

Minutes of the Regular Meeting of the Lava Planning & Zoning Commission of the City of Lava Hot Springs, Idaho held Thursday, May 24, 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
Curtis Waisath, Commission Member
Canda L. Dimick, City Clerk

Excused: Vicky Lyon, Commission Member

Guests: Rickey Frandsen, City Council member was in attendance to help with ordinance drafts. Larisa Thorpe was in attendance to address a lot split.

Meeting was called to order by Neil Anderson, Commission Chair at 6:37 pm.

Approval of Minutes:

Motion was made by Fred Hinz and seconded by Curtis Waisath to approve the May 3, 2018 minutes as transcribed. All voted aye, unanimous.

Lot Split (Lot 4, Bloxk 11, Townsite of Hall City) – Brad & Larissa Thorpe

Larissa Thorpe proposed some boundary questions for a lot that she owns. Thorpes want to forfeit land that they own to their neighbor. They do not want to move the existing fence and want the neighbors to pay for the property taxes of their land that is fenced in with the neighbors property. There were no questions or comments. The Thorpes property after the forfeit will still comply with the zoning ordinance R-2 area requirement. Motion was made by Curtis Waisath and seconded by Fred Hinz to recommend approving the lot split to City Council. All voted aye, unanimous. The recommendation will go before the City Council on June 14th. Larissa explained that the house closes on May 31st and that the new owner is aware of the status of the lot split and will be attending the city council meeting to finish the process.

Building Code Ordinance:

Copies of the ordinance were distributed to commission members last month. City Clerk reported that city staff is still working on the provisions and questioned if any commission members had any questions will what has been worked on so far. Commission had no comments.

The commission was asked to keep looking over the ordinance. Curtis Waisath questioned what as amended means on page fifteen (15). City Clerk reported that the note is for legal review to make sure that the language is correctly worded for amendments in the future. It is believed that as amended refers to future amendments to the ordinance. Commission members were invited to stop by City Hall and review the International Code provisions that are referenced in the ordinance.

Zoning Ordinance Draft:

Neil Anderson, Chair, reported on his assignment to research what other communities have done to regulate solar systems. He hasn't been able to find any city ordinances. He provided info on roof top systems that the State of Utah's regulates which states that the systems must be installed in accordance with the National Electrical Codes and Regulations. The State of Utah also allows other types of solar systems with special permits. The cities do require permits. The commission's concerns were pertaining to controlling installation of solar farms. Neil expressed feelings that if a property owner has a large roof and several neighboring property owners are interested and willing to share in the investment to install solar panels on the roof that he doesn't feel that the city should restrict it to only the property owner. Net metering agreements are governed and controlled by Rocky Mountain Power. Ricky Frandsen reported that systems can sell up to 25KW without a federal energy license. Opening the door for solar systems by listing them as a conditional use in the zones so that neighbors are aware and have the opportunity to express their concerns was suggested. In some cities in California, any new construction has to have sort of solar panels and in Florida they are restricting property owners from putting in solar. Idaho has an incentive tax credit program. Idaho has the highest solar usage per capita for any state in the union. Discussion followed regarding the reasoning for permitting or conditionally permitting solar systems in the commercial zones. A cost for a conditional use permit was questioned. Cost is around \$500. In Idaho the greatest percentage of solar units installed by individuals are by property owners that want to go green. They do not necessarily want to save money on their power bills. Ricky Frandsen suggested permitting rooftop systems and conditionally permitting all other types of systems because they may be taking up yard space. A building permit needs to be required to install a system on the rooftop. Glare concerns and the fact that Lava is built on a hillside were expressed. A conditional use process would allow neighboring properties the opportunity to express concerns. Comments followed regarding the different types of systems, pedestal, roof top and tracking. Motion was made by Fred Hinz and seconded by Curtis Waisath to list solar systems as a conditional use in all zones. All voted aye, unanimous. City Clerk reported that she still needs to get info from other communities on their flag pole regulations for the commission. The commission has talked about requiring building permits for flag poles over twenty-five (25) feet. Motion was made by Curtis Waisath and seconded by Fred Hinz to require a building permit for flag poles twenty-five (25) feet or over. All voted aye, unanimous.

Public Hearing Procedure Resolution:

Commission had no changes to the proposed resolution. Motion was made by Curtis Waisath and seconded by Fred Hinz recommending to City Council the adoption of Resolution 2018-1. All voted aye, unanimous.

Other Business:

There was no other business.

Schedule Next Meeting

City Clerk reported that the ordinance changing the regular planning and zoning meeting to the fourth Monday of every month has been adopted and published. The next regular meeting is scheduled for June 25, 2018 at 6:30 pm, Lava City Hall. The meeting notice change has been posted at City Hall and on the City's website.

Adjournment:

Motion was made by Fred Hinz, Commission Member, and seconded by Curtis Waisath, Commission Member, to adjourn. All voted aye, unanimous. Meeting adjourned at 7:10 pm.

Transcribed by:

Signed:

Canda Dimick, City Clerk

Neil Anderson, Commission Chair