

Latah County Planning Commission
Minutes, 3 May 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: SJ, KW, JH, JS, LB present; JDH absent. Staff: MF. Public present.

Packet: Agenda; 4/19/05 minutes

Handouts: 4/19/05 minutes; letters from Mike Thomason, Debbie Duncan, and Murray Stanton

Meeting. Discussion about the confusion over passage of parts of the draft ordinance from 4/19; decision (2 yes; 1 no; 1 abstention) to amend minutes to reflect a vote by consensus to strike sections of draft ordinance proposed by JDH (3.01.01.2A; 3.01.01.8B and D; 3.01.02B; 3.01.02.4, 4A and 4B; 3.01.02.5A, B, D, E; 3.01.02.14B); decision to *not* vote by consensus in future, but by motion and vote. Question of whether this means that what is agreed upon as PC passes through the ordinance in the draft by our proposed schedule stands as is; MF: yes, except when new information is forthcoming. Striking of proposed sections now part of the draft; agreement that gatherings larger than 299 persons will fall under the sheriff's department permit and not a PD conditional use permit.

Public input: Jeff Harkins: requested clarification re. the following:

3.01.01.8A (windmills); SJ: intent of PC was to permit 2 windmills per residence (see public input from 4/19 meeting reflected in orange print in draft of 4/28/05);

3.01.02.5 (CU: communication towers and transmission facilities) should be expanded to include new technologies, such as ham radios, satellite uplinks, etc.; MF: section 4.06 (wireless communications/towers) should be referenced in this section;

3.01.02.10 (CU: solid waste disposal facilities, water and waste water treatment facilities); MF: definitions section will clarify this;

3.01.02.9 (CU: landing strips, etc.); MF: see language in orange following 4/19 meeting; suggested: "landing strips and heliports ~~having use for activities not exclusively related to agriculture or forest practices~~, and airports." FAA would control this, but health and safety issues might require permitting by county.

JH moved that 3.01.01.8A state that there be a "maximum of 2 windmills per each residence" and that a CU be required for more; motion seconded and passed unanimously. JH moved that 3.01.02.9 read "landing strips, heliports and airports [require a CU]; seconded and passed unanimously. JH moved that 3.01.01.5 be struck ("Landing strips and heliports for agricultural and forest practices"); seconded and passed unanimously. It was noted that Harkins' point about solid waste (above) would be taken care of in the definitions section.

Sarah Skaar: reiterated that definitions section needed work, especially re. containment, animal husbandry, AUM;

suggested that a standardization of the number of employees throughout would alleviate confusion (e.g., 3.01.01.4 and 3.01.02.1);

suggested that USGS maps are neither legal nor accurate and need attention throughout the ordinances (e.g., 3.01.01.2A [previously struck, as per amended minutes of 4/19], 3.01.02.A [?], and other places to be discussed at future meetings;

3.01.02.2D (CU: minimum ZC conditions) needs specifics if higher standards are required [this section was a suggested strike from the 4/19 meeting; in orange]; JH asked if her intention was to have more specific higher standards placed at this point in the ordinance re. dairies, or throughout; [answer ?]

3.01.02.2E (testimony at public hearings); the bill about who can testify at CAFO hearings may not have been signed following last legislative session; if it was signed, this issue no longer matters. CAFO testimony must be from someone with property within one mile [check to make sure this is accurate]. SJ prompted PC to do their homework on Skaar's suggestions.

Murray Stanton: expressed concern that although the PC has removed certain offending sections, something else will reoccur in their place. He further drew attention to:

3.01.02.C, D, stating that "aesthetic" should never be the province of the ZC;

3.01.02.E; language should change to reflect initial hearings; MF suggests "required public hearings";

3.01.02.5 (dogs): PC needs to set objective, impact-based standards, not simply number of dogs; MF: number was brought forward from current ordinance;

3.01.02.6 (public buildings and utility structures); clarify public buildings; MF: input on utility structures will be forthcoming from power companies; SJ: give PC examples of what is objective or quantifiable; kennel containment waste, traffic, differences between sizes of dogs; Nancy White (Potlatch, who is prepared to give input when PC has dogs scheduled, 6/7/05) said that neither Nez Perce nor Whitman counties use specific numbers in their ordinances; sanitation, flooring, and other impacts are addressed; she would leave copies of these ordinances.

Numerous other comments were made, mostly repeated from earlier in this or the last meeting; JH reminded the audience that the "horses" section had been struck; SJ reminded all that gatherings of 300 would cover the problems with horse events. MF noted that after looking through ca. 12 CUs re. stables, she discovered that the conditions that were set were whether the permission sought would comply with the comprehensive plan, met state and local regulations, had a waste management plan, and in a few cases, provided a buffer; SJ: this would affirm the striking of the horse section from the draft.

Nancy White questioned the draft requirements for farm-worker housing (3.01.02.15) as onerous; some regulation is good, but the burden of paperwork too much; the one-year hiatus a problem; she volunteered to think through this section and provide constructive suggestions; SJ: our intent was to make it possible for legitimate apprentice farmers to be housed; MF: make provisions for farm-workers, but curtail abuse (rentals); the problem is with the small farms that cannot get an additional residence (3.01.02.12); PC needs to correct these sections to reflect our intent. More than half the audience present responded to a question by SJ that they would like to see provision for farm-worker housing on less than 80 acres. One member of the audience indicated that 3.01.02.15E.7 would take care of all of the proofs, and that 1-6 are invasive; MF noted that all this will fit well in our scheduled future discussion re. land divisions and additional housing, and that this really needs attention. Jeff Harkins commented that it seemed as if

“making money” were a negative; SJ noted that housing density, interference with agricultural practices was at issue, not making money. Harkins thought there is a problem with not allowing rentals; discussion needed on: foreman/manager housing, farm-worker cottage, year-round occupation of such. MF noted that there are often serious problems with the rental scene; PC scheduled this discussion (farm-worker housing) for 6/21/05.

Future discussion on junk, mineral resource development, etc., is not scheduled at this time.

JH re. ground-water overlay zone meetings; draft overlay zone will be before the PC on June 7.

Clearwater Power will present at the 5/17/05 meeting; purpose of the meeting is to regroup and schedule future topical discussions.

Next Meeting: 3 May April 2005 at 5:30pm in the Latah County Courthouse, Room 2B.

Submitted by Louise D. Barber, 11 May 2005