

PLANNING & ZONING COMMISSION



Robb Parish
Commission Chair
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Regular Meeting ~Minutes~

Mike Ray
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<https://www.ci.moscow.id.us/457/Planning-Zoning-Commission>

**Wednesday
March 10, 2021**

7:00 PM

**Council Chambers
206 E Third Street**

The meeting was called to order at 7:00 PM

MEMBERS PRESENT: Robb Parish (virtual), Chair; Rich Beebe (virtual), Scott Gropp, Joel Hamilton (virtual), Wendy McClure (virtual), Michael Nelsen, Nels Reese, Victoria Seever (virtual)
MEMBERS ABSENT: Dennis Wilson
OTHERS: Maureen Laflin (virtual)
STAFF: Jennifer Fleischman, Mike Ray

REGULAR AGENDA

1. Approval of February 24, 2021 Minutes (ACTION ITEM)

McClure moved for approval of the minutes as corrected, seconded by Beebe. Vote by Acclamation; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

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.

None.

3. Public Hearing: Legislative Hearing Providing for the Amendment of Moscow City Code Title 4, Chapter 6; Providing for the Amendment of the Outdoor Lighting Code to Allow the Lighting of Public Art Displays (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. The Commission then directed Staff to prepare an ordinance amending the lighting code to allow up-lighting for public art.

Ray presented the proposed amendment as described above, giving a background and overview of the process that led to the legislative public hearing.

Public Hearing opened at 7:08 PM

Parish submitted for the record two emailed letters from Nancy Chaney, Moscow resident, who was concerned about the proposed amendment for reasons outlined in the attachment. —

Public Hearing closed at 7:10 PM

Hamilton agreed with the concerns expressed by Chaney in regards to the Ordinance excluding the private sector from the same ability to up-light artwork. There was also hesitation surrounding how allowing partial cut-off could pose antithesis with the City's dark sky efforts. The proposed amendment was reviewed by the City Attorney, who didn't have any concern with the proposed language.

Seever moved to approve the proposed amendment to City Council with no conditions, seconded by Beebe. Vote by Acclamation; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

4. Final 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 presented the proposed changes to the Latah County Board of Realtors on February 18, 2021.

Ray reviewed the history of the draft sign code with the Commissioners as described above. The proposed ordinance amendment is in the final stages of the Legal Department review. There followed some discussion about the strategic move to provide a chart in the code for users to easily find sign information. The decision to cap residential signs to three (3) per property was rehashed.

The Commission directed Staff to publish the final draft for a public hearing.

REPORTS

1. Transportation Commission Meeting

The next Transportation Commission meeting is scheduled to occur Thursday, March 11th.

ANNOUNCEMENTS

Ray informed the Commission that there are several subdivision developments that will possibly be at the application stage soon. Next Planning & Zoning Commission meeting will be covering a review of the Rusty Olps MURA proposed development plan.

UPCOMING EVENTS/MEETINGS

1. Next Planning & Zoning Commission regular meeting is scheduled for March 24, 2021.

The meeting adjourned at 7:24 PM



Robb Parish, Chair