

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

November 19, 2025

PRESENT: Chairman: Shane Wootan

P&Z Members: Josh Carrell, Cam Hulse, Devan Dye, Aaron Severinsen, Paul Voelker

P&Z Members (Absent): Lauren Cardon

Deputy City Clerk/Treasurer: Tori Pacheco

Shane called the meeting to order at 6:30 p.m.

Peggy Taysom – 306 N State St – Discuss property zoning and using the property as residential. It is unclear if Mrs. Taysom owns this property or if it was purchased by someone else. We were unable to contact Mrs. Taysom. Paul moved, and Josh seconded to table agenda item number two. Five in favor, one absent. Approved unanimously.

Public Hearing – Wholesale Unlimited Inc. – 465 N State St – to expand the existing manufactured home community to parcel numbers RP2113424, RP2113408, RP2113407, and RP2113413 – Bryan Sargent, representing Wholesale Unlimited (Jed Young), reminded the committee about the rezone and special use permit they previously approved, pending studies and plat approval. There was opposition to some plans, with community members expressing concerns about the secondary entrance on East Oak Street. Mr. Sargent presented the plans to the committee. The reason for access off East Oak Street was for a utility easement and emergency access. He spoke with the Youngs about possibly installing a bridge on their property over the canal to ease traffic from East Oak Street and the railroad tracks. Sargent proposed building the bridge and installing a permanent fence to block access through East Oak Street, which would be considered phase two of the earlier approved project. The goal of this proposal is to install infrastructure before closing the East Oak Street access. Mr. Sargent and Wholesale Unlimited are requesting a special use permit to expand the manufactured home community. The Youngs' property is oddly shaped, with power lines and towers running through it, and a survey has not yet been conducted to determine how the homes would be placed. The bridge construction has no fixed timeline. The Hicks Group, owner of Fox Crossing on the other side of the canal, would need to install the connecting road before East Oak Street access can be blocked. Mr. Sargent noted that an easement has been offered to the Hicks Group to access their landlocked property. He then answered the committee's questions. Shane asked if Mr. Sargent plans to proceed with the current plat and improvements, and what he intends to do with the secondary access before the bridge is built. Mr. Sargent confirmed that East Oak Street access would remain until the bridge is finished, and he has agreed to install a breakaway gate for emergency access, though not for residential use. Shane explained the public hearing process and then opened the hearing to the public. Sherry Martineau - 137 N Milton Ave, Shelley, ID, asked what the Youngs propose for the property, specifically if they plan to add to the approved ninety-one homes. Shane replied that, at this stage, the estimated number of homes could change if they do not meet requirements. Mr. Sargent said that a minimum of thirty more would be needed to build the bridge. Mrs. Martineau inquired about the total number of homes possible on the remaining property, but Mr. Sargent said he couldn't answer that now. Shane clarified whether her question was about the Fox Crossing development, to which Paul responded there will be 360 homes. Mrs. Martineau clarified she was only asking about the Youngs' property and the number of additional homes beyond the ninety-one. Shane reiterated the minimum of thirty homes needed to justify building the bridge. Mrs. Martineau then asked about the remaining land and potential for more homes. Shane explained that more homes would require additional hearings, and once the initial infrastructure is in place for the proposed homes, tearing it out to add more would be prohibitively expensive. Mrs. Martineau asked if this was a firm promise, and Shane said he couldn't promise, but it would be costly and depends on whether someone is willing to pay for the extra. She then asked Mr. Young about plans to build more structures. Mr. Young said they are considering building warehouse space in the future, but currently, Wholesale Unlimited is only planning the thirty additional manufactured homes. Flint Christensen - 408 W Locust, Shelley, ID, owns Flint Rock Retreat across Highway 91. He noted a lot of kids crossing near his business and asked if there are plans for a slow down sign, as traffic crossing might increase with the new plans. Shane responded that the planning and zoning committee has no information on that, and it would be up to the State, since Highway 91 is maintained by them. Mr. Christensen had no further questions. Ashley Countryman - 425 E Oak St, Shelley, ID, lives right next to the

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current secondary access on East Oak Street. She supports the plans if the secondary access is removed. The main concern from residents was the increase in traffic on East Oak Street. Shane closed the public hearing and opened the floor for committee discussion. Aaron expressed support for the bridge idea, noting the land's limited usability. Shane mentioned that twenty years ago, the property was intended as an industrial park, but with limited access, it was never developed. He believes the bridge is necessary. Shane moved, and Paul seconded to recommend to the City Council approval of the special use permit to expand the existing manufactured home community to parcel numbers RP2113424, RP2113408, RP2113407, and RP2113413, and hopes that it happens sooner rather than later to get the bridge installed. Five in favor, one absent. Approved unanimously.

Andrew & Camilla Christensen – 176 S State St- Variance to waive the 30-car parking lot required per city code 10-9-5

Devan recused himself from participating. Shane asked that he participate in discussions in the future but abstain from voting. He encouraged all the committee members to do the same in the future—Andrew and Camilla Christensen - 345 E Elm St, Shelley, ID 83274. Mr. Christensen is requesting a variance to be exempt from building a parking lot. They plan to develop between the old theater and the hospital on South State Street. Mrs. Christensen explained that they want to move the Haunted Theater to a new building on the empty lot between their current haunted attractions. They aim to reopen the theater for concerts, plays, and similar events. Currently, an ordinance requires a thirty-car parking lot for the size of their planned building. However, none of the existing businesses have parking lots; they rely on parking off State Street. If a parking lot is required, it would limit construction space, leaving the lot empty. Mr. Christensen's plan does not increase parking needs beyond the current situation. The only obstacle to obtaining the building permit is the parking requirement, confirmed with Jordon, who noted that the property's square footage warrants about a thirty-car lot, which he believes is impractical. Jordon recommends approving the variance. Shane asked if the new plans would feature a façade consistent with downtown's character. The Christensens said the new building would be set back about fifty-five feet and constructed in phases. Mrs. Christensen shared that their goal is to eventually bring the building up to State Street and echo the style of the former Mallory's building. Aaron mentioned that parking on State Street is inadequate. According to the comprehensive plan, revitalizing downtown is a priority. The committee voiced a preference supporting new businesses over enforcing parking lot requirements. Josh asked whether the parking requirements are based on zoning or the intended use. Jordon explained they depend on use and square footage, but the city code does not specify this property's use. The current plans provide no space for parking beyond what is already available on State Street. Turning Kiwana's Park into a parking lot has been discussed by the City Council, but not implemented. Shane read a comment from Emily Hodson - 171 and 169 S Emerson Ave, Shelley, ID 83274, adjacent to the rear of the property. Mrs. Hodson supports waiving the parking requirement. She believes there is plenty of street and lot parking across the street. She thinks new businesses downtown are great. Shane reminded the committee that if they approve the variance, it does not then go to City Council. Planning and Zoning makes a variance decision without further approval. Aaron moved, and Paul seconded to approve the variance for 176 S State St, Shelley, ID 83274, to waive the required thirty-car parking lot per city code 10-9-5. Five in favor, one absent. Approved unanimously.

Ratify calling for a Public Hearing for the intent to annex per the annexation plan.

Approximate location: from Utah Power and Light Co. North down HWY 91 approximately one mile to Canyon Road (1500 N), then West approximately one mile to 800 East (New Sweden HWY), then South ending with 1425 N 800 E, Shelley, ID 83274

Josh moved, and Cam seconded to ratify calling for a public hearing with a phone pole conducted prior to the meeting to meet publication deadlines. Five in favor, one absent.

Approved unanimously.

Update-Possible changes to Title 10-7 District Regulations – Land Uses (ACTION ITEM)

A. Add Laundry Mat

B. Dry Cleaning

Jordon asked what zones laundry mat and dry cleaning would be permitted in? Josh stated that they would be the same zoning as a convenience store, special use permit required in all zoning except (M) manufacturing and (RE) residential estate, which is not permitted. This item is not ready for a public hearing. Shane moved, and Paul seconded to table, adding laundry mat and dry cleaning under land use - Title 10-7 District Regulations – Land Uses, pending wording approval of Bj (City Attorney) via email. Five in favor, one absent.

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Discuss and call for a public hearing for possible changes to Title 10-2 Definitions and 10-7 District Regulations – Land Uses – Home Manufacturing, Home Office, and Home Services (ACTION ITEM)– Josh sent an updated email to the committee members (see attachment). Jordon had some comments on the proposal. Shane questioned how the city would enforce the proposed changes. Jordan expressed that the City does not have a zoning officer to enforce the code. The City relies strongly on complaints for zoning enforcement. As the business applications come in, who would be responsible for ensuring they follow the code? Josh commented that anything above a home occupation would apply to the committee. Enforcement is usually by complaint. There was concern about the accessory building section and the control of the number of employees. Shane thinks it is good to move forward. Josh commented that if more than half of a home is being used for business, it is no longer a home. It is a business, and it needs to be zoned as such. This code is intended to protect the surrounding residences. Shane commented that the owner then only needs to apply for a special use permit. This would require the special use permit fee and a public hearing. Jordon asked whether the minor and major cottages would open the doors to much, allowing for ten employees. This would require a large amount of off-street parking. Josh said that this is the reason for the code. If the space is available, this could be possible, but if it is not regulated, it is easy to grow without guidelines to follow. Jordon feels the percentage and employee number are too large. Shane agrees that the numbers need to be adjusted, but he feels this encourages growth. Josh said this would apply more to businesses like hair salons, dog washes, etc., and he can see these types of businesses needing this amount of parking. Josh said this is a possibility, but isn't sure if the committee would like to allow it. Aaron asked if this new code takes effect, what would happen to the existing home businesses? Josh stated that they are grandfathered in as a non-conforming use and would be allowed as long as no change is made. Shane also mentioned that if there are complaints, there might be evidence of change. Shane suggested that the numbers need to be looked at. Jordon is ok with the percentages, but would like to see changes in the number of employees and in allowing non-heated accessory and garage spaces to be used as business spaces. Josh asked how the City treats an accessory building if someone wanted to put a home office in one in their backyard. Jordon stated that if they met the city code and offset requirements, it would be allowed. Shane clarified that the committee would like to drop the heating requirement from the changes. Josh also clarified that they wanted to drop the accessory buildings from the proposed changes. Josh clarified that the committee saw that the number of allotted employees had dropped from the initial email to: major cottage industry is five, minor cottage industry is two, and home occupation is one. Shane asked whether the committee had agreed to drop the accessory building portion of the proposed changes. Everyone agreed. Shane proposed making the changes and sending them to the City attorney for approval. Jordon then asked about the allotment of heavy equipment. Jordon asked whether the committee would like to allow these as a home occupation or a cottage industry. Josh gave the example of someone starting a tow truck business who does not have room in their garage/shop. He asked if they would be allowed to park this truck on the property or the street. Jordon clarified that parking a two-ton truck would be allocated on-street parking, but all other equipment would only be allowed on private property if space is available. Shane reminded the committee that this would only apply to (R1) and (R2) zoning. Jordon stated that (RA) is also included. This zone is appropriate. He does not want to see smaller lots with large equipment on property or city streets. Shane inquired about adding additional restrictions on (R1) and (R2) zoning. Josh clarified that the proposal states additional restrictions in these zones. This would be on a case-by-case basis. The planning and zoning committee would review any cottage industry application. Jordon lastly asked about the section stating that special use permits would be reviewed immediately after the first year of operation. Jordon asked who would keep track of this and whether it would be a letter sent by Tori. Josh commented that the reason for that clause is to give neighbors a chance to comment if the codes are not being upheld. Jordon inquired whether, at that point, the business owner had invested money and whether the City would revoke the permit due to upset neighbors. The committee agreed that this would be considered a review. They would not be required to get another permit. Shane stated that, typically, after a year, there is a good idea of whether the business will be successful and whether the home occupation is still a good fit. Jordon asked whether there would be any additional fees. Shane said there would need to be a fee to notify the neighbors of the review. Josh suggested that, instead of a renewal, it could be considered a review to see if there were any complaints. Shane agreed. No additional cost, but a way to review. Jordon asked if that would be doable for Tori. She confirmed it would. Shane asked if it would be possible to note the

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complaints and the complainers. Tori confirmed she could, but if they asked to remain anonymous, she would have to respect that. Shane asked whether it could be noted so that the person who submitted the complaint could be contacted. Jordon suggested that the most important thing was to keep a record of the complaint and its date. Shane and Aaron see the review as a good guide for the businesses, and Josh thinks it encourages entrepreneurship. Shane moved, and Aaron seconded to table agenda item eleven for the next meeting pending wording approval from BJ. Five in favor, and one absent. Approved unanimously.

Approval of prior P&Z Minutes – October 15, 2025

Josh moved, and Cam seconded to approve the minutes for the October 15, 2025, meeting as written. Five in favor and one absent. Approved unanimously.

There was a public hearing notification from Bingham County presented to the Committee.

Adjournment – 7:42 PM

APPROVE: _____

ATTEST: _____