

**MINUTES  
CITY PLANNING AND ZONING COMMISSION  
Bonners Ferry City Council Chambers  
7232 Main St.  
(208) 267-3105  
November 19, 2020  
5:15 pm**

Andy Howe called the Planning and Zoning meeting for November 19, 2020 to order at 5:16 pm. Planning and Zoning Commission present were: Andy Howe and Dave Gray. Present via zoom were Chris Rawlings, 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. Approval of October 15, 2020 minutes: **ACTION ITEM.**

Glenda Poston moved to approve the minutes from October 15, 2020. Chris Rawlings second the motion. The motion passed all in favor

2. Approval of 2021 Planning and Zoning Commission calendar: **ACTION ITEM.**

Dave Gray moved to approve the 2021 Planning and Zoning Commission Calendar. Glenda Poston second the motion. The motion passed all in favor.

**NEW BUSINESS**

3. Setback standards– **DISCUSSION**

Clare explained that the yard definitions is an unoccupied space on the same lot as a building and same for the side and rear. Clare said the code doesn't allow deductions for eaves, ducts, bay windows, or anything from that. Clare said you have to count them in your setbacks. Chris asked if this was for all zoning areas. Clare said yes and that your exceptions are in commercial zones. Clare said each part of the required yard shall be open to the sky, unobstructed by other buildings or structures.

Clare said they get asked a lot about where can a fence be on your property. Clare said our current code defines a fence as a structure and that the front or back yard would have to have a 20foot setback and 10 feet on side yard. Clare said that doesn't make a lot of sense because fences usually end up on property lines and that we should fix that. Clare said the fences shouldn't have to be setback because you lose a lot of your yard if you did that.

Clare said a wall is a continuous structure designed to enclose an area. Andy asked if we needed to define a wall as far as our code goes. Clare said the wall that we're talking about is like a brick or cement wall but when we look at the definition in our own codes that a wall means a wall of a building. Chris we can work on the regulations will be for the wall/fence. Glenda asked if we define what a fence is and if a wall would define as a fence. Clare said no we don't define a fence. Clare said if you want to go taller than 7ft you can if your zoning code allows it but you need a building permit. Clare said why we set some criteria for setbacks is for privacy, safety, fire, neighboring properties, types of structures. Clare said to think effects you're going to produce by allowing closer setbacks to property lines and if you do allow those then are you requiring that those closer buildings have a gutter or snow breaks to keep snow from shedding.

Clare said that a common wall agreement has to have both property owners to agree to it. Chris said he agrees that the neighbor needs to be consulted or involved. Chris asked how do you handle already existing structures. Clare said if they built prior to it then they're grandfathered in. Dave said it could affect the sale of the house. Clare said they would have to be accepting what they see on that day. Clare said when you have setbacks, it effects how people design their home.

Clare said when two cars approach an intersection, you have to be able to see 40ft back across that intersection. Dave said it's a vision issue. Glenda agreed and said it is a vision issue. Clare said a couple of other communities have combined setbacks where they say you get a total of 25ft on the side yard and neither side can be less than 7ft and then they let them pick which side they want bigger. Clare said EPA was a little bit more generous with the setbacks. Chris asked why Clare didn't the combination of the yards. Clare said it seems to only work when there's some coordinated development of either side of you. Clare asked how do we all want to look at all this further. Chris said the research went really well and he's ready to dive in and start adding to and subtracting. Glenda said she's pleased with our current setbacks but curious if we need to tweak them or not. Clare asked if we wanted more research about the common wall agreement and the fencing. Glenda said she is open for discussion on those. Chris said he is in agreement with Glenda. Chris said he is leaning more towards discounting the eaves. Andy said he is always concerned with our side yard setbacks, at least on smaller lots. Clare asked if we wanted to bring back the discussion of narrow lots. Glenda said she is still concerned with fire and that's why she likes the setback.

#### **4. RV park standards and zoning-DISCUSSION**

Clare said right now we allow RV parks in the commercial districts without really much a review at all. Chris asked if anybody has an issue with them being permitted out right as it currently exists. Clare said there is a pending one for which it appears we don't have any review requirements at all and at the least we thought they ought to be some site plan review that would occur if you kept that as outright permitted use in the commercial zone that we could at least get it through an administrative review. Glenda said there should be some review on those things. Chris said yes definitely. Clare asked if it stayed in the commercial zone it would have an administrative review and Glenda said I would think so. Chris agreed with that also.

Clare said tiny homes without wheels is considered a single-family residence and a tiny home with wheels is considered a RV as long as it remains at a size that Idaho defines which is 8 and ½ feet wide and it can be towed down the road because of the clearance height. Sue asked if the tiny home on wheels needs to be licensed to be towed down the road. Clare said yes it would. Clare said there is different standards to who inspects them too.

#### **5. Schedule Updates & Announcements- DISCUSSION/DIRECTION TO STAFF**

- a. Pending files
- b. December/January agenda
- c. Council actions on files

Glenda moved to adjourn the meeting. Dave seconded the motion. The motion passed all in favor. The meeting adjourned at 6:17.