

Moscow City Council



Regular Meeting ~Minutes~

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Laurie M. Hopkins
City Clerk

208.883.7015

**Monday
September 20, 2021**

7:00 PM

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

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

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

ABSENT: Art Bettge

STAFF: Gary J. Riedner, Mia Bautista, Bill Belknap, Tyler Palmer, Mike Ray, David Schott, Amanda Argona, Todd Drage, Tamra Karl

PLEDGE OF ALLEGIANCE

Gina Taruscio led the Pledge of Allegiance.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council September 7, 2021 Minutes - Laurie M. Hopkins

B. Disbursement Report for August 2021 - Sarah Banks

Staff presented the August 2021 Accounts Payable Report to Public Works / Finance Committee on September 13, 2021. The Committee received the report and approved the disbursements as presented.

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

C. Community Development Block Grant Bid Results - Alisa Anderson / Nate Suhr

The City published an advertisement for bids on August 21 and 28, 2021 for the Community Development Block Grant - 2021 project. The Project included ADA improvements at both Mountain View and Indian Hills Parks. The Engineer's Estimate for the project was \$175,174.00. Bid opening for the project took place on September 7th, 2021, at which one (1) bid was received. The bid received was in the amount of \$286,497.48 and was submitted by Quality Contractors, LLC. A bid tabulation is included in the Committee packet. This was reviewed by the Public Works/Finance Committee on September 13, 2021 and the Committee recommended rejection of the bids.

ACTION: Reject the low bid from Quality Contractors, LLC.

D. Moscowberfest Alcohol Use Request in Entertainment District - Amanda Argona

The Moscow Chamber of Commerce is hosting the inaugural Moscowberfest on Saturday, October 2nd, from 4 pm to 8 pm on Main Street between 3rd and 5th Streets. The event is intended to be an annual event stylized in the spirit of fall folk festivals. The applicant anticipates 16 (sixteen) beer and/or wine tents/vendors and four (4) food vendor tents, face painting, chalk drawing, yodeling competition, chicken dance, sidewalk checkers, two music locations featuring traditional music, cardboard cutouts for photo opportunities. etc. The event has been reviewed and approved as of August 25, 2021. Following standard operating procedures for events with alcohol that are within the Entertainment District boundaries, Moscowberfest is requesting a temporary suspension of the open container law by resolution. Per Moscow City Code, Section 10-1-12; a draft resolution has been prepared for Council's consideration. This was reviewed by the Administrative Committee on September 13, 2021 and

recommended for approval.

ACTION: Approve the resolution allowing for the temporary suspension of the open container law within the event footprint of Moscowberfest for the duration of the event.

E. Consideration of the Meadow Brooke Second Addition Pedestrian Bridge - David Schott

The City of Moscow received a proposal from Germer Construction, Inc. who is the owner and contractor developing the Meadow Brooke Second Addition Subdivision. The proposal includes two options for the installation of a pedestrian bridge and a ten (10) foot pathway over Paradise Creek south of Meadow Brook Second Addition and north of Meadow Street. The pedestrian bridge will connect to the existing pathway at Carol Ryrie Brink Nature Park north of the Moscow School District Community Playfields to West View Drive to the north. The proposal also includes a 50/50 cost share with the City. If approved, the City would be responsible for half of the cost of the bridge, which would range from \$44,528 to \$59,598. This project is currently not part of the Capital Improvement Plan and not funded in the City's FY2021 or FY2022 Budgets. The proposed shared use path provided by a pedestrian bridge is supported by the 2008 City of Moscow Paradise Path System Conceptual Master Plan in this location. This was reviewed by the Public Works/Finance Committee on September 13, 2021 and recommended for approval.

PROPOSED ACTIONS: Approve City financial participation in the construction of a pedestrian bridge over Paradise Creek with a 50/50 cost share with Germer Construction, Inc. in the amount of \$44,528 to \$59,598.

F. Professional Services Amended Agreement for Alternative Water Supply Project - Tyler Palmer

The City of Moscow is administering the contract on behalf of the Palouse Basin Aquifer Committee for the Palouse Groundwater Basin Alternative Water Supply Project. The base project anticipated the need for amendments as the project progressed. This amendment extends the work to include additional work to coordinate with fisheries, and also generate operations and maintenance estimates for alternatives 1 and 2. The proposed amendment extends the contract time to March 31, 2022, and adds \$56,605.00 to the contract, which will be transferred to the City prior to any payment on the amendment. This amendment was approved by PBAC at their August 19, 2021 meeting, contingent on the approval for the extension of administrative services by the City. This was reviewed by the Administrative Committee on September 13, 2021 and recommended for approval.

ACTION: Approve the proposed Amended Agreement for Alternative Water Supply Project.

G. AT&T Amendment to Wireless Communication Facility Agreement - Gary J. Riedner

Staff has been approached by AT&T with a request to install and operate one generator and supporting infrastructure on the Residence Street water tank. This additional equipment requires additional ground space which is also requested and included in the amended agreement. The current agreement with AT&T needs to be amended to allow additional equipment to be installed. This Amendment is in accordance with the Co-location resolution that was adopted by the City Council on February 5th 2001. The amendment has been reviewed and approved by the City Attorney, and includes construction plans that have been reviewed and approved by the City Engineering staff. This was reviewed by the Public Works/Finance Committee on September 13, 2021 and recommended for approval.

ACTION: Approve the AT&T proposal to amend the Wireless Communication Facility Agreement.

Gina moved, Maureen seconded to approve the consent agenda as presented. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

None offered.

3. Mayors Appointments (ACTION ITEM)

None offered.

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

Michael Jennings said he is introducing Moscow's Ready For 100% Clean Energy petition. From a science perspective, Moscow is at zero hour which means there is no choice but to respond now. This is not a policy dispute that can be addressed at a later day. He introduced Nicole Chau and Devin Conway who are part of the Climate Justice League.

Conway said the petition is aiming to get cities to commit to a 100% clean energy goal. The campaign asks for the goal to be achieved by 2045. He acknowledged what Moscow has already done fighting climate change. He feels Moscow is in a position to once again lead in climate change.

Chau said in 2019 Boise passed first ever clean energy goal for a city, pledging 100% clean electricity in 2035. Boise also partnered with Idaho Power to transition all city operations to clean electricity by 2023. A bold clean energy commitment is ambitious and practicable and would make us a leader in northern Idaho. Avista representative Paul Kimmel has a goal of 100% clean energy by 2045. Both commitments create the opportunity for a community wide commitment. The Moscow community is supportive. Conway spoke on specific threats to the environment. Chau understands making a verbal declaration like this can be risky, but the climate induced disasters need to be acted on now. Record heat waves and spread of plant diseases negatively impacted the Palouse agriculture. Chau said the ball is in the court of the Council and urges Council, staff and Mayor Lambert to recognize the urgency of the climate crisis and commit Moscow to clean energy by 2045.

Mayor agrees it is everyone's responsibility. The City Council is very interested in Climate Change Control and we will have a workshop scheduled for September 27, 2021. The topic is in the Strategic Plan as a Tier 2 issue.

Shimrra Shai said he is also concerned with global heating. He feels 2045 sounds too late and would suggest 2035. The cost of doing nothing is going to be greater than doing something.

Paul Kimmel (Avista Utilities) thanked the Council for participating in the Palouse roundtable. He feels the community is working toward stabilizing the aquifer. The PBAC Water Summit is scheduled for October 21, 2021. The keynote speaker is Amy Vickers who wrote "The Handbook of Water Conservation." He thanked the Council for the financial support and continued encouragement.

Mayor Lambert called a recess at 7:22 p.m. The meeting reconvened at 7:24 p.m.

5. Public Hearing: Woodbury Annexation, Comprehensive Plan Land Use Designation, Zoning Designation, Preliminary Plat, and Planned Unit Development (ACTION ITEM) - Mike Ray

The applicant, Wintz Company, LLC, is requesting the annexation, Comprehensive Plan land use designation amendment, rezoning, preliminary subdivision plat, and Planned Unit Development (PUD) of a 21.73-acre property generally located north of Slonaker Drive, east of Arborcrest Road, and south of Trail Road. The current Comprehensive Plan Land Use Designation is Auto-Urban Residential and the proposal is a combination of the Auto-Urban Residential and Suburban Commercial designations. The zoning of the subject property is currently Agriculture Forestry (AF) and the proposal is to rezone to a combination of the Moderate Density, Single Family Residential (R-2) Zone and the Neighborhood Business (NB) Zone. The proposed preliminary plat and PUD contains 74 lots ranging from 3,794 to 17,973 square feet in size, referred to as Woodbury Subdivision. The City of Moscow Planning and Zoning Commission conducted a public hearing for the proposed Comprehensive Plan Land Use Designations, Rezone, Preliminary Plat, and PUD on August 25, 2021 and recommended approval with three conditions.

PROPOSED ACTIONS: Conduct the public hearing upon the annexation, Comprehensive Plan land use

designations, zoning designations, PUD, and preliminary plat and upon consideration of any testimony presented:

1. Approve the Annexation Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Annexation Ordinance on first reading; or reject the Annexation Ordinance; or take other action as deemed appropriate.
2. If the Annexation Ordinance is approved, approve the proposed Comprehensive Plan Land Use Designation Resolution and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or reject the proposed Comprehensive Plan Land Use Designation Resolution and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other action as deemed appropriate.
3. If the Annexation Ordinance is approved and the Comprehensive Plan Land Use Designation Resolution is approved, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or consider the Zoning Ordinance on first reading; or reject the Zoning Ordinance and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other action as deemed appropriate.
4. If the Annexation Ordinance is approved, the Comprehensive Plan Land Use Designation Resolution is approved, and the proposed Zoning Ordinance is approved, approve the PUD for Woodbury Addition and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or approve the PUD with conditions and direct staff to prepare a Reasoned Statement of Relevant Criteria; or reject the PUD and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other such action deemed appropriate.
5. If the Annexation Ordinance is approved, the Comprehensive Plan Land Use Designation Resolution is approved, the proposed Zoning Ordinance is approved, and the proposed PUD is approved, approve the preliminary plat for Woodbury Addition with conditions and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or approve the preliminary plat with no conditions and direct staff to prepare a Reasoned Statement of Relevant Criteria; or reject the preliminary plat and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other such action deemed appropriate.

Ray introduced the item as written above and listed the allowed uses in NB zoning, intent of the Auto-Urban Residential and Suburban Commercial designations, and zoning. The applicant has proposed a PUD to coincide with the preliminary plat and is requesting numerous Zoning Code deviations to accommodate the master-planned subdivision that is being developed to a new urbanist design. The entire property that the owner wishes to develop is approximately 82 acres in size. The first phase of the subdivision is 21.73 acres which is proposed to be annexed at this time. Ray provided a description of the different lots and visuals. The street network proposes Slonaker and Village Way becoming the main arteries and 25 off-street parking spaces. There are common open spaces throughout the development and the small neighborhoods are linked by smaller private streets, which would be maintained by a homeowner's association. A traffic impact study was conducted and concluded that the proposed subdivision is expected to result in minimal impacts to vehicle traffic conditions at the study intersections and met City operating standards under all development scenarios. A segment of Mountain View Road between the intersection of Slonaker Drive and Mountain View Road extending south to the Hamilton-Lowe Aquatics Center does not have sidewalks on either side of the street or bike lanes. The Engineering Department is recommending that the applicant be responsible for 50% of the construction costs associated with the installation of curbing, sidewalk and roadway widening in order to connect this missing segment of sidewalk. Also of concern is the sight distance after Mountain View Road makes a ninety degree turn to the east. The Engineering Department is recommending that the applicant evaluate a left turn lane from eastbound Mountain View onto Slonaker Drive to determine whether a turn lane is warranted and if so, it is recommended the applicant be responsible for the construction of the turn lane. Water and sewer service is adequate and can be extended from Slonaker Drive. The applicant is proposing to defer the parkland dedication to phase 2 of the entire subdivision.

Questions from Council were answered: the development agreement would determine the timing of sidewalk installation on Mountain View but would be prior to any building permits being issued. A crosswalk would be

reviewed with the review of which side the sidewalk will be installed on. Logos School is required to widen Mountain View and install pedestrian facilities on their segment. The Engineering Department would work with the applicants engineers on the determination whether a left turn lane is warranted. Ray's understanding is that there is a robust HOA which would maintain the private roads and parkway system. One park is proposed to be public.

Mayor Lambert opened the public hearing at 8:02 p.m.

Mark Wintz (1004 Dairy Ln, Moscow), applicant, said this project has been in the works for many years and they have worked with the Trail family and others. New Urbanism is being very thoughtful about the entire development. Seabrook Development in Seattle assisted Wintz in the design development of this project. Greenways connect so that there is a loop for walking with no streets to cross. Wintz said he is trying to promote community. From a sustainability standpoint, building standards are at that level. The development will be heavily landscaped to improve water retention and should improve animal habitat for birds and small mammals.

Mayor Lambert asked for testimony in favor of the application.

Levi Wintz, (415 n. Van Buren #4, Moscow) said he hoped the Council can see the thought that has gone into this project. Moscow is in a housing crisis and will increase with the development of Schweitzer moving to town. He said they wanted to find a more thoroughly planned development that would provide private property but also an area open to the community. The development will preserve wetland dedication to the west and with no front lawns, there will not be sprinkler systems.

Scott Sumner (106 S. Hayes, Moscow) is the project engineer and manager for this project. He said it has been a challenging project because aesthetics has been a big concern. DKS Associates in Portland was selected for the traffic study because they are the firm that put together Moscow's transportation plan. DKS will address not only whether there needs to be a left turn lane, but at what point in the development it needs to be built.

Sean Wilson (2780 N. Mt. View, Moscow) represents Trail Family LLC, who didn't take the sale of this property lightly. They agreed to sell this property to Wintz because it was a thoughtful development with a thoughtful plan.

Leah Clark (912 Public Ave, Moscow) said she has a degree in architecture and is working with the Wintz company. Much of the development utilizes the community green space rather than individual lawns which should reduce water use. Growth is inevitable in Moscow and along with growth comes traffic. The next development may not be as thoughtful.

Mayor Lambert asked for testimony in opposition or general testimony.

Lana Vensca (1246 Highland, Moscow) said she is concerned about the health of the aquifers and the rapid housing growth seen here recently. The Moscow Comprehensive Plan states that Moscow relies on groundwater for drinking water and she doesn't believe the conservation measures used recently will be enough. She requested Moscow representatives think carefully about new subdivision development and its impacts on the water supply and collect more data before future growth.

Mayor Lambert commented since 1992 Moscow has had a 35% growth and yet reduced water use by 14%.

Megan Connuscu (538 N Blaine St, Moscow) said she believes Moscow is in a water crisis now. There needs to be concrete evidence of the diminishing water supply. Wintz failed to explain sustainability for the larger lots as well as household uses. Also concerned about lack of connectivity and community with downtown. Mountain View Rd pedestrian facilities were addressed but Orchard was not. Even with costly improvements, Slonaker

Drive and Lanny Lane will become arterials when they were not planned to be.

Paul Hendricks (1306 Slonaker Dr, Moscow) is directly adjacent to this development. He is concerned with traffic and believes the study is flawed by using outdated data. Logos School will influence traffic patterns in this quadrant of the city. The only people who spoke in support at the P&Z meeting are those who will benefit financially. Is timeline of developers more important than concern of citizens? Why the rush? Lanny Drive and Slonaker weren't mentioned in the traffic studies. Has the City considered impact fees on new housing? He requested the Council slow down.

Andre Costello (795 Brent Dr, Moscow), a junior at Moscow High School, said he is concerned about the water issue and the sustainability of the city. He moved to Moscow one year ago and fell in love with the clean air, greenery, etc. He fears the gaps in research about aquifers. UI Environmental Engineering and Ecology students could help fill in the research gaps. He feels this development is a mini town not a neighborhood.

Ann Hoste (1183 Wallen Rd, Moscow) said Council has had a lot of housing applications, possibly due to the Governor's new law House Bill 389 which is a win for developers by extending property tax exception. Woodbury project would take 10 years which would be a significant break for the developer. HB 389 reduces tax revenue for City by placing a cap on aggregate increase on property tax regardless of number of houses built and the demand placed on infrastructure. Artificially reduces tax bills for new homes and shifts burden to existing residences. She feels this development is not the low income housing we need and may drive up values. She requested the Council enact a moratorium on annexation.

David Hall (1334 Wallen Rd, Moscow) said the annexation would go against the Comprehensive Plan regarding preserving agricultural land adjacent to the City. Also, the potential for use of large amounts of water is against the best interest of the citizens. He requested the Council not annex the property.

Susan Kurts (966 Pheasant Run, Moscow) feels P&Z is failing to meet its responsibilities with respect to changes to the original Woodbury PUD. City Council has an opportunity to slow the process down. During March and August meetings, the construction access street was to be Mountain View via Slonaker. All the studies were based on that access. In response to Slonaker residents, Slonaker will now be blocked until infrastructure is completed. By blocking Slonaker, the traffic is moved to Orchard without conducting a traffic study for Orchard. Orchard is much longer and narrower. P&Z failed to review other potential routes. She requested the Council postpone annexation until there is a have a chance to take a look at these issues.

Kaden Bledsoe (1148 Flannigan Creek Rd, Moscow) said his main concern is there is not much research as to how quickly the aquifers recharge. He requested the Council wait for more studies to be completed and make the decision on the studies.

Mike Nielon (1215 Slonaker Dr, Moscow) desires closing Slonaker even into construction. When Lanny Lane was opened it seemed that traffic has increased four times greater. He asked the Council to consider keeping Slonaker Drove closed until the first house is sold.

Ellen Johansen (1212 Slonaker Dr, Moscow) said she is most concerned about traffic. She wants this development to be a community project and not pit one neighborhood against another. She reiterated the traffic study using outdated data. Development on the east side feels like a lot more than 1% growth. Mountain View traffic is dangerous to school children. She agreed other options for diverting traffic wasn't looked at.

Chris Walker (1115 Slonaker Dr, Moscow) said he also has traffic and safety concerns. The ninety degree turn wasn't built for the increased traffic. The left hand turn lane needs to be installed prior to anything else. He asked the Council to consider how the neighborhoods were built because Slonaker wasn't meant to be a collector street for 270 homes. He agrees Orchard is not a good street to reroute traffic.

Bill Voxman (1400 Orchard Ave, Moscow) said he will be affected by increased traffic. He spent time on P&Z and Council. He is concerned about improvements on roads not being made soon enough. He likes the proposed development. Traffic is a huge issue and he feels heavy equipment should use Mountain View rather than Orchard which is hilly and does not have any sidewalks.

Wintz responded the traffic studies are more than adequate. There are six connections to the outside neighborhoods. Slonaker is a connector according to the master plan. The trail access to the north, which will lower the impact of heavy equipment wasn't a requirement from the city, but an idea from one of the neighborhood meetings. He believes this development will build equity to the Slonaker neighborhood. He wants to keep construction traffic off Slonaker and Orchard.

Mayor Lambert closed the public hearing at 9:02 p.m.

Kelly said she likes the plan and has many of the same concerns such as traffic studies not including Orchard. May not have enough to move forward yet. She is not as concerned about water because there are active steps being taken now.

Laflin asked for information on the rapid growth in Moscow. Ray provided a chart showing growth percentages from 1960 to 2020. From 2000 to 2020 there was 0.89% growth. Historically, single family growth has been 40 per year. Just because lots are approved does not mean they are developed immediately. Traditionally there is 300-400 lots in inventory and market conditions certainly contribute. Some subdivisions have been approved for many years and have yet to be developed.

Sullivan said population growth has not been very rapid. Moscow has had a large number of developments, but it will take time for them to be built up. Ray pointed out the developer is still 1-2 years out from building the infrastructure. Sullivan also said this development in regards to water is a relatively small impact. This development seems to be the first one addressing the water issues by not having lawns. In regards to traffic, she wants to be sure Moscow is moving forward in a logical way.

Zabala asked for information on why 2006 and 2017 data was used for the traffic study. Belknap explained traditionally for the intersection studies, there would be a turning movement study. Because it was the middle of summer, there would be reflective of traffic patterns during the school year. The most current turning movements done during the school year were used with a forecast of 1% per year to estimate current values. Staff anticipated that the growth factor overestimated the impact but service levels remained at A or B. Zabala said she is still concerned with the addition of Logos.

Gina Taruscio said water is an issue but Palouse Basin Aquifer Committee and others are working on it. She feels all level of housing is needs because of the major employers in Moscow. She is concerned about traffic. She feels the community needs to embrace growth and approach this as a community with our neighbor.

Discussion ensued regarding House Bill 389 and what PBAC is and their purpose.

Belknap explained the improvements to Mountain View would be completed in conjunction with the first phase of the subdivision and include a left turn lane if warranted and would be included in the development agreement, and completed prior to construction permits.

Laflin said she really appreciated all the work done on this project. It seems to move to a new level of development and she is impressed with the consciousness in creating a community. She thanked staff for all the time spent in bringing it forward. Laflin moved and Taruscio seconded to approve the Annexation Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and

published by summary

Sullivan is still concerned about traffic. With school back in session, and the change in the 4-way stop at D and Mountain View, asked if there an indication to do another study. Belknap responded no, that the left turn lanes don't give much additional volume. Every vehicle still must still stop and often times adds delay. Currently staff is experimenting with the temporary removal of the left lanes and if remained permanent, it wouldn't have a significant reduction of intersection capacity. It would be different for a signaled intersection or two way stop.

Sullivan added she understands the concern about Orchard Avenue but hearing the timing and construction vehicles using Mountain View, there doesn't seem to be anything to study during this phase. Belknap added that a traffic study wouldn't conduct a study on construction activity.

Zabala said she is conflicted. There are elements she really likes such as the lots are ADU permissible but heard overwhelming public opposition.

Roll Call Vote: Ayes: Four (4). Nays: One (Zabala). Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2021-16 by title:

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

Taruscio moved and Laflin seconded to approve the proposed Comprehensive Plan Land Use Designation Resolution and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria. Roll Call Vote: Ayes: Four (4). Nays: One (Zabala). Abstentions: None. Motion carried.

The recommended conditions for approval are tied to the subdivision plat approval. The third condition is blocking off access to Slonaker until completion of public infrastructure. Completion of public infrastructure and acceptance of the public road is when staff recommends the barrier be removed. Having a public road barricaded and forcing potential home buyers and others route to Trail is not what staff would recommend. Typically, subdivisions have all had construction access right through neighborhoods as they are built.

Sullivan wants to change condition #3 where the barrier remains until first house is sold. Laflin said many houses could be sold before even built. Sullivan said it could be until the first house is occupied. Riedner said that would require staff to monitor a lot of factors and raises unreasonable expectations. Sullivan explained her point is not to have construction equipment driving through until someone is living there. Belknap said staff can look at eco blocks so there is still fire access but still recommend opening the road is opened when public infrastructure is complete.

Kelly felt like that adds things that aren't going to help and adds unnecessary work. Laflin brought up the issue of precedence and doesn't think it is necessary. Taruscio felt that would put staff in a terrible position and sends a message to developers that Moscow is difficult.

Laflin moved, Taruscio seconded to approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria. Roll Call Vote: Ayes: Four (4). Nays: One (Zabala). Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2021-17 by title:

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ZONING OF A TWENTY POINT FIVE FIVE (20.55) ACRE PROPERTY, DESCRIBED IN SECTION 1, PROPERTY #1 AS MODERATE DENSITY, SINGLE FAMILY RESIDENTIAL (R-2); PROVIDING FOR THE ZONING OF A ONE POINT ONE EIGHT (1.18) ACRE PROPERTY, DESCRIBED IN SECTION 1, PROPERTY #2 AS NEIGHBORHOOD BUSINESS (NB); PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Taruscio moved and Laflin seconded to approve the PUD for Woodbury Addition and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria. Roll Call Vote: Ayes: Unanimous. Nays: One (Zabala). Abstentions: None. Motion carried.

Sullivan moved and Zabala seconded to approve the preliminary plat for Woodbury Addition with condition 1 and 2, and change condition 3 restricting access until the first house is sold. Roll Call Vote: Ayes: Two (Zabala, Sullivan). Nays: Three (Taruscio, Kelly, Laflin). Abstentions: None. Motion failed.

Taruscio moved and Kelly seconded to approve the preliminary plat for Woodbury Addition with the three recommended conditions from Planning and Zoning Commission and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria. Roll Call Vote: Ayes: Three (Taruscio, Kelly, Laflin). Nays: Two (Zabala, Sullivan). Abstentions: None. Motion carried.

Mayor Lambert called a recess at 9:57 p.m. The meeting reconvened at 10:02 p.m.

6. Replacement of Ordinance 2021-06 with Ordinance 2021-06A (ACTION ITEM) - Mike Ray

On June 7, 2021, City Council approved Ordinance 2021-06, which pertained to the annexation of a 235-acre property generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property. The City subsequently received a letter from the Idaho State Tax Commission, dated August 6, 2021, stating that there were deficiencies in the exhibit map submitted by the applicant which was attached to the ordinance. The applicant has since corrected the items identified by the Tax Commission and the revised exhibit map has been attached to the replacement Ordinance 2021-06A for the Council's consideration.

PROPOSED ACTIONS: Approve the replacement of Ordinance 2021-06 with Ordinance 2021-06A; or take such other action deemed appropriate.

Ray introduced the item as written above adding there was deficiency with the metes and bounds which has been corrected in the proposed ordinance.

Kelly moved and Taruscio seconded to approve the replacement of Ordinance 2021-06 with Ordinance 2021-06A. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2021-06A by title:

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

7. Proposed Neighborhood Traffic Calming Policy (ACTION ITEM) - Bill Belknap

Over the last year, staff has received multiple requests for the installation of traffic calming devices in different locations within the community. In order to assess the requests, staff identified the need to develop a standardized process and approach to addressing traffic calming device requests. Over the last six months, the Transportation Commission reviewed policies of other communities and worked on the development of a Neighborhood Traffic Calming Policy for the City. The proposed policy addresses the process of submitting a request, evaluation metrics, and identifies potential traffic calming measures. The proposed policy is now before the City Council for consideration and adoption.

PROPOSED ACTIONS: Approve and adopt the proposed Neighborhood Traffic Calming Policy and associated Resolution; or provide staff further direction.

Belnap introduced the item as written above adding traffic calming should be reserved for unique circumstances. Stop signs are generally not a good traffic calming device as there is often increased speed between signs. Traffic calming is most appropriate on local residential streets, not arterials except in certain circumstances such in front of schools. Metrics will be based on traffic volume, adjacent land uses, vehicle speeds, accident history etc. The application process will require signage from a percentage of neighbors, a site visit, data collection and review of the history from emergency responders. An appeal process will be available. The policy also includes an educational section of possible traffic calming devices which Belnap presented. There are financial restrictions and would anticipate a small allocation of \$20,000-30,000 to begin this program with the hopes of receiving grants as well.

Sullivan suggested adding to the three year clause the exception of unless the City Engineer has determined there are extraordinary circumstances that warrant an additional review. Zabala appreciated the change she requested to change from property owners to residents.

Sandra moved and Zabala seconded to approve and adopt the proposed Neighborhood Traffic Calming Policy and associated Resolution. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried

REPORTS

City Council

Report was postponed.

Mayor

Report was postponed.

Staff

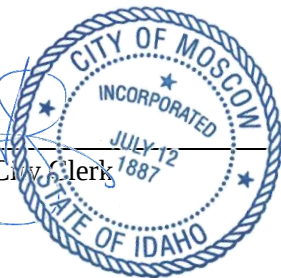
Report was postponed.

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

Mayor Lambert requested adjournment to executive session at 10:22 p.m. per Idaho Code 74-206 (1)(C) and (F) and that the meeting not reconvene. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

ATTEST:

Laurie M. Hopkins, City Clerk



Bill Lambert, Mayor

**CITY OF MOSCOW
MINUTES OF CITY COUNCIL EXECUTIVE SESSION
September 20, 2021**

Present: Mayor Lambert, Sandra Kelly, Maureen Laflin, Brandy Sullivan, Gina Taruscio, Anne Zabala

Also Present: Gary J. Riedner, City Supervisor; Mia Bautista, City Attorney; Bill Belknap, Deputy City Supervisor

The executive session was called to order at 10:25 p.m.

Item discussed pursuant to I.C. 74-206(1)(C) and (F)

The executive session was adjourned at 10:48 p.m.

**BEFORE THE CITY COUNCIL
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 TWENTY-ONE POINT SEVEN THREE (21.73) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND GENERALLY LOCATED NORTH OF SLONAKER DRIVE, EAST OF ARBORCREST ROAD, AND SOUTH OF TRAIL ROAD FROM THE AGRICULTURE FORESTRY (AF) ZONE TO THE MODERATE DENSITY, SINGLE FAMILY RESIDENTIAL (R-2) ZONE AND THE NEIGHBORHOOD BUSINESS (NB) ZONE.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, Rezone, Planned Unit Development (PUD), and preliminary plat on June 17, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on August 25, 2021; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on September 20, 2021; and

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

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The City Council considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a twenty-one point seven three 21.73-acre property proposed to be annexed into the City of Moscow and generally located north of Slonaker Drive, east of Arborcrest Road, and south of Trail Road.
3. The subject property is a 21.73-acre area that is currently being used for agricultural production. The subject property is surrounded by primarily agricultural land to the west, north, and east. Single family subdivisions within Moscow City Limits are located to the south and include Picabu Estates, Blackwood 1st Addition, and Evergreen Hills Subdivision.
4. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and the proposal is a combination of the Auto-Urban Residential and Suburban Commercial designations.

5. Auto-Urban Residential (AU-R) designated areas,

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

6. Suburban Commercial designated areas are intended to,

“provide local and neighborhood commercial services in a manner that is compatible within a residential neighborhood environment. Lands appropriate for this designation include areas in close proximity to higher-density residential development and intersections of designated collector or arterial streets near residential development. Developments within these designated areas should include additional building scale and design standards (e.g., roof shape and materials, building height, setbacks, lighting, signage, etc., coupled with increased buffer yard requirements would better ensure compatibility). Developments within Suburban Commercial designated areas should limit the floor area ratios and require greater landscaping. Suburban Commercial designated areas are most appropriately zoned Neighborhood Business (NB).”

7. The subject property and adjacent properties immediately to the west, north, and east are within Latah County and are currently designated as Agriculture/Forestry (AF).
8. Properties to the west adjacent to Orchard Ave within the City Limits are a combination of the Suburban Residential (SR), Farm Ranch (FR), and Moderate Density, Single Family Residential (R-2) Zoning Districts. The Picabu Estates, Blackwood 1st Addition, and Evergreen Hills Subdivisions to the south and southwest are currently designated as Low Density, Single Family Residential (R-1).
9. The applicant is proposing to rezone the 21.73-acre parcel from the Agriculture Forestry (AF) Zone to a combination of the Moderate Density, Single Family Residential (R-2) Zone and the Neighborhood Business (NB) Zone.
10. According to the City of Moscow Zoning Code, the R-2 Zone is a moderate density residential zone appropriate where the following circumstances are present:
1. Single family dwellings predominate.
 2. The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.
 3. Utilities and other public facilities are adequate for the densities allowed.
 4. Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.
11. Uses permitted within the R-2 Zone include single-family residential dwellings, market and community gardens, group child care facilities, and public parks and recreational facilities.
12. The minimum lot size for lots within the R-2 Zone is 7,000 sf and the minimum lot width is 60 feet (50 feet for lots with alley access). Front yard setbacks are a minimum of 20 feet, side

setbacks are a minimum of 5 feet but both sides must equal 15 feet, street side setbacks are 15 feet, and rear setbacks are 20 feet.

13. 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.
14. Uses permitted within the NB Zone include residential uses above or behind a commercial use on the property, community and market gardens, fitness centers, veterinary services, professional offices, restaurants, coffee and espresso stands, child care facilities, community/neighborhood centers, health care services, museums and art galleries, religious facilities, retail and personal services, off-street parking areas, and bed and breakfast inns.
15. The minimum lot size for single-family, two-family, and multi-family dwellings parcels within the NB Zone is 5,000 sf or 800 sf per dwelling unit, whichever is greater. Townhouse dwellings have a minimum lot size of 1,800 sf and twinhome dwellings require 2,250 square feet. The minimum lot width for single-family, two-family, and multi-family dwellings is 50 feet, 18 feet for townhouses, and 25 feet for twinhomes. Front yard setbacks are a minimum of 20 feet, side setbacks are a minimum of 10 feet, street side setbacks are 10 feet, and rear setbacks are 20 feet.
16. The applicant conducted a neighborhood meeting with affected property owners within 600 ft. of the subject property on March 27, 2021 to discuss the proposal.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed rezone is consistent with the proposed 2019 Comprehensive Plan Land Use Designations of Auto-Urban Residential and Suburban Commercial.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed combination of the Moderate Density, Single Family Residential (R-2) Zone and the Neighborhood Business (NB) Zone provides for some limited commercial services that will serve the residential portion of the property and surrounding neighborhood. The proposed zoning and uses are consistent with the surrounding area and will not unduly burden the neighborhood of public infrastructure.
3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area. The adjacent properties to the south, southwest, and west are a combination of residential uses of varying densities.

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 Slonaker Drive and there are sufficient and available public utility services to meet the needs of existing and future development.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow approves the rezone request for the approximately 21.73-acre property generally located north of Slonaker Drive, east of Arborcrest Road, and south of Trail Road from the Agriculture Forestry (AF) Zone to the Moderate Density, Single Family Residential (R-2) Zone and the Neighborhood Business (NB) Zone with no conditions.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 20th day of September, 2021.



Bill Lambert, Mayor

**BEFORE THE CITY COUNCIL
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 TWENTY-ONE POINT SEVEN THREE (21.73) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND GENERALLY LOCATED NORTH OF SLONAKER DRIVE, EAST OF ARBORCREST ROAD, AND SOUTH OF TRAIL ROAD.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, Rezone, Planned Unit Development (PUD), and preliminary plat on June 17, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on August 25, 2021; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on September 20, 2021; and

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

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The City Council considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a twenty-one point seven three 21.73-acre property proposed to be annexed into the City of Moscow and generally located north of Slonaker Drive, east of Arborcrest Road, and south of Trail Road.
3. The subject property is a 21.73-acre area that is currently being used for agricultural production. The subject property is surrounded by primarily agricultural land to the west, north, and east. Single family subdivisions within Moscow City Limits are located to the south and include Picabu Estates, Blackwood 1st Addition, and Evergreen Hills Subdivision.
4. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and the proposal is a combination of the Auto-Urban Residential and Suburban Commercial designations.
5. Auto-Urban Residential (AU-R) designated areas,

“contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally

anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate."

6. Suburban Commercial designated areas are intended to,
"provide local and neighborhood commercial services in a manner that is compatible within a residential neighborhood environment. Lands appropriate for this designation include areas in close proximity to higher-density residential development and intersections of designated collector or arterial streets near residential development. Developments within these designated areas should include additional building scale and design standards (e.g., roof shape and materials, building height, setbacks, lighting, signage, etc., coupled with increased buffer yard requirements would better ensure compatibility). Developments within Suburban Commercial designated areas should limit the floor area ratios and require greater landscaping. Suburban Commercial designated areas are most appropriately zoned Neighborhood Business (NB)."
7. The subject property and adjacent properties immediately to the west, north, and east are within Latah County and are currently designated as Agriculture/Forestry (AF).
8. The primary point of access for the subject property is Slonaker Drive which is a local neighborhood street that connects to Lanny Lane which is designated as a collector and Mountain View Road which is designated as a minor arterial. Slonaker Drive is developed to a prior City street standard which is a 34-foot-wide paved section with two 10-foot travel lanes, curb, gutter, tree lawns, sidewalks and on-street parking on both sides of the street.
9. The applicant conducted a neighborhood meeting with affected property owners within 600 ft. of the subject property on March 27, 2021 to discuss the proposal.
10. Based upon the availability of public services, constructed adjacent roadway, access and surrounding land use patterns, the Council concludes that it is appropriate for the property to be designated as Auto-Urban Residential and Suburban Commercial upon annexation into the City of Moscow.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed Comprehensive Plan amendment is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed designations for the subject property of Auto-Urban Residential and Suburban Commercial are consistent with the purposes, goals, objectives and policies of the Comprehensive Plan and are consistent with the surrounding properties, as well as the surrounding land use and development patterns.
2. **The proposed Comprehensive Plan amendment would provide for the logical and orderly location of land uses, community services and facilities.** The Council finds that the proposed designations of Auto-Urban Residential and Suburban Commercial 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 south, southwest, and west 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 Auto Urban Residential designation exist within the current City Limits boundary to the south, southwest, and west. The Suburban Commercial designation is intended to provide local and neighborhood commercial services in a manner that is compatible within a residential neighborhood environment.
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 street access via Slonaker Drive 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 Council finds that the land use patterns within the immediate vicinity of the subject property are consistent with the existing land use designation of Auto-Urban Residential. The Suburban Commercial designation is intended to provide local and neighborhood commercial services in a manner that is compatible within a residential neighborhood environment. The proposed land use designations of Suburban Commercial and Auto-Urban Residential provide for a logical transition in the area.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow City Council approves the proposed Comprehensive Plan Land Use Designation change request for the 21.73-acre property from the Auto-Urban Residential designation to the combination of the Auto-Urban Residential and Suburban Commercial designations with no conditions.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 20th day of September, 2021.



Bill Lambert, Mayor

**BEFORE THE CITY COUNCIL
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR A PLANNED UNIT DEVELOPMENT (PUD) OF A TWENTY-ONE POINT SEVEN THREE (21.73) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND GENERALLY LOCATED NORTH OF SLONAKER DRIVE, EAST OF ARBORCREST ROAD, AND SOUTH OF TRAIL ROAD, KNOWN AS WOODBURY ADDITION TO THE CITY OF MOSCOW, IDAHO

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, Rezone, Planned Unit Development (PUD), and preliminary plat on June 17, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on August 25, 2021; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on September 20, 2021; and

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

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The City Council considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a twenty-one point seven three 21.73-acre property proposed to be annexed into the City of Moscow and generally located north of Slonaker Drive, east of Arborcrest Road, and south of Trail Road.
3. The subject property is currently being used for agricultural production. The subject property is surrounded by primarily agricultural land to the west, north, and east. Single family subdivisions within Moscow City Limits are located to the south and include Picabu Estates, Blackwood 1st Addition, and Evergreen Hills Subdivision.
4. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and the proposal is a combination of the Auto-Urban Residential and Suburban Commercial designations.

5. Auto-Urban Residential (AU-R) designated areas,

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

6. Suburban Commercial (SC) designated areas are,

“intended to provide local and neighborhood commercial services in a manner that is compatible within a residential neighborhood environment. Lands appropriate for this designation include areas in close proximity to higher-density residential development and intersections of designated collector or arterial streets near residential development. Developments within these designated areas should include additional building scale and design standards (e.g., roof shape and materials, building height, setbacks, lighting, signage, etc., coupled with increased buffer yard requirements would better ensure compatibility). Developments within Suburban Commercial designated areas should limit the floor area ratios and require greater landscaping. Suburban Commercial designated areas are most appropriately zoned Neighborhood Business (NB).”

7. The subject property and adjacent properties immediately to the west, north, and east are within Latah County and are currently designated as Agriculture/Forestry (AF).
8. Properties to the west adjacent to Orchard Ave within the City Limits are a combination of the Suburban Residential (SR), Farm Ranch (FR), and Moderate Density, Single Family Residential (R-2) Zoning Districts. The Picabu Estates, Blackwood 1st Addition, and Evergreen Hills Subdivisions to the south and southwest are currently designated as Low Density, Single Family Residential (R-1).
9. The applicant is proposing to rezone the 21.73-acre parcel from the Agriculture Forestry (AF) Zone to a combination of the Moderate Density, Single Family Residential (R-2) Zone and the Neighborhood Business (NB) Zone.
10. According to the City of Moscow Zoning Code, the R-2 Zone is a moderate density residential zone appropriate where the following circumstances are present:
 1. Single family dwellings predominate.
 2. The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.
 3. Utilities and other public facilities are adequate for the densities allowed.
 4. Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.
11. Uses permitted within the R-2 Zone include single-family residential dwellings, market and community gardens, group child care facilities, and public parks and recreational facilities.
12. The minimum lot size for lots within the R-2 Zone is 7,000 sf and the minimum lot width is 60 feet (50 feet for lots with alley access). Front yard setbacks are a minimum of 20 feet, side

setbacks are a minimum of 5 feet but both sides must equal 15 feet, street side setbacks are 15 feet, and rear setbacks are 20 feet.

13. 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.
14. Uses permitted within the NB Zone include residential uses above or behind a commercial use on the property, community and market gardens, fitness centers, veterinary services, professional offices, restaurants, coffee and espresso stands, child care facilities, community/neighborhood centers, health care services, museums and art galleries, religious facilities, retail and personal services, off-street parking areas, and bed and breakfast inns.
15. The minimum lot size for single-family, two-family, and multi-family dwellings parcels within the NB Zone is 5,000 sf or 800 sf per dwelling unit, whichever is greater. Townhouse dwellings have a minimum lot size of 1,800 sf and twinhome dwellings require 2,250 square feet. The minimum lot width for single-family, two-family, and multi-family dwellings is 50 feet, 18 feet for townhouses, and 25 feet for twinhomes. Front yard setbacks are a minimum of 20 feet, side setbacks are a minimum of 10 feet, street side setbacks are 10 feet, and rear setbacks are 20 feet.
16. The applicant is proposing to subdivide the 21.73-acre area to create 74 lots ranging from 3,794 to 17,973 square feet in size, referred to as Woodbury Subdivision.
17. There are 7 lots that are proposed within the NB Zone and 67 lots proposed within the R-2 Zone. The applicant has proposed a PUD to coincide with the preliminary plat and is requesting numerous Zoning Code deviations to accommodate the master-planned subdivision that is being developed to a new urbanist design.
18. The entire property that the owner wishes to develop is approximately 82 acres in size and extends from Slonaker Drive to the south, Arborcrest Road to the west, Trail Road to the north, and slightly to the east of Youmans Lane to the east. The first phase of the subdivision is the 21.73 acres which is proposed to be annexed at this time.
19. The applicant is proposing a master-planned community that would include a number of small neighborhoods that are linked by a combination of City and private streets. The community would include rear loaded garages, front porches, tree-lined streets, and a walkway system that will connect a number of small linear parks. Each home in the neighborhood is proposed to be unique, but also be of the same architectural style.
20. There are four types of lots within the proposed development: Village; Cottage; Fort Russell; and Garden Lots. The Village lots are those that surround the Center Park and include the proposed Neighborhood Business zoned lots. The Cottage lots are clustered in neighborhoods that surround the Village center. Fort Russell lots are larger in size and surround the cottage neighborhoods. The Garden lots are the largest lots which are located on the perimeter of the development and are the only lots that are not proposed to have rear access via a private street.

21. At the center of the development is an open space island which is being referred to as Center Park. The smallest residential lots in the development, as well as the seven Neighborhood Business lots are surrounding the Center Park area and are being referred to as the Village lots. All of the Village lots that surround the Center Park are intended to face Center Park and have a private street at the rear which provides vehicular access, fire department access, and refuse collection.
22. The average lot size of the Village lots adjacent to Center Park is 4,800 sf with dimensions of 40 feet by 95 feet. Front setbacks are proposed to be 7 feet, side and street side setbacks are proposed to range between 0 and 5 feet, and rear setbacks are proposed to be 7 feet. All Neighborhood Business uses are proposed to be allowed on the Village lots that are zoned NB.
23. Directly to the south of the lots which surround Center Park is a neighborhood cluster of Cottage lots. The applicant is referring to all the Cottage lot clusters as "micro-neighborhoods" which will all face a center green space with walking paths with vehicular access at the rear via private streets. Each home within the Cottage neighborhoods is proposed to be unique, but still follow the style of the neighborhood.
24. The average lot size of the Cottage lots adjacent to Center Park is 4,800 sf with dimensions of 40 feet by 95 feet. Front setbacks are proposed to be 7 feet, side and street side setbacks are proposed to be 5 feet, and rear setbacks are proposed to be 7 feet. Example building plans have been submitted for the Cottage houses which show single story homes around 1,200 sf in size that contain a living room, kitchen, dining room, office, two bathrooms, and two bedrooms.
25. The next ring of homes in the micro-neighborhoods that are proposed to surround the Cottage core are on larger lots and are referred to as the Fort Russell lots. The applicant is referring to the lots as Fort Russell because of their similarity to the existing Fort Russell neighborhood in Moscow in regards to the lot size, tree-lined streets, and rear alley access.
26. The average lot size of the Fort Russell lots is 6,600 sf with dimensions of 60 feet by 110 feet. Front setbacks are proposed to be 7 feet, side and street side setbacks are proposed to be 5 feet, and rear setbacks are proposed to be 7 feet. The larger lot sizes will accommodate homes which are larger than the Cottage homes. The example building plans depict an architectural design that is similar in appearance to homes that would exist in Fort Russell. The example home is a story and a half design that is 2,250 sf in size and contains a living room, kitchen, dining room, office, two bathrooms, and a master bedroom.
27. At the perimeter of the development to the south where Slonaker Drive extends north from the Blackwood Subdivision, the applicant is proposing the Garden lots. Most of the Garden lots will have garage access directly from the public street that they front, so the setbacks are proposed to be greater. The applicant is intending to provide a smooth transition from the existing neighborhoods at the edge of the proposed subdivision all the way through the Fort Russell, Cottage, and Village neighborhoods.
28. The average lot size of the Garden lots is 16,500 sf with dimensions of 110 feet by 150 feet. Front setbacks are proposed to be 10 feet for the house and 20 feet for the garage, side and street side setbacks are proposed to be 7 feet, and rear setbacks are proposed to be 10 feet. The example home is a two-story design that is 3,400 sf in size and contains a living room, kitchen, dining room, office/den, two bathrooms, master bedroom, upstairs living space, and a two-car garage.
29. The applicant is proposing to allow architectural projections such as bay windows, porches, and eaves to be able to encroach 3 feet into the front and street side setbacks.

30. The applicant is proposing that fences located in the front yard be allowed up to 42 inches in height and set back 18 inches from the sidewalk. Hedges in the front setback shall not exceed 48 inches in height and the fences and walls shall be consistent with the architectural style of the house.
31. Rear and side yard fences are encouraged for privacy and shall not exceed 6 feet in height. Fencing over 48 inches shall be required to have 50% opacity which can be softened with vines and plantings. Gates and arbors are permitted and hedges on the side and rear of the lot are unrestricted.
32. The minimum PUD base density of the R-2 Zone is 4.8 dwelling units per acre and the base density of the NB Zone is 24 dwelling units per acre. The proposed PUD has a base density of 3.44 units per acre, therefore no density bonuses are required as part of the project.
33. On-street parking is provided on both sides of the Slonaker Street and on one side of Village Way. The proposed private streets contain no on-street parking, but the applicant is proposing to provide public parking spaces that would be dispersed throughout the subdivision adjacent to the private streets. 25 public off-street parking spaces are proposed as part of the development. Each lot within the proposed subdivision will provide a minimum of two off-street parking spaces, dispersed between a garage or driveway.
34. ADU's are permitted on all lots as long as setbacks can be met. Upon the Village, Cottage, and Fort Russell lots, ADU's may be placed above a one, two, or three car garage or carport and have a maximum floor area of 750 square feet. On Garden lots the ADU may be placed above a garage or carport, or be independent and have a maximum floor area of 1,200 square feet.
35. The primary point of access for the proposed subdivision is Slonaker Drive. An emergency secondary access and construction entrance is proposed to be extended to the proposed subdivision from Trail Road to the north. A minimum width of 20 feet and all-weather driving surface will be required for the secondary access road. Future phases of the entire development are planned to provide connections to Arborcrest Road, Trail Road, and Youmans Lane.
36. Slonaker Drive is a local neighborhood street that connects to Lanny Lane which is designated as a collector and Mountain View Road which is designated as a minor arterial. Slonaker Drive is developed to a prior City street standard which is a 34-foot-wide paved section with two 10-foot travel lanes, curb, gutter, tree lawns, sidewalks and on-street parking on both sides of the street.
37. The applicant is proposing to continue the older street section on Slonaker Drive through the proposed subdivision. However, the applicant is proposing to reduce the tree lawn width from 8.5 feet to 7 feet. David Schott, Assistant Parks and Recreation Director has reviewed the proposed 7-foot width of tree lawn and determined that according to the Arboriculture Specifications and Standards, a 7-foot-wide tree lawn is sufficient for large class trees.
38. The only other public street within the proposed subdivision is Village Way. Village Way is proposed to be a 28-foot paved street with two 10-foot travel lanes, curb, gutter, tree lawns, and sidewalks on both sides of the street. On-street parking is located on only one side of the street with the proposed 28-foot-wide street section. The applicant is proposing to reduce the tree lawn width from 10 feet to 7 feet on the proposed street.
39. The remainder of the streets within the proposed subdivision are proposed to be private streets which will be maintained by a homeowner association. The private street standard that the City has adopted is a minimum of a 20-foot-wide paved roadway with curbing on both sides of the

street. The applicant is proposing an alternative private street design which would function and be designed similarly to a public alley standard. The proposed private street section would include a 16-foot paved roadway with 2-foot gravel shoulders on both sides of the street. The private streets provide the primary vehicular access to many of the lots within the proposed subdivision and also serve as emergency services access.

40. The Fire Marshall has reviewed the private streets for sufficient access and the applicant has modeled the private street intersections for sufficient fire truck turning radiuses. The private streets within the development are Midsummer, Picotee, Le Petite Maisons, Southwick, Rosemary, and Cozy.
41. There are two streets which are proposed to be one-way in the proposed subdivision. The confluence of Slonaker Drive and Village Way at the Center Park are proposed to be one-way around the Center Park. Ashton Circle in the southwest of the subdivision is proposed to be one-way heading in the easterly direction, eventually intersecting with Slonaker Drive.
42. There is currently no one-way street standard that has been adopted by the City, so the applicant is proposing a standard which have a 12-foot travel lane and an 8-foot lane for on-street parking on one side of the street. A 7-foot tree lawn and 5-foot sidewalk is proposed on one side of the street.
43. The applicant contracted with DKS Associates in Portland, Oregon, to conduct a traffic study of the impact of the proposed subdivision on existing roadways and primary intersections within the area. The intersections that were analyzed were the Mountain View Road/D Street intersection and the Mountain View Road/F Street intersection. The traffic impact study was conducted for the full buildout of the subdivision at an estimated 270 new single-family housing units. The traffic impact study concluded that the proposed subdivision is expected to result in minimal impacts to vehicle traffic conditions at the study intersections and meet City operating standards under all development scenarios. The study also concluded that no mitigations are needed to address potential project impacts to traffic conditions.
44. The City of Moscow Engineering Department has reviewed the traffic impact study and has no concerns with the analysis and results. However, the results do indicate that a 50% increase in traffic on portions of Mountain View Road is projected to occur as a result of the subdivision at full build-out. There is currently a segment of Mountain View Road between the intersection of Slonaker Drive and Mountain View Road extending south to the Hamilton-Lowe Aquatics Center that does not have sidewalks on either side of the street or bike lanes. Therefore, the Engineering Department is recommending that the applicant be responsible for fifty percent (50%) of the construction costs associated with the installation of curbing, sidewalk and roadway widening in order to connect this missing segment of sidewalk on Mountain View Road. The Moscow Engineering Department shall determine which side of the street the improvements should be constructed upon.
45. The Engineering Department is also concerned with the sight distance after Mountain View Road makes a ninety degree turn to the east, with vehicles queuing up to turn left onto Slonaker Drive. Therefore, the Engineering Department is recommending that the applicant evaluate a left turn lane from eastbound Mountain View onto Slonaker Drive to determine whether a turn lane is warranted. If it is determined that a left turn lane is warranted, Engineering is recommending that the applicant be responsible for the construction of the turn lane.
46. Water mains will be extended throughout the subdivision from the existing main within Slonaker Drive. The property is considered developable in the City's Comprehensive Water System Plan

dated January 2012. The Engineering Department has determined that the existing system has adequate potable and fire flows to serve the proposed subdivision.

47. Sanitary sewer is proposed to be extended throughout the subdivision primarily within the public and private streets. Engineering has determined that the system has adequate capacity to convey the additional flow from the development. The subject property is considered developable in the Comprehensive Sewer System Plan dated September 2011.
48. Storm sewer will be piped and directed to a stormwater detention pond located at the southwest corner of the proposed subdivision. The detention facilities of the proposed development will need to meet Moscow's Stormwater Runoff Control Standards which required the stormwater to be detained to the pre-development rate.
49. The proposed subdivision falls under the requirements of the parkland dedication codes of the City. There is 10.98 acres of net developable area of platted R-2 Zoned property, which requires a 5% parkland dedication. There is 0.72 acres of net developable area within the NB Zone which requires a 9% dedication. The total parkland dedication for the proposed subdivision is 26,746 sf or 0.61 acres. The applicant has submitted a letter proposing to defer the parkland dedication for phase 1 to phase 2 of the entire subdivision for a natural area comprised of 3.07 acres and a 1.14-acre area that totals 4.2 acres of open space that will include grading, a detention basin, and a ten-foot (10') wide gravel (pathway base) pathway provided by the developer. It is anticipated the parkland dedication requirements for the entire subdivision would be approximately 2.3 acres +/- . Said 4.2 acres of parkland dedication, together with agreed upon improvements to the parkland property would satisfy all parkland dedication requirements for the entire Woodbury subdivision. It is the Assistant Parks and Recreation Director's opinion that the proposed deferral of parkland dedication meets the dedication requirements for the subdivision.
50. The applicant conducted a neighborhood meeting with affected property owners within 600 ft. of the subject property on March 27, 2021 to discuss the proposal.

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

II. RELEVANT CRITERIA AND STANDARDS

- 1. The proposed PUD is consistent with the Comprehensive Plan.** The proposed PUD is consistent with the uses and densities designated within the 2019 Comprehensive Plan. The Suburban Commercial (SC) designation is intended to provide local and neighborhood commercial services in a manner that is compatible within a residential neighborhood environment. The Auto-Urban Residential (AU-R) designation provides low- to moderate-density residential uses at densities between three to six units per acre, which the proposed PUD meets. The proposed PUD also furthers a goal of the Comprehensive Plan to provide a mix of housing that meets the economic and lifestyle needs of the diverse population of Moscow. Therefore, the Council finds that the proposed PUD is consistent with the Comprehensive Plan.
- 2. The proposed PUD is consistent with the intents and purposes of this Chapter.** The proposed PUD meets the intent of the PUD chapter to permit and encourage innovative, economical, and attractive development; which includes land uses which harmonize with natural features and constraints; which promotes efficient, innovative, economical, attractive,

and environmentally sensitive development; and which efficiently phases and locates public and private services and facilities. The proposed PUD is an innovative new urbanist themed development which utilizes public and private street to provide rear loaded garages, front porches, tree-lined streets, and a walkway system that will connect a number of small linear parks. The proposed PUD creates 7 lots that are proposed within the NB Zone and 67 lots proposed within the R-2 Zone. There are four different lot types that accommodate a range of single-family home sizes to meet the needs of a diverse population. The purpose of the Neighborhood Business (NB) Zoning District is to provide commercial services which serve adjacent residential neighborhoods, which is how the NB lots are being utilized in the proposed PUD.

3. **The proposed PUD is compatible with the character and uses in the surrounding area.** The PUD is consistent with the surrounding area which is primarily a mixture of residential developments. The proposed PUD provides for a range of lot sizes which are intended to provide a smooth transition from the existing neighborhoods at the edge of the proposed subdivision to the smaller lots near the Village Center.
4. **Public services and utilities are available or can be made available and are adequate to accommodate the proposed PUD.** Public Works has indicated that water, sanitary sewer, and storm sewer systems are readily available in the area and can accommodate the proposed PUD. The subject property has been determined to be developable in the 2012 Comprehensive Water System Plan and the 2011 Comprehensive Sewer System Plan.
5. **The proposed PUD will not endanger the public health or safety.** There is no evidence that the proposed PUD would have an impact on the public health and safety. The proposed PUD will help serve the need of providing a range of single-family home sizes to meet the needs of a diverse population.
6. **The residential densities, proposed land uses, and design proposed within the PUD promote the innovative, efficient, economic and attractive development of the subject property.** The proposed PUD is an innovative new urbanist themed master-planned community which utilizes public and private street to provide rear loaded garages, front porches, tree-lined streets, and a walkway system that will connect a number of small linear parks. The proposed PUD creates 7 lots that are proposed within the NB Zone and 67 lots proposed within the R-2 Zone. There are four different lot types that accommodate a range of single-family home sizes to meet the needs of a diverse population, while providing a transition from existing neighborhoods to the center of the development.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow approves the Planned Unit Development (PUD) request for the twenty-one point seven three (21.73) acre area of land generally located north of Slonaker Drive, east of Arborcrest Road, and south of Trail Road with no conditions.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 20th day of September, 2021.



Bill Lambert, Mayor

**BEFORE THE CITY COUNCIL
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR A PRELIMINARY SUBDIVISION PLAT OF A TWENTY-ONE POINT SEVEN THREE (21.73) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND GENERALLY LOCATED NORTH OF SLONAKER DRIVE, EAST OF ARBORCREST ROAD, AND SOUTH OF TRAIL ROAD, KNOWN AS WOODBURY ADDITION TO THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, Rezone, Planned Unit Development (PUD), and preliminary plat on June 17, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on August 25, 2021; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on September 20, 2021; and

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

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The City Council considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a twenty-one point seven three (21.73) acre property proposed to be annexed into the City of Moscow and generally located north of Slonaker Drive, east of Arborcrest Road, and south of Trail Road.
3. The subject property is currently being used for agricultural production. The subject property is surrounded by primarily agricultural land to the west, north, and east. Single family subdivisions within Moscow City Limits are located to the south and include Picabu Estates, Blackwood 1st Addition, and Evergreen Hills Subdivision.
4. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and the proposal is a combination of the Auto-Urban Residential and Suburban Commercial designations.

5. Auto-Urban Residential (AU-R) designated areas,

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

6. Suburban Commercial designated areas are intended to,

“provide local and neighborhood commercial services in a manner that is compatible within a residential neighborhood environment. Lands appropriate for this designation include areas in close proximity to higher-density residential development and intersections of designated collector or arterial streets near residential development. Developments within these designated areas should include additional building scale and design standards (e.g., roof shape and materials, building height, setbacks, lighting, signage, etc., coupled with increased buffer yard requirements would better ensure compatibility). Developments within Suburban Commercial designated areas should limit the floor area ratios and require greater landscaping. Suburban Commercial designated areas are most appropriately zoned Neighborhood Business (NB).”

7. The subject property and adjacent properties immediately to the west, north, and east are within Latah County and are currently designated as Agriculture/Forestry (AF).
8. Properties to the west adjacent to Orchard Ave within the City Limits are a combination of the Suburban Residential (SR), Farm Ranch (FR), and Moderate Density, Single Family Residential (R-2) Zoning Districts. The Picabu Estates, Blackwood 1st Addition, and Evergreen Hills Subdivisions to the south and southwest are currently designated as Low Density, Single Family Residential (R-1).
9. The applicant is proposing to rezone the 21.73-acre parcel from the Agriculture Forestry (AF) Zone to a combination of the Moderate Density, Single Family Residential (R-2) Zone and the Neighborhood Business (NB) Zone.
10. According to the City of Moscow Zoning Code, the R-2 Zone is a moderate density residential zone appropriate where the following circumstances are present:
 1. Single family dwellings predominate.
 2. The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.
 3. Utilities and other public facilities are adequate for the densities allowed.
 4. Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.
11. Uses permitted within the R-2 Zone include single-family residential dwellings, market and community gardens, group child care facilities, and public parks and recreational facilities.
12. The minimum lot size for lots within the R-2 Zone is 7,000 sf and the minimum lot width is 60 feet (50 feet for lots with alley access). Front yard setbacks are a minimum of 20 feet, side

setbacks are a minimum of 5 feet but both sides must equal 15 feet, street side setbacks are 15 feet, and rear setbacks are 20 feet.

13. 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.
14. Uses permitted within the NB Zone include residential uses above or behind a commercial use on the property, community and market gardens, fitness centers, veterinary services, professional offices, restaurants, coffee and espresso stands, child care facilities, community/neighborhood centers, health care services, museums and art galleries, religious facilities, retail and personal services, off-street parking areas, and bed and breakfast inns.
15. The minimum lot size for single-family, two-family, and multi-family dwellings parcels within the NB Zone is 5,000 sf or 800 sf per dwelling unit, whichever is greater. Townhouse dwellings have a minimum lot size of 1,800 sf and twinhome dwellings require 2,250 square feet. The minimum lot width for single-family, two-family, and multi-family dwellings is 50 feet, 18 feet for townhouses, and 25 feet for twinhomes. Front yard setbacks are a minimum of 20 feet, side setbacks are a minimum of 10 feet, street side setbacks are 10 feet, and rear setbacks are 20 feet.
16. The applicant is proposing to subdivide the 21.73-acre area to create 74 lots ranging from 3,794 to 17,973 square feet in size, referred to as Woodbury Subdivision.
17. There are 7 lots that are proposed within the NB Zone and 67 lots proposed within the R-2 Zone. The applicant has proposed a PUD to coincide with the preliminary plat and is requesting numerous Zoning Code deviations to accommodate the master-planned subdivision that is being developed to a new urbanist design.
18. The entire property that the owner wishes to develop is approximately 82 acres in size and extends from Slonaker Drive to the south, Arborcrest Road to the west, Trail Road to the north, and slightly to the east of Youmans Lane to the east. The first phase of the subdivision is the 21.73 acres which is proposed to be annexed at this time.
19. The applicant is proposing a master-planned community that would include a number of small neighborhoods that are linked by a combination of City and private streets. The community would include rear loaded garages, front porches, tree-lined streets, and a walkway system that will connect a number of small linear parks.
20. There are four types of lots within the proposed development: Village; Cottage; Fort Russell; and Garden Lots. The Village lots are those that surround the Center Park and include the proposed Neighborhood Business zoned lots. The Cottage lots are clustered in neighborhoods that surround the Village center. Fort Russell lots are larger in size and surround the cottage neighborhoods. The Garden lots are the largest lots which are located on the perimeter of the development and are the only lots that are not proposed to have rear access via a private street.

21. At the center of the development is an open space island which is being referred to as Center Park. The smallest residential lots in the development, as well as the seven Neighborhood Business lots are surrounding the Center Park area and are being referred to as the Village lots. All of the Village lots that surround the Center Park are intended to face Center Park and have a private street at the rear which provides vehicular access, fire department access, and refuse collection.
22. The average lot size of the Village lots adjacent to Center Park is 4,800 sf with dimensions of 40 feet by 95 feet. Front setbacks are proposed to be 7 feet, side and street side setbacks are proposed to range between 0 and 5 feet, and rear setbacks are proposed to be 7 feet. All Neighborhood Business uses are proposed to be allowed on the Village lots that are zoned NB.
23. Directly to the south of the lots which surround Center Park is a neighborhood cluster of Cottage lots. The applicant is referring to all the Cottage lot clusters as "micro-neighborhoods" which will all face a center green space with walking paths with vehicular access at the rear via private streets.
24. The average lot size of the Cottage lots adjacent to Center Park is 4,800 sf with dimensions of 40 feet by 95 feet. Front setbacks are proposed to be 7 feet, side and street side setbacks are proposed to be 5 feet, and rear setbacks are proposed to be 7 feet.
25. The next ring of homes in the micro-neighborhoods that are proposed to surround the Cottage core are on larger lots and are referred to as the Fort Russell lots. The applicant is referring to the lots as Fort Russell because of their similarity to the existing Fort Russell neighborhood in Moscow in regards to the lot size, tree-lined streets, and rear alley access.
26. The average lot size of the Fort Russell lots is 6,600 sf with dimensions of 60 feet by 110 feet. Front setbacks are proposed to be 7 feet, side and street side setbacks are proposed to be 5 feet, and rear setbacks are proposed to be 7 feet.
27. At the perimeter of the development to the south where Slonaker Drive extends north from the Blackwood Subdivision, the applicant is proposing the Garden lots. Most of the Garden lots will have garage access directly from the public street that they front, so the setbacks are proposed to be greater. The applicant is intending to provide a smooth transition from the existing neighborhoods at the edge of the proposed subdivision all the way through the Fort Russell, Cottage, and Village neighborhoods.
28. The average lot size of the Garden lots is 16,500 sf with dimensions of 110 feet by 150 feet. Front setbacks are proposed to be 10 feet for the house and 20 feet for the garage, side and street side setbacks are proposed to be 7 feet, and rear setbacks are proposed to be 10 feet.
29. On-street parking is provided on both sides of the Slonaker Street and on one side of Village Way. The proposed private streets contain no on-street parking, but the applicant is proposing to provide public parking spaces that would be dispersed throughout the subdivision adjacent to the private streets. 25 public off-street parking spaces are proposed as part of the development. Each lot within the proposed subdivision will provide a minimum of two off-street parking spaces, dispersed between a garage or driveway.
30. The primary point of access for the proposed subdivision is Slonaker Drive. An emergency secondary access and construction entrance is proposed to be extended to the proposed subdivision from Trail Road to the north. A minimum width of 20 feet and all-weather driving surface will be required for the secondary access road. Future phases of the entire development are planned to provide connections to Arborcrest Road, Trail Road, and Youmans Lane.

31. Slonaker Drive is a local neighborhood street that connects to Lanny Lane which is designated as a collector and Mountain View Road which is designated as a minor arterial. Slonaker Drive is developed to a prior City street standard which is a 34-foot-wide paved section with two 10-foot travel lanes, curb, gutter, tree lawns, sidewalks and on-street parking on both sides of the street.
32. The applicant is proposing to continue the older street section on Slonaker Drive through the proposed subdivision. However, the applicant is proposing to reduce the tree lawn width from 8.5 feet to 7 feet. David Schott, Assistant Parks and Recreation Director has reviewed the proposed 7-foot width of tree lawn and determined that according to the Arboriculture Specifications and Standards, a 7-foot-wide tree lawn is sufficient for large class trees.
33. The only other public street within the proposed subdivision is Village Way. Village Way is proposed to be a 28-foot paved street with two 10-foot travel lanes, curb, gutter, tree lawns, and sidewalks on both sides of the street. On-street parking is located on only one side of the street with the proposed 28-foot-wide street section. The applicant is proposing to reduce the tree lawn width from 10 feet to 7 feet on the proposed street.
34. The remainder of the streets within the proposed subdivision are proposed to be private streets which will be maintained by a homeowner association. The private street standard that the City has adopted is a minimum of a 20-foot-wide paved roadway with curbing on both sides of the street. The applicant is proposing an alternative private street design which would function and be designed similarly to a public alley standard. The proposed private street section would include a 16-foot paved roadway with 2-foot gravel shoulders on both sides of the street. The private streets provide the primary vehicular access to many of the lots within the proposed subdivision and also serve as emergency services access.
35. The Fire Marshall has reviewed the private streets for sufficient access and the applicant has modeled the private street intersections for sufficient fire truck turning radiuses. The private streets within the development are Midsummer, Picotee, Le Petite Maisons, Southwick, Rosemary, and Cozy.
36. There are two streets which are proposed to be one-way in the proposed subdivision. The confluence of Slonaker Drive and Village Way at the Center Park are proposed to be one-way around the Center Park. Ashton Circle in the southwest of the subdivision is proposed to be one-way heading in the easterly direction, eventually intersecting with Slonaker Drive.
37. There is currently no one-way street standard that has been adopted by the City, so the applicant is proposing a standard which have a 12-foot travel lane and an 8-foot lane for on-street parking on one side of the street. A 7-foot tree lawn and 5-foot sidewalk is proposed on one side of the street.
38. The applicant contracted with DKS Associates in Portland, Oregon, to conduct a traffic study of the impact of the proposed subdivision on existing roadways and primary intersections within the area. The intersections that were analyzed were the Mountain View Road/D Street intersection and the Mountain View Road/F Street intersection. The traffic impact study was conducted for the full buildout of the subdivision at an estimated 270 new single-family housing units. The traffic impact study concluded that the proposed subdivision is expected to result in minimal impacts to vehicle traffic conditions at the study intersections and meet City operating standards under all development scenarios. The study also concluded that no mitigations are needed to address potential project impacts to traffic conditions.

39. The City of Moscow Engineering Department has reviewed the traffic impact study and has no concerns with the analysis and results. However, the results do indicate that a 50% increase in traffic on portions of Mountain View Road is projected to occur as a result of the subdivision at full build-out. There is currently a segment of Mountain View Road between the intersection of Slonaker Drive and Mountain View Road extending south to the Hamilton-Lowe Aquatics Center that does not have sidewalks on either side of the street or bike lanes. Therefore, the Engineering Department is recommending that the applicant be responsible for fifty percent (50%) of the construction costs associated with the installation of curbing, sidewalk and roadway widening in order to connect this missing segment of sidewalk on Mountain View Road. The Moscow Engineering Department shall determine which side of the street the improvements should be constructed upon.
40. The Engineering Department is also concerned with the sight distance after Mountain View Road makes a ninety degree turn to the east, with vehicles queuing up to turn left onto Slonaker Drive. Therefore, the Engineering Department is recommending that the applicant evaluate a left turn lane from eastbound Mountain View onto Slonaker Drive to determine whether a turn lane is warranted. If it is determined that a left turn lane is warranted, Engineering is recommending that the applicant be responsible for the construction of the turn lane.
41. Water mains will be extended throughout the subdivision from the existing main within Slonaker Drive. The property is considered developable in the City's Comprehensive Water System Plan dated January 2012. The Engineering Department has determined that the existing system has adequate potable and fire flows to serve the proposed subdivision.
42. Sanitary sewer is proposed to be extended throughout the subdivision primarily within the public and private streets. Engineering has determined that the system has adequate capacity to convey the additional flow from the development. The subject property is considered developable in the Comprehensive Sewer System Plan dated September 2011.
43. Storm sewer will be piped and directed to a stormwater detention pond located at the southwest corner of the proposed subdivision. The detention facilities of the proposed development will need to meet Moscow's Stormwater Runoff Control Standards which required the stormwater to be detained to the pre-development rate.
44. The proposed subdivision falls under the requirements of the parkland dedication codes of the City. There is 10.98 acres of net developable area of platted R-2 Zoned property, which requires a 5% parkland dedication. There is 0.72 acres of net developable area within the NB Zone which requires a 9% dedication. The total parkland dedication for the proposed subdivision is 26,746 sf or 0.61 acres. The applicant has submitted a letter proposing to defer the parkland dedication for phase 1 to phase 2 of the entire subdivision for a natural area comprised of 3.07 acres and a 1.14-acre area that totals 4.2 acres of open space that will include grading, a detention basin, and a ten-foot (10') wide gravel (pathway base) pathway provided by the developer. It is anticipated the parkland dedication requirements for the entire subdivision would be approximately 2.3 acres +/- . Said 4.2 acres of parkland dedication, together with agreed upon improvements to the parkland property would satisfy all parkland dedication requirements for the entire Woodbury subdivision. It is the Assistant Parks and Recreation Director's opinion that the proposed deferral of parkland dedication meets the dedication requirements for the subdivision.
45. The applicant conducted a neighborhood meeting with affected property owners within 600 ft. of the subject property on March 27, 2021 to discuss the proposal.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed subdivision is in conformance with all applicable City Code requirements.** The proposed preliminary plat is consistent with and in conformance with the requirements and provisions of the proposed Single Family, Moderate Density Residential (R-2) and the Neighborhood Business (NB) Zoning Districts, including lot area, dimensions and other relevant provisions. The applicant is concurrently going through the Planned Unit Development process for all deviations in City Code requirements. The proposed preliminary plat is also in conformance with the general requirements of the Moscow Subdivision Ordinance including, but not limited to, the provision of the logical and orderly connection to the City's street network, public utilities, and the provision of public parkland.
2. **The proposed subdivision is in general conformance with the Comprehensive Plan.** The proposed preliminary plat is consistent with the City of Moscow Comprehensive Plan and provides for the logical and orderly development and extension of the City's street system. The extension of Slonaker Drive is consistent with the Thoroughfare Plan. The proposed lots sizes and densities are consistent with the proposed Comprehensive Plan Land Use designations of Auto-Urban Residential and Suburban Commercial.
3. **Public Services and utilities are available or can be made available and are adequate to accommodate the proposed subdivision.** The subject property has direct access to Slonaker Drive which is a local neighborhood street that connects to Lanny Lane which is designated as a collector and Mountain View Road which is designated as a minor arterial. Water and Sewer connections are readily available and are proposed to be extended from the current terminus of Slonaker Drive. The Engineering Department has determined that the existing system has adequate potable and fire flows and sewer capacity to serve the proposed subdivision.
4. **The proposed subdivision will not be detrimental to the public health, safety, or general welfare.** The proposed preliminary plat provides for the extension of City streets and services and will not be detrimental to the public health, safety, or general welfare.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow approves the preliminary subdivision plat request for the twenty-one point seven three (21.73) acre area of land generally located north of Slonaker Drive, east of Arborcrest Road, and south of Trail Road with three (3) conditions:

1. A left turn lane from eastbound Mountain View onto Slonaker Drive shall be evaluated by the applicant to determine whether a turn lane is warranted and if so, the applicant shall be responsible for the construction of said turn lane.
2. In order to mitigate the increases in vehicular and pedestrian traffic on Mountain View Road as detailed in the applicant's Traffic Impact Study (TIS), the applicant shall be responsible for fifty percent (50%) of the construction costs associated with the installation of curbing, sidewalk and roadway widening in order to connect the existing pedestrian/bicycle facilities near the intersection of Slonaker Drive and Mountain View

Road with the pedestrian/bicycle facilities on Mountain View Road near the Hamilton-Lowe Aquatics Center. The proposed roadway improvements shall only occur on one side of the roadway, which shall be determined by the City of Moscow Engineering Department.

3. Access shall be restricted to the subject property from Slonaker Drive to emergency services access only until all required public infrastructure is completed in accordance with the approved development agreement.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 20th day of September, 2021.



Bill Lambert, Mayor