

**SPECIAL COUNCIL**  
**Council – Planning & Zoning – Design Review**  
**September 3, 2019**

Mayor Kling called the meeting to order at 5:00 p.m.

Clerk made note that Councilmembers Bruner, Hogaboam, Levi, Haverfield, Skaug were present. Councilmember Rodriguez absent.

Nampa City Attorney Douglas Waterman was present.

Clerk also made note that Planning and Zoning Commission Members Hutchings, Kehoe, Kropp, McGrath, Miller, Kirkman, Sellman, VanAuker were present. Planning and Zoning Commission Members absent were Garner.

Clerk also made note that Building and Site Design Members Gable, Randell, Hatch, Veloz, Volkert were present. Building and Site Design Members absent were Manlove, Smith.

Also in attendance were: Clerk Specialist II Nathaniel Haveman; Clerk Specialist II Joy Hall; Senior Planner Kristi Watkins; Work Force Director Bobby Sanchez; Chief of Staff Clay Long; Communication Manager Amy Bowman; Economic Development Director Beth Ineck; Parks and Recreation Director Darrin Johnson; Nampa City Engineer Daniel Badger; Planning and Zoning Director Norm Holm; Principal Planner Rodney Ashby; Senior Planner Doug Critchfield.

The Mayor presented the purpose for the meeting: we work together to achieve “a safe and healthy community where people prosper.” Therefore, this workshop is intended to help enhance our communication, collaboration, and mutual understanding of our various roles. We will review the proposed 2040 Comprehensive Plan and City of Nampa’s strategic plan. The work of Nampa City Council, the Planning & Zoning Commission and the Design Review Committee is greatly valued and appreciated.

The work of all our city commissions is appreciated. Specific to this meeting, we value and appreciate the work of the Nampa City Council, the Planning & Zoning Commission and the Design Review Committee. As we work together to achieve “a safe and healthy community where people prosper,” this workshop is intended to help enhance our communication, collaboration, and mutual understanding of our various roles. We will review the proposed 2040 Comprehensive Plan, City of Nampa’s strategic plan and recommended code changes.

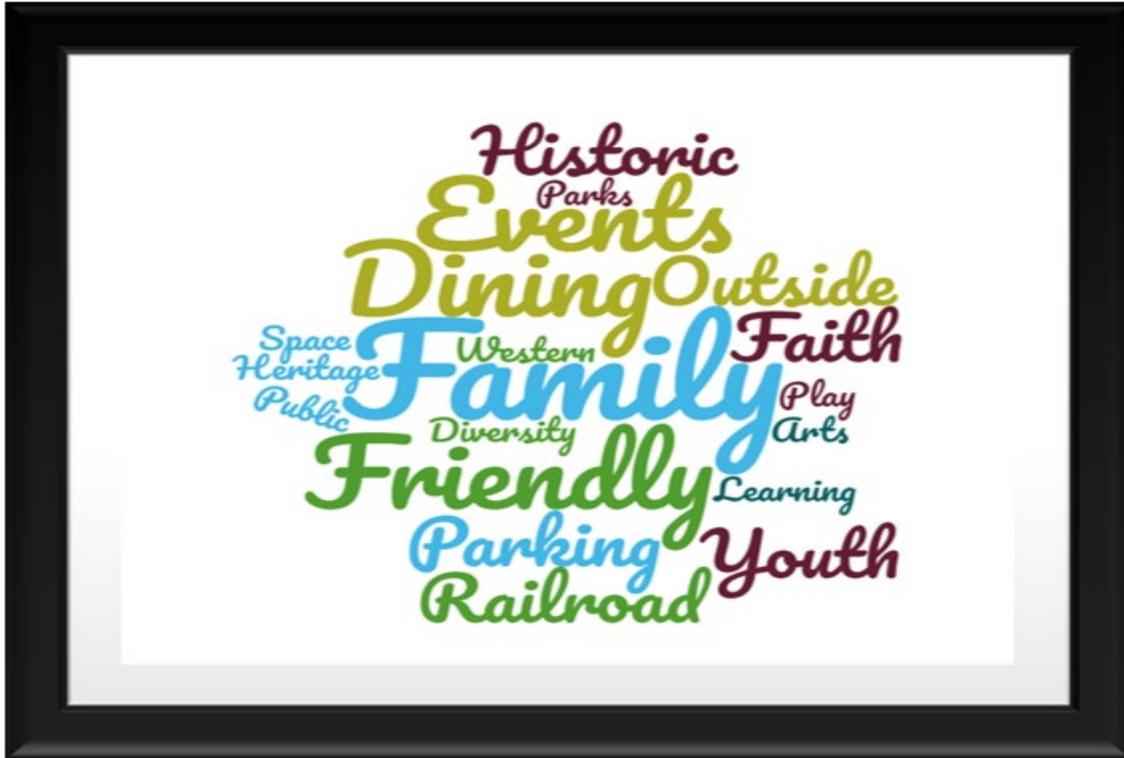
Economic Development Director Beth Ineck presented the following staff report:

**Downtown Strategic Planning**

- Idaho Downtown Assessment Program, Department of Commerce
  - Focus Groups and Community Surveys
- BID Strategic Planning
  - Board based strategic planning

## What we Heard

- A place where people want to be and businesses flourish



## Implementing Change

- Adjustments to the Parking Management Plan
- Property Maintenance Code Adoption
- Design Review through Arts and Historic Preservation Commission
- Development of a full Main Street Program
  - Funding for Main Street Program Manager
  - Formation of Board of Directors including variety of stakeholders
- Review of Nampa City Ordinances to shape downtown in alignment with community vision.

## Balance of Nightlife (Bars) and Family Friendly

- Greenville South Carolina – Regulated at time of CUP (Conditional Use Permit)
- Greensborough North Carolina – Regulated as Privilege License
- St. Charles Missouri – ongoing regulation through point system

### **Definition of Privilege License**

- Regulatory tool to manage businesses that have the potential to affect the economic and social wellbeing of the city and its residents.
  - Commonly found in Southeast USA: North Carolina, Alabama, Mississippi as well as Las Vegas

### **Privilege License for Nampa**

- Issued prior to liquor license, utilize Greenville model of application
  - Technical Advisory Committee composed of staff from Econ. Dev, Building, P&Z, Police, Fire, Clerks and Mayor Office
  - Regulates establishment serving alcohol.
    - Approval by Technical Advisory Committee appealed to Nampa City Council
  - Requires full application and in-person meeting with committee and business owner
  - Application includes:
    - Operating Plan, Security Procedures, Seating Plan, Business Plan, Questions on:
      - Describe how consistent with Comprehensive Plan
      - Describe how appropriate for location and compatible with character of existing and permitted uses and will not reduce property values.
      - Describe ways request will minimize adverse effects on adjacent lands including visual, parking, noise, glare and vibration, how will request not create a nuisance.

### **Clear Definition of Criteria for New or Renewal Applications**

- Potential Point System based on Goals of Downtown
  - Orderly premises through prevention of immorality, violations of the law, affrays, breaches of the peace upon the premises, parking lots and area surrounding premises which is used as part of the business or under control of the license.
  - Good Moral Character defined in St. Charles MO ordinance.
  - The project should reflect the vision identified in the Comprehensive Plan.
  - The operation should not create a nuisance to surrounding neighbors.
  - No criminal activity or police calls to business.

### **Approval Process**

1. Staff approval of Privilege License
2. P&Z approval of CUP (Conditional Use Permit) with submittal of approval for Privilege License
3. Approval of Alcohol License through Nampa City Council

### **Regulatory Options for DH District**

- Privilege License
  - Require privilege license for all alcohol permits in Historic District
    - Renewal annually or every 3-5 years to ensure owner is in compliance with initial plans
- CUP (Conditional Use Permit) process
  - Elimination of the automatic transfer of CUP (Conditional Use Permit) from one owner to next
  - CUP (Conditional Use Permit) considered abandoned after 60 days of in operation
- Alcohol Permit
  - Only granted after Privilege License and CUP (Conditional Use Permit) approval

### **Business License**

- Additional evaluation being conducted around implementation of Business License for all businesses in the City of Nampa.
  - Public Safety, Fire and Building Department know who is in the City of Nampa and ensure compliance with Life Safety Regulations
  - Economic benefit of understanding business mix, employment and industry

Mayor and Councilmembers made comments.

Building and Site Design members made comments.

Planning and Zoning members made comments.

### **Proposed Code Amendments to Title X Chapter 33: Corridor Beautification**

#### Purpose of Proposed Changes:

- Clarify
- Less subjective interpretation
- Eliminate repetition
- Meet current needs of community
- Match established city processes
- Partnered closely with Parks Division & Nampa City Forester

As part of the Nampa City's efforts to update Planning & Zoning Code, we have worked closely with our Nampa City Attorney to improve clarity so that less subjective interpretation is necessary and so that city boards, residents, and developers can better understand what is expected. Some changes were also necessary to eliminate repetition, to create more concise direction, to meet the current needs of the community, and to better match established city processes. We have worked closely with the Nampa City Forester and Parks Division to update this chapter of our code.

Summary of Proposed Changes:

- Two trees required on residential lot (1 in ROW)
- Smaller residential front yards only need plant 1 tree
- Multi-family housing shall plant ROW trees per code and 1 (one) tree per 2,500 s.f. of landscaping
- No trees permitted in the airport runway protection zone (RPZ)
- Trees shall be selected from the Treasure Valley Tree Selection Guide (TVTSG)
- Deferral Agreement required for landscaping not installed due to weather/season

Proposed changes to the Corridor Beautification zoning code chapter are attached as exhibits. The following is a summary of the most critical changes being proposed.

1. A new residence or subdivision in the RA, RS and RD zoning districts shall plant two (2) trees per dwelling unit; one (1) 'Class II' tree in the Right-of-Way, and one (1) 'any class' tree on each lot. If the right-of-way planting area is less than 100 square feet, the tree that is required in the right-of-way may, in lieu, be planted in the front yard of the property. This requirement was a change from a minimum requirement of two trees in the front yard -one in the right-of-way and one in the yard. In some cases, due to the shape and size of a yard, it was very difficult to plant two trees.
2. New Multi-Family residences and subdivisions in the RML, RMH and RP zoning districts shall plant street trees in the right-of-way per Section 10:33-4.A.2: Corridor Landscaping. In addition, a minimum of one (1) 'any class' tree for every 2,500 square feet of landscape area shall be planted, with exception to parking lots which require Class II trees.
3. No trees shall be allowed in the airport runway protection zone (RPZ), building restriction line (BRL), or within five hundred feet (500') of the North Kings Road/ Airport Road or Victory Road/Happy Valley Road intersection centers. Trees near the airport attract birds and create a safety concern for pilots.
4. All trees shall be selected from the Treasure Valley Tree Selection Guide (TVTSG), incorporated herein by reference, with the exception of the Acer Rubrum and the Acer Freemanii species. This is a regionally produced tree list for our area.
5. Trees specified for planting in the Right-of-Way shall be deciduous and selected from the TVTSG Class I and Class II Tree List. The city forester and city planning director shall have discretion to require a substitution for any tree species specified. Tree species that are not specified in the TVTSG list and trees placed in common areas shall require review and approval from the city forester or planning director.
6. The City of Nampa may request or require a deferral agreement requiring specific landscaping in the event of such redesign or redevelopment. For landscaping that cannot be installed due to weather between November 1 and May 1 of the following year, a deferral agreement shall be required.

**Next Steps**

Public Hearings for:

- Storage & Landscaping Code Changes (September & October)

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- Master Plan Adoptions  
(Fall 2019)
- Comprehensive Plan and Strategic Plan submitted for Council approval later this year

**Strategic Plan & Communication Between Governing Boards**

Shannon McGuire, a consultant who helped the City of Nampa through the development of the Strategic Plan, will review the plan with the boards and will guide members through a process to help improve communication and collaboration.

Principal Planner Rodney Ashby presented the following staff report:

**Conditional Use Permits examples**

- Multi-family Residential in BC district
- Drug/Alcohol Addiction Treatment Center
- Shelter/Temporary Housing
- Public Self-Storage Unit Developments
- Bars (not associated with restaurant)
- Recreational Vehicle Parks

Mayor, Councilmembers, and Building and Site Design and Planning and Zoning Commissioners made comments.

**MOVED** by Hogaboam and **SECONDED** by Haverfield to **adjourn** the **meeting** at 6:09 p.m.  
The Mayor declared the

MOTION CARRIED

Passed this 16th day of September 2019.

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MAYOR

ATTEST:

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NAMPA CITY CLERK