

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair
p&z@ci.moscow.id.us

Regular Meeting ~Agenda~

Mike Ray
Staff Liaison
208.883.7008

<https://www.ci.moscow.id.us/581/Agendas-and-Minutes>

**Wednesday
January 13, 2021**

7:00 PM

**Council Chambers
206 E 3rd Street**

The Planning & Zoning Commissioners and Staff welcome you to tonight's meeting. Due to the rise in COVID-19 cases in the area, the meeting is open to the public, but is subject to social distancing protocols and masks will be required of attendees. If you do not have a mask, a disposable mask will be provided. Per the modified Stage 2 of the Idaho Rebounds Plan, the number of attendees at any one time is limited to no more than 10. We appreciate and encourage public participation. Please note that Planning & Zoning Commission meetings are televised, videotaped and/or recorded. Thank you for your interest in City government.

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. Approval of December 9, 2020 Minutes (ACTION ITEM):

PROPOSED ACTIONS: 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 resident city for the record and limit your remarks to three minutes.)

3. Election of Officers (ACTION ITEM):

PROPOSED ACTION: Nominate and elect a Chair, Vice Chair, and Second Vice Chair for 2021.

4. Approval of Reasoned Statement of Relevant Criteria and Standards (ACTION ITEM):

Proposal for Rezone and Preliminary Plat for Property Generally Located East of the City Limits Boundary and South of Robinson Park Road in the Area of City Impact - LUP2020-0027 and LUP2020-0028:

1. Proposed rezone of an 8.62-acre area of land generally located east of the City Limits boundary and south of Robinson Park Road within the Area of City Impact from the Agriculture/Forestry (AF) Zone to the Suburban Residential (SR) Zone.
2. Proposed preliminary subdivision plat of an 8.62-acre area of land generally located east of the City Limits boundary and south of Robinson Park Road within the Area of City Impact to create four (4) lots ranging from 1.71 acres to 2.75 acres in size, referred to as the Cappybara Short Plat.

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

NOTICE: Moscow 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.

5. Public Art Lighting Discussion (ACTION ITEM):

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 has requested 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. The Commission conducted a special meeting on January 11, 2021 and reviewed different lighting options at the Helioterra public art installation.

PROPOSED ACTION: Discuss the potential code amendment and provide staff further direction if necessary.

REPORTS

1. Transportation Commission meeting report.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

1. Next Planning & Zoning Commission regular meeting scheduled for February 10, 2021.

ADJOURN

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair
p&z@ci.moscow.id.us

~Meeting Minutes~
December 9, 2020

Mike Ray
Staff Liaison
208.883.7008

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

McClure called the meeting to order at 7:02 PM

MEMBERS PRESENT: Wendy McClure (virtual), Chair; Rich Beebe (virtual), Joel Hamilton (virtual), Robb Parish (virtual), Nels Reese (virtual), Victoria Seever

MEMBERS ABSENT: Scott Gropp, Michael Nelsen, Dennis Wilson

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

1. Approval of November 4, 2020 Minutes

Hamilton moved for approval of the minutes as presented, seconded by Parish. Vote by Acclamation: Ayes: Unanimous (6). Nays: None. Abstentions: None. Motion carried.

2. Public Comment

None.

3. Public Hearing: Proposal for Rezone and Preliminary Plat for Property Generally Located East of the City Limits Boundary and South of Robinson Park Road in the Area of City Impact - LUP2020-0027 and LUP2020-0028

1. Proposed rezone of an 8.62-acre area of land generally located east of the City Limits boundary and south of Robinson Park Road within the Area of City Impact from the Agriculture/Forestry (AF) Zone to the Suburban Residential (SR) Zone.

2. Proposed preliminary subdivision plat of an 8.62-acre area of land generally located east of the City Limits boundary and south of Robinson Park Road within the Area of City Impact to create four (4) lots ranging from 1.71 acres to 2.75 acres in size, referred to as the Cappybara Short Plat.

The subject property is within the Moscow Area of City Impact. The City of Moscow Planning and Zoning Commission will make a recommendation to the Latah County Board of County Commissioners regarding this matter.

Ray presented the applications for a rezone and the Cappybara preliminary plat as described above. Wells and septic systems would be need to be approved and constructed upon each parcel of the plat. The location of the subject property is challenging to serve with City utilities, so Staff does not recommend annexation at this time. The proposed zone is Suburban Residential (SR), which is an appropriate zoning district for the area.

Staff is recommending that an additional 10 feet of right-of-way be dedicated along Robinson Park Road and that street frontage improvements be required. Discussion followed pertaining to driveway access to the proposed lots. The proposed access on the northern-most parcel is along a mostly straight segment of the roadway, right before a curve in the road begins. It was clarified that the recommended right-of-way dedication would only extend along Robinson Park Road adjacent to the proposed plat. If the remnant parcel to the west was to be built upon in the future, the same 10-foot dedication of right-of-way along Robinson Park Road would be recommended by Staff at that time. The topography of the subject property makes it

difficult to provide a north/south street connection, but on the Thoroughfare Plan it shows Plant Science Road to the east connecting to Robinson Park Road.

Public Hearing opened at 7:29 PM

Scott Becker (Moscow), applicant, spoke briefly about working with the University of Idaho in regards to building a connecting road from their Farm to Robinson Park Road. Reese and applicant generally agree that growth of residential areas seem to be moving steadily to the northeast of the City. Some discussion about how residential growth to the east impacts downtown through traffic.

Public Hearing closed at 7:35 PM

Hamilton moved to recommend approval of the Rezone request to Latah County, seconded by Parish. Vote by Acclamation: Ayes: Unanimous (6). Nays: None. Abstentions: None. Motion carried.

Reese moved to recommend approval of the Preliminary Plat request to Latah County with the two conditions as recommended by Staff, seconded by Hamilton. Vote by Acclamation: Ayes: Unanimous (6). Nays: None. Abstentions: None. Motion carried.

Seever moved to direct Staff to prepare the Reasoned Statements of Relevant Criteria and Standards for the Rezone and Preliminary Plat, as recommended. Seconded by Parish. Vote by Acclamation: Ayes: Unanimous (6). Nays: None. Abstentions: None. Motion carried.

REPORTS

1. Transportation Commission Meeting Report

Transportation Commission has not met since the last Planning & Zoning Commission meeting.

ANNOUNCEMENTS

- Sustainable Environment Commission is creating a Climate Action Committee, and has requested a representative from Planning & Zoning Commission. Parish would be open to the idea of representing on that Committee.
- Asked for recommendations for Continuing Education materials:
 - Ray informed the Commission that the National Board of Realtors sent material for the members to review.
 - Discussion about a possible guest speaker to present via Zoom.

UPCOMING EVENTS/MEETINGS

- The December 23, 2020 meeting has been cancelled.
- Next regularly scheduled meeting is set for January 13, 2021.
- Gateway Final Plat and PUD will probably be presented in January.
- Another subdivision application is coming.
- Completing the Sign Code project should be wrapped up in the beginning of the next year.

The meeting adjourned at 7:55 PM

Wendy McClure, Chair

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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE REZONE OF AN EIGHT POINT SIX TWO (8.62) ACRE AREA OF LAND GENERALLY LOCATED EAST OF THE CITY LIMITS BOUNDARY AND SOUTH OF ROBINSON PARK ROAD WITHIN THE AREA OF CITY IMPACT OF THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Rezone and Preliminary Plat in the Moscow Area of City Impact on October 14, 2020; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on December 9, 2020; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, the Moscow Area of City Impact Agreement, and other applicable development regulations.
2. Per the Moscow Area of City Impact Agreement with Latah County, the Moscow Planning and Zoning Commission is to conduct one hearing and forward a recommendation on to Latah County.
3. The subject property is an eight point six two (8.62) acre area of land generally located east of the City Limits boundary and south of Robinson Park Road.
4. The subject property is currently undeveloped and being utilized as agricultural property.
5. The subject property is surrounded by the University of Idaho's Parker Farm to the south and east, a childcare center to the west, and rural residential properties to the north.
6. Within the 2019 Moscow Comprehensive Plan, which has been adopted within the Area of City Impact, the subject property is currently designated as Auto-Urban Residential.
7. According to the 2019 Comprehensive Plan, Auto-Urban Residential designated areas are intended to,

“contain predominantly single family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may

require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”

8. The subject property and adjacent properties immediately to the north, east, and south are currently zoned Agriculture/Forestry (AF). Properties to the west are located within the City Limits and are zoned a combination of Neighborhood Business (NB), Low Density Single Family Residential (R-1), and Medium Density Residential (R-3).
9. The applicant is proposing to rezone the 8.62-acre area from the Agriculture/Forestry (AF) Zone to the Suburban Residential (SR) Zone.
10. According to the City of Moscow Zoning Code, the purpose of the SR Zoning District is:

“to create and protect a permanent single-family residential neighborhood at a very low density. Where properly located and controlled, specified rural uses, including pasturage of livestock, may be allowed. Because large areas are contained within lots in this zoning district, the demand for parking is to be satisfied by spaces located entirely on private property. Public improvements are to be designed to serve the rural, low intensity uses permitted in this zoning district.”
12. Uses permitted within the SR Zone include single family dwellings, market and community gardens, group child care facilities, and public parks and recreation facilities.
13. The subject property has property frontage Robinson Park Road. Robinson Park Road is designated as a minor arterial and is developed as a 24-foot-wide paved roadway two travel lanes and minimal gravel shoulders on both sides. Since the proposed subdivision has street frontage along Robinson Park Road, which is also a minor arterial, an additional 10 feet of right-of-way dedicated for future roadway expansion is recommended by the Engineering Department.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed rezone is consistent with the 2019 Comprehensive Plan Land Use Designation of Auto-Urban Residential.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed SR Zone is compatible with the surrounding land uses which are primarily agricultural or rural residential in character.
3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical

and orderly zoning configuration for the subject area. The adjacent properties in all directions are all primarily agricultural and residential.

4. **The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed zoning and uses are suitable for the area and will not unduly burden the neighborhood of public infrastructure.
5. **The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.** The subject property has street access via Robinson Park Road, which can adequately serve any proposed development allowed in the SR Zone. Currently there is insufficient public utility services in the area and the Commission finds that annexation should not be required at this time.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the rezone request for the eight point six two (8.62) acre property from the Agriculture Forestry (AF) Zone to the Suburban Residential (SR) Zone to Latah County with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
____ day of _____, 2021.

Wendy McClure, Chair
Planning and Zoning Commission

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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE PRELIMINARY SUBDIVISION PLAT OF AN EIGHT POINT SIX TWO (8.62) ACRE AREA OF LAND LOCATED EAST OF THE CITY LIMITS BOUNDARY AND SOUTH OF ROBINSON PARK ROAD WITHIN THE AREA OF CITY IMPACT OF THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Preliminary Plat in the Moscow Area of City Impact on October 14, 2020; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on December 9, 2020; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 1999 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, the Moscow Area of City Impact Agreement, and other applicable development regulations.
2. Per the Moscow Area of City Impact Agreement with Latah County, the Moscow Planning and Zoning Commission is to conduct one hearing and forward a recommendation on to Latah County.
3. The subject property is an eight point six two (8.62) acre area of land generally located east of the City Limits boundary and south of Robinson Park Road.
4. The subject property is currently undeveloped and being utilized as agricultural property.
5. The subject property is surrounded by the University of Idaho's Parker Farm to the south and east, a childcare center to the west, and rural residential properties to the north.
6. Within the 2019 Moscow Comprehensive Plan, which has been adopted within the Area of City Impact, the subject property is currently designated as Auto-Urban Residential.
7. According to the 2019 Comprehensive Plan, Auto-Urban Residential designated areas are intended to,

“contain predominantly single family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may

require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”

8. The subject property and adjacent properties immediately to the north, east, and south are currently zoned Agriculture/Forestry (AF). Properties to the west are located within the City Limits and are zoned a combination of Neighborhood Business (NB), Low Density Single Family Residential (R-1), and Medium Density Residential (R-3).
9. The applicant is proposing to rezone the 8.62-acre area from the Agriculture/Forestry (AF) Zone to the Suburban Residential (SR) Zone.
10. According to the City of Moscow Zoning Code, the purpose of the SR Zoning District is intended to,
“to create and protect a permanent single-family residential neighborhood at a very low density. Where properly located and controlled, specified rural uses, including pasturage of livestock, may be allowed. Because large areas are contained within lots in this zoning district, the demand for parking is to be satisfied by spaces located entirely on private property. Public improvements are to be designed to serve the rural, low intensity uses permitted in this zoning district.”
12. Uses permitted within the SR Zone include single family dwellings, market and community gardens, group child care facilities, and public parks and recreation facilities.
13. The minimum lot size of the SR Zone is 1 acre in size and the minimum lot width is 100 feet.
14. The applicant is proposing to subdivide the existing 8.62-acre area to create four lots of 1.71, 1.98, 2.18, and 2.75 acres in size.
15. Three of the proposed lots are proposed to share a 50-foot-wide access and utility easement.
16. The subject property has property frontage Robinson Park Road. Robinson Park Road is designated as a minor arterial and is developed as a 24-foot-wide paved roadway two travel lanes and minimal gravel shoulders on both sides. Since the proposed subdivision has street frontage along Robinson Park Road, which is also a minor arterial, an additional 10 feet of right-of-way dedicated for future roadway expansion is recommended by the Engineering Department.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **This plat is not contradictory to the Moscow Comprehensive Plan.** The proposed preliminary plat is consistent with the underlying 2019 Comprehensive Plan Land Use Designation of Auto-Urban Residential.

2. **This plat is compatible with the Moscow Zoning Ordinance.** The proposed preliminary plat is consistent with and in conformance with the requirements and provisions of the Suburban Residential (SR) Zone.
3. **This plat is compatible with the Moscow Subdivision Ordinance.** The proposed preliminary plat is consistent and in conformance with the general requirements of the Moscow Subdivision Ordinance. With the recommended dedication of an additional 10 feet of road right-of-way along Robinson Park Road and frontage improvements, the future extension of the roadway to a minor arterial standard is feasible.
4. **This plat is considerate of the natural features of the subject land.** The proposed preliminary plat provides for development of the subject property in conformance and consideration of the natural contours of the subject property.
5. **This plat is not expected to place an undue burden on public services and infrastructure, and does not pose an apparent threat to the public health, safety or welfare.** The subject property has direct access to Robinson Park Road, which is a minor arterial. The applicant will be required to obtain proper approval for water and sewer to the subject property.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the preliminary plat request for the eight point six two (8.62) acre property to Latah County with two conditions:

1. The applicant shall dedicate an additional 10 feet of right-of-way along the full frontage of the property adjacent to Robinson Park Road to provide 35 feet of width south of the existing centerline of Robinson Park Road to meet the existing minor arterial street standard.
2. The applicant shall construct public frontage improvements along Robinson Park Road in accordance with the City of Moscow Standard Construction Drawings and Specifications.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
____ day of _____, 2021.

Wendy McClure, Chair
Planning and Zoning Commission