

**NAMPA PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
TUESDAY, FEBRUARY 26, 2019, 6:30 P.M.**

Members: Lance McGrath - Chairman
Peggy Sellman – Vice Chair
Matthew Garner
Adam Hutchings
Steve Kehoe
Jeff Kirkman

Harold Kropp
Ron Van Auker, Jr
Norm Holm, Director
Doug Critchfield – Senior Planner
Kristi Watkins – Senior Planner
Daniel Badger – City Engineer

Absent: Bret Miller

Chairman McGrath called the meeting to order at 6:50 p.m.

Approval of Minutes: Sellman motioned and Kehoe seconded to approve the Minutes of the February 12, 2019 Planning and Zoning Commission meeting. Motion carried.

Report on Council Actions. City Councilman Haverfield reported on the February 19th City Council meeting: 1) Resolutions for disposition of the two Nampa fire trucks that have been replaced – one to Marsing Rural Fire Department and one to Council Rural Fire Department; 2) Discussion and direction to staff regarding Downtown Nampa parking management (from Front St to 3rd St S and 10th Ave S to 16th Ave S) trying to manage the downtown parking; 3) A letter of Intent regarding the grant for widening of I-84 between Karcher Rd Interchange and Caldwell – and the City match of \$500,000 in relation to \$43,000,000 in Grant Funds; 4) A Resolution on a public hearing for a sidewalk L.I.D.; 5) A Memorandum of Understanding to be signed by the Mayor regarding Project Bronco and traffic mitigation and road infrastructure; 6) An Annexation and IH zoning request for 0 Cherry Ln for 24.39 acres, for Richard Evans – City Council approved the zoning to Light Industrial as they considered IL would be more appropriate for the location rather than Heavy Industrial; 6) Approval of Revisions to Nampa City Code Title 10, regarding Design Standards and a new Chapter 34.

Chairman McGrath proceeded to the business items on the agenda.

Business Item No. 1:

Final Plat Approval for Sunny Ridge at White Hawk Subdivision at the southwest corner of E Greenhurst Rd and Sunny Ridge Rd (18 fourplex lots and 1 duplex lot on 8.36 acres for 8.85 dwelling units/gross acre – A portion of Lots 2 and 3 of Asselin’s Subdivision, situated in Government Lot 3 of Section 3 T2N R2W BM) for JUB Engi8neers, represent8ing TG Development (SPR-00081-2018)

Senior Planner Watkins:

- Watkins indicated the location of the proposed subdivision on 8.36 acres on the west side of Sunny Ridge Rd, just south of E Greenhurst Rd.
- The project proposes 18 fourplex buildings and 1 duplex building for a total of 74 living units, with a density of 8.85 dwelling units per acre.
- The RD zoning on the subject property, allows for the proposed fourplex units and up to 9 dwelling units per acre.
- Staff, added Watkins, finds the proposed Final Plat in substantial conformance with the approved Preliminary Plat, and zoning and subdivision standards.
- Staff recommends approval of the Sunny Ridge at White Hawk Subdivision with the recommended conditions of approval as listed in the Staff Report, and within the memorandum dated February 26, 2019 from the Engineering Division, authored by Daniel Badger.
- **Garner** inquired about the correspondence from Century Link dated February 7, 2019 regarding an easement on the subject property only noted as a utility easement and not specifically as a Century Link easement.

- **Badger** responded that Century Link has some facilities on that site, adjacent to the roadway. The construction drawings call for the relocation of those facilities, will be noted on the final plat and the easements dedicated.
- Badger added the Engineering Division would review the plat prior to the signing and recording of the plat.

Kropp motioned and Van Auker, Jr seconded to recommend to City Council approval of the Final Plat for Sunny Ridge at White Hawk, for 18 fourplex lots and 1 duplex lot on 8.36 acres on the west side of Sunny Ridge Rd, and south of E Greenhurst Rd, for TG Development, subject to:

1. **Compliance with the requirements listed in the Memorandum from the Nampa Engineering Division, dated February 26, 2019, authored by Daniel Badger.**
2. **Compliance with the requirement(s) listed on the January 14, 2019 letter from the Nampa and Meridian Irrigation Department authored by David Duvall that requests filing of a Land Use Change Application.**
3. **One ADA parking space shall be required per fourplex building or provide a Joint Use Parking Agreement for the overall site.**
4. **The Applicant/Developer shall provide a Cross Access Agreement document prior to release of a Certificate of Occupancy on any permitted building.**
5. **Correct any spelling, grammar and punctuation and numbering errors that may be evident on the plat face and/or in the proposed Project plat development notes.**

Motion carried.

Chairman McGrath proceeded to the public hearing items on the agenda at 7:05 p.m.

Public Hearing Item No. 1:

Conditional Use Permit for a Snow Shack Business in an IL/RS (Light Industrial/Single Family Residential) zoning district at 327 1st St N. (Lot 4 and the NW¹/₂ of Lot 5, Block 16, Nampa City Acres Addition No. 3 in the NW ¹/₄ of Section 22 T3N R2W BM), for Luz Corvera (CUP-00130-2019).

Chairman McGrath proceeded to public hearing.

Luz Corvera of 327 1st St N, Nampa – the applicant:

- Ms Corvera stated she would like to move the seasonal snow shack business from the green building next to the road, into her garage on the property.
- **Chairman McGrath** reported the green building had been built on the City street right-of-way.
- **Kehoe** noted the recommended conditions of approval include the requirement to remove the concrete slab currently under the snow shack, as well as the snow shack.
- **Ms Corvera** advised she was aware of the requirement to remove the concrete slab.
- **Kehoe** inquired if anyone was living in the garage and **Ms Corvera** replied no one was living in the garage.

Senior Planner Critchfield:

- Critchfield indicated the subject property located within an IL/RS (Light Industrial/Single Family Residential) zoning district, somewhat of a transitional zone with some light industrial use and other properties that have both residential and light industrial uses on the property.
- The house on the subject property has been used as a residence for several years.
- The applicants have had a Temporary Use Permit for 3 years, 2016, 2017 and 2018.
- The subject area was designated Employment Area/Mixed Use on the Comprehensive Plan Future Land Use Map, for future businesses.
- Critchfield reviewed the Staff Report and recommended conditions of approval.
- Critchfield noted the condition of approval requiring the business to be operated during regular summer daytime business hours and activities associated with the operation of said business shall not disturb adjacent residences.
- The business, continued Critchfield, would be operating in the summer, approximately 3 months out of the year.
- Critchfield noted there were similar types of uses in the area, therefore, the application for the snow shack was eligible to come before the Planning Commission as a request for Conditional Use Permit approval.

- According to Critchfield there had been no complaints received from neighboring property owners or residents.
- The snow shack would be primarily walk-up reported Critchfield, and cars could possibly park on the street for short periods of time.
- **Kehoe** inquired if there were any specifics regarding the hours of operation for the snow shack in the summer.
- **Critchfield** advised the times of operation could be added as a condition of approval on the C-U-P.

Chairman McGrath proceeded to public testimony.
No public comment forthcoming.

Kehoe motioned and Garner seconded to close public hearing. Motion carried.

Kehoe motioned and Kropp seconded to approve the operation of the Snow Shack Business in an IL/RS zoning district at 327 1st St N for Luz Corvera, subject to:

1. **City Staff to determine the exact hours of operation for the snow shack. The business shall be operated only during those hours, and activities associated with the operation of said business shall not disturb adjacent residences**
2. **All requirements of the Nampa Planning, Building, Engineering, and Fire Departments for occupancy and use of the property for a snow shack business shall be satisfied prior to operation of the business.**
3. **The owner/operator removes the existing snow shack structure, and concrete slab out of the public street right-of-way.**
4. **The owner/operator complies with all Building Codes, Zoning Codes and complies with all setbacks from property lines.**
5. **The owner operates the business out of a structure on the property that is designated and utilized for that purpose during the months the business is in operation.**
6. **The owner maintains all regulatory permitting, licensures and operational procedures, as required by law.**

Motion carried.

Public Hearing Item No. 2:

Conditional Use Permit for Sporting Goods Retail in an IL (Light Industrial) zoning district at 2200 Cortland Place (Lots 3 and 4, Block 1, Cortland Business Park in the NW ¼ of Section 16, T3N R2W BM), for Faith Outdoors, LLC (CUP-00131-2019).

Chairman McGrath proceeded to public hearing.

Nathan Guy of 8375 Deer Sky Ranch Trail, Nampa – the applicant:

- Mr Guy stated he would like to operate the retail sporting goods business, with firearms, retail, gunsmithing and ammunition.
- In response to a question from **Chairman McGrath**, **Mr Guy** stated he had been operating that business since 1993 and the business comprised primarily firearms, ammunition, accessories and gunsmithing.
- **Mr Guy** responded to a question from **Kehoe** and stated he would like to move to the 2200 Cortland Pl site because his business was more of a destination business and not a drive-by business, and therefore he was happy to be in the proposed location, at the south end of the building, on a cul de sac.

Planning Director Holm:

- Holm reviewed the Staff Report and recommended conditions of approval.
- According to Holm, no comments had been received from any property owners or residents in the area.
- It appeared to be a reasonable use for the area and would be accessible with adequate parking. The proposed business would be sharing the parking with the other units in the building.
- Holm indicated the southerly portion of the existing building that would be utilized for the sporting goods business.

Chairman McGrath proceeded to public testimony.
No public comment forthcoming.

Kehoe motioned and Sellman seconded to close public hearing. Motion carried.

Kehoe motioned and Van Auker, Jr seconded to approve the Conditional Use Permit for a Retail Sporting Goods/Firearms, Gunsmithing, Ammunition and Accessories business at 2200 Cortland Pl, for Nathan Guy, subject to:

- 1. All requirements of the Nampa Planning, Building, Engineering, and Fire Departments as well as State, or Federal agencies regarding use of the property for a retail Sporting Goods//Firearms, Gunsmithing, Ammunition and Accessories business shall be satisfied prior to occupancy.**
- 2. The change of use may require approval and issuance of a Building Permit and compliance with applicable Fire and Building Code requirements pertaining to a retail Sporting Goods//Firearms, Gunsmithing, Ammunition and Accessories business.**
- 3. The Conditional Use Permit shall be issued only for a retail Sporting Goods//Firearms, Gunsmithing, Ammunition and Accessories business.**
- 4. The property shall be continuously maintained in conformance with Weed and Nuisance Ordinance provisions.**
- 5. The Conditional Use Permit is granted only to 2200 Cortland Place for the duration of the use and shall not be transferable to any other location.**

Motion carried.

Public Hearing Item No. 3:

Proposed Nampa City Code Text Amendments to Sections of Nampa City Code Titles 6, 7, 9 and 10 as follows: (ZTA-00009-2019)

- 1) Amendment of Title 6, Chapter 2, Section 20, pertaining to Canine Licensing.
- 2) Amendment of Title 7, Chapter 2, Section 16, pertaining to parking of vehicles in specified places.
- 3) Amendment of Title 9, Chapter 1, Section 9, pertaining to the parking of an “unauthorized dwelling unit” on public rights-of-way(s).
- 4) Amendment of Title 10, Chapter 1, Section 2: Definitions; adding and/or transferring to said section definitions of/for: “Appropriate Historic Hues”, “As Built Roof”, “Building Expansion”, striking “Congregate Residence”, adding “Early Twentieth Century Architecture”, “Façade Improvements”, striking “Foster Daily Care Home”, adding “Historic Storefront Pattern”, “Historic Structure”, “Original Architectural Character”, “Original Building”, “Pedestrian Amenities”, “Photometric Test Report”, supplementing the definition of “Recreational (Hobby) Vehicle/Trailer”, adding “Rehabilitation”, “Remodel”, “Residential Infill Subdivision”, deleting “Story”, adding “Structure, Contributing”, “Structure Non-Contributing”, “Traditional Building Materials”, “Traditional Building Width”, “Transparency”, augmenting “Vision Clearance”.
- 5) Amendment of Title 10, Chapter 1, Section 5, regarding conformance of projects to entitlements issued.
- 6) Amendment of Title 10, Chapter 1, Section 18 regarding vision triangles.
- 7) Amendment of Title 10, Chapter 1, Section 19 refining existing standards for self/mini-storage projects in RP and BN Zones.
- 8) Amendment of Title 10, Chapter 2, Section 10 regarding requests for reconsideration.
- 9) Amendment of Title 10, Chapter 3, Section 2 regarding professional offices, medical/dental offices and non-professional/non-medical office types.
- 10) Amendment of Title 10, Chapter 4, Section 5 correcting GB 2 Zone regulations for minimum property size relating to non-multiple family dwellings.
- 11) Amendment to Title 10, Chapter 4, Section 9 clarifying required development improvements, landscaping requirements, and eliminating a berming requirement and landscaping code relevant to the railroad in the GB 2 Zone.
- 12) Amendment to Title 10, Chapter 4, Section 10 requiring enclosures for trash receptacles.
- 13) Amendment of Title 10, Chapter 8, Section 5 to include a limited number of varying refinements.
- 14) Amendment to Title 10, Chapter 8, Section 6 to add a RS4 zoning designation with associated standards.
- 15) Amendment of Title 10, Chapter 15, Section 9 deleting definitions being moved to Title 10, Chapter 1, Section 2.
- 16) Amendment of Title 10, Chapter 15, Section 6 deleting and revising references to definitions.

- 17) Amendment of Title 10, Chapter 16, Section 11 regarding trash enclosure screening.
- 18) Amendment of Title 10, Chapter 21, Section 3 pertaining to the number of dogs kept on a property in coordination with contemplated changes to Title 6, Chapter 2, Section 20.
- 19) Amendment of Title 10, Chapter 22, Section 4 to clarify parking requirements for multi-structure developments.
- 20) Amendment of Title 10, Chapter 22, Section 5 to clarify provisions pertaining to Site Improvement Permits.
- 21) Amendment of Title 10, Chapter 22, Section 6 to clarify requirements appertaining to the P-2 parking district, single-family dwellings, two through multiple-family parking requirements, and offices.
- 22) Amendment of Title 10, Chapter 22, Section 7 eliminating loading space [docks] unilateral installation requirement.
- 23) Amendment of Title 10, Chapter 23, Section 2 to add definitions.
- 24) Amendment of Title 10, Chapter 23, Section 8 to address abandonment of billboard signs.
- 25) Amendment of Title 10, Chapter 23, Section 20 to allow two subdivision identification signs per entry.
- 26) Amendment of Title 10, Chapter 24, Section 2 to improve grammar.
- 27) Amendment of Title 10, Chapter 25, Section 15 repealing and re-enacting the section to improve formatting and grammar, clarify scope and effect of modifications to CUP.
- 28) Amendment of Title 10, Chapter 27, Section 2 providing requirements for filing of applications to re-plat or convert common lots
- 29) Amendment of Title 10, Chapter 27, Section 4 respecting master communities, infill developments, RS 4 developments, new requirements for infill and standard subdivisions (including in RS 4 Zones), qualifying regulations for “infill” subdivisions, short plat allowance and effectiveness clarifications.
- 30) Amendment of Title 10, Chapter 27, Section 6 path/bikeway inter and intra-connectivity requirements.
- 31) Amendment of Title 10, Chapter 27, Section 12 regarding correcting or amending plats including situations affecting common properties.
- 32) Amendment of Title 10, Chapter 29, Section 3 clarifying manufactured home dimension requirements and adjusting grammar.
- 33) Amendment of Title 10, Chapter 33, Section 4 to authorize the City Forester to participate in and reviewing commercial plans submitted to the City for permit(s).

Chairman McGrath proceeded to public hearing.

Planning Director Holm:

- Holm reviewed the Staff Report and proposed changes to the City of Nampa Zoning Ordinance.
- Discussion followed regarding each proposed amendment.
- Holm introduced Doug Waterman from the City Attorney’s Office and stated he had been going through the proposed amendments to make them more clear, concise, and understandable to the public.

Chairman McGrath proceeded to public testimony.

No public comment forthcoming.

Kropp motioned and Van Auker, Jr seconded to close public hearing. Motion carried.

- Discussion followed regarding proposed Amendments:
- Amendment 1: Title 6-2-20, regarding Canine licensing, which had been requested by a citizen of Nampa, to change the number of dogs permitted in the City to three (3). The Commission considered the number of dogs permitted on a property should remain at two (2).
- The same comments were made regarding proposed Amendment 18: Title 10-21-3 pertaining to the number of dogs kept on a property, in coordination with proposed change to Title 6-2-20. The Commission considered that section should coordinate with Section 6-2-20, and the number of dogs should remain at two (2).
- Discussion followed regarding proposed Amendment 3: Title 9-1-9 Residing on a Public Right-Of-Way: stating it shall be unlawful for any person(s) to reside or stay more than twenty four (24) hours in an “unauthorized dwelling unit” on public rights of way. The Commission considered seventy two (72) hours would be more appropriate.

Kehoe motioned and Kropp seconded to recommend to City Council approval of the Amendments as written, except for:

- **Amendment 1: Title 6-2-20, Licensing: Canine licensing, which had been requested by a citizen of Nampa, to change the number of dogs permitted in the City to three (3). The Commission considered the number of dogs permitted on a property should remain at two (2).**
- **Amendment 3: Title 9-1-9 Residing on a Public Right-Of-Way: stating it shall be unlawful for any person(s) to reside or stay more than twenty four (24) hours in an “unauthorized dwelling unit” on public rights of way. The Commission considered that seventy two (72) hours would be more appropriate.**
- **Amendment 18: Title 10-21-3 pertaining to the number of dogs kept on a property, in coordination with requested change to Title 6-2-20. The Commission considered that section should coordinate with Section 6-2-20, and the number of dogs should remain at two (2).**

Motion carried.

Meeting adjourned at 8:20 p.m.



Norman L Holm, Planning Director

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