

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

July 15, 2019

Regular Meeting: 5:00 PM

Council Chambers

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

CALL TO ORDER

Chair Petersen called the meeting to order at 5:01 PM.

ROLL CALL OF COMMISSION MEMBERS

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

STAFF PRESENT

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

FLAG SALUTE

Michael Cramer 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 July 1, 2019 and the written recommendation for Case No. PZE-19-0016, Mountain Ridge Holdings Annexation the motion was made by Commissioner Mabraten, and seconded by Vice-Chair Cramer to approve the consent calendar. All members present were in favor, none were opposed. The motion passed.

PUBLIC HEARING

Case No. PZE-19-0017, Ray Accessory Building Special Use Permit

Staff Introduction:

Elizabeth Allen, Planner, introduced the application for a special use permit (SUP), by the applicants Christopher and Jeanette Ray, representing the Christopher J Ray and Jeanette L Ray 2016 Revocable Trust, for an accessory building greater than 1,500 square feet. The proposed shop accessory building is approximately 1,500 square feet with an additional 200 square foot overhanging roof structure attached, thus creating a building footprint of 1,700 square feet. In the residential (R-1) zone, accessory buildings in excess of 1,500 square feet, but no greater than 2,001 square feet required a SUP. Accessory buildings

with a footprint of 1,500 square feet or less do not require a SUP. Accessory buildings greater than 2,001 square feet are not allowed.

Applicants Presentation: Christopher J. Ray, 1242 West Grove Way, Post Falls Idaho the applicant, stated that they were contacted by the City after submitting the plans for the proposed shop. The City advised that the roof overhang for the shop design makes this large enough to qualify for an SUP. Mr. Ray stated that this was an oversight on his part as they produced the plan however they need the overhang in order to protect the glass garage doors they plan to have installed. The shop is designed for personal use so that they are able to use the outdoor space with cover for personal entertaining purposes. Mr. Ray continued by stating the combination of the house and shop is under 17% of the property total area coverage. City code allows for up to 45 % of lot coverage.

- Commissioner Cramer asked for clarification of the property line on the applicant's presentation site map.

Mr. Ray pointed the property line out for clarification.

Staff Presentation:

Elizabeth Allen, continued her presentation of the application which included the standards applicable to this permit under Hayden City Code as follows: 11-6-7 states an accessory building in excess of 1,500 square feet but no greater than 2,001 square feet is permitted in a residential (R-1) zone with a special use permit. The properties surrounding parcels were described to the north, west, and east are zoned as residential parcels to the south are zoned as AG-Suburban within Kootenai County. Ms. Allen continued by reviewing the comprehensive plan, directing the Commission to page 5 of the staff review. The shop is for personal use. There will be no noise, vibration or odors that will occur according to the applicant's narrative. Setbacks will be reviewed at the time of the building permit submittal. She continued by stating that future code amendments to accessory uses would not apply to this site since it is an R-1 Zone. Two agency comments were received. Northern Lakes Fire Protection District stated, "The Fire District approves of the Special Use Permit with the following requirements: 2015 Idaho Fire Code requirements shall apply when building permits are applied for. Additional requirements may apply depending on size and type of occupancy constructed." Avondale Irrigation District replied that they had no comments. Ms. Allen continued with the staff recommended conditions of approval as follows:

1. The approval of this Special Use Permit is based on upon the application, narrative, and site plan provided. The site plan is conceptual in nature, and may be revised as required by conditions of approval. Major changes to the building type, location, or the site plan shall require an application for an amendment to this Special Use Permit.
2. All permits from outside agencies (i.e. PUD, IDEQ, and NLFPD) shall be obtained prior to construction of any future development or building permit issuance.
3. All future development, building permits, and uses shall comply with Hayden City Code 11-13-3 (A) General Standards Applicable to All Special Uses to include the allowed uses.
4. Required site improvements per Hayden City Code 11-20 will be evaluated at time of building permit review and required prior to Certificate of Occupancy issuance.
5. Any construction or modifications to the Ray Site after expiration shall require an application for an amendment to this Special Use Permit.

Rebuttal:

Mr. Ray stated that the size of the overhang was an oversight in the permit process, and that is why they went with the request for the special use permit.

Commission Discussion:

- Vice Chair Cramer stated the setbacks will meet City Code and all standards have been met.
- Commissioner Mabraten stated the site map shows that this is a good design and meets the standards and setbacks have been met.
- Commissioner Taylor stated they [the applicant] have met all required conditions.
- Chair Petersen stated the eight standards have been met.

Motion:

Commissioner Taylor made a motion to approve Case No. PZE-19-0017, Ray Accessory Building Special Use Permit with the five staff recommended conditions of approval. Vice Chair Cramer seconded the motion.

Roll Call:

Commissioner Mabraten:	Yes
Commissioner Taylor:	Yes
Vice-Chair Cramer:	Yes
Chair Petersen:	Yes

All were in favor and none were opposed. The motion passed.

CONTINUING BUSINESS:

Ms. Allen presented a discussion on food and or concession trucks within the City limits. The Commission reviewed possible locations, length of time, definitions, and the possible impact to brick and mortar locations established in the City. Ms. Allen will come forward at a later meeting to discuss in further detail the possible code amendments regarding food trucks within the City.

REVIEW OF UP COMING MEETING CALENDAR, AND REPORT ON COUNCIL ACTIONDirector's Review

The consultants had given great feedback from the interviews asking for community input for the City Plans upgrade and Ms. Cleveland will keep the Commission posted on the process.

Planning and Zoning Commission

August 5, 2019

- Consent Calendar
- Case No. PZE-19-0055, a request by Lake City Engineering, Inc. for a Zone Map Amendment

ADJOURNMENT

The meeting adjourned at 5:57 p.m.


Heather McNulty, Commission Clerk