

**Latah County Planning Commission**  
Minutes, 6 February 2001

Planning Commission [PC] Members: Skyler Schlueter [SS], John Hunt [JDH], Suvia Judd [SJ],  
Kathleen Warnick [KW], James Hagedorn [JH], Janet Hohle [JanH], Louise Barber [LB];  
Planning Director, Gerard Billington [GB]

**Present/Absent:** SS, KW, JDH, JH, JanH, LB present; SJ, absent. Staff: GB

**Packet materials:** agenda; minutes from 1/16/01

**Meeting:**

SS opened this special meeting, a transportation work session with representatives of the Idaho Transportation Department [ITD], North and South Latah Highway Districts, Latah County Commissioners, and the Planning Commission. After introductions, GB indicated that these entities have shared responsibility for highway safety/efficiency, and Planning Department needs to clarify what coordination/cooperation can be developed vis-à-vis subdivisions in the county (regarding jurisdiction, costs, etc.). The ITD already possesses the rights-of-way for state highways, and controls access based on individual merits, spacing, setbacks, etc., and works with property owners. When there are changes or redevelopment of access is needed, ITD looks to local jurisdictions for permitting process. The jurisdiction at the local level provides protection to the public, not the ITD.

GB: Is there a way for the ITD to see a potential problem at the time of an application? The ITD can evaluate any situation to determine what is needed for safety and efficiency after a traffic impact study (TIS). The TIS involves anticipated growth, traffic volume, directions of traffic, whether a light is necessary, etc., and projects that any change might be in effect ca. twenty years. This occurs when, say, a large business is proposed for a highway, and would also apply to a large subdivision. What if a county road is involved? The ITD has no jurisdiction over the county; could only recommend what needs to be done. Should this then be in the hands of the highway districts? North Latah Highway District indicates that it has any subdivision developer sign a legal contract stating that the developer will construct and pay for access, improvements to any county road; they must be responsible for turn lanes, for instance.

ITD has sample resolution materials it can share with the highway districts and the city of Moscow for use within the Area of City Impact: charts, tables, requirements that would apply to larger subdivisions or businesses (farm and home access would not apply here); an example of a cooperative agreement is available for discussion with highway districts.

Highway districts are independent of the county. Presently, a TIS is not required of developers, only signature indicating that developer will pay for any required changes. Would a required TIS be a good thing? Could ordinances and permits reflect this in some fair and reasonable way for potential developers? ITD will look at materials from Ada County for example, but since developers are the driving forces for these impacts and costs, they should be the ones paying and not the public. As it stands, the only time changes (such as turn bays) are constructed and paid for by the state is when another state highway project is undertaken (there are ca. 110-120 requests annually for turn bays; currently, 355 accesses to state highways by county roads exist and only 65 have turn bays). ITD needs to have developers understand that this is the way it is.

South Latah Highway District [SLHD] is currently attempting to study conditions (safety, dust, etc.) and costs. Grant monies are available from LTAC, but chances of getting money would be greater if a cooperative administration agreement existed between parties like those present. Kootenai County

currently has such an agreement (KCATT, or Kootenai County Area Transportation Team, with participation from highway districts, county, cities, ITD, etc.); the purpose of this enterprise is to hire a consultant who would look in a coordinated fashion at transportation needs in the area affected. To have coordination between the plan and ordinances, and predetermined access control and impact fees in Latah County would allow PD to go about its business in a more uniform manner, and not on a case-by-case basis, as is presently the case. GB: could the two highway districts join forces? NLHD would want to look at the situation in Kootenai County. Joel Hamilton indicated that the city might be interested. SLHD's grant proposal is for a transportation plan with a capital element, with an intended benefit to other districts. It will proceed with the application (with an early March deadline), but is interested in the creation of a steering group to take advantage of grant opportunities in the future. County would be a necessary participant. Everyone agreed to investigate the matter and get back to SLHD.

The dedication of rights-of-way was the next topic. Currently, by state law, a jurisdiction must "accept" the dedication of public easements for subdivisions and short plats before maintenance can proceed. County ordinances need to reflect this acceptance. This acceptance does not assume maintenance, which can be declined. To correct this would mean that the county would formalize the ownership of easements by the public. Any change would not reflect actual improvements, but simply rights-of-way. Mainly, this has implications in the event of growth. Highway districts will deliberate and get back to PC.

Next discussed: how involved do the highway districts want to be in the approval process for subdivisions? SLHD has a policy on this; will share it with PD. This might provide an opportunity for specific TISs, but area-wide examination as well. Problem is to decide who requires, and when to conduct, a TIS – the PD or the highway district? GB: subdivision ordinance could reflect that when the highway district requests a TIS, PD would require one. The highway districts have not had permits before; now they do. ITD has permit process (stopping sight distance on wet pavement, based on speed, is the ITD standard). Currently, the Latah County ordinance states that the highway district must sign off on "verification of approved vehicle access." SLHD wants the language to go beyond mere access. "Access and approved approach" with approved meaning according to the highway district? Conditional use permit possible? ITD has a performance bond attached (you do it, or we do it and you pay); PC will investigate. Could occupancy permit be a tool? (No, since physical residence cannot be forbidden by this permit.) Building inspector? (No, since he/she would be enforcing highway district requirements.) Perhaps language could state that "driveway must be completed before building permit is issued." This would require enforcement by the highway districts. This change in the ordinance could apply to land divisions as well.

All agreed to share various drafts of their materials and keep the discussion going.

Minutes from 1/16/01 meeting passed with minor change.

Noted that CC will adopt/reject the PC draft ordinance on telecommunications towers at 6:30 pm, 14 February 2001, County Courthouse, Room 2-B.

Next meeting 20 February 2001 at 5:30pm, County Courthouse, 2-B.

Submitted by: \_\_\_\_\_ 12 February 2001  
Louise D. Barber