

JEROME COUNTY COMMISSIONERS

Monday, March 9, 2020

PRESENT: Charles Howell, Chairman
Ben Crouch, Vice Chairman
John Crozier, Commissioner
Jane White, Deputy Clerk

Meeting convened at 9 A.M.

COMMISSIONER REPORTS

Commissioner Crouch reported from an Airport Advisory Board meeting. He said Michael Jurak of Red Baron Ag Service had told the board he was considering adding asphalt at the Hazelton Airport from his ag pit to the runway. The Commissioner also said Precision Aviation had received compliments for its services at the Jerome Airport.

Commissioner Crouch had also attended a Region IV Development meeting where the new director had reviewed the agency's budget. He stated he had also talked with Brian Erke again about trash accumulation but had not yet been able to speak with the manager of the Flying J truck stop.

Commissioners Crouch and Crozier had attended the Jerome 20/20 annual meeting. Board directors had been re-elected, and they had toured Agropur to view its expansion project. The two Commissioners had also attended an Emergency Communications Committee meeting where eight local counties participated in determining how to disseminate information about the Emergency Alert System.

Commissioner Crozier had helped at the Empty Bowls fundraiser for the South Central Community Action Partnership. He had also spoken with Jerome 20/20 Executive Director Larry Hall about the efforts of the economic development organization and Hall's attendance at the Site Selector's Guild. Commissioner Crozier had also communicated with Carla Williams about her request for a reduced speed limit near her house.

Commissioner Howell reported from his meeting with Indian tribes, Twin Falls Commissioners, and Bureau of Land Management (BLM) representatives as well as Linda Culver representing US Representative Simpson's office about the County's pending request for land conveyances from the BLM. Cultural representatives had expressed concerns, and Commissioner Howell said a decision for a conveyance might not be made by June. Another meeting was scheduled for that week.

Commissioner Crouch suggested honoring existing agreements with the tribes if ownership is transferred to the County.

Commissioner Howell said he had learned that the BLM would not allow fireworks on land it administers. He said he had given the executive director of Southern Idaho Tourism alternative firework sites for its light celebration.

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Commissioner Howell reported directors of the Southern Idaho Regional Solid Waste District had processed the Board's request to waive tire disposal fees for James Irwin. He said he had asked the District not to increase its fees to its participating counties in the next budget year because of the uncertainty of a budget freeze from the State.

Commissioner Howell said SIRCOMM (emergency communications) directors had hired White Cloud Communications to make system updates. They were also working on updating their bylaws and had discussed how many voting members to allow on the board.

Commissioner Howell had attended a seminar by the local Health District on the coronavirus and said there were no confirmed cases in Idaho. He also reported from the Mid-Snake Resource Conservation and Development (RC&D) Council that the Council has funding it can disperse to counties from applications for appropriate projects.

Commissioner Howell had also given a radio interview and had spoken with Brian Erke about his trash complaint.

PEST ABATEMENT DISCUSSION

This discussion was continued until March 16.

GOLD STAR MEMORIAL DECISION

This decision was rescheduled for March 16.

BUSINESS AND/OR ADMINISTRATIVE MATTERS

Commissioner Howell signed two catering permits for El Sombrero, Jerome, to be used March 21, 2020, and April 18, 2020, both from 6-10 P.M. at 392-B East 300 South, Jerome.

The Board signed Employee Wage Change forms to increase the salaries of Deputy Sheriffs Desea Lance and Troy Tolman for an increase in classification and a Level 3 certificate, respectively.

The Board signed a Direct Deposit Detail with a grand total of \$133,407.27 and a Payroll Claims Approval By Fund with a grand total of \$316,193.65, both dated March 3, 2020, for the February 16, 2020, through February 29, 2020, payroll period.

The Board signed leave requests for Cody Cantrell, Brent Culbertson, and Mario Umana.

SIGN CLAIMS

Commissioner Howell signed claims for the February 26, 2020, to March 10, 2020, claim cycle as follows.

BUDGET TOTALS

2/26/2020 TO 3/10/2020

#	DEPARTMENT	PAYROLL	ACCT PAY	GRAND TOTAL
1	CLERK	\$ 25,148.34	\$ 477.40	\$ 25,625.74
2	ASSESSOR	\$ 6,435.48	\$ 172.73	\$ 6,608.21
3	TREASURER	\$ 5,205.35		\$ 5,205.35
5	COMMISSIONERS	\$ 4,327.14	\$ 508.49	\$ 4,835.63
6	CORONER	\$ 407.10	\$ 500.00	\$ 907.10
10	BUILDING & GROUNDS MAINTENANCE	\$ 4,332.42	\$ 5,428.72	\$ 9,761.14
11	EMERGENCY MANAGEMENT	\$ 2,951.21	\$ 2,500.00	\$ 5,451.21
13	EXTENSION AGENT	\$ 2,941.60	\$ 3,364.43	\$ 6,306.03
14	DATA PROCESSING	\$ 1,264.50		\$ 1,264.50
15	ELECTIONS		\$ 3,364.92	\$ 3,364.92
18	GENERAL	\$ 29,832.71	\$ 9,059.81	\$ 38,892.52
21	PLANNING & ZONING	\$ 9,154.57	\$ 257.54	\$ 9,412.11
22	GIS	\$ 1,444.50	\$ 450.00	\$ 1,894.50
29	GENERAL FUND RESERVE			\$ -
30	VETERANS	\$ 567.50		\$ 567.50
	Sub Total (General Fund)	\$ 94,012.42	\$ 26,084.04	\$ 120,096.46
4	SHERIFF	\$ 50,241.25	\$ 39,049.22	\$ 89,290.47
5	SHERIFF-DETENTION	\$ 54,509.01	\$ 47,215.01	\$ 101,724.02
6	ADULT PROBATION	\$ 6,933.53	\$ 2,034.12	\$ 8,967.65
7	PROSECUTOR	\$ 18,505.83	\$ 42.88	\$ 18,548.71
8	PUBLIC DEFENDERS		\$ 15,517.43	\$ 15,517.43
9	JUVENILE PROBATION	\$ 7,987.85	\$ 606.02	\$ 8,593.87
18	GENERAL JUSTICE	\$ 55,133.70	\$ 15,990.94	\$ 71,124.64
	Sub Total (Justice Fund)	\$ 193,311.17	\$ 120,455.62	\$ 313,766.79
3	AIRPORT	\$ 4,043.62	\$ 20,665.31	\$ 24,708.93
6	DISTRICT COURT	\$ 5,199.28	4850.41	\$ 10,049.69
7	FAIR	\$ 4,579.14		\$ 4,579.14
9	CAPITAL FAIR			\$ -
11	HEALTH DISTRICT		\$ 10,987.29	\$ 10,987.29
15	ELECTION CONSOLIDATION	\$ 2,148.69		\$ 2,148.69
16	INDIGENT	\$ 2,797.65	\$ 57,743.69	\$ 60,541.34
20	REVALUATION	\$ 15,357.55	\$ 220.00	\$ 15,577.55
23	SOLID WASTE			\$ -
24	TORT			\$ -
27	WEED			\$ -
29	AMBULANCE		\$ 245,924.50	\$ 245,924.50
38	WATERWAYS BOARD			
38	WATERWAYS SHERIFF			
41	BOND REDEMPTION			
	GRAND TOTAL	\$ 321,449.52	\$ 486,930.86	\$ 808,380.38

BRENT CULBERTSON—MAINTENANCE MATTERS

Maintenance Supervisor Brent Culbertson, Clerk/Auditor/Recorder Michelle Emerson, and Chief Deputy Clerk Tracee McKim were present.

Project List: Michelle Emerson presented a list of capital expenditure needs for discussion of their priorities and expected completion dates. She said she created the list because of advice from the County's outside auditor.

Replacing Courthouse windows was determined to be a three-year project, already begun, and \$2 million was in the 2019-20 budget for jail expansion, also being pursued.

Brent Culbertson reminded the Board that the County was budgeting to replace one County parking lot every year as well as to continue maintenance on all three parking lots. He also said the County had budgeted to replace some heating and air conditioning units each year.

The current budget also allows a ten percent match to improve the Jerome Airport, with extending the runway and the taxiway within three years.

The Commissioners determined to delay plans to remodel the former jail into office space pending possible State legislative requirements and the possibility of grant funding. They also decided to ask the prosecutor of the urgency of remodeling his office.

Other yearly projects planned were IT infrastructure, maintenance shop equipment, and grounds maintenance/landscaping. Plans were set for improvements at the Fairgrounds, including replacing the grandstands, a new fair and extension office building, and a commercial kitchen.

➤ Tracee McKim asked the Commissioners to inform the auditor's office if they would like to add to the list of needs.

Tour Shop: The Commissioners inspected the new shop built for the maintenance supervisor and the new equipment purchased.

NANCY MARSHALL—PLANNING AND ZONING REPORT

Planning and Zoning Administrator Nancy Marshall was present.

Nancy Marshall read from her monthly statistics from the Planning and Zoning Office, including finances, building department inspections and projects, code enforcement, and GIS (mapping) activities and projects. She gave details of some of the zoning violation complaints.

Marshall said legislative activities in her office were working on a draft, description, and corresponding chapters to create a recreation zone and updating the Appendices in the Comprehensive Plan.

Meeting recessed at 12:10 P.M.

Chuck Wiegard was present to give the Board a 1984 decision of the Idaho Supreme Court regarding Jerome County road maintenance as a follow-up of his address to the Commissioners on January 13, 2020.

Meeting reconvened at 1:24 P.M.

TIM LARSON—AIRPORTS REPORT

Airports Manager Tim Larson was present.

Fuel Sales: Tim Larson read an explanation of fuel pricing for Precision Aviation at the Jerome Airport. He said that the price charged to Precision Aviation had been tied to the County's retail charges rather than to the County's cost. Larson said the oversight had been corrected after it was brought to his attention.

➤ The Board decided to determine how much was owed to Mark Doerr with Precision Aviation.

Commissioner Crouch asked Larson to determine how much the County is making on its airport fuel sales, and Commissioner Howell requested that he consult the Airport Advisory Board members for their recommendation of a fair profit margin.

Fuel Spill: Larson reported from a fuel spill at the Jerome Airport. He said he had followed the airport's containment plan and had notified the Department of Environmental Quality (DEQ) and the insurance company.

➤ Commissioner Howell asked Larson to evaluate whether the Airport has sufficient personal safety equipment and to add to its containment plan to call the rural fire department.

The Board asked Larson if it would be beneficial for the County to add some paving to what Mike Jurak was planning at the Hazelton Airport.

➤ It was determined Larson would consult the other pilots using the Hazelton Airport and that the Commissioners would seek advice from Airport Consultant Kent Atkin.

MARK REYES—HILLSDALE HIGHWAY DISTRICT MAPPING

Mark Reyes, mapper for the Planning and Zoning Department, Nancy Marshall, planning and zoning administrator, and Michelle Emerson, clerk/auditor/recorder, were present.

Mark Reyes presented the Board a written proposal to charge the Hillsdale Highway District for mapping. It included possibilities of mapping work for the District as well as several benefits to both the District and to the County. He said he had met with the president of the highway board, who had agreed to the County doing some GIS (mapping) work for the District and had inquired what the charges would be.

Reyes recommended the same rate the County charges the Jerome cemetery district, which is an hourly rate based on the salary of the mapping employee, with the possibility of charging mileage to the Hazelton area.

Commissioner Crouch reminded the Board it had adjusted rates charged by the sheriff's office for prisoner transport to include the cost of employee benefits.

➤ The Commissioners determined to increase the charges to the cemetery district and to charge the highway district the same.

❖ A Motion was made by Commissioner Howell to approve a \$25 an hour rate for the GIS department to Hillsdale Highway District and to the Jerome Cemetery Maintenance District. It was seconded and carried with unanimous ayes.

LOMBARD CONRAD ARCHITECTS AND STARR CORPORATION—DOCUMENT FOR JAIL EXPANSION

Present were Sheriff George Oppedyk, Chief Deputy Sheriff Gary Taylor, Jail Administrator Marisela Ibarra, and Clerk/Auditor/Recorder Michelle Emerson. Also present were Michael Arrington, Starr Corporation; and Mark Heazle and Ben Bernier, both Lombard/Conrad Architects.

Mark Heazle updated the Commissioners on plans to build an additional jail pod and shell out another one. He told about the walls planned and said the only alternate would be a grinder.

Ben Bernier said the Jail Committee and Cindy Malm, Idaho jail standards coordinator/inspector, had approved the design of the 54 additional beds. He added that the plans included a new shower design, as requested by the sheriff's department.

Mikael Arrington stated he knew that the County desired to keep the cost of the jail addition under \$2 million, but he recommended two extra doors in preparation for the third phase of the jail.

Discussion was held about the timeline for building. Heazle said he expected 90 percent of the project to be completed by August of 2020.

➤ Bernier said Lombard Conrad would move forward with bidding for the construction project.

NANCY MARSHALL—SIGN A RESOLUTION AND ORDINANCES

Planning and Zoning Administrator Nancy Marshall, Zoning Clerk Kacie Buhler, Attorney Mike Seib, and Clerk/Auditor/Recorder Michelle Emerson were present.

Sign Resolution 2020-16: Nancy Marshall presented a resolution to revise fees charged in the Planning and Zoning Office, as discussed and approved by the Board at a public hearing on March 2.

RESOLUTION 2020-16

**JEROME COUNTY RESOLUTION NO. 2020-16
AMENDING RESOLUTION 2017-1**

RESOLUTION OF THE BOARD OF JEROME COUNTY COMMISSIONERS

- WHEREAS, In accordance with the Jerome County Zoning Ordinance; The Board shall establish a Schedule of Fees, charges, and expenses as well as a collection procedure for Building Permits, Appeals, Variances, Special Use Permits, Subdivision and Livestock Confinement plan approvals, and all other matters pertaining to the administration and enforcement of this Ordinance, including required investigations, inspections, legal advertising, postage, and other expenses. The Schedule of Fees shall be posted in the office of the Administrator. Building Permit Fees shall be posted in the Building Official's Office. The Schedule of Fees may be altered or amended only by the Board. Action shall not be taken concerning an application or an appeal unless all applicable fees, charges, and expenses have been paid in full; and,
- WHEREAS, The following Schedule of Fees was reviewed and discussed in a duly noticed Public Hearing held by the Jerome County Commissioners on March 2, 2020; and,
- WHEREAS, The Board of County Commissioners moved to accept the fee schedule as presented; now,
- THEREFORE, Be it resolved that the following Schedule of Fees be used in the Planning and Zoning Department and Building Department in its permit processes.

SCHEDULE OF FEES

BUILDING PERMITS in accordance with adopted International Building Code. All site-built structures are per IBC formula, using the Building Standards as issued by ICC (International Code Council).

- Commercial Plan Review Fee 65% of Building Permit
- Residential Plan Review Fee 35% of Building Permit
- Manufactured Homes "Block set" \$200.00
- Manufactured Homes on permanent foundations 60% of site-built dwelling
- Cell Towers, (Relocation of Existing Building-NEW), Signs and other non-standard construction shall be based on Valuation
- Mechanical Permit Based on Living Space Square Footage (Residential)
- Mechanical Permit Based on Valuation (Commercial)
- One Time Inspection Fee \$65.00
- Application Processing Fee \$10.00 (Applicable on refunded fees)

Double Building Permit Fee for starting work prior to obtaining a building permit.

APPLICATIONS for Land Use Permits, Appeals, Amendments, and Variances

- Appeal \$300.00
- LCO* Expansion \$750.00 + \$0.25 per new animal unit
- LCO* Expansion (Structures Only) \$750.00
- LCO* (New) \$1,500.00 + \$0.25 per animal unit
- Reconsideration \$300.00
- Special Use Permit (SUP) \$325.00
- Variance, Board Review \$200.00
- Wind Generation Plant Permits SUP** + \$20.00 per unit
- Zoning Ordinance Map Amendment \$640.00
- Development Agreement*** \$100.00 annually through completion

* "LCO" Livestock Confinement Operation

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** "SUP" Special Use Permit
 *** with Zoning Ordinance Map Amendment

SUBDIVISION PERMITS

- Minor Final Plat Amendment \$500.00 + \$10.00 per lot
- Minor Subdivision*
 - Preliminary Plat \$300.00
 - Final Plat \$500.00 + \$10.00 per lot
- Subdivision
 - Preliminary Plat \$500.00
 - Final Plat \$700.00 + \$10.00 per lot
- Plat Extension Application to BOCC \$100.00

*Additional Fee of \$100.00 if Preliminary and Final Plat Applications are not processed simultaneously

APPLICATIONS for Administrative Permits

- Agricultural Siting Permit \$140.00 (includes notary & recording)
- Boundary Line Adjustment Permits \$125.00
- Flood Plain Development Permits \$200.00
- Land Division Permits \$180.00
- LCO* (Reduction) \$140.00
- LCO* Structure Siting Permit \$130.00
- Variance \$200.00
- Zoning Permit (Submitted w/o another permit) \$ 25.00
- Zoning Permit (with inspection) \$ 65.00
- Zoning Inspection \$ 65.00

* "LCO" Livestock Confinement Operation

PETITIONS

- Zoning Ordinance Text Amendment Petition No fee
- Comprehensive Plan Text Amendment Petition No fee

MISCELLANEOUS FEES

Fee Administration

- Bond Administration \$200.00 annually
- Deposit Administration \$ 50.00 annually
- Letter of Credit Administration \$100.00 annually
- Execution of Letter of Credit/Bond \$100.00

Reports & Certifications

- Flood Hazard Report \$ 10.00
- Zoning Certificate of Compliance \$ 25.00

Subdivision Administration

- Administrative fees City Final Plats \$ 60.00

GIS Fees

- Land Division and BLA* \$ 15.00 per lot
- Subdivision (County/City) \$ 15.00 per lot

*Boundary Line Adjustment

ADDRESS NUMBERS

- Plaque with 2 numbers \$ 3.00
- Plaque with 3 numbers \$ 4.75
- Plaque with 4 numbers \$ 6.50
- Plaque with 5 numbers \$ 8.25

COPY COSTS

- 8 ½ x 11 \$ 0.15*
- 8 ½ x 14 \$ 0.15*
- Double sided copies \$ 0.25*
- 11 x 17 \$ 0.25*
- 11 x 17 double sides \$ 0.40*
- Jerome County Comprehensive Plan \$ 20.00
- Jerome County Zoning Ordinance \$ 40.00
- Plotter Copies EXHIBIT A

*over 100 copies

PASS THROUGH FEES

The following fees shall be borne by the applicant or requesting party:

- Attorney Fees
- Consultant Fees
- County Engineer Final Plat Review Fees (per current contract)
- Map reproduction fees
- Publication Costs
- Transcripts

DATED THIS 9th DAY OF March 2020

The Fee Schedule will be in effect the date signed.

ATTEST:

/s/ Charles M. Howell
CHARLES M. HOWELL, CHAIRMAN

/s/ Michelle Emerson
MICHELLE EMERSON
Jerome County Clerk

/s/ A. Ben Crouch
A. BEN CROUCH, COMMISSIONER

(S E A L)

/s/ John Crozier
JOHN CROZIER, COMMISSIONER

Sign Ordinance 2020-1: Marshall gave the Board an ordinance to amend Chapter Six performance standards of the Jerome County Zoning Ordinance, as approved by the Commissioners on February 24.

ORDINANCE NO. 2020-1

AN ORDINANCE OF THE JEROME COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF IDAHO, SETTING FORTH UNDERLYING RECITALS, INCORPORATING RECITALS, AMENDING CHAPTER SIX OF THE JEROME COUNTY ZONING ORDINANCE, DIRECTING IMPLEMENTATION BY ADMINISTRATIVE STAFF, AND PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS, Article XII, section 2 of the Idaho Constitution authorizes Jerome County to adopt “all such local police, sanitary and other regulations as are not in conflict with its charter or with the general laws” and

WHEREAS, Idaho Code Section 31-714 authorizes the Jerome County to pass all ordinances, rules and regulations necessary for carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and that are necessary or proper to provide for the safety, promote the health and prosperity, and improve the general welfare of the inhabitants of Jerome County and all persons who may be present in Jerome County from time to time; and

WHEREAS, Idaho Code Section 67-6511 mandates Jerome County to establish through ordinance certain standards and regulations regarding zoning matters, along with the authority to amend or repeal such ordinances; and

WHEREAS, Idaho Code Section 31-715 mandates all such ordinances to be published in a newspaper circulated in the county before such will become effective; and

WHEREAS, Idaho Code Section 31-715A authorizes the board of county commissioners to publish a summary of the ordinance; and

WHEREAS, the Board of Jerome County Commissioners initiated processes for amending the Jerome County Zoning Ordinance; and

WHEREAS, a proposed amendment to the text of such ordinance were received by the Jerome County Planning and Zoning Commission; and

WHEREAS, the Jerome County Planning and Zoning Commission held a public hearing and had discussions on the proposed amendment; and after having done so, recommended to the Board of Jerome County Commissioners that the amendment be approved; and

WHEREAS, after receiving recommendations from the Jerome County Planning and Zoning Commission, the Board of Jerome County Commissioners held a public hearing and held discussions on the proposed amendment; and

WHEREAS, the requested amendment is in accordance with the Jerome County Comprehensive Plan; and

WHEREAS, all notice and hearing procedures required by the Idaho Code and the Jerome County Zoning Ordinance, specifically Chapter 21, were followed and complied with; and

WHEREAS, a verbatim record was produced from the hearings and discussions held on this matter; and

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, JEROME COUNTY, IDAHO, that effective upon approval, passage, and publication, the text of the following section of the Jerome County Zoning Ordinance is amended as indicated.

- I. The recitals above are hereby incorporated into this ordinance.
- II. CHAPTER 6 of the Jerome County Zoning Ordinance has been rewritten so that applying for a Variance is now an administrative process; the Minimum Lot Requirements have been amended; the Supplemental and Height Regulations and Supplemental General Provisions paragraphs have been removed; paragraphs have been relocated; and subsequently, the entire chapter has been renumbered.

CHAPTER 6

PERFORMANCE STANDARDS

- 6-1 GENERAL
- 6-2 DEFINITIONS
- 6-3 HOUSING DENSITY
- 6-4 LIVING QUARTERS AS AN ACCESSORY USE
- 6-5 AGRICULTURAL USES NOT REGULATED BY CHAPTER 13
- 6-6 PROVISIONS COMMERCIAL AND INDUSTRIAL USES
- 6-7 PROVISIONS FOR UNIQUE USES OF LAND
- 6-8 MINIMUM LOT REQUIREMENTS
- 6-9 SINGLE NON-CONFORMING PARCELS OR LOTS
- 6-10 VARIANCES
- 6-11 EASEMENTS
- 6-12 VIOLATIONS
- 6-1 GENERAL

The purpose of Performance Standards is to set specific conditions for various uses and to establish a classification of uses in areas where problems are encountered.

- 6-2 DEFINITIONS
- COMPOST

A stable, humus-like finished product resulting from the biological decomposition of organic materials that does not show any spike in temperature when remixed, smells earthy with no foul odors, and none of the initial materials can be identified.

COMPOSTING

The production of compost.

SEWAGE LAGOON

An open pit or impoundment, and any open delivery component thereof (e.g. drains, ditches, culverts, etc.), that are designed for the containment of municipal, residential, commercial, and industrial waste, treated or untreated, that is produced by the day to day operations of such municipality, residence, commercial or industrial enterprise.

WASTE LAGOON

An open pit or impoundment, and any open delivery component thereof (e.g. drains, ditches, culverts, etc.), that are designed for the containment of Liquid Waste Matter, treated or untreated, that is produced by the day to day operations of an LCO or other kind of animal facility.

WASTE MATTER

Any matter included in the definitions of "waste products," "dead animal," or "hazardous materials," as well as all other waste accumulation (animal, vegetable and/or other), or any combination thereof, that is putrescible or easily decomposable, such as, but not by way of limitation, manure, urine or other kinds of discarded matter.

WASTE PRODUCTS

Feed or bedding materials, such as straw, grass, hay, alfalfa, or other like products that have been abandoned or discarded, whether in piles, spread about the ground, in stacks, dilapidating or otherwise, that has no substantial market value because of it being in a used, spoiled, rotten, or molded condition; insect or rodent infested; exposed to the elements; or for other like reasons.

- 6-3 HOUSING DENSITY

The number of residential dwellings allowed in any particular zone shall be as follows:

(A-1) AGRICULTURE:

One (1) per parcel unless otherwise stated in the JCZO.

(A-L) AGRICULTURE LIMITED; (IMP-AL) CITY IMPACT AREA AGRICULTURE LIMITED; AND (IMP-RES) CITY IMPACT AREA RESIDENTIAL:

One (1) per parcel unless otherwise stated in the JCZO.

(A-2) RURAL RESIDENTIAL AND (IMP) AREA OF CITY IMPACT:

One (1) per acre unless otherwise stated in the JCZO.

(CC) COMMERCIAL CORRIDOR; (CG) COMMERCIAL GENERAL; (IL) LIGHT INDUSTRIAL; (IH) HEAVY INDUSTRIAL; (IMP-COM) CITY IMPACT AREA COMMERCIAL; AND (IMP-IND) CITY IMPACT AREA INDUSTRIAL:

Residential dwellings not allowed. Living Quarters may be permitted by Special Use Permit.

(PR) PRESERVATION:

One per parcel permitted only with a Special Use Permit.

(AR) AIRPORT:

Residential dwellings not allowed (residences for employees overseeing the airport excluded).

- 6-4 LIVING QUARTERS AS AN ACCESSORY USE

All commercial uses incorporating a Living Quarters into the business as an accessory use thereof shall require a Special Use Permit. Such Living Quarters shall be integrated into a commercial structure and shall in no event be erected as a stand-alone dwelling or residential house.

- 6-5 AGRICULTURAL USES NOT REGULATED BY CHAPTER 13

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This section shall apply to those uses specified below that are not otherwise regulated by Chapter 13 of the JCZO.

6-5.01 SOLID WASTE MATTER AND COMPOST STACKED, STORED, OR LAND APPLIED

A. IMPORTED

1. All waste matter not originating from the parcel or site where it is located, but rather is imported from an offsite location for purposes of being placed in the ground as fertilizer or otherwise, shall be mixed with the soil within twenty-one (21) days after such waste matter first arrives at the property where it is to be applied. The twenty-one (21) day time period may be extended in writing by the Administrator to a date certain for the purpose of accommodating weather-related delays. This section shall not be construed as authorization for the mixing or burying of materials that are otherwise prohibited from being so mixed with the soil or buried in the ground by Federal, State or local law.
2. During the twenty-one (21) day period described above, but prior to being mixed with the soil, the waste matter shall be stacked and stored a minimum of fifty (50) feet from any public road right-of way; fifty (50) feet from the water's edge of any canal, lateral or ditch that may return to the Snake River; three hundred (300) feet from the outer parameter of any water well; and three-hundred (300) feet from any structure of human occupancy that is not associated with the waste matter.
3. All waste matter that will not be mixed with the soil within the twenty-one (21) day period described above, shall be stacked and stored fifty (50) feet from any public road right-of way; fifty (50) feet from the water's edge of any canal, lateral or ditch that may return to the Snake River; one-thousand (1000) feet from any structure of human occupancy that is not associated with the waste matter; and three-hundred (300) feet from any water well; or fifty (50) feet if a solid berm or comparable structure, two feet in height, is installed around the wellhead to prevent runoff from contaminating the well.

B. NON-IMPORTED

1. No Waste Matter that originates on the parcel or site where it is located shall be purposely stacked by way of human labor at a location that is closer than: fifty (50) feet from the water's edge of any canal, lateral or ditch that may return to the Snake River; fifty (50) feet from all public road right-of ways; fifty (50) feet from any structure of human occupancy that is not associated with the waste matter; three hundred (300) feet from the outer parameter of any water well; or fifty (50) feet if a solid berm or comparable structure, two feet in height, is installed around the wellhead to prevent runoff from contaminating the well.
2. The minimal fifty (50) foot distance between unassociated structures of human occupancy and stacks of waste matter, as outlined in the above paragraph, shall be effective for only one hundred eighty (180) days from when the stack, or any portion thereof, was first created. Such a stack, nor any portion thereof, shall not remain located as allowed by the above paragraph for any amount of time that exceeds the one hundred eighty (180) day time period, but instead shall be either disposed of by: removing it from the parcel or site entirely; or spreading it and mixing it with the soil of the parcel or site – this, only if allowed by Federal, State or Local laws and regulations. If not disposed of, then such stack, and all portions thereof, shall be moved and relocated to a position on the parcel or site that is no closer than one thousand (1000) feet from any structure of human occupancy that is not associated with the waste matter.

C. EXCEPTIONS

This section (6-6.01) shall not apply to the following:

1. Manure piles that are not purposely stacked by way of human labor, but rather accumulate over the course of time from the natural discharges of pastured or corralled livestock.
2. Compost that is domestically made at a residential site for non-commercial purposes, and which is created from the kinds of organic matter that are typically discarded and found in residential refuse or garbage, such as, but not by way of limitation: coffee grounds; egg shells; food scraps; cooking oils or grease; stocks, stems, leaves, or skins of fruits and vegetables; pet waste; lawn, tree or plant clippings; etc.

6-5.02 WASTE LAGOONS

- A. All Waste Lagoons shall be: professionally engineered, designed and constructed to accommodate the intended volume of use; have a minimum capacity that includes provisions for a 25-year Storm event; be lined to prevent permeation and seepage; and if required, be approved by the appropriate State or Federal agency.
- B. No liquid Waste Matter shall be discharged from or otherwise allowed to leave a Waste Lagoon unless such waste is being transferred or piped in a controlled manner.
- C. Any pivotal irrigation system designed to distribute or sprinkle Liquid Waste Matter from a Waste Lagoon, shall not occur within one hundred fifty (150) feet of the outer edge or parameter of any public street; or within one hundred fifty (150) feet of the outer edge or parameter of any residential structure not associated with the irrigation system.
- D. Setbacks
The outer parameter of a Waste Lagoon shall be a minimum of:
 1. Three Hundred (300) feet from all property lines.
 2. Fifty (50) feet from the water's edge of any canal, lateral or ditch that may return to the Snake River.
 3. Fifty (50) feet from public road right of ways.

4. Three hundred (300) feet from the outer parameter of any water well; or fifty (50) feet if a solid berm or comparable structure, two feet in height, is installed around the wellhead to prevent runoff from contaminating the well.

6-5.03 ANIMAL CONFINEMENT AREAS

The outer parameter of any Animal Confinement Area shall be setback from the following as indicated:

1. Fifty (50) feet from the water's edge of any canal, lateral, or ditch that may return to the Snake River.
2. Fifty (50) feet from public road right of ways.

6-6 PROVISIONS FOR COMMERCIAL AND INDUSTRIAL USES

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious, or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this Ordinance may be undertaken and maintained if acceptable measures and safeguards to reduce such conditions to acceptable limits as established by the following performance requirements:

A. FIRE HAZARDS

Any activity involving the use or storage of inflammable or explosive materials shall be protected by adequate fire fighting and fire-prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept separate from adjacent activities for a distance that is appropriate to the potential danger involved as specified in the adopted International Fire Code.

B. RADIOACTIVITY OR ELECTRICAL DISTURBANCE

No activity shall emit radioactivity in excess of normal background radioactivity levels for the area in question; nor shall it emit any electrical disturbance that adversely affects the operation of any equipment at any point other than that of the creator of such disturbance.

C. NOISE

Noise which is found by the Administrator to be objectionable for reasons of volume, frequency, or beating shall be muffled or otherwise controlled. Air-raid sirens and related apparatus used solely for public purposes are exempt from this requirement.

D. VIBRATION

Vibration which can be sensed without the necessity of detecting instruments when one is on adjacent property shall not be permitted.

E. AIR POLLUTION

The level of air pollution shall be subject to the requirements and regulations established by the Health Authority

F. EROSION

Objectionable substances shall not be allowed to be carried onto neighboring property through a process of erosion regardless of the cause of such erosion.

G. WATER POLLUTION

Levels and types of water pollution shall be subject to the requirements and regulations established by the Health Authority.

H. ENFORCEMENT PROVISIONS

The Administrator, prior to the issuance of a Zoning Permit, may require the submission of statements and plans which indicate the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable levels and tolerances.

I. MEASUREMENT PROCEDURES

Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Institute, New York, the United States Bureau of Mines, and the Health Authority.

J. SEWAGE LAGOON

Sewage Lagoons shall meet the standards of 6-6.02 and adhere to all applicable Federal, State, and local regulations.

6-7 PROVISIONS FOR UNIQUE USES OF LAND

Certain unique uses of land pose special problems that may have detrimental influences on surrounding land uses. The following performance standards for such unique uses shall apply in addition to all other provisions of the Ordinance. All distance requirements herein below enumerated shall apply equally to all parties to the requirement. For example, Animal Clinics shall not be located closer than three hundred (300) feet from any residence except the owner's residence, and all residences except the owner's residence shall not be located closer than three hundred (300) feet from Animal Clinics.

A. ANIMAL CLINIC, ANIMAL HOSPITAL, VETERINARY OFFICE, AND KENNEL

These uses will be located at least three hundred (300) feet from any residence including motels and hotels, except the owner's residence. The Administrator may modify these requirements if the animals are completely housed in soundproof structures that screen the structures from view from the abutting residential property.

B. BOATHOUSE

1. Will be located within a shore lot.
2. Will be set back a minimum of one hundred (100) feet from the normal high-water elevation of a lake, pond, river, or stream; or the boathouse may be ten (10) feet back from the high tide mark.
3. There shall not be more than one (1) boathouse on each shore lot.
4. A boathouse will not be greater than fifteen (15) feet in height.

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5. A boathouse shall not cover a horizontal area greater than three hundred (300) square feet.
 6. A boathouse will not be located closer than ten (10) feet to any property line.
- C. **BULK STORAGE OF FLAMMABLE LIQUIDS AND GASES, ABOVE GROUND AND FOR RESALE**
1. Will be located at least three hundred (300) feet from a residential zone, a residence, motel, or hotel except for the owner's residence.
 2. Will be erected subject to the approval of the Fire Chief.
 3. Will have suitable loading and unloading spaces as well as offset parking facilities subject to the approval of the Fire Chief.
- D. **CHEMICALS, PESTICIDE, AND FERTILIZER STORAGE AND MANUFACTURING**
Will have adequate fire protection, storage area, handling, and disposal facilities as approved by the Fire Chief or Fire Marshall.
- E. **COMMERCIAL CORRIDOR (CC)**
All businesses within the Commercial Corridor Zone shall be required to submit landscaping plans for approval as part of the application together with a letter from Natural Resources Conservation Service which letter should contain recommendations regarding the landscaping plans as well as staff recommendations that lighting requirements be made on each application to avoid glare and obtrusive light and that setback requirements be recommended by the transportation department and approved by Jerome County and that all vehicles be parked to the rear or side of any buildings with no parking between the highway and any building fronting the highway.
- F. **CONTRACTOR'S YARD**
1. Will be located a minimum distance of three hundred (300) feet from any residence other than the owner's residence.
 2. Will have a screening fence around areas utilized for storage of equipment.
- G. **DRIVE-IN RESTAURANT**
1. Will be enclosed on the property line with landscaping and fencing, except for sites of ingress and egress, to prevent trash from moving onto other properties.
 2. Will have a six (6) feet high sight-obscuring fence along the property lines that adjoin a residence.
 3. Will provide for adequate trash receptacles.
 4. Will avoid the direction of night lighting toward any residence.
- H. **FILLING, GRADING, LAGOONING, DREDGING, OR OTHER EARTH MOVING ACTIVITY**
1. Will result in the smallest amount of bare ground exposed for the shortest time feasible.
 2. Will provide temporary ground cover; such as mulch.
 3. Will use diversions, silting basins, terraces, and other methods to trap sediment.
 4. Will provide lagooning in such a manner as to avoid creation of fish trap conditions.
 5. Will not result in a floodway, channel, or natural drainage way.
 6. Will construct and stabilize sides and bottoms of cuts, fills, channels, and artificial water courses to prevent erosion.
 7. Will not have below-grade excavation except for drainage ways within ten (10) feet of any lot or twenty-two (22) feet of public right-of-way and canal right-of-way.
 8. Will restore topsoil or loam to a depth of not less than four (4) inches.
- I. **GRAVEL PITS, ROCK QUARRIES, SAND PITS, CLAY PITS, AND OTHER NATURAL RESOURCES OF COMMERCIAL VALUE**
1. The extent and method of rehabilitation shall be determined in advance of issuing a zoning certificate with due consideration being given to what is suitable and compatible with the surrounding area.
 2. Upon depletion of the area, all temporary buildings and structures, except property line fences and structures for the loading, measuring, or weighing of marketable material in storage, shall be completely removed from the property.
 3. Safety fencing shall be erected around all pits that create a safety hazard.
- J. **HOME OCCUPATION**
1. The home occupation shall not exceed twenty-five (25) percent of the floor area of the primary structure and fifty (50) percent of an accessory building on the premises. The use does not change the character of the dwelling.
 2. Other than those related by blood, marriage or adoption, no more than one person may be employed in the home occupation.
 3. Inventory and supplies shall not occupy more than fifty (50) percent of the area permitted to be used as a home occupation.
 4. There shall be no exterior display or storage of goods on said premises.
 5. The outside appearance of a structure shall not be changed because there is a home occupation within it. There shall be no more than one advertising sign displayed on the premises and said sign shall not exceed four (4) square feet in area.
 6. Home occupations involving auto repair or maintenance, beauty shops or barbershops shall require a Special Use Permit.

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7. Sales and services to patrons shall be arranged by appointment and scheduled so that not more than one patron vehicle is on the premises at the same time.
 8. Two additional parking spaces shall be provided on the premises, except only one need be provided if the home occupation does not have an employee.
 9. Regardless of its location in a structure, a home occupation and/or its equipment shall not create noise, vibration, glare, fumes, odors, or electrical interference that is detectable to normal human senses in adjacent lots. No equipment, nor process which creates visual or audible interference in any radio or television receiver, on or off the premises, shall be used. No equipment or process which causes fluctuation in voltage in electrical power lines off the premises shall be used.
- K. MOBILE HOME PARK/RECREATIONAL VEHICLE PARK**
1. Will be designed, constructed, operated, and maintained so that its appearance is harmonious and appropriate to the existing and/or intended character of the general vicinity. Use as a mobile home park shall not change the essential nature of the adjacent area.
 2. Will not be hazardous or detrimental to existing or future uses in the neighborhood.
 3. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage, refuse disposal, and schools. If such services are not already available in the area of this use, the person or agent responsible for the establishment of the proposed park shall provide such services.
 4. Will be consistent with the intent and purpose of this Ordinance and the Comprehensive Plan.
 5. Vehicular approaches to the property shall be designed so that they do not create interference with traffic on surrounding streets or roads.
 6. Shall not destroy nor damage natural, scenic, or historic features of major importance.
 7. Shall meet the minimum health standards as set forth by the Health Authority.
 8. The mobile home park shall have a minimum total area of five (5) acres.
- L. OUTDOOR STORAGE OF COMMERCIAL AND INDUSTRIAL MATERIALS**
1. Shall be screened from view from any adjoining residence or residentially zoned area regardless of the presence of an interval alley or street.
 2. Shall not be located in any required front yard area.
- M. RIDING STABLES AND RIDING SCHOOLS**
1. Shall locate all stables and loafing sheds at least one hundred (100) feet from any residence other than the residence of the owner.
 2. All facilities shall be set back a distance of at least forty (40) feet from any property line.
 3. Shall be designed and located with full consideration having been given to their proximity to adjacent uses and to their affect upon adjacent and surrounding properties, specifically with respect to noise factors, odors, and storage of horse trailer.
 4. The owner or operator of such use shall have a continuing obligation to maintain adequate housekeeping practices to prevent the creation of a nuisance.
- N. RIFLE AND PISTOL RANGE**
1. Shall be designed with a backstop.
 2. Shall be designed so that no line of fire is directed toward any residence or business which lies within a radius of one (1) mile from the point of firing.
 3. Shall incorporate landscaping that is compatible with the surrounding landscape.
 4. Shall provide supervision and security measures during periods of use.
- O. SANITARY LANDFILL**
1. Shall conform to the time limits for daily operations as determined by the Board.
 2. Shall provide a bond for privately owned sites to insure compliance with the provisions of the zoning certificate.
 3. Shall provide for a paved street to the facility.
 4. Shall be supervised during the hours of operation.
- P. WRECKING YARD**
1. Shall be completely enclosed by a solid fence, eight (8) feet in height, which obscures the use from public view.
 2. Shall not store any automobile, junk, or salvage material in a location that is visible from any public right-of-way.
 3. Shall not store automobiles so that a part of the automobile rises above the level of the top edge of the obscuring fence.
 4. Shall have landscaping which is appropriate to the surrounding area.
- Q. BUILDING ADJACENT TO THE SNAKE RIVER**
- No building other than pumping stations and power plants shall be closer to the Snake River than one hundred (100) feet to a line on the side or bank of the river which is located by a level five (5) feet above the high-water mark of the natural flow created by any impounded water of the river.
- R. BUILDINGS AND DRAIN FIELDS ADJACENT TO IRRIGATION CANALS, LATERALS, AND DITCHES**
1. No buildings or structures shall be constructed or located:

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- a. Within fifteen (15) feet from the toe of a lateral or ditch, which is a constructed fill, or edge of a ten (10) foot roadway on the same side of the lateral.
 - b. Large laterals need fifty (50) feet from edge of water.
 - c. Check with North Side Canal Company, Ltd. for correct setbacks.
2. No drain field shall be constructed or located so that the closest edge of the drain field would be within fifty (50) feet of the edge of the water in a canal, lateral or ditch.

S. STORAGE RENTALS

- 1. Lighting. Any area, which is intended to be used in non-daylight hours, shall be properly illuminated to avoid accidents. Lights used to illuminate the area shall be shielded lighting and shall be arranged to reflect light away from adjoining property.
- 2. Minimum distance and setbacks for parking shall be a minimum of twenty (20) feet from any residence.
- 3. Fencing. All storage rentals shall be fenced on all sides. The fence shall be a solid structure made from materials consisting of wood, vinyl and/or concrete (including bricks or cinder blocks) and the original intended use of such materials must have been for the construction of fencing. The fence shall not be less than six (6) feet in height. It shall be maintained in good condition and shall not allow vehicular lighting to trespass upon the property used for residential purposes.

T. RECREATIONAL VEHICLE SITE

On any parcel where more than one recreational dwelling is allowed in Chapter 5 Chart 5-6, there shall be allowed, in addition to one permanent single-family dwelling, one additional recreational vehicle site functioning as a dwelling of a temporary nature by administrative permit if the following requirements are met:

- 1. A zoning permit is required for any occupancy extending beyond sixty (60) days in Jerome County.
- 2. Shall have a minimum of one (1) acre for each dwelling and recreational vehicle site.
- 3. Shall meet the Health Authority sanitary restrictions/requirements.
- 4. Shall meet setback requirements from any canal or lateral for the property that is serviced by an irrigation district.
- 5. Shall meet fire access apparatus road requirements for a property that is serviced by a fire district.
- 6. Shall meet access requirements for the property that is serviced by a highway district.
- 7. Shall meet Department of Water Resource requirements if sharing a domestic well.
- 8. Shall meet all requirements for federal, state and local codes & ordinances.

U. TEMPORARY BUILDING

Temporary building, construction trailers, equipment, and materials used only in conjunction with construction work may be permitted in any district during the period of construction, but such temporary facilities shall be removed upon completion of construction. Storage of such facilities or equipment beyond the completion date of the project shall require a Zoning Permit authorized by the Administrator.

V. FLOODPLAIN DEVELOPMENT PERMIT

Any Structure proposed in a designated floodplain shall comply with the requirements of the Jerome County Flood Damage Prevention Ordinance 2019-2.

6-8. MINIMUM LOT REQUIREMENTS

Unless otherwise stated in the JCZO, the following minimum lot/parcel requirements shall apply:

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS					
SETBACK REQUIREMENTS * †					MINIMUM LOT/ PARCEL
ZONE	MAX HEIGHT	FRONT	REAR	SIDE	AREA PER STRUCTURE WITH SEPTIC
A-1	35'	10'	10'	10'	1 Acre
A-L/IMP-AL	35'	10'	10'	10'	1 Acre
A-2/IMP-RES	35'	10'	10'	10'	1 Acre
IMP	35'	10'	10'	10'	1 Acre
CG/CC/IMP-COM	35'	10'	10'	10'	1 Acre
IL/IH/IMP-IND	35'	10'	10'	10'	1 Acre
PR	35'	10'	10'	10'	1 Acre
AR	See CH. 12	10'	10'	10'	No Requirement
ARO	See CH. 12	10'	10'	10'	1 Acre

*See Chapter 10 Impact Ordinances for Areas of City Impact.

† Lesser setbacks approved by Jerome County in a platted subdivision will be recognized.

Front yard and street side setbacks are measured from the nearest boundary of the road or street right-of-way.

- 6-8.01 **ADDITIONAL REGULATIONS**
- A. **ARCHITECTURAL PROJECTIONS**
 Open structures such as porches, canopies, balconies, platforms, carports, covered patios, and similar architectural projections shall be considered parts of the building to which they are attached, and they shall not project into the required, minimum space set aside for the front, side, and rear yards.
- B. **EXCEPTIONS TO HEIGHT REGULATION**
 The height limitations contained in the Official Schedule of District Regulations do not apply to electrical transmission and distribution lines, electrical poles and appurtenances, spires, belfries, cupolas, antennae, water tanks, ventilators, chimneys, or other appurtenances usually placed above the roof level and not intended for human occupancy; however, such height limitations do apply where such structures might constitute a hazard to the safe landing and take-off of aircraft at an established airport as regulated by Chapter 12.
- C. **UTILITIES**
 The setback limitations contained in the Official Schedule of District Regulations do not apply to utility structure(s) within the road right-of-way or an approved utility easement(s) as long as the appropriate highway district or the entity that is responsible for the maintenance of the road(s) or utility easement(s) approves the utility structure(s).
- 6-9 **SINGLE NON-CONFORMING PARCELS OR LOTS**
- A. An Original Parcel or Lot shall be exempt from the area and width requirements of Section 6-8 if such parcel or lot is smaller than the area and width requirements and cannot be made compliant by enlarging its boundary lines, or by combining the Original Parcel or Lot with an adjacent parcel or lot of the same ownership and treating the combined properties as a “single-conforming” parcel or lot. Proposed structures on an exempted parcel or lot must receive a permit for water and sewer from the health authority prior to receiving a building permit.
- B. An Original Parcel or Lot that has been combined with an adjoining parcel or lot of the same ownership for purposes of meeting the area and width requirements of Section 6-8, shall thereafter remain permanently joined and shall not be separated and sold-off on an individual basis.
- 6-10 **VARIANCES**
- 6-10.01 **APPLICABILITY**
 Only those standards identified in Chart 6-8 of the JCZO may be varied pursuant to the terms of this section.
- 6-10.02 **DEFINITIONS**
 As used in this section, the following terms shall have the following meanings:
- HARDSHIP**
 The inability to develop a site in a permitted manner because of certain characteristic of the site itself. Such characteristics may include, but are not limited to, the natural terrain of the site, established easements upon it, or certain boundary lines that form it. In no event shall such characteristics include existing development of the site or some other manufactured condition that is within the Applicant’s control to remove or change.
- VARIANCE**
 A permitted exception and change to a set standard of Chart 6-8 of the JCZO.
- 6-10.03 **PERMITTING STANDARD**
- A. Variance Permit shall not be issued, and no standard shall be varied in any manner, unless:
1. The standard to be varied is found in Chart 6-8;
 2. The standard as written causes the Applicant a Hardship, and
 3. The variance of the standard, if approved, would not be contrary to public interest or the interests of another public agency.
- B. Notwithstanding the above, no standard of Chart 6-8 of the JCZO shall be enforced if it is considered stricter than an approved, corresponding standard of another public agency that fulfills the same purpose behind the 6-8 standard.
- 6-10.04 **APPLICATION**
- A. A written application for a Variance Permit shall contain the following:
1. The Name, Address, and Telephone Number of the Applicant(s).
 2. Legal Description and current deed for the Property where the Variance is to be located.
 3. Nature and description of the Variance requested.
 4. A written description of the specific characteristic(s) of the site which cause the perceived Hardship, and if required by the Administrator, a statement as to why each characteristic is beyond the Applicant’s ability to correct so as to not require a variance.
 5. The names of all owners of lands adjoining the parcel under consideration, and a statement that each have been contacted; notified of the proposed variance; and whether any object to it.
 6. Site Plan.
 7. Building Elevation (if the Variance Permit is for height).
 8. Agency Letters as required by the Administrator.
 9. A nonrefundable fee, in an amount set by the county.
- 6-10.05 **LODGING AND FILING OF APPLICATION**

- A. The Administrator shall review all applications lodged with his office for the purpose of assuring the information and documentation required by this section has been included in or with the application. The Administrator shall notify the applicant of any missing information or documentation and shall notify the applicant that no further action on the application will be taken until the missing information or documentation has been provided. Any application that has consistently remained inactive for the ninety (90) days immediately following the above notice shall be returned to the applicant without refund of the application fee, unless otherwise authorized by the Board. A new fee shall be required for resubmitted applications.
 - B. Upon the Administrator's satisfaction, the application is complete, he shall notify the applicant of such and shall date and mark the application with the word "Filed."
 - C. Applications shall be considered and determined based upon the provisions of the JCZO in effect on the date the application is filed.
- 6-10.06 NOTICE
Notice of a filed application shall be given by the Administrator to all property owners adjoining the parcel under consideration. Such notice shall advise of the property owners' opportunity to be heard on the proposed Variance by submitting written comment to the Administrator within fourteen (14) days from the date of its filing.
- 6-10.07 APPLICATION REVIEW
- A. The filed application and submitted comments shall be reviewed by the Administrator and the decision to approve or deny the application shall be based on the following criteria for approval:
 1. A permit shall be granted if the application for the proposed Variance is complete, and complies with the standards of this chapter and other relevant ordinances.
 2. A permit shall not be granted if the application for the proposed Variance fails to comply with section 6-10.03.
 - B. In approving an application, the Administrator may require appropriate conditions to minimize adverse impacts on neighboring property. Failure to comply with any imposed condition shall be a violation of the JCZO.
 - C. The Administrator shall submit a written explanation to the Applicant regarding the final decision.
- 6-10.08 EXCEPTION
A Variance Permit Application shall not be required, and the relevant provisions of the JCZO shall not apply, if the standard to be varied is voided per the provisions of 6-10.03(B)
- 6-10.09 BOARD REVIEW
Any person aggrieved by the Administrator's decision or believing it to be made on a misinterpretation of the provisions of this section may seek Board review following the procedures outlined in Chapter 23, JCZO.
- 6-11 EASEMENTS
If any development, building, or structure is intended to be permanently placed over a recorded easement, that easement shall be terminated and the termination recorded prior to receiving a building permit.
- 6-12 VIOLATIONS
An owner of any parcel of land who does not comply with the requirements of this Chapter shall be guilty of a misdemeanor, punishable per the parameters of Chapter 20 of this Ordinance.

III. The recitals above are hereby incorporated into this ordinance.

IV. The above language of each stated section is hereby approved and adopted by the Jerome County Board of Commissioners.

V. Administrative staff and agents of Jerome County are hereby directed to take such actions as may be necessary to implement the provisions of this ordinance.

VI. Any provisions of Jerome County ordinances in conflict with the provisions of this ordinance are hereby declared to be repealed or superseded to the extent of such conflict.

VII. This amended ordinance shall be effective upon the date of its adoption. It shall be published in the official newspaper of Jerome County and be posted as provided by law.

Approved and adopted as an ordinance of Jerome County by the Board of Commissioners on the 9th day of March 2020.

JEROME COUNTY BOARD OF COMMISSIONERS

ATTEST:

/s/ Charles M. Howell

Charles M. Howell

Michelle Emerson

Michelle Emerson
Jerome County Clerk

/s/ A. Ben Crouch

A. Ben Crouch, Vice Chairman

(S E A L)

/s/ John Crozier

John Crozier

Sign Ordinance 2020-2: Marshall submitted an ordinance to amend Chapter 10, Section 1, of the Jerome County Zoning Ordinance applying to the City of Jerome, as approved by the Commissioners on February 24.

ORDINANCE NO. 2020-2

AN ORDINANCE OF THE JEROME COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF IDAHO, SETTING FORTH UNDERLYING RECITALS, INCORPORATING RECITALS, AMENDING CHAPTER TEN SECTION I OF THE JEROME COUNTY ZONING ORDINANCE, DIRECTING IMPLEMENTATION BY ADMINISTRATIVE STAFF, AND PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS, Article XII, Section 2 of the Idaho Constitution authorizes Jerome County to adopt “all such local, police, sanitary, and other regulations as are not in conflict with its charter or with the general laws; and

WHEREAS, Idaho Code Section 31-714 authorizes the Jerome County to pass all ordinances, rules and regulations necessary for carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and that are necessary or proper to provide for the safety, promote the health and prosperity, and improve the general welfare of the inhabitants of Jerome County and all persons who may be present in Jerome County from time to time; and

WHEREAS, Idaho Code Section 67-6511 mandates Jerome County to establish through ordinance certain standards and regulations regarding zoning matters, along with the authority to amend or repeal such ordinances; and

WHEREAS, Idaho Code Section 31-715 mandates all such ordinances to be published in a newspaper circulated in the county before such will become effective; and

WHEREAS, Idaho Code Section 31-715A authorizes the board of county commissioners to publish a summary of the ordinance; and

WHEREAS, the Board of Jerome County Commissioners initiated processes for amending the Jerome County Zoning Ordinance; and

WHEREAS, a proposed amendment to the text of such ordinance were received by the Jerome County Planning and Zoning Commission; and

WHEREAS, the Jerome County Planning and Zoning Commission held a public hearing and had discussions on the proposed amendment; and after having done so, recommended to the Board of Jerome County Commissioners that the amendment be approved; and

WHEREAS, after receiving recommendations from the Jerome County Planning and Zoning Commission, the Board of Jerome County Commissioners held a public hearing and held discussions on the proposed amendment; and

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WHEREAS, the requested amendment is in accordance with the Jerome County Comprehensive Plan; and

WHEREAS, all notice and hearing procedures required by the Idaho Code and the Jerome County Zoning Ordinance, specifically Chapter 21, were followed and complied with; and

WHEREAS, a verbatim record was produced from the hearings and discussions held on this matter; and

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, JEROME COUNTY, IDAHO, that effective upon approval, passage and publication, the text of the following section of the Jerome County Zoning Ordinance is amended as indicated.

- I. The recitals above are hereby incorporated into this ordinance.
- II. CHAPTER 10 SECTION I of the Jerome County Zoning Ordinance has been rewritten so that any hearing or

other action by the city which causes a change in city limits, shall stand as the basis for Exhibits “A” and “B”; as well as the County’s Zoning Map, being amended in conformance therewith. No other county action, by way of hearings or otherwise, shall be required for the incorporation of such amendments. Setbacks have been added that are specific to the area of city impact. And the following uses have been added: Animals, Confined not Regulated by Chapter 13; Plant, Light Manufacturing; and Sports, Rural Recreation Area.

CHAPTER 10
AREA of CITY IMPACT
Section I
City of Jerome

- 10-1 GENERAL
- 10-2 BOUNDARIES
- 10-3 ESTABLISHMENT, REVIEW AND AMENDMENT
- 10-4 APPLICABILITY OF JCZO
- 10-5 ANNEXATION
- 10-6 INFRASTRUCTURE
- 10-7 ZONING DISTRICTS WITHIN THE AREA OF CITY IMPACT
- 10-8 ADDITIONAL STANDARDS WITHIN ZONES
- 10-9 REGULATIONS FOR SUBDIVISION
- 10-10 REGULATIONS WITHIN ZONES
- 10-1 GENERAL

The establishment and modification of the Area of City Impact is authorized by Idaho Code Section 67-6526. The purpose of this Ordinance (the City/County Agreement) is to proactively plan for orderly and consistent development where annexation is anticipated to occur for the next ten years by providing standards for development for the growth within the Areas of City Impact; to promote the public health, safety, and the general welfare of the citizens of Jerome County; to ensure protection for municipalities and landowners against adjacent, incompatible development by establishing zoning districts; and to organize and manage growth by establishing Land Use regulations for those zones.

- 10-2 BOUNDARIES
 - A. Pursuant to the above referenced statement of purpose, Areas of City Impact are the areas designated on the Jerome County Zoning Map (attached as “Exhibit A”), and as further described in the legal description attached thereto (attached as “Exhibit B”), hereby fully incorporated by reference, copies of which are available for inspection at the Office of the Clerk of the City of Jerome, Jerome County Recorder’s Office and the Jerome County Planning & Zoning Office.
 - B. Any hearing or other action by the city which causes a change in city limits, shall stand as the basis for Exhibits “A” and “B”; as well as the County’s Zoning Map, being amended in conformance therewith. No other county action, by way of hearings or otherwise, shall be required for the incorporation of such amendments.

- C. In circumstances where a property under single ownership is divided by the boundary line of an Area of City Impact the property shall recognize the respective zones that are designated on the official Zoning Map. If the property is divided along the Area of City Impact boundary line, resulting in one parcel lying in the Area of City Impact and the other not, then each parcel will become an Original Parcel (see JCZO Chapter 14).

10-3 ESTABLISHMENT, REVIEW AND AMENDMENT

- A. Jerome County shall work cooperatively with each of its municipalities to develop and review the County's Comprehensive Plan and corresponding Ordinances for Areas of City Impact.
- B. Governing boards shall undertake a review of Agreements, Ordinances, and Comprehensive Plan policies regarding Areas of City Impact at least every 10 years, in accordance with Idaho Code §67-6526 (e).
- C. Negotiation for amendments to this Ordinance shall follow procedures outlined in State Code as well as amendment provisions for each entity's specific document or Ordinance.

10-4 APPLICABILITY OF JCZO

- A. The Jerome County Zoning Ordinance (JCZO) shall govern over those matters within Areas of City Impact that are not specifically covered by this Ordinance. In the event of conflict between this Ordinance and the JCZO, the language of this Ordinance shall control. Specifically, the application, notice and hearing procedures of the JCZO, shall control specific permits (i.e. Special Use or Land Division Permit).
- B. Notification of Public Hearings and Land Divisions within the Area of City Impact zone shall be sent to the City for review and comment. For consideration in the review process, the City shall reply no later than seven (7) days prior to the Hearing.
- C. If a recommendation is received from the City, it shall be given great weight by the County, provided it is legally and factually supported, however such recommendation shall in no way obligate the County.
- D. If no response is received, the County may proceed without a recommendation from the City.
- E. The County shall notify the City of its final decision in the matter by forwarding a copy of all final documents reflecting the action taken by the County.

10-5 ANNEXATION

Annexation by the City shall be limited to those lands lying within Areas of City Impact and shall be contiguous to the boundaries of the City. Properties not within Areas of City Impact that are contiguous to the boundary of the City shall be allowed annexation when requested by an owner, as provided for in Idaho Code, Section 50-222.

- A. Prior to annexation of land into the city, the County and City shall meet and jointly determine the renaming and/or readdressing of any previously named county road. Every attempt to maintain consistency, limit potential confusion, and assist Emergency Services in providing directions to First Responders shall be made by extending the altered name and/or addressing sequence to the nearest intersection or most logical point of termination whenever possible. The County shall continue to be the addressing authority for all properties within its jurisdiction.
- B. Upon annexation, the provisions of the JCZO shall no longer apply to the annexed area. The City shall notify the Board of County Commissioners and the Jerome County Planning & Zoning Office when annexation is being considered and when annexations are completed.

10-6 INFRASTRUCTURE

The City shall notify the County prior to placing any city infrastructure outside of the City's limits and within the County's jurisdiction.

10-7 ZONING DISTRICTS WITHIN THE AREA OF CITY IMPACT

- A. Airport Overlay Zone (ARO)

An Airport Overlay Zone (ARO) applies to those areas surrounding public/commercial airports. Purpose: to prevent the creation of aviation hazards, which endanger the health, safety, and welfare of the public, as well as users of the airport. The Airport Overlay Zone is established to protect airport airspace and prevent the encroachment of noise sensitive or incompatible land uses within certain areas of the airport. All land within both the (ARO) and Areas of City Impact shall be subject to the provisions of this Ordinance and specifically Chapter 12 of the JCZO.

- B. Agriculture Limited Zone (IMP-AL)

The Agriculture Limited Zone is intended to encourage Agricultural Uses and those activities that support agriculture while limiting livestock confinement operations. This zoning designation will also prevent premature conversion of rural land for non-agricultural development by limiting residential density.

- C. Residential (IMP-RES)

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The Residential district is intended to provide and promote residential density of one acre or less to minimize potential water, sewer, and access problems common to scattered rural residential development, and to assure that the layout of any such developments will be compatible with city standards when eventually annexed.

D. Commercial (IMP-COM)

The Commercial district is designed to accommodate and promote business developments which may differ in size and use; to encourage the grouping together of businesses, both public and semi-public, that are capable of being operated under such standards as they will be unobtrusive and not detrimental to surrounding uses. Uses permitted in this zone are those that are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare. No new residential housing would be permitted within this zone. The property along state and federal highways will be developed with strict sign standards, landscaping design, lighting and parking standards to enhance highway corridors and entrances into the community.

E. Industrial (IMP-IND)

The Industrial district is designed to provide for convenient employment centers of light manufacturing, research, and development, warehousing, and distributing. This district is intended to encourage the development of industrial uses that are clean, quiet, and entirely or almost entirely, within enclosed structures. Accessibility to transportation systems is a requirement of this district. No new residential housing would be permitted within this zone.

10-8 ADDITIONAL STANDARDS WITHIN ZONES

In addition to the customary standards found in the JCZO, the following regulations shall apply within Areas of City Impact.

10-.01 Roads

- A. The appropriate Highway District will determine infrastructure requirements for access control, public streets and roads.
- B. The City may recommend additional requirements for private roads, which the Board may impose as a condition of the permit.

10-.02 Building/Fire Codes

- A. The appropriate Fire District shall determine fire requirements within Areas of City Impact, including but not limited to requiring fire hydrants.

10-.03 Agricultural Limited (IMP-AL)

- A. Residential density shall not exceed one dwelling per parcel.
- B. Residential housing that is to be developed shall connect to municipal sewer and water systems if the property line is within 300' of the systems and if the system is accessible for connection. If sewer and water connection is not available or beyond 300 feet from the property line, septic and wells shall be allowed according to state regulations.
- C. Parcels shall be allowed one Regulated Land Division with proper application and permit as outlined in Chapter 14 of the JCZO. Only one of the Resulting Parcels therefrom shall have a single residence or residential building right. The other Resulting Parcel shall be deemed unbuildable for residential purposes and shall have such "unbuildable" status noted on the recorded Land Division Survey and Deed.
- D. Animal Unit density shall not exceed two (2) Animal Units per acre. An Animal Unit is defined in Chapter 2 of the JCZO.

10-.04 Residential (IMP-RES)

- A. Residential density may be greater than one dwelling per one acre if each home will be connected to a municipal or community sewer and water system. Land Divisions of less than 20 acres shall not be allowed without connecting into a municipal or community sewer and water system. Land Division density shall be one home per 20 acres.
- B. Residential housing that is to be developed shall connect to municipal sewer and water systems if the property line is within 300' of the systems and if the system is accessible for connection. If sewer and water connection is not available or is beyond 300 feet from the property line, septic and wells shall be allowed according to state regulations.
- C. Manufactured & Mobile Homes are permitted within this zone as long as they meet the adopted local and State codes. There is no age limitation on such homes.

10-.05 Commercial (IMP-COM)

- A. All commercial developments that require city sewer and water services shall participate in a predevelopment meeting with Jerome County, Jerome City and affected agencies before obtaining a building permit for the construction of the development.

- B. The City shall provide written approval to the County for all sewer and water hookups before a Certificate of Occupancy shall be issued to the Developer.
 - C. Commercial Development situated on State or Federal Highways shall be landscaped along the highway corridor. Lighting shall be shielded or directional and shall not trespass property lines of the developing lot or parcel. All vehicles shall be parked to the side or rear of any buildings, with no parking between the highway and any building fronting the highway, unless a landscaped berm screens parking from the view of the Highway. Proposed commercial developments shall be required to submit landscaping plans, a lighting diagram, parking diagram and a setback approval correspondence from the Idaho Transportation Department as part of any building or development application.
- 10- .06 Industrial (IMP-IND)
- A. No new residential housing would be permitted within this zone.
 - B. All Industrial developments that require city sewer and water services shall participate in a predevelopment meeting with Jerome County, Jerome City and affected agencies before obtaining a building permit for the construction of the development.
 - C. The City shall provide written approval to the County for all sewer and water hookups before a Certificate of Occupancy shall be issued to the Developer.

10-8.07 Setback Requirements

Zoning District	Front Setback	Rear Setback	Side Setback	Street Side
IMP-RES	25'	20'	10'	15'
IMP-AL	25'	20'	10'	15'
IMP-COM	25'	10'	12'	25'
IMP-IND	25'	25'	20'	20'

10-9 Regulations for Subdivision

In addition to applicable standards of the JCZO, the regulations of this section shall also apply to all Commercial and Residential Subdivisions within Areas of City Impact.

- 10- .01 Streets/Roads
 - A. All public streets/roads shall be under the jurisdiction of the appropriate Highway District. All roads and streets shall be constructed to the minimum standards of that Highway District unless the standards of the City are more stringent, then the Developer will adhere to the City's standards.
 - B. All private street/roads that will not become public streets/roads shall meet the City's standards.
- 10- .02 Curb, Gutter, and Storm Water
 - A. Lots one acre and over shall not be required to provide curb, gutter, and storm water drainage unless there is an annexation agreement stating otherwise, in which case, the construction would be based on the requirements of the City at the time the property is developed.
 - B. All lots less than one acre shall provide curb, gutter and storm water drainage based on the construction requirements of the City at the time the property is developed.
 - C. Storm water retention shall be provided by the Developer.
- 10- .03 Irrigation
 - A. Irrigation systems shall meet the standards of the Agency providing surface water for irrigation.
 - B. The City shall provide input for future considerations of providing irrigation water to the development if surface water shares will be abandoned.
- 10- .04 Fire
 - A. All fire requirements shall be under the jurisdiction of the appropriate Fire District.
 - B. Fire flow information shall be provided to the appropriate Fire District when public/municipal water systems are utilized for fire hydrants, as well as when commercial or residential uses require interior sprinklers for fire suppression.
- 10- .05 Water

- A. If the City water connection is within 300 feet of the property line and accessible, the Developer shall connect to the system.
 - B. If the City water connection is beyond 300 feet from the property line, the Developer shall either connect the development to the water system for the City or provide a community water system that may be easily connected to the water system for the City as it becomes available.
 - C. If the water system of the City is inaccessible at the time the property is developed, the Developer shall provide a community water system that may be easily connected to the water system for the City as it becomes available.
 - D. Property with an existing domestic well that is subsequently subdivided may be required to abandon the well and connect to the City's water system.
 - E. All community water systems shall be approved by the City and/or appropriate agencies before any building permits shall be issued by Jerome County.
- 10- .06 Sewage
- A. If the City sewer connection is within 300 feet of the property line and accessible, the Developer shall connect to the system.
 - B. If the City sewer connection is beyond 300 feet from the property line, the Developer shall either connect the development to the sewer system for the City or provide a community sewer system that may be easily connected to the sewer system for the City as it becomes available.
 - C. If the sewer system of the City is inaccessible at the time the property is developed, the Developer shall provide a community sewer system that may be easily connected to the sewer system for the City as it becomes available.
 - D. Property with an existing septic system that is subsequently subdivided may be required to abandon the septic system and connect to the City's sewer system.
 - E. All community sewer systems shall be approved by the City and/or appropriate agencies before any building permits shall be issued by Jerome County.

10-10 REGULATIONS WITHIN ZONES

10- .01 APPLICABILITY

Unless otherwise stated, the following regulations shall apply only to the primary Land Use of a property.

10- .02 EXPLANATION OF LAND USE CHARTS

To determine where a specific use is permitted, it is necessary to find the specific use in the Charts below. Uses are listed in the horizontal rows; zones are shown in the vertical columns and the key letters indicating the degree of permission of a use are found at the intersection of the appropriate row and column.

- A. The letter "P" indicates that a specific use is permitted in a specific zone.
- B. The letter "S" indicates that a Special Use Permit is required for that particular use to be compatible to the standard and customary uses in that particular zone.
- C. An empty square indicates that such use is not expected to occur in such zone; therefore, it is prohibited at the time of the adoption of the JCZO.
- D. The letters "NR" indicate that there is no requirement established for a particular use in a particular zone.

When several uses are combined and made part of a larger, all-encompassing land use, the most restrictive chart designation shall control for purposes of determining the appropriate zone and required application.

10- .03 LAND USES UNIDENTIFIED IN THE CHARTS

Any Land Use not identified in the charts of this Ordinance shall require a negotiation and agreement between the City and the County followed by an amendment of this Ordinance, and shall only proceed thereafter in accordance with the amendment. The amended ordinance shall mandate whether the proposed use in the various zones is: allowed free of restrictions; permitted; permitted with conditions; or prohibited. The process for amendment shall adhere to the procedures outlined in 10-3(C) of this Chapter.

10- .04 ZONING STANDARDS FOR PERMITTED LAND USES

Zoning regulations may have been established for permitted or allowable uses by Performance Standards in Chapter 6 of the JCZO, and other Chapters thereof when appropriate.

USE CATEGORY	AREA OF CITY IMPACT ZONES			
	IMP AL	IMP RES	IMP COM	IMP IND
SECTION I - CHART 10				
Airfields (Private)	S			
Aircraft Maintenance, Repair & Rebuilding	S	S	S	S
Alcohol Distillation for Production of Fuel	S			P
Alcohol & Drug Rehabilitation Facility		S	S	
Amusement Parks			S	S
Animal, Confined not regulated by Chapter 13	P	P	P	P
Animal Hospital ¹ Providing all materials and equipment are kept inside of an enclosed building and all work is performed inside an enclosed building.	S		S ¹	P
Apparel Repair & Alteration (Retail) ¹ Providing all materials and equipment are kept inside of an enclosed building and all work is performed inside an enclosed building.	P ¹	P ¹	P	P
Aquaculture	S			
Asphalt Plant	S			S
Auditorium	S	S	P	P
Bed and Breakfast	S	S	S	
Botanical Gardens & Arboretums	S	S	P	P
Building Care Contracting ¹ Providing all materials and equipment are kept inside of an enclosed building and all work is performed inside an enclosed building.	S	S	P ¹	P
Bulk Storage Flammable Liquids & Gases			S	S
Bus Facilities			P	P
Bus Shelter	P	P	P	P
Car Wash			P	P

USE CATEGORY	AREA OF CITY IMPACT ZONES			
	IMP AL	IMP RES	IMP COM	IMP IND
SECTION I - CHART 10				
Cemetery	S	S		S
Chemicals & Chemical Product Manufacturing ¹ Providing all materials and equipment are kept inside of an enclosed building and all work is performed inside an enclosed building. ⁴ controlled operation that does not generate smoke, noise, vibration, dust odor, glare, gas, air or water pollutants			S ^{1,4}	S
Civic, Fraternal, Labor & Social Organizations	S	S	P	P
Commercial Composting & Fertilizer Manufacturing	S			S
Commercial Truck Wash Facility (Agriculture)	S			
Commercial Truck Wash Facility (Non-Agricultural)			S	S
Concrete Products (Manufacturing)	S			S
Construction Trades ¹ Providing all materials and equipment are kept inside of an enclosed building and all work is performed inside an enclosed building.	S	S	P ¹	P
Crop Production	P	P	P	P
Dairy Product Processing			S	P
Day Care Facilities ⁵ in association with an existing business	S	S	S	S ⁵
Dry Cleaning, Laundering & Laundromats ¹ Providing all materials and equipment are kept inside of an enclosed building and all work is performed inside an enclosed building.			P ¹	P
Dwelling, Multi Family		S		
Dwelling, Single Family	P	P		
Dwelling, Two Family		P		
Equipment Rental			P	P
Event Center	S	S	S	S

USE CATEGORY	AREA OF CITY IMPACT ZONES			
	IMP AL	IMP RES	IMP COM	IMP IND
SECTION I - CHART 10				
Exhibition Halls	S	S	S	S
Fairgrounds	S			S
Farm & Garden Supplies (Retail or Wholesale)	S		P	P
Food Product Manufacturing	S		S	S
Freight Transfer Point	P		P	P
Frozen Food Locker			P	P
Funeral Homes & Crematoria			P	
Furniture & Fixture Manufacturing	S		S	P
Gas Station and Retail Sales Establishment ⁶ DEQ approval required for Hazardous Material Disposal Plan to obtain a Certificate of Occupancy		S	P ⁶	P ⁶
Gas Station and Vehicle Repair or Service ⁶ DEQ approval required for Hazardous Material Disposal Plan to obtain a Certificate of Occupancy		S	S ⁶	P ⁶
Gas Station, Unattended ⁶ DEQ approval required for Hazardous Material Disposal Plan to obtain a Certificate of Occupancy			P ⁶	P ⁶
Government Facilities	S	S	P	P
Governmental Protective Facilities	S	S	S	S
Health Club, Spa	S		P	P
Helipad	S			S
Historical Sites, Monuments	S	S	S	S
Home Occupation	P	P	P	P
Horticultural Services	P	S	P	P

USE CATEGORY	AREA OF CITY IMPACT ZONES			
	IMP AL	IMP RES	IMP COM	IMP IND
SECTION I - CHART 10				
Hospice, Assisted Living & Skilled Nursing Facilities	S	S	S	
Hospital, Clinics, & Related Services		S	S	S
Hotel/Motel			S	S
Hunting Preserve	S			
Kennels	S		S	P
Landfill Transfer Stations	S		S	S
Large Implements & Heavy Equipment			P	P
Libraries, Museums, Art Galleries	S	S	P	P
Livestock Feed, Grain & Feed Processing	S		S	P
Livestock Sales	S		S	S
Manufacturing Miscellaneous Products	S		S	S
Meat Product Processing (Except Rendering)	S		S	P
Mineral Products (Manufacturing)	S			S
Mobile Home Sales			P	P
Offices, Business, Financial & Professional Services	S	S	P	P
Open Parking Lot or Garage, Automobile	S	S	S	S
Open Parking Lot, Truck or Bus	S		S	P
Open Space	P	P	P	P
Park, Mobile Home		S		
Park, Recreational Vehicle		S	S	

USE CATEGORY	AREA OF CITY IMPACT ZONES			
	IMP AL	IMP RES	IMP COM	IMP IND
SECTION I - CHART 10				
Pastured Animals	P	P	P	P
Petroleum Products (Manufacturing)				S
Plant-Energy Producing, Non-Conventional	S		S	S
Plant-Industrial, Manufacturing/ Processing			S	P
Plant, Light Manufacturing			S	P
Printing & Publication	P		P	P
Railroad Buildings & Equipment	S		S	P
Religious Facilities	S	S	P	P
Restaurant/Bar			P	P
Restaurant/Retail, Drive Thru Only			S	S
Retail Sales Establishment, Indoor			P	S
Retail Sales Establishment, Outdoor	S		S	S
Rubber Products (Manufacturing)				P
Salvage Yard				S
Schools	S	S	S	S
Sewage Lagoons	S	S	S	S
Shelter Homes	S	S	S	
Site, Recreational Vehicle ⁷ A Special Use Permit required after 60 days of Residence per year per parcel.	P ⁷	P ⁷		
Small Appliance Repair	S	S	P ¹	P

USE CATEGORY	AREA OF CITY IMPACT ZONES			
	IMP AL	IMP RES	IMP COM	IMP IND
SECTION I - CHART 10				
Small Engine Repair	S	S	P ¹	P
Sports, Athletic & Recreational Facilities, Indoor	S	S	P	P
Sports, Athletic & Recreational Facilities, Outdoor	S	S	S	S
Sports Facilities, Indoor Motor Vehicle			P	P
Sports Facilities, Outdoor Motor Vehicle			S	S
Sports Facilities, Indoor Firearms	S		S	S
Sports, Rural Recreation Area	P	P	S	S
Storage Rental Units (Indoor)			P	P
Storage Rental Spaces (Outdoor)			S	P
Studio, Art, Dance, Music, Photography, Voice	S	S	P	P
Theater, Indoor			P	P
Theater, Outdoor	S		S	S
Tire Shop (Retail) ⁸ Excepting Product display, Outside storage of products or discards must be screened from view.			p ⁸	P
Transmitting Towers & Cell Towers ² complies with Idaho Safety Code ³ complies with Chapter 12 AIRPORT ZONE	S ^{2,3}		S ^{2,3}	S ^{2,3}
Trucking Facilities ⁶ DEQ approval required for Hazardous Material Disposal Plan to obtain a Certificate of Occupancy	S		S	P ⁶
Upholstery Repair	P ¹	P ¹	P ¹	P
Utility Buildings & Structures ² complies with Idaho Safety Code ³ complies with Chapter 12 AIRPORT ZONE	S ^{2,3}	S ^{2,3}	S ^{2,3}	S ^{2,3}
Utility Lines, Above Ground ² complies with Idaho Safety Code ³ complies with Chapter 12 AIRPORT ZONE	p ^{2,3}	p ^{2,3}	p ^{2,3}	p ^{2,3}

USE CATEGORY	AREA OF CITY IMPACT ZONES			
	IMP AL	IMP RES	IMP COM	IMP IND
SECTION I - CHART 10				
Utility Lines, Under Ground	P	P	P	P
Vegetable Products Processing	S		S	S
Vehicle Rental			P	P
Vehicle Repair and Service, Automobile ⁶ DEQ approval required for Hazardous Material Disposal Plan to obtain a Certificate of Occupancy			S	P ⁶
Vehicle Repair and Service, Heavy Equipment, RV, Truck & Tractor ⁶ DEQ approval required for Hazardous Material Disposal Plan to obtain a Certificate of Occupancy			S	P ⁶
Vehicle Repair and Service, Farm Equipment ⁶ DEQ approval required for Hazardous Material Disposal Plan to obtain a Certificate of Occupancy	S		S	P ⁶
Vehicle Sales and Service, Automobile ⁶ DEQ approval required for Hazardous Material Disposal Plan to obtain a Certificate of Occupancy			S	P ⁶
Vehicle Sales and Service, Heavy Equipment, RV, Truck & Tractor ⁶ DEQ approval required for Hazardous Material Disposal Plan to obtain a Certificate of Occupancy			S	P ⁶
Vehicle Sales and Service, Farm Equipment ⁶ DEQ approval required for Hazardous Material Disposal Plan to obtain a Certificate of Occupancy	S		S	P ⁶
Vehicle Sales, Automobile			P	P
Vehicle Sales, Heavy Equipment, RV, Truck & Tractor			P	P
Vehicle Sales, Farm Equipment	S		P	P
Veterinarian ¹ Providing all materials and equipment are kept inside of an enclosed building and all work is performed inside an enclosed building.	S		S ¹	P
Wholesale Sales and Warehouse, Indoor ⁹ Sales of products supporting Agricultural Uses	S ⁹		P	P
Wholesale Sales and Warehouse, Outdoor ⁹ Sales of products supporting Agricultural Uses	S ⁹		S	P

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USE CATEGORY	AREA OF CITY IMPACT ZONES			
SECTION I - CHART 10	IMP AL	IMP RES	IMP COM	IMP IND
Wholesale Warehouse and Distribution Facility ⁹ Sales of products supporting Agricultural Uses	S ⁹		S	P
Zoos	S	S	S	

¹Providing all materials and equipment are kept inside of an enclosed building and all work is performed inside an enclosed building.

²complies with Idaho Safety Code

³complies with Chapter 12 AIRPORT ZONE

⁴controlled operation that does not generate smoke, noise, vibration, dust odor, glare, gas, air or water pollutants

⁵ in association with an existing business

⁶DEQ approval required for Hazardous Material Disposal Plan to obtain a Certificate of Occupancy

⁷ A Special Use Permit required after 60 days of Residence per year per parcel.

⁸ Excepting Product display, outside storage of products or discards must be screened from view.

⁹ Sales of products supporting Agricultural Uses

10-.05 LAND USES OR ACTIONS REQUIRING SPECIFIC PERMITS

The uses or activities indicated in Chart below are permitted under a regulated process when designated by an X. An empty square indicates that such use or activity is not permitted in that zone.

	ZONES			
SECTION I CHART 10A	IMP AL	IMP RES	IMP COM	IMP IND
SPECIALIZED PERMITS				
Boundary Line Adjustment Application procedure located in JCZO Chapter 14	X	X	X	X
Land Division Application procedure located in JCZO Chapter 14	X	X	X	X
Warehoused Livestock Confinement Operations (WLCO) Application procedure located in JCZO Chapter 13A				X
Subdivision Application procedure located in JCZO Chapter 8, Chapter 10		X	X	X

- III. The recitals above are hereby incorporated into this ordinance.
- IV. The above language of each stated section is hereby approved and adopted by the Jerome County Board of Commissioners.
- V. Administrative staff and agents of Jerome County are hereby directed to take such actions as may be necessary to implement the provisions of this ordinance.
- VI. Any provisions of Jerome County ordinances in conflict with the provisions of this ordinance are hereby declared to be repealed or superseded to the extent of such conflict.
- VII. This amended ordinance shall be effective upon the date of its adoption. It shall be published in the official newspaper of Jerome County and be posted as provided by law.

Approved and adopted as an ordinance of Jerome County by the Board of Commissioners on the 9th day of March 2020.

JEROME COUNTY BOARD OF COMMISSIONERS

ATTEST:

/s/ Charles M. Howell

Charles M. Howell, Chairman

/s/ Michelle Emerson

Michelle Emerson

Jerome County Clerk

(S E A L) /s/ A. Ben Crouch

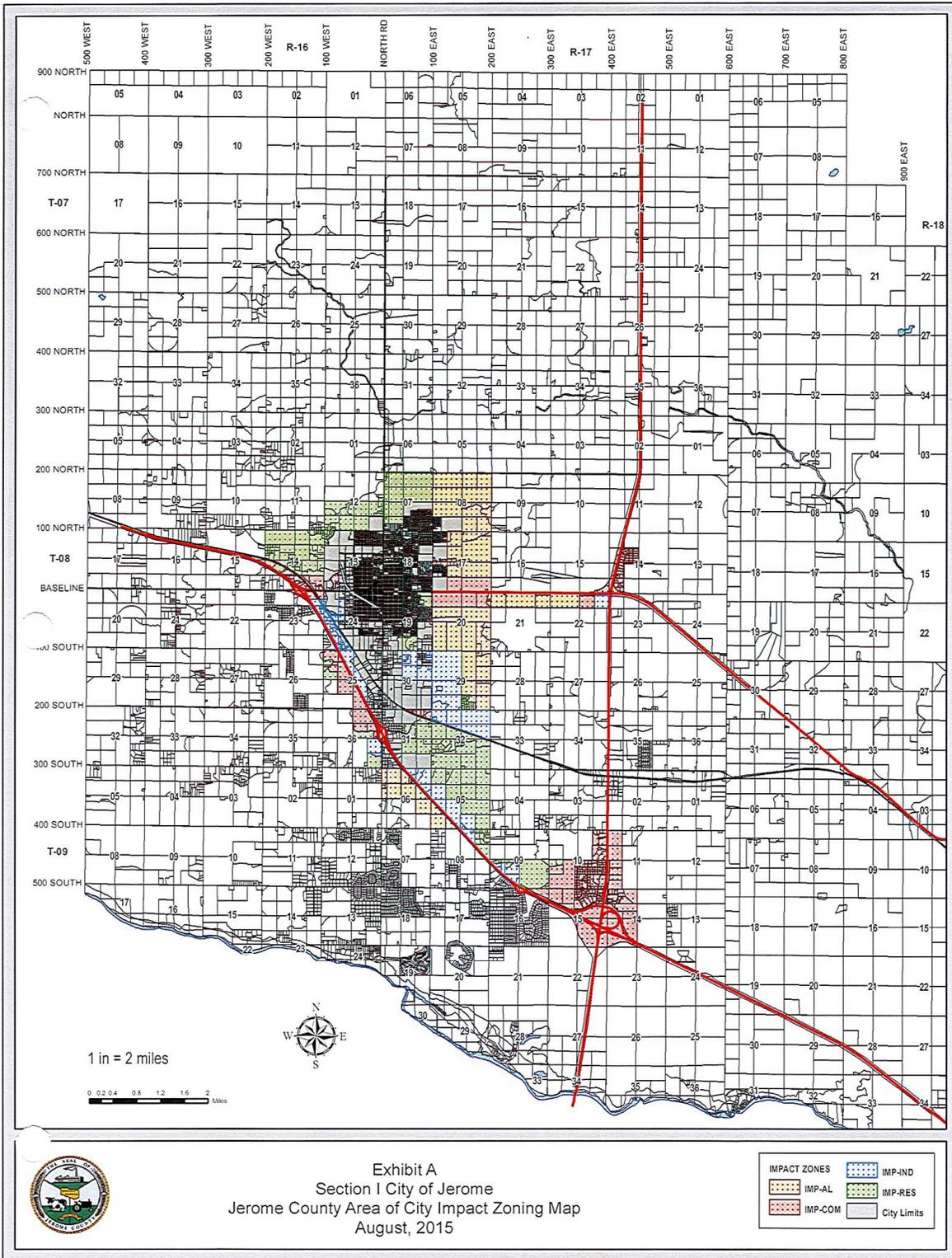
A. Ben Crouch, Vice Chairman

/s/ John Crozier

John Crozier, Commissioner

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**Legal Description for the Area of City Impact
Exhibit B
Section 1 City of Jerome**

IN Township 8 South Range 16 EBM S1/2 of Section 12 excluding the city limit of Jerome; all of Section 14 north of Interstate 84; all of Section 13 excluding the city limits of Jerome; all of Section 24 excluding the city limits of Jerome and the area west of Interstate 84; all of Section 23 northeast of Interstate 84; all of Section 25 excluding the NWSW, S1/2SW and the city limits of Jerome; NE1/4 and E1/2SE of Section 36 excluding the city limits of Jerome; IN Township 8 South Range 17 EBM all of Section 7, 8, 17, 19, 20, 29, 30, 31, 32 excluding the city limits of Jerome; N1/2N1/2 of Section 21 and 22; S1/2NW, NWSW, SWSE east of US HWY 93 and north of State HWY 25 of Section 14; IN Township 9 South Range 17 EBM Allo of Section 5; N1/2 and NESE of Section 6; All of Section 8 northeast of Interstate 84; S1/2 of Section 9 northeast of Interstate 84; S1/2 and E1/2NE of Section 10; W1/2W1/2 of Section 11; W1/2 of Section 14 northeast of Interstate 84; N1/2 of Section 15 north of Interstate 84; NE1/4 of Section 16 northeast of Interstate 84.

REZONE WORK SESSIONS FOR EDEN IMPACT AREA AND EASTSIDE

Planning and Zoning Administrator Nancy Marshall, Zoning Clerk Kacie Buhler, and Attorney Mike Seib were present. Also present were Curtis Jones and Cevin Jones.

Eden Impact Area: Nancy Marshall explained the joint public hearing with the Eden mayor and City Council scheduled for March 16. She said it would be on new ordinances and zoning map amendments being proposed to regulate the Area of City Impact for the City of Eden.

Eastside Rezoning: The Board considered the workshop they held on February 24 about proposed rezoning around Hazelton and Eden and sought Cevin Jones's opinion.

Kacie Buhler brought in a large map showing residences in the area of question.

➤ The Commissioners determined to continue a public hearing on the proposed rezoning for March 30 at 6:30 P.M. At that time, they expected to express their reasoning on the rezoning and to make a final decision.

MIKE SEIB—LEGAL COUNSEL

Attorney Mike Seib was present.

Proclamations: Commissioner Crozier sought Mike Seib's advice about setting proclamations. He said they were not law and that the federal government uses them to send messages.

Board of Community Guardians: Seib advised that the county commissioner from each of the counties forming the overseer board for the Tri-county Board of Community Guardians could meet to appoint persons to the volunteer board.

County Speed Limits: Commissioner Crozier requested a copy of the ordinance setting speed limits in the County.

Remodeling Prosecutor's Office, Continued from the morning: Commissioner Crouch asked Seib about the urgency of remodeling his office. He stated the remodeling could be delayed but that it definitely would be needed in the future because of the additional magistrate judge, which could require more attorneys, and more space needed for the victim's coordinator.

Monday, March 9, 2020

APPROVE CLAIMS

❖ A Motion was made by Commissioner Crouch to approve the claims as presented. It was seconded and carried with unanimous ayes.

The Board signed a Claims Approval Report dated March 6, 2020, for the Indigent Fund, with a grand total of \$5,258.31.

The Board signed a Claims Approval Reported dated March 6, 2020, for Court Bond Trust and Restitution-Courts Funds, with a grand total of \$3,552.19.

The Board signed a Claims Approval Reported dated March 6, 2020, with a grand total of \$440,969.46 for the following funds: General, Airport, District Court II, Justice, Health District, Indigent, Revaluation, and Ambulance.

READ AND APPROVE MINUTES

❖ A Motion was made by Commissioner Crozier to approve the minutes of February 24 and March 2 as presented. It was seconded and carried with unanimous ayes.

INDIGENT MATTERS

❖ A Motion was made by Commissioner Howell to follow staff recommendations regarding indigent matters. It was seconded and carried with unanimous ayes. Approved was Case No. 1920-024. Denied were Case Nos. 1920-032 and 1920-025.

Meeting adjourned at 4:52 P.M.

Respectively submitted:

Jane White, Deputy Clerk

Charles M. Howell, Chairman

A. Ben Crouch, Vice Chairman

John Crozier, Commissioner