

Moscow City Council



Regular Meeting ~Agenda~

www.ci.moscow.id.us

Laurie M. Hopkins
City Clerk

208.883.7015

Monday, June 7, 2021

7:00 PM

**Council Chambers
206 E. Third St.**

The Moscow Mayor, City Council and Staff welcome you to tonight's meeting. The meeting is open to the public but due to the continued presence of COVID-19 cases in our area, we encourage those that have not received the COVID-19 vaccination, to continue to keep 6-foot physical distance from non-household members and wear face coverings when distance is unable to be maintained. We appreciate and encourage public participation. The formality of procedures varies with the purpose and subject of the agenda item; therefore, the Mayor may exercise discretion in deciding when to allow public comment during the course of the proceedings and limitations may be placed on the time allowed for comments. Citizens wishing to comment on business that is not on the agenda will be provided the opportunity to do so during the public comment item on the agenda. For regular agenda items the public will usually have the opportunity for comment on that agenda item after the staff presentation. These agenda items do not include the consent agenda and reports. Please limit any remarks to three (3) minutes or less. If you plan to address the Council, you will find a list of "Tips for Addressing the Council" in the door pocket outside the City Council Chambers. Citizens wishing to comment on business on the agenda may also communicate with the City Council through email (council@ci.moscow.id.us). Please note that Moscow City Council meetings are televised, videotaped and/or recorded. Thank you for your interest in City government.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council May 17, 2021 Minutes - Laurie M. Hopkins

B. Request Authorization for Beer Garden for Rendezvous in the Park 2021 - David Schott

Rendezvous in Moscow, Inc., is requesting that the City Council approve a Resolution allowing them to have a beer garden provided by a licensed vender in East City Park for Rendezvous in the Park 2021, between 12:00 p.m. and 10:00 p.m. on July 24, 2021. The event is open to the public and there have been no issues related to this request since the first beer garden was approved.

The location of the beer garden has changed from the past to utilize the existing stage at East City Park. Rather than generally located on the east side of the park, the beer garden in 2021 will be on the west side of the park.

Security will be provided by Allied Universal Security Services. No City police officers are required. The Chief of Police has reviewed the request, as well as the safety requirements addressed in the Resolution, and had no issue with the request.

The Administrative Committee reviewed and recommended approval during their May 24, 2021 meeting.

ACTION: Approve the Resolution authorizing the beer garden request for Rendezvous in the Park 2021.

REGULAR AGENDA

2. **Staff Recognition Report - Gary J. Riedner**
3. **Mayors Appointments (ACTION ITEM)**
4. **Public Comment and Mayor's Response Period (limit 15 minutes)**
5. **Citizen Commission Report – Transportation Commission – Bill Belknap/Bob Sanders**
6. **Airport Grant – Terminal Design and Apron Construction (ACTION ITEM) – Tony Bean, Executive Director Pullman-Moscow Regional Airport**

It is desirable to apply for entitlement and discretionary grants from the U.S. Department of Transportation Federal Aviation Administration (FAA) Airport Improvement Program for the purpose of Terminal Design and Apron Construction. The amount of the grant is \$12,000,000 with a local match of \$1,053,338.00 from the Airport's CARES grant. To facilitate the FAA grant, it is appropriate to preauthorize its acceptance. The proposed Resolution has been prepared for that purpose. The Resolution also authorizes the execution of related assurances and certifications. This was reviewed by the Public Works/Finance Committee on May 24, 2021 and recommended for approval.

PROPOSED ACTIONS: Adopt the proposed Resolution preauthorizing the acceptance grant offer AIP 3-53-0051-058 from the FAA Airport Improvement Program, or take such other action deemed appropriate.

7. **Public Hearing: Edington Annexation, Comprehensive Plan Land Use Designation, Zoning Designation, and Preliminary Plat (ACTION ITEM) - Mike Ray**

The applicant, BBC LLC, is requesting the annexation, Comprehensive Plan land use designation amendment, rezoning, and a preliminary subdivision plat of a 235-acre property generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property. The current Comprehensive Plan Land Use Designation is a combination of Auto-Urban Residential and Rural and Agricultural and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations. The zoning of the subject property is currently Agriculture Forestry (AF) and the proposal is to rezone to a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zone. The proposed preliminary plat is a 27-acre area with 105 lots ranging from 2,328 to 63,105 square feet in size, referred to as Edington Subdivision. The City of Moscow Planning and Zoning Commission conducted a public hearing for the proposed Comprehensive Plan Land Use Designations, Rezone, and Preliminary Plat on May 12, 2021 and recommended approval with one condition.

PROPOSED ACTIONS: Conduct the public hearing upon the annexation, Comprehensive Plan land use designations, zoning designations, and preliminary plat and upon consideration of any testimony presented:

1. Approve the Annexation Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Annexation Ordinance on first reading; or reject the Annexation Ordinance; or take other action as deemed appropriate.
2. If the Annexation Ordinance is approved, approve the proposed Comprehensive Plan Land Use Designation Resolution and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or reject the proposed Comprehensive Plan Land Use Designation Resolution and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other action as deemed appropriate.

3. If the Annexation Ordinance is approved and Comprehensive Plan Land Use Designation Resolution is approved, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or consider the Zoning Ordinance on first reading; or reject the Zoning Ordinance and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other action as deemed appropriate.

4. If the Annexation Ordinance is approved, the Comprehensive Plan Land Use Designation Resolution is approved, and the proposed Zoning Ordinance is approved, approve the preliminary plat for Edington Addition with conditions and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or approve the preliminary plat with no conditions and direct staff to prepare a Reasoned Statement of Relevant Criteria; or reject the preliminary plat and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other such action deemed appropriate.

8. Public Hearing: Ordinance Amending Title 4, Chapter 6 of Moscow City Code Regarding Amendments to the Sign Code (ACTION ITEM) - Mike Ray

The 2015 Supreme Court Case, Reed vs. Town of Gilbert, clarified when municipalities may impose content-based restrictions on signage. There are numerous sections within the City's sign code which apply content-based restrictions and need to be amended to comply with the Supreme Court's decision. Staff has worked with the City Attorney to make the necessary amendments, as well as converting portions of code from narrative to table format. The Planning and Zoning Commission conducted a public hearing on the proposed ordinance on May 12, 2021 and recommended approval to City Council. The Administrative Committee reviewed this item at their May 24, 2021 meeting.

PROPOSED ACTIONS: After considering public testimony, approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take such other action deemed appropriate.

9. FY2022 Proposed Stormwater User Fee (ACTION ITEM) - Tyler Palmer

As the Council is aware, the City of Moscow was issued a Phase II Stormwater Permit from the US Environmental Protection Agency that became effective October 1, 2019. The Permit requires the City to develop and implement a comprehensive stormwater management program in an effort to reduce pollutants to the City's Stormwater Control System and improve watershed health. Earlier this year, the Council adopted Title 5, Chapter 19 of Moscow City Code which provides for the establishment of a system of stormwater user fees and requires that the fees collected are set aside and designated solely for use for the maintenance, operations, improvements, regulatory requirements, and program costs of the City's Stormwater Control System. The code requires that the fee shall be reasonably determined based on the volume of runoff from a customer's property (as reflected in the extent of impermeable surface) into the City Stormwater Control System.

The City has been working over the last several years toward the development of: (1) stormwater user fees based on impervious surface area (ISA) measurements for properties of select customer classes (e.g., residential and commercial) within the City, and (2) a final stormwater user fee billing database. The majority of stormwater service providers charge fees based on ISA derived billing units called Equivalent Residential Units (ERUs) or Equivalent Service Units (ESU). The City of Moscow has adopted the ESU billing unit approach. One ESU is defined as the average amount of ISA on residential properties, which is determined by measuring ISA on a sample of residential properties. The number of billing units, or ESUs, for a non-residential customer is calculated by dividing the measured amount of ISA on the property by the average amount of ISA on residential properties.

Staff is in the final stages of finalizing the customer billing database and final ESU count, Financial

Plan, and proposed user fee of \$7.92 per ESU to draft the Fiscal Year 2022 budget in anticipation of an October 1, 2021 roll-out of user fee assessments. This was reviewed by the Public Works and Finance Committee at their meeting on May 24, 2021 and was recommended for approval.

PROPOSED ACTIONS: Approved the proposed stormwater user fee rate of \$7.92 for FY2022, or take such other action deemed appropriate.

REPORTS

City Council

Mayor

Staff

ADJOURN TO EXECUTIVE SESSION PER IDAHO CODE 74-206 (1)(C) AND (F) - THE MEETING WILL NOT RECONVENE.

NOTICE: Moscow City Council and committee meetings are 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.

Moscow City Council



Regular Meeting ~Minutes~

Laurie M. Hopkins
City Clerk

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208.883.7015

Monday, May 17, 2021

7:00 PM

**Council Chambers
206 E. Third St.**

The meeting was called to order at 7:00 p.m.

PRESENT: Mayor Bill Lambert, Art Bettge, Sandra Kelly, Maureen Laflin, Brandy Sullivan, Gina Taruscio, Anne Zabala

STAFF: Gary J. Riedner, Mia Bautista (virtual), Bill Belknap, Mike Ray, Laurie M. Hopkins

PLEDGE OF ALLEGIANCE

Mayor Lambert led the Pledge of Allegiance.

PROCLAMATION - MEMORIAL DAY

Mayor Lambert read the Memorial Day proclamation.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council May 3, 2021 Minutes - Laurie M. Hopkins

B. Disbursement Report for April 2021 - Sarah Banks

Staff presented the April 2021 Accounts Payable Report to Public Works / Finance Committee on May 10, 2021. The Committee received the report and approved the disbursements as presented.

ACTION: Receive the Disbursements Report for the month of April 2021.

C. Almon Asbury Alley Paving Bid Results and Contract Award - Bob Buvel

The Almon Asbury Alley Paving Project consists of grading and paving of the alley between Almon Street and Asbury Street from Third Street to Sixth Street. The project also includes the replacement of the existing sanitary sewer main prior to paving and expansion of storm water collection and conveyance system serving the alley. The City published an advertisement for bids on April 3rd and 10th, 2021 and the budget for construction in the Capital Improvement Plan is \$293,000.00. Bids were opened on Tuesday, April 27, 2021. One responsive bid was received with a bid of \$371,223.20 by J7 Contracting. A complete Bid Tabulation is included in the Council packet. This was reviewed by the Public Works/Finance Committee on May 10, 2021 and the Committee recommended rejection of the bids.

ACTION: Reject all bids.

D. Third Street Undergrounding Bid Results and Contract Award - Nate Suhr

On April 17, 2021 the City of Moscow advertised for bid the Third Street Utility Undergrounding Project. This project consists of the installation of approximately 3,300 linear feet of 2" conduit, 4,460 linear feet of 4" conduit, 11 vault boxes and the various sweeps, couplings, and other fittings necessary to create a continuous, underground pathway for communications utilities on Third

Street between Jackson Street and Lieuallen Street. Completion of this project will allow the undergrounding of the overhead utilities and the removal of the utility poles on the corridor between Jackson Street and Lieuallen Street, removing obstructions and clearing the area for pedestrian facilities to come as part of the Third Street Local Highway Safety Improvement Project (LHSIP) that will begin construction later in the year. This was reviewed by the Public Works/Finance Committee on May 10, 2021 and recommended for approval.

ACTION: Accept the Base Bid and Additional Alternative from M & L Construction, Inc., award the contract in the amount of \$270,653.00, and authorize staff approval for construction change orders in an amount not to exceed 10% (\$27,065.30) of the contract amount.

E. Remand Decision Regarding the Appeal of Conditional Use Permit at 1400 E Seventh Street – Aimee Hennrich

On February 19, 2021, PI Tower Development LLC applied for a Conditional Use Permit (CUP) to construct an 80' Wireless Communication Facility (WCF) that would accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower, located at 1400 E Seventh Street. The Board of Adjustment conducted a public hearing for the proposed conditional use on March 29, 2021, and subsequently voted to deny the CUP application. On April 16, 2021, the Community Planning and Design Department received an appeal letter from Wireless Policy Group on behalf of Parallel Infrastructure, stating that they wished to appeal the Board of Adjustment's decision to City Council. On May 3, 2021, City Council considered the appeal during a public meeting and remanded the matter to the Zoning Board of Adjustment and directed staff to prepare a written decision based on the Council's action. The written decision was reviewed by the Administrative Committee on May 10, 2021 and recommended for approval.

ACTION: Approve the written decision.

F. Ghormley Pickleball Courts Project Bid Results and Contract Award - Nate Suhr

The 2021 Ghormley Pickleball Courts Project consists of the construction of HMA asphalt pickleball courts, including lighting, net post footings, surfacing, line painting, the construction of sidewalk, site amenities and landscape site work north of the Ghormley Park parking lot. An electronic bid solicitation for the Pickleball Court Project was issued in a Public bid solicitation on April 16, giving bidders two weeks to respond. The project was advertised with a Base Bid to install four (4) Pickleball courts to the West of the Ghormley Park bathrooms and a single Additional Alternative to remove a majority of the old tennis court to the South of the Softball fields and restore the area with topsoil and seed. This was reviewed by the Public Works/Finance Committee on May 10, 2021 and recommended for approval.

ACTION: Accept the Base Bid from Motley-Motley, Inc. and award the contract in the amount of \$188,820.50, and authorize staff approval of construction change orders in an amount not to exceed 10% of the contract amount (\$18,882.00).

G. Seventh to Sixth Street Sanitary Replacement Project Bid Results and Contract Award - Nate Suhr

The City published an advertisement for bids on April 17th, 2021 for Seventh to Sixth Street Sanitary Replacement Project. The bid for the project includes the replacement of three hundred and eighty-three (383) linear feet of sanitary sewer pipe, two hundred and sixty-nine (269) linear feet of storm sewer pipe, seven hundred and seven (707) square yards of asphalt, four (4) storm catch basins, a storm manhole, and a sanitary manhole. This was reviewed by the Public Works/Finance Committee on May 10, 2021 and recommended for approval.

ACTION: Accept the low bid from Germer Construction, Inc. for Base Bid, award the contract in

the amount of \$342,824.50, and authorize staff approval for construction change orders in an amount not to exceed 10% (\$34,282.45) of the contract amount.

H. Gateway on Sixth Monumentation Agreement - Todd Drage

James Stephens, on behalf of J & S Holding Company LLC, has submitted to the City a final plat for the development of the property east of Ghormley Park on Sixth Street. On September 8, 2020 The City Council approved the preliminary plat for this property. The final plat is titled Gateway on Sixth and will be presented for City Council approval on May 17th. If Council approves the final plat, the interior property corners will not be set until after the final plat has been filed, the earthwork has been completed, and the utilities have been installed. In such instances, an agreement obligating the establishment of these interior corners is required by Idaho Code. This item was reviewed by the Public Works Finance Committee on May 10, 2021 and was recommended for approval.

ACTION: Approve the monumentation agreement with J & S Holding Company LLC for Gateway on Sixth.

Bettge moved and Laflin seconded to approve the consent agenda as presented. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REGULAR AGENDA

2. COVID-19 Update and Request for Direction (ACTION ITEM) - Gary J. Riedner

On December 7, 2020, the City Council adopted Resolution 2020-27, extending the Mayor's Amended Public Health Emergency Order 20-03 (APHEO 20-03), to June 9, 2021, and adopting metrics to consider in making decisions regarding early termination of APHEO 20-03. At the time the Center for Disease Control (CDC) recommended that persons maintain at least 6 feet of social distance and facial coverings to prevent the spread of the COVID-19 virus, and Idaho Governor Brad Little had designated that Idaho was in a modified Stage 2 of the Idaho Rebounds Plan. City Council has been monitoring the status of the City of Moscow and Latah County, as well as the state of Idaho regarding the pandemic. On April 27, 2021, the CDC issued revised recommendations stating that fully vaccinated persons may engage in outdoor activities without facial coverings. On May 11, 2021, Governor Little moved the state of Idaho from Stage 3 to Stage 4 of the Idaho Rebounds Plan. On May 13, the CDC again revised its recommendations to state that fully vaccinated people may engage in both outdoor and indoor activities without facial coverings or staying 6 feet apart. Public Health-Idaho North Central District (PHINCD) has indicated that approximately 46% of Latah County residents are vaccinated. The seven-day moving average of newly diagnosed COVID-19 cases in Latah County has been averaging between 4-4.6. Washington State University has recessed to summer break, and the University of Idaho will do the same after graduations on May 15-16, 2021. Staff will provide an updated COVID-19 status report to Council, and has included a draft Resolution should City Council wish to take some action regarding termination of APHEO 20-03.

PROPOSED ACTIONS:

Receive COVID-19 status report update and consider the draft resolution, or provide staff further direction.

Riedner went through the metrics which included average cases per week of 4 on May 10 and 4.14 on May 17. The test results and hospitalizations metrics have also met for May 10 and 17. The Governor upgraded the State to Stage 4. Institutional partners supported removal of the Public Health Emergency if the Council desired to do so. Mayor Lambert stated he will not issue another emergency order with vaccines readily available. He strongly encouraged the Council to rescind the resolution.

Bettge stated last March Moscow was flying blind but think the Council did quite well. An email from

Toni Broyles, University of Idaho stated Latah County's deaths per capita was the 3rd lowest in the State of Idaho among the 44 counties. Only the state's two least populated counties in the 2019 census, Camas (pop 1,048) and Clark (pop 913) had a lower rate with zero deaths recorded. Latah's average deaths per capita was nearly 5 times lower than the average of Idaho's 25 largest counties. Latah County and Benton County in Oregon, home of Oregon State University, shared the lowest average COVID-19 deaths per capita, with both counties being nearly 5 times lower than the average deaths per capita of counties across the country with land grant universities.

Taruscio said it was a perfect storm of ugly at a national level. She doesn't want to look backwards but we can carry the lessons forward. She feels Moscow is better than the negativity and it took all of us to get where we are.

Sullivan felt the Council's actions were very consistent from the start and all based on recommendations based on scientific data. The new CDC recommendation of no mask if fully vaccinated conflicts with the Moscow emergency order which requires a mask for everyone.

Kelly felt Moscow did a good job as a whole and is in favor of moving along with the science. The more people vaccinated the more safe our community will be. She encouraged everyone to be kind to the businesses that want to continue to require masks.

Zabala said she is excited to be at a pivot point and feels the results are from vaccinations. She is eager to connect people to the resources to help make a decision on the vaccine and to help get the numbers lower every week.

Laflin said she is thrilled the evidence regarding the vaccine is positive and we are taking a new direction. She was disappointed there are still fights at airports and hopes the new recommendations will help mend fences. She is glad the science is moving along.

Bettge moved to terminate Resolution 2020-03 and replace with 2021-08. Taruscio seconded the motion. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

3. Staff Recognition Report - Gary J. Riedner

Riedner said there were three promotions with the retirement of Will Krasselt who was with the City of Moscow Police Department for 30 years. Anthony Dahlinger was promoted to Captain, Shane Gunderson to Sergeant, Brett Payne to Corporal.

4. Mayors Appointments (ACTION ITEM)

None offered.

5. Public Comment and Mayor's Response Period (limit 15 minutes)

Dan Schoenberg (Moscow) said he appreciates the termination of the emergency order. He had a lady and daughter come to town and look at an apartment and they were amazed how kind people were in Moscow. This last year, even though we didn't see fires and protests, Moscow had our own issues. Selective respect reigns true. He feels the Moscow community needs to accept everyone won't agree and needs to get back to looking after each other. Mayor Lambert said the entire United States was a mess. The pandemic was the enemy, not people. It is time to move forward. Sullivan agreed COVID has been difficult on every community. The report Bettge mentioned how well we have done, despite differences, we can agree it was hard but we did well and it can unite us. Mayor thanked the council for standing behind him with the emergency order.

Danny Bradley (Moscow) thanked the council for their decision. The community put their best foot forward but he felt the reason Latah County did so well was not because we did anything, it was because

of the Lord being merciful to our community.

Carol Hughes (Moscow) applauded the Mayor and Council for the job they did during the pandemic. She feels it is naive to think those who refused to wear masks and who boldly said they would not be vaccinated, is not easily forgotten. She has lived here more than five decades and never loved a place more. She has been part of community by contributing in every way possible but truly concerned of what she feels now. She read the vision of Moscow from the Comprehensive Plan which says it creates a quality of place. Moscow has worked together to create a community and has been in favor of all the change but is not in favor of being left out of the procedure.

Walter Hesford (Moscow) spoke on approving new developments and how relates to older neighborhoods.

Jean Elliott (Moscow) asked about commenting on water rights. Mayor Lambert said during the public hearing if specific to a development.

6. Public Hearing: Harvest Hills Planned Unit Development and Replat of Lot 1, Block 1 of Harvest Hills 1st Addition (ACTION ITEM) - Mike Ray

The applicant, Phil Rheingans, is proposing a Planned Unit Development (PUD) and Replat of a 2.16-acre parcel to create ten (10) twin-home parcels ranging from 2,643 to 6,602 square feet in size; four (4) townhouse parcels ranging from 2,592 to 3,852 square feet in size; and one (1) Neighborhood Business (NB) parcel of 17,905 square feet in size, referred to as the Replat of Lot 1, Block 1 of Harvest Hills 1st Addition and the Harvest Hills PUD. The Planning and Zoning Commission conducted a public hearing for this matter on April 28, 2021 and recommended approval of the proposed PUD with no conditions and recommended approval of the preliminary plat with two (2) conditions.

PROPOSED ACTIONS:

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

1. Approve the PUD for Harvest Hills; or approve the PUD with conditions; or reject the PUD; or take other such action deemed appropriate.
2. In accordance with the decision upon the PUD, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria and Standards; or direct Staff to prepare a Reasoned Statement of Relevant Criteria and Standards for the Council's consideration at a future meeting.
3. Approve the preliminary plat with the two (2) conditions recommended by the Planning and Zoning Commission; or approve the preliminary plat with no conditions; or reject the preliminary plat; or take other such action deemed appropriate.
4. In accordance with the decision upon the preliminary plat, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria; or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.

Ray introduced the item as written above and gave a background of the property which began in 2013. The neighborhood was described including information on flood plain, Comprehensive Plan designation and the zoning designation of Neighborhood Business. Illustrations of the plat, lots, and houses were presented. The applicant is requesting a reduction in exterior side yard setbacks and Third Street side due to the tightness of a few lots. A 10-foot-wide Type A landscape buffer is typically required along the exterior property lines of NB Zoned property when adjacent to property zoned R-2 or R-3. Since the proposed use of the twinhomes and townhouses is residential and similar to the surrounding land uses, staff is recommending that a Type A buffer not be required except for the 17,905 square foot parcel which will be developed with a commercial component. The 9 parking spaces in the PUD are for the residents, such as visitor parking. Should stormwater runoff increase, the depth of the pond would need to be increased. Staff doesn't have and concern about the reduction of the exterior side yard setback.

Mayor Lambert opened the public hearing at 7:56 p.m.

Scott Becker (Hodge and Associates) represents the applicant. He analyzed the stormwater detention pond and it is sufficient for the entire development. The swale isn't necessary but thought it would provide another level for stormwater and snow removal if a parking lot is built for the commercial lot.

Mayor Lambert asked for testimony in favor of the application.

Phil Rheingans (applicant) explained the setbacks are there to balance design parameters on the difficult lots and allow the houses to fit on the pie-shaped lots. By developing the area, there should be improvement for runoff as the proposed berm will differ the water to the detention pond.

Dan Schoenberg (Palouse Properties) said development of housing has a cascading impact on the community. The number of available housing units in Moscow for various demographics in the community and the affect it has on the overall housing is why he is in support of the development

Rusty Alps (Moscow) said there are different kinds of developments and this is a quality set of homes. He looks forward to what else Rheingans has to offer.

Mayor Lambert asked for testimony in opposition of the application or general comments.

Fitz Hadley (Moscow) asked why the proposal is still zoned Neighborhood Business when there is residential in the development. His concern is the residential units transform into commercial.

Walter Hesford (Moscow) said it looks like a nice development but Third Street is not a through street which means Third Street and D Street will have increased traffic. Has the developer looked at the impact of traffic on existing developments and the City as a whole?

Patricia Taylor (Moscow) said she overlooks this development and thinks they are doing a nice job. She does have a concern about the business lot. She is opposed because it is on one of the busiest intersections She doesn't think it is a good situation as it will create noise and congestion, a large amount of foot traffic, potential to offer inappropriate items appealing to young kids, too close to the street and too busy.

David Hall (Moscow) said Moscow is trying to reduce water use from declining aquifers yet the city allows unfettered developments which creates more usage. The City should have a plan which includes a water use budget, a plan of how to decide how much use for water application, balance other uses, pay for offsite toilet replacements and similar options.

Carol Hughes (Moscow) said in reading the Comprehensive Plan, she found a section that stated rapid population growth may strain infrastructure and cause service capacity issues among other issues. She doesn't like hasty development. She does not support Harvest Hills First Addition because from the pool to the ballfields on Mountain View, it lures those seeking recreation and young people which creates an abundant amount of traffic and a dangerous situation.

Leonard Koepke (Moscow) lives directly north from this development. Previously P&Z denied it. The townhouses don't belong in an all house neighborhood. The 100-year flood plain was modified because this area was elevated and caused flooding onto his property. There is a traffic issue and Third Street needs to have a bridge to help with traffic. He doesn't feel the townhouses fit and don't need to be there.

There are already vacant motor business property throughout town. Safeway and the gas station is less than 9/10 of a mile.

Jean Elliott (rural Latah County) said her comments are regarding all the upcoming developments. People want to move away from places with problems to Moscow because of what we have here, but Moscow could then turn into the places they left. We need to have careful and knowledgeable planning, not hasty planning. Does Council have to approve all the developments if they approve one? Can a developer change what was planned? For instance, planning for a grocery store but building a gas station. Water rights is a huge issue. There may be chemicals that are needed to purify the water. An article she found says water contains aluminum naturally but it is also added. She feels there are a number of people in these meetings that will profit from these new developments.

Belknap said the Comprehensive Plan section referenced by Ms. Hughes is out of a American Planning Association Policy Guide on Planning and Climate Change. It wasn't a statement of the Comprehensive Plan but was quoting as a point of a separate study.

Mayor Lambert closed the public hearing at 8:29 p.m.

Becker said housing in NB Zone with PUD is to allow housing to enhance the area. What business will be built has yet to be determined but it would have to fit into NB and would be something that could serve that community. Third Street is planned to go through eventually. The development has been in the works for 16 years. This development doesn't have an impact on flooding. A neighborhood business in this area has always been the idea and doesn't think it would be detrimental to the neighborhood.

Belknap explained residential lots are by right in an NB Zone but they wouldn't have a restriction of use. A PUD would be limited to residential and restricted to that use. Bettge mentioned the addition of residential reduces the potential of more business and a traffic circle at Sixth and Mountain View may help with traffic. Sullivan added infill is the priority rather than sprawl.

Taruscio moved to approve the PUD for Harvest Hills. Bettge seconded the motion. Zabala explained she sat on the Palouse Basin Aquifer Committee as Council representative and rather than putting conditions on developments individually, should look at an alternative. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Bettge moved to adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria and Standards. Kelly seconded the motion. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Bettge moved and Taruscio seconded to approve the preliminary plat with the two engineering considerations and the condition of the Type A landscape buffer for the NB lot. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Taruscio moved and Kelly seconded to adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

7. Public Hearing: Harvest Hills 2nd Addition Preliminary Plat (ACTION ITEM) - Mike Ray

The applicant, Phil Rheingans, is proposing to subdivide a 17.2-acre area to create fifty-six (56) single-family parcels ranging from 7,219 to 24,075 square feet in size, referred to as Harvest Hills 2nd Addition. The Planning and Zoning Commission conducted a public hearing for this matter on April 28, 2021 and recommended approval of the proposed preliminary plat with no conditions.

PROPOSED ACTIONS:

1. After conducting the public hearing and upon consideration of testimony received, approve the preliminary plat; or approve the preliminary plat with conditions; or reject the preliminary plat; or take other such action deemed appropriate.
2. In accordance with the decision upon the preliminary plat, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria; or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.

Ray introduced the item by providing background information beginning in 2005 whereas the final plat expired in 2013. February 1, 2016 City Council approved the proposed Rezone and Comprehensive Plan amendment. On April 18, 2016 the City Council approved the preliminary subdivision plat for Harvest Hills 1st Addition with three conditions. Ray continued the presentation by describing the Comprehensive Plan designation, zoning and utilities for the area. Two pedestrian easements are proposed in the plat. Janson Street connection will come along with the infrastructure and before any building permits are issued.

Mayor Lambert opened the public hearing at 9:05 p.m.

Scott Becker (Hodge and Associates) represents the applicant. Stormwater will run down to the detention pond. Housing will be on the north side and house footprints will collect water and run it to the street. There should be a marked improvement once developed. Silt fencing and berm/swale will be created and will help to mitigate any issues during construction.

Mayor Lambert asked for testimony in support of the application.

Phil Rheingans (applicant) is in support. He has owned the property for some time and wrested with how to design something that fits with the property, compatible with the neighborhood.

Mayor Lambert asked for testimony in opposition of the application or general comments.

David Hall (Moscow) said Moscow is trying to reduce water and trying to come up with alternative water supply. The City needs a plan to include a water use budget. City Council had a goal for a water use budget approximately 10 years ago but has disappeared from the Council goals. PBAC pumping entities are supposed to limit pumping to only a 1% annual increase. In 2020, Moscow pumped 747 million gallons and the 5.24 million gallons annually proposed for this development is a good portion of the 1% increase.

Jean Elliott (rural Latah County) suggested a requirement for all these developments to require low flow toilets and other water saving measures. Perhaps there could be ongoing town hall meetings regarding the community. There are frogs on the property. Maybe the developer can reach out to PCEI to relocate the frogs. New residents could turn Moscow into something else. She is concerned about one development after another and how discern on which ones to curtail. Do we have to have infinite growth? Water rights are not without drawbacks. She is concerned about chemicals added to water and predominance of people profiting from the development. She hopes this is not a rubberstamp group.

Carol Hughes (Moscow) said we talk about need for more housing but she wonders why there isn't better housing for seniors such as smaller single-family houses. She would advocate members of a commission or committee that stands to benefit from the outcome of a vote to recuse themselves. Mayor Lambert said they do.

Mayor Lambert closed the public hearing at 9:21 p.m.

Rheingans said the anticipated timeframe depends on contractors as they are busy but he is hoping for grading this year. Laflin encouraged that houses built are consistent with the city priorities which are water, climate and conservation issues. Rheingans responded his house are insulated to a higher standard than code and also low flow requirements are incorporated. Sullivan suggested speaking with the City conservation program employees regarding features that can benefit the buyers and make lots more desirable. Rheingans didn't think a permeable driveway was allowed by code. He doesn't provide landscaping in his construction but does refer landscaping companies to the home buyers. Riedner reminded the Council these ideas go beyond the standards of review of the preliminary plat.

Zabala asked what the recourse would be if a commissioner did not recuse themselves. Bautista said procedurally is to have the item put back on the agenda and address the conflict, recuse themselves and have a revote on the matter. Belknap added that if a party feels there was a conflict of interest, they could talk to the City Attorney. Riedner added the inquiry needs to be done as soon as the appearance of conflict is discovered. Not everything is a conflict of interest.

Bettge, moved to approve the preliminary plat. Taruscio seconded the motion. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried. Bettge moved to adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria. Taruscio seconded the motion. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lambert called a recess at 9:29 p.m. The meeting resumed at 9:37 p.m.

8. Gateway on Sixth Development Agreement (ACTION ITEM) - Todd Drage

James Stephens, on behalf of J & S Holding Company LLC, has submitted to the City a final plat for the development of the property East of Ghormley Park on Sixth Street. On September 8, 2020 The City Council approved the preliminary plat for this property. The final plat is titled Gateway on Sixth and will be presented for City Council approval on May 17th. If the final plat is approved by City Council, a development agreement is necessary to address construction of public improvements, parkland dedication, and as-constructed drawings. The attached agreement covers these items.

Item was reviewed by the Public Works Finance Committee on 5/10/2021 and was forwarded to the City Council as a regular agenda item with no recommendation.

PROPOSED ACTIONS:

Approve the Development Agreement with J & S Holding LLC for Gateway on Sixth, or take such other action deemed appropriate.

This item heard as item 9.

Belknap introduced the item as written above and explaining this development agreement includes the standard language that dictates the developer is responsible for all necessary public improvements including but not limited to utilities, duration of time to complete the improvements, warranty, parkland dedication, phasing of project.

Bettge moved to approve the development agreement with J&S Holding LLC for Gateway on Sixth. Laflin seconded the motion. Discussion ensued regarding options for parking issues. Roll Call Vote: Ayes: Five (5). Nays: One (Zabala). Abstentions: None. Motion carried.

9. University Gateway on Sixth Final Planned Unit Development and Final Plat (ACTION ITEM) - Mike Ray

On September 8, 2020, Moscow City Council approved the University Gateway on Sixth Addition rezone and preliminary Planned Unit Development (PUD) with no conditions, and approved the preliminary plat with three conditions. On April 9, 2021 the applicant submitted the final subdivision plat and final PUD to be reviewed by the Planning and Zoning Commission and City Council. The Planning and Zoning Commission reviewed the final subdivision plat and final PUD at their meeting on April 28, 2021 and recommend approval to City Council.

PROPOSED ACTIONS:

Approve the University Gateway on Sixth Final PUD and Final Plat; or take such other action deemed appropriate.

This item was heard as item 8.

Ray introduced the item by going over the history of the property, description of the PUD, zoning, and the three conditions included on the preliminary plat. Lots 1-20 had a minor adjustment to the floor plans to fit on the parcels but are virtually the same size from the preliminary plat. The parking lots will now be exclusively parking for the residents of this development.

Taruscio moved to approve the University Gateway on Sixth Final PUD and Final Plat. Bettge seconded the motion. Roll Call Vote: Ayes: Five (5). Nays: One (Zabala). Abstentions: None. Motion carried.

10. BBC LLC Developer Participation Request (ACTION ITEM) - Bill Belknap

On April 8th of this year, City Staff received a request from Rich Beebe, representative of BBC LLC, owner of 232 acres located to the south of the City's playfield property located on W. Palouse River Drive, requesting the City's financial participation in the construction of the extension of Conestoga Street and the accompanying bridge construction as it provides mutual benefit to both parties. The total cost of the construction of the roadway, bridge and attendant utilities to the southerly boundary of the City's property is estimated at \$2,372,062. At the City Council meeting of May 3, 2021, staff presented information on the history of the City's property and prior proposed playfield development of the property to be considered in the Council's deliberations regarding the City's participation in the costs of extension of Conestoga Street. Council directed staff to negotiate an agreement with BBC LLC for further City Council consideration. A draft Memorandum of Agreement is attached.

PROPOSED ACTIONS: Review draft Memorandum of Agreement and recommend approval, or provide staff further direction.

Belknap introduced the item as written above and included a background of the City Palouse River Drive property. Belknap confirmed City involvement would only be related to Conestoga Drive extending to the southerly border of the City property.

Richie Beebe, BBC LLC, said they have had conversations with Moscow Afford Housing Trust (MAHT) are have something in writing and close to getting something signed.

Nils Peterson, said they have a proposal from BBC LLC and took it to the MAHT executive committee. The executive committee was interested and asked Peterson to research whether this is a credible option to proceed with and give a recommendation to the executive committee at their next meeting.

Bettge moved to approve the memorandum of agreement. Taruscio seconded the motion.

Zabala thanked both parties and said this is in line with Council intentions. She felt it is a high price tag for something that is not in the capital plan but appreciates the infrastructure improvements. Kelly liked the process that we went through.

Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

11. Consideration of Mayor and City Council Salary Adjustments (ACTION ITEM) - Jen Pfiffner

Per City of Moscow Code Title 1, Chapter 8 according to Idaho Code, § 50-203: "The salary for elective officers shall be fixed by ordinance. Salary adjustments for such elective officers shall be made every two (2) years from the date of the previous adjustment in accordance and in proportion with adjustments in the Consumer Price Index (CPI) as published by the United States Department of Labor. Such adjustments must be specifically approved by ordinance at least six (6) months prior to the effective date of such adjustments."

The proposed Ordinance amends the Mayor and City Council salaries by the CPI adjustment of the past 24 months: January 1, 2019 to December 31, 2020. The reported CPI values were 2.1% and 2.4% for 2019 and 2020, respectively. Proposed increases to monthly salaries would be effective January 1, 2022, and are as follows:

Mayor - From \$2028.50 per month to \$2,119.78 per month

Council - From \$703.28 per month to \$734.93 per month

PROPOSED ACTIONS: Approve the Ordinance making salary adjustments for Mayor and City Council effective January 1, 2022 under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take such other action deemed appropriate.

Riedner introduced the item as written above. Bettge moved to approve the Ordinance making salary adjustments for Mayor and City Council effective January 1, 2022 under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Sullivan seconded the motion. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2021-05:

AN ORDINANCE AMENDING TITLE 1, CHAPTER 8 OF THE MOSCOW CITY CODE; PROVIDING FOR INCREASES IN THE SALARIES OF CITY ELECTIVE OFFICERS; 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.

REPORTS

Reports were postponed.

ADJOURN

The meeting adjourned at 10:24 p.m.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

COMMITTEE STAFF REPORT

DATE: Monday, June 7, 2021



RESPONSIBLE STAFF

David Schott, Assistant Parks and Recreation Director

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Request Authorization for Beer Garden for Rendezvous in the Park 2021 - David Schott

DESCRIPTION

Rendezvous in Moscow, Inc., is requesting that the City Council approve a Resolution allowing them to have a beer garden provided by a licensed vender in East City Park for Rendezvous in the Park 2021, between 12:00 p.m. and 10:00 p.m. on July 24, 2021. The event is open to the public and there have been no issues related to this request since the first beer garden was approved.

The location of the beer garden has changed from the past to utilize the existing stage at East City Park. Rather than generally located on the east side of the park, the beer garden in 2021 will be on the west side of the park.

Security will be provided by Allied Universal Security Services. No City police officers are required. The Chief of Police has reviewed the request, as well as the safety requirements addressed in the Resolution, and had no issue with the request.

The Administrative Committee reviewed and recommended approval during their May 24, 2021 meeting.

STAFF RECOMMENDATION

Approve the Resolution authorizing the beer garden request for Rendezvous in the Park 2021.

PROPOSED ACTIONS

ACTION: Approve the Resolution authorizing the beer garden request for Rendezvous in the Park 2021.

FISCAL IMPACT

N/A

PERSONNEL IMPACT

N/A

ATTACHMENTS

1. RITP_Alcohol_Permit_Application_24_July_2021 DS
2. Resolution 2021 - Beer-WineRendezvousInThePark clean

CITY OF MOSCOW
ALCOHOL USE APPLICATION
(For alcohol use in City parks and facilities)

FEE: \$100.00 per event

Date Fee Paid: _____ **Note:** Fee shall not be refunded.

Applicant's Name: RENDEZVOUS IN THE PARK

Event Name, if different than applicant: RENDEZVOUS IN THE PARK MUSIC & ARTS FESTIVAL

Address of Applicant: 818 FORD ST, MOSCOW, ID.

Day Phone: 208.596.0802 Other Message Phone: _____

Email address, if any: DARLE.FAIRLOTH@GMAIL.COM

WHEN AND WHERE PERMIT WILL BE USED:

1. Date(s): JULY 24, 2021 - SATURDAY

2. Time: 12:00 PM - 10:00 PM -

3. Event Location: EAST CITY PARK

Signature of Applicant: _____

DARLE R. FAIRLOTH, FOR THE BOARD 12-MAY-2021

Upon payment of alcohol use application fee, applicant then proceeds through the approval process with the guidance/assistance of the Parks and Recreation Director or designee.

Attached is a copy of the process and requirements

Attachment
Agreement/AlcoholPermitApp(FeeChg)/pm

RESOLUTION NO. 2021 –

A RESOLUTION OF THE CITY OF MOSCOW, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, TO ALLOW FOR THE TEMPORARY VENDING OF BEER AND/OR WINE IN EAST CITY PARK UNDER SPECIFIC REGULATIONS AND UNDER CERTAIN LIMITED CONDITIONS PURSUANT TO MOSCOW CITY CODE 5-13-4B; PROVIDING THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, Moscow City Code 5-13-4B prohibits the possession of alcoholic beverages while present in a public park in the City of Moscow, Idaho (hereinafter “City”) except in accordance with specific regulations adopted by the Council by Resolution; and

WHEREAS, East City Park in Moscow is a City park as defined in Moscow City Code 5-13-3.D. (hereinafter “the Park”); and

WHEREAS, Rendezvous in Moscow, Inc. (hereinafter “the Event Sponsor(s)”) desires to have its sponsored event, Rendezvous in the Park (hereinafter “the Permitted Event”), in East City Park (see Attachment “A”); and

WHEREAS, the Permitted Event is an event or series of events sponsored the Event Sponsor(s), intended to promote family and community fellowship; and

WHEREAS, Council wishes to allow for the vending and responsible consumption of beer and/or wine under certain conditions, contained herein and during limited hours during the Permitted Event; and

WHEREAS, Council wishes to prohibit the sale and/or consumption of liquor during the Permitted Event; and

WHEREAS, Council believes the regulations contained herein are appropriate; and

WHEREAS, Council believes that the specific regulations contained herein balance health and safety concerns of citizens with the desire to promote responsible use of alcoholic beverages; and

WHEREAS, nothing contained in this Resolution is intended to waive other laws and regulations applicable to the sale and consumption of alcohol within City limits (including a requirement for a catering permit; a beer and wine permit for benevolent, charitable and public purpose events; or a winery sponsored event permit); and

WHEREAS, nothing contained within this Resolution is intended to endorse or support any particular belief, philosophy, or political position of the Event Sponsor(s) or of the Permitted Event, and/or its affiliates, associations, contributors, supporters, participants, etc.;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow, Idaho as follows:

SPECIFIC REGULATIONS ON THE SALE AND/OR CONSUMPTION OF BEER AND/OR WINE DURING RENDEZVOUS IN THE PARK 2021:

Intent:

This Resolution is intended to allow the sale and consumption of beer and wine only (not liquor), pursuant to these specific regulations and is not intended to amend or expand the Moscow City Code or any other applicable law or regulation beyond the scope of the particulars of this Resolution or beyond the hours of the Permitted Event. Other than as specifically provided herein, park, sanitary, health, litter, police, fire, sidewalk café, alcohol vending, and other laws and regulations shall be unaffected by this Resolution. This Resolution is not a waiver of any State, County, or local requirement of a permit or licensure related to sales and/or distribution of alcohol including a requirement for a catering permit; a beer and wine permit for benevolent, charitable and public purpose events; or a winery sponsored event permit. This Resolution shall not establish precedent nor shall it apply to any event other than the Permitted Event held on the 24th day of July, 2021, from 12:00 p.m. to 10:00 p.m.

Liability, Insurance and Safety:

1. No less than ten (10) days prior to the Permitted Event at which the licensed vendor will sell beer and/or wine, the Event Sponsor(s) shall deliver to the City Clerk one (1) copy of written proof that the licensed vendor has current, paid up, off-premise liquor liability insurance or special event insurance in an amount not less than One Million Dollars (\$1,000,000) combined single limits.
2. No less than ten (10) days prior to the first activity of the Permitted Event herein described, the Event Sponsor(s) shall deliver to the City Clerk one (1) copy of written proof that the Permitted Event has obtained current, paid up, general liability insurance or special event insurance in an amount not less than One Million Dollars (\$1,000,000) combined single limits. Such general liability insurance or special event insurance policy shall be primary to any other insurance related to these events and to that of any potential party subject to a claim related to the Permitted Event.
3. City shall be named as an additional insured on the insurance policy of the licensed vendor.
4. No less than ten (10) days prior to the Permitted Event, the Event Sponsor(s) shall deliver to the City Clerk the signed original of the Agreement, attached as Attachment “B”, with City to defend, hold harmless and indemnify City of Moscow, Idaho, its agents, servants, employees, officers and contractors from any and all claims, causes of action or damages which may arise from the Event Sponsor(s) use of the Park premises.
5. The Moscow Police Chief or designee is hereby empowered to order the immediate cessation of all activities allowed under this Resolution at any time he/she reasonably determines that it is in the best interest of City to do so. There shall be no appeal from a determination by the Moscow Police Chief or his designee to terminate all or part of the Permitted Event.

Vendor:

1. There shall be only one (1) licensed vendor of beer and/or wine at the Permitted Event;
2. All beer and/or wine shall be sold only by a licensed vendor.
3. Every licensed vendor shall obtain and shall comply with all alcohol related laws and regulations, including, but not limited to, the City requirement of a City catering permit; a State

beer and wine permit for benevolent, charitable, or public purpose events; or a winery sponsored event permit.

4. The name, address, telephone number, alcohol license permit number of every licensed vendor, and proof of insurance covering the vendor's activities (as required herein) shall be provided to the City Clerk no less than ten (10) days prior to the Permitted Event at which such licensed vendor shall sell beer and/or wine.
5. The City shall play no role in determining which vendor shall be selected to sell alcoholic beverages in the Park during the Permitted Event; described herein.
6. The vendor shall provide at least two (2) persons to check proper identification for those who shall be sold beer and/or wine during the Permitted Event. These persons shall be clearly identified and shall be stationed no less than ten feet (10') from the vendor's sales or dispensing counter.
7. The Event Sponsor shall provide at least two (2) law enforcement officers or two (2) guards from a recognized private security firm to provide security for the Permitted Event. Such officers or guards shall be clearly identified as such and shall be on duty at all times beer and/or wine is being served during the Permitted Event. The Event Sponsor(s) shall have sole discretion on who will provide security at the Permitted Event and shall be responsible for all payment and costs associated with such security services.
8. The Event Sponsor(s) and City both specifically understand and acknowledge that the Event Sponsor(s) shall be solely responsible for any and all liability resulting from action or inaction, and/or negligence, and/or gross negligence by security provided by the Event Sponsor(s) for the Permitted Event.

Sales and Consumption:

1. No less than ten (10) days prior to the Permitted Event at which the licensed vendor will sell beer and/or wine, the Event Sponsor shall deliver to the City Clerk three (3) copies of a site map which shall be drawn to show the locations, dimensions of, and relative distances between the following: (a) the beer and/or wine garden within the Park; (b) the barricade, sales and/or dispensing area, consumption area, entry and exit points; (c) identification checking station; and (d) food sales and service areas. Said site design and any subsequent alterations shall be approved in writing by Moscow Deputy City Supervisor – Recreation, Culture, and Employee Services or his/her designee, and by the Moscow Chief of Police prior to the Permitted Event.
2. All beer and/or wine sales and consumption shall take place within the area designated by the Event Sponsor and as shown on the site map required by this Resolution.
3. The designated sales and service area(s) shall be physically separated from the rest of the Park by a barricade which is no less than forty-four inches (44") tall and which is constructed so no person can pass under, over, or through it except at established entry and exit points located, as shown, on the site map required by this Resolution. All sales, dispensing, service, and consumption shall take place inside the approved barricade.
4. All food sales and service shall be located outside the approved barricade and have a space of no less than ten feet (10') between the approved barricade and food sales or service area.
5. No person shall be allowed to purchase, consume or possess beer and/or wine other than within the area designated for beer/wine sales and consumption as shown on the map required by this Resolution.
6. There shall be no more than one (1) entrance and one (1) exit to each area designated for beer and/or wine consumption, as shown on the map required by this Resolution.

7. All beer and/or wine shall be dispensed in and consumed from its original container. Such container shall be a readily identifiable container not more than sixteen ounces (16 oz.) in size which shall not bear a logo for a non-alcoholic beverage.
8. Every occupant within the area(s) designated for beer and/or wine consumption shall provide identification to law enforcement officers or City employees who request it.
9. No person under twenty-one (21) years of age shall be present in the area(s) designated for beer and/or wine sales or consumption at any time beer and/or wine is being served.
10. A sign shall be prominently posted at or near the entrance and exit to each area designated for beer and/or wine sales or consumption, stating that entrance by persons under twenty-one (21) years of age is prohibited.
11. Beer and wine shall be sold only within the designated areas at the Park only between the hours of 12:00 p.m. and 10:00 p.m. local time on the 24th day of July, 2021, during the Permitted Event.
12. Beer and wine shall be consumed only within the designated area at the Park only between the hours of 12:00 p.m. and 10:00 p.m. local time on the 24th day of July, 2021, during the Permitted Event.
13. No person shall carry or consume any alcoholic beverage within the Park which is not purchased or dispensed from the licensed vendor at the Permitted Event and consumed within the approved consumption area. Consumption of alcohol within the Park and outside of the approved consumption area shall be considered a violation of the City's open container ordinance.

Fee:

The Event Sponsor shall submit to the City Clerk, within ten (10) days of the event, the required fee established by Council that is associated with this Resolution.

Failure To Comply:

Failure to comply with this Resolution shall expose any such person to all relevant civil and criminal consequences and may result in denial of subsequent applications for alcohol permits in public parks for a period of no less than five (5) years.

PASSED AND APPROVED by the Mayor of the City of Moscow, Idaho, this 7th day of June, 2021.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

Attachment A



Attachment B

AGREEMENT TO DEFEND, TO HOLD HARMLESS AND TO INDEMNIFY BETWEEN CITY OF MOSCOW, IDAHO AND RENDEZVOUS IN MOSCOW, INC., FOR THE RENDEZVOUS IN THE PARK EVENT

THIS AGREEMENT TO DEFEND, TO HOLD HARMLESS AND TO INDEMNIFY, between City of Moscow, Idaho (hereinafter "CITY") and the sponsor of the event, Rendezvous in Moscow, Inc. (hereinafter "SPONSER"), is made and entered into this _____ day of _____, 2021.

WHEREAS, Resolution No. 2021-_____ of the City of Moscow, Idaho, passed and approved on the _____ day of _____, 2021, provides, in part, for the person(s) and or group holding the approved event to enter into an agreement with CITY to defend, hold harmless and indemnify CITY, its agents, servants, employees, officers, and contractors from any and all claims, causes of action, or damages which may arise from the sponsor's use of CITY Park premises for the approved event; and

WHEREAS, this Agreement meets such requirement;

NOW, THEREFORE, CITY and SPONSER agree as follows:

AGREEMENT TO DEFEND, HOLD HARMLESS, AND INDEMNIFY;

SPONSER, through its duly and specifically authorized agents, hereby releases CITY and agrees, contracts and covenants not to bring suit, and agrees to defend, hold harmless, and indemnify CITY, its officers, employees, agents and representatives from any and all claims, costs, judgments, awards, or liability to any person, including claims by SPONSER's own agents, officers, employees and representatives to which SPONSER might otherwise be immune, arising from the event scheduled to occur the 24th day of July, 2021, permitted under the terms of Resolution No. 2021-_____.

SPONSER expressly agrees that this indemnity provision extends to any and all claims, losses, actions or judgments for damages to property or injury, sickness or death to persons, arising out of, or in connection with, the acts and/or any performances or activities of SPONSER, SPONSER's officers, employees, agents, and representatives, or caused by the presence, dispensing, sale, gift, or ingestion of alcohol by SPONSER or its officers, employees, agents, and representative including, but not limited to, the caterer and/or vendor of alcohol during the event.

Inspection, review and/or acceptance by CITY of any activity performed by or during the event or any activity or non-activity by CITY police officers or other officers, employees, agents or representatives of CITY, shall not be grounds for avoidance of any of the covenants of defense, indemnification or hold harmless by SPONSER on behalf of CITY contained in this Agreement.

SPONSER agrees that she/he (i) has read the foregoing Agreement, understands it, and agrees with its contents and conditions; (ii) has had an opportunity to speak with legal counsel prior to signing this Agreement; and (iii) understands that the terms of this Agreement are contractually and legally binding and that no verbal statement to the contrary, by any person, can void or alter the terms of this Agreement.

SIGNED this ____ day of _____, 2021.

RENDEZVOUS IN MOSCOW, INC.

CITY OF MOSCOW, IDAHO

Daryle Faircloth, Chair

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
COUNTY OF LATAH)

On this _____ day of _____, 2021, before me, a Notary Public in and for said State, appeared Daryle Faircloth, known to me to be the person named above and acknowledged that he/she executed the foregoing document as the duly authorized representative for Rendezvous in Moscow, Inc.

Notary Public for the State of Idaho
Residing at _____
My commission expires _____

CITY COUNCIL STAFF REPORT

DATE: Monday, June 7, 2021



AGENDA ITEM TITLE

Airport Grant – Terminal Design and Apron Construction (ACTION ITEM) – Tony Bean, Executive Director Pullman-Moscow Regional Airport

RESPONSIBLE STAFF

Gary Riedner, City Supervisor

REVIEWED BY

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

DESCRIPTION

It is desirable to apply for entitlement and discretionary grants from the U.S. Department of Transportation Federal Aviation Administration (FAA) Airport Improvement Program for the purpose of Terminal Design and Apron Construction. The amount of the grant is \$12,000,000 with a local match of \$1,053,338.00 from the Airport's CARES grant. To facilitate the FAA grant, it is appropriate to preauthorize its acceptance. The proposed Resolution has been prepared for that purpose. The Resolution also authorizes the execution of related assurances and certifications. This was reviewed by the Public Works/Finance Committee on May 24, 2021 and recommended for approval.

STAFF RECOMMENDATION

Adopt the proposed Resolution preauthorizing the acceptance grant offer AIP 3-53-0051-058 from the FAA Airport Improvement Program.

PROPOSED ACTIONS

PROPOSED ACTIONS: Adopt the proposed Resolution preauthorizing the acceptance grant offer AIP 3-53-0051-058 from the FAA Airport Improvement Program, or take such other action deemed appropriate.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. SF-424_PDFTerminalDesign
2. ApronSF-424_PDF
3. Resolution 2021- FAA airport accept grant apron and terminal design

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

03/31/2021

4. Applicant Identifier:

5a. Federal Entity Identifier:

AIP 3-53-0051-058-2021

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Cities of Pullman, WA and Moscow, ID c/o PMRA

* b. Employer/Taxpayer Identification Number (EIN/TIN):

91-6001269

* c. Organizational DUNS:

0972521670000

d. Address:

* Street1:

3200 Airport Complex N

Street2:

* City:

Pullman

County/Parish:

Whitman

* State:

WA: Washington

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

99163-8974

e. Organizational Unit:

Department Name:

PMRA Airport Board

Division Name:

Administrative

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Mr.

* First Name:

Anthony

Middle Name:

Wayne

* Last Name:

Bean

Suffix:

Title: Executive Director

Organizational Affiliation:

* Telephone Number: 509-338-3223

Fax Number: 509-334-5217

* Email: tony.bean@pullman-wa.gov

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Federal Aviation Administration, Northwest Mountain Region

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

* 12. Funding Opportunity Number:

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Cities of Pullman, WA & Moscow, ID

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Terminal Design and Construction

Attach supporting documents as specified in agency instructions.

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	1,000,000.00
* b. Applicant	81,200.00
* c. State	0.00
* d. Local	0.00
* e. Other	
* f. Program Income	
* g. TOTAL	1,081,200.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email:

* Signature of Authorized Representative:

* Date Signed:

Application for Federal Assistance SF-424

* 1. Type of Submission: ☐ Preapplication ☒ Application ☐ Changed/Corrected Application		* 2. Type of Application: ☒ New ☐ Continuation ☐ Revision		* If Revision, select appropriate letter(s): * Other (Specify): 	
* 3. Date Received: 03/31/2021		4. Applicant Identifier: 			
5a. Federal Entity Identifier: AIP 3-53-0051-060-2021			5b. Federal Award Identifier: 		
State Use Only:					
6. Date Received by State: 		7. State Application Identifier: 			
8. APPLICANT INFORMATION:					
* a. Legal Name: Cities of Pullman, WA and Moscow, ID c/o PMRA					
* b. Employer/Taxpayer Identification Number (EIN/TIN): 91-6001269			* c. Organizational DUNS: 0972521670000		
d. Address:					
* Street1:		3200 Airport Complex N			
Street2:					
* City:		Pullman			
County/Parish:		Whitman			
* State:		WA: Washington			
Province:					
* Country:		USA: UNITED STATES			
* Zip / Postal Code:		99163-8974			
e. Organizational Unit:					
Department Name: PMRA Airport Board			Division Name: Administrative		
f. Name and contact information of person to be contacted on matters involving this application:					
Prefix:		* First Name:			
Mr.		Anthony			
Middle Name:					
Wayne					
* Last Name:					
Bean					
Suffix:					
Title:					
Executive Director					
Organizational Affiliation: 					
* Telephone Number:			Fax Number:		
509-338-3223			509-334-5217		
* Email: tony.bean@pullman-wa.gov					

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Federal Aviation Administration, Northwest Mountain Region

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

* 12. Funding Opportunity Number:

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Cities of Pullman, WA & Moscow, ID

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Terminal Apron Design and Construction

Attach supporting documents as specified in agency instructions.

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	5,500,000.00
* b. Applicant	243,034.50
* c. State	243,034.50
* d. Local	0.00
* e. Other	
* f. Program Income	
* g. TOTAL	5,986,069.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email:

* Signature of Authorized Representative:

* Date Signed:

RESOLUTION NO. 2021 – ____

A RESOLUTION PREAUTHORIZING THE ACCEPTANCE OF U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM GRANT MONIES FOR MULTIPLE PULLMAN-MOSCOW REGIONAL AIRPORT PROJECTS SUPPORTING THE TERMINAL DESIGN AND APRON CONSTRUCTION.

WHEREAS, Pullman-Moscow Regional Airport will be offered U.S. Department of Transportation Federal Aviation Administration Grant monies up to a maximum of \$12,000,000 to be used for projects supporting Terminal Design and Apron Construction; and

WHEREAS, information about said grant monies and project elements is before the City Council of the city of Moscow and attached hereto and marked as Exhibit "A"; and

WHEREAS, the turnaround time between receipt and return of executed grant authorization documents will be very limited; and

WHEREAS, this Council believes it to be in the best interests of the city of Moscow to preauthorize the acceptance of said grant monies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow as follows:

That the Mayor and Finance Director be and they are hereby preauthorized and directed to accept the U.S. Department of Transportation Federal Aviation Administration Grant monies.

That the Mayor and Finance Director are each hereby preauthorized and directed to take such further action as may be appropriate in order to effect the purpose of this Resolution.

That this Resolution shall become effective as of the ____ day of _____, 2021.

PASSED AND APPROVED by the Mayor and City Council of the City of Moscow, Idaho this ____ day of _____, 2021.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

Approved as to Form:

Mia Bautista, City Attorney

CITY COUNCIL STAFF REPORT

DATE: Monday, June 7, 2021



AGENDA ITEM TITLE

Public Hearing: Edington Annexation, Comprehensive Plan Land Use Designation, Zoning Designation, and Preliminary Plat (ACTION ITEM) - Mike Ray

RESPONSIBLE STAFF

Michael Ray, Assistant CD Director/Planning Manager

REVIEWED BY

Planning and Zoning Commission

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

DESCRIPTION

The applicant, BBC LLC, is requesting the annexation, Comprehensive Plan land use designation amendment, rezoning, and a preliminary subdivision plat of a 235-acre property generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property. The current Comprehensive Plan Land Use Designation is a combination of Auto-Urban Residential and Rural and Agricultural and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations. The zoning of the subject property is currently Agriculture Forestry (AF) and the proposal is to rezone to a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zone. The proposed preliminary plat is a 27-acre area with 105 lots ranging from 2,328 to 63,105 square feet in size, referred to as Edington Subdivision. The City of Moscow Planning and Zoning Commission conducted a public hearing for the proposed Comprehensive Plan Land Use Designations, Rezone, and Preliminary Plat on May 12, 2021 and recommended approval with one condition.

STAFF RECOMMENDATION

Conduct the public hearing upon the annexation, Comprehensive Plan land use designations, zoning designations, and preliminary plat and upon consideration of any testimony presented:

1. Approve the Annexation Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary.
2. If the Annexation Ordinance is approved, approve the proposed Comprehensive Plan Land Use Designation Resolution and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria.
3. If the Annexation Ordinance is approved and Comprehensive Plan Land Use Designation Resolution is approved, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria.
4. If the Annexation Ordinance is approved, the Comprehensive Plan Land Use Designation Resolution is approved, and the proposed Zoning Ordinance is approved, approve the preliminary plat for Edington Addition with conditions and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria.

PROPOSED ACTIONS

PROPOSED ACTIONS: Conduct the public hearing upon the annexation, Comprehensive Plan land use designations, zoning designations, and preliminary plat and upon consideration of any testimony presented:

1. Approve the Annexation Ordinance under suspension of the rules requiring three complete and

separate readings and that it be read by title and published by summary; or consider the Annexation Ordinance on first reading; or reject the Annexation Ordinance; or take other action as deemed appropriate.

2. If the Annexation Ordinance is approved, approve the proposed Comprehensive Plan Land Use Designation Resolution and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or reject the proposed Comprehensive Plan Land Use Designation Resolution and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other action as deemed appropriate.

3. If the Annexation Ordinance is approved and Comprehensive Plan Land Use Designation Resolution is approved, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or consider the Zoning Ordinance on first reading; or reject the Zoning Ordinance and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other action as deemed appropriate.

4. If the Annexation Ordinance is approved, the Comprehensive Plan Land Use Designation Resolution is approved, and the proposed Zoning Ordinance is approved, approve the preliminary plat for Edington Addition with conditions and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or approve the preliminary plat with no conditions and direct staff to prepare a Reasoned Statement of Relevant Criteria; or reject the preliminary plat and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other such action deemed appropriate.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Staff Report
2. Edington Packet
3. NPH LUP2021-0011 - Edington ANX RZ PP - CC 06-07-21
4. LUP2021-0011 - Edington Addition PP- PZ 05-12-21
5. LUP2021-0012 - Edington Addition RZ - PZ 05-12-21
6. LUP2021-0012 - Edington Comp Plan - PZ 05-12-21
7. minPZC20210512
8. Ordinance 2021 - Annexation _AE_final
9. Ordinance 2021 - Rezone _AE_final
10. Resolution 2021 - Comprehensive Plan _AE_final

COMMUNITY PLANNING AND DESIGN DEPARTMENT STAFF REPORT

HEARING DATE: June 7, 2021

GENERAL INFORMATION

Hearing Body: City Council

Subject: Proposal for a Comprehensive Plan Land Use Designation, Zoning Designation, and a Preliminary Subdivision Plat for a 235-Acre Property Proposed to be Annexed into the City of Moscow and Generally Located South of the West Palouse River Drive Ball Fields Property and West of the Schweitzer Engineering Laboratories Property within the City of Moscow.

Attachments:

1. Notice of Public Hearing
2. Annexation Request Letter
3. Application for Rezone
4. Preliminary Plat Application
5. Preliminary Plat
6. Legal Descriptions
7. Neighborhood Meeting Materials

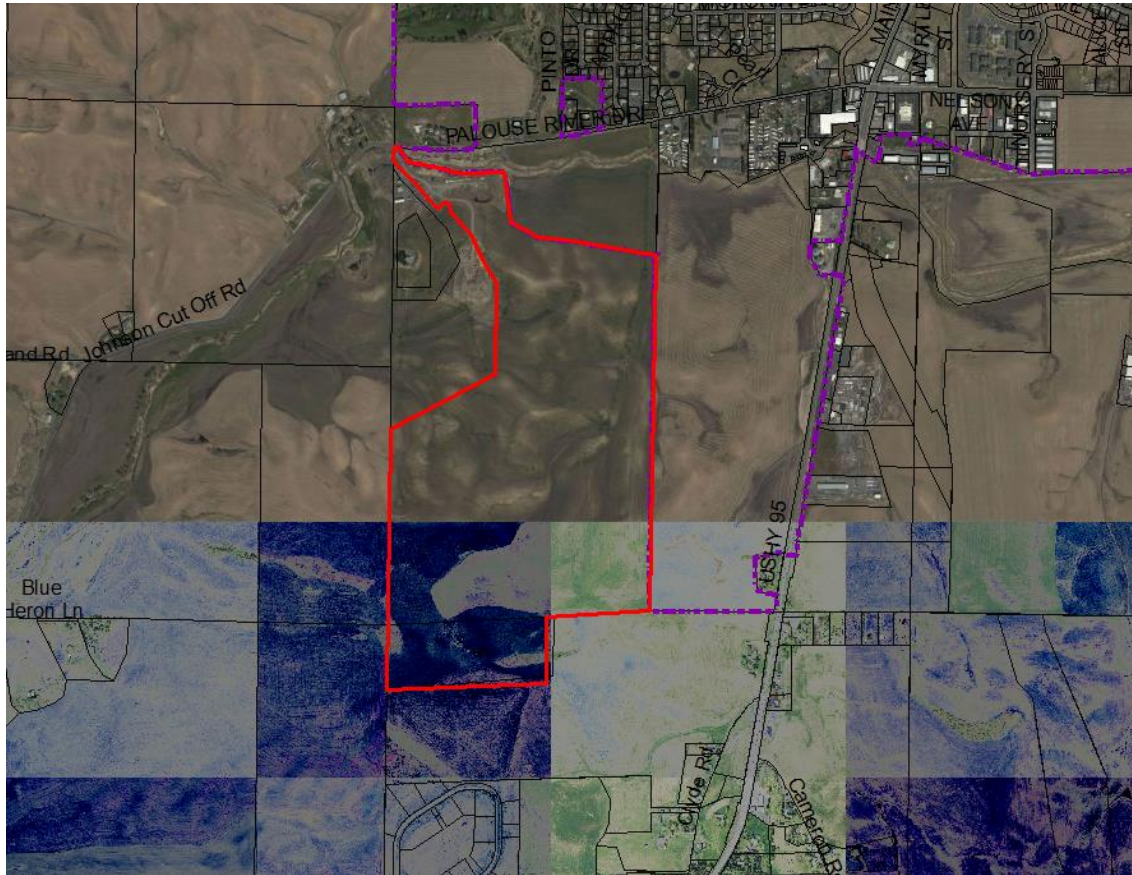
Prepared by: Mike Ray, AICP – Planning Manager

STAFF REVIEW

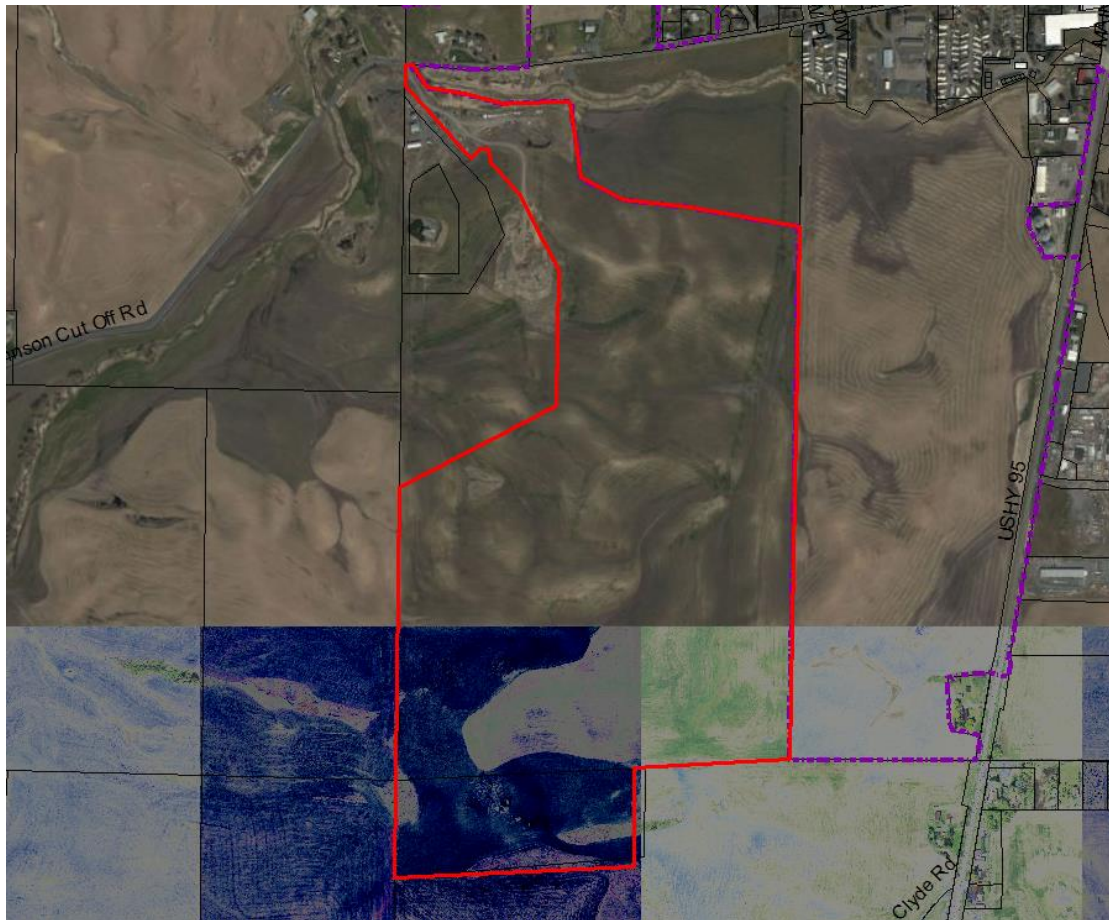
Proposal: The applicant, BBC, LLC, is proposing a Comprehensive Plan land use designation, zoning designation, and a preliminary subdivision plat for a 235-acre property proposed to be annexed into the City of Moscow and generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property within the City of Moscow. The current Comprehensive Plan Land Use Designation is a combination of Auto-Urban Residential and Rural and Agricultural and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations. The zoning of the subject property is currently Agriculture Forestry (AF) and the proposal is to rezone to a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zone. The proposed preliminary plat is a 27-acre area with 105 lots ranging from 2,328 to 63,105 square feet in size, referred to as Edington Subdivision.

Site and Area Land Use: The subject property is a 235-acre parcel that is primarily being used for agricultural production. The subject property is surrounded by primarily agricultural land to the west and the south, Schweitzer Engineering Laboratories property to the east, and the City's West Palouse River Drive ball fields property to the north. The

South Fork of the Palouse River currently flows through the ball fields property to the north.



Vicinity Map



Aerial of Subject Property

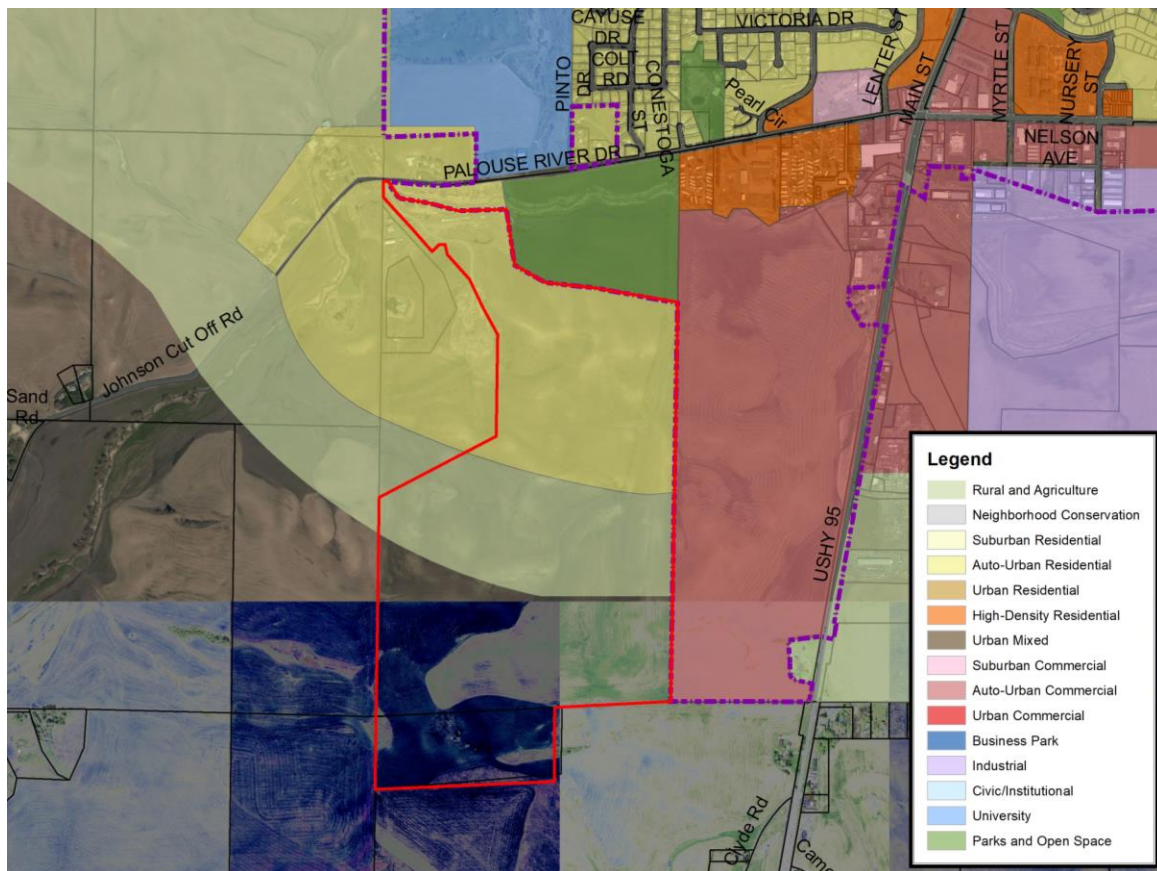
Comprehensive Plan: Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and Rural and Agricultural and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations. According to the 2019 Comprehensive Plan, High-Density Residential designated areas are intended to,

“allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands designated as Urban Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO).”

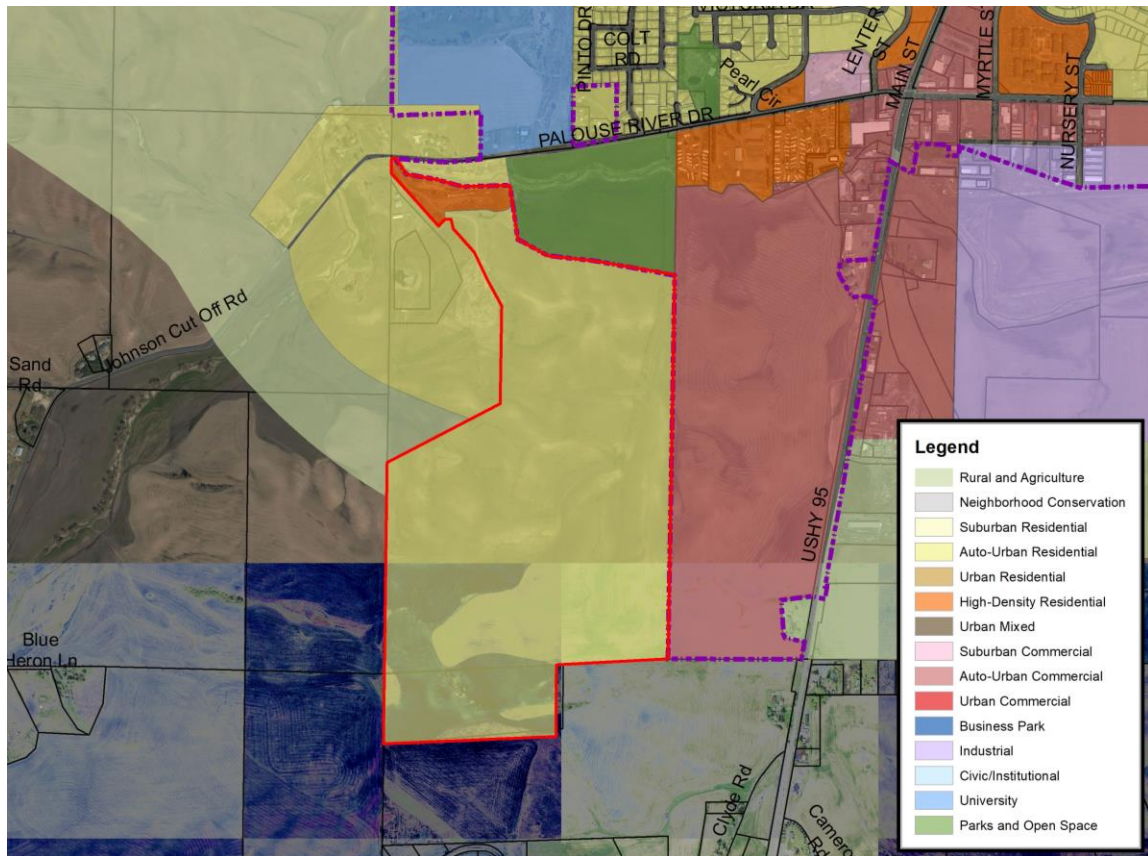
Auto-Urban Residential designated areas are intended to,

“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.”



Current Comprehensive Plan Land Use Designations



Proposed Comprehensive Plan Land Use Designation

Zoning: The subject property and adjacent properties immediately to the west and south within Latah County are currently designated as Agriculture/Forestry (AF). The West Palouse River Drive ball fields to the north is currently designated as Farm Ranch and Open Space and the Schweitzer property to the east is designated as Motor Business (MB). Manufactured home parks and Idaho Transportation Department's service yard on the south side of Palouse River Drive are zoned MB. The applicant is proposing to rezone the 235-acre parcel from the Agriculture Forestry (AF) to a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zone.

According to the City of Moscow Zoning Code, the RO Zone is a moderately intensive zone including both offices and high-density housing. It serves as a transitional Zoning District between residential Zoning Districts and commercial or industrial Zoning Districts.

The RO Zoning District is appropriately applied in the following circumstances:

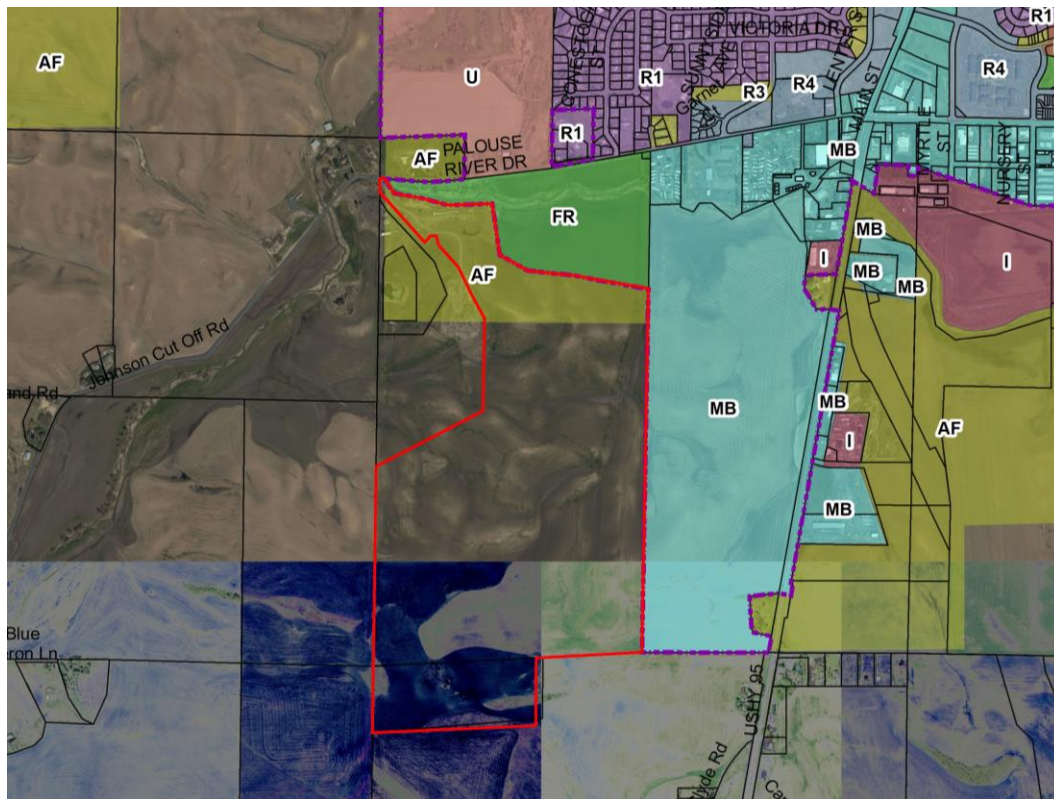
1. On the perimeter of commercial or industrial districts where they abut residential land uses;
2. Where transportation network use is greater than desirable for lower density residential uses;
3. Where landforms create sites which are reasonably accessible by transportation systems and which are buffered from nearby residential areas; and

4. Where the development patterns in a neighborhood will allow development of moderate intensity to occur without producing adverse visual impact or harm to the transportation network.

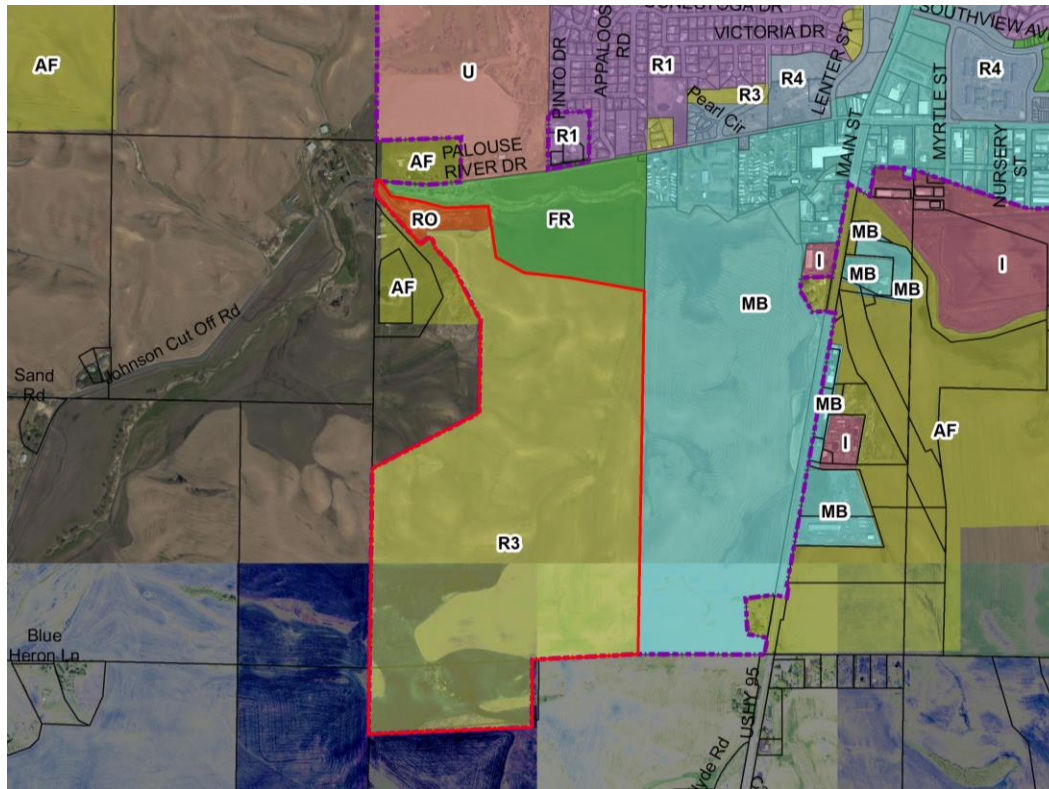
Uses permitted within the RO Zone include single family dwellings, two family dwellings, multi-family dwellings, twinhomes, townhouses, market and community gardens, veterinary services, professional offices, restaurants up to 1,500 sf in size, group and small child care facilities, community/neighborhood centers, health care services, public parks and recreation facilities, telecommunications services, personal care services, and bed and breakfast inns.

The Medium Density Residential (R-3) Zoning District provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan.

Uses permitted within the R-3 Zone include single-family dwellings, two family dwellings, twinhomes, townhouses, market and community gardens, group and small child care facilities, and public parks and recreation facilities.



Existing Zoning



Proposed Zoning

Preliminary Plat: The applicant is proposing to subdivide the 27-acre area into 105 lots ranging from 2,328 to 63,105 square feet in size, referred to as Edington Subdivision. There are 20 lots that are proposed within the RO Zone, with 17 being townhouse lots. The R-3 Zoned portion of the project is proposed to contain 55 townhouse lots and 30 standard single-family lots. All of the proposed lots meet the minimum lot size and width for their respective proposed zoning districts.

The minimum lot size for single-family, two-family, and multi-family dwellings parcels within the RO Zone is 5,000 sf or 800 sf per dwelling unit, whichever is greater. Townhouse dwellings have a minimum lot size of 1,800 sf and twinhome dwellings require 2,250 square feet. The minimum lot width for single-family, two-family, and multi-family dwellings is 50 feet, 18 feet for townhouses, and 25 feet for twinhomes.

The minimum lot size for detached single family lots within the R-3 Zone is 6,000 sf and townhouse lots require 2,000 square feet. The minimum lot width for detached single family lots within the R-3 Zone is 60 feet (50 feet for lots with alley access). The minimum townhouse lot width is 20 feet for the R-3 Zone.

The Zoning Code contains specific standards for townhouses which includes unit grouping and spacing, guest parking, and common open space requirements. Townhouse buildings shall contain no more than 8 contiguous units and the spacing between townhouse buildings shall be no less than 16 feet. Spacing between townhouse buildings shall include a four 4-

foot-wide pedestrian easement and sidewalk joining the alley, or rear of the townhouse development, to the public sidewalk adjacent to the front public street.

Townhouse developments of more than twenty-four 24 units shall provide off-street guest parking at the rate of 1 stall per each 4 townhouse units. Such guest parking shall be located within the required spacing between townhouse buildings or at the rear of the townhouse buildings. Townhouse developments of more than 24 units shall also provide functional common open space of 75 square feet per unit. Such common open space shall be of a functional size, the smallest dimension of which shall not be less than 30 and shall include landscaped and turf areas and shall include at least 2 different furnishings such as benches, picnic tables, children's play equipment or other similar items.

Staff has verified that the grouping, spacing, pedestrian easements, and open space meet the townhouse standards. All additional standards will be verified when construction drawings are submitted.

There are numerous tracts throughout the proposed subdivision that are intended to provide stormwater detention facilities, as well as common off-street parking, and pedestrian paths.

Access, Streets, Traffic: The subject property has access via Palouse River Drive which is designated as a minor arterial. Palouse River Drive is currently not developed to the minor arterial standard which is a 34-foot-wide roadway section with curb, gutter, and sidewalks on both sides of the street. The roadway is currently paved, but there is intermittent curbing and sidewalks, typically only on one side of the street. Frontage improvements that have occurred on Palouse River Drive are mainly on the north side of the street as a result of subdivision development.

There are proposed to be two access points to Palouse River Drive. One access point is on the west side after the South Fork of the Palouse River bridge and the other is at the east end which is the extension of Conestoga Street across the City's ball fields property. As part of the extension of Conestoga Street to the south to the subject property, a bridge will be constructed across the South Fork of the Palouse River.

On April 8th of this year, City Staff received a request from the applicant, BBC LLC, requesting the City's financial participation in the construction of the extension of Conestoga Street and the accompanying bridge construction as it provides mutual benefit to both the applicant and the City. At the City Council meeting of May 3, 2021, staff presented information on the history of the City's property and prior proposed playfield development of the property to be considered in the Council's deliberations regarding the City's participation in the costs of extension of Conestoga Street. Council directed staff to negotiate an agreement with BBC LLC for further City Council consideration. The terms of the agreement were to include the limits of the City's financial participation at 50% of the actual cost of the Conestoga Street extension, up to a maximum amount of \$1,078,210, that the City's financial participation would not come due until all the improvements were completed and accepted by the City, and to encourage BBC LLC to provide some element of affordable housing in any potential development of its property served by the Conestoga

Street extension. As part of the agreement, BBC LLC agreed to construct, at BBC LLC's expense, the frontage improvements to the south side of West Palouse River Drive to include installation of curbing, sidewalk and roadway widening to improve West Palouse River Drive to thirty-four (34) feet in width from the intersection with Conestoga Street and continuously extending to US 95/South Main Street. At the Council meeting of May 17, 2021, the Council approved the Memorandum of Understanding which included the participation detailed above.

As was mentioned previously, there are two main access points from Palouse River Drive to the proposed subdivision. The street extending from the west is proposed to be Augustine Avenue, which will be developed to the collector standard which is a 34-foot paved width with two travel lanes, bike lanes on both sides, and no on-street parking. Curb, gutter, tree lawns, and sidewalks are also required on both sides of the street. The extension of Conestoga Street to the east is also proposed to be a collector street developed to the same standard as Augustine Avenue. The City's Thoroughfare Plan shows the general alignment of two collector streets at the same alignment as the proposed Conestoga Street extension and Augustine Avenue.

The primary street which provides a connection to Conestoga Street and Augustine Avenue is Edington Street which is proposed to be developed as a 36-foot-wide local street which includes curb, gutter, tree lawns, sidewalks, and parking on both sides of the street. All of the proposed lots within the subdivision will have public street frontage as well as rear public alley access. There are multiple alley entrance points from Edington Avenue and the blocks are laid out in a semi-gridded network. Per the City's townhouse standards, there are multiple pedestrian easements which will contain 4-foot-wide sidewalks in-between the grouping of townhouse buildings. A public pathway is proposed on the linear Tract C between the subdivision and the ball fields property to the north.

There are two additional local streets which make up the grid network, which are Chesterton Drive and Luther Drive. These proposed streets are stubbed to the southern boundary of the proposed subdivision and are intended to extend to future subdivision to the south.

Utilities: Water mains will be extended throughout the subdivision from the existing mains within Palouse River Drive. The property is considered developable in the City's Comprehensive Water System Plan dated January 2012. The Engineering Department has determined that the existing system has adequate potable and fire flows to serve the proposed subdivision.

Sanitary sewer is proposed to be extended throughout the subdivision primarily within the alleys. A main will then be extended in an east/west direction across the ball field property to a lift station that will be constructed to serve the proposed subdivision.

Storm sewer will be piped and directed to numerous stormwater detention ponds located within the proposed subdivision. The detention facilities of the proposed development will need to meet Moscow's Stormwater Runoff Control Standards which required the

stormwater to be detained to the pre-development rate. The stormwater is then conveyed from the detention facilities to the South Fork of the Palouse River.

Parkland Dedication: Per the attached memo from David Schott, Assistant Parks and Recreation Director, the proposed subdivision falls under the requirements of the parkland dedication codes of the City. There is 4.2 acres of net developable area of platted RO Zoned property, which requires a 9% dedication. There is 9.16 acres of net developable area within the R-3 Zone which requires a 7% dedication. The total parkland dedication for the proposed subdivision is 1.02 acres. The applicant has submitted a letter proposing to defer the parkland dedication to a later phase, which was reviewed by the Parks and Recreation Commission and Pathways Commission. Both Commissions recommended approval of deferring the parkland dedication during their April 13, 2021 and April 22, 2021 regular meetings.

Other Issues: The applicant conducted a neighborhood meeting with affected property owners within 600 ft. of the subject property on March 19, 2021 to discuss the proposal. All neighborhood meeting materials are attached to your packet.

Input from other Departments/Commissions:

Engineering Department

The Engineering Department has provided parkland dedication requirements within an attached May 4, 2021 memo from Todd Drage, Engineering Technician.

Parks and Recreation Department

The Parks and Recreation Department has provided parkland dedication requirements within an attached May 6, 2021 memo from David Schott, Assistant Parks and Recreation Director.

Transportation Commission

The Transportation Commission reviewed the proposed subdivision at their April 8, 2021 meeting and were in support of the proposed street network.

RECOMMENDATIONS:

Staff recommends that the Council conduct the public hearing upon the annexation, Comprehensive Plan land use designations, zoning designations, and preliminary plat and upon consideration of any testimony presented:

1. Approve the Annexation Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary.
2. If the Annexation Ordinance is approved, approve the proposed Comprehensive Plan Land Use Designation Resolution and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria.
3. If the Annexation Ordinance is approved and Comprehensive Plan Land Use Designation Resolution is approved, approve the proposed Zoning Ordinance under

suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria.

4. If the Annexation Ordinance is approved, the Comprehensive Plan Land Use Designation Resolution is approved, and the proposed Zoning Ordinance is approved, approve the preliminary plat for Edington Addition with conditions and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria.

March 26, 2021

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

RECEIVED

MAR 29 2021

City of Moscow

RE: Request of Annexation and Rezoning – Parcel #RP39N05W192460, 235 Acres

Dear Mike:

A & E LLC is requesting Parcel RP39N05W192460 (approximately 235 acres) off Palouse River Drive to be considered for Annexation into the City of Moscow and rezone from Agricultural/Forestry to Medium Density Residential and Residential Offices.

Enclosed in this submittal are:

- Neighborhood Meeting notification, sign-in sheet, Preliminary Site map, and Neighborhood Meeting Minutes.
- Rezone Application with Payment.
- Legal Description of the Property.
- Preliminary Plat documents.

Please contact us if there are any questions or clarifications.

Thank you for your consideration on this project.

Sincerely,



Property Owner:
Andrew Crapuchettes
A & E LLC



Developer:
Rich Beebe
BBC LLC



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

For City Use Only			
Date Received			
Dept	Fee Type	Fees	Paid
CD	Application Fee	\$895	
Receipt Number			

MAR 26 2021

APPLICATION FOR ZONING AMENDMENT

(Please type or print plainly with blue ink.)

City of Moscow

GENERAL INFORMATION

1. Applicant

Name: BBC LLC Telephone: 509.330.0623
PO Box 8608, Moscow, ID
 (Home address)

Relationship to affected property (please check one):

Owner ☐ Purchaser ☐ Lessee ☐ Other ☒ (explain below)
 agent

2. Owner of Affected Property (if other than applicant)

Name: A & E LLC, Andrew Crapuchettes Telephone: _____
4930 Lenville Road, Moscow, Idaho
 (Home address)

3. Location of Affected Property: RP39N05W192460

Legal Description: attached
 (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: Agriculture/Forestry to: R3/RO
 (Current zoning) (Proposed zoning)

5. Reason: Applicant requests a rezone for the following reason(s):
The property will be annexed into the city and will be developed for medium density residential

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.

The current proposal will direct land to meet the current and future community needs by providing homes. It will also encourage a variety of housing to meet residents of different economic abilities.

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

The rezone would allow for the construction of homes surrounding a city owned park property. The development is a logical location for medium density residential homes.

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

The surround area is residential and agricultural farming. The medium density residential is compatible with the surrounding area. Medium density residential allows for the flexibility to transition between medium-high density and medium-low density to fit the surrounding area and terrian.

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.

The development of rezone encompasses 235 acres will include improvements and has to potential to allow for fire stations, schools, and other public amenities such that an undue burden would not occur.

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.

The development of rezone encompasses 235 acres that will provide improvements to the public infrastructure such that there will not be undue burden based on the development.

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.

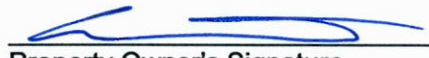
The following materials must be included with this application:

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

3/26/2021
Date


Property Owner's Signature

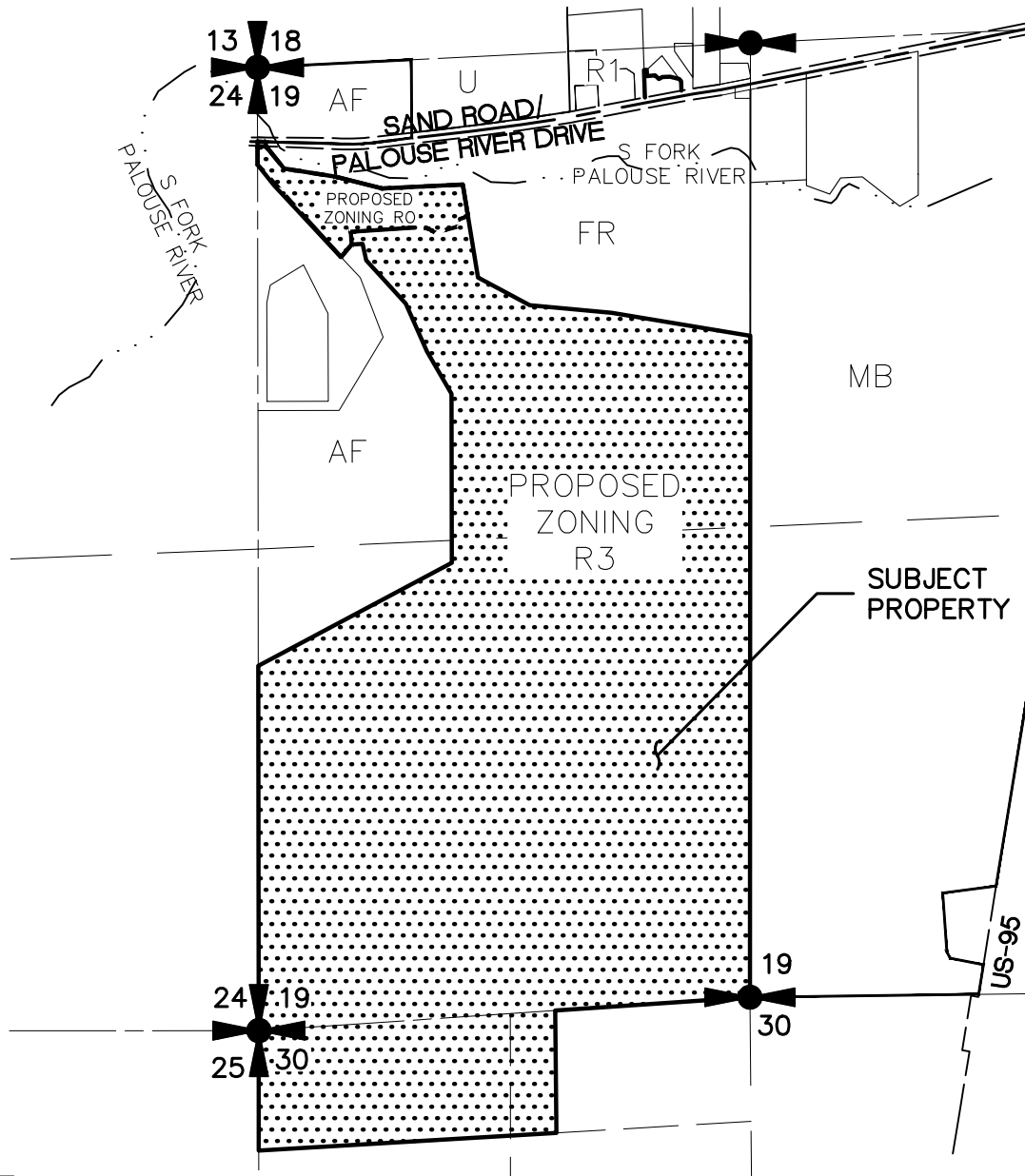
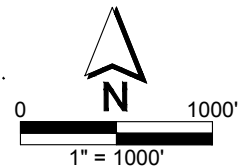
3-26-2021
Date

ANNEXATION EXHIBIT

SECTION 19 & 30, TOWNSHIP 39N, RANGE 5W, B.M.

ANNEXATION EXHIBIT

LATAH COUNTY, IDAHO



SUBJECT PARCEL



CITY LIMITS BOUNDARY



ZONING DISTRICT BOUNDARY

THIS EXHIBIT DOES NOT CONSTITUTE A
PROPERTY BOUNDARY SURVEY

SHEET 1 OF 1

SYNTIER
Engineering, Inc.

405 SE Bishop Blvd, Suite 2
Pullman, WA 99163
www.SynTierEngr.com 509.339.6187

ANNEXATION LAND DESCRIPTION

THAT PORTION OF A PARCEL OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NO. 610270, RECORDS OF LATAH COUNTY, SITUATE IN THE WEST HALF OF SECTION 19 AND THE NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 30 OF TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN, LATAH COUNTY, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19, SAID POINT BEING NORTH 00°04'50" WEST A DISTANCE OF 5273.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, THENCE ALONG THE WEST LINE OF SAID SECTION 19 SOUTH 00°04'50" EAST A DISTANCE OF 405.30 FEET TO A POINT ON THE CENTERLINE OF SAND ROAD (PALOUSE RIVER DRIVE), SAID POINT ALSO BEING ON THE NORTH LINE OF AFOREMENTIONED PARCEL OF LAND DESCRIBED IN WARRANTY DEED INSTRUMENT NO. 610270, AND THE **POINT OF BEGINNING**;

THENCE SAID NORTH LINE THE FOLLOWING 10 COURSES:

1. ALONG SAID CENTERLINE SOUTH 85°50'16" EAST A DISTANCE OF 46.20 FEET;
2. DEPARTING SAID CENTERLINE SOUTH 03°51'00" WEST A DISTANCE OF 19.40 FEET;
3. SOUTH 38°25'29" EAST A DISTANCE OF 160.48 FEET;
4. SOUTH 80°57'11" EAST A DISTANCE OF 287.68 FEET;
5. SOUTH 75°52'29" EAST A DISTANCE OF 261.59 FEET;
6. NORTH 87°12'26" EAST A DISTANCE OF 441.17 FEET;
7. SOUTH 09°19'41" EAST A DISTANCE OF 515.84 FEET;
8. SOUTH 61°52'11" EAST A DISTANCE OF 321.34 FEET;
9. SOUTH 84°42'05" EAST A DISTANCE OF 451.15 FEET;
10. SOUTH 80°34'48" EAST A DISTANCE OF 767.45 FEET TO THE EAST LINE OF THE WEST HALF OF AFOREMENTIONED SECTION 19;

THENCE ALONG SAID EAST LINE SOUTH 00°01'45" WEST A DISTANCE OF 3621.35 FEET TO THE SOUTH QUARTER OF SAID SECTION 19;

THENCE ALONG THE SOUTH LINE OF SAID SECTION 19 SOUTH 86°06'52" WEST A DISTANCE OF 1067.81 FEET;

THENCE DEPARTING SAID SOUTH LINE SOUTH 00°31'32" EAST A DISTANCE OF 669.64 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 30;

THENCE ALONG SAID SOUTH LINE SOUTH 86°35'15" WEST A DISTANCE OF 1631.19 FEET TO THE WEST LINE OF SAID SECTION 30;

THENCE ALONG THE WEST LINE OF SAID SECTION 30 NORTH 00°00'13" WEST A DISTANCE OF 656.53 TO THE NORTHWEST CORNER OF SAID SECTION 30;

THENCE ALONG THE WEST LINE OF AFOREMENTIONED SECTION 19 NORTH 00°04'50" WEST A DISTANCE OF 1997.15 FEET;

THENCE DEPARTING SAID WEST LINE NORTH 61°57'36" EAST A DISTANCE OF 1200.03 FEET;

THENCE NORTH 00°05'27" WEST A DISTANCE OF 924.82 FEET;

THENCE NORTH 30°06'10" WEST A DISTANCE OF 267.43 FEET;

THENCE NORTH 23°58'51" WEST A DISTANCE OF 286.66 FEET;

THENCE NORTH 42°19'15" WEST A DISTANCE OF 321.05 FEET;

THENCE NORTH 12°42'46" WEST A DISTANCE OF 92.76 FEET;

THENCE SOUTH 86°12'55" WEST A DISTANCE OF 60.64 FEET;

THENCE SOUTH 39°49'22" WEST A DISTANCE OF 89.57 FEET TO A POINT ON THE NORTHEASTERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED AS "PARCEL 1" IN WARRANTY DEED INSTRUMENT No. 580937, RECORDS OF LATAH COUNTY;

THENCE ALONG SAID NORTHEASTERLY BOUNDARY LINE THE FOLLOWING 2 COURSES:

1. NORTH 42°59'48" WEST A DISTANCE OF 536.43 FEET
2. NORTH 38°33'29" WEST A DISTANCE OF 145.44 FEET TO THE WEST LINE OF SAID SECTION 19;

THENCE ALONG SAID WEST LINE NORTH 00°04'50" WEST A DISTANCE OF 127.80 FEET TO THE **POINT OF BEGINNING**.

EXCEPT PUBLIC ROAD RIGHT OF WAY.

CONTAINING: 10,237,684 SQ.FT. OR 235.02 ACRES, MORE OR LESS.

PREPARED BY: SYNTIER ENGINEERING

3-29-2021

DESCRIPTION OF PROPOSED RO ZONE

DESCRIPTION of a parcel of land situate in Government Lot 1, Section 19, Township 39 North, Range 5 West, BM, Latah County, State of Idaho, being more fully described as follows:

COMMENCING at the Northwest corner of said Section 19, said point being South 87°09'26" West a distance of 2700.96 feet from the North Quarter Corner of said Section 19, thence South 00°04'50" East a distance of 405.30 feet along the West line of said Section 19 to the **POINT OF BEGINNING**;

Thence South 85°50'16" East a distance of 46.20 feet;

Thence South 03°51'00" West a distance of 19.40 feet;

Thence South 38°25'29" East a distance of 160.48 feet;

Thence South 80°57'11" East a distance of 287.68 feet;

Thence South 75°52'29" East a distance of 261.59 feet;

Thence North 87°12'26" East a distance of 441.17 feet;

Thence South 09°19'41" East a distance of 137.43 feet;

Thence South 80°18'44" West a distance of 70.57 feet to a point on a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South 47°51'43" West a distance of 112.00 feet, a central angle of 27°44'15", the chord of which bears South 28°16'09" East a distance of 53.69 feet, an arc distance of 54.22 feet;

Thence South 14°24'02" East a distance of 33.26 feet;

Thence South 75°35'58" West a distance of 123.97 feet;

Thence South 55°35'02" West a distance of 53.30 feet to a point on a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 35°54'26" West a distance of 100.00 feet, a central angle of 39°41'32", the chord of which bears North 73°56'19" West a distance of 67.90 feet, an arc distance of 69.28 feet;

Thence South 86°12'55" West a distance of 341.29 feet to the beginning of a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 03°47'05" West a distance of 100.00 feet, a central angle of 23°27'15", the chord of which bears South 74°29'17" West a distance of 40.65 feet, an arc distance of 40.94 feet;

Thence South 27°14'20" East a distance of 30.00 feet to a point on a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 27°14'20" East a distance of 70.00 feet, a central angle of 15°13'45", the chord of which bears South 55°08'47" West a distance of 18.55 feet, an arc distance of 18.61 feet;

Thence South 42°59'48" East a distance of 5.00 feet to the beginning of a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 42°25'39" East a distance of 65.00 feet, a central angle of 7°44'58", the chord of which bears South 43°41'52" West a distance of 8.78 feet, an arc distance of 8.79 feet;

Thence South 39°49'22" West a distance of 61.71 feet;

Thence North 42°59'48" West a distance of 536.43 feet;

Thence North 38°33'29" West a distance of 145.44 feet;

Thence North 00°04'50" West a distance of 127.18 feet to the **POINT OF BEGINNING**.

CONTAINING: 295,589 square feet or 6.79 acres of land, more or less.

Prepared by SynTier Engineering

**DESCRIPTION OF
PROPOSED R3 ZONE**

DESCRIPTION of a parcel of land situate in Government Lots 1 and 2, and the East half of the Northwest Quarter of Section 19 and the North half of the Northwest Quarter of Section 30, Township 39 North, Range 5 West, BM, Latah County, State of Idaho, being more fully described as follows:

COMMENCING at the Northwest corner of said Section 19, said point being South 87°09'26" West a distance of 2700.96 feet from the North Quarter Corner of said Section 19, thence South 55°51'35" East a distance of 1384.35 feet to the **POINT OF BEGINNING**

Thence South 09°19'41" East a distance of 378.41 feet;

Thence South 61°52'11" East a distance of 321.34 feet;

Thence South 84°42'05" East a distance of 451.15 feet;

Thence South 80°34'48" East a distance of 767.45 feet;

Thence South 00°01'45" West a distance of 3621.35 feet;

Thence South 86°06'52" West a distance of 1067.81 feet;

Thence South 00°31'32" East a distance of 669.64 feet;

Thence South 86°35'15" West a distance of 1631.19 feet;

Thence North 00°00'13" West a distance of 656.53 feet;

Thence North 00°04'50" West a distance of 1997.15 feet;

Thence North 61°57'36" East a distance of 1200.03 feet;

Thence North 00°05'27" West a distance of 924.82 feet;

Thence North 30°06'10" West a distance of 267.43 feet;

Thence North 23°58'51" West a distance of 286.66 feet;

Thence North 42°19'15" West a distance of 321.05 feet;

Thence North 52°22'33" West a distance of 117.03 feet;

Thence North 42°59'48" West a distance of 5.00 feet to the beginning of a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South 42°28'06" East a distance of 70.00 feet, a central angle of 15°13'45", the chord of which bears North 55°08'47" East a distance of 18.55 feet, an arc distance of 18.61 feet;

Thence North 27°14'20" West a distance of 30.00 feet to a point on a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South $27^{\circ}14'20''$ East a distance of 130.00 feet, a central angle of $23^{\circ}27'15''$, the chord of which bears North $74^{\circ}29'17''$ East a distance of 40.65 feet, an arc distance of 40.94 feet;

Thence North $86^{\circ}12'55''$ East a distance of 341.29 feet to the beginning of a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South $03^{\circ}47'05''$ East a distance of 100.00 feet, a central angle of $39^{\circ}41'32''$, the chord of which bears South $73^{\circ}55'51''$ East a distance of 67.90 feet, an arc distance of 69.28 feet;

Thence North $55^{\circ}35'02''$ East a distance of 53.30 feet;

Thence North $75^{\circ}35'58''$ East a distance of 123.97 feet;

Thence North $14^{\circ}24'02''$ West a distance of 33.26 feet to the beginning of a non-tangent curve to the left;

Thence along said non-tangent curve to the right, with a radius that bears South $75^{\circ}35'58''$ West a distance of 112.00 feet, a central angle of $27^{\circ}44'15''$, the chord of which bears North $28^{\circ}16'09''$ West a distance of 53.69 feet, an arc distance of 54.22 feet;

Thence North $80^{\circ}18'44''$ East a distance of 70.57 feet to the **POINT OF BEGINNING**.

CONTAINING: 9,945,979 square feet or 228.33 acres of land, more or less.

Prepared by SynTier Engineering



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

For City Use Only			
Date Received			
Dept	Fee Type	Fees	Paid
CD	Application Fee	\$895	
Receipt Number			

RECEIVED

MAR 26 2021

City of Moscow

APPLICATION FOR PRELIMINARY SUBDIVISION PLAT**APPLICANT:**Name: BBC LLC, Rich Beebe Telephone: 509.330.0623Complete Address: PO Box 8608, Moscow, IDE-Mail: r33beebe@gmail.com

Fax: _____

OWNER: (if other than applicant)Name: A & E LLC, Andrew Crapuchettes Telephone: Rich BeebeComplete Address: 4930 Lenville Road, Moscow, ID 83843E-Mail: Andrew@economicmodeling.com

Fax: _____

ENGINEER/SURVEYOR:Name: Scott Sumner Telephone: 208.596.7912Complete Address: 405 SE Bishop Blvd, Ste 2, Pullman, WA 99163E-Mail: scott @ syntierengr.com

Fax: _____

Primary point of contact (select one): Applicant _____ Owner _____ Engineer/Surveyor X**PROPERTY:**1. Proposed Subdivision Name: Edington2. Address(as) or Parcel Number(s): RP39N05W1924603. Legal Description: *Please attach copy of full description.*4. Gross area of all land involved: 27.00 acres, and/or _____ sq. ft.5. Total Net Area of land area exclusive of proposed or existing public street and other public lands:
9.59 acres, and/or _____ square feet.6. Total number of lots: 119 Average lot size: 5,6007. Existing Zoning of subject property: Agriculture/Forestry**SEWER AND WATER MAIN OVERSIZING REIMBURSEMENT POLICY**

Oversizing of utilities will not be eligible for reimbursement from the City unless a written request is submitted to the City Engineer prior to approval of the project construction drawings and a written approval of such request is issued by the City Engineer.

PROJECT DESCRIPTION:

Please describe the concept of the proposed subdivision and approximate percentage (%) of each proposed new land use, i.e. 75% single family residential; 20% multi-family; 5% commercial. Also include any proposed park land and the acreage:

The proposed subdivision will predominately by medium density residential (77% R3), with a portion RO (23%). There will be 0.5 to 1 acre of path ways. The site is adjacent to the City of Moscow future ball fields.

PRELIMINARY PLAT CHECKLIST:

- _____ 1. Subdivision name
- _____ 2. Location: Section, Township, Range
- _____ 3. Subdivider's name & address
- _____ 4. Engineer/surveyor name & address
- _____ 5. Date of subdivision
- _____ 6. Reference to adjoining subdivisions with names
- _____ 7. North arrow
- _____ 8. Scale, not less than 1 in. = 60 ft.
- _____ 9. Existing and proposed right-of-way or public tracts with widths and names
- _____ 10. Lot and block layout with numbering and dimensions
- _____ 11. Existing zoning designation, or proposed if a rezone is requested
- _____ 12. All existing and proposed easements of record stating width and purpose
- _____ 13. Location of any existing open spaces or permanent structures
- _____ 14. General layout of sewer and water utilities
- _____ 15. Proposed phasing, if any
- _____ 16. Acreage breakdown with gross and net (less right-of-way)
- _____ 17. Plan/profile of proposed street grades
- _____ 18. Existing Topography*
- _____ 18. Proposed finished grading plan*
- _____ 19. Location of any delineated wetlands and/or water bodies and, if applicable, the floodway and 100-year floodplain (BFE data must be included if the plat is ≥ 5 acres or ≥ 50 lots)
- _____ 20. Vicinity sketch

*5' max. contour interval, except for slopes >50% may have 10' interval) Areas with existing slopes $\geq 20\%$ shall be shaded or clearly indicated on the plans.

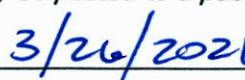
SUBMITTAL:

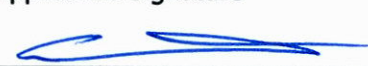
A Subdivision application is made by submitting the following information to the Community Development Department:

- Completed application.
- Copy of neighborhood meeting invitation, mailing list, attendance list and minutes.
- Payment of application fees.
- One full-sized Preliminary Plat Map and one electronic copy.

I understand this information is a public record and may be posted to a public website.

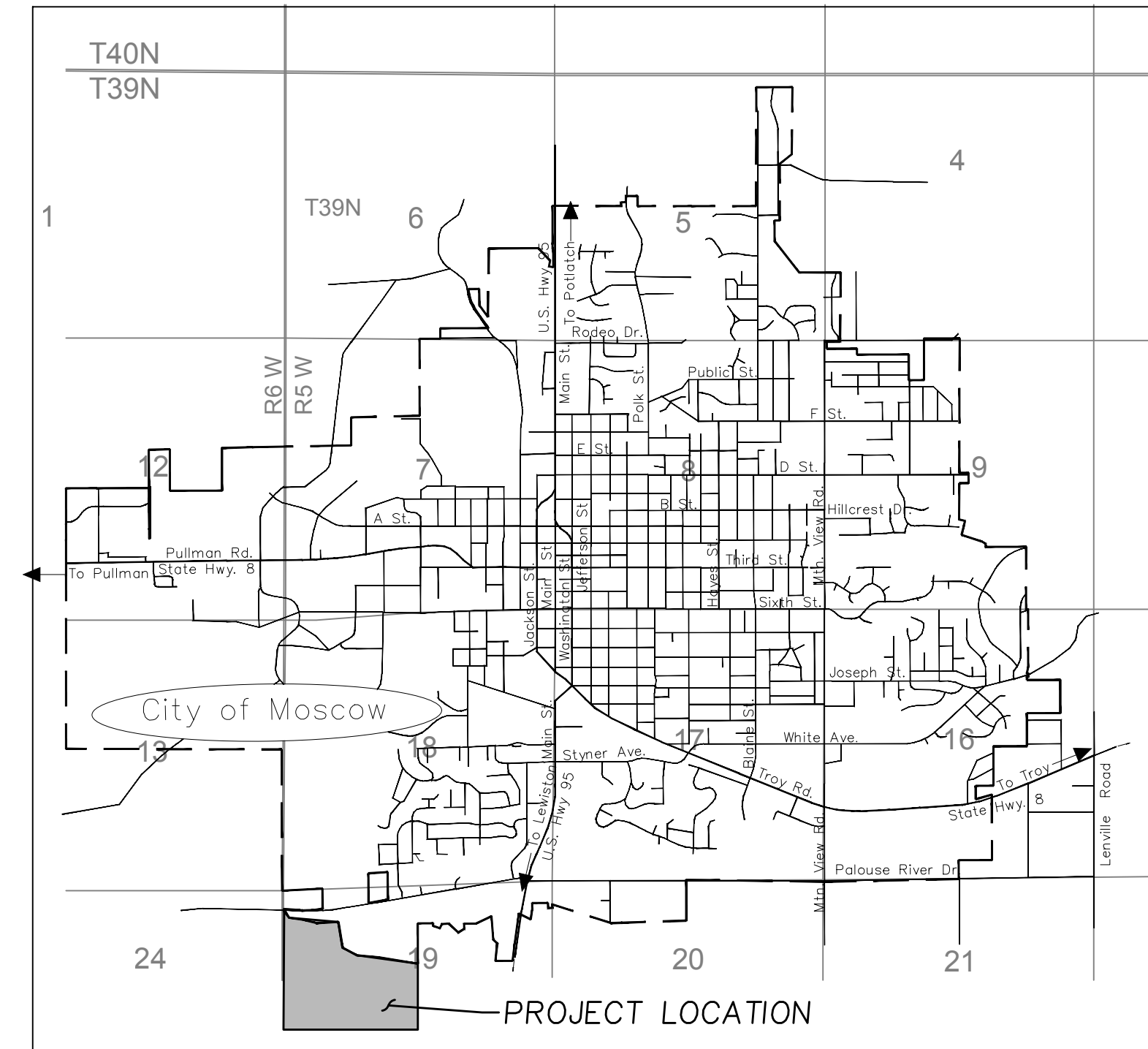

Applicant's Signature


Date


Property Owner's Signature (if different)


Date

A PORTION OF GOVERNMENT LOTS 1 AND 2 AND THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 5 WEST, B.M., LATAH COUNTY, STATE OF IDAHO

VICINITY MAP

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19, SAID POINT BEING SOUTH 87°09'26" WEST A DISTANCE OF 2700.96 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 19, THENCE SOUTH 00°04'50" EAST A DISTANCE OF 405.30 FEET ALONG THE WEST LINE OF SAID SECTION 19 TO A POINT ON THE CENTERLINE OF SAID ROAD, SAID POINT ALSO BEING ON THE NORTH LINE OF AFOREMENTIONED PARCEL OF LAND DESCRIBED IN WARRANTY DEED INSTRUMENT NO. 610270, AND THE POINT OF BEGINNING;

- THENCE ALONG THE SAID NORTH LINE THE FOLLOWING TEN (10) COURSES:
1. ALONG SAID CENTERLINE SOUTH 85°50'16" EAST A DISTANCE OF 46.20 FEET;
 2. DEPARTING SAID CENTERLINE SOUTH 03°51'00" WEST A DISTANCE OF 19.40 FEET;
 3. SOUTH 38°25'29" EAST A DISTANCE OF 180.48 FEET;
 4. SOUTH 80°57'11" EAST A DISTANCE OF 287.68 FEET;
 5. SOUTH 75°52'29" EAST A DISTANCE OF 261.59 FEET;
 6. NORTH 87°12'26" EAST A DISTANCE OF 441.17 FEET;
 7. SOUTH 09°19'41" EAST A DISTANCE OF 515.84 FEET;
 8. SOUTH 61°52'11" EAST A DISTANCE OF 321.34 FEET;
 9. 84°42'05" EAST A DISTANCE OF 451.15 FEET;
 10. SOUTH 80°34'48" EAST A DISTANCE OF 767.45 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF SAID SECTION 19;

THENCE ALONG SAID EAST LINE SOUTH 00°01'45" WEST A DISTANCE OF 425.32 FEET;

THENCE DEPARTING SAID EAST LINE NORTH 89°58'15" WEST A DISTANCE OF 22.68 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT;

THENCE ALONG SAID TANGENT CURVE TO THE LEFT, WITH A RADIUS THAT BEARS SOUTH 00°01'45" WEST A DISTANCE OF 20.00 FEET, A CENTRAL ANGLE OF 77°23'20", THE CHORD OF WHICH BEARS SOUTH 51°20'06" WEST A DISTANCE OF 25.01 FEET, AND AN ARC DISTANCE OF 27.01 FEET;

THENCE SOUTH 12°38'26" WEST A DISTANCE OF 131.61 FEET;

THENCE NORTH 80°57'09" WEST A DISTANCE OF 70.14 FEET;
THENCE NORTH 52°13'31" WEST A DISTANCE OF 146.54 FEET;
THENCE NORTH 78°09'38" WEST A DISTANCE OF 41.81 FEET;
THENCE NORTH 33°32'57" WEST A DISTANCE OF 165.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT;

THENCE ALONG SAID TANGENT CURVE TO THE LEFT, WITH A RADIUS THAT BEARS SOUTH 56°27'03" WEST A DISTANCE OF 100.00 FEET, A CENTRAL ANGLE OF 47°04'33", THE CHORD OF WHICH BEARS NORTH 57°05'14" WEST FOR A DISTANCE OF 79.87 FEET, AN ARC DISTANCE OF 82.16 FEET;

THENCE NORTH 80°37'30" WEST A DISTANCE OF 137.76 FEET;
 THENCE NORTH 75°30'12" WEST A DISTANCE OF 44.81 FEET;
 THENCE NORTH 83°38'48" WEST A DISTANCE OF 60.02 FEET;
 THENCE NORTH 84°33'47" WEST A DISTANCE OF 259.61 FEET;
 THENCE NORTH 79°22'20" WEST A DISTANCE OF 44.21 FEET;
 THENCE NORTH 84°33'47" WEST A DISTANCE OF 104.98 FEET;
 THENCE SOUTH 05°21'58" WEST A DISTANCE OF 26.86 FEET;
 THENCE NORTH 84°38'02" WEST A DISTANCE OF 112.78 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

THENCE ALONG SAID TANGENT CURVE TO THE RIGHT, WITH A RADIUS THAT BEARS NORTH 05°25'48" EAST A DISTANCE OF 282.00 FEET, A CENTRAL ANGLE OF 26°51'15", THE CHORD OF WHICH BEARS NORTH 71°08'34" WEST FOR A DISTANCE OF 130.97 FEET, AN ARC DISTANCE OF 132.17 FEET;

THENCE NORTH 57°42'57" WEST A DISTANCE OF 306.37 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

THENCE ALONG SAID TANGENT CURVE TO THE RIGHT, WITH A RADIUS THAT BEARS NORTH 32°17'03" EAST A DISTANCE OF 282.00 FEET, A CENTRAL ANGLE OF 43°18'55", THE CHORD OF WHICH BEARS NORTH 36°03'29" WEST FOR A DISTANCE OF 208.15 FEET, AN ARC DISTANCE OF 213.190 FEET;

THENCE NORTH 14°24'02" WEST A DISTANCE OF 12.51 FEET;
THENCE SOUTH 75°35'58" WEST A DISTANCE OF 61.65 FEET;
THENCE NORTH 42°19'15" WEST A DISTANCE OF 321.05 FEET;

THENCE NORTH 52°22'33" WEST A DISTANCE OF 117.03 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;
THENCE ALONG SAID NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS THAT BEARS SOUTH 42°25'39" EAST A DISTANCE
OF 65.00 FEET, A CENTRAL ANGLE OF 7°44'58", THE CHORD OF WHICH BEARS SOUTH 43°41'52" WEST FOR A DISTANCE OF
8.78 FEET, AN ARC DISTANCE OF 8.79 FEET;

THENCE SOUTH 39°49'22" WEST A DISTANCE OF 61.71 FEET TO A POINT ON THE NORTHEASTERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NO. 580937, RECORDS OF LATAH COUNTY;

THENCE ALONG SAID NORTHEASTERLY BOUNDARY LINE THE FOLLOWING TWO (2) COURSES:

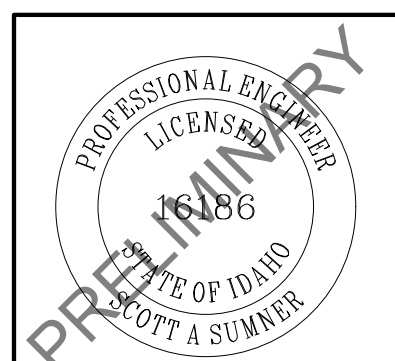
1. NORTH 42°59'48" WEST A DISTANCE OF 536.43 FEET;
2. NORTH 38°33'29" WEST A DISTANCE OF 145.44 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 19;

THENCE ALONG SAID WEST LINE NORTH 00°04'50" WEST A DISTANCE OF 127.18 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1,181,925 SQUARE FEET OR 27.13 ACRES OF LAND, MORE OR LESS.

1 C1.0 COVER SHEET
2 C2.0 PRELIMINARY GRADING PLAN
3 C3.0 PRELIMINARY UTILITY PLAN
4 C4.0 OVERALL PRELIMINARY PLAT
5 C4.1 PRELIMINARY PLAT - WEST ENTRANCE
6 C4.2 PRELIMINARY PLAT - NW
7 C4.3 PRELIMINARY PLAT - CENTRAL
8 C4.4 PRELIMINARY PLAT - EAST
9 C5.0 AUGUSTINE & EDINGTON AVENUE STA 10+00 TO STA 27+00
10 C5.1 EDINGTON AVENUE STA 27+00 TO STA 43+54
11 C5.2 CHESTERTON DRIVE PLAN & PROFILE
12 C5.3 LUTHER DRIVE PLAN & PROFILE
13 C5.4 CONESTOGA DRIVE STA 10+00 TO STA 24+00
14 C5.5 CONESTOGA DRIVE STA 24+00 TO STA 30+00

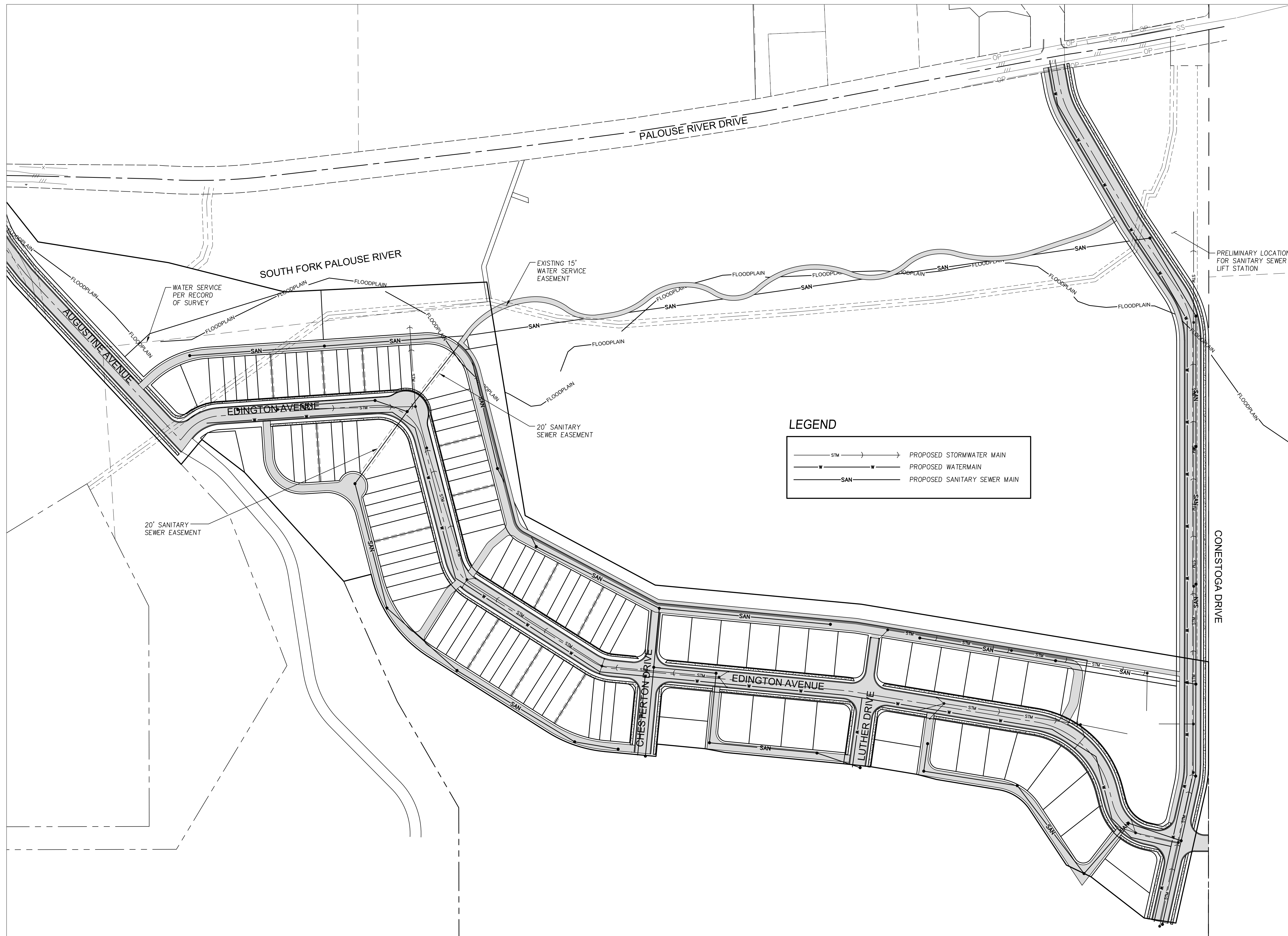
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AG FORESTRY

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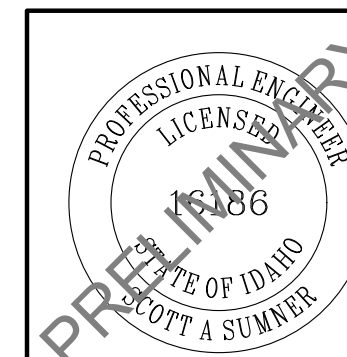
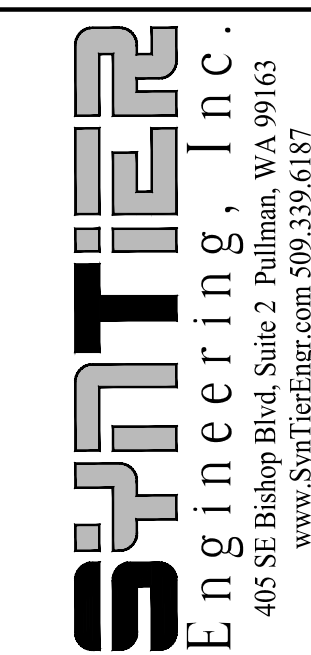
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C1.0

JOB NO. BBC-02



PRELIMINARY UTILITY PLAN
BEDINGTON SUBDIVISION PRELIMINARY PLAT
MOSCOW, IDAHO



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	DESCRIPTION			
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	DATE			
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JOB NO.				
BBC-02				

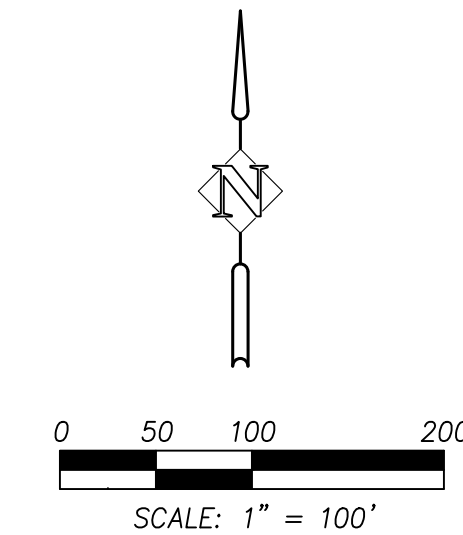
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OWNER: DOUG GADWA

PARCEL: RPM00000186015
OWNER: UNIVERSITY OF IDAHO

KIRKLAND SUBDIVISION

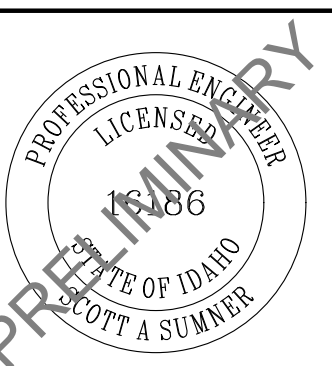
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SUBDIVISION

PARCEL: RPM00100060030
OWNER: ABIEL LLC



OVERALL PRELIMINARY PLAT
EDINGTON SUBDIVISION PRELIMINARY PLAT
MOSCOW, IDAHO

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Engineering, Inc.
405 SE Bishop Blvd, Suite 2 Pullman, WA 99163
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CHECKED: SAS
DATE: APRIL 19, 2021

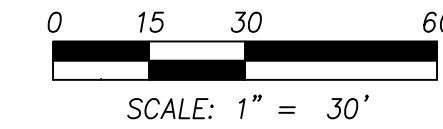
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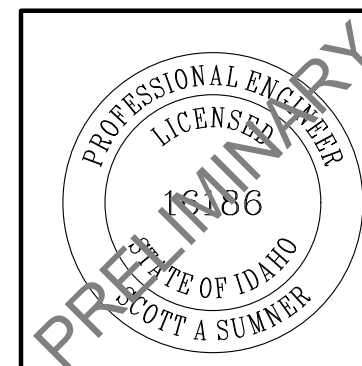
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4 OF 14

SUBJECT PARCEL
PARCEL: N78°09'33"
RP39N05W192460
OWNER: A & E LLC



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Engineering, Inc.
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www.SyntierEng.com 509.339.6187



DATE	NO.	DESCRIPTION	DESIGNED:	SAS/ATS
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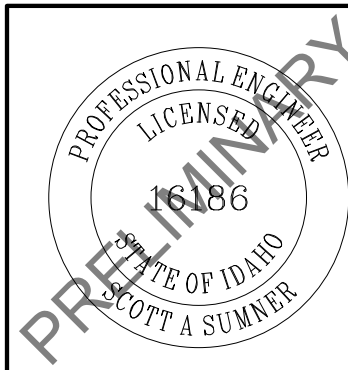
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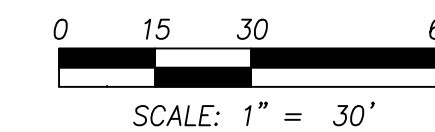


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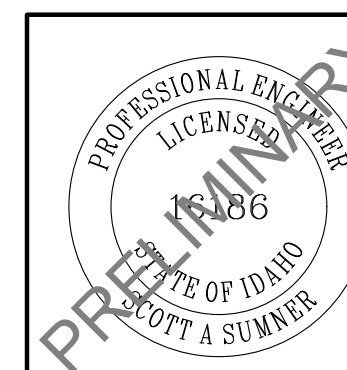
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6 OF 14
JOB NO. BBC-02



PRELIMINARY PLAT - CENTRAL
EDINGTON SUBDIVISION PRELIMINARY PLAT
MOSCOW, IDAHO

Smartier
Engineering, Inc.
405 SE Bishop Blvd, Suite 2 Pullman, WA 99163
www.SmartierEnger.com 509.339.6187

E BISHOP BLVD., SUITE 2 PULLMAN, WA 99163

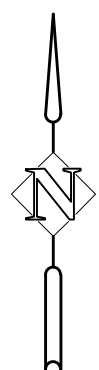
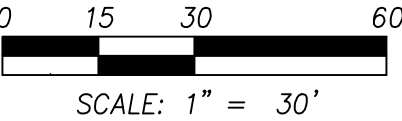


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			DATE:	

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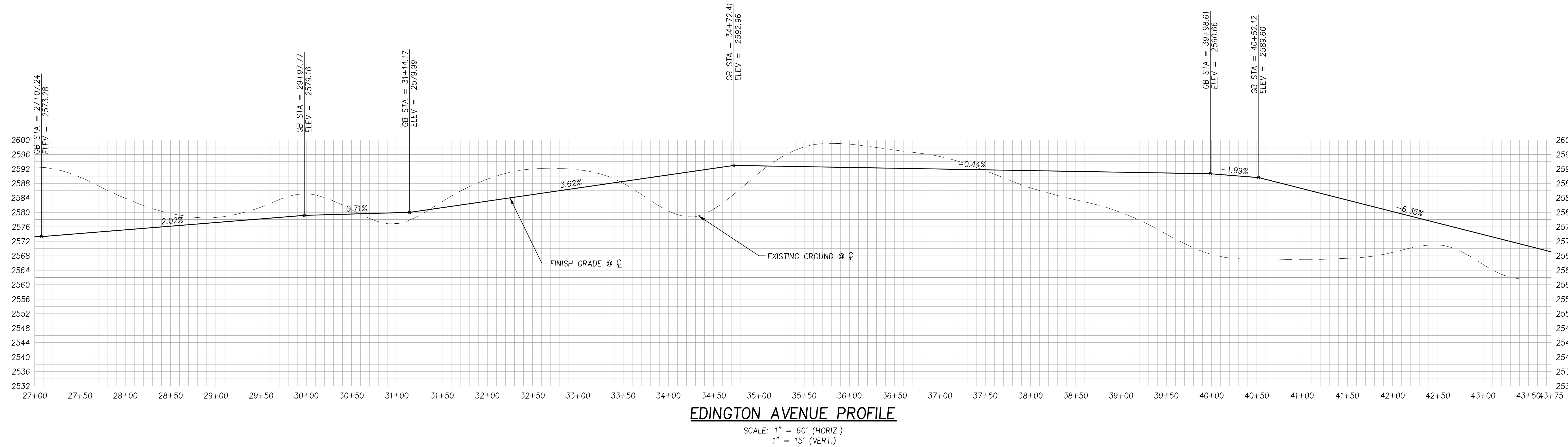
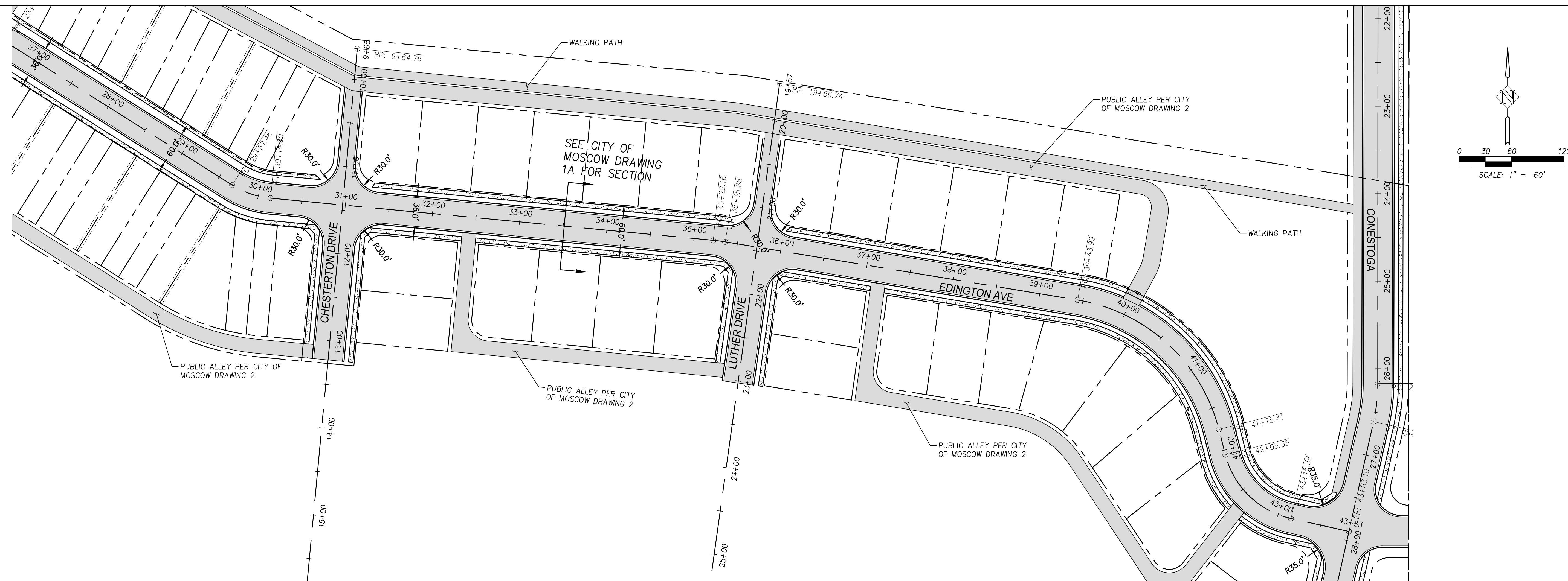
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8 OF 14

BBC-02



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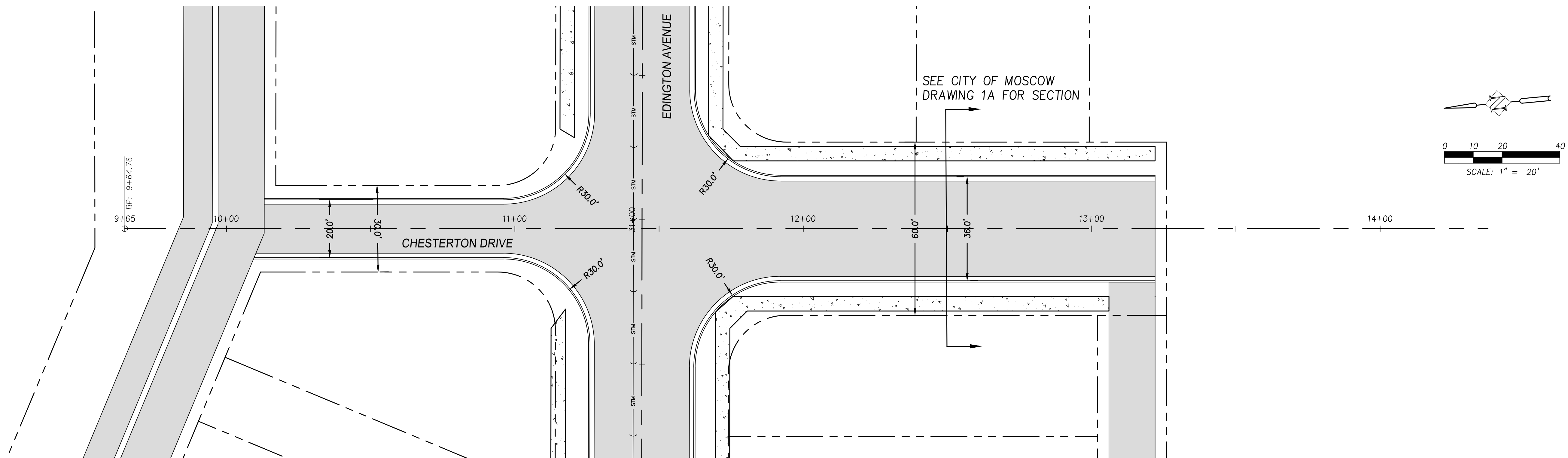
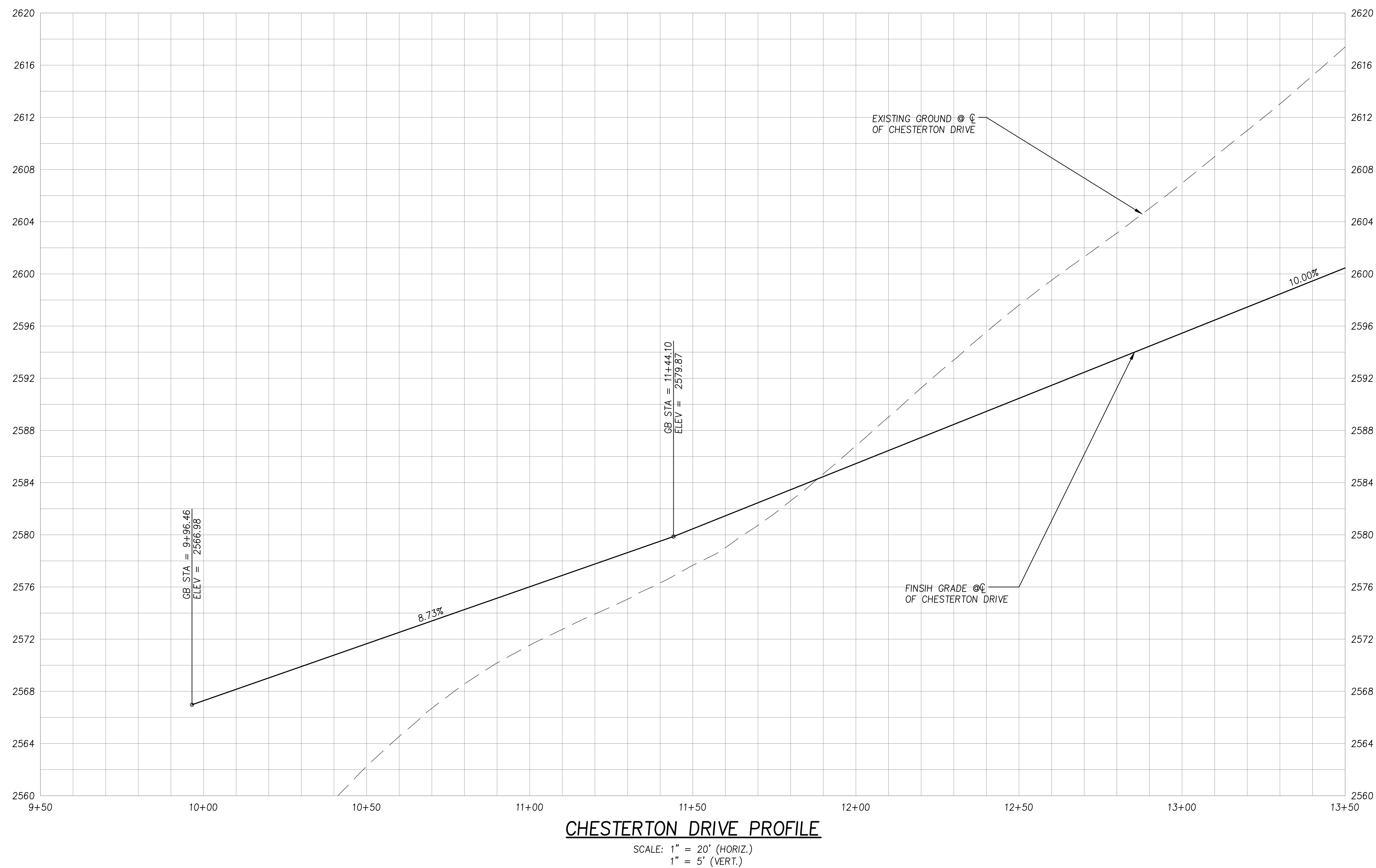
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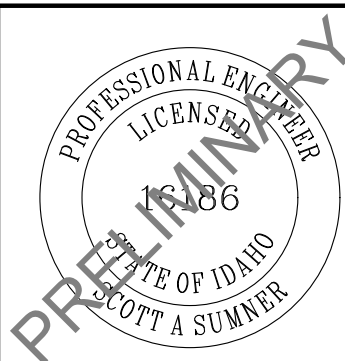
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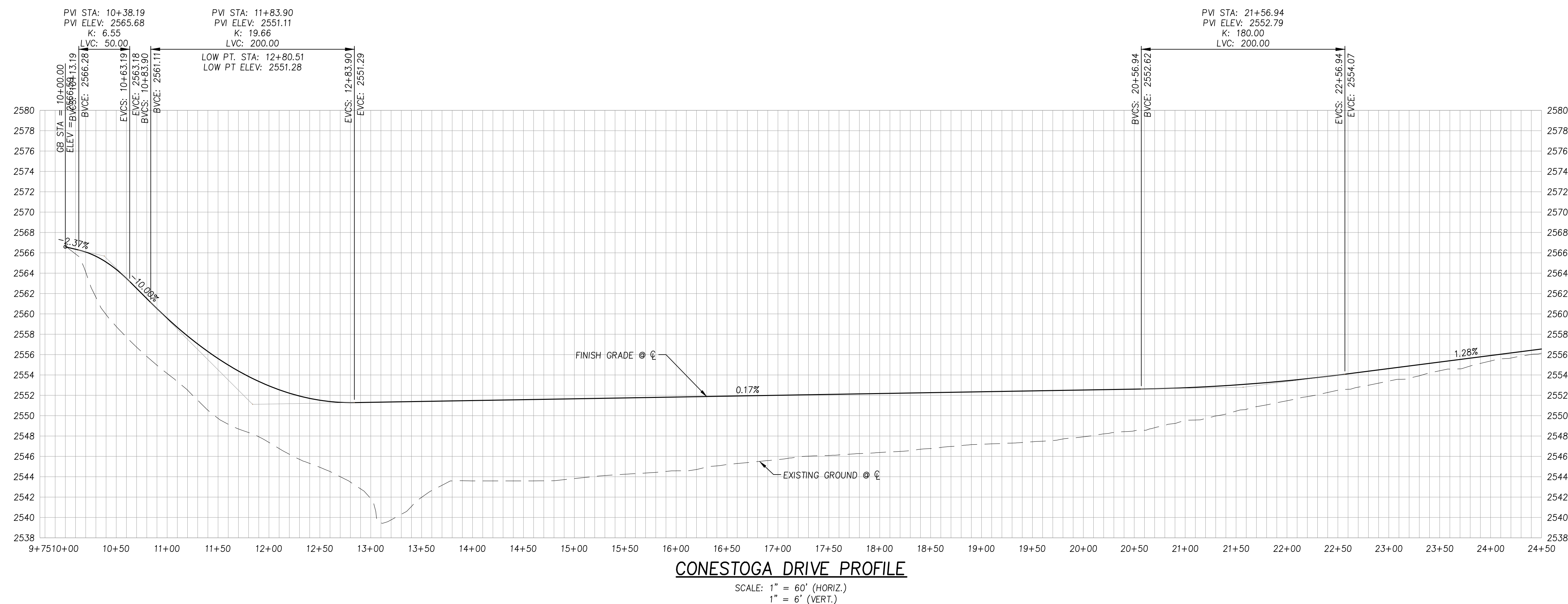
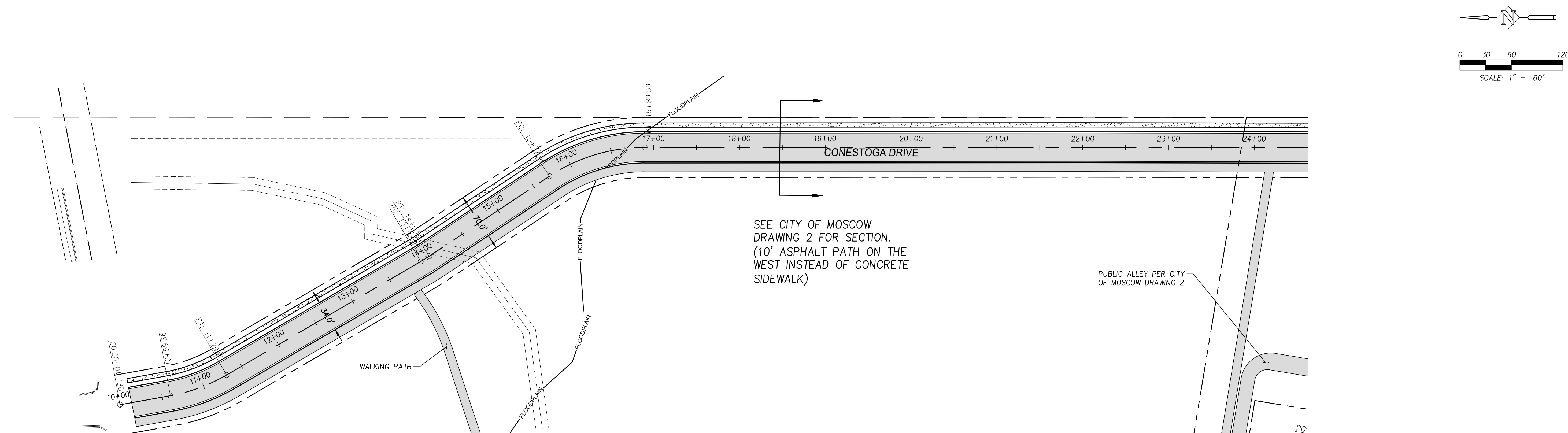
CHESTERTON DRIVE PLAN & PROFILE
EDINGTON SUBDIVISION PRELIMINARY PLAT
MOSCOW, IDAHO

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Engineering, Inc.
405 SE Bishop Blvd, Suite 2 Pullman, WA 99163
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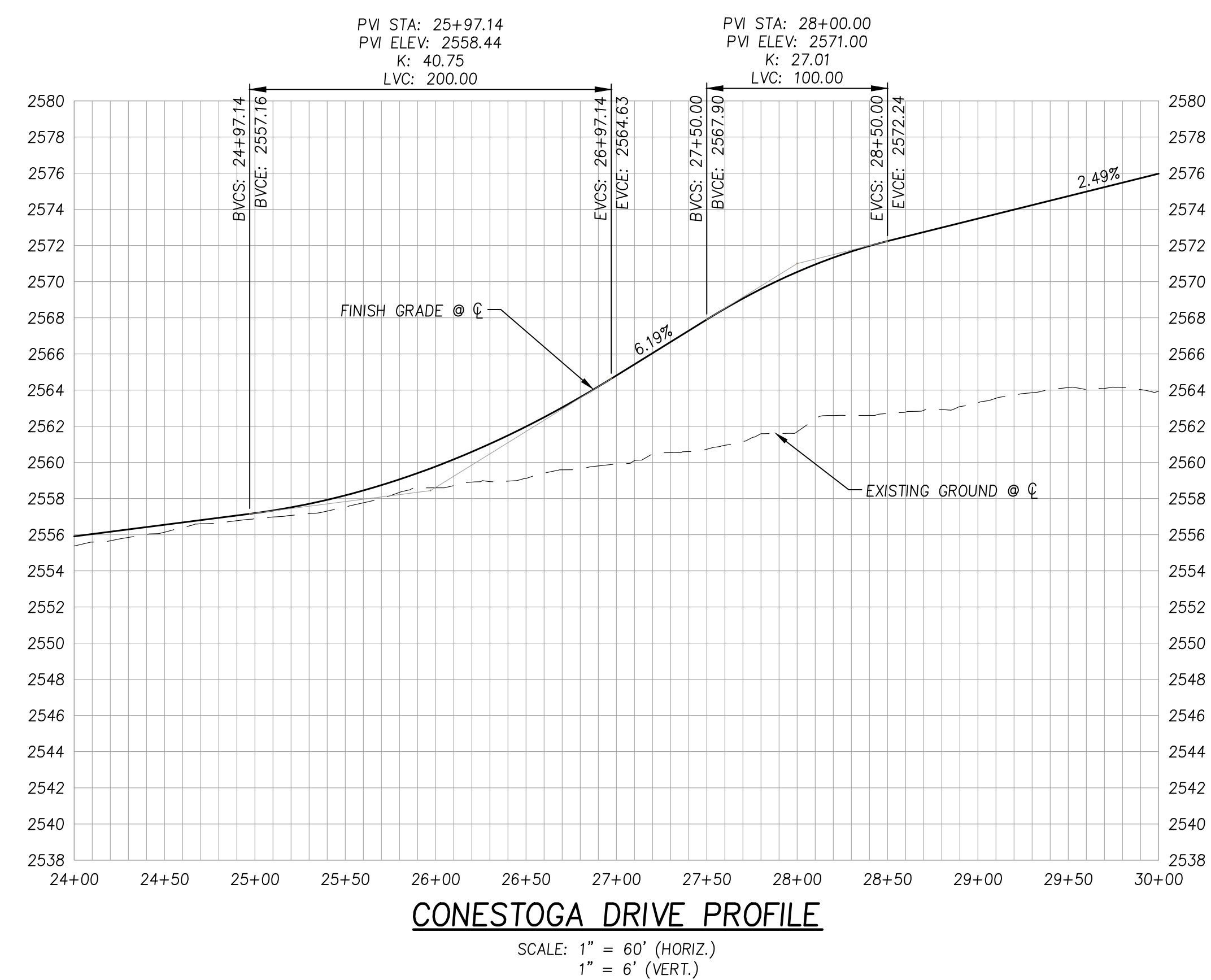
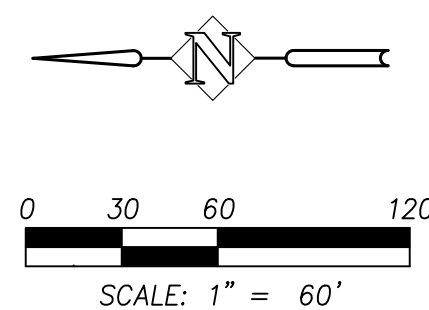
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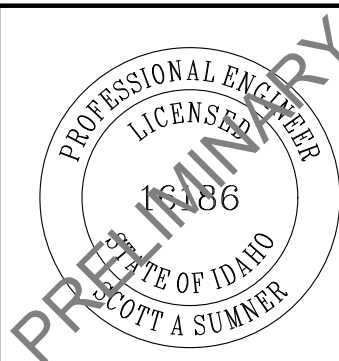
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DATE:	

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CONESTOGA DRIVE STA 24+00 TO STA 30+00
BEDINGTON SUBDIVISION PRELIMINARY PLAT
MOSCOW, IDAHO

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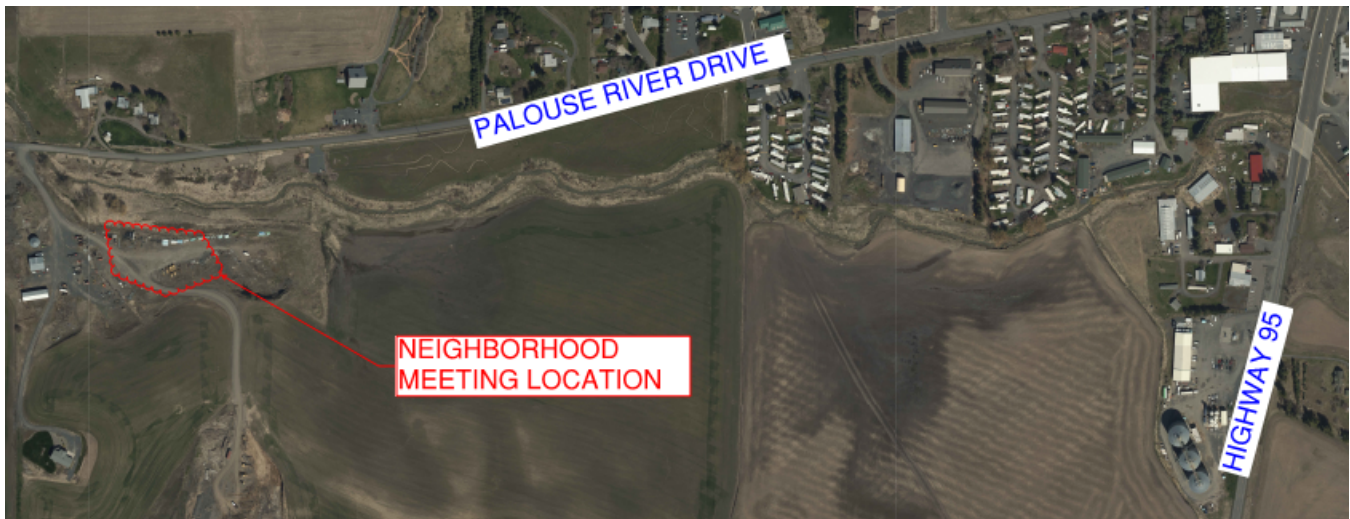
14 OF 14

BBC-02

Neighborhood Meeting

To: Neighbors and Interested Community Members
RE: Edington Subdivision
When: Friday, March 19, 4:00 pm
Where: On-site, see location below
What: A neighborhood meeting to introduce and discuss the proposed development SW of the intersection of Palouse River Drive and Highway 95. The proposed project involves annexation of approximately 270 acres, amending the comprehensive plan for the subject parcel from AF Agriculture Forestry to R3 - Medium Density Residential Zoning and RO Residential Office, and preliminary platting of 27.2 acres into 130 lots.

Meeting location:



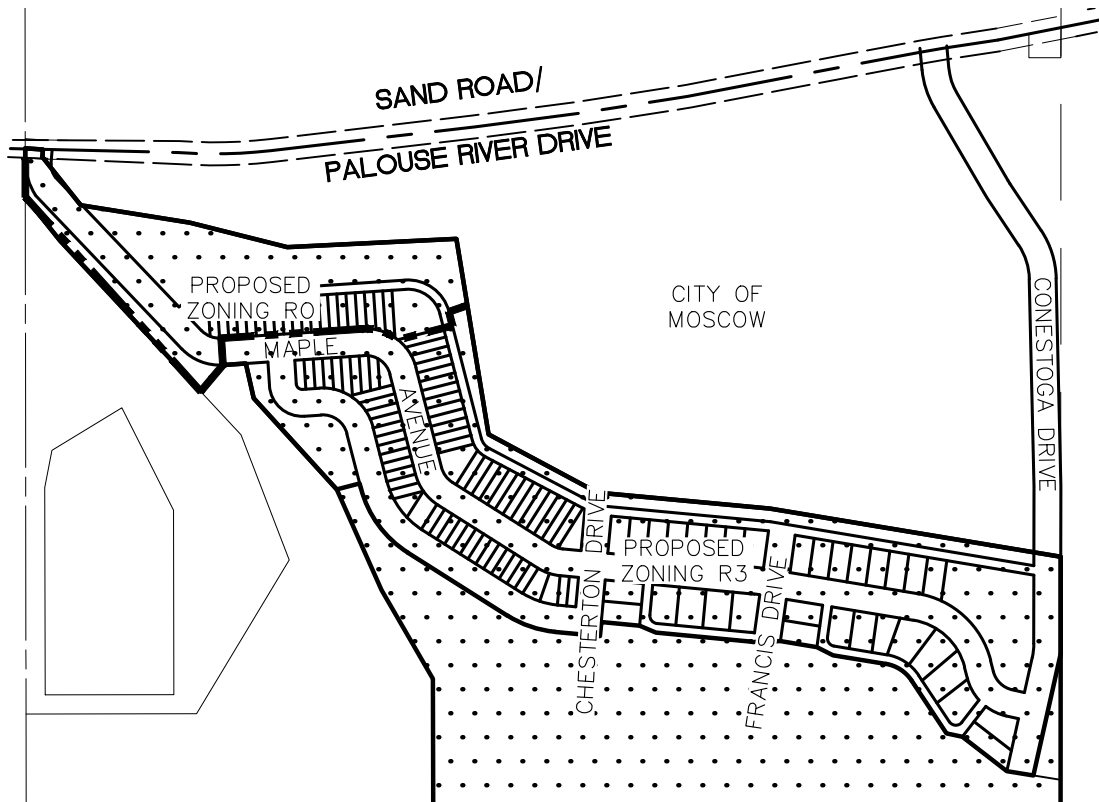
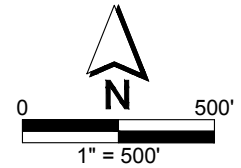
See enclose exhibits for Annexation, Comprehensive Zone changes, and Preliminary Plat information.

Sincerely,

Scott Sumner, PE
Principal
SynTier Engineering

PRELIMINARY PLAT EXHIBIT

SECTION 19, TOWNSHIP 39N, RANGE 5W, B.M.
EDINGTON SUBDIVISION PHASE 1
LATAH COUNTY, IDAHO



THIS EXHIBIT DOES NOT CONSTITUTE A
PROPERTY BOUNDARY SURVEY

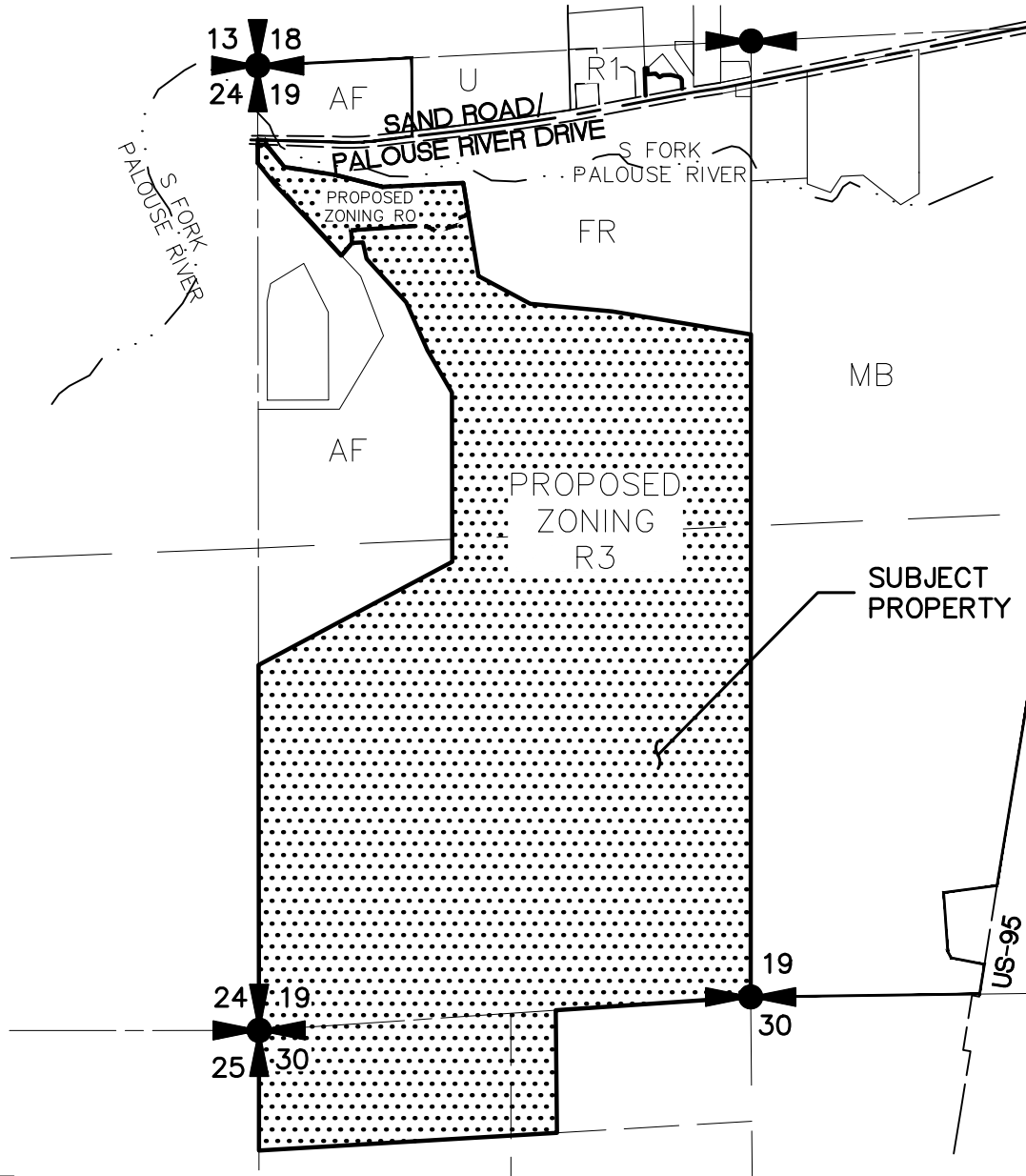
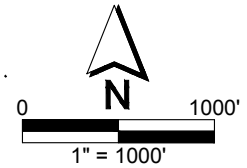
SHEET 1 OF 1

SYNTIER
Engineering, Inc.

405 SE Bishop Blvd, Suite 2
Pullman, WA 99163
www.SynTierEngr.com 509.339.6187

ANNEXATION EXHIBIT

SECTION 19 & 30, TOWNSHIP 39N, RANGE 5W, B.M.
ANNEXATION EXHIBIT
LATAH COUNTY, IDAHO



SUBJECT PARCEL



CITY LIMITS BOUNDARY



ZONING DISTRICT BOUNDARY

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SHEET 1 OF 1

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Pullman, WA 99163
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LUP2021-0011

ARDEESER, JOE

2005 WILLOW VIEW PL
MOSCOW ID 83843

BRANNON, ANNA MARIE

975 COLT ROAD
MOSCOW ID 83843

CAMP, REID JASON

985 COLT ROAD
MOSCOW ID 83843

CRAWFORD, ERIC

1037 COLT RD
MOSCOW ID 83843

FAZIO, JAMES R

1049 COLT ROAD
MOSCOW ID 83843

GADWA, DOUG

1400 SAND ROAD
MOSCOW ID 83843

GRIEBLING, MICHAEL JAMES

2061 CONESTOGA ST
MOSCOW ID 83843

HENSON, GERALD

2075 SUNNYSIDE AVE UNIT 10
MOSCOW ID 83843

JONES REVOCABLE LIVING TRUST

2028 CONESTOGA STREET
MOSCOW ID 83843

KIRKLAND, KIM B

1066 W PALOUSE RIVER DRIVE
MOSCOW ID 83843

BENSEN, ROBERT C

PO BOX 1851
SANDPOINT ID 83864

BRIDGE BIBLE FELLOWSHIP INC

960 W PALOUSE RIVER DR
MOSCOW ID 83843

CLYDE, TIMOTHY W

1491 SAND ROAD
MOSCOW ID 83843

DAIL, REBECCA T

1995 PINTO DRIVE
MOSCOW ID 83843

FLETCHER REV LIVING TRUST

1003 COLT RD
MOSCOW ID 83843

GARRISON, MARLENE G

3514 11TH ST
LEWISTON ID 83501

GRUSS, DANIEL LEE

14246 SW 133RD AVENUE
TIGARD OR 97254

HOLT, GARY R

2104 CONESTOGA
MOSCOW ID 83843

KINYOUN-WESTON, MIKEL JANE

2075 SUNNYSIDE AVE UNIT 3
MOSCOW ID 83843

LEADORE LAND PARTNERS LIMITED

3219 N RESERVE ST
MISSOULA MT 59808

BLICK, JEFFREY TODD

471 ROSEWOOD DR E
TWIN FALLS ID 83301

CAMIN, MICHAEL R

2041 WILLOW VIEW PL
MOSCOW ID 83843

CRAWFORD, DONALD L

1988 APPALOOSA RD
MOSCOW ID 83843

DE ANGELIS, JOSEPH T

721 E 1ST ST
MOSCOW ID 83843

FULLER, SANDRA L

2075 SUNNYSIDE AVE UNIT 5
MOSCOW ID 83843

GLENN B OWEN JR FAMILY TRUST

PO BOX 9780
MOSCOW ID 83843

HEISCH, JOAN M

910 W PALOUSE RIVER DR
MOSCOW ID 83843

HOWE, RICHARD K

2075 SUNNYSIDE AVE #9
MOSCOW ID 83843

KIRKLAND, KATHY SUE

1062 W PALOUSE RIVER DR
MOSCOW ID 83843

LEVINE LIVING TRUST

650 SE BRIDGEWAY AVE
CORVALLIS OR 97333

Recieved 03-26-2021

LUP2021-0011

WATSON, RAYMOND L
2101 CONESTOGA STREET
MOSCOW ID 83843

PRATT, DENNIS J
2075 SUNNYSIDE AVE UNIT 11
MOSCOW ID 83843

SCHWEITZER ENGINEERING
ATTN: SUE HILLARD
2350 NE HOPKINS CT
PULLMAN WA 99163

TIMS, NATHAN E
2082 WILLOW VIEW PLACE
MOSCOW ID 83843

WICHMAN, HOLLY A
2075 SUNNYSIDE AVE UNIT 6
MOSCOW ID 83843

ZIMMER, RICHARD W
943 COLT ROAD
MOSCOW ID 83843

MOORE, KATHLEEN ANN
1029 COLT ROAD
MOSCOW ID 83843

PROSPECT PLACE ADD PUD
2075 SUNNYSIDE AVE UNIT 8
MOSCOW ID 83843

SMITH, MARION
2025 CONESTOGA ST
MOSCOW ID 83843

UNIVERSITY OF IDAHO
875 PERIMETER DR
MOSCOW ID 83844

WILLIAMS, KATHLEEN M
2075 SUNNYSIDE AVE UNIT 4
MOSCOW ID 83843

OLSON, BERNARD
1650 SAND ROAD
MOSCOW ID 83843

RENFREW, PEARL TRUST
2845 HIGHWAY 95 S
MOSCOW ID 83843

NORTH CENTRAL IDAHO
DISTRICT 2
2600 FRONTAGE RD
LEWSTON ID 83501

UTHOFF, HERBERT O
1012 W PALOUSE RIVER DRIVE
MOSCOW ID 83843

WILLOW HEMISPHERE LLC
2520 SE CLAY ST
PORTLAND OR 97214

Recieved 03-26-2021

Edington Subdivision
Neighborhood Meeting Signup
19 March, 2021, 4:00 PM

Name	Mailing Address
Kathy & Gerald Henson	2075 Sunnyside Ave #10 Moscow
Doug Olson	1670 Sand Rd Moscow
Lynne Gilder	1670 Sand Rd Moscow
Emily Olson	1670 Sand Rd Moscow
Dalton Olson	1670 Sand Rd Moscow
Hailey Lewis	2350 NE HOPKINS CT. PULLMAN, WA 99163 (SE2)
Dennis Tooley	2615 S. Hwy 95, Moscow, ID
Jon & Jill for Beverly Anderson	4189 Hwy 95 S.
Lisa Badur	1400 Sand Rd Moscow
Tim Welde	1491 Sand Rd Moscow
JIM FAZIO	1049 COLT RD.
Dawn Fazio	1049 Colt Rd
Doug Gaden	1400 Sand Rd Moscow
Craig Fountain	1885 Paradise Ridge Rd Moscow
Bernard Olson	1670 Sand Rd Moscow
Martina L. Jilek	1650 Sand Rd Moscow

Name	Mailing Address
LISA chydre	1491 Sanel Rd Moscow



Neighborhood Meeting
19 March, 2021
Presented
By





Table of Contents

- **About SynTier**
- **Project Introduction & Location**
- **Annex Map**
- **Preliminary Plat Map**
- **SynTier contact**



SynTier Engineering, Inc. was formed in late 2018. Our staff of 15 has experience providing efficient, cost-effective civil engineering services for our clients in the Palouse, Clearwater Valley, Spokane Valley and Idaho panhandle. We provide licensed civil services in ID, OR and WA; as well as a survey team that is licensed in both ID and WA to create an all-in-one development solutions team for our clients. A major factor for opening a small firm in Pullman was to remove ourselves from corporate red tape, and provide a high level of local knowledge with professional expertise. SynTier focuses on personal, one-on-one relationships with each of our highly-valued customers. We pledge to be accessible at all times throughout your project and ensure to be an integral part of your team.



SynTier Engineering provides general civil engineering services and surveying to municipal public agencies and institutional entities. We also serve private, commercial and residential developers. We offer pre-development consulting, design PS&E's and construction administration for all potential clients.

Our Mission: To meet the needs of our communities through a client-centric approach to infrastructure and design improvements.

Your Development Solutions Team

405 SE Bishop Blvd, Ste 2
Pullman, WA 99163
509.339.6187 (office)



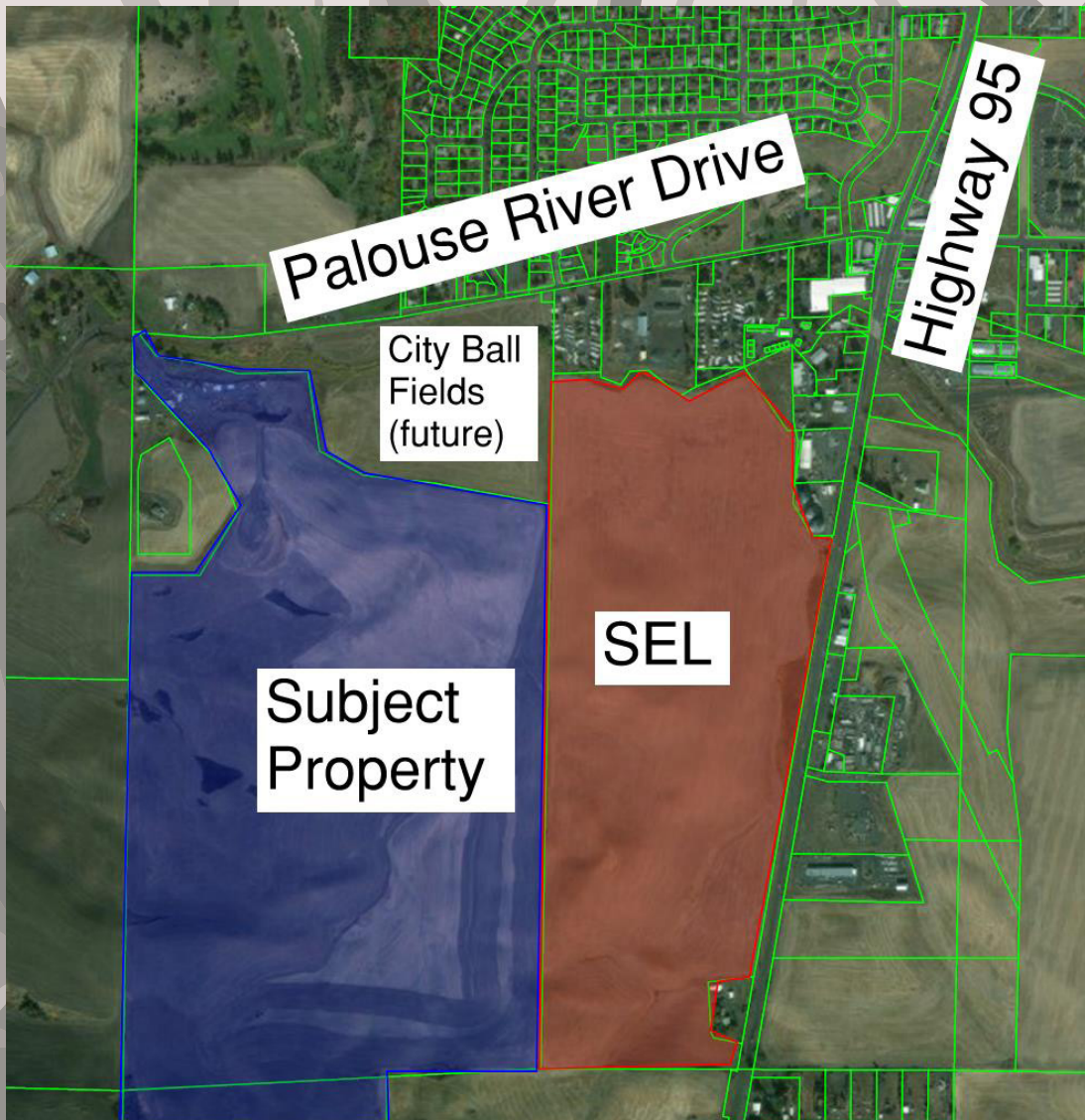
55 E Lincoln Road
Spokane, WA 99208
509.467.1550 (office)

Go to
www.syntierengr.com
or scan below



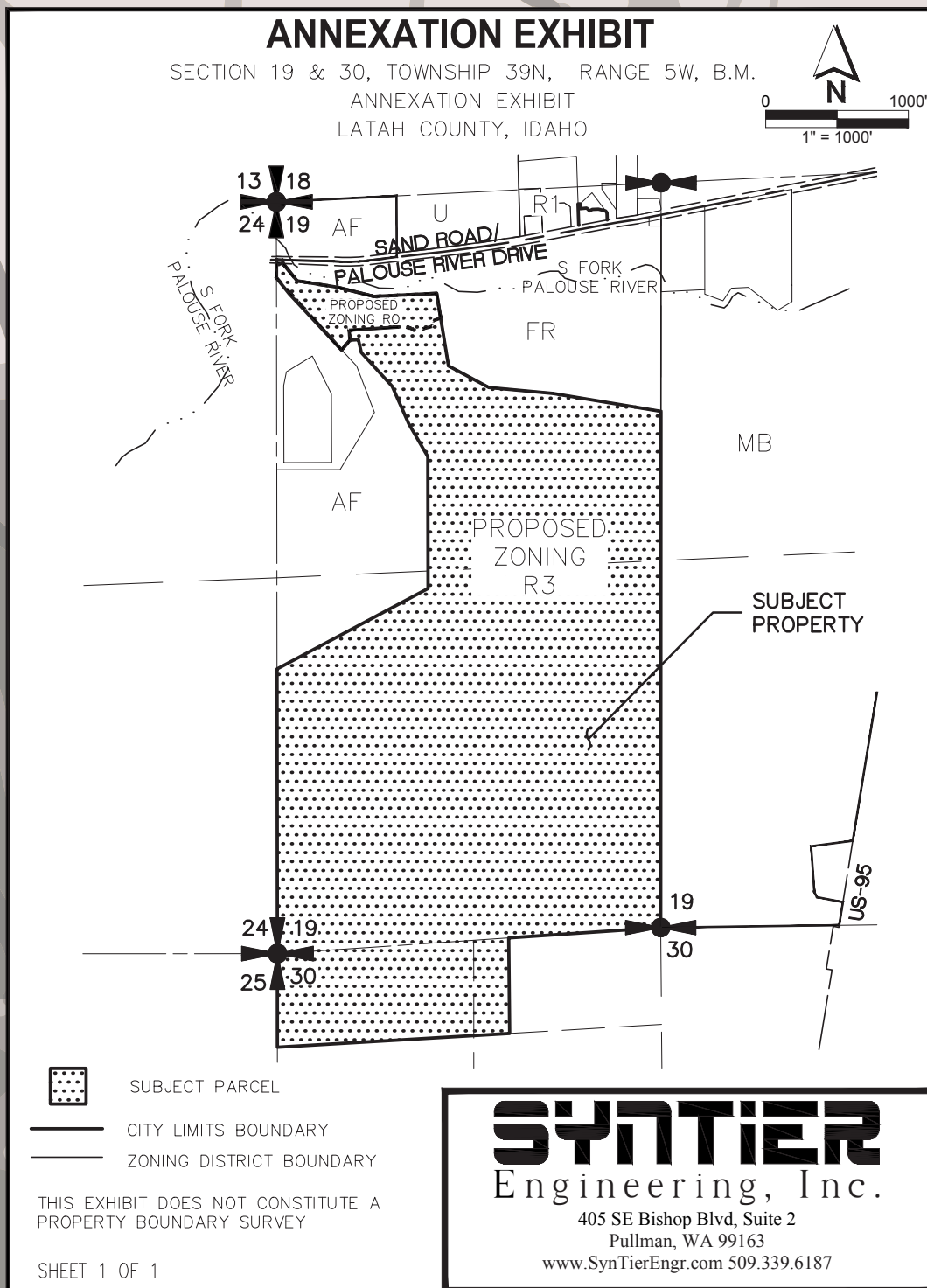
Project Introduction & Location

A neighborhood meeting to introduce and discuss the proposed development SW of the intersection of Palouse River Drive and Highway 95. The proposed project involves annexation of approximately 270 acres, amending the comprehensive plan for the subject parcel from AF Agriculture Forestry to R3 -Medium Density Residential Zoning and RO Residential Office, and preliminary platting of 27.2 acres into 130 lots.





Annex Mapping

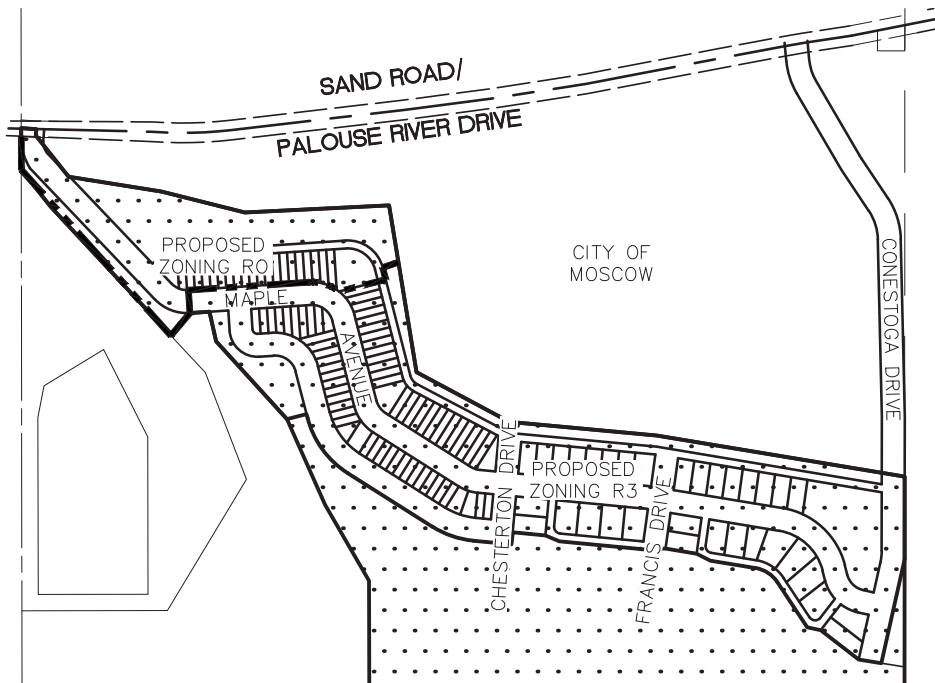
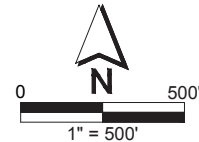




Preliminary Plat

PRELIMINARY PLAT EXHIBIT

SECTION 19, TOWNSHIP 39N, RANGE 5W, B.M.
EDINGTON SUBDIVISION PHASE 1
LATAH COUNTY, IDAHO



THIS EXHIBIT DOES NOT CONSTITUTE A
PROPERTY BOUNDARY SURVEY

SHEET 1 OF 1

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Engineering, Inc.

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Pullman, WA 99163
www.SynTierEngr.com 509.339.6187

Received 03-26-2021



Project Contact

SCOTT SUMNER, PE



**Role: Principal-in-Charge,
Point-of-Contact**

- 14 years experience
- BSCE, University of Idaho
- CESCL
- Professional Civil Engineer

ID#16186

WA#48109

OR#89052

scott@syntierengr.com

208-596-7912

Edington Subdivision
Moscow, ID
Neighborhood Meeting
March 19, 2021

Minutes

Development Property site

Meeting started: 4:00 PM

Scott Sumner, representing SynTier Engineering, Inc. welcomed everyone and started the meeting with introductions. He introduced the project with three visual displays, using potential mockups of phase one of the project. There were also paper handouts for each of the attendees at the meeting.

>>>Scott Sumner from SynTier Engineering, Inc. starts the meeting:

It really helps that our graphics and some of the questions and things that come out of this will make the project better. I mean, the community is always part of things that that we do, and appreciative of this process in Moscow that they do; because we get a chance to get community input and some of the input from the neighbors prior to going to the city.

A lot of the time you walk into the city, and it's the first time some of the public has heard anything or seen anything. It becomes a real combative nature and I'm really hoping that this is an open dialogue where you guys have questions.

I did leave my personal contact in here, you guys are free to email me, call me or send me a text. If you have questions at any time or if you want some more information we will try and provide as many answers as we can. Obviously, we're in the preliminary stages, and everything you see here is just kind of a conceptual idea; so, nothing is set in stone.

There are some things that will come out of this meeting and the questions that you guys have that will change the project. There are things that we will take and consider. Some things we really try to make it part of something in the community that we're proud of, and something that you are proud of that adds to this area. Instead of taking away what you think is running down the town or running down parts of it (the project).

We really want to enhance things (Edington Subdivision) like this, and also provide a chance for more people a chance to have their say.

I put a little bit about my company. I'm from Moscow and I grew up here, and I put some information here about our Company in case anybody needs to know. All the people around here (SynTier Employees attending meeting) live in our community. We live in Moscow; Pullman, and we've been here for a really long time working on projects like this.

You have our contact information, but if you guys have questions please send it to us.

We have not submitted anything to the city. This is just kind of a first step in our process, so really now is the time we really like your input on the project, to get your questions.

If you're looking at the annexation, the first part of this project is the annexation. The East property, that we're looking to annex is about 235 acers. It Stretches towards the East of the Schweitzer's property that just got annexed, and then as far as zoning we're looking at kind of medium density residential. With some opportunities for townhomes and we left it open for some retail office in case there's some small commercial or retail spaces within the townhomes that people want to take advantage of.

We are leaving it a little more flexible, we will really see what the community really drives towards it. Lot of this development is going to be developing the roads, utilities and everything. There's a lot of questions you know in the housing, and the ball fields. These are just concepts.

This is the preliminary layout the city came up with a few years ago. These ballfields really won't be part of the project, but the road through back there (points to east access on display) will be allowing access to these ball fields and we really think that once the bridge across the South Fork of the Palouse River is built. It will make it a lot easier to provide those baseball fields or soccer or lacrosse access. We really think that will be a big draw to the area.

I'm ready for some questions, or if there are some questions, we will be tape recording this so that the minutes during this meeting will be provided to the city in planning and zoning. For their meeting so that your input will be heard in the part of the record that goes in through there. I need you to say your name and your address the first time you speak so that we can keep it for the record.

>>>Doug Gadwa, 1400 Sand RD, Moscow, ID, 83843 asked:

I Live right over there; this will be out my picture window. How many units are in the calculation for the entire 235 acres? It's showing 130 on your basic plan.

>>>Scott replied:

Yeah, so the preliminary plat that we're going to be doing is this (points to phase 1 of display) 1st section. The rest of it will be zoned R3.

>>>Haley Lewis 2350 NE Hopkins CT, Pullman, WA asked:

What does that mean?

>>>Scott replied:

R3 is medium density. It allows for lots of 6000 square feet or larger. It's a residential zoning, and so it's not the giant apartments. They're going to be rentals or duplexes, or some of those other things. The

hard part of these developments is once you develop them, somebody buys the property, it's their choice. Kind of what they do with it, it doesn't matter what the zoning is. You're kind of at their mercy.

In terms of what they can do, we would like to limit it to these ideas that we're having here (references display), but as far as the rest of the 235 acres, it's all going to be zoned R3 so that is the kind of concept of what we were thinking.

>>>Doug Gadwa asked:

No calculations on numbers?

>>>Scott Sumner replied:

We don't have any final ones, and I'd hate to tell you one thing, and then in a year or two someone comes back and yells at me for telling him one number.

>>>Doug G asked

The question that goes with that is that entire 235 acres worth of housing, is going to go out that road (West access), and that road (East access)?

>>>Scott Sumner replied:

So, at this time I know that part of the problem is with Schweitzer owning the East side of this. Access to the East is limited. So, as we start looking at accesses for now, we do have these two accesses or I know there's been discussions trying to get access out to the East as well as in other areas, but for now we only have the two accesses. In the future, if Schweitzer was able to give cross connectivity through there and how that plays out until they really develop their piece. We're unsure of how we can actually access to that (points to display of phase 1). There is talk on the very South end connecting to Hwy 95, but there are some challenges with that, with Schweitzer and everybody else. But we are working on getting more accesses. It's not going to be this year, next year, or the year after that. It will take some time, and so we're hoping that we'll work out those access issues.

>>>Doug G replied:

I got lots more questions, but I'm going to work my questions into other people asking questions.

>>>Tim Clyde 1491 Sand Road.

What's your plans for Palouse River drive?

>>>Scott Sumner Replied:

There are improvements that we've talked to the city with, about Palouse River DR. We haven't done all the traffic studies through there (points to display) to make the improvements.

>>>Tim replied:

I personally I know there's a lot of us who think nothing should be done until that road is taken care of, Nothing. We are lucky we haven't got somebody killed yet.

>>>Scott Sumner Replied:

Yeah, that is part of the process and that will be part of this, before any of these houses come in. A lot of this development will take place, and those improvements will be improved in discussions with the city and we have to do traffic analysis. We have to do other things to see what the impacts at the intersection will be on Palouse River DR and Highway 95 and working back to see how we can improve the multi-modal bikes, people, and cars. So, we have to look at all three of those things, because that's how people who develop housing get out here.

You know, we got to look at how you use bikes, people and cars and how we could safely get people through here through the intersection and through this development. So those are all things that we will look at and there will be improvements. We just don't know exactly what they will be yet.

>>>Tim asked:

How are you going to lower the impact on the new construction? I mean, dust control. It's a joke right now. 1000 or more trucks, up and down here.

>>>Scott Sumner asked:

Are you are talking about during construction or post construction?

>>>Tim replied

After construction will be paved, during?

>>>Scot Sumner replied:

During construction, the things that we try to do is water the roads. Watering the road in combination with the erosion control measures that we tried to provide during construction. It is a challenge in farm fields when you're developing farm fields, it's the same dust that comes up while they're farming. It's just more of an issue and a nuisance during construction and there's watering of roads and there's other things that we try to do to minimize that. There is always an issue that comes up with those things and we want you guys having issues as neighbors to say something.

I will be with the project, I'll be associated with it if you guys have issues call me, email and say hey, we're having issues out here. I'll be out here. I live in Moscow. I'll stop by. I'll be out here on a regular basis during construction, and I know we'll try and address issues every way we can. There are some things we just can't do, but sometimes the dust we only can do so much about.

>>>Tim replied:

We do have other problems; we do have a water line probably going right underneath your feet.

>>>Scott Sumner replied:

Yep, and we're aware of that, and there will be some conversations with you personally about the best way to deal with that one.

>>>Tim replied

You got some issues there so.

>>> Doug Olson 1650 Sand RD asked:

The water comes from this area. It feeds it, so any construction or altering the rock here will affect that well. So how are you going to take care of that?

>>>Scott asked:

Where is your well?

>>>Doug Olson replied:

Right over there (points West), but our water comes from right over here (pointing in the present direction), and the well is around that grain bin area.

>>>Scott replied:

So, there be improvements to the road, from Palouse River Drive in, coming through here, but I believe that the grain elevators, part of the grain silos are going to be on the West side of the project that we will not be impacting.

>>>Doug Olson replied:

But any time that rock is disturbed it is going to ruin our well water even more. Fractures in that ground is gonna be an issue. Could you eliminate it?

>>>Scott Sumner replied:

We will look into that. We will take it into consideration. I don't know specifically on that will issues. I'm not as familiar with them (wells) as you are. Nore will I probably ever be, but the entrance into the road and into this site is going to be the minimal impact until we start getting back into this rock and getting rid of this rock back here. And really, the main part of getting rid of this rock is in this front area right here. We're not going to be digging in the rock back there or probably even in this area as we have today.

>>>Tim asked:

How do you proposed to get that rock out of there?

>>>Scott replied:

This rock here (pointing to rock face on the edge of Germer's worksite).

>>>Tim stated:

You are not going to blast it. You are not going to blast it. That will raise hell.

>>>Scott replied:

So that will be a constructability thing, will continue to look at. If it's something that we can't do, we will have to look at better options.

>>>Doug G asked:

The Germer's collection here. Is it all going away?

>>>Scott Replied:

Yes.

>>>Doug G asked:

The fill that we're standing. It's hard to look at that. Am I standing in a building right now?

>>>Scott replied:

So, the floodplain comes out here and we're seeing a lot of it, and then we're going to start working back into here (points at future development site). So, there will be a buffer between this development as well as the floodplain in the creek on this side over here.

>>> Doug G asked

One of my concerns is the amount of traffic. Is the fill pit going to go on into the future or does that die with this project?

>>>Scott replied:

As we work on the project, the material is going to either keep going back or come from the back and come here. The material that we use on site is going to for the most part stay on site.

>>>Doug G asked

I'm concerned about the number of trucks plus the number that you guys add to it (Project)?

>>>Scott replied:

There will be, as far as earthwork, which is usually the major amount of trucks that we see on projects like this. There won't be a whole lot of trucks coming in or out for the amount of earthwork.

There will be gravel and asphalt trucks and other things that come in during construction, but that would be significantly less if it was another project where you're hauling in or hauling out material, there won't be the amount of trucks that you typically see because the site is big enough that we can haul material from other parts of the site to it, or export to another part of the site to set up future phases.

>>>Doug G asked

So, the fill pit is staying and staying active clear into the future?

>>>Scott replied:

Are you talking about Germer's fill pit? That piece of property is not going to be part of this project.

That will not be annexed into the city, so that would be a.

>>> Doug asked:

So, we add 50 trucks a day, plus your activity?

>>>Scott replied:

As far as the Germer's fill pit I would say that we are working through some concerns and issues with it being there, but that is not associated with this project. It's adjacent to, but that is outside of our ability to potentially fix.

>>>Doug G asked

The timing, if you develop the road up Conestoga into your project.

It'll minimize how much comes this way, right. So, if that is 5 years down the road and you start working this year, I wouldn't be happy.

>>>Scott Replied:

This is going to be the primary access to the site. This bridge that crosses here will be the primary access to the site.

>>>Doug stated:

That's what I wanted to hear.

>>>Scott Replied:

This right here on the far end where we currently have it now will be utilized until we're able to get the bridge permitted, built and constructed which is associated with the phase first phase of this project. So, it will be this portion which is going to be built with this (Refers to display). But until this bridge gets permitted, which is a lengthy process, that we've started. We will be utilizing that action. But it will minimize the amount of traffic, at least with this development that comes in that end.

>>>Doug G asked

Are there going to be lots for sale, or is this all developer developed?

>>>Scott Replied:

There will be lots for sale.

>>> Doug G asked:

Will be there lots for sale for local contractors to come in and build?

>>>Scott Replied:

Yes, they'll be lots for sale for people to purchase, and they can develop.

They can buy, and find a person to build their home or do it and a lot of the earthwork we're going to try and do now. We will get the lots prepped and ready, and flat so that as people buy homes, they are not bringing in more excavation equipment, more trucks and everything. That way the pads are already done and set. So, when people come in and they can dig their foundations and start building homes.

>>>Hayley Lewis asked:

My name is Hayley Lewis, 2350 NE Hopkins CT, Pullman, WA, 99163

I'm with SEL. I need to understand better, so the mock ups aren't projects that SynTier is going to do the mock, I guess I am unclear if were doing lots versus what is going to get built?

>>>Scott replied:

So as far as this project is going to get built, is the roads, utilities and grading is going to get done.

As well as stormwater facilities. These houses are just to show kind of what it could look like when we are actually done, then the parks and this parking lot are part of the school's preliminary plans. We showed them so that and in a couple years and all the houses get built, that's what it could look like.

>>>Hayley asked:

OK and then follow up so the bridge, you mentioned over the South Fork is that a city project or is SynTier footing the bill for the development?

>>>Scott replied:

It is going to be in combination, just to be clear, our team is engineers and land surveyors.

>>> Hayley asked:

And so, so I see on the paperwork that the annexation has SynTier on here, but who is the annexation on behalf of like who owns the parcel?

>>> Scott replied

A&E LLC is the owner of the parcel, and Rich Beebe is the developer. Sorry, BBC LLC is the developer

>>>Tim Clyde 1491 Sand RD, asked:

Question other one, is how is the city going to be able to handle all the sewer over to their plant now?

>>> Scott replied:

So, we have some improvements that we're going to have to make

>>>Tim replied:

Cause they can hardly handle what's already here in this city, yeah, it's already way under development when it was finished.

>>>Scott replied:

So, we're looking, at least on our end we're looking at our impacts on the system to the pump station and we'll continue to look at those improvements, but this sewer wastewater facility is going to be the city of Moscow's.

>>>Tim replied:

But it's way undersized now and it's only going to impact it worse.

>>>Doug G asked:

So is the city looking at adding another deep water well out in this neighborhood to help deal with another 230 acres worth of housing.

>>>Scott replied:

There will be some long-term plans in terms of the water for this phase. I would imagine as this continues to build out here there would be a new water reservoir somewhere. On this property but that's on an as needed basis, there will be some improvements to the water system with this development, there will be some system improvements.

>>>Doug G asked

Have you looked into designing a school bus stop in your planning, that is off the side of the beaten path of the roadway?

>>>Scott replied

We haven't gotten that far into detail yet, but we will be looking at how school pickups along Palouse River Drive and through the site, how kids can safely walk bike and get to school.

>>>Doug G stated:

In many areas, the development of a school bus stop includes a pull off out of the main roadway, and I'm recommending that one or two places in your first 130 housing units.

>>>Scott asked:

Are you talking about on Palouse River DR or in the development itself?

>>>Doug G replied:

No, I'm talking about your facility or your project.

>>>Scott stated:

Yes, so a lot of how this project is hoping to get developed. Our idea for the houses, they will be loaded off of the alleys that are behind them, so there will be some alleys where all the houses' garages will be loaded into the houses and then we will have the main roads that will have parking. One or both sides and will allow for bus parking and kind of minimize the number of cars parked out in front and have a look and feel more of a neighborhood. Not driving down and just seeing doors and garages and cars everywhere.

>>>Hayley asked:

So, I guess I have a question if it's just going to be the plots that you're leveling, I guess I'm confused that they're going to be just zoned for R 3? What control will you maintain over what gets built? If you're saying no garages and that they (new houses) have ease of access and safety access for kids. If you're just selling the flats, what restrictions will there be with that?

>>>Scott replied:

You can make restrictions on how you access your home off of those collectors and off the main roads also. Through development and grading and other accesses it lends itself to people designing up and under garages, or through grading and other things there are certain ways. Granted, if somebody wanted to do something, we would have to look at it and figure that one out. But on some of the collectors we can designate certain roads that they can't get access off of.

>>>Haley asked

I have one more question. There is an affordable housing issue in Quad Cities. I think we're all pretty aware of that, and so I guess I'm wondering what the plan is for selling just a flat with full house on top with the target prices and if there's been. I know we're in the beginning phases, but what's the long-term project look like, I saw houses and got excited. Now I'm not so sure what the plan is and who our target demographic is? What the dollars are going to look like?

>>>Scott replied:

So, two things with the townhomes, with those lots and how they're situated. They are set up so there are really only townhomes that you can do on them because of the width of the lots. The other thing is, the more homes there are available and the more opportunities they are, it will drive down prices just through capitalism. So, there's just not a lot of houses for sale right now anywhere in Moscow, Pullman, Lewiston, Clarkston prices are going through the roof because there's five houses, and people are buying them sight unseen.

>>>Haley asked:

And so that makes me nervous if it's I mean, I guess there is bigger market issues I know. So, I guess for me to understand there's no plans for there to be anyone other than an out outside contractor beyond when all this is leveled ready for construction?

>>>Scott replied:

Right, and we've had conversations with developers and everybody about the direction that we're hoping to go, and you know, we've looked into it and we don't want to build roads and utilities and do all this and then there like I don't want to do that.

So, I mean we've definitely had some conversations with people about, you know what they're looking for, and two what developers would be looking to build. A lot of those developers are spending their money thinking of something to provide. One of the things we really don't want to get into is the giant student housing apartments.

That's not what we're looking to do with this. It's really trying to be able to provide homes that people can either own as their first home or homes that families can live in, and other places where employers can get people to move here. Employers have jobs available that they can't fill because people can't live here, so that's really what we're hoping to provide.

>>>Doug G stated:

We have an airport. There is just over Hwy 95 that I know of an airplane that actually landed with the engine problem on this hill ridge top right over here. I want you guys to go into this knowing that you

are in the downwind for that airport, and or base if you know the terminology. So, don't Even go whan, whan, whan, when there's airplanes flying over the top of us.

>>>Scott Replied:

Ok, it will be in the meeting minutes and if we come back in five years and say look, I told you so.

>>>Tim stated:

In fact, they were here. They are grandfathered in.

>>>Scott replied:

Absolutely, yes.

>>>Tim continued:

But everyone else shuts them down, like lot of airports big airports shut them down because people buy houses around them and they get shut down. They got to know that right up front, if they want to sue anything, they got to sue the developer.

>>>Doug G replied:

That airport is on the sectional chart as being real, it's not just a field airstrip it is on the chart.

>>>Scott replied:

We've been a part of some of the airport projects and my understanding, and we've worked with them is they make their rules and everybody else bends to them. We will be aware of that and that's something will be just part of the development.

>>>Hayley asked:

I've got another one, has the city given any updated on, I feel like the ballpark has been a twinkle in the city's eyes for many years. So, do we have any updated timeline from the city on what they're thinking?

>>>Scott replied:

No, but I would imagine once the bridge gets built, it's a lot easier to build the ballfields. When you have a road to the bridge and everything to it, it's going to make it a lot easier and there's a need if you have families and houses out there. I mean building a ballpark out here right now doesn't have as much emphasis or much usage that it would get until you start adding some homes, and it wont take long would be my thoughts on that.

Can I get your name?

>>>Craig Fountain, 1885 Paradise Ridge RD, Moscow, ID, 83843 asked

The city hasn't considered our location there, in their dealings in the past. We didn't get much input into some of the things that have been put into what we do have. I'm just making that statement they have not considered our presence there since 46 and in recent years. I guess I get that in your record.

>>>Doug G commented:

Talking about road improvements, what about from the edge of your facility or Conestoga to Highway 95?

>>>Scott Replied:

Along Palouse River DR? I maybe wasn't clear on that. We are looking at that and there will be improvements along that stretch of road, looking at the bikes, people and cars; and how that flows as well as at the intersection of Highway 95.

>>> Doug G stated:

Right now, you get a car parked on the side of the road over there. Can you have a one lane road? That just doesn't work before, and they paved this (Palouse River Dr and Sand RD) all the way to Pullman. We've seen a huge increase of traffic since they paved Sand Rd all the way to the Johnson cutoff road.

>>>Tim stated:

I Keep telling everybody about that.

>>>Doug G stated:

So That needs to be part of your project or the city.

>>>Scott replied:

Yep, Yep, it'll and that'll be, well, some of the impacts that we look at. There's a couple of things with some of the improvements that we're looking at. In general, on the engineering side is that when you build big wide roads It tends to let people drive faster.

One of the things that people are trying to research now and looking at is as you add, maybe some narrow pockets or you add sections that are narrower, people tend to slow down. There's traffic calming devices, and there's other things that you can do because people think, oh, we need to get you know bigger wide roads and those are safer. But they're finding out with people. the bigger and wider roads allow them to speed up faster and faster, but those are things we will look at. There are different ways to as the traffic increases to safely slow down people through this corridor.

>>>Tim replied

But you can't forget about the farms, its who built this town! They had that problem on Mountain View, trying to move farm equipment.

>>Scott replied:

Yeah, yeah

>>Tim stated:

If it wasn't for the farms, we wouldn't be sitting here!

>>>Lisa Clyde, 1491 San Road asked:

Are you taking into account the lack of traffic because covid restrictions? I guess I'm concerned that you're taking your traffic now and in 6 months to a year everything is going to be completely different.

>>>Scott replied:

So how we've done in the past on a few other projects that we've right now is completely different than anything else that we've experienced in my lifetime, and maybe a lot of your lifetimes. We look at the historical data between what has taken place in the last years and we extrapolate them to this intersection. Or we look at data that we put maybe on that intersection few years ago, and then we could look at correlating data and try and scale it up or scale down or adjust it to make sure it fits. But yes, there are definitely challenges with development during Covid.

It's how we're trying to adjust with everybody else as well, but we take those things into account because measuring traffic on Friday of a spring break during Covid is a lot different than what we're going to expect over the lifetime; five to ten years that we usually analyze these things for. So yeah, we do try and take those things into account as best we can.

>>>Tim commented:

I guess you're probably take into account Schweitzer being built.

>>>Scott replied:

That will be another thing that will have to be taken to account as well.

>>>The crowd replied:

It's going to be bad (referring to traffic)!

>>>Doug G asked:

I've got kind of a dumb question. How did you come up with this name? Seeing how the farm estate is a Clarence Anderson all the way to the top of the Hill and over around that you guys are naming it Eddington

>>>Scott replied:

I am lucky enough not to have named it. So those helpful suggestions could go to Rich. trust me naming roads and naming these kind of things is not my strength and we tried to come up with some and you guys were laughing at us so it was. Trust me, it was the hardest thing I did all week, was trying to come up with names and all of them got shot down so.

>>>Doug G replied:

So, this this farm and house was built in 1909. It was all part of this estate that you are developing, and the name of the farmer in 1909 is Clarence Anderson and his Grand Daughter, excuse me, Daughter sold us the property across the street. She is who sold Sherm Clyde their property, But I guess I just feel that it is only fair for a farm estate, that a subdivision ends up recognizing that just like they named the one across the way, Anderson. That's his brother, that was named after, but I'd like to give the guy credit for running horses and mules, farming this piece of ground for 60 years.

>>>Rich Beebe, project developer replied:

I think that's really fair; I think it's something to take into consideration. For now, it's really preliminary and marketing people have their opinions about things?

>>>Doug G replied

You could call it a Clarence Anderson estate.

>>>Rich said

Yes, this is a process so we will be discussing it.

>>>Doug G said:

Thank you. Told you that was a dumb question.

>>>Lisa asked

What's your timing? I know it's all up in the air. You got to do your proposal, and all that kind of stuff but what's your timing, three years out, one year out?

>>>Rich replied

For 3 years out for what? No, we would like to start moving some dirt this summer or probably this fall. It takes a while, nothing happens overnight.

>>>Lisa asked:

First order of business would be starting on the road or starting on what?

>>>Rich replied

The first order of business is getting everything approved probably and getting everything designed I mean bridges don't happen overnight right. So yeah, I mean, it's going to take us awhile, but first order of business, obviously, we really want that bridge access. That's important, no offense, but your access is not great for everyone.

>>>Tim replied:

You got to put in two bridges.

>>>Rich replied:

What's that?

>>>Tim stated:

You got to put in two bridges.

>>>Lisa replied:

This well this one over here has to be fixed to its broken.

>>>Rich replied:

That's already been part of the discussion.

>>>Doug G asked:

A water system question. Most water systems, they hate providing water off a dead-end run. Is it your intention to bring water down Palouse River Drive and tie it into a loop into your system so they have looped water supply?

>>>Rich replied

I think I think loops are one of those things that the city is all over. I'm not an engineer.

>>>Scott replied:

We're in talks with the city and most of the things that drive water design is fire flow and make sure you can get adequate safety and water to people. The loop system benefits that, and that's usually what it's designed off of. They do not want dead end runs where water could get stagnant, so we don't try and design systems that have dead ends, but whether it loops through our development or if it loops back on the road, those are things that we have to look at with the Fire Marshall and as well as with the City of Moscow on how they see their system working. And it may be something with Schweitzer's development, they might need fire hydrants and everything that's the loop. But those are all things that are part of this process that we have to go.

>>>Lisa asked:

So, I guess part of my question for what's next. What's happening, will there be another as you're your development plan becomes more solidified is there an opportunity for us to way in again?

>>>Scott replied:

Should be a planning and zoning should have another opportunity for public comments.

>>>Lisa asked:

And the same group of people that were notified for this one will get notified on that one?

>>>Scott replied:

And it should be put out to the city website.

>>>Doug G asked

Yeah, do we have a representative from the city here now?

>>>Scott replied:

No, and they stay out of this part and once it goes to planning and zoning, they post signs. They have public meeting notices and I believe they will notify everybody within a radius.

>>>Doug G replied

I was told that only 600 feet from this project was people being notified. I think that needs to be expanded, but it's too late to expand it for this meeting, but that's their rule.

>>>Scott replied:

Yep, so as far as who got notified, and who didn't. We went to the City of Moscow. They actually provided the sticky note, and everything and said these are all the people that you should contact because we don't have really a way of going through and looking up every single address and finding it in the cities, and they said "hey we will provide that."

So that's how the neighborhood meeting, and all of the people who are outside the neighborhood will have the opportunity as well during public hearings, to comment. But really, for this situation is the people who are impacted the most, which are you guys, the neighbors that we really wanted to get your guy's input on it.

Because other people as well as yourselves will have later time to have input. But for now, we have a chance to do things and to look into some of the things like your well, before we go in and submit. It tends to get a little more combative when people get, they see things for the first time.

>>>Doug G asked

Has Avista been brought into your circle of communication already? Do they have enough power out here, do they have enough natural gas, blah blah blah?

>>>Scott replied:

Those are, those are design questions that will come through with Avista. Some of these developments. we haven't really seen anywhere where they haven't had the ability to serve, and that's part of the process that will have to go to a Avista in the City of Moscow, and get will serve letters saying yes, we can provide service to that area.

If you guys have any other questions later, I did leave my contact information on here, my email and my that is my cell phone. Feel free to call me at any reasonable time, please don't sign it up on any phone lists or anything but.

We want to be transparent. We want to be open. I answer my phone, leave me a message. If I don't, I'll get back to you, but a lot of these things is with you guys you know. We want to make this a benefit? We don't want to come in here where everybody around the neighborhood is just unhappy with it? We want to definitely benefit the City of Moscow, the neighborhood, as well as clean up some of this stuff.

>>>Doug G replied:

I'd like to thank you and the city for putting this process into their application, because we need to know. I tried to buy this property a long time ago.

>>>Group laughs

>>>Scott replied:

Thank you, guys, if have any more questions, feel free to reach out to me.



City of Moscow Parks and Recreation

Memo

To: Mike Ray, Planning Manager

From: David Schott, Assistant Parks and Recreation Director

Date: May 6, 2021

Re: Parkland Dedication Requirements for the Proposed Edington Subdivision First Addition

As part of the subdivision process, this proposed subdivision falls under the requirements of the parkland dedication codes of the City.

There is 182,961 sf (4.2 acres) of net developable area of platted RO Residential Office (9%), which requires 16,466 sf (0.38 acres) of parkland dedication.

There is 399,108 sf (9.16 acres) of net developable area of platted R-3 Medium Density Residential (7%), which requires 27,938 (0.64 acres) of parkland dedication.

The total parkland dedication requirement for the Edington Subdivision First Addition is 44,404 sf (1.02 acres).

It is my recommendation to defer the parkland dedication requirements to a later phase of the entire subdivision for a park that is relatively flat and is approximately 1.7 acres in size and over three (3) miles of public pathways for our community to enjoy.

BBC LLC has submitted a letter to this effect, Exhibit A. Moreover, the Moscow Pathways Commission and the Parks and Recreation Commission both recommended approval of deferring the parkland dedication requirement to a later phase of the entire subdivision during their April 13, 2021 and April 22, 2021 regular meetings, respectively.

Should there be any changes to the developable land or zoning on the final plat, I would need to review those changes for any possible affects to my recommendation.

Please do not hesitate to contact my office with any questions or clarifications.

Exhibit A

April 7, 2021

David Schott
650 N Van Buren Street
Moscow, ID 83843

Re: Parkland Dedication Abeyance Request

Dear David:

BBC LLC is requesting that the parkland dedication of ~1 acre for phase 1 of the Edington subdivision be deferred to a later phase of the entire subdivision. Our vision is for this new neighborhood to have over 3 miles of public pathways to enjoy and take in the incredible views the area embodies. In light of the City already having a large park near the south end of the property we thought it would be more beneficial to have a centrally located neighborhood park. That park is relatively flat and is approximately 1.7 acres.

Thank you for your consideration

Sincerely,

A handwritten signature in dark ink, appearing to read 'Rich Beebe', with a long horizontal flourish extending to the right.

Rich Beebe
BBC LLC

**City of Moscow
Engineering Dept.**

Memo

To: Michael Ray, Planning Manager
From: Todd Drage, Engineering Technician
cc: Bob Buvel, Staff Engineer, Jennifer Fleischman, Administrative Assistant & Deputy City Clerk
Date: 2020-05-04
Re: Department Review of the Edington Addition Preliminary Plat

Upon reviewing the preliminary plat for the proposed Edington Addition, the engineering department has the following recommendations:

- 1) We recommend closer analysis of the design of Conestoga drive. Specifically, the coordination with the bridge required at the South Fork of the Palouse River; and, the slope and sight distances as the road ties into Palouse River Drive.
- 2) The proposed preliminary plat shows water and sanitary sewer mains stopping short of the proposed Augustine Avenue. We recommend these mains be extended to the end of the edge of the property boundary in a manner that the neighboring properties are able to connect to said mains.
- 3) Tract A appears to be being intended for use as a stormwater control facility. As this Tract is within the South Fork of the Palouse River floodplain, the river's floodplain impact will need to be considered during the facility's design.

These comments are for information purposes as we understand that they can be resolved and optimized through the construction drawings review and finalization process. This concludes our comments for this preliminary application. Please let me know if you have any questions or comments.

Regards,

Todd Drage

May 6, 2021

Mike Ray
Planning Manager
City of Moscow Planning Division
P.O. Box 9203
Moscow, ID 83843

RE: Edington Subdivision

We are writing today to express some concerns with the planning for the Edington subdivision. These issues need to be addressed and resolved.

The plan that was presented at the neighborhood meeting shows a street just to the west of the first bridge over the South Fork of the Palouse River to be an access to the subdivision. This proposed street presents some issues:

- The line of site to the west of this access point from the proposed Edington Subdivision onto Palouse River Drive has a rock outcropping making this a blind corner as traffic approaches from the west. As traffic leaves the proposed Edington Subdivision onto Palouse River Drive, there is no way to see what traffic is approaching on Palouse River Drive/Sand Road from the west. (Figure 1)
- The proposed street is also the main access for dump trucks dumping fill and loading dirt at the land fill next to the proposed Edington Subdivision. In order for these trucks to make the turn from the proposed street onto Palouse River Drive and cross the bridge the trucks must use the left side of the proposed street. (Figure 2) This proposed street is not wide enough for two lanes of traffic, if trucks are present. There is visible damage to the bridge from trucks trying to make this corner onto Palouse River Drive. If a semi-truck is pulling a longer trailer (low-boy or 40 foot trailer), they cannot make the right hand turn onto the bridge. These longer trucks must turn left onto Palouse River Drive and turn around further down the road in order to drive back to Moscow.

The bridge over the South Fork of the Palouse River is showing sever damage. The heavy truck traffic has caused the road bed over the bridge to break up and in one spot the metal support is visible in a pothole and showing signs of rust. You can see where the road bed has cracked over each bridge support. (Figure 3 and Figure 4)

Palouse River Drive is too narrow for two lanes of traffic and the foot traffic that is present on this road. With commercial traffic blending with residential traffic on a road with no shoulder, the road becomes dangerous. People use this road to exercise and to walk to the University Arboretum and to the dog park. The parking along Palouse River Drive at the trailer courts makes line of sight for vehicles accessing Palouse River Drive more difficult. When cars are parked along Anderson Park there is not adequate space for two lanes of traffic and if there are dump trucks on the road, one lane has to stop. There is a

visible path in the shoulder along the state shop where vehicles have to stop to allow trucks to pass. When there is an event at the University Arboretum and cars are parked on either side of Palouse River Drive, there is limited visibility for traffic and the road becomes very narrow. Palouse River Drive needs to be widened and sidewalks installed to make traffic safe for everyone.

Our water line is buried under fill that makes up part of the proposed development site. Our well is next to the trailer court that is on the east side of the dog park and our water line will be buried under the proposed extension of Conestoga and is currently buried under the proposed Residential Office section of the subdivision. We have been told repeatedly that this issue will be taken care of, but no one has contacted us with a plan.

Dust control for the planned construction process is a necessity. With the hundreds of weekly truck trips currently present on this site there is blowing dust on a daily basis. When construction starts on the subdivision and truck traffic increases, the roads will need long term and consistent dust control measures. (Figure 5)

How many illegal businesses will be allowed to function on this site? There is a sand blasting site set up on the proposed Residential Office location. This is just above South Fork of the Palouse River. How much of this debris is running into the creek when it rains or is blowing about on the wind? (Figures 6, 7 and 8)

There is storage on site for Hassan Tractor Company. This adds to the traffic in and out of the site and the blending of commercial and residential traffic.

The land fill is accessed by trucks from companies other than Germer Construction. Trucks come in and dump on this site and some load up with black dirt when they leave. (Figures 5, 9 and 10)

Are there conditional use permits for any of these businesses approved by the City of Moscow or Latah County? We have asked and no permits have been found on record.

We understand that the City of Moscow will grow and the proposed subdivision is within the area of impact and not a surprise for the development of Moscow to the south. The planned infrastructure needs to be well planned and provided by the development and not at the city taxpayers expense. The infrastructure needs to be in place before any development begins so the heavy construction traffic does not further diminish safety and demolish the current road and bridge.

Thank you for your consideration.

Sincerely,

Tim and Lisa Clyde



Figure 1 Blind Corner



Figure 2 Drive path for access onto Palouse River Drive



Figure 3 Pothole exposing metal of bridge support



Figure 4 Damaged bridge bed



Figure 5 Truck causing dust while hauling out black dirt



Figure 6 Sand Blasting in rock pit



Figure 7 Sand blasting in Germer rock pit



Figure 8 Sand blasting company



Figure 9 Private dump truck hauling into landfill



Figure 10 Atlas truck and trailer loading black dirt

1049 Colt Road
Moscow, ID 83843
jfazio@turbonet.com

April 28, 2021

Community Planning & Zoning Commission
221 East Second St.
Moscow, ID 83843

To the Commission:

I will not be able to attend the public hearing on May 12 but would like to comment on the proposed 235-acre subdivision request south of Palouse River Drive.

I don't understand why we have zoning and plans when these are altered just about anytime someone comes along with money and wants to develop. As the saying goes, you can't eat houses and this is a good example of the continuing demise of agricultural land, to say nothing of the unique character of Moscow. Likewise, I can't understand how the city can talk about "sustainability" and a diminishing aquifer, and then even entertain the idea of a development of this size and density.

The newspaper today mentioned that the city is at least going to address the problem of traffic on W. Palouse River Road. It is entirely unsafe in its current condition and level of use thanks to trucks from a quarry and construction company yard on the state line. Traffic is also increasing as more people discover that Sand Road is now paved and provides an alternative route to Pullman. With a dense development such as is being proposed, the road and the streets that provide a short cut to campus, are going to be major problems.

I would like to see the proposal rejected but, expecting that it won't be, I urge you to at least require that the high-density residential portion be deleted, the street improvements be extended beyond Conestoga to the arboretum, and that work on Palouse River Drive be completed prior to any development.

Sincerely,

James R. Fazio

Dear Moscow Planning and Zoning Commission,

I am writing to voice my concerns with and opposition to the proposed Edington Subdivision. The proposed development is starkly incompatible with the City's adopted Comprehensive Plan. It does not maintain Moscow's character, build or strengthen its community and sense of place, or adhere to its sustainable development principles. This proposed development is not the incremental growth the Comprehensive Plan desires; indeed, it is a punctuation of growth better known as urban sprawl.

The Edington Subdivision is a bad solution to Moscow housing issues, and a solution proposed by those who have benefited from and contributed to the housing problem.¹ While I congratulate Mr. Crapuchettes of the success of his business and their desire to diversify and purchase land and buildings in the area, he and his associates should not be able to exploit their power in such a way that destroys the tangible and intangible character of Moscow. They should not be able to use their power and influence to get variances in stark contrast to Moscow's Comprehensive Plan. This area is designated for agriculture and forestry, which Mr. Crapuchettes and Mr. Beebe surely understood when purchasing, and now desires to cash-in by changing the zoning.

The Edington Subdivision will promote urban sprawl, defined by low-density growth that blurs the urban-rural divide, growth that breaks up the landscape, and growth that requires motorized transport into the more urban area. These defining characteristics lead to degraded air and water quality due to the development's placement in the landscape and the resident's increased automobile dependency.

If the City approve the Edington Subdivision they set a dangerous precedence. You are allowing individuals to purchase land on Moscow's outskirts, change its zoning, and continue the urban sprawl. The City rightly designated this area for agriculture and forestry and should not waiver in their decision. Mr. Crapuchettes and Mr. Beebes argue that the annexation and rezoning this land as the only solution to Moscow's housing issue. This is a false argument. In fact, stricter annexation laws and the Comprehensive Plan and Zoning are all forms of policy that can combat urban sprawl and lead to smart growth decisions.

I ask you to reject this proposal and ask the landowners and developers to study the Comprehensive Plan and those areas designated for housing to identify ways to address the housing issue that leads to sustainable growth, continuity of character, and maintenance of our community.

Sincerely,

Samuel Gallaher
PhD in Public Administration and Policy

¹ Emsi ,as new technology company, has contributed to a skill-biased technological shift in Moscow. In other words, due to the skills needed at Emsi, the higher wages are specific to a sector that employs a minority of the local population. This is a particular issue when the local population cannot re-tool their skillset fast enough to be viable candidates to the company. Studies show skill-biased technological changes feed income inequality when not tempered by public policy. The Comprehensive Plan is one of those policies that will help mitigate these inequalities.

Michael Ray

From: Susan Rounds <groundkpr4@gmail.com>
Sent: Tuesday, April 6, 2021 4:20 PM
To: Council; Planning & Zoning Commission
Subject: Sustainable development

CAUTION: This message originated from outside the City of Moscow's network. Exercise caution when clicking links or opening attachments. If in doubt, please contact Information Systems at extension 7004.

Welcoming new people can be a joy. The whole community also benefits if the development is planned for sustainability. Recent news discussed a plan for adding 235 acres to the south end of Moscow, West of a 150-acre site being developed for Schweitzer Engineering. Currently platted for 130 home sites on 27 acres, the idea is to develop the whole site. Another development anticipates 275 single family homes North of Moscow. With efforts of the Palouse Basin Summit to bring our water use into range of replenishment by the Aquifers being tapped, it would be helpful to know what strategies are being implemented for sustainability by all these developments. Such strategies might include low volume toilets and showers, minimizing traditional lawns in favor of allowance by a Homeowner's association for Xeriscaping or Native Habitat Landscaping, collection of rainwater, processing and use of greywater for outside irrigation. Also, reducing the effects of additional outdoor lighting can be achieved by use of LED, motion activated lighting. Incorporating parks and greenways allows passage of wildlife and can encourage healthier lifestyles for people. Since these developments have the potential to affect availability of water and other critical resources within our region, please carefully consider how to minimize any undesirable effects. Thank you, Susan Rounds

NOTICE OF PUBLIC HEARING

Proposal for a Comprehensive Plan Land Use Designation, Zoning Designation, and a Preliminary Subdivision Plat for a 235-Acre Property Proposed to be Annexed into the City of Moscow and Generally Located South of the West Palouse River Drive Ball Fields Property and West of the Schweitzer Engineering Laboratories Property within the City of Moscow as Shown on the Vicinity Map Below. Permit Applications LUP2021-0011 and LUP2021-0012

A public hearing at which you may be present and speak will be conducted by the Moscow City Council at which time the following proposals will be considered:

1. Annexation of the approximately 235-acre subject property.
2. Comprehensive Plan Land Use Designation amendment from a combination of Auto-Urban Residential and Rural and Agricultural to the High-Density Residential and Auto-Urban Residential designations.
3. Rezoning of the subject property from the Agriculture Forestry (AF) Zone to a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zone.
4. Proposed Preliminary Plat of a 27-acre area to create 105 lots ranging from 2,328 to 63,105 square feet in size, referred to as Edington Subdivision.

The City of Moscow Planning and Zoning Commission conducted a public hearing for the proposed Comprehensive Plan Land Use Designations, Rezone, and Preliminary Plat on May 12, 2021 and recommended approval with one condition.

MEETING DATE: Monday, June 7, 2021

HEARING LOCATION: Council Chambers on the Second Floor of 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 hearing start time for the proposal advertised in this notice. Multiple

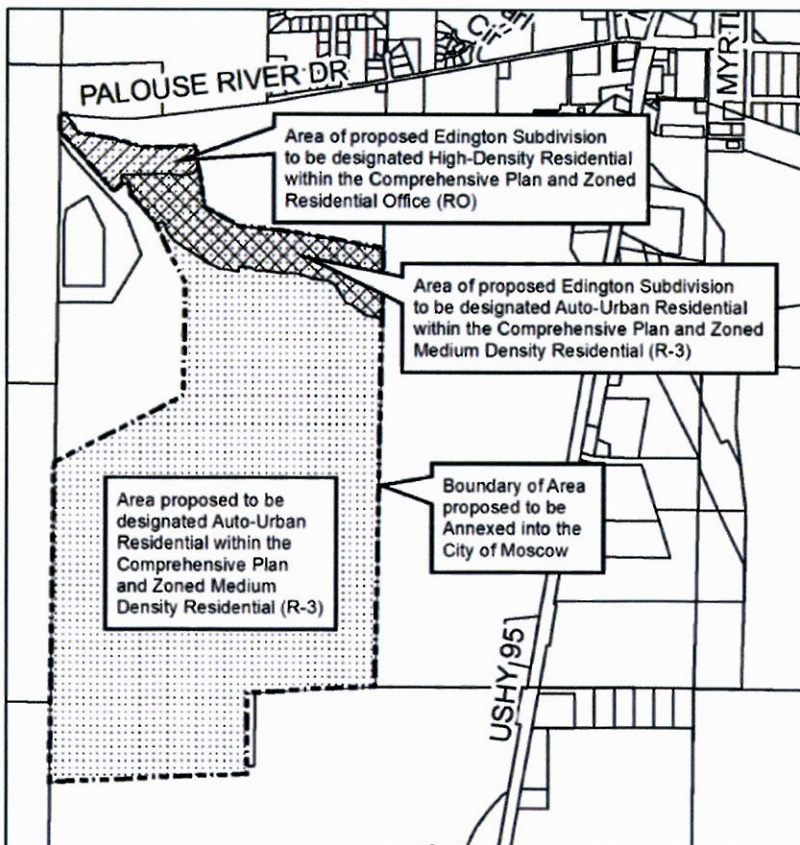
hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting. The file containing information on this matter is available for public review at the Community Planning & Design Department located in the Paul Mann Building, 221 East Second Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Minor amounts of written materials (less than two (2) pages) may be submitted to the hearing body at any time prior to the close of comments, as determined by the hearing body. More in-depth written materials require at least five (5) calendar days for review prior to the hearing. 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 City Clerk

Publish: Saturday, May 15, 2021



**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 A PRELIMINARY SUBDIVISION PLAT OF A TWENTY-SEVEN POINT ONE TWO (27.12) ACRE AREA OF LAND GENERALLY LOCATED SOUTH OF THE WEST PALOUSE RIVER DRIVE BALL FIELDS PROPERTY AND WEST OF THE SCHWEITZER ENGINEERING LABORATORIES PROPERTY, KNOWN AS EDINGTON ADDITION TO THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Preliminary Subdivision Plat on March 26, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 12, 2021; 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, and other applicable development regulations.
2. The subject property is a twenty-seven point one two (27.12) acre area of land generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property.
3. The subject property is primarily being used for agricultural production. The subject property is surrounded by agricultural land to the west and the south, Schweitzer Engineering Laboratories property to the east, and the City's West Palouse River Drive ball fields property to the north. The South Fork of the Palouse River currently flows through the ball fields property to the north.
4. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and Rural and Agricultural and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations.
5. Auto-Urban Residential (AU-R) designated areas,
"contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between

three to six units per acre which could include a mix of detached single-family, 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."

6. High-Density Residential designated areas are intended to,
"allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands designated as Urban Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO)."
7. The subject property and adjacent properties immediately to the west and south within Latah County are currently designated as Agriculture/Forestry (AF).
8. The West Palouse River Drive ball fields to the north is currently designated as Farm Ranch and Open Space and the Schweitzer property to the east is designated as Motor Business (MB). Manufactured home parks and Idaho Transportation Department's service yard on the south side of Palouse River Drive are zoned MB.
9. The applicant is concurrently proposing to rezone the subject property from the Agriculture Forestry (AF) Zone to the Residential Office (RO) Zone and Medium Density Residential (R-3) Zone.
10. According to the City of Moscow Zoning Code, the RO Zone is a moderately intensive zone including both offices and high-density housing. It serves as a transitional Zoning District between residential Zoning Districts and commercial or industrial Zoning Districts.
11. The RO Zoning District is appropriately applied in the following circumstances:
 1. On the perimeter of commercial or industrial districts where they abut residential land uses;
 2. Where transportation network use is greater than desirable for lower density residential uses;
 3. Where landforms create sites which are reasonably accessible by transportation systems and which are buffered from nearby residential areas; and
 4. Where the development patterns in a neighborhood will allow development of moderate intensity to occur without producing adverse visual impact or harm to the transportation network.
12. Uses permitted within the RO Zone include single family dwellings, two family dwellings, multi-family dwellings, twinhomes, townhouses, market and community gardens, veterinary services, professional offices, restaurants up to 1,500 sf in size, group and small child care facilities, community/neighborhood centers, health care services, public parks and recreation facilities, telecommunications services, personal care services, and bed and breakfast inns.
13. The Medium Density Residential (R-3) Zoning District provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger

structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan.

14. Uses permitted within the R-3 Zone include single-family dwellings, two family dwellings, twinhomes, townhouses, market and community gardens, group and small child care facilities, and public parks and recreation facilities.
15. The applicant is proposing to subdivide the 27-acre area into 105 lots ranging from 2,328 to 63,105 square feet in size, referred to as Edington Subdivision.
16. There are 20 lots that are proposed within the RO Zone, with 17 being townhouse lots. The R-3 Zoned portion of the project is proposed to contain 55 townhouse lots and 30 standard single-family lots. All of the proposed lots meet the minimum lot size and width for their respective proposed zoning districts.
17. The minimum lot size for single-family, two-family, and multi-family dwellings parcels within the RO Zone is 5,000 sf or 800 sf per dwelling unit, whichever is greater. Townhouse dwellings have a minimum lot size of 1,800 sf and twinhome dwellings require 2,250 square feet. The minimum lot width for single-family, two-family, and multi-family dwellings is 50 feet, 18 feet for townhouses, and 25 feet for twinhomes.
18. The minimum lot size for detached single family lots within the R-3 Zone is 6,000 sf and townhouse lots require 2,000 square feet. The minimum lot width for detached single family lots within the R-3 Zone is 60 feet (50 feet for lots with alley access). The minimum townhouse lot width is 20 feet for the R-3 Zone.
19. The Zoning Code contains specific standards for townhouses which includes unit grouping and spacing, guest parking, and common open space requirements. Townhouse buildings shall contain no more than 8 contiguous units and the spacing between townhouse buildings shall be no less than 16 feet. Spacing between townhouse buildings shall include a four 4-foot-wide pedestrian easement and sidewalk joining the alley, or rear of the townhouse development, to the public sidewalk adjacent to the front public street.
20. Townhouse developments of more than twenty-four 24 units shall provide off-street guest parking at the rate of 1 stall per each 4 townhouse units. Such guest parking shall be located within the required spacing between townhouse buildings or at the rear of the townhouse buildings. Townhouse developments of more than 24 units shall also provide functional common open space of 75 square feet per unit. Such common open space shall be of a functional size, the smallest dimension of which shall not be less than 30 feet and shall include landscaped and turf areas and shall include at least 2 different furnishings such as benches, picnic tables, children's play equipment or other similar items.
21. The Commission finds that the grouping, spacing, pedestrian easements, and open space meet the townhouse standards. All additional standards will be verified when construction drawings are submitted.
22. There are numerous tracts throughout the proposed subdivision that are intended to provide stormwater detention facilities, as well as common off-street parking, and pedestrian paths.
23. The subject property has access via Palouse River Drive which is designated as a minor arterial. Palouse River Drive is currently not developed to the minor arterial standard which is a 34-foot-wide roadway section with curb, gutter, and sidewalks on both sides of the street. The roadway is currently paved, but there is intermittent curbing and sidewalks, typically only on one side of the street. Frontage improvements that have occurred on Palouse River Drive are mainly on the north side of the street as a result of subdivision development.

24. There are proposed to be two access points to Palouse River Drive. One access point is on the west side after the South Fork of the Palouse River bridge and the other is at the east end which is the extension of Conestoga Street across the City's ball fields property. As part of the extension of Conestoga Street to the south to the subject property, a bridge will be constructed across the South Fork of the Palouse River.
25. As part of the agreement that the City Council directed Staff to draft on May 3, 2021, the applicant agrees to construct, at the applicant's expense, the frontage improvements to the south side of West Palouse River Drive to include installation of curbing, sidewalk and roadway widening to improve West Palouse River Drive to thirty-four (34) feet in width from the intersection with Conestoga Street and continuously extending to US 95/South Main Street.
26. Also part of the agreement is the City's contribution to the construction of the Conestoga Street extension and bridge at 50% of the actual cost of the Conestoga Street extension, up to a maximum amount of \$1,078,210.
27. There are two main access points from Palouse River Drive to the proposed subdivision. The street extending from the west is proposed to be Augustine Avenue, which will be developed to the collector standard which is a 34-foot paved width with two travel lanes, bike lanes on both sides, and no on-street parking. Curb, gutter, tree lawns, and sidewalks are also required on both sides of the street. The extension of Conestoga Street to the east is also proposed to be a collector street developed to the same standard as Augustine Avenue. The City's Thoroughfare Plan shows the general alignment of two collector streets at the same alignment as the proposed Conestoga Street extension and Augustine Avenue.
28. The primary street which provides a connection to Conestoga Street and Augustine Avenue is Edington Street which is proposed to be developed as a 36-foot-wide local street which includes curb, gutter, tree lawns, sidewalks, and parking on both sides of the street. All of the proposed lots within the subdivision will have public street frontage as well as rear public alley access. There are multiple alley entrance points from Edington Avenue and the blocks are laid out in a semi-gridded network.
29. Per the City's townhouse standards, there are multiple pedestrian easements which will contain 4-foot-wide sidewalks in-between the grouping of townhouse buildings. A public pathway is proposed on the linear Tract C between the subdivision and the ball fields property to the north.
30. There are two additional local streets which make up the grid network, which are Chesterton Drive and Luther Drive. These proposed streets are stubbed to the southern boundary of the proposed subdivision and are intended to extend to future subdivisions to the south.
31. Water mains will be extended throughout the subdivision from the existing mains within Palouse River Drive. The property is considered developable in the City's Comprehensive Water System Plan dated January 2012. The Engineering Department has determined that the existing system has adequate potable and fire flows to serve the proposed subdivision.
32. Sanitary sewer is proposed to be extended throughout the subdivision primarily within the alleys. A main will then be extended in an east/west direction across the ball field property to a lift station that will be constructed to serve the proposed subdivision.
33. Storm sewer will be piped and directed to numerous stormwater detention ponds located within the proposed subdivision. The detention facilities of the proposed development will need to meet Moscow's Stormwater Runoff Control Standards which required the stormwater to be detained to the pre-development rate. The stormwater is then conveyed from the detention facilities to the South Fork of the Palouse River.

34. The proposed subdivision falls under the requirements of the parkland dedication codes of the City. The subject property contains 4.2 acres of net developable area of platted RO Zoned property, which requires a 9% dedication. There is 9.16 acres of net developable area within the R-3 Zone which requires a 7% dedication. The total parkland dedication for the proposed subdivision is 1.02 acres. The applicant has submitted a letter proposing to defer the parkland dedication to a later phase, which was reviewed by the Parks and Recreation Commission and Pathways Commission. Both Commissions recommended approval of deferring the parkland dedication during their April 13, 2021 and April 22, 2021 regular meetings.
35. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on March 19, 2021 to discuss the proposed preliminary plat.

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 subdivision is in conformance with all applicable City Code requirements.** The proposed preliminary plat is consistent with and in conformance with the requirements and provisions of the Residential Office (RO) and Medium Density Residential (R-3) Zoning Districts, including lot area, dimensions and other relevant provisions. The proposed preliminary plat is also in conformance with the general requirements of the Moscow Subdivision Ordinance including, but not limited to, the provision of the logical and orderly connection to the City's street network, public utilities, and the provision of public parkland
2. **The proposed subdivision is in general conformance with the Comprehensive Plan.** The proposed preliminary plat is consistent with the City of Moscow Comprehensive Plan and provides for the logical and orderly development and extension of the City's street system. The extension of Augustine Street and Conestoga Street is consistent with the Thoroughfare Plan. The proposed lots sizes and densities are consistent with the proposed Comprehensive Plan Land Use designation of Auto-Urban Residential and High-Density Residential.
3. **Public Services and utilities are available or can be made available and are adequate to accommodate the proposed subdivision.** The subject property has direct access to Palouse River Drive which is a minor arterial, and includes the extension of Conestoga Street and Augustine Street which are designated as collector streets. Water and Sewer connections are readily available in the area and a sanitary sewer main is proposed to be extended across the West Palouse River Drive ball fields to a new lift station that will be constructed as part of the subdivision. The Engineering Department has determined that the existing system has adequate potable and fire flows and sewer capacity to serve the proposed subdivision.
4. **The proposed subdivision will not be detrimental to the public health, safety, or general welfare.** The proposed preliminary plat provides for the extension of City streets and services and will not be detrimental to the public health, safety, or general welfare.

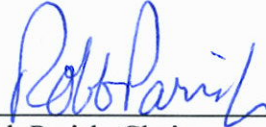
III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the preliminary subdivision plat request for the twenty-seven point one two (27.12) acre area of land generally located south of the West Palouse

River Drive ball fields property and west of the Schweitzer Engineering Laboratories property within the City of Moscow with one (1) condition:

1. Water and sanitary sewer mains shall be extended to the western edge of the subject property boundary to allow the future extension of services to adjacent properties.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
26th day of MAY, 2021.



Robb Parish, 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 REZONE OF AN APPROXIMATELY TWO-HUNDRED THIRTY-FIVE (235) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED SOUTH OF THE WEST PALOUSE RIVER DRIVE BALL FIELDS PROPERTY AND WEST OF THE SCHWEITZER ENGINEERING LABORATORIES PROPERTY FROM THE AGRICULTURE FORESTRY (AF) ZONE TO THE RESIDENTIAL OFFICE (RO) ZONE AND THE MEDIUM DENSITY RESIDENTIAL (R-3) ZONE.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on March 26, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 12, 2021; 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, and other applicable development regulations.
2. The subject property is an approximately 235-acre property proposed to be annexed into the City of Moscow and generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property.
3. Under Idaho Code, prior to the annexation of the property within the City, 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 designation to be applied to the subject property upon annexation.
4. The subject property is primarily being used for agricultural production. The subject property is surrounded by primarily agricultural land to the west and the south, Schweitzer Engineering Laboratories property to the east, and the City's West Palouse River Drive ball fields property to the north. The South Fork of the Palouse River currently flows through the ball fields property to the north.

5. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and Rural and Agricultural and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations.
6. Auto-Urban Residential (AU-R) designated areas,

“contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, 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.”
7. High-Density Residential designated areas are intended to,

“allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands designated as Urban Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO).”
8. The subject property and adjacent properties immediately to the west and south within Latah County are currently designated as Agriculture/Forestry (AF).
9. The West Palouse River Drive ball fields to the north is currently designated as Farm Ranch and Open Space and the Schweitzer property to the east is designated as Motor Business (MB). Manufactured home parks and Idaho Transportation Department’s service yard on the south side of Palouse River Drive are zoned MB.
10. The applicant is concurrently proposing to rezone the subject property from the Agriculture Forestry (AF) Zone to the Residential Office (RO) Zone and Medium Density Residential (R-3) Zone.
11. According to the City of Moscow Zoning Code, the RO Zone is a moderately intensive zone including both offices and high-density housing. It serves as a transitional Zoning District between residential Zoning Districts and commercial or industrial Zoning Districts.
12. The RO Zoning District is appropriately applied in the following circumstances:
 1. On the perimeter of commercial or industrial districts where they abut residential land uses;
 2. Where transportation network use is greater than desirable for lower density residential uses;
 3. Where landforms create sites which are reasonably accessible by transportation systems and which are buffered from nearby residential areas; and
 4. Where the development patterns in a neighborhood will allow development of moderate intensity to occur without producing adverse visual impact or harm to the transportation network.

13. Uses permitted within the RO Zone include single family dwellings, two family dwellings, multi-family dwellings, twinhomes, townhouses, market and community gardens, veterinary services, professional offices, restaurants up to 1,500 sf in size, group and small child care facilities, community/neighborhood centers, health care services, public parks and recreation facilities, telecommunications services, personal care services, and bed and breakfast inns.
14. The Medium Density Residential (R-3) Zoning District provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan.
15. Uses permitted within the R-3 Zone include single-family dwellings, two family dwellings, twinhomes, townhouses, market and community gardens, group and small child care facilities, and public parks and recreation facilities. 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.
16. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on March 19, 2021 to discuss the proposed rezone.

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 proposed 2019 Comprehensive Plan Land Use Designations of Auto-Urban Residential and High-Density Residential.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed combination of the Residential Office (RO) Medium Density Residential (R-3) Zones provide for the transition of higher density residential in close proximity to Palouse River Drive and the City's Ball Fields property, to lower density towards the south of the property where there is more challenging topography. The proposed zoning and uses are consistent with the surrounding area and will not unduly burden the neighborhood of public infrastructure.
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 along Palouse River Drive are a combination of residential uses of varying densities, as well as commercial uses.
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 area 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 Palouse River Drive, which can adequately serve any proposed development allowed in the RO or R-3 Zone. The subject property has sufficient and available public utility services to meet the needs of existing and future development.

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 approximately 235-acre property generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property from the Agriculture Forestry (AF) Zone to the Residential Office (RO) Zone and Medium Density Residential (R-3) Zone with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
26th day of May, 2021.



Robb Parish, 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 THE REVIEW OF A TWO-HUNDRED THIRTY-FIVE (235) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED SOUTH OF THE WEST PALOUSE RIVER DRIVE BALL FIELDS PROPERTY AND WEST OF THE SCHWEITZER ENGINEERING LABORATORIES PROPERTY.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on March 26, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 12, 2021; 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, and other applicable development regulations.
2. The subject property is an approximately 235-acre property proposed to be annexed into the City of Moscow and generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property.
3. Under Idaho Code, prior to the annexation of property within the City, the Planning and Zoning Commission must conduct a public hearing and make a recommendation to the City Council as to the appropriate land use designation and zoning designation to be applied to the property upon annexation.
4. The subject property is primarily being used for agricultural production. The subject property is surrounded by primarily agricultural land to the west and the south, Schweitzer Engineering Laboratories property to the east, and the City's West Palouse River Drive ball fields property to the north. The South Fork of the Palouse River currently flows through the ball fields property to the north.
5. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and Rural and Agricultural and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations.
6. Auto-Urban Residential (AU-R) designated areas,

“contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, 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.”

7. High-Density Residential designated areas are intended to,
“allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands designated as Urban Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO).”
8. The subject property and adjacent properties immediately to the west and south within Latah County are currently designated as Agriculture/Forestry (AF).
9. The West Palouse River Drive ball fields to the north is currently designated as Farm Ranch and Open Space and the Schweitzer property to the east is designated as Motor Business (MB). Manufactured home parks and Idaho Transportation Department’s service yard on the south side of Palouse River Drive are zoned MB.
10. The subject property has access via Palouse River Drive which is designated as a minor arterial. Palouse River Drive is currently not developed to the minor arterial standard which is a 34-foot-wide roadway section with curb, gutter, and sidewalks on both sides of the street. The roadway is currently paved, but there is intermittent curbing and sidewalks, typically only on one side of the street. Frontage improvements that have occurred on Palouse River Drive are mainly on the north side of the street as a result of subdivision development.
11. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on March 19, 2021 to discuss the proposal.
12. Based upon the availability of public services, constructed adjacent roadway, access and surrounding land use patterns, the Commission concludes that it is appropriate for the property to be designated as High-Density Residential and Auto-Urban Residential upon annexation into the City of Moscow.

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 Comprehensive Plan amendment is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed designations for the subject property of

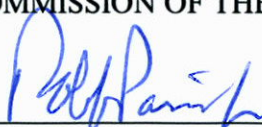
High-Density Residential and Auto-Urban Residential are consistent with the purposes, goals, objectives and policies of the Comprehensive Plan and are consistent with the surrounding properties, as well as the surrounding land use and development patterns.

2. **The proposed Comprehensive Plan amendment would provide for the logical and orderly location of land uses, community services and facilities.** The Commission finds that the proposed designation of High-Density Residential and Auto-Urban Residential is logical and harmonious with the surrounding land uses and development, and is consistent with the land use designations of the surrounding property to the north, northeast, and east of the subject property.
3. **The uses expected to occur as a result of the Comprehensive Plan amendment will be compatible with the surrounding area.** The zoning districts that are consistent with the AU-C designation exist within the current City Limits boundary to the north, northeast, and east. The adjacent properties to the north and east are primarily a range of residential uses with some commercial uses.
4. **The size, type, and density of development expected to occur as a result of the Comprehensive Plan amendment will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed designation is suitable for the area and will not unduly burden the neighborhood of public infrastructure. The subject property has direct access, via Palouse River Drive which is a minor arterial, as well as sufficient and available public utility services to meet the needs of existing and future development.
5. **The proposed Comprehensive Plan amendment is deemed to be appropriate in consideration of changing conditions within the community that are not reflected within the current Comprehensive Plan (such as new development or re-development, land use patterns and/or trends, traffic patterns and/or volume, market demands, community vision and/or needs, capital improvements, or new or revised City plans).** The Commission finds that the land use patterns within the immediate vicinity of the subject property have been transitioning into higher intensity commercial and residential uses. The Schweitzer Engineering Laboratories property directly to the east is 150 acres in size and was annexed into the City last year. The Comprehensive Plan Land Use Designation that was adopted for that property was the Auto-Urban Commercial designation. The proposed land use designations of High-Density Residential and Auto-Urban Residential provide for a logical transition from some the commercial uses that are expected to be developed in the area.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Planning and Zoning Commission recommends approval of the proposed Comprehensive Plan Land Use Designation change request for the approximately 235-acre property from the combination of the Auto-Urban Residential and Rural and Agricultural designations to the combination of the High-Density Residential and Auto-Urban Residential designations with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
26th day of May, 2021.



Robb Parish, Chair
Planning and Zoning Commission

PLANNING & ZONING COMMISSION



Robb Parish
Commission Chair
P&Z@ci.moscow.id.us

Regular Meeting ~Minutes~

Mike Ray
Staff Liaison
208.883.7008

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

**Wednesday
May 12, 2021**

7:00 PM

**Council Chambers
206 E Third Street**

The meeting was called to order at 6:59 PM

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

REGULAR AGENDA

1. Approval of April 28, 2021 Minutes (ACTION ITEM)

Seever moved for approval of the minutes as presented, seconded by Nelsen. Vote by Acclamation; Ayes: Unanimous (7). 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: Proposal for a Comprehensive Plan Land Use Designation, Zoning Designation, and a Preliminary Subdivision Plat for a 235-Acre Property Proposed to be Annexed into the City of Moscow and Generally Located South of the West Palouse River Drive Ball Fields Property and West of the Schweitzer Engineering Laboratories Property within the City of Moscow: Permit Applications LUP2021-0011 and LUP2021-0012 (ACTION ITEM)

1. Comprehensive Plan Land Use Designation amendment from a combination of Auto-Urban Residential and Rural and Agricultural to the High-Density Residential and Auto-Urban Residential designations.
2. Rezoning of the subject property from the Agriculture Forestry (AF) Zone to a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zone.
3. Proposed Preliminary Plat of a 27-acre area to create 105 lots ranging from 2,328 to 63,105 square feet in size, referred to as Edington Subdivision.

Ray presented on the proposals as described above, providing information on all three of the requested actions separately. The annexation request was not part of the decision before the Commission, but would be acted upon by City Council. A developer participation agreement request is pending before City Council as well, for financial contribution to participate in construction of the bridge that would span the South Fork of the Palouse River and the extension of Conestoga Street to the southern boundary of the City of Moscow ball fields property. Staff recommended approval of the applications with one condition from Engineering on the preliminary plat.

Adequate sewer and water service flow are currently available for the proposed 27-acre subdivision plat. The Parkland Dedication amount is calculated based on the net developable area of the entire property.

Public Hearing opened at 7:26 PM

Scott Sumner (applicant), Moscow, spoke for BBC LLC regarding the reasons behind creating a new subdivision at the southern portion of town. Discussed some challenges of creating residential lots outside of town, such as grading, stormwater, and other factors that would inflate the cost of housing. Addressed the comments heard at the neighborhood meeting, specifically about making improvements to West Palouse River Drive for safer driving conditions.

Chris Carpenter, Moscow, spoke in favor of the proposed development and Comprehensive Plan Amendment. Mentioned the rising costs for buying homes in Moscow and not having the supply for the increased demand to purchase.

Kirk Harden, Moscow, spoke in favor of the proposed development. Specifically mentioned that local farmers do not want to farm around residential areas, so the proposed development makes sense because the property is not good for agricultural use.

Richard Beebe, Moscow, spoke in favor of the proposed development. Talked about affordable housing and workforce housing in Moscow and the options that would be provided.

Hailey Lewis, Pullman, spoke neutrally about the proposed development. Requested information about what school district the development would fall under, which was understood to be possibly West Park.

Michael Hess, Moscow, spoke in favor of the new development, from a farming perspective. Was also in favor of the workforce housing provided in the proposed subdivision. Mentioned that the City ball fields and park are already out there, so it would make sense to create residential areas close to those.

Nancy Tribble, Moscow, spoke in favor of the proposed development. Asked about the possible influx of children in the schools and the need to expand the school district. Had a concern about incorporating larger yards on the lots for families. Discussed the high cost of building new homes and some complications surrounding that.

Doug Gadwa, Moscow, spoke in favor of the proposed development, but had some concerns: the Conestoga intersection with West Palouse River Drive power pole, entrance to West Palouse River Drive from Augustine Avenue sightlines, school bus access and stopping points in the subdivision, and improving West Palouse River Drive from Conestoga to the end of City limits to the west. It was also asked about how West Palouse River Drive would be the only road and handle the traffic for the entire 253-acres.

David Hall, Moscow, spoke against the proposed developments, especially regarding water sustainability. Environmental reviews are conducted in City of Pullman at the application stage for new developments. The proposed development would be more than 1% of the current usage of all Moscow.

Timothy Clyde, Moscow, spoke neutrally and/or against the development. Expressed concern about the Augustine Avenue bridge and the private water line running across the property, as well as the increased traffic at the West Palouse River Drive and Augustine Avenue intersection.

Cynthia Mika, Moscow, spoke neutrally about the proposed development. Conestoga, north of Palouse River Drive, is considered a local street, while the portion south would be a collector street. Discussed the

possibility of residents using Conestoga to access the University instead of taking Palouse River Drive to Highway 95.

Doug Olson, Moscow, spoke against the project, citing building costs are higher than usual, and so there would not be any savings to pass on to a potential buyer for affordable housing. He was concerned about the City sewer system not being able to handle the new houses, and the annexation would require another fire station, more schools, and a bigger police department to accommodate more residents. Some talk about wear, tear, and safety of Palouse River Drive and how dust control is already an issue. His property is served by well water near the west entrance to the proposed subdivision.

Martina Jilek, Moscow, spoke against the proposed development, expressing concern about environmental and wildlife impacts of the project.

Catherine Brown, Moscow, spoke against the proposals, specifically regarding potential increased traffic on Conestoga.

Scott Sumner (applicant), Moscow, responded to the comments surrounding the potential need to expand the school district, suggesting that the annexed land could provide room to build a new school, fire station, and other necessary infrastructure. Bus drop-off and pick-up zones could be marked for the safety of student traffic. There is a proposed pathway route through development to the arboretum, ball fields, and other areas of Moscow. Sumner addressed dust control and concurred that improvements to Palouse River Drive would benefit everyone.

Parish submitted three (3) mailed/emailed citizen comments to the public record.

Public Hearing closed at 8:04 PM

City Council is currently considering a participation agreement between the City and the developer to improve West Palouse River Drive on the south side, from Conestoga to Highway 95. All the infrastructure would be required to be completed before any lots are developed. The first phase of the proposed development would be higher density and then would work back to a more medium density area further to the south. Access across SEL's land to Highway 95 would be important and that was why there would be a stubbed street to the east of the development.

The developers are continuing discussions with the school district, fire department, water department, and SEL regarding future development. Water availability has been addressed for the first phase of the project. The Commission expressed concerns about future water sustainability. Part of the project was designated RO to allow the flexibility of creating a mixture of residential and commercial properties.

The City ball fields are not currently in the Capital Improvement Plan (CIP), mostly because of the substantial cost of building a bridge and costs of constructing the street. If the proposed development and annexation is approved, the ball fields would likely be added to the CIP for the near future. Some more discussion about the City improving West Palouse River Drive, the costs of improvements and upgrades, and the necessity of safe roads.

Reese moved to recommend approval of the Comprehensive Plan Amendment with no conditions as recommended by Staff, seconded by Gropp. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Reese moved to recommend approval of the Rezone with no conditions as recommended by Staff, seconded by Seever. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Seever moved to recommend approval of the Preliminary Plat with one condition as recommended by Staff, seconded by Nelsen. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Reese moved to direct Staff to draft the Relevant Criteria and Standards for all three applications, seconded by Gropp. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

4. Public Hearing: Legislative Hearing Providing for the Amendment of Moscow City Code Title 4, Chapter 6; Providing for the Amendment of the Moscow 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 presented the proposed City Code Sign Amendment as described above, reviewing the material that the Commission had gone over for the past year. Some new updates recommended eliminating verbiage surrounding off-premise and on-premise sign regulations.

Public Hearing opened at 8:46 PM

Chris Carpenter, Moscow, spoke neutrally about the proposal. The number of signs for residential event posting was set to six (6) per event, and was judged as a good middle-ground for advertising based on varying needs. Previously, signs in the public right of way were not allowed.

Public Hearing closed at 8:49 PM

Nelsen moved to recommend approval of the Sign Code Amendment with no conditions as recommended by Staff, seconded by Hamilton. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

5. Final Development Review at 201 W Sixth Street – Sixth and Jackson Development (ACTION ITEM)

On September 8, 2018, the Urban Renewal Agency published a request for proposals for the disposition and development of the portions of their Sixth and Jackson property that would remain after the development of Hello Walk. At the Agency's February 21, 2019 meeting, the Agency Board selected the proposal from Roderick Olps and directed staff to prepare the Exclusive Negotiation Agreement (ENA) between Mr. Olps and the Agency. On March 7, 2019 the Board approved an Exclusive Negotiation Agreement (ENA) with Mr. Olps for the disposition and development of the Agency's Sixth and Jackson property. On May 13, 2020, the Planning and Zoning Commission conducted a preliminary development review on the proposed project, but the project never advanced to the final review stage. The project was then delayed because of the Covid-19 pandemic and the Agency Board recently approved an updated project schedule at their February 18, 2021 meeting. An updated proposal was submitted to the Agency Board, which is substantially different than the original proposal. Since the subject property is located within the Legacy Crossing Overlay District, the proposed development is subject to the Legacy Crossing Design Guidelines and requires review and approval from the Planning and Zoning Commission. On March 24, 2021, the Planning and Zoning Commission conducted the preliminary development review of the proposed project and approved the proposal with two conditions related to bike parking and

stormwater management. The applicant has addressed the two conditions imposed during the preliminary review approval and has submitted final plans for review by the Commission.

Ray presented the final review as described above, reviewing the information provided in the packet as well as the timeline of the previous reviews and the updated plans to accommodate the previous conditions of approval. Bicycle parking provided on property would be available for anyone to use, whether they were property residents or visitors.

Nelsen moved to approve the Final Development Review with no conditions, seconded by Seever. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

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

Proposal for a Planned Unit Development (PUD), Replat, and a Preliminary Subdivision Plat for property generally located east of the intersection of Third Street and Mountain View Road within the City of Moscow. Permit Applications LUP2021-0007 and LUP2021-0008:

- 1. Proposed PUD and Preliminary Plat of a 2.16-acre parcel to create ten (10) twinhome parcels ranging from 2,643 to 6,602 square feet in size; four (4) townhouse parcels ranging from 2,505 to 4,159 square feet in size; and one (1) Neighborhood Business (NB) parcel of 18,812 square feet in size, referred to as the Replat of Lot 1, Block 1 of Harvest Hills 1st Addition and the Harvest Hills PUD.*
- 2. Proposed Preliminary Plat of a 17.2-acre area (Area #2 below) to create fifty-six (56) single-family parcels ranging from 7,219 to 24,075 square feet in size, referred to as Harvest Hills 2nd Addition.*

Seever moved to approve the Reasoned Statements of Relevant Criteria and Standards as edited, for both the PUD and the Preliminary Plat applications, seconded by Gropp. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

REPORTS

1. Transportation Commission Meeting

The next Transportation Commission meeting is scheduled to occur on May 13, 2021.

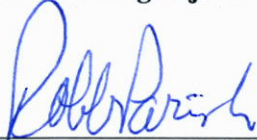
ANNOUNCEMENTS

Welcomed a new commissioner Drew Davis to the Planning & Zoning Commission.

UPCOMING EVENTS/MEETINGS

- 1. Next Planning & Zoning Commission regular meeting is scheduled for May 26, 2021.*

The meeting adjourned at 9:01 PM



Robb Parish, Chair

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY OF MOSCOW, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING THAT LAND DESCRIBED IN SECTION 1 OF THIS ORDINANCE, AND GENERALLY SHOWN ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY THIS REFERENCE, BE ANNEXED TO THE CITY OF MOSCOW; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, land described in Section 1 of this Ordinance is adjacent to City limits on two (2) sides; and

WHEREAS, the owner of the approximately two-hundred thirty-five (235) acre parcel, A&E LLC, has requested to be annexed into the City of Moscow; and

WHEREAS, Idaho Code Section 50-222 authorizes City annexation of tracts of land adjacent to the City; and

WHEREAS, the Moscow Planning and Zoning Commission held a public hearing regarding this matter on May 12, 2021; and

WHEREAS, the Moscow Mayor and City Council held a public hearing regarding this matter on June 7, 2021;

NOW THEREFORE, be it ordained by the Mayor and Council of the City of Moscow as follows:

SECTION 1: LEGAL DESCRIPTION. This Ordinance shall apply to the following described lands in Moscow, Latah County, Idaho, to-wit:

That portion of a parcel of land described in Warranty Deed recorded as Instrument No. 610270, records of Latah County, situate in the West half of Section 19 and the North half of the North half of the Northwest quarter of Section 30 of Township 39 North, Range 5 West, Boise Meridian, Latah County, State of Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of said Section 19, said point being North 00°04'50" West a distance of 5273.00 feet from the Southwest corner of said Section 19, thence along the West line of said Section 19 South 00°04'50" East a distance of 405.30 feet to a point on the centerline of Sand Road (Palouse River Drive), said point also being on the North line of aforementioned parcel of land described in Warranty Deed Instrument No. 610270, and the POINT OF BEGINNING;

Thence said North line the following 10 courses:

1. Along said centerline South 85°50'16" East a distance of 46.20 feet;
2. Departing said centerline South 03°51'00" West a distance of 19.40 feet;

3. South 38°25'29" East a distance of 160.48 feet;
4. South 80°57'11" East a distance of 287.68 feet;
5. South 75°52'29" East a distance of 261.59 feet;
6. North 87°12'26" East a distance of 441.17 feet;
7. South 09°19'41" East a distance of 515.84 feet;
8. South 61°52'11" East a distance of 321.34 feet;
9. South 84°42'05" East a distance of 451.15 feet;
10. South 80°34'48" East a distance of 767.45 feet to the East line of the West half of
aforementioned section 19;

Thence along said East line south 00°01'45" West a distance of 3621.35 feet to the South quarter of said Section 19;

Thence along the South line of said Section 19 South 86°06'52" West a distance of 1067.81 feet;

Thence departing said South line South 00°31'32" East a distance of 669.64 feet to the South line of the North half of the North half of the Northwest quarter of Section 30;

Thence along said South line south 86°35'15" West a distance of 1631.19 feet to the West line of said Section 30;

Thence along the West line of said Section 30 North 00°00'13" West a distance of 656.53 to the Northwest corner of said Section 30;

Thence along the West line of aforementioned Section 19 North 00°04'50" West a distance of 1997.15 feet;

Thence departing said West line North 61°57'36" East a distance of 1200.03 feet;

Thence North 00°05'27" West a distance of 924.82 feet;

Thence North 30°06'10" West a distance of 267.43 feet;

Thence North 23°58'51" West a distance of 286.66 feet;

Thence North 42°19'15" West a distance of 321.05 feet;

Thence North 12°42'46" West a distance of 92.76 feet;

Thence South 86°12'55" West a distance of 60.64 feet;

Thence South 39°49'22" West a distance of 89.57 feet to a point on the Northeasterly boundary line of a parcel of land described as "parcel 1" in Warranty Deed Instrument No. 580937, records of Latah County;

Thence along said Northeasterly boundary line the following 2 courses:

1. North 42°59'48" West a distance of 536.43 feet
2. North 38°33'29" West a distance of 145.44 feet to the West line of said Section 19;

Thence along said West line North 00°04'50" West a distance of 127.80 feet to the point of beginning.

Except public road right of way.

Containing: 10,237,684 sq.ft. or 235.02 acres, more or less.

SECTION 2: ANNEXATION. The land described in Section 1 of this Ordinance be and the same hereby is annexed to the City of Moscow, Idaho and declared a part of the City of Moscow, Idaho; and, the City Engineer is hereby ordered to make the necessary amendments to the official maps of the City of Moscow which are on file at 221 East 2nd Street, Moscow, Idaho.

SECTION 3: 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.

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 _____, 2021.

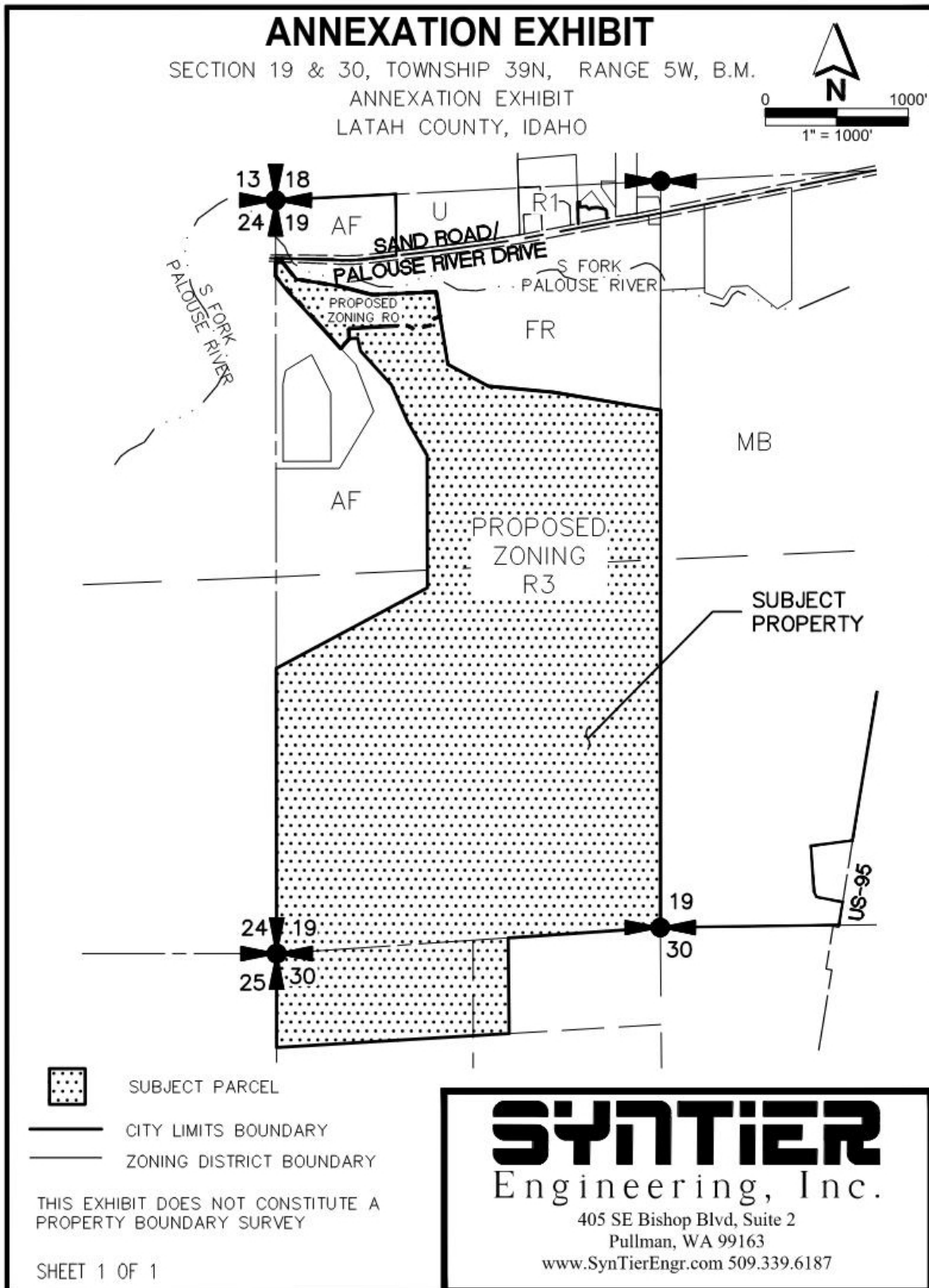
Bill Lambert, Mayor

CERTIFICATION. I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, City of Moscow, held on _____, 2021.

ATTEST:

Laurie M. Hopkins, City Clerk

EXHIBIT "A"



ORDINANCE NO. 2021 -

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ZONING OF AN APPROXIMATELY SIX POINT SEVEN NINE (6.79) ACRE PROPERTY, DESCRIBED IN SECTION 1, PROPERTY #1 AS RESIDENTIAL OFFICE (RO); PROVIDING FOR THE ZONING OF AN APPROXIMATELY TWO-HUNDRED AND TWENTY-EIGHT POINT THREE THREE (228.33) ACRE PROPERTY, DESCRIBED IN SECTION 1, PROPERTY #2 AS MEDIUM DENSITY RESIDENTIAL (R-3); PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the lands described in Section 1 are all located within the City of Moscow Area of City Impact; and

WHEREAS, the lands described in Section 1, Property #1 and Property #2 of this Ordinance are currently zoned Agriculture/Forestry (AF); and

WHEREAS, the proposed change for Property #1 is to adopt the Residential Office (RO) designation; and

WHEREAS, the proposed change for Property #2 is to adopt the Medium Density Residential (R-3) designation; and

WHEREAS, the proposed changes for all the Properties described are consistent with the proposed 2019 Comprehensive Plan Land Use Designations of High-Density Residential and Auto-Urban Residential; and

WHEREAS, the proposed uses that would be allowed by the proposed zoning are consistent and compatible with the surrounding land uses, provide for the logical, orderly and efficient development of the subject property, and are consistent with the City of Moscow Comprehensive Plan; and

WHEREAS, on May 12, 2021, Moscow Planning and Zoning Commission held a duly noticed public hearing and recommended approval of zoning the subject property RO and R-3; and

WHEREAS, the Moscow City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on June 7, 2021;

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

SECTION 1: LEGAL DESCRIPTION.

This Ordinance shall apply to the following described lands in Moscow, Latah County, Idaho, to-wit:

PROPERTY #1

DESCRIPTION of a parcel of land situate in Government Lot 1, Section 19, Township 39 North, Range 5 West, BM, Latah County, State of Idaho, being more fully described as follows:

COMMENCING at the Northwest corner of said Section 19, said point being South 87°09'26" West a distance of 2700.96 feet from the North Quarter Corner of said Section 19, thence South 00°04'50" East a distance of 405.30 feet along the West line of said Section 19 to the POINT OF BEGINNING;

Thence South 85°50'16" East a distance of 46.20 feet;

Thence South 03°51'00" West a distance of 19.40 feet;

Thence South 38°25'29" East a distance of 160.48 feet;

Thence South 80°57'11" East a distance of 287.68 feet;

Thence South 75°52'29" East a distance of 261.59 feet;

Thence North 87°12'26" East a distance of 441.17 feet;

Thence South 09°19'41" East a distance of 137.43 feet;

Thence South 80°18'44" West a distance of 70.57 feet to a point on a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South 47°51'43" West a distance of 112.00 feet, a central angle of 27°44'15", the chord of which bears South 28°16'09" East a distance of 53.69 feet, an arc distance of 54.22 feet;

Thence South 14°24'02" East a distance of 33.26 feet;

Thence South 75°35'58" West a distance of 123.97 feet;

Thence South 55°35'02" West a distance of 53.30 feet to a point on a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 35°54'26" West a distance of 100.00 feet, a central angle of 39°41'32", the chord of which bears North 73°56'19" West a distance of 67.90 feet, an arc distance of 69.28 feet;

Thence South 86°12'55" West a distance of 341.29 feet to the beginning of a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 03°47'05" West a distance of 100.00 feet, a central angle of 23°27'15", the chord of which bears South 74°29'17" West a distance of 40.65 feet, an arc distance of 40.94 feet;

Thence South 27°14'20" East a distance of 30.00 feet to a point on a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 27°14'20" East a distance of 70.00 feet, a central angle of 15°13'45", the chord of which bears South 55°08'47" West a distance of 18.55 feet, an arc distance of 18.61 feet;

Thence South 42°59'48" East a distance of 5.00 feet to the beginning of a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 42°25'39" East a distance of 65.00 feet, a central angle of 7°44'58", the chord of which bears South 43°41'52" West a distance of 8.78 feet, an arc distance of 8.79 feet;

Thence South 39°49'22" West a distance of 61.71 feet;

Thence North 42°59'48" West a distance of 536.43 feet;

Thence North 38°33'29" West a distance of 145.44 feet;

Thence North 00°04'50" West a distance of 127.18 feet to the POINT OF BEGINNING.

CONTAINING: 295,589 square feet or 6.79 acres of land, more or less.

PROPERTY #2

DESCRIPTION of a parcel of land situate in Government Lots 1 and 2, and the East half of the Northwest Quarter of Section 19 and the North half of the Northwest Quarter of Section 30, Township 39 North, Range 5 West, BM, Latah County, State of Idaho, being more fully described as follows:

COMMENCING at the Northwest corner of said Section 19, said point being South 87°09'26" West a distance of 2700.96 feet from the North Quarter Corner of said Section 19, thence South 55°51'35" East a distance of 1384.35 feet to the POINT OF BEGINNING

Thence South 09°19'41" East a distance of 378.41 feet;
Thence South 61°52'11" East a distance of 321.34 feet;

Thence South 84°42'05" East a distance of 451.15 feet;

Thence South 80°34'48" East a distance of 767.45 feet;

Thence South 00°01'45" West a distance of 3621.35 feet;

Thence South 86°06'52" West a distance of 1067.81 feet;

Thence South 00°31'32" East a distance of 669.64 feet;

Thence South 86°35'15" West a distance of 1631.19 feet;

Thence North 00°00'13" West a distance of 656.53 feet;

Thence North 00°04'50" West a distance of 1997.15 feet;

Thence North 61°57'36" East a distance of 1200.03 feet;

Thence North 00°05'27" West a distance of 924.82 feet;

Thence North 30°06'10" West a distance of 267.43 feet;

Thence North 23°58'51" West a distance of 286.66 feet;

Thence North 42°19'15" West a distance of 321.05 feet;

Thence North 52°22'33" West a distance of 117.03 feet;

Thence North 42°59'48" West a distance of 5.00 feet to the beginning of a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South 42°28'06" East a distance of 70.00 feet, a central angle of 15°13'45", the chord of which bears North 55°08'47" East a distance of 18.55 feet, an arc distance of 18.61 feet;

Thence North 27°14'20" West a distance of 30.00 feet to a point on a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South 27°14'20" East a distance of 130.00 feet, a central angle of 23°27'15", the chord of which bears North 74°29'17" East a distance of 40.65 feet, an arc distance of 40.94 feet;

Thence North 86°12'55" East a distance of 341.29 feet to the beginning of a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South 03°47'05" East a distance of 100.00 feet, a central angle of 39°41'32", the chord of which bears South 73°55'51" East a distance of 67.90 feet, an arc distance of 69.28 feet;

Thence North 55°35'02" East a distance of 53.30 feet;

Thence North 75°35'58" East a distance of 123.97 feet;

Thence North 14°24'02" West a distance of 33.26 feet to the beginning of a non-tangent curve to the left;

Thence along said non-tangent curve to the right, with a radius that bears South 75°35'58" West a distance of 112.00 feet, a central angle of 27°44'15", the chord of which bears North 28°16'09" West a distance of 53.69 feet, an arc distance of 54.22 feet;

Thence North 80°18'44" East a distance of 70.57 feet to the POINT OF BEGINNING.

CONTAINING: 9,945,979 square feet or 228.33 acres of land, more or less.

SECTION 2: ZONING. That the property described in Section 1, Property #1, be and the same hereby is zoned Residential Office (RO); and, that the property described in Section 1, Property #2, be and the same hereby is zoned Medium Density Residential (R-3); and, the City Engineer is hereby ordered to make the necessary amendments to the official maps of the City of Moscow which are on file at 221 East 2nd Street, Moscow, Idaho.

SECTION 3: 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.

SECTION 4: EFFECT ON OTHER ORDINANCES. Where the definitions contained in this Ordinance are in conflict with relevant portions of City of Moscow, Idaho Municipal Code, the definition contained within those portions of the Moscow Code will be unaffected until such time, if any, as they are amended to be consistent with this Ordinance.

SECTION 5: 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 _____, 2021.

Bill Lambert, Mayor

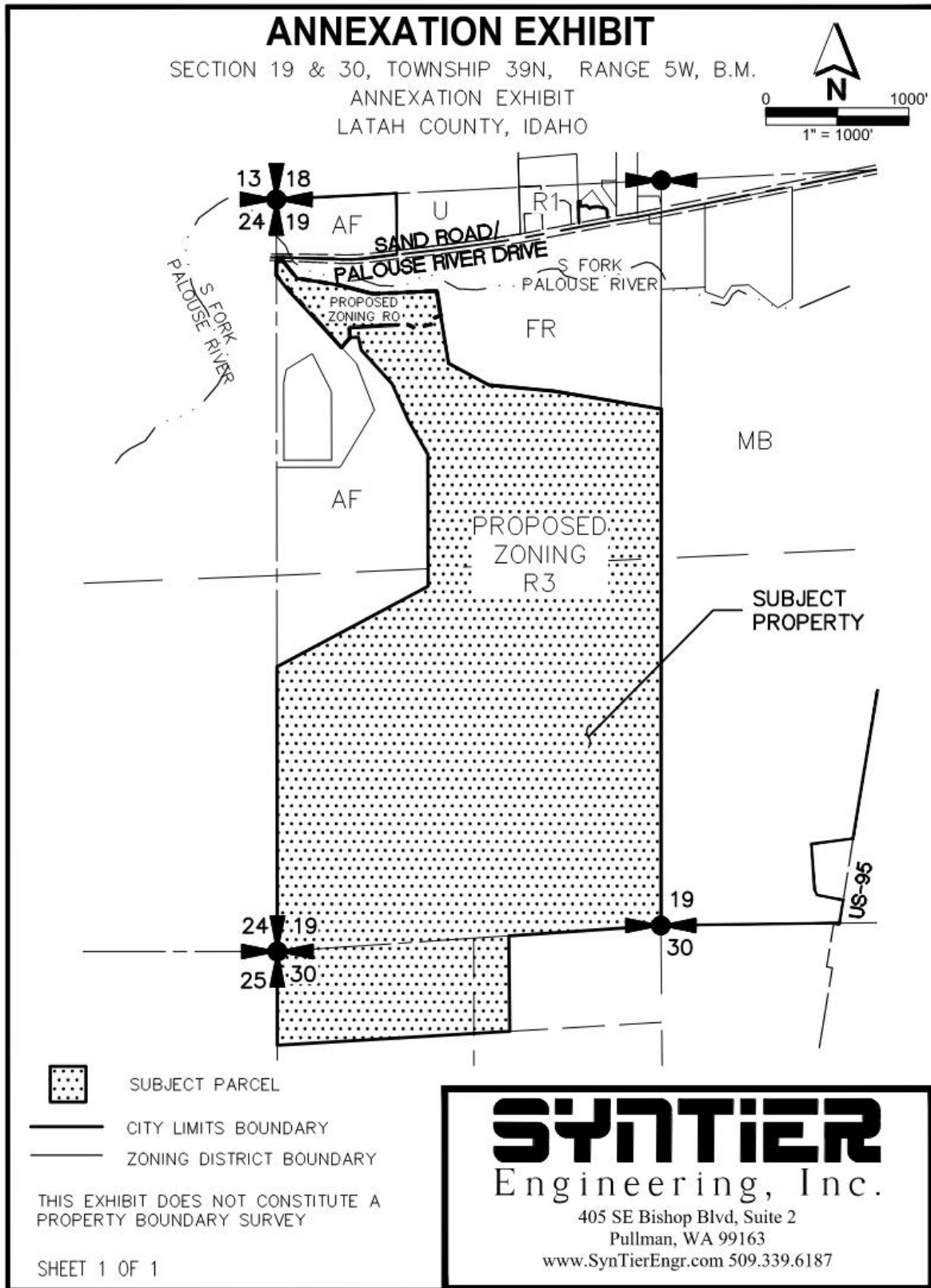
CERTIFICATION. I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, City of Moscow, held on _____, 2021.

ATTEST:

Laurie M. Hopkins, City Clerk

DRAFT

EXHIBIT "A"



RESOLUTION 2021 -

A RESOLUTION OF THE CITY OF MOSCOW, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AUTHORIZING THE DESIGNATION OF AN APPROXIMATELY SIX POINT SEVEN NINE (6.79) ACRE PROPERTY, DESCRIBED AS PROPERTY #1 AND INCORPORATED HEREIN BY THIS REFERENCE, AS HIGH-DENSITY RESIDENTIAL; AUTHORIZING THE DESIGNATION OF AN APPROXIMATELY TWO-HUNDRED AND TWENTY-EIGHT POINT THREE THREE (228.33) ACRE PROPERTY, DESCRIBED AS PROPERTY #2 AND INCORPORATED HEREIN BY THIS REFERENCE, AS AUTO-URBAN RESIDENTIAL; PROVIDING THAT THIS RESOLUTION BE IN EFFECT UPON ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, A&E LLC, the owner of an approximately two-hundred thirty-five (235) acre parcel, has requested to be annexed into the City of Moscow; and

WHEREAS, in accordance with Idaho Code 50-222 and Chapter 65, Title 67, the City must determine the appropriate Comprehensive Plan Land Use Designation for the subject property upon annexation; and

WHEREAS, the subject property is currently located within the City of Moscow Area of City Impact and is designated as a combination of Auto-Urban Residential and Rural and Agricultural upon the City of Moscow Comprehensive Plan; and

WHEREAS, the Planning and Zoning Commission, after conducting a duly noticed public hearing on May 12, 2021, recommended that the Comprehensive Plan Land Use Designation of the subject property be changed to High-Density Residential and Auto-Urban Residential upon annexation into the City of Moscow; and

WHEREAS, the Moscow City Council conducted a public hearing on June 7, 2021 and passed a motion to approve the designation of the subject property as High-Density Residential and Auto-Urban Residential upon Annexation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Moscow, Idaho as follows:

That the Comprehensive Plan Land Use Designation of the approximately six point seven nine (6.79) acre property legally described below, be designated as High-Density Residential upon annexation into the City of Moscow, Idaho.

PROPERTY #1

LEGAL DESCRIPTION: A parcel of land situate in Government Lot 1, Section 19, Township 39 North, Range 5 West, BM, Latah County, State of Idaho, being more fully described as follows:

COMMENCING at the Northwest corner of said Section 19, said point being South 87°09'26" West a distance of 2700.96 feet from the North Quarter Corner of said Section 19, thence South 00°04'50" East a distance of 405.30 feet along the West line of said Section 19 to the POINT OF BEGINNING;

Thence South 85°50'16" East a distance of 46.20 feet;

Thence South 03°51'00" West a distance of 19.40 feet;

Thence South 38°25'29" East a distance of 160.48 feet;

Thence South 80°57'11" East a distance of 287.68 feet;

Thence South 75°52'29" East a distance of 261.59 feet;

Thence North 87°12'26" East a distance of 441.17 feet;

Thence South 09°19'41" East a distance of 137.43 feet;

Thence South 80°18'44" West a distance of 70.57 feet to a point on a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South 47°51'43" West a distance of 112.00 feet, a central angle of 27°44'15", the chord of which bears South 28°16'09" East a distance of 53.69 feet, an arc distance of 54.22 feet;

Thence South 14°24'02" East a distance of 33.26 feet;

Thence South 75°35'58" West a distance of 123.97 feet;

Thence South 55°35'02" West a distance of 53.30 feet to a point on a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 35°54'26" West a distance of 100.00 feet, a central angle of 39°41'32", the chord of which bears North 73°56'19" West a distance of 67.90 feet, an arc distance of 69.28 feet;

Thence South 86°12'55" West a distance of 341.29 feet to the beginning of a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 03°47'05" West a distance of 100.00 feet, a central angle of 23°27'15", the chord of which bears South 74°29'17" West a distance of 40.65 feet, an arc distance of 40.94 feet;

Thence South 27°14'20" East a distance of 30.00 feet to a point on a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 27°14'20" East a distance of 70.00 feet, a central angle of 15°13'45", the chord of which bears South 55°08'47" West a distance of 18.55 feet, an arc distance of 18.61 feet;

Thence South 42°59'48" East a distance of 5.00 feet to the beginning of a non-tangent curve to the left;

Thence along said non-tangent curve to the left, with a radius that bears South 42°25'39" East a distance of 65.00 feet, a central angle of 7°44'58", the chord of which bears South 43°41'52" West a distance of 8.78 feet, an arc distance of 8.79 feet;

Thence South 39°49'22" West a distance of 61.71 feet;

Thence North 42°59'48" West a distance of 536.43 feet;

Thence North 38°33'29" West a distance of 145.44 feet;

Thence North 00°04'50" West a distance of 127.18 feet to the POINT OF BEGINNING.

CONTAINING: 295,589 square feet or 6.79 acres of land, more or less.

That the Comprehensive Plan Land Use Designation of the approximately two-hundred and twenty-eight point three three (228.33) acre property legally described below, be designated as Auto-Urban Residential upon annexation into the City of Moscow, Idaho.

PROPERTY #2

LEGAL DESCRIPTION: A parcel of land situated in Government Lots 1 and 2, and the East half of the Northwest Quarter of Section 19 and the North half of the Northwest Quarter of Section 30, Township 39 North, Range 5 West, BM, Latah County, State of Idaho, being more fully described as follows:

COMMENCING at the Northwest corner of said Section 19, said point being South 87°09'26" West a distance of 2700.96 feet from the North Quarter Corner of said Section 19, thence South 55°51'35" East a distance of 1384.35 feet to the POINT OF BEGINNING

Thence South 09°19'41" East a distance of 378.41 feet;

Thence South 61°52'11" East a distance of 321.34 feet;

Thence South 84°42'05" East a distance of 451.15 feet;

Thence South $80^{\circ}34'48''$ East a distance of 767.45 feet;

Thence South $00^{\circ}01'45''$ West a distance of 3621.35 feet;

Thence South $86^{\circ}06'52''$ West a distance of 1067.81 feet;

Thence South $00^{\circ}31'32''$ East a distance of 669.64 feet;

Thence South $86^{\circ}35'15''$ West a distance of 1631.19 feet;

Thence North $00^{\circ}00'13''$ West a distance of 656.53 feet;

Thence North $00^{\circ}04'50''$ West a distance of 1997.15 feet;

Thence North $61^{\circ}57'36''$ East a distance of 1200.03 feet;

Thence North $00^{\circ}05'27''$ West a distance of 924.82 feet;

Thence North $30^{\circ}06'10''$ West a distance of 267.43 feet;

Thence North $23^{\circ}58'51''$ West a distance of 286.66 feet;

Thence North $42^{\circ}19'15''$ West a distance of 321.05 feet;

Thence North $52^{\circ}22'33''$ West a distance of 117.03 feet;

Thence North $42^{\circ}59'48''$ West a distance of 5.00 feet to the beginning of a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South $42^{\circ}28'06''$ East a distance of 70.00 feet, a central angle of $15^{\circ}13'45''$, the chord of which bears North $55^{\circ}08'47''$ East a distance of 18.55 feet, an arc distance of 18.61 feet;

Thence North $27^{\circ}14'20''$ West a distance of 30.00 feet to a point on a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South $27^{\circ}14'20''$ East a distance of 130.00 feet, a central angle of $23^{\circ}27'15''$, the chord of which bears North $74^{\circ}29'17''$ East a distance of 40.65 feet, an arc distance of 40.94 feet;

Thence North $86^{\circ}12'55''$ East a distance of 341.29 feet to the beginning of a non-tangent curve to the right;

Thence along said non-tangent curve to the right, with a radius that bears South $03^{\circ}47'05''$ East a distance of 100.00 feet, a central angle of $39^{\circ}41'32''$, the chord of which bears South $73^{\circ}55'51''$ East a distance of 67.90 feet, an arc distance of 69.28 feet;

Thence North 55°35'02" East a distance of 53.30 feet;

Thence North 75°35'58" East a distance of 123.97 feet;

Thence North 14°24'02" West a distance of 33.26 feet to the beginning of a non-tangent curve to the left;

Thence along said non-tangent curve to the right, with a radius that bears South 75°35'58" West a distance of 112.00 feet, a central angle of 27°44'15", the chord of which bears North 28°16'09" West a distance of 53.69 feet, an arc distance of 54.22 feet;

Thence North 80°18'44" East a distance of 70.57 feet to the POINT OF BEGINNING.

CONTAINING: 9,945,979 square feet or 228.33 acres of land, more or less.

SEVERABILITY. Provisions of this Resolution shall be deemed severable and the invalidity of any provision of this Resolution shall not affect the validity of the remaining provisions.

EFFECTIVE DATE. This Resolution shall be effective upon its passage and approval.

PASSED AND APPROVED by the Mayor and City Council of the City of Moscow, Idaho, this _____ day of _____, 2021.

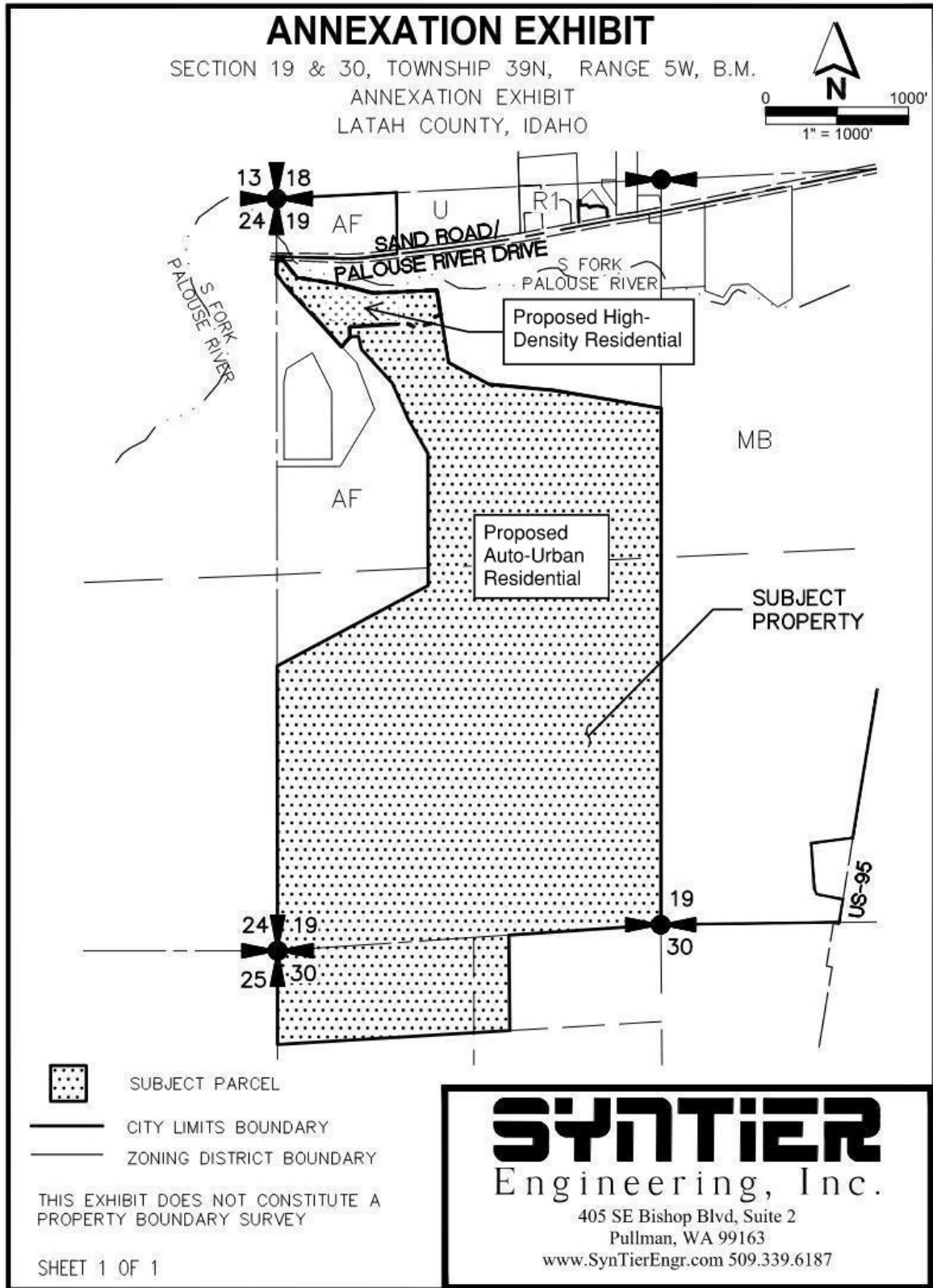
Bill Lambert, Mayor

CERTIFICATION. I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, City of Moscow, held on _____, 2021.

ATTEST:

Laurie M. Hopkins, City Clerk

EXHIBIT "A"



COMMITTEE STAFF REPORT

DATE: Monday, June 7, 2021



RESPONSIBLE STAFF

Michael Ray, Assistant CD Director/Planning Manager

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Public Hearing: Ordinance Amending Title 4, Chapter 6 of Moscow City Code Regarding Amendments to the Sign Code (ACTION ITEM) - Mike Ray

DESCRIPTION

The 2015 Supreme Court Case, Reed vs. Town of Gilbert, clarified when municipalities may impose content-based restrictions on signage. There are numerous sections within the City's sign code which apply content-based restrictions and need to be amended to comply with the Supreme Court's decision. Staff has worked with the City Attorney to make the necessary amendments, as well as converting portions of code from narrative to table format. The Planning and Zoning Commission conducted a public hearing on the proposed ordinance on May 12, 2021 and recommended approval to City Council. The Administrative Committee reviewed this item at their May 24, 2021 meeting.

STAFF RECOMMENDATION

After considering public testimony, approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary.

PROPOSED ACTIONS

PROPOSED ACTIONS: After considering public testimony, approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take such other action deemed appropriate.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Ordinance 2021 - MoscowSignCode;Amended
2. Staff Memo
3. Public Hearing Notice
4. minPZC20210512

ORDINANCE NO. 2021 -

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 THE PROVISIONS OF THIS ORDINANCE TO 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, the Moscow Sign Code is currently in narrative format and the City wishes to convert portions of the code to table format for consistency, side by side comparison of standards for each zoning district, and a more compact and user-friendly document by reducing redundant language; and

WHEREAS, signs obstruct views, distract motorists, and pose other problems that legitimately call for regulation, the Sign Code provides regulations to protect the public health, safety, and welfare of the residents and visitors of Moscow and promotes traffic safety; and

WHEREAS, the United States Supreme Court Ruling in Reed v. Town of Gilbert, 576 U.S. 155 (2015) and subsequent caselaw necessitates amendments to the City's Sign Code that implements content-neutral regulations, with some permitted exceptions, with regulations based on reasonable time, place and manner restrictions that are consistent with the First Amendment; and

WHEREAS, the regulations contained herein provide clear and unambiguous requirements that enable the fair and consistent application of the Sign Code.

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. Intent 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 through 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 a 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 ensure constitutional rights are being protected 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. *Government Sign*: Signs installed by or maintained by the federal, state, county, or city government.

~~11~~10. *Institutional Sign*: A sign which advertises an on-site service or function having primarily governmental, social, educational, or religious purposes.

1211. *Interior Signs*: Signs or displays located entirely inside of a building and located at least three (3) feet away from transparent doors and windows.

~~13~~12. *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.

142. *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.

153. *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.

164. *Mural*: Any artistic display painted directly onto a wall, with the permission of the property owner, which does not otherwise qualify as a sign. Any such artistic display which qualifies as a sign shall be regulated as a wall sign. An original art display does not include: mechanically produced or computer-generated prints or images, including but not limited to digitally printed vinyl; electrical or mechanical components; or changing image art display.

175. *Nonconforming Sign*: A sign which was lawful before this Sign Code was enacted or amended, but which would be prohibited, regulated, or restricted under the terms of this Sign Code or future amendment.

186. *Non-visible Signs*: Signs which are not visible beyond the boundaries of the lot or parcel upon which they are located and which are not visible from any public right-of-way.

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.

—1917. *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.

2017. *Projecting Sign*: A sign, other than a wall sign, which projects from by length or width (not thickness) from and is supported entirely by a wall, canopy, eave, parapet, or marquee.

2118. *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.

2219. *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 object, product, place, activity, person, institution, organization, business or entity.

2320. *Suspended Sign*: A sign hanging down or projecting downward from a canopy, eave, awning or other similar projection.

241. *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.

252. *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 signs message of any type may be substituted for any duly permitted or allowed commercial or non-commercial a different 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~~ which includes, including but is 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's health, safety, and general welfare.

f. Parks and recreation identification signs.

2. Names and addresses of buildings 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 and signs identifying essential public needs (i.e. restrooms, entrance, exit, telephone, etc.) and other information or 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. Non-visible Signs. ~~Signs which are not visible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.~~

11. 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-~~78~~ 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 or other similar land development projects identifying the name of such subdivision project are permitted subject to the issuance of a Conditional Use Permit.~~

~~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 three (3) 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**, **general** 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 three (3) 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 one (1) 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~~, ~~general~~ 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 one (1) 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 a wall sign~~ 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.

Existing 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 recognized by the City as a 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. 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.

N. 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 ⁷	20 sf ⁷	32 sf ⁷
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.

O. 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 ⁷	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

⁷ Institutional uses are permitted to have thirty-two (32) square feet in size, and up to forty-eight (48) square feet through the approval of a Conditional Use Permit

~~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) monunent 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.~~
- P. 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, defend 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.~~
- UQ. 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 Restrictions-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.

VR. 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 which can be given effect without the invalid provision. 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 _____, 2021.

Bill Lambert, Mayor

CERTIFICATION. I hereby certify that the above is a true copy of an Ordinance passed at a regular meeting of the City Council, City of Moscow, held on _____, 2021.

ATTEST:

Laurie M. Hopkins, City Clerk

Memo

To: Mayor and City Council

From: Mike Ray, AICP - Planning Manager

Date: May 19, 2021

Re: Ordinance Amending Title 4, Chapter 6 of Moscow City Code Regarding Amendments to the Sign Code

In 2015 there was a United States Supreme Court Decision, *Reed v. Town of Gilbert*, which clarified when municipalities may impose restrictions on signage which are content-based. In the court case, the Town of Gilbert, Arizona, had previously adopted a sign ordinance which regulated signs which could be displayed in public areas. The ordinance imposed more stringent regulations on the signs which were religious in nature, compared to other types of signs which displayed political or ideological messages. A church led by Pastor Reed was cited for violating the ordinance and subsequently filed a lawsuit claiming that the ordinance violated their First Amendment rights. The First Amendment to the United States Constitution prohibits states from enacting laws that abridge the freedom of speech. The Supreme Court held that the Town of Gilbert had imposed content-based regulations that did not survive strict scrutiny because the ordinance wasn't tailored to further a compelling government interest.

As a result of the *Reed v. Town of Gilbert* decision, any municipal sign ordinance with different regulations for different categories of signs is content-based as long as the categories are defined by the content, topic, or subject matter of the sign's message. There are currently several portions of the City of Moscow's sign ordinance which categorize signs based upon content, including political, real estate, parks and recreation facility identification signs, and subdivision entrance signs. As a result, a temporary signs section has been inserted in the draft ordinance which would encompass political and real estate signs. Temporary signs are proposed to have different standards depending upon whether they are displayed within residential zoning districts, commercial zoning districts, or the City right-of-way. Size and quantity limitations vary for each of the three areas where temporary signs can be displayed. In order to account for the display of temporary signs which are political in nature, there is no limit to the number of temporary signs that are displayed during the time period between 60 days preceding the first day of primary election, general election or vote for office or ballot measure and 7 days following the day of final election or vote for office or ballot measure.

Subdivision entrance/identification signs have been eliminated and would now be covered under the typical sign allowances for the specific zoning district in which they are located within. Parks and recreation facility identification signs have also been eliminated and would now be encompassed within governmental signs.

As Staff and the Planning and Zoning Commission have been incrementally updating the zoning code, a major component has been the conversion of certain portions of the code from narrative to table format for consistency, side by side comparison of standards for each zoning district, and a more compact and user-friendly code. The sign code presents another excellent opportunity to convert the types of signs permitted in each specific zoning district to table format. There are proposed to be two tables inserted into the code, one for signs within residential zones and another for signs within commercial zones. The different types of signs such as freestanding, monument, projecting, suspended, roof, portable, and dynamic display signs are now listed on the far-left column, while the corresponding zone regulations are immediately adjacent to the right. The proposed sign code tables are similar to portions of the zoning code which have already been converted to table format such as the table of permitted uses, bulk and dimensional standards, limitations on use standards, and the off-street parking standards table.

The City Attorney has reviewed the final draft ordinance for compliance with *Reed v. Town of Gilbert*, and in her opinion the proposal is in compliance with the court's decision. On February 18, 2021, Staff gave a presentation to the Latah County Board of Realtors on the proposed changes to the sign code, since real estate signs are being affected by the update. The Board expressed no concerns with the proposed changes and had no further comments to add. The Planning and Zoning Commission conducted a public hearing on the proposed ordinance on May 12, 2021 and recommended approval to City Council. The public hearing before the City Council has been scheduled for June 7, 2021.

NOTICE OF PUBLIC HEARING

Legislative Hearing Providing for the Amendment of Title 4, Chapter 6 of Moscow City Code
Regarding Amendments to the Moscow Sign Code

A public hearing at which you may be present and speak will be conducted before the Moscow City Council at which time the following proposal will be considered:

Legislative Hearing Providing for the Amendment of Moscow City Code Title 4, Chapter 6; Providing for the Amendment of the Moscow Sign Code.

The City of Moscow Planning and Zoning Commission conducted a public hearing for the proposed ordinance on May 12, 2021 and recommended approval to City Council.

HEARING DATE: Monday, June 7, 2021

HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00 p.m.

Note: Meeting start time is not necessarily indicative of hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur later in the meeting.

The file containing information on this matter is available for public review at the Community Planning & Design Department located in the Paul Mann Building at 221 East Second Street, Moscow, Idaho. Call 208-883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Minor amounts of written materials (less than two (2) pages) may be submitted to the hearing body at any time prior to the close of comments, as determined by the hearing body. More in-depth written materials require at least five (5) calendar days for review prior to the hearing. 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 City Clerk

Publish: May 15, 2021

PLANNING & ZONING COMMISSION



Robb Parish
Commission Chair
P&Z@ci.moscow.id.us

Regular Meeting ~Minutes~

Mike Ray
Staff Liaison
208.883.7008

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

Wednesday
May 12, 2021

7:00 PM

Council Chambers
206 E Third Street

The meeting was called to order at 6:59 PM

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

REGULAR AGENDA

1. Approval of April 28, 2021 Minutes (ACTION ITEM)

Seever moved for approval of the minutes as presented, seconded by Nelsen. Vote by Acclamation; Ayes: Unanimous (7). 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: Proposal for a Comprehensive Plan Land Use Designation, Zoning Designation, and a Preliminary Subdivision Plat for a 235-Acre Property Proposed to be Annexed into the City of Moscow and Generally Located South of the West Palouse River Drive Ball Fields Property and West of the Schweitzer Engineering Laboratories Property within the City of Moscow: Permit Applications LUP2021-0011 and LUP2021-0012 (ACTION ITEM)

1. Comprehensive Plan Land Use Designation amendment from a combination of Auto-Urban Residential and Rural and Agricultural to the High-Density Residential and Auto-Urban Residential designations.
2. Rezoning of the subject property from the Agriculture Forestry (AF) Zone to a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zone.
3. Proposed Preliminary Plat of a 27-acre area to create 105 lots ranging from 2,328 to 63,105 square feet in size, referred to as Edington Subdivision.

Ray presented on the proposals as described above, providing information on all three of the requested actions separately. The annexation request was not part of the decision before the Commission, but would be acted upon by City Council. A developer participation agreement request is pending before City Council as well, for financial contribution to participate in construction of the bridge that would span the South Fork of the Palouse River and the extension of Conestoga Street to the southern boundary of the City of Moscow ball fields property. Staff recommended approval of the applications with one condition from Engineering on the preliminary plat.

Adequate sewer and water service flow are currently available for the proposed 27-acre subdivision plat. The Parkland Dedication amount is calculated based on the net developable area of the entire property.

Public Hearing opened at 7:26 PM

Scott Sumner (applicant), Moscow, spoke for BBC LLC regarding the reasons behind creating a new subdivision at the southern portion of town. Discussed some challenges of creating residential lots outside of town, such as grading, stormwater, and other factors that would inflate the cost of housing. Addressed the comments heard at the neighborhood meeting, specifically about making improvements to West Palouse River Drive for safer driving conditions.

Chris Carpenter, Moscow, spoke in favor of the proposed development and Comprehensive Plan Amendment. Mentioned the rising costs for buying homes in Moscow and not having the supply for the increased demand to purchase.

Kirk Harden, Moscow, spoke in favor of the proposed development. Specifically mentioned that local farmers do not want to farm around residential areas, so the proposed development makes sense because the property is not good for agricultural use.

Richard Beebe, Moscow, spoke in favor of the proposed development. Talked about affordable housing and workforce housing in Moscow and the options that would be provided.

Hailey Lewis, Pullman, spoke neutrally about the proposed development. Requested information about what school district the development would fall under, which was understood to be possibly West Park.

Michael Hess, Moscow, spoke in favor of the new development, from a farming perspective. Was also in favor of the workforce housing provided in the proposed subdivision. Mentioned that the City ball fields and park are already out there, so it would make sense to create residential areas close to those.

Nancy Tribble, Moscow, spoke in favor of the proposed development. Asked about the possible influx of children in the schools and the need to expand the school district. Had a concern about incorporating larger yards on the lots for families. Discussed the high cost of building new homes and some complications surrounding that.

Doug Gadwa, Moscow, spoke in favor of the proposed development, but had some concerns: the Conestoga intersection with West Palouse River Drive power pole, entrance to West Palouse River Drive from Augustine Avenue sightlines, school bus access and stopping points in the subdivision, and improving West Palouse River Drive from Conestoga to the end of City limits to the west. It was also asked about how West Palouse River Drive would be the only road and handle the traffic for the entire 253-acres.

David Hall, Moscow, spoke against the proposed developments, especially regarding water sustainability. Environmental reviews are conducted in City of Pullman at the application stage for new developments. The proposed development would be more than 1% of the current usage of all Moscow.

Timothy Clyde, Moscow, spoke neutrally and/or against the development. Expressed concern about the Augustine Avenue bridge and the private water line running across the property, as well as the increased traffic at the West Palouse River Drive and Augustine Avenue intersection.

Cynthia Mika, Moscow, spoke neutrally about the proposed development. Conestoga, north of Palouse River Drive, is considered a local street, while the portion south would be a collector street. Discussed the

possibility of residents using Conestoga to access the University instead of taking Palouse River Drive to Highway 95.

Doug Olson, Moscow, spoke against the project, citing building costs are higher than usual, and so there would not be any savings to pass on to a potential buyer for affordable housing. He was concerned about the City sewer system not being able to handle the new houses, and the annexation would require another fire station, more schools, and a bigger police department to accommodate more residents. Some talk about wear, tear, and safety of Palouse River Drive and how dust control is already an issue. His property is served by well water near the west entrance to the proposed subdivision.

Martina Jilek, Moscow, spoke against the proposed development, expressing concern about environmental and wildlife impacts of the project.

Catherine Brown, Moscow, spoke against the proposals, specifically regarding potential increased traffic on Conestoga.

Scott Sumner (applicant), Moscow, responded to the comments surrounding the potential need to expand the school district, suggesting that the annexed land could provide room to build a new school, fire station, and other necessary infrastructure. Bus drop-off and pick-up zones could be marked for the safety of student traffic. There is a proposed pathway route through development to the arboretum, ball fields, and other areas of Moscow. Sumner addressed dust control and concurred that improvements to Palouse River Drive would benefit everyone.

Parish submitted three (3) mailed/emailed citizen comments to the public record.

Public Hearing closed at 8:04 PM

City Council is currently considering a participation agreement between the City and the developer to improve West Palouse River Drive on the south side, from Conestoga to Highway 95. All the infrastructure would be required to be completed before any lots are developed. The first phase of the proposed development would be higher density and then would work back to a more medium density area further to the south. Access across SEL's land to Highway 95 would be important and that was why there would be a stubbed street to the east of the development.

The developers are continuing discussions with the school district, fire department, water department, and SEL regarding future development. Water availability has been addressed for the first phase of the project. The Commission expressed concerns about future water sustainability. Part of the project was designated RO to allow the flexibility of creating a mixture of residential and commercial properties.

The City ball fields are not currently in the Capital Improvement Plan (CIP), mostly because of the substantial cost of building a bridge and costs of constructing the street. If the proposed development and annexation is approved, the ball fields would likely be added to the CIP for the near future. Some more discussion about the City improving West Palouse River Drive, the costs of improvements and upgrades, and the necessity of safe roads.

Reese moved to recommend approval of the Comprehensive Plan Amendment with no conditions as recommended by Staff, seconded by Gropp. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Reese moved to recommend approval of the Rezone with no conditions as recommended by Staff, seconded by Seever. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Seever moved to recommend approval of the Preliminary Plat with one condition as recommended by Staff, seconded by Nelsen. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Reese moved to direct Staff to draft the Relevant Criteria and Standards for all three applications, seconded by Gropp. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

4. Public Hearing: Legislative Hearing Providing for the Amendment of Moscow City Code Title 4, Chapter 6; Providing for the Amendment of the Moscow 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 presented the proposed City Code Sign Amendment as described above, reviewing the material that the Commission had gone over for the past year. Some new updates recommended eliminating verbiage surrounding off-premise and on-premise sign regulations.

Public Hearing opened at 8:46 PM

Chris Carpenter, Moscow, spoke neutrally about the proposal. The number of signs for residential event posting was set to six (6) per event, and was judged as a good middle-ground for advertising based on varying needs. Previously, signs in the public right of way were not allowed.

Public Hearing closed at 8:49 PM

Nelsen moved to recommend approval of the Sign Code Amendment with no conditions as recommended by Staff, seconded by Hamilton. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

5. Final Development Review at 201 W Sixth Street – Sixth and Jackson Development (ACTION ITEM)

On September 8, 2018, the Urban Renewal Agency published a request for proposals for the disposition and development of the portions of their Sixth and Jackson property that would remain after the development of Hello Walk. At the Agency's February 21, 2019 meeting, the Agency Board selected the proposal from Roderick Olps and directed staff to prepare the Exclusive Negotiation Agreement (ENA) between Mr. Olps and the Agency. On March 7, 2019 the Board approved an Exclusive Negotiation Agreement (ENA) with Mr. Olps for the disposition and development of the Agency's Sixth and Jackson property. On May 13, 2020, the Planning and Zoning Commission conducted a preliminary development review on the proposed project, but the project never advanced to the final review stage. The project was then delayed because of the Covid-19 pandemic and the Agency Board recently approved an updated project schedule at their February 18, 2021 meeting. An updated proposal was submitted to the Agency Board, which is substantially different than the original proposal. Since the subject property is located within the Legacy Crossing Overlay District, the proposed development is subject to the Legacy Crossing Design Guidelines and requires review and approval from the Planning and Zoning Commission. On March 24, 2021, the Planning and Zoning Commission conducted the preliminary development review of the proposed project and approved the proposal with two conditions related to bike parking and

stormwater management. The applicant has addressed the two conditions imposed during the preliminary review approval and has submitted final plans for review by the Commission.

Ray presented the final review as described above, reviewing the information provided in the packet as well as the timeline of the previous reviews and the updated plans to accommodate the previous conditions of approval. Bicycle parking provided on property would be available for anyone to use, whether they were property residents or visitors.

Nelsen moved to approve the Final Development Review with no conditions, seconded by Seever. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

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

Proposal for a Planned Unit Development (PUD), Replat, and a Preliminary Subdivision Plat for property generally located east of the intersection of Third Street and Mountain View Road within the City of Moscow. Permit Applications LUP2021-0007 and LUP2021-0008:

- 1. Proposed PUD and Preliminary Plat of a 2.16-acre parcel to create ten (10) twinhome parcels ranging from 2,643 to 6,602 square feet in size; four (4) townhouse parcels ranging from 2,505 to 4,159 square feet in size; and one (1) Neighborhood Business (NB) parcel of 18,812 square feet in size, referred to as the Replat of Lot 1, Block 1 of Harvest Hills 1st Addition and the Harvest Hills PUD.*
- 2. Proposed Preliminary Plat of a 17.2-acre area (Area #2 below) to create fifty-six (56) single-family parcels ranging from 7,219 to 24,075 square feet in size, referred to as Harvest Hills 2nd Addition.*

Seever moved to approve the Reasoned Statements of Relevant Criteria and Standards as edited, for both the PUD and the Preliminary Plat applications, seconded by Gropp. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

REPORTS

1. Transportation Commission Meeting

The next Transportation Commission meeting is scheduled to occur on May 13, 2021.

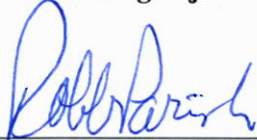
ANNOUNCEMENTS

Welcomed a new commissioner Drew Davis to the Planning & Zoning Commission.

UPCOMING EVENTS/MEETINGS

- 1. Next Planning & Zoning Commission regular meeting is scheduled for May 26, 2021.*

The meeting adjourned at 9:01 PM



Robb Parish, Chair

COMMITTEE STAFF REPORT

DATE: Monday, June 7, 2021



RESPONSIBLE STAFF

Tyler Palmer, Deputy Director - Operations

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

FY2022 Proposed Stormwater User Fee (ACTION ITEM) - Tyler Palmer

DESCRIPTION

As the Council is aware, the City of Moscow was issued a Phase II Stormwater Permit from the US Environmental Protection Agency that became effective October 1, 2019. The Permit requires the City to develop and implement a comprehensive stormwater management program in an effort to reduce pollutants to the City's Stormwater Control System and improve watershed health. Earlier this year, the Council adopted Title 5, Chapter 19 of Moscow City Code which provides for the establishment of a system of stormwater user fees and requires that the fees collected are set aside and designated solely for use for the maintenance, operations, improvements, regulatory requirements, and program costs of the City's Stormwater Control System. The code requires that the fee shall be reasonably determined based on the volume of runoff from a customer's property (as reflected in the extent of impermeable surface) into the City Stormwater Control System.

The City has been working over the last several years toward the development of: (1) stormwater user fees based on impervious surface area (ISA) measurements for properties of select customer classes (e.g., residential and commercial) within the City, and (2) a final stormwater user fee billing database. The majority of stormwater service providers charge fees based on ISA derived billing units called Equivalent Residential Units (ERUs) or Equivalent Service Units (ESU). The City of Moscow has adopted the ESU billing unit approach. One ESU is defined as the average amount of ISA on residential properties, which is determined by measuring ISA on a sample of residential properties. The number of billing units, or ESUs, for a non-residential customer is calculated by dividing the measured amount of ISA on the property by the average amount of ISA on residential properties.

Staff is in the final stages of finalizing the customer billing database and final ESU count, Financial Plan, and proposed user fee of \$7.92 per ESU to draft the Fiscal Year 2022 budget in anticipation of an October 1, 2021 roll-out of user fee assessments. This was reviewed by the Public Works and Finance Committee at their meeting on May 24, 2021 and was recommended for approval.

STAFF RECOMMENDATION

Approved the proposed stormwater user fee rate for FY2022.

PROPOSED ACTIONS

PROPOSED ACTIONS: Approved the proposed stormwater user fee rate of \$7.92 for FY2022, or take such other action deemed appropriate.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

None