



Wendy McClure

~Agenda~

Mike Ray

Commission Chair

Staff Liaison

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

Wednesday

Council Chambers

7:00 PM

July 11, 2018

206 E 3rd Street

1. Approval Of Minutes From June 27, 2018

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

Documents:

[MINUTES.PDF](#)

2. Correspondence

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

3. Transportation Commission Meeting Report

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

4. Public Comment

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

5. Public Hearing: Proposal For Rezone Of Lot 1, Block 1 Of The Peterson Second Addition To The City Of Moscow: LUP2018-0017

A proposal to rezone the subject property from its current designation of the Neighborhood Business (NB) Zone to the Residential Office (RO) Zone.

ACTION: Conduct the public hearing upon the proposed rezone and upon consideration of any testimony presented, recommend approval of the rezone request and direct Staff to prepare a reasoned statement of relevant criteria and standards; or recommend approval of the rezone request with conditions and direct Staff to prepare a reasoned statement of

relevant criteria and standards; or recommend denial of the rezone request and direct Staff to prepare a reasoned statement of relevant criteria and standards; or take other action as deemed appropriate.

Documents:

[PETERSON 2ND.PDF](#)

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
Proposed rezone of a 13,033 square foot parcel of land from its current designation of the Multiple Family Residential (R-4) Zone to the Neighborhood Business (NB) Zone.
ACTION: Review the draft Relevant Criteria and Standards document and approve the document; or approve the document with corrections; or provide Staff further direction as deemed necessary.

Documents:

[109 N ALMON RCS.PDF](#)

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
Proposed rezone of a 1.04 acre parcel of land located at 2324 South Highway 95 within the Area of City Impact from the Agriculture/Forestry (AF) Zone to the Motor Business (MB) Zone.
ACTION: Review the draft Relevant Criteria and Standards document and approve the document; or approve the document with corrections; or provide Staff further direction as deemed necessary.

Documents:

[2324 S HWY 95 RCS.PDF](#)

8. Review Of Proposed Legacy Crossing District Plan Amendment

The Moscow Urban Renewal Agency is proposing to expand the Legacy Crossing Urban Renewal District to include an adjacent portion of Main Street. State Statutes require the Planning and Zoning Commission to review the proposed amendment and submit a written recommendation to City Council regarding the plan's conformity with the Comprehensive Plan.

ACTION: Review the Amended and Restated Legacy Crossing Urban Renewal District Redevelopment Plan and recommend that the plan is in conformity with the Comprehensive Plan; or recommend that the plan is in conformity with the Comprehensive Plan with recommended modifications to the plan; or recommend that the plan is not in conformance with the Comprehensive Plan; or provide Staff further direction as deemed necessary.

Documents:

[LEGACY CROSSING.PDF](#)

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

Final review of the draft ordinance to insert missing PUD base densities, allow properties in rural zoning districts to have different lot frontage and access requirements, amend the expiration and extension periods for certain land use actions, and amend the time period for public notice requirements.

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

Documents:

[DRAFT ORDINANCE.PDF](#)

NOTICE: Moscow City Council Commission meetings can be televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Meeting Minutes~
June 27, 2018

Mike Ray
Staff Liaison

p&z@ci.moscow.id.us

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

208.883.7008

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

MEMBERS PRESENT: Wendy McClure, Chair; Scott Gropp, Joel Hamilton, Mike Nelsen, Kurt Obermayr, Robb Parish, Nels Reese, Victoria Seever, Dennis Wilson

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

1. Approval of minutes from June 13, 2018

RESULT:	ACCEPTED BY ACCLAMATION
MOVER:	Seever
SECONDER:	Nelsen

2. Correspondence

None.

3. Transportation Commission Meeting Report

Discussion at the June 14 meeting included a presentation on the SMART transit changes. Survey results showed a much higher interest in expanded hours rather than additional routes. The Third Street traffic calming report from the consultant is available on the City website. The next meeting is scheduled for July 12, 2018.

4. Public Comment

None.

5. Public Hearing: Proposal for Rezone at 2324 South Highway 95 in the Area of City Impact - LUP2018-0010

Ray presented the proposal to rezone a 1.04-acre area located at 2324 South Highway 95 from the Agriculture/Forestry (AF) Zone to the Motor Business (MB) Zone. The 1999 comp plan designation is Light Industrial with Extensive Commercial to the north/northwest, and Medium Density Residential to the west. General industry and warehousing operations are appropriate within the Light Industrial designation. Under the 2009 comp plan, the subject project is designated as Auto-Urban Commercial which provides for commercial services that are motor-vehicle oriented and require a large amount of land. The Motor Business zoning district provides for the grouping of compatible uses, and there is already a large area of Motor Business across Highway 95 to the west. The City's annexation policy requires annexation if the property is completely surrounded by the City or the property is served by City water and/or City sewer and there is a structure on it. Currently there are no sewer services in the area and this parcel is relatively small with a limited utility demand. Staff recommended the Commission recommend approval of the application to the Latah County Board of Commissioners, with the condition that Applicant enter into a development agreement to consent to annexation at the time utility services are fully available to the subject property.

Parish asked if an island of Motor Business would complicate matters if the surrounding property wanted to be rezoned to Industrial. Ray said it was unlikely the demand for that much Industrial zoning would arise and it was probably better suited for Motor Business. Obermayr asked if staff was satisfied with development occurring in that proximity to the floodplain. Ray replied that any development would be required to meet the County's current floodplain development regulations.

The public hearing opened at 7:14pm.

Mike Salisbury, 2315 Shelby Lane, stated on behalf of the property owner that they support the application.

Hearing no further testimony, the hearing closed at 7:15pm and there were no comments or questions from the Commission. Wilson moved to recommend to the County approval of the request to rezone to Motor Business, with the condition recommended by City staff.

RESULT:	APPROVED BY ACCLAMATION
MOVER:	Wilson
SECONDER:	Parish

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

RESULT:	APPROVED BY ACCLAMATION
MOVER:	Hamilton
SECONDER:	Nelsen

6. Public Hearing: Proposal for Rezone of a 13,033 square foot area located at 109 N Almon Street within the City of Moscow: LUP2018-0016

Ray explained the subject property was recently divided off from the larger parcel that was formerly the Dumas Seed plant. Applicant wants to rezone the new parcel from Multiple Family Residential (R-4) Zone to the Neighborhood Business (NB) Zone. The current comp plan designation of subject property and the neighborhoods to the south, east and west is Urban Mixed which provides for adaptive re-use of areas that surround downtown including limited commercial use such as niche retail, restaurants, artist studios and personal/professional services. The property is currently zoned R-4, as are properties to the west, north and southeast, and properties to the east are zoned Industrial. The proposed Neighborhood Business zone is the lowest intensity commercial zoning district, intended for areas of less than two acres where commercial services serve the everyday needs of adjoining residential neighborhoods. Uses are limited to those whose traffic generation, access requirements, lighting impacts and noise production will be compatible with residential uses. Staff recommended that the Commission recommend approval to City Council with no conditions.

Obermayr asked if residential uses are allowed in the NB zone. Ray replied affirmatively, as long as there is commercial use is on the ground floor; ground floor residential is allowed on a secondary street frontage or by CUP. McClure asked about sidewalk improvements and Ray said all standard street frontage improvements would be required with any redevelopment. Seever announced that she lives within 600 feet of subject property, and although there is no conflict of interest she was choosing to recuse herself from the hearing.

McClure declared the public hearing open at 7:27pm.

Garrett Thompson, 1010 Pine Crest Road, said his rezone request is consistent with the comprehensive plan and seemed a perfect fit with the neighborhood. He is under contract to purchase the parcel based on his desire to preserve the historic building on the property and redevelop it for uses compatible with the neighborhood. Reese asked if Thompson knew yet whether the steam stack was sound. Thompson said based on preliminary research he hopes to save the stack, if not the entire building.

Roberta Radavich, 809 East B, owns a house at 109 S Almon, and another at 233 N Asbury. She opposed the proposal because in her opinion other NB zones in town already do not “serve the needs of the local neighborhood.” She submitted a list of businesses already within four blocks of that site (attached) and didn’t want another business of an unknown nature on the subject property. Radavich shared pictures (attached) of existing historic residences in the neighborhood, very few of which have off-street parking. She said additional businesses would impact parking negatively.

Shelly Werner, 117 S Almon, said parking is a serious issue on Almon. She loves the old buildings in the community and was opposed to seeing a business there.

Timothy Dalton, 809 East B, was not opposed to a business on the subject property but said the only advantage to having a business there would be to preserve the old landmark building. He would like it to be a condition of approval that the building must be preserved.

Victoria Seever, 121 N Lilly, has lived within a couple blocks of the subject property for nearly 50 years. She favored the neighborhood park that was developed on another portion of the former Dumas site because she felt it more appropriate than cramming in more residential units. She thought this proposal provided another opportunity to turn more of the Dumas site into something other than high-density residential, because low-intensity businesses have less of a traffic and parking impact than high-density housing. She’d like to see the power building become something special if possible. She said the site is a reclaimed brownfield site and she thought high-end apartments and a small residential business would be a nice addition to the neighborhood.

Given no further testimony, McClure closed the hearing at 7:45pm.

Obermayr asked if the Legacy Crossing District had different parking requirements. Ray said there’s an overlay zone south of Sixth Street and west of Jackson that has different parking requirements, but this parcel would need to follow all off-street parking requirements per code. Reese was excited for the possibilities on this site and he appreciated the desire to preserve this bit of agricultural history. He thought a neighborhood business in that location would be positive for the area, and encouraged re-use of the building. Gropp, whose business is located just east of the site, said the Dumas property was for sale for a long time and many interested developers wanted to demolish everything and start from scratch. Salvaging the structure will cost far more than building new, so he applauded Thompson for acknowledging its historical importance. Hamilton was also interested in preserving a remnant of the Dumas operation and didn’t see that happening if the parcel remained zoned Residential. Wilson thought it was a perfect transition between the Motor Business and R-4. McClure spoke as a member of the Historic Preservation Commission, noting that neighborhoods weren’t historically built solely with residential uses. Nelsen asked for clarification of the parking requirements; Ray said it would depend on the ultimate use but any new structure or substantial improvement creates the need for parking and other code requirements to be brought into compliance. Reese suggested that Thompson might be interested in the large photographic collection of the Dumas site that the City commissioned prior to demolition. Gropp added that he is in possession of some of the original building blueprints.

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

RESULT:	APPROVED BY ACCLAMATION
MOVER:	Wilson
SECONDER:	Reese

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

RESULT:	APPROVED BY ACCLAMATION
MOVER:	Parish
SECONDER:	Wilson

7. Draft Ordinance Amending Planned Unit Development Base Density, Rural Lot Access Requirements, Expiration of Certain Land Use Actions, and Public Notice Requirements

Ray presented the draft in ordinance format, including the changes discussed at the last meeting. Seever pointed out a minor typo and staff was directed to schedule the ordinance amendment for hearing on July 25, 2018.

8. Approval of Reasoned Statements of Relevant Criteria and Standards for Property Currently addressed as 2375 Highway 95 North in the Area of City Impact -- LUP2018-0011

Reese moved approval of the RCS as presented.

RESULT:	APPROVED BY ACCLAMATION
MOVER:	Reese
SECONDER:	Hamilton

The meeting adjourned at 8:01 p.m.

Wendy McClure, Chair

CITY OF MOSCOW COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

Hearing Date: June 27, 2018

GENERAL INFORMATION

Hearing Body: Planning and Zoning Commission

Subject: Proposal for Rezone of Lot 1, Block 1 of the Peterson 2nd Addition to the City of Moscow from the Neighborhood Business (NB) Zone to the Residential Office (RO) Zone: LUP2018-0017.

Attachments:

1. Public Hearing Notice
2. Rezone Application
3. Neighborhood Meeting Materials

STAFF REVIEW

Proposal: The applicant, Robert Peterson, is requesting to rezone a 32,569 square foot parcel located at 406 Baker Street. The parcel is currently zoned Neighborhood Business (NB) which the applicant is proposing to change to the Residential Office (RO) Zone.



Aerial of Subject Property

Site and Area Land Use: The subject property consists of a 32,569 square foot parcel that was platted in 2010 as part of the Peterson 2nd Subdivision. The subdivision consists of 110 lots, including 64 Moderate Density Residential (R-2) Zoned lots, 30 Medium Density Residential (R-3) Zoned lots, 15 Multiple Family Residential (R-4) Zoned lots, 1 Neighborhood Business (NB) Zoned lot, a 3-acre City park site, and a storm water detention pond. The R-4 lots provide for a continuation of the existing R-4 developments adjacent to Baker Street and transition to the R-3 and R-2 lots on the streets which extend from Baker Street along the perimeter of the subdivision.

The property is surrounded by the University of Idaho Dairy Farm to the west, multiple family residential to the south, and single family dwellings to the southeast and east. The Peterson 2nd Subdivision has not been constructed yet, and is currently in agricultural production.

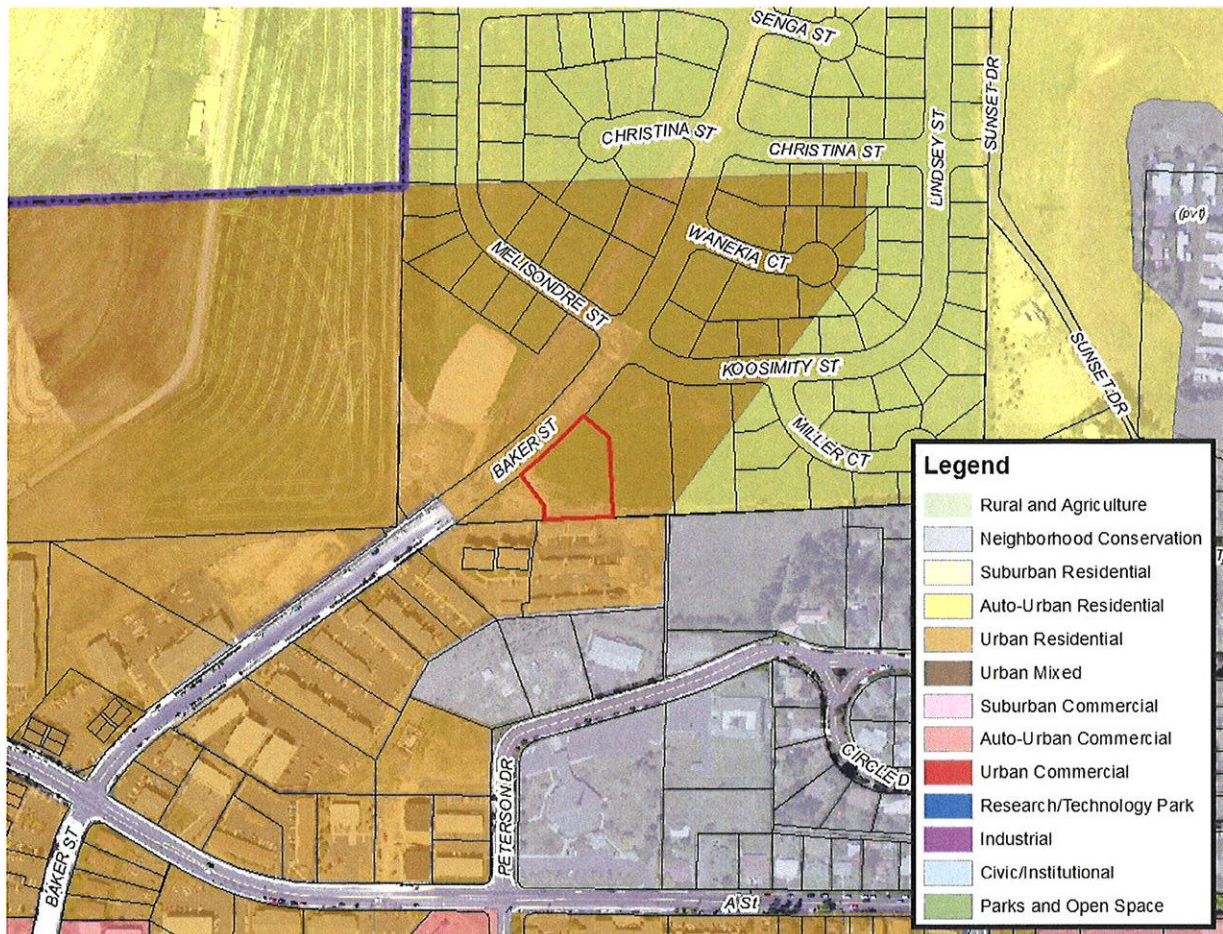
Comprehensive Plan Land Use Designation:

The entirety of the subject property is currently designated as Urban Residential (UR). According to the Comprehensive Plan, UR designated areas are,

“intended to allow higher intensity development, ranging from single-family neighborhoods to attached and multiple family residential uses at densities of 4 to 15 units per net acre. Areas appropriate for this designation include those located in close proximity to the City core, areas of commercial development, and areas adjacent or in close proximity to designated arterials. This designation can also be utilized to create and reinforce urban, single-family neighborhoods with alleys and rear garage access, similar to the near downtown neighborhoods. See Figure 2.12, Urban Residential Alley. A planned development built within an area of this designation should include a minimum of two housing types to achieve the allowable higher density. Lands designated as Urban Residential are generally appropriately zoned Medium Density Residential (R-3) or Multiple Family Residential (R-4).”

Properties to the west, south, and north are also designated as UR, while properties to the east are designated as Auto-Urban Residential (AU-R).

The subject property has property frontage on Baker Street which is currently designated as a collector street by the 2009 Comprehensive Plan.



Current Comprehensive Plan Land Use Designation

Zoning: The proposal is to rezone the subject property from its current designation of the Neighborhood Business (NB) to the Residential Office (RO) Zone. According to the Zoning Code the RO Zoning District 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, twinhomes, townhouses, and multi-family dwellings. Also permitted are professional offices, bed and breakfasts, daycare facilities, and parking lots.



Current Zoning



Proposed Zoning

Water and Sewer: There are existing water and sewer mains within Baker Street which are of sufficient capacity to accommodate any future use that the RO Zone would allow on the subject property.

Access, Streets, Traffic: The subject property is located adjacent to Baker Street to the northwest, which is currently designated within the Thoroughfare Plan as a collector street. Since the Peterson 2nd Subdivision is not yet developed, the segment of Baker Street adjacent to the subject property is currently not constructed. When the extension of Baker Street is constructed it will contain a 38-foot-wide roadway with curb, gutter, 8-foot tree lawns, and 5 foot sidewalks on both sides of the street.

Other Issues: 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. All neighborhood meeting materials are attached.

Input from Other Agencies: None received.

RELEVANT CRITERIA & STANDARDS:

Rezone:

1. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.
2. The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.
3. The uses expected to occur as a result of the rezone will be compatible with the surrounding area.
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.
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.

RECOMMENDATIONS:

Staff recommends that the Commission conduct the public hearing and upon consideration of testimony presented, recommend approval of the proposed rezone to City Council and direct Staff to prepare the Reasoned Statement of Relevant Criteria and Standards.

NOTICE OF PUBLIC HEARING

Proposal for Rezone of Lot 1 Block 1 of the Peterson Second Addition to the City of Moscow:
LUP2018-0017

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

A proposal to rezone the subject property from its current designation of Neighborhood Business (NB) Zone to Residential Office (RO) Zone.

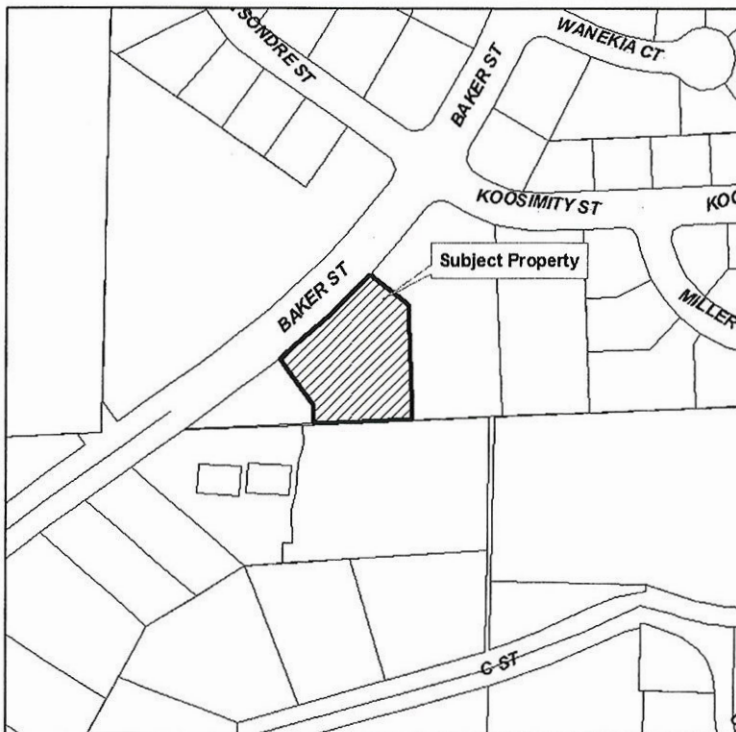
MEETING DATE: Wednesday, July 11th, 2018

HEARING LOCATION: Council Chambers, Second Floor, Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00 p.m.

Note: Meeting start time is not necessarily indicative of the start time for review of the application advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine start time for review of application advertised in this notice, which could occur late in the meeting.

The file containing information on this matter is available for public review (an appointment may be necessary) at the Community Development Department located in the Paul Mann Building, 221 East Second Street, Moscow, Idaho. You may also call 883-7035 to get a meeting agenda, further information about the application, the public meeting process and/or to request a meeting with City Staff. Public participants desiring to submit textual materials (excluding petitions) to the decision-making board shall do so at least five (5) calendar working days in advance of the scheduled meeting to the Community Development Department. Additionally, you may obtain further information about the public hearing process and procedures on the City's Website at: <http://id-moscow.civicplus.com/593/Public-Hearing-Notices>



Laurie M. Hopkins, Moscow City Clerk


Anne Peterson, Deputy Clerk

Publish: Saturday, June 2nd, 2018



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

For City Use Only			
Date Received		5-25-18	
Dept	Fee Type	Fees	Paid
CD	Application Fee	\$770	52518
Receipt Number		LUP2018-0017	

APPLICATION FOR ZONING AMENDMENT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Robert Peterson Telephone: 208-816-0321
2733 Sunset Drive, Lewiston, ID 83501
(home address)

Relationship to affected property (please check one):

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

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

Name: _____ Telephone: _____

(home address)

3. Location of Affected Property: 406 Baker Street

Legal Description: Peterson's Second Addition Block 1 Lot 1
(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: NB - Neighborhood Business to: RO - Residential/Office
(current zoning) (proposed zoning)

5. Reason: Applicant requests a rezone for the following reason(s): Applicant desires to rezone the lot to Residential Office to allow for more flexibility in the market, including high density residential use, but preserving the options for use as a professional office space.

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 Comp Plan designation for the property is Urban Residential, which allows for higher density development, including high density residential, but is also located near commercial development, making the area

compatible with the RO zone.

and professional services.

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

The proposed rezone to RO would provide for logical and orderly location of land uses, community services and facilities.

The property is surrounded by high density residential use and zoned use. The proposed RO zone would allow use more consistent with the surrounding area but also allow for some professional office space.

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

The uses allowed in the RO zone are more compatible with the surrounding areas than the existing NB zone

since the RO zone allows for high density multi-family residential use. Applicant desires to retain some potential

business/office use as originally intended for the mixed-use development but also allow for high density residential to be able to address more of the market demand.

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 lot is approx. 38,981+/- square feet and is surrounded by similar sized lots with the same high density

residential use as is proposed by the new RO zone. The development that is proposed by the RO zone for this lot

will not place an undue burden upon delivery of services provided by the City of Moscow, once the subdivision

is fully developed.

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 property can be adequately served by the existing transportation network, public facilities and services once developed.

property. Any additional public facilities required to develop the property will be paid for by the developer.

The streets serving the property are maintained by the City.

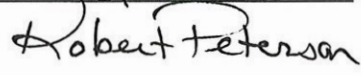
Notification: The Idaho Code requires that all property owners located within 300 feet of the affected property receive notification of the public hearing to be conducted by the Planning and Zoning Commission regarding any rezone request.

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. A filing fee of \$770.00
2. If a legal description of the affected property is given by Metes and Bounds, a separate sheet containing that description.


Applicant's Signature 

5-25-18
Date

Property Owner's Signature

Date

Meeting Minutes for Neighborhood Meeting Peterson Rezone Application NB-RO

The neighborhood meeting was held at 12:30/12:40 on May 23, 2018 at the 1912 Center.

Attached is a copy of the sign in sheet showing those who attended.

Susan Wilson, attorney for the Applicant was present.

Mr. Noel Blum was the sole participant and he had no objection to the rezone application.

Meeting adjourned at 12:50.

ATTORNEY AT LAW, PLLC

208 S. Main St. Ste 2, Moscow, ID 83843

Ph: 208-882-8060 ~ Fx: (866) 221-9397 ~ sw2@moscow.com

May 7, 2018

RE: Rezone of Lot 1, Block 1, Peterson Second Addition - Informational Meeting

Dear Neighbor,

I represent Robert Peterson who desires to rezone his 38,981+/- square foot lot commonly known as 406 Baker Street, Moscow, Idaho (Block 1, Lot 1) located in Phase I of the Peterson Second Addition from Neighborhood Business to Residential Office.

Mr. Peterson is seeking the rezone because the Residential Office zone provides more market flexibility than the Neighborhood Business zone. The rezone of this lot is consistent and compatible with the surrounding uses. To the north and east of the lot are multiple family residential zoned undeveloped lots. To the south are multiple family residential dwelling units. To the west is an undeveloped parkland.

Pursuant to Section 10-7(B), Title 4 of the Moscow City Code, a neighborhood meeting must be held as a prerequisite to submittal of an application for rezone. The neighborhood meeting is intended to provide a forum which allows the landowner to present its application as well as neighbors an opportunity to comment on the application. The City of Moscow has provided us with your name and address as a property owner that is located within 600 feet of the property proposed to be rezoned and therefore require notification.

We invite you to learn more about this application at the neighborhood meeting, which will be held at the **1912 Center at 412 East Third Street** in Moscow in the Fiske Room, on **May 23, 2018, from 12:30 p.m. to 1:00 p.m.** Please feel free to contact me if you have any questions or concerns in the meantime, or if you are unable to attend and want to include your comments. I can be reached at 208-882-8060 or via email at sw2@moscow.com.

Kind regards,

Susan R. Wilson

Susan R. Wilson
Attorney at Law





55160™/M/C

Repositionable Address Labels
Bend along line to expose Pop-up Edge®Go to avery.com/templates
Use Avery Template 5160

CHURCH, LUTHERAN
1036 W A ST
MOSCOW ID 83843

UPPER COLUMBIA MISSION SOCIETY
3715 S GROVE RD
SPOKANE WA 99224

CS BLUM PROPERTIES 2 LLC
PO BOX 9780
MOSCOW ID 83843

BAKER ST LLC
5300 W LOON LANE
RATHDRUM ID 83858

BLACKKETTER, DENNIS O
1315 W PARK ST
BUTTE MT 59701

AC PROPERTIES 1 LLC
PO BOX 9780
MOSCOW ID 83843

EISINGER, JEFFREY C
PO BOX 8369
MOSCOW ID 83843

PAULSEN, ELIZABETH
936 W C ST
MOSCOW ID 83843

STORY, RODNEY R
906 W C ST
MOSCOW ID 83843

JETTE, CYNTHIA ANNE
928 W C ST
MOSCOW ID 83843

NELSON, PAUL W
259 CIRCLE DRIVE
MOSCOW ID 83843

SCHMIDT, DAN J
267 CIRCLE DRIVE
MOSCOW ID 83843

CHURCH, LUTHERAN
1036 W A ST
MOSCOW ID 83843

SMITHOUSEN LLC
PO BOX 8632
MOSCOW ID 83843

BLACKK COVE CONDOMINIUM LLC
1315 W PARK ST
BUTTE MT 59701

POXLEITNER, MARGARET JEANNE
238 SAWMILL RD
KEUTERVILLE ID 83522

DIRE, MACKENZIE
280 BAKER ST #102
MOSCOW ID 83843

FLETCHER, JEFFREY
760 TOULOUSE CT
HALF MOON BAY CA 94019

BUTTERFIELD, CORBY L
280 BAKER ST #202
MOSCOW ID 83843

SANDMEYER, JAKE DAVID
280 BAKER ST APT 301
MOSCOW ID 83843

FELTON, COOPER JEFFREY
280 BAKER ST #302
MOSCOW ID 83843

HAZELTINE, WALTER R
282 BAKER ST APT 101
MOSCOW ID 83843

BURTON, GREGORY SCOTT
282 BAKER ST #102
MOSCOW ID 83843

COLBERG, PATRICIA W/H
1606 PINE CONE RD
MOSCOW ID 83843

SHAHSAVAND, SHIRIN
282 BAKER ST #202
MOSCOW ID 83843

GERKEN, GEORGE K
282 BAKER ST APT 301
MOSCOW ID 83843

RUDOLPH, GARY ALLEN
860 CYPRUS CT NW
ISSAQUAH WA 98027

UNIVERSITY OF IDAHO REGENTS
C/O GERARD BILLINGTON
875 PERIMETER DR MS 3162
Moscow ID 83844-3162

PETERSON, ROBERT C
PO BOX 1744
LEWISTON ID 83501

**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 ____ day of _____, 2018.

Wendy McClure, Chair
Planning and Zoning Commission

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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE 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. **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
____ day of _____, 2018.

Wendy McClure, Chair
Planning and Zoning Commission

Memo

To: Planning and Zoning Commission
From: Mike Ray, AICP, Planning Manager
Date: July 3, 2018
Re: Review of Proposed Legacy Crossing District Plan Amendment

The Moscow Urban Renewal Agency is proposing to expand the Legacy Crossing Urban Renewal District to include an adjacent portion of Main Street. State Statutes require the Planning and Zoning Commission to review the proposed amendment and submit a written recommendation to City Council regarding the plan's conformity with the Comprehensive Plan. Staff has reviewed the amended plan and has determined conformance with the following sections of the Comprehensive Plan:

Section 2.3.1 – Historic Districts

“Moscow Downtown Historic District. *Recognizing the core of the town, the Moscow Downtown Historic District runs the length of Main Street between Sixth and First streets. It is generally bounded by First Street, Sixth Street, Washington Street, and the alley between Main and Jackson streets. The commercial district includes 60 structures, a majority of which were built between 1888 and 1953. The earlier buildings represent the Italianate, Romanesque, Mission/Spanish Colonial Revival and Art Deco architectural styles. The location of Moscow's downtown was decided when Almon Asbury Lieuallen, James Deakin, Henry McGregor, and John Russell each donated 30 acres of land to create the town site in 1876.*

Historic resources are significant to the identity of the community and many more structures and possibly districts may be added to the National Register listing over the years. Keeping historic resources eligible for listing and protecting and preserving them is important to the character and heritage of the community.”

Section 2.3.2 – Urban Renewal Districts

“Legacy Crossing Urban Renewal District. *The Legacy Crossing district was established in 2008 with the purpose to guide the development that occurs in the old agricultural industry corridor along the railroad and Paradise Creek alignment between the University of Idaho and downtown. The formation of this district came about from the community's desire to eliminate conditions impeding the City's economic growth in an area which is located between Moscow's historic downtown and the University of Idaho campus. The intention of Legacy Crossing is to spur a transition of properties from former agricultural and/or industrial uses to new uses, create more cohesive zoning arrangements, add diversity to the General Business and*

Residential/Office mixed use zones, and thereby transform the area from its current economic liability to economic vibrancy.”

Section 2.4 – Downtown

“Downtown Moscow is treasured by the community. It is the heart of the City, not only geographically, but also in terms of identity, community character, and community spirit. It is also a key activity center and gateway to the University of Idaho. Consequently, the quality and character of downtown, including its interfaces with the University, is a meaningful contributor to the University’s ability to attract and retain students.”

“Functionally, downtown has evolved from retail and service dominated central business district to a truly mixed use district, with offices, institutional and governmental uses, residential units, and ground-floor retail. Although peripheral auto-oriented retail development with national chain tenants has pushed downtown to adapt, it has not significantly undermined the viability of downtown because the location, authentic character and quality of downtown as a location for dining, entertainment, and specialty retail continue to exist.”

Section 2.4.1 – Downtown Expansion

“Expansion of the downtown area has been considered through several planning efforts including the City’s 2003 Downtown Revitalization Plan and the City’s 1999 Comprehensive Plan. Most immediately, the agricultural-industrial area situated along the railroad tracks between downtown and the University of Idaho is a target for downtown-style redevelopment. Although the seed company that is located on a portion of the site is a continuing, viable enterprise, most of the uses and buildings on the site are obsolete. The Urban Renewal Agency and private interests are seeking to redevelop this area with mixed use buildings that reinforce the connection among the University, the hospital, and downtown.”

“The focus of the first phase should be the agricultural-industrial area in the Legacy Crossing Urban Renewal District to the southwest of downtown (generally between Sixth Street, Jackson Street and Paradise Creek). Since the success of the City is largely tied to the success of the University, enhancing the character of the interconnections between the two, as well as the access of University students to the downtown, is an important policy priority.”

“If the market study shows uncertainty with regard to whether the market will support a building with structured parking, the City should consider participating in the development of the parking structure in exchange for public access to the parking spaces. The benefit, with regard to community character, will be significant because surface parking will likely create a physical and psychological barrier between the University and downtown, and will most assuredly alter the character of this site from urban to auto-urban.”

Section 2.4.2 – Downtown Parking

“The largest and most convenient parking lot to the downtown core is the South Jackson Street lot, which is located on Jackson Street between Fourth and Sixth

Streets. The South Jackson Street lot has no convenient pedestrian access to Main Street that does not require walking through a business with the exception of Friendship Square. Many business owners believe that convenience-is-key; despite the destination character of downtown, they worry that their customers may go where parking is more convenient. A pedestrian way-finding program, with signage and kiosks directing people to and from parking areas and other locations of interest could help alleviate this problem.”

“Parking is not only limited to automobiles, and with the large number of bicyclists within the community there is an ever increasing need for convenient and secure, and preferably covered, bicycle parking downtown. Additionally, convenient and timely public transit services to and from downtown to outlying areas can encourage people to leave their vehicles at home and reduce parking demand. Parking is discussed in more detail in Section 3.6.4, Bicycle Parking and Section 3.10, Parking, of this Plan.”

Section 2.5 – Community Design

“The physical character of a place creates the first impression for visitors and contributes to the quality of life for residents. The appearance of the physical environment is an asset to be valued. It is formed by many factors. One of the main attributes of Moscow is its small town atmosphere. Aside from the actual size of the town, community design plays an important role in creating this atmosphere. Moscow is characterized by rolling Palouse hills, open farmland, the University of Idaho campus, the historic downtown, and the residential neighborhoods with tree-lined streets. The accessibility, viability, and pedestrian friendliness of downtown are significant factors in this small town feeling. The visual effects of the agricultural component to the local economy also contribute to the small town impression.”

Section 2.5.2 – Streetscapes

“The design of a streetscape includes the road, sidewalk, landscape elements within the public right-of-way, and may include the building facades and landscaped setbacks within the private realm. Streetscape elements include street lights, trees, and street furniture, which can contribute to the unique character to a block or entire neighborhood. Street trees and furniture, such as benches, are present throughout the downtown area. They are very important in creating a pleasant, comfortable, and inviting atmosphere.”

“Streetscape standards are often developed to create a uniform appearance and identity to downtowns, historic districts, and other special areas. Public art can be directly incorporated into streetscape design by reserving locations for sculpture. It can also be incorporated into various elements of the streetscape furnishings. Additionally, elements of the streetscape, such as bike racks, can be developed and designed by artists, adding interest, landmarks, and a sense of discovery to the streetscape. Provisions should be made to allow for such furnishings and amenities in areas of the community in a manner that would afford an enhancement of neighborhood character and identity.”

Section 2.5.3 – Landscaping

“In the downtown area, the landscaping in Friendship Square creates a restful atmosphere, and trees throughout the downtown area break the monotony of the pavement.”

Section 2.5.4 – Scale, Density, and Building Design

“The massing and design of buildings is an important factor in how the community looks and feels. Scale, height, and setbacks are all factors in the massing of buildings. These factors can impact compatibility with existing development, the availability of solar access, and even the comfort of pedestrians. The architectural design of buildings adds to the character, continuity, and interest in an area. Downtown, many buildings are built at the street, providing a street wall or continuous row of storefronts that maintain a pedestrian’s interest and frame Friendship Square. There is a substantial uniformity in the bulk and exterior treatment of the buildings that unifies the downtown area. Heights range from one to four stories, and brick has been used extensively as a building material. Floor area ratios and residential densities are higher in the downtown area than in the rest of the community, giving a greater opportunity to mix uses, but also creating a need for parking which is often provided off-site or in public parking lots.

“The architecture of many of the City’s buildings is interesting and contributes both to the small town feeling and Moscow’s sense of place. Preservation and enhancement of some of these buildings and the construction of compatible new buildings can help maintain the City’s special ambiance. The downtown area and the University of Idaho campus are two outstanding assets to the design of the community, with historic and architecturally interesting structures, public spaces, landscaping, and open spaces. The location of the University is somewhat concealed from visitors entering the City. Better integration of the University into the design of the City would benefit both the University and the City.”

Section 2.7.1 - General Land Use and Community Character Goals

- *Preserve and enhance special areas of the community to celebrate the community’s identity, character and heritage.*
- *Enrich the community’s social, cultural, physical and economic environments through the arts and integration of aesthetic infrastructure standards, and particularly through the placement of public art at key locations in the City.*

Section 2.7.4 - Special Areas and Sites

Implementation Actions:

- *Promote the redevelopment of the Legacy Crossing Urban Renewal District to develop appropriate zoning regulations and design criteria to further the goals and intentions of the Urban Renewal Agency, including the enhancement of the connection between the University and Downtown.*

Section 2.7.5 – Downtown

Objective:

- *Guide the expansion and intensification of downtown development while considering the needs for parking and desire to maintain the existing historic character.*

Implementation Actions:

1. *Create design standards for intensive redevelopment of areas near historic downtown so that they complement the existing character of downtown.*
2. *Include parking and loading provisions in the land development regulations that will require significant development and redevelopment proposals to provide off-street parking and loading.*
3. *Develop a plan for acquisition and development of public parking areas downtown and collect a fee-in-lieu of parking spaces on significant redevelopment projects that occur on parcels that are not large enough to support required amounts of off-street parking.*
4. *Develop and implement a way-finding program at the pedestrian and motorist scale that provides direction to and information about parking areas and points of interest in a cohesive manner that enhances the character of downtown.*
5. *Enhance public transit services to and from downtown to reduce parking demand within the downtown area.*

Section 2.7.6 Community Design

Implementation Action:

- *Develop streetscape plans to enhance and identify special areas of the community, including downtown and historic districts, and to highlight special connecting streets such as Sixth Street between downtown and the University and Third Street between Washington and Farm Road and City entrances.*

Section 3.5.2 Sidewalk and Crosswalk Facilities

“Pedestrian connectivity and mobility is highly valued within the community. The installation of sidewalks where they do not currently exist, and the repair of sidewalks in disrepair have been identified as a priority for the City.”

Section 3.10.2 Downtown Parking

“Uses within the Central Business (CB) Zoning District are exempt from the requirement to provide off-parking under the City’s Zoning Code. The requirement for large private surface parking lots would detract from the desired urban pedestrian oriented character of the downtown area and create demand for automobile traffic in the area. Currently the majority of the auto parking demand is satisfied with readily available public parking, both on-street, as well as by several public parking lots. The reliance upon public parking for the downtown district provides a great deal of flexibility in meeting parking demand as it fluctuates during the course of the day and week, rather than privately held and managed parking dedicated to a particular use.”

Section 5.8.3 Growth Staging Plan

“Redevelopment of the area located between the University of Idaho campus and downtown should be a priority to provide new commercial and residential development in the core of the community.”

Section 6.5.2 Leveraging Existing Assets

Downtown

“Moscow’s historic Downtown extends from First Street to Sixth Street, and centers on Main Street (spanning from Washington Street to the alley between Main Street and Jackson). The heart of Downtown is Friendship Square, a pedestrian mall with amenities that include ample seating, fountain, message board, and a tot lot.”

“Downtown is a mixed use district, with offices, institutional and governmental uses, residential units, and ground-floor retail. Although peripheral auto-oriented retail development with national chain tenants has pushed Downtown to adapt, it has, to-date, not significantly undermined the viability and special character of Downtown. That is because the location, character, and quality of Downtown make it an ideal location for dining, entertainment, and specialty retail. Indeed, Downtown business owners noted that people come from as far as 100 miles away to the area’s unique retail stores and restaurants.”

“Downtown is a source of community pride that contributes to the City’s exceptional quality of life (a “driver” for economic development”). In more specific economic development terms, Downtown is a center of gravity for the target industries of financial services, healthcare, real estate, and tourism. It is also a potential center for higher-end, residential-over-retail products positioned toward professionals and active seniors who do not want the maintenance responsibilities of single-family housing.”

Section 6.5.6 Business Development Costs

Legacy Crossing

“The Legacy Crossing district was established in 2008. Its purpose is to guide the development, redevelopment of the agricultural industry corridor along the railroad and Paradise Creek alignment between the University of Idaho and Downtown. The intention of Legacy Crossing is to spur the transition of properties from former agricultural and/or industrial uses to new high intensity mixed-use developments to create a vibrant place for economic activity and to enhance the integration of the University of Idaho and Downtown.”

Section 6.6.2 Leveraging Existing Assets

Objectives:

- *Strengthen and enhance the vitality of Downtown as the community’s civic core.*
- *Reposition the industrial areas currently located near Downtown to another location so as to allow for downtown redevelopment with modern mixed-use developments.*
- *Strengthen the physical linkage between Downtown Moscow and the University of Idaho.*

Implementation Actions:

- *Allow for development and redevelopment of mixed-use projects in and around the Downtown area to bring added activity and vitality to the Downtown area.*

- *Invest in the public infrastructure (sidewalks, street furnishings, signage, etc.) within the Downtown area to enhance the appearance and character of Downtown.*
- *Plan and implement appropriate zoning for the industrial areas adjacent to Downtown to encourage redevelopment with modern mixed-use developments that complement and integrate Downtown and the University of Idaho campus.*
- *Identify and rezone appropriate areas in the southern part of the City to allow the relocation of current near-Downtown industrial and agricultural support uses.*

Section 6.6.4 Strengthening Networks

Implementation Actions

- *Create better physical linkages between the City and the University of Idaho through the redevelopment of the historic industrial areas near Downtown.*

Moscow, Idaho



Amended and Restated Legacy Crossing Urban Renewal District Redevelopment Plan

, 2018

City Council Resolution 2007-24
Adopted September 17, 2007

City Council Resolution 2008-05
Adopted February 19, 2008

Urban Renewal Agency Approval
Approved March 6, 2008

City Council Ordinance No. 2008-10
Adopted June 2, 2008

City Council Resolution 2018-05
Adopted April 2, 2018

Urban Renewal Agency Approval
Agency Resolution 2018-02
Approved June 7, 2018

City Council Ordinance No. ____
Adopted _____, 2018

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Amended and Restated Legacy Crossing Urban Renewal District Redevelopment Plan Moscow, Idaho

Section 100: Introduction

The City of Moscow is located in Northern Idaho and within Latah County. The City boundary is adjacent to the Idaho-Washington state border, and is about 8 miles from Pullman, Washington. Moscow and Pullman, Washington are homes to the University of Idaho, and Washington State University, respectively. The economies of both cities have historically been based on these educational institutions and on the surrounding region's agricultural industries.

The City of Moscow's first urban renewal district, Alturas Technology Park, was an Urban Renewal/Competitively Disadvantaged Border Community Area. Its redevelopment plan has fostered economic growth through diversification by establishing a research and technology park for location of appropriate businesses. The Alturas Technology Park Plan was terminated early, effective September 8, 2015.

The City's second urban renewal district, the Legacy Crossing District, was established in 2008 with the desire to eliminate conditions impeding the City's economic growth in an area located between Moscow's historic downtown and the University of Idaho campus, an area designated as Legacy Crossing. The Legacy Crossing District was intended to allow the Agency to proactively address issues creating static economic conditions by taking actions targeted toward improvement of both underdeveloped properties and those properties in transition. The focus of the district was to spur more rapid land use transition of properties from former agricultural and/or industrial uses to new uses, and thereby transform the area from its current economic liability toward economic vibrancy.

In 2015 the Moscow City Council adopted a strategic plan for the City. This strategic plan identified both internal and external challenges facing the community. The most significant of these challenges were identified as major challenge areas. One major challenge area that the City Council identified included the significantly deteriorated condition of the Main Street in downtown.

The City's Strategic Plan specifically stated that; *"Moscow's Downtown streetscape was constructed almost 35 years ago by means of the 1981 downtown Local Improvement District (LID). Except for the Friendship square renovation in 2006, the City has placed little investment in downtown infrastructure, and much of the streetscape is in poor condition. The planters, benches, light poles, and exposed aggregate treatments that were installed in 1981 are now dated and deteriorating. Downtown Moscow is a key asset that represents the city's unique character and quality of life which could, if renovated be leveraged to increase local economic activity, and attract new residents, students and business investment, but which is ineffective in its current condition."*

This Amended and Restated Legacy Crossing Urban Renewal District Plan provides for the amendment to the District's boundary to annex an adjacent 12 acre area located directly east of the eastern District boundary.

House Bill 606, effective July 1, 2016, amended the Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law") and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act") confirming that a plan amendment to the Plan does not result in a reset of the base assessment roll values: "[f]or plans adopted or modified prior to July 1, 2016, and for subsequent modifications of those urban renewal plans, the value of the base assessment roll of property within the revenue allocation area shall be determined as if the modification had not occurred." Idaho Code § 50-2903(4). Further a plan amendment to accommodate a an increase in the revenue allocation area boundary as permitted in section 50-2033, Idaho Code is also an identified exception to the base reset requirement. Idaho Code § 50-2903A(1)(a)(ii).

What follows are details on the Amended and Restated Legacy Crossing Urban Renewal District Redevelopment Plan¹ (the "Plan") for the Legacy Crossing Plan Area (the "Project Area," which includes the original 2008 Project Area and a new 12-acre area adjacent and contiguous with the 2008 Project Area, referred to as the Main Street Project Area), as managed by the Moscow Urban Renewal Agency (the "Agency"), in the City of Moscow (the "City"), Latah County, state of Idaho. This plan consists of the text contained herein and the following attachments:

- Maps of the Project Area Boundary (Attachment 1) which is the same as the Revenue Allocation Area Boundary. "Revenue Allocation Area" means that portion of an urban renewal area which the local governing body has determined is likely to increase in equalized assessed valuation as a result of the initiation of an urban renewal project.
- Legal description of the Legacy Crossing Urban Renewal District Revenue Allocation Area (Attachment 2);
- Maps showing the area's current zoning (Attachment 3) in the same Project Area;
- Infrastructure needs for improvements within the Project Area, together with descriptions and costs estimates (Attachment 4);
- Economic Feasibility Study for the Legacy Crossing District (Attachment 5) which identifies the fiscal impact upon all taxing entities (including the City) of allocating tax increment resulting from increased valuations within the Project Area to the Agency for the life of the Plan, and which addresses the potential that the Agency may finance various improvements with bonds or other obligations;
- A listing of private properties which may be acquired by the agency (Attachment 6).

The term "Project" is used herein to describe the overall activities defined in this Plan, and the project conforms to the statutory definition of "urban renewal project." Reference is specifically made to Idaho Code §§ 50-2018(10) and 50-2903(13) for the various activities

¹ This Amended and Restated Legacy Crossing Urban Renewal District Redevelopment Plan is organized in a manner which, instead of showing new text underlined and text deleted as crossed out, simply restates in total the text of this Plan. Many of the tables and exhibits from the original 2008 Project Area are not repeated in this Plan for ease of review and analysis. Additionally, much of the financial information and improvement list has been replaced or superseded. The original work for the 2008 Project Area is available through the Agency or the City.

contemplated by the term "Project." Such activities include both private and public development of property within the Legacy Crossing Project Area. The term "Project" is not meant to refer to a specific activity or development scheme.

This Plan was prepared by consultants and staff of the Moscow Urban Renewal Agency (the "Agency"). The Plan was reviewed and recommended by the Agency Commission members, pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code (the "Law"); the Local Economic Development Act, Chapter 29, Title 50, Idaho Code (the "Act"); and all applicable local laws and ordinances. The proposed redevelopment of the Legacy Crossing Project Area as described in this Plan conforms to the Comprehensive Plan of the City of Moscow, as adopted by the City Council.

Idaho Code § 50-2905 identifies what information the plan must include with specificity as follows:

- (1) A statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality;
- (2) A statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area;
- (3) An economic feasibility study;
- (4) A detailed list of estimated project costs;
- (5) A fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property on the revenue allocation area;
- (6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;
- (7) A termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan; and
- (8) A description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets.

This Plan includes the above information with specificity.

The Agency may create several planning documents over time that generally describe the overall Legacy Crossing Project and may identify certain specific public and private capital improvement projects. Because of the changing nature of the Project, these documents, by necessity, must be dynamic and flexible. These documents will be modified as economic

circumstances and market conditions warrant. These modifications shall not be deemed as an amendment of this Plan or its intent. No modification will be deemed effective if it is in conflict with this Plan. The planning documents are purposely flexible and do not constitute specific portions of the Plan.

Prior to the adoption of any planning document or proposed modification to any planning document, the Agency shall notify the City and publish a public notice of such proposed modification at least thirty (30) days prior to the consideration of such proposed modification, thus providing the City and any other interested person or entity an opportunity to comment on said proposed modification. The Agency Commission shall consider any such comments and determine whether to adopt the modification. The planning documents apply to redevelopment activity within the Legacy Crossing Project Area as described herein. In the event of any conflict between this Plan and the appended documents, the provisions of this Plan shall control. The Agency intends to rely heavily on any applicable City design standards which may cover all or part of the Legacy Crossing Project Area.

This Plan provides the Agency with powers, duties, and obligations designed to facilitate implementation of the Plan and to further the program generally formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project Area. The Agency retains all powers allowed by the Law and Act. Because of the long-term nature of this Plan and the need to retain in the Agency the flexibility to respond to market and economic conditions, property owner and developer interests, and opportunities from time to time presented for redevelopment, this Plan does not present a precise plan or establish specific projects for the redevelopment, rehabilitation, and revitalization of any area within the Project Area, nor does this Plan present specific proposals in an attempt to solve or alleviate the concerns and problems of the community relating to the Project Area.

Instead, this Plan presents a process and a basic framework within which specific plans will be presented, specific projects will be established and specific solutions will be proposed. Such process will identify tools provided to the Agency to fashion, develop, and proceed with such specific plans, projects, and solutions. Implementation of this Plan will require public co-investment to help stimulate desired private development. Typically, the public will fund enhanced public facilities such as streets, sidewalks, parking facilities, parks, public buildings, utilities, cultural facilities, and playgrounds or plazas which, in turn will create an attractive setting for adjacent private investment.

The Agency realizes that accommodating new civic and cultural uses in Legacy Crossing will require investment in appointments of parks and public spaces. The Agency intends to allocate a certain percentage of its annual district revenues toward funding such appointments as:

- Landscape development & open space development, including street trees
- Pedestrian scale lighting
- Signage and way-finding amenities
- Street furniture

and other appointments and investments it deems supportive of the Legacy Crossing Plan goals. In addition, in keeping with the Moscow community's designation as "Heart of the Arts" and recognizing the unique economic impacts of art in the community, the Agency will allocate a minimum of 1% of its annual Legacy Crossing Urban Renewal District increment revenues to public art projects.

The particular projects or redevelopment projects by private entities described herein are not intended to be an exclusive or exhaustive list of potential redevelopment activity. Allowed projects are those activities which comply with the Law and the Act and which meet the overall objectives of the Plan. The purposes of the Law and Act that will be attained through and with the major goals of this Plan are:

- a) The elimination of deficiencies in the Project Area, including, but not limited to, deteriorating or deteriorated, or inadequate public improvements and facilities;
- b) The assembly of land into parcels suitable for modern development in the Legacy Crossing Project Area, with appropriate setbacks, parking, pedestrian safety, and vehicular circulation;
- c) The re-planning, redesign, and development of undeveloped, or underdeveloped areas which may be stagnant or improperly utilized or which are in transition from one use to another;
- d) The strengthening of the economic base of the Legacy Crossing Project Area and the community, by the installation of needed public improvements and/or upgrading of facilities to accommodate or to stimulate new commercial expansion which supports environmentally sustainable projects and practices intended to promote minimum impact on the environment (including impacts on energy, transportation and water resources); and to stimulate employment and economic growth, and to enhance the variety of available residential housing options;
- e) The establishment and implementation of performance criteria to assure appropriate site design standards, including environmental quality and other design elements which provide unity and integrity to the entire Legacy Crossing Project Area;
- f) The strengthening of the tax base of the City and other taxing districts by encouraging private development, thus increasing the assessed valuation of properties within the Revenue Allocation Area and the Project Area as a whole, and benefiting the various taxing districts in which the Legacy Crossing Project Area is located; and
- g) The creating of public spaces, public art, parks, trails and bike paths, and assorted green infrastructure.

Section 101: General Procedures of the Agency

The Agency is a public body, corporate and politic, as defined and described under the Law and the Act. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency. Under the Law, the Agency is governed by the Idaho open meeting law, the Public Records Act; the Ethics in Government Act of 2015, Chapters 1, 2 and 4 of Title 74, Idaho Code; reporting requirements pursuant to Idaho Code §§ 67-450B, 67-450E and 50-

2913; and the competitive bidding requirements under Chapter 28, Title 67, Idaho Code, as well as other procurement or other public improvement delivery methods..

Generally, the Agency shall conduct all meetings in open session and allow meaningful public input as mandated by the issue considered or by any statutory or regulatory provision. Whenever it is stated in the Plan that the Agency may modify, change, or adopt certain policy statements or contents of the Plan not requiring a formal amendment to the Legacy Crossing Plan as required by the Law or the Act, it shall be deemed to mean a consideration by the Commission of such policy or procedure, duly noticed upon the Agency meeting agenda and considered by the Agency at an open public meeting and adopted by a majority of a quorum of the members present, unless any provision herein provides otherwise.

Section 102: Provisions Necessary to Meet State & Local Requirements

Section 102.1: Conformance with State of Idaho Urban Renewal Law of 1965, amended

The Law allows for an urban renewal plan to be submitted by any interested person or entity in an area certified as an Urban Renewal Area by the Moscow City Council. On February 19, 2008, by Resolution 2008-05, the Moscow City Council determined the Legacy Crossing area to be deteriorated or deteriorating as identified within the Greater Downtown Moscow Area Eligibility Report dated August 7, 2007. With the adoption of Resolutions 2007-24 and 2008-05 the preparation of an urban renewal plan was authorized.

In accordance with the Idaho Urban Renewal Law of 1965, the Plan was submitted to the Moscow Planning and Zoning Commission ("P&Z Commission") at a public meeting held on April 9, 2008. After consideration of the Plan, the P&Z Commission filed its recommendation with the City Council stating that the Plan is in conformity with the Comprehensive Plan of the City of Moscow on April 29, 2008.

Pursuant to the Law and the Act, the City Council having published due notice thereof, a public hearing was held on this Plan. Notice of the hearing was duly published in a newspaper having general circulation. The City Council adopted the Legacy Crossing Urban Renewal Plan on June 2, 2008, by Ordinance No. 2008-10.

On April 2, 2018, by the adoption of the Legacy Crossing District Main Street Boundary Amendment Eligibility Study and by Resolution 2018-05, the Moscow City Council determined the area annexed under the Amended and Restated Legacy Crossing Project Area to be deteriorated or deteriorating. With the adoption of Resolution 2018-05 the preparation of amended and restated urban renewal plan was authorized.

In accordance with the Idaho Urban Renewal Law of 1965, the Plan was submitted to the Moscow Planning and Zoning Commission ("P&Z Commission") at a public meeting held on _____, 2018. After consideration of the Plan, the P&Z Commission filed its recommendation with the City Council stating that the Plan is in conformity with the Comprehensive Plan of the City of Moscow on _____, 2018.

Pursuant to the Law and the Act, the City Council having published due notice thereof, a public hearing was held on this Plan. Notice of the hearing was duly published in a newspaper having

general circulation. The City Council adopted the Legacy Crossing Urban Renewal Plan on _____, by Ordinance No. _____.

Section 103: History & Current Conditions

The Legacy Crossing Project Area is considered to be deteriorated or deteriorating because of the presence of various conditions, most of which are related to public infrastructure. (These conditions are referred to with more specificity on Attachment 4.) Whether the infrastructure is older and needs to be replaced or upgraded, or such infrastructure has been determined to be grossly inadequate to serve planned new development, the result is the same: existing development is often discouraged from upgrading and expanding, and new development is often slowed or thwarted because of the inadequacy of necessary public infrastructure such as road connectivity or sewer capacity.

The preparation and approval of the Plan, including a revenue allocation financing provision, provides additional resources to solve the public infrastructure problems in this area. Revenue allocation financing, also known as tax increment financing, should help to improve the situation. In effect, property taxes generated by new developments within the area may be used by the Agency to finance a variety of needed public improvements and facilities. Finally, some of the new development in the Project Area may also generate new jobs in Moscow that would, in turn, benefit area residents and businesses.

Section 104: Purposes of Activities

The description of activities, public improvements, and the estimated costs of those items are intended to create an outside limit of the Agency's activity as it is now contemplated. The Agency reserves the right to change amounts from one category to another, as long as the overall total amount estimated is not substantially exceeded.

The items and amounts are not intended to relate to any one particular development, developer, or owner. Rather, the Agency intends to discuss and negotiate with any party, owner or developer who seeks Agency assistance in developing property according to the Plan. During such negotiation, the Agency will determine, on an individual basis, the eligibility of the activities sought for Agency funding, and the amount the Agency may fund by way of percentage or other criteria. The Agency will take into account the amount of revenue allocation proceeds (increment) estimated to be generated from a developer's activities. The Agency also reserves the right to establish, by way of policy, its funding percentage or participation, which would apply to all parties, owners and developers.

The activities listed in Attachment 4 are generally segregated by type and amounts funded, but the timing of such improvement may vary as funding depends to some extent on market forces. As required by the Law and Act, the Agency will adopt more specific budgets annually. Agency reserves the right to prioritize the several projects described in this Plan, and the Agency reserves the right to retain its flexibility in funding the various activities.

Throughout this Plan there are references to Agency activities, Agency funding, and the acquisition, development, and contribution of public improvements. Such references do not necessarily constitute a full, final, and formal commitment by the Agency but, rather, grant to the Agency the discretion to participate as stated subject to achieving the

objectives of this Plan and provided such activity is deemed eligible under the Law and the Act. In some respects the activities listed in Attachment 4 are concepts which will be determined or prioritized as the overall Project Area develops.

The Agency reserves the right to prioritize the projects described in this Plan. The Agency also reserves the right to retain its flexibility in funding the various activities. The Agency also reserves its discretion and flexibility in deciding which improvements should be funded and at what level, whether using its own funds or funds generated by other sources.

Section 200: Descriptions of Project Area

The boundaries of the Legacy Crossing Project Area and of the Revenue Allocation Area are synonymous, and are shown in Attachment 1 and described in Attachment 2, which are attached hereto and incorporated herein by reference. The Area starts at Henley Street and Highway 8 on the South, continues northwesterly along the eastern boundary of the University of Idaho to South Line Street, at which point the boundary doubles back along West Pullman Road to South Lieuallen Street, where it goes north to West A Street, then east to the easterly right of way of Main, then south along said right-of-way, south to West 8th Street, then southeasterly to Highway 8, east on White Place to Lynn Street, south to Paradise Creek, and finally northwesterly along the south side of Paradise Creek to Henley. For purposes of boundary descriptions and use of proceeds for payment of improvements, the boundary shall be deemed to extend to the other boundary of rights-of-way or other natural boundary.

Section 300: Proposed Redevelopment Actions

Section 301: General Overview

The Agency proposes to eliminate and prevent the spread of deterioration in the Legacy Crossing Project Area, as well as add to its economic vitality, by a variety of means. Among those means legally available to the Agency according to the Law and the Act are:

1. The acquisition of certain real property together with any improvements thereon;
2. The demolition or removal of certain buildings and improvements for public rights-of-way for streets, utilities, walkways, and other improvements, to eliminate unhealthful, unsanitary, or unsafe conditions, improve density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or to prevent the spread of blight or deterioration;
3. The provision for participation by property owners within the Project Area;
4. The provision for relocation assistance to displaced Project occupants, if any is needed, as required by law;
5. The installation, construction, widening, alignment or reconstruction of streets, redesigning of intersections, improving signalization and pedestrian access;

6. The improvement of utilities including water and sewer systems, electrical distribution and transmission lines in underground configuration, if needed to encourage new developments, multi-modal transportation and parking facilities, and other public improvements related to green infrastructure and waterway improvements, including, but not limited to, irrigation and drainage laterals and ditches, storm drain systems, as well as walkways, street lighting, parks and public open spaces, and improvements to railroad tracks and property;
7. The disposition of property for uses in accordance with the Plan;
8. The redevelopment of land by private enterprise or public agencies for uses in accordance with the Plan, especially development which is sensitive to and respectful of existing natural resources including streams and vegetation;
9. The rehabilitation of structures and improvements by present owners, their successors, the City and the Agency;
10. The preparation and assembly of adequate sites for development & construction of facilities for commercial, mixed-use residential, office, appropriate retail and other ancillary uses;
11. To the extent allowed by law, to lend or invest federal and/or Agency funds to facilitate redevelopment;
12. The construction of foundations, platforms, and other like structural forms necessary as sites for buildings to be used for mixed use commercial and other uses contemplated by the Plan;
13. To provide utilities to the several development sites.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law. Primarily, the Agency intends to provide connectivity improvements for pedestrian and vehicular traffic, to install or improve public infrastructure, to improve and add to open space, to seek more cohesive zoning arrangements, and to encourage development of mixed-use projects consisting of residential, office, and supporting commercial and retail, with the goals of adding to the City's economic development and viability.

Section 302: Urban Renewal Plan Objectives

Urban renewal action is necessary in the Legacy Crossing Project Area to combat problems of physical deterioration and economic underdevelopment.

The original Legacy Crossing Project Area consisted of approximately 163 gross acres. With the addition of the 12 acres annexed with this Amended and Restated Legacy Crossing Urban Renewal Plan the total area of the District is 174.9 acres with boundaries described in Section 200.

Conditions of properties located within the boundaries of the Legacy Crossing Project Area reveal a history of a slow-growing tax base primarily attributed to the lack of public improvements or deteriorating public improvements; inadequate facilities such as sewer capacity; sub-standard street conditions, including lack of pedestrian walkways and bike paths, curbs, gutters and the like; incomplete road connections resulting in congestion and compromised safety; undeveloped and underdeveloped properties; the change in use from agricultural or industrial to commercial, retail and mixed uses; and other factors. The area has a history of a slow-growing tax base primarily attributed to inadequate street and utility improvements, inadequate public park areas, undeveloped properties, and other deteriorating areas. In addition, portions of the Project Area have recently been found to contain contaminated soil and groundwater, requiring remediation.

In its location, this Project Area environment contrasts sharply with the growing economic and cultural strength of Moscow and the Latah County region.

Accordingly, the Plan under consideration for the Legacy Crossing Project Area is a proposal for public improvements and facilities to:

- Provide an improved environment for new commercial and mixed-use developments
- Eliminate unsafe and hazardous conditions
- Assist potential owners and other developers to create appropriate development sites through aggregation of existing small parcels and, where necessary, through acquisition, demolition, and disposition activities
- Improve multi-modal transit and multi-modal parking opportunities throughout the Project Area
- Otherwise prevent the extension of blight and deterioration and reverse the deteriorating characteristics of the area
- Promote sustainable development intended to minimize environmental impacts and promote wise use of natural resources, including water resources.

The Agency may participate in the cost of removal of extraordinary site conditions. Any streets or other rights-of-way to be vacated or relocated will create additional building area for mixed-uses or public use. Any such vacations or relocations must be requested from and approved by the City of Moscow or any other agency having jurisdiction over the particular public right-of-way.

Acquisition of any interest in real property may be utilized by the Agency when and if the Agency deems it necessary to promote redevelopment in accordance with the objectives of the Legacy Crossing Plan. A further objective of the Plan is to provide for the acquisition of property to be used for public facilities. Off-street parking facilities may be developed or improved to serve new commercial uses within the Project Area. Over the life of the Plan, land use in the Legacy Crossing Project Area will be modified to the extent that buildings or land currently vacant or underdeveloped may be converted to mixed-uses, to public and private parking, and to public

or semi-public uses. The provisions of this Plan are applicable to all public and private property in the Legacy Crossing Project Area.

The provisions of the Legacy Crossing Urban Renewal District Plan shall be interpreted and applied as objectives and goals, recognizing the need for flexibility in interpretation and implementation, while at the same time not abdicating the rights and privileges of the property owners which are vested in the present and future zoning classifications of the properties. All development under an owner participation agreement shall conform to those standards specified in Section 303.1 of this Plan.

This Plan must be practical in order to succeed. Particular attention has been paid to how and when the Plan can be implemented, given the changing nature of market conditions. Transforming the Legacy Crossing Project Area into a vital, thriving part of the community requires an assertive strategy. The following list represents the key elements of that effort:

1. Initiate simultaneous projects designed to revitalize the Project Area. From sewer improvements, to aggregating parcel ownership, to significant new development, the Agency plans to play a key role in creating and facilitating conditions to encourage the necessary momentum.
2. Develop new mixed-use projects to attract, encourage and assist the development of new businesses within the Project Area.
3. Pursue development across a variety of land-use sectors simultaneously.
4. Secure certain public open space in critical areas. This public open space will increase property values adjacent to it and, with amenities investments and with public art integrated, greatly contribute to a new sense of place ("placemaking").

Without direct public intervention, much of the Legacy Crossing Project Area could conceivably remain unchanged for the next several years. Success will come through numerous public-private partnerships. The Plan creates the necessary flexible framework for the Legacy Crossing Project Area to expand Moscow's economic vitality.

Section 303: Participation Opportunities & Agreements

Section 303.1: Participation Agreements

If the Agency determines that it is in the best interests of the Agency and the public in furtherance of the Plan, the Agency may enter into owner participation agreements with any existing or future owner of property, in the event the property owner seeks and/or receives assistance from the Agency in the redevelopment of the property. In that event, the Agency may allow for an existing or future owner of property to remove his property and/or structure from future Agency acquisition subject to entering into an owner participation agreement.

Each structure and building in the Legacy Crossing Project Area to be rehabilitated or new projects to be constructed as a condition of the owner participation agreement between the Agency and the owner pursuant to this Plan will be considered to be satisfactorily rehabilitated and constructed, and the Agency may, in conjunction with the City, so certify, if the executed

owner participation agreements meet the following conditions and rehabilitated or new structures meet the following standards:

1. Any such property within the Legacy Crossing Project Area shall be required to conform to all applicable provisions, requirements, and regulations of this Plan. Upon completion of any rehabilitation or new development, each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty four (24) years.
2. All such buildings or portions of buildings which are to remain within the Project Area shall be rehabilitated in conformity with all applicable codes and ordinances of the City of Moscow and any other regulatory agency having jurisdiction.
3. Any new construction shall conform to all applicable provisions, requirements and regulations of this Plan.
4. Any new construction shall also conform to all applicable codes and ordinances of the City of Moscow and any other regulatory Agency having jurisdiction.

In such participation agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. The provisions of this Plan are applicable to all public and private property in the Legacy Crossing Project Area.

In the event a participant under a participation agreement fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency in accordance with Section 307 of this Plan, and sold or leased for rehabilitation or development in accordance with this Plan.

Owner participation agreements may be used to implement the following objectives:

1. Encourage property owners or tenants to revitalize deteriorated and/or deteriorating areas of their parcels and to incorporate elements of the Plan.
2. Subject to the limitations of the Law and the Act, provide incentives to existing property owners or tenants to encourage continued utilization and expansion of existing permitted uses to prevent Legacy Crossing properties from falling into disuse, or proliferation of vacant and deteriorated parcels.
3. Allow existing nonconforming uses to continue in accordance with City regulations and to accommodate improvements and expansions allowed by City regulations.
4. Subject to the limitations of the Act, provide incentives to improve nonconforming Legacy Crossing properties so they implement the design guidelines recommended by this Plan to the extent possible, and encourage an orderly transition from nonconforming to conforming uses over the planning horizon.

All such agreements will address phasing issues, justification, and eligibility projection costs and achievement of the objectives of the Plan. The Agency shall retain its discretion in the funding level of its participation.

Section 304: Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate the Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency may impose on all public bodies the planning and design controls contained in the Plan to insure that present uses and any future development by public bodies will conform to the requirements of the Plan. Additionally, consideration will be given to such zoning and design requirements as may be in effect at the time projects are brought before the Agency. In accordance with the Law and Act, the Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements within the Legacy Crossing Project Area. Emphasis will be made on items including, but not limited to, site access issues, view-shed preservation, streetscape and building mass standards, pedestrian connectivity, integration of community spaces, green spaces, and open spaces, vehicular storage, and sustainable development practices.

The Agency specifically intends to cooperate to the extent allowable by law with the City of Moscow, Latah County, and the state of Idaho for the construction and reconstruction of public improvements and facilities, including water and sewer systems and street improvements. Specifically, the Agency intends to address public safety, traffic and connectivity issues in the Legacy Crossing Project Area with the City. The Agency seeks to provide input, guidance, and financial assistance, if appropriate, to improve traffic flow, connectivity and roadway and access improvements, streetscapes, and related traffic issues. The Agency also intends to cooperate with local transit authorities to improve transit and other transportation opportunities in the Project Area.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. However, the Agency will seek the cooperation of all public bodies that own or intend to acquire property in the Legacy Crossing Project Area. Any public body that owns or leases property in the Project Area will be afforded all the privileges of an owner participant if such public body is willing to enter into a participation agreement with the Agency. All plans for development of property in the Project Area by a public body shall comply with the provisions of the Plan.

In the event the Agency is participating with a public entity in a public development by way of financial incentive or otherwise, the public entity shall enter into a participation agreement with the Agency and then said public entity shall be bound by the Plan and other land use elements and shall conform to those standards specified in Section 304 of this Plan.

Section 305: Property Acquisition

Section 305.1: Real Property

Only as specifically authorized herein, the Agency may acquire, through the voluntary measures described below, but is not required to acquire, any real property located in the Project Area where it is determined that the property is needed for construction of public improvements, required to eliminate or mitigate the deteriorated or deteriorating conditions, and as otherwise allowed by law. The acquisition shall be by any means authorized by law, including, but not limited to, the Law, the Act, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, but shall not include the right to invoke eminent domain authority except as authorized herein. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee, including structures and fixtures upon the real property, without acquiring the land upon which those structures and fixtures are located.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performed under the agreement.

The Agency intends to acquire any real property through voluntary or consensual gift, devise, exchange, or purchase. Such acquisition of property may be for the development of the public improvements identified in this Plan or for the assembly of properties for the redevelopment of those properties to achieve the objectives of this Plan. Such properties may include properties owned by private parties or public entities. This Plan does not anticipate the Agency's widespread use of its resources for property acquisition, except for the construction of public improvements and any ability to engage in certain demonstration projects and other major objectives outlined in this Plan and to assemble certain critical or strategic parcels to dispose to the private sector to assist in the redevelopment of the Project Area.

In the event the Agency identifies certain property which should be acquired to develop certain public improvements intended to be constructed under the provisions of this Plan, the Agency shall coordinate such property acquisition with any other public entity (e.g., without limitation, the City, the State of Idaho, or any of its authorized agencies), including the assistance of the Agency of funds to acquire said property either through a voluntary acquisition or the public entity's invoking of its eminent domain authority without an express amendment to this Plan, properly approved by the City Council.

Under the provisions of the Act, the urban renewal plan "shall be sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area." Idaho Code § 50-2018(12). The Agency has not identified any particular parcel for acquisition for the construction of public improvements. These activities are generally described in Attachment 4. The Agency may also acquire property for the purpose of developing public parking facilities, providing public open space, and enhancing the opportunity for other uses. At the present time, the Agency cannot specifically identify which parcels may be necessary for acquisition. The Agency reserves the right to determine which properties, if any, should be acquired. Generally, the Agency will invoke its acquisition authority only for the elimination or mitigation of deteriorated or deteriorating buildings, structures, or properties in order to enhance public open space in the Project Area or to assist or participate in site reclamation, remediation, or elimination of blighted or deteriorated areas, and then only by voluntary means. However, the Agency's authority to invoke eminent domain to acquire real

property for disposition to private parties for economic development is limited by Idaho Code § 7-701A.

Section 305.2: Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of the Plan and where allowed by law, the Agency is authorized to acquire personal property in the Legacy Crossing Project Area by any lawful means, including eminent domain. For purposes of the Plan, acquisition of certain permanent fixtures or improvements upon real property shall be governed by this section.

The Agency retains the right to purchase those fixtures or improvements (including buildings) for the purpose of eliminating certain deteriorated or deteriorating structures or to facilitate the redevelopment of the real property upon which the buildings and structures are located. Such acquisition shall be based upon appraised value of the structures and negotiation with the owner of the structures. The Agency shall take into account, before committing to such acquisition, any environmental or other liability present or potentially present in such structures.

In the event the Agency determines to acquire such property, it shall do so upon the successful negotiation of an owner participation agreement in compliance with the terms of Section 303.1 of the Plan. In addition, such owner shall commit to the redevelopment of the real property and to maintain the real property in a safe and clean manner. The Agency shall acquire such property by way of any acceptable conveyance.

Section 306: Property Management

During such time such property, if any, in the Legacy Crossing Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

Section 307: Relocation of Persons (including Individuals and Families), Business Concerns, and Others Displaced by the Legacy Crossing Project

If the Agency receives federal funds for real estate acquisition and relocation, the Agency shall comply with 24 C.F.R. Part 42, implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The Agency may also undertake relocation activities for those not entitled to benefit under federal law as the Agency may deem appropriate and for which funds are available. In the event the Agency's direct activities result in displacement of families within the Legacy Crossing Project Area, the Agency shall compensate such residents by providing reasonable moving expenses into decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families. For any other activity, the Agency will comply with the provisions of the Idaho Urban Renewal Law regarding relocation.

The Agency reserves the right to extend benefits for relocation to those not otherwise entitled to relocation benefits as a matter of state law under the Act or the Law. The Agency may or may not determine to use as a reference the relocation benefits and guidelines promulgated by the federal government, the state government or local government.

The intent of this section is to allow the Agency sufficient flexibility to award relocation benefits on some rational basis, or by payment of some lump sum per-case basis. The Agency may also consider the analysis of replacement value for the compensation awarded to either owner occupants or businesses displaced by the Agency to achieve the objectives of the Plan. The Agency may adopt relocation guidelines which would define the extent of relocation assistance in non-federally-assisted projects and which relocation assistance to the extent feasible would be uniform. The Agency may adopt relocation guidelines which would define the extent of relocation assistance in non-federally-assisted projects and which relocation assistance to the greatest extent feasible would be uniform. For displacement of families, the Agency shall comply with, at a minimum, the standards set forth in the Law. The Agency shall also comply with all applicable state laws concerning relocation benefits.

Section 308: Demolition, Clearance, and Building Site Preparation

Section 308.1: Demolition and Clearance

The Agency is authorized (but not required) to demolish and clear buildings, structures, and other improvements from any real property in the Legacy Crossing Project Area as necessary to carry out the purposes of the Plan.

Section 308.2: Preparation of Building Sites

The Agency is authorized (but not required) to prepare or cause to be prepared as building sites, any real property in the Legacy Crossing Project Area owned by the Agency. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, parks, pedestrian walkways, traffic signals, drainage facilities, and other public improvements necessary to carry out the Plan.

The Agency is also authorized (but not required) to construct foundations, platforms, and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for commercial, private, public, and other uses provided in the Plan. To the extent allowed by the Law and Act, the Agency may assist in the preparation of building sites by way of reclamation, remediation, or elimination of deteriorated or deteriorating conditions. The Agency is also authorized, but not required, to purchase certain site or building improvements for purposes of site preparation and development.

Section 309: Property Disposition and Development

Section 309.1: Real Property Disposition and Development

Section 309.1 (A): General

For the purposes of the Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property under the reuse provisions set forth in Idaho Code § 50-2011 and as otherwise allowed by law. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding. All purchasers or lessees of property acquired from the Agency shall be obligated to use the property for the purposes designated in the Plan, to begin and complete development of the property within a

period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of the Plan.

Where determined by the Agency to be beneficial to the Legacy Crossing Project Area and in the public good, real property acquired by the Agency may be conveyed by the Agency without charge to any public body as allowed by law. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in the Plan.

Section 309.1 (B): Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of the Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements is subject to the provisions of the Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out pursuant to the Plan.

Leases, deeds, contracts, agreements, and declarations of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out the Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of Latah County.

All property in the Legacy Crossing Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, age, handicap, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property. All property sold, leased, conveyed, or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Legacy Crossing Project Area shall contain such nondiscrimination and non-segregation clauses as required by law. The Developers (including owner/participants) will be required by the contractual agreement to observe the Land Use and Building Requirements provision of the Plan, and to submit a Redevelopment Schedule satisfactory to the Agency. Schedule revisions will be made only at the option of the Agency.

As required by law or as determined in the Agency's discretion to be in the best interest of the Agency and the public, the following requirements and obligations may be included in the agreement:

1. A plan and time schedule for the proposed development shall be submitted to the Agency.
2. The purchase or lease of the land, subterranean rights, and/or air rights is for the purpose of redevelopment and not for speculation.

3. The building of improvements will be commenced and completed as jointly scheduled and determined by the Agency and the developer(s).
4. There will be no discrimination against any person or group of persons because of handicap, age, race, sex, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises or any improvements erected or to be erected thereon or therein conveyed, nor will the developer himself or any person claiming under or through him establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of tenants, lessees, sub-lessees, or vendees in the premises or any improvements therein conveyed. The above provision will be perpetual and will be appended to the land disposed of within the Legacy Crossing Urban Renewal Project Area by the Agency.
5. The site and construction plans will be submitted to the Agency for review as to conformity with the provisions and purposes of this Plan.
6. At the discretion of the Agency, a bond or other surety will be provided acceptable to the Agency to ensure performance under the contract of the sale.
7. Rehabilitation of any existing structure must assure that the structure is safe and sound in all physical aspects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.
8. All such buildings or portions of the buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City of Moscow or Latah County, if applicable.
9. All new construction shall have a minimum estimated life of no less than twenty (20) years.
10. All disposition and development documents and owner participation agreements shall be governed by the provisions of Section 405.2 of the Plan.
11. All such buildings or portions of the buildings which are to remain within the Legacy Crossing Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City of Moscow or Latah County, if applicable. All disposition and development documents shall be governed by the provisions of Section 420 of the Plan.

The Agency also reserves the right to determine the extent of its participation based upon the objectives of this Plan.

Section 309.1 (C) Development by the Agency

To the extent now or hereafter permitted by the Law or Act, the Agency is authorized to pay for, develop, or construct any publicly-owned building, facility, structure, or other improvement within the Legacy Crossing Project Area for itself or for any public body or entity, which buildings, facilities, structures, or other improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the buildings, facilities, structures, and

other improvements described in Attachment 4, attached hereto and incorporated herein by reference, and may acquire or pay for the land required therefore.

The Agency may also prepare properties for development by renovation or other means as allowed by the Law or Act. The Agency may also as allowed by the Law or Act assist in the development of private projects.

In addition to the public improvements authorized under Idaho Code § 50-2007, the Agency is authorized to install and construct, or to cause to be installed and constructed, within the Legacy Crossing Project Area or outside the Project Area, for improvements or facilities that are needed to support new development in the Project Area, for itself or for any public body or entity, public improvements and public facilities, including, but not limited to, the following: (1) utilities; (2) pedestrian and bicycle paths and facilities; (3) traffic signals; (4) landscaped areas; (5) street and sidewalk improvements, including new access roads and streets; (6) sanitary sewers; (7) flood control facilities and storm drains; (8) water mains, pumps, and reservoirs; (9) parks and recreation facilities; (10) improved railroad property use; (11) environmental remediation and property reconditioning; (12) public art installations; and (13) civic plazas or the like. Where appropriate, the Agency seeks to coordinate special streets, parks, and urban open spaces within the Legacy Crossing Project Area to enhance connectivity.

Any public facility ultimately owned by the Agency shall be operated and managed in such a manner as to preserve the public purpose nature of the facility. Any lease agreement with a private entity or management contract agreement shall include all necessary provisions sufficient to protect the public interest and public purpose.

The Agency may enter into contracts, leases, and agreements with the City, or other public body or private entity, pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (2)(b) of Section 50-2908 of the Act and Section 504 to this Plan or out of any other available funds.

Section 309.1 (D) Development Plans

All development plans, whether public or private, prepared pursuant to disposition and development or owner participation agreements shall be submitted to the Agency for review. All development in the Legacy Crossing Project Area must conform to those standards specified in Section 404, *infra*.

Section 310: Personal Property Disposition

For the purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the Agency.

Section 311: Rehabilitation and Conservation

The Agency is authorized to rehabilitate, renovate, and conserve or to cause to be rehabilitated, renovated, and conserved, any building or structure in the Legacy Crossing

Project Area owned by the Agency for preparation of redevelopment and disposition. The Agency is also authorized and directed to advise, encourage, and assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency. The Agency is authorized, though not required, to acquire, restore, rehabilitate, move, and conserve buildings of historic or architectural significance.

Section 312: Participation with Private or Public Development

Under the Law, the Agency has the authority to lend or invest funds obtained from the federal government for the purposes of the Law if allowable under federal laws or regulations. The federal funds that may be available to the Agency are governed by regulations promulgated by the Department of Housing and Urban Development for the Community Development Block Grant Program and other applicable federal programs.

Under those regulations, the Agency may participate with the private sector in the development and financing of those private projects which will attain certain federal objectives.

The Agency may, therefore, use the federal funds for the provision of assistance to private, for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms of support, or any other activity necessary or appropriate to carry out an economic development project. The Agency may also use funds from any other sources for any purpose set forth under the Law.

The Agency may enter into contracts, leases, and agreements with the City or other public body or private entity pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (2)(b) of Section 50-2908 of the Act and Section 504 of the Plan, or out of any other available funds.

Section 313: Conforming Owners

The Agency may, at the Agency's sole and absolute discretion, determine that certain real property within the Legacy Crossing Project Area presently meets the requirements of the Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency, provided such owner continues to operate, use, and maintain the real property within the requirements of the Plan.

Section 314: Art Funding

The Agency will consider funding public art and cultural amenities which add value to the community, through joint ventures with private developers and in cooperation with the City of Moscow. In its implementation of this Plan, the Agency encourages development which integrates public art and culture in the development.

Section 315: Multi-Modal Transportation

The Agency recognizes the need to promote multi-modal transportation in the Legacy Crossing Urban Renewal District, and encourages development which supports and cooperates with the

City of Moscow, the University of Idaho and other partners in providing opportunities for multi-modal transportation.

Section 400: Uses Permitted in the Project Area

Section 401: Redevelopment Plan Map & Development Strategy

The map of the original Legacy Crossing Project Area and Revenue Allocation Area Boundary and the amended and restated annexed area boundary are attached hereto as Attachment 1 and their legal descriptions are attached hereto as Attachment 2; both are incorporated by reference and describe the location and the boundaries of the Project Area. The proposed land uses to be permitted in the Legacy Crossing Project Area for all land, public and private, shall be in accordance with the City of Moscow's Zoning Ordinance, and future redevelopment activities of individual parcels will of course depend on market forces.

Section 402: Designated Land Uses

The Agency intends to rely upon the overall land use designations and zoning requirements of the City of Moscow and where applicable, of Latah County.

Section 402.1: Commercial Uses

Commercial uses shall be as set forth and described in the City of Moscow's Zoning Ordinance.

Section 402.2: Residential Uses

Residential uses shall be as set forth and described in the Zoning Ordinance for the City of Moscow.

Section 402.3: Industrial Uses

Although industrial uses are not contemplated as a primary component of this Plan, should an industrial use of any property within the District be considered, such industrial uses shall be as set forth and described in the Zoning Ordinance for the City of Moscow. Any industrial uses shall be evaluated in consideration of impacts to adjoining and adjacent land uses in the Legacy Crossing Urban Renewal Area and the objectives of this Plan.

Section 403: Other Land Uses

Section 403.1: Public Rights-of-Way

The Legacy Crossing Project Area includes several major public streets, including but not limited to, Jackson Street, A Street, Third Street, Sixth Street, College Street, Main Street and Troy Road/State Highway 8. These and other major rights-of-way may be further developed in the Project Area. Additional public streets, alleys, and easements may be created in the Legacy Crossing Project Area as needed for connectivity and proper development. Existing streets, alleys and easements may be abandoned, closed, expanded, or modified as necessary for proper development of the Legacy Crossing Project in conjunction with any applicable policies

and standards of the City of Moscow or the Idaho Department of Transportation as may be applicable regarding changes to dedicated rights-of-way.

Any changes in the existing interior or exterior street layout shall be in accordance with the objectives of this Plan and the design standards of the City of Moscow or the Idaho Department of Transportation, as may be applicable; shall be effectuated in the manner prescribed by state and local law, and shall be guided by the following criteria:

1. A balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain; such balancing taking into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Legacy Crossing Project Area and any participation agreements executed hereunder.
2. The requirements imposed by such factors as topography, traffic safety, and aesthetics;
3. The potential need to serve not only the Legacy Crossing Project Area and new or existing developments but also to serve areas outside the Project Area by providing convenient and efficient vehicular and pedestrian access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public, franchise and private utilities, and activities typically occurring within public rights-of-way.

Section 403.2: Other Public, Semi-Public, Institutional and Nonprofit Uses

The Agency is also authorized to permit the maintenance, establishment, or enlargement of public, semi-public, institutional, or nonprofit uses. All such uses shall, to the extent possible, conform to the provisions of the Plan applicable to the uses in the specific area involved. The Agency may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Legacy Crossing Project Area.

Section 403.3: Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Legacy Crossing Project Area for interim uses that are not in conformity with the uses permitted in the Plan. However, any interim use must comply with applicable codes and regulations of the City of Moscow.

Section 404: General Controls and Limitations

All real property in the Legacy Crossing Project Area, under the provisions of either a disposition and development agreement or owner participation agreement, is made subject to the controls and requirements of the Plan. No such real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of the Plan, except in conformance with the provisions of the Plan.

Section 404.1: Construction

All development and construction in the Legacy Crossing Project Area shall comply with all applicable state and local laws and codes in effect at the time such development or construction occurs. In addition to applicable codes, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Legacy Crossing Project Area in the event of a disposition and development agreement or owner participation agreement. Such performance and development standards may include requirements for sustainable development, such as green building codes and other sustainable development practices.

Section 404.2: Rehabilitation and Retention of Properties

Any existing structure within the Legacy Crossing Project Area subject to either a disposition and development agreement or owner participation agreement approved by the Agency for retention and rehabilitation shall be repaired, altered, reconstructed, or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to surrounding uses.

Section 404.3: Limitation on Type, Size and Height of Building

Except as set forth in other sections of this Plan, the type, size, and height of buildings shall be as limited by applicable federal, state, and local statutes, ordinances and regulations.

Section 404.4: Open Spaces, Landscaping, Light, Air and Privacy

The approximate amount of open space to be provided in the Legacy Crossing Project Area is the total of all areas which will be public ground, the space around buildings, and all other outdoor areas not permitted to be covered by buildings. Landscaping shall be developed in the Legacy Crossing Project Area to ensure optimum use of living plant material. Sufficient space shall be maintained between buildings in all areas to provide adequate light, air, and privacy.

Section 404.5: Signs

All signs shall conform to City of Moscow's sign ordinances as they now exist or are hereafter amended.

Section 404.6: Utilities

The Agency shall require that all utilities within the Legacy Crossing Project Area be placed underground whenever physically and economically feasible.

Section 404.7: Incompatible Uses

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors which would be incompatible with the surrounding areas or structures shall be permitted in any part of the Legacy Crossing Project Area.

Section 404.8: Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon age, race, color, creed, religion, sex, marital status, national origin, handicap, or ancestry permitted in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Legacy Crossing Project Area.

Section 404.9: Subdivision of Parcels

Any parcel in the Legacy Crossing Project Area shall be subdivided only in compliance with the City of Moscow Subdivision Ordinance. Additionally, consideration will be given to design requirements as may be adopted by the City and in effect at the time projects are brought before the Agency.

Section 404.10: Minor Variations

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions, and controls established by this Plan. In order to permit such variation, the Agency must determine that:

1. The application of certain provisions of the Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Plan;
2. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls;
3. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and
4. Permitting a variation will not be contrary to the objectives of the Plan.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of the Plan, without amendment of the Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public peace, health, safety, or welfare and to assure compliance with the purposes of the Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under City codes and ordinances.

Section 404.11: Off-Street Loading

All development and construction in the Legacy Crossing Project Area shall provide for off-street loading as required by the City ordinances as they now exist or are hereafter amended.

Section 404.12: Off-Street Parking

All development and construction in the Legacy Crossing Project Area shall provide off-street parking as required by the City ordinances as they now exist or are hereafter amended.

Section 405: Design for Development

Section 405.1: Design Guidelines for Development

Within the limits, restrictions, and controls established in the Plan and to the extent allowed by law, the Agency is authorized to establish heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Legacy Crossing Project Area. The Agency intends to rely on City standards including any particular standards which the City may impose over the Legacy Crossing Project Area. Any development must also comply with the City of Moscow's Zoning & Subdivision Ordinances regarding heights, setbacks, and other like standards.

In the case of property which is the subject of a disposition and development or owner participation agreement with the Agency, no new development or improvement shall be constructed and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated except in accordance with the Plan. Under those agreements the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. One of the objectives of the Plan is to create an attractive and pleasant environment in the Legacy Crossing Project Area. Therefore, such plans shall give consideration to good design and other amenities to enhance the aesthetic quality of the Legacy Crossing Project Area. The Agency shall not approve any plans that do not comply with the Plan.

In the event the Agency adopts design standards or controls, those provisions will thereafter apply to each site or portion thereof in the Legacy Crossing Project Area. Those controls and standards will be implemented through the provisions of any disposition and development agreement or owner participation agreement or by appropriate covenants appended to the land and instruments of conveyance executed pursuant thereto. These controls are in addition to any standards and provisions of any applicable City building or zoning ordinances; provided, however, each and every development shall comply with all applicable City zoning and building ordinances. Absent the Agency developing and promulgating specific design standards or controls, the Agency shall review all projects by applying and/or deferring to the usual approval process imposed by the City.

Section 405.2: Design Guidelines for Development under a Disposition and Development Agreement or Owner Participation Agreement

Under an owner participation agreement or a disposition and development agreement, the design guidelines and land use elements as imposed shall be achieved to the greatest extent feasible, though the Agency retains the authority to grant minor variations under Section 404.10 of the Plan and subject to a negotiated agreement between the Agency and the developer or property owner.

Under those agreements, the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. In such agreements, the Agency or the City

may impose additional design controls, or require that consideration be given to certain design preferences. One of the objectives of the Plan is to create an attractive environment in the Legacy Crossing Project Area. Therefore, such plans shall give consideration to good design and amenities to enhance the aesthetic quality of the Project Area. These additional design standards or controls will be implemented through the provisions of any disposition and development agreement or owner participation agreement or by appropriate covenants appended to the land and instruments of conveyance executed pursuant thereto. These controls are in addition to any standard and provision of any applicable City building or zoning ordinance; provided, however, each and every development shall comply with all applicable City zoning and building ordinances, including any adopted City design standards or overlay zones.

Section 500: Methods of Financing the Project

Section 501: General Description of the Proposed Financing Methods

As allowed by the Law and the Act, the Agency is authorized to finance this Project with financial assistance from the City, State of Idaho, federal government, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property, revenue allocation funds, or any other available source, public or private, including assistance from any taxing district or any public entity.

The Agency is also authorized to obtain advances, borrow funds, and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds, and indebtedness may be paid from any funds available to the Agency. The City, as it is able, may also supply additional assistance through City loans and grants for various public facilities.

The City or any other public entity may expend money to assist the Agency in carrying out this Project.

The Agency may also provide certain grants or loans to property owners, business owners, or others as may be allowed by law.

Section 502: Revenue Bond Funds

As allowed by the Law and the Act and subject to such restrictions as are imposed by law, the Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency, nor any persons executing the bonds shall be liable on the bonds by reason of their issuance.

Section 503: Other Loans and Grants

As allowed by the Law and the Act, any other loans, grants, guarantees, or financial assistance from the United States, the State of Idaho, or any other public or private source will be utilized if available. Neither the members of the Agency nor any persons executing such loans or grants shall be liable on the loans or grants by reason of their issuance.

Section 504: Revenue Allocation Financing Provisions

The Agency hereby adopts revenue allocation financing provisions as authorized by the Act, Chapter 29, Title 50, Idaho Code, effective retroactively to January 1, 2008, for the original Project Area, and effective retroactively to January 1, 2018, for the Main Street Project Area. These revenue allocation provisions shall apply to all taxing districts in which the Legacy Crossing Revenue Allocation Area is located and described on Attachment 1 and Attachment 2 to the Plan. The Agency shall take all actions necessary or convenient to implement these revenue allocation financing provisions. The Agency specifically finds that the equalized assessed valuation of property within the Revenue Allocation Area is likely to increase as a result of the implementation of the Plan.

The Agency, acting by one or more properly adopted motions, policies or resolutions adopted by its board of commissioners, is hereby authorized to apply all or any portion of the revenues allocated to the Agency pursuant to the Act to pay such costs as are incurred or to pledge all or any portion of such revenues to the repayment of any moneys borrowed, indebtedness incurred, or bonds issued by the Agency to finance or to refinance the Project costs (as defined in Idaho Code § 50-2903(14)) of one or more redevelopment projects.

Upon enactment of an ordinance by the governing body of the City finally adopting these revenue allocation financing provisions and defining the Revenue Allocation Area described herein as part of the Plan, there shall hereby be created a special fund of the Agency into which the County Treasurer shall deposit allocated revenues as provided in Idaho Code § 50-2908. The Agency shall use such funds solely in accordance with Idaho Code § 50-2909 and solely for the purpose of providing funds to pay the project costs, including any incidental costs, of such redevelopment projects as the Agency may determine by motion, policy or resolution of its board of commissioners.

A statement listing proposed public improvements and facilities, estimated project cost ranges as they are currently known, an economic feasibility study, fiscal impact upon taxing districts, and methods of financing project costs required by Idaho Code § 50-2905 is included in Attachment 5 to the Plan. This statement necessarily incorporates estimates and projections based upon the Agency's present knowledge and expectations. The Agency is hereby authorized to modify the presently anticipated redevelopment projects and use of revenue allocation financing of the related Project costs if the board of commissioners of the Agency deems such modification necessary or convenient to effectuate the general objectives of the Plan.

The Agency may provide for expenditure of revenue allocation proceeds on an annual basis without the issuance of bonds. The Agency may also provide for obtaining advances or loans from the City, private entities, or other sources in order to immediately commence construction of certain of the public improvements. Revenues will continue to be allocated to the Agency until the improvements identified in Attachment 4 are completely constructed or until any obligation to the City or other public entity or private entity are fulfilled.

Attachment 5 incorporates estimates and projections based on Agency's present knowledge and expectations concerning the infrastructure and other improvements needed, and the cost estimates of such infrastructure and improvements. The activity may cost more or less depending on the significance, and the timeliness of development is presently unknown. Activity may be completed earlier if revenue allocation proceeds are greater or the Agency obtains additional funds; or later as the delayed receipt of proceeds requires.

The revenue allocation proceeds are hereby irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness such as bonds, notes, and other obligations (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part, as well as payment for costs incurred for activities of the Project.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project.

The Agency reserves the right to either pay for Project costs from available revenue or borrow funds by incurring debt through notes or other obligations.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project.

Revenue allocation proceeds are deemed to be only a part of the proposed funding sources for the payment of public improvements and other project improvements. Additionally, project funding is proposed to be phased for the improvements, allowing various sources of funds to be accumulated for use.

The assumptions concerning revenue allocation proceeds are based upon certain assessed value increases and assumed tax levy rates.

Section 504.1: Economic Feasibility Study

Attachment 5 consists of the economic feasibility study for the Legacy Crossing Project Area. The feasibility study constitutes the financial analysis required by the Act. Additional analyses may be undertaken by the Agency at its discretion.

The assumptions set forth in the Study are based upon the best information available to the Agency through public sources or discussions with property owners, developers, and others. The information has been analyzed by the Agency and its consultants in order to provide an analysis that meets the requirements set forth under the Law and Act. At the point in time when the Agency may seek a loan from lenders or others, a more detailed and then-current financial pro forma will be presented to those lenders or underwriters for analysis to determine the borrowing capacity of the Agency. As set forth below, the Agency reserves the right to fund the Project on a "pay as you go" basis. The Agency Board will prioritize the activities set forth in this Plan and determine what funds are available and what activities can be funded. The Agency will establish those priorities through its mandated annual budgetary process.

Section 504.2: Assumptions and Conditions/Economic Feasibility Statements

The current information contained in Attachment 5 assumes certain completed and projected actions. Under the provisions of the Act, the revenue allocation shall continue until any bond debt or other obligation is satisfied. All debt is projected to be repaid no later than the duration period of the Plan. The total amount of indebtedness and the amount of revenue generated by revenue allocation is dependent upon the extent and timing of private development. Should all of the development take place as projected, indebtedness could be extinguished earlier,

dependent upon the bond sale documents or other legal obligations. Should private development take longer to materialize, or should the private development be substantially less than projected, then the amount of revenue generated will be substantially reduced and those obligations may continue for their full term.

The Plan and Attachments under current consideration incorporate estimates and projections based on the Agency's present knowledge and expectations. The Agency may modify the Project if the board of commissioners of the Agency deems such modifications necessary to effectuate the Plan. The Plan proposes certain public improvements, including utility improvements, streetscapes, street improvements, property acquisition, and relocation costs, which will facilitate development in the Legacy Crossing Project Area.

Section 504.3: Ten Percent Valuation² and Geographic Limitations

Under the Act the base assessment roll for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed valuation of all taxable property for the entire City of Moscow. County records show the January 1, 2017, adjusted base assessment roll value for the original Legacy Crossing Project Area, not including operating property and less any homeowner's exemption, is **\$44,969,560**. The January 1, 2017, total assessed valuation of the Main Street Project Area is **\$13,096,968**. The combined base value of the Project Area is **\$58,066,528**.

The total assessed value for the City of Moscow as of January 1, 2017, less homeowner's exemptions, is **\$1,147,063,791**. Therefore, the combined base assessment roll for all Agency Revenue Allocation Areas, which only currently includes the Legacy Crossing District, is **5.0%** which does not exceed ten percent (10%) of the assessed value for the City of Moscow.

Further, Idaho Code § 50-2033, effective 2011, provides: "[a]n urban renewal plan that includes a revenue allocation area may be extended only one (1) time to extend the boundary of the revenue allocation so long as the total area to be added is not greater than ten percent (10%) of the existing revenue allocation area and the area to be added is contiguous to the existing revenue allocation area but such contiguity cannot be established solely by a shoestring or strip of land which comprises a railroad or public right-of-way." The 2008 Project Area consists of 163 acres; therefore the 10% geographic limit is 16.3 acres. The Main Street Project Area, which is adjacent and contiguous to the 2008 Project Area consists of 12 acres, which is less than 10% of the acreage included in the original 2008 Project Area.

Section 504.4: Financial Limitation

Several capital improvement projects are contemplated in the Legacy Crossing Project Area. Use of any particular financing source for any particular purpose is not assured or identified. Use of the funding source shall be conditioned on any limiting authority. Use of revenue allocation funds will be limited by the authority of the Act. If revenue allocation funds are unavailable, then the Agency will need to utilize a different funding source for that improvement,

² Due to the timing of the assessment process and creation of this Plan, the 2017 values have been used to establish compliance with the 10% limitation. Even assuming an increase in values for 2018, the combined values of the revenue allocation areas would not exceed 10% of the current assessed value for the entire City.

including grant funds. In that situation, the feasibility studies will examine the potential of grant funding.

The amount of funds available to the Agency from revenue allocation financing is directly related to the assessed value of new improvements within the Legacy Crossing Revenue Allocation Area. Under the Act, the Agency is allowed the revenue allocation generated from inflationary increases and new development value. The feasibility studies have assumed certain annual increases over the term of the Plan based on historical analysis and other circumstances.

Various estimates and projections constitute an economic feasibility study. Costs and revenues are analyzed, and the analysis shows the need for public capital funds during the Project. The feasibility studies identify the kind, number, and location of all proposed or contemplated public works or improvements, a list of estimated project costs, and the revenue that is projected to be generated over the life of the District. (See Idaho Code § 50-2905.) Based on these funding sources, the conclusion is that the Project is feasible.

The information contained in the feasibility studies assumes certain projected actions. First, the Agency has projected the possibility of bond terms and note issues. Should this or a similar financing mechanism be considered, the bond term will be finally determined by the marketability of the notes. Under the provisions of the Act, the revenue allocation may continue until the end of the Plan term. Second, the total amount of indebtedness and the amount of revenue generated by revenue allocation is dependent upon the extent and timing of private development. Should all of the development take place as projected, indebtedness would be extinguished earlier, dependent upon the bond sale documents and legal obligations therein. Should private development take longer to materialize or should the private development be substantially less than projected, then the amount of revenue generated will be substantially reduced and bonds may continue for their full term.

The proposed timing for the public improvements may very well have to be modified depending upon the availability of some of the funds and the Agency's ability to sell an initial issue of notes or bonds.

The Plan has shown that the equalized valuation of the Legacy Crossing Revenue Allocation Area as defined in the Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Plan.

Section 504.5: [RESERVED]

Section 504.6: Participation with Local Improvement Districts and Business Improvements Districts

Under the Idaho Local Improvement District Code, Chapter 17, Title 50, Idaho Code, the City has the authority to establish local improvement districts for various public facilities, including, but not limited to, streets, curbs, gutters, sidewalks, storm drains, landscaping, and other like facilities. To the extent allowed by the Law and the Act, the Agency reserves the authority to participate in the funding of local improvement district facilities. This participation may include either direct funding to reduce the overall cost of the LID or to participate as an assessed entity to finance the LID project.

Under the Business Improvement District Code (BID), Chapter 26, Title 50, Idaho Code, the City has the authority to establish business improvement districts for the acquisition, construction and maintenance of parking facilities, promotion of public events, general promotion of retail trade in the district, and physical improvement and decoration of any public space in the district. To the extent allowed by the Law and Act, the Agency reserves the authority to participate in the funding of the business improvement district activities. The participation may include either direct funding to reduce the overall cost of the BID or to participate as an assessed entity, should the Agency own any property subject to assessment.

Section 504.7: Issuance of Debt and Debt Limitation

Any debt incurred by the Agency as allowed by the Law and Act shall be secured by revenues identified in the debt resolution or revenue allocation funds as allowed by the Act. All such debt shall be repaid within the duration of this Plan.

Section 504.8: Impact on Other Taxing Districts and Levy Rate

A specific delineation of tax dollars generated by revenue allocation upon each taxing district has not been prepared. The overall impact of the Legacy Crossing Project Area on revenue allocation is shown in the economic feasibility study (see Attachment 5). Since the passage of Idaho Code § 63-802 in 1995, taxing entities are constrained in establishing levy rates by a function of the amount each budget of each taxing district can increase on an annual basis. Therefore, the impact of revenue allocation is more of a product of the imposition of Idaho Code § 63-802. In addition, without the revenue allocation district and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Legacy Crossing Project Area would be expected in the next five to ten years, hence there would be lower increases in assessed valuation to be used by the other taxing entities.

If the overall levy rate is less than assumed, the Agency will receive fewer funds from revenue allocation. The assessed value for each property in a revenue allocation area consists of a base value and an increment value. The base value is the assessed value as of January 1 of the year in which a revenue allocation area is approved by a municipality, with periodic adjustments allowed by Idaho State Code. The increment value is the difference between the base assessed value and current assessed value in any given year while the property is in a revenue allocation area. Under Idaho Code § 63-802, taxing entities are constrained in establishing levy rates by the amount each budget of each taxing district can increase on an annual basis. Taxing entities submit proposed budgets to the County Board of Commissioners, which budgets are required to comply with the limitations set forth in Idaho Code § 63-802.

The County Board of Commissioners calculates the levy rate required to produce the proposed budget amount for each taxing entity using the assessed values which are subject to each taxing entity's levy rate. Assessed values in urban renewal districts which are subject to revenue allocation (incremental values) are not included in this calculation. The combined levy rate for the taxing entities is applied to the incremental property values in a revenue allocation area to determine the amount of property tax revenue which is allocated to an urban renewal agency. The property taxes generated by the property values in the urban renewal districts that are not subject to revenue allocation and by properties outside revenue allocation areas are distributed to the other taxing entities. Properties in revenue allocation areas are subject to the same levy

rate as they would be outside a revenue allocation area. The difference is how the revenue is distributed.

One result of new construction occurring outside the revenue allocation area (Idaho Code §§ 63-802 and 63-301A) is the likely reduction of the levy rate as assessed values increase for property within each taxing entity's jurisdiction. From and after December 31, 2006, Idaho Code § 63-301A prohibits taxing entities from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Project Area is not available for inclusion by the taxing entities to increase their budgets. Less tax revenue will be available to those taxing entities. Upon termination of this Plan, the taxing entities will be able to include the accumulated new construction roll value in setting the following year's budget and revenue from such value is not limited to the three percent increase allowed in Idaho Code § 63-802(1)(a).

As the 2018 certified levy rates are not determined until late September 2018, the 2017 certified levy rates have been used in the Study for purposes of the analysis. For Tax Year 2017, those districts and rates are as follows:³

Latah County	.004368392
City of Moscow	.004772535
School District No. 281	.006502582
Latah County Library District	.000582073
Moscow Cemetery District	.000184443
North Latah Highway District	.001389756

Additionally, the economic feasibility study has utilized a 2017 tax levy rate, and presumed 2017 levy rates will remain constant throughout the term of the Plan⁴.

Section 504.9: Phasing and Other Fund Sources

The Agency anticipates funding only a portion of the entire costs of the public improvements shown on Attachment 4. Other sources of funds shall include developer contributions, federal and state funds, foundation funds, grants, and City of Moscow participation. Agency participation shall be determined by the amount of revenue allocation funds generated.

Section 504.10: Lease Revenue Bonds

One other potential source of financing is lease revenue bonds from the user of a public facility. For example, a lease base revenue bond may be a way to finance certain public buildings without the use or obligation of revenue allocation proceeds.

Section 504.11: Lease Revenue, Parking Revenue, and Bonds

Under the Law, the Agency is authorized to issue revenue bonds to finance certain public improvements identified in the Urban Renewal Plan. Under that type of financing, a public entity would pay the Agency a lease payment annually which provides certain funds to the

³ Pursuant to Idaho Code § 50-2908, these levy rates do not include voter approved bonds or levies.

⁴ The levy rates are the same for the original Project Area and the annexed Main Street Project Area.

Agency to retire the bond debt. Another variation of this type of financing is sometimes referred to as conduit financing, which provides a mechanism where the Agency uses its bonding authority for the Project, with the end user making payments to the Agency to retire the bond debt. These sources of revenues are not related to revenue allocation funds and may not be particularly noted in the Study, because of the “pass through” aspects of the financing. Under the Act, the economic feasibility study focuses on the revenue allocation aspects of the Agency’s financial model.

These financing models typically are for a longer period of time than the life of the Plan and survive termination pursuant to Idaho Code § 50-2905(8) as resources other than revenue allocation funds are used.

505 Membership Dues and Support of Community Economic Development

The Act is premised upon economic development being a valid public purpose. To the extent allowed by the Law and the Act, the Agency reserves the authority to use revenue allocation funds to contract with non-profit and charitable organizations established for the purpose of supporting economic development and job creation. Additionally, the Agency reserves the authority to expend revenue allocation funds to join, participate and support non-profit organizations established to support Agency best practices and administration. The line item of Operating Expense within the Study shall be deemed to include expenditures for the purposes described in this section as may be deemed appropriate during the annual budgetary process.

Section 600: Actions by the City of Moscow

The City of Moscow shall aid and cooperate with the Agency in carrying out the Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of the Plan and to prevent the recurrence or spread of deteriorated or deteriorating conditions in the Legacy Crossing Project Area. Actions by the City may include, but not be limited to, the following:

1. Institution and completion of proceedings necessary for changes and improvements in private and publicly-owned property, rights-of-way, or public utilities within or affecting the Legacy Crossing Project Area;
2. Revision of zoning, if necessary, within the Legacy Crossing Project Area to permit the land uses and development authorized by the Plan;
3. Imposition, wherever necessary, by conditional use permits or other means of appropriate controls within the limits of this Plan upon parcels in the Legacy Crossing Project Area to ensure their proper development and use;
4. Provision for administrative enforcement of the Plan by the City after development, wherein the City and the Agency may develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Legacy Crossing Project Area throughout the duration of the Plan;
5. Building code enforcement;

6. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Legacy Crossing Project Area to be commenced and carried to completion without unnecessary delays;
7. Institutional and completion of proceedings necessary for the establishment of a LID under Chapter 17, Title 50, Idaho Code, or a BID under Chapter 26, Title 50, Idaho Code;
8. The undertaking and completing of any other proceedings necessary to carry out the Legacy Crossing Project;
9. Administration of Community Development Block Grants and other state and federal grant funds that may be made available for the Legacy Crossing Project;
10. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like;
11. The imposition, whenever necessary (by conditional use permits or overlay zones or other means as appropriate) of controls within the limits of the Plan upon parcels in the Legacy Crossing Project Area to ensure their proper development and use.

Any of the foregoing actions taken by the City shall not constitute any commitment for financial outlays by the City.

Section 601: Maintenance of Public Improvements

The Agency has not identified any commitment or obligation for long-term maintenance of the public improvements identified. The Agency will need to address this issue with the appropriate entity, public or private, who has benefited from or is involved in the ongoing preservation of the public improvement.

Section 700: Enforcement

The administration and enforcement of the Plan, including the preparation and execution of any documents implementing the Plan, shall be performed by the Agency and/or the City, as per adopted procedures and policies.

The provisions of the Plan or other documents entered into pursuant to the Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions, or any other remedies appropriate to the purposes of the Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Legacy Crossing Project Area may be enforced by such owners.

Section 800: Duration of This Plan

Except for the nondiscrimination and non-segregation provisions, which shall run in perpetuity, the provisions of the Plan shall be effective, and the provisions of other documents formulated pursuant to the Plan shall be effective for twenty-four (24) years from the effective date of the original Plan subject to modifications and/or extensions set forth in Idaho Code § 50-2904. The revenue allocation authority shall expire on December 31, 2032, except for any revenue allocation proceeds received in calendar year 2033, as contemplated by Idaho Code § 50-2905(7).

Idaho Code § 50-2903(5) provides the Agency shall adopt a resolution of intent to terminate the revenue allocation area by September 1. In order to provide sufficient notice of termination to the affected taxing districts to allow them to benefit from the increased budget capacity, the Agency will use its best efforts to provide notice of its intent to terminate this Plan and its revenue allocation authority by May 1, 2033, or if the Agency determines an earlier terminate date, then by May 1 of the early termination year:

1. When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Idaho Code § 50-2908 shall thereupon cease; any moneys in such fund or funds in excess of the amount necessary to pay such principal and interest shall be distributed to the affected taxing districts in which the Revenue Allocation Area is located in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue Allocation Area; and the powers granted to the Agency under Idaho Code § 50-2909 shall thereupon terminate.
2. In determining the termination date, the Plan shall recognize that the Agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the Plan.
3. For the fiscal year that immediately predates the termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the Plan and make a determination as to whether the Revenue Allocation Area can be terminated before January 1 of the termination year pursuant to the terms of Idaho Code § 50-2909(4). In the event that the Agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by September 1, the Agency shall adopt a resolution advising and notifying the local governing body, the county auditor, and the Idaho State Tax Commission, recommending the adoption of an ordinance for termination of the Revenue Allocation Area by December 31 of the current year, and declaring a surplus to be distributed as described in Idaho Code § 50-2909, should a surplus be determined to exist. The Agency shall cause the ordinance to be filed with the office of the Latah County recorder and the Idaho State Tax Commission as provided in Idaho Code § 63-215.

Upon termination of the revenue allocation authority of the Plan, to the extent the Agency owns or possesses any assets, the Agency shall dispose of any remaining assets by granting or conveying or dedicating such assets to the City of Moscow.

Section 900: Procedures for Amendment

The Plan may be further modified at any time by the Agency, provided that, if modified after disposition of real property in the Legacy Crossing Project Area or after execution of an owner participation agreement, the modifications must be consented to by the developer or developers or their successor or successors of such real property whose interest is substantially affected by the proposed modification. Where the proposed modification will substantially change the Plan, the modifications must be approved by the Moscow City Council in the same manner as the original Plan. Substantial changes for Moscow City Council approval purposes shall be defined as revisions in project boundaries, land acquisition, and other changes which will violate the objectives of the Plan.

Section 1000: Severability

If any one or more of the provisions contained in the Plan to be performed on the part of the Agency shall be declared by any court of competent jurisdiction to be contrary to law, then such provision or provisions shall be null and void, shall be deemed separable from the remaining provisions in the Plan, and shall in no way affect the validity of the other provisions of the Plan.

Section 1100: Annual Report

Under the Law, the Agency is required to file with the City, on or before March 31 of each year, a report of the Agency's activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such calendar year. This annual report shall be considered at a public meeting to report these findings and take comments from the public.

Additionally, the Agency must comply with certain other reporting requirements as set forth in Idaho Code § 67-450E, and the local government registry portal, Idaho Code § 50-2913, the tax commission plan repository. Failure to report the information requested under any of these statutes results in significant penalties, including loss of increment revenue, and the imposition of other compliance measures by the Latah County Board of County Commissioners.

Attachment 1
Map of Project Area Boundary

CITY OF MOSCOW
LEGACY CROSSING URBAN
RENEWAL DISTRICT AREA

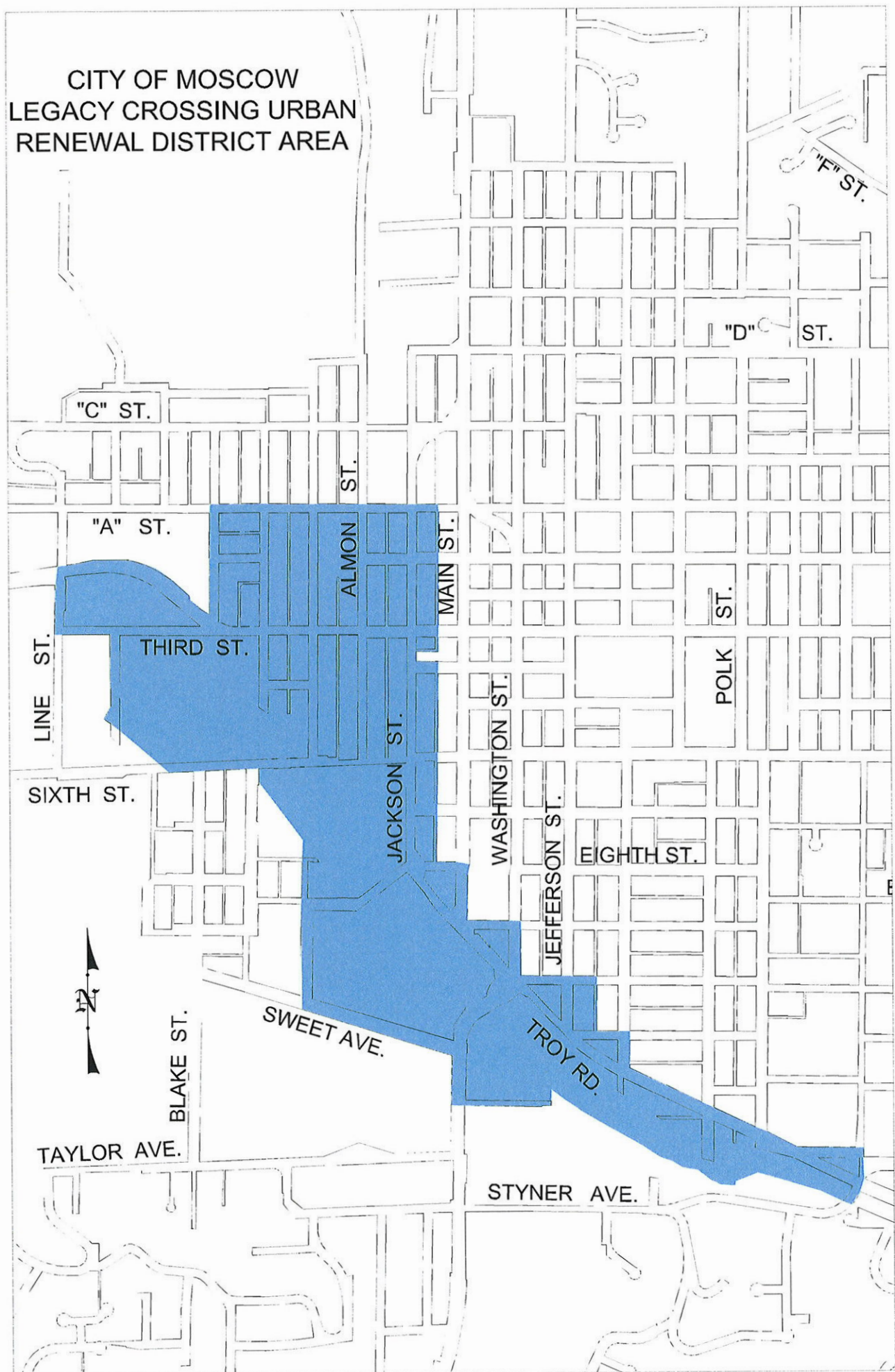
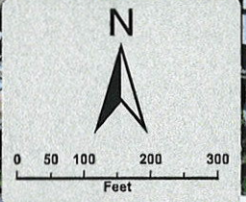
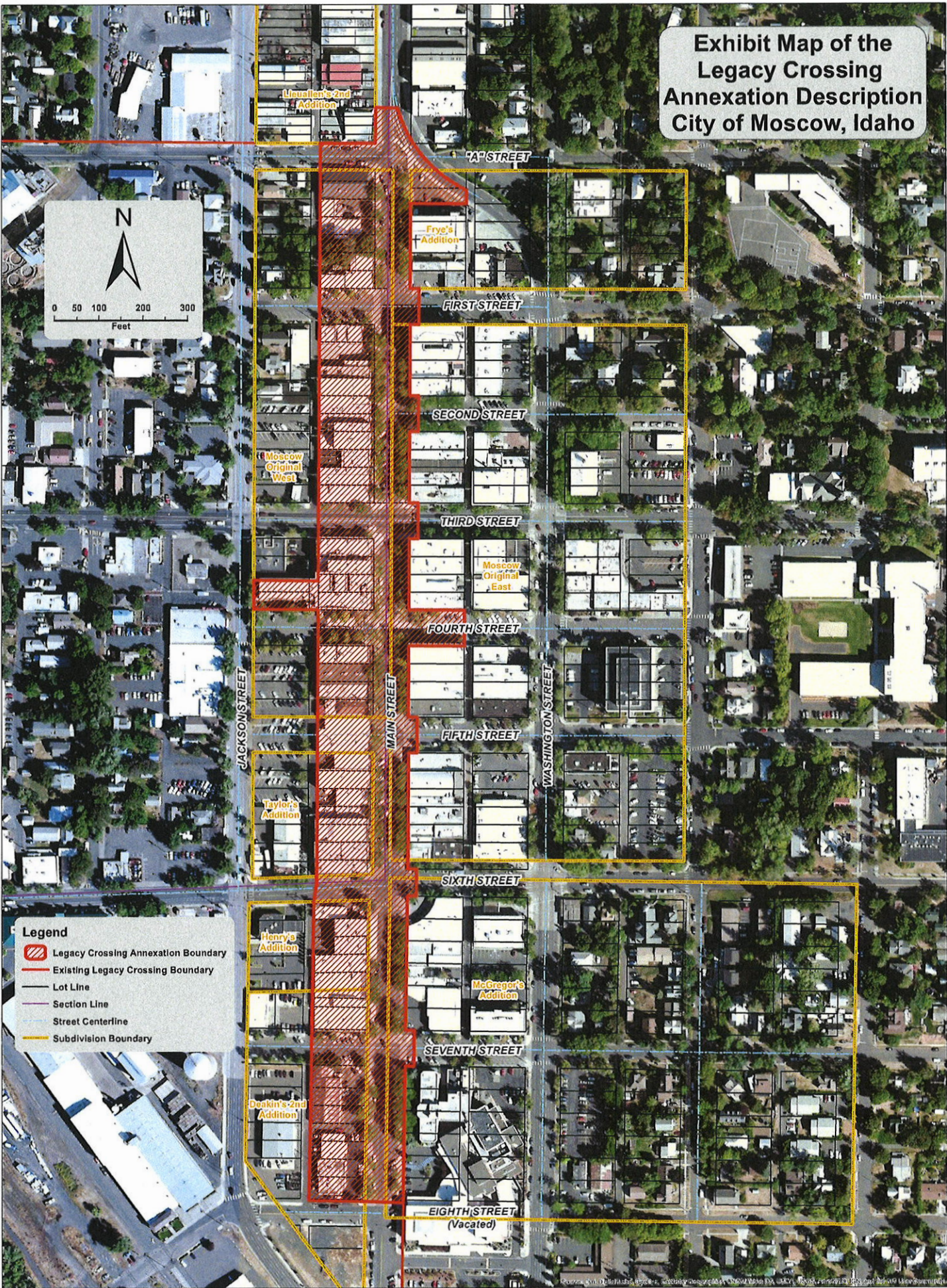


Exhibit Map of the
Legacy Crossing
Annexation Description
City of Moscow, Idaho



- Legend**
- Legacy Crossing Annexation Boundary
 - Existing Legacy Crossing Boundary
 - Lot Line
 - Section Line
 - Street Centerline
 - Subdivision Boundary



Attachment 2
Legal Description of the Legacy Crossing Urban
Renewal District Revenue Allocation Area

DESCRIPTION OF URBAN RENEWAL AGENCY BOUNDARY
LEGACY CROSSING – CITY OF MOSCOW, IDAHO

January 11, 2008
R. Crumley

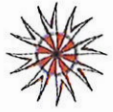
An Urban Renewal Agency boundary located in the City of Moscow, Latah County, Idaho, and being more particularly described as follows:

Commencing at the south quarter corner of Section 7, Township 39 North, Range 5 West, Boise Meridian; thence N00°59'25"E 892.37 feet, along the longitudinal centerline of said Section 7, to a point on the south right-of-way line of Third Street; thence along said south right-of-way line N89°31'48"W 19.48 feet to the point of intersection with the west right-of-way line of Line Street and the TRUE POINT OF BEGINNING of this description;

Thence along said west right-of-way line of Line Street, N00°15'37"E 358.94 feet to the south right-of-way line of State Highway 8; thence N01°32'40"W 134.61 feet to the intersection of the west right-of-way line of Line Street and the north right-of-way line of State Highway 8; thence N85°36'04"E 65.28 feet to the intersection of the east right-of-way line of Line Street and the north right-of-way line of State Highway 8; thence along said north right-of-way line the following courses: S59°49'01"E 24.47 feet, N82°03'47"E 46.54 feet, N82°20'49"E 33.01 feet, N82°20'35"E 30.34 feet, N74°41'56"E 38.83 feet, and N89°44'38"E 241.33 feet to a point of curvature; thence continuing along said north right-of-way line, 159.38 feet along a curve to the right having a radius of 696.62 feet, a central angle of 13°06'31", and a chord bearing of S71°09'06"E 159.03 feet; thence continuing along said right-of-way line S00°28'41"W 16.58 feet to a point of curvature; thence along said right-of-way line, 84.52 feet along a curve to the right having a radius of 681.62 feet, a central angle of 07°06'16" and a chord bearing of S60°27'27"E 84.47 feet; thence continuing along said right-of-way line the following courses: S57°31'48"E 46.74 feet, S49°02'42"E 160.50 feet, S47°54'19"E 10.39, and S51°24'33"E 188.50 feet to the west right-of-way line of Lieuallen Street; thence along said west right-of-way line, N00°33'44"E 728.76 feet to the north right-of-way line of 'A' Street; thence along said north right-of-way line, S89°31'48"E 1513.00 feet to the east right-of-way line of a 20 foot wide platted alley located between Jackson Street and Main Street; thence along said alley right-of-way line, S00°19'27"W 980.00 feet; thence along the south right-of-way of a dedicated 15 foot wide alley, N89°31'48"W 145.00 feet; thence along the east right-of-way line of Jackson Street, S00°19'27"W 65.00 feet; thence along the north right-of-way line of Fourth Street, S89°31'48"E 145.00 feet; thence along the east right-of-way line of said 20 foot wide alley, S00°19'27"W

612.50 feet; thence S10°11'37"W 40.90 feet to the intersection of the south right-of-way line of Sixth Street and the east right-of-way line of a platted 20 foot wide alley located between Jackson Street and Main Street; thence along said east right-of-way line, S00°55'56"W 669.50 feet; thence along the north right-of-way line of Eighth Street, S89°04'04"E 125.00 feet to the west right-of-way line of Main Street; thence S88°13'17"E 86.51 feet to the intersection of the east right-of-way line of Main Street and the north right-of-way line of Eighth Street (vacated); thence along the east right-of-way of Main Street, S00°55'56"W 323.00 feet; thence along a dedicated right-of-way, S34°12'54"E 69.48 feet; thence along the north right-of-way line of Lewis Street, S89°20'02"E 161.00 feet; thence along a dedicated right-of-way, N63°10'13"E 77.97 feet; thence S65°03'43"E 87.57 feet to the intersection of the north right-of-way line of Lewis Street and the east right-of-way line of Washington Street; thence along said east right-of-way line of Washington Street, S00°55'56"W 345.00 feet; thence along a dedicated right-of-way, S43°02'47"E 20.75 feet; thence along the north right-of-way line of Spotswood Street, S89°20'02"E 495.60 feet to the east right-of-way line of a 20 foot wide platted alley between Jefferson Street and Adams Street; thence along said alley right-of-way line, S00°55'56"W 360.00 feet; thence along the north right-of-way line of Veatch Street, S89°20'02"E 220.00 feet; thence along the east right-of-way line of Adams Street, S00°55'56"W 240.00 feet; thence along the northerly right-of-way line of State Highway 8, S64°17'39"E 1228.98 feet; thence along the north right-of-way line of White Avenue (currently White Place), S89°20'33"E 441.00 feet; thence along the east right-of-way line of Lynn Avenue, S00°42'04"W 60.07 feet to a point on the latitudinal centerline of Section 17, Township 39 North, Range 5 West, Boise Meridian; thence S02°00'25"E 143.78 feet to the intersection of the northerly right-of-way line of State Highway 8 and the south right-of-way line of White Avenue; thence S10°48'04"W 194.47 feet to the intersection of the latitudinal centerline of said Section 17 and the former southerly right-of-way line of the Burlington Northern Railway; thence along said southerly right-of-way line, N66°53'37"W 188.68 feet; thence continuing along said former right-of-way line, 442.65 feet along a curve to the left having a radius of 2814.90 feet, a central angle of 09°00'36", and a chord bearing of N71°23'55"W 442.20 feet; thence continuing along said former right-of-way line, N75°54'14"W 88.62 feet; thence leaving said former right-of-way line, S70°00'30"W 156.64 feet, along the southeasterly boundary of Lot 1, Block 3 of the Deerfield Addition; thence along the southerly boundary of the City of Moscow pathway property the following courses: S00°57'44"W 19.85 feet, N89°15'51"W 105.00 feet, N63°45'59"W 72.01 feet, thence N50°26'38"W 111.66 feet; thence N81°44'31"W 94.69 feet, N60°04'09"W 77.90 feet, and N82°42'25"W 87.18 feet to the east boundary line of Berman Park; thence N69°48'55"W 357.76 feet to the west boundary line of Berman Park; thence N23°18'04"W 140.84 feet along the City of Moscow property to the former southerly right-of-way of the Burlington Northern Railway; thence along said former right-of-way line, 270.28 feet along a curve to the right with a radius of 2342.00 feet, a central angle of 06°36'44", and a chord bearing of N57°44'43"W 270.13 feet; thence continuing along said former right-of-way line,

N54°25'34"W 119.12 feet; thence S00°54'07"W 104.23 feet to the southeast corner of the Henley Street right-of-way; thence along the south right-of-way line of Henley Street, N89°20'34"W 638.67 feet to the west right-of-way line of U.S. Highway 95; thence along said west right-of-way line, N00°46'31"E 339.25 feet; thence along the southerly right-of-way line of Sweet Avenue, N73°22'49"W 1051.40 feet; thence along the west right-of-way line of Railroad Street, N00°56'25"E 966.93 feet to the north end of said right-of-way; thence along the north line of said right-of-way (extended), S88°54'42"E 105.84 feet to the former southwesterly right-of-way line of the Burlington Northern Railway; thence along said former right-of-way line, N36°37'11"W 652.31 feet; thence N00°51'41"E 87.68 feet along the east right-of-way line of Deakin Avenue; thence along the south right-of-way line of Sixth Street, S88°01'17"W 590.26 feet; thence along the southwest boundary of the West Park School tract (extended), N49°54'43"W 429.85 feet to the east right-of-way line of Home Street; thence N63°26'56"W 66.67 feet to a point on the west right-of-way line of Home Street; thence along a dedicated right-of-way, N55°28'13"W 58.41 feet; thence continuing along said right-of-way, N31°18'37"E 95.31 feet; thence along the west right-of-way line of Home Street, N00°42'17"E 472.75 feet; thence along the south right-of-way line of Third Street, N89°31'48"W 363.03 to the west right-of-way line of Line Street and the TRUE POINT OF BEGINNING.



Rim Rock Consulting, Inc.

PROFESSIONAL LAND SURVEYORS
GIS & MAPPING SERVICES

JOHN L. DUNN, PLS / ID, WA / CFEDS
DUANE E. PRIEST, PLS / ID
MICHAEL E. DAHLIN, PLS / ID, WA

May 10, 2018

ANNEXATION DESCRIPTION TO THE URBAN RENEWAL AGENCY BOUNDARY, LEGACY CROSSING – CITY OF MOSCOW, IDAHO

An Urban Renewal Agency boundary located in the City of Moscow, Section 7, 8, 17 & 18, Township 39 North, Range 5 West, of the Boise Meridian, Latah County, Idaho, described as follows:

Beginning at the northeast corner of the existing Urban Renewal Agency Boundary being the southwest corner of Lot 24, Block B of Lieuallen's Second Addition to Moscow and the east right-of-way line of a 20 foot wide platted alley between Jackson Street and Main Street;
Thence along said alley right-of-way line, S00°19'27"W, 980.00 feet;
Thence along the south right-of-way line of a dedicated 15 foot wide alley, N89°31'48"W, 145.00 feet;
Thence along the east right-of-way line of Jackson Street, S00°19'27"W, 65.00 feet;
Thence along the north right-of-way line of Fourth Street, S89°31'48"E, 145.00 feet;
Thence along the east right-of-way line of said 20 foot wide alley, S00°19'27"W, 612.50 feet;
Thence S10°11'37"W, 40.90 feet to the intersection of the south right-of-way line of Sixth Street and the east right-of-way line of a platted 20 foot wide alley located between Jackson Street and Main Street;
Thence along said east right-of-way line, S00°55'56"W, 669.50 feet;
Thence along the north right-of-way line of Eighth Street, S89°04'04"E, 125.00 feet to the west right-of-way line of Main Street;
Thence S88°13'17"E, 86.51 feet to the intersection of the east right-of-way line of Main Street and the north right-of-way line of Eighth Street (vacated);
Thence along the east right-of-way line of Main Street, N00°55'56"E, 305.40 feet to the south right-of-way line of Seventh Street;
Thence along said south line, S89°04'04"E, 20.00 feet;
Thence N00°55'56"E, 80.00 feet to the north right-of-way line of Seventh Street;
Thence along said north line, N89°04'04"W, 20.00 feet to the east right-of-way line of Main Street;
Thence along said east line, N00°55'56"E, 300.00 feet to the south right-of-way line of Sixth Street;

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rimrock@rimrockconsulting.net





Rim Rock Consulting, Inc.

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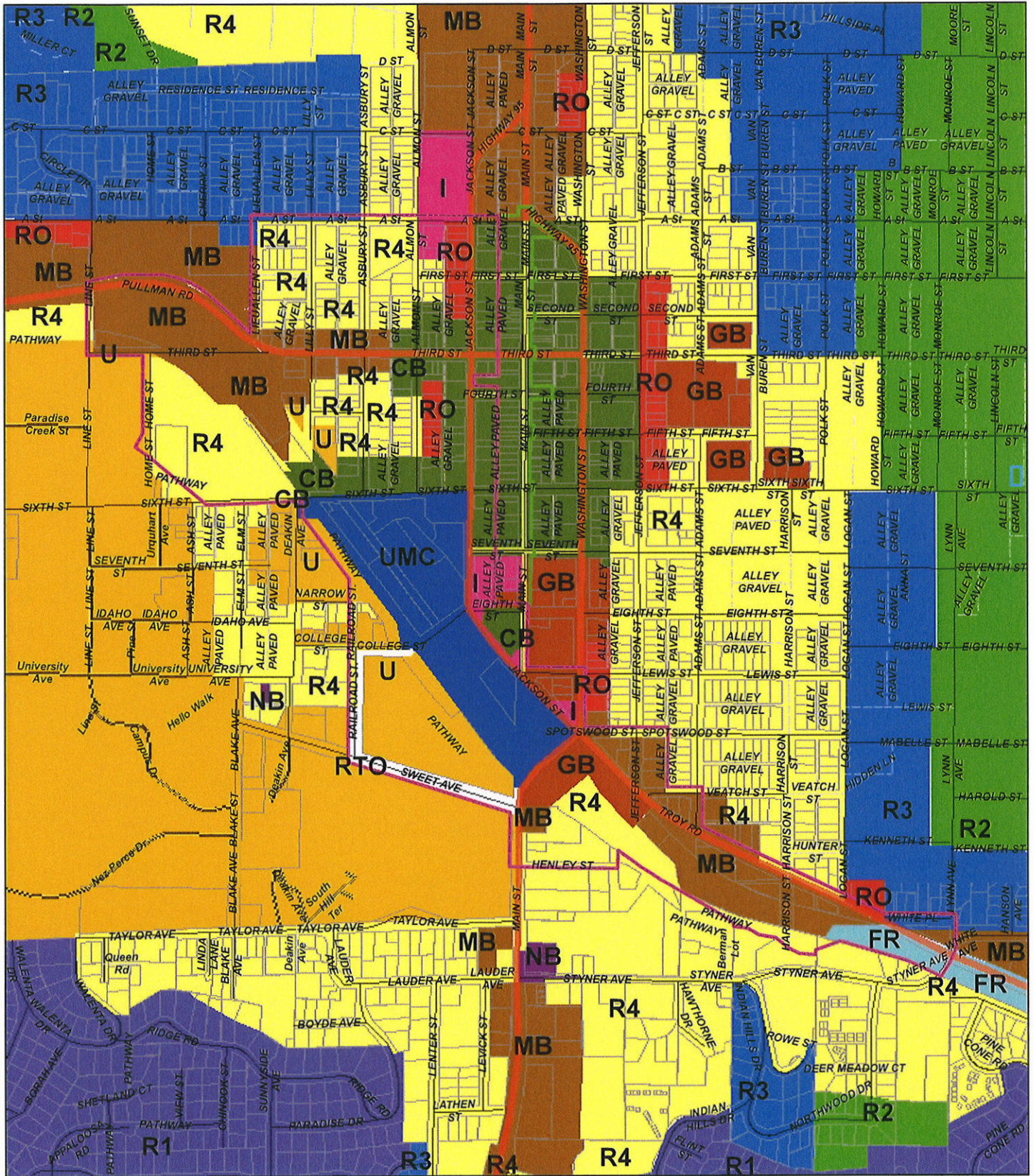
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DUANE E. PRIEST, PLS / ID
MICHAEL E. DAHLIN, PLS / ID, WA

Thence along said south line, S89°04'04"E, 20.00 feet;
Thence N00°35'07"E, 60.63 feet to the north right-of-way line of Sixth Street;
Thence along said north line, N89°40'33"W, 19.91 feet to the east right-of-way line of Main Street;
Thence along said east line, N00°19'27"E, 260.00 feet to the south right-of-way line of Fifth Street;
Thence along said south line, S89°40'33"E, 20.00 feet;
Thence N00°19'27"E, 80.00 feet to the north right-of-way line of Fifth Street;
Thence along said north line, N89°40'33"W, 20.00 feet to the east right-of-way line of Main Street;
Thence along said east line, N00°19'27"E, 160.00 feet to the south right-of-way line of Fourth Street;
Thence along said south line, S89°40'33"E, 125.00 feet to the northeast corner of Lot 1, Block 4 of the Original Plat of Moscow;
Thence N00°19'27"E, 80.00 feet to the southeast corner of Lot 4, Block 3 of the Original Plat of Moscow;
Thence along north right-of-way line of Fourth Street, N89°40'33"W, 125.00 feet to the east right-of-way line of Main Street;
Thence along said east line, N00°19'27"E, 160.00 feet to the south right-of-way line of Third Street;
Thence along said south line, S89°40'33"E, 20.00 feet;
Thence N00°19'27"E, 80.00 feet to the north right-of-way line of Third Street;
Thence along said north line, N89°40'33"W, 20.00 feet to the east right-of-way line of Main Street;
Thence along said east line, N00°19'27"E, 160.00 feet to the south right-of-way line of Second Street;
Thence along said south line, S89°40'33"E, 20.00 feet;
Thence N00°19'27"E, 80.00 feet to the north right-of-way line of Second Street;
Thence along said north line, N89°40'33"W, 20.00 feet to the east right-of-way line of Main Street;
Thence along said east line, N00°19'27"E, 160.00 feet to the south right-of-way line of First Street;
Thence along said south line, S89°40'33"E, 20.00 feet;
Thence N00°19'27"E, 80.00 feet to the north right-of-way line of First Street;
Thence along said north line, N89°40'33"W, 20.00 feet to the east right-of-way line of Main Street;
Thence along said east line, N00°19'27"E, 190.00 feet to the southwest corner of Lot 2, Block 1, of Frye's Addition to Moscow;
Thence along the south line of said Lot, S89°40'33"E, 125.00 feet to the southeast corner of said Lot 2;

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Attachment 3 - Zoning Map



0 450 900 Feet

1 inch = 800 feet

Attachment 4
Infrastructure Needs for Improvements within Project Area

Attachment 4
Infrastructure Needs for Improvements within Project Area

Attachment 4
Legacy Crossing Infrastructure Needs Assessment Cost Estimates

PROJECT	LOCATION	FROM	TO	DESCRIPTION	UNITS	QUANTITY	UNIT COST	ESTIMATED COST	URA PARTICIPATION	
									Percentage	Estimated Cost
COMMUNITY INFRASTRUCTURE										
STREET PROJECTS										
Asbury Street Extension	Asbury Street	Sixth Street	S. Terminus near Main Street	Construction of new public street including paving, curbs, gutters, sidewalks, and storm water facilities to serve URA redevelopment area. Requires acquisition of new Right of Way.	LF	1,900	\$1,200	\$2,280,000	75%	\$1,710,000
Almon Street Reconstruction	Almon Street	Third Street	A Street	Work includes reconstruction of Almon Street.	SY	2,550	\$100	\$255,000	50%	\$127,500
Third St./Lieuallen St/SH8 Intersection Reconstruction	Third St./Lieuallen St/SH8 Intersection	N/A	N/A	Reconstruction and realignment of intersection to improve sight distance, merging issues, turning movements, and general traffic flow.	LS	1	\$275,000	\$275,000	50%	\$137,500
Lieuallen Street Improvements	Lieuallen Street	A Street	Third Street	Work includes paving, curbs, gutters, sidewalk, and storm drainage improvements. Requires acquisition of Right of Way.	LF	740	\$800	\$592,000	50%	\$296,000
First Street Improvements	First Street	Lieuallen Street	Lilly Street	Work includes paving, curbs, gutters, sidewalk, and storm drainage improvements.	LF	295	\$600	\$177,000	50%	\$88,500
Fifth Street Improvements	Fifth Street	Lilly Street	Asbury Street	Work includes paving, curbs, gutters, sidewalk, and storm drainage improvements.	LF	285	\$600	\$171,000	50%	\$85,500
Henley Street Improvements	Henley Street	US95 (Main Street)	East Terminus	Work includes paving, curbs, gutters, sidewalk, and storm drainage improvements. Requires acquisition of Right of Way.	LF	500	\$600	\$300,000	50%	\$150,000
Pavement Improvement Program	Throughout URA area	N/A	N/A	Work includes pavement repair and replacement work throughout the District in areas with deteriorating roadway surfaces	SY	22,000	\$45	\$990,000	50%	\$495,000
WATER SYSTEM PROJECTS										
Railroad Corridor Trunk Line Project	Railroad Corridor	College Street	US95 (Main Street)	New 12" diameter water main to provide conveyance to eastern reservoirs and adequate fire flow to URA developments.	LF	1,000	\$225	\$225,000	100%	\$225,000
Railroad Corridor Trunk Line Project	Railroad Corridor	Sixth Street	College Street	New 12" diameter water main to provide conveyance to eastern reservoirs and adequate fire flow to URA developments.	LF	800	\$225	\$180,000	100%	\$180,000

Attachment 4
Legacy Crossing Infrastructure Needs Assessment Cost Estimates

PROJECT	LOCATION	FROM	TO	DESCRIPTION	UNITS	QUANTITY	UNIT COST	ESTIMATED COST	URA PARTICIPATION	
									Percentage	Estimated Cost
New Fire Hydrants Installation	Throughout URA area	N/A	N/A	Installation of new fire hydrants in areas currently lacking in adequate fire protection.	EA	20	\$5,000	\$100,000	50%	\$50,000
A Street Watermain	A Street	Lieualen Street	Jackson Street	Installation of new 12" water main to provide sufficient fire flow to URA area and conveyance to storage facilities.	LF	1,450	\$225	\$326,250	50%	\$163,125
Railroad Street Watermain	Railroad Street	College Street	Deakin Street	Replacement of existing 4" diameter water main with 8" diameter main.	LF	500	\$90	\$45,000	50%	\$22,500
Fire Hydrants Replacement	Throughout URA area	60% of Fire Hydrants	N/A	Replacement of fire hydrants in excess of 50 years old.	EA	30	\$5,000	\$150,000	50%	\$75,000
SANITARY SEWER PROJECTS										
Sanitary Sewer Manhole Replacements	Throughout URA area	50% of manholes	N/A	Replacement of aged brick or block sewer manholes with new precast manholes to reduce amount of infiltration and inflow.	EA	60	\$3,000	\$180,000	50%	\$90,000
Clay Sewer Mains Replacement - High Priority Areas	Throughout URA area	95% of mains	N/A	Replacement of clay sewer mains in excess of 50 years old.	LF	17,220	\$65	\$1,119,300	20%	\$223,860
Clay Sewer Mains Replacement - Moderate Priority Areas	Throughout URA area	95% of mains	N/A	Replacement of clay sewer mains in excess of 50 years old.	LF	34,440	\$65	\$2,238,600	20%	\$447,720
Lilly/Asbury Sewer Main Replacement	Alley between Lilly and Asbury Streets	Third Street	Sixth Street	Repair/Replacement of deteriorating main with flat grade, and roots.	LF	750	\$65	\$48,750	20%	\$9,750

Attachment 4
Legacy Crossing Infrastructure Needs Assessment Cost Estimates

PROJECT	LOCATION	FROM	TO	DESCRIPTION	UNITS	QUANTITY	UNIT COST	ESTIMATED COST	URA PARTICIPATION	
									Percentage	Estimated Cost
URA Primary Sewer Main	Railroad Corridor	E. of US95	Sixth Street	Construction of 8" sewer main accessible to the URA development.	LF	2,250	\$65	\$146,250	100%	\$146,250
STORM SEWER PROJECTS										
Sixth Street Storm Main Improvements	Sixth Street	Jackson Street	Paradise Creek	Increase size of existing storm main to 30" to address localized flooding during high intensity events	LF	970	\$200	\$194,000	50%	\$97,000
Almon Storm Main Replacement	Almon Street	North Terminus	Sixth Street	Replacement of failing main with root intrusion problems with new 8" Main	LF	500	\$65	\$32,500	50%	\$16,250
Asbury Storm Main Replacement	Asbury Street	North Terminus	Sixth Street	Replacement of failing main with root intrusion problems with new 8" Main	LF	550	\$65	\$35,750	50%	\$17,875
COMMUNITY INFRASTRUCTURE TOTAL										\$4,854,330
STREETSCAPE ENHANCEMENTS										
PROJECT	LOCATION	FROM	TO	DESCRIPTION	UNITS	QUANTITY	UNIT COST	ESTIMATED COST	URA PARTICIPATION	
									Percentage	Estimated Cost
Main Street Streetscape Project	Main Street	A Street	Eighth Street	Work includes curbs, gutters sidewalk, lighting and street furnishing improvements	LF	3,400	\$550	\$1,870,000	70%	\$1,309,000
Main Street Intersection Reconstruction	Throughout URA area	N/A	N/A	Installation, repair, replacement of sidewalk and street furnishings throughout District	EA	6	\$475,000	\$2,850,000	70%	\$1,995,000
Streetscape Improvements	Throughout URA area	N/A	N/A	Installation, repair, replacement of sidewalk and street furnishings and lighting throughout District	LF	6,000	\$250	\$1,500,000	70%	\$1,050,000
STREETSCAPE TOTAL										\$4,354,000

Attachment 4
Legacy Crossing Infrastructure Needs Assessment Cost Estimates

									URA PARTICIPATION	
PROJECT	LOCATION	FROM	TO	DESCRIPTION	UNITS	QUANTITY	UNIT COST	ESTIMATED COST	Percentage	Estimated Cost
COMMUNITY PLACEMAKING										
PROJECT	LOCATION	FROM	TO	DESCRIPTION	UNITS	QUANTITY	UNIT COST	ESTIMATED COST	Percentage	Estimated Cost
Public Landscape, Park and Plaza Development and Enhancements	Throughout URA area	N/A	N/A	Public landscape and other public space improvement projects	LS	1	\$1,650,000	\$1,650,000	70%	\$1,155,000
Public Art Installations	Throughout URA area	N/A	N/A	Various public art installations throughout the District	EA	10	\$20,000	\$200,000	75%	\$150,000
COMMUNITY PLACEMAKING TOTAL										\$1,305,000
SPECIAL PROJECTS										
PROJECT	LOCATION	FROM	TO	DESCRIPTION	UNITS	QUANTITY	UNIT COST	ESTIMATED COST	Percentage	Estimated Cost
Public Parking Development	Throughout URA area	N/A	N/A	Acquisition and development of public parking facilities	EA	300	\$3,750	\$1,125,000	50%	\$562,500
Pedestrian and Bicycle Improvements	Throughout URA area	N/A	N/A	Development and construction of various pedestrian and bicycle pathways, facilities and lighting	LS	1	\$250,000	\$250,000	50%	\$125,000
Engineering, Economic, Market and Architectural Studies or Reports as Needed	Throughout URA area	N/A	N/A	Development of various market, engineering and other studies as may be required to support the area redevelopment	LS	1	\$250,000	\$250,000	100%	\$250,000
Building Demolition, Environmental Remediation, Property Acquisition and Reconditioning	Throughout URA area	N/A	N/A	Various minor building demolition, environmental remediation, and property acquisition that may be required to support the area redevelopment	LS	1	\$650,000	\$650,000	100%	\$650,000
SPECIAL PROJECTS TOTAL										\$1,587,500
GRAND TOTAL										\$12,100,830

ATTACHMENT 5

MOSCOW, IDAHO AMENDED AND RESTATED LEGACY CROSSING URBAN RENEWAL DISTRICT TAX INCREMENT FINANCING FEASIBILITY STUDY

April 2018

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MOSCOW, IDAHO
FIRST AMENDED LEGACY CROSSING URBAN RENEWAL DISTRICT
TAX INCREMENT FINANCING FEASIBILITY STUDY

INTRODUCTION AND EXECUTIVE SUMMARY

The Legacy Crossing Urban Renewal District Redevelopment Plan (the “Plan”) was approved by the Moscow City Council on June 2, 2008, through the passage of Ordinance 2008-10. The approval of the Plan and passage of the Ordinance resulted in the establishment of the 163-acre Legacy Crossing District (the “District”). Beginning in 2015 the Moscow City Council became increasingly concerned with the deteriorating condition of the public infrastructure surrounding Main Street which is adjacent to, but outside of, the District.

In August of 2016, following the closure of the Alturas Urban Renewal District, the Council requested the Agency to consider the expansion of the Legacy Crossing District to include the adjacent portion of Main Street, thus allowing the Agency to participate in public infrastructure improvements within the area. On April 2, 2018, the Moscow City Council passed Resolution 2018-00, approving the Legacy Crossing Main Street Boundary Amendment Eligibility Study and directed the Moscow Urban Renewal Agency (“Agency”) to prepare an amendment to the Legacy Crossing District. That area proposed to be annexed is approximately 12 acres in size and is directly adjacent to the east of the current District boundary.

In order to amend the Plan, it is necessary to update the associated financial feasibility study to ensure the urban renewal project is financially feasible considering the needed infrastructure improvements and the anticipated tax increment revenue expected to be created within the District. This study is an update to the 2008 Legacy Crossing Urban Renewal District Tax Increment Financial Feasibility Study that was prepared by Business Planning Consultants, Inc., and covers the time period between the year of the proposed plan amendment in 2018 to the anticipated termination date of the District in 2032.

The needed infrastructure improvements were identified with the assistance of the Moscow Public Works Department after a review of the City’s utility masterplans and interviews with field operations staff. This process identified a number of deficient, undersized, and/or deteriorating utilities, streets, sidewalks that are in need of repair or replacement to support the redevelopment of the district and to improve the deteriorated and deteriorating conditions within the area.

The study concludes that the anticipated tax increment revenues will be sufficient to fund the Agency’s anticipated level of financial participation within the identified projects. The method of funding may vary and the Agency may choose to directly fund infrastructure improvements, utilizing developer participation agreements, and/or utilizing bond financing to fund projects depending upon the timing of the specific project, private development activity or grant or other funding opportunities. The analysis is intended to demonstrate the overall feasibility of the project plan but not necessarily dictate the exact method of execution of the plan which will need to be flexible and adaptable to change conditions and private development activity.

AREA DESCRIPTION

The existing Legacy Crossing District is approximately 163 acres in size and after the additional 12-acre annexed area, the proposed Amended District would total 175 acres in size. The proposed Amended District would start at Henley Street and Highway 8 on the South, continues northwesterly along the eastern boundary of the University of Idaho to South Line Street, at which point the boundary doubles back along West Pullman Road to South Lieuallen Street, where it goes north to West A Street, then east to the easterly right of way of Main, then south along said right-of-way, south to West 8th Street, then southeasterly to Highway 8, east on White Place to Lynn Street, south to Paradise Creek, and finally northwesterly along the south side of Paradise Creek to Henley.

EXISTING LAND USES

Current uses within the proposed Amended District include a wide variety of land uses from limited agricultural industrial, to residential, to a variety of personal, professional, retail, restaurants and other commercial services. As stated in the amended plan the goal is, *"...to eliminate conditions impeding the City's economic growth in an area located between Moscow's historic downtown and the University of Idaho campus, an area designated as Legacy Crossing. The Legacy Crossing District was intended to allow the Agency to pro-actively address issues creating static economic conditions and, by taking actions targeted toward improvement of both underdeveloped properties and those properties in transition. The focus of the district was to spur more rapid land use transition of properties from former agricultural and/or industrial uses to new uses, and thereby transform the area from its current economic liability toward economic vibrancy."*

VALUATION OF THE URBAN RENEWAL AREA

The 2017 base valuation of the Legacy Crossing District is \$44,969,560. According to the Latah County Assessor, the January 1, 2018 valuation of the proposed 12-acre annex area is \$13,096,968. The resulting combined base valuation of the proposed Amended District would total \$58,066,528. This includes both real and personal property, plus improvements, and less the homeowners' exemptions.¹

GROWTH PROJECTIONS

There are two elements to the growth projection. The first is the inflationary growth of the base valuation that occurs over time within the area. The second element incorporates the addition of new infrastructure and the added assessed value that occurs as a result of both public and private investment. These two growth factors are utilized to project the tax increment that would be available for the Agency's use in Legacy Crossing. The following paragraphs describe the major assumptions used in these projections.

INFLATIONARY GROWTH RATES

Average population growth rates for the City of Moscow has been fairly modest but steady and just over 1% per year. The total assessed valuation growth for the City has been slightly higher with an average of 1.85% per year over the ten-year period between 2007 and 2017. For the purposes of this study and to remain conservative, 1.0% is utilized as the assumed inflationary annual growth rate.

¹ Latah County Assessor

NEW DEVELOPMENT INCREMENT

As individual properties are developed and the assessed valuation grows, tax increment is created by those projects. In the early years following the District creation in 2008, new development within the District was very limited as a result of the Great Recession and local economic conditions. Beginning in 2017 however, development activity within the District has increased significantly and over \$40 Million in new development projects has either been completed or is under construction at the time of this study. Valuation estimates of these current projects have been incorporated within the new development increment projections. Beyond these known projects it is estimated that new development increment in the future will result in a 9% annual increase to the new development increment. This appears to be a relatively conservative when compared to the 25.9% average annual growth rate that has been observed since 2008.

LEVY RATES

Levy rates change each year but usually only by a very small amount. We assume levy rates will remain constant during the projection period. Table 1 shows current levy rates.

TABLE 1	
CURRENT LEVY RATES BY TAXING DISTRICT 2017	
SCHOOL DISTRICT 281 (EXCLUDING FACILITY BONDS)	0.006502582
CITY OF MOSCOW	0.004922870
LATAH COUNTY	0.004368392
N. LATAH COUNTY HIGHWAY DIST.	0.001389756
MOSCOW CEMETERY DIST.	0.000184443
LATAH COUNTY LIBRARY DIST.	0.000582073
TOTAL CURRENT LEVY RATE	0.017950116

Source: Latah County Treasurer

TAX GENERATION

As discussed previously, tax increment revenues are created by inflationary increases and increased property values that result from new development and construction. The primary purpose of the Legacy Crossing Urban Renewal District designation is to encourage new and higher value development to occur within the District boundaries. Future projected tax revenue includes the previously described assumptions of a 1% annual inflationary growth and 9% annual new development value growth. Table 2 shows the projected tax increment revenues that are anticipated to be generated within the Amended District.

TABLE 2 DISTRICT TAX GENERATION PROJECTION					
Tax Year	Fiscal Year	Inflationary Growth Increment Revenues	New Development Increment Revenues	Total Tax Increment Revenues	Cumulative Increment Revenue
2018	2019	\$ 6,850	\$ 330,341	\$ 337,191	\$ 337,191
2019	2020	\$ 10,419	\$ 511,637	\$ 522,056	\$ 859,247
2020	2021	\$ 20,943	\$ 543,947	\$ 564,890	\$ 1,424,138
2021	2022	\$ 31,572	\$ 592,902	\$ 624,474	\$ 2,048,612
2022	2023	\$ 42,307	\$ 646,264	\$ 688,571	\$ 2,737,183
2023	2024	\$ 53,150	\$ 704,427	\$ 757,577	\$ 3,494,760
2024	2025	\$ 64,100	\$ 767,826	\$ 831,926	\$ 4,326,686
2025	2026	\$ 75,161	\$ 836,930	\$ 912,091	\$ 5,238,777
2026	2027	\$ 86,332	\$ 912,254	\$ 998,586	\$ 6,237,363
2027	2028	\$ 97,615	\$ 994,357	\$ 1,091,971	\$ 7,329,334
2028	2029	\$ 109,010	\$ 1,083,849	\$ 1,192,859	\$ 8,522,194
2029	2030	\$ 120,520	\$ 1,181,395	\$ 1,301,915	\$ 9,824,109
2030	2031	\$ 132,144	\$ 1,287,721	\$ 1,419,865	\$ 11,243,974
2031	2032	\$ 143,885	\$ 1,403,616	\$ 1,547,501	\$ 12,791,475
2032	2033	\$ 155,743	\$ 1,529,941	\$ 1,685,685	\$ 14,477,160

PUBLIC INFRASTRUCTURE & OTHER INVESTMENTS

With limited exceptions, urban renewal agencies within the State of Idaho are largely restricted to the funding of public infrastructure in support of private development and investment. These public infrastructure investments commonly include items such as water and sewer utility extension or expansion, public roadway expansion and improvement, streetscape and sidewalk improvement, and participation in the development of public amenities such as public facilities, buildings, parks, art installations and similar improvements.

Urban renewal agencies may also acquire and assemble property and fund demolition and environmental remediation activities. These public investments can generally be divided into four components within the MURA public investment portfolio: Community Infrastructure, Streetscape Enhancements, Community Placemaking and Special Projects. All of these investment components are intended to address community needs, improve deteriorating areas, and promote private investment and reinvestment.

As identified within the draft Amended Plan, the total anticipated public investments that are necessary in the Amended Legacy Crossing Urban Renewal District are estimated to be \$12.1 million. There may be some added costs due to inflation, which will be dependent upon when the costs are incurred, but those are not addressed in this report. The projected investments in each of the public investment portfolio categories are shown in Table 3 below.

TABLE 3 PUBLIC INVESTMENT TIMING						
Fiscal Year	Community Infrastructure	Streetscape Enhancements	Community Placemaking	Special Projects	Total Annual Investments	
2019	\$ -	\$ 35,000	\$ 25,000	\$ 170,000	\$ 230,000	
2020	\$ 175,000	\$ 137,000	\$ 35,000	\$ 15,000	\$ 362,000	
2021	\$ 176,379	\$ 154,332	\$ 44,095	\$ 66,142	\$ 440,947	
2022	\$ 198,458	\$ 173,651	\$ 49,615	\$ 74,422	\$ 496,145	
2023	\$ 222,255	\$ 194,473	\$ 55,564	\$ 83,345	\$ 555,636	
2024	\$ 247,921	\$ 216,931	\$ 61,980	\$ 92,970	\$ 619,802	
2025	\$ 275,623	\$ 241,170	\$ 68,906	\$ 103,359	\$ 689,058	
2026	\$ 305,542	\$ 267,349	\$ 76,386	\$ 114,578	\$ 763,855	
2027	\$ 337,876	\$ 295,641	\$ 84,469	\$ 126,703	\$ 844,689	
2028	\$ 372,839	\$ 326,234	\$ 93,210	\$ 139,815	\$ 932,097	
2029	\$ 410,666	\$ 359,333	\$ 102,666	\$ 154,000	\$ 1,026,665	
2030	\$ 451,612	\$ 395,161	\$ 112,903	\$ 169,355	\$ 1,129,031	
2031	\$ 495,957	\$ 433,963	\$ 123,989	\$ 185,984	\$ 1,239,893	
2032	\$ 544,004	\$ 476,003	\$ 136,001	\$ 204,001	\$ 1,360,009	
2033	\$ 596,083	\$ 521,572	\$ 149,021	\$ 223,531	\$ 1,490,207	
Total	\$ 4,810,214	\$ 4,262,813	\$ 1,258,804	\$ 1,923,205	\$ 12,180,036	

DETERMINATION OF CASH FLOW FEASIBILITY

Table 4 details the annual cash flow projections for the Amended District beginning in FY2019 and continuing to the last tax revenue receipts that would occur in 2033. The projections include the anticipated beginning fund balance, annual tax increment revenues, total annual public investment as detailed in Table 3, annual operational expenses and ending fund balance. The Agency currently has two long-term debt obligations including the bonds utilized to purchase the 6th and Jackson property and the settlement agreement with Latah County regarding the repayment of tax revenues the Agency received due to a County assessment system error that occurred for the 2009, 2010 and 2011 tax years. For the purposes of this assessment, those financial obligations are not detailed separately and are included within Agency's operational expenditures detailed in Table 4 below.

TABLE 4 CASH FLOW PROJECTION									
Fiscal Year	Beginning Fund Balance	Increment Revenue	Annual Public Investment	Agency Operational Expenses	Owner Participation Agreements	Latah County Settlement Agreement	Sixth and Jackson Bond	Total Expenses	Ending Fund Balance
2019	\$ 248,581	\$ 337,191	\$ 230,000	\$ 79,291	\$ 86,367	\$ 3,500	\$ 43,590	\$ 442,748	\$ 143,023
2020	\$ 143,023	\$ 522,056	\$ 362,000	\$ 80,877	\$ 63,279	\$ 3,500	\$ 44,056	\$ 553,712	\$ 111,368
2021	\$ 111,368	\$ 564,890	\$ 440,947	\$ 82,494	\$ 14,197	\$ 5,000	\$ 43,370	\$ 586,009	\$ 90,249
2022	\$ 90,249	\$ 624,474	\$ 496,145	\$ 84,144	\$ 12,397	\$ 5,000	\$ 43,965	\$ 641,652	\$ 73,072
2023	\$ 73,072	\$ 688,571	\$ 555,636	\$ 85,827	\$ 12,398	\$ 5,000	\$ 43,472	\$ 702,333	\$ 59,309
2024	\$ 59,309	\$ 757,577	\$ 619,802	\$ 87,544	\$ 12,397	\$ 5,000	\$ 43,936	\$ 768,679	\$ 48,207
2025	\$ 48,207	\$ 831,926	\$ 689,058	\$ 89,295	\$ 12,398	\$ 5,000	\$ 44,311	\$ 840,061	\$ 40,073
2026	\$ 40,073	\$ 912,091	\$ 763,855	\$ 91,080	\$ 12,398	\$ 10,000	\$ 43,599	\$ 920,933	\$ 31,232
2027	\$ 31,232	\$ 998,586	\$ 844,689	\$ 92,902	\$ 6,892	\$ 12,000	\$ 43,843	\$ 1,000,326	\$ 29,491
2028	\$ 29,491	\$ 1,091,971	\$ 932,097	\$ 94,760	\$ 6,892	\$ 23,000	\$ -	\$ 1,056,749	\$ 64,714
2029	\$ 64,714	\$ 1,192,859	\$ 1,026,665	\$ 96,655	\$ 6,892	\$ 24,537	\$ -	\$ 1,154,749	\$ 102,824
2030	\$ 102,824	\$ 1,301,915	\$ 1,129,031	\$ 98,588	\$ 6,892	\$ -	\$ -	\$ 1,234,511	\$ 170,228
2031	\$ 170,228	\$ 1,419,865	\$ 1,239,893	\$ 100,560	\$ 6,892	\$ -	\$ -	\$ 1,347,345	\$ 242,748
2032	\$ 242,748	\$ 1,547,501	\$ 1,360,009	\$ 102,571	\$ 6,892	\$ -	\$ -	\$ 1,469,472	\$ 320,777
2033	\$ 320,777	\$ 1,685,685	\$ 1,490,207	\$ 104,623	\$ -	\$ -	\$ -	\$ 1,594,830	\$ 411,631
Total	\$ 14,477,160	\$ 12,180,036	\$ 1,371,212	\$ 267,182	\$ 101,537	\$ 394,142	\$ 14,314,109		

CONCLUSIONS AND RECOMMENDATIONS

It is expected that the Legacy Crossing Urban Renewal District will generate sufficient revenue to fund the identified infrastructure needs. The analysis does rely upon several assumptions regarding the future growth of the base valuation and new increment that results from development and redevelopment activities. These assumptions include the following:

- Inflationary growth is projected to grow at a modest 1% annually. Compared to the City's assessed valuation growth of 1.85% over the past 10 years (much of the Great Recession) the 1% assumption is considered to be a conservative estimate.
- For the 2019-2021 fiscal years, increment estimates for projects currently under construction or in the planning phase have been incorporated within the future increment projections. There is relatively high certainty for these projections.
- Beyond 2021, future new development increment growth is estimated at 9% annual growth. Since the formation of the District, new development has grown by over 28% annually even after accounting for base valuation growth. As a result, the 9% annual growth is considered to be a conservative estimate.

The Moscow Urban Renewal Agency can create an economically vibrant Legacy Crossing project area by:

- Eliminating unsafe, deteriorated, or inadequate public improvements and facilities;
- Assembling and redeveloping parcels to provide an improved environment for development;
- Attracting new commercial and mixed use developments;
- Improving connectivity; and
- Adding to parks, open space and quality of life amenities.

As a result of these Agency activities, an area surrounding a former industrial railway corridor, which has outlived its useful life in that configuration, will be transformed to economic health and will add significantly to Moscow's business, cultural and civic appeal.

The benefits expected in Legacy Crossing will accrue faster if the Agency is willing to make a strong recruiting effort to attract new development partners early in the life of the district. However, the benefits can be achieved before the Legacy Crossing Urban Renewal district ends in calendar 2032, given the Agency's application of the reasonable growth and development expectations underlying the forecasts contained in this report.

At the end of the Legacy Crossing's Plan term, significant increases in assessed values will be returned to the tax rolls, as illustrated in Table 5, below.

TABLE 5 VALUATIONS OVER TIME						
Tax Year	Fiscal Year	Base Valuation	Inflationary Growth	New Development Increment Valuation	Total Valuation	
2018	2019	\$ 58,066,528	\$ 235,000	\$ 18,403,272	\$ 76,469,800	
2019	2020	\$ 58,647,193	\$ 580,665	\$ 28,503,272	\$ 87,150,465	
2020	2021	\$ 59,233,665	\$ 1,167,137	\$ 30,303,272	\$ 89,536,937	
2021	2022	\$ 59,826,002	\$ 1,759,474	\$ 33,030,566	\$ 92,856,568	
2022	2023	\$ 60,424,262	\$ 2,357,734	\$ 36,003,317	\$ 96,427,579	
2023	2024	\$ 61,028,505	\$ 2,961,977	\$ 39,243,616	\$ 100,272,121	
2024	2025	\$ 61,638,790	\$ 3,572,262	\$ 42,775,541	\$ 104,414,331	
2025	2026	\$ 62,255,177	\$ 4,188,649	\$ 46,625,340	\$ 108,880,518	
2026	2027	\$ 62,877,729	\$ 4,811,201	\$ 50,821,621	\$ 113,699,350	
2027	2028	\$ 63,506,507	\$ 5,439,979	\$ 55,395,567	\$ 118,902,073	
2028	2029	\$ 64,141,572	\$ 6,075,044	\$ 60,381,168	\$ 124,522,739	
2029	2030	\$ 64,782,987	\$ 6,716,459	\$ 65,815,473	\$ 130,598,460	
2030	2031	\$ 65,430,817	\$ 7,364,289	\$ 71,738,865	\$ 137,169,683	
2031	2032	\$ 66,085,125	\$ 8,018,597	\$ 78,195,363	\$ 144,280,489	
2032	2033	\$ 66,745,977	\$ 8,679,449	\$ 85,232,946	\$ 151,978,923	

Attachment 6
Private Properties Which May be Acquired by the Agency

1. No particular properties have been identified for acquisition by the Agency. The Agency does not intend to purchase property for future development by private persons.
2. The Agency reserves the right to acquire any additional right-of-way or access routes near or around existing or planned rights-of-way.
3. The Agency reserves the right to acquire property needed for the development of public improvements and public facilities.

4840-7715-9779, v. 1

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

STATEMENT OF FINDINGS BY THE PLANNING AND ZONING COMMISSION

**REASONED STATEMENT OF RELEVANT FINDINGS AND CONCLUSIONS
REGARDING A REVIEW OF THE LEGACY CROSSING URBAN RENEWAL
REDEVELOPMENT PLAN FOR GENERAL CONFORMANCE WITH THE CITY
OF MOSCOW COMPREHENSIVE PLAN.**

WHEREAS, The Moscow Urban Renewal Agency has prepared a proposed Urban Renewal Project Plan entitled the Legacy Crossing Urban Renewal Redevelopment Plan for areas within the City of Moscow; and

WHEREAS, by Idaho Code Section 50-2008, prior to the adoption of any urban renewal plan, the governing board must submit the proposed urban renewal plan to the Planning and Zoning Commission to receive a recommendation from the Commission as to its conformity with the City's Comprehensive Plan; and

WHEREAS, on April 9th, 2007, the Planning and Zoning Commission reviewed the components and elements of the Legacy Crossing Urban Renewal Redevelopment Plan; and

WHEREAS, having reviewed the Legacy Crossing Urban Renewal Redevelopment Plan and the City of Moscow Comprehensive Plan,

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 proposed Legacy Crossing Urban Renewal Redevelopment Plan (LCURP) covers an area generally described as being bounded by Paradise Creek to the West, Third Street to the north, Jackson Street to the east and Styner Avenue to the south.
2. The LCURP describes the general activities that the URA may engage to facilitate the redevelopment of properties located within the Legacy Crossing Redevelopment area including, but not limited to; demolition, property consolidation, environmental remediation, public infrastructure improvement, public parking development and improvement, and construction and development of public amenities.
3. The LCURP provides for specific objectives to be achieved within the proposed Project Area, including:
 - Provide an improved environment for new commercial and mixed-use developments
 - Eliminate unsafe and hazardous conditions

- Assist potential owners and other developers to create appropriate development sites through aggregation of existing small parcels and, where necessary, through acquisition, demolition, and disposition activities
 - Improve transit and multi-modal parking opportunities throughout the Project Area
 - Otherwise prevent the extension of blight and deterioration and reverse the deteriorating characteristics of the area.
4. The LCURP specific key strategies to be implemented by the URA including;
 - Initiate simultaneous projects designed to revitalize the Project Area. From sewer improvements, to aggregating parcel ownership, to significant new development, the Agency plans to play a key role in creating and facilitating conditions to encourage the necessary momentum.
 - Develop new mixed-use projects to attract, encourage and assist the development of new businesses within the Project Area.
 - Pursue development across a variety of land-use sectors simultaneously.
 - Secure certain public open space in critical areas. This public open space will increase property values adjacent to it and, with amenities investments and with public art integrated, greatly contribute to a new sense of place ("placemaking")
 5. The LCURP describes the generally anticipated future land uses to include mixed commercial and residential uses to replace the prior agricultural and industrial uses located along Paradise Creek and the historical railroad corridor.
 6. Implementation Policy #1 of Chapter 4 of the Comprehensive Plan states that, *"Future growth of the central business district should occur to the west, between Third Street to the north and Sixth Street to the south, from the existing western edge of the central business district toward the railroad tracks."*
 7. Chapter 4 of the Comprehensive Plan states that, *"In order to maintain the concentrated quality of the central business district and to take advantage of the proximity of the university, a western direction is most desirable for central business district growth. The newer apartment structures in the area would be reasonably compatible with central business development, although attention should be given to the site design of buildings locating adjacent to residential structures. In order to encourage commercial growth in this area, the city must be prepared to participate in the collection and acquisition of parcels for redevelopment."*
 8. Implementation Policy #10 of Chapter 4 of the Comprehensive Plan states that, *"Parking structures should be considered within the central business district in the future to make maximum use of available land for parking."*
 9. Implementation Policy #7 of Chapter 6 of the Comprehensive Plan states that, *"The city should continue to support activities in and improvements to the central business district that would help attract patrons to this area. Ease of access and parking, ease*

in moving between stores, and the appearance and the character of an area are factors that attract people to particular shopping areas. The city should continue its efforts to maintain the central business district as a healthy retail center.”

10. Implementation Policy #8 of Chapter 12 states that, *“Consistent landscaping, street lighting, and street furnishings should continue to be planned and implemented for the central business district. Planning for the downtown area should include additional open pedestrian spaces in the downtown area.”*
11. Chapter 13 of the Comprehensive Plan states that, *“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. Additional industries should be discouraged from locating in the northern and central areas because of the congestion within these areas and the conflict between industrial and surrounding uses. Existing industries, most of which are agriculture-related, should be accommodated in these areas until such time as it becomes feasible for them to relocate in more appropriate locations. Should portions of these areas be vacated by existing industrial uses, the northern area and the section of the central area south of West Sixth Street and west of Main Street should be reclassified for commercial and high-density residential uses.”*
12. Implementation Policy #7 of Chapter 8 states that, *“A long-term improvement project for the city's storm drainage system should be planned and implemented. Plans for flood control measures on Paradise Creek should be compatible with a parkway concept along that drainage.”*
13. Chapter 8 of the Comprehensive Plan states that, *“Future planning decisions concerning any new development in the Moscow area should consider the amount of water to be used by the development, the nature of the water use, and the source of the water supply. The city should establish guidelines for water usage based upon the nature of the new development. Developers of large commercial or industrial developments that are expected to use large quantities of water should be required to quantify the future water demands of any future development and the impacts of those demands on the city's water supply.”*
14. Implementation Policy #12 of Chapter 12 of the Comprehensive Plan states that, *“Developers of land along Paradise Creek should be encouraged to integrate the creek area into their project as both a recreational and aesthetic element.”*

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

1. That the proposed uses, development and activities described within the LCURP are generally consistent and in conformance with the City of Moscow Comprehensive Plan. However, the Commission also recommends that the LCURP be amended to incorporate additional consideration, standards and guidelines for the following elements:
 - a. The promotion of water conserving land use and development; and
 - b. The enhancement and promotion of multi-modal transportation opportunities, corridors and facilities; and
 - c. The preservation and enhancement of natural waterways in their natural condition whenever feasible.

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

THIS ____ DAY OF _____, 2008.

Art Bettge, Chairman
Planning and Zoning Commission

ORDINANCE NO. 2018 -

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, CHAPTERS 6, 7, 8, [10](#) -----; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS,

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

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

...

Sec. 6-3. Access to Lots and Buildings.

Except as provided below, every lot shall abut a public street right-of-way (other than an alley) for a minimum distance of forty feet (40').

1. Lots on cul-de-sacs and vehicle turnarounds shall abut a public street right-of-way for a minimum distance of twenty feet (20').
2. Approved flag lots shall abut a public street right-of-way for a minimum distance of twenty feet (20'), and the flagpole portion of flag lots shall not exceed one hundred fifty feet (150') in length and shall not be less than twenty feet (20') in width at any point.
3. Approved twinhome lots shall abut a public street right-of-way for a minimum distance of twenty feet (20'). Approved townhouse lots shall abut a public street right-of-way for a minimum distance equal to the minimum lot width of the applicable Zoning District.
4. Legal lots of record that have been approved by the City Council prior to the adoption of this Zoning Code and which do not abut a public street right-of-way shall be excepted from this requirement where sufficient permanent legal access is available (via public right-of-way, private access easement, or other legal means) to provide safe and convenient access for servicing, fire protection, and required off-street parking.
5. Lots within the Agriculture/Forestry (AF), Farm Ranch (FR), and Suburban Residential (SR) Zoning Districts where access is provided by a permanent access easement of no less than twenty feet (20') in width at any point.
6. Flag poles and access easements within the Agriculture/Forestry (AF), Farm Ranch (FR), and Suburban Residential (SR) Zoning Districts may be greater than one hundred fifty feet (150') in length as long as sufficient Fire Department access is provided.

...

SECTION 2: That Moscow City Code Title 4, Chapter 7 be amended as follows:

...

Sec. 7-2. PUD Review - General Administration.

- A. Eligibility: Planned Unit Developments are only permitted within the AF, FR, SR, R-1, R-2, R-3, R-4, RO, NB, MB, and GB Zoning Districts. Since the purpose of the Neighborhood Business (NB) Zoning District is to provide commercial services which serve adjacent residential neighborhoods, and PUD proposed within the NB Zone shall incorporate at least one (1) commercial use located along the primary street frontage.
- BA. Stages of PUD Review: Review of a proposed Planned Unit Development or of major modifications to an approved PUD shall consist of three (3) steps: an initial Pre-application Meeting, a Preliminary PUD Review, and Final PUD Review. With the concurrence of the Zoning Administrator, an applicant may combine the PUD Review Hearing with the hearings required for associated subdivision applications or zoning district changes.
- CB. Neighborhood Meeting: Following the Pre-Application Meeting, every application submittal for a PUD shall be preceded by a neighborhood meeting, conducted in accordance with this Code, to provide the opportunity for neighboring land owners and residents to meet with the applicant to review and provide comments on the proposed PUD.
- DC. Application and Fees: An application for PUD on a form provided by the City, including five (5) copies of the required supplemental PUD application contents listed in this Chapter, shall be made to the City Zoning Administrator for any PUD application made pursuant to this Chapter.
- ED. Public Hearings: Public hearing provided for herein shall comply with the notice and hearing procedures contained in Idaho Code Section 67-6509, and Chapter 10 of this Zoning Code.
- FE. PUD Application Types: A PUD application which does not include nor require a concurrent subdivision plat application shall be processed and considered a Type 1 PUD application and shall be subject to the Type 1 Quasi-judicial hearing procedures of this Code and the Planning and Zoning Commission shall have the final approval authority upon the PUD application. A PUD application which does include a concurrent subdivision plat application shall be processed and considered a Type 2 PUD application and shall be subject to the Type 2 Quasi-judicial hearing procedures of this Code and the City Council shall have the final approval authority upon the PUD application.

...

Sec. 7-6. Residential PUD Density.

The residential density of a PUD shall not exceed the density established by this Section. The permitted number of dwelling units shall be the sum of the base density and any bonus density multiplied by the total acreage of the PUD.

The total acreage of the PUD shall include any area dedicated to the public or preserved as public open space or public easement within the PUD. In calculating any PUD residential density, any fraction of a whole number shall not be permitted as a dwelling unit.

- A. Base Density: The base density for Zoning Districts shall be as follows:

Base Density By Zoning District.

AF	0.10 dwelling units/acre
FR	0.29 dwelling units/acre
SR	0.9 dwelling units/acre
R-1	3.5 dwelling units/acre
R-2	4.8 dwelling units/acre
R-3	9.5 dwelling units/acre

R-4	24.0 dwelling units/acre
<u>RO</u>	<u>24.0 dwelling units/acre</u>
<u>NB</u>	<u>24.0 dwelling units/acre</u>
MB	24.0 dwelling units/acre
GB	24.0 dwelling units/acre

Any lot upon which a detached single family dwelling is proposed shall not have a lot size limitation, except as required for purposes of the adopted City Building Code or as limited by the overall density permitted by the underlying Zoning District in addition to bonuses achieved through the PUD process regulations for the underlying zoning district, or as imposed by the Planning and Zoning Commission as a condition of PUD approval.

- B. Required Building Setbacks: Building setbacks from property lines required by an underlying Zoning District shall not be applicable for PUD developments, except to/from the property line(s) serving as the outer boundary of the PUD, unless imposed and justified as part of the PUD approval or where such is required by the City Building Code. Front and rear yard setbacks to/from property lines serving as the outer boundary of the PUD may be modified or waived as part of the PUD approval.
- C. Bonus Allowances: The permitted residential density for a PUD shall be the base density plus any bonus percentage of the base density as granted by the Planning and Zoning Commission or the Council. For all Zoning Districts, the maximum bonus percentage for any proposed PUD shall not exceed fifty percent (50%) of the respective base density. The allowance of a use or housing type not allowed as a permitted use in the underlying Zoning District may be granted as a PUD bonus, provided that such use is justified through the bonus categories of this Chapter and because of the nature and location of the proposed PUD. Where there is a conflict between maximum allowable bonus percentages, the most restrictive shall apply. The applicant shall provide sufficient plan detail and/or other written supporting information to justify any requested bonus density or request to allow any land use or housing type not otherwise permitted by the underlying Zoning District.

Bonuses may be awarded to a proposed PUD where they are found to conform to one or more of the following categories:

1. Provision of Common Open Space.

Bonuses may be awarded for providing functional, common open space, which may be in the form of natural areas, floodplains, wetlands, stands of trees or other natural vegetation or riparian areas, playgrounds, active or passive recreational areas, internal pedestrian and/or bike paths and similar areas. Up to a ten percent (10%) maximum bonus may be awarded if at least twenty percent (20%) of the proposed PUD area is devoted for functional common open space, in excess of any open space required elsewhere in this Code.

2. Provision of Mixed Housing Types and/or Land Uses:

Up to a maximum ten percentage (10%) bonus may be awarded for providing a mix of housing types and/or uses. Any combination of single family, duplex, multiple family residences, and/or commercial, institutional or civic uses may qualify. Zero lot line, townhouse, or row house housing consisting of one or two story horizontally attached dwelling units, each having its own entrance and its own front and rear yard and intended for individual ownership, may also be included in this category of bonus allowances.

Housing types not explicitly permitted by the underlying Zoning District shall be limited to a maximum of thirty-three percent (33%) of the total number of dwelling units in the PUD

development. The percent of said housing types permitted in the PUD development may be increased to a maximum of fifty percent (50%) where the PUD proposal successfully incorporates at least three (3) other bonus categories.

Land Uses not permitted in the underlying Zoning District shall be limited to twenty percent (20%) maximum of the total Gross Floor Area (GFA) of the PUD development. However, the percentage of said GFA may be increased to a maximum of thirty-three percent (33%) where the proposal successfully incorporates at least three (3) other bonus categories.

3. Maintenance of Existing Land Contours, Vegetation, or other Special Site Features.

Bonuses may be awarded for proposals which are considerate of and sensitive to the existence of significant amounts of slopes in excess of twenty percent (20%), wetlands, drainages, ponds. Consideration shall be given to the minimization of excavations, fills, retaining walls, and removal of natural vegetative cover and other physical alterations to the site.

Lands which already have been significantly graded or where natural vegetation has been removed within five (5) years previous to the date of the PUD application are not eligible for this bonus. Bonuses will be awarded based on the amount of site disturbance including whether there is minimal or slight disturbance; whether there is excavation other than for structural foundations; whether streets follow contours of the land; amount of grading; and whether there is removal of natural vegetation. Up to a ten percent (10%) bonus may be awarded under this category.

4. Provision of Major Recreational Facilities and/or Neighborhood Gathering Spaces:

Bonuses may be awarded for the provision of major recreational facilities and/or neighborhood gathering spaces, either public or private, such as ball courts, swimming pools, playgrounds, exercise rooms, or similar facilities. For each one percent (1%) of total project cost devoted to recreational facilities, a two percent (2%) bonus may be awarded, up to a maximum of six percent (6%).

5. Sustainable Development.

Projects which utilize building and/or development techniques which promote the health and preservation of the environment, as specified herein, and are developed under the Moscow Green Building Program, may receive a bonus of up to a maximum bonus of fifteen percent (15%) of the base density allowed for the PUD project.

a. Energy Conservation: Up to a six percent (6%) bonus may be awarded for PUD developments which reduce or conserve energy usage. Provision of building design, orientation, methods and equipment which are energy efficient, including solar access consideration, may earn bonuses for the PUD project. Application of such methods may receive a two percent (2%) bonus and include provision of insulation in outside walls which exceed the Code's R-value requirements, installation of Energy Star windows and Energy Star rated HVAC systems. Energy efficient equipment shall include fixtures, controls and appliances that have an Energy Star approval. Use of such equipment may also earn a two percent (2%) bonus. A project can also earn an additional two percent (2%) bonus for using a renewable electricity generation system such as solar panels or wind generated power.

b. Materials and Resources: Projects which minimize material use and waste, and which use products that are environmentally friendly may receive up to a six percent (6%) bonus. Construction of smaller homes (as defined by LEED or its equivalent) and which utilize material efficient framing methods may earn a two percent (2%) bonus. Use of local materials and/or environmentally preferred products may earn a bonus of up to two percent

(2%), ~~dependant~~-dependent on a product or manufacturer's label that indicates the place of manufacture is within five hundred (500) miles of the City of Moscow, or is approved as environmentally friendly. Projects which minimize construction waste through material efficient methods and/or by using on-site recycling receptacles for construction materials may receive a two percent (2%) bonus.

c. Indoor Environmental Quality: Bonuses may be awarded up to eight percent (8%) of the base density for PUD projects which make an extended effort to improve the on-going indoor environment. Provision of outside air ventilation, exhaust vents, air distribution systems and HVAC air filters that exceed requirements of any applicable Code are eligible for a two percent (2%) bonus. Installation of permanent walk-off mats and central vacuums help to mitigate dirt and dust and may be awarded a two percent (2%) bonus. Homes should be protected from car emissions by tightly sealing walls between the garage and the home, providing an exhaust fan linked to the overhead door, and not locating air handling equipment in the garage; such provisions may be awarded a bonus of two percent (2%). Not providing a garage may satisfy any bonus given for mitigating car exhaust in a garage. The use of finishing products, such as paint or carpeting, which minimize or eliminate toxic fumes that are common in standard products, may be awarded up to an additional two percent (2%) bonus.

d. Provision of Alternative Mode Transportation Features: Features which accommodate alternative mode transportation or promote decrease in automobile usage or traffic, such as bus shelters, turnouts, alternative fuel vehicle support facilities, car pool lots, pedestrian paths, bike racks, etc. may be awarded up to a two (2%) percent bonus.

e. Water Saving Features: A bonus may be awarded for inclusion of a storm water reuse system, xeriscaping or other water saving development features which are not otherwise required by the Code. Such other water saving features may include those which are sensitive to or which promote aquifer recharge. A total bonus of up to ten percent (10%) may only be awarded if both storm water reuse (five percent [5%] maximum bonus) and xeriscaping (five percent [5%] maximum bonus) are incorporated into the development. A detailed written statement and/or plan shall be provided by the applicant to justify a bonus under this category.

6. Provision of Street, Pedestrian and Bicycle Path Connectivity.

Bonuses may be awarded for increasing pedestrian, bicycle and/or vehicular connectivity between the proposed development and existing and/or future neighborhoods. To be awarded the bonus, such connectivity shall be in excess of adopted City policy and standards.

Connectivity shall promote neighborhood connectivity without overwhelming any particular street, bicycle or pedestrian path, or neighborhood. Examples of such connectivity include reduced block length, provision of alleys, extremely limited cul-de-sac utilization, provision of pedestrian and or bicycle paths, and provision of traditional "grid pattern" street system. A maximum ten percent (10%) bonus may be awarded under this category.

7. Landscaping Plan.

A five percent (5%) maximum bonus may be awarded if the applicant provides a landscaping plan that is significantly in excess of the minimum landscaping otherwise required by the Zoning Code and that it would provide significantly greater benefit to the PUD site or the neighborhood.

8. Provision of Low and/or Moderate Income Housing.

Up to a maximum fifteen percent (15%) bonus may be awarded for providing low income, moderate income, and/or fair market rate housing units which make up a minimum of twenty

percent (20%) of the total number of housing units in the PUD. For purposes of this Chapter, low and moderate income and fair market rate housing shall generally mean that which meets the quality and pricing requirements set by HUD and the Idaho Housing and Finance Association.

9. Other Functional or Aesthetic Development Features.

Other qualifying development features which are designed to visually complement or visually preserve the natural environment, especially scenic views, through use of appropriate materials may include, but are not limited to, architectural variety, building mass and height softening features, building location with regard to lot lines (staggered setbacks), the provision of alley access and scenic view corridor preservation for the benefit of others, recessed, side or rear loading garages, and the arrangement of parking such that it is not located within the required front nor street side yard or such that it is located behind or underneath the building(s) and not readily visible from the street. Locating the parking behind or below structures shall warrant a higher bonus than locating the parking outside of the required front and street side yard, where it is visible from the street. The maximum bonus under this category will be up to ten percent (10%).

...

SECTION 3: That Moscow City Code Title 4, Chapter 8 be amended as follows:

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Sec. 8-3. Variances.

A. Procedures:

1. A written application for a variance indicating the section(s) of this Zoning Code for which a variance is sought and stating the grounds on which it is requested shall be submitted to the Zoning Administrator at least sixteen (16) days before the hearing at which the matter will be considered by the Board of Adjustment or the Planning and Zoning Commission.
2. The Board of Adjustment or the Planning and Zoning Commission shall hold a hearing on the application not less than sixteen (16) days and not more than sixty (60) days from receipt of application by the Zoning Administrator and shall provide notice to adjoining property owners and an opportunity to be heard in accordance with the Idaho Code and this Code.
3. The hearing shall be a Type 1 Quasi-Judicial Hearing pursuant to Section 4-10-4 of this Code.

B. Relevant Criteria and Standards. Approval or denial of a variance application shall be based upon the following criteria:

1. The applicant has demonstrated that special conditions and/or circumstances exist which are peculiar to the property (such as size, shape, topography or location) which are not applicable to other property similarly situated in the same zoning district.
2. The applicant has demonstrated that, because of the afore-mentioned special conditions of the property, application of the provisions of this Zoning Code would impose undue hardship and would deprive the property owner of rights commonly enjoyed by owners of other property similarly situated in the same zoning district under the terms of this Zoning Code.
3. Granting of the variance will not be in conflict with the public interest or injurious to property or persons in the vicinity of the subject property.

C. Reasoned Statement in Writing. Approval or denial of variance application shall be in writing and shall be accompanied by a reasoned statement that explains the criteria and standards

considered by the Board of Adjustment or by the Planning and Zoning Commission to be relevant, the relevant contested facts relied upon, and explains the rationale for the decision based upon the Comprehensive Plan, the Idaho Code, this Code, the U.S. Constitution and the facts in the record. The reasoned statement herein may be in the form of minutes when such minutes are adopted by the Board of Adjustment or by the Planning and Zoning Commission or may be in the form of a separate written document formally adopted by the Board of Adjustment or by the Planning and Zoning Commission. In every case, a reasoned statement shall be adopted by the Board or by the Commission not more than twenty-one (21) days following the date of approval or denial of the variance application.

- D. Conditions of Approval: In granting any variance, the Board of Adjustment or the Planning and Zoning Commission may prescribe appropriate conditions and safeguards that enable the Board or the Commission to approve the variance application and ensure the variance is consistent with the purposes, and intents of this Zoning Code.
- E. Use Variances: With respect to uses of land, buildings and other structures, this Zoning Code is declared to be a definition of the public interest by the Council, and the spirit of this Zoning Code will not be observed by any variance which permits a use not permitted in the zoning district involved, or any use expressly or by implication prohibited, by the terms of this Zoning Code in said zoning district. Therefore, under no circumstances shall the Board of Adjustment or the Planning and Zoning Commission grant a variance to permit a use not permitted in the zoning district involved, or any use expressly or by implication prohibited, by the terms of this Zoning Code, in said zoning district.
- F. Final Decision: A decision of the Board of Adjustment or of the Planning and Zoning Commission, granting or denying a variance, shall become final upon the date of adoption of a written reasoned statement in the official records of the Board of Adjustment or of the Planning and Zoning Commission or when the Board or the Commission shall find that making the decision effective immediately is necessary for the preservation of property and/or personal rights and shall so certify on the record, whichever comes first in time. A decision of the Board of Adjustment or of the Planning and Zoning Commission shall be final, subject to appeal of the decision to the Council pursuant to this Code.
- G. Compliance:
 - 1. In the event of failure to comply with the plans approved by the Board of Adjustment or by the Planning and Zoning Commission, or with any conditions imposed upon the variance, such permit shall thereupon be immediately revoked and shall automatically be null and void.
 - 2. Where plans are submitted as part of the application for a variance, modifications of the original plans may be required by the Board of Adjustment or by the Planning and Zoning Commission as a condition of approval.
 - 3. Where plans approved by the Board of Adjustment or by the Planning and Zoning Commission are modified following such approval, such plan modifications must be determined by City staff to be in substantial conformance with the plans approved by the Board or the Commission. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board or to the Commission for an additional public hearing as an amendment to the variance application.
- H. RevocationsTerm of Approval: The term of approval of a variance shall not exceed two (2) years from the date of the final decision, unless otherwise approved by the Board of Adjustment. The approval shall expire if the holder of the permit has not completed one (1) or more of the following actions prior to the expiration date:

1. Acquired construction permits and commenced placement of permanent footings and infrastructure; or
2. Commenced the use.

I. Extension of Approval Term: The Zoning Administrator may grant one (1) two (2) year extension to an unexpired variance, upon written request of the applicant. Extensions of variances shall also extend any associated zoning approvals such as variances. Prior to the expiration of the two (2) year approval term granted by the Zoning Administrator, the applicant may request an additional time extension from the Board of Adjustment which shall be considered as a regular agenda item. In determining whether to grant the extension request, and the amount of time [for which] the extension shall be valid for, the Board shall take the following factors into consideration:

1. Whether there have been significant amendments to the Comprehensive Plan or Zoning Ordinance which will affect the conditional use permit; or
2. Whether there have been significant land use changes in the vicinity which would adversely impact the project or be adversely impacted by the project; or
3. Whether community facilities and services remain adequate to serve the project.

Should the Board of Adjustment decide not to grant the extension request, then the Variance shall be null and void and the applicant will be required to start from the beginning of the Variance process. If a building permit or occupancy permit pertaining to the variance is not obtained for the subject property within one (1) year from the date of the Board of Adjustment's final decision, such variance shall be immediately revoked and shall be automatically null and void.

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Sec. 8-4. Conditional Uses.

A. Procedures:

1. A written application for a Conditional Use Permit indicating the section of this Zoning Code under which the permit is sought and stating the grounds on which it is requested shall be submitted at least twenty-one (21) days before the hearing at which the request is to be considered by the Board of Adjustment.
2. The Zoning Administrator shall hold a hearing on the conditional use permit application not less than twenty-one (21) days and not more than sixty (60) days from the receipt of the application by the Zoning Administrator, giving notice in accordance with Idaho Code Section 67-6512.
3. The public hearing shall be a Type 1 Quasi-Judicial Hearing pursuant to Section 4-10-4 of this Code.
4. Prior to granting a Conditional Use Permit, studies may be required of the social, economic, fiscal, and environmental effects of the proposed conditional use.

B. Relevant Criteria and Standards. Approval or denial of a Conditional Use Permit application shall be based upon the following criteria:

1. The proposed use is a conditionally permitted use within the Zoning District.
2. The character of the proposed use will be in harmony with the neighborhood and surrounding land uses.
3. The proposed use as approved, or as approved with conditions, will not generate nuisances that would be injurious or detrimental to adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like).

4. The location, design, and size of the proposed use will be adequately served by existing streets, public facilities and services.
 5. The proposed use will not endanger the public health or safety if located where proposed.
 6. The proposed use meets all applicable development standards of the Zoning Code.
 7. The proposed use will not be in conflict with the Comprehensive Plan.
- C. Reasoned Statement in Writing. Approval or denial of a Conditional Use Permit application shall be in writing and shall be accompanied by a reasoned statement that explains the criteria and standards considered by the Board of Adjustment to be relevant, the relevant contested facts relied upon, and explains the rationale for the decision based upon the Comprehensive Plan, the Idaho Code, this Code, the U.S. Constitution and the facts in the record. The reasoned statement herein may be in the form of minutes when such minutes are adopted by the Board of Adjustment or may be in the form of a separate written document formally adopted by the Board of Adjustment. In every case, a reasoned statement shall be adopted by the Board not more than twenty-one (21) days following the date of approval or denial of the Conditional Use Permit application.
- D. Conditions of Approval: The Board of Adjustment may impose conditions including, but not limited to, those (1) minimizing adverse impact on other development; (2) controlling the sequence and timing of development; (3) controlling the duration of development; (4) assuring that development is maintained properly; (5) designating the exact location and nature of development; (6) requiring the provision for on-site or off-site public facilities or services; (7) requiring more restrictive standards than those generally required in an ordinance; and/or (8) requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.
- E. No Precedent or Transfer: A Conditional Use Permit shall not be considered as establishing a binding precedent to grant other Conditional Use Permits. A Conditional Use Permit is not transferable from one (1) parcel of land to another.
- F. Final Decision: A decision of the Board of Adjustment, granting or denying a Conditional Use Permit shall become final upon the date of adoption of a written reasoned statement in the official records of the Board of Adjustment or when the Board of Adjustment shall find that making the decision effective immediately is necessary for the preservation of property and/or personal rights and shall so certify on the record, whichever comes first in time. A decision of the Board of Adjustment shall be final, subject to appeal of decision to the Council pursuant to this Code.
- G. Compliance:
1. In the event of failure to comply with the plans approved by the Board of Adjustment, or with any conditions imposed upon the Conditional Use Permit, such permit shall thereupon be immediately revoked and shall automatically be null and void.
 2. Where plans are submitted as part of the application for a Conditional Use Permit, modifications of the original plans may be required by the Board of Adjustment as a condition of approval.
 3. Where plans approved by the Board of Adjustment are modified following such approval, such plan modifications must be determined by City Staff to be in substantial conformance with the plans approved by the Board. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board for an additional public hearing as an amendment to the Conditional Use Permit application.

- H. Term of Approval: The term of approval of a Conditional Use Permit shall not exceed two (2) years from the date of the final decision unless otherwise approved by the Board of Adjustment. The approval shall expire if the holder of the permit has not completed one (1) or more of the following actions prior to the expiration date:
1. Acquired construction permits and commenced placement of permanent footings and infrastructure; or
 2. Commenced the use.
- I. Extension of Approval Term: The Zoning Administrator may grant one (1) two (2) year extension to an unexpired Conditional Use Permit upon written request of the applicant. Extensions of Conditional Use Permits shall also extend any associated zoning approvals such as variances. Prior to the expiration of the two (2) year approval term granted by the Zoning Administrator, the applicant may request an additional time extension from the Board of Adjustment which shall be considered as a regular agenda item. In determining whether to grant the extension request and the amount of time [for which] the extension shall be valid for, the Board shall take the following factors into consideration:
1. Whether there have been significant amendments to the Comprehensive Plan or Zoning Ordinance which will affect the conditional use permit; or
 2. Whether there have been significant land use changes in the vicinity which would adversely impact the project or be adversely impacted by the project; or
 3. Whether community facilities and services remain adequate to serve the project.
- Should the Board of Adjustment decide not to grant the extension request, then the Conditional Use Permit shall be null and void and the applicant will be required to start from the beginning of the Conditional Use Permit process.
- J. Revocation: If the use and/or occupancy for which the conditional use permit is approved ceases for a period of twenty-four (24) consecutive months, unless otherwise provided for in the Conditional Use Permit, then the Conditional Use Permit shall be immediately revoked and shall be automatically null and void.
- Revocations: If a building permit and/or occupancy permit pertaining to the Conditional Use Permit is not obtained for the subject property of the Conditional Use Permit within one (1) year from the date of the Board of Adjustment's final decision, such Conditional Use Permit shall be immediately revoked and shall be automatically null and void. If the use and/or occupancy for which a conditional use permit is approved ceases for a period of twelve (12) consecutive months, unless otherwise provided for in the Conditional Use Permit, then the Conditional Use Permit shall be immediately revoked and shall be automatically null and void.

Sec. 8-5. — Special Uses.

A. Procedures:

1. — A written application for a Special Use Permit indicating the section of this Zoning Code under which the permit is sought and stating the grounds on which it is requested shall be submitted at least twenty-one (21) days before the hearing at which the request is to be considered by the Board of Adjustment.
2. — The Zoning Administrator shall hold a hearing on the special use permit application not less than twenty-one (21) days and not more than sixty (60) days from the receipt of the application by the Zoning Administrator, giving notice in accordance with Idaho Code Section 67-6512.

3. ~~The public hearing shall be a Type 1 Quasi-Judicial Hearing pursuant to Section 4-10-4 of this Code.~~
4. ~~Prior to granting a Special Use Permit, studies may be required of the social, economic, fiscal, and environmental effects of the proposed use.~~
- B. ~~Relevant Criteria and Standards. Approval or denial of a Special Use Permit application shall be based upon the following criteria:~~
 1. ~~The proposed use is a specially permitted use within the Zoning District.~~
 2. ~~The character of the proposed use will be in harmony with the neighborhood and surrounding land uses.~~
 3. ~~The proposed use as approved, or as approved with conditions, will not generate nuisances that would be injurious or detrimental to adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like).~~
 4. ~~The location, design, and size of the proposed use will be adequately served by existing streets, public facilities and services.~~
 5. ~~The proposed use will not endanger the public health or safety if located where proposed.~~
 6. ~~The proposed use meets all applicable development standards of the Zoning Code.~~
 7. ~~The proposed use will not be in conflict with the Comprehensive Plan.~~
- C. ~~Reasoned Statement in Writing. Approval or denial of Special Use Permit application shall be in writing, and shall be accompanied by a reasoned statement that explains the criteria and standards considered by the Board of Adjustment to be relevant, the relevant contested facts relied upon, and explains the rationale for the decision based upon the Comprehensive Plan, the Idaho Code, this Code, the U.S. Constitution and the facts in the record. The reasoned statement herein may be in the form of minutes when such minutes are adopted by the Board of Adjustment or may be in the form of a separate written document formally adopted by the Board of Adjustment. In every case, a reasoned statement shall be adopted by the Board not more than twenty-one (21) days following the date of approval or denial of the Special Use Permit application.~~
- D. ~~Conditions of approval: The Board of Adjustment may impose conditions including, but not limited to, those (1) minimizing adverse impact on other development; (2) controlling the sequence and timing of development; (3) controlling the duration of development; (4) assuring that development is maintained properly; (5) designating the exact location and nature of development; (6) requiring the provision for on-site or off-site public facilities or services; (7) requiring more restrictive standards than those generally required in an ordinance; and/or (8) requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.~~
- E. ~~No Precedent or Transfer: A Special Use Permit shall not be considered as establishing a binding precedent to grant other Special Use Permits. A Special Use Permit is not transferable from one (1) parcel of land to another.~~
- F. ~~Final Decision: A decision of the Board of Adjustment granting or denying a Special Use Permit shall become final upon the date of adoption of a reasoned statement in the official records of the Board of Adjustment, or when the Board of Adjustment shall find that making the decision effective immediately is necessary for the preservation of property and/or personal rights and shall so certify on the record, whichever comes first in time. A decision of the Board of Adjustment shall be final, subject to appeal of decision to the Council pursuant to this Code.~~

~~G. Compliance:~~

~~1. In the event of failure to comply with the plans approved by the Board of Adjustment, or with any conditions imposed upon the Special Use Permit, the permit shall be immediately revoked and shall be automatically null and void.~~

~~2. Where plans are submitted and approved as part of the application for a Special Use Permit, modifications of the original plans may be required by the Board as a condition of approval.~~

~~3. Where plans approved by the Board of Adjustment are modified following such approval, such plan modifications must be determined by City Staff to be in substantial conformance with the plans approved by the Board of Adjustment. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board of Adjustment for an additional public hearing as an amendment to the Special Use Permit application.~~

~~H. Revocations: If a building permit and/or Certificate of Occupancy pertaining to the Special Use Permit is not obtained for the subject property of the Special Use Permit within one (1) year from the date of the Board of Adjustment's final decision, the Special Use Permit shall be immediately revoked and shall be automatically null and void. If the use and/or occupancy for which the special-use permit is approved ceases for a period of twelve (12) consecutive months, unless otherwise provided for in the Special Use Permit, then the Special Use Permit shall be immediately revoked and shall be automatically null and void.~~

...

SECTION 4: That Moscow City Code Title 4, Chapter 10 be amended as follows:

...

Sec. 10-7: The Neighborhood Meeting.

A. Purpose.

The purpose of the neighborhood meeting is to allow the developer to present the proposal to neighbors and other members of the public prior to the formal public hearing so that the parties can discuss and consider neighborhood impacts, mitigation, design and construction elements, and the like. A further purpose is to allow developers to have related applications considered concurrently by the hearing bodies.

B. When required.

1. A neighborhood meeting shall be required for each of the land use matters below. Where the applicant desires to file more than one (1) application involving the same project and/or property and desires all related applications to be considered within the same hearing, one (1) neighborhood meeting shall be necessary.

2. A neighborhood meeting shall be required as a pre-requisite to filing of an application with the City for the following land use matters:

- a. Annexation,
- b. Request to amend Comprehensive Plan Map land use designation,
- c. Request to amend Zoning District,
- d. Preliminary Plat,
- e. Planned Unit Development, or
- f. Any combination of the foregoing.

C. Notice of meeting.

1. Notice of the neighborhood meeting shall be given to all property owners of record within six hundred feet (600') of the subject property. Such notice shall be provided at least fourteen

(14) days before the first neighborhood meeting regarding the subject property. Notice of the neighborhood meeting shall be made by mail to the current or last known address of the property owners of record. Property owners of record shall be determined by review of records in the possession of Latah County. Alternatively, the City may provide a list of property owners to the applicant upon receipt by City of the proper request form and the appropriate fee.

2. Notice shall include a vicinity map, the general nature of the proposal, the size of the land, the number of lots/dwelling units, the date, time and location of the meeting, and the name, address, telephone number and email address of a contact person.

The neighborhood meeting shall be set at a date, time, and place reasonably calculated to facilitate the attendance of the property owners required to receive notice. Evening meetings during the work week are encouraged.

D. Format.

1. General.

The applicant or applicant's representative shall chair and conduct the meeting according to orderly procedures. The Chair should provide the participants in the neighborhood meeting a fair chance to be heard. The Chair will have the authority to recognize participants in the meeting and to maintain order in the conduct of the neighborhood meeting. Formal rules of evidence will not apply during the neighborhood meeting but the Chair may limit the duration of comments or presentation where necessary to give the broadest number of participants the opportunity to express their views.

2. Order.

The neighborhood meeting shall generally be conducted in the following order; however, the meeting should not be so formal that it precludes or unduly limits participation by those in attendance nor should it be so unruly that information gathering and exchange cannot occur:

- a. Opening of the meeting and a call to order,
- b. Introduction of the proposal/project by the applicant and/or the applicant's representatives,
- c. Public comments in support of the application,
- d. Public comments in opposition of the application,
- e. Questions and/or other public testimony,
- f. A response of the applicant (if desired by applicant),
- g. Any related business,
- h. Close of the neighborhood meeting.

3. Other.

Conduct by all participating in the neighborhood meeting should be respectful, should avoid personal attack, and should be directed toward gathering and exchanging information regarding the proposal(s).

E. Scope.

Each neighborhood meeting shall be conducted so that those in attendance can discuss the project/proposal which is the subject of the application(s) to be filed. Where more than one (1) application is to be considered in the same public hearing, the meeting shall include discussion of all related matters. For example, where there is to be a submittal for a rezoning along with a preliminary plat, both shall be thoroughly discussed in the neighborhood meeting.

F. Submission of neighborhood meeting materials to City.

1. Time to submit materials.

Neighborhood meeting materials required to be submitted pursuant to this Chapter shall be

submitted with the application(s) and relevant fee(s).

2. Materials to be submitted.

The following shall be submitted to the City with the original filing of the land use application(s) and shall constitute part of such land use application(s):

- a. Time, date and location of the neighborhood meeting,
- b. Names and addresses of property owners to whom notice was sent,
- c. Names and addresses of all attendees,
- d. Summary of comments, suggestions and discussion,
- e. Applicant's response to comments, suggestions and discussion, including any modifications made or intended to be made to the project proposal/application as a result of the neighborhood meeting comments,
- f. Materials utilized or submitted (including plans, proposals, designs, power point presentations, maps, handouts, petitions, letters, studies, etc.) shall be submitted with the application for the related project(s).

A verbatim transcript is not required nor is a video and/or audio tape (unless the applicant wishes to submit it). The summary of comments, suggestions and discussion should be extensive enough to allow the reader to understand what occurred.

G. Notice of hearing.

Following receipt by City staff of the required submittals, notice of a public hearing on the related application(s) shall be scheduled before the Planning and Zoning Commission. Notice of such public hearing shall take place not less than ~~thirty-five~~ (3015) days prior to the required public hearing before the Planning and Zoning Commission pursuant to this Code and City policy.

...

SECTION 5: SEVERABILITY. Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions. The remaining sections of Title 4 shall be in full force and effect.

SECTION 6: 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 7: 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 _____, 2018.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

DRAFT