BOARD of ADJUSTMENT

Jerry Schutz
Board Chair
BOA@ci.moscow.id.us

Public Hearing
~ Agenda~

Lucy Falcy
Staff Liaison
208.883.7095

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

Tuesday **December 9, 2025**	**7:00 PM**	**Council Chambers** **206 E Third Street**

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. **Approval of Minutes from November 10, 2025 (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 for a Conditional Use Permit at 2010 South Main Street. Permit Application LUP2025-0027 (ACTION ITEM)**
   Conditional Use Permit application to establish an existing legally non-conforming sign located at 2010 S. Main St as historically significant in order to allow its continued use and modification per Moscow City Cody 4-6-7-I.
   PROPOSED ACTIONS: Conduct the Public Hearing for the Conditional Use Permit (CUP) request, and upon consideration of any testimony received, approve the CUP and direct Staff to prepare a Reasoned Statement of Relevant Criteria and Standards; or approve the CUP with conditions and direct Staff to prepare a Reasoned Statement of Relevant Criteria and Standards; or deny the CUP and direct Staff to prepare a Reasoned Statement of Relevant Criteria and Standards; or take other action as deemed appropriate.

4. **Public Hearing: Proposal for a Conditional Use Permit at 427 Troy Road. Permit Application LUP2025-0032 (ACTION ITEM)**
   Conditional Use Permit application for a proposed Fire Station to be relocated into an existing structure located at 427 Troy Rd, within the Motor Business (MB) Zoning District, per Moscow City Code 4-3-4.
   PROPOSED ACTIONS: Conduct the Public Hearing for the Conditional Use Permit (CUP) request, and upon consideration of any testimony received, approve the CUP and direct Staff to prepare a Reasoned Statement of Relevant Criteria and Standards; or approve the CUP with conditions and direct Staff to prepare a Reasoned Statement of Relevant Criteria and Standards; or deny the CUP and direct Staff to prepare a Reasoned Statement of Relevant Criteria and Standards; or take other action as deemed appropriate.

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.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS
The next Board of Adjustment meeting is scheduled for 7:00 PM on December 16, 2025.

ADJOURN

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

BOARD of ADJUSTMENT

Jerry Schutz
Board Chair
BOA@ci.moscow.id.us

Public Meeting
~ Minutes~

Lucy Falcy
Staff Liaison
208.883.7095

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

Monday **November 10, 2025**	**5:30 PM**	**Council Chambers** **206 E. Third Street**

Comstock called the meeting to order at 5:39 PM

MEMBERS PRESENT:	Marshall Comstock, Vice Chair; Steve Bush, Ivy Dickinson, Laura Weldon
MEMBERS ABSENT:	Tim Kinkeade, Jerry Schutz, Tim Thomson
STAFF:	Lucy Falcy

REGULAR AGENDA

1. Approval of Minutes from November 4, 2025 (ACTION ITEM)
Dickinson moved for approval of the minutes as written, seconded by Weldon. Vote by Acclamation; Ayes: Comstock, Dickinson, Weldon (3). Nays: None. Abstentions: Bush (1). 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 offered.

3. Approval of Reasoned Statement of Relevant Criteria and Standards (ACTION ITEM)
Variance application to reduce the required 20-foot rear yard setback by 3 feet for a proposed addition to an existing single-family dwelling at 403 N Polk St within the Medium Density Residential (R-3) Zoning District, per Moscow City Code 4-4-2. Permit Application LUP2025-0024.
Dickinson moved for approval of the Reasoned Statement of Relevant Criteria and Standards for the Variance as written, seconded by Weldon. Roll Call Vote; Ayes: Comstock, Dickinson, Weldon (3). Nays: None. Abstentions: Bush (1). Motion carried.

The Board members and staff had a brief discussion about the appeals process.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The meeting was adjourned at 5:41 PM

_____ _____
Jerry Schutz, Chair Date

DRAFT

CITY OF MOSCOW
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

HEARING DATE: Tuesday, December 9, 2025

GENERAL INFORMATION

Hearing Body: Board of Adjustment

Subject: LUP2025-0027 – Conditional Use Permit application to allow continued use and face change on a potentially historically significant sign located at 2010 South Main within the Motor Business (MB) Zoning District, in the City of Moscow, per Moscow City Code 4-6-7-I

Attachments:
1. Public Hearing Notice – published in the Moscow-Pullman Daily News on Saturday, November 22, 2025
2. Conditional Use Permit Application and Addendum

Prepared by: Lucy Falcy, Planner I

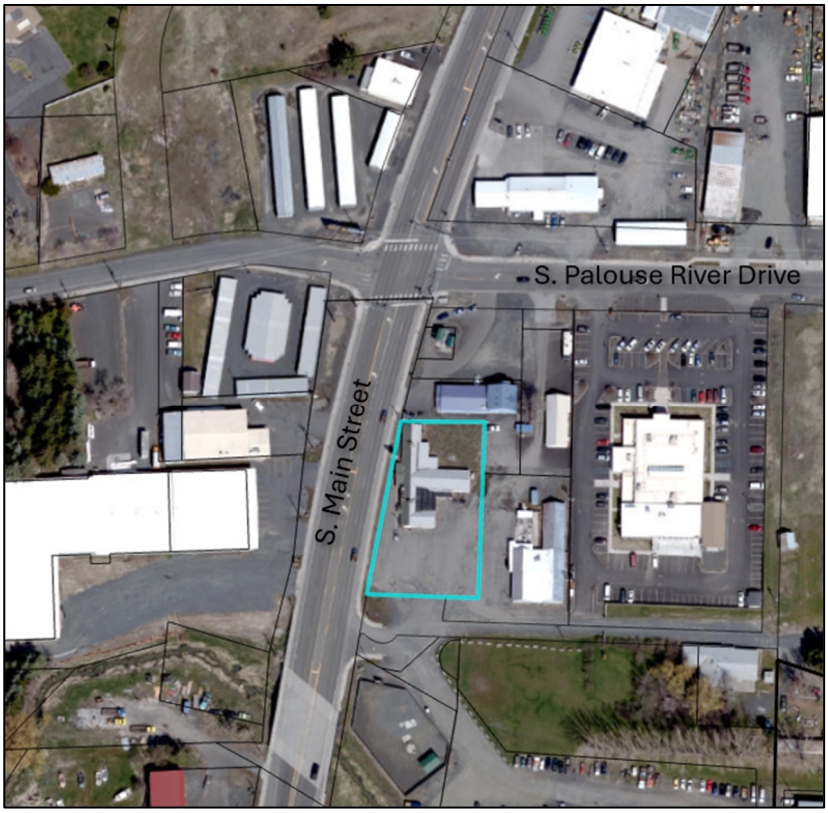
STAFF REVIEW

Proposal:
To establish an existing legally nonconforming sign, located at 2010 South Main Street, as a historically significant sign in order to allow its continued use and modification through a conditional use permit as provided per MCC 4-6-7-I.

Per MCC 4-6-7-I Historically Significant Signs, *existing signs which an applicant can demonstrate as having significant historical value to a neighborhood or to the community at large*, may be repaired and/or relocated, regardless of applicable zoning district and nonconformity regulations, subject to issuance of a Conditional Use Permit.

Site and Area Land Use:
The subject property is a 27,343 square foot parcel located at 2010 South Main Street, just south of Palouse River Drive. The subject property contains a single building that is approximately 6,500 square feet in area that has been host to a Chinese restaurant since 1967. The building is currently vacant and has been recently purchased by the applicants who own the property directly east of the subject site (2012 South Main, Forty-Two Bar Kitchen). The site contains a single freestanding sign located immediately west of the building's west façade and north of its primary entrance. This sign has historically advertised the adjacent Chinese restaurant and is the subject of this conditional use request.

Adjacent land uses include a FEDEX delivery hub, Reactive Physical Therapy, Palouse Ice Rink, mini-storage, restaurant and bar, and an auto mechanic. The use and form of the subject site predates nearly all surrounding uses.



Vicinity Map

Site Access:
The subject site gains access off of a communal driveway located south of the subject site, owned by the City of Moscow and referenced as future Nelsen Street. This access is shared by numerous adjacent businesses. The site contains a non-striped gravel parking lot that is indistinguishable from that owned by Forty-Two Bar Kitchen.

There is a retaining wall just beyond the west edge of the subject site that is owned by Idaho Transportation Department and that houses US Highway 95 in an elevated position above much of the site. At the location of the sign, the highway is approximately six (6) feet above the grade at the base of the sign and the front of the building. It slopes lower until it is level with the site at the point of the communal access to the south.

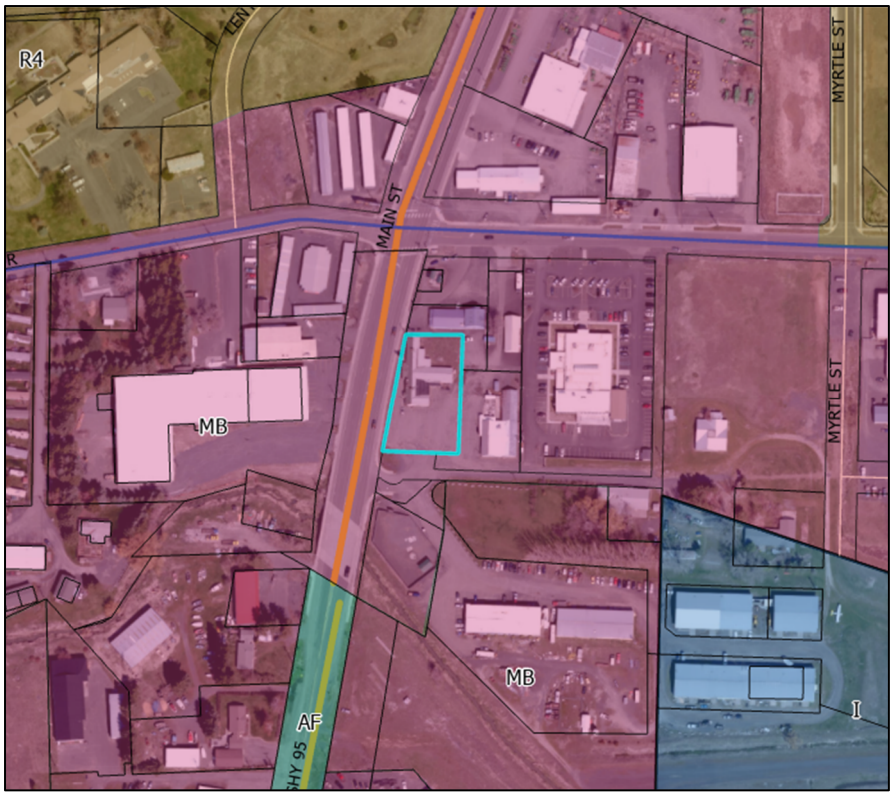
Aerial of Site with Sign Location

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 Commercial (AU-C). According to Chapter 2 of the Comprehensive Plan, Community Character and Land Use, 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.

The historical use of the subject site as a restaurant is an appropriate commercial use for the Auto-Urban Commercial designation. Any changes to this land use will require review to ensure that any proposed use complies with the Comprehensive Plan.

Zoning:
The subject property and adjacent properties to the north, south, east and west are currently zoned Motor Business (MB). The MB Zone permits a wide range of commercial, recreational, industrial, and residential uses.

The subject's site's historic and proposed use as a restaurant with attendant signage is appropriate for the zone. The subject site was within the City limits and zoned MB as far back as the 1967 zoning map. Any changes to this land use will require review to ensure that any proposed use complies with the Moscow Zoning Code.



Zoning Map

<u>Moscow City Code (MCC) 4-6-7 Sign Code:</u>

MCC 4-6-7-M Permitted Signs in Commercial Zones Table. The maximum height of a freestanding sign in the MB Zone is twenty-five (25) feet above grade. The maximum area of a freestanding sign in the MB Zone is one-hundred-twenty-five (125) square feet.

The existing height of the subject sign is thirty-three (33) feet above the grade at the base of the sign. This height is eight (8) feet higher than the permitted height for a sign in the MB Zone and is the reason that the sign is nonconforming and the reason for the Conditional Use Permit request.

While the sign is thirty-three (33) feet in height above the grade at the base of the sign, it is only twenty-seven (27) feet in height above the grade of the adjacent elevated highway right-of-way. Measured from the adjacent road, the sign is two (2) feet higher than the permitted height for a sign in the MB Zone.

The combined area of the sign faces on the subject sign totals sixty (60) square feet and is well within the allowable sign area for the site.

The applicants note that the leading edge of the sign is completely contained on the subject site.

MCC 4-6-7-B-Definitions:
17. Nonconforming Sign: A sign which was lawful before this Sign Code was enacted or amended, but which would be prohibited, regulated, or restricted under the terms of this Sign Code or future amendment.

Moscow Ordinance 1963-1064, Section 15(B) limited ground sign height to twenty-five (25) feet above the ground. The understood timeline of the subject sign indicates that it was nonconforming upon its installation. Due to its height, it remains nonconforming under the current Sign Code standards. Its status as a nonconforming sign inhibits its ability to have its sign faces repaired and replaced per MCC 4-6-7-F Nonconforming Signs.

MCC 4-6-7-F Nonconforming Signs:
1. Purpose: The eventual elimination of existing signs that are not in conformity with the provisions of this Sign Code is as important as the regulation of new signs.
2. The following nonconformity regulations shall supersede those of M.C.C. 4-1-7 only for the purpose of regulating nonconforming signs:
    a. Any existing sign that was legally permitted prior to the enactment date of this Sign Code is deemed to be a legally permitted sign under this Sign Code for a period of five (5) years. After five (5) years from the enactment date of this Sign Code, said non-conforming sign, unless it is brought into compliance with the requirements of this Sign Code, may not be:
        i. Replaced, including replacement of the sign face or any part thereof, except with a conforming sign;
        ii. Changed, except for signs specifically designed to be readily and routinely changed in words, letters, or numbers;
        iii. Structurally altered to extend the useful life of any part of the sign or the sign structure; and
        iv. Expanded, moved or relocated.

At thirty-three (33) feet in height, the subject sign exceeds the maximum twenty-five (25) foot height allowance for a freestanding sign in the MB Zone by eight (8) feet. As such, it is a nonconforming sign. The applicant wishes to replace the face plates of the sign to reflect the new owner and future use of the site as well as to replace broken face panels. MCC 4-6-7-F-2-a-I does not allow changing the sign face of a nonconforming sign without bringing the sign into compliance. Due to the age of the sign and the relevant history of the site, the applicant is pursuing a Conditional Use Permit to establish the sign as a Historically Significant Sign and thereby allow the face panel change as permitted by MCC 4-6-7-I Historically Significant Signs.

MCC 4-6-7-I Historically Significant Signs. Existing signs which an applicant can demonstrate as having significant historical value to a neighborhood or to the community at large may be repaired and/or relocated, regardless of applicable zoning district and nonconformity regulations, subject to the issuance of a Conditional Use Permit.

The City has no building records or other permits on file for this sign, though that does not concretely indicate that no permits were obtained at the time. The Latah County Historical Society also has no record of the initial placement of the sign. It is understood that the sign was originally installed as signage for the Chinese restaurant, Chinese Village, which opened in 1967 by proprietor Yick Tze Eng. Local residents have indicated that the sign was in place as early as 1969. The Eng family ran the Chinese Village until 2017 when they leased it to the Iron Wok, LLC. The Iron Wok updated the panels in the sign in 2017. No records exist of permits to change the sign face at that time. In all, the site operated as a Chinese restaurant for fifty-eight (58) years and the style of the sign reflects that heritage.

The restaurant building and the site itself have an older history as part of the Civilian Conservation Corp campus. A more detailed history of the site is included in the addendum to the application.

There are no set standards for determining what constitutes a Historically Significant Sign and subsequent eligibility for modifying a nonconforming sign through a Conditional Use Permit. That burden lies with the Board of Adjustment. However, within the historic preservation field, when a structure becomes at least 50 years old it is eligible for listing on the National Register of Historic Places. So, when a structure reaches 50 years of age it is generally referred to as being historic. The subject sign is estimated as being between 56-58 years old. The key consideration is whether the sign has "significant historical value to a neighborhood or to the community at large." The decision to grant a Conditional Use Permit to modify the sign faces must then meet the Relevant Criteria and Standards for a Conditional Use Permit.

Proposed Sign Face Change

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

Other Considerations:
None

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.
It is up to the Board to determine if the subject sign is a 'Historically Significant Sign.' If it is determined to be one, then the proposed sign face change is a conditionally permitted use in the MB Zone.

2. The character of the proposed use (will/will not) be in harmony with the neighborhood and surrounding land uses.
The existing use of the site and the subject sign predates much of the surrounding development and is appropriately zoned. With the exception of its height, the subject sign is within the allowed freestanding sign dimensions for the MB Zone.

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).
The subject sign will be required to meet all current sign illumination standards as part of its plan review for replacing the face plates. No other nuisances are expected as a result of the continued existence of the subject sign.

4. The location, design, and size of the proposed use (will/will not) be adequately served by existing streets, public facilities and services.
The subject site has been and will continue to 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?
We cannot ascertain whether or not the subject sign received a safety compliance review when it was installed. However, it has stood without endangering the public since at least 1969. It is not causing any traffic visibility issues.

6. Proposed use (meets/does not meet) all applicable development standards of the Zoning Code.
The subject sign does exceed the permitted height limit for freestanding signs in the MB Zone by eight (8) feet. If the subject sign is deemed to be a 'Historically Significant Sign' then it may be conditionally permitted to continue at that height.

7. The proposed use (will/will not) be in conflict with the Comprehensive Plan.
The subject sign is not in conflict with the comprehensive plan as the existing and proposed use of the subject site is an appropriate use for the Auto-Urban Commercial (AU-C) designation and the signage that goes with the subject use is designed to be visible to the adjacent highway.

RECOMMENDATION FOR CONDITIONAL USE PERMIT APPLICATION

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

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

Staff recommends that the City of Moscow Board of Adjustment **approve** the conditional use permit for refacing of the nonconforming pole sign located at 2010 S. Main Street with no conditions.

The Board of Adjustment's actions are to conduct the public hearing and upon consideration of testimony received:

1. Approve the Conditional Use Permit application; or
2. Approve the Conditional Use Permit application with conditions; or
3. Deny the Conditional Use Permit application; or
4. Take other such action as deemed appropriate.

In accordance with the Board's decision, direct staff to prepare the Relevant Criteria and Standards document.

NOTICE OF PUBLIC HEARING

Proposal for Conditional Use Permit at 2010 South Main Street.
Permit Application LUP2025-0027

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:

> A Conditional Use Permit application for the continued use and face change of a legally nonconforming historical sign located at 2010 South Main Street within the Motor-Business (MB) Zoning District, per Moscow City Code 4-6-7-I.

HEARING DATE: Tuesday, December 9, 2025

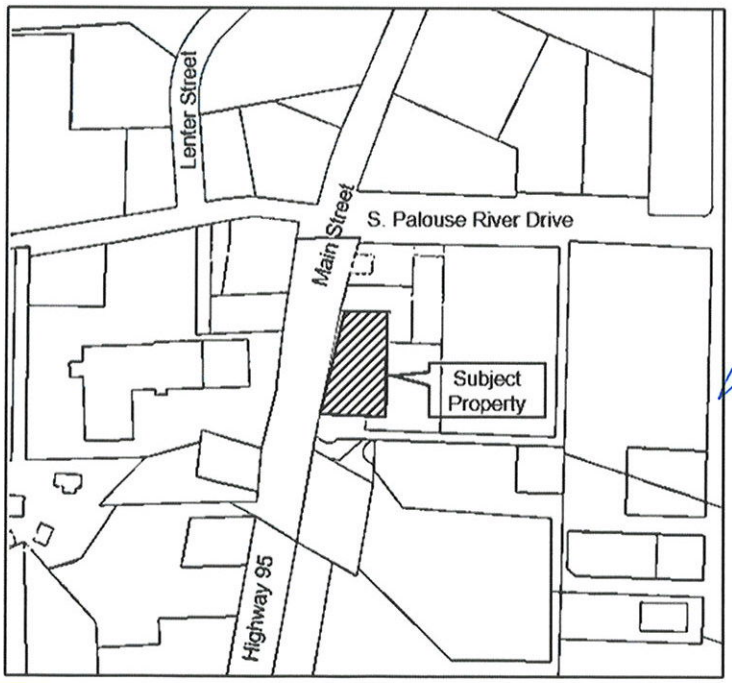
HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

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 late 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 S Washington Street, Moscow, Idaho. Call 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. Public participants desiring to submit textual materials to the decision-making board shall make that submission at least five (5) calendar working days in advance of the scheduled meeting. Materials provided tardy may be admitted for consideration subject to the discretion of the decision-making board. You may obtain further information about the public hearing process and procedures on the City's Website at:

https://www.ci.moscow.id.us/593/Public-Hearing-Notices



Laurie Hopkins, Moscow City Clerk

Jennifer Fleischman, Deputy City Clerk

Published: November 22, 2025

LUP2025-0027

CITY OF MOSCOW
COMMUNITY DEVELOPMENT
Ph: 208-883-7035
504 S. Washington Street
jfleischman@ci.moscow.id.us
lfalcy@ci.moscow.id.us

For City Use Only			
	Date Received		
Dept	Fee Type	Fees	Paid
CDV	Application Fee	$600.00	
	Receipt Number		

APPLICATION FOR CONDITIONAL USE PERMIT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. **Applicant**

Name: HACKER BROTHERS LLC, c/o STEVEN HACKER Phone: (208) 310-6332

Address: 776 INDIAN HILLS DR., MOSCOW, ID 83843 Email: hackerbrothersLLC@gmail.com

Relationship to affected property (please check one):

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

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

Name: _____ Phone: _____

Address: _____ Email: _____

3. **Location of Affected Property**: 2010 S. MAIN ST., MOSCOW, ID 83843

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

Legal Description: DEED ATTACHED (Subdivision) _____ (Block) _____ (Lot)

INFORMATION ON REQUESTED CONDITIONAL USE

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

To make necessary repairs to historical sign at affected property. Repairs to include repainting and replacement of broken and outdated sign panels. No structural changes will be made to historical sign.

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, driveway(s), fencing, and landscaping. A site topography map shall be provided when appropriate.

Received 10-22-2025

5. **Authorization**: Section 6-7.H of the Moscow Zoning 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 the proposed use may have.

THE OPERATING CHARACTERISTIC IS THAT OF A TYPICAL MOTOR BUSINESS SIGN WITH BACKLIT TRANSLUCENT PANELS. THE USE WILL REMAIN CONSISTENT WITH HISTORICAL OPERATION. CHANGES WILL INCLUDE REPAINT AND REPLACEMENT PANELS UTILIZING A CONTRACTOR LIFT AND WORK COMPLETED BY LOCAL BUSINESSES LICENSED TO COMPLETE WORK

7. Before the Board of Adjustment may issue a Conditional Use Permit, the Board of Adjustment must first make findings of compliance with the following seven **Relevant Criteria and Standards.** Please describe in the spaces provided below how your requested Conditional Use is in compliance with each of the relevant criteria and standards.

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

ZONING ORDINANCE 6-7.H. HISTORICALLY SIGNIFICANT SIGNS ALLOW FOR REPAIRS TO SIGNS WITH HISTORICAL VALUE UNDER A CONDITIONAL USE PERMIT. THE AFFECTED PROPERTY IS OVER 50 YEARS IN AGE AND HAS BEEN A LONG-STANDING SERVICE PROVIDER TO THE MOSCOW COMMUNITY. THE PROPOSED USE IS REPAIR WITHOUT ANY CHANGES TO THE HISTORICAL STRUCTURE.

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

CHARACTER OF USE IS A MOTOR BUSINESS SIGN LOCATED IN A MOTOR BUSINESS DISTRICT WITHIN CITY LIMITS. USE IS IN HARMONY WITH VARIOUS SURROUNDING MOTOR BUSINESSES WITH VARIOUS SIZES AND TYPES OF MOTOR BUSINESS SIGNAGE

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).

USE IS CONSISTENT WITH SURROUNDING MOTOR BUSINESS SIGNAGE AND WILL NOT GENERATE NUISANCES TO SURROUNDING MOTOR BUSINESS.

Received 10-22-2025

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

NO CHANGES TO THE HISTORICAL STRUCTURE OF THE AFFECTED PROPERTY WILL ENSURE SIGN WILL REMAIN IN EXISTING LOCATION AND BE ADEQUATELY SERVED BY EXISTING STREETS, PUBLIC FACILITIES AND SERVICES.

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

THE HISTORICAL USE AND LOCATION WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY.

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

THE PROPOSED USE MEETS APPLICABLE DEVELOPMENT STANDARDS OF THE ZONING CODE UNDER SECTION 6-7.H ALLOWING FOR REPAIRS UNDER A CONDITIONAL USE PERMIT

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

AS THE PROPOSED USE IS REPAIRS TO A MOTOR BUSINESS SIGN IN A MOTOR BUSINESS DISTRICT UNDER A CONDITIONAL USE PERMIT IT IS BELIEVED TO NOT BE IN CONFLICT WITH THE COMPREHENSIVE PLAN

CONDITIONS OF APPROVAL

The Board of Adjustment, pursuant to Moscow City Code Title 4, Chapter 8, Sec. 8-4.D., 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.

Received 10-22-2025

COMPLIANCE

1. In the event of failure to comply with the plans approved 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 of Adjustment 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 of Adjustment. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board of Adjustment 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 (1) 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 Community Development Department at least twenty-one (21) days prior to the hearing at which the application is to be considered by the Board of Adjustment. Applicant will be notified by the City Planner I as to the time, date, and place of the hearing pertaining to this application.

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

1. Application Fee
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. I declare and certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct and that I have legal authority to submit this Application.

Signature of Applicant _____ Date 10/22/2025

Signature of Property Owner (if different) _____ Date _____

Received 10-22-2025

Addendum

City of Moscow CUP Application

Thank you for the additional request for information and review of our CUP application related to sign repairs located at 2010 S. Main St., Moscow, ID. Below are addresses to requests.

Sign Dimensions:
Sign dimension drawing attached to provide requested information. Sign dimensions based upon actual sign measurements conducted by signage company request to provide mock-up of requested repairs to sign.

Sign dimensions – Relative to ITD ROW
Sign dimensions indicate a total distance from pole to property boundary of 17 ft. Sign maximum width from pole is 8ft 9". Sign outer edge (western orientation toward ITD ROW) is 7'0 from ITD ROW and entire sign is within property boundaries at 2010 S. Main St., Moscow ID.

Additional Historical Background:
The current property and subsequent sign begin with Franklin D. Roosevelt's Executive Order 6101 establishing the Civilian Conservation Corps (CCC). This program was a voluntary government work relief program to aid the US in recovering from the Great Depression. The sign and property are located on the exact sight of the Moscow CCC Camp as verified with the Latah Historical Society and University of Idaho Library Archives. The CCC camp existed from 1933-1938. In 1938 the building located at 2010 S. Main St., being previously the location of the canteen where workers would have meals, was converted to a 'supper club' named the Plantation. This restaurant existed at this location until 1965. In 1965, the Plantation Supper Club moved to the adjacent property at 2012 S. Main St. However, the existing CCC camp canteen remained at its present location at 2010 S. Main St. This building (and we are hoping to restore portions of that building later) became the Chinese Village Restaurant operated by the Eng family including the sign referenced in this CUP application. The restaurant remained with the Eng Family until 2017, and was leased to The Iron Wok, LLC. The new family updated the panels in the sign in 2017 to reflect new ownership in which they remained until September 2025. This sign and property have served the Moscow Community for over 90 years primarily in the food service industry from the CCC Camp to the Iron Wok and beyond. The sign itself has been part of this history for nearly 60 years.

Received 11-04-2025

Instrument # 638532 LUP2025-0027
MOSCOW, LATAH, IDAHO
2-26-2025 11:19:00 AM No. of Pages: 2
Recorded for : LATAH COUNTY TITLE
JULIE FRY Fee: 15.00
Ex-Officio Recorder Deputy: Lorinda Valdez
Index to: WARRANTY/QUITCLAIM DEED

THIS INSTRUMENT FILED AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EXECUTION, INSURABILITY OR AFFECT ON TITLE.

UNOFFICIAL COPY

WARRANTY DEED

For Value Received, HACKER BROTHERS LLC, an Idaho limited liability company,

the Grantor(s), hereby grant(s), bargain(s), sell(s), convey(s) and warrant(s) unto:

1889 Enterprises LLC, an Idaho limited liability company

the Grantee(s), whose current address is: 776 Indian Hills Dr. Moscow, Idaho 83843

the following described premises, located in Latah County State of Idaho, to wit:

Legal Description: See attached legal description

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water and water rights, ditch and ditch rights.

SUBJECT TO reservations in United States Patent, restrictive covenants, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantor(s) successors, heirs and assigns forever. Said Grantor(s) do/does hereby covenant to and with said Grantee(s), that Grantor(s) are owners in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Received 10-22-2025

Dated this 25th day of February, 2025.

HACKER BROTHERS LLC

By: Steven K. Hacker, member

By: Traci L. Hacker, member

STATE OF IDAHO)
) ss.
COUNTY OF LATAH)

On this 25 day of February, 2025 before me, the undersigned, a Notary Public, in and for said State, personally appeared Steven K. Hacker and Traci L. Hacker, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument as the members of Hacker Brothers LLC and acknowledged to me that they executed the same as said LLC.

WITNESS MY HAND AND OFFICIAL SEAL.

X M Petrie
Notary Public: Idaho
Residing at: Moscow
My commission expires 9/23/2030

MICHELLE PETRIE
COMMISSION NUMBER 20243610
NOTARY PUBLIC
STATE OF IDAHO

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Received 10-22-2025

LUP2025-0027
638532

EXHIBIT "A"

LEGAL DESCRIPTION

File No.: 64823

The land referred to herein is situated in the State of Idaho, County of Latah and is described as follows:

A parcel of land located in a portion of Tract 5 and Tract 6 of South Palouse Tracts, as shown by the recorded plat thereof, described as follows:

BEGINNING at a point on the Western line of Tract No. Six (6) of South Palouse Tracts, as shown by the recorded plat thereof, and 30.28 feet N. 8º 51'20" East of the Southwest Corner of said Tract No. Six (6) and running thence along the Western lines of Tracts No. Six (6) and Five (5) N. 8º 51'20" E. a distance of 59.14 feet and then to the right a distance of 163.7 feet along a curve having a radius of 2815 feet and a central angle of 12º09'; thence S. 89º42' E. a distance of 105.91 feet; thence S. 00º46' W. a distance of 221.25 feet to a point 30.0 feet north of the South line of said Tract No. Six (6); thence N. 88º59' W. a distance of 142.45 feet along a line parallel to and 30 feet North of said South line of Tract No. Six (6) to the POINT OF BEGINNING.

UNOFFICIAL COPY

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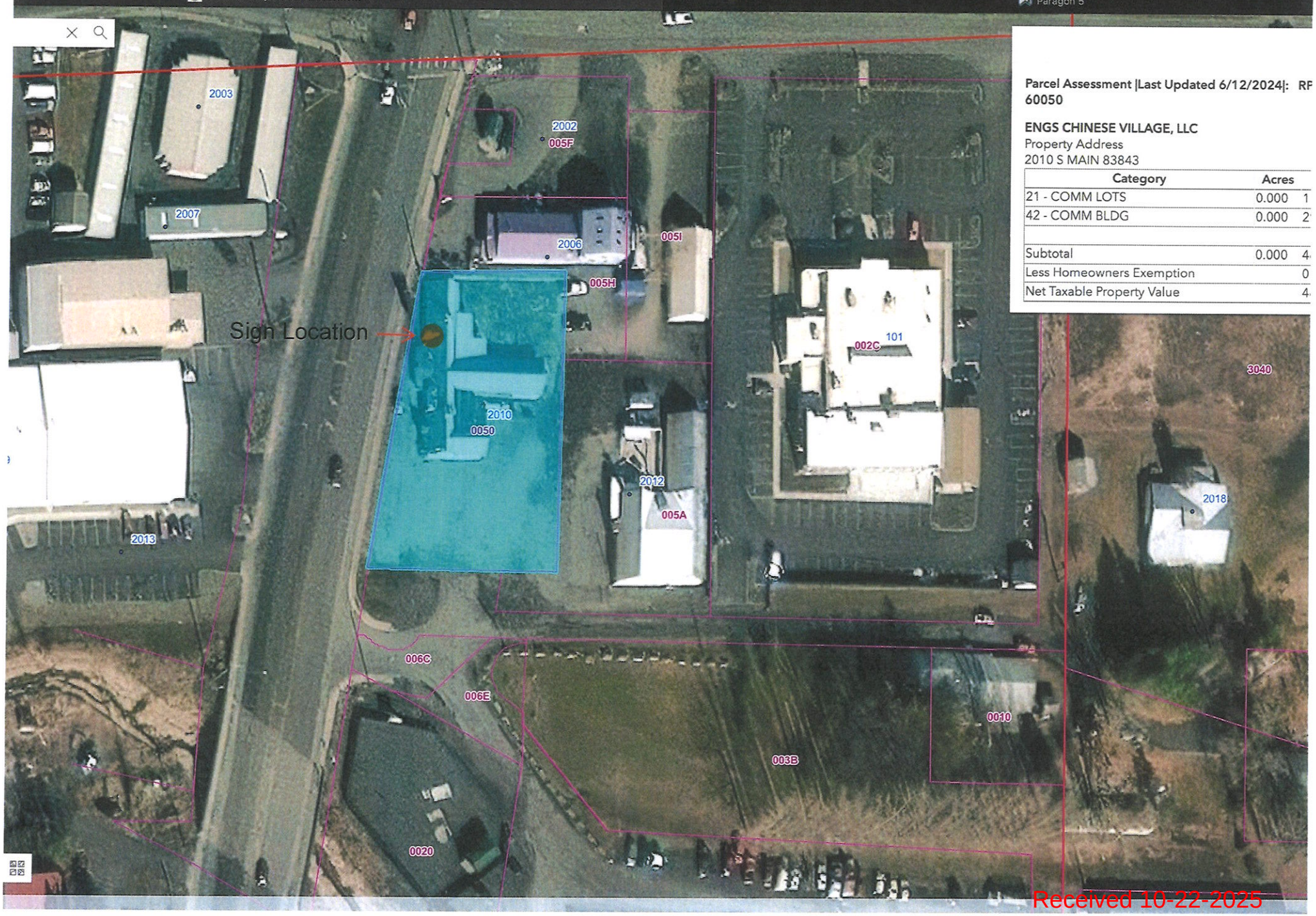
LUP2025-0027

gis.latah.id.us

Latah County Parcel Assessment

Paragon 5



Parcel Assessment |Last Updated 6/12/2024|: RF
60050

ENGS CHINESE VILLAGE, LLC
Property Address
2010 S MAIN 83843

Category	Acres	
21 - COMM LOTS	0.000	1
42 - COMM BLDG	0.000	2
Subtotal	0.000	4
Less Homeowners Exemption		0
Net Taxable Property Value		4

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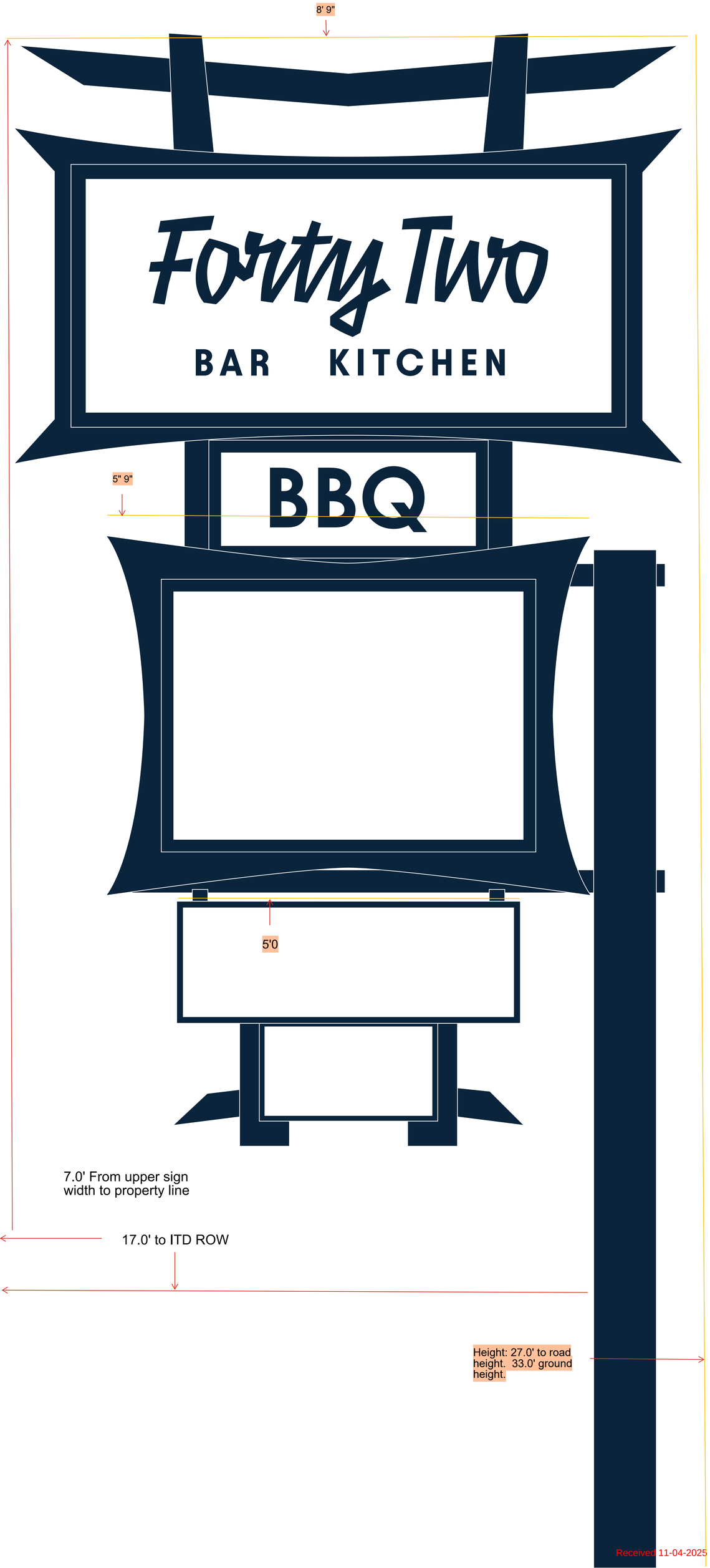
LUP2025-0027
33 Feet
Total
Height
27 Feet
6Ft to Road Height
Received 10-22-2025

LUP2025-0027



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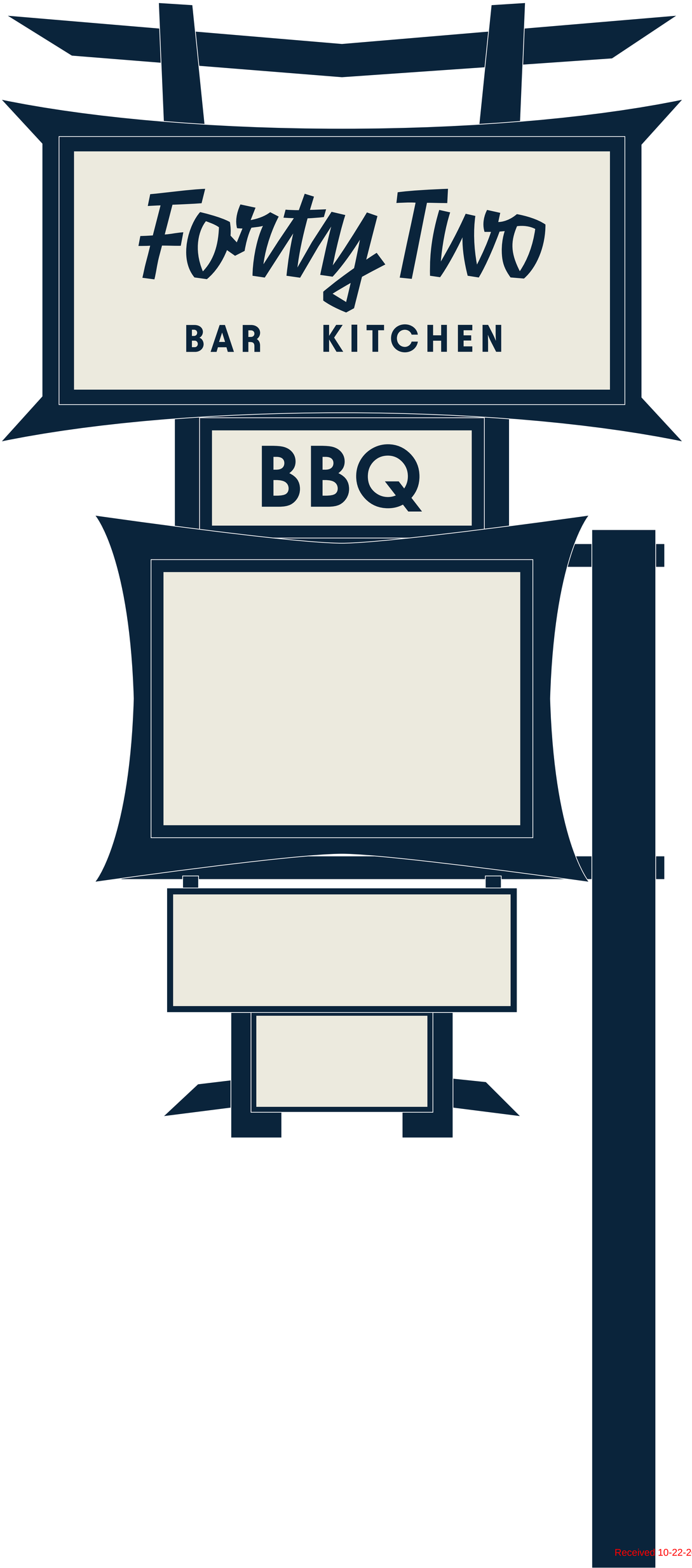
LUP2025-0027



Received 10-22-2025

CITY OF MOSCOW
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

HEARING DATE: Tuesday, December 9, 2025

GENERAL INFORMATION

Hearing Body: Board of Adjustment

Subject: LUP2025-0032 – Conditional Use Permit application for a proposed Fire Station to be relocated into an existing structure located at 427 Troy Road, within the Motor Business (MB) Zoning District, per Moscow City Code 4-3-4.

Attachments:
1. Public Hearing Notice – published in the Moscow-Pullman Daily News on Saturday, November 22, 2025
2. Conditional Use Permit Application and Addendum

Prepared by: Lucy Falcy, Planner 1

STAFF REVIEW

Proposal:
The applicant, Moscow Volunteer Rural Fire District (MVRFD), is proposing to utilize an existing structure, located at 429 Troy Road, as an unmanned fire station to store up to five (5) fire trucks and miscellaneous equipment. The subject property is located within the Motor Business (MB) Zoning District. Fire Stations are categorized as a Public Service and Utility Facility within the Land Use Table in the Zoning Code and are conditionally permitted in the MB Zone.

At the time of a rural fire incident, responders are alerted privately and then respond to the fire station to man the trucks and head to the incident. MVRFD protocol indicates that firetruck sirens and lights are to be used for higher level emergencies but that they "will not respond with sirens until out of the residential area during certain times of the day or night". Staff is recommending that sirens be restricted between the hours of 10:00 p.m. and 7 a.m. within 1,000 feet of the station. The proposed fire station will not have any building sirens.

In addition to storing firetrucks and equipment when not in use, the fire station will house occasional meetings for MVRFD volunteers and be used for bi-weekly truck maintenance checks.

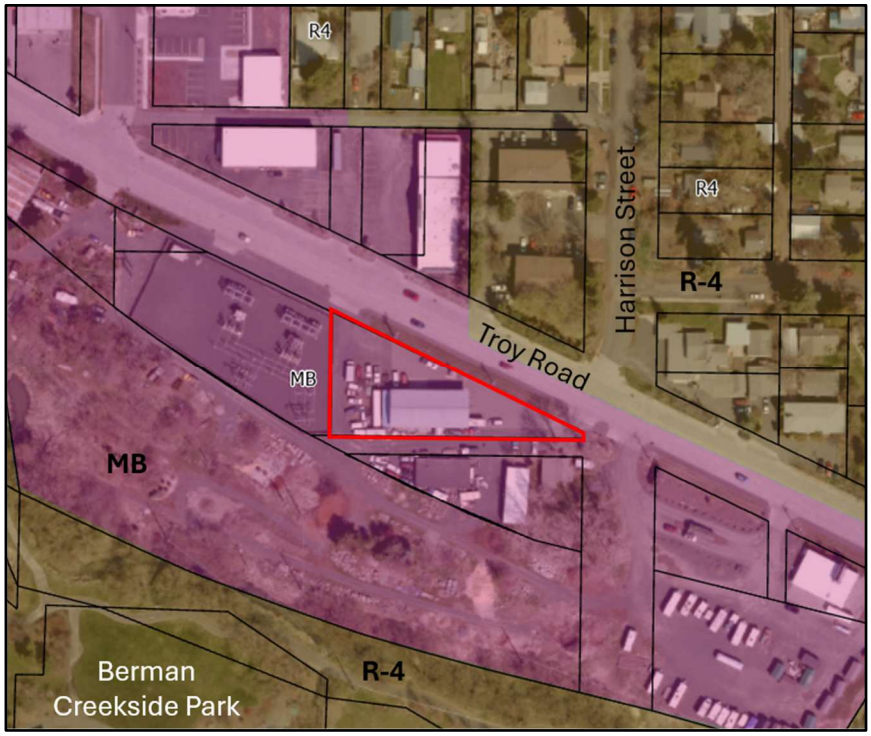
Subject Site

Site and Area Land Use:
The subject property is an approximately 19,900 square foot parcel located 427 Troy Road, immediately west of Harrison Street. It houses a single 3,200 square foot two-story structure that has most recently been used as a second-hand furniture consignment store. The site is currently vacant. The lot is only partially improved with approximately the western third being a gravel lot. There is a single freestanding sign on the site along the Troy Road frontage that appears to be conforming. Any change to this sign will require permits and review.

Adjacent property uses include an electrical substation to the west, a multi-use site to the south which includes a single-family home, a commercial granite counter production facility, and a four bay auto shop. To the east is a drive-through coffee kiosk and a storage shed sale lot. 'Pets Are People Too' pet store is across Highway 8 and immediately to the north of the western half of the lot and north of the eastern half is the Harrison Park Apartments.

Site Aerial

Zoning:
The subject site is located within the Motor Business (MB) Zoning District. Properties to the east, west, south, and northwest are also zoned MB. Properties across the highway to the northeast of the subject site are zoned Multi-Family Residential (R-4).



Zoning Map

MCC 4-3-2 Land Use Table. Uses permitted outright within the MB Zone include a wide variety of commercial, service, manufacturing, and residential uses. The proposed use of

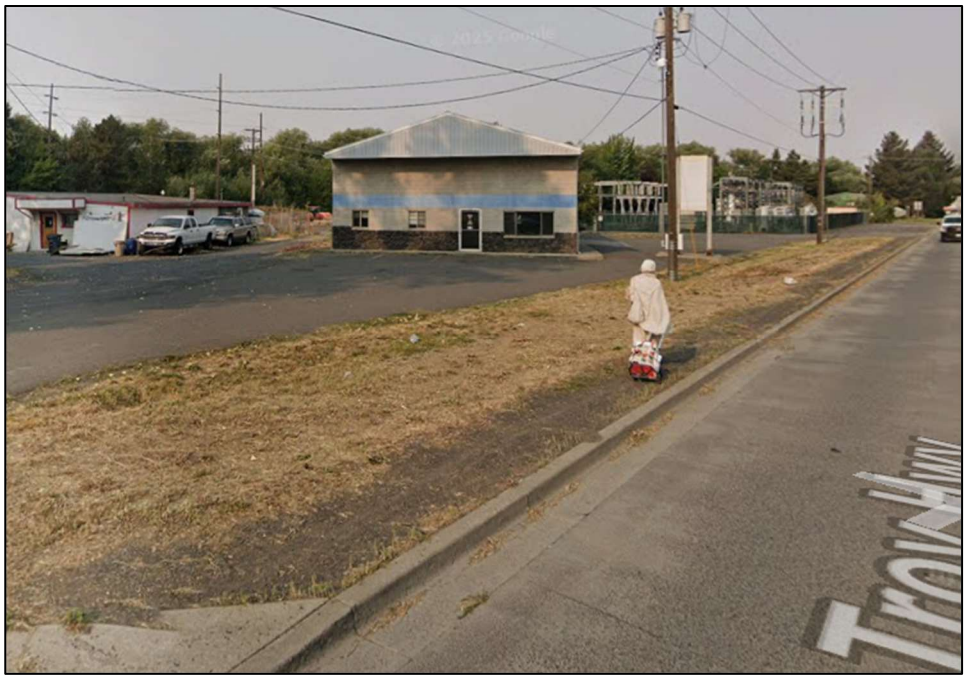
this site as an unmanned fire station is classified in the Moscow Zoning Code as a "Public Service and Utility Facility" This is a conditionally permitted use in the MB Zone.

MCC 4-6-3 Bulk and Placement Regulations Table. The existing structure meets all building size and setback requirements for the MB Zone.

MCC 4-6-3 Off Street Parking Requirements. 'Public Service and Utility Facilities' do not have a parking requirement. This CUP proposal includes five (5) parking spaces, including one (1) accessible space. This exceeds the required minimum parking. Four of these spaces are existing and the change in use will not trigger parking lot landscape requirements.

MCC 4-6-5 Buffer Yard Requirements. Where a property zoned MB is across an arterial from property zoned R-4, an 'A' level landscape buffer is required. This buffer would typically be required to be on-premises and include a variety of trees and shrubs. This requirement applies to approximately the eastern half of the site and would generally come in to play with any building modification to the site or an expansion of the use. Within the right-of-way there is a planter strip approximately fifteen (15) feet wide beneath overhead power lines that is currently in grass.

Staff recommends requiring a vegetative landscape buffer within the right-of-way beneath the overhead power lines as a condition of approval for this CUP request. This buffer shall include small trees as outlined in The City of Moscow Street Tree Selection Guide as well as screening bushes that will reach at least five (5) feet in height at maturity. The landscape buffer is to be comprised of drought-tolerant plantings, shall provide a full visual screen at maturity, and be approved by the Zoning Administrator prior to planting.



Street frontage

Comprehensive Plan:
Chapter 2, Land Use and Community Character, designates the subject property as Auto-Urban Commercial.

According to the Comprehensive Plan, the Auto-Urban Commercial designated areas are intended to:

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

Chapter 3, Community Mobility, identifies Troy Road as a principal arterial street.

Chapter 5, Public Utilities, Services, and Growth Capacity, Subsection 5.9.5 states:
Emergency Service Objective: Plan for and provide the efficient and effective delivery of emergency police and fire protection and emergency medical services to the community today and in the future.

Implementation Actions:

1. *Locate, plan, and maintain emergency service facilities and resources necessary to meet the needs of current and future residents of the community.*
2. *Continue to partner with the Moscow Volunteer Fire Department to ensure that the City maintains or exceeds the existing Class Three ISO rating. See Section 5.6.2, Fire Protection and Emergency Medical Services.*

The proposed use supports the comprehensive plan emergency response objectives. It provides a suitable location for an emergency service. In addition, as the Rural Fire District is currently storing some supplies in Moscow Fire Station 3, the proposed use will allow them to remove their supplies from Fire Station 3 and thereby increase the usable capacity of that station.

Streets, Access and Parking:
The subject site has two driveways off of Troy Road/Highway 8, in both the northwest and northeast corners. The subject site also has full access to the alley directly south of the entire length of the subject site. Traffic to and from the site is expected to decline with the proposed use from levels associated with otherwise permitted commercial uses. The Idaho Transportation Department did not comment on access to or from the site onto Highway 8.

There are four existing striped parking spaces on the eastern edge of the building. The applicants are proposing an additional accessible space located on the north side of the building. This exceeds the required parking.

There are currently no improved sidewalks along the Troy Road frontage. Frontage improvements are typically not required unless the site is increasing its intensity of use. The proposed use is less intense than previous and otherwise permitted commercial uses.

Utilities:
The proposed use will be serviced by existing utilities to the site.

Input from other Departments/Agencies:
Building: This building is changing from a Risk Category 2 to a Risk Category 4. This building will need to be upgraded structurally per Chapter 16 of the IBC. This will be required prior to receiving a certificate of occupancy for the use.

Other Considerations:
None

RELEVANT CRITERIA AND STANDARDS

The following are Staff's comments relating to the criteria required for approval of a Conditional Use Permit. 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.
The proposed use is a conditionally permitted use within the MB Zone.

2. The character of the proposed use (will/will not) be in harmony with the neighborhood and surrounding land uses.
The proposed use will create a decrease in the intensity of the use of the site compared to historical and permitted uses. The recommended condition outlining landscaping requirements will improve the streetscape and screen it from nearby residential 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).
The recommended condition outlining siren restrictions will echo the City's noise source requirements (MCC 10-11-3-A) during nighttime hours and will mitigate the single potential nuisance related to the proposed use.

4. The location, design, and size of the proposed use (will/will not) be adequately served by existing streets, public facilities and services.
The proposed use is a decrease in the intensity of the historical use of the site and the site is adequately serviced by existing streets, facilities, and services.

5. The proposed use (will/will not) endanger the public health or safety if located where proposed.
The proposed use will not endanger the public health or safety.

6. Proposed use (meets/does not meet) all applicable development standards of the Zoning Code.
The proposed use meets all applicable development standards of the Zoning Code.

7. The proposed use (will/will not) be in conflict with the Comprehensive Plan.
The proposed use will not be in conflict with the Comprehensive Plan.

RECOMMENDATION FOR CONDITIONAL USE PERMIT APPLICATION

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 **approval** of the application for a Conditional Use Permit for an unmanned fire station located at 427 Troy Road, subject to the following conditions:

1. The applicant shall install a vegetative screen including small trees and shrubs adjacent to Troy Road and within the public right-of-way.
2. That responding fire vehicles not run sirens between 10:00 p.m. and 7:00 a.m. within 1,000 feet of the station.

The Board of Adjustment's actions are to conduct the public hearing and upon consideration of testimony received:

1. Approve the Conditional Use Permit application; or
2. Approve the Conditional Use Permit application with conditions; or
3. Deny the Conditional Use Permit application; or
4. Take other such action as deemed appropriate.

In accordance with the Board's decision, direct staff to prepare the Relevant Criteria and Standards document.

NOTICE OF PUBLIC HEARING

Proposal for Conditional Use Permit at 427 Troy Road.
Permit Application LUP2025-0032

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

> A Conditional Use Permit application for the use of an existing building as a rural fire station at 427 Troy Road within the Motor-Business (MB) Zoning District per Moscow City Code 4-3-4.

HEARING DATE: Tuesday, December 9, 2025

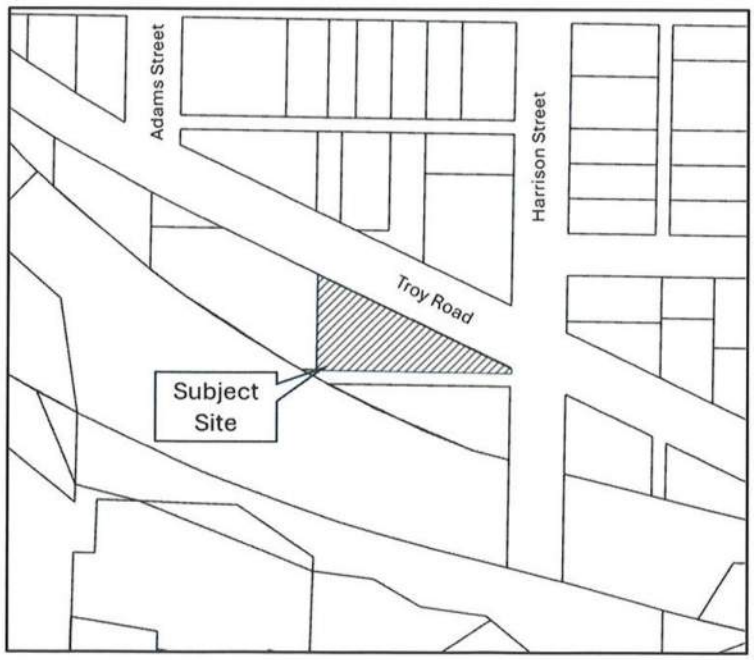
HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

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 late 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 S Washington Street, Moscow, Idaho. Call 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. Public participants desiring to submit textual materials to the decision-making board shall make that submission at least five (5) calendar working days in advance of the scheduled meeting. Materials provided tardy may be admitted for consideration subject to the discretion of the decision-making board. You may obtain further information about the public hearing process and procedures on the City's Website at:

https://www.ci.moscow.id.us/593/Public-Hearing-Notices



Laurie Hopkins, Moscow City Clerk

Jennifer Fleischman, Deputy City Clerk

Published: November 22, 2025

CITY OF MOSCOW
COMMUNITY DEVELOPMENT
Ph: 208-883-7035
504 S. Washington Street
jfleischman@ci.moscow.id.us
lfalcy@ci.moscow.id.us

For City Use Only LUP2025-0032			
Date Received			
Dept	Fee Type	Fees	Paid
CDV	Application Fee	$600.00	
	Receipt Number		

APPLICATION FOR CONDITIONAL USE PERMIT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. **Applicant**

Name: Moscow Rural Fire Dist. Phone: (509) 330-0164

Address: 1201 S. Mountainview Moscow, ID 83843 Email: Clerk.mrfd@gmail.com

Relationship to affected property (please check one):

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

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

Name: North South LLC - c/o Greg Castellaw, Rep Phone: (208) 790-4893 - Greg Castellaw

Address: 701 Riverview Blvd Clarkston, WA 99403 Email: GCastellaw@ckarchitects.com

3. **Location of Affected Property**: 427 Troy Rd. Moscow, ID 83843

If described by Metes and Bounds, please attach deed on a separate sheet. RPM103001 800 4AA

Legal Description: Sunnyside (Subdivision) 18 (Block) 4-8 Including S. Highway (Lot)

INFORMATION ON REQUESTED CONDITIONAL USE

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

The property is an existing building and will primarily be used for housing up to (5) Rural Fire Trucks. The building will also be used to store rural fire fighting additional equipment, such as fire hose, wildland gear and hand tools specific to wildland fire, as well as additional parts for rural trucks

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, driveway(s), fencing, and landscaping. A site topography map shall be provided when appropriate.

Received 11-13-2025

5. **Authorization**: Section 3 of the Moscow Zoning 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 the proposed use may have.

The building will be used to store up to (5) rural fire trucks for the Moscow Volunteer Rural Fire District (MVRFD). Members of MVRFD will respond to this future location to pick up rural fire trucks deemed necessary for rural fire calls when dispatched for rural fire incidents or mutual aid calls to surrounding area's. → next page

7. Before the Board of Adjustment may issue a Conditional Use Permit, the Board of Adjustment must first make findings of compliance with the following seven **Relevant Criteria and Standards.** Please describe in the spaces provided below how your requested Conditional Use is in compliance with each of the relevant criteria and standards.

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

This area where building is located is zoned Motor business. The building will be used to house rural fire trucks for MVRFD. Any trucks will be leaving and returning to the building on rural fire responses for our rural district. Road test of trucks and very limited business will also be conducted at this building for rural members

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

Traffic to and from this building will vary. This depends on the time of year, with Summer months being higher due to the increase of wildland fires with dry weather and other factors. No extra vehicles or equipment will be stored outside of building. Only vehicles parked outside should be of rural members responding to fire and have a fire dept plate

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).

Building will be used to house our rural fire trucks for MVRFD. When trucks are responding from the building, our rural members will make every possible effort to respond to rural calls so that any extreme noise, sirens and flashing emergency lights are not used per incident protocols until away from the station. The rural fire trucks are larger vehicles, but we do our best to limit any vibration and odors when trucks leave the rural stations. We anticipate having minimal impact on most of the neighboring properties zoned for this area

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6. Operating Characteristics (continued):

Rural members also are required to do weekly truck checks on rural fire trucks. This station will be unmanned and no fire fighters will be on the premis is on a regular schedule. There will be no deliveries to this address of any kind.

Fire equipment will be stored indoors and the only vehicles parked outside of the building will be rural fire members that are responding to rural incidents. No long term parking will be allowed, as most rural firefighters sent for longer assignments for another agency would park at our Rural fire Station on Mountain View. Rural fire responses from this building will follow the National Emergency Response Protocol Codes, as well as MV RFD written policies and procedures outlining how members are to respond with rural trucks to different types of incidents. There are only certain types of incidents that members of the rural fire are to respond with rural trucks using lights and sirens. When rural trucks are responding from the station to head towards scene, rural members are to use lights, but no sirens if it is late night or early morning hours. This type of response should only be used when absolutely necessary when traffic on roads to avoid possible accidents when leaving the station to make travel of rural trucks safe for public to an incident.

Received 11-13-2025

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

Location of the building is ideal for the rural fire department, as it is on the main highway with large entry and exit to property. The building is sufficient to house larger rural fire trucks. MVRFD will house rural fire truck and wildland fire equipment at this building. All other rural trucks and equipment will remain at the main rural Station

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

Building & Property Proposed use for housing rural fire trucks and additional wildland fire fighter gear, hand tools and fire hose should not endanger publics health or safety. There will be no dangerous chemicals or surplus fuels stored at this site. The only possible hazzard for this building is fuel in rural fire trucks, which is gas or diesel

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

The building is a pre-existing structure. Rural Fire Department has no current plans to do any major building improvements or remodels to structure. This building should still fall under City of Moscow - Current motor business standards.

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

At the current time, this building will remain unchanged as far as the structure. The Rural Fire District plans to make only minor improvements to paint and other repairs to make the building aesthetically pleasing for our community. It is also now part of the Moscow Volunteer Rural Fire District, which needs to represent our organization.

CONDITIONS OF APPROVAL

The Board of Adjustment, pursuant to Moscow City Code Title 4, Chapter 8, Sec. 8-4.D., 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.

Received 11-13-2025

COMPLIANCE

1. In the event of failure to comply with the plans approved 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 of Adjustment 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 of Adjustment. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board of Adjustment 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 (1) 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 Community Development Department at least twenty-one (21) days prior to the hearing at which the application is to be considered by the Board of Adjustment. Applicant will be notified by the City Planner I as to the time, date, and place of the hearing pertaining to this application.

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

1. Application Fee
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. I declare and certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct and that I have legal authority to submit this Application.

Dari R Ely Rural fire Commissioner 11/13/25

Signature of Applicant Date

Signature of Property Owner (if different) Date

Received 11-13-2025

COMPLIANCE

1. In the event of failure to comply with the plans approved 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 of Adjustment 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 of Adjustment. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board of Adjustment 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 (1) 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.

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Signature of Applicant _____ Date _____

Signature of Property Owner (if different) _____ Date 11/12/2025

Received 11-13-2025

Jennifer Fleischman

From: Andy Kaus <clerk.mrfd@gmail.com>
Sent: Friday, November 28, 2025 1:42 PM
To: Lucy Falcy
Cc: Jennifer Fleischman; Darin Ery; Devon McKinney; Monte; Bret Carpenter
Subject: Re: 427 Troy Road CUP Information

Follow Up Flag: Follow up
Flag Status: Flagged

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.

Lucy, here is the answers to the questions concerning hours and response. It may have gotten lost in the emails concerning the property. To my knowledge, no one in the organization will be utilizing the 'office' space in the building.

AK

Hi Lucy here are answers to the questions you have.

(1) The initial plan for this building is primarily a storage for up to 5 fire apparatus. We have a policy that states that Rural fire members will do bi-weekly truck checks to make sure apparatus is in road worthy and fire activity condition. The amount of vehicles that will be at that property on any given time will vary on the amount of fire vehicles in quarters, i would estimate if we have 5 vehicles in the building there could be up to 5 vehicles in the parking lot if by chance everyone is doing their truck check at the same time. The truck checks can take up to two hours to do on a extreme basis that includes a road test of the assigned truck.

(2) The anticipated traffic to and from building will be light, mostly traffic from members doing their bi-weekly truck checks. Most truck traffic will be due to members taking apparatus on drives as part of their checks. In some cases we have probationary members that are following regular members through the truck check process so vehicles will be parked in assigned stalls and any overflow parking would be parked on the west side of the building.

This is standard incident response protocol that is our guide.

A- Alpha: low non life threatening No lights or sirens.

B- Bravo: Mid level. Non life threateningLights and sirens.

C- Charlie: potentially life threatening lights and sirens response.

Received 11-28-2025

D- Delta: lights and sirens response , life threatening major incident.

E- Echo: Lights and sirens response highest level major response.

It will be our policy that we will not respond with sirens until out of the residential area during certain times of day and night.

On Tue, Nov 18, 2025 at 10:58 AM Lucy Falcy <lfalcy@ci.moscow.id.us> wrote:

Hello,

I am sending ahead the additional information that I am requesting for the CUP for the proposed fire station at 429 Troy Road. It is my understanding that you wish to get this reviewed by the Board of Adjustment as soon as possible. Providing this information as soon as possible will help in this goal.

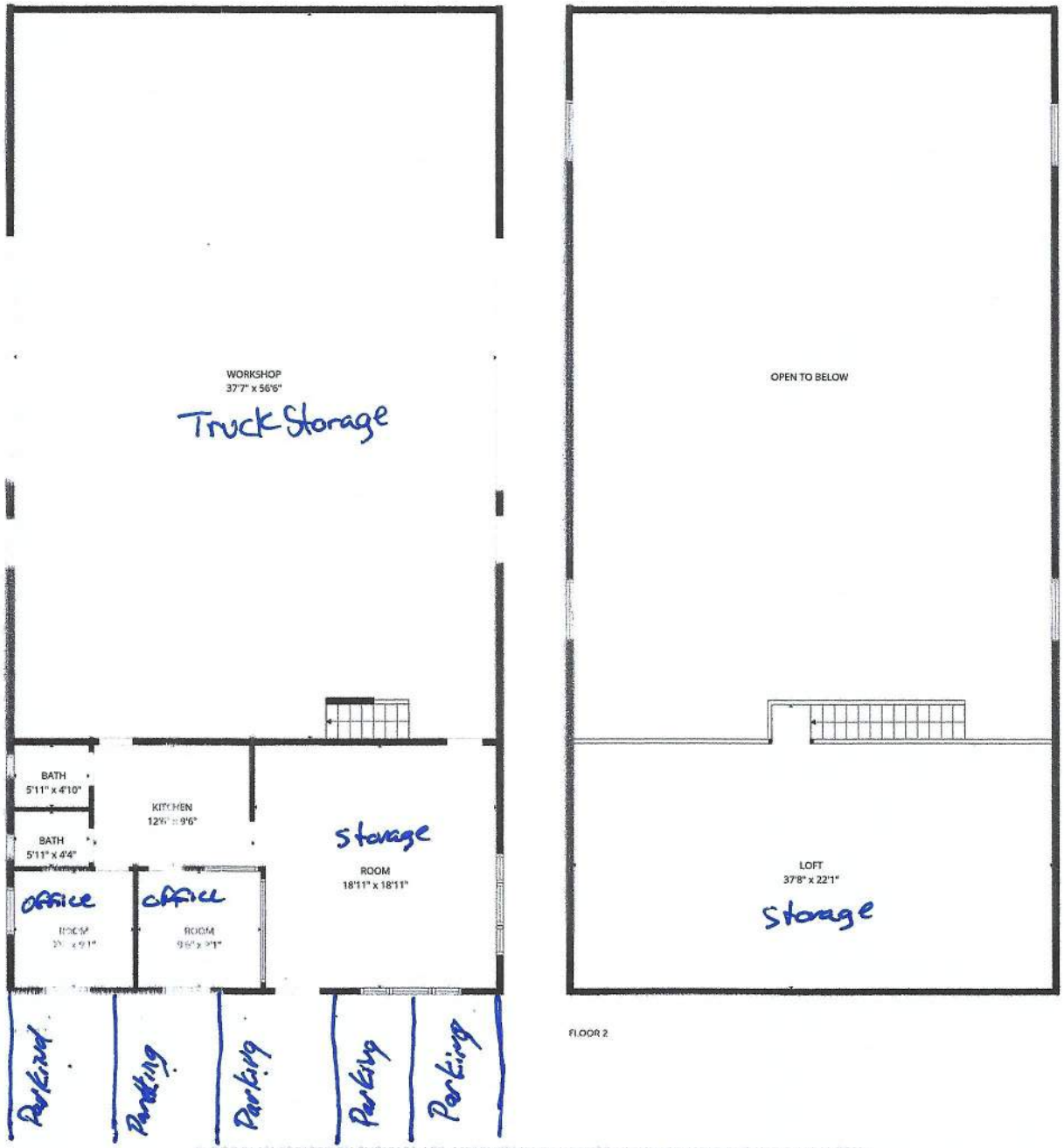
Please provide the following information:

Hours/week staff on-site for truck maintenance.
Quantification of 'very limited business' conducted at the building.
Anticipated vehicle traffic pattern on-site.
Matching parking maps along with rationale for proposed parking (e.g. how many responders if all 5 trucks out).
ADA path to sidewalk on site plan.
Relevant incident protocols outlining standards for lights and sirens.

Please do not hesitate to call if you have any questions.

Lucy Falcy
Planner 1
Community Development
City of Moscow
208-883-7095
lfalcy@ci.moscow.id.us

Received 11-28-2025

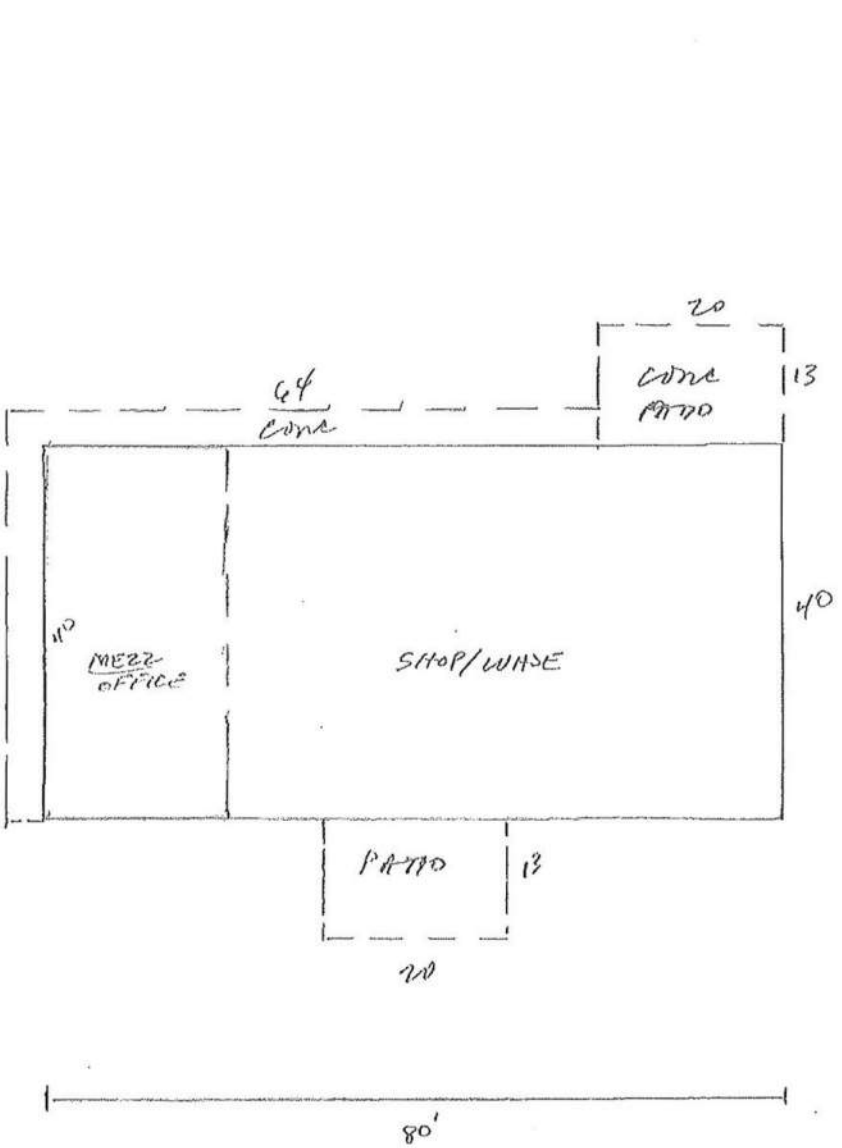


FLOOR PLAN CREATED BY CUBICASA APP. MEASUREMENTS DEEMED HIGHLY RELIABLE BUT NOT GUARANTEED.

Received 11-13-2025

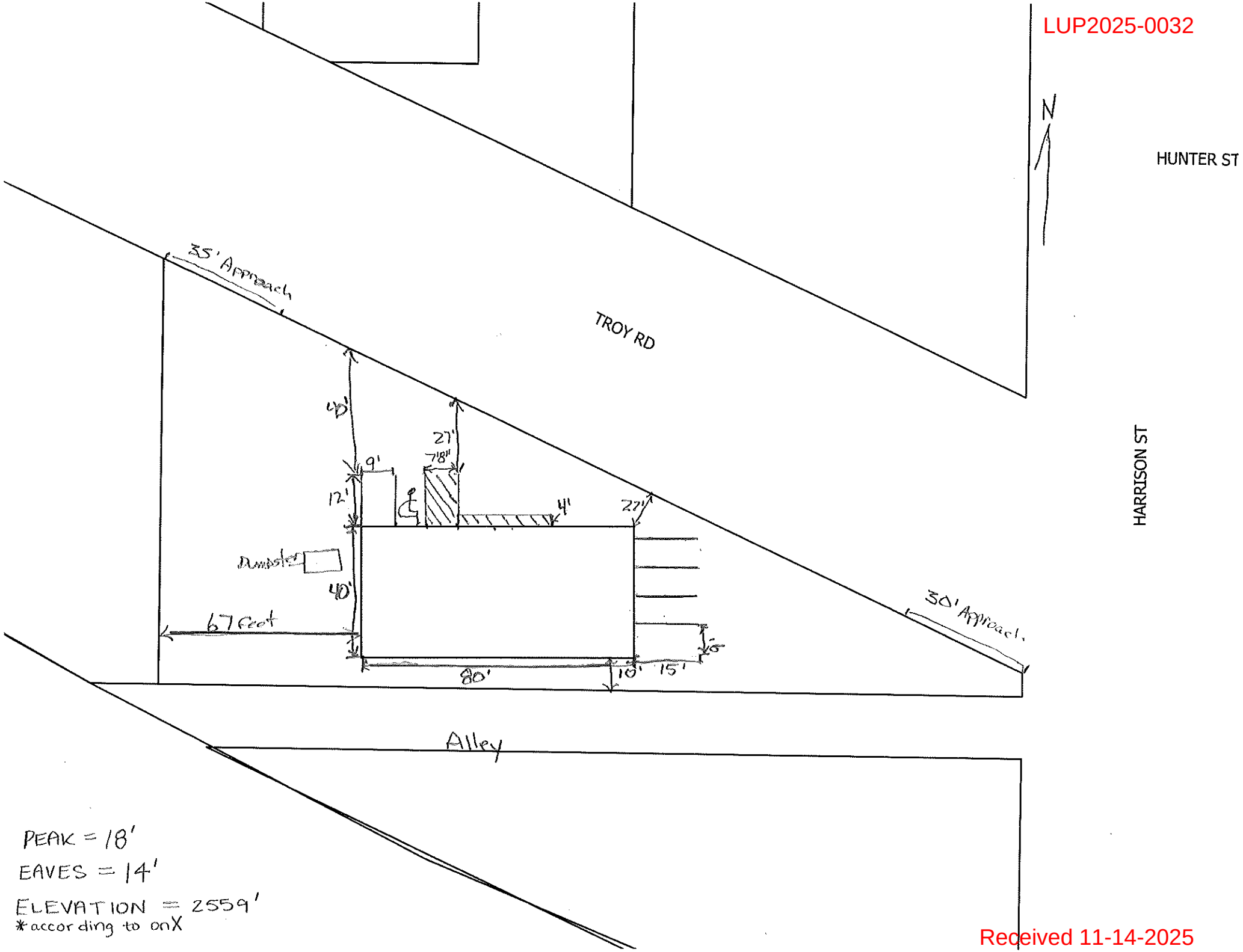
				YR BUILD TYPE	DIMENSIONS		AREA
		A				D	
		B				E	
		C				F	

LOT AND BUILDING DIAGRAM — AREA COMPUTATION



Received 11-13-2025

LUP2025-0032



PEAK = 18'

EAVES = 14'

ELEVATION = 2559'

*according to onX

Received 11-14-2025

LUP2025-0032

Received 11-13-2025

Received 11-14-2025

Received 11-14-2025

Received 11-14-2025

Received 11-14-2025

Received 11-14-2025

Received 11-14-2025

LUP2025-0032

approximate lines 427 Troy Rd

November 1, 2025

Parcel Boundaries

Cadastral Data - Townships

Cadastral Data - Sections

Address Points

Moscow

Surface Transportation

CITY

STATE HIGHWAY

1:1,128

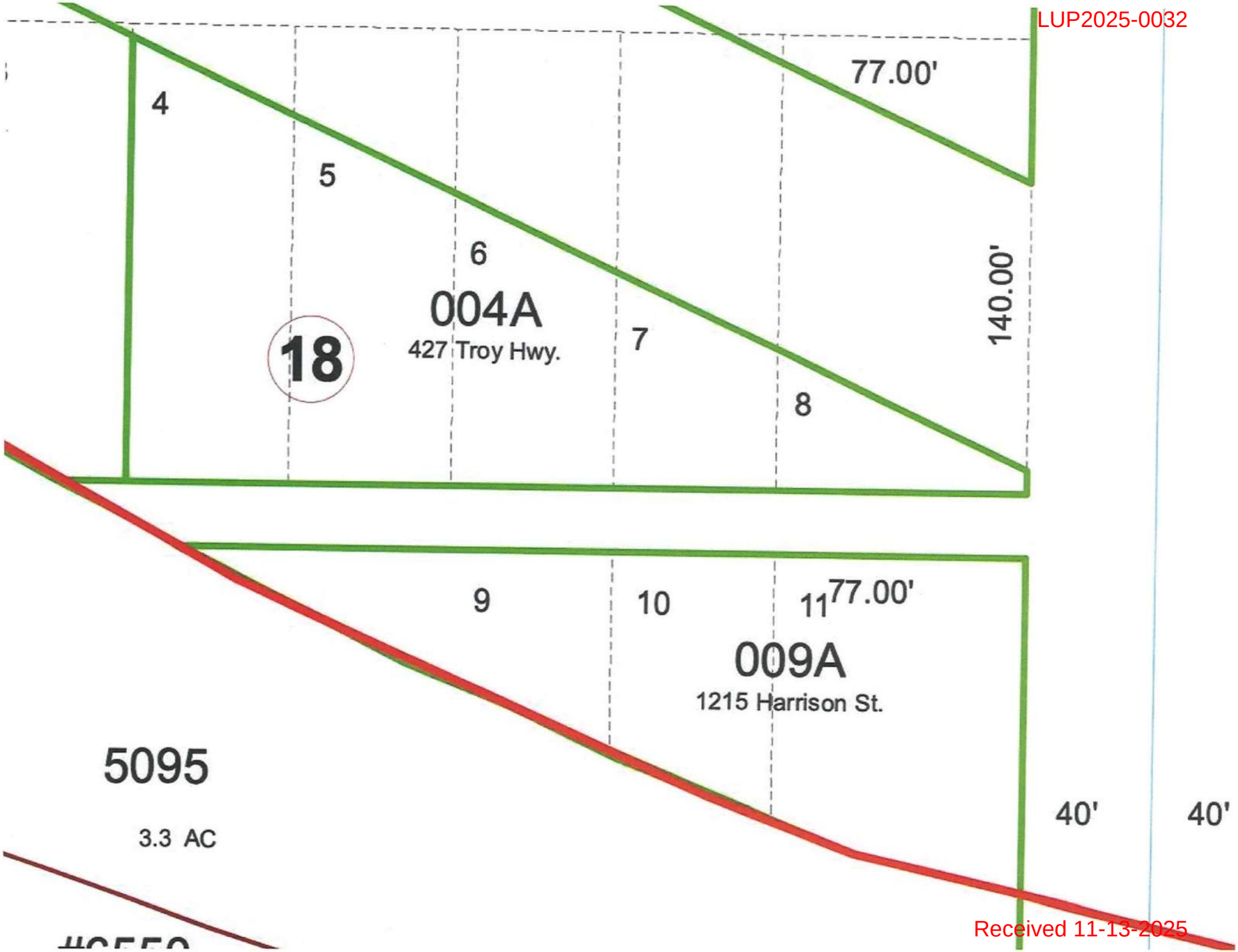
0 0.01 0.01 0.02 mi

0 0.01 0.02 0.04 km

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

Received 11-13-2025

LUP2025-0032

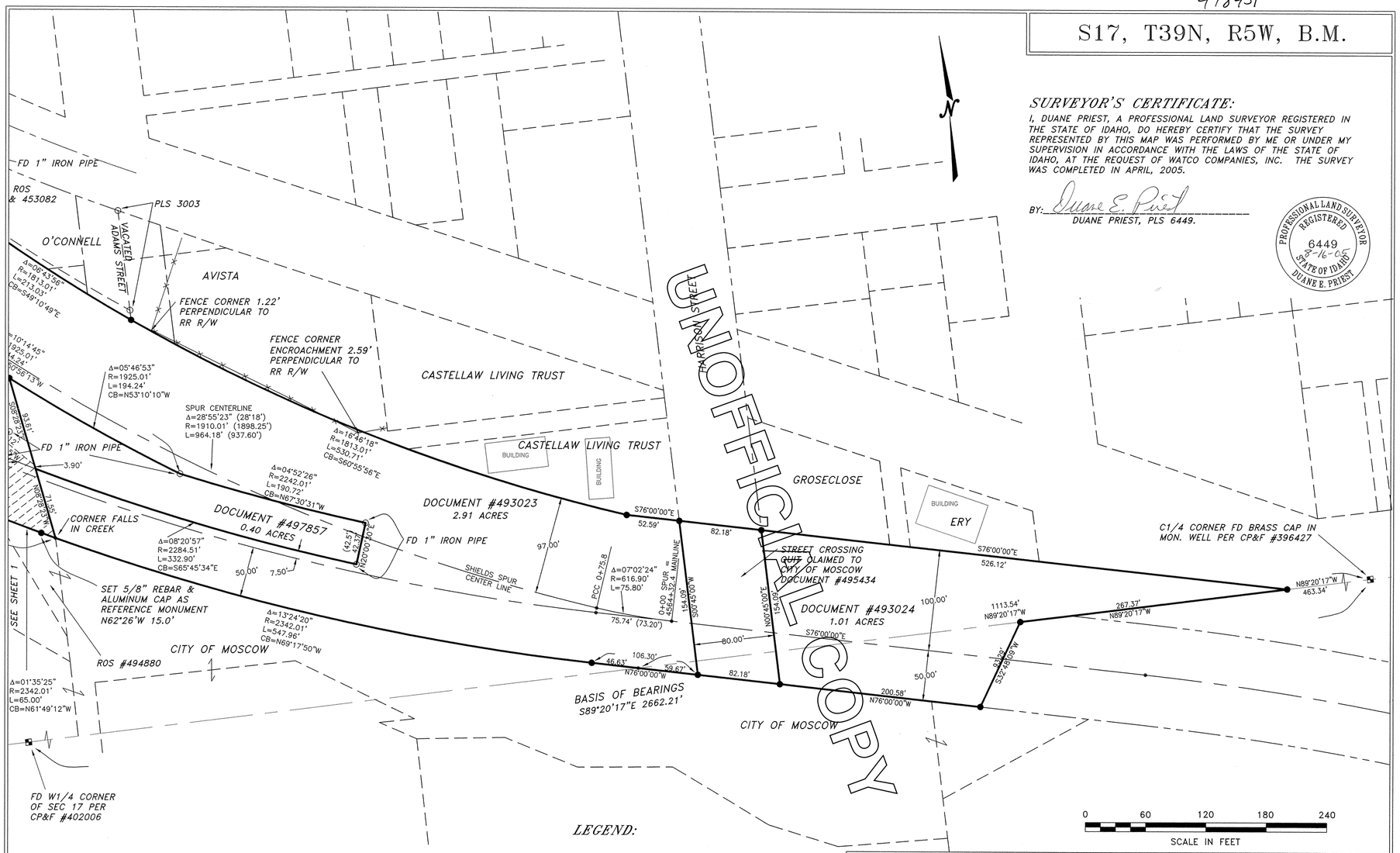


Received 11-13-2025

LUP0225-0032

498451

S17, T39N, R5W, B.M.



UNOFFICIAL COPY

SURVEYOR'S CERTIFICATE:

I, DUANE PRIEST, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS MAP WAS PERFORMED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO, AT THE REQUEST OF WATCO COMPANIES, INC. THE SURVEY WAS COMPLETED IN APRIL, 2005.

BY: Duane E. Priest
DUANE PRIEST, PLS 6449.

PROFESSIONAL LAND SURVEYOR REGISTERED 6449 8-16-05 STATE OF IDAHO DUANE E. PRIEST

NOTES:

THE SPUR CENTERLINE CURVE INFO SHOWN ON THE RIGHT OF WAY MAPS DID NOT MATCH CONDITIONS ON THE GROUND AND IS DIFFERENT THAN THE EXISTING SURVEYS RECORDED UNDER DOCUMENT NUMBERS 344004 & 445899. I CHOSE TO USE THE DATA FROM THE EXISTING SURVEYS TO REPRESENT SURVEY LOCATIONS OF IMPROVEMENTS, MONUMENTS, AND RECORD DIMENSIONS.

LEGEND:

- ● SET 5/8"x 24" REBAR WITH CAP MARKED PLS 6449.
- ◙ SET 1" BRASS CAP IN CONCRETE MARKED PLS 6449.
- ○ FOUND 5/8" REBAR OR AS NOTED.
- ⊠ SECTION OR 1/4 SECTION CORNER AS NOTED.
- • COMPUTED POSITION, NOTHING SET.
- CP&F CORNER PERPETUATION AND FILING RECORD.
- ( ) RECORD DISTANCE PER DEEDS.
- ×—×—× EXISTING FENCES.

RECORDERS CERTIFICATE

INSTRUMENT NO. 498451
FILED AT THE REQUEST OF: DUANE E. PRIEST
DATE AND HOUR: 8-16-05 4:28 pm
LATAH COUNTY RECORDER: SUSAN PETERSEN
BY: S Bryson
FEE: $10.00

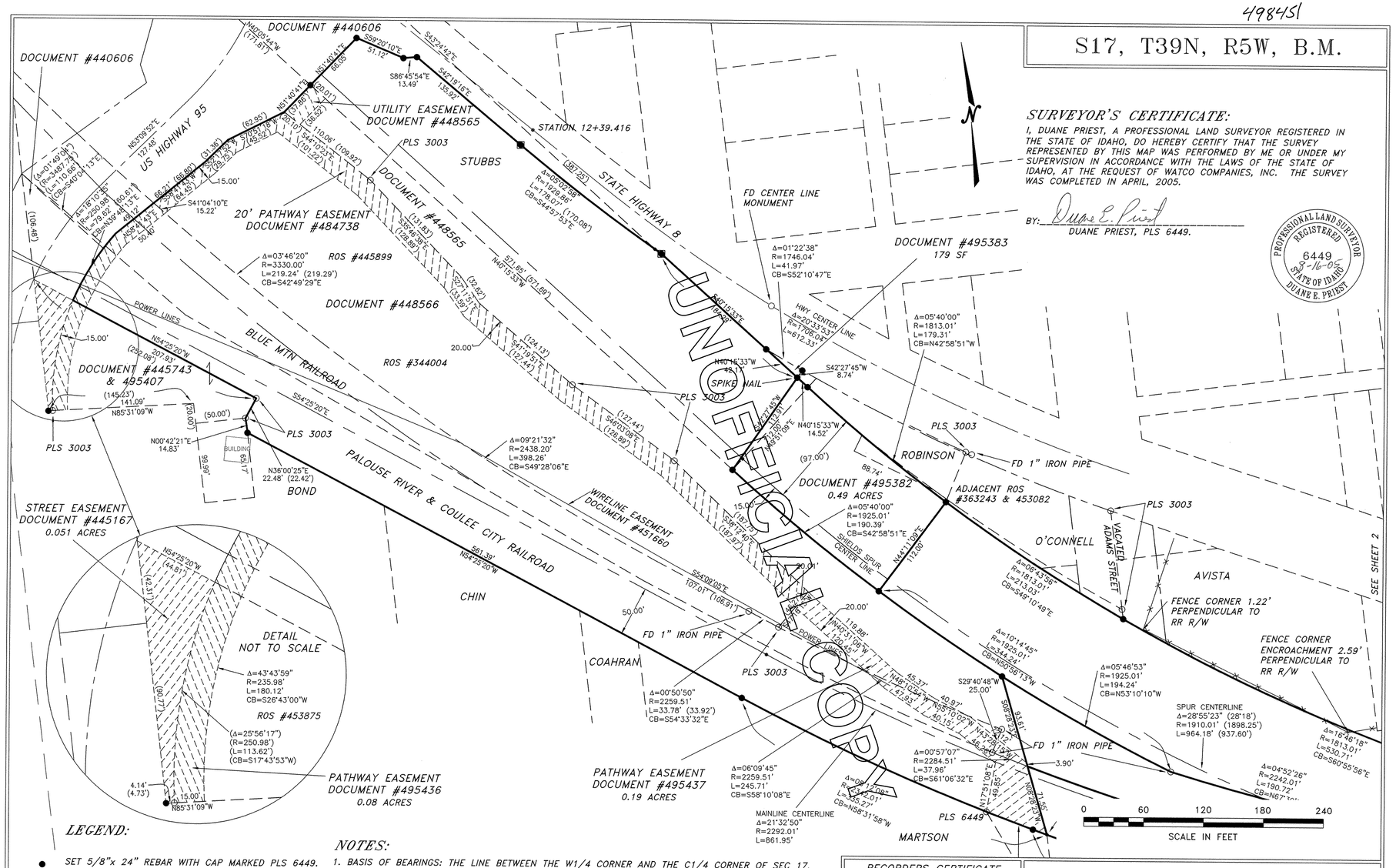
Record of Survey for WATCO COMPANIES, INC. within the W1/2 of S17, T39N, R5W, B.M. Latah County, Idaho

DATE: 8/2005	GEOGRAPHIC MAPPING CONSULTANTS INC. (208) 883-4309 MOSCOW, IDAHO 83843	JOB NO.: 3905_WATCO
DRAWN BY: B.B.		DRAWING NO.:
CHECKED BY: D.E.P.		SHEET 2 OF 2

Received 11-13-2025

498451

S17, T39N, R5W, B.M.



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BY: Duane E. Priest
DUANE PRIEST, PLS 6449.

PROFESSIONAL LAND SURVEYOR REGISTERED 6449 8-16-05 STATE OF IDAHO DUANE E. PRIEST

LEGEND:

- ● SET 5/8"x 24" REBAR WITH CAP MARKED PLS 6449.
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- • COMPUTED POSITION, NOTHING SET.
- CP&F CORNER PERPETUATION AND FILING RECORD.
- ( ) RECORD DISTANCE PER DEEDS.
- —×—×— EXISTING FENCES.

NOTES:

1. BASIS OF BEARINGS: THE LINE BETWEEN THE W1/4 CORNER AND THE C1/4 CORNER OF SEC 17, T39N, R5W, BEING S89°20'17"E.

2. THE PURPOSE OF THIS SURVEY WAS TO LOCATE AND MONUMENT THE PALOUSE RIVER & COULEE CITY RAILROAD RIGHT OF WAY BETWEEN HIGHWAY 95 AND STYNER AVE.

3. THE RAILROAD RIGHT OF WAYS WERE DETERMINED BY LOCATING THE CENTERLINE OF THE PALOUSE RIVER AND COULEE CITY RAILROAD MAIN LINE (THE SOUTHERLY TRACK) FROM WEST OF PERIMETER DRIVE TO EAST OF STYNER. THE GEOMETRY SHOWN ON THE RIGHT OF WAY MAPS WAS USED TO COMPUTE THE FINAL BOUNDARIES. ADJACENT SURVEYS WERE LOCATED TO CONFIRM BOUNDARY LOCATIONS. THE RIGHT OF WAY MAPS FOR EACH RAILROAD WERE DIFFERENT BY ONE (1) FOOT IN THE TANGENT LOCATION SOUTH OF THIRD STREET. I USED THE DIMENSIONS SHOWN ON THE NORTHERN PACIFIC RAILROAD MAPS WHICH AGREED WITH THE FIELD LOCATIONS.

RECORDERS CERTIFICATE
INSTRUMENT NO. 498451
FILED AT THE REQUEST OF:
DATE AND HOUR:
LATAH COUNTY RECORDER:
BY:
FEE: $

Record of Survey for WATCO COMPANIES, INC. within the W1/2 of SEC. 17, T39N, R5W, B.M. Latah County, Idaho

DATE: 8/2005	GEOGRAPHIC MAPPING CONSULTANTS INC. (208) 883-4309 MOSCOW, IDAHO 83843	JOB NO.: 3905_WATCO
DRAWN BY: B.B.		DRAWING NO.:
CHECKED BY: D.E.P.		SHEET 1 OF 2