

MINUTES
CITY PLANNING AND ZONING COMMISSION
Bonnors Ferry City Council Chambers
7232 Main St.
(208) 267-3105
January 21, 2021
5:15 pm

Dave Gray called the Planning and Zoning meeting for January 21, 2021 to order at 5:15 pm. Planning and Zoning Commission present were: Dave Gray. Present via zoom were Chris Rawlings, Andy Howe, Glenda Poston, and Sue Larson. Also present were: Contract Planner Clare Marley and Planning & Zoning Clerk Julie Fairchild

PUBLIC COMMENTS

No Public were present

CONSENT AGENDA

1. Election of Chair and Vice Chair of the Commission: **ACTION ITEM.**

Glenda Poston moved to leave the Chair as Chris Rawlings and Vice Chair of the Commission as Andy Howe. Sue Larson second the motion. The motion passed all in favor.

2. Approval of November 19,2020 minutes: **ACTION ITEM.**

Glenda Poston moved to approve the minutes from November 19,2020. Chris Rawlings second the motion. The motion passed all in favor.

OLD BUSINESS

3. Setback standards– **DISCUSSION/DIRECTION TO STAFF**

Clare said Sandpoint allows minor features to be accepted and they include eaves, chimneys which usually don't stick out into your side yard setback but they could, cistern, planters, bay windows, uncovered balconies and they're allowed into the setback 18 inches but they don't include entryways into windows. Clare said they are required to address storm water and snow sheds on-site. Clare said Bonnors Ferry's setback is 0 for eaves and side yard is 10ft on interior lots. Clare said a required yard has to be open to the sky and unobstructed which basically means there is no encroachment allowed. Clare said that snow sheds and water sheds issue to this. Chris said he agreed with that. Clare said what should be allowed to encroach and if you agree with it being allowed and how many inches or feet would be allowed and be proper in the setting we have in Bonnors Ferry. Chris said thinking of averages that the 1 ½ft is in the ball park. Chris asked the one that we have set is less. Contractors are designing their eaves and our eaves to be one foot and a half, Clare said. Glenda asked if we still had our 10ft side setback. Chris said he thinks its justified and he agrees in the consideration of the construction and how to best use a lot. Chris said 2ft makes sense. Andy said 2ft makes sense to him and also leaning to 7ft with a 10ft total side yard and that it depends on lot layout. Clare asked if there was a consensus with 2ft and adding the snow and water shed issues. Chris said he agreed with that. Glenda and Dave also agreed with that. Clare said the scenario would be 20ft total, neither less than 7ft for side yards. Glenda asked if there would be the same distance between structure to structure. One side would potentially be closer, Clare replied. Glenda asked that one person may have a larger yard than the other person but between one structure to the other would still be the same. Clare said only if they're unified in their development. Dave

said 7ft and 13ft makes sense. Andy said to bump it up to 8ft. Chris said he feels more comfortable with 8ft.

Clare said that the code says a fence is a structure and it would have to meet setbacks. Clare said what the code reads today is structures include homes, walls, fences, and bill boards. Clare said the setback definition says the space has to be unoccupied by buildings and structures, therefore structure equals fence. Clare said the fix is to change the structure definition or add to it. Clare said a fence is an enclosure or barrier such as wooden posts and rails, masonry, stone, wire, iron, or other such common fencing materials used as a boundary or enclosure for privacy, protection, or confinement, but not including hedges, shrubs, trees, or other vegetation. Clare said people can't have a fence taller than 7ft without getting a building permit and also a variance. Clare said they should be able to grow hedges to give them that privacy. Clare said to insert that into the code if a fence or wall definition is wanted, while we're making these amendments. Glenda said it is a good idea to have the definition in the code. Clare said people were using old stuff such as crushed cars as fencing. Dave said they has to be some restrictions. Chris agrees that there has to be restrictions.

Clare said there are building codes that talk about fire wall separation but if there's no agreement then they're not allowed to bolt, secure, lean, or depend on the adjoining wall with the neighbor. Clare said if there's no agreement then that wall has to be self-supporting. Clare said the common wall standards are written and recorded, detailed rights of construction, maintenance, built to code, rights to access for neighbors, liabilities and damages. Clare said in our code, she left out liabilities and damages because it's a personal property rights issue that they have to handle but suggests that for a party wall under our current code for building on a zero line, they have to have a recorded common party wall agreement. Dave said that has to be in there because it causes a lot of hate and discontent and the City has to have regulations for safety. Clare asked if the liabilities and damages need to be added or left out. Glenda said who would enforce it. Clare said she felt it's a private one and don't need to get into that. Chris said to leave it out too. Clare said general consensus is to leave it out.

4. RV park standards and zoning-**DISCUSSION/DIRECTION TO STAFF**

Clare asked if RV parks should be by special use permits in commercial and industrial zones and if so, what standards should we look at. Sue said RV parks should have special use permits in whatever zone they are in and there shouldn't be a lot of them. Clare said we have one pending but not a lot of RV parks. Glenda said its not going to be a constant issue to deal with. Chris asked what the issue would be if the RV park has a special use permit in a commercial area even though we agreed for them to be in a commercial area. Clare said the benefit of it would be a notice to neighbors and the ability to oppose conditions that are lawfully allowed by our ordinances as well as the state of Idaho for on and off-site improvements. Clare said it opens it up for more abilities to look at the effect and litigation. Chris said he agrees with Sue.

Clare asked if RV parks should be allowed to have tiny homes or if they should be restricted to the non-permanent tiny home/ RV's only. Clare said the reason is because a permanent might turn it into something other than a RV park. Chris said that would be his concern as well. Clare asked a tiny home on wheels which is an RV is appropriate in an RV park but a tiny home on a foundation is not ok because that could be essentially a brand new community. Chris said that is how he would view it also. Chris said the RV park would have some say in what they want in their park but its important in terms of our standards to not have foundation-based type tiny homes in an RV park. Glenda said they should also be licensed. Glenda asked if there was a time allowance for how long they can stay. Clare said the City restricts how long you can live in an RV to 14 days but don't know if they exclude RV parks from that. Dave said there has to be

some regulations to how long they stay and what kind of home or model will be there. Clare said it would be kind of hard to enforce the days on how long they stay in RV parks. Andy said if they are on wheels then they can regulate the days on how long they stay and you might get some people that stay permanently. Chris said the restrictions are for outside of an RV park. Clare said setting a number of days at an RV park might be tough to enforce and we see numbers of people coming into the community that might stay for the whole summer. Clare said we need to clarify lot sizing of minimum of 1000 ft. Dave said to just add it.

NEW BUSINESS

5. Accessory Dwelling Units- DISCUSSION/DIRECTION TO STAFF

a. Define

b. Determine information needed for future discussions

6. Schedule Updates & Announcements-DISCUSSION/DIRECTION TO STAFF

Dave Gray moved to adjourn the meeting. Sue Larson seconded the motion. The motion passed all in favor. The meeting adjourned at 6:15.