

Planning & Zoning Meeting
June 12th, 2018

This regular meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:01 p.m. Present were Chairman Rod Mink, Commissioner Randy King, Commissioner Dave Holley and Commissioner Bill Allred. Commissioner Sheryl Gibbons, Commissioner Carl McEntarffer and Commissioner Janey Miller were excused. Also present were City Planner Esmeralda Chavez, Legal Counsel Ted Larsen, and Secretary Katie Elliott.

PUBLIC HEARING to hear a request from Rbrt & Erin Groves for a Special Use Permit renewal, allowing six (6) chickens on that parcel described as Lot 1 Block 80 Jerome Townsite SW 18-8-17, more commonly known as 421 1st Avenue East, Jerome, Idaho.

Staff Report: Ms. Chavez stated Mr. & Mrs. Groves received a special use permit for six hens in June 2016. The application materials noted the hens would be kept in an enclosed coop with a fenced run in the backyard. Furthermore, it was noted there would not be any exterior modifications to the front of the residence. Mr. and Mrs. Groves would like to request a renewal on their special use permit.

The property in question, 421 1st Avenue East in Jerome, is currently zoned Residential 2 (R-2). The proposed use, the possession of chicken or poultry, requires a Special Use Permit. Regardless of use, setbacks for this property are as follows: Front- 25'; Rear- 20'; Interior Side- 7'; and Side Street- 15'.

Ms. Chavez stated Title 16 has no bearing on this request.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Chavez 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.

As pertains to Title 8 of the JMC, the ordinance addressing nuisances, Ms. Chavez reminded the commission chicken manure is considered a public nuisance.

If approved, Ms. Chavez recommended the following conditions: Chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare; Any chicken coop or accessory structure associated with the chickens 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 three years, renewable upon expiration. Ms. Chavez stated she did not receive any comments or concerns from surrounding neighbors for the application.

Applicant Testimony: Rbrt Groves, 421 1st Avenue East, testified, he is wanting to renew their application. He stated nothing has changed from the previous application. He stated the

chickens are still next to the detached garage. He stated they have not had any comments from the neighbors. Mr. Groves stated the chickens sometimes make noise but the neighbors have not made any complaints to them. He stated they are producing many eggs so they have been giving the excess eggs to the surrounding neighbors.

Commissioner Holley inquired if the chickens were left out. Mr. Groves stated they are in an enclosure that runs along the garage. He stated they do not let them out to run around without the enclosure.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:07 p.m.

CONSIDER a request from Rbrt & Erin Groves for a Special Use Permit renewal, allowing six (6) chickens on that parcel described as Lot 1 Block 80 Jerome Townsite SW 18-8-17, more commonly known as 421 1st Avenue East, Jerome, Idaho.

Commissioner Allred and Commissioner Holley both had no concerns with the application.

Commissioner Allred made a motion to approve a request from Rbrt & Erin Groves for a Special Use Permit renewal, allowing six (6) chickens on that parcel described as Lot 1 Block 80 Jerome Townsite SW 18-8-17, more commonly known as 421 1st Avenue East, Jerome, Idaho with the following conditions: Chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare; Any chicken coop or accessory structure associated with the chickens 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 three years, renewable upon expiration.

Second to the motion by Commissioner King and carried.

Unanimous "ayes"

PUBLIC HEARING to hear a request from Monica McDonald for a Special Use Permit allowing six (6) chickens on that parcel described as Tax 18, Block A-167, JT SE 19-8-17, more commonly known as 512 East Avenue I, Jerome, Idaho.

Staff Report: Ms. Chavez stated the property in question, 512 E Avenue I, in Jerome, is currently zoned Residential 2 (R-2). The proposed use, the possession of chicken or poultry, requires a Special Use Permit. Regardless of use, setbacks for this property are as follows: Front- 25'; Rear- 20'; Interior Side- 7'; and Street Side 20'.

Ms. Chavez stated Title 16 has no bearing on this request.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Chavez 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

As pertains to Title 8 of the JMC, the ordinance addressing nuisances, Ms. Chavez reminded the commission chicken manure is considered a public nuisance.

Regarding the General Standards for Special Uses, Ms. Chavez stated 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 chickens will be kept in an enclosed coop with a netted area to roam free in their fully fenced backyard. There will not be any modifications to the front of the residence, ensuring that the use will not change the essential character of the area. The application notes they understand poultry can create waste at a rapid rate and they are prepared to clean the area as frequently as needed. There is no indication that additional services will be needed to serve this use. It does not appear the chickens will create excessive additional requirements at public cost for public. The chickens will not be detrimental to persons, property or the general welfare by creating excessive traffic, smoke, fumes or glare. The application notes there may be some noise from the chickens but they have spoken to their neighbors and there should not be significant noise or odors. There are no changes proposed to the vehicular approaches to the property. It does not appear that the chickens will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

If approved, Ms. Chavez recommended the following conditions: Chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare; Any chicken coop or accessory structure associated with the chickens 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 two years, renewable upon expiration.

Applicant Testimony: Monica McDonald, 512 East Avenue I, testified her home is completely fenced. She stated her children have been asking for chickens and they are ready for some responsibility. Upon inquiry from Chairman Mink, Ms. McDonald stated the chickens will be in the backyard in a netted run off of a coop. She stated they have a cedar fence to keep neighbor animals out and her animals in. Chairman Mink went over the setbacks with Ms. McDonald.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:14 p.m.

CONSIDER a request from Monica McDonald for a Special Use Permit allowing six (6) chickens on that parcel described as Tax 18, Block A-167, JT SE 19-8-17, more commonly known as 512 East Avenue I, Jerome, Idaho.

Commissioner King asked for clarification on setbacks, Ms. Chavez explained the setbacks for an accessory structure are seven (7) feet from the side and three (3) feet from back. Commissioner Holley stated he had no concerns.

Commissioner Holley made a motion to approve a request from Monica McDonald for a Special Use Permit allowing six (6) chickens on that parcel described as Tax 18, Block A-167, JT SE 19-8-17, more commonly known as 512 East Avenue I, Jerome, Idaho with the following conditions: Chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare; Any chicken coop or accessory structure associated with the chickens 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 two years, renewable upon expiration.

Second to the motion by Commissioner King and carried.

Unanimous “ayes”

PUBLIC HEARING to hear a request from Lorena Cortez for a Lot Split on the property located at Tax 1 Lot 4 Jerome Unplatted 19-8-17, more commonly known as 1228 South Lincoln, Jerome, Idaho.

Staff Report: Ms. Chavez stated the property in question, a parcel of land described as Township 8 South, Range 17, East of the Boise Meridian, in the City of Jerome, Idaho, containing 1.7 acres, more or less, is currently zoned General Business (C2). The proposed project, a lot split requires approval from the Planning and Zoning Commission. Regardless of use, setbacks for this property are as follows: Front- 25'; Rear- 10'; Interior Side- 12'; and Side Street- 25'. Maximum height of 50' with a no minimum lot size.

Ms. Chavez stated the lot split is subject to Section 16.16.045.

As pertains to Jerome Comprehensive Plan, Ms. Chavez stated the application meets the following objectives within section three Land Use; Objective 1 – Exploring the growth patterns of the city and plan and prepare for future growth opportunities; Objective 4 – Maintaining and developing convenient access and opportunities for services and employment; and Objective 6 – Developing a variety of densities that support mixed land use.

Regarding the Lot Split Criteria Staff Analysis, Ms. Chavez stated the definition of a lot is a single lot of record, a portion of a lot of record, and a combination of complete lots of record, or of portions of lots of record.

Ms. Chavez stated the applicant submitted a pre-application with a copy of the sketch plan and has have provided proof of ownership. The Commission needs to review the application and determine the application proposes to split one lot into two; determine the lot split will not have any impact on present or future public utilities; is consistent with the Comprehensive Plan, both lots will meet the minimal lot size, and both lots shall have the minimum 25 feet of street frontage.

Ms. Chavez stated the applicant has proposed to split one lot into two. The resultant East Lot will be approximately 1.03 acres or 44,866.8 square feet, more or less. The West Lot will be approximately .80 acres or 34,848 square feet, more or less. There is no minimum lot size requirement for the General Business (C2) zone.

Ms. Chavez continued, the application notes the request for a lot split is to allow the construction of one commercial building on each lot. The existing house on the property will be removed to allow a 6,000 square foot restaurant on the West Lot and an 11,000 square foot retail building on the East Lot. The application states there will not be any substantial impacts to public utilities. It is noted that water services are available and the applicant is extending the sewer line to service the property. Each lot will have access off of South Lincoln and will maintain the minimum 25' of street frontage required per the Jerome Municipal Code. The applicant understands that the lots must continue to meet the setbacks, height, and frontage requirements outlined in the Jerome Municipal Code in the future.

Ms. Chavez stated any future divisions of land will require subdivision review and approval.

Ms. Chavez stated she sent notice to the following agencies regarding the proposed lot split: Jerome Highway District, Idaho Power, School District, Northside Canal and Jerome County.

Ms. Chavez read the following letter from Mr. Hansten from the Northside Canal Company:

June 4, 2018

*Esmeralda Chavez
City Planner
City of Jerome
152 East Ave. A
Jerome, ID 83338*

RE: Lorena Cortez Lot Split

Ms. Chavez,

Thank you for informing me of the proposed lot split by Lorena Cortez at 1228 South Lincoln, Jerome, Idaho. My staff has determined that no North Side Canal Company water shares are

associated with the existing property. There is a buried irrigation pipe located along the North property line of the existing lot that will need to be considered when the construction site plan is developed. I would appreciate the opportunity to review the construction site plan prior to construction to ensure that there will be adequate access to the pipeline should it need maintenance in the future.

If you have any questions, feel free to contact me at (208) 324-2319,

Sincerely,

*Alan W. Hansten
General Manager*

Ms. Chavez stated she sent the application to staff and received the following comments: Fire – No issues with the proposed lot split. When the applicant submits the building plans, they will have to address the fire apparatus access and turn around; Engineering, Water, Streets, Wastewater, and Building all had no concerns at this time.

If approved, Ms. Chavez recommended the following conditions: The lot split shall meet all City of Jerome Engineering, Public Works, Wastewater, Building and Fire Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; and comply with all City, State and Federal requirements.

Upon inquiry from Chairman Mink, Ms. Chavez stated the current zoning is General Business (C2). She stated the East Lot will be approximately 1.03 acres, and the West Lot will be approximately .08 acres.

Applicant Testimony: Lorena Cortez, 1228 South Lincoln, testified, she would like to develop the lots commercially. She stated she has met with staff and they have a drawing for the project. She stated the front lot will be a restaurant and the back lot will be a retail store. She stated they have discussed parking, setbacks, and various other city requirements. She stated she has seen the waterline the canal company has mentioned. Ms. Cortez stated she lent the property to D & B when they were resurfacing the parking lot and they flattened out some of it so they could put the asphalt down.

Upon inquiry from Commissioner Holley, Ms. Chavez stated they have met with the applicant and they have reviewed the plans. She reminded the Commission they are reviewing the lot split tonight but she stated they have reviewed the plans to make sure they would be appropriate in that area. Ms. Cortez stated the project will be expensive so they wanted to make sure they met with the City to review the project before they started. Upon inquiry from Commissioner Holley, Ms. Cortez stated she is fine with the 25 foot access in the front as they will have two entries for the property.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:28 p.m.

CONSIDER a request from Lorena Cortez for a Lot Split on the property located at Tax 1 Lot 4 Jerome Unplatted 19-8-17, more commonly known as 1228 South Lincoln, Jerome, Idaho.

Commissioner Holley stated he is excited to see new buildings and has no concerns at this time. Chairman Mink stated this meets all of the requirements.

Commissioner King made a motion to approve a request from Lorena Cortez for a Lot Split on the property located at Tax 1 Lot 4 Jerome Unplatted 19-8-17, more commonly known as 1228 South Lincoln, Jerome, Idaho with the following conditions: The lot split shall meet all City of Jerome Engineering, Public Works, Wastewater, Building and Fire Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; and comply with all City, State and Federal requirements.

Second to the motion by Commissioner Holley and carried.

Unanimous "ayes"

CONSIDER/APPROVE FINDINGS OF FACTS for J Carlyne Woolf for a renewal of her Special Use Permit allowing six (6) chickens on that parcel described as Lot 8 Block A-193 Mann Sub #1 NE 19-8-17, more commonly known as 604 East Avenue A, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION FROM J. CARLYNE WOOLF FOR A RENEWAL OF HER SPECIAL USE PERMIT ALLOWING SIX (6) CHICKENS ON THAT PARCEL DESCRIBED AS LOT 8 BLOCK A-193 MANN SUB #1 NE 19-8-17, MORE COMMONLY KNOWN AS 604 EAST AVENUE A, JEROME, IDAHO

A public hearing on the application of J. Carlyne Woolf concerning that parcel commonly known as 604 East Avenue A, Jerome, Idaho, for a renewal special use permit was held, pursuant to notice, commencing at 7:00 p.m. on Tuesday, May 8, 2018 at City Council Chambers, 100 East Avenue A, Jerome, Idaho.

Staff Report: Esmeralda Chavez, City Planner, gave a report on Ms. Woolf's renewal application. Ms. Chavez stated Ms. Woolf received a special use permit for six hens in April 2016. The application materials noted the hens would be kept in an enclosed coop in the

backyard. Furthermore, it was noted there would not be any exterior modifications to the front of the residence. Ms. Woolf would like to request a renewal on her special use permit.

Ms. Chavez stated the property in question, 604 East Ave A in Jerome, is currently zoned Residential 1 (R-1). The proposed use, the possession of chicken or poultry, requires a Special Use Permit from the Planning and Zoning Commission.

Ms. Chavez stated Title 16 has no bearing on this request.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Chavez 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.

As pertains to Title 8 of the JMC, the ordinance addressing nuisances, Ms. Chavez reminded the committee that chicken manure is considered a public nuisance. Ms. Chavez stated she had not received any written, or verbal concerns for this Special Use permit.

If approved, Ms. Chavez recommended the following conditions: Chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare; Any chicken coop or accessory structure associated with the chickens 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 three years, renewable upon expiration. .

Applicant Testimony: J. Carlyne Woolf, 604 East Avenue A, testified she has four chickens and her neighbors like the chickens. Upon inquiry from Chairman Mink, she stated there has not been any complaints or problems. Upon inquiry from Mr. Holley, Ms. Woolf stated she did not have any roosters.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the application, Ms. Woolf's testimony, and the other documents and material in the file, and having heard the testimony given verbally at the hearing enters its findings and conclusions as follows:

I. Findings

- A. Lot 8 Block A-193 Mann Sub #1 NE 19-8-17, more commonly known as 604 East Avenue A, Jerome, Idaho is zoned Residential 1 (R-1), which requires a special use permit for the use contemplated by the instant application pursuant to

City of Jerome's Comprehensive Plan Section 3.1.1. as pertains to Title 8 of the JMC.

- B. Title 16 of the JMC has no bearing on this application.
- C. The application for a special use permit complies with the City of Jerome Comprehensive Plan, Section 3.1.1., and inasmuch as it is compatible with the existing and potential land uses.
- D. No roosters are requested or considered as part of the instant application.

II. Conclusions

- A. A special use permit is required for the applicant to be able to allow for up to six (6) laying hens on the subject property, which property is located in R-1 zone.
- B. A special use permit promoting this use is consistent with the City of Jerome Comprehensive Plan, Section 3.1.1.
- C. The Commission approves the renewal application of J. Carlyne Woolf for a special use permit allowing six (6) laying chickens on that property located at 604 East Avenue A, Jerome, Idaho 83338, for a period of three (3) years, and subject to the following provisions:
 - (1) the chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare;
 - (2) there shall be no modifications made to the front of the property for the accommodations of the chickens;
 - (3) the chickens shall be kept in an enclosed chicken coop or accessory structure which shall be maintained in a clean and sanitary condition;
 - (4) any coop or accessory structure associated with the chickens shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 12th day of June, 2018, in support of the decision of the Planning and Zoning Commission on the 8th day of May, 2018 to approve the renewal application as specified herein is hereby made final this 12th day of June, 2018.

ROD MINK,
Chairman Jerome City P&Z Commission

Commissioner Holley made a motion to accept the finding of facts for J Carlyne Woolf for a renewal of her Special Use Permit allowing six (6) chickens on that parcel described as Lot 8 Block A-193 Mann Sub #1 NE 19-8-17, more commonly known as 604 East Avenue A, Jerome, Idaho.

Second to the motion by Commissioner Allred and carried.

Unanimous “ayes”

CONSIDER/APPROVE FINDINGS OF FACTS for Guadalupe Mejia Gonzales for a Special Use Permit allowing six (6) chickens on that parcel described as Lot 6, Block 54, Jerome Townsite SE 13-8-16, more commonly known as 321 3rd Avenue W, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF GUADALUPE MEJIA GONZALES FOR A SPECIAL USE PERMIT ALLOWING SIX (6) CHICKENS ON THAT PARCEL DESCRIBED AS LOT 6, BLOCK 54, JT SE 13-8-16, MORE COMMONLY KNOWN AS 321 3RD AVENUE W, JEROME, IDAHO

A public hearing on the application of Guadalupe Mejia Gonzales concerning that parcel commonly known as 321 3rd Avenue West, Jerome, Idaho, for a special use permit was held, pursuant to notice, commencing at 7:00 p.m. on Tuesday, May 8, 2018 at City Council Chambers, 100 East Avenue A, Jerome, Idaho.

Staff Report: Esmeralda Chavez, City Planner, gave a report on Ms. Gonzales’ application. Ms. Chavez stated the property in question, 321 3rd Avenue West in Jerome, is currently zoned Residential 3 (R-3). The proposed use, the possession of chicken or poultry, requires a Special Use Permit from the Planning and Zoning Commission.

Ms. Chavez stated Title 16 has no bearing on this request.

As pertains to the City of Jerome’s Comprehensive Land Use Plan, Ms. Chavez 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.

Ms. Chavez reminded the commission that chicken manure is considered a public nuisance according the 8.08.010 of the JMC.

Regarding the General Standards for Special Uses, Ms. Chavez stated the application notes the six chickens will be kept in an enclosed coop in the backyard. There will not be any modifications to the front of the residence, ensuring that the use will not change the essential character of the area. The application notes the food and water will be changed every day to ensure the chickens are not disturbing to neighboring uses. Additionally, it is noted the coop will be cleaned and properly maintained. There is no indication that additional services will be needed to serve this use, therefore, it appears that the site will continue to be served adequately by essential public facilities and services. The chickens will not be detrimental to persons, property or the general welfare by creating excessive traffic, smoke, fumes or glare. The application materials note that there will not be significant noise or odors. There are no changes proposed to the vehicular approaches to the property. It does not appear that the chickens will

result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

If approved, Ms. Chavez recommended the following conditions: Chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare; Any chicken coop or accessory structure associated with the chickens 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 two years, renewable upon expiration.

Applicant Testimony: Mitzi Nashely Tolentino-Mejia, who resides at 321 3rd Avenue West, testified they wanted to get some chickens and want to be more organic. She stated they were not aware of the permit when they got the chickens but have tried to do everything right. She testified the chickens give her little sister responsibility on taking care of the them by watering and feeding the chickens as well as watching them when they are out of the coop. Chairman Mink inquired if they have a fence. Ms. Tolentino-Mejia stated there is a small fence and a place for them to be out as her mom does not want them in a coop all the time. She also stated they do have a raised coop and they have met all setback requirements. She stated they currently have four chickens with no roosters but they would like to have six.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the application, Ms. Tolentino-Mejia's testimony, and the other documents and material in the file, and having heard the testimony given verbally at the hearing enters its findings and conclusions as follows:

I. Findings

- A. Lot 6, Block 54, JT SE 13-8-16, more commonly known as 321 3rd Avenue West, Jerome, Idaho is zoned Residential 3 (R-3), which requires a special use permit for the use contemplated by the instant application pursuant to City of Jerome's Comprehensive Plan Section 3.1.1. as pertains to Title 8 of the JMC.
- B. Title 16 of the JMC has no bearing on this application.
- C. The application for a special use permit complies with the City of Jerome Comprehensive Plan, Section 3.1.1., and inasmuch as it is compatible with the existing and potential land uses.
- D. No roosters are requested or considered as part of the instant application.

II. Conclusions

- A. A special use permit is required for the applicant to be able to allow for up to six (6) laying hens on the subject property, which property is located in R-3 zone.

- B. A special use permit promoting this use is consistent with the City of Jerome Comprehensive Plan, Section 3.1.1.
- C. The Commission approves the application of Guadalupe Mejia Gonzales for a special use permit allowing six (6) laying chickens on that property located at 321 3rd Avenue West, Jerome, Idaho 83338, for a period of two (2) years, and subject to the following provisions:
 - (1) the chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare;
 - (2) there shall be no modifications made to the front of the property for the accommodations of the chickens;
 - (3) the chickens shall be kept in an enclosed chicken coop or accessory structure which shall be maintained in a clean and sanitary condition;
 - (4) any coop or accessory structure associated with the chickens shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 12th day of June, 2018, in support of the decision of the Planning and Zoning Commission on the 8th day of May, 2018 to approve the application as specified herein is hereby made final this 12th day of June, 2018.

ROD MINK,
Chairman Jerome City P&Z Commission

Commissioner Holley made a motion to accept the findings of fact for Guadalupe Mejia Gonzales for a Special Use Permit allowing six (6) chickens on that parcel described as Lot 6, Block 54, Jerome Townsite SE 13-8-16, more commonly known as 321 3rd Avenue W, Jerome, Idaho.

Second to the motion by Commissioner King and carried.

Unanimous "ayes"

CONSIDER/APPROVE FINDINGS OF FACTS for Jerome Cemetery Maintenance District, for a Special Use permit allowing six (6) cows on the property, approximately 5.028 acre pasture, located on the West end of West Avenue I.

**FINDINGS AND CONCLUSIONS ON APPLICATION OF JEROME CEMETERY
MAINTENANCE DISTRICT, FOR A SPECIAL USE PERMIT ALLOWING SIX (6) COWS ON
THE ITS APPROXIMATE 5.028 ACRE PASTURE**

A public hearing on the application of Jerome Cemetery Maintenance District concerning that parcel described as follows:

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 24; A parcel of land located in Block A-285, Jerome Townsite and more particularly described as follows:

Commencing at the centerline Intersection of West Avenue "H" and West Boulevard, thence North 90°00'00" West for a distance of 569.08 feet; Thence South 00°03'31" West for a distance of 30 feet to the Northeast west boundary corner of Block A-285; Thence South 00°03'31" West along the West boundary of Block A-285 for a distance of 241.33 feet, said point being THE TRUE POINT OF BEGINNING, set ½ inch rebar;

Thence continuing South 00°03'31" West along the West boundary of Block A-285 for a distance of 359.14 feet, set ½ inch rebar;

Thence South 33°59'45" East for a distance of 78.04 feet, to the South boundary of Block A-285, set ½ inch rebar;

Thence North 90°00'00" East along the South boundary of Block A-285 for a distance of 491.09 feet, set ½ inch rebar;

Thence North 00°00'00" East along the East boundary of Block A-285 for a distance of 388.31 feet, set ½ inch rebar;

Thence North 90°00'00" West parallel with the North boundary of Block A-285 for a distance of 173.09 feet, set ½ inch rebar;

Thence North 00°00'00" East parallel with the East boundary of Block A-285 for a distance of 35.53 feet, set ½ inch rebar;

Thence North 90°00'00" West parallel with the North boundary of Block A-285 for a distance of 361.27 feet to the TRUE POINT OF BEGINNING.

for a special use permit was held, pursuant to notice, commencing at 7:00 p.m. on Tuesday, May 8, 2018 at City Council Chambers, 100 East Avenue A, Jerome, Idaho.

Staff Report: Esmeralda Chavez, City Planner, gave a report on the Jerome Cemetery

Maintenance District's application. Ms. Chavez stated the property in question, approximately 5.028 acres of pasture as described on the P&Z public notice and agenda, in Jerome, is currently zoned Residential 3 (R-3). The proposed use, the possession and grazing of livestock, requires a Special Use Permit from the Planning and Zoning Commission.

Ms. Chavez stated Title 16 has no bearing on this request.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Chavez 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.

As pertains to Title 8 of the JMC, the ordinance addressing nuisances, Ms. Chavez reminded the commission that manure is considered a public nuisance.

Regarding the General Standards for Special Uses, Ms. Chavez stated the application indicates the property is fully fenced and has an updated irrigation system. Additionally, it is noted the property was purchased for future expansion of the cemetery. It is currently vacant land. The application notes the property will not have any signage, refuse service or landscaping nor be detrimental to neighboring uses. There is no indication that additional services will be needed to serve this use. Therefore, it appears that the site will continue to be served adequately by essential public facilities and services. The application notes the property has access to irrigation water. It does not appear that the cows will create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

It appears that the cows will not be detrimental to persons, property or the general welfare by creating excessive traffic, smoke, fumes or glare. The application notes the property has access through a gate on the south fence line, through the Jerome Cemetery. The vehicular approaches will not be impacted by the proposed use. It does not appear that the cows will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

If approved, Ms. Chavez recommended the following conditions: Cows shall not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; Special use permit shall be allowed for up to two (2) years, renewable upon expiration; and Comply with all City, State and Federal requirements.

Applicant Testimony: Walt Appell, 606 North Davis, testified he is the existing Chairman for the Cemetery District. He stated the land has had cattle on the property prior to them buying the land. He stated they have updated the fencing and they are wanting to have the cattle help keep the weeds and grass down. Upon inquiry of Chairman Mink, Mr. Appell showed the commission where the cattle would be located. Upon inquiry from Chairman Mink, Mr. Appell stated they are currently watering the property. Commissioner Holley inquired how long the cows would be on the property. Mr. Appell stated they would be used as needed and it would be up to the owners of the cows how long they would be on the property. He stated the owners would be the ones that would be checking on them. Upon inquiry of Chairman Mink, Mr. Appell stated they just installed new fences.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the application, Mr. Appell's testimony, and the other documents and material in the file, and having heard the testimony given verbally at the hearing enters its findings and conclusions as follows:

I. Findings

- A. The property described herein is within the city limits of Jerome, Idaho is zoned Residential 3 (R-3), which requires a special use permit for the use contemplated by the instant application pursuant to City of Jerome's Comprehensive Plan Section 3.1.1. as pertains to Title 8 of the JMC.
- B. Title 16 of the JMC has no bearing on this application.
- C. The application for a special use permit complies with the City of Jerome Comprehensive Plan, Section 3.1.1., and inasmuch as it is compatible with the existing and potential land uses.

II. Conclusions

- A. A special use permit is required for the applicant to be able to allow for up to six (6) grazing cows on the subject property, which property is located in R-3 zone.
- B. A special use permit promoting this use is consistent with the City of Jerome Comprehensive Plan, Section 3.1.1.
- C. The Commission approves the application of Jerome Cemetery Maintenance District for a special use permit allowing six (6) grazing cows on that property

described herein for a period of two (2) years, and subject to the following provisions:

- (1) Cows will not create odors, noise, nor be detrimental to persons, property or the general welfare;
- (2) any fencing or structure for the cows shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 12th day of June, 2018, in support of the decision of the Planning and Zoning Commission on the 8th day of May, 2018, to approve the application as specified herein is hereby made final this 12th day of June, 2018.

ROD MINK,
Chairman Jerome City P&Z Commission

Commissioner Holley made a motion to accept the finding of facts for Jerome Cemetery Maintenance District, for a Special Use permit allowing six (6) cows on the property, approximately 5.028 acre pasture, located on the West end of West Avenue I.

Second to the motion by Commissioner Allred and carried.

Unanimous "ayes"

CONSIDER/APPROVE FINDINGS OF FACTS for Lytle Signs, representing Golden Cone, Inc, for a Special Use Permit allowing an electronic message sign display to be installed on that parcel described as Lots 7-9, Tax 1 Block 125 JT NE 24-8-16, more commonly known as 505 South Lincoln, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF LYTLE SIGNS, REPRESENTING GOLDEN CONE, INC., FOR A SPECIAL USE PERMIT ALLOWING AN ELECTRONIC MESSAGE SIGN DISPLAY TO BE INSTALLED ON THAT PARCEL DESCRIBED AS LOTS 7-9, TAX 1 BLOCK 125 JT NW 24-8-16, MORE COMMONLY KNOWN AS 505 SOUTH LINCOLN, JEROME, IDAHO

A public hearing on the application of Jerome County concerning the use of real property described herein within the City of Jerome, Idaho, for a special use permit was held, pursuant to notice, commencing at 7:15 p.m. on Tuesday, May 8, 2018, at City Council Chambers, 100 East Avenue A, Jerome, Idaho.

Staff Report: Esmeralda Chavez, City Planner, gave a report on this application. Ms. Chavez stated Dairy Queen is located at 505 South Lincoln and is an existing building. The application proposes to replace an existing reader board with a new electronic message display sign. The property is located in the Central Business District zone (CBD). Section 17.32.040.Q of the Jerome Municipal Code allows electronic message displays in all zoning districts by special use permit only. Per section 17.14.010 of the Jerome Municipal Code, signs in the Central Business District (CBD) are allowed as follows:

“Each property may have one freestanding sign facing each adjacent road of not over one hundred (100) square feet and not over twenty five feet (25') in height. Freestanding signs must be at least ten feet (10') from any adjacent property...”

The application proposes to replace the existing reader board with an electronic message display. The materials note the structure of the sign will not be modified. The proposed electronic display will be similar in size to the existing reader board. The proposed cabinet will measure approximately 6'3" X 3' 5". The electronic message display sign area has an approximate area of 21.35 square feet. As proposed, the sign meets the size requirement as outlined in the Jerome Municipal Code.

Regarding Section 17.32.040, Ms. Chavez stated the applicant acknowledges the guidelines and intends to comply.

Regarding the General Standards for Special Uses, Ms. Chavez stated the application notes the design of the sign will be constructed to fit into an existing sign cabinet, there will not be any structural changes to the existing sign. The applicant is required to meet the electronic display criteria, which will keep the sign from creating a disturbance to current and future neighbors.

The application notes the sign not require any public facilities or services. As proposed, the electronic message display sign will not create additional requirements at public cost for public facilities. The electronic message sign display will not create excessive production of traffic, noise, smoke, fumes, glare or odors. Vehicular approaches will not be impacted by this special use request. It does not appear that the destruction, loss or damage of a natural, scenic or historic feature of major importance will be impacted by the proposed electronic display sign.

Regarding the Sign Design Review Guidelines, Ms. Chavez stated the electronic message display sign will replace an existing manual reader board. The materials note the existing sign structure will remain the same. The application indicates the sign will enhance the area and be professionally manufactured and installed. The application indicates the sign will be manufactured using aluminum and polycarbonate for durability. Additionally, it will have LED illumination. The proposed sign display will be in English.

Ms. Chavez stated she sent the application to staff for review and received the following comments:

Building Department had no concerns.
Fire Department had no concerns.
Public Works Department had no concerns.
Wastewater Department had no concerns.
Engineering Department had no concerns.

If approved, Ms. Chavez recommended the following conditions: Obtain the necessary building permit prior to replacing the sign cabinet; and Comply with all City, State and Federal requirements.

Applicant Testimony: Jack Yasaitis, 615 Leona Cir, Idaho Falls, representing Lytle Signs, testified, they are wanting to convert the message board to electronic sign. He stated they will be going down in size of the sign. Upon inquiry from Chairman Mink, Mr. Yasaitis stated they will be using the same pole. He continued to state the new sign will draw less power and they will also have the time and temp on the sign. Upon inquiry from Commissioner McEntarffer, Mr. Yasaitis stated National Corporation will be sending the pictures which will be of great quality. He stated there will be no animation and they will control the sign at the local store. He continued they will be changing the scenes no faster than every six (6) seconds.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:28 p.m.

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the application, Ms. Chavez's report, and the other documents and material in the file, and having heard the testimony given verbally at the hearing enters its findings and conclusions as follows:

Findings

- A. The property described in the heading herein is in the City of Jerome and is currently zoned Central Business District zone (CBD).
- B. The proposed use, electronic message board, requires a special use permit to operate in all zoning districts.

- C. JMC 17.32.040 and JMC 17.14.010 provides the standards for special use permits.
- D. The proposed use is harmonious with the general objectives of the comprehensive plan in that a sign such as this promotes economic development and growth by providing a means of distributing information to the public with greater ease.
- E. The proposed use is harmonious and appropriate in appearance with the existing and intended character of the general vicinity in that it is located in an CBD area and sign criteria limits the impact on neighboring uses.
- F. The proposed use will not be hazardous or disturbing to existing or future neighboring uses and the proposal as presented by the applicant demonstrates compliance with all sign criteria.
- G. No additional public facilities will be necessary for the proposed use.
- H. The proposed use will not be detrimental to the economic welfare of the community and will not involve activities materials, equipment or conditions that will create excessive traffic, noise, smoke, fumes, glare or odors.
- I. The proposed use will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance. The Commission is not aware of any natural scenic or historical features of major importance that will be remotely impacted by the proposed use.

Conclusions

- A. A special use permit is required for the applicant to be able to use the above described property for an electronic message board in the CBD zone for the City of Jerome.
- B. A special use permit allowing an electronic message board is consistent with the City of Jerome Comprehensive Plan.
- C. The Commission approves the application of Lytle Signs, representing Golden Cone, Inc., for a special use permit for an electronic message board located at Lots 7-9, Tax 1 Block 125 JT NE 24-8-16, more commonly known as 505 South Lincoln, Jerome, Idaho.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 12th day of June, 2018, in support of the decision of the Planning and Zoning Commission on the 8th day of May, 2018 to approve the application as specified herein is hereby made final this 12th day of June, 2018.

ROD MINK,
Chairman Jerome City P&Z Commission

Commissioner King made a motion to accept the finding of facts for Lytle Signs, representing Golden Cone, Inc, for a Special Use Permit allowing an electronic message sign display to be installed on that parcel described as Lots 7-9, Tax 1 Block 125 JT NE 24-8-16, more commonly known as 505 South Lincoln, Jerome, Idaho.

Second to the motion by Commissioner Holley and carried.

Unanimous “ayes”

APPROVAL OF MINUTES

Upon inquiry from Chairman Mink, the Commission unanimously approved the regular meeting minutes for the May 8th, 2018 meeting.

CITIZEN CORRESPONDENCE

None

DISCUSSION PERIOD & STAFF REPORTS

Chairman Mink inquired if there was a code for peacocks. He stated there is a peacock that is wandering on the East side of town in the area of B, C, D and E Streets.

Ms. Chavez asked to have the Commission keep their calendars open for a possible June 26th meeting as well as both meetings in July. She stated she currently has a Design Review in the process that may come in June or July. She stated there are currently two public hearings scheduled for the July 10th meeting.

There being no further discussion, Chairman Mink closed this regular meeting at 7:38 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary