

JEROME COUNTY PLANNING AND ZONING COMMISSION MINUTES
March 30, 2015 7:00 p.m.
DISTRICT COURT ROOM, JEROME COUNTY COURT HOUSE

Chairman Larrey Anderson called the meeting to order at 7:01 p.m.

Present: Chairman Larrey Anderson, Ed Brune, Bill Baker, Trish Heath and Jim Schlund.

Excused: Jack Nelsen and Jeff Ross.

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

7:00 PM BUSINESS MEETING

Chairman Larrey Anderson opened the 7:00 pm business meeting for discussion. Mr. Anderson asked if everyone had read the March 12, 2015 minutes.

M/S/C Motion by Ed Brune to approve the March 12, 2015 minutes as presented. Bill Baker seconded the motion and it carried unanimously.

Mr. Anderson said the next order of business was the ITD 400 South project. Mr. Brown presented a map of the area on the overhead projector and gave an overview of the details. He discussed the connecting roads at the ½ mile sections and where the frontage road would be located.

Mr. Anderson said the next order of business would be to amend the 3/30/2015 Written Decision for 4 Season's Tree Services. Mr. Brown stated where the two spelling corrections were. Mr. Brown told the Commission the County attorney advised that the Commission needs to verbally amend the Written Decision for March 12, 2015.

M/S/C Motion by Ed Brune to amend the Written Decision; Bill Baker seconded and the motion carried unanimously.

RECESS 7:10 PM

RECONVENE 7:15 PM

7:15 PM MEETING-ABC AGRA, FINAL PLAT-RECOMMENDATION

Mr. Anderson opened the 7:15 pm meeting for ABC Agra's application for Final Plat. Scott Bybee presented the application for the Final Plat for Crossroads Point Business Center PUD #9. Mr. Bybee explained the need for lot line adjustments because of new property owners and their specific needs. He stated that 8 lots are to be reduced to 6 lots. The Commission asked if the outside boundaries would stay the same and asked Mr. Bybee to clarify that there will be a reduction in properties. Mr. Bybee said yes to both. Mr. Bybee also clarified that the road right of ways will stay the same. The Commission asked Mr. Bybee if he is ok with conditions 1 through 14. He said yes. There was no other testimony in support or opposition. Mr. Brown presented his Staff Report. Mr. Brown clarified that lot 4 has been designated for storm water run-off. Mr. Brown stated that there has been no opposition from any of the agencies. He stated that all the boundary lines did not close completely and said that Mr. Bybee would have to address that issue before the application can go before the Board of County Commissioners. Mr. Brown stated that the County Surveyor would have to approve the plan before an appointment can be made to go before the Board of County Commissioners. Mr. Bybee returned for comment. He stated that lot 4 is intended for water run-off storage. He also stated

they will be working with the surveyor to correct the problem of the property lines not closing. The Commission directed Mr. Bybee to exhibit S14 b. for Lot Line Adjustment and stated that this looked like a new lot. Mr. Bybee said they just moved lot lines around to a new configuration. Mr. Brown clarified for the Commission the moving of boundary lines and lot divisions. No one else gave testimony.

M/S/C **Trish Heath motioned to recommend to the Board of County Commissioners to approve the Final Plat for Crossroads Point Business Center PUD #9. The reasons are: there are no significant changes to the PUD; actual changes are reduction of lots from 8 to 6; no impacts voiced; it encourages development to occur with these requested changes; and we have a benefit that lot 4 will serve lots 5, 3 and 1 for drainage for storm water and others if so desired with this lot adjustment. The Staff conditions 1 through 14 shall stay as written and agreed upon by the applicant. The exhibits used with this application were A1 through 3, through S21. Ed Brune seconded the motion and it carried unanimously.**

Mr. Anderson closed the meeting.

RECESS 7:32 PM

RECONVENE 7:34 PM

7:30 PM HEARING-MAP AMENDMENT

Mr. Anderson opened the 7:30 pm hearing for Brandon Stokes and Matt Thompson's application to rezone from A1 Agriculture to IH, Heavy Industrial. Mr. Anderson asked if there was any ex parte contact. The audience was then sworn in. There were more entering the courtroom for testimony so a recess was called by Mr. Anderson.

RECESS 7:37 PM

RECONVENE 7:41 PM

Mr. Anderson re-opened the 7:30 pm hearing and the rest of the audience was sworn in. Mr. Anderson again asked if there was any ex parte contact. Mr. Thompson presented the proposal. He stated that he is not opposed to a development agreement. Mr. Thompson stated he feels there is a need to amend the zoning charts. He discussed the main access and stated which part of the property was bordered by BLM land. Mr. Thompson referred to exhibit's S13 through S19 and said this shows different uses for the zone change. He recognized the zoning goal is to reduce the loss of agriculture, and stated that they intend to use 10 acres of the land for the rendering plant and the rest for agriculture. The Commission asked Mr. Thompson what type of materials he would be rendering. Mr. Thompson stated that they would be rendering a variety of products including: animal waste, food waste, and restaurant waste. He stated the end product would be fat and bone-meal. Mr. Brown gave his Staff Report. He stated he went over the conditional zoning with Mr. Thompson. Mr. Brown asked the Commission to look at exhibit S15, Chapter 4 regarding purposes of zones. He briefly went over spot zoning with the Commission. He explained to the Commission that the Special Use Permit for the rendering plant cannot take effect until the Board of County Commissioners approves the Rezone. Those who gave testimony in favor were: Brandon Stokes, and Brian Williams. Mr. Stokes stated the

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plant would be run cleanly and said with the new technology they can eliminate up to 97% of odors. Mr. Williams said the applicant would consent to a development agreement that would limit Industrial uses at the site to rendering only. Those who gave testimony in opposition were: Steven Marshall, Mike Larsen, Matthew McKay, Shawna McKay, and Bryan McKay. Mr. Marshall stated the area is not suited for the extra traffic and said an entrance there would be dangerous. Mr. Marshall also stated concerns that chemicals from the rendering plant may be harmful to the bees he uses for his crops. Mr. Larsen agreed with Mr. Marshall that he felt it would be harmful to the bees. Mr. Larsen stated he operates close to a kill plant and the smell is pretty bad. He stated the signs for the Hearing were posted 100 feet to the North of the property from where they should have been posted. Matthew McKay stated he had worked in a chemical plant in the State of Washington. He stated he felt the wind would carry the odor far from the rendering plant. Shawna McKay stated that she doesn't want the odor added to the smells they already deal with from the dairy. She stated she understands the need for a rendering plant, but said this is not the right area to put one. She said people in the area already run the stop signs and felt the access wouldn't be safe. Bryan McKay said he has a ranch east of the project. Mr. McKay feels that the rendering plant will smell bad. He stated they were not properly informed about the Hearing. He stated he feels the traffic will be a problem since residents in the area already have issues with trying to get onto the road. He also stated he does not think the rezone will be beneficial to the area. Mr. Thompson returned for rebuttal. He said the applicant may have to install a turn lane and provide a wider access. Mr. Anderson closed the Hearing for further discussion.

RECESS 8:47 PM

RECONVENE 8:59 PM

7:45 PM, MATT THOMPSON-SPECIAL USE PERMIT

Mr. Anderson opened the 7:45 pm hearing for the application of Brandon Stokes and Matt Thompson for a Special Use Permit for a Rendering Plant. New members of the audience were sworn in. Mr. Thompson presented the application and explained the operation. Mr. Brown gave his Staff Report. Testimony in support was given by: Brandon Stokes, Justin Stokes, Jason Stokes, Jason Capps and Brian Williams. Testimony in support covered why a rendering plant in the area is important and necessary, that it would contribute to the tax base and it would create jobs. Testimony in opposition was given by: Steven Marshall, Bryan McKay, Mike Larsen, Matthew McKay, and Shawna McKay. Testimony in opposition covered: that there are better designated places in the County for this type of business, concerns with domestic wells, concerns with chemicals and concerns with odors. The Commission asked Mr. Thompson questions about the lagoon and water issues as well as fly control, soil testing, hours of operation and access issues. Mr. Thompson addressed lagoon and water issues as well as fly control, soil testing, hours of operation and access issues. Mr. Anderson closed the hearing for further testimony.

The Commission decided to return April 20, 2015 at 6pm for Recommendation and Decision for the Map Amendment and the Special Use Permit.

RECOMMENDATION

Mr. Anderson opened the meeting to review the Recommendation submitted by Staff for Crossroads Point Business Center PUD #9 for Final Plat.

M/S/C Trish Heath motioned to approve the Recommendation as written. Ed Brune seconded and the motion carried unanimously.

ADJOURNMENT

M/S/C Trish Heath motioned to adjourn the meeting at 11:36 pm Jim Schlund seconded the motion and it carried unanimously.

Respectfully Submitted,

Administrative Assistant

ATTESTED BY:

Chairman