

PLANNING AND ZONING GENERAL MEETING

November 16, 2017

IN ATTENDANCE: Commissioners: Doug Warrington, chairman; Barbara Yates, Robbin Johnston, Luann Howard; Joy Perkins, P & Z Coordinator

OCTOBER 26, 2017 MINUTES: Luann made a motion to approve minutes. Barbara 2nd. Carried.

CONDITIONAL USE PERMIT REVIEW

Bobby Penney, came before the commissioners to ask for a review on a Conditional Use Request at 1114 Hill St for locating a Day Care facility in a residential area. Bobby presented the following information:

 She has gone ahead with state license for a family childcare facility. At present she has 4 kids, 2 of which are her children. State of Idaho requires a Day Care License when providing care for 7 (and above) number of kids.

D Bobby is looking at options for locating the Day Care. At present she is looking at putting the Day Care in her residence at 1 114 Hill. The residence has had some remodeling. There is the possibility that she might extend the facility by remodeling the garage.

 The home at 1 114 has been inspected by a state certified health and safety inspector

 The fire marshal has been contacted to complete a fire inspection.

* Emergency plan has been set up. Bobby provided 12-page report of the plan.
* Hours of operation would be from 7am-6pm, Monday through Friday.

 Parking will in front of the house where 2 to 3 cars can park at one time but she is hoping to have clients use 12th street for parking.

* Fencing will be provided

After Bobby's presentation, the Commissioners gave permission for the Conditional Use Public Hearing. With the upcoming holidays, the agreed date for the public hearing will be January 4, 2018. Stipulations for the CUP are current day care license, Safety and Health checked, get in contact with Dan Musgrave for fire check- up, and proof of liability insurance. Because of the late date for the CUP Public Hearing, the commissioners agreed if Bobby stayed below the required 7 kids (required for an Idaho State license for processing the application) and Bobby was not advertising the Day Care she could keep taking care of kids.

CONDITIONAL USE PUBLIC HEARING

Public Hearing for putting business in area zoned residential.

Carla Graham, 703 1st, Beauty Salon

Presentation by applicant: Carla Graham, 703 1st is seeking to put a beauty and nail salon business in an area zoned residential. The salon would be built within the front of the present shop in a 10-ft. x 20 ft. area. Bathroom for customers will be provided.

Cliental would be one maybe two at one time. Parking is available in two areas: 15ft X 6 ft paved area and another area of 16 ft. x 44 ft. for extra parking.

Presentation by staff: Confirmation of CUP procedures were given by Joy. Two weeks before the event the following was done: Neighbors within 300 ft. were notified, notice of Public Hearing for Conditional Use Permit was put in Clearwater Progress, notice has been posted in the yard. Carla has met all requirements to proceed with CUP Public Hearing.

Written correspondence from Betty Heater, 202 Hill, (neighbor) was read stating that she is in favor of having the businesses there and has no concerns.

Testimony by those supporting the application:

D Dave Hasz, 101 Hill stated he was in favor of having the beauty salon located at 703 1 st.. He sees at the most 3 cars parked there so it wouldn't create parking issues. He sees more traffic going to Idaho Public Health down Hill Str that there. The commercial building would increase tax revenue for the city. Also with the requirement to have two utility bills it would bring in more revenue. D Tracy Hasz, 101 Hill said she concurred with Dave.

Testimony by uncommitted on application: NONE

Testimony by those opposed to the application: Billy Drewery, 109 Maple, across the alley, has been there since 1981. He hates to see any more commercial activity. Already there is the storage units and Burkhart Homes. If the City chooses to do it one at a time it will progress to the whole area becoming commercial.

Rebuttal by the applicant: NONE

Close of hearing to initiate deliberations by Staff. See further in notes.

CONDITIONAL USE PUBLIC HEARING

Public Hearing for putting business in area zoned residential.

Nga W Dan Millward, 916 Nickel St, Nail Salon and Spa

Presentation by staff: Confirmation of CUP procedures were given by Joy. Two weeks before the event the following was done: Neighbors within 300 ft. were notified, notice of Public Hearing for Conditional Use Permit was put in Clearwater Progress, notice has been posted in the yard. The Millwards met all requirements to proceed with CUP Public Hearing.

The Millwards did not appear for the CUP, there was no response from neighbors (no letters or appearance.)

Deliberations by Staff: After some discussion as how to proceed, Luann made a motion that the P & Z Commissioners extend the Millward CUP another 30 days. Robbin 2nd the motion. All commissioners approved the motion. Motion carried. Joy will contact Dan as to what he would like to do regarding the CUP.

MINUTES WERE APPROVED (See above)

CONDITIONAL USE PUBLIC HEARING

REGARDING CARLA GRAHAM,

BEAUTY SALON IN RESIDENTAL

Close of hearing to initiate deliberations by Staff

Before reviewing the particular facts and circumstances form, Barbara gave a computer print-out to the P & Z Commissioners from Idaho State of Cosmetology showing that the state has asked Carla Graham to "cease and desist her unlicensed practice of cosmetology." After some discussion, Luann made a motion that stipulations for CUP approval require that Carla provide proof of State of Idaho Cosmetology License and that the nail technician also provide proof of license. The motion remained on the floor until Facts and Circumstances were answered by the Commissioners. (See enclosed.)

Commissioners felt location would be fine for a beauty and nail salon business as long as stipulations were met. Luann modified the previous motion that Carla provide the following: proof of State of Idaho Cosmetology license, the nail technician provide proof of State of Idaho Nail Technician license, that there is a safety and fire inspection (once facility is completed), proof of liability insurance, and proper ventilation for nail polish fumes. Robbin 2nd the motion. All were in favor. Motion carried.

OLD BUSINESS

Mr. Windshield was contacted regarding the trailer parked on private property located at 613 3 rd. St. There was a question as to whether Mr. Windshield was an out of town business advertising in Kamiah. Company personal stated they provide service in Kamiah once a week sometimes every 2 weeks during the summer. With winter months coming, the company is removing the trailer this week.

Meeting adjourned.



|  |  |
| --- | --- |
| Doug Warrington, | Joy Perkins, |
| Chairman | Planning and Zoning Coordinator |

Date



CONDITIONAL USE REQUEST

FINDING OF FACTS

BEAUTY SHOP IN A RESIDENTAL Carla Graham

703 1ST STR

November 16, 2017

Commissioners: Doug Warrington, Barbara Yates, Robbin Johnston, and Luann Howard reviewed the particular facts and circumstances of each proposed conditional use in terms of the following standards:

1. Will, in fact, constitute a special use as established on the Official

Schedule of district Regulations for the zoning district involved:

YES, IT DOES CONSTITUTE A CONDITIONAL USE.

Roll call for vote: All - Yes

1. Will be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or the Zoning Ordinance;

YES, IT WILL BE HARMONIOUS WITH THE P & Z ORDINANCE.

Roll call vote:

Doug Warrington, Barbara Yates, Luann Howard — Yes Robbin Johnston — No. Concerned about too many businesses allowed in areas zoned residential.

1. Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area:

YES, IT WILL BE HARMONIOUS AND APPROPRIATE FOR THE AREA

Roll call for vote: All - Yes

1. Will not be hazardous or disturbing to existing or future neighboring uses.

YES, IT WILL NOT BE HAZARDOUS OR DISTURBING TO NEIGHBORS

Roll call for vote: All — Yes

1. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services:

YES, IT WILL NOT INTERFER WITH ESSENTIAL PUBLIC FACILITIES

AND SERVICES

Roll call for vote: All - Yes

1. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

YES, IT WILL NOT CREATE ADDITIONAL REQUIREMENTS

Roll call for vote: All - Yes

1. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare or odors;

YES, IT WILL NOT BE DETRIMENTAL TO ANY PERSONS, PROPERTY OR GENERAL WELFARE AS LONG AS CONDITIONS ARE MET.

FIRE/SAFETY CHECK FROM FIRE MARSHAL IS REQUIRED AS WELL AS PROPER VENTALIZATION FOR FUMES FROM NAILPOLISH Roll call for vote: All — Yes, with conditions met.

1. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;

YES, IT WILL NOT INTERFER WITH TRAFFIC OR PUBLIC

THOROUGHFARES AS LARGE PARKING LOT IS PROVIDED.

Roll call for vote: All - Yes

1. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance; and

YES, IT WILL NOT RESULT IN DESTRUCTION OR DAMAGE OF

HISTORIC, NATURAL, OR SCENIC FEATURES

Roll call for vote: All - Yes

1. Will comply with any additional requirements that may be deemed necessary or appropriate by the Planning and Zoning Commission.

CONDITIONAL USE PERMIT WILL BE ALLOWED AS LONG AS THE FOLLOWING STIPULATIONS ARE MET:

 Proof of Idaho State Cosmetology License for beauty salon is provided

 Proof of Idaho State license for nail technician is provided ü Facility will be inspected by City Fire Marshal

 Proper ventilation is provided for nail polish fumes