

Latah County Planning Commission
Minutes, 17 May 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: SJ, KW, JH, JS, LB present; JDH absent. Staff: Amanda Hess. Public present.

Packet: Agenda; 5/3//05 minutes; tentative schedule for upcoming meetings; commercial kennel sections from Nez Perce County ordinances; Garry Jones and Mike Thomason letters (representing power companies); definitions and suggestions from Sarah Skaar (response to the 5/3 meeting)

Handouts: memorandum from Janet Hohle re. Article 3 changes; Barry Chestnut packet (re. streams, setbacks, and non-conforming uses)

Meeting. 5/3/05 minutes approved with correction for date of next meeting. Bob Pierce, Clearwater Power Director of Marketing presented re. outdoor lighting. Majority of installations at the request of customers for safety, but no statistics re. safety. PC intent was to limit the broadcast of light; SJ: are there requests for alternative bulbs? Pierce: one side is blacked out if complaint; cost of change of bulb would be minimal; CPC would have to stock an additional bulb; 10-15% increase in cost (a utility pole would go from ca. \$150 to \$170; life expectancy of fixtures 10-15 years; bulbs ca. 3-4 years); CPC would not oppose the draft ordinance, prefers informal interaction; SJ: would CPC oppose our suggestions for metal halide over mercury vapor lighting? Pierce: that would be best way to go; the important thing is consideration of color identification of various bulb choices; when asked for clarification about “utility structures,” Pierce said that a CUP is now required for all major structures (substations, etc.), but that CUPs for normal structures, such as poles or “multi-pole structures,” is excessive. He suggested that “multi-pole” be defined as three poles. Power companies will participate when lighting is discussed.

New discussion on Article 3: JH presented a memorandum with suggested changes. JH moved to accept **3.01.01.4** (“ . . . full time equivalent employees”) and 6 (“ . . . exceed an average occupancy”); seconded; Jeff Harkins asked if average implied daily, weekly, monthly, annual average? PC felt this did not need to be specified and that if the occupant(s) is full-time and compensated, this was the intent. Passed unanimously. JH moved to accept change to **3.01.02.2** (CU/ “ . . . that operate for six or more months”); seconded; question of whether winter containment of grazing animals needed better definition/clarification since it might appear similar or identical to CUP uses; a permit is not required; Harkins suggested striking “other types of similar facilities”; JH withdrew motion and discussion was tabled. JH moved to accept change to **3.01.02.2A** (“ . . . any containment of animals be situated at least 35 feet from any perennial stream”); seconded; JH noted that the USGS 7/5 minute map is the only uniform tool PD has at present, that cattle waste flowing from sites into intermittent stream is now against state law; motion passed unanimously. JH moved to strike **3.01.02.2D** (minimum conditions

suggested to ZC); JH indicated that this could be tweaked in discussion of 7/01/02 in future); passed unanimously. JH moved to include “public” in **3.01.02.2E** (testimony at hearings re. feedlots, dairies, etc.) (“anyone, . . . may testify at the required public hearings”); question of whether the state legislation passed re. testimony at feedlot hearings; it did not pass, and therefore testimony is less restricted; SJ noted that purpose of person’s identifying self at hearings is to allow board/commission to know “where” certain information comes from; JH amended motion to state that: “Anyone, regardless of their property’s distance from the site of the permit or regardless of whether they own property, may testify at the required public hearings”; seconded; after question of whether this includes all hearings and, (answer) that it would not apply to appeals, motion passed unanimously. Murray Stanton suggested that this language might still be construed to include appeals; SJ: it will be vetted by Prosecuting Attorney. JH moved to change 3.01.04 (Sign Restrictions) to read “No sign shall exceed 64 square feet in display area and not sign for advertising or commercial purposes shall be allowed unless it pertains only to a permitted use engaged on the property”; seconded; questions arose regarding political signs, which PC deemed as temporary; what about religious or personal statement signs that would not be temporary, or billboards (not permitted in existing ordinance); PC felt this issue needed further discussion and motion was tabled. Harkins suggested not permitting billboards in draft ordinance. Public commentary part of meeting closed.

JH presented summary of groundwater overlay zone task force; they have completed work and a draft will come to PC for 6/7 meeting; (draft available at www.latah.id.us); draft will go to CC on 8/2 after a public hearing of the PC (7/19); JH commented that working in task force mode a good means of involving varied perspectives for short periods, as well as focusing on specific issue; valuable part of the draft is that there will be a five-year review.

Scheduling of future PC meetings/issues:

- 6/7 Dogs, windmills, landing strips; the two tabled motions (3.01.02.2 and 3.012.04); one hour for groundwater draft; public input;
- 6/21 changes on groundwater draft; farm worker housing [contact Nancy Wight for her suggestion since she will not be in attendance]; non-conforming uses (Barry Chestnut submission)
- 7.05 decisions on farm worker housing; 4.02 (Home Occupations); 4.03 (Mineral Resource Developments)
- 7/19 Public Hearing on Groundwater Overlay Zone [CC will meet on this topic the week after this hearing]
- 8/2 decisions on 4.02 and 4.03; remainder of Article 4 (dependent housing, junk, wireless communication)

SJ suggested that this pattern/format be followed: discussion of issues with decision made at the following meeting, as suggested in the proposed schedule above.

Additional questions from audience: do PC decisions on lighting affect the city? No; city lighting ordinance approved and adopted 1/18/05; available on web; lighting needs to be exempted; the impact of lighting on night shifts at mills should be discussed; question of why the Area of City Impact never gets discussed at these meetings, even though it continues to be on the agenda [SJ explained that we just can’t get to it!]; sign language should be construed to mean

permanent signs; are loose animals controlled by the PD? [no, other departments/ordinances deal with this issue]; does the open range law apply to dogs or livestock [unknown, but not the province of this commission; a state law].

Tabled issues (signs and how to clarify winter containment vs. contained animal feeding) need thought for next meeting, as well as dogs (windmills and landing strips may have been covered adequately); see schedule above.

Next Meeting: 7 June 2005 at 5:30pm in the Latah County Courthouse, Room 2B.

Submitted by Louise D. Barber, 25 May 2005