

NOTICE OF PUBLIC HEARING
BEFORE THE LATAH COUNTY ZONING COMMISSION
Wednesday, September 19th, 2012, 5:30 p.m.

The Latah County Zoning Commission will hold a public hearing on Wednesday, September 19th, 2012 in Room 2-B, Latah County Courthouse, Moscow, Idaho, to receive comments on:

CUP # 864 – A request by Ernest Brannon for a conditional use permit to operate a bed and breakfast and chapel on a 12-acre parcel in the Agriculture/Forest zone. The property is located at 2493 Blaine Road, Moscow, in Section 27, Township 39 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP39N05W278563A.

CUP # 865 A request by PNW Arms for A) a conditional use permit to operate a private range for business demonstration and limited law enforcement use on a portion of a parcel zoned Agriculture Forest and B) a conditional use permit to continue operation of an exterior product testing facility on a portion of a parcel zoned Industrial. The property is located at 1293 E Freeze Road, Potlatch, in Section 26, Township 42 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP42N05W261556A.

All interested parties are encouraged to attend. Accommodations for individuals who qualify under the ADA are available upon request. Notice is required in the Planning Dept. 3 working days prior to the hearing in order to acquire accommodations. This hearing 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 copies of the proposal, is available from the Planning Dept., Latah County Courthouse, Moscow, Idaho. (208) 883-7220.

Mauri Knott
Associate Planner
(This is a public service announcement)

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing for Conditional Use Permit #864

Date: September 19th, 2012 Time: 5:30 pm Applicant: Ernest Brannon

File #: CUP 864

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 #3. | Staff Introduction for Latah County Zoning Commission public hearing for CUP 864 on September 19 th , 2012 |

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 to operate a bed and breakfast outside the primary residence and chapel on a 12-acre parcel in the Agriculture/Forest zone.

Description of application:

A request by Ernest Brannon for a conditional use permit to operate a bed and breakfast and chapel on a 12-acre parcel in the Agriculture/Forest zone. The property is located at 2493 Blaine Road, Moscow, in Section 27, Township 39 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP39N05W278563A. The completed application was received by the Latah County Planning and Building Department on August 8th, 2012.

Applicable Code:

Section 7.01.02 (see exhibit #3) and *Sections 3.01.02.10 and 3.01.02.12*

Section 3.01.02.10- The Latah County Land Use Ordinance, under section 3.01.02(10), lists "Churches" as a conditionally permitted use in the Agriculture/Forest Zone.

Section 3.01.02.12- 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.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 12 acres
Floodplain: Zone "C"

Land Use and Regulations:

Comprehensive Plan Designation: Productive
Existing Zoning: Agriculture/Forest
Existing Uses: Residential, Forestry, Bed and Breakfast located in home
Neighboring Zoning: Agriculture/Forest
Neighboring Uses: Agriculture, Residential, Forestry

Infrastructure/Services:

Water: Private Well
Sewer: Private Septic
Access: Blaine Road (permitted)
Fire Protection: Moscow Fire District

Applicable Statute, Ordinance, and Comprehensive Plan Sections:

Local Planning Act: Idaho Code 67-6512

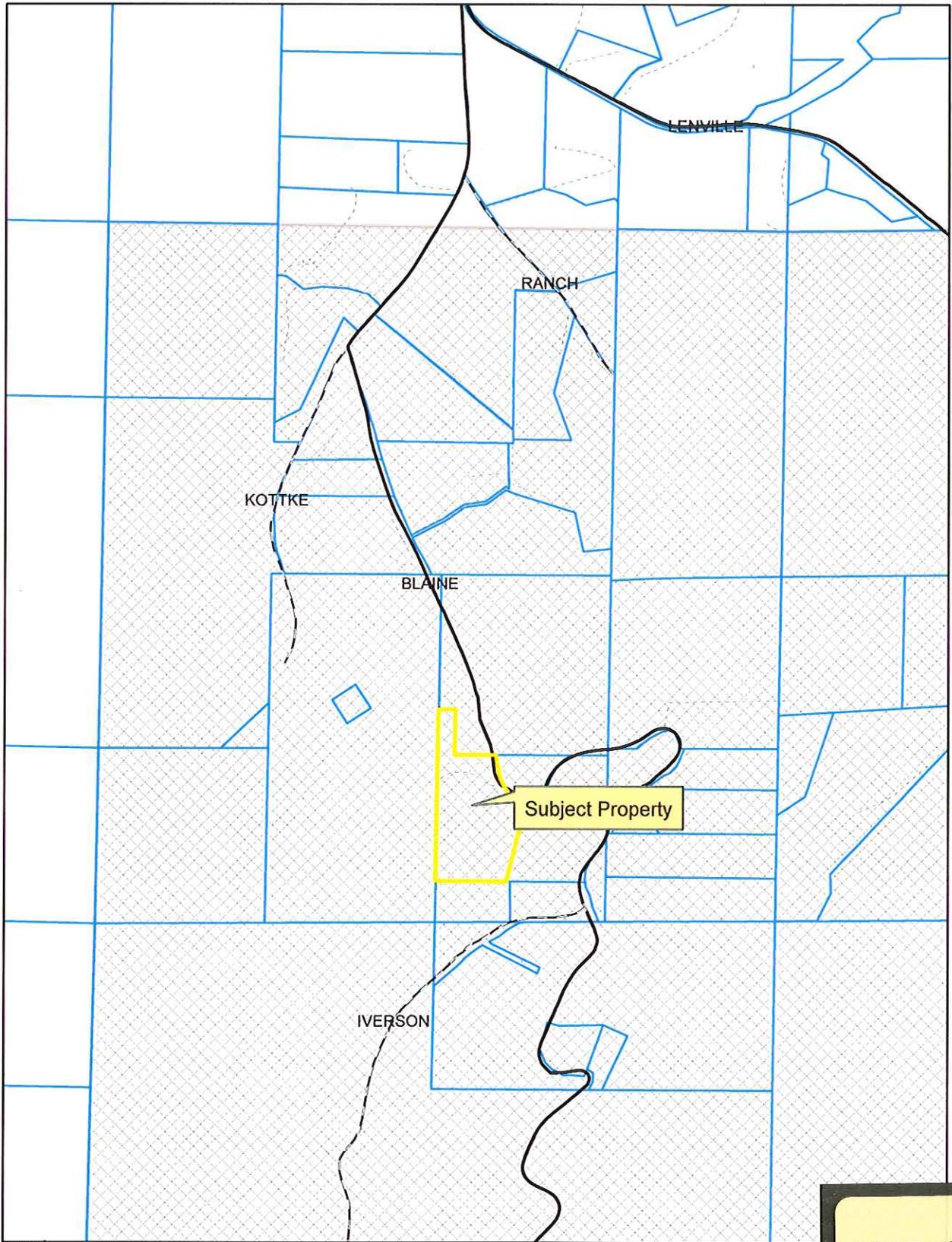
Latah County Land Use Ordinance # 269, as amended:

Section 3.01 Agriculture/Forest Zone
Article 7 Conditional Use Permits

Latah County Comprehensive Plan

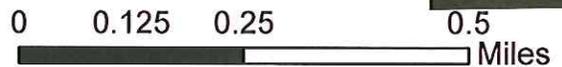
CUP 864 Comprehensive Plan and Vicinity Map

Planning & Building Department



- Legend
- Comprehensive Plan ZONE
- AFR
 - AOI
 - ICR
 - PRODUCTIVE
 - RURAL

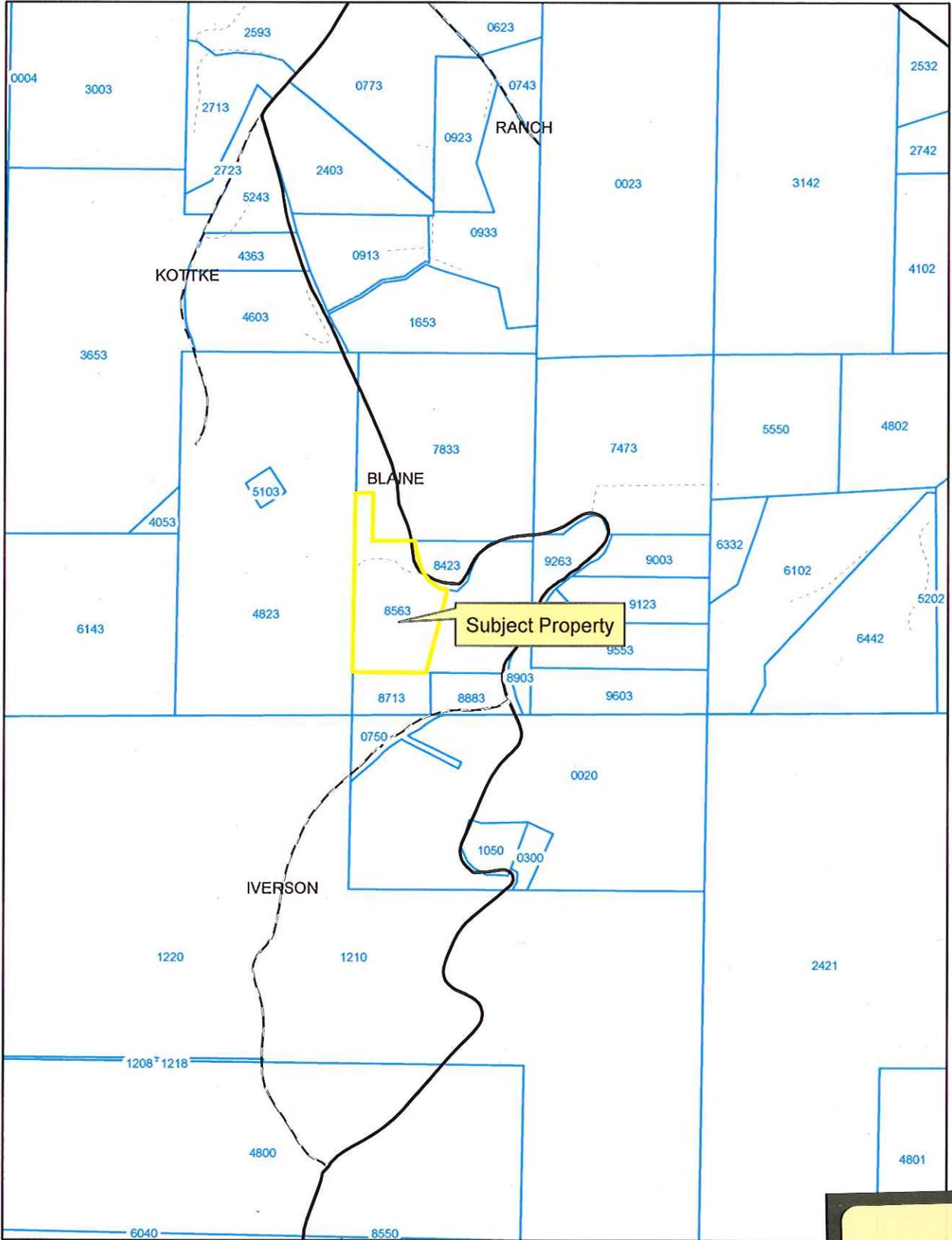
*Created on 09/10



LCZC Hrg: CUP 864
Applicant: Brannon
Exhibit #: 1A
Date: 09/19/2012

CUP 864 Zoning

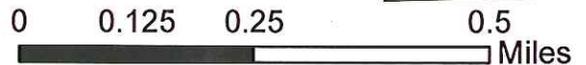
Planning & Building Department



Legend

Zoning_Districts_2009	Area of Impact - Genesee	Multiple Family Residential	Single-Family Residential (R1)
ZONE_TYPE	Commercial	Municipality	Suburban Residential
	Agriculture / Forest	Rural Residential	
	Agriculture / Forestry	Motor Business	Single-Family Residential

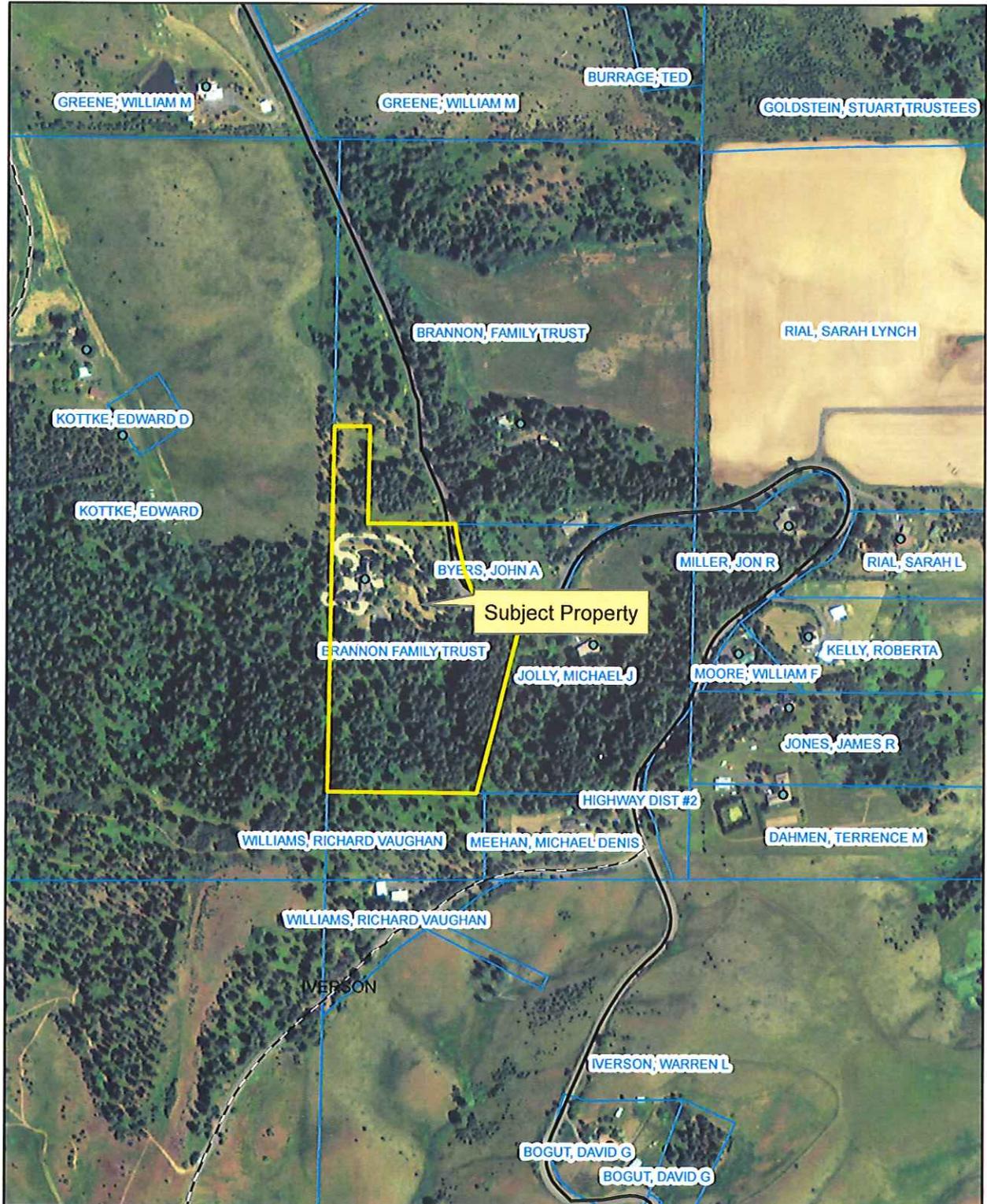
*Created on 09/19/2012



LCZC Hrg: CUP 864
 Applicant: Brannon
 Exhibit #: 1B
 Date: 09/19/2012

CUP 864 Adjacent Property Owners and Aerial Map

Planning & Building Department



Prepared by MK on 09/10/2012

Legend

- Parcels
- Addresses

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

LCZC Hrg: CUP 864
Applicant: Brannon
Exhibit #: 1C
Date: 09/19/2012



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 ERNEST L. BRANNON		b. Home Phone 208-882-7907	c. Work Phone 208-882-0680	
d. Mailing Address 2493 BLAINE ROAD		e. City MOSCOW	f. State ID	g. Zip code 83843
h. Property Owner (if different than applicant)		i. Home Phone		j. Work Phone
k. Mailing Address		l. City	m. State	n. Zip code

2. General Site Information

a. Assessor's Parcel Number(s) RP 39 N05 W2 7 85 6 3A			b. Parcel Address (if applicable) 2493 BLAINE RD	
c. Acreage of Existing Parcel ~ 12	d. Zoning AF	e. Comprehensive Plan Designation RURAL	f. Floodplain designation(s) N/A	g. FEMA Panel # N/A
h. Is the parcel within an Area of City Impact? <input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No.	i. Impact City		j. Road Used to Access Site BLAINE ROAD	

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

PRIVATE RESIDENCE

3. Service Provider Information (please attach additional information if requested)

a. Fire District MOSCOW RURAL	b. Road District NORTH LATAH HWY DIST.	c. School District MOSCOW
d. Source of Potable Water (i.e. water district or private well) PRIVATE WELL	e. Sewage Disposal (i.e. sewer district or private septic system) SEPTIC SYSTEMS	

4. Adjacent Properties Information

a. Zoning of Adjacent Properties A/E	b. Existing Uses of Adjacent Properties RESIDENCE AND FARMING
--	---

5. Permit Information

a. Proposed Use BED AND BREAKFAST, WEDDINGS AND RECEPTIONS, CHURCH RELATED ACTIVITIES, PUBLIC LECTURES, AND CONCERTS	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? 3.01.02 (3) & (12)
--	--

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

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 Ernest L. Brannon	b. Date Aug 8, 2012
c. Signature of Property Owner (if different than applicant)	d. Date

Office Use Only

Date Received 8/8/2012	Amount 200.00	Receipt No. 890616	By MUR
CUP # 864	Date Determined Technically Complete 8/8/2012		By MUR
Hearing Date 9/19/2012			

7. Attachments

All attachments should be reproducible in black and white at 8½" x 11"

- Fee:** (\$200.00) Make checks payable to Latah County.
- Completed Narrative Worksheet:** See instructions on the Conditional Use Permit Narrative Worksheet.
- 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.
- Vicinity Map:** The map should show the site location in relation to neighboring communities and natural features.
- Assessor's Plat Map:** Include a copy of that shows the subject parcel and adjoining parcels.
- Other Attachments:** Required by staff for certain proposed uses.

**LCZC Hrg: CUP 864
Applicant: Brannon
Exhibit #2
Date: 09/19/2012**

Conditional Use Permit Narrative Worksheet

Application Information

Applicants Name - Ernest L. Brannon

Phone Number – 208-882-7907

Description of Proposal

The present proposal is to use our present residence for bed and breakfast reservations (B&B), use of facilities for weddings and receptions, and to use or make available present facilities for church related activities, public lectures, and concerts. Our home site is quite private, set back from Blaine Road 300 feet and not readily visible from the road. There are five neighbors on adjacent properties with home sites ranging from 250 yards to over a half mile from our home.

Our residence is near the center of approximately twelve acres of land, rectangular in shape. We have three extra bedrooms in the residence, and two unattached apartments for use by guests or family visitors. No cooking facilities exist in the apartments. All bedrooms are provided with private baths. Heating is by propane. Two wells supply our water needs. Three septic systems provide for domestic waste treatment. Access to our residence is on a 250 yard long private driveway surfaced with brick pavers. Parking is more than sufficient to accommodate B&B guests.

Located at our home site is a George Roberts (UI professor, deceased) memorial metal sculpture garden with six pieces of his work displayed for public viewing: Woman at Rest, Lovers, Bird of Prey, Woman with Umbrella, Wolf Pack, and Head of Christ.

Located at our home, but unattached to our house and across a 4,500 square foot courtyard, is a 1,200 square foot vaulted chapel that seats 100 people. The chapel will be used for weddings, church related activities, lectures, and concerts. The chapel building has separate restroom facilities for men and women, handicap accessible. In addition to the main room there is an office and two separate rooms in the chapel building that can be used for small separate meetings, with a restroom is attached to one of the rooms.

Weddings are limited to weekends, and their frequency is expected to number no more than 15 per year. Lectures and concert events will be less frequent with two to three per year. On occasion small church congregations have used the chapel for special events and that is expected to continue at low frequency. In addition to the chapel there are two patios, each approximately 2,400 square feet, that can also be used for outdoor weddings and reception events.

There is a gravel surface parking area next to the chapel that will accommodate twenty cars. Another twenty cars can be accommodated next to the residence on paved parking areas, and an additional area 200 feet from the chapel can accommodate thirty cars for addition parking on a dirt surface. All parking areas are more than 300 feet from Blaine Road.

LCZC Hrg: CUP 864
Applicant: Brannon
Exhibit #: 2A
Date: 09/19/2012

Existing Uses of Property

Present use of the property is for family residence and occasional meetings related to university faculty events. Three concerts have been sponsored over the years and local church congregations have used the facilities for meetings or worship services on eight occasions over the last five years. The public has shown interest in using the facilities for six wedding events over the last three years, and in 2012 we made the decision to accommodate weddings as a regular service at our home site.

Our home is made up of the main house, two separate apartment-type facilities, six garages, a chapel, workshop, and a storage area that occupy a total about 14,000 square feet. All buildings are located around a central 4,500 square foot courtyard. The metal sculpture memorial garden and patios add an additional 5,000 square feet of activity space. All facilities for the proposed conditional use are presently available on site. Water needs are supplied by two wells, and waste treatment is provided by three separate septic systems.

Consistency Requirements

A. The location of our home site is well separated from adjacent neighbors, with the closest about 100 yards from our common property line, but 250 yards from our house. Outdoor events are required to terminate at 10:00 p.m. in consideration of the neighbors. We have determined that sound carries extensively at the site, even with the forested landscape, and under those conditions we require voice and music amplification to be limited.

Weddings generate the greatest number of people attending an event and that has resulted in some cars being parked along the edge of Blaine Road when access to parking areas has been occluded by how the event has been organized. To alleviate potential adverse affects of parking along Blaine Road, the adjacent acreage to the east of our home (also owned by E. Brannon) will have parking areas provided parties using the facilities, and guests will be transported to and from the weddings. All other events involve much lower numbers of guests and the nature of those events will not encroached upon the parking areas at the home site.

B. There will be no facilities or services associated with the conditional use of our home site that will result in any costs to the public other than those renting the facilities for their own use. Where rental costs are involved for B&B and weddings the costs will be consistent with such services for similar events in the Moscow area. In some cases there may be a donation expected from those attending concerts. We anticipate there will be no cost associated with church related activities or lectures. All donations and revenue generated from the rental of the facilities will go to the Meadowinds foundation for use to sponsor summer science education camps for Native American youth, church sponsored science education camps, and scholarships for university education.

C. The proposed conditional uses of our home site are not in conflict with the goals and policies of the Comprehensive Plan for Latah County and are consistent with maintaining

and enhancing the rural nature of the County. No new buildings are proposed and the nature of the site is not changing from its present disposition. The site is on Paradise Ridge overlooking the surrounding area of Moscow. The steep nature of acreage makes the land inappropriate for farming, but scenic for the proposed conditional uses. The nature of the site embraces the natural beauty of the landscape and is attractive to those invited to attend lectures and meeting at the site. Guests attending conferences at our facilities have come from Montana, California, Utah, Oregon and Washington. Concerts in the chapel featuring singers from Poland and Portugal have been successful and also were shared with the University of Idaho and local churches as special events in public auditoriums, adding to the diversity of events available in the area. University faculty meetings have been held on four occasions.

On occasion church related activities have been conducted at the site over the last several years. The small Greek Orthodox congregation in Moscow has used the chapel for special services four times, a pastors' prayer retreat has been conducted, youth meetings have been held, and weekly bible studies conducted.

The B&B provides a nice opportunity for guests that desire a unique experience when visiting the area. The B&B service is not new to the locality with another B&B facility operating previously in the immediate area. Wedding and anniversary couples have made reservations at our home for their special celebrations because of the private setting in the forest overlooking the valley, as well as the somewhat unique architecture for the area. Although we do not suggest that the use of the site will result in a marked increase in visitation to the Moscow area, it has attracted couples for weddings and anniversary celebrations as far away as Clarkston, and guests attending weddings have traveled from across the country. Many of these people stay in motels in Moscow, generating revenue in the area.

The B&B will also provide rooms for the public when university events fill up public accommodations in Moscow and Pullman. On two occasions in 2012 we have been called to provide rooms for individuals when space was unavailable in Moscow and Pullman. We feel use of this service will increase in the future. A representative of the Moscow Chamber of Commerce has visited our site and we are included in their list of B&B facilities. We believe the conditional use proposed will contribute in a small way to the economic foundation of the area, but it will also provide a stronger sense of community.

Proposed Consistency with the Proceeding Elements of the Comprehensive Plan

a. Community Design Element. Although the conditional use will not increase any growth in the area, the activities at the site will be an orderly and attractive development in Latah County. It will protect the existing character of the surrounding area, protect land uses from conflicting uses, and preserve the rural environment of surrounding areas.

b. Population Element. We judge the conditional use will have no negative effect on the population element since the site will not be developed beyond its present state and

has no association with high density residential development. The land is considered unproductive for agriculture, and it preserves forest and wildlife habitat on the property.

c. Housing Element. The present facilities at the home site are more than adequate for the extended family and for the purposes proposed. The buildings and landscape are attractive and have been constructed under the County building code requirements. The house is framed with 2x8 and 2x10 stud walls, surfaced with $\frac{3}{4}$ plywood and stucco or brick. Roof material is concrete tile. The house is insulated very well. All unattached buildings from the main house are constructed with 8 inch concrete walls, surfaced with interior finish on 2x4 frame and insulated. Roofs are concrete tile or copper shingles.

d. Economic Development Element. The proposed conditional use encourages use of local business. Weddings employ catering services from the local area and other services associated with reception needs. Guests at the weddings as well as those attending conferences and meetings are accommodated in Moscow motels and restaurants that add revenue to the local economy. The proposed use also adds diversification in the area, and in some cases unique opportunities unavailable elsewhere in the County.

e. Public Services, Facilities, and Utilities Element. The proposed uses provide additional adequate public facilities and services with no additional costs associated with the County and reasonable costs for those using the facilities. We view the proposed uses to have no physical impact upon the residential area along Blaine Road. No new buildings, access, or features are being added to the present facilities. The B&B previously operating in the immediate area on Blaine Road has been terminated, and our proposed use to include a B&B service will recover that element in the area. The extent of concrete buildings at the site tends to protect the using public from fire hazards. Water supply from the wells is adequate for conditional use needs, and the septic systems are more than sufficient for waste treatment. Solid waste generated from activities under the conditional use are transported to the County waste transport site following the events or removed by the users.

f. School Facilities and Student Transportation. The proposed conditional use does not apply to this element.

g. Transportation Element. The parking facilities at the site are adequate to avoid problems associated with parking along the public road. The present access from the property to the public road is very wide, set back, and will not change.

h. Natural Resource Element. The proposed use will have a positive effect on natural resources, given that the natural beauty of the site and forest is preserved for public enjoyment with trails and opportunity to observe the scenery surrounding the area. The natural environment and wildlife habitat is a major element at the home site and will be maintained.

i. Special Areas Element. The proposed use has no effect on special areas with the exception that the scenic element of the site will be preserved to maximize the appreciation of the meadows and the forested areas overlooking the valley.

j. Hazardous Areas Element. The water feature (10,000 gallons) and the well water are available for use to fight fire. A fire pump and hose are maintained for that purpose if fire spreads from the adjacent forest. Also the concrete buildings and tile roofs help protect property loss from fire.

k. Recreation Element. Viewing areas and hiking trails are available on the 12 acres that lead to Paradise Ridge and to adjacent property, providing recreational opportunity for guests at the home site.

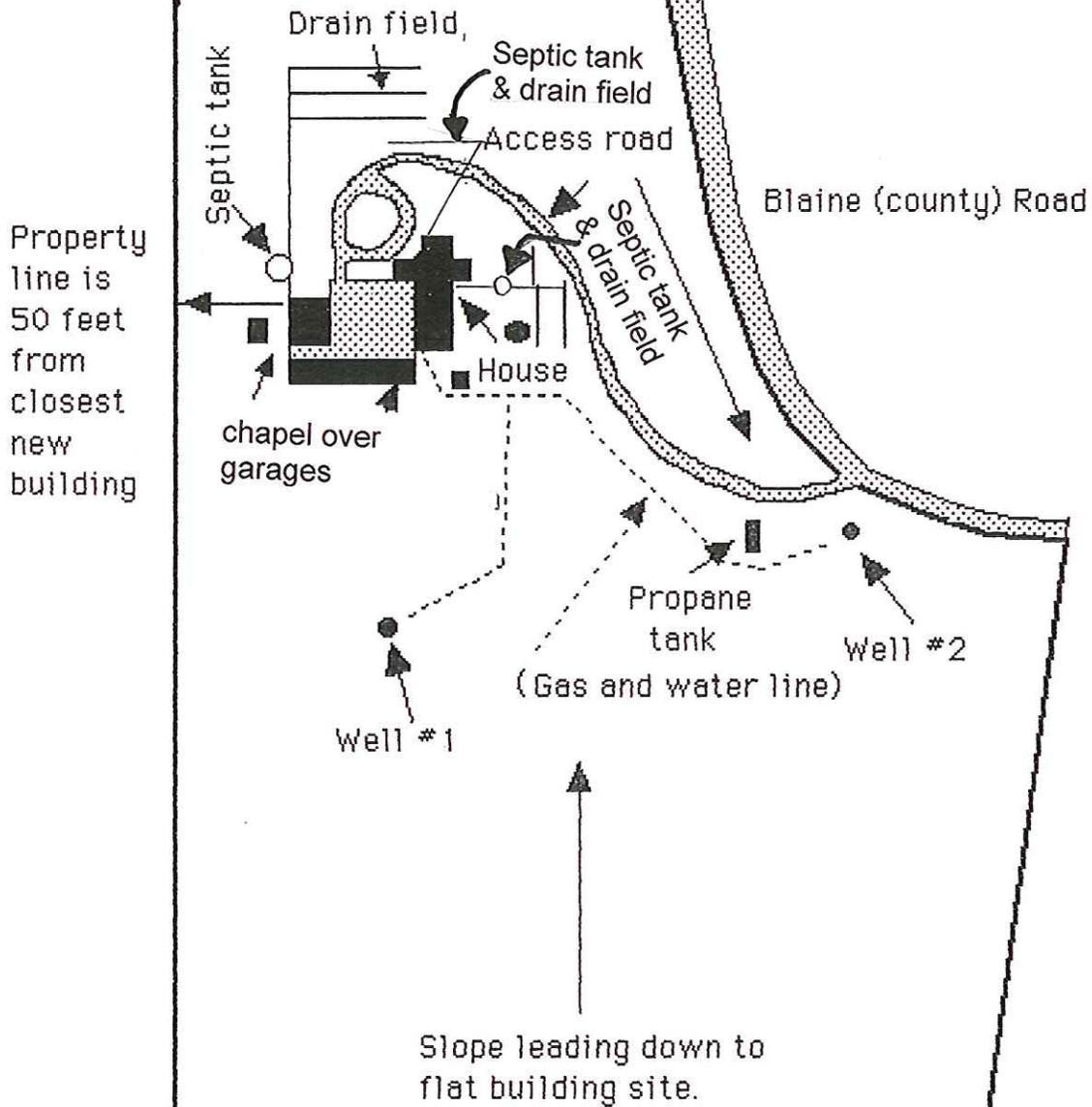
l. Land Use Element. The property associated with the proposed conditional use fall under the rural development area on the Comprehensive Plan Land Use Map. It is also directly north of agriculture areas classified as rural and productive.

m. Implementation Element. We judge the proposed conditional use conforms to the Comprehensive Plan for Latah County and promotes many of the goals identified in the Plan.

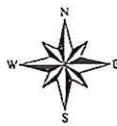
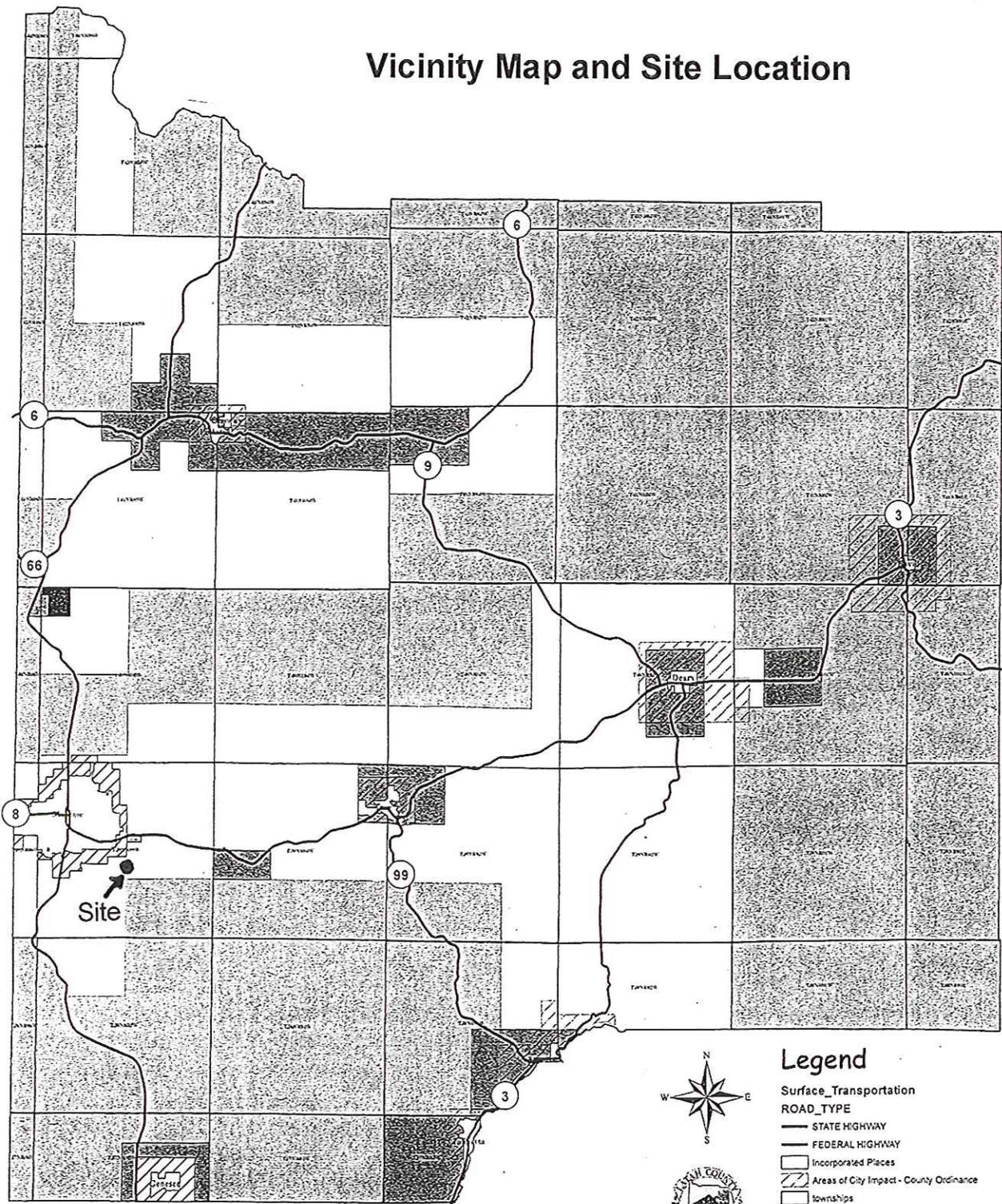
n. Property Rights Element. After examining the Latah County Comprehensive Plan and Land Use Map, we conclude as above and feel the proposed conditional use does not interfere with the County's plan and thus the proposed use should not result in effects that might deny the ability to provide an economic benefit to the owners from such use.

o. Water Resource Element. The well water at the site is treated by reverse osmosis to provide safe drinking water of high quality. The by-pass water from the treatment is stored for irrigation of landscape plants and 700 sq ft of grass. Most of developed landscape is not irrigated and is covered with wild grass that is maintained as wild grass, but mowed regularly. Most cultured trees at the site also are not irrigated once they take root and depend on rain and soil moisture retention for water needs. Although the wells are adequate for all water needs, water conservation is a priority at the home site.

Brannon 12.6 acres property and site plan



Vicinity Map and Site Location



Legend

- Surface_Transportation**
ROAD_TYPE
- STATE HIGHWAY
 - - - FEDERAL HIGHWAY
 - ▭ Incorporated Places
 - ▨ Areas of City Impact - County Ordinance
 - ▨ Areas of City Impact - City Ordinance
 - ▨ Agriculture Forest Residential
 - ▨ Area of City Impact - City Ordinance
 - ▨ Residential/Commercial/Industrial
 - ▨ Productive
 - ▨ Rural



Plat Map with Adjoining Parcels

Ed Kottke

S01°22'04"W
1320.41'

BLAINE ROAD

NW1/4SE1/4

George Roberts 41.05 acres
now owned by E. Brannon

K. Byers

ERNEST BRANNON
APN RP39N05W278553
#2112

S01°22'04"W
1320.70'

SW1/4SE1/4

Sam Frose now under
new ownership

CUP #864 – Staff Introduction

A request by Ernest Brannon for a conditional use permit to operate a bed and breakfast outside of the primary residence and chapel on a 12-acre parcel in the Agriculture/Forest zone. The property is located at 2493 Blaine Road, Moscow, in Section 27, Township 39 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP39N05W278563A.

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) |
| Exhibit #2A. | Applicant's Narrative (Submitted by Applicant) |
| Exhibit #2B. | Property Site Plan (Submitted by Applicant) |
| Exhibit #3. | Staff Introduction for Latah County Zoning Commission public hearing for CUP 864 on September 19 th , 2012 |