

Latah County Planning Commission
Minutes, 15 February 2005

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

Present/Absent: JDH, SJ, KW, JH, JS, LB present. Staff: MF. Public present.

Packet: Agenda; written testimony since 2/1/05

Handouts: Minutes from 2/1/05; newspaper articles, written testimony since 2/1/05

Meeting. Minutes of 2/1/05 accepted. JDH introduced PC and repeated the purpose, history, and the fact that we are inviting participation for many months to come. Meeting opened to the public for further comment.

? What is the purpose of this revision at this time? PC instructed to revisit the ordinances for revision since the original document was written in 1980, Comprehensive Plan [CP] was revised in 1994, and ordinances, by which the CP is “enforced,” needed updating. CP serves as the goals and objectives of Latah County; ordinances carry those out.

? How are the county ordinances different from the state and federal (agency, law enforcement, etc.) regulations? Our ordinances refer to those state/federal regulations which exist, and in most cases defer to them. PC deals strictly with our charge -- land use.

? Referring to a comment that was overheard, the comprehensive plan promotes the “opportunity to enhance forestry and agriculture?” JDH read the four CP objectives.

? Why revise ordinances when the CP may be revised? SJ replied that the CP took four years to deliver, and that the ordinances need to be in place while any further discussion of the CP takes place. The order of revision is appropriate.

? Why change the CP? SJ again explained that there are some in the county who feel that the CP does not any longer reflect the realities of Latah County and the times and desire a revision of the CP; sections of the ordinances would then be modified to fit any changes in a modified CP. [JDH: we are continually interrupted with other business, so this has been a slow process (e.g., areas of city impact, cell towers, mineral extraction, Naylor Farms, etc.); MF: as opposed to those present, realtors in the county are very much interested in a revision of the CP; there are equal opposing forces at play here.]

? What’s in writing now that reflects the changes made since the public hearing (1/18/05)? JDH: we can’t get to anything in writing because there is still so much public testimony; the plan (for tonight) discussed on 2/1/05 was to develop a strategy and schedule for addressing the public’s concerns and share that with the public so specific, appropriate testimony could be presented to help us with specific issues. There is no deadline for this process.

? Could we not set up taskforces? PC discussed this; SJ thought these would be generated by members of the audience/public, not PC generated

? Could the public have a list of the complaints that have driven the draft ordinances? JDH: complaints go to the Planning Department, not the PC. An example of a complaint-driven change was our work on horses, which we thought we had corrected from too stringent a regulation to a more workable one. Obviously, PC didn't improve the situation.

? Are the county ordinances more restrictive than the state's and why? Animal confinement, yes (the number and conditions); SJ: PC's purpose is to create land uses that complement each other.

? What has been the motivation for restrictions on horse-owners? JDH: repeats the fact that PC was trying to improve the existing ordinance. [SJ: "hears" that everyone wants to do what they want to with their own land; direct democracy won't really work, so the CC designates the PC to act on behalf of county residents; we were asked to modify existing regulations or try to "imagine" how to make regulations/CP work properly and effectively.

? What business is it of the PC to regulate me? JDH: because the state says the county has to have a CP and ordinances.

? It sounds as if the PC is trying to put small farms/ranches out of business, that future neighbors' way of life (i.e., big-house residents from town) is more important than the more "indigenous" rural lifestyle/livelihood. // Do special interests get priority? (e.g., the lighting issue; does the PC just "roll over?" // "Neighbors should not control what I do."

Discussion followed re. how to proceed with reworking of draft (by topic or chronologically by article?). JH suggested that there be a 15-minute public response period at the end of each meeting. Topic-specific agendas need to be public well ahead of meetings. Wind mills, lighting, horses, dogs, animal containment, home occupation, and affected persons seem to be the hot-button issues. Give the public at least a month to formulate presentations of their points of view? Longer? MF: it might be a good idea to have a meeting or two for PC to discuss its reactions to the public commentary thus far, thereby potentially eliminating certain contentious issues at the outset. MF also made clear that many definitions do not exist in the state code, or if they do, it is by section (e.g., "affected persons" would be found in the appeals section).

Schedule for upcoming meetings:

- March 1 discussion of public testimony so far; ACI; moratorium
- March 15 more deliberation of public testimony
- April 5 articles 1&2 (administration and definitions)
- April 19 3.01.01.2 and 3.01.02.2 (animal husbandry, permitted and CU)
- May 3 3.01.01.2 and 3.01.02.4 (animal husbandry/horses)
- May 17 open for discussion
- June 7 dogs/landing strips/wind mills

MF noted that there is no limit on “affected persons” in the state code except as it applies to CAFOs; perhaps this discussion could take place during the 4/19 meeting? MF will check into placing the tentative schedule on the website. Decision by PC that persons/groups wishing to make presentations request to have themselves placed on the agenda(s). When announcing the meetings, make public aware with a link to the separate section of the ordinance so they can be specifically prepared.

Other business: a moratorium on mining may be forthcoming; [Wayne Fox, representing the “Protect Our Water” group, in a letter to the CC, believes the current ordinance leaves the neighbors surrounding Naylor Farms’ unprotected from adverse affects]. PC recommended (2/1/05) to the CC that the existing ordinance, via the CUP process, was adequate for the task.

Next Meeting: 1 March 2005 at 5:30pm in the Latah County Courthouse, Room 2B.

Submitted by Louise D. Barber, 17 February 2005