

Minutes of the Regular Meeting of the Lava Planning & Zoning Commission of the City of Lava Hot Springs, Idaho held Thursday, March 22, 2018 at 6:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present: Neil Anderson, Commission Chair
Fred Hinz, Commission Member
Vicky Lyon, Commission Member
Canda L. Dimick, City Clerk

Excused: Curtis Waisath, Commission Member

Guests: None.

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

Approval of Minutes:

City Clerk reported that she has lost track of which minutes have been approved. Plan is to start approving or reapproving minutes from March, 2017 on. Minutes of the March 2, 2017 meeting were read and typos corrected. Motion was made by Fred Hinz to approve minutes. Motion was seconded by Vicky Lyon. All voted aye, unanimous.

Zoning Ordinance Work Session:

The definition for Zoning Administrator was reviewed. The definition in the draft provided that the City Council of Lava Hot Springs, Idaho, is the governing body designated to enforce the regulations of the Ordinance, until such time as a Planning and Zoning Commission and/or separate Zoning Administrator is appointed as provided for herein. City Clerk reported that she pulled information from the Planning & Zoning Commission creation ordinance and compiled the following definition for consideration: the City Council of Lava Hot Springs, Idaho, created a Planning and Zoning Commission by City Ordinance to actively participate in the planning and zoning for the city. The Commission shall review all subdivision recommendations on the same to the City Council, shall study all requests for zoning changes within the city and make recommendations to the council for any zoning changes or boundary changes in zoning; shall review all applications for variances or conditional uses and make recommendations to the City Council for such variances or conditional use permits; shall maintain current studies of the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance of the City, as well as the city impact area, and make recommendations concerning changes in the same as they may be needed; and shall exercise such other duties and functions as may be delegated by the council to the Commission by ordinance or otherwise. The City Council of Lava Hot Springs, Idaho, and/or the City Code Enforcement Officer are hereby designated to enforce the regulations of this Ordinance. The City Clerk reported that she has sent the proposed zoning administrator definition to the city attorney for legal opinion. Designating Main Street as either C1 or C2 zone

was discussed. Commission agreed to specify Main Street as a C2 zone because the C2 zone encompasses all permitted uses in the C1 zone. City Clerk reported that a local real estate agent recently brought it to her attention that the commercial zones do not list residential uses as permitted uses. Commission member Lyon mentioned that a single family dwelling would be a down use and she feels that would make them permitted. City Clerk reported that the use has to be listed in the permitted uses to be allowed. Commission member Anderson questioned the definition of a down use. The provisions in the commercial zones that relate to a residential use under the set back and area requirements were pointed out. A multiple family dwelling, townhouse or twin home are listed under conditional uses in the commercial zones. City Clerk reported that a property owner who recently purchased a vacation rental property that has two homes on the property were desiring to convert one home to strictly residential use and continue to use the second home as a vacation rental for loan and financial reasons. Having two uses on the same parcel of property was questioned. The owners have decided to continue operating both homes as vacation rentals. Commission agreed to add single family dwelling as a use allowed in the commercial zones. City Clerk brought it to the commission members attention that a definition for solar energy was developed but the use is not permitted in any zones. The commission members felt that they need some direction. The commission was not supportive of a solar energy farm system within city limits. Permitting the use for the structure it is servicing was suggested. The definition for energy system solar on page ten was reviewed. Benefit of a net metering solar system was discussed. Commission member Anderson suggested stating that a solar system is permitted in all zones for individual use. Further discussion was entertained. Solar systems can be built in a tasteful manner. An example was parking lot with panels serving as roofs over parking spaces. Regulating the size of the system was discussed. Commission member Lyon suggested limiting the size of the system to the square footage of the building it is servicing to supply the needs of the building only. The provision could simply say that solar farms are not permitted. Commission Member Lyon suggested wording the provision so that it is confined to the property; solar collection is permitted within city limits but not to exceed property requirements. City Clerk will do some more research and Neil volunteered to go through the various city ordinances that the commission reviewed to see if they have any provisions. City Clerk reported that Mayor and Council are questioning all the changes. City Clerk has provided mayor and council with the red line versions to see the changes made. A couple of work sessions will be scheduled with mayor and council to review the changes before a public hearing is scheduled.

Other Business (Minutes):

Comments were made about hiring a transcriptionist for minutes to catch them up and possible hiring a Planning & Zoning Commission secretary. Position would not have to be full time. City Clerk explained the difficulties of transcribing minutes during office hours.

Other Business (Commission Seat Vacancy):

There was a brief discussion on the need to recruit a commission member to fill the vacant seat. No recommendations were voiced.

Zoning Ordinance Work Session (cont.):

Motion was made by Fred Hinz and seconded by Vicky Lyon for Main Street to be designated as a C2 Zone and to add single family dwelling as a permitted use in commercial zones. All voted aye, unanimous.

Schedule Next Work Session/Meeting

Changing the meeting date was suggested and discussed. The commission expressed that they would like to change the date to the fourth Monday of every month at 6:30 pm. The change will have to be proposed to City council and if acceptable an ordinance/resolution will have to be adopted. Next meeting is scheduled for April 26th at 6:30 pm. The date conflicts with the community dinner/dance that is scheduled at the Greystone. City Clerk will make proposal to City Council and see if date can be changed.

Adjournment:

Motion was made by Fred Hinz, Commission Member, and seconded by Vicky Lyon, Commission Member, to adjourn. All voted aye, unanimous. Meeting adjourned at 7:35 pm.

Transcribed by:

Signed:

Canda Dimick, City Clerk

Neil Anderson, Commission Chair