



Land Use and Building Department

520 East 2nd South Street
Mountain Home, ID 83647
Phone: (208) 587-2142 ext. 1255
Fax: (208) 587-2120
www.elmorecounty.org

Staff Report to Planning and Zoning Commission

Meeting/Hearing Date: 4/25/2024

Date Report Compiled: 4/19/2024

Agenda Item: Condition Use Permit to develop a Childcare/Head Start classroom.

Applicant: Terry Blom for Community Council of Idaho

Case Number: CUP-2023-16

Staff: David Abrahamson

Location/Site: Lot 17 Block 2 Airport Subdivision

Zoning: C2 - Highway/Interstate Commercial

Parcel Number: RP000040020170

Property Size: 1.01 Acre

BACKGROUND:

CUP-2023-16 is a Conditional Use Permit for a proposal to expand an existing Childcare Facility that Community Council of Idaho has operated on Airbase Road since 1995. Due to subsequent changes in Elmore County's Zoning Ordinance ('Zoning Ordinance'), the use has operated as an existing non-conforming use pursuant to ZOA-2023-03. The Community Council of Idaho now wishes to expand this use. Therefore, at the Community Council of Idaho's request, the Board of County Commissioners ("Board") has adopted a Zoning Ordinance Amendment allowing Adult and Childcare Facilities through a Conditional Use Permit in C-2 Zone on March 1, 2024.

Applicant had a pre-application meeting with the Land Use and Building Department ("Department") on January 11, 2023, on a Zoom Meeting pursuant to Zoning Ordinance § 7-3-2 (A). The Applicant sent out neighborhood meeting letters on March 23, 2023, for a meeting on April 12, 2023, and July 6, 2023, for a meeting on August 2, 2023, giving notice of date, time, and location of the meeting to neighboring property owners within three hundred feet (300') per Zoning Ordinance § 7-3-3 (B) as deemed necessary by the Director. (attached as Exhibit A to this report). A conditional use permit ("CUP") application, along with a site plan, and the required four hundred (\$400.00) dollar fee to allow a "Child and Adult Care Facility" was submitted to the Department on April 20, 2023, per Zoning Ordinance § 7-9-3 Exhibits B & C. As stated above, in order to pursue this issue in the C-2

Mitra Mehta-Cooper
Director

David Abrahamson
Planner

Kacey Ramsauer
Planner

Johnny Hernandez
Building Official

Colton Janousek
Building Inspector

James Roddin
Code Enforcement/
Admin Manager

Kamiah Mc Daniel
Permit Technician

Alyssa Nieto
Administrative
Assistant

Zon, a zoning ordinance amendment was required. The Applicant received approval of ZOA-2023-03 on March 1, 2024. Therefore, CUP-2023-16 Application was deemed complete on March 21, 2024, and a Public Hearing date was set for April 25, 2024.

The public hearing notifications were mailed out on April 10, 2024, to landowners three hundred (300') feet of the property per Zoning Ordinance § 7-3-5 (C). Exhibit D. The Public Hearing notice and application was mailed to the agencies per Zoning Ordinance § 7-3-4 Exhibit E on April 10, 2024.

- Central District Health replied and had no objection, except that they have a pre-construction conference and trench inspection required for septic.
- Mountain Home Fire Department and Mountain Home Rural Fire District approve this project.
- Mountain Home Highway Department (MHHD) replied saying it is not an MHHD roadway.
- Idaho Transportation Department did not respond.
- City of Mountain Home did not respond.

The public notice was published in the Mountain Home News on April 10, 2024, as required by Zoning Ordinance § 7-3-5(A). Exhibit F The public hearing notice was posted at the site on April 18, 2024, per Zoning Ordinance § 7-3-5(B). Exhibit G

The surrounding uses and zoning of the property are the following:

- North: Desert and City
- East: Migrant School; C2
- South: Residence; AG
- West: Light Industrial/Storage units; C2

The documents, recordings, and exhibits consisting of 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 packet
- B. Application
- C. Community Council of Idaho project site map
- D. Public Hearing notices
- E. Agency Hearing notice
- F. Newspaper Notification
- G. Photo of posting on property
- H. FEMA flood map
- I. Amendment to Title 7 Chapter 2 to allow Child and Adult Care Facility in C2 Zone with a Conditional Use Permit.
- J. Copy of current daycare license

The Staff Report includes all written public comments submitted to the Department by physical or electronic delivery by 5:00 p.m. on April 19, 2024, for the Public

Hearing scheduled for April 25, 2024. The notices from Elmore County Assessor and Treasurer indicate that all taxes have been paid. The CUP record also includes all documents obtained as part of the staff's analysis and the review of the Application, and all documents and exhibits submitted prior to the close of the public hearing as received by the Department. Any comments of the CUP, received after this staff report is submitted and prior to the hearing, will be provided to the Commission under separate cover as a part of the Commissioners' packet.

Required Findings for Conditional Use Permit- Title 7-9-7

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

Staff Comments: The zone is C2 which does allow a Child and Adult Care Facility with a Conditional Use Permit as of March 1, 2024. Therefore, the proposed use is in compliance with Table 7-2-26 (B).

- 2. The proposed use shall be in harmony with and in accordance with the Comprehensive Plan and this Ordinance.**

Staff Comments: The use of this property meets Elmore County Comprehensive Plan by having a learning facility that is safe, functional, and enhances academic, social, emotional, and physical development. Elmore County Code Table 7-2-26 (B) as of March 1, 2024, allows for a Child and Adult Care Facility in C2 zone with an approved Conditional Use Permit.

- 3. The proposed use complies with the purpose statement of the applicable base zone of Ordinance Section 7-2-5 and with the specific use standards as set forth in this Chapter.**

Staff Comments: Staff has reviewed this Application in light of Section 7-2-76 for Adult and Childcare Facilities as described below. Therefore, the proposal complies with Zoning Ordinances section 7-2-76.

- 4. The proposed use shall comply with all applicable County Ordinance.**

Staff Comments: CUP-2024-16 is reviewed by the Department staff, County Engineer, and County Counsel. Furthermore, this proposal was discussed in an agency meeting on April 4, 2024. The Application was transmitted to the following County Departments and Offices. Their comments are incorporated into the conditions of approval for this CUP. Therefore, the proposed use will comply with all County Ordinance requirements for the operation of this Childcare Head Start Facility.

- Mountain Home Highway District was not present.
- Mountain Home Fire Department was present and had no comment.

5. The proposed use shall comply with all applicable State and Federal laws, rules and/or regulations.

Staff Comments: CUP-2023-16 is reviewed by the Department staff, County Engineer, and County Counsel. Furthermore, this proposal was discussed in an agency meeting on April 4, 2024. The application was transmitted to the following State and Federal Agencies. Their comments are incorporated into the conditions of approval for this CUP. Therefore, the proposed use will meet and comply with all State and Federal laws, rules and/or regulations.

- Idaho Transportation Department was not present.
- Central District Health had no comment.
- Mountain Home Highway District was not present.
- Mountain Home Rural Fire Department had no issue.

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 Comments: Community Council of Idaho will be taking this empty lot and will be putting a modular building for classrooms on it and asphaltting a parking lot with landscaping around the building and perimeter of the property to operate this Childcare Facility. This is an improvement on the existing lot, and helps the surrounding properties of residential, a business and storage units become a more cohesive area.

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

Staff Comments: The proposed site plan shows improvements for this parcel, which will not only improve the visual character of this area and it will not impede or disturb any other development in this area.

8. The proposed use shall be served adequately by available public facilities and services such as highways, streets, police protections, 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 Comments: The proposed facility improvements will not change the load/demand placed on the services indicated above. Highways will still have buses dropping off and taking home students. School will have more staff there to handle any issues that might arise. The school is no further out than other businesses as to not make it an issue for fire to be called out. Property shall keep all run-off of water on property. Have well and will be upgrading their septic. They will be responsible for their sanitation removal by a company of their preferences.

- 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 Comments: The proposed facility improvements will not change the load/demand that they will place on the public services of Elmore County. They are funded by the federal government. They believe that the expanded capacity will increase their ability to partner with appropriate public services.

- 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 Comments: From the standpoint of the surrounding business community the only significant changes will be improved appearance, landscaping, parking, etc., which will improve their relationship with the local business and community.

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

Staff Comments: There are not significant natural or scenic features of importance in this area, and therefore, there will be no loss or damage of any natural or scenic feature of major importance with the addition of this classroom.

REQUIRED FINDINGS FOR CONDITIONAL USE PERMITS, ZONING ORDINANCE SECTION 7-2-76: Child and Adult Daycare Facility:

- 1.** There shall be a minimum of thirty-five (35') square feet of net floor area indoors per client. This space shall be measured wall to wall in rooms that are regularly used by the clients, exclusive of halls, bathrooms, and kitchen.

Staff Comment: The proposed building is a sixty-four (64') foot by twenty-eight (28') foot for a total area of one thousand seven hundred and ninety-two (1,792) square foot. They can only have 51 clients in this building. They will only have 69 clients between the two (2) different classroom buildings. (the current and new buildings)

- 2.** On-site vehicle pick up and turnaround areas shall be provided to ensure safe discharge and pick up of clients.

Staff Comment: There is a one-way entrance and a one-way exit for the client drop-off area. There is an entrance/exit off SW Conrail Ave for a parking lot in front of the new modular classroom. There are 37 employees working there and they will have to have a minimum of nineteen (19) parking spaces required, (per table 10-8-4 in Zoning Ordinance. The proposal provides for forty-four (44) spaces. ADA requirement in Zoning Ordinance Table 10-8-6, the site will have a minimum of three (3) ADA parking spots.

3. The decision-making body shall specify the maximum number of allowable clients as a condition of approval, based on health and safety requirements, considerations of site and building design and capabilities, and recommendations from applicable government agencies.

Staff Comment: The proposed facility, due to its square footage, allows for maximum occupancy of fifty-one (51) clients per building. They will only have 69 clients between the two (2) different classroom buildings. (The current building and new building)

4. The decision-making body shall consider the uses of the surrounding properties in the determination of the compatibility of the proposed daycare center with such uses. The decision-making body may require additional conditions as are necessary to protect the public health, safety, and welfare of the clients.

Staff Comment: North of the property is Airbase Road and desert on the other side of the road. To the South of the property is a residence. To the West are storage units which is fenced in with brown slats in it. To the East is a plumbing store that is fenced in with chain link. The rear property is surrounded by chain link fence and will have employees out front while children are being dropped off to the facility.

5. The use shall comply with the flood hazard overlay as set forth in the Title.

Staff Comment: The site is not in a FEMA designated floodplain.

6. No portion of the facilities used by clients shall be within three hundred (300') feet of explosive or hazardous material storage including, but not limited to, the following uses: brewery or distillery, explosive manufacturing or storage, flammable substance storage, gasoline or diesel fuel sales facility, manufacture or processing of hazardous chemicals or gases, and winery.

Staff Comment: There are no noticeable hazards that can be seen within the three hundred feet (300').

7. The applicant or owner shall secure and maintain a basic daycare license from the State of Idaho Department of Health and Welfare family and Children's Services Division.

Staff Comment: Applicant has a current daycare license from the Idaho Department of Health and Welfare.

8. The applicant shall provide a minimum outdoor play area of one hundred (100') square feet per child. The minimum play area requirement may be waived if: a) there is greater or equal area of parks that abut the facility that can be used by the children, or b) the program design is such that the number of children using the play area at any one time conforms to the one hundred (100') square feet/child criteria.

Staff Comment: The proposed site has an outdoor play area behind the current head start building with thirteen thousand nine-hundred and four (13,904') square feet. This exceeds the one-hundred (100) square feet per child outdoor play area the Ordinance calls for.

9. All outdoor play areas shall be completely enclosed by a minimum of six (6) foot barriers to secure against exit/entry by small children and to screen abutting properties. The fencing material shall meet the swimming pool barrier requirements of the Elmore County Building Code as set forth in this Title.

Staff Comment: The current outdoor play area has six (6') foot fencing around it. The existing plans do not show added area for an outdoor play area.

10. Outdoor play equipment over six (6') feet high shall not be located in the front yard or within any required yard.

Staff Comment: The current play equipment is located in the back of property with chain link fence surrounding it.

STAFF RECOMMENDATION

The proposed use along with proposed conditions complies with the current Zoning Ordinance, and therefore, the staff would recommend **approval** of the Conditional Use Permit (CUP-2023-16) to put a child/adult care classroom on a C2 zoned property, with the following conditions.

PROPOSED CONDITIONS OF APPROVAL

1. The Conditional Use Permit (CUP-2023-16) shall be granted to Community Council of Idaho & Terry Blom to put a modular classroom on 1.01-acre parcel located within a Highway/Interstate Commercial (C2) on parcel #RP000040020170.
2. The approval shall be limited to one (1) year in which the Applicant shall obtain all necessary approvals and permits. If the Applicant has not commenced construction activities within that year, a one-year extension of approval may be considered. After that, the CUP approval shall be deemed null and void.
3. The approval shall be contingent upon the Applicant obtaining all certificates, permits and other approvals required by federal, state, and local authorities.
4. There shall be no more than 69 clients between both buildings and no more than 37 staff positions between both buildings.
5. Applicant shall follow the Elmore County Zoning Ordinance for Child and Adult Daycare Facility 7-2-76.

6. Applicant shall follow the Elmore County Zoning Ordinance for Parking Spaces 10-8-4 and ADA requirements from Zoning Ordinance 10-8-6. There will be a minimum of three (3) ADA parking spaces.
7. Modular unit to be installed on new property has proper building permits and meets code.
8. Applicant shall get permits and approval for the Increase septic to allow for additional students and adults.
9. Improve the ingress and egress point to the facility from Hwy 67 and SW Contrail Ave.
10. Landscape the front and side facing properties.
11. Landscaping around the two structures.
12. Improve lighting for safety and security on property and around buildings with safety features.
13. Update and improve the exterior of the existing unit.

EXHIBIT A

Neighborhood Meetings

Attachment 8

Listing of Property Owners

PM_PAR_1 5	PM_MAIL_NM	PM_MAIL_A1	PM_MA IL_A2	PM_MA IL_CT	PM_MA IL_ST	PM_MA IL_ZP
RPA3S06E2 82010A	CITY OF MOUNTAIN HOME	P O BOX 10		MTN HOME	ID	83647
RP0000400 20200A	US LLC	3275 AIR BASE ROAD		MTN HOME	ID	83647
RP0000400 20190A	GARVEY, CHARLES R	2220 N 6TH E		MTN HOME	ID	83647
RP0000400 20140A	FANEUF, DENNIS E	P O BOX 577		MTN HOME	ID	83647
RP0000400 20150A	FANEUF, DENNIS E	P O BOX 577		MTN HOME	ID	83647
RP0000400 20160A	PEARSON, MAGDALENA D	96 SW CONTRAIL AVE		MTN HOME	ID	83647
RP0000400 2023JA	DEAN, GREG A	111 SW FLY BY AVE		MTN HOME	ID	83647
RP0000400 20170A	COMMUNITY COUNCIL OF IDAHO INC	317 HAPPY DAY BLVD	#250	CALDW ELL	ID	83607
RP0000400 20180A	IDAHO MIGRANT COUNCIL INC	317 HAPPY DAY BLVD STE 250		CALDW ELL	ID	83607
RP0000400 10040A	HAWLEY, WAYNE	4220 SW JET STREAM DR		MTN HOME	ID	83647
RP0000400 10010A	TRACY, GIOIA P	P O BOX 477		MTN HOME	ID	83647
RPA3S06E2 71220A	CITY OF MOUNTAIN HOME	P O BOX 10		MTN HOME	ID	83647

Neighborhood Meeting Notice



March 23, 2023

To: Community Council of Idaho
317 Happy Day Boulevard #250
Caldwell, ID 83607
Attn: Terry Blom

From: Community Council of Idaho

RE: Neighborhood Meeting regarding Property Improvement at El Acoiris MSHS

You are invited to attend a neighborhood meeting at El Acoiris Head Start Center, 3505 Airbase Road, Mountain Home, ID, on Wednesday, April 12, 2023. This meeting is to inform property owners of a pending application to Elmore County Land Use and Building Department for improvements to our current Migrant and Seasonal Head Start Center. Your comments are greatly appreciated as we move forward with our application.

This Neighborhood Meeting will be held:
Wednesday, April 12, 2023
6:00 – 8:00 pm
El Acoiris Migrant & Seasonal Head Start Center
3505 Airbase Road
Mt. Home, ID 83647

Sincerely,



Terry Blom
Director, Community Relations, Development & Communications

Certification of Meeting Held/No attendees



ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 East 2nd South • Mountain Home, ID • 83647 • Phone: (208) 587-2142

Fax: (208) 587-2120 • www.elmorecounty.org

Neighborhood Meeting Sign Up Sheet

Date of Neighborhood Meeting: 4/12/2023

Start Time of Neighborhood Meeting: 6:00 pm *5:43 B*

End Time of the Neighborhood Meeting: 8:00 pm *8:04 B*

Location of Meeting: El Acoris Head Start Center, 3505 Airbase Road, Mtn Home

Description of the proposed project: Additional Structure and land parcel associated with this existing location

Notice Sent to neighbors on: March 23, 2023

Location of the neighborhood meeting: See above

Attendees:

Name

Address

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

No attendees
8:04 pm
4/17/23

- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____
- 16. _____
- 17. _____
- 18. _____
- 19. _____
- 20. _____

Neighborhood Meeting Certification:

Applicants shall conduct a neighborhood meeting for comprehensive plan amendments, variance, conditional uses, zoning ordinance map amendments and expansions or extensions of nonconforming uses as per Elmore County Zoning and Development Ordinance Title 7 Chapter 3 Section 7-3-3.

Applicant:

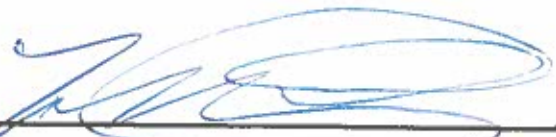
Name: Community Council of Idaho

Address: 317 Happy Day Boulevard, #250

City: Caldwell State: ID Zip: 83607

Telephone: 208-454-1652 Fax: 208-453-3491

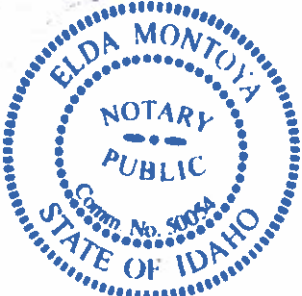
I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with the Elmore County Zoning and Development Ordinance Title 7 Chapter 3 Section 7-3-3.



¹⁹
4/12/2023

Signature: (Applicant)

Date



Elda Montoya
4/19/2023



ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 East 2nd South • Mountain Home, ID • 83647 • Phone: (208) 587-2142

Fax: (208) 587-2120 • www.elmorecounty.org

Neighborhood Meeting Sign Up Sheet

Date of Neighborhood Meeting: August 2, 2023

Start Time of Neighborhood Meeting: 6:00 pm

End Time of the Neighborhood Meeting: 8:00 pm

Location of Meeting: El Acoiris Head Start Center, 3505 Airbase Road, Mtn Home

Description of the proposed project: Add an additional modular unit, landscaping, parking improvements

Notice Sent to neighbors on: July 6, 2023

Location of the neighborhood meeting: _____

Attendees:

Name

Address

1. _____
2. NO Attendees
3. _____
4. [Signature] 8-2-23
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____
- 16. _____
- 17. _____
- 18. _____
- 19. _____
- 20. _____

Neighborhood Meeting Certification:

Applicants shall conduct a neighborhood meeting for comprehensive plan amendments, variance, conditional uses, zoning ordinance map amendments and expansions or extensions of nonconforming uses as per Elmore County Zoning and Development Ordinance Title 7 Chapter 3 Section 7-3-3.

Applicant:

Name: Community Council of Idaho

Address: 317 Happy Day Boulevard, #250

City: Caldwell, State: ID Zip: 83607

Telephone: 208-454-1652 Fax: 208-453-3491

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with the Elmore County Zoning and Development Ordinance Title 7 Chapter 3 Section 7-3-3.



 Signature: (Applicant)

8/3/2023

Date





July 6, 2023

TO Terry Blom
Community Council of Idaho, Inc
317 Happy Day Boulevard, #250
Caldwell, ID 83607

FROM: Community Council of Idaho

RE: Neighborhood Meeting regarding Property Improvement at El Acoicris MSHS

You are invited to attend a neighborhood meeting at El Acoiris Head Start Center, 3505 Airbase Road, Mountain Home, ID, on Thursday, August 3, 2023. This meeting is to inform adjacent property owners of a pending application to Elmore County Land Use and Building Department for improvements to our current Migrant and Seasonal Head Start Center. Your comments are greatly appreciated as we move forward with our application.

This Neighborhood Meeting will be held:

Thursday, August 3, 2023
6:00 – 8:00 pm
El Acoiris Migrant & Seasonal Head Start Center
3505 Airbase Road
Mt. Home, ID 83647

Sincerely,

Terry Blom
Director, Community Relations, Development & Communications

EXHIBIT B
Application



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: Community Council of Idaho; Migrant & Seasonal Head Start (Terry Blom)
2. Address of applicant: 317 Happy Day Boulevard, Suite 250, Caldwell, ID 83607
3. Daytime telephone number of applicant: 208-453-3060 or 208-454-1652
4. Email Address: tblom@ccimail.org
5. Name, address, and daytime telephone number of developer: _____

6. Address of subject property: 3505 Airbase Road, Mountain Home, ID 83647
7. Name, address, and daytime telephone number of property owner (if different from applicant): _____
Community Council of Idaho, 317 Happy Day Boulevard, Suite #250, Caldwell, ID 83607 – 208-454-1652

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# _____

(Deeds -See Attachments A)

9. Common directions of how to get to the proposed Conditional Use Permit property from a known beginning point: From I84 exit #XX, go south on American Legion Boulevard, to Downtown Mountain Home, left on N Main Street (continuing south) follow the curve onto W Airbase Road and continue Airbase Road,

3505 Airbase Road will be on the left.

10. a. Current zoning: Neighborhood 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

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? _____

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 C2 West C2

14. EXISTING USES and structures on the property are as follows: C2 – with a grandfathered "Child Care Facility.

15. A written narrative stating the specific PROPOSED USE. Include as much detail as possible (use additional sheets of paper if necessary):
(See Attachment B)

16. a. The conditional use is requested to begin within 60 days 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: 60 days days/ month/ years and be completed within 6 months days/ months/ years.

17. Proposed Use(s): Childcare/Head Start Hours of Operation: 700 am – 4:00 pm
Days of Operation: Monday - Friday Maximum Number of Patrons: 69 (after expansion)
Sewage disposal: municipal/individual septic: Septic
Water: municipal supply/community well/individual well: Well
Number of employees during largest shift: 37 Proposed number of parking spaces: 44

18. PRELIMINARY FLOOR PLANS: To a professional standard with sizes and types of interior spaces indicated, 15 copies 8½" x 11". (Attachment C)

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** _____

(Prepared for Federal Funding Purposes – Attachment D)

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. (Attachment E – addresses and informational meeting information)

**Radius extended to: 300 feet mile(s) Date: July 19, 2023 Initial _____

21. Is this application submitted with any additional applications? Application for a Zoning and Development Ordinance Amendment and/or Zoning Map Change

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?

According to the Elmore County Land Use Table – Table 7-2-26(B) for properties with a C2 designation a "Child and Adult Care Facility is not an allowable use, however our current Child Care/Migrant Seasonal Head Start activities (with many similar Child Care facilities on Air Base Road) have been "grandfathered uses." We are hoping to expand our facilities capacity.

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

This usage appears to be in harmony with the Comprehensive Plan and spirit of the ordinance, this facility (and the similar facilities on Air Base Road) have operated harmoniously with the commercial nature of Air Base Road for many years. I believe that we have been compatible with the adjacent businesses and good economic partners with the County.

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

With approval of the Zoning Ordinance Change application we would be in full compliance with the amended land use table (Table 7-2-26(B)), however we are also filling a Conditional Use Permit application because we further believe that the allowing the continuation of our "grandfathered" status should also allow us to expand our business/service capacity.

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

The continued use (and expansion) of the current Migrant Seasonal Head Start location, we feel complies with all additional and existing county ordinances.

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

As a Federally supported and regulated facility we comply with all applicable State and Federal regulations.

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?

We believe that the expansion and improvements proposed within the plans for this facility will not only be harmonious (as it has been for many years, but it will also present an improved appearance within the context of the surrounding businesses.

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

We have completed several significant reviews and assessments of the site, associated potential hazards, of the septic capacity and other services associated with this site and the proposed improvements, all our proposed facility improvements are non-hazardous to the area, will improve the septic and other services and improve the appears of the facility.

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?

The proposed facility improvements will not change the load/demand that we place on the services indicated above.

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?

Again the proposed facility improvements will not change the load/demand that we place on the public services of the county, in fact we believe that the expanded capacity will increase our ability to partner with appropriate public services.

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?

Again, from the standpoint of the surrounding business community the only significant changes will be improved appearance, landscaping, parking, etc., which will improve our relationship with the local businesses and community.

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?

This facility expansion is occurring on two lots within an existing business/commercial park and will have not impact on natural and scenic features of 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.

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) . The applicant also verifies that the application is complete and all information contained herein is true and correct (initial) . 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.

[Signature] 6/29/23 *[Signature]* 6/29/2023
Property Owner Signature Date Applicant Signature Date

ADMINISTRATIVE USE ONLY	
Date of Acceptance: _____	Accepted by _____
CUP FEE: \$400.00	Fee \$ _____ (<input type="checkbox"/> Pd) Receipt # _____
Date Paid: _____	Case# CUP- _____

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.

____ • Central District Health (or other Sewer District) Sewer Permit (208-580-6003) Date _____

Comment: _____

• 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: _____

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.

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4. Agencies may have additional comments and/or conditions at a later time.

• Central District Health (or other Sewer District) Sewer Permit (208-580-6003) Date

Comment: _____

Renny Meyer 8-29-23

• Roadway Jurisdiction (MHHD 208-587-3211) (GFHD 208-368-7744) (AHD 208-864-2115) Date

Comment: _____

Not the MHHD Roadway (State of Idaho)

• Fire District _____ Date

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

Comments: _____



Elmore County Transmittal
Division of Community and Environmental Health

RETURN TO:
 Elmore Co
Land Use &
Building Dept
 Mtn Home
 Glens Ferry

Rezone # _____

Conditional Use # Community Council of Idaho

Preliminary / Final / Short Plat _____

- 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 waste flow characteristics
 - bedrock from original grade 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 community sewage system community water well
 - interim sewage central water
 - individual sewage individual water
- 9 The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality
 - central sewage community sewage system community water
 - sewage dry lines central 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 swimming pools or spas child care center
 - beverage establishment grocery store
- 13 Infiltration beds for storm water disposal are considered shallow injection wells An application and fee must be submitted to CDH

14 No objection. Pre construction conference and trench inspection required for sept.c.

Reviewed By: Brian Cooper
Date: 7/1/23

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.

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Notes for agency signatures

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- 4 Agencies may have additional comments and/or conditions at a later time

Brent W. Copan

7/12/23

• Central District Health (for other Sewer District) Sewer Permit (208-580-6003) Date

Comment: *Pre construction conference / trench inspection required.*

• Roadway Jurisdiction (MHHD 208-587-3211) (GFHD 208-366-7744) (AHD 208-884-2115) 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 _____



city of
Mountain Home
Fire Department

Date: 7.12.2023
Subject: Zoning/CUP
Location: 3505 Airbase Rd
From: Brian W. Reed, Fire Marshal

To: Elmore Land Use and Building,

I have reviewed all applications and documents pertaining to the applications for a Zoning and Development Ordinance Amendment and for a Conditional Use Permit submitted by Community Council of Idaho; Migrant & Seasonal Heat Start and find everything acceptable to the Mountain Home Fire Department and the Mountain Home Rural Fire Department.

Please accept this letter as approval for this project by the two departments.

If you have any questions, please feel free to contact my office.

Sincerely,

Brian W. Reed
Fire Marshal
208.587.2117 – O
208.590.6142 – C
breed@mountain-home.us

EXHIBIT C

Site Map



ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 E 2nd South – Mountain Home, ID 83647 – (208) 587-2142

www.elmorecounty.org

Conditional Use Permit Application

ATTACHMENT B – NARRATIVE DESCRIPTION

The Community Council of Idaho is requesting approval to expand our existing *Migrant & Seasonal Head Start Center/El Acoiris* located at 3505 Air Base Road in Mountain Home/Elmore County, ID. We have secured the lot adjacent to our existing facility (see legal descriptions below) to enable us to relocate an additional modular unit (to be installed on the new parcel on a permanent foundation and finished similarly to the existing unit) to expand our student capacity. We will also be blacktopping and expanding our parking lot/capacity, increasing the septic system, improving the ingress/egress point to the facility, and landscaping the front facing sections of the properties. (See Architects Plan below)



We are pleased with these plans for our facility expansion which will:

- Increase and improve our existing parking area which is currently a dirt/gravel area on the highway side of the lot,
- It will provide for landscaping, the areas surrounding the two structures to create a better student experience, and it will also improve its appearance from the street,

- We will be improving lighting and safety features within the property,
- And we will be improving the septic system which serves the property.
- We will locate, set on permanent foundations, and prepare the new modular unit as a permanent facility (like the existing – approved unit) and we will also update and improve the exterior look of the existing unit.

We believe that these improvements will improve the overall appearance of our existing service site and contribute to a better appearance associated with all this business area.

This facility has served the Mountain Home/Elmore County Farmworker community since 1995 at this location. These facility improvements will increase the total population that we are able to serve to 69 Students and 37staff positions. We are proud of the positive economic impact that this facility has on the Elmore County economy and for the ways in which we improve the educational future of so many Elmore County youth.

EXHIBIT D

Radius Notification Letter



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: March 29, 2024

To: Whom It May Concern

Subject: Notice of Public Hearing

Applicant: Community Council of Idaho (Migrant & Seasonal Head Start) (Terry Blom)

Proposal: Community Council of Idaho is asking for a Conditional Use Permit to put in a Migrant & Seasonal Head Start School; the property is zoned Highway/Interstate Commercial (C2). Case Number: CUP-2023-16. The parcel numbers are RP000040020170. A Common way of locating the property from Mountain Home is to take Airbase Road (Hwy 67) 2.5 miles West, on left hand side of Airbase Road (Hwy 67) next to the Migrant Head Start School. On corner of Airbase Road (Hwy 67) and SW Contrail Ave

Case #: CUP-2023-16

A public hearing will be held before the Elmore County Planning and Zoning Commission on the enclosed application. The hearing is scheduled for Thursday, April 25th, 2024, at 7:00 p.m. in the War Memorial (American Legion) Hall at 515 East 2nd South Street, Mountain Home, Idaho.

Please review the application and return 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 Friday, February 16th, 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

Notification Agency Letter



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: March 29, 2024

To: Whom It May Concern

Subject: Notice of Public Hearing

Applicant: Community Council of Idaho (Migrant & Seasonal Head Start) (Terry Blom)

Proposal: Community Council of Idaho is asking for a Conditional Use Permit to put in a Migrant & Seasonal Head Start School; the property is zoned Highway/Interstate Commercial (C2). Case Number: CUP-2023-16. The parcel numbers are RP000040020170. A Common way of locating the property from Mountain Home is to take Airbase Road (Hwy 67) 2.5 miles West, on left hand side of Airbase Road (Hwy 67) next to the Migrant Head Start School. On corner of Airbase Road (Hwy 67) and SW Contrail Ave

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Please review the application and return 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 Friday, February 16th, 2024, so your comments are included in the record. If you prefer, please come to the hearing to testify before the Commission.

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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 F

Newspaper Notification

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, April 25, 2024, in the War Memorial Hall (American Legion) 515 East 2nd South Street, Mountain Home, Idaho, to accept testimony and consider an application from Kelly Blom from Community Council of Idaho, for a Conditional Use Permit to put in a modular Classrooms for Childcare/Head Start; the property is zoned Highway Commercial (C2). Case Number: CUP-2023-16. The parcel numbers are RP000040020170; A Common way of locating the property from Mountain Home is to take Airbase Road to the west and go approximately 2.25 miles. The property is on left side of Airbase Road next to Idaho Migrant Head Start School. 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 anjeto@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 620 East 2nd South, Mountain Home, Idaho 83647 or email kramsauer@elmore-county.org.

Dave Abrahamson,
Planner
Elmore County
Land Use and
Building Department

One publication:
April 10, 2024.

13.75
110 Lines

Please review, sign and return by fax or e-mail with any corrections by Noon the Friday prior to run date.

Total cost will be 79.20. If signed proof and prepayment (if required) is not received by deadline, this legal will not run.

Thank you,
Legal Department
Mountain Home News
ph (208) 587-3331
fax (208) 587-9205
legaldept@mountainhomenews.com

Proofed
Date <u>4-25-2024</u>
<input type="radio"/> Ok, with changes
<input checked="" type="radio"/> Ok, no changes
<input type="radio"/> Re-proof
Proofed by: <u>KK</u>

*Legals canceled prior to publication will incur a \$10 processing/typesetting fee

Prepayment Charge

Thank you, Swana

EXHIBIT G

Posted Site Picture



EXHIBIT H
Flood Map

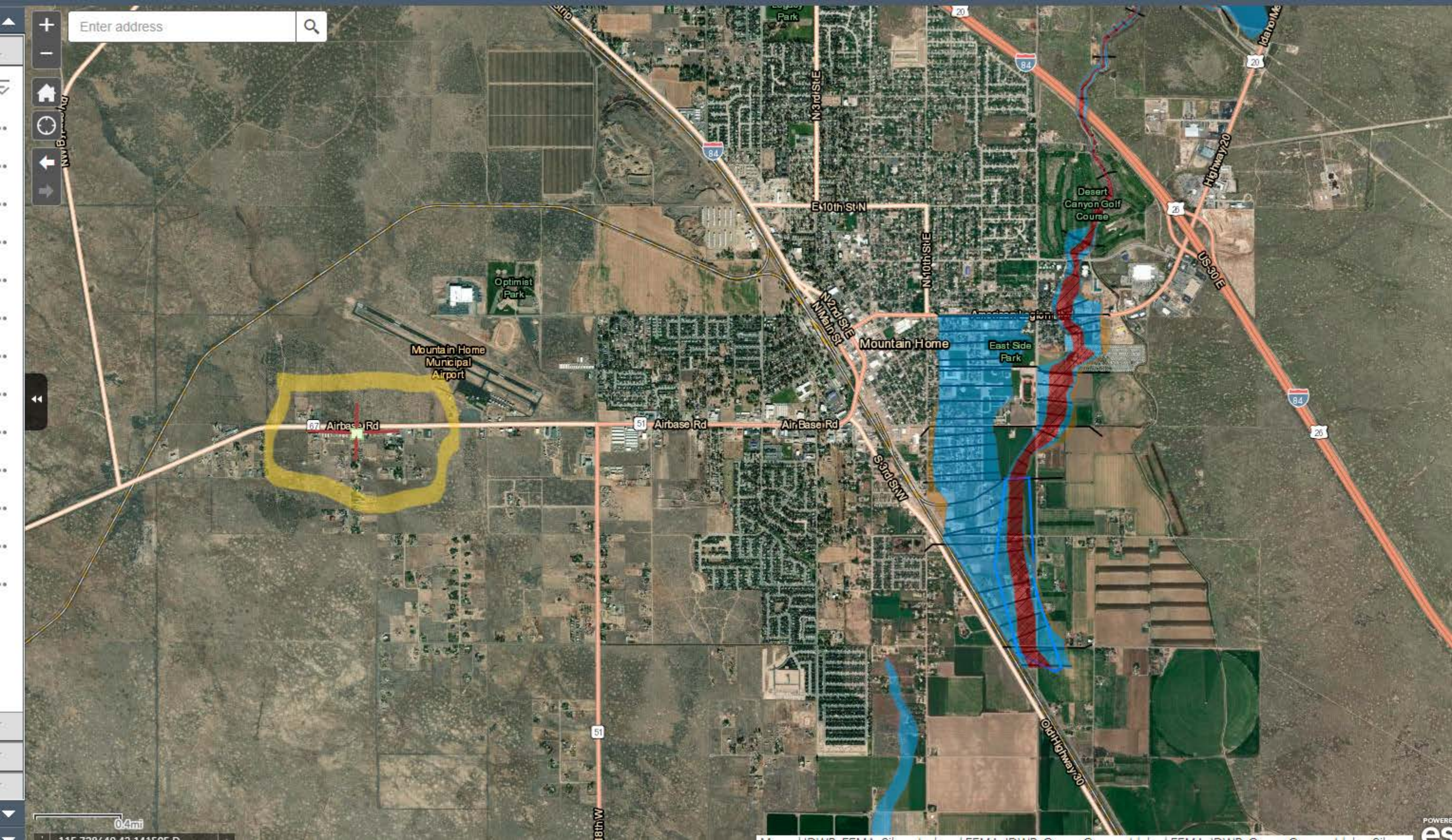


EXHIBIT I

Ordinance 2024-02 Amendment

ELMORE COUNTY ORDINANCE NO 2024-02

AN ORDINANCE OF ELMORE COUNTY, IDAHO, AMENDING TITLE 7, CHAPTER 1 (ELMORE COUNTY ZONING) TO ALLOW FOR A CHILD AND ADULT CARE FACILITY TO BE PERMITTED WITH A CONDITIONAL USE PERMIT IN THE HIGHWAY/INTERSTATE COMMERCIAL (C-2) ZONE; AMENDING TABLE 7-2-26(B) TO ALLOW A CHILD AND ADULT CARE FACILITY WITHIN THE C-2 ZONE WITH A CONDITIONAL USE PERMIT; SECTION 1, ADOPTION OF ORDINANCE AS SET FORTH BY UNDERLINING AND STRIKETHROUGH, AND ALL OTHER SECTIONS, SUBSECTIONS, AND PARTS TO REMAIN THE SAME; SECTION 2, AMENDING TABLE 7-2-26(B) TO PERMIT A CHILD AND ADULT CARE FACILITY IN A C-2 ZONE WITH A CONDITIONAL USE PERMIT; SECTION 3, SEVERABILITY; SECTION 4, APPROVING THE ORDINANCE SUMMARY; AND SECTION 5, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Constitution of the State of Idaho, Article XII, Section 2, the Idaho Local Land Use Planning Act, Title 67, Chapter 65, and Title 31, Chapter 7 provide authority for the Elmore County Board of Commissioners to adopt ordinances establishing land use standards, procedures, and uses; and

WHEREAS, the Idaho Local Land Use Planning Act, Title 67, Chapter 65, sets forth the procedures for the adoption and amendment of land use codes; and

WHEREAS, Idaho Code §67-6511 provides the procedures and authority for the county to amend its land use regulations; and

WHEREAS, the Elmore County Planning and Zoning Commission held a duly noticed public hearing on October 26, 2023, at which interested persons had the right to be heard per Idaho Code §65-6509; and recommended approval of the amendments to Title 7, Chapter 1 and Table 7-2-26(B); and

WHEREAS, the Elmore County Board of Commissioners held a duly noticed public hearing on January 19, 2024, at which interested persons had the right to be heard per Idaho Code §65-6509; and considered the Planning and Zoning Commission's recommendation of approval of the amendment and approved the proposed amendment; and

WHEREAS, pursuant to Idaho Code §67-6511 and 67-6509, the proposed amendment to the land use regulations was evaluated to determine the extent and nature of the amendment request; and

WHEREAS, as required by Idaho Code §67-6511, the governing board has analyzed the proposed changes to the land use regulations to ensure that they are not in conflict with the policies of the adopted comprehensive plan.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF THE COUNTY COMMISSIONERS OF ELMORE COUNTY, IDAHO, IN LAWFUL MEETING ASSEMBLED, that the following Ordinance is hereby adopted, as follows:

SECTION 1. Adoption of Ordinance: Title 7 of the Elmore County Zoning and Development Ordinance (Ord. 2018-03) is hereby amended as set forth in the following section by text to be added as shown by underlining, text to be omitted as shown with strikethrough, and all other sections, subsections, and parts not shown to remain the same and unaffected by this Ordinance.

SECTION 2. That Tabel 7-2-26(B) (Elmore County Land Use Table), Title 7, of the Elmore County Code, shall be amended to permit a Child and Adult Care Facility in the Highway/Interstate Commercial (C-2) zone with a Conditional Use Permit, to read as set forth below, with all other, tables and exhibits the full text as set forth in Ord. 2018-03, remaining unchanged and in full force and effect:

....

Table 7-2-26 (B) Elmore County Land Use Table Allowed Use (AU), Administrative (AA), Conditional (C) and Prohibited Land Use (X)										
LAND USE	AG	REC	RR/MU	C1	C2	M1	M2	PAZ	ABHZ	ACZ
Beverage Bottling Plant	X	X	X	X	X	AU	AU	X	X	X
Bowling, Alley	C	C	C	C	C	X	X	X	X	C
Brewery or Distillery*	C	X	X	C	C	AU	AU	X	X	X
Business College-Trade School	C	C	C	AU	AU	X	X	X	X	X
C										
Cabinet Manufacturing	C	X	X	AU	AU	AU	AU	C	X	C
Campgrounds Public or Private*	C	C	C	X	X	X	X	X	X	X
Car Wash*	C	X	X	AU	AU	AU	AU	C	X	C
Cemetery*	AA	C	C	X	X	X	X	C	X	C
Chemical Manufacturing	X	X	X	X	X	X	AA	X	X	X
Chemical Storage	X	X	X	X	C	C	C	X	X	X
Child and Adult Care Facility*	AA	AA	AA	AU	X C	X	X	C	X	C

....

Section 3: Severability. The sections of this ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

Section 4. The Summary of the Ordinance as attached hereto as Exhibit A is approved as to both form and content.

Section 5: This ordinance shall be in full force and effect upon the passage and publication of the ordinance or ordinance summary in one (1) issue of the official newspaper for Elmore County, in accordance with the Idaho Code.

This ordinance duly enacted as an ordinance of Elmore County, Idaho on this 1st day of March 2024, upon the following roll call vote:

ROLL CALL:



[Signature]
FRANKLIN L. CORBUS, Chairman

[Signature]
AL HOFER, Commissioner

[Signature]
CRYSTAL RODGERS, Commissioner

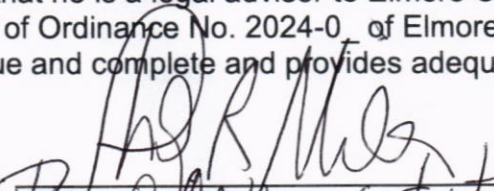
ATTEST:

M. Esal Clerk by V. Turwath
SHELLEY ESSL, CLERK DEPUTY CHIEF
Clerk of the Board of County Commissioners

Date MARCH 1, 2024

The undersigned, Philip R. Miller, in his capacity as Deputy Prosecutor for Elmore County, hereby certifies that he is a legal advisor to Elmore County and has reviewed the attached Summary of Ordinance No. 2024-0_ of Elmore County, Idaho and has found the same to be true and complete and provides adequate notice to the public.

Dated this 1st day of March 2024.


Philip R. Miller, Deputy Prosecutor

The undersigned, Shelley Essl, County Clerk, hereby states that the attached Summary of Ordinance No. 2024-0_, prepared by the above-named Deputy in the Elmore County Prosecuting Attorney's Office, is true and complete and provides adequate notice to the public.

Dated this 1st day of March 2024.

M. Essl Check by V. Trivedi, Chief Deputy Clerk
Shelley Essl, County Clerk

EXHIBIT "A"

SUMMARY OF ORDINANCE 2024-02 OF ELMORE COUNTY, IDAHO

PUBLIC NOTICE IS HEREBY GIVEN that the Elmore County Board of Commissioners, at the regular meeting of the Board on March 1, 2024, approved, adopted, and enacted that Ordinance No. 2024-02 entitled:

ELMORE COUNTY ORDINANCE NO. 2024-02

AN ORDINANCE OF ELMORE COUNTY, IDAHO, AMENDING TITLE 7, CHAPTER 1 (ELMORE COUNTY ZONING) TO ALLOW FOR A CHILD AND ADULT CARE FACILITY TO BE PERMITTED WITH A CONDITIONAL USE PERMIT IN THE HIGHWAY/INTERSTATE COMMERCIAL (C-2) ZONE; AMENDING TABLE 7-2-26(B) TO ALLOW A CHILD AND ADULT CARE FACILITY WITHIN THE C-2 ZONE WITH A CONDITIONAL USE PERMIT; SECTION 1, ADOPTION OF ORDINANCE AS SET FORTH BY UNDERLINING AND STRIKETHROUGH, AND ALL OTHER SECTIONS, SUBSECTIONS, AND PARTS TO REMAIN THE SAME; SECTION 2, AMENDING TABLE 7-2-26(B) TO PERMIT A CHILD AND ADULT CARE FACILITY IN A C-2 ZONE WITH A CONDITIONAL USE PERMIT; SECTION 3, SEVERABILITY; SECTION 4, APPROVING THE ORDINANCE SUMMARY; AND SECTION 5, PROVIDING AN EFFECTIVE DATE.

The Ordinance contains the sections and principal provisions and procedures set forth in the title describing it above, will be in full force and effect from and after its passage, approval, and publication of the summary of the Ordinance; and approves this Summary of the Ordinance. A copy of the entire Ordinance is available upon request at the Clerk's Office, Elmore County Courthouse, 150 South 4th East, Suite 3, Mountain Home, Idaho. Office hours are from 9:00 AM to 5:00 PM, Monday through Friday, excluding holidays. A copy may be viewed on the Elmore County website at <https://elmorecounty.org/land-use-and-building-department/>.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ELMORE COUNTY, IDAHO, THAT TITLE 7, CHAPTER 1 (ELMORE COUNTY ZONING) BE AMENDED TO ALLOW FOR A CHILD AND ADULT CARE FACILITY TO BE PERMITTED WITH A CONDITIONAL USE PERMIT IN THE HIGHWAY/INTERSTATE COMMERCIAL (C-2) ZONE. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

REGULARLY PASSED AND ADOPTED by the Board of County Commissioners of Elmore County, Idaho, on this 1ST day of MARCH, 2024.

ELMORE COUNTY BOARD OF COMMISSIONERS

/S/, FRANKLIN L. CORBUS Chairperson

/S/, ALBERT HOFER Commissioner

/S/, CRYSTAL RODGERS Commissioner

ATTEST: /S/ SHELLEY ESSL, Clerk

1 Publication [Month, Day], 2024

4871-5467-2296, v. 1

EXHIBIT J

Daycare License



IDAHO DEPARTMENT OF
HEALTH & WELFARE

BRAD LITTLE – Governor
DAVE JEPPESEN – Director

Julie A. Hammon, Administrator
STATEWIDE SELF RELIANCE PROGRAMS
450 West State Street, 2ND Floor
P.O. Box 83720
Boise, Idaho 83720-0036

PHONE 208-334-5815
FAX 208-334-5571

September 1, 2022

COMMUNITY COUNCIL OF IDAHO
CC IDAHO - EL ARCOIRIS MSHS
3505 AIRBASE RD
MOUNTAIN HOME, ID 83647

Dear COMMUNITY:

We are pleased to inform you that your application for a license to provide daycare has been approved. Enclosed you will find your daycare license. You will receive a renewal packet approximately 90 days prior to your renewal date.

IDAPA 16.06.02 Rules Governing Standards for Child Care Licensing requires a daycare to post contact information of the Department and the statewide number to file daycare complaints. Enclosed please find the flyer for contact information to the Idaho Careline. ***Please post this flyer next to your daycare license in plain view to be seen upon entering the facility.***

It is important you check periodically for updates regarding daycare licensing. You can find current licensing information as well as the Rules Governing Standards For Child Care Licensing and Title 39, Chapter 11, **Idaho Code** online at www.211.idaho.gov.

There may be other entities such as federal food programs that will require a copy of your license for participation in their programs. Please remember, as a provider, you are responsible to provide copies to those agencies.

If you have any questions, please call the Idaho Careline at 2-1-1 or 1-800-926-2588 and ask to speak with a Daycare Licensing Customer Support Specialist, who will be happy to assist you.

Your cooperation in maintaining the standards by which you have been licensed is greatly appreciated.

Sincerely,

Marilyn Peoples

STATE OF IDAHO
DEPARTMENT OF HEALTH AND WELFARE
BASIC DAY CARE LICENSE

The holder of this Basic Day Care License

Resource ID: 24-11831

CC IDAHO - EL ARCOIRIS MSHS

COMMUNITY COUNCIL OF IDAHO - OWNER

3505 AIRBASE RD
MOUNTAIN HOME, ID 83647

has complied with the requirements of Section 39-1104, Idaho Code, and has obtained a Fire Inspection and Health Inspection establishing compliance with Section 39-1109 and 39-1110 and the requirements in Idaho Code 39-1105 regarding criminal history check to be licensed as a :

LARGE CHILD CARE CENTER

Occupancy Load: 118

09/01/2022

Effective Date

08/31/2024

Expiration Date

Your continued compliance will require criminal history checks for all owners, operators and employees who have direct contact with children, and on all other individuals thirteen (13) years of age or older who have unsupervised direct contact with children or are regularly on the premises of this daycare facility.

According to Section 19-1117, Idaho Code, a daycare license does not constitute a representation affirming to any person that the program or facility is free from risk. A daycare license does not guarantee adequacy of care, services, safety, or the well-being of any child, staff contractor, volunteer, or visitor of a daycare facility. It is the parent's primary responsibility for evaluation and selection of daycare services.

Your Basic Day Care License and contract information to file daycare complaints must be posted in a conspicuous place at your facility and a copy of Idaho Code Section 39-1101 through 39-1119 shall be available on the premises at all times for staff and parents to read upon request.

Ericka Rupp

09/01/2022