

**JEROME COUNTY PLANNING AND ZONING COMMISSION
MINUTES
OCTOBER 26, 2015 7:00 p.m.
DISTRICT COURT ROOM, JEROME COUNTY COURT HOUSE**

Chairman Jack Nelsen called the meeting to order at 6:58 p.m.

Present: Chairman Jack Nelsen, Larrey Anderson, Tanner Johns, Arlen Morgan, Jim Schlund, Virgil Tinker, and Michael Tylka.

Excused: Bill Baker, Ed Brune and Trish Heath.

Staff Attendees: Art Brown, Planning and Zoning Administrator, Nancy Marshall, Sylvia Garcia and Judy Gonzalski.

Also Attending: Oscar Carranza, Ted Larsen and Cory Johnson

7:00 PM BUSINESS MEETING

Chairman Jack Nelsen opened the 7:00 pm business meeting. The Commission discussed the September 28, 2015 minutes and found them acceptable as written.

M/S/C Motion by Jim Schlund to adopt the minutes as written. Larrey Anderson seconded the motion and it carried unanimously.

The Commission and Staff discussed the proposed text amendments for an Agricultural Product Transfer Point. Mr. Brown clarified that Ag product from multiple farms is currently stored on one site requiring special use permits to store and remove the product. Mr. Brown stated since this is an agricultural area, this should be considered by the Commission as a permitted use. Ms. Marshall clarified that this would deal with product coming off of a farm and being stored somewhere that isn't necessarily associated with a farm. Staff discussed with the Commission the specific thoroughfares and zones suggested for the Agricultural Product Transfer Points. Mr. Nelsen stated they would postpone the remainder of the business meeting until later in the evening and closed the business meeting.

7:15 PM HEARING-RIM ROCK LEASING LLC-SUP-TRUCKING FACILITY, FREIGHT TRANSFER STATION AND COMMODITY STORAGE

Mr. Nelsen recused himself from the Rim Rock Leasing LLC hearing and remained in the room. Chairman Larrey Anderson opened the hearing for Rim Rock Leasing LLC's application for a Special Use Permit for a Trucking Facility, Freight Transfer Station and Commodity Storage on their property. The people testifying were sworn in. Ted Larsen, representing Rim Rock Leasing LLC, presented the application. Planning and Zoning Administrator Art Brown presented his Staff Report. Oscar Carranza gave testimony and stated he is neither in support or opposition but has concerns. There was no other testimony. Mr. Larsen returned for comment. The Commission discussed conditions. Mr. Anderson closed the hearing for further testimony.

RECESS 7:53 PM

RECONVENE 7:58 PM

7:30 PM HEARING-DAIRY FARMERS OF AMERICA INC.-SUP- MILK HAULING TRUCK SERVICE

Mr. Nelsen rejoined the Commission and opened the hearing for Dairy Farmers of America Inc., Special Use Permit for Milk Hauling Truck Service. Mr. Nelsen asked if there was any ex-parte contact. Tanner Johns recused himself from the hearing and remained in the room. The people testifying were sworn in. Cory Johnson representing Dairy Farmers of America Inc. presented the application. Mr. Brown

JEROME COUNTY PLANNING AND ZONING COMMISSION MINUTES October 26, 2015 7:00 p.m.

presented the Staff Report. Tanner Johns gave testimony in support and stated he owns the property. There was no more testimony in support or opposition. Mr. Johnson returned for comment. Mr. Brown and the Commission discussed the previous certificate of occupancy. Mr. Johns returned for comment and stated the final inspection is now done for the previous permit. Mr. Nelsen closed the Hearing for further testimony.

DECISION-DAIRY FARMERS OF AMERICA INC.

Mr. Nelsen opened for decision for Dairy Farmers of America Inc. The Commission went over the Action page and the Jerome County Zoning Ordinance (JCZO) requirements in 7-3.01.

M/S/C Jim Schlund motioned to approve Dairy Farmers of America Inc.'s request for a Special Use Permit for a Milk Hauling Truck Service on the leased property that was the subject of this hearing; with conditions as discussed 1 through 6, exhibits A1 through AG7. Reasons for the decision follow that it meets Chapter 7 section 7-3.01, based on exhibits and testimony heard tonight. The motion was seconded by Larrey Anderson and carried unanimously.

RECESS 8:49 PM

RECONVENE 9:00 PM

DECISION-RIM ROCK LEASING LLC

Mr. Nelsen recused himself and remained in the room. Mr. Johns rejoined the Commission. Mr. Anderson opened for decision for Rim Rock Leasing LLC. The Commission discussed the conditions and General Standards.

M/S/C Virgil Tinker motioned to approve Rim Rock Leasing LLC's request for a Special Use Permit for Trucking Facility, Freight Transfer Station and Commodity Storage on the property that was the subject of this hearing with conditions as discussed in exhibits A1-3 through AG3. Reasons for decision are as follows: Chapter 7 section 7-3.01 a. through i. was used to evaluate the application based on exhibits found in the file A1-AG3, as well as the testimony heard tonight, we feel the application meets the general standards. Jim Schlund seconded the motion and it carried unanimously.

Mr. Anderson closed the hearing.

WRITTEN DECISION-DAIRY FARMERS OF AMERICA INC.

Mr. Nelsen rejoined the Commission and opened the hearing for written decision of Dairy Farmers of America Inc. Mr. Johns recused himself. The Commission reviewed the written decision.

M/S/C Larrey Anderson motioned to approve the written decision as presented. Virgil Tinker seconded the motion and it carried unanimously.

Mr. Nelsen closed the hearing.

BUSINESS MEETING

The Commission and Staff discussed Chapter 15, non-conforming uses, residential structures, temporary buildings and the possibility of future changes to Chapter 15. Oscar Carranza gave testimony and stated he owns and operates the KOA campground and would like to enlarge their dwelling on premises but is presently unable to because non-conforming uses states that he is not allowed to change the size or foot print of their dwelling because it is located in a commercial zone. Mr. Carranza would like to see the change in 15-6.01B approved. The Commission discussed homes on

JEROME COUNTY PLANNING AND ZONING COMMISSION MINUTES October 26, 2015 7:00 p.m.

commercial property, conditional use permits, and home based businesses. The Commission discussed the proposed amendment for the Ag Product Transfer Point and requested input from the Highway Districts. The Administrator will make arrangements for a 6:30 meeting on November 30th. Staff discussed a new sign-in form and determined that the current method of signing in people for hearings was working and there was no need for change. The Commission and Staff then discussed Rules of procedure for conducting hearings. Staff presented an alternative to Roberts Rules of Order. Staff will present the book to Legal to review. Mr. Nelsen closed the business meeting.

WRITTEN DECISION-RIM ROCK LEASING LLC

Mr. Nelsen recused himself and remained in the room. Mr. Anderson opened the hearing for written decision. The Commission reviewed the written decision.

M/S/C Virgil Tinker motioned to approve the written decision as presented. Motion seconded by Tanner Johns and carried unanimously.

ADJOURNMENT

M/S/C Jim Schlund motioned to adjourn the meeting at 11:00 p.m. Tanner Johns seconded the motion and it carried unanimously.

Respectfully Submitted,

Administrative Assistant

ATTESTED BY:

Chairman