

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

June 17, 2026

PRESENT: Chairman: Josh Carrell

Vice Chairman: Shane Wootan

P&Z Members: Paul Voelker, Lauren Cardon, Cam Hulse

P&Z Members (Absent): Devan Dye, Aaron Severinsen

Deputy City Clerk/Treasurer: Tori Pacheco

Building Inspector: Jordon Johnson (Absent)

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

Public hearing for a request for annexation and rezone – Chris Street with Harper-Leavitt Engineering Inc., - Approx 1387 N 750 E RP0473800 and RP0473000 with zoning designation of Single Family Residential (R1) – GRC Land LLC c/o Gary Dial

Josh opened the public hearing.

Opening Statement: Chris Street with Harper Leavitt Engineering Inc. They are requesting rezoning to R1 (Residential) and annexation of approximately 1387 N 750 E RP0473800 and RP0473000. There are public utilities at 1400 and Hansen, close to the proposed property, for utility connection. They feel this is a logical expansion for Shelley. Harper Leavitt Engineering Inc. is representing GRC Land, which is Gary and Rick Dial, who are requesting annexation and a rezone. The Dials do not plan to develop the land they intend to sell to developers. At this time, the request is only for annexation and rezoning.

Jason Packer – 565 N Hanson Shelley, ID 83274. Mr. Packer owns a ditch that runs directly through the proposed annexation property. He owns water rights that he uses to irrigate. Josh commented that it is early in the process for the water rights discussion. The discussion today is to determine if the proposed property can be part of the City and what it should be zoned for. He also said that if there are easements, those would supersede future development. Mr. Packer would prefer larger lots. He also commented that street parking makes plowing in an R1 area impossible.

Shane asked if Mr. Sargent was planning to develop this property. Mr. Street said that he has heard of multiple developers, but Mr. Sargent is one of them. Mr. Street appreciates Mr. Packers' comment. Mr. Street commented that, per the Idaho Code, if there is a prescriptive easement across the ditch, the developer would be required to reroute the ditch and ensure that downstream properties receive the proper water.

Josh closed the public hearing and opened a discussion among the committee.

Cam asked why there are lots not included in the annexation. Mr. Street confirmed that those lots are not owned by his client. Josh verified that those lots front on Anderson Rd. Josh explained that, because this is a voluntary annexation, the City cannot add properties to make it a forced annexation. The property owners would need to volunteer for annexation. Cam asked if they could request that the Dials ask the lots not included if they want to be included in the annexation. Josh said that voluntary annexations typically proceed this way, and that the City can eventually annex the property if it is fully enclosed on all sides. Josh asked if there were any other discussions or comments. There was none.

Shane moved, and Lauren seconded to recommend approval of the request for annexation and rezone – Chris Street with Harper-Leavitt Engineering Inc., - Approx 1387 N 750 E RP0473800 and RP0473000 with zoning designation of Single Family Residential (R1) – GRC Land LLC c/o Gary Dial to City Council. Four in favor, two absent, approved unanimously.

Public hearing on Orlando Obeso-Angulo special use permit application for 370 N State St., Shelley, ID 83274, with consideration to allow use of property as residential in a heavy commercial zoning.

Josh opened the public hearing.

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Opening Statement: Orlando Obeso-Angulo 370 N State St, Shelley, ID 83274. Mr. Obeso-Angulo stated that he plans to use the property as a second location for his painting business, which is based in Utah. The property attracted him because it includes a single-family home and a shop, which he would like to use to store materials such as paints, primers, and ladders. Originally, he wanted to use the house for employee housing, but he no longer wishes to do that. He would like to use the house temporarily when he has a job in the area to work and sleep. Overall, he would use the property for an office, storage, and personal use to stay during jobs.

Shane verified that the property would be used more as an apartment and not as a primary residence. Mr. Obeso-Angulo confirmed that he would not use it as a rental or as a primary residence. He commented that the home is older, and he doesn't want to get into what would be required to update it. Mainly using it as a second location. He would ship the product to the property and park a vehicle in the driveway. Mr. Obeso-Angulo stated that he would keep the property clean and comply with the city code.

Shane stated that the only reason for the special use permit is for the residential use of staying on the property temporarily. The other use of the property falls under Heavy Commercial zoning. The reason residential is not allowed in heavy commercial or central business areas is primarily due to downtown, and the fire districts do not have a ladder truck.

Josh mentioned that another difficulty in this situation is that mixed use is not permitted in the City, and this would provide mixed use for the property. Shane commented that in the past, a special-use permit was allowed with a time limit. He would say to allow the special use permit with a two-year time limit. Josh stated that if a special use permit is issued for the property, it supersedes the zoning use. If the special use permit is issued, it needs to be clear that the property is Heavy Commercial with residential use. Typically, when a special use permit is issued, it applies to the property as a whole. It needs to be clear what the property's uses are. This property may have multiple mixed uses. If a motion is made, it needs to be clear of both uses and temporary transient housing. To be used as a convenience to the company.

Shane moved, no second, to allow mixed use on the property, not as a primary residence but as an apartment with transient use, not to be let. No vote was cast.

Josh clarified that when the property is occupied as a residence, it will be temporary, not rented. Only to be used by the owner or employee temporarily. Mr. Obeso-Angulo asked if, in the future, he could demolish the house and/or remodel it for office use only. The committee responded that it would not require a special use permit and would be permitted with the current zoning.

Josh presented a new motion, and Lauren seconded, to approve the special use permit at 370 N State St to allow use of the property as Heavy Commercial, with an allowance for temporary residential occupancy that is not let to be used by employees of the business located at the property. Four in favor, two absent, approved unanimously.

Josh closed the public hearing

Public hearing for consideration of major revision to City Code Section 10-9-4(N) "Home Occupation" to state the purposes of the new ordinance; to define the new terms used, including sub-categories of home-based businesses as home occupations and major and minor cottage industries; to establish applicable zoning and special use permit requirements; and to set forth residency, set back, parking, equipment and vehicle storage, and other standards.

Josh opened the public hearing. There was no public comment.

Josh closed the public hearing and turned over to committee discussion.

Shane is excited about this change and had a resident reach out about a home business that will benefit from it. This will also allow the City to be aware of home businesses already operating.

Tori mentioned that in the proposed change, there is wording of code enforcement officer, and the city does not currently have someone with that title. Josh inquired who currently holds that

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responsibility. The responsibility is currently shared by the office staff, who rely on community complaints. It was determined that if it were changed from code enforcement officer to City staff, it would not have to be changed in the definitions of the proposed changes.

Shane moved, and Cam seconded, to recommend to City Council the changes to city code section 10-9-4 (N), as written in the email provided by Josh, with the wording changed from "code enforcement officer" to "city staff". Four in favor, two absent, approved unanimously.

Josh closed the public hearing.

Call for Public hearing to discuss future planning based on the comprehensive plan.

At the May planning and zoning meeting, this item was tabled for clarification from Shane, who requested that this be on the agenda. Shane clarified that the intent for this was to plan based on the comprehensive plan. When items are presented, the committee can refer to the comprehensive plan to determine if the proposed item fits the future plan. Shane is concerned about the South End of town. He would recommend that this area be planned as R1 and multifamily, as it is within walking distance of the businesses in town.

Josh asked why the impact area stops at Baseline Rd. Shane said it's because the focus has been on growing in the North. The growth has been mostly residential. Shane spoke with a developer, and they discussed possibly expanding the road and adding a stoplight at Longhurst. Josh asked if the City would need to petition the County to add to the impact area? The impact area agreement was redone recently. It was asked why certain areas were not included. The impact area was agreed on due to a deadline. The plan was to request more changes in the future.

Josh commented that Idaho Falls has moved to a form-based future planning. They define how a street should be zoned, which determines what can be built there in line with the future plan. This way of planning fits with what Shane is proposing. Traditionally, this is not what is done. Typically, developers or landowners come to Planning and Zoning to request zoning changes. The committee then determines if the proposed change will fit the City Plan for the area.

Shane doesn't want to be in the position of a forced annexation again. He feels that for the last 30 years, the City has been seeking development, and the ordinances do not align with the City's current conditions. Shane would like to create a map or plan of the city's impact area to show what they would like to see there in the future. Lauren asked if it would be possible to create a small, unofficial, unpublished map showing what the committee would like to see in the future for the impact area. Shane said that it could be possible, but the City Council has to approve it. Shane feels that they are not currently planning; they are reacting to what is proposed as it comes in. He also mentioned that, in the future, impact fees could help fund the resources needed to implement zoning changes. A public hearing may not be necessary for what he would like to do.

Josh explained that the City code allows the committee to amend the plan no more than every six months. They could review the plan every six months if they find errors, or conduct a periodic review of Title 10. It could be a standing agenda item per city code 10-3-4(D). If the committee members would like to bring up any changes to Title 10, they can be discussed at the regularly scheduled meeting. If a change to the plan is needed, it can be made no more than every six months. It was decided that a standing agenda item would be added to the monthly agendas to allow for discussion of Title Ten.

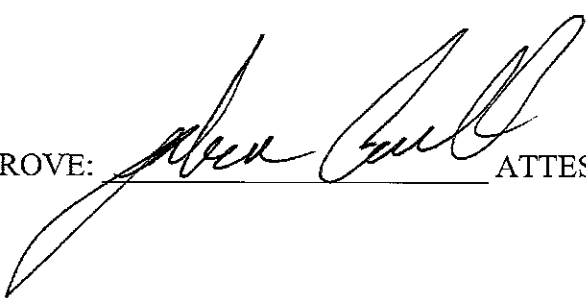
Approval of prior P&Z Minutes – May 20, 2026

Paul moved, and Shane seconded to approve the May 20, 2026, Planning and Zoning Minutes as written. Four in favor, two absent, approved unanimously.

Tori informed the committee of a public hearing notice sent from Bingham County

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Adjournment – 7:30 P.M.

APPROVE:  ATTEST: 