

American Planning Association Idaho Chapter
Minutes for February 17, 2011
APA Idaho Executive Board

<input checked="" type="checkbox"/>	Daren Fluke, President	<input checked="" type="checkbox"/>	Charles Hutchinson, Region 4
<input checked="" type="checkbox"/>	Renee Magee, Vice-President	<input type="checkbox"/>	Melodie Halstead, Region 5
<input checked="" type="checkbox"/>	Brad Cramer, Secretary/Treasurer	<input type="checkbox"/>	Kurt Hibbert, Region 6
<input checked="" type="checkbox"/>	Clare Marley, Region 1	<input checked="" type="checkbox"/>	Jon Norstog, L&PA
<input checked="" type="checkbox"/>	Joel Plaskon, Region 2	<input type="checkbox"/>	Anna Canning, E&O
<input type="checkbox"/>	Jon Cecil, Region 3	<input checked="" type="checkbox"/>	Diane Kushlan, PDO

The meeting was called order at 10:55

- HB148 Discussion:** Jon Norstog summarized the bill. It is adding text to existing legislation and amending the Local Land Use Planning Act (LLUPA). It expands LLUPA's goals to include language to address agriculture. It also ensures zoning matches the comprehensive plan. Renee believes it is more than "feel good" legislation because jurisdictions will have to address agriculture in their comprehensive plans or state why they don't. Diane asked why a jurisdiction wouldn't want to address it. Renee explained a city may not deal with those issues. Daren said in that case it would be appropriate to state that in the plan. Charles agreed with Daren that cities may not deal with those issues and could explain so in their comprehensive plan. Daren said sometimes agricultural land is within an area of impact and it may be appropriate to address it. Clare said she addresses it in the comprehensive plan already. If this bill is approved she will have to revise the plan. She would prefer to add it as an emphasis to other areas. Renee suggested a plan could explain that agriculture is already addressed elsewhere. Diane stated she didn't see language in the bill that required a comprehensive plan to be revised. Clare said court cases are saying all elements must be addressed. Renee agreed and explained a jurisdiction must address each element or state why they don't. Jon Norstog said the legislation may then be creating a potential liability across the state. Diane asked if there is language that states when the plan has to be revised. Joel asked what initiated the bill. Diane explained Canyon County has a strong agricultural industry that is feeling the impacts of urbanization. Three other agriculture organizations are also sponsoring. The purpose is to protect agricultural lands. Joel believes they should be able to push for that protection but it might not be best to mandate it state wide. He asked why this can't be dealt with in other elements. Renee said it could be written into policies. They need to be looking at ordinances for specific applications. Joel said nothing prevents communities from doing additional elements in their plans. Jon Norstog said if the goal is to protect agricultural lands this bill doesn't do anything. Maybe alternative legislation should be drafted to actually protect agricultural lands and open space. Right now, the policy seems to be to develop those lands as fast as possible. Renee feels the legislation creates a false expectation. Jon Norstog also believes it creates liabilities. Daren asked if the board should take a position and, if so, what it should be. Clare suggested the board partner with those who brought the issue up and suggest a different route. We should support what they want to do, but don't agree with the approach. Diane said she is disappointed with the discussion. We should put a spotlight on agriculture. We shouldn't oppose the bill because it adds more work or increases costs. Maybe we should support it with some caveats. Clare said it is not about work and money. The issue is already addressed elsewhere. Diane said most jurisdictions don't address it. Most don't even separate the elements. Daren summarized the discussion. He said we could use stronger agricultural elements in plans, but this bill may not be the right way. Joel agrees and said it is not a matter of the goal. It has consequences that will cause difficulties. Renee said it is important to save agricultural land. The sponsors need to know that this bill doesn't do that. Diane said that argument can be applied to any element. Renee explained that originally LLUPA

brought together elements that would be good for a plan. This will build a false hope. Diane said the sponsors talked about one of the issues being the need to recognize agriculture as an important part of the economy. We shouldn't discourage that. Joel said compared with other elements, agriculture is not something that all communities have in common. Daren disagreed and said it is a matter of degree. The legislation is not a big deal. It is not creating a huge burden, but it doesn't accomplish much. Joel disagrees with adding legislation if it doesn't benefit everyone. Legislating for the sake of legislating is not good. Diane said agriculture is important. APA thinks it is important. We should spotlight it. It is good to discuss it as a community. Joel said he can't support adding more when it is not necessary. Why not address water as well? Renee agreed and said she was not happy when the legislature added other elements. Every community has to look through this long list of items and figure out what is important. Mandates don't always mean anything. Joel re-stated that it is not about whether or not agriculture is important. The question is whether or not the legislation is necessary. Diane said she spoke with an involved farmer. He was shocked that there was disagreement among board members. She believes we should say nothing rather than oppose it. Joel agrees with not sending the wrong message. Daren said there is no rush to come out one way or another.

Jon Norstog moved to approach the sponsors of the legislation and offer our services and advice to strengthen and improve the legislation and address minor flaws. Seconded by Clare. Unanimous approval.

Jon Norstog will write a memo to the sponsors and follow up with a phone call. Clare will work with him.

- 2. Legislative Affairs Membership Involvement Protocol:** Daren said we need to establish a protocol for dealing with legislative issues. Charles said Art Brown asked what the benefits are of being a member of Idaho APA. Charles thinks the website should include legislative issues. Brad said he liked the example from Montana forwarded by Jon Cecil. It allows members to post their comments and discuss the issues on the website. Joel supports website changes but asked how intense it would be to initiate and manage. If we do it, the membership may expect us to do something with the information they provide. Charles said someone on the board could be assigned to monitor the website discussions. It could be rotated among board members to break up the responsibility. Daren asked if anyone knows about Kurt. We need to get the website moving. The current provider is getting more difficult to deal with. Charles feels the board has gotten hung up on a strategic plan but we should have simple goals. It should be a great tool for the membership. It doesn't need to be overly complex. Daren asked if we want to monetize the site. Right now it is not much of a resource. For now we will rely on regional representatives to get input from the members.

Jon Norstog moved to adjourn. Seconded by Joel.