

City of Dalton Gardens

Planning & Zoning Meeting Minutes

Wednesday, February 29, 2024 @ 6:00 PM

Meeting was conducted in person and via Zoom.

1. **CALL TO ORDER:** Chairman Becker called the meeting to order at 6:02 PM
2. **ROLL CALL:** Present were Commissioners Chad Haunschild, Melissa Cleveland, Caitlin O'Brien, Ron Sampert and Chairman Mike Becker. Also present, Ryan Hughes- City Planner and Teresa Janzen- City Clerk/Treasurer.
3. **APPROVAL OF MINUTES FROM JANUARY 24, 2024 MEETING:**
MCleveland made a motion to approve the regular meeting minutes from January 24, 2024. CHaunschild seconded.
CHaunschild: yes CO'Brien: yes MCleveland: yes RSampert: yes Motion Carries.
4. **CITY PLANNER REPORT:** Remains a consistent amount of building permit reviews this month. Also had a notice to title for an ADU. The ADU has been decommissioned. The council had presentation by PHD discussing their request of the city to update the SMA with a MOU between the entities. Also asking for an ordinance for handling Critical Materials. With the change in IDAPA rules, they are not approaching cities directly. The council will be working with PHD for next steps.
 - CO'Brien asked if PHD had any concerns with Dalton Gardens septics, ADUs, water usage, etc
 - RHughes explained the high quality of the aquifer, the risk to the aquifer and how the SMA allows enforcement to protect the aquifer.
 - Clerk shared that the City Planner and Clerk had a meeting with PHD a few months prior and received high praise from PHD for the City's efforts to uphold the SMA and proactively do their part to protect the aquifer.
 - Chairman Becker commended City Staff and Council for their diligence work in ensuring we have the SMA and continuing to pursue protecting it.
5. **PUBLIC COMMENT:** No public comments.
6. **CONSIDERATION AND PUBLIC HEARING FOR SU 24-1:** City Planner gave an overview of the application for Automotive Practice at 6680 N Government Way. Applicant originally came in for a Business License for a new business. During that review it was ascertained that their proposed use falls under the 'special use permit' provisions of city code. (DGCC 5-7) There is another automotive use on the same site that received a special use permit last year (Ray Vallero).

All city procedures have been followed, the notice for public hearing sent to surrounding properties and published in the CdA Press. The proposed business is a general auto repair shop working on 1-2 cars per day. Shared parking lot. All fluids are contained, and a

professional service has been contracted to dispose of all fluids in approved containers. No loud machinery will be used.

Staff finds that the findings conform or can be made to conform to the city code.

Agency Comments came back with a late response from CdA "if there are any floor drains in shop or service area connected to septic, they will have to install an oil- water separator prior to connection to CdA Sewer". The Planner recommends incorporating this in as a City of Dalton Gardens condition if SU 24-1 is approved.

Applicant Russel Kinzer was present for questions from the Commission. He stated the facility was previously an automotive repair shop. He also stated there are no floor drains in the facility. He already has the oil containment systems in place.

Public Hearing opened at 6:17 PM; No public testimony. Closed at 6:17 PM

CO'Brien made a motion to approve SU 24-1 with the following findings and conditions:

Conditions of Approval

6.01 Applicant to provide verification that a Commercial/ Industrial application for Critical Materials inspections has been made with the Idaho Panhandle Health District.

6.02 Conformance with DGCC 5-3-12 "Performance Standards" be met to include building maintenance, lighting, nuisance prevention, construction activity, vibration, noise, dust, odor, and smoke. (see DGCC 5-3-12) This is an ongoing condition.

6.03 As per request from CDA wastewater, applicant must install oil water separator prior to any CDA sewer connection.

The proposal as presented does warrant approval for the following reasons:

7.01 The application does meet the minimum requirements for a special use permit.

7.02 The use will be harmonious with and in accordance with the general goals and policies of the Comprehensive Plan.

7.03 The use will not be hazardous or disturbing to existing or future neighboring uses.

7.04 The use will be served adequately by essential public facilities and services.

7.05 The use will not create a public cost that will be detrimental to the welfare of the community.

7.06 The use will not generate excessive traffic, noise, smoke, fumes, glare or odors.

7.07 The use will have vehicular approaches to the property which will not interfere with traffic on surrounding streets.

7.08 The use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major importance.

Based on the Findings of Fact and Conclusions of Law set forth in this document, the Planning Commission APPROVES WITH CONDITIONS the application for a special use permit to operate an automotive repair shop in the Commercial District. **MCleveland seconded.**

CHaunschild: yes CO'Brien: yes MCleveland: yes RSampert: yes MBecker: yes Motion Carries.

7. **DISCUSSION OF COMMERCIAL CORRIDOR SURVEY RESULTS:** The city planner gave an overview of the survey results. There were not many businesses that participated. Chairman Becker and Commissioner Haunschild went door to door for the business that had their surveys marked undeliverable by USPS. Indication is we may need to do more outreach before we are able to make strides towards policy recommendations.

From the approximately 50 businesses contacted face to face the feed back was largely positive to move in a direction of improvement for a cohesive aesthetic in the district but desire to see an increase in the City's responsibilities instead of greater financial burden on the business owners. The potential aesthetic requirement to maintain painting of the buildings met with approval. A need for pedestrian walkway consistency needed- some gravel, some paved, some sections narrow was also brought to light.

Survey was open through the end of February 2024.

Direction for Staff Priorities: Design standards for subdivision for commercial sewered properties; signage for consistency with code and pedestrian safety, lighting, parking and driveways before those on sewer divide to smaller lots. City Planner is bring a review of commercial subdivision code to March meeting with potential revision ideas.

The clerk advised that there have been no new sign permits in almost 2 years, only replacement for damage. Administrative staff is concerned about commercial properties being subdivided into small lots without the City being prepared with design standards.

8. **DISCUSSION OF SHORT TERM RENTAL OBJECTIVES:** City Planner presented the Hayden Lake Ordinance for Short Term Rentals. Trying to balance not regulating what people can do with their private property, safeguarding the SMA, prohibiting party houses, cannot negatively impact neighbors with the use of my private property. Are STRs subject to sales tax? Should they be considered a type of home business permit? Who enforces? Rental of entire property? Rental of part of the house? Unless the City Council has an enforcement policy for it, it might not be time to address it.

Commission like the thought of a registration of STR with the City versus a require permit. Could have conditions like trash disposal, notification of neighbors, no feeding the deer and other common city codes.

9. DISCUSSION OF 2024 PLANNER PRIORITIES:

Dalton Market improvement possibilities- waiting to hear back from Bonnie Pooni
Continue to work on the matrix of priorities and revisit every few months for reprioritization.


10. DISCUSSION OF AGENDA ITEMS FOR MARCH 28, 2024 MEETING:

- Commercial Standards for Subdivision of properties on CdA Sewer
- Short Term rental registration regulation suggestions

11. ADJOURN:

CO'Brien made a motion to adjourn. MCleveland seconded.

All in favor. Meeting adjourned at 7:27 PM.



Mike Becker, Chairman

ATTEST:



Teresa Janzen, City Clerk/Treasurer