Elmore County Code Section 7-13-2 (B) states that:

*“No zoning approval shall be issued for any use on a property in violation of this Ordinance or on a property that contains structures or uses in violation of this Ordinance. Any zoning approval secured in violation of State or Federal law shall be invalid”.*

Therefore, the Review Team has requested, and is currently reviewing, a Compliance Schedule with the CUP Application to demonstrate how the Applicant plans on remediating these violations outlined in the County’s Notices of Violation and DEQ’s Notice of Violation previously issued on this Site (Exhibit 2).

The Review Team has completed the initial review of the Application, and Compliance Schedule and provided written comments to the Applicant on March 6, 2025 (Exhibit 3).

Today’s Public Workshop was advertised in the Mountain Home Newspaper on February 26, 2025 and the Site was posted on or prior to March 5, 2025. The purpose of this workshop is to discuss the Compliance Schedule, Application, and status of CUP-2025-08 review with the Planning and Zoning Commission and receive their feedback prior to beginning the public hearings for the proposal. A draft of DA-2025-01 will be developed as the review continues and further details will be available prior to a public hearing for CUP-2025-08.