

LATAH COUNTY ZONING COMMISSION

Fifth and Van Buren * PO Box 8068 * Moscow ID * (208) 883-7220

John Akin
Vice Chair

Rotating Member of
Planning Commission

Wayne Sprouse
Chair

James Hagedorn

Patrick Wilson
Secretary

AGENDA

Regular Meeting, Wednesday, December 5th, 2012, at 5:30 p.m.
Meeting to be held in Room 2-B, Latah County Courthouse

1. Adoption of Minutes of the Following Meetings:

November 7th, 2012

3. Public Hearing:

CUP 848-

A request by Martin & Darrel Haarr for a conditional use permit for a mini-storage facility, motor vehicle, recreational vehicle, boat, motorcycle, farm equipment and other similar sales and service facility with outdoor storage or inventory displays on a 8.79 acre parcel located in the Commercial zone. The property is located at approximately 4960 Highway 8, at the intersection of Highway 8 and Highway 9, west of the City of Deary, in Section 22, Township 40 North, Range 2 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N02W222412A.

2. Other Business

None

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:

A Conditional Use Permit for a mini-storage facility, motor vehicle, recreational vehicle, boat, motorcycle, farm equipment and other similar sales and service facility with outdoor storage or inventory displays.

Description of Application:

Martin and Darrel Haarr submitted an application for a conditional use permit for a mini-storage facility, motor vehicle, recreational vehicle, boat, motorcycle, farm equipment and other similar sales and service facility with outdoor storage or inventory displays on a 8.79 acre parcel located in the Commercial zone. The property is located at approximately 4960 Highway 8, at the intersection of Highway 8 and Highway 9, west of the City of Deary, in Section 22, Township 40 North, Range 2 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N02W222412A

Applicable Code:

Section 7.01.02 (see exhibit #3) and *Section 3.04.02.04*

Section 3.04.02.04- Motor vehicle, recreational vehicle, boat, motorcycle, farm equipment and other similar sales and services facilities with outside storage and inventory displays.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 8.79-acres
Soils: Santa Silt Loam, 5-20 % Slopes;
20-Klickson Silt Loam, 25-35 % Slopes;
Floodplain: Zone "C" (FIRM Panel # 1600860280B)

Land Use and Regulations:

Comprehensive Plan Designation: Industrial/Commercial/Residential
Existing Zoning: Commercial
Existing Uses: Agriculture
Neighboring Zoning: Agriculture/Forest (A/F), Rural Residential
Neighboring Uses: Residential, Agriculture, Waste Water Treatment Facility

Infrastructure/Services:

Water: Private well
Sewer: Private septic
Access: Highway 9, Idaho Department of Transportation
Schools: White Pine School District
Fire Protection: Deary Fire District
Law Enforcement: Latah County Sheriff

Applicable Statute, Ordinance, and Comprehensive Plan Sections:

Local Planning Act: Idaho Code 67-6512

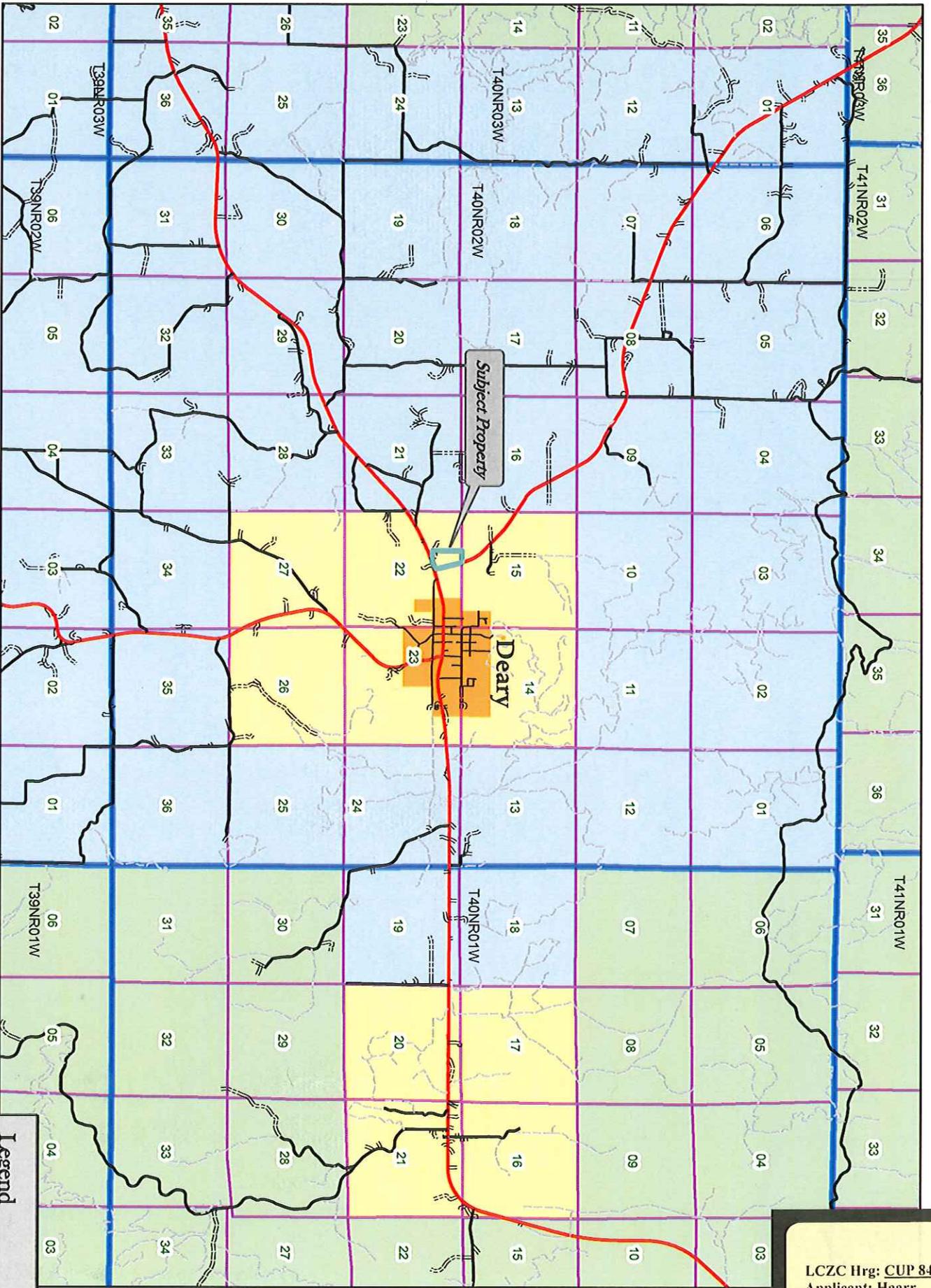
Latah County Land Use Ordinance # 269, as amended:

Section 3.04 Commercial Zone
Article 7 Conditional Use Permits

Latah County Comprehensive Plan



CUP #848 Vicinity and Comprehensive Plan Map



Subject Property

Deary

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

*Created on 11/26/2012 by JB

0 2,500 5,000 10,000 Feet



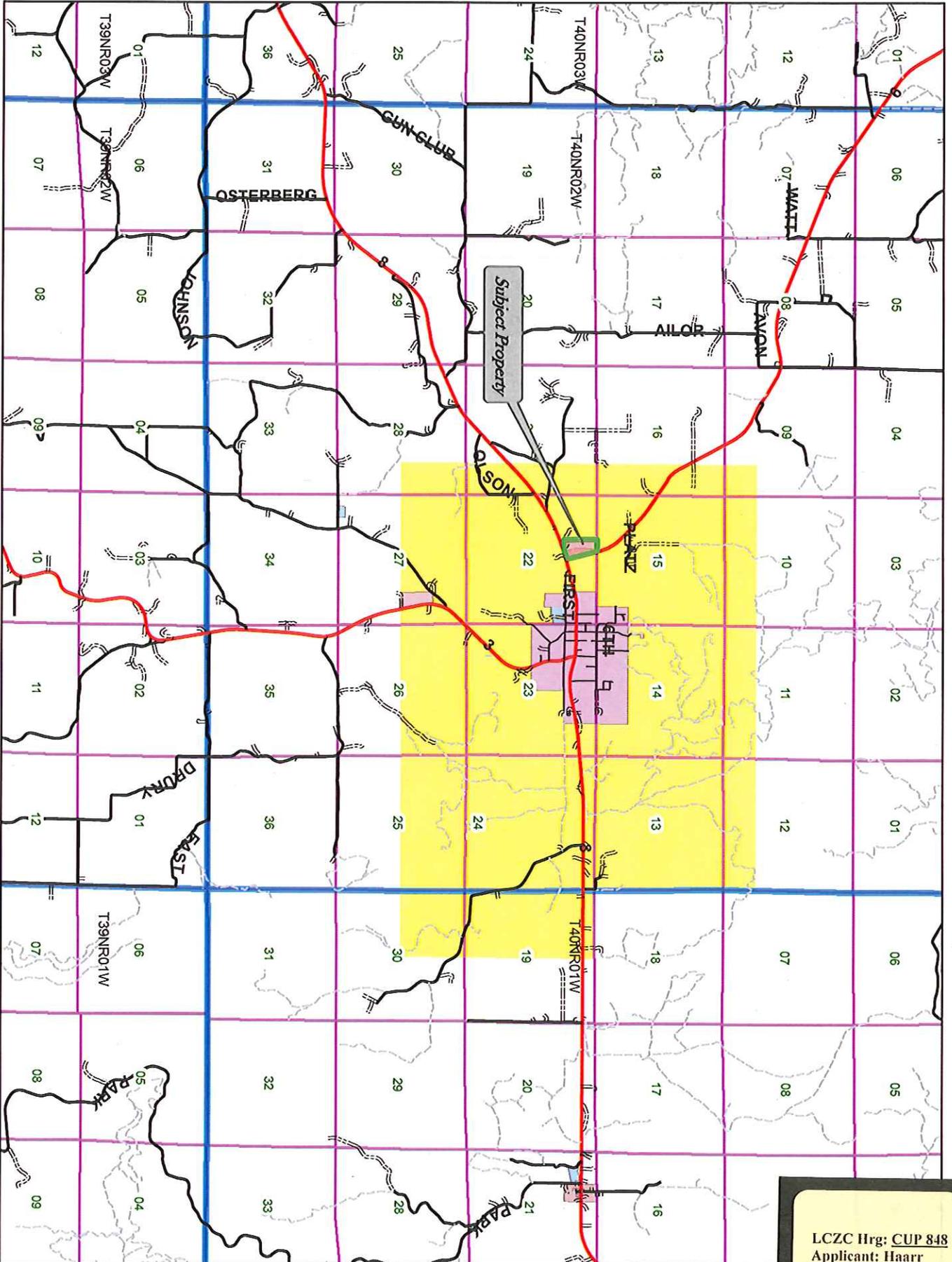
Legend

- AOI PRODUCTIVE
- ICR RURAL

LCZC Hrg: CUP 848
 Applicant: Haarr
 Exhibit #: 1A
 Date: 12/05/2012



CUP #848 Zoning Map



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

*Created on 11/27/2012 by JB

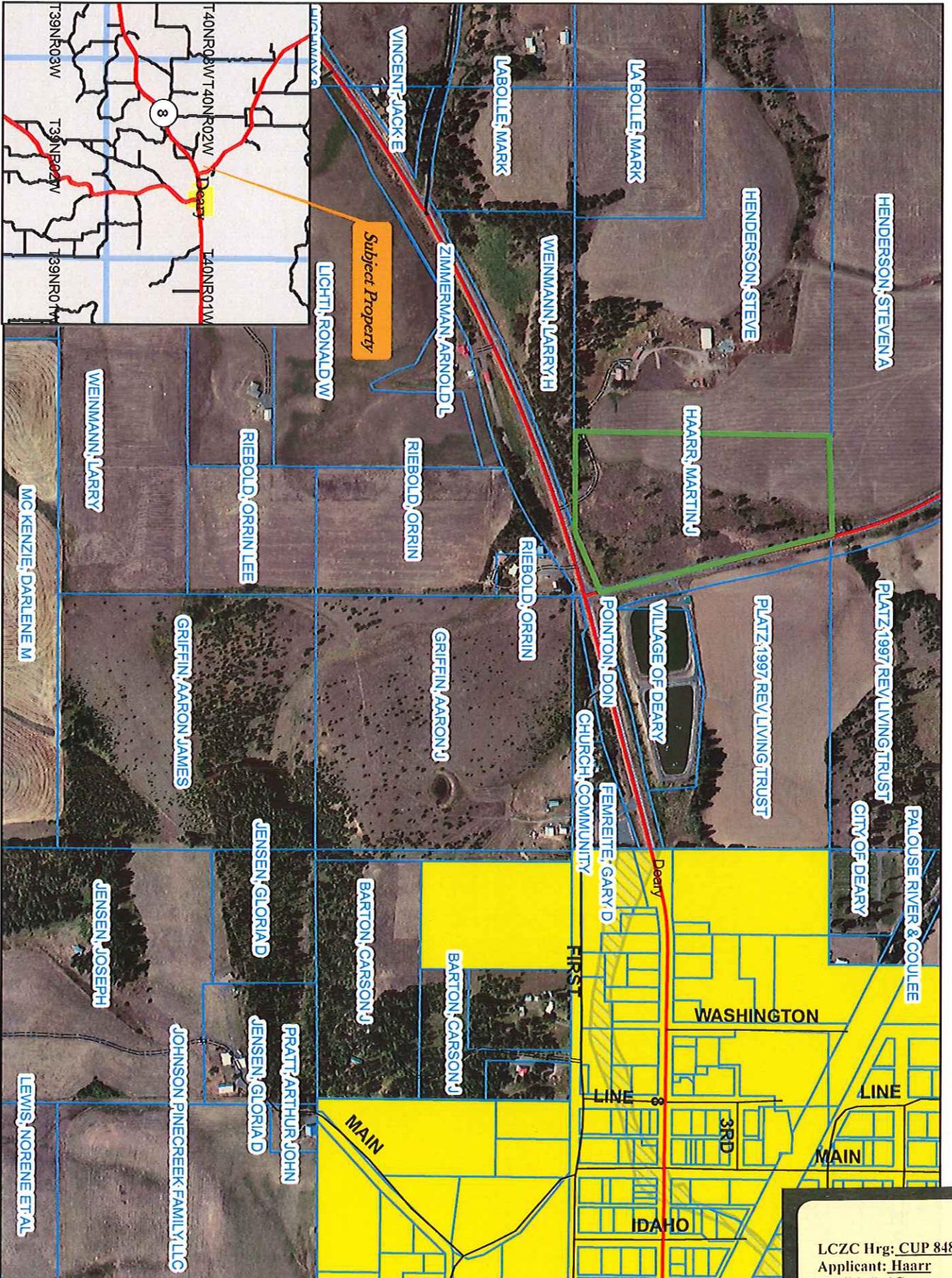


Legend	
	Agriculture / Forest Industrial
	Multiple Family Residential
	Commercial
	Motor Business Municipality
	Single-Family Rural Residential
	Single-Family Residential (R1)
	Single-Family Residential Suburban Residential
	Areas of City Impact

LCZC Hrg: CUP 848
 Applicant: Haarr
 Exhibit #: 1B
 Date: 12/05/2012



CUP #848 Aerial & Adjacent Property Owner Map



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

*Created on 2/27/2012 by JB

Legend

-  Parcels
-  Potlatch
-  Floodplain



LCZC Hrg: CUP 848
Applicant: Haarr
Exhibit #: 1C
Date: 12/05/2012



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 806B, Moscow, ID 83843 (208) 883-7220

1. Applicant Information

a. Applicant Name Martin Haarr/Darrel Haarr		b. Home Phone (208) 835-8794		c. Work Phone (208) 651-1717	
d. Mailing Address 1021 Big Meadow Rd.		e. City Troy	f. State ID	g. Zip code 83871	
h. Property Owner (if different than applicant) Same as 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) RP40N02W-22-2412			b. Parcel Address (if applicable)		
c. Acreage of Existing Parcel CUP is on approximately 8.79 acres		d. Zoning Commercial	e. Comprehensive Plan Designation Industrial/Commercial/Residential	f. Floodplain designation(s) Zone C	g. FEMA Panel # 160086-0280B
h. Is the parcel within an Area of City Impact? <input checked="" type="checkbox"/> Yes. <input type="checkbox"/> No.		i. Impact City Deary		j. Road Used to Access Site Highway 9	

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

Bare land, no structures exist on the parcel. The site is partially timbered with some agricultural uses on the west portion of the property.

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

a. Fire District	b. Road District	c. School District
d. Source of Potable Water (i.e. water district or private well) If needed/Proposed private well	e. Sewage Disposal (i.e. sewer district or private septic system) If needed/Proposed individual Septic System	

4. Adjacent Properties Information

a. Zoning of Adjacent Properties Ag/Forest—Rural Residential	b. Existing Uses of Adjacent Properties Municipal waste treatment plant to the East, Agricultural, Residential and timber surrounding the parcel
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5. Permit Information

a. Proposed Use Mini-Storage, RV/Boat Storage, contractor storage yard, Equipment and vehicle sales yard

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?	Latah County Ordinance No. 269, Section 3.04, 4-6
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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 	b. Date 11-9-12
c. Signature of Property Owner (if different than applicant)	d. Date

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 portion of the map that shows the subject parcel and adjoining parcels.
 - Other Attachments:** Required by staff / certain proposed uses.

Office Use Only

Date Received	Amount	Receipt No.	By
CUP #	Date Determined Technically Complete	By	
Hearing Date			

Conditional Use Permit Application

Description of Proposal:

We are proposing a Conditional Use Permit on the east 8.79 acres of our 20 acre property.

This site lies on northwest corner of the Highway 8 and Highway 9 intersection. This property is within the Deary Area of City Impact and is directly across the Highway from the Deary waste treatment plant.

In June of 2012 this portion of the property was re-zoned to Commercial with the remainder Rural Residential

This Condition Use Permit in the Commercial zone will allow for the development of this site in its highest and best use. Our future plans include mini-storage, RV/Boat Storage, potential contractor storage yard, and equipment and vehicle sales yard. Our site plan is a conceptual layout of what we hope to develop. Upon approval, our first step will be to construct the commercial approach previously approved by ITD. As time and resources allow we will begin the development with some re-grading and ideally the construction of mini storage units as well as some RV/Boat storage. Contractor Storage and/or vehicle sales would be in the 5-10 year plan.

This site no longer lends itself to residential or agricultural uses.

The remaining portion of the property may be developed into two single family residential parcels.

Existing Uses of Property:

There are currently no structures on the subject property.

The vegetation on the subject property consists of native grasses and shrubs and scattered conifers in the lower areas. The upper 1/3 (west portion) of the property planted with grass and has been used agriculturally.

According to the FEMA flood insurance rate maps this property is not located within an area of special flood hazard.

Consistency Requirements

- 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.**

The proposed uses are low impact and generate very little traffic. Storage and sales yard will not cause any adverse effects to the surrounding properties. This site's location at the intersection of two state highways and within close proximity to the City of Deary makes these proposed uses compatible. There are only two residences near the subject property and both are over 500' from the property boundaries.

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

No public services are being requested and there will be no cost to the public as a result of the approval of this Conditional Use Permit.

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

This proposal is compatible with the comprehensive plan, and surrounding area.

The Comprehensive plan designates this area as Commercial/Industrial/Residential. This designation is very broad and could not be more appropriate for this site.

The approval of this Conditional Use Permit will grant this property the highest and best use for this land without any adverse affect to adjacent properties or traveling public. The property will be developed slowly as time and resources allow. It is our hope that this site will provide valuable services to the residents of Latah County.

This proposal is compatible with the goals and policies outlined in the Latah County Comprehensive Plan. The designation in this area is I/C/R. The goal is to foster well planned development and provide essential services to the public use. We believe that our proposal does that.

a. Community Design Element

The Comprehensive plan outlines the goal of this element as: ensure a pattern of planned growth which results in the orderly and attractive development of Latah County.

We meet this goal by the following reasons:

- Locating commercial development near existing cities.
- Minimizing our access points to the State Highways.
- Maintaining existing vegetation and proposing additional as development occurs.

b. Population Element

The goal of this element is to ensure that population growth is accommodated in an orderly pattern.

We meet this goal by the following reasons:

- The proposed development is low density and will require little or no services.
- This development is not high density and will not conflict with agricultural or forestry pursuits. The relatively small size of this parcel makes Ag and forest economically infeasible.
- Growth is encouraged in cities or areas likely to be annexed. This site is within the Deary Area of City impact and at this time our low impact development plans would not prohibit the future annexation.

c. Housing Element

The goal of this element is to ensure an adequate and attractive living environment to meet the needs of residents of different ages, family sizes, lifestyles and income levels.

We meet this goal by the following reasons:

- Applicable building codes will be met.
- Energy efficient design and construction is proposed.

d. Economic Development Element

The goals of this element are to encourage business development and guide development of commercial and industrial sector:

We meet this goal with the following reasons:

- Utilizing land that is not key to agriculture or forestry uses.
- Proposing an area of commercial and mixed uses that will provide local jobs.
- Adequate buffers will be provided.
- Work with local contractors in the development of the project.

e. Public Services, Facilities and Utilities Element

The goal of this element is to provide an orderly pattern of development which will ensure adequate public facilities and services without excessive costs.

We meet this goal with the following reasons:

- Utilities and services required with the development of the site will be installed by the owner.
- The proximity of this site to fire, police, health, solid waste and other services minimizes the potential impacts.

f. School Facilities and Student Transportation Element

The goal of this element is to minimize the adverse effects of new residential development on school facilities and student transportation.

We meet this goal with the following reasons:

- Adequate access will be provided.
- The central location and its location along two arterials will provide adequate access to surrounding areas.

g. Transportation Element

The goal of this element is to promote an efficient and safe transportation system in Latah County.

We meet this goal with the following reasons:

- We have obtained a commercial approach permit from the Idaho Transportation Department. This will require the abandonment of the existing approach off of Highway 9 and moving it approximately 120 feet to the north.
- Only one access point is proposed for the commercial portion of the project.
- All structures will be adequately set back from the roadway.
- Landscaping will be added that does not interfere with sight distance.

h. Natural Resources Element

The goal of this element is to ensure sound stewardship of the County's natural resources.

We meet this goal with the following reasons:

- Portions of the site not suited for development will be left as open space for wildlife and vegetated filter strips.
- Natural drainage ways will be maintained or improved to eliminate erosion and degradation of water quality.

- FEMA maps do not indicate this area as an area of special flood hazard.

i. Special Areas Element

The goal of this element is to recognize and preserve special areas and sites of historic, archeological, architectural, geological, biological, or scenic significance.

- No areas of cultural, scenic or natural significance have been identified on site.
- No historic buildings are located on site or in close proximity.

j. Hazardous Areas Element

The goal of this element is to protect life and property from natural hazards.

We meet this goal with the following reasons:

- This site is not located within an area of special flood hazard as identified by FEMA.
- Although portions of the site are forested the site has been selectively logged and ladder fuels have been removed. Risk of wildfire in the urban interface is minimal.
- Site topography is quite gradual and unstable slopes are not an issue.

k. Recreation Element

The goal of this element is to encourage a variety of recreational opportunities in Latah County.

- The size and location of this site does not make it suitable for recreational uses such as hunting or other such uses.
- One idea that we have contemplated is to create some seasonal Recreational Vehicle parking on site. This would be a nice central location that would provide good access to nearby recreation uses and a boost to the local economy.

l. Land Use Element

The goal of this element is to guide development to the most appropriate locations as outlined within the comprehensive plan.

We meet this goal with the following reasons:

- The Comprehensive Plan outlines this parcel is Residential/Commercial/Industrial. The designation is accurate, as this area is composed of less productive agricultural and forest lands.
- This area should be considered the most suitable for future commercial, industrial and higher density residential development.

m. Implementation Element

The goal of this element is that the County will provide the necessary staff and facilities to administer and enforce the policies and goals described within this plan.

We meet this goal with the following reasons:

- We plan to work with the planning staff and Board of County Commissioners to provide a complete application for review.

n. Property Rights Element

The goal of this element is to ensure that land use policies, restrictions, conditions and fees do not unconstitutionally violate private property rights, and establish an orderly, consistent review process that enables the County to ensure that any proposed actions will not result in an unconstitutional taking of private property without due process of law.

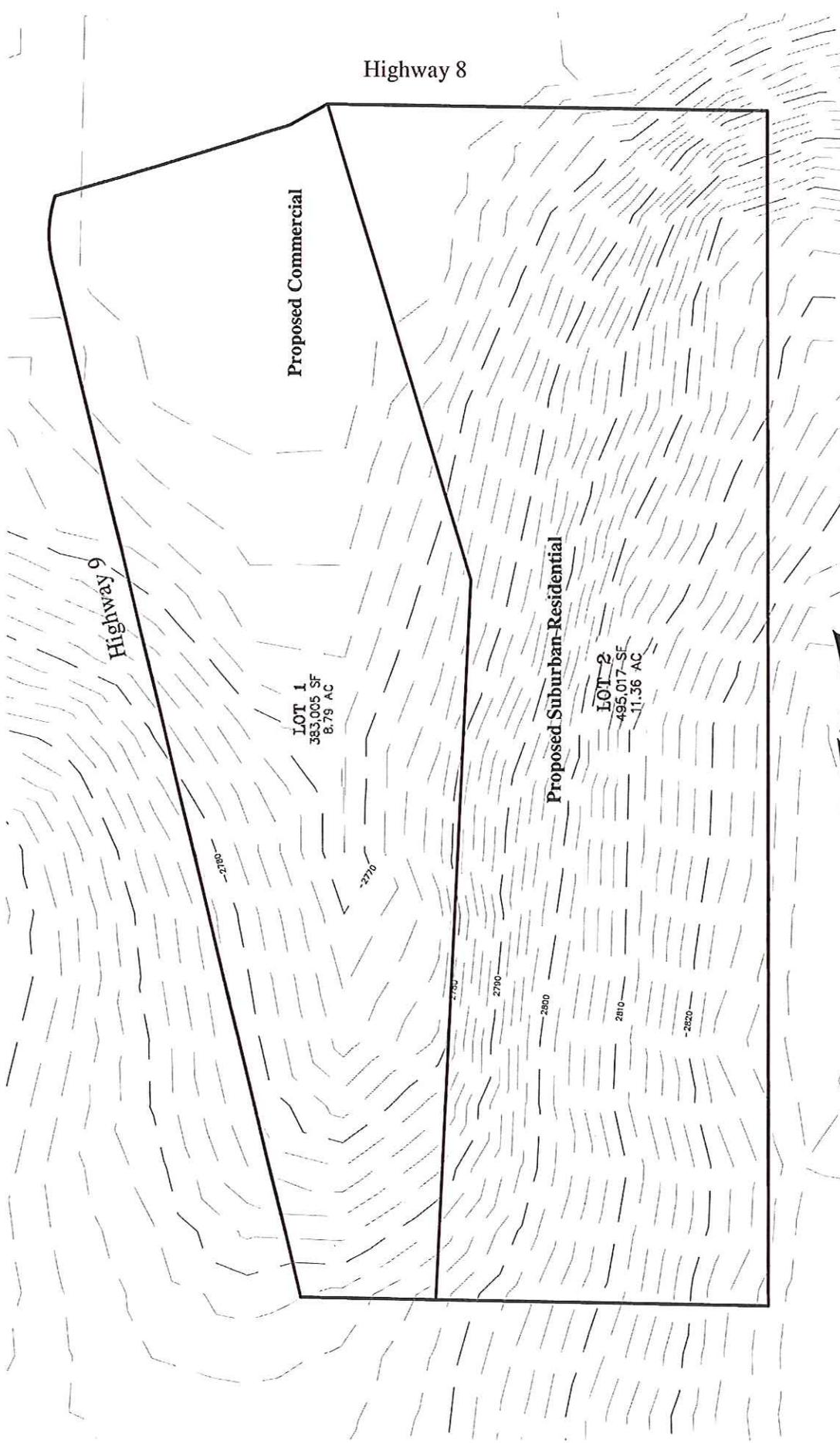
- The denial of this request would deprive us of the economically viable uses of this property.

o. Water Resources Element

The goals of this element are to promote the perpetual viability of adequate water resources in Latah County to meet present and future needs and to ensure water is used in a way that protects and enhances the public health and safety.

We meet these goals with the following reasons:

- Using sound water conservation practices.



Highway 8

Highway 9

Proposed Commercial

LOT 1
383,005 SF
8.79 AC

Proposed Suburban-Residential

LOT 2
495,017 SF
11.36 AC

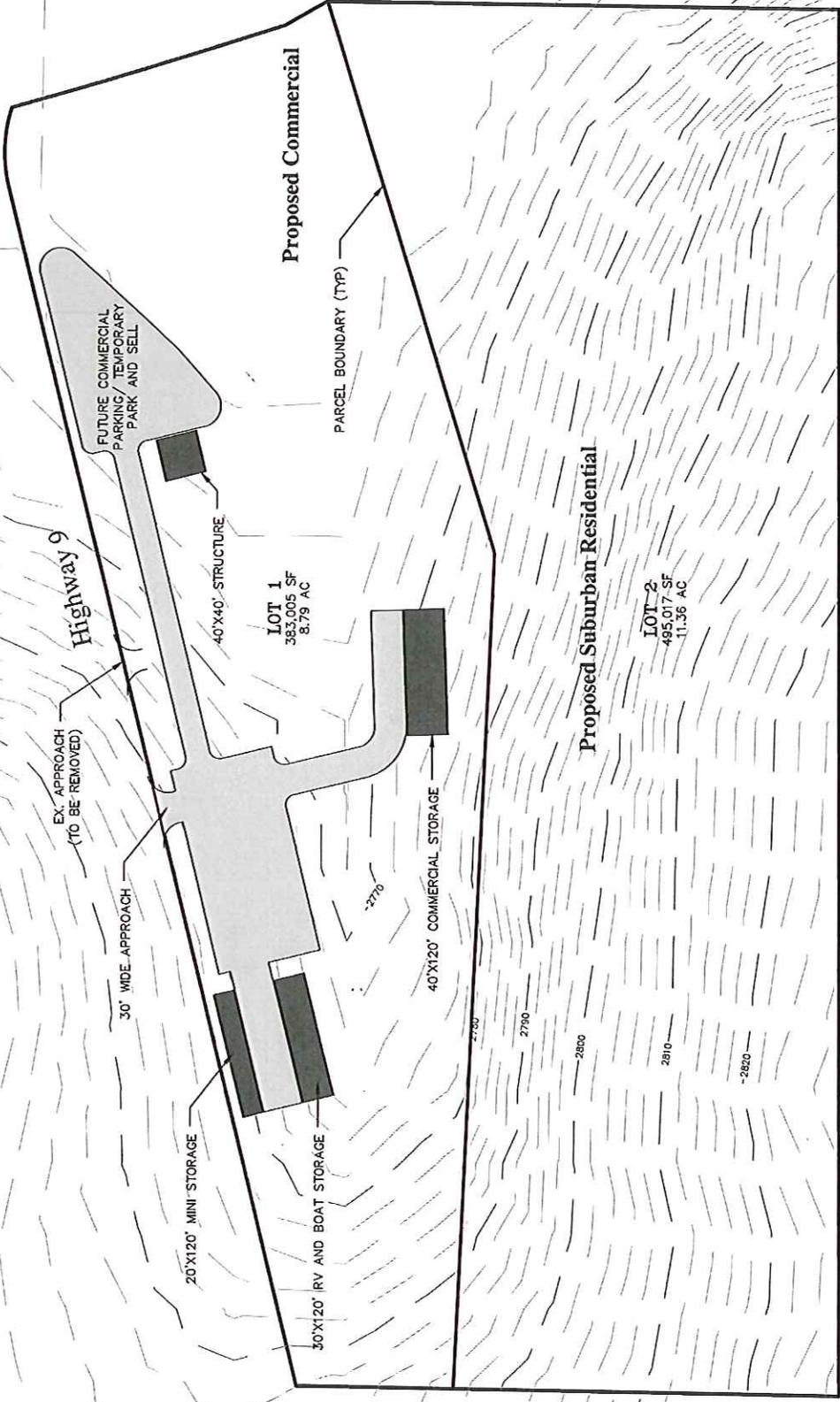
HAARR PARCEL
DEARY, IDAHO

PHONE: (208) 755-8512
EMAIL: VANHOUCND@YAHOO.COM
DATE: 12/14/11 FILE: SITE PLAN.DWG

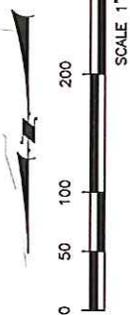


LCZC Hrg: CUP 848
Applicant: Haarr
Exhibit #: 2B
Date: 12/05/2012

Highway 8



**HAARR PARCEL
DEARY, IDAHO**
 PHONE: (208) 755-8512
 EMAIL: VANIGOUTENCED@YAHOO.COM
 DATE: 12/14/11 FILE: SITE PLAN.DWG



LCZC Hrg: CUP 848
 Applicant: Haarr
 Exhibit #: 2D
 Date: 12/05/2012

Latah County, Idaho



LCZC Hrg: CUP 848
Applicant: Haarr
Exhibit #: 2E
Date: 12/05/2012

CUP #848 – Staff Introduction

A request by Martin & Darrel Haarr for a conditional use permit for a mini-storage facility, motor vehicle, recreational vehicle, boat, motorcycle, farm equipment and other similar sales and service facility with outdoor storage or inventory displays on a 8.79 acre parcel located in the Commercial zone. The property is located at approximately 4960 Highway 8, at the intersection of Highway 8 and Highway 9, west of the City of Deary, in Section 22, Township 40 North, Range 2 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N02W222412A

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: 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)
- Exhibit #2B: Plat Map (Submitted by Applicant)
- Exhibit #2C: Vicinity Map (Submitted by Applicant)
- Exhibit #2D: Site Plan (Submitted by Applicant)
- Exhibit #2E: Aerial (Submitted by Applicant)
- Exhibit #3: Staff Introduction for Latah County Zoning Commission hearing for CUP #848 held on December 5th, 2012.
- Exhibit #4: Letter from the City of Deary in response to the application of CUP #848
- Exhibit #5: Site Pictures

CITY OF DEARY
P&Z REGULAR MEETING
February 7, 2012

RECEIVED
FEB 10 2012
LATAH COUNTY

ROLL CALL:

HOOBLER G./P
HENDERSON N./P
WATKINS A./P

KELLY D./A
OLSON T./A
WINEGARDEN/P

STATON L./P

Alane Watkins opened the meeting at 7:00 PM

APPROVAL OF MINUTES: *Motion* by Henderson to approve the January 3, 2012, minutes as written, 2nd by Staton. All in favor. Motion carried.

COMP PLAN DISCUSSION: Reviewed Haarr rezone as it is in the area of impact and has future impact on the comp plan work- had the following questions & comments.

1. Proposed commercial is in a swamp area, cattail is growing there. It is also the drainage area for Mt. Deary Creek and the Lagoon.
2. Rezone should be contingent on approval from Highway Dept. for clearance, egress etc.
3. Deary comp plan is in process of revision.
4. Should have input from Deary Fire District regarding impact.
5. Hookup to City services- questionable- on page four they indicate proximity to services.
- 6 The 40 day comment period ends before the next council meeting. May need to ask for more time.
7. What about digging/fill in Mt. Deary Creek? Does IDL need to be contacted?

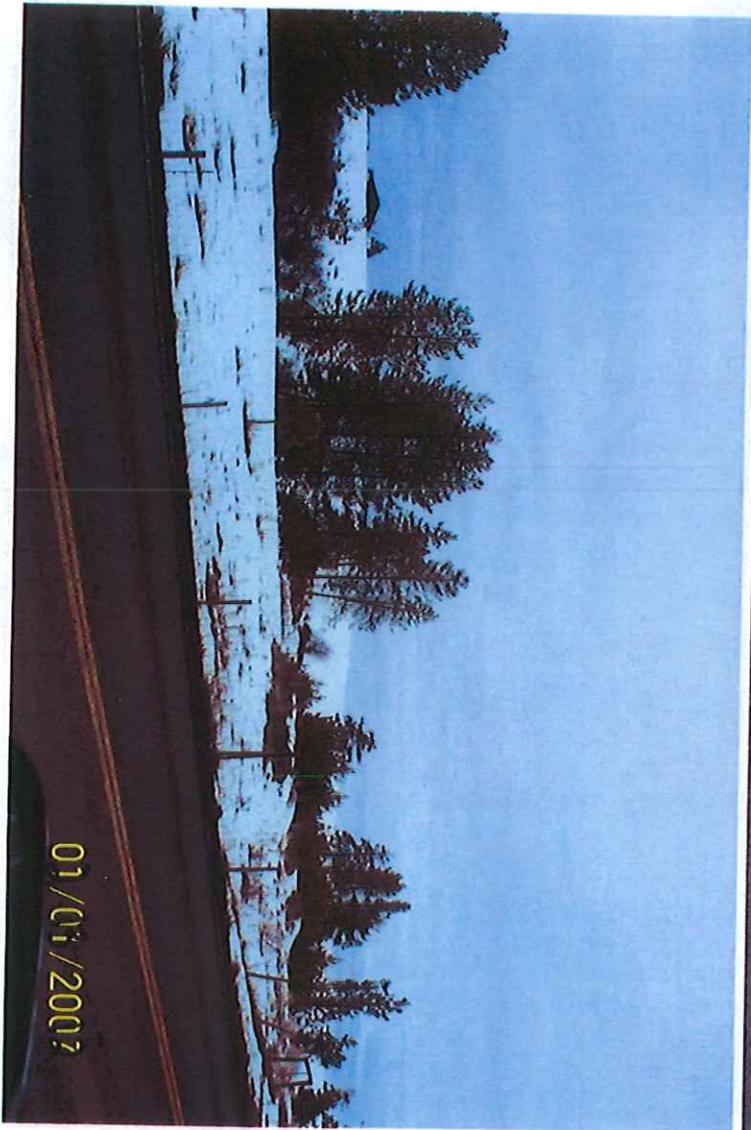
To review before responding since the rezone is not on February agenda.

Motion by Henderson to adjourn the meeting, seconded by Hoobler. Motion carried.

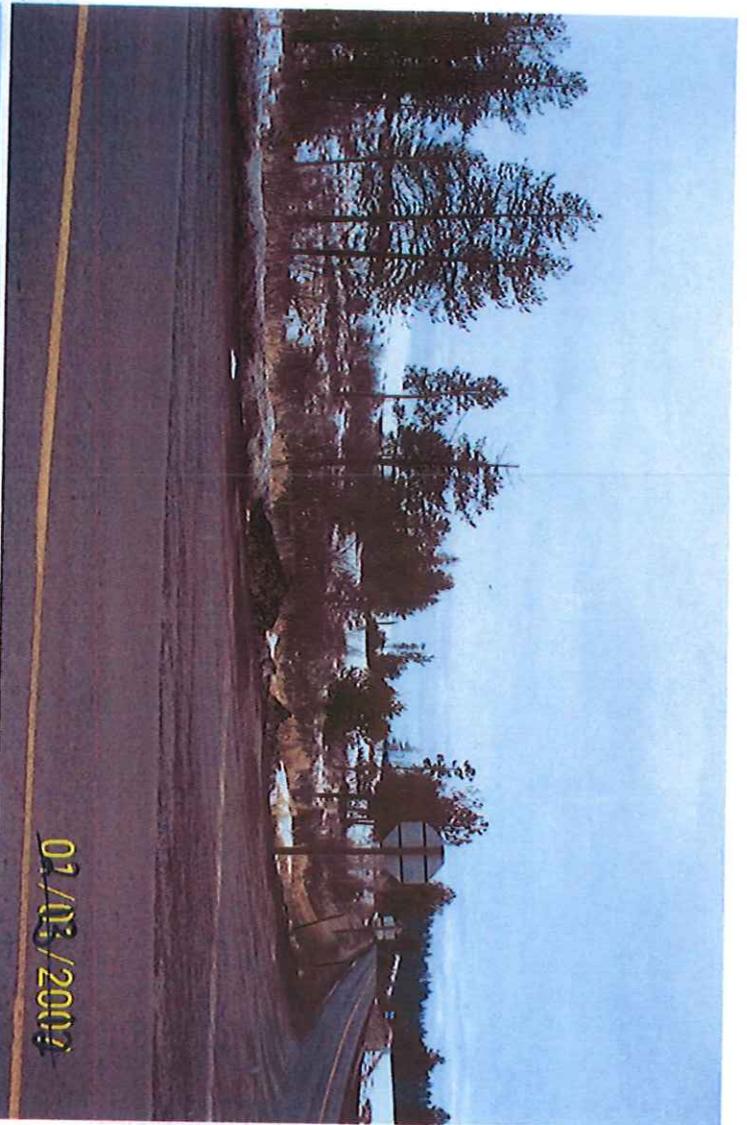
Meeting ended at 7:25 PM

Alane Watkins, Chairman

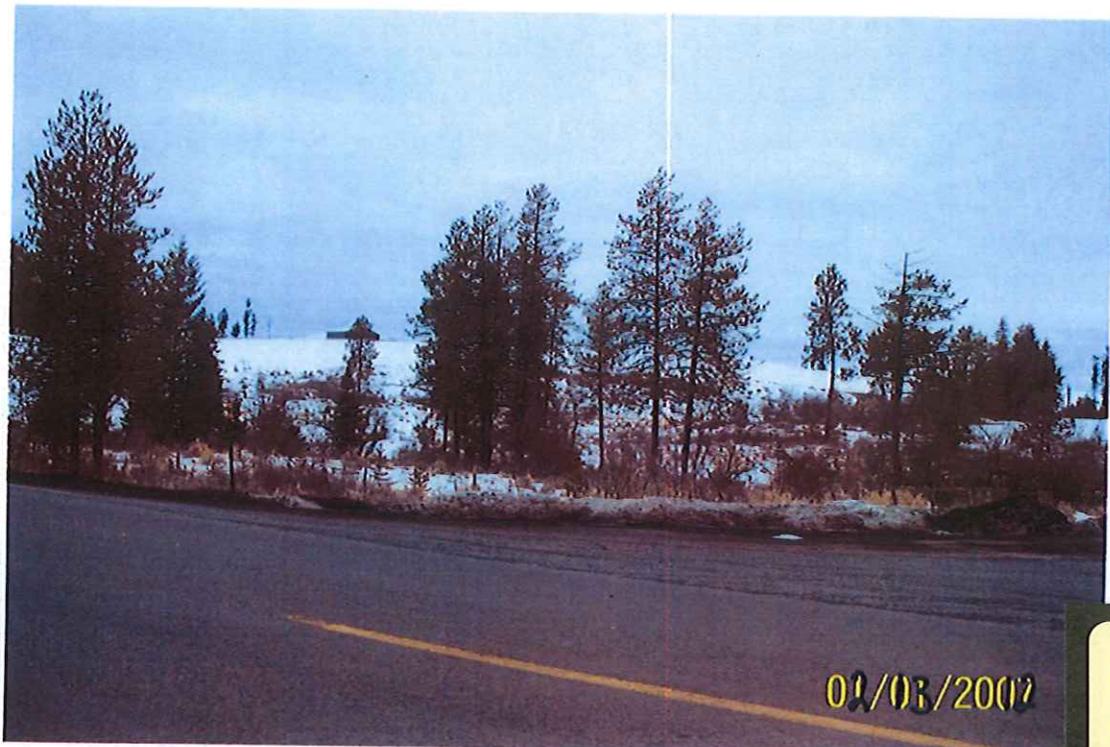
Judy Heath, Clerk



01/01/2007



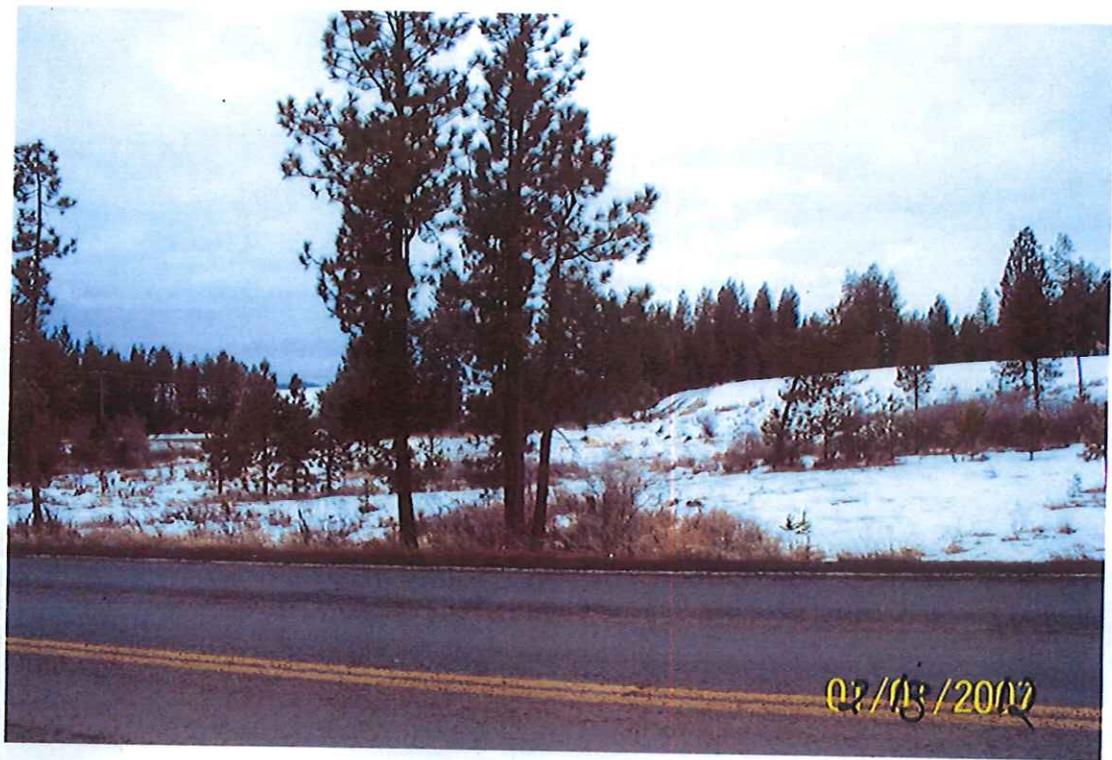
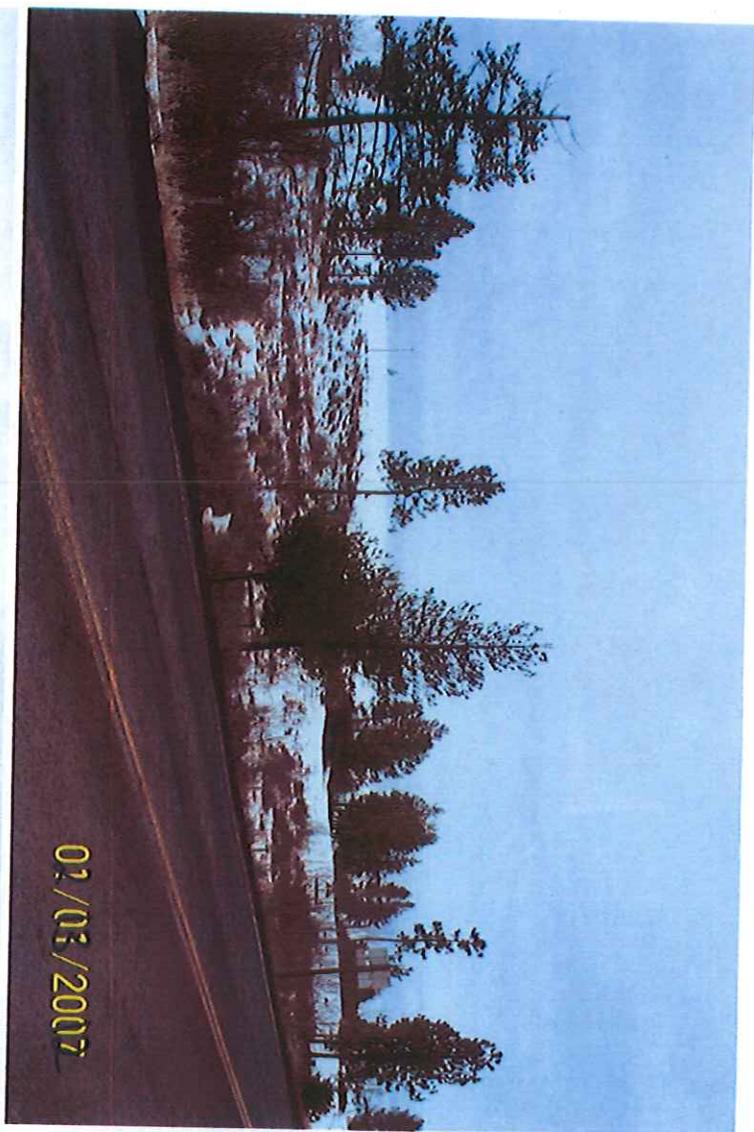
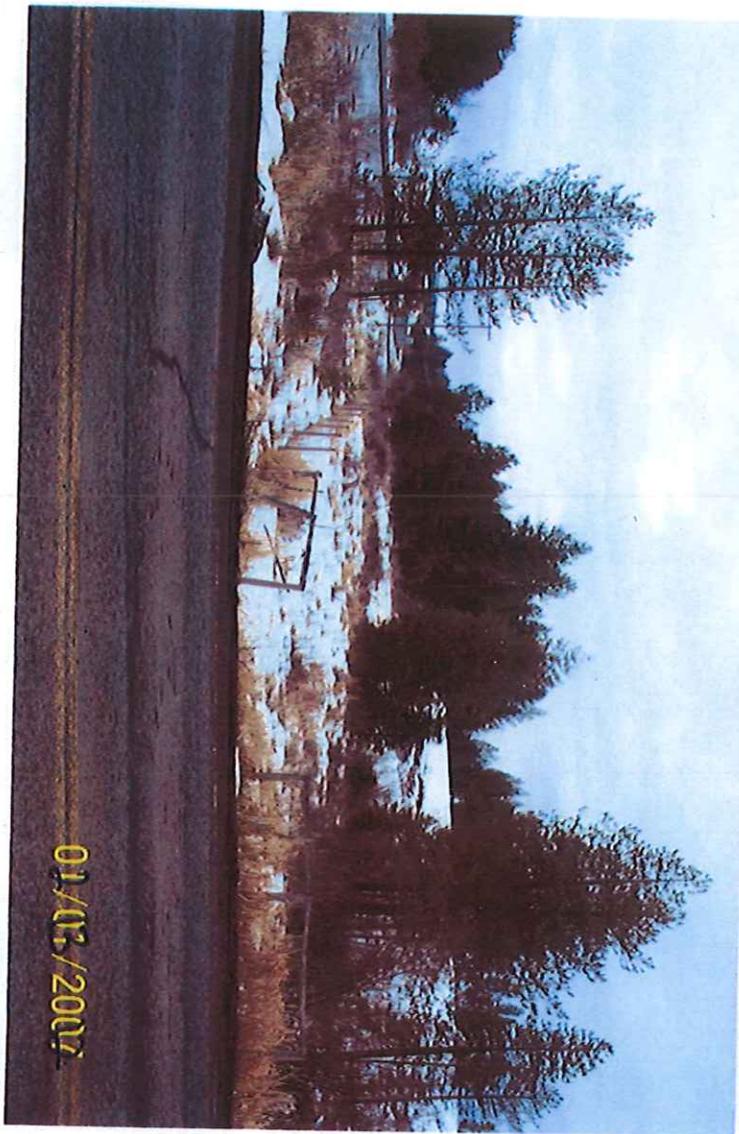
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01/01/2007

02/13/2007

LCZC Hrg: CUP 848
Applicant: Haarr
Exhibit #: 5
Date: 12/05/2012



02/13/2007

JBoal@latah.id.us

From: Shane Niemela [Shane.Niemela@itd.idaho.gov]
Sent: Monday, March 05, 2012 1:52 PM
To: 'Jason Boal - PB'
Subject: Martin Harr (SH 9 Storage Units)

Hi Jason,

Our permit committee approved a relocation and upgrade of an access for Martin Haarr on SH 9 today. He is moving an existing field access north to a location that meets sight distance requirements-the existing was insufficient-and upgrading to a low-volume commercial access for a small storage unit development. It may take me a few days to finish processing the permit but I wanted you to know that ITD is in agreement with his request.

Thanks,
Shane