

Planning & Zoning Meeting
February 11, 2020

This regular meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:02 p.m. Present were Chairman Rod Mink, Commissioner Bill Allred, Commissioner Jeff Schroeder, Commissioner Carl McEntarffer and Commissioner Randy King. Commissioner Dave Holley was excused. Also present were City Planner Ida Clark, Legal Counsel Ted Larsen, and Secretary Katie Elliott.

PUBLIC HEARING for a request from Chunmei Tan, for approval of a Special Use Permit allowing three goats, on the property described as Tax 2, Block A-218, Jerome Townsite NE 18-8-17, more commonly known as 1302 North Fillmore Street, Jerome, Idaho.

Ms. Clark stated the applicant is not currently present. Discussion was held on how to proceed.

Commissioner Allred made a motion to move the Public Hearing down the agenda.

Second to the motion by Commissioner McEntarffer, and carried.

Unanimous “ayes”

PUBLIC HEARING for a request from Tensco, Inc., c/o Gerald Martens, for a variance allowing reduced residential front yard setbacks on those parcels described as a portion of N2 SE 4, Section 7, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more commonly known as the westernmost portion of 21st and 22nd Avenues East, approximately 366 feet west to the City limit boundary and approximately 500 feet south containing approximately 4.19 acres.

Chairman Mink called the public hearing to order at 7:04 p.m.

Staff Report: Ms. Clark stated Stoney Ridge Subdivision Phase 1 was approved in 2006. Phase 2 and 3 have also been approved and developed. At each phase, the street right-of-way was approved at 50 feet. Current City staff has been unable to find written documentation why the 50 foot right-of-way (ROW) was originally approved. There are currently 112 homes platted with five streets constructed in the subdivision. Phase 4 will complete the southwestern portion of the subdivision as it is at the city boundary line. Current code requires local streets have a 56' ROW. Due to the approval of the previous three phases and for conformity, the applicant is requesting a variance for front yard setback from 25' to 22' in order to meet the required 56' ROW. The property in question, as stated above, is currently zoned Residential 1 (R-1). Regardless of use, setbacks for this property are as follows: Front- 25', Rear- 20', Interior Side- 7', and Side Street- 15'. Minimum Lot Area: 6,250 Sq. Ft.

Regarding the variance criteria, Ms. Clark stated the application notes the enforcement of City Code to the 56' ROW will reduce the building envelope and will create nonconformity within

the existing subdivision. Phases 1 through 3 have already been designed and developed with the decreased 50' ROW. A literal interpretation would mean that the design for phase 4 would have to be altered to meet the current code which would create nonconformity within the development that has already been approved by the City. The application notes the current condition and circumstances are existing from previous approval, by the City, of the subdivision phases 1 through 3. Variances are typically granted when the applicant proves undue hardship because of the characteristics of the site and that the variance is not in conflict with the public interest. It does not appear the variance would be in conflict with the public interest.

Upon inquiry from Chairman Mink, Ms. Clark stated she was not sure why, but the previous plats were approved at the 50 feet.

Applicant Testimony: Gerald Martens, 11 East 500 South, Jerome, testified, they have developed 100 or more lots with the 50 foot right of way (ROW), with a 36 foot wide street. He stated the proposed area was in the original plat but since it expired, they had to come back for approval. He stated he was not the original developer but this variance would not change the width of the road. He stated this variance would make everything the same as the previous phases. He stated the future phases of the subdivision will continue north so he will not need the variance. Upon inquiry from Chairman Mink, Mr. Martens stated without the variance, the houses would be pushed back three feet from lining up with the other homes. Upon inquiry from Commissioner Schroeder, Mr. Martens stated the homes will be the same size but the lots will be a little smaller with the variance. Upon inquiry from Commissioner Schroeder, Mr. Martens stated this is the last phase in this alignment. He stated he has development rights to the property directly to the north of the property. Upon inquiry from Commissioner Schroeder, Mr. Martens stated he could develop the property to the west but there would need to be a wastewater trunk line from the west. He stated if it was developed, he would continue the roads.

Testimony in Favor: none

Testimony in Neutral: Lupita Espinoza, 432 20th Avenue East, inquired if they would be building homes behind her house. Ms. Clark stated the next hearing will be for the Subdivision where they would be addressing those questions.

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:16 p.m.

CONSIDER a request from Tensco, Inc., c/o Gerald Martens, for a variance allowing reduced residential front yard setbacks on those parcels described as a portion of N2 SE 4, Section 7, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more commonly known as the westernmost portion of 21st and 22nd Avenues East, approximately 366 feet west to the City limit boundary and approximately 500 feet south containing approximately 4.19 acres— action item

Commissioner McEntarffer stated he has no issue with the variance. He stated the City will have plenty of room to work if needed. Chairman Mink stated the road is not a collector road. The Commission went over the standards for a variance. Discussion was held on the variance standards A through D. Commissioner King stated he had no issues. Commissioner Schroeder stated he also had no issues.

Commissioner McEntarffer made a motion to approve a request from Tensco, Inc., c/o Gerald Martens, for a variance allowing reduced residential front yard setbacks on those parcels described as a portion of N2 SE 4, Section 7, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more commonly known as the westernmost portion of 21st and 22nd Avenues East, approximately 366 feet west to the City limit boundary and approximately 500 feet south containing approximately 4.19 acres.

Second to the motion by Commissioner King and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Allred, Commissioner Schroeder, Commissioner McEntarffer, and Commissioner King. NAYE: None.

PUBLIC HEARING for a request from Tensco, Inc., c/o Gerald Martens, for approval on a preliminary plat for Stoney Ridge Subdivision Phase 4, described as a portion of N2 SE 4, Section 7, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more commonly known as the westernmost portion of 21st and 22nd Avenues East, approximately 366 feet west to the City limit boundary and approximately 500 feet south containing approximately 4.19 acres.

Chairman Mink called the Public Hearing to order at 7:21 p.m.

Staff Report: Ms. Clark stated the property in question, described as a portion of N2 SE 4, Section 7, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more commonly known as the westernmost portion of 21st and 22nd Avenues East, approximately 366 feet west to the City limit boundary and approximately 500 feet south containing approximately 4.19 acres more or less, is currently zoned Residential 1 (R-1). The proposed project, a sixteen (16) lot residential subdivision with a seventieth (17) lot designated as stormwater retention, requires a preliminary plat recommendation from the Planning and Zoning Commission. Ms. Clark stated the setbacks were previously discussed in the first public hearing and the variance for the front setback was approved. The maximum height of 35' and the minimum lot size of 6,250 square feet.

As pertains to Jerome Comprehensive Plan, Ms. Clark stated the application meets the following objectives within Chapter Three - Land Use, Objective 1 – Exploring the growth patterns of the city and plan and prepare for future growth opportunities; and Objective 6 – Developing a variety of densities that support mixed land use. Ms. Clark also stated the application meets the following objectives within Chapter Thirteen – Housing, Objective 3 -

Encourage residential developments that are well planned and encourage the development of various housing types to meet the needs of the citizens of Jerome.

As pertains to Title 16 of the Jerome Municipal Code (JMC), Ms. Clark reviewed the Subdivision – Preliminary Plat Criteria with the commission. She stated the applicant met with the City Engineer and the City Planner to discuss the proposed project. The applicant has provided proof of ownership. The applicant has adequately provided a complete subdivision application with adequate information to review the preliminary plat. The application was deemed complete and scheduled for the next available meeting date which would allow staff to review the application, take comments from other agencies and properly notice for the public hearing. Ms. Clark stated she sent a notice regarding the proposed subdivision, to the following agencies: Idaho Power, Intermountain Gas, School District, Jerome County, North Side Canal Company and the Post Office. No comments were received from the above agencies. She also stated she sent the application to City Departments including Building, Engineering, Fire, Water and had the following comments: Local street right-of-way (ROW) for North Davis St., 21st and 22nd Avenues will need to be at 56' per design standards or a variance, which was approved in the previous public hearing at tonight's meeting. Mailed notice was sent to adjacent property owners on January 10, 2020 with a public hearing continuation notice sent on January 24th, 2020. Ms. Clark noted this is a review of a seventeen (17) lot preliminary plat only. Further development of Stoney Ridge Subdivision will require submission of new preliminary and final plats; unless, a preliminary plat including all proposed phases is submitted for review. The Commission will meet on February 11, 2020 to discuss the proposed preliminary plat and discuss how the findings have been met and follow the procedures outlined above to approve or deny the application. The applicant shall have one year to file and obtain the certification of the acceptance of the final plat application by the administrator within one year after action by the commission. The minimum lot size requirement is 6,250 square feet. As proposed, all lots meet the minimum lot size for the zone. The project will extend 21st and 22nd Avenues to the western most boundary of City limits. The plat also proposes to build North Davis St. As proposed, the streets have been designed with a 50' ROW, which will need to be increased to 56'. The application notes all streets will be dedicated to public use and be constructed to meet City standards. The streets are located accordingly to serve all proposed lots. The streets meet the required horizontal and vertical geometry and minimum and maximum grades. The streets line up the City's Grid System and will be a continuation of 21st and 22nd Avenues with the continuation of North Davis St. The streets meet the requirements for angle, sight triangle and vertical alignment. The application does not propose any alleys due to the configuration of the lots and the street layout. The application material propose a 10' utility easement on all front property lines. Additionally, the materials show a 10' easement on the rear property lines. Water and sewer models will need to be prepared before Will Serve letters can be issued. As proposed the sewer will run along the southeast portion of a county parcel located at 122 North Road through an easement. This will allow the sewer to tie in on the western portion 20th Ave East. The easement agreement has been included with the application. The materials show the retention pond on the southwest corner of the development in Lot 9. Stormwater retention/detention has been calculated to meet City of Jerome requirements. The development will continue with 5' wide sidewalks and rolled curb.

If approved, Ms. Clark recommended the following conditions: Comply with all City of Jerome Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; A final plat shall be submitted for review and approval by the City Council prior to recording the plat at the County; and Comply with all City, State and Federal Requirements.

Applicant Testimony: Gerald Martens, previously sworn in, testified, this is the final phase of the western side of the development. He stated this is the final phase of the extension of the subdivision as it will reach the city limits. He stated the next phases will be to the north of this property. Mr. Martens spoke about the stormwater retention area and stated the water has always collected in that area but they will landscape it. He stated the roads will continue through to promote connectivity. Mr. Martens briefly explained the wastewater connection plan. He continued everything will be the same as the previous phases regarding the house size, lot size, and CC&R's. Mr. Martens explained they are proposing to phase this development. He stated they will develop the most south lots and move to the west. He explained the house market has been about 10 to 14 houses a year in the subdivision. He stated they would like to begin this spring starting on 21st Street. He would like to build around 8 to 10 homes this year. Mr. Martens pointed out the retention pond that would be on the most south west portion of the property. He stated they would shape, clean out and grade the retention pond for proper maintenance. He also pointed out where the retention pond was in relation to homes located on the northwestern portion of 20th Ave East.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:32 p.m.

CONSIDER a request from Tensco, Inc., c/o Gerald Martens, for approval on a preliminary plat for Stoney Ridge Subdivision Phase 4, described as a portion of N2 SE 4, Section 7, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more commonly known as the westernmost portion of 21st and 22nd Avenues East, approximately 366 feet west to the City limit boundary and approximately 500 feet south containing approximately 4.19 acres– action item

Commissioner Schroeder inquired about the drainage of the subdivision. Ms. Clark stated there is another stormwater drainage area. Commissioner Allred inquired who took care of the retention pond. Extensive discussion was held on who would provide the maintenance for the drainage area. Mr. Larsen stated the CC&R's allow for a HOA so it would be up to the homeowners in the subdivision to activate the HOA which would be in the best benefit for them. More discussion was held on who would be responsible for the stormwater retention

pond. Chairman Mink stated the commission is looking at the preliminary plat and recommend the approval to the City Council. He stated the fine tuning will be up to the City Council. Ms. Clark stated the commission could make recommendations for City Council. Upon inquiry from Commissioner Schroeder, Mr. Larsen stated at the time of the final plat, everything should be clarified regarding the maintenance of the retention pond. More discussion was held on the ownership of the retention ponds and maintenance conditions.

Commissioner King made a motion to recommend to City Council the request from Tensco, Inc., c/o Gerald Martens, for approval on a preliminary plat for Stoney Ridge Subdivision Phase 4, described as a portion of N2 SE 4, Section 7, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more commonly known as the westernmost portion of 21st and 22nd Avenues East, approximately 366 feet west to the City limit boundary and approximately 500 feet south containing approximately 4.19 acres with the following conditions: Comply with all City of Jerome Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; A final plat shall be submitted for review and approval by the City Council prior to recording the plat at the County; Comply with all City, State and Federal Requirements; City Council to address the ownership and maintenance of the retention pond.

Second to the motion by Commissioner Schroeder and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Schroeder, Commissioner McEntarffer, and Commissioner King. NAYE: Commissioner Allred.

Commissioner King made a motion to move the Design Review for 123 West Main up in the agenda.

Second to the motion by Commissioner McEntarffer and carried.

Unanimous "ayes".

CONSIDER a Design Review request from 402 South Lincoln Avenue, Jerome, Idaho– action item

Ms. Clark stated the applicant requested to present at a later date.

CONSIDER a Design Review request from 123 West Main Street, Jerome, Idaho– action item

Staff Report: Ms. Clark stated the property is located at 123 West Main St. in Jerome, otherwise known as the Liquidation Center. It is an existing building. The business is located in the Central Business District (CBD). The application proposes a façade facelift which will provide a color update to the front of the building. The façade will remain the same material, with newly added paint in the color of Compass Blue and an accent color of Silver City.

Regarding the Design Review Guidelines, Ms. Clark stated the building's façade will remain as is. The applicant is looking to update the façade to set them apart from other buildings. The main color is in the blue family and is being paired with one accent color in the grey family. The top of the building will be the accent color as shown in the picture. The application is not proposing trim around the door or windows because it is metal. The façade update will be done in professional manner and workmanship. Ms. Clark projected the proposed colors on the screen for the commission.

If approved, Ms. Clark recommended the following conditions: Applicant will paint, at the minimum, one coat of primer. Self-priming paint can be used; however, a separate primer must be used before the self-priming paint is applied; and Painting of a façade must be done in a professional manner and workmanship, using two coats or more of paint where needed.

Ms. Clark passed the paint swatches to the commission and went over the proposed façade update with the commission.

Sergio Mendoza stated he did not have anything to add to the staff report. Commissioner McEntarffer stated the commission battled back and forth with another business regarding color standards. Discussion was held on different colors for downtown. Mr. Mendoza stated he wants the sign to stand out. He stated he does not care what color to put on the building, he just wants the sign to be seen. He stated the back of his sign on the door shows the blue which is why he chose the blue color. Extensive discussion was held on paint colors, designs, and regulations. Ms. Clark stated she would sit with Mr. Mendoza to come up with some colors that would fit with his sign and the color pallet for downtown. She stated they would bring the new colors back to the commission.

Commissioner King made a motion to approve the request from 123 West Main Street, Jerome, Idaho as presented.

Motion failed due to lack of second of motion.

Extensive discussion was held on design review colors for downtown, the process of the design review, and the different interpretation regarding neutral colors. This discussion will be continued in the Discussion area of the agenda.

PUBLIC HEARING for a request from Chunmei Tan, for approval of a Special Use Permit allowing three goats, on the property described as Tax 2, Block A-218, Jerome Townsite NE 18-8-17, more commonly known as 1302 North Fillmore Street, Jerome, Idaho.

Chairman Mink called the Public Hearing to order at 8:07 p.m.

Ms. Clark stated the applicant is not present for the hearing. She stated the property in question, 1302 North Fillmore in Jerome, is currently zoned Residential 1 (R-1), and is approximately one (1) acre. The proposed use, the possession of three goats, requires a Special

Use Permit from the Planning and Zoning Commission. Regardless of use, setbacks for detached accessory structures on the property will not be less than three (3) feet from the rear or side property lines.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the request is in compliance with the Comprehensive Plan as relates to Rural Residential Land Uses requiring Special Use Permits in Section 3.1.1 This is only compatible with the Comp Plan when the request is considered compatible "Rural Residential Land Use." (3.1.1)

Ms. Clark stated proper disposal of stable matter must be considered as it can be considered a public nuisance.

Regarding the General Standards for Special Uses, Ms. Clark stated the Planning and Zoning Code allows goats in the R-1 zone with an approved special use permit. The request appears to be harmonious with the objectives of the Comprehensive Plan and Title 17 of the Jerome Municipal Code. The application notes the animals will be kept in a fenced area in the back of the property. The applicant stated there is a garage behind the house that has been converted into a barn and shelter for the goats. There will be no changes to the front of the house. The applicant notes the animals will be fed and watered daily to make sure they are properly maintained. They will be kept in a secure area so as not to be disturbing to the neighbors. Goats have the potential to be disturbing to neighboring uses. The goats have previously knocked down the fence and were loose in the neighborhood. The applicant stated they have since fixed the fence so they cannot get out. There is no indication that additional services will be needed to serve this use. It does not appear goats will create excessive additional requirements at public cost. It appears that goats will not be detrimental to persons, property or the general welfare by creating excessive traffic, smoke, fumes, glare, or noise. The application notes odors will not be a problem as they will compost the stable matter on their property. This request will not impact vehicular approaches. It does not appear that the goats will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Ms. Clark stated she sent the application to all of the departments and only received the following comment back: Animal Control – Ensure adequate fencing is established so the animals do not get out.

If approved, Ms. Clark recommended the following conditions: Goats will not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; Stable matter will be disposed of properly; Any accessory structure associated with the goats shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code; and Special use permit shall be allowed for up to one year, renewable upon expiration.

Ms. Clark stated she received two letters in opposition which will be read. Upon inquiry from Commissioner King, Ms. Clark stated there is no cap on goats. She stated the applicant is asking for three now but may ask for a total of five. Upon inquiry from Chairman Mink, Ms. Clark

stated the whole property is one acre. Upon inquiry from Commissioner McEntarffer, Ms. Clark stated the code does not address animal units. She continued that history has been that the commission has approved one horse, cow per one acre. Ms. Clark went over the layout of the property with the commission.

Applicant Testimony: Ms. Clark stated the applicant is not present

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: Bettie Winterholler, 614 10th Avenue East, testified she has lived in Jerome for 70 years. She stated goats in a residential area is asinine. It is the City and does not think there needs to be farm animals in the City. She stated there will be flies and other critters that accompany animals. She stated she is upset that the application has come before the council for consideration. She stated her friends all have concerns with animals in the city. She stated she does not think there needs to bring more animals brought in to the city. She understands the applicant has great aspirations. She stated she understands the good intentions but does not think it will work. Chairman Mink stated several cities have had a big push for allowing chickens without a permit but the city allows livestock with a permit. He stated this helps with weeds. Ms. Winterholler stated she has neighbors that shoo chickens out of their yard in the morning. Chairman Mink stated they need to contact the City since that is a violation.

Judy Grimes, 605 10th Avenue East, testified, she is in agreement with Ms. Winterholler. She stated they have already having issues with dogs in the area. She stated they have pitbulls and they cannot go to the mailbox and Ms. Winterholler has been bit twice. She stated there is too much stuff that needs better control. She stated she is against the goats. Ms. Grimes inquired who she needs to speak with regarding dead trees. Ms. Clark stated she would need to speak with Code Enforcement on that issue. Upon inquiry from Mr. Larsen, Ms. Grimes stated she has not had any issues with these goats.

Ms. Elliott read two letters that were received:

I am writing regarding the goat hearing for 1302 N Fillmore on 1/28/20. I am against approval of this permit for various reasons. I am not fond of farm animals in my town neighborhood. In the past neighbors had geese... they got out all of the time and ate my garden, coy fish out of my pond not to mention the danger of them darting in and out of traffic on Fillmore. I do not enjoy waking up hearing the neighbors roosters crowing at 4:00 AM, dogs chasing ducks and geese and now goats. Goats are notorious for getting out and eating about anything. Has anyone checked to see if the lot is big enough to support 3 goats? They need a minimum of 15 sq ft per goat and a shelter in the winter? Who makes sure the waste is cleaned up and properly disposed of?

I did speak with some of my neighbors and none of them were in favor of the goats. The comments were concerns for goats getting out of the yard, into traffic, noise from dogs barking at them. Wondering about whether or not law enforcement (animal control) do anything if there are problems. (Not much success prior with calls for ducks, geese out in traffic.)

I sincerely hope my neighborhood in town does not become a home for goats!

*Cindy Walter
1432 N Fillmore*

Farm animals belong in the country not the city.

*Sincerely
Phillis Ann Boeker
1420 Olympia Drive*

There being no further testimony, Chairman Mink closed the public hearing at 8:27 p.m.

CONSIDER a request from Chunmei Tan, for approval of a Special Use Permit allowing three goats, on the property described as Tax 2, Block A-218, Jerome Townsite NE 18-8-17, more commonly known as 1302 North Fillmore Street, Jerome, Idaho- action item

Chairman Mink stated traditionally they do not approve permits if the applicant is not present unless there is a reason why the applicant is not present and they have already prepared their testimony prior. Discussion was held on how to proceed with the hearing. Mr. Larsen suggested the commission go through the guidelines as they do with all of the public hearings and make a decision regarding the guidelines. Commissioner Allred stated he moved into town to get away from the farms. He suggested sitting down and creating an ordinance on what to allow in the city. He stated there have been cows, horses, and lots of dogs in his neighborhood. Chairman Mink stated there is an ordinance in place, but inquired if they should make it more of an acceptance instead of allowing. Chairman Mink went over the Special Use Permit standards with the Commission. Discussion was held on standards A through I. Commission agreed standards C & D are not met with the testimony that has been provided. Commissioner Schroeder stated his concern is with the applicant not showing up for the hearing, and wonders how committed they are. Commissioner Schroeder would like to hear from the applicant before he makes a decision. Mr. Larsen stated it is hard to issue a permit with conditions where the applicants have not agreed to those conditions. Discussion was held on how the commission could move forward with the application.

Commissioner King made a motion to approve a request from Chunmei Tan, for approval of a Special Use Permit allowing three goats, on the property described as Tax 2, Block A-218, Jerome Townsite NE 18-8-17, more commonly known as 1302 North Fillmore Street, Jerome, Idaho.

Second to the motion by Commissioner McEntarffer and carried.

Commissioner McEntarffer stated he would vote to deny due to the applicant not being present and hearing no evidence from the applicant. Commissioner Schroeder added the application also failed standards C & D in the Special Use criteria.

After consideration, the motion failed by the following votes: AYE: None. NAYE: Commissioner Schroeder, Commissioner McEntarffer, Commissioner King, and Commissioner Allred.

PUBLIC HEARING to consider the following: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, CREATING TITLE 17 CHAPTER 18.070 LANDSCAPING REQUIREMENTS AND AMENDING TITLE 17 CHAPTER 26.080 SCREENING AND/OR LANDSCAPING, OF THE JEROME MUNICIPAL CODE PROVIDING FOR MINIMAL LANDSCAPING REQUIREMENTS FOR NEW DEVELOPMENT IN VARIOUS ZONES THROUGHOUT THE CITY OF JEROME AND FOR THE LANDSCAPING OF PARKING LOTS WITH MORE THAN 20 PARKING SPACES; FOR A PENALTY FOR VIOLATION OF THIS CHAPTER; AND PROVIDING FOR AN EFFECTIVE DATE.

Chairman Mink called the Public Hearing to order at 8:45 p.m.

Staff Report: Ms. Clark stated a Landscape Committee was formed to review a proposed landscape ordinance that was not approved, from approximately six years ago. After several meetings and drafts, the committee would like to provide the landscape ordinance for review and comment. The request for a landscape ordinance is in compliance with the City of Jerome Comprehensive Plan, Chapter Five – Community Design, 5.9 Landscape Plan/Ordinance which states to continue and expand this process, the city needs to develop a landscape and tree ordinance to guide the future development of landscaping amenities for the city. She stated she received a few comments from engineering firms. She stated the first comment was in regards to Section B.7.a.5 that requires tree wells to be a minimum of 9 square feet (3x3) and root barriers are encouraged. He stated “the Tree Course presenter noted that in his experience, trees planted in small tree wells particularly with root barriers are only going to live 2 to 3 years be being stressed and dying. Wide plant strips are much more tree friendly.” Discussion was held on root barriers.

Ms. Clark stated another comment she received suggested to, “make all fencing a minimum of 6 feet tall to be effective as both a noise and light buffer/barrier between residential and commercial/industrial zones.”

Ms. Clark stated the last comment received states, “all landscape plans shall be prepared by a landscape designer or qualified nurseryperson”. I would recommend that you include in the definition section of the code what constitutes a “landscape designer” or “qualified nurseryperson”. This always comes up. Do they need to have a landscape architects license for the state of Idaho, or do they need to have 10 years’ experience in landscape design within the Magic Valley region, or something else? If you provide a definition that qualifies each person for

landscape and irrigation design, you will receive far superior landscape installations that are both aesthetically pleasing and sustainable for our region.

Ms. Clark stated the committee had many discussions regarding this topic and reminded the commission of the City Council's comments on keeping the ordinance simple and easy to put into place. Discussion was held on the three comments, the definition of a qualified nurseryperson, and requiring a professional to prepare the plans. Mr. Larsen stated the application still has to be presented to staff for approval. Ms. Clark stated the city arborist, building department and herself would be reviewing the plans. Mr. Larsen stated clear definitions are always better in writing legislature. He continued they may get some great plans from people that do not have a license or you may get some bad plans. Discussion was held on who is a qualified nurseryperson and what the qualifications are for that person. Commissioner Schroeder stated this ordinance is a long time coming; he does not think it is perfect, but he is not opposed to how the ordinance is currently wrote. Commissioner McEntarffer stated this new ordinance is a big improvement from the first ordinance that was proposed six years ago and he approves of it. Mr. Larsen stated that if the commission would like to polish the ordinance, now is the time to do it. Chairman Mink suggested incorporating the fencing. Commissioner McEntarffer suggested leaving the tree wells alone. Commissioner McEntarffer suggested adding the words qualified landscape architect or landscape designer to the ordinance.

Ms. Clark stated she did not receive any other concerns. She stated the ordinance is tentatively scheduled to be presented at the March 3rd City Council meeting. Ms. Clark suggested continuing the public hearing with changes to be brought back at the next meeting date which would still allow the ordinance to be presented at the March 3rd City Council meeting. She stated she also posted this ordinance on Facebook and only received one comment. Commissioner McEntarffer stated he would like to see this ordinance passed before the heavy gardening and construction season begins.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 9:06 p.m.

CONSIDER the following: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, CREATING TITLE 17 CHAPTER 18.070 LANDSCAPING REQUIREMENTS AND AMENDING TITLE 17 CHAPTER 26.080 SCREENING AND/OR LANDSCAPING, OF THE JEROME MUNICIPAL CODE PROVIDING FOR MINIMAL LANDSCAPING REQUIREMENTS FOR NEW DEVELOPMENT IN VARIOUS ZONES THROUGHOUT THE CITY OF JEROME AND FOR THE LANDSCAPING OF PARKING LOTS WITH MORE THAN 20 PARKING SPACES; FOR A PENALTY FOR VIOLATION OF THIS CHAPTER; AND PROVIDING FOR AN EFFECTIVE DATE.— action item

Commissioner Schroeder made a motion to continue the public hearing for AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, CREATING TITLE 17 CHAPTER 18.070 LANDSCAPING REQUIREMENTS AND AMENDING TITLE 17 CHAPTER 26.080 SCREENING AND/OR LANDSCAPING, OF THE JEROME MUNICIPAL CODE PROVIDING FOR MINIMAL LANDSCAPING REQUIREMENTS FOR NEW DEVELOPMENT IN VARIOUS ZONES THROUGHOUT THE CITY OF JEROME AND FOR THE LANDSCAPING OF PARKING LOTS WITH MORE THAN 20 PARKING SPACES; FOR A PENALTY FOR VIOLATION OF THIS CHAPTER; AND PROVIDING FOR AN EFFECTIVE DATE and resume at the next meeting.

Second to the motion by Commissioner Allred and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Allred, Commissioner Schroeder, Commissioner McEntarffer, and Commissioner King. NAYE: None.

Discussion Special Use Chart

Ms. Clark stated she would not spend much time on this tonight. She stated she put all of the changes in chart form. She stated she would send out the red lined copy to the commission for them to look over and would then cover the changes in the next couple of meetings.

Consent Agenda

The consent calendar consist of items that are considered to be routine in nature and will be enacted in the form of one motion. Any item can be removed from the consent calendar and heard in its regular order at the request of any commissioner or the chairman.

- A. Approve the minutes from the January 14, 2020 regular meeting
- B. Consider/Approve Finding and Facts for Juan Gonzalez for a renewal of a Special Use Permit allowing a commercial entertainment facility (indoor) on the property located at Lot 16 & 17, Block 76, Jerome Townsite SE 13-8-16, more commonly known as 160 West Main Street, Jerome, Idaho.
- C. Consider/Approve Finding and Facts for Eric Ebbs, DBA: Jerome Pawn and Gun, LLC, for a Special Use Permit allowing a Pawn Shop on the property located at Lot 1 & 2, Block 85, Jerome Townsite NE 24-8-16, more commonly known as 101 West Main Street, Suite 4, Jerome, Idaho.

Ms. Clark requested the Findings of Facts to be presented at the next meeting.

Commissioner McEntarffer made a motion to approve the minutes as presented.

Second to the motion by Commissioner King and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Allred, Commissioner Schroeder, Commissioner McEntarffer, and Commissioner King. NAYE: None.

CITIZEN CORRESPONDENCE

None

DISCUSSION PERIOD & STAFF REPORTS

Discussion was held on colors for the Design Review, how much the commission can dictate colors, and the outer boundaries the Commission has on design review. Mr. Larsen stated he would research the outer boundaries regarding design reviews.

Ms. Clark stated the next meeting will be on February 25. She stated Sheryl Gibbons has stepped down from the Commission so there is one position open. She stated she has received one application letter. She stated there will only be one meeting in March due to Spring Break.

There being no further discussion, Chairman Mink closed this regular meeting at 9:24 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary