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Planning and Zoning Commission PUBLIC WORKSHOP STAFF REPORT

Workshop Date: June 26, 2025

Date Report Compiled: June 20, 2025

Agenda Item: Conditional Use Permit with Master Site Plan for Commercial Subdivision, Fuel Sales and Service Station, Fuel or Flammable Material Storage, Convenience Food Store, and Freestanding Billboard Sign; and Preliminary Plat for Commercial Subdivision; and Variance for a Billboard Sign

Applicant: Mountain Home Commercial LLC and Maverik Store 787

Case Number: CUP-2025-09 with Master Site Plan & PP-2025-03

Associated Cases: VAR-2025-03

County Review Team: Mitra Mehta-Cooper, Contract Principal Planner
Angie Michaels, Contract County Engineer
Warren Maxwell, Contract Traffic Engineer
Abbey Germaine, Contract County Attorney

Zoning Designation: Highway/Interstate Commercial (C-2)

Parcel Number: RP03S06E098845

Property Size: 17 acres

BACKGROUND:

Conditional Use Permit 2025-09 ("CUP") is a proposal to subdivide a Commercial property and build Fuel Sales and Service Station, Fuel or Flammable Material Storage, Convenience Food Store, and Freestanding Billboard Sign per the Elmore County Zoning and Development Ordinance ("Zoning Ordinance"). The proposal also includes a concurrent Preliminary Plat ("PP-2025-06") and Variance for one of the Billboard Signs ("VAR-2025-03"). These three applications are collectively referred as the "Application".

Fuel or Flammable Material Storage as a proposed use requires review and approval of a Conditional Use Permit per Table 7-2-26(B) and a Stationary/Freestanding Billboard Sign requires review and approval of a Conditional Use Permit per Title 7, Chapter 7 of

the Zoning Ordinance. The Project is located on assessor's parcel number RP03S06E098845 and incorporates 17 acres of unincorporated area within Elmore County, zoned Highway/Interstate Commercial ("C-2") ("Site"). Mountain Home Commercial, LLC is the owner of the Site and Maverik Store 787 is the potential buyer of one of the two proposed commercial lots (collectively referred to as the "Applicant"). In accordance with the Zoning Ordinance, the Applicant hopes to:

- 1) Subdivide the Highway/Interstate Commercial (C-2) parcel into two lots of 7 and 10 acres, respectively;
- 2) On the 7-acre proposed lot, propose seven (7) fuel dispensers and canopy and six (6) additional dispensers and canopy for commercial fueling, for a total of 13 fuel dispensers as well as 5,951 square feet Convenience Food Store with Deli to sell packaged beer and wine as well as fresh food items; and
- 3) On the 7-acre proposed lot, have multiple advertising signs including a seventy-foot (70') Stationary Billboard Sign for the use.

The Applicant further wishes to process a Preliminary Plat concurrently to streamline the development review process. The Department is in support of that as long as the Applicant understands that PP-2025-06 application's review is contingent upon the approval of CUP-2025-09 for subdivision by the Planning and Zoning Commission.

As described under the "Development Review Status" below, in order to consider a 70' Billboard Sign in the CUP, the Applicant will need to receive prior approval of a Variance – VAR-2025-03 – from the Board of County Commissioners in compliance with Section 7-3-13 of the Zoning Ordinance. The Department received a Variance application on June 18, 2025.

The Applicant has taken the following pre-application actions to date, and they have discussed all three aforementioned applications in the pre-application Neighborhood Meeting, which deem the pre-application requirements complete as outlined in the Zoning Ordinance.

- In order to initiate the CUP (and associated applications) process, the Applicant conducted multiple Pre-application Meetings with the Director of Land Use and Building Department in compliance with Section 7-3-2(A) of the Zoning Ordinance starting with November 6, 2024.
- As required in Section 7-3-3 of the Zoning Ordinance, the Applicant conducted a Pre-application Neighborhood Meeting on March 11, 2025, to discuss this proposal with property owners within a 1-mile radius of the Site.

On April 2, 2025, the Land Use and Building Department ("Department") received the last piece, a Preliminary Plat, for the Application packet along with the required fees (Exhibit 1). Since then, the Application is being reviewed by a County Review Team comprising of the Consulting Principal Planner, Mitra Mehta-Cooper; Warren Maxwell, Contract Traffic Engineer, Consulting County Engineer, Angie Michaels; and Consulting Attorney, Abbey Germaine. Furthermore, the Department discussed this proposal with affected agencies on February 5, 2025.

The Review Team has completed the initial review of the Application and provided a Completeness Determination Memo ("Completeness Memo"), requesting additional information to the Applicant on May 19, 2025 (Exhibit 2). The Applicant has provided some supplemental information on May 29, 2025 (Exhibit 3).

The Public Workshop was advertised in the Mountain Home Newspaper on June 11, 2025, and the Site was posted on June 18, 2025. The purpose of this workshop is to discuss the Application review to-date with the Planning and Zoning Commission ("Commission") and receive their feedback prior to beginning the public hearings for the proposal.

DEVELOPMENT REVIEW STATUS:

The Site is currently zoned as Highway/Interstate Commercial (C-2) as its base zone and is located within the Area of Impact of the City of Mountain Home. Therefore, the review of this Application requires compliance with Title 7, Chapters 2,3,7 & 9; Title 10, Chapters 1 &10; and Title 11, Chapter 1.

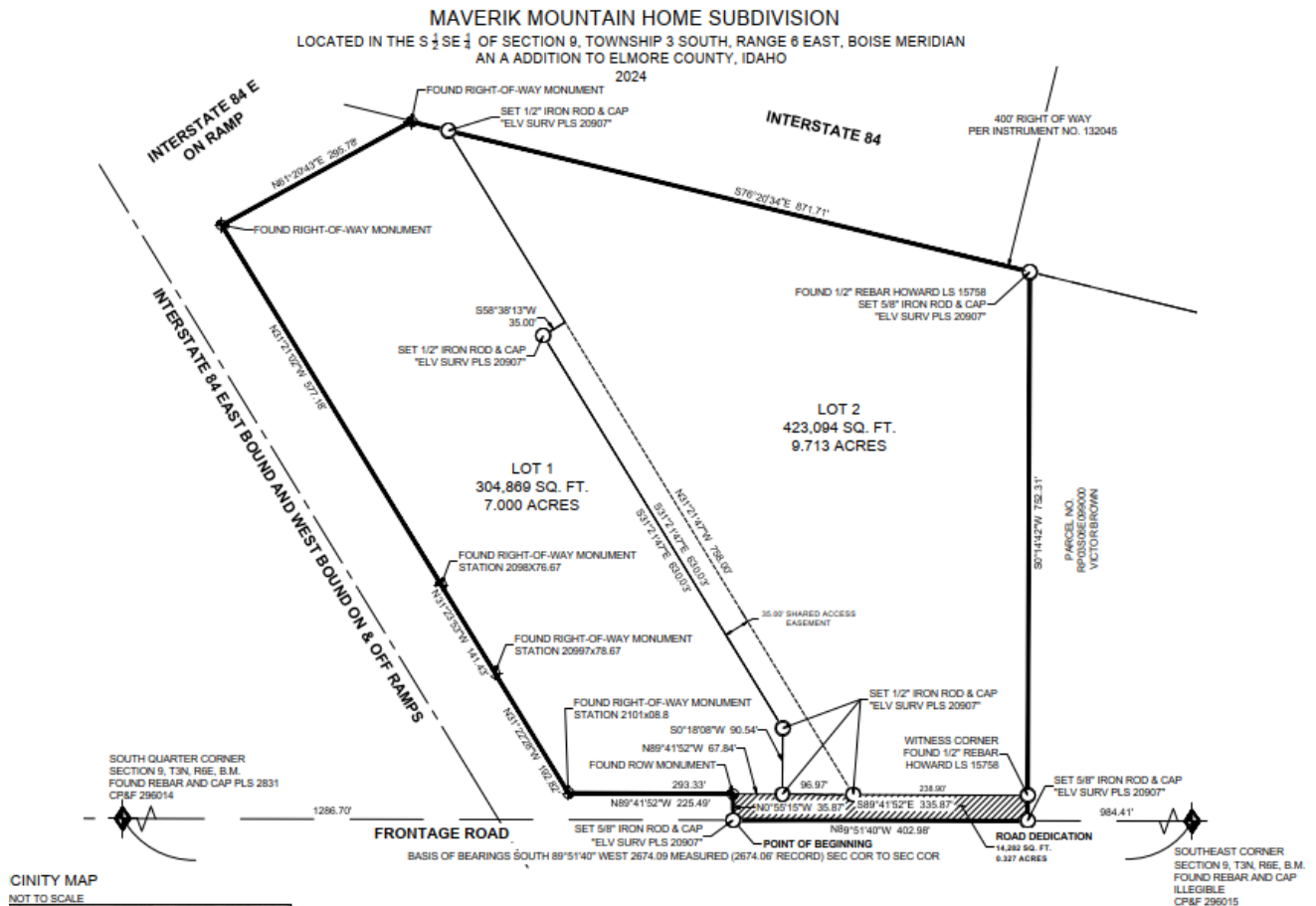


Figure 1- Commercial Subdivision

CUP's Compliance with Title 7:

Fuel Sales and Service Station and Convenience Food Store are allowed uses in C-2 Zone and Fuel and Flammable Material Storage as well as a Commercial Subdivision require a Conditional Use Permit application in C-2 Zone per table 7-2-26(B) of the Zoning Ordinance.

Billboard Signs also requires a Conditional Use Permit per Section 7-7-22 (B) of the Zoning Ordinance.

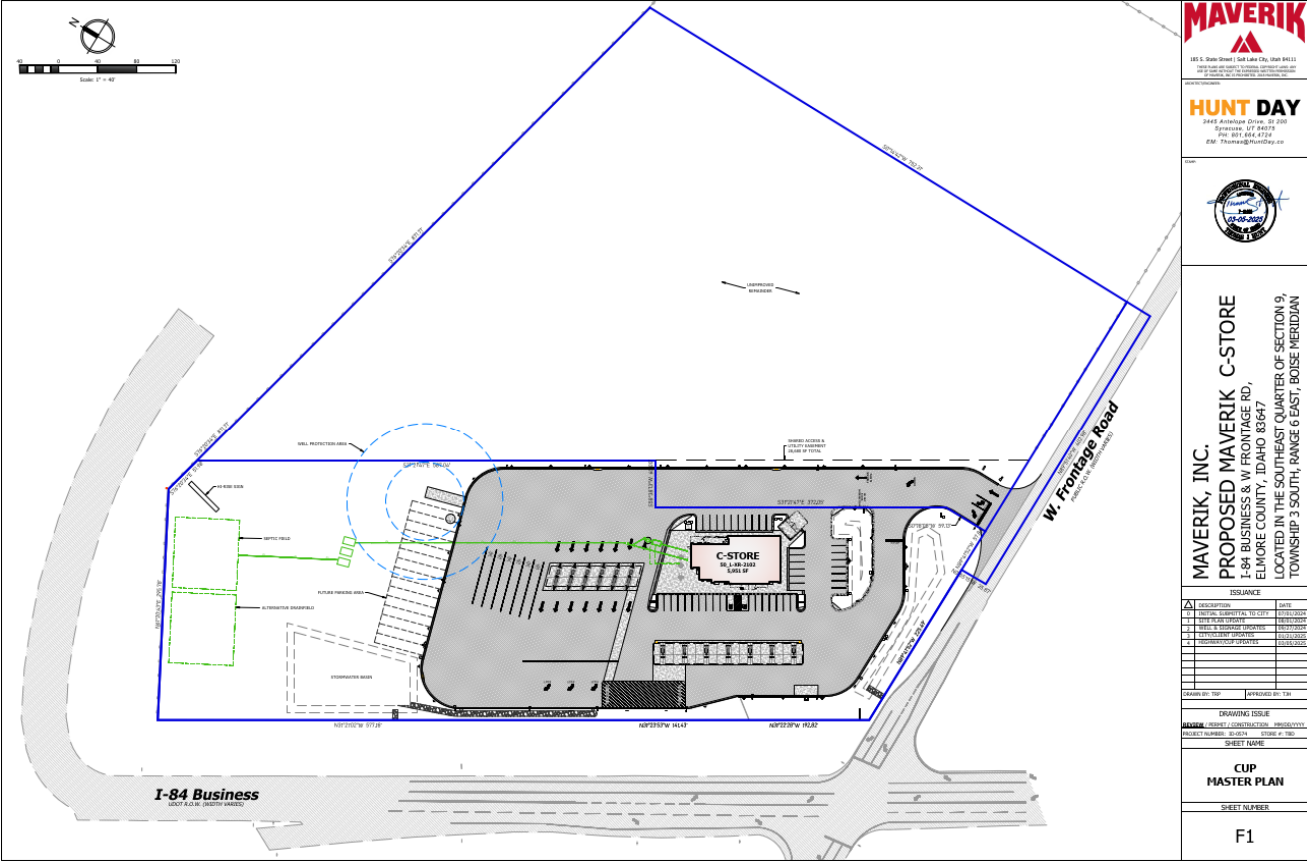


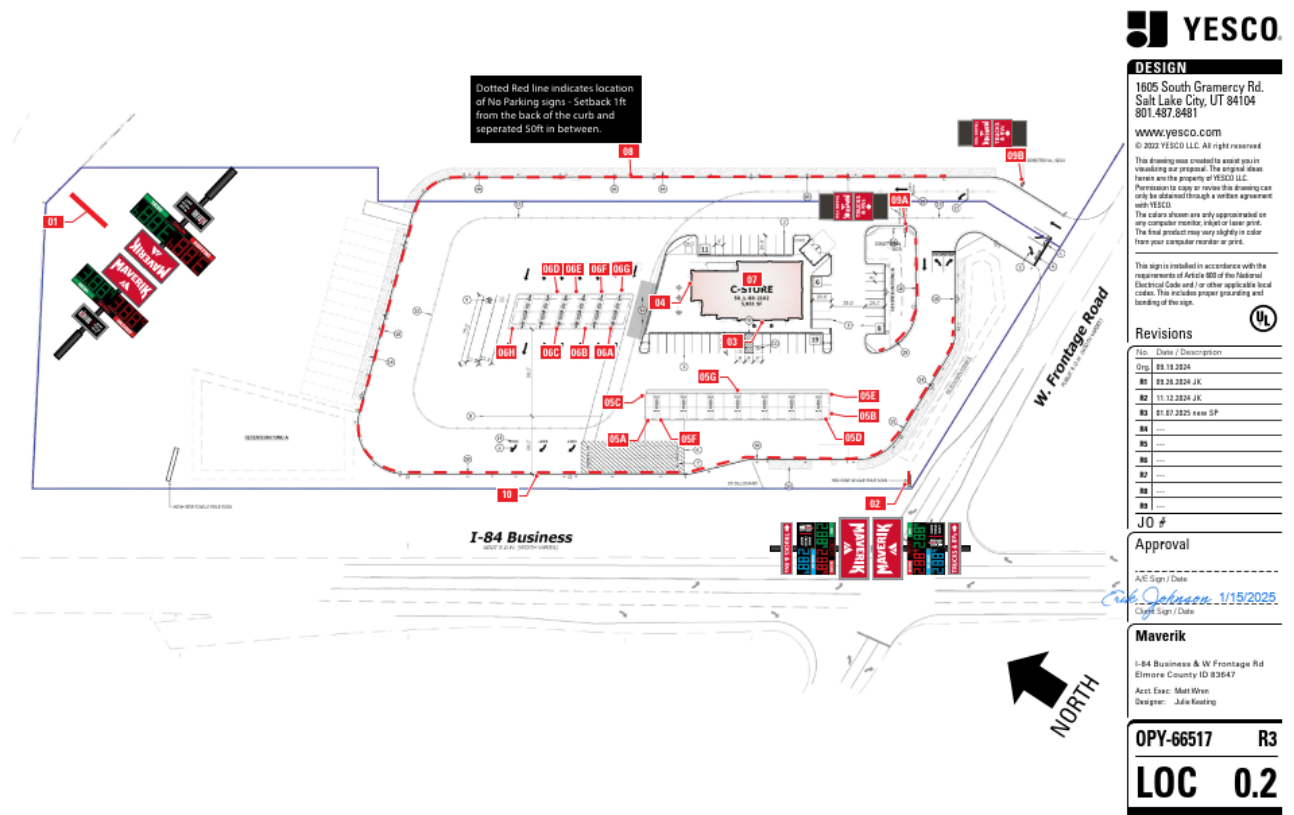
Figure 1 – Proposed Master Site Plan

In the Completeness Memo, the Review Team requested information for the future/anticipated commercial use on the proposed 10-acre parcel. The documents submitted by the Applicant in response, have stated that it has “no development plans currently”. If approved, and if that parcel develops for commercial use in the future, Per ITD and MHHD’s comments in Exhibits, the Department will need to condition this CUP to conduct a revised Traffic Study to make a more informed decision about the validity of shared access, site circulation, and necessary intersection improvements.

In the Completeness Memo, the Review Team requested additional information for proposed uses on approximately 2 acres of the proposed 7-acre parcel. The documents submitted by the Applicant have not provided any additional information for uses on these 2 acres. Which makes the Review Team conclude that no other uses are intended on this portion of the Site at this time. Any future addition of the uses on these 2 acres will need a CUP amendment and/or Master Site Plan Amendment and will be separately reviewed as defined in Title 7.

The proposal is reviewed by Central District Health, and they have provided necessary approvals for the proposed uses (Exhibit 4).

The Review Team further requests that the Applicant receives written approval from the Idaho Department of Environmental Quality and Idaho Department of Water Resources for the underground fuel tanks in order to comply with Section 7-2-126(B).



If approved by the County, upon purchasing one of the two proposed parcels, Maverick Store 787 wishes to build a series of signs to advertise the proposed uses in the CUP. All the other signs fits into various definitions and requirements of Title 7, Chapter 7 except the one Billboard Sign facing the interstate on Figure 2.

*THIS COPY IS VISIBLE ON PHYSICAL PRINTS IT MAY INDICATED THAT ARTWORK HAS BEEN PRINTED "TO FIT". MEASUREMENTS TAKEN USING A SCALE RULER MAY NOT BE ACCURATE.

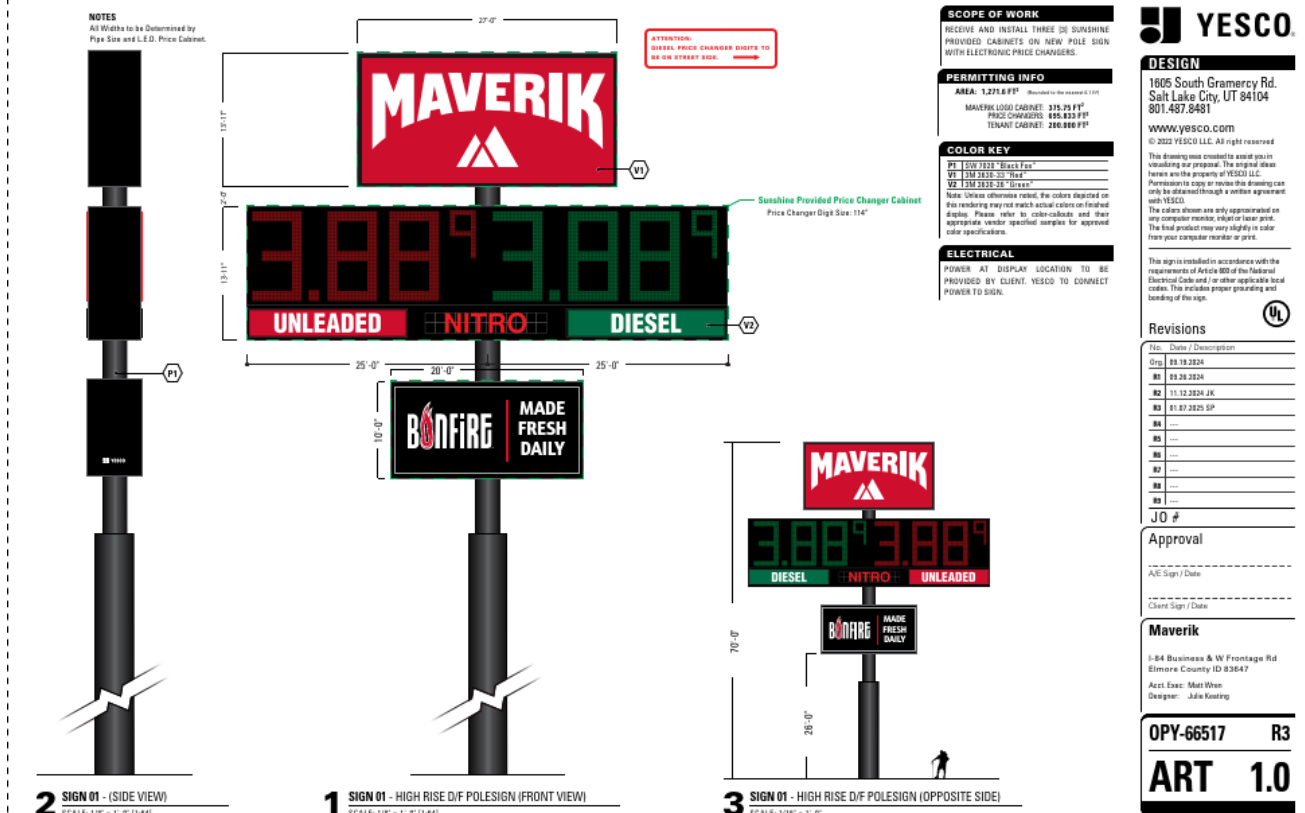


Figure 3 – Sign Requiring VAR-2023-03

The proposed Billboard Sign in Figure 3 requires a Variance.

Section 7-7-22(D)1 of the Zoning Ordinance states that “Painted Bulletins 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 sign does exceed all these dimensional requirements where height of the painted bulletin is 13’11” and length is 50’ clearly exceeding the square footage.

Section 7-7-22(D)2 of the Zoning Ordinance states that “Poster panel shall not exceed (11’) in height nor twenty-three (23’) feet in length nor exceed two hundred forty-eight (248’) square feet in area”. The proposed Variance is for the top poster panel is for exceeding the height to 13’11” and length to 27’ clearly exceeding total square footage of the sign.

Section 7-7-22(D)8 of the Zoning Ordinance states that “The maximum height of the signs erected upon the ground shall not exceed forty (40’) feet above grade”. The proposed Billboard Sign is seventy (70’) feet above ground requiring a Variance.

Master Site Plan (Title 10, Chapter 6):

A proposed Master Site Plan map was submitted and considered complete by the Review Team, however, no narrative was provided addressing the required Master Site Plan findings per Title 10 Chapter 6. The request for a narrative was made in the Completeness Memo but none was provided. The Review Team further requests a narrative addressing all of the required Master Site Plan finding as outlined in Title 10, Chapter 6.

As part of the Master Site Plan documentation, a Natural Features Analysis is required. The requirement is outlined in Title 10, Chapter 6 and is also part of the requirements for a Preliminary Plat application. See comments below regarding compliance with Title 10, Chapter 1.

CUP's Compliance with Mountain Home Area of Impact (Title 11, Chapter 1):

The Department is not able to follow the City's Comprehensive Plan as required in Section 11-1-4(A). The reason is that the City has adopted the 2020 Comprehensive Plan since the Area of City Impact provisions were negotiated and adopted in 2010. After adopting the 2020 Comprehensive Plan, the city has not come to Elmore County for renegotiations of the Area of Impact as required in the State code. Therefore, the currently negotiated Comprehensive Plan that is in effect for the Area of City Impact is not the same as the Comprehensive Plan that is in effect now, and the city is using in their decision-making.

As per the requirements of Section 11-1-4(D), the Department has invited the City of Mountain Home to pre-application meeting, agency meetings, and the Planning and Zoning Commission Workshop.

Furthermore, the Department has requested the City's comments for the "Shared Analysis of Traffic and Other Public Services Impacts" as per the requirements of Section 11-1-4(H). The City's has stated that "no approvals are required" and "the City does not have any services at this location" (Exhibit 5). The Department has also invited the Mountain Home Highway District to this development review process, and they have not participated.

Preliminary Plat's Compliance with Subdivision Requirements (Title 10, Chapter 1):

As required in the Zoning Ordinance Section 10-1-2 (A) 3, "Prior to application for a subdivision, a Conditional Use Permit must be approved allowing the division of the parcel". The Applicant understands that the Preliminary Plan will only be considered if CUP-2025-09 receives approval from the Planning and Zoning Commission.

The Preliminary Plat requirements are identified in the Zoning Ordinance at Title 10, Chapter 1. In the Completeness Memo, the Review Team had requested a narrative as well as drawings that address all procedural and substantive requirements of a Preliminary Plat, including Natural Features Analysis of the Site, to complete this review. As required in Section 10-1-3(D)8, the Applicant needs to provide a written statement explaining how the design of the preliminary plat protects or mitigates impacts on the natural features of the site. The Applicant was given the opportunity to request a categorical written exemption for any of these requirements that may not be applicable to a commercial subdivision by a certified Engineer. The Department had also asked if the Applicant plans on selling both parcels separately and to include a legally binding easement between two proposed lots since both proposed lots use one access point and one internal road for the shared primary and secondary access. The Review Team has not received this information from the Applicant.