

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

December 16, 2019

**Regular Meeting: 5:00 PM
Council Chambers**

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

CALL TO ORDER

Brian Petersen, Chair called the meeting to order at 5:00p.m.

ROLL CALL OF COMMISSION MEMBERS

Brian Petersen, Chair	Present
Michael Cramer, Vice-Chair	Present
Corey Andersen	Present
Alan Davis	Present
Benjamin Prickett	Present
Shawn Taylor	Not-Present

STAFF PRESENT

Melissa Cleveland, Community Development Director
Caitlin Kling, Legal Counsel
Donna Phillips, Senior Planner
Elizabeth Allen, Planner
Heather McNulty, Commission Clerk

FLAG SALUTE

Brian Petersen led the meeting in the Pledge of Allegiance.

CALL FOR CONFLICTS OF INTEREST

No conflicts were reported.

CONSENT CALENDAR

The consent calendar included the approval of the meeting minutes for December 2, 2019. Vice-Chair Cramer motioned to approve the consent calendar as presented. Commissioner Davis seconded the motion. All were in favor, none opposed.

PUBLIC HEARING

Miscellaneous Code Amendments

Staff Presentation:

Donna Phillips, Senior Planner, presented the code sections that were being presented to amend. The many changes were a joint effort by staff, legal counsel, and the Planning and Zoning Commission during the past several months. Ms. Phillips presentation was a summary that included the following amendments:

Appeals

- Add language to administration of the code to define the appeal process
- Must be filed within 14 days of a decision
- Establishes the content of the appeal

- The appeal hearing must be timely
- Burden of Proof rests with the applicant
- Notice shall be provided
- Allows for an appeal stay

Reconsideration of City Council Decisions

- Add language to administration of the code to define the reconsideration process
- Establishes instances where a decision could be reconsidered
- Process should a reconsideration be granted
- Council direction upon reconsideration
- Appeals to judicial review

Appeals of the Planning and Zoning Commission

- Amending the code to align with the proposed additional code in the administration section of the city code.
- Identifying method of notice of the appeal.
- Option stay of action.
- City Council Decision Appeal

Mobile Food Establishment Pilot Program

The purpose of the pilot program is to ensure for the public health and safety, convenience, and protection of the City and the citizens of the City while allowing City Council. City staff, mobile food vendors, businesses and citizens the opportunity to experience the pilot program and improve on it if the City Council chooses to make the program permanent.

- Establishes a timeline for the pilot program
- Establishes requirements applicable to all Mobile Food Establishments
- Provides General provision for all Mobile Food Establishments
- Provides Restrictions
- Provides requirements and restrictions related to location on public and/or private property
- Provides for registration
- Provides for inspection
- Establishes fees to be set by City Council

Vice-Chair Cramer asked if the amendment to the Mobile Food Establishment was added because it was not in code currently, therefore it is not an allowed use in the City.

Ms. Phillips replied that yes, it has been added to the amendments as a pilot program, the City would like to see if this can be used as a way to keep owners in compliance with a set of standards.

Definitions

- Definitions were added in specific code sections: i.e. Mobile Food Establishment & Sign Code
- Animal Daycare- new and unlisted use approved previously by City Council
- Driveway and street, Private were amended to be consistent with fire regulations to allow a maximum of 5 dwelling units per driveway.
- Outdoor Sales Display and Outdoor Storage were added

Administration and Enforcement

- Added language related to administration and enforcement of the Zoning Code
- Noncompliance enforcement and penalties
 - Stop Work Orders
 - Notice of Violation
 - Appeal Process
 - Fees
 - Complaints
 - Penalties- infractions, fines civil action, withholding permits