

MINUTES
CITY PLANNING AND ZONING COMMISSION
Bonnors Ferry City Council Chambers
7232 Main St.
(208) 267-3105
Thursday, October 17, 2024
5:15 pm

Chair Andy Howe called the Planning and Zoning Commission meeting for October 17, 2024, to order at 5:15 pm. Planning and Zoning Commissioners present were Dave Gray, Sue Larson and Darci Price. Commissioner Chris Rawlings joined via Zoom. Also present were Contract Planners Clare Marley and Sam Stringer and City Clerk Stephanie Lewandowski.

Dottie Gray and David Sims joined from the community.

PUBLIC COMMENTS:

David Sims shared that during the comp plan process, the topic of Main Street America. He noted that Sam Stringer also gave the commissioners a presentation on that subject. David is going to ask the city council to consider membership with Main Street America. For about \$300.00 a year, the city would have access to all of their online trainings opportunities and resources they have. It includes four sub-memberships so that could be useful to the Planning and Zoning Commission.

David also wanted to talk about downtown parking and the concerns that Eric Pipitone brought to the commissioners earlier in the year. Eric bought the Northern Treasures building with the intention to put in apartments on the second and third floors but has not moved forward with that because of parking challenges.

David said that with the comp plan, one of the goals was to have a vibrant downtown and another was to have more housing opportunities. Currently, the commercial uses do not require any off-street parking, however residential does at half of the normal rate, which is essentially one parking spot per apartment. David is asking the commissioners to take another look at that ordinance because currently it would be very difficult to provide downtown housing.

Clare Marley shared that the commissioners discussed parking two or three months ago and it was decided that the downtown business owners need to be drawn into the conversations. Clare asked David if he would like to be involved in that conversation. David said that he thinks getting membership in Main Street America will help with the process. The Chamber has a different focus right now so getting the downtown businesses involved would be ideal.

Ms. Marley shared that the current schedule of the commissioners is focused on getting through the Zoning Regulations changes. The plan is to wrap up the Zoning Regulations in November and parking will be discussed more at that time.

Commissioner Price asked if there was any opportunity for the City of Bonnors Ferry to purchase more land for parking. David said that he thinks the issue can be fixed by extending the distance to where people can park. Our current ordinance states that it must be within 300 feet, which is limiting to certain buildings. If that distance were extended it could reach the parking area near the railroad tracks and the city parking lot. David acknowledged that the problem of overnight parkers and how to plow snow and clean streets has been the issue in the past.

- 1) Approval of October 7, 2024, minutes: **ACTION ITEM**

Approval of the October 7th meeting minutes will be held over until the November meeting.

NEW BUSINESS

2) NEW BUSINESS:2024 Zoning Code Update: DISCUSSION/DIRECTION TO STAFF:

a. Definitions-Review revisions/additions

Planner Marley gave a summary of where the commissioners are at in the Zoning Code Update. Ms. Marley created an index of the entire code update so that when the full booklet is completed, there will be page numbers, and she is also going to color code the zoning chart to the map.

Ms. Marley thanked the commissioners for working hard and sticking with this Zoning Code Update. She stated that she could not do this on her own.

CHAPTER 2, DEFINITIONS:

Ms. Marley reviewed the definition revisions made as a result of the previous workshop, as follows:

JUNK YARDS, HOBBY CAR REPAIR & WRECKING YARDS

AUTOMOTIVE HOBBY: A use involving the restoration, maintenance and/or preservation of motor vehicles for personal enjoyment of owner.

• *AUTOMOTIVE WRECKING YARD: Any area, lot, land, or parcel where more than two (2) motor vehicles without current registration or more than two (2) inoperable or dismantled motor vehicles that are not in operating condition (or parts thereof) are a) standing more than thirty (30) days, b) dismantled, or c) stored. The following uses are excluded from this definition: agricultural equipment on a farm, automotive hobby, as set forth herein, and vehicles stored or dismantled within a completely enclosed structure. For the purposes of this definition the term "inoperable" means the motor vehicle cannot move under its own power or does not meet the minimum legal requirements necessary for the motor vehicle to be operated in a safe and lawful manner upon the roads and highways in the state of Idaho as set forth in the motor vehicle laws of the state of Idaho. RETAINED BUT NEW SECTION 11-6-10 PROHIBITS WRECKING AND JUNK YARDS.*

JUNKYARD: See definition of Wrecking Yard RETAINED

WRECKING YARD: An outdoor space, whether commercial or noncommercial, where waste and discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, stored or handled, including, but not limited to, wrecking yards, house wrecking yards, used lumberyards and places for storage of salvaged house wrecking and structural steel materials and equipment. RETAINED

The draft retains the automotive wrecking yard definition so it can be used to describe what is prohibited. The Automotive Hobby use is retained it in automotive wrecking yard with the allowance that somebody can still work on their own car. Work on agricultural or farm equipment is not defined as junk yards.

Ms. Marley discussed the proposed amendments to the use of the words "nursing home" to more appropriate terms, provided by research from Dave and Dottie Gray. The Grays said the current

property terms are extended care or long-term care facility. The definitions were updated as follows:

• *ASSISTED LIVING FACILITY: An establishment that provides living quarters and a variety of limited personal care and supportive health care to individuals who are unable to live independently due to age, physical, or mental conditions, but who do not need the skilled nursing care from an extended care or long-term care facility. Such facilities may include individual living units within a structure but do not include facilities defined as single-family dwellings pursuant to Idaho Code §67-6531.*

• *NURSING FACILITY, SKILLED. EXTENDED OR LONG-TERM CARE FACILITY: A home or facility for the care and treatment of more than eight (8) people, equipped for extended or long-term nursing services for individuals who require prolonged or ongoing medical care, assistance with activities of daily living, and rehabilitation services.*

The Commission discussed concerns about use of shipping containers for housing, and whether those uses are appropriate for the city. They reviewed use of the word “multi-modal,” updates to warehousing, and adding explanations for setbacks to prescriptive rights-of-way, as follows:

CONTRACTOR YARD: Any land or buildings used primarily for the storage of equipment, vehicles, machinery, building materials, paints, pipe, or electrical components used by the owner or occupant of the premises in the conduct of any building trades, hauling, excavation, demolition, or similar activities.

DWELLING: A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, but not including a recreational vehicle, motor home, trailer coach, automobile chassis, tent, or portable building, not designed or constructed to meet Idaho residential building codes, such as a shipping container.

STREET, PUBLIC: A public right of way that provides vehicular, walking, biking, or other multi-modal access to adjacent properties, the dedication of which has been officially accepted by the city of Bonners Ferry. The term "street" also includes the terms "highway," "thoroughfare," "parkway," "road," "avenue," "boulevard," "lane," "place," and other such terms.

WAREHOUSE/WAREHOUSING: An enclosed facility where raw materials and finished goods are received, stored, and distributed to customers for sale at other locations.

Front Yard Setback: An unoccupied space extending across the full width of a parcel or lot that abuts a street or access easement that is the primary access for the property. Property fronting on parallel streets shall be deemed to have two (2) front yards. Property on intersecting streets shall have one front yard determined by the primary access point and a corner lot yard. The front yard property line for property fronting on a public prescriptive right-of-way shall be considered twenty-five feet (25') from the centerline of the existing road for purposes of measuring the required setback.

Ms. Marley explained that the home-based business and the home occupation code sections needed an update to better explain what each of those types of uses mean. She presented draft language to separate the two, as follows:

HOME-BASED BUSINESS:

- Only family residing on premises
- Not more than 20% of floor area of dwelling
- Traffic not exceeding 10 trips/day
- No on-premises sales
- Internet, off-premises sales okay

HOME OCCUPATION:

- Special Use Permit
- Up to 2 non-family
- 40% of floor area of home and 40% of accessory building
- Traffic not more than 20 trips/day
- 1 small sign
- Sales and services? (CPA, barber or depend on current table?)

CHAPTER 4, ZONING DISTRICTS AND MAP:

Ms. Marley reviewed the draft Chapter 4, which addresses previous Commission discussions on densities. Each section has a purpose statement explaining the particular zoning district criteria and general uses. A table of map names and the map symbols and finally a description of each zoning district are given.

Ms. Marley covered each of the zoning districts and draft changes and discussed whether revisions were needed, including:

- Impervious versus building coverage maximums. The first draft provides a 60% maximum coverage of buildings, not impervious surfaces.
- Removal of the 5,000 square foot minimum square footage lot requirements in the Commercial Zone and maximum building coverage to 75%.
- Downtown has few changes since the last discussion, but does not list a maximum building coverage due to the zero wall setbacks in much of the Downtown district.
- Medical is adding an option for residential housing, with no density maximum as long as setbacks and parking are met.
- Light industrial is a big change in the city's new zoning map, with the uses now listed as light and medium industrial. The light industrial zone will include warehousing, parks, and fairgrounds. The zone would exclude slaughterhouses and junkyards, which are things that don't fit a small community. The minimum site area of 5,000 square feet is proposed to be struck in the draft code.

Ms. Marley shared that the proposed new language regarding the official zoning map, includes:

- A section that addresses lots or parcels that are split by two or more zones, indicating that the zone assigned to the majority of the lot or parcel shall be considered the effective zone.
- A section to require changes to the official zoning map be noted by the city on the map.
- An allowance to adopt by resolution a replacement official zoning map, if the official map is difficult to read, contains outdated mapping technology, is lost, damaged or destroyed or contains drafting errors.

Ms. Marley reviewed draft Section 11-4-5, regarding uses by zoning district. She explained how the section correlates with the Appendix A uses table. She noted the last page of Chapter 4 has

a small change to remove reference to the Standard Industrial Classification manual, which is no longer used. The North American Industry Classification System remains in effect.

CHAPTER 5, ZONING DISTRICT GENERAL STANDARDS:

Ms. Marley shared that she found parts of the general standards scattered throughout other chapters, so they have been brought together into Chapter 5. The new language is highlighted but language brought in from other parts of the code is not highlighted in the draft document provided to the Commission.

Ms. Marley provided the following draft updates:

- The current code has no explanation of how to measure a setback, so that has been added to explain that it's from the greatest architectural projection to the nearest property line.
- A new section allowing of construction over contiguous parcels or lots under the same ownership is added in response to local contractor and real estate agent requests
- Added explanations and exceptions for front or corner yard setbacks and the processes for addressing setback exceptions.
- Language updating height exceptions and maximums. Ms. Marley will follow up with the fire chief on certain height exceptions. Other proposed changes to the height standards include removal of the additional 5 feet setback for multi-story residential; removal of redundant language and a correction to require a variance rather than a special use permit to exceed heights.

Mr. Stringer addressed setbacks for front, back and side yards. He also addressed landscaping requirements. The city is discussing a stormwater ordinance that could be added to the building and development codes so this zoning document will refer to that plan.

He explained that in order to provide screening and shade and to reduce glare, heat and stormwater runoff, a landscape plan the draft code would require at the time of the building permit application for all new commercial or multi-family developments that create 20,000 square feet of impervious surface or more or where specific conditions of special use permit approval require landscaping. This subject will be addressed more at the next meeting.

Ms. Marley stated that since this is the first time that the City of Bonners Ferry is proposing a landscaping code, it's important to get it right the first time. Further discussion is needed.

CHAPTER 6, ZONING STANDARDS FOR SPECIFIC USES:

In Chapter 6, Ms. Marley highlighted one section under mobile home setting standards that says that single-wide homes shall be placed on a minimum of 5,000 square feet of land and double-wides must have a minimum of 6,000 square feet of land in a park. She thought that was high for a manufactured park setting and will research that further.

Small changes were proposed made concerning home daycares, wrecking yard, junkyards, and accessory dwelling units. The definition of a short-term rental and its uses has been added. Ms. Marley will talk to the city attorney about whether or not the owner of a short-term rental should be required to register with the city. There are many regulations concerning short-term rentals being discussed at the state level so this will need to be watched closely.

The only change on the parklets was a change to the wording to reflect where they are allowed.

Mr. Stringer addressed cottage housing and how the main goal is to address affordable housing and fit more housing in a smaller area. The benefit of cottage housing is that it looks nice and there is open space, but it still has that density multiplier. His question to the commissioners is whether the multiplier should be 1.5 or 2. The commissioners liked the square footage of the cottage houses with a range of 800-1500 square feet and maximum height not to exceed 25 feet.

Ms. Marley covered the four kinds of proposed ownership for cottage housing, which would be: all under one owner; condominium ownership of individual homes; individual home and lot ownership through a PUD and subdivision; and community land trust ownership.

Mr. Stringer briefly covered townhouses. He shared that it's another option for owning the home itself, with a shared wall and ownership of the land adjoining the townhome. This would require a subdivision application. They would be skinny lots. He asked the commissioners thoughts on minimum and maximum lot width sizes. There will be further discussion on this topic.

DRAFT ZONING MAP:

Everyone agreed that the colors are easy to see, and the map looks great.

PUBLIC OUTREACH:

Public outreach will be addressed at the next meeting.

SCHEDULING PUBLIC REVIEW, HEARINGS AND WORKSHOPS:

Ms. Marley stated that she met with the Bonners Ferry City Council over Zoom and presented the American Planning Association Idaho Chapter award for best public outreach to the City of Bonners Ferry and SCJ Alliance for the comprehensive plan work. award. She suggested a joint workshop with City Council before the any hearings, so everyone is on the same page. They are open to that. The Commissioners schedule shows one meeting a month through the end of the year so that joint meeting may need to be in January.

Ms. Marley stated that the commissioners will finish up the code updates at the November meeting.

Commissioner Darci Price moved to adjourn the meeting at 6:57 pm. Commissioner Sue Larson seconded the motion. The motion passed all in favor.

Andy Howe, Chairman

Attest: _____
Stephanie Lewandowski, City Office Clerk