

**Planning & Zoning Minutes**  
**February 28, 2012**

**Call to Order:** Chairman Mink called the regular Planning & Zoning meeting to order at 7:00 pm.

Attending are Chairman Rod Mink, Commissioners Carl McEntarffer, Scott Lebsack, Angel Murillo, and Matt Jacobson. Also attending are P&Z Administrator Micah Austin, Administrative Assistant Paula Thompson, and legal counsel Brian Williams.

**Approval of regular meeting minutes:** The January 24, 2012 regular meeting minutes were approved as presented.

**Citizen Correspondence & Issues:** Former board member, Councilman Dale Ross thanked board members for friendships formed and the opportunity of serving on the Planning and Zoning board. He wished the board continued success in their endeavors.

Chairman Mink welcomed new board members Angel Murillo and Matt Jacobson. They each introduced themselves to board members.

**Consider:** Findings of Facts and Conclusions of Law regarding Dub Beem's approved request for a Special Use Permit. Brian reviewed, in full, and presented the following document.

**FINDINGS AND CONCLUSIONS ON APPLICATION OF DUB (DELBERT) BEEM  
FOR A SPECIAL USE PERMIT ALLOWING FOR GRAZING ANIMALS ON THAT  
PARCEL COMMONLY KNOWN AS 705 NORTH FIR, JEROME, IDAHO 83338**

A public hearing on the application of Dub (Delbert) Beem concerning that parcel commonly known as 705 North Fir, Jerome, Idaho, for a special use permit allowing for grazing animals on R-3 zoned property was held, pursuant to notice, commencing at 7:19 p.m. on Tuesday, January 24, 2012 at City Council Chambers, 100 East Avenue A, Jerome, Idaho. Mr. Beem presented the application via telephone. Commissioner McEntarffer inquired of the applicant during the presentation. No testimony in favor or in opposition of the application was offered. Micah Austin, Jerome City Planning and Zoning Administrator, then offered testimony concerning the application's compliance with Jerome City Ordinances and the city's Comprehensive Plan. No further testimony or comment was presented at the hearing.

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the application, Mr. Austin's report, and the other documents and material in the file, and having heard the testimony given verbally at the hearing enters its findings and conclusions as follows:

**I. Findings**

- A. 705 North Fir, Jerome, Idaho is zoned R-3, which requires a special use permit for the use contemplated by the instant application.
- B. Presently, the subject property includes a pasture area where animals have grazed in years past.
- C. The proposed use contemplated by the application would permit no more than five (5) calves or sheep, with no individual animal weighing more than 500 lbs..
- D. The subject property is presently fenced.
- E. The application for a special use permit complies with the City of Jerome Comprehensive Plan, as it related to rural residential land uses, Section 3.1.1. Furthermore, consistent with the Comprehensive Plan, where existing land has been traditionally used for agricultural purposes and is annexed into the City of Jerome, the agricultural purposes should continue to be honored where applicable.
- F. The application for a special use permit is not in accordance with the City of Jerome Municipal Code, Title 17, requiring the special use permit application.

**II. Conclusions**

- A. A special use permit is required for the applicant to be able to allow for a specified number of animals to graze on property zoned R-3 in the City of Jerome.
- B. A special use permit promoting a traditional agricultural use is consistent with the City of Jerome Comprehensive Plan.
- C. The Commission approves the application of Dub (Delbert) Beem for a special use permit allowing for 4-5 calves or sheep, weighing individually no more than 500 lbs., to graze on pasture land located at 705 North Fir, Jerome, Idaho 83338.:

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 28<sup>th</sup> day of February, 2012, in support of the decision of the Planning and Zoning Commission on the 24<sup>th</sup> day of January, 2012 to approve the application as specified herein is hereby made final this 28<sup>th</sup> day of February, 2012.

A handwritten signature in dark ink, appearing to read 'Rod Mink', is written over a horizontal line.

ROD MINK, Chairman Jerome City P&Z Commission

Commissioner Lebsack made a motion to accept the Findings of Facts and Conclusions of Law regarding Dub Beem's request for a Special Use Permit. 2<sup>nd</sup> to the motion by Commissioner McEntarffer and carried.

Call for the question: Commissioner McEntarffer, Commissioner Lebsack, Commissioner Murillo, Commissioner Jacobson: unanimous AYES.

**Presentation:** Residential wind turbines within Jerome City Limits.

Micah explained Paul & JoLynn Dickinson have inquired regarding the process and proper procedures of installing a wind turbine in their yard on the corner of East Avenue 8<sup>th</sup> and N. Tiger Drive.

Micah began a slide presentation on residential wind turbines within city limits and covered topics of tower heights and types; noise, safety, aesthetics, neighbor relations, net metering, and dangerous connections. Most generated wind turbines are less than 1 kilowatt. Micah stressed the tower's height must be considered in relating to its falling distance. When falling, the tower must fall on the owner's property, not a neighboring property. He explained 3 types of towers are (1) free standing, (2) lattice, and (3) guyed. The American Wind Energy Association (aka AWEA) is the "leader" in the industry of research and development of wind turbines. However, there are currently no standards for residential wind turbines in this country. There are many Chinese wind turbines that are arriving in the US, more cheaply, but are not built according to any regulated standards.

Micah suggested someone wanting to install a wind turbine should apply for a Special Use Permit process within the city. The applicant could use a letter advising neighbors of their intent of installing a wind turbine. He noted towers over 200 feet must meet FAA regulations. Crop dusters have issues with wind turbines less than 200 feet. They are proposing state adopt regulations which must notify airports when new towers are installed. It was also suggested notification to the airport could be part of the city's Special Use Permit process.

Discussion followed regarding wind turbine net metering. Simply defined, net metering means "You take some, you get some." Commissioner Jacobson inquired if there was a city code addressing solar panels and

Micah responded there is not. Micah explained power is generated in direct current (DC) and for it to be usable in a home, it must be converted alternating current (AC). It then has to be run through a converter. Discussion continued and board members asked Micah to research current standards with UBC and/or Idaho Power.

In conclusion, Micah noted many people are asking “Why do we want wind turbines in Jerome?” Most notably, it gives people an option to produce their own electricity. In addition, it provides jobs in the community, providing people a specialized technology, protects citizens from increasing costs of electricity, and reduces strain on electrical infrastructure.

Micah presented a wind turbine ordinance draft and reviewed it with board members. Various suggestions and changes were presented and made to the draft. Discussion followed and Micah reported he will have an updated draft of the proposed ordinance ready for our March 13th meeting. Upon conclusion, Micah noted he feels strongly Special Use Permits should be required by the city for wind turbines.

Micah noted a Design Review Permit request for the Animal Shelter will be on our next agenda. The applicants would like to put the sign on West Main.

**Ex Parte Discussion:** Commissioner McEntarffer inquired of Mr. DeMello’s SUP status. Paula responded two letters have been mailed to him, one to his business address and the other letter to his residence. She also left voice mail with no response. Micah reported he will give Mr. DeMello 30 days to respond and then action will be taken to rescind his Special Use Permit.

Commissioner McEntarffer inquired of El Parilito’s status of the building’s outside appearance. Micah reported El Parilito’s owners have informed him it will be repainted by May 1<sup>st</sup>. Chairman Mink inquired if an occupancy permit has been issued for the new occupants of the former Woods Café building. Micah responded no occupancy permit was issued as the potential owners relocated to Twin Falls. Commissioner McEntarffer inquired as to the fitness center located at 130 W Main and Micah responded they have their occupancy permit and are currently operating. Brief discussion followed regarding El Mexicana shop and it was noted lights were on in the building at 1:30 a.m. last Sunday morning, February 26<sup>th</sup>. Commissioner Lebsack reported he’s spoken

with Micah regarding potential landscaping or tree ordinances for new development.

**Adjournment:** There being no further business, Chairman Mink adjourned this meeting at 8:55 p.m.

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Chairman Rod Mink

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Secretary Paula Thompson