

Latah County Planning Commission
Minutes, 20 June 2006

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

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

Packet: Agenda; Moscow City Area of Impact draft information; Clearwater Power letter (K. David Hagen) thanking the PC for deleting the lighting section from the draft ordinance and announcing their options available for more responsible outdoor lighting; Ryan Bentley 6/10/06 *Daily News* article; David Hall article, "The Dark Side of Night Lighting," by David Hill (*Science* magazine); George Lisher email to MF

Handout: Minutes of 6/6/06

Meeting: Minutes of 5/6/06 accepted with the amendment that (in 4.05, which was subsequently deleted from the draft ordinance), the minutes reflect that "the definition in the existing ordinance would prohibit composting in the residential zone."

MF announced that the CC will not appeal the Groundwater Overlay Zone ruling, and the two choices for the PC are to either extract that section of the Latah County Land-Use Ordinances, or to "fix" it. Legal advice from the PA would be necessary to fix it. If the intent is to manage water, we are beyond our jurisdiction. JH: the special commission used the EPA model ordinance to create the section, which had a legal foundation, but it would not hold up in Idaho; further, believes too costly in time and resources to fix it. SJ: moved to delete 5.02 from ordinance; SH seconded; 5 in favor; 1 opposed.

Motion (SJ) to make the following changes: moving 5.02.04 "animal unit" into the definition section; deleting "B" from 3.01.01.2, and having 3/01/02.2 read: Feedlots, dairies, continuous confined animal management operations, or other types of similar facilities that operate for 6 months out of any 12 month period, with fewer than 250 animal units." Seconded (JH) and passed unanimously.

Question was raised concerning another public hearing or forwarding the draft to the CC; KW moved to forward draft as amended to CC for their public hearing; JH seconded; discussion followed about how the groundwater issue was still alive with many in county; MF: you can think water protection, but you cannot act on it; only IDWR can act by state law; Idaho laws re. water are antiquated, but the only avenue to date is legislatively at the state level; motion passes unanimously.

MF: explained, in response to the Bill Mitchell letter (date?), that a thousand-dollar fine would only be imposed by a judge and not at the discretion of the PC. The ordinance revision process has ended.

Moscow Area of City Impact: MF: the change from 14 to 23 days only makes sense because the city was always out of compliance; the county has adopted the city's codes in the ACI and we have agreement on issuance of permits; they are now requesting that we adopt the changes that follow, which will require a public hearing: cell towers, lighting, big box stores, CUPs for schools in downtown business zone. If the county does not act, the ordinances would differ. JDH: we need to study the changes before deciding on a public hearing; MF: lighting and large retail development are the two big issues for county (PC needs the city's lighting ordinance to consider this); if adopted, ACI would be up to city standards when annexation occurred; SJ: CUPs for schools in all zones seems like an issue for the public to provide input; telecommunication towers change relates to minimum distance required for notification of

neighbors; ACI residents benefit from city services; ACI residents need to have an opportunity for input. JDH: if we take no action, the city codes would not apply to the ACI; JH: "reduced" ACI would make these residents more closely allied with the city, which should be of concern to the PC; SJ: but they might not wish to have the city codes apply? JH: PC should pursue these issues and do our homework before 7/18/06; CC will hold its public hearing toward the end of July, and PC could hold a public hearing on the ACI issues by 8/15/06.

MF: workshop needed to determine what PC takes up next; Genesee ACI should be up soon, but they have not proposed anything; Comprehensive Plan and map needs work; zoning in the county; PC might proposed directly to the CC a legislative rezone in the county; map would allow us to know where growth should happen and preserve these areas; proactive in order to avoid what has occurred in Kootenai County (SH: 10-31 (?) land exchange: no capital gains, Californians sell for huge amount, move here and build with huge amount of money left over; no need for job); JDH: requests PD to make a list for PC.

Next Meeting: 18 July 2006 at 5:30pm in the Latah County Courthouse, Room 2B

Submitted by Louise D. Barber, 12 July 2006