

City of Dalton Gardens
Regular Planning & Zoning Meeting Minutes
Thursday, July 22, 2021 @ 6:00 PM

Meeting was conducted via teleconference and in person.

CALL MEETING TO ORDER: Chairman Becker called the meeting to order at 6:01 PM

ROLL CALL: Physically present were Commissioner Melissa Cleveland, Commissioner Tyler Drechsel, and Chairman Mike Becker. Commissioner Caitlin O'Brien was present via Zoom and Commissioner Ron Sampert was absent. Also present were Ryan Hughes-City Planner, Chris Gabbert- City Attorney and Teresa Janzen- City Clerk/Treasurer.

1. TDrechsel made a motion was made to approve the regular meeting minutes from June 24, 2021. MCleveland seconded.

CO'Brien: aye **TDrechsel:** aye **MCleveland:** aye **MBecker:** aye Motion carries.

Chairman Becker gave Commissioner Cleveland her official certificate of appointment

2. Public Comment:

- a. Sue Supp: 7024 N 16th St- periodic disclosure that she is an Attorney a member of the Arizona State Bar Association and Federal Bar for the 9th Circuit and other organizations. Her opinions and advocacy are as a private citizen and not legal opinions.
3. **Commission discussed priorities for City Planner Time going forward.** Commission elected the focus to be Small Cell Tower Ordinance and Building Permits backlog as the top priorities.

TDrechsel made a motion to direct the City Planner to move forward to clear the Building Permit backlog, then focus on Small Cell Ordinance, and then revisit with the Commission for prioritization of the items on the below list. MCleveland seconded.

CO'Brien: aye **TDrechsel:** aye **MCleveland:** aye **MBecker:** aye Motion carries.

- Update Commercial zone allowed and special uses, improve landscaping and buffering standards.
- Setbacks for accessory structures in residential zone
- Fences
- Light Trespass

- Business licenses and home-based businesses – clarify and enhance standards for home-based businesses, improve process for regular business licenses to simplify renewals
 - Fees – amend sections of code that prescribe specific fee amounts, allow fees to be set by resolution
 - Subdivisions and short subdivisions – bring code into compliance with Idaho Code for platting, update procedures and standards
 - Cell towers – clarify where they can and can't be sited within the City, add standards for different types of facilities
 - Mandatory pumping of septic tanks every 5 years – add violation provisions
 - Wind power generators – eliminate variance provision
 - Signs – simplify and bring code into compliance with constitutional requirements
 - Amend or eliminate lot coverage in residential zone
 - Prohibit camping on city property
4. Discussion of Small Cell Ordinance Status
- a. Public Comment was given by:
 - i. Sue Supp: 7024 N 16th St- concerned that ROW is not truly known by the City and that some utilities have been placed outside of the ROW.
 - ii. Kurt Jernigan: 7439 N Davenport- questioned how residents get notice of where utilities are going to be placed
 - b. Matt Hall, City Engineer gave update that Utilities are requesting permits as residents are signing up for services. Most Fiber optic companies are choosing to go underground so they don't have to pay for Avista poles. Reviewed that ROW permit has been reviewed by the City Attorney and clearly states that the City does not make a claim as to where the ROW is. It is the Utilities responsibility to know where the ROW is. All utilities must play nice with each other in the ROW. City does not currently require a bond for utility work.
 - c. Chris Gabbert, City Attorney reiterated that the on the front of the ROW encroachment permit it states, "City makes no representation of ROW width". City Council has authorized an audit of the ROW inventory by the City Engineer. Recommends update the application to show onus is on the Applicant to notice Dalton Water Association and resolve any ROW conflicts. Wireless Telecom Ordinance is separate from the ROW utility box issues.
 - d. Chairman Becker would like to have bonding be required for a ROW encroachment permit.
5. Discussion was held regarding increasing/changing the lot coverage code 5-5-4-C. Commission preferred to uphold the Comp Plan and not undertake a revision to allow for greater lot coverage at this time.

6. TDreschel made a motion to move the regular August 26, 2021 meeting to Wednesday, August 25, 2021. MCleveland seconded.

CO'Brien: aye **TDrechsel:** aye **MCleveland:** aye **MBecker:** aye Motion carries.

7. TDreschel made a motion to adjourn the meeting. MCleveland seconded. All in favor. Chairman Becker Adjourned the meeting at 8:14 PM



Mike Becker, Chairman

ATTEST:



Teresa Janzen, City Clerk/ Treasurer