



Moscow City Council

Regular Meeting ~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

**Monday
April 16, 2018**

7:00 PM

**Council Chambers
206 E. Third St.**

The meeting was called to order at 7:00 PM

PRESENT: Kathryn Bonzo Council President, Gina Taruscio Council Vice President, Jim Boland Councilmember, Brandy Sullivan Councilmember, Anne Zabala Councilmember, Bill Lambert Mayor

ABSENT: Art Bettge Councilmember (Excused)

STAFF: Gary J. Riedner, Dwight Curtis, David Schott, Joe Williams, Mike Ray, Mia Vowels, Tim Davis, Kelli Cooper, Les MacDonald, Tyler Palmer, Kyle Steele, Rick Benjamin, Brian Nickerson, Ryan Cash, Laurie M. Hopkins

Pledge of Allegiance

Boy Scout Caden Summers and Councilmember Sullivan led the Pledge of Allegiance.

Arbor Day Proclamation

Mayor Lambert read the proclamation and presented it to Clark Filip. The Tree Commission will be at Lena Whitmore on April 27th at 1:15 p.m. to plant a red oak tree in honor of Arbor Day. Seedlings will be offered to the public at the celebration.

Earth Day Proclamation

Mayor Lambert read the Earth Day proclamation and presented it Kelli Cooper. Cooper thanked the Mayor.

Earth Day Awards - Mayor Lambert

Mayor Lambert presented Earth Day awards. The award winners said a few words. See attached list.

1. Consent Agenda

A. Approval of Moscow City Council April 2, 2018 Minutes – Laurie M. Hopkins

B. Almon and Second Streets Geotechnical Evaluation Agreement – Kevin Lilly

The existing pavement in the eight hundred foot long segment of Almon Street between Third Street and 'A' Street is severely deteriorated. With an Overall Condition Index of 19.37 (Very Poor) out of 100, this segment is in need of a full reconstruction. At one time, this street was paved with Portland cement concrete pavement. Through many years of roadway maintenance and utility repairs it has been overlain with hot mix asphalt pavement, and the underlying concrete pavement has been removed and patched back with asphalt pavement in various locations. This has created a random patchwork of asphalt and concrete pavement sections throughout the roadway segment.

Areas within the three hundred foot long segment of East 2nd Street between Main and Washington Streets in the Central Business District are also partially underlain by Portland cement concrete and are exhibiting moderate signs of distress.

Public Works wishes to evaluate pavement rehabilitation and/or reconstruction options for these two street segments. The attached Master Agreement and Task Order #1 for professional services

in an amount not to exceed \$14,975.00 are for Geoprofessional Innovation Corp., Inc. to perform the sub-surface exploration needed to evaluate the existing pavement and subgrade conditions, and to provide an analysis of appropriate reconstruction or rehabilitation alternatives. This item was presented to the Public Works/Finance Committee on April, 9, 2018 which recommended its approval.

ACTION: Approve the Master Services Agreement and Task Order 1 for the professional services of Geoprofessional Innovation Corp., Inc. in an amount not to exceed \$14,975.00.

C. Disbursement Report for March 2018 – Gary J. Riedner

Staff will present the Accounts Payable Report for the month ending March 2018. This was reviewed, signed and recommended for approval by the Public Works/Finance Committee on April 9, 2018.

ACTION: Approve the Disbursements Report for the month of March 2018.

D. Second Quarter Financial Report (January 1, 2018 - March 31, 2018) for FY2018 – Sarah Banks

Staff will present the financial report for the second quarter of fiscal year 2018 (January 1, 2018 - March 31, 2018). This was reviewed and recommended for approval by the Public Works/Finance Committee on April 9, 2018.

ACTION: Approve the report.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kathryn Bonzo, Council President
SECONDER:	Gina Taruscio, Council Vice President
AYES:	Bonzo, Taruscio, Boland, Sullivan, Zabala
EXCUSED:	Art Bettge

2. Staff Recognition Report - Gary J. Riedner

Riedner invited Curtis up to present Idaho Recreation and Park Association (IRPA) awards. Curtis said the IRPA conference took place in Moscow last week. They honored David Rauk as Outstanding Individual for 2018. He is the University of Idaho campus horticulturist and is an arborist. He is a charter member of the Moscow Tree Commission, an Orchid Award winner, and has many other accomplishments. The downtown restroom also received the Outstanding Facility Award at the conference.

3. Mayors Appointments

None offered.

4. Public Comment and Mayor's Response Period (limit 15 minutes)

Margaret Dibble, 1131 Jackshaw Rd Moscow, on the Moscow Pathways Commission and Board of Latah Trail and both groups talk a lot of bicycles. Bike month is next month and would like more City support. She feels bikes belong on streets, perhaps the Transportation Commission can do something, specifically for Moscow Bike to Work Day. She would like permission to post notices about Bike to Work Day in the Friendship Square City notice board. Suggested a bike share at the City. There will be a coffee station at 6th and Main on Bike to Work Day. Riedner responded the City does have a bike share.

Bill Goesling, 1141 Paradise Ridge Rd Moscow, said he is running for the Idaho House of Representatives 5A. He was on the Moscow School Board, State Charter School Board and State Board of Education and need to look at the components of education. He uses a common sense approach and believes if it works

in Moscow, then it will work in the legislature.

Joanne Muneta, 203 S Howard St Moscow, the commission survey had one question from the Historic Preservation Commission: Roadway improvement should preserve historic integrity and neighborhood character. Of the answers, 35% agreed and 35% strongly agreed to the question. She feels this is pertinent to the Third Street bridge and concurrent safety concerns. She also feels the public input on the traffic calming was good but not so far on the public art and design of the bridge and corridor. She wants the Council to think about the design of the bridge before it is too late.

Riedner said the student ideas will follow the committee meetings on Monday in an open house format. Details are still being worked out. Public Works and Arts Departments have discussed the art component of the bridge. Riedner isn't sure where those discussions are at or when Burns will bring it forward to the Public Art Committee of the MAC.

Nicole Skinner, ASUI president, for the upcoming academic year. One of the main campaign points was more communication with the City Council. She looks forward to accomplishing great things together. The ASUI is also revamping the duties of the Community Outreach Director where he will be attending all Council meetings throughout the year. She introduced Jacob Lockhart, a senator on the ASUI.

5. Citizen Commission Report - Planning and Zoning Commission - Mike Ray / Wendy McClure

Ray introduced Wendy McClure who went through the commission members and current projects including off-street parking standards revision and conversion of uses into a table for ease of use. The Commission is also updating the 2009 Comprehensive Plan with a tentative date in May for an open house.

6. Public Hearing: Indian Hills 9 Addition Preliminary Plat and Rezone - Michael Ray

The applicant, Sally Powers, is proposing to subdivide a 21.73 acre area of land generally located east of Main Street (HWY 95) and north of Palouse River Drive into thirty-two (32) parcels ranging from 7,006 square feet to 3.76 acres in size. Also included in the proposal is the rezoning of a 9.32 acre area from the Farm, Ranch, and Outdoor Recreation (FR) Zoning District to a combination of the Moderate Density Residential (R-2) Zoning District and the Medium Density Residential (R-3) Zoning District. The Planning and Zoning Commission conducted a public hearing for this matter on March 28, 2018 and recommended approval of the preliminary plat with two conditions and recommended approval of the rezone with no conditions.

ACTIONS: 1. Conduct the public hearing upon the proposed Zoning Designations and upon consideration of any testimony presented, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that they be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take such other action deemed appropriate.

2. In accordance with the decision upon the Zoning Designation request, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria, or direct staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.

3. Conduct the public hearing upon the proposed Preliminary Subdivision Plat and upon consideration of any testimony presented, approve the Preliminary Plat for Indian Hills 9 Addition with the two (2) conditions recommended by Staff; or reject the Preliminary Plat for Indian Hills 9 Addition; or take other action as deemed appropriate.

4. In accordance with the decision upon the Preliminary Subdivision Plat, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria with a modification to the conditions

to reflect the two (2) conditions recommended by Staff, or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.

Ray introduced the item as written above and went over the surrounding neighborhood including the zoning and Comprehensive Plan designation. Palouse Prairie Charter School received a conditional use permit off Powers Avenue and the 32 lots within the plat were described. Ray described the utility and streets system. Sanitary sewer line, water and storm is stubbed at Myrtle and there is a detention pond. They would need to be extended down Myrtle. Riedner also explained that the Palouse Prairie playground would be private property and cannot be considered in the rezone and preliminary plat decisions.

Mayor Lambert opened the public hearing at 8:33 p.m.

Shelley Bennett, 213 S Main St Moscow, represents the applicant. Explained the zoning and buffering. Architects on the school and this project will work together on whether the path is necessary. Sanitary sewer could be difficult to connect to Thompson property. Some of the Indian Hills Drive property owners are interested in connecting to the sanitary sewer and they will work with the homeowners. Riedner explained the lines should be adequate for connectivity.

No other testimony was offered. Mayor Lambert closed the public hearing at 8:42 p.m.

The Zoning Ordinance was approved under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and was adopted by roll call vote.

RESULT:	ADOPTED ON FIRST READING W/SUS [UNANIMOUS]
MOVER:	Jim Boland, Councilmember
SECONDER:	Kathryn Bonzo, Council President
AYES:	Bonzo, Taruscio, Boland, Sullivan, Zabala
EXCUSED:	Art Bettge

Mayor Lambert read Ordinance 2018-05:

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ZONING OF APPROXIMATELY EIGHT POINT FOUR THREE (8.43) ACRES OF PROPERTY DESCRIBED IN SECTION 1, PROPERTY #1 OF THIS ORDINANCE, AS MODERATE DENSITY RESIDENTIAL (R-2); AND APPROXIMATELY ZERO POINT EIGHT NINE (0.89) ACRES OF PROPERTY DESCRIBED IN SECTION 1, PROPERTY #2 OF THIS ORDINANCE, AS MEDIUM DENSITY RESIDENTIAL (R-3); PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

The Planning and Zoning Commission's Reasoned Statement of Relevant Criteria was adopted by roll call vote.

RESULT:	ADOPTED ON FIRST READING W/SUS [UNANIMOUS]
MOVER:	Gina Taruscio, Council Vice President
SECONDER:	Kathryn Bonzo, Council President
AYES:	Bonzo, Taruscio, Boland, Sullivan, Zabala
EXCUSED:	Art Bettge

The Preliminary Plat for Indian Hills 9th Addition was approved by roll call vote and with two conditions recommended by Staff:

- The applicant shall extend water and sewer mains to the east boundary of the subject property to allow for future development to the east
- Myrtle Street and all associated underground utilities shall be constructed and accepted by the City prior to the issuance of any building permits on Lots 1, 2, or 3, Block 2, of the proposed Preliminary Subdivision Plat

RESULT:	ADOPTED WITH TWO CONDITIONS [UNANIMOUS]
MOVER:	Kathryn Bonzo, Council President
SECONDER:	Gina Taruscio, Council Vice President
AYES:	Bonzo, Taruscio, Boland, Sullivan, Zabala
EXCUSED:	Art Bettge

The Planning and Zoning Commission's Reasoned Statement of Relevant Criteria with a modification to the conditions to include the two conditions recommended by staff was adopted by roll call vote.

RESULT:	ADOPTED ON FIRST READING W/SUS [UNANIMOUS]
MOVER:	Gina Taruscio, Council Vice President
SECONDER:	Kathryn Bonzo, Council President
AYES:	Bonzo, Taruscio, Boland, Sullivan, Zabala
EXCUSED:	Art Bettge

7. Amending MCC Title 7 Chapter 7 Relating to Fire Prevention – Joe Williams

The proposed amendment would adopt the International Fire Code, 2015 Edition with modifications that are consistent with those adopted by the Idaho State Fire Marshal for use in the State of Idaho. This code change is part of the three-year cycle of code revisions published by the International Code Council. Some purposed changes to the city code reflect the renumbering of sections in the 2015 IFC, as well as changes the Building Department has made to the International Building code that mirror the IFC. This was reviewed and recommended for approval by the Administrative Committee on April 9, 2018.

PROPOSED ACTIONS: Approve the Ordinance amending Moscow City Code Title 7 Chapter 7 under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take such other action deemed appropriate.

Williams introduced the item as written above and gave a brief presentation detailing the changes that are being recommended. Community Development requires consistency with load capacity if installing solar panels. Also required are walking paths between the panels.

The Ordinance amending Moscow City Code Title 7 Chapter 7 under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary was adopted by roll call vote.

RESULT:	ADOPTED ON FIRST READING W/SUS [UNANIMOUS]
MOVER:	Kathryn Bonzo, Council President
SECONDER:	Jim Boland, Councilmember
AYES:	Bonzo, Taruscio, Boland, Sullivan, Zabala
EXCUSED:	Art Bettge

Mayor Lambert read Ordinance 2018-06 by title:

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 7, CHAPTER 7; 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.

8. Guiding Principles of Affordable Housing Resolution - Ryan Cash

Over the last year, the Fair and Affordable Housing Commission has been discussing the lack of affordable housing in Moscow and the idea of creating a series of principles for the development of affordable housing. The 2016 American Community Survey identified that twenty-nine percent (29%) of Moscow's population is currently living in poverty. Also, a recent survey of local affordable housing projects indicated that there are no housing units available in any low income housing developments located within the City of Moscow and all such units have waiting lists. The Commission has worked with Sojourners Alliance, Moscow Affordable Housing Trust, Family Promise of the Palouse, and other community groups to develop guiding principles for the development of affordable housing. The intent of having guiding principles for the development of affordable housing is to provide a clear statement about the community Moscow desires to be, provide a framework for the pursuit of adequate housing for residents across the spectrum, and to support the City in pursuing grant funding for affordable housing projects. This was presented by staff and Randy Baukol, chair of the Fair and Affordable Housing Commission to Administrative Committee on April 9, 2018, at which time there was no public comment received. This was reviewed and recommended for approval by the Administrative Committee on April 9, 2018.

PROPOSED ACTIONS: Approve the resolution or take other such action deemed appropriate.

Cash introduced Casey Holcomb. Holcomb said the Commission drew from resolutions from other cities. The Commission felt the guiding principles give the City objectives to work on so there is not one area in town set aside for affordable housing. One of the goals is to have Moscow citizens live in our community, not the outlying communities and providing affordable housing in different options, such as single family as well as multifamily.

Jill Maxwell, 1119 Lynandra Drive Moscow, member of FAHC, said it was originally a proclamation but during the process it was upgraded to a resolution.

Cash said it was suggested to change from a proclamation to a resolution so that it was a policy statement by the Council supporting these guiding principles. Riedner explained further.

Maxwell said this was the intent of where we want to go. Non-profits can have something to point at to secure grant monies and this gives the City something they can continue to work towards.

Council members were in favor of this resolution. The resolution was approved by roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Boland, Councilmember
SECONDER:	Kathryn Bonzo, Council President
AYES:	Bonzo, Taruscio, Boland, Sullivan, Zabala
EXCUSED:	Art Bettge

9. Solid Waste Transportation and Disposal – Tim Davis

The City of Moscow began exporting municipal solid waste in 1993. The City has experienced very favorable transportation and disposal rates since that time. Staff approached the City's current solid waste transportation and disposal contractor, Waste Connections regarding the extension of Moscow's current transportation and disposal contract under the existing terms, but Waste Connections insisted that any extension be tied to a fuel peg price or surcharge escalator. Tying escalators to fluctuating fuel costs would leave the City vulnerable due to the uncertain nature of fuel costs. Having a final 5 year option remaining on the current transportation and disposal contract and with prior City Council approval, staff issued a Request for Proposal to provide Solid Waste Transportation and Disposal on January 10, 2018, as an opportunity to test the market for competitive, longer term proposals, while maintaining the leverage of the final 5 year option. Proposals were evaluated by a committee who unanimously rated a proposal received from Finley Buttes Limited Partnership, a subsidiary of Waste Connections (the current contractor for the City of Moscow), as the most favorable proposal. General terms of the proposal include a cost of service of \$51.75 per ton for transportation and disposal. This rate is an increase of approximately \$1.20 to \$1.30 per ton over the current rate beginning October 1, 2018. Annual cost escalator would remain 80% of the annual average fluctuation to the Consumer Price Index and not tied to fluctuating fuel costs or fuel peg prices or surcharges in any way. The initial term would begin on October 1, 2018, for a period of seven years with two additional five year options. If all options are exercised, the term of the contract would extend to September 30, 2035, or seventeen years. These term option periods allow the City flexibility to pursue other opportunities that may present themselves in the future. This was reviewed and recommended for approval by the Public Works/Finance Committee on 3/9/2018.

PROPOSED ACTIONS: Approve the Finley Buttes Limited Partnership proposal to provide Solid Waste Transportation and Disposal Services and direct staff to negotiate an agreement, or take other such action deemed appropriate.

Davis introduced the item as written above and described the history of requirements since 1993 including the United States Environmental Protection Agency Resource Conservation and Recovery Act Subtitle D landfill restrictions. Davis explained how the aluminum trailers increased capacity for hauling and how the Finley Butte landfill uses methane gas and electricity produced from the landfill. Riedner spoke on the continuation of the sanitation strategic plan and the extension of the sanitation franchise to 2025. The RFP committee preferred Finley Butte's proposal because Moscow has experience with their service and the price was better including the escalator.

The approval of the Finley Buttes Limited Partnership proposal to provide Solid Waste Transportation and Disposal Services and directive to staff to negotiate an agreement was approved by roll call vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gina Taruscio, Council Vice President
SECONDER:	Brandy Sullivan, Councilmember
AYES:	Bonzo, Taruscio, Boland, Sullivan, Zabala
EXCUSED:	Art Bettge

10. Paradise Creek Floodplain Study Project – Bill Belknap

The Moscow Urban Renewal Agency (MURA) has been working with a developer to potentially redevelop three properties currently addressed as 213 Spotswood, 225 Spotswood and 222 Troy Road, all located within the Legacy Crossing Urban Renewal District and just east of the South Couplet. Through the course of completing its due diligence work, the developer identified that the subject property is located within the mapped 100 year floodplain and any new structures placed upon the property would be required to be elevated approximately three feet above current property elevation. Further examination appears to indicate that the current floodplain boundary may be the result of outdated Federal Emergency Management Agency (FEMA) map data which includes three bridge crossings that no longer exist and which previously presented an obstruction to flood waters.

The MURA completed Phase I of a flood study which indicated that a full study would likely reduce the regulatory floodplain, and on February 5th, the City Council agreed to fund one half of the cost of Phase II of the study. The Phase II work has been completed by Alta Science and Engineering and the analysis indicate that after the model was updated to reflect current channel conditions, the floodplain was significantly reduced and all 23 parcels located north of the Troy Highway were completely removed from the regulatory floodplain.

Staff is recommending that the Study proceed to Phase III which would include the application for the Letter of Map Amendment to request the revision to the regulatory floodplain. After consultation with FEMA, it was determined that there would be no application fee for the Map Amendment as it is based upon more detailed information and/or errors within the effective Flood Insurance Study. Alta has provided a proposal in the amount of \$2,700 to prepare the application materials, and any additional work necessary to respond to any technical requests from FEMA would be paid upon a time and material bases in accordance with the master services agreement with Alta.

On April 5th, the MURA Board approved proceeding with Phase III in an amount not to exceed \$4,000 (\$2,700 for the application preparation and up to \$1,300 for any technical request responses), and is requesting that the City continue the partnership with the MURA and fund one half of that amount. The City Supervisor is recommending that the requested \$2,000 could be funded from City Council Non-Prioritized Projects, 101-010-10-670-16, per the attached memo.

Because of a scheduling oversight, this matter was not brought before a Council committee prior to proceeding to City Council consideration. Staff had obtained authorization to bring the matter to City Council directly as a regular agenda item to avoid delay.

PROPOSED ACTIONS: Receive the MURA request to participate in funding Phase III of the flood study and authorize \$2,000 funding from Legislative Non-Prioritized Projects or take such action deemed appropriate.

Riedner introduced the item showing a historic picture of the south couplet which shows the concrete bridges that are in the flow of the creek. He explained the project as written above. With phases one and two complete, and the results being what they are, staff is recommending proceeding with phase three at the 50% funding.

Boland foresees an underpass at the south couplet and was concerned whether the underpass at White Avenue would have any effect on the flood plain. Riedner did not believe so. Taruscio felt making the area more developer friendly is important and Sullivan said it would also benefit by way of flood plain insurance reduction.

The receipt of the MURA request to participate in funding Phase III of the flood study and authorization of \$2,000 funding from Legislative Non-Prioritized Projects was approved by roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gina Taruscio, Council Vice President
SECONDER:	Jim Boland, Councilmember
AYES:	Bonzo, Taruscio, Boland, Sullivan, Zabala
EXCUSED:	Art Bettge

Reports

City Council

Moscow Pathways Commission - Sullivan said the Commission discussed venues for the September bike tour; options for traffic control for bike crossing safety; bike to work day.

Moscow Arts Commission - Bonzo reported the Commission rewrote their mission and vision statements; planning a call for artist for public art at the north Main island by the antique store; call for artist for the poet laureate; first to table at the Farmers Market on June 2; since 2004, the 1% public art component has received \$25,000.

Fair and Affordable Housing Commission - Zabala reiterated the comprehensive approach the commissions spoke on and the Housing Fair on April 27.

SMART - Zabala said the Board looked at two routes for a third expansion. They picked the same route as the Transportation Commission. It doesn't address the core of the University so they will have further discussion.

Councilmembers spoke on other events and meetings as well

Mayor

Mayor Lambert reminded everyone of the May 1st AIC district meeting at the Best Western and he and others attended the Town and Gown Soiree.

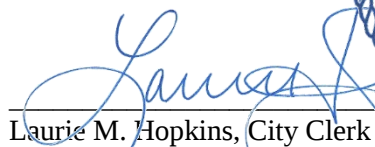
Staff

Riedner reminded everyone of the city cleanup on April 20 from 10:00 a.m. to 1:00 p.m.

Adjourn to Executive Session per Idaho Code 74-206 (1)(B), (1)(C) and (1)(F) - The meeting will not reconvene.

Bonzo moved and Taruscio seconded to adjourn to executive session. The meeting closed at 9:45 p.m.

ATTEST:


Laurie M. Hopkins, City Clerk




Bill Lambert, Mayor

**CITY OF MOSCOW
MINUTES OF CITY COUNCIL EXECUTIVE SESSION
April 16, 2018**

Present: Mayor Lambert, Jim Boland, Kathryn Bonzo, Brandy Sullivan, Gina Taruscio, Anne Zabala

Also Present: Gary J. Riedner, City Supervisor; Mia Vowels, City Attorney

The Council adjourned to executive session per Idaho Code 74-206(1)(B), (1)(C) and (1)(F). The session was called to order at 9:49 p.m. The session concluded at 10:12 p.m.

**BEFORE THE CITY COUNCIL
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 A PRELIMINARY SUBDIVISION PLAT OF A TWENTY-ONE POINT SEVEN THREE (21.73) ACRE AREA OF LAND GENERALLY LOCATED EAST OF MAIN STREET AND NORTH OF PALOUSE RIVER DRIVE, KNOWN AS INDIAN HILLS 9TH ADDITION TO THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Preliminary Subdivision Plat on February 9, 2018; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on March 28, 2018; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on April 16, 2018; and

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

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The City Council 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 twenty-one point seven three (21.73) acre area of land generally located east of Main Street and north of Palouse River Drive.
3. The subject property is currently comprised of undeveloped property scattered to the west and east of the Indian Hills 8th Addition Subdivision which was platted to accommodate the Campus Crest multi-family development to the center of the subject properties.
4. Properties to the southwest of the subject property are primarily commercial and include an auto repair shop, farm implement sales company, and a contractor shop. Properties to south across Palouse River Drive are primarily commercial or institutional and include a church, automobile repair shops, office building, storage units, light manufacturing, and the public health office. To the north of the subject property along Indian Hills Drive are single family dwellings which transition to multi-family dwellings further to the north.
5. On December 11, 2017, the Board of Adjustment approved a Conditional Use Permit for Palouse Prairie Charter School to be located on a 3.26 acre portion of the subject property east of Nursery Street. Then on December 18, 2017, City Council approved a lot division which divided the

subject property east of Nursery Street into two parcels of 3.26 acres and 7.10 acres from the original 10.36 acre property. The Palouse Prairie School property is included within the proposed preliminary plat, but has already been divided and conveyed to the School, which is noted on the plat.

6. The subject property contains areas of moderate sloping topography with several small ridges and valleys. There are no drainage ways or natural features that have been identified upon the subject property.
7. The portion of the subject property located directly to the east of Main Street is currently designated as Auto-Urban Commercial (AU-C). AU-C 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 to the east of Nursery Street is currently designated by the 2009 Comprehensive Plan as Auto-Urban Residential (AU-R). According to the Comprehensive Plan, AU-R designated areas,
“those areas generally anticipated to be developed for low to moderate density residential uses at densities between 3 to 7 units per acre which could include a mix of detached single-family, townhome, and limited scale multiple-family residential dwellings subject to appropriate buffer yard requirements and building scale and design standards to ensure compatibility. Manufactured home parks could be appropriately permitted in this district as a conditional use, subject to the review and application of specific, well-articulated standards to ensure their compatibility. 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).”
9. The subdivisions to the north are currently designated as Neighborhood Conservation (NC). The property which encompasses Campus Crest in the middle is designated as Urban Residential (UR). Properties on the south side of Palouse River Drive are designated as Auto-Urban Commercial (AU-C), which transition to Research/Technology Park to the east of Nursery Street.
10. The subject property that is adjacent to Main Street (HWY 95) is currently designated as Motor Business (MB), while the property east of Nursery Street is currently designated Farm, Ranch, and Outdoor Recreation (FR).
11. The City Council conducted a public hearing on April 16, 2018 and approved the rezoning of a 9.32 acre area to the east of Nursery Street from the Farm, Ranch, and Outdoor Recreation (FR) Zoning District to a combination of the Moderate Density Residential (R-2) Zoning District and the Medium Density Residential (R-3) Zoning District. The 3.26 acre parcel which was created for Palouse Prairie School will remain within the FR Zone and is not part of the proposed rezone.
12. The property in the middle of the subject properties that contains the Campus Crest development is currently zoned Multiple Family Residential (R-4). Properties to the south of Palouse River Drive are within the MB Zone and the FR Zone further to the east. The area along Indian Hills Drive to the north is within the Low Density, Single Family Residential (R-1) Zone.

13. The R-2 Zone is a moderate density residential zone appropriate where the following circumstances are present:
 1. *Single family dwellings predominate.*
 2. *The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.*
 3. *Utilities and other public facilities are adequate for the densities allowed.*
 4. *Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.*
14. The minimum lot size for parcels within the R-2 Zone is 7,000 square feet and the minimum lot width is 60 feet, or 50 feet for lots which are provided rear access from an alley.
15. The R-3 Zone,
“provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan. Uses permitted within the R-3 Zone include single family, two family, twinhome, and townhouse dwellings.”
16. The minimum lot size for parcels within the R-3 Zone is 6,000 sf for single family dwellings, 7,000 sf for two family dwellings, 3,250 sf for twinhome dwellings, and 2,000 sf for townhouse dwellings. Townhouse lots within the R-3 Zone are allowed to be a minimum of 2,000 sf, but the total density of a townhouse development must not exceed 14.5 dwelling units per acre.
17. The minimum lot width for parcels within the R-3 Zone is 60 feet for single and two family dwellings, 30 feet for twinhome dwellings, and 20 feet for townhouse dwellings.
18. 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.”
19. 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.
20. The applicant is proposing to subdivide the 21.73 acre area of land into thirty-two (32) parcels ranging from 7,006 square feet to 3.76 acres in size. The portion of the subject property which is currently zoned Motor Business (MB) and is located directly to the east of Main Street is proposed to be divided into four larger parcels ranging from 1.17 acres to 3.76 acres in size.
21. The subject property to the east of Nursery Street includes the previously divided 3.26 acre parcel for Palouse Prairie Charter School and also includes 3 parcels which are proposed to be zoned R-3 and 25 parcels which are proposed to be zoned R-2.
22. Powers Avenue is proposed to terminate into a cul-de-sac, which was a condition of approval for the Palouse Prairie Charter School lot division. Southview Avenue is proposed to continue to the east where it would intersect with the extension of Alice Street, which is currently stubbed to the subject property from Indian Hills Drive to the north.

23. The three proposed parcels in the R-3 Zone range from 9,118 to 10,788 sf in size and all meet the minimum lot size of 6,000 sf for single family and 7,000 sf for two family dwellings. All three parcels meet the minimum lot width of the R-3 Zone as well which is 60 feet.
24. The 25 parcels within the R-2 Zone range from 7,006 to 14,576 sf in size, and all meet the minimum lot size of 7,000 sf and lot width of 60 feet.
25. There is a 20 ft wide public pedestrian corridor with a pathway that the applicant is proposing be extended from Southview Avenue to the northeast corner of the Palouse Prairie Charter School property.
26. Water services are proposed to be extended from the existing Southview Avenue/Nursery Street intersection east along the Southview Avenue alignment to the eastern plat boundary. The water main will be looped through Sunny Court and along the southern plat boundary and connected to the existing main in Powers Avenue. The property is considered developable in the City's Comprehensive Water System Plan dated January 2012. Public Works has determined that the existing system has adequate potable and fire flows to serve the proposed subdivision.
27. Sanitary sewer is proposed to be extended from the existing Southview Avenue/Nursery Street intersection east along the Southview Avenue alignment. A sanitary main will also be extended south within Sunny Court and along the southern plat boundary to connect with an existing main in Powers Avenue. Once the required improvements are constructed by the developer, Public Works has determined that the system has adequate capacity to convey the additional flow from the development. The subject property is considered developable in the Comprehensive Sewer System Plan dated September 2011.
28. The storm sewer for the subdivision already exists along the Southview Avenue alignment and will also be extended to the other streets within the subdivision. Lot 16 which is proposed to be a flagpole lot will have a paved access road with a storm sewer main running south before heading due west within a 30 ft wide utility easement. The storm sewer main then heads due south as it approaches the Powers Avenue cul-de-sac and then terminates into a stormwater detention pond located in the southeast corner of Lot 1, Block 3 of Indian Hills 8th Addition.
29. There are also existing storm sewer mains which extend north/south along common lot lines of lots 3/4, 5/6, 7/8, and 9/10 of Block 3 on the north side of Southview Avenue. These lines were originally installed to convey stormwater from the property along Indian Hills Drive since there are no storm sewer mains within Indian Hills Drive.
30. The subject property to the east of Nursery Street includes the extension of Southview Avenue which is designated as a local neighborhood street. Alice Street will be extended from Indian Hills Drive. Sunny Court will be extended and terminated with a cul-de-sac to serve five lots. Powers Avenue will not continue to the east and will terminate with a cul-de-sac that provides access to Palouse Prairie Charter School. The neighborhood street standard that the streets need to be constructed to includes curbs, gutters, tree lawns, and sidewalks on both sides of the street.
31. The subject property directly to the east of Main Street (HWY 95) has all the streets platted and constructed which surround it, with the exception of Myrtle Street which is platted but not constructed. There is currently a condition on the Indian Hills 8th Addition development agreement that Myrtle Street shall be constructed prior to any building permits being issued on the subject property to the east of Main Street (HWY 95). This condition is still active and will also be stated within the Indian Hills 9th Addition development agreement.
32. As part of the Indian Hills 8th Subdivision which was platted in 2008, Indian Hills Trading Company dedicated a 1.74 acre parcel which was located outside of the Indian Hills 8th

Subdivision. The 1.74 acre parcel is within the area that the applicant is now proposing to be platted with Indian Hills 9th Subdivision. The applicant has made a request to City Council for a parkland exchange and dedication with the City of Moscow to exchange the previously dedicated 1.74 acre parcel with a new 4.09 acre parcel which is located north of Southview Ave and identified on the map below. The parkland exchange agreement was approved by City Council on April 2, 2018.

33. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on February 7, 2018 to discuss the proposed preliminary plat.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **This plat is not contradictory to the Moscow Comprehensive Plan.** The proposed preliminary plat is consistent with the underlying Comprehensive Plan Land Use Designations of Auto-Urban Commercial (AU-C) and Auto-Urban Residential (AU-R). The extension of Southview Avenue is consistent with the future roadway alignments found within the Thoroughfare Plan of the Comprehensive Plan. The proposed lots sizes and densities are consistent with the Comprehensive Plan Land Use designation of AU-C and AU-R.
2. **This plat is compatible with the Moscow Zoning Ordinance.** The proposed preliminary plat is consistent with and in conformance with the requirements and provisions of the Motor Business (MB) Zone and the proposed Moderate Density Residential (R-2) and Medium Density Residential (R-3) Zones, including lot area, dimensions and other relevant provisions.
3. **This plat is compatible with the Moscow Subdivision Ordinance.** The proposed preliminary plat is consistent and in conformance with the general requirements of the Moscow Subdivision Ordinance including, but not limited to, the provision of the logical and orderly extension of the City's street network, maximum block length, public utilities, and the provision of public parkland.
4. **This plat is considerate of the natural features of the subject land.** The proposed preliminary plat provides for development of the subject property, including the general construction and alignment of the street networks in conformance and consideration of the natural contours of the subject property.
5. **This plat is not expected to place an undue burden on public services and infrastructure, and does not pose an apparent threat to the public health, safety or welfare.** The subject property has direct access to Southview Avenue and Alice Street which is currently designated as local neighborhood streets. Water and Sewer connections are readily available in the area and the property has been determined to be developable in the City's Comprehensive Water and Sewer System Plans.
6. **Other: None.**

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow approves the preliminary subdivision plat request for the twenty-one point seven three (21.73) acre property with the following conditions:

1. The applicant shall extend water and sewer mains to the east boundary of the subject property to allow for future development to the east.
2. Myrtle Street and all associated underground utilities shall be constructed and accepted by the City prior to the issuance of any building permits on Lots 1, 2, or 3, Block 2, of the proposed Preliminary Subdivision Plat.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 16th day of April, 2018.



Bill Lambert, Mayor

**BEFORE THE CITY COUNCIL
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 NINE POINT THREE TWO (9.32) ACRE AREA OF LAND GENERALLY LOCATED EAST OF NURSERY STREET AND NORTH OF PALOUSE RIVER DRIVE IN THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for Rezone on February 9, 2018; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on March 28, 2018; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on April 16, 2018; and

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

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The City Council 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 nine point three two (9.32) acre area of land generally located east of Nursery Street and north of Palouse River Drive.
3. The subject property is currently comprised of undeveloped property to the east of the Indian Hills 8th Addition Subdivision which was platted to accommodate the Campus Crest multi-family development to the west.
4. Properties to the southwest of the subject property are primarily commercial and include an auto repair shop, farm implement sales company, and a contractor shop. Properties to south across Palouse River Drive are primarily commercial or institutional and include a church, automobile repair shops, office building, storage units, light manufacturing, and the public health office. To the north of the subject property along Indian Hills Drive are single family dwellings which transition to multi-family dwellings further to the north.
5. The subject property contains areas of moderate sloping topography with several small ridges and valleys. There are no drainage ways or natural features that have been identified upon the subject property.
6. The subject property is currently designated by the 2009 Comprehensive Plan as Auto-Urban Residential (AU-R). According to the Comprehensive Plan, AU-R designated areas,

“those areas generally anticipated to be developed for low to moderate density residential uses at densities between 3 to 7 units per acre which could include a mix of detached single-family, townhome, and limited scale multiple-family residential dwellings subject to appropriate buffer yard requirements and building scale and design standards to ensure compatibility. Manufactured home parks could be appropriately permitted in this district as a conditional use, subject to the review and application of specific, well-articulated standards to ensure their compatibility. 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).”

7. The subdivisions to the north are currently designated as Neighborhood Conservation (NC). The property which encompasses Campus Crest in the middle is designated as Urban Residential (UR). Properties on the south side of Palouse River Drive are designated as Auto-Urban Commercial (AU-C), which transition to Research/Technology Park to the east of Nursery Street.
8. The subject property is currently designated Farm, Ranch, and Outdoor Recreation (FR).
9. The proposal is to rezone a 9.32 acre area to the east of Nursery Street from the Farm, Ranch, and Outdoor Recreation (FR) Zoning District to a combination of the Moderate Density Residential (R-2) Zoning District and the Medium Density Residential (R-3) Zoning District.
10. The property to the west of the subject property that contains the Campus Crest development is currently zoned Multiple Family Residential (R-4). Properties to the south of Palouse River Drive are within the MB Zone and the FR Zone further to the east. The area along Indian Hills Drive to the north is within the Low Density, Single Family Residential (R-1) Zone.
11. The R-2 Zone is a moderate density residential zone appropriate where the following circumstances are present:
 1. *Single family dwellings predominate.*
 2. *The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.*
 3. *Utilities and other public facilities are adequate for the densities allowed.*
 4. *Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.*
12. The minimum lot size for parcels within the R-2 Zone is 7,000 square feet and the minimum lot width is 60 feet, or 50 feet for lots which are provided rear access from an alley.
13. The R-3 Zone,

“provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan. Uses permitted within the R-3 Zone include single family, two family, twinhome, and townhouse dwellings.”
14. The minimum lot size for parcels within the R-3 Zone is 6,000 sf for single family dwellings, 7,000 sf for two family dwellings, 3,250 sf for twinhome dwellings, and 2,000 sf for townhouse dwellings. Townhouse lots within the R-3 Zone are allowed to be a minimum of 2,000 sf, but the total density of a townhouse development must not exceed 14.5 dwelling units per acre.

15. The minimum lot width for parcels within the R-3 Zone is 60 feet for single and two family dwellings, 30 feet for twinhome dwellings, and 20 feet for townhouse dwellings.
16. The subject property is considered developable in the City's Comprehensive Water System Plan dated January 2012. Public Works has determined that the existing system has adequate potable and fire flows to serve the any anticipated use within the R-2 or R-3 Zone.
17. Public Works has determined that the system has adequate capacity to convey the additional flow from any anticipated use within the R-2 or R-3 Zone. The subject property is considered developable in the Comprehensive Sewer System Plan dated September 2011.
18. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on February 7, 2018 to discuss the proposed rezone.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE CITY COUNCIL 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 districts are consistent and in conformance with the uses and densities designated within the 2009 Comprehensive Plan. The Auto-Urban Residential (AU-R) Land Use Designation corresponds with the proposed Moderate Density Residential (R-2) Zone and Medium Density Residential (R-3) Zone. 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 combination of R-2 and R-3 Zones provides for a logical transition from the R-4 Zone to the west to 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 intents of the R-2 and R-3 Zones.
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 properties located on the south side of Palouse River Drive.
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, Nursery Street, and Alice Street. There are currently sufficient and available public utility services to meet the needs of existing and future development. Public Works has determined that the existing water and sewer systems have adequate capacity to handle the increased demand of uses allowed within the R-2 and R-3 Zones.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow approves the rezone request for the nine point three two (9.32) acre property with no conditions.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 16th day of April, 2018.


Bill Lambert, Mayor