

# Daugharty Investments Zone Map Amendment With Development Agreement

Parcel No. H-0000-016-9250

Applicant: Lake City Engineering, Inc.  
Owner: Daugharty Investments, LLC

Case No. PZE-19-0055

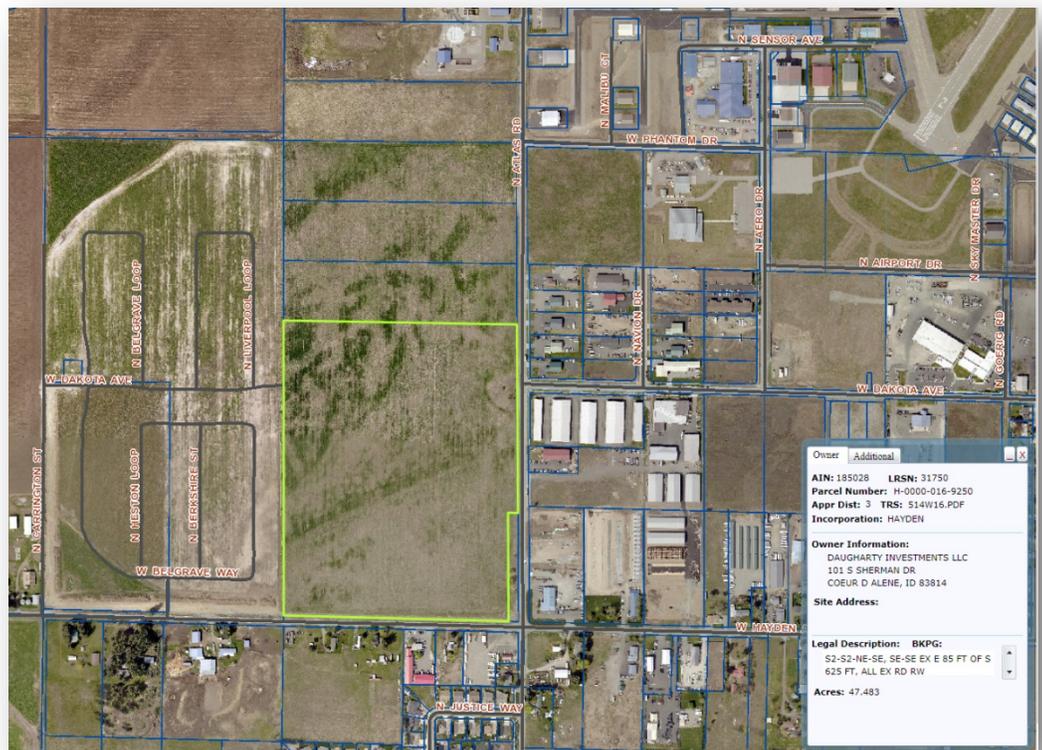
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## SUMMARY OF REQUEST

On June 26, 2019, the City received an application from Lake City Engineering, Inc., on behalf of the owner, Daugharty Investments, LLC, for a zone map amendment to change a portion of an existing light industrial lot to residential

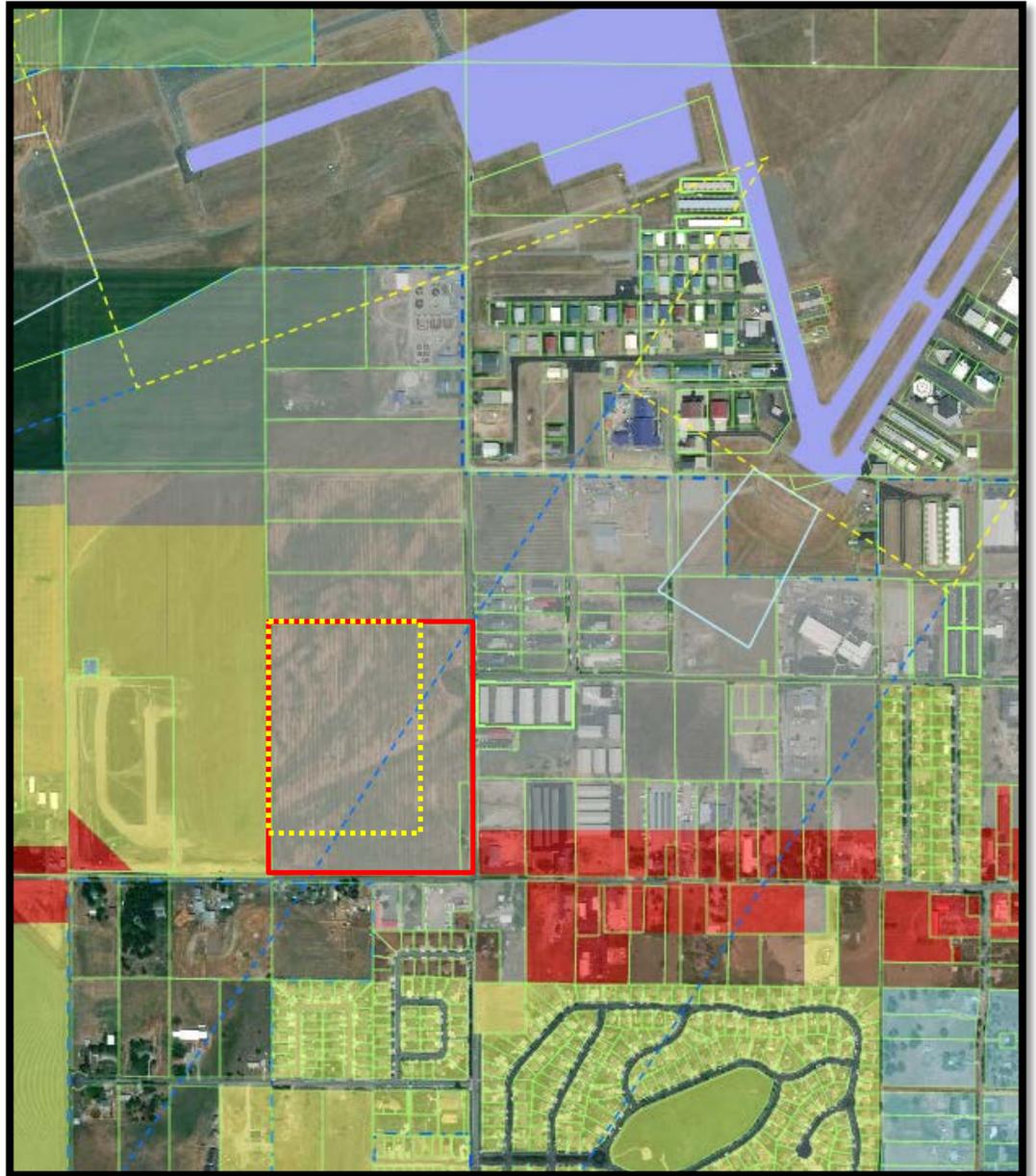
multi-family. Should this request for a zone map amendment be approved, the owner wishes to create a multi-use, multi-zone complex identifying the light industrial uses along Atlas Road and Hayden Avenue and a need for a buffer between the light industrial and the residential single family of Carrington Meadows, and acknowledging the portion of the project site which is within the Inner Critical Zone for the Airport and the constraints to building



construction and use that that Airport zone creates. As can be seen in the exhibit below, the project site in red with the dotted blue line running northeast-southwest delineated the exterior boundary of the Inner Critical Zone.

Should the zone map amendment not be approved, then the developer will review possible development opportunities which would not include a residential buffer.

As the legal lot does not yet exist, should the zone map amendment be approved by City Council, then the developer shall enter into a development agreement to establish the timelines for either a boundary line adjustment or a subdivision for the project site. It should be noted that the Ordinance must be published within one (1) month of passage otherwise it is of no force or effect, and the entire process would need to be repeated.



#### LOCATION

The project site is located on the northwest corner of North Atlas Road and West Hayden Avenue.

## LEGAL DESCRIPTION

The legal description of the subject site shown in red (above) is as follows:

### PARCEL 1:

The South Half of the South Half of the Northeast Quarter of the Southeast Quarter AND the Southeast Quarter of the Southeast Quarter in Section 16, Township 51 North, Range 4 West, Boise Meridian. EXCEPTING THEREFROM a strip commencing at the Southeast corner of Section 16, Township 51 North, Range 4 West B.M., Kootenai County, Idaho;  
thence North along the Eastern side of said Section 16 a distance of 625 feet;  
thence at right angles West a distance of 85 feet;  
thence at right angles South a distance of 625 feet, parallel to the East line of said Section 16 to the South line of said Section 16;  
thence East a distance of 85 feet to the POINT OF BEGINNING.  
ALSO EXCEPTING THEREFROM any portion lying within the road right-of-way.

### PARCEL 2:

A strip commencing at the Southeast corner of Section 16, Township 51 North, Range 4 West B.M., Kootenai County, Idaho;  
thence North along the Eastern side of said Section 16 a distance of 625 feet;  
thence at right angles West a distance of 85 feet;  
thence at right angles South a distance of 625 feet, parallel to the East line of said Section 16 to the South line of said Section 16;  
thence East a distance of 85 feet to the POINT OF BEGINNING.  
EXCEPTING THEREFROM any portion lying within the road right of way.

The legal description of the subject site proposed to be rezoned as Residential Multi-family (shown in yellow (dotted) on the previous page):

A parcel of land being a portion of the South half of the South half of the Northeast Quarter of the Southeast Quarter and a portion of the Southeast Quarter of the Southeast Quarter of Section 16, Township 51 North, Range 4 West, Boise Meridian, City of Hayden, Kootenai County, Idaho, more particularly described as follows:

**Commencing** at the southeast corner of said Section 16, being a 3-1/2 inch aluminum cap marked "PLS 4182" per CP&F Instrument Number 2466168000, Records of Kootenai County, Idaho, from which the South Quarter corner bears North 88°29'20" West 2634.57 feet; thence along the East line of the Southeast Quarter of said Section 16, North 00°18'25" West 1658.79 feet to the northeast corner of the South half of the South half of the Northeast Quarter of said Southeast Quarter;  
thence along the North line of South half of the South half of the Northeast Quarter of said Southeast Quarter, North 89°02'42" West 339.16 feet to the **True Point of Beginning**;  
thence leaving said North line, South 00°12'41" East 1300.36 feet,  
thence North 88°29'20" West 974.22 feet to the West line of East half of the Southeast Quarter;  
thence along said West line, North 00°02'29" West 1290.84 feet to the northwest corner of the South half of the South half of the Northeast Quarter of the Southeast Quarter;

thence along the North line of the South half of the South half of the Northeast Quarter said Southeast Quarter, South 89°02'42" East 970.16 feet to the True Point of Beginning: said parcel containing 28.907 acres of land, more or less.

## STANDARDS APPLICABLE FOR A ZONE MAP AMENDMENT

### Idaho State Law

As per Idaho Code § 67-6511 Section 2.a, "particular consideration shall be given to the effects of any proposed zone change upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction." Additionally the current Comprehensive Plan shall be considered as well as other evidence gathered through the public hearing process..

As per Idaho Code § 67-6511A, Cities are empowered adopt Ordinances that require or permit as a condition of rezoning that an owner or developer make a written commitment concerning the use or development of the subject parcel. Hayden has adopted such and Ordinance in accordance with Idaho Code § 67-6511A, Hayden City Code 11-1-4.

### Hayden City Code

#### 11-16-3: Amendment to Zoning Map:

An amendment to change the zoning map may be initiated by the council, or an application to amend the zoning map may be made by the owner or contract buyer of the subject property by filing an application and a petition in writing with the city clerk as specified herein. Application fees, advertisement and notice costs shall be paid by the applicant.

#### 11-16-5: Amendment Procedures:

Amendments to the text of the zoning ordinance and map shall be made in the following manner:

- A. City Council Public Hearing: As soon as is practical following the filing of the application, the city council shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing notice of the amendment, in compliance with section 11-12-4 of this title, shall be published in the official newspaper of the city of Hayden, and additional notice by first class mail shall be provided to property owners and purchasers within three hundred feet (300'), excluding streets and alleys, of the external boundaries of the land being considered; and any additional area that may be impacted by the proposed change as determined by the council. When notice is required to two hundred (200) or more property owners or purchasers of record, notice may be given through a display advertisement at least four inches (4") by two (2) columns in size in the official newspaper of the city at least fifteen (15) days prior to the hearing date, in addition to site posting on all external boundaries of the site, in lieu of mailed notice.
- B. Additional Public Hearing: Following the city council's hearing, if the city council makes a material change from what was presented at the public hearing; further notice and an additional public hearing shall be provided before the city council makes a final decision.
- C. Standards of Approval: If the request meets the following standards of approval, the city council may adopt the ordinance amendment:
  1. Is the rezoning or amendment consistent with adopted plans?
  2. Does the rezoning or amendment further public health, safety and welfare?

3. Is the infrastructure present or can it be available within two (2) years to support the development that the rezone or amendment will allow for?
  4. Are there circumstances that justify the rezoning or amendment?
  5. Is the rezoning or amendment consistent with the neighborhood context?
  6. Does the rezoning or amendment align with the zone district's purpose and intent?
  7. Would it result in consistent regulations for each property with the same zoning designation citywide?
- D. Amendment to Comprehensive Plan: If the request is not in accordance with the adopted comprehensive plan, the city council may adopt or reject an amendment to the comprehensive plan under the notice and hearing procedures provided in section 67-6509, Idaho Code. After the comprehensive plan has been amended as hereinafter provided for, the city council shall hold a public hearing and make a decision on the proposed zoning amendment.

11-1-4: Development Agreements:

- C. Form of Agreement: The development agreement shall be in a form approved by the City Council. It shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, provisions for reservation or dedication of land for public purposes, buffering requirements and infrastructure improvement requirements that are necessary to mitigate the impact of the zone change. The development agreement may include conditions, terms, restrictions and requirements for discretionary actions, provided, that such conditions, terms, restrictions and requirements for discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that construction shall be commenced within a specified time and that the project or any phase thereof be completed within a specified time.
- D. Recording: All development agreements shall be recorded at the expense of the subject property owner and the terms of the agreement shall run with the land and be binding on subsequent property owners.
- E. Modification and Termination: Development agreements may not be amended or terminated without the City first providing notice and holding a public hearing pursuant to the hearing procedures for adoption of the Comprehensive Plan under the Local Planning Act.
- F. Enforcement: If the property owner fails to comply with the terms of the development agreement, the City Council may, following notice and public hearing, terminate the agreement and reverse the zoning designation. The City Council is also authorized to enforce the terms of the agreement through civil action for injunctive relief.
- G. Periodic Review: Compliance with the development agreement may be reviewed on a periodic basis of not less than once every twelve (12) months from the effective date of the development agreement following the procedures set forth herein:
1. Written notice of the periodic review shall be given in writing to the property owner of the subject property at least fifteen (15) days in advance of the time at which the review will be conducted.

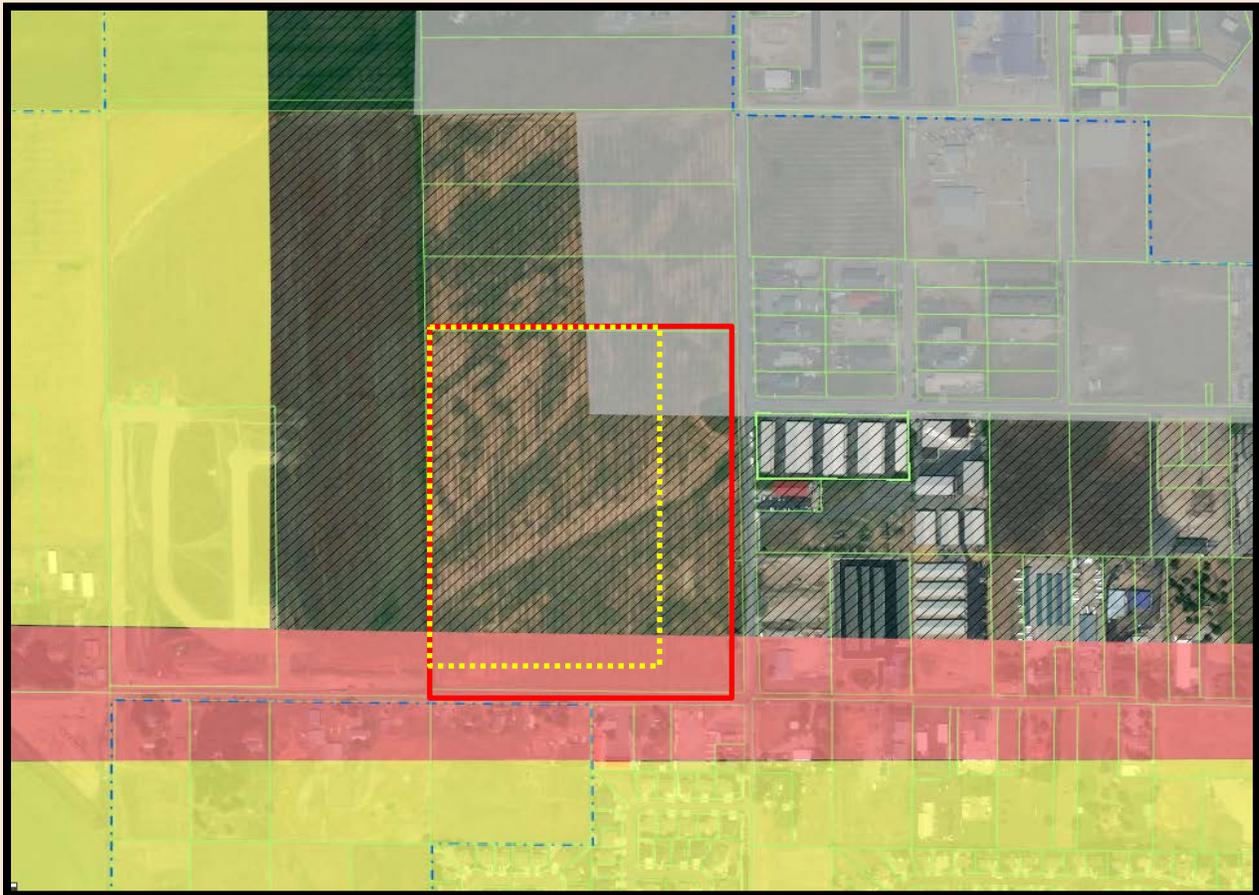
2. An investigation will be conducted as to whether or not there has been good faith compliance.
3. If the person who is authorized by the city to conduct the investigation finds that there has not been such compliance, written findings shall be provided to the city administrator together with a recommendation as to whether the development agreement should be terminated or modified or enforced as written.
4. Upon receipt of the findings and recommendation, the matter shall be placed on the council agenda for public hearing pursuant to the notice and hearing procedures set out in the local planning act for adoption of the comprehensive plan.
5. Nothing in this section is intended to preclude a review on a more frequent basis upon the receipt by the city of a complaint that the terms of the development agreement have been violated.

## ANALYSIS

The analysis is organized following the general standards 1 through 7 of Hayden City Code §11-16-5(C).

### 1. *Is/is not* the rezoning or amendment consistent with adopted plans?

Hayden Comprehensive Plan Map (shown below), identifies the property as Low Impact Commercial/Light Industrial (diagonal lines); Light Industrial (grey); and Commercial (red);



whereas the Future Residential Densities Map does not show residential in this area (shown on the next page). It should be noted that in 2017 a zone map amendment was approved, changing the existing Commercial along the west boundary of the subject site to a light industrial (along the northern 350 feet of the site) and residential (R-1) to be adjacent to this property to the west with a residential density of one to four dwelling units per acre. A comprehensive plan amendment did not occur at this time, because the delineation in the map has a boundary within 300 feet of the delineation and because the comprehensive plan was scheduled to update in the near future. The property today and at the time of the 2008 comprehensive plan update has a zone designation of light industrial, which does not allow new residential construction, and therefore, the Future Residential Densities Map does not address this area. However, the Comprehensive Plan does identify the southern portion of the property as shown above to be commercial and residential multi-family is allowed by special use permit in the Commercial zone.



I-C: Hayden's Vision Statement (identifies to include but not be limited to the following):

- The City of Hayden seeks to balance growth, while preserving its small town character and semi-rural charm. We seek to preserve our natural resources, our scenic vistas, pockets of open space, and small agricultural uses in and around our city, while managing growth and encouraging a diversity of land use.
- We envision developing public/private partnerships to promote economic development in order to provide living-wage employment opportunities for our residents and expand our city's tax base. We seek to encourage and promote light industrial development in and around the Coeur d'Alene Airport, and development of locally owned commercial establishments in designated areas of the city.

- In order to preserve our natural resources and our quality of life, we must balance all types of development, growth and expansion with infrastructure capabilities.

A review of the areas of the comprehensive plan, identify the following goals and/or policies which address a zone map amendment to include but not to be limited to the following:

### III-A: Planning/Administration

Goal 3: Develop and maintain a comprehensive plan and planning process that is adaptable to changing conditions.

*{Staff Comment: The Vision of Hayden and the Comprehensive Plan should adapt to various changes over time, such as zone changes, long range plan updates, and changes in community needs.}*

### III-C: Land Use

Goal 1: The physical development of the city of Hayden should be accomplished in an orderly fashion by judicious land use decisions.

Policy 2: The Comprehensive Plan should be maintained as a living document, and land use regulations should be monitored continually and updated as necessary to reflect the current community vision.

Policy 3: Input from citizens shall be encouraged at every level of land use decision making.

Policy 5: The City should ensure that all new development is compatible with the land use plan.

Goal 2: The City of Hayden should encourage the development of land within the corporate limits of Hayden prior to annexation of adjacent areas.

Goal 3: Provide a variety of development densities and types in various areas of the City, while preserving the traditional small town feel.

Policy 1: Designate areas through zoning to allow for a variety of residential densities ranging from larger lots to higher densities. For each density designation, provide a range of densities to maximize flexibility, with mid-range densities allowed only when certain triggers have been met, and higher-range densities only allowed as an incentive to encourage implementation of desired design features.

Policy 3: Manage planned growth through updating and enforcement of subdivision and zoning ordinance and zoning map.

Goal 5: Provide a balance of commercial uses in designated areas through the community centered on established transportation corridors, while protecting the character of adjacent activities.

Policy 1: Direct commercial development in a well-defined pattern of use in identified commercial corridors and specific areas of the community. Five specific areas and/or types of commercial activity and their general characteristics have been initially identified;

c) Low Impact Commercial and Low Impact Light Industrial: Commercial and light industrial activity with minimal aesthetic impact from noise, odor and visual character. Commercial and light industrial activities that are customer-oriented and do not require large parking areas or large service areas. Types of allowed activities include, but are not limited to, service-oriented businesses, retail, and low-impact light industrial manufacturing.

Goal 7: Consider the impact of land use decisions on the transportation system.

Policy 4: Plans for proposed subdivisions and other large projects, as determined by the city, should include traffic impact studies to determine the compatibility and conformance with existing and proposed transportation systems. The studies should consider all existing and proposed contribution to the transportation.

Policy 6: Careful consideration of the use of traffic controls and regulations should be made to assure the safety of all motorists, bicyclists, and pedestrians.

### III-F: Public Services

Goal 3: Coordinate with service providers to assure necessary and appropriate urban services are provided to accommodate projected types and densities of growth and development.

#### III-F-3: Emergency Services

Goal 1: Support adequate and effective police, fire and emergency medical services to residents and landowners in the City.

Policy 3: All proposed development shall be reviewed for adequate emergency vehicle access and circulation, and adequate water supply and pressure for fire protection.

*{Staff Comments: The Land Use and Public Service goals and policies are identified from the comprehensive plan related to the subject site with respect to the existing zoning, the proposed zoning, and the location. The applicant's narrative addresses other goals and policies in this section as well. Additionally, it is identified on page 6 that the Future Residential Densities are not defined for this property in the comprehensive plan, and therefore, the goals and policies identified here should be reviewed in that context. }*

### III-H: Housing

Goal 1: Maintain and/or improve the quality of housing and residential development.

Policy 3: Cooperate with and encourage private sector entities to provide adequate housing.

Goal 2: Encourage well planned residential development.

Policy 1: Developers should be encouraged to maximize the variety of attractive neighborhood settings in terms of price range, amenities, natural settings, and proximity to other areas of activity.

Policy 6: Residential areas should be buffered from adjacent non-residential uses.

Goal 3: Provide an adequate supply of land and appropriate land use designations that will meet the needs of a broad range of household incomes.

Policy 3: When multi-family units are built adjacent to, or mixed with single-family uses, consideration should be given to density and design of the more intensive use.

Goal 4: Accommodate the enhancement of current housing and development of future housing to assure housing is available in an affordable manner for all members of the community.

Policy 1: Explore, develop and promote a variety of options and solutions to best assure the provision of future affordable housing through the community. Some options to explore include (among others):

- Allowance and promotion of mixed-uses in various zones. Some options to explore include apartments in commercial areas and apartments adjacent to and/or mixed lightly with single family residential.

*{Staff Comments: Should the zone map amendment request be approved, then residential shall be an allowed use in the new zone. This portion of the goals and policies could apply to that new zone designation. }*

### III-K: Economic Development

Goal 1: Encourage the development of business and industry to create jobs for City residents and tax revenues for the City.

Goal 3: Amend and maintain zoning ordinances, the zoning map and administrative procedures to ensure the community's goals and policies for light industrial development are met in consort with economic development plans.

Policy 1: Develop design standards for light industrial development and activity. Include standards to assure impact from light industrial activity on adjacent areas is minimized through zoning, buffering mechanisms or other means.

*{Staff Comments: As the property is currently zoned light industrial, those goals and policies related to light industrial zoning should be evaluated.}*

#### III-M-1: Special Areas of Sites: Airport

Goal 2: Provide balanced direction for future land use activity in areas of the City directly adjacent to the airport and in those areas potentially affected by or affecting airport activity, minimizing potential conflicts between future development and airport activity.

Policy 2: Investigate alternative mitigation measures addressing potential impacts from airport activity allowing for flexibility of land use activities. Allow for a broad variety of potential land uses as possible through adoption of construction and development guidelines addressing potential impacts from airport activity.

Policy 3: Explore alternative measures to minimize current and future non-conforming uses due to impacts from airport activity.

Goal 4: Identify an "Airport Impact Area" overlay, where additional mitigation requirement may be incorporated into building and zoning standards to address impacts associated with proximity to the airport. Mitigations may include, but not be limited to additional height restrictions; noise mitigation building construction standards for new residential and institutional building construction, as may be permitted through zoning; and, designation of avigation easements at the time of subdivision. The identified "Airport Impact Area" is based upon proximity to the airport, without regard to elevation. It should be noted that other areas may be identified outside of the impact area, that, in fact, have similar impacts, as based upon elevation and location under the approach and departure flight paths. In such instances, additional mitigation, as identified above, may also be warranted.

*{Staff Comments: The portion of the site is within the inner critical zone of one of the airport runways as shown on the page 2 and as identified within the proposed update to the Airport Master Plan. Additionally, this same area is within the 65 DNL areas that have been updated from the map shown in the Comprehensive Plan as the Airport Impact Area. More analysis regarding the Coeur d'Alene Airport is on page 13.}*

#### IV-A: Comprehensive Plan Map

The Plan's maps are the most visible components of the Plan, yet are not any more important in guiding future development and preservation than the Plan's goals and policies, as set forth in Section III. Maps delineating a proposed general pattern of land use activity (Future Land Use Map) and residential densities (Future Residential Densities) were developed reflecting the communities' vision statement and goals and policies as presented in the Plan. These maps provide a general guide for future land use decisions, outlining a general pattern of desired development.

The maps, in consort with the Plan's goals and policies, shall be considered in making decisions concerning future land use ordinances, amendment of the current zoning ordinance and map, requested zones changes and other land use issues. The boundaries delineating types of uses are not finite but outline a general area for designated activities. Boundary lines for types of use are generally within 300 feet of delineating the proposed area. This generally shall be taken into consideration when

determining future zoning and land use decisions in areas adjacent to any boundary, as set forth on the maps.

2. *Does/does not* the rezoning or amendment further public health, safety and welfare?

Per the applicant's narrative: The project proponent desires to change the zoning classification to allow for the subdivision and development of the property into a multi-family residential project that will match the character of and is compatible with the adjacent residential, commercial and industrial uses.

3. *Is/is not* the infrastructure present or *can/cannot* it be available within two (2) years to support the development that the rezone or amendment will allow for?

**Sewer:** Based on the Technical Memorandum for the City of Hayden H-7 and H-10 Sewer Basin Revision, the subject property is within the H-7 North sewer shed with gravity sewer flowing south west to the H-7 North lift station south of Hayden Avenue. At the time of future development, the developer shall be required to construct all sewer infrastructures in conformance with the City of Hayden Master Sewer Plan Update (as adopted in 2012 or as amended), State law, and all City sewer policies, standards and technical memos.

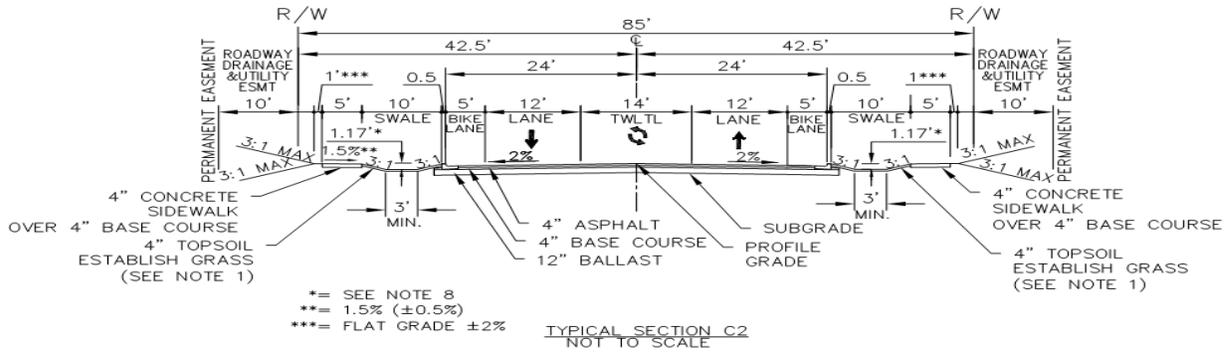
**Stormwater:** The stormwater from North Atlas Road and West Hayden Avenue, at the time of development will be directed into roadside swales for treatment. Stormwater for future development shall be treated within the project boundaries.

**Potable Water:** The subject property is located within and currently served by the Hayden Lake Irrigation District (HLID). As part of future development, a Will Serve letter will be received from HLID for the subject lot. At the time of future development, the City relies on the Idaho Department of Environmental Quality (IDEQ) for their interpretation of the adequacy of the Will Serve letter to meet the requirements of the Idaho Code section 67-6526 in order to have the sanitary restriction lifted and to determine if the water and sewer infrastructure construction will meet Idaho Code Requirements. If IDEQ does not lift the sanitary restriction, building permits cannot be issued by the City.

**Fire-flow:** The subject property is located within the Northern Lakes Fire Protection District. As a part of any future development, the property owner shall construct all infrastructures which shall be designed and located as required by the Northern Lakes Fire Protection District and Hayden Lake Irrigation District.

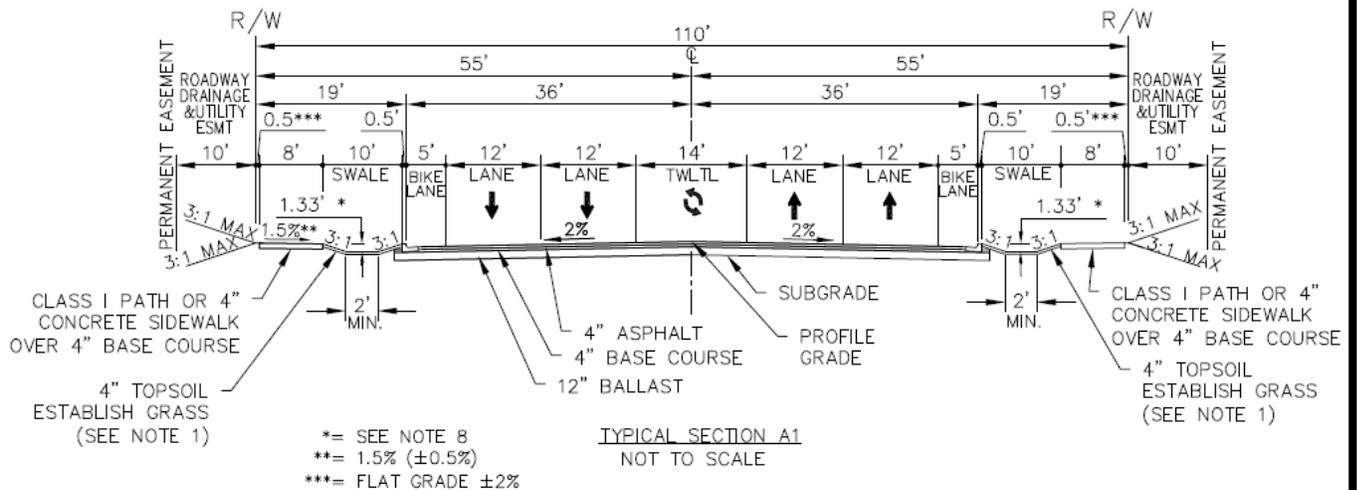
**Streets, Pedestrian Paths, and Right-of-Ways:** The subject property has approximately 1630 feet of frontage on the west side of North Atlas Road. At the time of development, Atlas Road improvements shall include a swale, sidewalk and Class II signed striped bike lane (as determined by the City), street trees and shall be in accordance with the C2 typical section (ST-108) as shown on the next page.

### Atlas Road Typical Section (C2)



The subject property has approximately 1300 feet of frontage on the north side of West Hayden Avenue. At the time of development, Hayden Avenue improvements shall include a swale, sidewalk or Class I multi-modal pathway (as determined by the City), street trees and shall be in accordance with the A1 typical section shown above (ST-102).

### Hayden Avenue Typical Section (A1)



The intersection of Atlas and Hayden Avenue is identified both within the 2013 Strategic Transportation Plan Update (project #106) and the Transportation Capital Improvement Plan (Figure 10) of the Capital Improvement Plans and Development Impact Fees (Impact Fee Study) for improvements and therefore, the actual right-of-way and typical section requirements may be slightly different than the typical section identified here near the intersection.

**Utilities:** Dry utilities, including electric, gas, cable, and communication utilities shall be installed underground within any future development, in accordance with City Code Title 12.

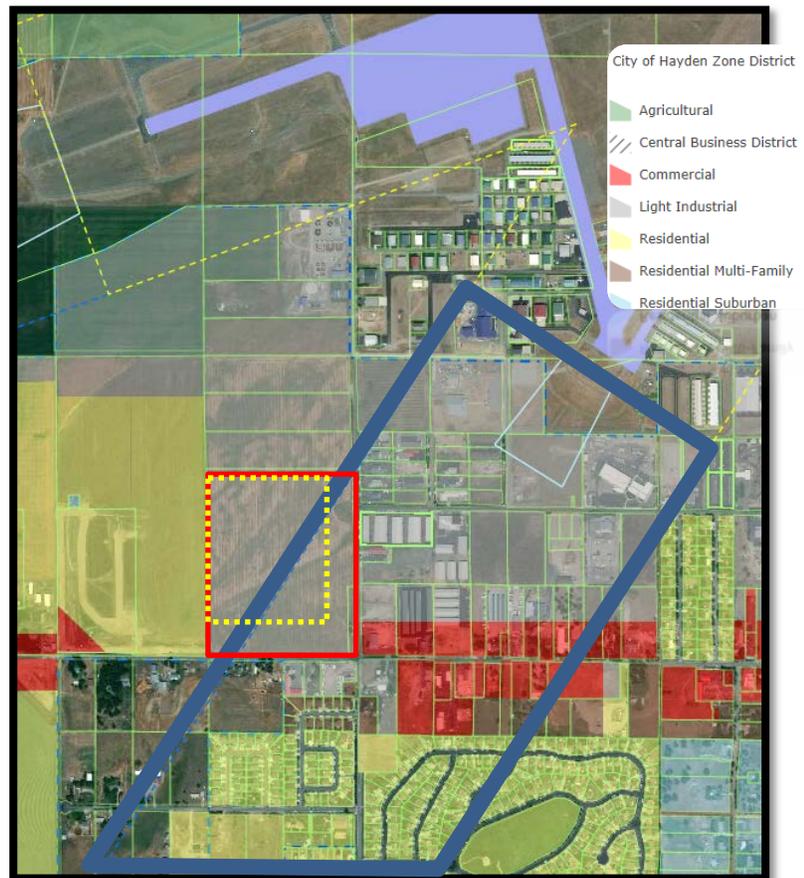
Streets, pedestrian paths, and utilities shall be addressed as part of any future site development and/or subdivision review process and shall be constructed according to Hayden City Code, standards and policies in place at the time of approval and construction.

4. **Are/are not** there circumstances that justify the rezoning or amendment?

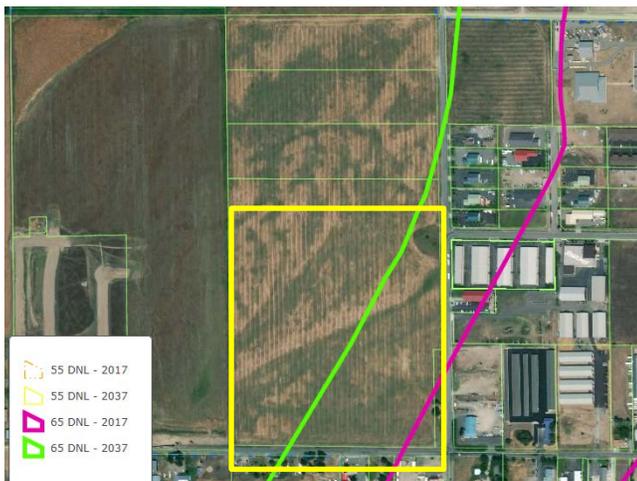
Due to the lot location, along two transportation corridors, adjacent to Residential (R-1), and a portion of the property located within the Inner Critical Zone of the airport; the developer has explored options related to development opportunities for this site.

5. **Is/ is not** the rezoning or amendment consistent with the neighborhood context? Although the Airport is to the north of the project site, the site is nearly split in half with the southeast ½ being within the Inner Critical Zone (shown in dark blue) of the Coeur d'Alene Airport. According to the Coeur d'Alene Master Plan Update, Chapter 5 Land Use, There are many airport safety compatibility zones (ASCZs) defined by proximity to the runway end and the types of aircraft operations that generally occur within each zone. The Critical Zones protect aircraft approach and departure paths of the ends of the runway beyond the Runway Protection Zone (RPZ). The Critical Zone shape and size is based on aircraft crash statistics and represents an area where most aircraft accidents occur near an airport. General recommendations for land use in the Inner Critical Zone include:

- Prohibit residential except on agricultural parcels
- Limit non-residential uses
- Discourage uses that attract large numbers of people
- Prohibit schools, hospitals, and nursing homes
- Prohibit hazardous material storage



The Coeur d'Alene Airport provided comment via an e-mail regarding the subject site which is summarized on page 15.



Additionally as shown to the left and per the Coeur d'Alene Master Plan Update, Chapter 5 Land Use, the 2017 65 DNL boundary (pink) touches the southeast corner of the subject property, with the 2037 proposed 65 DNL boundary (green) coinciding with the boundary of the Inner Critical Zone. The DNL is defined as the decibel day-night sound level as a threshold for determination of significant noise

impacts. This is the average sound level for a 24-hour period averaged over one year with a 10 decibel (dB) penalty for operations between 10 PM and 7 AM. Areas experiencing aircraft noise levels at or above 65 DNL are considered to have significant noise impacts and noise mitigation projects such as acquisition or noise insulation can be eligible for FAA funding. Therefore, those buildings constructed within these areas at the time of development shall be required to address noise cancelling construction.

Shown on the previous page, the Existing Zone designations of property to the north, northwest, east, southeast, and south have a Light Industrial (L-I) designation, to the west has a Residential (R-1) designation; and to the south and southwest in the unincorporated Kootenai County have an Agriculture zoning designation.

The Land Use designations from the 2008 Comprehensive Plan as shown on page 6 identify a low impact commercial/light industrial land use to the north, west, and east; a general commercial to the west, east, and south 300' north and south of centerline of Hayden Avenue; light industrial to the north and northeast; and residential to the further west and south.

6. **Does/does not the rezoning or amendment align with the zone district’s purpose and intent?**

A comparison of height, design and setback standards identifies areas of difference between the Light Industrial (L-I) zone district and the Residential Multi-Family (R-MF) to include the following:

	Light Industrial	Residential Multi-Family	
	All Buildings	Principal Structures	Detached Accessory Building <sup>^^</sup>
Height limit	60 feet/45 feet*	35 feet	20 feet
Front Yard Setback	35 feet **	15 feet <sup>^</sup> single-family dwelling 25 feet all other structures	35 feet
Side Yard Setback	None ***	10 feet	5 feet
Flanking Yard Setback	15 feet	15 feet	15 feet
Rear or side on alley	10 feet	NA	NA
Rear Yard	None ***	25 feet	5 feet
Minimum Street Frontage	30 feet	20 feet	
Lot Coverage	NA	65% open space	
Minimum Lot Size	NA	8,250 square feet for single family dwellings 9,900 square feet for two family residential dwelling 15,000 square feet for three family dwelling units or more	

\*When the building is located within 300' of a residential zoning district or within the Airport Runway Protection Zone the maximum height is 45'

\*\*If parking is provided in an area other than in the front of the building, a setback of 20 feet is permitted.

\*\*\*Zero lot lines are permitted only for those buildings whose construction meets at least the minimum fire standards of the Building code and Fire Protection Code.

^ The required minimum setback to the face of the attached garage is 25 feet. No additional intrusion of features such as canopies, decks, chimneys, cornices, and the like are allowed into the 15 foot front yard setback.

^^Accessory buildings that are attached to the principal structure shall meet the required setbacks of the principal structure. When detached, an accessory structure shall be a minimum of 5 feet from the principal structure.

Existing zone designation can be found in Hayden City Code §11-9-1: The Light Industrial (L-1) Zone is a land use classification for a district suitable for manufacturing, processing, fabrication, assemblage, freight handling, or similar operations of a non-nuisance character. The purpose of the Light Industrial Zone is to encourage the development of manufacturing and wholesale businesses that are clean, quiet, and free of noise, odor, dust and smoke.

Proposed zone designation can be found in Hayden City Code 11-7-1: The Residential Multi-Family (R-M/F) Zone is established to provide higher density residential housing areas served by collector and arterial streets. This zone shall be characterized by buildings or groups of building containing multi-family dwelling units.

7. ***Would/would not*** it result in consistent regulations for each property with the same zoning designation citywide?

According to the narrative, the request is consistent with regulations with other property within the same zoning designation.

#### Analysis under 11-1-4: Development Agreements

Does the Commission find that the requested amendment to the zoning designation of the project lot has a substantial impact on the public infrastructure or will require buffering between the subject parcel and adjacent neighborhood if the request were to be granted? If yes, then a development agreement is allowed, if not then a development agreement is not allowed.

If it is the recommendation of the Commission that a development agreement would be useful then the Commission is authorized to recommend as a condition of approval of the zoning amendment a written development agreement providing for mitigation of the impact on the infrastructure and the property surrounding the subject parcel.

#### NOTICE AND COMMENTS

Legal Notice Directions, Date Tracking and Affidavits of Posting

In response to the request for comment, the following were received:

1. On July 3, 2019, the Kootenai County Community Development Department responded by e-mail that they “have no comments or concerns”.
2. On July 3, 2019, the Kootenai County Sheriff’s Office responded by e-mail “does not have any current concerns”
3. On July 5, 2019, the Coeur d’Alene Airport responded by e-mail “is opposed to high density residential in this area due to the proximity of this parcel to the Airport. We request an avigation easement for the entire parcel.”
4. On July 8, 2019, the Post Falls Highway District responded by e-mail/letter “the requested changes will have no effect on the District’s road ways; therefore, the Highway District has no concerns or comments on the changes.”

5. On July 25, 2019, the Hayden Area Regional Sewer Board responded by e-mail and letter attachment that they request “an odor easement be attached to any development of this property”. The requested language of the easement states the following:  
“The owner hereby grants to the Hayden Area Regional Sewer Board a permanent, non-exclusive easement and right-of-way over and above this property for fumes, odors, air pollution, adverse impact or other conditions or nuisances which may emanate from or be caused by their Wastewater Treatment Plan and associated land application area.”

**Public:**

1. On July 26, 2019, Ken Windram responded by letter in opposition to changing the property from Light Industrial to Multi-family citing reasons to include location of high density, impact of additional residential to the traffic and travel area, and residential is in direct opposition of the comprehensive plan goals of light industrial.



**ZONE MAP AMENDMENT APPLICATION**

Community & Economic Development Department  
 8930 N Government Way Hayden, ID 83835  
[www.cityofhaydenid.us](http://www.cityofhaydenid.us) (208) 209-2022

To be completed by city staff:

Tracking #: PZE-19-0055

Date submitted: 06/26/2019

Received by: DLP

APPLICANT: Lake City Engineering, Inc.

CHECKLIST: A request is made by submitting the following:

		<b>Requirement</b>
X	X	Completed application
X	X	A current radius report consisting of a list, prepared by a title company that is licensed to do business in the state of Idaho, of the names, mailing addresses, and parcel numbers of all property owners whose property is within or adjacent to the area bounded by lines three hundred feet (300') from the external boundary of the entire proposal area. Three (3) such lists shall be provided on self-adhesive labels. Said list shall be accompanied by a date stamped tax parcel map prepared by Kootenai County. Note: list must be current within 60 days of issuing notice to public agencies.
X	X	Current Title report
X	X	Copy of the most current recorded deed
	X	Narrative describing how the proposed amendment relates to the Comprehensive Plan, availability of public facilities, and compatibility with the surrounding area
X	X	Letter of authorization from owner of record, if not applicant
X	X	Electronic copy of the legal description of the property to be rezoned The legal may be e-mailed to <a href="mailto:planning@cityofhaydenid.us">planning@cityofhaydenid.us</a> (Word format).
X	X	Vicinity map, drawn to a readable scale, showing property lines, thoroughfares, lineal feet measurements for all parcels of land within 300 feet beyond, excluding streets and alleys, of the external boundaries of the land being considered, and the existing zoning district for each parcel.
X	X	A plat or survey matching the legal description of the property involved in the Zone Change request.
X	X	Fees in accordance with the current City Council adopted fee schedule. City fees and engineering pass through costs are required at the time of application. Additional fees, such as notice and legal publication changes are the responsibility of the applicant and will be billed separately. All fees must be paid prior to the release of the written decision.



**ZONE MAP AMENDMENT APPLICATION**

Community & Economic Development Department  
8930 N Government Way Hayden, ID 83835  
[www.cityofhaydenid.us](http://www.cityofhaydenid.us) (208) 209-2022

To be completed by city staff:

Tracking #: **PZE-19-0055**

Date submitted: **6/26/2019**

Received by: **DLP**

**APPLICANT:** Lake City Engineering, Inc.

Mailing Address: 126 E. Poplar Avenue, Coeur d'Alene, ID 83814

Telephone: 208-676-0230 Fax: \_\_\_\_\_ E-mail Address: dittman@lakecityengineering.com

**PROPERTY OWNER:** Daugharty Investments, LLC

Mailing Address: 101 S. Sherman Ave

Telephone: (208) 664-3799 Fax: \_\_\_\_\_ E-mail Address: paul@pdaughartyllaw.com

**ENGINEER/ SURVEYOR:** Lake City Engineering, Inc.

Mailing Address: 126 E. Poplar Avenue, Coeur d'Alene, ID 83814

Telephone: 208-676-0230 Fax: \_\_\_\_\_ E-mail Address: dittman@lakecityengineering.com

**PROPERTY:**

Legal Description of the Entire Property: (See Title Report)

Legal Description of the Property to be Re-Zoned: (applicable if subject site is split zoned) \_\_\_\_\_  
See attached

Tax Parcel #: H-0000-016-9250

Street Address (if applicable): N/A

Size of Area Involved: 48.7 acres and/or \_\_\_\_\_ sq. ft. Total Number of Lots Involved: 1

Size of Area to be Re-zoned: 30.9 acres and/or \_\_\_\_\_ sq. ft. Total Number of Lots to be Re-zoned: 1

Current Zoning Designation: Industrial Existing Land Use: Vacant

Requested Zoning Designation: Industrial / R-MF Proposed Land Use: Residential / Industrial / Commercial

**CERTIFICATIONS:**

*I understand that application fees are in accordance with the current City Council adopted fee schedule and that all additional fees, charges, pass-through engineering costs, legal advertising and postage are the sole responsibility of the applicant. I hereby certify that I am the owner or contract buyer of the property upon which the zone change is to be made or that I have been vested with the authority to act as agent for the owner or contract buyer. All the information, statements, attachments and exhibits transmitted herewith are true to the best of my knowledge.*

DATED this 26<sup>TH</sup> day of JUNE, 2019.

[Signature]  
(signature)

OREW DITMAN  
(print name)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name)

\*\*\*\*\*

To be completed by city staff:  
Check #: **#236 & #7386** Amount Paid: **\$1537.50** Date: **6/26/2019** Initials: **HM/DLP**

***DAUGHARTY PROPERTY***

***Zone Map Amendment  
Project Narrative***

*Parcel # H-0000-016-9250 (ptn)*

*City of Hayden, Idaho*

*Lake City Engineering, Inc.  
126 E. Poplar Avenue  
Coeur d'Alene, Idaho 83814  
208.676.0230*



## BACKGROUND

Daugharty Investments, LLC is the owner of the property located at the northwest corner of the intersection of Hayden Avenue and Atlas Road. They have authorized Lake City Engineering, Inc. to apply for a Zone Map Amendment to change the zoning from *Industrial* to *Residential Multifamily* for portions of the property. This Narrative accompanies the Zone Map Amendment Application and submittal package. The project proponent desires to change the zoning classification to allow for the subdivision and development of the property into a multi-family residential project that will match the character of and is compatible with the adjacent residential, commercial and industrial uses.

### Property Owner

Daugharty Investments, LLC  
101 S. Sherman Drive  
Coeur d'Alene, Idaho 83814

### Applicant

Lake City Engineering, Inc.  
126E. Poplar Avenue  
Coeur d'Alene, Idaho 83815

### Subject Property

NNA  
Parcel #: H-0000-016-9250 (ptn)  
Size: 28.9 ac

**Current Zone: Industrial**

**Proposed Zone: Residential Multifamily**

## COMPREHENSIVE PLAN

The *2008 City of Hayden Comprehensive Plan* is intended to be a living document that will guide future land use decisions. The Plan provides goals and identifies policies that should be utilized “to preserve and build upon the City’s unique sense of community and the long-term vision for the community.” It is important that all land-use decisions meet or exceed the identified goals and policies in the Comprehensive Plan. Although the current Comprehensive Plan is under review and revision, the project proponent believes the following goals and policies (as outlined in *italics* with commentary shown in **bold**) are applicable to the proposed zone change:

### *I-C: Vision Statement*

*We seek to preserve areas within our city with lower densities of residential development, while encouraging somewhat higher residential densities in and around our city’s core. We envision distinct neighborhoods, with connectivity between neighborhoods and with centers of community activity*

- **The proposed Zone Map Amendment would provide for a mixture of housing types and densities that will blend well with and have compatibility with the surrounding land uses.**

### *III-C: Land Use*

*Goal 1: The physical development of the City of Hayden should be accomplished in an orderly fashion by judicious land use decisions.*

*Policy 1: The Comprehensive Plan should serve as a guide for development.*

*Policy 4: The protection and enhancement of the general public safety, health, and welfare should be tantamount to all other factors guiding land use decisions.*

*Policy 5: The City should ensure that all new development is compatible with the land use plan.*

*Policy 6: The City should evaluate the community-wide impact of each significant development as determined by the City, on the need for public facilities and services, the circulation and housing impacts from the project, and the effects on the City's identified resources.*

*Goal 2: The City of Hayden should encourage the development of land within the corporate limits of Hayden prior to annexation of adjacent areas.*

*Goal 3: Provide a variety of development densities and types in various areas of the City, while preserving the traditional small town feel.*

*Policy 1: Designate areas through zoning to allow for a variety of residential densities ranging from larger lots to higher densities. For each density designation, provide a range of densities to maximize flexibility, with mid-range densities allowed only when certain triggers have been met, and higher-range densities only allowed as an incentive to encourage implementation of desired design features.*

*Policy 2: Specifically, residential density ranges are defined as follows:*

*Low Density: Average density of 1 to 4 dwelling units per acre*

*Medium Density: Average density of 4 to 7 dwelling units per acre*

*High Density: Average density of 7 to 12 dwelling units per acre*

- **The proposed Zone Map Amendment is consistent and is in general conformance with the land use plan and the above Goals and Policies of the Comprehensive Plan. The Subject Property is located within the existing City Limits, and the proposed zoning will act as a buffer between the adjoining land uses.**

### *III-F: Public Services*

*Goal 2: Promote the provision of utilities sufficient to protect the public health and welfare.*

- **There are adequate existing utilities located immediately adjacent to the subject property.**

*Policy 1. Encourage land development patterns that permit the most economical extension of sewer lines.*

- **Sanitary sewer is available to serve the subject property.**

*Policy 3. Base residential development and density decisions on the availability of adequate water supply. Adequate pressure, quantity, and quality of water supplies should be required for domestic uses and for fire protection.*

- **Domestic water is available and is currently provided to the subject property.**

### *III-F-1: Sewer and Water Service*

*Goal 1: Protect the aquifer and natural environment through the provisions of necessary sewer and water services throughout the community in an environmentally sound manner.*

- **Any future development of the subject property will require extensions of the sanitary sewer and domestic water.**

*Policy 3. Minimize sprawl through the promotion of development where utility and road services are in place and available.*

- **Utility and road services are currently available at the subject property.**

### *III-F-3: Emergency Services*

*Goal 1: Support adequate and effective police, fire and emergency medical services to all residents and landowners in the City.*

- **The subject property is currently served by all emergency services.**

### *III-H: Housing*

*Goal 2: Encourage well planned residential development.*

*Policy 1. Developers should be encouraged to maximize the variety of attractive neighborhood settings in terms of price range, amenities, natural settings, and proximity to other areas of activity.*

- **The proposed zone change will allow for a residential neighborhood compatible and similar to the adjoining uses.**

*Policy 2. Adequate public access should be provided to all lots.*

- **Public access and utilities will be extended as required.**

*Policy 8. Land use regulations, zoning and subdivision ordinances should be updated and revised to assure responsible, well-planned development in accord with the comprehensive plan.*

- **Any future development of the subject property will be in accordance with the City of Hayden Zoning and Subdivision Ordinances.**

## **AVAILABILITY OF PUBLIC FACILITIES**

### Transportation

The subject parcel fronts both Atlas Road and Hayden Avenue. Atlas Road is designated as a Minor Arterial, however it currently is a 2-lane road. As development occurs, Atlas Road will be upgraded to 24' paved half-width road situated in a 42.5' public right-of-way. Hayden Avenue is considered a Principal Arterial and will ultimately consist of 36' paved half-width with a 110' public right-of way. Both of the roads are anticipated to accommodate a high volume of traffic in the future. A roundabout is planned for this intersection in the future to help alleviate any congestion.

### Domestic Water

It is anticipated that any future development on this property will be served by the Hayden Lake Irrigation District. They currently have infrastructure in the immediate vicinity of the subject property that is capable of serving the needs of development. The proposed zone change will have no impact on the existing water infrastructure.

### Sanitary Sewer

The project is served by the City of Hayden Sewer System. There is an existing gravity sewer located in Atlas Road, as well as gravity sewer available to the West in the Carrington Meadows project that could be used for future development. The proposed zone change has no impact on the existing sewer infrastructure

## **COMPATIBILITY WITH SURROUNDING AREA**

The adjacent property to the West is zoned Commercial, but the Carrington Meadows subdivision contains a variety of residential uses. The property to the South and East are zoned Industrial, however, this zone change will create the necessary buffer between the existing residential uses to the East and the proposed commercial/industrial uses to the West.



**Community and Economic Development**  
**Subdivision, Land Use, Annexation and Amendments**  
**Legal Notice Directions, Date Tracking and Affidavits of Posting**

08/05/2019	PZ
_____	CC

Person creating schedule and directions: *Donna Phillips*

Agenda Title: Case No. PZE-19-0055, a request by Lake City Engineering, Inc. on behalf of the owner Daugharty Investments, LLC for a zone map amendment from Light Industrial (L-1) to Residential Multi-family (R-MF) for a portion (30.9 acres) of the 48.7 acre lot located at the northwest corner of North Atlas Road and West Hayden Avenue.

	Notices Attached/Notice Development Instructions						
	<u>Agency Notice</u>	<u>Legal Notice</u>	<u>Adjacent Property Notice</u>	<u>Property Notice</u>	<u>Public Service Notice</u>	<u>Website Notice</u>	<u>Agenda Notice</u>
<u>Document Reference #</u>	S-2	S-3	S-4	S-5	S-6	S-7	
<u>Accessory Documents Attached?</u>							
<u>Who Prepares?</u>	Donna	Donna	Donna	Donna	Donna	Donna	Heather
<u>Who Sends?</u>	Heather	Heather	Heather	Heather	Heather	Heather	Heather
<u>Date Scheduled</u>	07/03/19	<del>7/15/19</del> 7/17/19	7/18/19	7/18/19	7/18/19	7/18/19	7/18/19
<u>Date Posted</u>	07/03/2019	<del>7/20/19</del> 7/18/19	7/18/19	7/18/19	7/18/19	7/18/19	7/18/19

\_\_\_ Adjacent or \_\_\_ 100 ft. or X 300 ft. landowner notice mailed

PSA emailed to media outlets: Q6 News, KREM News, KXLY, Nickels Worth, Spokesman Review, Blue Sky Broadcasting

Written Comments Due By: Agency - July 17, 2019; Public Comments Due By: July 29, 2019

Check all that apply

<i>All</i>	
X	Avista Utilities
	Avondale Irrigation District
	Chateaux Water District
X	Coeur d'Alene Airport
X	Coeur d'Alene Garbage
X	Coeur d'Alene School District
X	Frontier Communications
	Hacienda Hills Water
X	Hayden Area Regional Sewer Board
X	Hayden Lake Irrigation District
	Hayden Lake Sewer District
X	Idaho DEQ CDA Regional Office
	Idaho Department of Fish & Games
	Idaho Department of Lands
	Idaho Department of Water Resources
X	Idaho Department of Transportation

NOTICING SCHEDULE

Meeting Body	Agenda Category	Activity		Date of Meeting
PZ	Public Hearing	Public Hearing		08/05/2019
PZ	Consent	Written Recommendation		08/19/2019
CC	Public Hearing	Public Hearing		08/27/2019
CC	Consent	Written Decision		09/10/2019
CC	New Business	Ordinance		09/10/2019

Comments:

I verify that that above dates are accurate recordings of the date postings occurred and how they were made:

Donna Phyllis 7/3/19  
Signature and Date

Heather McSulty 7/18/19  
Signature and Date

I verify that I posted the property on \_\_\_\_\_, 2019 and in the following locations:

North of West Hayden Avenue and West of North Atlas Road.

Scott M. Zou 7/18/19  
Signature and Date

**From:** [David Callahan](#)  
**To:** [\\*Planning](#)  
**Subject:** PZE-19-0055  
**Date:** Wednesday, July 03, 2019 12:18:08 PM

---

**Hi Donna: We have reviewed the proposed zoning change and have no comments or concerns.**

**David Callahan, AICP  
Director**

**Kootenai County  
Community Development**

451 N Government Way • P.O. Box 9000  
Coeur d'Alene, Idaho 83816-9000

Phone: 208 446 1082 • Email: [dcallahan@kcgov.us](mailto:dcallahan@kcgov.us)  
Mobile: 208 660 3029

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WARNING: Viruses or unauthorized attachment types were found in this e-mail and have been removed.

=====  
Attachment: image001.gif Status: Unauthorized attachment name; REMOVED

Attachment: image002.gif Status: Unauthorized attachment name; REMOVED

**From:** [Kevin Smart](#)  
**To:** [\\*Planning](#)  
**Subject:** PZE-19-0055  
**Date:** Wednesday, July 03, 2019 2:14:12 PM  
**Attachments:** [image001.png](#)

---

Good Morning Donna Phillips,

The Kootenai County Sheriff's Office does not have any current concerns regarding the notice for PZE-19-005, requested by Lake City Engineering Inc. , as presented in the attachment we received.

Thank you,



**Captain Kevin Smart**  
**Operations Support Division Commander**

Kootenai County Sheriff's Office

5500 N. Government Way

Coeur d'Alene, ID 83816

P: 208-446-1311

F: 208-446-1308

[ksmart@kcgov.us](mailto:ksmart@kcgov.us)

[www.kcsheriff.com](http://www.kcsheriff.com)

**From:** [Linda Leigh](#)  
**To:** [\\*Planning](#)  
**Subject:** PZE-19-0055  
**Date:** Friday, July 05, 2019 1:59:26 PM

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Re: PZE-19-0055

The Coeur d'Alene is opposed to high density residential in this area due to the proximity of this parcel to the Airport. We request an avigation easement for the entire parcel.

Thanks,

Linda Leigh  
Administrative Secretary  
Coeur d'Alene Airport  
(208) 446-1861



July 8, 2019

Donna Philips  
Senior Planner  
Community Development Department  
planning@cityofhaydenid.us

RE: PZE19-0055; DAUGHARTY ZONE MAP AMENDMENT REQUEST

Dear Donna:

Post Falls Highway District has reviewed the Zone change as submitted.

The requested changes will have no effect on the District's roadways therefore the Highway District has no concerns or comments on the changes.

Should you have any additional questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Brownsberger". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kelvin Brownsberger  
Road Supervisor  
Post Falls Highway District



# HAYDEN AREA REGIONAL SEWER BOARD

10789 N. Atlas Road • Hayden, Idaho 83835 • Fax (208) 772-3863

Ken Windram, Administrator  
Phone (208) 772-0672

July 23, 2019

City of Hayden  
8930 North Government Way  
Hayden, Idaho 83835

Re: Comments to Agency Notice for PZE-19-0055, Daugharty Zone Map Amendment request by Daugharty Investments LLC

This letter is to provide information and request with respect to the City of Hayden Planning Department notice from Daugharty Investments PZE-19-0055, Daugharty Zone Map Amendment.

The Hayden Area Regional Sewer Board (HARSB) Treatment Facility provides critical services for the City of Hayden and the other communities that utilize HARSB's pollution control services. The residential and commercial development in the City of Hayden has benefitted because of the HARSB Treatment Facility and its services. If the Treatment Facility was not available, the Hayden area development would be subject to Panhandle Health's one (1) residence per 5-acre rule for sewage on-site septic tank disposal.

The one fact that is part of the HARSB Treatment Facility is that the human waste received at the Facility for treatment and some aspects of the treatment process can have an odor. The HARSB Facility has equipment to control the odors, but no odor control system is perfect. Up to now, this has not been a major issue because there are no residences within one half mile of the Facility. Any odor leaving the facility will have time to disperse to a low level. With new houses being built closer to the Treatment Facility, the dispersal distance effect will be impacted. The sewer rate payers in Lochaven, Woodland Apartments, Leisure Park, Maple Grove, Strawberry Fields, Hayden Lake, and elsewhere within the city of Hayden and Hayden Lake Sewer District services boundaries should not have to pay to have additional pollution control equipment installed just because someone chooses to move next to the existing Treatment Facility, knowing of the Facilities existence prior to moving there.

The Daugharty property rezoning has residential units as close as 2,800 feet from the HARSB Treatment Facility. HARSB is requesting an odor easement be attached to any development of this property. The current and future landowner(s) needs to be aware of the potential that Treatment Facility odors could reach their property. That is one of the long-term costs of moving so close to the community's human waste Treatment Facility.

# HAYDEN AREA REGIONAL SEWER BOARD

Therefore, HARSB is requesting that an odor easement be recorded over the entire property encompassed by this Daugharty property prior to any change to the zoning change with the following wording:

*“The owner hereby grants to the Hayden Area Regional Sewer Board a permanent, non-exclusive easement and right of way over and above this property for fumes, odors, air pollution, adverse impacts or other conditions or nuisances which may emanate from or be caused by their Wastewater Treatment Plant and associated land application area.”*

We are making this request to benefit the HARSB Treatment Facility and the sewer rate payers.

Sincerely,

*Ken Windram*

Ken Windram  
Administrator  
I-C: Vision Statement

July 26, 2019

City of Hayden  
Planning, Zoning and Community Development Department  
8930 N Government Way ·  
Hayden, ID 83835

Subject: PZE-19-0055, Daugharty Zone Map Amendment Request

Dear Sir or Madame,

I have become aware that Daugharty Investments, LLC, is requesting the approval of a Zone Map Amendment from Light Industrial (L-I) to Residential Multi-family (R-MF) for a portion (30.9 acres) of the 48.7 acre lot located at the northwest corner of North Atlas Road and West Hayden Avenue.

I am writing this letter in **opposition** to changing the property in question from Light Industrial to Residential Multi-family. Below are my reasons for opposing the zoning change.

In reviewing the 2008 City of Hayden Comprehensive Plan, one of the goals is:

*We seek to preserve areas within our city with lower densities of residential development, while encouraging somewhat higher residential densities in and around our city's core.*

This Daugharty property is not in the City of Hayden core. The proposed multifamily residential units will not preserve the lower densities that the Comprehensive Plan established. Multi-family units on that property will increase the residential population density in an area the Comprehensive Plan established as Light Industrial. One of the objectives of the Comprehensive Plan Light Industrial zone area is to insure there is areas for business to occupy and provide jobs for the residents of Hayden. Unlike building multi-family units, new business proved long term employment opportunities for Hayden residents. It is therefore important to maintain Light Industrial Zoning for this property.

*Policy 4: The protection and enhancement of the general public safety, health, and welfare should be tantamount to all other factors guiding land use decisions.*

Changing Daugharty property zoning to Multi-family will dramatically increase the population living in the area of Hayden Ave and Atlas Rd. Those people will travel toward the City core for work and shopping increasing traffic and traffic safety issues that come with it. Maintaining the Light Industrial Zoning will have fewer people in the area and they will travel in the opposite direction from the City core to jobs that will come to that property.

*Policy 5: The City should ensure that all new development is compatible with the land use plan.*

Changing Daugharty property zoning from Light Industrial to Multi-family is directly opposite of what the land use plan established. There are plenty of other properties near the City core for Multi-Residential units.

I hope the Planning and Zoning Committee can stay on course with the overall Comprehensive Plan for the benefit for all the City of Hayden residents by not granting the zoning change and not be pressured by property owner greed to get the maximum profit from their property.

Thank You,

*Ken Windram*

Public Citizen Working in Hayden, Paying Idaho Taxes and Hoping Changes In Hayden Can Be Slowed.  
watercleaner@juno.com