

PLANNING & ZONING COMMISSION



Dennis Wilson
Commission Chair
P&Z@ci.moscow.id.us

Regular Meeting
~Agenda~

Mike Ray
Staff Liaison
208.883.7008

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

Wednesday
July 10, 2024

7:00 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. **Approval of June 12, 2024 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 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.

3. **Public Hearing: Legislative Hearing Providing for the Amendment of Title 4, Chapter 6 of Moscow City Code Regarding Landscape Buffer Yard Requirements (ACTION ITEM)**

Landscape buffer yard requirements are intended to provide a visual buffer between uses of different intensity, to reduce erosion and storm-water runoff, to protect property values, and to eliminate potential land use conflicts by mitigating adverse impacts from dust, odor, litter, noise, glare, lights, signs, buildings or parking areas. The City buffer yard requirements have not been updated for some time and staff wishes to update the requirements to provide more flexibility in the application of the standards.

PROPOSED ACTIONS: After conducting the public hearing and consideration of testimony received, recommend approval of the proposed Ordinance to City Council with no conditions; or recommend approval of the Ordinance with modifications; or recommend denial of the Ordinance; or take such other action deemed appropriate.

REPORTS

1. Transportation Commission meeting report.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Planning & Zoning Commission regular meeting is scheduled for July 24, 2024.

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.

PLANNING & ZONING COMMISSION



Dennis Wilson
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
June 12, 2024

7:00 PM

Council Chambers
206 E Third Street

Mize called the meeting to order at 6:59 PM

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

REGULAR AGENDA

1. Approval of April 24, 2024 Minutes (ACTION ITEM)

Parish moved for approval of the minutes as written, seconded by Seever. Roll Call Vote; Ayes: Unanimous (6). 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. Buffer Yard Requirements Update Review (ACTION ITEM)

Staff will review potential updates to the buffer yard requirements section of the Zoning Code. Similar to the parking lot landscaping section that the Commission worked on updating a few years ago, the buffer yard section is outdated and has presented some challenges.

Ray presented the draft buffer yard requirements ordinance as described above. The landscape buffers between different zoning districts range in intensity from the lowest "A" to the highest "C", which also includes a fence. The Commission would like to include in the ordinance a statement encouraging xeriscaping. Staff will look through the Code to find out where it states that developers are required to maintain a landscape buffer. The landscape buffer strip at the Palouse Mall is approximately 20 ft wide. There was a brief conversation about various places around town and the style of buffers they currently have.

The standard maximum height for a fence is six feet, but there are exceptions in the code for schools and other specific uses. Staff will schedule a public hearing for the draft ordinance with the changes that were discussed.

REPORTS

1. Transportation Commission meeting report.

The June meeting of the Transportation Commission was cancelled and the next meeting is scheduled for July 11, 2024.

There was a discussion regarding the two-way stop at the corner of Hayes Street and Third Street.

ANNOUNCEMENTS

A continuing education magazine was distributed for reading.

UPCOMING EVENTS/MEETINGS

The next Planning & Zoning Commission regular meeting is scheduled for June 26, 2024.

The next regular meeting of the Planning & Zoning Commissioner will be cancelled.

Mize declared the meeting adjourned at 7:41 PM

Dennis Wilson, Chair

Date

NOTICE OF PUBLIC HEARING

Legislative Hearing Providing for the Amendment of Title 4, Chapter 6 of Moscow City Code
Regarding Landscape Buffer Yard Requirements.

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

Legislative Hearing Providing for the Amendment of Moscow City Code Title 4, Chapter 6; Providing for the Amendment of Landscape Buffer Yard Requirements.

HEARING DATE: Wednesday, July 10, 2024

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

MEETING TIME: 7:00 p.m.

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

The file containing information on this matter is available for public review at the Community Development Department located in the Haddock Building at 504 South Washington Street, Moscow, Idaho. Call 208-883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Minor amounts of written materials (less than two (2) pages) may be submitted to the hearing body at any time prior to the close of comments, as determined by the hearing body. More in-depth written materials require at least five (5) calendar days for review prior to the hearing. 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 M. Hopkins, Moscow City Clerk



Jennifer R. Fleischman, Deputy City Clerk

Published: Saturday, June 22, 2024

ORDINANCE NO. 2024 -

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 4, CHAPTER 6, SECTION 6-5; PROVIDING FOR THE AMENDMENT OF BUFFER YARD REQUIREMENTS; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Moscow City Code Title 4, Chapter 6, Section 6-5 addresses buffer yard requirements; and

WHEREAS, buffer yard requirements are intended to provide a visual buffer between uses of different intensity, to reduce erosion and storm-water runoff, to protect property values, and to eliminate potential land use conflicts by mitigating adverse impacts from dust, odor, litter, noise, glare, lights, signs, buildings or parking areas; and

WHEREAS, the City buffer yard requirements have not been updated for some time and the City wishes to update the requirements to provide more flexibility in the application of the standards; and

WHEREAS, on July 10, 2024, the Planning and Zoning Commission conducted a public hearing upon the amendments contained herein and recommended approval to the City Council; and

WHEREAS, on _____, the City Council conducted a public hearing and considered and adopted the amendments contained herein;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MOSCOW, IDAHO, AS FOLLOWS:

SECTION 1: All matters stated above are found to be true and correct and are incorporated herein by reference as if copied in their entirety and shall be adopted with the following sections of this Ordinance.

SECTION 2: That Moscow City Code Title 4, Chapter 6, Section 6-5 be amended as follows:

...

Sec. 6-5. Buffer Yard Requirements.

- A. Purpose: The purposes of this Section establishing standard buffer yard requirements are to provide a visual buffer between uses of different intensity, to reduce erosion and storm-water runoff, to protect property values, and to eliminate potential land use conflicts by mitigating adverse impacts from dust, odor, litter, noise, glare, lights, signs, buildings or parking areas.

- B. Buffer yards required: Buffer yards shall be provided in accordance with the provisions of this Section whenever any use, development, or modification to use or development is being reviewed under this Zoning Code.
- C. Table of Required Buffer Yards: Table 1 titled "Required Buffer Yards Between Zoning Districts" is hereby adopted as part of this Section (see page following). The letter designation in Table 1 refers to the buffer yard standards established in Figure 2 (see page following).
- D. Buffer Yard Standards: Buffer yard requirements vary depending on the intensity of both the zoning district of the proposed use and ~~its neighbors~~ the zoning district of the adjacent property. Three different standards, A, B, and C, are hereby established to accommodate the range of buffer yard needs. Buffer yards shall conform to the minimum standards provided in Figure 2.
- E. Location: All required buffer yards shall be located on the perimeter of a lot or parcel upon which the development occurs and shall extend from lot line to lot line, or in an alternative location if the applicant demonstrates that it will provide an equivalent or superior buffering effect between uses. Buffer yards shall not be located on any portion of a public or private street, dedicated right-of-way or vision clearance triangle.
- F. Plant Size: The minimum size of plants at the time of planting shall be as follows:
1. Canopy trees - One and one-half inch (1.5") caliper.
 2. Understory trees - One and one-quarter inch (1.25") caliper four feet (4') in height.
 3. Shrubs – One (1) gallon in size for perennial and at least two (2) gallons in size for deciduous or evergreen.
 - ~~a. deciduous – fifteen inches (15") in height.~~
 - ~~b. evergreen – twelve inches (12") in height.~~
 - ~~4. Evergreen trees – three feet (3') in height.~~
- G. Existing Vegetation: Existing trees and other vegetation may be used in combination for buffering if they are healthy and will satisfy the requirements of this ~~section~~ Section.
- H. Fences and Berms:
1. A fence provided to meet the requirements of a "C" buffer yard shall be solid, view obscuring, and constructed of natural materials and/or masonry, and shall be at least six feet (6') in height.
 2. If a landscaped berm at least three feet (3') in height is provided in a "B" buffer yard, plantings provided at the "A" buffer yard level will satisfy the buffer yard requirement.
 3. If a landscaped berm at least three feet (3') in height is provided in a "C" buffer yard, no fencing shall be required.
- I. Arterial Streets: Where an arterial street separates the incompatible uses requiring a buffer yard, then if a "C" buffer yard would normally be required, a "B" buffer yard will satisfy the requirement; ~~and if a "B" buffer yard would normally be required, an "A" buffer yard will satisfy the requirement;~~ and if an "A" buffer yard would normally be required, the "A" buffer yard may be reduced to five feet (5') in width.

- J. Preparation of Buffer Yard Plan: Whenever buffering is required, a buffer yard plan, which may be incorporated into any other site plan required to be submitted under this Zoning Code, shall be prepared showing the approximate location, height, size and type of all plantings, fences and berms, ~~and irrigation systems.~~ Native plantings and xeriscaping are encouraged for water savings, reduced maintenance, reduction in fertilizers and pesticides, increased pollination, and a reduction in yard waste.

TABLE 1

REQUIRED BUFFER YARDS BETWEEN ZONING DISTRICTS

~~Required Buffer Yards~~

~~Between Zoning Districts~~

~~zone of proposed use~~

zone of adjacent property

	FR	SR		R-1	R-2	R-3	R-4	RO	BN	RTO	CB	GB	MB	I	U
FR							A	A	A	A	B	B	B	B	
SR							A	A	A	A	B	B	C	C	
R-1							B	A	B	B	B	B	C	C	
R-2							A	A	A	A	B	B	B	C	
R-3							A	A	A	A	B	B	B	C	
R-4				A	A				A	A	B	B	B	C	
RO				A	A	A						A	A	C	
BN	A	A		A	A	A	A							A	
RTO		A		A	A	A	A							A	
CB	A	B		B	B	B	B	A						A	
GB	A	B		B	B	B	B	A						A	
BN	A	B		B	B	B	B	A						A	
I	A	B		B	B	B	B	B	A	A					
U															

~~No buffer yard required if space is blank~~

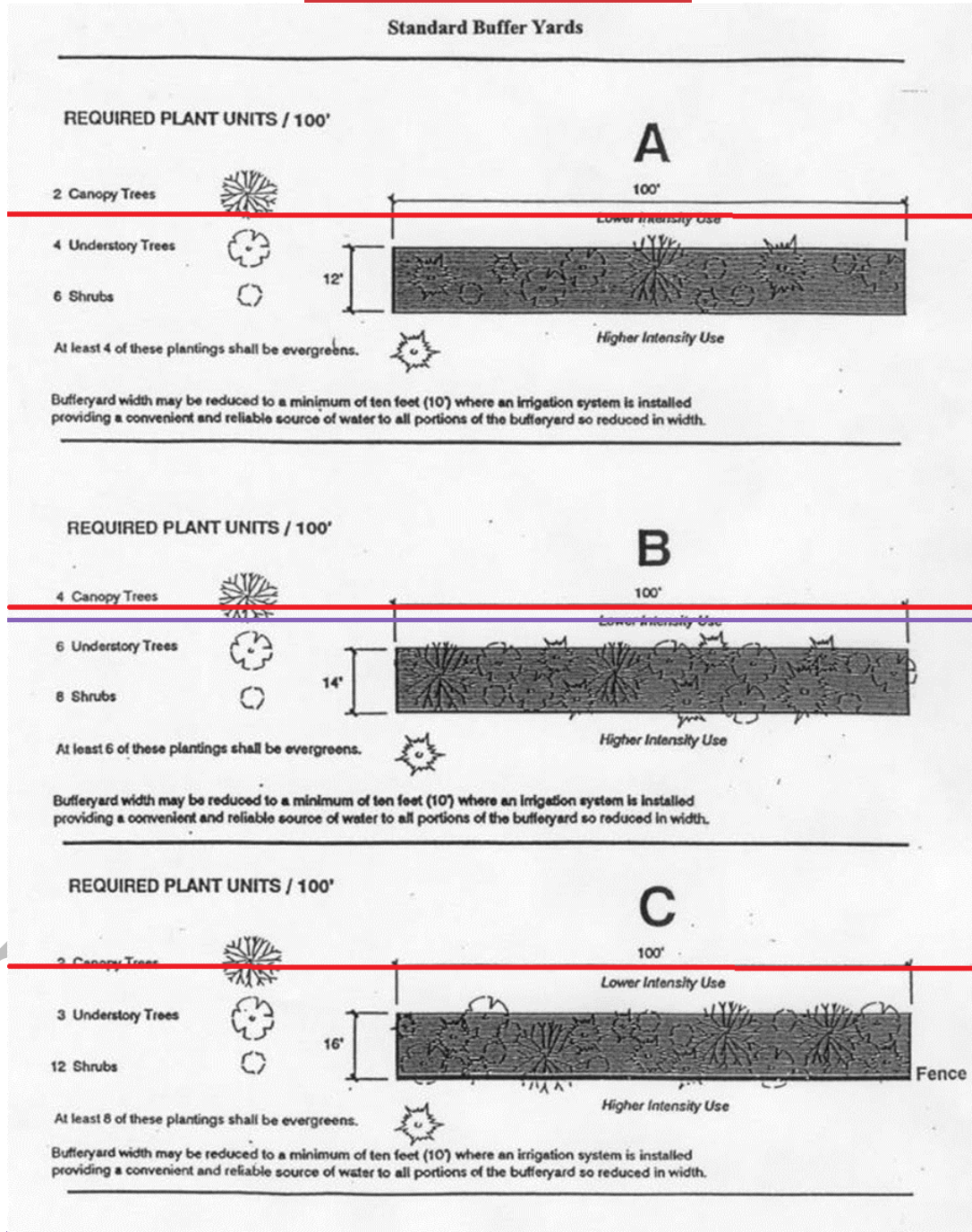
Zone of Proposed Use

Zone of Adjacent Property		FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
	FR						A	A	A	A	B	B	B	B	B	
	SR						A	A	A	A	B	B	C	C	B	
	R-1						B	A	B	B	B	B	C	C	B	
	R-2						A	A	A	A	B	B	B	C	B	
	R-3						A	A	A	A	B	B	B	C	B	
	R-4			A	A				A	A	B	B	B	C	B	
	RO			A	A	A						A	A	C		
	NB	A	A	A	A	A	A							A		
	RTO		A	A	A	A	A							A		
	CB	A	B	B	B	B	B	A						A		
	GB	A	B	B	B	B	B	A						A		
	MB	A	B	B	B	B	B	A								
	I	A	B	B	B	B	B	B	A	A						
	UMC	A	B	B	B	B	B	A								
	U															

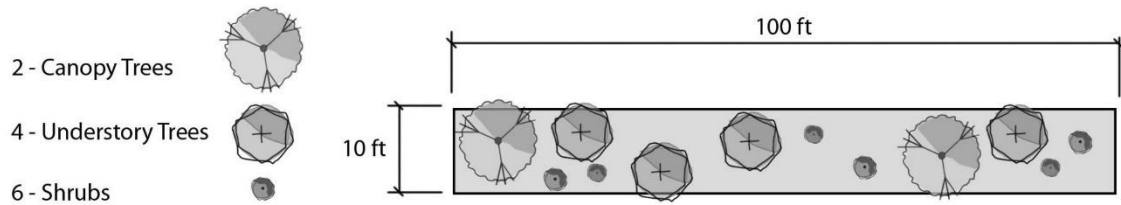
*No Buffer Yard Required if Space is Blank

FIGURE 2

STANDARD BUFFER YARDS

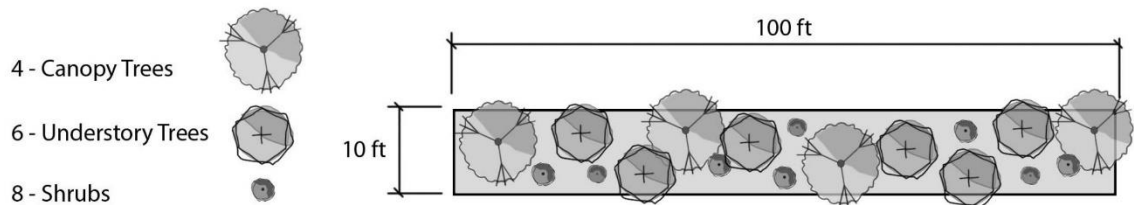


Required Plantings per 100 ft



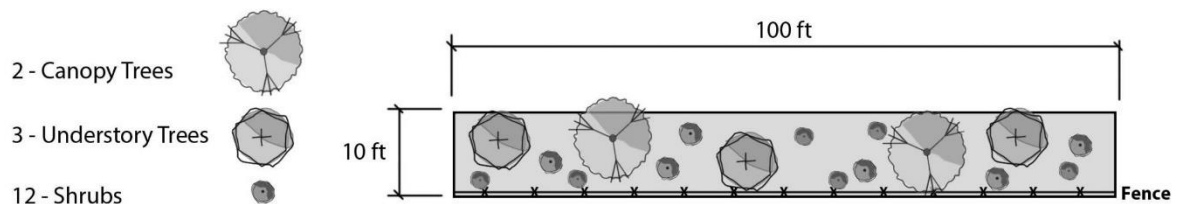
* At least 4 of these plantings shall be evergreen

Required Plantings per 100 ft



* At least 6 of these plantings shall be evergreen

Required Plantings per 100 ft



* At least 8 of these plantings shall be evergreen

K. Time of Completion: All buffering required by this ~~section~~ Section shall be installed prior to occupancy or commencement of use. A zoning certificate shall be issued only upon completion of all improvements required herein or upon receipt of appropriate financial commitment (subject to the approval of the City Attorney as to form and content) ~~insuring~~ insuring the completion of all required improvements within a reasonable period of time, which in no event shall be longer than twelve (12) months after issuance of the zoning certificate.

L. Maintenance of Required Buffer Yards: The maintenance of buffer yards required by this ~~section~~ Section is a continuing obligation of the property owner. The use of property for which

a zoning certificate is issued shall be conditional upon the continued satisfaction of the requirements of this ~~section~~Section.

L.M. Consideration of Adjacent Uses: In circumstances where the proposed use of a property and the existing use of the adjacent property are of similar intensity and compatibility, the Zoning Administrator shall be permitted to allow deviations in buffer yard standards, including the elimination of the buffer yard if deemed appropriate.

...

SECTION 3: SEVERABILITY. Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions.

SECTION 4: EFFECT ON OTHER ORDINANCES. Where the definitions contained in this Ordinance are in conflict with relevant portions of City of Moscow, Idaho Municipal Code, the definition contained within those portions of the Moscow Code will be unaffected until such time, if any, as they are amended to be consistent with this Ordinance. The remaining Chapters and Sections of Title 4 shall be in full force and effect.

SECTION 5: EFFECTIVE DATE. This Ordinance shall be effective upon its passage, approval, and publication according to law.

PASSED on Motion by the Following Vote:

	Aye	Nay	Abstain	Absent
Hailey Lewis	_____	_____	_____	_____
Drew Davis	_____	_____	_____	_____
Sandra Kelly	_____	_____	_____	_____
Gina Taruscio	_____	_____	_____	_____
Julia Parker	_____	_____	_____	_____
Bryce Blankenship	_____	_____	_____	_____

ADOPTED by the City Council of the City of Moscow, Idaho and **APPROVED** by the Mayor of the City of Moscow this ____ day of _____, 2024.

Arthur D. Bettge, Mayor

CERTIFICATION and ATTESTATION. I hereby certify that the above is a true copy of an Ordinance passed at a regular meeting of the City Council, City of Moscow, held on _____, 2024 and attest to the Mayor's signature.

Laurie M. Hopkins, City Clerk

DRAFT