



## ELMORE COUNTY PLANNING AND ZONING COMMISSION

War Memorial (American Legion Hall) 515 East 2<sup>nd</sup> South Street,

Mountain Home, ID 83647

# MINUTES

Thursday November 21<sup>st</sup>, 2024, 7:00pm

Chairperson Patricia Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present Vice-Chairperson Jef Blanksma, KC Duerig, Ed Oppedyk and Mitch Smith. Also, present were Director Mitra Mehta-Cooper, Attorney of Record Abbey Germaine Contract Employee Elizabeth Allen and staff member Alyssa Nieto. Absent was Commissioner Sue Fish

Pledge of Allegiance

### 1. PUBLIC HEARING ITEMS

#### 1. ZOA-2025-01 AG Protection Area

Mitra Mehta-Cooper- *Gives Staff Report via PowerPoint*

Questions from Chairperson Osborn to legal counsel on procedural process.

Abbey Germaine Legal Counsel- Answers questions on procedural process for next steps for ZOA-2025-01.

**Chairperson Osborn stands for a motion of approval for ZOA-2025-01 AG Protection Area**

So Moved- Commissioner Duerig

Second- Commissioner Smith

**All in favor, motion carries unanimously.**

#### 2. VAR-2024-05 JR Simplot CAFO

Elizabeth Allen- *Gives Staff Report via PowerPoint.*

JR Simplot Representatives- *Give Background via PowerPoint.*

Mitra Mehta-Cooper – Questions about collection area, and if it is the same as the master site plan presented in the initial application, if it's new information it will need to be reviewed.

JR Simplot Representatives- Answers question stating the setbacks moved to stay in accordance with the CUP's conditions of approvals.

Chairperson Osborn- Will that trigger the ten percent rule for modifications to the master site plan?

Mitra Mehta-Cooper- The master site plan requirements in the Zoning Ordinance state that applicants can deviate from the original site plan by ten percent if changes are necessary, more than a ten percent change is not allowed by the Zoning Ordinance.

Abbey Germain Legal Counsel- Confirms the ten percent rule as written in the Zoning Ordinance. If the change is more than ten percent, the master site plan must be revised.

Chairperson Osborn- Asks applicants to confirm exact distance from the FEMA flood plain.

JR Simplot Representative- Confirms the distance is .98 Miles from the FEMA flood plain to the proposed site.

Chairperson Osborn- Does phase one of the project stay out of the 1.5-mile setback from the flood plain?

JR Simplot Representative- It is in the 1.5-mile setback.

Chairperson Osborn- Asks applicant to show Commission on the presented slides how much of phase one will be in the 1.5-mile setback.

JR Simplot Representative- Shows slide and confirms how much of phase one would be within the 1.5-mile setback.

Chairperson Osborn- If the Variance is not approved for the reduction in the 1.5-mile setback then you (JR Simplot) would only be able to do half of the project correct?

JR Simplot Representatives- That is correct.

Chairperson Osborn- Questions about flood plain and potential impact to the area.

JR Simplot Representatives- Original requirements are a 25-year 24-hour precipitation event as required by ordinance; we asked our engineers to make it a 50-year event and add more protection as a buffer.

Chairperson Osborn- Question on how the supplemental information given to the Commissioners proves hardship for the Variance.

JR Simplot Representative- Gives potential financial impact should the Variance be denied, also depicts the inability to relocate the project to the west given the land ownership adjacent to the property.

Commissioner Oppedyk- Questions on FEMA flood plain and the potential impacts to the area for potential CAFO.

JR Simplot Representative- States willingness to have an engineer/surveyor confirm the CAFO will not be impacted by the FEMA flood plain.

Elizabeth Allen- Adds context on the FEMA flood plain and its potential impacts to the proposed site.

Elizabeth Allen- Reads through revised Conditions of Approval for the Variance to Commission.

Chairperson Osborn- Question to legal counsel on Planning and Zoning Commission's responsibility/liability should there be a flood in the proposed site.

Abbey Germaine- The likelihood of any potential risk is low for the Planning and Zoning Commission or the Board of County Commissioners in determining to grant the variance.

### **No Public Testimony**

JR Simplot Representatives- Closing Remarks

**Chairperson Osborn closes the Public Hearing.**

### **Commission Discussion**

**Chairperson Osborn stands for a motion of approval for VAR-2024-05 JR Simplot CAFO with the mentioned Conditions of Approval with the amendment to condition one for setbacks to be reduced to no less than .75 Miles**

So Moved- Commissioner Oppedyk

Second- Commissioner Duerig

Roll Call Vote

Commissioner Smith- Aye

Commissioner Duerig- Aye

Vice-Chairperson Blanksma- Aye

**All in favor, motion carries unanimously**

### **3. CONSENT ITEMS**

#### **1. Minutes from October 24<sup>th</sup>, 2024**

**Chairperson Osborn stands for a motion of approval for the Minutes from October 24<sup>th</sup>, 2024**

So Moved- Commissioner Duerig

Second- Commissioner Smith

Commissioner Oppedyk- Abstains from voting

Chairperson Osborn- Abstains from voting

**All in favor, motion carries unanimously.**

#### **2. P&Z 2025 Annual Schedule**

**Chairperson Osborn stands for a motion of approval of P&Z 2025 Annual Schedule**

So Moved- Commissioner Oppedyk

Second- Commissioner Duerig

**All in favor, motion carries unanimously.**

**MEETING ADJOURN- 8:16 pm**

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Patti Osborn, Chairperson

Date:

Attest: \_\_\_\_\_

Mitra Mehta-Cooper, Director

Date: