

PLANNING & ZONING COMMISSION



Robb Parish
Commission Chair
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Regular Meeting
~Minutes~

Mike Ray
Staff Liaison
208.883.7008

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

Wednesday
July 28, 2021

7:00 PM

Council Chambers
206 E Third Street

The meeting was called to order at 6:59 PM

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

REGULAR AGENDA

1. Approval of June 9, 2021 Minutes

Seever moved for approval of the minutes as presented, seconded by Beebe. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

2. Public Comment

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

None.

3. Public Hearing: Proposal for a Comprehensive Plan Land Use Designation and Zoning Designation for a 2.68-acre Property to be Annexed into the City of Moscow and Generally Located South of Robinson Park Road and East of the Current City Limits Boundary within the City of Moscow: Permit Application LUP2021-0031

1. Retaining the Current Comprehensive Plan Land Use Designation of Auto-Urban Residential.

2. Rezoning of the subject property from the Agriculture Forestry (AF) Zone to the Medium Density Residential (R-3) Zone.

Ray presented the proposal as described above, and recommended approval of the rezone and comprehensive plan amendment with no conditions. The adjacent property, to the west of the subject property was annexed into the City and private water and sewer lines have been extended to that property.

Public Hearing opened at 7:09 PM

Scott Becker (applicant), Moscow, detailed the process for dividing this parcel from the approved Capybara subdivision because it could access City services. The other portion of the plot would need to have a lift station installed in order to be annexed into the City. The two properties are intended to be completely separate, not sharing the same roads except for Robinson Park Road. City services would be extended to the property once someone developed the land.

Public Hearing closed at 7:12 PM

Seever moved to recommend approval of the Comprehensive Plan Amendment and Rezone and directed Staff to draft the Relevant Criteria and Standards, with no conditions, seconded by Nelsen. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

REPORTS

Transportation Commission Meeting

Ray gave an overview of the e-scooter agenda items for the July 8, 2021 meeting.

ANNOUNCEMENTS

Parish spoke a bit about discussions regarding water conservation between Planning & Zoning and City Council members.

UPCOMING EVENTS/MEETINGS

Next Planning & Zoning Commission regular meeting is scheduled for August 11, 2021.

Public Hearing for Southgate Subdivision applications.

The meeting adjourned at 7:16 PM



Robb Parish, Chair

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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING THE REVIEW OF A TWO POINT SIX EIGHT (2.68) ACRE PROPERTY PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED DIRECTLY SOUTH OF ROBINSON PARK ROAD AND EAST OF THE CURRENT CITY LIMITS BOUNDARY.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on July 6, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on July 28, 2021; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a 2.68-acre property proposed to be annexed into the City of Moscow and located directly south of Robinson Park Road and east of the current City Limits boundary.
3. Under Idaho Code, prior to the annexation of property within the City, the Planning and Zoning Commission must conduct a public hearing and make a recommendation to the City Council as to the appropriate land use designation and zoning designation to be applied to the property upon annexation.
4. The subject property is a 2.68-acre parcel of land that is currently undeveloped and being utilized as agricultural production. The subject property is surrounded by the University of Idaho's Parker Farm to the south and east, a childcare center to the west, and rural residential properties to the north.
5. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential, which the applicant is proposing to retain.
6. According to the 2019 Comprehensive Plan, Auto-Urban Residential designated areas are intended to,

“contain predominantly single family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”

7. The subject property and adjacent properties immediately to the north and south are located in Latah County and are currently zoned Agriculture/Forestry (AF).
8. The property to the east was rezoned to the Suburban Residential (SR) Zone and subdivided into four lots in 2020. Properties to the west are located within the City Limits and are zoned a combination of Neighborhood Business (NB), Low Density Single Family Residential (R-1), and Medium Density Residential (R-3).
9. The applicant is proposing to rezone the 2.68-acre parcel from the Agriculture/Forestry (AF) Zone to the Medium Density Residential (R-3) Zone.
10. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on January 29, 2021 to discuss the proposal.
11. Based upon the availability of public services, constructed adjacent roadway, access and surrounding land use patterns, the Commission concludes that it is appropriate for the property to be designated as AU-R upon annexation into the City of Moscow.

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

II. RELEVANT CRITERIA AND STANDARDS

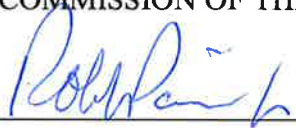
1. **The proposed Comprehensive Plan amendment is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed and existing Auto-Urban Residential designation for the subject property is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan and is consistent with the surrounding properties, as well as the surrounding land use and development patterns.
2. **The proposed Comprehensive Plan amendment would provide for the logical and orderly location of land uses, community services and facilities.** The Commission finds that the proposed designation of AU-R is logical and harmonious with the surrounding land uses and development, and is consistent with the land use designations of the surrounding property to the north, south, and east of the subject property.
3. **The uses expected to occur as a result of the Comprehensive Plan amendment will be compatible with the surrounding area.** The zoning districts that are consistent with the AU-R designation exist within the current City Limits boundary to the southwest. The surrounding properties are primarily residential with the exception of the Neighborhood Business parcel located directly to the west.

4. **The size, type, and density of development expected to occur as a result of the Comprehensive Plan amendment will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed designation is suitable for the area and will not unduly burden the neighborhood of public infrastructure. The subject property has direct access to Robinson Park Road which is designated as a minor arterial, as well as sufficient and available public utility services to meet the needs of existing and future development.
5. **The proposed Comprehensive Plan amendment is deemed to be appropriate in consideration of changing conditions within the community that are not reflected within the current Comprehensive Plan (such as new development or re-development, land use patterns and/or trends, traffic patterns and/or volume, market demands, community vision and/or needs, capital improvements, or new or revised City plans).** The subject property is currently designated as Auto-Urban Residential, which will be the proposed designation upon annexation.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Planning and Zoning Commission recommends approval of retaining the existing Auto-Urban Residential Comprehensive Plan Land Use Designation for the two point six eight (2.68) acre property located directly south of Robinson Park Road and east of the current City Limits boundary with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
11th day of August, 2021.



Robb Parish, Chair
Planning and Zoning Commission

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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE REZONE OF A TWO POINT SIX EIGHT (2.68) ACRE PROPERTY PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED DIRECTLY SOUTH OF ROBINSON PARK ROAD AND EAST OF THE CURRENT CITY LIMITS BOUNDARY FROM THE AGRICULTURE FORESTRY (AF) ZONE TO THE MEDIUM DENSITY RESIDENTIAL (R-3) ZONE.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on July 6, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on July 28, 2021; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a 2.68-acre property proposed to be annexed into the City of Moscow and located directly south of Robinson Park Road and east of the current City Limits boundary.
3. Under Idaho Code, prior to the annexation of the property within the City, the Planning and Zoning Commission is required to review the subject property and provide the City Council with a recommendation regarding the appropriate future land use designation and zoning designation to be applied to the subject property upon annexation.
4. The subject property is a 2.68-acre parcel of land that is currently undeveloped and being utilized as agricultural production. The subject property is surrounded by the University of Idaho's Parker Farm to the south and east, a childcare center to the west, and rural residential properties to the north.
5. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential, which the applicant is proposing to retain.

6. According to the 2019 Comprehensive Plan, Auto-Urban Residential designated areas are intended to,
“contain predominantly single family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”
7. The subject property and adjacent properties immediately to the north and south are located in Latah County and are currently zoned Agriculture/Forestry (AF).
8. The property to the east was rezoned to the Suburban Residential (SR) Zone and subdivided into four lots in 2020. Properties to the west are located within the City Limits and are zoned a combination of Neighborhood Business (NB), Low Density Single Family Residential (R-1), and Medium Density Residential (R-3).
9. The applicant is proposing to rezone the 2.68-acre parcel from the Agriculture/Forestry (AF) Zone to the Medium Density Residential (R-3) Zone.
10. According to the City of Moscow Zoning Code, the purpose of the R-3 Zoning District is:
“Provide for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan.”
12. Uses permitted within the R-3 Zone include single-family dwellings, two family dwellings, twinhomes, townhouses, market and community gardens, group and small child care facilities, and public parks and recreation facilities.
13. The subject property has property frontage Robinson Park Road. Robinson Park Road is designated as a minor arterial and is developed as a 24-foot-wide paved roadway two travel lanes and minimal gravel shoulders on both sides.
14. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on January 29, 2021 to discuss the proposal.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed rezone is consistent with the proposed 2019 Comprehensive Plan Land Use Designation of Auto-Urban Residential.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed R-3 Zone provides a transition from the Neighborhood Business (NB) Zone to the west to the Suburban Residential (SR) Zone to the east. 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 surrounding properties are primarily residential with the exception of the Neighborhood Business (NB) lot to the west.
4. **The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed zoning and uses are suitable for the area and will not unduly burden the area of public infrastructure.
5. **The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.** The subject property has street access via Robinson Park Road, which can adequately serve any proposed development allowed in the R-3 Zone. City water, sanitary sewer, and storm sewer mains are located approximately 700 feet to the west within Robinson Park Road.

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 two point six eight (2.68) acre property from the Agriculture Forestry (AF) Zone to the Medium Density Residential (R-3) Zone with no conditions.

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

11th day of August, 2021.



Robb Parish, Chair
Planning and Zoning Commission