

Planning & Zoning Meeting
September 14, 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.

Present were Acting Chairman Carl McEntarffer, Commissioner Shonna Fraser, Commissioner Paul Johnson, and Commissioner Dave Holley. Commissioner Benjamin Reed arrived at 7:01 p.m. Chairman Rod Mink and Commissioner Jeff Schroeder were excused. Also present were City Planner, Ida Clark, Legal Counsel, Ted Larsen, and Secretary, Katie Elliott.

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

Public Hearing for a request from Jacinto Garcia for a Special Use Permit allowing six (6) chickens, seven (7) cattle, three (3) sheep, and three (3) goats, on the property located at BLK A-286 Jerome Townsite NW (24-8-16), more commonly known as 805 West Avenue H, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question, 805 West Ave H in Jerome, is currently zoned Residential 3 (R-3), as detailed in 17.14.010 of the JMC and is approximately 1.5 acres. The proposed use, the possession of chickens, cows, goats, and sheep (livestock) requires a Special Use Permit (SUP) 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". 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, Ms. Clark stated the request is in compliance with the Comprehensive Plan as relates to Rural Residential Land Uses requiring Special Use Permits in Section 3.1.1. NOTE: This is only compatible with the Comp Plan when the request is considered compatible "Rural Residential Land Use."

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 livestock 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 fenced area located to the west of home. The applicant will need to ensure there is adequate fencing for livestock surrounding the entire parcel. The chickens are kept around the house and have a coop. This vicinity has larger parcels with livestock traditionally on the parcels. If the livestock is properly cared for, the request would not change the essential character of the area. The applicant notes they would like livestock for weed/grass control and for other purposes like meat. The livestock must be properly cared for with adequate fencing to not be disturbing to neighboring uses. The property does have a large waste ditch with water during the summer months. Water and feed will need to be provided during the month's water and feed is not available. There is no indication that additional services will be needed to serve the use of livestock or chickens. Neither Livestock nor chickens will create excessive additional requirements at public cost. If not properly cared for, livestock and chickens can become a nuisance. They can also become detrimental by excessive production of noise and odors. With the property being over one acre, the manure can be composted on the property. Adequate care and fencing must be provided to ensure animals are kept within the property boundaries and do not cause excessive noise. Staff has not received any concerns or complaints about the chickens or calves currently on the parcel. This request will not impact vehicular approaches. It does not appear that the possession of chickens and livestock on this parcel will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

If approved, Ms. Clark recommended the following conditions: Livestock and chickens will not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; Can only possess up to six (6) hen chickens; Any accessory structure associated with the livestock or chickens shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code; Adequate fencing installed for livestock; and Special Use Permit shall be allowed for up to one (1) year, renewable upon expiration.

Ms. Clark stated there is a large ditch that runs through the applicant's property during the summer and they will bring in water if water is not available in the ditch. They have tanks and feed on the property for the animals. They currently have chickens and cows and would like to add the goats and sheep. Upon inquiry from Commissioner Johnson, Ms. Clark stated there is no limit on animals that a parcel can hold, per square footage, in the city limits. Ms. Clark went over what the commission has approved previously in the area. Upon inquiry from Commissioner Reed, Ms. Clark stated the applicant did not realize they needed permission to have cows. The cows have been on the property for a couple of months. Upon inquiry from both Commissioners Fraser and Reed, Ms. Clark stated previous to the re-write of the Planning and Zoning Code, there was mention of animal units; however, animal units were not included after the re-write in 2010.

Applicant Testimony: Sonia Martinez, 805 West Ave H, testified, they currently have calves and did not realize they needed permission. They also had roosters but they were able to give those away. They do not have any chickens at the moment since her dad planted grass and they were eating the seeds. They currently have six to seven calves. Upon inquiry from Mr. Larsen, Ms.

Martinez is not sure of the ages but they range in size. Upon inquiry from Commissioner Johnson, Ms. Martinez stated they want one to become a cow to breed and the others will be sold when they get a little older. Upon inquiry from Commissioner Holley, Ms. Martinez stated they do not have chickens, sheep, or goats. Ms. Martinez stated the property is fully fenced.

Testimony in Favor: none

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

Marian Posey
919 South Fir Street

I question the number of cattle. I think 3 or 4 would be adequate numbers. The other animals are fine. I like to hear them.

Testimony in Opposition: Nick Cooper, 923 South Fir, testified, they can smell that there are cattle on the property. He stated he was told that if a person had one acre, they could only have one cow, or six chickens, or another animal. He understood that if they had more than one cow per acre, it would be considered a confined animal feed and operation (CAFO). He stated if you are trucking in feed, you are running an operation which should not be allowed in town. Upon inquiry from Commissioner Holley, Mr. Cooper stated he would be okay if it was limited to one large animal per acre. He stated having more animals creates more compost than the property can break down. He stated if they are not raising the animals for food, there are better locations to raise animals outside of city limits.

Rebuttal Testimony: None given.

There being no further testimony, Acting Chairman McEntarffer closed the Public Hearing at 7:16 p.m.

Consider a request from Jacinto Garcia for a Special Use Permit allowing six (6) chickens, seven (7) cattle, three (3) sheep, and three (3) goats, on the property located at BLK A-286 Jerome Townsite NW (24-8-16), more commonly known as 805 West Avenue H, Jerome, Idaho- action item

Extensive discussion was held on previous SUP approvals for animals; definition of animal units from Jerome County; neighboring SUP approvals and the number of animals; limiting the number of animals; definition of CAFO; fly control; and dust control.

Commissioner Reed made a motion to table the request from Jacinto Garcia for a Special Use Permit allowing six (6) chickens, seven (7) cattle, three (3) sheep, and three (3) goats, on the property located at BLK A-286 Jerome Townsite NW (24-8-16), more commonly known as 805 West Avenue H, Jerome, Idaho, to the next meeting on October 12, 2021 and provide staff with the following: provide details on fly control, analysis of water the proposed animals will

consume, provide weight of animals, provide how long the animals will reside at the residence, provide the desired weight of animal when butchered, provide nutrient management for the pasture and animals, and will have 30 days to remove animals applicant chooses not to respond.

Second to the motion by Commissioner Johnson and carried.

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

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

Public Hearing for a request from Chadley Weekes for a Lot Split, on the property located at N½ Block A-181 Jerome Townsite NE (19-8-17), more commonly known as 521 South Fillmore Street, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question, a parcel of land more commonly known as 521 South Fillmore Street containing approximately 1.29 acres, more or less, is currently zoned Residential 2 (R-2). The proposed project, a lot split requires approval from the Planning and Zoning Commission. Regardless of use, setbacks for this property are as follows: Front- 25', Rear- 20', Interior Side- 7', and Side Street- 15'. Minimum lot size is 5,000 feet.

As pertains to Jerome Comprehensive Plan, Ms. Clark stated the application meets the following objectives within Chapter Three - Land Use: Objective 1 – Exploring the growth patterns of the city and plan and prepare for future growth opportunities; and Objective 6 – Developing a variety of densities that support mixed land use.

Regarding the Lot Split Criteria, the applicant submitted a pre-application with a copy of the sketch plan. The applicant has provided proof of ownership. Ms. Clark went over the requirements the application must meet. The five requirements are split one lot into two (a “lot split”); the proposed lot split will not have a substantial impact on present or proposed public utilities, streets and parks; is consistent with the Comprehensive Plan; both resulting lots will meet minimum size and minimum lot size requirements for the relevant zone; and each lot has a minimum of twenty-five (25) feet of street frontage. The application is proposing to split one lot into two. Parcel one will contain an existing home on approximately 12,600 square feet. Parcel two, approximately 1 acre is bare land that can be developed. Both lots meet the required minimum lot size. The existing home meets the minimum required setbacks for the R-2 zone per JMC. The application states there will not be a substantial impact to public utilities. The second parcel can connect to water from South Fillmore and connection for sewer is located in the alley to the south of the parcel two. Easements have been established for maintenance of the water and sewer to parcel one. Each lot will exceed the minimum 25' street frontage requirement per the Jerome Municipal Code. Both parcels will have access from South Fillmore Street. Access is not allowed from the alley per JMC. It is noted East Ave E is a private

street with no access to the west portion of the property. The applicant understands all lots must continue to meet setbacks, height, and frontage requirements outlined in the Jerome Municipal Code for future development. The request is in compliance with Chapter Three – Land Use of the Comprehensive Plan. Any future divisions of land will require subdivision review and approval. A notice regarding the proposed lot split was sent to local taxing districts.

Ms. Clark sent the application out to City Staff and received the following comments: Engineering and Public Works – Curb, gutter, and sidewalk are required on South Fillmore. Deferral agreement will be signed allowing two years for the infrastructure to be done. It will be recorded against the property.

If approved, Ms. Clark recommended the following conditions: Signed agreement between the City of Jerome and Chadley Weekes addressing curb, gutter, and sidewalk deferral on South Fillmore before the survey of record can be recorded; The lot split shall meet all City of Jerome Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; and Comply with all city, state and federal requirements.

Upon inquiry from Acting Chairman McEntarffer, Ms. Clark stated a deferral means they will be given two years to have curb, sidewalk, and gutter completed. She stated Fillmore will be a main roadway to the new school.

Applicant Testimony: Chad Weekes, 382 S 50 W, stated this in an investment property and they are wanting to sell it separately. Upon inquiry from Commissioner Holley, Mr. Weekes is selling the property as a vacant lot.

Testimony in Favor: None

Testimony in Neutral: None

Testimony in Opposition: None

There being no further testimony, Acting Chairman McEntarffer closed the Public Hearing at 7:35 p.m.

Consider a request from Chadley Weekes for a Lot Split, on the property located at N½ Block A-181 Jerome Townsite NE (19-8-17), more commonly known as 521 South Fillmore Street, Jerome, Idaho - action item

Upon inquiry from Commissioner Holley, Ms. Clark stated the deferral will be recorded against the property so it will be up to the new owner or the applicant to have the sidewalk, curb, and gutter completed. Upon inquiry from Commissioner Fraser, Ms. Clark stated the access to the property will come from South Fillmore as they do not allow access from the alley. Upon inquiry from Commissioner Johnson, Ms. Clark stated depending on the layout, there may be room for

two houses and they would have to come back before the commission for a subdivision. If they only want one home, they would not have to come before the commission.

Commissioner Holley made a motion to approve the request from Chadley Weekes for a Lot Split, on the property located at N½ Block A-181 Jerome Townsite NE (19-8-17), more commonly known as 521 South Fillmore Street, Jerome, Idaho, with the following conditions: Signed agreement between the City of Jerome and Chadley Weekes addressing curb, gutter, and sidewalk deferral on South Fillmore before the survey of record can be recorded; The lot split shall meet all City of Jerome Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; and Comply with all city, state and federal requirements.

Second to the motion by Commissioner Reed and carried.

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

Acting Chairman McEntarffer called the Public Hearing to order at 7:39 p.m.

Public Hearing for a request from David & Kenetha Tomkins for a Lot Split, on the property located at Tax 3 Block A-293 Jerome Townsite SW (24-8-16), more commonly known as 810 West Avenue I, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question, a parcel of land more commonly known as 810 West Ave I containing approximately two acres, more or less, is currently zoned Residential 3 (R-3). The proposed project, a lot split requires approval from the Planning and Zoning Commission. Regardless of use, setbacks for this property are as follows: Front- 25', Rear- 20', Interior Side- 7', and Side Street- 15'. Minimum lot size is 5,000 square feet.

As pertains to Jerome Comprehensive Plan, Ms. Clark stated the application meets the following objectives within Chapter Three - Land Use: Objective 1 – Exploring the growth patterns of the city and plan and prepare for future growth opportunities; Objective 6 – Developing a variety of densities that support mixed land use.

Regarding the Lot Split Criteria, the applicant submitted a pre-application with a copy of the sketch plan. The applicant has provided proof of ownership. Ms. Clark went over the requirements the application must meet. The five requirements are split one lot into two (a “lot split”); the proposed lot split will not have a substantial impact on present or proposed public utilities, streets and parks; is consistent with the Comprehensive Plan; both resulting lots will meet minimum size and minimum lot size requirements for the relevant zone; and each lot has a minimum of twenty-five (25) feet of street frontage. The existing parcel has two homes. The owner would like to have each home on their own parcel. The application is proposing to split one lot into two. Parcel one and two will contain an existing home on approximately one acre

each. Both lots meet the required minimum lot size of 5,000 square feet. The existing homes meet the minimum required setbacks for the R-3 zone per JMC. The application states there will not be a substantial impact to public utilities. The existing homes are both connected to City water and sewer. Both homes connect to a private lift station that connects to the sewer at the corner of West Ave I and S Fir. Easements have been given for maintenance of the water and sewer lines. Each lot will exceed the minimum 25' street frontage requirement per the Jerome Municipal Code. Both parcels will have access from West Ave I. It is noted access from West Blvd is not available as it is undeveloped and is a right-of-way for the City's H Street lift station. The applicant understands all lots must continue to meet setbacks, height, and frontage requirements outlined in the Jerome Municipal Code for future development. The request is in compliance with Chapter Three – Land Use of the Comprehensive Plan. Any future divisions of land will require subdivision review and approval. A notice regarding the proposed lot split was sent to local taxing districts.

Ms. Clark stated she sent the application to City Staff and received the following comments: Engineering and Public Works – Curb, gutter, and sidewalk are required on West Ave I. Deferral agreement will be signed noting when sidewalk is adjoining on West Ave I, both parcels shall install.

If approved, Ms. Clark recommended the following conditions: The lot split shall meet all City of Jerome Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; and Comply with all city, state and federal requirements.

Upon inquiry from Commissioner Holley, Ms. Clark stated they may condition sidewalks but part of the code states once development is started, or the adjoining parcel has sidewalk, they would be required to install sidewalk, curb, and gutter. There are no existing sidewalks on South Fir, on the surrounding, or adjoining properties. The next block over, Thompson Subdivision does have curb, gutter, and sidewalk. The property to the south and west of the proposed lot split is owned by the cemetery district.

Applicant Testimony: Kenetha & David Tomkins, 810 West Ave I, both testified, they have two homes with two separate addresses and would like to sell one of the properties. Ms. Clark explained the map to the commission regarding the easements for the water and the sewer lines.

Testimony in Favor: none

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

Marian Posey
919 South Fir Street

Selected neutral with no other comments.

Testimony in Opposition: none

There being no further testimony, Acting Chairman McEntarffer closed the Public Hearing at 7:46 p.m.

Consider a request from David & Kenetha Tomkins for a Lot Split, on the property located at Tax 3 Block A-293 Jerome Townsite SW (24-8-16), more commonly known as 810 West Avenue I, Jerome, Idaho- action item

Commissioner Holley stated he had no issues with the lot split.

Commissioner Johnson made a motion to approve the request from David & Kenetha Tomkins for a Lot Split, on the property located at Tax 3 Block A-293 Jerome Townsite SW (24-8-16), more commonly known as 810 West Avenue I, Jerome, Idaho, with the following conditions: The lot split shall meet all City of Jerome Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; and Comply with all city, state and federal requirements.

Second to the motion by Commissioner Fraser and carried.

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

Acting Chairman McEntarffer called the Public Hearing to order at 7:51 p.m.

Public Hearing for a request from Tana Parker for a Special Use Permit allowing a Home Occupation for Catering on the property located at Lot 16, Block 1 Glen Eagle Sub NE (19-8-17), more commonly known as 913 Glen Eagle Drive, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question is currently zoned Residential 1 (R-1). The proposed use, a home occupation, requires a Special Use Permit from the Planning and Zoning Commission. In this case, the Parker's, would like a commercial kitchen for a catering business, which constitutes a home occupation. Per JMC 17.18.050: "Home occupation - The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall be conducted entirely within a dwelling unit or accessory structure." 17.18.050, I: Any use which changes or may change the character of the neighborhood will not be permitted. The following uses shall not be permitted as home occupations in residential zones: i. Commercial food preparation, not including catering.

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

Regarding the General Standards for Special Uses, Ms. Clark stated the Planning and Zoning Code allows home occupations in the R-1 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 states the home occupation will be conducted in an accessory structure located in the attached garage. The alterations will be inside of the garage. The only addition that would be visible from outside the home is a small vertical roof cap. The roof cap is a few feet in height and would blend with other exhaust caps on a home. This does not appear to change the essential character of the area. A catering business will not be using hazardous material. The application states they will not be frying food eliminating disturbing smells and other possible hazards. This home occupation will require additional services from water and will be required to install a small, under sink grease trap. Other essential services already exist. There is no additional requirement at public cost for this home occupation. Regarding 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." Ms. Clark stated the application states, no. As previously stated, they are not frying food. They are catering, therefore; no additional traffic will be generated with this request. Ms. Parker has been in contact with the health department and the fire department and they do not have concerns at this time. This request will not impact vehicular approaches. It does not appear that this home occupation will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Regarding the Home Occupation Standards, Ms. Clark stated Standard 1, No more than one person other than members of the family residing on the premises shall be engaged in such occupation. The Parker's will be the only ones operating the home occupation. Standard 2, The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall be conducted entirely within a dwelling unit or accessory structure. A detached accessory structure shall be located in the rear or side yard. The application states this is their residence with the home occupation being conducted in the attached garage. Standard 3, Not more than four hundred (400) square feet of the floor area of the dwelling unit or accessory structure shall be used in the conduct of the home occupation. The application shows the two-car garage area being converted which is approximately 400 square feet. Standard 4, The appearance of the dwelling unit or accessory structure shall not be altered and the occupation shall not be conducted in any manner that causes the premises to deviate from its residential character, either by color, materials or construction, lighting, signs, sound or noise vibrations, traffic generation and parking requirements. The application states there will be one minor addition of a vent cap on the roof of the home that will blend with other caps normally associated with a residence. There will not be any other alterations to the outside. The application states they are not frying food and there will be no food service delivery trucks. Standard 5, No significant traffic shall be generated

by such home occupation and a home occupation shall have adequate parking spaces available to compensate for any parking needs generated. Parking shall not be allowed in the front yard. The Parker's will be delivering the food to different locations; therefore, no parking is needed. There will not be an increase in traffic as they will not have customers or food delivery trucks. Standard 6, No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable or objectionable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or cause fluctuations in line voltage off the premises. The application states, no there will not be any significant noise and there will be proper ventilation as required by the fire department. Standard 7, No storage of materials or supplies outdoors. The applicant states there will be no storage outside. Standard 8, A home occupation shall not involve the use of signs and/or structures other than those permitted in the zone in which the property is located. The applicant is aware there will be no signage placed outside.

Ms. Clark sent the application to City Staff and received the following comments: Fire Department- the Parker's have been working with them. Fire is good with the proposed SUP. They are requiring a Type I commercial hood with a built-in suppression system; and Wastewater- A grease trap is required on all commercial kitchens. However, it can be the small under sink style.

If approved, Ms. Clark recommended the following conditions: Shall comply with any needed building and/or fire permits and inspections; Shall install an under-sink grease trap as required by the Wastewater Department; and Special Use Permit shall be allowed for up to one (1) year, renewable upon expiration.

Upon inquiry from Commissioner Holley, Ms. Clark stated they are able to remodel a garage as long as it meets City Code. Commissioner Johnson inquired about the frying phrase. Ms. Clark stated there are different oils that require different hoods for fire suppression systems. If they decided to upgrade, they would need to meet fire code. Ms. Clark continued with home occupations, they are not allowed to employ anyone outside of the home. Their request is for catering so they would be prepping the food in their commercial kitchen and they would be delivering the food.

Applicant Testimony: David Parker, 913 Glen Eagle, testified they are a meal prep company and they recently were franchised. They would be prepping the food and delivering the food. If they get delivery trucks, they will not have them parked at the house. Mr. Parker stated they will be delivering in Twin Falls. They will be cooking the food in the garage and as long as they have the correct walling and siding for the appliances, the Health and Safety Department does not have any concerns. Upon inquiry from Commissioner Holley, Mr. Parker stated he would be using his personal truck for transport. Upon inquiry from Acting Chairman McEntarffer, Mr. Parker stated customers will go to their online website to order the food. Once they get the order, they cook

the meal and deliver the meal to the customer or to the business where a fridge is set. Upon inquiry from Commissioner Johnson, Mr. Parker stated it is personalized portions and will not be for large events. Upon inquiry from Commissioner Reed, Mr. Parker stated he would be delivering the meals. They may grow bigger but right now there are no commercial kitchens in the area to rent. Upon inquiry from Commissioner Johnson, Mr. Parker stated they will prepare the meals fresh so they are not like other advertised delivery meals. They will not be mailing the meals as it would not be cost effective. Upon inquiry from Commissioner Fraser, Mr. Parker stated they will deliver within a 75 mile radius.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Acting Chairman McEntarffer closed the Public Hearing at 8:07 p.m.

Consider a request from Tana Parker for a Special Use Permit allowing a Home Occupation for Catering on the property located at Lot 16, Block 1 Glen Eagle Sub NE (19-8-17), more commonly known as 913 Glen Eagle Drive, Jerome, Idaho- action item

Commissioner Holley stated this is a unique business and likes the idea.

Commissioner Johnson made a motion to approve the request from Tana Parker for a Special Use Permit allowing a Home Occupation for Catering on the property located at Lot 16, Block 1 Glen Eagle Sub NE (19-8-17), more commonly known as 913 Glen Eagle Drive, Jerome, Idaho, with the following conditions: Shall comply with any needed building and/or fire permits and inspections; Shall install an under-sink grease trap as required by the Wastewater Department; and Special Use Permit shall be allowed for up to one (1) year, renewable upon expiration.

Second to the motion by Commissioner Holley and carried.

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

Discussion- City Streetscape Standards

Ms. Clark gave a brief background on the Design Review guidelines and stated City Administrator, Mike Williams, likes the Design Review guidelines but stated it did not address streetscapes. She stated there are a few current projects that have inquired about the standards. Staff recently took the standards to City Council. Ms. Clark wanted to go over with the Commission for feedback. The minimum requirements already in place are the five-foot (5')

sidewalks and pedestrian ramps. The standards would include: a furnishing zone for light poles, benches, trash receptacles, and bike racks; types of trees and where the trees would be planted; and the required light pole, trash receptacle and benches to be placed. Ms. Clark stated the proposed light poles are black in color. The light poles come in sections so if one section is damaged, that section can be repaired instead of the whole pole, which can be costly. The light poles are dark sky approved. The benches and trash receptacles are also black in color. Upon inquiry from Commissioner Johnson, Ms. Clark stated they would require the new development to start with the standards and as old light poles and trash receptacles break or are damaged, they would then be replaced with the new light poles and trash receptacles. Upon inquiry from Commissioner Johnson, Ms. Clark stated the new tree grates will be ADA compliant, and are approved by the Streets and Engineering Departments. The trees that will be placed along the road, will be required to be placed in a root barrier to help force the roots down instead of out along the sidewalk. Extensive discussion was held on the species of trees allowed; water usage and drought tolerant trees; fruit bearing trees; including the standards into the landscape ordinance; brick pavers along the sidewalk to help with access to the water and irrigation lines; when replacement of the light poles, trash receptacles, and benches would occur; moveable planters; drip lines for planters and hanging baskets; limit of trees along a block; color throughout the entire batch for colored concrete; and the hardiness zone for Jerome. Ms. Clark stated she wanted feedback back from the Commission and she will look into combining this with the landscape ordinance. She asked the Commission to send her any concerns regarding the standards.

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 August 24th, 2021 regular meeting;
- B. Consider/Approve Findings of Facts for Steven Makos, for a Special Use Permit renewal for an ATV and Motorcycle Service and Repair shop, on the property described as Tax 1A Lot 1 Block 116 Jerome Township NE (24-8-16), more commonly known as 401 South Lincoln, Jerome, Idaho.

**FINDINGS AND CONCLUSIONS ON APPLICATION OF STEVE MAKOS
FOR A RENEWAL OF THE SPECIAL USE PERMIT ALLOWING FOR AN
ATV AND MOTORCYCLE SERVICE AND REPAIR SHOP ON THE PROPERTY
LOCATED AT TAX 1A, LOT 1, BLOCK 116, JEROME TOWNSITE NE 24-8-16,
MORE COMMONLY REFERRED TO AS 401 SOUTH LINCOLN IN JEROME, ID.**

A public hearing on the application of Steve Makos concerning the use of real property located at 401 South Lincoln, Jerome, Idaho, for a renewal of the special use permit was held, pursuant to notice, on Tuesday, August 24, 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 a brief background and staff report on the renewal application and on the property. Ms. Clark stated Mr. Makos received a special use permit for an ATV and motorcycle service and repair shop in August 2016 and again in 2018. The application noted Mr. Makos performs work on the ATV's and motorcycles inside the building, therefore, not creating a disturbance to neighboring uses. The type of work performed does not cause excessive production of traffic, noise, smoke, fumes, or odors. A Discharge Approval Application for Wastewater has been completed and is on file. Staff has not received any complaints or concerns regarding the Special Use Permit. Mr. Makos would like to request a renewal of the Special Use Permit with no changes.

The property in question, 401 S Lincoln in Jerome, is currently zoned Central Business District (CBD). The proposed use, an ATV and motorcycle service and repair shop, requires a Special Use Permit from the Planning and Zoning Commission.

As pertains to Title 8 of the JMC, the ordinance addressing nuisances, Ms. Clark stated, per JMC 08.08.010, bulky waste and hazardous material may become a nuisance but proper care and disposal of parts and liquids will need to be followed to avoid becoming a nuisance.

As pertains to Parking Requirements, Ms. Clark stated 17.26.150 states, automotive repair shop, body shop, or tire shop requires one (1) parking space per 225 feet of floor area plus one (1) per employee. An ATV repair shop is similar in use. There is parking for four (4) vehicles on-site which meets the code requirement. Ms. Clark showed the commission where the parking is located on the property.

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

Ms. Clark stated she sent the application out to city staff and received the following comment:

Fire Department- applicant needs to conduct a fire inspection.

If approved, Ms. Clark recommended the following conditions: (a) Vehicles shall not be in the public right of way; (b) Obtain updated fire inspection; (c) Comply with all city, state and federal requirements; and (d) Special Use Permit shall be allowed for up to five (5) years, renewable upon expiration.

Ms. Clark stated there was an additional condition from his previous permit that states all work must be done inside of the building which the commission may also continue.

Applicant Testimony: Steve Makos, 401 South Lincoln, testified that everything has been going well and he is very happy with what is going on. He does not want to change anything from the previous permit. Chairman Mink commended Mr. Makos for the fence that was installed.

Testimony in Favor: None.

Testimony in Neutral: None.

Testimony in Opposition: None.

The Jerome City Planning and Zoning Commission having heard the testimony presented by Mr. Makos, and having reviewed the renewal 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. 401 South Lincoln is in the City of Jerome and is currently zoned Central Business District (CBD).
- B. The proposed use, an ATV and motorcycle service and repair shop, requires a special use permit to operate in CBD. A special use permit was entered in 2016, and renewed in 2018. This is a renewal of the special use permit presently in place for this property.
- C. JMC 17.60.060 provides the standards for special use permits.
- D. The proposed use is harmonious with the general objectives of the comprehensive plan in that businesses serve a need of the community.
- E. The proposed use is harmonious and appropriate in appearance with the existing and intended character of the general vicinity in that there is no proposal to modify the exterior appearance of the property or any buildings thereon.
- F. The proposed use will not be hazardous or disturbing to existing or future neighboring uses because it will blend well with neighboring uses.
- G. No additional public facilities will be necessary for the proposed use.
- H. The proposed use will not be detrimental to the economic welfare of the community and will not involve activities materials, equipment or conditions that will create excessive traffic, noise, smoke, fumes, glare or odors.
- I. The vehicles approaching to the property will not create an interference with traffic on surrounding public thoroughfares.
- J. The proposed use will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance.

II. Conclusions

- A. A special use permit is required for the applicant to be able to continue with the ATV and Motorcycle Service and Repair present being conducted on this lot in the CBD zone for the City of Jerome.
- B. A special use permit allowing ATV and Motorcycle Service and Repair in the CBD Zone is consistent with the City of Jerome Comprehensive Plan.
- C. The Commission approves the application of Steve Makos for renewal of a special use permit to conduct business as an ATV and motorcycle service and repair shop, on the property commonly known as 401 South Lincoln, Jerome, Idaho, subject to the following conditions:
 - a. all work must be performed inside the building;
 - b. vehicles shall not be in the public right of way;
 - c. obtain updated fire inspection;
 - d. comply with all city, state and federal requirements; and
 - e. Special Use Permit renewal shall be allowed and valid for five (5) years, and shall be renewable upon expiration.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 14th day of September, 2021, in support of the decision of the Planning and Zoning Commission on the 24th day of August, 2021 to approve the application as specified herein is hereby made final this 14th day of September, 2021.

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

- C. Consider/Approve Findings of Facts for Tyson Cook, for a front yard setback variance, on the property located at Tax 17A of A-182 Jerome Townsite (NE 19-8-17), more commonly known as 709 East Avenue D, Jerome, Idaho.

**FINDINGS AND CONCLUSIONS ON A REQUEST FROM TYSON COOK, FOR A
FRONT YARD SETBACK VARIANCE ON THE PROPERTY LOCATED AT TAX 17A OF A-182 JEROME
TOWNSITE (NE 19-8-17) MORE COMMONLY KNOWN AS
709 EAST AVENUE D, JEROME, IDAHO**

A public hearing at the request of Tyson Cook, for front yard setback variance on the property located at Tax 17 of A-182 Jerome Townsite (NE 19-8-17) more commonly known as 709 East Avenue D, Jerome, Idaho, was held pursuant to notice, on Tuesday, August 24, 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 a report upon this request. Ms. Clark stated there are three (3) structures on this parcel. Building records show the northern most structure as a four-plex. There are no building records for the southern structure, a single-family dwelling, or the garage to the southeast. There is a letter from the Building Department, attached, stating the four-plex is non-conforming and any changes would be required to meet current City code. In March of this year, the four-plex caught on fire. The parcel is zoned Residential 2 (R-2) which allows single family dwellings and duplexes. The applicant can remodel the northern structure to a duplex in compliance with City code and continue the use of the single-family dwelling. The applicant is requesting a front yard setback variance from the required 25' to 7.9' for the southern single-family dwelling. The variance request is required to move forward with a lot split.

The property in question, 709 East Avenue D, is currently zoned Residential 2 (R-2). Regardless of use, setbacks for this property are as follows: Front- 25', Rear- 20', Interior Side- 7', and Side Street- 15'.

Ms. Clark stated the Jerome Municipal Code defines a variance as: A modification of the requirements of this title as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings or other provisions of this title affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of the characteristics of the site and that the variance is not in conflict with the public interest.

Ms. Clark reviewed the four standards in the variance process. (1) Standard A, That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures to buildings in the same district. Ms. Clark stated the application notes all dwellings were existing when they purchased the property. Staff notes, there are no special conditions or circumstances peculiar to these structures that are not applicable to other structures. There are several parcels in the City, where under previous City code, multiple dwellings were allowed in the R-2 zone. These parcels and dwellings are allowed to continue as would this parcel and existing dwellings. (2) Standard B, That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title. Ms. Clark stated a literal interpretation of title would not deprive the applicant of any rights enjoyed by other properties. The applicant can remodel the northern dwelling to a duplex and keep the single-family dwelling use on the existing parcel. (3) Standard C, That special conditions and circumstances do not result from the actions of the applicant. Ms. Clark stated the request for a front yard setback variance is a direct result from the actions of the applicant as they are requesting a variance on a parcel to move forward with a lot split. The variance is only needed because the applicant would like to have two lots instead of one lot. As the current dwellings sit on the lot, the existing southern dwelling cannot meet the current City code for a front yard setback if the lot is split into two. (4) Standard D, That granting the variance requested will not confer on the applicant any special privilege that is denied by this

title to other lands, structures or buildings in the same district. Ms. Clark stated variances are typically granted when the applicant proves undue hardship because of the characteristics of the site and that the variance is not in conflict with the public interest. While the variance is not in conflict with public interest, the applicant has not proven an undue hardship. The applicant can continue to utilize the property and both dwellings under current City Code.

Ms. Clark stated she sent the application to City Staff and received the following comments:

Engineering and Public Works recommend the variance request be denied as there are no special conditions or circumstances that are peculiar to the land or structures.

Ms. Clark stated in order for the lot split to occur, they would need a variance for the front yard setback for the southern proposed lot. Ms. Clark showed the proposed lot to the commission. They tried to make the most eastern side the front yard, but due to the unattached garage, code does not allow garages in the front yard.

Upon inquiry from Commissioner Johnson, Ms. Clark went over the background of the property regarding access. She stated there is no other access for the most southern portion besides East Avenue D. There must be at least 25 feet of street frontage for the lot split and reminded the Commission that the variance is what is in front of them tonight.

Applicant Testimony: Tyson Cook, 28 Horseshoe Circle, testified on behalf of the variance application. Mr. Cook testified that both lots will meet square footage. Mr. Cook gave a brief background on the property. There are three structures, first one was a triplex, back structure is a single-family dwelling, and there is also a detached garage. Due to a cigarette, there was a fire in March of 2021 in the back of the first structure. To create space, they have removed the back covered porch from the first structure. The home was built back in 1946 and is currently zoned for single family homes and duplexes. They have been working with the City of Jerome and are wanting to remodel all of the structures. Mr. Cook stated they would like to have both homes as single-family dwellings on separate lots. He stated there is no way they could meet 2021 setbacks as the houses currently sit which is why they have started the variance process.

Mr. Cook went into great detail on several reasons to grant the variance and a detailed discussion took place. Topics of discussion included: (i) maximum street frontage; (ii) interpretation of where the lot line is measured for front setback; (iii) the consistency of interpretation of code; (iv) no negative impact for owner/neighbors; (v) seller wins as they sell two separate lots with one dwelling instead of one lot with multiple dwellings; (vi) public wins as there will be less parking and traffic with two single-family dwellings; (vii) reduced parking on a narrow road that will soon be developed with a new school; (viii) win for the city as the property will be maintained better with someone who owns the property instead of tenants; (ix) two homes will blend better in the neighborhood than a duplex and a single family home; (x) no one benefits if the variance is not approved; (xi) city does have the right to grant the

variance if the applicant does not meet all of the standards because it will not set a precedence for future applicants; (xii) reducing density not adding density; (xiii) where parking would be located; (xiv) why they would like the variance; (xv) demands for housing in the area; and (xvi) access for southern portion of the property.

Ms. Clark noted city code states setbacks are measured from the foundation of the home to property line in a straight line. She stated the intent of the code was to not allow a home to be built against a street. Discussion was held on where to measure the setbacks from, setbacks for the rear of the property, and splitting the difference between the two houses for the setbacks.

Mr. Larsen stated this is a unique property. He stated setbacks are checked by building and speaking with the Building Inspector, he has consistently used the straight-line method as long as he has been inspecting.

Mr. Cook inquired if there would be a problem if they took the code and setbacks out of the process. Ms. Clark stated she was not giving an opinion. She has to look at code.

Upon inquiry from Commissioner McEntarffer, Ms. Clark stated if the foundation of the home was more towards the east side of the property, the variance would not be needed.

Mr. Cook stated this is a prime situation where the variance should be allowed. Upon inquiry from Commissioner Holley, Mr. Cook stated there is a 19-foot concrete pad on the back of the front home. The back property line would be about a foot south of the pad. Mr. Larsen stated the variance could be approved with the amendment of the front setback the hearing was noticed as a variance and not specific on the footage. Discussion was held on the fence being on the concrete pad and allowing the front yard setback to be flexible. Mr. Larsen reminded the commission the variance was before the commission and not the lot split.

Testimony in Favor: Mike Lenker, 725 East Ave D, Jerome Idaho, testified he recently purchased the home to the east of the property. He stated there have been many people moving in and out of the property and would like to see more permanent housing. He thinks the parking would be beneficial with the narrow streets. He believed that having two smaller homes may make the housing affordable. Urged the Committee to approve the variance and believes this may possibly effect lives in a positive way.

Testimony in Neutral: None

Testimony in Opposition: None

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the application, Mr. Cook'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 proposed lots are located in an area zoned as R-2 in the city of Jerome.
- B. The R-2 zone pursuant to Title 17 of the City of Jerome Municipal Code requires setbacks, regardless of use, as follows: Front- 25', Rear 20', Interior Side 7' and Side street 15'.
- C. The purpose of the variance is to reduce front yard setback from 25' to 7.9' for the southern single-family dwelling on the lots.
- D. Variances are typically granted when the applicant proves undue hardship because of the characteristics of the site and that the variance is not in conflict with the public interest. It does not appear the variance would be in conflict with the public interest.
- E. The application notes the variance would not change the width of the road.
- F. The applicant notes the variance would allow for the structures to both be single family dwellings, with one having the detached garage.
- G. The application and the requested variance will not confer any special privileges upon the applicant.

II. Conclusions

- A. The application is consistent with development standards and objectives for R-2 Zone.
- B. This front yard setback variance is granted and contingent upon a setback of twelve feet (12') be granted with the condition to successfully apply and obtain a lot split, provided; however, that if during such lot split process, the resulting northern lot has less than five thousand (5,000) square feet minimum, than this variance can be reduced to no less than ten feet (10') in order to accommodate minimum square footage for the northern resulting lot.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 14th day of September, 2021, in support of the decision of the Planning and Zoning Commission on the 24th day of August, 2021 to approve the application as specified herein is hereby made final this 14th day of September, 2021.

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

- D. Consider/Approve Findings of Facts for Clayton Jones representing L Squared, LLC, for a two lot commercial preliminary plat, on the property described as Lot 4

Walmart Stores NW (31-8-17), more commonly known as 2700 South Lincoln, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON PUBLIC REVIEW OF CLAYTON JONES, REPRESENTING L SQUARED, LLC FOR A TWO LOT COMMERCIAL PRELIMINARY PLAT ON THE PROPERTY DESCRIBED AS LOT 4 WALMART STORES NW (31-8-17) MORE COMMONLY KNOWN AT 2700 SOUTH LINCOLN, JEROME, IDAHO

A public review was held, pursuant to notice on Tuesday, August 24, 2021 at City Council Chambers, 100 East Avenue A, Jerome, Idaho, on the preliminary plat of Clayton Jones, representing L Squared, LLC, with respect to a parcel of real property described at Lot 4 Walmart Stores NW (31-8-17) more commonly known as 2700 South Lincoln, Jerome, Idaho.

Staff Report: The review began with a staff report and brief background from City Planner, Ida Clark. Ms. Clark stated the property in question, 2700 South Lincoln Ave., Jerome, Idaho is currently zoned High-Density Business (C-3). The proposed project, a replat for a two lot commercial subdivision requires a preliminary plat recommendation from the Planning and Zoning Commission as detailed in Chapter 16.16 of the Jerome Municipal Code. Regardless of use, setbacks for this property are as follows: Front- 25', Rear- 10', Interior Side- 12', and Side Street- 25' with the maximum height of 50'. There is no minimum lot size for the C-3 zone. Ms. Clark stated there is no business proposed at this time.

As pertains to Jerome Comprehensive Plan, Ms. Clark stated the plat is in compliance with the following objectives of Chapter Three – Land Use: Objective 1 – Exploring the growth patterns of the city and plan and prepare for future growth opportunities; Objective 4 – Maintaining and developing convenient access and opportunities for services and employment; and Objective 6 – Developing a variety of densities that support mixed land use.

Regarding the Subdivision, Preliminary Plat, Ms. Clark stated the applicant met with the City of Jerome staff for a pre-application meeting to discuss the proposed project. The applicant has provided proof of ownership. Water shares do not exist so potable water will be used for irrigation. Ms. Clark stated curb, gutter and landscaping are already existing as they were extended down from Carl's Junior.

Regarding the Preliminary Plat, Ms. Clark stated the applicant has adequately provided a complete subdivision application with adequate information to review the preliminary plat. This is a replat of Lot 4 of the Wal-Mart Stores Subdivision. Carl's Junior restaurant is on the northern portion of the parcel leaving a larger undeveloped area to the south. The applicant would like to replat the existing lot into two lots for further development on the southern portion. The application was deemed complete and scheduled for the next available meeting date which would allow staff to review the application, take comments from other agencies and properly notice for the public hearing. The following agencies were sent a notice regarding the proposed subdivision: Idaho Power, Intermountain Gas, School District, Jerome County, North Side Canal Company with no comments returned. City Departments including Building,

Engineering, Fire, Public Works, and Wastewater were also given the opportunity to comment on this application. The preliminary plat was resubmitted with corrections as requested by staff.

Regarding the Lot Requirements, the site is zoned High Density Business (C-3). There is no minimum lot size requirement; however, structures must meet the C-3 setbacks. As proposed, Carl's Junior on Lot 1, meets setbacks for the zone.

Regarding Streets, all lots have access from a private drive north of Lot 1 and through easements on Lot 1 and Jack in Box to the south.

Regarding the Dedication of Streets, the application notes the existing street is and will continue to be private and will not be dedicated to the City.

Regarding Alley, the application does not propose any alleys due to the configuration of the lots.

Regarding Easements, the application materials propose easements along of lots lines as needed. The existing utility and access easements remain.

Regarding the Sewer and Water, the City Wastewater and Water Departments have reviewed the proposed subdivision and have no comment at this time. The sewer and water connections have been stubbed for connection on lot 2.

Regarding Stormwater, due to this being a commercial subdivision, there are no proposed structures at this time for Lot 2. Stormwater retention plans shall be submitted to the City for review and approval as part of the building permit application process.

Ms. Clark again stated there is existing curb, gutter and sidewalk on South Lincoln. As the commercial lot is developed, any required improvements will be applied and reviewed during the building plan review.

If approved, Ms. Clark recommended the following conditions: (a) Comply with all City Department requirements pertaining to needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; (b) A final plat shall be submitted for review and approval by the City Council prior to recording the plat at the County; and (c) Comply with all City, State and Federal Requirements.

Ms. Clark went over the layout of the property with the commission. Upon inquiry from Commissioner Holley, Ms. Clark stated since the property is already part of a subdivision, to create a lot split, they have to replat the subdivision, and in the C-3 zone, a new building would have to meet setbacks as there is no minimum lot size. This gives Carl's Junior the ability to sell the property if they would like.

Applicant Testimony: Joshua Jantz, 5725 Discovery Way, Boise, representing Clayton Jones from KM Engineering, testified via-zoom. Mr. Jantz states this is a one lot subdivision with the southern half currently vacant. They would like to subdivide the property into two lots so it will give them the flexibility to develop the southern half. The water and sewer already have access to the southern half. They also have a 24-foot easement that will go across the property from the Wal-Mart easement to the Loudon easement.

Testimony in Favor: None.

Testimony in Neutral: None.

Testimony in Opposition: None.

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the two lot commercial preliminary plat application, testimony, 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:

III. Findings

- K. The application for a two lot commercial preliminary plat is complete.
- L. The subdivision preliminary plat as presented is complete pursuant to JMC 16.16.050 and consistent with Chapter 3, Objective 1; Objective 4; and Objective 6 of the Comprehensive Plan as described in Ms. Clark's report.
- M. No evidence contradicting Ms. Clark's report was presented. And, the project, as described by Ms. Clark and by the applicant does in fact appear to promote the objectives and policies of the Comprehensive Plan in the manner described by Ms. Clark.
- N. Based upon the Staff Report and applicant's testimony, water and sewer connections are available for the plat and will connect from current systems.
- O. Based upon the Staff Report, stormwater retention/detention meets with City requirements.
- P. Based upon the Staff Report, sidewalks with curb and gutter are presently in place upon the plat.

IV. Conclusions

- A. The proposed preliminary plat is in accordance with and satisfies the requirements of Title 16, Chapter 16 of the Jerome Municipal Code.
- B. The two lot commercial preliminary plat located at Lot 4 Walmart Stores NW (31-8-17), more commonly known as 2700 South Lincoln, Jerome, Idaho, is approved on the following conditions:

1. Comply with all City Department requirements pertaining to needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements;
2. A final plat shall be submitted for review and approval by the City Council prior to recording the plat at the County; and
3. Comply with all City, State and Federal Requirements.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 14th day of September, 2021, in support of the decision of the Planning and Zoning Commission on the 24th day of August, 2021 to approve the application as specified herein is hereby made final this 14th day of September, 2021.

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

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

CITIZEN CORRESPONDENCE AND ISSUES

None

DISCUSSION PERIOD & STAFF REPORTS

Ms. Clark stated the next meeting will be on October 12th. Ms. Clark stated there may be only one meeting a month for the rest of the year unless something pressing comes up.

There being no further discussion, Acting Chairman McEntarffer closed this regular meeting at 8:37 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary