

BOARD *of* ADJUSTMENT



Joe Bazzoli
Commission Chair

~ Meeting Agenda ~

Mike Ray
Staff Liaison

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**Wednesday
February 19, 2020**

5:30 PM

**Mayor's Conference Room
221 E 2nd Street**

Call to order

1. **Approval of Minutes from February 10, 2020**

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

2. **Approval of Relevant Criteria and Standards [ACTION ITEM]:**

- Proposal for a Conditional Use Permit east of the intersection of Harden Road and Farm Road – LUP2019-0036

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.

3. **Board Communications**

4. **Other Business**

Adjournment

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.

BOARD of ADJUSTMENT



Joe Bazzoli
Commission Chair

~Meeting Minutes~
February 10, 2020

Aimee Hennrich
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<http://www.ci.moscow.id.us/354/Board-of-Adjustment>

The meeting was called to order at 7:01 PM

MEMBERS PRESENT: Joe Bazzoli, Chair; Steve Bush, Marshall Comstock, Mark Monson, Tim Thomson

MEMBERS ABSENT: Annette Bieghler, Laurene Sorensen

STAFF IN ATTENDANCE: Aimee Hennrich, Mike Ray, Anne Peterson

1. Approval of Minutes from August 20, 2019 (Heard as Item 2)

Monson moved approval of the minutes as presented, seconded by Thomson. Motion carried by acclamation with Bazzoli abstaining.

2. Election of Officers (Heard as Item 3)

Comstock applauded the job Bazzoli and Monson have been doing as Chair and Vice Chair and would like to see them continue. Both were willing to continue. Bush nominated Bazzoli as Chair and Monson as Vice Chair. Thomson seconded the motion which carried unanimously.

3. Public Hearing: Proposal for a Conditional Use Permit east of the intersection of Harden Road and Farm Road – LUP2019-0036 [ACTION ITEM]

Conditional Use Permit application for a proposed Recreational Vehicle (RV) Storage Facility located near the intersection of Harden Road and Farm Road within the Area of City Impact.

Hennrich presented the application for a phased-in RV storage area by reviewing the proposed location, access points, surrounding uses, zoning, and applicable sections of the Comprehensive Plan. The City Engineering department recommended additional right-of-way dedication on the south side Harden Road which the applicant has already included in the application. Additionally, the Engineering department recommended the applicant detain the stormwater to City detention standards and the applicant has submitted a report which demonstrates that compliance. Staff recommended approval of the Conditional Use Permit to the Latah County Zoning Commission with no conditions.

Thomson inquired about the discrepancy between the site plan and the parcel map. County Planner Mauri Knott explained the parcel map has not been updated to reflect a very recent land swap between the applicant and Avista. Comstock inquired whether the Highway District had provided any input and the answer was no. Bazzoli opened the public hearing at 7:12 p.m.

Susan Wilson, 208 S Main #2, represented the applicant. She highlighted some of the points made in the written testimony submitted by Jim Robinson (attached) and pointed out there is already an

approved storage unit CUP just down the road from the subject property. She clarified that topographic constraints will prevent the need for fencing in some areas, but there will be fencing along the access road. She said the application met all relevant criteria and requested approval to the County Commissioners.

Kirk Harden, 1400 Harden Road, said the fence will be 6' chain link with the possibility of barbed wire on top and a key-punch access gate and security camera at Harden Road. He intends to keep lighting to a minimum. When asked about the detention pond and drive aisles, Harden said the existing detention pond meets current standards and the drive aisles will be gravel.

Hearing no further testimony from other audience members, Bazzoli closed the public hearing closed at 7:18pm.

Comstock said it was a straight-forward application and agreed there is a need for additional RV storage. He thought the detention pond requirements were a little excessive since neither the sheep farm or mall just downstream are subjected to that requirement. Comstock moved approval of the Conditional Use Permit with the condition that the additional public right-of-way be dedicated. Thomson seconded the motion which carried unanimously.

Comstock moved to direct staff to prepare the Relevant Criteria and Standards and Findings of Fact, seconded by Monson. Motion carried unanimously.

4. Board Communications

Meeting for approval of the RCS was scheduled for Wednesday, February 19th, 5:30pm in the Mayor's Conference Room.

Adjournment

The meeting adjourned at 7:26 pm.

Joe Bazzoli, Chair

Date

**BEFORE THE BOARD OF ADJUSTMENT
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 CONDITIONAL USE PERMIT APPLICATION FOR A
RECREATIONAL VEHICLE (RV) STORAGE FACILITY LOCATED NEAR THE
INTERSECTION OF HARDEN ROAD AND FARM ROAD WITHIN THE AREA OF
CITY IMPACT OF THE CITY OF MOSCOW, IDAHO.**

WHEREAS, the applicant filed an application for a Conditional Use Permit on December 17, 2019; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on February 10, 2020; and

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

**THE MOSCOW BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW, IDAHO,
AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:**

I. RELEVANT FACTS AND CONCLUSIONS

1. The Board of Adjustment considered the request pursuant to the City of Moscow Zoning Code, City of Moscow 2019 Comprehensive Plan, the Moscow Area of City Impact Agreement, and other applicable development regulations.
2. Per the Moscow Area of City Impact Agreement with Latah County, the Moscow Board of Adjustment is to conduct one hearing and forward a recommendation on to Latah County.
3. The applicant is proposing to construct a 2.83-acre RV Storage Facility located east of the intersection of Harden Road and Farm Road within the Area of City Impact. The 2.83-acre site is located on the northern portion of a 17.79 parcel lot owned by the applicant.
4. The site currently undeveloped with a stormwater detention pond on the southwest portion of the parcel. The applicant owns all parcels to the north. Avista Utilities owns a small parcel to the northwest.
5. The proposed site location is relatively flat but does slope to the northwest of the site with a grade change of approximately six feet.
6. The subject property is accessed via Harden Road which is a 25-foot-wide paved road with no sidewalks, curbs, or gutters.

7. The subject property is located in Agriculture/Forestry Zoning District, which requires a Conditional Use Permit (CUP) for RV Storage Facilities per Latah County Zoning Code.
8. Within the Area of City Impact, the County's AF has been adopted. According to Latah County Zoning Code, the purpose of the AF Zoning District is,

"established to achieve the purposes of this ordinance and the goals and policies of the Latah County Comprehensive Plan by accommodating, providing opportunities for, and the continuation of agricultural and forest land uses. Uses allowed in this zone include those that are integral to agriculture and forestry, uses which will not conflict with accepted farm and forest practices, and uses which will not result in the excessive conversion of productive farm and forest land to uses which can be more appropriately located in other zoning designations, and which are consistent with Idaho's Agricultural Protection Act."
9. The 2019 City of Moscow Comprehensive Plan Land Future Use and Growth Plan Map designates the subject property and surrounding properties as Auto-Urban Residential (AU-R).
10. According to Chapter 2 of the Comprehensive Plan, Community Character and Land Use, AU-R designated areas,

"contain predominantly single family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twin home, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate."
11. The proposed facility will contain various sizes of RV storage spots ranging from 10 feet by 20 feet to 15 feet by 50 feet in size. The conceptual site plan shows three phases of development, each roughly 1 acre in size. Phases would be developed based on market demand. These spaces would be accessible via the access road on the north and northwest portion of the proposed facility. All travel aisles within the proposed facility will be 24 feet wide.
12. The applicant is proposing to provide limited electricity for security lighting and no water or sanitary sewer is needed for the proposed development.
13. Since the stormwater that is generated from the proposed development is conveyed along Farm Road to the southwest and eventually is captured in the City of Moscow's stormwater system near the 'A' Street intersection, the Engineering Department is recommending that the applicant be required to detain the stormwater generated upon the subject property to City stormwater detention standards. City stormwater detention standards require that the stormwater be detained and conveyed at the predevelopment rate. The applicant has submitted a stormwater detention report that complies with the City's requirements.
14. The City of Moscow Engineering Department is recommending that additional street right-of-way (ROW) be dedicated along with the south side of Harden Road adjacent to the subject property. This dedication would help facilitate the construction of a minor arterial street

standard in the future and would extend the ROW south an additional 10 feet to allow 35 feet from the centerline of the street on the south side of the ROW. The applicant has accommodated this recommendation on the proposed site plan.

15. Upon review of the submitted materials, it is the Board's determination that the proposal conforms to the proper zoning requirements.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed use is a conditionally permitted use within the Zoning District:** RV Storage Facilities are conditionally permitted in the Agriculture/Forest Zoning District per Latah County Zoning Code and the Area of City Impact Agreement.
2. **The character of the proposed use will be in harmony with the neighborhood and surrounding land uses:** The proposed RV Storage Facility is consistent with the existing character of the uses within the surrounding area, as there are currently existing self-storage facilities to the west and an electrical substation to the northwest.
3. **The proposed use as approved, or as approved with conditions, will not generate nuisances that would be injurious or detrimental to the adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like):** The proposed use will not generate nuisances to the adjoining properties or the neighborhood through noise, dust, glare, vibrations, or odors. The RV Storage facility is not expected to generate a significant amount of additional traffic since most users of the facility will access their RVs during the day. The facility will also be partially fenced with a locked gate that will require a key code for entry, ensuring privacy and safety in and around the facility.
4. **The location, design, and size of the proposed use will be adequately served by existing streets, public facilities and services:** Primary access to the RV Storage Facility is via Harden Road, a designated minor arterial road. The City of Moscow Engineering Department recommended that additional street right-of-way (ROW) be dedicated along with the south side of Harden Road adjacent to the subject property. This dedication would help facilitate the construction of a minor arterial street standard in the future and would extend the ROW south an additional 10 feet to allow 35 feet from the centerline of the street on the south side of the ROW. The applicant has accommodated this recommendation on the proposed site plan.
5. **The proposed use will not endanger the public health or safety if located where proposed:** The proposed use will not endanger the public health or safety on the proposed site. The facility is almost entirely surrounded by agricultural land and will be partially fenced and will require a key code for entry.
6. **Proposed use meets all applicable development standards of the Zoning Code:** The proposed use meets all applicable development standards of the zoning code. City of Moscow Engineering Department is recommending that the applicant be required to detain the stormwater generated upon the subject property to City stormwater detention standards. City

stormwater detention standards require that the stormwater be detained and conveyed at the predevelopment rate. The applicant has provided a stormwater report demonstrating compliance with City of Moscow stormwater detention standards.

7. **The proposed use will not be in conflict with the Comprehensive Plan:** The use is consistent with the Comprehensive Plan as it supports the goals and strategies of multiple chapters and does not conflict with other sections of the Plan.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Board of Adjustment recommends approval of the proposed Conditional Use Permit for a RV Storage Facility located east of the intersection of Harden Road and Farm Road to Latah Country with one condition:

1. The applicant shall dedicate sufficient right-of-way along the full frontage of the property adjacent to Harden Road to provide 35 feet of width south of the existing centerline of Harden Road to meet the existing minor arterial street standard.

PASSED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THE ____ DAY
OF _____ 2020.

Joe Bazzoli, Chair
Board of Adjustment