

BOARD of ADJUSTMENT



Joe Bazzoli
Board Chair
BOA@ci.moscow.id.us

Public Hearing
~ Agenda ~

Aimee Hennrich
Staff Liaison
208.883.7095

<https://www.ci.moscow.id.us/581/Agendas-and-Minutes>

Tuesday
November 29, 2022

7:00 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. **Approval of June 8, 2022 Minutes (ACTION ITEM)**

PROPOSED ACTIONS: Approve minutes as presented; approve minutes with amendments; or provide staff further direction.

2. **Public Comment**

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

3. **Public Hearing: Conditional Use Permit Application for a Temporary Recreational Vehicle Park Located at 2805 S Highway 95 (ACTION ITEM)**

Conditional Use Permit application for a temporary Recreational Vehicle Park located at 2805 S Highway 95 within the Agricultural/Forestry Zoning District (AF) in the Area of City Impact, per Latah County Code 09-3A-4(C).

PROPOSED ACTIONS: Conduct the public hearing upon the proposed conditional use permit request and upon consideration of any testimony presented, recommend that the City of Moscow Board of Adjustment put forth a recommendation for approval to the Latah County Zoning Commission and direct Staff to prepare a reasoned statement of relevant criteria and standards; or recommend approval of with conditions and direct Staff to prepare a reasoned statement of relevant criteria and standards; or recommend denial the conditional use permit request and direct Staff to prepare a reasoned statement of relevant criteria and standards; or take other action as deemed appropriate.

4. **Public Hearing: Conditional Use Permit Application for an Accessory Cottage in Excess of 900 Square Feet Located at 2730 S Highway 95 (ACTION ITEM)**

Conditional Use Permit application for an accessory cottage in excess of 900 square feet located at 2730 S Highway 95 within the Agricultural/Forestry Zoning District (AF) in the Area of City Impact, per Latah County Code 9-3A-4(A).

PROPOSED ACTIONS: Conduct the public hearing upon the proposed conditional use permit request and upon consideration of any testimony presented, recommend that the City -

NOTICE: It is the policy of the City of Moscow that all City-sponsored public meetings and events are accessible to all people. If you need assistance in participating in this meeting or event due to a disability under the ADA, please contact the City's ADA Coordinator by phone at (208) 883-7600, TDD (208) 883-7019, or by email at adacoordinator@ci.moscow.id.us at least 48 hours prior to the scheduled meeting or event to request an accommodation. The City of Moscow is committed to ensuring that all reasonable accommodation requests are fulfilled.

- of Moscow Board of Adjustment put forth a recommendation for approval to the Latah County Zoning Commission and direct Staff to prepare a reasoned statement of relevant criteria and standards; or recommend approval of with conditions and direct Staff to prepare a reasoned statement of relevant criteria and standards; or recommend denial the conditional use permit request and direct Staff to prepare a reasoned statement of relevant criteria and standards; or take other action as deemed appropriate.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Board of Adjustment meeting is scheduled for 5:30 PM on December 8, 2022.

ADJOURN

NOTICE: It is the policy of the City of Moscow that all City-sponsored public meetings and events are accessible to all people. If you need assistance in participating in this meeting or event due to a disability under the ADA, please contact the City's ADA Coordinator by phone at (208) 883-7600, TDD (208) 883-7019, or by email at adacoordinator@ci.moscow.id.us at least 48 hours prior to the scheduled meeting or event to request an accommodation. The City of Moscow is committed to ensuring that all reasonable accommodation requests are fulfilled.

BOARD of ADJUSTMENT



Joe Bazzoli
Board Chair
BOA@ci.moscow.id.us

Public Meeting
~ Minutes ~

Aimee Hennrich
Staff Liaison
208.883.7095

<http://www.ci.moscow.id.us/354/Board-of-Adjustment>

Wednesday
June 8, 2022

5:30 PM

Council Chambers
206 E Third Street

Thomson called the meeting to order at 5:32 PM

MEMBERS PRESENT: Tim Thomson, Acting Chair; Steve Bush, Tim Kinkeade
MEMBERS ABSENT: Joe Bazzoli, Annette Bieghler, Marshall Comstock, Cole Mize
STAFF: Jennifer Fleischman, Aimee Hennrich

REGULAR AGENDA

1. Approval of June 2, 2022 Minutes (ACTION ITEM)

Bush moved for approval of the minutes as amended, seconded by Kinkeade. Vote by Acclamation; Ayes: Unanimous (3). Nays: None. Abstentions: None. Motion carried.

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

Conditional Use Permit application for a Self-Storage Facility generally located in the 2700 block of South Highway 95 within the Motor Business (MB) Zoning District in the Area of City Impact per Moscow City Code 4-3-4.

Kinkeade moved for approval of the Reasoned Statement of Relevant Criteria and Standards as amended, seconded by Bush. Vote by Acclamation; Ayes: Unanimous (3). Nays: None. Abstentions: None. Motion carried.

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

Amendment to the Conditional Use Permit at the Latah County Fairgrounds located at 1021 Harold Street to include seven additional (electricity only) Recreational Vehicle spaces within the Medium Density Residential (R-3) Zoning District per Moscow City Code 4-3-4.

Bush moved for approval of the Reasoned Statement of Relevant Criteria and Standards as amended, seconded by Kinkeade. Vote by Acclamation; Ayes: Unanimous (3). Nays: None. Abstentions: None. Motion carried.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The meeting adjourned at 5:42 PM

Joe Bazzoli, Chair

Date

**CITY OF MOSCOW
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

HEARING DATE: Tuesday, November 29, 2022

GENERAL INFORMATION

Hearing Body: Board of Adjustment

Subject: Application for Conditional Use Permit for a proposed temporary Recreational Vehicle Park generally located at 2805 South Highway 95 within the Agriculture and Forestry (AF) Zoning District, in the Moscow Area of City Impact, per Latah County Code 09-3A-4(C).

Attachments:

1. Conditional Use Permit Application.
2. Public Hearing Notice – published in the Moscow-Pullman Daily News on November 12, 2022.
3. Site Plan
4. Relevant Criteria and Standards Worksheet

Prepared by: Aimee Hennrich, Planner I

STAFF REVIEW

Proposal: The applicant is proposing a temporary Recreational Vehicle Park (under 10 RV's) located in the 2805 South Highway 95. The facility is proposed to be located on a northern portion of a 2.2-acre parcel. The subject property is located within the Agriculture and Forestry (AF) Zoning District in the Area of City Impact where Recreational Vehicle Parks are a conditional use, per the Area of City Impact Agreement.

Since the subject property is located within the Area of City Impact, per the City of Moscow's ACI agreement with Latah County, Moscow's Board of Adjustment is to conduct one hearing and forward a recommendation on to Latah County.



Vicinity Map

Site and Area Land Use: The subject property is a 2-2-acre parcel located just outside the City limits located at 2805 South Highway. The subject property currently contains a single-family home and three accessory structures. The land located east of the subject property, across highway 95, is vacant land. Property owned by Schweitzer Engineering Laboratories is located to the north, south and to the west of the subject property. The site has approximately 436 feet of frontage along Highway 95.



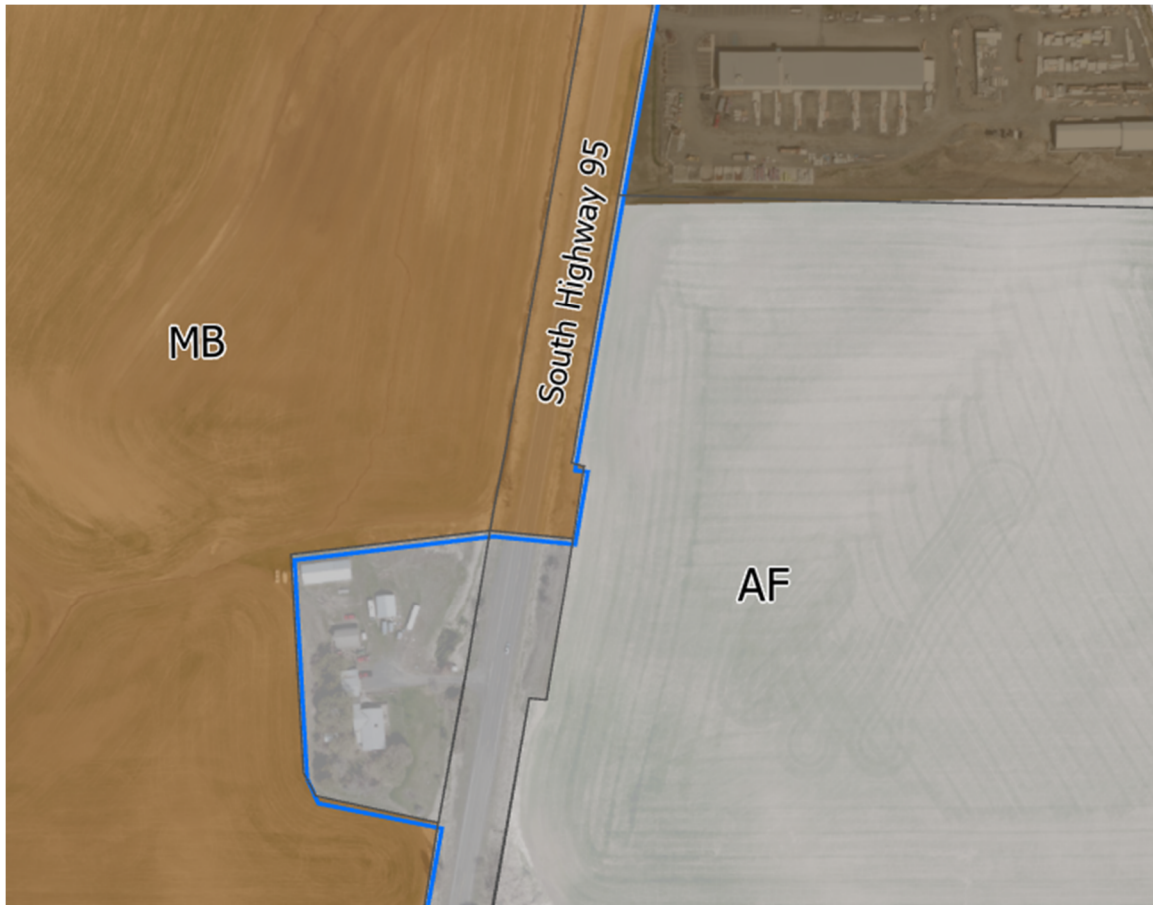
Aerial of Subject Property

Zoning: The subject property and adjacent properties to the east are currently zoned Agriculture and Forestry (AF) and are also located in Latah County within the Moscow Area of City Impact. The property to the north, south and west is zoned Motor Business (MB) and is within the City of Moscow.

Within the Area of City Impact, the County's AF has been adopted. According to Latah County Zoning Code, the purpose of the AF Zoning District is,

“established to achieve the purposes of this ordinance and the goals and policies of the Latah County Comprehensive Plan by accommodating, providing opportunities for, and the continuation of agricultural and forest land uses. Uses allowed in this zone include those that are integral to agriculture and forestry, uses which will not conflict with accepted farm and forest practices, and uses which will not result in the excessive conversion of productive farm and forest land to uses which can be more appropriately located in other zoning designations, and which are consistent with Idaho’s Agricultural Protection Act.”

Recreational Vehicle Parks within the AF Zone require a Conditional Use Permit, per Latah County Zoning Code.

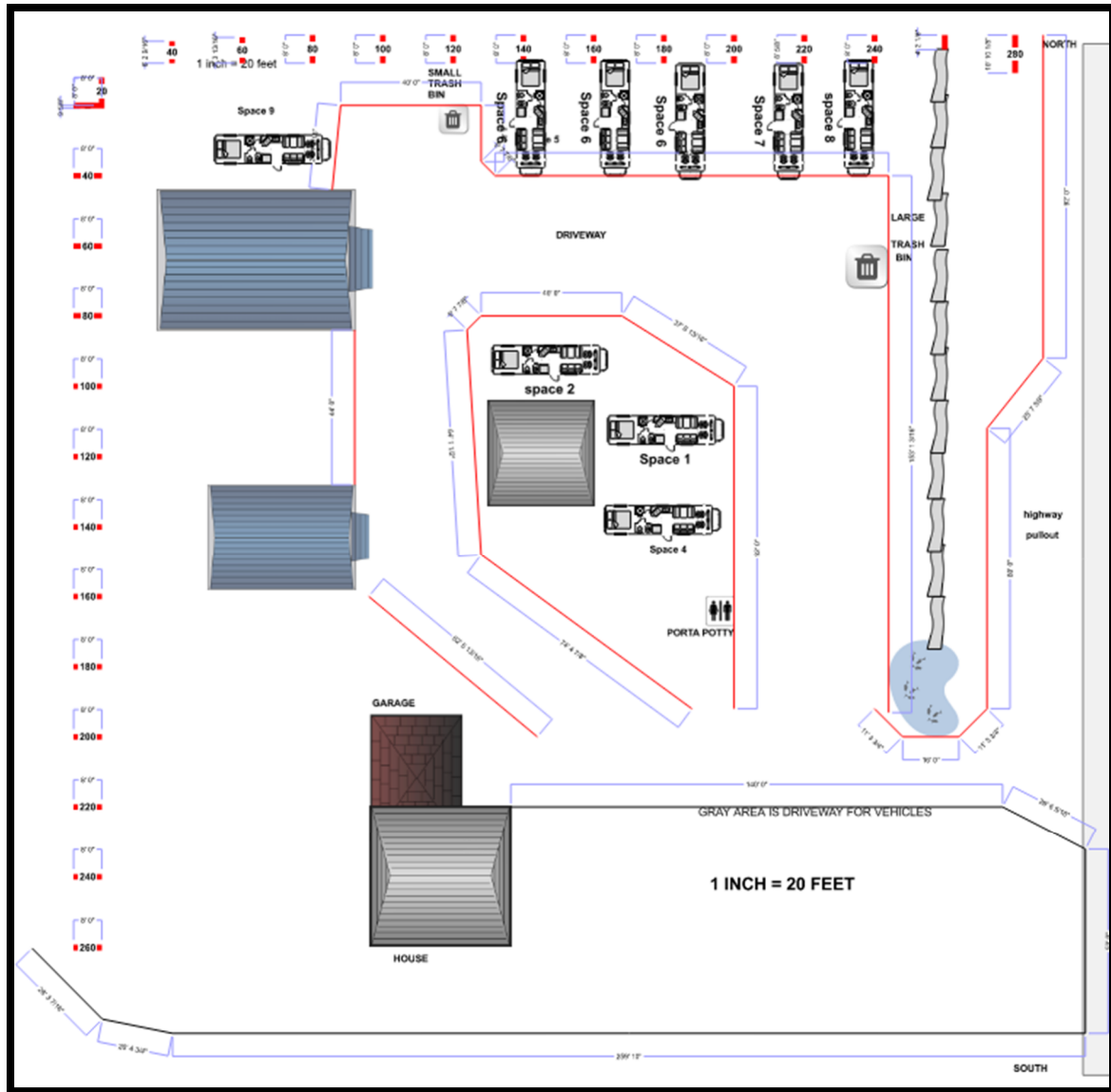


Zoning Map

Comprehensive Plan Within the 2019 Moscow Comprehensive Plan, which has been adopted within the Area of City Impact, the subject property is currently designated as Rural and Agricultural. According to the 2019 Comprehensive Plan, Rural and Agricultural designated areas are intended to,

“allow continued use for agricultural purposes with allowances for limited residential development at very low densities. Lands with this designation should be preserved for agricultural use and development should be directed to areas in closer proximity to the City where municipal utilities are available and land can be efficiently developed and serviced. Areas shown as Agriculture on the Future Land Use Plan are outside of the 10-year growth area (refer to Chapter 5, Public Utilities, Services, and Growth Capacity) and beyond the area for which the City is prepared to provide adequate facilities and services during the horizon of this Plan. Generally, these are found around the periphery of the City and throughout the Area of City Impact. The residential development options allow septic/well and septic/public water (where applicable and warranted) at very low densities, consistent with the intended agricultural character. Appropriate current zones for lands with this designation are Agriculture/ Forestry (AF) and Farm, Ranch, and Outdoor Recreation (FR).”

Chapter 3 of the Comprehensive Plan, Community Mobility, identifies Highway 95 as National Highway.



Proposed Site Plan

Proposed Development: The conceptual site plan shows nine (9) proposed RV spaces. The applicant is proposing the temporary use to accommodate construction workers of ITD's Thorn Creek Project in close proximity. The applicant has no intention of operating a permanent RV Park.

Latah County RV Park Requirements:

RV parks are subject to the following requirements:

- a. Construction plans designed by an engineer registered in the State of Idaho are required that indicate the following. The Planning Department can waive the requirement for engineering if the park is small enough or environmental conditions do not pose any problems for the site.

- (1) Location of all existing and proposed structures within the development.
- (2) Location and precise nature of landscaping and its contents and a statement regarding the proposed maintenance program.
- (3) Location of lots or spaces subject to the following requirements:
 - (a) Minimum space size shall be forty feet by twenty feet (40' x 20'); however, up to forty percent (40%) of the spaces may be a minimum of twenty-five feet by twenty feet (25' x 20').
 - (b) Design of spaces shall be such that minimum space between recreational vehicles is ten feet (10').
- (4) Toilet facilities and potable water shall be provided in all parks that allow recreational vehicles which are not self-contained.
- (5) Location of solid waste receptacles. Solid waste receptacles shall be provided and shall be located no farther than one hundred fifty feet (150') away from any recreational vehicle or campground space.
- (6) Alignment and grade for any storm sewer and streets.
- (7) Space numbering.
- (8) Location and specific nature of open areas and playground equipment, if any.

The applicant has provided a site plan showing placement of all RV's in locations that meet the standards above. All RV's will be self-contained and within 150' of solid waste receptacles.

Streets, Access and Utilities: The subject property is accessed from Highway 95. The subject property has property frontage along Highway 95. Highway 95 is designated as a National Highway and is developed as a 24-foot-wide paved roadway with northbound and southbound travel lanes and minimal gravel shoulders on both sides. Highway 95 is anticipated to become the jurisdiction of the City of Moscow with the completion of Idaho Transportation Department's Thorncreek Project.

Input from Other Departments/Entities: Upon review of the temporary Recreational Vehicle Park, the City of Moscow Fire Department recommended that the applicant be required to install a driveway surface that would support the weight of fire apparatus in all weather conditions.

RELEVANT CRITERIA AND STANDARDS

The following are Staff's comments relating to the criteria required for approval of a Conditional Use Permit. See the attached worksheet for each of the criteria. The following statements may be used for the Relevant Criteria and Standards or changed to include or remove any statement deemed necessary or appropriate by the Board.

- 1. The proposed use (is/is not) a conditionally permitted use within the Zoning District.**
- 2. The character of the proposed use (will/will not) be in harmony with the neighborhood and surrounding land uses.**
- 3. The proposed use as approved, or as approved with conditions, (will/will not) generate nuisances that would be injurious or detrimental to the adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like).**
- 4. The location, design, and size of the proposed use (will/will not) be adequately served by existing streets, public facilities and services.**
- 5. The proposed use (will/will not) endanger the public health or safety if located where proposed?**
- 6. Proposed use (meets/does not meet) all applicable development standards of the Zoning Code.**
- 7. The propose use (will/will not) be in conflict with the Comprehensive Plan.**

RECOMMENDATION

The Board has the option to approve, approve with conditions, or deny the application subject to the Relevant Criteria and Standards and any public testimony provided at the public hearing. The board may also table the decision for the application in order to request more information, including studies of social, economic, fiscal and environmental affects of the proposed Conditional Use Permit.

The Board of Adjustment may impose conditions including, but not limited to those 1) minimizing adverse impact on other development; 2) controlling the sequence and timing of development; 3) controlling the duration of development; 4) assuring that development is maintained properly; 5) designating the exact location and nature of development; 6) requiring the provision for on- or off-site public facilities or services; 7) requiring more restrictive standards than those generally required in an ordinance; and/or 8) requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.

Staff recommends that the City of Moscow Board of Adjustment put forth a recommendation of approval of the proposed conditional use permit for a temporary Recreational Vehicle Park located at 2805 South Highway 95 for a term no longer then three (3) years to the Latah County Zoning Commission with one condition:

1. The drive way surface should be constructed to support the weight of fire apparatus in all weather conditions.

NOTICE OF PUBLIC HEARING

Proposal for a Conditional Use Permit located at 2805 S Highway 95 within the Area of City Impact. Permit Application LUP2022-0033

A public hearing at which you may be present and speak will be conducted before the Board of Adjustment of the City of Moscow at which time the following proposal will be considered:

Conditional Use Permit application for a temporary Recreational Vehicle Park located at 2805 S Highway 95 within the Agricultural/Forestry Zoning District (AF) in the Area of City Impact, per Latah County Code 09-3A-4(C).

The subject property is within the Moscow Area of City Impact. The City of Moscow Board of Adjustment will make a recommendation to the Latah County Board of County Commissioners regarding this matter.

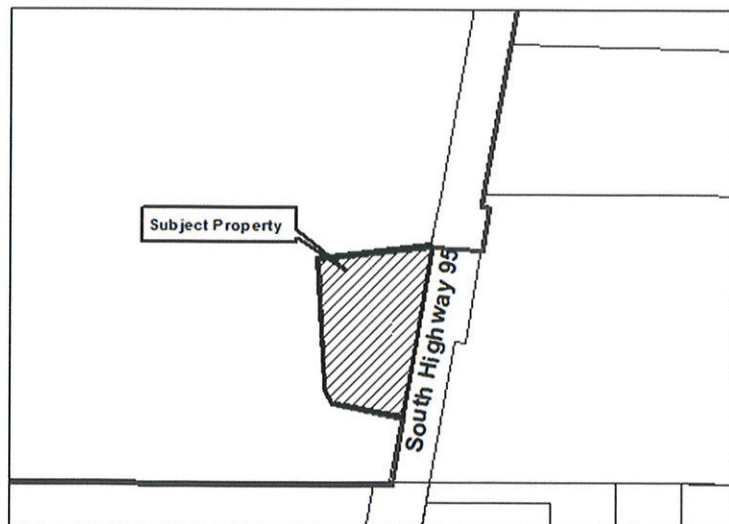
MEETING DATE: Tuesday, November 29, 2022

HEARING LOCATION: Council Chambers, Second Floor, Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00 p.m.

Note: Meeting start time is not necessarily indicative of the start time for review of the application advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine start time for review of application advertised in this notice, which could occur late in the meeting.

The file containing information on this matter is available for public review (an appointment may be necessary) at the Community Development Department located in the Haddock Building, 504 South Washington Street, Moscow, Idaho. You may also call 883-7035 to get a meeting agenda, further information about the application, the public meeting process and/or to request a meeting with City Staff. Public participants desiring to submit textual materials (excluding petitions) to the decision-making board shall do so at least five (5) calendar working days in advance of the scheduled meeting to the Community Development Department. Additionally, you may obtain further information about the public hearing process and procedures on the City's Website at: <https://www.ci.moscow.id.us/593/Public-Hearing-Notices>



Laurie Hopkins, Moscow City Clerk


Jennifer Fleischman, Deputy City Clerk

Publish: Saturday, November 12, 2022



LATAH COUNTY
PLANNING and BUILDING
 Ph: 208-883-7220
 Fax: 208-883-7225
 pb@latah.id.us



CITY OF MOSCOW
COMMUNITY DEVELOPMENT
 Ph: 208-883-7035
 Fax: 208-883-7033
 apeterson@ci.moscow.id.us

For Office Use Only			
Date Received			
Dept	Fee Type	Fees	Paid
LC	Application Fee	\$500	
Receipt Number			
Forwarded to City			
CD	Hearing Date		

APPLICATION FOR CONDITIONAL USE PERMIT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Neil & Ramrose Attebury-MARZOLF Telephone: 509-304-4719
2805 Hwy 95 S. Moscow, ID 83843
 (home address)

Relationship to affected property (please check one):

Owner ☒ Purchaser ☐ Lessee ☐ Other ☐ (explain below)

2. Owner of Affected Property (if other than applicant)

Name: _____ Telephone: _____
 (mailing address)

3. Location of Affected Property: 2805 Hwy 95 S. Moscow, ID

Acres: 3.5 Legal Description: _____

If described by Metes and Bounds, please attach deed on a separate sheet.

4. Proposal: The applicant proposes the following use and/or construction for the above-described property:

Temporary RV PARK under 10 Trailers

The proposed activities and use shall be shown on an attached site plan drawn to a standard engineer's or architect's scale. The site plan shall show, label and dimension all property lines and easements, existing and proposed buildings, parking lot and driveway(s), fencing and landscaping. A site topography map shall be provided when appropriate.

5. Authorization: Section _____ of the Moscow Area Of Impact Ordinance authorizes the proposed use, subject to a Conditional Use Permit.

6. **Operating Characteristics:** Detail the operating characteristics of the proposed use. In other words, provide specific information which describes and defines how the proposed use will be conducted and what will be involved in the day to day operations of the proposed use. Applicable information may include hours of operation, number of people (employees, customers, students, etc.) involved, traffic and/or delivery information, services provided, equipment or machinery which may be involved, or any other information which helps describe and define the proposed use and impacts which it may have.

Please Review Narrative

7. Before the City of Moscow and Latah County may issue a Conditional Use Permit, they must first make findings of compliance with the following seven relevant criteria and standards. Please indicate in the spaces provided below what you believe to be justification showing compliance with each of the relevant criteria and standards.

Criteria #1. THE PROPOSED USE IS A CONDITIONALLY PERMITTED USE WITHIN THE ZONING DISTRICT.

Justification and compliance with criteria #1: YES

Criteria #2. THE CHARACTER OF THE PROPOSED USE WILL BE IN HARMONY WITH THE NEIGHBORHOOD AND SURROUNDING LAND USES.

Justification and compliance with criteria #2: YES

Criteria #3. THE PROPOSED USE AS APPROVED, OR AS APPROVED WITH CONDITIONS, WILL NOT GENERATE NUISANCES THAT WOULD BE INJURIOUS OR DETRIMENTAL TO ADJOINING PROPERTIES OR THE NEIGHBORHOOD (INCLUDING BUT NOT LIMITED TO NOISE, DUST, GLARE, VIBRATIONS, ODORS AND THE LIKE).

Justification and compliance with criteria #3: It will not effect

Any Neighboring Properties

Criteria #4. THE LOCATION, DESIGN, AND SIZE OF THE PROPOSED USE WILL BE ADEQUATELY SERVED BY EXISTING STREETS, PUBLIC FACILITIES AND SERVICES.

Justification and compliance with criteria #4: YES

Criteria #5. THE PROPOSED USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY IF LOCATED WHERE PROPOSED.

Justification and compliance with criteria #5: will NOT endanger
ANYONE ACCEPT Field mice
(we hope) :)

Criteria #6. THE PROPOSED USE MEETS ALL APPLICABLE DEVELOPMENT STANDARDS OF THE ZONING CODE.

Justification and compliance with criteria #6: YES

Criteria #7. THE PROPOSED USE WILL NOT BE IN CONFLICT WITH THE COMPREHENSIVE PLAN.

Justification and compliance with criteria #7: NO conflict

CONDITIONS OF APPROVAL

The City of Moscow or Latah County may impose conditions including, but not limited to, those (1) minimizing adverse impact on other development; (2) controlling the sequence and timing of development; (3) controlling the duration of development; (4) assuring that development is maintained properly; (5) designating the exact location and nature of development; (6) requiring the provision for onsite or offsite public facilities or services; (7) requiring more restrictive standards than those generally required in an ordinance; and/or (8) requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.

COMPLIANCE

1. In the event of failure to comply with the plans proof by the Board of Adjustment, or with any conditions imposed upon the Conditional Use Permit, the permit shall be immediately revoked and shall be automatically null and void.
2. Where plans are submitted and approved as part of the application for a Conditional Use Permit, modifications of the original plans may be required by the Board as a condition of approval.
3. Where plans approved by the Board of Adjustment are modified following such approval, such plan modifications must be submitted to and determined by City staff to be in substantial conformance with the plans approved by the Board. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board for an additional public hearing as an amendment to the Conditional Use Permit application.

NARRATIVE FOR rv park application

Listed in the list of rules covers things like hours of operation, and other basic rules.

Basically we are doing this simply to assist the highway crews in getting their jobs done and we have no intention once this highway is completed in maintaining any sort of RV park.

- 1) Building permit? We are not building anything new and the RV inhabitants do not have access to any of the buildings.
- 2) Fire Protection? We will not be allowing any fires on the property and as part of the rules the inhabitants cannot smoke within 15 foot of any building. There is clear access for all fire equipment.
- 3) Hours of operation is between 8 am and 10 pm as listed in the rules.
- 4) We have no shade however do intend to plant trees this next year but mainly for us.
- 5) There is no lighting provided other than what the RV may have on their trailer.
- 6) There is no outdoor storage allowed by the RV; s
- 7) Each trailer is positioned far enough away from each other that they have been directed to park either beside their trailer or in front of it.
- 8) As explained to me there are less than 10 RV's and we are not providing any pressured water as each RV works off their own self-contained water tank. We do require that they have Tote that are approved for sewage transportation and we have Hahn Rental come weekly to drain those that want their service.
- 9) We are farmland and the water run-off runs down the ditch that has been there since 1956 but our water run off goes in to our field.
- 10) I believe this was answered in the above questions as to wastewater management
- 11) We do own our own water however we are not hooking up to any of the trailers but we do have potable water present should the need arise. Every vehicle allowed in here is self contained water system.

In addition to the requirements listed below, all of the following uses must submit the following documents/information as part of their permit application when applicable (applicability is determined as having the item or needing the item because of other items on the parcel):

1. Building permit.
2. Fire protection.
3. Hours of operation.
4. Landscaping for shading and buffering.
5. Lighting (lighting must be a full cutoff fixture and shall be directed away from existing residences).
6. Outdoor storage.
7. Parking including spaces, accessibility, approach points.
-  8. Sewer system (the applicant shall provide approval from the Health Department for any new septic system, any connection or modification to an existing septic system, and approval from any city or sewer district showing an approved connection for the proposed use).
9. Stormwater runoff.
-  10. Wastewater management.
11. Water system (public when required, water right when required; the Planning Department shall check to ensure necessary permits have been issued for the water source).

Speed Limits: The speed limit in the park is 5 MPH. Violators will be asked to leave the park without refund. There is NO Power or Water provided at this park. Sewage MUST be removed in a state approved tote or taken to the Latah County Sanitation dump station. Hahn comes by weekly to empty tanks each Thursday please ask office for number.

Vehicle Parking: All vehicles must park in their own space, no parking on the grass or in a vacant space. Your guests and extra vehicles may park at the office or behind the building where and if space is available. Any boat parked at your site must not create a hazard.

RV Washing: RV washing is allowed one time upon arrival for monthly stays only. Boat and vehicle washing must be done off site. Boat motor flushing must also be done off site.

Prohibited Vehicles: Units older than 10 years must be approved by the management. All units must be self-contained, and factory manufactured and approved by RVIA. No vehicle repairs allowed in the park. No tents or school bus conversions. Camper shells may not be removed from trucks.

Maintenance of Your Site: Help us keep THE PROPERTY beautiful. It is your responsibility to keep your RV and site clean. Rugs and carpets are not allowed on the grass. Clotheslines are not allowed in the park. Please remove all lawn decorations on lawn mowing day. All site improvements must be approved by the management.

Quiet Time: Quiet time is 10:00pm to 8:00am

Check out Time: Check out time is 12:00 noon

Propane: Propane is delivered, check office for schedule.

Pets: All pets must be kept on a leash no longer than 6 feet. Pets must be kept under control at all times and not left outside unattended. Pets are not permitted in any buildings. Shot records must be present. Please pick up all pet droppings immediately. Violators will be asked to leave the park without refund.
No smoking WITHIN 15 FEET of any buildings. All buildings are off limits.

Rental Payments: Rent will be due the first day of every month. A late fee of \$35.00 will be charged for rent 3 days past due. All monthly reservations require a \$100.00 deposit. It is the sole responsibility of the guest to call PRIOR to the 1st day of each month, to verify the amount due for the month.

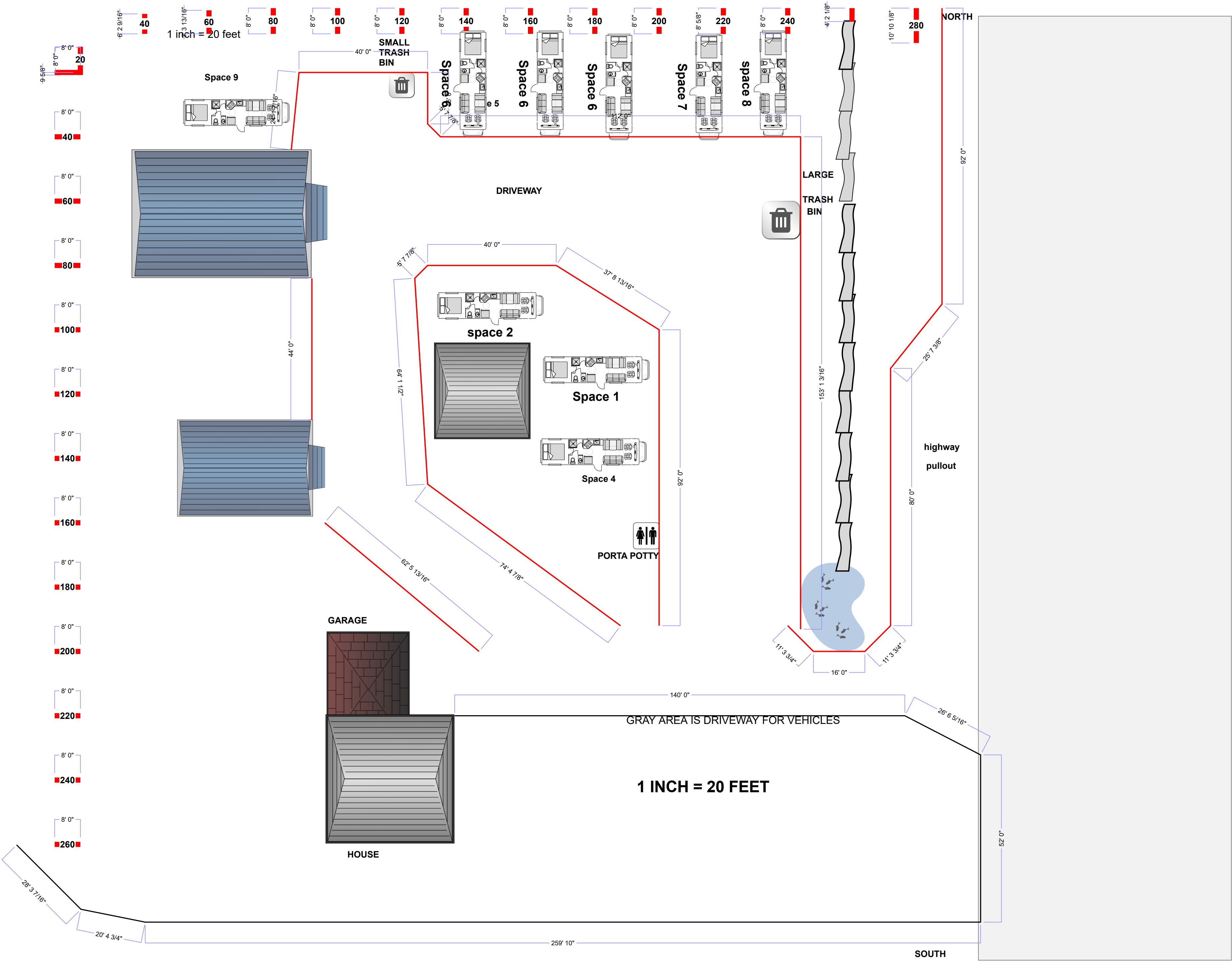
Cancellations: Daily and weekly reservations require a 72 hour notice. Monthly reservations require a 60 day notice. Cancellations made under the time frame set above are subject to forfeit their deposit for monthly stays. Daily and weekly will incur a fee equal to a one night charge plus a \$15 cancellation fee.

Disturbance: If there is a disturbance at your site and the police are called, you will be asked to leave the park without refund.

Parental Responsibility: All children under the age of 18 must have adult supervision at all times.

Trash Disposal: Please place trash in the Dumpster every day. Dumpsters are located at the east end of the property for your convenience.

Charcoal/BBQ Grills: Please do not place grills on the picnic tables. Please do not empty ashes on the ground. **No open fires or ground fires are allowed.**



10/17/22, 1:46 PM

2805 Hwy 95 - Google Maps

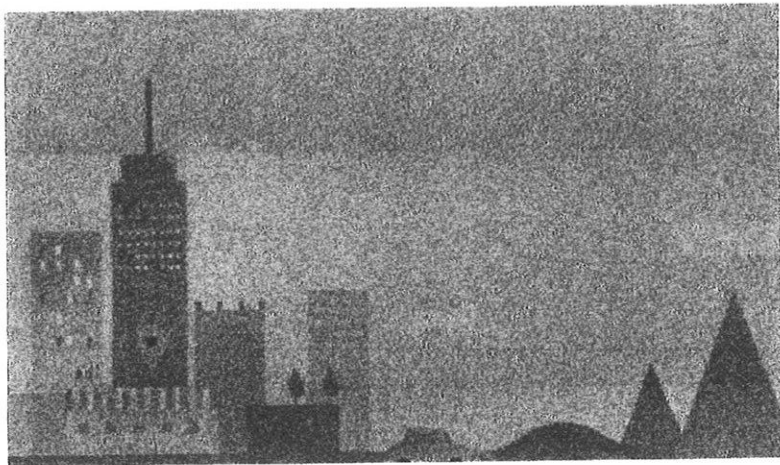
Google Maps

2805 Hwy 95

Outline of property



Map data ©2022, Map data ©2022 20 ft



2805 Hwy 95
Building



Directions



Save



Nearby



Send to
phone



Share

**CITY OF MOSCOW
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

HEARING DATE: Tuesday, November 29, 2022

GENERAL INFORMATION

Hearing Body: Board of Adjustment

Subject: Application for Conditional Use Permit for an accessory cottage exceeding 900 square feet located at 2730 South Highway 95 within the Agriculture/Forestry (AF) Zoning District, in the Moscow Area of City Impact, per Latah County Code 9-3A-4(A).

Attachments:

1. Conditional Use Permit Application.
2. Public Hearing Notice – published in the Moscow-Pullman Daily News on November 12, 2022.
3. Site Plan
4. Relevant Criteria and Standards Worksheet

Prepared By: Aimee Hennrich, Planner 1

STAFF REVIEW

Proposal: The applicants, Doug and Melanie Wasankari, have applied for a Conditional Use Permit (CUP) for an accessory cottage exceeding 900 square feet located at 2730 S Highway 95. The site is 13 acres in size and contains an existing one bedroom, one-bathroom single-family home, numerous accessory structures, and a portion of Wasankari Construction. The applicant is proposing to relocate an existing 2,400 sf home which has been moved onto the site, which will be installed upon a newly constructed foundation. The applicant is proposing that this home will become the primary home and the current primary single-family home would become a 1,200 square foot accessory cottage. The subject property is located within the Agriculture/Forestry (AF) Zoning District in the Area of City Impact where accessory cottage houses above 900 square feet require a Conditional Use Permit, per Latah County Code 9-3A-4(A).

Since the subject property is located within the Area of City Impact, per the City of Moscow's ACI agreement with Latah County, Moscow's Board of Adjustment is to conduct one hearing and forward a recommendation on to Latah County.

Site and Area Land Use: The subject property is a 13-acre parcel located just outside the City limits, east of Highway 95 within Moscow Area of City Impact. The parcel has 55 feet of frontage along Highway 95. The subject property currently contains a one bedroom one-bathroom single family home, many accessory buildings, construction materials, and the existing 2,400 square foot home not on a permanent foundation. Adjacent properties to the west of the subject property include Wasankari Construction (owned by the applicant), Germer Construction, and a new storage unit facility currently under construction. Adjacent properties to the north, east and south are owned by the State of Idaho and are currently under construction for the realignment of Highway 95.



Vicinity Map



Aerial of Subject Property

Zoning: The subject property and adjacent properties to the north, east, and south are currently zoned Agriculture/Forestry (AF) and in Latah County and within the Moscow Area of City Impact. The parcels to the west are zoned Motor Business (MB) and Industrial (I) and are also located in Latah County within the Moscow Area of City Impact.

Within the Area of City Impact, the County's AF has been adopted. According to Latah County Zoning Code, the purpose of the AF Zoning District is,

“established to achieve the purposes of this ordinance and the goals and policies of the Latah County Comprehensive Plan by accommodating, providing opportunities for, and the continuation of agricultural and forest land uses. Uses allowed in this zone include those that are integral to agriculture and forestry, uses which will not conflict with accepted farm and forest practices, and uses which will not result in the excessive conversion of productive farm and forest land to uses which can be more appropriately located in other zoning designations, and which are consistent with Idaho's Agricultural Protection Act.”

Accessory cottages in excess of 900 square feet require a conditional use permit within the AF Zone, per Latah County Zoning Code 9-3A-4(A).



Zoning Map

Comprehensive Plan: The 2019 City of Moscow Comprehensive, Plan Land Future Use and Growth Plan Map designates the subject property and surrounding properties as Rural and Agriculture. According to Chapter 2 of the Comprehensive Plan, Community Character and Land Use, Agriculture designated areas,

“is intended to allow continued use for agricultural purposes with allowances for limited residential development at very low densities. Lands with this designation should be preserved for agricultural use and development should be directed to areas in closer proximity to the City where municipal utilities are available and land can be efficiently developed and serviced. Areas shown as Agriculture on the Future Land Use Plan are outside of the 10-year growth area (refer to Chapter 5, Growth Management and Capacity), and beyond the area for which the City is prepared to provide adequate facilities and services during the horizon of this Plan. Generally, these are found around the periphery of the City and throughout the Area of City Impact. The residential development options allow septic/well and septic/public water (where applicable and warranted) at very low densities, consistent with the intended agricultural character. Appropriate current zones for lands with this designation are Agriculture/Forestry (AF) and Farm, Ranch and Outdoor Recreation (FR).”

Chapter 3 of the Comprehensive Plan, Community Mobility, identifies Highway 95 as National Highway. Highway 95 is anticipated to become the jurisdiction of the City of Moscow with the completion of Idaho Transportation Department's Thorn Creek Project.



Proposed Site Plan

Proposed Development: The conceptual site plan shows the new accessory cottage in its existing location on the western portion of the site and the new primary residence on the southwestern end of the site. The new accessory cottage would be 1,200 and is the current primary residence. The new primary residence will be a 2,400 square foot home that had to be relocated due construction of the Thorn Creek project.

Streets and Access: The subject property is accessed from Highway 95. The subject property has property frontage along Highway 95. Highway 95 is designated as a National Highway and is developed as a 24-foot-wide paved roadway with northbound and southbound travel lanes and minimal gravel shoulders on both sides.

Input from Other Departments/Entities: No comments were received from other departments/agencies upon review of the request for the Conditional Use Permit.

RELEVANT CRITERIA AND STANDARDS

The following are Staff's comments relating to the criteria required for approval of a Conditional Use Permit. See the attached worksheet for each of the criteria. The following statements may be used for the Relevant Criteria and Standards or changed to include or remove any statement deemed necessary or appropriate by the Board.

- 1. The proposed use (is/is not) a conditionally permitted use within the Zoning District.**
- 2. The character of the proposed use (will/will not) be in harmony with the neighborhood and surrounding land uses.**
- 3. The proposed use as approved, or as approved with conditions, (will/will not) generate nuisances that would be injurious or detrimental to the adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like).**
- 4. The location, design, and size of the proposed use (will/will not) be adequately served by existing streets, public facilities and services.**
- 5. The proposed use (will/will not) endanger the public health or safety if located where proposed?**
- 6. Proposed use (meets/does not meet) all applicable development standards of the Zoning Code.**
- 7. The propose use (will/will not) be in conflict with the Comprehensive Plan.**

RECOMMENDATION

Staff recommends that the City of Moscow Board of Adjustment put forth a recommendation of approval of the proposed conditional use permit for an Accessory Cottage exceeding 900 square feet located at 2730 S Highway 95 to the Latah County Zoning Commission with no conditions.

NOTICE OF PUBLIC HEARING

Proposal for a Conditional Use Permit located at 2730 S Highway 95 within the Area of City Impact. Permit Application LUP2022-0032

A public hearing at which you may be present and speak will be conducted before the Board of Adjustment of the City of Moscow at which time the following proposal will be considered:

Conditional Use Permit application for an accessory cottage in excess of 900 square feet located at 2730 S Highway 95 within the Agricultural/Forestry Zoning District (AF) in the Area of City Impact, per Latah County Code 9-3A-4(A).

The subject property is within the Moscow Area of City Impact. The City of Moscow Board of Adjustment will make a recommendation to the Latah County Board of County Commissioners regarding this matter.

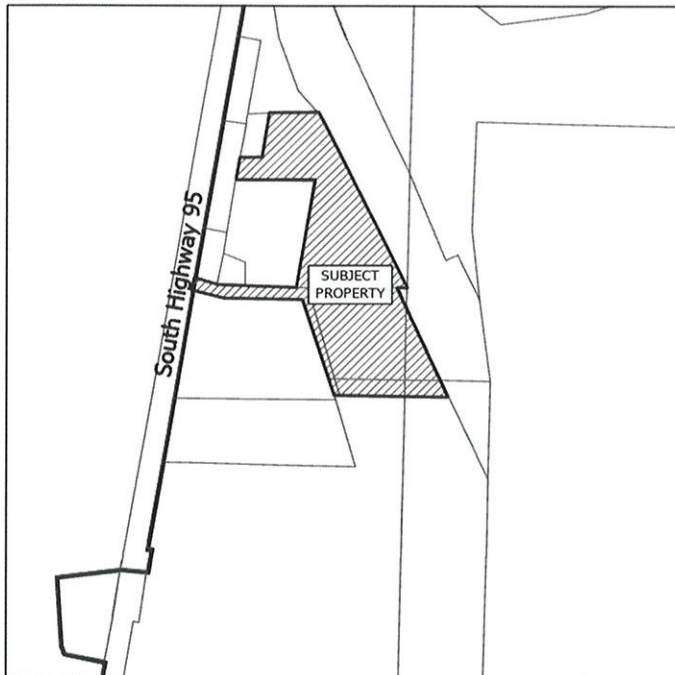
MEETING DATE: Tuesday, November 29, 2022

HEARING LOCATION: Council Chambers, Second Floor, Moscow City Hall
206 East Third Street, Moscow, Idaho

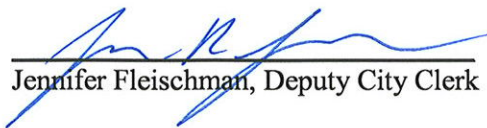
MEETING TIME: 7:00 p.m.

Note: Meeting start time is not necessarily indicative of the start time for review of the application advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine start time for review of application advertised in this notice, which could occur late in the meeting. The file containing information on this matter is available for public review (an appointment may be necessary) at the Community Development Department located in the Haddock Building, 504 S Washington Street, Moscow, Idaho. You may also call 883-7035 to get a meeting agenda, further information about the application, the public meeting process and/or to request a meeting with City Staff. Public participants desiring to submit textual materials (excluding petitions) to the decision-making board shall

do so at least five (5) calendar working days in advance of the scheduled meeting to the Community Development Department. Additionally, you may obtain further information about the public hearing process and procedures on the City's Website at: <https://www.ci.moscow.id.us/593/Public-Hearing-otices>



Laurie Hopkins, Moscow City Clerk


Jennifer Fleischman, Deputy City Clerk

Publish: Saturday, November 12, 2022



LATAH COUNTY
PLANNING and BUILDING
 Ph: 208-883-7220
 Fax: 208-883-7225
 pb@latah.id.us



CITY OF MOSCOW
COMMUNITY DEVELOPMENT
 Ph: 208-883-7035
 Fax: 208-883-7033
 apeterson@ci.moscow.id.us

For Office Use Only			
Date Received		10/14/22	
Dept	Fee Type	Fees	Paid
LC	Application Fee	\$300	500
	Receipt Number	4912	
	Forwarded to City		
CD	Hearing Date		

APPLICATION FOR CONDITIONAL USE PERMIT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Doug Wasankari Telephone: 208-883-4362
2730 Hwy 95 South Moscow ID, 83843
 (home address)

Relationship to affected property (please check one):

Owner ☒ Purchaser ☐ Lessee ☐ Other ☐ (explain below)

2. Owner of Affected Property (if other than applicant)

Name: _____ Telephone: _____
 (mailing address)

3. Location of Affected Property: _____
 Acres: 6 Legal Description: RP39N05W197460A RP39N05W197500A

If described by Metes and Bounds, please attach deed on a separate sheet.

4. **Proposal:** The applicant proposes the following use and/or construction for the above-described property:

1200 square ft accessory cottage
2400+ square ft primary dwelling

The proposed activities and use shall be shown on an attached site plan drawn to a standard engineer's or architect's scale. The site plan shall show, label and dimension all property lines and easements, existing and proposed buildings, parking lot and driveway(s), fencing and landscaping. A site topography map shall be provided when appropriate.

5. **Authorization:** Section _____ of the Moscow Area Of Impact Ordinance authorizes the proposed use, subject to a Conditional Use Permit.

6. **Operating Characteristics:** Detail the operating characteristics of the proposed use. In other words, provide specific information which describes and defines how the proposed use will be conducted and what will be involved in the day to day operations of the proposed use. Applicable information may include hours of operation, number of people (employees, customers, students, etc.) involved, traffic and/or delivery information, services provided, equipment or machinery which may be involved, or any other information which helps describe and define the proposed use and impacts which it may have.

In order to maintain productive ag will place on property line south adjacent to property 95. Will use existing shared driveway. Sitting existing historic home

7. Before the City of Moscow and Latah County may issue a Conditional Use Permit, they must first make findings of compliance with the following seven relevant criteria and standards. Please indicate in the spaces provided below what you believe to be justification showing compliance with each of the relevant criteria and standards.

Criteria #1. THE PROPOSED USE IS A CONDITIONALLY PERMITTED USE WITHIN THE ZONING DISTRICT.

Justification and compliance with criteria #1: The use is conditionally permitted in the Ag/Forest Zone. The existing residence will become the accessory and the new white historic home will be the primary

Criteria #2. THE CHARACTER OF THE PROPOSED USE WILL BE IN HARMONY WITH THE NEIGHBORHOOD AND SURROUNDING LAND USES.

Justification and compliance with criteria #2: The primary dwelling will be adjacent to proposed residential, accessory cottage is adjacent to existing business as caretakers quarters

Criteria #3. THE PROPOSED USE AS APPROVED, OR AS APPROVED WITH CONDITIONS, WILL NOT GENERATE NUISANCES THAT WOULD BE INJURIOUS OR DETRIMENTAL TO ADJOINING PROPERTIES OR THE NEIGHBORHOOD (INCLUDING BUT NOT LIMITED TO NOISE, DUST, GLARE, VIBRATIONS, ODORS AND THE LIKE).

Justification and compliance with criteria #3: Use will be adjacent to Farm/Ranch residential uses. Preservation of active ag ground and buffer to State Hwy

Criteria #4. THE LOCATION, DESIGN, AND SIZE OF THE PROPOSED USE WILL BE ADEQUATELY SERVED BY EXISTING STREETS, PUBLIC FACILITIES AND SERVICES.

Justification and compliance with criteria #4: Existing access, private well, private septic a shared driveway will allow to access both residences. Both will have circle drives in front of residences

Criteria #5. THE PROPOSED USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY IF LOCATED WHERE PROPOSED.

Justification and compliance with criteria #5: _____

Use is compatible with surrounding area

Criteria #6. THE PROPOSED USE MEETS ALL APPLICABLE DEVELOPMENT STANDARDS OF THE ZONING CODE.

Justification and compliance with criteria #6: _____

Use will meet all aspects of Accessory Cottage - Requesting variance for distance to maintain productive farm ground

Criteria #7. THE PROPOSED USE WILL NOT BE IN CONFLICT WITH THE COMPREHENSIVE PLAN.

Justification and compliance with criteria #7: _____

Meets the goals and policies of the Comprehensive plan.

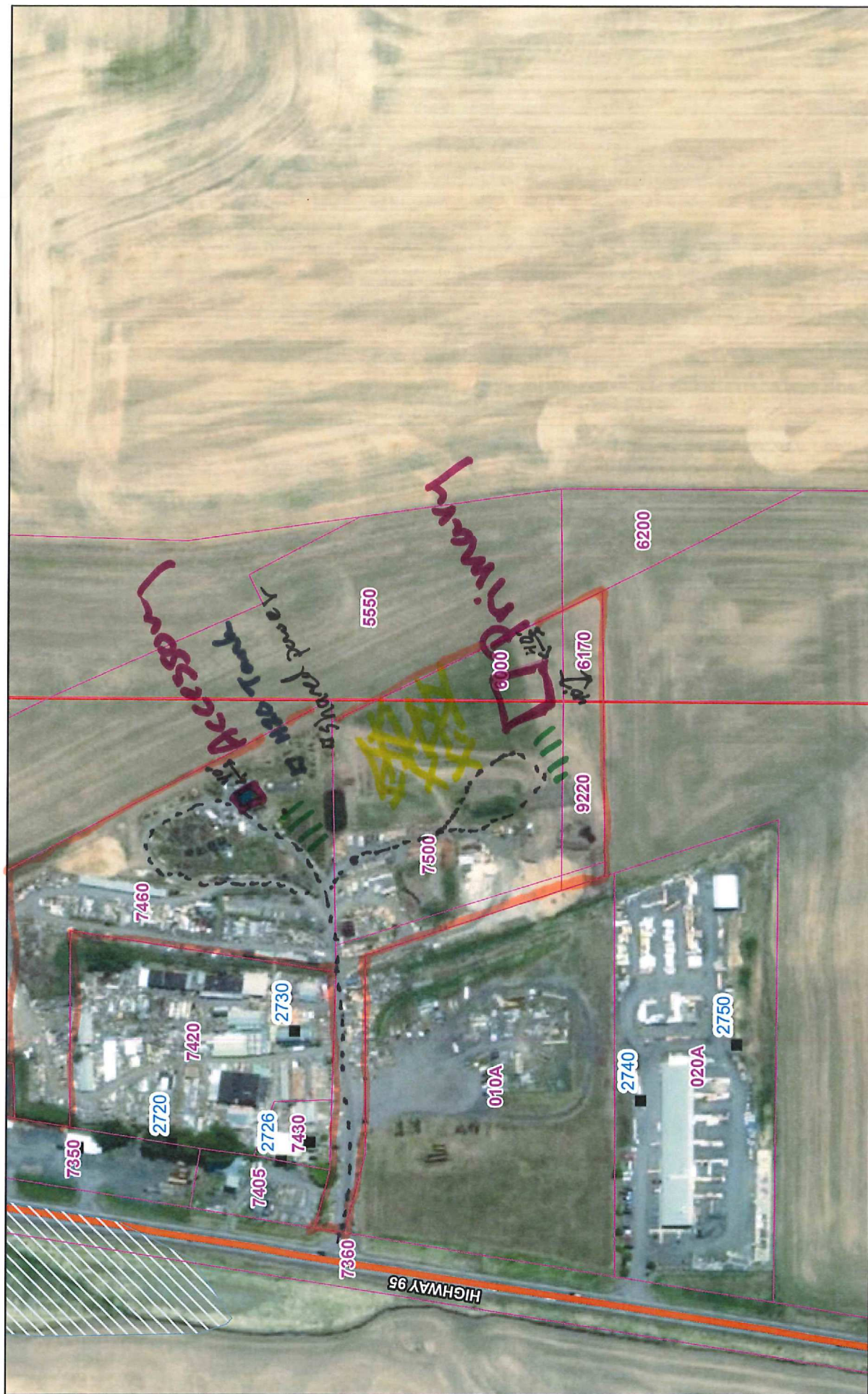
CONDITIONS OF APPROVAL

The City of Moscow or Latah County may impose conditions including, but not limited to, those (1) minimizing adverse impact on other development; (2) controlling the sequence and timing of development; (3) controlling the duration of development; (4) assuring that development is maintained properly; (5) designating the exact location and nature of development; (6) requiring the provision for onsite or offsite public facilities or services; (7) requiring more restrictive standards than those generally required in an ordinance; and/or (8) requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.

COMPLIANCE

1. In the event of failure to comply with the plans proof by the Board of Adjustment, or with any conditions imposed upon the Conditional Use Permit, the permit shall be immediately revoked and shall be automatically null and void.
2. Where plans are submitted and approved as part of the application for a Conditional Use Permit, modifications of the original plans may be required by the Board as a condition of approval.
3. Where plans approved by the Board of Adjustment are modified following such approval, such plan modifications must be submitted to and determined by City staff to be in substantial conformance with the plans approved by the Board. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board for an additional public hearing as an amendment to the Conditional Use Permit application.





1111 Drainfield
xxx Ag Ground

Accession
Highway 95
Driveway

1111 Drainfield
xxx Ag Ground

October 26, 2022

Parcel Boundaries

Cadastral Data - Townships

Cadastral Data - Sections

Address Points

Rural Address

Flood Plains

FEDERAL HIGHWAY

Surface Transportation

1:4,514

0 0.03 0.05 0.08 0.1 mi

0 0.04 0.08 0.16 km

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

This is not for use in a formal offer as a substitute for a survey
Dimensions for reference only





























White
Historic Home sitting here
will be moved &
Put on Foundation
According to Diagram
Attached.



Receipts

Planning and Building

Date 10/14/2022 Employee Jesse Zylstra

Receipt No. 4912

Permittee/Owner: Wasankari Construction

Payment Received From: Wasankari Construction

Payment For: Conditional Use Permit

More Specifically: AOI

Permit #

Payment To: Planning

Report Information

Type Planning

Account P&B 01-00-0361-0050☒ Check Check # 2825☐ Card Transaction #☐ Cash

Notes

Amount**\$500.00**

Sales Tax

If No Sales Tax Enter 0
If Sales Tax, Enter .06

Tax

\$0.00

Total Paid**\$500.00**

Total Fee

\$500.00

Balance Due**\$0.00**

* Please save before you close out!