

Minutes of the Regular Meeting of the Lava Planning & Zoning Commission of the City of Lava Hot Springs, Idaho held Thursday, January 26, 2017 at 6:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present: Neil Anderson, Commission Chair
Curtis Waisath, Commission Member
Fred Hinz, Commission Member
George Linford, City Council Person
Canda L. Dimick, City Clerk

Excused: Vicky Lyon, Commission Member
Rickey Frandsen, Commission Member

Guests: None

Meeting was called to order by Neil Anderson, Commission Chair, at 6:30 pm.

Approval of Minutes:

Motion was made by Curtis Waisath and seconded by Fred Hinz approving the minutes of the September 15, 2016, September 22, 2016, October 6, 2016 and October 27, 2016 meeting minutes as transcribed.

Zoning Ordinance Work Session:

Last meeting changes were briefly reviewed. Commission started where they left off in the definitions last month; starting with Recreational Vehicle Park. It was mentioned that the city has an RV Mobil Home/Manufactured Home Park Ordinance. Recreational vehicle park definition refers to park, travel trailer. Definition for park travel trailer was read and no changes made. Definition for repair was reviewed. The definition refers to structure repairs. Need to develop an emergency repair process under the building code ordinance rather than the zoning ordinance to speed up the process was briefly discussed and has been mentioned at prior meetings. Repair definition was read; no change made. Defining recycling center due to continued interest was expressed. Recycling Center was defined as a facility designed to be a collection point where only recyclable materials are sorted and/or temporarily stored prior to delivery to a permanent disposal site, or shipment to others for reuse, and/or processing into new products. This shall not include junkyards or wrecking yards. A definition for reflective surface was mentioned but not added. Defining residential care facility is covered under the Home, Nursing definition. Residential rental restrictions were discussed. Nightly rentals are only

permitted in commercial and R-3 zones. The definition for residential use was read and a spelling error corrected. The definition of restaurant was reviewed and compared to definitions in other city ordinances; no change made. Defining retail trade was discussed. Commission agreed to define retail trade as an establishment which provides the final step in the retailing process for the distribution of goods and commodities to customers. Retailers are organized to sell or rent merchandise in small quantities to the general public and operate a fixed point of sale location designed to attract a high volume of walk-in-customers. A considerable amount of discussion followed regarding temporary retail vendors. The consensus of the commission was that temporary retail vendors would fall under the retail trade definition as written. The roadway width definition was read. A battered or roll curb is a type of curb construction. The city has recently adopted construction policy for a rolled or ninety degree curb style. The commission decided to change roadway width to read as road right-of-way width and define as the distance between property line measured at right angles to the center line of the street. Definitions for riparian area and riparian zone were considered. Riparian areas are wildlife preservation areas. It was questioned if riparian areas are covered in the floodplain ordinance or defined in the subdivision ordinance. Commission agreed to define riparian area in the zoning ordinance identical to the definition in the city's subdivision ordinance. Riparian area was defined as interface between land and river or stream. Definitions for different styles of roofs were considered. The city's zones do not have specific roof covenants so no definitions were included. Current definitions for school, private and school, public were not changed. Defining setbacks was considered. Setback definitions in other city ordinances were read. Structures under two hundred (200) square feet have been allowed to be placed in the rear yard setback. It was questioned if sheds should be allowed to be placed on property line. City has allowed small storage sheds that do not have any power or water installed to them to be placed in rear yard setbacks. Limiting accessory structures to one or two was suggested. Setback was defined as a horizontal distance between an established boundary, such as a property line, edge of right-of-way or edge of access easement, and the nearest point of an imaginary line above or below ground, measured at right angles to the property line. Defining shopping center was considered. Shopping center would be like a mini mall similar to the type of business starting up in the old arcade building. Commission agreed to define shopping center as one or more buildings containing at least three separate retail businesses planned, developed and managed as a unit, with off-street parking provided on the property. A portable saw mill definition was briefly discussed. A saw mill is an industrial zone business and is not permitted in any current zone. Permitting and defining self service storage facilities was discussed. Self service storage facility is defined as a building or group of buildings that contains varying sizes of individual, compartmentalized controlled access stalls or lockers for the storage of customers' goods or wares. Requiring controlled access and fenced compounds was questioned. Most of the facilities do for security purposes. The commission felt that the controlled access and fencing would be up to the developer, not required. A semi public use and shielded definition was brought up. Light pollution has been discussed. The commission felt a definition for semi

public use and shield was not needed. The definitions regarding signs in the city's sign ordinance were compared to the definitions in the zoning ordinance. City Clerk recommended deleting all the definitions regarding signs from the zoning ordinance and to only have one definition for a sign identical to the definition in the sign ordinance and refer to the sign ordinance. The city does not permit animated or flashing signs. George Linford suggested adding directional to the list of signs in the definition. Commission agreed to strike all definitions regarding signs from the zoning ordinance except for a definition of sign and to define sign as any material, structure, or device or part thereof, composed of lettered or pictorial matter upon which lettered or pictorial matter is placed in such a manner as to be viewed by persons out of doors, including sign frames, billboards, sign boards, painted wall signs, hanging signs, illuminated signs, directional signs, pennants, festoons, banners or projecting signs including any announcement, declaration demonstration, display, illustration, or insignia used to advertise or promote the interests of any person or business when the same is placed in view of the general public, see City Code 9-4-4 for regulations. The definition for sign ordinance was left in the zoning ordinance as worded with see City Code 9-4-4 added. Commission will review the city sign code at a later date and may chose to include some of the definitions that were deleted from the zoning ordinance into the sign code. The city's definition for site was read. A definition for a site alteration was read. Definition for site was changed to read as an area, lot, or piece of land where a building (main, attached, detached or public), accessory building, and/or structure was, is, or will be located. No definition for a site alteration was included. The definition for site, area was read, no changes made. The difference between a site plan and a plot plan was discussed. A plot plan is for a subdivision. A site plan is an illustrated plan submitted with a building permit. Commission agreed to delete plot plan from the current definition. A plot plan needs to reference; see subdivision ordinance. A site plan shows location of a house, setbacks, etc. Referencing see building code ordinance for site plan definition was preferred. The building code ordinance was checked to see if site plan is defined and described in it. There was no definition for site plan in the building code ordinance. According to the required paperwork handed out for a building permit, it says that a copy of a site plan must be provided illustrating property lines, drawn best to scale as to placement of structure being permitted, setbacks marked, septic and well areas marked, any existing structures marked, distance from existing structures marked, driveways and roads marked and slopes. The site plan list of requirements in the site plan definition relates more to a subdivision development. List of illustrations was reviewed and changed. Commission agreed that there was no need for survey monuments. The illustrating need for locating water courses and impoundments was questioned and felt beneficial. Building next to the canal could be a problem and illustrating water courses would help control drainage. Off-street parking is required. The city does not permit septic systems. The location and size of water and sewer utility services is redundant to the location of proposed septic or sewer connection. Setbacks were put on the list in place of survey monuments. It was questioned if grade and slopes need to be added to the list. Commission agreed to include grade and slopes to the location and description of existing and proposed

vegetation. Property lines are the same as the dimensions of the site. Location of driveway approach was added to the location of proposed parking. Defining special event was considered. The special event definition and corresponding regulations in the business license ordinance was read. The City Council has recently drafted a special event permit form. The Commission agreed to define Special Event as any event held on public or private property in which the general public is invited with or without charge and which creates significant public impacts through any of the following: a) the attraction of large crowds, b) necessity for street closures on Main Street or any arterial street necessary for the safe and efficient flow of traffic in Lava Hot Springs City, c) use of public property, d) use of city transportation service, e) use of off-site parking facility, or; f) use of amplified music in or adjacent to a residential neighborhood. A definition for sky glow was briefly discussed. The existing definition for special use was read. The difference between a special use and conditional use was questioned. A special use would be temporary and a conditional use permanent. There is no special use permitted in any zone within the ordinance. The definition for steep slopes was compared to the definition in the city's subdivision ordinance which was drafted with the assistance of the city's engineer. The eight (8%) grade was questioned. According to the city's subdivision ordinance a hillside development is a subdivision located in terrain having a slope exceeding three (3) percent. A stabilization study by a geotechnical engineer is required for any slope on property over fifteen (15) percent. The developer is responsible with providing the commission with a topographical survey demonstrating what the grade of each parcel is. The grades in the subdivision and zoning ordinance need to match. The commission may want input from the City's engineer. The commission agreed to include that a stabilization study by a Geotechnical Engineer is required for any slope on the property over fifteen (15%) percent. The owner is responsible to provide the commission with a topographical survey demonstrating what the grade is of each parcel. The current definition for streets was read, no change made. A definition for a stabilized slope was mentioned and felt covered under the revised steep slope definition. A definition for square feet of a building was mentioned and felt covered under the floor area definition. Commission felt that there is no need for a stained glass definition. Discussion followed regarding defining start of construction. City ordinance has a similar definition under beginning of construction. A soil sterilant definition was considered. Commission did not feel the definition was needed. Residents utilize sterilants, Roundup, all the time. Other definitions considered but not included were solar bronze (a building material; low E covers the same thing), special flood hazard area (covered under the floodplain ordinance), stoop (a small stairway and the landing platform leading to any entrance into a building – common definition in back East communities). Defining subdivision was questioned; should be identical to the definition in the city's subdivision ordinance. The city's definitions for street, frontage, street, half and street stub were all read and no changes made. City Clerk asked the commission to review all of the definitions before the next meeting and be prepared to resolve all questions highlighted.

Other Business:

There was no other business addressed.

Schedule Next Work Session/Meeting

Motion was made by Curtis Waisath, Commission Member, and seconded by Fred Hinz, Commission Member, scheduling the next work session/meeting for Thursday, February 23, 2017 at 6:30 pm. All voted aye, unanimous.

Adjournment:

Motion was made by Curtis Waisath, Commission Member, and seconded by Fred Hinz, Commission Member, to adjourn. All voted aye, unanimous. Meeting adjourned at 8:26 pm.

Transcribed by:

Signed:

Canda Dimick, City Clerk

Neil Anderson, Commission Chair