

**JEROME COUNTY PLANNING AND ZONING COMMISSION  
MINUTES  
April 25, 2016 7:00 p.m.  
DISTRICT COURT ROOM, JEROME COUNTY COURT HOUSE**

**CALL TO ORDER**

Chairman Jack Nelsen called the meeting to order at 7:00 p.m.

Present: Jack Nelsen, Bill Baker, Patricia Heath, Tanner Johns, Arlen Morgan, Jim Schlund, Virgil Tinker, and Mike Tylka.

Excused: Larrey Anderson, Ed Brune

Staff Attendees: Art Brown, Planning and Zoning Administrator, Sylvia Garcia, Nancy Marshall, Stephanie Aslett.

**7:00 PM BUSINESS MEETING**

Chairman Jack Nelsen opened the Business Meeting. The Commission reviewed the March 28, 2016 minutes.

**M/S/C Tricia Heath motioned to approve the Minutes as written and signed by the Chairman. The motion was seconded by Mike Tylka and carried unanimously.**

Jack Nelsen asked if Art Brown had any additional business for the Commission. Art Brown then discussed some changes in the City of Hazelton Area of City Impact. Art Brown and Nancy Marshall explained the changes that they are working on. Jack Nelsen expressed concerned about the height variances in the Area of City Impact. Art Brown explained that the fire department had a problem with exceeding the 35' maximum building height standard and any change to that would have to be discussed with the fire chief. Art said he would contact the fire chief to see if we can get this changed based on the infrastructure and the ability to provide proper fire protection. Jack Nelsen expressed concerns about future businesses that could have issues with a height variance and stated that we should write this with a blessing from the airport and fire department.

**7:15 PM HEARING-Julie Schaffer Special Use Permit**

Chairman Jack Nelsen opened the hearing. Staff and members of the audience that were there to testify were sworn in. Julie Shaffer (applicant) testified as to her request for a Special Use Permit for her beauty salon. Art Brown presented the staff report and explained that they see no issues with the permit. Joe Aqueda testified in support of the permit. There was no testimony in opposition. Julie Shaffer returned for rebuttal. Jack Nelsen closed the hearing for further testimony.

**DECISION**

Chairman Jack Nelsen opened the hearing for discussion and decision for the application. Discussion was held about a temporary restroom solution. Mr. Nelsen stated for the record that the Commission considered the General Standards 7-3.01 and finds the applicant has met all of them.

**M/S/C Trish Heath motioned to approve Julie Shaffer's request for a Special Use Permit for an appointment only beauty salon located in the area as described**

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in the application and as stated meets the standards Section 7-3.01 A through I the reason for the decision is that she has met the standards as demonstrated in the exhibits A1 through 3 through AG3 and as part of the motion should meet the recommendations as laid out by Staff, 1 through 8 with the addition of number nine the applicant can modify restroom facility plans as approved by South Central Public Health Department to allow porta potty number ten the applicant will have four years to complete the project. Motion was seconded by Tanner Johns and carried unanimously.

Mr. Nelsen closed the hearing at 7:40 pm

**RECESS: 7:40 pm**

**RECONVENE: 7:47 pm**

**7:30 PM HEARING- Text Amendment - Chapter 5 Charts 5-1 & 5-6 with Affected Chapter 2, 6, and 13 Agricultural Product Transfer Point, Confined Animals not Regulated by Chapter 13, Livestock Transfer Point, Living Quarters**

Chairman Jack Nelsen opened the hearing for the Text Amendments. Art Brown presented the application for the Text Amendments. The Commission discussed the difference between temporary transfer points whether it is a single farmer or a coop of farmers. They also discussed changes to the verbiage to be placed in the recommendation page to the Board of County Commissioners. Discussion was held about the terms raw plant product and temporarily stored. The Commission edited the proposed definition to ensure no future confusion. The Commission and Staff discussed the remainder of the proposed amendments. Mr. Brown presented the remainder of the proposed amendments.

**DECISION**

Chairman Jack Nelsen continued the hearing for discussion and decision. Jack Nelsen asked Trish Heath to read all changes. Jack Nelsen discussed Chart 5-1 with concerns that Agricultural Product Transfer Points were not permitted in the CC, Commercial Corridor, zone. The Commission and Staff discussed numerous spud cellars in the Commercial Corridor on Highway 93. The Commission determined that the CC zone should allow Agricultural Freight Transfer Points with a Special Use Permit.

**M/S/C** Trish Heath motioned to recommend to the Board of County Commissioners to approve the Text Amendment changes to Chapter 5 Charts 5-1 & 5-6 with Affected Chapters 2, 6, and 13 as presented with changes on the discussion on record. It is the Commission's determination that this application is in accordance with the comprehensive plan for the following reasons, basically the definitions have clarified some of the holes in our ordinances. The Exhibits used in this decision were A1-2 through S19-21. Motion was seconded by Virgil Tinker and carried unanimously.

Mr. Nelsen closed the Hearing.

**OLD BUSINESS**

**Text Amendments- Chapter 20 and calf raising operations**

Jack Nelsen asked if this issue was being worked on with the Board of County Commissioners. Nancy Marshall explained that they are still working on the changes she believed that this should be ready in May for the work session. After the last work session they are working to get the animal units changed to be based on mature animal weights and leaving LCO permits based on actual weight. Jack Nelsen wanted to make sure that the Board of County Commissioners is on the same page with the Planning and Zoning Commission before they go to the next step. Art Brown explained the procedure to ensure that it was getting done correctly.

**WRITTEN DECISION- Julie Schaffer Special Use Permit**

Jack Nelsen opened the meeting to review and approve the written decision.

**M/S/C Trish Heath motioned to approve the written decision as corrected and signed by the Chairman. The motion was seconded by Mike Tylka and carried unanimously.**

**RECOMMENDATION PAGE- Chapter 5 Charts 5-1 & 5-6 with Affected Chapter 2, 6, and 13 Agricultural Product Transfer Point, Confined Animals not Regulated by Chapter 13, Livestock Transfer Point, Living Quarters.**

Jack Nelsen opened the meeting to review and approve the recommendation page.

**M/S/C Trish Heath motioned to approve the recommendation page as presented. The motion was seconded by Virgil Tinker and carried unanimously.**

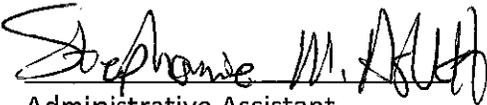
**NEW Business**

Jack Nelsen asked about the May meeting. Art Brown clarified that the May meeting will be held on May 23<sup>rd</sup> which will be the third Monday due to Memorial Day. No other business was discussed.

**ADJOURNMENT**

**M/S/C Motion made by Jim Schlund to adjourn the meeting at 9:04 p.m. Motion was seconded by Mike Tylka and carried unanimously.**

Respectfully Submitted,

  
Administrative Assistant

ATTESTED BY:



Chairman