

Latah County Planning Commission
Minutes, 18 January 2005

Planning Commission [PC] Members: 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: JDH, SJ, KW, JH, JS, LB present. Staff: MF. Public present.

Packet: Agenda; minutes from 12/21/04; 1/12/05 draft of ordinances

Handouts: Exhibit #1: letter from Sarah Skaar, Pres. of Latah County Cattleman's Assn.

Meeting. Minutes of 12/21/04 approved. JDH introduced the members of the PC and Michelle and staff and presented an overview and plan of attack for the evening's discussion. Public testimony was then invited.

Trapper Stewart (short-term county resident, lawyer with Westberg, Landeck, Judge and Graham): Since no longer a strictly ag county, work on Comp. Plan and ordinances at the same time; thinks building restrictions in A/F zone need more looking into, as well as temp. dwelling for dependent persons, and wanted to know if the county has issued approvals that defied 8.01.01.

Murray Stanton (Deary lawyer/owns or uses horses), presented exhibit #2: believes there is a bias against ag in this ordinance; using a CUP for so many activities is against ag/animal husbandry; the ordinance is vague, overly broad, unenforceable, and if that is the case, then it is not an effective tool.

Larry Lacey (Potlatch?): thinks the name of the game is freedom; Latah is an ag county and needs less regulation since there are already on the books state and federal regulations.

Sarah Skaar (Kendrick; see exhibit 1, above): "affected persons" should not be different for livestock/animal owners (i.e., why separated out?); livestock = domestic animals, so why removed from "animal husbandry?" Make AU equivalency available so it is clear; why parttime sales for gardeners, but not for livestock owners? Three-year term for a CU too short, much longer time needed for investment; clearer definition for "enjoyment"; non-conforming uses need clarification; document needs clarification; decisions need to be based on sound science.

Eileen Macoll (Whitman county; horse owner/dressage trainer; presented exhibit 3): With King County experience, believes ordinance singles out horse owners; most practice best management techniques; feels ordinances' solution to problems is lessened activities, whereas there is a need for increased activities. Is there evidence for abuses of horse activities? Needs some justification for "exclusions."

Deb Pearson (Deary): Definitions re. numbers of animals need improvement (3.01.02 or year-round confined animals); how do "1 animal/acre" and 250 maximum balance? Is it our desire to regulate to this level? Planning generally tries to help things keep growing. We do not want to destroy our land. Can we really not sell our products?

[MF responded that the number of animals (density) had been removed from the draft and SJ indicated that our intent was to prevent feedlot/dairies.]

Karl Stoschik asked if the county would have another shot at this, to which JDH responded yes and asked him to submit written testimony

? Skaar (Kendrick, horse owner): doesn't want a CUP for a rodeo; liability already an problem for us; tourist draw diminished if further limited.

M. Wilkinson (Potlatch): 35 feet from a stream for those of us with open pasture? Who's paying for the fence? Will we pay taxes on unused land? This is another user fee. When culverts are built with Corps of Engineers for cattle to cross streams, they at least help pay for fencing and off-site watering.

JDH: the ordinance is not meant to fence grazing animals, but for confined animals and new operations; PC needs to redefine confinement.

Barry and Karen Chestnut (Troy, realtor): language tweaking necessary; ambiguous; everything depends on the weather year (regarding streams); property rights affected.

Delford Cohen? (Princeton?): Comp Plan is flawed on division of property; the plan is based on the 1981 USDA Soils Survey which states that it is "not to be used for land-use planning"; clusters were intended, but we ended up with a house on every hilltop; CUPs: why should one expire if not in violation? What are the violations? Since a CUP goes with the property or business, it would kill sales.

Ron Crumbley (Potlatch): repeated the 35' criticism; number of animals doesn't make any sense if rotating pastures.

George Hatley (Deary/Helmer?): Pony club (on 107 acres) has been used continuously for horse-related activities for years, contributes to county economy, and county should stay out of regulation!

Jim Kuska (Randal Flat Road): He uses his property for 4-H, trail riding, etc.; is a CUP needed every time? Guy wires illegal on electric poles? 35' business – the USGS maps are imprecise at best and should not be used as a basis for a legal definition (has 35 years of professional experience in this area).

Harold Kremlin (Princeton): repeat argument about fencing streams; pollution already exists due to game, etc. Fencing streams would deny land use.

MF: we do not have a definition of "confinement." Draft might be ambiguous.

George Lisher (Potlatch): No proper notification of this meeting; promote business, don't drive it out. CUP is political; all this supersedes state laws.

Doug Kinzer (Deary/Park Ranch): weeds would be worse if streams were fenced.

Brant Glover (Viola/Wildlife Rescue operator): Would he need a CUP to have the UI and WSU vet students come to his place to volunteer and learn how to rescue animals? Grazing now takes care of the weeds that grow along streams; unattended would create major hassles down the road.

Susan Ziener (Moscow/Palouse Dressage and Eventing, with 50 members): Why have horses been singled out; we do all we need to do to keep things safe.

Nancy White (Potlatch/Robin Heart Ranch, which produces horse shows): Business expansion seems to be targeted; encouraging horse activities adds to the culture of a community; badly written document; is the county operating inconsistently? Are the ordinances subjectly interpreted? Why have the number of rooms for rent changed?

Dan Griffen (Latah all his life): Ag is being drained from the county.

Dennis Roberto (Deary/married to a veterinarian): my wife's practice would be restricted; all these regulations would put them out of business.

Doug Fouty? (owns cattle, border collies/horses): One brood of pups = a CUP?

Jim Zimmerman (Ridge Road/dairy background in southern Idaho): regulations exist; but one-size fits all regulations don't work; clarify, but build in leeway.

Kathryn Aleve? (Harvard/business owner): how do we grow businesses and sustain local businesses in the process?

Loren White (Potlatch): we'd like to work together on this participatory process. Are we being heard?

Betty Jo Smith (near Park Ranch): How many children would stick around w/o animals; how about a dry year and lightning if streams are fenced and weeds not grazed?

Jeff Harkins (county resident/UI professor): not enough time for public to digest this draft; process for public disclosure needs vast improvement; 2 windmills on 600 acres?

Gary Hess (Boulder Creed Road): Frightened by this draft; my property won't conform to putting in a windmill the way it's written; these regulations will increase the cost considerably; Can I not put together a dogsled team?

Trapper Stewart: clarify the split of land by a highway; review basis of land uses.

Lois Grafmusson?: Is a home office not permitted at/as? location for business?

Camping: no more than six tents? The CUP is just another tax.

Murray Stanton: the CUP is an infringement; activities fall under the scrutiny of others; what happens if someone is sick and can't continue to finish something within a year; any provision for that (in CUP)? Draft is out of touch with the reality of the county.

Dale Rhodes: more public testimony needed in formulating this draft.

Sarah Skaar: "affected persons" should be defined as "property owners in Latah County."

Wayne Tweedy (Harvard/sheep rancher): flexibility and agility is being removed by these ordinances, and therefore, business will be affected.

Hearing closed.

JDH asked that written testimony be delivered by February 1, our next meeting.

PC will workshop these issues.

Next Meeting: 1 February 2005 at 5:30pm in the Latah County Courthouse, Room 2B.

Submitted by Louise D. Barber, 25 January 2004