



Land Use and Building Department

Findings of Fact, Conclusions of Law, and Order

Application: Comprehensive Plan Amendment 2025-01 and
Zoning Ordinance Amendment 2025-02

Hearing Date: September 25, 2025

BEFORE THE ELMORE COUNTY PLANNING AND ZONING COMMISSION

In the matter of a Comprehensive Plan	)	CPA-2025-01 & ZOA-2025-02
Amendment and Zoning Ordinance	)	
Amendment to and for the Development	)	FINDINGS OF FACT,
Impact Fee ("DIF") Studies and Capital	)	CONCLUSIONS OF LAW,
Improvements Plans ("CIPs") for Elmore	)	AND ORDER
County, Idaho.	)	
	)	

In Re: Comprehensive Plan Amendment 2025-01 and Zoning Ordinance Amendment 2025-02: This matter having come before the Planning and Zoning Commission of Elmore County, Idaho (the "**Commission**"), on September 25, 2025, for a public hearing held pursuant to public notice as required by law, on a county-initiated request to amend the Comprehensive Plan and Zoning Ordinance in order to comply with Idaho State Code Title 67 Chapter 82 to and for the Development Impact Fee ("**DIF**") Studies and Capital Improvements Plans ("**CIPs**") adopted for Elmore County, Idaho on February 17, 2023 (the "**Proposal**"). The Elmore County DIF Studies and CIPs are adopted as Attachment 3 to the 2014 Comprehensive Plan. CPA-2025-01 proposes to append Figures 25, 26, 27, and 28 of Attachment 3. The DIF Studies and CIPs are administered through Title 12, Chapters 1 through 4 of the Zoning Ordinance. ZOA-2025-02 proposes the necessary changes to Chapters 1 through 4 to seamlessly implement the DIF Studies and CIPs and the proposed CPA-2025-01.

On September 25, 2025, at the public hearing on this Proposal, the Commission heard from staff. No one signed up in support, neutral, or opposition to the Proposal. Upon conclusion of the public hearing, the Commission closed the record to additional evidence and commenced deliberations on the Proposal, and after making conclusions in accordance with the applicable law, recommended approval of the Proposal to the Board of County Commissioners (the "**Board**"), as hereafter defined.

FINDINGS OF FACT

If any of these Findings of Fact are deemed to be conclusions of law, they are incorporated into the Conclusions of Law section. The following findings shall be based upon the

Proposal and the analysis and recommendations of the Elmore County Land Use and Building Department (the “**Department**”) record.

I. The Commission finds that the Proposal is comprised of:

1. Recommendations of the Department and a Joint Elmore County Development Impact Fees Advisory Committee (“**Advisory Committee**”), established in compliance with Idaho State Code Section 67-8205; and
2. The Board of County Commissioners' recommendation to initiate the amendment of the Zoning Ordinance Text (and Comprehensive Plan) in compliance with Section 7-3-15(A) made during a duly notified public meeting on August 1, 2025.

II. The Commission finds that the Applicant is:

Elmore County, Idaho

III. The Commission finds the following facts as to the procedural matters pertaining to the Proposal:

- I. In accordance with Sections 12-1-15, 12-2-15, 12-3-15; and 12-4-15 of the Zoning Ordinance as well as Sections 67-8205(3) and (4) of the Idaho State Code, the Advisory Committee has reviewed the Proposal on July 7, 2025, and August 15, 2025, and have provided their written recommendations.
- II. In accordance with Section 7-3-15(A) of the Elmore County Zoning and Development Ordinance (“Zoning Ordinance”), on August 1, 2025, the Board authorized staff to initiate the Proposal.
- III. The Department has discussed the Proposal with affected agencies on September 3, 2025, in compliance with Section 7-3-16(A)4 of the Zoning Ordinance and Idaho State Code 67-8206(4);
- IV. The Planning and Zoning Commission held a public hearing to consider this Proposal on September 25, 2025, and it was duly notified in the Mountain Home Newspaper on September 10, 2025, in compliance with Idaho State Code 67-8206(3).
- V. The Commission opened the public hearing on September 25, 2025.
- VI. After recognizing that no one had signed up to testify, the Chairperson closed the public hearing.
- VII. The Commission commenced deliberations on the Application.
- VIII. Thereafter, the Commission moved to recommend approval of CPA-2025-01 & ZOA-2025-02 to the Board.

IV. The Commission finds the intent of the Proposal as follows:

The proposed amendments are processed by the County as a result of the City of Mountain Home and City of Glenns Ferry requesting additional information in the adopted DIF Studies and CIPs in compliance with the Idaho State Code.

V. The Commission finds that the Proposal is applicable to the entire Elmore County of Idaho.

VII. The Commission finds that in order to collect the Elmore County's DIF within the incorporated cities of Mountain Home and Glenns Ferry, the Board needs to enter into intergovernmental agreements with both cities.

The Commission further finds that to keep up with the increasing service demands from new growth and to reduce the burden on the County's taxpayers, Elmore County has made at least the following coordination efforts with both cities to date to begin collection of the County's DIF from new growth in these incorporated areas.

The City of Mountain Home:

- 1) September 2, 2021, City participated in the County's Invitation Meeting to Join
- 2) January 9, 2023, Department Presentation to City of Mountain Home City Council
- 3) January 13, 2023, Both cities participated in the first Board Hearing
- 4) February 16, 2023, Joint Meeting of City Council and Board
- 5) February 17, 2023, Both cities participated in the continued Board Hearing
- 6) July 23, 2024, Joint Meeting of City Council and Board
- 7) November 1, 2024, Joint Meeting of City Council and Board
- 8) February 6, 2025, Joint Meeting of Elmore County, City of Mountain Home and City of Glenns Ferry Development Impact Fees Advisory Committees

The City of Glenns Ferry:

- 1) September 2, 2021, City participated in the County's Invitation Meeting to Join
- 2) January 31, 2023, Department Presentation to City of Glenns Ferry City Council
- 3) January 13, 2023, Both cities participated in the first Board Hearing
- 4) February 17, 2023, Both cities participated in the continued Board Hearing
- 5) April 9, 2024, Joint Meeting of City Council and Board
- 6) February 6, 2025, Joint Meeting of Elmore County, City of Mountain Home and City of Glenns Ferry Development Impact Fees Advisory Committees

VIII. The Commission Finds that in light of the State Code requirements for the Development Impact Fees, Elmore County needs to add two documents to the adopted DIF Study and CIPs. Therefore, the purpose of these amendments is also to establish the following compliance:

- 1) In compliance with Sections 67-8208(d) and 67- 8203, adopt land use assumptions that provide “a description of the service area and projections of land uses, densities, intensities, and population in the service area over at least a twenty (20) year period.”
- 2) In compliance with Section 67-8208(k) develop a schedule of improvements for facilities within the CIPs by “setting forth estimated dates for commencing and completing construction of all improvements identified in the capital improvements plan.”

IX. The Commission finds the following are among the relevant and applicable statutes, ordinances, and land use regulations for consideration of the Proposal:

- a) Comprehensive Plan, Elmore County 2014 Comprehensive Plan, adopted as Resolution 562-15 on January 20, 2014 (the “Comprehensive Plan”); and
- b) Zoning Ordinance, adopted May 18, 2018, as Ordinance 2018-03 and all amendments thereof; and
- c) The Local Land Use Planning Act, Idaho Code § 67-6501 et seq. and § 67-8201 et seq.

REQUIRED APPLICABLE PROCESS FOR COMPREHENSIVE PLAN AMENDMENT PER ZONING ORDINANCE SECTION 7-3-16 (A):

1. The Commission shall conduct at least one (1) public hearing in which interested persons shall have an opportunity to be heard.
2. At least fifteen (15) days prior to the hearing, notice of the time and place and summary of the plan to be discussed shall be published in the official newspaper.
3. A notice may be sent to other papers, radio and television stations as a public service announcement.
4. Notice will be sent to all political subdivisions providing services within the planning jurisdiction at least fifteen (15) days prior to public hearing.

Commission finds that the Department has followed the necessary process for a Comprehensive Plan Amendment and Development Impact Fees and have conducted a duly noticed hearing with the Commission for it.

REQUIRED APPLICABLE FINDINGS FOR ZONING ORDINANCE TEXT AMENDMENT PER ZONING ORDINANCE SECTION 7-3-15 (A):

1. The Zoning Ordinance Text Amendment complies with the applicable Comprehensive Plan; and

2. The Zoning Ordinance Text Amendment complies with the regulations outlined for the proposed base zone, specifically the purpose statement; and
3. The Zoning Ordinance Text Amendment shall not be materially detrimental to the public health, safety, and welfare; and
4. The Zoning Ordinance Text Amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the planning jurisdiction including, but not limited to, school districts.

Commission finds that the proposed changes to the Zoning Ordinance are triggered by the concurrent Comprehensive Plan Amendment. Therefore, finding # 1 is met. The change is applicable to all zones countywide. Therefore, finding # 2 is not applicable. The Elmore County DIF Studies and CIPs were adopted in 2023. They are being amended now, to ensure that the new growth in Elmore County is contributing towards maintaining a level of service for public services such as Sheriff, Jail, EMS, and Fire without placing undue burden on the County's taxpayers. Therefore, finding #3 & 4 are met.

CONCLUSIONS OF LAW

Based on the aforementioned findings of fact, the Commission concludes that the proposed CPA-2025-01 & ZOA-2025-02 have complied with the following legislative documents governing the Proposal:

- a) Comprehensive Plan, Elmore County 2014 Comprehensive Plan, adopted as Resolution 562-15 on January 20, 2014 (the "Comprehensive Plan"); and
- b) Zoning Ordinance, adopted May 18, 2018, as Ordinance 2018-03 and all amendments thereof; and
- c) The Local Land Use Planning Act, Idaho Code § 67-6501 et seq. and § 67-8201 et seq.

ORDER

Based on the aforementioned findings of facts and conclusions of law, and evidence presented at the September 25th, 2025, Public Hearing, the Commission recommends approval of CPA-2025-01 and ZOA-2025-02 to the Board of County Commissioners.

COMMISSION VOTE:

CHAIRPERSON PATTI OSBORN	VOTED	AYE
VICE CHAIRMAN JEFF BLANKSMA	VOTED	AYE
SUSAN FISH	VOTED	AYE
ED OPPEDYK	VOTED	AYE
K.C. DUERIG	VOTED	AYE
MITCH SMITH	VOTED	AYE

Patti Osborn, Chairperson

ATTEST:

James Roddin, Interim Director

NOTICE PURSUANT TO IDAHO CODE § 67-6519(5)(c)

The Applicant shall have the right to request a regulatory taking analysis pursuant to Idaho Code § 67-8003. An applicant denied an application or aggrieved by a final decision concerning matters identified in Idaho Code § 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinance seek judicial review under the procedures provided by Title 67, Chapter 52, Idaho Code.

NOTICE PURSUANT ZONING ORDINANCE SECTION 7-3-10 E-F

A decision made by the Elmore County Planning and Zoning Commission may be appealed to the Board of Elmore County Commissioners provided the appeal application is complete and appeal fee is submitted to the Land Use and Building Department within fourteen (14) calendar days of Commission action. Questions concerning appeals or deadlines should be asked of the Elmore County Land Use and Building Department.