



APPLICATION FOR REZONING

Instructions

Please complete the application and required attachments. Incomplete applications or applications without all required attachments will not be accepted. A public hearing will be scheduled only after Staff has determined the application is technically complete.

Please submit to: *Latah County Department of Planning & Building*
Latah County Courthouse 522 S Adams, Room 205, P.O. Box 8068, Moscow ID 83843 (208) 883-7220

1. Applicant Information			
A. Applicant Name BGB LLC	B. Home Phone 208-882-4354	C. Work Phone 208-883-1525	
D. Mailing Address 2173 E. 6th St.	E. City Moscow	F. State ID	G. Zip Code 83843
H. Property Owner (If Different than Applicant)	I. Home Phone	J. Work Phone	
K. Mailing Address	L. City	M. State	N. Zip Code

2. General Site Information			
A. Assessor's Parcel Number(s) RP40N05W177220A + RP40N05W165606A		B. Parcel Address (If Applicable) N/A	
C. Acreage of Existing Parcel 135	D. Existing Zoning A/F	E. Comprehensive Plan Designation Rural	F. Floodplain Designation(s) C
G. FEMA Panel # 160086 0230B		H. Is the parcel within an Area of City Impact? <input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No.	
I. Impact City N/A		J. Road Used to Access Site Nearing, Lewis, Foothill	

Note: Sites within an Area of City Impact may require additional notification time prior to public hearings or may require a hearing before the other jurisdiction.

3. Service Provider Information (please attach additional information if requested)		
A. Fire District Moscow Rural Fire Dept.	B. Road District North Latah Co. Hwy. Dist.	C. School District Moscow School District
D. Source of Potable Water (i.e. Water District or Private Well) Private Wells	E. Sewage Disposal (i.e. Sewer District or Septic System) Septic Systems	

4. Adjacent Properties Information	
A. Zoning of Adjacent Properties A/F	B. Existing Uses of Adjacent Properties Residential / Ag

5. Rezone Information	
A. Proposed Zoning District(s)	B. Explain for Rezone Request
<input type="checkbox"/> Agriculture/Forestry <input checked="" type="checkbox"/> Rural Residential <input type="checkbox"/> Suburban Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial	See Narrative

Note: If you would like to change different sections of your property to different zoning designations, please provide a map depicting which zoning designations will be located on the corresponding sections of your property.

6. Authorization		7. Attachments	
<p>The applicant does hereby certify that all of the above statements and information in any attachments transmitted herewith are true, and further acknowledges that approval of this application may be revoked if it is found that any such statements are false.</p>			
a. Signature of Applicant Bud Lewis	b. Date 7/29/08	<p><input checked="" type="checkbox"/> Fee: (\$300.00) Make checks payable to Latah County.</p> <p><input checked="" type="checkbox"/> Completed Narrative Worksheet: See instructions on the Rezone Narrative Worksheet.</p> <p><input checked="" type="checkbox"/> Site Plan: The site plan should include a north arrow, location of roads and rights-of-way, existing buildings, improvements and features; the location and dimensions of proposed facilities, improvements and operations; as well as any other details necessary for the Zoning Commission to make a decision.</p> <p><input checked="" type="checkbox"/> Vicinity Map: The map should show the site location in relation to neighboring communities and natural features.</p> <p><input checked="" type="checkbox"/> Assessor's Plat Map: Include a copy of that portion of the map that shows the subject parcel and adjoining parcels.</p> <p><input checked="" type="checkbox"/> Other Attachments</p>	
c. Signature of Property Owner (If Different than Applicant)	d. Date		

Office Use Only			
Date Received 7/30/08	Amount 300-018964	Receipt No.	By AS
RZ # 780	Date Determined Technically Complete 11/19/08		By AS
Hearing Date December 17, 2008			

All attachments should be reproducible in black and white at 8 1/2" x 11"

BOCC HRG: RZ 780 Applicant: BGB LLC Exhibit No. 2 Date: March 31, 2009	LCZC Hrg: RZ780 Applicant: BGB LLC. Exhibit #: 2 Date: 12/17/2008
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REZONE NARRATIVE WORKSHEET

OWNER/APPLICANT: BGB, LLC
315 S. Almon St.
Moscow, ID 83843

DESCRIPTION OF PROPOSAL:

It is the goal of the applicant to create a project that blends with the foothills character through design and architectural standards and is sensitive to the surrounding neighbors and environment. The project will take a very conservative approach with low density housing, water storage requirements, underground utilities, ample open space for free range of wildlife, and large buffers between the proposed residences and the surrounding neighbors. The applicant, BGB, LLC, desires to rezone approximately 40 acres of a 135 acre parcel of land from Agriculture/Forestry (AF) to Rural Residential (RR) to create 4 new building sites. The remaining 95 acres (70% of the parcel) will remain zoned Agriculture/Forestry (AF) and will be designated as conservation areas. A total of 52 acres will be donated to the Palouse Land Trust at the time of short plat approval and will be restricted from residential development, while the remaining 43 acres will be designated a conservation area and also restricted from residential development. The land is in Sections 16 and 17, Township 40 North, Range 5 West, Boise Meridian, located on Lewis Road, approximately 3.5 miles north of Moscow. It is also identified as Assessor's parcels RP40N05W177220 and RP40N05W165606, as indicated in the attached plat map. The property is designated Rural in the Comprehensive Plan. The subject property is approximately 135 acres in size and lies south of Nearing 1st, 2nd, and 3rd Additions and Tatkinmah Phase I and II, and east of Hideaway Hills Addition and the McCoy parcel which was recently approved to be rezoned to Rural Residential.

EXISTING USES OF PROPERTY:

There are currently no improvements on the subject property and the land is being used for commercial agricultural purposes.

CONSISTENCY REQUIREMENTS:

1. The rezone is in accordance with the goals and policies of the Comprehensive Plan.

This proposal is compatible with the Comprehensive Plan's objective to preserve agricultural and forest land uses to ensure the continued viability of an agricultural and forest based economy in rural Latah County. Seventy percent of the parcel will be designated as conservation areas, where it is the applicant's intent to see the land used for conventional farming practices. A total of 52 acres

BOCC HRG: <u>RZ 780</u> Applicant: <u>BGB LLC</u> Exhibit No. <u>10</u> Date: <u>March 31, 2009</u>	LCZC Hrg: RZ780 Applicant: BGB LLC. Exhibit #: <u>2A</u> Date: <u>12/17/2008</u>
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will be deeded to the Palouse Land Trust at the time of short plat approval and will remain Agriculture/Forestry (AF). The Palouse Land Trust will have the option to continue with conventional agricultural uses. Another 43 acres will be designated as a conservation area. These 95 acres will be restricted from further residential development. While the proposal will convert 40 acres from conventional agriculture uses, the size of the parcels will be conducive to orchards, gardening, tree planting, and other horticultural and small acreage farming activities.

This property is designated rural in the Comprehensive Plan. This designation is defined as an area that is generally composed of less productive agricultural and forest land, and contains low density residential development not directly related to agriculture. This area should be protected from conversion to more concentrated residential, commercial, or industrial development; however, sites within this area are suitable to be considered for further low density residential development. This area is adjacent to other low density development.

This proposal promotes the Comprehensive Plan's objective of fostering other land uses which will help achieve a solid broad-based and sustainable economic foundation. By creating additional opportunities for buyers seeking rural residential home sites, it will increase the assessed valuation of this parcel for tax base purposes. This proposal is similar to surrounding rural residential developments where property owners will have private wells, septic systems, and driveways.

The project will take a conservative approach with low density housing (4 home sites on 40 acres), water storage requirements, underground utilities, ample open space for free range of wildlife, and large buffers between the proposed residences and the surrounding neighbors. Additionally, 95 acres will be designated a conservation area where conventional farming practices are encouraged and residential development is restricted, which achieves the Comprehensive Plan's objective of preserving the rural character of Latah County.

2. The rezone and the uses it permits, shall not be detrimental to or incompatible with the surrounding area, and the uses permitted in that area:

The area adjacent to the subject property is currently used for rural residential housing. The parcel lies south of Nearing 1st, 2nd, and 3rd Additions and Tatkinmah Phase I and II, and east of Hideaway Hills Addition and the McCoy parcel which was recently approved to be rezoned to Rural Residential. There are additional homes that border the property to the north, east, south, and west. The proposal will be very compatible with the rural residential character that is currently present with low density housing (4 home sites on 40 acres) and ample open space. The remaining 95 acres will designated as a conservation area where conventional farming practices are encouraged and residential development is

restricted. It is the goal of the applicant to create a project that is consistent with the Comprehensive Plan and is compatible with the surrounding area and the uses permitted in that area.

3. The rezone must provide some public benefit that exceeds any costs imposed upon the public:

The proposed rezone provides additional opportunities for buyers looking for rural home sites and will increase the assessed valuation of this parcel for tax purposes, resulting in an increase in the County's tax base. The costs for improvements will be made at the expense of the owner and the home sites will be served by private wells, septic systems, and driveways. There will be virtually no costs imposed on the public.

The 52 acre conservation area to be deeded to the Palouse Land Trust will be left as Agriculture/Forestry (AF) and restricted from future development. The Palouse Land Trust will have the option to receive future farm proceeds, which may be allocated towards projects that are beneficial to Latah County.

4. The rezone shall not impose a significant burden to any public services.

The surrounding properties are already served by fire protection, police, school, health, solid waste, and other services; the addition of 4 home sites will not impose a significant burden. The home sites will be served by private wells, septic systems, and driveways.

5. The rezone is not a spot zone.

The proposed rezone is in close proximity to approximately 100 rural residential home sites. Although the surrounding properties have not been rezoned to Rural Residential, these residential developments are compatible with properties zoned with a Rural Residential (RR) designation. The proposed rezone will not, if rezoned, differ measurably from the surrounding uses.

The County recently approved a rezone of the McCoy parcel west of the subject property, from (AF) to (RR), demonstrating the compatibility of these two zones and the Comprehensive Plan's policy of considering low density housing in the Rural designation. The McCoy rezone has not been finalized, but demonstrates this rezone is not a spot zone.

The actual use of a majority of the surrounding land is residential and this application therefore does not propose departure from the Comprehensive Plan, other adjacent land uses, or other adjacent eligible parcels. The proposed rezone will extend privileges which have been generally extended to similar properties located in this area and the proposed use will not differ in kind from actual land uses surrounding the rezoned parcel.

A. Community Design Element

This proposal is consistent with the Comprehensive Plan's goal of ensuring a pattern of planned growth which results in the orderly and attractive development of Latah County. This project will implement a conservative design approach with low density housing (4 home sites on 40 acres), water storage requirements, underground utilities, ample open space for free range of wildlife, and large buffers between the proposed residences and the surrounding neighbors. The size of the parcels on the 40 acres will be conducive to orchards, gardening, tree planting, and other horticultural and small acreage farm activities. A 95 acre conservation area will be established where conventional farming practices are encouraged and residential development is restricted. This will allow for significant open space, protect the existing character of the surrounding area, and preserve the rural character of Latah County.

B. Population Element

This proposal is consistent with the Comprehensive Plan's goal of ensuring that population growth is accommodated in an orderly pattern. The area surrounding the rezone has evolved toward residential development; this proposal's low density development is compatible with the properties that surround it.

C. Housing Element

This proposal is consistent with the Comprehensive Plan's goal to ensure adequate and attracting living environment to meet the needs of residents in Latah County. The proposed development will include Covenants, Conditions, and Restrictions which will include requirements for energy efficiency, water storage, fire prevention, and open range. Additionally, an architectural committee will be established to approve all house plans to ensure conformity with building codes and public health standards required by Latah County and consistency with building design standards stipulated within the Covenants. These home sites will provide new options to potential buyers desiring to live in a rural setting.

D. Economic Development Element

This proposal promotes the Comprehensive Plan's objective of encouraging economic diversification and providing for land uses appropriate to local and regional economic needs. By creating additional opportunities for buyers seeking rural residential home sites, it will significantly increase the assessed valuation of this parcel for tax purposes. The size of the parcels creates an opportunity for a variety of small acreage farm endeavors including orchards, gardening, and tree planting. The subject property is in close proximity to residential subdivisions. A rezone to Rural Residential would protect the existing residential uses by discouraging commercial and industrial developments and potential future high density residential developments.

A 95 acre conservation area will be established where conventional farming practices are encouraged and residential development is restricted. The Palouse Land Trust will have the option to receive all farm proceeds from their 52 acre parcel, which may be allocated toward projects that are beneficial to Latah County.

E. Public Services, Facilities, and Utilities Element

This proposal is consistent with the Comprehensive Plan's goal to provide an orderly pattern of development which will ensure adequate public facilities and services without excessive costs. The proposed rezone is in close proximity to approximately 100 rural residential home sites. The surrounding properties are already served by fire protection, police, school, health, solid waste, and other services; the addition of 4 home sites will not impose a significant burden to public services.

Additionally, the properties will be served by private wells, septic systems, and driveways and power/telephone are within close proximity to the subject parcel. No new public facilities will be necessary.

F. School Facilities and Student Transportation

This proposal is consistent with the Comprehensive Plan's goal of minimizing adverse effects of new residential development on school facilities and student transportation. The subject property is located within the Moscow School District. Student transportation is currently provided to surrounding residences with the subject property bordering Nearing Road, Lewis Road, and Foothill Road.

G. Transportation Element

This proposal is consistent with the Comprehensive Plan's goal to promote an efficient and safe transportation system. The access points will be limited to Nearing Road and Foothill Road which are maintained by the North Latah County Highway District. The parcels will provide ample space for set back distance from public roads. The private driveways will be designed to meet Latah County standards for emergency response vehicles.

H. Natural Resource Element

This proposal is consistent with the Comprehensive Plan's goal to ensure sound stewardship of the County's natural resources. A total of 4 home sites on 40 acres will allow for large open spaces, free range of wildlife, and ample buffer zones between the proposed residences and the surrounding neighbors. Designating 95 acres (70% of the parcel) as a conservation area will help to protect the natural environment.

The applicant will also implement Covenants, Conditions, and Restrictions on the rezone area which will provide requirements for energy efficiency, fire prevention, water storage, underground utilities, open space, and buffer zones.

I. Special Areas Element

There are no identified special areas or sites of historic, archeological, architectural, geological, biological, or scenic significance on the subject property.

J. Hazardous Areas Element

There are no identified natural hazards with the potential to significantly affect the property. The property is not in a floodplain, slopes are stable, and there is no significant risk of wildfire. There will be a large buffer between the proposed residences and the housing developments to the north.

K. Recreation Element

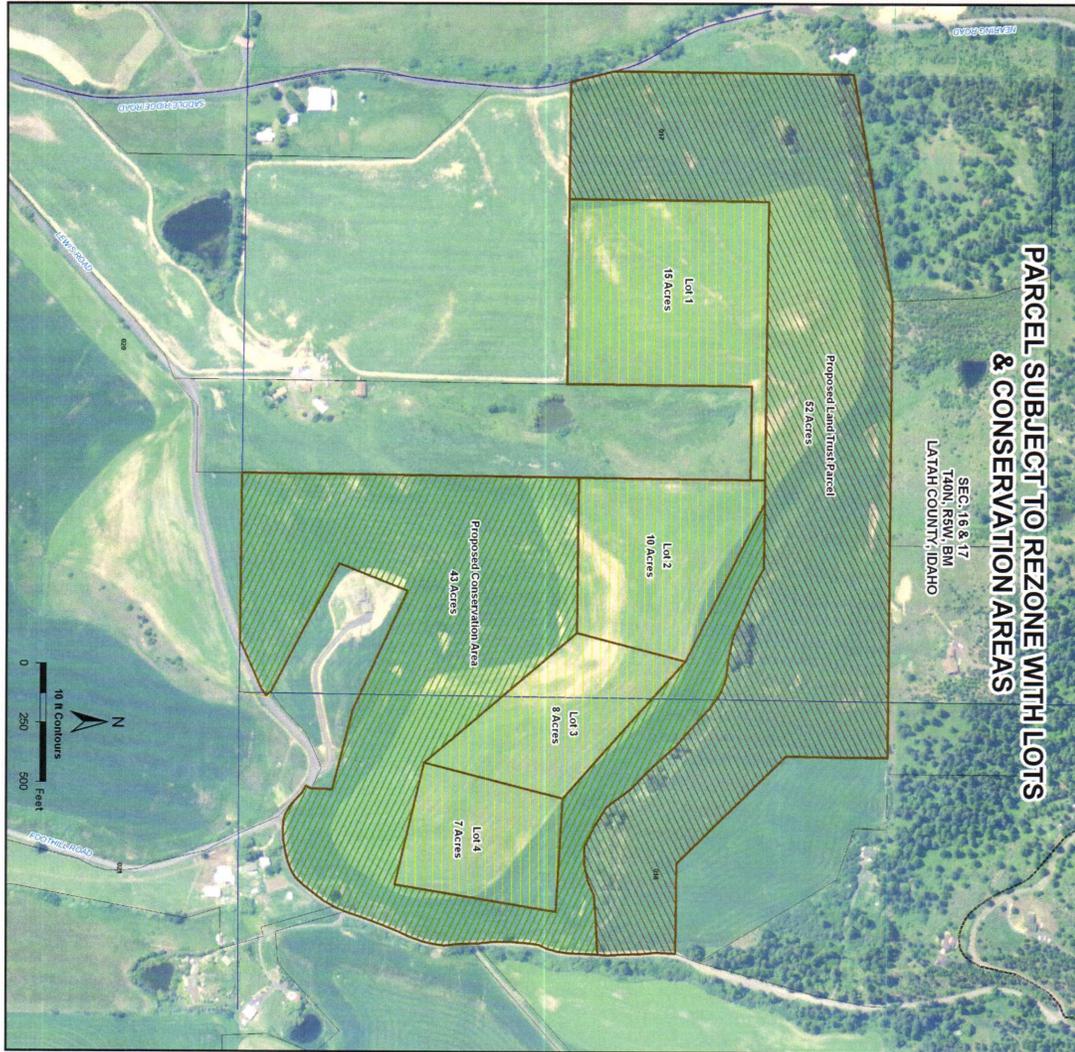
The goals and policies of the recreation element may be improved with this proposal. The donation to the Palouse Land Trust may provide additional options for recreation.

L. Land Use Element

The subject property is designated as Rural by the Latah County Comprehensive Plan land use map. The subject property is within close proximity to Nearing 1st, 2nd, and 3rd Additions, Tatkinmah Phase I and II, Hideaway Hills Addition, and the McCoy parcel which was recently approved to be rezoned to Rural Residential (RR). This proposal is consistent with the Comprehensive Plan's policy to consider further low density residential development within the Rural designation.

M. Property Rights Element

Approval of the proposed rezone will ensure that Latah County's land use policies, regulations, and conditions, do not unreasonably impact the owner's economic interest in the affected parcel.



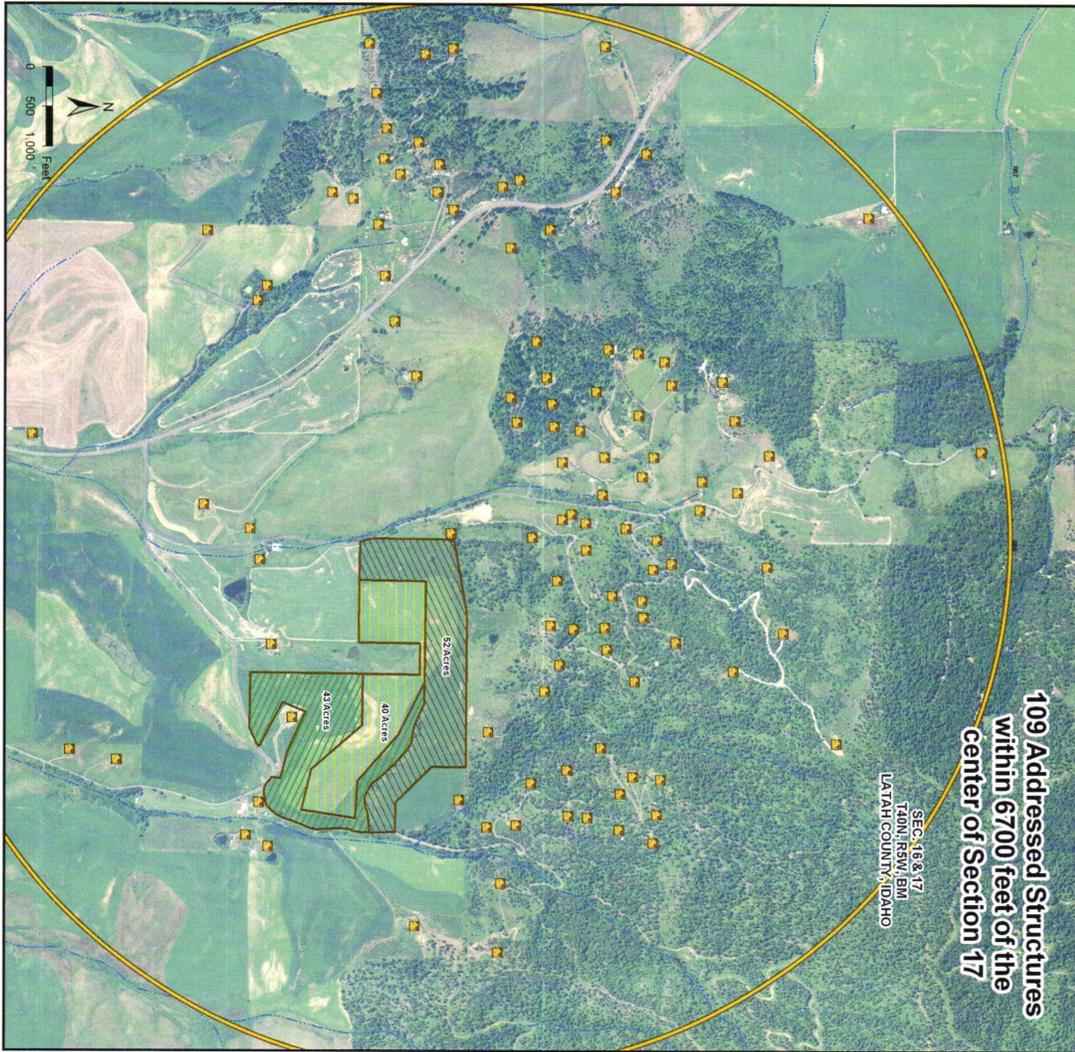
BOCC HRG: RZ 780
 Applicant: BGB LLC
 Exhibit No. 11
 Date: March 31, 2009

LCZC Hrg: RZ780
 Applicant: BGB LLC.
 Exhibit #: 2B
 Date: 12/17/2008



BOCC HRG: RZ 780
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 Exhibit No. 12
 Date: March 31, 2009

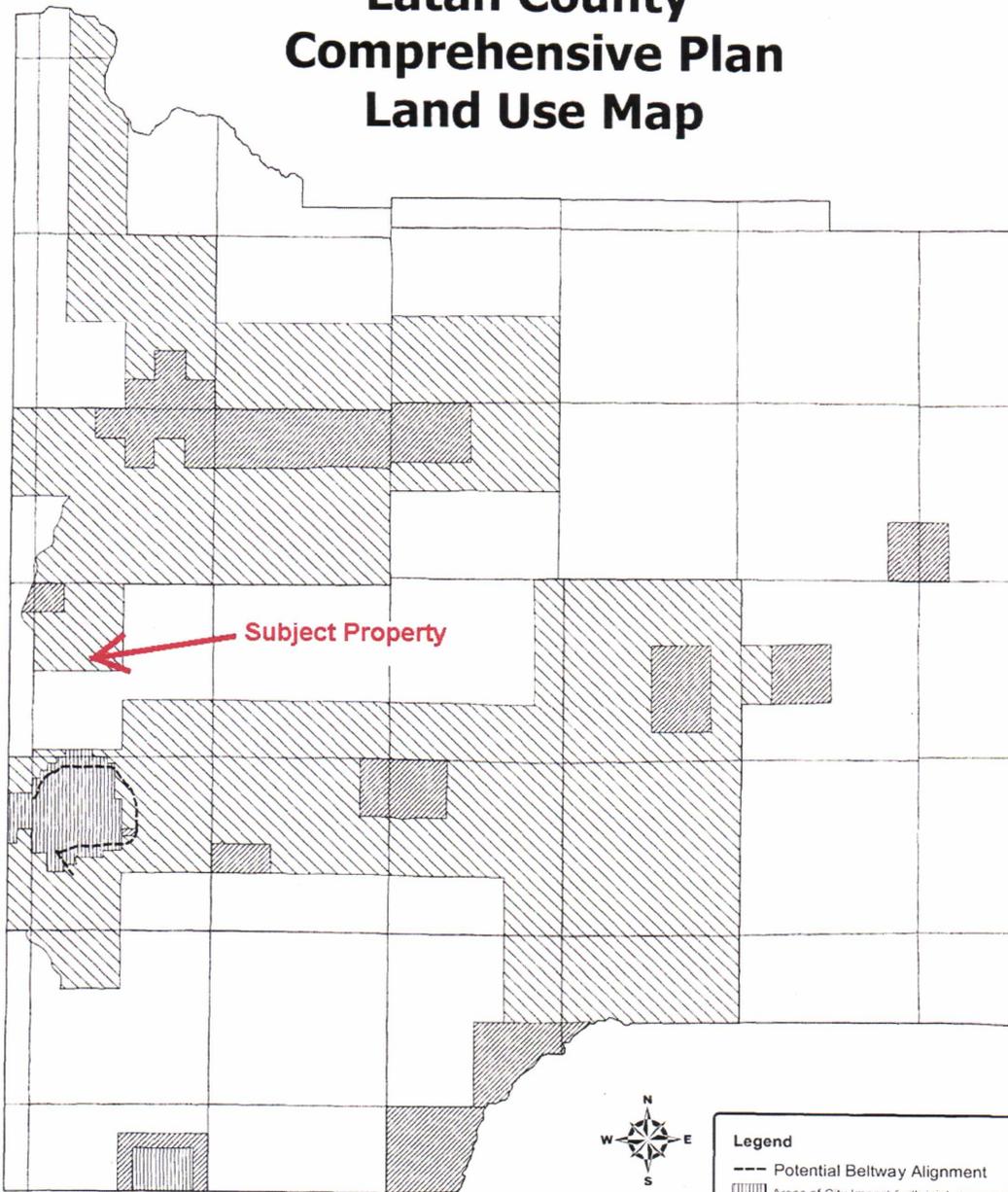
LCZC Hrg: RZ780
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BOCC HRG: RZ 780
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 Date: March 31, 2009

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 Exhibit #: 2E
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Latah County Comprehensive Plan Land Use Map



Subject Property



6a

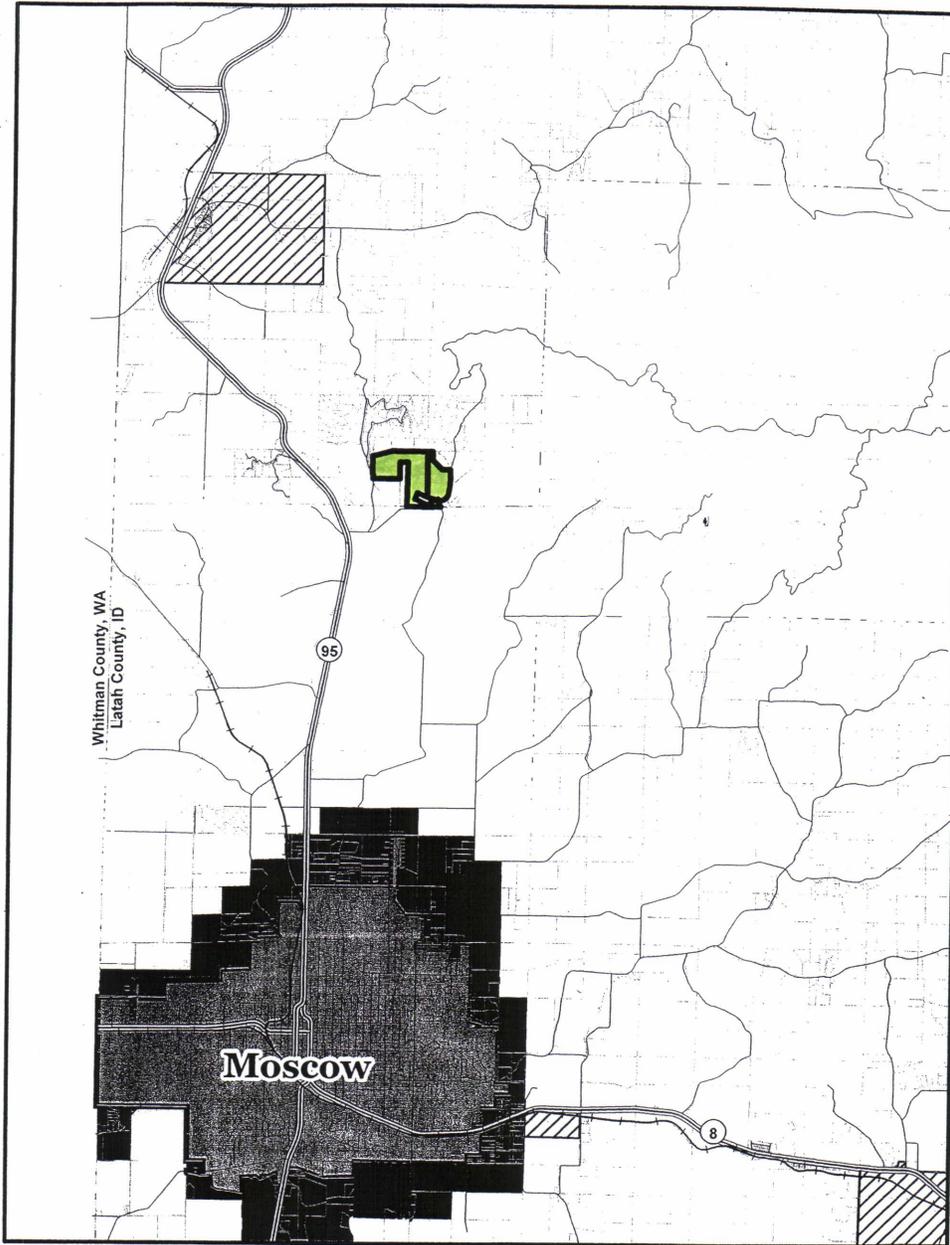
Legend

- Potential Beltway Alignment
- ▤ Areas of City Impact (with joint management)
- ▨ Industrial/Commercial/Residential
- Productive

BOCC HRG: RZ 780
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Exhibit No. 15
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC
Exhibit #: 2F
Date: 12/17/2008

Vicinity Map



Whitman County, WA
Latah County, ID

Moscow

Legend

- | | | | |
|--|---------------------|--|------------------------------------|
| | Subject Property | | Area of Impact |
| | Incorporated Places | | Productive |
| | Parcels | | Rural |
| | | | Residential, Commercial Industrial |

Comprehensive Plan



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BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 16
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC
Exhibit #: 2G
Date: 12/17/2008

**LATAH COUNTY ACKNOWLEDGEMENT
FORM FOR SCHOOL DISTRICT
SHORT PLAT - 4 OR FEWER LOTS**

THE Moscrow SCHOOL DISTRICT ACKNOWLEDGES FOR
BGB, LLC SHORT PLAT CONSISTING OF 4 LOTS:

- The service requirements for the proposed short plat **will not** have an adverse effect upon existing service capabilities or finances of the jurisdiction.
- The service requirements for the proposed short plat **will** have an adverse effect upon existing service capabilities or finances of the jurisdiction.

SIGNED: Candis L. Novicki

TITLE: Superintendent

DATE: 4-6-08

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 18
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC
Exhibit #: 21
Date: 12/17/2008