

Planning & Zoning Meeting
April 27th, 2021

This regular meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:01 p.m. The meeting was held by teleconference along with the Jerome City Council Chamber being open to the public. The video conference was conducted via Zoom and was made available to all members of the public in a format that allowed all participants to hear the meeting, including all deliberations by members of the Planning and Zoning board and other speakers addressing the board, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda, email, and notices at council chambers and on the City's website.

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

Present were Chairman Rod Mink, Commissioner Dave Holley, Commissioner Benjamin Reed, and Commissioner Shonna Fraser. Commissioner Carl McEntarffer, Commissioner Jeff Schroeder, and Commissioner Paul Johnson were excused. Also present were City Planner, Ida Clark, Legal Counsel, Ted Larsen, IT Field Technician, Andy Newbry, and Secretary, Katie Elliott.

Chairman Mink called the Public Hearing to order at 7:02 p.m.

Public Hearing for a request from D & B Supply c/o Brandt Ruzicka, for a Special Use Permit allowing an electronic message display sign, on the property located at Tax 12 of A-161 Jerome Townsite (SW 19-8-17) more commonly known as 1120 South Lincoln Avenue, Jerome, Idaho.

Staff Report: Ms. Clark stated D&B Supply currently has a freestanding sign facing Lincoln. It is a 4' x 12' letter board that requires manual changes. The property is zoned General Business (C-2). Section 17.32.040.Q of the Jerome Municipal Code allows electronic message displays in all zoning districts by special use permit only. The application proposes to replace the existing letter board with an electronic message display (EMD). The materials note the structure of the sign will not be modified. The proposed electronic display will be similar in size to the existing letter board. The proposed cabinet measures approximately 3' 8" X 10' 8". The electronic message display sign has an approximate area of 44 square feet. The EMD sign will be doubled faced. As proposed, the sign meets the size requirement as outlined in the Jerome Municipal Code.

Ms. Clark briefly went over the requirements in Section 17.32.040, Q, regarding electronic signs. It was noted the applicant acknowledges the guidelines and intends to comply.

Regarding the General Standards for Special Uses, Ms. Clark stated the Jerome Municipal Code allows an electronic message display sign with an approved special use

permit in all zoning districts. The request appears to be harmonious with the objectives of Title 17 of the Jerome Municipal Code as well as the Comprehensive Plan. The application notes the design of the sign will be constructed to fit into the existing freestanding frame, there will not be any structural changes to the existing sign frame. The new electronic sign will not change the essential character of the area. 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 will not require public facilities or services. As proposed, the EMD sign will not create additional requirements at public cost for public facilities nor be detrimental to the economic welfare of the community. This sign request will not be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. There is no change to the vehicular approaches to the property. There is no indication that the sign will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Regarding the Sign Design Review Guidelines, Ms. Clark stated the electronic message display sign will replace an existing manual letter board. The materials note the existing sign structure will remain the same. The application indicates the sign is professionally manufactured and will be professionally installed. The application notes this is an existing sign that was at the old Twin Falls D&B location. The sign is constructed of permanent, all-weather material.

If approved, Ms. Clark recommended the following conditions: Obtain any building permits before installing the sign; and Comply with all City sign requirements.

Applicant Testimony: Christopher Watson, 1120 South Lincoln, testified, they are bringing in the sign to help bring a new fresh look and to help boost their advertising. They will meet all guidelines required. Upon inquiry from Chairman Mink, Mr. Watson stated the sign is changed wirelessly.

Testimony in Favor: Ms. Clark read the following for the record:

*Arland Miller/ Old Hickory Sheds
901 South Lincoln Avenue*

*Supports the application
I think this would be great for D&B to have an electronic sign. I am in support.*

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the Public Hearing at 7:09 p.m.

Consider a request from D & B Supply c/o Brandt Ruzicka, for a Special Use Permit allowing an electronic message display sign, on the property located at Tax 12 of A-161 Jerome Townsite (SW 19-8-17) more commonly known as 1120 South Lincoln Avenue, Jerome, Idaho - action item

Commissioner Holley stated he does not have any concerns with the application. Commissioner Holley inquired if two Electronic Message Display (EMD) signs would be allowed on one display. Mr. Larsen stated City Code allows only one EMD per parcel. Extensive discussion was held on the number of signs allowed on a parcel, and how far apart signs need to be. Ms. Clark stated she would do more research on the code regarding multiple EMD signs. Commissioner Fraser stated she likes the looks of the EMD as they look more professional. Chairman Mink also agreed the EMD looks nice.

Commissioner Holley made a motion to approve the request from D & B Supply c/o Brandt Ruzicka, for a Special Use Permit allowing an electronic message display sign, on the property located at Tax 12 of A-161 Jerome Townsite (SW 19-8-17) more commonly known as 1120 South Lincoln Avenue, Jerome, Idaho with the following conditions: Obtain any building permits before installing the sign; and Comply with all City sign requirements.

Second to the motion by Commissioner Fraser and carried.

After consideration, the motion passed by the following votes: AYE: Chairman Rod Mink, Commissioner Dave Holley, Commissioner Benjamin Reed, and Commissioner Shonna Fraser. NAYE: None

Chairman Mink called the Public Hearing to order at 7:14 p.m.

Public Hearing for a request from Michael and Natalie Wadsworth, for a Special Use Permit allowing six goats and six hen chickens, on the property located at Tax 1 Block 274 Jerome Townsite (NW 24-8-16) more commonly known as 818 West Avenue D, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question, 818 West Ave D in Jerome, is currently zoned Residential 3 (R-3) and is approximately one (1) acre. The proposed use, the possession of chickens and 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. Horses, Cattle, and Sheep require a Special Use Permit if, "No such animals at all be on the real property for a period of at least one years, then a special use permit shall be required before any such animals may be quartered on the real property" as detailed in 17.18.050 letter J. This parcel has had no such animals for over one year; therefore, requires a Special Use Permit.

As pertains to the City of Jerome's Comprehensive Land Use Plan, this 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. Clark reminded the commission of the nuisance code regarding stable matter. Manure must be properly disposed of to not create a nuisance.

Regarding the General Standards for Special Uses, Ms. Clark stated the Planning and Zoning Code allows chickens and goats in the R-3 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 woven wire fenced area. The goats will be provided with a shelter made of pallets and metal roofing. The chickens will be housed in a coop located in the pasture. The chickens will be allowed out in the pasture during the day and then cooped at night. The area consists of larger lots and other surrounding properties have horses, cows, and chickens. If constructed and maintained properly, the use of goats and chickens on this parcel will not change the intended character of the area. The goats must be properly cared for, and adequate fencing, to not be disturbing to neighboring uses. The property is served by irrigation for water and to water the pasture. There is no indication that additional services will be needed to serve the use of livestock or chickens. This property is served with City irrigation. Neither Livestock nor chickens will create excessive additional requirements at public cost. Goats and chickens can become a nuisance if not properly cared for. They can also become detrimental by excessive production of noise and odors. With the property being an acre, the manure can be composted on the property. The applicant has provided a detailed explanation of the care, shelter, and use of the goats and chickens. Their detailed plan, if followed, should keep odors and noise to a minimum. This request will not impact or change the vehicular approaches. It does not appear that the possession of chickens or goats on this parcel will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Ms. Clark received the following comment from City Staff: Animal Control – Ensure adequate fencing is established to ensure the animals do not get out.

If approved, Ms. Clark recommended the following conditions: Goats and chickens will not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; Can only possess up to six (6) goats; 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.

Commissioner Holley inquired if the code addressed the gender of an animal. Ms. Clark stated the code does not address goats and there is no limit. Ms. Clark stated they usually address the size of the animal. She will have the applicant explain what they are

requesting as they have a very detailed application. Commissioner Reed inquired if the commission had a formula for number of animals per acre. Ms. Clark stated they do not have a formula. Discussion was held on animal units, animal species allowed, and acre per animal. Commissioner Fraser stated they use to have animal units in previous code.

Applicant Testimony: Michael Wadsworth, 818 West Avenue D, testified, they would like to have up to six goats and six chickens. He stated they would have two female goats that will give birth every nine to twelve months. Goats have up to two kids at a time. He stated that during the winter there should only be the two adults. Upon inquiry from Commissioner Reed, Mr. Wadsworth stated from their research, the goats only have up to two kids. He stated if one has three, they will hope the other female will only have one. If they exceed the number of kids they are willing to sell one to comply. Upon inquiry from Commissioner Reed, Mr. Wadsworth stated they will have a mixture of grass and hay. Upon inquiry from Commissioner Fraser, Mr. Wadsworth stated they may have a male goat on occasion to breed the female goats but they are also looking into artificially inseminating. If they do have a male goat, it will only be for a short time. Upon inquiry from Commissioner Holley, Mr. Wadsworth stated they do have five laying chickens at the moment. The property is currently not fenced but the chickens do have a temporary fence around their coop. He did not want to fence the property until he knew he would be able to have the goats. Commissioner Reed inquired what the applicant would be doing for nutrient management and the manure. Mr. Wadsworth stated there was a compost pile that was on the property when they bought the house. They would be using the manure to help the pasture grow and will put the remaining manure in the compost pile. Upon inquiry from Commissioner Reed, Ms. Clark stated the code does not have a nutrient management section but it does have a section regarding stable matter and how it can become a nuisance. Mr. Wadsworth stated if the manure was too much of a nuisance, they would take the excess to the dump. Upon inquiry from Chairman Mink, Mr. Wadsworth stated they would be butchering the kids when they are around nine months old so they will only be keeping the two adults longer than that.

Testimony in Favor: Ms. Clark read the following for the record:

*David Holton for Valley Wide Coop
837 W Main St, Jerome*

Support the application. No other comments were provided.

Testimony in Neutral: None

Testimony in Opposition: None

There being no further testimony, Chairman Mink closed the Public Hearing at 7:31 p.m.

Consider a request from Michael and Natalie Wadsworth, for a Special Use Permit allowing six goats and six hen chickens, on the property located at Tax 1 Block 274 Jerome Townsite (NW 24-8-16) more commonly known as 818 West Avenue D, Jerome, Idaho - action item

Commissioner Holley stated he is not sure how many animals will help keep bugs down for a certain size of property, but as long as they maintain the number of goats that are assigned, he has no concerns since he has no other information to judge based on land use. Commissioner Fraser stated she has no concerns with the six chickens. She does not have any concerns with the request as their property is on the edge of town and other surrounding properties have animals.

Commissioner Fraser made a motion to approve the request from Michael and Natalie Wadsworth, for a Special Use Permit allowing six goats and six hen chickens, on the property located at Tax 1 Block 274 Jerome Townsite (NW 24-8-16) more commonly known as 818 West Avenue D, Jerome, Idaho with the following conditions: Goats and chickens will not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; Can only possess up to six (6) goats; 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 Reed and carried.

After consideration, the motion passed by the following votes: AYE: Chairman Rod Mink, Commissioner Dave Holley, Commissioner Benjamin Reed, and Commissioner Shonna Fraser. NAYE: None

Consider a Design Review for 101 West Main, Jerome, Idaho - action item

Ms. Clark stated the property is located at 101 West Main Street. This is an existing building on the southwest corner of Main and Lincoln. The property is located in the Design Review Overlay District, falling within the 150 feet of the right-of-way of Lincoln Ave and Main Street as defined in Jerome Municipal Code Chapter 17.10.020, M. The application is proposing an exterior update to the building by repainting in the colors of Peppercorn and Cityscape.

It is noted this building is on the Jerome Historical Buildings list in the Comprehensive Plan; however, it is not on the National Register of Historic Buildings. The main color is a neutral gray called Cityscape and the accent is a darker gray called Peppercorn. Ms. Clark showed the commission a picture of the building with the proposed color. They have repaired some of the building that was coming down. They have removed the signs and they are updating the cabinets. They also are updating the signage and adding the

EMD. Ms. Clark stated she is not sure where the applicant is as he was aware of the meeting. The commission took a moment to look at the building.

Ms. Clark reminded the Commission that a unanimous vote is required or the applicant will need to return for a Public Hearing.

Both Commissioner Fraser and Commissioner Reed stated the colors were too dark. Chairman Mink stated the building sticks out. Discussion was held on the darker paint colors, other buildings that are darker in color, paint swatches, and other colors that may be proposed. Commissioner Holley stated it would have been nice to have the paint swatches before the meeting and also to have the applicant present to answer questions.

Commissioner Holley made a motion to approve the Design Review for 101 West Main, Jerome, Idaho with the following conditions: Painting of a façade must be done in a professional manner and workmanship, using two coats or more of paint where needed.

Second to the motion by Commissioner Fraser and carried.

After consideration, the motion failed by the following votes: AYE: None
NAYE: Chairman Rod Mink, Commissioner Dave Holley, Commissioner Benjamin Reed, and Commissioner Shonna Fraser.

Consider a Design Review for 117 West Main, Jerome, Idaho - action item

Ms. Clark stated the property is located at 117 West Main Street. This is an existing building known as The Liquidation Center. The property is located in the Design Review Overlay District, falling within the 150 feet of the right-of-way of Main Street as defined in Jerome Municipal Code Chapter 17.10.020, M. The application is proposing an exterior update to the building by repainting in the colors of Antler Velvet and Double Latte. The application also proposes adding rock to the lower half of the building in a brown, gray color called Blacktruffle.

The main color is a neutral brown tone called Antler Velvet and the accent is a darker brown called Double Latte. The applicant has provided a sample of the rock being applied to the lower half of the building. Ms. Clark showed the proposed updates to the façade.

If approved, Ms. Clark recommended the following conditions: Painting of a façade must be done in a professional manner and workmanship, using two coats or more of paint where needed.

Ms. Clark reminded the Commission that a unanimous vote is required or the applicant will need to return for a Public Hearing.

Sergio Mendoza, appearing via zoom, stated the plan is to have rock on the bottom of the building and will continue into the inside by the door. They are wanting to make the building look good. Commissioner Reed stated the rock and two colors look good. Ms. Clark stated the proposed colors are a nice contrast with the surrounding buildings. Chairman Mink stated each building can either have its own personality or they can be the same colors down the road. He stated he likes what the application is proposing. Commissioner Holley thanked Mr. Mendoza for updating the buildings and helping make Jerome look nice.

Commissioner Reed made a motion to approve the Design Review for 117 South Lincoln, Jerome, Idaho with the following conditions: Painting of a façade must be done in a professional manner and workmanship, using two coats or more of paint where needed.

Second to the motion by Commissioner Holley and carried.

After consideration, the motion passed by the following votes: AYE: Chairman Rod Mink, Commissioner Dave Holley, Commissioner Benjamin Reed, and Commissioner Shonna Fraser. NAYE: None

Discussion of Zoning Use Regulation Chart

Ms. Clark stated they have already gone through the definitions and are now onto the Zoning Use Chart. Discussion was held on having a workshop instead of holding the discussion at a meeting, how to read to edits to the current language, RV Parks, tiny homes, lots sizes and building code. Commissioner Holley stated they have spent a significant amount of time and has had many great discussions on the code. He is very proud on how it is coming together. Ms. Clark stated she would send out a couple of dates to the commission that may work. Ms. Clark stated she believes that one more workshop should be enough to complete the review of the code. Once they have reviewed all of the code, Mr. Larsen will then put the code in Ordinance form to be presented at a Public Hearing for Planning and Zoning.

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 April 13th, 2021 regular meeting;
- B. Consider/Approve Findings of Facts for Cook Realty, Inc. c/o Scott Cook, for a Special Use Permit allowing an electronic message display sign, on the property located at Lots 1 & 2, Block 85, Jerome Townsite (NE 24-8-16), more commonly known as 101 West Main Street, Jerome, Idaho.

**FINDINGS AND CONCLUSIONS ON APPLICATION OF COOK REALTY, INC. C/O
SCOTT COOK, FOR A SPECIAL USE PERMIT ALLOWING AN ELECTRONIC MESSAGE
DISPLAY SIGN, ON THE PROPERTY LOCATED AT LOTS 1 & 2, BLOCK 85, JEROME
TOWNSITE (NE 24-8-16), MORE COMMONLY KNOWN AS 101 WEST MAIN STREET,
JEROME, IDAHO**

A public hearing on the application of Cook Realty, Inc., concerning the use of real property located at 101 West Main Street, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, April 13, 2021, by teleconference 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, Ida Clark, provided the staff report and brief background on the application. Ms. Clark stated the applicant would like to install an electronic message display sign on the upper corner of the building facing West Main Street and on the South Lincoln Avenue side of the building. The property is zoned Central Business District (CBD). Section 17.32.040(q) of the Jerome Municipal Code allows electronic message displays (EMD) in all zoning districts by special use permit only.

The application proposes to place two 2-foot by 16-foot, full color EMD sign on the existing building. One will face West Main Street and the other will face South Lincoln Avenue. As proposed, the signs meet the size requirement as outlined in the Jerome Municipal Code.

Ms. Clark briefly went over the requirements in Section 17.32.040(q) regarding electronic signs. It was noted the applicant acknowledges the guidelines and intends to comply.

Regarding the General Standards for Special Uses, Ms. Clark stated the Jerome Municipal Code allows an electronic message display sign with an approved special use permit in all zoning districts. The request appears to be harmonious with the objectives of Title 17 of the Jerome Municipal Code as well as the Comprehensive Plan.

The application notes the design of the signs will be with a professional sign company and attached directly to the existing building. The applicant is required to meet the electronic display criteria, which will keep the sign from creating a disturbance to current and future neighbors. Main Street and Lincoln Avenue is a busy intersection with a stop light. Electronic signage may add to the hazards of

driving. To reduce hazards and to not be disturbing, it is recommended that only the West Main Street side of the building display the EMD sign. An electronic message display sign will not require public facilities or services.

As proposed, the electronic message display sign will not create additional requirements at public cost. This sign request will not be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fume or glare. Due to the location of the electronic message display sign, the applicant must comply with the nit code requirement for illumination and make any corrections immediately to reduce and keep glare to a minimum at the intersection. There is no change to the vehicular approaches to the property. There is no indication that the sign will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Regarding the Sign Guidelines, Ms. Clark stated the electronic message display signs will be professionally designed and meet appropriate height and materials required; the application indicates the sign will be professionally manufactured and installed; the application renderings show the signs will be constructed of durable, all-weather material; and the proposed sign will display in English.

Ms. Clark received the following comments from City Staff: Streets- The sign needs to be on the north facing side of the building, having a wrap-around sign to the east side could cause distraction from drivers at a major traffic signal. The trees located in the City right-of-way will not be removed or trimmed to accommodate any signs.

If approved, Ms. Clark recommended the following conditions: (a) Electronic message display sign will be displayed on the West Main Street, north facing side of the building only; (b) Obtain any building permits before installing the sign; and (c) Comply with all City sign requirements.

Ms. Clark went over the layout of the sign on the building. Upon inquiry from Commissioner Johnson, Ms. Clark stated the recommendation is to only have one sign. Upon inquiry from Chairman Mink, Ms. Clark stated the signage calculations will be met in reference to the guidelines. They are also making a few changes regarding the other signs. Upon inquiry from Commissioner Reed, Ms. Clark stated the code states the legal name of the business can be in another language. The code asks for a translation into English unless there is no reasonable translation available for other messages. Commissioner Reed inquired if this requirement was legal to have. Mr. Larsen suggested discussing this topic in the discussion portion of the meeting.

Applicant Testimony: Scott Cook, 152 East Main St, Jerome, Idaho, appeared before the Commission and testified on the application. Mr. Cook stated they are asking to place two (2) electronic signs and he is not sure if they are interested in only one (1) sign. He is not sure if the sign is a traffic threat and he understands the code regarding the electronic sign and will follow the code. Mr. Cook stated they first were interested in the signs when he saw the First Federal sign in Twin Falls, which is a three-sided sign. He continued that these signs are scaled down.

Upon inquiry from Acting Chairman Schroeder, Mr. Cook stated they would need to modify the outside of the building to make the sign look professional. Mr. Cook stated they will be repainting the building, taking down the handmade signs, and replacing those signs with professional LED illuminated signs. He continued there will not be any signs that are attached to the building through the stucco.

Upon inquiry from Ms. Clark, Mr. Cook stated they would be using the existing sign cabinets and they will be updating those with new paint. Upon inquiry from Commissioner Johnson, Ms. Clark stated applicants that are changing out signs and using existing cabinets, have not been required to have design review.

Upon inquiry from Commissioner Fraser, Mr. Cook stated the sign does not have the same message. He explained that the message would wrap around with the sign. Commissioner Fraser stated her concern is people would be looking to see what the sign said instead of watching traffic. Mr. Cook stated the signs would “butt-up” to each other at the corner giving it the “wrapped around” look.

Upon inquiry from Commissioner Schroder, Mr. Cook stated he is not interested in only one (1) sign as it would be too expensive. Upon inquiry from Chairman Mink, Mr. Cook stated the sign on the north side would be seen by southbound traffic and the east side sign would be seen by the westbound traffic.

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

Jim Kinsey, 124 N Lincoln, Jerome
Supports the application, stating: “We strongly support this special use permit and Cook’s improvements to downtown Jerome.”

Testimony in Neutral: Ms. Clark read the following letter for the record:

Mary Anna Mitchell, 152 East Avenue B, Jerome, Idaho
Selected neutral with no other comment

Testimony in Opposition: None.

There being no further testimony, Acting Chairman Schroeder closed the public hearing at 7:20 p.m.

The Jerome City Planning and Zoning Commission having heard the testimony presented, including the testimony of Mr. Cook on behalf of the Cook Realty, Inc., and having reviewed the application, Ms. Clark'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 described in the heading herein is in the City of Jerome and is currently zoned Central Business District (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. 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 CBD 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 CBD zone, on the above described property.

B. The Commission approves the application of Cook Realty, Inc. allowing an electronic message board located at 101 West Main Street, Jerome, Idaho, subject to the following condition:

a. Electronic message display sign will be displayed on the West Main Street, north facing side of the building and on the North Lincoln Avenue, east facing side of the building;

b. Obtain any building permits before installing the sign; and

c. Comply with all City sign requirements.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 27th day of April, 2021, in support of the decision of the Planning and Zoning Commission on the 13th day of April, 2021, to approve the application as specified herein is hereby made final this 27th day of April, 2021.

ROD MINK, Chairman of the Board

Jerome City Planning and Zoning

- C. Consider/Approve Findings of Facts for Yadira Godoy allowing a home occupation, a beauty salon, on the property located at Lot 16, Block 109, Jerome Townsite (NE 24-8-16), more commonly known as 500 West Avenue C, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF YADIRA GODOY ALLOWING A HOME OCCUPATION, A BEAUTY SALON, ON THE PROPERTY LOCATED AT LOT 16, BLOCK 109, JEROME TOWNSITE (NE 24-8-16), MORE COMMONLY KNOWN AS 500 WEST AVENUE C, JEROME, IDAHO

A public hearing on the application of Yadira Godoy concerning that parcel located at 500 West Avenue C, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, April 13, 2021, by teleconference 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, Ida Clark, provided the staff report and brief background on the application. Ms. Clark stated the property in question is currently zoned Residential 3 (R-3). The proposed use, a home occupation, requires a Special Use Permit from the Planning and Zoning Commission. In this case, the applicant Ms. Godoy, would like to have a beauty salon, which constitutes a home occupation per JMC 17.18.050: "Home occupation - The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall be conducted entirely within a dwelling unit or accessory structure. A detached accessory structure shall be located in the rear or side yard." 17.18.050, I: Any use which changes or may change the character of the neighborhood will not be permitted.

Title 16 has no bearing on this special use permit request.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the request IS in accordance with Chapter 7, "Economic Development", Policy 8, which is to "continue to provide an atmosphere for successful business development."

Regarding the General Standards for Special Use, Ms. Clark stated the Planning and Zoning Code allows home occupations in the R-3 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 applicant states the home occupation will be conducted in an accessory

structure located in the backyard. There is an old storage shed that will be torn down and replaced with a new 25' x 34' accessory structure. Replacing the existing structure will be harmonious and appropriate with the existing and intended character of the area. There is parking available on the property in question. It does not appear that a beauty salon would be hazardous or disturbing to existing neighboring uses. This home occupation may require additional services from water and will be required to comply with any building code requirements. Other essential services already exist. There is no additional requirement at public cost for this home occupation. Regarding Standard G, which states, "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 states, no. Adequate parking is available on the property and there should not be a concern with noise or pollution. This request will not impact vehicular approaches. There are existing approaches from the back yard from South Date Street and the alleyway. The residence has parking available on the property from West C Ave. It does not appear that this home occupation will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Regarding the Home Occupation Standards;

Ms. Godoy states she will be the only person operating the home occupation; the applicant has stated she owns this parcel and it will become her primary residence if the home occupation is approved. The applicant intends to remove the existing accessory structure located in the backyard and replace with a new accessory structure; the applicant has acknowledged that approximately 400 square feet will be used for the home occupation, as it is only her doing the beauty salon. The applicant has stated the remaining area is to be used for personal storage, the application states there will not be any change to the existing home. There will be some traffic associated with a beauty salon but otherwise there should be no changes to the residential character; The application notes there is parking on the side of the residence. There are two (2) parking places available for her clients. Traffic will be minimal as she is the only person running the beauty salon. Parking for the residence will not be impacted as there is parking from West C Ave; The application states no there will not be any significant noise and a there will be proper ventilation; The applicant states there will be no storage outside; and The applicant is aware there will be no signage placed outside.

If approved, Ms. Clark recommended the following conditions: (a) The property in question shall become the applicant's primary residence; (b) Customers shall park on the property located on the side yard; (c) Shall comply with any needed building and/or fire inspections; (d) Shall obtain any necessary permits for the accessory structure and water connection; and (e) Special use permit shall be allowed for up to one (1) year, renewable upon expiration.

Ms. Clark showed the commissioners the property in question. Chairman Mink inquired about the definition of an accessory structure. Ms. Clark stated the definition of an accessory structure is, "A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure. In residential zones accessory uses/structures include, but are not limited to, detached carports and garages, pool houses and cabanas, amateur radio and satellite dish antennas, barns, corrals, stables, and similar uses and structures." Ms. Clark stated they recently went over the Home Occupation Code where accessory structure was discussed and would be allowed as long as the structure was located in the back or side yard. Upon inquiry from Commissioner Johnson, Ms. Clark stated the shed is considered an accessory structure as there is already a home on the lot. Mr. Larsen stated the accessory structure must be an incidental use to the lot.

Ms. Godoy passed out copy of the floor plans to the commission.

Applicant Testimony: Yadira Godoy, 528 West Ave C, Jerome, Idaho, appeared before the Commission and testified on her application. Ms. Godoy testified she will move into 500 West Avenue C, if the application is granted. Ms. Godoy stated she would like to build her own salon. She is currently working in a salon and sees an opportunity to start her own business if she is allowed.

Upon inquiry from Commissioner Johnson, Ms. Godoy testified she would have one (1) chair but would have two (2) sinks for her clients. Ms. Godoy explained the floor plan to the Commission and that only 476 square feet would be used for home use and the remaining 350 square feet would be for the business.

Upon inquiry from Acting Chairman Schroeder, Ms. Godoy stated she currently lives a block away but she will be moving into the home on the property if the application is approved.

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

Donya Barnes, 509 West Avenue D, Jerome, Idaho
Supports the application stating: "I believe a beauty shop on this side of Jerome would be welcome!".

Testimony in Neutral: None.

Testimony in Opposition: None.

There being no further testimony, Acting Chairman Schroeder closed the public hearing at 7:43 p.m.

The Jerome City Planning and Zoning Commission having heard the testimony presented, including the testimony of Ms. Godoy, and having reviewed the application, Ms. Clark'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 described in the heading herein is in the City of Jerome and is currently zoned Residential 3 (R-3).
- B. The proposed use, home occupation, requires a special use permit to operate in an R-3 zone.
- C. The proposed use is harmonious with the general objectives of the comprehensive plan in that businesses serve a need of the community and provide convenience in a residential zone.
- D. The proposed use is harmonious and appropriate in appearance with the existing and intended character of the general vicinity in that there is no proposal to modify the exterior appearance of the property or any buildings thereon.
- E. The proposed use will not be hazardous or disturbing to existing or future neighboring uses because it will blend well with neighboring uses.
- F. No additional public facilities will be necessary for the proposed use.
- G. 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.
- H. The vehicles approaching to the property will not create an interference with traffic on surrounding public thoroughfares.
- I. The proposed use will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance.
- J. The application appears to be harmonious with the objectives of the Comprehensive Plan and Title 17.
- K. The application meets the Home Occupation Standards.

II. Conclusions

- A. A special use permit is required for the applicant to be able to use the above described property for a home occupation in the R-3 zone for the City of Jerome.
- B. A special use permit promoting a home occupation is consistent with the City of Jerome Comprehensive Plan.
- C. The Planning and Zoning Commission allows home occupations in R-3 zones by Special Use Permit.
- D. The Commission approves the application of Yadira Godoy for a home occupation located at the above-described real property subject to the following conditions:

1. The property in question shall become the applicant's primary residence;
2. Customers shall park on the property located on the side yard;
3. Applicant shall comply with any needed building and/or fire inspections;
4. Applicant shall obtain any necessary permits for the accessory structure and water connection; and
5. This special use permit shall be allowed for one (1) year from the date of this decision, and shall be considered for renewable upon expiration by application to the Commission.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 27th day of April, 2021, in support of the decision of the Planning and Zoning Commission on 13th day of April, 2021 to approve the application as specified herein is hereby made final this 27th day of April, 2021.

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

- D. Consider/Approve Findings of Facts for Troy Rose for a renewal Special Use Permit, allowing a car dealership on that parcel described as Tax 1 Block 125 JT NE 24-8-16, more commonly known as 124 West Avenue E, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF TROY ROSE FOR A RENEWAL OF HIS SPECIAL USE PERMIT ALLOWING A CAR DEALERSHIP ON THAT PARCEL DESCRIBED AS TAX 1 BLOCK 125, JT NE 24-8-16, MORE COMMONLY KNOWN AS 124 WEST AVENUE E, JEROME, IDAHO

A public hearing on the application of Troy Rose concerning that parcel commonly known as 124 West Avenue E, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, March 9, 2021 and April 13, 2021, by teleconference 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 at City Council Chambers, 100 East Avenue A, Jerome, Idaho.

Staff Report: City Planner, Ida Clark, provided the staff a report on the application. Ms. Clark stated Troy Rose received a special use permit for automotive sales at 124 West Avenue E on April 12, 2016 with a renewal in April of 2018. The proposal was to have 10-12 vehicles displayed in the fenced area. The materials

indicated there would not be any mechanic work done on site. Additionally, it was noted someone would be on site approximately 20 hours per week to oversee the auto sales. The special use request was approved for a maximum of 12 vehicles for sale at any given time and issued for a period of two years. At the March 9, 2021 Planning & Zoning meeting, Mr. Rose requested to increase the vehicles for sale from 12 to 20. In order to meet the parking requirements for auto sales as outlined in Chapter 17.26 with the increase in cars for sale, the applicant was asked to provide the approximate square footage of the area and a layout showing parking spaces available for customers. Mr. Rose has asked to withdraw the approved SUP and instead requested to renew the SUP with up to 12 vehicles for sale. Twelve (12) vehicles for sale allows customer parking on-site which meets City code parking requirements.

The property in question, 124 West Ave E, is currently zoned Central Business District (CBD). The proposed use, automotive sales, requires a Special Use Permit from the Planning and Zoning Commission.

Ms. Clark reminded the commission regarding Title 8 of the Jerome Municipal Code (JMC), the ordinance addressing nuisances. Vehicles placed on the property shall not be abandoned, wrecked or junked as defined in 8.16.040 of the JMC.

As pertains to the City of Jerome's Comprehensive Land Use Plan, the request is in accordance with Chapter 7 "Economic Development", page 7-5, which addresses the need and objective for business retention and expansion. The request is in accordance with Chapter 7, "Economic Development", Policy 8, which is to "continue to provide an atmosphere for successful business development".

Ms. Clark stated she received the following comments back from City Staff: Code Enforcement- cars need to be parked only at 124 West Ave E; Fire- did not have any issues as long as they have access to the storage units. They must maintain fire department access at all times. Ms. Clark stated she is not aware if the storage units are rented out at this time.

If approved, Ms. Clark recommended the following conditions: (a) Vehicles shall be parked on private property and not in the public right of way; (b) Vehicles shall be parked only at 124 West Ave E; (c) Maximum of 12 vehicles for sale at any given time; (d) Comply with all city, state and federal requirements; and (e) Special Use Permit shall be allowed for up to five (5) years, renewable upon expiration.

Chairman Mink, inquired, who needed access to the storage units. Ms. Clark stated the Fire Department will need access to the units and if there are cars parked in front, they do not want to damage the cars in the event of a fire. She had previously asked if the units were rented and has not received any comment back so

she would ask for Mr. Rose to address. Upon inquiry from Commissioner Johnson, Ms. Clark stated the Fire Department was aware of the fence and they did not have any concerns.

Applicant Testimony at the Meeting on March 19, 2021: Justin Rose, 517 East Avenue D, testified, stating they would like to increase the number of cars to 20. They currently have 19 cars and believe they will be able to have 20. He stated the first five storage units are currently not rented out. They have one storage unit and the other four units are the property owners.

Upon inquiry from Mr. Larsen, Mr. Rose stated they have their customer's park within the fenced area, just outside the gate, or along the road.

Upon inquiry from Commissioner Johnson, Mr. Rose stated they are not aware of the owners renting out the rest of the storage units. They do not park in front of the units if they are rented out.

Upon inquiry from Commissioner Johnson, Mr. Rose stated they have three to four customers a day max.

Upon inquiry from Mr. Larsen, Mr. Rose stated they have two employees who drive cars that are for sale. Mr. Larsen went over the parking requirement code with Mr. Rose and the Commissioners. They are required to have one parking space for every 500 square foot of outside display area. He stated the lack of parking may have been a reason why they recommended twelve cars previously. Commissioner McEntarffer inquired if parking outside of the fence could be used if they had an agreement with the property owner. Mr. Larsen stated they generally do not allow them to count on street parking. If the owner of the property allows them to use outside of the fence, it could be allowed. Commissioner Reed stated there would need to be an agreement between the property owner and the applicant for this to pass.

Commissioner Fraser inquired if there was a max number of vehicles the Commission would allow. Chairman Mink stated they would address the number of vehicles in the discussion portion of the agenda. Mr. Rose stated if they were not granted 20 vehicles, they would like to have at least 15.

Testimony in Favor: Ms. Clark read the following for the record:

Ruby Reed, 200 West Avenue G, Jerome, Idaho
"Support the application. Why not? There are other businesses up and down South Lincoln."

Testimony in Neutral: Ms. Clark read the following for the record:

G. Diane Adams, 2373 Twin Oaks Park Drive, Twin Falls, Idaho
“Checked Neutral to the application and no other comment was provided.”

Testimony in Opposition: None.

Application Testimony at the Meeting on April 13, 2021: Troy Rose, 124 West Avenue E, testified, stating they are wanting to renew the original application. He does not think he can meet the parking requirements that were imposed and thinks it is ridiculous that they must meet the same requirements that Wal-Mart has to meet. They only sale three items in a 500 square foot spot where Wal-Mart sells thousands of items in area of the same size. He understands that it is a different store and just wants to renew what they originally requested. Mr. Rose stated he believes the Commission needs to know as he has not had eight customers in a month.

The Jerome City Planning and Zoning Commission having heard the testimony presented of Justin Rose, Troy Rose, and having reviewed the application, Ms. Clark’s report, and the other documents and material in the file, it enters its findings and conclusions as follows:

I. Findings

- A. 124 West Avenue E is in the City of Jerome and is currently zoned Central Business District (CBD).
- B. The proposed use, car dealership/automotive sales lot, requires a special use permit to operate in CBD.
- C. JMC 17.60.060 provides the standards for special use permits.
- D. The proposed use is harmonious with the general objectives of the comprehensive plan in that businesses serve a need of the community.
- E. The proposed use is harmonious and appropriate in appearance with the existing and intended character of the general vicinity in that there is no proposal to modify the exterior appearance of the property or any buildings thereon.
- F. The proposed use will not be hazardous or disturbing to existing or future neighboring uses because it will blend well with neighboring uses at Dairy Queen and the car wash.
- 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 vehicles approaching to the property will not create an interference with traffic on surrounding public thoroughfares.

- J. The proposed use will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance.

II. Conclusions

- (1) A renewal of the special use permit is required for the applicant to be able to continue the car lot business on the described lot, located in a CBD zone for the City of Jerome.
- (2) A renewal of the special use permit allowing a used car lot in the CBD Zone is consistent with the City of Jerome Comprehensive Plan.
- (3) The Commission approves the application of Troy Rose for the renewal of a special use permit to conduct business as a car lot, on the property commonly known as 124 West Avenue E, Jerome, Idaho, subject to the following conditions:
 - a. Vehicles shall be parked on private property and not in the public right of way;
 - b. Vehicles shall be parked only at 124 West Ave E;
 - c. Maximum of 12 vehicles for sale at any given time providing the layout meets the requirement for parking;
 - d. Comply with all city, state and federal requirements; and
 - e. Special Use permit shall be allowed for up to five (5) years, renewable upon expiration.
- (4) The Commission further requires:
 - a. Any storage unit that is rented, must remain unblocked for fire access.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 27th day of April, 2021, in support of the decision of the Planning and Zoning Commission on the 9th day of March, 2021, and the 13th day of April, 2021, to approve the application as specified herein is hereby made final this 27th day of April, 2021.

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

Commissioner Fraser 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 Dave Holley, Commissioner Benjamin Reed, and Commissioner Shonna Fraser.
NAYE: None.

CITIZEN CORRESPONDENCE AND ISSUES

None

DISCUSSION PERIOD & STAFF REPORTS

Ms. Clark stated the next meeting will be May 11th. They will have a multi-family housing project from Rennison on the property south of Dairy Queen. She is not sure what happened with the project on the property behind DL Evans Bank but was told it was not going to be moving forward. Upon inquiry from Commission Holley regarding the lot kitty-corner from Ridley's, Ms. Clark stated she recently spoke with the applicant and they are still working with the owner of the property to make it work with the requirements on the Special Use permit. Regarding Tommy's Car Wash, Ms. Clark stated she does not have a design yet, as they are currently working on the easement for irrigation. Maverik is putting up signage and they plan to be open Memorial Day weekend. Commissioner Holley stated the Maverik on South Lincoln will be closed for a remodel after they open the new Maverik. Ms. Clark stated the May 11th meeting will have a full agenda. They may not have a second meeting in May so the next meeting will be June 8th. They are looking at upgrades to Veterans Park. There is a meeting tomorrow night at 6:30 p.m. They are leaving the existing memorials in Veterans Park, just want to move them closer together so it will be easier maintain them.

There being no further discussion, Chairman Mink closed this regular meeting at 8:17 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary