

**SANDPOINT PLANNING COMMISSION MEETING  
5:30 P.M. CITY HALL COUNCIL CHAMBERS  
MINUTES OF NOVEMBER 1, 2016**

**COMMISSION MEMBERS PRESENT:** Tom Russell, Danny Strauss, Mark Remmetter, Tom Riggs

**COMMISSION MEMBERS ABSENT:** Yuri Simon, Collin Beggs, Cate Huisman

**STAFF MEMBERS PRESENT:** Planning & Community Economic Director Aaron Qualls, Assistant Planner Ryan Shea (minutes)

**COUNCIL PRESENT:** None.

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

**Matters from the Public:** None.

**Approval of Consent:**

Commissioner Russell moved and Commissioner Remmetter seconded to approve the minutes from the October 18, 2016. Riggs abstained. **Motion passes unanimously.**

**Agenda Item B: Continuation of workshop discussing draft telecommunication facility ordinance:**

Qualls stated that a number of changes were made to the draft over the last couple of weeks and that one of the primary things he wanted feedback on was how towers should be setback from residential zones. Qualls passed on commissioner Beggs concerns regarding protecting the character of residential zones. Qualls said that Beggs' desired alternative is #1 of the residential setback. Strauss asked how high the current towers are. Qualls said that the tower by Wrenco Arms for example is 80 feet tall. Qualls explained that there is also a relief valve at the end of the code in the form of the Exceptions section. If an applicant cannot meet the requirements of this code and there is no viable alternative they can go through this process. Qualls said for example if an applicant could only provide service by placing a tower in a residential zone they could do so through the relief valve process. He clarified that there would still be public input through the conditional use permit (CUP) process.

Shea explained that the definitions section has also been largely reworked. Qualls went on to mention that small antennas on top of roofs would not have to go through a CUP process. Riggs asked if it is the case that all support types except existing support structures required a CUP. Qualls responded yes. Russell asked how high towers could go in the industrial zone. Qualls said that in the IG zone buildings can go up to 65' as long as they are 200' away from the interior property lines, 45' if not. Strauss asked what the height limits are in commercial zones. Qualls stated 35'. Riggs asked what types of towers can go in residential. Qualls responded that only roof-mounted and host-mounted support structures are allowed.

Riggs asked the commission for their thoughts on the residential zone setbacks and their preferred alternative. Russell asked if the zone sets the limitations on the height. Qualls responded yes. Remmetter said that what concerns him the most is how large the bases are and how they may affect surrounding property owners. Riggs asked if this code would supersede other areas of the code. Riggs stated that he did not feel that the Exceptions section is necessarily a good idea because it could be a slippery slope with potential developers. Russell wondered why the Exceptions section was not utilizing a variance instead of the CUP process. Qualls stated that the applicant would need to provide a hardship for a variance which isn't ideal in his opinion. Riggs stated that he feels the Exceptions section may open up anyone wanting to install a tower to simply go there and apply for towers. Qualls said that this section could be enhanced with additional requirements.

Shea explained that 2.A. under Exceptions lays out additional standards above and beyond a CUP where the applicant would need to prove that they have no other possible alternatives. Qualls said an applicant could not simply go to exceptions immediately and get an exception through the CUP process to get a large tower installed in a residential zone.

Russell asked how most of the parks were zoned. Qualls said that generally, they are zoned residential. Russell wondered if the city found it advantageous to install something in these parks, could they construct a tower? Qualls said only if they could prove they could not place them anywhere else just like any other applicant.

Riggs wondered if the exceptions section was too broad. He said that in order to use this section the applicant should truly require exceptional circumstances. Qualls also mentioned that third party review may want to be required.

Remmetter suggested that residential setbacks should be as strict as possible. Strauss said that the 100 foot setback alternative sounded random. Qualls stated that there was a real world example that deemed 100 feet a realistic example in North Sandpoint. Strauss wondered where the zoning starts and begins. Qualls said that zones start and end in the middle of the street. Russell suggested something like twice the height or 100 feet, whichever is greater. Strauss asked if a tower was only 35 feet tall should we require them be 100 feet away? Strauss believed that to be strict. Riggs stated that the commission sounded like they narrowed down the options to alternative 1 or a modified alternative. Russell stated that he felt there should be some kind of minimum distance. Remmetter said that 100 feet didn't sound like a very far distance for a tower. Qualls said that given the most permissible height restrictions in commercial zones, Commercial A could be 65 feet, B 55 feet, and C 45 feet. If installing a tower here it would need to be through a CUP with visual impact mitigation. Riggs asked for consensus on the residential zone setback. The commission agreed that Russell's suggested alternative sounded the most desirable at this time and would like some feedback from the public. "Antenna towers shall be separated from the property line of any adjacent property zoned RS, RM, RR1, RR2, or MUR at least a distance equal to the height of the antenna tower or 100 feet, whichever is greater."

Qualls asked for some feedback regarding an inconsistency with towers and roof mounted height limits. In the draft code now, roof mounted allows going up to the district height limit, however in the ground-mounted support structures they are limited to only 35 feet. Russell said that allowing ground-mounted to be the height limit sounded reasonable as long as they go through CUP and require visual impact mitigation. Remmetter suggested that anything to do to encourage roof-mounted structures would be important. Russell asked how high the average utility pole is within Sandpoint? Shea explained some of them can be quite tall – some by Pine St. park could be 40+ feet. Strauss worried that if there were some nearby power poles an applicant could use that to their advantage to go much higher. Riggs suggested that the language referring to utility poles be taken out completely. The commission agreed and asked staff to remove the reference to utility poles in the table.

Strauss asked about modification and removal section of the draft code. He wondered what Sandpoint City Code Section 9-7 refers to. Qualls stated it refers to the Nonconforming Buildings and Uses code. Strauss said that he felt the term “modification” was vague and could be misinterpreted. Qualls stated that modification spoke to co-location of facilities on existing structures primarily.

Strauss asked if we wanted to get more specific on Item S: Affirmative Duty to Keep City Informed on when these letters would be due. Riggs suggested having some kind of solid date pointed out in the code.

Remmetter asked if we knew when the public hearing was. Qualls stated December 6<sup>th</sup>.

**Matters from Staff:** Qualls invited the commission to come to the economic summit on Thursday morning at the Sandpoint Technical Center, the former Coldwater Creek corporate building.

Qualls also said that the city needs volunteers from the Planning Commission for the Impact Advisory Committee that meets once a year.

**ADJOURNMENT:** The meeting adjourned at 6:52 p.m.