

**MINUTES  
CITY PLANNING AND ZONING COMMISSION  
Bonners Ferry City Council Chambers  
7232 Main St.  
(208) 267-3105  
Thursday, March 21, 2024  
5:15 pm**

Vice Chair Chris Rawlings called the Planning and Zoning Commission meeting for March 21, 2024, to order at 5:19 pm. Planning and Zoning Commissioners present were Chris Rawlings, Dave Gray, and Sue Larson. Darci Price joined through Zoom. Also, present were Contract Planners Clare Marley, Sam Stringer, and City Clerk Stephanie Lewandowski.

Present from the public were Dottie Gray and David Vandervoort.

**CONSENT AGENDA**

- 1) Approval of February 15, Minutes: **ACTION ITEM.**  
Commissioner Sue Larson moved to approve the minutes of February 15, 2024.  
Commissioner Dave Gray seconded the motion. The motion passed all in favor.

**NEW BUSINESS**

- 2) **FILE #S04-23: TIM'S SUBDIVISION PRELIMINARY PLAT: The Graubert-Gorshe Living Trust** is requesting preliminary plat approval to create two residential lots from one parcel zoned Residential B. The Residential B Zone permits one- and two-family residences. The 0.42-acre property is in Section 34, Township 62 North, Range 1 East and is on and adjacent to 6633 Alderson Lane. Lot 1 is proposed to be 6,660 square feet and Lot 2 to be 11,752 square feet. The Planning and Zoning Commission will make a recommendation to the City Council, who will make the final decision later to be determined. **ACTION ITEM: RECOMMENDATION TO CITY COUNCIL**

Vice Chair Chris Rawlings outlined the public hearing procedures and asked if there were any conflicts of interest in this hearing. There were no conflicts of interest disclosed.

City Planner Sam Stringer read the legal notice for File #S04-23.

Mr. Stringer explained that the subdivision is straightforward. It divides one lot into two and is Zoned Residential B. The owner of this lot is the Graubert-Gorshe Living Trust. The representative is Davis Surveying. The application was filed on January 10, 2024. This was a revised application because the first application was filled out on an old form. This lot is located at 6633 Alderson Lane. The owners are requesting approval of a preliminary plat dividing one lot into two.

The surrounding properties are almost all zoned Residential B except to the east, which is zoned Residential A, single-family dwellings. All uses and densities are single-family dwellings except for the public right-of-way which is to the west. Farther to the west past the right-of-way are also single-family dwellings.

Mr. Stringer shared site photos of 6633 Alderson Lane. He explained that Lot 1 of the proposed subdivision is an existing duplex. This lot will not be altered but will remain Lot 1. Lot 2 fronts an unnamed, unimproved public right-of way. He presented the preliminary plat to the commissioners showing the division of the current lot. The planner then presented the utility access plan showing the easements for gas and water and presented the Standards Review Table.

<b>Standards Review Table-Bonnors Ferry City Code</b>	<b>Findings based upon evidence of record</b>
Definite provisions have been made for a water supply system that is adequate in terms of quantity and quality for the type of subdivision proposed.	The preliminary plat indicates the existing and future lots will be served by city water. The city engineer has advised that Bonnors Ferry has sufficient capacity to serve the subdivision with water. A water main extension will be required.
Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.	The preliminary plat indicates the existing and future lots will be served by city sewer. The city engineer has advised that Bonnors Ferry has sufficient capacity to serve the subdivision with sewer services.
Proposed streets are consistent with the transportation plan, the transportation element of the comprehensive plan and the city street department interest.	The existing lot and proposed new lot will be served by Alderson Lane and an unnamed public right of way to the south.
All areas of the proposed subdivision which involve soil or topographical conditions presenting hazards have been identified and the proposed uses of these areas are compatible with such conditions	FIR Panel #1600310005C shows the site is in floodplain zone "C" which is not a special flood hazard area. The site does have steep slopes on proposed Lot 2, according to the USGS map for this section.
The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.	The site is zoned Residential B, which provides for a site area minimum of 5,000 square feet.
Construction plans meet the design and improvements standards of all affected entities.	The future construction will conform to the conditions of approval and adhere to the development agreement.
Existing city infrastructure is adequate to serve the proposed development.	The preliminary plat indicates the proposed lots will be served by city water and sewer. The city engineer has advised that sufficient capacity exists to serve water and sewer to the site. The unnamed right of way to the south of the property shall be paved and brought to city standards by the condition of both Judy's Subdivision and Tim's.
The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or	The proposed land division would result in one additional lot. The applicant will bear the costs of sewer, water, and right of way improvements.

<p>providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that in most cases, off-site improvements will be dealt with through the agreements.</p>	
---	--

Mr. Stringer also covered the draft conditions for approval.

1. A final plat shall be recorded in substantial compliance with the approved preliminary plat. Any changes, alteration, or deletions of the plat or construction plans after approval by the City Council shall be in accord with applicable subdivision standards of Title 12 of Bonners Ferry City Code.
2. The final plat, consistent with the standards of Idaho Code and Chapter 4, Title 12, of Bonners Ferry City Code, shall be provided to the City. The final plat shall be submitted in paper and electronic format to the City of Bonners Ferry prior to the final mylar submission for review.
3. The final plat shall be valid for a period not to exceed 18 months from the date of approval. At any time prior to the expiration date of the preliminary plat, an applicant may make a written request to the city council for an extension of the preliminary plat for a period of up to one year. The City Council shall consider such a request for extension and the request must be approved or denied prior to the expiration date of the plat.
4. All city utility improvements shall be completed in accord with the City of Bonners Ferry standards and procedures. This includes a requirement for a water main extension to serve Lot 2.
5. The existing public right-of-way to the south shall be improved to meet city street standards and emergency turn-around, from the intersection of Alderson Lane to a point east of Lot 2 future approach, to the satisfaction of the city engineer. A new approach shall be required for Lot 1 to be constructed in accord with city standards, prior to final plat approval.
6. Following the recording of the final plat, the applicant shall provide the City of Bonners Ferry with a confirmed, reproducible copy of the plat and a digital copy of the plat in a format acceptable to the Boundary County Assessor's Office.
7. The applicant shall pay all pass-through cost fees as provided for on the city's official fee schedule prior to final plat recording. The amount shall be provided to the applicant by way of an invoice from the city.
8. The applicant shall enter into a development agreement with the City of Bonners Ferry as required by Title 12. The agreement shall contain construction and warranty requirements, the subdivision approval, and any other details specified by the city to define code-required and negotiated elements of development to ensure public benefits are realized and in compliance with the standards of Chapter 7, Title 12. The development agreement is

subject to the review and approval of the City Council and shall not be valid until executed by the landowner and City and recorded.

9. The applicant shall obtain a will-serve letter from the City of Bonners Ferry and shall complete the Panhandle Health District application and preliminary plat review prior to the final plat. The final plat shall include the health district certification.

City Planner Clare Marley also wanted to add a report of any public comments. As of the date of the hearing, there was no record of any public comments received. She shared that agency comments are shown on pages 4-5 of the staff report.

The Idaho Department of Environmental Quality (DEQ) recommended that the proposed water and sewer providers verify that the existing water and sewer systems have adequate capacity to serve the proposed new lot, with proposed new duplexes. This should be documented in the form of a will-serve letter. Provided the water and sewer providers confirm that serving this additional connection is consistent with the growth expected in their existing facility plans, DEQ does not object to the proposed subdivision.

Panhandle Health District advised that they have not yet seen the application for the two-lot subdivision. It is required for them to sign it.

The Bonners Ferry city administration, who was Lisa Ailport at the time, outlined the discussions that were had with the developer regarding the fact that this would not be a short plat because it needed to have road improvement requirements. Also, there was discussion about the extension of the sewer main versus what the developer originally proposed, which was a lateral from a main that would have crossed Lot 2 and advised that it would not be consistent with city standards. And lastly, Ms. Ailport advised that city staff is minimal and availability to help can be limited.

Commissioner Rawlings opened the floor to David Vandervoort to speak. Mr. Vandervoort advised that he had nothing to add to the presentation. There was no one choosing to speak in favor, neutral or opposed to the application.

Commissioner Rawlings opened the floor to commissioner discussion. There were no concerns or questions. The hearing was closed at 5:35.

Commissioner Larson moved to approve file #S04-23, for a preliminary plat to create two residential lots, finding that it IS in accord with the standards of Bonners Ferry City Code and the adopted comprehensive plan, as enumerated in the findings as presented in the staff report and based upon testimony received at the Commission hearing. I move to approve the conditions of approval as written. Commissioner Price seconded the motion. The motion was passed all in favor.

## **OLD BUSINESS**

- 3) 2024 Zoning & Subdivision code Update: **DISCUSSION/DIRECTION TO STAFF:**
  - a) Review draft Appendix A use table, residential.
  - b) Review/compare existing and proposed commercial, medical, mixed & industrial tables of uses.

City Planner Clare Marley explained that P&Z is still working on the Tables of Uses and have yet to address the Standards discussion. She explained what has been done so far on the Table of Uses and explained that many jurisdictions have begun using NAICS or the North American Industry Classification System to sort out what the different types of uses are and how to categorize them. She explained how the system worked.

The items removed for draft consideration in the Industrial zone were junk yards, wrecking yards, slaughterhouses and rendering plants, chemical plants and chemical storage, asphalt plants, billboard manufacturing, feedlots, and stockyards. Ice manufacturing was removed because it falls under food processing. Ms. Marley explained that certain retail uses, such as specialty stores like jewelry stores, gift stores, and florists were grouped together because they were similar.

Ms. Marley explained that so far, residential has been completed on the Table of Uses but there are still a few things to finalize. After reviewing the Table of Uses the following decisions were clarified:

Going down the chart, accessory dwelling units and accessory structures are allowed everywhere except light industrial.

Cottage Hosing is permitted in Residential B and Residential AB with a Special Use Permit and site plan review and allowed outright in the Mixed, Medical, and Commercial zones. They are not permitted in Residential 1, Downtown or in Light Industrial.

Duplexes are permitted in Residential B, Residential AB, Mixed, Medical and Commercial Zones. They are not permitted in Residential A, Downtown or Light Industrial.

Apartments are permitted in Mixed, Downtown and Commercial Zones with a site plan review. They are permitted by Special Use Permit in Mixed and Medical Zones. Apartments are not permitted in Residential A, Residential B or Light Industrial Zones.

Single family homes are permitted in all zones except light industrial.

Townhomes are permitted in Residential B, Residential AB, Mixed, Medical and Commercial with a site plan review.

Residential community gardens are permitted in all zones except for light industrial.

Home based businesses are permitted in all zones except downtown and light industrial by Special Use Permit.

Home occupations are permitted in all zones except light industrial.

Manufactured home parks are permitted in Residential A, Residential B, Residential AB, and Commercial zones by Special Use Permit.

Short-Term rentals are permitted in all residential zones except light industrial.

Domestic livestock is permitted only in Residential B.

Agricultural community gardens are permitted in all zones.

Waste water collection and treatment centers are permitted in Commercial and Light Industrial zones and permitted in all other zones by Special Use Permit.

Public water systems are permitted in Commercial and Light Industrial zones and permitted in all other zones by Special Use Permit.

Public utility facilities or structures are permitted in Downtown, Commercial and Light Industrial zones and permitted in all other zones by Special Use Permit.

Cell towers, wireless communication facilities, radio and television towers are permitted in Industrial zones and permitted in Mixed, Medical, Downtown, and Commercial zones by Special Use Permit.

Ms. Marley presented a slide breaking down the right-sizing for retail categories with Large Retail being similar to Grocery Outlet at a 10,000 and greater square foot plan, Medium Retail being similar to a Family Dollar store at 4,000 to 10,000 square foot plan, a Small Retail being similar to the Kaniksu Pharmacy with less than 4,000 square feet and a Specialty Store being similar to the Good Donut.

Ms. Marley shared that there will not be a hearing in April but that she had a pre-application meeting today for another annex. April's meeting will include finishing the Table of Uses, parking and setbacks and street trees. The April meeting will require another hour of time.

Commissioner Larson moved to adjourn the meeting at 6:30 pm. Commissioner Gray seconded the motion. The motion passed all in favor.