

**Latah County Planning Commission**  
Minutes, 29 August 2006

Planning Commission [PC] Members: Suvia Judd [SJ], Kathleen Warnick [KW], James Smith [JS], Janet Hohle [JH], Louise Barber [LB], Steve Heick [SH].  
Planning Director, Michelle Fuson [MF]

**Present/Absent:** SJ, KW, JH, JS, SH, LB present; Staff: MF, two members of staff from PD and CC?

**Packet:** Agenda; Moscow City Area of Impact ordinances 2006 (amending ord. 2004-01; 14-23 day timing); 2005-03 (outdoor lighting), 2005-07 (standardize outdoor lighting), 2006-03 (large retail establishments), 2005-04 (telecommunications/Antenna Towers), 2005-33 (schools); City of Moscow Large Retail Establishments Design Manual

**Meeting:** It was announced that Kathleen Warnick will retire after 29 years on the PC. [Remarkable!!]

SJ introduced ordinance changes and opened the special meeting for testimony.

Steve Busch (Greater Moscow Alliance): read his letter into the record; opposes adoption of the city's big box [bb] ordinance in the ACI; cites beneficial development for the county.

Mark Solomon: supports bb ordinance; there are too many impacts of a big business to not have it go through a CUP process; in absence of any county ordinance, the ACI needs this. This is not a prohibition of development, but a tool for shaping development.

Jim Anderson (Moscow businessman): Moscow has been the consumer center of the area since the mid 70s; bb cap size may fuel the reversal of this and create economic loss; opposes.

Bill Morscheck (Moscow realtor): against bb ordinance; some mechanism necessary to shape development in the county, but this sends an anti-business message.

Bill Parks (NRS owner): in favor of bb with caveats; development of eastern side of Moscow wrong; would starve the Mall; put this type of business on west side of city, where the land could be annexed. Development on east side would hurt towns like Troy's business center.

Joann Mack (Moscow resident/former city council): ACI residents did not vote for the Moscow City Council (decision); thus the country is their protection.

Mary Jo Hamilton (Moscow resident/activist): supports bb; no safeguards in place at this time; CUP necessary; traffic, water, sewer and waste situation unknown; people need a buffer.

Steve Basoa (Moscow resident): supports bb.

Roger Ifalen (Genesee): opposes bb; we must do everything to support the economy.

Mark Loaiza (Moscow realtor): those in favor of the bb think that the huge changes will be negative; but stores will make communities more self-sufficient; people travel now to Spokane and Lewiston and away from here; these stores would keep business here; police and fire would be paid for by extra revenue.

Jim Anderson: there has already been enough said about [outdoor] lighting. Public testimony closed.

JH: is the telecommunications change one to ancillary buildings? Andrew Ackerman (Assistant Community Development Director [AA]): yes; JH asks for clarification of the category 1 and 2 stores: AA: 39,999-65,000 sq. feet = Cat. 1; bigger = Cat. 2; no cap is in place now. It should be made clear that large retail is the issue, not large scale. A business would be grandfathered in if any expansion were less than 10% (ruling out repeated expansions); no bonds associated with these CUPs. JH: explain Sec. 3-7D, 3g<sup>vii</sup>: AA: intended as notification to taxing entities outside the city; notice would go to county, highway district, schools, etc., and these entities would handle their end of an application independently.

JH moved “to recommend the amendment of the Moscow ACI Agreement to provide for a change in the number of days allowed the city to forward quasi-judicial application recommendations and associated records to the country from 14 days to 23 days [to cover those times when communication is not complete in a timely fashion] as provided by Moscow Ordinance No. 2006-\_\_\_; seconded KW; motion passed unanimously.

JH moved “to recommend the amendment of the Moscow ACI Agreement by adoption of Moscow Ordinance 2005-03 Regulating Outdoor Lighting in Moscow and Moscow Ordinance 2005-07 Removing all Old Reference to Outdoor Lighting; KW seconded; motion passed unanimously.

JH moved to recommend the amendment of the Moscow ACI Agreement by adoption of Moscow Ordinance 2005-33: to allow schools, commercial schools and/or educational institutions by conditional use permit in certain commercial and special zoning districts; clarify [that] university zoning district includes educational institutions; and adds off-street parking requirements for educational institutions; SH seconded; passed unanimously.

JH moved “to amend the Moscow ACI Agreement by adoption of Moscow Ordinance 2005-04 modifying regulations for telecommunications facilities and antenna towers; KW seconded; passed: 4 yes; 1 abstention.

JH moved to amend the Moscow ACI Agreement by adoption of Moscow Ordinance 2006-03 to define Retail Establishment, Large Retail Establishment Category 1, and Large Retail Establishment Category 2; and to list Large Retail Establishment Category 1 and Category 2 as conditional uses in the motor business zoning district subject to review requirements and potential conditions; and to exclude large retail establishments from the central business zoning district; KW seconded; discussion followed:

AA the design standards are a resolution referred to as a requirement of the ordinance but are not a part of the zoning code; MF: the county *would* include the design standards section.

SH: those in opposition to this ordinance make good points; business will move out. JH: this will only make business do it right; it is not anti-business. SH: What about the “dark stores” section? AA: the subcommittee came up with language last month but the planning commission did not make any decision; the subcommittee attempted language that would target businesses “intentionally” going dark to have to show active marketing to fill the void for 36 months, after which the city would have the option of assessing monetary penalties. No action was taken by City P&Z. JS: Passing the ordinance at this time seems premature; SJ: PC is always behind with ACI decisions; JS: dark store language should be a part of this package; SJ: bb has already been adopted by the city. SH: would standards be different for these stores? Adaptive re-use is the concept; “intentional” is the key word. JH: holding up means nothing is in place for process. Motion: passed: 3 yes; 2 no.

**Next Meeting:** 19 September 2006 at 5:30pm in the Latah County Courthouse, Room 2B (revisit groundwater overlay zone?). PC should do homework on Prop 2, subsection J.

Submitted by Louise D. Barber, 14 September 2006