

Latah County Planning Commission

Minutes from July 5, 2016

The meeting was called to order by Chairman Steve Heick at 5:30 p.m.

In addition to Chairman Heick, the following were present: Tony Johnson, Kenny Cada, Paul Agidius, Michelle Fuson, and Suvia Judd.

Paul made a motion to accept the minutes from May 3, 2016, Kenny seconded, and motion passed.

Chairman Heick read the agenda overview.

Michelle handed out Article 4 regarding dwellings on nonconforming parcels and lots and also Title 4 (which was an old code) on Nonconformities. Nonconforming is a property grandfathered in when an ordinance changes. The City of Moscow has a code, the county has a code, and there have been some changes in nonconformities use. The County staff would like to see that the county ordinance can override the Moscow code (for instance, if a code is too restrictive, it may not be a fair situation of a house burns down and could not be rebuilt and expanded). Paul stated he thought it best to stick with the same regulation throughout the county.

Suvia made a motion that the county nonconforming policy be adopted to the Moscow area of impact. Paul seconded and motion passed.

Michelle said that when granting a Conditional Use Permit, the criteria cannot refer to the comprehensive plan. When the Zoning Commission is making a decision, they may need to state that more research is required. They should also note if there are no issues. If it is a complex issue, they may recommend conditions.

Paul made a motion that Under Article 7 (Conditional Use Permits and Variances), a public hearing should be held on Article 7.01.02 (Permit Criteria) for the deletion of #1.-C, which states that "The use is not in conflict with the goals and policies of the Comprehensive Plan". The public hearing would be contingent on the Zoning Commission's concurrence. Suvia seconded the motion and it passed.

Michelle handed out pages to replace Latah County Comprehensive Plan and Land Use Map Resolution #2010-32

Public Comment:

Jack Freeland asked what had triggered changes on the Conditional Use Permit as discussed above. Michelle explained that there had been a court case where a county had used the Comprehensive Plan as criteria for an approval. It was determined that the Comp Plan is only to be used as a guideline.

Michelle said that the future agenda will be two separate public hearings as well as a review of the sign ordinance when their office slows down.

The next meeting will be in August for the public hearings.

Meeting adjourned at 6:20 p.m.