

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
June 26, 2019

7:00 PM

Council Chambers
206 E 3rd Street

Call to order

1. Approval of minutes from June 12, 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 4.40-acre parcel of land located at 2400 South Highway 95 within the Area of City Impact - LUP2019-0021 [ACTION ITEM]

Proposed rezone of a 4.40-acre parcel of land located at 2400 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 Preliminary Subdivision Plat of a 1.49 acre parcel located at 1924 Nursery Street, Paradise View Addition – LUP2019-0020 [ACTION ITEM]

Preliminary Subdivision Plat of a 1.49 acre parcel located at 1924 Nursery Street to create seventeen (17) parcels ranging from 1,806 square feet to 5,002 square feet in size, referred to as the Paradise View Addition.

ACTION: Conduct the public hearing upon the proposed preliminary plat and upon consideration of any testimony presented, recommend approval of the preliminary plat request and direct Staff to prepare a reasoned statement of relevant criteria and standards; or recommend approval of the preliminary plat request with conditions and direct Staff to prepare a reasoned statement of relevant criteria and standards; or recommend denial of the preliminary plat 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. Accessory Dwelling Unit (ADU) Review [ACTION ITEM]

On April 6, 2015, City Council approved Ordinance 2015-06 which permitted ADUs in all residential zones and also established certain development standards. Since the ADU ordinance has been approved, there have been eight ADUs that have been constructed throughout the City. Staff wishes to review the ordinance with the possibility of removing the requirement that lots must meet the minimum lot size of their zone in order to be eligible for an ADU. There have been a number of circumstances over the last four years with lots in older areas of town that have been ineligible for ADUs because of the minimum lot size requirement. These lots are often in areas of town that are within the traditional grid system with alley access where the City has promoted attractive densification.

ACTION: Review ADUs which have been constructed as well as the existing ADU ordinance and provide Staff further direction as deemed necessary.

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~
June 12, 2019

Mike Ray
Staff Liaison

p&z@ci.moscow.id.us

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

208.883.7008

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

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

MEMBERS ABSENT: Nels Reese

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

1. Approval of minutes from May 22, 2019

Parish moved approval of the minutes as presented.

RESULT:	ACCEPTED BY ACCLAMATION [UNANIMOUS]
MOVER:	Parish
SECONDER:	Hamilton
ABSTENTION:	Wilson

2. Public Comment

None.

3. Approval of Reasoned Statement of Relevant Criteria and Standards [ACTION ITEM]:

- Preliminary Subdivision Plat of a 41,151 square foot parcel located at 1330 Indian Hills Drive referred to as the Indian Hills East Addition.
- Planned Unit Development of a 41,151 square foot parcel located at 1330 Indian Hills Drive, providing for 10 single-family dwellings on lots ranging from 2,660 sf to 3,910 sf in size.

Parish moved approval of the RCS for the Preliminary Plat as presented.

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

Parish moved approval of the RCS for the Planned Unit Amendment as presented.

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

4. Public Hearing: Ordinance Amending Educational Services within the Central Business District [ACTION ITEM]

Based on direction from Council, the Commission has been reviewing educational services in the CB District, and as part of that revision a few other clean-up items of the zoning code were also discussed, resulting in the ordinance presented tonight. Ray pointed out one change since Commissioners last reviewed it which arose from review of the PCEI property on Rodeo Drive. Staff recommended PCEI's operations should fall under the Businesses, Professional/Political/Social Advocacy and Grant Making NAICS category, and be a conditionally permitted use, as was required previously. Staff recommended approval to City Council.

McClure opened the public hearing at 7:17 p.m.

David Hall, 1334 Wallen Road, expressed concern that there had been essentially no discussion regarding parking garages and pay-for-park lots, and wondered if the Transportation Commission had been consulted. Ray stated that parking lots are a land use issue and therefore fall under the Planning & Zoning purview rather than Transportation Commission. The Commission discussed the proposed amendments over the last few meetings and the off-street parking changes are intended to clean-up an issue that was created when the NAICS classification system was adopted. The modifications are also intended to ensure that there will not be any complications with the idea of satellite parking lots that could help alleviate downtown parking issues.

Public hearing closed at 7:21 p.m. Parish appreciated that these minor changes were included during review of educational services in the downtown area, and thought the Commission had sufficiently discussed all topics. Wilson moved to recommend approval of the Ordinance as presented.

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

5. Accessory Dwelling Unit (ADU) Review [ACTION ITEM]

Ray provided a review of ADU activities since the ordinance was approved in April, 2015. Eight ADUs have been permitted. Ray showed example plans and pictures for both attached and detached ADUs. The main problem staff has identified is people being able to meet the minimum lot size within the core of town, which is the area the Commission considered as most appropriate for ADUs. Hamilton suggested if the lots were in conformity at the time the principal dwelling was constructed, he thought they should be allowed to have an ADU under a “grandfathered” ruling. Ray said that quite a few of the ADU inquiries that have been made over the years are from people that have non-conforming lots in older areas of town that are within the R-2 Zone, which were likely platted in the 1940’s or 50’s. Most of the sites are alley-loaded and owners wish to covert or do an addition onto an existing garage. Seever wanted to discuss the matter further before removing the minimum lot size requirement. She thought providing for some exception for nonconforming lots (e.g. alley loaded) would be better, but Parish thought it would be simplest to eliminate the minimum lot size. Commissioners will discuss again at a later meeting.

6. Subdivision Code Review [ACTION ITEM]

Ray reviewed highlights of the past several months’ discussions regarding traditional and cluster subdivisions, and presented the entire code chapter in ordinance format. There was additional conversation about the number of subdivision access points as well as pedestrian paths connecting neighborhoods. Gropp suggested perhaps pedestrian paths should count toward parkland dedication to encourage developers to create more of them.

7. Continuing Education

Deferred to the July 10 meeting.

4. Transportation Commission Meeting Report

The Commission meets tomorrow but Hamilton will not be able to attend. Parish mentioned that the Commission chair Michael Kyte made an interesting presentation at last Monday’s Council meeting, which people could reference on the City Youtube channel if they wished.

5. Announcements

None.

The meeting adjourned at 8:30 p.m.

Robb Parish, Vice Chair

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

HEARING DATE: June 26, 2019

GENERAL INFORMATION

Hearing Body: Planning and Zoning Commission

Subject: Proposed rezone of a 4.40-acre parcel of land located at 2400 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, Scott Clyde, is proposing to rezone a 4.40-acre parcel of land located at 2400 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 4.40-acre parcel that currently undeveloped and being utilized as agricultural property. The subject property surrounds a property with an existing house, barn, and shop that was previously rezoned in May of 2019. 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 uses. 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.



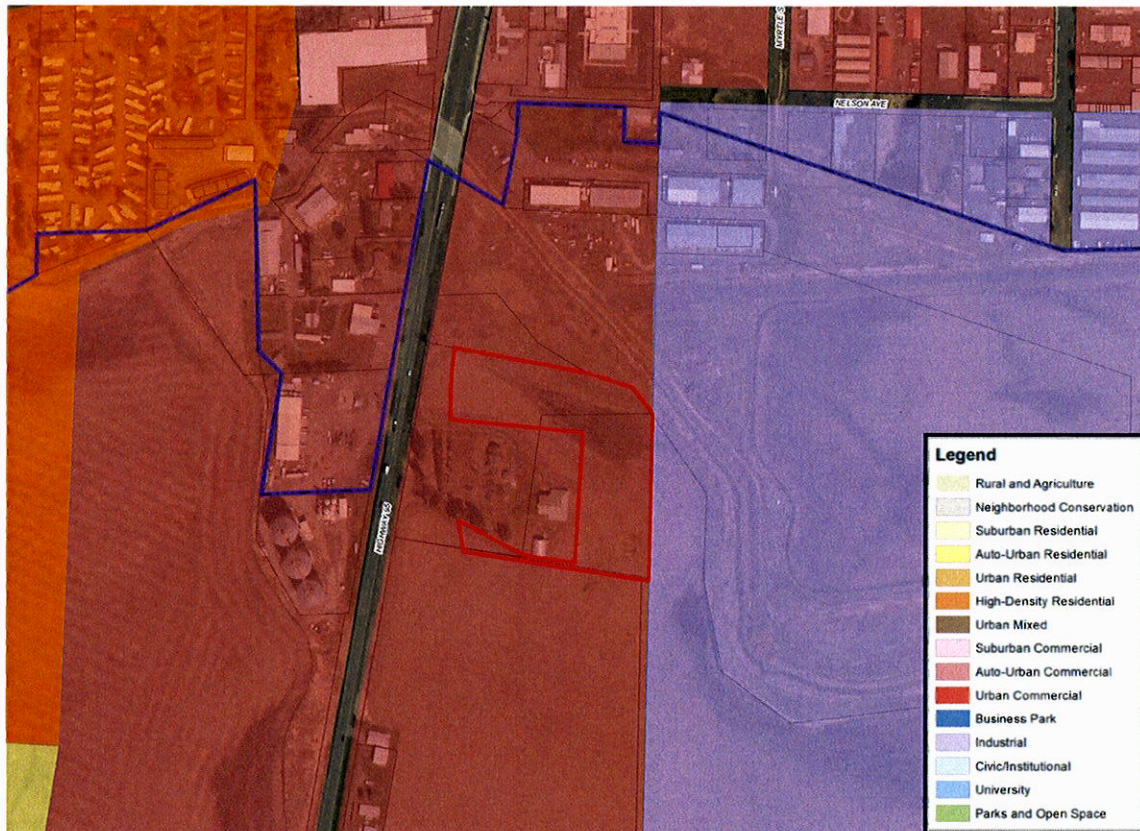
Vicinity Map



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).”



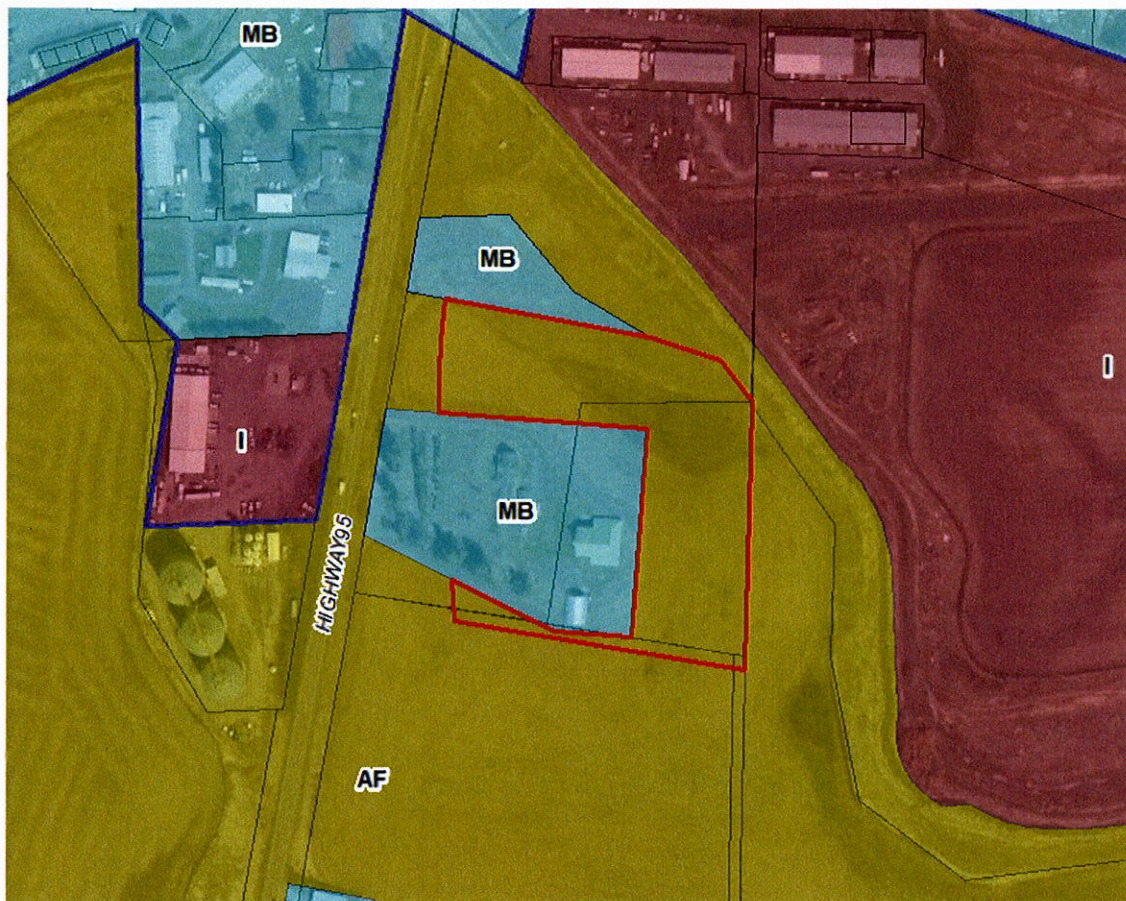
2019 Comprehensive Plan Land Use Map

Zoning: The subject property and adjacent properties immediately to the east, south, and intermittent areas to the north 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). Immediately to the north and west are properties that were rezoned from AF to MB within the past year. 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.

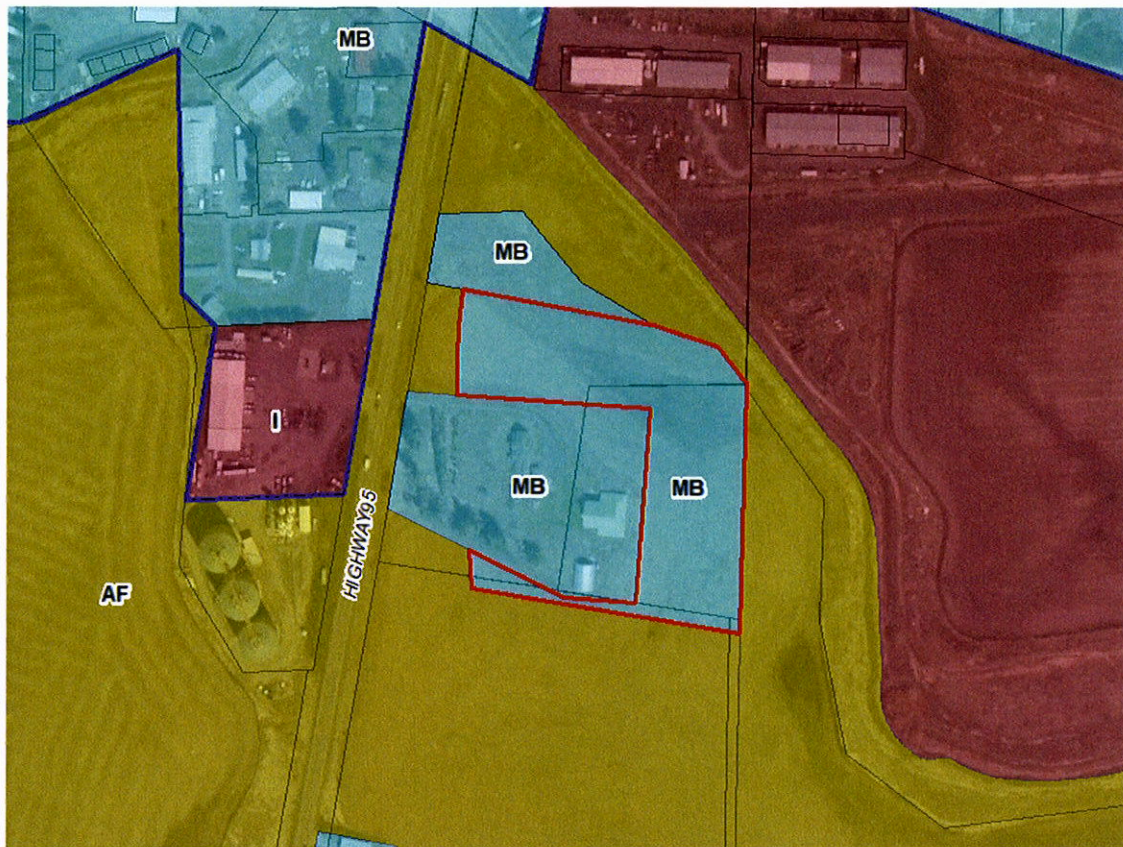
According to the City of Moscow Zoning Code, the MB Zone is intended to,

“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 2400 South Highway 95 in the Area of City Impact
Permit Application LUP2019-0021

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 4.40 acre parcel of land located at 2400 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, June 26, 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, June 8, 2019



**LATAH COUNTY
PLANNING and BUILDING**
Ph: 208-883-7022
Fax: 208-883-7225
pb.latahid.us



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

LUP2019-0031

For Office Use Only			
Date Received		5/13/19	
Dept	Fee Type	Fees	Paid
LC	Application Fee	\$550	✓
121089	Receipt Number	2088	
	Forwarded to City	5/29/19	
CD	Hearing Date		

APPLICATION FOR ZONING AMENDMENT AREA OF IMPACT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Shelley L. Bennett Telephone: 208.301.1623
312 South Washington #2, 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: Scott Clyde Telephone: _____
1065 Zeitler Road, Moscow, ID 83843
 (mailing address)

3. Location of Affected Property: 2400 TBD South Main Street (Highway 95), Moscow

Acres: 5.37 / 4 +/- Legal Description: RP39N05W191900A
 (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: AF to: MB
 (current zoning) (proposed zoning)

5. **Reason:** Applicant requests a rezone for the following reason(s) To prepare to plat said parcel

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.

Yes, the comprehensive plan provides for this site to be auto urban commercial uses.

B. The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.

Yes, the area surrounding this site is primarily commercial in nature, with Primeland across the highway and a Motley ownership adjacent.

C. The uses expected to occur as a result of the rezone will be compatible with the surrounding area.

Yes, the area is commercial /Industrial in nature with existing uses.

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.

No, the south Moscow has been stigmatized by the lack of the highway completion. and these sites should allow for some expansion of services to the community.

Well and septic system contemplated until City services are provided to this site.

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.

Yes, and the new state highway 95 to the south will enhance the site when completed.

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.

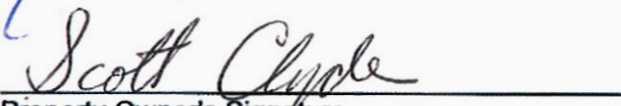
The following materials must be included with this application:

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.


Applicant's Signature

5/13/19
Date


Property Owner's Signature

5/8/19
Date

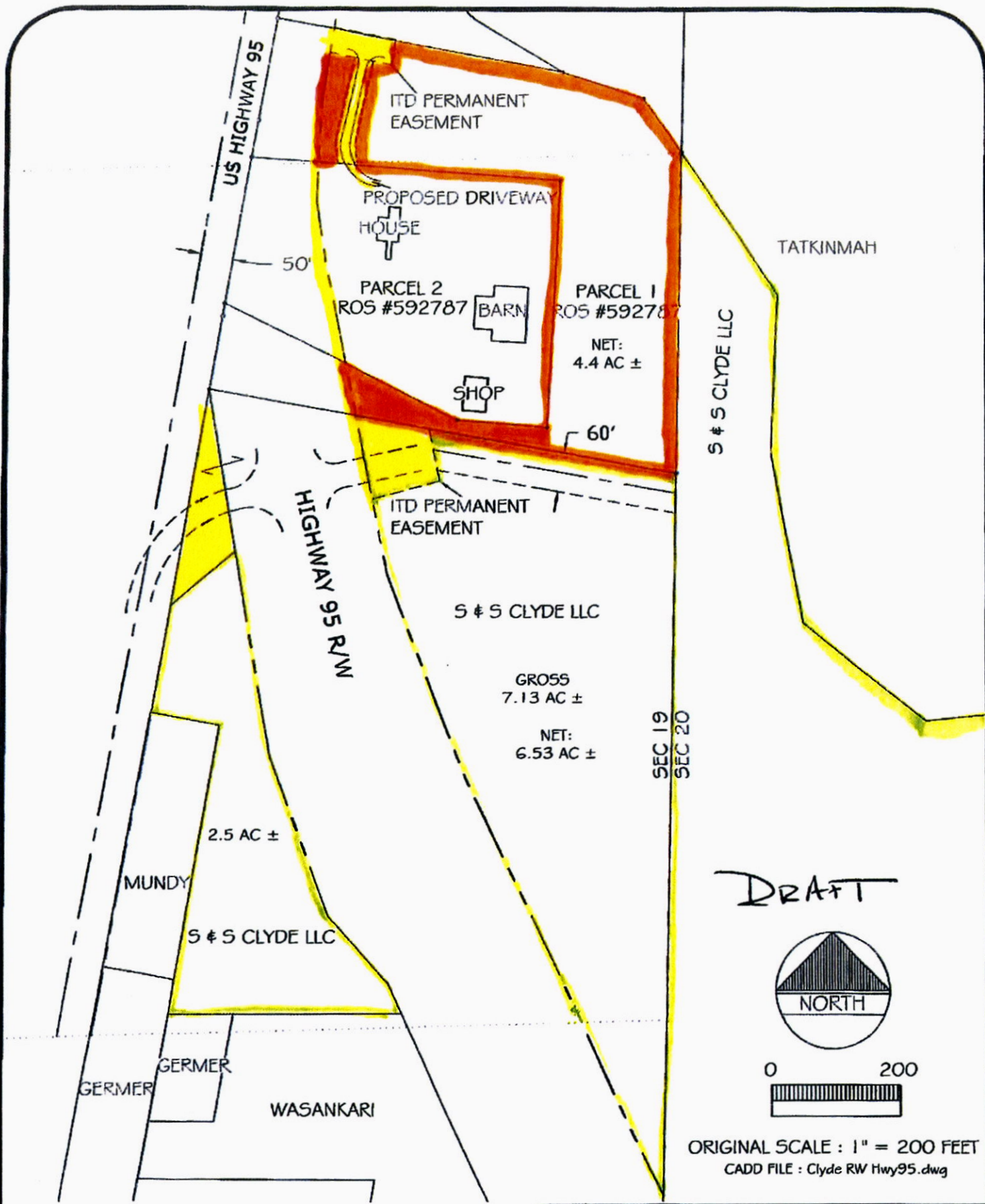


EXHIBIT MAP

Part of the NE1/4 SE1/4 & E1/2 NE1/4 of
Section 19,
T39N, R5W, Boise Meridian
Latah County, Idaho



RIM ROCK CONSULTING, INC.

Land Surveying
Site Planning
Mapping

129 West 3rd Street #107 Moscow, Idaho 83843 208-883-5339 r.mrock@rimrockconsulting.net

SHEET

**1
OF
1**

**CITY OF MOSCOW
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

Hearing Date: June 26, 2019

GENERAL INFORMATION

Hearing Body: Planning and Zoning Commission

Subject: A proposal for a Preliminary Subdivision Plat of a 1.49 acre parcel located at 1924 Nursery Street to create seventeen (17) parcels ranging from 1,806 square feet to 5,002 square feet in size, referred to as the Paradise View Addition - LUP2019-0020.

Attachments:

1. Notice of Public Hearing
2. Application for Preliminary Plat
3. Proposed Preliminary Plat
4. Neighborhood Meeting Materials
5. Supplemental Articles
6. Memo from Bob Buvel, Staff Engineer, dated June 20, 2019

Prepared By: Mike Ray, AICP – Planning Manager

STAFF REVIEW

Proposal: Nils Peterson with the Moscow Affordable Housing Trust is proposing to subdivide a 1.49 acre parcel located at 1924 Nursery Street to create seventeen parcels ranging from 1,806 square feet to 5,002 square feet in size, referred to as the Paradise View Addition. The proposal includes twelve twinhome lots, four townhouse lots, and one single family dwelling lot. Also part of the proposed development is a stormwater detention pond parcel located in the southeast corner. A public alley is proposed to provide vehicular access to the rear of the lots.

Site and Area Land Use: The subject property is currently undeveloped and is surrounded by the Grove multi-family development to the west, Palouse Prairie Charter School to the north, a single family dwelling to the east, and various commercial uses on the south side of Palouse River Drive.



Vicinity Map



Aerial Map

The subject property contains areas of steeper sloping topography, primarily in the areas of the property that are directly adjacent to Nursery Street and Palouse River Drive. There are no drainage ways or natural features that have been identified upon the subject property.



Topography Map

Comprehensive Plan Land Use Designation:

The subject property is currently designated by the 2019 Comprehensive Plan as High-Density Residential (HD-R). According to the Comprehensive Plan, HD-R designated areas are,

“intended to allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands designated as High-Density Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO).”

The Grove development to the west is also designated as High-Density Residential (HD-R), while properties to the north and east are designated as Auto-Urban Residential (AU-R). Commercial properties on the south side of Palouse River Drive are currently designated as Auto-Urban Commercial (AU-C).



Current Comprehensive Plan Land Use Designations

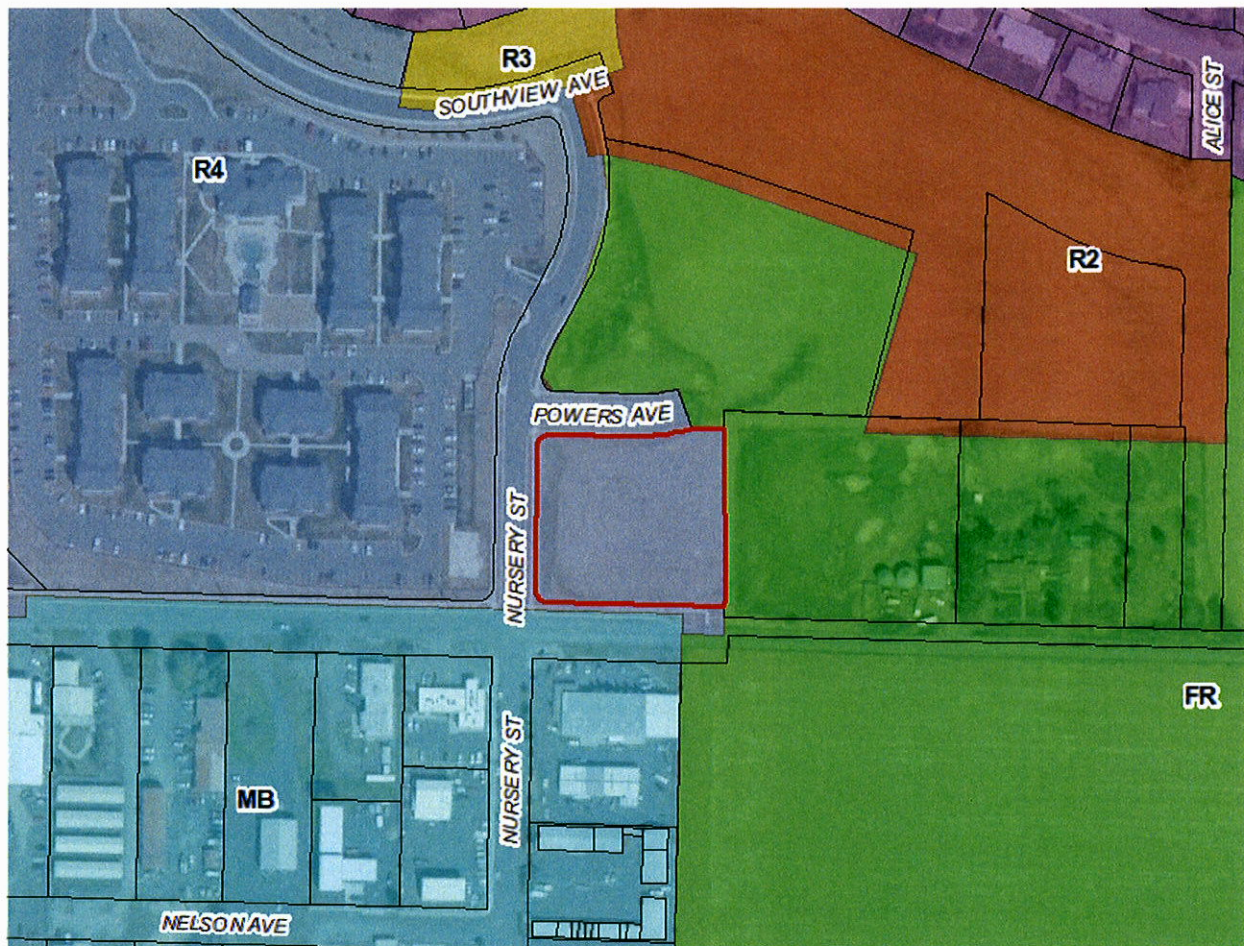
Zoning: The subject property is currently located within the Multiple Family Residential (R-4) Zoning District. The Grove development to the west is also located within the R-4 Zone. The Palouse Prairie Charter School property to the north and the property to the east are located within the Farm, Ranch, and Outdoor Recreation (FR) Zone. Commercial properties to the southwest are located within the Motor Business (MB) Zone.

The R-4 Zone,

“provides for the most intense residential land uses permitted in the community. It is to be applied where activity levels are high and adequate public facilities are available, especially near the University of Idaho campus or the City Central Business Zoning District. Adequate transportation access should be given high priority in determining the appropriate location for R-4 zoning districts.”

Uses permitted within the R-4 Zone include single family dwellings, two family dwellings, twinhomes, townhouses, and multi-family dwellings. Also permitted are professional offices, bed and breakfasts, daycare facilities, and parking lots.

The minimum lot size for parcels within the R-4 Zone is 5,000 sf for single-family, two-family, and multi-family dwellings; 2,250 sf for twinhome dwellings; and 1,800 sf for townhouse dwellings. The minimum lot width is for single-family, two-family, and multi-family dwellings is 50 feet; 25 feet for twinhomes; and 18 feet for townhouses.



Current Zoning

Preliminary Plat:

The applicant is proposing to subdivide the existing 1.49 acre parcel into seventeen parcels ranging from 1,806 sf to 5,002 sf in size. Also included in the preliminary plat is a parcel which contains the stormwater detention pond for the development.

All of the proposed townhouse lots meet the minimum lot size of 1,800 sf; the twinhome lots meet the minimum lot size of 2,250 sf; and the single family lot meets the 5,000 sf minimum lot size requirement. All of the proposed townhouse, twinhome, and single family lots also meet the minimum lot width requirements for the respective uses.

To provide access to the rear of the lots, the applicant is proposing to dedicate and construct a public alley that will extend from Nursery Street in an east/west direction and terminate 12.5 ft from the east property line. At approximately the midpoint of the subject property the alley will then extend north to connect with Powers Avenue. The alley is proposed to be 16 ft in width of pavement with 2 ft gravel shoulders on both sides, for a total width of 20 feet. The proposed alley meets City of Moscow standards for public alley design.

Water: Water services currently exist within Nursery Street, Powers Avenue, and Palouse River Drive. 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.

It is anticipated that under commonly observed household water use within the City (114 gallons per day per occupant) that the proposed development could be reasonably anticipated to use approximately 1.59 million gallons of water per year ($17 \text{ du} \times 2.25 \text{ occupants/du} \times 114 \text{ gallons/occupant} \times 365 \text{ days/year} = 1.59 \text{ M gallons/year}$).

Sanitary Sewer: Sanitary sewer services currently existing within Nursery Street and Powers Avenue. 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.

Storm Sewer: The storm sewer for the subdivision is proposed to be conveyed to an existing stormwater detention pond at the southeast corner of the development. The proposed detention pond shall meet the current Moscow Stormwater Runoff Control Standards.

Access, Streets, Traffic: The subject property is located adjacent to Nursery Street and Powers Avenue which are designated as local neighborhood streets. Adjacent to the south is Palouse River Drive which is designated as a minor arterial. Since the subject property is within Indian Hills 8th Subdivision, all of the road improvements to the three adjacent streets have already been constructed.

Parkland: The subject property is part of Indian Hills 8th Subdivision, which the parkland dedication has already been satisfied via Harvest Park. Therefore, no further dedication is required for this proposed subdivision.

Input From Other Agencies:

Engineering Division (Public Works Department)

The Public Works Department has provided comments within an attached memo from Bob Buvel, Staff Engineer, dated June 20, 2019

RELEVANT CRITERIA & STANDARDS:

1. The proposed subdivision is in conformance with all applicable City Code requirements;
2. The proposed subdivision is in general conformance with the Comprehensive Plan;
3. Public Services and utilities are available or can be made available and are adequate to accommodate the proposed subdivision; and
4. The proposed subdivision will not be detrimental to the public health, safety, or general welfare.

RECOMMENDATIONS:

Staff recommends approval the preliminary plat with no conditions.

NOTICE OF PUBLIC HEARING

Proposal for Preliminary Subdivision Plat of a 1.49 acre parcel located at 1924 Nursery Street within the City of Moscow - Paradise View Addition: LUP2019-0020.

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:

Preliminary Subdivision Plat of a 1.49 acre parcel located at 1924 Nursery Street to create seventeen (17) parcels ranging from 1,806 square feet to 5,002 square feet in size, referred to as the Paradise View Addition.

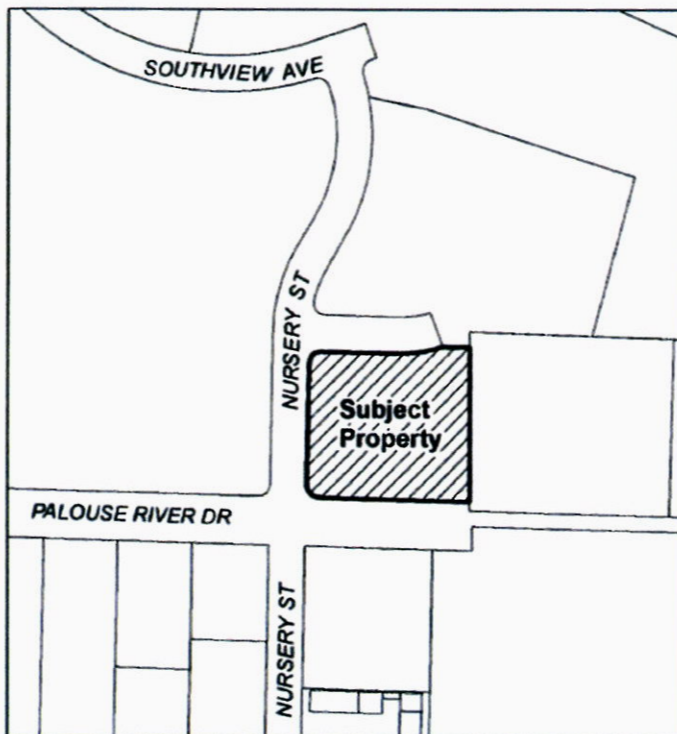
MEETING DATE: Wednesday, June 26, 2019

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, June 8, 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		6-4-19	
Dept	Fee Type	Fees	Paid
CD	Application Fee	\$850	6449
Receipt Number		LUP2019-0020	

APPLICATION FOR PRELIMINARY SUBDIVISION PLAT

APPLICANT: NILS PETERSON

Name: MOSCOW AFFORDABLE HOUSING TRUST Telephone: (509) 336-1664

Complete Address: 510 W PALOUSE RIVER, MOSCOW, ID 83843

E-Mail: moscowhousingtrust@gmail.com Fax: _____

OWNER: (if other than applicant)

Name: SAM Telephone: _____

Complete Address: _____

E-Mail: _____ Fax: _____

ENGINEER/SURVEYOR: DUANE PRIEST, PLS RIMROCK

Name: SCOTT BECKER, RIDGE & ASSOCIATES Telephone: (208) 882-3520

Complete Address: PO BOX 8728 MOSCOW, ID 83843

E-Mail: scottbecker@moscow.com Fax: _____

Primary point of contact (select one): Applicant ☒ Owner _____ Engineer/Surveyor _____

PROPERTY:

1. Proposed Subdivision Name: PARADISE VIEW ESTATES ADDITION

2. Address(es) or Parcel Number(s): RPM0499003001A

3. Legal Description: *Please attach copy of full description.*

4. Gross area of all land involved: _____ acres, and/or _____ sq.ft.

5. Total Net Area of land area exclusive of proposed or existing public street and other public lands:

1.49 acres, and/or _____ square feet.

6. Total number of lots: 17 Average lot size: 2896 SF

7. Existing Zoning of subject property: ~~R-4~~ R-4

SEWER AND WATER MAIN OVERSIZING REIMBURSEMENT POLICY

Oversizing of utilities will not be eligible for reimbursement from the City unless a written request is submitted to the City Engineer prior to approval of the project construction drawings and a written approval of such request is issued by the City Engineer.

PROJECT DESCRIPTION:

Please describe the concept of the proposed subdivision and approximate percentage (%) of each proposed new land use, i.e. 75% single family residential; 20% multi-family; 5% commercial. Also include any proposed park land and the acreage:

100% SINGLE FAMILY RESIDENTIAL

6% SINGLE FAMILY DETACHED 70% TWIN HOMES

2.4% TOWN HOUSES

PRELIMINARY PLAT CHECKLIST:

- ☒ 1. Subdivision name
- ☒ 2. Location: Section, Township, Range
- ☒ 3. Subdivider's name & address
- ☒ 4. Engineer/surveyor name & address
- ☒ 5. Date of subdivision
- ☒ 6. Reference to adjoining subdivisions with names
- ☒ 7. North arrow
- ☒ 8. Scale, not less than 1 in. = 60 ft.
- ☒ 9. Existing and proposed right-of-way or public tracts with widths and names
- ☒ 10. Lot and block layout with numbering and dimensions
- ☒ 11. Existing zoning designation, or proposed if a rezone is requested
- ☒ 12. All existing and proposed easements of record stating width and purpose
- ☒ 13. Location of any existing open spaces or permanent structures
- ☒ 14. General layout of sewer and water utilities
- ☒ 15. Proposed phasing, if any
- ☒ 16. Acreage breakdown with gross and net (less right-of-way)
- ☒ 17. Plan/profile of proposed street grades
- ☒ 18. Existing Topography*
- ☒ 18. Proposed finished grading plan*
- ☒ 19. Location of any delineated wetlands and/or water bodies and, if applicable, the floodway and 100-year floodplain (BFE data must be included if the plat is ≥ 5 acres or ≥ 50 lots)
- ☒ 20. Vicinity sketch

*5' max. contour interval, except for slopes >50% may have 10' interval) Areas with existing slopes $\geq 20\%$ shall be shaded or clearly indicated on the plans.

SUBMITTAL:

A Subdivision application is made by submitting the following information to the Community Development Department:

- Completed application.
- Copy of neighborhood meeting invitation, mailing list, attendance list and minutes.
- Payment of application fees.
- One full-sized Preliminary Plat Map and one electronic copy.

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

Applicant's Signature

Date

Property Owner's Signature (if different)

Date

a parcel of land located in the S/2 of the SW/4 of Section 17, 139N, R5W, B.M., being a portion of Lot 1, Block 3 of Indian Hills 8th Addition to the City of Moscow, Instrument #529867, Latah County. (Also and being more particularly described as follows:

Beginning at the southeast corner of Lot 1, Block 3 of Indian Hills 8th Addition to the City of Moscow, on the north right-of-way of Palouse River Drive;

thence along the south line of sold lot 1 and south north right-of-way N88-28-20W, 251.67 feet;
thence 31.21 feet along a curve to the right, said curve having a Delta = 89-24-59;
Radius = 20.00 feet; Chord = 28.14 feet and a Chord Bearing = N43-55-50W to the west line of sold lot 3 and the east line of Nursery Street;

Intersecting said west line a side east right-of-way, No. 26-30
20.03 feet.
Centre 31.53 feet along a curve to the right, said curve having a
Delta = 96°22'43".
Radius = 20.00 feet. Chord = 28.38 feet and a Cloud Bearing =
N46°08'01"E to the north line of said lot 1 and the south
right-of-way of Powers Avenue.
Then along said north line and said south right-of-way the
following two curves:
Intersect 388.40 SEt., 127.48 feet.

Delhi = 130.07 feet, along a curve to the left; said curve having Radius = 20.00 feet, Chord = 6.88 feet and a Chord Bearing = S89°32'27"E to the west corner of right-of-way Dred of Dedication, Instrument #592402;

Thence leaving said north line and said south right-of-way, along the south line of said Dred of Dedication S84.88 feet, along a curve to the left, said curve having a Radius = 35.2378 feet, a Chord = 50.00 feet, a Chord Bearing = S89°32'27"E to the west corner of the north line of Lot 1, Block 3 of Indian Hill, in Addition to the north line of said north line, S88°37'52"E, 39.55' feet to the northeast corner of said Lot 1;

Thence along the east line of said Lot 1, S00°10'10"W, 254.26 feet to the Point of Beginning

Also Subject to a 10 foot public utility and sidewalk easement southerly of Deed of Dedication, Instrument #534029 and a public sidewalk utility easement as shown on the Plat of Indian Mills 9th Addition to the City of Moscow, Instrument #395522.

1. Final grade and easel to the west currently on Zoned R-4 Acres to the north and east are Zoned Pf. Acres to the South, are Zoned B.
2. Total Pf. Acres: 65,000 Square Feet (1.49 Acres)
 Acre Declaration: 9,720 Square Feet
 Stormwater Declaration: 6,047 Square Feet
 Net Lot Acres: 49,233 Square Feet (1.13 Acres)
3. All the areas within Ballpark Pf. Address is when designated Flood Zone "A" Areas Designated as Flood Zone "A" are designated Flood Zone "A" designations and definitions from Flood Insurance Rate Map (FIRM) Community-Panel Number 16009000020, dated 4-15-2002.

No delineated wetlands on site.

The Basis o Bearings for this survey in the south right-of-way line, between the northeast corner of Reynolds Addition and the Northwest corner of Lower Addition, shown hereon as S89°13'18"E, per GPS observation.



Legend	
	FOUND SECTION MONUMENT
	FOUND CENTERLINE MONUMENT
	SET BACK
	FOUND REAR
	CALCULATED POSITION
	BLOCK NUMBER
	LOT NUMBER
	CURVE NUMBER
	SET CURVE TABLE
	CATCH BASIN
	MANHOLE
	FRANCHISE UTILITY PEDISTAL
	UTILITY POLE
	PLAT BOUNDARY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
	WATER LINE
	SANITARY SEWER LINE



Neighborhood Meeting

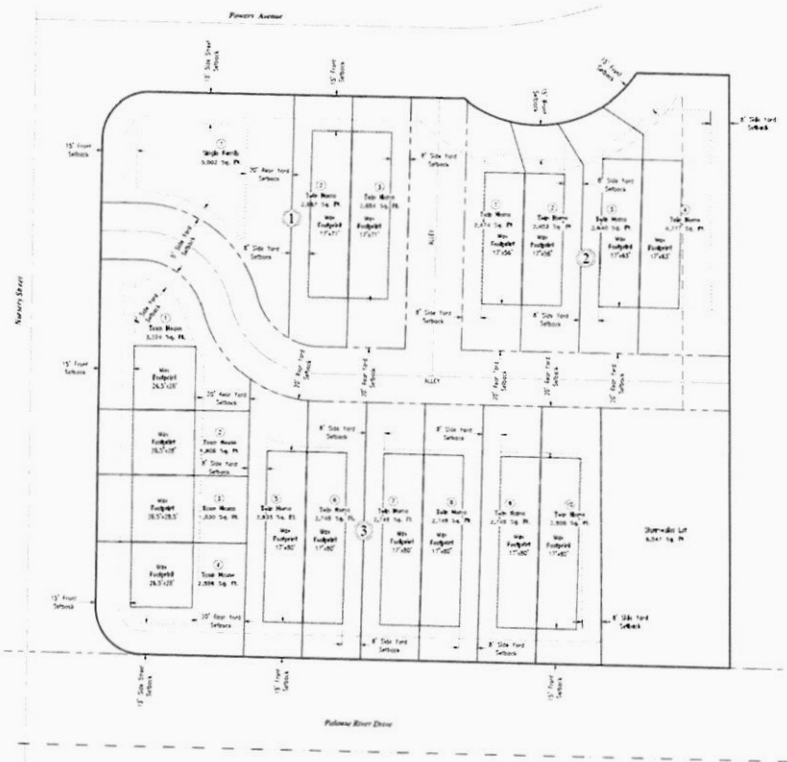
Thurs, May 23rd, 2019 @ 5:00PM

Moscow Affordable Housing Trust offices
(in Martin Community Wellness Center)

510 W Palouse River Dr, Moscow

A neighborhood meeting at which you can ask questions and provide input on a proposal to replat Lot 1 Block 3 of Indian Hills 8th Addition to the City of Moscow. The site is bounded by Palouse River Drive, Nursery St and Powers Ave, near The Grove apartments and Palouse Prairie Charter School.

The Moscow Affordable Housing Trust proposes to plat seventeen (17) lots and construct an alley, see diagram below.



Neighborhood Meeting

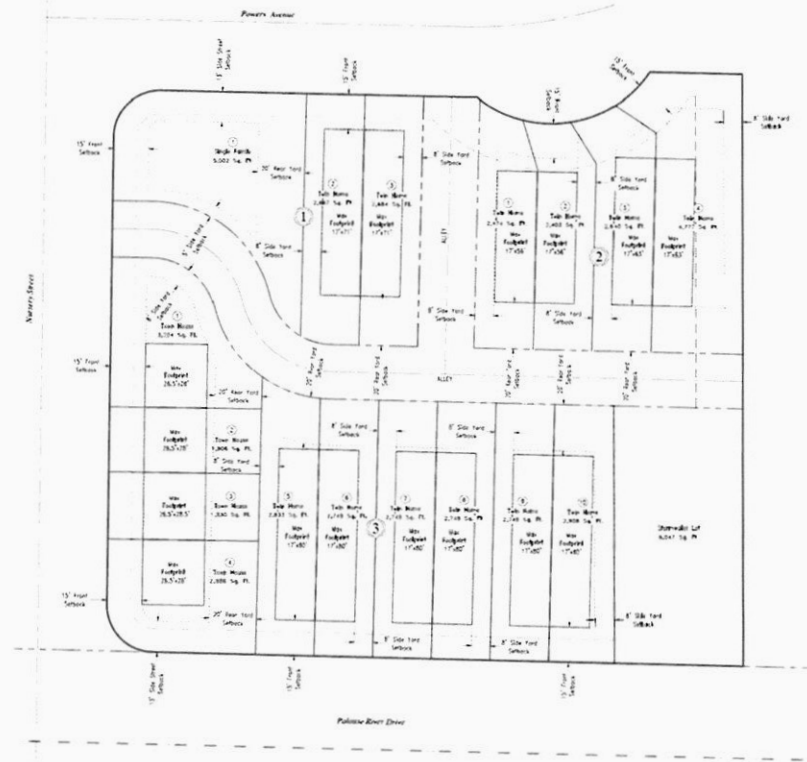
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Neighborhood Meeting

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510 W Palouse River Dr, Moscow

Comments

Mike Bradley: There is a need affordable housing, here and in Pullman

Phil Rheingans: concern is how the site, and the school and the other Indian Hills lots are graded to his property line.

Mike Bradley: Focused on the 719 Indian Hills lot he owns and how it could interact with MAHT lots on 334-336-338 Southview.

Neighborhood Meeting

Thurs, May 23rd, 2019 @ 5:00PM

Moscow Affordable Housing Trust offices
(in Martin Community Wellness Center)

510 W Palouse River Dr, Moscow

Sign-in Sheet

Name

Address

Mike & Linda Bradley
Phil Rheingans

Indian Hills
620 EPRD.

B-C MARTS LLC
PO BOX 9486
MOSCOW ID 83843

BRADLEY, MICHAEL FRANCIS
810 NW PALOUSE VIEW
PULLMAN WA 99163

EISINGER, JEFFERY C
PO BOX 8369
MOSCOW ID 83843

GIBSON, HENRY M
2182 NURSERY STREET
UNITS A & B
MOSCOW ID 83843

LEADS LLC
2279 ARBORCREST RD
MOSCOW ID 83843

NORTHWEST MGMT INC
PO BOX 9748
MOSCOW ID 83843

RHEINGANS, PHILIP T
PO BOX 8986
MOSCOW ID 83843

WJD ENTERPRISES LLC
435 E PALOUSE RIVER DR
MOSCOW ID 83843

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

CAMPUS CREST AT MOSCOW
2100 REXFORD RD STE 300
CHARLOTTE NC 28211

FARLEY, GERALD L
2220 NURSERY ST
MOSCOW ID 83843

GOLIS CONSTRUCTION INC
16200 N BASIN WAY
EAGLE ID 83714

MILESTONE INVEST LLC
26769 HIGHWAY 53
HAUSER LAKE ID 83854

PARADISE HOLDINGS LLC
321 E PALOUSE RIVER DR
MOSCOW ID 83843

SWIFT, JAMES B
899 HIRSCHI RD
MOSCOW ID 83843

BOUNDRY CREEK LLC
676 W PULLMAN RD #302
MOSCOW ID 83843

DAHL, DENIS R
1380 LUNDQUIST LANE
MOSCOW ID 83843

FICCA 225 E PALOUSE RVR DR
LLC
3422 FOOTHILL ROAD
MOSCOW ID 83843
INDIAN HILLS TRADING CO
PO BOX 106
RITZVILLE WA 99169

N CENTRAL HEALTH DEPT
1221 F STREET
LEWISTON ID 83501

PETERSEN, DAVID A H/W
221 N ADAMS ST
MOSCOW ID 83843

VIS, DANIEL W
711 INDIAN HILLS DR
MOSCOW ID 83843

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Fietsberaad / Flickr

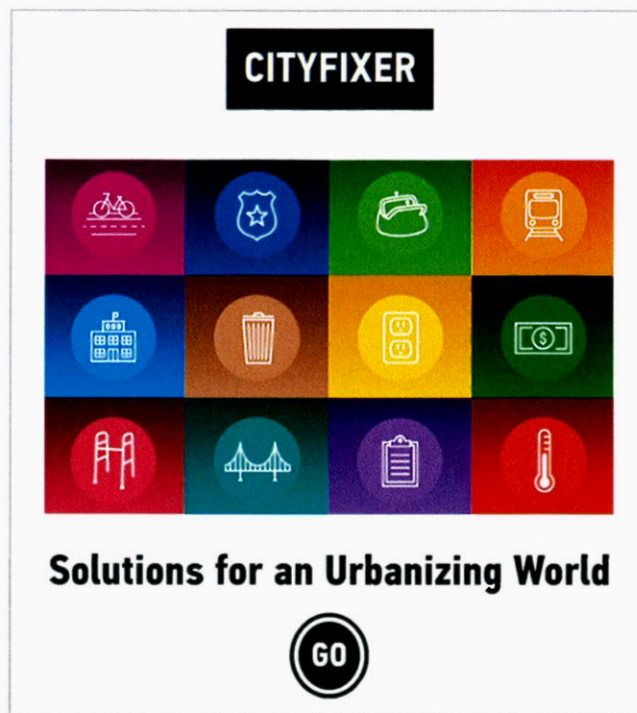
6 Places Where Cars, Bikes, and Pedestrians All Share the Road As Equals

ERIC JAFFE MAR 23, 2015

The *woonerf*, or "shared street," has made its way into U.S. cities.

If you aren't a traffic engineer or an urban planner, the word *woonerf* probably looks like a typo, or maybe the Twitter handle of whoever runs marketing for Nerf (woo!). But you might want to get familiar with the term—Dutch for "living street"—because the urban design concepts it embraces are on the rise.

A *woonerf* is a street or square where cars, pedestrians, cyclists, and other local residents travel together without traditional safety infrastructure to guide them. Also sometimes called a "shared street," a *woonerf* is generally free of traffic lights, stop signs, curbs, painted lines, and the like. The basic idea is that once these controls are stripped away, everyone is forced to become more alert and ultimately more cooperative. Through less restraint comes greater focus.



The decades-old vision is not without its critics. Skeptics wonder if drivers feel too much ownership of the road to adapt their ways, or if shared streets can work fine for smaller towns but not in big urban centers, or if removing oversight is naïve at a time when people won't even stop texting to drive. Then there's the general critique pointed out by *Traffic* author Tom Vanderbilt in a 2008 article about shared streets: "people do act like idiots."

All fair points (especially the last). But *woonerf* supporters can point to the success of shared streets projects in Europe as well as their gradual adoption in other parts of the world—including major cities in the auto-centric United States. Construction of Chicago's first shared street, for instance, is expected to begin this spring.

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The Atlantic

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We took a closer look at six places around the world that have *woonerfed* and emerged better for it.

Drachten, The Netherlands



Drachten's shared street was championed by Dutch engineer Hans Monderman. ([NACTO / Flickr](#))

Shared streets had a great modern champion in the Dutch engineer Hans Monderman before he died in 2008. In a [profile of Monderman](#) from that year, Tom Vanderbilt described the "striking" success of a shared-space program implemented in the Dutch town of Drachten. Monderman eliminated "not only the traffic lights but virtually every other traffic control," writes Vanderbilt, leaving behind an inviting town square. The results were less congestion, quicker buses, half as many accidents, more hand signals and communication, and smoother traffic flows.

Here's Vanderbilt on the challenge of Monderman's legacy:

For decades, traffic engineers have pursued, with the best of intentions, an impossible goal: the elimination of accidents. Monderman questioned how safe this kind of safety was. More fundamentally, he asked if mature automobile societies could, in essence, act like adults.

Norrköping, Sweden



After its transformation, this shared street in Norrköping became less congested. ([via Built Environment](#))

In 2004 a major intersection at the center of Norrköping, a college town near Stockholm, was totally transformed in the shared streets style. Detailing the project [in the journal *Built Environment*](#) a few years later, urban designer [Ben Hamilton-Baillie](#) wrote that the area replaced traffic lights and other traditional road indicators with a "distinctive paving pattern" that suited pedestrians and cyclists as well as drivers in what had become more of a "coherent plaza."

ADVERTISEMENT



About 13,000 vehicles (cars as well as buses) still used the space daily, and although this traffic moved slower there was less reported congestion, as well as greater use by pedestrians and a general rise in retail activity. Again, the space isn't perfect—the elderly and the blind voiced concerns—but early surveys found "satisfaction and confidence with the new arrangements is increasing."

Bohmte, Germany

Inspired by Monderman's work, Bohmte created a *woonerf* in 2007 in the center of town. Local officials believed a shared streets arrangement would do more than safety crossings and speed traps had done to decrease the several dozen accidents that occurred each year at the main intersection. The Washington Post reported that Bohmte replaced its sidewalks, curbs, street markers, traffic signals, and parking spots with a reddish-brick pavement—its plan to "force people to rely on common sense and courtesy instead."

Early anecdotal reports were positive: villagers enjoyed the atmosphere more and the chief of police said people communicated more than they did before. "Traffic will no longer be dominant," the town mayor at the time told Reuters.

London, England



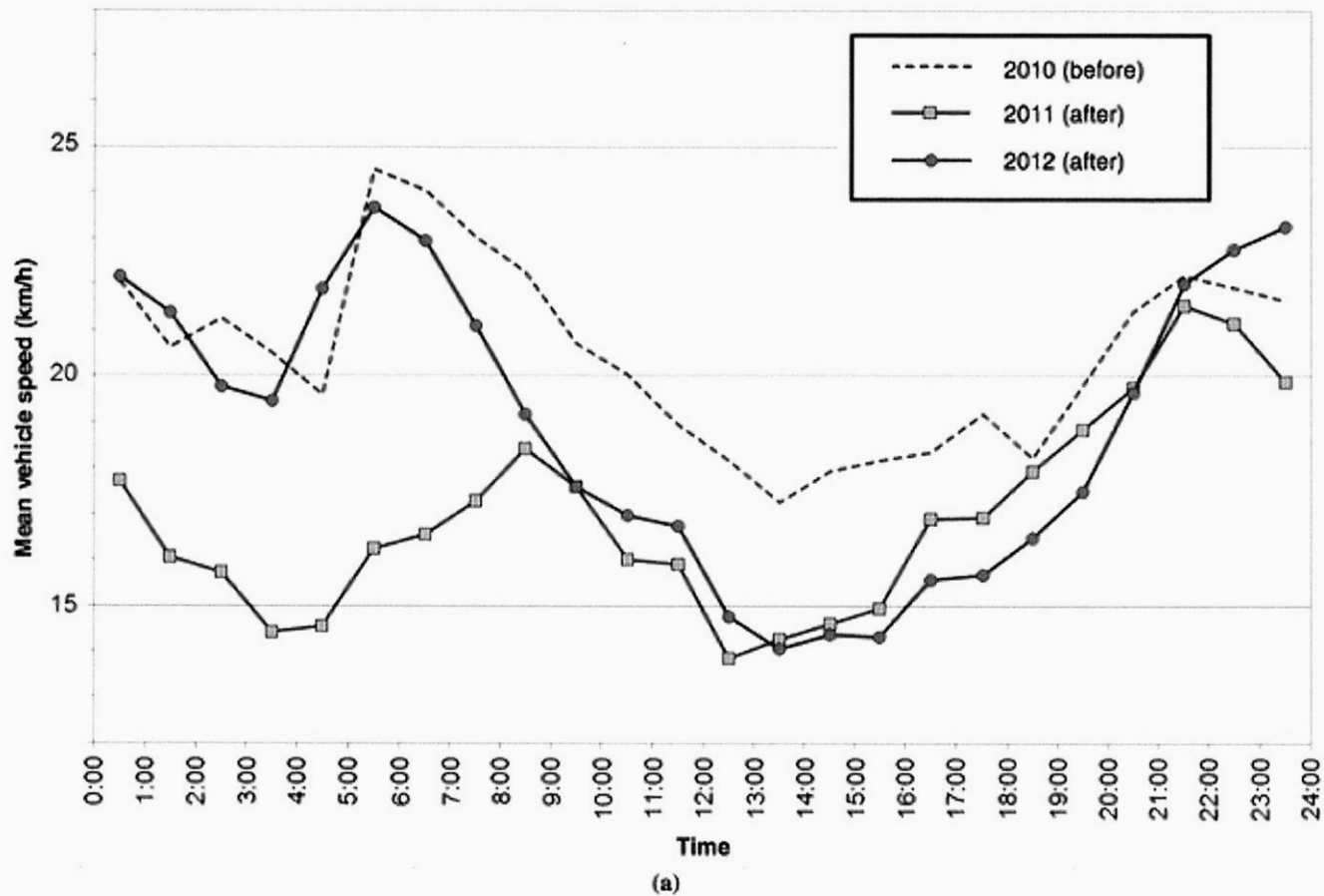
Kensington High Street in London became safer after a modified shared streets implementation. (Transport for London)

England has had a number of shared streets successes in smaller places, including the town of Poynton and Elwick Square in Ashford. But a modified *woonerf* has also succeeded on London's Kensington High Street, a major shopping corridor. The street changes weren't quite as dramatic as they've been in other places (Kensington kept some traffic lights, for instance) but new crossings and narrower lanes did have a positive impact on the area.

A 2006 report by Transport for London found that pedestrian flows had increased 7 percent and bike flows as much as 30 percent several years later. More importantly, road collisions had been cut in half: from about 66 a year before the change to 34 after it. While TfL questioned whether or not this change could be considered a "true simplified streetscape," there was little doubt it was an effective one:

This means that applying the simplified streetscape philosophy to the London situation could be successful as long as it is not taken to extremes and does not simply involve removing everything — streetscape simplification and shared space schemes have moved on from such a simplistic approach.

Auckland, New Zealand



Mean vehicle speeds decreased on Elliott Street, in Auckland, after a shared streets modification, especially during the daytime. (via TRB)

Several streets in Auckland's central business district have been turned into shared spaces: on Elliott Street, for instance, markers of exclusive car use (such as curbs and double yellows) were replaced with stone pavement. Studies of these streets are in the early stages but have already found the much more pleasant for pedestrians on several measures. A 2014 safety review of Elliott Street found that both vehicle speeds (above) and volumes had significantly decreased.

The 2014 report did suggest taking additional traffic calming measures to ensure that car speeds remain low at night, when the presence of fewer pedestrians might encourage drivers to go faster. But on the whole it found no evidence for increased collisions:

In summary, this research has shown that for shared space environments, more road user interactions (potential conflicts), particularly between vehicles and pedestrians, does not translate into more injuries or fatal crashes.

Seattle, Washington



SVR Design

In April 2014, Seattle opened Bell Street Park, a *woonerf* that turned four blocks into a 56,000-square-foot area that, in the words of the city, "will encourage pedestrians, cyclists, and automobiles to share the space." The city took out curbs, leveled the pavement, added street furniture, and removed car lanes—"creating eddies where people can gather around food trucks, gardens, and play equipment," writes Josh Feit of Seattle Met.*

The love isn't universal; one critic says there's "way too much stuff" in the shared space, and drivers feel a new enforcement push meant to ensure they turn off Bell Street after one block is really just a ticket trap. But property values in the area have reportedly gone up, and Seattle has plans for at least two more shared streets in the works.

*CORRECTION: A previous version of this story misspelled the name Josh Feit.

////
About the Author

A DUPLEX, A TRIPLEX AND A FOURPLEX CAN CUT A BLOCK'S CARBON IMPACT 20%

The carbon savings from 'middle housing' are voluntary, self-financing and immense. So why are they illegal?

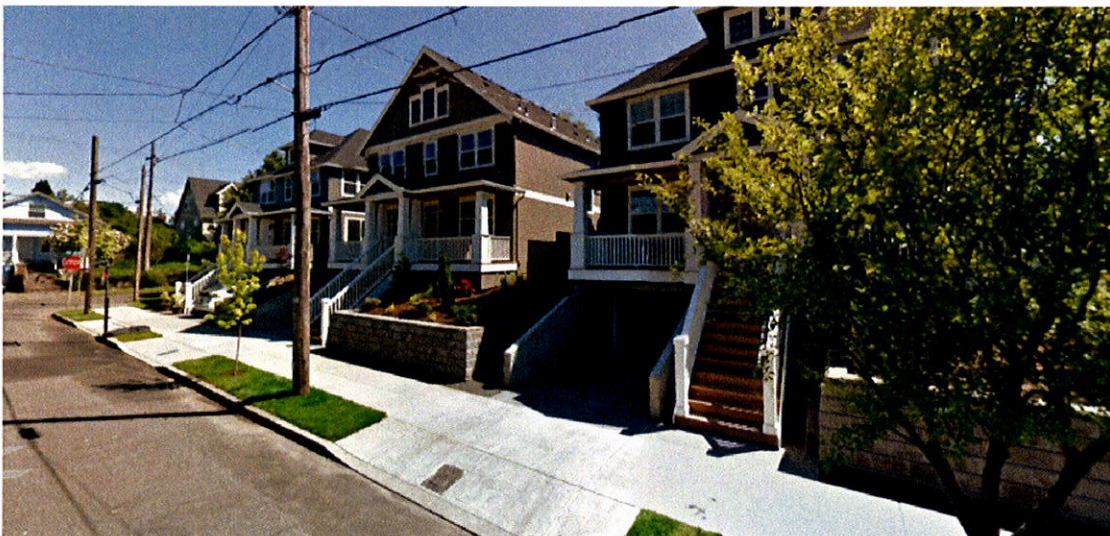


Author: **Michael Andersen**
(@andersem) on June 7, 2019 at 5:00 am

This article is part of the series [Legalizing Inexpensive Housing](#)

To understand why housing policy is climate policy, consider two city blocks with 18 homes each.

On one of those blocks, suppose something happens that's currently legal almost everywhere: Three relatively old, disintegrating homes are torn down and replaced by three 3,400-square-foot homes.



Newly built homes in Southeast Portland. Image courtesy of Google Street View.

Let's call this the McMansion Block.

But on the other block, suppose we do something that's **currently illegal** on most of the land in most cities, but would be legalized by reforms like Oregon's **House Bill 2001** or Portland's **residential infill project**: we replace the three old homes with a fourplex, a duplex, and a triplex, respectively.



A duplex in Portland. Photo by Michael Andersen, used with permission.

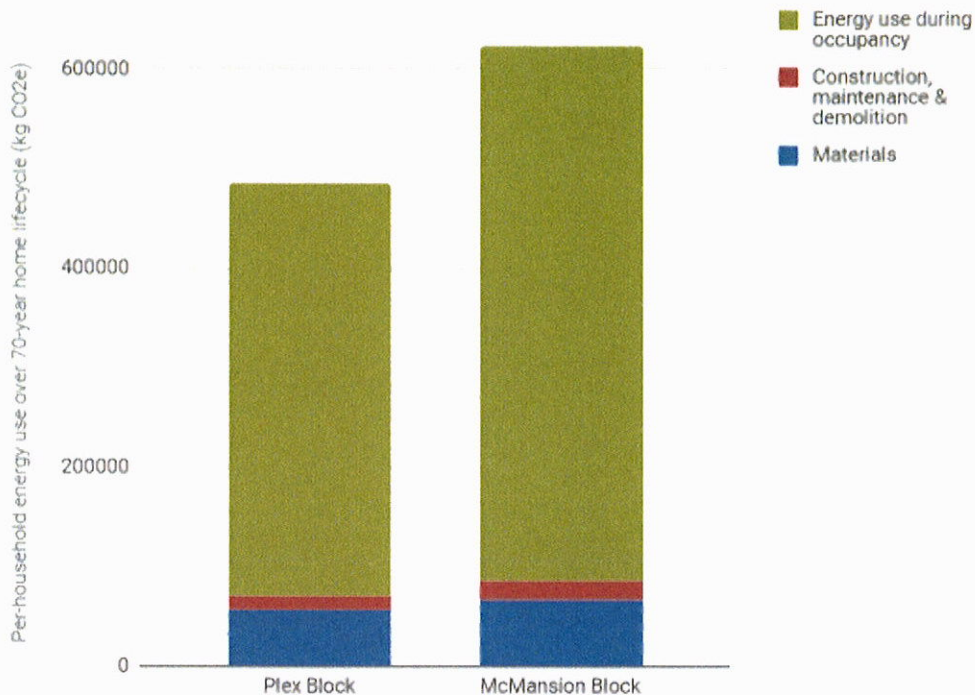
Let's call this one the Plex Block.

Let's also suppose that, due to new local caps on total building size, each home in the fourplex is 1,000 square feet; each home in the triplex is 1,150 square feet; and each home in the duplex is 1,500 square feet. (In other words, assume the city has decided to roughly follow [Portland's current proposal](#) and require triplexes to be a bit smaller than fourplexes, etc.) Let's also assume that each home holds 2.5 people on average, as in the rest of the United States and Canada.

On the McMansion Block, about \$2 million has been spent on new construction, but the number of homes on the block hasn't changed. On the Plex Block, it's more like \$2.1 million on construction, but the block just added six more, smaller homes.

If we compare these two blocks after all the new homes are complete, the housing-related carbon emissions per household of the Plex Block will be about 20 percent lower.

Just three plexes on a block can sharply cut its average carbon footprint.



source: Oregon DEQ, 2010, and Sightline extrapolations.

Figures are extrapolated from a 2010 study by the Oregon Department of Environmental Quality.

In this scenario, we haven't put a price on carbon. The local power company hasn't shut off its methane plant. Those things *should* happen as soon as possible, of course—and those things become politically easier when energy consumption per household is lower. But these things haven't happened yet on Plex Block.

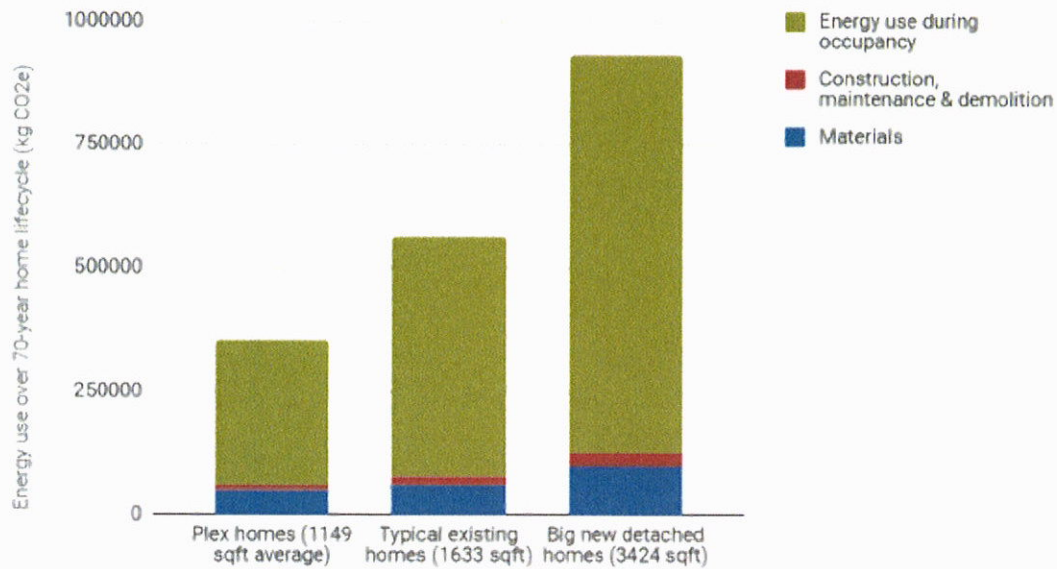
Just one thing is different on Plex Block. Instead of three households living in big homes, nine households are living in smaller ones. The other households don't change at all. And that, *only that*, is enough to get Plex Block well on its way to the **90 percent decarbonization** it will need to achieve by 2050.

It's almost as if the Plex Block should be something we're legally allowed to create. Sadly, on most urban land, **we aren't**.

But how are these big carbon savings possible?

The short answer is that keeping a bunch of big, **usually-empty rooms** warm in the winter and cool in the summer burns a truly massive amount of carbon.

Small, attached homes are climate conscious.



source: Oregon DEQ, 2010, and Sightline extrapolations.

"No other sector offers a higher potential for a single source of reduction than residential efficiency," the Natural Resources Defense Coalition **concluded** in 2017.

"A typically sized new single-family home built to industry standards is responsible for nearly 60 percent more emissions than a home approximately half its size," my colleague Margaret Morales **wrote last year**.

Duplexes, triplexes and quads can also reduce driving—and save everyone money



If you were allowed to live here, you'd be home by now. Photo by Madeline Kovacs, used with permission.

The climate benefits above grow further when we include the potential transportation savings of letting people live closer to each other, to jobs and to shops.

When more people live within walking distance of any given street corner, that corner is **more likely to get a frequent bus line, a local shop, a shareable car**. Boosting the number of homes on residential blocks by one third (as on the Plex Block) correlates with **a drop of about 1,000 miles driven per year per household**, Margaret estimated last year—a 5 percent drop even after correcting for household size and income. If we'd assumed these new homes would otherwise have been built on the urban fringe instead of a close-in neighborhood, the contrast would be even sharper.

Finding this article interesting? [Donate now to support our independent research!](#)

This density effect is probably strongest if it's creating new options for living in a transit-rich, walkable area specifically for people who want to live a low-car life but couldn't previously afford that sort of neighborhood. This, too, is **exactly what duplexes, triplexes and fourplexes allow**. By letting a few households split the high cost of land, they cut the minimum price for newly built market-rate homes and they boost the number of below-market, subsidized homes per public dollar.

Of course, the same people also save money by living in small, energy-efficient homes and driving less. Enough money, in fact, that many of them are willing and able to cover the transition costs themselves.

"Millions of Americans want to spend billions of *their own* dollars to cut their carbon emissions in half, if only local zoning would let them," green housing advocate Payton Chung **wrote** in January.

Infill housing is no substitute for keeping fossil fuels in the ground, modernizing power grids, switching car trips to transit. We desperately need to do all those things, too. But infill housing makes all those measures go further, and it eases the transition to them.

Small attached homes aren't right for every household, and they shouldn't be mandatory. But they should at least be legal for anyone who does want them.

[House Bill 2001](#), which advanced to a Ways and Means [subcommittee](#) with four weeks left in Oregon's legislative session, is poised to set a national example by making Oregon the first US state to re-legalize middle housing in urban areas statewide. With its local "residential infill project" reform, due late this year or next, Portland could become one of the first large cities to enshrine these options in code.

As surely as a windmill or a solar array, every fourplex we build improves the lives of our children and grandchildren. We should all cheer for laws that legalize them—loud enough for everyone to hear.

Note: The rough calculation of home energy efficiency gains here assumes the other detached houses average 1,633 square feet each and have energy efficiency equivalent to a new house. It also assumes all structures will last 70 years; if the structures last longer, then total carbon savings of infill will be even greater. Some of the energy savings estimates here were extrapolated from per-square-foot efficiency gains from a larger attached home compared to a larger detached home. Here's [the spreadsheet I used](#).

You can power us forward on sustainable solutions. [Make a donation to Sightline now.](#)

Tagged in: [Affordable housing](#), [Duplex](#), [Triplex](#)

Previous article in series:

« [Exclusive Zoning Puts Up Invisible Walls Around Our Cities](#)

Memo

To: Michael Ray, Assistant CD Director

From: Bob Buvel, Staff Engineer

CC:

Date: 6-20-19

Re: Paradise View Addition

Michael,

Upon reviewing the submittal for the preliminary plat for the Paradise View Addition the Engineering Department has the following comments and recommended conditions of approval:

Comments:

1. This property was considered developable in our water comprehensive plan dated January 2012. The system in this area has adequate potable and fire flow.
2. This property was considered developable in our sanitary sewer comprehensive plan dated September 2011.
3. This development is expected to generate fewer than 100 peak hour directional trips and is not expected to have a significant impact on the transportation network.
4. The construction of the proposed alley shall meet current City standards including the dedicated easement for public and franchise utilities.

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 1, RELATING TO GENERAL PROVISIONS OF MOSCOW ZONING CODE; 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 1 be amended as follows:

Sec. 1-7. Nonconformities.

A. Intent:

1. Within the zoning districts established by this Zoning Code or amendments thereto, there exist lots, structures, uses of land and structures, and characteristics of uses and structures which were lawful before this Zoning Code was enacted or amended, but which would be prohibited, regulated, or restricted under the terms of this Zoning Code or future amendment. It is the intent of this Zoning Code to permit these nonconformities to continue until they are removed, destroyed or lost by time, but not to encourage their survival. Further it is the intent of this Zoning Code that nonconformities shall not be enlarged, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same zoning district.
2. Nonconforming uses are declared by this Zoning Code to be incompatible with permitted uses in the same zoning district. A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this Zoning Code by attachment to a building or by the addition of other uses, of a nature which would otherwise be prohibited in the same zoning district.
3. To avoid undue hardship, nothing in this Zoning Code shall be deemed to require a change in the City-approved plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this

Zoning Code and upon which actual building construction has since been diligently pursued. Actual construction includes the placing of construction materials in permanent position and fastening in a permanent manner. Where excavation, demolition, or removal of an existing building has been substantially begun in preparation for rebuilding, such excavation, demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on.

B. Nonconforming Lots of Record:

1. In any zoning district in which single family dwellings are permitted, where any single lot of record existing as of the effective date of adoption of this Zoning Code has been previously approved by the City, a single family dwelling and customary accessory buildings may be erected on such lot. This provision shall apply even if such lot otherwise fails to meet the requirements for area or width, or both, which are generally applicable in the district. Such lot shall conform to yard dimensions and requirements other than those applying to lot area or width for the zoning district in which such lot is located. Variance of yard requirements may be granted only pursuant to the procedure set forth in this Zoning Code.

2. Legal lots of record that have been approved by the City Council prior to the adoption of this Zoning Code and which do not abut a public street right-of-way shall be excepted from meeting street frontage requirements so long as sufficient permanent legal access is available (via public right-of-way, private access easement, or other legal means) to provide safe and convenient access for servicing, fire protection, and required off-street parking.

C. Nonconforming Use of Land (or land with minor structures only): Where at the time of passage of this Zoning Code, or of an amendment thereto, lawful use of land exists which would not be permitted by the regulations imposed by this Zoning Code or an amendment, and where such use involves no individual structure with a replacement cost exceeding Two Thousand Dollars (\$2,000), such use may be continued as long as it remains otherwise lawful, provided:

1. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Zoning Code; and

2. No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that physically occupied by such use on the effective date of adoption or amendment of this Zoning Code; and

3. If any such nonconforming use of land ceases for any reason for a period of more than thirty (30) days, any subsequent use of such land shall conform to the regulations specified by this Zoning Code for the zoning district in which such land is located. This provision shall not apply when the discontinuance or abandonment is caused by government action impeding access to the premises; and

4. No additional structure not conforming to the requirements of this Zoning Code shall be erected in connection with such nonconforming use of land.

D. Nonconforming Structures: Where a lawful structure exists on the effective date of adoption or amendment of this Zoning Code that could not be built under the terms of this Zoning Code by reason of standards for area, lot coverage, height, yards, the structure's location on the lot, or other requirements concerning the structure, such structure may be retained if it remains otherwise lawful, subject to the following provisions:

1. No such nonconforming structure may be enlarged or altered in any manner which increases its nonconformity, except as provided in M.C.C. 4-1-8(D)(4) below; and

2. Should such nonconforming structure or nonconforming portion of structure be destroyed by no fault of the owner (fire, flood, natural disaster, etc.), it may be reconstructed having the same zoning nonconformities, but no more than as existed before the damage occurred;
 3. Should such structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the zoning district in which it is located after it is moved; and
 4. A nonconforming structure may be enlarged or altered with the same zoning nonconformities through the issuance of a Conditional Use Permit.
- E. Nonconforming Uses of Structures or of Structures and Premises in Combination: If lawful use of individual structures with a replacement cost of Two Thousand Dollars (\$2,000) or more, or of such structures and land in combination, exists on the effective date of adoption or amendment of this Zoning Code that would not be allowed in the zoning district under the terms of this Zoning Code, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:
1. No existing structure devoted to a use not permitted by this Zoning Code in the zoning district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the zoning district in which it is located. An exception would be when destruction of an existing structure and use in combination occurs by no fault of the owner (fire, flood, natural disaster, etc.), the structure and use in combination may be replaced to its original size and use prior to the destruction; and
 2. Any nonconforming use may be extended throughout any part of a building which was manifestly arranged or designed for such use at the time of adoption or amendment of this Zoning Code, but no such use shall be extended to occupy any land outside such building; and
 3. Any structure, or structure and land in combination, in or on which a nonconforming use is replaced by a permitted use, shall thereafter conform to the regulations for the zoning district in which it is located. The nonconforming use shall not thereafter be resumed; and
 4. When a nonconforming use of a structure, or of a structure and premises in combination, is discontinued or abandoned for six (6) consecutive months or for eighteen (18) months during any three (3) year period, the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the zoning district in which the structure is located. This provision shall not apply when the discontinuance or abandonment is caused by government action impeding access to the structure or premises;
- F. Repairs and Maintenance:
1. Ordinary repairs and maintenance may be done on any nonconforming structure or nonconforming portion of a structure.
 2. Further, upon order of any official charged with protecting the public safety, any building or part thereof declared to be unsafe by such official may be strengthened or restored to a safe condition.

Sec. 4-1. Introduction.

This section establishes parcel and building standards for developments within all zoning districts. The standards vary depending upon the zone in which the development is located within as well as the building type. All residential and non-residential development must comply with the standards contained within the Bulk and Placement Regulations Table below. General exceptions

to parcel and building standards as well as standards of how to measure setback requirements can also be found within this section.

Sec. 4-2. Bulk and Placement Regulations Table.

BULK & PLACEMENT REGULATIONS TABLE																
	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Minimum Lot Requirements																
Minimum lot area (expressed in square feet unless otherwise noted, no minimum lot area for non-residential uses)																
Single family detached	40 acres ¹³	3 acres	1 acre	9,600	7,000	6,000	5,000 ¹	5,000 ¹	5,000 ¹	-	-	-	-	-	-	-
Twinhome	-	-	-	-	-	3,250	2,250	2,250	2,250	-	-	-	-	-	-	-
Townhouse	-	-	-	-	-	2,000 ²	1,800	1,800	1,800	-	-	-	-	-	-	-
Two family dwelling	-	-	-	-	-	7,000	5,000 ¹	5,000 ¹	5,000 ¹	-	-	-	-	-	-	-
Multiple family dwelling	-	-	-	-	-	-	5,000 ¹	5,000 ¹	5,000 ¹	-	-	-	-	-	-	-
Minimum lot width (in feet, no minimum lot width for non-residential uses)																
Single family detached	150	125	100	80 ³	60 ³	60 ³	50	50	50	-	-	-	-	-	-	-
Twinhome	-	-	-	-	-	30	25	25	25	-	-	-	-	-	-	-
Townhouse	-	-	-	-	-	20	18	18	18	-	-	-	-	-	-	-
Two family dwelling	-	-	-	-	-	60 ³	50	50	50	-	-	-	-	-	-	-
Multiple family dwelling	-	-	-	-	-	-	50	50	50	-	-	-	-	-	-	-
Minimum frontage on a public street other than an alley (in feet)																
Standard lot	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40
Lot on cul-de-sac or turnaround	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
Flag lot	20 ¹⁵	20 ¹⁵	20 ¹⁵	20 ¹⁴	20 ¹⁴	20 ¹⁴	20 ¹⁴	20 ¹⁴	20 ¹⁴	20 ¹⁴	20 ¹⁴	20 ¹⁴	20 ¹⁴	20 ¹⁴	20 ¹⁴	20 ¹⁴
Twinhome	-	-	-	-	-	20	20	20	20	-	20	20	20	-	20	20
Townhouse	-	-	-	-	-	20	18	18	18	-	18	18	18	-	18	18
Minimum Setbacks⁹ (in feet)																
Front ¹⁰	30	25	25	25	20	15	15	10	20	25	-	-	10	10	-	-
Rear	35	30	30	20	20	20	20	20	20	20 ⁴	-	-	-	-	-	-
Side Yard Minimum	35	20	20	5	5	5	5 ^{5/6}	5 ^{5/6}	10	20 ⁴	-	-	-	-	-	-
Side Yard Combined Minimum	-	-	-	15	15 ⁵	15 ⁵	15 ^{5/6}	15 ^{5/6}	-	-	-	-	-	-	-	-
Street Side	20	17	17	17	15	13	13	10	10	20	-	-	10	-	-	-
Exceptions to Minimum Setbacks Listed Above																
Twinhome and Townhouse Exterior Side Setback	-	-	-	-	-	8	8	8	8	-	-	-	-	-	-	-
Garage Door Front Setback (when door faces said street)	20	40	40	25	20	20	20	20	20	25	-	-	-	-	-	-
Garage Door Street-Side Setback (when door faces said street)	20	20	20	20	20	20	20	20	20	20	-	-	-	-	-	-
Accessory Structure Side & Rear Setback (detached, 200 sq ft or less) ¹¹	0	0	0	0	0	0	0	0	0	0	-	-	-	-	-	-
Accessory Structure Rear Setback (detached, greater than 200 sq ft) ¹²	5	5	5	5	5	5	5	5	5	5	-	-	-	-	-	-
Common Open Space (minimum 400 square feet per lot or as required below, whichever is greater, residential uses only)																
	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Maximum Building Height⁸ (in feet)																
Principal Structure	35	35	35	35	35	35	40	40	40	65	65	65	-	-	65	-
Accessory Structure (detached, GREATER than 200 sq ft, and encroaching into required rear yard setback for the parcel)																
Building Height	35	35	35	35	35	35	40	40	40	65	65	65	-	-	-	-
Wall Height ⁷	14	14	14	14	14	14	14	14	14	14	-	-	-	-	-	-
Accessory Structure (detached, 200 sq ft OR LESS, and encroaching into principal structure side or rear yard setbacks)																
Building Height	12	12	12	12	12	12	12	12	12	12	-	-	-	-	-	-

Notes

where space is blank there is no minimum/maximum requirement, " - " = not applicable, use not permitted in that zone

du = dwelling unit

¹ Or 800 square feet per dwelling, whichever is greater

² Average net density of a townhouse development shall not be more than fourteen and one-half (14.5) units per acre

³ Minimum lot width for lots that have rear alley access is reduced by 10 feet

⁴ Or equal to the height of the building, whichever is greater, when adjacent to R-1, R-2, R-3, or R-4 Zones

⁵ Side yard combined minimum of 15 feet only applies to lots 55 feet or more in width

⁶ Minimum side yard setback for multiple family developments on lots greater than 20,000 square feet shall be no less than 10 feet

⁷ Dormers may be allowed to exceed 14 feet provided they do not occupy more than fifty percent (50%) of the length of the wall, each wall measured separately

⁸ Building height is defined in Section 4-1-6 of this Code. For the exceedance of maximum building height for non-residential structures in certain zones, refer to Section 4-3-4. Height limitations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, solar panels, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

⁹ Minimum setbacks as specified on this table are for building walls. For permitted projections into minimum setback areas, refer to Section 4-5-4(C) of this Code

¹⁰ Where established front setbacks are less than the minimum required for such Zone, refer to Section 4-5-4(E) of this Code for an alternate front setback requirement

¹¹ Roof drainage must be contained on-site

¹² The accessory structure shall not occupy more than fifty percent (50%) of the area of the required rear yard for the parcel

¹³ Exception to minimum forty (40) acre lot size: No more than one (1) parcel of land less than forty (40) acres may be divided from an existing parcel of forty (40) acres or more in the AF zoning district (a 1/4-1/4 section or full Government lot shall be treated as a forty (40) acre parcel for the purposes of this Zoning Code). The small parcel shall be at least one (1) acre in area and must be registered with the Office of the Latah County Clerk and the City Community Development Department. Such exceptions must be reviewed and approved by the Council and the Board of Latah County Commissioners.

¹⁴ The flagpole portion of flag lots shall not exceed one hundred fifty feet (150') in length and shall not be less than twenty feet (20') in width at any point.

¹⁵ Access may be provided by a permanent access easement of no less than twenty feet (20') in width at any point and may be greater than one hundred fifty feet (150') in length as long as sufficient Fire Department access is provided.

Sec. 4-3. Traditional Subdivision Option

A. Purpose. This section is intended to allow for a subdivision development option that encourages a traditional neighborhood development pattern which is characterized by smaller lot sizes, a mixture of housing types, neighborhood open space, and a gridded street system with alleys that is pedestrian oriented.

B. Application. The use of this section is optional and allows for an alternative to conventional subdivision development. Applications for traditional subdivisions shall follow the same process as outlined in M.C.C. 12-1-3 of this code. The use of this section supersedes minimum lot area, lot width, setbacks, and maximum building height requirements found within Section 4-2 of this Code, but all other City standards still apply.

C. Common Open Space.

a. General. The amount of open space required as part of a traditional subdivision is stated within the design standards table in Section 4 below and depends on the zoning district which the property is located within. The Parks and Recreation Commission shall make a recommendation to City Council on the suitability of an area of land proposed for open space dedication. When determining the suitability of land proposed to be dedicated, the following standards should be taken into consideration. In the case of unique circumstances that require deviation from these standards, the Council shall have the authority to approve such deviations.

b. Standards. Land proposed for common open space should:

i. Meet functional parkland dedication requirements of Section 1-5-6.

ii. Be dedicated to the public and managed by the City of Moscow.

iii. Be located in one contiguous area unless determined to be more beneficial in multiple locations.

D. Traditional Subdivision Development Standards.

a. Streets. Traditional subdivisions shall utilize a network of streets and alleys that form an interconnected grid pattern. Cul-de-sacs, or other dead-end street configurations, shall only be allowed in limited situations where the street cannot be continued or extended due to extreme topography, existing development, or a natural or manmade physical barrier that precludes such street extension.

b. Lots. Building lots shall be designed for vehicular access to the rear of the lots via alley access to allow the front building wall of dwellings to be located closer to the street in order to reinforce traditional neighborhood design and maintain a pedestrian-oriented environment. Alleys shall serve all building lots unless special circumstances exist which preclude access such alley extension.

c. Bulk and Dimensional Standards.

TRADITIONAL SUBDIVISION					
	R-1	R-2	R-3	R-4	RO
Minimum development size (in acres)					
	5	5	5	5	5
Minimum lot area (in square feet)					
Single family detached	5,500	5,000	4,000	2,500	2,500
Twinhome	-	-	3,250	2,250	2,250
Townhouse	-	-	2,000	1,800	1,800
Minimum lot width (in feet)					
Single family detached	50	45	40	40	40
Twinhome	-	-	30	25	25
Townhouse	-	-	20	18	18
Minimum Setbacks² (in feet)					
Front ³	10	10	10	10	10
Rear	20	20	20	20	20
Side Yard Minimum	5	5	5	5	5
Street Side	10	10	10	10	10
Common Open Space					
	9%	11%	12%	14%	14%
Effective Maximum Net Density (units per acre)					
	7.9	8.7	21.7	24.2	24.2
Maximum Building Height¹ (in feet)					
	25	25	25	30	30
Notes					
where space is blank there is no minimum/maximum requirement, " - " = not applicable, use					
du = dwelling unit					
¹ Building height is defined in Section 4-1-6 of this Code. For the exceedance of maximum building height for non-residential structures in certain zones, refer to Section 4-3-4. Height limitations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, solar panels, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.					
² Minimum setbacks as specified on this table are for building walls. For permitted projections into minimum setback areas, refer to Section 4-5-4(C) of this Code					
³ Where established front setbacks are less than the minimum required for such Zone, refer to Section 4-5-4(E) of this Code for an alternate front setback					

Sec. 4-4. Cluster Subdivision Option

A. Purpose. This section is intended to allow for a subdivision development option that allows and encourages subdivision development at a higher density, while preserving sensitive areas such as floodplains, steep slopes, wetlands, critical habitat, and other natural areas.

B. Application. The use of this section is optional and allows for an alternative to conventional subdivision development. Applications for cluster subdivisions shall follow the same process as outlined in Section 1-3 of this code. The use of this section supersedes minimum lot area, lot width, setbacks, and maximum building height requirements found within M.C.C. 4-4-2, but all other City standards still apply.

C. Common Open Space.

a. General. The amount of open space required as part of a cluster subdivision is stated within the design standards table in Section 4 below and depends on the zoning district which the property is located within. The Parks and Recreation Commission shall make a recommendation to City Council on the suitability of an area of land proposed for open space dedication. When determining the suitability of land proposed to be dedicated, the following standards should be taken into consideration. In the case of unique circumstances that require deviation from these standards, the Council shall have the authority to approve such deviations.

b. Standards. Land proposed for common open space should:

i. Meet functional parkland dedication requirements of Section 1-5-6.

ii. Be dedicated to the public and managed by the City of Moscow.

iii. Be located in one contiguous area unless determined to be more beneficial in multiple locations.

iv. Preserve important natural areas such as agricultural land, floodplains, wetlands, steep slopes, wildlife habitat, riparian area, or other natural features.

D. Bulk and Dimensional Standards.

CLUSTER SUBDIVISION						
	SR	R-1	R-2	R-3	R-4	RO
Minimum development size (in acres)						
	5	5	5	5	5	5
Minimum lot area (in square feet)						
Single family detached	22,000	6,500	5,000	4,000	2,500	2,500
Twinhome	-	-	-	3,250	2,250	2,250
Townhouse	-	-	-	2,000	1,800	1,800
Minimum lot width (in feet)						
Single family detached	70	50	45	40	30	30
Twinhome	-	-	-	30	25	25
Townhouse	-	-	-	20	18	18
Minimum Setbacks² (in feet)						
Front ³	20	15	15	10	10	10
Rear	20	15	15	10	10	10
Side Yard Minimum	10	5	5	5	5	5
Street Side	15	15	15	10	10	10
Common Open Space						
	10%	12%	14%	16%	18%	18%
Effective Maximum Net Density (units per acre)						
	1.98	6.7	8.7	21.7	24.2	24.2
Maximum Building Height¹ (in feet)						
	25	25	25	30	35	35
Notes						
where space is blank there is no minimum/maximum requirement. " - " = not applicable, use not permitted in that zone						
du = dwelling unit						
¹ Building height is defined in Section 4-1-6 of this Code. For the exceedance of maximum building height for non-residential structures in certain zones, refer to Section 4-3-4. Height limitations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, solar panels, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.						
² Minimum setbacks as specified on this table are for building walls. For permitted projections into minimum setback areas, refer to Section 4-5-4(C) of this Code						
³ Where established front setbacks are less than the minimum required for such Zone, refer to Section 4-5-4(E) of this Code for an alternate front setback requirement						

Sec. 4-3. — Exceptions to Height Regulations.

~~— The height limitations contained in the district regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, solar panels, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.~~

Sec. 4-45. Setbacks.

- A. Definition. A setback is the distance that buildings or uses must be removed from their property lines. Every lot typically has front, rear, and side setbacks that are determined by the underlying zoning district and the building type upon the lot.
- B. Setbacks Measurement. Setbacks are measured from the property line unless otherwise indicated. When measuring front and street side yard setbacks for lots that abut a Local Residential Street, as designated upon the Thoroughfare Plan within the City's Comprehensive Plan, the front and street side setbacks shall be measured from the building lot side of the public sidewalk to the nearest point of the wall of the main building on the lot, as shown in Figure 1 below. In such cases where sidewalks do not exist in front or street side of a building lot, the Zoning Administrator shall determine the point of measurement based upon the location of adjacent principal structures, the likelihood of future sidewalk installation, and the anticipated location of such future sidewalk.
- C. Permitted Projections into Required Setbacks. Architectural features that do not provide indoor floor space, including eaves, bay windows, decks, carports, and unwallled porches, may project up to twenty-four inches (24") into required side yards and up to forty-eight inches (48") into required front, street side and rear yards.
- D. Exceptions to Required Setbacks: Structures of thirty inches (30") or less in height from grade to the top of the structure are exempt from setback requirements. Deck railings are not to be included when measuring the height of structures for the purposes of this setback exemption so long as they do not exceed forty-two inches (42") in height and where the rails and material constitute not more than seventy percent (70%) of the railing area.
- E. Alternate Front Setback Requirement. In any zoning district where established front yards are less than the minimum required front yard for such district, the Zoning Administrator may grant modifications to the front yard setback of new principal buildings on the subject property provided:
 - 1. The minimum front yard setback is at least equal to the average setback of the principal buildings located on the lots abutting said subject property; or
 - 2. Sixty percent (60%) or more of the principal buildings, within a numbered block on the same side of the street as the subject property, are set back less than the required zoning front yard setback; the average setback of the existing nonconforming structures may be used to establish the minimum front yard of all properties fronting on that side of the street.
- F. Setbacks for Flag Lots. The setback requirements for flag lots are determined by the underlying zoning district the lot is within. The front setback requirement shall be measured by drawing a radius of the front setback distance from the center of the flagpole portion of the lot where it enters the main portion of the lot as shown in Figure 2 below.

(Ord. 2015-01, 01/20/2015)

FIGURE 1

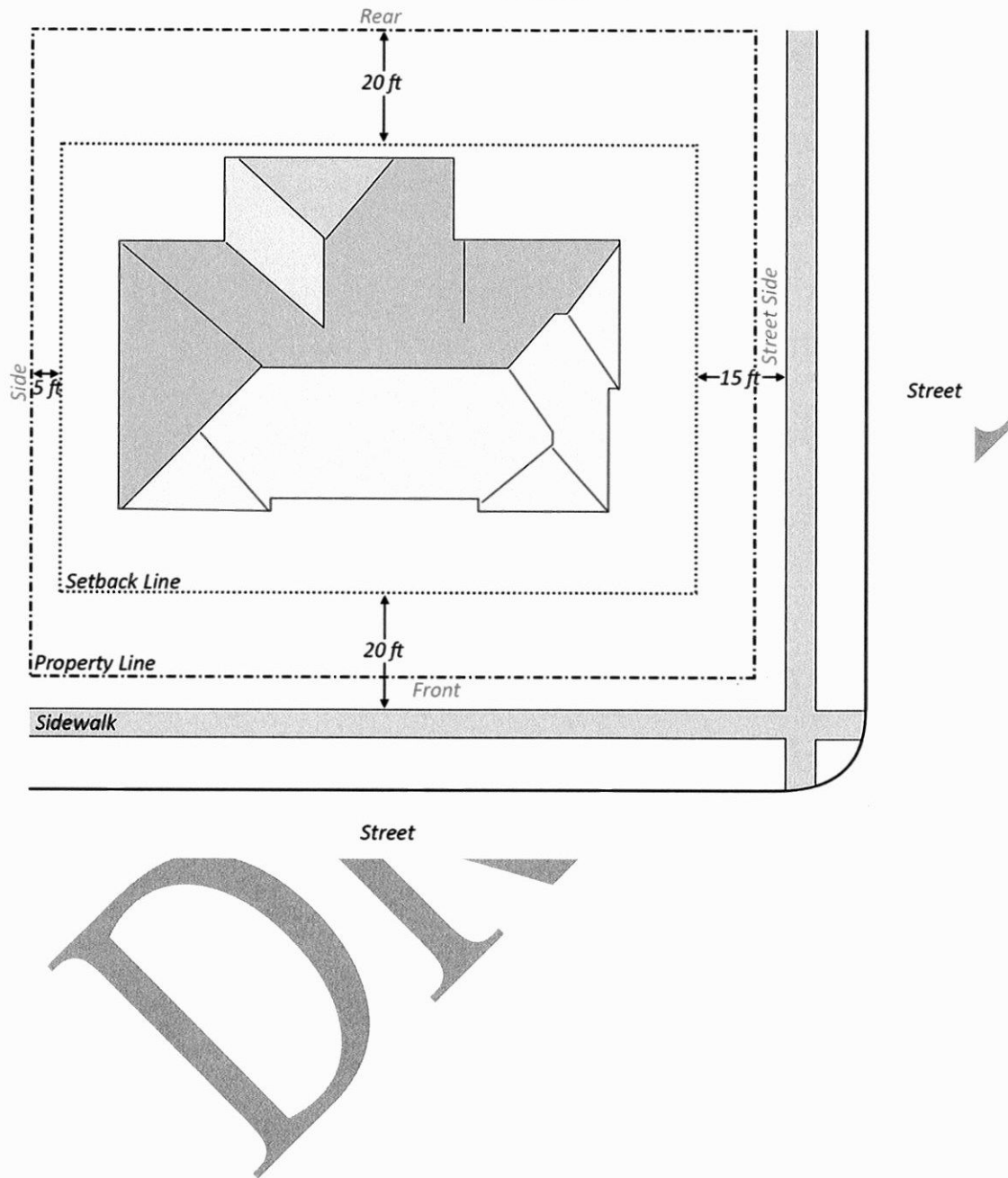
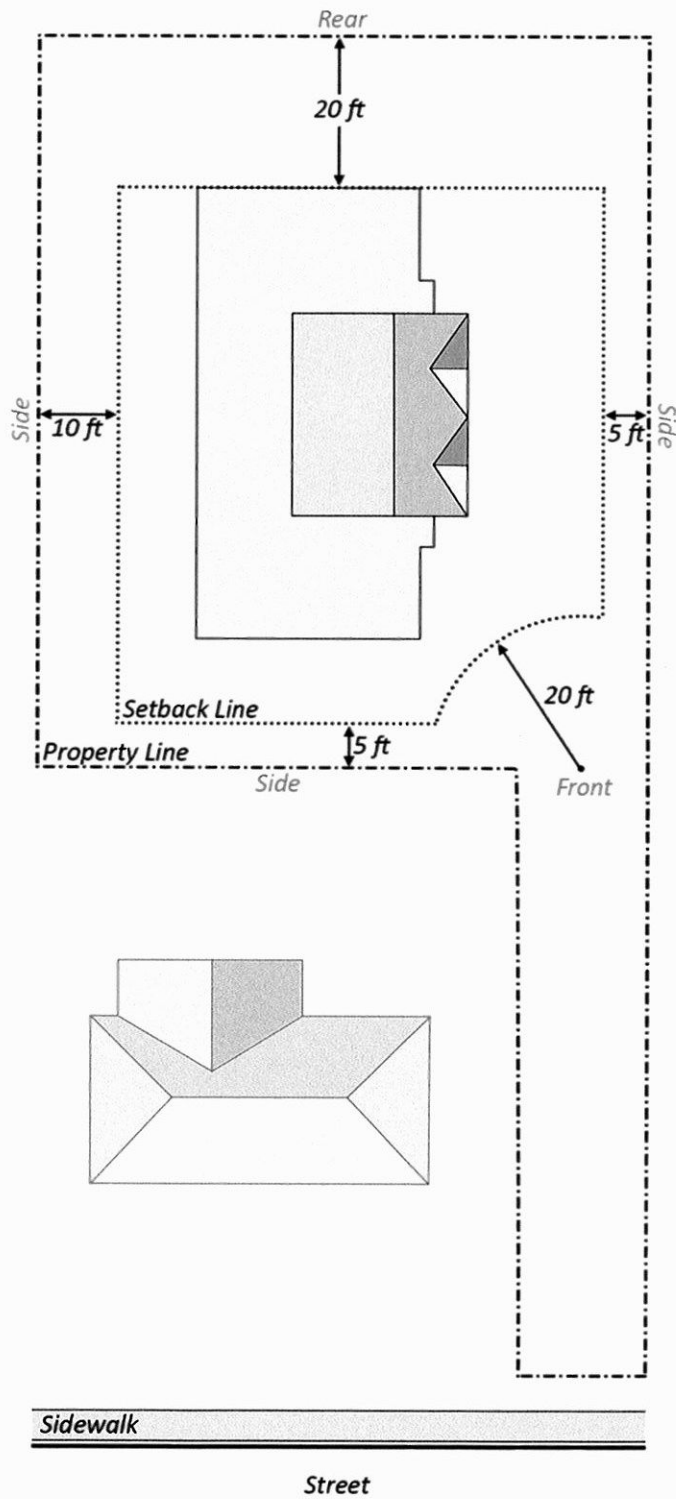


FIGURE 2



Sec. 4-5. — Access to Lots and Buildings.

— Except as provided below, every lot shall abut a public street right-of-way (other than an alley) for a minimum distance of forty feet (40').

1. ~~Lots on cul-de-sacs and vehicle turnarounds shall abut a public street right-of-way for a minimum distance of twenty feet (20').~~
2. ~~Approved flag lots shall abut a public street right-of-way for a minimum distance of twenty feet (20'), and the flagpole portion of flag lots shall not exceed one hundred fifty feet (150') in length and shall not be less than twenty feet (20') in width at any point.~~
3. ~~Approved twinhome lots shall abut a public street right-of-way for a minimum distance of twenty feet (20'). Approved townhouse lots shall abut a public street right-of-way for a minimum distance equal to the minimum lot width of the applicable Zoning District.~~
4. ~~Legal lots of record that have been approved by the City Council prior to the adoption of this Zoning Code and which do not abut a public street right-of-way shall be excepted from this requirement where sufficient permanent legal access is available (via public right-of-way, private access easement, or other legal means) to provide safe and convenient access for servicing, fire protection, and required off-street parking.~~
5. ~~Lots within the Agriculture/Forestry (AF), Farm Ranch (FR), and Suburban Residential (SR) Zoning Districts where access is provided by a permanent access easement of no less than twenty feet (20') in width at any point.~~
6. ~~Flag poles and access easements within the Agriculture/Forestry (AF), Farm Ranch (FR), and Suburban Residential (SR) Zoning Districts may be greater than one hundred fifty feet (150') in length as long as sufficient Fire Department access is provided. —~~

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

DRAFT