

Latah County Planning Commission
Minutes, 15 March 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, KW, JH, LB present; JS, SJ, absent. Staff: MF. Public present.

Packet: Agenda (3/1/05 minutes previously emailed to PC)

Handouts: 3/1/05 minutes; letters from League of Women Voters and Betty Slifer re. CAFOs.; Kerry Thompson, Latah County rancher

Meeting. Minutes of 3/1/05 accepted. MF reported on the formation by the CC of a task force to create an “Emergency Groundwater Management Ordinance [for the Moscow sub-basin groundwater management overlay zone],” a response to the Naylor Farms water situation; this 180-day act/partial moratorium disallows new applications for golf courses, animal feedlots (200 animals or more), and mineral resource excavation. The seven-member task force includes: Janet Hohle, Latah County Planning Commission; Mark Solomon, previously Latah County Commissioner and environmental activist; Linda Pike, Moscow attorney and member of Protect Our Water; Steve Heick (sp?) and Larry McMillan, both county property owners and farmers; Cindy Agidius, representing the real estate sector, and Dale Liason (sp?), hydrologist/geologist. Michelle Fuson and a representative from the city of Moscow will also be present for meetings that begin Monday, March 21, 2005 and are to efficiently produce an ordinance within ca. four months. There will then be both a PC and a CC public hearing on the proposed emergency ordinance. JH and MF will report regularly to the PC. (JDH raised the question of the amount of land the 200 + animals might be on, and MF said that the state code regarding feedlots would apply.)

Public testimony discussion continued from last meeting: county’s legal counsel will be reporting back to the PC by April 1; JH corrected information re. the State Department of Agriculture position for inspecting site water pollution (see minutes 3/1/05): the position will be for inspection of sites in the anadromous-fish-related drainage of the Snake and Salmon rivers, and therefore would only include the Palouse River in Latah County. JDH responded to the audience by suggesting that anything in writing that could come to the PC *before* the proposed topical meetings beginning in April would be most helpful (similar to the 1/12/05 letter from the Latah County Cattlemen’s Association).

Horses: JDH suggested that the separating out of horses from other livestock, as in the proposed draft ordinance, did not make much sense, and that PC should return to the language of the old ordinance (“commercial stables” are a CU) or treat horses as livestock. MF: re. large groups: permits that are now required include at a minimum: for a Class B permit (300-599 persons) health and sanitation plans, parking (1 space/4 persons in attendance); copies of permits for food, etc., and proof of liability insurance up to \$1 million. A Class A permit (600 persons or more) requires all of the above, but additionally compliance with North Central Health District

requirements, written permission from the Fire District, scale drawings, traffic and crowd control plans, potentially the hiring of security forces, evacuation and safety plans, and copies of any leases. Question for the PC: should the county be concerned about crowds of less than 300? Is regularity of gatherings perhaps the crucial consideration?

If the ordinance places horses back with other livestock, then the AU equation becomes relevant. JH: commercial stables normally, in her experience, require CUP; Ada County has very strict regulations; MF: county now enforces what comes to light; “commercial” is the operative word; 4-H and posse operations are not commercial, however, an indoor arena that is “open to the general public” could pose a problem (and might be in violation of the building code). In Latah County there is only one (?) stable that has an 80-horse capacity, however, issues of noise, traffic, etc., could be problem for neighbors (of any larger stable). A CUP allows a use, but *with conditions*. A problem of how many animals on how much property; MF: the PC was attempting to bring the small “operator” into compliance, not the opposite, when proposing the language in the draft ordinance. Audience: UI survey of several years back indicated that the average (of 180 people who were surveyed) was 20 horses/per “operation.” Then the question was raised about whether this included mature horses, because a breeding operation periodically contains more animals than might be otherwise indicated. The question seems to be what one does with one’s horses. Stanton (audience): it would seem that impact should be the consideration, and not number of animals, etc. Number of employees could be a criterion, as well; draft ordinance already has number of employees (more than five) as the point when a CUP is required. Audience member pointed out that efficiency of the operation actually determines the number of employees (i.e., one person/five horses or one person/ten horses); and that horse population in the county is dependent upon students who board horses except during the summer. May 3 is the night for this full discussion.

Windmills and guy wires: member of audience (with professional experience installing wind mills) pointed out that our draft ordinance language is outdated -- most contemporary windmills are engineered without guy wires and that the 60-foot limit is unreasonable topographically in certain locations.

Lighting: Hailey, ID ordinance is 45 pp. long and limits the times Christmas lights may be up; in other words, there are a wide variety of responses to this issue. Clearwater Power has finally contacted the PD and asked for copy of our proposed ordinance; PC would like to have them come to talk with us/public. MF corrected the impression that there would be a mass retrofitting if the proposed language passed: only those seeking a CUP would be required to comply.

Termination of the CUP: testimony indicates that once a CUP is granted, it should be permanent, since substantial investment may be made; however, neighbors should perhaps have the opportunity to react to what the actual situation becomes or evolves into (e.g., the impact of the ice rink at the Fair Grounds in Moscow). Stanton: the county’s attorney should weight in on the terminology; Stanton has a problem with the language for CUPs, that states that “no greater impact be allowed” when, in fact, the impact will probably be greater; MF: the conditions set make the use the same as the allowed use. MF also allowed that three attorneys had already been over the draft ordinance. JH suggested that improving the criteria for a CUP might be warranted; we should review the state code and see what we could/should use.

Audience: could the PC please indicate the number/page number when we discuss various items/sections. Announced that the website is undergoing revision and that minutes and where items are to be found will be improved soon.

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

Submitted by Louise D. Barber, 17 March 2005