

MINUTES
Special Meeting City Council
Thursday, January 30, 2014 3:30 p.m.
DOVER CITY HALL 699 LAKESHORE AVENUE, DOVER, IDAHO

CALL TO ORDER

Council President Bill Strand called the meeting to order at 3:32. Also present: Councilman Neal Hewitt, Councilwoman Annie Shaha, City Planner Bryan Quayle, and City Attorney Stephen Snedden.

Ralph and John Sletager of Dover Bay Development were also present.

Councilwoman Shaha motions to amend the agenda to include the acceptance of Randy Curless resignation letter and the discussion on city appointments. Noted that the agenda was amended and posted 24 hours prior to the meeting. Councilman Hewitt seconds, all in favor, motion passed.

WATER PLANT FENCE WORKSHOP

Bryan continues the workshop with some background and ordinance information. His memo to council is attached. General standards were discussed regarding the city ordinance, buffering requirements, fence height.

While the fence can provide some security at the water plant, council discussed that it would be better utilized at the water tank in Cedar Ridge, which has experienced acts of random vandalism over the years, according to Councilman Hewitt.

Further discussion with Ralph and council about ideas to keep the area and water plant facility more attractive as it is in a residential area. Ralph then suggested the city look into vacating Railroad Ave and the alley so perhaps the water plant footprint could be enlarged for when the city improves/increases the slow sand filter area.

General consensus that a chain link fence around the water plant is not the best use of this grant. Moving forward, Councilman Strand will:

- Confirm DEQ requirements/recommendations for water plant and storage security
- Address with Union Pacific the possibility of placing the fence at the water storage tank on Cedar Ridge instead of around the water facility plant
- Look into alternative security measures for the water facility plant (ADT was discussed)

Depending on Union Pacific, a discussion/decision will be made at the February 13, 2014 regular council meeting with regards to moving the current fencing project from the water plant to a water storage tank. Ralph also volunteered to move the fencing for the city.

Further discussion on having a workshop with DBD to discuss vacating various properties, addressing the wetlands that have been created, and general ideas to improve the entry to Dover, bike trail connectivity, etc. Ralph will also put together some sort of plan to address the aesthetics of both the building and property around the water facility plant.

ACCEPTANCE OF RESIGNATION

Councilman Hewitt motions to accept the resignation of Paul “Randy” Curless, Mayor, effective January 29, 2014. Councilwoman Shaha seconds. No discussion. Roll Call Vote:

Councilman Hewitt	Aye
Councilwoman Shaha	Aye
Councilman Strand	Aye

Motion passed

APPOINTMENTS

Attorney Snedden advises as Council President, Bill does not have the authority to nominate the 4th councilmember. Council has no ability to appoint a council member, so a mayor must be appointed first. Council may appoint a mayor from either inside or outside the council. Stephen confirms council has sufficient numbers to confirm someone from within the council.

Stephen advised to appoint a mayor sooner rather than later. It was decided to appoint a mayor on February 6, 2014 at 6:00 p.m. At that time, if the mayor is selected from the City Council, there will only be 2 councilmembers so there will be no quorum and no business will be conducted until the Governor appoints a 3rd council member. This appointment is expected at the regular council meeting on February 13, 2014.

Councilman Hewitt motions to adjourn. Councilwoman Shaha seconds, no discussion, motion passed.

Councilman Strand adjourns the meeting at 4:45

Minutes prepared by Anne Shaha, Councilwoman

CITY OF DOVER

Planning and Zoning Department
PO Box 115
Dover, ID 83825

Telephone 208-265-8339

MEMORANDUM

TO: City Council
FROM: Bryan Quayle, Planning and Zoning Administrator
DATE: January 23, 2014
SUBJECT: Zoning Ordinance References To Fencing

Per the council's request, the following are the various references to fencing within the City's zoning ordinance (Ord. # 117). Note: The water plant project was begun prior to the city adopting its zoning ordinance and is classified as a legal non-conforming facility. Therefore it is not required to conform to subsequent standards unless the original plan is substantially altered. Whereas fencing is not required of such facilities, buffering and general standards information is included below for general applicability and because of the cross references to fencing.

Article 7, Division 1, Section 7.3G

G VISIBILITY AT INTERSECTIONS AND DRIVEWAYS: A clear vision triangle in conformance with Appendix C Division 2 shall be maintained at all intersections and points of access to a public street.

1. No solid fence or wall, planter, hedge, shrub, or other visual obstruction more than three feet in height above grade shall be permitted in a clear vision triangle.

Article 7, Division 1, Section 7.3I4

I. YARDS and BUILDING HEIGHT:

4. No fence shall exceed six feet (6') in height. Exceptions to this height may be considered as a special use permit and may be required to obtain a building permit. No permit is required for fences six feet (6') or less in height. However, all fencing is subject to other ordinance provisions, such as maintaining clear vision at intersections as provided in Article 7.3 Division 1 G above, which may affect placement and height.

Article 7, Division 2

Division 2 - Performance Standards Applicable to Special Uses

A. BUFFERING AND SCREENING:

1. All commercial developments and public buildings shall provide an effective buffer for adjoining residences, adjoining undeveloped parcels, and the river.
2. All high density residential developments shall provide an effective buffer for existing commercial or industrial uses or public buildings, adjoining residences, adjoining undeveloped parcels, and the river.
3. Existing vegetation shall be retained to serve required buffering or screening functions wherever possible.
4. All buffers shall be installed in compliance with the detailed performance standards for effective buffering found in Appendix B.

Article 9, Section 9.3

9.3. GENERAL STANDARDS APPLICABLE TO ALL SPECIAL USES: In addition to development standards contained within Article 7 Section 7.3, and prior to approving a special use, the city council shall review the particular facts and circumstances of each proposed special use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

- A. Will, in fact, constitute a special use as established in this ordinance for the zoning district involved;
- B. 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;
- C. 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;
- D. Will not create excessive additional requirements as to public cost for public facilities;
- E. 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 reason of excessive production of traffic, noise, smoke, fumes, glare or odors;
- F. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic and surrounding public thoroughfares

APPENDIX B - DETAILED PERFORMANCE STANDARDS FOR BUFFERING

1. Purpose. Landscaping requirements are an essential element in mitigating potential land use conflicts and enhancing the visual appeal of the city. The purpose of this appendix is to assure that the landscaped buffers required by this ordinance effectively accomplish these goals.

2. Minimum Buffer Requirements. The width of required buffers shall vary with the nature of the uses being separated, the height of the buildings being separated, and the construction of the buffer. Table B1 shows the width required where the buffer consists of a level or gently sloping area of sod or ground cover and four major trees per hundred lineal feet of buffer. Table B1 also shows where a security fence and/or a solid fence, wall, or berm is required as part of a buffer.

3. Buffer Width Reduction: Berms. The width requirements of Table B1 may be reduced where a berm is included in the buffer. The width reduction shall be twice the height of the berm, with a maximum permitted reduction of 10 feet.

4. Buffer Width Reduction: Additional Plantings. The width requirements of Table B.1 may be reduced where a greater density and diversity of plantings is included in the buffer. The buffer width reductions permitted in this section are cumulative and may result in a total reduction of up to 30%. Buffer width reductions permitted above are cumulative with those permitted here.

a. Major trees: The required buffer width shall be reduced by 10% where five or more major trees per hundred lineal feet are planted.

b. Under story trees: The required buffer width shall be reduced by 10% where five or more under story trees per hundred lineal feet are planted.

c. Shrubs: The required buffer width shall be reduced by 10% where 20 or more shrubs per hundred lineal feet are planted.

5. Buffer Crossings/Inclusions. Buffers may be crossed by access driveways, utility lines, and/or sidewalks. A sidewalk may run along the length of a buffer, with its width, up to a maximum of five feet, being included in the required buffer width. Buffers may also include permitted signs.

6. Plant Materials Specifications. Plant materials installed in required buffers shall meet the following minimum specifications:

a. All trees, major and under story, shall be containerized or bagged and burlapped stock in good condition with a diameter at breast height (dbh) of at least one inch; and

b. All shrubs shall be minimum two gallon containerized stock in good condition.

c. All plant materials shall be warranted for one year by the provider

7. Maintenance. Perpetual maintenance of required buffers is required.

TABLE B1 REQUIRED BUFFERS

Use Providing the Buffer	Use Being Buffered Required Basic Buffer	Buffer Height Adjustment Factor	Width In Security Fence Required?	Feet Headlight Buffer Required?	
outdoor materials handling/storage area; solid waste handling and storage	comm/public	resid/vacant	20	1:1	no	parking area
		river	40	none	no	no
parking areas with + 4 spaces		resid/vacant	20	none	yes	yes
		public way	12	none	no	yes
		river	20	none	no	no
		resid/vacant	40	none	yes	yes
High density resident uses		public way	12	none	no	no
		river	40	none	no	no
		resid/vacant	12	none	no	yes
	public way	12	none	no	yes	
	residential	12	80:1	no	no	parking area
	river	20	none	no	no	no

SF = Square Feet Resid = residential

NOTES. The basic buffer width is required in all cases except where a width reduction is permitted by appendix B 3 or B 4. The height adjustment factor is a ratio stating how many additional feet of buffer width must be added for each one foot of building height after the first 10 feet. A security fence is at least six feet in height and designed to prevent unauthorized entry to the site. A headlight buffer is a solid fence or wall dense hedge, or berm of at least four feet in height placed or planted to block headlight glare originating in parking areas or other areas of frequent vehicle movement.

January 30th, 2014

Bill Byrne
403 Lundblad Place
Dover Idaho, 83825

Dear City of Dover,

I strongly disagree with the fence that is being constructed on city property across from the Dover Bay Discovery Center for two reasons.

1. I've been informed that it was ordered to be installed without following the proper budget, design and review process.
2. I have also been informed it was not voted on or approved by the city council.

The citizens of Dover have to follow the correct procedures, so should it's government.

Sincerely,

Bill Byrne

*One Resident said
water is most important
maybe some arbitrae to
Camo?*