



# Memo

To: Chair Davis and Member of the Commission  
From: Aidan Fritz, Planner  
Date: November 2, 2023  
Re: Public Comments received for the PZE-23-0122 Richards Conditional Use Permit (CUP)

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## **Agenda Item**

Public Hearing

## **Summary**

During the review of the proposal, agency notices are requested concurrent with the staff review analysis. If received in a timely manner, they are included in the staff review. If, however, they are received after the staff review is posted and prior to the public hearing, those comments are included within this memo to the Commission. Additionally, those public comments received as a result of noticing and prior to the public hearing are attached to this memo and are summarized below:

- Northern Lakes Fire Protection District – approved the request for a conditional use permit with the conditions that the applicant shall abide all Idaho Fire Code requirements and shall receive approval from the district should any future modifications to the building be made.
- Jimmy and Fran Roads – Resident – Approve: “We believe this is a much needed and welcome addition to our community.”
- Bryan Enos – Resident – Neutral
- Jill and Craig Brockus – Resident – Opposed: “Opposed to noise level and increased traffic.”
- Tim Beamer – Resident – Opposed: Against approval “because of added noise and traffic it would bring to the neighborhood.” Even indoors, these businesses create unacceptable noise levels.

Attached to this memo is the staff review and public agency comments received prior to the completion of the staff review in addition to the narrative provided by the applicant.

\_\_\_\_\_  
Signature

Richards Conditional Use Permit  
Parcel No. H-K026-001-0080  
Owner: Lars and Paige Richards  
PZE-23-0122

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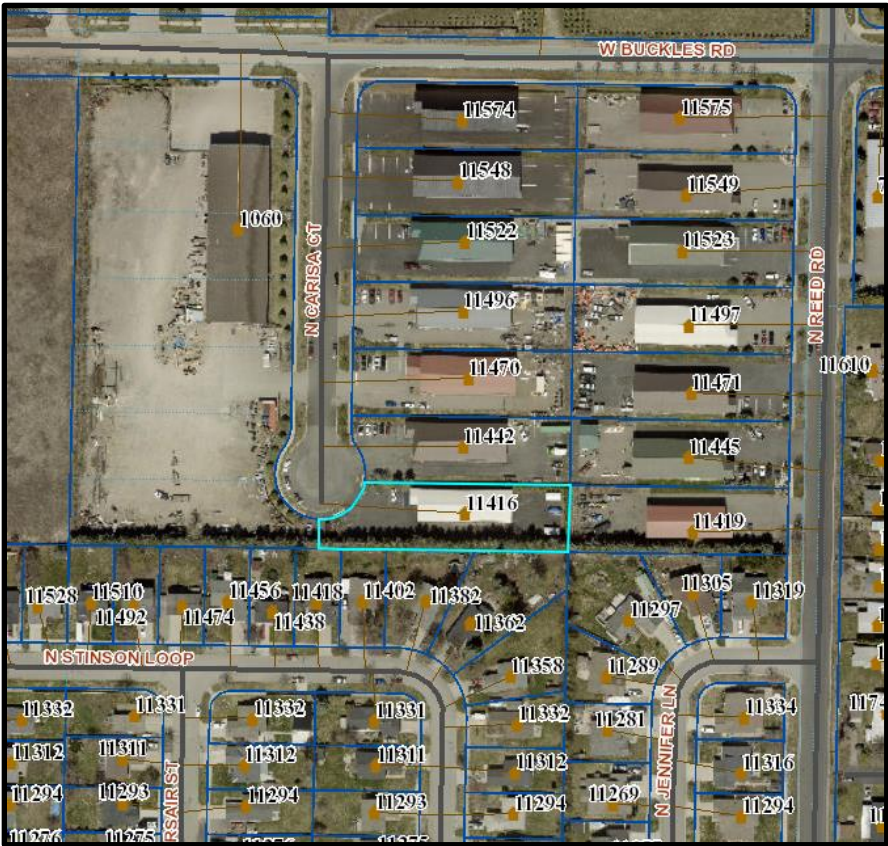
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BACKGROUND

The subject site is located at 11416 North Carisa Court, Hayden, Idaho, 83835. The property, owned by Lars and Paige Richards, is approximately 0.623 acres and is zoned Light-Industrial (L-I). The applicant has retrofitted the building’s existing warehouse to provide batting cages and a space for indoor baseball and softball practices for local teams.

SUMMARY OF REQUEST

The applicant, First and Third LLC on behalf of the owners, Lars and Paige Richards, is requesting the approval of a conditional use permit as required by Hayden City Code §11-2-4: Uses Permitted, Conditional Use Permit, Development Standards Cross Reference, which identifies the use of an indoor sport facility in the Light-Industrial zone as requiring a conditional use permit. Per the applicant’s narrative, the location of this indoor sport facility will service multiple communities, will not negatively affect local agencies/infrastructure, will not impede local traffic, and is compatible with the local existing uses.



## LOCATION

The subject site is located west of North Reed Road, south of West Buckles Road, and north of North Stinson Loop more commonly known as 11416 North Carisa Court.

## LEGAL DESCRIPTION

Lot 8 Block 1 Warren K Industrial Park 5th Addition, according to the plat filed in Book K of Plats at Page 26, records of Kootenai County, Idaho.

## ANALYSIS

The analysis is organized following the standards applicable to all conditional uses of the Hayden City Code §11-7-3 and Idaho Statute 67-6512, 67-6519, and 67-6535, which can be found in their entirety in the Appendix. Those items, which are more site specific, shall be identified in the analysis provided here.

1. That proposal is in accordance with the general objectives or with any specific objective of the comprehensive plan and/or the zoning ordinance.

Comprehensive Plan:

The Vision of the City of Hayden is as follows:

*Hayden is a regionally connected City with a small-town feel defined responsible growth and planning. The City maintains strong systems that align with the values of its citizens, including top-tier K-12 schools, an efficient roadway system that manages traffic well, and plentiful open space. The City maintains a small-town feel by concentrating high-impact development at nodes and along corridors and preserving natural open space. The City also encourages a small-business culture to enhance and encourage a healthy, connected, family-friendly community.*

**GOALS:** Goals are broad statements indicating a general aim or purpose to be achieved. A goal is a direction setter. It is an ideal future state or condition related to the public health, safety, or general welfare toward which planning, and implementation actions are directed. A goal is a general expression of community values and is somewhat abstract in nature. Consequently, a goal is generally not quantifiable, time dependent or suggestive of specific actions for its achievement.

**POLICIES:** Policies are statements providing guidelines for current and future decision-making or position-taking. A policy indicates a clear commitment of the Hayden City Council. It is an extension of the plan's goals, reflecting topical nuance as well as an assessment of conditions and how the City will respond.

The Goals and Policies that could address this request are shown in synopsis in the table below, but the complete list may be found in the appendix which shall include the element of the comprehensive plan identified under each goal and a cross reference between the goals, policies, and actions of the comprehensive plan.

GOALS	Summary of Goal
5	Preserve, protect and strengthen the vitality and stability of existing neighborhoods.
8	Ensure all development can be serviced by existing public facilities or extended to adequately serve the development.
9	Ensure adequate park, recreation and open space are provided – and maintained for the continued enjoyment of the community.
10	Adequately site essential public facilities and utilities without compromising surrounding neighborhood integrity and character, while contributing to the overall livelihood of the community; assure facility capacity aligns with projected growth and land use types.
11	Emphasize the enhancements and maintenance of existing parks while creatively seeking ways to acquire and develop future recreational facilities that meet a variety of community recreational interests.
16	Ensure the ordinances and policies do not violate private property rights, adversely impact property values or create unnecessary limitations on land use.

POLICIES	Summary of Policy
2	Development should be compatible with the land use chapter of the Comprehensive Plan and fiscally responsible in supplying adequate transportation, utilities and parks to newly developed areas.
4	The city should evaluate community-wide impacts from development; identifying their needs for public facilities, utilities, services, circulation, and housing, and the effects on city resources.
8	Improve pedestrian, bicycle and vehicular safety along city streets.
10	Encourage and support recreational activities (passive and active uses) catered to senior citizens, retirees, families, teens and youth populations.
16	Ensure levels of public services, facilities, and utilities are adequate to satisfy the community's needs now and as new development occurs.
18	Minimize financial and operational impacts resulting from road improvement projects and maintenance.
23	Ensure land use and zoning compatibility related to development (density and type) occurring in close proximity to Coeur d'Alene Airport.

In the 2040 Comprehensive Plan Chapter 4: Land Uses, it identifies the Light-Industrial Land Use as the following:

Light industrial activity is primarily made up of light manufacturing, processing, and distribution services.

Hayden City Code §11-7-1: Purpose of Conditional Use Permits: The conditional use permit procedure is intended to provide uses that are not permitted by right in any district. It is recognized that an increasing number or new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, and/or facilities that each specific use must be considered individually.



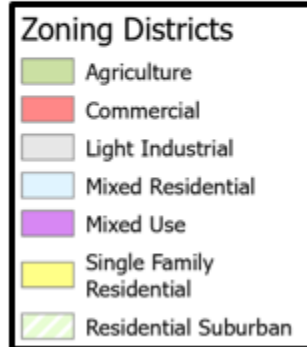
## Zoning, Land Use Designation, Current Land Uses and Design Standards

The property has a zoning designation of Light Industrial as defined as:

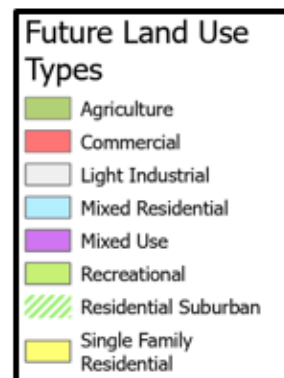
The Light Industrial zone provides for light manufacturing, processing and distribution, and wholesale/retail sales in an environment that is clean, quiet and free of noise, odor, dust and smoke.



Zoning Map



Comprehensive Plan Map



As shown in the map above the properties adjacent to 11416 North Carisa Court are within the Light-Industrial (L-I) zone to the east, west, and north. The subdivisions to the south are zoned Mixed Residential (MR) directly south or Single Family Residential (R1) to the southeast.

The site area and building setback standards for the Light-Industrial (L-I) zone are as follows:

	Light- Industrial (L-I)
Front Setback	20'
Side Setback	10'
Rear Setback	10'
Flanking Side Setback	15'
Max Height	60' *
Max Lot Coverage	
Min Lot Size	
Min Public/Private Street Frontage	30'
ADU Allowed	No

\* See Hayden City Code §11-2-3 for specific exceptions.

Additionally, Hayden City Code §11-2-4: An indoor sport facility is a permitted use in the L-I zone by a conditional use permit.

2. The location, design and size of the proposal are such that the development will be adequately served by streets, police and fire protection, drainage structures, refuse disposal, water 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.

Agency comments from the Northern Lakes Fire Protection District required that current occupant load shall not exceed those established by the Idaho Fire Code, the Fire District shall approve any modifications to the building structure, and the applicant shall abide all Idaho Fire Code requirements for any future building permits. Hayden Lake Irrigation District did not provide any comments for this project. Kootenai County Sheriff's Office provided no additional comments during agency notices. Panhandle Health District also had no comments during the noticing period.

Water usage shall be reviewed annually to determine if additional sewer capacity is required to be paid.

The existing structure was approved with the uses of a warehouse and office space as shown in the image below. The square footages of each of those uses requires the number of parking spaces shown below. The proposed use of an indoor sport facility based on the square feet of the building, requires 29 parking spaces. The applicant identifies the possibility of the following to address parking needs: a cross-parking agreement with other businesses operating in the morning and who would be closed in the evening when First and Third LLC have their regular business hours.



## ADDITIONAL INFORMATION

### Notice and Comments

Upon completion of properly noticed agencies, adjacent properties, and the public the following comments have been received at the time of this staff review.

In response to the request for comment from eleven agencies, four agencies have responded. These include the Panhandle Health District, Kootenai County Sheriff's Office, Hayden Lake Irrigation District, and the Northern Lakes Fire Protection District.

### From Agencies:

- 1) On September 26, 2023, Panhandle Health District responded with no comments.
- 2) On September 26, 2023, Kootenai Sheriff's Office responded with no comments.
- 3) On September 27, 2023, Hayden Lake Irrigation District responded with no comments.
- 4) On September 28, 2023, Northern Lakes Fire Protection District responded in favor of approval of the Conditional Use Permit with conditions. These conditions are for the applicant to meet fire codes and not exceed occupant load. Future development must abide fire code requirements.

### From the public:

The Adjacent Property Notices (APO) and required public notices to include the posting of the staff review on the City's website shall occur after the Staff Review is completed. Public comments received during the noticing period will be included within the record of the Planning and Zoning Commission public hearing.

## STAFF RECOMMENDED CONDITIONS OF APPROVAL

### General Conditions of Approval:

1. The approval of this Conditional Use Permit is based upon the request for an indoor sport facility use within the Light-Industrial zone.
2. This approval shall run with the land for as long as the use remains an indoor sports facility herein regardless of whether the property ownership; applicant and/or design professionals noted herein remain the same, whether collectively or individually.
3. Any development of the project site and building(s) shall comply with Hayden City Codes, policies, and standards with required landscaping, lighting, parking, stormwater requirements addressed as part of any future site development.
4. Applicant shall comply with the requirements of the Northern Lakes Fire Protection District as outlined in their letter of September 28, 2023, identified in the record.
5. Applicant shall provide the last three years of water usage records to the City for review with respect to a possible change in sewer capitalization and O&M prior to issuance of an approved site permit. Applicant shall provide, water records annually in April to review the domestic water usage with respect to a possible change in sewer capitalization and O&M.



Parking Conditions of Approval:

6. No parking is allowed on areas not designated and approved or on unpaved locations within the project site. Should parking occur in areas where it is not allowed, the owner shall provide for the required parking through a joint parking agreement, an additional parking area, or through an improvement to the existing site for additional parking space, or by some other means acceptable to the City.

# Appendix

## APPENDIX

### Conditional Use Permit

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#### STANDARDS FOR VARIANCE APPROVAL

##### Idaho State Law

67-6512. SPECIAL USE PERMITS, CONDITIONS, AND PROCEDURES. (a) As part of a zoning ordinance each governing board may provide by ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided under section [67-6509](#), Idaho Code, for the processing of applications for special or conditional use permits. A special use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, including school districts, to provide services for the proposed use, and when it is not in conflict with the plan. Denial of a special use permit or approval of a special use permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section [67-8003](#), Idaho Code, consistent with requirements established thereby.

(b) Prior to granting a special use permit, at least one (1) public hearing in which interested persons shall have an opportunity to be heard shall be held. At least fifteen (15) days prior to the hearing, notice of the time and place, and a summary of the proposal shall be published in the official newspaper or paper of general circulation within the jurisdiction. Each local government is encouraged to post such notice on its official websites, if one is maintained. Notice may also be made available to other newspapers, radio and television stations serving the jurisdiction for use as a public service announcement. Notice shall be posted on the premises not less than one (1) week prior to the hearing. Notwithstanding jurisdictional boundaries, notice shall also be provided to property owners or purchasers of record within the land being considered, three hundred (300) feet of the external boundaries of the land being considered, and any additional area that may be substantially impacted by the proposed special use as determined by the commission, provided that in all cases notice shall be provided individually by mail to property owners or purchasers of record within the land being considered and within three hundred (300) feet of the external boundaries of the land being considered and provided further that where a special use permit is requested by reason of height allowance that notice shall be provided individually by mail to property owners or purchasers of record within no less than three (3) times the distance of the height of the allowed height of a structure when more than one hundred (100) feet and within no less than one (1) mile when the peak height of a structure in an unincorporated area is four hundred (400) feet or more and, when four hundred (400) feet or more, the structure's

proposed location and height shall be stated in the notice. Any property owner entitled to specific notice pursuant to the provisions of this subsection shall have a right to participate in public hearings before a planning commission, planning and zoning commission or governing board.

(c) When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be provided by local ordinance in lieu of mailed notice. In the absence of a locally adopted alternative notice procedure, sufficient notice shall be deemed to have been provided if the city or county provides notice through a display advertisement at least four (4) inches by two (2) columns in size in the official newspaper of the city or county at least fifteen (15) days prior to the hearing date, in addition to site posting on all external boundaries of the site.

(d) Upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those:

- (1) Minimizing adverse impact on other development;
- (2) Controlling the sequence and timing of development;
- (3) Controlling the duration of development;
- (4) Assuring that development is maintained properly;
- (5) Designating the exact location and nature of development;
- (6) Requiring the provision for on-site or off-site public facilities or services;
- (7) Requiring more restrictive standards than those generally required in an ordinance;
- (8) Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.

(e) Prior to granting a special use permit, studies may be required of the social, economic, fiscal, and environmental effects and any aviation hazard as defined in section [21-501](#)(2), Idaho Code, of the proposed special use. A special use permit shall not be considered as establishing a binding precedent to grant other special use permits. A special use permit is not transferable from one (1) parcel of land to another.

(f) In addition to other processes permitted by this chapter, exceptions or waivers of standards, other than use, inclusive of the subject matter addressed by section [67-6516](#), Idaho Code, in a zoning ordinance may be permitted through issuance of a special use permit or by administrative process specified by ordinance, subject to such conditions as may be imposed pursuant to a local ordinance drafted to implement subsection (d) of this section.

67-6519. APPLICATION GRANTING PROCESS. (1) As part of ordinances required or authorized under this chapter, a procedure shall be established for processing in a timely manner applications for zoning changes, subdivisions, variances, special use permits and such other applications required or authorized pursuant to this chapter for which a reasonable fee may be charged.

(2) Where the commission hears an application, the commission shall have a reasonable time fixed by the governing board to examine the application before the commission makes its decision on the application or makes its recommendation to the governing board. Each commission or governing board shall establish by rule a time period within which a recommendation or decision must be made. Provided however, any application which relates to a public school facility shall receive priority consideration and shall be reviewed for approval, denial or recommendation by the commission or the governing board



at the earliest reasonable time, regardless of the timing of its submission relative to other applications which are not related to public school facilities.

(3) When considering an application which relates to a public school facility, the commission shall specifically review the application for the effect it will have on increased vehicular, bicycle and pedestrian volumes on adjacent roads and highways. To ensure that the state highway system or the local highway system can satisfactorily accommodate the proposed school project, the commission shall request the assistance of the Idaho transportation department if state highways are affected, or the local highway district with jurisdiction if the affected roads are not state highways. The Idaho transportation department, the appropriate local highway jurisdiction, or both as determined by the commission, shall review the application and shall report to the commission on the following issues as appropriate: the land use master plan; school bus plan; access safety; pedestrian plan; crossing guard plan; barriers between highways and school; location of school zone; need for flashing beacon; need for traffic control signal; anticipated future improvements; speed on adjacent highways; traffic volumes on adjacent highways; effect upon the highway's level of service; need for acceleration or deceleration lanes; internal traffic circulation; anticipated development on surrounding undeveloped parcels; zoning in the vicinity; access control on adjacent highways; required striping and signing modifications; funding of highway improvements to accommodate development; proposed highway projects in the vicinity; and any other issues as may be considered appropriate to the particular application.

(4) Whenever a county or city considers a proposed subdivision or any other site-specific land development application authorized by this chapter, it shall provide written notice concerning the development proposal by mail, or electronically by mutual agreement, to all irrigation districts, ground water districts, Carey act operating companies, nonprofit irrigation entities, lateral ditch associations and drainage districts that have requested, in writing, to receive notice. Any irrigation districts, ground water districts, Carey act operating companies, nonprofit irrigation entities, lateral ditch associations and drainage districts requesting notice shall continue to provide updated and current contact information to the county or city in order to receive notice. Any notice provided under this subsection shall be provided no less than fifteen (15) days prior to the public hearing date concerning the development proposal as required by this chapter or local ordinance. Any notice provided under this subsection shall not affect or eliminate any other statutory requirements concerning delivery of water, including those under sections [31-3805](#) and [67-6537](#), Idaho Code.

(5) Whenever a governing board or zoning or planning and zoning commission grants or denies an application, it shall specify:

- (a) The ordinance and standards used in evaluating the application;
- (b) The reasons for approval or denial; and
- (c) The actions, if any, that the applicant could take to obtain approval.

Every final decision rendered shall provide or be accompanied by notice to the applicant regarding the applicant's right to request a regulatory taking analysis pursuant to section [67-8003](#), Idaho Code. An applicant denied an application or aggrieved by a final decision concerning matters identified in section [67-6521\(1\)\(a\)](#), Idaho Code, may within twenty-eight (28) days after all remedies have been exhausted under local ordinance seek judicial review under the procedures provided by [chapter 52, title 67](#), Idaho Code.

67-6535. APPROVAL OR DENIAL OF ANY APPLICATION TO BE BASED UPON EXPRESS STANDARDS AND TO BE IN WRITING. (1) The approval or denial of any application required or authorized pursuant to this chapter shall be based upon standards and criteria which shall be set forth in the comprehensive plan, zoning ordinance or other appropriate ordinance or regulation of the city or county. Such approval standards and criteria shall be set forth in express terms in land use ordinances in order that permit applicants, interested residents and decision makers alike may know the express standards that must be met in order to obtain a requested permit or approval. Whenever the nature of any decision standard or criterion allows, the decision shall identify aspects of compliance or noncompliance with relevant approval standards and criteria in the written decision.

(2) The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

(a) Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation of an approved permit or site-specific authorization, or denial of same, on appeal.

(b) Any applicant or affected person seeking judicial review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought. Upon reconsideration, the decision may be affirmed, reversed or modified after compliance with applicable procedural standards. A written decision shall be provided to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. A decision shall not be deemed final for purposes of judicial review unless the process required in this subsection has been followed. The twenty-eight (28) day time frame for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.

(3) It is the intent of the legislature that decisions made pursuant to this chapter should be founded upon sound reason and practical application of recognized principles of law. In reviewing such decisions, the courts of the state are directed to consider the proceedings as a whole and to evaluate the adequacy of procedures and resultant decisions in light of practical considerations with an emphasis on fundamental fairness and the essentials of reasoned decision making. Only those whose challenge to a decision demonstrates actual harm or violation of fundamental rights, not the mere possibility thereof, shall be entitled to a remedy or reversal of a decision. Every final decision rendered concerning a site-specific land use request shall provide or be accompanied by notice to the applicant regarding the applicant's right to request a regulatory taking analysis pursuant to section [67-8003](#), Idaho Code. An applicant denied an application or aggrieved by a final decision concerning matters identified in section [67-6521](#)(1)(a), Idaho Code, may, within twenty-eight (28) days after all remedies have been exhausted under local ordinance, seek judicial review under the procedures provided by [chapter 52, title 67](#), Idaho Code. An appeal shall be from the final decision and not limited to issues raised in the request for reconsideration.

## Hayden City Code

### 11-7-1: PURPOSE:

A. The conditional use permit procedure is intended to provide uses that are not permitted by right in any district;

1. It is recognized that an increasing number or new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, and/or facilities that each specific use must be considered individually;

2. The Planning and Zoning Commission shall hold a public hearing on each conditional use permit application as specified in this title. The Commission may approve, conditionally approve or deny a conditional use permit under the conditions as herein specified and considering such additional safeguards as will uphold the intent of this title.

### 11-7-2: CONTENTS OF APPLICATION FOR CONDITIONAL USE PERMIT:

A. An application for conditional use permit shall be filed with the Community Development Department by at least one owner or lessee of property for which such special use is proposed. At a minimum, the application shall contain the following information:

1. Name, address and telephone number of applicant;
2. Legal description of property;
3. Description of existing use;
4. Zoning district;

5. A plan of the proposed site for a special use, drawn to a readable scale, showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards and such other information as the City may require to determine if the proposed special use meets with the intent and requirements of this title; and

6. An objective narrative statement evaluation of the effects of the conditional use request on adjoining property; and how the conditional use request meets the standards of approval in [11-7-3](#).

7. There shall accompany any application process under this section a certificate of a reputable title insurance company licensed under the laws of the state of Idaho, listing the names and addresses of the record owners or contract purchasers as shown by the records of the office of the county recorder, all persons to whom the property is assessed upon the tax rolls of the county assessor of Kootenai County within 300' of the external boundaries of the land being considered. The cost of the title report shall be the sole responsibility of the applicant.

### 11-7-3: GENERAL STANDARDS APPLICABLE TO ALL CONDITIONAL USES:

A. The Planning and Zoning Commission 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 meets the following:

1. The proposal is in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or the zoning ordinance;

2. The location, design, and size of the proposal are such that the development will be adequately served by streets, police and fire protection, drainage structures, refuse disposal, water, 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;

3. The design and planning (to include construction, operation and maintenance) of the site is compatible with the location, setting and existing uses and the intended character of the general vicinity.

#### 11-7-4: PUBLIC BUILDINGS, COMPLEXES AND CORRECTIONAL FACILITIES:

A. As defined in this title, any Public Building or Complex and Correctional Facility shall apply to the Community Development Department for a conditional use permit and shall be subject to a public hearing in accordance with the procedures set forth in [11-7-7](#), with the City Council.

B. A Memorandum of Understanding regarding the conditions of approval for the project shall be entered into prior to any construction for the project in accordance with Hayden City Code [11-1-3\(C\)](#).

C. Specific design standards as identified in Hayden City Code [11-2-5](#) shall be addressed within the conditions of approval.

D. All other requirements of this chapter shall apply to the requests for a conditional use permit before the City Council.

#### 11-7-5: PUBLIC SITES AND OPEN SPACES:

A. Public sites and open spaces shall conform to the following:

1. Public Uses: Where it is determined that a proposed park, playground, school or other public use as shown on the future acquisition map, as authorized in section 67-6517, Idaho Code is located in whole or in part within the proposed development the Commission shall notify the appropriate public agency concerning the land proposed to be acquired. Within 30 days of the date of notice, the public agency may request the governing body to suspend consideration of the permit for 60 days from the date of the request; however, if an agreement between the property owner and the public agency is not reached within 60 days the Commission shall resume consideration of the conditional use application;

2. Natural Features: Existing natural features which add to residential development and enhance the attractiveness of the community (such as trees, watercourse, historic spots and similar irreplaceable assets) shall be preserved in the design of the development; and

3. Special Developments: In the case of large development, the Commission may require sufficient park or open space facilities of acceptable size, location and site characteristics that may be suitable for the proposed development.

#### 11-7-6: SUPPLEMENTARY CONDITIONS AND SAFEGUARDS:

In granting any special use, the Commission may prescribe appropriate conditions, bonds, and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title.

#### 11-7-7: PUBLIC HEARING BY PLANNING AND ZONING COMMISSION:

As soon as is practical following the filing of the application and prior to granting a conditional use permit, at least one public hearing in which interested persons shall have an opportunity to be heard shall be held according to the procedures set out in [11-1-6](#).

#### 11-7-8: ACTION BY THE COMMISSION:

A. After the public hearing, the Commission shall either approve, conditionally approve or disapprove the application as presented. If the application is approved or approved with



modifications, the Commission shall issue a conditional use permit listing the specific conditions specified by the Commission for approval;

B. Upon granting of a conditional use permit, conditions may be attached to a conditional use permit, including, but not limited to, those:

1. Minimizing adverse impact on the other development;
2. Controlling the sequence and timing of development;
3. Controlling the duration of development;
4. Assuring that development is maintained properly;
5. Designating the exact location and nature of development;
6. Requiring the provisions for on site or off site public facilities or services; and
7. Requiring more restrictive standards than those generally required in an ordinance;

C. Prior to granting a conditional use permit, the Commission may request studies from the planning staff of public agencies concerning social, economic, and/or environmental effects of the proposed special use. A conditional use permit shall not be considered as establishing a binding precedent to grant other conditional use permits. A conditional use permit is not transferable from one parcel of land to another;

D. Upon granting or denying an application, the Commission shall specify in writing:

1. The ordinance and standards used in evaluating the application;
2. The reasons for approval or denial; and
3. The actions, if any, that the applicant could take to obtain a permit.

#### 11-7-9: NOTIFICATION TO APPLICANT:

Within 10 days after a decision has been rendered, the City shall provide the applicant with written notice of the action on the request.

#### 11-7-10: APPEAL:

An affected person aggrieved by a decision of the Commission may, after all remedies have been exhausted under local ordinance, seek judicial review.

#### 11-7-11: FAILURE TO COMPLY:

The approval of a conditional use permit is valid for two years from the date of approval of the written decision authorizing such use, unless some other time period is approved by the Planning and Zoning Commission. The development for which the permit was issued must complete construction and be fully operational prior to the expiration of this two year period. If any of the conditions to this use or development are not maintained, if the nature of the use changes, or if the use for which the conditional use permit has been issued is discontinued or abandoned for one year then the conditional use permit shall be considered null and void. Continued operation of a use requiring a conditional use permit after such conditional use permit expires or is in noncompliance with any condition of a conditional use permit, shall constitute a violation of the zoning ordinance.

## INFRASTRUCTURE COMPLIANCE WITH APPLICABLE CITY, STATE, AND FEDERAL POLICIES AND REGULATIONS

### POTABLE WATER AND FIRE-FLOW:

Will serve letters are required by Hayden City Code §12-3-4(A) (10). The City does not participate in the QLPE (Qualified Licensed Professional Engineer) review of the construction plans for subdivisions as it relates to water and/or sewer. Therefore, 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.

The Developer shall be required to provide all dedications and easements and construct appurtenances as may be required by the water district at the time of development.

The Developer shall be required to provide detail on the location, size and design of all water system improvements, including water lines, stubs, meters, and fire department connections and hydrants as part of the construction drawing for required subdivision improvements.

### SEWER - CITY AND HARSB:

The sewer system consists of both a collection system consisting of gravity lines, force mains and lift stations (owned and operated by the City of Hayden) and wastewater treatment facility and regional force mains (owned and operated by the Hayden Area Regional Sewer Board – HARSB). Hayden City Code §12-3-4(F) (3) (b), as a standard of approval, requires that “provisions have been made for a public sewage system in accordance with the City and Hayden Area Regional Sewer Board (HARSB) adopted sewer master plans, as amended, that satisfied City, HARSB, and IDEQ requirements and that the existing or proposed systems can accommodate the proposed sewer flows”. Additionally, to meet this requirement a will serve letter from the utility provider confirming that the provider has the current availability, capacity, authority and willingness to service the proposal with the requested service must be provided as part of the application submittal.

At the time of future development, the developer shall be required to construct all sewer infrastructures in conformance with the City of Hayden 2020 Collection System Master Plan Update, State law, and all City sewer policies, standards and technical memos. All sewer manholes shall be placed on the centerline or within public roadways unless approved by the City.

Revisions to the conceptual plans may be required by the City Engineer as part of the construction plan approval for the subdivision. The Developer shall be required to reflect all necessary sewer easements on the face of the final plat of the subdivision

The subject property is located within the service area of the Hayden Area Regional Sewer Board (HARSB). A will serve letter was not received by HARSB which is typical at this point in the project.

### **Ability to Provide Sewer Service:**

The City and HARSB issue Will Serve letters that are non-binding generalized statements of their agency's ability and desire to provide sewer service under current circumstances. A Will Serve letter is not a guarantee of service because the actual physical connection to utilities takes place under a separate authorization, generally with a building permit, which can be issued in the near or far future. As such, time may have passed and circumstances change; or perhaps something arises in detailed plan review that affects the ability to provide service, which is why neither agency can guarantee at this time that future capacity will be available and is only able to determine this at the time of authorization to physically connect to the utilities.

### **STORMWATER:**

City Code Title 8 prohibits the acceleration, concentration, and/or conveyance of runoff, stormwater or other surface waters beyond the project boundaries. The stormwater management plan for the proposed development shall be designed in conformance with the above referenced City Code, with adopted road typical sections and their related design standards, and in conformance with the annexation agreement.

Stormwater easements shall be reflected on the face of the plat. No fences shall be placed within joint stormwater easement areas. Routine maintenance of joint stormwater areas on private property shall be the responsibility of the individual lot owner. Structural or functional maintenance of joint stormwater areas shall be the responsibility of a Property Owner's Association.

### **STREETS, PEDESTRIAN PATHS, AND RIGHT-OF-WAYS:**

#### **Transportation Impact Study:**

Hayden City Code §12-3-4(A) (18) identifies the possible need for a traffic study as part of the application submittals for a subdivision. Hayden City Code §11-4-7(A)(4) identifies the possible need for a traffic study as part of the application submittals for a site plan.

#### **Addressing Requirements:**

The Developer shall confirm street names comply with 9-1-1 emergency addressing requirements as detailed in City Code §9-5 and are deemed acceptable by the City, with said street name to be reflected on the preliminary and final subdivision plats.

#### **Street Requirements:**

Plan and Profile scales shall be not more than 1" = 50' Horizontal and 1" = 5' Vertical on an 11" x 17" drawing (or sheet of paper).

All required street improvements shall be in accordance with current City Standard Drawings, including pedestrian ramps, sidewalks, stormwater facilities, etc.

**Street Lighting:**

The Developer shall be required to provide street lighting construction plans along all internal streets and at intersections with external streets, or on-site or exterior building lighting, as part of the construction drawings, meeting the design standards identified in Hayden City Code §11-4-5, to be installed as required. The determination of adequate light coverage and the requirement of an additional light at both internal and external intersections shall be made by the City Engineer at the time of construction plan review.

**Signage:**

Break-away type street signs, including stop signs, speed limit signs, and other signs as may be required, shall conform with MUTCD standards, and shall be installed by the developer, with signs identified, and locations shown on construction plans to be approved by the City Engineer.

**Landscaping:**

Detailed landscaping plans, conforming to the requirements of City Code, with proposed landscaping along street frontages and proposed swales, shall be submitted for the entire development with construction plans for required improvements, for review and approval by the City.

Specifically, the developer shall be required to provide a minimum of a “Type IV Street Frontage” landscape buffer along all street frontage. With regard to swales and required landscaping along street frontages adjacent to internal streets, the swale shall be constructed and seeded with an approved seed mix prior to final plat approval and the Type IV street frontage landscaping shall be a requirement of the building permit.

Site buffer landscaping and/or parking perimeter and island landscaping shall be a requirement of the project site construction.

The finish construction of the swale and street frontage landscaping shall include installation of swale turf grass and drainage infrastructure, approaches, street trees, and irrigation systems, and shall be the responsibility of the property owner (or their representative) and shall be installed as a required condition of approval for a residential building permit. The work within the right-of-way shall only be authorized through an approved right-of-way encroachment permit and shall be guaranteed by the permittee in accordance with Hayden City Code §7-2-19.

**EROSION CONTROLS AND GEO-HAZARD STABILIZATION:**

The site topography is relatively flat; however, erosion control measures shall be identified on the construction plans.

**GAS, POWER, TELECOMMUNICATIONS, MAILBOXES:**

Dry utilities, including electric, gas, cable, and communication utilities shall be installed underground within the development, in accordance with City Code Title 12.

The Developer shall identify mailbox locations that have been approved by the Hayden Postmaster for project site, and provide an approval by the postmaster at the time of construction



plan submittal. The City prefers the mailbox location to be on an internal street. Prior to construction plan approval, the Developer shall work with the US Post Office to address any required turnouts, if determined necessary by the City Engineer, and shall be included in the construction plans. If easements are needed, these shall be required to be shown on the final plat.

#### DRIVEWAY LOCATIONS:

The final location of all driveway locations shall be subject to the review and approval of the City and in accordance to the standard detail of ST-013. Particular attention will be paid to those lots at intersections to avoid conflict with required traffic flow; and to those driveway locations, which may be in conflict with existing and proposed infrastructures. All future lots shall be accessed from an internal street.

#### COMPREHENSIVE PLAN GOALS, POLICIES, and ACTIONS:

The Vision of the City of Hayden is as follows:

*Hayden is a regionally connected City with a small-town feel, defined by responsible growth and planning. The City maintains strong systems that align with the values of its citizens, including top-tier K-12 schools, an efficient roadway system that manages traffic well, and plentiful open space. The City maintains a small-town feel by concentrating high-impact development at nodes and along corridors and preserving natural open space. The City also encourages a small-business culture to enhance and encourage a healthy, connected, family-friendly community.*

*GOALS: Broad Statements indicating a general aim or purpose to be achieved.*

*POLICIES: Statements providing guidelines for current and future decision-making or position-taking. A policy indicates a clear commitment of the Hayden City Council.*

The Goals and Policies of the Comprehensive Plan are attached here in their entirety.

<b>Table 2-1 Elements of the Comprehensive Plan identified in the Goals and Policies</b>	
<b>Abbreviation</b>	<b>Chapter Listing</b>
LU	Land Use – Chapter 4
NR	Natural Resources – Chapter 6
HA	Hazardous Areas – Chapter 6
PR	Parks and Recreation – Chapter 9
T	Transportation – Chapter 7
PF	Public Facilities – Chapter 10
U	Utilities & Infrastructure – Chapter 10
H	Housing – Chapter 5
CD	Community Design – Chapter 11
I	Implementation – Chapter 2 & Appendix
ED	Economic Development – Chapter 8
CBD	Central Business District – Chapter 4, 8 & 11

# Goals & Policies

**Table 2-2: Goals**

Element	No.	Goal	Policy Reference	Action Reference
<b>LU, NR, HA, PR, T, PF, U, H, CD, I, ED, CBD</b>	1	The City of Hayden will promote and actively participate in intergovernmental coordination efforts at the regional and at the local level.	2, 16, 18, 21, 22, 23	5, 7, 9, 10, 13, 14, 15, 18, 19, 20, 21, 23, 24, 26, 29
<b>LU, I, CD</b>	2	The Comprehensive Plan is a living document and serves as a guide for development; components of the Comprehensive Plan are updated as necessary to reflect the community's vision.	2, 4	1, 2, 4, 5, 7, 9, 10, 19, 22, 25, 28, 29
<b>H, LU, T, PF, NR, PR</b>	3	Maintain an attractive and balanced mix of land uses, densities, and housing types, ensuring the future character of the community; promote greater choices and opportunities.	4, 7, 11, 12, 17	1, 3, 4, 12, 13, 24, 25, 27
<b>PF, T, U, LU, NR, H</b>	4	The City of Hayden should encourage the development of land within the corporate limits of Hayden prior to annexation of adjacent areas.	1, 2, 4, 5, 9, 13, 14, 16	3, 10, 14, 18, 23
<b>H, CD, I, LU</b>	5	Preserve, protect and strengthen the vitality and stability of existing neighborhoods.	3, 7, 8, 11, 12, 15, 19, 24	3, 4, 5, 12, 15, 16, 24, 27
<b>LU, H, T, CD, CBD</b>	6	Promote an identity-rich downtown core that offers a mix of uses.	2, 8, 11, 12, 17, 22, 24	3, 4, 12, 13, 14, 15, 24, 25, 26, 29
<b>ED, PF, LU, U, T, CBD, H</b>	7	Provide a balance of commercial uses in designated areas throughout the community centered around established transportation corridors, while protecting the character of adjacent land uses.	2, 8, 11, 12, 17, 22, 23	1, 9, 11, 12, 13, 14, 25
<b>LU, T, U, H, PF</b>	8	Ensure all development can be serviced by existing public facilities or extended to adequately serve the development.	1, 2, 4, 5, 7, 9, 13, 14, 16	4, 10, 18, 19, 20, 21, 23
<b>LU, PR, PF, CD, T</b>	9	Ensure adequate park, recreation and open space are provided -and maintained for the continued enjoyment of the community.	2, 3, 7, 9, 10, 13, 19, 20, 24	3, 15, 16, 17, 27
<b>LU, PF, PR, CD, I, NR, ED</b>	10	Adequately site essential public facilities and utilities without compromising surrounding neighborhood integrity and character, while contributing to the overall livelihood of the community; assure facility capacity aligns with projected growth and land use types.	1, 2, 4, 6, 13	4, 16, 17, 18, 19, 20, 21
<b>LU, NR, PF, PR, H, CD, I</b>	11	Emphasize the enhancements and maintenance of existing parks while creatively seeking ways to acquire and develop future recreational facilities that meet a variety of community recreational interests.	3, 7, 9, 10, 19, 20, 21	3, 6, 15, 16, 17, 24, 26, 27, 29
<b>LU, U, T, PR, H, CD</b>	12	Establish a balance between jobs and housing to attract new employment and living opportunities.	11, 12, 17, 23	1, 3, 4, 12, 13, 14

Element	No.	Goal	Policy Reference	Action Reference
<b>LU, U, T, H, CD, CBD</b>	13	Enhance bicycle and pedestrian connectivity and infrastructure in order to better serve residents and tourists while protecting its historical and cultural character and attracting new business.	2, 6, 7, 8, 10, 12, 17, 21, 24	9, 11, 12, 14, 15, 26, 27
<b>LU, NR, PR, I</b>	14	Protect, preserve and be stewards of our environment's natural areas and resources which enhance the quality of life in the City.	3, 7, 10, 20, 21	5, 6, 7, 8, 10, 15, 16, 17, 22, 23, 27, 28, 29
<b>LU, T, PR, NR, P, SFT, LU, NR, A, U, XP, R, SA, H, CD, I AF</b>	15	Coordinate the timely development of efficient, effective and environmentally sound sewer, water and other utility infrastructure servicing the community, assuring costs of development are shared equitably and accommodate for ongoing growth of Hayden.	1, 4, 7, 13, 14, 16, 18	6, 8, 9, 10, 18, 19, 20, 22
<b>PR, LU, H, CD, I</b>	16	Ensure that ordinances and policies do not violate private property rights, adversely impact property values or create unnecessary limitations on land use.	2, 12, 15, 23	1, 2, 3, 4, 10, 23, 24
<b>PR, LU, H, CD, I, CBD</b>	17	Promote and encourage the development and rehabilitation of quality housing through a variety of housing options and densities.	2, 11, 12, 17	1, 3, 4, 24, 25
<b>H, LU, T, PR, ED, CBD</b>	18	Honor Hayden's past while promoting a sense of place through quality public spaces, trails, neighborhoods, design etc.	2, 8, 11, 12, 17, 23, 24	1, 2, 3, 4, 6, 15, 17, 23, 24, 25, 26, 27, 28, 29
<b>I, CD, LU, T</b>	19	Enhance non-motorized connectivity and reduce the highways impact on the community.	2, 4, 8, 18, 22	9, 11, 26



**Table 2-3: Policies**

Element	No.	Policy	Goal Reference	Action Reference
<b>U, T, PR, PF, I, ED</b>	1	The City should judiciously evaluate the opportunity to provide sewer, water and other services within the corporate limits and planned future extension of services in areas of impact.	4, 8, 10, 15	4, 5, 10, 19, 20, 21, 22, 23
<b>LU, U, T, PR, PF, H, CD, I, ED</b>	2	Development should be compatible with the land use chapter of the Comprehensive Plan and fiscally responsible in supplying adequate transportation, utilities and parks to newly developed areas.	1, 2, 4, 6, 7, 8, 9, 10, 13, 16, 17, 18, 19	1, 2, 3, 4, 5, 9, 10, 12, 18, 19, 20, 23
<b>LU, NR</b>	3	Land use decisions should consider the preservation and enhancement of natural resources.	5, 9, 11, 14	5, 6, 7, 8, 10, 17, 22, 23, 28
<b>LU, NR, U, T, H, CD, I</b>	4	The city should evaluate community-wide impacts from development; identifying their needs for public facilities, utilities, services, circulation, and housing, and the effects on city resources.	2, 3, 4, 8, 10, 15, 19	3, 4, 6, 18, 20, 21, 22
<b>LU, U, T, PF</b>	5	Areas proposed for annexation are to be considered only if they are contiguous to the city limits and adequate infrastructure can be provided to service the development.	4, 8	6, 10
<b>U, T, CD, I, ED</b>	6	City infrastructure improvement projects should aim to improve all above and below ground facilities (paths, connectivity, pedestrian/bike amenities) and utilities (sewer and water).	10, 13	3, 4, 6, 9, 10, 11, 16, 18, 22, 26
<b>NR, R, I</b>	7	Ensure adequate park, recreation and open spaces are provided for and maintained for the continued enjoyment of the community.	3, 5, 8, 9, 11, 13, 14, 15	6, 10, 15, 27
<b>LU, T, PR, ED</b>	8	Improve pedestrian, bicycle and vehicular safety along city streets.	5, 6, 7, 13, 18, 19	4, 9, 11, 15, 16, 20, 25, 26
<b>LU, NR, U, T, PR, H, CD, I</b>	9	Regularly evaluate and update impact fees for support of transportation systems and parks and require developer participation (land donations and mitigation).	4, 8, 9, 11	4, 6, 9, 10, 16, 27, 28
<b>PR, NR, PF</b>	10	Encourage and support recreational activities (passive and active uses) catered to senior citizens, retirees, families, teens and youth populations.	9, 11, 13, 14	4, 6, 15, 16, 20
<b>LU, T, CD, CBD, ED</b>	11	Promote nodes of development and density in the downtown and strategically along transportation corridors.	3, 5, 6, 7, 12, 17, 18	1, 3, 4, 5, 9, 11, 12, 13, 14, 25, 26, 29
<b>LU, T, CD, H, CBD, ED</b>	12	Encourage rezoning and zoning text amendments to support the creation of strategic nodes, higher density development and transition zones between residential and industrial uses.	3, 5, 6, 7, 12, 13, 16, 17, 18	1, 3, 5, 9, 11, 12, 13, 14, 25, 27, 28

Element	No.	Policy	Goal Reference	Action Reference
<b>LU, NR, U, T, PR, H, CD, I, ED</b>	13	Growth should be accompanied by the development of infrastructure, public services, utilities and preservation of open space and recreational facilities within the cities means.	4, 8, 9, 10, 15	4, 5, 8, 9, 10, 11, 18, 20
<b>LU, NR, PF, U, I</b>	14	Coordinate and support local water and irrigation districts in efforts to balance growth with available water supplies and infrastructure.	4, 8, 15	10
<b>NR, HA, I</b>	15	Protect lives and property from environmental and man-made risks and hazards.	5, 16	5, 6, 7, 8, 22, 28
<b>LU, U, T, I</b>	16	Ensure levels of public services, facilities, and utilities are adequate to satisfy the community's needs now and as new development occurs.	1, 4, 8, 15	2, 7, 9, 10, 11, 18, 20
<b>LU, I, ED</b>	17	Encourage small-scale retail activity, restaurants and other service business, as well as attract a live, work, play lifestyle through a mixture of commercial and residential uses.	3, 6, 7, 12, 13, 17, 18	1, 3, 4, 9, 11, 12, 13, 14, 24, 25, 26, 29
<b>T, I</b>	18	Minimize financial and operational impacts resulting from road improvement projects and maintenance.	1, 15, 19	4, 9, 10
<b>PR, NR, I</b>	19	Ensure park and recreation facilities are easily visible and can be found with minimal effort.	5, 9, 11	15, 26
<b>PR, NR, I</b>	20	Encourage revenue-producing parks and recreation development opportunities.	9, 11, 14	10, 15, 16, 17, 24
<b>PR, NR, I</b>	21	Coordinate with all other parks and recreation providers in the region to provide a full spectrum of parks and recreation opportunities.	1, 11, 13, 14	15, 16, 17, 27
<b>T</b>	22	Ensure multi-modal transportation compatibility and connectivity between agencies and jurisdictions through regional coordination.	1, 6, 7, 19	4, 9, 11, 13, 20, 25, 28
<b>LU, I</b>	23	Ensure land use and zoning compatibility related to development (density and type) occurring in close proximity to Coeur d'Alene Airport.	17, 12, 16, 18	1, 2, 5, 13
<b>CBD, T I, CD, PR, PF, ED</b>	24	Explore the location and feasibility of a community center or core development in downtown Hayden.	5, 6, 9, 13, 18	4, 12, 16, 25

# Applicant's Materials



Hello and good afternoon,

Our goal here at First and Third is to provide a safe and fun environment where baseball and softball players in the city of Hayden can build on essential skills for long-term success. Our Mission is to provide the foundation of trust and safety teams need to create great cultures for their most essential resource, their players.

Our Comprehensive Plan aligns with the City of Hayden's Goals, Policies, and Action Framework.

Goals for First and Third:

1. First and Third will provide a safe environment for all clients. Keeping the kids safe is our #1 priority. We will post plenty of signs, safety boards, and rules throughout the Stadium.
2. First and Third will promote and actively participate with Hayden's Baseball and Softball organizations.
3. First and Third will give back to the community by offering college scholarships to employees who show excellent work ethics.
4. First and Third will donate goods and services back to the community (Bats/Helmets/Gear)
5. First and Third will preserve, protect, and strengthen the vitality and stability of existing tenants offering plenty of parking. (15 spaces)

Policies for First and Third:

1. All participants must sign the waiver before entering the stadium.
2. No gum, tabaco, or alcohol is allowed on the property.
3. No one under the age of sixteen is allowed without adult supervision.
4. All participants must always wear a helmet.
5. Only one person in the cage at a time.
6. Swing the bat exclusively inside the cage.
7. No one under the influence of drugs or alcohol is permitted to enter the facility.



We believe the location, design, and size of 11416 N Carisa Ct (First and Third) is the ideal site location for the light-industrial zoning for multiple reasons:

1. The design and planning (including operation and maintenance) of 11416 N Carisa Ct. is compatible with the location, setting, existing uses, and the intended character of the general vicinity for a light-industrial zone.
2. The location is at the end of Carisa Ct and will not impede traffic for local business.
3. We can service multiple counties in surrounding areas.
4. We have plenty of parking in front and back of the building.
5. We meet all fire codes. I met with Tyler Drechsel (Fire Marshal) NLFPD
6. The building is ADA compliant.
7. Police, fire protection, drainage structures, refuse disposal, water, sewer, and schools will NOT be impacted.
8. The existing offices have not been modified in size or shape, and the warehouse is designed for a safe training facility for children of all ages.
9. Our business hours during the week are in the evening when most local businesses have closed. Weekends will be even better because most of the businesses on Carisa Ct. are closed.

Actions/Initiatives to put our policy into motion:

1. LU- Land Use
2. PR- Parks/Recreation

Thank you very much for the consideration of the conditional use permit. The local parents and players are extremely excited to finally have a place where baseball and softball players can enhance their skills not only in the offseason, but year-round.

Jon Stockton



# Public Agency Comments

**From:** Andrew Deak <adeak@kcgov.us>  
**Sent:** Tuesday, September 26, 2023 2:46 PM  
**To:** Planning  
**Subject:** FW: Agency Notice - Richards CUP  
**Attachments:** Agency Letter - Carisa (09-26-2023) [Generate..pdf]

Hi Aiden,

The Kootenai County Sheriff's Office has received and reviewed the material provided for PZE-23-0122 Richards Conditional Use Permit. There are no concerns at this time.

Respectfully  
Andy

**Andrew M. Deak**

**Captain**

Kootenai County Sheriff's Office  
5500 N. Government Way  
Coeur d'Alene, Idaho 83815  
Office - (208) 446-1311  
Fax - (208) 446-1407  
Email: [adeak@kcgov.us](mailto:adeak@kcgov.us)



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**From:** City of Hayden Building Department <CD\_notifications@cityofhaydenid.us>  
**Sent:** Tuesday, September 26, 2023 2:21 PM  
**To:** Andrew Deak <adeak@kcgov.us>  
**Subject:** Agency Notice - Richards CUP

Good afternoon,

Please see the attached notice regarding the above project. Please send any comments to [planning@cityofhaydenid.us](mailto:planning@cityofhaydenid.us). Have a good day!

Aidan Fritz

Planner

(208)209-2021

[afritz@cityofhaydenid.us](mailto:afritz@cityofhaydenid.us)

**From:** Corey Koerner <[ckoerner@phd1.idaho.gov](mailto:ckoerner@phd1.idaho.gov)>  
**Sent:** Tuesday, September 26, 2023 3:32 PM  
**To:** Planning  
**Subject:** Richards CUP

Hello,

In regards to the Richards CUP; PHD has no comments at this time.

Thank you.

Corey Koerner, REHS  
Registered Environmental Health Specialist  
Panhandle Health District 1  
8500 N. Atlas Road  
Hayden, ID 83835  
O: (208) 415-5215  
C: (208) 819-0411  
[Ckoerner@phd1.idaho.gov](mailto:ckoerner@phd1.idaho.gov)

**From:** Branden Rose <branden@haydenirrigation.com>  
**Sent:** Wednesday, September 27, 2023 4:48 PM  
**To:** Planning  
**Cc:** Aidan Fritz  
**Subject:** RE: Agency Notice - Richards CUP

Aidan,

The District has no concerns or comments.

Thank you,

*Branden Rose*

Branden Rose  
Hayden Lake Irrigation District  
District Administrator  
208-772-2612 Office  
208-518-8175 Cell

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**From:** City of Hayden Building Department <CD\_notifications@cityofhaydenid.us>  
**Sent:** Tuesday, September 26, 2023 2:21 PM  
**To:** Branden Rose <branden@haydenirrigation.com>  
**Subject:** Agency Notice - Richards CUP

Good afternoon,

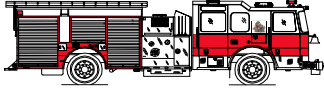
Please see the attached notice regarding the above project. Please send any comments to [planning@cityofhaydenid.us](mailto:planning@cityofhaydenid.us). Have a good day!

Aidan Fritz  
Planner  
(208)209-2021  
[afritz@cityofhaydenid.us](mailto:afritz@cityofhaydenid.us)



# ***Northern Lakes Fire Protection District***

Proudly serving the areas of and surrounding Hayden and Rathdrum



Hayden Area (208) 772-5711 • Fax: (208) 772-3044  
Rathdrum Area (208) 687-1815 • Fax (208) 687-2088  
[www.northernlakesfire.com](http://www.northernlakesfire.com)

September 28, 2023

City of Hayden  
8930 N. Government Way  
Hayden, ID 83835

Attn: Aidan Fritz, Planner,

The Northern Lakes Fire Protection District has reviewed the request for a Conditional Use Permit for First and Third, LLC, to allow an indoor sports facility in the Light-Industrial Zone. Parcel Number H-K026-001-008-0. Case No. PZE-23-0122.

## **The Fire District approves of the Conditional Use Permit with the following requirements.**

- Occupant load shall not exceed those established in the Idaho Fire Code.
- Any modifications to the existing structure shall be approved by the Fire District.
- Current Idaho Fire Code requirements shall apply if/when building permits are applied for. Additional requirements may apply depending on size and type of occupancy constructed.

If you have any questions, please call 208-772-5711.

Thank you,

*Tyler Drechsel*

Tyler Drechsel  
Fire Marshal

# Public Comments

Case No. PZE-23-0122, Richards CUP

Check the appropriate box:



In support



Neutral



Opposed

Name: Jimmy & Fran Roads

E-mail: FLRoads48@outlook.com

Address: 11362 N Stinson Loop Hayden Id 83835

Comments: We believe This is a much needed & welcome addition  
to our community & hope you will approve This.

**Deborah Shaver**

---

**From:** Bryan Enos <bespcda@hotmail.com>  
**Sent:** Tuesday, October 24, 2023 10:01 AM  
**To:** Planning  
**Subject:** Case No. PZE-23-0122, Richards CUP

This is Bryan Enos, co-owner of the property located at 11442 N. Carisa Ct. Hayden ID. We are neutral in response to this notice.

Sincerely,

Bryan Enos

Get [Outlook for iOS](#)

Case No. PZE-23-0122, Richards CUP

Check the appropriate box:

☐

In support

☐

Neutral

☒

Opposed

Name:

Jill E.

Craig Brockus

E-mail:

Craig Brock 27@gmail.com  
brockusjill06@gmail.com

Address:

11297 N Jennifer Lane Hayden, ID. 83835

Comments:

I am opposed to noise level and increased traffic, had to call because of loud noise and partying at Nite, this is supposed to be quiet at Nite. This business backs up to our back fence. We already have too much traffic's noise! We are strongly opposed to this!

law enforcement