

MINTUES
PAYETTE PLANNING & ZONING
Public Hearing & Regular Meeting
May 28, 2015

6:00 PM – Regular Meeting

I. ROLL CALL: Jim Franklin, Jody Henderson, Nial Bradshaw, Peggy Childers, Gary Youngberg and Kevin Hanigan
Members Absent: Randy Choate
Staff Present: Mary Cordova and Bobbie Black

II. APPROVAL OF MINUTES

A. 04-23-2015 Public Hearing & Regular Meeting Minutes

A motion was made by Hanigan and seconded by Henderson to approve the public hearing & regular meeting minutes 04-23-2015 as written.

After a unanimous voice vote by the Commission, the motion CARRIED.

III. COMMUNICATIONS

None heard.

IV. PUBLIC HEARINGS

A. Chapter 17.64 Railroad Boxcars/Motor Vehicle Cargo Containers: Ann Marsh, 1384 S. Main Street, Payette, addressed the Commission. She wants to address the box car ordinance. She stated they are more secure and easier to install. She needs a container now on the property. She is renting to store ministerial items. She wants to make sure it is secure when she is gone. She doesn't want to pay extra money to keep her items off her property. Metal shipping containers are a lot more secure than a wood shed, and would take more effort to break into it. She is in the industrial area, she should be able to have at least a 10'X40'. It would be on the back side of property and has plenty of room to place.

Gary Youngberg, 2091 Shelley Drive addressed the Commission. He has a couple of concerns, the way the new ordinance is drafted, it still wouldn't be permitted. He stated it is not allowed in commercial or industrial zones if the property is used primarily for residential. It also requires to have a building permit. All the hoops to jump through and then in five years have to move it. If it fits it fits, if it doesn't it doesn't. We always put something in our motion that it can be revisited. If we do decide to keep them for the 5 years and 10 years, maybe the CUP can be renewed and container doesn't have to be removed. He also has a concern about item H, subject to approval of fire chief, doesn't know if will happen or they can come and inspect anytime. If you build a storage shed, that doesn't happen. He leases the land from his father and doesn't want to make that investment when it is not his. He is okay with the 5 and 10 years, but hopes with success of renewing CUP when time is up. Ann Marsh readdressed the Commission. She stated her land is zoned industrial. No one else addressed the Commission.

B. Chapter 17.72 Off street Parking and Loading Facilities: No one addressed the Commission.

Hearing no further comments, the public hearing was closed by Vice-Chairman Franklin.

V. OLD BUSINESS

A. Gary Youngberg - CUP

A motion was made by Hanigan and seconded by Henderson to defer this item to last item under new business.

After a unanimous affirmative voice vote, the motion CARRIED.

VI. NEW BUSINESS

A. Chapter 17.64 Railroad Boxcars/Motor Vehicle Cargo Containers

Youngberg abstained due to a conflict.

This item came back to Planning & Zoning for a public hearing based on Commission recommendations. There has been a lot of discussion and that was put into a draft for City Council. The draft has a lot of components. After the public hearing this Commission might want to change some of verbiage. It suggests that you can't keep a container longer than 5 or 10 years. Discussed if applicant can apply for a new CUP before time limit is up. Ms. Cordova stated if anything other than the way it is written, the applicant would have to go through a variance process. Commissioner Childers asked how many are in the City now, will we limit how many are in the city. How do you monitor them? Commissioner Franklin stated the intent was to protect the neighborhood. The container could have an impact on how the neighborhood or business looks. Cargo containers are not considered personal property. We have denied in the past. There are a lot of pros and cons. Commissioner Hanigan stated there are many issues, the City would like to get the tax valuation. What if you implemented a fee on an annual basis for containers that received a CUP to have the right to have on property? Maybe that is where we should head. Discussed having the ability to pull a CUP permit, by revisiting, Ms. Cordova stated there has to be a really valid reason to pull it. They would have to be in violations of a law. Discussed when five years is up the container has to be gone, the Commission likes the renewal process. Commissioner Hanigan would like the verbiage in Section B changed. Ms. Cordova stated the intent was not to exceed 5 years, if have renewal every 5 years, why have the renewal. Commissioner Henderson stated if they can't renew CUP that might encourage for them to build an accessory building. Commissioner Bradshaw stated allowing someone to place a storage container and things change over time, he would like the City to be able to deal with it. Commissioner Childers stated if in place they shouldn't have to go through the entire process.

Hanigan moved and Henderson seconded a motion to send a favorable recommendation to City Council with the following changes. Section B remove the words placement of; Section B-1, remove the words placement of storage container and add term of conditional use permit; Section B-2, remove the words placement of storage container and add term of conditional use permit;

Section B – last paragraph remove the words The placement of cargo containers and add Conditional use permit with the approval of City Attorney.

After a unanimous affirmative voice vote, the motion CARRIED. Youngberg abstained from voting.

- B. Chapter 17.72 Off Street Parking and Loading Facilities
Don't require them to apply with downtown parking restrictions if they have no property available to provide off street parking.

A motion was made by Hanigan and seconded by Henderson to postpone to June meeting of the Planning and Zoning Commission.

After a unanimous affirmative voice vote, the motion CARRIED.

- C. Gary Youngberg – CUP

A motion was made by Hanigan and seconded by Henderson to postpone the CUP application by Gary Youngberg to the June meeting of the Planning and Zoning Commission.

After a unanimous affirmative voice vote, the motion CARRIED.

VII. PUBLIC COMMENT

Ann Marsh addressed the Commission regarding storage containers.

VIII. ADJOURNMENT

A motion was made by Henderson and seconded by Youngberg to adjourn the meeting at 7:15 p.m.

After a unanimous affirmative voice vote, the motion CARRIED.

Bobbie Black
Recording Secretary