



ELMORE COUNTY PLANNING AND ZONING COMMISSION
War Memorial (American Legion Hall)
515 East 2nd South Street, Mountain Home, ID 83647

MINUTES

For:

Thursday, June 22, 2023, at 7:00 pm

Vice Chair K.C. Duerig called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Sue Fish, Jeff Blanksma, Ed Oppedyk and Mitch Smith. Also, present were Director Mitra Mehta-Cooper, Counsel Abbey R. Germaine, and staff members Joel Cruz-Haber, Kacey Ramsauer, and Tonya Boyd. Absent was: Patti Osborn

PUBLIC HEARING ITEMS

1. CUP-2023-11 - project is located approximately 21 miles West of Mountain Home. The 11-acre parcel is owned by Christopher Brown and Melissa Hartman in which they propose to develop a Dry Storage Facility/Contractors yard consisting of enclosed trailers, trailers, RVs, boats, and vehicles for the applicant's employer. There are no proposed permanent structures on the site. The site will take primary access from west Tilli Rd. via an existing driveway. The applicant owns the parcel directly in front of the parcel for this proposed use.

Applicant – Chris Brown – 13542 W. Tilli Rd. Mountain Home, ID 83647 – spoke on proposed project. Plan is to create a dry storage facility for employers enclosed trailers.

Staff Report - Kacey – project located off of Tilli Road, proposed to develop dry storage lot. Applicant has followed and complied with conditions of approval.

Testimony-

In Opposition:

Robie Ranft-13420 W. Tilli Rd. – concerns of fire, dust, erosion, flood plain, fencing, traffic, crime, zoning (not commercial), lighting, paving, and drainage from trailers.

Baili Ranft – 13420 W. Tilli Rd. – concerns of management skills, concerns for children & livestock, and felt applicant is not civil with problematic issues.

Applicant rebuttal - Chris Brown – 13542 W. Tilli Rd. Mountain Home, ID 83647 – noted that each concern was notated in the CUP and he has complied with each requirement and agrees to proposed conditions of approval. Additionally, water tanker for fire response, road base requirements, dust control, and fencing would be provided by employer. All trailers are cleaned prior to transport, cannot transport with hazardous waste. Employer is United Site Services; they support FEMA during fire seasons and emergencies. There are 130 spaces plotted out but does not believe that number will be reached. All trailers will most likely be handled by applicant and only in an emergency will there be more traffic/drivers moving out

Applicant – Gunner Terharr – 4518 SW Easy St. – I would like to build a steel 30x50 square foot shop for personal use on my property.

Staff Report – Accessory structure application and accessory structures that are proposed to be constructed in the Air Base Hazard Zone require a Conditional Use Permit. Mountain Home AFB did comment on the roof and those comments are in the comments section.

Testimony – None

Chair - closed the public hearing on this item.

Commission Discussion –

Sue – what were the comments from MHAFB?

Kacey – reflection concerns of the flight path and will be addressed in the building permit as part of the conditions of approval. All documentation will be sent to MHAFB for approvals.

Commission action- Motion to Approve

Moved - Ed

Seconded - Mitch

Motion- carried unanimously.

3. C UP-2022-15 - The applicant, Carl Vaughn, submitted a CUP application on behalf of Johnathan Dodge, for a gravel pit, rock crushing, outdoor storage, and scale house on 42 acres of Agriculture Zoned land in Elmore County. parcel RP03S06E142410 (the “site”) is off of Canyon Creek Rd about 1.5 miles north from Sunset Strip on the left after crossing the I-84 overpass.

Applicant – Carl Vaughn – PO Box 1384 Mountain Home, ID – Consultant for Dodge Boys – Application has been submitted in various parts over the last year as requested by LUBD and is done along with the reclamation plan.

Staff Report – Joel – proposed gravel pit with rock crushing, outdoor storage, and scale house near other gravel pits. The parcel is zoned AG which requires a CUP per EC Code Title 7, Chapter 2, 26 B. Following Pre-App’s meetings, a Dept. of Lands reclamation request was made and the applicant completed. Also not mentioned in the staff report, a One Time Division was made to take away residential property. Idaho Fish & Game then submitted a comment asking the start of the project be delayed to the end of July due to owls that are burrowing and nesting at the site and allow time for owls to raise their young. Dust abatement, noise pollution, traffic count, hours of operation, and run-away-vehicle precautions are in the conditions for approval. Staff recommends approval.

Testimony –

In Support:

products. It is a commodity pit and that would be like saying all the farmers around here with the farm trucks would have to be covered coming in and out of their fields. Right now, only those that travel down the highways are required by state law to be covered. So, you would have to require that of all trucks rather than singling out one companies trucks to be covered.

Counsel - Mr. Chairman, Commissioners, just for a point of clarification, as it relates to the requirements that the commission is allowed to impose, they do have the discretion under title 7 chapter 2 to impose conditions that meet those requirements. If you decided that you wanted to impose a condition to cover the trucks, you would have to find that it was based on one of the criteria in that chapter and title, but you certainly have the ability to condition it in that way. It does not have to be in the ordinance itself.

Commission – So we would have to find justification in, in the code. Is that what you're saying?

Counsel - Yes, so, Mr. Chairman Commissioners, there are 11 standards that are outlined within the code that allow for the commission to impose certain conditions that support those criteria. So, if you believe that in order to find that the conditional use that was being proposed would be better suited if that condition was placed on the permit, then you could certainly make that finding.

Counsel - Mr. Chairman, Commissioners, I would just add one of the criteria within Title 7 Chapter 2 states that the proposed use shall not be hazardous or disturbing to existing neighboring uses or impede their normal development. So, if the commission found that having that coverage of the trucks would help satisfy that criteria then the commission could certainly make that finding.

Commission Discussion - So I'm not seeing anything to be hazardous or disturbing in their mitigation plan and they've already agreed to asphalt the entrance to help mitigate dust issues. So, looking at the applicants comments about it being a commodity pit, and other agencies, or other entities going in and out would have to meet the same standards. I'm kind of in agreement with the applicant.

Counsel - So Mr. Chairman Commissioners. Again, my role is just to point out the criteria that's outlined in the code based on the fact that I'm assuming the coverage and the securely fastened covers on the equipment would be to prevent anything from flying off in the vehicle that would be something that could be found under the Hazardous or disturbing criteria.

Commission Chair - Other comments? Thoughts?

Commission Discussion - Jeff – Yes, I have a concern. I think that proposing such a condition of approval would limit the clientele that the applicant could entertain, in that gravel pit. Requiring that type of covering while it's a good intention, would limit the type of trucks that could go in there and move gravel around. I think that would be a huge overstep on our part.

INFORMATIONAL & DISCUSSION ITEMS

7. Review Meeting Dates & Locations 4th Thursday of the month starting June 22, 2023
Discussion on dates

Thursday, June 22, 2023
Thursday, July 27, 2023
Thursday, August 24, 2023
Thursday, September 28, 2023 –
In the Commissioners Room at the Court House
Thursday, October 26, 2023
Wednesday, November 22, 2023 –
(change to 5th Thursday 30th due to conflict with Thanksgiving)
Thursday, December 28, 2023

8. Mayfield Townsites Preliminary Plat public hearing for the week of August 28th
Notice of Mayfield Townsite Planning and Zoning meeting to be held on August 31st 6pm.
9. Department Head Memo
Discussion on purchasing tables for the P&Z Commission – Commission agreed

MEETING ADJOURN



K.C. Duerig, Chairperson

9-21-23

Date:

Attest: 

Mitra Mehta-Cooper, Director

9/21/23

Date: