

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Meeting Minutes~
May 22, 2019

Mike Ray
Staff Liaison

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208.883.7008

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

MEMBERS PRESENT: Robb Parish, Vice Chair; Scott Gropp, Joel Hamilton, Mike Nelsen, Nels Reese, Victoria Seever

MEMBERS ABSENT: Wendy McClure, Dennis Wilson

ALSO IN ATTENDANCE: Mike Ray, Anne Peterson, Kathryn Bonzo (for Brandy Sullivan)

1. Approval of minutes from May 8, 2019

Seever moved approval of the minutes as presented.

RESULT:	ACCEPTED BY ACCLAMATION [UNANIMOUS]
MOVER:	Seever
SECONDER:	Nelsen

2. Public Comment

None.

3. Approval of Reasoned Statement of Relevant Criteria and Standards for Property at 2500 South Highway 95 within the Area of City Impact - LUP2019-0014

Seever moved approval of the RCS as presented.

RESULT:	APPROVED BY ACCLAMATION [UNANIMOUS]
MOVER:	Seever
SECONDER:	Hamilton

4. Approval of Reasoned Statement of Relevant Criteria and Standards for Property generally located east of the intersection of Southview Avenue and Alice Street within the City of Moscow: LUP2019-0015

Reese moved approval of the RCS as presented.

RESULT:	APPROVED BY ACCLAMATION [UNANIMOUS]
MOVER:	Reese
SECONDER:	Nelsen

5. Public Hearing: Planned Unit Development and Preliminary Subdivision Plat of a parcel located at 1330 Indian Hills Drive – LUP2019-0016 and LUP2019-0017

Proposed Planned Unit Development (PUD) and Preliminary Subdivision Plat of a 41,151 square foot parcel located at 1330 Indian Hills Drive in the City of Moscow to allow ten (10) single-family dwellings on lots ranging from 2,660 sf to 3,910 sf in size.

Ray presented the proposal described above. Subject property is surrounded by Alturas Technology Park (RTO zoning), multi-family townhouses to the west (RO zoning), agricultural land to the south (FR zoning), and the USDA office to the east (GB zoning). The minimum lot size in the RO zone is 5,000sf for single family dwellings, with a minimum lot width of 50 feet. Applicant is requesting a PUD to allow reduced minimum lot size and width and reduced setbacks. Proposed setbacks from the garage will allow for off-street parking in front of the garages. The minimum PUD base density in the RO zone is 24 units per acre, and the proposed density is 9.4 units per acre so no density bonuses are required. Ray reviewed existing public improvements and reported all are adequate to support the proposed development. Parkland dedication requirements have already been met as part of the Indian Hills 6th Subdivision. The private street proposed within the PUD meets City standards. A Type A landscape buffer is required on the adjoining GB zoning, and the developer is proposing that the individual property owners be allowed to install their own landscaping on the lots. There was a question about the City Street Tree Program and Ray explained that pertains only to street trees on public streets, so it wouldn't be available for this development except for the Indian Hills Drive frontage. Staff recommended approval with two conditions recommended by Public Works:

1. The construction of the proposed private street shall meet current City standards including the dedicated easement for public and franchise utilities.
2. The proposed detention pond shall meet the current Moscow Stormwater Runoff Control Standards.

Parish was concerned that the driveways on the west side wouldn't be long enough for larger vehicles without hanging into the sidewalks. Reese asked why a buffer wasn't required on the west side of the development to screen the back side of those houses. Seever asked what makes this development unique and therefore worthy of a PUD. Ray explained it provides the opportunity for more affordable, smaller houses on smaller lots, while still creating individual lots that can provide fee-simple ownership.

The public hearing opened at 7:31 with testimony from the applicant.

Curtis Blum, 3831 Highway 8, Troy, said they have developed the properties to the west. Having constructed many apartment buildings in Moscow, they have noticed a change in demand by young couples and families for affordable housing. Blum mentioned there is already a six-foot landscape buffer as part of the townhouse development to the west. He said the homes won't be all cookie-cutter; they will have slightly different looks and siding colors will vary.

Gropp mentioned that affordable housing has been discussed quite a bit during his time on the Commission, and added that among his 15 employees only about a third of them can afford to live within Moscow. Reese said the existing buffer on the townhouse property addressed his concern about screening between the PUD and the townhouses. Seever noted there is also an existing buffer between subject property and the USDA office building. Reese asked Blum if they had considered twinhomes. Blum replied they wanted to offer a housing option that provided more privacy than having to share a wall with neighbors. Nelsen noted the homes are quite nice-sized.

Hearing no further testimony, the public hearing closed at 7:41.

Reese said his concerns had been addressed and he agreed it was a good project. Seever agreed she wouldn't want to share a wall if she was buying her house. Hamilton wanted to encourage use of the Street Tree Fund to install trees on the Indian Hills frontage. Seever thought the proposal was well reasoned.

Gropp moved approval of the PUD as presented.

RESULT:	APPROVED BY ACCLAMATION [UNANIMOUS]
MOVER:	Gropp
SECONDER:	Nelsen

Seever moved approval of the Preliminary Plat as presented.

RESULT:	APPROVED BY ACCLAMATION [UNANIMOUS]
MOVER:	Seever
SECONDER:	Gropp

Hamilton moved to direct staff to prepare the Reasoned Statement of Relevant Criteria and Standards.

RESULT:	APPROVED BY ACCLAMATION [UNANIMOUS]
MOVER:	Hamilton
SECONDER:	Seever

6. Final Review of Draft Ordinance Amending Educational Services within the Central Business District

Ray reviewed the same revisions discussed at the last meeting. The only change was with regard to off-street parking lots in the R-4 zone. Reese asked for clarification on how this code language would apply to the Legacy Crossing District. Ray said it would all apply, as well as the underlying Urban Mixed Commercial zoning of Legacy Crossing. The public hearing has been noticed for June 12th.

7. Subdivision Code Review [ACTION ITEM]

Ray distributed updated versions of the draft code. Subdivisions were previously in City Code Title 5 but Staff recommended moving it to Title 4, Chapter 12. In doing so staff recommended that the cluster subdivision dimensional requirements be placed only in the bulk and placement table within Title 4, Chapter 4, rather than also being duplicated in the Subdivision Chapter. Hamilton thought it would be more logical to put the traditional subdivision text before the cluster subdivision language. Parish suggested more discussion was needed regarding twinhome/townhouse development within the single-family zoning districts, particularly in cluster subdivisions. Ray suggested a mixture of housing could be achieved by rezoning sections of subdivisions into progressively denser zoning designations, but he will have further discussions with other city staff and report back. Commissioners were supportive of the placement recommendations recommended by staff. Ray will complete the traditional subdivision portion for additional review at the next meeting.

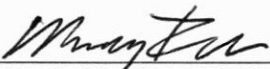
8. Transportation Commission Meeting Report

Hamilton reported the next meeting is June 13th and an agenda has not yet been distributed.

9. Announcements

Reese said he will miss the next two meetings due to travel. He also reported on the Third Street Bridge installation "ceremony."

The meeting adjourned at 8:14 p.m.


Wendy McClure, Chair

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE REZONING A THIRTY-EIGHT THOUSAND FIVE HUNDRED AND FIFTY-EIGHT (38,558) SQUARE FOOT AREA OF LAND GENERALLY LOCATED EAST OF THE INTERSECTION OF SOUTHVIEW AVENUE AND ALICE STREET IN THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for Rezone on April 9, 2019; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 8, 2019; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2009 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a thirty-eight thousand five hundred and fifty-eight (38,558) square foot area of land generally located east of the intersection of Southview Avenue and Alice Street.
3. The subject property is currently comprised of undeveloped property to the east of the Indian Hills 9th Addition Subdivision which was recently developed and extended Southview Avenue and Alice Street. The subject property has historically been utilized for agricultural purposes and is currently being farmed.
4. 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.
5. The subject property is currently designated by the 2019 Comprehensive Plan as Auto-Urban Residential (AU-R). According to the Comprehensive Plan, AU-R 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.”

6. All surrounding properties are also designated as Auto-Urban Residential (AU-R).
7. The subject property is currently designated Farm, Ranch, and Outdoor Recreation (FR).
8. 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.
9. The properties within Indian Hills 9th Subdivision to the west of the subject property are primarily within the Moderate Density, Single Family Residential (R-2) Zone. All properties to the north are within the Low Density, Single Family Residential (R-1) Zone and the remainder of the agricultural land to the east is within the Farm Ranch (FR) Zone.
10. 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.*
11. The minimum lot size for parcels within the R-1 Zone is 9,600 square feet and the minimum lot width is 80 feet.
12. Uses permitted within the R-1 Zone include single family residential uses and wide variety of public and institutional uses.
13. 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.
14. The subject property is located adjacent to the intersection of Southview Avenue and Alice Street, which are both designated within the Thoroughfare Plan as local neighborhood 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.
15. 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.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed zoning district is consistent and in conformance with the uses and densities designated within the 2019 Comprehensive Plan. The Auto-Urban Residential (AU-R) Land Use Designation corresponds with the proposed Low Density, Single Family

Residential (R-1). Therefore, the Commission finds that the proposed rezone is consistent with the Comprehensive Plan.

2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed R-1 Zone provides for a logical transition from the R-2 Zone to the west and a continuation of the R-1 Zone to the north. The proposed zoning and uses are consistent with the surrounding area and will not unduly burden the neighborhood of public infrastructure. The proposed rezone meets the intent of the R-1 Zone.
3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area. The adjacent properties in all directions are all primarily residential except for Palouse Prairie Charter School which is adjacent to Nursery Street.
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.** The proposed zoning and uses are suitable for the area and will not unduly burden the neighborhood of public infrastructure.
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.** The subject property has street access via Southview Avenue and Alice Street. There are currently sufficient and available public utility services to meet the needs of existing and future development.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the rezone request for the thirty-eight thousand five hundred and fifty-eight (38,558) square foot property with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this

22nd day of May, 2019.



Robb Parish, Vice Chair
Planning and Zoning Commission

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE REZONE OF A THREE POINT SEVEN ZERO (3.70) ACRE AREA OF LAND LOCATED AT 2500 SOUTH HIGHWAY 95 WITHIN THE AREA OF CITY IMPACT OF THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Rezone in the Moscow Area of City Impact on March 29, 2019; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 8, 2019; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 1999 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, the Moscow Area of City Impact Agreement, and other applicable development regulations.
2. Per the Moscow Area of City Impact Agreement with Latah County, the Moscow Planning and Zoning Commission is to conduct one hearing and forward a recommendation on to Latah County.
3. The subject property is a three point seven zero (3.70) acre area of land generally located at 2500 S Highway 95 within the Area of City Impact.
4. The subject property is currently developed with an existing house, barn, and shop that are directly adjacent to Highway 95.
5. 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.
6. 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.
7. 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).”

8. 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.
9. The subject property and adjacent properties 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).
10. According to the City of Moscow Zoning Code, the purpose of the MB Zoning District is 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.”
12. 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.
13. 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:
 1. 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.
 2. The property is served by City water and/or City sewer and the property has a structure located on it or associated with it.
14. The Commission finds that the proposed rezone of the subject property does 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. The small size of the property and limited utility demand also factor into the decision on whether to recommend annexation.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

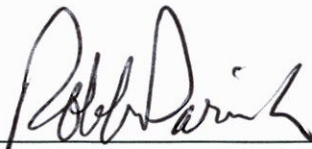
1. **1. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed preliminary plat is consistent with the 2009 Comprehensive Plan Land Use Designation of Auto-Urban Commercial (AU-C).
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed MB Zone provides for a continuation of the MB Zone to the west and is consistent with the surrounding Industrial (I) Zone.
3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area. The adjacent properties in all directions are all primarily commercial except for a few residential properties located within the MB Zone on the west side of Highway 95.
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.** The proposed zoning and uses are suitable for the area and will not unduly burden the neighborhood of public infrastructure.
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.** The subject property has street access via Highway 95, which can adequately serve any proposed development allowed in the MB Zone. Currently there is insufficient public utility services in the area and the Commission finds that annexation should not be required at this time.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the rezone request for the three point seven zero (3.70) acre property to Latah County with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this

22nd day of May, 2019.



Robb Parish, Vice Chair
Planning and Zoning Commission