
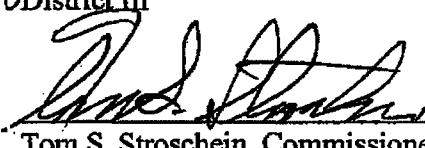
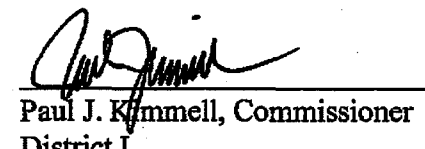


LATAH COUNTY
BOARD OF COMMISSIONERS
MOTION AND ORDER

P.O. Box 8068 ♦ 522 S. Adams ♦ Moscow, ID 83843
(208) 882-8580 ♦ Fax: (208) 883-2280
bocc@latah.id.us

COMMISSIONER KLIMMER MOVES THAT THE BOARD:

APPROVE THE LATAH COUNTY MOSCOW SUB-BASIN
COLLORWATER LAND USE MANAGEMENT OVERLAY ZONE
ORDINANCE # 260.

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
 John A. Nelson, Chairman District III	<u>K</u>	<u>—</u>	<u>—</u>
 Tom S. Stroschein, Commissioner District II	<u>X</u>	<u>—</u>	<u>—</u>
 Paul J. Klimmer, Commissioner District I	<u>/</u>	<u>—</u>	<u>—</u>

ATTEST:

DATE:


Clerk/Deputy Clerk

8-29-05

**LATAH COUNTY, IDAHO ORDINANCE #260
MOSCOW SUB-BASIN GROUNDWATER LAND USE MANAGEMENT OVERLAY ZONE
ORDINANCE**

AN ORDINANCE OF LATAH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, REPLACING LATAH COUNTY EMERGENCY ORDINANCE 258; AMENDING THE LATAH COUNTY ZONING ORDINANCE (ORDINANCE #29, AS PREVIOUSLY AMENDED) TO ADD A SECTION 12.04; DESIGNATING THE "MOSCOW SUB-BASIN" WITHIN AN UNINCORPORATED PORTION OF LATAH COUNTY AS DESCRIBED HEREIN AS AN OVERLAY ZONE FOR THE ADOPTED COUNTY LAND USE ORDINANCES; PROVIDING FOR A PERIOD OF REVIEW AND SETTING STANDARDS FOR SUCH REVIEW; DEFINING THE GEOGRAPHIC AREA FOR THE OVERLAY ZONE; PROVIDING DEFINITIONS; SETTING RESTRICTIONS FOR BUILDINGS AND USES; SETTING OUT PERFORMANCE STANDARDS FOR USES IN THE OVERLAY ZONE; REQUIRING NOTIFICATION OF WELL DRILLING TO LATAH COUNTY; PROVIDING FOR APPEALS PROCESSES; PROVIDING FOR ENFORCEMENT OF THIS REGULATION; PROVIDING FOR CONFLICT RESOLUTION BETWEEN ADOPTED ORDINANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE FOR THIS ORDINANCE.

WHEREAS, Idaho Code 67-6537 states "When considering amending, repealing or adopting a comprehensive plan, the local governing board shall consider the effect the proposed amendment, repeal or adoption of the comprehensive plan would have on the source, quantity and quality of ground water in the area" requiring local government agencies to consider and set policies on groundwater resources; and

WHEREAS, Idaho Code 67-6537 encourages counties in the State of Idaho to adopt local land use ordinances that require irrigation from surface water sources instead of groundwater sources where reasonably available; and

WHEREAS, the Latah County Comprehensive Plan, under the Natural Resource Element states that the County's goal is "To ensure sound stewardship of the County's natural resources" and states that the policies are to "Prohibit development that significantly pollutes or degrades the natural environment" and to "Maintain sustainable groundwater resources and prevent degradation of groundwater quality"; and

WHEREAS, there have been on-going studies regarding geologic and hydrogeologic conditions in the Moscow Sub-basin area; and

WHEREAS, the complex hydrogeology of the Moscow Sub-basin is characterized by four significant groundwater sources including: fractured granitic bedrock, basalts of the Grande Ronde Formation, basalts of the Wanapum Formation and the sediments of the Latah Formation; and

WHEREAS, the sediments of the Latah Formation constitute an estimated 58% of the volume of the Moscow Sub-basin above the basement rock; and

WHEREAS, coarse sediments within the Latah Formation are the most probable path for recharge to the Wanapum aquifer; and

WHEREAS, studies show that vertical percolation of water through the loess soils capping the sediments of the Latah Formation is extremely slow; and

WHEREAS, significantly more precipitation falls on the granite uplands of the sub-basin margins than on the lower elevations; and

WHEREAS, fractures in the granite likely serve as pathways for groundwater to enter the permeable coarse layers of the Latah sediments at their margins; and

WHEREAS, sub-basin stream channels and flood plains may provide a significant recharge mechanism to the coarse sediments of the Latah Formation; and

WHEREFORE, it is in the public interest to protect the coarse sediments of the Latah Formation from structural disruption and contamination;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Latah County, Idaho:

SECTION 1: AMENDING ZONING ORDINANCE TO INCLUDE A NEW OVERLAY ZONE TITLED "MOSCOW SUB-BASIN GROUNDWATER LAND USE MANAGEMENT OVERLAY ZONE"

That Article 12 of the Latah County Zoning Ordinance (Ordinance #29, as previously amended) is hereby amended as follows:

12.04 MOSCOW SUB-BASIN GROUNDWATER LAND USE MANAGEMENT OVERLAY ZONE

12.04.01 PURPOSE

The purpose of this ordinance shall be to promote the health, safety and general welfare of residents of Latah County located within the area of the Moscow Sub-basin of the County of Latah as follows:

- A. To protect property rights and enhance property values by ensuring land use compatible with sustainable consumption of groundwater supplies in the Moscow sub-basin.
- B. To maintain and permit land uses that sustain or enhance groundwater recharge in likely recharge areas.
- C. To help protect and improve water quality in the Moscow Sub-basin.
- D. To encourage recharge and conservation of water resources.
- E. To gather hydrologic information, data and research pertinent to the Moscow Sub-basin.

F. To encourage the use of surface water and/or precipitation runoff for landscape irrigation.

12.04.02 REVIEW

A. Period of Review

This ordinance shall be reviewed every five years after its enactment. Such review shall be completed within 180 days of initiation unless extended by motion and order of the Board of Latah County Commissioners. Failure to conduct the review or adopt any recommendation of the Review Taskforce shall not affect the continued validity or enforceability of this ordinance. The Latah County Board of Commissioners can require that a review be conducted at any time for any reason.

B. Scope of Review

Review shall include an examination of any accepted new science or data relevant to the hydrogeology and water resources of the Moscow Sub-basin that may have been published or gathered since the previous review. Such new information shall be compared to existing ordinance permissions and restrictions to ensure appropriate uses are maintained and enhanced. If new information indicates changes are necessary to achieve Section 12.04.01, this ordinance shall be amended accordingly.

C. Establishment of Review Taskforce

The Board of Latah County Commissioners shall appoint six members of the public to a Review Taskforce chaired by a member of the Latah County Planning Commission. The membership shall include two representatives of water conservation groups in the Moscow Sub-basin, two landowners in the Moscow sub-basin, a representative of the sub-basin realtor/developer community and a hydrologist or geologist familiar with current research in the sub-basin. The City of Moscow and the North Latah Highway district may be represented ex officio.

D. Expiration of Review Taskforce

The Review Taskforce shall expire after the 180th day of appointment except as provided for in Section 12.04.02.A.

12.04.03 AREA

This Ordinance shall affect the unincorporated area of Latah County as an overlay zone within the following sections and sub-sections:

Township 38 North

Range 06 West, Sections 1, 12

Range 05 West, Sections 5, 6, 7

Township 39 North

Range 06 West, Sections 1, 12, 13, 24, 25, 36

Range 05 West, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, 32, 33

Range 04 West, Section 06, 07

Township 40 North

Range 06 West, Sections 13, 24, 25, 36

Range 05 West, Sections 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

Range 04 West, Sections 18, 19, 30, 31

All of the above described lands lie within Boise Meridian, Latah County, State of Idaho.

12.04.04 DEFINITIONS

For the purposes of this section, the following terms are defined below:

- A. ANIMAL UNIT. A unit of measurement for any animal feeding operation calculated by adding the following numbers: The number of slaughter and feeder cattle multiplied by one (1), plus the number of young slaughter or feeder cattle less than twelve (12) months of age multiplied by six-tenths (0.6), plus the number of mature dairy cattle multiplied by one and four-tenths (1.4), plus the number of young dairy cattle multiplied by six-tenths (0.6), plus the number of swine weighing over twenty-five (25) kilograms, approximately fifty-five (55) pounds, multiplied by four-tenths (0.4), plus the number of weaned swine weighing under twenty-five (25) kilograms multiplied by one-tenth (0.1), plus the number of sheep multiplied by one-tenth (0.1), plus the number of horses multiplied by two (2), plus the number of chickens multiplied by one-hundredth (0.01).

Animal Unit Equivalents:

Slaughter/feeder cattle	1.0
Slaughter/feeder cattle less than 12 months	0.6
Dairy cattle – mature	1.4
Dairy cattle – young	0.6
Swine greater than 25 kilograms (55 lbs)	0.4
Swine weaned less than 25 kilograms	0.1
Sheep	0.1
Horse	2.0
Chickens	0.01

- B. AQUIFER. A geological formation, group of formations or part of a formation composed of rock, clay, soil, sand or gravel capable of storing and yielding groundwater to wells and springs.

- C. CAFO ("concentrated animal feeding operation" or "confined animal feeding operation"). A lot or facility where the following conditions are met:

1. Animals have been, are or will be stabled or confined and fed or maintained for a total of ninety (90) consecutive days or more in any twelve-month period; and

2. Crops, vegetation, forage growth or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility.

Two (2) or more concentrated animal feeding operations under common ownership are considered, for the purposes of this definition, to be a single animal feeding operation if they adjoin each other or if they use a common area or system for the disposal of wastes.

- D. **CONTAMINATION.** An impairment of water quality by chemicals, radionuclides, biologic organisms, or other extraneous matter whether or not it affects the potential or intended beneficial use of water. Applicable state and federal laws, rules and regulations shall control contamination.
- E. **DEVELOPMENT.** The carrying out of any construction, reconstruction, alteration of surface or structure, or change of land use or intensity of use.
- F. **FACILITY.** Something that is built, installed or established for a particular purpose.
- G. **GROUNDWATER PROTECTION OVERLAY DISTRICT:** The zoning district defined to overlay other zoning districts in the Moscow Sub-Basin of Latah County. This district may include specifically designated recharge areas that collect precipitation or surface water and carry it to aquifers.
- H. **GROUNDWATER RECHARGE AREA.** The areas of significant groundwater recharge potential in the Moscow Sub-Basin of Latah County identified as follows:
 1. All perennial stream beds as listed on the USGS 7.5 minute map including but not limited to the main channels and tributaries to the South Fork of the Palouse River, Paradise Creek and Missouri Flat Creek and their adjacent recharge protection areas. (Map A)
 2. All intermittent stream beds as listed on the USGS 7.5 minute map between 2700' and 2900' elevation above sea level and their adjacent groundwater recharge protection areas including but not limited to the main channels and tributaries to the South Fork of the Palouse River, Paradise Creek and Missouri Flat Creek. (Map A)
 3. All land at or above 2900' above sea level or where exposed bedrock is present. (Map A)
- I. **GROUNDWATER RECHARGE PROTECTION AREA.** Those lands adjacent to stream channels ranging from 0% to 5% slope or 50' horizontal distance measured from the mean high water mark, whichever is greater, or that lie within Zone A of a federally designated floodplain.
- J. **HAZARDOUS MATERIAL.** A material that is defined in one or more of the following categories:
 1. **Ignitable:** A gas, liquid or solid which may cause fires through friction, absorption of moisture, or which has low flash points, including but not limited to white phosphorous and gasoline.
 2. **Carcinogenic:** A gas, liquid or solid which is normally considered to be cancer causing or mutagenic, including but not limited to PCB's in some waste oils.

3. **Explosive:** A reactive gas, liquid or solid that will vigorously and energetically react uncontrollably if exposed to heat, shock, pressure or combinations thereof, including but not limited to dynamite, organic peroxides and ammonium nitrate.
 4. **Highly Toxic:** A gas, liquid or solid so dangerous as to afford an extreme hazard to human life, including but not limited to chlorine gas.
 5. **Moderately Toxic:** A gas, liquid or solid that through repeated exposure or in a single large dose can be hazardous to human life.
 6. **Corrosive:** Any material, whether acid or alkaline, which will cause severe damage to human tissue, or in case of leakage might damage or destroy other containers of hazardous materials and cause the release of their contents, including but not limited to battery acid and phosphoric acid.
- K. **OVERLAY ZONE.** As defined in Section 12.04.04.G of this ordinance.
- L. **PRIMARY CONTAINMENT FACILITY.** A tank, pit, container, pipe or vessel of first containment of a liquid or chemical.
- M. **RELEASE.** Any unplanned or improper discharge, leak or spill of a potential contaminant including a hazardous material.
- N. **SECONDARY CONTAINMENT FACILITY.** A second tank, catchment pit, pipe or vessel that limits and contains liquid or chemical leaking or leaching from a primary containment area.
- O. **SHALLOW/SURFICIAL AQUIFER.** An aquifer in which the permeable medial (sand, gravel or rock) starts at the land surface or immediately below the soil profile.
- P. **SPILL RESPONSE PLANS.** Detailed plans for control, recontainment, recovery and clean up of hazardous material releases, such as during fires or equipment failures.
- Q. **STORMWATER TREATMENT PRACTICES (STPs).** Measures, either structural or nonstructural, that are determined to be the most effective practical means of preventing or reducing pollution inputs to stormwater runoff and water bodies.
- R. **TIME-OF-TRAVEL DISTANCE.** The distance that groundwater will travel in a specified time. This distance is a function of the hydraulic conductivity, potential gradient and effective porosity of the aquifer.
- S. **WATER CONSERVING GOLF COURSES AND DRIVING RANGES.** For the purposes of compliance with Section 1, golf courses and driving ranges are conditionally permitted if course or range design minimizes reliance on groundwater for landscaping needs. Groundwater, if necessary, may be utilized to irrigate putting greens and tee boxes. Selection of non-invasive drought tolerant plants and grasses is encouraged. Landscape design that creates catchments for precipitation runoff for reuse as irrigation supply is encouraged.

- T. XERISCAPE. The practice of conserving water and energy through landscaping design that limits lawn and turf areas, irrigates efficiently, improves soils, uses mulches, chooses low water use plants and employs other good maintenance practices.

**12.04.05 BUILDINGS AND USES – PERMITTED; CONDITIONALLY PERMITTED;
PROHIBITED**

All uses not specified in Sections 12.04.05.A and 12.04.05.B are permitted for the purposes of this ordinance as long as they are also permitted in that property's zoning designation as per the adopted Latah County Zoning Ordinance or Land Use Ordinance.

A. Buildings and Uses Permitted Conditionally

The following uses require the landowner to obtain a Conditional Use Permit, pursuant to the procedures contained in the Latah County Zoning or Land Use Ordinance, prior to the start of the use. In order to obtain a Conditional Use Permit under this section, the use must also be authorized in that property's zoning designation as per the adopted Latah County Zoning Ordinance or Land Use Ordinance.

1. Residential wastewater treatment
2. Landing fields, airports and heliports
3. Water conserving golf courses and driving ranges
4. Commercial nurseries
5. Agricultural supplies, sales and services
6. Car washes
7. Manufacture and/or bulk storage and/or sale of flammable liquids, gases, chemicals and/or explosives, not explicitly prohibited by this ordinance and outside areas defined by the Groundwater Recharge Area. Storage related to agricultural uses is exempt.
8. Residential development requiring a full plat shall only be permitted in water districts as created under the provisions of Title 42, Chapter 32, Idaho Code or where services will be provided by a municipality. All public spaces shall either be xeriscaped and planted with non-invasive plants and/or grasses or, if other landscaping is deemed necessary, provide required irrigation water from surface water and/or precipitation runoff collection sources.
9. CAFOs, dairies or other types of similar year round/continuous confined animal management operations containing 250 or more Animal Units.

B. Prohibited Uses

1. Sanitary or industrial landfills
2. Industrial wastewater treatment
3. Mining, refining and/or processing of mineral resources including, but not limited to: asphalt hot mix plants, ore mills, rock crushers and concrete batch plants except for personal domestic use.
4. Processing and/or storage of toxic materials, poisonous gases and/or radioactive materials.

12.04.06 PERFORMANCE STANDARDS

A. The following standards shall apply throughout the Overlay Zone:

1. All applicants proposing to make land use changes shall be required to use surface water and/or precipitation runoff, where reasonably available, as the primary water source for irrigation.
2. All development that creates impermeable surfaces such as but not limited to roofs, asphalt or concrete driveways shall provide for detention of storm water sufficient to retain runoff from impermeable surfaces to the owner's property. Construction of grassy swales or other surface water impoundments at the base of slopes to meet the purpose of this section is encouraged.
3. All new residential development shall include:
 - a. Exterior landscaping that utilizes non-invasive and drought resistant plants and grasses to the maximum extent practicable. Alternately, irrigation water sufficient for landscaping with other plant and grass species may be provided from surface water and/or precipitation runoff collection systems. Vegetable gardens are exempt from this requirement but owners are encouraged to utilize non-groundwater resources for irrigation needs to the maximum extent practicable.
 - b. Exterior landscaping irrigation systems shall be fitted with timing and moisture sensing devices.
 - c. Installation of water-saving plumbing fixtures and appliances including but not limited to toilets and shower heads. The use of front-loading clothes washing machines are encouraged.
4. Construction and utilization of a grey water system for outdoor irrigation use according to guidelines established by the state and public health district is encouraged in all new development.
5. All existing residences are encouraged to implement the requirements of Section 12.04.06.A.
6. All development that requires excavation, other than required for usual and customary construction of permitted residential and commercial structures and driveways, shall submit an engineering study stamped by an engineer licensed in the State of Idaho that shows such

excavation shall not expose or disturb the coarse sediments (sands and gravels) of the Latah Formation below the seasonal high water table. At a minimum, the components of such study shall include:

- a. Location and map of excavation site.
- b. Stratigraphic logs (description of drilled material) and/or cross-sections of bore or auger holes or dug pits to at least two feet below the depth of the intended excavation. A minimum of three (3) test holes or pits shall be dug on a 100-foot rectangular grid at all grid intersections.
- c. Location of any registered wells within 1/4 mile of excavation site.

Such engineering study shall be submitted to the Latah County Planning Department and must be reviewed and approved prior to permit issuance or approval, or if no permit or approval is required, prior to the start of excavation.

B. The following standards shall apply to uses in the Groundwater Recharge Protection Area:

1. Any facility involving the collection, handling, manufacture, use, storage, transfer, or disposal of any solid or liquid waste material, unless granted a special exception either through permit or another ordinance, must have a secondary containment system which is easily inspected and whose purpose is to intercept any leak or release from the primary containment vessel or structure. Underground tanks or buried pipes carrying such materials must have double walls and inspectable sumps.
2. Open liquid waste ponds containing materials referred to in item (1) above will not be permitted without a secondary containment system.
3. Storage of petroleum products in quantities exceeding 1320 gallons at one locality in one tank or series of tanks must be in elevated tanks; such tanks must have a secondary containment system as described in item (1).
4. All permitted facilities handling hazardous materials must adhere to appropriate federal and state standards for storage, handling, and disposal of any hazardous waste materials.
5. Prior to the granting of a permit, an acceptable contingency plan for all permitted facilities as listed in Sections 12.04.06.B.1, 12.04.06.B.2, 12.04.06.B.3, and 12.04.06.B.4 must be prepared and submitted to the Planning Department for preventing hazardous materials from contaminating the shallow/surficial aquifer should floods, fire, or other natural catastrophes, equipment failure or releases occur:
 - a. For flood control, all underground facilities shall include but not be limited to a monitoring system and secondary standpipe above the 100-year flood control level as defined in the FEMA FIRM maps adopted by the county for monitoring and recovery. For above ground facilities, an impervious dike, above the 100-year flood level as defined in the FEMA FIRM

maps adopted by the county and capable of containing 100 percent of the largest volume of storage, shall be provided with an overflow recovery catchment area (sump).

- b. For fire control, plans shall include but not be limited to a safe fire fighting procedure, a fire retarding system, effective containment of any liquid runoff, and provide for dealing safely with any other health and technical hazards that may be encountered by disaster control personnel in combating fire. Hazards to be considered are pipes, liquids, chemicals or open flames in the immediate vicinity.
 - c. For equipment failures, plans shall include but not be limited to:
 - i. Below ground level, removal and replacement of leaking parts, a leak detection system with monitoring, and an overfill protection system.
 - ii. Above ground level, monitoring of primary containment systems for liquids and leachate, the cleanup of any released contaminants or other materials, and replacement or repair of the impervious surface, containment, monitoring system, or any other problem or equipment failure.
 - d. For any other release occurring, the owner and/or operator shall report all incidents involving liquid or chemical material to the groundwater protection coordinator designated by Latah County.
6. As improperly abandoned wells can become a direct conduit for contamination of groundwater by surface water, all abandoned wells shall be properly sealed according to state regulations.

12.04.07 NOTIFICATION OF WELL DRILLING

To further the understanding and mapping of the Sub-Basin geology and hydrology, the Latah County Building Department shall be notified 48 hours in advance of the location, date and time of any anticipated drilling of a new well. The County or its agent may, at its own expense, observe the drilling for the purpose of obtaining a geologic and hydrologic record of the drill cuttings.

12.04.08 CONFLICT WITH OTHER ORDINANCES

To the extent that the provisions of this ordinance conflict with provisions of other Latah County ordinances, the more restrictive of the ordinances shall control.


SECTION 2: SEVERABILITY

Should any word, clause, phrase, sentence, paragraph, subsection, or other part of this Ordinance or any particular application thereof be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

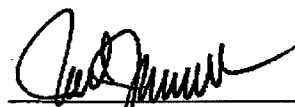
SECTION 3: EFFECTIVE DATE

This Ordinance shall take effect and be in full force as of August 29th 2005.

DATED this 29th day of August, 2005.



John A. "Jack" Nelson
Chair

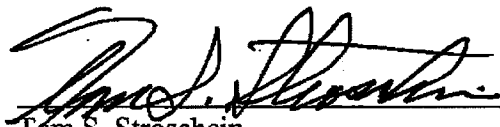


Paul J. Kimmell
Commissioner

ATTEST:



Clerk/Deputy Clerk



Tom S. Stroschein
Commissioner

NOTICE OF PUBLIC HEARING

BEFORE THE LATAH COUNTY BOARD OF COMMISSIONERS

Monday, August 29th, 2005

6:00 p.m.

Having received a recommendation from the Latah County Planning Commission on July 20th, 2005, and after having a public hearing on Wednesday, August 10, 2005 and deciding to make a material change to the proposal recommended to them from the Planning Commission, per Idaho Code 67-6509 and 67-6511 and the Latah County Zoning Ordinance, the Latah County Board of Commissioners will hold a public hearing at 6:00 p.m. on Monday, August 29th, 2005, in Room 2B of the Latah County Courthouse, Moscow, Idaho, to receive comments on:

Adoption of the "Moscow Sub-basin Groundwater Land Use Management Overlay Zone Ordinance" amending the Latah County Zoning Ordinance (Ordinance #29, as amended), within an unincorporated portion of Latah County in an approximate 6 mile radius around the City of Moscow, which sets restrictions, requirements and performance standards for buildings and uses in this overlay zone, provides for a review of the overlay zone ordinance, and requires notification of well drilling to Latah County.

All interested parties are encouraged to attend the hearing. Accommodations for individuals who qualify under the Americans with Disabilities Act are available upon request. Notice is required in the Planning Office three working days prior to the hearing in order to acquire accommodations.

This hearing will be held pursuant to the Latah County Hearing Procedures Ordinance, under authority of the Idaho Local Planning Act, and under the Latah County Zoning Ordinance. The Latah County Planning Commission reserves the right to limit the length of testimony.

Additional information on this request, including a full copy of the proposal, is available from the Planning Department at the Latah County Courthouse, Moscow, Idaho. Phone (208) 883-7220 or at www.latah.id.us. Written comments will be accepted at the above office prior to the public hearing.

Michelle Fuson
Director

(This is a public service announcement only)

**LATAH COUNTY COMMISSIONERS
CHAIR'S INTRODUCTION TO PUBLIC HEARING
MOSCOW SUB-BASIN GROUNDWATER LAND USE MANAGEMENT OVERLAY
ZONE - ZONING ORDINANCE AMENDMENT**

Chairman: Jack Nelson

Time, Date, and Location: 6:00 p.m.
Wednesday August 29, 2005
Room 2B, Latah County Courthouse

Purpose of Hearing:

To take testimony on:

Adoption of the "Moscow Sub-basin Groundwater Land Use Management Overlay Zone Ordinance" amending the Latah County Zoning Ordinance (Ordinance #29, as amended) to add a Section 12.04, within an unincorporated portion of Latah County in an approximate 6 mile radius around the City of Moscow, which sets restrictions, requirements and performance standards for buildings and uses in this overlay zone, provides for a review of the overlay zone ordinance, and requires notification of well drilling to Latah County.

Explanation of Notice:

As required, the County advertised in the Moscow/Pullman Daily News on Saturday, August 6, 2005 and as an advertisement in the Moscow/ Pullman Daily News on Monday, August 22, 2005. Notice was posted in a visible location in the Latah County Courthouse prior to the hearing.

Legal Authority for Action:

Local authority: Latah County Zoning Ordinance; Latah County Comprehensive Plan

State Statute: Idaho Code, 67-65

Method of Receiving Comments:

The Board will open the public hearing and then any interested person will be given an opportunity to present testimony. Information may be presented in writing or orally to the Board. At the close of the public testimony, the Board may go into deliberation to accept the ordinance or deny the ordinance. If the Board wants to make material changes to the ordinance, they shall have another public hearing. *Time will be limited to 5 minutes per person. Please remain orderly and respect other people by not commenting during others testimony and not speaking unless acknowledged by the chair. To save time, please do not repeat what others have said. Instead, please just state that you are in agreement with them.*

ROSTER

Name	Address	Hearing/ Support or Opposition	Will Testify? Y/N
David E. Thompson	1054 Terra Dr.	For	Yes
Sally Fredericks	3821 Moscow Mt. Rd	For	Yes
Phillip C Nisbet	111 N Asbury #2	Moscow	No
Richard Shumway	1055 Joyce Rd	Moscow	Perhaps
Katherine Camie	626 Kenneth	Moscow For	Yes
Dick Fredericks	3821 Moscow Mt. Rd	Moscow	yes
Sandra Pike	1026 E. 3rd	MOSCOW	yes
Angela Hughes	1025 Joyce Rd	"	yes
Bobby Willis	1075 Adlers Rest Rd	"Moscow	yes
David Hall	1334 Wallen Rd	Moscow Moscow (For) (For)	Yes (written)
Jeff Harkins	1174 Teare Rd	Moscow	No Yes
Karl Stoczek	1022 Wallen Rd	Moscow (For)	?

MEETING: Commissioners' Hearing

DATE: 08-29-2005

TIME: 6:00 p.m. PLACE: Room 2-B

PAGE: OF

HEARING FOR PUBLIC REGARDING AMENDMENT TO LATAH COUNTY ZONING ORDINANCE
(ORDINANCE # 29, AS AMENDED)

ROSTER

Name	Address	Hearing/ Support or Opposition	Will Testify? Y/N
Richard Kostet			
Brent Thomson			Y
Jo CAMPBELL		Y	Y
JOHN CAMPBELL		Y	Y
Jim Mital	1155 Idler's Rest Road	Support	Yes
Genye Lisher	1080 Lisher cutoff	Opp	yes
Sherman Clyde	2940 Clyde Road		YES -
Mark Solomon	4323 Moscow Mtn Rd	Support	yes
Charles B. McKinnon	1075 Tease Rd	Y	Y
David M. Bull	4400 Robinson Park Rd.	Opposition	Y
Ed Whitehead	1058 Terra Dr, Moscow	Support	Y
Karen Whitehead	1058 Terra Dr, Moscow	support	N.
Carol A. Penfrew	1271 Walnut c. Dr. Moscow		#
Katherine Warrick	1200 Sunquest Dr		?
Michael W. Penfrew	1271 Walnut, Moscow		N
Kieran Hobson		X	
Joan B Cooper	1050 JOYCE RD.		N
Demond C Johnson	1562 E. 3rd SE.		N
JERRY SWENSON	1034 Tow Train	SUPPORT	Y
John H. Cooper	1050 JOYCE RD	MOSCOW Support	Y

MEETING: Commissioners' Hearing

DATE: 08-29-2005

TIME: 6:00 p.m. PLACE: Room 2-B

PAGE: OF

HEARING FOR PUBLIC REGARDING AMENDMENT TO LATAH COUNTY ZONING ORDINANCE
(ORDINANCE # 29, AS AMENDED)

LATAH COUNTY BOARD OF COUNTY COMMISSIONERS

PUBLIC HEARING: Amendment to 11.05 of Zoning Ordinance

DATE: Monday, August 29, 2005

TIME: 6:00 p.m.

APPLICANT: _____

EXHIBITS

Exhibit # 1: Testimony submitted by David Hall dated 8-29-2005

Exhibit # 2: Position Statement submitted by Protect Our Water

Exhibit # 3: Public testimony of Jim Mital dated 8-29-2005

Exhibit # 4: Letter from League of Women Voters

Exhibit # 5: Geologic CROSS-SECTION Moscow-Pullman, Idaho - Washington

Exhibit # 6: Petition Supporting proposed Ordinance

Exhibit # 7: _____

Exhibit # 8: _____

Exhibit # 9: _____

Exhibit # 10: _____

Exhibit # 11: _____

Exhibit # 12: _____

Exhibit # 13: _____

Exhibit # 14: _____

Exhibit # 15: _____

Exhibit # 16: _____

Exhibit # 17: _____