

Planning & Zoning Meeting  
April 12, 2022

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 Jeff Schroeder, Commissioner Dave Holley, Commissioner Shonna Fraser, and Commissioner Paul Johnson. Commissioner Carl McEntarffer and Commissioner Benjamin Reed were excused. Also present were Legal Counsel, Ted Larsen, HR Manager, Esmeralda Chavez, City Planner, Ervina Covcic, and Acting Secretary Bernadette Coderniz. Secretary Katie Elliott was excused.

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

Chairman Mink called the Public Hearing to order at 7:01 p.m.

**Public Hearing** for request from Jerry Higley for a Special Use Permit renewal, allowing automotive sales, on the property located at Tax 1 Lot 5, Block 3 Jerome South Industrial Park Subdivision Phase II 25-8-16, more commonly known as 1575 South Lincoln Avenue, Jerome, Idaho.

Staff Report: Ms. Covcic gave a brief background on the application. Mr. Higley received a Special Use Permit for automotive sales in March 2018. The application noted that uses of the permit are primarily for the sale of commission fleet vehicles and will have approximately 1-4 vehicles on the lot at any time. This is in a General Business (C-2) zone and is not creating a disturbance to neighboring uses. There is no signage or change to vehicular approaches. Mr. Higley would like to request a renewal of the Special Use Permit.

Ms. Covcic stated the property in question 1575 South Lincoln Ave. Jerome, ID 83338 is zoned General Business (C-2). The proposed use, automotive sales, requires a Special Use Permit from the Planning & Zoning Commission. Regardless of use, setbacks for this property are as follows: front - 25', rear - 10', interior side - 12', and side street - 25'.

As it pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Covcic stated this request is in compliance with the Comprehensive Plan as defined in the following sections: Chapter 7.3 addresses Business Retention, Expansion and Recruitment. This section states, "The city should develop an atmosphere to retain, expand, and create business development."; and Chapter 7, Policy 8 which states, "Continue to provide an atmosphere for successful business development."

Ms. Covcic went over Chapter 8 health and safety and reminded the commission of the definition of an abandoned, wrecked or junked vehicle. With reference to vehicles, an unsightly motor vehicle which meets any one of the following qualifications: It does not carry a current and valid state registration and license plate: and it cannot be safely operated under its own power. Ms. Covcic stated that vehicles placed on the property shall not be wrecked or junked.

If approved, Ms. Covcic recommended the following conditions: Maximum of ten (10) vehicles for sale at any given time; All vehicles placed on the property shall not be wrecked or junked; Comply with all City, State, Federal requirements; and Special use Permit shall be allowed for up to three (3) years, renewable upon expiration.

Upon inquiry from Commissioner Holley, Chairman Mink stated the Commission can agree to extend the expiration of the permit as they choose.

Applicant Testimony: Josiah Higley, 1575 South Lincoln, stated they have limited auto group inventory which has been slower but are still wanting to sell their used vehicles/trucks to the local agriculture community. They would like to continue to sell on the lot and he explained the improvements they have done to the lot and stated his plans to keep it a clean area. They are requesting renewal to keep with what they're doing. Upon inquiry from Chairman Mink, Mr. Higley stated he is in agreement with the conditions stated and said they are also complying with the state dealer's license, which was just renewed. Mr. Higley stated they also recently passed the audits as a state-regulated group.

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

**Consider** a request from Jerry Higley for a Special Use Permit renewal, allowing automotive sales, on the property located at Tax 1 Lot 5, Block 3 Jerome South Industrial Park Subdivision Phase II 25-8-16, more commonly known as 1575 South Lincoln Avenue, Jerome, Idaho- *action item*

Commissioner Johnson inquired about having the permit for three (3) years, and Commissioner Holley stated he would recommend five (5) years. After discussion, the commission agreed with five (5) years.

Commissioner Holley made a motion to approve the request from Jerry Higley for a Special Use Permit renewal, allowing automotive sales, on the property located at Tax 1 Lot 5, Block 3 Jerome South Industrial Park Subdivision Phase II 25-8-16, more commonly known as 1575 South Lincoln Avenue, Jerome, Idaho, with the following conditions: Maximum of ten (10) vehicles for sale at any given time; All vehicles placed on the property shall not be wrecked or junked; Comply with all City, State, Federal requirements; and Special use Permit shall be allowed for up to five (5) years, renewable upon expiration.

Second to the motion by Commissioner Johnson and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Jeff Schroeder, Commissioner Shonna Fraser, Commissioner David Holley, and Commissioner Paul Johnson. NAYE: None

Chairman Mink called the Public Hearing to order at 7:08 p.m.

**Public Hearing** for request from the Occupants residing at 600 2nd Avenue East, for a Special Use Permit allowing four (4) hen chickens and two (2) quail, on the property located at Lot 7, & the West 15' of Lot 8, Blk 201, East End Sub (SE 18-8-17), more commonly known as 600 2nd Avenue East, Jerome, Idaho.

Staff Report: Ms. Covcic stated property in question at 600 2nd Ave East Jerome, ID 83338 is zoned Residential 2 (R-2). The proposed use, the possession of chicken or poultry 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 it pertains to the Jerome Municipal Code (JMC) 17, Ms. Covcic went over the Section F, Chicken, Poultry and Fowl with the commission. No household or parcel of property shall keep more than six (6) chickens, poultry or fowl. Roosters are prohibited. The chickens, poultry or fowl shall be contained to the site or the site shall be fenced. Any chicken coop or accessory structure associated with the chickens, poultry or fowl shall be places in accordance with the accessory structure setback requirements. Chickens, poultry or fowl shall not be kept in the front yard. Special use permits shall be allowed for up to two (2) years and renewed on a biennial basis.

As it pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Covcic stated this request is in compliance with the Comprehensive plan as it relates to Rural Residential Land Uses requiring Special Use Permits in Section 3.1.1.

Ms. Covcic reminded the commission of the nuisance ordinance that defines stable matter as a nuisance. Manure must be properly disposed of to not create a nuisance.

Regarding the General Standards for Special Uses, Ms. Covcic stated the Planning and Zoning Code allows up to six (6) chickens, poultry or fowl in the R-2 zone with an approved Special Use Permit. The request appears to be harmonious with the objectives of the Comprehensive Plan. The applicant states that the chickens and quail will be kept in the backyard on the northern fenced-in area and not visible to the street. The applicant states that the request will not be hazardous and the chicken manure will be used for a garden on the property. There is no indication that additional services will be needed to serve this use. The applicant states they will be feeding and taking care of the chicken and quail. The applicant states there will be no cost to the community for this request and will not be detrimental. The applicant states there will only be six (6) total chickens and quail and will be in a properly sized coop and enclosure. There will be no rooster. The applicant will need to keep the coop and run properly cleaned. The applicant states there will be no interference with traffic and that no vehicular approaches are necessary. It does not appear that the animals will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

If approved, Ms. Covcic recommended the following conditions: any coop shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code; chickens/quail will not create odors, noise, nor be detrimental to persons, property or the general welfare; and Special Use Permit shall be allowed for two (2) years, renewable upon expiration.

Upon inquiry by Commissioner Johnson, Ms. Covcic stated this is the first time the applicant is requesting an SUP.

Applicant Testimony: Morgan Quayle, 600 2<sup>nd</sup> Avenue East, stated she was available for questions from the commission as she approved with all of what Ms. Covcic has stated. Upon inquiry from Chairman Mink, Ms. Quayle stated she has always wanted to have quail, and with it being her last name she wanted to try to raise them. Upon inquiry from Commissioner Holley, Ms. Quayle stated she does not have the animals yet and she would like to have them for eggs. Upon clarification, Chairman Mink stated she was part of a subdivision but there is not a HOA. Upon inquiry from Commissioner Johnson, Ms. Quayle stated she would be moving the coop around the yard when they water, so they will meet setbacks.

There being no testimony in favor, neutral or in opposition, Chairman Mink closed the Public Hearing at 7:15 p.m.

**Consider** a request from the Occupants residing at 600 2nd Avenue East, for a Special Use Permit allowing four (4) hen chickens and two (2) quail, on the property located at Lot 7, & the West 15' of Lot 8, Blk 201, East End Sub (SE 18-8-17), more commonly known as 600 2nd Avenue East, Jerome, Idaho- *action item*

Commissioner Fraser inquired if two years is typical for a SUP, Chairman Mink stated they usually agree with one year at first then they can renew for two years after. Extensive discussion was held on the time frame for the use, the combination of chickens and quail, and the definition of fowl.

Commissioner Fraser made a motion to approve the request from the Occupants residing at 600 2nd Avenue East, for a Special Use Permit allowing up to six hen chickens and/or quail, on the property located at Lot 7, & the West 15' of Lot 8, Blk 201, East End Sub (SE 18-8-17), more commonly known as 600 2nd Avenue East, Jerome, Idaho, with the following conditions: allow up to six hen chickens and/or quail; chickens and quail will not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; any accessory structure associated with the goats or 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 one (1) year, renewable upon expiration.

Second to the motion by Commissioner Schroeder and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Jeff Schroeder, Commissioner Shonna Fraser, Commissioner Holley, and Commissioner Paul Johnson. NAYE: None

Upon inquiry from Chairman Mink, Ms. Chavez stated the applicant requested their name not be used for privacy purposes.

**Consider** a Design Review for 337 West Main Street, Jerome, Idaho- *action item*

Staff Report: Ms. Covcic stated Wickel Tire Pros at 337 West Main Street is located in a Central Business District (CBD) zone. The design review proposal is for remodeling the exterior. The application notes that stucco siding will be used for the front of the building. The sides and rear of the building will be left as is. Colors to be used include heritage red and grey. The application includes a sample of such colors. Ms. Covcic stated the applicant has also proposed new building signs but those will be done administratively when the application is complete.

Regarding the Design Review Guideline #24, Wall Colors, Ms. Covcic stated the exterior wall colors should harmonize with the site and surrounding buildings. Bright and dramatic color can be used for accent on exterior wall areas hidden from general view. In most cases only one or two accent colors should be used in addition to the base color. Paint colors, along with architecture and signage, convey the first impression about a business, and should be chosen with great care. The color scheme should avoid the extremes of inoffensive and drab on the one hand, and garish on the other. Painting of a façade must be done in a professional manner and workmanship, using two coats or more of paint where needed. The application states exterior wall colors and finishes will harmonize with the surrounding site. The heritage red as an accent color will differentiate the business from surrounding buildings.

If approved, Ms. Covcic recommended the following conditions: comply with all Building and Fire Department requirements and inspections; and comply with all City, State and Federal requirements.

Jesse Wickel, 230 N 500 E, Rupert, stated they bought the building from Tri-State, wanting to make the building presentable and manageable, and clean up building. Tim Tibbits will be the manager of the building. They want to establish a business with the existing buildings and hope to get a new building in the future. Upon inquiry from Chairman Mink, Mr. Wickel stated the photo shown is the Burley location. They used tin with the building in Burley, and with the way this building is, the contractor suggested using stucco but all of the colors are the franchised colors. He continued that Lytle signs will provide the lit sign. Upon inquiry from Commissioner Holley, Mr. Wickel stated they did not bring color samples. Commissioner Holley stated some colors shown on paper are not necessarily the same in person. Chairman Mink stated he drove pass the Burley store and those colors were very close. Chairman Mink inquired if they would be doing anything with the east wall. Mr. Wickel stated they have new white tin now, but they will paint gray to match front of building. Upon inquiry from Commissioner Johnson, Mr. Wickel stated they are looking at getting started as soon as they can. Upon inquiry from Commissioner

Fraser, Mr. Wickel stated they will not have a lube bay until they can get employees to staff that service. They will continue with the other services provided.

Commissioner Holley asked to include in the motion that the colors must be as presented in the documents, if any change must re-do. Chairman Mink stated the motion is as presented.

Commissioner Johnson made a motion to approve the Design Review for 337 West Main Street, Jerome, Idaho, as presented.

Second to the motion by Commissioner Schroeder and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Jeff Schroeder, Commissioner Shonna Fraser, Commissioner Holley, and Commissioner Paul Johnson. NAYE: None

**Consider** a Design Review for 133 West Main Street, Jerome, Idaho- *action item*

Staff Report: Ms. Covcic stated the business functioning as an event space at 133 West Main Street is located in a Central Business District (CBD) zone. The current exterior includes windows covered with light colored wood, brick exterior wall and other materials. The design review proposal is to update street facing windows and the top portion of the building paint to match. The application notes that plans include rustic window covers with brown stain as shown in supporting photos. The top portion of the building will be painted to match the rustic windows.

Regarding the Design Review Guideline #24, Wall Colors, Ms. Covcic stated exterior wall colors should harmonize with the site and surrounding buildings and should tend toward warm earth tones and hues. Bright and dramatic color can be used for accent on exterior wall areas hidden from general view. Brilliant, luminescent, or day-glow colors will not be approved. Additional, guidelines state paint colors, along with architecture and signage, convey the first impression about a business, and should be chosen with great care. The color scheme should avoid the extremes of inoffensive and drab on the one hand, and garish on the other. Painting of a façade must be done in a professional manner and workmanship, using two coats or more of paint where needed.

Ms. Covcic stated the application plans of stained wood window updates and matching paint of top portion of the building appear to harmonize with the surrounding site with warm earth tones and hues.

If approved, Ms. Covcic recommended the following conditions: Comply with all Building and Fire Department requirements and inspections; and Comply with all City, State and Federal requirements.

Chairman Mink inquired about the top of the building. The color of the top of the building is a shade of red. Commissioner Johnson inquired if the applicant was just doing the windows plus painting some of the exterior. Ms. Covcic confirmed they would be painting the top of the building and redoing the window covering.

Maria Ortega, PO Box 84, Jerome, stated they did not board up the windows and they do not like them either. She stated her husband refinished one window to show how the others would look. Upon inquiry from Commissioner Holley, Ms. Ortega stated they will all have the added details as they one they just finished. Upon inquiry from Chairman Mink, Ms. Ortega stated there are four windows. Upon inquiry from Commissioner Johnson, Ms. Ortega stated they will eventually redo the doors which will have their logo on them but for right now, they are working on the window covers and the top of the building. Discussion was held on the window treatment, wood stain, how wood takes stain, needing the colors to be uniform, the trim being a slightly different stain than the rest of the wood to make sure there is a contrast, and having the feel of the inside to match the outside of the building.

Chairman Mink stated he liked the contrast of the wood to make sure it doesn't disappear. Commissioner Holley stated it will be a different look.

Commissioner Johnson made a motion to approve the Design Review for 133 West Main Street, Jerome, Idaho, as presented with all work being uniform in design and color.

Second to the motion by Commissioner Holley and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Jeff Schroeder, Commissioner Shonna Fraser, Commissioner David Holley, and Commissioner Paul Johnson. NAYE: None

### **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 March 8, 2022 regular meetings;

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

Second to the motion by Commissioner Schroeder and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Jeff Schroeder, Commissioner Shonna Fraser, Commissioner David Holley, and Commissioner Paul Johnson. NAYE: None.

## **CITIZEN CORRESPONDENCE AND ISSUES**

None

## **DISCUSSION PERIOD & STAFF REPORTS**

Chairman Mink stated a citizen approached him regarding the dust abatement of the parking lots and milk trucks on Nez Perce. He stated there are nuisance ordinances that addresses those. Discussion was held on where the citizen lived, where the dust would be coming from, and dust abatement for subdivisions. Ms. Chavez stated she will touch base with code enforcement to see if it falls within the nuisance code. She also stated the owner of the property is Magic Valley Quality Milk. Ms. Chavez stated if the commission received complaints or concerns, please direct them to staff to help assist with those. Chairman Mink stated this is not a police issue unless the road is blocked.

Commissioner Johnson inquired about the Marshall Warehouse façade update. Chairman Mink stated they came before the commission previously. Commissioner Johnson also inquired about Bennett's. Ms. Chavez stated there has been a cooperative effort with code enforcement to get compliance. Commissioner Johnson stated he has seen trucks parked on both sides of the road working on trucks. If there would have been an emergency, no one would have been able to go down that road. Ms. Chavez stated it has been a work in progress for many years but they will follow-up with the concerns.

Ms. Covcic stated they would not have a second meeting in April but may have a second meeting in May along with the first meeting.

There being no further discussion, Chairman Mink closed this regular meeting at 7:50 p.m.

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Rod Mink, Chairman

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Katie Elliott, Secretary