

NOTICE OF PUBLIC HEARINGS
BEFORE THE LATAH COUNTY ZONING COMMISSION
Wednesday, July 6th, 2016, 5:30 pm

The Latah County Zoning Commission will hold public hearings on Wednesday, July 6th, 2016, in Room 2-B, Latah County Courthouse, Moscow, Idaho, to receive comments on:

CUP #996 and VAR #997 – Proposed CUP for an Agriculture/Forestry/Construction retail business and a Variance of 25' in lieu of a 50' setback from a public right-of-way in an Industrial zone located at 4809 Robinson Park Road, Moscow, parcel #RP39N05W101950.

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 proposals, are available from the Planning Dept., Latah County Courthouse, Moscow, Idaho, (208) 883-7220. Written comments will be accepted at the above office prior to the hearing.

Mauri Knott, Senior Planner

(This is a public service announcement only)

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST
Public Hearing for Conditional Use Permit #996

Date: July 06, 2016 Time: 5:30 pm Applicant: Kardanick File #: CUP 996

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 996 on July 06, 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:

To operate a retail establishment in the Industrial Zone.

Description of application:

Proposed CUP for an Agriculture/Forestry/Construction retail business in the Industrial Zone. The property is located in Section 10, Township 39N, Range 05 West, and is referenced as Latah County Assessor's parcel number RP39N05W101950.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 3.6 acres
Floodplain: Zone "B"

Land Use and Regulations:

Comprehensive Plan Designation: Rural
Existing Zoning: Industrial
Existing Uses: Residential / Warehousing
Neighboring Zoning: Agriculture/Forest / Suburban Residential / Industrial
Neighboring Uses: Mobile Home Park, Sewage Lagoons, Public Right of Way, Creek, Junk Yard, SFR

Infrastructure/Services:

Water: Private Well
Sewer: Private Septic System
Access: Mill and Robinson Park Road
Schools: N/A
Fire Protection: Moscow Fire District
Law Enforcement: Latah County Sherriff

APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:

Local Planning Act: Idaho Code 67-6516

Latah County Land Use Ordinance # 269, as amended:

Section 3.05 Ag/Forest
Article 7.01 Conditional Use Permits

Latah County Comprehensive Plan

Relevant Criteria:

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;

- Permitted uses in the Industrial Zone include Agriculture and Forestry related commercial uses, accessory buildings, Manufacturing of all phases, Warehousing and Storage, and Service yards and Stations.
- The large majority of the applicants retail sales fall under the permitted use of agriculture and forestry related equipment and sales, however, the applicant wishes to also sell construction equipment and limited personal vehicles and therefore needs a conditional use permit.
- The neighborhood of the proposed use has multiple zoning designations and is currently a mixed use area.

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

- The applicant indicated in their application that the use will be on a private well and private septic and utilize an existing road.

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

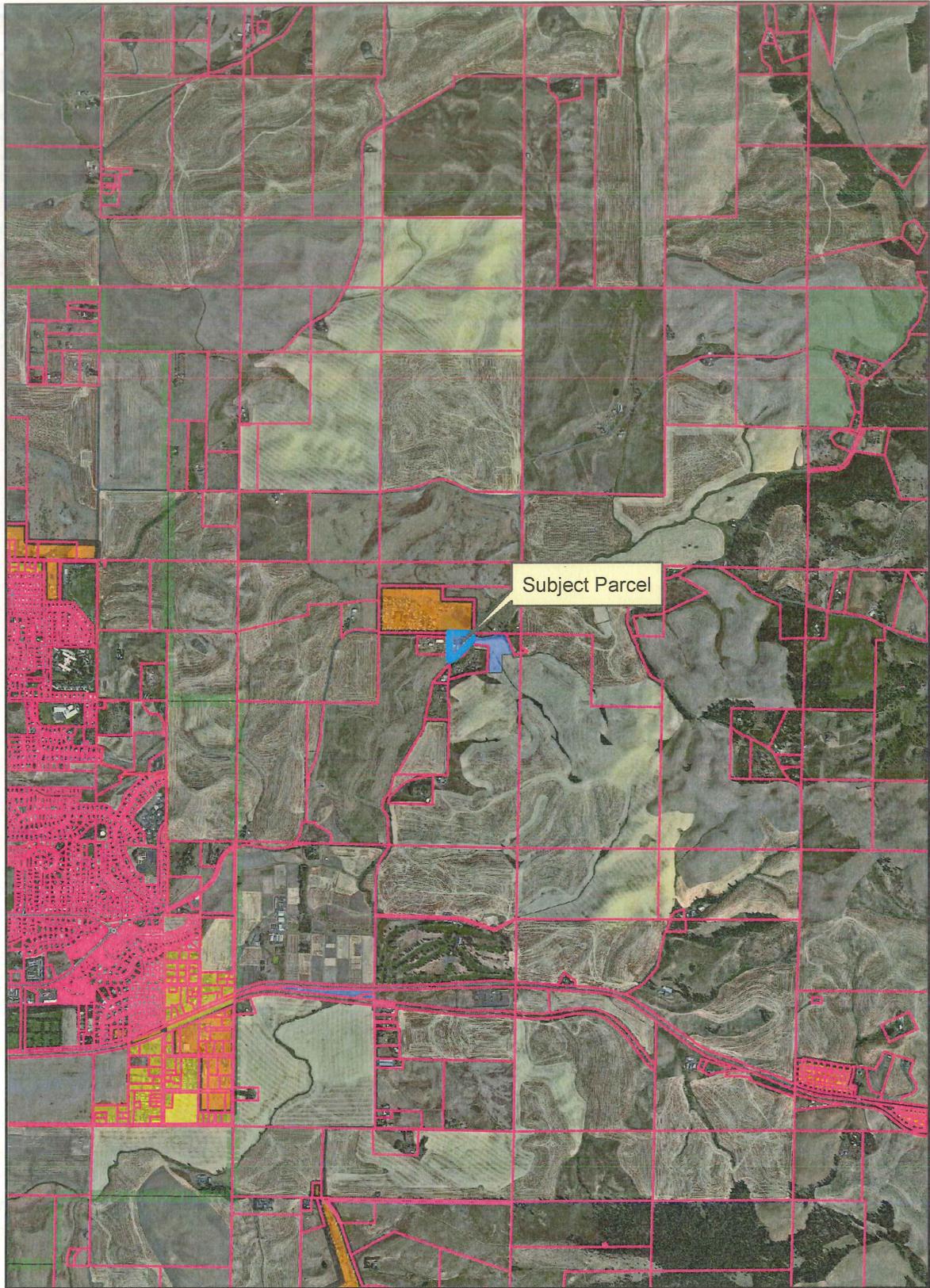
- The applicant has provided written testimony regarding the comprehensive plan. More specifically that applicant has stated that the use promotes community design, economic development, and protects hazardous areas.

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.

CUP 996/VAR 997 Zoning Map

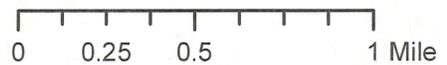
Planning and Building Department



Subject Parcel

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

Created by: CAB

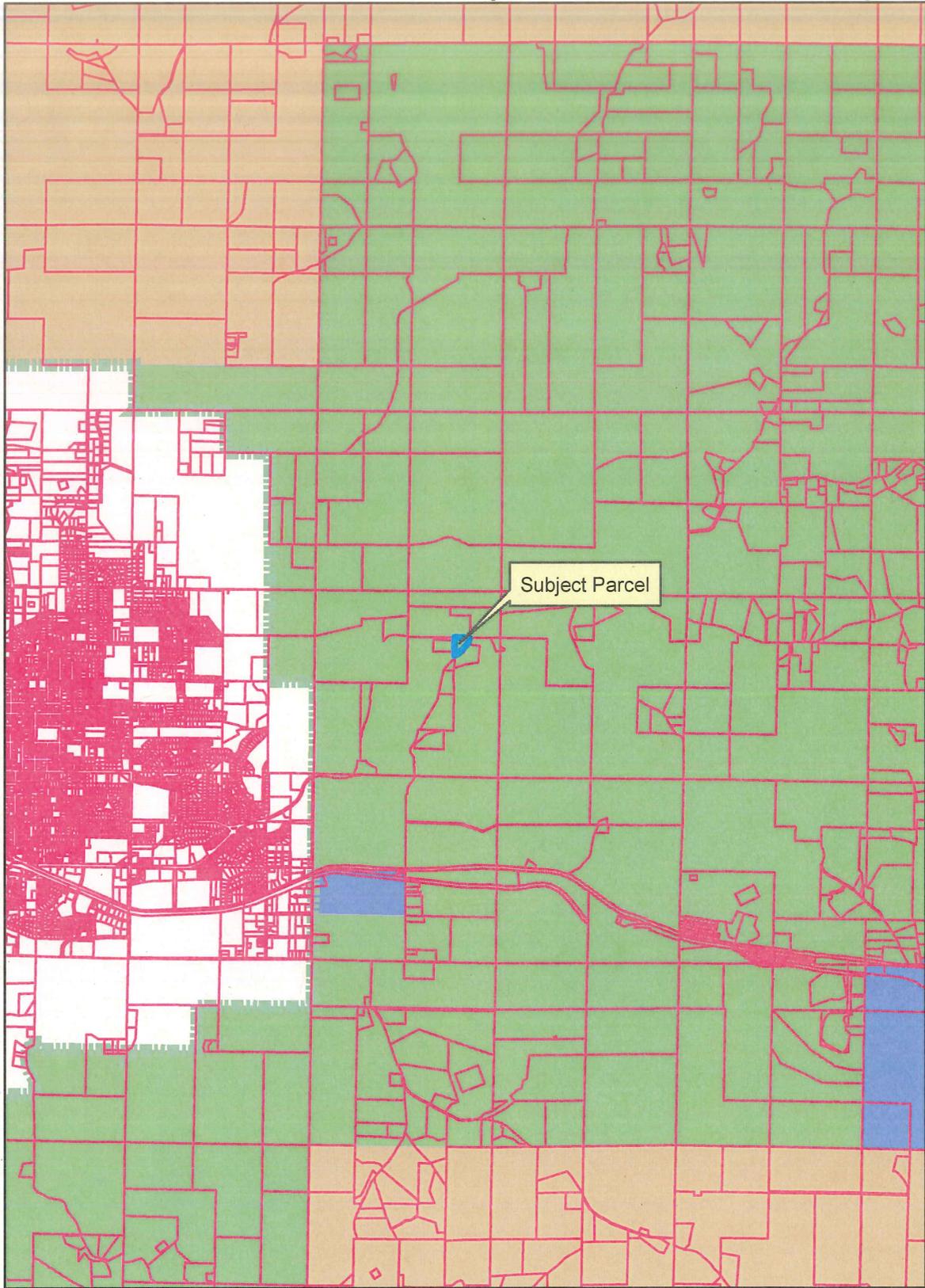


- | | | |
|----------------------|-----------------------------|---------------------------|
| Agriculture Forestry | Motor Business | Rural Residential |
| Commercial | Multiple Family Residential | Single-Family Residential |
| Industrial | Municipality | Suburban Residential |

LCZC Hrg: CUP 996
Applicant: Kardanick
Exhibit #: 1A
Date: 07/06/2016

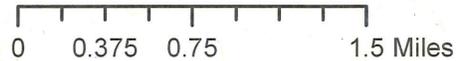
CUP 996/VAR 997 Comprehensive Plan Map

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 996
Applicant: Kardanick
Exhibit #: 1B
Date: 07/06/2016

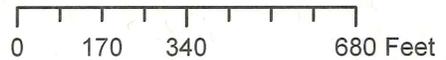
CUP 996/VAR 997 Adjacent Property Owners and Aerial Photo Map

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 996
Applicant: Kardanick
Exhibit #: 1C
Date: 07/06/2016



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 Kardanick LLC	b. Home Phone / Work Phone 208-669-1517	c. Email kardanick@gmail.com	
d. Mailing Address 723 Hathaway 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) RP39N05W101950		b. Parcel Address (if applicable) 4809 Robinson Park Rd	
c. Acreage of Existing Parcel 3.6	d. Zoning Industrial	e. Comprehensive Plan Designation Rural	f. Floodplain designation(s) Zone B
g. FEMA Panel #		j. Road Used to Access Site Robinson Park/Mill Road Intersection	
h. Is the parcel within an Area of City Impact?	<input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No.	i. Impact City N/A	

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
SFR/Industrial Storage

3. Service Provider Information (please attach additional information if requested)			
a. Fire District Moscow	b. Road District North Latah	c. School District Moscow	
d. Source of Potable Water (i.e. water district or private well) Private Well	e. Sewage Disposal (i.e. sewer district or private septic system) Private Septic System		

4. Adjacent Properties Information	
a. Zoning of Adjacent Properties AF/I/SR	b. Existing Uses of Adjacent Properties SFR/Junkyard/Trailer Park/Lagoons

5. Permit Information
a. Proposed Use Retail Activity (Vehicle/Equipment/Parts Sales & Warehousing) In An Industrial Zone

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? **3.05.03 (3)**

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.	7. Attachments All attachments should be reproducible in black and white at 8½" x 11"
a. Signature of Applicant <i>Kardanick LLC by [Signature]</i>	<input checked="" type="checkbox"/> Fee: (\$300.00) Make checks payable to Latah County.
b. Date 06/15/2016	<input type="checkbox"/> Completed Narrative Worksheet: See instructions on the Conditional Use Permit Narrative Worksheet.
c. Signature of Property Owner (if different than applicant)	<input 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.
d. Date	<input type="checkbox"/> Vicinity Map: The map should show the site location in relation to neighboring communities and natural features.

Office Use Only			
Date Received 6/15/2016	Amount \$300	Receipt No.	By
CUP # 996	Date Determined Technically Complete	By	
Hearing Date 7/6/2016			

09/19/2013

LCZC Hrg: CUP 996
 Applicant: Kardanick
 Exhibit #: 2
 Date: 07/06/2016



Conditional Use Permit Narrative Worksheet

Application Information

Applicant's Name
Kardanick, LLC

Phone Number
208-669-1517

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.

Property is currently zoned industrial. We are planning on constructing a building which will serve as a warehouse & sales office for one of our businesses which serves the Ag, Forestry, & Construction sectors. We also have a dealer's license for vehicles. To conduct business on this property we would need a conditional use permit for commercial retail activities in an industrial zone.

Existing Uses of Property

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

Property currently has a double wide manufactured home and a shop building. Shop is rented out to an outside business that uses it for warehousing. One double wide mobile home has been removed to allow for proposed future building of warehouse/sales office on property.

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.

A retail, commercial activity is recognized by the zoning commission in property that is zoned industrial, if accompanied with an issuance of a conditional use permit. Retail activity in the area would not affect the health and safety of the adjacent land owners in any way.

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

The property has a private well and septic system that was previously used for the removed two bedroom mobile home. No additional services or facilities would be required of the public. Both Mill Road & Robinson Park Road, which are paved, front (2) sides of the property and provide egress to the parcel.

LCZC Hrg: CUP 996
Applicant: Kardanick
Exhibit #: 2A
Date: 07/06/2016

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

The proposed conditional use and proposed building will be an asset to the lot & county. The building will be aesthetically pleasing and the services provided will be an additional resource for the industries we serve. The building will provide additional property tax revenue and sales tax revenue. The property is close to Moscow in proximity and also close to Highway 8, so should be very low impact to rural properties. There are already businesses being operated in the adjacent properties.

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 property and proposed conditional use are consistent with encouraging commercial development near existing cities. The property access points are existing paved roads.

b. Population Element

The property has no impact to the population element as it will likely never be used for additional housing, other than the existing home on the property. Adjacent properties will not be impacted.

c. Housing Element

This property and conditional use change will have no impact on the housing element.

d. Economic Development Element

The placement of our building and business on the property has the potential to support additional employment. We serve the agricultural and forestry industries already and this proposed change would be an additional support to those activities.

e. Public Services, Facilities, and Utilities Element

This business is a very low impact to existing services. The area is already well served by public service and utilities, being adjacent to the city of Moscow. The property already has a private well and sewer, and should have no more or less impact than the mobile home that was removed on the property.

f. School Facilities and Student Transportation Element

Property will have no impact on schools and student transportation.

g. Transportation Element

The transportation component of this property would have a very low impact to the county. We would have adequate setback from Robinson Park Road, with plenty of on-site parking available. The property already has access points both on Mill Road & Robinson Park Road.

h. Natural Resource Element

All requirements by the building and zoning department would be met with this proposed development. We will have an engineered plan for all storm water that comes off the roof of the building.

i. Special Areas Element

The property has no known areas of cultural, scenic, or natural significance. It has no known historic buildings.

j. Hazardous Areas Element

Property is in the the 100-500 year flood limit zone, with very nominal chance of any flooding on the property where the building will be located.

k. Recreation Element

This property doesn't have a recreational element, but in no way would impact adjacent land owners if they choose to encourage recreational uses.

l. Land Use Element

This property is already zoned industrial. It would be consistent with the comprehensive plan to have commercial activity in this zone.

m. Property Rights Element

Property rights would not be negatively impacted with the adoption of the conditional use permit for retail activities.

n. Water Resources Element

Existing private well will be utilized. The well previously served a two bedroom mobile home which has been removed to accommodate the new building & business.



Google Maps 4805 Robinson Park Rd



Imagery ©2016 Google, Map data ©2016 Google 50 ft

*Proposed Building - 4809 Robinson Park Rd
60' x 100-120'*

LCZC Hrg: CUP 996
Applicant: Kardanick
Exhibit #: 2B
Date: 07/06/2016

CUP #996 – Staff Introduction

CUP #996 – A request by Kardanick to operate a retail enterprise in an Industrial Zone. The property is located in Section 10, Township 39N, Range 05 West, and is referenced as Latah County Assessor's parcel number RP39N05W101950.

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.**

If the Zoning Commission finds that a variance 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.

Exhibits will now be entered into the record.

The following exhibits were submitted with the staff packet:

EXHIBITS:

- | | |
|---------------------|--|
| Exhibit #1. | Criteria Worksheet and Application Summary |
| Exhibit #1A. | Latah County Comprehensive Plan and Vicinity Map |
| Exhibit #1B. | Zoning 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 #996 on July 6 th , 2016 |

That is all staff has unless the Commission has questions.