

NAMPA PLANNING & ZONING COMMISSION

MINUTES OF REGULAR MEETING HELD TUESDAY, AUGUST 11, 2020, 6:30 P.M.

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

Bret Miller
Tom Turner
Ron Van Auker, Jr
Rodney Ashby – Planning Director
Kristi Watkins – Principal Planner
Doug Critchfield – Principal Planner

Absent: Daniel Badger – City Engineer

Commission members Franklin, Garner, Hutchings, Kirkman, Miller, Turner, and Van Auker, Jr were present via Teams meeting, and Madam Chair Sellman and Commission member Kehoe were present in the Council Chambers

Madam Chair Sellman called the meeting to order at 6:54

Approval of Minutes: Kehoe motioned and Garner seconded to approve the Minutes of the July 28, 2020 Planning and Zoning Commission meeting. Motion carried.

Report on Council Actions: No City Council representative present to report on City Council actions. Planning Director Ashby reported that during the July 3rd City Council meeting, the Council approved the request for ANN-00173-2020 annexation and zoning to RS4 of 406 W Dooley LN with condition that zoning be RS6.

Madam Chair Sellman proceeded to the Business Item on the agenda.

Business Item No. 1:

Subdivision Plat Final Approval for Lost River Townhomes No. 2 (A 1.99 parcel of land located in the SE ¼ of the SW ¼ of Section 6, T3N, R1W, Nampa; a portion of Tax ID# R30387010A0); for 24 single-family lots and 2 common lots for 12.1 dwelling units per gross acre for Nampa North, LLC (SPF-138-20). ACTION ITEM.

Principle Planner Watkins:

- It is located inside the city limits and is zoned GB 2. It is bordered on the north, & south sides by City zone RS 8.5 properties, on the east side by RS 12 zoned property and on the west side GB 2 property that is phase 1 of this subdivision.
- Annexation and Zoning to RS 8.5 and DA was approved in December 2005. A Rezone request for a small portion to be zoned RS 8.5, a DA Mod and Preliminary Plat for Lost River Subdivision was approved in December 2017 and another DA Modification and Preliminary Plat were approved for the Lost River Townhomes portion of the Lost River Subdivision in October of 2019 and Phase one of Lost River Townhomes was approved in March of this year.
- This development proposes 24 Residential lots, and 2 common lots on 1.99 acres and is the last phase of this subdivision.

- There were no other comments received by this department after this staff report was submitted.
- Staff feels it is appropriate for this commission to recommend approval of the final plat for Lost River Townhomes Subdivision No 2 to City Council with the conditions as listed in the staff report and any other conditions you see fit to impose.

Commissioner Garner motioned and Commissioner Kehoe seconded to recommend approval to City Council for Lost River Townhomes No. 2, on the North side of Cherry Ln and East of Idaho Center Blvd, 24 single-family lots and 2 common lots on 1.99 acres, for Nampa North, LLC, subject to:

1. Compliance with other agency and/or department requirements
2. Providing approval from the irrigation district
3. Obtaining ROW and Erosion Control Permits from the City of Nampa
4. Correction of any errors on the plat

Motion carried with all Commission members in favor.

Business Item No. 2:

Subdivision Plat Final Approval for Summit Ridge Subdivision No. 4 (A 23.30 acre portion of land, being the easterly portion of Canyon County Tax ID# R2929101100, also being a portion of N ½ of the NE ¼ of Section 5, T2N, R2W, BM, Canyon County, Nampa; for 61 single-family lots and 5 common lots on for 4.80 dwelling units per gross acre for M3 Companies, LLC – Mark Tate, representing M3 Idaho Greenhurst LLC (SPF-137-20). ACTION ITEM.

Principle Planner Critchfield

- Located inside city limits and zoned RS6. Comprehensive plan showing medium density residential. Project density is gross 2.85 DU/Acre and net 4.80 DU/Acre. It is surrounded by RS7 to the North, RS6 to the East and Canyon County Ag to the South and West.
- Annexation and zoning to RS6 was approved December 2018 and errors were correct and recorded on August 29, 2019. Phase 1 of final plat came through and was recorded April 23, 2019. Phase 2 and 3 of final plat were recorded September 10, 2019.
- The Project conforms, or substantially conforms within acceptable limits, to the approved preliminary plat of/for the Summit Ridge Subdivision; and, The Project complies with relevant RS 6 zoning codes and City of Nampa subdivision standards pertaining to the proposed Development.
- There were no other comments received by this department after this staff report was submitted.
- Staff feels it is appropriate for this commission to recommend approval of the final plat Summit Ridge Subdivision No. 4 to City Council with the conditions as listed in the staff report and any other conditions you see fit to impose.

Commissioner Garner motioned and Commissioner Hutchings seconded to recommend approval to City Council Summit Ridge Subdivision No. 4, on the South side of Greenhurst Rd and West of Midland Blvd, 61 single-family lots and 5 common lots on 21.4 acres, for M3 Companies, LLC – Mark Tate, representing M3 Idaho Greenhurst LLC subject to:

1. Compliance with other agency and/or department requirements
2. Correcting 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 with all Commission members in favor.

Madam Chair Sellman proceeded to the Public Hearing items on the Agenda at 7:07pm.

Public Hearing No. 1:

Amendment of Title 10, Chapter 1 General Provisions, Section 10-1-19, pertaining to zoning regulations applicable to Storage land use, requiring a buffer for locating new storage facilities a minimum of 2,500 ft from existing storage developments for the City of Nampa (ZTA 016-20). ACTION ITEM

Madam Chair Sellman proceeded to public hearing.

Planning Director Ashby:

- June 3rd, 2019 City council passed a moratorium on storage units due to multiple reasons. August 26, 2019, City Council/P&Z Commission/Design Review Committee held a workshop for ideas for changes to code during moratorium. A 2,500' buffer resulted from the workshop and was included in a proposed ordinance. October 8th, 2019 P&Z Commission Public Hearing, recommended approval with changes including removing the 2,500' buffer. November 4, 2019, City Council public hearing, approved with changes recommended by the Commission except that all conditional use permits for storage go directly to Council. Following code change, multiple storage units came before Council for conditional use permits. Council felt limited to conditional use permit criteria for approval or denial. City council members and Mayor requested reconsideration of 2,500 ft buffer.
- Reviewed section 10-2-3 D Conclusions of Law Pertinent to Proposed Zoning Ordinance Text Amendments
- Proposed change includes 2,500 ft buffer with exception to multi-use buildings, expansion of storage facilities existing as of date of adoption shall be limited to the property boundaries existing at date of securing planning & zoning entitlement; storage facilities having obtained a building permit for construction of a storage facility as of date of adoption, shall be permitted to expand within the boundaries of the property/properties as those property boundaries existed on date of adoption.

Commissioner Kirkman clarified if it was just the buffer that is proposed to be changed.

Ashby responded that it is just the buffer that would be added with the current conditional use permit process still in place.

Commissioner Kirkman questioned why Council is frustrated by the current process for storage facilities.

Ashby speculated that it was the amount of applications that have been going before Council and their inability to deny them while conforming to the current code.

Commissioner Kirkman stated the buffer would eliminate the free market and wouldn't feel comfortable restricting the market.

Commissioner Turner stated that it seems like an overreach and stated that it would be hard for applicants to find a place where storage would be allowed.

Commissioner Kirkman stated that the only difference between what was brought before the Commission before and what is proposed now is the number of applications that have come through. Agreed that the buffer would be an overreach of government and have a negative effect on the free market.

Madam Chair Sellman proceeded to public testimony.
No public comment forthcoming.

Commissioner Miller motioned and **Commissioner Garner** seconded to close public hearing. Motion carried with all Commission members in favor.

Commissioner Kirkman motioned and seconded by **Commission Garner** to recommend denial to City Council of Amendment of Title 10, Chapter 1 General Provisions, Section 10-1-19, pertaining to zoning regulations applicable to Storage land use, requiring a buffer for locating new storage facilities a minimum of 2,500 ft from existing storage developments for the City of Nampa

Motion carried with **Commissioners Franklin, Garner, Hutchings, Kirkman, Miller, Turner and Van Auken, Jr** for and **Commissioner Kehoe** against.

Meeting adjourned at 7:30 p.m.

Rodney A Ashby, Planning Director
:pb

