

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>

Monday
October 28, 2024

7:00 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. Approval of Minutes from October 22, 2024 (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: Proposal to Amend an Existing Conditional Use Permit at 1346 Harden Road, Within the Area of City Impact. Permit Application LUP2024-0034 (ACTION ITEM)

Conditional Use Permit amendment application to expand an existing RV Storage Facility that was approved on February 19, 2020 and located at 1346 Harden Road within the Agriculture/Forestry (AF) Zoning District in the Area of City Impact, per Moscow City Code 4-3-4. The applicant is proposing to add additional RV storage spaces.

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 conditional use permit 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. Approval of Reasoned Statement of Relevant Criteria and Standards (ACTION ITEM)

Variance to reduce the rear yard setback for a single-family dwelling located at 1906 Nursery Street within the Multiple Family Residential (R-4) Zoning District, per Moscow City Code 4-4-2. Permit Application LUP2024-0033.

PROPOSED ACTIONS: Review the draft Relevant Criteria and Standards document and

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.

approve the document; or approve the document with modifications; or provide Staff further direction as deemed necessary.

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

Conditional Use Permit for a proposed large daycare located at 110 S Jackson Street within the Central Business (CB) Zoning District, per Moscow City Code 4-3-4. Permit Application 2024-0029.

PROPOSED ACTIONS: Review the draft Relevant Criteria and Standards document and approve the document; or approve the document with modifications; or provide Staff further direction as deemed necessary.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Board of Adjustment meeting is scheduled for 5:30 PM on November 4, 2024.

ADJOURN

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BOARD of ADJUSTMENT



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

Public Hearing
~ Minutes~

Aimee Hennrich
Staff Liaison
208.883.7095

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

Tuesday
October 22, 2024

7:00 PM

Council Chambers
206 E Third Street

Bazzoli called the meeting to order at 7:00 PM

MEMBERS PRESENT: Joe Bazzoli, Chair; Steve Bush, Marshall Comstock, Ivy Dickinson, Tim Kinkeade, Jerry Schutz, Tim Thomson
STAFF: Jennifer Fleischman, Aimee Hennrich

REGULAR AGENDA

1. Approval of June 26, 2024, Minutes (ACTION ITEM)

Schutz moved for approval of the minutes as written, seconded by Comstock. Vote by Acclamation; Ayes: Bush, Comstock, Kinkeade, Schutz, Thomson (5) Nays: None. Abstentions: Bazzoli, Dickinson (2). Motion carried.

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.

None.

3. Public Hearing: Proposal for a Variance at 1906 Nursery Street. Permit Application LUP2024-0033 (ACTION ITEM)

Variance application to reduce rear yard setback for a single-family dwelling within the Multiple Family Residential Zoning District (R-4) located at 1906 Nursery Street, per Moscow City Code 4-4-2.

Hennrich presented the Variance (VAR) request as described above, and recommended approval with no conditions. Staff explained how they review site plans to determine what is the front, back, and side yards of any given property. The subject property is in a subdivision that was originally platted as a Planned Unit Development (PUD) by Moscow Affordable Housing Trust (MAHT), but they have agreed to let Palouse Habitat for Humanity develop one of the lots. The alley through the subdivision, and behind the subject property, is 24-feet wide. Hennrich explained about the different requirements for front and back yard setbacks and how those change depending on the zoning district. There was a short discussion about landscaping in the street sight-triangle. There would not be a landscape buffer requirement based on the zoning of the surrounding property.

The Public Hearing opened at 7:12 PM

Jennifer Wallace (applicant), Moscow, introduced herself as the Executive Director of Palouse Habitat for Humanity, describing the mission statement and work that the nonprofit does. They are proposing building a single-level home because of their focus on creating ADA accessible houses.

The Public Hearing closed at 7:15 PM

There was a discussion about the difficult shape of the subject property and how the applicant designed a site plan that provides single-floor accommodations. The Board appreciated the work that Habitat for Humanity does for the community and agreed that the proposed variance meets the relevant criteria and standards.

Comstock moved for approval of the VAR to reduce the rear yard setback to 10-feet with no conditions and directed Staff to prepare the draft Relevant Criteria and Standards document. The motion was seconded by Schutz. Roll Call Vote; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

4. Public Hearing: Proposal for a Conditional Use Permit at 110 S Jackson Street. Permit Application LUP2024-0029 (ACTION ITEM)

Conditional Use Permit application for a proposed large daycare located at 110 S Jackson Street within the Central Business (CB) Zoning District, per Moscow City Code 4-3-4.

Hennrich presented the Conditional Use Permit (CUP) request as described above, and recommended approval with no conditions. Staff could not recall which of the previously approved CUPs, from 2012 or 2016, were for large daycares but at least one was. The proposed daycare would operate in two areas of the property: the church basement and on the main floor of the blue house. The proposed loading and unloading vehicle spaces are sufficient for daycare requirements. There are no zoning restrictions for a daycare to operate close to a business serving alcohol, however the applicants would need to pursue a daycare license, for which they have their own requirements. The maximum number of children allowed would be clarified under the daycare license requirements, which would most likely be set based on the square footage of the building and play area.

The Public Hearing opened at 7:29 PM

Jessie Davis (applicant), Hollis NH, talked about the intensive process of getting licensed to be an intervention center and that they now want to offer childcare, primarily for their current clients. The second floor of the blue house would not be used for the daycare and the church would be the primary area.

Janice O'Toole, Colton WA, spoke in favor of the proposed daycare and providing more services to the current early learning intervention center clients.

The Public Hearing closed at 7:33 PM

The Board talked about the urgent need for more daycare options in the community and how this building used to be a daycare in the recent past. It would also offer opportunities for the University of Idaho students to get work experience before graduation.

Thomson moved for approval of the CUP for a large daycare with no conditions and directed Staff to prepare the draft Relevant Criteria and Standards document. The motion was seconded by Dickinson. Roll Call Vote; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Board of Adjustment meeting is scheduled for 7:00 PM on October 28, 2024.

The meeting adjourned at 7:38 PM

Joe Bazzoli, Chair

Date

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

HEARING DATE: Monday, October 28, 2024.

GENERAL INFORMATION

Hearing Body: Board of Adjustment

Subject: Application to amend an existing Conditional Use Permit for the expansion of a Recreational Vehicle (RV) Storage Facility located at 1346 Harden Road within the Agriculture/Forestry (AF) Zoning District, in the Moscow Area of City Impact per Latah County Code 3.01.02(16)

Attachments:

1. Conditional Use Permit Application from Toehead, LLC.
2. Public Hearing Notice – published in the Moscow-Pullman Daily News on October 12, 2024.
3. Site Plan
4. Relevant Criteria and Standards Worksheet

Prepared by: Aimee Hennrich, AICP

STAFF REVIEW

Proposal: The applicant is proposing to expand an existing RV Storage Facility to include an additional approximately six (6 acres) that will contain 154 Recreational Vehicle storage spaces located at 1346 Harden Road. The subject property is located within the Agriculture/Forestry (AF) Zoning District in the Area of City Impact where RV Storage Facilities are permitted as a Conditional Use.

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.

Background:

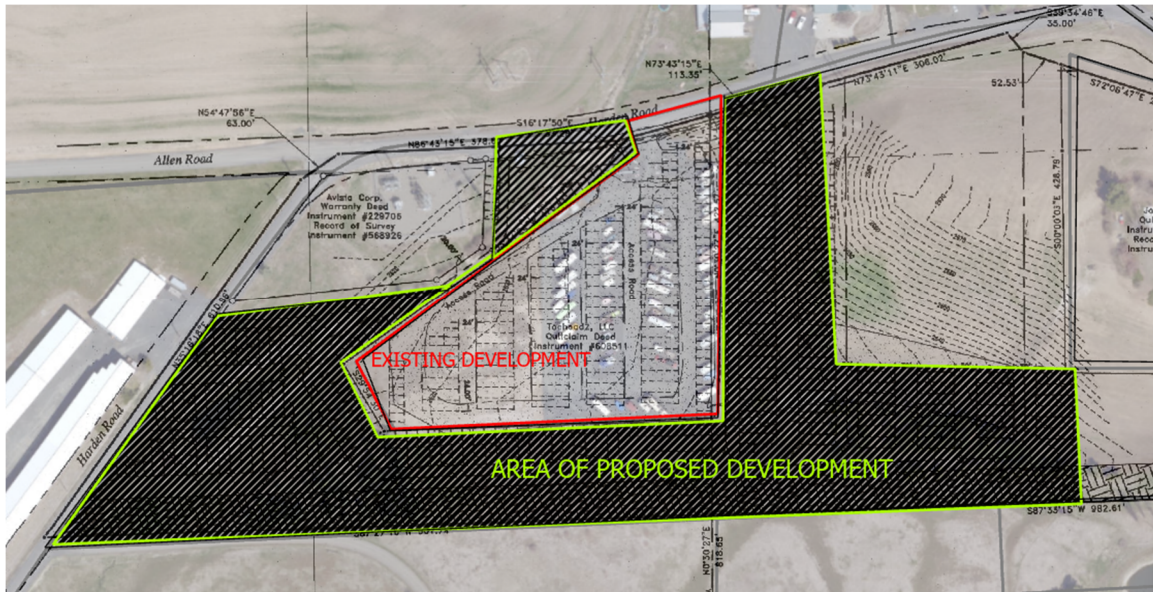
In January of 2020, the City of Moscow received an application to construct a Recreational Vehicle Storage Facility on a 3-acre portion of the 16.64-acre parcel located at 1346 Harden Road within the Area of City Impact. The Board of

Adjustment of the City of Moscow put forth a recommendation of approval to construct the RV Storage Facility to the Latah County Commissioners. The application was approved by the Latah County Commissioners and construction of the RV Storage Facility was complete in 2020. The area is graveled, partially fenced, and accessible via a gate. The facility contains various sizes of RV storage spaces ranging from 10 feet by 20 feet to 15 feet by 50 feet in size

Site and Area Land Use: The subject property is a 16.64-acre parcel located just outside the City limits located east of the intersection of Harden Road and Farm Road within Moscow Area of City Impact. The subject property currently contains a 3-acre RV Storage Facility. The remainder is undeveloped with a stormwater detention pond on the southwest portion of the parcel. All parcels directly north of the property are also owned by the applicant. Avista Utilities owns a small parcel to the northwest of the subject property. The property directly to the east is 3.5-acre residential property containing a single-family home. There are three properties adjacent to the south. The first is a 15.5-acre undeveloped parcel owned by the University of Idaho. The second is a parcel owned by KRPL Radio and contains an antenna tower. The last is a vacant parcel. The site has approximately 900 feet of frontage along Harden Road and has approximately 390 feet of frontage along Farm Road.



Vicinity Map



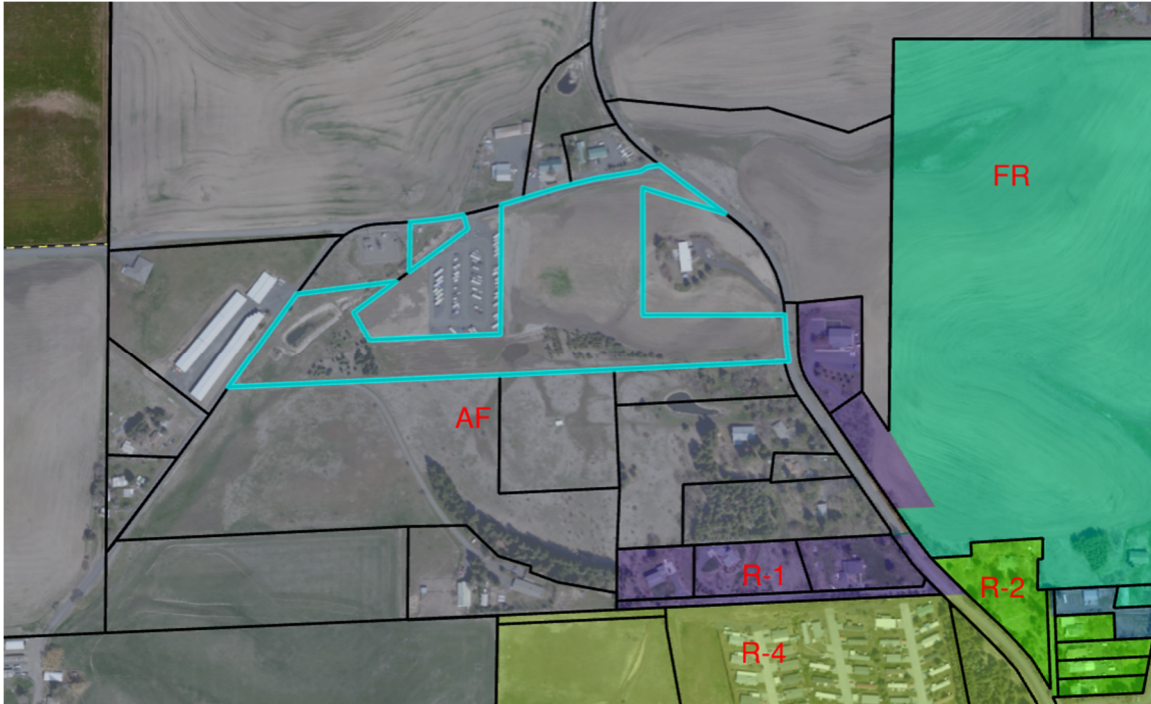
Area of Proposed Development

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

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

"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."

RV Storage Facilities require a conditional use permit within the AF Zone per Latah County Zoning Code.

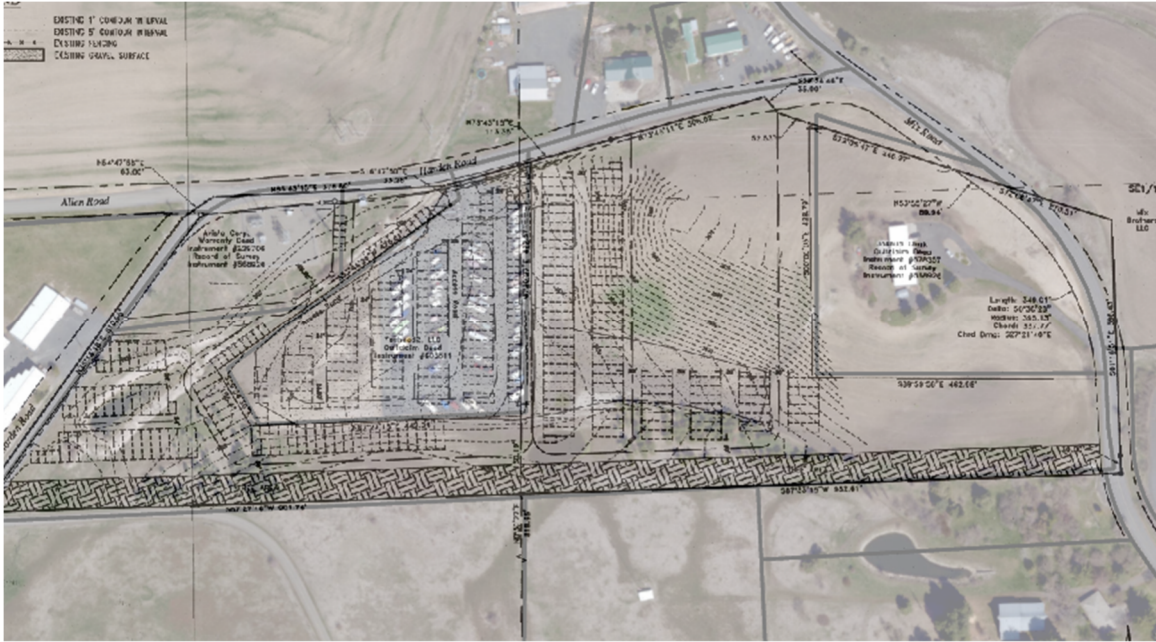


Zoning Map

Comprehensive Plan: The 2019 City of Moscow Comprehensive Plan Land Future Use and Growth Plan Map designates the subject property and surrounding properties as Auto-Urban Residential (AU-R). According to Chapter 2 of the Comprehensive Plan, Community Character and Land Use, AU-R designated areas,

“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, twin home, 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.”

Chapter 3 of the Comprehensive Plan, Community Mobility, identifies Harden Road as a proposed minor arterial.



Proposed Site Plan

Proposed Development: The portion of the property which the applicant is proposing to develop is a 6-acre area surrounding the existing 3-acre area that is already developed. These new spaces would be accessible via the existing entrance along Harden Road. All travel aisles within the proposed facility will be 24 feet wide. The portion of the site where new development is proposed presents some topographic challenges. For this reason, staff recommends that the applicant provide a grading plan satisfactory to the Latah County Planning and Building Department. The steepest portion of the parcel, to the east, is to remain undeveloped.

Streets and Access: The subject property is accessed via Harden Road which is a 25-foot-wide paved road with no sidewalks, curbs, or gutters. The City of Moscow Engineering Department recommended that additional street right-of-way (ROW) be dedicated along with the south side of Harden Road adjacent to the subject property. This dedication would help facilitate the construction of a minor arterial street standard in the future and would extend the ROW south an additional 10 feet to allow 35 feet from the centerline of the street on the south side of the ROW.

Utilities: The applicant will continue to provide limited electricity for security lighting and no water or sanitary sewer is needed for the proposed development. Since the stormwater that is generated from the proposed development is conveyed along Farm Road to the southwest and eventually is captured in the City of Moscow's stormwater system near the 'A' Street intersection, the City of Moscow Engineering Department is recommending that the applicant be required to detain the stormwater generated upon the subject property to City stormwater

detention standards. City stormwater detention standards require that the stormwater be detained and conveyed at the predevelopment rate.

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

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 effects 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 conditional use permit for the expansion of the RV Storage Facility located at 1346 Harden Road to Latah County with four recommended conditions:

1. The applicant shall provide a grading plan prepared by a professionally licensed Engineer to be reviewed by the Latah County Planning and Building Department prior to any development occurring on the subject property.
2. The applicant shall be required to detain the stormwater generated upon the subject property to City stormwater detention standards.
3. The applicant shall install a Type A landscape buffer on the south and east side of the subject property.
4. The applicant shall dedicate an additional 10 feet of street right-of-way (ROW) along with the south side of Harden Road adjacent to the subject property to help facilitate the construction of a minor arterial street standard in the future.

NOTICE OF PUBLIC HEARING

Proposal to amend an existing Conditional Use Permit at 1346 Harden Rd, within the Area of City Impact. Permit Application LUP2024-0034

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:

1. Public Hearing: Proposed amendment to an existing Conditional Use Permit for a Recreational Vehicle (RV) Storage Facility that was approved on February 19, 2020 and located at 1346 Harden Road within the Area of City Impact. The applicant is proposing to add additional RV storage to the existing site.

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

MEETING DATE: Monday, October 28, 2024

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

MEETING TIME: 7:00 p.m.

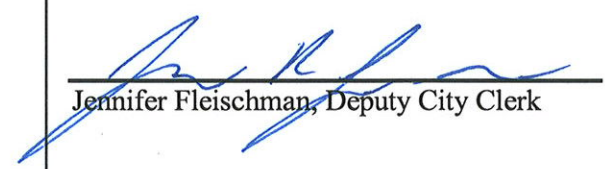
Note: Meeting start time is not necessarily indicative of the start time for review of the application advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine start time for review of application advertised in this notice, which could occur late in the meeting.

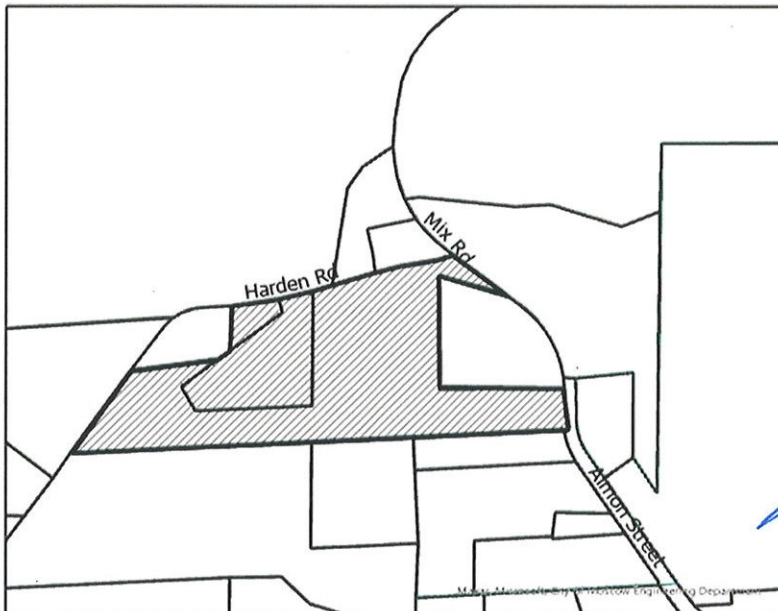
The file containing information on this matter is available for public review (an appointment may be necessary) at the Community Development Department located in the Haddock Building, 504 S Washington Street, Moscow, Idaho. You may also call 883-7035 to get a meeting agenda, further information about 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:

<http://id-moscow.civicplus.com/593/Public-Hearing-Notices>

Laurie M. Hopkins, Moscow City Clerk


Jennifer Fleischman, Deputy City Clerk



Publish: Saturday, October 12, 2024


**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	\$250	
CD	Application Fee	\$250	
	LC 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: Kirk Harden (Toehead, LLC) Telephone: 208-596-2206
1400 Harden Rd Moscow, ID
 (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: 1346 Harden Road

Acres: 17.79 Legal Description: See attached

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:

Adding additional RV storage to the existing Moscow RV storage site.

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.

The outdoor storage facility would accommodate recreational vehicles. There is no electricity. The area is accessed via a gate with a fence.

There are existing rules and regulations regarding access and use of the facility.

The facility is accessible 24 hours a day

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 Moscow AOI Ag/Forest zoning lists self-storage facilities as a conditional use.

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 existing RV storage as not had any complaints and is in harmony with the surrounding area.

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: _____

The storage facility has been in operation for approximately 4 years and there have been no issues.

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: _____

The site is accessed by Harden Road and there have been no issues to date.

Harden Road will be able to handle this expansion

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

Justification and compliance with criteria #5: _____

The proposed use will not and has not endangered the public

The proposed use will not and has not endangered the public

The proposed use will not and has not endangered the public

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

Justification and compliance with criteria #6: _____

The applicant will comply with all required development standards

The applicant will comply with all required development standards

The applicant will comply with all required development standards

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

Justification and compliance with criteria #7: _____

The comprehensive plan encourages economic development, private property rights, and orderly development near the city limits. The is a continued need for RV storage near the City of Moscow

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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.

REVOCATIONS

If a Building Permit and/or Certificate of Occupancy pertaining to the Conditional Use Permit is not obtained for the subject property within one year from the date of the Board of Adjustment's final decision, the Conditional Use Permit shall be immediately revoked and shall be automatically null and void. If the use and/or occupancy for which the Conditional Use Permit is approved ceases for a period of twelve consecutive months, unless otherwise provided for in the Conditional Use Permit, then the Conditional Use Permit shall be immediately revoked and shall be automatically null and void.

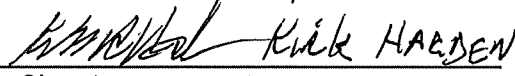
Application Submittal:

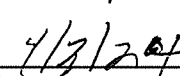
This application must be completed and submitted with the below described items to the Moscow Community Development Director at least twenty-one days prior to the hearing at which the application is to be considered by the Board or the application will not be processed.

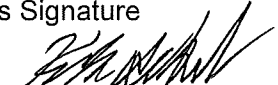
The following items must be submitted with this application before it will be processed:

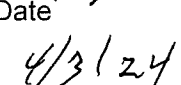
1. Application Fee (Please send \$250 to Latah County P&B and \$250 to the City of Moscow)
2. Site Plan, drawn to scale
3. Floor Plans, drawn to scale
4. Elevation Drawings, drawn to scale (for new construction only)

I understand this information is a public record and may be posted to a public website.


Applicant's Signature


Date


Owner's Signature


Date

P.O. Box 8728
Moscow, Idaho 83843
(208) 882-3520

Handwritten signature
R. J. Anderson, Inc.
Surveyor - Idaho
1995 Mount St. Street #102 Moscow, Idaho 83843 (208) 882-3529 info@rjaconsulting.com

RJM ROCK CONSULTING, INC.

Land Surveying
Site Planning
Mapping

PROFESSIONAL ENGINEER
LICENSED
13384
7-17-24
STATE OF IDAHO
SCOTT BECKER

HARDEN RV SITE
CONCEPTUAL PARKING SPACE LAYOUT

KIRK HARDEN
1346 HARDEN RD
MOSCOW, ID 83843

Drafted by:	DC
Checked by:	SB
File Name:	4571 CUP 7.1.24.dwg
Tab:	Layout
Plot Style	Primary.ctb
Project:	4717-10-23
Date:	9/16/24

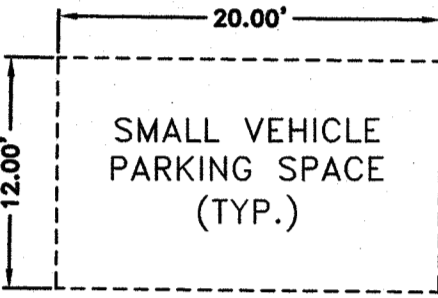
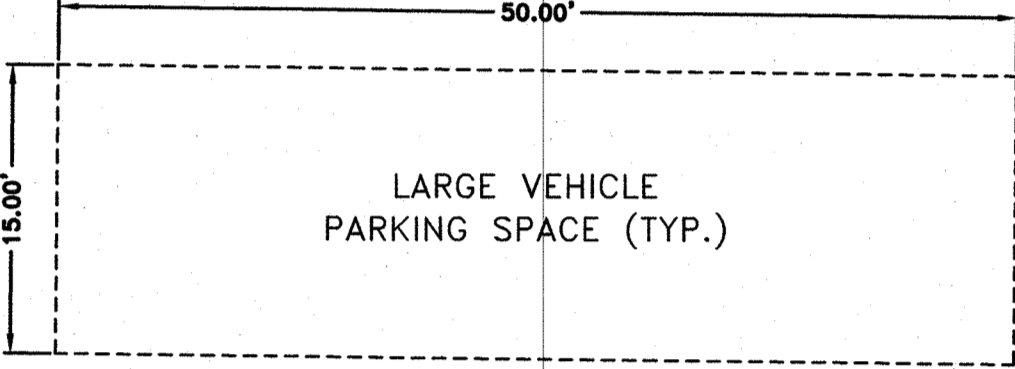
NEWLY PROPOSED PARKING INFORMATION

SMALL VEHICLE PARKING SPACE
- LENGTH: 20'
- WIDTH: 12'

TOTAL SPACES: THIRTY-SIX (36)

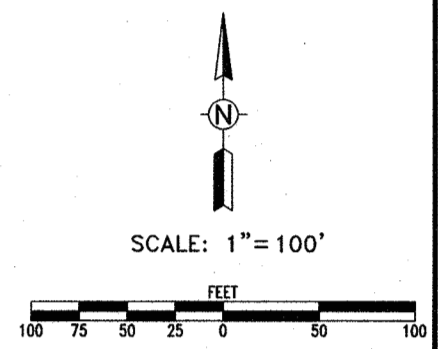
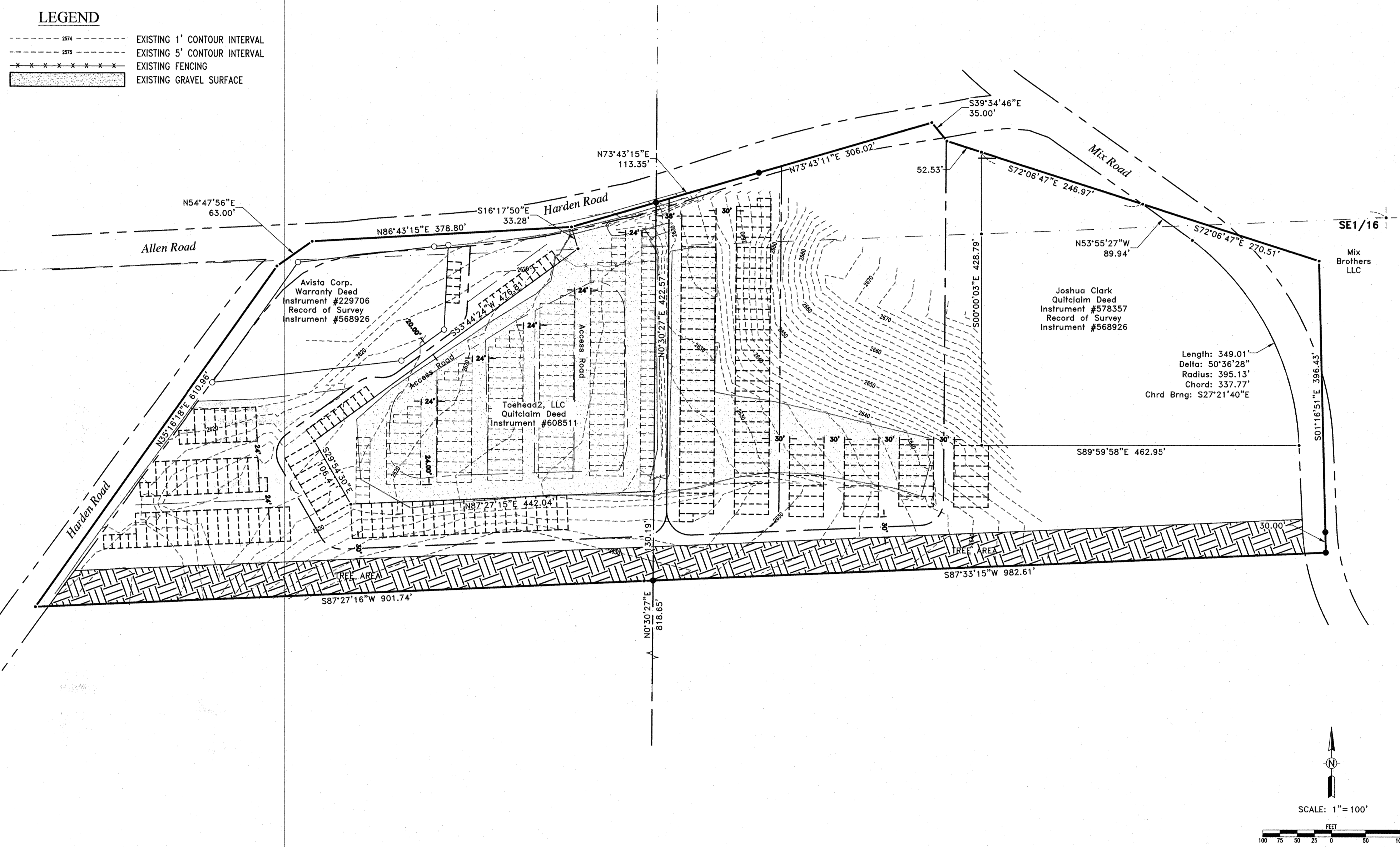
LARGE VEHICLE PARKING SPACE
- LENGTH: 50'
- WIDTH: 15'

TOTAL SPACES: ONE HUNDRED AND EIGHTEEN (118)



LEGEND

- - - - - 2574 EXISTING 1' CONTOUR INTERVAL
- - - - - 2575 EXISTING 5' CONTOUR INTERVAL
- x - x - x - EXISTING FENCING
- [Hatched pattern] EXISTING GRAVEL SURFACE



ALIGNMENT #1: VEHICLE TRACKING ANALYSIS

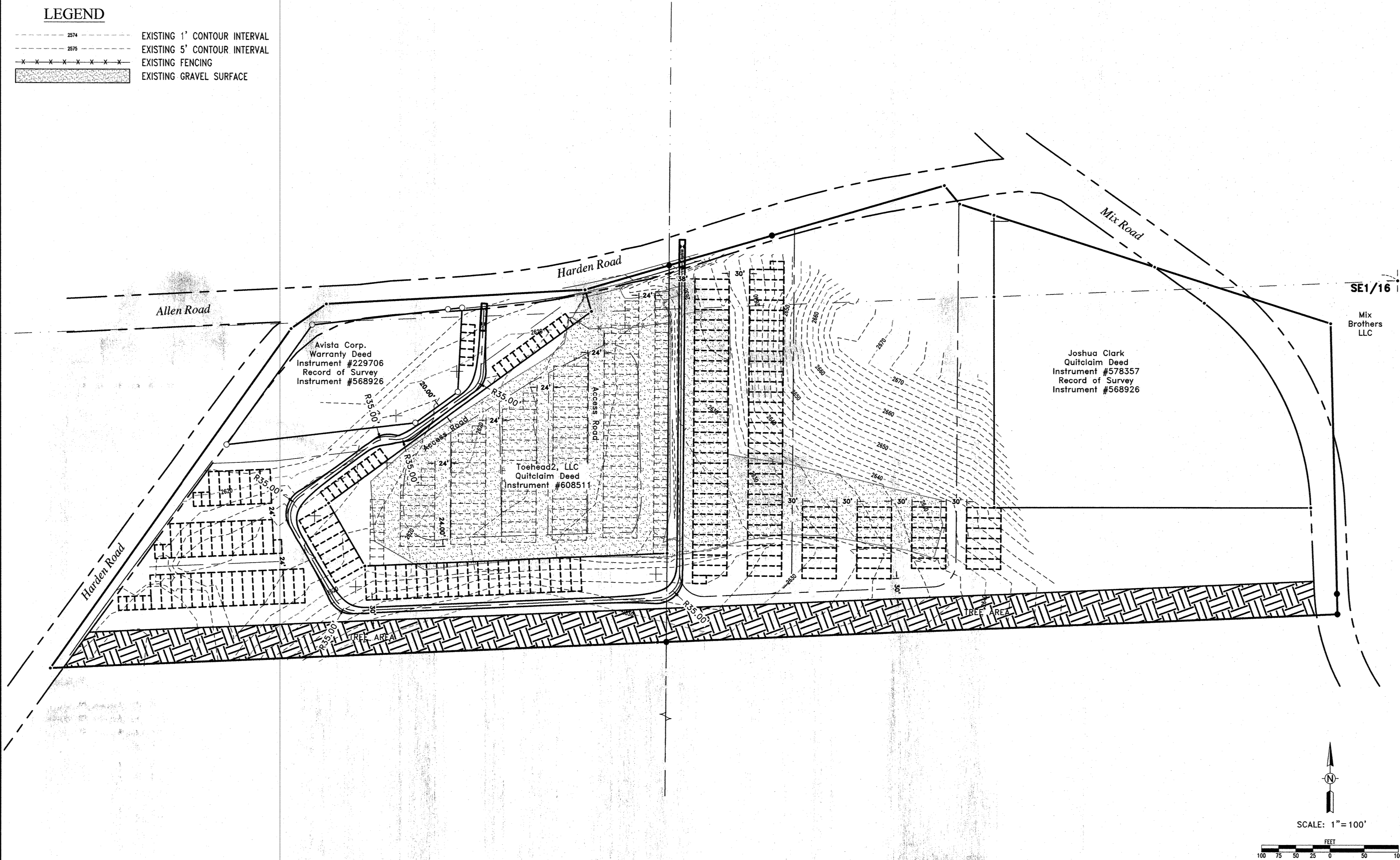
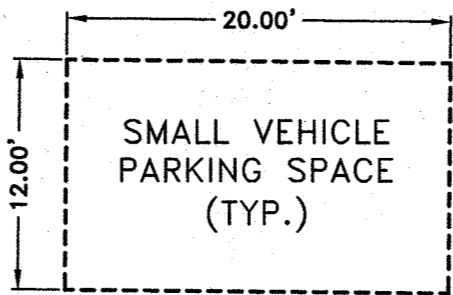
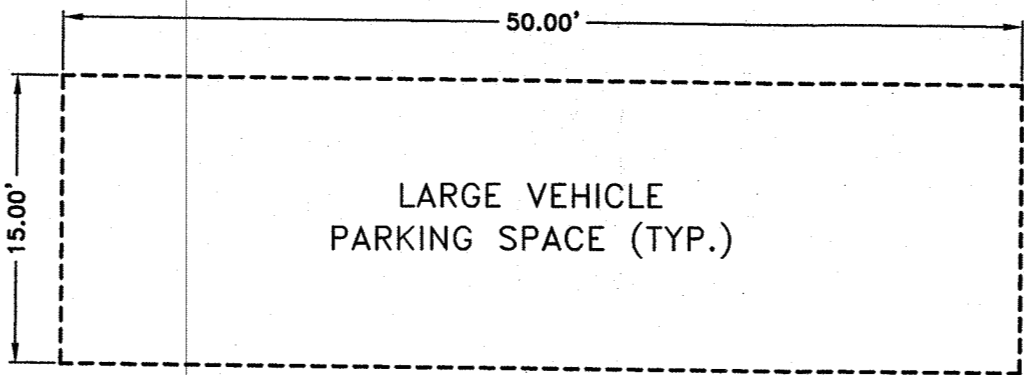
PUMPER FIRE TRUCK
- LENGTH: 40'
- WIDTH: 8.167'
- W/W RAD: 42.256'

DESIGN SPEED: 5 MPH
REVERSE DESIGN SPEED: 2.5 MPH

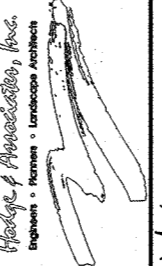
NO EXCEPTIONS TO THE DESIGN PATH

LEGEND

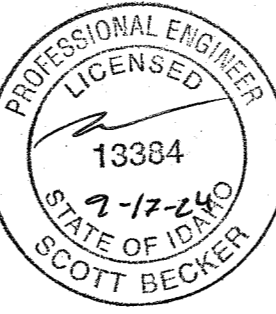
- 2574 --- EXISTING 1' CONTOUR INTERVAL
- 2575 --- EXISTING 5' CONTOUR INTERVAL
- ***** EXISTING FENCING
- [Hatched Box] EXISTING GRAVEL SURFACE



P.O. Box 8728
Moscow, Idaho 83843
(208) 882-3520



RIM ROCK CONSULTING, INC.
Land Surveying
Site Planning
Mapping



HARDEN RV SITE
VEHICLE TRACKING ANALYSIS: ALIGNMENT #1

KIRK HARDEN
1346 HARDEN RD
MOSCOW, ID 83843

Drafted by:	DC
Checked by:	SB
File Name:	4571 CUP 7.1.24.dwg
Tab:	Pathway 1
Plot Style	Plat.ctb
Project:	4717-10-23
Date:	9/12/24

P.O. Box 8728
403 S. Washington Street
Moscow, ID 83843
(208) 882-3520

Handwritten signature

RIM ROCK CONSULTING, INC.
Land Surveying
Civil Engineering
Mapping

PROFESSIONAL ENGINEER
LICENSED
13384
9-17-24
STATE OF IDAHO
SCOTT BECKER

HARDEN RV SITE
VEHICLE TRACKING ANALYSIS: ALIGNMENT #2

KIRK HARDEN
1346 HARDEN RD
MOSCOW, ID 83843

Drafted by:	DC
Checked by:	SB
File Name:	4571 CUP 7.1.24.dwg
Tab:	Pathway 2
Plot Style	Plat.ctb
Project:	4717-10-23
Date:	9/12/24

3

of

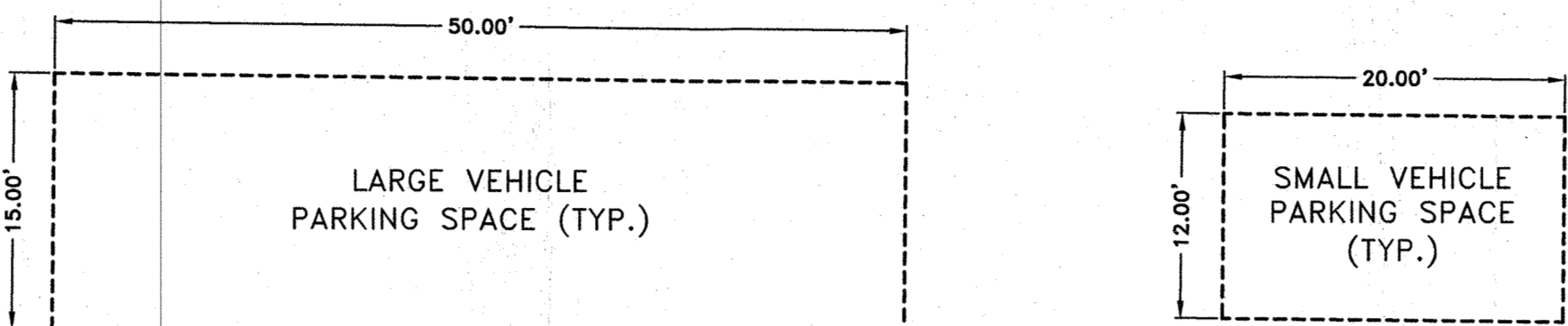
4

ALIGNMENT #2: VEHICLE TRACKING ANALYSIS

PUMPER FIRE TRUCK
- LENGTH: 40'
- WIDTH: 8.167'
- W/W RAD: 42.256'

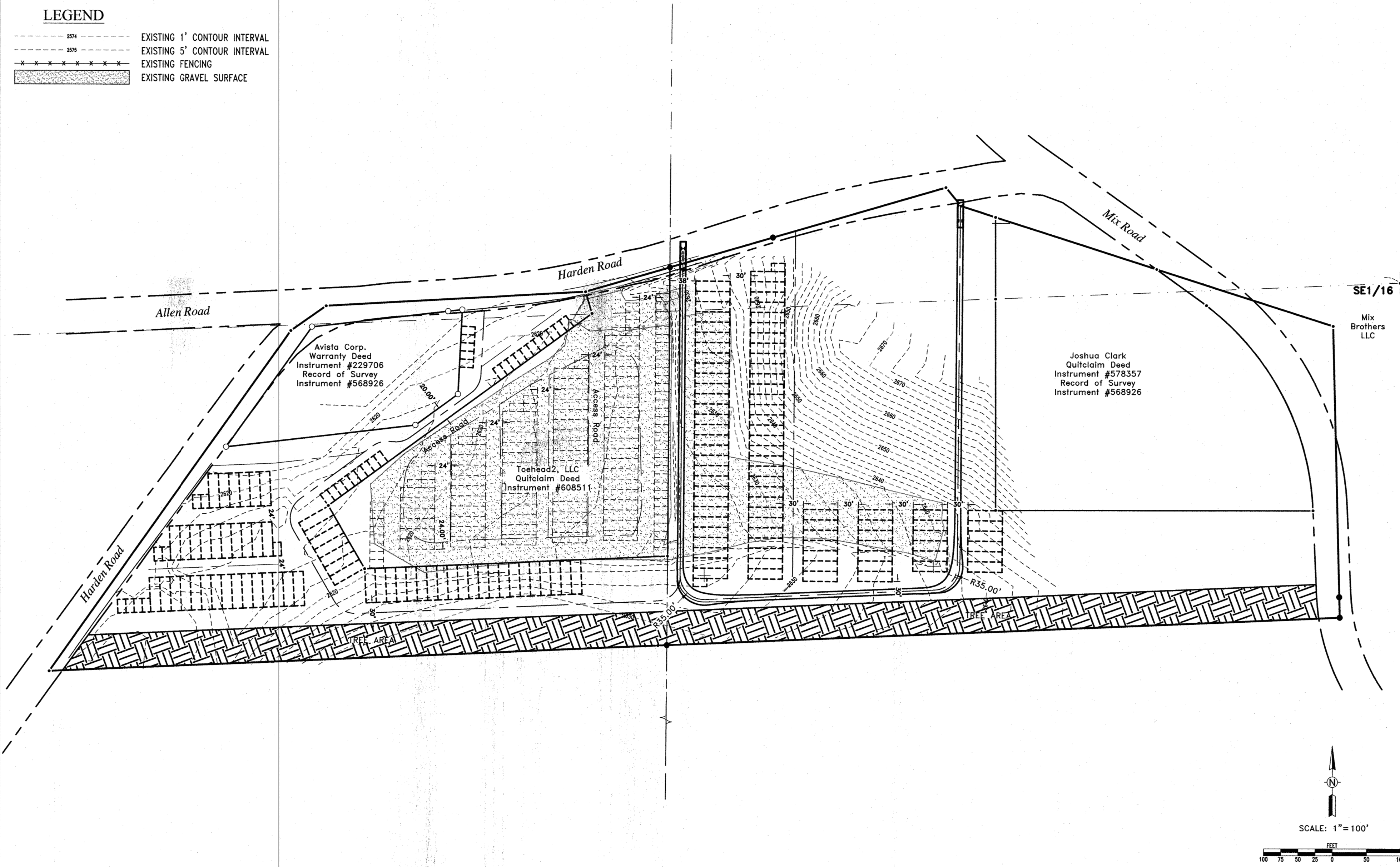
DESIGN SPEED: 5 MPH
REVERSE DESIGN SPEED: 2.5 MPH

NO EXCEPTIONS TO THE DESIGN PATH



LEGEND

--- 2574 ---	EXISTING 1' CONTOUR INTERVAL
--- 2575 ---	EXISTING 5' CONTOUR INTERVAL
*****	EXISTING FENCING
[Hatched Box]	EXISTING GRAVEL SURFACE



SCALE: 1" = 100'

FEET

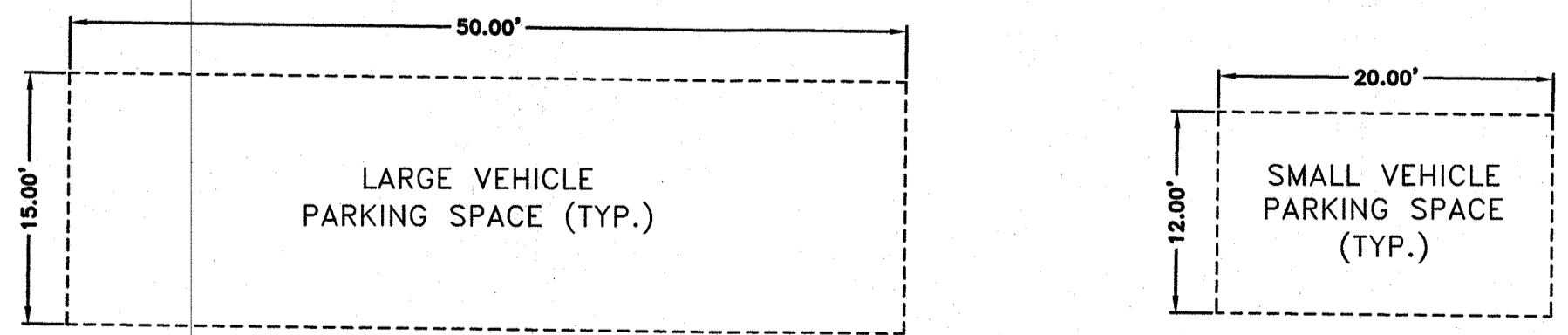
100 75 50 25 0 50 100

ALIGNMENT #3: VEHICLE TRACKING ANALYSIS

PUMPER FIRE TRUCK
- LENGTH: 40'
- WIDTH: 8.167'
- W/W RAD: 42.256'

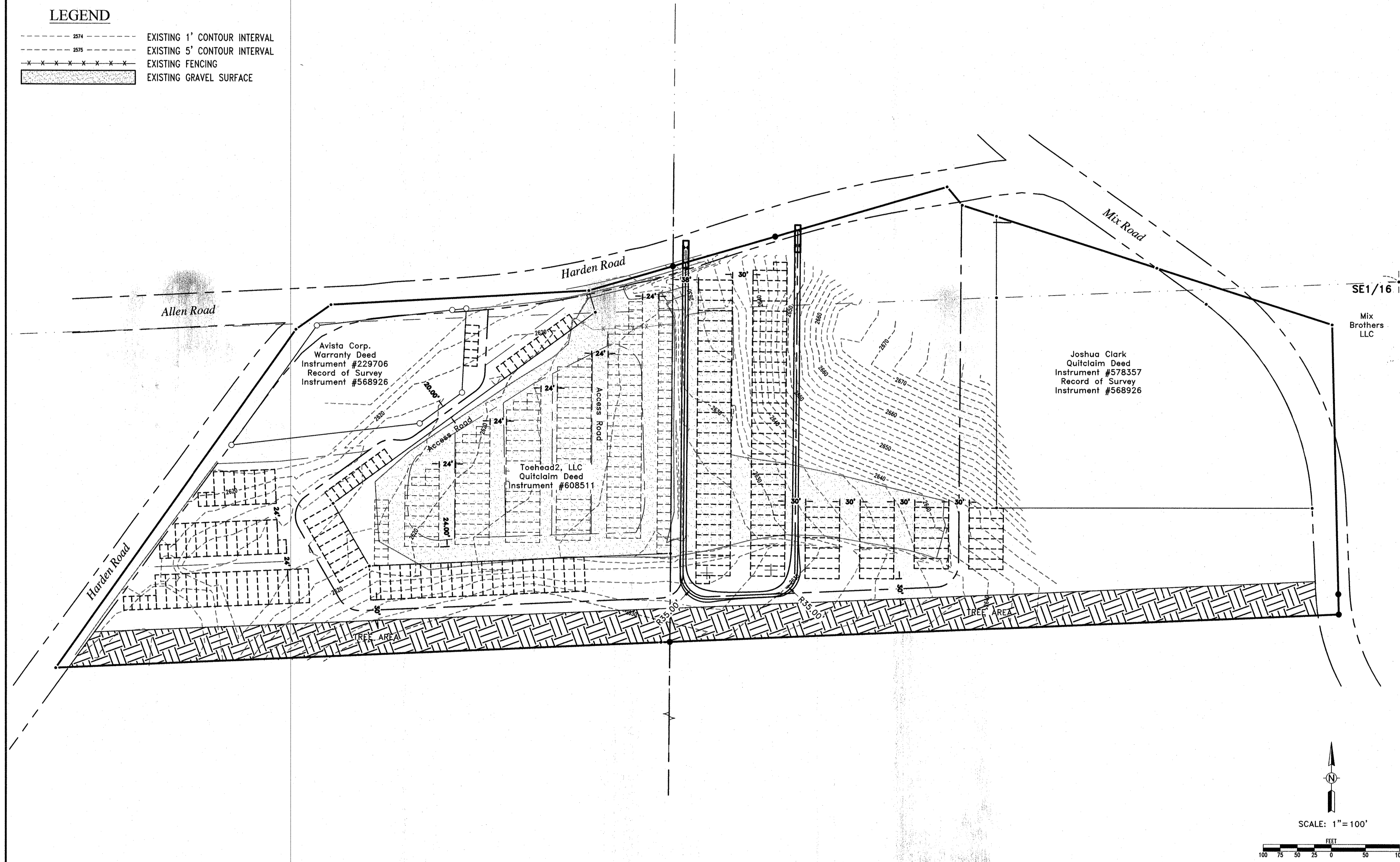
DESIGN SPEED: 5 MPH
REVERSE DESIGN SPEED: 2.5 MPH

NO EXCEPTIONS TO THE DESIGN PATH



LEGEND

- 2574 --- EXISTING 1' CONTOUR INTERVAL
- 2575 --- EXISTING 5' CONTOUR INTERVAL
- x - x - x - x - x - EXISTING FENCING
- [Hatched Box] EXISTING GRAVEL SURFACE



P.O. Box 8728
Moscow, Idaho 83843
(208) 882-3520

Handwritten signature

RIM ROCK CONSULTING, INC.

Land Surveying
Site Planning
Mapping

PROFESSIONAL ENGINEER
LICENSED
13384
9-19-24
STATE OF IDAHO
SCOTT BECKER

HARDEN RV SITE
VEHICLE TRACKING ANALYSIS: ALIGNMENT #3

KIRK HARDEN
1346 HARDEN RD
MOSCOW, ID 83843

Drafted by:	DC
Checked by:	SB
File Name:	4571 CUP 7.1.24.dwg
Tab:	Pathway 3
Plot Style	Primary.ctb
Project:	4717-10-23
Date:	9/12/24

George and Debra Durrin

1210 Harden Road
Moscow, ID 83843
ga.durr@hotmail.com
208-659-1583

October 20, 2024

Latah County Planning and Building/City of Moscow Community Development
504 S. Washington Street
Moscow, ID 83843

Re: Concerns Regarding Kirk Harden's RV and Vehicle Storage Development Impact

Dear Aimee Hennrich,

I am writing as a concerned resident regarding the ongoing development and expansion of Kirk Harden's RV and vehicle storage facility located near Harden Road. The proposed developments and current conditions at the site raise several serious concerns that I believe should be addressed before moving forward with any further approvals.

1. **Impact on Surrounding Residential Property Values:** The effect of the storage facility on the value of nearby residential properties remains uncertain. While an appraiser could determine the extent of depreciation, acquiring a report from an appraiser would take longer than the time available, with the deadline set for October 28, 2024. This leaves the community at a disadvantage, unable to fully assess the financial harm this facility may cause to our property values.
2. **Environmental Concerns: Runoff and Contamination:** The excavation and development at the site will create runoff that poses a risk to both local creeks and the aquifer. Without proper containment systems, this runoff could lead to flooding, erosion, and contamination. Specifically, it is unclear why a recommended catchment system for runoff contamination has not been implemented in Phase 1 of the development. Given that Phase 2 plans include a creek on the west side of the proposal and the filling of a pond, there is heightened concern about potential environmental damage. An impervious surface, such as asphalt, should be required to manage the runoff, as gravel over fabric does not provide adequate protection from contaminants.
3. **Noise Pollution:** The noise generated by the gate alarm, which will double in intensity with the proposed Phase 2 expansion, will cause further disturbance to the surrounding residents.
4. **Weed Maintenance and Aesthetics:** Weed growth is rampant around the perimeter of the property and around each parked vehicle, giving the entire area an unkempt and neglected appearance. This unchecked growth not only detracts from the neighborhood's aesthetics but could also pose fire hazards, and needs to be addressed regularly.

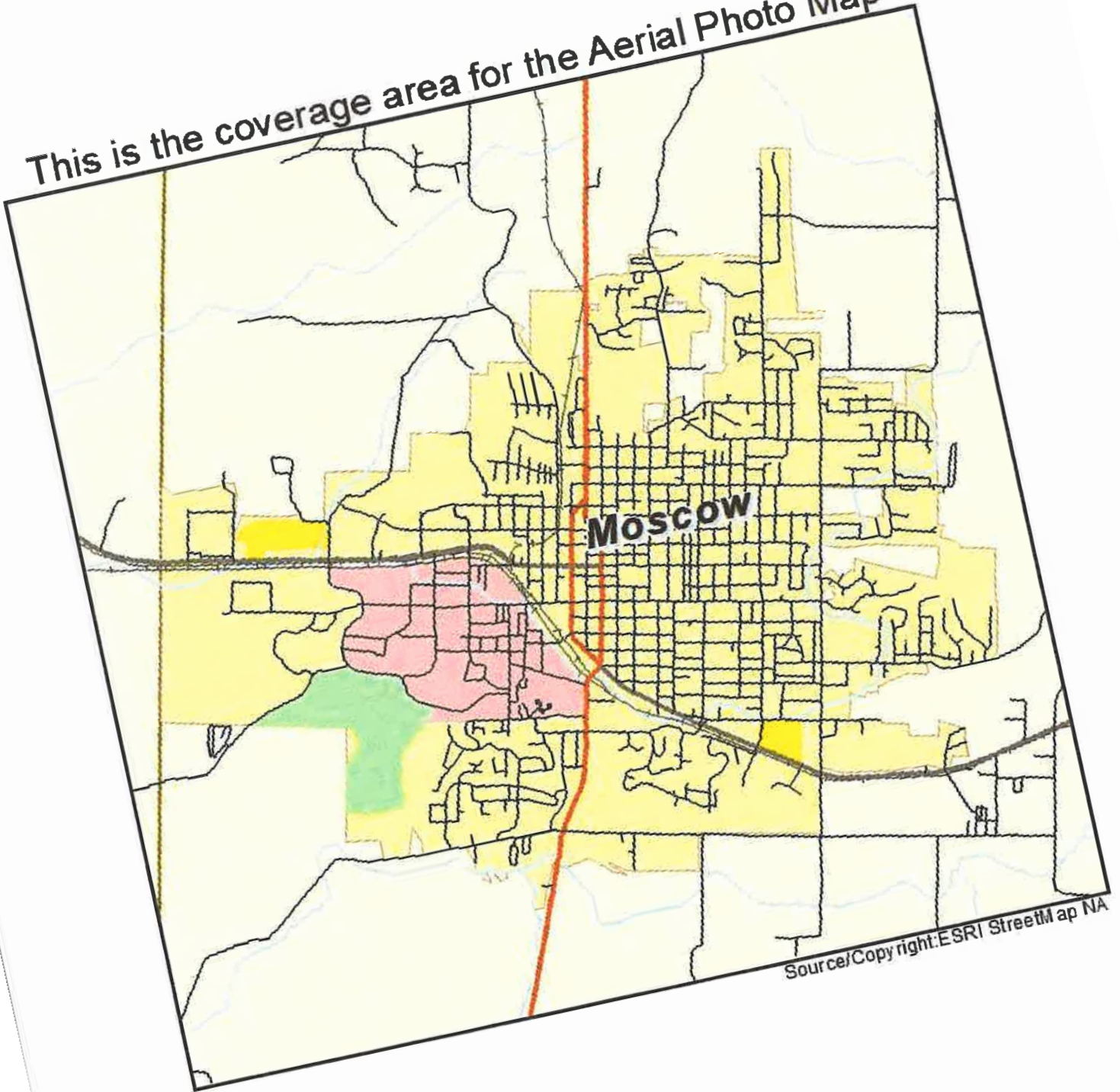
5. **Fencing and Security Requirements:** For privacy and security, I propose that a 6-foot privacy fence be required along Harden Road with a setback of at least 50 feet. Additionally, a 6-foot security fence should be required for the entire property to protect the surrounding area from unsightly views and any potential security issues.

In summary, I request that the County/City take these concerns into account before approving any further development at this site. It is critical that the environmental, aesthetic, and property value impacts of this project are fully considered, and appropriate measures, such as an impervious surface and fencing, are put in place to protect the surrounding community.

Thank you for your attention to this matter. I look forward to your response and hope that these concerns will be addressed in a timely and thorough manner.

Sincerely,
George and Debbie Durrin

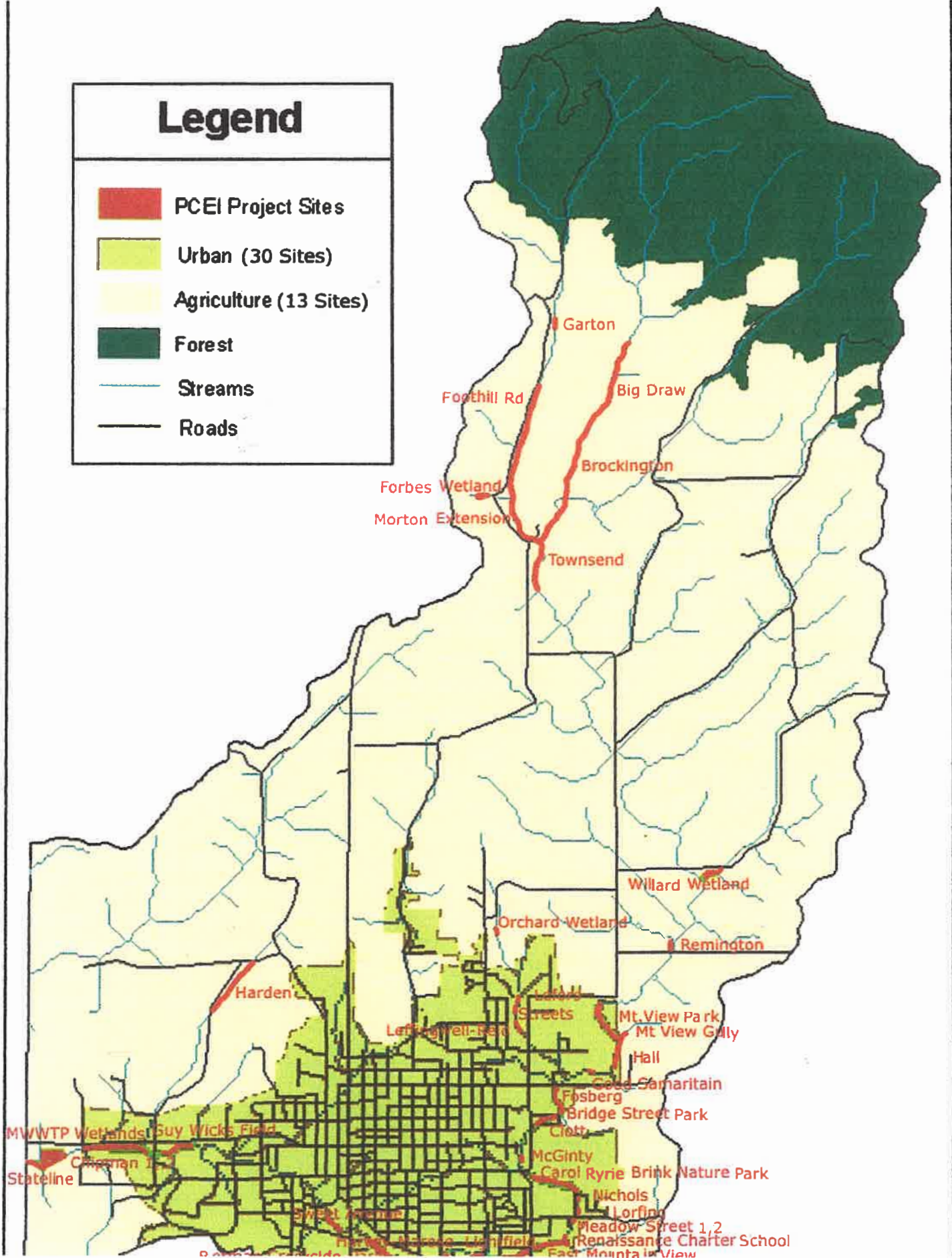
This is the coverage area for the Aerial Photo Map

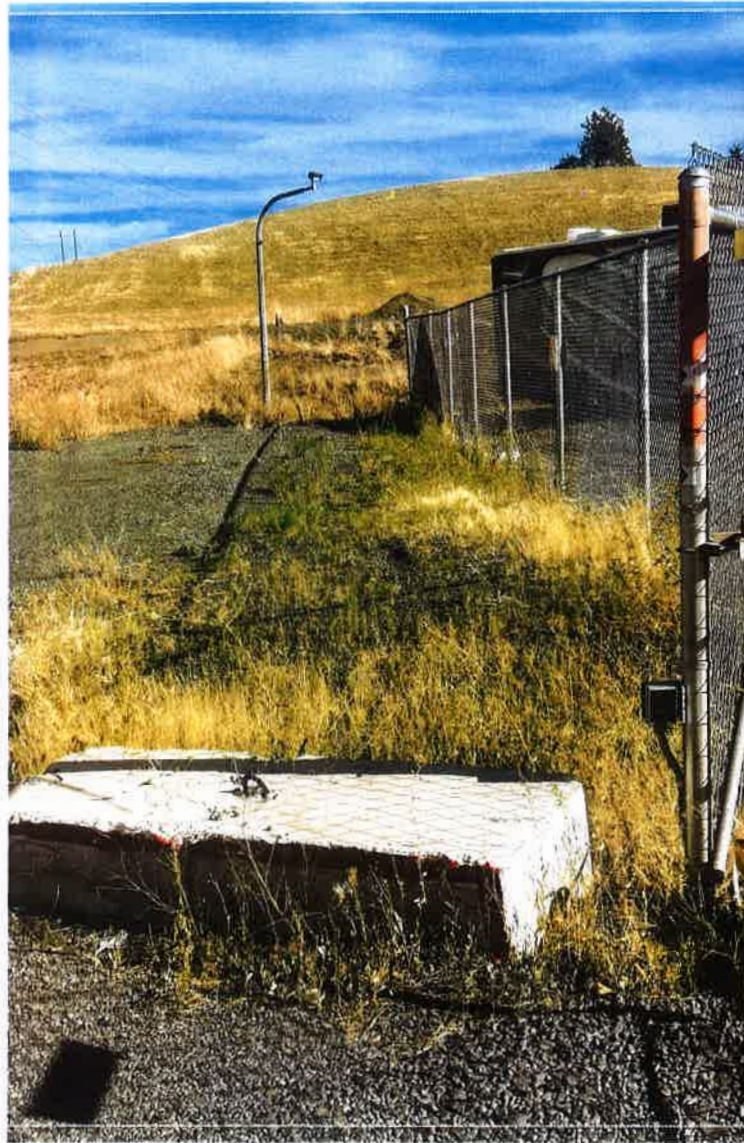


Source/Copyright: ESRI StreetMap NA

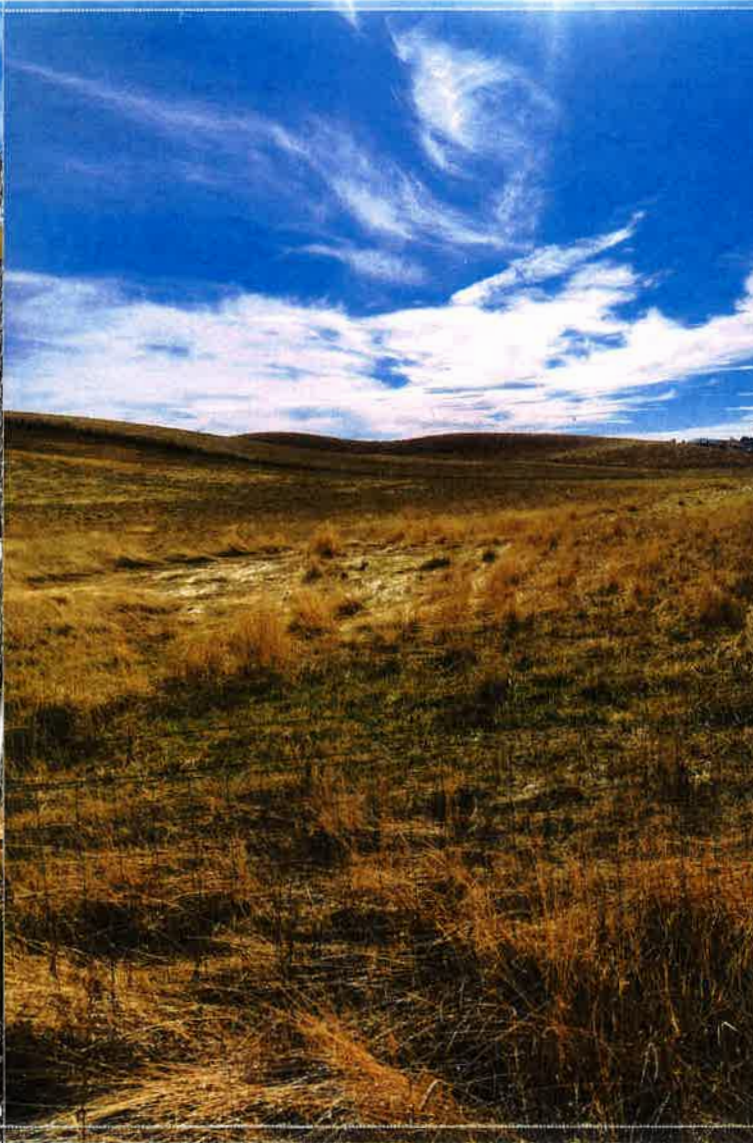
Legend

- PCEI Project Sites
- Urban (30 Sites)
- Agriculture (13 Sites)
- Forest
- Streams
- Roads





Entry
gate.
Area looking
east



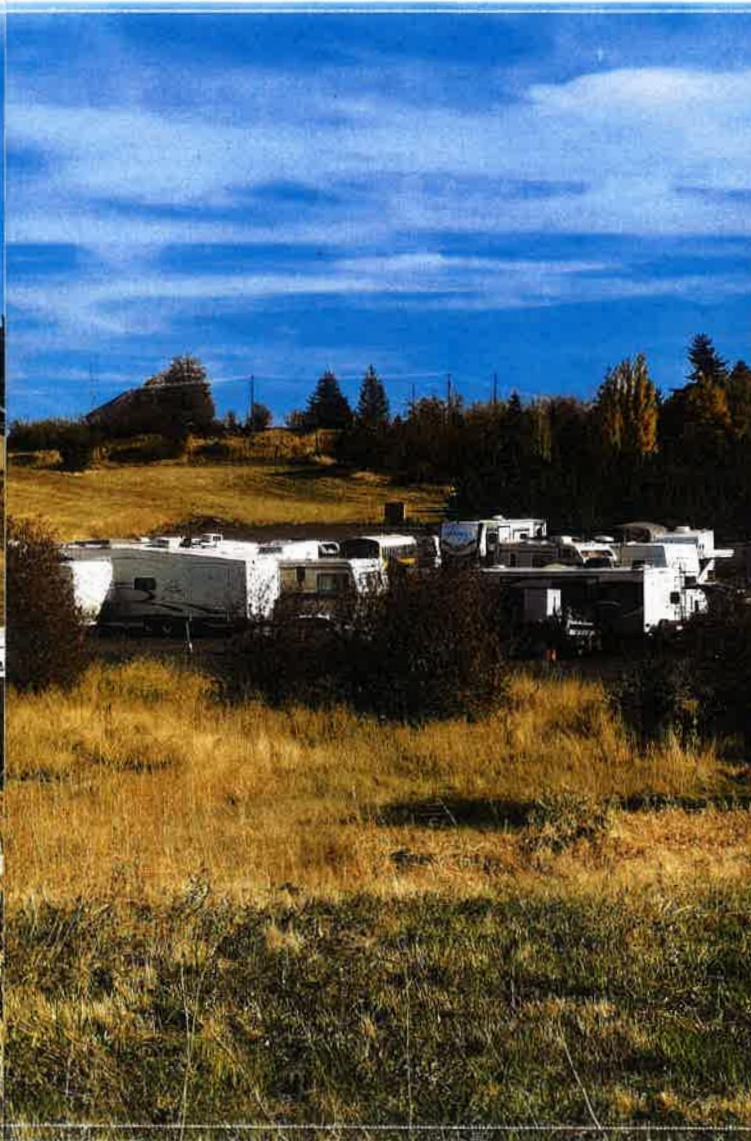
Sheep Farm
Creek Bed.
Looking South from
our driveway



Harden Rd.
Looking North.
across from
Adams Storage



Looking East
Creek Bed
Clark's Home



Creek Bed in
Fore ground
Looking southeast



Pond after Hardin
Bulldozed it last
year. Still some
of the
pond / wetland
left



Creek Bed Looking
Northeast from
our driveway.



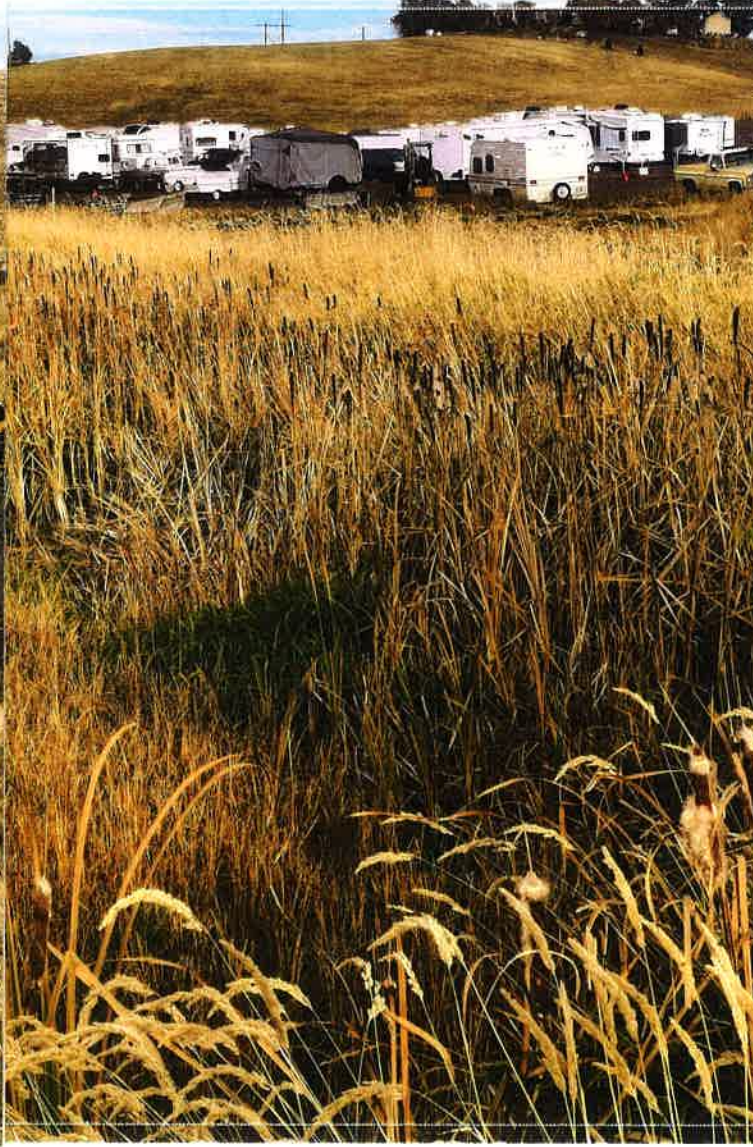
Entry Gate



Creek Bed
Looking
South from
Harden Rd



Area Harden wants
to fill in for additional
storage looking
northward
creek bed



Pond/Wetland
Harden wants
to fill in for
additional storage



Pond/Wetland
Clark Home in
Background.

Jennifer Fleischman

From: shelly birchbarley.com <shelly@birchbarley.com>
Sent: Tuesday, October 22, 2024 9:54 AM
To: Jennifer Fleischman
Cc: Aimee Hennrich; Josh Clark
Subject: RE: Harden Rd Public Hearing Information
Attachments: RV 3.jpg; RV 4.jpg; RV 1.jpg; RV 2.jpg; RV 5.jpg; area of impact 1.jpg; area of impact 1.jpg; Clark letter re Harden expansion.docx

CAUTION: This message originated from outside the City of Moscow's network. Exercise caution when clicking links or opening attachments. If in doubt, please contact Information Systems at extension 7004.

Good morning,

Attached is a letter for the public hearing process regarding the Harden RV Storage. I am also including pictures that show the obvious disrepair of many of the vehicles in the lot. As well as wooden box structures that are being placed around the property. There are also two pictures showing the majority of the area between our property and the Gleason property that is under review.

Please let me know if there is anything I can do to clarify.

Sincerely,
Shelly Clark and Josh Clark

From: Jennifer Fleischman <jfleischman@ci.moscow.id.us>
Sent: Monday, October 14, 2024 2:15 PM
To: shelly [birchbarley.com](mailto:shelly@birchbarley.com) <shelly@birchbarley.com>
Cc: Aimee Hennrich <ahennrich@ci.moscow.id.us>
Subject: Harden Rd Public Hearing Information

Good afternoon Shelly,

Please find attached more information about the public hearing process.

Let me know if you have any questions or would like to submit written comments.

Thank you,

Jennifer R. Fleischman | Administrative Assistant & Deputy City Clerk
she/her/hers
Community Development
504 S. Washington Street, Moscow ID 83843
Tel: (208)883-7035

October 22, 2024

To Whom It May Concern,

We live next to the area of impact for Permit Application: LUP2024-0034

We want to express our concern for the proposed expansion of the existing Moscow RV Storage at 1400 Harden Rd. in Moscow.

We neighbor this business and have already dealt with the impact of the initial business and its existing expansion. The main artery to Harden Road is Mix Road. Mix is just at the city/county line and is slowly turning into a neighborhood with many new houses and several houses currently under construction.

We believe this area will eventually be incorporated into the city with much of the farm ground currently for sale. Just as you pass the top of the hill on mix, by the radio station, there is already a clear view of the existing RV storage with its many RVs, busses, and broke down vehicles. The proposal would bring it all the way to the road on both sides of our property.

We are concerned for our property, but also, we don't believe the county should allow a massive RV storage facility to be built in an up and coming, growing neighborhood as the first thing you see heading out of downtown to this area.

We have experienced added traffic on our small, two-lane, winding country road with big rigs and trailers. There are many people coming on a daily basis, from dawn until dusk, to park their RVs on an already dangerous road with no lines painted and no turn lanes.

With the current business, there is 24-hour access with constant beeping on the gate open and closures, people we suspect living in the lot, people working on broken down cars, and junkers that appear to be left for good. We have seen Police and Sheriffs down there on more than one occasion. We also have safety concerns as the property only hosts an entrance gate with the balance of the perimeter open for anyone to walk-in.

We are very concerned with the expansion construction as we've dealt with gravel trucks, graders diggers, loaders and other heavy machinery operating for months at a time with little regard to the small country road. In addition to the noise and dust, we believe it has left a contentious atmosphere among our small group of neighbors.

We have an elderly neighbor on Almon road that may not be able to represent herself or her property as she is 100 and staying with relatives, but she has a beautiful property with a pond, barn and arboretum the separates us. We fear her property would also be at risk for the reasons we state.

Additionally, we enjoy a lot of wildlife between our house and our neighbor's orchard and pond that will be affected including: fox, moose, deer, owls, ducks, geese (migration path), Herron, frogs and turtles...and that is just what we have observed over the years.

The Harden's own 100s of acers of land in this area and we feel there are several better options farther away from town for RV storage that could potentially be out of sight of any neighbors and not encroach on the area of impact.

Sincerely,

Josh & Shelly Clark















**BEFORE THE BOARD OF ADJUSTMENT
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 VARIANCE REQUEST TO REDUCE THE REAR YARD SETBACK ON A LOT LOCATED AT 1906 NURSERY STREET WITHIN THE MULTIPLE FAMILY RESIDENTIAL (R-4) ZONING DISTRICT PER MOSCOW CITY CODE 4-4-2.

WHEREAS, the applicant filed an application for a variance on September 17, 2024; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on October 22, 2024; and

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

THE MOSCOW BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The Board of Adjustment considered the request pursuant to the City of Moscow Zoning Code, Comprehensive Plan, and Moscow City Code.
2. The applicant, Habitat for Humanity, is requesting a Variance to reduce the rear yard setback located at 1906 Nursery Street within the Multiple Family Residential Zoning District (R-4).
3. Habitat for Humanity has proposed to build a single level, zero-step entrance single family dwelling with an ADA accessible bathroom, hallway, doorways, and bedrooms all on one level.
4. Lots within the R-4 Zoning District require a minimum width of fifty feet (50') with an area of 5,000 sf for a single-family house. Setbacks on a conforming R-4 zoned parcel containing a single-family home are 15 feet in the front, 20 feet in the rear, a street side setback of 13 feet and all other sides require a combined total of 15 feet with no side being less than 5 feet.
5. The applicant has requested the rear yard setback on the southwest portion of the site be reduced from the required 20 feet to a 10-foot setback. All other required setbacks are to be met.
6. The subject property is located within the Multiple Family Residential (R-4) Zoning District. According to the Zoning Code 4-2-4(G):

“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 the R-4 zoning districts.”

7. Adjacent properties to the south, east and west are all also within the R-4 Zone. The property to the north across Powers Ave is zoned Farm Ranch Outdoor Recreational (FR).
8. The subject property is approximately 5,049 square feet in size and is bound by Nursery Street to the west, Powers Ave to the north and an alley directly to the south. The parcel adjacent to the west is currently vacant land and owned by the Moscow Affordable Housing Trust.
9. According to the Comprehensive Plan, an objective of Chapter 2 is to, “provide a mix of housing that meets the economic and lifestyle needs of the diverse population of Moscow.”
10. According to the Land Use and Community Character section of the Plan, the subject property is designated as High Density Residential. These 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.”
11. Based upon the abnormal shape and topography of the lot, and the fact that Habitat for Humanity is seeking to build a single level home with ADA compliant features, the Board concludes that it is appropriate to grant a variance to the rear yard setback.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **Are there special conditions or circumstances that exist which are peculiar to the property (such as size, shape, topography or location) which are not applicable to other properties similarly situated in the same Zoning District?** The subject property is a conforming lot and is 5,049 square feet in size, however the shape of the lot renders a portion of the south side of the parcel relatively unusable as it is elongated with varying distances as the southern property line curves. Therefore, the Board finds that the existing shape of the subject property is a special condition upon the property.
2. **Because of the aforementioned special conditions of the property, would application of the provisions of the Zoning Code impose undue hardship and deprive the property owner of rights commonly enjoyed by owners of other property similarly situated in the same Zoning District?** If the application of the Zoning Code were applied for setbacks the applicant would be limited in the design flexibility to build an accessible single-story home.

3. **Will the granting of the Variance be in conflict with the public interest or injurious to the property or persons in the vicinity of the subject property?** No, the proposed Variance will allow a new single level accessible dwelling to be constructed that supports the need for affordable housing in the area.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Board of Adjustment approves the application for a Variance to reduce the rear yard setback located at 1906 Nursery Street with no conditions.

PASSED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THE _____
OF _____, 2024.

Joe Bazzoli, Chairman
Board of Adjustment

**BEFORE THE BOARD OF ADJUSTMENT
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 CONDITIONAL USE PERMIT APPLICATION FOR A LARGE CHILD
CARE FACILITY LOCATED AT 110 S JACKSON STREET IN THE CITY OF
MOSCOW, IDAHO, WITHIN THE CENTRAL BUSINESS (CB) ZONING DISTRICT
PER MCC 4-3-4.**

WHEREAS, the applicant filed an application for a Conditional Use Permit on August 27, 2024;
and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed
public hearing on October 22, 2024; and

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

**THE MOSCOW BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW, IDAHO,
AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:**

I. RELEVANT FACTS AND CONCLUSIONS

1. The Board of Adjustment considered the request pursuant to the City of Moscow Zoning Code, Comprehensive Plan, State Statutes, and Moscow City Code.
2. The applicant is proposing to operate a Large Child Care Facility at 110 S Jackson Street. The subject property is located within the Central Business (CB) Zoning District which requires a Conditional Use Permit (CUP) for Large Child Care Facilities per MCC 4-3-4.
3. A large Child Care Facility is defined as a facility providing childcare for 21 or more children.
4. The subject property is a church building, a 1963 daycare/school addition, and a former residential building also used as a daycare.
5. The subject property has been the location for daycare facilities such as Success by 6, New Discovery's Playschool, and Learning Garden.
6. Historical records show that New Discovery's Playschool and Learning Garden were approved for Conditional Use Permits in 2012 and 2016 respectfully.

7. The subject property has more recently been occupied by Lotus Early Learning, Behavior Intervention Program, which is an allowed use by right. Lotus Early Learning would like to become licensed as a large daycare facility.
8. Since the subject property has not been used as a daycare facility for over two years, the existing CUP is null and void and the applicant must acquire a Conditional Use Permit.
9. The facility is proposing to operate at the new location from 8:00 a.m. to 5:00 p.m. local time, Monday through Friday.
10. The subject property is 0.36 acres in size. located at the southwest corner of First Street and Jackson Street.
11. Adjacent property uses include an apartment complex to the north, Zions Bank to the east, a planning and architecture firm with residential uses above to the south, and residential office uses across Jackson Street to the west.
12. Adjacent properties to the north, south and east are all within the CB Zoning District. The Residential Office (RO) Zone is located to the west across Jackson Street
13. Chapter 2, Community Character and Land Use, designates the subject property as Urban Commercial (UC). Urban Commercial designated areas are intended to provide for the most intensive mix of commercial and residential uses in a pedestrian orientated manner. This is appropriately applied within the City's downtown urban core and the immediate surrounding area where it is deemed appropriate.
14. The Zoning Code has specific use standards for large Child Care Facilities within MCC 4-3-5(C).
15. Permitted uses in the CB Zone are not required to provide off-street parking. Additional parking is available on a first-come, first served manor on First Street.
16. A large daycare facility is required to provide loading space for at least two (2) vehicles provided in a manner that will not result in a safety hazard and can be provided on-street where the space is reserved or generally available and located on the same side of the street; off-street where ingress and egress does not require backing movements; or other loading space as determined safe by the City Engineer considering exiting street and traffic conditions
17. The applicant has proposed using two conventional parking spaces located behind the property via alley access to satisfy the loading zone requirement.
18. Child Care Facilities are required to provide a contained or fenced outdoor play area sufficient to comply with the spatial standards required by City Code. Sight-proof fencing

or sight-proof landscaping shall be provided on perimeters of such outdoor play areas where necessary to protect the privacy of neighbors' yards.

19. The applicant has provided a sufficient fenced outdoor play area on the site plan that complies with City Code requirements.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed use is a conditionally permitted use within the Zoning District:** Large Child Care Facilities are conditionally permitted in the Central Business (CB) Zoning District per MCC 4-3-4.
2. **The character of the proposed use will be in harmony with the neighborhood and surrounding land uses:** The proposed large Child Care Facility is consistent with the existing activity levels in the surrounding area. The site has historically been the location of several daycare facilities.
3. **The proposed use as approved, or as approved with conditions, 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):** The proposed use will not generate nuisances to the adjoining properties or the neighborhood through noise, dust, glare, vibrations, or odors.
4. **The location, design, and size of the proposed use will be adequately served by existing streets, public facilities and services:** The property is located on the corner of First and Jackson Street. The facility will be served by the existing public facilities. Parking spaces are not required of uses in the Central Business District. The site provides the required loading spaces at the rear of the subject property accessed via the public alley. Additional parking is available along First Street for the surrounding uses.
5. **The proposed use will not endanger the public health or safety if located where proposed:** The proposed use will not endanger the public health or safety on the proposed site since proper safety measures are being taken to ensure children's safety. Loading zone spaces are being designated where the children will be dropped off at the rear and access to the facility is from the rear gate. This does not require crossing of the vehicle maneuvering and travel areas.
6. **Proposed use meets all applicable development standards of the Zoning Code:** The use meets all applicable development standards of the zoning code including but not limited to the outdoor play area and loading zones requirements.
7. **The proposed use will not be in conflict with the Comprehensive Plan:** The use is consistent with the Comprehensive Plan as it supports the goals and strategies of multiple chapters and does not conflict with other sections of the Plan.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Board of Adjustment approves the application for a Conditional Use Permit for a Large Child Facility at 110 S Jackson Street with no conditions.

PASSED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THE ____ DAY
OF _____, 2024.

Joe Bazzoli, Chair
Board of Adjustment