

## LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing: CUP 853 Date: July 18, 2012 Time: 5:30 pm

Applicant: James Lucas File #: CUP 853

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### EXHIBITS:

- Exhibit #1. Criteria Worksheet and Application Summary
- Exhibit #1A. Latah County Comprehensive Plan and Vicinity Map
- Exhibit #1B. Zoning Map
- Exhibit #1C. Adjoining Property Owners and Aerial Photograph Map
- Exhibit #2. Application Form (Submitted by Applicant)
- Exhibit #2A. Applicant's Narrative (Submitted by Applicant)
- Exhibit #2B. Property Site Plan (Submitted by Applicant)
- Exhibit #2C. Building Site Plan (Submitted by Applicant)
- Exhibit #3. Staff Introduction for Latah County Zoning Commission public hearing for CUP 853 on July 18<sup>th</sup>, 2012
- Exhibit #4. Copy of ITD permit for Mr. Lucas's access

# CRITERIA WORKSHEET & APPLICATION SUMMARY

**Note:** This exhibit does not represent staff analysis of information provided by the applicant supporters, or opponents; however, staff has identified policies which may be applicable to this particular request. 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. This 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:**

Conditional Use Permit for a bed and breakfast on 7.05-acres in the Agriculture/Forest zone.

## **Description of application:**

A request by James Lucas for a conditional use permit for a bed and breakfast in an existing building on 7.05-acres in the Agriculture/Forest zone. This property is located at 3045 Highway 95, in Section 30, Township 39 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel numbers RP39N05W305120A, RP39N05W305300A, and RP39N05W305260A. The completed application was received by the Latah County Planning and Building Department on May 22nd, 2012. The applicant's request would result in the conversion of an existing shop/garage into a bed and breakfast.

## **Applicable Code:**

*Section 7.01.02* (see exhibit #3) and *Section 3.01.02.12*

*Section 3.01.02.12- Bed and Breakfast with no more than four single or double guest rooms that will be conducted outside the primary residence and/or that will be beyond the scope of the home occupation provisions as provided under Section 4.02 of this ordinance or the provisions set forth in Section 3.01.01.5 of this ordinance.*

## **Facts of application and the information submitted**

### Site Characteristics:

Size of Parcels: Approx 7.05 acres  
Floodplain: Zone "C"

### Land Use and Regulations:

Comprehensive Plan Designation: Rural  
Existing Zoning: Agriculture/Forest  
Existing Uses: Residential, Commercial (storage sheds)  
Neighboring Zoning: Rural Residential, Suburban Residential and Agriculture/Forest  
Neighboring Uses: Agriculture, Commercial, Residential

### Infrastructure/Services:

Water: Private Well  
Sewer: Private Septic  
Access: Highway 95 (permitted)  
Fire Protection: Moscow Fire District

### Applicable Statute, Ordinance, and Comprehensive Plan Sections:

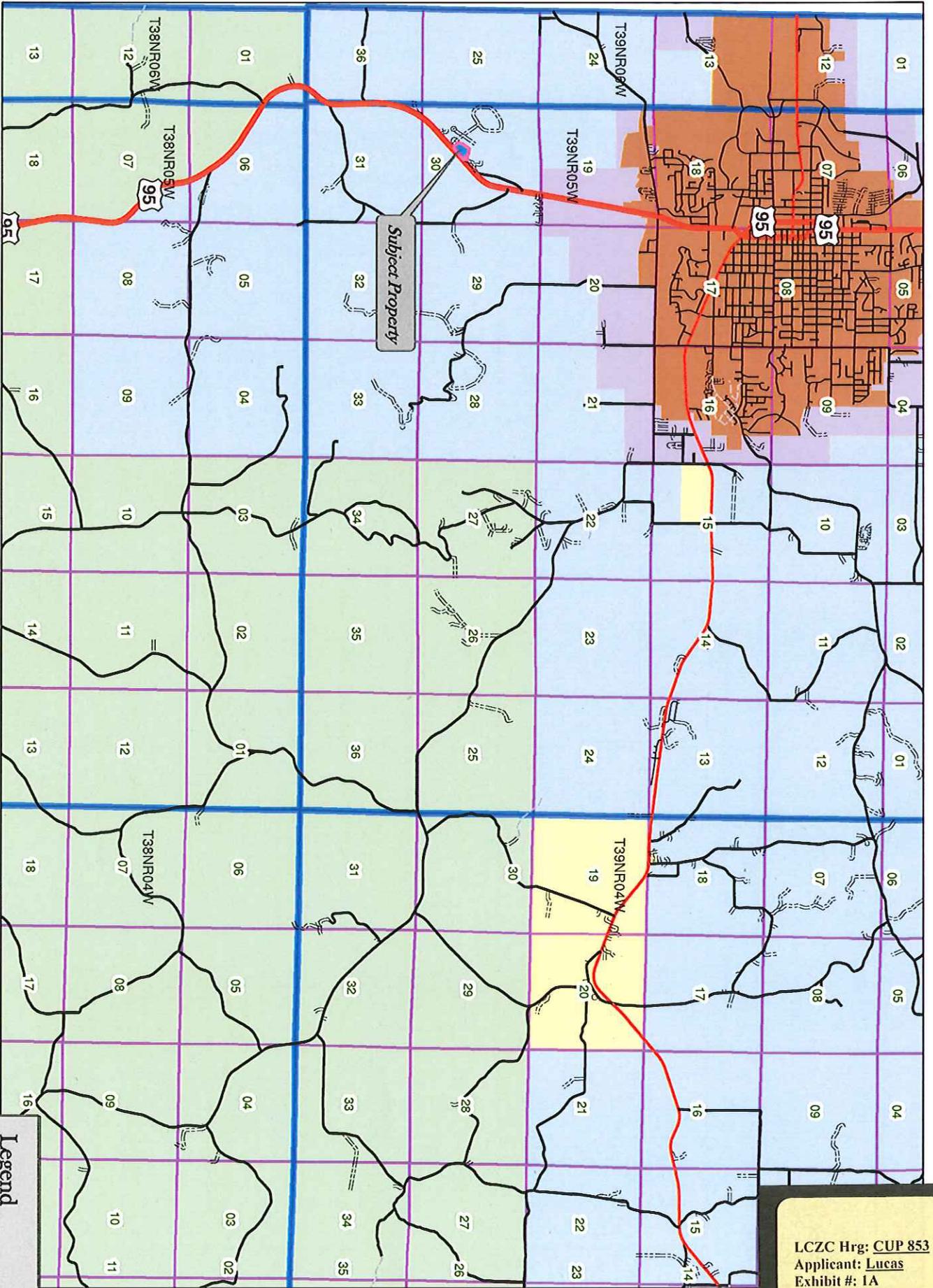
Local Planning Act: Idaho Code 67-6512

Latah County Land Use Ordinance # 269, as amended:

Section 3.01 Agriculture/Forest Zone  
Article 7 Conditional Use Permits

Latah County Comprehensive Plan

# CUP #853 Vicinity and Comprehensive Plan Map



NOTE: This Document is a representation only. Latah County bears no responsibility for errors or omissions.

\*Created on 7/1/2012 by JB

0 2,600 5,200 10,400 Feet



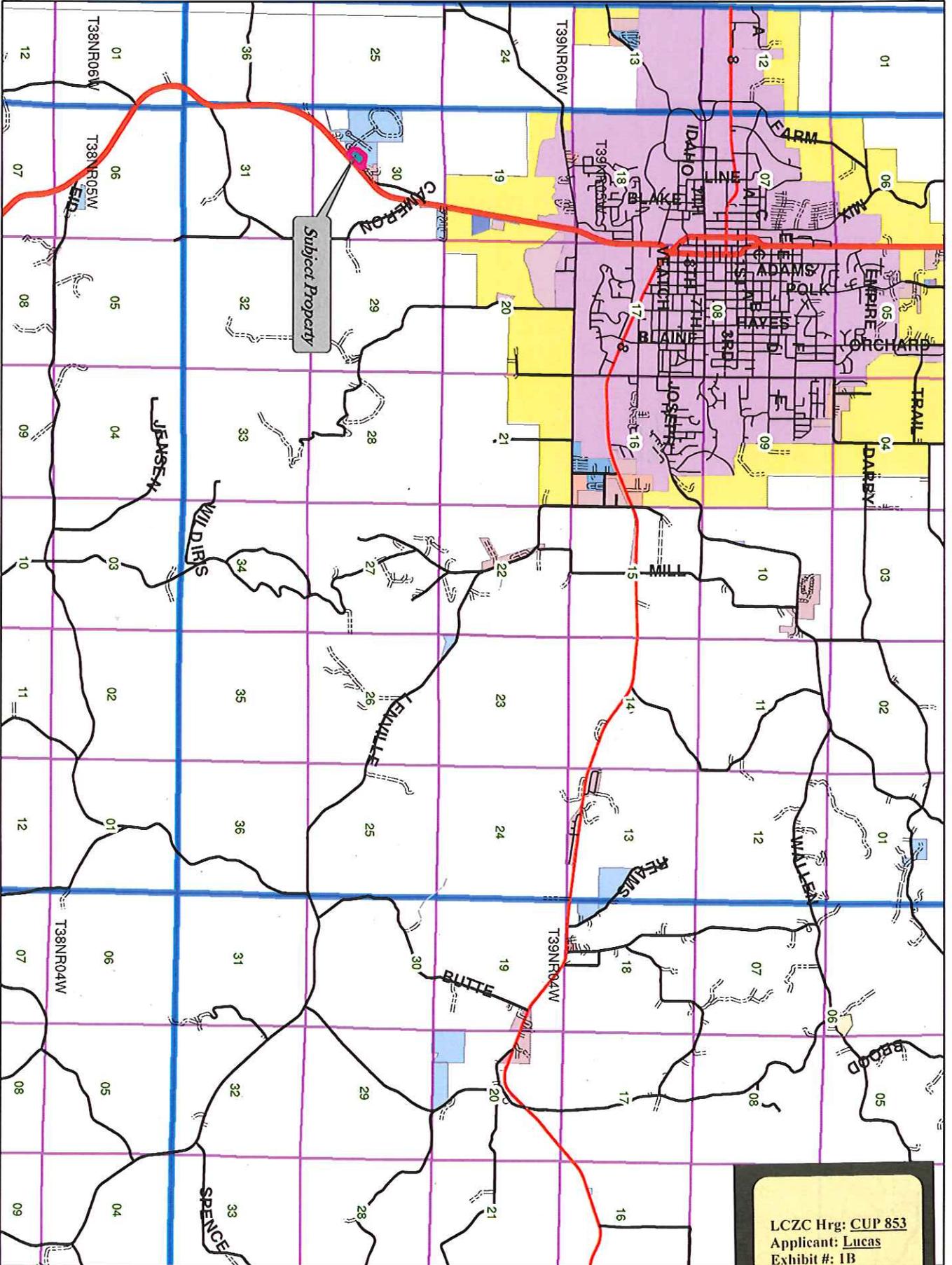
**Legend**

- AOI PRODUCTIVE
- ICR RURAL

LCZC Hrg: CUP 853  
 Applicant: Lucas  
 Exhibit #: 1A  
 Date: 853



# CUP #853 Zoning Map



NOTE: This Document is a representation only.  
Latah County bears no responsibility for errors or omissions.

\*Created on 7/2/2012 by JB

0 2,500 5,000 10,000 Feet



| Legend |  |
|--------|--|
|        | Agriculture / Forest Industrial                |
|        | Multiple Family Residential Rural Residential  |
|        | Single-Family Residential (R1)                 |
|        | Single-Family Residential Suburban Residential |
|        | Areas of City Impact                           |
|        | Commercial                                     |
|        | Motor Business Municipality                    |

LCZC Hrg: CUP 853  
Applicant: Lucas  
Exhibit #: 1B  
Date: 853





# Application for Conditional Use Permit

## Instructions

Please complete the application and required attachments. For certain uses, additional information may be necessary. Incomplete applications or applications without all required attachments will not be accepted. A public hearing will be scheduled only after Staff has determined the application is technically complete.

Please submit to: **Latah County Department of Planning & Building**

**Latah County Courthouse 522 S Adams, Room 205, P.O. Box 8068, Moscow, ID 83843 (208) 883-7220**

| 1. Applicant Information   |  |                       |                             |
|--|--|-----------------------|-----------------------------|
| a. Applicant Name<br><b>James Lucas</b>  | b. Home Phone<br><b>(208) 882-7374</b> | c. Work Phone<br>-    |                             |
| d. Mailing Address<br><b>3045 Hwy 95 S</b>   | e. City<br><b>Moscow</b>               | f. State<br><b>ID</b> | g. Zip code<br><b>83843</b> |
| h. Property Owner (if different than applicant)<br><b>James &amp; Teresa Lucas</b> | i. Home Phone<br><b>(208) 874-3392</b> | j. Work Phone<br>-    |                             |
| k. Mailing Address<br><b>same</b>  | l. City<br><b>Moscow</b>               | m. State<br><b>ID</b> | n. Zip code<br><b>83843</b> |

| 2. General Site Information                                      |                        |   |                              |
|--|------------------------|---|------------------------------|
| a. Assessor's Parcel Number(s)<br><b>RP 39 N05W30S120A S260A</b> |                        | b. Parcel Address (if applicable)<br><b>same</b>  |                              |
| c. Acreage of Existing Parcel<br><b>7.3</b>                      | d. Zoning<br><b>AF</b> | e. Comprehensive Plan Designation<br><b>Rural</b>   | f. Floodplain designation(s) |
| g. FEMA Panel #  |                        | h. Is the parcel within an Area of City Impact?<br><input type="checkbox"/> Yes. <input type="checkbox"/> No. |                              |
| i. Impact City   |                        | j. Road Used to Access Site<br><b>Hwy 95</b>  |                              |

**Note: Sites within an area of city impact may require additional notification time prior to public hearings or a hearing before the other jurisdiction.**

i. Existing Uses

| 3. Service Provider Information (please attach additional information if requested)            |  |                                     |
|--|--|-------------------------------------|
| a. Fire District<br><b>Moscow Rural</b>  | b. Road District<br><b>ITD</b>   | c. School District<br><b>Moscow</b> |
| d. Source of Potable Water (i.e. water district or private well)<br><b>Shared private well</b> | e. Sewage Disposal (i.e. sewer district or private septic system)<br><b>septic</b> |                                     |

| 4. Adjacent Properties Information                  |   |
|---|---|
| a. Zoning of Adjacent Properties<br><b>RR SR AF</b> | b. Existing Uses of Adjacent Properties<br><b>Rural Res, mini storage, mobile home park &amp; public right of way</b> |

| 5. Permit Information                         |  |
|---|--|
| a. Proposed Use<br><b>Bed &amp; Breakfast</b> |  |

b. What provision of the Latah County Zoning Ordinance allows the proposed use to be considered for a Conditional Use Permit in the Zoning District in which the property is located?

**Note: If the proposed use is not specifically listed, please contact the Department prior to submittal to determine if the use is similar to those that are specifically listed as conditionally permitted uses. The Department may require additional information in order to make a determination.**

| 6. Authorization  |                                      | 7. Attachments   |  |
|---|--------------------------------------|--|--|
| The applicant does hereby certify that all of the above statements and information in any attachments transmitted herewith are true, and further acknowledges that approval of this application may be revoked if it is found that any such statements are false. |                                      |  |  |
| a. Signature of Applicant<br><b>James P Lucas</b>   | b. Date<br><b>5/21/12</b>            | All attachments should be reproducible in black and white at 8 1/2" x 11"  |  |
| c. Signature of Property Owner (if different than applicant)<br><b>Teresa Lucas</b>   | d. Date<br><b>5/21/12</b>            | <input type="checkbox"/> Fee: (\$200.00) Make checks payable to Latah County.  |  |
| Office Use Only   |                                      | <input checked="" type="checkbox"/> Completed Narrative Worksheet: See instructions on the Conditional Use Permit Narrative Worksheet.   |  |
| Date Received<br><b>5/22/12</b>   | Amount<br><b>\$200</b>               | <input checked="" type="checkbox"/> Site Plan: The site plan should include a north arrow, location of roads and rights-of-way, existing buildings, improvements and features; the location and dimensions of proposed facilities, improvements and operations; as well as any other details necessary for the Zoning Commission to make a decision. |  |
| CUP #<br><b>853</b>   | Date Determined Technically Complete | <input type="checkbox"/> Vicinity Map: The map should show the site location in relation to neighboring communities and natural features.  |  |
| Hearing Date<br><b>7/18/12</b>  | By<br><b>MR</b>                      | <input type="checkbox"/> Assessor's Plat Map: Include a copy of that shows the subject parcel and adjoining parcels.   |  |
|   |                                      | <input checked="" type="checkbox"/> Other Attachments: Required by staff / Zoning Commission for certain proposed uses. <b>ITD Permit</b>  |  |

| Office Use Only                 |                                      |             |                 |
|---------------------------------|--------------------------------------|-------------|-----------------|
| Date Received<br><b>5/22/12</b> | Amount<br><b>\$200</b>               | Receipt No. | By<br><b>MR</b> |
| CUP #<br><b>853</b>             | Date Determined Technically Complete | By          |                 |
| Hearing Date<br><b>7/18/12</b>  |                                      |             |                 |

LCZC Hrg: CUP 853  
Applicant: Lucas  
Exhibit #: 2  
Date: 853



# Conditional Use Permit Narrative Worksheet

## Application Information

Applicant's Name

Phone Number

Purpose: To assist the Zoning Commission in making an informed decision regarding the applicant pursuant to the requirements of the Latah County Land Use Ordinance.

Instructions: Please respond to each section of this form. If you need more space, you may attach additional sheets to the worksheet.

## Description of Proposal

Describe your proposal in detail. Include all aspects of your proposal.

we would like to upgrade from shop/garage to bed & breakfast

The studio will be used as a one room suite.

The house currently rents 2 bedrooms but can easily rent 3 bedrooms for a total combined possibility of 4 Granite Grove B&B spaces

## Existing Uses of Property

Please describe what uses, structures and features currently occupy the property. two story, open upstairs, downstairs has a bathroom/laundry room, kitchenette & large open room.

## Consistency Requirements

Please respond to each of the three criteria listed in Section 7.01.02 of the Latah County Land Use Ordinance by explaining how your proposal meets each criteria. If the provided space is insufficient, please attach your responses to this packet.

A. The use is not detrimental to the health or safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone.

allowing the structure to be upgraded from shop/garage will hurt no one. It will bring more money into the area by providing temporary housing to visitors, especially parents, relatives to visit & college students. on occasion, tourists stop by for a few days to a week or more.

B. The use will not require facilities or services with excessive costs to the public.

allowing Granite Grove to utilize the building as a B&B will cost the public nothing.

LCZC Hrg: CUP 853  
Applicant: Lucas  
Exhibit #: 2A  
Date: 853

C. The use is not in conflict with the goals and policies of the Comprehensive Plan.

If Latah County is in favor of small businesses thriving & providing lodging opportunities for the students of UI, then allowing Granite Grove to expand is in the best interest of Latah County.

In addition to your response above, please explain your proposal's consistency with the preceding elements of the Comprehensive Plan. If a certain element is not applicable to your proposal, please explain why. Please refer to the Latah County Comprehensive Plan for specific goals and policies of the particular elements.

a. Community Design Element

The building is conveniently located 2 miles south of Moscow tucked nicely amongst pine & fruit trees, numerous flowers, & designous trees. Granite Grove is paradise on the prairie.

b. Population Element

A small scale, small business, Granite Grove can only accommodate small numbers of guests.

c. Housing Element

Granite Grove is a popular alternative to hotel tourism. We offer personal interactions as a home away from home.

d. Economic Development Element

Granite Grove is a small business that supports the local economy in that supplies are purchased locally; i.e., groceries, home furnishing & building supplies.

e. Public Services, Facilities, and Utilities Element

Granite Grove has no adverse effects on the people of Latah County. Granite Grove does relieve some of the housing needs associated with college life in Moscow.

f. School Facilities and Student Transportation Element

Other than contributing greatly to Moscow's school tax base, Granite Grove has no effect on student population.

**g. Transportation Element**

Granite grove has a business access

**h. Natural Resource Element**

Granite grove is a haven for natural habitat—birds, fish, smaller animals, garden snakes. Paradise on the ~~map~~ <sup>map</sup>

**i. Special Areas Element**

Granite grove has two ponds, one as a result of a naturally fed old granite pit. It is spring fed. The second is a result of a small stream. Both ponds bring an ecological element to Granite grove

**j. Hazardous Areas Element**

Absolutely no hazardous material!

**k. Recreation Element**

Guests of Granite grove enjoy fishing the ponds.

**l. Land Use Element**

Granite grove is a forested, owner planted piece of paradise surrounded by the famous <sup>paradise</sup> wheat fields

**m. Implementation**

every person who comes to Granite grove is amazed at its beauty. The P-2 commission members are encouraged to come & see the work done over the years by Jim Lucas

**n. Property Rights Element**

We only desire to run our small business as mentioned previously. a win-win situation for granite grove owners, guest to Latah county, merchants of Moscow.

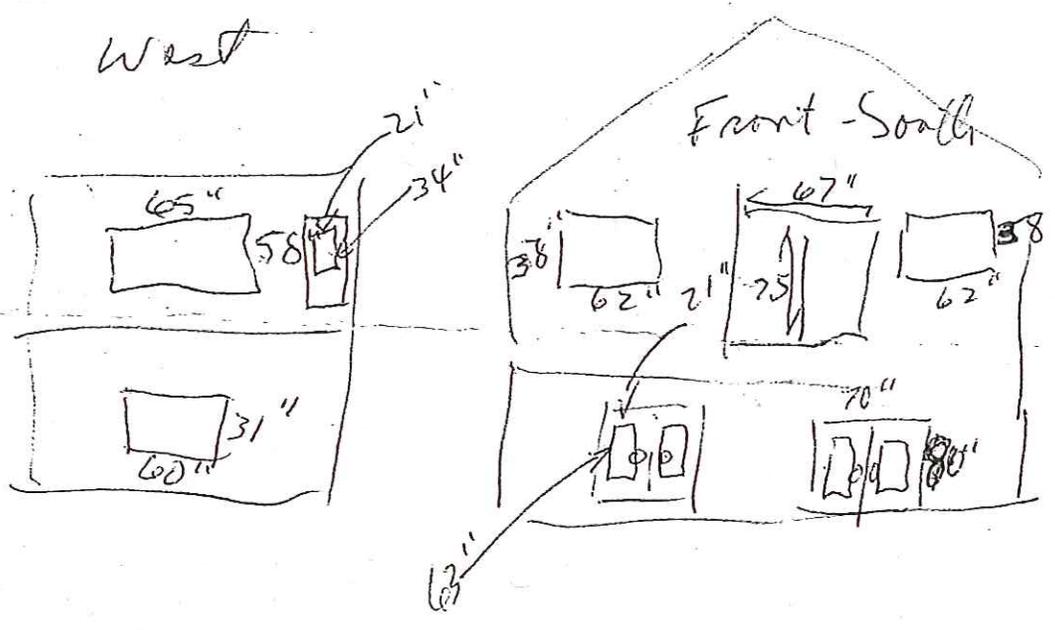
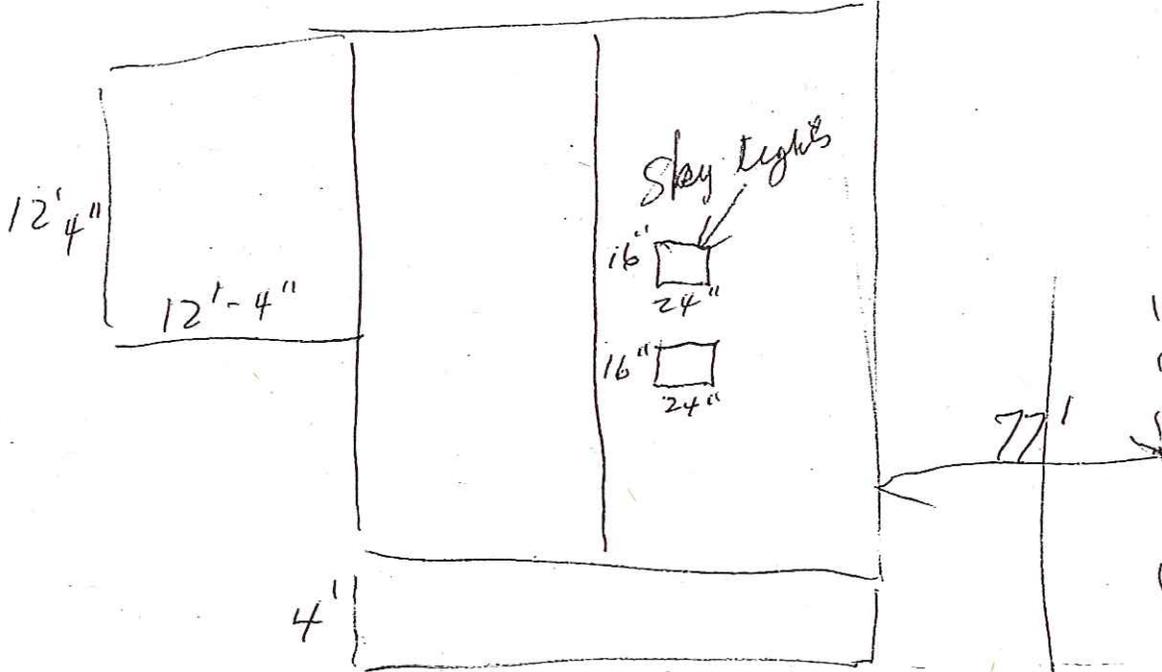
**o. Water Resource Element**

our water is naturally provided as mentioned previously



LCZC Hrg: CUP 853  
Applicant: Lucas  
Exhibit #2B  
Date: 853

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



LUCAS Bldg  
 3045 Hwy 95 SOUTH MOSCOW ID  
 83343

# STATE OF IDAHO

JOHN V. EVANS  
GOVERNOR  
IDAHO TRANSPORTATION BOARD  
CARL C. MOORE - CHAIRMAN  
LLOYD F. BARRON - VICE CHAIRMAN  
JOHN M. OHMAN - MEMBER  
DARRELL V. MANNING  
DIRECTOR



## TRANSPORTATION DEPARTMENT

DIVISION OF HIGHWAYS DISTRICT 2 / P.O. BOX 837 / LEWISTON, IDAHO 83501

PHONE (208) ~~746-1345~~ 746-1345

August 7, 1984

James & Violet Lucas  
3045 Hwy 95 South  
Moscow, Idaho 83843

Re: Right-of-Way Use Permit No. 02-84-74

Dear Mr. and Mrs. Lucas:

Enclosed is a permit allowing the construction of a Residence and Business Approach on U.S. 95, M.P. 342.23.

If the maintenance foreman noted in the Special Provisions of the permit cannot be contacted for permission to commence work, please contact the Right-of-Way Section in Lewiston, 746-1345, Extension 35.

If we may be of further service, please advise.

Sincerely,

*Michael Richardson*  
MICHAEL RICHARDSON  
Dist. R/W Agent

cm  
Enclosure

## CUP #853 – Staff Introduction

7.05-acres in the Agriculture/Forest zone. This property is located at 3045 Highway 95, in Section 30, Township 39 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel numbers RP39N05W305120A, RP39N05W305300A, and RP39N05W305260A

The Latah County Land Use Ordinance, under section 3.01.02(12), lists "Bed and Breakfast" as a conditionally permitted use in the Agriculture/Forest Zone.

### *Section 7.01.02 requires:*

1. A conditional use permit may be granted if the Zoning Commission finds that the proposed use conforms to each of the following criteria:
  - A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone;
  - B. The use will not require facilities or services with excessive costs to the public;
  - C. The use is not in conflict with the goals and policies of the Latah County Comprehensive Plan.
2. If the Zoning Commission finds that a proposed use is essential to the public health, safety, or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.
3. The Zoning Commission shall have the authority to set an expiration date for any conditional use permit so long as the reasons for such are included in their findings of fact and conclusions of law.

### **Exhibits will now be entered into the record.**

The following exhibits were submitted with the staff packet:

#### EXHIBITS:

- |              |  |
|--------------|--|
| Exhibit #1.  | Criteria Worksheet and Application Summary   |
| Exhibit #1A. | Latah County Comprehensive Plan and Vicinity Map   |
| Exhibit #1B. | Zoning Map   |
| Exhibit #1C. | Adjoining Property Owners and Aerial Photograph Map  |
| Exhibit #2.  | Application Form (Submitted by Applicant)  |
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| Exhibit #2C. | Building Site Plan (Submitted by Applicant)  |
| Exhibit #3.  | Staff Introduction for Latah County Zoning Commission public hearing for CUP 853 on July 20 <sup>th</sup> , 2012 |
| Exhibit #4.  | Copy of ITD permit for Mr. Lucas's access  |