

Latah County Planning Commission
Minutes, 2 March 2004

Planning Commission [PC] Members: John Hunt [JDH], Suvia Judd [SJ], Kathleen Warnick [KW], Skyler Schlueter [SS], James Smith [JS], Janet Hohle [JH], Louise Barber [LB]; Planning Director, Michelle Fuson [MF]

Present/Absent: JDH, SJ, KW, JH, JS, LB present; SS absent. Staff: Michelle Fuson. Guest from public at large: Don Lazzarini (with interest in gravel pit controversy in county)

Packet: Agenda; minutes for 1/20/04 and 2/3/04

Meeting. Minutes for both above dates accepted. Election of officers conducted: KW made motion to accept current slate of officers; seconded; passed unanimously.

Lengthy discussion re. 5.01.03(4) 40-day time period; MF explained that, because the ZC does not meet more than once a month at times, there could be this much of a delay between their decision and the preparation of the findings of fact and conclusions of law, and the notification of the applicant (which occurs immediately upon “findings”). PC wants clarification; therefore, the language shall indicate that “the applicant will be notified by mail of the approval of the findings of fact and conclusions of law” (this same correction will apply in 5.02.03 (3) and 5.02.04[Variances]). Further discussion re. “shall” vs. “may” in 5.01.02(1); MF explained that the ZC cannot deny a CU if the criteria are met and that the “otherwise adversely affected” (5.01.02(1A)) protects this criterion. Motion made for approval of Article 5 as changed; seconded and passed.

Article 6 (Subdivisions): MF noted that the short plat section of ordinances is needed because applicants should not have to go through full plat process when it is not necessary; the rezone would always take care of future uses (development agreements, conditions); ZC has ordinance read in all cases. 6.03.01(2) must include “Title 42” (refer to 2/3/04 minutes for language change). 6.03.02.1(C; formerly “D”) [dedication for public parks]: JDH noted that the city bases its dedication on a percentage of land (up to 9%), which MF said actually translates into an impact fee; MF suggests having Andy Grant come to PC and discuss this. 6.03.02.2(C) MF noted that we don’t want to put a minimum footage in because the highway department might change their minimum (for roads); she will contact both highway districts and see if they might respond to a wider width. 6.03.02.2(D): substitute “four” for 4; (E): clarification of two-level approval of water/sewer needed; MF will change. (H): discussion of bond or escrow: MF noted that in her experience this is necessary because developers sometimes partially complete improvements; this allows completion of the improvements so that owners don’t lose their property’s use. Bonds are expensive, and should permit the work to be completed; language should read “within one year of final approval of full plat.”

6.03.03.2: Last sentence should become 6.03.03.3 (and be removed from 6.03.03.2). 6.03.04 to read: “Any court distributions of property, allocations of land in the settlement of an estate, or any other type of property distribution not otherwise addressed in this section, must be in compliance with the provisions of this ordinance to be eligible for any residential or commercial building permits.”

6.05.03 to read: “Boundary Line Adjustments shall not increase, but may decrease, the number of allowed land divisions for any existing parcel, as defined in section 6.01.” In other words,

boundary lines can be adjusted, but no more divisions will be permitted. MF will work on the language changes in Article 6 before vote on it.

Article 7 (Design Standards): former material on driveways, clearings of plants around houses, etc. (in 7.01.02.1-3 and new "3") have been deleted because they are unenforceable. Article 7 passage as changed moved and seconded; passed.

Next Meeting: 16 March 2004 at 5:30pm in the Latah County Courthouse, Room 2B.

Submitted by: _____ 9 March 2004
Louise D. Barber