

**LATAH COUNTY ZONING COMMISSION EXHIBIT LIST**  
Public Hearing for Conditional Use Permit #945

**Date:** May 6<sup>th</sup>, 2014    **Time:** 5:30 pm    **Applicant:** James and Teresa Lucas    **File #:** CUP 945

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**EXHIBITS:**

- Exhibit #1.** Criteria Worksheet
- Exhibit #1A.** Zoning Map
- Exhibit #1B.** Comprehensive Plan Map
- Exhibit #1C.** Adjacent Property Owners and Aerial Photograph Map
- Exhibit #2.** Application Form (Submitted by Applicant)
- Exhibit #2A.** Applicant's Narrative (Submitted by Applicant)
- Exhibit #2B.** Site Plan (Submitted by Applicant)
- Exhibit #3.** Staff Introduction for Latah County Zoning Commission public hearing for CUP 945 on May 6<sup>th</sup>, 2015.

# CRITERIA WORKSHEET & APPLICATION SUMMARY

Note: This exhibit does not represent staff analysis of information provided by the applicant supporters, or opponents; however, staff has identified policies which may be applicable to this particular request. Information submitted to the Planning Department prior to the mailing of the staff packet has been organized herein in relation to the applicable criteria for approval or denial. This worksheet is intended only to help identify if all relevant criteria have been addressed with supporting factual information and to provide a juxtaposition of any conflicting testimony that has been presented.

## Type of request:

Conditional Use Permit for an accessory cottage in excess of 900 square feet on a 5.12-acre parcel in the Agriculture/Forest zone.

## Description of application:

CUP #945 -A request by James and Teresa Lucas for a conditional use permit for an accessory cottage house in excess of 900 square feet on approximately 5.12 acres in the Agriculture/Forest (A/F) zone. The property is located at 3045 S Highway 95, Moscow, Idaho in Section 30 of Township 39 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP39N05W305120A.

## Facts of application and the information submitted

### Site Characteristics:

Size of Parcel: 5.12 acres  
Floodplain: Zone "C"

### Land Use and Regulations:

Comprehensive Plan Designation: Rural  
Existing Zoning: Agriculture/Forest  
Existing Uses: Residential/Bed and Breakfast  
Neighboring Zoning: Rural Residential/Suburban Residential  
Agriculture/Forest  
Neighboring Uses: Residential, Mini Storage, Mobile Home Park

### Infrastructure/Services:

Water: Private Well  
Sewer: Private Septic  
Access: Highway 95  
Fire Protection: Moscow Rural

### Applicable Statute, Ordinance, and Comprehensive Plan Sections:

Local Planning Act: Idaho Code 67-6512

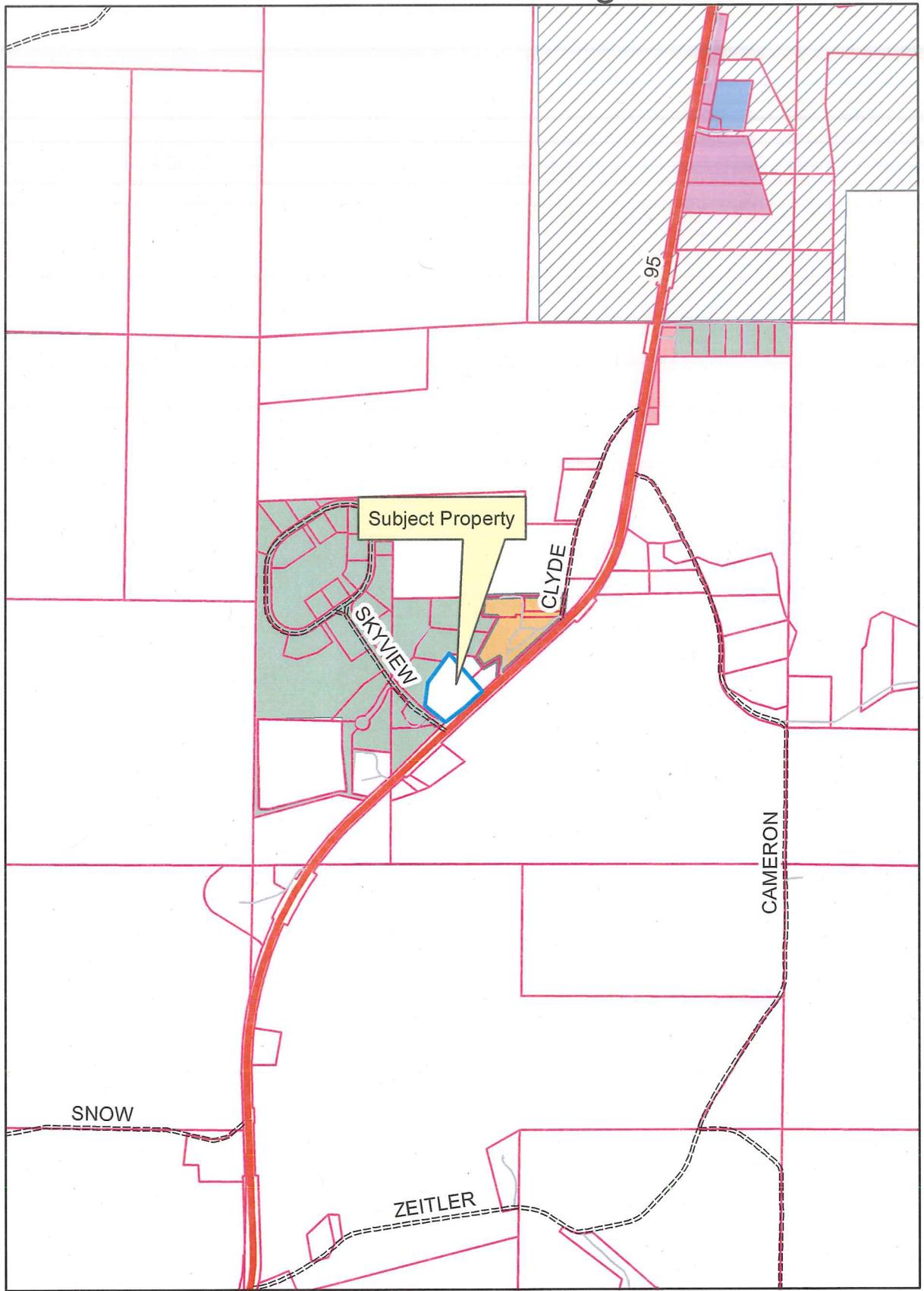
### Latah County Land Use Ordinance # 269, as amended:

Section 3.01 Agriculture/Forest Zone  
Section 3.01.03.14 - The Latah County Land Use Ordinance, under section 3.01.03(14), lists "Accessory Cottage Housing Exceeding 900 Square Feet" as a conditionally permitted use in the Agriculture/Forest Zone.  
Article 7 Conditional Use Permits  
Section 7.01.02 (see exhibit #3)

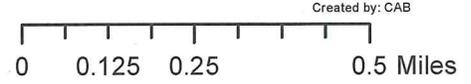
# Latah County Comprehensive Plan

# CUP #945 Zoning

Planning and Building Department



- |  |                      |  |                             |
|--|----------------------|--|-----------------------------|
|  | Agriculture Forestry |  | Motor Business              |
|  | Commercial           |  | Multiple Family Residential |
|  | Industrial           |  | Municipality                |
|  | AOI                  |  | Rural Residential           |
|  |                      |  | Single-Family Residential   |
|  |                      |  | Suburban Residential        |

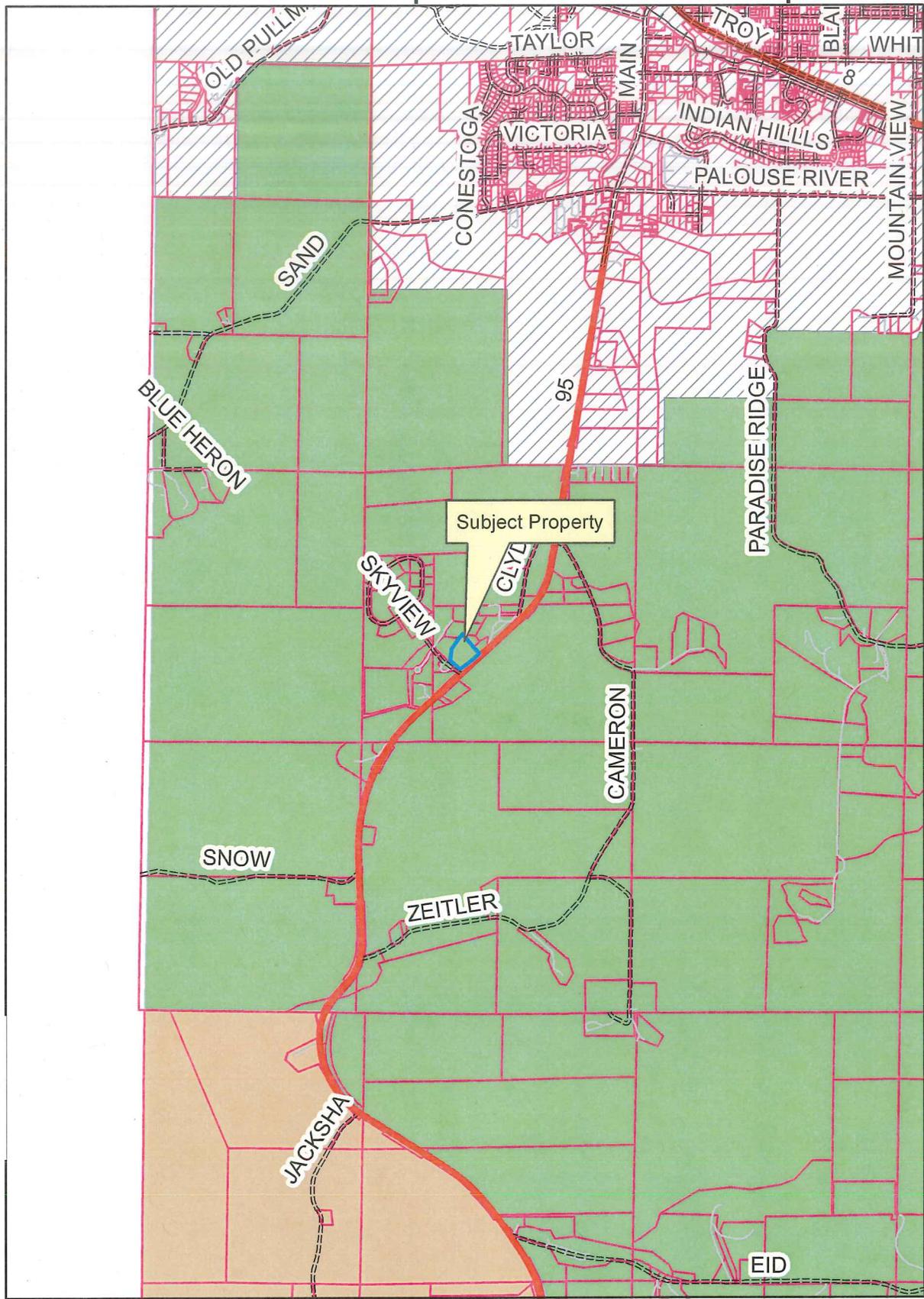


Created by: CAB

LCZC Hrg: CUP 945  
 Applicant: Lucas  
 Exhibit #: 1A  
 Date: 05/06/2015

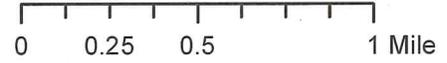
# CUP #945 Comprehensive Plan Map

Planning and Building Department



Note: This document is a representation only. Latah County bears no responsibility for errors or omissions.

Created by: CAB



- Comprehensive Plan**
- ICR
  - AFR
  - AOI
  - PRODUCTIVE
  - RURAL

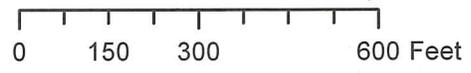
LCZC Hrg: CUP 945  
 Applicant: Lucas  
 Exhibit #: 1B  
 Date: 05/06/2015

# CUP #945 Aerial Photograph and Adjacent Property Owners

Planning and Building Department



Created by: CAB



LCZC Hrg: CUP 945  
Applicant: Lucas  
Exhibit #: 1C  
Date: 05/06/2015



# Application for Conditional Use Permit

## Instructions

Please complete the application and required attachments. For certain uses, additional information may be necessary. 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 <b>James &amp; Teresa Lucas</b>		b. Home Phone / Work Phone <b>208-882-7374</b>		c. Email <b>teresalucas2012@gmail.com</b>	
d. Mailing Address <b>PO Box 1254</b>		e. City <b>Dubois</b>	f. State <b>WY</b>	g. Zip code <b>82513</b>	
h. Property Owner (if different than applicant) <b>Same as above</b>		i. Home Phone <b>Same</b>		j. Work Phone <b>Same</b>	
k. Mailing Address <b>PO Box 1254</b>		l. City <b>Dubois</b>	m. State <b>WY</b>	n. Zip code <b>82513</b>	

### 2. General Site Information

a. Assessor's Parcel Number(s) <b>RP39N05W305120A, RP39N05W305300A, RP39N05W305260A</b>			b. Parcel Address (if applicable) <b>3045 &amp; 3015 Hwy 95 South</b>		
c. Acreage of Existing Parcel <b>5.120, .960, .970</b>	d. Zoning <b>AF</b>	e. Comprehensive Plan Designation <b>Rural</b>	f. Floodplain designation(s)	g. FEMA Panel #	
h. Is the parcel within an Area of City Impact? <input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No.	i. Impact City		j. Road Used to Access Site <b>Hwy 95</b>		

**Note:** Sites within an area of city impact may require additional notification time prior to public hearings or a hearing before the other jurisdiction.

i. Existing Uses  
**Garage/shop**

### 3. Service Provider Information (please attach additional information if requested)

a. Fire District <b>Moscow rural</b>	b. Road District <b>ITD</b>	c. School District <b>Moscow</b>
d. Source of Potable Water (i.e. water district or private well) <b>Private well - shared with main house</b>	e. Sewage Disposal (i.e. sewer district or private septic system) <b>Private septic</b>	

### 4. Adjacent Properties Information

a. Zoning of Adjacent Properties <b>RR SR AF</b>	b. Existing Uses of Adjacent Properties <b>Rural Residence, Mini Storage, Mobile Home Par</b>
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### 5. Permit Information

a. Proposed Use  
**Accessory Cottage**

b. What provision of the Latah County Zoning Ordinance allows the proposed use to be considered for a Conditional Use Permit in the Zoning District in which the property is located?

**Note:** If the proposed use is not specifically listed, please contact the Department prior to submittal to determine if the use is similar to those that are specifically listed as conditionally permitted uses. The Department may require additional information in order to make a determination.

### 6. Authorization

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.

a. Signature of Applicant 	b. Date <b>8/5/14</b>
c. Signature of Property Owner (if different than applicant) 	d. Date <b>8/5/14</b>

### 7. Attachments

All attachments should be reproducible in black and white at 8½" x 11"

- Fee:** (\$300.00) Make checks payable to Latah County.
- Completed Narrative Worksheet:** See instructions on the Conditional Use Permit Narrative Worksheet.
- 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.
- Vicinity Map:** The map should show the site location in relation to neighboring communities and natural features.
- Assessor's Plat Map:** Include a copy of that portion of the map that shows the subject parcel and adjoining parcels.
- Other Attachments:** Required by staff / Zoning Commission for certain proposed uses.

### Office Use Only

Date Received <b>4/16/2015</b>	Amount <b>\$1300</b>	Receipt No. <b>742510</b>	By <b>CAB</b>
CUP # <b>945</b>	Date Determined Technically Complete		By
Hearing Date <b>May 6<sup>th</sup> 2015</b>			

09/19/2013

LCZC Hrg: **CUP 945**  
 Applicant: **Lucas**  
 Exhibit #: **2**  
 Date: **05/06/2015**



## Conditional Use Permit Narrative Worksheet

### Application Information

Applicant's Name

James & Teresa Lucas

Phone Number

208-882-7374

**Purpose:** To assist the Zoning Commission in making an informed decision regarding the applicant pursuant to the requirements of the Latah County Land Use Ordinance.

**Instructions:** Please respond to each section of this form. If you need more space, you may attach additional sheets to the worksheet.

### Description of Proposal

Describe your proposal in detail. Include all aspects of your proposal.

We would like to upgrade the building from shop/garage to accessory cottage.

### Existing Uses of Property

Please describe what uses, structures and features currently occupy the property.

The building is a two story structure. Downstairs is a kitchenette and sitting area, a bathroom and laundry room.

Upstairs is a large open room with partial walls for sleeping.

### Consistency Requirements

Please respond to each of the three criteria listed in Section 7.01.02 of the Latah County Land Use Ordinance by explaining how your proposal meets each criteria. If the provided space is insufficient, please attach your responses to this packet.

**A. The use is not detrimental to the health or safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone.**

Upgrading the structure from garage/shop to accessory cottage will provide additional housing options for visitors to Moscow.

The structure has a private septic and shares the private well owned by the property owner.

**B. The use will not require facilities or services with excessive costs to the public.**

Upgrading the structure from garage/shop to accessory cottage will not financially impact the public in any way.

LCZC Hrg: CUP 945  
Applicant: Lucas  
Exhibit #: 2A  
Date: 05/06/2015

**C. The use is not in conflict with the goals and policies of the Comprehensive Plan.**

Upgrading the structure from garage/shop to accessory cottage will provide a short term housing option for visitors to Moscow as well as a short term option for people desiring to move to Moscow while looking for property to purchase.

*In addition to your response above, please explain your proposal's consistency with the proceeding elements of the Comprehensive Plan. If a certain element is not applicable to your proposal, please explain why. Please refer to the Latah County Comprehensive Plan for specific goals and policies of the particular elements.*

**a. Community Design Element**

The structure is located 2 miles south of Moscow, tucked nicely in a developed parcel with numerous deciduous and fruit trees, a raspberry garden, a vegetable garden and flowers all over the property that bloom from spring thaw through the first freeze.

**b. Population Element**

The structure can accommodate a small family.

**c. Housing Element**

The structure provides an alternative to long term hotel living for temporary or short term housing options.

**d. Economic Development Element**

An additional temporary, short term housing option will provide additional economic support into the community.

**e. Public Services, Facilities, and Utilities Element**

The structure will provide short term housing needs, it is self contained and has its own electric meter and is plumbed for natural gas.

**f. School Facilities and Student Transportation Element**

Families with children are within the Moscow school district. The bus stops at the Sky View Development, at 3055 Hwy 95 South.

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**g. Transportation Element**

The structure has its own parking and and shared highway entry with the main house at 3045 Hwy 95 South.

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**h. Natural Resource Element**

NA

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**i. Special Areas Element**

Additional housing for community

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**j. Hazardous Areas Element**

NA

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**k. Recreation Element**

Short term housing for seasonal or short term visitors to the area

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**l. Land Use Element**

Housing

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**m. Property Rights Element**

Owner owned and operated private land

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**n. Water Resources Element**

Private super well

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Signature: Chris Storhok  
Chris Storhok (Aug 5, 2014)

Email: [chris.storhok@gmail.com](mailto:chris.storhok@gmail.com)



## CUP #945 – Staff Introduction

**CUP #945** – A request by James and Teresa Lucas for a conditional use permit for an accessory cottage house in excess of 900 square feet on approximately 5.12 acres in the Agriculture/Forest (A/F) zone. The property is located at 3045 S Highway 95, Moscow, Idaho in Section 30 of Township 39 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP39N05W305120A.

The Latah County Land Use Ordinance, under section 3.01.03(14), lists "Accessory Cottage Housing Exceeding 900 Square Feet" as a conditionally permitted use in the Agriculture/Forest Zone.

### *Section 7.01.02 requires:*

1. **A conditional use permit may be granted if the Zoning Commission finds that the proposed use conforms to each of the following criteria:**
  - A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone;
  - B. The use will not require facilities or services with excessive costs to the public;
  - C. The use is not in conflict with the goals and policies of the Latah County Comprehensive Plan.
2. **If the Zoning Commission finds that a proposed use is essential to the public health, safety, or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.**
3. **The Zoning Commission shall have the authority to set an expiration date for any conditional use permit so long as the reasons for such are included in their findings of fact and conclusions of law.**

### **Exhibits will now be entered into the record.**

The following exhibits were submitted with the staff packet:

#### **EXHIBITS:**

- |                     |                                                                                                                  |
|---------------------|------------------------------------------------------------------------------------------------------------------|
| <b>Exhibit #1.</b>  | Criteria Worksheet                                                                                               |
| <b>Exhibit #1A.</b> | Zoning Map                                                                                                       |
| <b>Exhibit #1B.</b> | Comprehensive Plan Map                                                                                           |
| <b>Exhibit #1C.</b> | Adjacent Property Owners and Aerial Photograph Map                                                               |
| <b>Exhibit #2.</b>  | Application Form (Submitted by Applicant)                                                                        |
| <b>Exhibit #2A.</b> | Applicant's Narrative (Submitted by Applicant)                                                                   |
| <b>Exhibit #2B.</b> | Site Plan (Submitted by Applicant)                                                                               |
| <b>Exhibit #3.</b>  | Staff Introduction for Latah County Zoning Commission public hearing for CUP #945 on May 6 <sup>th</sup> , 2015. |

## LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

**Public Hearing:** RZ 944 **Date:** May 6, 2015 **Time:** 5:30 p.m.

**Applicant:** Goetz Farms / Gary Tribble

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- Exhibit #1: Criteria Worksheet
- Exhibit #1A: Vicinity and Comprehensive Plan Land Use Map
- Exhibit #1B: Zoning Map
- Exhibit #1C: Aerial Photo and Adjacent Property Owners Map
- Exhibit #2: Application Form (Submitted by Applicant)
- Exhibit #2A: Applicant's Narrative (Submitted by Applicant)
- Exhibit #2B: Aerial (Submitted by Applicant)
- Exhibit #2C: Site Plan (Submitted by Applicant)
- Exhibit #3: Staff Introduction for Latah County Zoning Commission hearing for RZ #944 held on May 6<sup>th</sup>, 2015.

# CRITERIA WORKSHEET & APPLICATION SUMMARY

Note: This exhibit does not represent staff analysis of information provided by the applicant supporters, or opponents; however, staff has identified policies which may be applicable to this particular request. Information submitted to the Planning Department prior to the mailing of the staff packet has been organized herein in relation to the applicable criteria for approval or denial. This worksheet is intended only to help identify if all relevant criteria have been addressed with supporting factual information and to provide a juxtaposition of any conflicting testimony that has been presented.

## Type of request:

Rezone approximately 10 acres of an approximately 194 acre parcel from Agriculture/Forest to Rural Residential.

## Description of application:

**RZ #944** - A request by Goetz Farms LLC to rezone approximately 10 acres of an approximately 194.25 acre parcel from Agriculture/Forest to Rural Residential. The property is located on Rothwell Road in Section 32, Township 41 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP41N05W324822A.

## Facts of application and the information submitted

### Site Characteristics:

**Size of Parcel:** 194 acres  
**Floodplain:** Zone "C"

### Land Use and Regulations:

**Comprehensive Plan Designation:** Rural  
**Existing Zoning:** Agriculture/Forest  
**Existing Uses:** Agriculture  
**Neighboring Zoning:** Agriculture/Forest  
**Neighboring Uses:** Small parcel residential, Agriculture

### Infrastructure/Services:

**Water:** Private Well  
**Sewer:** Private Septic  
**Access:** Rothwell Road to private shared driveway  
**Fire Protection:** Moscow Rural

## Applicable Statute, Ordinance, and Comprehensive Plan Sections:

**Local Planning Act:** Idaho Code 67-6512

**Latah County Land Use Ordinance # 269, as amended:**

*Section 6.01 Zoning Map Amendments*

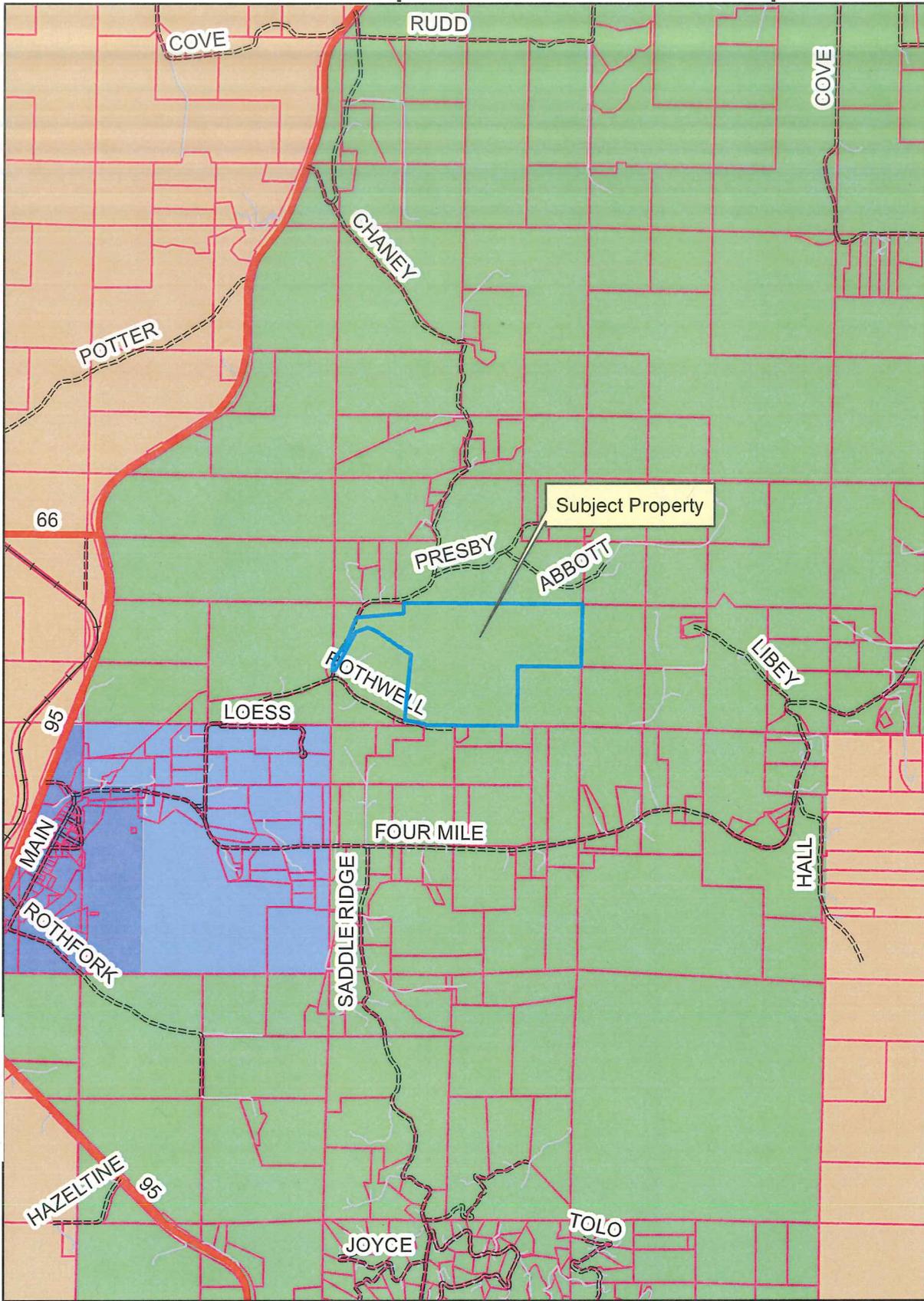
*Section 3.01 Agriculture Forest Zone*

*Section 3.02 Rural Residential Zone*

**Latah County Comprehensive Plan**

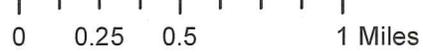
# RZ #944 Comprehensive Plan Map

Planning and Building Department



Note: This document is a representation only. Latah County bears no responsibility for errors or omissions.

Created by: CAB

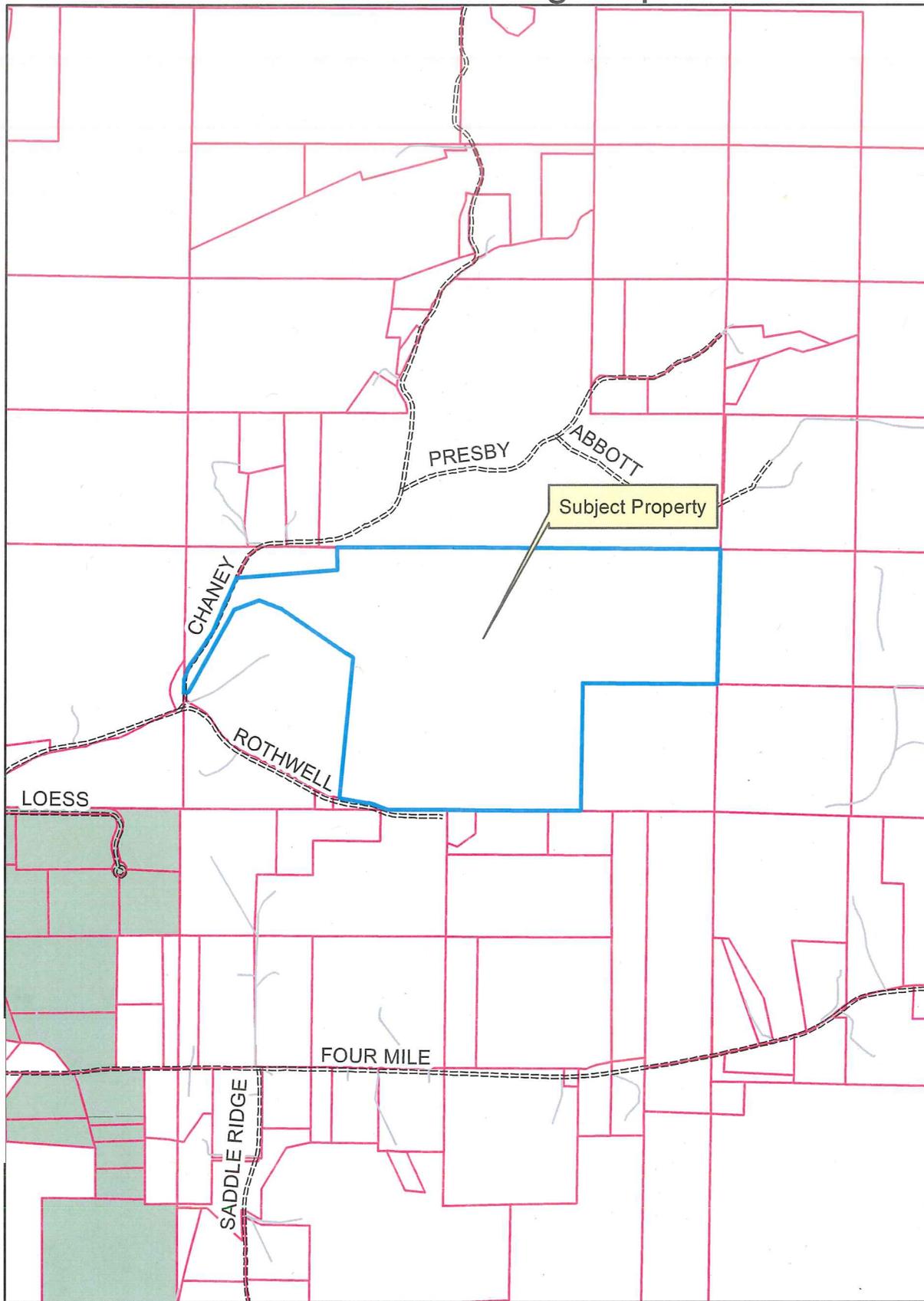


<b>Comprehensive Plan</b>	ICR
AFR	PRODUCTIVE
AOI	RURAL

LCZC Hrg: RZ 944  
 Applicant: Goetz  
 Exhibit #: 1A  
 Date: 05/06/2015

# RZ #944 Zoning Map

Planning and Building Department



Note: This document is a representation only.  
Latah County bears no responsibility for errors or omissions.

Created by: CAB

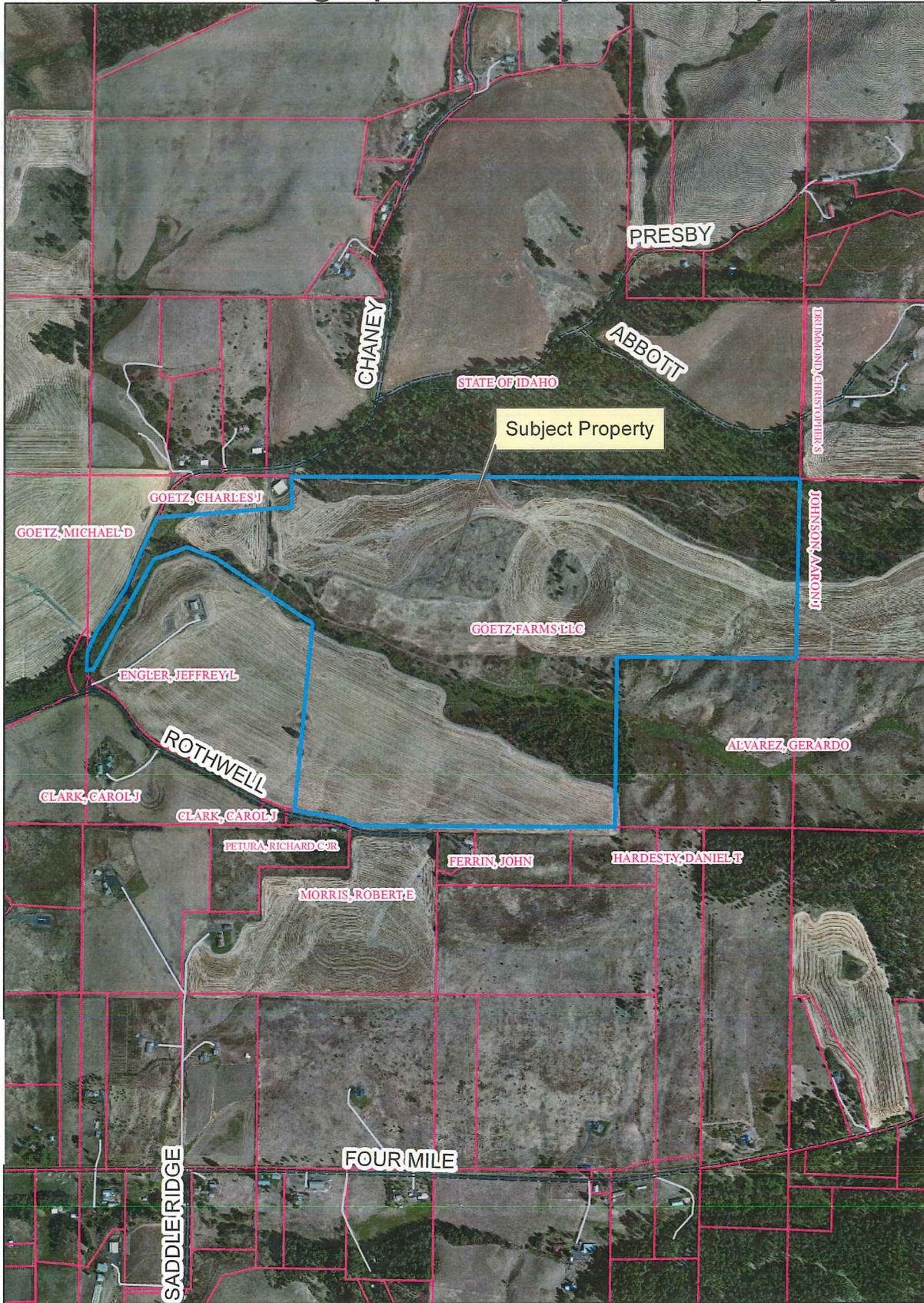
- |                      |                             |
|----------------------|-----------------------------|
| Agriculture Forestry | Motor Business              |
| Commercial           | Multiple Family Residential |
| Industrial           | Municipality                |
| AOI                  | Rural Residential           |
| Suburban Residential | Single-Family Residential   |

0 650 1,300 2,600 Feet

LCZC Hrg: RZ 944  
Applicant: Goetz  
Exhibit #: 1B  
Date: 05/06/2015

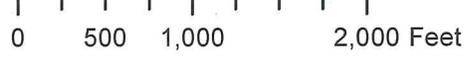
# RZ #944 Aerial Photograph and Adjacent Property Owners

Planning and Building Department



Note: This document is a representation only.  
Latah County bears no responsibility for errors or omissions.

Created by: CAB



LCZC Hrg: RZ 944  
Applicant: Goetz  
Exhibit #: 1C  
Date: 05/06/2015



# 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 <b>Gary Tribble</b>		B. Home Phone / Work Phone 208-883-1525	C. Email GTribble@LatahRealty.com
D. Mailing Address 128 East Third		E. City Moscow	F. State ID
		G. Zip Code 83843	
H. Property Owner (If Different than Applicant) Goetz Farms LLC		I. Home Phone 208-882-6105	J. Work Phone
K. Mailing Address PO Box 9043		L. City Moscow	M. State ID
		N. Zip Code 83843	
2. General Site Information			
A. Assessor's Parcel Number(s) RP41N05W324822		B. Parcel Address (If Applicable) TBD Rothwell Rd, Viola, ID	
C. Acreage of Existing Parcel 194+/-	D. Existing Zoning Ag-Forest	E. Comprehensive Plan Designation	F. Floodplain Designation(s)
		G. FEMA Panel #	
H. Is the parcel within an Area of City Impact? <input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No.		I. Impact City	J. Road Used to Access Site Rothwell Road
<i>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.</i>			
L. Existing Uses <b>Agriculture</b>			
3. Service Provider Information (please attach additional information if requested)			
A. Fire District Latah Rural		B. Road District North Latah County	C. School District Moscow
D. Source of Potable Water (i.e. Water District or Private Well) Future Private Wells		E. Sewage Disposal (i.e. Sewer District or Septic System) Private Septic Systems	
4. Adjacent Properties Information			
A. Zoning of Adjacent Properties AG-Forest		B. Existing Uses of Adjacent Properties Residential, small acreages (ranchettes), farm ground.	
5. Rezone Information			
A. Proposed Zoning District(s) <input type="checkbox"/> Agriculture/Forestry <input checked="" type="checkbox"/> Rural Residential <input type="checkbox"/> Suburban Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial		B. Explain for Rezone Request Owner wishes to split off two 5 acre parcels, which would be similar size to other properties in the area.  The vast majority of the property would remain in Ag-Forest.	
<i>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.</i>			
6. Authorization		7. Attachments	
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.		<input type="checkbox"/> <b>Fee: (\$400.00)</b> Make checks payable to Latah County. <input type="checkbox"/> <b>Completed Narrative Worksheet:</b> See instructions on the Rezone Narrative Worksheet. <input type="checkbox"/> <b>Site Plan:</b> 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. <input type="checkbox"/> <b>Survey or Boundary Description:</b> This must be prepared by a surveyor licensed in the state of Idaho. <input type="checkbox"/> <b>Other Attachments:</b>	
a. Signature of Applicant <i>Gary Tribble</i>	b. Date 4-14-2015		
c. Signature of Property Owner (If Different than Applicant) <i>Goetz Farms LLC</i>	d. Date 4-14-15		
Office Use Only			
Date Received 4/14/2015	Amount 400.00	Receipt No. 742504	By CAB
RZ# 944	Date Determined Technically Complete 4/14/2015	By M. 22	
Hearing Date 5/6/2015			

09/19/2013

**LCZC Hrg: RZ 944**  
**Applicant: Goetz**  
**Exhibit #: 2**  
**Date: 05/06/2015**



## Rezone Narrative Worksheet

### Application Information

Applicant's Name

Gary Tribble

Phone Number

208-883-1525

**Purpose:** To assist the Zoning Commission in making an informed decision regarding the applicant pursuant to the requirements of the Latah County Land Use Ordinance.

**Instructions:** Please respond to each section of this form. If you need more space, you may attach additional sheets to the worksheet.

### Description of Proposal

Describe your proposal in detail. Include all aspects of your proposal.

Applicant purposes to create two 5 acre hobby farm parcels along Rothwell Road, each eligible for one residential building permit. They would be typical of other properties in that area. These two parcels would be suitable for a small farming or ranching activity which can be managed with small equipment and a limited budget (hobby farm).

The remaining 184 +/- acre parcel would remain Ag-Forest zone and be eligible for one residential building permit. This would be typical of the properties North and East of it.

### Existing Uses of Property

Please describe what uses, structures and features currently occupy the property.

At present this ground is a mixture of forest land and farm ground with no improvements.

### Consistency Requirements

Please respond to each of the five criteria listed in Section 6.01.02 of the Latah County Land Use Ordinance by explaining how your proposal meets each criteria. If the provided space is insufficient, please attach your responses to this packet.

**1. 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 rezone would allow uses similar to those in the surrounding area. The two smaller parcels would be approximately 5 acres; adequate in size for a home, outbuildings, well, septic system. In addition, there would be room for FHA projects, kids ponies, or a cow, or two. This will provide little or no impact on larger commercial agricultural operation in the area and would provide for a couple of smaller agriculture operations.

LCZC Hrg: RZ 944  
Applicant: Goetz  
Exhibit #: 2A  
Date: 05/06/2015



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

Though these two parcels are shown as Ag-Forest, the change will make them consistent with the neighboring properties. They will add to the agricultural diversification of the Viola area, where people can enjoy their mini farms and ranches without spending a fortune.

*In addition to your response above, please explain your proposal's consistency with the preceding elements of the Comprehensive Plan. If a certain element is not applicable to your proposal, please explain why. Please refer to the Latah County Comprehensive Plan for specific goals and policies of the particular elements.*

**a. Community Design Element**

This rezone will create two nice smaller and manageable size parcels, which would allow for small scale agricultural operations with home.

**b. Population Element**

This would add the potential of two new homes.

**c. Housing Element**

A couple more single-family residences will attract people who enjoy rural lifestyle, whereby providing a mix of housing.

**d. Economic Development Element**

The addition of two homes would in this area will help increase the tax base, support schools, and dollars to the local economy, without negatively effecting the area.

**e. Public Services, Facilities, and Utilities Element**

The future homes would have private wells and septic systems. There already exist a nice public road next to each of these properties. There will be minimal, if any, impact on public services, facilities or utilities.

**f. School Facilities and Student Transportation Element**

The addition of two homes should have minimum effect on the school system and would help with increasing the tax base. Children growing up in the clean and healthy rural environment is always good.

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**g. Transportation Element**

There exist a county road in front of these properties.

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**h. Natural Resource Element**

There should be no negative impact on natural resources.

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**i. Special Areas Element**

There are no known special areas, or sites of historic, archaeological, architectural, geological, biological or scenic significance on the property.

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**j. Hazardous Areas Element**

There are no known natural hazards on this property.

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**k. Recreation Element**

With the rezone, this nice property will allow 2 "new" families to enjoy this beautiful area.

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**l. Land Use Element**

These two parcels are well suited for residential purpose with the potential of a small farmstead. Low-density, single family residential use is most consistent with the character of the area. In addition, the driveways will be located close to the property line leaving more land for the "new" owners to grow crops and raise livestock.

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**m. Implementation**

This re-zone will cluster a couple of homes within a small and manageable area, versus spread out on larger parcels.

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**n. Property Rights Element**

Residential use of a small portion of this property enables future owners to have full enjoyment of this beautiful area.

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**o. Water Resource Element**

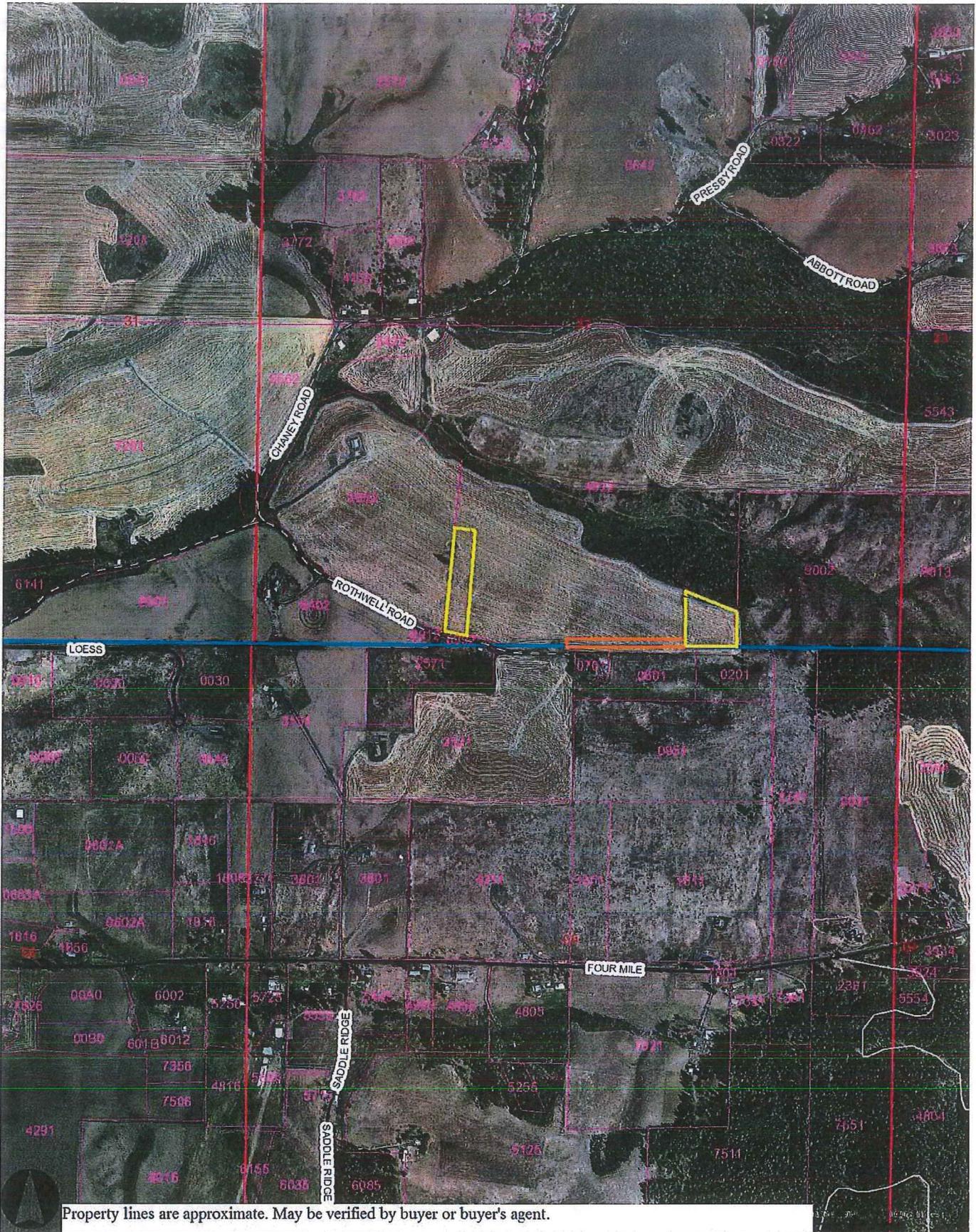
It appears there is substantial subsurface water in this area.

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LCZC Hrg: RZ 944  
Applicant: Goetz  
Exhibit #: 2B  
Date: 05/06/2015

P/L



Rothwell Rd

LCZC Hrg: RZ 944  
Applicant: Goetz  
Exhibit #: 2C  
Date: 05/06/2015

## RZ #944 - Staff Introduction

A request by Goetz Farms LLC to rezone approximately 10 acres of an approximately 194.25 acre parcel from Agriculture/Forest to Rural Residential. The property is located on Rothwell Road in Section 32, Township 41 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP41N05W324822A.

1) Section 6.01.02 states, "the Zoning Commission may recommend the Board of Latah County Commissioners approval of a rezone application if the Zoning Commission finds that the proposed rezone conforms to each of the following criteria:"

1. The rezone is in accordance with the goals and policies of the Comprehensive Plan.
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.
3. The rezone must provide some public benefit that exceeds any costs imposed upon the public.
4. The rezone shall not impose a significant burden to any public services.
5. The rezone shall not be a spot zone.

2) The Zoning Commission may recommend approval for rezone proposals that do not initially meet criteria 1-5, if the applicant can provide substantial mitigation through a written development agreement as provided by 6.01.03.4 of the Latah County Land Use Ordinance #269, as amended. The Commission may also recommend approval for applications not meeting the criteria listed above if the Zoning Commission finds that the rezone is essential to the public health, safety, or welfare.

### The following exhibits were submitted with the staff packet:

- Exhibit #1: Criteria Worksheet
- Exhibit #1A: Vicinity and Comprehensive Plan Land Use Map
- Exhibit #1B: Zoning Map
- Exhibit #1C: Aerial Photo and Adjacent Property Owners Map
- Exhibit #2: Application Form (Submitted by Applicant)
- Exhibit #2A: Applicant's Narrative (Submitted by Applicant)
- Exhibit #2B: Aerial (Submitted by Applicant)
- Exhibit #2C: Site Plan (Submitted by Applicant)
- Exhibit #3: Staff Introduction for Latah County Zoning Commission hearing for RZ #944 held on May 6<sup>th</sup>, 2015.

**That is all staff has unless the Commission has questions.**