

Latah County Planning Commission
Minutes, 6 August 2002

Planning Commission [PC] Members: Skyler Schlueter [SS], John Hunt [JDH], Suvia Judd [SJ],
Kathleen Warnick [KW], James Smith [JS], Janet Hohle [JH], Louise Barber [LB];
Planning Director, Michelle Fuson [MF]

Present/Absent: KW, JS, JH, JDH, LB present; SS, SJ, absent. Staff: MF.

Packet materials: agenda; 7-16-02 minutes.

Meeting:

The July 16 minutes were accepted with the following correction: A motion had been made (and not reflected in the minutes) by JS, seconded and passed, regarding wind generating devices in the pathways of migratory birds. Further discussion (8/6/02) clarified this matter. The ordinance is to state that the prior approval by Fish & Game will be necessary for any CUP for commercial wind generating devices re. migratory birds, that F&G would approve, deny, or set conditions based upon guidelines approved by the PC. If no mitigating conditions are possible, an application will be denied. MF will continue discussion with F&G to refine this section of the ordinance, and to discover what kind of conditions F&G might have in mind. This would be in effect per application. JS noted that in substance this will make commercial wind power generation impossible in Latah County because no sites exist that are not in migratory bird pathways, according to the letter he received from F&G (a 7/16/02 handout).

Further corrections to the 7/16/02 minutes: second paragraph should read “acceptable” (not “unacceptable”), “probable” (not “problem level of animals”), and “A member of the audience stated . . .” (rather than “Stated that . . .”). Third paragraph: (Battaglia’s) “*correct* information” should be replaced with “unabridged position and information concerning contained animal feeding operations”

Discussion followed concerning any reaction to/by the previous meeting’s large audience (re. animal containment). MF was contacted by two people. JDH was gratified that people participated in the deliberations and would like to develop a means of letting the public know that the PC appreciates their input (essentially the reason for town meetings). Perhaps inviting some of the well-informed attendees to future discussions a good idea (already done in many instances; that is, expert advice is sought). The avenues that exist for this kind of public relations and invitation to participate are: the new email list, letter to local newspapers, coverage by the paper when MF contacts them with select issues, and a sign up sheet for addresses so postcards can be sent following a meeting. JDH will draft a letter to the Daily News to this effect. The value of focus groups to assist PC was discussed.

Junk (Section 2.06): *Change to draft ordinance:* 2.06.02A: “visible from a public right of way, or visible from two or more residences and the residents of both homes submit written complaints.” Automobiles seem to be the biggest problem, so JS suggested that the county run concurrently with implementation of this section a program to physically assist in getting rid of the offending automobiles. JH noted the difference between a program and regulations, and that the county is not

in the business of running programs. JDH stated that it's a good idea, but doesn't belong in ordinance; he moved that the section be approved as amended; seconded and passed.

A discussion followed regarding the need for a unanimous stance (before the public) by the PC; MF noted that the PC is a recommending body only; JDH that we are a body, not individuals, when we make these recommendations to the CC, and that our dissensions should not go forward. JH suggested that if anyone needed to, submitting a letter stating a position could be placed in the record; it would then be among the materials the CC deliberates when they make decisions. LB noted that PC member's points of view are (or should be) in the minutes, which are also in the public record; any truly contentious issues will play out when the ordinance revisions are taken to the town meetings and eventually voted on by the CC.

Article 5 (Conditional Use Permits and Variances): KW wanted clarification regarding the times for hearings and appeals (5.01.03D, 5.01.04A, C); MF noted that those amounts of time might be necessary, not that they would be necessary in all cases. The question of who the "authorized agent" is; it would be established by a letter of power of attorney for the owner or a letter from the owner. JDH moved that 5.01 be approved as is; seconded and passed.

5.02 (Variances) discussion followed: KW questioned why the repetition of the appeals process was necessary (for CUPs and Variances); MF said that it's easier when these sections are handed out to applicants to have the entire procedure self-contained. A change was suggested for paragraph one: "height of buildings" to replace "height." JDH moved approval as amended; seconded and passed.

MF: Does the PC intend to not include mobile home parks in the ordinances?; currently no section applies. What zone are mobile home parks allowed in? Now only in residential multiple family. PC would like to see sample ordinances; discussion tabled.

Article 8 (Rezoning): Discussion eventually settled on the fact that it is difficult to get a rezone if the applicant cannot prove the conditions in 8.01.02, but easy to get one if he/she can. KW moved approval of 8.01; seconded and passed.

Next meeting: 20 August 2002, Room 2B, Latah County Courthouse.

Submitted by: _____ 9 August 2002
Louise D. Barber