

PLANNING & ZONING COMMISSION



Robb Parish
Commission Chair
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Regular Meeting ~Minutes~

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

Wednesday
August 10, 2022

7:00 PM

Council Chambers
206 E Third Street

Parish called the meeting to order at 7:00 PM

MEMBERS PRESENT: Robb Parish, Chair; Drew Davis, Scott Gropp, Joel Hamilton, Cole Mize, Victoria Seever, Dennis Wilson
MEMBERS ABSENT: Rich Beebe, Nels Reese
OTHERS: Hailey Lewis
STAFF: Jennifer Fleischman, Mike Ray

REGULAR AGENDA

1. Approval of July 27, 2022 Minutes (ACTION ITEM)

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

2. Public Comment

Time limit 15 minutes. Members of the Public may speak to the Commission regarding matters NOT on the Agenda nor currently pending before the Planning and Zoning Commission. Please state your name and resident city for the record and limit your remarks to three (3) minutes.

None.

3. Public Hearing: Proposed Rezone of a 10-acre Property Located Directly North of the Current Terminus of War Bonnet Drive: LUP2022-0021 (ACTION ITEM)

Proposed rezoning of the subject property from the Motor Business (MB) Zone to the Multiple Family Residential (R-4) Zone.

Ray presented the rezone request for the property as described above, and recommended the Commission approve with the one condition to enter into a Development Agreement with the City of Moscow. The conservation easement on the land to the north of the subject property does not impact the City of Moscow's Thoroughfare Plan. There continued to be some more discussion about the conservation easement and how it impacts the rezone request.

Public Hearing opened at 7:11 PM

Cody Moore (applicant's representative), Moscow, spoke briefly on the project and disclosed that the property is under contract for sale. The property to the north is retained by a different owner and the conservation easement is listed as perpetual. He expressed a preference to not build a road nor extend utilities to connect with the northern property line, but understood the need for following any previous conditions placed on the subject property.

Shelley Bennett (applicant's representative), Moscow, talked about attempts to sell the subject property since it was last rezoned in 2017. Commercial real estate is contingent upon traffic and the property does not have high volume. She discussed the proposed road development to the conservation easement property.

Public Hearing closed at 7:15 PM

The singular condition recommended by Staff could be renegotiated or waived by City Council if it was apparent that there would not be a need for War Bonnet to connect with the northern property. It was mentioned that a road would need to be built anyways to facilitate access to the proposed apartment buildings, which is required to have two (2) points of egress for fire code. The Commissioners mentioned that more housing options are needed in Moscow.

Davis moved to recommend approval of the Rezone request to City Council, with the one condition as recommended by Staff. The motion was seconded by Gropp. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Seever moved to approve the Relevant Criteria and Standards as written, seconded by Hamilton. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

4. Public Hearing: Proposal for a Comprehensive Plan Land Use Designation, Zoning Designation, Preliminary Subdivision Plat, and Planned Unit Development (PUD) for a 13.75-Acre Property Proposed to be Annexed into the City of Moscow and Generally Located Southwest of the West Palouse River Drive Ball Fields Property and Southwest of the University of Idaho Arboretum: LUP2022-0017, LUP2022-0018, and LUP2022-0019 (ACTION ITEM)

1. Comprehensive Plan Land Use Designation amendment from the Auto-Urban Residential designation to the High-Density Residential and Auto-Urban Residential designations.

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

3. Proposed Preliminary Plat and Planned Unit Development (PUD) of a 10.5-acre area to create 9 lots ranging from 0.73 acres to 1.57 acres in size, referred to as Edington Estates.

Ray presented the proposed annexation, preliminary plat, and preliminary PUD as described above, and recommended approval with no conditions. The Engineering memo requested some corrections that would be required before the requests could go before City Council, but does not prevent approval by the Commission. The map has a dotted line that represents an existing parcel boundary.

Public Hearing opened at 7:39 PM

Scott Sumner (applicant's representative), Moscow, talked about the next phase of the Edington subdivision and the desire to provide different types and sizes of residential homes. He also spoke about the Germer property, to the south of Edington Estates, that the developers are working in conjunction with to build upon. He discussed how roads will stub to each side of the all the properties so that the parcels would be accessible to each other. The house currently located on the subject property is going to stay there and would be built around.

Public Hearing closed at 7:45 PM

Seever moved to recommend approval of the Comprehensive Land Use Designation, Rezone, Preliminary Plat, and Preliminary PUD requests to City Council, with no conditions as recommended by Staff. The motion was seconded by Wilson. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Seever moved to direct Staff to prepare the Relevant Criteria and Standards, seconded by Wilson. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

5. Approval of Reasoned Statement of Relevant Criteria and Standards (ACTION ITEM)

Proposal to eliminate a condition of approval of the Anderson 7th Addition Subdivision that vehicular access to Block 2, Lot 7 shall be limited to Sunnyside Avenue and no vehicular access shall be permitted from Palouse River Drive.

Wilson moved to approve the Written Decision for Anderson 7th Addition as presented, seconded by Seever. Vote by Acclamation; Ayes: Davis, Gropp, Hamilton, Mize, Seever, Wilson (6). Nays: None. Abstentions: Parish (1). Motion carried.

REPORTS

1. Transportation Commission meeting report.

The next regular Transportation Commission meeting is scheduled for August 11th, 2022, and the agenda includes discussion items regarding Sand Creek Road, as well as the Downtown Streetscape Design.

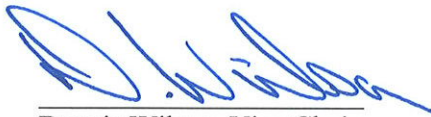
ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

Next Planning & Zoning Commission regular meeting is scheduled for August 24, 2022.

The August 24th meeting will be cancelled and two Public Hearings are scheduled for the first meeting in September.

Parish declared the meeting adjourned at 7:50 PM



Dennis Wilson, Vice 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 A REQUEST FOR THE REZONE OF A TEN (10) ACRE PROPERTY LOCATED DIRECTLY NORTH OF THE CURRENT TERMINUS OF WAR BONNET DRIVE WITHIN THE CITY OF MOSCOW FROM THE MOTOR BUSINESS (MB) ZONE TO THE MULTIPLE FAMILY RESIDENTIAL (R-4) ZONE.

WHEREAS, the applicant filed an application for Rezone on July 19, 2022; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on August 10, 2022; 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 consists of a 10-acre property located at directly north of the current terminus of War Bonnet Drive.
3. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Commercial.
4. According to the 2019 Comprehensive Plan, Auto-Urban Commercial designated areas are intended to,

“provide for commercial services and developments that are motor vehicle oriented or those which require large amounts of land. These areas should be located adjacent to existing commercial developments and along major arterials where the vehicle traffic can be accommodated. Developments within these designations should be required to provide significant landscaping which would be applied to enhancing areas along the street edge, screening parking lots, and buffering adjacent uses. Such areas are most appropriately zoned Motor Business (MB).”

5. The surrounding properties to the north, east, and south are also designated as Auto-Urban Commercial (AU-C).

6. The subject property is currently zoned Motor Business (MB) and the applicant is proposing to rezone the property to the Multiple Family Residential (R-4) Zone.
7. According to the City of Moscow Zoning Code, 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. There are existing water and sewer mains within the surrounding streets which are of sufficient capacity to accommodate any future use that the R-4 Zone would allow on the subject property.
14. The subject property has property frontage on War Bonnet Drive which is designated as a minor arterial in the Thoroughfare Plan. The Plan shows War Bonnet Drive extending through the subject property in the northeasterly direction. The Engineering Department has indicated that the development of the subject property is not expected to generate enough trips to significantly impact the traffic patterns in the area. The development of this parcel was anticipated when the road system in this vicinity was built.
15. When this property was annexed in 2017 there was a condition of approval on the zoning ordinance that stated that War Bonnet Drive and public utilities shall be extended to the northern boundary of the subject property in accordance with the alignment of the Thoroughfare Plan within the City of Moscow Comprehensive Plan, as development occurs upon the subject property. The Engineering Department is recommending that this condition be carried over on this proposed rezone. To do so, the property owner and the City will need to enter into a recorded development agreement.
16. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on June 16, 2022 to discuss the proposed rezone. All neighborhood meeting materials are attached.

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 existing 2019 Comprehensive Plan. Although the Comprehensive Plan Land Use Designation of Auto-Urban Commercial does not correspond with the Multiple Family Residential (R-4) Zone, the zone is less intensive than the Motor Business (MB) Zone and is generally viewed as permissible.
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 provides a continuation of the existing

R-4 Zone to the southwest of the subject property. 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 subject property is not conducive to commercial frontage and will provide a logical transition from the more intensive commercial properties to the south.
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 War Bonnet Drive which is a minor arterial street which can adequately serve any proposed development allowed in the R-4 Zone. City water, sanitary sewer, and storm sewer mains are currently extended to the subject property.

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 ten (10) acre property from the Motor Business (MB) Zone to the Multiple Family Residential (R-4) Zone with one condition:

1. War Bonnet Drive and public utilities shall be extended to the northern boundary of the subject property in accordance with the alignment of the Thoroughfare Plan within the City of Moscow Comprehensive Plan, as development occurs upon the subject property.

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

10th day of August, 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 THE REVIEW OF A THIRTEEN POINT SEVEN FIVE (13.75) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND GENERALLY LOCATED SOUTHWEST OF THE WEST PALOUSE RIVER DRIVE BALL FIELDS PROPERTY AND SOUTHWEST OF THE UNIVERSITY OF IDAHO ARBORETUM.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on July 8, 2022; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on August 10, 2022; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a 13.75-acre property proposed to be annexed into the City of Moscow and generally located southwest of the west Palouse River Drive Ball Fields property and southwest of the University of Idaho Arboretum.
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 currently contains a single-family dwelling and various outbuildings. The subject property is surrounded by primarily agricultural land to the west and south, and Edington 1st Addition Subdivision and the West Palouse River Drive ball fields property to the northeast. The South Fork of the Palouse River currently flows through the ball fields property to the north.
5. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations.
6. 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.”

7. High-Density Residential designated areas are intended to,
“allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands designated as Urban Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO).”
8. The subject property and adjacent properties immediately to the west and south within Latah County are currently designated as Agriculture/Forestry (AF).
9. Edington 1st Addition to the northeast is currently designated a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zones. The West Palouse River Drive ball fields to the north is currently designated as Farm, Ranch and Open Space and the Schweitzer property to the east is designated as Motor Business (MB). Manufactured home parks and Idaho Transportation Department’s service yard on the south side of Palouse River Drive are zoned MB.
10. The subject property has access via Augustine Avenue which is designated as a collector street and will be constructed as part of Edington 1st Addition. Augustine will be constructed to a 34-foot paved width with two travel lanes, bike lanes on both sides, and no on-street parking. Curb, gutter, tree lawns, and sidewalks will also be constructed on both sides of the street.
11. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on May 19, 2022 to discuss the proposal.
12. Based upon the availability of public services, constructed adjacent roadway, access and surrounding land use patterns, the Commission concludes that it is appropriate for the property to be designated as High-Density Residential and Auto-Urban 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 designations for the subject property of High-Density Residential and Auto-Urban Residential 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 Commission finds that the proposed designation of High-Density Residential and Auto-Urban 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, northeast, 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 High Density Residential and Auto-Urban Residential designations exist within the current City Limits boundary to the north, northeast, and east. The adjacent properties to the north and east are primarily a range of residential uses with some commercial uses.
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, via Augustine Ave which is 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 Commission finds that the land use patterns within the immediate vicinity of the subject property have been transitioning into higher intensity commercial and residential uses. The Schweitzer Engineering Laboratories property to the east is 150 acres in size and was annexed into the City two years ago. The Comprehensive Plan Land Use Designation that was adopted for that property was the Auto-Urban Commercial designation. The proposed land use designations of High-Density Residential and Auto-Urban Residential provide for a logical transition from some the commercial uses that are expected to be developed in the area, as well as the existing Edington Subdivision.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Planning and Zoning Commission recommends approval of the proposed Comprehensive Plan Land Use Designation request for the 13.75-acre property from the combination of the Auto-Urban Residential to the combination of the High-Density Residential and Auto-Urban Residential designations with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
28th day of September, 2022.



Dennis Wilson, Vice Chair
Planning and Zoning Commission

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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE REZONE OF A THIRTEEN POINT SEVEN FIVE (13.75) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND GENERALLY LOCATED SOUTHWEST OF THE WEST PALOUSE RIVER DRIVE BALL FIELDS PROPERTY AND SOUTHWEST OF THE UNIVERSITY OF IDAHO ARBORETUM FROM THE AGRICULTURE FORESTRY (AF) ZONE TO THE RESIDENTIAL OFFICE (RO) ZONE AND THE MEDIUM DENSITY RESIDENTIAL (R-3) ZONE.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on July 8, 2022; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on August 10, 2022; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a 13.75-acre property proposed to be annexed into the City of Moscow and generally located southwest of the west Palouse River Drive Ball Fields property and southwest of the University of Idaho Arboretum.
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 currently contains a single-family dwelling and various outbuildings. The subject property is surrounded by primarily agricultural land to the west and south, and Edington 1st Addition Subdivision and the West Palouse River Drive ball fields property to the northeast. The South Fork of the Palouse River currently flows through the ball fields property to the north.
5. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations.

6. 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.”
7. High-Density Residential designated areas are intended to,

“allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands designated as Urban Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO).”
8. The subject property and adjacent properties immediately to the west and south within Latah County are currently designated as Agriculture/Forestry (AF).
9. Edington 1st Addition to the northeast is currently designated a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zones. The West Palouse River Drive ball fields to the north is currently designated as Farm, Ranch and Open Space and the Schweitzer property to the east is designated as Motor Business (MB). Manufactured home parks and Idaho Transportation Department’s service yard on the south side of Palouse River Drive are zoned MB.
10. The applicant is proposing to rezone the subject property from the Agriculture Forestry (AF) Zone to the Residential Office (RO) Zone and Medium Density Residential (R-3) Zone.
11. According to the City of Moscow Zoning Code, the RO Zone is a moderately intensive zone including both offices and high-density housing. It serves as a transitional Zoning District between residential Zoning Districts and commercial or industrial Zoning Districts.
12. The RO Zoning District is appropriately applied in the following circumstances:
 1. On the perimeter of commercial or industrial districts where they abut residential land uses;
 2. Where transportation network use is greater than desirable for lower density residential uses;
 3. Where landforms create sites which are reasonably accessible by transportation systems and which are buffered from nearby residential areas; and
 4. Where the development patterns in a neighborhood will allow development of moderate intensity to occur without producing adverse visual impact or harm to the transportation network.
13. Uses permitted within the RO Zone include single family dwellings, two family dwellings, multi-family dwellings, twinhomes, townhouses, market and community gardens, veterinary services,

professional offices, restaurants up to 1,500 sf in size, group and small child care facilities, community/neighborhood centers, health care services, public parks and recreation facilities, telecommunications services, personal care services, and bed and breakfast inns.

14. The Medium Density Residential (R-3) Zoning District provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan.
15. Uses permitted within the R-3 Zone include single-family dwellings, two family dwellings, twinhomes, townhouses, market and community gardens, group and small child care facilities, and public parks and recreation facilities.
16. The subject property has access via Augustine Avenue which is designated as a collector street and will be constructed as part of Edington 1st Addition. Augustine will be constructed to a 34-foot paved width with two travel lanes, bike lanes on both sides, and no on-street parking. Curb, gutter, tree lawns, and sidewalks will also be constructed on both sides of the street.
17. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on May 19, 2022 to discuss the proposed rezone.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed rezone is consistent with the proposed 2019 Comprehensive Plan Land Use Designations of Auto-Urban Residential and High-Density Residential.
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 Residential Office (RO) Medium Density Residential (R-3) Zones provide for the transition of higher density residential in close proximity to Palouse River Drive and the City's Ball Fields property, to lower density towards the south of the property where there is more challenging topography. 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 along Palouse River Drive are a combination of residential uses of varying densities, as well as commercial uses.
4. **The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed zoning and uses are suitable for the area and will not unduly burden the 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 Palouse River Drive and Augustine Avenue, which can

adequately serve any proposed development allowed in the RO or R-3 Zone. The subject property has 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 Planning and Zoning Commission of the City of Moscow recommends approval of the rezone request for the thirteen point seven five 13.75-acre property generally located southwest of the west Palouse River Drive Ball Fields property and southwest of the University of Idaho Arboretum from the Agriculture Forestry (AF) Zone to the Residential Office (RO) Zone and Medium Density Residential (R-3) Zone with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
28th day of September, 2022.



Dennis Wilson, Vice 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 A PRELIMINARY SUBDIVISION PLAT OF A TEN POINT FIVE (10.5) ACRE AREA OF LAND GENERALLY LOCATED SOUTHWEST OF THE WEST PALOUSE RIVER DRIVE BALL FIELDS PROPERTY AND SOUTHWEST OF THE UNIVERSITY OF IDAHO ARBORETUM, KNOWN AS EDINGTON ESTATES ADDITION TO THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Preliminary Subdivision Plat on July 8, 2022; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on August 10, 2022; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a ten-point five (10.5) acre area of land generally located southwest of the west Palouse River Drive Ball Fields property and southwest of the University of Idaho Arboretum.
3. The subject property currently contains a single-family dwelling and various outbuildings. The subject property is surrounded by primarily agricultural land to the west and south, and Edington 1st Addition Subdivision and the West Palouse River Drive ball fields property to the northeast. The South Fork of the Palouse River currently flows through the ball fields property to the north.
4. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential which is proposed to be retained for this subdivision.

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. The subject property and adjacent properties immediately to the west and south within Latah County are currently designated as Agriculture/Forestry (AF).
7. Edington 1st Addition to the northeast is currently designated a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zones. The West Palouse River Drive ball fields to the north is currently designated as Farm, Ranch and Open Space and the Schweitzer property to the east is designated as Motor Business (MB). Manufactured home parks and Idaho Transportation Department's service yard on the south side of Palouse River Drive are zoned MB.
8. The applicant is concurrently proposing to rezone the subject property from the Agriculture Forestry (AF) Zone to the Medium Density Residential (R-3) Zone.
9. The Medium Density Residential (R-3) Zoning District provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan.
10. Uses permitted within the R-3 Zone include single-family dwellings, two family dwellings, twinhomes, townhouses, market and community gardens, group and small child care facilities, and public parks and recreation facilities.
11. The applicant is proposing to subdivide the 10.5-acre area into 9 lots ranging from 0.73 acres to 1.57 acres in size, referred to as Edington Estates Subdivision.
12. All of the proposed lots are within the Medium Density Residential (R-3) Zone and meet the minimum lot size and width requirements.
13. The minimum lot size for detached single family lots within the R-3 Zone is 6,000 sf and townhouse lots require 2,000 square feet. The minimum lot width for detached single family lots within the R-3 Zone is 60 feet (50 feet for lots with alley access). The minimum townhouse lot width is 20 feet for the R-3 Zone.
14. The subject property has access via Augustine Avenue which is designated as a collector street and will be constructed as part of Edington 1st Addition. Augustine will be constructed to a 34-foot paved width with two travel lanes, bike lanes on both sides, and no on-street parking. Curb, gutter, tree lawns, and sidewalks will also be constructed on both sides of the street.
15. A private street is proposed to connect to Augustine Avenue and serve the nine lots. The applicant has concurrently applied for a Planned Unit Development in order to accommodate the private street through the subdivision. The private street will meet the City's private street standard which includes a 20-foot-wide paved surface, curbing, and a sidewalk on the north side of the street. The applicant is proposing that the private street terminate with a hammerhead turnaround which will meet fire code requirements.
16. Water mains will be extended throughout the subdivision from the mains within the intersection of Augustine Avenue and Edington Avenue. 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.

17. Sanitary sewer is proposed to be extended throughout the subdivision along the private street alignment and eventually connect to a main within Edington Avenue.
18. Storm sewer will be piped and directed to a stormwater detention pond located near the intersection of Augustine Avenue and Edington Avenue. 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. The stormwater is then conveyed from the detention facilities to the South Fork of the Palouse River.
19. The proposed subdivision falls under the requirements of the parkland dedication codes of the City. There is 9.79 acres of net developable area of platted R-3 Zoned property, which requires a 7% dedication. The total parkland dedication for the proposed subdivision is 0.69 acres. The applicant has submitted a letter proposing to defer the parkland dedication to a later phase, which was reviewed by the Parks and Recreation Commission. The Commission recommended approval of deferring the parkland dedication during their July 28, 2022 regular meeting.
20. The applicant conducted a neighborhood meeting with affected property owners within 600 ft. of the subject property on May 19, 2022 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:

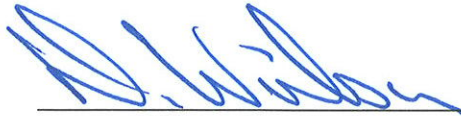
II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed 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 Medium Density Residential (R-3) Zoning District, including lot area, dimensions and other relevant provisions. 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 proposed lots sizes and densities are consistent with the proposed Comprehensive Plan Land Use designation of Auto-Urban Residential.
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 Augustine Avenue which is a collector street. Water and Sewer connections are readily available in the area and are proposed to be extended through the subdivision. 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 Planning and Zoning Commission of the City of Moscow recommends approval of the preliminary subdivision plat request for the ten-point five (10.5) acre area of land generally located southwest of the west Palouse River Drive Ball Fields property and southwest of the University of Idaho Arboretum with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
28th day of September, 2022.



Dennis Wilson, Vice 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 A PLANNED UNIT DEVELOPMENT (PUD) OF A TEN POINT FIVE (10.5) ACRE AREA OF LAND GENERALLY LOCATED SOUTHWEST OF THE WEST PALOUSE RIVER DRIVE BALL FIELDS PROPERTY AND SOUTHWEST OF THE UNIVERSITY OF IDAHO ARBORETUM, KNOWN AS EDINGTON ESTATES 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 July 8, 2022; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on August 10, 2022; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a ten-point five (10.5) acre area of land generally located southwest of the west Palouse River Drive Ball Fields property and southwest of the University of Idaho Arboretum.
3. The subject property currently contains a single-family dwelling and various outbuildings. The subject property is surrounded by primarily agricultural land to the west and south, and Edington 1st Addition Subdivision and the West Palouse River Drive ball fields property to the northeast. The South Fork of the Palouse River currently flows through the ball fields property to the north.
4. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential which is proposed to be retained for this subdivision.
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. The subject property and adjacent properties immediately to the west and south within Latah County are currently designated as Agriculture/Forestry (AF).
7. Edington 1st Addition to the northeast is currently designated a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zones. The West Palouse River Drive ball fields to the north is currently designated as Farm, Ranch and Open Space and the Schweitzer property to the east is designated as Motor Business (MB). Manufactured home parks and Idaho Transportation Department’s service yard on the south side of Palouse River Drive are zoned MB.
8. The applicant is concurrently proposing to rezone the subject property from the Agriculture Forestry (AF) Zone to the Medium Density Residential (R-3) Zone.
9. The Medium Density Residential (R-3) Zoning District provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan.
10. Uses permitted within the R-3 Zone include single-family dwellings, two family dwellings, twinhomes, townhouses, market and community gardens, group and small child care facilities, and public parks and recreation facilities.
11. The applicant is proposing a Planned Unit Development (PUD) and preliminary plat to subdivide the 10.5-acre area into 9 lots ranging from 0.73 acres to 1.57 acres in size, referred to as Edington Estates Subdivision.
12. The applicant is proposing to constructing a total of nine single-family dwellings that will be on separately platted lots and will be accessed via a private street. One of the dwellings already exists upon the property. The primary reason for the PUD request is to allow a private street which serves the proposed lots.
13. The proposed single-family dwellings are of similar design to homes that are constructed in the residential neighborhoods to the north. There are three example building plans that the applicant has submitted, which serve as examples of the type of houses that will be constructed on the lots. The houses range between one and two stories with the square footages ranging between 2,100 to 3,800 square feet.
14. The setback requirements for the R-3 Zone are a minimum of 15 feet in the front, with the exception of the garage door which is required to be 20 feet if facing the street; a minimum of 5 feet on the side, but both sides are required to equal 15 feet; and 20 feet at the rear yard. The proposed building footprints meet all of the setback requirements for the R-3 Zone.
15. All of the proposed lots are within the Medium Density Residential (R-3) Zone and meet the minimum lot size and width requirements.
16. The minimum lot size for detached single family lots within the R-3 Zone is 6,000 sf and townhouse lots require 2,000 square feet. The minimum lot width for detached single family lots within the R-3 Zone is 60 feet (50 feet for lots with alley access). The minimum townhouse lot width is 20 feet for the R-3 Zone.

17. The base density requirement of the R-3 Zone is 9.5 dwelling units per acre. With 9 dwelling units being proposed on 9.78 acres, the proposed density is 0.92 dwelling units per acre which is under the base density requirement. Therefore, no density bonuses are required as part of the PUD.
18. The subject property has access via Augustine Avenue which is designated as a collector street and will be constructed as part of Edington 1st Addition. Augustine will be constructed to a 34-foot paved width with two travel lanes, bike lanes on both sides, and no on-street parking. Curb, gutter, tree lawns, and sidewalks will also be constructed on both sides of the street.
19. A private street is proposed to connect to Augustine Avenue and serve the nine lots. The private street will meet the City's private street standard which includes a 20-foot-wide paved surface, curbing, and a sidewalk on the north side of the street. The applicant is proposing that the private street terminate with a hammerhead turnaround which will meet fire code requirements.
20. Water mains will be extended throughout the subdivision from the mains within the intersection of Augustine Avenue and Edington Avenue. 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.
21. Sanitary sewer is proposed to be extended throughout the subdivision along the private street alignment and eventually connect to a main within Edington Avenue.
22. Storm sewer will be piped and directed to a stormwater detention pond located near the intersection of Augustine Avenue and Edington Avenue. 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. The stormwater is then conveyed from the detention facilities to the South Fork of the Palouse River.
23. The proposed subdivision falls under the requirements of the parkland dedication codes of the City. There is 9.79 acres of net developable area of platted R-3 Zoned property, which requires a 7% dedication. The total parkland dedication for the proposed subdivision is 0.69 acres. The applicant has submitted a letter proposing to defer the parkland dedication to a later phase, which was reviewed by the Parks and Recreation Commission. The Commission recommended approval of deferring the parkland dedication during their July 28, 2022 regular meeting.
24. The applicant conducted a neighborhood meeting with affected property owners within 600 ft. of the subject property on May 19, 2022 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:

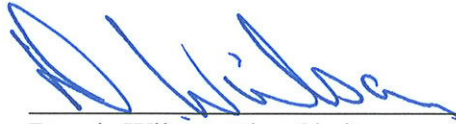
II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed PUD is consistent with the Comprehensive Plan.** The proposed PUD is consistent with the uses and densities designated within the 2019 Comprehensive Plan. 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. Therefore, the Commission 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 utilizes a natural hillside and an existing single-family dwelling within the design and is accessed by a private street which allows for less of an impact to the existing property.
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 larger lot sizes which are intended to provide a smooth transition from the denser development planned for the Edington Subdivision to the northeast and east.
4. **Public services and utilities are available or can be made available and are adequate to accommodate the proposed PUD.** The Engineering Department 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 additional single-family homes 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 utilizes a natural hillside and an existing single-family dwelling within the design and is accessed by a private street which allows for less of an impact to the existing property.

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 Planned Unit Development (PUD) request for the ten-point five (10.5) acre area of land generally located southwest of the west Palouse River Drive Ball Fields property and southwest of the University of Idaho Arboretum with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
28th day of September, 2022.



Dennis Wilson, Vice Chair
Planning and Zoning Commission