

Moscow City Council



Regular Meeting ~Agenda~

www.ci.moscow.id.us

Laurie M. Hopkins
City Clerk

208.883.7015

Tuesday, January 21, 2020

7:00 PM

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

The Moscow Mayor, City Council and Staff welcome you to tonight's meeting. We appreciate and encourage public participation. For regular agenda items, an opportunity for public comment is sometimes provided after the staff report. However, the formality of procedures varies with the purpose and subject of the agenda item; therefore, the Mayor may exercise discretion in deciding when to allow public comment during the course of the proceedings and limitations may be placed on the time allowed for comments. Citizens wishing to comment on business that is not on the agenda will be provided the opportunity to do so during the public comment item on the agenda. If you plan to address the Council, you will find a list of "Tips for Addressing the Council" in the door pocket outside the City Council Chambers. Please note that Moscow City Council meetings are televised, videotaped and/or recorded. Thank you for your interest in City government.

PLEDGE OF ALLEGIANCE

PROCLAMATION - Rotary Club Of Moscow Centennial Anniversary Week

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council January 6, 2020 Minutes - Laurie M. Hopkins

Minutes presented for approval.

ACTION: Approve minutes.

B. Disbursement Report December 2019 - Sarah Banks

Staff will present the Accounts Payable Report for the month ending December 2020. This was reviewed by the Public Works/Finance Committee on January 13, and recommended for approval.

ACTION: Sign the Disbursements Report for the month of December, 2019.

C. First Quarter Financial Report October 1, 2019 to December 31, 2019 for FY2020 - Sarah Banks

Staff will present the financial report for the first quarter of Fiscal Year 2020 (October 1, 2019 to December 31, 2019).

ACTION: Approve the FY2020 First Quarter Report.

D. Lot Line Adjustment for 1614 Christopher Lane – Aimee Hennrich

The applicants, Brad and Debbie Capawana, are requesting a lot line adjustment between two properties located at 1614 Christopher Lane and legally described as Lot 12 and 13, Block A, of Christopher's Crossing Subdivision. The proposed lot line adjustment would reduce Lot 13 from 1.95 acres to 1.78 acres and expand Lot 12 from 1.25 acres to 1.42 acres. The applicant is requesting the lot line adjustment due to already developed landscaping on Lot 12 and future plans to sell Lot 13. Lot 12 currently has an existing single-family dwelling upon it and Lot 13 is currently vacant. The subject properties are both located within the Suburban Residential (SR) Zoning District. Within the SR Zoning District, lots require a minimum lot size of 1 acre and a minimum lot width of 100 feet. The proposed lot line adjustment meets both of these standards and the existing home will meet all setback requirements. This was approved by the Public Works and Finance Committee on January 13, 2020.

ACTION: Approve the lot line adjustment request with no conditions.

E. Amended 2020 City Council Organization - Gary J. Riedner

At the City Council meeting January 6, 2020, Council President Brandy was approved to serve on the Administrative Committee, and the Council Vice President Bettge on the Public Works/Finance Committee. After discussions between them, they would like to switch the Committees they were approved to serve. An email was sent to the City Council members and the switch of Committees received no objections.

ACTION: Approve amendment to City Council assignments for 2020.

F. Police Department Traffic Enforcement Mobilization Grants - Alisa Anderson / James Fry / Eric Warner

The Idaho Transportation Department (ITD), through the Office of Highway Safety (OHS) administers the Traffic Enforcement Mobilizations program. The goal of the program is to eliminate death and serious injuries resulting from motor vehicle crashes and to implement programs designed to address driver behavior. The program provides funding at the state and community level for highway safety problems to address Idaho's own unique circumstances and highway safety needs. Traffic enforcement has been proven to be an effective countermeasure to reduce unsafe driving behaviors. The Traffic Enforcement Mobilization program establishes project requirements and a funding process to support the enforcement efforts as part of the Idaho's Strategic Highway Safety Plan (SHSP). The program funds dedicated overtime enforcement hours and/or traffic enforcement equipment. OHS also offers Mini Grants to support data-driven Idaho Safety Traffic Goals as established in the annual Highway Safety Plan for traffic training support, traffic equipment and enforcement. These Mini Grants allow agencies to be reimbursed for training and special emphasis patrols. Moscow Police Department (MPD) has successfully participated in mobilizations offered through the OHS program for several years. Attached is the 2019-2020 Idaho Transportation Department, Office of Highway Safety, Traffic Enforcement Grant Project Agreement (TEGPA), the Certifications and Assurances, and the Subrecipient Risk Assessment required for participation in the program. This was reviewed by the Public Works/Finance Committee on January 13, 2020 and recommended for approval.

ACTION: Ratify the FY2020 Traffic Enforcement Grant Project Agreement (TEGPA), the Certifications and Assurances, and the Subrecipient Risk Assessment required for participation in the program for mobilizations during specified Highway Safety Performance Plan focus area events, campaigns, and/or Mini-Grant requests up to an accumulative amount per program fiscal year of \$50,000 with administrative approval.

G. Fire Department – FM Global Fire Prevention Grant Approval – Alisa Anderson / Brian Nickerson

FM Global is a worldwide philanthropic organization promoting fire prevention and awards grant funds to public organizations which support their mission. Funding requests are accepted to help organizations working to combat fire for a wide array of fire prevention, preparedness and control efforts. Program funding scopes include Pre-Incident Planning; Fire Prevention Education and Training; and Arson Prevention and Fire Investigation. A grant application was submitted to FM Global in June of 2019. This was the first time the Fire Department had requested funds from this organization, therefore anticipated approval was considered unlikely as the organization normally funds much larger departments. A grant request was submitted for \$2,500 to purchase equipment to include two sets of a DeWalt Cordless Tool Combo Kits and two Pelican Remote Area Lighting Systems under the Arson Prevention/Fire Investigation category. On December 18, 2019, staff received an award letter for \$1,720. A copy of the program information, grant request and award are attached to this report.

ACTION: Accept the FM Global Fire Prevention Grant Award for \$1,720 to purchase fire investigation equipment.

H. Local Highway Safety Improvement Program Grant Application - A Street and Baker Street Intersection - Safety Improvement Project - Alisa Anderson / Bill Belknap / Nate Suhr

The intersection of A and Baker Streets has been determined by Engineering staff as an eligible project for Federal Highway Safety Improvement Program (HSIP) grant funding. The Local Highway Technical Assistance Council (LHTAC) administers those funds through the Local Highway Safety Improvement Program (LHSIP). Additional details are provided in the attached memo from Alisa Anderson, Grants Manager.

This grant request is proposed for the project for a total project cost estimated not to exceed \$800,000. Staff's recommendation is to request \$741,280 in LHSIP funding, with the providing the required 7.34% local match of \$58,720. If approved by LHTAC, the project would be scheduled for design in 2022 and construction in 2023. This grant request was reviewed by the Public Works/Finance Committee on January 13, 2020, and recommended for approval.

ACTION: Approve submission of the grant request for the LHSIP FY22 Application for safety improvements to the intersection of A and Baker streets with an estimated total project costs not to exceed \$800,000; requesting \$741,280 in LHSIP funding with the required 7.34% local match of \$58,720.

I. Sewer Conveyance Vacuum Truck Purchase - Tyler Palmer

Fleet is requesting an early replacement of Unit #148 (Sewer Conveyance Vacuum Truck) in FY2020 due to reliability concerns with the current 2011 International chassis. With this unit being down for repairs for more than 30% of the year already, it is clear that Sewer Conveyance cannot successfully continue to rely on this vehicle in the critical maintenance of the City's water reclamation system. This unit will continue to have excessive issues as it is a known problem year for Navistar MaxxForce engines due to the design of the emissions system. Fleet has accumulated funds in the amount of \$364,154 for the scheduled replacement of this unit. Because of the reliability issues, it is requested to move the replacement up to FY2020. The cost of replacement, considering the trade of the old unit, is \$379,659. Accumulation for other Sewer Fund fleet replacements will be utilized for the remaining \$15,505. If approved by City Council, the appropriation will be brought forward in the FY2020 open budget process. This was reviewed by the Public Works/Finance Committee on January 13, 2020, and recommended for approval.

ACTION: Approve replacement of Unit #148 in the FY2020 budget year, and direct staff to bring the adjustment forward in the FY2020 open budget process.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

3. Mayors Appointments (ACTION ITEM)

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

5. Public Hearing: Ordinance Amending Title 6, Chapters 2, 3, and 4 of Moscow City Code Regarding Mobile Home and Recreational Vehicle Parks (ACTION ITEM) - Mike Ray

On November 23, 2018, the Community Development Department received a letter from Mr. Gary Lester, requesting that the Planning and Zoning Commission review and potentially remove the 6-month stay limitation for Recreational Vehicles (RVs) within the City of Moscow. The Commission discussed Mr. Lester's request at their January 9, 2019 and February 13, 2019 meetings and directed staff to prepare a code amendment to eliminate the 6-month stay limitation and provide greater opportunities for tiny houses within mobile home parks. After review of the existing RV park and mobile home park ordinances, it was determined that the codes have not been updated since the early 80's. Therefore, the code amendment was expanded to include the mobile home park chapters, which have been updated in order to align the chapters with current State and Federal definitions and reorganized for ease of use. On December 11, 2019, the Commission conducted a public hearing upon the proposed ordinance and recommended approval to City Council. This item was reviewed by the Administrative Committee on January 13, 2020.

PROPOSED ACTIONS: After conducting the public hearing and consideration of testimony received, approve the proposed Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading; or reject the Ordinance; or take such other action deemed appropriate.

6. Public Hearing: Proposed Rezone at 904, 908, and 912 S Washington Street (ACTION ITEM) - Mike Ray

The applicant, Latah Federal Credit Union, is requesting to rezone a 25,000 square foot area of land at located at 904, 908 and 912 S Washington Street. The parcel is currently zoned Residential Office (RO) which the applicant is proposing to change to the General Business (GB) Zone. The Planning and Zoning Commission conducted a public hearing on December 11, 2019 and recommended approval of the rezone request.

PROPOSED ACTIONS: After conducting the public hearing and consideration of testimony received, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or consider the Zoning Ordinance on first reading; or reject the Zoning Ordinance and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take such other action deemed appropriate.

REPORTS

City Council

Mayor

Staff

ADJOURN

NOTICE: Moscow City Council and committee meetings are 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.

ROTARY CLUB WEEK PROCLAMATION

- WHEREAS,** Rotary International with global membership that exceeds 1.2 million is celebrating its 110th anniversary in 2020; and
- WHEREAS,** the Rotary Club of Moscow is celebrating its 100th Anniversary February 1, 2020; and
- WHEREAS,** Moscow's Club is number 249 of more than 35,000 clubs worldwide; and
- WHEREAS,** Rotary members volunteer locally, regionally, and internationally to combat hunger, improve health and sanitation, provide education and job training, promote peace, eradicate polio, and provide foreign exchange student opportunities; and
- WHEREAS,** Rotary's motto is "Service Above Self", and Rotary Clubs are nonpolitical, nonreligious, and open to all cultures, races and creeds; and
- WHEREAS,** the objective of Rotary is to encourage and foster development of acquaintances as an opportunity for service; promote high ethical standards in business and professions; recognize the worthiness of all useful occupations; and to dignify each Rotarian's occupation as an opportunity to serve society; and
- WHEREAS,** recent projects and programs of the Rotary Club of Moscow include:
- creation of the Rotary Veterans Memorial Pavilion and Palouse Ice Rink;
 - support of the Jim Lyle and Frontier Parks;
 - Moscow Mentoring Program for youth;
 - more than \$300,000 in contributions to numerous non-profits, public services, and educational programs that have enriched the quality of life for the citizens of the city of Moscow; and

NOW THEREFORE, I, Bill Lambert, Mayor for the city of Moscow, do hereby proclaim the week of February 2, 2020 as

Rotary Club of Moscow Centennial Anniversary Week

in the city of Moscow and encourage our citizens to join in celebrating Rotary's dedicated service.



DATED this 21st day of January, 2020.

Bill Lambert, Mayor

Moscow City Council



Regular Meeting ~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

Monday, January 6, 2020

7:00 PM

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

The meeting was called to order at 7:00 p.m.

PRESENT: Mayor Bill Lambert, Art Bettge, Jim Boland, Kathryn Bonzo, Brandy Sullivan, Gina Taruscio, Anne Zabala

STAFF: Gary J. Riedner, Mia Bautista, Bill Belknap, James Fry, Will Krasselt, Tyson Berrett, Roger Lanier, Tyler Palmer, Laurie M. Hopkins and many officers

PLEDGE OF ALLEGIANCE

Mayor Lambert led the Pledge of Allegiance.

PROCLAMATION

Mayor Lambert read the Law Enforcement Appreciation Proclamation and presented it to Chief Fry and many police officers.

REGULAR AGENDA

1. Approval of Moscow City Council December 16, 2019 Minutes (ACTION ITEM) - Laurie M. Hopkins

Minutes presented for approval.

PROPOSED ACTIONS: Approve minutes, amend minutes, or take other such action deemed appropriate.

Boland moved Boland seconded to approve the minutes as presented. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

2. Staff Recognition Report - Gary J. Riedner

None offered.

3. Reports - Reports will be taken from the Mayor and City Council Members regarding commission and committee meetings which have occurred since the December 16, 2019 City Council meeting

Bonzo said the first collection of plastic material was held January 4 and 144 residents dropped off plastics. Total collection was over 700 pounds. The next collection date is February 1.

The Mayor attended an Airport board meeting where finances were the main topic. Only one flight has been canceled due to fog. If it wasn't for the new instrument system, there could have been 20 flights canceled.

4. Recognition of and Comments from Outgoing Council Members Kathryn Bonzo and Jim Boland

Boland thanked the Mayor, current Council members and staff. During his five years on the Council, he saw projects such as the airport realignment, the construction of a restroom in downtown, installation of a bridge across Third Street, some new parks, and the passing of the police bond.

Kathryn thanked the City staff for their education, patience and continuous progressive planning; the council and mayor for being invested residents; and the residents for giving her the opportunity to represent them and complete many projects

The Mayor said a few words and presented each of them with a celebratory clock. Each council member said a few words in appreciation of Bonzo and Boland.

5. Oath of Office Administered by City Clerk and Certificate of Election Presented to Sandra Kelly, Maureen Laflin and Anne Zabala

The Oath of Office was administered to Sandra Kelly, Maureen Laflin and Anne Zabala

ADJOURN 2019 CITY COUNCIL

Sullivan moved, Bettge seconded to adjourn the 2019 City Council at 7:25 p.m. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

RECONVENE 2020 CITY COUNCIL

The City Council took their new seats and the meeting was reconvened at 7:28 p.m.

6. Council Organization (ACTION ITEM) - Brandy Sullivan, 2019 Council Vice-President

A Council workshop was held at 5:00 p.m. January 6, 2020 where members discussed liaison assignments for commissions, committees and boards. The list of proposed assignments will be presented.

ACTION: Confirm proposed 2020 City Council assignments.

Sullivan explained the item as written above and said she was nominated as council president and Bettge as council vice president. The council members were also nominated to serve on the committees: Bettge, Taruscio, and Kelly on the Public Works/Finance Committee; Laflin, Zabala and Sullivan on the Administrative Committee. Taruscio moved Zabala seconded to accept the assignments. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

The council members each announced the boards, commissions and committees they are nominated to serve on. Bettge moved and Kelly seconded to approve the assignments. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lambert put forward Sullivan to the Moscow Urban Renewal Agency. Bettge moved and Taruscio seconded to approve the appointment. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lambert put forward Kelly to 1912 Center Facility Committee. Taruscio moved Bettge

seconded approval of the appointment. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

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

Josh West, commented he is concerned that the United States is becoming a military complex, having 20 years committing murder in Iran.

Riedner announced a lunch will be held at the Moscow Chamber of Commerce on January 9 for all officers.

ADJOURN TO RECEPTION HONORING NEWLY ELECTED AND OUTGOING CITY COUNCIL MEMBERS

The meeting adjourned at 7:38 p.m.

CITY COUNCIL STAFF REPORT

DATE: Tuesday, January 21, 2020



RESPONSIBLE STAFF

Sarah Banks, Finance Director

REVIEWED BY

This was reviewed by the Public Works/Finance Committee on January 13, and recommended for approval.

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Disbursement Report December 2019 - Sarah Banks

DESCRIPTION

Accounts Payable Report for the month ending December 31, 2019. A summary of the major expenditures has been approximated by category and represents 95% of the total expenditure of \$1,874,079.86.

Payroll	\$1,080,537.00
Professional Services	\$114,950.00
Sanitation	\$301,971.00
Capital Outlay	\$14,360.00
Capital Outlay - Improvements	\$12,970.00
Supplies	\$109,721.00
Utilities	\$73,996.00
Contractual Payments	\$41,343.00
ACH Wells Fargo	\$37626.00
Total	\$1,787,474.00

STAFF RECOMMENDATION

Sign the Disbursements Report for the month of December, 2019.

PROPOSED ACTIONS

ACTION: Sign the Disbursements Report for the month of December, 2019.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. December 2019 Cash & Investments
2. December 2019 Disbursement Report

3. December 2019 revenue report

City of Moscow
Cash and Investments
Balances as of 12/31/2019

Fund		Year to Date Balance
General Fund	\$	4,972,552.57
Street Fund	\$	1,536,567.87
Culture & Recreation	\$	1,346,655.86
MSDCPF	\$	141,869.37
1912 Fund	\$	42,496.29
Transit Center	\$	66,899.39
Water Fund	\$	2,926,096.63
Sewer/WWTP	\$	7,814,032.14
Sanitation Fund	\$	2,773,369.75
Fleet Fund	\$	3,589,610.50
Information Systems	\$	2,154,920.67
Water Capital	\$	7,698,942.67
Sewer Capital	\$	7,196,216.00
Capital Projects	\$	11,274,994.48
Sanitation Capital	\$	5,799,850.92
LID construction	\$	119,173.69
Hamilton	\$	2,314,921.81
Bond & Interest	\$	121,768.09
LID Funds	\$	19,178.10
Payroll Service	\$	519,863.32
Total Cash & Investments	\$	62,429,980.12

DISBURSEMENTS REPORT FOR DECEMBER 2019														
DATE	FUND NAME	ACCOUNTS PAYABLE	ACCOUNTS PAYABLE	ACCOUNTS PAYABLE	ACCOUNTS PAYABLE	ACCOUNTS PAYABLE	ACCOUNTS PAYABLE	ACCOUNTS PAYABLE	ACCOUNTS PAYABLE	ACCOUNTS PAYABLE	VOID CHECKS	PAYROLL	PAYROLL	GRAND TOTALS
		12/4/2019	12/10/2019	12/12/2019	12/19/2019	12/20/2019	12/20/2019	12/26/2019	12/13/2019	12/30/2019	12/6/2019	12/20/2019		
		00001.12.2019	00005.12.2019	00003.12.2019	00006.12.2019	00008.12.2019	00009.12.2019	00007.12.2019	12/24/2019 00005.11.2019 00010.12.2019	00002.12.2019 00003.12.2019	00100.12.2019	00200.12.2019		
CHECK #'s		93360-93392	93393	93394-93485	93486-93539	93540	93541	93542-93578	December CC ACH	93433, 93413, 93415 93491, 93522, 93499	21118-21127	21129-21138		
Fund #	ACH for Wells Fargo to be Imported													
101	GENERAL	11,751.38		26,344.51	12,148.42				15,575.13	18,294.03	(1,827.04)	332,742.56	330,214.55	745,243.54
105	STREETS	1,967.85		1,532.92	30,469.43				2,020.64	510.70		26,033.04	26,258.00	88,792.58
120	RECREATION AND CULTURE	3,538.45		13,682.91	5,598.84	6,143.00			4,671.59	5,027.21		54,858.38	54,687.94	148,208.32
121	MSD COMM. PLAY FIELDS	153.37		224.22					32.17	414.75		1,726.26	1,679.14	4,229.91
123	1912 CENTER			7,916.67										7,916.67
128	TRANSIT CENTER			1,329.47	114.85				750.00	145.73				2,340.05
220	WATER	158.42	16,342.50	44,305.63	25,485.94				27,794.02	2,361.06	(5,895.50)	47,735.17	49,068.13	207,355.37
230	SEWER	3,707.23		42,344.03	88,438.55				9,313.95	3,365.83	(5,960.51)	44,536.73	44,859.76	230,605.57
240	SANITATION			284,349.18	1,067.00					175.00		5,300.58	5,396.72	296,288.48
290	FLEET	7,495.46		26,621.37	4,487.78				1,069.17	431.54		11,433.68	11,560.97	63,099.97
295	INFORMATION SYSTEMS			7,603.18	6,446.59					6,900.41	(6,416.76)	16,212.20	16,232.98	46,978.60
320	WATER CAPITAL PROJECTS								5,396.50					5,396.50
330	SEWER CAPITAL PROJECTS								2,516.73					2,516.73
340	SANITATION CAPITAL PROJ													0.00
350	CAPITAL PROJECTS	9,360.00		4,902.50			5,000.00	5,845.07						25,107.57
355	LID CONSTRUCTION													0.00
380	HAMILTON - PARKS & REC													0.00
590	BONDS & INTEREST													0.00
	TOTAL	38,132.16	16,342.50	461,156.59	174,257.40	6,143.00	5,000.00	74,984.97	37,626.26	(20,099.81)	540,578.60	539,958.19		1,874,079.86

WIRE Transfers:

_____ Art Bettge

_____ Gina Taruscio

_____ Sandra Kelly

_____ Sarah L. Banks, Finance Director

RECEIPTS REPORT FOR December 2019

		Taxes	Franchise Fees	Licenses & Permits	Intergovernmental	Charges for Services	Fines & Penalties	Investment Income	Refunds & Reimbursements	Contributions & Donations	Other	Grand Total
Fund #	FUND NAME											
101	GENERAL	524,782.51	120,345.82	45,890.65	0.00	135,920.75	9,806.11	8,340.10	29,995.23	1,018.68	4,395.67	880,495.52
105	STREETS	70,203.49	0.00	0.00	929.55	466.51	0.00	2,585.34	0.00	0.00	0.00	74,184.89
120	RECREATION AND CULTURE	0.00	0.00	25.00	0.00	13,334.48	0.00	0.00	-1,755.92	0.00	0.00	11,603.56
121	MSD COMMUNITY PLAY FIELDS	0.00	0.00	0.00	5,405.12	0.00	0.00	0.00	0.00	0.00	0.00	5,405.12
123	1912 CENTER	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
128	TRANSIT CENTER	0.00	0.00	0.00	0.00	18,444.98	0.00	0.00	0.00	0.00	0.00	18,444.98
220	WATER	0.00	0.00	0.00	0.00	23,042.62	0.00	4,923.28	213.25	0.00	0.00	28,179.15
230	SEWER	0.00	0.00	0.00	0.00	27,081.90	0.00	17,132.72	168.48	0.00	0.00	44,383.10
240	SANITATION	0.00	0.00	0.00	0.00	28,280.49	0.00	4,666.31	2,000.00	0.00	0.00	34,946.80
290	FLEET	0.00	0.00	0.00	0.00	102,251.64	0.00	6,039.67	281.10	0.00	0.00	108,572.41
295	INFORMATION SYSTEMS	0.00	0.00	0.00	0.00	117,298.00	0.00	3,625.74	0.00	0.00	0.00	120,923.74
320	WATER CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00	12,953.79	0.00	0.00	0.00	12,953.79
330	SEWER CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00	12,107.93	0.00	0.00	0.00	12,107.93
340	SANITATION CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00	9,758.49	0.00	0.00	0.00	9,758.49
350	CAPITAL PROJECTS	0.00	0.00	0.00	6,512.56	0.00	0.00	18,970.64	0.00	0.00	1,017.96	26,501.16
355	LID CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00	200.51	0.00	0.00	0.00	200.51
380	HAMILTON P&R	0.00	0.00	0.00	0.00	0.00	0.00	3,924.95	0.00	0.00	0.00	3,924.95
590	BOND & INTEREST	84,563.56	0.00	0.00	0.00	0.00	0.00	0.22	0.00	0.00	0.00	84,563.78
595	LID FUNDS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	TOTAL	679,549.56	120,345.82	45,915.65	12,847.23	466,121.37	9,806.11	105,229.69	30,902.14	1,018.68	5,413.63	1,477,149.88

CITY COUNCIL STAFF REPORT

DATE: Tuesday, January 21, 2020



RESPONSIBLE STAFF

Sarah Banks, Finance Director

REVIEWED BY

This was reviewed by the Public Works/Finance Committee on January 13, and recommended for approval.

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

First Quarter Financial Report October 1, 2019 to December 31, 2019 for FY2020 - Sarah Banks

DESCRIPTION

Staff will present the financial report for the first quarter of Fiscal Year 2020 (October 1, 2019 to December 31, 2019).

STAFF RECOMMENDATION

Approve the FY2020 First Quarter Report.

PROPOSED ACTIONS

ACTION: Approve the FY2020 First Quarter Report.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. 1st Qtr 2020 Financial Report

City of Moscow
QUARTERLY FINANCIAL REPORT
Budget For Fiscal Year Ending September 30, 2020
SUMMARY FINANCIAL REPORT BY FUND - BUDGET AND ACTUAL

					Percent of Year 25%
		Original	Final		Budget to
		Budget	Budget	31-Dec-2019	Actual
				YTD	To Date
Fund					
101	General Fund Revenues	16,851,897	16,851,897	2,514,835	14.92%
	Salaries & Benefits	9,369,885	9,369,885	1,777,507	18.97%
	Operations	4,268,629	4,268,629	767,507	17.98%
	Capital Outlay	6,000	6,000	0	0.00%
	Transfers	3,207,383	3,207,383	1,161,656	36.22%
	Total General Fund Expenditures	16,851,897	16,851,897	3,706,670	22.00%
105	Street Department Revenues	3,332,714	3,332,714	261,666	7.85%
	Salaries & Benefits	951,091	951,091	137,698	14.48%
	Operations	1,302,878	1,302,878	226,965	17.42%
	Capital Outlay	0	0	0	0.00%
	Transfers	1,078,745	1,078,745	290,975	26.97%
	Total Street Fund Expenditures	3,332,714	3,332,714	655,638	19.67%
120	Recreation & Culture Revenues	3,397,237	3,397,237	640,785	18.86%
	Salaries & Benefits	2,036,417	2,036,417	276,079	13.56%
	Operations	1,308,820	1,308,820	197,948	15.12%
	Capital Outlay	40,000	40,000	0	0.00%
	Debt Service	0	0	0	0.00%
	Transfers	12,000	12,000	12,000	100.00%
	Total Parks & Rec Expenditures	3,397,237	3,397,237	486,027	14.31%
121	MSD Community Playfields Revenues	148,734	148,734	32,297	21.71%
	Salaries & Benefits	66,922	66,922	12,132	18.13%
	Operations	77,801	77,801	5,107	6.56%
	Transfers	4,011	4,011	4,011	100.00%
	Total MSD Community Playfields	148,734	148,734	21,250	14.29%
123	1912 Center Revenues	110,100	110,100	27,525	25.00%
	Operations	106,100	106,100	24,916	23.48%
	Capital Outlay	4,000	4,000	0	0.00%
	Total 1912 Center Expenditures	110,100	110,100	24,916	22.63%
128	Transit Center Revenues	36,508	36,508	23,476	64.30%
	Operations	36,508	36,508	6,278	17.20%
	Total Transit Center Fund	36,508	36,508	6,278	17.20%
220	Water Fund Revenues	6,770,380	6,770,380	995,978	14.71%
	Salaries & Benefits	1,417,290	1,417,290	270,399	19.08%
	Operations	2,306,065	2,306,065	326,932	14.18%
	Capital Outlay	210,000	210,000	12,119	5.77%
	Transfers	2,837,025	2,837,025	826,272	29.12%
	Total Water Fund Expenditures	6,770,380	6,770,380	1,435,722	21.21%
230	Sewer Fund Revenues	9,699,474	9,699,474	1,569,945	16.19%
	Salaries & Benefits	1,380,365	1,380,365	243,346	17.63%
	Operations	2,273,028	2,273,028	331,303	14.58%
	Capital Outlay	230,000	230,000	94,812	41.22%
	Debt Service	1,106,582	1,106,582	633,921	57.29%
	Transfers	4,709,499	4,709,499	1,408,317	29.90%
	Total Sewer Fund Expenditures	9,699,474	9,699,474	2,711,698	27.96%
240	Sanitation Fund Revenues	6,205,773	6,205,773	1,086,623	17.51%
	Salaries & Benefits	138,823	138,823	28,333	20.41%
	Operations	4,430,970	4,430,970	779,049	17.58%
	Capital Outlay	0	0	0	0.00%
	Transfers	1,635,980	1,635,980	397,028	24.27%
	Total Sanitation Fund	6,205,773	6,205,773	1,204,410	19.41%
290	Fleet Management Revenues	3,562,993	3,562,993	776,179	21.78%
	Salaries & Benefits	329,978	329,978	62,207	18.85%
	Operations	2,729,715	2,729,715	95,721	3.51%
	Capital Outlay	469,800	469,800	19,827	4.22%
	Debt Service	8,500	8,500	0	0.00%
	Transfers	25,000	25,000	25,000	100.00%
	Total Fleet Management Expenditures	3,562,993	3,562,993	202,755	5.69%

295	Information Systems	1,746,953	1,746,953	620,910	620,910	35.54%
	Salaries & Benefits	546,549	546,549	88,403	88,403	16.17%
	Operations	960,904	960,904	214,987	214,987	22.37%
	Capital Outlay	235,500	235,500	0	0	0.00%
	Transfers	4,000	4,000	4,000	4,000	100.00%
	Total Information Systems Expenditures	1,746,953	1,746,953	307,391	307,391	17.60%
	Revenue for Miscellaneous Funds					
320	Water Construction Fund	7,293,632	7,293,632	292,743	292,743	4.01%
330	Sewer Construction Fund	10,018,376	10,018,376	759,757	759,757	7.58%
340	Sanitation Construcion Fund	5,935,060	5,935,060	157,323	157,323	2.65%
350	Capital Projects Fund	15,292,981	15,292,981	9,058,568	9,058,568	59.23%
355	LID Construction Fund	166,748	166,748	465	465	0.28%
380	Hamilton P & R	93,903	93,903	8,268	8,268	8.80%
590	Bond & Interest Debt Service Fund	10,752,964	10,752,964	87,242	87,242	0.81%
595	LID Bonded Debt Service Fund	30,618	30,618	0	0	0.00%
	Total Miscellaneous Fund Revenue	49,584,282	49,584,282	10,364,366	10,364,366	20.90%
	Expenses for Miscellaneous Funds					
320	Water Construction Fund	7,293,632	7,293,632	113,950	113,950	1.56%
330	Sewer Construction Fund	10,018,376	10,018,376	45,559	45,559	0.45%
340	Sanitation Construcion Fund	5,935,060	5,935,060	0	0	0.00%
350	Capital Projects Fund	15,292,981	15,292,981	911,821	911,821	5.96%
355	LID Construction Fund	166,748	166,748	31,256	31,256	18.74%
380	Hamilton P & R	93,903	93,903	68,409	68,409	72.85%
590	Bond & Interest Debt Service Fund	10,752,964	10,752,964	8,785,000	8,785,000	81.70%
595	LID Bonded Debt Service Fund	30,618	30,618	0	0	0.00%
	Total Miscellaneous Fund Expenses	49,584,282	49,584,282	9,955,996	9,955,996	20.08%
	Total City Revenue (1)	101,447,045	101,447,045	18,914,584	18,914,584	18.64%
	Total City Expenses	101,447,045	101,447,045	20,718,752	20,718,752	20.42%

Note: Citizens are invited to inspect the detailed supporting records of the above financial statements.

(1) Revenues do not include beginning fund balance as a resource available in this report

CITY COUNCIL STAFF REPORT

DATE: Tuesday, January 21, 2020



RESPONSIBLE STAFF

Aimee Hennrich

REVIEWED BY

This was reviewed by the Public Works/Finance Committee on January 13, 2020 and recommended for approval.

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Lot Line Adjustment for 1614 Christopher Lane – Aimee Hennrich

DESCRIPTION

The applicants, Brad and Debbie Capawana, are requesting a lot line adjustment between two properties located at 1614 Christopher Lane and legally described as Lot 12 and 13, Block A, of Christopher's Crossing Subdivision. The proposed lot line adjustment would reduce Lot 13 from 1.95 acres to 1.78 acres and expand Lot 12 from 1.25 acres to 1.42 acres. The applicant is requesting the lot line adjustment due to already developed landscaping on Lot 12 and future plans to sell Lot 13. Lot 12 currently has an existing single-family dwelling upon it and Lot 13 is currently vacant. The subject properties are both located within the Suburban Residential (SR) Zoning District. Within the SR Zoning District, lots require a minimum lot size of 1 acre and a minimum lot width of 100 feet. The proposed lot line adjustment meets both of these standards and the existing home will meet all setback requirements.

STAFF RECOMMENDATION

Staff recommends approval of the proposed lot line adjustment with no conditions.

PROPOSED ACTIONS

ACTION: Approve the lot line adjustment request with no conditions.

FISCAL IMPACT

No fiscal impact.

PERSONNEL IMPACT

ATTACHMENTS

1. LLA 1614 Christopher Lane Packet

December 30, 2019

Brad and Debbie Capawana
1614 Christopher Lane
Moscow, ID 83843

To the Mayor and City Council of Moscow:

Please approve the attached lot line adjustment attached to this request as soon as possible.

Thank you,

A handwritten signature in black ink, appearing to be 'Debbie Capawana', with a long horizontal flourish extending to the right.

Debbie Capawana



Rim Rock Consulting, Inc.

PROFESSIONAL LAND SURVEYORS
GIS & MAPPING SERVICES

JOHN L. DUNN, PLS / ID, WA / CFEDS
DUANE E. PRIEST, PLS / ID
MICHAEL E. DAHLIN, PLS / ID, WA

PROPERTY DESCRIPTION FOR DEBBIE CAPAWANA PARCEL 1

A parcel of land located in Block A, Christopher's Crossing Subdivision to the City of Moscow, Section 5, Township 39 North, Range 5 West of the Boise Meridian, Latah County, Idaho, described as follows:

Lot 12, Block A of Christopher's Crossing Subdivision to the City of Moscow.

TOGETHER WITH a parcel of land located in Lot 13, Block A of Christopher's Crossing Subdivision described as follows:

Beginning at the northeast corner of Lot 12 of said subdivision:

Thence along the north line of Christopher's Crossing Subdivision, S 89°41'56" E,
97.62 feet;
Thence leaving said north line, S 34°13'20" W, 175.39 feet to a corner common to
Lots 12, 13 and 6;
Thence along the east line of Lot 12, N 00°24'12" E, 145.53 feet to the POINT OF
BEGINNING.

Containing 1.42 acres, more or less.

This description was prepared by Michael E. Dahlin on November 21, 2019.



129 West 3rd Street, #102 • Moscow, ID 83843
(208) 863-5339 phone • (208) 863-4309 fax
mrocks@rimrockconsulting.net





Rim Rock Consulting, Inc.

PROFESSIONAL LAND SURVEYORS
GIS & MAPPING SERVICES

JOHN L. DUNN, PLS / ID, WA / CFEDS
DUANE E. PRIEST, PLS / ID
MICHAEL E. DAHLIN, PLS / ID, WA

PROPERTY DESCRIPTION FOR DEBBIE CAPAWANA PARCEL 2

A parcel of land located in Block A, Christopher's Crossing Subdivision to the City of Moscow, Section 5, Township 39 North, Range 5 West of the Boise Meridian, Latah County, Idaho, described as follows:

Lot 13, Block A of Christopher's Crossing Subdivision to the City of Moscow.

EXCEPTING therefrom a parcel of land located in Lot 13, Block A of Christopher's Crossing Subdivision described as follows:

Beginning at the northeast corner of Lot 12 of said subdivision;

Thence along the north line of Christopher's Crossing Subdivision, S 89°41'58" E,
97.62 feet;
Thence leaving said north line, S 34°13'20" W, 175.39 feet to a corner common to
Lots 12, 13 and 6;
Thence along the east line of Lot 12, N 00°24'12" E, 145.53 feet to the POINT OF
BEGINNING.

Containing 1.78 acres, more or less.

This description was prepared by Michael E. Dahlin on November 21, 2019.



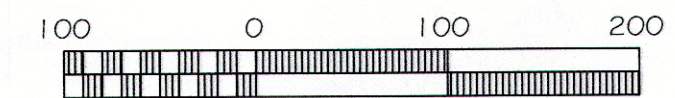
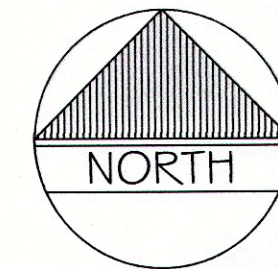
129 West 3rd Street, #102 • Moscow, ID 83843
(208) 883-5339 phone • (208) 883-4309 fax
rimrock@rimrockconsulting.net



T 39 N, R 5 W, S 5

RECORD OF SURVEY

A boundary line adjustment between Lot 12 & Lot 13, Block A, Christopher's Crossing Subdivision, City of Moscow, T39N, R5W, Boise Meridian Latah County, Idaho



ORIGINAL SCALE : 1" = 100 FEET
CADD FILE : Capawana, Debbie ROS.dwg

LEGEND

- Set 5/8" X 30" long rebar w/ aluminum cap LS 17534
- Found Property Corner as Described
- Calculated Position - Nothing Found or Set
- ✦ Found Sectional Subdivision Corner
- (M) Measured
- (R) Record Per Recorded Plat

- Subject Property Boundary Line
- Section Line
- Section Subdivision Line
- Street Centerline
- Street Right of Way Line

BASIS OF BEARINGS

The Basis of Bearings for this survey is the Idaho Coordinate System, West Zone, NAD 83, as shown between the found center quarter and the found center-east sixteenth corner, said bearing being, S 89°41'44" E.

SURVEY REFERENCES

1. Warranty Deed Inst. No. 455741
2. Christopher's Crossing Subdivision Plat Inst. No. 452053
3. Pheasant Run Addition Plat Inst. No. 410453

SURVEYOR NARRATIVE

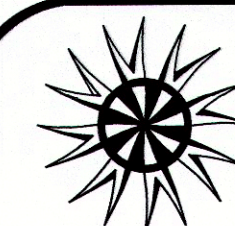
1. The purpose of this survey is to adjust the boundary between Lot 12 and Lot 13, Block A of Christopher's Crossing Subdivision.

SURVEYOR CERTIFICATION

This map correctly represents a survey made by me or under my direction in conformance with the Survey Recording Act. This survey map was prepared at the request of Debbie Capawana, in December, 2019.



Michael E. Dahlin - Idaho Professional Land Surveyor



RIM ROCK CONSULTING, INC.

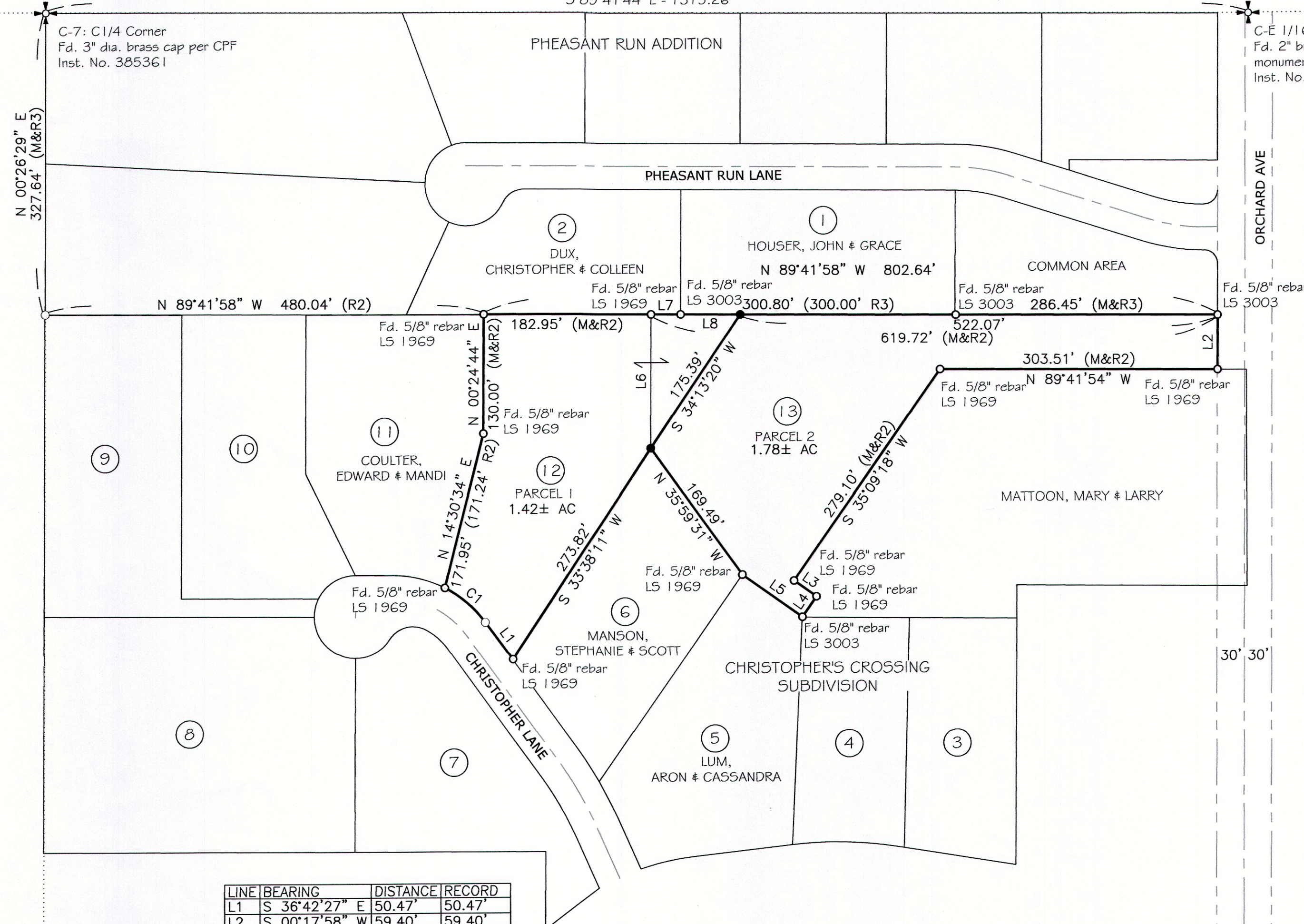
- Land Surveying
- Site Planning
- Mapping

129 West 3rd Street #102 Moscow, Idaho 83843 208-883-5339 rimrock@rimrockconsulting.net

SHEET

1
OF
1

BASIS OF BEARINGS
S 89°41'44" E - 1315.26'



LINE	BEARING	DISTANCE	RECORD
L1	S 36°42'27" E	50.47'	50.47'
L2	S 00°17'58" W	59.40'	59.40'
L3	S 54°54'45" E	30.00'	30.00'
L4	S 35°03'25" W	27.13'	27.13'
L5	N 54°51'54" W	80.00'	80.00'
L6	N 00°24'12" E	145.52'	145.52'
L7	N 89°41'58" W	32.44'	
L8	N 89°41'58" W	65.18'	

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	58.55'	125.00'	26°50'21"	N 49°27'07" W	58.02'

602688

COUNTY RECORDER CERTIFICATE

STATE OF IDAHO, COUNTY OF LATAH
RECORDED AT THE REQUEST OF Michael E. Dahlin
AT 12:39 PM THIS 3 DAY OF 12, 2019

RECORDER HENRIANNE K. WESTBERG

DEPUTY Alvin

DATE	STATE	COUNTY	PROJECT	DRAWN BY
DECEMBER 2019	ID	LATAH	CAPAWANA - BLA	TLW

CITY COUNCIL STAFF REPORT

DATE: Tuesday, January 21, 2020



RESPONSIBLE STAFF

REVIEWED BY

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Amended 2020 City Council Organization - Gary J. Riedner

DESCRIPTION

At the City Council meeting January 6, 2020, Council President Brandy was approved to serve on the Administrative Committee, and the Council Vice President Bettge on the Public Works/Finance Committee. After discussions between them, they would like to switch the Committees they were approved to serve. An email was sent to the City Council members and the switch of Committees received no objections.

STAFF RECOMMENDATION

Approve amendment to City Council assignments for 2020.

PROPOSED ACTIONS

ACTION: Approve amendment to City Council assignments for 2020.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. 2020 City Council Assignments

2020 CITY COUNCIL ASSIGNMENTS

Council President – Brandy Sullivan

Council Vice President – Art Bettge

PUBLIC WORKS/FINANCE COMMITTEE

2nd & 4th MONDAYS, 3:00 P.M.

Chair – Gina Taruscio

Vice Chair – Sandra Kelly

Member – Brandy Sullivan

ADMINISTRATIVE COMMITTEE

2nd & 4th MONDAYS, 4:30 P.M.

Chair – Anne Zabala

Vice Chair – Maureen Laflin

Member – Art Bettge

City Standing Commissions and Committees:

Arts Commission.....	<u>Anne Zabala</u>
Building Code Advisory Committee.....	<u>Art Bettge</u>
Fair & Affordable Housing Commission.....	<u>Gina Taruscio</u>
Farmers Market Commission.....	<u>Anne Zabala</u>
Historic Preservation Commission.....	<u>Art Bettge</u>
Human Rights Commission.....	<u>Maureen Laflin</u>
Moscow Pathways Commission.....	<u>Sandra Kelly</u>
Parks & Recreation Commission.....	<u>Gina Taruscio</u>
Planning and Zoning Commission.....	<u>Sandra Kelly</u>
Sustainable Environment Commission.....	<u>Maureen Laflin</u>
Transportation Commission.....	<u>Brandy Sullivan</u>
Tree Commission.....	<u>Brandy Sullivan</u>

Other Appointments:

1912 Center Facility Committee.....	Mayor Appoints/Council Confirm <u>Sandra Kelly</u>
1912 Center Use Committee.....	Mayor Appoints/Council Confirm <u>Art Bettge</u>
Airport Board.....	Mayor Appoints/Council Confirm <u>Jon Kimberling</u>
Airport Board Vice Chair.....	<u>Mayor Lambert</u>
CEDA.....	<u>Sandra Kelly</u>
Chamber of Commerce Board.....	<u>Mayor Lambert</u>
Clearwater RC&D.....	<u>Gina Taruscio</u>
Moscow Volunteer Fire Department.....	<u>Maureen Laflin</u>
Palouse Basin Aquifer Committee.....	<u>Anne Zabala</u>
Palouse Knowledge Corridor.....	<u>Art Bettge</u>
SMART Board.....	<u>Art Bettge</u>
Urban Renewal Agency Board Member..... (2 yr term expiring 2020)	Mayor Appoints/Council Confirm <u>Art Bettge</u>
Urban Renewal Agency Board Member..... (2 yr term expiring 2021)	Mayor Appoints/Council Confirm <u>Brandy Sullivan</u>
WHITCOM Executive Board.....	<u>Police Chief</u>

CITY COUNCIL STAFF REPORT

DATE: Tuesday, January 21, 2020



RESPONSIBLE STAFF

Alisa Anderson, Grants Manager, James Fry, Police Chief

REVIEWED BY

This was reviewed by the Public Works/Finance Committee on January 13, 2020 and recommended for approval.

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Police Department Traffic Enforcement Mobilization Grants - Alisa Anderson / James Fry / Eric Warner

DESCRIPTION

The Idaho Transportation Department (ITD), through the Office of Highway Safety (OHS) administers the Traffic Enforcement Mobilizations program. The goal of the program is to eliminate death and serious injuries resulting from motor vehicle crashes and to implement programs designed to address driver behavior. The program provides funding at the state and community level for highway safety problems to address Idaho's own unique circumstances and highway safety needs. Traffic enforcement has been proven to be an effective countermeasure to reduce unsafe driving behaviors. The Traffic Enforcement Mobilization program establishes project requirements and a funding process to support the enforcement efforts as part of the Idaho's Strategic Highway Safety Plan (SHSP). The program funds dedicated overtime enforcement hours and/or traffic enforcement equipment. OHS also offers Mini Grants to support data-driven Idaho Safety Traffic Goals as established in the annual Highway Safety Plan for traffic training support, traffic equipment and enforcement. These Mini Grants allow agencies to be reimbursed for training and special emphasis patrols. Moscow Police Department (MPD) has successfully participated in mobilizations offered through the OHS program for several years. Attached is the 2019-2020 Idaho Transportation Department, Office of Highway Safety, Traffic Enforcement Grant Project Agreement (TEGPA), the Certifications and Assurances, and the Subrecipient Risk Assessment required for participation in the program.

STAFF RECOMMENDATION

Ratify the FY2020 Traffic Enforcement Grant Project Agreement (TEGPA), the Certifications and Assurances, and the Subrecipient Risk Assessment required for participation in the program for mobilizations during specified Highway Safety Performance Plan focus area events, campaigns, and/or Mini-Grant requests up to an accumulative amount per program fiscal year of \$50,000 with administrative approval.

PROPOSED ACTIONS

ACTION: Ratify the FY2020 Traffic Enforcement Grant Project Agreement (TEGPA), the Certifications and Assurances, and the Subrecipient Risk Assessment required for participation in the program for mobilizations during specified Highway Safety Performance Plan focus area events, campaigns, and/or Mini-Grant requests up to an accumulative amount per program fiscal year of \$50,000 with administrative approval.

FISCAL IMPACT

No matching funds required. Police submit the number of miles traveled during mobilizations to OHS in-kind match.

PERSONNEL IMPACT

Reimbursement of Overtime for Traffic Enforcement Mobilizations
Department Staffing: Police, Finance, and Grants

ATTACHMENTS

1. Moscow PD FFY20 TEGPA Agree Executed



IDAHO TRANSPORTATION DEPARTMENT
OFFICE OF HIGHWAY SAFETY



TRAFFIC ENFORCEMENT GRANT PROJECT
AGREEMENT (TEGPA)

THIS AGREEMENT for FFY 2020 is made and entered into by and between:

City of Moscow Police Department

(Agency name), hereinafter referred to as
"Contractor" and the Idaho Transportation Department Office of Highway Safety, hereinafter
referred to as "OHS" on this 5th day of December 2019.

IT IS THE PURPOSE OF THIS AGREEMENT to provide National Highway Traffic Safety
Administration (NHTSA), funded assistance to the Contractor, for participation in local and
statewide traffic enforcement projects, as specified in the Highway Safety Plan (HSP) focus
areas for the following activities:

- High Visibility Enforcement (HVE) Mobilizations
- Mini-Grants for HVE
- Mini-Grants for Training and Public Awareness
- Mini-Grants for Traffic Enforcement Equipment

THE GOAL OF THE AGREEMENT is to establish project requirements and a funding
process to support the enforcement efforts by the Contractor, to reduce deaths, serious
injuries, and economic loss, as part of the Highway Safety Plan (HSP).

IT IS, THEREFORE, MUTUALLY AGREED THAT:

1. Contractor will conduct Traffic Enforcement Mobilizations and/or Mini-Grants in
accordance with the criteria established by OHS, as established for each Mobilization and/or
traffic enforcement mini-grant.
 - A. Contractor will provide a commissioned police officer (active or paid reserve) with
appropriate equipment (vehicle, radar, etc.) on a **paid overtime basis** to enforce
impaired driving, alcohol beverage control, distracted driving, aggressive driving,
safety restraint, school zone violations, distracted driving, bicycle, pedestrian,
motorcycle laws with emphasis as designated by OHS and/or crash problem
identification.
 - B. *No reimbursed regular on-duty personnel hours or salaried positions are eligible for
reimbursement.*
 - C. Necessary additional dispatch services overtime may be reimbursed, if requested
prior to the mobilization.
2. Contractor and/or partnering enforcement agencies will publicize the enforcement effort
to increase effectiveness by:
 - A. Working with media to increase the awareness of enforcement efforts; and
 - B. Provide pre and post press releases, and/or social media posts, about the results of
the HVE project and mobilization efforts.

3. Contractor will take a zero tolerance for unrestrained passengers and children during all OHS funded mobilizations and mini-grants.

4. Based on the availability of funding and by signing this AGREEMENT, Contractor agrees to support statewide highway safety public awareness campaigns, and will accept the benefits of having the earned and paid media run in their local communities.

5. OHS will reimburse Contractor for paid overtime hours worked and will be reimbursed at the rate of up to 1.5 times the officer's usual hourly rate plus Contractor's contributions to employee benefits, which are FICA/Medicare, Unemployment, Worker's Compensation, and PERSI.

6. Participation in future mobilizations and mini-grants is contingent on at least satisfactory performance during the prior mobilization, as determined by OHS. NHTSA has published a guide that outlines specific strategies and countermeasures relevant to specific focus areas.

7. Contractor must submit the following forms to be completed in accordance with OHS requirements:

A. Performance Reports.

Note: For Seat Belt Enforcement, pre and post seat belt surveys must be completed and submitted along with the performance report.

B. For overtime, provide the completed Overtime Reimbursement Claim Form, signed by an authorized official whose signature can be verified through their individual WebCars logon and password.

C. Payroll Register for period claimed must be available for inspection by OHS staff during annual site visits. Payroll verification can be payroll registers or copies of officer payroll warrants. **Time sheets are not payroll verification.**

D. Contractor will submit reimbursement claims and performance reports within 30 days of completion.

*Reimbursement claims received after **October 15th** may not be eligible for reimbursement.*

E. No documentation, reports, or claims submitted to OHS may contain Contractor, or its employees', agents' or subcontractors', Protected Personally Identifiable Information (Protected PII). See Term 8. B. 2.

8. Assurances and Other Grant Requirements required by NHTSA for all organizations receiving federal grant funds:

A. Certification and Assurances FFY19, Attachment 1. Contractor will comply with certification and assurances, as applicable.

B. Risk Assessment FFY19, Attachment 2. Contractor will provide information as applicable.

C. Contractor's Financial Contact will provide information as applicable on the TEGPA

and Attachments 1 & 2.

D. Other Grant Requirements:

1) DUNS Registration:

- a. If it has not already done so, the Contractor shall obtain a Data Universal Numbering System (DUNS) number, which may be obtained from Dun and Bradstreet, Inc. (D & B) by telephone (currently 866-705-5711) or the Internet (currently <http://fedgov.dnb.com/webform>).
- b. The Contractor agrees it shall maintain current registrations in the System for Award Management (SAM) (<http://www.sam.gov>) at all times during which it has active federal awards.
- c. If OHS discovers the Contractor, or its principals or affiliates, is disbarred, suspended, or ineligible from federal contracting, AGREEMENT may be terminated immediately.

2) Personally Identifiable Information (PII). As noted under 2 CFR Chapter I, Chapter II, Part 200:

- a. §200.79 Personally Identifiable Information (PII).
- b. §200.82 Protected Personally Identifiable Information (Protected PII).
- c. §200.303 Internal Controls.

3) Procurement of equipment and materials: All mobilizations, mini-grants, and equipment purchases shall be subject to the requirements governing this AGREEMENT, including those for procurement of materials and leasing of equipment.

4) Code of Conduct: No employee, officer, or agent of the Contractor shall participate in the selection, award, or administration of a contract supported by grant funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following have a financial or other interest in the firm selected for award:

- a. The employee, officer, or agent.
- b. Any member of his or her immediate family.
- c. His or her partner.
- d. An organization which employs, or is about to employ any of the above-listed.

The Contractor's officers, employees, or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.

The Contractor guarantees it has not entered into any form of collusion with anyone, involving any form of payment, dependent upon or resulting from the award of this contract or subcontract(s).

5) Conferences, Inspection of Work, Grant Monitoring: Conferences may be held at the request of either party to this AGREEMENT. A representative of OHS and/or the U.S. Department of Transportation can conduct an onsite visit for the purpose of inspection and/or assessment of work being performed at any time.

6) Travel: Grant related local vicinity travel, travel to other parts of the state, and travel outside the state must conform to state policies and procedures. Allowable reimbursements cannot be greater than those authorized for state employees, and reimbursements will be made to the Contractor for grant project travel. State policy requires economical and

practical modes of travel, as well as moderate dining and lodging.

7) Tax and Compensation Liability: OHS will not incur any liability for worker compensation, FICA, withholding tax, unemployment compensation, or any other payment, which is not a part of the grant agreement.

8) Policy Inclusions: In order to receive highway safety grant funds, OHS requires that the Contractor currently have a Safety Restraint Use policy in effect or implement one prior to completion of the AGREEMENT. If requested by OHS, Contractor will submit their safety restraint policy to OHS prior to execution of the AGREEMENT.

9) Responsibility for Claims and Liability: Contractor shall be required to save and hold harmless OHS, ITD, NHTSA, FHWA, and U.S. Department of Transportation from all claims and/or liability due to the negligent acts of the Contractor or the Contractor's subcontractor(s), agents, or employee(s).

10) Failure to comply with any of the terms of this AGREEMENT may jeopardize Contractor in receiving future funding from OHS.

11) Eligible organizations agree to indemnify, defend and hold harmless ITD, its officers, agents, employees' from and against any and all claims, suits, losses, damages or costs, including reasonable attorney's fees, arising from or by the use of grants.

12) Any dispute, disagreement, or question of fact concerning this AGREEMENT shall be decided by the OHS Highway Safety Manager. The decision shall be in writing and shall be distributed to the parties concerned. If Contractor disagrees with the decision by the OHS Highway Safety Manager, the decision may be appealed to the Director of the Idaho Transportation Department. The appeal must be made in writing within 30 days of the OHS decision, and served by certified mail.

13) This AGREEMENT, including any attachments, constitute the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations (oral or written), not specified herein regarding this AGREEMENT shall bind either party unless in writing and signed by both parties and all necessary approvals have been obtained.

14) Nothing in this AGREEMENT shall be construed as limiting or expanding the statutory or regulatory responsibilities of any involved agency or individual in performing functions granted to them by law; or as requiring either entity to expend any sum in excess of its respective appropriation. Each provision of this AGREEMENT is subject to the laws and regulations of the State of Idaho and of the United States.

15) Either party may terminate this AGREEMENT upon 30 days written notice to the other party. In the event of termination of this AGREEMENT, the terminating party shall be liable for the performance rendered prior to the effective date of termination.

16) This Parent entity for this agency certifies that it conducts an annual audit in accordance to (2. CFR Part 200 Subpart F), which is available for review upon request. In addition, this agency has no financial or compliance issues.

Agency Primary Contact (Required)*(Individual with signing authority for the organization.)*

Name	Eric Warner
Title	Police Officer, Moscow Police Department
WebCars Account Answer: Yes/No	Yes
Telephone	(208) 883-1054 Ext. 2253
Fax	(208) 882-4020
Email Address	ewarner@ci.moscow.id.us
Agency Physical Address	118 East 4th Street, Moscow, ID 83843
Warrant Mailing Address	P O Box 9203, Moscow, ID 83843
DUNS (Data Universal Number System)	958856338
*Benefit Rate Percentage	39.21
Parent Entity Name (if applicable)	City of Moscow, Idaho

*Benefit rate is derived from FICA-SSHI, workers compensation and retirement costs only; cannot be more than 24%.

Agency Grant Manager Contact (Required)*(Individual who will manage day-to-day grant submissions.)*

Name	Alisa J. Anderson
Title	Grants Manager/ADA Coordinator
WebCars Account Answer: Yes/No	Yes
Telephone	(208) 883-7600
Email Address	aanderson@ci.moscow.id.us

Other Agency Contact (Optional)*(Individual who will act as a backup for day-to-day grant submissions.)*

Name	James Fry
Title	Chief of Police
WebCars Account Answer: Yes/No	Yes
Telephone	(208) 883-7064
Email Address	jfry@ci.moscow.id.us

Organizations Financial Details

Parent Entity (City or County) Financial Contact Information (Required)

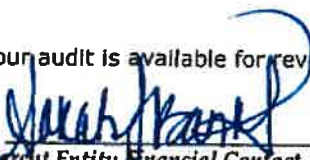
(Must also complete Subrecipient Financial Risk Assessment (Attachment 2) and OMB Circular A-133 Audit information below.)

Name	Sarah Banks
Title	Finance Director
WebCars Account Answer: Yes/No	No
Organization	City of Moscow
Telephone	(208) 883-7016
Email Address	sbanks@ci.moscow.id.us

Audit Requirement Statement (Please select 1, 2 or 3 below and sign below.)

1. We, City of Moscow, expended more than \$750,000 in total federal awards and have completed our Circular A-133 audit for Fiscal Year ended 2018. Our audit report and schedule of federal programs have **no** material findings that affect ITD funding.
2. We _____ expended more than \$750,000 in total federal awards and have completed our Circular A-133 audit for Fiscal Year ended _____. Our audit report and schedule of federal programs **had material findings that affect ITD funding**. Per OMB Circular A-133 **we are including a copy of the required audit report along with our corrective plan**.
3. We are not subject to a Circular A-133 audit because:
 - a. We are a For-Profit organization
 - b. We expend less than \$750,000 in federal awards in 2018.
 - c. Other (please explain) _____

A copy of our audit is available for review for up to three years following its completion.

Signature:  Date December 5, 2019
Signed By Parent Entity Financial Contact Sarah L. Banks, Finance Director



IN WITNESS WHEREOF, PARTIES HAVE EXECUTED THIS AGREEMENT:

Contractor's Agent (Agency Lead)

Bill Lambert

Agency Authorizing Signature:

(Individual with legal authorization to enter into agreement with the Idaho Transportation Department on behalf of the Contractor)

Bill Lambert, Mayor, City of Moscow, Idaho

Title:

Date: December 5, 2019

State's Agent (OHS)

John Tomlinson

By:

**John Tomlinson
Highway Safety Manager**

Date: 12/9/19



Attachment 1
CERTIFICATIONS AND ASSURANCES
For Fiscal Year 2020 Highway Safety Grants
(23 U.S.C. Chapter 4 and Sec. 1906, Pub. L. 109-59, As Amended)

GENERAL REQUIREMENTS

The Governor is the responsible official for the administration of the State highway safety program through a State highway safety agency that has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program. (23 U.S.C. 402(b)(1)(A))

The Agency will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L., 114-94
- 23 CFR Part 1300—Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

The Agency has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs).

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

The Agency will comply with FFATA guidance, *OMB Guidance on FFATA Subaward and Executive Compensation Reporting*, August 27, 2010, (https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf) by reporting to FSRS.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;
- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- A unique identifier (DUNS);

- The names and total compensation of the five most highly compensated officers of the entity if:
 - (i) the entity in the preceding fiscal year received—
 - (I) 80 percent or more of its annual gross revenues in Federal awards;
 - (II) \$25,000,000 or more in annual gross revenues from Federal awards; and
 - (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
- Other relevant information specified by OMB guidance.

NONDISCRIMINATION

The agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color or national origin) and 49 CFR Part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);

- **Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189)** (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The Agency —

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

"During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information; and its facilities as required by the State highway safety offices, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contract/funding recipient under the contract/agreement until the contract/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

THE DRUG-FREE WORKPLACE ACT OF 1988(41 USC 8103)

The Agency will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace;
 2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs;
 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
 - 1. Abide by the terms of the statement;
 - 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted—
 - 1. Taking appropriate personnel action against such an employee, up to and including termination;
 - 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT)

The Agency will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- 1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- 2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of

Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its

certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction*, *civil judgement*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA ACT

Each subrecipient will comply with the Buy America Act requirement (23 U.S.C. 313), when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

Each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employees, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

FFY 2020 Certifications and Assurances

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, agencies are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned when on official Government business or when performing any work on or behalf of the Government. Agencies are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

SECTION 402 REQUIREMENTS

The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation. (23 U.S.C. 402(b)(1)(B))

At least 40 percent of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of the political subdivisions of the State in carrying out local highway safety programs (23 U.S.C. 402(b)(1)(C), 402(h)(2)), or 95 percent by and for the benefit of Indian tribes (23 U.S.C. 402(h)(2)), unless this requirement is waived in writing.

The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks. (23 U.S.C. 402(b)(1)(D))

The State will provide for an evidenced-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents. (23 U.S.C. 402(b)(1)(E))

The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State, as identified by the State highway safety planning process, including:

- Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each year to –
 - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
 - Increase use of seat belts by occupants of motor vehicles;

- Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;
- An annual Statewide seat belt use survey in accordance with 23 CFR Part 1340 for the measurement of State seat belt use rates;
- Development of Statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;
- Coordination of Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a). (23 U.S.C. 402(b)(1)(F))

The State will actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))

The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4))

I understand that the information provided in support of the State's application for Federal grant funds and these Certifications and Assurances constitute information upon which the Federal Government will rely on determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, after appropriate inquiry.

Signature Bill Lambert Date December 5, 2019

Printed Name Bill Lambert, Mayor

Agency City of Moscow, Idaho

Attachment 2

Subrecipient Risk Assessment

Subrecipient Name: <u>Moscow Police Department, City of Moscow, Id</u>		Project:	
Subrecipient DUNS Number: <u>958856338</u>		Award Period: <u>FFY20 10/01/2019 -09/30/2020</u>	
	Topic	Yes No NA	Comments
A. Financial Assessment (Information under Section A must be provided by the Financial Contact for the agency)			
1	Did the subrecipient's Parent Entity (City or County) expend \$750,000 or more in federal awards during the previous fiscal year? If yes, please complete Comments section to indicate whether a single audit through the Federal Audit Clearinghouse (FAC) was conducted in accordance with 2 CFR 200.514. <i>Attach audit summary pages (if applicable)</i>	X	Amount of Federal Funding Expended \$ <u>1,928,197</u> Year <u>2018</u> Audit submitted to FAC? Yes Year Audit Complete: <u>2019</u>
2	Subrecipient's prior year financial audit did not have material finding(s) that affected ITD funding. (If the answer is "no," subrecipient must indicate when or if the finding(s) was resolved). <i>Attach a copy of pages showing finding results and corrective plan (if applicable)</i>	X	Findings: <u>No</u>
3	The agency is registered with the System for Award Management (SAM), Activation Date and Cage Number. https://www.sam.gov/portal/SAM/#1	X	CAGE # <u>4MX59</u> Active Date <u>6/28/2013</u>
4	The Agency retains documentation records for grant funded activities for up to three (3) Federal Fiscal Years, for monitoring by OHS?	X	
B. Experience			
1	Does the recipient have experience with the same or similar grants?	X	
2	Has the subrecipient had at least three years of experience with federal grants?	X	
3	Did the subrecipient consistently and accurately submit their claims and reports on time?	X	
C. Organization			
1	Is the subrecipient's accounting system the same as the previous year?	X	
2	Has the subrecipient's grant management remained unchanged during the previous year?	X	
3	Has the subrecipient's organization remained unchanged during the previous year? (i.e. Chief, Sheriff, management staff)	X	
TOTALS			
Rating Scale (Based on the number of No's)			
0 - 2	Subrecipient is considered low risk.	Low Risk	Provide standard monitoring
3 - 6	Subrecipient is considered medium risk.	Medium Risk	Provide additional monitoring including training is warranted.
7 - 10	Subrecipient is considered high risk.	High Risk	Provide close monitoring, training and action if required.
General overview of grantee performance:			
Commendations, problems or concerns:			
Corrective action necessary:			
Signatures (original required)			
The information above is accurate to the best of my knowledge.		Risk Score: <u>2</u>	
Signature: <u>[Signature]</u>		Date: <u>12/9/19</u>	
Office of Highway Safety Reviewer: <u>[Signature]</u>		Print Name: <u>Sarah L. Banks, MSA, Finance Director</u>	

Subrecipients must provide information for areas in blue only

ITD Office of Highway Safety FFY 2020

CITY OF MOSCOW, IDAHO

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS - MODIFIED ACCRUAL BASIS
Year Ended September 30, 2018

	Federal CFDA Number	Pass- Through Entity Identifying Number	Passed Through to Subrecipients	Total Federal Expenditures
DEPARTMENT OF TRANSPORTATION				
Passed through the State of Idaho - Transportation Department Highway Planning and Construction Total Highway Planning and Construction Cluster	20 205		None	\$ 318,957 <u>318,957</u>
Passed through the State of Idaho - Transportation Department Highway Safety Grant State Traffic Safety Information Systems Grant National Priority Safety Programs Total Highway Safety Cluster	20 600 20 610 20 616		None None None	18,095 9,266 17,226 <u>44,587</u>
Passed through the State of Idaho - Transportation Department Bus and Bus Facilities Formula Program	20 526		None	<u>97,798</u>
Passed through the State of Idaho - Division of Aeronautics Bus and Bus Facilities Formula Program	20 106		None	<u>12,500</u>
Passed through the State of Idaho - Transportation Department Public Transportation for Nonurbanized Areas	20 509		None	536 <u>536</u>
Total for Department of Transportation				<u>474,378</u>
NATIONAL ENDOWMENT OF THE ARTS				
Passed through the State of Idaho Promotion of the Arts Partnership Agreement Grant Total for National Endowment of the Arts	45 025		None	15,993 <u>15,993</u>
DEPARTMENT OF JUSTICE				
Passed through the State of Idaho - Attorney General Missing Children Bulletproof Vest Partnership Total for Department of Justice	16 543 16 607		None	1,846 3,438 <u>5,284</u>
ENVIRONMENTAL PROTECTION AGENCY				
Capitalization Grants for Drinking Water State Revolving Funds Total Drinking Water State Revolving Funds Cluster	66 468		None	1,362,835 <u>1,362,835</u>
Total for Environmental Protection Agency				<u>1,362,835</u>
DEPARTMENT OF HOMELAND SECURITY				
Passed through the State of Idaho - Military Division Homeland Security Grant Program Total for Department of Homeland Security	97 036	Fema-4313-DR-ID	None	70,707 <u>70,707</u>
TOTAL EXPENDITURES OF FEDERAL AWARDS				<u>\$ 1,929,197</u>

CITY OF MOSCOW, IDAHO

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS - MODIFIED ACCRUAL BASIS
Year Ended September 30, 2018

Note 1. Basis of Presentation

BASIS OF PRESENTATION - SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

The schedule of expenditures of federal awards includes the federal grant awards of the City of Moscow, Idaho, and is presented on the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of Title 2 *U.S. Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)*. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in, the presentation of the basic financial statements.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Expenditures reported on the Schedule are reported on the accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the *Uniform Guidance*, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

DE MINIMIS INDIRECT COST RATE

The City of Moscow, Idaho, has elected not to use the 10-percent *de minimis indirect cost* rate allowed under the *Uniform Guidance*.

* Major program

CITY COUNCIL STAFF REPORT

DATE: Tuesday, January 21, 2020



RESPONSIBLE STAFF	REVIEWED BY
Alisa Anderson, Grants Manager, Brian Nickerson	This was reviewed by the Public Works/Finance Committee on January 13, 2020 and recommended for approval.
ADDITIONAL PRESENTER(S)	OTHER RESOURCES

AGENDA ITEM TITLE

Fire Department – FM Global Fire Prevention Grant Approval – Alisa Anderson / Brian Nickerson

DESCRIPTION

FM Global is a worldwide philanthropic organization promoting fire prevention and awards grant funds to public organizations which support their mission. Funding requests are accepted to help organizations working to combat fire for a wide array of fire prevention, preparedness and control efforts. Program funding scopes include Pre-Incident Planning; Fire Prevention Education and Training; and Arson Prevention and Fire Investigation. A grant application was submitted to FM Global in June of 2019. This was the first time the Fire Department had requested funds from this organization, therefore anticipated approval was considered unlikely as the organization normally funds much larger departments. A grant request was submitted for \$2,500 to purchase equipment to include two sets of a DeWalt Cordless Tool Combo Kits and two Pelican Remote Area Lighting Systems under the Arson Prevention/Fire Investigation category. On December 18, 2019, staff received an award letter for \$1,720. A copy of the program information, grant request and award are attached to this report.

STAFF RECOMMENDATION

Accept the FM Global Fire Prevention Grant Award for \$1,720 to purchase fire investigation equipment.

PROPOSED ACTIONS

ACTION: Accept the FM Global Fire Prevention Grant Award for \$1,720 to purchase fire investigation equipment.

FISCAL IMPACT

The Fire Department will provide \$780 (FY 2020 - Equipment Budget) to match the \$1,720 in grant funds to purchase equipment of \$2,500 as described in the grant request.

PERSONNEL IMPACT

Purchase of Equipment for Fire Department Use
Departments: Fire, Finance and Grants

ATTACHMENTS

1. Fire FM Global Grant Award & Application

December 18, 2019



Ms. Anderson
Moscow Volunteer Fire Department
PO Box 9203
Moscow, Idaho 83843
United States

Dear Ms. Anderson:

Congratulations. Your grant application for an FM Global fire prevention grant stood out among the hundreds we received, and we will be funding \$1720 towards the purchase of two remote area lighting systems. We hope the additional funding will help to strengthen your efforts to ultimately, and more effectively prevent fire—the leading cause of property destruction worldwide.

In the coming weeks, you will be contacted by an FM Global representative to set up a formal presentation. In the meantime, award checks will be mailed in January to your attention at the address above. Please feel free to use the attached news release that we've prepared for you to promote news media interest—be it in advance of or after the formal presentation.

During the past 40 years, FM Global has awarded millions of dollars in funding to fire departments and related agencies worldwide. With a shared philosophy that the majority of property loss is preventable—not inevitable—we can make a difference in preventing the frequency and severity of fire...together.

Once again, congratulations on your recent fire prevention grant awarded by FM Global, one of the world's largest commercial property insurers.

If you have any questions regarding your award, please feel welcome to e-mail me.

Best wishes for continued success in your fire prevention endeavors.

A handwritten signature in black ink, appearing to read "Michael Spaziani".

Michael Spaziani
Assistant Vice President, Manager - Fire Service Programs

CC: *Tim Hawthorne - San Francisco Operations*
19-314 - Moscow Volunteer Fire Department

FM Global Fire Prevention Grant Application



Organization Name Moscow Volunteer Fire Department

Title Grants Manager

Prefix

First Name Alisa

Last Name Anderson

Phone Number 208-883-7600

Type Business Number

Phone Number 208-596-8242

Type Mobile Number

Email Address aanderson@ci.moscow.id.us

Physical Address:

Street Address 229 Pintail Lane

Address Cont.

City Moscow

Province

State ID

Country United States

Postal Code 83843

☐ Check here if Physical Address is same as Mailing Address

Mailing Address:

Street Address PO Box 9203

Address Cont.

City Moscow

Province

State ID

Country United States

Postal Code 83843

Has your organization ever applied for an FM Global Fire Prevention Grant? NO

Was your organization awarded funding?

Date of your award letter:

Amount Awarded

Date of your denial letter:

Type of Applicant

- ☒ Fire Department/Brigade
- ☐ Police Department
- ☐ Regional Task Force
- ☐ Non-profit Organization
- ☐ Public Agency
- ☐ Educational Institution
- ☐ Other

Type of Jurisdiction Served

- ☒ Town
- ☐ District
- ☐ County
- ☐ Regional
- ☐ State/Province
- ☐ Country
- ☐ Other

Staff Type

- ☐ Full-Time
of Full-Time Staff
- ☐ Part-Time
of Part-Time Staff
- ☐ Volunteer
of Volunteer Staff
- ☐ Other Other
7 # of Other Staff

Community Served

- ☐ Rural
- ☐ Suburban
- ☒ City
- ☐ State
- ☐ National
- ☐ Other



FM Global Fire Prevention Grant Application

FM Global

Response Area Demographics:

What is the approximate physical size of the area you serve? City 6.1 sq. mi./Rural

What percentage of your service area is used for commercial/industrial purposes? 49.27

What percentage of your service area is used for residential purposes? 50.73

What is your service area's population? 25,000

What service(s) does your organization provide?

Fire Protection, Fire Prevention and Emergency Medical Services

Number of Incidents

Please indicate the number of incidents your agency responded to in the last 12 months. If there are no responses for a specific category, enter zero.

48 Structure Fires

8 Vehicle Fires

9 Vegetation Fires

1714 EMS/Rescue Calls

24 Hazardous Material Calls

0 Service Calls

211 Good Intent/False Alarms

465 Other

2479 Total

Will this grant benefit more than one organization? YES

If Yes, please explain how this grant would benefit other organizations:

We assist the Moscow Police Department with investigations. We also perform mutual aid fire investigating to the county of Latah in Idaho and bordering regions in Washington State.



FM Global Fire Prevention Grant Application



Funding Request

What type of funding are you requesting? Arson Prevention/Fire Investigation

Please indicate the exact amount of funding being requested (USD): 2500

Please indicate what items/programs are being requested:

DeWalt Cordless Tool Combo Kit Quantity=2

Each kit contains 4 tools, plus a battery and a bonus tool

These 2 kits will be shared between the Fire Marshal's and the Fire Inspector's vehicles and the office.

Pelican 9430 Remote Area Lighting System Quantity = 2

Lights have extendable masts with 360-degree rotation

One will be housed in the Fire Marshal's vehicle and the other in the Fire Inspector's vehicle.

Is this a new program or an extension of an existing program? Existing

Why does your organization need the requested funding?

The community of Moscow is home to the University of Idaho, with over 10,000 students on the Moscow campus. A large percentage of Moscow's commercial properties are tax-exempt reducing the amount of tax dollars available to support public services. The Moscow Volunteer Fire Department is comprised of 7 full time employees and 100+ volunteers. Due to limited tax revenue and a growing population, Moscow struggles to fund many of the critical needs for public safety departments and relies on grant funding such as this program to assist in purchasing needed equipment.

How will funding enhance your current/future fire prevention, prefire planning or investigation efforts?

Acquisition of two additional tool kits will help us to setup and take-down investigative equipment more quickly. It will also provide more tools to be used in fire prevention and prefire training exercises, making it possible to break up into smaller groups and provide more hands-on training for individuals.

During investigations, the availability of two 360-degree lighting systems will help to provide on-site security and the ability to more thoroughly examine evidence at more than one scene during darkness or when artificial or natural light is insufficient or unavailable. By having this equipment available in two different vehicles, it would expedite the commencement of investigations at multiple locations to make the best use of resources.

All equipment would also be available to support local Police as well as regional Fire personnel for mutual aid operations and investigations.



FM Global Fire Prevention Grant Application



What is the expected impact funding will have within your community, both immediate and long-term?

The additional tools and lighting systems will save on resources, particularly personnel. The Fire Marshal and Fire Inspector would then be able to secure and man two different investigation sites simultaneously. Having adequate tools and equipment to strategically employ proper fire investigative techniques and support multiple locations will increase our efficiency. Without sufficient equipment, personnel at one site may have to remain idle or wait to be deployed until the necessary tools and equipment become available to them.

Our efficiency will be improved immediately and the benefits will continue long into the future.

What other relevant information do you believe will support the need for funding?

The additional tool kits will provide for more efficient resource deployment and maintenance. Currently, most tools and equipment are housed on the fire engines. We have to borrow these items from the fire engines so they (engines and personnel) are required to stay on-site until the tools and equipment can be returned to them. If our Fire Marshal and our Fire Investigator, each had their own set of equipment, the engines could leave the site and not have to wait unnecessarily.

Signature

I declare, certify and verify, as a representative and agent of the organization, the following under penalty of perjury:

- All funds received from a FM Global Fire Prevention Grant will be used solely to benefit the organization's fire prevention activities as a tax-exempt or charitable organization; and*
- In no event shall any of the funds be used for private uses or private organizations; and*
- Should a fire prevention grant be awarded I hereby give permission for FM Global to publicize my award using my organization's name, amount of the award, purpose by which the funding will be used for and presentation photo (if applicable). I understand that such publicity can be gained through, but is not limited to print, television and Internet media outlets; and*
- The information provided above (as well as any related attachments), to the best of my knowledge, is true, correct and complete.*

Full Name	Alisa Anderson
Title	Grants Manager
Organization Name	City of Moscow

I certify that I am authorized to submit this application on behalf of this organization and I have included the appropriate documentation to support my request.



FM Global Fire Prevention Grant Program



Frequently Asked Questions

Who is eligible?

Any organization or agency around the world that supports fire prevention can apply for an FM Global Fire Prevention Grant; however, funds must be used for public purposes. Additional terms and conditions may apply for applicants based in the United States, Canada and other countries.

What can I apply for?

Funding requests will be considered to help support organizations working to combat fire for a wide array of fire prevention, preparedness and control efforts.

The following categories are within the scope of the program.

- Pre-Incident Planning (for example: computer software programs, laptops, tablets)
- Fire Prevention Education/Training (for example: community outreach initiatives, workshops, publications).
- Arson Prevention/Fire Investigation (for example: juvenile fire setter programs, continuing education courses, digital and specialized cameras, accelerant detection equipment)

Please note:

- If applying for fire prevention materials, an educational component must be included with any request for fire hats, pencils, etc. At a minimum 50% of the request should be educational materials.
- If applying for smoke detectors, at a minimum the detectors must be 10yr sealed battery units with photoelectric technology (with or without ionization technology).
- Requested items should be listed/tested products.

What can I not apply for?

Funding requests for salaries, motor-powered vehicles (fire apparatus, automobiles, off-road vehicles), building projects (new or renovations, fire alarm systems, fire protection systems) and equipment or training related to fire suppression, for example, will not be considered. In addition, service contracts on equipment and software, equipment for incidents related to hazardous material, carbon monoxide detectors and CPR equipment/training do not fall within the scope of the fire prevention grant program.

What are the qualities of a successful application?

Applications that clearly demonstrate a need for funding whose use will have a significant impact on preventing fire loss are acceptable. It is also important to provide plenty of detail and documentation in your application to support your request.

How much should I apply for?

Although there is no limit on how much funding you can apply for, this grant program is designed to provide seed money to help support your fire prevention, preparedness and control efforts. A list of past grant recipients can be found below.

Do I need to provide matching funds?

Matching funds are not required, but sometimes only partial funding of a request will be awarded. Applicants may need to contribute additional funds to supplement their award. You may only be able to purchase some of the items or may need to look for a less expensive model of the product you applied for.



FM Global Fire Prevention Grant Program



How are decisions made about my grant?

All grant applications are reviewed by a committee consisting of a diverse group of FM Global property loss prevention experts and members of the public fire service community—to ensure funding is awarded where it will make the most difference.

What is the deadline for submitting my application?

Grant applications are reviewed three times per year. Deadlines for receipt of applications are March 31, July 31 and November 30. Decisions on awards are made approximately 3 - 4 months after the deadline.

When can I reapply for funding?

Previous grant recipients may reapply for funding three years from the date of their initial award letter. For applications that did not result in a grant award, applicants may reapply for funding one year from the date of their notification letter.

Questions/Comments:

If you have any questions or comments, please contact us at firepreventiongrants@fmglobal.com.

Eligibility Requirements

For applicants based in the United States:

Applicants must be a governmental unit of a city, town, county, state, commonwealth, the District of Columbia, possession of the United States, the United States itself or any political subdivision as described in Section 170(b)(1)(A)(v) of the U.S. Internal Revenue Service Code or a 501(c)(3) or (4) tax-exempt organization under the U.S. Internal Revenue Service Code.

For applicants based in Canada:

Applicants must be a governmental unit of a city, town, county, province, territory, Canada itself, or any political subdivision thereof or a registered charity under Section 149(1)(f) of the Income Tax Act of Canada.

For applicants based in any country other than the United States and Canada:

Applicants must demonstrate that their organization operates exclusively as a fire service unit, or a national, state, regional, local, or community organization that supports fire prevention under the laws of the country in which the organization is located.

The laws and customs applicable to the grantee organization must not permit any of its income or assets to be distributed to, or applied for the benefit of, a private person or non-charitable organization other than pursuant to the conduct of the grantee organization's fire prevention activities, or as payment of reasonable compensation for services rendered or as payment representing the fair market value of property which the grantee organization has purchased.

The grantee organization has no shareholders or members who have a proprietary interest in the income or assets of the organization.

The laws and customs applicable to the grantee organization do not permit the organization, other than as an insubstantial part of its activities to engage in activities that are not for religious, charitable, scientific, literary, or educational purposes; or to attempt to influence legislation, by propaganda or otherwise.

CITY COUNCIL STAFF REPORT

DATE: Tuesday, January 21, 2020



RESPONSIBLE STAFF

Alisa Anderson, Grants Manager, Bill Belknap, Deputy City Supervisor, Community Planning and Design

REVIEWED BY

This was reviewed by the Public Works/Finance Committee on January 13, 2020 and recommended for approval.

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Local Highway Safety Improvement Program Grant Application - A Street and Baker Street Intersection - Safety Improvement Project - Alisa Anderson / Bill Belknap / Nate Suhr

DESCRIPTION

The intersection of A and Baker Streets has been determined by Engineering staff as an eligible project for Federal Highway Safety Improvement Program (HSIP) grant funding. The Local Highway Technical Assistance Council (LHTAC) administers those funds through the Local Highway Safety Improvement Program (LHSIP). Additional details are provided in the attached memo from Alisa Anderson, Grants Manager.

This grant request is proposed for the project for a total project cost estimated not to exceed \$800,000. Staff's recommendation is to request \$741,280 in LHSIP funding, with the providing the required 7.34% local match of \$58,720. If approved by LHTAC, the project would be scheduled for design in 2022 and construction in 2023. This grant request was reviewed by the Public Works/Finance Committee on January 13, 2020, and recommended for approval.

STAFF RECOMMENDATION

Approve submission of the grant request for the LHSIP FY22 Application for safety improvements to the intersection of A and Baker streets with an estimated total project costs not to exceed \$800,000; requesting \$741,280 in LHSIP funding with the required 7.34% local match of \$58,720.

PROPOSED ACTIONS

ACTION: Approve submission of the grant request for the LHSIP FY22 Application for safety improvements to the intersection of A and Baker streets with an estimated total project costs not to exceed \$800,000; requesting \$741,280 in LHSIP funding with the required 7.34% local match of \$58,720.

FISCAL IMPACT

Cash match of 7.34% of \$58,720 during FY22 and FY23 from Capital Projects Budget.

PERSONNEL IMPACT

To be determined.

ATTACHMENTS

1. LHSIP FY22
2. Memo LHTA ABaker1.10.2020

Local Highway Safety Improvement Program: LHSIP FY22 Application

Idaho Local Highway Jurisdictions

Submittal Deadline: January 16, 2020 4:30 p.m. MST



Local Highway Technical Assistance Council

3330 Grace Street

Boise, Idaho 83703

208-344-0565/ 1-800-259-6841

Fax 208-344-0789

www.lhtac.org



1. APPLICATION INFORMATION

1.1 PROGRAM BACKGROUND

Local Highway Safety Improvement Program (LHSIP)

The Highway Safety Improvement Program (HSIP) is a federally funded program aimed at eliminating Fatal and Serious Injury (Type A) crashes on the roadway system. LHJs receive approximately \$8.5M of the state HSIP funds through the Local Highway Safety Improvement Program (LHSIP), a program administered through LHTAC. Local Highway Jurisdictions (LHJs) with a Fatal and/or Serious Injury (Type A) crash from 2014-2018 are eligible for the program. LHJs with at least one Serious Injury (Type A) or Fatal crash over the last five years are eligible to apply. Qualifying LHJs are identified by LHTAC and notified each fall to begin the application process. This federally funded program requires a local match, not to exceed 7.34%.

1.2 USE OF FUNDS

Successful applicants are awarded funds for a project based on estimated costs. LHTAC will make every effort to cover cost over-runs; however, the applicant is ultimately responsible for costs exceeding the estimate. Changes to the project scope that alter the LHSIP project originally applied for may not be eligible to receive additional funding and the applicant may be responsible for the cost.

LHSIP funds can be used for a variety of safety-related projects that can reduce the number of crashes in the area identified. Your project can be systemic or single site and shall be aimed at improving safety at location/s which experienced a Fatal or Serious Injury (Type A) over the past five years.

Some examples of potential projects include:

New durable pavement markings	Traffic or pedestrian crossing signals	Pedestrian crossing
New or increased signing	Access control	Shoulder widening
Flashing beacon	Guardrail	Retroreflective backplates
Lighting improvements	Road safety audit	Road diets

1.3 ELIGIBILITY

Eligibility is based on qualifying crashes your LHJ has had over the past five-year period. LHJs that have experienced at least one Fatal and/or Serious Injury (Type A) crash in that period are eligible to apply. A list of eligible jurisdictions is posted on our website. Jurisdictions will be notified of their eligibility.

LHTAC Administered Funding Options

Funding Program	Types of Projects	Total Available Max Award	Match	Application Deadline	Grant/Federal	Eligibility Criteria
Local Highway Safety Improvement Program (LHSIP)	Safety Projects—stop signs, stop bars, signals, guardrail, shoulder widening, road die, roundabouts, reflective backplates, signal timing, and road safety audits	Approximately \$8.5M statewide No Project Limit	7.34%	January (annually)	Federal	All Jurisdictions Rural and Urban with Qualifying Crashes— Identified based on the total number of Fatal and Serious Type A Injury crashes per jurisdiction using five years of crash data
Federal-aid Rural	Road construction, reconstruction, rehabilitation, transportation planning, and corridor studies	Approximately \$12M statewide No project limit; construction projects under \$2M are preferred	7.34%	January (applications accepted every other year—2019, 2021... etc.)	Federal	Rural—Must be a Local Highway Jurisdiction, Section 40-113 (3), Idaho Code, with jurisdiction over roadways outside Census Bureau designation of urbanized areas. Road has to be functionally classified with FHWA as Collector or higher.
Federal-aid Urban	Road construction, reconstruction, and rehabilitation	Approximately \$8.5M statewide including MPO's with \$2.5M for small urban areas that LHTAC Administers No Project Limit	7.34%	January (Urban applications and transportation plans are sent by invitation only) No invitation this year	Federal	Urban—Urban areas defined with populations greater than 5,000 excluding MPO areas; road has to be functionally classified with FHWA as Collector or higher.
Federal-aid Urban Transportation Plan	Transportation planning	Approximately \$250K statewide Anticipate 3 plans per year will be funded	7.34%	January (annually)	Federal	Urban—Urban areas defined with populations greater than 5,000 excluding MPO areas
Federal-aid Bridge	Bridge replacement or rehabilitation	Approximately \$9M statewide No project limit but construction projects under \$3M are preferred	7.34%	January (applications accepted every other year—2020, 2022... etc.)	Federal	All Jurisdictions Rural and Urban—Bridge must be 20 ft. long and in poor condition for replacement or fair condition for rehabilitation.
Local Rural Highway Investment Program (LRHIP)	Types of LRHIP Projects - Transportation Plans/Updates - Road Construction/Maintenance - Signs (Warning & Regulatory) - Federal-aid Match	Approximately \$2.7M statewide \$50,000/\$30,000 award limit \$100,000 award limit \$30,000 award limit \$100,000 award limit (\$200,000 Statewide)	0%	November (annually) A one year construction application hiatus applies to jurisdictions that received Construction or Federal-aid Match funds the previous year. *Emergency applications are accepted year round	Grant	Rural—Must be a Local Highway Jurisdiction, Section 40-113 (3), Idaho Code, with jurisdiction over roadways outside Census Bureau designation of urbanized areas. Funds cannot be used to reimburse for wages or equipment usage.
Emergency Reserve*		\$100,000 award limit (\$400,000 Statewide)*				

Visit our webpage at www.lhtac.org/programs for additional information, downloadable applications, and specific deadlines.

MEMORANDUM



To: Gary J. Riedner, City Supervisor; Bill Belknap, Deputy City Supervisor Community Planning & Design
From: Alisa Anderson, Grants Manager
c: Sarah Banks, Finance Director; Tyler Palmer Deputy City Supervisor Public Works & Services; Scott Bontrager, City Engineer
Date: January 10, 2020
Re: Potential LHSIP-funded project for improvement of intersection of A and Baker streets

The Highway Safety Improvement Program (HSIP) is a federally funded program aimed at reducing fatal and serious injury crashes on the roadway systems. Local Highway Jurisdictions (LHJs) receive approximately \$8.5 million of the state HSIP funds through the Local Highway Safety Improvement Program (LHSIP), a program administered through the Local Highway Technical Assistance Council (LHTAC). LHJs, such as the City of Moscow, with a Fatal and/or Serious (Type A) crash from 2014 – 2018 data are eligible for the program. In review and analysis of the city-wide crash and accident data, Engineering staff has identified a project located at the intersection of A Street and Baker Street as an eligible project for LHSIP grant funding. Both streets are approximately 40 feet wide with parking on both sides. The width and the geometry of both streets tend to host higher driver speeds on A Street. The surrounding area is populated with dense multifamily apartment complexes largely occupied by University of Idaho (UI) students. The density of pedestrian traffic combined with the visual obstruction of parked cars and the relatively high-speed traffic on A Street results in a high interaction area creating safety risks for all those that travel the corridor. There is a significant number of disabling injury crashes and pedestrian crashes at or near intersection of A and Baker Streets, which rate within the scoring criteria for LHSIP assistance. To address these safety issues, Engineering staff is proposing the installation of a roundabout and illumination system at the intersection of A and Baker streets which will narrow the travel lanes to slow traffic and create a pedestrian barrier. The installation of the roundabout will include splitter islands that will also serve as pedestrian refuge islands, reducing the travel distance for pedestrians while also decreasing the potential conflicts with vehicular traffic. Additionally, the installation of the lighting system will signal caution and forewarning for drivers thereby reducing the number of rear-end crashes. The project will include the installation of approximately 1,500 linear feet of curb and gutter, 1,200 linear feet of eight-foot (8') sidewalks, four (4) pedestrian refuge islands, 530 square feet of new green strip, and four (4) new luminaires. The restructuring of this intersection will provide a safer pedestrian environment and will help to both slow and alert drivers. The installation of a roundabout will provide a significant crash reduction factor for pedestrians and will eliminate the angle crashes by eliminating left-turn conflicts. The increased illumination will provide more visibility and warning to both vehicles and pedestrians and will result in a significantly safer multiuser environment. The proposed project will require the acquisition of approximately 400 square feet of right-of-way from three different parcels but will not require any relocations and should have minimal impact to surrounding properties. Total project costs have been estimated not to exceed \$800,000; which includes a request for \$741,280 in LHSIP funding with the required 7.34% local match of \$58,720. The project would be scheduled to be designed in 2022 and construction expected in 2023.

CITY COUNCIL STAFF REPORT

DATE: Tuesday, January 21, 2020



RESPONSIBLE STAFF

Tyler Palmer, Deputy Director - Operations

REVIEWED BY

This was reviewed by the Public Works/Finance Committee on January 13, 2020 and recommended for approval.

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Sewer Conveyance Vacuum Truck Purchase - Tyler Palmer

DESCRIPTION

Fleet is requesting an early replacement of Unit #148 (Sewer Conveyance Vacuum Truck) in FY2020 due to reliability concerns with the current 2011 International chassis. With this unit being down for repairs for more than 30% of the year already, it is clear that Sewer Conveyance cannot successfully continue to rely on this vehicle in the critical maintenance of the City's water reclamation system. This unit will continue to have excessive issues as it is a known problem year for Navistar MaxxForce engines due to the design of the emissions system. Fleet has accumulated funds in the amount of \$364,154 for the scheduled replacement of this unit. Because of the reliability issues, it is requested to move the replacement up to FY2020. The cost of replacement, considering the trade of the old unit, is \$379,659. Accumulation for other Sewer Fund fleet replacements will be utilized for the remaining \$15,505. If approved by City Council, the appropriation will be brought forward in the FY2020 open budget process. This was reviewed by the Public Works/Finance Committee on January 13, 2020, and recommended for approval.

STAFF RECOMMENDATION

Approve replacement of Unit #148 in the FY2020 budget year, and direct staff to bring the adjustment forward in the FY2020 open budget process.

PROPOSED ACTIONS

ACTION: Approve replacement of Unit #148 in the FY2020 budget year, and direct staff to bring the adjustment forward in the FY2020 open budget process.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. 1-48 Contract Memo
2. MOSCOW ID DEMO V311HEN_1300 SW 2019 QUOTE
3. MOSCOW ID ENVIRO CLEAN DEMO 311HEN_1300 CUSTOMER PO TO DEALER AUTHORIZATION LETTER



Memo

To: Palmer, Tyler – Deputy City Supervisor – Public Works & Services

From: Riedinger, Karl – Fleet Supervisor

Date: December 26, 2019

Re: 1-48 VACCON

Tyler,

Fleet would like to request to participate in a Sourcwell Contract 122017-AMI/VAC for a brand-new Vac-Con fitted to a Freightliner 114SD chassis. This contract has been through the bid process and has potential to save the 5%(\$24,000) increase that will take effect with 2020 model Vac-Con's builds. It allows the crew that utilizes the current Vac-Con to have the same operator platform as well. The largest changes for the end user being a more powerful non-positive displacement suction unit, a larger debris tank for more day to day productivity, multiple brighter scene lights for safety, a single engine design for less fuel consumption and a more reliable chassis. As of November of 2019, all 3 Fleet mechanics have been to Vac-Con specific training. So, this contract will also allow for our department to be very familiar with the new piece of equipment, to have minimal downtime and better preventative maintenance associated with the up-fitter side. As mentioned before this piece of equipment will be fitted on a 114SD model Freightliner chassis. This is another area that we look to keep Fleet consistency. The City of Moscow already has the engine, transmission, chassis model, drive axles and suspension that is spec'd for this equipment. We have very few breakdowns with this drivetrain configuration, adding another benefit of this purchase for our city.

V/R,

Riedinger, Karl
Fleet Supervisor



12/30/2019

DEMONSTRATOR SINGLE ENGINE COMBINATION JET/VACUUM SEWER CLEANER
SOURCEWELL CONTRACT: 122017-AMI/VAC

QUOTE #: 12172019-MOS

Customer: CITY OF MOSCOW

Shipping: IDAHO

Requirement Specification	
Combination jet/vacuum sewer cleaner with all standard equipment V311HEN/1300 - DEMONSTRATOR UNIT	
Freightliner model 114SD chassis with 370 HP engine, 6 x 4, 66,000 GVWR, Automatic transmission, A/C	
Body mounting on Chassis	
Hydrostatic drive	
10' Aluminum Telescoping boom with joy stick and remote pendant control -8" diameter intake hose and boom, travel tie down post with latch	
Front Articulating hydraulic hose reel to drivers side	
1300 Gallon polyethylene water tank capacity with 10 year warranty	
11 Cubic yard capacity debris tank 3/16" corten steel, (5 year warranty) with full opening rear door (minimum 50 degree debris tank dumping, power up and down	
Automatic vacuum breaker (prevents operation when full and contains debris when moving unit) and overfill protection	
500' of 3/4" Jet rodder hose	
Front tow eyes	
Water pump rated 50 GPM @ 3000 PSI	
6" Knife valve with center post and handle	
A Flat system rear door in lieu of dome style door including hydraulic opener	
Built in body prop	
Rear door drain valve flush out connection	
Rear splash shield	
1/4 turn ball valve water drain	

Requirement Specification	
50' Capacity retractable hand gun hose reel	
Air purge system	
Arctic winter recirculating system for rodder hose, includes plumbing to upper water tanks	
Debris body "Power Flush" system, 8 jets	
Hydro-excavation package	
Pre-Tank water filter (In-line)	
Variable flow valve	
Water pump remote oil drain	
Winter recirculating connection for high pressure circuit	
Winter recirculating connection for low pressure circuit	
Winter recirculating system	
Hose footage counter	
New Aero-boost 3 stage fan	
Remote boom grease zerk assembly	
Remote debris tank grease assembly	
Shell-back boom elbow	
LED Boom mounted flood lights with limb guard	
LED Flood light level wind guide mounted with limb guard	
LED mid-body flood lights with guards	
LED rear mounted flood lights with limb guards	
Two LED strobe with limb guard, rear mounted	
Two mirror mounted LED strobe lights with limb guards	
Front hose reel camera placement	
Low water alarm with light	
Rear camera placement	

Requirement Specification	
Wireless remote control	
Traffic camera with color monitor	
Paper Vac-Con Manual	
3/4" Nozzle rack	
1" x 10' Length leader hose	
Additional pipe rack	
Lazy Susan pipe rack (Holds 5 Pipes)	
Roll out Shelves (2) for storage box behind cab	
Two standard ENZ nozzles, one sanitary (egg) and one Chisel point penetrator	
ICC lighting	
Hose guide (tiger tail) for hose protection, hydrant wrench, 25' of fill hose	
20 gpm @ 600 PSI wash down system with hand gun and 25' of ½" hand gun hose	
Painted steel upper water tank panels in lieu of standard aluminum diamond plate	
Reflective safety striping: White	
Paint Module: To match cab	
Local dealer pre delivery and inspection	
On site customer training	
Delivery to customer	
TOTAL DISCOUNTED CONTRACT PRICE	\$413,659.00
TRADE IN: 2009 INTERNATIONAL WITH 9 YARD VAC-CON	(\$34,000.00)
TOTAL PRICE AFTER TRADE IN	\$379,659.00

Delivery is _____ Days after receipt of order.

SOURCEWELL CONTRACT NO 122017-AMI/VAC

VENDOR/CONTRACT HOLDER: VAC-CON, INC. 969 HALL PARK RD GREEN COVE SPRINGS, FL 32043

CONTACT: M.J. DUBOIS 410-924-1004 EMAIL MJDUBOIS@ducollc.com



CUSTOMER PO TO DEALER AUTHORIZATION LETTER

Date December 30, 2019

To: City of Moscow
Moscow, Idaho

RE: DEALER AUTHORIZATION TO RECEIVE SOURCEWELL MEMBER PO

To Whom It May Concern,

We authorize your local dealer, Enviro-Clean Equipment to receive a Purchase Order from you for the purchase of a Vac-Con model number V311HEN/1300 as quoted to you on quote number 12172019-MOS according to the terms of our Sourcewell Contract Number 122017-AMI/VAC. This letter is for a one time authorized assignment of Contract Number 122017-AMI/VAC, and cannot be duplicated on future orders, or quotations without specific written consent of Vac-Con, Inc. Please provide us a copy of your purchase order for our records.

Should you have any further questions or concerns, please do not hesitate to contact me.

Sincerely,

M.J. DuBois

MJ DuBois
Contract Administrator

CITY COUNCIL STAFF REPORT

DATE: Tuesday, January 21, 2020



RESPONSIBLE STAFF

Michael Ray, Assistant CD Director/Planning Manager

REVIEWED BY

This item was reviewed by the Administrative Committee on January 13, 2020.

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Public Hearing: Ordinance Amending Title 6, Chapters 2, 3, and 4 of Moscow City Code Regarding Mobile Home and Recreational Vehicle Parks (ACTION ITEM) - Mike Ray

DESCRIPTION

On November 23, 2018, the Community Development Department received a letter from Mr. Gary Lester, requesting that the Planning and Zoning Commission review and potentially remove the 6-month stay limitation for Recreational Vehicles (RVs) within the City of Moscow. The Commission discussed Mr. Lester's request at their January 9, 2019 and February 13, 2019 meetings and directed staff to prepare a code amendment to eliminate the 6-month stay limitation and provide greater opportunities for tiny houses within mobile home parks. After review of the existing RV park and mobile home park ordinances, it was determined that the codes have not been updated since the early 80's. Therefore, the code amendment was expanded to include the mobile home park chapters, which have been updated in order to align the chapters with current State and Federal definitions and reorganized for ease of use. On December 11, 2019, the Commission conducted a public hearing upon the proposed ordinance and recommended approval to City Council. This item was reviewed by the Administrative Committee on January 13, 2020.

STAFF RECOMMENDATION

After conducting the public hearing and consideration of testimony received, approve the proposed Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary.

PROPOSED ACTIONS

PROPOSED ACTIONS: After conducting the public hearing and consideration of testimony received, approve the proposed Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading; or reject the Ordinance; or take such other action deemed appropriate.

FISCAL IMPACT

PERSONNEL IMPACT

N/A

ATTACHMENTS

1. Ordinance

2. Staff Memo
3. Gary Lester Request Letter
4. Public Hearing Notice
5. P&Z Minutes

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 6, CHAPTERS 2, 3, AND 4, REGARDING AMENDMENTS TO THE MOBILE HOME PARKS AND RECREATION VEHICLE PARKS CHAPTERS; 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, the current Mobile Home Park Regulations detailed in Moscow City Code Title 6, Chapters 2 and 3 and Recreational Vehicle Park Regulations detailed in Moscow City Code, Title 6, Chapter 4 have not been updated since 1981; and

WHEREAS, there have been numerous updates to Federal and State regulations regarding manufactured homes, mobile homes, and recreational vehicles that necessitate updating the City code; and

WHEREAS, the current structure of having different chapters for new mobile home parks and existing mobile home parks is confusing and creates redundant language; and

WHEREAS, the City wishes to consolidate the two (2) mobile home park chapters for ease of use and to eliminate redundancy; and

WHEREAS, the City wishes to provide more affordable housing opportunities by allowing modular homes within manufactured home parks and eliminating the 6-month stay limit for recreational vehicles; and

WHEREAS, on December 11, 2019, the Planning and Zoning Commission conducted a public hearing upon the amendments contained herein and recommended approval to the City Council; and

WHEREAS, on _____, the City Council conducted a public hearing and considered and adopted the amendments contained herein;

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 6, Chapter 2 be amended as follows:

• • •

Sec. 2-1. Title.

This Chapter shall be known and designated as the "~~New-MobileManufactured~~ Home Park Chapter" of the City. The standards contained herein shall apply to all ~~new-mobile-manufactured~~

home parks developed after the effective date of this Chapter and the future expansion of existing ~~mobile-manufactured~~ home parks. Manufactured home parks in existence prior to the effective date of this Chapter shall be subject to Moscow City Code Title 6, Section 2-9+0: Standards for Existing Manufactured Home Parks, and other portions of this Chapter as applicable.

Sec. 2-2. Statement of Purpose.

Realizing that the ~~mobile-manufactured~~ home is becoming an integral part of the nation's housing supply, and realizing that safe housing and a pleasant environment for the residents of the City is of prime concern to the Council, this Chapter is provided for the following purposes:

- A. To provide for the orderly placement of ~~mobile-manufactured~~ homes in ~~mobile-manufactured~~ home parks within the City and the area of City impact.
- B. To maintain a consistency of building codes and housing standards within the City.
- C. To maintain property values throughout the City.
- D. To safeguard the health, safety and environment of residents of ~~mobile-manufactured~~ home developments through adequate regulation.
- E. To allow a greater choice of housing alternatives for residents of the City.
- F. To provide for adequate traffic circulation and open space within ~~mobile-manufactured~~ home developments.

Sec. 2-3. Definitions.

As used in this Chapter, unless the context otherwise indicates:

- A. *Accessory Parking Area.* A common enclosed area set aside for the parking and storage of vehicles and mobile units accessory to everyday life. Such units may include, but are not limited to, motor homes, travel trailers, pickup campers, boats, motorcycles and other similar items.
- B. *Accessory Structure.* A structure intended for other than dwelling purposes that is within a ~~mobile-manufactured~~ home park. Such a structure would include, but not be limited to, storage areas, laundry facilities, recreation halls, maintenance shops, etc.
- C. *Application, ~~Mobile-Manufactured~~ Home Park.* Required form provided by the City to be completed and submitted to the City along with accompanying maps and other information.
- D. *Building.* Any structure having a roof ~~building for the complete enclosure of persons or property of any kind upon real property~~, but excluding all forms of vehicles even though immobilized.
- ~~E. *Building Code for Mobile Homes.* Provides for the standards for construction of mobile homes as adopted in the Idaho Advisory Building Code as adopted by the State of Idaho.~~
- ~~EF. *Building Codes.* The latest edition of any building code as currently adopted by the Council.~~
- ~~EG. *Building Permits.* A written form of permission to develop or alter structures placed on real property or its appurtenances constructed to the standards provided for in the Building Code, Moscow City Code, and any applicable state and federal regulations.~~
- ~~GH. *Buffer Zone.* The area immediately within the external property lines of any mobile-manufactured home park which is intended as an open transitional area between the mobile-manufactured home development and adjacent land uses.~~
- ~~HI. *Construction Permit.* An official certificate issued by the City granting permission, after all final plans are approved, to start construction (roads, utilities, site preparation, etc.) on the development of a mobile-manufactured home park.~~

- IJ. Existing Manufactured Home Parks. Any manufactured home parks that are in existence at the time this Chapter is adopted.
- J. Manufactured Home.— ~~a~~A structure, constructed after June 15, 1976, in accordance with the HUD manufactured home construction and safety standards, and is transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the ~~s~~Secretary of ~~h~~Housing and ~~u~~Urban ~~d~~Development and complies with the standards established under 42 U.S.C. ~~s~~Section 5401 et seq.
- JK. Manufactured Home Park. A tract of land under single ownership developed for the purpose of providing rental space for manufactured homes, mobile homes, or modular homes on individual lots and for accessory structures to serve the residents within its confines.
- JKL. Mobile Home (Relocatable Housing). A factory-assembled structure or structures generally constructed prior to June 15, 1976, and equipped with the necessary service connections and made so as to be readily movable as a unit or units on their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. A mobile home shall meet the requirements set forth in Idaho Code Title 39, Chapter 41, as amended from time to time by the State Legislature. ~~A detached single family dwelling unit or a dwelling unit for use as a component in a two family or multi family structure with all of the following characteristics:~~
- ~~— 1. Designed for long term occupancy, containing complete sleeping accommodations, toilet facilities, bath facilities, kitchen facilities, with plumbing and electrical connections provided for connection to an outside system.~~
 - ~~— 2. Designed to be transported after fabrication on its own wheels, or on a flatbed or other trailer or detachable wheels.~~
 - ~~— 3. Built to arrive at the site where it is to be occupied as a dwelling unit complete, including major appliances, and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on foundation supports or integration into a prepared structure.~~
 - ~~4. Meets the requirements set forth in Idaho Code Title 39, Chapter 41, as amended from time to time by the State Legislature.~~
- K. Mobile Home, Double Wide or Triple Wide. A mobile home consisting respectively of two (2) or three (3) sections combined horizontally or stacking vertically at the site to form a single dwelling, while still retaining their individual chassis for possible future movement.
- L. Mobile Home Park. A tract of land under single ownership developed for the purpose of providing rental space for parking mobile homes on individual lots and for accessory structures to serve the residents within its confines.
- M. Mobile Home, Single Wide. A transportable structure which is at least ten (10) feet in width and over thirty-two (32) feet in length, built on a chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

~~N. *Mobile Home Stand.* That part of an individual lot in a mobile home park which has been reserved for the placement of a mobile home. Stand shall be constructed of concrete as required by the administrative authority.~~

~~ML. *Modular Home.* Any building or building component, other than a manufactured or mobile home, that is of closed construction and is either entirely or substantially prefabricated or assembled at a place other than the building site.~~

~~NMQ. *Park Operator's Permit.* A written form of permission by the Director of Community Development Department City upon approval of satisfactory completion of development and after final inspection is made and approved before occupancy is allowed on any completed phase of development.~~

~~ONP. *Recreation Area.* Space within a mobile-manufactured home park having open area and/or recreational equipment to be used for the leisure activities of residents of the development.~~

~~QPO. *Setback.* The area between the property or lot line and the line beyond which buildings may legally be located.~~

~~QPR. *Setback Front.* The distance from the property or lot line on a private or public right-of-way to the building line. When the lot does not adjoin a private or public right-of-way, any side of the lot may be designated as the "front."~~

~~RQS. *Setback Rear.* The setback from the property or lot line on the opposite side of the lot from the front setback. For a triangular shaped lot, the setback shall be measured from a line ten feet (10')-feet in length within the lot which is parallel to the front lot line, or parallel to the chord of a curved front lot line.~~

~~SRT. *Setback Side.* The setbacks from the property line or lot lines remaining after the front and rear setbacks have been determined.~~

~~TSU. *Space Occupancy-Installation Permit.* A written form of permission issued by the Director of Community Development Department City to the mobile-manufactured home park owner or operator to permit a mobile-manufactured home to be placed on a mobile home standmanufactured home space within in a mobile-manufactured home park. Space occupancyinstallation permit gives approval that the mobile home can be occupied at that particular site.~~

~~TV. *Structure.* That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.~~

~~VUW. *Utilities.* Basic public service facilities such as water lines, sewer lines, natural gas lines, electric power lines, telephone wires and community television antenna lines.~~

~~WVX. *Yard.* Open, unoccupied space in front, rear or side on the same lot with a building.~~

Sec. 2-4. Application Procedure for Mobile-Manufactured Home Development

The following is the application procedure for the development of mobile-manufactured home parks in the City. A person wishing to make application for a mobile-manufactured home park should contact the City Director of Community Development Department Zoning Administrator or his or her designee to determine the regulations and requirements for such a development. A conference between the applicant and appropriate City staff will be scheduled.

- A. To provide clarification of the entire mobile-manufactured home park development process;
- B. To allow the City staff to express their professional views about the proposed site;
- C. To review adequacy of utilities for the development; and
- D. To clarify public utility and other development policies of the City.

Sec. 2-5. Application and Preliminary Plans.

The applicant shall submit to the City an application on the form prescribed by the City and ~~one (1) paper copy along with one (1) digital copy (in PDF format) at least five (5) complete sets~~ of preliminary plans to the Zoning Administrator to the City Director of Community Development for consideration by the Planning and Zoning Commission at least twenty (20) days prior to the meeting at which such plans will be considered. The application and preliminary plans shall include at least the following:

A. Application:

1. Name, address of developer and names of principal professional personnel involved in plan preparation.
2. Legal description of development site.
3. Area of proposed development measured in acres and square feet.
4. Percentage of total area to be set aside for use in common or recreation.
5. Number of spaces or lots intended for development.
6. Any intentions for phasing the project, along with a description of the proposed phases.

B. Preliminary Plans:

1. A drawing to scale of not less than one inch (1") ~~inch~~ to fifty feet (50') ~~feet~~, showing all land uses in the periphery of the development and all public and private roads within three hundred feet (300') ~~feet~~ of the development. Development area to be distinctly shown on the above-mentioned drawings.
2. A topographical map showing existing and final contours and drainage systems through the development, with maximum contour intervals of five feet (5') ~~feet~~, extending not less than one hundred fifty feet (150') ~~feet~~ beyond the boundaries of the development area.
3. Tentative patterns of streets, bikeways and walkways, showing width and separation of same, and their relationship to similar facilities outside the boundaries of the proposed development, including sizing. Proposed street names shall be shown.
4. Location and specific nature of open area and playground equipment, if any.
5. Location of all existing and proposed structures within the development.
6. Location and precise nature of buffer area and its contents.
7. A conceptual plan of landscaping indicating type (trees, shrubs, ground cover) and general extent of plantings and a statement regarding the proposed maintenance program.
8. Tentative location of lots or spaces and location of major areas intended for use in common.
9. Any other details specifically requested to be shown at the preliminary conference.

C. The preliminary plans will shall be submitted to the City to be examined for conformance to this Chapter ~~by the Director of Community Development~~ before being scheduled on the agenda of the Planning and Zoning Commission. ~~The Director of Community Development will submit the preliminary plans for comment to the City Engineer, the Fire Chief, and the City building official at least fifteen (15) days prior to the scheduled meeting before the Planning and Zoning Commission. City staff comments will be provided within ten (10) days from the date they are provided copies of the development plans.~~ If the plans are in conformance with this Chapter, they will be submitted to the Planning and Zoning Commission along with comments from City staff. The Planning and Zoning Commission will review the plans and will approve or disapprove the plans, approve the plans conditionally or request modification of the plans within sixty (60) days after the first meeting at which they

are considered. ~~Plans recommended for approval will be forwarded to the Council for their review.~~

Sec. 2-6. Final Plans.

- A. The final plans ~~will~~shall include detailed drawings on all physical developments of the park development and any other requirements determined during the approval process of the preliminary plans. Within a year after the Planning and Zoning Commission approval of the preliminary plans, the applicant shall submit one (1) paper copy along with one (1) digital copy (in PDF format)~~five (5) copies~~ of the final plans to the ~~Director of Community Development Department~~Zoning Administrator twenty (20) days before the scheduled meeting of the Planning and Zoning Commission. ~~The Director of Community Development shall submit copies of the final plans to the City Engineer, the Fire Chief and the building officials fifteen (15) days prior to consideration before the Planning and Zoning Commission, allowing ten (10) days for staff review.~~ Final plans will be checked for conformance with the concepts presented and approved in the preliminary plans, the requirements of this Chapter and City standards before submitting the final plans to the Planning and Zoning Commission for its approval. ~~If the Planning and Zoning Commission finds the final plans to be in conformance with the approved preliminary plans, the plans will be approved and forwarded to the Council.~~ The final plan shall include:
1. A survey by a licensed surveyor indicating exterior boundary, public rights-of-way, lot sizes, easements, recreation area and any other information required by the City Engineer;
 2. Construction plans prepared by a licensed engineer indicating alignment and grade for water, sanitary sewer, storm sewer and streets;
 3. Parking location and layout;
 4. Street lighting layout;
 5. Space numbering;
 6. Fire protection plan; content determined by the ~~Director of Community Development~~Fire MarshallCity;
 7. Landscaping plan (including species and placement of planted materials):
 - a. At least one (1) tree per every mobile-manufactured home unit.
 - b. Trees and other plantings shall conform to size standards established in the "American Standards for Nursery Stock."
 - c. All common areas and lots not utilized for structures, parking or other landscaping shall be covered by turf or other vegetative ground cover.
- B. Before occupancy permits are issued, ~~record-built drawings of all construction~~construction drawings prepared by a licensed engineer will be submitted to the City Engineer.

Sec. 2-7. Permits.

The following permits shall be required for mobile-manufactured home parks:

- A. Construction Permit: Issued by the ~~Director of Community Development~~City upon approval of all final plans by the ~~Council-Planning and Zoning Commission~~ or authorized by the Director of Community Development Department to start construction on a mobile-manufactured home park.
- B. Park Operator's Permit: To be issued by the ~~Director of Community Development Department~~City upon approval of satisfactory completion of development and after final

inspection is made and approved before occupancy is allowed on any completed phase of development.

- C. ~~Space~~ Occupancy Installation Permit: Issued to the park owner before the siting or re-siting of a manufacturedmobile home on specific lot ~~and mobile home stand in within a manufacturedmobile~~ home park. Used to determine that mobile home location~~locating~~ on a given site meets all required codes; approved site and manufactured mobile home will be issued a certificate of occupancy.
- D. Plumbing Permit: Issued to owner of manufacturedmobile home to cover connection of unit into park water and sewer system.
- E. Electrical Permit: Issued to owner of manufacturedmobile home to cover connection of unit to park electrical system.
- F. Gas Permit: Issued to owner of manufacturedmobile home to cover connection of gas to manufacturedmobile home unit.
- G. Building Permit: Issued to cover construction of any structure within the park and is issued to the owner of the structure.

Sec. 2-8. Fees.

Fees for permits will be established by resolution of the Council.

Sec. 2-9. Standards for Mobile-~~Manufactured~~ Home Parks. Development; Size, Lot Size and Setbacks.

A. Bulk and Dimensional Standards

1. New or Expanded Manufactured Home Parks

- a. Minimum site size: five (5) acres.
- b. Minimum manufactured home lot size (min.): three thousand six hundred (3,600) sq. ft.
- c. Minimum Setbacks (min.):
 - i1. Front: ten feet (10') ft.
 - ii2. Sides and rear: five feet (5') ft.
 - iii3. Side unit with main entrance: ten feet (10') ft.
- d. Minimum space between units, including accessory structures: ten feet (10') ft.
- e. Maximum lot coverage (including awnings) (max.): seventy percent (70%).
- f. Unwalled carports may be located within a required front setback if located not closer than four feet (4') feet to the curb or edge of the street; however, no fencing, screening, wall or plantings shall be permitted in the setback which might interfere with a driver's view of the street.

2. Existing Manufactured Home Parks

- a. Minimum site size: None specified.
- b. Minimum manufactured home lot size: None specified.
- c. Minimum Setbacks:
 - i1. Front: None, soas long as no part of any manufactured home encroaches upon any part of a walkway or park street.
 - ii2. Sides and rear: five feet (5').
 - iii3. Side unit with main entrance: ten feet (10').
- d. Minimum space between units, including accessory structures: ten feet (10').
- e. Maximum lot coverage: seventy percent (70%).

Sec. 2-10. Phase Development.

~~If the developer wishes to phase the construction of the development, at least one half (1/2) of the required thirty-five (35) units or five (5) acres, whichever is less, and the required accessory facilities shall be completed prior to being issued an operator's permit. The City may require bonding for the remaining portions of the phased development. Bonding would cover the cost of providing roads, sidewalks, street lighting, accessory structures and other parts of the unfinished portion of the mobile home park.~~

Sec. 2-11.B. Recreation Area.

~~—~~ A common recreation area(s) shall be provided in each **mobilemanufactured** home park consisting of no less than four percent (4%) or ten thousand (10,000) square feet, whichever is greater, ~~of~~ the gross land area. This area shall be exclusive of all lot and buffer areas and shall be developed with turf and trees to accommodate both active and passive recreation. If this requirement is to be met by several separate areas, one (1) area must be ten thousand (10,000) square feet in size and the remaining recreation areas shall be left to the discretion of the developer.

Sec. 2-12C. Buffer Area.

~~—~~ All **mobilemanufactured** home lot lines and all structures within a **mobilemanufactured** home park shall be set back a minimum of fifteen ~~feet~~ (15') ~~feet~~ from the property line of the development. The need for a buffer area shall be determined by the Planning and Zoning Commission. If the Planning and Zoning Commission determines a need for a buffer area, a sight obscuring fence or evergreen hedge at least six ~~feet~~ (6') ~~feet~~ in height shall be maintained within the rear and side buffer areas. Such fence or hedge across the front of the development shall be set back at least ten ~~feet~~ (10') ~~feet~~ from the front property line. The remainder of the buffer area will be landscaped as determined in the development plan submitted to the Planning and Zoning Commission.

Sec. 2-13.D. Streets and Roads.

~~—~~ The general layout of a **mobilemanufactured** home development shall provide not only adequate circulation space within its confines, but shall also integrate with any existing or planned street pattern in the general area of the development. Public street dedication may be required if needed to provide proper integration with existing or planned streets. All dedicated streets shall be constructed in accordance with the City of Moscow street standards as adopted by resolution of the Council to City width and construction standards. The developer of a **mobilemanufactured** home park may be required to improve any right-of-way to which the development is adjacent, to City standards. All street names shall be approved by the Planning and Zoning Commission.

Sec. 2-14E. Private Streets.

~~—~~ Private streets within a **mobilemanufactured** home park shall be constructed to a minimum of four ~~inch~~ (4") ~~inch~~ aggregate base and a minimum of three ~~inches~~ (3") ~~inches~~ of bituminous pavement with curbs on both sides and sidewalk on one (1) side. Plans for traffic circulation within the area and the size of the development shall be considered before the Planning and Zoning Commission. Private streets shall be a minimum of ~~forty-three-six feet~~ (4036') ~~feet~~ in width with parking on both sides, ~~thirty-two~~ ~~twenty-eight feet~~ (3228') ~~feet~~ with parking on one (1) side and ~~twenty-seven feet~~ (27'20') ~~feet~~ when no parking is provided. Dead-end streets shall be limited to a length of six hundred ~~and sixty feet~~ (660') ~~feet~~ and the cul-de-sac shall have a minimum radius of ~~forty-ninety-six feet~~ (4096') ~~feet~~.

Sec. 2-15F. Walkways.

— Pedestrian walkways ~~shall be~~ four ~~feet (4')-feet~~ in width ~~and~~ shall be provided along one (1) side of street frontage in ~~mobilemanufactured~~ home parks and shall be constructed to City standards. Walkways connecting interior facilities in the ~~mobilemanufactured~~ home park shall also be constructed to City standards of four ~~feet (4')-feet~~ in width. Walkways ~~will-shall~~ be provided from the ~~mobilemanufactured~~ home unit to the street or interior walkway system and shall be built to a minimum of two ~~feet (2')-feet~~ or wider.

Sec. 2-16G. Lighting.

— Street lighting shall be provided by the developers of all ~~mobilemanufactured~~ home developments affected by this Chapter. Such lighting shall utilize a mercury vapor or high pressure sodium light or another lighting system approved by the City Engineer. Lighting shall be provided at a minimum intensity of one-half (1/2) candle foot at all places along the private streets. Along public streets, the street light requirements shall meet the standards set forth in the Code.

Sec. 2-17H. Parking.

~~A1. A minimum of two (2) off-street parking spaces per unit shall be required within a mobilemanufactured home park and parking spaces shall be located adjacent to the mobilemanufactured home site where possible, but not further than one hundred fifty feet (150')-feet from the identified site. A parking space shall be at least nine feet (9') in width and twenty feet (20') in depth consist of three hundred (300) gross square feet of area and shall be paved.~~

~~B2. Additional off-street parking at a rate of one (1) parking space per three (3) manufactured home spaces shall be provided for guest and visitor parking. A minimum of one (1) additional space beyond the two (2) required spaces shall be required and shall be provided for mobile home parks on adjacent streets or in a parking lot.~~

~~C. An accessory parking and storage area for recreation vehicles, boats and similar equipment shall be provided at a rate of one (1) space per fifteen (15) mobile home spaces in mobile home parks. This accessory parking area shall be enclosed by a fence six feet (6') feet in height and with security lighting provided at one-half (1/2) candle foot for this accessory parking area.~~

Sec. 2-18I. Utilities.

— All ~~mobilemanufactured~~ home developments shall be served by City water and sewer and shall be developed and constructed to City standards. The water, sewer and electrical systems within the development and all individual hookups shall be installed in accordance to City standards.

Sec. 2-19J. Refuse Handling. All refuse collection locations shall be approved by the City Sanitation Department.

~~A. The storage, collection and disposal of refuse in mobile home parks shall be conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution.~~

- ~~B. All refuse shall be stored in flytight, watertight, rodent proof containers, which shall be located not more than one hundred fifty feet (150') feet from any mobile home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse.~~
- ~~C. Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent the containers from being tipped, to minimize spillage and container deterioration and to facilitate cleaning around them.~~

~~Sec. 2-20.~~ Space Numbering.

~~Each lot in a mobilemanufactured home development shall be conspicuously marked with the proper lot number that will provide identification of that site. Such numbering shall be subject to approval of the Director of Community Development comply with current Building and Fire Code requirements.~~

~~Sec. 2-21L.~~ Skirting.

~~All mobilemanufactured homes placed within the City shall, within sixty (60) days of their installation, except in cases of inclement weather, shall be completely skirted between the bottom of the unit and the ground with a material harmonious in color and texture with the exterior of the mobilemanufactured home.~~

Sec. 2-2210. Responsibilities of Park ManagementOwner.

- A. The operator-owner of a mobilemanufactured home park shall operate the park in compliance with this Chapter and regulations issued hereunder and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- B. The park management-owner shall notify park occupants of all applicable provisions of this Chapter and inform them of their duties and responsibilities under this Chapter and regulations issued hereunder.
- C. The park management-owner shall be responsible for obtaining all necessary permits required by this Chapter for placement and replacement of each mobilemanufactured home on its stand and the installation of all utility connections. An occupancy certificate for the mobilemanufactured home will not be issued until proper inspections have been ~~completed~~made by the Director of Community Development. ~~A mobilemanufactured home shall not be occupied for dwelling purposes until an occupancy certificate has been issued by the CityDirector of Community Development. An occupancy certificate will not be issued for a mobile home not meeting the standards adopted by the State Code.~~
- ~~D. An office shall be maintained on all mobile home park premises which allows residents to contact the management at least on a forty (40) hour per week basis.~~

Sec. 2-2311. Park Areas for Nonresidential Uses.

- A. No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park.
- B. Nothing contained in this Section shall be deemed as prohibiting the sale of a mobilemanufactured home located in and connected to the pertinent utilities.

Sec. 2-1224. Violation of Provisions; Operations Suspension.

- A. Whenever, upon inspection of any mobilemanufactured home park, the ~~Director of Community Development~~City finds that conditions or practices exist which are in violation of any provision of this Chapter, or the park operator's permit for the development or any other regulation adopted pursuant thereto, the ~~Director of Community Development~~City shall give notice which shall:
1. Be in writing;
 2. Include a statement of the reason for its issuance;
 3. Allow a reasonable time for the performance of any act it requires;
 4. Be served upon the owner or owner's agent when a copy thereof has been sent by certified or regular mail to the owner or owner's agent's last known address, or when the owner or owner's agent has been served with such notice by any other method authorized or required by the laws of this state; and
 5. Contain an outline of remedial action, which, if taken, will effect compliance with the provisions of this Chapter and with regulations adopted pursuant thereto.
- B. At the end of the specified time period, the ~~Director of Community Development~~City shall reinspect such mobilemanufactured home park and, if such conditions or practices have not been corrected, the ~~Director of Community Development~~City shall take legal action to have the mobilemanufactured home park operator's permit revoked and have the mobilemanufactured home park cease operation or have the City hire or contract for remedial action to correct the problem and bill the park operator-owner for these costs or put a lien on his property.
- C. Any person, whose mobilemanufactured home park has received notice their mobilemanufactured home park operator's permit will be revoked unless certain conditions or practices at the mobilemanufactured home park are corrected, may request a hearing on the matter before the Council. The mobilemanufactured home park owner/operator has thirty (30) days to appeal the ruling of the ~~Director of Community Development~~DepartmentCity and to file an appeal with the Council.
- D. The filing of the request for a hearing shall operate as a stay of notice of suspension. Under receipt of such petition, the Council shall set the time and place for such a hearing and shall give the petitioner notice thereof. At such hearing, the petitioner shall be given the opportunity to be heard, and to show why such notice should be modified or withdrawn. The hearing shall be commenced no later than thirty (30) days after the day on which the petition was filed; provided, upon application of the petitioner, the date of the hearing may be postponed for a reasonable time beyond such thirty (30) day period when it is felt that the petitioner has submitted good and sufficient reasons for postponement.
- E. After such hearing, the Council shall make findings as to compliance with the provisions of this Chapter and regulations issued thereunder and shall issue orders in writing sustaining, modifying or withdrawing the notice which shall be served in a manner prescribed in this Code. Upon a failure to comply with the order sustaining or modifying a notice, the operation of the mobilemanufactured home park affected by the order shall be stopped or corrective action taken by the City and charged to the park operator-owner. The proceedings at such a hearing, including the findings and decisions of the Council, together with a copy of every notice and order related thereto, shall be entered as a matter of public record of the Council, but the transcript of the proceedings need not be transcribed unless judicial review of the decision is sought as provided by laws of this state.

- F. When the ~~Director of Community Development Department~~City finds an emergency exists which requires immediate action to protect the public health, ~~he or she~~the City may, without notice of hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as ~~he or she may~~deemed necessary to meet the emergency, including the suspension of operation and the revoking of the park operator's permit. Notwithstanding any other provisions of this Chapter, such order as directed shall comply therewith immediately, but upon petition to the Council, shall be afforded a hearing as soon as possible.

Sec. 2-~~25~~13. Variances.

Variances may be permitted as set forth in the Zoning Code.

Sec. 2-~~26~~14. Appeals.

Any person whose application for a ~~mobile~~manufactured home development under this Chapter has been denied, may, within ten (10) days after the date on which the application was denied, appeal to the Council under the procedure provided in this Chapter. A hearing on the matter will be scheduled within sixty (60) days of the date of the appeal being filed.

Sec. 2-~~27~~15. Violations; Penalties.

Any person violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined pursuant to this Code and the Idaho Code. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. The City may also use any civil remedies available to gain compliance with this Chapter.

Sec. 2-~~28~~16. Nonconforming Uses.

Any existing park which does not meet the standards of this Chapter shall be considered a nonconforming use. Any existing parks that become nonconforming uses at the time this Chapter is adopted may continue to operate unless the use shall be terminated for a period of one hundred eighty (180) days. If such use is terminated for more than one hundred eighty (180) days, the use cannot be reestablished unless it is brought into conformance with this Chapter. Any expansion of a nonconforming ~~mobile~~manufactured home park shall be developed to the requirements and standards of this Chapter, unless said requirements are technically unfeasible. The determination as to whether the requirements of this Chapter would be technically unfeasible shall be made by the Planning and Zoning Commission.

Sec. 2-17. Phase Development.

Phasing shall be permitted subject to the approval of the Planning and Zoning Commission.

Sec. 2-18. Modular Homes.

Modular homes which have been inspected and approved by the Idaho Division of Building Safety and which contain the appropriate modular insignia shall be permitted within manufactured home parks.

Sec. 2-29. Parks Annexed Into the City.

~~—This Section shall apply to mobile home parks in proximity to, or within the area of City impact of the City.~~

- ~~A. Any mobile home park (or portion of such park) developed after the effective date of this Chapter shall be required to comply with all standards and requirements of this Chapter within ninety (90) days after said park is annexed into the City.~~
- ~~B. Any mobile home park developed prior to the effective date of this Chapter shall be required to comply with the permit provisions of this Chapter and the standards of Ordinance No. 1381, within six (6) months after the date of annexation.~~

Sec. 2-30. — Other Regulations.

- ~~A. The standards contained in Ordinance No. 1381 shall continue to apply to mobile home parks (or portions thereof) established prior to August 25, 1972.~~
- ~~B. The standards contained in Ordinance No. 1221 shall continue to apply to mobile home parks (or portions thereof) developed between August 25, 1972 and the effective date of this Chapter.~~

SECTION 2: That Moscow City Code Title 6, Chapter 3 be repealed. ~~amended~~ as follows:

Sec. 3-1. — Purpose.

~~— The purpose of this Chapter shall be to promote the health, safety and general welfare of the inhabitants of the older mobile home parks in existence prior to August 25, 1972, and to require the owners to meet the standards set forth herein no later than September 1, 1979.~~

Sec. 3-2. — Code Sections Adopted.

~~— Standards, definitions, and procedures established in Title 6, Chapter 2, of this Code shall apply to this Chapter except where it is clear by context that such are inapplicable.~~

Sec. 3-3. — Required Separation Between Mobile Homes.

- ~~A. Each mobile home stand shall not cover more than one-third (1/3) of the area of the mobile home lot. Every mobile home space shall abut on a driveway or public street or an approved sidewalk system. Such spaces shall be defined on the Park Plan. Mobile home units shall be so parked that the minimum space distance between the nearest portion of the mobile home unit and/or its accessory building is not less than ten feet (10') from an adjacent unit and/or accessory building. There shall be an open space of not less than five feet (5') from the exterior boundary of the mobile home park.~~

Sec. 3-4. — Required Setbacks, Buffer Strips and Screening.

- ~~A. All mobile home units shall be located at least five feet (5') from any park property boundary line abutting upon a public street or highway and at least five feet (5') from other property boundary lines.~~
- ~~B. No part of any mobile home unit shall encroach upon any part of a walkway or park street.~~
- ~~C. All mobile home parks located adjacent to industrial or commercial land uses except farm land shall be provided with at least six foot (6') screening such as fences or evergreen growth along the property boundary line separating the park and such adjacent nonresidential uses.~~

Sec. 3-5. — Park Street System.

- ~~A. General Requirements: All mobile home parks shall be provided with safe and convenient vehicular access from abutting streets or roads to each mobile home lot. Alignment and gradient shall be properly adapted to topography.~~
- ~~B. Access, Street Parking and Internal Streets: All mobile home parks shall meet the standards of parking lot requirements set forth in Code Section 5-1-5(E); each park owner shall construct and maintain off-street parking within the mobile home park area a minimum of one and one-half (1 1/2) parking spaces times the number of mobile home units in the park.~~
- ~~C. Required Illumination of Park Street Systems: All parks shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights as will provide, as approved by the City, levels of illumination for the safe movement of pedestrians and vehicles at night. Such systems must be shown on the mobile home park plan.~~
- ~~D. Street Construction and Design Standards: All streets shall be maintained in an acceptable manner as approved by the City.~~

~~Sec. 3-6. Walks.~~

- ~~A. General Requirements: All parks shall be provided with safe, convenient, all season pedestrian access of adequate width for intended use, durable and convenient to maintain, between the individual homes, the park streets and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.~~
- ~~B. Sidewalk System: Shall be subject to the approval of the City and have the capability of providing acceptable emergency access.~~

~~Sec. 3-7. Water Supply.~~

~~General Requirements: An accessible, adequate, safe and potable supply of water shall be provided in each mobile home park. Where a public supply of water is available, connection shall be made thereto and its supply used exclusively.~~

~~Sec. 3-8. Water Distribution System.~~

~~The water supply system of the mobile home park shall conform to the standards required by the City as approved by the Council.~~

~~Sec. 3-9. Sewage Disposal.~~

~~An adequate and safe sewerage system shall be provided in all mobile home parks for conveying and disposing of all sewage in conformance to the standards required by the City as approved by the Council.~~

~~Sec. 3-10. Electrical Distribution System.~~

~~Every park shall contain an electrical wiring system which complies to the standards required by the City as approved by the Council.~~

~~Sec. 3-11. General Requirements.~~

~~The requirements of this Section shall apply to service buildings, recreation buildings and other community service facilities such as:~~

- ~~A. Management offices, repair shops, and storage areas.~~
- ~~B. Sanitary facilities.~~
- ~~C. Laundry facilities.~~

~~D. Indoor recreation areas.~~

~~E. Commercial uses supply essential goods and services for the exclusive use of park occupants.~~

~~— All of which must comply with all Federal, State, City and local codes.~~

~~Sec. 3-12. Fire Protection.~~

~~— The mobile home park area shall be subject to the rules and regulations of the City, as approved by the City and the Fire Chief. Each owner of a mobile home park shall provide on their mobile home park plan a fire protection system, which must be developed and submitted to the City and the Fire Chief for approval.~~

~~Sec. 3-13. Responsibilities of Park Owners and Occupants.~~

~~— The park occupants shall comply with all applicable requirements of this Chapter and regulations issued hereunder and shall maintain their mobile home lots, facilities and equipment, in good repair and in a clean and sanitary condition. The owner shall develop a set of park rules and regulations which shall be distributed to each mobile home occupant.~~

~~Sec. 3-14. Fees.~~

~~— The City shall establish certain fees for inspections which shall be effective from and after approval by resolution duly adopted at a regular meeting of the City Council.~~

~~— Said inspection fees shall include but not be limited to:~~

~~A. Permit for installation and tie down and occupancy inspection.~~

~~B. Plumbing.~~

~~C. Electrical.~~

~~— All inspection and requirements shall be made in accordance with this Code and amendments thereto from time to time.~~

SECTION 3: That Moscow City Code Title 6, Chapter 4 be amended as follows:

Sec. ~~43~~-1. Title.

This Chapter shall be known and designated as the "Recreational Vehicle Park and Campgrounds Chapter" of this Code, and shall apply to all recreational vehicle parks and campgrounds developed after the adoption of this Chapter.

Sec. ~~43~~-2. Statement of Purpose.

Realizing that there is an identifiable need to provide locations in the City for the Traveling Public to park recreational vehicles or the placement of tents, this Chapter is provided to permit the development of recreational parks and campgrounds.

Sec. ~~43~~-3. Definitions.

A. *Accessory Structure.* A subordinate building or structure, the use of which is incidental to the use of a recreational vehicle park such ~~A structure intended as a permanent residence for the park operator owner of such structures~~ as storage buildings, laundry, restrooms and shower facilities, recreation halls, maintenance shops, etc.

B. *Application, Recreational Vehicle (RV) Park.* Standard form provided by the City to be completed and submitted to the City along with accompanying maps, plans and other requested information.

- C. *Buffer Zone*. The area immediately within the external property lines of any recreational vehicle park which is intended as an open transitional area between the recreational vehicle development and adjacent land uses.
- D. *Building*. Any structure having a roof ~~built for the complete enclosure of persons or property or any kind of real property~~, but excluding all forms of vehicles even though immobilized.
- E. *Construction Permit*. An official certificate issued by the City granting permission after all final plans are approved to start construction (roads, utilities, site preparation, etc.) on the development of a recreational vehicle park.
- F. *Recreational Vehicle*. A vehicle type unit ~~previously primarily~~ designed as temporary living quarters for recreational, camping or travel use, which either has its own motor power or is mounted on or drawn by another vehicle. The basic entities are: camping trailer, motor home, travel trailer or fifth wheel camper, ~~and~~ truck camper, and park model recreational vehicle, and are defined as follows:
 1. *Camping Trailer*. A vehicular portable unit mounted on wheels and constructed with collapsible partial side walls which fold for towing by ~~another vehicle~~ and unfold at the campsite to provide temporary living quarters for recreational, camping or travel use.
 2. *Motor Home*. A vehicular unit designed to provide temporary living quarters for recreational, camping or travel use built on or permanently attached to a self propelled motor vehicle chassis cab or van which is an integral part of the completed vehicle.
 3. *Travel Trailer or Fifth Wheel Camper*. A vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use and of such size or weight as not to require special highway movement permits when drawn by a motorized vehicle, and with a living area of less than two hundred twenty (220) square feet, excluding built in equipment and bath and toilet rooms.
 4. *Truck Camper*. A portable unit constructed for recreational, camping or travel use, consisting of a floor and sides, designed to be loaded onto and unloaded from the bed of a pickup truck.
 5. *Park Model Recreational Vehicle*. A recreational vehicle that is designed to provide temporary accommodations for recreational, camping or seasonal use, is built on a single chassis, was originally mounted on wheels, has a gross trailer area not exceeding four hundred (400) square feet in the set-up mode, and is certified by its manufacturer as complying with the American National Standards Institute (ANSI) A119.5 Standard for Recreational Park Trailers, and includes park models, park trailers, recreational park trailers, and certain tiny homes.
- G. *Tent*. A collapsible structure, primarily constructed of fabric, with a floor area of no more than two hundred (200) square feet designed to provide temporary living quarters for recreational, camping or travel use.
- H. *Recreational Vehicle (RV) Park*. Any lot of land upon which two (2) or more recreational vehicle spaces are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters.

Sec. 4.4. — Principles for Development.

- A. ~~Recreational vehicle parks and campgrounds are permitted in the Motor Business (MB) Zoning District or the General Business Zoning District as a permitted use; and in the University (U) Zoning District, the Multiple Family Residential (R-4) Zoning District, and the Agriculture/Forestry (AF) Zoning District through the issuance of a Special Use Permit.~~

- ~~B. In evaluating a proposal the Planning and Zoning Commission may require the applicant to demonstrate that the recreational vehicle park will not generate traffic conditions that would be a hazard to pedestrians or motorists in the neighborhood in which it is located.~~

Sec. ~~43-45~~. Preliminary Development Plans.

Any person wishing to make application for a recreational vehicle park and campground should contact the City to determine the regulations and requirements for such a development. A conference between the applicant and the appropriate staff will be scheduled:

- A. To provide clarification of the recreational vehicle park development process;
- B. To review adequacy of utilities for the development; and
- C. To clarify public utilities and other development policies of the City.

Sec. ~~43-56~~. Applications and Preliminary Plans.

The applicant shall submit to the City, an application on the form prescribed by the City, and one (1) paper copy along with one (1) digital copy (in PDF format) at least five (5) complete sets of preliminary plans to the City for consideration by the Planning and Zoning Commission, at least twenty-one (21) days prior to the meeting at which such plans will be considered. The application and preliminary plans shall include at least the following:

- A. Application:
 - 1. Name, address of developer and names of principal professional personnel involved in plan preparation;
 - 2. Legal description of development site;
 - 3. Area of proposed development measured in acres and square feet;
 - 4. Percentage of total area to be set aside for use in common or recreation;
 - 5. Number of spaces or lots intended for development; and
 - 6. Any intentions for phasing the project, along with a description of the proposed phases.
- B. Preliminary Plans:
 - 1. A drawing to scale of not less than one inch (1") to fifty feet (50') showing all land uses on the periphery of the development and all public and private roads within three hundred feet (300') of the development drawings;
 - 2. A topographical map showing existing and final contours and drain systems through the development, with maximum contour intervals of five feet (5'), extending not less than one hundred fifty feet (150') beyond the boundaries of the development area; this requirement may be waived by the City Engineer;
 - 3. Tentative patterns of streets, bikeways and walkways, showing width and separation of same, and their relationship to similar facilities outside the boundaries of the proposed development, including sizing. Proposed street names shall be shown;
 - 4. Location and specific nature of open areas and playground equipment, if any;
 - 5. Location of all existing and proposed structures within the development;
 - 6. Location and precise nature of buffer area and its contents;
 - 7. A conceptual plan of landscaping, indicating type (trees, shrubs, ground cover) and general extent of plantings, and a statement regarding the proposed maintenance program;
 - 8. Tentative location of lots or spaces and location of major areas intended for use in common; and
 - 9. Any other details specifically requested to be shown at the preliminary conference.

The preliminary plans will be submitted twenty-one (21) days prior to consideration before the Planning and Zoning Commission. The City will submit the preliminary plans for comment to the City Engineer, the Fire ~~Chief-Marshall~~ and ~~the City Community Development Department~~ designated City Staff at least fifteen (15) days prior to the scheduled meeting before the Planning and Zoning Commission. Staff comments will be provided within ten (10) days from the date they are provided copies of the development plans. The plans will be forwarded along with comments from the City ~~s~~Staff to the Planning and Zoning Commission. The Planning and Zoning ~~e~~Commission will review the plans and will approve or disapprove the plans, within forty-five (45) days after the first meeting at which they are considered.

If the preliminary plans are found to be in substantial compliance with requirements for final plans, the Planning and Zoning Commission may waive the final plan review.

Sec. ~~43-67~~. —Final Plans.

The final plan will include detailed drawings on all physical developments of the park development and any other requirements determined during the approval process of the preliminary plans. Within a year after the Planning and Zoning Commission approval of the preliminary plans, the applicant shall submit to the City one (1) paper copy along with one (1) digital copy (in PDF format) five (5) copies of the final plans ~~to the City~~, twenty (20) days before the scheduled meeting of the Planning and Zoning Commission. Final plans will be checked for conformance with the concepts presented and approved in the preliminary plans, the requirements of this Chapter and City standards before submitting the final plans to the Planning and Zoning Commission for its approval. If the Planning and Zoning Commission finds the final plans to be in conformance with the approved preliminary plans, the plans will be approved. The decision of the Planning and Zoning Commission may be appealed to the Council within seven (7) days of adoption of findings of fact. ~~An appeal may be made by the applicant, by any person affected by the proposal, or by any member of the Council.~~ The provisions of Code Section 4-8-6 shall apply to appeals to the Council of decisions by the Planning and Zoning Commission on recreational vehicle park applications. ~~The final plans shall include:~~

- A. Construction plans prepared by a licensed engineer indicating alignment and grade for water, sanitary sewer, storm sewer and streets; this requirement may be waived or modified by the City Engineer;
- B. Parking location and layout;
- C. Street lighting layout;
- D. Space numbering;
- E. Fire protection plan; content determined by the City; and
- F. Landscaping plan. The placement of landscaping shall be left to the discretion of the owner or operator of the recreational vehicle park. In order to create a park-like setting and promote privacy for the users of the recreational vehicle park, however, the following standards shall apply:
 - 1. At least one (1) canopy tree of one point five inch (1.5") ~~inch~~ caliper and two (2) shrubs a minimum of ~~12~~twelve inches (12") in height per every two (2) recreational vehicle sites; and
 - 2. All common areas and lots not utilized for structures, parking or other landscaping shall be covered by turf or other vegetative ground cover.

Before occupancy is permitted, record ~~drawings~~ drawings prepared by a licensed engineer of all public improvement construction will be submitted to the City Engineer.

Sec. ~~43-78~~. —Approvals.

Construction of recreational vehicle park improvements shall not commence until final plans have been approved by the Planning and Zoning Commission. All improvements shall be constructed in accordance with approved final plans before the recreational vehicle park may be occupied.

Sec. ~~43-89~~. —Fees.

Fees for permits will be established by resolution from time to time by the Council.

Sec. ~~43-910~~. Standards for Recreational Vehicle Parks and Campgrounds.

- A. Minimum space size shall be forty feet by twenty feet (40' x 20'); however, up to forty percent (40%) of the spaces may be a minimum of twenty-five feet by twenty feet (25' x 20').
- B. Design of spaces shall be such that minimum space between recreational vehicles is ten feet (10').
- C. Toilet facilities and potable water shall be provided in all campgrounds and in all recreational vehicle parks that allow tents or recreational vehicles which are not self-contained.
- D. Common open space will be provided for each space in the park. This area shall be exclusive of all setback areas and shall be developed with turf and trees. The size of the open spaces shall be left to the discretion of the developer.
- E. Trash receptacles shall be provided, and shall be located no further than one hundred fifty feet (150') away from any recreational vehicle or campground space.

Sec. ~~43-101~~. Streets.

Internal private streets shall be a minimum of twenty-eight feet (28') (including a twenty foot [20']-~~feet~~ surface and four foot [4']-~~feet~~ shoulders) in width for two (2)-way streets and twenty feet (20') (including a twelve foot [12'] surface and four foot [4'] shoulders) for one- (1) way streets, with a minimum of three-quarters inch (3/4") processed rock, six inches (6") in depth. Minimum outside radius of all curves in streets shall be forty feet (40').

Sec. ~~43-112~~. Setbacks and Buffer Yards.

Setbacks and buffer yards shall be required to provide a physical and/or visual buffer to eliminate potential land use conflicts. Setbacks or buffer yards shall be required as follows:

- A. Adjoining Public Streets÷ Portions of a recreational vehicle park that adjoin public streets shall have a B buffer yard, as defined in Code Section 4-~~6~~-9, except in such areas required for access and/or a vision clearance triangle. Portions of a public right-of-way may be used as a part of the buffer yard at the discretion of the City;
- B. Adjacent to Residential and Industrial Uses÷ Portions of a recreational vehicle park that adjoin a residential or industrial use shall have a minimum setback of ten feet (10') from the property line and shall have a six foot (6') high, sight-obscuring fence located within the setback area. Utility lines and outlets may be located within the setback area.
- C. Adjoining Undeveloped Land÷ Portions of a recreational vehicle park that adjoin undeveloped land shall have an 'A' buffer yard, as defined in Code Section 4-6-9, except in such areas required for access and/or a vision clearance triangle.

Sec. ~~43-123~~. Sewage Holding Tank.

A sewage holding tank for self-contained recreational vehicles shall be provided within the recreational vehicle park or the park ~~operator-owner~~ shall provide or have provided a pumping service from the recreational vehicles into a sewage tank truck.

Sec. ~~43-134~~. Lighting.

Street lights along the public right-of-way shall be provided by the developers of the recreational vehicle park as required by the City Engineer ~~and the Code~~. Lighting of RV park and campground internal roads and/or pedestrian paths may be required by the Planning and Zoning Commission as dictated by the size, layout and scale of the development and in accordance with the Outdoor Lighting Section of the Zoning Code.

Sec. ~~43-145~~. Utilities.

All recreational vehicle parks and campgrounds with access to City sewer and/or water shall be served by such. In recreational vehicle parks and campgrounds served by private streets, a utility easement may be required by the City. In those that have no access to City sewer and water, septic systems and wells are permissible subject to Idaho State Health District approval.

Sec. ~~43-156~~. Length of Stay in Recreational Vehicle Park.

Maximum length of occupancy of spaces within the RV park shall be as follows:

- A. Persons occupying vehicles with total hookups, including sewer, water and electricity, shall ~~be permitted to occupy an RV park space year-round. not occupy any RV park space for a period exceeding one hundred eighty (180) days in any 12 month period, nor shall the cumulative occupancy by such persons of different RV park spaces anywhere in the facility exceed a total of one hundred eighty (180) days in any 12 month period.~~
- B. Persons occupying tents or vehicles with less than total hookup capacity shall not occupy any RV park space for a period exceeding fourteen (14) days in any twelve (12)-month period, nor shall the cumulative occupancy by such persons of different RV park spaces anywhere in the facility exceed a total of fourteen (14) days in any twelve (12)-month period.

Sec. ~~43-167~~. Responsibilities of the Recreational Vehicle Park ManagementOwner.

- A. The ~~operator-owner~~ of a recreational vehicle park shall operate in compliance with this Chapter and regulations issued hereunder and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and a clean and sanitary condition.
- B. The park ~~management-owner~~ shall notify park occupants of all applicable provisions of this Chapter and inform them of their duties and responsibilities under this Chapter and regulations issued hereunder as applicable.

Sec. ~~43-178~~. Violation of Provisions; Operations Suspension.

Whenever, upon inspection of any recreational vehicle park, the City finds that conditions or practices exist which are in violation of any provision of this Chapter, or the park operator's permit for the development, or any other regulation adopted pursuant thereto, the City shall give notice which shall:

- A. Be in writing;
- B. Include a statement of reasons for its issuance;
- C. Allow a reasonable time for the performance of any act it requires;

- D. Be served upon the owner or owner's agent when a copy thereof has been sent by certified or regular mail to owner's last known address or when owner has been served with such notice by any other method authorized or required by the laws of this State; and
- E. Contain an outline of remedial action, which, if taken, will effect compliance with the provisions of this Chapter and with regulations adopted pursuant thereto.

At the end of the specified period of time, the City shall reinspect such recreational vehicle park and, if such conditions or practices have not been corrected, take legal action to have the recreational vehicle park operator's permit revoked and the recreational vehicle park cease operation, or have City take remedial action to correct the problem and bill the park ~~operator~~ owner for these costs or put a lien on ~~operator's~~ the owner's property.

Any person whose recreational vehicle park has received notice that their recreational vehicle park operator's permit will be revoked unless certain conditions or practices at the recreational vehicle park are corrected, may request a hearing on the matter before the Council. The recreational vehicle park owner/operator has thirty (30) days to appeal the ruling of the City and to file an appeal with the Council. The filing of the request for a hearing shall operate as a stay of notice and of suspension. Under receipt of such petition, the Council shall set a time and place for such hearing and shall give the petitioner notice thereof. At such hearing, the petitioner shall be given the opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced no later than thirty (30) days after the day on which the petition was filed; provided that upon application of the petitioner, the date of the hearing may be postponed for a reasonable time beyond such thirty (30) days period when it is felt that the petitioner has submitted good and sufficient reasons for postponement.

After such hearing, the Council shall make findings as to compliance with the provisions of this Chapter and regulations issued thereunder, shall issue orders in writing sustaining, modifying or withdrawing the notice which shall be served in a manner prescribed in this Code. Upon failure to comply with the order sustaining or modifying a notice, the operation of the recreational vehicle park affected by the order shall be stopped or corrective action taken by the City and charged to the park ~~operator~~ owner. The proceedings at such hearing, including the findings and decisions of the Council, together with a copy of every notice and order related thereto, shall be entered as a matter of public record of the Council, but the transcript of the proceedings need not be transcribed unless judicial review of the decision is sought as provided by the laws of this State.

When the City finds an emergency exists which requires immediate action to protect the public health, it may, without notice of hearing, issue an order reciting the existence of such emergency and requiring that such action be taken as deemed necessary to meet the emergency, including the suspension of operation and the revoking of the park operator's permit. Notwithstanding any other provisions of this Chapter, such order as directed shall comply therewith immediately, but upon petition to the Council, shall be afforded a hearing as soon as possible. The provisions of this Section shall be applicable to such hearing and order issued thereafter.

Sec. 43-189. Waivers.

The applicant may petition the Planning and Zoning Commission to waive or modify requirements of these regulations. The applicant must demonstrate to the satisfaction of such Commission that there are special or extraordinary circumstances particular to his/her proposal such that strict application of these regulations would impose undue hardship or not meet with the intent of this Chapter. The applicant must further demonstrate that the waiver or modification will

not result in any adverse impacts on the users of the development, adjacent properties, nor the general public.

Sec. ~~43-1920~~. Appeals.

Any person whose application for a recreational vehicle park development under this Chapter has been denied may, within ten (10) days after the date on which the application was denied, appeal to the Council under the procedure provided in Code Section 6-4-18 herein. A hearing on the matter will be scheduled within sixty (60) days of the date of the appeal being filed.

Sec. ~~43-201~~. Violations; Penalties.

Any person, firm or corporation violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined pursuant to this Code and the Idaho Code. Each day such violation is permitted to continue shall constitute a separate offense and shall be punishable as such. The City may also use any civil remedies available to gain compliance with this Chapter.

...

SECTION 4: 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 6 shall be in full force and effect.

SECTION 5: 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 6: 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

Memo

To: Mayor and City Council

From: Mike Ray, AICP - Planning Manager

Date: January 3, 2020

Re: Amendment of Title 6, Chapters 2, 3, and 4 of Moscow City Code Regarding Amendments to the Mobile Home Parks and Recreation Vehicle Parks Chapters

On November 23, 2018, the Community Planning and Design Department received a letter from Mr. Gary Lester, requesting that the Planning and Zoning Commission review and potentially remove the 6-month stay limitation for Recreational Vehicles (RVs) within the City of Moscow. Mr. Lester owns and operates a manufactured home park named Abiel Mobile Home Community located at 603 W Palouse River Drive and had been approved by the Planning and Zoning Commission in August of 2018 to designate a certain number of spaces within the park as RV spaces. Mr. Lester had indicated that he has had a number of inquiries from people wishing to rent spaces within Abiel that have tiny homes or park model RVs that are on wheels and a chassis, that would be classified as RVs. The existing RV park code states that no person in a fully contained RV may reside in any one RV park for longer than 6 months in a year, which prohibits year-round use of an RV in an RV Park or approved manufactured home park.

The Commission discussed Mr. Lester's request at their January 9, 2019 and February 13, 2019 meetings and then directed staff to prepare a code amendment to eliminate the 6-month stay limitation and provide greater opportunities for tiny houses within manufactured home parks. After review of the existing RV park and mobile home park ordinances, it was determined that the codes have not been updated since the early 80's. Since then, there have been numerous updates to State and Federal regulations regarding manufactured homes, mobile homes, and RVs that necessitate updating all of the chapters regarding mobile home parks and RVs. After identifying that the mobile home park chapters were out of date, the code amendment was expanded to include those chapters as well.

Currently, there are two chapters that pertain to mobile home parks in the City Code - Title 6, Chapters 2 and 3. Chapter 2 is intended to apply to all new mobile home parks or new expansions to existing mobile home parks. Chapter 3 is the existing mobile home park chapter, which applies to all mobile home parks in existence prior to August 25, 1972. The regulations contained within both chapters are similar, except that Chapter 3 contains more lenient standards such as setback and separation distances

between mobile homes. It is assumed that the reason that there is more flexibility for existing parks is because the existing parks within the City were all developed at different times under different regulations. The current structure of having two chapters dedicated to mobile home parks is confusing and creates redundant language. As part of the code amendment, Staff has proposed to merge the two chapters into one to eliminate the confusion with the current structure of the existing code. The differing standards for new and existing mobile home parks have remained the same, but they have now been consolidated into one section.

Since the codes have not been updated since the 80's, there are a number of definitions that needed to be updated. The main definitional modification in the mobile home park chapter is the change in the name of the chapter from mobile home park to manufactured home park. Manufactured home park is the most accurate term to describe parks that contain manufactured and/or mobile homes. The difference between a mobile home and a manufactured home is based upon when the home was constructed and whether it was built to HUD specifications. A mobile home is a factory-assembled structure constructed *prior* to June 15, 1976, and a manufactured home is a structure constructed *after* June 15, 1976, in accordance with HUD manufactured home construction and safety standards. In order to relocate a mobile home into a manufactured home park, the mobile home must be rehabilitated to meet current HUD construction and safety standards. So, the manufactured home definition has been added to the chapter and the mobile home definition has been amended to be consistent with the State of Idaho's definition.

The Commission also wanted to allow prefabricated buildings that do not qualify as a manufactured home or a mobile home within manufactured home parks. The State of Idaho refers to these structures as modular homes and the State of Idaho Division of Building Safety inspects and issues a modular insignia which is placed on the buildings. Tiny houses that are not on a chassis and wheels will typically fall within this category. As such, the State's definition of a modular home has been added to the ordinance and a section which states that modular homes are permitted in manufacture home parks was inserted as well.

The Manufactured Home Park chapter has also been restructured to include a section on "Standards for Manufactured Home Parks", which contains the bulk and dimensional standards for new and expanded parks and the standards for existing parks. Also inserted under the standards section are other items that should be standards, but were previously located in their own individual sections of the code. Standards such as recreation area, buffer area, streets and roads, private streets, walkways, lighting, parking, utilities, refuse handling, space numbering, and skirting. Many of these standards have been updated to reflect the current operational process and terminology.

The RV Park chapter has primarily been updated to eliminate the 6-month stay limitation for persons occupying vehicles with total hookups, including sewer, water and electricity. Those types of RVs will now be able to occupy RV parks year-round. Other changes include the addition of park model recreational vehicles to the list of types of RVs. This additional will make the code consistent with the State of Idaho's

definition of RV, which has recently added park model RVs. Tiny houses which are on a chassis and wheels are typically classified as park model RVs, and are required to be licensed through the department of motor vehicles. This amendment will allow those types of tiny houses within RV parks and approved manufactured home parks.

The City Attorney has reviewed the draft ordinance and has made minor modifications throughout. On December 11, 2019, the Planning and Zoning Commission conducted a public hearing upon the proposed ordinance and recommended approval to City Council. The proposed ordinance has been scheduled for a public hearing before City Council at the Council's upcoming January 21, 2020 meeting.

Abiel Mobile Home Community Request to Remove Six-Month Limit on RV Stay

Property Address: 603 West Palouse River Drive, Moscow, Idaho
Applicant: Gary T. Lester, Manager, Abiel Mobile Home Community LLC
1032 Juliene Way, Moscow, Idaho 83843
208-301-1446; glester@ecoanalysts.com

November 23, 2018

Dear Planning and Zoning Commission:

In August 2018 the City of Moscow Planning and Zoning Commission recently granted Abiel Mobile Home Community, LLC permission to fill all empty spaces with RV's. During the meeting we briefly discussed the 6-month stay limit for RV's in the park and during that discussion some questions were brought up as to the origin of that statute, intent, and there seemed to be a willingness of the Board to revisit that topic and discuss further.

Since the approval was granted to allow RV's into my park, I have upgraded, inspected and permitted the electrical meter panels at all 11 empty lots in Loop 1 and I have inspected all sewer connections to make sure they are functional. As an experiment I landscaped one lot (space 45) by excavating and then installing fresh sod. That space is now filled with an RV and we have 10 spaces left to fill.

There have been several additional inquiries for RV's, though none have committed yet. The most exciting that happened was an inquiry from a woman coming to the area (WSU professor) who wanted to move a tiny home into the park. She indicated she liked the spaces and the park but needed to set it in one place longer than the 6-month period, so she took it elsewhere (see attached email thread for reference).

I believe if we can remove the 6-month stay limit on RV's we could address some people's concerns about staying in the park. We could also potentially get one or more tiny homes to settle in and once we have one in there I think more will follow. If you recall me mentioning this at the hearing, Latah County recently revised their RV park zoning regulations this year and there is no limit on length of stay in an RV park, so there is good local precedent to do this within City limits, too.

To alleviate any concerns regarding allowing vagrants into the park, we are quite stringent on who can enter and stay in our park. Alliance Home Management screens tenants for criminal history, rental history, credit history, and proof of reliable and adequate income. We have good rules and regulations for conduct in the park, so any undesirable behaviors or tenants are dealt with appropriately, up to and including removal from the park. As we fill the empty spaces with RV's or tiny homes, we intend to tap into the recent trends we are seeing: students, retirees, and young professionals (Millennials) who seem to desire smaller accommodations and close community relationships.

I look forward to speaking with the Commission about this topic.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Mary T. Lister". The signature is fluid and elegant, with a large initial 'M' and a distinct 'T'.

Owner, Abiel Mobile Home Community

Attachment A. Email Thread Regarding A Tiny Home Inquiry

Hi Gary,

Just following up on your email below. Did you want to meet about this or did you want to send me what you're thinking?

Thanks,

Mike

Mike Ray, AICP

Planning Manager

Asst. CD Director

City of Moscow

221 E Second Street

Moscow, ID 83843

mray@ci.moscow.id.us

(208) 883-7008

From: Gary Lester <glester@ecoanalysts.com>

Sent: Monday, November 05, 2018 10:44 AM

To: Michael Ray <mray@ci.moscow.id.us>

Subject: FW: New Mobile Home(s) for Sale - FINANCING AVAILABLE

Hey Mike,

This email below is from a lady who has a tiny home. Looks like she wanted a more permanent stay, so the 6 month stay limit scared her off. I think the tiny home thing could get some legs if we can remove that restriction on stay length. I've got some thoughts I'd like to run by you and see what you think before I go to the committee with a request.

Thanks as always for your help (and for doing such a great job at what you do).

Gary T. Lester, CEO

EcoAnalysts, Inc.

1420 S. Blaine St., Suite 14 | Moscow, ID 83843

O: 208.882.2588 x 21 | C: 208-301-1446

www.ecoanalysts.com

From: Alana Pulay <739b6c823d5c393880a1d0ceba7fac02@reply.craigslist.org>

Sent: Thursday, October 25, 2018 6:31 AM

To: ccfgg-6649263506@hous.craigslist.org

Subject: Re: New Mobile Home(s) for Sale - FINANCING AVAILABLE

Hello,

Yes I did make it through. I'm looking for a spot with more space. I also spoke with the city planner and I could only stay there for 6 months. They do not allow RV dwellers to live full time in 1 location for more than 6 months. At this time, while I liked the location, I don't think it'll work for me.

Thanks!

Alana S. Pulay, PhD, NCIDQ, LEED AP

Interior Designer

304-610-8105

On Thu, Oct 25, 2018 at 12:00 AM craigslist 6649263506 <ccfgg-6649263506@hous.craigslist.org> wrote:

Alana,

Did you make it through the park on Saturday? Thoughts?

Gary T. Lester

Managing Member - Abiel, LLC

Owner - Abiel Mobile Home Community, LLC

Affordable Housing Solutions!

208-301-1446

From: Alana Pulay <739b6c823d5c393880a1d0ceba7fac02@reply.craigslist.org>

Sent: Wednesday, October 17, 2018 7:55 AM

To: ccfgg-6649263506@hous.craigslist.org

Subject: Re: New Mobile Home(s) for Sale - FINANCING AVAILABLE

Hello again!

I'll be in town on Saturday to check out some parking spaces for my tiny house on wheels. I plan to stop by Abiel at some point. Will you be around on Saturday?

Thanks!

Alana S. Pulay, PhD, NCIDQ, LEED AP

Interior Designer

304-610-8105

On Mon, Oct 1, 2018 at 3:40 PM craigslist 6649263506 <ccfgg-6649263506@hous.craigslist.org> wrote:

Very good Alana,

I hope I can meet you when you are here.

Sincerely,

Gary T. Lester

Manager – Abiel, LLC

Affordable Housing Solutions!

208-301-1446

From: Alana Pulay <739b6c823d5c393880a1d0ceba7fac02@reply.craigslist.org>

Sent: Monday, October 1, 2018 1:12 PM

To: ccfgg-6649263506@hous.craigslist.org

Subject: Re: New Mobile Home(s) for Sale - FINANCING AVAILABLE

Ok, thanks! I'll let you know if it'll work out for me after October 20th.

Thanks!

Alana S. Pulay, PhD, NCIDQ, LEED AP

Interior Designer

304-610-8105

On Mon, Oct 1, 2018 at 3:06 PM craigslist 6649263506 <ccfgg-6649263506@hous.craigslist.org> wrote:

So far we have plenty of room....

Gary T. Lester, CEO

EcoAnalysts, Inc.

glester@ecoanalysts.com

Cell Phone: 208-301-1446

Message sent from my iPhone. Sorry for fat fingers, typos, and the darn autocorrect :-/

From: Alana Pulay <739b6c823d5c393880a1d0ceba7fac02@reply.craigslist.org>
Sent: Monday, October 1, 2018 12:28 PM
To: ccfgg-6649263506@hous.craigslist.org
Subject: Re: New Mobile Home(s) for Sale - FINANCING AVAILABLE

Hello!

Just checking in to see if an RV spot is still available starting in December? I am coming to check it out October 20th.

Thanks!

Alana S. Pulay, PhD, NCIDQ, LEED AP

Interior Designer

304-610-8105

On Wed, Sep 5, 2018 at 10:04 AM craigslist 6649263506 <ccfgg-6649263506@hous.craigslist.org> wrote:

That's a really cool set up! Thanks for sharing the photos and I look forward to meeting you soon.

Sincerely,

Gary T. Lester

Manager – Abiel, LLC

Affordable Housing Solutions!

208-301-1446

From: Alana Pulay <739b6c823d5c393880a1d0ceba7fac02@reply.craigslist.org>
Sent: Wednesday, September 5, 2018 7:25 AM
To: ccfgg-6649263506@hous.craigslist.org
Subject: Re: New Mobile Home(s) for Sale - FINANCING AVAILABLE

Sounds great! Here's a few pictures so you understand what it is. I will be moving in December and coming in October to look at a few parking spots. Please let me know if this starts to fill up!

Alana S. Pulay, PhD, NCIDQ, LEED AP

Interior Designer

304-610-8105

On Wed, Sep 5, 2018 at 9:03 AM craigslist 6649263506 <ccfgg-6649263506@hous.craigslist.org> wrote:

PS – I assume it has a self-contained toilet? I don't have toilet facilities in the park....

Gary T. Lester

Manager – Abiel, LLC

Affordable Housing Solutions!

208-301-1446

From: Alana Pulay <739b6c823d5c393880a1d0ceba7fac02@reply.craigslist.org>

Sent: Wednesday, September 5, 2018 6:45 AM

To: ccfgg-6649263506@hous.craigslist.org

Subject: Re: New Mobile Home(s) for Sale - FINANCING AVAILABLE

Well, it's 24' long, 8'-6" wide, and 13'-6" high. It's around 165 sq feet.

Alana S. Pulay, PhD, NCIDQ, LEED AP

Interior Designer

304-610-8105

On Tue, Sep 4, 2018 at 9:09 PM craigslist 6649263506 <ccfgg-6649263506@hous.craigslist.org> wrote:

Hi Alana,

I found out a little more about the tiny home rules. What is the square footage of the floor plan, MINUS the bathroom and built out (cupboard) areas?

Thanks and I look forward to hearing from you soon.

Sincerely,

Gary T. Lester, CEO

EcoAnalysts, Inc. – L I F E I N W A T E R

1420 S. Blaine St., Suite 14 | Moscow, ID 83843

O: 208.882.2588 x 21 | C: 208-301-1446

www.ecoanalysts.com | www.ecologicalspecialists.com

From: Alana Pulay <739b6c823d5c393880a1d0ceba7fac02@reply.craigslist.org>

Sent: Thursday, August 09, 2018 2:44 PM

To: ccfgg-6649263506@hous.craigslist.org

Subject: New Mobile Home(s) for Sale - FINANCING AVAILABLE

Hello!

Do you allow tiny house on wheels? I have a 24' long by 8'-6" wide by 13'6" high professionally built tiny house on wheels and am looking for a parking spot. I accepted a position at WSU and need to find a lot to park.

Thanks!

<https://pullman.craigslist.org/reo/d/new-mobile-homes-for-sale/6649263506.html>

NOTICE OF PUBLIC HEARING

Legislative Hearing Providing for the Amendment of Title 6, Chapters 2, 3, and 4 of Moscow City Code Regarding Amendments to Mobile Home Parks and Recreation Vehicle Parks

A public hearing at which you may be present and speak will be conducted before the Moscow City Council at which time the following proposals will be considered:

Legislative Hearing Providing for the Amendment of Title 6, Chapters 2, 3, and 4 of Moscow City Code Regarding Amendments to the Mobile Home Parks and Recreation Vehicle Parks Chapters.

The City of Moscow Planning and Zoning Commission conducted a public hearing for the proposed amendment on December 11, 2019 and recommended approval to City Council.

HEARING DATE: Tuesday, January 21, 2020

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

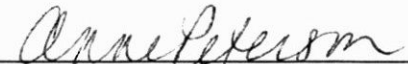
MEETING TIME: 7:00 p.m.

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

The file containing information on this matter is available for public review at the Community Development Department located in the Paul Mann Building at 221 East Second Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Minor amounts of written materials (less than two (2) pages) may be submitted to the hearing body at any time prior to the close of comments, as determined by the hearing body. More in-depth written materials require at least five (5) calendar days for review prior to the hearing. You may obtain further information about the public hearing process and procedures on the City's Website at: www.ci.moscow.id.us/505/Public-Hearing-Notices

Laurie M. Hopkins, City Clerk


Anne Peterson, Deputy City Clerk

Publish: Saturday, December 21, 2019

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Meeting Minutes~
December 11, 2019

Mike Ray
Staff Liaison

p&z@ci.moscow.id.us

208.883.7008

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

The meeting was called to order at 7:00 p.m.

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

MEMBERS ABSENT: Connie Kimmel

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

1. Approval of minutes from November 13, 2019 [ACTION ITEM]

Reese moved approval of the minutes as presented, seconded by Hamilton. Motion carried by acclamation.

2. Public Comment

None.

3. Public Hearing: Proposal for Rezone of a 25,000 square foot area addressed as 904, 908 and 912 S Washington Street within the City of Moscow: LUP2019-0034 [ACTION ITEM]

The applicant, Latah Federal Credit Union, is requesting to rezone a 25,000 square foot area of land at located at 904, 908 and 912 S Washington Street. The parcel is currently zoned Residential Office (RO) which the applicant is proposing to change to the General Business (GB) Zone.

ACTION: *After conducting the public hearing and consideration of testimony received, recommend approval of the proposed rezone to City Council with no conditions, and direct staff to prepare the Reasoned Statement of Relevant Criteria and Standards; or recommend approval of the proposed rezone to City Council with conditions, and direct staff to prepare the Reasoned Statement of Relevant Criteria and Standards; or recommend denial of the proposed rezone, and direct staff to prepare the Reasoned Statement of Relevant Criteria and Standards; or take such other action deemed appropriate.*

Ray presented the application and explained that recent revisions to the land use table created a nonconformity for LFCU because banks/credit unions are no longer allowed in the Residential Office (RO) zoning district. The Comprehensive Plan designation of subject property is Urban Mixed (UM). The application meets requirements of both the UM designation and the proposed GB zoning. Ray reviewed the relevant criteria required for rezone approval and said staff recommended approval of the proposed rezone with no conditions. Reese asked about zoning of the bank property on the corner and Ray said the intention was for it to remain Motor Business because drive-throughs are allowed by right in the MB zone.

Public hearing opened at 7:09pm. Scott Becker, Hodge & Associates at 405 S Washington, spoke on behalf of the applicant and said only two people attended the neighborhood meeting and they had no concerns. Public hearing closed at 7:11 pm.

Hamilton moved to recommend approval of the rezone request to Council, seconded by Reese. Motion carried unanimously. Hamilton moved to direct staff to prepare the Relevant Criteria and Standards. Wilson seconded the motion which carried unanimously.

4. Public Hearing: Legislative Hearing Providing for the Amendment of Title 6, Chapters 2,3, and 4 of Moscow City Code Regarding Amendments to the Mobile Home Parks and Recreation Vehicle Parks Chapters [ACTION ITEM]

The Commission has been discussing amending the Mobile Home and RV Park chapters of the City Code in order to remove the 6-month stay limitation for RVs and allow modular buildings within mobile home parks. After review of the existing mobile home park ordinances, it was determined that the codes should be updated to be consistent with Idaho State Code. The City Attorney has reviewed the draft Ordinance and has made minor modifications throughout.

ACTION: *After conducting the public hearing and consideration of testimony received, recommend approval of the proposed Ordinance to City Council with no conditions; or recommend approval of the Ordinance with modifications; or recommend denial of the Ordinance; or take such other action deemed appropriate.*

Ray provided background of the discussions that have occurred over the past 18 months regarding RV and Mobile Home Parks. This draft ordinance merges the previously separate Mobile Home Park chapters, updates definitions, and brings language into alignment with State Code. The preliminary and final plan procedures have also been streamlined. Staff recommended approval with no conditions.

McClure asked why the definition of tiny homes wasn't included and Ray said tiny homes are technically either RVs or manufactured homes. A stick-built tiny home wouldn't be either an RV or modular home, and therefore wouldn't pertain to this ordinance. Commissioners agreed that having an informational sheet in the Community Development office explaining where tiny homes are/are not allowed would be sufficient.

Public hearing opened at 7:23pm and closed immediately due to no one being in the audience. Wilson moved to recommend approval of the ordinance, seconded by Parish. Motion carried unanimously.

5. Subdivision Review Committee Recommendation [ACTION ITEM]

The subdivision review committee met to review the draft subdivision code on October 18, 2019 and November 15, 2019 and has provided recommendations for consideration by the Commission.

ACTION: *Review the subdivision review committee's recommendations and provide staff further direction as deemed necessary.*

Ray reviewed the recommendations from the subcommittee which included a developer, attorney, engineer and two P&Z representatives. They agreed with the Commission's recommendation to have lot line adjustments be managed by the Zoning Administrator after review by the City Engineer, Fire Marshal and Building Official and notice to neighbors to provide an opportunity for written comment. The subcommittee wished to change the notification requirements to everyone within 300 feet rather than current 600 feet and to make a division of up to four lots be at the Zoning Administrator's discretion. Commissioners thought a division into four lots was too much for the Zoning Administrator to rule upon and minimizing the notice distribution would minimize the opportunity for public input. Seever said a division into four lots is a much bigger deal than simply dividing a lot into two that it would impact a larger area so she thought the notification should remain at 600 feet. That would also keep the notice distance consistent with all other land use notifications. A concern raised by staff was that lot divisions don't require right-of-way monumentations like subdivision plats do, so the recorded documentation isn't as clear and doesn't provide as thorough of an historical record. Ray said a subdivision plat vs. record of survey for lot division might require slightly more time and expense but the documentation would be much better.

Regarding maximum block lengths, the subcommittee wished to specifically state that Council could waive the requirement for pedestrian/bicycle pathways for block lengths exceeding 660 feet. Ray commented that Council's ability to waive requirements is inherent, but didn't see a problem adding the language. Commissioners agreed. Reese argued that a block length of 660 feet doesn't meet the definition of "walkability" and thought the Commission should recommend shorter blocks. McClure said she has an article regarding block lengths throughout the country that she will share with the Commission. Parish

pointed out tonight's discussion was specific to the subcommittee's recommendations and there would be future opportunities to discuss block lengths.

The subcommittee proposed eliminating the P&Z approval step for code variations of lot lines within subdivisions. Developers on the subcommittee didn't agree with staff's recommendation to increase the size of corner lots by 10% over the minimum lot size to avoid setback issues. McClure said people buy stock plans which end up not fitting on corner lots so staff end up spending a lot of time helping them adjust the plans to fit within setbacks. The subcommittee didn't think the City should be dictating the size of lots and citizens shouldn't expect staff to make their plans work. Ray said City staff are there to provide customer service and this type of service is one of the many things that makes Moscow different than larger cities. Seever thought as a Planning group they ought to modify regulations to head off frequent problems. Parish pointed out the Commission doesn't need to accept all of the subcommittee's recommendations and people will have ample opportunity during public hearings to provide feedback. The subcommittee did like the cluster subdivision options.

6. Regional Housing Needs Assessment Workshop Report

Parish and Seever attended the report workshop at City Council. Parish didn't see any near-term actionable items for Planning and Zoning because the Commission has already addressed many of the report's recommendations. One was to "pre-zone" to guide development, such as a student housing district near the University, although that is illegal in the state of Idaho. The report encouraged higher density development which Parish thought the Commission and City have already been very proactive on that issue. Parish thought this Commission would likely have peripheral involvement with the transportation aspect of density. Affordable housing will be the driving force of any activity coming forth from this report, and there are many intersecting interests. Reese asked what stimulated the report and Parish thought it was mainly housing affordability because the report discussed the great variety of housing types available to increase affordability. Sullivan said the study was commissioned by PEP to assess regional economic development, and affordable housing is a key component of economic development in terms of being able to recruit new businesses and their employees.

7. Transportation Commission Meeting Report

Hamilton announced that tomorrow's meeting agenda includes reports on pedestrian and bicycle counts for the East Third Street corridor, the audit of mobility and pedestrian food access conducted back in May, and discussion of the draft e-bike/scooter policy.

8. Announcements

Ray announced that Mayor Lambert had again provided a holiday thank you to the Commission and encouraged all members to enjoy the treats.

The meeting adjourned at 8:45 p.m.


Wendy McClure, Chair

CITY COUNCIL STAFF REPORT

DATE: Tuesday, January 21, 2020



RESPONSIBLE STAFF

Michael Ray, Assistant CD Director/Planning Manager

REVIEWED BY

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Public Hearing: Proposed Rezone at 904, 908, and 912 S Washington Street (ACTION ITEM) - Mike Ray

DESCRIPTION

The applicant, Latah Federal Credit Union, is requesting to rezone a 25,000 square foot area of land at located at 904, 908 and 912 S Washington Street. The parcel is currently zoned Residential Office (RO) which the applicant is proposing to change to the General Business (GB) Zone. The Planning and Zoning Commission conducted a public hearing on December 11, 2019 and recommended approval of the rezone request.

STAFF RECOMMENDATION

After conducting the public hearing and consideration of testimony received, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria.

PROPOSED ACTIONS

PROPOSED ACTIONS: After conducting the public hearing and consideration of testimony received, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or consider the Zoning Ordinance on first reading; or reject the Zoning Ordinance and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take such other action deemed appropriate.

FISCAL IMPACT

PERSONNEL IMPACT

N/A

ATTACHMENTS

1. Ordinance
2. Staff Report
3. Application Materials
4. Public Hearing Notice
5. P&Z Minutes

6. PZ RCS

ORDINANCE NO. 2020 -

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ZONING OF AN APPROXIMATELY FORTY-THREE THOUSAND (43,000) SQUARE FEET OF PROPERTY, DESCRIBED IN SECTION 1 OF THIS ORDINANCE, AS GENERAL BUSINESS (GB); PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the lands described in Section 1 of this Ordinance are currently zoned Residential Office (RO) within the City of Moscow; and

WHEREAS, the proposed change from Residential Office (RO) to General Business (GB) is consistent with the underlying 2019 Comprehensive Plan Land Use Designation for Urban Mixed (UM) use; and

WHEREAS, the proposed uses that would be allowed by the proposed zoning are consistent and compatible with the surrounding land uses, provide for the logical, orderly and efficient development of the subject property, and are consistent with the City of Moscow Comprehensive Plan; and

WHEREAS, on December 11, 2019, Moscow Planning and Zoning Commission held a duly noticed public hearing and recommended approval of zoning the subject property GB; and

WHEREAS, the Moscow City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on January 21, 2020;

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

SECTION 1: LEGAL DESCRIPTION.

This Ordinance shall apply to the following described lands in Moscow, Latah County, Idaho, to-wit:

Lots 1, 2, 3, 4, Block 9, Sunnyside Addition to the City of Moscow.

Also including the southern half of the Lewis Street right-of-way and the eastern half of the Washington Street right-of-way adjacent to the subject parcel as shown on attached Exhibit "A".

Containing 43,000 square feet, more or less.

SECTION 2: ZONING. That the property described in Section 1 be and the same hereby is zoned General Business (GB); and, the City Engineer is hereby ordered to make the necessary amendments to the official maps of the City of Moscow which are on file at 221 East 2nd Street, Moscow, Idaho.

SECTION 3: 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.

SECTION 4: EFFECT ON OTHER ORDINANCES. Where the definitions contained in this Ordinance are in conflict with relevant portions of City of Moscow, Idaho Municipal Code, the definition contained within those portions of the Moscow Code will be unaffected until such time, if any, as they are amended to be consistent with this Ordinance.

SECTION 5: 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 _____, 2020.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

CITY OF MOSCOW COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

Hearing Date: January 21, 2020

GENERAL INFORMATION

Hearing Body: City Council

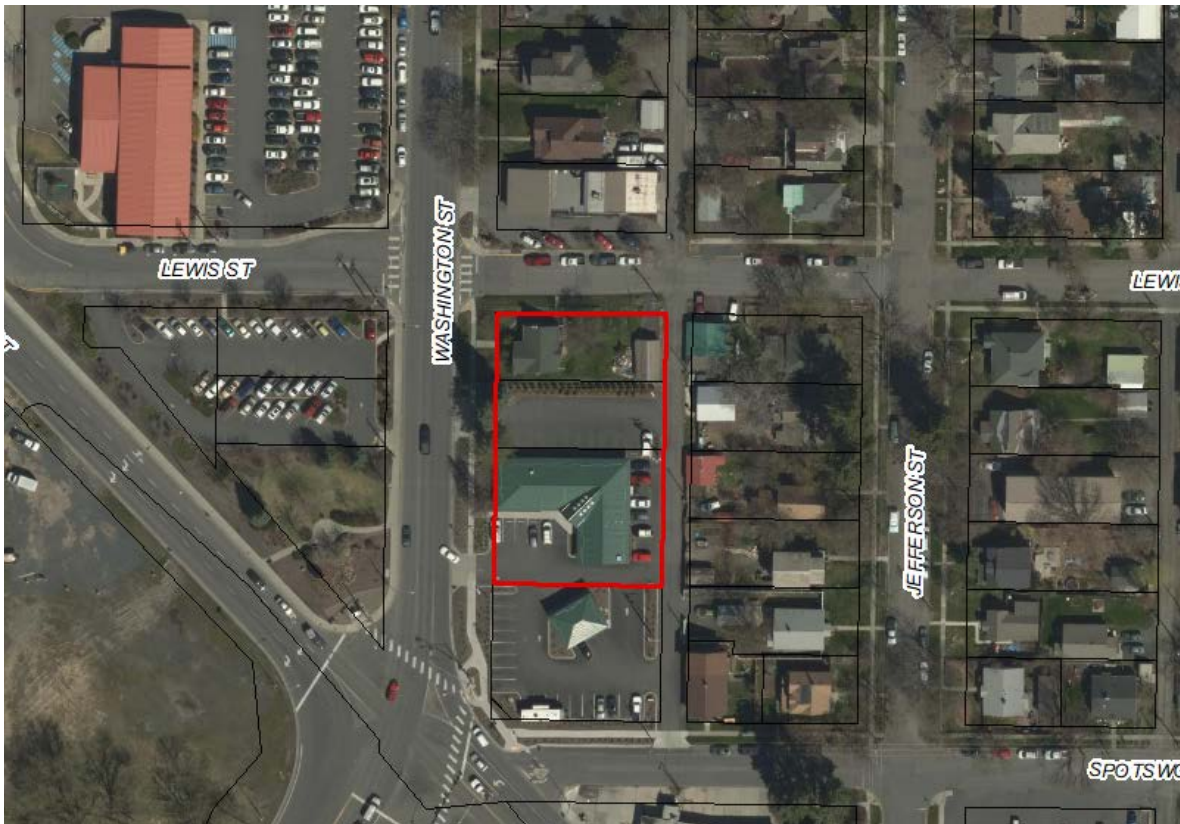
Subject: Proposal for Rezone of a 25,000 square foot area addressed as 904, 908 and 912 S Washington Street from the Residential Office (RO) Zone to the General Business (GB) Zone within the City of Moscow: LUP2019-0034

Attachments:

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

STAFF REVIEW

Proposal: The applicant, Latah Federal Credit Union, is requesting to rezone a 25,000 square foot area of land located at 904, 908 and 912 S Washington Street. The parcel is currently zoned Residential Office (RO) which the applicant is proposing to change to the General Business (GB) Zone.



Aerial of Subject Property



Close-up Aerial of Subject Property

Site and Area Land Use: The subject property consists of a 25,000 square foot area of land located to the east side of Washington Street, between Spotswood Street and Lewis Street. The subject property currently contains the Latah Federal Credit Union (LFCU) building, a LFCU parking lot, and a single-family dwelling.

The property is surrounded primarily by a residential neighborhood to the east, the Wren Welcome Garden and a Gritman Medical Center parking lot to the west, the Zia commercial building to the north, and LFCU's drive-through and parking lot to the south.

Comprehensive Plan Land Use Designation:

The entirety of the subject property is currently designated as Urban Mixed (UM). According to the Comprehensive Plan, UM designated areas are,

“intended to provide for the infill development and adaptive re-use of areas that surround downtown. Within these areas, a mix of residential and limited commercial uses should be promoted through the development of small urban apartments, townhomes, and two- to three-story vertically mixed-use buildings. The urban mixed area should provide a pedestrian connection between the University of Idaho and downtown, and provide space for a variety of housing alternatives, niche retail, restaurants, artist studios, and personal and professional

services. Off-street parking should be required, but the requirements should be reduced in this area due to the likely number of non-motorized travel the uses will attract.”

The surrounding properties to the north and south are designated as Urban Mixed (UM), the residential neighborhood to the east is designated as Urban Residential (UR), and Gritman Medical Center to the west is designated as Civic/Institutional (CI).

The subject property has property frontage on Washington Street which designated as a National Highway, and Lewis and Spotswood Streets which are designated as local neighborhood streets by the 2019 Comprehensive Plan.

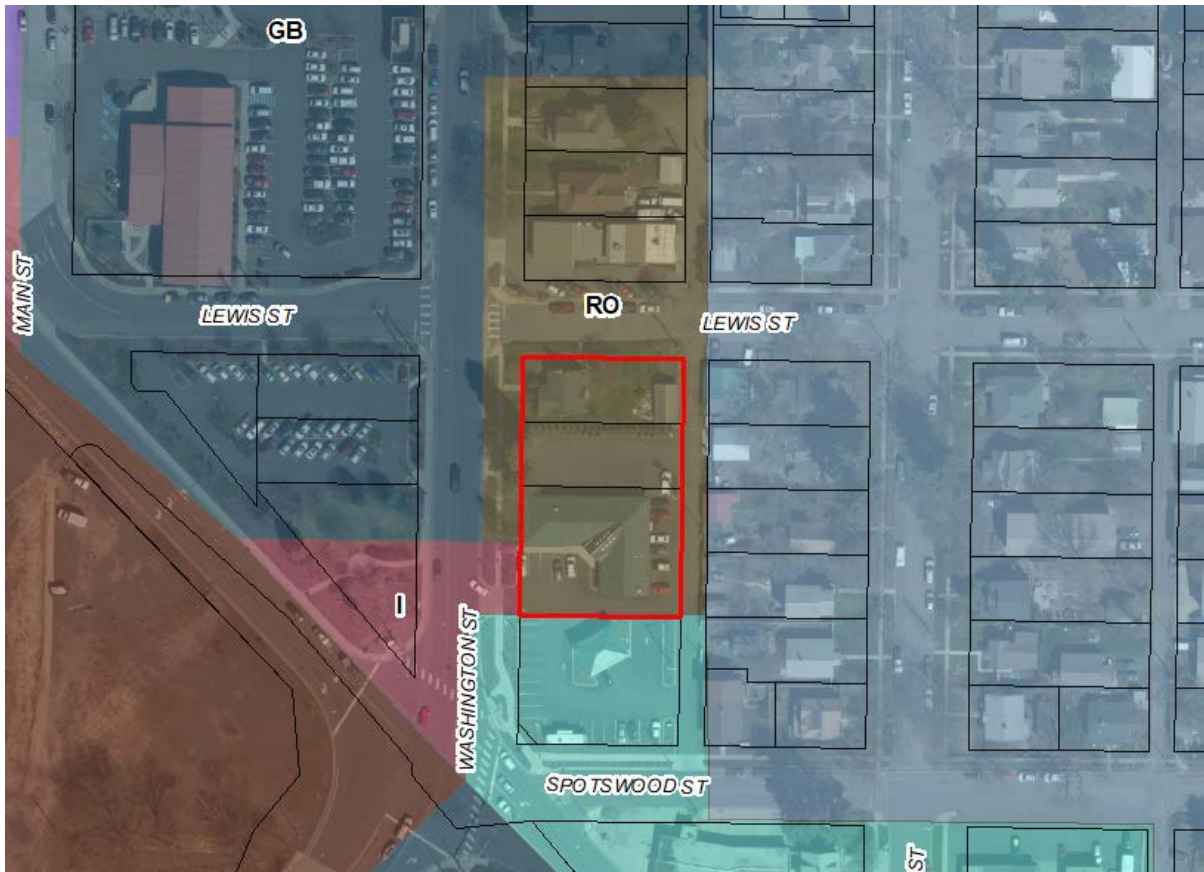


Current Comprehensive Plan Land Use Designation

Zoning: The proposal is to rezone the subject property from its current designation of the Residential Office (RO) Zone to the General Business (GB) Zone. The principal purpose of the GB Zoning District is to provide for the location and grouping of compatible retail enterprises having the common characteristics of dispensing commodities, providing professional services or providing personal services to the individual, but which do not involve more than incidental or limited assembly, fabrication or storage of commodities. The GB Zoning District is appropriately applied in the following circumstances:

1. On the periphery of the CB Zoning District where retail uses are appropriate yet the distance to community parking facilities indicates a need for on-site parking.
2. At dispersed commercial centers where the grouping of retail and office uses is appropriate to serve community or regional needs.

The GB Zone is a mixed-use zone which permits a wide variety of commercial and residential uses.



Current Zoning



Proposed Zoning

Water and Sewer: There are existing water and sewer mains within the surrounding streets which are of sufficient capacity to accommodate any future use that the GB Zone would allow on the subject property.

Access, Streets, Traffic: The subject property is located adjacent to the intersection of Washington Street (HWY 95) and Troy Highway, which are both designated within the Thoroughfare Plan as National Highways. Washington Street is developed with three northbound vehicular lanes with curb, gutter, and sidewalks on both sides of the street.

Other Issues: The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on November 14, 2019 to discuss the proposed rezone. All neighborhood meeting materials are attached.

Input from Other Agencies: None received.

RELEVANT CRITERIA & STANDARDS:

Rezone:

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

RECOMMENDATIONS:

The Planning and Zoning Commission conducted a public hearing on December 11, 2019 and recommended approval of the rezone request.

After conducting the public hearing and consideration of testimony received, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria.

November 18, 2019

Mike Ray, AICP
Planning Manager
Asst. CD Director
City of Moscow
221 E Second Street
Moscow, ID 83843

Re: Latah Credit Union Rezone

Dear Mike,

The Latah Credit Union would like to rezone Sunny-Side Addition Block 9 Lots 1-4. They are currently zoned Residential Office; they would like to rezone them to General Business. A neighborhood meeting has been conducted with no opposition to the proposed rezone.

Enclosed are:

1. Rezone Application
2. Preliminary Record of Survey
3. Neighborhood meeting packet
 - a. Invitation that was mailed out
 - b. List of neighbors invitation was sent to
 - c. Sign in sheet
 - d. Meeting exhibit
 - e. Meeting minutes

Please do not hesitate to contact me if you have questions regarding the lot line adjustment request.

Sincerely,



Scott Becker, PE
Principal
Hodge and Associates Inc.

Enc



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

For City Use Only			
Date Received		11-18-19	
Dept	Fee Type	Fees	Paid
CD	Application Fee	\$895	11-1819
Receipt Number		LUP2019-0034	

APPLICATION FOR ZONING AMENDMENT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Latah Credit Union Telephone: (208) 882-0232
912 S. Washington Street, Moscow, ID 83843
(Home address)

Relationship to affected property (please check one):

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

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

Name: _____ Telephone: _____

(Home address)

3. Location of Affected Property: 904, 908, 912 - S. Washington Street

Legal Description: Sunny-Side Addition 9 1-4
(Subdivision) (Block) (Lot)

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

INFORMATION ON REQUESTED REZONE

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

From: Residential Office (RO) to: General Business (GB)
(Current zoning) (Proposed zoning)

5. Reason: Applicant requests a rezone for the following reason(s): _____

The reason for the rezone is for the existing use as a credit union to conform to current zoning code
for permitted uses.

6. Before the Moscow Planning and Zoning Commission can approve a zoning amendment request, the Commission must first make findings of compliance with the following five Relevant Criteria and Standards. Please indicate in the spaces provided below what you believe to be justification showing compliance with each item:

A. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.

The Comprehensive plan map illustrates this area as urban mixed use. Section 2.1.3 in the comprehensive plan "Commercial

Districts are generally located within the historic downtown central business district and along the state highway

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

The land is currently used for a credit union. The existing use will continue. Continued growth of the credit union will require additional

office space and parking in a future development

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

General Business (GB) is the current adjacent zone to the west of the Latah Credit Union property so GB will be a compatible zone.

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 future development is designed at this time. Expansion projects are being considered but plans and time frames are not finalized.

Impacts to services will be minimal with no large demands required since the site has been previously developed.

E. The size, type, and density of development expected to occur as a result of the rezone can be adequately served by existing transportation network, public facilities and services.

The subject property is along a major highway. Existing public facilities and services such as sanitary sewer, stormwater connection

and water services are adequate to support future development.

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

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

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

The following materials must be included with this application:

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

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

Marilyn Allib
Applicant's Signature

11-18-19
Date

Property Owner's Signature

Date

Meeting Attendance Sheet

Project Name: LATAH CREDIT UNION REZONE

Project Number: 4232

Meeting Type: Neighborhood Meeting

Meeting Location: Latah Credit Union Washington Street Moscow ID

Meeting Time: November 14, 2019, 5:30 PM

Name	Mailing Address
Sarah Walker	315 Lewis St
Linnear Marshall	1017 S. Adams

Hodge & Associates

Meeting Minutes

Thursday, November 14, 2019, 5:30 PM

Present: Scott Becker, Hodge & Associates
Marlys Wilson, Latah Credit Union
Chad Slichter, Slichter Architecture
Project Name: Latah Credit Union Rezone
Meeting Type: Neighborhood Meeting
Meeting Location: 1912 Center, Art Room, Moscow, ID

Meeting Purpose

Presentation and testimony for the Latah Credit Union rezone from Residential Office to General Business. The rezone will make the existing property compliant with the existing use and make future improvements possible.

Meeting

Scott Becker opened the meeting with a brief presentation of the project including:

What – Rezone the currently zoned property from Residential office to General Business

Why – A credit union is not a permitted use in a Residential office zone so the rezone will bring the CU into compliance with the City Zoning ordinance.

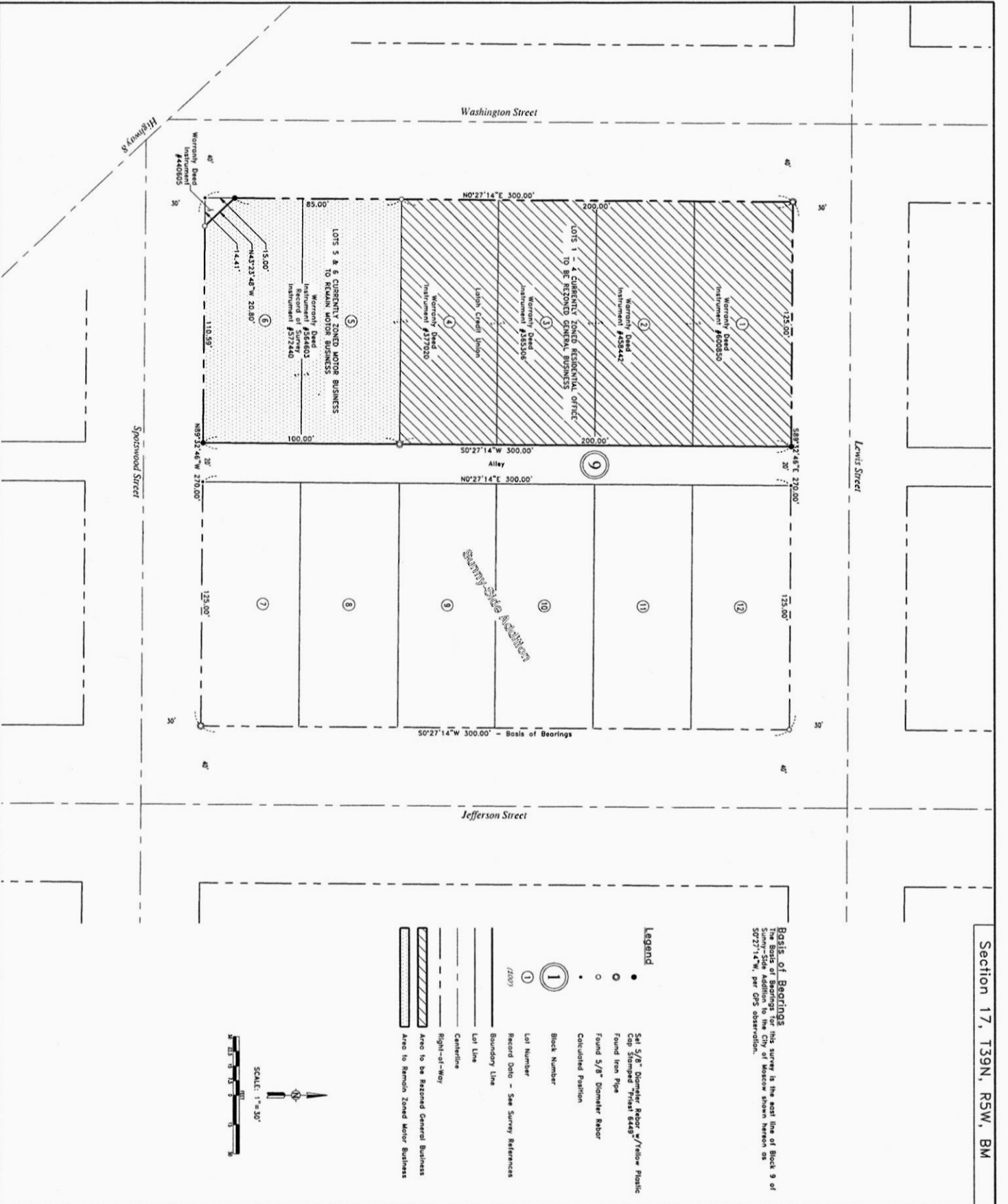
A map of the property and the property to be rezoned was presented to the neighbors.

No neighbors commented on the project in opposition. There was curiosity as to what future development might be. The Credit Union does not currently have specific plans for the site.

Closing Remarks

It is predicted that the project is about four to six weeks out from planning and zoning where there will be a public hearing to voice any concerns you may have. This will be the next opportunity for residents to make opinions known. Notices will be posted about the details of this meeting when officially organized.

Attached is a list of neighbors in attendance.



Rezone Exhibit For:
Latah Credit Union
 Latah County, Idaho

PRELIMINARY
 NOT FOR
 RECORDING

Hedge & Associates, Inc.
 Surveyors & Engineers
 P.O. Box 8728
 605 E. Washington Street
 Moscow, Idaho 83843
 (208) 882-3370

RIM ROCK CONSULTING, INC.
 Land Surveying
 1000 N. 1st Street
 Moscow, Idaho 83843
 (208) 882-3370

Drawn by: SW
 Checked by: SB
 File Name: 4232 Rezone
 Job: Layout
 Plot Style: Default.ctb
 Project: 4232-10-19
 Date: 10/29/19

BERCARICH, BARBRA L
2405 MILL RD
MOSCOW ID 83843

CARSSOW, CHARLES H
PO BOX 9003
MOSCOW ID 83843

CLOTHIAUX, JEANNE A
722 S JEFFERSON ST
MOSCOW ID 83843

CRITES SEED INC
PO BOX 8912
MOSCOW ID 83843

DODD, JENNIFER KRISTEN
919 S JEFFERSON ST
MOSCOW ID 83843

FARRIN, SPENCER
913 S ADAMS ST
MOSCOW ID 83843

GILDER, JAMES R
1050 NORA CREEK RD
TROY ID 83871

HALEY, KEITH G
320 E LEWIS STREET
MOSCOW ID 83843

HOLMQUIST, ANTONE G
817 S JEFFERSON APT 1
MOSCOW ID 83843

IDAHO APARTMENT RENTALS
1325 VALLEY ROAD #25
PULLMAN WA 99163

BUSCHER, STANLEY A
1103 W COLCHESTER DR
EAGLE ID 83616

CHARPENTIER, PAUL
924 S JEFFERSON ST
MOSCOW ID 83843

COCHRAN, LISA A
PO BOX 3252
MOSCOW ID 83843

DAHLINGER, ANTHONY
2415 MOSER
MOSCOW ID 83843

DROLLETTE, JESSICA
PO BOX 8405
MOSCOW ID 83843

FINKBINER, MICHAEL L
810 S JEFFERSON ST
MOSCOW ID 83843

GRITMAN MEDICAL CENTER
700 S MAIN ST
MOSCOW ID 83843

HANLEY, VINCENT J
1066 CORNWALL RD
MOSCOW ID 83843

HUBBS, GRAHAM
923 S JEFFERSON ST
MOSCOW ID 83843

IDAHO TRANSPORTATION BOARD
3311 WEST STATE STREET
BOISE ID 0

CAMPUS MOSCOW PROPERTY
IN LASALLE ST STE 2100
CHICAGO IL 60602

CHURCH, BAPTIST - WHITE PINE
732 S JEFFERSON ST
MOSCOW ID 83843

COHEN, LANA
725 S JEFFERSON ST
MOSCOW ID 83843

D'AMICO, JANINE
1013 S ADAMS ST
MOSCOW ID 83843

ENGERBRETSON, JAMES LEWIS
714 S JEFFERSON ST
MOSCOW ID 83843

GESTRIN, BRUCE W
3675 DEERFIELD DRIVE
EAGLE ID 83616

GROPP, ARTHUR W
PO BOX 9065
MOSCOW ID 83843

HELBLING, DANIEL E
3639 COUNTRY CLUB CT
LEWISTON ID 83501

HUIE, HENRY
1013 AMBROSIA DR
LAS VEGAS NV 89138

JACKSON, TAD
1003 S ADAMS STREET
MOSCOW ID 83843

KAYTES, JOLIE B
924 S JEFFERSON ST
MOSCOW ID 83843

LATAH FEDERAL CREDIT UNION
912 S WASHINGTON ST
MOSCOW ID 83843

MAJ 2012 LLC
1018 S JEFFERSON ST
MOSCOW ID 83843

MARTSON, MONTE LEE
525 N BLAINE ST
MOSCOW ID 83843

MOSMAN, WYNN R
251 SUNRISE DRIVE
MOSCOW ID 83843

OLCU VEATCH, LLC
2950 CAMERON RD
MOSCOW ID 83843

SCHMIDT, ROBERT F
711 S JEFFERSON ST
MOSCOW ID 83843

SEARCY, ANNA KRISTINE
915 S JEFFERSON ST
MOSCOW ID 83843

SMITH, SUSAN A
208 S MAIN ST STE 2
MOSCOW ID 83843

STEELE, PAM
915 S ADAMS ST UNIT 1
MOSCOW ID 83843

KRUEGER, T. CHRIS
1008 S JEFFERSON ST
MOSCOW ID 83843

LAWRENCE, JOHN J
1102 ONTARIO ST
SANDPOINT ID 83864

MARONE, RICHARD
1711 HWY 99
TROY ID 83871

MC COLLISTER, HOLLY F
4957 LENNVILLE RD
MOSCOW ID 83843

MSV HOLDINGS LLC
2109 CAMBRIDGE CT
MOSCOW ID 83843

PAPPIN, TERRY G
PO BOX 8123
MOSCOW ID 83843

SCHOTT, KAMERON
817 S ADAMS ST
MOSCOW ID 83843

SILFLOW, RONALD
4325 LENNVILLE RD TRLR 21
MOSCOW ID 83843

STANTON, THOMAS D TRUST
302 7TH ST
PETALUMA CA 94952

STEVENSON, NATHAN F
411 N ALMON ST SPC 425
MOSCOW ID 83843

LA FRANCHI, COURTNEY
813 S ADAMS ST
MOSCOW ID 83843

LEIBBRANDT, IAN M
717 S JEFFERSON ST
MOSCOW ID 83843

MARSHALL, LINNEA D
1017 S ADAMS ST
MOSCOW ID 83843

MOORE, MARTHA VEALE
1026 KASPER RD
MOSCOW ID 83843

NORTHWOODS PROPERTIES LLC
PO BOX 9181
MOSCOW ID 83843

RAQUET, MAURICE EARLE JR
811 N GRANT ST
MOSCOW ID 83843

SCOLES, DEENA M
310 E SPOTSWOOD ST
MOSCOW ID 83843

SLOOT, TIMOTHY
919 S ADAMS ST
MOSCOW ID 83843

STATE OF IDAHO
311 W STATE ST
BOISE ID 83703

STROBEL, WILLIAM R
PO BOX 69
HARRISON ID 83833

TEAL, RANDALL F
916 S JEFFERSON ST
MOSCOW ID 83843

VOGTMAN, CLIFFORD L
1025 S ADAMS ST
MOSCOW ID 83843

WHEELHOUSE, RUSSELL
905 S JEFFERSON ST
MOSCOW ID 83843

TURNER, ALEXISS N
1007 S ADAMS ST
MOSCOW ID 83843

WALKER, SARAH C
315 E LEWIS ST
MOSCOW ID 83843

WRIGHT, JARED FREDRICK
913 S JEFFERSON
MOSCOW ID 83843

UNIVERSITY OF IDAHO REGENTS
875 PERIMETER DR
MAIL STOP 3162
MOSCOW ID 83844-3162

WASHINGTON TRUST BANK
PO BOX 2127
SPOKANE WA 99201

ZIA ENTERPRISES LLC
PO BOX 9092
MOSCOW ID 83843

NOTICE OF PUBLIC HEARING

Proposal for Rezone of a 25,000 square foot area addressed as 904, 908 and 912 S Washington Street within the City of Moscow: LUP2019-0034.

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

A proposal to rezone the subject property from its current designation of the Residential Office (RO) Zone to the General Business (GB) Zone.

The City of Moscow Planning and Zoning Commission conducted a public hearing for this proposal on December 11, 2019 and recommended approval to City Council.

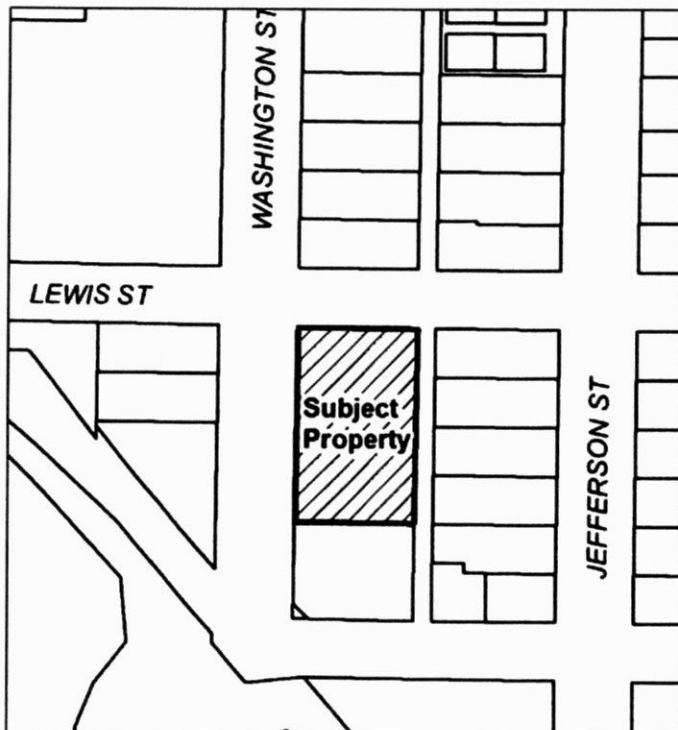
MEETING DATE: Tuesday, January 21, 2020

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, December 21, 2019

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Meeting Minutes~
December 11, 2019

Mike Ray
Staff Liaison

p&z@ci.moscow.id.us

208.883.7008

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

The meeting was called to order at 7:00 p.m.

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

MEMBERS ABSENT: Connie Kimmel

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

1. Approval of minutes from November 13, 2019 [ACTION ITEM]

Reese moved approval of the minutes as presented, seconded by Hamilton. Motion carried by acclamation.

2. Public Comment

None.

3. Public Hearing: Proposal for Rezone of a 25,000 square foot area addressed as 904, 908 and 912 S Washington Street within the City of Moscow: LUP2019-0034 [ACTION ITEM]

The applicant, Latah Federal Credit Union, is requesting to rezone a 25,000 square foot area of land at located at 904, 908 and 912 S Washington Street. The parcel is currently zoned Residential Office (RO) which the applicant is proposing to change to the General Business (GB) Zone.

ACTION: *After conducting the public hearing and consideration of testimony received, recommend approval of the proposed rezone to City Council with no conditions, and direct staff to prepare the Reasoned Statement of Relevant Criteria and Standards; or recommend approval of the proposed rezone to City Council with conditions, and direct staff to prepare the Reasoned Statement of Relevant Criteria and Standards; or recommend denial of the proposed rezone, and direct staff to prepare the Reasoned Statement of Relevant Criteria and Standards; or take such other action deemed appropriate.*

Ray presented the application and explained that recent revisions to the land use table created a nonconformity for LFCU because banks/credit unions are no longer allowed in the Residential Office (RO) zoning district. The Comprehensive Plan designation of subject property is Urban Mixed (UM). The application meets requirements of both the UM designation and the proposed GB zoning. Ray reviewed the relevant criteria required for rezone approval and said staff recommended approval of the proposed rezone with no conditions. Reese asked about zoning of the bank property on the corner and Ray said the intention was for it to remain Motor Business because drive-throughs are allowed by right in the MB zone.

Public hearing opened at 7:09pm. Scott Becker, Hodge & Associates at 405 S Washington, spoke on behalf of the applicant and said only two people attended the neighborhood meeting and they had no concerns. Public hearing closed at 7:11 pm.

Hamilton moved to recommend approval of the rezone request to Council, seconded by Reese. Motion carried unanimously. Hamilton moved to direct staff to prepare the Relevant Criteria and Standards. Wilson seconded the motion which carried unanimously.

4. Public Hearing: Legislative Hearing Providing for the Amendment of Title 6, Chapters 2,3, and 4 of Moscow City Code Regarding Amendments to the Mobile Home Parks and Recreation Vehicle Parks Chapters [ACTION ITEM]

The Commission has been discussing amending the Mobile Home and RV Park chapters of the City Code in order to remove the 6-month stay limitation for RVs and allow modular buildings within mobile home parks. After review of the existing mobile home park ordinances, it was determined that the codes should be updated to be consistent with Idaho State Code. The City Attorney has reviewed the draft Ordinance and has made minor modifications throughout.

ACTION: *After conducting the public hearing and consideration of testimony received, recommend approval of the proposed Ordinance to City Council with no conditions; or recommend approval of the Ordinance with modifications; or recommend denial of the Ordinance; or take such other action deemed appropriate.*

Ray provided background of the discussions that have occurred over the past 18 months regarding RV and Mobile Home Parks. This draft ordinance merges the previously separate Mobile Home Park chapters, updates definitions, and brings language into alignment with State Code. The preliminary and final plan procedures have also been streamlined. Staff recommended approval with no conditions.

McClure asked why the definition of tiny homes wasn't included and Ray said tiny homes are technically either RVs or manufactured homes. A stick-built tiny home wouldn't be either an RV or modular home, and therefore wouldn't pertain to this ordinance. Commissioners agreed that having an informational sheet in the Community Development office explaining where tiny homes are/are not allowed would be sufficient.

Public hearing opened at 7:23pm and closed immediately due to no one being in the audience. Wilson moved to recommend approval of the ordinance, seconded by Parish. Motion carried unanimously.

5. Subdivision Review Committee Recommendation [ACTION ITEM]

The subdivision review committee met to review the draft subdivision code on October 18, 2019 and November 15, 2019 and has provided recommendations for consideration by the Commission.

ACTION: *Review the subdivision review committee's recommendations and provide staff further direction as deemed necessary.*

Ray reviewed the recommendations from the subcommittee which included a developer, attorney, engineer and two P&Z representatives. They agreed with the Commission's recommendation to have lot line adjustments be managed by the Zoning Administrator after review by the City Engineer, Fire Marshal and Building Official and notice to neighbors to provide an opportunity for written comment. The subcommittee wished to change the notification requirements to everyone within 300 feet rather than current 600 feet and to make a division of up to four lots be at the Zoning Administrator's discretion. Commissioners thought a division into four lots was too much for the Zoning Administrator to rule upon and minimizing the notice distribution would minimize the opportunity for public input. Seever said a division into four lots is a much bigger deal than simply dividing a lot into two that it would impact a larger area so she thought the notification should remain at 600 feet. That would also keep the notice distance consistent with all other land use notifications. A concern raised by staff was that lot divisions don't require right-of-way monumentations like subdivision plats do, so the recorded documentation isn't as clear and doesn't provide as thorough of an historical record. Ray said a subdivision plat vs. record of survey for lot division might require slightly more time and expense but the documentation would be much better.

Regarding maximum block lengths, the subcommittee wished to specifically state that Council could waive the requirement for pedestrian/bicycle pathways for block lengths exceeding 660 feet. Ray commented that Council's ability to waive requirements is inherent, but didn't see a problem adding the language. Commissioners agreed. Reese argued that a block length of 660 feet doesn't meet the definition of "walkability" and thought the Commission should recommend shorter blocks. McClure said she has an article regarding block lengths throughout the country that she will share with the Commission. Parish

pointed out tonight's discussion was specific to the subcommittee's recommendations and there would be future opportunities to discuss block lengths.

The subcommittee proposed eliminating the P&Z approval step for code variations of lot lines within subdivisions. Developers on the subcommittee didn't agree with staff's recommendation to increase the size of corner lots by 10% over the minimum lot size to avoid setback issues. McClure said people buy stock plans which end up not fitting on corner lots so staff end up spending a lot of time helping them adjust the plans to fit within setbacks. The subcommittee didn't think the City should be dictating the size of lots and citizens shouldn't expect staff to make their plans work. Ray said City staff are there to provide customer service and this type of service is one of the many things that makes Moscow different than larger cities. Seever thought as a Planning group they ought to modify regulations to head off frequent problems. Parish pointed out the Commission doesn't need to accept all of the subcommittee's recommendations and people will have ample opportunity during public hearings to provide feedback. The subcommittee did like the cluster subdivision options.

6. Regional Housing Needs Assessment Workshop Report

Parish and Seever attended the report workshop at City Council. Parish didn't see any near-term actionable items for Planning and Zoning because the Commission has already addressed many of the report's recommendations. One was to "pre-zone" to guide development, such as a student housing district near the University, although that is illegal in the state of Idaho. The report encouraged higher density development which Parish thought the Commission and City have already been very proactive on that issue. Parish thought this Commission would likely have peripheral involvement with the transportation aspect of density. Affordable housing will be the driving force of any activity coming forth from this report, and there are many intersecting interests. Reese asked what stimulated the report and Parish thought it was mainly housing affordability because the report discussed the great variety of housing types available to increase affordability. Sullivan said the study was commissioned by PEP to assess regional economic development, and affordable housing is a key component of economic development in terms of being able to recruit new businesses and their employees.

7. Transportation Commission Meeting Report

Hamilton announced that tomorrow's meeting agenda includes reports on pedestrian and bicycle counts for the East Third Street corridor, the audit of mobility and pedestrian food access conducted back in May, and discussion of the draft e-bike/scooter policy.

8. Announcements

Ray announced that Mayor Lambert had again provided a holiday thank you to the Commission and encouraged all members to enjoy the treats.

The meeting adjourned at 8:45 p.m.


Wendy McClure, Chair

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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE REZONING A TWENTY-FIVE THOUSAND (25,000) SQUARE FEET AREA OF LAND LOCATED AT 904, 908 AND 912 S WASHINGTON STREET IN THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for Rezone on November 18, 2019; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on December 11, 2019; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2009 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a twenty-five thousand (25,000) square foot area of land located at 904, 908 and 912 S Washington Street.
3. The subject property currently contains the Latah Federal Credit Union (LFCU) building, a LFCU parking lot, and a single-family dwelling.
4. The property is surrounded primarily by a residential neighborhood to the east, the Wren Welcome Garden and a Gritman Medical Center parking lot to the west, the Zia commercial building to the north, and LFCU's drive-through and parking lot to the south.
5. The subject property is currently designated by the 2019 Comprehensive Plan as Urban Mixed (UM). According to the Comprehensive Plan, UM designated areas,

"intended to provide for the infill development and adaptive re-use of areas that surround downtown. Within these areas, a mix of residential and limited commercial uses should be promoted through the development of small urban apartments, townhomes, and two- to three-story vertically mixed-use buildings. The urban mixed area should provide a pedestrian connection between the University of Idaho and downtown, and provide space for a variety of housing alternatives, niche retail, restaurants, artist studios, and personal and professional services. Off-street parking should be required, but the requirements should be reduced in this area due to the likely number of non-motorized travel the uses will attract."

6. The surrounding properties to the north and south are designated as Urban Mixed (UM), the residential neighborhood to the east is designated as Urban Residential (UR), and Gritman Medical Center to the west is designated as Civic/Institutional (CI).
7. The subject property has property frontage on Washington Street which designated as a National Highway, and Lewis and Spotswood Streets which are designated as local neighborhood streets by the 2019 Comprehensive Plan.
8. The subject property is currently designated Residential Office (RO).
9. The proposal is to rezone the subject property from its current designation of the Residential Office (RO) Zone to the General Business (GB) Zone.
10. The principal purpose of the GB Zoning District is to provide for the location and grouping of compatible retail enterprises having the common characteristics of dispensing commodities, providing professional services or providing personal services to the individual, but which do not involve more than incidental or limited assembly, fabrication or storage of commodities.
11. The GB Zoning District is appropriately applied in the following circumstances:
 1. *On the periphery of the CB Zoning District where retail uses are appropriate yet the distance to community parking facilities indicates a need for on-site parking.*
 2. *At dispersed commercial centers where the grouping of retail and office uses is appropriate to serve community or regional needs.*
12. The GB Zone is a mixed-use zone which permits a wide variety of commercial and residential uses.
13. There are existing water and sewer mains within the surrounding streets which are of sufficient capacity to accommodate any future use that the GB Zone would allow on the subject property.
14. The subject property is located adjacent to the intersection of Washington Street (HWY 95) and Troy Highway, which are both designated within the Thoroughfare Plan as National Highways. Washington Street is developed with three northbound vehicular lanes with curb, gutter, and sidewalks on both sides of the street.
15. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on November 14, 2019 to discuss the proposed rezone.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed zoning district is consistent and in conformance with the uses and densities designated within the 2019 Comprehensive Plan. The Urban Mixed (UM) Land Use Designation corresponds with the proposed General Business (GB) Zone. Therefore, the Commission finds that the proposed rezone is consistent with the Comprehensive Plan.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed GB Zone provides for a continuation from the existing GB Zone to the west and a logical transition to the Motor Business (MB) Zone to the south and Multiple Family Residential (R-4) Zone to the east. The proposed zoning and uses are

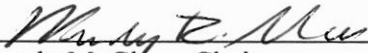
consistent with the surrounding area and will not unduly burden the neighborhood of public infrastructure. The proposed rezone meets the intent of the GB Zone.

3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area.
4. **The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed zoning and uses are suitable for the area and will not unduly burden the neighborhood of public infrastructure.
5. **The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.** The subject property has street access via Washington Street, Lewis Street, Spotswood Street, and an alley to the east. There are currently sufficient and available public utility services to meet the needs of existing and future development.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the rezone request for the twenty-five thousand (25,000) square foot property from the Residential Office (RO) Zone to the General Business (GB) Zone with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
8th day of January, 2020.



Wendy McClure, Chair
Planning and Zoning Commission