

**MINUTES OF THE PLANNING AND ZONING COMMISSION
FOR THE CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO**

February 22, 2021

Regular Meeting: 5:00 PM

Council Chambers

Hayden City Hall, 8930 N. Government Way, Hayden, ID 83835

Virtual Meeting Information: www.gotomeet.me/cityofhayden

Call: (872) 240-3212 Access Code: 504-226-013

CALL TO ORDER – Chairman Brian Petersen called the meeting to order at 5:00pm

ROLL CALL OF COMMISSION MEMBERS

Chairman Brian Petersen	Present
Vice-Chairman Alan Davis	Present
Commissioner Corey Anderson	Present
Commissioner Brandon Bemis	Present
Commissioner Mary Howard	Present
Commissioner Ben Prickett	Present
Commissioner Shawn Taylor	Present

FLAG SALUTE - The flag salute was led by Chair Petersen.

VISITOR/PUBLIC COMMENT on Non-Agenda Items (5-minutes maximum)

There were no public comments.

CALL FOR CONFLICTS OF INTEREST – Chair Petersen asked the Commission if they had any conflicts of interest with anything on the Agenda. There were none presented by any of the Commissioners.

CONSENT CALENDAR

The items on the Consent Calendar were the approval of meeting minutes for February 1, 2021 and the approval of the Written Decision for PZE-20-0246, Bradley Moss, Special Use Permit. Vice-Chair Davis made a motion to approve the consent calendar as presented. Commissioner Howard seconded the motion. All were in favor, none were opposed. The motion passed.

REVIEW OF UPCOMING MEETING CALENDAR AND REPORT ON COUNCIL ACTIONS

Melissa Cleveland, Community Development Director, stated Monday, 3/1/21 will be a light agenda. The City will be implementing a new service for meetings through BoardBook. The City Clerk would like to host a training on 3/1/21, but will need to leave by 5pm. Chair Petersen said the training sent through an e-mailed video was likely enough to cover anything they would need. Ms. Cleveland stated we can possibly cancel the meeting, unless further discussion is needed from tonight's workshop. City Council action from February 9, 2021 included the approval of PZE-20-0223, Rainey Zone Map Amendment and the adoption of 2020 Sewer Master Plan which is the final piece of Imagine Hayden. The City can now move on with how we respond to growth.

Commissioner Shawn Taylor arrived at 5:04pm

WORKSHOP

Ms. Cleveland led the discussion of Title 11 Code Amendments. She mentioned Staff had sent the Title 11 changes to the Commission and to many developers, architects, engineers, realtors, utility providers, etc. in the community. This is a full restructure of Title 11 to reduce the number of chapters from 22 to 8, omit redundancy, change and clarify definitions, add zones (Mixed Use and Mixed Residential) and other necessities. The zone table will now take place of all of the words and sections within each zone, which has been well received.

Chapter 1: Administrative. The only comment received is what exactly is considered an Accessory Dwelling Unit. A new product has been coming forward which is a special type of unit (mother-in-law suite, etc.) and part of the existing home. This would not be considered an Accessory Dwelling Unit as it is attached to the primary residence. The size of ADUs is increasing to 1000 square feet from 800 square feet. The City of Coeur d'Alene has a maximum size of 800 square feet. The City's increase in square footage has been in response to the restraints of the size from many constituents wanting to build one.

Chapter 2: Zones. Definitions come right from the Comprehensive Plan for consistency. Comments received have been in regards to the Mixed Use zone and the option to also see R-1 in this zone. She asked the Commission if this should be dialed back to allow for R-1, Manufactured and Duplexes or Townhomes. Ms. Cleveland mentioned the goal is to not have incompatible uses next to each other. For example, if the City allows for SFR, and a gas station goes in right next door, that is what the City is trying to avoid. Code can be amended down the road if it is not working. Commissioner Ben Prickett agreed with what Ms. Cleveland stated. He added it would be like opening Pandora's Box if the City allowed for R-1 in Mixed Use. Ms. Cleveland then said if a developer really wanted a big variety in housing types, they would be able to submit for a Planned Unit Development. Chair Petersen asked R-1 should be allowed based on what Jerry Mason's advice was, to let the market decide what gets developed. If that advice is taken and applied, it should be kept open, however, it may not be what has been envisioned for the City. He tends to want to stick with the vision of Hayden and not allow SFR in Mixed Use. Commissioner Mary Howard mentioned she really loved that the Future Land Use Map was included so she could see where each of the zones would be. The buffer and gradual change to Single Family homes was great. She also mentioned the clean version was very readable and clear. She was very pleased with how this turned out. Commissioner Shawn Taylor noted the purpose of the Mixed Use is clear and should not be changed.

Ms. Cleveland mentioned another comment received was the talk of why townhomes were being limited to three units and not four or five. Commissioner Corey Anderson asked if there were specific requests for this type of house style. Ms. Cleveland answered there has been, however they have been within a PUD. It was the opinion of the Commission to leave the zoning the way it is, in order to keep the change gradual.

Another comment was to add applicable verbiage from the Comprehensive Plan to the amended Code in regards to density. Staff recommended the following to be added, *"During the planning process of the Comprehensive Plan, Sewer Master Plan, Transportation Master Plan, and Park Master Plan maximum residential density was assumed as follows:*

- a. *Mixed Residential may not be greater than eight dwelling units per acre.*
- b. *Mixed Use may not be greater than 20 dwelling units per acre; however, the goal is 15 dwelling units per acre mixed with an additional commercial use. For large areas of residential only in the mixed use zones a sewer tech memo and/or transportation analysis may be required."*

Chair Petersen suggested if a development is more than fifteen dwelling units, a transportation analysis should be required.

Other comments have come in regarding setbacks and the 25' minimum for the garage. Developers are asking for 22' setbacks. In keeping with 25' setback, the City eliminates the issue surrounding cities have with large trucks hanging into the sidewalk, etc. Ms. Cleveland also stated side setbacks are currently at 7.5' and some developers are asking for a 5' setback. Donna Phillips added she would like to see the setbacks noted at time of subdivision plat which sides would have which setback so issues do not arise during Final Plat processes. Ms. Cleveland stated eaves are able to hang over by two feet, so if a setback is only 5', neighboring roofs will be extremely close together. This look does not align with the vision for Hayden. Ms. Phillips added that developers will try to get zero lot lines in the Residential zones. Building Department has said zero lot lines would not work because 2 feet of eave will hang into the other owner's yard. A minimum has to be established. Chair Petersen stated he would like to see the minimum setbacks stay at 7.5'. Nothing would need to be identified on a plat. Commissioner Prickett agreed. Convoluting the issue would not make sense. Ms. Cleveland added having setbacks platted would also make it hard for the Building Department because they would need to refer to every plat for each home in order to inspect properly. There was more conversation about the garage setbacks and the general consensus was to keep the setback minimum at 25'.

Ms. Cleveland stated another comment was brought to the City's attention regarding duplex lot coverage and increasing it from 40% to 60%. Doing that would allow for more lot coverage. Commissioner Taylor mentioned the point is to make these homes more affordable, so it makes sense to increase it. Chair Petersen agreed.

In regards to design standards, a comment was made that Commercial Neighborhood Nodes parking reductions should be allowed as identified in the Central Business District to promote walkability. There would still be adequate parking. The general opinion of the commission is in agreement with the comment. CBD should also not require live ground cover, like in other zones. This was also agreed upon with the Commission.

Chapter 3: Non-Conforming Uses. No comments were made.

Chapter 4: General Design Standards. Ms. Cleveland noted lighting standards have been updated to include minimum foot candles due to LED lights installed. The City has worked with utility companies to come to a good lighting standard. Another change was removing garage parking to count towards required spaces. Doing so is in an effort to avoid on-street parking. Ms. Phillips stated public roads where no parking on the street is required, homeowners have said due to garage space they have met the requirement of overflow parking and in turn feel they do not need to mitigate off-street parking. Most of the Commission have previously said the majority of people use garage for storage. Therefore, to count that space towards parking does not make sense. The public comment that came forward was if the City is reducing sizes of lots, at least one space in the garage should be counted, plus the driveway. Additionally, tandem parking is only in residential zones and should be extended. Ms. Phillips stated the reasoning for this is because in the Mixed Use building scenario, where it has commercial on the bottom floor, and residences on upper floors, if a customer of the commercial business has parked in front of a residential garage, the resident would not be able to move their car. This is why tandem parking is only allowed in residential zones. Vice-Chair Davis made a comment that what people do with their garage space is their business. He feels one garage parking space counted is a reasonable compromise. Commissioner Prickett mentioned parking can become an issue and unsightly when garages are used primarily for storage. Commissioner Taylor asked for clarification on making the street smaller and not allowing for on-street parking. Ms. Phillips clarified that the way Code is written today, a two-car garage with two parked cars in said garage and a developer builds a narrow street which does not allow for parking, the on-street parking needs to be established somewhere. This is already mitigated by the two parking spaces in the driveway. Of course this should be plenty of space, however, when a garage is primarily used for storage and those two

parking spaces are now not used, this becomes an issue. Commissioner Taylor stated his opinion to allow one parking space for garages with two or more spaces. Commissioner Howard spoke about a situation where there was no street parking, but visitor spaces were built. Unfortunately, it created a bad vibe among neighbors because the spots would be taken by homeowners. She would hate for the City to set something up that does not work. She also mentioned she would like to see streets consistent in width and not narrowed at all. Chair Petersen agreed with Commissioner Howard and reiterated this is not in line with what our vision for Hayden is. He feels it does not match the Comprehensive Plan. Commissioner Brandon Bemis commented that his current housing situation is not set up for on-street parking which makes it difficult. Caitlin Kling also added she would like to see consistency throughout our streets. Ms. Cleveland noted the comments to reduce the number of parking spaces, and will look through other areas for suggestions and examples.

The conversation turned to lighting standards for areas within 300 feet of the airport property boundary. Any proposed exception must be approved by the Coeur d'Alene Airport. Landscaping standards have proposed changes related to routine care versus maintenance where joint stormwater areas on private property occur. This functionality of the stormwater should fall under HOA responsibility. Comments have been received on this subject, and this type of verbiage has already been included on some agreements. Chair Petersen asked if having joint responsibility would add complications. Ms. Phillips replied that having this verbiage in Code would address who is responsible for the maintenance of these areas. Ms. Cleveland added this would be beneficial to the City. There was more discussion regarding the necessity of having joint responsibility and why it should fall on the HOA and not the homeowner. Ms. Howard indicated that if a swale is not properly functioning, it should be the responsibility of the developer to fix the issues. Ms. Cleveland stated the developer is gone by this point, so it helps to have this fall on the HOA for mitigation. Vice-Chair Davis asked if Title 11-4-4 is specifically for HOA-managed communities. Ms. Cleveland stated the joint stormwater areas would only be allowed if an HOA was in the mix. Ms. Phillips mentioned they could ask for an exception if they had a different way to manage a subdivision. It could be written in the agreement as a condition of approval if there was a different way to mitigate the issues if an HOA is not present. Chair Petersen mentioned he is all for this going into City Code, especially if it brings help to City Staff. Commissioner Bemis stated he likes the way it is worded and it makes sense.

Chapter 5 – Sign Code. This code was just amended last year, so the only changes made were those in regards to the Zone Changes. The City did not receive any comments relating to this subject.

Chapter 6 – Planned Unit Developments. The section was updated based on direction discussed during a previous workshop. No comments were received relating to this subject.

Chapter 7 – Conditional Use Permit. Ms. Cleveland stated this section has been worded to mirror surrounding cities and also to state that this is conditional, not just a special approval. Many people thought that through the approval of a Special Use Permit, they were approved as requested and did not think conditions were attached to the approval. A section was also added, referencing public facilities between governmental entities. Public buildings and correctional facilities will require a CUP and Memorandum of Understanding. Ms. Kling added these processes would go straight to City Council, and skip a Hearing with the Planning and Zoning Commission. The Correctional Facility was workshopped with City Council and has been added to give guidance to this land use if it ever came forward. IDOC has stated they would like to build a Correctional Facility in Districts 1 or 2. Our area is District 1, and the Lewiston area is District 2. Due to the land use not being present in our current Code, it was essential to have them added now. They will only be allowed in the Light Industrial and Commercial zones. This type of land use also applies to libraries, courthouses, hospitals, etc. We only had blanket language in regards public buildings, so it made sense to go a little more in depth.

Chapter 8 – Variance. Language was added regarding required submittals for consistency. There were not comments received for Chapters 7 or 8.

Additional Code Sections which have modifications are Title 3-5-12: Site Triangle, Title 4-3: Animals, Title 10-3: Private Roads, and Title 12-9: Subdivision Condo Platting.

Ms. Cleveland asked for additional comments, and stated the process to move this through. If PZC has any changes they would like to see, the City will take those for a few days. The small adjustments will be made based of today's workshop and with the City Administrator's approval, the Public Hearing process will proceed.

Chair Petersen asked those from the public in attendance if they would like to provide comments relating to the Title 11 changes. Ed DePriest spoke up to offer comments. Preparing for the release facility has been a topic within the community for some time. He stated he is curious about the density maximums and how the growth in population will affect the community. He understands we cannot stop the growth but is concerned about the Area of Impact and what the prairie will look like with wall-to-wall developments, bringing 300-400-thousand people with them. Mr. DePriest has seen the City's Future Land Use Map and likes the way it is planned out. Ms. Cleveland stated the R-1 zone, which is roughly 80% of the Future Land Use map, brings 2.5 to 4 dwelling units per acre. Mixed Residential is roughly 10-12% on the FLU Map, which can bring up to 8 dwelling units per acre. These developments will still need to meet the standards of approval, setbacks, etc. Because this information was forgotten while updating the Code, it is being added at this time. Chair Petersen added that generally a minimum lot size of 8,250 square feet, with roads, etc., the density is roughly 4 dwelling units per acre. The City typically sees 2 – 2.5 on the subdivisions coming through the pipeline, which is less than what Coeur d'Alene and Post Falls sees. Ms. Cleveland then stated through the Imagine Hayden process, most people, while wanting the character in Hayden to remain, recognized the need for additional types of housing. Mr. DePriest commented he is concerned about overcrowding, traffic and density. He asked the question, "What do we want to leave for our kids and grandkids in 50 years?" He closed his comments stating if you haven't grown up in this type of situation, and see the transition from rural to urban, you cannot conceive what comes with it. Chair Petersen commented these are the same concerns the PZC and City have. We can zone within the City Limits as to what we envision, but are restricted as well. Mr. DePriest added his Facebook group and those he speaks with are wondering why there is such a need to facilitate those people wanting to move to our area.

Jeramie Terzulli was also in attendance and provided comments. He started by asking where these men and women working on building the homes in North Idaho and those in the service industry are going to live, if the housing they need is not available. Ms. Cleveland answered the Mixed Use and Mixed Residential zones are the answer to that problem. Mr. Terzulli agreed. He has a dog in this fight as he is about to send his children off to college. He wants them to be able to come home and afford a home if they choose to. He posed the question; why would the apartment developers stop what they are doing when they are capitalizing on this situation we have?

Ms. Cleveland closed by stating the City is making changes as needed, but not large enough to need to step back down the road. This will give developers the tools to work with in bringing the missing homes to Hayden. The Commission agreed we are doing what is best for the growth in Hayden.

NEXT MEETING

Monday, March 15, 2021

ADJOURNMENT

Chair Petersen adjourned the meeting at 6:17pm.



Shannon Drappo, Commission Clerk