



Land Use and Building Department

520 East 2nd South Street
Mountain Home, Id. 83647
Phone: (208) 587-2142 ext. 1254
Fax: (208) 587-2120
www.elmorecounty.org

Staff Report to the Planning and Zoning Commission

Mitra Mehta-Cooper
Director

Kacey Ramsauer
Planner

Dave Abrahamson
Planner

Johnny Hernandez
Building Official

Colton Janousek
Building Inspector

James Roddin
Code Enforcement/
Admin Manager

Kamiah McDaniel
Permit Technician

Alyssia Nieto
Admin Assistant

Meeting/Hearing Date: June 27, 2024. **Date Report Compiled:** June 21 2024

Agenda Item: Conditional Use Permit to install an off-site billboard in the C-2 Zone

Applicant: Steve Bagley/Yesco Outdoor Media

Case Number: CUP-2024-10

Staff: David Abrahamson, Planner

Location/Site: SW Quarter of NW Quarter of Section 23, Township 3 S, Range 6 E
Boise Meridian

Zoning: C-2 Highway/Interstate Commercial

Parcel Number: RP00076000067M

Property Size: 1 acre

BACKGROUND:

CUP-2024-10 is an application for a conditional use permit to install an illuminated billboard sign on thirty-five (35') feet high poles and ten by thirty feet (10'*30') size double face in the Highway/Interstate Commercial (C-2) Zone along Sunset Strip ("Application"). The illumination is only for a static display on the Daktronics EMC Display with static alpha-numeric text change one per twenty-four (24) hours.

The applicant is Steve Bagley with Yesco Outdoor Media ("Applicant"). Applicant had a preapplication meeting with the Land Use and Building Department (the "Department") on March 13, 2024, pursuant to Zoning Ordinance § 7-3-2(A), 2018-03 (the "Zoning Ordinance"). The Applicant sent out neighborhood meeting letters on March 26, 2024, giving notice of the time, date, and location of the meeting to neighboring property owners within one mile (1) per Zoning Ordinance § 7-3-3(B) and conducted the required neighborhood meeting on April 10, 2024, per Zoning Ordinance § 7-3-3. Exhibit A. A conditional use permit ("CUP") application, and the required four hundred (\$400) dollar fee was submitted to the Department on April 18, 2024, per Zoning Ordinance § 7-9-3. Exhibits B. A site map was provided with it. Exhibit C. The Application was deemed complete on June 3, 2024, and a Public Hearing date was set

for June 27, 2024. The public hearing notice was mailed to landowners within one mile (1) of the property on June 13, 2024, per Zoning Ordinance § 7-3-5(C). Exhibit D. The public hearing notice and application were mailed to agencies on June 12, 2024, per Zoning Ordinance § 7-3-4. The public hearing notice was published in the Mountain Home News on June 12, 2024, as required by Zoning Ordinance § 7-3-5(A) Exhibit E. The public hearing notice was posted on the property on June 17, 2021, per Zoning Ordinance § 7-3-5(B). Exhibit F.

The surrounding uses of the Site are the following:

- North: C-2 Highway/Interstate Commercial
- East: C-2 Highway/Interstate Commercial
- South: City
- West: City

The Site of the Application is not located in a designated flood zone. Exhibit G and 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. Flood Plain 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 June 27, 2024. 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 C2. 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 an Illuminated Billboard 35' in height in the C2 Zone. The Comprehensive Plan envisions large or intensive commercial and/or business establishments that are typically oriented to a major roadway or freeway interchange within the Highway/Interstate Commercial.

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 Highway/Interstate Commercial base zone is found in Zoning Ordinance §7-2-5(E), providing:

Highway/Interstate Commercial: The purpose of the C2 district is to permit the establishment of general business and commercial uses that have direct access to State Highways and convenient access to the Interstate. Shopping centers will be encouraged, and strip development shall be discouraged. This district may also be located on arterial thoroughfares or in areas where general commercial business is compatible with surrounding land uses. The Highway/Interstate Commercial category is needed to accommodate large or intensive commercial and/or business establishments that are typically oriented to a major roadway or freeway interchange.

The Highway/Interstate Commercial zone allows a variety of uses that may require a Conditional Use Permit. The proposed billboard sign 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.

- 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 with them after CUP approval.

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 off Sunset Strip and is surrounded by predominantly light industrial, commercial and residential uses. The Site is zoned C2. Staff believes 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 sign to be installed on the southwest corner of the facility's parking lot. 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 Highway/Interstate Commercial which is designated for commercial uses. Most existing commercial uses utilize some variation of signage to promote the business. Therefore, there are additional signs in the surround area on Sunset Strip that include billboards. 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 – Sunset Strip 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 there is no objection to the proposed sign and its location.

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 billboard 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 sign 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 sign is to be installed directly southwest of an existing building. It will be thirty-six (36') feet from the right of way of Sunset Strip and past the fifteen (15') feet set back from the power pole. 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 billboard has no significant historical or architectural buildings or views in the area of the proposed billboard.

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 sign 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 light and heavy industrial uses.

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 billboard 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 billboard face is ten (10') feet in height and thirty (30') feet in length, making the total area of the billboard 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-five (35') feet height of the proposed billboard 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 that 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 that 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 sign with Idaho Transportation Department (“ITD”). ITD provided a letter stating there is no objection to the size, location or use of the billboard. 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-2024-10, to install an illuminated billboard on private property in the Highway/Interstate Commercial Zone C-2, subject to the following proposed conditions of approval:

PROPOSED CONDITIONS OF APPROVAL FOR ZONING ORDINANCE 7-7-22(D)

1. Conditional Use Permit 2024-10 shall be granted to YESCO/Steve Bagley, to install an off-site Illuminated Billboard Sign 35’ height from the ground and 10’*30’ in size in the Highway/Interstate Commercial C-2 Zone on Parcel RP00076000067M.
2. The 35’ illuminated billboard shall only be a double face static (not digital) billboard.
3. The Billboard Sign shall only have a maximum of four (4) LED lights and a maximum of two (2) on each face.
4. The Billboard Sign shall be installed and operational within a year of CUP-2024-10 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 Sign prior to applying for a building permit with the Land Use and Building Department.
6. The Billboard Sign 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 Sign 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 be able to provide the lease document for the site to the Land Use and Building Department upon request.
10. The Applicant shall ensure all property taxes are kept current.
11. Failure to comply with any of the above conditions of approval may result in the revocation of the Conditional Use Permit.

4878-5952-2504, v. 1

EXHIBIT A

NEIGHBORHOOD MEETING NOTICE

Neighborhood Meeting Notice **MAILED 3-26-24**

3/26/2024

Dear Resident,

Prior to submittal of a development application, Elmore County Code requires a meeting between the applicant and neighbors. This is your notice to meet and review the new billboard at BLDR Construction on Sunset Strip.

This is not a public hearing, and public officials will not be present. If you have questions regarding meeting requirements, please contact the Elmore County Planning & Development Services Department.

Purpose: To review a new billboard construction plan

When: Wednesday April 10th from 6:00pm to 8:00pm

Where: 1840 Sunset Strip, Mt Home. ID 83647 (outside South East corner of property)

Project Description: This project is located at 1840 Sunset Strip, Mt Home, Idaho 83647, parcel number RP00076000067M. This proposed project is to construct a billboard oriented to Sunset Strip. The overall height is 35ft and the faces will be 10ft x 30ft. Advertising space will be available to lease from YESCO and the board will serve local businesses.

If you have questions about the meeting or proposed development project, please contact Steve Bagley at YESCO Outdoor Media 1605 Gramercy Road, Salt Lake City, Utah 84104 1-866-779-8357.

Please note: To track attendance and certify that a meeting was held, a sign-in sheet will be present at this meeting. The applicant will submit this sign-in sheet with their application to Elmore County.

Sincerely,

Steve Bagley
YESCO Outdoor Media

Neighborhood Meeting Notice

MAILED 3-26-24

SITE PLAN: 1840 Sunset Strip, Mt Home. ID 83647

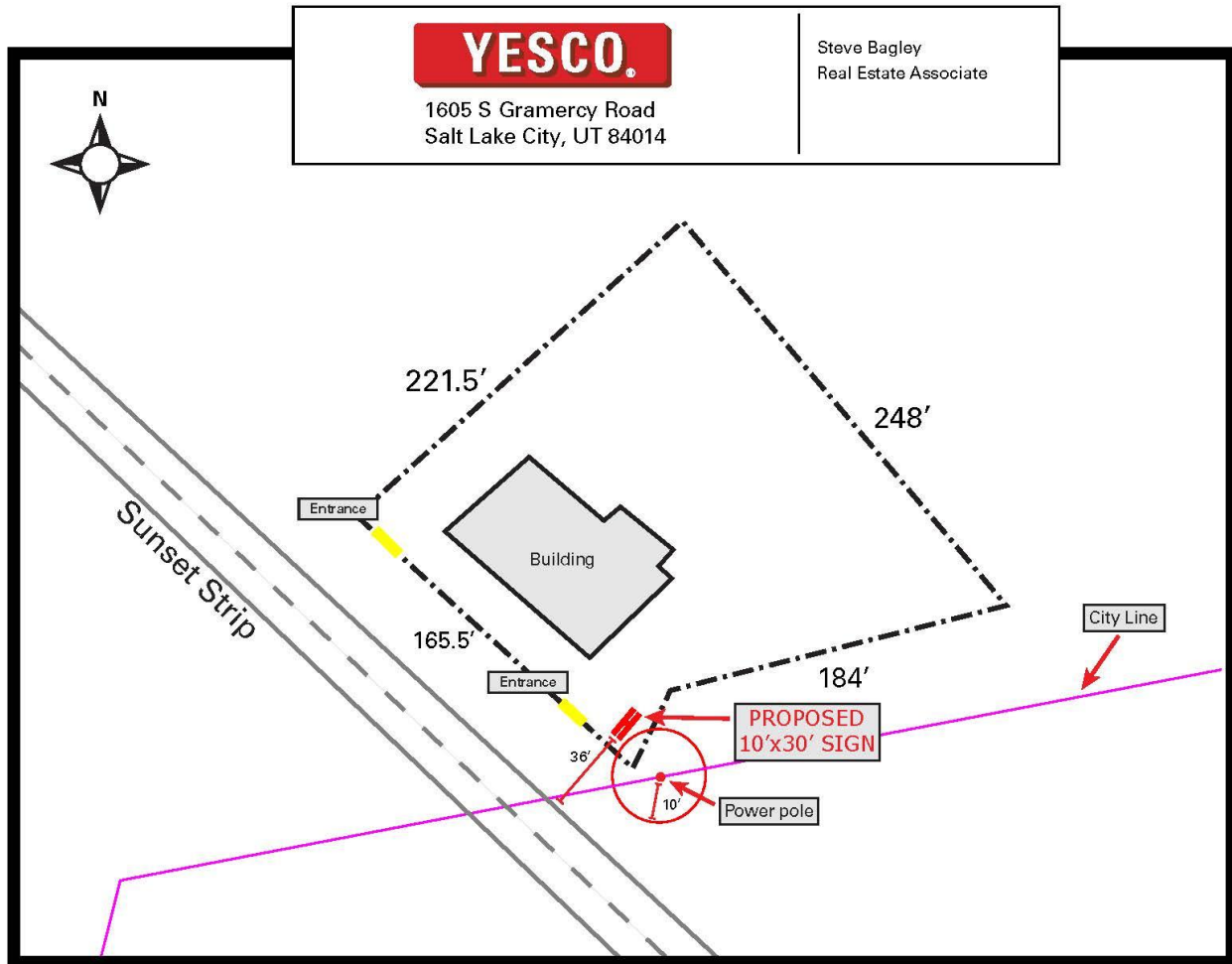


EXHIBIT B

CONDITIONAL USE PERMIT (UPDATED)



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 Title 7, Chapter 9 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: Steve Bagley - YESCO Outdoor Media
2. Address of applicant: 1605 S. Gramercy Rd. Salt Lake City, UT 84104
3. Daytime telephone number of applicant: 801 663 3801
4. Email Address: sbagley@yesco.com
5. Name, address, and daytime telephone number of developer: YESCO Outdoor Media, 1605 S. Gramercy Rd. Salt Lake City, UT 84104, 801-464-6428
6. Address of subject property: 1840 Sunset Strip, Mountain Home, ID 83647
7. Name, address, and daytime telephone number of property owner (if different from applicant): Levy Williams, 1840 Sunset Strip, Mountain Home, ID 83647, 208 599 4559

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# RP00076000067M

9. Common directions of how to get to the proposed Conditional Use Permit property from a known beginning point: Travel North East from Albertsons grocery store on Sunset Strip approximately 1.5 miles on the right are both entrances to this property.
From the Chevron gas station off of interstate exit 90, travel approximately 2 miles South West on Sunset Strip; both property entrances are on the left.

10. a. Current zoning: Commercial C2 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 *ok w/ state*

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 its 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? Idaho Dept of Transportation. IDOT doesn't issue state permits until the local/county permit has been issued. Typically the county or city issues preliminary approval so we can apply for the IDOT permit _____

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

13. ADJACENT PROPERTIES have the following uses:

North C2 East C2
South City - West City -

14. EXISTING USES and structures on the property are as follows: Muffler repair & Uhaul rental

15. A written narrative stating the specific PROPOSED USE. Include as much detail as possible (use additional sheets of paper if necessary):
An off-premise commercial advertising billboard sign on a monopole structure with 10ft x 30ft static (not digital) faces (2)

16. a. The conditional use is requested to begin within 1 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: 2 days/ month/ years and be completed within 3 days/ months/ years.

17. Proposed Use(s): Outdoor Advertising Hours of Operation: 24hrs can put lights on a timer if needed during certain hours
Days of Operation: 365 Maximum Number of Patrons: 2
Sewage disposal: municipal/individual septic: NA
Water: municipal supply/community well/individual well: NA
Number of employees during largest shift: NA Proposed number of parking spaces: NA

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 _____

Department Note: _____

20. **PROPERTY OWNER'S ADDRESS:** A list of property owner's/purchasers of record names and addresses within a minimum radius of 300' 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: 1 (list attached) feet mile(s) Date: 3/29/2024 (Letter Mailed) Initial OK [Signature]

21. Is this application submitted with any additional applications? No
similar applications and this one will be bundled with those applications as well for the CUP Council

22. **Title 7, Chapter 9, Section 7-9-7 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):**

A. How does the proposed land use constitute a conditional use as determined by the land use matrix?

It is a 10ftx30ft double face static (not digital) billboard that will advertise mostly local with few national advertising. The ads will help community members know of products or services in the area. This billboard will comply will all County billboard sign codes and regulations to comply with the matrix as well as we always maintain beautiful structures as we never want to become an eyesore on the community.

B. How will the proposed land use be in harmony and accordance with the Comprehensive Plan and the Ordinance?

We are complying with all county codes and ordinances pertaining to billboard signs.

C. How will the proposed land use comply applicable base zone and with the specific standards as set forth in the Ordinance?

We will follow all county codes for the entire construction of the billboard sign which includes setbacks, right of way, overall height and size of the billboard. The parcel is zoned commercial

D. How does the propose land use comply with all applicable County Ordinance?

The parcel is zoned commercial. The billboard sign well past the footage of another billboardsign across the street as well as linear feet. The billboard sign is out of the right of way set back as well as neighboring property line setbacks.

E. How does the propose land use comply with all applicable State and Federal regulation?

We strictly follow all State/Federal off-premise sign codes as well as local off-premise sign codes county/city

F. 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?

Our YESCO off-premise sign will be of new made of high quality materials that will be well maintained to be a beautiful piece of the community and not an eye-sore.

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

We do not use hazardous materials and we will not disturb the existing or future use of neighboring properties as they are mostly large parcels that are not active use. The few active parcels in use are large open frontages that our sign will not obstruct in anyway.

H. 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?

We typically do not fence our monopole base/footing area so any of the listed services will have easy access. We do not obstruct the road right of way or vision triangle. We follow all setback codes and adhere to all building, safety and environmental codes/regulations.

I. 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?

YESCO will pay the taxes of our sign and we will pay for an electrical box and electrical hookups as well as the monthly electrical meter bill. The property owner and taxpayers will not have to pay anything regarding our sign as YESCO assumes all financial responsibility of this off-premise sign.

J. 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?

Our Off-Premise signs do have 2 or 3 LED lights to light the advertising. These lights are specifically engineered and designed for billboards. The light spray is directionally focused on the advertising and will not have any light spray overage into traffic or businesses. We can put the lights on a timer so they can turn off after certain hours if needed.

K. 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 proposed site is barren of vegetation, scenic features or land of major importance.

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 Title 7 Chapter 3 Section 7-3-3. *past 10 days of notification - AND turned in before 30 day after Mtg.*

A master site plan is required with this application. Requirements for a master site plan are found in Title 10, Chapter 6 of the Elmore County Zoning and Development Ordinance.

Agency signature sheet on page 7 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 fourteen (14) 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 fourteen (14) 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) [Signature]. The applicant also verifies that the application is complete and all information contained herein is true and correct (initial) [Signature]. 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.

DocuSigned by:
Larry R. Williams

4/12/2024 | 9:07 AM MDT

Property Owner Signature

Date

DocuSigned by:
Steve Bagley

4/12/2024 | 8:44 AM MDT

Applicant Signature

Date

ADMINISTRATIVE USE ONLY

Date of Acceptance: 4/18/2024 Accepted by ALYSSA

CUP FEE: \$400.00 Fee \$ 400 .00 (Pd) Receipt # 2014610

Date Paid: 4/18/2024 Case# CUP- 2024 70

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.

_____ 5/29/24
 • Central District Health (or other Sewer District) Sewer Permit (208-580-6003) Date

Comment: OK Sent email w/ Attachment

_____ 5/30/24
 • Roadway Jurisdiction (MHHD 208-587-3211) (GFHD 208-366-7744) (AHD 208-864-2115) Date

Comment: NO ISSUE ^{ITD} but needs permit AFTER OUR APPROVAL see Attached email.

_____ 5/23/24
 • Fire District Date

• (MHRFD 208-587-2117) (Oasis 208-796-2115) (GFFD 208-599-0000) (BGRFD 208-834-2511) (AFD 208-864-2182)

Comments: OK WITH IT. Sent email ATTACHED



Elmore County Transmittal
Division of Community and Environmental Health

RETURN TO:

Elmore Co
Land Use &
Building Dept

Rezone # _____

Conditional Use # YES CO Outdoor Media

Preliminary / Final / Short Plat _____

Mtn Home

Glenns Ferry

- 1 We have No Objections to this Proposal
- 2 We recommend Denial of this Proposal
- 3 Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal
- 4 We will require more data concerning soil conditions on this Proposal before we can comment
- 5 Before we can comment concerning individual sewage disposal we will require more data concerning the depth of
 - high seasonal ground water
 - bedrock from original grade
 - waste flow characteristics
 - other _____
- 6 This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters
- 7 This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability
- 8 After written approvals from appropriate entities are submitted, we can approve this proposal for
 - central sewage
 - interim sewage
 - individual sewage
 - community sewage system
 - central water
 - individual water
 - community water well
- 9 The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality
 - central sewage
 - sewage dry lines
 - community sewage system
 - central water
 - community water
- 10 This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval
- 11 If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12 We will require plans be submitted for a plan review for any
 - food establishment
 - beverage establishment
 - swimming pools or spas
 - grocery store
 - child care center
- 13 Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH

14. CDH has no objections to this proposal

Reviewed By: [Signature]

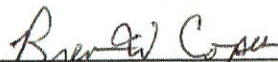
Date: 5/29/24

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

		5/29/24	
• Central District Health (or other Sewer District) Sewer Permit	(208-580-6003)	Date	
Comment:	CCH has no objection to this proposal.		
Roadway Jurisdiction (MHHD 208-587-3211) (GFHD 208-366 7744) (AHD 208-864-2115)	Date		
Comment:			
• Fire District		Date	
• (MHRFD 208-587-2117) (Oasis 208-796-2115) (GFFD 208-599-0000) (BGRFD 208-834-2511) (AFD 208-864-2182)			
Comments			

David Abrahamson

From: Tony Bixby <Tony.Bixby@itd.idaho.gov>
Sent: Thursday, May 30, 2024 9:53 AM
To: David Abrahamson
Subject: RE: CUP-2024-10 Yesco Billboard Sunset Strip
Attachments: ITD_1850 OA Sign Permit Application.pdf; IDAPA 39.03.60 ODA.pdf; Outdoor Advertising General Information.pdf; 1851 - ODA business license.pdf

Hi David, attached are the ITD documents pertinent to submitting an application for a permit for an outdoor advertising structure. We will need to look at a few things which include distance to any other advertising structure, approval from local authority and parcel owner, sign size-height-lighting requirements met, etc. The attached sign permit application would need to be filled out with all the details and the check for the fee submitted to ITD to begin the review process to approve or deny. In addition, a business license application may be needed to be submitted depending on the entity who will own and operate the sign.

As far as setbacks, the sign just needs to be entirely outside of the right of way (no overhang). If there are specific deed or zoning setback requirements, then that will need to be confirmed by the parcel owner and sign owner prior to construction. You can send me a copy of the last recorded deed for the subject parcel and I can take a look to see if there were any ITD right of way setbacks placed into the deed. Based on the street view, it looks like there is a power line at the front of that parcel, so there is probably a utility easement to consider as well.

Tony Bixby

Right Of Way – District 3

8150 W Chinden Blvd, Boise, ID 83714

Phone No: (208) 334-8330

Email: tony.bixby@itd.idaho.gov



Your Safety • Your Mobility
Your Economic Opportunity

CONFIDENTIALITY NOTICE: This email is intended only for the personal and confidential use of the individual(s) named as recipients and is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521. It may contain information that is privileged, confidential and/or protected from disclosure under applicable law including, but not limited to, the attorney client privilege and/or work product doctrine. If you are not the intended recipient of this transmission, please notify the sender immediately by telephone, 208-334-8964. Do not deliver, distribute or copy this transmission, disclose its contents or take any action in reliance of the information it contains.

From: David Abrahamson <dabrahamson@elmorecounty.org>

Sent: Tuesday, May 28, 2024 10:57 AM

To: Tony Bixby <Tony.Bixby@itd.idaho.gov>

Subject: CUP-2024-10 Yesco Billboard Sunset Strip

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Tony here is an application for a billboard here in Elmore County on Sunset Strip. Can you please verify they meet your new setbacks.

David Abrahamson

From: Alan Roberts
Sent: Thursday, May 23, 2024 2:43 PM
To: David Abrahamson; wendy.howell@itd.idaho.gov; rgroat@cdh.idaho.gov
Cc: Mitra Mehta-Cooper; Kacey Ramsauer
Subject: RE: Agency Comments Please

No issues for EMS on this one.
Alan

From: David Abrahamson <dabrahamson@elmorecounty.org>
Sent: Thursday, May 23, 2024 1:40 PM
To: wendy.howell@itd.idaho.gov; Alan Roberts <aroberts@elmorecounty.org>; rgroat@cdh.idaho.gov
Cc: Mitra Mehta-Cooper <mmehtacooper@elmorecounty.org>; Kacey Ramsauer <kramsauer@elmorecounty.org>
Subject: Agency Comments Please

Can I please get comments or signoff on this application for a off-site billboard for Yesco, Steve Bagley 1840 Sunset Strip. I am doing my due diligence.

Thank you for your help on this.

David Abrahamson
Planner 1
520 E 2nd St.
Mountain Home, Idaho 83647
208-587-2142 ext 1269
208-598-5247 (cell)



EXHIBIT C

SITE MAP



1605 S Gramercy Road
Salt Lake City, UT 84014

Steve Bagley
Real Estate Associate
Phone: 801-663-3801
Email: sbagley@yesco.com

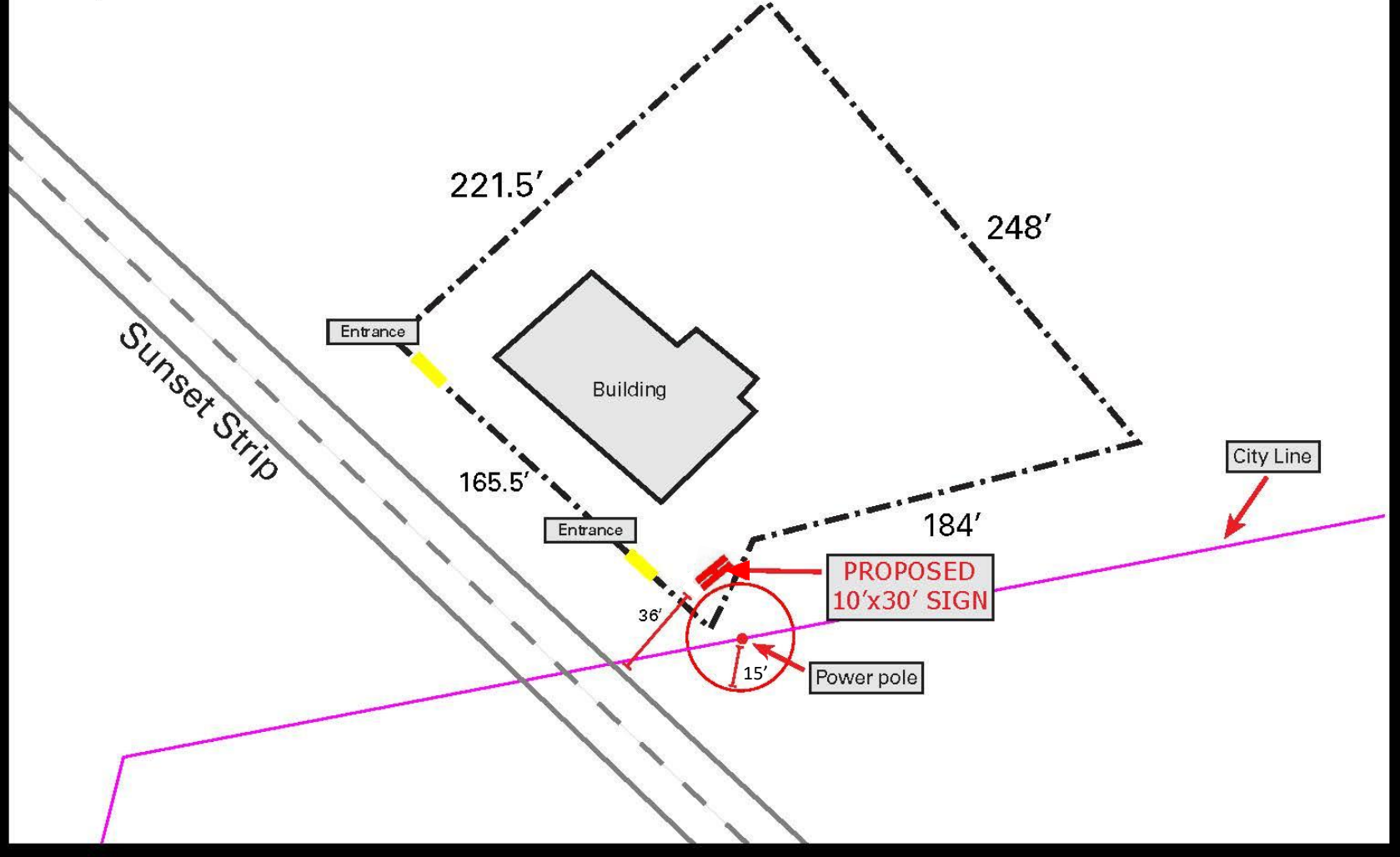


EXHIBIT D

PUBLIC HEARING NOTICE



Elmore County Land Use and Building Department

520 East 2nd South Street
Mountain Home, ID 83647
Phone: (208) 587-2142 ext.1254
Fax: (208) 587-2120
www.elmorecounty.org

Mitra Mehta-Cooper
Director

Dave Abrahamson
Planner

Kacey Ramsauer
Planner & ADA
Coordinator

Johnny Hernandez
Building Official

Colton Janousek
Building Inspector

James Roddin
Administrative
Manager, Code
Enforcement

Kamiah McDaniel
Permit Technician

Alvssa Nieto

Date: June 7, 2024

To: Whom It May Concern

Subject: Notice of Public Hearing

Applicant: Yesco Outdoor Media – Steve Bagley

Proposal: Yesco is asking for a Conditional Use Permit to put in a Billboard on a property zoned Highway/Interstate Commercial (C2). Case Number: CUP-2024-10. The parcel numbers are RP00076000067M. A Common way of locating the property; from Albertson's in Mountain Home go Northeast on Sunset Strip approximately 1.5 miles on the east side of Sunset Strip. Also known as 1840 Sunset Strip, Mountain Home, ID 83647.

Case #: CUP-2024-07

A public hearing will be held before the Elmore County Planning and Zoning Commission on the enclosed application. The hearing is scheduled for Thursday, June 27th, 2024, at 7:00 p.m. in the War Memorial (American Legion) Hall at 515 East 2nd South Street, Mountain Home, Idaho.

Send in 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 Wednesday 19th, 2024, so your comments are included in the record. If you prefer, please come to the hearing to testify before the Commission.

The Elmore County Board of Commissioners is responsible for ensuring compliance with the Americans with Disabilities Act of 1990 (ADA). Any Person needing special accommodations to participate in the public hearing should contact the Elmore County ADA Coordinator, Kacey Ramsauer, 24 hours prior to the Public Hearing at 208-587-2142, extension 1254, or via email kramsauer@elmorecounty.org, or in person at 520 East 2nd South, Mountain Home, Idaho.

Sincerely,



Dave Abrahamson
Land Use and Building Department
Planner
520 E 2nd S Street
Mountain Home, Idaho 83647
208-587-2142 ext. 502

Enclosures: Site Plan

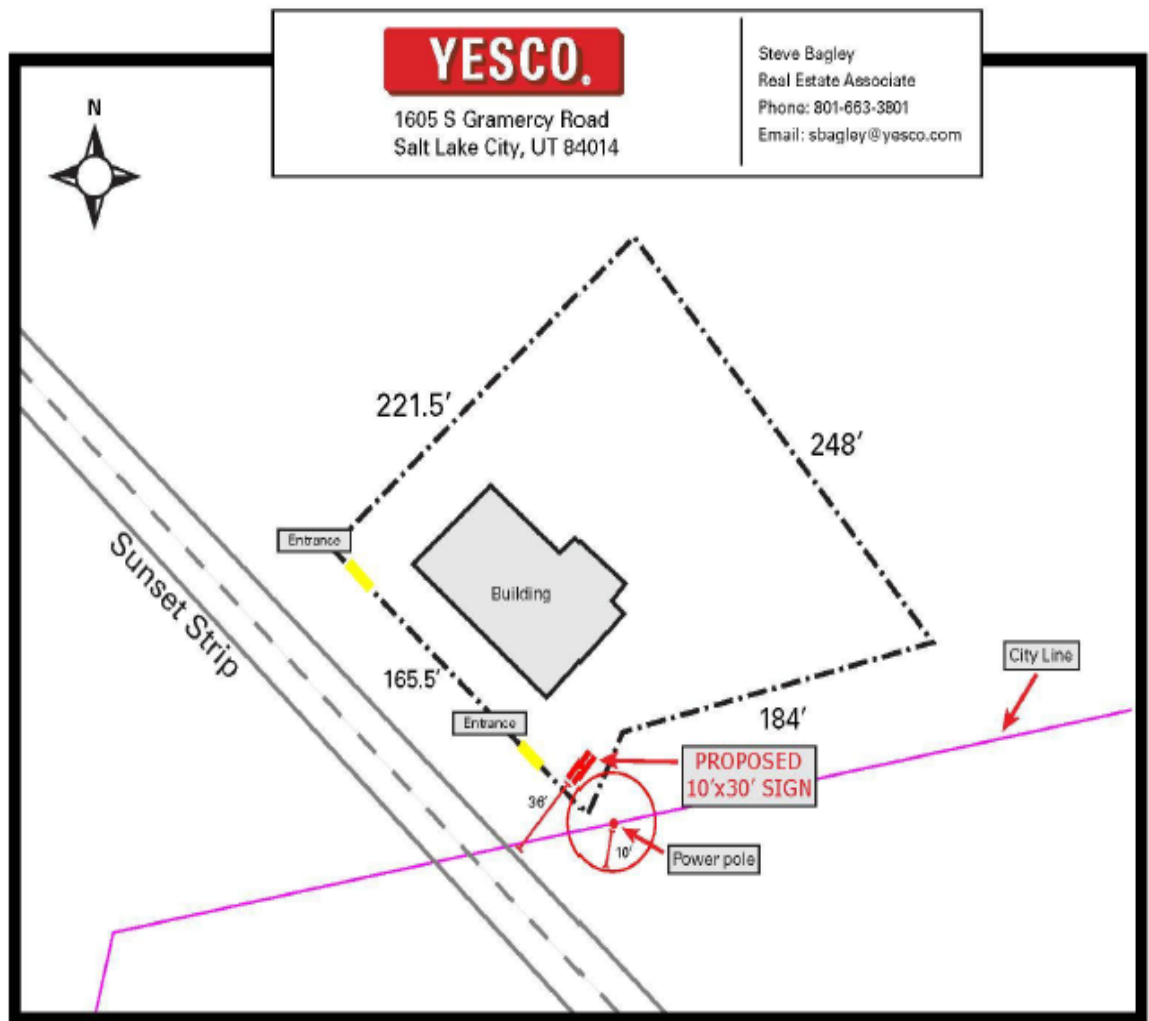


EXHIBIT E

NEWSPAPER PUBLIC NOTICE

ELMORE COUNTY
PLANNING AND ZONING COMMISSION

520 East 2nd South Street
Mountain Home, ID 83647
Telephone 208-587-2142, ext. 502 Fax 208-587-2120

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to the laws of the State of Idaho and Ordinances of Elmore County, that the Elmore County Planning and Zoning Commission will hold a PUBLIC HEARING at 7:00 p.m. on Thursday, June 27th, 2024, in the War Memorial Hall (American Legion) 515 East 2nd South Street, Mountain Home, Idaho, to accept testimony and consider an application from Steve Bagley – Yesco Outdoor Media, for a Conditional Use Permit for an Lighted Billboard ; the property is zoned Highway Commercial (C2). Case Number: CUP-2024-10. The parcel numbers are RP00076000067M; A Common way of locating the property from Albertsons in Mountain Home is to take Sunset Strip Northeast approximately 1.5 on east side of Sunset Strip. Also known as 1840 Sunset Strip, Mountain Home ID 83647. This application may be reviewed before the hearing in the Land Use and Building Department during regular business hours. Any interested person shall be heard at said public hearing and the public is welcome and invited to submit testimony. To provide public testimony, please provide your name, address, and comments via email, physical delivery to Elmore County Land Use and Building Department, 520 East 2nd South Street, Mountain Home, Idaho 83647. Written testimony must be received by 5:00 p.m. on Friday, April 18th, 2024. You can submit testimony by attending the hearing.

Social media posts are not considered written public testimony. If you wish to provide written public testimony, please provide your name, address, and comments before the hearing by sending it to Elmore County Land Use and Building Department, 520 East 2nd South Street, Mountain Home, Idaho 83647 or email anieto@elmorecounty.org .The Elmore County Facebook page is used for outward communication only. It is not intended as a means for the public to submit testimony on any public hearing matters pending before any Elmore County board or commission. Elmore County's social media is moderated but is not regularly monitored and is not a public forum. Likes, Comments, or Shares posted here are not entered into the record of any public hearing. Public hearing testimony must be either submitted at the public hearing or received in advance of the public hearing by email, mail, physical delivery.

The Elmore County Board of Commissioners is responsible for ensuring compliance with the American Disabilities Act (ADA). Any person needing special accommodations to participate in the public hearing should contact the Elmore County ADA Coordinator, Kacey Ramsauer, 24 hours before the Public Hearing at 208-587-2142 ext. 1254, or 520 East 2nd South, Mountain Home, Idaho 83647 or email kramsauer@elmorecounty.org.

One publication: Wednesday, 12th, 2024.

Dave Abrahamson, Planner
Elmore County Land Use and Building Department

EXHIBIT F

POSTING OF PROPERTY

PUBLIC HEARING NOTICE

Elmore County, Idaho

Hearing Day: 4th Thursday of Every Month
At 7:00 pm

American Legion, War Memorial Hall
515 E Second South Street, Mountain Home, Idaho

(Date, Time, and Meeting location are subject to
change, see specified Hearing Notice attached)

For More Information, please contact:
Land Use and Building Department at:
(208) 587-2142 Ext. 502



EXHIBIT G

FLOOD MAP

