

Minutes of the Regular Meeting of the Lava Planning & Zoning Commission held Thursday, October 27, 2011 at 6:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho

Present: Fred Hinz – Vice Chairperson
Dave Sanders
Curtis Waisath

Trish Avery, Secretary

The meeting was called to order at 6:30 p.m. Vice Chairperson Fred Hinz conducted the meeting.

Approve minutes – September 27, 2011

A motion was made by Curtis Waisath to approve the minutes of the September 27, 2011 regular Planning & Zoning Commission meeting. The motion was seconded by Dave Sanders. All voted aye, unanimous.

RV Ordinance

The commission reviewed and discussed the notes from the attorney on the ordinance.

The attorney recommended omission of Section 2B “Permit by Council Approval; Extended Time”. He felt that this section was too open ended and would allow for too much variation and personal agendas. He would prefer that the time which the staff could issue a permit be longer but should not be longer than 15 days for any reason.

The commission discussed this recommendation. It was decided that they would remove Section 2B.

The commission would like the option of having multiple visits that do not exceed 15 total days per year. Section 3A-1 would be changed as follows:

SECTION 3: USE BY PERMIT ONLY: Recreational Vehicles may be used for human occupancy or habitation only as set forth in this section.

- A. PERMIT BY CITY STAFF: Upon issuance of a permit therefor by an officer or employee of the city so charged by resolution of the city council, the property owner(s) of a lot within the R-2 and R-3 zone with a permanent dwelling shall be allowed to host one Recreational Vehicle for temporary human occupancy upon their lot for a period not to exceed ~~ten (10)~~ consecutive a total of fifteen (15) days. The following requirements shall apply:

1. ~~Only one permit may be so issued per lot, per year. Total permits may not exceed 15 days per year, per lot.~~

The commission decided to accept the addition to Section 3A-3 as follows:

3. The permit shall be posted and visible during the temporary visit. The issuing date must be prominent and visible from the street.

The commission decided to accept the addition to Section 3A-4 of the words or vehicle engine while parked on the host property.

The commission discussed the addition to Section 3A-6 of the words including the towing vehicle i.e. truck/van/car. It was decided that often people want to unhook from the trailer and use the towing vehicle to sight see, etc. The commission decided not to include this wording in the section.

A motion was made by Curtis Waisath to accept the changes as discussed.

Dave Sanders asked for more discussion on Section 3A-4. He stated that if you are going to use an RV, the batteries will need to be charged. The commission discussed establishing hours of which the on-board generator and vehicle engines cannot be run. Curtis Waisath mentioned that Section 1B stated: "The hosting of Recreational Vehicles shall not be a disturbance to the peaceful nature of the neighborhood." After discussion the commission decided that Section 1B covers this. It was stated that most generators are fairly quiet. The commission decided to remove Section 3A-4.

The secretary reviewed all changes to verify that she had all changes as the commission wanted. The ordinance will now read as follows:

ORDINANCE NO. 2011- ____

AN ORDINANCE OF THE CITY OF LAVA HOT SPRINGS, IDAHO ESTABLISHING REGULATIONS FOR THE PERMITTING AND REGULATION OF RECREATIONAL VEHICLE FOR HUMAN OCCUPANCY OR HABITATION WITH THE R-2 AND R-3 ZONES; WAIVING THE RULE REQUIRING THE READING OF THIS ORDINANCE ON THREE SEPARATE OCCASIONS; AND ESTABLISHING AN EFFECTIVE DATE OF THIS ORDINANCE.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAVA HOT SPRINGS, IDAHO AS FOLLOWS:

SECTION 1: RULES AND REGULATIONS.

- A. **SHORT TITLE.** This ordinance shall be known as the City of Lava Hot Springs Recreational Vehicle Occupancy Ordinance and may be cited as such and will be referred to in this Ordinance as the Recreational Vehicle Occupancy Ordinance.
- B. **PURPOSE.** The purpose of this ordinance is to assure residents in the R-2 and R-3 Zone with rights to temporarily host family and friends visiting in

Recreational Vehicles. These visits of Recreational Vehicles are to be conducted in a neighborly, quiet, and safe, manner conducive to the traditional peaceful quality of life in the R-2 and R-3 Zone. The hosting of Recreational Vehicles shall not be a disturbance to the peaceful nature of the neighborhood.

SECTION 2: PARKING ALLOWED: Parking of Recreational Vehicles for non-human occupancy or habitation only as set forth in this section.

- A. The owner or occupant of a developed parcel or lot, with a permanent home in the R-2 or R-3 zone, shall be allowed to park not more than one (1) recreational vehicle upon said lot for storage purposes, so long as said recreational vehicles is not used for human habitation. Long term storage is permitted as long as recreational vehicle storage is located on the developed lot, not on public thoroughfare, and not used for human habitation. Recreational Vehicles stored on a developed parcel or lot with a permanent home in an R-2 or R-3 zone shall have current registration, registered to the property owner unless permit is requested and granted by City Council.

SECTION 3: USE BY PERMIT ONLY: Recreational Vehicles may be used for human occupancy or habitation only as set forth in this section.

- A. **PERMIT BY CITY STAFF:** Upon issuance of a permit therefor by an officer or employee of the city so charged by resolution of the city council, the property owner(s) of a lot within the R-2 and R-3 zone with a permanent dwelling shall be allowed to host one Recreational Vehicle for temporary human occupancy upon their lot for a period not to exceed a total of fifteen (15) days. The following requirements shall apply:
2. Total permits may not exceed 15 days per year, per lot.
 3. The owner must occupy the property at the time of the RV permitted use.
 4. The permit shall be posted and visible during the temporary visit. The issuing date must be prominent and visible from the street.
 5. Recreational vehicles so permitted shall not be allowed to attach to city sewer.
 6. Permitted Recreational Vehicle shall park only on the host property and may not park on public thoroughfare.
 7. Visit by Recreational Vehicles in R-2 and R-3 Zones shall be conducted in a neighborly, quiet, and safe manner conducive to the traditional peaceful quality of life in the R-2 and R-3 Zone.
 8. Recreational Vehicle permitted visits may not impose an undue burden on other landowners or interested persons.

9. No fees may be exchanged by recreational vehicle occupants and host land owners.
10. Requests for permits shall be made only during the regular hours of business as established by City Hall.

B. CONTENT OF PERMIT: The recreational vehicle permit herein provided shall contain the following information:

1. Property owner's name and address.
2. Date of permit issued.
3. Permitted duration of the use.
4. Location and description of recreational vehicle.
5. Signature of owner.
6. Signature of issuing authority
7. There shall be no fee for the issuance.

SECTION 4: PENALTY: Any person or entity violating any provision of this ordinance should be deemed to have committed a misdemeanor, punishable in accordance with Title 1, Chapter 4, City Code of Lava Hot Springs, Idaho.

SECTION 5: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6: The rule requiring that this ordinance be read on three separate occasions is hereby waived.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this _____ day of _____, 2011, by the Mayor and City Council of the City of Lava Hot Springs, Idaho.

A motion was made by Dave Sanders to accept the changes as specified. The motion was seconded by Curtis Waisath. All voted aye, unanimous. The ordinance will be forwarded to the city council for review prior to holding a public hearing.

Other Business

a. Water Protection Plan Committee

The secretary reported that a meeting will be scheduled in November for the Water Protection Plan Committee.

b. Planning & Zoning Workshop - November 30, 2011 in Pocatello

The secretary reported that she has registered Dave Sanders and Curtis Waisath for the Planning & Zoning Workshop on November 30, 2011.

Schedule Next Meeting

It was noted that the next regular meeting is on Thanksgiving Day. A motion was made by Dave Sanders to change the meeting to Thursday, November 17, 2011 at 6:30 p.m. The motion was seconded by Curtis Waisath. All voted aye, unanimous.

Adjournment

A motion was made by Dave Sanders to adjourn. The motion was seconded by Curtis Waisath. All voted aye, unanimous. The meeting adjourned at 6:54 p.m.

Trish Avery – Secretary

Fred Hinz – Vice Chair

Approved November 17, 2011