

Planning & Zoning Meeting
September 6, 2022

This special meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:05 p.m. Present were Chairman Rod Mink, Commissioner Shonna Fraser, Commissioner Paul Johnson, and Commissioner Jeff Schroeder. Also present were Legal Counsel, Ted Larsen, City Planner, Ervina Covcic, Human Resource Manager, Esmeralda Chavez, and Acting Secretary Bernadette Coderniz. Commissioner Benjamin Reed, Commissioner Carl McEntarffer, and Secretary Katie Elliott were excused.

Consider/Approve Findings and Conclusions for a request from Western Construction, Inc. c/o Chase Camberlango for a Special Use Permit allowing an asphalt and concrete batch plants with temporary RV parking for employees, on the property described in Appendix A, more commonly known as the cultivated field on West Main Street between Producers Livestock Auction 11S 100 West and 961 West Main Street, Jerome, Idaho, containing approximately 46.155 acres.

FINDINGS AND CONCLUSIONS ON APPLICATION OF WESTERN CONSTRUCTION, INC. C/O CHASE CAMBERLANGO FOR A SPECIAL USE PERMIT ALLOWING AN ASPHALT AND CONCRETE BATCH PLANTS WITH TEMPORARY RV PARKING FOR EMPLOYEES ON THAT PROPERTY COMMONLY KNOWN AS THE UNADDRESSED FIELD BETWEEN PRODUCERS LIVESTOCK AUCTION AT 11S 100 WEST AND 961 WEST MAIN STREET, JEROME, IDAHO CONTAINING APPROXIMATELY 46.155 ACRES.

A public hearing on the application of Western Construction, Inc. concerning the use of real property described herein within the City of Jerome, Idaho, for a special use permit allowing asphalt and concrete batch plants was held, pursuant to notice, commencing at 7:13 p.m. on Tuesday, August 23, 2022, 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, Ervina Covcic, provided a staff report regarding the application, giving a brief background on the application. She stated the applicant is requesting a special use permit to allow an asphalt plant and a concrete plant as well as other accessory uses including aggregate piles, trucks, heavy equipment, employee temporary RV parking, portable testing labs, scales, water fill stations and other support operations. The application notes that the operation is temporary but as demand rises, the operation could become permanent. There are no permanent buildings planned for the site. All production facilities, support, equipment, testing labs, portable toilets and scales will be portable and mobile.

Ms. Covcic stated the property in question at W ½ NW ¼ S 24, T 8 S, R 16 E, Boise Meridian, Jerome County, Idaho is zoned Light Industrial (M-1). According to 17.14.010, asphalt

plants are permitted in Light Industrial (M-1) zone by special use permit only. It is noted that the primary use of manufactured home court (RV) is prohibited in the Light Industrial (M-1) zone. The application requests temporary RV parking for employees as a secondary accessory use of the operation.

Title 16 has no bearing on this request.

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

Ms. Covcic went over the General Standards for Special Uses with the Commission.

Standard A- Will, in fact, constitute a special use as established in City code for the zoning district involved. The Planning and Zoning Code allows the use of asphalt plants in the Light Industrial (M-1) zone with an approved Special Use Permit. The application notes that the request ensures that all support activities, hours and operation will be permitted by the City before the purchase/use of the property by Western Construction, Inc.

Ms. Covcic stated the Light Industrial (M-1) zone is meant to encourage the development of manufacturing and wholesale business establishments which shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare, are operated entirely within enclosed structures and generate little industrial traffic. Research activities are encouraged and limited office and commercial uses may be permitted as ancillary uses. This district is further designed to act as a transitional use between heavy manufacturing uses and other less intense businesses.

Standard B- Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this title. The application states that the site will be operated in accordance with the general objectives of the comprehensive plan as the construction materials manufacturing plants are permitted in the property's current zoning.

Ms. Covcic stated the use requested may be allowed by special use permit only and is not outright permitted. Chapter 3 – Land Use section of the Comprehensive Plan states the goal to "offer a harmonious blend of opportunities for living, working, recreation, education, shopping and cultural activities by protecting natural amenities. Chapter 8 – Hazardous Areas section of the Comprehensive Plan states the goal to "preserve the environment for future generations by ensuring that the highest level of safety and security for City residents that is reasonably possible, by means of thorough and accurate identifications and elimination of potential hazards of property and life."

Standard C- Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general cavity and

that such use will not change the essential character of the same area. The application notes that the property is currently being used for a farming operation. Western Construction intends on making the property a level gravel lot. All structures, plants and equipment are fully portable. The operation would need to have the ability to produce seven (7) days a week, 24 hours per day as the primary client, Idaho Transportation Department (ITD), has projects that require night work, weekend or around the clock work. A typical week would entail summer months from 6am-6pm Monday-Friday.

Ms. Covcic stated the property is in close proximity to residential properties which may be impacted by 24/7 asphalt plant operations. The project is not enclosed and may not fit the vision of that corridor as it is one of the entrances into the City.

Standard D- Will not be hazardous or disturbing to existing or future neighboring uses. The application notes that the operation is required to operate within requirements by DEQ for air quality, dust and noise exposure. The operation will be similar to the truck stop, livestock yard and Lynch fuel storage yard nearby.

Ms. Covcic stated emissions, strong odors and air pollution produced by the plant may be detrimental to neighboring properties, particularly residential properties located within close proximity.

Standard E- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services. The application notes that project will be accessed from West Main Street and will not be heavily impacted by the use. It is anticipated that fire hydrants will be installed every 600 ft. along the property line North to South for fire safety and prevention of mobile plants. Trash will be picked up once per week in the large disposal. There is no anticipation to tie into City sewer at this time. City water will be used for dust control and water for employees while employees stay onsite in RVs during active work. The RVs will have access to water but all sewer will be removed by a portable sewer cleanout company. Any RVs will be temporary, used by employees and limited to less than 20. Access roads will be provided to access these units by the fire department.

Standard F- Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. The application notes that the operation will be an asset to the community by bringing local jobs, supplying hot asphalt to entities at reasonable prices, using local businesses for part, fuel, food, housing options and all supporting needs. The impact to public facilities will be minor as the plant runs off of a generator and everything is portable.

Ms. Covcic stated the property includes 40 acres of light industrial ground with a requested use that includes non-permanent structures.

Standard G- Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise smoke, fumes, glare, or odors. The application notes that the proposed use has already been done near Con Paulos Chevrolet dealership in 2000 and in 2021 and prior to that was behind John Deere dealership. The plants will produce steam, exhaust, equipment backup alarms and associated equipment noise. For this reason, a larger property was chosen to operate on. The applicant notes that at the Con Paulos Chevrolet dealership site, there were never complaints from any neighbors. Ms. Covcic stated the uses noted near Con Paulos Chevrolet were of a temporary use and were present to support projects in the vicinity.

Standard H- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. The applicant is working with ITD to receive two access approaches off of SH-25 designed and approved by ITD standards.

Standard I- Will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance. There are no historic or scenic properties on this site.

Ms. Covcic stated she sent the application to City Staff and received the following comments: Public Works- Since there will be RV parking, the water connection will need to be protected with a backflow assembly. Building, Fire, Engineering, Streets, and Wastewater all had no comments at this time.

If approved, Ms. Covcic recommended the following conditions: Provide odor control, dust control and screening of operations from neighbors; comply with all City, State and Federal requirements; and Special Use Permit shall be allowed for one (1) year, renewable upon expiration.

Ms. Covcic reviewed Standard A with the commission. Mr. Larsen suggested the commission needed to also review Standard B along with Standard A. Mr. Larsen stated Standard B states it will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this title. They should be considering the definition of the zone and the zoning title.

Chase Camberlango, PO 15569, Boise, testified City Staff covered all of the application. They would have liked two access points but was only granted one access point, at the center of the property, from ITD. They are not planning on staying full time. They currently own two mobile hot plants and they go to where the projects are. They currently have projects in Carey and Soda Springs. Their mobile hot plants are in Bliss and Georgetown right now. Mr. Camberlango stated the hot plants have a very mobile nature. Idaho Transportation has a few large projects in the next few years. They have one project from Jerome to Twin Falls where they will be turning the interstate into three lanes. They also have the new interchange for Jerome. They are trying to position themselves for these projects. They have local gravel pits

but would have to import material to supply the plants. Mr. Camberlango stated he was not sure when they would be at the property for work.

Upon inquiry from Commissioner Reed, Mr. Camberlango stated he was not sure how many trucks would be there as it depends on how far they would need to haul the product. He stated the reason why they would like to have a plant in Jerome is to cut down on trucking. He has never ran more than 28 trucks and no less than six (6) trucks at a time. Upon further inquiry from Commissioner Reed, Mr. Camberlango stated depending on the contract and the time limits of that contract, he is not sure how many trucks will be coming in and out of the property. They may have to work seven (7) days a week just to meet the deadline. He continued that he likes to only have his crew work four (4) days a week to give the crew a three-day weekend which has them working Monday through Thursday if the contract allows it. Mr. Camberlango stated they could have up to 40 trucks an hour on the property. Commissioner Reed inquired who would be responsible for Highway 25. Mr. Camberlango stated ITD owns the road in front of the property and there is contract language stating, if there is any damage of the roadways used for the haul, route will be repaired by the contractor. He stated it is hard to say when the roadway is damaged by the contractor. Commissioner Reed stated with the number of trucks on the road where they can potentially be pretty heavy, it can create havoc on the road. Mr. Camberlango stated Hwy 25 is a state highway where they would run all legal and permitted loads. There would be more traffic on the road but it would make the roads cheaper to build which would benefit the tax payers. They are trying to compete in a competitive market with trying to build jobs at the cheapest possible price point for their clients. Commissioner Reed stated this property is in the major approach into the city and asked if they had looked into going out into the county. Mr. Camberlango stated the county was not very receptive to their inquiries.

Upon inquiry from Commissioner Fraser, Mr. Camberlango stated they leased the property south of Con Paulos and the city provided them a temporary use. They do not want to guess when they would be getting a plant location. They would like to use the property more than one year. Mr. Larsen stated Special Use Permits, also known as Conditional Use Permits, are for uses that are not outright permitted. It may be allowed under certain conditions which may include a time frame to see how the use can impact the neighbors and some of the other concerns of the City. It is common to have the time frame condition on the permits as it is a recommendation from staff; if the use is approved with a short time frame, impacts can be evaluated and considered. Mr. Camberlango stated they have had numerous Conditional Permits previously. They generally try to get those properties to get those conditional uses for a long time. Upon inquiry from Chairman Mink, Mr. Camberlango stated they typically use belly dump trucks. The trucks they have are legal weight at 28 tons but they generally only run them with 27 tons. They have a few side dumps for other projects but they use belly dumps for paving. Upon inquiry from Chairman Mink regarding the red lines on the picture that was provided, Mr. Camberlango stated the red marks on the map are proposed roads on the property.

Upon inquiry from Commissioner Reed, Mr. Camberlango stated their workers move to the projects with the mobile plants. The workers are having a hard time finding places to park their RV's. They will set them up with water and a portable toilet. The company that services the portable toilet also has a device that empties the holding tanks for the RV's and they usually will send them around once or twice a week when needed.

Upon inquiry from Commissioner Johnson, Mr. Camberlango stated he is not concerned with there being a bottle neck with the one exit and one entrance of the property. He stated there are five lanes on the highway with a left turn lane. He stated it is not productive for them to have trucks stacking up and they want to make sure they are getting them in and out. He stated it should not be an issue.

Upon inquiry from Commissioner Reed, Mr. Camberlango stated that a majority of their work is with ITD so the projects will be on highways. He believes a majority of their trucks will go on the interstate and will not be going through town.

Upon inquiry from Commissioner McEntarffer, Mr. Camberlango stated he has spoken with Con Paulos but he would like to have a larger property plus they are not zoned for the use. Commissioner McEntarffer stated there are some properties around Wal-Mart that are zoned similar to this. Mr. Camberlango stated they are looking at purchasing this property. He stated this would not be going through town or businesses. They are located close to the interstate where they would only have to pass the truck stop and livestock place to get to their property. He stated this was one of the larger properties they found that they thought would be the best spot. Upon inquiry Commissioner McEntarffer, Ms. Chavez stated the applicant did not propose any landscaping with the Special Use Permit. Commissioner McEntarffer stated the landscape ordinance needs to be addressed.

Commissioner Fraser inquired where the nearest neighbor was and does not believe they could control the odor and dust enough not to receive complaints from the residents. Mr. Camberlango stated he is not sure if they would be able to smell the steam or how far it would travel. They have to operate under their conditions for a hot plant. Upon inquiry from Commissioner Fraser, Mr. Camberlango stated the odor is not bad. Chairman Mink inquired if the hot plant industry has changed in the last 40 years. Mr. Camberlango stated they used to use wet scrubbers but now they have a bag house. They have a bag house that has over a 1000 vacuum bag that gets all of the "fines", dirt, out of the rock. It is contained in the bag house where it then goes into a pug meal where moisture is added. This then goes out the side of the bag house. They have some of the nicest equipment and nicest, newest plants in the state. They have some of the top-of-the-line equipment for dust, noise and odor.

Upon inquiry from Commissioner Johnson, Mr. Camberlango stated they do not have any plans on using the railroad tracks.

Testimony in Favor: None.

Testimony in Neutral: Daniel Schiffler- 11 S 100 W, testified he is the branch manager for Producers Livestock, he stated he has a few concerns. With the new truck stop, there would need to be more Law Enforcement to enforce the laws. He spoke of area growth and with that growth comes the need for asphalt and concrete for different things. He does not think it will be too bad if they are only there every once in a while. He stated he just wants to be a good neighbor.

Testimony in Opposition: Ms. Elliott read the following on the record:

Ron Humbach
218 West Blvd

Oppose the application

Asphalt stink and makes a lot of dust that blows all over where bring in grave and mixing. Concrete batch plants are very dusty, and I live down wind, the wind blows west most of the time over me. I get the smell from the stock yard some times, I don't want asphal mixed with it.

Daniel Glodowski
48 South 100 West, Jerome, Idaho

Oppose the application

A simple internet search shows a decrease in property values on nearby Property and toxic air pollutants including: Arsenic, Benzene, Formaldehyde, and Cadmium....that cause cancer, nervous system problems, liver and respiratory problems.

Also with the offset of the 100 west road the additional truck traffic will be unsafe. It is already a challenge to turn onto the 100 west roads from Hwy 25.

Jerome already has a reputation of a town with unpleasant odors such as Dairy, Edahow, Rite Stuff, and Jerome Cheese's Whey storage. And adding another to the west end of town with our prevailing west winds will just add to our reputation.

Walter Erickson
315 South Fir, Jerome, ID

Oppose the application

I do not want the dust, noise, traffic lights in my backyard. I fell that a asphalt and concrete plant don't meet the definition of light industry as the land is zoned. I do not think the emission will be good for anyone down wind of the plants. I fell it will hurt my propriety values. I think Jerome needs to find something better to allow to come in. We don't need the pollution!

Charles Schabacker- Sawtooth Veterinary Services
988 W Main, Jerome, ID

Oppose the application

The value of my business will be seriously devalued if this plant is allowed to be sited here. Odors of hot oil, asphalt, dust and heavy truck traffic will ruin other businesses in the surrounding area. There is no reason to allow an industrial complex such as this to be built within Jerome City limits and would be better sited in crossroads or around the True West Beef plant. The asphalt plant will be an ugly eyesore for everyone entering the city from the west and the west winds will blow the stench and dust into the heart of Jerome.

Joseph TJ Harbaugh
409 South Fir

Oppose the application

There is already Triple C in that area which provided plenty of dust when the winds are Easterly which they generally are. They want temporary housing permits which means it provides no local employment or income to hotels/motels. The noise at night from them doing asphalt when roads aren't busy is my sleep gone. If nothing else restrict them to 8:00 AM – 6 PM and have them water or oil for dust and allergies.

Terry Harbaugh
805 W Blvd Jerome ID 83338

Oppose the application

This will be horrible for our town. The smell will be bad, making time outside unenjoyable & the fact their will be RV parking leads me to believe workers will be brought in and no local employment will happen. There is plenty of other land to use not next to people's homes.

Tina M. Garcia-King
410 South Fir Street, Jerome ID

Oppose the application

I am all for progress, and having the Town grow, but not for an asphalt plant. When all the dust from our Easterly Idaho winds will make our houses become covered in dust. As I live due East of where they want to build the plant. Not to mention the bad smell that is also associated with the asphalt plant. So I would like to go on record that I strongly oppose the application for an asphalt and concrete plant to be built on this site.

Walter Erickson, 315 South Fir, testified, he wanted to make sure the commission knew that once Rich Thompson trucking is up and running, they will also have trucks going. When they were out behind Con Paulos, there were no residential areas to the west or east of the plant. He stated he lives two (2) blocks from the proposed plant. They may have a modern plant but they will have a stock pile, and he would like to know how they are going to control the dust. He also stated the notices were sent to absentee home owners as there are a lot of people that rent in the area. He stated that is a reason why there are not very many people that come to the meetings to oppose applications like this. He stated it is hard to get absentee home owners to listen. The dust will travel into city and not just affect the neighboring home owners. Mr. Erickson continued that most people can smell Edahow throughout the city. The dust and odor particles will travel a long way. He does not want to see property value decrease. He also stated he does not want quality of his life to be interrupted by the traffic, smell and noise.

Charles Schabacker, 630 Golf Course Rd, testified he owns Sawtooth Vet Services. He stated there already is a considerable amount of vehicles on that road from the vet's office and surrounding businesses that add to the congestion. He believes this will devalue his business. Mr. Schabacker stated he drove passed the plant when it was behind Con Paulos. He stated there was a smell, a lot of noise and truck traffic. He believes his business will be impacted by the smell of hot oil, asphalt, dust and truck traffic. Does not think it would be fair as business owner to allow this to go in across the street from him. Mr. Schabacker inquired if they only use the property once every couple years, who is going to take care of the weeds? Mr. Schabacker stated he does not want to go to work and smell that ever day. He does not believe it is fair for the neighbors in the area. He believes this is not an appropriate place for that business.

Dan Glodowski, 48 S 100 W, testified he believes Jerome is working towards a vision and does not believe this is the current vision they are working on. Mr. Glodowski stated there is a canal that runs along the property and is not sure if the wastewater, run off water system or cows have been addressed. He read a google search for "Will this proposal contribute to the marketability of the vacant commercial retail buildings along the transportation route or downwind of the plant? Will it contribute to the quality of life of nearby residents, children, and businesses? This proposed plant will degrade the environment, and the odors will keep people away. Studies show asphalt plants will decrease the property value. Decreased property values would result in lost tax revenue from surrounding businesses and residential property. When values goes down, the township exceeds, expenses will likely remain the same. Furthermore, increased traffic will damage roadways, taxpayers will have to pay for the repairs. Asphalt plants are considered heavy industrial and should not be established for light industrial."

Commissioner Reed inquired how the commission can determine the characteristic of the zone if this proposal is light industrial or heavy industrial. Chairman Mink stated that could be addressed in their discussion. Mr. Glodowski stated, as he wrote in this letter, the 100 West Road is offset because of the canal. He stated if there are trucks turning opposite of where one is turning, it is hard to make the turn.

Ron Humbaugh, 218 West Blvd, testified he lives east of the property. He stated school buses will be going down 100 West twice a day. He used to work for Franklin Building driving a long haul truck and stated that Triple C used to be across the road from them; their trucks were covered in cement dust. He stated asphalt stinks and he does not want to smell it. He is tired of smelly places. He stated West Blvd can become a freeway sometimes with truck traffic. Sometimes there are semi's that go down that road and the road is not built for those trucks.

Rebuttal Testimony: Chase Camberlango, stated they will maintain the yard. He stated the workers who live in Jerome would be working on equipment on the off seasons. They don't anticipate having weeds. They will make a gravel lot and spray it every year. Their goal is to be a good neighbor. They saw an opportunity for the community and understand the concerns they have. Mr. Camberlango stated they very rarely get dust and smell complaints. If everything is running correctly, there are no issues. If there is an issue, they will address it right away. They are a family owned business and respect the community they are in. They hope people in the community will call them when they need them. They are not a cooperation and want to be members of the community and good neighbors. Mr. Camberlango stated they do not own a concrete batch plant but may need one for certain projects so it was included on the application. They do not have plans to put one there unless it is needed. Upon inquiry from Chairman Mink, Mr. Camberlango stated the concrete plant would be portable.

Commissioner Reed inquired what the definitions for Light Industrial and Heavy Industrial were. Mr. Larsen stated the Light Industrial (M-1) zone is defined as a zone to be meant to encourage the development of manufacturing and wholesale business establishments which shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare, are operated entirely within enclosed structures and generate little industrial traffic. Commissioner Reed inquired how they would account for the traffic issue, with the potential of having 40 trucks per hour, and that this does not fit within that definition. Mr. Larsen stated this is what the commission needs to discuss. With this being a Special Use Permit, this application can be difficult to assess. It may be a use that is between heavy and light. The impact may vary as they may not be there for a couple of years to having 40 trucks every hour. It is a huge range and hard for the commission to assess what the impact is and what conditions to have. This is a very broad application which can make it difficult to assess. Heavy Industrial (M-2) district is defined as a district that encourages the development of major manufacturing, processing, warehousing and major research and testing operations. Limited office and commercial uses may be permitted as ancillary uses. These activities shall include certain uses excluded from the M-1 district for reasons of health, safety or general welfare. All development within this land use shall be reasonably free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare. Mr. Larsen stated the zones are similar. This use may be appropriate in certain portions of both zones depending on the impact it has. Mr. Larsen stated this is why this application must come before the commission to be approved but the commission must consider all of the facts and circumstances including where the site is located.

There being no further testimony, Chairman Mink closed the public hearing at 7:25 p.m.

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

I. Findings

- A. The property in question, which is adjacent to West Main Street between 961 West Main and Producer's Livestock is a parcel of approximately 46 acres and is currently zoned Light Industrial (M-1).
- B. The proposed use, asphalt and concrete batch plants, requires a special use permit to operate in the M-1 Zone.
- C. JMC 17.60.060 provides the general standards for special use permits. The Commission notes the applicant testified about an extraordinarily broad potential impact of the proposed use. The applicant testified the proposed use could be as intense as 40 trips per hour in and out of the plant. He also testified there could be long periods of no occupancy. The commission is compelled to analyze the proposed use at its most intense, as described by the applicant.
- D. The proposed use is not harmonious with the general objectives of the comprehensive plan or with portions of Title 17 of the Jerome Municipal Code. Specifically, the Commission finds the purpose of the M-1 Zone by definition is to encourage the development of manufacturing and wholesale business establishments which shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare; are operated entirely within enclosed structures and generate little industrial traffic. The applicant has described a manufacturing type business that will be conducted entirely outdoors. The applicant has failed to proposed any landscaping, as required by Jerome Municipal Code and has failed to describe in what way it would screen its operations from the view of the public traveling West Main St. The proposed use does not meet the definition of Light Industrial and is therefore not harmonious with the general objectives of that zone and of Title 17 of the JMC.
- E. The proposed use, as described by the Applicant would consist of large piles of materials necessary for the manufacturing of hot asphalt or of concrete. It also involves RV parking for employees. The Commission finds the uses in the general vicinity are residential to the East and South with Producer's Livestock to the West. North, across Mainstreet is a gas station and a Veterinarian's Clinic. The proposed use, as described by the applicant, could involve at its peak up to 40 loads of asphalt coming and going every hour. The commission finds this amount of traffic, would, in fact, change the character of the general vicinity.
- F. The proposed use as described by the Applicant would be hazardous and disturbing to existing and future neighboring uses. The amount of traffic on West Main Street has increased significantly in recent years since the construction of the gas station near the freeway entrance. The addition of up to 40 loads of asphalt each hour carries with it the high likelihood of significantly increased congestion and hazards to

neighboring uses. The veterinarian's clinic across Main Street expressed well founded concern that the increased traffic would affect his customer's ability to access his property. Moreover, the Idaho Transportation Department's decision to only allow one approach to the property means all that traffic will come and go through one entry/exit point. The likelihood of severely increased traffic congestion along West Main Street is high that the Commission finds it presents a high likelihood of creating a hazardous and dangerous condition for existing and future neighboring uses.

- G. Similarly, the proposed use will not be adequately served by essential public facilities. ITD's denial of a second approach to the property has a significant impact on the proposed use. For the reasons described already herein, the Commission finds the proposed use cannot be served adequately by existing public facilities, primarily the streets surrounding the proposed use.
- H. The proposed use will not create excessive additional requirements at public costs.
- I. The Applicant acknowledges the process of manufacturing asphalt and concrete does involve some odors, dust and other conditions of operation. The Commission finds these conditions of operation are detrimental to persons, property and the general welfare by reason of the production of excessive traffic, noise, smoke, fumes, glare and odors. Forty trips per hour is an extreme impact on the general vicinity. Moreover, the property sits in the edge of the M-1 zone in close proximity to residential uses. The production of smoke, odors and fumes is likely to be detrimental to surrounding neighboring uses.
- 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

- A. A special use permit is required for the applicant for asphalt and concrete batch plants in the Light Industrial (M-1) zone for the City of Jerome.
- B. A special use permit allowing an asphalt and concrete batch plant on this particular property in the City of Jerome is inconsistent with Jerome Municipal Code for the reasons stated herein.
- C. The Commission denies the application of Western Construction, Inc., for a special use permit allowing an asphalt and concrete batch plant, on the property described herein. The steps the Applicant could take include more clearly limiting and defining its proposed use. It could propose to enclose the process, rather than carrying it out outdoors. Also, it would be critical for the Applicant to come with a landscaping plan that would soften the impact and potentially screen the proposed use from the view of the public. Said landscaping plan would necessarily include irrigation plans and maintenance plans so that the landscaping is well maintained and so that the proposed use beautifies the general area.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 6th day of September, 2022, in support of the decision of the Planning and Zoning Commission on the 23rd day of August, 2022, to approve the application as specified herein is hereby made final this 6th day of September, 2022.

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

Commissioner Johnson moved to approve the finding and conclusions for a request from Western Construction, Inc. c/o Chase Camberlango for a Special Use Permit allowing an asphalt and concrete batch plants with temporary RV parking for employees, on the property described in Appendix A, more commonly known as the cultivated field on West Main Street between Producers Livestock Auction 11S 100 West and 961 West Main Street, Jerome, Idaho, containing approximately 46.155 acres.

Second to the motion by Commissioner Fraser and carried.

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

There being no further discussion, Chairman Mink closed this special meeting at 7:06 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary