

**Latah County Planning Commission**  
**Minutes 17 February 2004**

Members Present: John Hunt, Suvia Judd, Kathleen Warnick, Janet Hohle  
Latah County Planning Staff Present: John Simler

The regularly scheduled meeting of the Latah County Planning Commission held on the 17th day of February, 2004 at the Latah County Courthouse Room 2B was called to order at 5:50 PM. SJ suggested the meeting minutes of January 20, 2004 reflecting her explanation of the 40 acre division rule history should be amended. SJ will bring suggested language. Approval of the February 3, 2004 meeting minutes was tabled until.

Discussion Continued on the Draft Latah County Land Use Ordinance

Article 5 Conditional Use Permits and Variances

Section 5.01.03(4) and Section 5.01.04(1): The timing discrepancy between these sections needs to be reconciled. Section 5.01.03(4) provides that the Zoning Commission shall approve findings of fact and conclusions of law and notify the applicant of its decision within 40 days of the closing of the public hearing while Section 5.01.04(1) provides for a 15 day appeal period to begin upon the day the Zoning Commission approves the findings of fact and conclusions of law for a CUP.

Section 5.02.02(2): Existing Language “Compliance with the setbacks prescribed would deny the property owner an otherwise permitted use on the property due to the parcel’s peculiar physical characteristics.” The following clarification is recommended “Compliance with the restrictions prescribed by this ordinance would deny property owner an otherwise permitted use on the property due to the parcel’s peculiar physical characteristics.”

Section 5.02.03(3) and Section 5.02.04(1): Reconcile these sections as described for the CUP timing, i.e. address 40 day notification and 15 day appeal period.

Article 6 Subdivisions

Section 6.03.01(2): The PC would like an explanation of this section. Are short plats needed or wanted?

Section 6.03.01(2): Recommend change from ***bold italics in draft to*** “where services shall/will (unsure of word selection) be provided by a municipality.”

Section 6.03.02(1)(C): Size of land to be dedicated to public space in full plats needs to be amended. The total acreage of the full plan and the number of lots or housing units should be factors to consider establishing size of land. JDH will check with sources from University of Idaho for ideas and P/B staff will check with the County Parks.

Section 6.03.02(1)(D): This section needs clarification and the PC thought it would be best rolled into Section 6.03.02(1)(B). Should Latah County consider monetary exchange in lieu of property if there is no property within plat suitable for intended purpose? PC had a brief discussion about this option used elsewhere and how the monetary compensation was not adequate to secure other property suitable for the purpose intended.

Section 6.03.02(2)(C): Road width requirement should be clarified because as written, there is no minimum width, though the implication is the county road standards would provide the minimum. The 30 foot dimension should be the maximum.

Section 6.03.02(2)(D): Off street parking for at least 4 vehicles includes available garage space.

Section 6.03.02(2)(E): Amendments to this section are in shown in **bold**, “All utilities, approved water system, and approved sewer systems, shall be installed, and **shall be** approved by the agency with oversight.

Section 6.03.02(2)(F): The number “4” should be written “Four”.

Section 6.03.02(2)(G): This section should be amended as follows, “The surface runoff plan shall be implemented.”

Section 6.03.02(2)(H): Please explain this language. Does it make sense for the county to move forward with infrastructure improvements if the developer cannot or will not? Wouldn't it be better to leave property undeveloped instead of partially developed? When would the one year development clock begin and should this be renumbered as Section 6.03.02(3)?

Section 6.03.03(2): Should the last sentence of this section, beginning with “If consistent with the terms established.....”, be numbered separately as 6.03.03(5)?

Sections 6.03.03 (2) and (3): These need to reflect more clearly the procedural order of activities for public hearings and procedures for full plats. As intended it seems the logical progression is as follows. The Zoning Commission decides to issue or not to issue a preliminary approval of an application and written agreement to ensure the criteria set forth in Section 6.03.02 are met, that decision is announced, and then the applicant submits the written agreement to the Latah County Commissioners for formal adoption of the preliminary plat.

Submitted by: \_\_\_\_\_ 12 February 2004

Janet Hohle, substitute secretary