

Minutes of the Regular Meeting of the Lava Planning and Zoning Commission held Tuesday, October 27, 2009, 6:30 p.m. at Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho

Present: Dave Sanders – Chair Trish Avery – Secretary
Rita Anderson
Curtis Waisath
Fred Hinz

Guests: Robert Kowaliw, LaVenna Long, Patty Kruse, Nancy Turecek, Richard Flick

The meeting was called to order at 6:30 p.m.

Approve minutes:

A motion was made by Rita Anderson and seconded by Fred Hinz to approve the minutes as written of the Regular Planning and Zoning meeting held September 22, 2009. All voted aye, unanimous.

Public Hearing Ordinance No. 2009-7

Dave Sanders opened the public hearing on Ordinance No. 2009-7.
Rita Anderson read the title paragraph of Ordinance No. 2009-7 as follows:

ORDINANCE NO. 2009-7

AN ORDINANCE OF THE CITY OF LAVA HOT SPRINGS, IDAHO ESTABLISHING REGULATIONS FOR THE PERMITTING AND CONSTRUCTION OF RECREATIONAL VEHICLE PARKS AND MANUFACTURED HOME PARKS; DECLARING THE PURPOSES FOR ENACTMENT OF THE ORDINANCE; PROVIDING FOR THE APPLICATION TO EXISTING PARKS; PROVIDING FOR DEFINITIONS; PROVIDING FOR PERMITS AND FEES; PROVIDING FOR CONSTRUCTION PERMIT FEES AND INSPECTIONS; PROVIDING FOR UTILITIES WITHIN PARKS; PROVIDING FOR FIRE PROTECTION, PROVIDING FOR ALTERATIONS AND RESTRICTIONS, PROVIDING FOR REGISTRATION OF OCCUPANTS, PROVIDING FOR RIGHT OF ENTRY, PROVIDING FOR UNSAFE CONDITIONS, INCLUDING NOTICE TO OWNER AND POSTING OF SIGNS, PROVIDING FOR APPEALS, PROVIDING OF ORGANIZATION AND ENFORCEMENT, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE AND PROVIDING THAT THE READING OF THE ORDINANCE ON THREE SEPARATE OCCASIONS BE WAIVED.

The public hearing was then opened for public comment.

Robert Kowaliw asked if he can park a camp trailer on his property for his son to stay in when he visits. The commission told him that is a matter to take before the city council and is not addressed in this ordinance.

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Rita Anderson explained that this ordinance would not affect existing RV and Manufactured Home Parks, they would be grandfathered. New parks and expansions of parks will be required to conform to the ordinance requirements.

LaVenna Long asked what the definition of a RV/Manufactured Home Park is. Rita Anderson explained that the definition is in the ordinance which the guests have a copy.

Nancy Turecek asked how this ordinance applies to zoning. Rita Anderson explained that the property to be developed into RV/Manufactured Home Parks would have to be within a zone that allowed for that use.

Nancy Turecek also asked if there was a developer asking for this ordinance. Trish explained that this ordinance was started a few years ago and was set aside because of other pressing issues before the planning and zoning commission. We are now finishing the ordinance to be prepared should a developer approach the city for a permit to develop a RV or Manufactured Home Park.

A motion was made by Fred Hinz and seconded by Curtis Waisath to close the public hearing. All voted aye, unanimous.

Recommendation to City Council - Ordinance No. 2009-7

Curtis Waisath mentioned a typographical error on page 2 Section 2F end of line 7 should be "air" instead of "sir". He also questioned Section 13B where it has "manufactured/mobile home park" should "mobile" be omitted. This was discussed and decided that "mobile" should remain.

A motion was made by Fred Hinz and seconded by Rita Anderson to forward Ordinance No. 2009-7 to the city council for their consideration and approval. All voted aye, unanimous.

RV/Camp Trailers in residential zone

This item was tabled at the last meeting because there was a short commission. Trish reported that the city council would like the commission to make a recommendation on how to handle RVs and camp Trailers that are being lived in on residential lots and are hooking into the city water and sewer. There have been a few residents which have had family living in RV/Camp Trailers on their property for several months at a time. Where basement apartments are established, additional sewer fees are charged. This issue would probably require an ordinance amendment.

The commission discussed this issue. Fred Hinz stated that anytime there is an additional sewer connection, there should be an additional fee charged.

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A motion was made by Dave Sanders and seconded by Curtis Waisath to approve the use of RVs on private property with charging an appropriate sewer fee. All voted aye, unanimous.

Comprehensive Plan Report - Rita Anderson

Rita Anderson reported that the comprehensive plan committee has been working through some issues. Now they are at the point of deciding how to divide things into sections. They will be calling in individuals with knowledge in architecture, engineering, soils, geology, water shed, wild life, and housing & development possibilities. As we write the comprehensive plan, we are writing a guide to be used by the city council and planning & zoning. Zoning of unzoned areas will be an issue. Planning for growth and industries and making the city invitable is another issue.

Trish reported that the committee was going to write the zoning chapter, but the Pocatello Planner told Susan Lorenz that we need to work through all of the chapters and make notes before writing the chapters. If we write the chapters as we go, we will find that there are changes that need to be made because of information that is received during the other chapters.

The committee is aware that the planning & zoning commission is waiting for the comprehensive plan to be complete so that they can make the needed changes to the zoning ordinance.

Other Business: None

Schedule Next Meeting

A- Public Hearing - variance for deck at 89 East Elm, Anastasia Swanson, applicant

A motion was made by Fred Hinz and seconded by Rita Anderson to change the date for the regular November meeting and to schedule a public hearing for the deck variance for November 17, 2009 at 6:30 p.m. All voted aye, unanimous.

Adjournment:

A motion was made by Fred Hinz and seconded by Rita Anderson to adjourn. All voted aye, unanimous.

The meeting adjourned at 7:10 p.m.

Trish Avery – secretary

Dave Sanders – chair

Approved November 17, 2009