

**JEROME COUNTY PLANNING AND ZONING COMMISSION MINUTES**  
**January 27, 2020**  
**THE JACK NELSEN CONFERENCE ROOM, JEROME COUNTY COURT HOUSE**

**CALL TO ORDER**

Chairman: Bill Baker, Chairman  
Present: Bill Baker, Chairman, Trish Heath, Tanner Johns, Brett Thompson, and Mike Tylka  
Excused: Larrey Anderson, Oscar Carranza, and Arlen Morgan  
Staff Attendees: Nancy Marshall - Administrator, Kacie Buhler, and Denice Carrillo

**BUSINESS MEETING**

Chairman Bill Baker called the meeting to order at 7:04 p.m. The Commission approved the minutes of the November 25, 2019 meeting.

**M/S/C Trish Heath made a motion to accept the November 25<sup>th</sup> minutes as written. Mike Tylka seconded the motion. Motion carried unanimously.**

Staff recommended and the Commission agreed to move Old and New Business above the scheduled hearings to fill a 10-minute gap.

**OLD BUSINESS**

Nancy Marshall discussed the Staff's proposed Legislative Action List. Nancy Marshall addressed the City of Jerome's annexation procedure. The Chapter Ten Text Amendment for Jerome's Area of City Impact is waiting on approval by the City Council scheduled for February 18<sup>th</sup>. After the approval it will be taken to the Board of County Commissioners. Chapter Six Variances will be a joint hearing with Chapter Ten. The Recreation Zone verbiage and definitions are being discussed.

**NEW BUSINESS**

Nancy Marshall discussed updating the Comprehensive Plan Appendix and future plans for moving the Future Land Use Map from the Appendix to Chapter 15.

**Recess 7:12**

**Reconvene 7:15**

**7:15 HEARING– CHAPTER 10 SECTION III, AREA OF CITY IMPACT FOR EDEN, TEXT AMENDMENT**

Bill Baker asked if there was anyone who would like to testify for the group or individually.

Michelle Taylor testified on behalf of the City of the Eden and stated her name and address for the record. She addressed the Ordinance Text Amendment change. The current use allows any type of development to come in and is inconsistent with the needs of the community and ineffective in protecting the residents. The primary intent is to preserve the agricultural base which is the surrounding area and the residents. The City of Eden Council feels that it's important to align the language and zones with Jerome County and the City of Hazelton who have completed that side. This allows the continuity of how the region is going to develop and also allows them to direct new developing areas so that it best meets municipal needs.

Mike Tylka asked Michelle Taylor if the residents in the Eden area are in favor with the Area of Impact. Michelle Taylor answered that the community has been very vocal over the process. Residents were concerned with what type of developments would be allowed within the whole Area of Impact; close to the town of Eden and outer perimeters of the Area of Impact. Whatever is being developed outside the city limits impacts everyone within the city limits and in every direction in the Area of Impact. Brett Thompson asked if the main concerns are the definitions of the Area of Impact or within the zoning and not over the actual size of the Area of Impact. Michelle Taylor answered that the size has not changed in the past twenty years.

Tim Stover testified on behalf of the City of Eden. He is the attorney for the City of Eden and is in support of both Text Amendments and the Rezone Application.

Nancy Marshall presented the Application and Staff Report. Nancy Marshall stated that the proposal was brought by herself on behalf of the County as well as the City Council of Eden. The previous Area of City Impact agreement was from 1994 and was ineffective and not utilized. Prospects of a CAFO caused back and forth opinions on expanding the Impact Area to zone out the LCO. It was explained that the Area of City Impact is an area that surrounds the city that allows them to grow in any direction while they are working on their infrastructure and the City of Eden ended up staying in their original Area of Impact. As Michelle Taylor explained, they are now putting specific zoning into that Area of Impact in the same manner as the City of Jerome and the City of Hazelton. Nancy Marshall also stated that the Commissioners had previously discussed the Text Amendment to Chapter Ten, Section Three and made a recommendation for approval to the Board of County Commissioners a year ago. Changes have been added from recent discussions on setbacks in Impact Areas. This Amendment gives the City of Eden more discretion on what surrounds their City but still give the Commissioners jurisdiction. This negotiation outlines the type of uses around their city and where they want their Residential and Industrial and what Uses would be allowed by Special Use Permits versus just a Permitted Use or not Permitted at all.

#### **DISCUSSION & DECISION**

The commission discussed the Application and motioned to recommend approval.

**M/S/C Trish Heath made a motion to recommend to the Board of County Commissioners to approve the proposed Text Amendment for Chapter 10 Section III as the Amendment has been well reviewed and designed to meet the community's overall desire for growth. The Text Amendment closely resembles that of the City of Jerome but is specific to the Eden's citizen's direction. Mike Tylka seconded the motion. Motion carried unanimously.**

#### **7:30 HEARING-- PROPOSED ZONING MAP AMENDMENT FOR THE AREA OF CITY IMPACT FOR EDEN**

Michelle Taylor stated her name and address for the record. She explained that on the City of Eden Map they would like to see the majority as City Impact Agriculture Limited (IMP-AL) that would coincide with the different types of permits that were reviewed such as Special Use Permit's, Permitted Uses, or Non-Permitted Uses. It will allow the continuity between Hazelton structures, Valley Road to the east, and to the structure in the City of Eden, and west of the city. The Light Industrial area surrounding Eden's lagoons are intended for sewer purposes.

Mike Tylka asked what was in the excluded zone. Michelle Taylor answered that its part of BLM and has no use to the City of Eden since its Government Land.

Nancy Marshall presented the Application and Staff Report. Nancy Marshall also stated that anything in the Area of City Impact residential or commercial or subdivisions would have to tie into city services or have to create their own municipal type services.

**DISCUSSION & DECISION**

The Commission discussed the Application and motioned to recommend approval of the proposal.

**M/S/C Trish Heath made a motion to recommend to the Board of County Commissioners to approve the proposed Zoning Map Amendment to the Official Zoning Map for those properties that are included within the Area of City Impact as presented. Through testimony and presented materials, it is evident that the Map Amendments are well thought out and address potential future growth as desired by the citizens of the City of Eden. Mike Tylka seconded the motion. Motion carried unanimously.**

**7:45 HEARING – PROPOSED ZONING MAP AMENDMENT FOR AREA TO BE REMOVED FROM EDEN’S AREA OF CITY IMPACT**

Nancy Marshall presented the Application and Staff Report. Staff proposes the AL Agriculture Limited Zone would be appropriate for the properties that are being excluded from the Area of City Impact. The property is public lands that show no signs of development. There has been no comment from the land owner.

**DISCUSSION & DECISION**

The Commission motioned to recommend approval of the Application.

**M/S/C Trish Heath made a motion to recommend to the Board of County Commissioners to approve the proposed Map Amendment to the Official Zoning Map for those properties that are excluded from the Area of City Impact as presented, as evidenced by presentation and materials presented, it is appropriate to exclude the AL (Agriculture Limited) Zone as noted. The Commission notes that there was no response from BLM (Bureau of Land Management). Mike Tylka seconded the motion. Motion carried unanimously.**

**RECOMMENDATION PAGES**

Bill Baker re-opened the meeting for the Commission to review the Recommendation Pages for the hearings on the Text Amendment for Chapter 10 Section III and the Zoning Map Amendments.

**M/S/C Trish Heath made a motion to approve the Recommendation Page as written for the Text Amendment to Chapter 10 Section III to the Board of County Commissioners as written. Mike Tylka seconded the motion. Motion carried unanimously.**

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M/S/C Trish Heath made a motion to approve the Recommendation Page as written to the Board of County Commissioners for the proposed Zoning Map Amendment to the Area of City Impact for the City of Eden as written. Mike Tylka seconded the motion. Motion carried unanimously.

Recess 7:58

Reconvened 8:07

M/S/C Trish Heath made a motion to approve the Recommendation Page as written to the Board of County Commissioners for the proposed Zoning Map Amendment for the area to be removed from Eden's Area of City Impact as written. Mike Tylka seconded the motion. Motion carried unanimously.

ADJOURN

M/S/C Brett Thompson made a motion to adjourn. Mike Tylka seconded the motion. Motion carried unanimously.

The meeting was adjourned at 8:08 p.m.

Respectfully Submitted,

DENICE CARRILLO

Denice Carrillo, Clerk

ATTESTED BY:

Jarvey Anderson

Chairman