

Planning & Zoning Meeting
April 13th, 2021

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

Acting Chairman Jeff Schroeder led the audience in recitation of the pledge of allegiance.

Present were Commissioner Jeff Schroeder, Commissioner Paul Johnson, Commissioner Benjamin Reed, and Commissioner Shonna Fraser. Chairman Rod Mink appeared via zoom. Commissioner Carl McEntarffer, and Commissioner Dave Holley were excused. Also present were City Planner, Ida Clark, Legal Counsel, Ted Larsen, IT Director, Carlos Hernandez, and Secretary, Katie Elliott.

Due to the delay in the zoom meeting, Commissioner Jeff Schroeder was Acting Chairman.

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

Public Hearing for a request from Cook Realty, Inc. c/o Scott Cook, for a Special Use Permit allowing an electronic message display sign, on the property located at Lots 1 & 2, Block 85, Jerome Townsite (NE 24-8-16), more commonly known as 101 West Main Street, Jerome, Idaho.

Staff Report: Ms. Clark stated the applicant would like to install an electronic message display sign on the upper corner of the building facing West Main Street and on the South Lincoln side of the building. The property is zoned Central Business District (CBD). Section 17.32.040.Q of the Jerome Municipal Code allows electronic message displays (EMD) in all zoning districts by special use permit only.

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

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

Regarding the General Standards for Special Uses, Ms. Clark stated the Jerome Municipal Code allows an electronic message display sign with an approved special use permit in all zoning districts. The request appears to be harmonious with the objectives of Title 17 of the Jerome Municipal Code as well as the Comprehensive Plan. The application notes the design of the signs will be with a professional sign company and attached directly to the existing building. The applicant is required to meet the electronic display criteria, which will keep the sign from creating a disturbance to current and future neighbors. Main and Lincoln is a busy intersection with a stop light. Electronic signage may add to the hazards of driving. To reduce hazards and to not be disturbing, it is recommended that only the West Main side of the building display the EMD sign. An electronic message display sign will not require public facilities or services. As proposed, the electronic message display sign will not create additional requirements at public cost. This sign request will not be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fume or glare. Due to the location of the electronic message display sign, the applicant must comply with the nit code requirement for illumination and make any corrections immediately to reduce and keep glare to a minimum at the intersection. There is no change to the vehicular approaches to the property. There is no indication that the sign will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

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

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

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

Ms. Clark went over the layout of the sign on the building. Upon inquiry from Commissioner Johnson, Ms. Clark stated the recommendation is to only have one sign. Upon inquiry from Chairman Mink, Ms. Clark stated the signage calculations will be met in reference to the guidelines. They are also making a few changes regarding the other signs. Upon inquiry from Commissioner Reed, Ms. Clark stated the code states the legal name of the business can be in another language. The code asks for a translation into

English unless there is no reasonable translation available for other messages. Commissioner Reed inquired if this requirement was legal to have. Mr. Larsen suggested discussing this topic in the discussion portion of the meeting.

Applicant Testimony: Scott Cook, 152 East Main St, testified, they are asking to place two electronic signs and he is not sure if they are interested in only one sign. He is not sure if the sign is a traffic threat and he understands the code regarding the electronic sign and will follow the code. Mr. Cook stated they first were interested in the signs when he saw the First Federal sign in Twin Falls, which is a three-sided sign. He continued that these signs are scaled down. Upon inquiry from Acting Chairman Schroeder, Mr. Cook stated they would need to modify the outside of the building to make the sign look professional. Mr. Cook stated they will be repainting the building, taking down the handmade signs, and replacing those signs with professional LED illuminated signs. He continued there will not be any signs that are attached to the building through the stucco. Upon inquiry from Ms. Clark, Mr. Cook stated they would be using the existing sign cabinets and they will be updating those with new paint. Upon inquiry from Commissioner Johnson, Ms. Clark stated applicants that are changing out signs and using existing cabinets, have not been required to have design review. Upon inquiry from Commissioner Fraser, Mr. Cook stated the sign does not have the same message. He explained that the message would wrap around with the sign. Commissioner Fraser stated her concern is people would be looking to see what the sign said instead of watching traffic. Mr. Cook stated the signs would “butt-up” to each other at the corner giving it the “wrapped around” look. Upon inquiry from Schroder, Mr. Cook stated he is not interested in only one sign as it would be too expensive. Upon inquiry from Chairman Mink, Mr. Cook stated the sign on the north side would be seen by southbound traffic and the east side sign would be seen by the westbound traffic.

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

*Jim Kinsey
124 N Lincoln, Jerome*

*Supports the application
“We strongly support this special use permit and Cook’s improvements to downtown Jerome.”*

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

*Mary Anna Mitchell
152 East Avenue B, Jerome, Idaho*

Selected neutral with no other comment.

Testimony in Opposition: none

Upon inquiry from Commissioner Reed, Ms. Clark stated she sends applications out the City Staff for comment. With this application she reached out for comment from the Street Department. The street supervisor went out too see the proposed site and it was his recommendation to only have the one sign. Acting Chairman Schroeder inquired if the commission would like to table the public hearing to get more clarity from staff on what they can do to help keep the traffic concerns down. Commissioner Johnson stated it doesn't matter if there is one sign or two signs, as there will still be an electronic sign. Chairman Mink stated there should be only be a yes or no approval to the application and not a one or two sign approval.

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

Consider a request from Cook Realty, Inc. c/o Scott Cook, for a Special Use Permit allowing an electronic message display sign, on the property located at Lots 1 & 2, Block 85, Jerome Townsite (NE 24-8-16), more commonly known as 101 West Main Street, Jerome, Idaho - action item

Chairman Mink stated the south bound traffic will see the north side of the building and the west bound traffic will see the east side of the building. Extensive discussion was held on one sign versus two signs, safety concerns, First Federal sign in Twin Falls, distractions from reading the signs, and size of font. Upon inquiry from Acting Chairman Schroeder, Ms. Clark stated they will not need permission from the State Highway department.

Commissioner Fraser made a motion to approve the request from Cook Realty, Inc. c/o Scott Cook, for a Special Use Permit allowing an electronic message display sign, on the property located at Lots 1 & 2, Block 85, Jerome Townsite (NE 24-8-16), more commonly known as 101 West Main Street, Jerome, Idaho with the following conditions: Electronic message display sign will be displayed on the West Main, north facing side of the building and on the North Lincoln, east facing side of the building; Obtain any building permits before installing the sign; and Comply with all City sign requirements.

Second to the motion by Commissioner Johnson and carried.

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

Acting Chairman Schroeder called the Public Hearing to order at 7:29 p.m.

Public Hearing for a request from Yadira Godoy allowing a home occupation, a beauty salon, on the property located at Lot 16, Block 109, Jerome Townsite (NE 24-8-16), more commonly known as 500 West Avenue C, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question is currently zoned Residential 3 (R-3). The proposed use, a home occupation, requires a Special Use Permit from the Planning and Zoning Commission. In this case, the Ms. Godoy, would like to have a beauty salon, which constitutes a home occupation per JMC 17.18.050: "Home occupation - The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall be conducted entirely within a dwelling unit or accessory structure. A detached accessory structure shall be located in the rear or side yard." 17.18.050, I: Any use which changes or may change the character of the neighborhood will not be permitted.

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

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

Regarding the General Standards for Special Use, Ms. Clark stated the Planning and Zoning Code allows home occupations in the R-3 zone with an approved special use permit. The request appears to be harmonious with the objectives of the Comprehensive Plan and Title 17 of the Jerome Municipal Code. The applicant states the home occupation will be conducted in an accessory structure located in the backyard. There is an old storage shed that will be torn down and replaced with a new 25' x 34' accessory structure. Replacing the existing structure will be harmonious and appropriate with the existing and intended character of the area. There is parking available on the property in question. It does not appear that a beauty salon would be hazardous or disturbing to existing neighboring uses. This home occupation may require additional services from water and will be required to comply with any building code requirements. Other essential services already exist. There is no additional requirement at public cost for this home occupation. Regarding Standard G, which states, "Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;". The application states, no. Adequate parking is available on their property and there should not be a concern with noise or pollution. This request will not impact vehicular approaches. There are existing approaches from the back yard from South Date Street and the alleyway. The residence has parking available on their property from West C Ave. It does not appear that this home occupation will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Regarding the Home Occupation Standards;

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

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

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

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

Applicant Testimony: Yadira Godoy, 528 West Ave C, testified, she will move into 500 West Avenue C if the application is granted. Ms. Godoy stated she would like to build her own salon. She is currently working in a salon and sees an opportunity to start her own business if she is allowed. Upon inquiry from Commissioner Johnson, Ms. Godoy stated she would have one chair but would have two sinks for her clients. Ms. Godoy explained the floor plan to the commission and that only 476 square feet would be used

for home use and the remaining 350 square feet would be for the business. Upon inquiry from Acting Chairman Schroeder, Ms. Godoy stated she currently lives a block away but she will be moving into the home on the property if the application is approved.

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

Donya Barnes
509 West Avenue D, Jerome, Idaho

Supports the application
"I believe a beauty shop on this side of Jerome would be welcome!"

Testimony in Neutral: None

Testimony in Opposition: None

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

Consider a request from Yadira Godoy allowing a home occupation, a beauty salon, on the property located at Lot 16, Block 109, Jerome Townsite (NE 24-8-16), more commonly known as 500 West Avenue C, Jerome, Idaho - action item

Chairman Mink stated once they put water, sewer, and power into a building it is now an apartment and the setbacks are not met. Discussion was held on accessory structures, setbacks, inspections, permits, and what signage is allowed and not allowed for Home Occupations. Acting Chairman Schroeder stated staff recommends one year and if there are any concerns, the commission can address it at the renewal time.

Commissioner Johnson made a motion to approve the request from Yadira Godoy allowing a home occupation, a beauty salon, on the property located at Lot 16, Block 109, Jerome Townsite (NE 24-8-16), more commonly known as 500 West Avenue C, Jerome, Idaho with the following conditions: The property in question shall become the applicant's primary residence; Customers shall park on the property located on the side yard; Shall comply with any needed building and/or fire inspections; Shall obtain any necessary permits for the accessory structure and water connection; and Special use permit shall be allowed for up to one (1) year, renewable upon expiration.

Second to the motion by Commissioner Fraser and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Paul Johnson, Commissioner Benjamin Reed, and Commissioner Shonna Fraser. NAYE: Chairman Rod Mink

Acting Chairman Schroeder called the Public Hearing to order at 7:47 p.m.

Public Hearing for a request from Troy Rose for a renewal Special Use Permit, allowing a car dealership for up to twelve (12) vehicles on that parcel described as Tax 1 Block 125 JT NE 24-8-16, more commonly known as 124 West Avenue E, Jerome, Idaho.

Staff Report: Troy Rose received a special use permit for automotive sales at 124 West Avenue E on April 12, 2016 with a renewal in April of 2018. The proposal was to have 10-12 vehicles displayed in the fenced area. The materials indicated there would not be any mechanic work done on site. Additionally, it was noted someone would be on site approximately 20 hours per week to oversee the auto sales. The special use request was approved for a maximum of 12 vehicles for sale at any given time and issued for a period of two years. At the March 9, 2021 Planning & Zoning meeting, Mr. Rose requested to increase the vehicles for sale from 12 to 20. In order to meet the parking requirements for auto sales as outlined in Chapter 17.26 with the increase in cars for sale, the applicant was asked to provide the approximate square footage of the area and a layout showing parking spaces available for customers. Mr. Rose has asked to withdraw the approved SUP and instead requested to renew the SUP with up to 12 vehicles for sale. Twelve vehicles for sale allows customer parking on-site which meets City code parking requirements.

The property in question, 124 West Ave E, is currently zoned Central Business District (CBD). The proposed use, automotive sales, requires a Special Use Permit from the Planning and Zoning Commission. Ms. Clark reminded the commission that Title 8 of the JMC, the ordinance addressing nuisances which stated that vehicles placed on the property shall not be abandoned, wrecked or junked as defined in 8.16.040 of the JMC.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the request is in accordance with Chapter 7 "Economic Development" Policy 8.

Ms. Clark received the following comments from City Staff: Code Enforcement- cars need to be parked at 124 West Ave E only.

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

Upon inquiry from Commissioner Johnson, Ms. Clark stated there have not been complaints or concerns.

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

Testimony in Favor: None

Testimony in Neutral: None

Testimony in Opposition: None

There being no further testimony, Acting Chairman Schroeder closed the Public Hearing at 7:52 p.m.

Consider a request from Troy Rose for a renewal Special Use Permit, allowing a car dealership for up to twelve (12) vehicles on that parcel described as Tax 1 Block 125 JT NE 24-8-16, more commonly known as 124 West Avenue E, Jerome, Idaho - action item

Commissioner Reed made a motion to approve the request from Troy Rose for a renewal Special Use Permit, allowing a car dealership for up to twelve (12) vehicles on that parcel described as Tax 1 Block 125 JT NE 24-8-16, more commonly known as 124 West Avenue E, Jerome, Idaho with the following conditions: Vehicles shall be parked on private property and not in the public right of way; Vehicles shall be parked at 124 West Ave E only; Maximum of 12 vehicles for sale at any given time; Comply with all city, state and federal requirements; and Special Use permit shall be allowed for up to five (5) years, renewable upon expiration.

Second to the motion by Commissioner Fraser and carried.

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

Consider a Design Review for 222 South Lincoln, Jerome, Idaho - action item

Ms. Clark stated the property is located at 222 South Lincoln Ave. This is an existing building known as Cheverria's. The property is located in the Design Review Overlay

District as defined in Jerome Municipal Code Chapter 17.10.020, M. The application is proposing an exterior update to the front of the building to include stucco and updated paint in brown and burgundy as an accent color around the doors and windows. Ms. Clark reviewed the Design Review Guidelines #13 & #14. Ms. Clark stated the building currently has weathered wooden panels on the exterior where they would like to replace it with the stucco. She continued with Guideline #24 Wall Colors, as they should avoid using garish and drab colors as well as bright harsh colors. The main color is a neutral tone in brown complimented by a burgundy to accent the building. Ms. Clark showed the commission the colors that were proposed. She believed the property owners were going to leave the brick the same color and not paint it. If approved, Ms. Clark recommended the following conditions: Painting of a façade must be done in a professional manner and workmanship, using two coats or more of paint where needed. Commissioner Fraser inquired if the sides of the building were going to be painted. Ms. Clark inquired of the applicant.

Heber Toral from Legacy Stucco homes stated they would continue the color a foot and a half along the sides. He stated the sides of the buildings are cinder block but they will be a light brown. He continued the owner may also want to paint the top but it will be the same color as the front of the building. Chairman Mink stated once they paint the brick, it will not be the same color because of the texture of the brick but it will be close. Discussion was held on number of coats requested to be used. Ms. Clark reminded the Commission that a unanimous vote is required or the applicant will need to return for a Public Hearing.

Commissioner Johnson made a motion to approve the Design Review for 222 South Lincoln, Jerome, Idaho as presented with the addition that if the brick above the store front is painted, it must be the same color of the building.

Second to the motion by Commissioner Reed and carried.

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

Consent Agenda

The consent calendar consists of items that are considered to be routine in nature and will be enacted in the form of one motion. Any item can be removed from the consent calendar and heard in its regular order at the request of any commissioner or the chairman.

- A. Approve the minutes from the March 9th, 2021 regular meeting;
- B. Consider/Approve Findings of Facts for A&W Properties, LLC c/o Christopher Anderson, for a Lot Split on the property located at A-238 Jerome Townsite NE 13-8-16, more commonly known as 250 8th Avenue West, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF A&W PROPERTIES, LLC, c/o CHRISTOPHER ANDERSON FOR A LOT SPLIT ALLOWING FOR THE SPLIT OF ONE LOT INTO TWO LOTS PURSUANT TO JMC 16.16.045 OF THE REAL PROPERTY LOCATED IN THE CITY OF JEROME AND MORE PARTICULARLY DESCRIBED AS ALL OF BLOCK A-238, JEROME TOWNSITE NE 13-8-16, MORE COMMONLY KNOWN AS 520 8th AVENUE WEST, JEROME, IDAHO.

A public hearing on the application of A&W Properties, LLC, c/o Christopher Anderson, concerning the use of real property described below in Jerome, Idaho, for a lot split was held, pursuant to notice, on Tuesday, March 9, 2021, by teleconference at City Council Chambers with all members of the public, in a format allowing participants to hear the meeting, including all deliberations by commissioners and other speakers addressing the commission, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda. The physical meeting was held at 100 East Avenue A, Jerome, Idaho at City Council Chambers, 100 East Avenue A, Jerome, Idaho.

Staff Report: City Planner, Ida Clark, provided the staff report on the application. Ms. Clark stated the property in question, a parcel of land more commonly known as 520 8th Ave West containing approximately 2.5 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'; with the minimum lot size of 5,000.

As pertains to Title 16 of the JMC, the Subdivision Ordinance, the lot split is subject to Section 16.16.045.

As pertains to Jerome Comprehensive Plan, 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. The Comprehensive Plan Land Use Map designates this area as Residential High.

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 to split one lot into two (a "lot split"). Specifically: (1) the proposed lot split will not have a substantial impact on present or proposed public utilities, streets and parks; (2) it is consistent with the Comprehensive Plan; (3) both resulting lots will meet minimum size and minimum lot size requirements for the relevant zone; and (4) each lot has a minimum of twenty-five (25) feet of street frontage. No plat shall be required and the lot split may be approved by the Commission without submittal to the City

Council. If a lot split occurs, any subsequent divisions of the split land require subdivision review and approval. The application is proposing to split one lot into two. Parcel one will contain an existing home on approximately 28,285.77 square feet. Parcel two, approximately 80,462.37 square feet, has an existing mobile home in the southeast corner that will be removed from the parcel. Otherwise, the parcel is bare and can be developed. Both lots meet the required minimum lot size 5,000 square feet. The existing home meets the minimum required setbacks. The application states there will not be a substantial impact to public utilities. The property to the south and east is fully developed including curb, gutter, sidewalk, water, and sewer. Water and sewer are accessible in both 8th Ave West and N Date Street. Each lot will exceed the minimum 25' street frontage requirement per the Jerome Municipal Code. Parcel one will have access from 8th Ave West. Parcel two will access from both 8th Ave West and N Date Street. The applicant understands all lots must continue to meet setbacks, height, and frontage requirements. Any future divisions of land will require subdivision review and approval.

Ms. Clark stated there are no additional comments, from the City Staff, at this time.

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

Ms. Clark showed the site plan and went over the surrounding area with the commissioners.

Applicant Testimony: Scott Allen, JUB Engineering, 2114 Village Park, Twin Falls, testified, stating this is a lot split application and they have met with City staff several times. He stated multi-family housing is needed in the area. He stated the younger generation is wanting to own a home but most do not have the available funds, so they are renting until they can get those funds. Mr. Allen stated this multi-family housing will be held locally under one ownership. They will put in landscaping with asphalt driveways. He continued they want to get the construction plans going as soon as they can. He stated he has met with various City departments and utility companies and they are ready to go. Mr. Allen asked the Commission for approval of the lot split.

Testimony in Favor: None.

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

Donald DePew, 705 8th Avenue West, Jerome, Idaho

“Depends on what it is split for. Single wides, double wides, low rent housing no. Nice stick built housing okay.”

Testimony in Opposition: None.

There being no further testimony, Chairman Mink closed the Public Hearing at 7:10 p.m.

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

I. Findings

- A. The property described above is in the City of Jerome and is currently zoned Residential 3 (R-3).
- B. The proposed lot split will divide one lot into two lots.
- C. The request is harmonious with the objective of Chapter 3, Objectives 1 and 6 of the Jerome Comprehensive Plan in that the split will allow growth opportunities and mixed law use in a R-3 zone in the City of Jerome.
- D. It does not appear that the proposed lot split will have a substantial impact on present or proposed public utilities, streets and parks. Access will be provided to the lots by the more than ample street frontage each lot will enjoy.
- E. Minimum lot size requirements are satisfied with the split.

II. Conclusions

- A. The Commission holds this lot split to be appropriate pursuant to JMC 16.16.045.
- B. The Commission approves the application of A&W Properties, LLC c/o Christopher Anderson for a lot split of the property located at 520 8th Avenue West, Jerome, Idaho, subject to the following conditions:
 - a. The lot split shall meet all City of Jerome Department requirements pertaining to construction and any other needed improvements; and
 - b. 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 13th day of April, 2021, in support of the decision of the Planning and Zoning Commission on the 9th day of March, 2021, to approve the application as specified herein is hereby made final this 13th day of April, 2021.

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

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

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

A public hearing on the application of Troy Rose concerning that parcel commonly known as 124 West Avenue E, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, March 9, 2021, by teleconference at City Council Chambers with all members of the public, in a format allowing participants to hear the meeting, including all deliberations by commissioners and other speakers addressing the commission, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda. The physical meeting was held at 100 East Avenue A, Jerome, Idaho at City Council Chambers, 100 East Avenue A, Jerome, Idaho.

Staff Report: City Planner, Ida Clark, provided the staff a report on the application. Ms. Clark stated Troy Rose received a special use permit for automotive sales at 124 West Avenue E on April 12, 2016 with a renewal in April of 2018. The proposal was to have 10-12 vehicles displayed in the fenced area. The materials indicated there would not be any mechanic work done on site. Additionally, it was noted someone would be on site approximately 20 hours per week to oversee the auto sales. The special use request was approved for a maximum of 12 vehicles for sale at any given time and issued for a period of two years. They are requesting a renewal the special use permit and allow up to 20 vehicles.

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

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

As pertains to the City of Jerome's Comprehensive Land Use Plan, the request is in accordance with Chapter 7 "Economic Development", page 7-5, which

addresses the need and objective for business retention and expansion. The request is in accordance with Chapter 7, "Economic Development", Policy 8, which is to "continue to provide an atmosphere for successful business development".

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

If approved, Ms. Clark recommended the following conditions: (a) Vehicles shall be parked on private property and not in the public right of way; (b) Vehicles shall be parked only at 124 West Ave E; (c) Maximum of 20 vehicles for sale at any given time; (d) Comply with all city, state and federal requirements; and (e) Special Use Permit shall be allowed for up to five (5) years, renewable upon expiration.

Chairman Mink, inquired, who needed access to the storage units. Ms. Clark stated the Fire Department will need access to the units and if there are cars parked in front, they do not want to damage the cars in the event of a fire. She had previously asked if the units were rented and has not received any comment back so she would ask for Mr. Rose to address. Upon inquiry from Commissioner Johnson, Ms. Clark stated the Fire Department was aware of the fence and they did not have any concerns.

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

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

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

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

Upon inquiry from Mr. Larsen, Mr. Rose stated they have two employees who drive cars that are for sale. Mr. Larsen went over the parking requirement code with Mr. Rose and the Commissioners. They are required to have one parking space for every 500 square foot of outside display area. He stated the lack of parking may

have been a reason why they recommended twelve cars previously. Commissioner McEntarffer inquired if parking outside of the fence could be used if they had an agreement with the property owner. Mr. Larsen stated they generally do not allow them to count on street parking. If the owner of the property allows them to use outside of the fence, it could be allowed. Commissioner Reed stated there would need to be an agreement between the property owner and the applicant for this to pass.

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

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

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

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

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

Testimony in Opposition: None.

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

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

I. Findings

- A. 124 West Avenue E is in the City of Jerome and is currently zoned Central Business District (CBD).
- B. The proposed use, car dealership/automotive sales lot, requires a special use permit to operate in CBD.
- C. JMC 17.60.060 provides the standards for special use permits.
- D. The proposed use is harmonious with the general objectives of the comprehensive plan in that businesses serve a need of the community and provide convenience in a residential zone.

- E. The proposed use is harmonious and appropriate in appearance with the existing and intended character of the general vicinity in that there is no proposal to modify the exterior appearance of the property or any buildings thereon.
- F. The proposed use will not be hazardous or disturbing to existing or future neighboring uses because it will blend well with neighboring uses at Dairy Queen and the car wash.
- G. No additional public facilities will be necessary for the proposed use.
- H. The proposed use will not be detrimental to the economic welfare of the community and will not involve activities materials, equipment or conditions that will create excessive traffic, noise, smoke, fumes, glare or odors.
- I. The vehicles approaching to the property will not create an interference with traffic on surrounding public thoroughfares.
- J. The proposed use will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance.

II. Conclusions

- (1) A renewal of the special use permit is required for the applicant to be able to continue the car lot business on the described lot, located in a CBD zone for the City of Jerome.
- (2) A renewal of the special use permit allowing a used car lot in the CBD Zone is consistent with the City of Jerome Comprehensive Plan.
- (3) The Commission approves the application of Troy Rose for the renewal of a special use permit to conduct business as a car lot, on the property commonly known as 124 West Avenue E, Jerome, Idaho, subject to the following conditions:
 - a. Vehicles shall be parked on private property and not in the public right of way;
 - b. Vehicles shall be parked only at 124 West Ave E;
 - c. Maximum of 20 vehicles for sale at any given time providing the layout meets the requirement for parking;
 - d. Comply with all city, state and federal requirements; and
 - e. Special Use permit shall be allowed for up to five (5) years, renewable upon expiration.
- (4) The Commission further requires:
 - a. Any storage unit that is rented, must remain unblocked for fire access, and
 - b. written permission from the owners for of the property regarding the rental of the storage units and parking outside of the fence must be obtained and returned to Ms. Clark within 14 days.

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

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

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

Second to the motion by Commissioner Fraser and carried.

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

CITIZEN CORRESPONDENCE AND ISSUES

None

DISCUSSION PERIOD & STAFF REPORTS

Ms. Clark stated Code Enforcement has been addressing some of the properties that were discussed. She stated they met with Mr. Bennett and he has been given goals. Two of the three goals have been met.

Regarding the plat for the property on North Lincoln, there was originally four lots that were approved with the variance withdrawn. Records show there was an amendment for a fifth lot that has the easement. She is not sure how the amendment made it for final plat but it met the minimum lot requirements. Ms. Clark stated the current code does not address amendments in a subdivision. Mr. Larsen stated the amendment would not come back before the commission as long as they met all of the lot requirement. Ms. Clark stated she was not around when the amendment went through and would like to see any future amendments for additional lots come back for approval.

Regarding the Old Napa building, Ms. Clark stated the property owner requested a fire and building inspection a couple weeks ago. However, the building department never received any paperwork or documentation of what they needed to inspect so they did not complete an inspection.

Commissioner Reed inquired of the property behind St. Paul's Lutheran church on North Davis. He stated that the weeds are high and there are junked vehicles where they saw rats running around the farm equipment. Ms. Clark stated she would have Code Enforcement go and check on the property.

Ms. Clark stated they will have a meeting on April 27th and it should be a quick meeting. There are a few public hearings and she would like to finish the SUP chart overview so it can be updated. They will have a May 11th meeting and it will be a full agenda.

Discussion was held on the Design Review Guidelines regarding signs to be translated into English. Mr. Larsen gave a brief background of the Design Overlay Guidelines. Discussion included the design review process, the legality of regulating wording, contents of signs, and concerns of the community. Ms. Clark stated she was not in the Planning and Zoning department when the guidelines were proposed. She stated she would research other cities that have recently changed their code to see how it is addressed. Mr. Larsen reminded the commission that they are a legislative board and if there are concerns, they can address those concerns.

There being no further discussion, Acting Chairman Schroeder closed this regular meeting at 8:26 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary