

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Meeting Minutes~
January 22, 2020

Mike Ray
Staff Liaison

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Parish called the meeting to order at 7:00 p.m. with a welcome to new Commissioner Rich Beebe.

MEMBERS PRESENT: Robb Parish, Vice Chair; Scott Gropp, Joel Hamilton, Wendy McClure (via phone), Nels Reese, Victoria Seever, Rich Beebe

MEMBERS ABSENT: Mike Nelsen, Dennis Wilson

ALSO IN ATTENDANCE: Mike Ray, Anne Peterson

1. Approval of minutes from January 8, 2020 [ACTION ITEM]

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

2. Public Comment

None.

3. Public Hearing: Proposal for a preliminary subdivision plat of a 10.22-acre parcel located at 2350 Trail Road and 2175 N Mountain View Road within the Area of City Impact – Sunrise Estates Addition: LUP2019-0035 [ACTION ITEM]:

Proposal for a preliminary subdivision plat of a 10.22-acre parcel located at 2350 Trail Road and 2175 N Mountain View Road to create two lots of 5.16 and 5.05 acres in size, referred to as Sunrise Estates Addition. The subject property is within the Moscow Area of City Impact. The City of Moscow Planning and Zoning Commission will make a recommendation to the Latah County Board of County Commissioners regarding this matter.

Ray presented the application, including a reminder to the Commission that the westerly portion of the subject property was rezoned from Ag-Forest to Farm Ranch to facilitate this subdivision plat. Subject property is primarily surrounded by agricultural use and rural residential properties. The existing residence on the easterly portion is accessed from Mountain View Road. There are existing outbuildings on the westerly portion remaining from the earlier agricultural use. The proposal fits within the Comprehensive Plan land use designation. The County has adopted the City's Thoroughfare Plan for this area which designates Trail Road and Mountain View Road as minor arterials. The previous rezone recommended an additional ten-foot right-of-way along Trail Road which has been accommodated within the proposed subdivision plat. The City Engineering department recommends a similar dedication be made on the west side of Mountain View Road for future expansion to the standard 70-foot width for minor arterials. Staff recommended approval to Latah County with the one condition regarding ROW dedication. Ray said current street standards actually call for an 90-foot width but staff thought in this situation 70 feet would be sufficient.

Parish opened the public hearing at 7:09 p.m.

Attorney Aaron Roepke, 530 S Asbury #2, attended to represent the applicant in case Commissioners had questions. He confirmed everyone was comfortable with the recommended ROW dedication.

Scott Becker, 405 S Washington, was present as the applicant's engineer in case anyone had questions that Roepke couldn't answer, but there were none.

Peter Garaway, the adjacent neighbor at 2175 N Mountain View Road, said when he purchased in 2016 it was contingent on the lot split already being completed, so he wondered how this action would affect his parcel. Ray explained anyone can quit claim property and the assessor will create parcel lines and parcel numbers for tax purposes, but the County doesn't recognize them as buildable lots until the subdivision plat has been completed.

Mary Lewandowski, 2351 Mountain View Road, asked what type of housing would be allowed on the eastern lot and Ray replied it was zoned for one single family dwelling. When she pressed about how many people that might mean, Ray said the occupants would need to meet the City's zoning definition of "family."

Mike Church, 1041 Lyon Rd, asked if the ROW dedication would change the parcel sizes. Ray explained the County and City show ROW dedications differently so the maps can be confusing. In the County, the ROW dedication is actually a public easement on property that is retained by the owner.

The public hearing closed at 7:17 p.m. McClure asked if the ROW dedication will accommodate future plans for bike lanes and travel aisles on Mountain View Road, and Ray responded affirmatively. Hamilton moved to recommend to the County that the proposal be approved with the recommended condition of additional ROW dedication. Gropp seconded the motion and it carried unanimously. Hamilton directed staff to create the Relevant Criteria and Standards, seconded by Reese and carried unanimously.

4. Small Cell Wireless Facilities Draft Ordinance [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.

Citizen David Hall provided written documentation of his research on the topic. Parish thanked him and encouraged Hall to continue bringing forward additional data, reminding him that public testimony will be taken during the public hearings prior to ordinance adoption. Another citizen had provided a sample ordinance from Mill Valley, CA prior to the meeting for the Commission's consideration. Ray walked through Moscow's current draft ordinance. Points of discussion included co-location options, design standards, placement on historic structures, and the importance of retaining both public and private urban greenery. Parish offered that whatever is ultimately decided will need to be flexible enough to remain relevant as technology changes. Commissioners directed staff to provide more information about the technology itself, the latest court rulings regarding FCC rulings; the potential frequency of poles, proximity of towers to residential buildings; and what the compliance mechanism will be to ensure towers meet radiofrequency safety standards. David Hall offered that UI law professor Richard Seamon will be presenting on the topic next month. Commissioners will discuss the Mill Valley ordinance at the February 12th meeting.

5. Draft Subdivision Code Review [ACTION ITEM]

The Commission has been working on updating the City's Subdivision Code for the last year and a half, including the lot division and lot line adjustment process. New subdivision concepts of conservation and traditional subdivisions have been incorporated into the proposed draft as well. The Commission formed a subdivision review committee who met to review the draft subdivision code on October 18, 2019 and November 15, 2019 and provided recommendations for consideration by the Commission. The Commission reviewed the recommendations at their December 11, 2019 meeting and directed staff to amend the ordinance based upon some of the recommendations.

Ray said the only change from the last time Commissioners discussed this subject is the entire document is now ordinance form. Ray said he could prepare a presentation for the next meeting showing real-life examples of how the new concepts might look. Ray thought the ordinance would be ready for public hearing after one or two more reviews.

6. Transportation Commission Meeting Report

On January 9th the Commission discussed a request for ROW vacation on Howard Street between E and Homestead Streets for the purpose of infill development. The Commission had several concerns and did not make a recommendation to Council. They also received a report regarding City staff's plan to apply for grant funding to install a small-scale roundabout at the A and Baker Streets intersection which has a high vehicle and pedestrian accident history.

7. Announcements

None.

The meeting adjourned at 8:26 p.m.

A handwritten signature in black ink, appearing to read "Robb Parish", is written over a horizontal line.

Robb Parish, Vice Chair