

PLANNING & ZONING COMMISSION



Robb Parish
Commission Chair
P&Z@ci.moscow.id.us

Regular Meeting
~Minutes~

Mike Ray
Staff Liaison
208.883.7008

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

Wednesday
December 8, 2021

7:00 PM

Council Chambers
206 E Third Street

The meeting was called to order at 6:59 PM

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

REGULAR AGENDA

1. Approval of September 22, 2021 Minutes (ACTION ITEM)

Wilson moved for approval of the minutes as presented, seconded by Seever. Vote by Acclamation; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

2. Public Comment

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

None.

3. Public Hearing: Proposal for Comprehensive Plan Land Use Designation and Zoning Designation for an 8,636 square foot Property Proposed to be Annexed into the City of Moscow and Located at 1825 N Polk Street Extension (ACTION ITEM)

1. Retaining the current Comprehensive Plan Land Use Designation of Suburban Residential (SR).

2. Rezoning of the subject property from the Agriculture Forestry (AF) Zone to the Multiple Family Residential (R-4) Zone.

Ray presented the proposed application as described above, and recommended approval to City Council with no conditions.

Public Hearing opened at 7:07 PM

Gary Peterson (applicant), Moscow, explained the process of acquiring the property and his decision to sell the parcel that the house is located on, which includes needing to annex it into the City completely.

Public Hearing closed at 7:09 PM

Hamilton moved to recommend approval of the proposed Comprehensive Plan Land Use Designation and Rezone request with no conditions, seconded by Gropp. Vote by Acclamation; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

Nelsen moved for Staff to prepare the Relevant Criteria and Standards for the Comprehensive Plan Land Use Designation and Rezone, seconded by Wilson. Vote by Acclamation; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

4. Election of Officers (ACTION ITEM)

Nominate and elect a Chair, Vice Chair, and Second Vice Chair for 2022.

Seever nominated Parish for Chair, Wilson for Vice Chair, and Nelsen as Second Vice Chair, who all accepted. Beebe seconded the motion. Vote by Acclamation: Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

REPORTS

1. Transportation Commission meeting report.

Next meeting scheduled for Thursday December 9, 2021.

ANNOUNCEMENTS

- Future meeting at the end of January or early February will have Tyler Palmer as guest speaker.
- Continuing Education materials added to next meeting's agenda.
- Cody Riddle was introduced as new Deputy City Supervisor.
- Maureen Laflin's last meeting as Council Liaison.

UPCOMING EVENTS/MEETINGS

The regular meeting scheduled for December 22, 2021 has been cancelled. The next Planning & Zoning Commission meeting is set for January 12, 2022.

The meeting adjourned at 7:17 PM


Robb Parish, Chair

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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING THE REVIEW OF AN EIGHT THOUSAND SIX HUNDRED AND THIRTY-SIX (8,636) SQUARE FOOT PROPERTY PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED AT 1825 NORTH POLK STREET EXTENSION.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on November 10, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on December 8, 2021; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is an eight thousand six hundred and thirty-six (8,636) square foot property proposed to be annexed into the City of Moscow and located at 1825 N Polk Street Extension.
3. Under Idaho Code, prior to the annexation of property within the City, the Planning and Zoning Commission must conduct a public hearing and make a recommendation to the City Council as to the appropriate land use designation and zoning designation to be applied to the property upon annexation.
4. The subject property is an 8,636 sf area of land that is currently adjacent to a 5,790 sf parcel that is within the City of Moscow and contains a single-family dwelling.
5. The current City Limits boundary extends through a portion of the single-family dwelling, which is the reason why the applicant is requesting the annexation of a portion of the surrounding property. It appears that this issue was created in 1999 when the City annexed the North Polk Water and Sewer District, which established the current City Limits boundary. The applicant is proposing to establish the proposed property line along the existing fence that exists at the rear of the property.

6. The subject property is surrounded by primarily rural residential properties located within Latah County to the west and north, manufactured home parks to the south, and Moscow Hide and Fur to the east.
7. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Suburban Residential, which the applicant is proposing to retain.
8. According to the 2019 Comprehensive Plan, Suburban Residential designated areas are,
“areas appropriate for larger lots and fringe area development at gross densities ranging from 0.85 to 1.55 dwelling units per acre. These areas are generally located within the northern reaches of the City along north Polk Road and Almon/Mix Road where public services are limited, topography is somewhat challenging, and streets are currently developed to a lesser standard. Clustered development with preservation of open spaces and sensitive areas or steep topography should be promoted within these areas. The use of this designation should be limited to areas that will not impede more intense development in the future where such more intense development can be accommodated. The appropriate current zoning to be applied to Suburban Residential designated areas is Suburban Residential (SR).”
9. The subject property and adjacent properties immediately to the north and west are located in Latah County and are currently zoned Agriculture/Forestry (AF).
10. The properties to the east within the City Limits are designated as Suburban Residential (SR) and Multiple Family Residential (R-4). Properties to the south, also within the City Limits, are designated as Multiple Family Residential (R-4).
11. The applicant is proposing to rezone the 8,636 sf area from the Agriculture/Forestry (AF) Zone to the Multiple Family Residential (R-4) Zone to be consistent with the parcel that contains the majority of the single-family dwelling.
12. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on November 3, 2021 to discuss the proposal.
13. Based upon the availability of public services, constructed adjacent roadway, access and surrounding land use patterns, the Commission concludes that it is appropriate for the property to be designated Suburban Residential upon annexation into the City of Moscow.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed Comprehensive Plan amendment is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed and existing Suburban Residential designation for the subject property is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan and is consistent with the surrounding properties, as well as the surrounding land use and development patterns.
2. **The proposed Comprehensive Plan amendment would provide for the logical and orderly location of land uses, community services and facilities.** The Commission finds that the proposed designation of Suburban Residential is logical and harmonious with the surrounding land

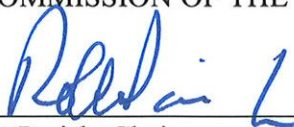
uses and development, and is consistent with the land use designations of the surrounding property to the north, south, and east of the subject property.

3. **The uses expected to occur as a result of the Comprehensive Plan amendment will be compatible with the surrounding area.** The zoning districts that are consistent with the Suburban Residential designation exist within the current Area of City Impact to east and northeast. The surrounding properties are primarily residential with the exception of a taxidermy business to the southeast.
4. **The size, type, and density of development expected to occur as a result of the Comprehensive Plan amendment will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed designation is suitable for the area and will not unduly burden the neighborhood of public infrastructure. The subject property has direct access to North Polk Street Extension which is designated as a collector street, as well as sufficient and available public utility services to meet the needs of existing and future development.
5. **The proposed Comprehensive Plan amendment is deemed to be appropriate in consideration of changing conditions within the community that are not reflected within the current Comprehensive Plan (such as new development or re-development, land use patterns and/or trends, traffic patterns and/or volume, market demands, community vision and/or needs, capital improvements, or new or revised City plans).** The subject property is currently designated as Suburban Residential, which will be the proposed designation upon annexation.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Planning and Zoning Commission recommends approval of retaining the existing Suburban Residential Comprehensive Plan Land Use Designation for the eight thousand six hundred and thirty-six (8,636) square foot property located at 1825 N Polk Street Extension with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this 12th day of January, 2022.



Robb Parish, Chair
Planning and Zoning Commission

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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE REZONE OF AN EIGHT THOUSAND SIX HUNDRED AND THIRTY-SIX (8,636) SQUARE FOOT PROPERTY PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED AT 1825 NORTH POLK STREET EXTENSION FROM THE AGRICULTURE FORESTRY (AF) ZONE TO THE MULTIPLE FAMILY RESIDENTIAL (R-4) ZONE.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on November 10, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on December 8, 2021; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is an eight thousand six hundred and thirty-six (8,636) square foot property proposed to be annexed into the City of Moscow and located at 1825 N Polk Street Extension.
3. Under Idaho Code, prior to the annexation of the property within the City, the Planning and Zoning Commission is required to review the subject property and provide the City Council with a recommendation regarding the appropriate future land use designation and zoning designation to be applied to the subject property upon annexation.
4. The subject property is an 8,636 sf area of land that is currently adjacent to a 5,790 sf parcel that is within the City of Moscow and contains a single-family dwelling.
5. The current City Limits boundary extends through a portion of the single-family dwelling, which is the reason why the applicant is requesting the annexation of a portion of the surrounding property. It appears that this issue was created in 1999 when the City annexed the North Polk Water and Sewer District, which established the current City Limits boundary. The applicant is proposing to establish the proposed property line along the existing fence that exists at the rear of the property.

6. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Suburban Residential, which the applicant is proposing to retain.
7. According to the 2019 Comprehensive Plan, Suburban Residential designated areas are,
“areas appropriate for larger lots and fringe area development at gross densities ranging from 0.85 to 1.55 dwelling units per acre. These areas are generally located within the northern reaches of the City along north Polk Road and Almon/Mix Road where public services are limited, topography is somewhat challenging, and streets are currently developed to a lesser standard. Clustered development with preservation of open spaces and sensitive areas or steep topography should be promoted within these areas. The use of this designation should be limited to areas that will not impede more intense development in the future where such more intense development can be accommodated. The appropriate current zoning to be applied to Suburban Residential designated areas is Suburban Residential (SR).”
8. The subject property and adjacent properties immediately to the north and west are located in Latah County and are currently zoned Agriculture/Forestry (AF).
9. The properties to the east within the City Limits are designated as Suburban Residential (SR) and Multiple Family Residential (R-4). Properties to the south, also within the City Limits, are designated as Multiple Family Residential (R-4).
10. The applicant is proposing to rezone the 8,636 sf area from the Agriculture/Forestry (AF) Zone to the Multiple Family Residential (R-4) Zone to be consistent with the parcel that contains the majority of the single-family dwelling.
11. According to the City of Moscow Zoning Code, the purpose of the R-4 Zoning District,
“provides for the most intense residential land uses permitted in the community. It is to be applied where activity levels are high and adequate public facilities are available, especially near the University of Idaho campus or the City Central Business Zoning District. Adequate transportation access should be given high priority in determining the appropriate location for R-4 zoning districts.”
12. Uses permitted within the R-4 Zone include single family dwellings, two family dwellings, twinhomes, townhouses, and multi-family dwellings. Also permitted are professional offices, bed and breakfasts, daycare facilities, and parking lots.
13. The subject property has property frontage North Polk Street Extension, which is designated as a collector street and is developed as a 20-foot-wide paved roadway with two travel lanes and minimal gravel shoulders on both sides.
14. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on November 3, 2021 to discuss the proposal.

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

II. RELEVANT CRITERIA AND STANDARDS

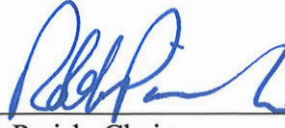
1. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed rezone is generally consistent with the 2019 Comprehensive Plan. While the proposed rezone to R-4 is not entirely consistent with the Comprehensive Plan land use designation of Suburban Residential, it is justified given the current circumstance of the City limits boundary extending through a portion of the single-family dwelling that is partially on the subject property and partially on the adjacent property.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed R-4 Zone is consistent with the adjacent property to the southeast which contains a portion of the single-family dwelling which extends into the subject property. The manufactured home park to the south of the subject property is also within the R-4 Zoning District. The proposed zoning and uses are consistent with the surrounding area and will not unduly burden the neighborhood of public infrastructure.
3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area. The surrounding properties are primarily within the Multiple Family Residential (R-4) Zone to the south, southwest, and southeast.
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 subject property is a rather small property and 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 North Polk Street Extension, which can adequately serve a property the size of the subject property. Water and sanitary sewer mains are extended to the current City Limits boundary. Storm sewer in this area of North Polk Extension is conveyed via open ditches on both sides of the street.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the rezone request for the eight thousand six hundred and thirty-six (8,636) square foot property from the Agriculture Forestry (AF) Zone to the Multiple Family Residential (R-4) Zone with no conditions.

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

12th day of January, 2022.



Robb Parish, Chair
Planning and Zoning Commission