

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Meeting Minutes~

July 11, 2018

Mike Ray
Staff Liaison

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The meeting was called to order at 7:00 PM.

MEMBERS PRESENT: Robb Parish, Vice Chair; Joel Hamilton, Wendy McClure (via phone), Mike Nelsen, Kurt Obermayr, Nels Reese, Victoria Seever, Dennis Wilson

MEMBERS ABSENT: Scott Gropp

ALSO IN ATTENDANCE: Mike Ray, Staff Liaison; Anne Zabala, Council Liaison; Anne Peterson, Deputy City Clerk

1. Approval of minutes from June 27, 2018

RESULT:	ACCEPTED BY ACCLAMATION
MOVER:	Hamilton
SECONDER:	Nelsen

2. Correspondence

Ray announced the North Idaho Planner's Mini Conference is scheduled for next Friday, 9:30-4:30, at the 1912 Center with a reception following at Colter's Creek Winery. Commissioners interested in attending should email Ray and he will take care of registrations.

Parish announced he and McClure plan to discuss another item at the end of the meeting.

3. Transportation Commission Meeting Report

Tomorrow's agenda items include a status update regarding the Third Street Bridge, parking changes near Gritman, and a presentation on bike ride-share programs. Hamilton said he will miss the next few meetings so recommended someone else from P&Z might want to attend in his place.

4. Public Comment

None.

5. Public Hearing: Proposal for Rezone of Lot 1, Block 1 of the Peterson Second Addition to the City of Moscow: LUP2018-0017

Ray presented the request for a rezone from Neighborhood Business to the Residential Office zoning district. He reviewed the subdivision's history. It was platted in 2010 but remains undeveloped and is currently in agricultural production. He listed the variety of residential uses allowed in the RO zone. Existing water and sewer mains are of sufficient capacity to accommodate any future use that the RO zone would allow. Staff recommended approval without conditions.

The public hearing opened at 7:13pm with testimony from the Applicant.

Susan Wilson, 208 S Main, Ste #2, testified for the property owner. She explained RO zoning would provide additional flexibility when and if the market supports development.

Parish declared the hearing closed at 7:14pm.

Seever asked for clarification on Criteria D within the application materials. Ray said city streets and all services will be extended to the area to serve the property.

Wilson moved to recommend approval of the Rezone request to City Council.

RESULT:	APPROVED BY ACCLAMATION [UNANIMOUS]
MOVER:	Wilson
SECONDER:	McClure

Obermayr moved to direct staff to prepare the Relevant Criteria and Standards.

RESULT:	APPROVED BY ACCLAMATION [UNANIMOUS]
MOVER:	Obermayr
SECONDER:	Nelsen

6. Approval of Reasoned Statements of Relevant Criteria and Standards for Property Currently addressed as 109 N Almon Street within the City of Moscow: LUP2018-0016

Hamilton moved approval of the RCS as presented by staff.

RESULT:	APPROVED BY ACCLAMATION [UNANIMOUS]
MOVER:	Hamilton
SECONDER:	Wilson

7. Approval of Reasoned Statements of Relevant Criteria and Standards for Property Currently addressed as 2324 South Highway 95 in the Area of City Impact - LUP2018-0010

Hamilton moved approval of the RCS as presented by staff.

RESULT:	APPROVED BY ACCLAMATION [UNANIMOUS]
MOVER:	Hamilton
SECONDER:	Reese

8. Review of Proposed Legacy Crossing District Plan Amendment

The City's adopted 2015 Strategic Plan the Council identified "deteriorated infrastructure in the downtown area" as a major challenge area, and during a joint meeting between the Council and Moscow Urban Renewal Agency, the expansion of the Legacy Crossing District to include Main Street was identified as a top priority, which would allow the Agency to partner with the City in downtown public improvements. The majority of the proposed amendment is boundary changes on the east side of Main Street to include sidewalks and City infrastructure. Ray provided background of the Legacy Crossing Urban Renewal District and explained the steps required by state statute prior to any District amendment. He explained the purpose of urban renewal districts in general and said the proposed documents comply with all required actions. Parish mentioned the success of the Alturas Urban Renewal District wherein tax increments funded the entire development of that area. Reese suggested an agenda item for a future meeting could be a more thorough explanation and review of how urban renewal districts work. Seever applauded the work of the MURA and the importance of increment funds to assist with infrastructure improvements. Obermayr expressed concern that Main Street redevelopment could affect the MURA budget such that it would impact other projects within the District. Ray explained all projects are governed by the MURA strategic plan, budgeting process, grant opportunities, and collaboration with the City. He also explained that participation agreements allow for developers to pay up-front costs and be reimbursed. Reese said since much of Main Street is in an Historic District, he wondered if that would affect its ability to be included in the renewal district. Ray said they were two different things. McClure said sometimes they are paired together for

project initiatives. Hamilton felt comfortable that the Amendment met the goals of the Comprehensive Plan, and considered the MURA and the Historic District as separate entities, with possibly some positive synergy. Seever noted that the City is already planning for Main Street improvements, and adding the area to the Legacy Crossing Renewal District will provide additional opportunities for the Agency to collaborate with the City in funding these improvements.

Seever moved to direct staff to draft a written recommendation to City Council that the Amended and Restated Legacy Crossing District Plan is in conformity with the Comprehensive Plan.

RESULT:	APPROVED BY ACCLAMATION [UNANIMOUS]
MOVER:	Seever
SECONDER:	Obermayr

9. Final Review of Draft Ordinance Amending Planned Unit Development Base Density, Rural Lot Access Requirements, Expiration of Certain Land Use Actions, and Public Notice Requirements
Commissioners had no further input or concerns. The amendment has been advertised for public hearing on July 25th.

10. Additional Correspondence

Parish announced that he, McClure and Ray had been discussing the Shared Readings concept and potentially changing it to a broader “Continuing Education” opportunity. They have targeted the August 22 meeting for an extra 45-60 minutes to discuss this idea and goal setting in general. Commissioners were asked to give these items some thought so they are prepared to participate in discussion.

The meeting adjourned at 8:10 p.m.


Wendy McClure, Chair

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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A PROPOSED REZONE OF A THIRTEEN THOUSAND AND THIRTY-THREE SQUARE FOOT (13,033 SF) PARCEL OF LAND LOCATED AT 109 N ALMON STREET IN THE CITY OF MOSCOW.

WHEREAS, the applicant filed an application for Rezone on May 24, 2018; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on June 27, 2018; and

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

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 2009 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The applicant filed an application for rezoning on May 24, 2018 and requested that the subject property be rezoned from Multiple Family Residential (R-4) to the Neighborhood Business (NB) Zone.
3. The subject property consists of a 13,033 square foot parcel of land located on the southwest corner of 'A' Street and Almon Street.
4. The subject property was originally part of the Dumas Seed property and includes an existing building which is constructed of brick and was previously used as the original powerhouse building. The subject property was approved to be divided from the main Dumas Seed property by City Council on June 18, 2018.
5. The property is surrounded by a mixture of uses which include Gropp Heating, Air, and Electric to the east, self-storage unit development to the southeast, and St. John Hardware and Implement to the northeast. The surrounding properties to the north, west, and south contain a mixture of single family residential, multi-family residential, and two-family residential properties.

6. The entirety of the subject property is currently designated as Urban Mixed (UM).
7. Properties to the west, south, east, and northeast are also designated as UM, while properties to the north and northwest are designated as Neighborhood Conservation (NC).
8. Urban Mixed designated areas are,

“intended to provide for the infill development and adaptive re-use of areas that surround downtown. Within these areas, a rich mix of residential and limited commercial uses should be promoted through the development of small urban apartments, townhomes, and two to three story vertically mixed-use buildings. The urban mixed area should provide a pedestrian connection between the University of Idaho and downtown, and provide space for a variety of housing alternatives, niche retail, restaurants, artist studios, and personal and professional services. Off-street parking should be required, but the requirements should be reduced in this area due to the likely number of non-motorized travel the uses will attract.”
9. The subject property is currently zoned Multiple Family Residential (R-4) on the official Zoning Map as maintained by the City Engineer.
10. The proposal is to rezone the subject property from its current designation of the Multiple Family Residential (R-4) Zone to the Neighborhood Business (NB) Zone.
11. The Neighborhood Business (NB) Zone is the lowest intensity commercial Zoning District permitted within the City. It is intended to apply to areas of less than two (2) acres, where commercial services may be provided in convenient locations serving adjoining residential neighborhoods rather than the community as a whole. The commercial services permitted are those where traffic generation, access requirements, impacts of lighting, neighborhood need for services, and noise production will be compatible with residential uses.
12. The NB Zoning District is appropriately applied in the following circumstances:
 1. Where local commercial facilities will serve the everyday needs of a limited neighborhood area;
 2. Where activity levels associated with small scale office development can be accommodated or tolerated by surrounding land uses and existing public services;
 3. Where a neighborhood core is identified which is easily accessible by pedestrian or vehicular circulation; and
 4. Where such commercial development will result in minimal interference with residential uses in the vicinity of the NB Zoning District.
13. Uses permitted within the NB Zone include residential uses, retail sales, personal services, restaurants, professional offices, daycare facilities, churches, and community/neighborhood centers.
14. There are existing water and sewer mains within ‘A’ Street which are of sufficient capacity to accommodate any future use that the NB Zone would allow on the subject property.
15. The subject property is located adjacent to ‘A’ Street to the north, which is currently designated within the Thoroughfare Plan as a collector street. ‘A’ Street is developed as a 36 feet wide paved roadway on the segment adjacent to the subject property with no curb, gutter, and intermittent sidewalk on the south side of the street. On the north side is a sidewalk with intermittent curbing and tree lawn.

16. Almon Street is directly east of the subject property and is designated as a local neighborhood street. Portions of Almon Street are deteriorated and the paved roadway is 30 feet in width in this section. There are limited areas of sidewalk on the west side of the street and the curbing is missing in most locations.
17. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on May 23, 2018 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 zoning district is consistent and in conformance with the uses and densities designated within the 2009 Comprehensive Plan. The Urban Mixed (UM) is intended to provide for the infill development and adaptive re-use of areas that surround downtown. Within these areas, a rich mix of residential and limited commercial uses should be promoted. The Neighborhood Business (NB) Zone allows for the adaptive reuse of the former Dumas Seed property and will allow a mixture of commercial and residential that is consistent with the Comp Plan.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed NB Zone allows for commercial services in a convenient location that can serve the adjacent residential neighborhoods to the north, west, and south. 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 commercial services permitted are those where traffic generation, access requirements, impacts of lighting, neighborhood need for services, and noise production will be compatible with residential 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 neighborhood of public infrastructure. The relatively small size of the property and allowed uses are not expected to create any issues with delivery of services.
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 property frontage on 'A' Street and Almon Street. There are currently sufficient and available public utility services to meet the needs of existing and future development. Public Works has previously determined that the existing water and sewer systems have adequate capacity to handle the demand of uses allowed within the NB Zone.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Planning and Zoning Commission recommends approval of rezoning the 13,033 square foot parcel of land located at 109 N Almon Street from the Multiple Family Residential (R-4) Zone to the Neighborhood Business (NB) Zone.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW
this 11th day of July, 2018.



Robb Parish, Vice 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 A ONE POINT ZERO FOUR (1.04) ACRE AREA OF LAND LOCATED AT 2324 SOUTH HIGHWAY 95 WITHIN THE AREA OF CITY IMPACT OF THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Rezone in the Moscow Area of City Impact on April 25, 2018; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on June 27, 2018; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 1999 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, the Moscow Area of City Impact Agreement, and other applicable development regulations.
2. Per the Moscow Area of City Impact Agreement with Latah County, the Moscow Planning and Zoning Commission is to conduct one hearing and forward a recommendation on to Latah County.
3. The subject property is a one point zero four (1.04) acre area of land generally located at 2324 S Highway 95 within the Area of City Impact.
4. The subject property is currently undeveloped and primarily surrounded by agricultural lands to the north, east, and south that are within the Area of City Impact.
5. Across the South Fork of the Palouse River to the northeast is Fountains Industrial Park and a runway for crop dusting operations. Across Highway 95 to the west is the current City Limits boundary and properties that are primarily commercial but do include some residential. Bonkerz children's play center is located to the west, CHS Primeland agricultural is located to the southwest, and Dale's Boat Service along with single family dwellings are located to the northwest.
6. The subject property is designated as Light Industrial upon the 1999 City of Moscow Comprehensive Plan Land Use Map.

7. According to the 1999 Comprehensive Plan, the Light Industrial designated areas,
“Light Industrial uses have been designated for four areas-the northern area which is located along A Street between Line and Almon Streets; the central area along the railroad tracks from Sixth to Logan Streets; the southern area east of US Highway 95 at the extreme southern edge of the city; and the eastern area south of Highway 8 at the eastern edge of the city.”

“The southern area, as well as the two industrial areas in the county, has immediate access to US Highway 95 whether or not a bypass is built. This area is the best location within the city for highway transport between Moscow and Lewiston and would be appropriate for general industry and warehousing operations.”
8. The subject property is located in Latah County within the Area of City Impact and the applicant is proposing to rezone the property to the Motor Business (MB) Zone.
9. The subject property and adjacent properties to the north, south, and east are currently zoned Agriculture/Forestry (AF). Properties across Highway 95 to the west with the City Limits are primarily zoned Motor Business (MB) with the exception of CHS Primeland which is currently zoned Industrial (I).
10. According to the City of Moscow Zoning Code, the purpose of the MB Zoning District is to,
“provide for the location and grouping of compatible uses having similar operation as they involve enterprises which depend primarily on the transient motor vehicle-based trade. By concentrating such uses the City intends to increase public convenience when utilizing such services and, within the regulation, to allow such activities to render the maximum service.”
12. Uses permitted within the MB Zone include retail enterprises, offices, eating and drinking establishments, printing and publishing houses, religious institutions, residential uses, hotels and motels, off-street parking facilities, kennels, storage facilities, laundromats, and light manufacturing.
13. The City generally encourages annexation of properties that are adjacent to the existing City Limits boundary and are able to be served by City utility services. The City has an existing annexation policy (Resolution 2007-01) which states that property located adjacent to the City shall be annexed when either of the following occurs:
 1. The property is completely surrounded by the City. The City Council in its discretion upon application of the property owner may consider an exemption from this policy where the property is used exclusively for agricultural purposes and there are no structures on or associated with the property or with the exclusive agricultural use. Any construction or placement of a structure of any nature, installation of a well or a sewer system, or like development on any portion of a property exempted under this subsection shall require annexation of the entire exempted property.
 2. The property is served by City water and/or City sewer and the property has a structure located on it or associated with it.

14. The Commission finds that the proposed rezone of the subject property does not meet the City's annexation policy for requiring annexation. The City limits boundary is in close proximity, being across Highway 95 to the west, but the property is not completely surrounded by the City as is required within the policy. The primary issue is the lack of readily available sewer service in the area, which ends north of the Highway 95 bridge over the South Fork of the Palouse River. The small size of the property and limited utility demand also factor into the decision on whether to recommend annexation.
15. Based upon these factors, the Commission finds that a condition be placed upon the rezone request that the applicant enter into a development agreement to consent to annexation at the time utility services are fully available to the subject property.

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. **1. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed preliminary plat is consistent with the underlying 1999 Comprehensive Plan Land Use Designations of Light Industrial and the 2009 Comprehensive Plan Land Use Designation of Auto-Urban Commercial (AU-C).
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed MB Zone provides for a continuation of the MB Zone to the west and is consistent with the surrounding Industrial (I) Zone.
3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area. The adjacent properties in all directions are all primarily commercial except for a few residential properties located within the MB Zone on the west side of Highway 95.
4. **The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed zoning and uses are suitable for the area and will not unduly burden the neighborhood of public infrastructure.
5. **The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.** The subject property has street access via Highway 95. Currently there is insufficient public utility services in the area and the Commission finds that at the time utility services are fully available to the subject property that the property shall be annexed at that time.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the rezone request for the one point zero four (1.04) acre property to Latah County with the following condition:

1. The applicant enter into a development agreement to consent to annexation at the time utility services are fully available to the subject property.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this

11th day of July, 2018.



Robb Parish, Vice Chair
Planning and Zoning Commission