

MINUTES OF THE SANDPOINT PLANNING COMMISSION
MEETING - AUGUST 12, 2003

Chairman Lockwood called the meeting to order at 5:30 p.m.

COMMISSION MEMBERS PRESENT: John O'Hara, Kevin Monahan, Raffat Saied, Steve Lockwood, Christine Kester, Alice Vroman, and Steve Prince.

COMMISSION MEMBERS ABSENT: None.

STAFF MEMBERS PRESENT: Associate Planner Joan Bramblee and Recording Secretary Crystal Schoonover.

CONSENT CALENDAR: **Moved by Commissioner O'Hara, seconded by Commissioner Kester**, to approve the minutes of the July 22, 2003 meeting.

MATTERS FROM THE PUBLIC:

Minimum Lot Size Policy: Debbie and Forrest Phillips, 8746 Colburn Culver, Sandpoint, presented *Idaho Code* §50-1315. It states "all plats heretofore filed for record and not subsequently vacated are hereby declared valid, notwithstanding irregularities and omissions in manner of form of acknowledgment or certificate." Mr. and Mrs. Phillips argued that this code section invalidates the enforcement of the minimum lot sizes set forth in *Sandpoint City Code*.

Mrs. Bramblee explained the content of Resolution No. 03-40, which was approved by City Council on July 30, 2003. The Resolution provides that development of single family dwelling units will be allowed on individual nonconforming lots with a minimum of 6,000 square feet and 50 feet of frontage. It also allows development of platted lots less than 6,000 square feet in size if the individual lot was under separate individual ownership prior to March 10, 1980. In addition, all lots presently developed with individual housing units will be recognized as building lots for replacement of existing housing units.

Mr. Phillips claimed that the policy has placed a moratorium on building in Sandpoint. He stated that the issue needs to be addressed as soon as possible because the building season is almost over. Chairman Lockwood explained that the Planning Commission does not have the capacity to resolve the issue. He stated that the City Attorney had instructed the Commission to look at the minimum lot sizes in residential areas to evaluate whether there should be a code amendment in the future. Chairman Lockwood noted that the process would take at least two months to complete. He then suggested that Mr. Phillips contact the City Attorney and appear at the next City Council meeting to state his case.

Discussion followed.

NEW BUSINESS:

ACI03-02 Leisure Mountain Estates:

Mrs. Bramblee summarized the staff report and noted that the application was a continuation of two subdivisions previously reviewed by the Planning Commission. Commissioner Kester pointed out that Lot 4 had a very small building envelope due to surrounding wetlands and an easement running through the property. Commissioner Vroman stated that she was in favor of condition 3. Commissioner Prince noted that Mountain View Loop is in need of repairs and improvements.

MOTION FOR RECOMMENDATION

Moved by Commissioner Vroman, seconded by Commissioner Saied, that the Sandpoint Planning Commission recommend the following comments on the proposed preliminary plat for Leisure Mountain Estates, County File SS1003-03, be forwarded to the Bonner County Planning Department:

1. The proposal meets the minimum lot size requirements of both City Rural Residential zones. The Applicant should be advised of the City’s setback requirements and future development should consider these requirements to avoid future non-conformities if the site is ever annexed.

	Rural Residential 1	Rural Residential 2
Minimum Lot	½ acre	2 acres
Road Frontage	None	None
Front Yard	25 feet	25 feet
Side Yard	15 feet	25 feet
Rear Yard	15 feet	25 feet
Lot Coverage	30%	25%
Height	None	None

2. The City’s *Subdivision Code* requires street grades to be the lowest feasible with a 5% maximum on through streets and 10% on any other street.
3. The City of Sandpoint encourages Bonner County to consider the impact of this and future developments on existing public roads servicing this area. The County may want to include a provision that prevents property owners with frontage along a public road from objecting to a future LID for road improvements.

