

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Agenda~

Mike Ray
Staff Liaison

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**Wednesday
January 8, 2020**

7:00 PM

**Council Chambers
206 E 3rd Street**

Call to order

1. Approval of minutes from December 11, 2019 [ACTION ITEM]

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

2. Election of Officers [ACTION ITEM]

ACTION: Nominate and elect a Chair, Vice Chair, and Second Vice Chair for 2020.

3. Public Comment

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

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

1. 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: Review the draft Relevant Criteria and Standards document and approve the document; or approve the document with modifications; or provide Staff further direction as deemed necessary.

5. Small Cell Wireless Facilities [ACTION ITEM]:

Telecommunications service providers are currently in the process of deploying 5G/small cell wireless technology throughout the developed world. 5G high speed deployment will bring much higher data speeds and traffic, but requires small cell installations to accommodate the data demand. Telecommunications services are largely governed by the Federal Communications Commission (FCC) and the Telecommunications Act, but local governments are allowed to adopt certain regulations at the local level. With the likelihood of 5G/small cell deployment in Moscow, Staff has been working on drafting an ordinance to address them in the Zoning Code.

ACTION: Discuss 5G/small cell wireless facilities and provide Staff further direction as deemed necessary.

6. Transportation Commission Meeting Report

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

7. Announcements

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

Adjourn

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

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Meeting Minutes~
December 11, 2019

Mike Ray
Staff Liaison

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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
____ day of _____, 2020.

Wendy McClure, Chair
Planning and Zoning Commission