

NOTICE OF PUBLIC HEARINGS
BEFORE THE LATAH COUNTY ZONING COMMISSION
Wednesday, February 3rd, 2016 5:30 p.m.

The Latah County Zoning Commission will hold public hearings on Wednesday, February 3rd, 2016, in Room 2-B of the Latah County Courthouse, Moscow, Idaho, to receive comments on:

RZ #972 – A request by Mike Hicks to rezone approximately 2.96 acres of David Wagner's property from Rural Residential to Commercial. The property is located South of Hwy 6, in Section 03, Township 41 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP41N05W034853A.

CUP #974 – A request by North Latah Highway District to operate a mineral resource development on a 15 acre portion of a 562 acre parcel owned by Majorie Anderson Family LLC, in the agriculture/forest zone. The parcel is accessed off Hwy 95 in Section 09, of Township 41 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP41N05W090649A and RP41N05W093159A.

RZ #971 - A request by Nathan Wilson to rezone approximately 26 acres of a 125 acre parcel from Agriculture/Forest to Rural Residential. The property is located South of Darby Road, in Section 01, Township 39 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP39N05W012570.

Interested parties are encouraged to attend. Accommodations for individuals who qualify under the ADA are available upon request. Notice to acquire accommodations must be made 3 working days prior to the hearings to the Planning Dept. These hearings will be held pursuant to the Latah County Hearing Procedures Ordinance and under authority of the Idaho Local Land Use Planning Act, the Latah County Comprehensive Plan and the Latah County Land Use Ordinance. The Latah County Zoning Commission reserves the right to limit length of testimony.

Additional information, including copies of the proposal, is available from the Planning Dept., Latah County Courthouse, Moscow, Idaho, (208) 883-7220. Written comments will be accepted at the above office no later than 2:00 pm on Friday, January 29th, 2016. **Written exhibits will not be accepted after that time.** Written exhibits include, but are not limited to: written comments, submissions, exhibits, emails, videos, recorded audio, DVD's, PowerPoint presentations, slide shows, photographs, and regular mail/submittals.

Mauri Knott
Senior Planner

(This is a public service announcement)

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing: CUP 974 Date: February 3, 2016 Time: 5:30 pm

Applicant: North Latah Highway District

File #: CUP 974

Page: 1 of 1

EXHIBITS:

- Exhibit #1.** Criteria Worksheet
- Exhibit #1A.** Vicinity and Comprehensive Plan Land Use Map
- Exhibit #1B.** Zoning Map
- Exhibit #1C.** Aerial Photograph and Adjacent Property Owners Map
- Exhibit #1D.** Topographic Map
- Exhibit #2.** Application Form (Submitted by Applicant)
- Exhibit #2A.** Applicant's Narrative (Submitted by Applicant)
- Exhibit 2B.** Site Plan (Submitted by Applicant)
- Exhibit #2C.** Letter from NLCHD (Submitted by Applicant)
- Exhibit #2D.** Operation Plans (Submitted by Applicant)
- Exhibit #2E.** Email Authorization by Marjorie Anderson Family LLC (Submitted by Applicant)
- Exhibit #2F.** Application for Idaho Department of Lands Reclamation Plan
- Exhibit #3.** Staff Introduction for Latah County Zoning Commission hearing for CUP #974 held on February 3, 2016

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:

A conditional use permit to operate a mineral resource development on approximately 15 acres.

Description of application:

A request by North Latah Highway District to operate a mineral resource development on a 15 acre portion of a 562 acre parcel owned by Majorie Anderson Family LLC, in the agriculture/forest zone. The parcel is accessed off Hwy 95 in Section 09, of Township 41 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP41N05W090649A and RP41N05W093159A.

Facts of application and the information submitted

1) Section 7.01 requires that specific uses within a particular zone require special consideration prior to being permitted in that zone.

The Latah County Land Use Ordinance, under section 3.01.03(8), lists "Mineral Resource Developments" as a conditionally permitted use in the Agriculture/Forest Zone.

2) Section 7.01.01 requires that an application for a conditional use permit shall be made by the owner of the affected property.

North Latah County Highway District submitted a conditional use application of the Latah County Planning and Building Department on January 13th, 2016. The application was deemed complete by the Latah County Planning and Building Department on January 15th, 2016. The application was signed by the North Latah County Highway District Representative and authorization was received from the Majorie Anderson Family LLC.

3) 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 consistent 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

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.

4) Section 4.03.03 New Mineral Resource Developments states the following:

Any mineral development which is not registered as an existing development or does not qualify to be registered as an existing development, not exempt as per Section 4.03.04 of this ordinance, or does not have an existing conditional use permit, shall be considered a new development. Prior to operation, all new developments must obtain a conditional use permit under the provisions of Section 7.01 of this ordinance. In addition the Zoning Commission shall, as a minimum, place the requirements of Section 4.03.02 upon any newly permitted mineral development, unless making specific findings supporting the omission or alteration of the requirements of Section 4.03.02. Mineral resource developments which have been granted a valid conditional use permit prior to one year after adoption of this ordinance shall be considered permitted and shall observe all conditions previously established. New mineral resource developments shall be exempt from the provisions of Section 7.01.07 of this ordinance. The following are requirements for operation of all new mineral resource developments:

1. Activity associated with a mineral resource development shall be at least 1,000 feet from any home existing at the time of application for conditional use permit, unless a lesser distance is approved by the Zoning Commission. A lesser distance shall not be approved unless the applicant submits a signed notarized form, approved by the Planning Department, from all owners of record of any residential building within 1000 feet of the development consenting to the location of the mineral resource development. Each form shall be recorded in the Latah County Recorder's Office by the Planning Department. Approval of a distance less than 1000 feet shall be within the discretion of the Zoning Commission, even if all owners of residential buildings within 1000 feet approve of the location of the development.

2. The operator of a mineral resource development must provide at least a 75 foot undisturbed or natural buffer on the perimeter of mineral resource development operations. The buffer and the area of mineral resource development operations shall be maintained so that they are continuously free of all noxious weeds as determined by the Latah County Noxious Weed Control Superintendent. Frontage on a public road does not require a buffer. Activities associated with a mineral resource development shall not be allowed within the 75 foot buffer area. Location and specifications for access road(s) shall be determined by the Zoning Commission.

3. To protect aquatic and terrestrial habitat and other biological resources, all mineral resource developments and mineral resource development operations shall be set back at least 75 feet from perennial streams and 30 feet from any intermittent streams shown on USGS 7.5 minute maps; except for stream crossings that are regulated by a state or federal regulatory system and those activities permitted under the Idaho Placer and Dredge Mining Protection Act from the Idaho Department of Lands, a Stream Channel Alteration Permit from the Idaho Department of Water Resources, a Dredge and Fill

Permit from the U.S. Army Corps of Engineers, a Development Permit from the Latah County Planning Department, and / or a National Pollution Discharge Elimination System permit from the U.S. Environmental Protection Agency. Applicable permit documentation shall be provided to the Zoning Administrator prior to onset of mineral resource development.

4. The applicant shall prepare and submit the following plans with the application for a conditional use permit:

- A. Dust abatement plan to include mineral resource development operations and all access roads.
- B. A plan for coordination with County response units for hazardous materials transport and use and emergency spill response.
- C. A plan for procedures and protocols for spill containment and storage of oil, fuels, and/or chemicals; and documentation of compliance with the state and federal laws or documentation of exemption from requirements.
- D. A plan for fire suppression and response, including an inventory of tools stored on-site to implement planned suppression and response.

5. The applicant may be required to post a bond with the Latah County Planning Department to assure full compliance with the proposed plans and provisions of this section. The amount of the bond shall be determined by the Latah County Zoning Commission.

5) Section 4.03.02 requires the following

- 1. Hours of operation are limited to 9 AM to 6 PM daily. An operator may vary from this requirement by applying for a conditional use permit under the provisions of Section 7.01 of this ordinance.
- 2. Written verification of compliance with the Idaho Surface Mining Act, including filing of any reclamation plan required by the Idaho Surface Mining Act.
- 3. The excavation site, any overburden and stockpiles, and a 50 foot buffer strip surrounding these areas shall be maintained so that they are continuously free of all noxious weeds as determined by the Latah County Noxious Weed Control Superintendent.
- 4. The operator shall provide, by certified mail, written notification to all residences within one mile of any blasting. The notification shall be distributed and in the possession of the occupants of these residences at least 72 hours prior to any blasting. The notification shall give the date and time of the planned blast.

5. Blasting shall be restricted to the hours of 9:30 AM to 4:30 PM, Monday through Friday. No blasting shall occur on Saturdays, Sundays, or the following holidays: January 1, Memorial Day, Labor Day, Thanksgiving Day, and December 25.

6. An owner or operator may request, and the Director may grant, an exception to provide for additional hours of operation for a mineral resource development when additional hours of operation are needed to alleviate a public emergency. Public emergencies include the following:

- A. Damage to public roads or structures that require immediate repair.
- B. Road construction or repair that is scheduled during nighttime hours to reduce traffic conflicts.

7. Signs, upon approval of the signs by the Planning Department, warning of truck entrances shall be posted within one-quarter (1/4) mile of the site's entrance onto a public road.

8. The mineral resource development shall be marked by warning signs posted 200 feet from mine operations.

9. A plan to retain storm water runoff within the mineral resource development boundaries.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 562 acres
Floodplain: Zone "A" and Zone "C"

Land Use and Regulations:

Comprehensive Plan Designation: Rural
Existing Zoning: Agriculture/Forest
Existing Uses: Agriculture/ Non-Conforming Mineral Resource
Neighboring Zoning: Agriculture/Forest
Neighboring Uses: Residential/Agriculture/Forestry/Public Right of Way

Infrastructure/Services:

Water: N/A
Sewer: N/A
Access: State Hwy 95
Fire Protection: Potlatch Rural

Applicable Statute, Ordinance, and Comprehensive Plan Sections:

Local Planning Act: Idaho Code 67-6512

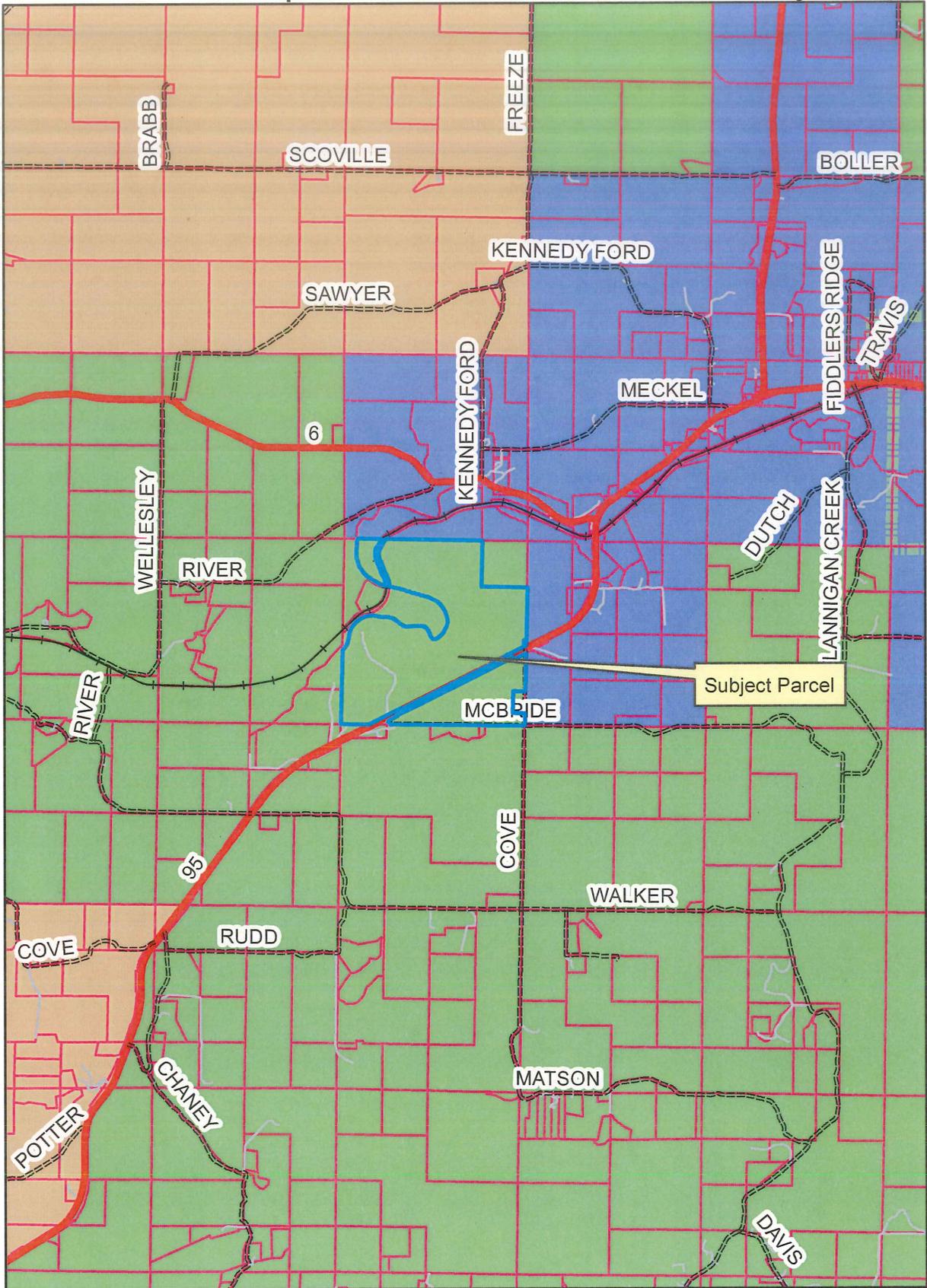
Latah County Land Use Ordinance # 269, as amended:

Section 3.01 Agriculture/Forest Zone
Article 7 Conditional Use Permits

Latah County Comprehensive Plan

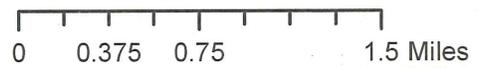
CUP 974 Comprehensive Plan and Vicinity Map

Planning and Building Department



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

Created by: CAB

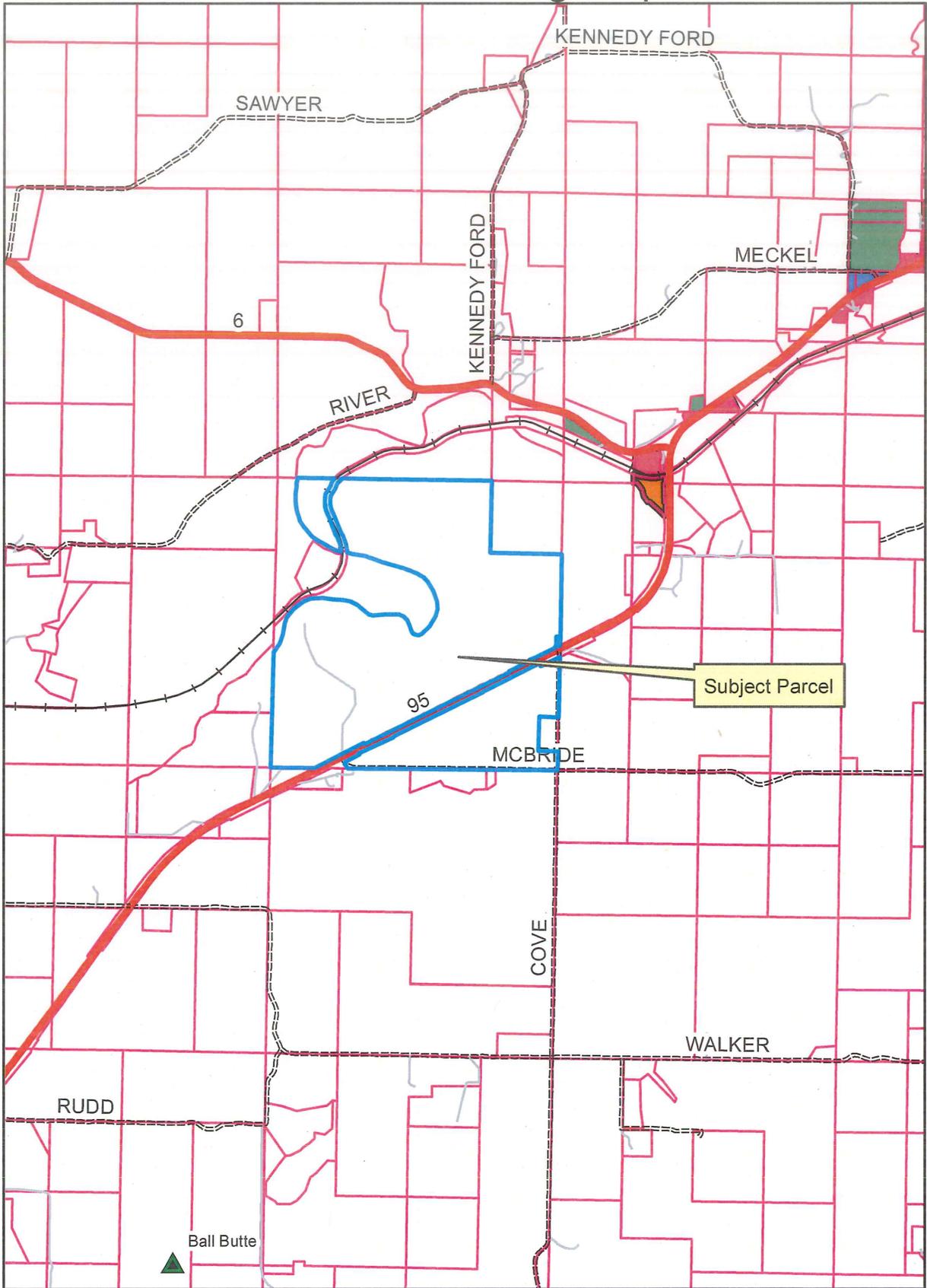


Comprehensive Plan		ICR
		PRODUCTIVE
		RURAL
		AOI
		AFR

LCZC Hrg: CUP 974
 Applicant: NLCHD
 Exhibit #: 1A
 Date: 02/03/2016

CUP 974 Zoning Map

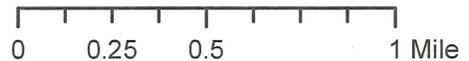
Planning and Building Department



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

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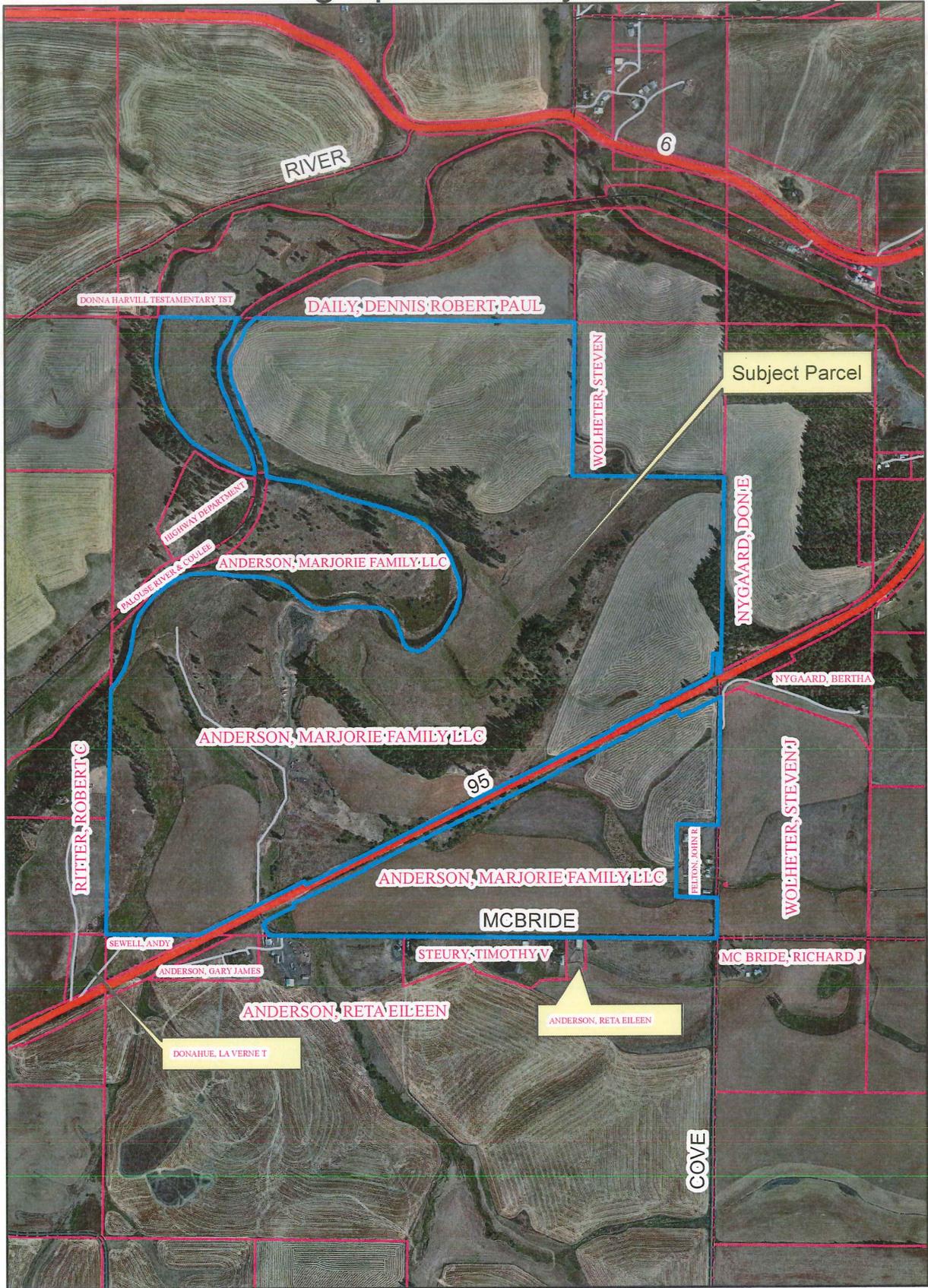
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|----------------------|-----------------------------|---------------------------|
| Agriculture Forestry | Motor Business | Rural Residential |
| Commercial | Multiple Family Residential | Single-Family Residential |
| Industrial | Municipality |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



LCZC Hrg: CUP 974
 Applicant: NLCHD
 Exhibit #: 1B
 Date: 02/03/2016

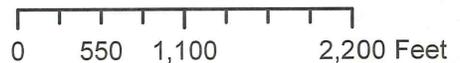
CUP 974 Aerial Photograph and Adjacent Property Owners

Planning and Building Department



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

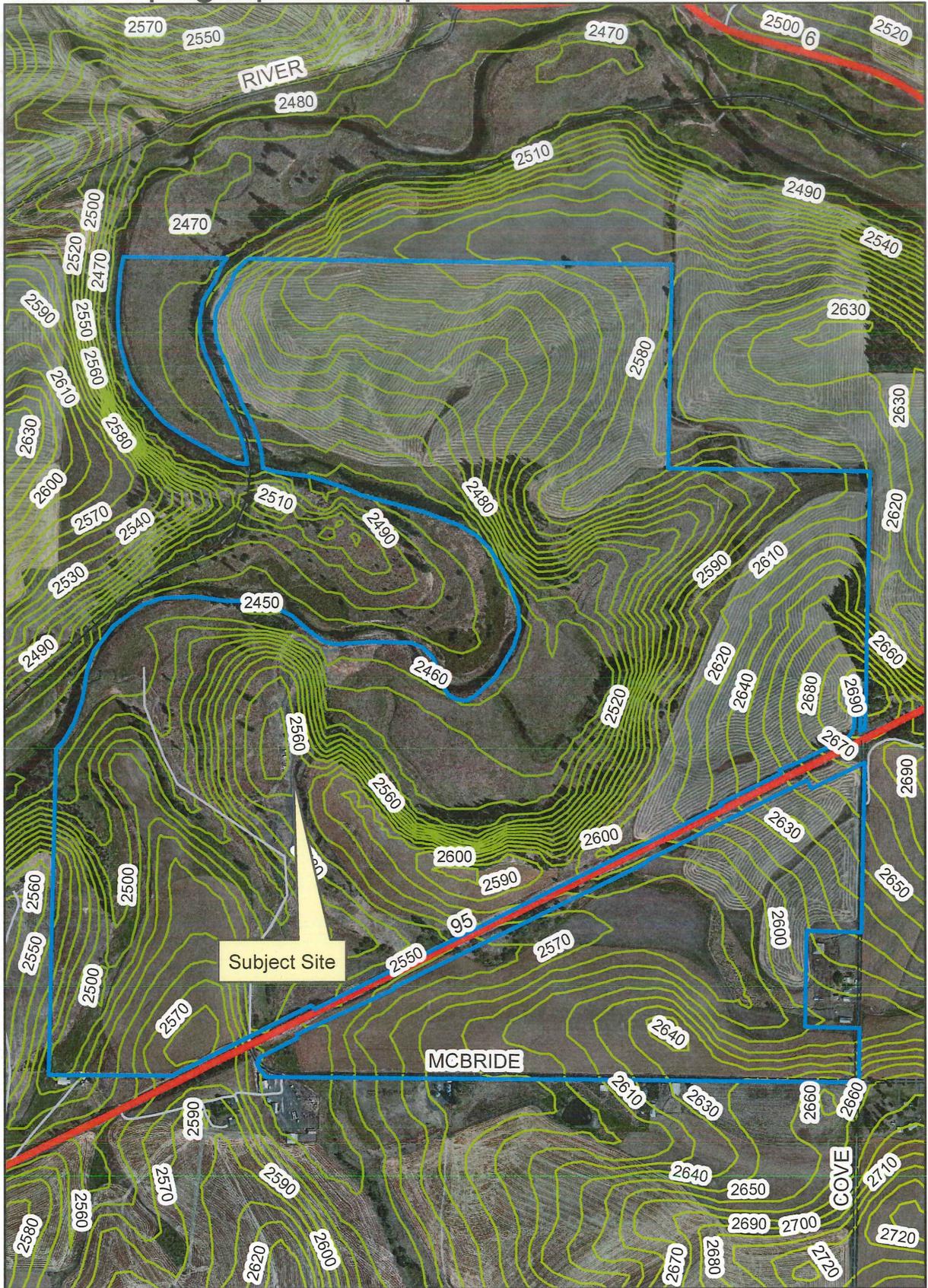
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LCZC Hrg: CUP 974
Applicant: NLCHD
Exhibit #: 1C
Date: 02/03/2016

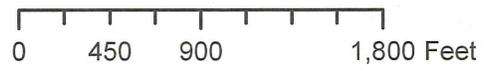
CUP 974 Topographic Map with 10 Foot Contour Intervals

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: CUP 974
Applicant: NLCHD
Exhibit #: 1D
Date: 02/03/2016



Please Save Document Before Filling It Out.
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 North Latah County Highway District		b. Home Phone / Work Phone (208) 882-7490		c. Email nlchd@nlchd.com	
d. Mailing Address 1132 White Ave		e. City Moscow	f. State ID	g. Zip code 83843	
h. Property Owner (if different than applicant) Marjorie Anderson Family LLC		i. Home Phone (208) 875-0966		j. Work Phone	
k. Mailing Address 2404 W Deschutes Ave		l. City Kennewick	m. State WA	n. Zip code 99336	

2. General Site Information

a. Assessor's Parcel Number(s) RP41N05W090649			b. Parcel Address (if applicable) n/a		
c. Acreage of Existing Parcel 497	d. Zoning AF	e. Comprehensive Plan Designation	f. Floodplain designation(s) A&C	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 n/a	j. Road Used to Access Site NLCHD/ITD		

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

Nonconforming rock pit

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

a. Fire District Potlatch	b. Road District NLCHD	c. School District Potlatch
d. Source of Potable Water (i.e. water district or private well) n/a		e. Sewage Disposal (i.e. sewer district or private septic system) n/a

4. Adjacent Properties Information

a. Zoning of Adjacent Properties AF	b. Existing Uses of Adjacent Properties Ag/Forestry/PRW/SFR
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5. Permit Information

a. Proposed Use

Mineral resource, blasting and crushing

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? 4.03 allows for application for a CUP for mineral resource development

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 1/13/16
c. Signature of Property Owner (if different than applicant)	d. Date

7. Attachments

All attachments should be reproducible in black and white at 8 1/2" 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	Amount	Receipt No.	By
CUP #	Date Determined Technically Complete	By	
Hearing Date			

09/19/2013

LCZC Hrg: CUP 974
 Applicant: NLCHD
 Exhibit #: 2
 Date: 02/03/2016



Conditional Use Permit Narrative Worksheet

Application Information

Applicant's Name
North Latah County Highway District (NLCHD)

Phone Number
(208) 882-7490

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.

The North Latah County Highway District intends to enter into an exclusive agreement with the Anderson Family LLC for rock crushing operations at the pit located just north of US95 near McBride Road (as shown on the attached map). The rock is to be used for road maintenance operations in the Potlatch and Viola vicinity. There will be no commercial sale of rock from the pit. Crushing will commence over the next 20 to 30 years or longer, as this permit will allow.

Existing Uses of Property

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

There are currently no permanent structures on the property, some temporary structures for feeding cattle. Property is generally either farmed or used as pasture. There is an existing rock pit where the crushing operations will take place.

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.

The use should not negatively impact surrounding areas due to the large amount of acreage around the actual crushing site providing a more than adequate buffer. The planned use and eventual reclamation will not affect any of the other permitted uses or enjoyment of such uses in the area.

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

The use will not require additional services, and will actually be a benefit to the public at large, as a long-term lease and permit would allow the North Latah County Highway District -- a special taxing district -- to ensure stability of a rock source for road maintenance. The stability of a long term lease and permit would also allow NLCHD to save taxpayer funds, allowing for other types of county road projects and realizing a cost savings to the public.

LCZC Hrg: CUP 974
Applicant: NLCHD
Exhibit #: 2A
Date: 02/03/2016

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

Re-starting the use of the rock pit would not be in conflict with the comprehensive plan, and would help preserve the rural character of the surrounding area by maintaining the buffer around the pit that is currently being farmed.

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

This parcel will not be accessible to the community at large due to the exclusive nature of the contract between NLCHD and the Anderson Family LLC.

b. Population Element

Population around the parcel is sparse and will not be affected by the operations.

c. Housing Element

There is no housing planned as part of the project and there are none within 1000 feet of the crushing area.

d. Economic Development Element

The project will benefit the county economically in various ways, with NLCHD being able to better maintain public roads and with potential taxable property on the site as crushing operations are in progress.

e. Public Services, Facilities, and Utilities Element

This project will be a benefit to public services, supplying rock for road maintenance. No other facilities, public services, or utilities will be affected.

f. School Facilities and Student Transportation Element

This will have no effect on public schools or student transportation, other than to benefit them with road maintenance supplies.

g. Transportation Element

Existing roadways are adequate for site access, and the site will benefit public road maintenance.

h. Natural Resource Element

NLCHD intends to crush rock from existing elevations and exposed rock faces in a roughly South/Southeast direction. All rock will be processed as aggregate for NLCHD road maintenance. Crushing operations will continue for the next 20-30 years as contracts and permits allow.

i. Special Areas Element

No special areas are identified as part of this project.

j. Hazardous Areas Element

No hazardous areas are part of this project.

k. Recreation Element

There is no recreation as part of this project.

l. Land Use Element

The project has a reclamation plan which will return the area to pasture, and will be in accordance with Idaho Department of Lands practices.

m. Property Rights Element

NLCHD is securing a long term lease and royalty agreement with the landowners.

n. Water Resources Element

The project will be outside the floodplain of the Palouse River, and no other water resources will be affected.



© 2015 Google



Stockpile Area



Excavation area

95

LCZC Hrg: CUP 974
Applicant: NLCHD
Exhibit #: 2B
Date: 02/03/2016

Imagery Date: 6/30/2015 46°54'29.67" N 116°5'

North Latah County Highway District

1132 White Avenue

Moscow, ID 83843

phone: (208) 882-7490 fax: (208) 883-3926

email: nlchd@turbonet.com

10/22/15

To: Latah County Zoning Commission

From: Dan Carscallen, Clerk, North Latah County Highway District

Re: CUP Application

The North Latah County Highway District (NLCHD) is applying for a conditional use permit to crush rock on the Marjorie Anderson Family LLC (Andersons) property between Viola and Potlatch. The parcel is identified as RP41N05W090649. There is currently a non-conforming rock pit on the property where the proposed crushing operations would take place.

NLCHD will be entering into an exclusive lease with the Andersons upon approval of this permit. Should the Andersons choose to market the aggregate to anyone other than NLCHD, they agree that they would need to apply for a new CUP. That being the case, in order to ensure a stable source of aggregate for public use, NLCHD would request that the CUP in NLCHD's name be issued without an expiration date. This would be beneficial to NLCHD, and thereby beneficial to the taxpayers of Latah County, knowing that a secure and stable source of rock for road maintenance in the Viola and Potlatch areas is available.

NLCHD would also request that during crushing operations the standard hours of operation be waived and the pit be allowed to run 24 hours. This would ensure that the crushing operations would be finished more quickly. Blasting, of course, would still only be allowed during daylight hours for safety reasons. Crushing operations should only occur once every 2-3 years.

Thank you for your time and consideration in this matter.



LCZC Hrg: CUP 974
Applicant: NLCHD
Exhibit #: 2C
Date: 02/03/2016

Supplemental Narrative for CUP Application

North Latah County Highway District

Anderson Family LLC Rock Pit

Supporting Documentation

Attached to this application are the reclamation plan, a copy of the proposed lease agreement with Anderson Family LLC, and all maps and site plans showing buffers from nearby rivers and streams.

Dust Abatement

North Latah County Highway District will take responsibility for dust control as needed during site clearing, grubbing, drilling, blasting, and crushing so said operations will not adversely interfere with the public's enjoyment of adjacent land. Generally there should be a substantial buffer between the public and these operations due to the remoteness of the actual pit site.

Hazardous Materials Responses, Fuel Storage and Containment

Generally, no fuel or hazardous materials will be stored on site, but should there be any, the North Latah County Highway District will follow all state and local laws as they apply to said items.

Fire Suppression

All equipment on site will be equipped with fire extinguishers and other firefighting tools should the need arise. Also, dust suppression efforts make available water from trucks, pumps, or other sources from which to respond to and suppress fires created by operations.

mknott

From: Gary Zentzis <sgzent76@cpcinternet.com>
Sent: Friday, January 15, 2016 2:38 PM
To: mknott@latah.id.us
Subject: Permission for Conditional Use Permit

Please be advised that we are authorizing the North Latah County Highway District to proceed in going forward in pursuing the Conditional Use Permit on behalf of The Marjorie Anderson Family, LLC.

Thank you,
Sharon & Gary Zentzis



IDAHO DEPARTMENT OF LANDS

NOTICE OF SURFACE MINING OPERATIONS TO BE CONDUCTED BY A PUBLIC OR GOVERNMENTAL AGENCY FOR MAINTENANCE, REPAIR, OR CONSTRUCTION OF A PUBLIC HIGHWAY

1. N. LATAH Co. Hwy. Dist. (Operator) 1132 WHITE AVE. (Address) Moscow, ID. 83843 (City, State and Zip Code) PAUL STUBBS (Contact Person) 208-875-0717 (Telephone)

2. NE 1/4 of SW 1/4, 09, 41 N, 05 W B.M. LATAH 1/4 1/4 Section Section Township Range County

3. 7.8 (Existing Affected Acreage) 1.88 (Total Planned Affected Acreage)

4. MARTORIE ANDERSON FAMILY LLC (Property Owner's Name) 5. 100' Dist. to Surface Water

This notice shall certify that NORTH LATAH COUNTY HIGHWAY DISTRICT plans to operate a noncommercial surface mining operation for construction and/or maintenance of public highways and roads, on the lands described above. We agree and understand that the following conditions must be adhered to in conduct of the mining operation:

- 1. If our operations disturb less than two acres, a reclamation plan is not required and only this notice shall be completed (Idaho Code § 47-1519). If our operations disturb two acres or more, a reclamation plan shall be completed as required by Idaho Code § 47-1506.
2. Operation and reclamation of this material source will be in compliance with Idaho Code § 47-1509 and the Rules Governing Exploration, Surface Mining, and Closure of Cyanidation Facilities in Idaho (IDAPA 20.03.02).
3. The material source will be regraded to stabilize all pit slopes and to blend with adjacent topography.
4. Available topsoil and overburden will be stockpiled and protected from erosion so that it may be used in reclamation.
5. Where possible, regrading and revegetation will be kept concurrent with the mining operation.
6. Erosion and degradation of surface waters will be prevented by using and maintenance of nonpoint source erosion controls as required by IDAPA 20.03.02.
7. Revegetation must be completed as specified in Section 140 of the above referenced rules.

IDL 1860(3) 11/19/09

LCZC Hrg: CUP 974 Applicant: NLCHD Exhibit #: 2F Date: 02/03/2016



01/26/2016 12:57

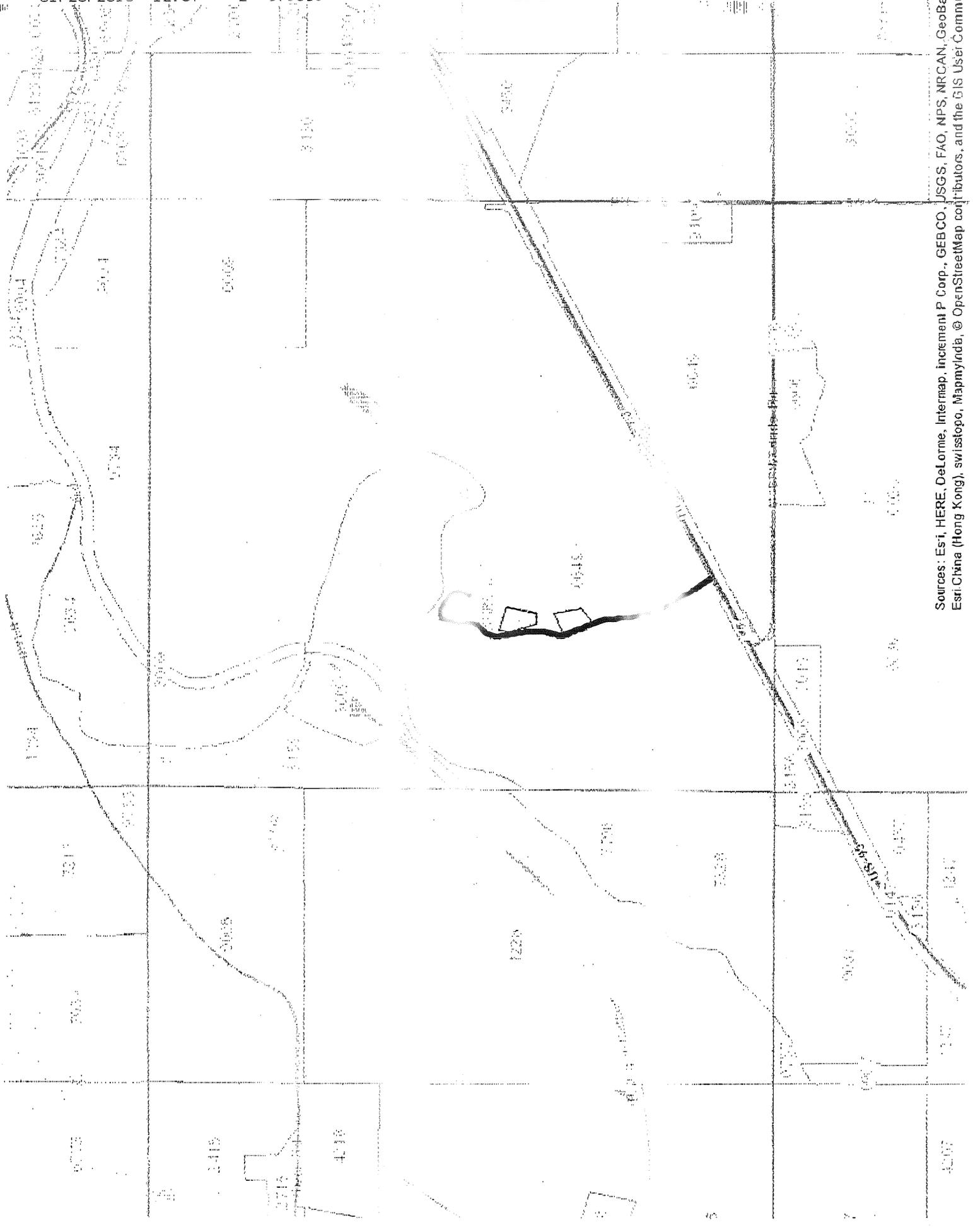
Per 1.19 ac
Per 966.74 ft



Area 1.19 ac
imeter: 955.93 ft

PIN 05408908

1.09 ac
700.04 ft



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEB CO, JSGS, FAO, NPS, NRCAN, GeoB, Esri, China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Comm

CUP #974 – Staff Introduction

A request by North Latah Highway District to operate a mineral resource development on a 15 acre portion of a 562 acre parcel owned by Majorie Anderson Family LLC, in the agriculture/forest zone. The parcel is accessed of Hwy 95 in Section 09, of Township 41 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP41N05W090649A and RP41N05W093159A.

The Latah County Land Use Ordinance, under section 3.01.03(8), lists mineral resource developments as subject to Section 4.03 as a conditionally permitted use in the Agriculture/Forest (A/F) 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 that 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 consistent 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.**

Conditional Use Permits for Mineral Resource Developments must be in compliance with Section 4.03.04 of the land use ordinance as provided to the Commission is Exhibit #1 Criteria Worksheet.

Exhibits will now be entered into the record.

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 Photograph and Adjacent Property Owners Map |
| Exhibit #1D. | Topographic Map |
| Exhibit #2. | Application Form (Submitted by Applicant) |
| Exhibit #2A. | Applicant's Narrative (Submitted by Applicant) |
| Exhibit 2B. | Site Plan (Submitted by Applicant) |
| Exhibit #2C. | Letter from NLCHD (Submitted by Applicant) |
| Exhibit #2D. | Operation Plans (Submitted by Applicant) |

Exhibit #2E. Email Authorization by Marjorie Anderson Family LLC (Submitted by Applicant)
Exhibit #2F. Application for Idaho Department of Lands Reclamation Plan
Exhibit #3. Staff Introduction for Latah County Zoning Commission hearing for CUP #974 held on February 3, 2016

That is all staff has unless the Commission has questions.