PLANNING & ZONING COMMISSION

Wendy McClure
Commission Chair

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Mike Ray
Staff Liaison

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~Meeting Minutes~
July 25, 2018

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

The meeting was called to order at 7:03 PM.

MEMBERS PRESENT:	Wendy McClure, Chair; Robb Parish (via phone), Kurt Obermayr, Victoria Seever, Dennis Wilson (via phone)
MEMBERS ABSENT:	Scott Gropp, Joel Hamilton, Mike Nelsen, Nels Reese
ALSO IN ATTENDANCE:	Mike Ray, Staff Liaison; Anne Zabala, Council Liaison; Sandra Collins, Deputy City Clerk

1. Approval of minutes from July 11, 2018

RESULT:	**ACCEPTED BY ACCLAMATION (UNANIMOUS)**
MOVER:	Obermayr
SECONDER:	Seever

2. Correspondence
None.

3. Transportation Commission Meeting Report
No report due to Hamilton's absence.

4. Public Comment
None.

5. Public Hearing: Legislative Hearing Providing for the Amendment of Title 4, Chapters 6, 7, 8, and 10 of Moscow City Code Regarding Various Zoning Code Amendments
Ray announced the legislative hearing is for proposed zoning code amendments previously reviewed and discussed by the Commission which provide for the insertion of missing planned unit development base densities, the allowance of properties in rural zoning districts to have different lot frontage and access requirements, amendment of the expiration and extension periods for certain land use action, and the amendment of the time period for public notice requirements. Staff recommended approval of the proposed amendments.

Obermayr asked if all neighborhood meetings are posted to the City website. Ray said the applicant conducts those so the City isn't involved. The applicant must notify everyone who owns property within 600 feet, which is the same group of residents the City notifies when the matter goes to public hearing. The City posts public hearing notices on the City website, on the subject property, and in the local newspaper.

The public hearing opened at 7:20pm.

David Hall, 1334 Wallen Road, thought Variances and CUP extensions of more than one year was too long, and he thought the Board should consider all three factors rather than just any one of the factors. Ray explained the "or" language between the factors was intentional so the Board could deny an extension if any one of the three factors exists. Hall was opposed to shortening the hearing notice requirement to 15 days because people could be out of town and miss the meeting. Hall's comments are attached in their entirety for the record.

The public hearing closed at 7:30pm.

Commissioners discussed the notice periods at length and decided there are multiple opportunities for citizens to make their opinions known. The proposed change in notice timelines provides sufficient time while also streamlining the entire process somewhat for applicants. Obermayr moved to recommend approval of the Ordinance with the corrections and clarifications as discussed.

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

6. Approval of Reasoned Statements of Relevant Criteria and Standards for Property at Lot 1, Block 1 of the Peterson Second Addition to the City of Moscow: LUP2018-0017

There were no questions or discussion. Parish moved approval of the RCS as presented by staff.

RESULT:	**APPROVED BY ACCLAMATION [UNANIMOUS]**
MOVER:	Parish
SECONDER:	Seever

7. Approval of Reasoned Statements of Relevant Criteria and Standards for the Proposed Legacy Crossing District Plan Amendment

McClure asked about the fee-in-lieu-of parking language and Ray said that came from a recommendation in the Comprehensive Plan but is not in practice at this time. Obermayr moved approval of the RCS with correction of two scrivener errors.

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

8. Other Business

McClure reported that the Planning conference she, Reese and Seever attended last week was quite informative. Seever said she appreciated the vision shown in Lewiston's plan for development along the levee which, like Legacy Crossing, is attempting to bring new uses to a former industrial area.

McClure reminded Commissioners that the August 8th meeting has been cancelled and the August 22nd meeting will include a goal-setting discussion.

Obermayr wanted to discuss the Neighborhood Business zoning district. He wondered how often a business is expressly intended for a specific neighborhood, or whether that zoning designation was perhaps a redundancy. Ray said it served an important purpose in identifying commercial nodes outside the City core and highway corridors. He said as the City grows farther to the east it will be increasingly important to have that zoning opportunity so people won't have to drive as far for commercial amenities, because it provides the opportunity for commercial activity in areas where large swaths of motor business wouldn't be desired. Obermayr was satisfied with that explanation but considered the terminology inaccurate. Seever surmised that people assume the term "Neighborhood Business" means something much more intensive than the types of businesses that are actually allowed in the zone. McClure noted there has often been push-back from neighbors who don't want any commercial activity near their neighborhoods, so there's a balance

between what people want in their immediate locale vs. what's in the comprehensive plan as being best for the entire community. Ray pointed out that Moscow's small scale tends to make neighborhood businesses community-wide businesses anyway.

The meeting adjourned at 8:01 p.m.

Wendy McClure, Chair

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.

NOT A SENTENCE

Compare #2 above

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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.

* Because

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-

- all caps or none? (See below)

(SHORT)

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 FOR THE INSERTION OF MISSING BASE DENSITY REQUIREMENTS FOR PLANNED UNIT DEVELOPMENTS; PROVIDING FOR ACCESS REQUIREMENTS FOR RURAL ZONING DISTRICTS; PROVIDING FOR THE AMENDMENT OF THE EXPIRATION AND EXTENSION PERIODS FOR CERTAIN LAND USE ACTIONS; PROVIDING FOR THE AMENDMENT OF THE TIME PERIOD FOR PUBLIC NOTICE REQUIREMENTS; 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, there are currently zoning districts which don't have stated residential base densities for Planned Unit Developments and the City wishes to create base densities for the missing districts; and

WHEREAS, the City wishes to amend the lot access and frontage requiremetns for rural zoning districts to accommodate the larger lots which are contained within those districts; and

WHEREAS, the existing expiration periods for certain land use actions has presented challenges, especially to larger projects; and

WHEREAS, the City wishes to amend the expiration period of certain land use actions to allow for more time to start projects as well as allowing options for applying for extensions to the time period; and

WHEREAS, the existing 30-day public notice period for certain land use actions is excessive and the City wishes to reduce the period to 15 days to be consistent with State Law; and

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.

— compare #6 below

DRAFT

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:

. . .

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. ~~Revocations~~Term 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, 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.~~

* * *

Sec. 8-4. Conditional Uses.

A. Procedures:

Shouldn't all 3 be considered (? "And")

Make clear which extension request - first?

what determines decision as to whether to grant first extension request?

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, 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, 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.

as with Variance "and" + clarity on which extension request

DRAFT

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~~ fifteen (~~30~~15) days prior to the required public hearing before the Planning and Zoning Commission pursuant to this Code and City policy.

* keep at 30 days peoples' schedules + it can be a significant change

DRAFT

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 THIRTY-TWO THOUSAND FIVE HUNDRED AND SIXTY-NINE SQUARE FOOT (32,569 SF) PARCEL OF LAND LOCATED AT 406 BAKER STREET IN THE CITY OF MOSCOW.

WHEREAS, the applicant filed an application for Rezone on May 25, 2018; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on July 11, 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 25, 2018 and requested that the subject property be rezoned from the Neighborhood Business (NB) Zone to the Residential Office (RO) Zone.
3. The subject property consists of a 32,569 square foot parcel that was platted in 2010 as part of the Peterson 2nd Subdivision.
4. 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.
5. 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.
6. The entirety of the subject property is currently designated as Urban Residential (UR).

7. 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).

8. Urban Residential 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)."

9. The subject property is currently zoned Neighborhood Business (NB) 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 Neighborhood Business (NB) to the Residential Office (RO) Zone.

11. The Residential Office (RO) Zone is a moderately intensive zone including both offices and high density housing. It serves as a transitional Zoning District between residential Zoning Districts and commercial or industrial Zoning Districts.

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

    1. On the perimeter of commercial or industrial districts where they abut residential land uses;
    2. Where transportation network use is greater than desirable for lower density residential uses;
    3. Where landforms create sites which are reasonably accessible by transportation systems and which are buffered from nearby residential areas; and
    4. Where the development patterns in a neighborhood will allow development of moderate intensity to occur without producing adverse visual impact or harm to the transportation network

13. Uses permitted within the RO Zone include single family dwellings, two family dwellings, twinhomes, townhouses, and multi-family dwellings. Also permitted are professional offices, bed and breakfasts, daycare facilities, and parking lots.

14. 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.

15. 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.

16. 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 Residential (UR) designation is 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. The Residential Office (RO) Zone is consistent with the multi-family development that already exists in the area and will also allow for limited commercial services.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed RO Zone allows a wide range of residential uses and limited commercial services that would fit in with existing development in the area. 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 the future extension of Baker Street, which will be constructed to the collector street standard. 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 RO 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 32,569 square foot parcel of land

located at 406 Baker Street from the Neighborhood Business (NB) Zone to the Residential Office (RO) 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 FINDINGS AND CONCLUSIONS REGARDING A REVIEW OF THE AMENDED AND RESTATED 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 Amended and Restated 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 July 11, 2018 the Planning and Zoning Commission reviewed the components and elements of the Amended and Restated Legacy Crossing Urban Renewal Redevelopment Plan; and

WHEREAS, having reviewed the Amended and Restated 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 Amended and Restated Legacy Crossing Urban Renewal Redevelopment Plan (ARLCURP) covers an area generally described as being bounded by the eastern boundary of the University of Idaho to the west, 'A' Street to the north, Main Street to the east, and Sweet Avenue to the south.
2. The ARLCURP 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 ARLCURP 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.
- Promote sustainable development intended to minimize environmental impacts and promote wise use of natural resources, including water resources.

4. The ARLCURP 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 ARLCURP 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. Section 2.3.2 (Urban Renewal Districts) of the Comprehensive Plan states that, *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."*

7. Section 2.4 (Downtown) of the Comprehensive Plan states that, *"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."

8. Section 2.4.1 (Downtown Expansion) of the Comprehensive Plan states that, *"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) of the Comprehensive Plan states that, *"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."

9. Section 2.5 (Community Design) of the Comprehensive Plan states that, *'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."*

10. Section 2.5.2 (Streetscapes) of the Comprehensive Plan states that, *"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."

11. Section 2.5.3 (Landscaping) of the Comprehensive Plan states that, *"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."*

12. Section 2.5.4 (Scale, Density, and Building Design) of the Comprehensive Plan states that, *"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."

13. Section 2.7.1 (General Land Use and Community Character Goals) of the Comprehensive Plan are intended to,
    - *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.*

14. Implementation Action of Section 2.7.4 is intended to,
    - *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.*

15. Objective of Section 2.7.5 is intended to,
    - *Guide the expansion and intensification of downtown development while considering the needs for parking and desire to maintain the existing historic character.*

16. Implementation Actions of Section 2.7.5 are intended to,
    - *Create design standards for intensive redevelopment of areas near historic downtown so that they complement the existing character of downtown.*
    - *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.*
    - *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.

- *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.*
- *Enhance public transit services to and from downtown to reduce parking demand within the downtown area.*

17. Implementation Action of Section 2.7.6 is intended to,
    - *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.*

18. Section 3.5.2 (Sidewalk and Crosswalk Facilities) of the Comprehensive Plan states that, *"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."*

19. Section 3.10.2 (Downtown Parking) of the Comprehensive Plan states that, *"Uses within the Central Business (CB) Zoning District are exempt from the requirement to provide off-street 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."*

20. Section 5.8.3 (Growth Staging Plan) of the Comprehensive Plan states that, *"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."*

21. Section 6.5.2 (Leveraging Existing Assets) of the Comprehensive Plan states that, *"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."

22. Section 6.5.6 (Business Development Costs) of the Comprehensive Plan states that, *"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."*

23. Objectives of Section 6.6.2 (Leveraging Existing Assets) are intended to,
    - *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.*

24. Implementation Actions of Section 6.6.2 (Leveraging Existing Assets) are intended to,
    - *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.*

25. Implementation Action of Section 6.6.4 (Strengthening Networks) is intended to,
    - *Create better physical linkages between the City and the University of Idaho through the redevelopment of the historic industrial areas near Downtown.*

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 ARLCURP are generally consistent and in conformance with the City of Moscow Comprehensive Plan.

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

THIS 25th DAY OF July, 2018.

Wendy McClure, Chair
Planning and Zoning Commission