

PLANNING & ZONING COMMISSION



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

Regular Meeting ~Minutes~

Mike Ray
Staff Liaison
208.883.7008

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

**Wednesday
November 15, 2023**

7:00 PM

**Council Chambers
206 E Third Street**

Parish called the meeting to order at 7:00 PM

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

REGULAR AGENDA

1. Approval of October 18, 2023 Minutes (ACTION ITEM)

Hamilton moved for approval of the minutes as written, seconded by Seever. Roll Call Vote; 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: Proposal for a Comprehensive Plan Land Use Designation and Zoning Designation for a 7.98-Acre Property Proposed to be Annexed into the City of Moscow and Located at 2216 South Main Street. Permit Application LUP2023-0020 (ACTION ITEM)

1. Retaining the current Comprehensive Plan Land Use Designation of Auto-Urban Commercial.
2. Rezoning of the subject property from the combination of the Agriculture Forestry (AF) Zone and the Industrial (I) Zone to the Motor Business (MB) Zone.

Ray presented the proposed annexation as described above, recommending approval of the rezone and comprehensive plan land use designation with no conditions.

Public Hearing opened at 7:07 PM

Joel Cohen (applicant), Moscow, described his proposed intentions for the property, with the ultimate goal of developing a truck dock.

Shelley Bennett, Moscow, explained that a desired lot division would not be approved within the County, but it meets City standards so that is why an annexation is being pursued.

Public Hearing closed at 7:10 PM

Wilson moved for approval of the Comp Plan Designation and Rezone as recommended, seconded by Beebe. Roll Call Vote; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Seever moved for approval of the draft Relevant Criteria and Standards for the Comp Plan Designation and Rezone, seconded by Hamilton. Roll Call Vote; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

REPORTS

1. Transportation Commission meeting report.

The Transportation Commission meeting regularly scheduled for last week was cancelled because of the gas outage in the region.

Ray updated the Commissioners on the Palouse Basic Aquifer Committee topic, which might have Tyler Palmer doing a presentation for the Commission sometime in the Spring.

A future joint meeting with City Council is unlikely to happen before the New year, but is still tentatively scheduled to occur.

ANNOUNCEMENTS

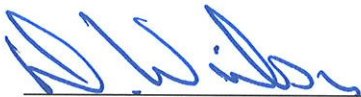
UPCOMING EVENTS/MEETINGS

The Planning & Zoning Commission meeting regularly scheduled for November 22, 2023 has been cancelled.

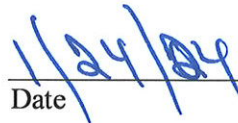
The next meeting is scheduled to occur December 13, 2023.

The regular meeting scheduled for December 27th may also be cancelled.

Parish declared the meeting adjourned at 7:19 PM



Dennis Wilson, Vice Chair


Date

**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 COMPREHENSIVE PLAN LAND USE DESIGNATION OF A SEVEN POINT NINE EIGHT (7.98) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED AT 2216 SOUTH MAIN STREET.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on October 23, 2023; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on November 15, 2023; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is an approximately 7.98-acre property proposed to be annexed into the City of Moscow and located at 2216 South Main Street.
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 portion of Fountains Industrial Park and there are two existing buildings which contain various commercial uses including an automotive repair business. The South Fork of the Palouse River bisects the property.
5. To the west of the subject property is the City's sewer lift station, the Palouse Ice Rink, and various other commercial and residential uses. To the north includes a restaurant, bar, and a church. The remainder of Fountains Industrial Park is located to the east and southeast of the subject property. Agricultural land and a car detailing business are located to the south.

6. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Commercial and the proposal is to retain the Auto-Urban Commercial designation.
7. Auto-Urban Commercial (AU-C) designated areas,

“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).”
8. The subject property is currently zoned a combination of the Agriculture Forestry (AF) and Industrial (I) Zones.
9. Surrounding properties are within the Agriculture/Forestry (AF), Industrial (I), and Motor Business (MB) Zones.
10. The subject property shares an existing vehicular approach to Highway 95. The adjacent portion of Highway 95 contains four travel lanes and a center turn lane with curb, gutter, and sidewalks on both sides of the street.
11. The subject property is currently on a well and septic system. As part of the annexation, the buildings on the subject property will be required to connect to City water and sewer mains. Water and sewer mains are currently located within the shared access drive to the northwest of the subject property. The property is considered developable in the City’s Comprehensive Water and Sewer System Plans.
12. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on October 16, 2023 to discuss the proposal.
13. Based upon the availability of public services, constructed adjacent roadway, access and surrounding land use patterns, the Commission concludes that it is appropriate for the property to be designated as AU-C 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 Auto-Urban Commercial designation for the subject property is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan and is consistent with the surrounding properties, as well as the surrounding land use and development patterns.
2. **The proposed Comprehensive Plan amendment would provide for the logical and orderly location of land uses, community services and facilities.** The Commission finds that the proposed designation of AU-C 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, west, and south of the subject property.

3. **The uses expected to occur as a result of the Comprehensive Plan amendment will be compatible with the surrounding area.** The zoning districts that are consistent with the AU-C designation exist within the current City Limits boundary to the north, west, and southwest. The adjacent properties to the north, west, and south are primarily commercial.
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 national highway, 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 more Auto-Urban Commercial uses. The Auto-Urban Commercial land use designation is consistent with commercial properties adjacent to the north, west, and south.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Planning and Zoning Commission recommends approval of the proposal to retain the existing Comprehensive Plan Land Use Designation of Auto-Urban Commercial for the 7.98-acre property with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this 15th day of November, 2023.



Robb Parish, Chair
Planning and Zoning Commission

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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE REZONE OF A SEVEN POINT NINE EIGHT (7.98) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED AT 2216 SOUTH MAIN STREET FROM THE COMBINATION OF THE AGRICULTURE FORESTRY (AF) AND INDUSTRIAL (I) ZONES TO THE MOTOR BUSINESS (MB) ZONE.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on October 23, 2023; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on November 15, 2023; and

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

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is an approximately 7.98-acre property proposed to be annexed into the City of Moscow and located at 2216 South Main Street.
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 portion of Fountains Industrial Park and there are two existing buildings which contain various commercial uses including an automotive repair business. The South Fork of the Palouse River bisects the property.
5. To the west of the subject property is the City's sewer lift station, the Palouse Ice Rink, and various other commercial and residential uses. To the north includes a restaurant, bar, and a church. The remainder of Fountains Industrial Park is located to the east and southeast of the subject property. Agricultural land and a car detailing business are located to the south.

6. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Commercial and the proposal is to retain the Auto-Urban Commercial designation.
7. Auto-Urban Commercial (AU-C) designated areas,

“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).”
8. The subject property is currently zoned a combination of the Agriculture Forestry (AF) and Industrial (I) Zones.
9. Surrounding properties are within the Agriculture/Forestry (AF), Industrial (I), and Motor Business (MB) Zones.
10. The proposal is to rezone the subject property from the combination of the Agriculture Forestry (AF) and Industrial (I) Zones to the Motor Business (MB) Zone.
11. According to the City of Moscow Zoning Code, the MB Zone is intended to,

“provide for the location and grouping of compatible uses having similar operation as they involve enterprises which depend primarily on the transient motor vehicle-based trade. By concentrating such uses the City intends to increase public convenience when utilizing such services and, within the regulation, to allow such activities to render the maximum service.”
12. Uses permitted within the MB Zone include retail enterprises, offices, eating and drinking establishments, printing and publishing houses, religious institutions, residential uses, hotels and motels, off-street parking facilities, kennels, storage facilities, laundromats, and light manufacturing.
13. The subject property shares an existing vehicular approach to Highway 95. The adjacent portion of Highway 95 contains four travel lanes and a center turn lane with curb, gutter, and sidewalks on both sides of the street.
14. The subject property is currently on a well and septic system. As part of the annexation, the buildings on the subject property will be required to connect to City water and sewer mains. Water and sewer mains are currently located within the shared access drive to the northwest of the subject property. The property is considered developable in the City’s Comprehensive Water and Sewer System Plans.
15. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on October 16, 2023 to discuss the proposal.
16. Based upon the availability of public services, constructed adjacent roadway, access and surrounding land use patterns, the Commission concludes that it is appropriate for the property to be designated as AU-C 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:

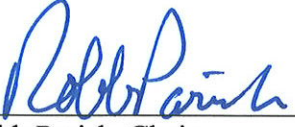
II. RELEVANT CRITERIA AND STANDARDS

- 1. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed rezone is consistent with the existing 2019 Comprehensive Plan Land Use Designation of Auto-Urban Commercial.
- 2. The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed MB Zone is a continuation of the current zoning designation of property adjacent to the north, west, and south. 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 the Highway 95 corridor are all primarily commercial except for a few residential properties located within the MB Zone on the west side of the highway.
- 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 Highway 95, which can adequately serve any proposed development allowed in the MB 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 City of Moscow Planning and Zoning Commission recommends approval of the rezone request for the 7.98-acre property proposed to be annexed into the City of Moscow and located at 2216 South Main Street from the Agriculture Forestry (AF) Zone and the Industrial (I) Zone to the Motor Business (MB) Zone with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this 15th day of November, 2023.



Robb Parish, Chair
Planning and Zoning Commission