

**AGENDA MINUTES
CITY PLANNING AND ZONING COMMISSION
Bonners Ferry City Council Chambers
7232 Main St.
(208) 267-3105
September 19, 2019
5:30 pm**

Vice-chairman Andy Howe called the September 19, 2019 meeting to order at 5:30 PM. Planning and Zoning Commission members present were: Wally Cossairt, David Gray, Andy Howe, Sue Larson, Matt Morgan and Glenda Poston. Absent was Chairman Chris Rawlings. Also present were: Contract Planner Clare Marley and Clerk Stacie Watts. Members of the public present were Levi Shiell and Amber Shiell.

Vice-chairman Howe announced that this meeting of the Planning & Zoning Commission was a legislative session and specific requirements would be covered when the Public Hearing was addressed.

CONSENT AGENDA

Approval of July 18, 2019 Meeting minutes: Glenda made a motion to accept the July 18, 2019 meeting minutes. David Gray seconded the motion. The motion passed with all in favor.

PUBLIC HEARING: ACTION ITEM – RECOMMENDATION TO CITY COUNCIL

Vice-Chairman Howe opened the public hearing for File #AM04-19 – Livestock Ordinance, by reading the following announcement: the City of Bonners Ferry has initiated an amendment to its zoning regulations to adjust livestock uses and standards in the Residential B zoning district, provide for community gardens in all zones, and amend the domestic livestock definition ordinance. The Planning and Zoning Commission will make a recommendation to the City Council, who will make the final decision on the ordinance amendment.

Clare Marley covered the hearing process and provided instructions for those providing testimony for or against, iterating that they were asked to provide their name and address. She also summarized the edits to the ordinance which included revising the domestic livestock definition, adjustments to the Residential B livestock allowances, an option for community gardens, tying the ordinance to existing housekeeping measures and the prohibition of roosters and intact male animals in B zone, but did not include the expansion of livestock options to Residential A and AA zones, beekeeping or rabbit rules and additional standards for chicken coop setbacks, food and animal enclosures. Clare then provided the background on the ordinance change and the activities, concerns, and topics addressed by the Commission over the last six months, as well as City Council directives after review of the draft ordinance, to reach the recommendation being made to City Council.

Clare offered that the Residential B zone contains allowance for the maximum number of “other animals” under item F, but does not provide a process for determination, and recommended deleting item F altogether.

Clare outlined the process that the decision would follow with the Planning & Zoning Commission recommendation being forwarded to City Council, who would make the final decision.

Clare stated that there was no written or agency written comment to the record with the exception of the City Council minutes and reflections by the city legal staff and police regarding the management of livestock and livestock complaints currently in the City. Said documents were distributed to the Commission members by email and hard copy. No further written comments to the record.

Vice- chairman Howe opened the hearing up for public comment. Levi Shied, residing at 6885 Fresno Street commented *"We are in Zone A. I think we should just have access to small livestock in Zone A, like rabbits and chickens. I feel like there is already a bunch of people who have them and are doing it within the ordinances. So, I personally have a job where I can't violate the ordinances so I'm trying to do it legally but I just think in this area we should have that sort of thing. Big cities have that and stuff and we don't have that and we're rural Idaho. If you can have chickens on a rooftop in New York City, I don't see why you can't have them in Bonners Ferry."*

Vice-chairman Howe opened the hearing up to the Commission. Clare addressed the topic of rabbits, brought up in Mr. Shieds' testimony, commenting that the Council did not say yes or no to rabbits because it was hard to determine if they were pets or not. Rabbits are left silent and not a specific prohibition or specific right and needs to be left to further discussion.

Clare reviewed and confirmed the requirements had been met for the commission to come to a decision. Clare provided sample motions for the Commission and addressed how to include any amendments in the motion.

Glenda requested consistency in the order that animals and numbers were listed in the ordinance.

Glenda requested confirmation that the fair in no way is affected by this ordinance. Clare stated that the city attorney said that is something that could be addressed in the animal control ordinance and that she didn't prohibit special events.

Vice-chairman Howe asked about the people that are currently in violation of the ordinance would be addressed. The attorney will do further research about those that were in possession of animals before the ordinance was adopted or the property was annexed and those that had animals illegally and whether those who had animals before could be sun-downed and those that had animals illegally would be addressed through public notice.

David Gray stated that he would like to see "female chickens" changed to pullets or hens.

Glenda made a motion to recommend approval of File #AM04-19 – Livestock Ordinance. *"I move to recommend approval of File #AM04-19, amending Bonners Ferry City Code, Title 11, regarding livestock standards, finding that it is in accordance with the general and specific goals and standards of the City of Bonner Ferry comprehensive plan, as enumerated in the findings and reasoned stated below and based upon testimony received at this hearing. I further move to adopt the following reasoned statement as written, with the following amendments: Minor housekeeping – strikeout of Number F and list order of animals. The amendment is supported by the Bonners Ferry comprehensive plan"*.

Motion seconded by Wally Cossairt. Motion passed with all in favor.

Vice-chairman thanked the public guests for attending and closed the public hearing.

OLD BUSINESS

1. Parking update - **DISCUSSION/ADVISORY**. Clare reviewed the current parking requirements and considerations:
 - Rural/city nature of Bonners Ferry
 - Downtown core exemptions
 - Shared parking – peak parking
 - Adjustments to parking schedule
 - Handling unlisted uses
 - Allowing flexibility
 - Eliminating “gross floor” measurements (no count of utility, halls, etc.)

Suggestions for parking code update include a “zero” parking standard for downtown, evaluating where future development could require parking, using bike racks to reduce requirements, considering gross floor measurements and adjusting the number of spaces required by not including the square footage of hallways, closets, storage and other non-circulation areas.

Clare noted that there is no parking inventory available.

Discussion followed around examples from other cities, shared parking and the difference in businesses, etc. from when the parking requirement went into effect.

2. Schedule updates: October meeting agenda to include:
 - Parking update
 - Downtown district options
 - Table adjustments
 - Discounts for utility and non-public spaces
 - Pending land use files