

Planning & Zoning Meeting
March 14, 2023

This regular meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:00 p.m. Present were Chairman Rod Mink, Commissioner Benjamin Reed, Commissioner Jeff Schroeder, and Commissioner Paul Johnson. Also present were Legal Counsel, Ted Larsen, HR and Planning Manager, Esmeralda Chavez, and Secretary, Katie Elliott. Commissioner Shonna Fraser was excused.

Chairman Mink led the audience in recitation of the pledge of allegiance.

Chairman Mink called the Public Hearing to order at 7:00 p.m.

Public Hearing for AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, CREATING TITLE 16 CHAPTER 16.047, SEPARATE OWNERSHIP OF UNITS IN DUPLEXES OF THE JEROME MUNICIPAL CODE, PROVIDING FOR DUPLEX UNITS TO BE SPLIT AND SOLD TO DIFFERENT OWNERS; FOR A PROCEDURE TO RECEIVE APPROVAL FOR A DUPLEX SPLIT; PROVIDING FOR CONDITIONS TO APPROVE A DUPLEX SPLIT; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Report: Ms. Chavez stated at the last public hearing on February 15, 2023, the commission requested revisions to the ordinance that was presented. Our current code does not have a process in place for allowing separate ownership of duplexes. There have been several inquiries from developers regarding splitting duplexes and she foresees more of these developments coming before the commission as the City continues to grow. Suggested revisions included moving the ordinance to Title 16 – Subdivision Regulations, updating minimum unit lot areas, adding setback language, and other minor edits. The revised ordinance shows new minimum lot areas of 3,100 sq. ft. for the zones allowed.

Testimony in Favor: Dave Thibault- 621 N College Rd, with EHM Engineering stated this ordinance is similar to a Twin Falls Ordinance. He stated right now to split a duplex, the applicant would have to go through the Condominium Plat process outlined in the State code. This could cost around \$30,000 if the applicant went through EHM. This proposed ordinance would allow the developers, homeowners or builders, to come to the City to do this process administratively with a verification and review that they meet the criteria along with a record of survey document to legally separate the properties with a deed and a legal description. This could cost around \$4,000- \$5,000 with EHM. This code would allow the process to be less cumbersome. He asked the commission to adopt the ordinance as it could benefit the citizens of Jerome. Upon inquiry from Commissioner Schroeder, Mr. Thibault stated Twin Falls code is also based on the zone they are building on but the minimum lot size ranges from 3500 to 5500 square feet per resulting unit.

Testimony in Neutral: None

Testimony in Opposition: None

There being no other testimony in favor, neutral or in opposition, Chairman Mink closed the Public Hearing at 7:06 p.m.

Consider AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, CREATING TITLE 16 CHAPTER 16.047, SEPARATE OWNERSHIP OF UNITS IN DUPLEXES OF THE JEROME MUNICIPAL CODE, PROVIDING FOR DUPLEX UNITS TO BE SPLIT AND SOLD TO DIFFERENT OWNERS; FOR A PROCEDURE TO RECEIVE APPROVAL FOR A DUPLEX SPLIT; PROVIDING FOR CONDITIONS TO APPROVE A DUPLEX SPLIT; AND PROVIDING FOR AN EFFECTIVE DATE- *action item*

Chairman Mink stated they had extensive discussion at the last meeting and went over some numbers. He stated with a minimum lot size of 3100 square feet, it could result in a fairly small place which some people will like as it makes it affordable. Commissioner Reed stated their comments were to help make existing duplexes able to split.

Commissioner Reed made a motion to recommend to City Council AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, CREATING TITLE 16 CHAPTER 16.047, SEPARATE OWNERSHIP OF UNITS IN DUPLEXES OF THE JEROME MUNICIPAL CODE, PROVIDING FOR DUPLEX UNITS TO BE SPLIT AND SOLD TO DIFFERENT OWNERS; FOR A PROCEDURE TO RECEIVE APPROVAL FOR A DUPLEX SPLIT; PROVIDING FOR CONDITIONS TO APPROVE A DUPLEX SPLIT; AND PROVIDING FOR AN EFFECTIVE DATE for approval.

Second to the motion by Commissioner Johnson and carried.

After consideration, the motion passed by the following votes: AYE: Chairman Rod Mink, Commissioner Ben Reed, Commissioner Jeff Schroeder, and Commissioner Paul Johnson. NAYE: None

Discussion Title 16.047- Townhouse Subdivision

Ms. Chavez stated staff is working on bringing another ordinance update and wanted to get some feedback from the commissioners. She stated they are looking into adding a Townhouse Subdivision Ordinance. This ordinance will allow up to four single family attached homes that would have separate ownership of each lot. They would go through a similar process as they would a current subdivision. Ms. Chavez stated there would be a zero (0) interior set back but the other setbacks would remain the same. Discussion was held on the following various topics: where to allow the townhouses; whether to allow by Special Use Permit or be permitted; and the number of houses to allow. Mr. Larsen stated each townhouse would have their own lot. The ordinance is drafted for four or more townhouses. If houses are stacked, it would be more like an apartment which would be more appropriate in a denser zone. If houses are stacked and individually owned, it would become a condo. More discussion was held on the following topics: zoning to allow the townhouses in; allowing townhouses in commercial zones by special

use permit; requiring common area or open areas for the townhouse subdivision; diversity of housing; requiring Home Owners Associations (HOA's); number of houses to allow; minimum of four (4) townhouses; making sure setbacks are followed; making sure there is common area for denser housing to allow for gathering of occupants of the townhouses; commission being able to review the designs; looking into other communities to see what they require; being able to make the subdivision marketable; how many townhouses can be built per acre; allowing up to 12 townhomes on an acre; the process the developers would take to develop the property; keeping the City looking nice and presentable; and making sure we are working well with developers to make sure it is easy to read. Ms. Chavez stated she would take the suggestions and put them into the ordinance to be presented at the next meeting.

Consent Agenda

The consent calendar consists 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 February 28, 2023 regular meeting;
- B. Consider/Approve Findings and Conclusions for Robert Reeder, Agent for Calvary Church, for a Special Use Permit allowing an Electronic Message Display Sign on the property located at Tax 2205151 of Block A-225 Jerome Townsite NW (18-8-17), more commonly known as 900 North Lincoln Avenue, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF CALVARY CHURCH FOR A SPECIAL USE PERMIT ALLOWING AN ELECTRONIC MESSAGE DISPLAY SIGN, on the property located at Tax 2205151 of BLOCK A-225 (NW 18-817), more commonly known as 900 NORTH LINCOLN, Jerome, Idaho.

A public hearing on the application of Calvary Church, represented by Robert Reeder, 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 7:00 p.m. on Tuesday, February 28, 2023, at City Council Chambers with all members of the public, in a format allowing participants to hear the meeting, including all deliberations by commissioners and other speakers addressing the commission, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda. The physical meeting was held at 100 East Avenue A, Jerome, Idaho.

Staff Report: City Planner, Ervina Covcic, provided a brief background and staff report on the application and on the property. Ms. Covcic stated the previous freestanding sign at Calvary Chapel was damaged due to vehicle impact and the applicant requests to replace it to include an Electronic Message Display (EMD). An electronic message display is allowed by special use permit only. The freestanding sign will have a total area of 74.38 sq. ft., 18 sq. ft. of that will include an EMD.

The property in question at 900 North Lincoln Avenue Jerome, Idaho, 83338 is zoned General Business (C-2).

Ms. Covcic briefly went over a few of the general sign provisions with the Commission. Shall contain static messages only; each message or frame must be displayed for a minimum of three (3) seconds; area shall not occupy more than seventy-five (75) percent of the sign; to limit the nits output to five thousand (5,000) on clear days and five hundred (500) nits from dawn to dusk; letters no higher than twelve (12) inches may scroll; maximum area for such displays is sixty (60) square feet; and each parcel of real property may have one (1) electronic message display. Ms. Covcic stated the applicant has acknowledged and intends to comply with the provisions.

Title 16 has no bearing on this request.

As it pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Covcic stated the application is in accordance with Chapter 7, Policy 8 "Continue to provide an atmosphere for successful business development."

Regarding the Special Use Permit Criteria, Ms. Covcic went over the following:

Standard A- Will, in fact, constitute a special use as established in City code for the zoning district involved; the Planning and Zoning Code allows electronic message displays with an approved Special Use Permit, 17.32.040.

Standard B- Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this title; the application notes that the EMD will be incorporated into the new sign that will replace an existing sign that was damaged.

Standard C- Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general cavity and that such use will not change the essential character of the same area; the application notes that the new sign will be similar as the previous in height, square footage and location with the exception of the EMD.

Standard D- Will not be hazardous or disturbing to existing or future neighboring uses; the application notes that the sign will not be in a location to adversely affect existing or future neighbors.

Standard E- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the

proposed use shall be able to provide adequately any such services; the application notes that the sign will not require any public facilities or services.

Standard F- Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community; the application notes that the sign will have no bearing on economic welfare.

Standard G- Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise smoke, fumes, glare, or odors; the application notes that the sign will not have detrimental impact.

Standard H- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; the application notes that there will be no interference with traffic. The sign will not flash and will have automatic dimmers for decreasing the light level at dusk.

Standard I- Will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance; the application notes that the sign will be in the same location as the previous. There will be no change to impact.

If approved, Ms. Covcic recommended the following conditions: (a) Comply with all City, State and Federal requirements; and (b) Special Use Permit shall be permanent.

Applicant Testimony: Justin Sims, 927 Caswell Avenue West, Twin Falls, Idaho, representing Calvary Chapel, presented before the Commission and testified on this application. Mr. Sims testified the sign was hit and they are wanting to go to the electronic sign so they do not need to go out and manually change it. They have noticed churches were going towards the electronic signs. Ms. Sims stated the new sign will be the same dimensions as the previous sign. The old footings are still in place but they are setting the new sign a few feet back from the old sign placement.

Testimony in Favor: Ms. Elliott read the following letter for the record:

Justin Gillman, 324 East Avenue D, Jerome, Idaho
"Support the application. As a property owner of 800 North Lincoln, I support the allocation of Calvary Church."

Testimony in Neutral: None.

Testimony in Opposition: None.

The Jerome City Planning and Zoning Commission having heard the testimony presented by Mr. Sims, and having reviewed the renewal application, Ms. Covcic'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:

I. Findings

- A. The property located at 900 North Lincoln Avenue, Jerome, Idaho herein is in the City of Jerome and is currently zoned General Business (C-2).
- 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. Specifically, JMC 17.32.040(q) allows for electronic message displays in all zoning districts by special use permit only.
- 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 a C-2 area and sign criteria limits the impact on neighboring uses.

II. Conclusions

- A. A special use permit is required for the applicant to install an electronic message board in a C-2 zone, on the above described property.
- B. The Commission approves the application of Calvary Church allowing an electronic message board located at 900 North Lincoln, Jerome, Idaho, subject to the following condition:
 - 1. Comply with all City, State and Federal requirements; and
 - 2. Special Use Permit shall be permanent.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 14th day of March, 2023, in support of the decision of the Planning and Zoning Commission on the 28th day of February, 2023, to approve the application as specified herein is hereby made final this 14th day of March, 2023.

ROD MINK, Chairman of the Board
Jerome City Planning and Zoning

Commissioner Johnson made a motion to approve the consent agenda as presented.

Second to the motion by Commissioner Reed and carried.

After consideration, the motion passed by the following votes: AYE: Chairman Rod Mink, Commissioner Ben Reed, Commissioner Jeff Schroeder, and Commissioner Paul Johnson. NAYE: None.

CITIZEN CORRESPONDENCE AND ISSUES

None

DISCUSSION PERIOD & STAFF REPORTS

Ms. Chavez stated next meeting will be March 28th.

There being no further discussion, Chairman Mink closed this regular meeting at 7:39 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary