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**DOVER PLANNING AND ZONING COMMISSION  
MINUTES  
FEBRUARY 1, 2018**

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**DOVER CITY PLANNING AND ZONING COMMISSION MEETING  
Dover Council Chambers  
699 Lakeshore Ave., Dover, ID**

**P&Z COMMISSIONERS IN ATTENDANCE:**

Marilyn Becker  Paul Nowaske  Michael Jones  Dean Johnston  Kevin Johnson (by telephone conference call, in accord with Idaho Code §74-203(5))

**STAFF/OTHERS IN ATTENDANCE:**

Clare Marley, AICP, City Planner

**CALL TO ORDER:**

Chair Nowaske called the meeting to order at 6:06 p.m.

**CONSENT AGENDA:**

Approval of the January 4, 2018 minutes.

**Motion:** Commissioner Jones moved, and Commissioner Johnston seconded the motion to approve the minutes of January 4, 2018. The motion passed unanimously.

**PUBLIC COMMENT:**

There was no public present.

**ANNOUNCEMENTS:**

None.

**OLD BUSINESS:**

**RV occupancy:**

The city planner provided the Commission with a draft copy of the RV occupancy ordinance for discussion. She reviewed the Commission's requested revisions as follows:

- "Occupancy" definition. "Occupancy shall mean eating, sleeping, living, cooking, or other use of the unit for human habitation." The Commission agreed with the proposed definition.
- Review of proposed 21-day limit on RV occupancy. The Commission retained the proposed 21-day limit.
- Review of RV occupancy while home is being constructed. P&Z recommended additional language specifying a permit for a residence must be obtained to qualify for extended occupancy, occupancy is limited to 180 days, with one 180-day extension allowed. The group clarified that the RV occupancy must be on the same site as the home construction.
- Setback standards. The Commission agreed with the draft language that establishes setbacks for RVs, whether stored or occupied. The setbacks proposed are 10 feet from rear and side property lines and 25 feet from the front property line. The group reviewed

the effect of the setbacks on storage of RVs within residential driveways but retained the proposed 25-foot setback proposal.

- RV parking standards. The Commission requested additional language that prohibits RVs from being parked or left standing on any public street or public parking area. The parking prohibitions were added as new paragraph D of the draft ordinance.

The Commission and staff planner discussed a timeline for taking the draft ordinance to hearing. They agreed that consolidating the RV ordinance with other topics to save on costs and time would be beneficial. The RV ordinance could be taken up with the future junk/nuisance codes later this year.

**Good Neighbor policy brochures for short-term rentals:**

Ms. Marley provided copies of the revised Good Neighbor brochure and requested they advise her of any suggestions or corrections.

**City-wide stormwater ordinance:**

Ms. Marley discussed the process for creating the citywide stormwater ordinance and reviewed some initial standards for the grading, erosion control, and stormwater ordinance.

**NEW BUSINESS:**

**Area of City Impact (ACI) comment on Bonner County land use ordinance amendment:**

The Planning & Zoning Commission reviewed with the city planner eight proposed amendments to Bonner County zoning and subdivision law and whether the proposals could affect the ACI. Following the discussion, the P&Z recommended the following comments be forwarded to City Council:

- BCRC 12-264, Administrative Exceptions. The administrative exceptions should include standards for granting an exception, using the same criteria as variances. Also, lot size exceptions should not be granted to entire subdivisions, but to a single lot on a case-by-case basis, when hardship can be demonstrated.
- BCRC 12-238, Administrative Variances. The process appears to be contrary to Idaho Code, and should follow the statutory process of a hearing before a hearings examiner, Planning & Zoning Commission, or Board. The county already has the tools for consideration of variances through the current process. Also, the P&Z expressed concern that lot size variances could be granted to whole subdivisions and the proposal appears to conflict with the proposed administrative exceptions.
- BCRC 12-334, Industrial zones. The Planning and Zoning Commission agree with requirement that meat and food processing plants greater than 2,000 square feet should require conditional use permits.
- BCRC 12-336, Resource-based Code. Batch plants remain a concern of the City, even if not within a ACI, because of added traffic, dust, and noise. The Planning and Zoning Commission suggests Note 21 be improved to provide more specific standards of operation.
- BCRC 12-337, Accessory Uses. This proposal appears to eliminate the City's ability to comment on housing projects within ACIs. Also, there is no scale of commercial use to permitted housing projects. Would a small operation, like a restaurant or motel, allow a large subdivision on the pretense of "employee housing?" This section lacks standards and criteria for determining what an "integral part of a commercial operation means." City roads, water, sewer, and other infrastructure could be impacted without City ability to review and comment. This proposal is a great concern to the City.

- BCRC 12-340. Classification of new uses. No comment.
- BCRC 12-612. 20-acre exemption. No comment.
- BCRC 12-616. Certificate of compliance. No comment.

Commissioner Johnson requested to be excused from the telephone conference call at about 6:31 p.m.

**City Council 2018 priorities:**

Ms. Marley advised the Commission of the City Council’s top planning priorities for 2018, which included:

- An update of the subdivision code. Ms. Marley listed the current code deficiencies, which include: a lack of clear road standards for future land divisions; a need to modernize plat application requirements; short plat and boundary line adjustment procedures; and corrections to the condo plat processing. The P&Z favored a four or fewer short plat definition, with no allowances for zone changes. Notices should be provided for short plat applications, and the plats could be reviewed by administrative staff and forwarded to City Council for action, they suggested.
- Citywide stormwater, erosion control, grading ordinance.
- A fee schedule update.
- Code updates to address junk, junk yard, and nuisance issues.

Ms. Marley advised that a City Council workshop will be scheduled to discuss the land use implementation table and code priorities.

**Junk, junk yard, nuisance laws:**

The city planner reviewed current city codes on junk yards and nuisance law. She provided a copy of Dover City Code 12-6-7, noting that current city codes do not define or regulate junk or junk yards. The group discussed potential definitions for junk and junk yards and reviewed enforcement capabilities and state nuisance law. The P&Z suggested the definition should address:

- Inoperable, unlicensed vehicles;
- Junk or scrap that is unsightly or in general view of the public;
- Furniture, appliances, implements, inoperable equipment;
- Scrap metal;
- Salvaged building material;
- Garbage;
- Allowances for special permits for authorized recycling center, so that junk yard standards don’t prohibit a legitimate, authorized recycling business in appropriate zone.

Ms. Marley said the city attorney suggested nuisance violations be tackled in both zoning laws and the public health and safety regulations of city code. Ms. Marley said she will provide a draft junk/junk yard definition for the next workshop, along with some suggested language for the amendment of DCC 12-6-7.

The group also discussed nuisances in general, and the need to address noise, litter, animal control, weed control, snow removal, parking violations, and possibly nuisance houses where drug trafficking or squatters could affect a neighborhood.

**March agenda:**

The Chair suggested the March agenda include RV occupancy final draft, subdivision code update, and junk/nuisance discussion.

**MEETING ADJOURNED:**

**Motion:** Commissioner Becker moved, and Commissioner Johnston seconded the motion to adjourn. The Chair called the meeting adjourned at 7:40 p.m. on a unanimous vote.



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Paul Nowaske, Chairman