

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Agenda~

Mike Ray
Staff Liaison

p&z@ci.moscow.id.us

208.883.7008

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

Wednesday
October 14, 2020

7:00 PM

Council Chambers
206 E 3rd Street

Call to order

1. Approval of minutes from September 23, 2020 [ACTION ITEM]:

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

2. Public Comment

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

3. Public Hearing: Proposal for Comprehensive Plan Land Use Designation and Zoning Designation for an approximately 150 Acre Property Proposed to be Annexed into the City of Moscow and Located Directly West of Highway 95 and South of the Current City Limits Boundary: LUP2020-0023 [ACTION ITEM]:

1. Comprehensive Plan Land Use Designation amendment from a combination of Auto-Urban Commercial, High-Density Residential, Auto-Urban Residential, and Rural and Agricultural to the Auto-Urban Commercial designation.
2. Rezoning of the subject property from the Agriculture Forestry (AF) Zone to the Motor Business (MB) Zone.

ACTION: After conducting the public hearing and consideration of testimony received:

1. Recommend approval of the proposed Comprehensive Plan Land Use Designation with no conditions; or recommend approval of the proposed Comprehensive Plan Land Use Designation with conditions; or recommend denial of the proposed Comprehensive Plan Land Use Designation; or take such other action deemed appropriate.
2. Recommend approval of the proposed Rezone with no conditions; or recommend approval of the proposed Rezone with conditions; or recommend denial of the proposed Rezone; or take such other action deemed appropriate.
3. Direct Staff to prepare Reasoned Statement of Relevant Criteria and Standards documents for the proposed Comprehensive Plan Land Use Designation and Rezone; or take such other action deemed appropriate.

4. Review of Draft Sign Code [ACTION ITEM]:

The Supreme Court Case, Reed vs. Town of Gilbert, in 2015 clarified when municipalities may impose content-based restrictions on signage. There are various places within the Sign Code which apply content-based restrictions and need to be amended to comply with the Supreme Court's ruling. Staff has completed a draft ordinance to convert portion of the sign code into table format and will review the progress with the Commission.

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.

ACTION: Review the draft Sign Code and provide Staff further direction as deemed necessary.

5. Transportation Commission Meeting Report [ACTION ITEM]:

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

6. Announcements [ACTION ITEM]:

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

Adjourn

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PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Meeting Minutes~
September 23, 2020

Mike Ray
Staff Liaison

p&z@ci.moscow.id.us

208.883.7008

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

Parish called the meeting to order at 7:00 PM

MEMBERS PRESENT: in person: Rich Beebe, Michael Nelsen, Robb Parish, Nels Reese, Victoria Seever, Dennis Wilson

via Zoom: Wendy McClure, Chair; Joel Hamilton

MEMBERS ABSENT: Scott Gropp

STAFF IN ATTENDANCE: Sandra Kelly, Mike Ray, Jennifer Fleischman

1. Approval of Minutes from September 9, 2020

Seever moved for approval of the minutes as revised, seconded by Wilson. Motion carried by acclamation.

2. Public Comment

None.

3. Review of Draft Sign Code

The Supreme Court Case, Reed vs. Town of Gilbert, in 2015 clarified when municipalities may impose content-based restrictions on signage. There are various places within the Sign Code which apply content-based restrictions and need to be amended to comply with the Supreme Court's ruling. Staff has completed a draft ordinance to convert portion of the sign code into table format and will review the progress with the Commission.

Ray presented a draft amended Sign Code Ordinance with a background given on the Reed vs. Town of Gilbert Supreme Court Ruling regarding content-based restrictions on signage. Result of the ruling meant that sign codes need to be content neutral, not based on specific topics nor offering exemptions that are based on the content of the sign. The rules that are not content-based and are approved to be utilized in sign codes are size, quantity, and placement of signs, etc. The draft Ordinance would update definitions for billboards, dynamic display signs, off-premise signs, and would completely eliminate the political campaign sign section. The draft also added different exemptions from requiring a sign permit, including but not limited to: government signs, traffic signs, emergency signs, sculptures, etc.

Reese pointed out that two of the exemptions seemed to be similar in content, and McClure seconded. Ray concurred that the two may be redundant and can be consolidated. Seever asked for an example of a stained glass "sign" and discussion followed about some possible reasons that should be in the code but ultimately exempt.

The updates for the draft Sign Code Ordinance continued with eliminating real estate signs, a section within the nonconforming regulations, and the subdivision entrance sign Conditional Use Permit requirement. The section regarding Temporary Signs would be updated to incorporate usage regulations for residential and

commercially zoned areas. Noted were the standards regarding the number of signs allowed during, and around, election times.

Seever brought up the, now common, Latah Recovery Center and Black Lives Matter signs and wanted to know if those would all fall under the same criteria. Ray confirmed that, under the current draft, all signs regardless of content would be covered under the same standards. Discussion ensued regarding the number of signs to set as standard and also whether that covers signs in the backyard or just the front yard. Ray said standards from other jurisdictions indicate that a sign only counts if it is seen from the street, and similar language could be inserted. Parish wondered if the number of signs each residence is allowed should be eliminated completely and the City should not enforce the number of signs. The Commissioners generally agreed that the limit of signs per yard needs to be more than one. Hamilton brought up his concern of many signs continuing throughout the entire year. The Board decided to up the limit to two signs per property and then discuss further. Reese asked for a visual example of different signs and arrangements to be presented before determining a set number of signs per residence. McClure said that she would provide examples at the next meeting.

The draft Code was updated to accommodate commercial zoning district temporary signs as well. Kelly asked about needing a temporary sign permit if you have both a “Welcome” sign and a “Grand Opening” sign. Ray clarified that the “Welcome” signs could be considered a permanent sign and already permitted, which would allow for the “Grand Opening” sign to be temporarily permitted. He mentioned the need to add another sub-section to the draft ordinance regarding temporary signs in residential areas for the non-residential uses such as churches, schools, and other institutional uses. Some discussion about what constitutes consecutive days for the commercial temporary sign permit followed. Ray mentioned that there is another category of signs has been previously added for portable signs, which includes sandwich board and “feather” signs.

One new section in the draft Ordinance is regarding temporary sign standards in the city right-of-way, including rules and regulations for temporary directional signs. Beebe was concerned about the limit of four signs per event, saying that he doesn’t think that that would be enough. Commissioners agreed that the number should be increased but clarification needs to be added about having only one per street intersection. Hamilton asked about city property that is not necessarily a right-a-way and Ray said he would add more language to that section to include all city property.

Code Ordinance updates continued with the exemptions and definitions of wall art, murals, and historically significant signs. Discussion between Ray and McClure about the historical signs that are on some older buildings downtown and how that would fit into the sign code. Seever clarified that the murals on the sides of the Moscow School District modular buildings would qualify for an exemption. New sections have been added to encompass billboards and off-premise signs with rules and standards regarding those. The number of portable sandwich board signs for commercial use has been updated to limit it to one per business or entity instead of one per property or building. Standards for dynamic displays have been updated as to not interfere with traffic control devices.

Parish asked what the next steps are for the draft Ordinance. Ray will make the recommended changes and then bring back the final draft to present to the Commission. He wants to contact real estate businesses and other sign stakeholders to get their feedback before finalizing this Ordinance. There was more discussion about likely not having the public hearing before the City Council until after the first of the year (2021).

5. Public Art Lighting Discussion

With the installation of the recent public art project, there has been some discussion amongst Staff regarding the lighting of public art in the City. Currently the majority of lighting is required to be full cut-off with up-lighting only permitted in certain circumstances. The Art Department would like to

request that the Commission review the current lighting ordinance to see if there's a possibility of providing an exemption from the full cut-off requirement for public art.

Ray reviewed the request from the City Arts Department to look at adding illumination to public art pieces. Seever wanted to know if the current Code covered motion sensor lights in residential areas, which it currently does. Current Code was reviewed in regards to residential and non-residential areas, in particular some unclear lighting requirement codes in regards to the University of Idaho that will need to be clarified. Flagpole up-lighting code is an exemption to the dark skies ordinance standards and Ray recommended that be used as a template for creating an exemption for public art lighting. Gropp sent light fixture details to the Board to possibly base the lumen and other standards while drafting the amendment.

There was some conversation between Parish and Hamilton regarding the difficulties balancing ideally illuminating art while also keeping the intent of the dark sky requirements. Hamilton asked Ray what the capabilities are of the lights that Gropp recommended as far as honing the beam of light. Ray went into detail about the possibilities for different lighting options and offered to meet with the Commission at one of the art displays to see the different lights in-person. Kelly asked if different fixtures should be used for select art displays that have more solid or porous surfaces. McClure passed along that she has been in communication with the Sustainable Environment Commission regarding this possible Ordinance amendment and that they have requested to be included in any decision regarding public art lighting code changes. The concern was brought up again about distinguishing between publicly-owned art versus privately-owned. Hamilton mentioned whether it would be a possibility that private art be illuminated in the future. Ray suggested that this amendment would make minor adjustments to the lighting code and then the Commission could come back to do a more thorough revamp at a later time.

Commissioners agreed to a field trip to see the different lumen levels and lighting abilities at an art display, to be scheduled by Ray. McClure and Hamilton are still concerned about the light projecting beyond the art installations and iterated the need for some regulations on shielding light overflow.

4. Transportation Commission Meeting Report

Transportation Commission met on September 10 and discussed Transportation Commission code and procedures, in particular the Ex-Officio membership list. They were also given an update on the Capital Improvement Plan and projects.

5. Announcements

Next meeting scheduled for October 14, 2020.

Following meeting is moved to November 4, 2020.

Last 2020 meeting scheduled December 9, 2020.

The meeting adjourned at 8:42 PM

Robb Parish, Vice Chair

COMMUNITY PLANNING AND DESIGN DEPARTMENT STAFF REPORT

HEARING DATE: October 14, 2020

GENERAL INFORMATION

Hearing Body: Planning and Zoning Commission

Subject: Proposal for Comprehensive Plan Land Use Designation and Zoning Designation for an approximately 150-Acre Property Proposed to be Annexed into the City of Moscow and Located Directly West of Highway 95 and South of the Current City Limits Boundary: LUP2020-0023

Attachments:

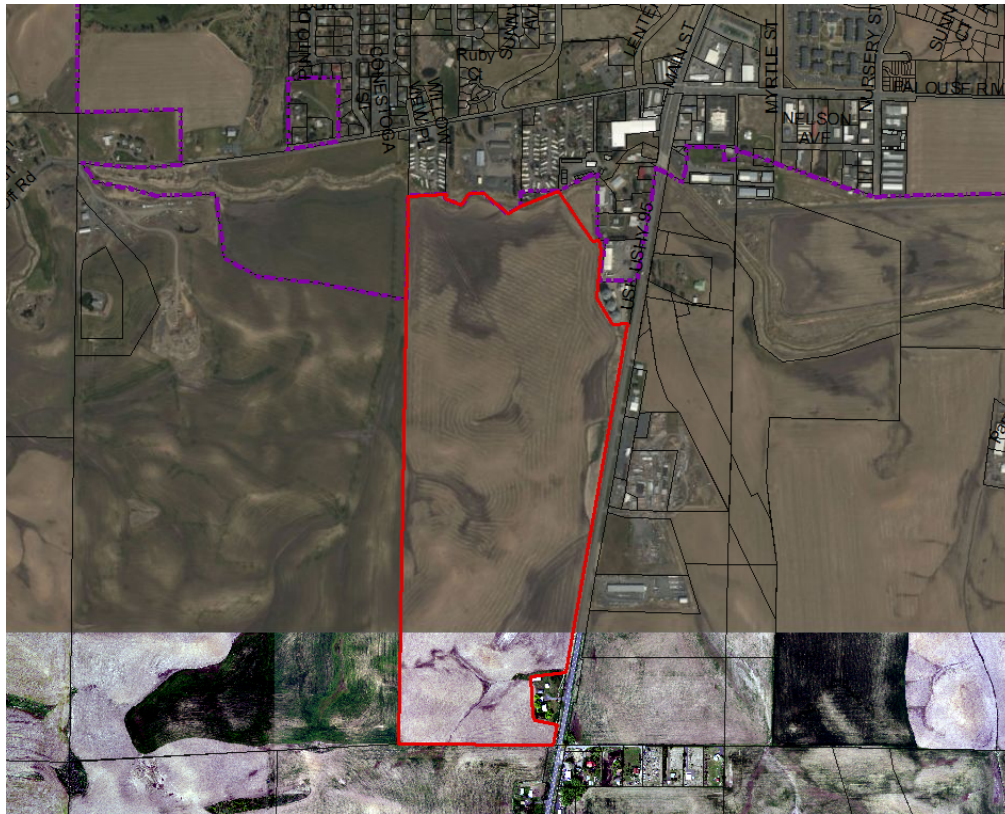
1. Notice of Public Hearing
2. Application for Rezone
3. Site Map
4. Legal Descriptions
5. Neighborhood Meeting Materials

Prepared by: Mike Ray, AICP – Planning Manager

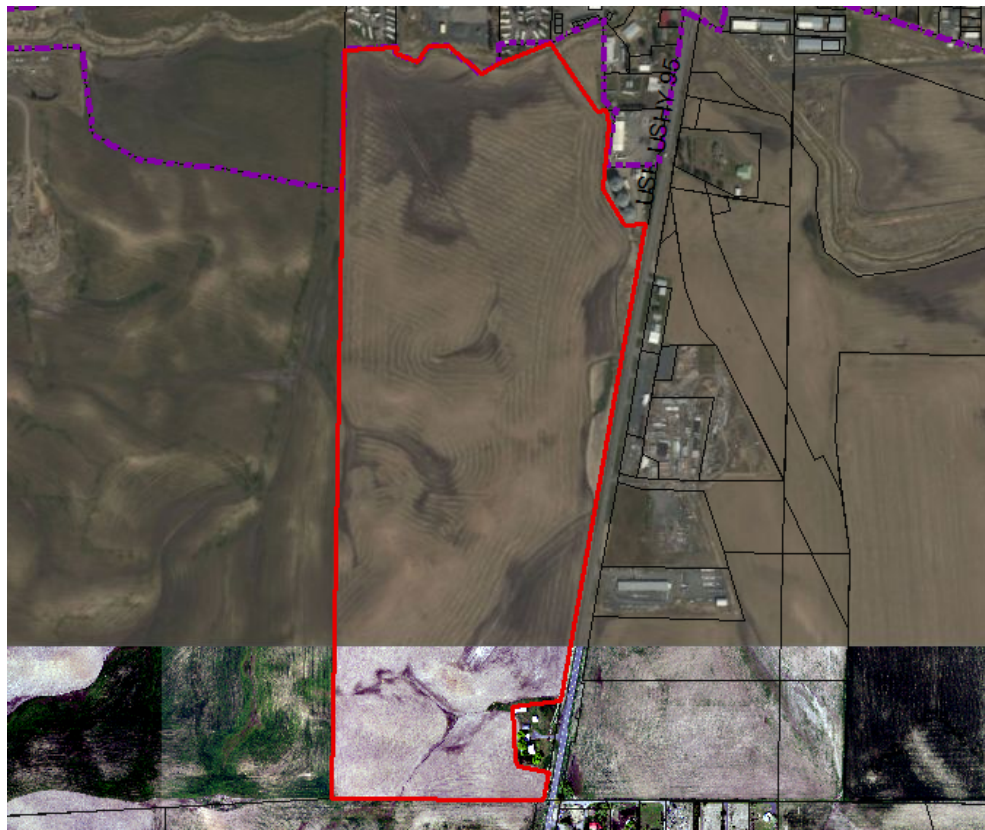
STAFF REVIEW

Proposal: The applicant, Schweitzer Engineering Laboratories, is proposing to rezone and a Comprehensive Plan Land Use Designation amendment for an approximately 150-acre property proposed to be annexed into the City of Moscow and located directly west of Highway 95 and south of the current City Limits boundary. The current Comprehensive Plan Land Use Designation is a combination of Auto-Urban Commercial, High-Density Residential, Auto-Urban Residential, and Rural and Agricultural and the proposed designation is the Auto-Urban Commercial designation. The zoning on the subject property is currently Agriculture Forestry (AF) and the proposal is to rezone to the Motor Business (MB) Zone. Prior to annexation, the Planning and Zoning Commission is required to review the subject property and provide the City Council with a recommendation regarding the appropriate future land use designation and zoning designations to be applied to the subject property upon annexation.

Site and Area Land Use: The subject property is a 154-acre parcel that is actively being used for agricultural production. The subject property is surrounded by primarily agricultural land to the west and the south, manufactured home parks and Idaho Transportation Department's service yard to the north, and a commercial business park to the northeast. Commercial uses to the east include Early Bird Building Supply, Wasankari Construction, Germer Construction, Primeland Cooperative, Bonkerz Play Center, Dale's Boats, Mundy's Welding, and also various residential uses.



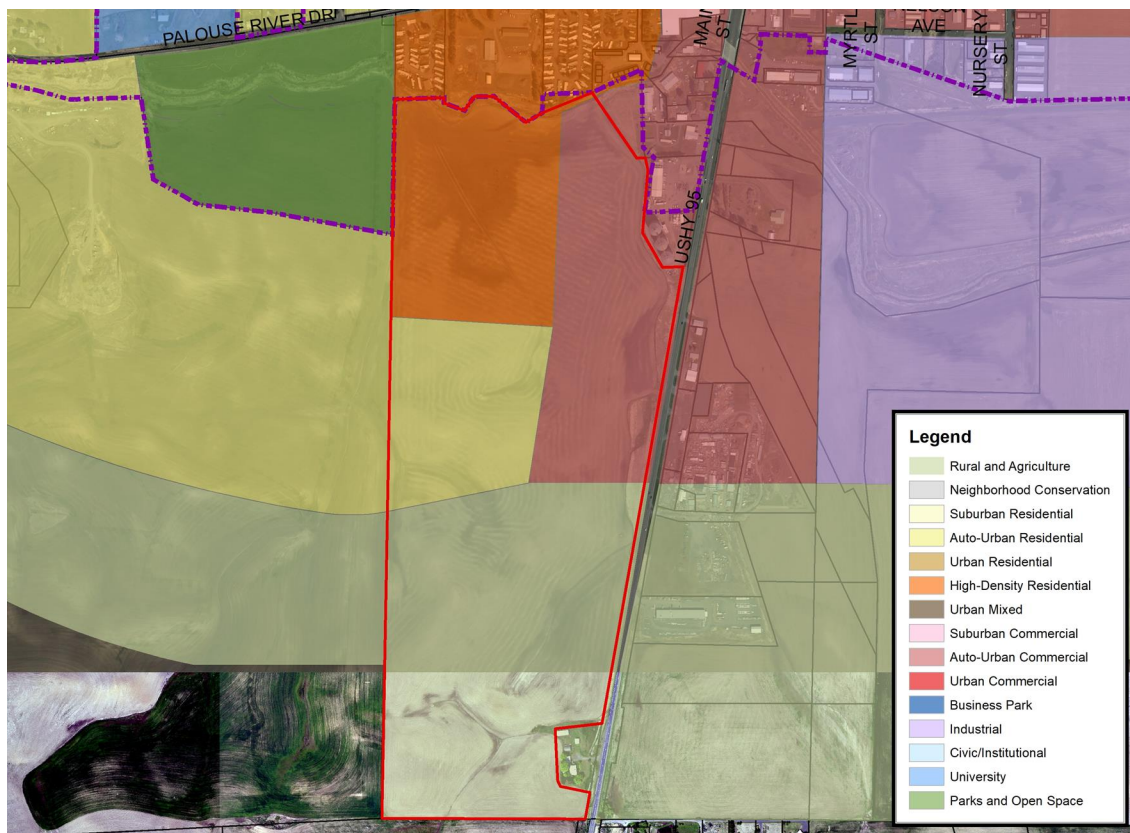
Vicinity Map



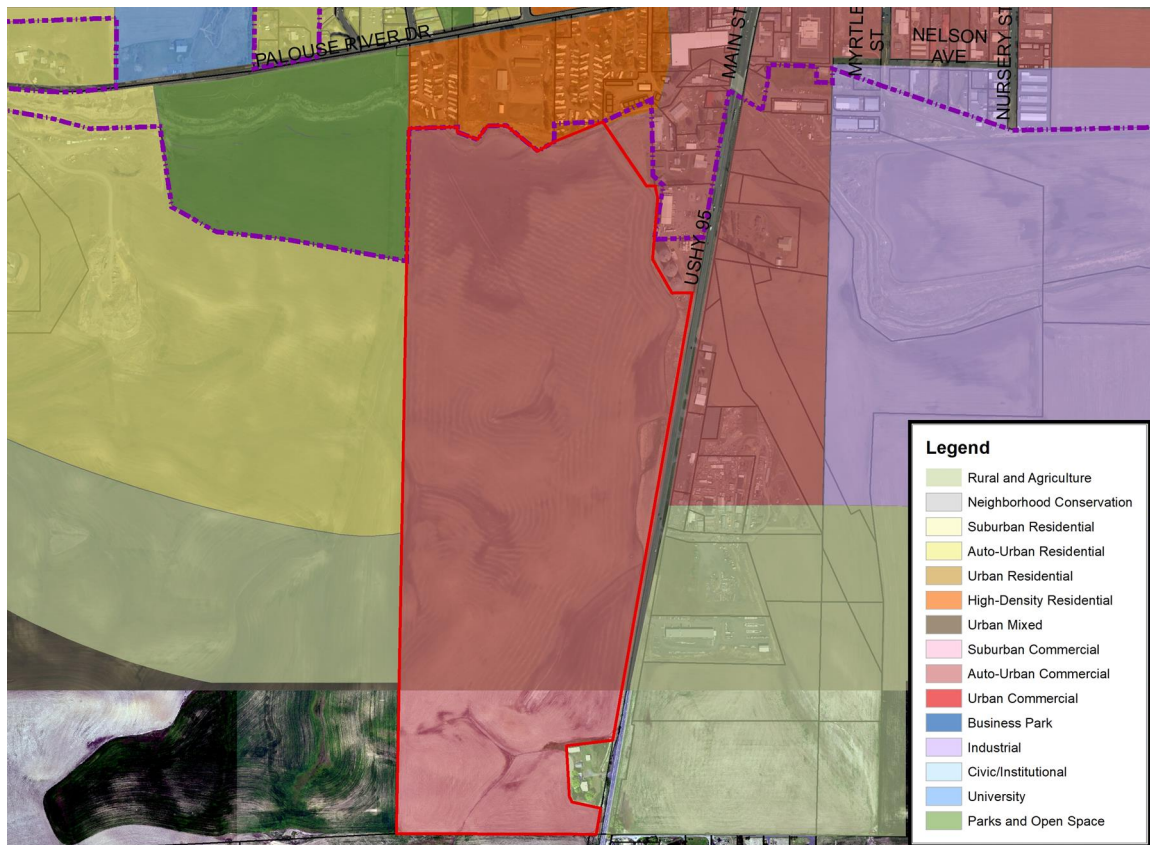
Aerial of Subject Property

Comprehensive Plan: Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Commercial, High-Density Residential, Auto-Urban Residential, and Rural and Agricultural and the proposed designation is the Auto-Urban Commercial designation. According to the 2019 Comprehensive Plan, Auto-Urban Commercial designated areas are intended to,

“Provide for commercial services and developments that are motor vehicle oriented or those which require large amounts of land. These areas should be located adjacent to existing commercial developments and along major arterials where the vehicle traffic can be accommodated. Developments within these designations should be required to provide significant landscaping which would be applied to enhancing areas along the street edge, screening parking lots, and buffering adjacent uses. Such areas are most appropriately zoned Motor Business (MB).”



Current Comprehensive Plan Land Use Designations



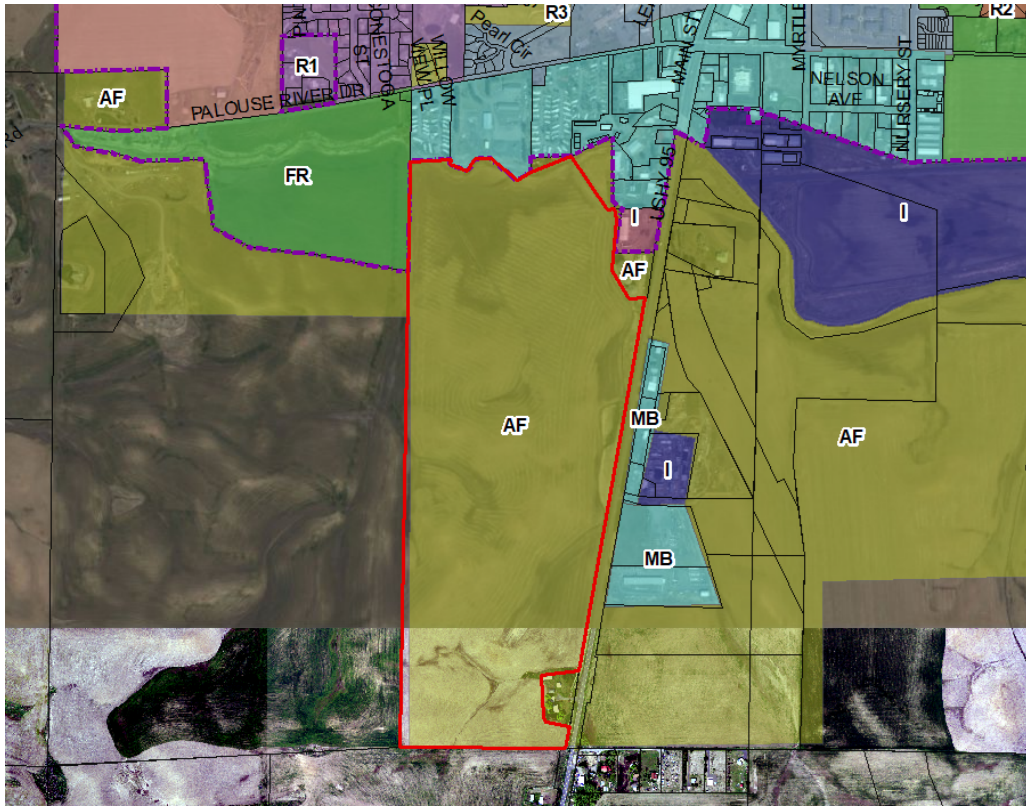
Proposed Comprehensive Plan Land Use Designation

Zoning: The subject property and adjacent properties immediately to the west, south, and some properties to the east are located in Latah County and are currently zoned Agriculture/Forestry (AF). The properties to the east which are commercial are within the Motor Business (MB) or Industrial (I) Zones, and properties to the north within the City are primarily zoned MB. The City’s west Palouse River Drive Playfields property to the northwest is located within the Farm Ranch and Outdoor Recreation (FR) Zone. The applicant is proposing to rezone the 154-acre parcel from the Agriculture/Forestry (AF) Zone to the Motor Business (MB) Zone.

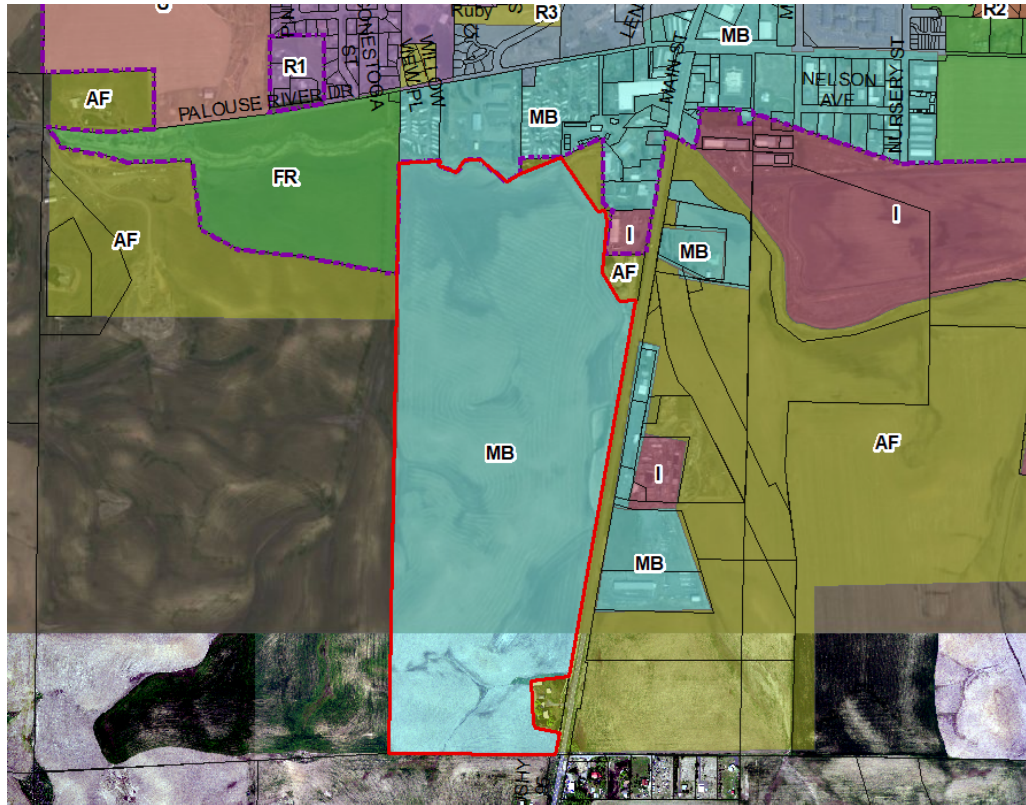
According to the City of Moscow Zoning Code, the MB Zone is,

“provide for the location and grouping of compatible uses having similar operation as they involve enterprises which depend primarily on the transient motor vehicle-based trade. By concentrating such uses the City intends to increase public convenience when utilizing such services and, within the regulation, to allow such activities to render the maximum service.”

Uses permitted within the MB Zone include retail enterprises, offices, eating and drinking establishments, printing and publishing houses, religious institutions, residential uses, hotels and motels, off-street parking facilities, kennels, storage facilities, laundromats, and light manufacturing.



Existing Zoning



Proposed Zoning

Access, Streets, Traffic: The subject property has property frontage along Highway 95. Highway 95 is designated as a National Highway and is developed as a 24 foot wide paved roadway with northbound and southbound travel lanes and minimal gravel shoulders on both sides.

Utilities: As part of the City's Capital Improvement Plan, sanitary sewer is proposed to be extended approximately 1600' further south of the nearest main location which is near the South Fork Palouse River Bridge. Water mains will be extended approximately 400' further south down the old US95 right-of-way and both utilities will terminate approximately 1600' south of the South Fork Palouse River Bridge. The design for the project should be completed this fall and the project should go out to bid early spring. The intent is to have the utilities extended in the summer of 2021.



Utilities (Water mains in blue and sanitary sewer in green)

Other Issues: The applicant conducted a neighborhood meeting with affected property owners within 600 ft. of the subject property on September 10, 2020 to discuss the proposal. All neighborhood meeting materials are attached to your packet.

RECOMMENDATIONS:

Staff recommends that the City of Moscow Planning and Zoning Commission conduct the public hearing and upon consideration of testimony received:

1. Recommend approval of the proposed Comprehensive Plan Land Use Designation change from the combination of Auto-Urban Commercial, High-Density Residential, Auto-Urban Residential, and Rural and Agricultural designations to the Auto-Urban Commercial designation; and
2. Recommend approval of the proposed rezone from the Agriculture/Forestry (AF) Zone to the Motor Business (MB) Zone with no conditions.

NOTICE OF PUBLIC HEARING

Proposal for Comprehensive Plan Land Use Designation and Zoning Designation for an approximately 150 Acre Property Proposed to be Annexed into the City of Moscow and Located Directly West of Highway 95 and South of the Current City Limits Boundary: LUP2020-0023

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

- Comprehensive Plan Land Use Designation amendment from a combination of Auto-Urban Commercial, High-Density Residential, Auto-Urban Residential, and Rural and Agricultural to the Auto-Urban Commercial designation.
- Rezoning of the subject property from the Agriculture Forestry (AF) Zone to the Motor Business (MB) Zone.

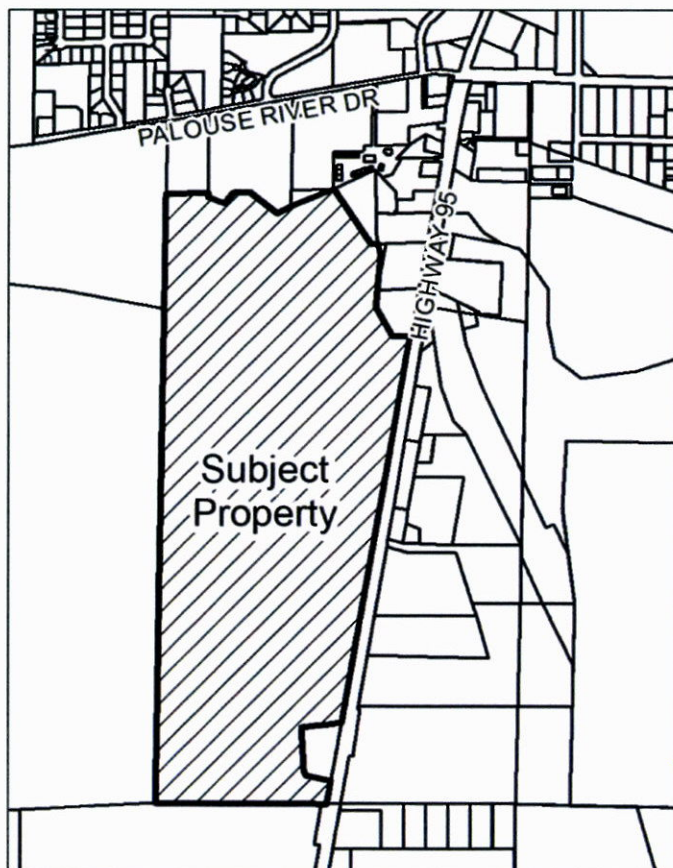
MEETING DATE: Wednesday, October 14, 2020

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


Jennifer Fleischman, Deputy Clerk

Publish: September 19, 2020

**SCHWEITZER ENGINEERING LABORATORIES, INC.**

2350 NE Hopkins Court • Pullman, WA 99163-5603 USA

Phone: (509) 332-1890 • Fax: (509) 332-7990

Internet: www.selinc.com

September 10, 2020

Mike Ray, Assistant Director / Planning Manager
City of Moscow
206 E. Third Street
Moscow, ID 83843

RE: Request for Annexation and Rezoning
Parcel #RP39N05W190360, Highway 95 S, 150 acres

Dear Mike:

Schweitzer Engineering Laboratories, Inc. is requesting the approx. 150 acre parcel off Highway 95 S, Moscow, ("Deesten Farm") to be considered for Annexation into the City of Moscow and Rezone from Agricultural/Forest to Motor Business.

Enclosed with this submittal are:

- Neighborhood meeting minutes, sign-in sheet, preliminary site map, notice of Neighborhood Meeting.
- Rezone Application with payment of \$990.00 (check # 00526781)
- We are in the process of having an ALTA survey completed, which will follow this packet in approximately one week, but prior to September 23.
- Legal description of the subject property

We appreciate your help and consideration on this project. Please feel free to contact us if there are any questions or if clarification of anything is needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Jana Schultheis", written in a cursive style.

Jana Schultheis
Vice President of Property

JS: dt
Encl (7)



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

For City Use Only			
Date Received		9/11/2020	
Dept	Fee Type	Fees	Paid
CD	Application Fee	\$990 \$895	\$990
Receipt Number		LUP2020-0023	

APPLICATION FOR ZONING AMENDMENT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Schweitzer Engineering Laboratories, Inc. Telephone: (509) 332-1890
2350 NE Hopkins Court, Pullman, WA 99163
 (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: Deesten Farms, LLC Telephone: 208.669.1230
Hwy. 95, Moscow, Idaho 838 1700 Little Bear Ridge Road, Troy, Idaho 83871
 (Home address)

3. Location of Affected Property: West and adjacent to Hwy 95, south of and adjacent to the City of

Legal Description: Moscow. Parcel No. RP39N05W190360. See attached legal desc.
 (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: Latah County - Ag. Forest to: City of Moscow - MB Motor Business
 (Current zoning) (Proposed zoning)

5. Reason: Applicant requests a rezone for the following reason(s): The applicant requests annexation into the City of Moscow with a comprehensive plan amendment and zoning reclassification to Motor Business for the purpose of constructing uses allowed within the MB zone.

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.

See Attached.

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

See Attached.

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

See Attached.

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.

See Attached

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.

See Attached.

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.

Applicant's Signature

DocuSigned by:

Denise Bohman

Deesten Farms, LLC
Managing Member

78E98D86E4A340F...

Property Owner's Signature

Date

9/9/2020

9/4/2020

Date

Schweitzer Engineering Laboratories, Inc.
September 2020

Application for Zoning Amendment
(Continued from Application)

6A. The proposed rezone is consistent with the Comprehensive Plan goals, objectives, and implementation actions.

- Chapter 1. Community Vision
 - The proposal provides for sustainable, incremental growth while preserving and enhancing the distinctive characteristics of Moscow, and its rich and vibrant economic, cultural, social, and physical environments.
 - 1.4.2 Natural Resources, Implementation Action 1. The development will be located adjacent to existing developed areas where city utilities and other public services will be readily available.
- Chapter 2. Land Use
 - 2.7.1 General Land Use and Community Character. The proposal will direct land use to meet future community desires and needs and conserve the natural resource of the South Fork of the Palouse River, along the property's northern boundary, through orderly development.
 - 2.7.7 Land Uses (map). The proposal is located within the Auto-Urban Industrial land use designation on the Existing Land Use map and Auto-Urban Commercial on the Future Land Use maps. The proposed zoning is consistent with this designation.
- Chapter 3. Community Mobility
 - 3.11.1 General Community Mobility. The project will consider plans for the orderly development and continuity of the city street and pathways systems and efficient delivery of services.
 - 3.11.5 Bicycle Mobility. The project will accommodate a future east/west bicycle route along its northern boundary, adjacent to the South Fork of the Palouse River.
- Chapter 4 Parks and Recreation
 - 4.10.2 Linear Park. The project will consider space along the South Fork of the Palouse River for a future linear pathway to provide recreation and utility access. The City of Moscow also owns designated parkland known as the West Palouse River Drive/cyclocross adjacent to the subject property for use as a public park serving South Moscow.
- Chapter 5 Public Utilities Services and Growth Capacity
 - 5.9.1 General Goals. The city has been fulfilling the goals of this chapter by extending utilities to South Moscow in order to provide for sustainable growth and the efficient delivery of public facilities, utilities, and services. The extension of these utilities also directs growth to areas that can efficiently and

Schweitzer Engineering Laboratories, Inc.
September 2020

economically be served with public services and utilities while planning for future capacity needs.

- 5.9.2 Potable Water. The city is providing for safe and sustainable water supply that meets the future needs of the community.
- 5.9.3 Sanitary Sewer. The city is providing for orderly and efficient collection and treatment of wastewater services to the community into the future.

- Chapter 6. Economic Development

- 6.6.1. Regional Economic Context. The CPA and rezone will provide economic growth and employment opportunities to the region.
- 6.6.2. Leveraging Existing Assets. The applicant is an established international employer. Uses anticipated to be developed on the subject property will diversify the local economy and enhance the character of Moscow. The property's proximity to downtown will help strengthen the downtown core, while not inhibiting downtown redevelopment. The proposed uses will strengthen the regional economy and utilize the strengths and assets of the region.
- 6.6.3. Growing Compatible Industries. The property is currently within the Moscow Area of City Impact, which anticipates annexation and defers land use decisions to the City.
- Proposal would increase the supply of land available for modern commercial, office, and light industrial uses.
- 6.6.5 Business Development Costs. The City of Moscow is proactively installing sewer and water sufficient to serve the proposal area, thereby providing increased certainty for investment by the applicant in industrial uses within the southern part of the city.
- The City will extend sewer and water to the property in 2021, per the city's capital facility plan, ensuring infrastructure is in place prior to development.

6B. The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.

- The proposed annexation, comprehensive plan amendment and rezone will help fulfil the logical and orderly planned use for this property, as outlined in the comprehensive plan and recently adopted South Moscow District Plan in terms of use and location.

6C. The uses expected to occur as a result of the rezone will be compatible with the surrounding area.

- The proposed rezone is Motor Business, which allows a wide variety of commercial, office, and light industrial uses. Because the subject property is within an anticipated annexation area, adjacent uses to the south have historically been agricultural. Uses

Schweitzer Engineering Laboratories, Inc.
September 2020

to the north, within city limits, are older commercial, sales, service, and residential. The future uses within the subject rezone will be compatible with these existing uses and likely to facilitate investment into existing businesses.

6D. 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 uses anticipated on the subject property will not place an undue burden on delivery of services. The City of Moscow will be extending sewer and water with adequate capacity to this property specifically to help spur growth and economic development. The Idaho Transportation Department will be realigning and reconstructing Hwy 95 east of the site and providing roadway access to this property to improve transportation in South Moscow.

6E. 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 City of Moscow will be extending sewer and water with adequate capacity to this property specifically to help spur growth and economic development. The Idaho Transportation Department will be realigning and reconstructing Hwy 95 east of the site and providing roadway access to this property to improve transportation in South Moscow.

Section 19, T39N, R5W, BM

Surveyor Narrative

- The purpose of this survey was to locate, monument and map the boundaries of that parcel of land described in Quitclaim Deed, Instrument, #585032,
- The north line of the Northeast Quarter of Section 19 was located to establish the Basis of Bearings and primary boundary control. That Parcel described in Quitclaim Deed, Instrument, #585032 was rotated to project basis and located accordingly.

Basis of Bearings

The Basis of Bearings for this survey is identical to the Idaho Coordinate System, West Zone, NAD 83 as shown between the found northwest corner of the Northeast Quarter and the found northeast corner of the Northeast Quarter of Section 19, said bearing being N88°09'59"E.

Surveyor's Certificate

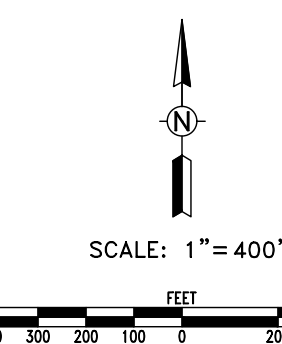
I, Michael E. Dahlin, PLS #17534, State of Idaho, do hereby certify that the survey represented by this map was performed by me or under my supervision in accordance with the laws of the State of Idaho and at the request of Denise Tooley in September 2020.

Survey References:

- Allen Tracts, Instrument #166352, Book 4 of Plats Page 21, By M. Jensen, PE #632.
- Warranty Deed, Instrument #200605, Book 138 of Deeds, Page 631, Deesten to State of Idaho.
- Unrecorded ITD survey.
- Warranty Deed, Instrument #241265, Book 163 of Deeds, Page 92, Deesten to to Bailey.
- Warranty Deed, Instrument #275244, Deesten to Latah County Grain Growers, Inc.
- Deed of Dedication, Instrument #275249, for easement for public use for street or alley purposes, Deesten & Latah County Grain Growers, Inc to the City of Moscow.
- Warranty Deed Instrument #289151, Deesten to Chesnut.
- Record of Survey, Instrument #336475, by L. Hodge PE/LS #3003.
- Deed of Dedication & Correction, Instrument #337015 to correct Deed of Dedication, Instrument #337015, Deesten & Latah County Grain Growers, Inc to the City of Moscow.
- Highway Right-of-Way Plans, Federal Aid Project #18-A(2), Page 5 of 6.
- Warranty Deed, Instrument #381241, Deesten to Latah County Grain Growers, Inc. (CHS-Moscow, Inc.).
- Warranty Deed, Instrument #386744, Deesten to Burrage.
- Record of Survey, Instrument #387155, by L. Hodge PE/LS #3003.
- Warranty Deed, Instrument #399677, Deesten to Burrage.
- Record of Survey, Instrument #524459, by L. Hodge PE/LS #3003.
- Record of Survey, Instrument #571343, by A. Younger, PLS #12724.
- Quitclaim Deed, Instrument #575310, Lester to Abiel Mobile Home Community LLC.
- Record of Survey, Instrument #577923, by J. Goettsche, PLS #9584.
- Warranty Deed, Instrument #579983, Deesten to Althebury.
- Unrecorded Survey by J. Goettsche, PLS #9584 in 2016.
- Quitclaim Deed, Instrument #585032, Martin C. Deesten Family Trust to Deesten Farms, LLC.

Legend

- Found Monument as Described
- Set 5/8" Diameter Rebar w/Aluminum Cap Stamped "PLS 17534"
- Found 5/8" Diameter Rebar, No Cap or Plastic Cap Stamped as Noted
- Found Right-of-Way Monument
- Set 1/2" Diameter Rebar w/ Yellow Plastic Cap Stamped "Easement PLS 17534"
- Calculated Position
- Reference Number - See Survey References
- Subject Parcel Boundary Line
- Other Parcel Boundary Line
- Section/Section Subdivision Line
- Centerline
- Right-of-Way
- Easement



NO. _____ AT THE REQUEST OF: _____
DATE & HOUR: _____
HENRIANNE WESTBERG
LATAH COUNTY RECORDER
FEE \$ _____ BY _____

Surveyor's Information and Seal

Michael E. Dahlin, Inc.
P.O. Box 8728
405 S. Washington Street
Moscow, ID 83843-0828
(208) 882-3526

Professional Engineer
Surveying
Site Mapping

RIM ROCK CONSULTING, INC.

120 WEST 25 STREET #102 TULSA, OKLA 74103-3853 (918) 485-5339 rimrock@rimrockconsulting.net

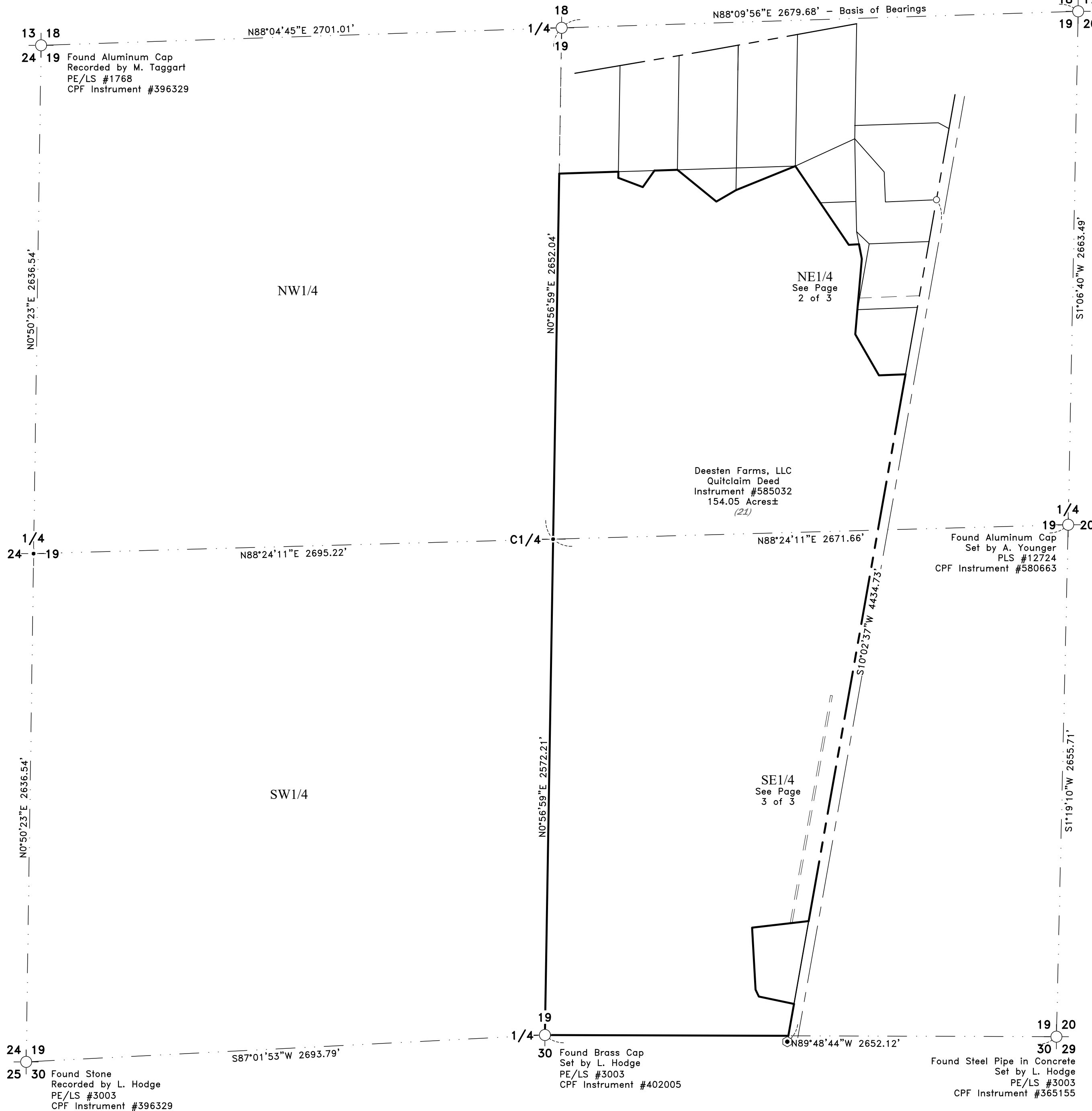
PROFESSIONAL LAND SURVEYOR
STATE OF IDAHO
MICHAEL E. DAHLIN
PLS #17534

PRELIMINARY
NOT FOR RECORDING

Record of Survey for:
Schweitzer Engineering Laboratories
Latah County, Idaho

Drafted by: SW
Checked by: MED
File Name: 4358 ROS.dwg
Tab: Pg 1
Plot Style Default.ctb
Project: 4358-08-20
Date: 9/18/20

1 of 3



Surveyor Narrative

1. The purpose of this survey was to locate, monument and map the boundaries of that parcel of land described in Quitclaim Deed, Instrument, #585032,
2. The north line of the Northeast Quarter of Section 19 was located to establish the Basis of Bearings and primary boundary control. That Parcel described in Quitclaim Deed, Instrument, #585032 was rotated to project basis and located accordingly.

Basis of Bearings

The Basis of Bearings for this survey is identical to the Idaho Coordinate System, West Zone, NAD 83 as shown between the found northwest corner of the Northeast Quarter and the found northeast corner of the Northeast Quarter of Section 19, said bearing being N88°09'59"E.

Surveyor's Certificate

I, Michael E. Dahlin, PLS #17534, State of Idaho, do hereby certify that the survey represented by this map was performed by me or under my supervision in accordance with the laws of the State of Idaho and at the request of Denise Tooley in September 2020.

Survey References:

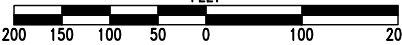
1. Allen Tracts, Instrument #166352, Book 4 of Plats Page 21, By M. Jensen, PE #632.
2. Warranty Deed, Instrument #200605, Book 138 of Deeds, Page 631, Deesten to State of Idaho.
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12. Warranty Deed, Instrument #386744, Deesten to Burrage.
13. Record of Survey, Instrument #387155, by L. Hodge PE/LS #3003.
14. Warranty Deed, Instrument #399677, Deesten to Burrage.
15. Record of Survey, Instrument #524459, by L. Hodge PE/LS #3003.
16. Record of Survey, Instrument #571343, by A. Younger, PLS #12724.
17. Quitclaim Deed, Instrument #575310, Lester to Abiel Mobile Home Community LLC.
18. Record of Survey, Instrument #577923, by J. Goettsche, PLS #9584.
19. Warranty Deed, Instrument #579983, Deesten to Altebury.
20. Unrecorded Survey by J. Goettsche, PLS #9584 in 2016.
21. Quitclaim Deed, Instrument #585032, Martin C. Deesten Family Trust to Deesten Farms, LLC.

Legend

- Found Monument as Described
- Set 5/8" Diameter Rebar w/Aluminum Cap Stamped "PLS 17534"
- Found 5/8" Diameter Rebar, No Cap or Plastic Cap Stamped as Noted
- Found Right-of-Way Monument
- Set 1/2" Diameter Rebar w/ Yellow Plastic Cap Stamped "Easement PLS 17534"
- Calculated Position
- Reference Number - See Survey References
- Subject Parcel Boundary Line
- Other Parcel Boundary Line
- Section/Section Subdivision Line
- Centerline
- Right-of-Way
- Easement



SCALE: 1"=200'



NO. _____ AT THE REQUEST OF: _____

DATE & HOUR: _____

_____ M.
HENRIANNE WESTBERG
LATAH COUNTY RECORDER

FEE \$ _____ BY _____

Surveyor's Information and Seal

Michael E. Dahlin, Inc.
P.O. Box 8728
405 S. Washington Street
Moscow, ID 83845
(208) 882-3520

Lead Surveyor
Site Mapping

RTM ROCK CONSULTING, INC.

120 WEST 25 STREET #102 Moscow, Idaho 83845 208.882.3539 mmd@rtmrockconsulting.net

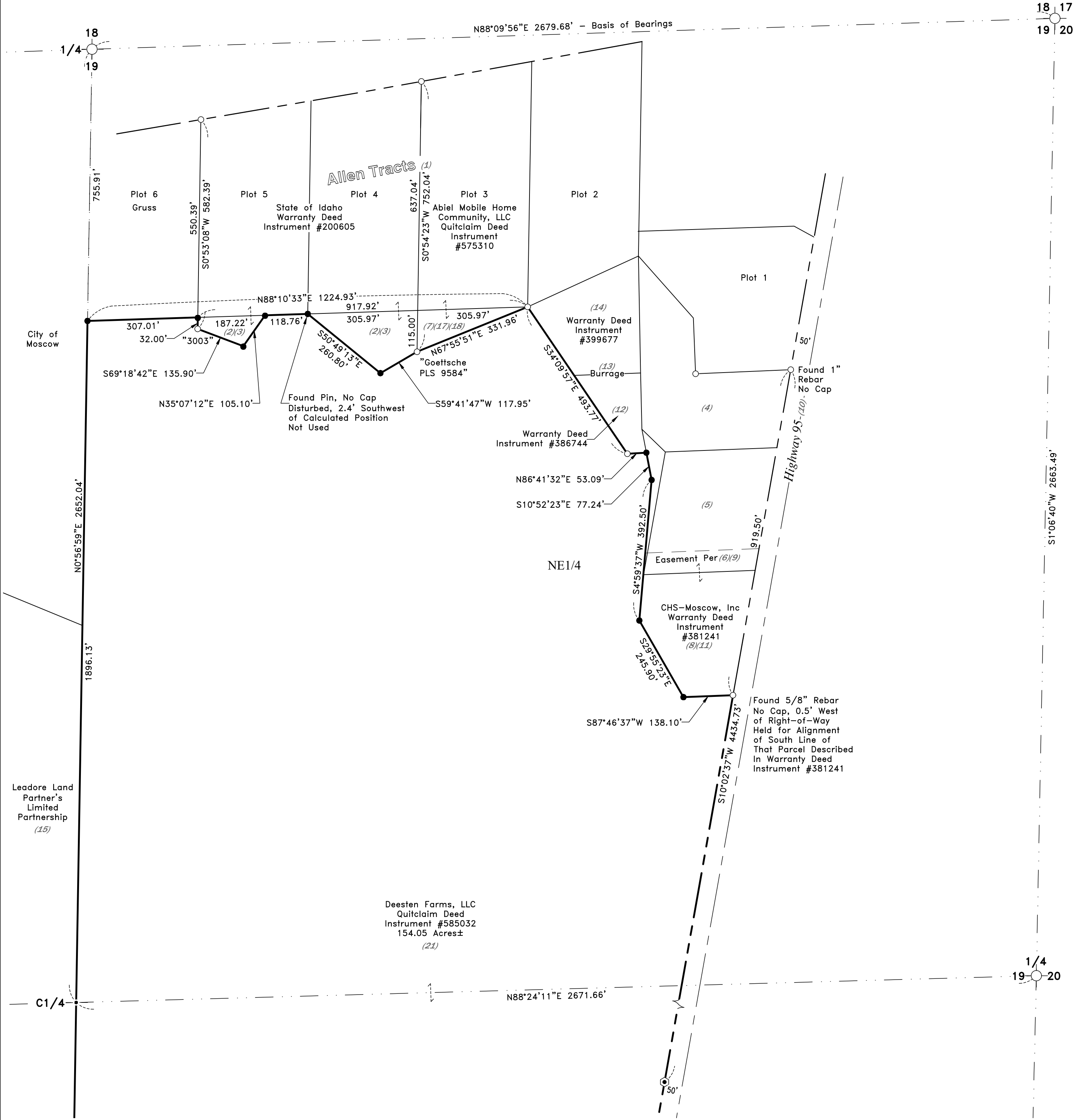
Professional Land Surveyor Seal

PROFESSIONAL LAND SURVEYOR
STATE OF IDAHO
MICHAEL E. DAHLIN
17534

PRELIMINARY
NOT FOR RECORDING

Record of Survey for:
Schweitzer Engineering Laboratories
Latah County, Idaho

Drafted by:	SW
Checked by:	MED
File Name:	4358 ROS.dwg
Tab:	Pg 2
Plot Style	Default.ctb
Project:	4358-08-20
Date:	9/18/20



ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE A

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Need a survey of the
property of the property.

EXHIBIT "A" LEGAL DESCRIPTION

PARCEL 1

A parcel of land ("Parcel 1") located in the NE1/4 of Section 19, Township 39 North, Range 5 West Boise Meridian, County of Latah, State of Idaho and more particularly described as follows:

BEGINNING at the southwest corner of Plot 6, Allen Tracts, as shown by the recorded plat thereof (Book 4 of Plats at Page 20) the same being situated upon the quarter section line S. 00°22' E. 758.4 feet from the North quarter-corner of Section 19, Township 39 North, Range 5 West, B.M.; thence N. 87°12' E., along the southern boundary of Plots 6, 5, 4, and 3 of said Allen Tracts, 1224 feet; thence N. 64°28' E., along the southern boundary of Plot 2 of said Allen Tracts, 338.8 feet to a one inch steel peg; thence S. 42°44' E. 230.2 feet to a one inch steel peg; thence S. 03° 10' E. 155.1 feet to a steel peg; thence N. 86°46' E. along the southern line of Plot 1 of said Allen Tracts, 265 feet to a one inch steel peg situated upon the western right of way line of that certain State Highway known as FAP 18-A(2); thence S. 09°09' W., along the west line of said highway right of way, 1718.85 feet, more or less, to a point on the quarter section line lying approximately 950.6 feet West of the E. 1/4 corner of said Section 19, Township 39 North, Range 5 West, B.M., thence S. 87°28' W., along the East-West quarter section line running through said Section 19, 1713.47 feet, more or less, to the center of said Section 19; thence N. 00°22' W., on the North-South quarter section line in said Section 19 to the PLACE OF BEGINNING.

EXCEPTING THEREFROM those portions deeded to the State of Idaho, as more fully set out in that certain Right of Way Deed recorded in Book 99 of Deeds at Page 33 and in that certain Right of Way Deed recorded under Recorder's Fee No. 200605 in Book 138 of Deeds at Page 631.

ALSO EXCEPTING THEREFROM those portions deeded, as more fully set out in that certain Warranty Deed recorded under Recorder's Fee No. 241265, in that certain Warranty Deed recorded under Recorder's Fee No. 275244, in that certain Deed of Dedication recorded under Recorder's Fee No. 275249 and amended under that certain Deed of Dedication & Correction recorded under Recorder's Fee No. 337015, in that certain Warranty Deed recorded under Recorder's Fee No. 289151, in that certain Warranty Deed recorded under Recorder's Fee No. 381241, in that certain Warranty Deed recorded under Recorder's Fee No. 386744, and in that certain Warranty Deed recorded under Recorder's Fee No. 399677.

PARCEL 2

A parcel of land ("Parcel 2") more particularly described as the W 1/2 of the SE1/4 of Section 19, Township 39 North, Range 5 West Boise Meridian, County of Latah, State of Idaho.

Parcel 2 should have exceptions, for adjacent properties and highway right of way at southeast corner.

PARCEL 3

A parcel of land ("Parcel 3") lying and being in the E 1/2 of the SE 1/4 of Section 19, Township 39 North, Range 5 West Boise Meridian, County of Latah, State of Idaho, and West of the west line of the right of way of State Highway No. 95, and more particularly described as follows:

BEGINNING at the northwest corner of the E1/2SE1/4 of said Section 19; thence N. 87°06' E. 353.4 feet on the north line of said E1/2 SE1/4 of Section 19 to a point on the west line of the right of way of State Highway No. 95; thence following said west line of the right of way of State Highway No. 95, S. 09°01' W. 1348.6 feet; thence S. 14°38' W. 560.0 feet to a

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No. 20420

ID ALTA Commitment For Title Insurance Schedule 8-1-16 (4-2-18)

Page 2 of 3



ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE A

ISSUED BY
STEWART TITLE GUARANTY COMPANY

point on the West line of said E1/2 SE1/4; thence N. 00°01' W. 1856.3 feet along said west line of the E1/2 SE1/4 to the POINT OF BEGINNING.

EXCEPTING THEREFROM that portion deeded to the State of Idaho, as more fully set out in that certain Right of Way Deed recorded in Book 99 of Deeds at Page 10.

ALSO EXCEPTING THEREFROM A parcel of land situated in the Southeast Quarter of Section 19, Township 39 North, Range 5 West, Boise Meridian, Latah County, State of Idaho and more particularly described as follows:

Commencing at a steel pipe marking the Southeast Corner of said Section 19, from which a brass cap marking the Northeast Corner of said Section 19 bears North 01°12'55" East a distance of 5319.20 feet; thence North 82°53'20" West a distance of 1371.27 feet to an iron pin on the West Right of Way of Highway 95 and the Point of Beginning; thence North 78°03'33" West a distance of 186.11 feet to an iron pin; thence North 25°36'20" West a distance of 39.50 feet to an iron pin; thence North 03°13'01" West a distance of 322.09 feet to a 5/8 inch rebar with a PLS 9584 cap; thence North 83°24'08" East a distance of 295.28 feet to a 5/8 inch rebar with a PLS 9584 cap on the West Right of Way of Highway 95; thence South 10°02'37" West along the West Right of Way of Highway 95 a distance of 436.32 feet to the Point of Beginning.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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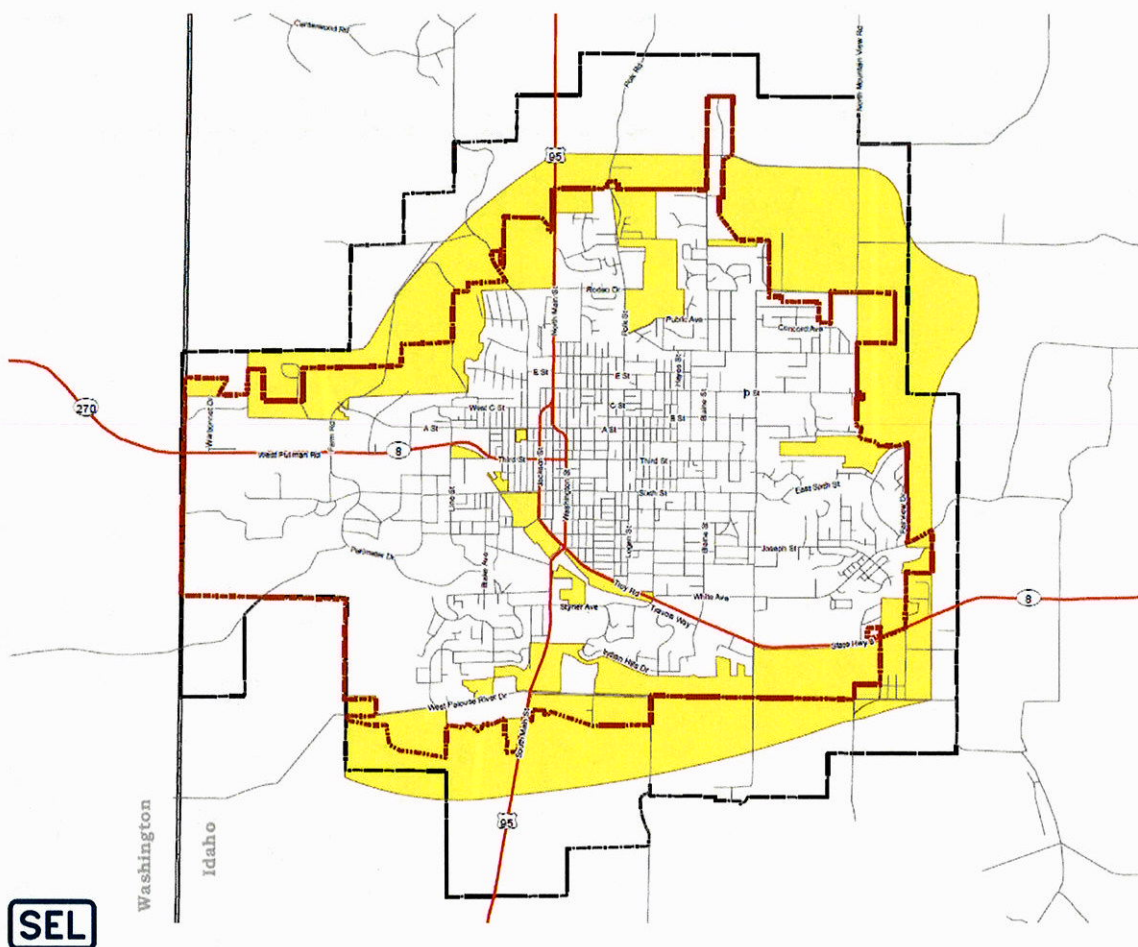
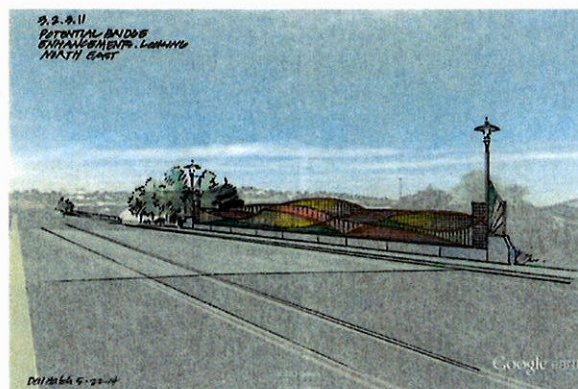
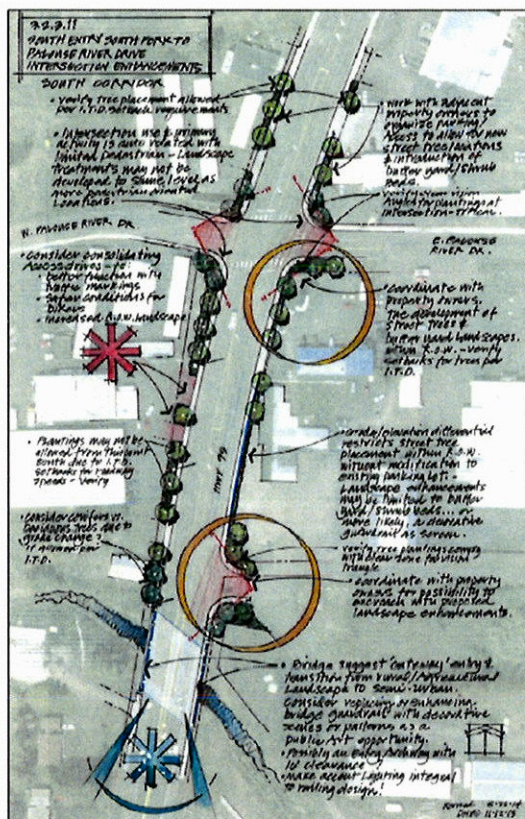
File No. 20420

ID ALTA Commitment For Title Insurance Schedule 8-1-16 (4-2-18)

Page 3 of 3







Notice of Neighborhood Meeting



*The proposed annexation boundary shown is approximate only.
It is Parcel RP39N05W190360.*

A neighborhood meeting will be held Thursday, September 10, 2020 at 5:30 pm at the University of Idaho Arboretum south entrance, 1200 West Palouse River Drive*.

The purpose of this meeting will be to discuss a proposal to annex and rezone approximately 150 acres west of Hwy 95, adjacent to city limits, into the City of Moscow for uses allowed within the Motor Business zoning designation.

*attendees shall maintain a physical distancing of 6-feet from non-household members or wear a face covering.

For more information, please contact Denise Tooley of Schweitzer Engineering Laboratories, Inc. (509) 339-2783 or denise_tooley@selinc.com



Meeting Minutes

Thursday, September 10, 2020, 5:30 PM

Present: Teresa Heitmann, Schweitzer Engineering Laboratories, Inc.
Project Name: Annexation and rezone of farmland along Hwy 95 S, Moscow, Idaho
Meeting Type: Neighborhood Meeting
Meeting Location: U of I Arboretum, 1200 West Palouse River Dr, Moscow, ID

Meeting Purpose

Presentation and discussion of the proposed annexation and rezone of existing farmland, which is under purchase contract.

Meeting

The meeting was called to order at 5:30 and was open to neighbors.

Teresa Heitmann (SEL) opened the meeting by introducing general information about SEL to the group. She presented two posters; one depicting the subject property site and the other showing City of Moscow's proposed South entrance improvements. She explained the purpose of requesting annexation was so that the land would be included in future utility expansion. The rezone would be from AG/F to Motor Business. The land will be used for future expansion based on business demand.

Teresa asked the group for questions or concerns.

Q: When will you be developing the land?

A: We have no immediate plans. We are focusing on purchasing the land at the moment.

Q: So there are no plans at all for buildings?

A: Not currently.

Several said they were happy SEL was coming to Moscow, and one person said, "welcome to Moscow!"

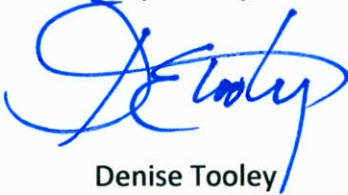
One individual expressed concern over increasing traffic and asked that SEL consider this factor in planning. He suggested adding a turning lane because there are already so many near-misses along Hwy 95. This was noted and will be considered in SEL future planning.

One individual wanted to be sure SEL wasn't going to "build a bunch of apartments" on the land. She said she thought SEL provided affordable housing for its employees. Teresa explained that SEL does not provide housing.

Attached is a list of neighbors in attendance.

Hearing no additional questions or concerns, meeting adjourned at 6:19 PM

Respectfully,

A handwritten signature in blue ink, appearing to read "D. Tooley", is written over the printed name.

Denise Tooley

Lead Administrative Assistant – Property Management Department
Schweitzer Engineering Laboratories Inc.

Meeting Attendance Sheet

Project Name: Highway 95 South,
 Meeting Type: Neighborhood Meeting
 Meeting Location: U of I Arboretum, 1200 West Palouse River Dr, Moscow, ID
 Meeting Time: 9/10/20 @ 5:30PM

NAME	MAILING ADDRESS
Denise Bohman & Brent Janet Poitra	1700 Little Bear Rdg Rd Tray, Id 83871 2350 NE Hopkins Ct Pullman, WA 99163
Amber Townsley	105 Swooshyline Dr. Pullman WA
Doug / Melanie Wasankari	2730 Hwy 95 South Moscow PO BOX 8867 Moscow ID 83843
Godie Tooling & Denise Tooling	1382 Bristol Rd Moscow, ID 83843
Mike & Betty Kaufman	2985 MAYFAIR RIDGE LEWISTON, ID 83501
Sean Wilson on behalf of the estate of Janice Clyde	128 E 3rd St Moscow, ID 83843
Randal Ormond	1161 KASPER RD moscow 83843
Don & Joella	4189 Hwy 95 South Agent for Beverly Anderson
From SEL: Frank Frank Hamell	SEL

Kenneth Helm

Idaho Transportation Dept
Lewiston, ID

ORDINANCE NO. 2020 -

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 4, CHAPTER 6; PROVIDING FOR THE CONVERSION OF PORTIONS OF THE SIGN CODE FROM NARRATIVE TO TABLE FORMAT; PROVIDING FOR PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS,

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

SECTION 1: That Moscow City Code Title 4, Chapter 6 be amended as follows:

• • •

Sec. 6-7. Moscow Sign Code.

A. Intents and Purposes.

It is the intent and purpose of this Sign Code to promote the health, safety and welfare of the residents and visitors of the City and to promote visual appeal by regulating and controlling the type, size, location, height, and placement of signs for the following reasons:

1. To promote planned and organized signage for each zoning district.
2. To give all businesses and institutions an equal opportunity within zoning districts to have signage that will help people find the services they need.
3. To prevent the cluttered effect caused by the number of signs, and to prevent overly-intrusive signage though business corridors and within neighborhoods.
4. To ensure that pedestrians and motorists are protected from injury and damage which may be caused by the distractions and obstructions of overly-intrusive or improperly placed signs. Further, it is the intent and purpose of this Sign Code to provide a reasonable balance between the right of business or institution to identify and promote itself with signs and the right of the public to be protected from the potential negative visual impacts and safety hazards which may result from the unrestricted proliferation of signs.
5. To prevent favoring of commercial speech over non-commercial speech or any favoring of any particular non-commercial message over any other non-commercial message.

~~6. To regulate political campaign signage in a reasonable and practical manner which is politically neutral and which is in accordance with local, State, and Federal law and regulations.~~
To recognize free speech rights by regulating signs in a content-neutral manner.

B. Sign Definitions.

1. *Awning:* A shelter supported entirely from the exterior wall of a building, that is constructed of canvas or other cloth type material stretched over a frame.
2. *Awning Sign:* A sign which is attached to or part of an awning. An awning sign shall be regulated as a wall sign unless it qualifies as another type of sign.

3. *Billboard*: ~~A free-standing sign controlled by M.C.C. 4-6-13(R)(1)(g). A permanent sign on which space is leased or rented to display a message not affiliated with the use of the property and regulated by Section L below.~~
4. *Building Identification Sign*: A sign which is limited to providing the name of the onsite building it is identifying, the address and date of establishment of the building and other similar information which does not advertise for or identify any particular business or activity operating in the building.
5. *Canopy*: A shelter or roof-like cover supported by either a building and/or poles from the ground.
6. *Canopy sign*: A sign that is part of or attached to the face of a canopy with the face of the sign in a plane parallel to the canopy. A canopy sign shall be regulated as a wall sign unless it qualifies as another type of sign.
7. *Dynamic Display Sign*. A sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. ~~A sign that accurately displays only current time, date, and temperature and which does not contain any copy or commercial message within the dynamic display portion of the sign and which does not exceed ten (10) square feet in size shall not be considered a Dynamic Display Sign for purposes of this Sign Code.~~
8. *Entity*: A business, industry, profession, person, institution, organization, enterprise, commodity, service, assemblage, place, subdivision, solicitation, or request for aid.
9. *Freestanding Sign*: A sign supported primarily by uprights, braces or poles in or upon the ground.
10. *Institutional Sign*: A sign which advertises an on-site service or function having primarily governmental, social, educational, or religious purposes.
11. *Marquee*: A permanent, roof-like structure attached to and extending beyond the wall of a building to attract attention to and provide shelter for the main entry (or entries) of a building.
12. *Marquee Sign*: A sign which is attached to or part of a marquee. A marquee sign shall be regulated as a wall sign unless it qualifies as another type of sign.
13. *Monument Sign*: A sign mounted on top of a ground base, such that there is direct contact or not more than twenty-four inches (24") between the bottom of the sign face and the base of the sign for at least one-half the length of the base.
14. *Mural*: Any artistic display painted directly onto a wall which does not otherwise qualify as a sign. Any such artistic display which qualifies as a sign shall be regulated as a wall sign.
- ~~15. *Political Campaign Sign*: A temporary outdoor sign associated with a candidate for public office or with a ballot measure, not including general political positions or issues.~~
15. *Off-premise Sign*: A sign relating, through its message and content, to a business activity, use, product, or service not available on the premises upon which the sign is erected.
16. *Portable Sign*: Any sign not attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A-frames or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or printed on vehicles parked or visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.
17. *Projecting Sign*: A sign which projects by length or width (not thickness) from and is supported entirely by a wall, canopy, eave, parapet, or marquee.

18. *Roof Sign*: A sign erected upon or over the top of a roof. A roof sign shall not include a sign located on a mansard roof if the sign is integrated with the roof design. For the purpose of this Sign Code, a sign that is architecturally integrated into a mansard roof shall be classified as a wall sign.

19. *Sign*: A presentation, display, or representation of words or letters, or of as figure, design, picture, painting, color pattern, logo, emblem, symbol, trademark or other representation so as to give notice, advertise, call attention to, or identify any entity.

20. *Suspended Sign*: A sign hanging down or projecting downward from a canopy, eave, awning or other similar projection.

21. *Temporary Sign*: A sign requiring no structural ground or building support, and displayed solely for temporary and short-term announcement, message, or advertisement or for land or building sale, rent, or lease.

22. *Wall Sign*: A sign that is part of or attached to, a building wall, window, parapet, eave, or door, that does not otherwise qualify as a projected sign.

C. Signs Permitted Upon Issuance of a Sign Permit.

1. No sign shall be erected, put into place, relocated, enlarged, structurally altered, or illuminated without issuance of a sign permit, unless explicitly exempted herein.

2. A non-commercial message of any type may be substituted for any duly permitted or allowed commercial or non-commercial message without any additional approval, permitting, or fee, provided that: (a) the sign structure or mounting device is legal, without consideration of content; and (b) the property owner has consented to the substitution of such message.

D. Exempt Signs.

The following signs are exempt from a sign permit and Any sign which does not require a permit and which is are allowed in addition to other permitted signage, but which must comply with other applicable regulations of this Sign Code; are as follows:

1. Governmental signs. Signs installed by or on behalf of federal, state, county, or city government for the protection of the public health, safety, and general welfare, including but not limited to the following:

a. Emergency and warning signs necessary for public safety or civil defense;

b. Traffic and/or wayfinding signs erected and maintained by an authorized public agency;

c. Signs required to be displayed by law;

d. Signs showing the location of public facilities including public and private hospitals and emergency medical services;

e. Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety, and general welfare.

2. Names and addresses of buildings, stained glass windows, and dates of building construction.

3. Signs of public utility companies indicating danger or which serve as an aid to public safety which show the location of underground utilities.

4. Changes to the face or copy of changeable copy signs, digital signs, electronic message signs, provided such changes do not change the material or appearance of the sign as originally permitted by the City.

5. The normal repair and maintenance (painting, repainting, cleaning, etc.) of conforming or legal nonconforming signs that does not involve structural alteration of the sign or supporting structure.

6. Sculptures, fountains, mosaics, murals, public art, and design features which do not otherwise constitute a sign.

7. “No trespassing,” “no parking,” “private” signs identifying essential public needs (i.e. restrooms, entrance, exit, telephone, etc.) and other information warning signs.

8. Publicly approved non-illuminated interpretive signs, historical signs, memorial signs, or tablets displayed by a governmental agency.

9. Interior Signs. Signs or displays located entirely inside of a building and located at least three (3) feet away from transparent doors and windows.

10. Temporary signs except as required in Section I below.

1. All Zoning Districts:

— a. A directional, warning, street, building identification, traffic control, informational, utility location identification or temporary special event sign which is displayed by or on behalf of federal, state, county, or city government;

— b. A public utility sign identifying locations of underground utilities or warning of hazardous utilities;

— c. A parking lot entry, exit, traffic directional or parking sign which does not contain any form of advertisement for or identification of an entity.

— d. Political Campaign Signs in accordance with this Sign Code.

2. FR, SR, R-1, R-2, and R-3 Zoning Districts:

— One (1) sign per lot street frontage noticing the lot on which the sign is posted for sale or lease. No such sign shall exceed six (6) square feet in size.

3. R-4, RO and NB Zoning Districts:

— One (1) sign per lot street frontage noticing the lot on which the sign is posted for sale or lease. No such sign shall exceed nine (9) square feet in size.

4. RTO, “U”, CB, UMC and GB Zoning Districts:

— One (1) sign per lot street frontage noticing the lot on which the sign is posted for sale or lease. No such sign shall exceed twelve (12) square feet in size.

5. AF, MB and “I” Zoning Districts:

— One (1) sign per lot street frontage noticing the lot on which the sign is posted for sale or lease. No such sign shall exceed thirty-two (32) square feet in size.

6. CB, GB, UMC and MB Zoning Districts:

— A sign placed in or on a window or door provided that the total sign area in or on the window or door not exceed twenty-five percent (25%) of the window or door, in which case the sign shall be counted as a wall sign.

E. Prohibited Signs.

1. Portable Signs, as defined in this Sign Code, are prohibited in all zoning districts, except as permitted in Section T of this Sign Code.

21. Signs prohibited in the public right-of-way: No sign, sign structure or part thereof except for public traffic and highway signs, shall be located within any public right-of-way, except as explicitly provided in this Sign Code. A sign may project or be suspended over a public right-of-way only in the CB and UMC Zoning District and subject to the following:

a. No sign, sign structure, foundation or part thereof shall be located in the ground, attached to or painted upon any structure, utility pole, bridge, or any other appurtenance within the public right-of-way.

b. No sign, sign structure or part thereof shall project closer than two feet (2') from any curb nor closer than four feet(4') from any built road, street, or alley which has no curb.

c. No sign, sign structure, or part thereof shall maintain less than ten feet (10') to the ground below it or not less than fourteen feet (14') if the surface below is a driveway.

~~d. No sign, sign structure, or part thereof shall impede free ingress and egress from any door, window, or exit required by building and/or fire code regulations.~~

~~de.~~ No sign shall be located within the street intersection vision triangle of vehicular operators as described in Idaho Code Section 49-221, except as explicitly allowed thereby.

~~ef.~~ A sign which does not conform to all relevant provisions of this Sign Code and which is located in or projects or is suspended over a public right-of-way may be removed by the City of Moscow at any time pursuant to Article XII, Section 2 of the Idaho Constitution, and Sections 50-301 and 50-314 of Idaho Code.

~~32.~~ A Dynamic Display Sign, except as specifically permitted within the Motor Business (MB), General Business (GB) and Industrial (I) Zoning Districts and subject to the standards contained in this Sign Code.

F. Nonconforming Signs.

1. Purpose: The eventual elimination of existing signs that are not in conformity with the provisions of this Sign Code is as important as the regulation of new signs.

2. The following nonconformity regulations shall supersede those of M.C.C. 4-1-8 only for the purpose of regulating nonconforming signs:

a. Any existing sign that was legally permitted prior to the enactment date of this Sign Code is deemed to be a legally permitted sign under this Sign Code for a period of five (5) years. After five (5) years from the enactment date of this Sign Code, said non-conforming sign, unless it is brought into compliance with the requirements of this Sign Code, may not be:

i. Replaced, including replacement of the sign face or any part thereof, except with a conforming sign;

ii. Changed except for signs specifically designed to be readily and routinely changed in words, letters, or numbers;

iii. Structurally altered to extend the useful life of any part of the sign or the sign structure; and

iv. Expanded, moved or relocated.

~~b. Any entity with a nonconforming sign on a lot or property may not add additional signage of the entity until every sign of that entity on that lot or property is brought into conformance with this Sign Code.~~

G. Parks and Recreation Facility Identification Signs.

Any sign which identifies a public park or recreation facility on site and does not advertise any other use or entity may be permitted in any zoning district only where such sign does not exceed eight feet (8') in height as measured from the grade of the adjacent public street; five feet (5') in width; twenty-four (24) square feet in area; and is set back from the right-of-way at least five feet (5'). Such signs shall not be installed over a walkway, driveway or roadway and shall comply with all other Sign and Zoning Code requirements. Only one (1) such sign shall be permitted per six hundred (600) lineal feet of street frontage or fraction thereof.

H. Subdivision Entrance / Identification Signs.

Entrance and identification signs to subdivisions, PUDs, or other similar land development projects ~~identifying the name of such subdivision project are permitted subject to the issuance of a Conditional Use Permit~~ are permitted subject to sign regulations of the Zoning District in which the development is located within.

I. ~~Temporary and Special Event~~ Signs.

Temporary signs may be permitted in accordance with the following standards.

1. Residential Zoning Districts.

a. A maximum of six (6) square feet of total area per sign shall be permitted on private property.

b. A maximum of two (2) signs are permitted per lot, except as provided within Section c below.

c. There shall be no limit on the number of temporary signs displayed on private property during the time period between sixty (60) days preceding the first day of primary, election or vote for office or ballot measure and seven (7) days following the day of final election or vote for office or ballot measure.

d. Non-residential uses shall be permitted to display more than two (2) temporary signs and/or temporary signs which exceed the six (6) square foot limitation, but are required to obtain a temporary sign permit which may be displayed for a consecutive period not to exceed forty-five (45) days per year, except as provided within Section c above.

2. Commercial Zoning Districts.

a. A maximum of thirty-two (32) square feet of total area per sign shall be permitted on private property.

b. A maximum of one (1) sign is permitted per lot, except as provided within Section c and d below.

c. There shall be no limit on the number of temporary signs displayed on private property during the time period between sixty (60) days preceding the first day of primary, election or vote for office or ballot measure and seven (7) days following the day of final election or vote for office or ballot measure.

d. More than one (1) temporary sign and/or temporary signs which exceed the thirty-two (32) square foot limitation are required to obtain a temporary sign permit, and may be displayed for a consecutive period not to exceed forty-five (45) days per year, except as provided within Section c above.

3. Temporary Signs in the City Right-of-Way. Temporary signs shall be permitted in the City right-of-way, subject to the following standards.

a. A maximum of six (6) square feet to total sign area and a maximum height of three (3) feet shall be permitted per sign.

b. A maximum of six (6) signs are permitted per event for which the signs are advertising.

c. A maximum of one (1) sign is permitted per street intersection.

d. Temporary signs may only be displayed during the day of the event and must be removed within two (2) hours after the event has taken place.

e. The sign is entirely outside of the roadway and one (1) foot away from the curb.

f. The sign does not obstruct the sidewalk and shall maintain at least four (4) contiguous feet of unobstructed pedestrian access.

g. The sign does not obstruct pedestrian or wheelchair access from the sidewalk to transit stops, ADA parking spaces, ADA access ramps, or building exits including fire escapes.

h. The sign shall not be placed upon any City property or City owned or maintained structure in the public right-of-way including but not limited to, street sign, traffic control device, utility pole, hydrant, fence, lamp post, guardrail, tree, or other vegetation.

Temporary and special event signs for any permitted use may be displayed for a consecutive period not to exceed fifteen (15) days, for a maximum of thirty (30) days per year with the exception of “Grand Opening” type banners which may be displayed for a period not to exceed sixty (60) days. Only one (1) “Grand Opening” type banner shall be permitted for the life of the business. A subsequent “Grand Opening” type banner may be permitted when business ownership has transferred to another owner.

J. Murals.

Artistic murals which are determined by the Zoning Administrator to be permitted as wall signs
~~Wall signs which use decorative artistry as their most prominent feature to attract attention~~
may be permitted to exceed the maximum allowable size subject to the issuance of a Conditional Use Permit.

K. Historically Significant Signs.

Signs which an applicant can demonstrate as having significant historical value to a neighborhood or to the community at large may be repaired and/or relocated, regardless of applicable zoning district and nonconformity regulations, subject to the issuance of a Conditional Use Permit.

L. Billboards.

1. Billboards shall only be permitted in the Motor Business (MB) and Industrial (I) Zoning Districts and shall be subject to the following restrictions:

a. Shall only be placed on a lot that is at least two thousand five hundred (2,500) square feet in size or on a lot that was recognize by the City as building lot prior to the enactment date of this Sign Code;

b. Shall be located on property within fifty feet (50) of U.S. Highway 95 or State Highway 8 right-of-way;

c. Shall be spaced no closer than one thousand five hundred feet (1,500') of another billboard sign;

d. Shall not exceed three hundred (300) square feet per facing with no more than two (2) facings that intersect at no greater than a one hundred thirty-five degree (135°) angle (a tri-action sign shall be considered as one which has more than two (2) facings);

e. Shall not exceed twenty-five feet (25') in height;

f. The source of illumination shall be external and not directly visible from any location on any adjacent lot or right-of-way; and

g. Shall maintain a minimum clear distance of eight feet (8') from the bottom of the sign to the ground below it or a minimum of fourteen feet (14') if the ground below is a driveway.

L. Political Campaign Signs.

1. Placement of Political Campaign Signs in Zoning Districts:

Political Campaign Signs may be posted on private property in the City with the permission of the owner or lessee or their agent(s) or representative(s) in accordance with the following:

a. Residential Zoning Districts. A maximum of six (6) square feet of total area per Political Campaign Sign shall be permitted on private property.

b. Commercial Zoning Districts. A maximum of thirty two (32) square feet of total area per Political Campaign Sign shall be permitted on private property with the permission of the owner or lessee or their agent(s) or representative(s). Every Political Campaign Sign

exceeding thirty two (32) square feet of total area shall comply with regulations applicable to the respective Commercial Zoning District in this Sign Code.

2. ~~Posting and Removal.~~

~~—No Political Campaign Sign shall be posted more than sixty (60) days preceding the first day of primary, election or vote for the office or ballot measure with which such is associated. Every Political Campaign Sign shall be removed within seven (7) days following the day of final election or vote for the office or ballot measure with which it is associated.~~

3. ~~Removal by City.~~

~~—Political Campaign Signs which do not comply with this Subsection may be removed by the City and held until retrieved by the candidate and/or representative of the campaign or ballot measure with which they are associated.~~

M. Off-premise Signs.

Off-premise signs shall only be permitted on lots within the Motor Business (MB) and Industrial (I) Zoning Districts and shall be subject to the sign regulations of the Zoning District in which the lot is located within. Billboards are a type of off-premise sign and are regulated by Section L above.

MN. Sign Area/ Size Calculations.

1. The area of a sign shall be determined by calculating the area within the smallest rectangle that encloses the outermost edges of the sign face, or any combination of the areas of all such rectangles enclosing the outermost edges of each sign face module, plus any frame work or structure, texture, writing, symbols, logos, or color, and any other form of display that is part of or attracts attention to the sign, or is used to differentiate the sign face from the structure upon which it is placed.
2. For any sign designed or intended to be readily and routinely changed, the sign face area shall include the entire area within which any design elements could be placed, plus any frame or material, texture, writing, symbols, logos, or color, framework or structure, together with any other form of display that is part of or attracts attention to the sign, or is used to differentiate the sign face from the structure upon which it is placed.
3. The area of two (2) sided or double faced signs shall be calculated using only one (1) sign facing, provided that the intersection of the two (2) sign facings forms not greater than a one hundred thirty-five degree (135°) angle; further provided that when the intersection of the two sign facings forms greater than one hundred thirty-five degree (135°) angle, the sign area shall be calculated as the sum of the areas of both sign facings.
4. The area of a sign that contains greater than two (2) sign facings shall be calculated as the sum of the areas of all the sign facings.

O. Permitted Signs in Residential Zoning Districts.

Permitted Signs in Residential Zones			
NON-RESIDENTIAL USES	AF and FR	SR, R-1, R-2, R-3	R-4
Freestanding Signs			
Maximum sf	20 sf	20 sf	32 sf
Maximum height	10 ft	10 ft	10 ft
Number of signs permitted	1 per each lot street frontage	1 per each lot street frontage	1 per each lot street frontage
Setback from property line	None	None	None
Minimum clearance above driveway (if applicable)	14 ft	14 ft	14 ft
Monument Signs			
Maximum sf	20 sf	20 sf	32 sf
Maximum height	10 ft	10 ft	10 ft
Number of signs permitted	1 per each lot street frontage	1 per each lot street frontage	1 per each lot street frontage
Projecting Signs			
Maximum sf	12 sf	12 sf	12 sf
Clearance from grade to sign bottom	8 ft	8 ft	8 ft
Clearance from driveway grade to sign bottom	14 ft	14 ft	14 ft
Number of signs permitted	1 per lot	1 per lot	1 per lot
Suspended Signs			
Maximum sf	12 sf	12 sf	12 sf
Clearance from grade to sign bottom	8 ft	8 ft	8 ft
Clearance from driveway grade to sign bottom	14 ft	14 ft	14 ft
Number of signs permitted	1 per lot	1 per lot	1 per lot
Wall Signs			
Total sf	1 sf times the length of the wall in feet, each wall calculated separately	1 sf times the length of the wall in feet, each wall calculated separately	1 sf times the length of the wall in feet, each wall calculated separately
Other Standards			
Illumination	External illumination only; however, no strobe lights, flashing lights, rotary lights, or beacons shall be permitted and the source of illumination shall not be visible from any adjoining street or property.	External illumination only; however, no strobe lights, flashing lights, rotary lights, or beacons shall be permitted and the source of illumination shall not be visible from any adjoining street or property.	External illumination only; however, no strobe lights, flashing lights, rotary lights, or beacons shall be permitted and the source of illumination shall not be visible from any adjoining street or property.

P. Permitted Signs in Commercial Zoning Districts.

Permitted Signs in Commercial Zones				
	RO and NB	CB, UMC, and GB	MB and I	RTO and U
Freestanding Signs				
Maximum sf	32 sf	120 sf	100 sf ¹	64 sf
Maximum height	10 ft	25 ft	25 ft	10 ft
Number of signs permitted	1 per each lot street frontage	1 per each lot street frontage	1 per each 300 ft of lot street frontage or fraction thereof	1 per each lot street frontage
Setback from property line	None	None	5 ft for support structure	None
Minimum clearance above driveway (if applicable)		14 ft	14 ft	
Monument Signs				
Maximum sf	32 sf	32 sf	24 sf if within 10 ft of right-of-way ² 60 sf if beyond 10 ft of right-of-way ⁴	64 sf
Maximum height	10 ft	10 ft	4 ft if within 10 ft of right-of-way ³ 15 ft if beyond 10 ft of right-of-way	10 ft
Number of signs permitted	1 per each lot street frontage	1 per each lot street frontage	1 per each 200 ft of lot street frontage or fraction thereof	1 per each lot street frontage
Projecting Signs				
Maximum sf		50 sf	50 sf	
Clearance from grade to sign bottom	8 ft	8 ft	8 ft	8 ft
Clearance from driveway grade to sign bottom	14 ft	14 ft	14 ft	14 ft
Number of signs permitted		1 per business, profession, institution, organization, or enterprise		
Suspended Signs				
Maximum sf		12 sf	12 sf	
Clearance from grade to sign bottom	8 ft	8 ft	8 ft	8 ft
Clearance from driveway grade to sign bottom	14 ft	14 ft	14 ft	14 ft
Number of signs permitted		1 per business, profession, institution, organization, or enterprise		
Roof Signs				
Maximum sf	NP	NP	80	NP
Number of signs permitted	NP	NP	1	NP
Wall Signs				
Total sf	1 sf times the length of the wall in feet, each wall calculated separately	3 sf times the length of the wall in feet, each wall calculated separately	3 sf times the length of the wall in feet, each wall calculated separately	1 sf times the length of the wall in feet, each wall calculated separately

	RO and NB	CB, UMC, and GB	MB and I	RTO and U
Portable Signs⁵				
Maximum size				
Sandwich Board Signs	3 ft in width, 4ft in height	3 ft in width, 4ft in height	3 ft in width, 4ft in height	NP
Freestanding Banner Signs	NP	NP	13 ft in height, 24 sf in size	NP
Number of signs permitted	1 sign per business or entity	1 sign per business or entity	1 sign per each 100 ft of lot frontage. At least 1 sign shall be allowed per each lot street frontage and business. No more than 3 signs shall be permitted for any single lot frontage	NP
Dynamic Display Signs⁶				
Permitted Locations		GB only	MB and I	
Maximum Sign Area Per Building Lot		150 sf per building lot	150 sf per building lot	
Maximum Single Dynamic Display Sign Size		50 sf	100 sf	
Other Standards				
Illumination	External illumination only; however, no strobe lights, flashing lights, rotary lights, or beacons shall be permitted and the source of external illumination shall not be visible from any adjoining street or property.	Internal or external illumination; however, no strobe lights, flashing lights, rotary lights, or beacons shall be permitted and the source of external illumination shall not be visible from any adjoining street or property.	Internal or external illumination; however, no strobe lights, flashing lights, rotary lights, or beacons shall be permitted and the source of external illumination shall not be visible from any adjoining street or property.	External illumination only; however, no strobe lights, flashing lights, rotary lights, or beacons shall be permitted and the source of external illumination shall not be visible from any adjoining street or property.

NOTES

¹ Plus ten (10) square feet for each entity in excess of one (1) advertised on the sign and located on the lot, to a maximum increase of one hundred (100) square feet for such additional entities, plus one-half (1/2) square foot for each one (1) square foot of landscaping to a maximum increase of one hundred (100) square feet for such landscaping; provided that no such sign shall contain greater than three hundred (300) square feet of sign area.

² Plus twelve (12) square feet if a minimum of fifty (50) square feet of landscaping is provided around the base of the sign.

³ Except that a monument sign not greater than three feet (3') in width may be allowed a maximum height of eight feet (8').

⁴ Plus thirty (30) square feet if a minimum of one hundred (100) square feet of landscaping is provided around the base of the sign.

⁵ Subject to Portable Sign Standards within Section 4-3-4 of this Zoning Code

⁶ Subject to Dynamic Display Sign Standards within Section 4-3-4 of this Zoning Code

~~N. Permitted Signs in the AF and FR Zoning Districts.~~

- ~~1. City owned entrance, welcome, and identification signs.~~
- ~~2. A maximum of thirty-two (32) square feet of total sign area, identifying a permitted institutional, public service, utility facility or commercial use located on the lot.~~
- ~~3. A maximum of one (1) freestanding sign on each lot street frontage.~~
- ~~4. No freestanding sign shall exceed twenty (20) square feet in size or ten feet (10') in height.~~

- ~~5. Signs may be externally illuminated only; no strobe lights, flashing lights, rotary lights, or beacons shall be permitted, and the source of any illumination shall not be visible from any adjoining street or property.~~
 - ~~6. No roof sign or portable sign shall be permitted.~~
 - ~~7. A projecting or suspended sign shall maintain a minimum clearance of eight feet (8') to the ground below or fourteen feet (14') if over a driveway.~~
 - ~~8. No projecting sign shall exceed a height of thirty inches (30") above the building wall.~~
- ~~O. Permitted Signs in the SR, R-1, R-2 and R-3 Zoning Districts.~~
- ~~1. A maximum of one (1) monument or freestanding sign per lot street frontage.~~
 - ~~2. No monument or freestanding sign shall exceed twenty (20) square feet in size, nor ten feet (10') in height identifying a permitted institutional, public service, or utility facility located on the lot.~~
 - ~~3. No monument or freestanding sign shall exceed four (4) square feet in size identifying a permitted commercial use located on the lot.~~
 - ~~4. Signs may be externally illuminated only; no strobe lights, flashing lights, rotary lights, or beacons shall be permitted, and the source of illumination shall not be visible from any adjoining street or property.~~
 - ~~5. The total area of wall signs on a building wall shall not exceed one (1) square foot times the length in feet of the wall; each wall calculated separately.~~
 - ~~6. No roof sign or portable sign shall be permitted.~~
 - ~~7. A projecting or suspended sign shall maintain a minimum clearance of eight feet (8') to the ground below or fourteen feet (14') if over a driveway.~~
 - ~~8. No projecting signs shall exceed a height of thirty inches (30") above the building wall.~~
- ~~P. Permitted signs in the R-4, RO and NB Zoning Districts.~~
- ~~1. A maximum of one (1) monument or freestanding sign on each lot street frontage.~~
 - ~~2. No monument or freestanding sign shall exceed thirty-two (32) square feet in size nor ten feet (10') in height.~~
 - ~~3. The total area of wall signs on a building wall shall not exceed one (1) square foot times the length in feet of the wall; each wall calculated separately.~~
 - ~~4. Signs may be externally illuminated only; no strobe lights, flashing lights, rotary lights, or beacons shall be permitted, and the source of any illumination shall not be visible from any adjoining street or property.~~
 - ~~5. No roof sign or portable sign shall be permitted.~~
 - ~~6. A projecting or suspended sign shall maintain a minimum clearance of eight feet (8') to the ground below or fourteen feet (14') if over a driveway.~~
 - ~~7. No projecting sign shall exceed a height of thirty inches (30") above the building wall.~~
- ~~Q. Permitted Signs in the RTO and "U" Zoning Districts.~~
- ~~1. A maximum of one (1) monument or freestanding sign on each lot street frontage.~~
 - ~~2. No monument or freestanding sign shall exceed sixty-four (64) square feet in size nor ten feet (10') in height.~~
 - ~~3. The total area of wall signs on a building wall shall not exceed one (1) square foot times the length in feet of the wall; each wall calculated separately.~~
 - ~~4. Signs may be externally illuminated only; no strobe lights, flashing lights, rotary lights, or beacons shall be permitted, and the source of illumination shall not be visible from any adjoining street or property.~~
 - ~~5. No roof sign or portable sign shall be permitted.~~

~~6. A projecting or suspended sign shall maintain a minimum clearance of eight feet (8') to the ground below or fourteen feet (14') if over a driveway.~~

~~7. No projecting sign shall exceed a height of thirty inches (30") above the building wall.~~

~~R. Permitted Signs in the CB, UMC and GB Zoning Districts.~~

~~1. A maximum of either one (1) freestanding sign or one monument sign on each lot street frontage.~~

~~2. No freestanding sign shall exceed one hundred twenty (120) square feet in size not twenty-five feet (25') in height.~~

~~3. Any freestanding sign erected over a driveway shall maintain a minimum clearance of fourteen feet (14') to the driveway surface.~~

~~4. A maximum of one (1) projecting sign and one (1) suspended sign per business, profession, institution, organization or enterprise on each lot street frontage. No projecting sign shall exceed fifty (50) square feet in size, nor shall it exceed a height of thirty inches (30") above the building wall.~~

~~5. No suspended sign shall exceed twelve (12) square feet in size.~~

~~6. A projecting or suspended sign shall maintain a minimum clearance of eight feet (8') to the ground below or fourteen feet (14') if over a driveway.~~

~~7. No projecting sign shall exceed a height of thirty inches (30") above the building wall.~~

~~8. The total area of wall signs on a building wall shall not exceed three (3) square feet times the length in feet of the wall, each wall calculated separately.~~

~~9. Signs may be internally or externally illuminated, however, no strobe lights, flashing lights, rotary lights, or beacons shall be permitted and the source of illumination shall not be visible from any adjoining street or property.~~

~~10. No roof sign shall be permitted.~~

~~11. Portable Signs as permitted in Section T of this Sign Code.~~

~~S. Permitted Signs in the MB and "T" Zoning Districts.~~

~~1. Freestanding Signs:~~

~~a. No freestanding sign shall be allowed to overhang the public right-of-way.~~

~~b. No upright, brace, pole, or other part of a sign support structure erected or constructed after the enactment date of this Sign Code, shall be closer than five feet (5') to the public right-of-way.~~

~~c. Except as provided in paragraph M.C.C. 4-6-13(S)(1)(g) below, no freestanding sign shall contain greater than one hundred (100) square feet of sign area, plus ten (10) square feet for each entity in excess of one (1) advertised on the sign and located on the lot, to a maximum increase of one hundred (100) square feet for such additional entities, plus one-half (1/2) square foot for each one (1) square foot of landscaping to a maximum increase of one hundred (100) square feet for such landscaping; provided that no such sign shall contain greater than three hundred (300) square feet of sign area. Any sign utilizing the above-mentioned landscaping bonus shall have such landscaping situated at or near the base of the sign in such a manner as to buffer the visual impact of the sign structure to passers by along the street frontage. The signage landscaping shall be in addition to any other required landscaping and consist of groundcover (such as bark chips, river rock, mulch, etc.) plus trees and shrubs or trees and perennials which will achieve one hundred percent (100%) coverage within ten (10) years of planting. Annual plantings, ivy and turf may be included provided that they do not cover in excess of fifteen percent (15%) of the landscaped area.~~

~~d. No freestanding sign shall exceed twenty-five feet (25') in height.~~

~~e. Any freestanding sign erected over a driveway must maintain a minimum clearance of fourteen feet (14') from the bottom of the sign to the driveway surface.~~

~~f. Except for signs permitted by M.C.C. 4-6-13(S)(1)(g) below the total number of freestanding signs on each lot street frontage shall be limited to one (1) per each three hundred feet (300') of lot street frontage or additional part thereof; however, no freestanding sign shall be permitted on any lot created after the enactment date of this Sign Code that has less than two thousand five hundred (2,500) square feet of lot area.~~

~~g. An additional freestanding sign (billboard) may be permitted to exceed one hundred (100) square feet of sign area, exclusive of increases for multiple entities or landscaping, provided such freestanding sign meets the following requirements:~~

~~i. it is on a lot that is at least two thousand five hundred (2,500) square feet in size or on a lot that was recognize by the City as building lot prior to the enactment date of this Sign Code;~~

~~ii. it is located on property within fifty feet (50') of U.S. Highway 95 or State Highway 8 right-of-way;~~

~~iii. it be spaced no closer than one thousand five hundred feet (1,500') of another sign permitted by this paragraph M.C.C. 4-6-13(S)(1)(g);~~

~~iv. it not exceed three hundred (300) square feet per facing with no more than two (2) facings that intersect at no greater than a one hundred thirty-five degree (135°) angle (a tri-action sign shall be considered as one which has more than two (2) facings);~~

~~v. it not exceed twenty-five feet (25') in height;~~

~~vi. if illuminated, the source of illumination be external and not directly visible from any location on any adjacent lot or right-of-way.~~

~~vii. it maintain a minimum clear distance of eight feet (8') from the bottom of the sign to the ground below it or a minimum of fourteen feet (14') if the ground below is a driveway.~~

~~2. Monument Signs.~~

~~a. A monument sign located within ten feet (10') of a street right-of-way shall not exceed twenty-four (24) square feet in size plus twelve (12) square feet if a minimum of fifty (50) square feet of landscaping is provided around the base of the sign.~~

~~b. A monument sign located within ten feet (10') of a street right-of-way shall not exceed four feet (4') in height, except that a monument sign not greater than three feet (3') in width may be allowed a maximum height of eight feet (8').~~

~~c. A monument sign located beyond ten feet (10') from a street right-of-way shall not exceed sixty (60) square feet in size plus thirty (30) square feet if a minimum of one hundred (100) square feet of landscaping is provided around the base of the sign. The signage landscaping shall be in addition to any other required landscaping and consist of groundcover (bark chips, river rock, mulch, etc.) plus trees and shrubs or trees and perennials which achieve one hundred percent (100%) coverage within ten (10) years of planting. Annual plantings, ivy and turf may be included provided that they do not cover in excess of thirty percent (30%) of the landscaped area.~~

~~d. A monument sign located beyond ten feet (10') from a street right-of-way shall not exceed fifteen feet (15') in height.~~

~~e. The total number of monument signs on each lot street frontage shall be limited to the greater of the following: one (1) per lot street frontage of fifty feet (50') or more or one (1) on each two hundred feet (200') of lot street frontage or additional part thereof.~~

- ~~3. Projecting and Suspended Signs~~
 - ~~a. No projecting sign shall exceed fifty (50) square feet in size and no suspended sign shall exceed twelve (12) square feet in size.~~
 - ~~b. No projecting sign shall exceed a height of thirty inches (30") above the building wall.~~
 - ~~c. A projecting or suspended sign shall maintain a minimum clearance of eight feet (8') from the bottom of the sign to the ground below it, or a minimum of fourteen feet (14') if the ground below is a driveway.~~
 - ~~d. A maximum of one (1) projecting sign and one (1) suspended sign per business, enterprise, profession, institution, or organization on each lot street frontage.~~
- ~~4. Roof Signs.~~
 - ~~a. A maximum of one (1) roof sign, not to exceed eighty (80) square feet in size, per building.~~
 - ~~b. No roof sign shall exceed twenty five feet (25') in height above the ground.~~
- ~~5. Wall Signs.~~

~~The total area of wall signs on a building wall shall not exceed three (3) square feet times the length in feet of the wall, each wall calculated separately.~~
- ~~6. Portable Signs as permitted in Section T of this Sign Code.~~
- ~~7. Illumination.~~

~~Signs may be internally or externally illuminated; no strobe lights, flashing lights, rotary lights, or beacons shall be permitted, and the source of any illumination shall not be visible from any adjoining street or property.~~

Q. Portable Sign Standards.

- 1. Portable Signs located in the Central Business (CB) and Urban Mixed Commercial (UMC) Zoning Districts.
 - a. Materials shall be solid and durable, and there shall be no lighting.
 - b. Location:
 - i. Portable Signs may be located on private property or the public right-of-way.
 - ii. Portable Signs shall be directly in front of the business they serve.
 - iii. A minimum clear width of at least six feet (6') shall be maintained on public right-of-way for the safe movement of pedestrians, and the location shall be subject to the approval of the City Engineer.
 - c. Anchoring. Portable Signs shall be suitably anchored, weighted or designed to be resistant to the wind and shall be removed from public right-of-way at the end of each business day and shall not be displayed during the non-business hours of the commercial use such signs advertise.
 - d. Hold Harmless Agreement. Any person or business placing a Portable Sign upon the public right-of-way in conformance with this Section shall execute an agreement by which the person or business placing such Portable Sign accepts any and all liability for damages of any nature suffered by anyone as a result of the placement or maintaining of such Portable Sign and further shall agree to hold the City harmless from and indemnify the City for any such claims for damages.
- 2. Portable Signs located in the General Business (GB) and Motor Business (MB) Zoning Districts.
 - a. Materials shall be solid and durable, and there shall be no lighting.
 - b. Anchoring. Portable Signs shall be suitably anchored, weighted or designed to be resistant to the wind.

c. Portable Signs shall not be placed upon public right-of-way and shall not present a visual sight obstruction upon adjacent streets, as determined by the City Engineer. Where the physical development or other special circumstances of the property prohibit the placement of Portable Signs upon private property, Portable Signs may be allowed upon the adjacent public right-of-way upon the issuance of an encroachment permit from the agency having jurisdiction over said public right-of-way.

d. All Portable Signs shall be removed at the end of each business day and shall not be displayed during the non-business hours of the commercial use such signs advertise.

e. Portable Signs displayed within private parking lots (such as malls or shopping centers) that are not oriented toward and readily visible from adjacent public streets shall not be regulated by this Sign Code.

f. Portable Signs that are tattered, torn, or in a state of disrepair are prohibited.

~~T. Permitted Portable Signs. Portable Signs shall be permitted as follows:~~

~~1. Central Business (CB) and Urban Mixed Commercial (UMC) Zoning District. Portable Signs shall be permitted within the Central Business (CB) and Urban Mixed Commercial (UMC) Zoning Districts on private property and on public right-of-way and shall be subject to the following restrictions:~~

~~a. Maximum number permitted shall be one (1) Portable Sign per each one hundred feet (100') of building frontage. At least one (1) Portable Sign shall be permitted for each building.~~

~~b. Maximum size shall be four feet (4') in height, and three feet (3') in width.~~

~~c. Materials shall be solid and durable, and there shall be no lighting.~~

~~d. Location:~~

~~i. Portable Signs shall be directly in front of the business they serve.~~

~~ii. A minimum clear width of at least six feet (6') shall be maintained on public right-of-way for the safe movement of pedestrians, and the location shall be subject to the approval of the City Engineer.~~

~~e. Anchoring. Portable Signs shall be suitably anchored, weighted or designed to be resistant to the wind and shall be removed from public right-of-way at the end of each business day and shall not be displayed during the non-business hours of the commercial use such signs advertise.~~

~~f. Hold Harmless Agreement. Any person or business placing a Portable Sign upon the public right-of-way in conformance with this Section shall execute an agreement by which the person or business placing such Portable Sign accepts any and all liability for damages of any nature suffered by anyone as a result of the placement or maintaining of such Portable Sign and further shall agree to hold the City harmless from and indemnify the City for any such claims for damages.~~

~~2. General Business (GB) and Motor Business (MB) Zoning Districts. Portable Signs shall be permitted in the General Business (GB) and Motor Business (MB) Zoning Districts subject to the following restrictions:~~

~~a. Maximum number permitted shall be no more than one (1) Portable Sign per each one hundred feet (100') of lot frontage. At least one (1) Portable Sign shall be allowed per each lot street frontage. No more than three (3) Portable Signs shall be permitted for any single lot frontage.~~

~~b. Maximum Size:~~

~~i. Sandwich Board Signs: Four feet (4') in height and three feet (3') in width.~~

- ~~ii. Freestanding Banner Signs: Thirteen feet (13') in height and twenty four (24) square feet in size.~~
- ~~c. Portable Signs shall be constructed of solid and durable materials and shall not include lighting or reflective materials.~~
- ~~d. Portable Signs shall be suitably anchored, weighted or designed to be resistant to the wind.~~
- ~~e. Portable Signs shall not be placed upon public right-of-way and shall not present a visual sight obstruction upon adjacent streets, as determined by the City Engineer. Where the physical development or other special circumstances of the property prohibit the placement of Portable Signs upon private property, Portable Signs may be allowed upon the adjacent public right-of-way upon the issuance of an encroachment permit from the agency having jurisdiction over said public right-of-way.~~
- ~~f. All Portable Signs shall be removed at the end of each business day and shall not be displayed during the non-business hours of the commercial use such signs advertise.~~
- ~~g. Portable Signs displayed within private parking lots (such as malls or shopping centers) that are not oriented toward and readily visible from adjacent public streets shall not be regulated by this Sign Code.~~
- ~~h. Portable Signs that are tattered, torn, or in a state of disrepair are prohibited.~~
- UR. Dynamic Display ~~Signs~~Sign Standards. Dynamic Display Signs shall be permitted as follows:
1. Permitted Locations.
Dynamic Display Signs shall be permitted only within the Motor Business (MB), General Business (GB), and Industrial (I) Zoning Districts, subject to the standards contained herein.
 2. Maximum Dynamic Display Sign Area Per Building Lot.
The total Dynamic Display Sign area shall not exceed one hundred fifty (150) square feet per building lot.
 3. Maximum Single Dynamic Display Sign Size. No single Dynamic Display Sign shall exceed one hundred (100) square feet in size within the Motor Business (MB) and Industrial (I) Zoning Districts, or fifty (50) square feet within the General Business (GB) Zoning District.
 4. Dynamic Display Sign Messaging. Dynamic Display Signs shall not include any illumination or image which moves continuously, appears to be in motion or has any moving or animated parts or video displays or broadcasts. No Dynamic Display Sign shall include any illumination which is flashing or moving, except as allowed for transition between images or displays. Dynamic display shall not use blinking, bursting, distorting, flashing, oscillating, rotating, shimmering, sparkling, streaming, tracing, traveling text, and/or twinkling effects that imitates or interferes with the effectiveness of any official traffic control device or which otherwise impedes the safe and efficient flow of traffic.
 5. Hold Time.
Dynamic display shall not change or move more often than once every eight (8) seconds.
 6. ~~Transitions.~~
~~Transition from one (1) image or display to the next image or display shall be accomplished in two (2) seconds or less. Fading, scrolling, and/or dissolving effects may be used as part of such transition.~~
 76. Other Sensory Measures. Dynamic Display Signs shall not emit or utilize any sound or smell that is capable of being detected.
 87. Display Malfunctions.

The Dynamic Display Sign owner shall stop all dynamic display within twenty four (24) hours following receipt of notice from the City that the Dynamic Display Sign is malfunctioning or is otherwise not in compliance with the standards of this Sign Code.

98. Brightness.

a. Dynamic Display Signs shall not exceed a maximum illumination of eight thousand (8,000) nits (candelas per square meter) during daylight hours or more than five hundred (500) nits during nighttime hours (sunset to sunrise), as measured from the Dynamic Display Sign's face when such Sign is set at full white display.

b. In addition to the illumination limits herein, no Dynamic Display Sign shall result in an increase of more than three tenths (0.3) of one foot candle above existing ambient light levels utilizing the following procedure:

Within a time period of at least thirty (30) minutes past sunset and (30) minutes prior to sunrise on the same night, an ambient light first reading shall be taken using an appropriate foot candle meter while the subject Dynamic Display Sign is off or is displaying all black display. Such first reading shall be taken with the light meter aimed directly at the Dynamic Display Sign at a distance which shall be equal to the square root of the Dynamic Display Area multiplied by one hundred (100) (i.e., $[\text{SQRT}(\text{sign area in sq. ft.} \times 100)]$). A second reading from the same location as the first reading shall be taken in the same manner as the first reading while the subject Dynamic Display Sign is displaying full white display. The difference between the two readings shall not exceed three tenths (0.3) of one foot candle.

c. Dynamic Display Signs shall be equipped with automatic dimming technology that automatically adjusts the Dynamic Display Area's brightness, based on ambient light conditions.

109. No Interference with Traffic Control Devices. No Dynamic Display Sign shall obscure or interfere with the effectiveness of any official traffic sign, device, or signal, as determined by the City Engineer.

110. Nonconformities.

a. Dynamic Display Signs in place on the date of adoption of this Dynamic Display Signs subsection shall comply with all the operational standards of this subsection to the extent that is technically feasible when considering the operational control capabilities of such existing Dynamic Display Sign.

b. A Dynamic Display Sign in place on the date of adoption of this Dynamic Display Sign subsection which is designed and intended to display only text messages that do not fit completely within the display area at one time (e.g., scrolling messages, serially displayed messages, etc.) and which do not contain any graphic images, may scroll or display portions of a message that is statically displayed for a duration of no less than one (1) second, if such is done in a consistent and predictable manner that does not result in flashing of the display.

c. An existing Dynamic Display Sign that does not meet the structural requirements of this Dynamic Display Sign subsection may continue as a nonconforming sign, subject to the regulation of non-conforming signs in this Sign Code.

VS. Internally Illuminated Signs. No internally illuminated sign shall exceed the following illumination standards:

1. No internally illuminated sign shall exceed a maximum illumination of eight thousand (8,000) nits (candelas per square meter) during local daylight hours (sunrise to sunset) or more than five hundred (500) nits during local nighttime hours (sunset to sunrise), as measured from the internally illuminated sign's face.

2. In addition to the illumination limits in this illuminated sign subsection, no internally illuminated sign shall cause an increase of more than three tenths (0.3) of one foot candle above existing ambient light levels when measured utilizing the following procedure:

Within a time period of at least thirty (30) minutes past sunset and thirty (30) minutes prior to sunrise on the same night, an ambient light first reading shall be taken using an appropriate foot candle meter while the subject sign is off. Such first reading shall be taken with the light meter aimed directly at the subject sign at a distance which shall be equal to the square root of the illuminated sign area multiplied by one hundred (100) (i.e., $[\text{SQRT}(\text{sign area in sq. ft.} \times 100)]$). A second reading from the same location as the first reading shall be taken in the same manner while the subject sign is illuminated. The difference between the two readings shall not exceed three tenths (0.3) of one foot candle.

3. Internally illuminated signs shall be equipped with automatic dimming technology that automatically adjusts the display portions' brightness, based on ambient light conditions.

...

SECTION 2: SEVERABILITY. Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions. The remaining sections of Title 4 shall be in full force and effect.

SECTION 3: EFFECT ON OTHER ORDINANCES. Where the definitions contained in this Ordinance are in conflict with relevant portions of the City of Moscow, Idaho, Municipal Code, the definitions contained within those portions of the Moscow Municipal Code will be unaffected until such time, if any, as they are amended to be consistent with this Ordinance.

SECTION 4: EFFECTIVE DATE. This Ordinance shall be effective upon its passage, approval, and publication according to law.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2020.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk