

## **CITY OF HAUSER, IDAHO**

Location: Hauser City Hall, 11837 N. Hauser Lake Road, Hauser, Idaho 83854

**SPECIAL JOINT MEETING – May 11, 2011 – 5:00 p.m.**

**HAUSER CITY COUNCIL AND HAUSER PLANNING COMMISSION**

**TOPIC: DIRECTION of HAUSER DEVELOPMENT CODE**

**CALL TO ORDER – Hauser Council & Hauser Planning Commission - 5:00 p.m.**

**Planning Commission Roll Call:**

**S. Hatfield, present; D. Coddington, present; Carol Spuler, present; JoAnn Wallace, present; C. Justus, present, C. Howell, present.**

**Hauser City Council Roll Call:**

**Mayor Johnston, present; R. Lefebvre, present; G. Mallon, present; C. Hatfield, present; Hynes, absent.**

Cheri Howell, Planning Administration & Code Enforcement, made some opening remarks before turning the meeting over to Planning Commission Chair, Cris Justus. She said Commission is interesting in talking more about philosophy than “nuts and bolts” of the Development Code. She said the Commission is more than a third of the way through the entire document at this point and wants to make sure they are on the right track. They are interested in taking the KISS method, taking an existing document that was done in the early 90’s and simplifying it. She said the Commission wants to know if City Council concurs with that and the Commission will give you some examples of that type of direction.

Howell went on to describe the Zoning District documents distributed at the beginning of the meeting. She continued to explain the new map on an easel in the room: Yellow is residential or R-1, minimum lot size of one acre; Orange is another residential zoning district considered R-4 and is 10,000 square foot lots on sewer (four units to an acre); Bright Red and says TC is the Town Center, or commercial core for the City. If sewer comes to town, it would be the place to shop, to work, pedestrian friendly, not a drive in-drive out area; and Reddish Brown area is Highway Commercial, which is conducive to uses that would be like a quick stop. Green is Resource Lands, which need to be protected so stricter regulations would be in place. Those are all in the area of City Impact; and Gray, which is also in the area of City Impact, would be Light Industrial. This is important because the Comprehensive Plan shows this is the direction of the City and this is what the City endorsed. A zoning map would put that to law.

The Planning Commission has been setting up those Districts, determining what types of uses would be allowed, which would require a special permit (Conditional Use Permit), and which would not be allowed at all. Then, in each category there would be standards, example, how tall can the building be; what would the setbacks be; what kind of performance standards would be required in each zone.

### **R-1 and R-4 Zoning Districts**

Discussion began led by Cris Justus starting with the R-1 and R-4 Zoning Districts handouts. It shows what would be required for a Class I Permit and what would be required for a Conditional Use Permit. Conditional Use Permits require a Public Hearing. Class I Permits can be issued through Office Administration – no review needed. Lefebvre voiced concerns about animals on residential lots. Howell explained that some of those lots are in the County and are not regulated by the City, and Justus said that if it was in the City, they would be “grandfathered in” and have a Vested Right to keep what exists if the rules change. City of Hauser laws/rules can only be used within the City limits and not in the Area of City Impact. Further explanation followed by Howell. County regulations are exempt from any Hauser regulations. All the zones being discussed here are all City of Hauser properties only. The only district not in the City itself is Light Industrial per Howell.

Mallon asked if some the non city properties can be annexed into the City. Howell responded, yes, she has done 12 annexations in the last 18 months, but there is very strict State regulations on annexations, so to even consider forcing an annexation has a lot of hoops and would be “fairly expensive” for the City! If a person has a five acre parcel, they are automatically exempt from a forcible annexation by a City. Mayor Johnston said she has received several calls about large animals over the Aquafer! She said one fellow said that is 27 pounds of waste per animal and asked why the City is allowing that! Howell stated that the current regulations allow livestock, and continued by saying these new regulations would continue to allow livestock. Codding said that there was quite a bit of discussion at the Commission level on the topic and asked what the Council position was on the subject. Johnston said she is “not against animals but is against large animals when it comes to our drinking water.” Hatfield said she would like to have input from the Community at Town Hall meetings. Justus explained that the Commission is moving towards limiting animals on the acreage in residential areas. On page four, she read, “No grazing, feeding of livestock shall be permitted within the lakeshore or stream corridor buffer of a residential lot or parcel.” She feels the numbers and location of large animals needs to be regulated.

Justus asked Council their opinion of Home Occupations in the residential areas, also Mother-in-Law Quarters, Temporary Hardship for Dependant Relatives, Bed and Breakfasts in the future. Howell gave examples and said that over the Aquafer, the Health district would not allow this. In other places in the City that are not over the Aquafer, they could be allowed. C. Hatfield voiced concern concerning Mother-in-Law Quarters. Howell responded asking if standards would need to be imposed to limit a family/farm/etc. conditions and C. Hatfield responded yes, definite standards and limitations. Howell said that many places put limits on such by limiting the size of the quarters.

Lefebvre asked about Vacation Rentals and discussion followed. Howell explained that this would be under Conditional Use Permits which require Public Hearings. Allowed uses could be handled administratively in the office. A conditional use permit (Hauser calls it a Class II Permit) is basically a public hearing in front of the neighbors and the Planning Commission puts conditions on it. More questions with responses, explanations and discussion followed.

Lefebvre asked how building height regulations were set. Justus responded that it is an average of the high and low of the parcel. Natural Grade Level will be listed in the Definitions section so this will be very clear.

### **Impervious Lot Coverage Standards**

Howell said there were Impervious Coverage standards in the 1994 Development Code but were less strict than now presented. Justus said the Commission wanted to ensure that it was a reasonable amount for the flats and protect the slopes where the runoff could contaminate the lake. The greater the slope, the less coverage is proposed. Howell said coverage in the current and in the proposed definition would include all impervious coverage; gravel driveways, landscaped walls, the actual structure itself (footprint of the structure.) The topic of Slopes of properties was discussed. Howell clarified that GSPS maps are not allowed because they are at 40 feet contours. That is not small enough to tell what the impervious coverage could be so the Planning Commission decided on ten feet contour regulation on a slope. (Councilmember L. Hynes arrived.) A person wishing to build on a sloped parcel will have to have a slope map done by and stamped by an engineer. Justus then asked if everyone was in agreement with Impervious Coverage and they acknowledged so.

### **Setback Requirements**

Mallon said the requirements listed cannot be met on several pieces of property. Howell agreed and explained that those lots are vested with a right to build but they must meet the setbacks, or apply for a variance and convince the Planning Commission and City Council that it is a hardship and they need to have a variance to the standards.

### **Off Street Parking**

No comments – “self explanatory” per C. Justus.

### **Performance Standards - Critical Materials, Sensitive Areas**

Howell explained reasons for the standards. Justus said that there are still farmers here so need fuel for their trucks or equipment, and four-wheelers. Mallon asked who is responsible to enforce the standards. Howell responded it is under Administration and Enforcement chapter currently in process. Specifics of enforcement were described by Howell. “The City” would be the term for “who” would be responsible. Howell went on to say that there are job descriptions in place for the Code Administrator and Planning and Zoning Commission, (none for City Council). Discussion followed. Justus said the Commission would be happy to add Council recommendations to the Administrative part of the Code.

Howell stated that if there is any site disturbance (construction) in the City an engineer must be involved.

### **Rathdrum Prairie Aquifer**

No comments – “self explanatory” per C. Justus

### **Nuisances**

Howell said the Commission has worked hard to narrow the noise issue and said noise is very difficult to enforce. The City will need to purchase a calibrated decibel meter. The County owns one and that is not enough for the whole county. The noise may be gone by the time the enforcer arrives.

Justus said this isn't final. There are more steps to go through including Town Hall meetings and more meetings with City Council.

### **Livestock on Residential Lots**

Justus asked Council how they feel about the numbers presented. Questions and descriptions ensued. Justus said this will be a “hot topic” for the Town Hall meeting discussions, and Howell agreed.

**Home Occupations**

Justus – already touched on this.

**Home Based Business**

Justus – Conditional Use Permit process.

**Water**

Show proof of water before building. Howell described.

**Sewerage**

Self explanatory.

**Access to Utilities**

Self explanatory.

**Addresses**

Lefebvre asked about fire restrictions and ingress/egress. Howell said it is a requirement here. She explained process beginning with the building permit and after receiving a \$100 site plan review fee and the application and site plan, she faxes it to L. Simms at the Hauser Fire District for access and water. She also faxes it to the Health District for them to determine adequate sewage disposal. If the access is not adequate, Simms will probably pose conditions.

**Community Image**

Justus asked Council to pay particular attention to Community Image to see if they agree with the statement. No comments.

Justus asked what they would like to start with at the next Joint Meeting. Resort Commercial will be the topic. Howell said there are only three parcels that are around the Lake designated this zoning district. The purpose is to protect the neighborhoods and the existing commercial uses in those neighborhoods. This district allows existing non-conforming uses to expand or alter their existing use. Examples and explanations were given by Howell.

The meeting adjourned at 6:24 p.m.

Respectfully submitted:

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Donna Ray  
Hauser City Clerk

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Olita Johnston  
Mayor