

Planning & Zoning Meeting  
May 11<sup>th</sup>, 2021

This regular meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:00 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 Carl McEntarffer, Commissioner Dave Holley, Commissioner Jeff Schroeder, Commissioner Shonna Fraser, Commissioner Paul Johnson, and Commissioner Benjamin Reed. Also present were City Planner, Ida Clark, Legal Counsel, Ted Larsen, IT Director, Carlos Hernandez, and Secretary, Katie Elliott.

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

**Public Hearing** for a request from The Scoular Company, for a Tower Height Variance, on the property located at Lot 1, Block 2 Northside Subdivision (SE 30-8-17) more commonly known as 2330 South Davis Street, Jerome, Idaho.

Staff Report: Ms. Clark stated The Scoular Company is expanding with a manufacturing facility for producing barley protein concentrate for pet food and aquaculture. The application is requesting a height variance on the construction of a new bucket elevator that will be approximately 128 feet tall. They are not required to file a permit per the FAA guidelines. The property in question, 2330 South Davis, is currently zoned Heavy Industrial (M-2). The proposed request, a height variance from the 85-foot height limitation in the M-2 zone, requires a variance granted by the Planning and Zoning Commission as detailed in 17.14.010 of the Jerome Municipal Code (JMC). Regardless of use, setbacks for this property are as follows: Front- 25', Rear- 25', Interior Side- 20', and Side Street- 25'.

Ms. Clark reminded the commission of the nuisance code regarding hazardous materials in Title 8 of the JMC. It appears that the proposed use will comply with Title 8 of the Jerome Municipal Code.

Regarding the Variance Criteria Staff Analysis, Ms. Clark stated there appears to be special conditions or circumstances pertaining to this project since the proposed tower is specific this kind of facility. The elevator is needed to feed an 88-foot grain bin to receive and process barley from local farmers. Due to the unique nature of this type of business, a tower exceeding the height limit of 85 feet is needed. Similar businesses in the district, such as Idaho Milk

Products, Scott Jackson Trucking, and Spears Manufacturing do not require similar equipment due to their operational needs. As discussed above, the business is located near other industrial users. However, due to the nature of the barley processing, the additional height is needed, which would not be needed by other businesses in this district. Based on the applicant's narrative, it appears that similar equipment would be commonly used at any commercial grain manufacturing facility in the United States. As previously discussed, due to the nature of this business, it requires additional height for the regular operations of the business, which likely would not be necessary for surrounding businesses in the same district.

Ms. Clark stated she did not receive any comments from City Staff regarding the application.

If approved, Ms. Clark recommended the following conditions: Receive all required permits, inspections, and occupancy permits prior to using the tower; and Comply with all City, State, and Federal requirements.

Ms. Clark stated the applicant previously received a height variance. Ms. Clark went over the layout of the property and stated the proposed tower will be a little bit shorter than the tower they already have. Upon inquiry from Commissioner Holley, Ms. Clark stated the applicant will know how tall the previous variance was.

Applicant Testimony: J.C. Olson, 181 W 280 S, Manager for Scoular, testified, he apologized for the oversight of the ordinance when they were designing the project. He stated the previous variance was for almost 200 feet and the proposed tower will be around 70 feet shorter. He stated this tower will be separate from the previous tower as they are on different parcels of land. Chairman Mink stated the concerns with the previous variance was grain dust explosions and inquired if everything had worked out. Mr. Olson stated the grain industry is heavily regulated, especially explosions. He explained since they are considered food grade, they fall within a higher regulation. They have worked with DEQ and several consultants to help with those concerns. They are currently compliant with those regulations.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

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

**Consider** a request from The Scoular Company, for a Tower Height Variance, on the property located at Lot 1, Block 2 Northside Subdivision (SE 30-8-17) more commonly known as 2330 South Davis Street, Jerome, Idaho - action item

Ms. Clark stated the previous tower was approximately 175 feet. Commissioner Reed inquired if the Fire department would be able to fight fires at the tower. Ms. Clark stated the Fire Department did not have any concerns with the application. Chairman Mink stated there is not

a lot to burn in the tower. Chairman Mink stated they spent a lot of time talking about the dust and fire issues with the previous tower. Ms. Clark stated she is not aware of any concerns or issues that City Staff has responded to. Commissioner Holley stated he has no concerns.

Commissioner Holley made a motion to approve the request from The Scoular Company, for a Tower Height Variance, on the property located at Lot 1, Block 2 Northside Subdivision (SE 30-8-17) more commonly known as 2330 South Davis Street, Jerome, Idaho with the following conditions: Receive all required permits, inspections, and occupancy permits prior to using the tower; and Comply with all City, State, and Federal requirements.

Second to the motion by Commissioner McEntarffer and carried.

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

Chairman Mink called the Public Hearing to order at 7:12 p.m.

**Public Hearing** for a request from The Housing Authority of the City of Jerome, for a Sign Variance, on the property located at Tax 1, Block A-197 Jerome Townsite Heritage Homes (SE 18-8-17), more commonly known as 100 North Fillmore Street, Jerome, Idaho.

Staff Report: Ms. Clark stated the application states they would like to place a freestanding sign on the property as they do not have permanent signage for the housing. The Housing Authority of Jerome has been located on the parcel for several years and provides housing to eligible seniors and disabled individuals with limited income. The main office is located in Twin Falls and there is no staff onsite in Jerome. A permanent sign would allow the name, telephone, and website to be visible. The applicant will work with City staff for placement of the sign to ensure it does not block visibility for traffic turning onto Fillmore.

The property in question, 100 North Fillmore, is currently zoned Residential 2 (R-2). The only signage allowed in the R-2 zone is for-sale, lease, or rental signs and those signs cannot exceed a total of nine (9) square feet per 17.32.050. Per JMC, 17.32.045, "All signs shall be set a minimum of ten feet (10') away from public easements and be contained completely within the bounds of the lot or parcel..." The applicant is requesting a variance on the 10-foot setback requirement from the easement. The sign will be completely contained within the property boundaries. Placing the sign on the property line would allow more visibility since the sign cannot exceed nine (9) square feet in the R-2 zone.

Regarding the Variance Criteria Staff Analysis, Ms. Clark stated the application notes the setback requirements for a sign on this property tremendously limits visibility. Additionally, the wide right-of-way on Fillmore, 70-foot, combined with the 10-foot setback for signs create special conditions which are peculiar to the land. This means the nine (9) square foot sign would be setback approximately 22 feet from the street. Other similar housing complexes have

existing signage. Most of the signage is pre-existing to the updated sign code in 2016. This property has never had formal signage. This property is also unique in that it is zoned R-2 limiting signage to nine (9) square foot; whereas, similar housing is zoned R-3 allowing up to a 32 square foot sign. The application notes there are no special conditions or circumstances resulting from the actions of the applicant. The application notes granting the variance will not confer any special privilege on the applicant as the sign will comply with code at nine (9) square foot, be completely contained within their property boundary, and the sign is still placed approximately 10 feet from the back of the sidewalk. The sign will be professional manufactured and installed.

Ms. Clark received the following comments from City Staff: Streets and Engineering- sign cannot interfere with visibility the traffic coming from Heritage Homes to Fillmore Street. Will need to approve the location if variance is approved.

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

Ms. Clark showed the commission the property lay out and described where the applicant would like to place the sign.

Applicant Testimony: Leanne Trappen, Executive Director of The Twin Falls and Jerome Housing Authority, 100 N Fillmore, testified, the facility was built in 1969 and they currently have a realtor sign but you cannot see any information.. She has had both board members and tenants ask for a professional sign. There is no address on the property for anyone to see. They do not believe it is respectful to the residence if the address is not visible. They would like to have the sign double sided for visibility. They currently have two accesses to the property off of North Fillmore. The sign will be placed east to west between the two accesses. Upon inquiry from Commissioner Holley, Ms. Trappen stated they currently have a small sign. People have to get out of their car to get the information. She recently developed a new website where there is more information available for those who are looking for housing in the Jerome area. Since they are not able to have an office onsite, this will help disseminate the appropriate information. They are low income housing for seniors and disabled people only. She wants to make sure the Housing Authority is available to those that need them. Ms. Trappen went over the materials of the sign with the Commission.

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

*Jim Kinsey  
271 S 200 W, Jerome ID*

*We are in favor of this action.*

Testimony in Neutral: None

Testimony in Opposition: None

There being no further testimony, Chairman Mink closed the Public Hearing at 7:24 p.m.

**Consider** a request from The Housing Authority of the City of Jerome, for a Sign Variance, on the property located at Tax 1, Block A-197 Jerome Townsite Heritage Homes (SE 18-8-17), more commonly known as 100 North Fillmore Street, Jerome, Idaho- action item

Chairman Mink state they use to have a sign that was 2x6back when it was first built. Commissioner McEntarffer stated most people who live in the area know where this property is but other people do not. Commissioner Holley stated he is does not know where the property is but he does not have any concerns. Commissioner Fraser stated they need a professional sign.

Commissioner Johnson made a motion to approve the request from The Housing Authority of the City of Jerome, for a Sign Variance, on the property located at Tax 1, Block A-197 Jerome Townsite Heritage Homes (SE 18-8-17), more commonly known as 100 North Fillmore Street, Jerome, Idaho, with the following conditions: Obtain all building permits before installing signs; and Comply with all City, State and Federal requirements.

Second to the motion by Commissioner Schroeder and carried.

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

Chairman Mink called the Public Hearing to order at 7:26 p.m.

**Public Hearing** for a request from Robert Reeder representing Valley Wide Cooperative, for a Special Use Permit allowing a sign higher than the eave line of the fuel canopy, on the property located at Tax 1of A-267 Jerome Townsite (NW 24-8-16), more commonly known as 837 West Main Street, Jerome, Idaho.

Staff Report: Ms. Clark stated Valley Country Store and Phillips 66 are updating all signage. They are also updating the fascia and signage on the fuel canopy to comply with the Phillips 66 fuel imaging guidelines. The property is located in the Light Industrial zone (M-1). The applicant is requesting to place a fuel canopy sign higher than the eave line. The Jerome Municipal Code section, 17.32.050: Special Restrictions For Signs By Zone, allows them to breach the eave line with an approved Special Use Permit. The current fuel canopy will be replaced with smaller fascia and down lighting that meets City code. The new Phillips 66 logo is approximately 3  $\frac{3}{4}$ ' x 3  $\frac{3}{4}$ ' and sits approximately 14 inches above the eave line. The proposed logo meets the sign requirements of being less than 200 square feet with a box square foot of approximately 25 feet.

Regarding the General Standards for Special Uses, Ms. Clark stated the Planning and Zoning Code allows a sign to breach the eave line with an approved special use permit. 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 indicates it will be constructed of similar material, color, and illumination as before. The only change is the size of the logo and canopy fascia to comply with current Phillips 66 guidelines. The new logo will not change the essential character of the area. The application states the sign will not be a disturbance to neighboring uses as the use of the property is not changing. The application notes the sign will not require public facilities or services. There is no indication that the sign would create excessive additional requirements at public cost. Public facilities and services are not required; therefore, this sign will not 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. The application notes the new sign does not flash and includes automatic dimmers for dusk and nighttime. 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 sign appears to promote sign design and placement. The application indicates the sign will be professionally manufactured and installed. The application indicates sign will be constructed of polycarbonate. Polycarbonate is described as a strong, permanent material.

If approved, Ms. Clark recommended the following conditions: Obtain any building permits before installing the sign.

Ms. Clark stated this signage is similar to the existing signage at the Valley Country on South Lincoln.

Applicant Testimony: Kathleen Karel, 1925 Kimberly Rd., Twin Falls, via Zoom, stated they are asking for the same application as they requested on South Lincoln. The Phillips 66 company is currently updating their Phillips 66 logos around the country. With the new rivet program, the signs break the plain of the canopy.

Testimony in Favor: None

Testimony in Neutral: None

Testimony in Opposition: None

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

**Consider** a request from Robert Reeder representing Valley Wide Cooperative, for a Special Use Permit allowing a sign higher than the eave line of the fuel canopy, on the property located at

Tax 1 of A-267 Jerome Townsite (NW 24-8-16), more commonly known as 837 West Main Street, Jerome, Idaho- action item

Commissioner McEntarffer made a motion to approve the request from Robert Reeder representing Valley Wide Cooperative, for a Special Use Permit allowing a sign higher than the eave line of the fuel canopy, on the property located at Tax 1 of A-267 Jerome Townsite (NW 24-8-16), more commonly known as 837 West Main Street, Jerome, Idaho, with the following conditions: Obtain any building permits before installing the sign.

Second to the motion by Commissioner Fraser and carried.

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

Chairman Mink called the Public Hearing to order at 7:33 p.m.

**Public Hearing** for a request from Rennison Design c/o Bryan Appleby, for a Special Use Permit allowing multi-family housing, A parcel of land located in Block 136 of JEROME TOWNSITE, and lying in the NE¼ of Section 24, Township 8 South, Range 16 East Boise Meridian, Jerome County, Idaho, being more particularly described as follows:

*Beginning at the Northeast corner of Lot 1, Block 136 in Jerome Townsite, and lying in the NE¼ of Section 24, Township 8 South, Range 16 East*

*Boise Meridian, Jerome County, Idaho, and THE REAL POINT OF BEGINNING;*

*Thence South 0°17' West, 270.00 feet along the East side of Block 136 to a point;*

*Thence North 89°43' West, 300.00 feet along the South side of Block 136 to a point;*

*Thence North 0°17' East, 235.28 feet along a line between Lots 5 and 6 extended Northward to a point the East side of Lot 2;*

*Thence Northwesterly along the East side of said Lot 2, 43.32 feet along a curve to the left having a Delta Angle of 1°22'16", a Radius of 1810.10*

*feet, a Tangent of 21.66 feet and a Long Chord of 43.32 feet that bears North 36°25'38" West to a point;*

*Thence South 89°43' East, 325.90 feet along the North side of said Block 136 to a point, THE REAL POINT OF BEGINNING.*

Bare land, more commonly known as 120 West Avenue F, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question, 120 West Ave F, in Jerome is currently zoned General Business (C-2). The proposed use, multi-family dwellings, requires a Special Use Permit from the Planning and Zoning Commission as detailed in 17.14.010 of the JMC.

Regardless of use, setbacks for this property are as follows: Front- 25', Rear- 10', Interior Side- 12', and Side Street- 25'. There is no minimum lot size; however, all dwellings must meet setbacks and the maximum height is 50'.

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 13, Objective 2, "Provide for areas of different residential densities and uses"; Chapter 13, Objective 3, "Encourage residential developments that are well planned and encourage the development of various housing types to meet the needs of the citizens of Jerome"; Chapter 13, Objective 5, "Encourage the development of fair and affordable housing"; and Chapter 13, Policy 6, "Promote a wide range of housing types and housing diversity to meet the needs of Jerome's diverse population".

Regarding the Special Uses Permit Criteria, Ms. Clark stated the Planning and Zoning Code allows multi-family dwellings in the C-2 zone with an approved special use permit. The request appears to be harmonious with the objectives of Title 17 of the Jerome Municipal Code and the Comprehensive Plan. This parcel is currently bare. The application states this multi-family project will be designed, constructed, and maintained to be harmonious and appropriate for the area. There is housing to the west with a zoning of Residential 3 (R-3). Multi-family housing is allowed in the R-3 zone. There are existing businesses to the north and east. Heritage Academy is northeast. It is noted this project plans a commercial pad site in the northeast corner. The project consists of 30 total units in three buildings. The building closest to South Lincoln will be two-story with eight units. The building to the south on West Ave F will be three story with 10 units. The building along West Ave E will also be three story containing 12 units. This project includes a community center, tot lot, covered picnic area, dog area, landscaping, and other lot improvements including curb, gutter, sidewalks, and street lighting. The Rennison Group will work with the Jerome Urban Renewal Agency (URA) on an agreement for improvements like streetscape including sidewalk, curb, gutter and landscaping, including a plaza on the southeast corner. It is not anticipated that the proposed residential use will be hazardous or disturbing to existing or future neighboring uses. Sidewalk, curb, gutter, angled parking, and landscaping will be added along all sides of the property that does not currently exist. There will be access from both West Ave E and West Ave F. The west property will have a solid privacy fence and open-style fence is proposed along the other property lines. This area is already comprised of a mix of business and residential. Water and Sewer are available to serve the needs of the property. There is also irrigation. The existing gravity irrigation pipe will be replaced. Police and fire are able to adequately access the property. There is no indication that the multi-family, residential use will create excessive additional requirements at public cost for public facilities and services. This use will not be detrimental to the economic welfare of the community. As the application states, they will be improving the land. Also, the agreement with URA will ensure this project is not detrimental to the welfare of the community. It is not anticipated that a multi-family use will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, odors, noise, smoke, fumes, or glare. There will be an increase in traffic that is normal for any multi-family development. There are two ingresses and egresses for the project that connects directly to South Lincoln. There will be an increase in noise; however, the project includes fencing and landscaping to help minimize noise. As previously discussed, there is access from West Ave E and West Ave F. This is designed to create flow and will not interfere with traffic. There is no indication that the residential use will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Regarding the off-street parking, per the Jerome Municipal Code this project shall comply with section 17.26 as follows: multi-family dwellings with two or more bedrooms shall have 2 parking spaces with .25 for guest parking. "Adjacent on street parking on a local street may be credited towards the guest parking". This project is required to have a total of 68 parking spaces. The application shows 60 spaces on-site with eight on-street parking. It is noted there is a commercial area that also meets the code. This project creates an additional 28 angled on-street parking sites.

Regarding the design and maintenance, the parking area must be paved with drainage provided. The application shows the parking area paved and drainage will be calculated with their stormwater. The application is requesting a 30% use for compact vehicles. The application shows the compact spaces located along the perimeter and are the most distant from the structures. Along the west side of the property. The compact vehicle request does require approval from the Planning & Zoning Commission.

Regarding the Landscaping Requirement, Ms. Clark stated this project is located in C-2 district and in the Design Review Overlay District. Any multi-family project within either of these districts are required to comply with the landscape requirements set forth in 17.18.070. The application includes a landscape plan that complies with City Code.

Ms. Clark stated Fire, Engineering, Building, Wastewater, and Streets Departments have all reviewed the application and do not have any comments at this time.

If approved, Ms. Clark recommended the following conditions: Comply with all City of Jerome Department requirements pertaining to the construction and needed improvements; Receive any and all required building and/or fire department permits, inspections, and occupancy permits; Comply with all city, state, and federal requirements; and Special Use Permit shall be permanent.

Ms. Clark stated West Ave E and West Ave F will have added sidewalks, curb and gutter, and angled parking. Upon inquiry from Commissioner Holley, Ms. Clark stated the on-street angled parking will be open for everyone. She stated the applicant is allowed to count the on-street parking for guest. Ms. Clark stated the existing sewer line goes through the middle of the property and they will not be putting anything permanent over that line. Upon inquiry from Commissioner Johnson, Ms. Clark stated the applicant will be working with URA regarding the street lighting. Ms. Clark stated the application shows a plaza on the south side of the property that may have a digital reader sign that would replace the banners that hang across the street. Commissioner Fraser shared her concern regarding the compact parking spaces. Ms. Clark went over the compact parking spaces with the commission. She spoke of the 30% which the JMC allowed for a property, which would be 18 spaces. Commissioner Fraser stated her concern is that most people in the area do not own compact cars. Ms. Clark stated there will be parallel parking along South Lincoln and they will also have the angled parking along the street that anyone could use. Commissioner Reed stated his concern is with parking for the commercial

properties. Ms. Clark reminded the commission that the compact parking spaces must be addressed with the permit. Upon inquiry from Commissioner Fraser, Ms. Clark stated they have had some discussion regarding crosswalks for safety. She stated there will be some type of increase of safety for the crosswalk.

Applicant Testimony: John Rennison, 410 East State St., Eagle, ID did a review of the project with the commission. Mr. Rennison went into great detail of the parking for the facility, the other multiple housing projects they have in Idaho, the 96 unit facility in Burley, and they will be the long term operators of the property. Mr. Rennison went over the layout of the project going into detail on the three buildings. He explained the housing units will be affordable housing, tax credit housing, and a few market rate. Upon inquiry from Commissioner Reed, Mr. Rennison stated housing is becoming an issue around the country and he believes there will be three market rate apartments available, but they will have to follow the guidelines of the Idaho Housing and Finance Association (IHFA). Mr. Rennison explained what the Area Median Income (AMI) is for the units.

Mr. Rennison continued the description of the project regarding the commercial lot parking, other parking configurations if the compact car parking was not available, the URA participation in the project, landscape, walkability of the area, responsibility of the trees within the right of way, and lighting responsibility.

Commissioner Reed inquired why the applicant chose the property they did instead of a more residential zone. Mr. Rennison stated they chose the property to bring people downtown. To bring vibrancy to downtown. He likes to build in urban areas for walkability. Chairman Mink stated the zoning for the property is appropriate for the request. Ms. Clark stated the property was rezoned last year to allow the best opportunity for the parcel which allows multi-family housing by a Special Use permit. He stated they do not have any plans for the commercial property at this time. Mr. Rennison went over the plaza plan with the Commission in detail. The plans include but not limited to landscaping, lighting, a possible sculpture, and a possible reader board or sign to replace the banner across South Lincoln. Mr. Rennison stated he understood the concerns with the compact car parking, and went over a couple of options with the commission.

Discussion was held on the cross walk, specifically at South Lincoln and West Ave E, and the different solutions to aid in the safety of those crossing. Items discussed were flags, blinking lights, flashing lights, speed limit, etc. Upon inquiry from Chairman Mink, Mr. Rennison went over the design of the fencing around the property. Upon inquiry from Commissioner Holley, Mr. Rennison stated they would be working with the engineering department to make sure the water is retained onsite. Ms. Clark stated they will have to show water retention on the engineered plans. Mr. Rennison went over the colors and materials of the buildings. Upon inquiry from Commissioner Schroeder, Mr. Rennison stated he believes that the design will help make the downtown a little more urban. Commissioner Schroeder stated he is personally not a fan of the modern look. Mr. Rennison stated the modern look is what is popular with more urban towns and thinks it would set it out from everything else. Upon inquiry from

Commissioner Fraser, Mr. Rennison stated they thought about adding parapet wall but decided it was too edgy for the area. Mr. Rennison went over the landscape design with the commission. Items discussed were plants, ground cover using mulch and not rock, and a possible reader board sign instead of a sculpture.

Commissioner Schroeder stated his concern is with the balconies that face Lincoln and what people have on them. Mr. Rennison stated they have dealt with those issues before and they try to keep the junk to a minimum and do have rules for that. Commissioner Holley thanked Mr. Rennison for bringing the project to Jerome. He stated he does not like the compact parking but since he will not be living there, he will not worry about it as much. Mr. Rennison stated they could change the number of parking spaces and went over other options for parking configurations.

Testimony in Favor: Larry Hall, Economic Director from Jerome 20/20, 104 W Main, testified, he thinks this is a marvelous project. Mr. Hall stated the City needs this project and thinks it will be a gateway into downtown. He explained there will be approximately six to ten industrial projects that may be starting in the next year or so and they may be looking at around 100-150 new jobs. Additionally, TruBeef, which will be located in the county, will have approximately 400 new jobs. He understands not everyone will want to live in Jerome but a majority will. The four things most people are looking for are housing to buy, housing to rent, recreation, and schooling. He stated he supports the application and thinks it is a great project.

Testimony in Neutral: None

Testimony in Opposition: None

There being no further testimony, Chairman Mink closed the Public Hearing at 8:36 p.m.

**Consider** a request from Rennison Design c/o Bryan Appleby, for a Special Use Permit allowing multi-family housing, A parcel of land located in Block 136 of JEROME TOWNSITE, and lying in the NE¼ of Section 24, Township 8 South, Range 16 East Boise Meridian, Jerome County, Idaho, being more particularly described as follows:

*Beginning at the Northeast corner of Lot 1, Block 136 in Jerome Townsite, and lying in the NE¼ of Section 24, Township 8 South, Range 16 East*

*Boise Meridian, Jerome County, Idaho, and THE REAL POINT OF BEGINNING;*

*Thence South 0°17' West, 270.00 feet along the East side of Block 136 to a point;*

*Thence North 89°43' West, 300.00 feet along the South side of Block 136 to a point;*

*Thence North 0°17' East, 235.28 feet along a line between Lots 5 and 6 extended Northward to a point the East side of Lot 2;*

*Thence Northwesterly along the East side of said Lot 2, 43.32 feet along a curve to the left having a Delta Angle of 1°22'16", a Radius of 1810.10*

*feet, a Tangent of 21.66 feet and a Long Chord of 43.32 feet that bears North 36°25'38" West to a point;*

*Thence South 89°43' East, 325.90 feet along the North side of said Block 136 to a point,  
THE REAL POINT OF BEGINNING.*

Bare land, more commonly known as 120 West Avenue F, Jerome, Idaho- action item

Ms. Clark reminded the commission that city code allows a project up to 30% in compact parking, which they are asking for. Chairman Mink stated most apartments will have on average, two cars. Discussion was held on parking. Commissioner Holley inquired if the complex took some of the parking from the commercial building, does it limit the size of the business that can go on the lot. Chairman Mink stated it might limit what type of business goes into the building. More discussion was held on parking. Commissioner Holley stated he liked the ingress and egress for the complex. Ms. Clark stated there should be plenty of room with some shifting of the building and does not think parking should be a big concern. Commissioner McEntarffer stated he likes the project and believes it is needed.

Commissioner Johnson made a motion to approve the request from Rennison Design c/o Bryan Appleby, for a Special Use Permit allowing multi-family housing, A parcel of land located in Block 136 of JEROME TOWNSITE, and lying in the NE¼ of Section 24, Township 8 South, Range 16 East Boise Meridian, Jerome County, Idaho, being more particularly described as follows:  
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feet, a Tangent of 21.66 feet and a Long Chord of 43.32 feet that bears North 36°25'38" West to a point;  
Thence South 89°43' East, 325.90 feet along the North side of said Block 136 to a point, THE REAL POINT OF BEGINNING.*

Bare land, more commonly known as 120 West Avenue F, Jerome, Idaho, with the following conditions: Comply with all City of Jerome Department requirements pertaining to the construction and needed improvements; Receive any and all required building and/or fire department permits, inspections, and occupancy permits; Comply with all city, state, and federal requirements; Special Use Permit shall be permanent; and Parking as presented.

Second to the motion by Commissioner McEntarffer and carried.

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

**Consider** a Design Review for 120 West Avenue F, Jerome, Idaho - action item

Chairman Mink stated he thinks the buildings look good. Commissioner Holley agreed. Commissioner Reed inquired if the building fit in the city. He stated his concern is that the building is different. Commissioner McEntarffer stated he liked that the building was modern and believes it could bring more modern buildings downtown. Commissioner Holley stated this building could be the future of buildings. Commissioner Reed stated he is concerned with how it will look years later. Mr. Larsen stated Ridley's looked dated but they now have done a great update. Chairman Mink stated this project will conform with Dairy Queen and the building to the north, Ace Hardware. Commissioner Fraser stated most buildings do not match and does not feel that should be a deciding factor. Commissioner Schroeder believes this project will be an asset to the community. He is not in favor of the architecture but thinks it is a good improvement. Commissioner McEntarffer stated as Jerome grows, everything will change.

Commissioner Holley made a motion to approve the Design Review for 120 West Avenue F, Jerome, Idaho with the following conditions: Applicant will paint, as the minimum, one coat of primer. Self-priming paint can be used however, a separate primer must be used before the self-priming paint is applied. 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 McEntarffer and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Carl McEntarffer, Commissioner Dave Holley, Commissioner Jeff Schroeder, Commissioner Shonna Fraser, Commissioner Paul Johnson, and Commissioner Benjamin Reed.

NAYE: None

Chairman Mink inquired about the railroad easement that is located within the property. Ms. Clark stated the easement was vacated.

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

Ms. Clark stated the applicant chose not to appear and are appealing the Commission's decision.

Commissioner McEntarffer made a motion to amend the agenda to remove the Design Review for 101 West Main.

Second to the motion by Commissioner Johnson and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Carl McEntarffer, Commissioner Dave Holley, Commissioner Jeff Schroeder, Commissioner Shonna Fraser, Commissioner Paul Johnson, and Commissioner Benjamin Reed.

NAYE: None

Commissioner Fraser stated the building at 101 West Main looks better than what she thought the building would look like since it has been finished.

### **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 27<sup>th</sup>, 2021 regular meeting;
- B. Consider/Approve Findings of Facts for 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.

### **FINDINGS AND CONCLUSIONS ON APPLICATION OF 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**

A public hearing on the application of D & B Supply, c/o Brandt Ruzicka, concerning the use of real property located at 1120 South Lincoln Avenue, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, April 27, 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 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: (a) Obtain any building permits before installing the sign; and (b) Comply with all City sign requirements.

Applicant Testimony: Christopher Watson, 1120 South Lincoln Avenue, Jerome, appeared before the Commission and testified on the application. Mr. Watson stated 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 letter for the record:

Arland Miller/ Old Hickory Sheds, 901 South Lincoln Avenue

Supports the application stating:

“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, Acting Chairman Schroeder closed the public hearing at 7:09 p.m.

The Jerome City Planning and Zoning Commission having heard the testimony presented, including the testimony of Mr. Watson on behalf of the D&B Supply Co., 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 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 D&B Supply Co. allowing an electronic message board located at 1120 South Lincoln, Jerome, Idaho, subject to the following condition:
  - a. Obtain any building permits before installing the sign; and
  - b. Comply with all City sign requirements.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 11<sup>th</sup> day of May, 2021, in support of the decision of the Planning and Zoning Commission on the 27<sup>th</sup> day of April, 2021, to approve the application as specified herein is hereby made final this 11<sup>th</sup> day of May, 2021.

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

- C. Consider/Approve Findings of Facts for 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.

**FINDINGS AND CONCLUSIONS ON APPLICATION OF MICHAEL AND NATALIE WADSWORTH, FOR A SPECIAL USE PERMIT ALLOWING SIX (6) GOATS AND SIX (6) 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**

A public hearing on the application of Michael and Natalie Wadsworth concerning that parcel located at Tax 1 Block 274, Jerome Townsite (NE 24-8-16), more commonly known as 818 West Avenue D, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, April 27, 2021, by zoom 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 on the application of Michael and Natalie Wadsworth. Ms. Clark stated 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: (a) Goats and chickens will not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; (b) Can only possess up to six (6) goats; (c) 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 (d) 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, Jerome, Idaho, appeared before the Commission and testified on the application. Mr. Wadsworth testified, they would like to have up to six (6) goats and six (6) chickens. He stated they would have two (2) female goats that will give birth every nine (9) to twelve (12) months. Goats have up to two (2) kids at a time. He stated that during the winter there should only be the two (2) adult goats.

Upon inquiry from Commissioner Reed, Mr. Wadsworth stated from their research, the goats only have up to two (2) kids. He stated if a goat has three (3), they will hope the other female will only have one (1). If they exceed the number of kids they are willing to sell any extra kids 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 (5) 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 (9) months old so they will only be keeping the two (2) adults longer than that.

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

David Holton, Valley Wide Coop, 837 West Main Street, 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.

The Jerome City Planning and Zoning Commission having heard the testimony presented, including the testimony of Mr. Wadsworth, 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. 818 West Avenue D, Jerome, Idaho is zoned Residential 3 (R-3), which requires a special use permit for the proposed use, allowing six (6) goats and six (6) laying chickens on the property.
- B. Title 16 of the JMC has no bearing on this application.
- C. The application for a special use permit complies with the City of Jerome Comprehensive Plan, Section 3.1.1., and inasmuch as it is compatible with the existing and potential land uses in the surrounding area.
- D. The Commission finds the General Standards for Special Uses as outlined in JMC 17.60.030, are satisfied as follows:
  - 1. As mentioned, the proposed use does constitute a special use as defined in JMC;
  - 2. The use is harmonious with and in compliance with the general objectives of the Comprehensive Plan relating to the objectives of Rural Residential Land Uses;
  - 3. The proposed use will be designed, constructed and maintained in harmony and appearance with the existing and intended character of the general vicinity by maintaining proper enclosures for the livestock and chickens.
  - 4. While there is potential that the use could be disturbing to existing and future neighboring uses, this threat is mitigated by the condition that the property be well maintained and that this permit is good for a limited time. If the use proves disturbing to neighboring uses, the permit will be revoked;
  - 5. Pursuant to comment from City staff it is evident adequate infrastructure and services are available to accommodate the proposed use;
  - 6. There was no evidence that the proposed use would create any additional requirements or public facilities or services, nor that it would be detrimental to any persons, property or the general welfare. There will likely be the production of some dust, noise and/or odors but the permit is conditioned to mitigate those harms;
- E. The vehicular approaches are not an issue and there is no indication the proposed use will impact any natural, scenic or historic feature of major importance.

## **II. Conclusions**

- A. A special use permit is required for the applicant to be allowed six (6) goats and six (6) laying chickens on the herein described property.
- B. A special use permit promoting this use is consistent with the City of Jerome Comprehensive Plan, Section 3.1.1. and with JMC 17.60.030.
- C. The Commission approves the application of Michael and Natalie Wadsworth for a special use permit allowing six (6) goats and six (6) laying chickens, on that property located at Tax 1 Block 274, Jerome Townsite (NE 24-8-16), more commonly known as 818 West Avenue D, Jerome, Idaho, subject to the following restrictions and conditions:
  - i. Goats and chickens will not create odors, excessive noise, nor be detrimental to persons, property or the general welfare;

- ii. Applicant can only possess up to six (6) goats;
- iii. Applicant can only possess up to six (6) laying chickens;
- iv. 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
- v. Special use permit shall be allowed for up to one (1) year, renewable upon expiration.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 11th day of May, 2021, in support of the decision of the Planning and Zoning Commission on 27th day of April, 2021 to approve the application as specified herein is hereby made final this 11th day of May, 2021.

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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 Johnson and carried.

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

#### **CITIZEN CORRESPONDENCE AND ISSUES**

None

#### **DISCUSSION PERIOD & STAFF REPORTS**

Commissioner Holley stated, regarding the 101 West Main building, he doesn't have a problem with the color but does not like the number of signs. He believes the building looks like a walking billboard. Ms. Clark stated they do not regulate window signs and they meet the required square footage for the allowed street frontage. Commissioner McEntarffer stated if they meet the signage code requirements, there is nothing the commission can do. Commission agreed there is a lot of signage. Mr. Larsen went over the process for appeal with the City Council. He stated the Council could remand the application back before the Planning and Zoning Commission, reverse the denial, or they could uphold the denial. Mr. Larsen stated the color guidelines are pretty clear on colors.

Ms. Clark stated they will have a workshop at 6:00 p.m. on Monday, May 17<sup>th</sup>. She stated Diane Holley will be available to talk about the group homes.

There being no further discussion, Chairman Mink closed this regular meeting at 9:03 p.m.

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Rod Mink, Chairman

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Katie Elliott, Secretary