

**City of Glenns Ferry Planning & Zoning Meeting September 6, 2023**

Planning & Zoning meeting is opened and called to order at 6:00 pm on Wednesday, September 6, 2023.

**Commissioners Present:** Jennifer Baker, Steve May, Linda Pattison, Denver Price

**Staff Present:** Lori Freeman

**Others Present:**

**Freeman:** It is September 6, 2023. It is 6:02 pm. First of all, I'd like to acknowledge the resignation of Kt Carpenter. We are so sad about this, and we wish her the best.

**Item 1. OPEN MEETING AND ROLL-CALL ATTENDANCE:**

Freeman took roll call:

X  Jennifer Baker  X  Steve May  X  Linda Pattison  X  Denver Price

**Item 2. INTRODUCTION:** Seat No. 3 – Steve May. Seat No. 5 – Linda Pattison:

**Freeman:** We have two new commissioners, Steve May. Steve has lived here in Glenns Ferry all of his life, most of your life?

**May:** About 60 years.

**Freeman:** When I first started work here, Steve's dad, Curtis May, was the building inspector for the city. He taught me about planning and zoning, building codes, the layout of the city, he was my mentor and the sweetest man ever.

Our next new commissioner is Linda Pattison, I believe everyone knows Linda, we are happy to have both of you here.

**Item 3. DISCUSSION/MOTION:** Commission Elects Member to Serve as Chair:

Freeman: (AIC) Association of Idaho Cities (AIC), has come out with what looks to be a condensed version of, "Smart Towns: A Guide to Growth Management for Idaho City and County Officials" called, "Planning & Zoning and Annexation 2023 Manual". I thought these manuals would arrived for this meeting, but, they have not. So, before you vote your Chair I would like to read from page 10, "Private Faces in Public Places: Public Hearings and Quasi-Judicial Procedure, "The Role of the Commission Chair":

*"The chair is the presiding officer and must conduct the proceedings in a fair manner. They call meetings to order, ensure that the commission sticks to the agenda, and recognize individuals who wish to speak. Chairs must be effective meeting leaders and keep members focused and meetings on task. The chair is the commission's ambassador to the public. No matter how long the hearing, the chair must preserve order and decorum. The chair retains the rights of a member, including the right to vote and the right to discuss issues (unless prohibited by local ordinance). When the chair does want to engage in debate, it is advisable for the chair to turn over the gavel to the vice chair. The responsibilities of the chair include:*

- *Presiding over meetings and hearings;*
- *Recognizing members of the planning and zoning commission or governing board who wish to speak;*
- *Recognizing individuals who wish to testify;*
- *Keeping the commission or governing board on the agenda;*
- *Enforcing time limits on testimony;*
- *Maintaining order and decorum;*

- Stating questions and putting them to vote; and
- Making procedural rulings.

Public Hearings Versus Public Meetings

*There are important distinctions between public hearings and public (open) meetings. Much of the business of local government is conducted in public meetings, which require notice of the meeting and the agenda and are open to the public, but there is no requirement that the public gets to speak. At public hearings, local governments are required to provide citizens the opportunity to testify within reasonable limits, including time limits on testimony”.*

At this time we need a motion to elect a commissioner to serve as chair.

**Baker:** Do we still have a seat opened?

**Freeman:** Yes, we had five, with Kt's resignation, we now have four. Yes, we have one more seat opened.

**Baker:** Do you have anybody in mind because I have a couple of people I was thinking about.

**Price:** I would like to make note that I do not want to be chair, so you can leave me out of the consideration.

**Pattison:** I want to make note, I do not want to be chair.

**May:** I want to make note, I am too new to be the chair.

**Baker:** I will make note that I am not unwilling to be the chair but, Denver you are the only other person besides Lori that knows, I am not sure that I'm the best choice. Because I was always the one that was getting in trouble. I am quite capable of doing it.

**Pattison:** I make the motion that Jennifer Baker be nominated as chair.

**May:** Second.

**Freeman:** All in favor, all ayes. Motion carries.

**Item 4. MOTION:** [Action Item] Adopt Agenda:

**Baker:** We have the agenda for tonight's meeting in front of you, I need a motion to adopted the agenda for tonight's meeting.

**Pattison:** I make the motion that we adopt the agenda.

**Price:** I second.

**Baker:** All in favor, all ayes. The agenda has been adopted.

**Item 5. MOTION:** [Action Item] P&Z Regular Meeting Minutes of July 12, 2023:

**Baker:** The next item, two of you were not at the last meeting so you don't really know what, maybe give you a minute and read through.

**May:** I was here. I will make the motion to except the minutes.

**Price:** I'll second.

**Baker:** All in favor, all ayes. The minutes of July 12, 2023 have been adopted as written.

**Item 6. DISCUSSION:** Zoning Setback Requirements:

**11-2-1: GENERAL DEFINITIONS: SETBACK AREA:** *The space on a lot required to be left open and unoccupied by buildings or structures, either by the front, side or rear yard requirements of this title, or by delineation on a recorded subdivision map.*

**Baker:** Now, Steve you were here, Denver you were here, Linda you were not but mostly the biggest thing that we are stuck on, but I think we are making good progress on it, is the rear yard setbacks and the definition of an alley. We got past the alley definition. An interesting piece of

information, apparently is it a city code or county or what but for the last little while it has been a rule that properties being sold here must have current surveys now, this is a rule?

**Freeman:** No. You can sell your property without a survey.

**Baker:** So if that's not part of it, the other part of it is I talked to Eric Howard about surveys here in and surveys on the streets and he said that the only ones that are here are the state roads on Commercial Street there is some, the Frontage Road, there is some survey, Bannock Avenue, so, there's very little in the way of actual survey markers anywhere here. He suggested that we try and reach out to people, especially that have properties that abut the alley. One of the big problems that we are having here in establishing that rear yard setback is where that alley is and we have two different widths of them in different parts of the city. He also suggested and Christy Acord agreed with him and said she could help; she said there is grant money available for small cities just like ours to have surveys done. I think that it would do us a huge bunch of good to have at least in the main downtown, the main grid residential areas.

**Freeman:** We are getting way off our agenda and into the weeds of things. P&Z do not handle/deal with surveys, that issue would be between the city and the property owner.

**Baker:** Lori, respectfully, that has nothing to do with what I am trying to talk about here. What I am trying to talk about is we are having this discussion here because city council came to us and said these setback requirements are unclear, they need to be clarified, they need to be straightened out, which in my mind opens up a whole cascade of, how do we set those rules if nobody knows where the line is. Scott sat right here and told us we've got issues with people encroaching in the alleys, with people not knowing where their property line is, any of that, now we did work out what seems to be a pretty good rule about we should specify the height of things that can be built on that back line, because what we are really trying to keep clear is space for boom trucks and what not. But, we don't have any way of dealing with basically the way things stand right now, if somebody comes in and gets a building permit to put a shed in their back yard and somebody from the city, a utility worker or somebody comes along at some point later and says this thing is too close we can't get in, we have no recourse, we can't tell that person you have to move that.

**Freeman:** That is why we are doing the back yard setback, right now we don't have a clearly defined back yard setback, because of how it reads in the code. Your job is to take a look at the setbacks, keeping in mind the purpose of each zone, whether they are low density, medium, medium to high density. We just need to concentrate on the setbacks. The city is dealing with an alley issue right now and the city responded by having their right-of-way, the alley and the street, surveyed.

**Baker:** On page three (3) of the minutes from the last meeting where we talked about proposed setbacks it seems to me like we pretty much, is there anyone that disagrees basically, if we go back and look at this again that the setback should it be ten (10) feet, should it be fifteen (15) feet, that we had talked about differentiating in the setbacks, in the language that we have between building and structure that the setback of a structure, a fence, any structure of 6' or less doesn't need a setback, it can be on their property line. A fence can be on a persons property line.

**Freeman:** A fence can be inside the property line.

**Baker:** Yes, but we need to make the language in the code clear, that's what we are sitting here suppose to do and I think that it's important that we have a height, we can make it easier and say, "Any structure and if we say 6'...."

**Freeman:** That is already in our code, that's already been done, fences are supplementary and are in our codes. *(R-3 Height Regulations 11-6-6)(Fences 11-14-4C)*

**Price:** Should we do it zone by zone?

**Baker:** Cause they are all the same.

**Price:** Fifteen feet back from the alley is the current, you can't build in that fifteen feet (15'). So if you're in that particular zone where it's high density and you come in here and we pass an ADU (accessory dwelling unit) ordinance and allow people to do that, your taking up the dirt that they would use to build that ADU in the back yard, so it seems it's got to be zone by zone, because the low density ones, it is different. The high density you are allowed to do that because it is high density. Should we just take one zone at a time and say...

**Freeman:** Yes, using R-3, for example, the setbacks should allow that medium to high density.

**Price:** When I read this from last time, if you've got a 20' alley, and we get into R-3 zones then we have to deal with how wide the alley is in the back because, are they different?

**Freeman:** Yes. The city has twenty foot (20') and ten-foot (10') alleys.

**Price:** So with that being said right here anywhere you have a 10' alley with a 15' setback, it doesn't really talk about the zone but you're talking 15' to this guy, 15 to this lady, 10 in the middle, you're looking at 40' there.

**Freeman:** Yes, but the thing about that, Denver is nobody knows exactly what that back yard setback means. We need to be more specific. Is that code meaning from the house, primary resident, 15' to the back yard? Anything past that 15', what? Can you just put a structure anywhere past that, after you've found your 15' rear yard? Yes.

*(11-6-7:SETBACK REQUIREMENTS:C) Rear Yard: There shall be a rear yard having a depth of not less than fifteen feet (15').*

**Price:** So are we working the 15' the other way, from the alley in?

**May:** That's what I always thought.

**Freeman:** That is how I took it, too. Our building inspector read the code the other way from the structure back towards the alley.

**Baker:** There is nothing in here that says you can't build something in your back yard.

**Price:** No but you have to be 15' from that alley line, the way I am interrupting this.

**Freeman:** Right, but that is not what it says, if you go into your definitions of back yard, compare that to the back yard setback code, what if you have a rear yard of twenty-five feet? You measure your rear yard setback depth of 15', does that mean you can put a structure anywhere after that 15', meaning no backyard setback?

*(Definitions 11-2-1 Yard, Rear: The yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the principal building).*

*(11-6-7:SETBACK REQUIREMENTS: C) Rear Yard: There shall be a rear yard having a depth of not less than fifteen feet*

**Price:** Meaning you can build anywhere after that 15' rear yard up to the alley, which is what they are doing all over town.

**Freeman:** Yes, and that's the problem.

**Price:** Okay so that defeats the purpose of the utility trucks, the boom trucks and the whole deal because we've dummed down the alley to where the property line is. Our job right now is to determine 15' from the structure that's there or 15' back?

**May:** Or from the alley and make the motion to go from the alley.

**Freeman:** Yes.

**Pattison:** So, if a person has a big house and a depth, does it come from the depth to the alley, so that would really cut...

**Price:** Yeah. He counted my deck as part of the structure going forward, I had to meet the deck, that was it, like it was the house. So, we have to determine if we go 5, 10, 15 feet from the property line being the alley as well, side yards where the property line is. You know from last

week's meeting; I am not in favor of 15' because it is too damn much of my yard being given back to nothing and you said you can go back there and build a garden, but chances are I am not going to do that.

**Baker:** The other thing I think we need to address here is whether or not this needs to actually change from zone to zone. Now I know that if this ADU goes through it's only going to work in certain zones anyway, none of the rest of the setbacks are any different from any of the others and I don't believe that we need to make a zone-by-zone differentiation for this, it'll take care of itself.

**Price:** Your probably right.

**Baker:** As we talked about before, the bottom line is the individual lot size regardless of the zone is going to be the limiter anyway. I don't think we need to go through and cherry pick...

**Freeman:** But we do, all the back yard setbacks say the same, which is no back yard setback. A member of the public stood up in a council meeting and said, "We have all these different zones with different purposes of each zone, but we have setbacks in every one of the zones and they are all alike, there is no difference". The setbacks are a part of what determine density.

**Baker:** Not that they are not differentiated, it's what the setback says to begin with. I don't think that if we have the setbacks like we talked about last time that the setback...a fence is allowed up to your property line because that doesn't really interfere with the purpose of that rear, that alley, that space that's on the rear of your property anyway. That doesn't affect it, now whether or not, anything that's bigger then that because the utility trucks, the fire department, all those guys have to be able to get up and down the alleys and do their things, which is why we have the setback requirement in the first place, it is so that it makes sure that it allows enough room for the emergency and utility vehicles, that is the whole point of the alley.

**Freeman:** Now we are going in circles right now because of that backyard setback, it needs to be more specific. If you don't want to change anything else of anyone of the setbacks in any one of the zones, we have to get this clarified.

**Price:** Is it as simple as determining the setback is going to be this many feet from the alley in, no matter what your zone is..

**Baker:** Yeah

**May:** Yeah

**Price:** It's as simple as that.

**Freeman:** It does matter what your zone is because of...

**May:** Of the high density...

**Freeman:** Yes because of the density. Or you could do the back yard setback in every one of the zones the same.

**Price:** Tell me again why the density makes a difference. It's going to be 5'

**Freeman:** The density of R-3 is medium to high, you can actually change the side yard setback to 15' instead of 20'. Side yard to 5' instead of 10'. Corner yard setback 10' instead of 20'.

**May:** Okay. On a corner if you cut it down to 10' and 20' in the front, high density means more traffic, now you've cut 40' down to 30'...

**Baker:** Yeah on corners, I don't think that side should, you still need 20'.

**Freeman:** Right I was just giving an example and talking about the density. If you cut the setback requirements in a medium to high density zone...

**Price:** Wouldn't that give me opportunity to build more on that property?

**Freeman:** Yes

**Baker:** Yeah

**May:** Yes

**Price:** Okay then it all works. But this meeting is to determine the backyard density or we're

going to do side yard too?

**Freeman:** We have to go through all of them front, side, back.

**Price:** Okay, then are we trying to get together and say will it be 5', 10', 20'...

**Freeman:** The most important is to clarify the back yard setback requirement.

**Baker:** Last time what we talked about was changing it to a 5' depending on the width of the alley. Based on what the purpose of an alley is, if an alley is already 20' wide, it doesn't need to have as much setback for the structures that are on the sides of it for it to be able to serve it's purpose.

**May:** But it does. A 10' alley now you need a little more to get fire trucks down.

**Freeman:** It doesn't matter if the alley is 20' or 10', people are going to build right up...

**May:** Right up to the alley.

**Baker:** That's why we are discussing setbacks.

**Freeman:** Exactly.

**Baker:** Is there anyone who is unclear about that, why we need setbacks?

**Price:** No I understand this meeting is to determine whether we want 5,10, 15' in the alley, to me I don't see why the alley makes a difference, if your lucky enough to have a 20' alley well then you've got a bigger turn down into your garage.

**Baker:** Denver where this went last, the purpose of the alley, the setbacks on that back is to preserve that alley for it's purpose.

**Price:** Correct

**Baker:** Okay, right, if the alley is already established as 20' wide, it doesn't need to have as much protected space on the private property on both sides.

**Price:** Okay, if you want that route does it mean that guy, that woman can build right up to the property line?

**Baker:** No, not, where we stopped last time.

**Freeman:** You weren't at our last meeting, (August 2).

**May:** We didn't have a meeting because there was no quorum we had a discussion.

**Baker:** Well I will excuse myself from this discussion because I was not of the understanding that anything happened.

**Price:** Well if anywhere in the I've got an alley in my back yard and I had 5', I have to determine, is that enough to give back to the city...

**Freeman:** You're not giving it back...

**Price:** Well you know what I mean, for them to have, you can't do anything in it, it's got to be left open

**Baker:** You can't build anything

**Price:** You can't build anything there but I can build a fence on the property line?

**Freeman:** Inside your property line.

**Price:** Okay so if they want to rip that fence down to get in there, they could do it?

**Freeman:** A fence is a supplementary regulation, it can be placed in the setbacks

**Chapter 14 Supplementary Regulations:** Certain structures within and projections into required yard areas are permitted, as specified, and shall not be considered to be obstructions or included in the calculation of coverage unless otherwise specified:

**11-14-4: C. Fences, Walls And Hedges:** *Fences, walls and hedges are permitted in any required yard or along the edge of any yard to a height of six feet (6'); provided, that no fence, wall, or hedge along the sides or front edge of any front yard shall be over three feet (3') in height; with the exception of an open vision fence in any front yard or side yard adjoining a cross street, which may be four feet (4') in height. On a corner lot in any residential district nothing shall be erected, placed, planted, or allowed to grow in any such manner as to materially impede vision between a height of three feet (3') and ten feet (10') above the*

*centerline grades of intersecting streets bounded by the property lines of such corner lots on a line joining points along said property lines for thirty feet (30').*

**Price:** Yeah, it doesn't really mean anything, I'm just saying, is 5' enough, 10' alley, that guys got 5', this guys got 5', there's 30' but they only need 10' required amount an alley has to be, is that what we're saying?

**Baker:** No if there's a 10' alley and there's a 5' setback on both sides that's 20'.

**Price:** I get it but the alleys that are already 10' that's enough to qualify, it's already here as a bonafide alley?

**Baker:** As long as nobody is building too close to it.

**Price:** Correct. If a utility truck or fire department want to get down there they just need 10'?

**Price:** And if you're lucky enough to have a 20' alley at your back yard you still got to give up 5'.

**Baker:** If you're talking a 20' alley then why does any property that abuts a 20' alley have to have a setback back there at all.

**Pattison:** Because they will build right on it. On a 20' alley can you put the setback at 5', can you do it by alley size?

**Price:** I think that's what we are talking about.

**Baker:** So what's the problem with a 20' alley?

**Freeman:** People have built on the alley, whether it's a 20' or 10' alley.

**Baker:** But they can't build off their property. If they're encroaching into the alley then they are building on property that is not theirs, which is, that is completely...

**Freeman:** They have done it all over town and they will.

**Price:** But they've done it.

**Baker:** So the setback rules have nothing to do with that, they flat out encroached on city property.

**Pattison:** But the setback rules do have.

**Freeman:** Maybe, In their minds they have built only to their property line.

**Baker:** It seems to me the problem is not one that there isn't a rule the problem is that people don't know where the line is.

**Price:** Well then you're getting back to the survey and all the rest of the stuff.

**Baker:** Exactly.

**Price:** I just think it would be simple if we could just pick 5', 8', 10'

**May:** Yeah

**Price:** From the alley, wherever the alley is, still yet to be determined, and that means this board (room) right here is 5 1/2', 6 feet tall I would imagine, 5 1/2' tall, so you're giving them that much off the alley roughly, right.

**Baker:** Yeah

**Price:** 10' that's a lot, 15' is a ton!

**May:** Yeah

**Baker:** If we say that the setback is 5' from the edge of the alley

**Price:** In

**Baker:** They can build whatever is legal for

**Price:** Whatever the zone allows them to build.

**Baker:** They could build a garage and put that back wall of the garage and put that right there at 5'

**May:** That's right. Just inside. From the alley, in 5' and start the building. That gives them 5' for a fence or dog kennel.

**Price:** That would be a good use for that back 5', you could put a fence there. When we did the ADU did we have any setbacks around the ADU?

**Baker:** No, they had to comply with the setbacks.

**Price:** So they couldn't put an ADU there either unless it's 5' in or whatever we pick. I'm trying to make it easier, just pick a number 5', 8', whatever I just think 10' of my property that I can't, that's a lot, 15' is a ton. I'm thinking 5'

**Baker:** That's all the utilities and everybody needs is 20' up in the air.

**Price:** Cause you're talking 5' on both sides of the alley anyway.

**Baker:** That's what I mean, they'll have 20' up in the air.

**Price:** A guy that's got a 20' alley, you still have to give up 5'.

**Baker:** But then why?

**May:** Because the property line has to be what you measure from.

**Price:** Which is really what we are trying to establish here.

**May:** A lot of your 10' alleys are in R-1 zones, where we are talking R-3, that's the bigger alleys, in R-3, what I've noticed driving around this town.

**Pattison:** I've noticed for instance on my alley, my neighbors fence is right at the alley, so is the next house, so is the next little house Shrum's use to own and then Shrum's.

**Freeman:** That is fine for a fence, you can put a fence just inside your property line, you just couldn't put a structure in a setback.

**Price:** So, all those that are there now that are legally nonconforming, that's just the way it is, if they ever decide to tear it down then they have to go back to the new rule.

**May:** Yes.

**Baker:** As soon as someone figures out where the alley actually is.

**Price:** Over time something will probably happen. To solve what we are doing we take our measurements, let's say 5' from the alley in, not from the house back but from the alley in.

**Baker:** Yeah, that's how it should be, yeah.

**Pattison:** I agree, so is that a recommendation we can make as far as measuring from the alley in.

**Freeman:** Is that 5' backyard setback in all the zones?

**Price:** I can't really see why we shouldn't do it in all zones.

**Baker:** Yeah, I don't see why what's good for one zone should be good for all of them.

**Price:** The higher, lower density places if they want it that way they don't have to put anything up back there but they have all that space, but if you do it from the house back that is why we probably have buildings on the alley, wasn't any else way to go They built from their 15' from whatever room they had left to the alley, sometimes over, and there it was.

**Pattison:** Do we need to make a motion on that.

**Freeman:** So that's just the back yard, what are you going to do with the sides, and what are you going to do with the front?

**May:** The side yard says 10'...

**Baker:** Yeah, except on a...

**May:** except on a corner lot.

**Price:** Is that in all zones?

**May:** Yeah, well, yeah.

**Price:** It's the same thing, wherever the property line, it's 10' in, to the house.

**May:** On R-2 is 25', that's the front, the side is 10'.

**Baker:** They are all exactly the same.

**Freeman:** Again, why have zones with different densities, low, medium, medium to high, if you are not going to set the setbacks to conform to those?



- May:** What I am seeing here is R-1,2,3, they are all the same.  
**Baker:** Just the difference is that in the R-3 you can put more than one home on a lot.  
**Freeman:** No, you can put a duplex, triplex but you couldn't put two single family dwellings on one lot.  
**Baker:** No, you can put multi-family.  
**Freeman:** Right.

**11-14-9: NUMBER OF PRIMARY USES AND PRIMARY BUILDINGS ON ONE LOT:**

*A. Residential Uses: Unless otherwise specifically noted in this title, only one residential dwelling shall be allowed on a single parcel of property.*

- Price:** So if we want to change the sides, this is the same question, do we want to take the 10' down to....  
**Baker:** No  
**May:** 10' side...  
**Baker:** No, I think that's reasonable that everybody can expect that there's  
**Price:** And on a corner is 20'  
**Freeman:** So if your up against a neighbor, you have 10' and they have 10' that's a twenty foot area to be left open....  
**Pattison:** Yeah I see what you are saying as far as the setbacks.  
**Baker:** That whole front yard one we are going to need to, that's convoluted as all get out.

**R-3 11-6-7: SETBACK REQUIREMENTS:** *A. Front Yard: No building or structure shall be erected nearer than twenty feet (20') from the right of way line of the street; provided, that when lots comprising fifty percent (50%) or more of the frontage between two (2) intersecting streets are developed with buildings having front yards with a variation of not more than twenty feet (20') in depth, the average of such front yards shall establish the minimum front yard depth for the entire frontage. In no case shall a front yard of more than thirty feet (30') be required.*

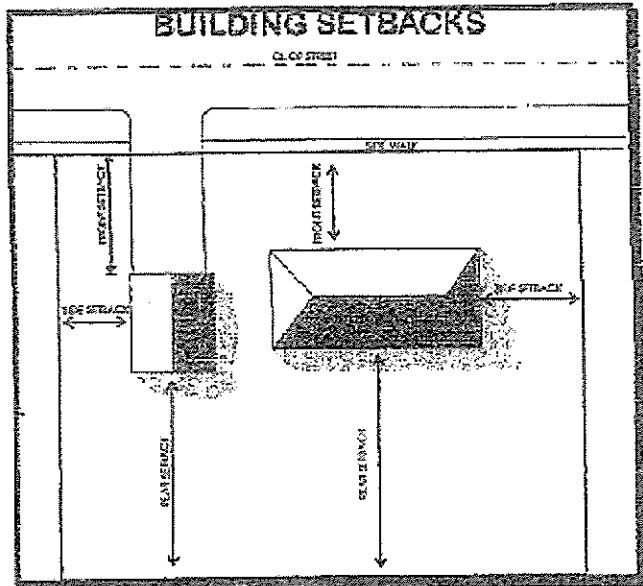
- Pattison:** So what have we decided?  
**Price:** I think we've decided about the back yard 5' setback.  
**Freeman:** Is this in R1,2,3,4, Agricultural. Do you all agree upon the backyard setback of 5'?  
**Price**—yes, **May**—yes, **Baker**—yes, **Pattison**—yes.  
**May:** From the rear property line, in.  
**Freeman:** Okay so we've got the back yard setback decided, 5' from the property line, in.

Discussion was had on front yard setback and side yard setback

**R-3 11-6-7: SETBACK REQUIREMENTS:** *A. Front Yard: No building or structure shall be erected nearer than twenty feet (20') from the right of way line of the street; provided, that when lots comprising fifty percent (50%) or more of the frontage between two (2) intersecting streets are developed with buildings having front yards with a variation of not more than twenty feet (20') in depth, the average of such front yards shall establish the minimum front yard depth for the entire frontage. In no case shall a front yard of more than thirty feet (30') be required.*

**B. Side Yard:** No building shall be erected closer than ten feet (10') from any side property line; except corner lots shall maintain a twenty foot (20') side yard adjacent to the street which intersects the street upon which the building fronts. (Ord. 487, 7-23-2002)

**11-2-1: General Definitions: SETBACK AREA:** The space on a lot required to be left open and unoccupied by buildings or structures, either by the front, side or rear yard requirements of this title, or by delineation on a recorded subdivision map.



- Baker:** What it is saying \_\_\_\_\_ it does not say anywhere in there, it does not say your property line anywhere in there.
- Freeman:** But look at that, (diagram from 11-2-1 General Definitions).
- Baker:** This ( Setback Requirements: Front yard) is what we are suppose to be addressing we are not addressing pictures.
- May:** This is in our codes.
- Freeman:** This is in our codes of how to measure setbacks, under definitions.
- May:** That looks like it is from the property line.
- Baker:** It's from the sidewalk.
- Freeman:** It is from the property line.
- Baker:** Okay, I think that it needs to say that, because according to this it is saying 25' from the right-of-way line. Here's the center of the road, here's the curb I guess, so what is the exact definition of a right-of-way line? What is the right-of-way line?
- Price:** So what your saying is it's one way or the other, the right-of-way or the property line.
- Baker:** I know but what is the right-of-way line?
- Price:** I know what you are saying but, that is what I was asking earlier, what is the right-of-way line, is it at the curb or is that somewhere else in the road?
- Baker:** Because, see that changes what...
- Pattison:** Didn't it say if you didn't have a curb, then it's the road?
- Baker:** No, no, what is the right-of-way line? Is it the edge of the road? Is it the edge of the sidewalk?
- Price:** In front of the curb, in back of the curb.

**Baker:** Yeah because this is all based on wherever that right-of-way line is. That's where the measurements is from.

**May:** Yes, and then from the side it's says from the property line.

**Baker:** Yes, that is what I mean we need to...

**Price:** Make them the same.

**May:** Have some clarity.

**Baker:** Yeah, because 25' from your property line is quite possibly not going to be the same as 25' from the right-of-way line.

**Freeman:** I was making a point, this is contradicting to each other.

**May:** It says 10' from property line except corner lot shall maintain 20' side yard adjacent to the street...

**Baker:** It doesn't say 20' from where. From the property line or from the right-of-way line? We need to make them agree. Who can answer this question for us? What exactly is the right-of-way line of the street.

**Freeman:** I can find that for you and have it at our next meeting. So you can choose...

**Baker:** Right-of-way line or the property line.

**Freeman:** And remove one or the other.

**12-2-1 Definitions: RIGHT OF WAY:** *A strip of land of a defined width held for or containing public services such as roads, utilities, etc.*

**Item 7. COMMISSIONERS COMMENTS:**

**Item 8. ADJOURN:**

**Pattison:** I make a motion to adjourn.

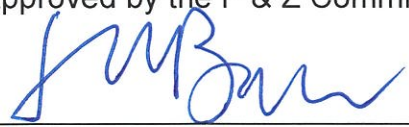
**May:** Second

**Baker:** Meeting adjourned.

*\*GF City Codes were entered into the minutes for training purposes\**

Next regularly scheduled Planning & Zoning meeting, October 4, 2023 @ 6:00 pm

Approved by the P & Z Commission: October 4, 2023

  
\_\_\_\_\_  
Chairperson, Jennifer Baker

Attest:   
\_\_\_\_\_  
Lori V. Freeman, P&Z Admin.