

Latah County Planning Commission
Minutes, 17 January 2006

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, JS, LB present; SJ absent. Staff: MF.

Packet: Agenda, tentative schedule; non-conforming testimony from Barry Chestnut

Handouts: Minutes from 12/20/05; bankers' testimony on non-conforming status

Meeting: Introduction, in absentia, of Steve Heick, the new member of the planning commission. Minutes of 12/20/05 accepted. Election of officers: John Hunt, chair, Suvia Judd, vice-chair, Louise Barber, secretary, will remain in 2006.

9.01 (Design Standards for All Construction): the testimony presented in writing and in person suggests that the designation of being non-conforming (for a structure that is within 100 feet of a stream) would prevent financing for property owners; MF noted that this section would apply only to new structures, not any now in existence, which would include additions to any existing structures. JH suggested adding "perennial" to stream; further language change to reflect this: add to 9.01.01.3 the sentence: "Any structure that is in existence at the date of the adoption of this ordinance shall be considered conforming." Motion to adopt these changes passed unanimously. Accessory structures include barn, shed, grain bin, etc. Barry Chestnut will discuss this with lenders and report back.

9.01.02 (Design Standards for All Construction Prior to Issuance of a Certificate of Occupancy): the question of fire-resistant materials was raised; MF: nearly all materials today are fire-resistant.

9.01.02.3: proposed change by adding that "Cut and fill slopes and other disturbed areas shall not be left to over-winter without appropriate treatment until such time that permanent vegetation is established. Alternative methods that control weeds, runoff, and erosion may be utilized." 9.01.02.4B: proposed change: "Have graveled turnouts, 50 feet long and 10 additional feet wide for every 1000 lineal feet of driveway, except where line of sight is obstructed, in which case these should be located every 500 lineal feet." 9.01.02.4D additional sentence proposed: "Cut and fill slopes and other disturbed areas shall not be left to over-winter without appropriate treatment until such time that permanent vegetation is established. Alternative methods that control weeds, runoff, and erosion may be utilized." Murray Stanton asked whether forcing the property owner to employ an engineer was excessive for, in many cases, what would constitute a ditch (9.01.02.4F); MF: the Army Corps does not now regulate any of this; the country does regulate in the floodplain; driveway plans could have repercussions on neighboring properties if not done correctly; this section was designed to benefit up and downstream properties, emergency services, and prevent erosion. Hiring an engineer would not place an undue burden on a property owner. 9.01.02.3/4B, D changes passed unanimously.

MF noted that 9.02 (Design Standards for Parking Lots) has been simplified substantially from the current ordinance.

9.03 (Design Standards for All Outdoor Lighting): Jeff Harkins: does this relate to health and safety? MF: PD received lots of negative input (re. the whole notion, wattage, etc), but very little said about light traveling up. JS: some of these high-powered lights are temporarily blinding to drivers; Bob Pierce (Clearwater Power) noted that they have installed ca. 500 pole-mounted "security lights" (area lights, not down-lights) in Latah County at a cost of ca. \$7/month; the company could apply a dark-sky compliant

fixture, but that would require more lights to cover specific areas, and thus fly in the face of any energy conservation. The audience was mainly angry that the county would try to regulate what normally is a neighbor to neighbor problem. Stu Goldstein supports the ordinance and suggested that the county look at the city's ordinance, which has definitions and a list of exceptions and twenty years to comply; thinks that horizontal is a perfectly good place to draw the line (as opposed to light allowed to flood up); could live without the photo sensor (9.03.01.1); thinks this is all about reflectors putting the light where it is intended. Many others in audience want this rewritten so that it reflects healthy and safety only, no issues of design, aesthetics, etc. Bob Pierce: 9.03.01.3 is unnecessary at any rate because there are too many other choices available; the cost of refitting all the lights they have in the county would be ca. \$200,000; JDH: table this discussion until next meeting; JH will attempt a better draft for PC/public to reflect upon; MF: the language should relate to energy, health and safety, light pollution; it must be clear what we are after in this section.

9.04 (Design Standards for All Uses in the Industrial Zone) will move forward without further work.

We now need to finish up on lighting, definitions; MF will discuss changes with the BCC and there should potentially be a public hearing in March. MF asked audience to submit suggestions re. the definitions section by noon of 2/1/06

Next Meeting: 7 February 2006 (Lighting, etc.) at 5:30pm in the Latah County Courthouse, Room 2B

Submitted by Louise D. Barber, 25 January 2006