

NOTICE OF PUBLIC HEARING
BEFORE THE LATAH COUNTY ZONING COMMISSION
Wednesday, June 2, 2010, 5:30PM

The Latah County Zoning Commission will hold public hearings on Wednesday, June 2nd, 2010 in Room 2-B of the Latah County Courthouse, Moscow, Idaho, to receive comments on:

1. **CUP #812** A request by Oren Schmidt for a conditional use permit to operate a Espresso Stand on a property zoned Industrial. The property is located at 1297 Kennedy Ford Road, in Section 02, Township 41 North, Range 05 West, B.M., in Latah County, Idaho, and referenced as Assessor's parcel number RP41N05W023742.
2. **CUP#811** – A request by George Lisher for a conditional use permit to operate a mineral resource development including excavation, stockpiling, crushing, blasting, and an asphalt plant on approximately three (3) acres of a 280-acre parcel owned by Terry Walser located in the Agriculture/Forest zone. The property is located on the east side of Flannigan Creek Road, in Section 23, Township 41 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP41N05W230023A.
3. **RZ #813** A request by Dustin Weitz to rezone approximately 50-acres from Agriculture/Forest to Rural Residential. The property is located west of Saddle Ridge Road and 1500 feet south of Four-Mile Road, in Sections 06 and 07, Township 40 North, Range 05 West, B.M., in Latah County, and is referenced as Assessor's parcel numbers RP40N05W069016A and RP40N05W070017A.
4. **RZ #814** A request by Potlatch Grain and Seed Inc, to rezone an approximately 2.35 acre parcel from Agriculture/Forest zone to Industrial. The property is located 200 feet south Highway 6, west and adjacent to Hatter Creek Road, Section 09, Township 41 North, Range 04 West, B.M., in Princeton, Idaho, and is referenced as Assessor's parcel numbers RP41N04W091819A, RP41N04W090509A, RP41N04W091009A, and RP41N04W092019A.

This meeting starts at 5:30PM. Hearing #1 will start at 5:35 PM, and the subsequent hearings will be held in the order listed. Start times for the other hearings depends on the length of the hearing(s) that went before it.

All interested parties are encouraged to attend the hearings. Accommodations for individuals who qualify under the Americans with Disabilities Act are available upon request. Notice is required in the Planning Office three working days prior to the hearing in order to acquire accommodations.

These hearings will be held pursuant to the Latah County Hearing Procedures Ordinance and under authority of the Idaho Local Planning Act, the Latah County Comprehensive Plan and the Latah County Land Use Ordinance. **The Latah County Zoning Commission reserves the right to limit the length of testimony.**

Additional information on this request, including full copies of the proposals, are available from the Planning and Building Department at the Latah County Courthouse, Moscow, Idaho. Phone (208) 883-7220. **Written exhibits will be accepted at the Latah County Planning and Building Department no later than 2:00 p.m. on Friday, May 28th, 2010. Written exhibits will not be accepted after that time.** Written exhibits include, but are not limited to: written comments, submissions, exhibits, videos, recorded audio, DVDs, PowerPoint presentations, slide shows, photographs, e-mails, and regular mail/submittals. All PowerPoint and/or electronic presentations (excluding videos/movies) must also be submitted in printed form. Videos/movies must be submitted in a DVD format.

Mauri Knott
Associate Planner

(This is a public service announcement)

**POTLATCH GRAIN AND SEED
REZONE APPLICATION #814
STAFF REPORT**

BASIC FACTS:

Wayne Krasselt, of Potlatch Grain and Seed Inc, submitted an application to rezone approximately 2.35 acres from Agriculture/Forest zone to Industrial zone. The property is located 200 feet south Highway 6, west and adjacent to Hatter Creek Road, Section 09, Township 41 North, Range 04 West, B.M., in Princeton, Idaho, and is referenced as Assessor's parcel numbers RP41N04W091819A, RP41N04W090509A, RP41N04W091009A, and RP41N04W092019A.

Site Characteristics:

Size of Parcels:	2.35 acres
Soils:	Hamson silt loam, 0 to 3% slopes Latah County Soil Survey Sheet #15
Floodplain:	Zone "A2" (FIRM Panel # 160086 0135B)

Land Use and Regulations:

Comprehensive Plan Designation:	Residential/Commercial/Industrial
Existing Zoning:	Agriculture/Forest (A/F)
Existing Uses:	Agriculture Grain Storage, Vacant Lots
Neighboring Zoning:	Commercial, Industrial, and Agriculture/Forest (A/F)
Neighboring Uses:	Residential, Commercial and Agriculture

Infrastructure/Services:

Water:	Princeton Water District
Sewer:	Princeton Sewer District
Access:	Highway 6, Hatter Creek Road, North Latah County Highway District
Schools:	Potlatch School District
Fire Protection:	Potlatch Fire District
Law Enforcement:	Latah County Sheriff

EXHIBITS:

Exhibit #1.	Staff Report
Exhibit #1A.	Criteria Worksheet
Exhibit #1B.	Vicinity and Comprehensive Plan Land Use Map
Exhibit #1C.	Zoning Map
Exhibit #1D.	Aerial Photo and Adjacent Property Owners Map
Exhibit #1E.	Photos of Subject Property
Exhibit #2.	Application Form (Submitted by Applicant)
Exhibit #2A.	Applicant's Narrative (Submitted by Applicant)
Exhibit #2B.	Vicinity Map (Submitted by Applicant)
Exhibit #2C.	Plat Map (Submitted by Applicant)
Exhibit #2D.	Site Plan (Submitted by Applicant)
Exhibit #3.	Staff Introduction for Latah County Zoning Commission hearing for RZ 814 held on June 2, 2010

NOTE: Exhibits not included in the staff packet are available for review in the Planning Office, and will be entered into the record during the public hearing.

APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:

Local Planning Act: Idaho Code 67-6511, Zoning Ordinance

Latah County Land Use Ordinance:

Section 3.01 Agriculture/Forestry Zone
Section 3.05 Industrial Zone
Article 6 Zoning Map Amendments

Latah County Comprehensive Plan

CRITERIA WORKSHEET

NOTE: This criteria worksheet does not represent staff analysis of information provided by the applicant, supporters, or opponents; however, policies which may be applicable to this particular request have been identified by staff. Information submitted to the Planning Department prior to the mailing of the staff packet has been organized herein in relation to the applicable criteria for approval or denial. The worksheet is intended only to help identify if all relevant criteria have been addressed with supporting factual information, and to provide a juxtaposition of any conflicting testimony that has been presented.

Type of request:

Rezone

Description of Application:

An application was submitted by Wayne Krasselt, of Potlatch Grain and Seed Inc, to rezone approximately 2.35 acres from Agriculture/Forest zone to Industrial zone. The property is located 200 feet south Highway 6, west and adjacent to Hatter Creek Road, Section 09, Township 41 North, Range 04 West, B.M., in Princeton, Idaho, and is referenced as Assessor's parcel numbers RP41N04W091819A, RP41N04W090509A, RP41N04W091009A, and RP41N04W092019A.

Facts of application and the information submitted:

1) Section 6.01.01 requires that an application for a rezone be made by the owner of the affected property or the owner's authorized agent.

The completed application was submitted to the Latah County Planning and Building Department on May 5, 2010. The application was signed by the property owner, Wayne Krasselt.

2) Section 6.01.02 states that the Zoning Commission may recommend the Board of Latah County Commissioners approval of a rezone application if the Zoning Commission finds that the proposed rezone conforms to each of the following criteria:

1. The rezone is in accordance with the goals and policies of the Comprehensive Plan.
2. The rezone, and the uses it permits, shall not be detrimental to or incompatible with the surrounding area, and the uses permitted in that area.
3. The rezone must provide some public benefit that exceeds any costs imposed upon the public.
4. The rezone shall not impose a significant burden to any public services.
5. The rezone shall not be a spot zone.

The Zoning Commission may recommend approval for rezone proposals that do not initially meet criteria 1-5, if the applicant can provide substantial mitigation through a written development agreement as provided by 6.01.03.4 of this ordinance. The Zoning Commission may also recommend approval for applications not meeting the criteria listed above, if the Zoning Commission finds that the rezone is essential to the public health, safety, or welfare.

3.) Section 6.01.03.4 states the Zoning Commission may recommend, as a condition of approval, that the Board of Latah County Commissioners require the owner or developer to make a written Development Agreement concerning the use or development of the subject parcels as provided by 67-651

The creation, form, recording, modification, enforcement, and termination of conditional commitments are governed as follows:

- A. The Board of Latah County Commissioners may require the developer to make a written commitment regarding the specific use and development of the subject property. If required by the Board of Latah County Commissioners, these commitments or conditions shall be considered part of the basis for approval.
- B. The terms of the written agreement shall be specified in the Board of Latah County Commissioners' written decision. If the Board of Latah County Commissioners adopts the decision of the Zoning Commission, it shall also adopt the Zoning Commission's recommended conditions for approval. The conditions imposed shall be limited to requirements necessary to ensue that the application meets the criteria of 6.01.02.
- C. Prior to adoption of the zoning map amendment, the agreement shall be submitted to the Board of Latah County Commissioners as a written development agreement that enumerates and describes the conditions for approval. This agreement must include the following:
 - 1. The responsibility of current and subsequent property owners to comply with the terms and conditions.
 - 2. The statement that failure to meet those terms will result in enforcement proceeding against the applicant and/or reversions of the property to its former designation.
 - 3. The statement that this agreement shall be deemed written consent that upon determination by the County that the conditions of approval are not being met, the property be reverted to its original zoning designation and all uses not consistent with that designation shall be considered a violation of this ordinance.
 - 4. Notarized signatures of the applicant and the property owner(s).
 - 5. Notarized signature of the chairperson of the Board of Latah County Commissioners. The Board of Latah County Commissioners shall only authorize the Chairman to sign the document if it is determined that the document meets the terms specified for the written agreement as well as the requirements specified in this paragraph.
- D. Once signed by all parties, the applicant shall have the document recorded in the Latah County Recorder's Office. The Board of Latah County Commissioners shall not adopt the zoning map amendment until the document has been recorded by the applicant. Once recorded, the Board of Latah County Commissioners shall adopt, by ordinance, an amendment to the zoning map. This amendment shall reference the development agreement and shall provide that the zoning map be designated in a manner that indicates that the new zoning designation has been assigned specific conditions.
- E. The agreement shall remain in effect until formally modified or terminated by the Board of Latah County Commissioners, or the property is rezoned. The agreement may be terminated or modified by the Board of Latah County Commissioners with written permission of the current property. Prior to termination or modification, at least one public hearing shall be conducted in accordance with the notice and procedural provision for a rezone application. Nothing in the Section shall prevent the Board of Latah County Commissioners from rezoning a property subject to these agreements after four years from the date of approval, or under the restriction set forth in Title 67, Chapter 65, Idaho Code.

RZ 814 Comprehensive Land Use Map and Vicinity Map

Planning & Building Department



Comprehensive Plan

-  AOI
-  ICR
-  PRODUCTIVE
-  RURAL



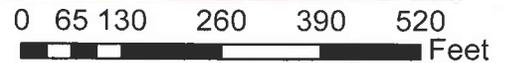
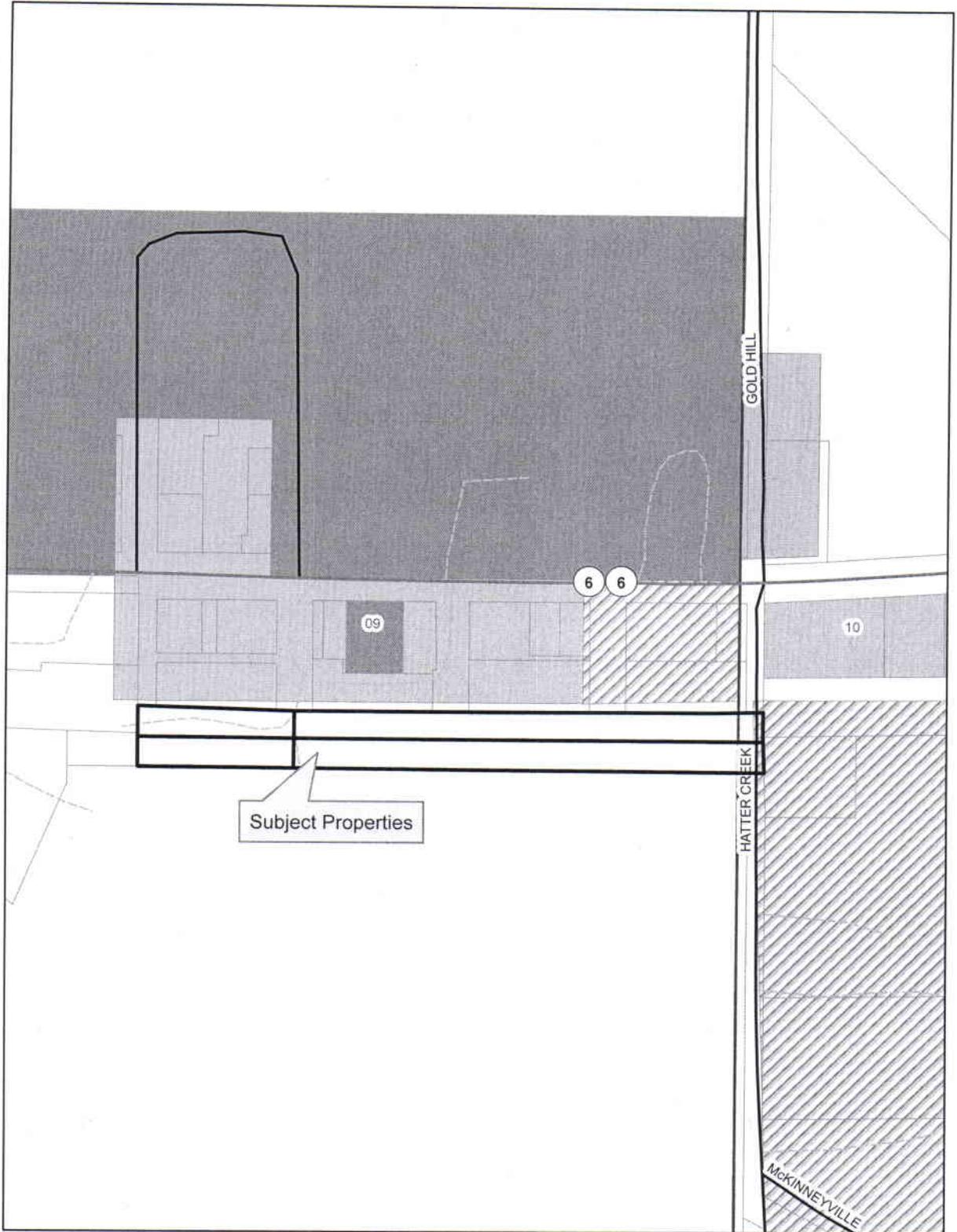
*Created on 5/24/2010

NOTE: This Document is a representation of the Comprehensive Plan. Latah County bears no responsibility for errors or omissions.

LCZC Hrg: RZ 814
Applicant: PGS
Exhibit #: 1B
Date: 6/2/2010

RZ 814 Zoning Map

Planning & Building Department



Zoning_Districts_2009	Commercial
ZONE_TYPE	Industrial
Agriculture / Forestry	Suburban Residential

*Created on 5/24/10

NOTE: This Document is a representation of the zoning map. Latah County bears no responsibility for the accuracy of the information shown.

LCZC Hrg: RZ 814
Applicant: PGS
Exhibit #: 1C
Date: 6/2/2010

RZ 814 Aerial and Adjoining Land Owner Map

Planning & Building Department



Subject Properties



Legend

- Addresses
- ▭ Parcels



*Created on 5/24/10

NOTE: This Document is a representation of the information shown. Latah County bears no responsibility for errors or omissions.

LCZC Hrg: RZ 814
 Applicant: PGS
 Exhibit #: 1D
 Date: 6/2/2010

APPLICATION FOR REZONE NARRATIVE

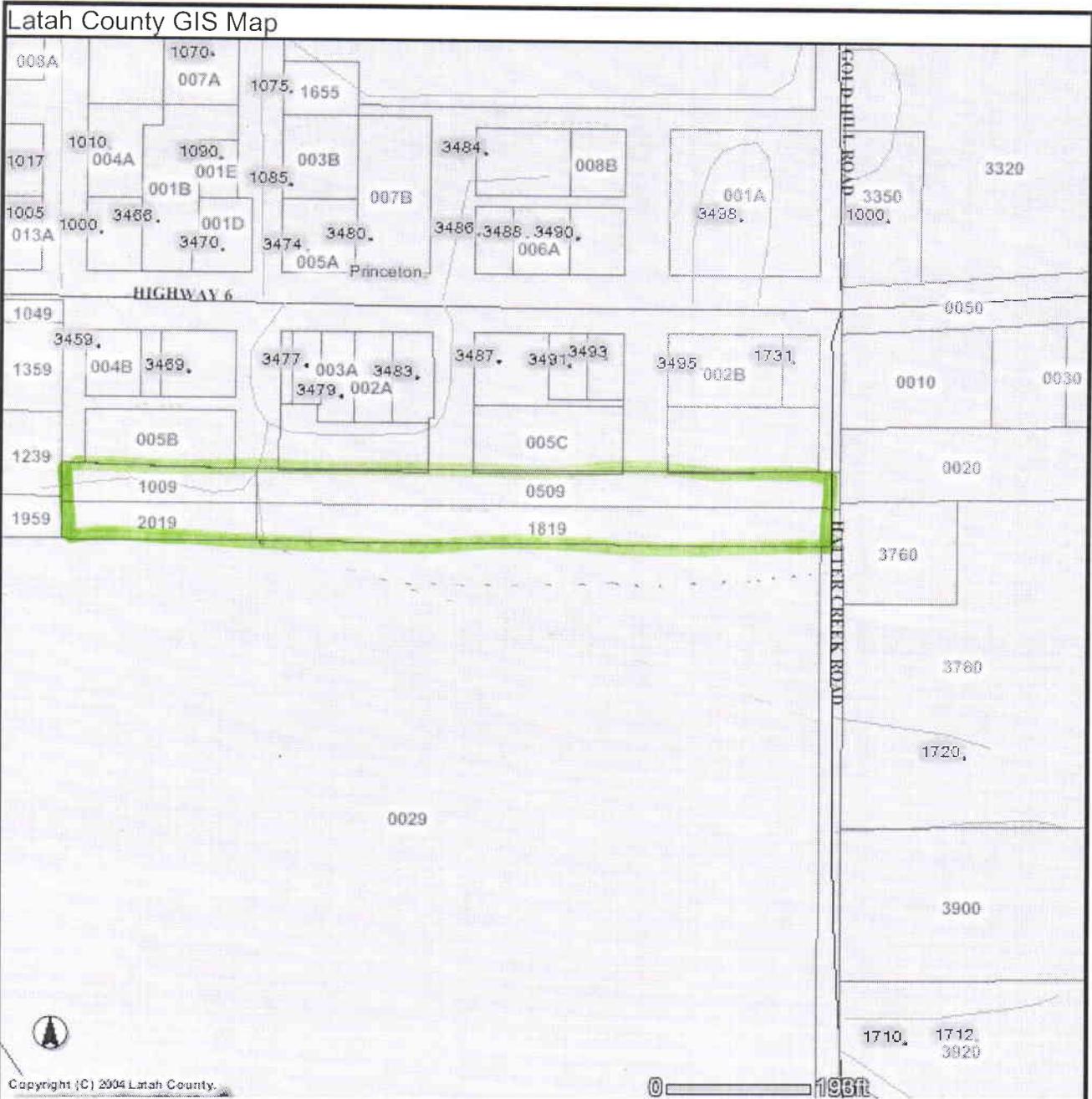
Potlatch Grain and Seed company Inc. and Wayne A. and Mildred M. Krasselt would like to move forward with the development of a biodiesel plant on the described property. This operation would include the handling and storage of raw products as well as the crushing extraction and processing of these feedstocks to produce methyl ester “biodiesel” plant meal and glycerin water. All raw products as well as finished products will be stored inside. There will be no outside storage on site. The business plan is to procure all feedstocks and sell all end products within a fifty-mile trade area. At the present time the only product that is challenging that plan is the feed able meal. The ability to accomplish the sale of the meals will depend on the mix of feedstocks that are used in that they dictate the end use value and usability of the resulting meal. Some are feed able with little or no restriction and others are almost not feed able, while some can be fed or used as a soil amendment product. Although the byproducts are a bit more challenging to fit into our plan the main product at full production will account for an estimated one million gallon annual production and that will easily be distributed in this proposed trade area.

I have contacted DEQ and am told that this process has been inspected in the experimental stage at the University of Idaho and they know of no issues to the environment. They are anxious to see and work with a commercial operation, as they presently have none in their area.

This rezone is in accordance with the Comprehensive Plan, the continued use of the existing structures is historic and I have not known of any compatibility issues in the time I have been involved with the company. I have been involved with the company since 1991.

The operation will be a continuous process with the proposed need of approximately six full time people and will be sized and designed to operate 24/7 365 days of the year. These will be skilled to semiskilled job so it will be a good thing for Princeton, Idaho as well as Latah County as it relates to local employment and tax base. While the benefits to the immediate area as well as the county are obvious, I know of no additional public cost imposed by this project.

This rezone and subsequent project will not impose any significant burden on any public service.



This document is a representation only. Latah County bears no responsibility for errors or omissions.

LCZC Hrg: RZ 814
 Applicant: PGS
 Exhibit #: 2B
 Date: 6/2/2010



LCZC Hrg: RZ 814
Applicant: PGS
Exhibit #: 2C
Date: 6/2/2010

STAFF INTRODUCTION-RZ #814

A request was made by Wayne Krasselt, of Potlatch Grain and Seed Inc, to rezone approximately 2.35 acres from Agriculture/Forest zone to Industrial zone. The property is located 200 feet south Highway 6, west and adjacent to Hatter Creek Road, Section 09, Township 41 North, Range 04 West, B.M., in Princeton, Idaho, and is referenced as Assessor's parcel numbers RP41N04W091819A, RP41N04W090509A, RP41N04W091009A, and RP41N04W092019A.

Section 6.01.02 states, "the Zoning Commission may recommend the Board of Latah County Commissioners approval of a rezone application if the Zoning Commission finds that the proposed rezone conforms to each of the following criteria:"

1. The rezone is in accordance with the goals and policies of the Comprehensive Plan.
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3. The rezone must provide some public benefit that exceeds any costs imposed upon the public.
4. The rezone shall not impose a significant burden to any public services.
5. The rezone shall not be a spot zone.

The Zoning Commission may recommend approval for rezone proposals that do not initially meet criteria 1-5, if the applicant can provide substantial mitigation through a written development agreement as provided by 6.01.03.4 of the Latah County Land Use Ordinance #269, as amended. The Commission may also recommend approval for applications not meeting the criteria listed above if the Zoning Commission finds that the rezone is essential to the public health, safety, or welfare.

The following exhibits will now be entered into the record:

EXHIBITS:

- Exhibit #1 : Staff Report
- Exhibit #1A : Criteria Worksheet
- Exhibit #1B : Vicinity and Comprehensive Plan Land Use Map
- Exhibit #1C : Zoning Map
- Exhibit #1D : Aerial Photo and Adjacent Property Owners Map
- Exhibit #2 : Application Form (Submitted by Applicant)
- Exhibit #2A : Applicant's Narrative (Submitted by Applicant)
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- Exhibit #2D : Site Plan (Submitted by Applicant)
- Exhibit #3 : Staff Introduction for Latah County Zoning Commission hearing for RZ #814 held on June 2nd, 2010.

That is all staff has unless the Commission has questions.

**PRINCETON-HAMPTON SEWER DISTRICT
P.O. BOX 111 PRINCETON, IDAHO 83857**

May 20, 2010

Potlatch Grain & Seed
Attn: Wayne Krasselt
5998 Highway 95
Potlatch, ID 83855

Dear Wayne:

This letter is to address a phone call we received requesting a sewer hookup. Yes, the district has hookups available and yes we would be happy to offer one to you. Our current hookup fee is \$600.00 plus an installation fee of \$150.00. The installation fee is simply to have an operator on hand when it is time to hookup into our main line. We would like to also be able to preview the plans for connection before construction time if that is at all possible.

Following this letter in early June, you will be receiving an application for a new hookup. I am sorry that this document is not available at this time, but is currently being redone and is pending board approval at the June meeting. This application is simply a formality so that we can keep track of who has requested and where those requests currently are in the process.

Thank you for your inquiry and we look forward to hearing from you.

Sincerely,



Cindy McNeal
Secretary/Lead Operator
875-0467

LCZC Hrg: RZ 814
Applicant: PGS
Exhibit #: 4
Date: 6/2/2010

Tim and Tia McKinney
1200 West Hatter Creek Rd.
Princeton, ID. 83857

May 18, 2010

Wayne A. Krasselt
Potlatch Grain and Seed Company Inc.
5998 Highway 95
Potlatch, ID. 83855

To Whom It May Concern:

It is understood that Potlatch Grain and Seed Company (PGS) is proposing a commercial use of their property located south of the railroad in Princeton, ID. We have a well that supplies part of the residences in Princeton. There is currently a one-inch line that runs north of the rail adjacent to the PGS property that could supply them water.

We are willing to sell PGS water. It is our policy that our customers are responsible for the instillation and maintenance of supply lines and that each user pays a monthly fee for the water that we supply.

Sincerely,

Tim McKinney



LCZC Hrg: RZ 814
Applicant: PGS
Exhibit #: 5
Date: 6/2/2010