

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Agenda~

Mike Ray
Staff Liaison

p&z@ci.moscow.id.us

208.883.7008

<http://id-moscow.civicplus.com/agendacenter>

**Wednesday
May 8, 2019**

7:00 PM

**Council Chambers
206 E 3rd Street**

Call to order

1. Approval of minutes from April 10, 2019 [ACTION ITEM]

ACTION: Approve minutes as presented; approve minutes with amendments; or provide staff further direction.

2. Public Comment

(Time limit 15 minutes. Members of the Public may speak to the Commission regarding matters NOT on the Agenda nor currently pending before the Planning and Zoning Commission. Please state your name and address for the record and limit your remarks to three minutes.)

3. Public Hearing: Proposal for rezone of a 3.70-acre parcel of land located at 2500 South Highway 95 within the Area of City Impact - LUP2019-0014

Proposed rezone of a 1.04-acre parcel of land located at 2324 South Highway 95 within the Area of City Impact from the Agriculture/Forestry (AF) Zone to the Motor Business (MB) Zone. The subject property is within the Moscow Area of City Impact. The City of Moscow Planning and Zoning Commission will make a recommendation to the Latah County Board of County Commissioners regarding this matter.

ACTION: Conduct the public hearing upon the proposed rezone request and upon consideration of any testimony presented, recommend approval of the rezone request to Latah County and direct Staff to prepare a reasoned statement of relevant criteria and standards; or recommend approval of the rezone request to Latah County with conditions and direct Staff to prepare a reasoned statement of relevant criteria and standards; or recommend denial of the rezone request to Latah County and direct Staff to prepare a reasoned statement of relevant criteria and standards; or take other action as deemed appropriate.

4. Public Hearing: Proposal for Rezone of a 38,558 square foot area of land generally located east of the intersection of Southview Avenue and Alice Street within the City of Moscow: LUP2019-0015

Proposed rezone of a 38,558 square foot area of land generally located east of the intersection of Southview Avenue and Alice Street within the City of Moscow from its current designation of the Farm Ranch (FR) Zone to the Low Density, Single Family Residential (R-1) Zone.

ACTION: Conduct the public hearing upon the proposed rezone and upon consideration of any testimony presented, recommend approval of the rezone request and direct Staff to prepare a reasoned statement of relevant criteria and standards; or recommend approval of the rezone request with conditions and direct Staff to prepare a reasoned statement of relevant criteria and standards; or recommend denial of the rezone request and direct Staff to prepare a reasoned statement of relevant criteria and standards; or take other action as deemed appropriate.

NOTICE: Moscow City Council Commission meetings can be televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

5. Draft Ordinance Amending Educational Services within the Central Business District

During the Zoning Code update that was approved by the City Council on May 21, 2018, questions were raised by the Council regarding the allowance of Educational Institutions (colleges and universities) within the Central Business Zoning District (CBZD). The City Council approved the Zoning Code amendment at the time, but requested that the Moscow City Council Administrative Committee of the City Council continue the discussion regarding the allowance of educational uses within the CBZD. On August 20, 2018, City Council provided direction to staff to develop a survey for the community and property owners and businesses operating within the CBZD. A survey instrument was then prepared which contained questions designed to gauge the perceptions of the community and property owners and businesses operating within the CBZD in regards to a) current public/private universities and colleges in the CBZD and b) additional or expanded public/private universities and colleges in the CBZD. The survey was then sent out in the fall of 2018 to CBZD property and business owners as well as a random sample of the community. The results of the survey were then discussed at the City Council meeting on April 1, 2019 and the Council then directed the Planning and Zoning Commission to prepare an ordinance which would prohibit additional or expanded universities and colleges in the CBZD.

ACTION: Review the draft ordinance that would amend the use table to prohibit additional or expanded universities and colleges in CBZD.

6. Subdivision Code Review [ACTION ITEM]

The Commission has been discussing cluster and traditional subdivision concepts which could have maximum net density limitations. The Commission reviewed existing subdivisions of varying density throughout the City at the last meeting to better understand the proposed density requirements. The Commission will now review the incorporated cluster and traditional subdivision sections within the proposed subdivision code.

ACTION: Review the proposed subdivision code and provide Staff further direction as deemed necessary.

7. Transportation Commission Meeting Report

ACTION: Receive report and provide staff further direction if necessary.

8. Announcements

ACTION: Read any correspondence received and provide staff further direction if necessary.

Adjourn

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Meeting Minutes~
April 10, 2019

Mike Ray
Staff Liaison

p&z@ci.moscow.id.us

208.883.7008

<http://id-moscow.civicplus.com/agendacenter>

The meeting was called to order at 7:01 PM.

MEMBERS PRESENT: Wendy McClure, Chair; Joel Hamilton, Mike Nelsen, Robb Parish, Victoria Seever, Dennis Wilson

MEMBERS ABSENT: Scott Gropp, Nels Reese

ALSO IN ATTENDANCE: Mike Ray, Anne Peterson, Brandy Sullivan

1. Approval of minutes from March 27, 2019

Wilson moved approval of the minutes as presented.

RESULT:	ACCEPTED BY ACCLAMATION
MOVER:	Wilson
SECONDER:	Seever
ABSTENTIONS:	Nelsen

2. Public Comment

Chuck Bond, 626 N Moore, returned to ask for updates regarding the parking issues he's facing from the Identity project. He said nothing has changed for his neighboring apartment complex; he continues to tag illegally parked vehicles and has had more vehicles towed. He heard that Identity is only 60-70% full so is concerned how much worse things could get. He continues to suffer from the Commission's decision and wanted to know what they're going to do about it, stating that he will not let it go. McClure said she visited with City staff immediately after the last time Bond stated his concerns. Ray said representatives from the Chicago office visited Moscow and assured staff they would work with Bond on a fence, but since it wasn't part of the approved PUD, the City couldn't require it. Bond said nothing has changed and he wanted the Commission to acknowledge its role in causing his problems. McClure acknowledged Bond's concerns and Parish said prior decisions can't be undone but he thought the Commission should continue to work toward solutions.

3. Educational Services within the Central Business District

Ray presented results from the survey requested by Council regarding colleges and universities within the Central Business District. After discussing the results on April 1, City Council instructed the Planning and Zoning Commission to amend the ordinance to prohibit any further colleges or universities from locating in the CB district. The current use table includes educational services as a use permitted by right in the University district and permitted with a Conditional Use Permit in all other districts. Ray reviewed all the different types of educational institutions as defined within the NAICS standards. There was discussion about ancillary instructional services provided by businesses whose primary purpose is retail (e.g. music lessons conducted at Keeney Brothers) not being prohibited. Barber and cosmetology schools were also highlighted. Parish said it would be important to eliminate categories carefully so the "baby isn't thrown out with the bath water." For example, if "professional schools" were eliminated, WWAMI would never be allowed to expand without their current location being rezoned from CB. Fine Arts schools would

include yoga, dance, ceramics, etc., which are currently located in many downtown buildings. Ray suggested the Sports and Recreation Instruction category could also use some tweaking in other zones during this ordinance update. Staff recommended eliminating elementary and secondary schools, junior colleges, colleges, universities and professional schools, and leaving all educational services categories as permitted with a CUP in CB. Staff will bring a draft ordinance to the first meeting in May.

4. Review of Proposed Changes to the Mobile Home and RV Park Ordinances [ACTION ITEM]

Staff shared a handout illustrating all the various types of RVs to help Commissioners understand what possibilities would exist under an ordinance allowing RVs in manufactured home parks. McClure expressed a safety concern about people living permanently in unanchored RVs. Ray agreed, saying manufactured homes are required to be inspected for proper installation and tie-down, but there would be no such inspection for RVs. The ordinance revision would not provide blanket approval for all manufactured home parks; each park will be required to request individual permission to allow RVs/tiny homes. To alleviate the concern of park owners potentially buying run-down trailers to rent out, Commissioners agreed an owner-occupied requirement was critical. Nelsen thought it was also important that all RVs must also have full hookups rather than just being self-contained. Staff will incorporate those items for additional review prior to scheduling the public hearing.

5. Subdivision Code Review [ACTION ITEM]

Deferred to next meeting. McClure suggested in the meantime Commissioners should tour around town to educate themselves on the variety of housing densities already existing in Moscow.

6. Transportation Commission Meeting Report

Commission meets tomorrow 4-6pm. McClure announced she and the Transportation Commission Chair will meet soon to discuss how the two Commissions might interact more.

7. Announcements

The April 24 meeting has been cancelled.

The meeting adjourned at 8:13 p.m.

Wendy McClure, Chair

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

HEARING DATE: May 8, 2019

GENERAL INFORMATION

Hearing Body: Planning and Zoning Commission

Subject: Proposed rezone of a 3.70-acre parcel of land located at 2500 South Highway 95 within the Area of City Impact from the Agriculture/Forestry (AF) Zone to the Motor Business (MB) Zone.

Attachments:

1. Notice of Public Hearing
2. Application for Rezone
3. Site Map

Prepared by: Mike Ray, AICP – Planning Manager

STAFF REVIEW

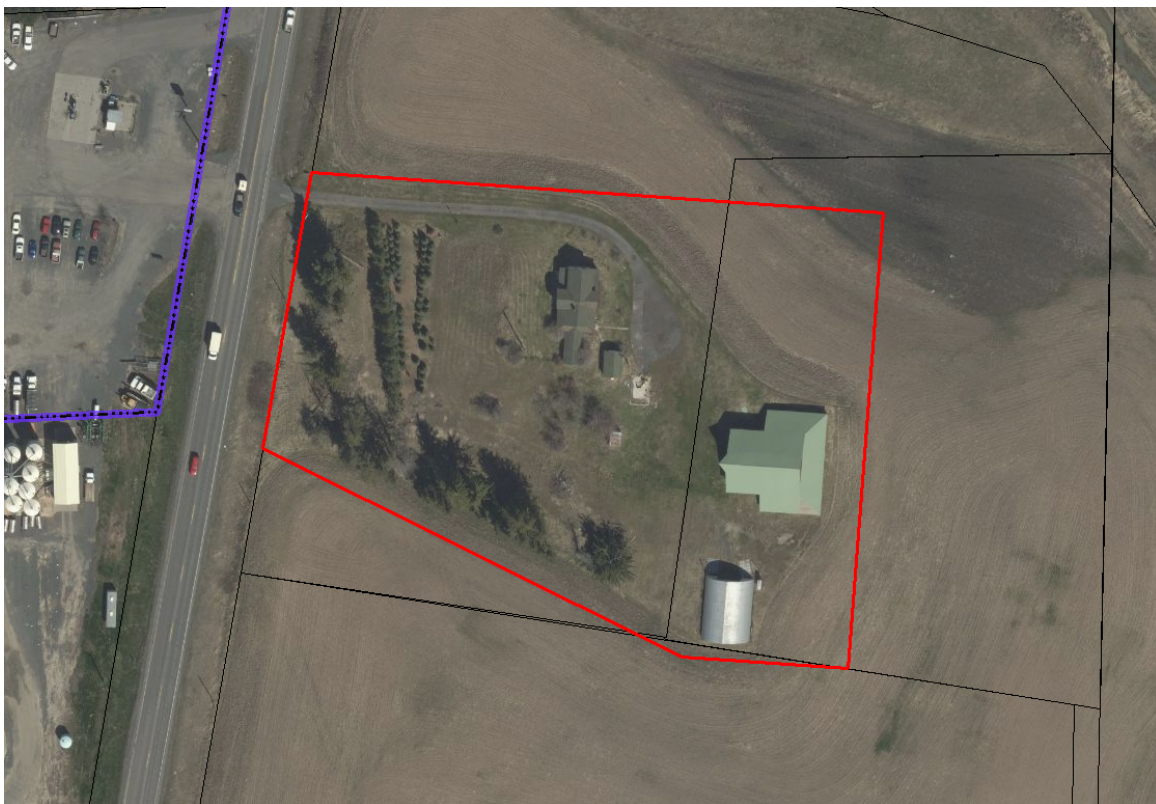
Proposal: The applicant, Clyde Farms, LLC, is proposing to rezone a 3.70-acre area located at 2500 South Highway 95 from the Agriculture/Forestry (AF) Zone to the Motor Business (MB) Zone.

Since the subject property is located within the Area of City Impact, per the City of Moscow's ACI agreement with Latah County, Moscow's Planning and Zoning Commission is to conduct one hearing and forward a recommendation on to Latah County.

Site and Area Land Use: The subject property is an existing 3.70-acre parcel that currently developed with an existing house, barn, and shop that are directly adjacent to Highway 95. The subject property is primarily surrounded by agricultural lands to the north, east, and south that are within the Area of City Impact. Across the South Fork of the Palouse River to the northeast is Fountains Industrial Park and a runway for crop dusting operations. Across Highway 95 to the west is the current City Limits boundary and properties that are primarily commercial but do include some residential. Bonkerz children's play center is located to the northwest, CHS Primeland agricultural is located to the west, and Dale's Boat Service along with single family dwellings are located to the northwest.



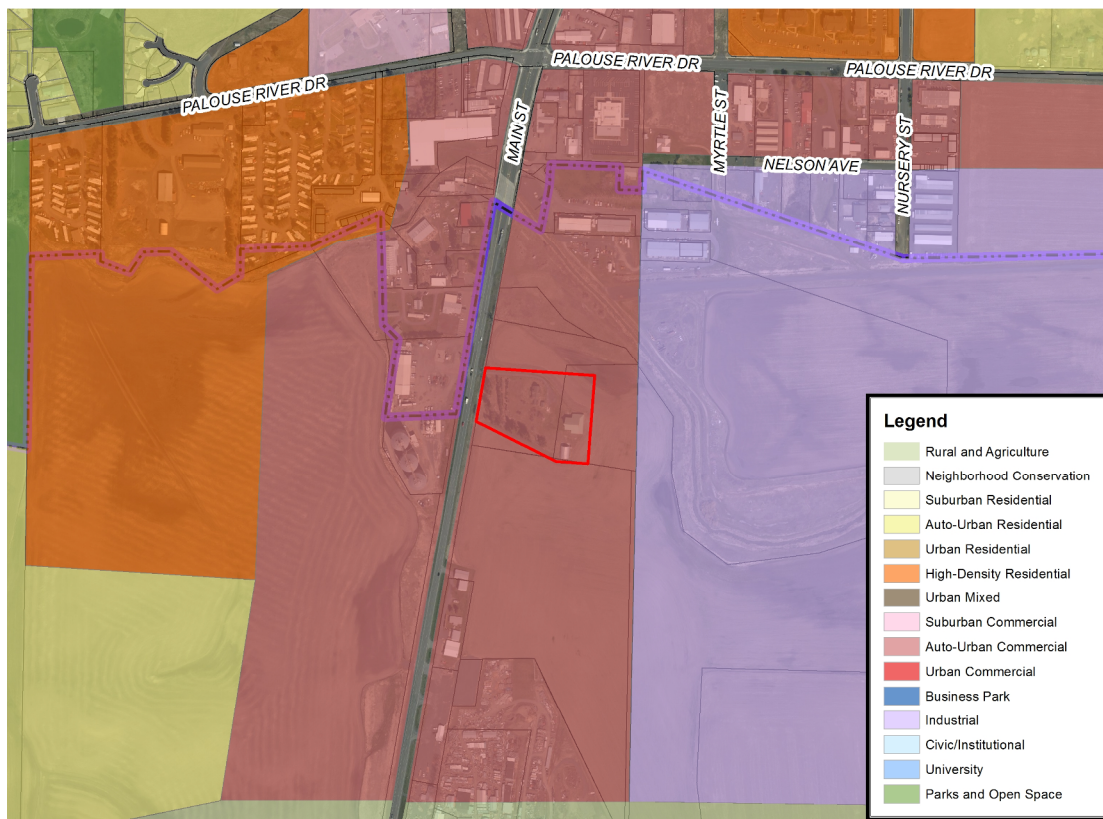
Vicinity Map



Aerial of Subject Property

Comprehensive Plan: Within the 2019 Moscow Comprehensive Plan, which has been adopted within the Area of City Impact, the subject property is currently designated as Auto-Urban Commercial. According to the 2019 Comprehensive Plan, Auto-Urban Commercial designated areas,

“Provide for commercial services and developments that are motor vehicle oriented or those which require large amounts of land. These areas should be located adjacent to existing commercial developments and along major arterials where the vehicle traffic can be accommodated. Developments within these designations should be required to provide significant landscaping which would be applied to enhancing areas along the street edge, screening parking lots, and buffering adjacent uses. Such areas are most appropriately zoned Motor Business (MB).”



2019 Comprehensive Plan Land Use Map

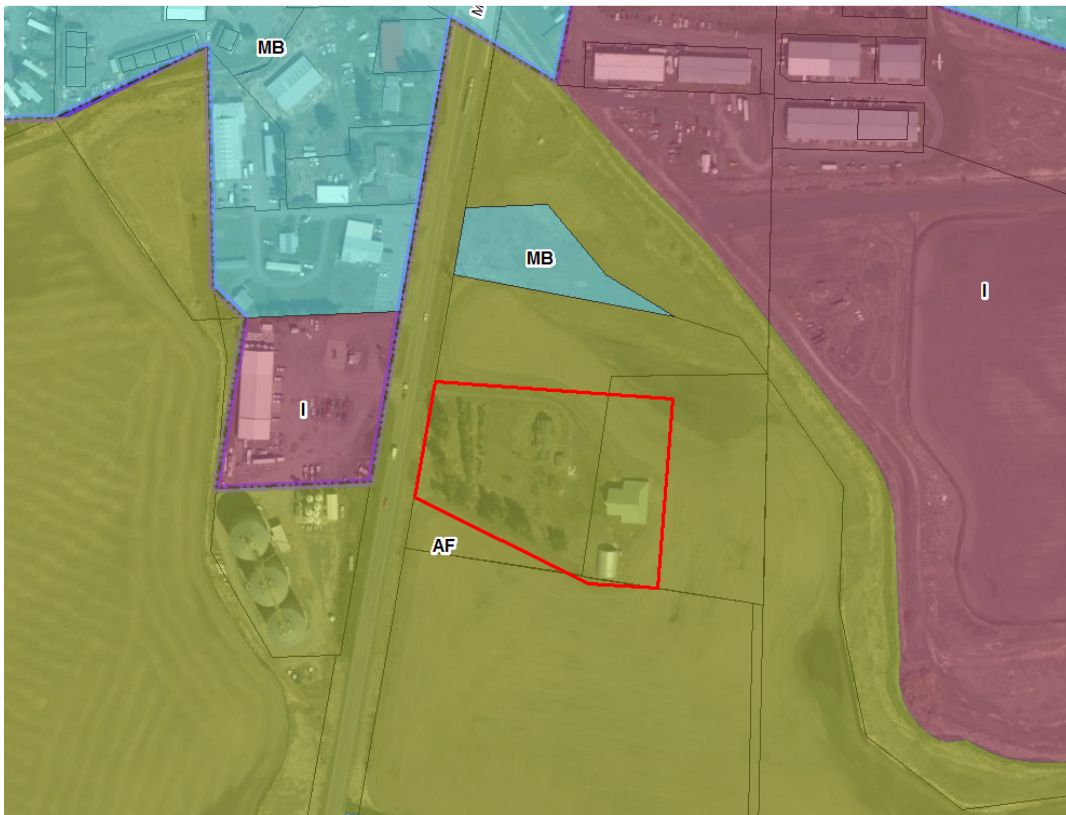
Zoning: The subject property and adjacent properties immediately to the north, south, and east are currently zoned Agriculture/Forestry (AF). Properties across Highway 95 to the west with the City Limits are primarily zoned Motor Business (MB) with the exception of CHS Primeland which is currently zoned Industrial (I). A one-acre parcel to the north of The subject property is located in Latah County within the Area of City Impact and the applicant is proposing to rezone the property to the Motor Business (MB) Zone.

According to the City of Moscow Zoning Code, the MB Zone is intended to,

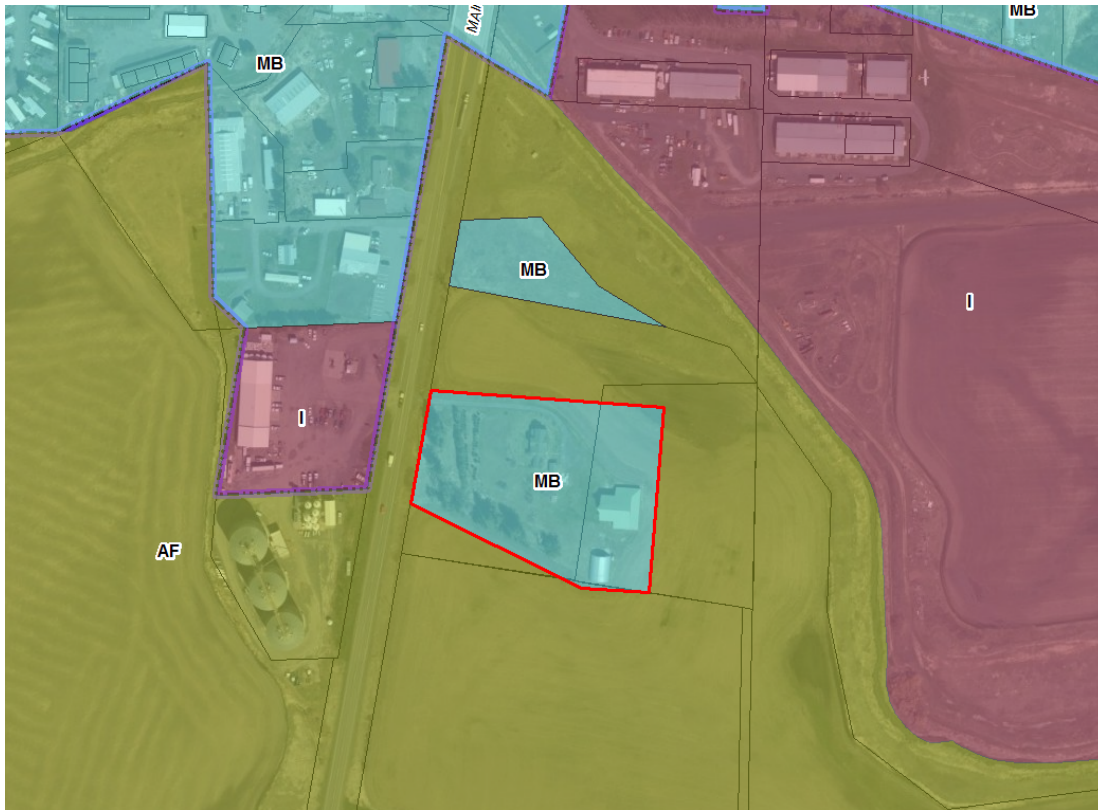
“provide for the location and grouping of compatible uses having similar operation as they involve enterprises which depend primarily on the transient motor vehicle-based

trade. By concentrating such uses the City intends to increase public convenience when utilizing such services and, within the regulation, to allow such activities to render the maximum service.”

Uses permitted within the MB Zone include retail enterprises, offices, eating and drinking establishments, printing and publishing houses, religious institutions, residential uses, hotels and motels, off-street parking facilities, kennels, storage facilities, laundromats, and light manufacturing.



Existing Zoning



Proposed Zoning

Access, Streets, Traffic: The subject property has access via on vehicular approach from Highway 95. Highway 95 is designated as a National Highway and is developed as a 24 foot wide paved roadway with northbound and southbound travel lanes and minimal gravel shoulders on both sides.

Future Annexation: The City generally encourages annexation of properties that are adjacent to the existing City Limits boundary and are able to be served by City utility services. The City has an existing annexation policy (Resolution 2007-01) which states that property located adjacent to the City shall be annexed when either of the following occurs:

- a. The property is completely surrounded by the City. The City Council in its discretion upon application of the property owner may consider an exemption from this policy where the property is used exclusively for agricultural purposes and there are no structures on or associated with the property or with the exclusive agricultural use. Any construction or placement of a structure of any nature, installation of a well or a sewer system, or like development on any portion of a property exempted under this subsection shall require annexation of the entire exempted property.
- b. The property is served by City water and/or City sewer and the property has a structure located on it or associated with it.

The proposed rezone of the subject property appears to not meet the City's annexation policy for requiring annexation. The City limits boundary is in close proximity, being

across Highway 95 to the west, but the property is not completely surrounded by the City as is required within the policy. The primary issue is the lack of readily available sewer service in the area, which ends north of the Highway 95 bridge over the South Fork of the Palouse River.

RECOMMENDATIONS:

Staff recommends that the City of Moscow Planning and Zoning Commission conduct the public hearing and put forth a recommendation of approval of the proposed rezone from the Agriculture/Forestry (AF) Zone to the Motor Business (MB) Zone with no conditions.

NOTICE OF PUBLIC HEARING

Proposal for Rezone at 2500 South Highway 95 in the Area of City Impact
Permit Application LUP2019-0014

A public hearing at which you may be present and speak will be conducted by the Moscow Planning and Zoning Commission at which time the following proposition will be discussed for land generally shown on the vicinity map below:

- Public Hearing: Proposed rezone of a 3.70 acre parcel of land located at 2500 South Highway 95 within the Area of City Impact from the Agriculture/Forestry (AF) Zone to the Motor Business (MB) Zone.

The subject property is within the Moscow Area of City Impact. The City of Moscow Planning and Zoning Commission will make a recommendation to the Latah County Board of County Commissioners regarding this matter.

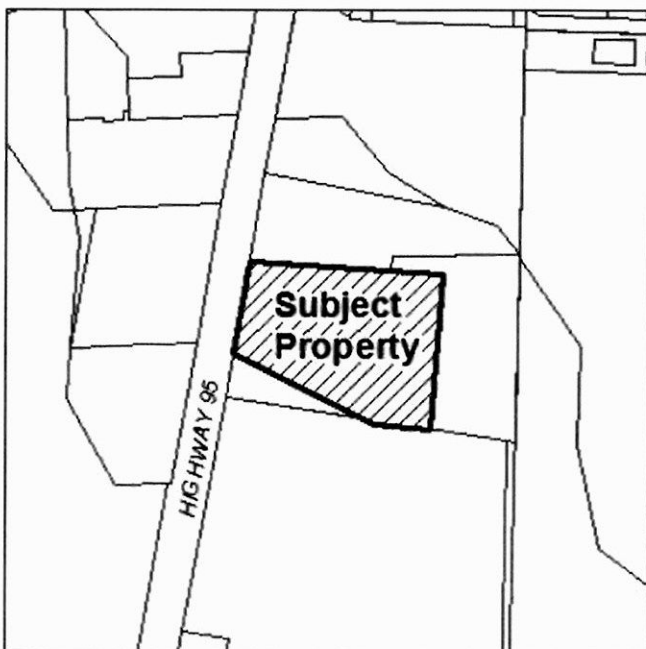
MEETING DATE: Wednesday, May 8, 2019

HEARING LOCATION: Council Chambers, Second Floor, Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00 p.m.

Note: Meeting start time is not necessarily indicative of the start time for review of the application advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine start time for review of application advertised in this notice, which could occur late in the meeting.

The file containing information on this matter is available for public review (an appointment may be necessary) at the Community Development Department located in the Paul Mann Building, 221 East Second Street, Moscow, Idaho. You may also call 883-7035 to get a meeting agenda, further information about the application, the public meeting process and/or to request a meeting with City Staff. Public participants desiring to submit textual materials (excluding petitions) to the decision-making board shall do so at least five (5) calendar working days in advance of the scheduled meeting to the Community Development Department. Additionally, you may obtain further information about the public hearing process and procedures on the City's Website at: <http://id-moscow.civicplus.com/593/Public-Hearing-Notices>



Laurie M. Hopkins, Moscow City Clerk

A handwritten signature in cursive script that reads 'Anne Peterson'.

Anne Peterson, Deputy Clerk

Publish: Saturday, April 20, 2019



LATAH COUNTY
PLANNING and BUILDING
 Ph: 208-883-7022
 Fax: 208-883-7225
pb@latah.id.us



CITY of MOSCOW
COMMUNITY DEVELOPMENT
 Ph: 208-883-7035
 Fax: 208-883-7033
apeterson@ci.moscow.id.us

For Office Use Only			
Date Received			
Dept	Fee Type	Fees	Paid
LC	Application Fee	\$550	3/29/19
	Receipt Number	1996	
	Forwarded to City		
CD	Hearing Date		

APPLICATION FOR ZONING AMENDMENT AREA OF IMPACT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Clyde Farms, LLC Telephone: 208-882-5221
1175 Zeitler Rd. Moscow, ID. 83843
 (mailing address)

Relationship to affected property (please check one):

Owner ☒ Purchaser ☐ Lessee ☐ Other ☐ (explain below)

2. Owner of Affected Property (if other than applicant)

Name: _____ Telephone: _____
 (mailing address)

3. Location of Affected Property: 2500 Hwy. 95 S Moscow, ID. 83843

Acres: 3.74 Legal Description: RP39NO5W1919501 CAB
 (Parcel Number) (Subdivision if Applicable)

If described by Metes and Bounds, please attach deed on a separate sheet.

INFORMATION ON REQUESTED REZONE

4. Proposal: The applicant requests a rezone on the above-described property as follows:

From: Residential to: Motor Business
 (current zoning) (proposed zoning)

5. **Reason:** Applicant requests a rezone for the following reason(s): With other motor business property surrounding this parcel, Clyde Farms, LLC., would like the ability to use this property for motor business.
6. Before the City of Moscow and Latah County can approve a zoning amendment request, they must first make findings of compliance with the following five Relevant Criteria and Standards. Please indicate in the spaces provided below what you believe to be justification showing compliance with each item:
- A. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.
- With the proposed re-alignment of Hwy 95 S going through part of this property,
the rezone of this property from residential to motor business would fit well
with both county and city goals of business amenities coming into Moscow.
- B. The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.
- As the proposed re-alignment of Hwy 95 S comes into Moscow, this property
with the rezone could be used for any type of motor business (e.g. gas station,
truck stop, retail store).
- C. The uses expected to occur as a result of the rezone will be compatible with the surrounding area.
- There are several motor businesses in the surrounding area: CHS Primeland,
Dales' boat service, Fountain's Industrial Park, Wasankari Construction, Motely
Construction.
- D. The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.
- The rezone of this property should not place any additional burden on
existing infrastructure since there are numerous other businesses in the area, and
the proposed Hwy re-alignment will continue to provide access to this property.
- E. The size, type, and density of development expected to occur as a result of the rezone can be adequately served by existing transportation network, public facilities and services.
- The rezone of this property to motor business will fit seamlessly with the
the proposed re-alignment of Hwy 95 S coming into the City of Moscow
and should not burden existing public facilities or services.

Notification: The Idaho Code requires that all property owners located within 300 feet of the affected property receive notification of the public hearing to be conducted regarding any rezone request.

The City/County shall have the authority to require any additional information they consider necessary to render a fair decision and recommendation on a rezone request.

All questions addressed on this application and the application itself must be filed with the County Planner who will forward the application within 7 days to the City of Moscow. The City will schedule a public hearing. The applicant will be notified by the City as to the time and place of the hearing pertaining to this application. The applicant or his/her duly-appointed representative must be present at the public hearings. The City will make written recommendation to the County within twenty-three (23) days. County may accept, reject, or modify City's recommendation in whole or in part. In doing so, County may rely on the record of City's public hearing, or may hold its own public hearing before County's Zoning Commission or Board of Commissioners.

The following materials must be included with this application:

1. Application fee.
2. If a legal description of the affected property is given by Metes and Bounds, a separate sheet containing that description.

I understand this information is a public record and may be posted to a public website.

Therese A. Ugel
Applicant's Signature

3-29-19
Date

Property Owner's Signature

Date

Receipt

Planning and Building

LUP2019-0013

Date 3/29/2019 Employee Mauri Knott Receipt No. 1996

Permittee/Owner: Clyde Farms LLC

Payment Received From: Clyde Farms LLC

Payment For: Rezone Application

More Specifically: Moscow Area of Impace

Permit # RZ 1084

Payment To: Planning

☒ Check Check # 1050

☐ Card Transaction #

☐ Cash

Notes

Amount

\$550.00

Sales Tax

If No Sales Tax Enter 0
If Sales Tax, Enter .06

0

Tax

\$0.00

Total Paid

\$550.00

Total Fee

Balance Due

Received 4-9-19

RECORD OF SURVEY

Part of the NE 1/4 of the NE 1/4 and the
SE 1/4 of the NE 1/4 of Section 19
T39N, R5W, Boise Meridian
Latah County, Idaho



ORIGINAL SCALE: 1" = 60 FEET
GRAPHIC: CLYDE FIVE LLC RLS 4/20/18

LEGEND

- Set 5/8" X 30" long rebar w/ aluminum cap L5 6449
- Found Property Corner per ROS Inst. No. 467367 or as described
- Calculated Position - Noting Found or Set
- ✚ Found Section or 1/4 Section Corner
- ✚ Set Sectional Subdivision Corner
- ✚ 5/8" X 30" Rebar w/ alum cap L5 6449
- (M) Measures
- (R) Record Per Survey References
- Subject Property Boundary Line
- Section Line
- Section Subdivision Line
- US Highway 95 Centerline
- US Highway 95 Right of Way Line

BASIS OF BEARINGS

The Basis of Bearings for this survey is the Idaho Coordinate System, West Zone, NAD 83, as shown between the found NE corner and the found E 1/4 corner of Section 19, being S 01°06'41" W.

SURVEY REFERENCES

1. Record of Survey Inst. No. 467367, Ron Monson, PLS 7013.
2. Amended Record of Survey Inst. No. 590478, John Dunn, PLS 10162.
3. Record of Survey Inst. No. 591041, Duane Priest, PLS 6449.
4. Trustees Deed Inst. No. 553905, Fountain to Tatkinnah, LLC.
5. Outclaim Deed Inst. No. 590266.
6. Deed Robert & Patricia Clyde to Clyde Five LLC, instrument no. 424784.
7. Deed Flegler to Clyde Five LLC, instrument no. 424785.

SURVEYOR NOTES

1. There was a boundary line adjustment survey completed by John Dunn, PLS 10162 at the request of Robert Clyde, inst. no. 564670 and amended, inst. no. 590478. However the parcels had never been conveyed to change the boundaries.

2. The purpose of this survey was to adjust the boundaries of APNs RP39N05W191820 & 1830 and monument the proposed boundaries as directed by Ken Clyde.

SURVEYOR CERTIFICATION

This map correctly represents a survey made by me or under my direction in conformance with the Survey Recording Act. This survey map was prepared at the request of Ken Clyde, in April, 2018.

Duane Priest - Idaho Professional Land Surveyor



RIM ROCK CONSULTING, INC.

Land Surveying

Site Planning

Mapping

222 West 2nd Street, Suite 200, Boise, Idaho 83721-2041-5313 jpratt@rimrockconsulting.com

SHEET

1

OF

1



COUNTY RECORDER CERTIFICATE

STATE OF IDAHO, COUNTY OF LATAH
RECORDED AT THE REQUEST OF Duane E. Priest
AT 2:50 pm THIS 19 DAY OF June, 2018

RECORDER

DEPUTY Henderson K. Westberg

DATE	STATE	COUNTY	PROJECT	DRAWN BY
JUNE 2018	ID	LATAH	CLYDE FIVE LLC	DEP/TW

* Shared commercial access

CITY OF MOSCOW COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

Hearing Date: May 8, 2019

GENERAL INFORMATION

Hearing Body: Planning and Zoning Commission

Subject: Proposal for Rezone of a 38,558 square foot area of land generally located east of the intersection of Southview Avenue and Alice Street within the City of Moscow from its current designation of the Farm Ranch (FR) Zone to the Low Density, Single Family Residential (R-1) Zone: LUP2019-0015

Attachments:

1. Public Hearing Notice
2. Rezone Application
3. Neighborhood Meeting Materials

STAFF REVIEW

Proposal: The applicant, Thompson Family Limited Partnership, is requesting to rezone a 38,558 square foot area of land generally located east of the intersection of Southview Avenue and Alice Street. The parcel is currently zoned Farm Ranch (FR) which the applicant is proposing to change to the Low Density, Single Family Residential (R-1) Zone.



Aerial of Subject Property



Aerial with Adjacent Indian Hills 9 Subdivision

Site and Area Land Use: The subject property consists of a 38,558 square foot area of land located to the east of the Southview Avenue and Alice Street intersection, which was recently constructed as part of the Indian Hills 9th Subdivision. The subject property has historically been utilized for agricultural purposes and is currently being farmed.

The property is surrounded primarily by single family residential development to the north, agricultural fields to the east and south, and single family lots to the west that were recently platted as part of the Indian Hills 9th Subdivision. Palouse Prairie Charter School is also in the process of being constructed to the west near the intersection of Nursery Street and Powers Avenue.

Comprehensive Plan Land Use Designation:

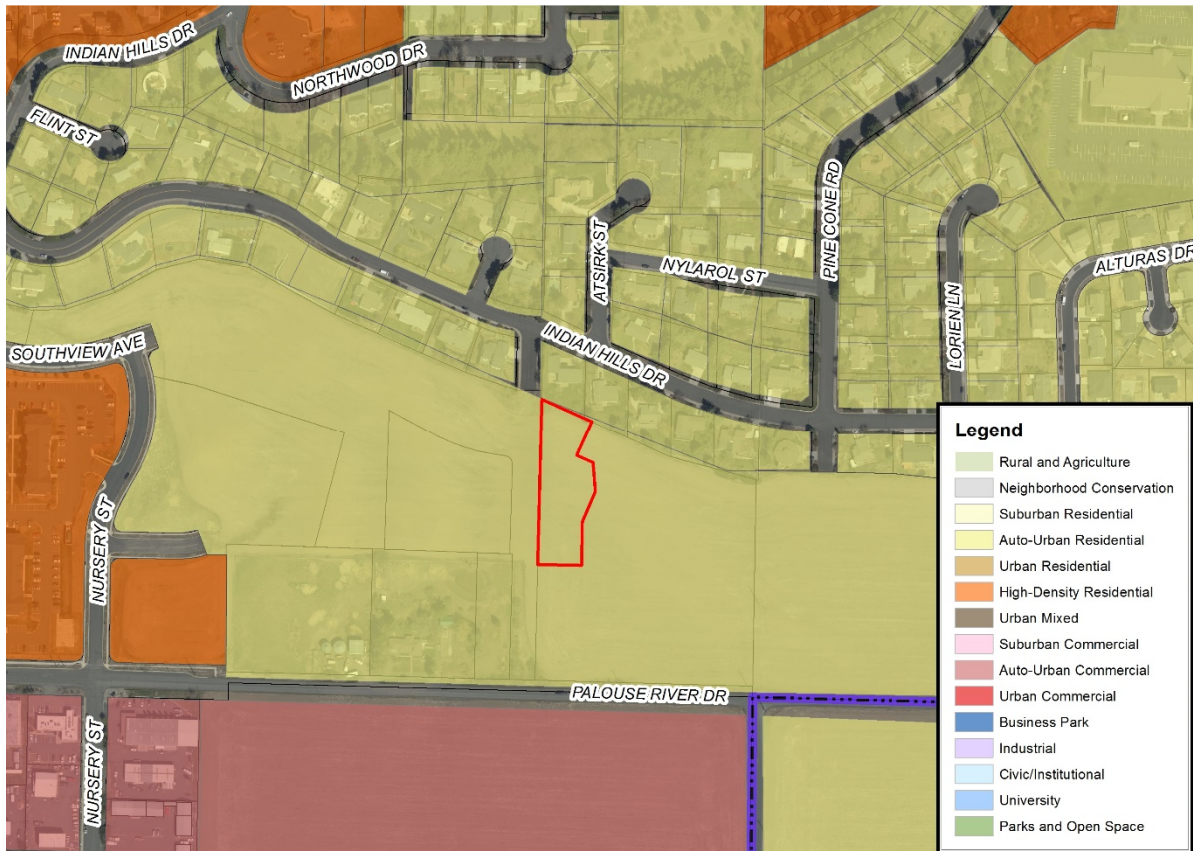
The entirety of the subject property is currently designated as Auto-Urban Residential (AU-R). According to the Comprehensive Plan, AU-R. designated areas are,

“designated areas contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family,

twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”

All surrounding properties are also designated as Auto-Urban Residential (AU-R).

The subject property has property frontage on Southview Avenue and Alice Street which are both designated as local neighborhood streets by the 2019 Comprehensive Plan.

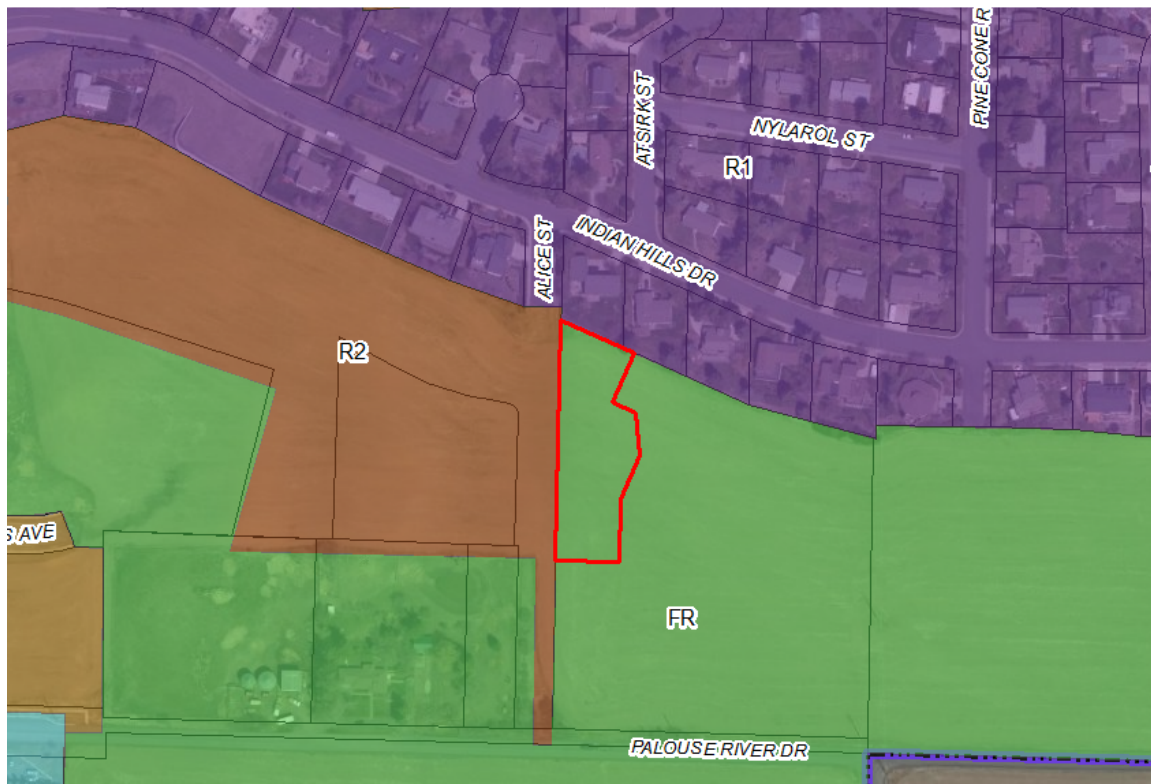


Current Comprehensive Plan Land Use Designation

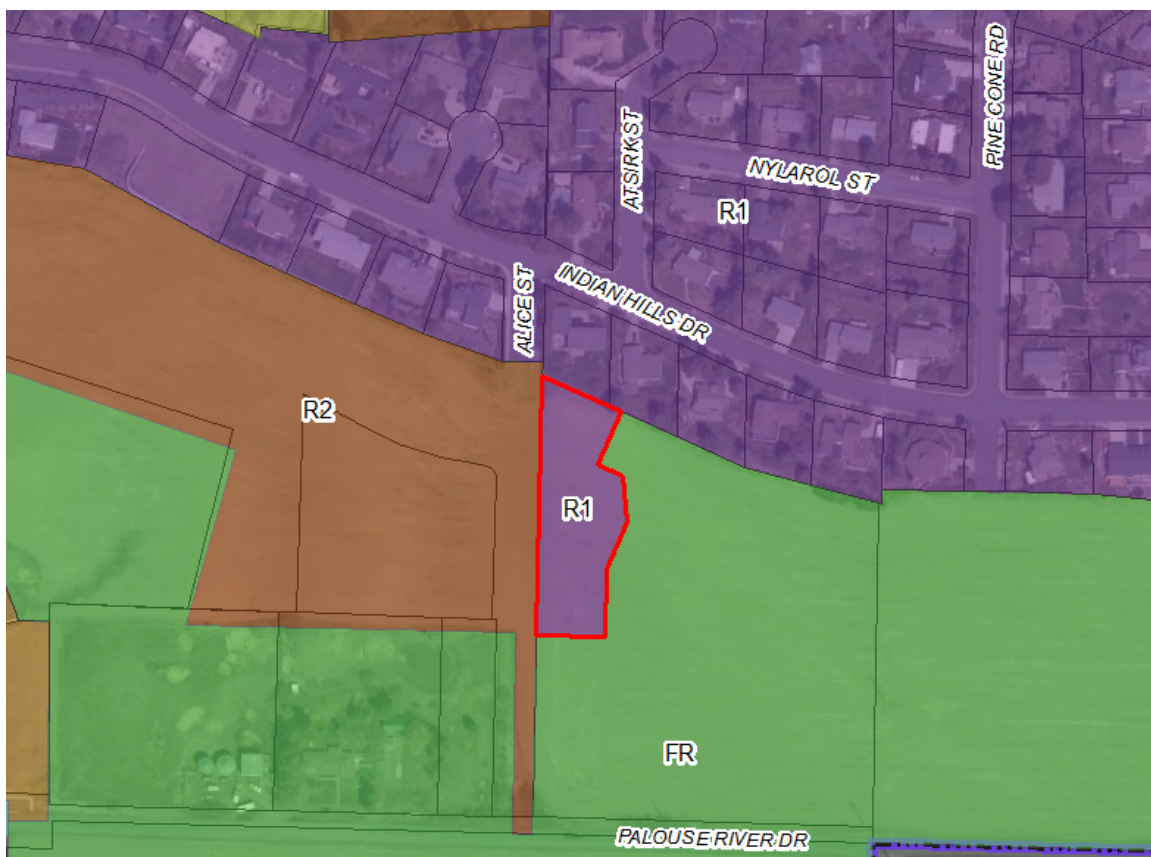
Zoning: The proposal is to rezone the subject property from its current designation of the Farm Ranch (FR) Zone to the Low Density, Single Family Residential (R-1) Zone. The R-1 zoning district is a low density residential zone appropriate where the following circumstances are present:

1. Single family dwellings predominate in the area.
2. The physical character of the area does not lend it to more intense development, either by virtue of irregular topography, restricted access, division of the land into subdivision lots of a size greater than the minimum lot size required by this zoning district, or the application of the Plan policies to the land in question.

Uses permitted within the R-1 Zone include single family residential uses and wide variety of public and institutional uses.



Current Zoning



Proposed Zoning

Water and Sewer: There are existing water and sewer mains within the recently constructed Southview Avenue which are of sufficient capacity to accommodate any future use that the R-1 Zone would allow on the subject property.

Access, Streets, Traffic: The subject property is located adjacent to the intersection of Southview Avenue and Alice Street, which are both designated within the Thoroughfare Plan as collector streets. Southview Avenue is developed as a 36 feet wide paved roadway with curb, gutter, and sidewalks both sides of the street. Southview Avenue also has on-street parking on both sides of the street.

Other Issues: The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on April 8, 2019 to discuss the proposed rezone. All neighborhood meeting materials are attached.

Input from Other Agencies: None received.

RELEVANT CRITERIA & STANDARDS:

Rezone:

1. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.
2. The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.
3. The uses expected to occur as a result of the rezone will be compatible with the surrounding area.
4. The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.
5. The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.

RECOMMENDATIONS:

Staff recommends that the Planning and Zoning Commission recommend approval of the proposed rezone to City Council with no conditions, and direct staff to prepare the Reasoned Statement of Relevant Criteria and Standards.

NOTICE OF PUBLIC HEARING

Proposal for Rezone of a 38,558 square foot area generally located east of the intersection of Southview Avenue and Alice Street within the City of Moscow: LUP2019-0015.

A public hearing at which you may be present and speak will be conducted by the Moscow Planning and Zoning Commission at which time the following proposition will be discussed for land generally shown on the vicinity map below:

A proposal to rezone the subject property from its current designation of the Farm Ranch (FR) Zone to the Low Density Single Family Residential (R-1) Zone.

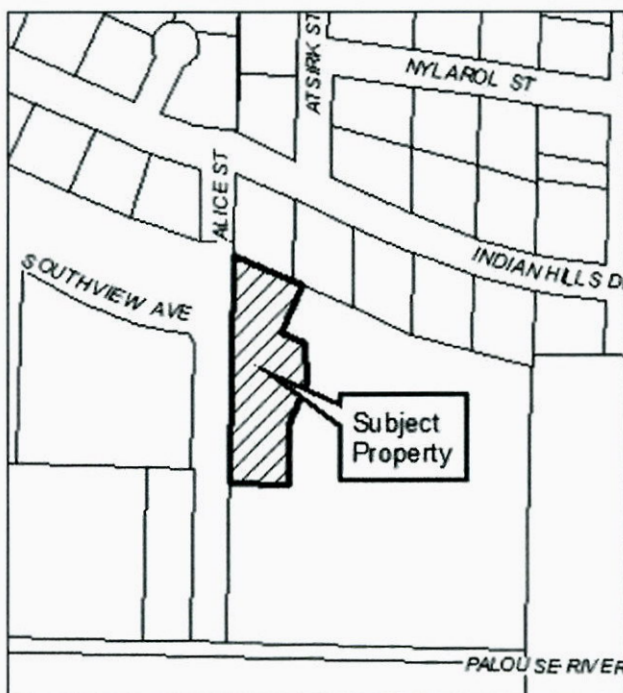
MEETING DATE: Wednesday, May 8, 2019

HEARING LOCATION: Council Chambers, Second Floor, Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00 p.m.

Note: Meeting start time is not necessarily indicative of the start time for review of the application advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine start time for review of application advertised in this notice, which could occur late in the meeting.

The file containing information on this matter is available for public review (an appointment may be necessary) at the Community Development Department located in the Paul Mann Building, 221 East Second Street, Moscow, Idaho. You may also call 883-7035 to get a meeting agenda, further information about the application, the public meeting process and/or to request a meeting with City Staff. Public participants desiring to submit textual materials (excluding petitions) to the decision-making board shall do so at least five (5) calendar working days in advance of the scheduled meeting to the Community Development Department. Additionally, you may obtain further information about the public hearing process and procedures on the City's Website at: <http://id-moscow.civicplus.com/593/Public-Hearing-Notices>



Laurie M. Hopkins, Moscow City Clerk

Anne Peterson, Deputy Clerk

Publish: Saturday, April 20, 2019



**CITY OF MOSCOW
COMMUNITY DEVELOPMENT**
Ph: 208-883-7035
Fax: 208-883-7033
apeterson@ci.moscow.id.us

For City Use Only			
Date Received		4-9-19	
Dept	Fee Type	Fees	Paid
CD	Application Fee	\$850	4919
Receipt Number		LUP2019-0015	

APPLICATION FOR ZONING AMENDMENT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Thompson Family Limited Partnership Telephone: 509-330-0350
c/o 1024 Pine Crest Rd., Moscow, ID 83843
 (home address)

Relationship to affected property (please check one):

Owner ☒ Purchaser ☐ Lessee ☐ Other ☐ (explain below)

2. Owner of Affected Property (if other than applicant)

Name: _____ Telephone: _____
 (home address)

3. Location of Affected Property: East end of Southview Ave., Moscow, Idaho

Legal Description: See Attached Legal Description _____
 (subdivision) (block) (lot)

If described by Metes and Bounds, please attach deed on a separate sheet.

INFORMATION ON REQUESTED REZONE

4. Proposal: The applicant requests a rezone on the above-described property as follows:

From: Farm/Ranch to: Single Family Residential (R-1)
 (current zoning) (proposed zoning)

5. Reason: Applicant requests a rezone for the following reason(s): Applicant has requested a lot division of the subject property in order to create three new residential lots at the east end of Southview Ave.

The property is currently zoned FR and in order for it to be used for residential, a rezone is required.

6. Before the Moscow Planning and Zoning Commission can approve a zoning amendment request, the Commission must first make findings of compliance with the following five Relevant Criteria and Standards. Please indicate in the spaces provided below what you believe to be justification showing compliance with each item:
- A. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.
 This rezone request is consistent with the Comp Plan designation of Auto-Urban Residential which contains predominantly single family homes on lots ranging from 7,000 SF to 11,000 SF. The location is on the outer limits of town so it does require auto transportation.
 The R-1 zoning designation is consistent with the Comp Plan designation of Auto-Urban Residential. (See 2.6.2) The proposal provides for areas of expansion of residential uses where extension of streets and utilities can be done fiscally prudently. (See 2.7.7)
- B. The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.
 The proposed rezone promotes the logical and orderly location of residential lots, consistent with those lots adjacent to the West and to the North.
 The utilities already exist to the West from the development of the Indian Hills Ninth Addition and will be extended to provide for the proposed three lots.
- C. The uses expected to occur as a result of the rezone will be compatible with the surrounding area.
 Again, the residential uses anticipated by this rezone are consistent with the uses directly to the West and to the North.
- D. The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.
 This rezone proposal is for three residential lots ranging in size from 9,600 SF to 11,273 SF; this does not place an undue burden upon the delivery of services provided to the area.
- E. The size, type, and density of development expected to occur as a result of the rezone can be adequately served by existing transportation network, public facilities and services.
 The three additional residential lots can be adequately served by the existing transportation network and public facilities and services.

Notification: The Idaho Code requires that all property owners located within 300 feet of the affected property receive notification of the public hearing to be conducted by the Planning and Zoning Commission regarding any rezone request.

The Planning and Zoning Commission shall have the authority to require any additional information they consider necessary to render a fair decision and recommendation on a rezone request. The Commission may recommend and the City Council may require additional conditions and limitations as specified in Section 4-9-3C of the Moscow Code.

All questions addressed on this application and the application itself must be filed with the Moscow City Planner at least twenty-one (21) days prior to the hearing date. The applicant will be notified by the City as to the time and place of the hearing pertaining to this application. The applicant or his/her duly-appointed representative must be present at the public hearings held before both the Planning & Zoning Commission and the City Council.

The following materials must be included with this application:

1. Application fee.
2. If a legal description of the affected property is given by Metes and Bounds, a separate sheet containing that description.

I understand this information is a public record and may be posted to a public website.

 Authorized Agent 4-8-19
Applicant's Signature Date

Property Owner's Signature Date

3-21-2019

Legal Description by Hodge & Associates
For Garrett Thompson – Rezone Parcel

A legal description for a parcel of land located in the SE1/4 of the SW1/4 of Section 17, T39N, R5W, B.M., in the City of Moscow, Latah County, Idaho and being more particularly described as follows:

Commencing at the southeast corner of the SW1/4 of Section 17, Thence along the south line of said SW1/4, also the south line of Quitclaim Deed, Instrument #400472, N88°28'20"W, 495.00 feet, to the southwest corner of said Quitclaim Deed, Thence leaving the south line of the SW1/4 of Section 17, N0°37'44"E, 294.31 feet along the west line of Quitclaim Deed Instrument #400472 to the **Point of Beginning**:

Thence continuing along said west line, N0°37'44"E, 385.01 feet, to the northwest corner of Quitclaim Deed, Instrument #400472 also the southwest corner of Indian Hills Second Addition to the City of Moscow;

Thence leaving said west line, S65°44'54"E, 128.30 feet along the north line of said Quitclaim Deed and the south line of Indian Hills Second Addition;

Thence leaving said common line at a right angle, S24°15'06"W, 86.26 feet;

Thence, parallel to said common line S65°44'54"E, 40.00 feet;

Thence S5°44'54"E, 69.28 feet;

Thence S24°15'06"W, 76.25 feet;

Thence parallel to the west line of Quitclaim Deed, Instrument #400472, S0°37'44"W, 99.83 feet;

Thence, perpendicular to said west line, N89°22'16"W, 96.77 feet to the **Point of Beginning**

Parcel contains 38,559 Square Feet, more or less.



3-25-19

Section 17, T39N, R5W, BM

Found Brass Cap C1/4
Set By B. Anderson, RLS #969
Recorded By L. Hodge, PE/LS #3003
CPF Instrument #396427

Survey References

- Indian Hills Second Addition to the City of Moscow, Instrument #258594, surveyor not identified on plat.
- Indian Hills Third Addition to the City of Moscow, Instrument #284160, by J. Hammond, PE/LS #2102.
- Quitclaim Deed, Instrument #400472, Eugene & JoAnn Thompson to Thompson Family Limited Partnership.
- Indian Hills 7th Addition to the City of Moscow, Instrument #413230, by J. Hammond, PE/LS #2102.
- Indian Hills 9th Addition to the City of Moscow, Instrument #595522, by J. Hammond, PE/LS #2102.

Surveyor's Certificate

I, Duane Priest, PLS #6449, State of Idaho, do hereby certify that the survey represented by this map was performed by me or under my supervision in accordance with the laws of the State of Idaho and at the request of Garrett Thompson in August 2018.

Basis of Bearings

The Basis of Bearings for this survey is the south line of the SW1/4 of Section 17, shown hereon as N89°28'20"W per GPS observation.

Purpose Of Survey

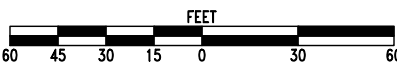
To locate, and map the boundaries of the Thompson property, located in the SE1/4 of the SW1/4 of Section 17, as described in Quitclaim Deed Instrument #400472. Also to divide, monument and map the boundaries of two new parcels out of said property, as shown hereon.

Legend

- Found Monument as Described
- Set Centerline Monument
- Found Aluminum Cap Centerline Monument In Monument Case
- Set 5/8" Diameter Rebar w/Yellow Plastic Cap Stamped "Priest 6449"
- Found 5/8" Diameter Rebar "Hedco 2102" or as Described
- Calculated Position
- Block Number
- Lot Number
- Curve Data - See Curve Table
- Reference Data - See Survey References
- Parent Parcel Boundary Line
- New Parcel Boundary Line
- Existing Lot Line
- Section/Section Subdivision Line
- Centerline
- Right-of-Way



SCALE: 1"=60'



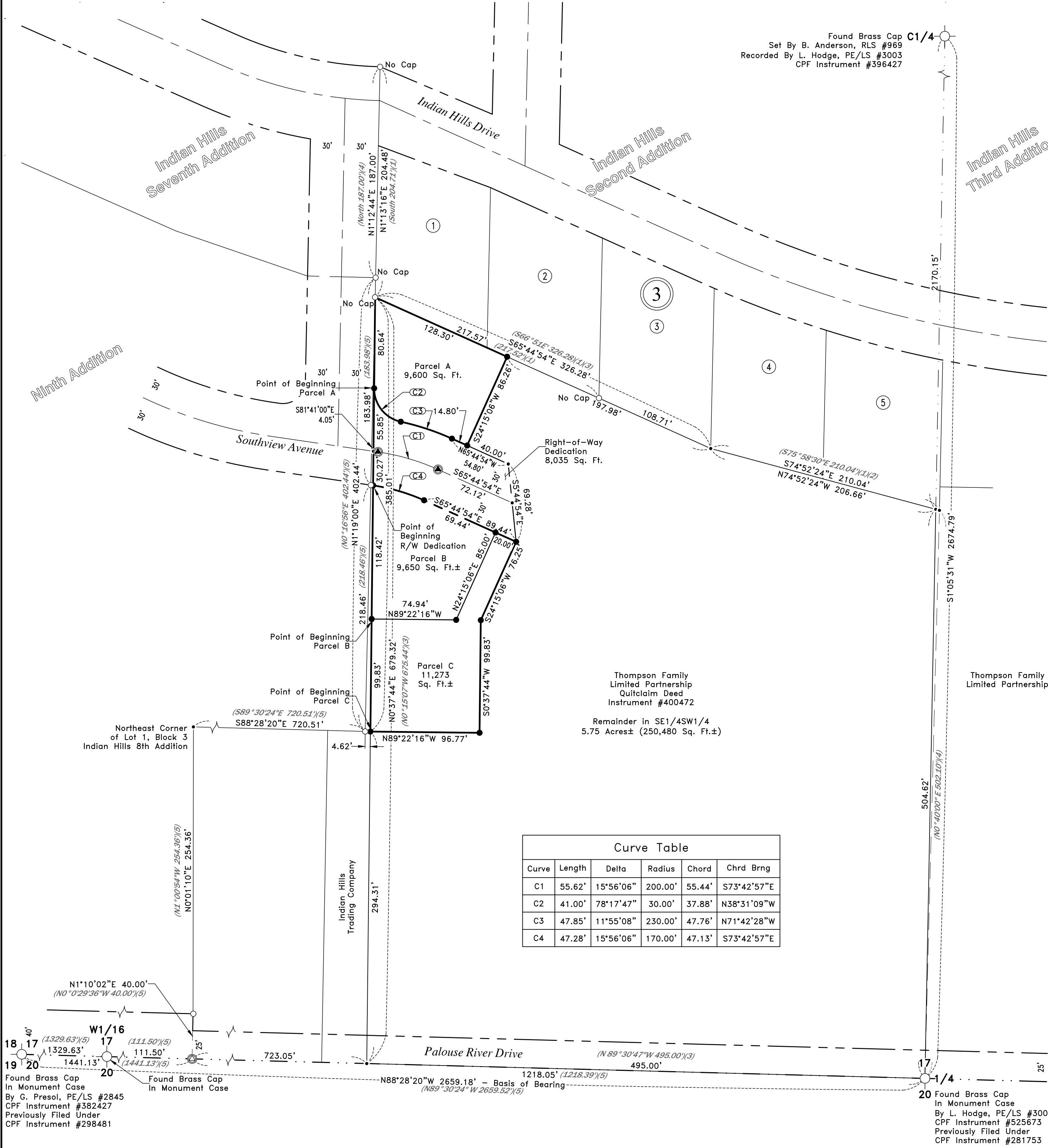
NO. _____ AT THE REQUEST OF: _____

DATE & HOUR: _____

_____ M.
HENRIANNE WESTBERG
LATAH COUNTY RECORDER

FEE \$ _____ BY _____

Curve Table					
Curve	Length	Delta	Radius	Chord	Chrd Brng
C1	55.62'	15°56'06"	200.00'	55.44'	S73°42'57"E
C2	41.00'	78°17'47"	30.00'	37.88'	N38°31'09"W
C3	47.85'	11°55'08"	230.00'	47.76'	N71°42'28"W
C4	47.28'	15°56'06"	170.00'	47.13'	S73°42'57"E



Found Brass Cap In Monument Case
By G. Presol, PE/LS #2845
CPF Instrument #382427
Previously Filed Under
CPF Instrument #298481

Found Brass Cap In Monument Case
By L. Hodge, PE/LS #3003
CPF Instrument #525673
Previously Filed Under
CPF Instrument #281753

Wade & Associates, Inc.
P.O. Box 8728
405 S. Washington Street
Moscow, ID 83843
(208) 882-3526

Land Surveying
Site Planning
Mapping

RIM ROCK CONSULTING, INC.

PRELIMINARY
NOT FOR RECORDING

PROFESSIONAL LAND SURVEYOR
REGISTERED
6449
DUANE E. PRIEST

Record of Survey for:
Garrett Thompson
Latah County, Idaho

Drafted by: SW
Checked by: DEP
File Name: 4075 ROS.dwg
Tab: Layout
Plot Style: Default.ctb
Project: 4075-08-18
Date: 3/21/19

1 of 1

SUSAN R. WILSON**ATTORNEY AT LAW, PLLC**

208 S. Main St. Ste 2, Moscow, ID 83843

Ph: 208-882-8060 ~ Fx: (866) 221-9397 ~ sw2@moscow.com

March 20, 2019

RE: Rezone of Thompson Family Limited Partnership
3 Parcels End of Southview Ave - Informational Meeting

Dear Neighbor:

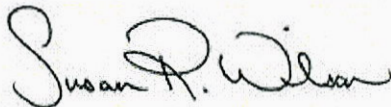
I represent Thompson Family Limited Partnership who desires to rezone an approximately 38,600 square foot parcel located at the east end of Southview Avenue in the City of Moscow from Farm Ranch to Single Family Residential.

Mr. Thompson is seeking the rezone because he would like to complete a lot division creating three residential parcels ranging in size from 9,601 to 11,273 square feet. Rezoning the requested property would allow for the development of the three residential lots. The rezone of this lot is consistent and compatible with the surrounding uses. The Indian Hills 9th Addition to the west was recently platted to residential and the property to the North is residential. This parcel is directly adjacent to those residential zones.

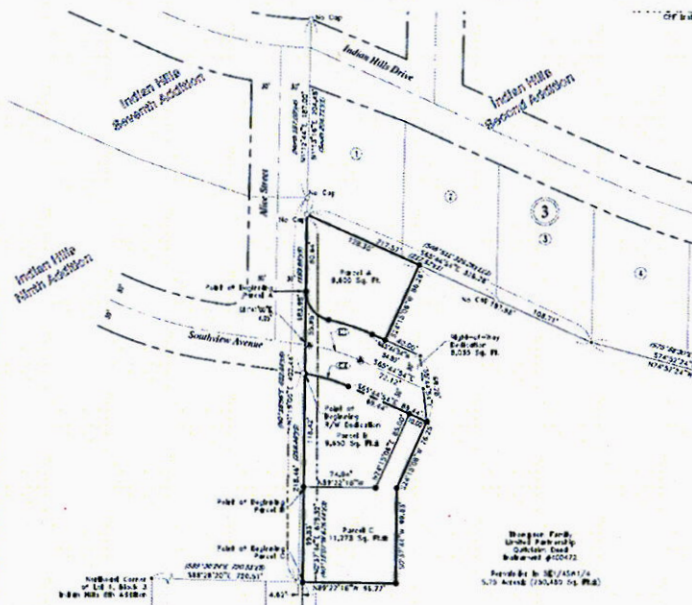
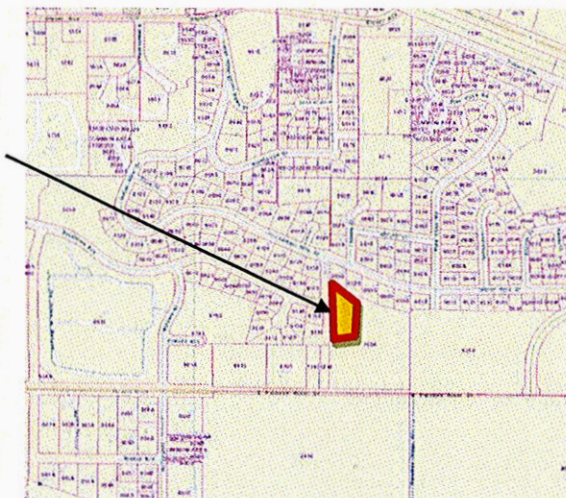
Pursuant to Section 10-7(B), Title 4 of the Moscow City Code, a neighborhood meeting must be held as a prerequisite to submittal of an application for rezone. The neighborhood meeting is intended to provide a forum which allows the landowner to present its application as well as neighbors an opportunity to comment on the application. The City of Moscow has provided us with your name and address as a property owner that is located within 600 feet of the property proposed to be rezoned and therefore require notification.

We invite you to learn more about this application at the neighborhood meeting, which will be held at the **1912 Center at 412 East Third Street** in Moscow in the Fiske Room, on **April 8, 2019, from 6:00 p.m. to 6:30 p.m.** Please feel free to contact me if you have any questions or concerns in the meantime, or if you are unable to attend and want to include your comments. I can be reached at 208-882-8060 or via email at sw2@moscow.com.

Kind regards,



Susan R. Wilson
Attorney at Law



Received 4-9-19

ABENDROTH, LANCE R
846 NYLAROL ST
MOSCOW ID 83843

BALLARD, BENJAMIN
818 INDIAN HILLS DR
MOSCOW ID 83843

BLUE, DAVID D
786 INDIAN HILLS DR
MOSCOW ID 83843

FLYNN, JASON A
813 INDIAN HILLS DRIVE
MOSCOW ID 83843

HACKER, STEVEN
776 INDIAN HILLS DR
MOSCOW ID 83843

HOOBLER LIVING TRUST
101 ARROW ST
MOSCOW ID 83843

KIBLEN, DAVID
844 INDIAN HILLS DRIVE
MOSCOW ID 83843

LINGG, AL J
839 INDIAN HILLS DRIVE
MOSCOW ID 83843

NELSON, PATRICIA A
806 INDIAN HILLS DR
MOSCOW ID 83843

POST LIVING TRUST
838 INDIAN HILLS DRIVE
MOSCOW ID 83843

ATWOOD, ETHAN K
1715 ATSIRK
MOSCOW ID 83843

BASHAW, ERIC C
858 INDIAN HILLS DRIVE
MOSCOW ID 83843

BRISCOE, BRANDON
787 INDIAN HILLS DR
MOSCOW ID 83843

GAYLER, RICHARD J
839 NYLAROL ST
MOSCOW ID 83843

HELBLING, SAVANNAH
805 INDIAN HILLS DR
MOSCOW ID 83843

JASINSKI, HOLLY A
838 NYLAROL ST
MOSCOW ID 83843

KOCHMAN, WILLIAM
1832 PINE CONE RD
MOSCOW ID 83843

MEYER, LENDL
828 INDIAN HILLS DRIVE
MOSCOW ID 83843

NEWMAN, BRENDAN
829 NYLAROL ST
MOSCOW ID 83843

REDINGER, DAVID R
781 INDIAN HILLS DRIVE
MOSCOW ID 83843

BALDWIN, RONALD F
1721 ATSIRK ST
MOSCOW ID 83843

BENNETT 1978 FAMILY TRUST
1020 E PALOUSE RIVER DR
MOSCOW ID 83843

COURTRIGHT, LORI G
207 W LATHEN ST APT D
MOSCOW ID 83843

GREGG, JOHN C
1718 PINE CONE RD
MOSCOW ID 83843

HENDRIX, BETH
818 N NYLAROL ST
MOSCOW ID 83843

KARL, JASON W
821 INDIAN HILLS DRIVE
MOSCOW ID 83843

LECHTENBERG, SANDRA K
819 NYLAROL ST
MOSCOW ID 83843

NELSON, JANICE M
828 NYLAROL ST
MOSCOW ID 83843

PERSINGER, NANCY
829 INDIAN HILLS DRIVE
MOSCOW ID 83843

RHEINGANS, PHILIP T
PO BOX 8986
MOSCOW ID 83843

LUP2019-0015

Received 4-9-19
5160
AVERY

SAMPSON, WILLIAM R
114 ARROW ST
MOSCOW ID 83843

SUMMERS, DAVID A
847 NYLAROL ST
MOSCOW ID 83843

THIGPEN, JENNIFER
104 ARROW ST
MOSCOW ID 83843

VORSE, CHAD A
1735 ATSIRK
MOSCOW ID 83843

WILLIAMS, JOSEPH D
793 INDIAN HILLS DRIVE
MOSCOW ID 83843

SCHWARTZ, JOSEPH M
799 INDIAN HILLS DR
MOSCOW ID 83843

SWEETON, CHRISTOPHER
1833 PINE CONE
MOSCOW ID 83843

THOMPSON FAMILY LTD
PRTNSHIP
1024 PINECREST ROAD
MOSCOW ID 83843

WALQUIST, ROWAN
1708 PINE CONE RD
MOSCOW ID 83843

STOCKWELL HILLSIDE LLC
252 IRONWOOD LANE
REDDING CA 96003

SWIFT, AFTON
1032 YOCKEY RD
TROY ID 83871

TODD, JAMES E
842 NYLAROL ST
MOSCOW ID 83843

WEGMAN, JERRY
111 ARROW ST
MOSCOW ID 83843

LUP2019-0015

Received 4-9-19
5160
AVERY

Easy Peel Address Labels
Bond along line to expose Pop-up Edge

Go to avery.com/templates
Use Avery template 5160

Allez à avery.ca/gabarits
Utilisez le Gabarit Avery 5160

Étiquettes d'adresse Easy Peel
Repliez à la hachure afin de révéler le rebord Pop-up

Pat: avery.com/patents

Neighborhood Meeting Minutes

April 8, 2019

Meeting called to order at 6:01 p.m.

Present: Garrett Thompson of Thompson Family Limited Partnership, Applicant
Susan R. Wilson, Attorney representing Applicant acting as Moderator
Scott Becker, engineer representing Applicant
Participants: See attached sign in sheet.

Moderator introduced the re-zone application and process, describing the three proposed residential lots. Moderator discussed the requirement for a neighborhood meeting to get input from the neighbors and answer any questions they may have or address any issues or concerns they may raise. This is a pretty straight forward application requesting a rezone from Farm Ranch to Single Family Residential for three proposed lots created via a lot division. (A handout showing the proposed three lots was available.)

One participant, who would share a property line with the north lot asked questions regarding the common boundary. She indicated her fence is 50 years old and she has two anxious dogs. The neighbor also asked if any of the land would be 'dug down' at all, stating the view will change.

Scott Becker responded that the fence appeared to be pretty much on the property line so that is something she can ask the buyer of the lot – if they wanted to share the costs of replacing the fence. A new buyer would not likely put in another fence parallel to the existing one. Mr. Becker also explained that the lot will be dug down a little and that the grade is set by the existing road.

Questions were raised on the timing of the development of the rest of the property. Mr. Thompson explained that it depends on the market and that there were other issues to consider for the remainder of that property, like utilities for instance. Mr. Becker also pointed out that there is another project that is pending and would be moving forward before any future development in the subject area.

As for the actual development of the three proposed lots, Mr. Thompson indicated it could be a year away. They have planted the ground, so it may be this fall at the earliest.

A neighbor asked when the lots may be on the market. Mr. Thompson indicated that it depends on when the infrastructure is in and they can be buildable.

It was asked if the neighbors would be given more opportunity to comment or be given notice regarding the development. Mr. Thompson noted that there would be two notices of a public hearing; one in front of Planning and Zoning Commission and one in front of the City Council.

The neighbors were advised they can contact the Applicant at any time with questions they may have about the application; they do not have to wait for the public hearings.

There were no further comments or questions. There did not appear to be any opposition to the proposal; just general questions.

Meeting was adjourned at 6:13 p.m.

ORDINANCE NO. 2019 -

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 4, CHAPTER 3, -----; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MOSCOW, IDAHO, AS FOLLOWS:

SECTION 1: That Moscow City Code Title 4, Chapter 3 be amended as follows:

• • •

Sec. 3-4. Land Use Table.

LAND USE TABLE																		
P = Permitted Use		PA = Permitted Accessory Use		C = Conditional Use Permit		Blank = Not Permitted												
RESIDENTIAL USES		NAICS 2012 Code No.	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Dwellings in Residential Zones²																		
Single Family (up to 4 unrelated individuals)			P	P	P	P	P	P	P									
Two Family								P	P									
Twinhome								P	P									
Townhouse ¹								P	P									
Single Family (up to 6 unrelated individuals)			C	C	C	C	C	C	P									
Multiple Family (3 or more units)									P									
Mobile Home Parks									P									
Dwellings in Commercial Zones																		
Above or behind a commercial use or on a secondary street frontage			See above, Dwellings in Residential Zones							P	P		P/C ³	P	P	PA ⁴	P/C ³	P
On the ground floor on primary street frontage										P	C		C	C	C	PA ⁴	C	P
Group Living																		
Boarding House (occupied by owner, up to 6 boarders)			P	C	C	C	C	C	P									
Dormitories																		P
Fraternity, Sorority, and Cooperative Houses		721310							C									P
Accessory Uses																		
Accessory Buildings or Structures (up to 1,000 sq ft)			PA	PA	PA	PA	PA	PA ¹⁵	PA ¹⁵	PA								
Accessory Buildings or Structures (1,001 to 1,500 sq ft)			C	C	C	C	C	C	C	C								
Accessory Buildings or Structures (no size limitation)											PA	PA	PA	PA	PA	PA	PA	PA
Accessory Dwelling Unit ¹			PA	PA	PA	PA	PA	PA	PA									
Accessory Home Occupations Type I ¹			PA	PA	PA	PA	PA	PA	PA	PA	PA		PA	PA	PA	PA	PA	PA
Accessory Home Occupations Type II ¹			C	C	C	C	C	C	C	PA	PA		PA	PA	PA	PA	PA	PA
Accessory Gardens			PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
NON-RESIDENTIAL USES		NAICS 2012 Code No.	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Agricultural Uses																		
Agriculture, Animal Production		112	P/C ¹⁸	C ⁵														P
Agriculture, Crop Production		111	P															P
Animals and Fowl (as permitted by City Code Title 10)			PA	PA	PA	PA	PA	PA	PA	PA								
Animal Slaughtering and Processing		31161	C													P		P
Gardens (Market and Community) no on-site retail sales ¹			P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
With on-site retail sales ¹			P	P	C	C	C	C	C	P	P		P	P	P	P	P	P
Sawmills		321113	C													C		
Amusement and Recreation Facilities																		
Archery/Shooting Ranges (indoor only)		713990											P	P	P	P	P	P
Bowling Centers		713950											P	P	P		P	P
Dance Halls		713990											P	P	P		P	P
Fitness Centers		713940									P		P	P	P		P	P
Golf Courses and Country Clubs		713910	C	C	C	C	C	C	C	C								P
Miniature Golf Facilities		713990											P	P	P		P	P
Movie Theaters		512131											P	P	P		P	P
Riding Stables		713990	C										P	P	P	P	P	P
Stadiums and Sports Arenas (Ice/Roller Rinks, Gymnasiums, Ballfields)		713940						C	C				P	P	P		P	P
Animal-Related Business																		
Veterinary Services		541940	C	C						P	P			P	P	P		
Pet Care Services ¹		812910	C	C							P ¹⁰				P	P		
Financial, Technology, and Professional Services																		
Agencies, Brokerages and Other Insurance Related Activities		5242							P ⁶	P	P	P	P	P	P		P	
Broadcasting Studios		515										P	P	P	P		P	
Business, Professional, Political, Social Advocacy, Grantmaking, and Similar Organizations		8132/8133/8139							P ⁶	P	P	P	P	P	P		P	
Commercial Banking, Credit Unions, and Savings Institutions		522110/120/130											P	P	P			
Construction Contractor Services		238											P	P	P	P	P	
Data Processing, Hosting, and Related Services		518								P	P	P	P	P	P	P	P	P
Professional, Scientific, and Technical Services		541							P ⁶	P	P	P ¹¹	P ¹¹	P	P	P	P ¹¹	P
Publishing Industries (except Internet)		511										P	P	P	P	P	P	P
Real Estate Services		531							P ⁶	P	P	P	P	P	P		P	
Securities, Commodity Contracts, and Other Financial Investments		523							P ⁶	P	P	P	P	P	P		P	
Software Publishers		5112							P ⁶	P	P	P	P	P	P	P	P	
Food and Beverage Service																		
Coffee/Esspresso Stand											P		C	C	P		C	P
Drinking Places (Alcoholic Beverages)		722410											P	P	P		P	P
Restaurants		72251								P ⁹	P		P	P	P		P	P

NON-RESIDENTIAL USES	NAICS 2012 Code No.	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Manufacturing																	
Beverage Manufacturing	3121									C		P	P	P	P	P	
Manufacturing, Heavy															C		
Manufacturing, Light													C	P	P	C	
Aerospace Product and Parts Manufacturing	3364										P		C	P	P	C	
Computer and Electronic Product Manufacturing	334										P		C	P	P	C	
Electrical Equipment, Appliance, and Component Manufacturing	335										P		C	P	P	C	
Medical Equipment and Supplies Manufacturing	3391										P		C	P	P	C	
Pharmaceutical and Medicine Manufacturing	3254										P		C	P	P	C	
Public/Institutional Uses																	
Antenna Towers (new)		C	C	C	C	C	C	C	C	C		C	C	C	C	C	C
Co-Location ¹⁴		P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
Cemeteries	812220	C	C	C	C	C	C	C	C					C			
Child Day Care Services ¹																	P
Family, 5 or fewer children		PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	P	
Group, 6 to 12 children		P	P	P	P	P	P	P	P	P	C	C	C	C	C	P	
Small, 13 to 20 children		C	C	C	C	C	P	P	P	P	C	C	C	C	C	P	
Large, 21 or more children		C	C	C	C	C	C	C	C	P	C	C	C	C	C	C	
Civic and Social Organizations	813410												P	P	P	C	P
Community/Neighborhood Center		C	C	C	C	C	C	C	P	P		P	P	P			P
Correctional Institutions	922140														C	C	
Educational Services																	
Elementary and Secondary Schools ¹	6111	C	C	C	C	C	C	C	C	C			C	C	C	C	P
Colleges, Universities, and Professional Schools	6112/6113								C	C			C	C	C	C	P
All Other Schools and Instruction	6114-6117								C	C	C ¹⁶	C	C	C	C	C	P
Fairgrounds		C	C	C	C	C	C	C	C								
Funeral Homes and Funeral Services	81221								C	C	P		C	P	P	P	P
Government Office Buildings		C	C	C	C	C	C	C	C	P		P	P	P	P	P	P
Health Care Services (Ambulatory) (excluding 624410)	621								P ⁶	P	P	P ⁸	P	P	P	P	P
Hospitals	622												C	P	C		P
Museums and Art Galleries	712110								C	C	P		P	P	P	P	P
Nursing and Residential Care Facilities	623			C	C	C	C	C	C				P	P			
Public Parks & Recreational Facilities (operated by local government) ⁷		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Service and Utility Facilities		C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P
Religious Facilities	813110	C	C	C	C	C	C	C	C	P		P	P	P		C	P
Telecommunications Services ¹	517								P ⁶	P	P	P	P	P	P	P	P
Retail and Personal Services																	
Consumer Goods Rental	5322									P		P	P	P	P	P	P
Laundries and Drycleaners	812310/ 812320									P		P	P	P	P	P	P
Personal Care Services	8121									P	P		P	P	P	P	P
Retail Sales (excluding 4411, 444, 447, & 453930)	44-45									PA	P	PA	P	P	P	P	P
Large Retail Establishment ¹															P	P	
NON-RESIDENTIAL USES																	
Storage Services																	
Self-Storage Facilities	531130	C	C												GP	P	
Warehousing and Storage	493										PA ¹²				C	P	
Wholesale Uses	423										PA ¹²				C	P	
Temporary Uses¹																	
Vehicles and Equipment																	
Automobile and RV Dealers	4411											C	C	P	P		
Automotive Repair and Maintenance	8111											C	C	P	P		
Building Material Sales & Garden Equipment/Supplies	444													P	P		
Commercial and Industrial Machinery and Equipment Repair and Maintenance	811310													C	P		
Electronic and Precision Equipment Repair and Maintenance	8112								P	P		P	P	P	P		
Gasoline Stations	447											C	C	P	P		
Heavy Equipment Sales (manufactured home dealers, farm and garden equipment)	453930 423820													C	P		
Parking Lots and Garages	812930	PA	PA	PA	PA	PA	PA	PA	P	P	PA	P	P	P	P	P	P
Personal and Household Goods Repair and Maintenance	8114									P		P	P	P	P	P	
Railroad Yards and General Freight Trucking	488210/4841															P	
Rental and Leasing Services (excluding 5322)	532											C	C	P	P		
Scrap Yards/Material Recycling	423930														C		
Visitor Accommodations																	
Bed and Breakfast Inns		P	P	C	C	C	C	P	P	P		P	P	P		P	P
Hotels and Motels	721110											P	P	P		P	P
RV Parks and Campgrounds	721211	C	C					C					P	P	P		P

USE ELEMENTS & EXCEEDANCES TO BULK & DIMENSIONAL REQUIREMENTS		AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTD	CB	GB	MB	I	UMC	U
Drive-Through Facilities ¹												P/C ¹³	C	P		C	
Exceedance of maximum building height (for permitted non-residential uses)		C	C	C	C	C	C	C	C	C	C	C	C			C ¹⁷	

NOTES

- ¹ Subject to Specific Use Standards within Section 4-3-4 of this Zoning Code
- ² Only one principal dwelling permitted per building lot in AF, FR, SR, R-1, and R-2 Zones
- ³ Residential dwellings located on ground floor on secondary street frontages require a Conditional Use Permit in CB and UMC Zone
- ⁴ One dwelling unit per lot is allowed where accessory to a permitted principal use
- ⁵ Feedlots must be on at least 20 acres of land and associated buildings must be set back at least 500 ft from the nearest property line
- ⁶ Use shall not exceed 2,000 sq ft of office space
- ⁷ Including all public facilities operated by local government (including but not limited to parks, recreational facilities, and recycling centers)
- ⁸ Excluding Outpatient Care Centers, Home Health Care Services, and Other Ambulatory Health Care Services (NAICS 6214, 6216, and 6219)
- ⁹ Restaurants shall not exceed 1,500 sq ft in the RO Zone
- ¹⁰ Indoor kennels only
- ¹¹ Excluding Veterinary Services
- ¹² Indoor storage only
- ¹³ Drive-up windows permitted for financial institutions only, Conditional Use Permit is required for drive-up windows associated with all other uses in the CB Zone
- ¹⁴ Antenna shall not extend more than 18 ft above, and shall not project more than 8 ft horizontally away from the existing tower or support structure
- ¹⁵ Or 600 sq ft per dwelling unit in R-3 and R-4 Zones
- ¹⁶ Business Schools and Computer and Management Training, and Technical and Trade Schools only, as defined by NAICS code number 6114 and 6115, and excluding aviation and flight training instruction schools, modeling schools, nursing schools, cosmetology schools, and truck driving schools
- ¹⁷ Residential or commercial uses may obtain a Conditional Use Permit for exceedance of the maximum building height in the UMC Zone
- ¹⁸ Feedlots with up to 20 animals are permitted by right. Feedlots between 20 and 200 animals require a Conditional Use Permit
- ¹⁹ Elementary Schools, Secondary Schools, and Other Schools and Instruction only, as defined by NAICS code number 6111 and 6116

SECTION 2: SEVERABILITY. Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions. The remaining sections of Title 4 shall be in full force and effect.

SECTION 3: EFFECT ON OTHER ORDINANCES. Where the definitions contained in this Ordinance are in conflict with relevant portions of the City of Moscow, Idaho, Municipal Code, the definitions contained within those portions of the Moscow Municipal Code will be unaffected until such time, if any, as they are amended to be consistent with this Ordinance.

SECTION 4: EFFECTIVE DATE. This Ordinance shall be effective upon its passage, approval, and publication according to law.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2019.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk