

PLANNING & ZONING COMMISSION



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

Regular Meeting
~Agenda~

Michael Ray
Staff Liaison
208.883.7008

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

Wednesday
March 11, 2026

7:00 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. Approval of Minutes from February 11, 2026 (ACTION ITEM)

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

2. Public Comment

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

3. Duplex Code Amendment Ordinance (ACTION ITEM)

Over the past few years, the Community Development Department has received construction plans for duplex dwellings which have continued to evolve into multiple individual dwelling units intended to be rented as separate dwelling units and function as multiple family dwelling units. These two-family dwellings appear to be intentionally designed to avoid life safety, ADA accessibility, and off-street parking that would otherwise be required for multiple family dwelling units to protect the safety and welfare of the occupants of multi-family dwellings and mitigate the impacts of the use on the surrounding neighborhood. Staff recognize that there is a need for additional housing within the City, but the need to protect the safety of the residents of these two-family dwellings and mitigate the impact upon adjacent properties requires greater regulation. Therefore, staff proposes some code amendments for the Commission's consideration that will clarify existing definitions and apply some multi-family requirements to more than one single- or two-family dwelling upon a single lot.

PROPOSED ACTIONS: Review the proposed draft ordinance and provide Staff with further direction as deemed necessary.

REPORTS

1. Transportation Commission meeting report.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Planning & Zoning Commission regular meeting is scheduled for March 25, 2026.

ADJOURN

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

PLANNING & ZONING COMMISSION



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

Regular Meeting
~Minutes~

Mike Ray
Staff Liaison
208.883.7008

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

Wednesday
February 11, 2026

7:00 PM

Council Chambers
206 E. Third Street

Wilson called the meeting to order at 6:59 PM

MEMBERS PRESENT: Dennis Wilson, Chair; Rich Beebe, Scott Gropp, Joel Hamilton, Sue Scott, Victoria Seever
MEMBERS ABSENT: Cole Mize, Nels Reese
OTHERS: Evan Holmes, Sage McCetich
STAFF: Jennifer Fleischman, Mike Ray

REGULAR AGENDA

1. Approval of Minutes from January 28, 2026 (ACTION ITEM)

Gropp moved for approval of the minutes as written, seconded by Beebe. Roll Call Vote; Ayes: Unanimous (6). Nays: None. Abstentions: None. Motion carried.

2. Public Comment

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

None offered.

3. Accessory Dwelling Unit (ADU) Utilization and Trend Report (ACTION ITEM)

Staff will present a report on the utilization of ADUs in Moscow and any apparent trends since they were first allowed in 2015.

Ray provided a brief presentation on the history, regulations, and types of ADU's in Moscow. ADUs have a maximum size of 40% of the total size of the primary residence, or up to 600 sq ft. The Commission commented that ADUs seem to be growing in popularity since they were included in Zoning Code.

4. Potential Duplex Code Amendments (ACTION ITEM)

Over the past few years, the Community Development Department has received construction plans for duplex dwellings which have continued to evolve into multiple individual dwelling units intended to be rented as separate dwelling units and function as multiple family dwelling units. These two-family dwellings appear to be intentionally designed to avoid life safety, ADA accessibility, and off-street parking that would otherwise be required for multiple family dwelling units to protect the safety and welfare of the occupants of multi-family dwellings and mitigate the impacts of the use on the surrounding neighborhood. Staff recognize that there is a need for additional housing within the City, but the need to protect the safety of the residents of these two-family dwellings and mitigate the impact upon adjacent properties requires greater regulation. Therefore, staff proposes some code amendments for the Commission's consideration that will clarify existing definitions and apply some multi-family requirements to more than one single- or two-family dwelling upon a single lot.

Ray presented the final draft code amendment ordinance regarding duplexes as described above, with some modifications as provided by the discussion with Commissioners from the last meeting. The proposed code changes would not apply to already approved PUD's (Planned Unit Development), but new proposed PUDs could request some modifications within the standard application process. Staff reviewed the impact of the proposed amendments to parking calculations and bedroom calculations as well.

The Commissioners reaffirmed the purpose of the proposed amendment was to address life safety concerns with the least amount of impact on typical developer plans. Staff and the Commission does not want to restrict washer and dryer sets to any particular room type, to allow for more flexibility in development. There was a conversation about the functional open space requirement that is proposed to be in the amendment.

REPORTS

1. Transportation Commission meeting report.

The meeting of the Transportation Commission scheduled for Thursday February 12th was cancelled.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Planning & Zoning Commission regular meeting scheduled for February 25, 2026, will be cancelled. The next meeting will take place on March 11, 2026.

The meeting was adjourned at 7:29 PM

Dennis Wilson, Chair

Date

ORDINANCE NO. 2026 - __

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 4, CHAPTER 1, SECTION 1-6, DEFINITIONS; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 4, CHAPTER 4, SECTION 4-2, BULK AND PLACEMENT REGULATIONS TABLE; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 4, CHAPTER 6, SECTION 6-2, OFF-STREET PARKING REQUIREMENTS; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City has received building permits for the construction of buildings that are portrayed as two-family dwellings, but which appear to contain multiple individual dwelling units intended to be rented as separate dwelling units and function as multiple family dwelling units; and

WHEREAS, these multi-family-like two-family dwellings appear to be intentionally intended to avoid life safety, ADA accessibility, and off-street parking that would otherwise be required for multiple family dwelling units to protect the safety and welfare of the occupants of multi-family dwellings and mitigate the impacts of the use upon the surrounding neighborhood; and

WHEREAS, the City recognizes that there is a need for additional housing within the City, but finds that the need to protect the safety of the residents of these multi-family-like two family dwellings and the need to mitigate their impact upon adjacent properties requires greater regulation; and

WHEREAS, the City has identified the need to mitigate the immediate impact upon the surrounding neighborhoods by amending certain definitions, ensuring there is adequate open space, and requiring sufficient parking to serve each development.

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

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

SECTION 2: That Title 4, Chapter 1, Section 1-6 of the Moscow City Code be, and the same is hereby amended to read as follows:

...

Sec. 1-6. Definitions.

For the purpose of this Zoning Code, certain words and terms used herein are defined as follows:

- A. All words used in the present tense include the future tense; all words in the plural number include the singular number, and all words in the singular number include plural number; unless the natural construction of the wording indicates otherwise. The word "lot" includes the word "plot"; the word "building" includes the word "structure"; and the word "shall" is mandatory and not directory. The word "used" shall be deemed also to include "designed, intended or arranged to be used."
- B. Where applicable, uses have been named and defined using the 2012 North American Industry Classification System (NAICS) which is the standard used by the Federal government in classifying business establishments. The uses that are defined by NAICS will have an associated NAICS code in parenthesis following the named use (i.e., Bowling Centers (NAICS 713950)). In many cases, this Code has used an abbreviated definition, which is further defined using the 2012 NAICS Manual that is published on the United States Census Bureau website. Many NAICS subsectors include multiple industries that are included within the subsector. In some circumstances, certain industries have specifically been excluded from subsectors because of incompatibility with certain zoning districts.
- C. Unless otherwise specified, all distances shall be measured horizontally.
- D. Definitions used herein:
1. *Accessory Dwelling Unit.* A secondary dwelling unit that is accessory to a single family dwelling on a single lot, containing complete housekeeping facilities and which is added to, created within, or detached from the principal dwelling unit and subject to the Specific Use Standards of this Code.
 2. *Accessory Use.* A minor or second use for which a lot, structure or building is designed or employed in conjunction with but subordinate to its primary use. The term is synonymous with "secondary use."
 3. *Affected Person.* A person who shows to the City, by a preponderance of evidence, that such person has an interest which may be adversely affected by the issuance or denial of a permit authorizing development or by a decision of the City.
 4. *Agencies, Brokerages and Other Insurance Related Activities (NAICS 5242).* Establishments primarily engaged in (1) acting as agents (i.e., brokers) in selling annuities and insurance policies; or (2) providing other employee benefits and insurance related services, such as claims adjustment and third party administration.
 5. *Agriculture, Animal Production and Aquaculture (NAICS 112).* Establishments that raise or fatten animals for the sale of animals or animal products and/or raise aquatic plants and animals in controlled or selected aquatic environments for the sale of aquatic plants, animals, or their products.
 6. *Agriculture, Crop Production (NAICS 111).* Establishments such as farms, orchards, groves, greenhouses, and nurseries, primarily engaged in growing crops, plants, vines, or trees and their seeds.
 7. *Alley.* A passageway open to public travel which affords generally a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation.
 8. *Alterations.* A change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the sides or increasing the height or depth, or the moving from one (1) location to another. In buildings for business, commercial,

- industrial or similar uses, the installation or rearrangement of partitions affecting more than one-third (1/3) of a single floor area shall be considered an alteration.
9. *Animal Slaughtering and Processing (NAICS 31161)*. Establishments primarily engaged in one (1) or more of the following: (1) slaughtering animals; (2) preparing processed meats and meat byproducts; and (3) rendering and/or refining animal fat, bones, and meat scraps. This industry includes establishments primarily engaged in assembly cutting and packing of meats (i.e., boxed meats) from purchased carcasses.
 10. *Antenna Tower*. A structure to house or hold a device which transmits or receives television, radio, or telephone communications but excluding those which are used as accessory to a residential use.
 11. *Amusement and Recreation Industries (NAICS 713990)*. Establishments (except amusement parks and arcades; gambling industries; golf courses and country clubs; skiing facilities; marinas; fitness and recreational sports centers; and bowling centers) primarily engaged in providing recreational and amusement services.
 12. *Archery/Shooting Ranges*. A controlled area of activity, located indoors, specifically designed for the discharging of projectiles at targets.
 13. *Automobile and RV Dealers (NAICS 4411)*. Establishments primarily engaged in retailing new and used automobiles and light trucks, such as sport utility vehicles, and passenger and cargo vans.
 14. *Automotive Repair and Maintenance (NAICS 8111)*. Establishments involved in providing repair and maintenance services for automotive vehicles, such as passenger cars, trucks, and vans, and all trailers. Establishments in this industry group employ mechanics with specialized technical skills to diagnose and repair the mechanical and electrical systems for automotive vehicles, repair automotive interiors, and paint or repair automotive exteriors.
 15. *Basement*. That portion of a building partly underground and having at least one-half (1/2) of its height more than five feet (5') below the adjoining finish grade.
 16. *Bed and Breakfast Inn*. Establishments primarily engaged in providing short-term lodging (durations of less than twenty-one (21) consecutive days per guest) for compensation in private homes or accessory buildings where the owner resides upon the property and where breakfast may or may not be provided.
 17. *Bedroom*. ~~A room within an apartment unit other than a living room, kitchen, bathroom, eating area or utility room which may be used for sleeping purposes. A room other than a living room, kitchen, or bathroom containing an egress window and a minimum of seventy (70) square feet of floor area with no horizontal dimension less than 7 feet. Sinks, final or rough-in plumbing, or other plumbing features that could be reasonably expected to permit or allow for the installation of a sink, shall not be permitted within any bedroom. All bedrooms shall be accessed from common areas within the dwelling such as a living room or kitchen and shall not designed in a manner which would allow independent occupancy unless otherwise permitted by this code.~~
 18. *Boarding House*. A building occupied by its owner in which not more than six (6) roomers, lodgers and/or boarders are housed or fed for compensation on a weekly or longer basis.
 19. *Bowling Centers (NAICS 713950)*. Establishments engaged in operating bowling centers. These establishments often provide food and beverage services.

20. *Broadcasting (NAICS 515)*. Establishments that create content or acquire the right to distribute content and subsequently broadcast the content.
21. *Building Area*. The total ground coverage of a building or structure which provides shelter measured from the outside of its external walls or supporting members or from a point four feet (4') in from the outside edge of a cantilevered roof, whichever covers the greatest area.
22. *Building or Structure*. "Building" means any structure having a roof, but excluding all forms of vehicles even though immobilized. When a use is required to be within a building, or where special authority granted pursuant to this Zoning Code requires that a use shall be within an entirely enclosed building, then the term "building" means one so designed and constructed that all exterior walls of the structures shall be solid from the ground to the roof line, and shall contain no openings except for windows and doors which are designed so that they may be closed.
23. *Building or Structure, Accessory*. A subordinate building or structure, the use of which is incidental to the use of the main building on the same lot, attached to or located adjacent to a home, or on the same lot, including awnings, steps, porches, carports, garages, and storage buildings. Accessory buildings or structures may contain incidental uses such as but not limited to workshops, artist studios, hobby spaces, and accessory living spaces for residents of the main building which are not to be rented out for compensation unless otherwise permitted by this Code. Size limitations contained within this Code pertaining to accessory buildings or structures shall apply to the enclosed building footprint (the enclosed land area occupied by such accessory structure).
24. *Building or Structure, Detached*. A building surrounded on all sides by open space and which is located more than two feet (2') from the principal/primary structure.
25. *Building Height*. The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point on the roof or parapet wall.
26. *Building Line*. The line of that face or corner or part of a building nearest the property line.
27. *Building Material Sales and Garden Equipment/Supplies (NAICS 444)*. Establishments that retail new building material and garden equipment and supplies from fixed point-of-sale locations. Establishments in this subsector have display equipment designed to handle lumber and related products and garden equipment and supplies that may be kept either indoors or outdoors under covered areas.
28. *Business, Professional, Political, Social Advocacy, Grantmaking, and Similar Organizations (NAICS 8132, 8133, 8139)*. See individual NAICS sectors for definitions.
29. *Cemeteries and Crematories (NAICS 812220)*. Establishments primarily engaged in operating sites or structures reserved for the interment of human or animal remains and/or cremating the dead.
30. *Child Care Facility*. Any business, place of business or establishment which provides Child Care. This definition includes any premises, location, play area, playground, organization, institution, partnership, school, home, residence, dwelling, group home, foster home, place or facility whether such business or concern calls itself a mini school, kindergarten, nursery, pre-school, club, cooperative, mother's-day-out,

learning center or any other business whose activity is the same or substantially similar to a Child Care operation or concern.

a. The definition of Child Care Facility shall not include:

- (1) Any institution, school or facility operated by or under the direction of the State of Idaho, by any agency or political subdivision of the State of Idaho, or by any other public body or public entity.
- (2) Any elementary, junior high, or high school licensed and designated as such by the State of Idaho.
- (3) Any medical or hospital facility operated pursuant to license issued by the State of Idaho.

b. There shall be four (4) classifications of Child Care Facility:

- (1) Family Child Care Facility: A Child Care Facility providing Child Care for five (5) or fewer children;
- (2) Group Child Care Facility: A Child Care Facility providing Child Care for six (6) to twelve (12) children;
- (3) Small Child Care Facility: A Child Care Facility providing Child Care for thirteen (13) to twenty (20) children; and
- (4) Large Child Care Facility: A Child Care Facility providing Child Care for twenty-one (21) or more children.
- (5) The number of children in each of the above classifications (1) through (4) may be increased with the addition of school-aged children (first grade and up) from 3:00 p.m. until 6:00 p.m. on weekdays, on teacher work days, and on snow days, without affecting the classification level.

31. *Civic and Social Organizations (NAICS 813410)*. Establishments primarily engaged in promoting the civic and social interests of their members. Establishments in this industry may operate bars and restaurants for their members.
32. *Coffee/Espresso Stand*. A beverage service establishment where drive-up window service is the primary customer access.
33. *Commercial and Industrial Machinery and Equipment Repair and Maintenance (NAICS 811310)*. Establishments primarily engaged in the repair and maintenance of commercial and industrial machinery and equipment.
34. *Commercial Banking (NAICS 522110)*. Establishments primarily engaged in accepting demand and other deposits and making commercial, industrial, and consumer loans. Commercial banks and branches of foreign banks are included in this industry.
35. *Community Center*. A building or group of buildings in which members of a community may gather for group activities, social support, educational activities, cultural activities, and other purposes. They may sometimes be open for the whole community or for a specialized group within the greater community.
36. *Conditional Use*. "Conditional use" means a use permitted in one (1) or more zoning district as defined by this Zoning Code but which, because of characteristics peculiar to such use, or because of size, technological processes or equipment, or because of the exact location with reference to surroundings, streets and existing improvements or demands upon public facilities, requires a special degree of control to make uses consistent with and compatible to other existing or permissible uses in the same zoning district(s).

37. *Conditional Use Permit*. "Conditional Use Permit" means the documented evidence of authority granted by the Board of Adjustment to locate a conditional use at a particular location.
38. *Construction Contractor Services (NAICS 238)*. Establishments whose primary activity is performing specific activities (e.g., pouring concrete, site preparation, plumbing, painting, and electrical work) involved in building construction or other activities that are similar for all types of construction, but that are not responsible for the entire project.
39. *Consumer Goods Rental (NAICS 5322)*. Establishments primarily engaged in renting personal and household-type goods. Establishments classified in this industry group generally provide short-term rental although in some instances, the goods may be leased for longer periods of time. These establishments often operate from a retail-like or store-front facility.
40. *Correctional Institutions (NAICS 922140)*. Government establishments primarily engaged in managing and operating correctional institutions. The facility is generally designed for the confinement, correction, and rehabilitation of adult and/or juvenile offenders sentenced by a court.
41. *Credit Unions (NAICS 522130)*. Establishments primarily engaged in accepting members' share deposits in cooperatives that are organized to offer consumer loans to their members.
42. *Dance Halls*. Establishments where amplified sound or music is provided for entertainment.
43. *Data Processing, Hosting, and Related Services (NAICS 518)*. Establishments that provide the infrastructure for hosting and/or data processing services.
44. *Dormitory*. A building typically located at a college or university, containing a number of private or semiprivate rooms for residents, usually along with common bathroom facilities and recreation areas.
45. *Drinking Places (Alcoholic Beverages) (NAICS 722410)*. Establishments known as bars, taverns, nightclubs, or drinking places primarily engaged in preparing and serving alcoholic beverages for immediate consumption. These establishments may also provide limited food services.
46. *Dwelling, Single Family*. A detached building or manufactured home containing one (1) kitchen designed for, and occupied exclusively by, one (1) family. A second kitchen may be permitted so long as there is open communication throughout the entire building, and a deed restriction is recorded against the property stating that the building shall only be occupied by one (1) family. The classification "single family dwelling" shall include any home in which eight (8) or fewer unrelated mentally and/or physically handicapped or elderly persons reside; and which is supervised. Resident staff, if employed, need not be related to each other or to any of the mentally or physically handicapped or elderly persons residing in the home. No more than two (2) such staff shall reside in the dwelling at any one (1) time.
47. *Dwelling, Townhouse*. A structure which contains three (3) or more attached single family dwelling units that share a single common wall and where each unit is located upon a separate platted lot to allow for individual sale.

48. *Dwelling, Twinhome.* A structure which contains two (2) attached single family dwelling units that share a single common wall and where each unit is located upon a separate platted lot to allow for individual sale.
49. *Dwelling, Two (2) Family.* A building containing two (2) kitchens and designed to be occupied by two (2) families living independently of each other.
50. *Dwelling, Multi-Family.* A building designed to house three (3) or more families living independently of each other and having one (1) yard in common.
51. *Dwelling Unit.* A building or portion thereof providing complete housekeeping facilities for one (1) family. Housekeeping facilities provide permanent provisions for living, sleeping, eating, cooking, and sanitation, and shall be limited to one (1) kitchen and two (2) washer and dryer sets per dwelling unit unless otherwise permitted by this Code. The term "dwelling" shall not be deemed to include motel, hotel, tourist home, bed and breakfast inn, or boarding house.
52. *Educational Services (NAICS 611).* Establishments that provide instruction and training in a wide variety of subjects. The instruction and training is provided by specialized establishments, such as schools, colleges, universities, and training centers.
53. *Electronic and Precision Equipment Repair and Maintenance (NAICS 8112).* Establishments primarily engaged in repairing electronic equipment, such as computers and communications equipment, and highly specialized precision instruments.
54. *Established Grade.* The high point of the sidewalk at the front or side lot line as established by the City.
55. *Fairgrounds.* An area where outdoor fairs, circuses, exhibitions, etc. are held.
56. *Family.*
- a. For purposes of this "family" definition:
 - (1) "related" shall mean persons related by blood, marriage, adoption, and/or guardianship or other duly authorized relationship, and
 - (2) "family" shall not mean any society, club, fraternity, sorority, association, lodge, federation, bed and breakfast inn, boarding house, ~~residential rental unit,~~ or other like use or organization, and
 - (3) there shall be no more than one (1) "family" per dwelling unit, unless otherwise permitted by this Code.
 - (4) "living together as a single housekeeping unit" shall mean where all occupants of the dwelling unit enjoy a common right to use the entire dwelling, despite informal arrangements among members to designate certain areas as individual sleeping spaces, and where such persons share household living arrangements, including, but not limited to, rental or mortgage payments, utility payments, groceries, chores, maintenance of the premises, and common sanitary, living, and cooking supplies and/or facilities.
 - (5) "related by blood" shall mean persons related in any combination of the following: parents, step-parents, children, step-children, siblings, step-siblings, half-siblings, uncles, aunts, nephews, nieces, grandparents, grandchildren, great grandparents, great grandchildren, and first cousins.
 - b. One (1) or more related persons living together as a single housekeeping unit in a dwelling unit; or

- c. Not more than four (4) persons living together as a single housekeeping unit in a dwelling unit, when one (1) or more of them is not related to any other person in such dwelling unit; or
 - d. Two (2) persons who are not related and any number of additional persons related to either of such two (2) unrelated persons, as long as all persons are living together as a single housekeeping unit in such dwelling unit; or
 - e. Eight (8) or fewer unrelated mentally and/or physically handicapped or elderly persons reside; and which is supervised. Resident staff, if employed, need not be related to each other or to any of the mentally or physically handicapped or elderly persons residing in the home. No more than two (2) such staff shall reside in the dwelling at any one (1) time.
57. *Farm and Garden Machinery and Equipment Merchant Wholesalers (NAICS 423820)*. Establishments primarily engaged in the merchant wholesale distribution of specialized machinery, equipment, and related parts generally used in agricultural, farm, and lawn and garden activities.
 58. *Fitness Centers (NAICS 713940)*. Establishments primarily engaged in operating fitness and recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities, such as swimming, skating, or racquet sports.
 59. *Floor Area*. The sum of the gross horizontal areas of the floors of a building or buildings, measured from the exterior faces of exterior walls and from the center line of division walls. Floor area shall include: basement space, elevator shafts and stairwells at each floor, mechanical equipment rooms or attic spaces with headroom of seven feet (7') six inches (6"), exterior steps or stairs, terraces, breezeways and open spaces.
 60. *Fraternity, Sorority Or Student Cooperative*. A building occupied by and maintained exclusively for students affiliated with an academic or professional college or university, or other recognized institution of higher learning and regulated by such institution.
 61. *Functional Open Space*. Land within a development which is permanently reserved as open space, free from permanent structures, useful for recreational or social use by the residents of the development, ~~or others; such space shall not include streets, roadways or parking areas.~~ Such space shall be located on grade and may be provided via a private yard, deck, or patio area. Functional open space shall not include parking areas or required landscape buffers and the smallest dimension of such open space shall not be less than fifteen feet (15').
 62. *Funeral Homes and Funeral Services (NAICS 812210)*. Establishments primarily engaged in preparing the dead for burial or interment and conducting funerals (i.e., providing facilities for wakes, arranging transportation for the dead, selling caskets and related merchandise). Funeral homes combined with crematories are included in this industry.
 63. *Garage and/or Workshop, Private*. An enclosed space for the storage of one (1) or more private vehicles for residents of the premises.
 64. *Garden, Accessory*. The use of land for growing of produce and/or plants that is accessory to a permitted principal use, and where the produce from the garden is primarily grown for the consumption and use or donation by the person(s) residing

- or employed upon the subject property. Accessory Gardens may include the keeping of animals and fowl as permitted by this Code. On-site retail sales are not permitted in association with Accessory Gardens unless specifically permitted under this Code.
65. *Garden, Community.* The collective use of land for growing of produce and/or plants conducted by a group of people, where the site is commonly divided into plots that individuals may rent for the season, where the produce or plant materials grown upon the site are intended for consumption, use, or donation by the person(s) cultivating the land. On-site retail sales are not permitted in association with Community Gardens unless specifically permitted under this Code.
 66. *Garden, Market.* The use of land for growing of produce and/or plants that is conducted by a single individual or a group of individuals where the produce or plant materials grown upon the site are intended to be sold for consumption by others. Market Gardens may include the keeping of animals and fowl as permitted by this Code. On-site retail sales are not permitted in association with Market Gardens unless specifically permitted under this Code.
 67. *Gasoline Stations (NAICS 447).* Establishments that retail automotive fuels (e.g., gasoline, diesel fuel, gasohol, alternative fuels) and automotive oils or retail these products in combination with convenience store items. These establishments have specialized equipment for the storage and dispensing of automotive fuels.
 68. *General Freight Trucking (NAICS 4841).* Establishments primarily engaged in providing general freight trucking.
 69. *Golf Courses and Country Clubs (NAICS 713910).* Establishments primarily engaged in operating golf courses (except miniature) which also may include dining facilities and other recreational facilities that are known as country clubs. These establishments often provide food and beverage services, equipment rental services, and golf instruction services.
 70. *Golf Facilities, Miniature.* Establishments engaged in operating a novelty golf game played with a putter on a miniature course usually having tunnels, bridges, sharp corners, and obstacles. These establishments often provide food and beverage services.
 71. *Government Office Buildings.* A building or rooms in which the business of a department of government administration is carried out. Government office buildings include, but are not limited to, courthouses, local city government offices, and libraries.
 72. *Habitable Floor.* Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor."
 73. *Health Care Services (Ambulatory) (NAICS 621).* Establishments that provide health care services directly or indirectly to ambulatory patients and do not usually provide inpatient services. Health practitioners in this subsector provide outpatient services, with the facilities and equipment not usually being the most significant part of the production process.
 74. *Hospitals (NAICS 622).* Establishments that provide medical, diagnostic, and treatment services that include physician, nursing, and other health services to inpatients and the specialized accommodation services required by inpatients. Hospitals may also provide outpatient services as a secondary activity.

Establishments in the Hospitals subsector provide inpatient health services, many of which can only be provided using the specialized facilities and equipment that form a significant and integral part of the production process.

75. *Hotels and Motels (NAICS 721110)*. Establishments primarily engaged in providing short-term lodging in facilities known as hotels, motor hotels, resort hotels, and motels. The establishments in this industry may offer food and beverage services, recreational services, conference rooms and convention services, laundry services, parking, and other services.
76. *Kitchen*. ~~Any rooms used or intended or designed to be used for cooking and/or preparation of food. That portion of a dwelling unit devoted to the preparation or cooking of food for the purpose of consumption by residents of the dwelling unit. Any food preparation area with cooking facilities (i.e., stove, oven, hot plate, and/or microwave oven, refrigerator, or sink) or with a natural gas stub or supply or a 220-volt electrical outlet/wiring is a kitchen for purposes of this Code.~~
77. *Large Retail Establishment*.
 - a. A single retail establishment; or any combination of retail establishments in a single building with shared private off-street parking (such as a shopping mall); or any combination of retail establishments in separate and abutting buildings which are planned, constructed, and/or managed as a single property with shared private off-street parking (such as a shopping center); and
 - b. Which is greater than forty thousand (40,000) square feet of gross floor area.
78. *Laundries and Drycleaners (NAICS 812310)*. Establishments primarily engaged in (1) operating facilities with coin-operated or similar self-service laundry and dry cleaning equipment for customer use on the premises; and/or (2) supplying and servicing coin-operated or similar self-service laundry and dry cleaning equipment for customer use in places of business operated by others, such as apartments and dormitories.
79. *Lot*. A lot, in the meaning of this Zoning Code, is a single tract of land, no matter how legally described, whether by metes and bounds and/or by lot or lots and block designation as in a recorded plat, which at the time of applying for a building permit is designated by its owner or developer as the tract to be used, developed or built upon as a unit of land under single ownership or control and assigned to the particular use for which the building permit is being secured and having frontage on or access to a public street.
80. *Lot Area*. The total horizontal area within the boundary lines of a lot, excluding areas of dedicated and prescriptive public or railroad rights-of-way. The lot area shall include all utility easements and any flag pole portion of a flat lot.
81. *Lot, Corner*. A lot at the junction of and fronting on two (2) or more intersecting streets.
82. *Lot, Depth*. The mean dimension of the lot from the front street line to the rear line.
83. *Lot, Flag*. A lot with access provided to the part of the lot designated for use as a building site by a narrow corridor.
84. *Lot, Interior*. A lot fronting on one (1) street.
85. *Lot Line, Front*. The front lot line is the property boundary that abuts a public or private street; the front lot line for an undeveloped corner lot is either one (1) of the

- property boundaries that abuts a public or private street, as selected by the property owner.
86. *Lot Line, Rear.* The boundary line of a lot that is opposite and most distant from the front lot line.
87. *Lot Line, Side.* Any lot line not a rear lot line or a front lot line shall be considered a side lot line.
88. *Lot Line, Street Side.* The street side lot line is the property boundary on a corner lot that abuts a public or private street which is not considered the front lot line.
89. *Lot, Through.* A lot fronting on two (2) streets that do not intersect on the parcel's lot lines.
90. *Lot, Width.* The dimension of the lot line at the street, or in an irregular shaped lot the dimension across the lot at the building line, or in a corner lot the narrow dimension of the lot at a street or building line.
91. *Manufactured (Mobile) Home Dealers (NAICS 453930).* Establishments primarily engaged in retailing new and/or used manufactured homes (i.e., mobile homes), parts, and equipment.
92. *Manufactured Home.* A structure as defined by Idaho Code Section 39-4105(14) and which meets the following additional standards:
- a. The manufactured home shall be multisectional and enclose a space of not less than one thousand (1,000) square feet; and
 - b. The manufactured home shall be placed on an excavated and backfilled foundation and enclosed at the perimeter such that the home is located not more than twelve inches (12") above grade; and
 - c. The manufactured home shall have a pitched roof of at least three feet (3') in vertical rise for each twelve feet (12') in horizontal run; and
 - d. The manufactured home shall have any exterior siding and roofing material which is approved by the City for site-built homes; and
 - e. The manufactured home shall not be permitted within an area defined as a historic district under Section 67-4607, Idaho Code.
93. *Manufacturing, Aerospace Product and Parts Manufacturing (NAICS 3364).* Establishments primarily engaged in one (1) or more of the following: (1) manufacturing complete aircraft, missiles, or space vehicles; (2) manufacturing aerospace engines, propulsion units, auxiliary equipment or parts; (3) developing and making prototypes of aerospace products; (4) aircraft conversion (i.e., major modifications to systems); and (5) complete aircraft or propulsion systems overhaul and rebuilding (i.e., periodic restoration of aircraft to original design specifications).
94. *Manufacturing, Beverage (NAICS 3121).* Establishments primarily engaged in manufacturing soft drinks, ice, and purifying and bottling water; manufacturing brewery products; winery products; and distillery products. Also included is (1) the artificially carbonating of water; (2) the brewing of beer, ale, malt liquors, and nonalcoholic beer; (3) growing of the grapes, and the manufacturing of wine and brandy, or making of wine or brandy from purchased materials, and the blending of wines and brandies; and (4) the distilling of potable liquors (except brandies) and the blending of liquors and other ingredients.
95. *Manufacturing, Computer and Electronic Product (NAICS 334).* Establishments that manufacture computers, computer peripherals, communications equipment, and

- similar electronic products, and establishments that manufacture components for such products.
96. *Manufacturing, Electrical Equipment, Appliance, and Component (NAICS 335)*. Establishments that manufacture products that generate, distribute and use electrical power.
 97. *Manufacturing, Light*. The manufacturing, compounding, treatment, processing, assembling, packaging, or testing of goods or equipment that is primarily indoors and which does not present any adverse effect upon surrounding property from smoke, noise, vibration, dust, glare, air pollution, or water pollution.
 98. *Manufacturing, Medical Equipment and Supplies (NAICS 3391)*. Establishments primarily engaged in manufacturing medical equipment and supplies.
 99. *Manufacturing, Pharmaceutical and Medicine (NAICS 3254)*. Establishments primarily engaged in one (1) or more of the following: (1) manufacturing biological and medicinal products; (2) processing (i.e., grading, grinding, and milling) botanical drugs and herbs; (3) isolating active medicinal principals from botanical drugs and herbs; and (4) manufacturing pharmaceutical products intended for internal and external consumption in such forms as ampoules, tablets, capsules, vials, ointments, powders, solutions, and suspensions.
 100. *Manufacturing, Heavy*. The extraction, processing or treatment of raw materials, or the manufacturing, compounding, treatment, processing, assembling, packaging, testing, handling, or storage of explosive or radioactive materials or products.
 101. *Motorized Vehicle*. A motor driven conveyance capable of carrying one (1) or more passengers.
 102. *Movie Theaters (NAICS 512131)*. Establishments primarily engaged in operating motion picture theaters (except drive-ins) and/or exhibiting motion pictures or videos at film festivals, and so forth.
 103. *Museums and Art Galleries (NAICS 712110)*. Establishments primarily engaged in the preservation and exhibition of objects of historical, cultural, and/or educational value.
 104. *Nonconforming Building Use*. The use of a building or structure which was a lawful use at the time this Zoning Code was passed but which use, because of the passage of this Zoning Code, does not conform to the regulations of the zoning district in which the use exists.
 105. *Nonconforming Use*. A use which lawfully occupied a building or land at the time this Zoning Code becomes effective and which does not conform with the use regulations of the zoning district in which it is located.
 106. *Nursing and Residential Care Facilities (NAICS 623)*. Establishments that provide residential care combined with either nursing, supervisory, or other types of care as required by the residents. In this subsector, the facilities are a significant part of the production process and the care provided is a mix of health and social services with the health services being largely some level of nursing services.
 107. *Off-Street Parking*. Parking facilities for motor vehicles located on private property.
 108. *Parking Lots and Garages (NAICS 812930)*. Establishments primarily engaged in providing parking space for motor vehicles, usually on an hourly, daily, or monthly basis and/or valet parking services. For the purposes of this Code, a parking lot is an off-street parking facility designed for more than four (4) parking spaces.

109. *Personal and Household Goods Repair and Maintenance (NAICS 8114)*. Establishments primarily engaged in home and garden equipment and appliance repair and maintenance; reupholstery and furniture repair; footwear and leather goods repair; and other personal and household goods repair and maintenance.
110. *Personal Care Services (NAICS 8121)*. Establishments such as barber and beauty shops, that provide appearance care services to individual consumers.
111. *Parking Space*. A usable space for the storage of one (1) passenger automobile or commercial vehicle, exclusive of access drives, aisles, or ramps, within a public or private parking lot or a building that meets the parking standards of this Code.
112. *Pet Care Services (NAICS 812910)*. Establishments primarily engaged in providing pet care services (except veterinary), such as boarding, grooming, sitting, and training pets.
113. *Planned Unit Development (PUD)*. The PUD is characterized by a unified site design for a number of housing units and/or other buildings where clustering of buildings and utilization of open space will allow for enhanced land use. Through a PUD, a development may be planned as a unit and the density of use may be calculated on the basis of the entire project, rather than on a lot by lot basis. Individual uses and structures in a PUD need not comply with specific building locations, height, building size, floor area, lot size and open space requirements of the underlying basic zone provided that requirements set forth herein are complied with, and the development as a whole is harmonious with the community, particularly adjacent land uses.
114. *Principal Use*. The primary or predominant use(s) to which a property is or may be devoted.
115. *Professional, Scientific, and Technical Services (NAICS 541)*. Establishments engaged in processes where human capital is the major input. These establishments make available the knowledge and skills of their employees, often on an assignment basis, where an individual or team is responsible for the delivery of services to the client. The individual industries of this subsector are defined on the basis of the particular expertise and training of the services provider.
116. *Public Service and Utility Facility*. Public facilities necessary to serve the neighborhood or community, including, but not limited to, fire stations, police stations, national guard armories, fire training facilities, pumping stations, electrical substations, and telephone switching facilities.
117. *Publishing Industries (except Internet) (NAICS 511)*. Establishments engaged in the publishing of newspapers, magazines, other periodicals, and books, as well as directory and mailing list and software publishing.
118. *Public Utility*. A public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof. Such services shall include, but are not limited to, water supply, electric power, gas and transportation for persons and freight.
119. *Railroad Yards (NAICS 488210)*. Establishments primarily engaged in providing specialized services for railroad transportation, including servicing, routine repairing (except factory conversion, overhaul or rebuilding of rolling stock), and maintaining rail cars; loading and unloading rail cars; and operating independent terminals.

120. *Real Estate Services (NAICS 531)*. Establishments that are primarily engaged in renting or leasing real estate to others; managing real estate for others; selling, buying, or renting real estate for others; and providing other real estate related services, such as appraisal services.
121. *Religious Facilities (NAICS 813110)*. Establishments primarily engaged in (1) operating religious organizations, such as churches, religious temples, and monasteries; and/or (2) establishments primarily engaged in administering an organized religion or promoting religious activities.
122. *Rental and Leasing Services (NAICS 532)*. Establishments that provide a wide array of tangible goods, such as automobiles, computers, consumer goods, and industrial machinery and equipment, to customers in return for a periodic rental or lease payment.
123. *Restaurants (NAICS 72251)*. Establishments primarily engaged in one (1) of the following: (1) providing food services to patrons who order and are served while seated (i.e., waiter/waitress service), and pay after eating; (2) providing food services to patrons who generally order or select items (e.g., at a counter, in a buffet line) and pay before eating; or (3) preparing and/or serving a specialty snack (e.g., ice cream, frozen yogurt, cookies) and/or nonalcoholic beverages (e.g., coffee, juices, sodas) for consumption on or near the premises.
124. *Retail Sales (NAICS 44-45)*. Establishments engaged in retailing merchandise, generally without transformation, and rendering services incidental to the sale of merchandise.
125. *Riding Stables*. Establishments where horses are kept for riding, driving, or stabling for compensation.
126. *RV (Recreational Vehicle) Parks and Campgrounds (NAICS 721211)*. Establishments primarily engaged in operating sites to accommodate campers and their equipment, including tents, tent trailers, travel trailers, and RVs (recreational vehicles). These establishments may provide access to facilities, such as washrooms, laundry rooms, recreation halls and playgrounds, stores, and snack bars.
127. *Savings Institutions (NAICS 522120)*. Establishments primarily engaged in accepting time deposits, making mortgage and real estate loans, and investing in high-grade securities. Savings and loan associations and savings banks are included in this industry.
128. *Sawmills (NAICS 321113)*. Establishments primarily engaged in sawing dimension lumber, boards, beams, timbers, poles, ties, shingles, shakes, siding, and wood chips from logs or bolts.
129. *Scrap Yards / Material Recycling (NAICS 423930)*. Establishments primarily engaged in the merchant wholesale distribution of automotive scrap, industrial scrap, and other recyclable materials. Included in this industry are auto wreckers primarily engaged in dismantling motor vehicles for the purpose of wholesaling scrap.
130. *Securities, Commodity Contracts, and Other Financial Investments and Related Activities (NAICS 523)*. Establishments that are primarily engaged in one (1) of the following: (1) underwriting securities issues and/or making markets for securities and commodities; (2) acting as agents (i.e., brokers) between buyers and sellers of securities and commodities; (3) providing securities and commodity exchange

- services; and (4) providing other services, such as managing portfolios of assets; providing investment advice; and trust, fiduciary, and custody services.
131. *Self-Storage Facilities (NAICS 531130)*. Establishments primarily engaged in renting or leasing space for self-storage. These establishments provide secure space (i.e., rooms, compartments, lockers, containers, or outdoor space) where clients can store and retrieve their goods.
132. *Setback*. The distance that buildings or uses must be removed from their lot lines. Setbacks shall be measured, where applicable, from proposed or actual public or private street right-of-way lines. When measuring front and street side yard setbacks for lots that abut a Local Residential Street, as designated upon the Thoroughfare Plan within the City's Comprehensive Plan, the front and street side setbacks shall be measured from the building lot side of the public sidewalk to the nearest point of the wall of the main building on the lot. In such cases where sidewalks do not exist in the front or street side of a building lot, the Zoning Administrator shall determine the point of measurement based upon the location of adjacent principal structures, the likelihood of future sidewalk installation, and the anticipated location of such future sidewalk.
133. *Sign*. A presentation, display, or representation of words or letters, or of a figure, design, picture, painting, color pattern, logo, emblem, symbol, trademark or other representation so as to give notice, advertise, call attention to, or identify an entity.
134. *Software Publishers (NAICS 5112)*. Establishments primarily engaged in computer software publishing or publishing and reproduction. Establishments in this industry carry out operations necessary for producing and distributing computer software, such as designing, providing documentation, assisting in installation, and providing support services to software purchasers. These establishments may design, develop, and publish, or publish only.
135. *Stadiums and Sports Arenas (NAICS 713940)*. Establishments primarily engaged in operating fitness and recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities, such as swimming, skating, or racquet sports.
136. *Street*. A public thoroughfare which affords the principal means of access to abutting properties.
137. *Telecommunications Services (NAICS 517)*. Establishments that provide telecommunications and the services related to that activity (e.g., telephony, including Voice over Internet Protocol (VoIP); cable and satellite television distribution services; Internet access; telecommunications reselling services). The Telecommunications subsector is primarily engaged in operating, and/or providing access to facilities for the transmission of voice, data, text, sound, and video.
138. *Temporary Use*. A land use established for a limited duration which does not require permanent site improvements. Temporary Uses include, but are not limited to, the erection of temporary structures for activities such as fruit and vegetable sales, Christmas tree sales, fireworks sales, art sales, and other retail sales permitted in the zoning district within which the proposed use is to be located.
139. *Use*. The purpose land, a building or a structure now serves or for which it is occupied, maintained, arranged, designed or intended.

140. *Use District.* A portion or portions of the City designated on the Moscow Zoning Map as one (1) or more of the categories listed and described in this Zoning Code.
141. *Variance.* A modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots.
142. *Veterinary Services (NAICS 541940).* Establishments of licensed veterinary practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery for animals; and establishments primarily engaged in providing testing services for licensed veterinary practitioners.
143. *Warehousing and Storage (NAICS 493).* Establishments that are primarily engaged in operating warehousing and storage facilities for general merchandise, refrigerated goods, and other warehouse products. These establishments provide facilities to store goods. They do not sell the goods they handle. These establishments take responsibility for storing the goods and keeping them secure. They may also provide a range of services, often referred to as logistics services, related to the distribution of goods.
144. *Wholesale Uses (NAICS 423).* Establishments that sell capital or durable goods to other businesses.
145. *Yard.* An open unoccupied space, except as otherwise permitted in this Code, in the front, rear or side on the same lot with a building or proposed building, which extends along a lot line and at right angles to the lot line to a depth or width specified in the setback requirements of the zoning district where the property is located.
(Ord. 2018-07, 05/21/2018)

...

SECTION 3: That Title 4, Chapter 4, Section 4-2 of the Moscow City Code be, and the same is hereby amended to read as follows:

...

Sec. 4-2 Bulk and Placement Regulations Table.

...

BULK & PLACEMENT REGULATIONS TABLE	
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	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Minimum Lot Requirements																
Minimum lot area (expressed in square feet unless otherwise noted, no minimum lot area for non-residential uses)																
Single family detached	40 acres ¹³	3 acres	1 acre	9,600	7,000	6,000	5,000 ¹	5,000 ¹	5,000 ¹	-				-		
Twinhome	-	-	-	-	-	3,250	2,250	2,250	2,250	-				-		
Townhouse	-	-	-	-	-	2,000 ²	1,800	1,800	1,800	-				-		
Two family dwelling	-	-	-	-	-	7,000	5,000 ¹	5,000 ¹	5,000 ¹	-				-		
Multiple family dwelling	-	-	-	-	-	-	5,000 ¹	5,000 ¹	5,000 ¹	-				-		
Minimum lot width (in feet, no minimum lot width for non-residential uses)																
Single family detached	150	125	100	80 ³	60 ³	60 ³	50	50	50	-				-		
Twinhome	-	-	-	-	-	30	25	25	25	-				-		
Townhouse	-	-	-	-	-	20	18	18	18	-				-		
Two family dwelling	-	-	-	-	-	60 ³	50	50	50	-				-		
Multiple family dwelling	-	-	-	-	-	-	50	50	50	-				-		
Minimum Setbacks ⁹ (in feet)																
Front ¹⁰	30	25	25	25	20	15	15	10	20	25				10	10	
Rear	35	30	30	20	20	20	20	20	20	20 ⁴						
Side Yard Minimum	35	20	20	5	5	5 ^{5/6}	5 ^{5/6}	5 ^{5/6}	10	20 ⁴						
Side Yard Combined Minimum				15	15 ⁵	15 ⁵	15 ^{5/6}	15 ^{5/6}								
Street Side	20	17	17	17	15	13	13	10	10	20				10		
Exceptions to Minimum Setbacks Listed Above																
Twinhome and Townhouse Exterior Side Setback	-	-	-	-	-	8	8	8	8	-						
Garage Door Front Setback (when door faces said street)	20	40	40	25	20	20	20	20	20	25						
Garage Door Street-Side Setback (when door faces said street)	20	20	20	20	20	20	20	20	20	20						
Accessory Structure Side & Rear Setback (detached, 200 sq ft or less) ¹¹	0	0	0	0	0	0	0	0	0	0						
Accessory Structure <u>Side &</u> Rear Setback (detached, greater than 200 sq ft) ¹²	5	5	5	5	5	5	5	5	5	5						
Common Open Space (minimum 400 square feet per lot or as required below, whichever is greater, residential uses only)						75/du	75/du	75/du	75/du			75/du	75/du			
	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Maximum Building Height ⁸ (in feet)																
Principal Structure	35	35	35	35	35	35	40	40	40	65	65	65			65	
Accessory Structure (detached, GREATER than 200 sq ft, and encroaching into required rear yard setback for the parcel)																
Building Height	35	35	35	35	35	35	40	40	40	65	65	65				
Wall Height ⁷	14	14	14	14	14	14	14	14	14	14	-	-				
Accessory Structure (detached, 200 sq ft OR LESS, and encroaching into principal structure side or rear yard setbacks)																
Building Height	12	12	12	12	12	12	12	12	12	12	-	-				

Notes

where space is blank there is no minimum/maximum requirement, " - " = not applicable, use not permitted in that zone

du = dwelling unit

¹ Or 800 square feet per dwelling, whichever is greater.

² Average net density of a townhouse development shall not be more than fourteen and one-half (14.5) units per acre

³ Minimum lot width for lots that have rear alley access is reduced by 10 feet

⁴ Or equal to the height of the building, whichever is greater, when adjacent to R-1, R-2, R-3, or R-4 Zones

⁵ Side yard combined minimum of 15 feet only applies to lots 55 feet or more in width

⁶ Minimum side yard setback for multiple family developments on lots greater than 20,000 square feet shall be no less than 10 feet

Dormers may be allowed to exceed 14 feet provided they do not occupy more than fifty percent (50%) of the length of the wall, each wall measured separately

⁹ Activities are the same as specified in this table for buildings with 5 or more stories. For information on determining the number of stories, refer to Section 4-5.1(6) of this Code.

¹⁰ Where established front setbacks are less than the minimum required for such Zone, refer to Section 4-5.4(F) of this Code for an alternate front setback requirement.

¹¹ Roof drainage must be contained on-site

¹² The accessory structure shall not occupy more than fifty percent (50%) of the area of the required rear yard for the parcel

¹³ Exception to minimum forty (40) acre lot size: No more than one (1) parcel of land less than forty (40) acres may be divided from an existing parcel of forty (40) acres or more in the AF

zoning district (a 1/4-1/4 section or full Government Lot shall be treated as a forty (40) acre parcel for the purposes of this Zoning Code). The small parcel shall be at least one (1) acre in area and must be registered with the Office of the Latah County Clerk and the City Community Development Department. Such exceptions must be reviewed and approved by the Council and the Board of Latah County Commissioners.

SECTION 4: That Title 4, Chapter 6, Section 6-2 of the Moscow City Code be, and the same is hereby amended to read as follows:

...

Sec. 6-2. Off-Street Parking Requirements.

A. General Provisions: The general provisions for off-street parking and loading are as follows:

1. The provision and maintenance of off-street parking and loading spaces is a continuing obligation of the property owner. No building permit will be issued until plans are presented to the City which show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued is subject to a condition of continued satisfaction of the requirements of this Section.
2. A building permit shall be obtained before the construction of any off-street parking or loading areas, or before the expansion of any existing off-street parking or loading areas, commences. A Certificate of Occupancy will be issued only upon completion of all improvements required herein or a temporary and conditional occupancy permit may be issued upon the property owner entering a written agreement insuring the completion of all required improvements within a reasonable period of time, which in no event shall be longer than six (6) months after issuance of the temporary and conditional certificate of occupancy. In the event that the property owner requires additional time, the Zoning Administrator may authorize an extension up to an additional six (6) months. Fees for plan review and inspection may be established from time to time by the Council by resolution for parking areas not associated with a structure requiring a building permit.
3. Application of Off-Street Parking and Loading Requirements:
 - a. General: Unless otherwise expressly stated, the parking regulations of this Section shall apply to all districts and all uses within zoned and unzoned areas.
 - b. New Structure or Use: Unless otherwise expressly stated, at the time a new structure is erected upon a parcel, or a new use is established on a previously undeveloped parcel, off-street parking shall be provided in accordance with the provisions of this Section.
 - c. Change in Use: Unless otherwise expressly stated, when the use of the property changes, additional off-street parking must be provided to serve the new use only when the number of parking spaces required for the new use exceeds by more than ten percent (10%) the number of spaces required for the lawful use that most recently occupied the building, based upon the Off-Street Parking Schedule of this Section. In other words, a one hundred ten percent (110%) “credit” is given to the most recent lawful use of the property for the number of parking spaces that would be required under this Section, regardless of whether such spaces are actually provided. Any new spaces that are required shall be provided in accordance with the provisions of this Section. When the number of parking spaces required for the new use exceeds (by more than ten percent [10%]) the number of spaces required for the use that most recently occupied the property, additional parking spaces are required only to make up the difference between the amount of parking required

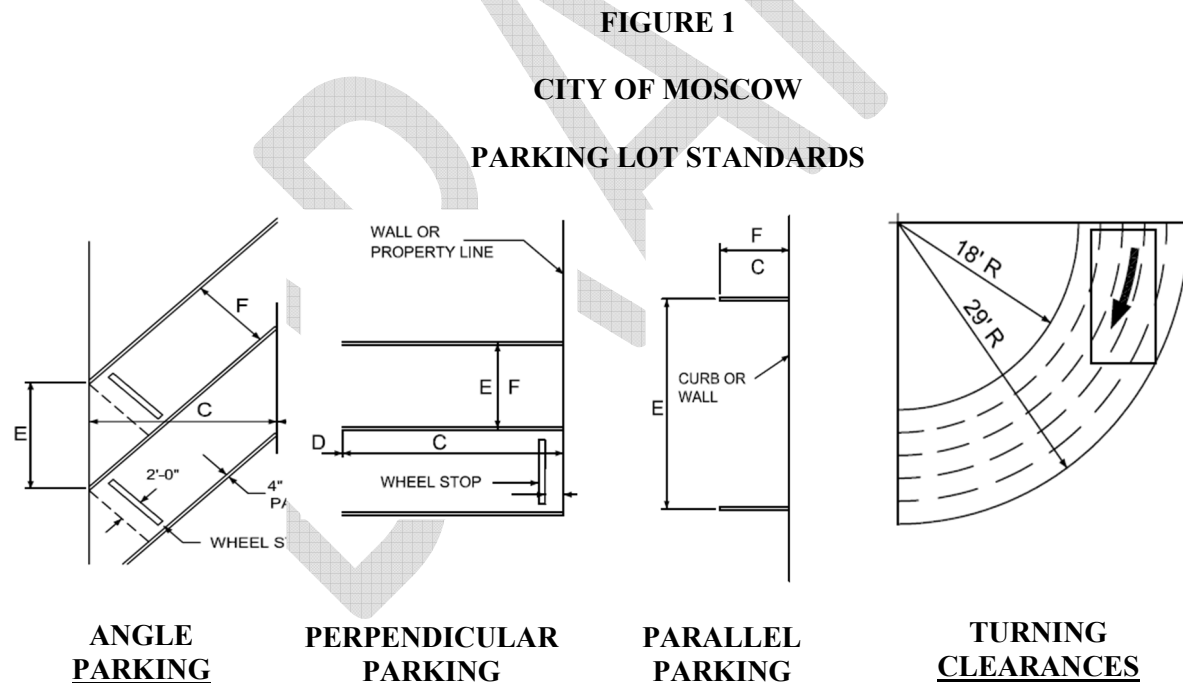
- for the previous use and the amount of parking required for the new use, based on the standards of this Section.
- d. Expansion or Enlargement: Unless otherwise expressly stated, whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, seating capacity, employees, or other units of measurement used for establishing off-street parking requirements, the provisions of this Section shall apply. In the case of enlargements or expansions triggering requirements for additional parking, additional off-street parking spaces are required only to serve the enlarged or expanded area, not the entire building or use. There is no requirement to address lawfully existing parking deficits. Additional off-street parking spaces are required only when existing development is enlarged or expanded in any way that results in more than a ten percent (10%) increase in the total number of off-street parking spaces required for the development, based upon the provisions of this Section.
 - e. Other Parking Areas: All new parking areas or additions to existing parking areas, whether or not their construction is required by the Off-Street Parking Schedule, shall be constructed in accordance with the provisions of this Section.
 - f. Alterations: Alterations may be made to parking lots where such alterations are made in conformance with the provisions of this Section. Alterations may be made to nonconforming lots where there is no reduction in the number of parking spaces provided; or there may be a reduction in the number of spaces where the alterations are directed toward bringing the parking area into compliance with the landscaping and/or design requirements of this Section.
 - g. Maintenance: Routine maintenance of parking facilities shall be permitted and no building permit shall be required for such maintenance.
4. The required number of parking spaces shall be available for the parking of passenger automobiles for residents, customers, patrons, and employees and shall be in addition to spaces used for storage of vehicles or materials, or for the parking of vehicles used in conducting the business or use.
 5. A plan, drawn to scale, indicating how the off-street parking and loading requirements are to be met, shall accompany an application for a building permit. Such plan shall show all elements necessary to determine that the requirements of this Section are being met, including the following:
 - a. Individual parking and loading spaces.
 - b. Circulation area necessary to serve spaces.
 - c. Access to streets and property to be served.
 - d. Curb cuts.
 - e. Areas reserved for landscaping, types of plants and any other materials or improvements required for landscaping.
 - f. Dimensions, continuity and substance of fencing or other types of screening.
 - g. Grading, surfacing, drainage and subgrading details.
 - h. Obstacles, if any, to parking and traffic circulation in the finished parking area.
 - i. Specifications for signs, bumper guards and markings to identify individual spaces.
 - j. Traffic control devices and signage.
 - k. Other pertinent details.
 6. Design requirements for parking lots:

- a. Parking lots and their associated driveways and vehicle maneuvering areas shall have plant mix asphaltic concrete of two inch (2") thickness with six inches (6") of crushed rock base, or Portland cement concrete of four inch (4") thickness with four inch (4") crushed rock base surfaces, or an alternative surface of similar durability and utility, approved by the City Engineer. These standards are designed for passenger vehicles and may not support heavy truck traffic and/or loading.
- b. Parking lots and required interior landscaping shall be contained by a curb which is at least four inches (4") high and which is set back a minimum of two feet (2') from the property line and from exterior landscaping, except where the parking spaces are provided for single family dwellings.
- c. Individual parking spaces shall be permanently marked to allow users to adequately identify the required individual spaces, except where the spaces are provided for single family or two (2) family dwellings.
- d. Parking lots and spaces shall be designed such that their use will not require backing movements or other maneuvering within a street right of way. Parking spaces provided for single family and two (2) family dwellings are exempt from this requirement, unless the street being accessed is a designated arterial street or there is more than one (1) detached single-family or two (2) family dwelling upon a single lot. The continuation, alteration, expansion, relocation, re-construction, or replacement of a single or a two (2) family dwelling, for which the parking requires backing or maneuvering within a designated arterial street right-of-way, shall be allowed where such situation existed prior to May 1, 2003, notwithstanding the nonconformity regulations of this Zoning Code. Additional parking required as a result of the expansion, alteration, reconstruction, or re-placement of any such two (2) family dwelling shall meet the parking design standards required at the time of the building permit application. Where backing movements are proposed within an alley right-of-way, a sidewalk with a minimum width of three feet (3') shall be provided adjacent to the parking lot between the parking lot and the use served by the parking lot.
- e. Parking lots and spaces shall be designed such that a vehicle shall not be required to cross another parking space to gain access to a required parking space (tandem configuration) except for parking spaces serving single-family, two (2) family, twinhome, and townhouse dwellings. Parking serving more than one (1) detached single-family or two (2) family dwelling upon a single lot shall not be permitted to be tandem, except as provided below. Tandem parking may be allowed for multi-family dwellings or more than one (1) detached single-family or two (2) family dwelling upon a single lot under the following conditions:
 - i. The purpose of the parking design is to provide enclosed garages for ~~the multi-family dwelling~~ resident use;
 - ii. The tandem parking spaces (the parking space within the garage and in front of the garage) are assigned and furnished for use by the occupants of a single-family dwelling unit without separate, additional compensation; and
 - iii. No more than fifty percent (50%) of the required parking may be provided in a tandem configuration.
- f. Service drives to off-street parking areas shall be designed to provide maximum safety for vehicles and pedestrians. Multi-family, commercial and institutional use

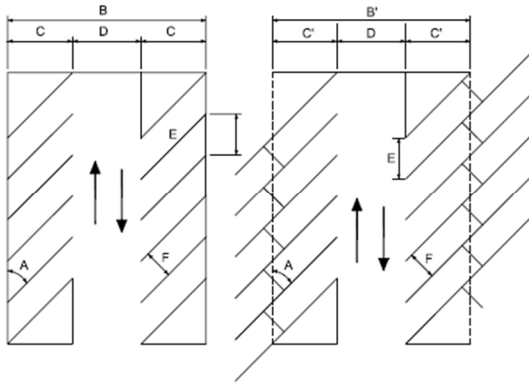
- g. Parking areas with one hundred fifty (150) or more spaces shall include pedestrian walkways or other such facilities to ensure the safe passage of pedestrian traffic through the parking area.
7. Each off-street parking space shall be designed to conform to the City Parking Lot Standards, as set forth in Figure 1 (following Section 4 6 2 D.).

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AMENDING MCC T4 C1.3, & 6

- e. Up to one hundred percent (100%) of the parking spaces and/or lots required by this Section for a church or for an auditorium incidental to a public or parochial school, may be supplied by the off-street parking spaces and/or lots provided by uses primarily of a "daytime" nature.
 - f. The parties concerned in the joint use of off-street parking spaces and/or lots shall submit a written agreement for such joint use in a form to be recorded, which shall be approved by the City Attorney as to form and content. Such agreement, when approved by the Zoning Administrator as conforming to the provisions of this Section, shall be recorded in the office of the Latah County Recorder and copies thereof filed with the Clerk.
2. **Uses Not Specified:** In the case of a use not specifically mentioned in this Section, the requirements for off-street parking spaces and/or lots shall be determined by the City. Such determination shall be based upon the requirements for uses which have similar parking demand-generating characteristics. The determination of the City may be appealed to the Board of Adjustment by an aggrieved person.
- D. **Mixed Use:** In the case of mixed uses, the total requirements for the various uses shall be computed separately. Off-street parking spaces and/or lots for such uses shall not be considered for joint use. Total requirements for off-street parking spaces shall be the sum of the requirements for the various uses.

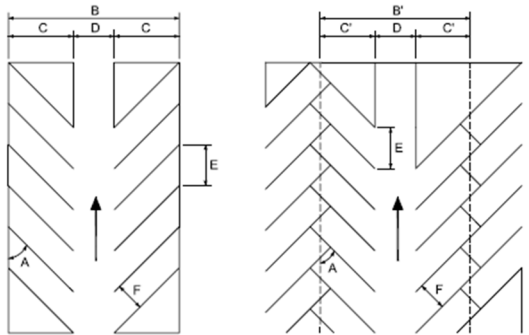


Two-Way Traffic



A PARKING ANGLE	B PARKING SECTION WIDTH	C PARKING BANK WIDTH	D TRAFFIC AISLE WIDTH	E CURB LENGTH PER CAR	F CAR STALL WIDTH	B' PARKING SECTION WIDTH	C' PARKING BANK WIDTH
TWO WAY TRAFFIC STANDARD VEHICLES							
0°	36'	8'	20'	23'	8'		
45°	58'	19'	20'	12'	8.5'	51'	15.5'
60°	60'	20'	20'	9.8'	8.5'	55'	17.5'
90°	64'	20'	24'	9'	9'		
TWO WAY TRAFFIC COMPACT VEHICLES							
0°	35'	7.5'	20'	15'	8'		
45°	52'	16'	20'	10.6'	8'	47'	13.3'
60°	54'	16.8'	20'	8.7'	8'	50'	14.9'
90°	50'	15'	20'	7.5'	8'		

One-Way Traffic



ONE WAY TRAFFIC STANDARD VEHICLES							
0°	28'	8'	12'	23'	8'		
45°	50'	19'	12'	12'	8.5'	43'	15.5'
60°	55'	20'	15'	9.8'	8.5'	50'	17.5'
ONE WAY TRAFFIC COMPACT VEHICLES							
0°	27'	7.5'	12'	15'	7.5'		
45°	44'	16'	12'	10.6'	7.5'	39'	13.3'
60°	49'	16.8'	15'	8.7'	7.5'	45'	14.9'

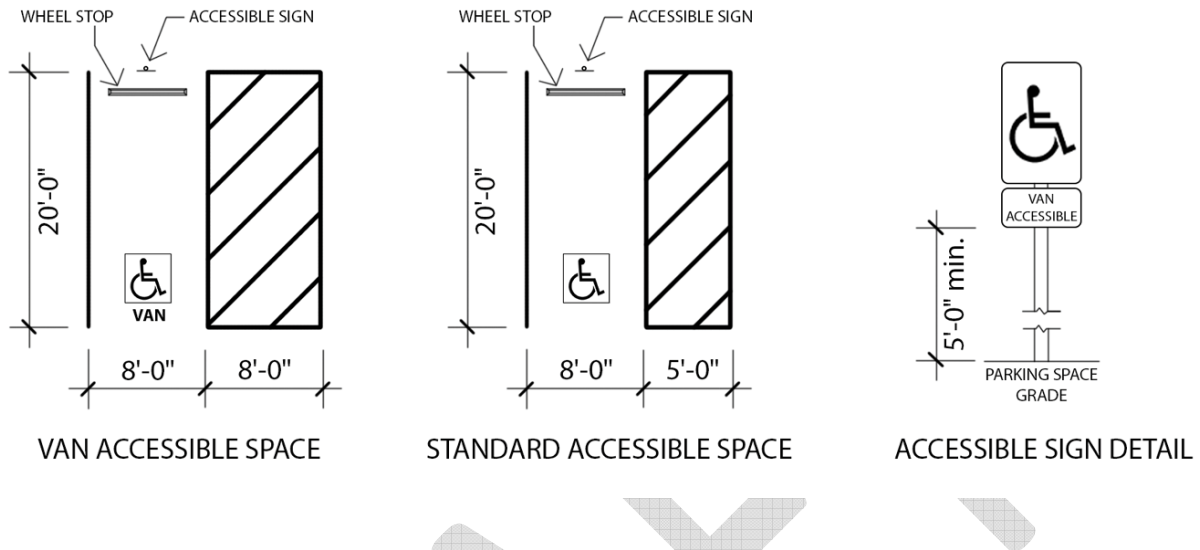
- E. Off-Street Parking Schedule: Parking spaces required for designated uses in all zoning districts, except within Section 4-6-5(E)(4) below, are established as follows:
1. Compact Spaces: An allowance of thirty five percent (35%) of the total number of spaces required may be identified and used as compact car spaces. These spaces shall be conveniently located and provided with adequate signage.
 2. Fractional Requirements: Fractional requirements shall require one (1) space. Except for multi-family dwellings, the parking requirement for each residential dwelling shall be calculated separately and rounded up to the nearest whole number prior to determining the cumulative parking requirement.
 3. Area Calculation: Except as otherwise indicated, area measurements are given in gross floor area. Restroom facilities and areas used for storage may be excluded from the floor area calculation.
 - 3.4. 4. Bedroom Calculation: Any separate room which has an egress window or door and a minimum of seventy (70) square feet of floor area with no horizontal dimension less than 7 feet which could legally be used as a sleeping room, regardless of whether such room is labeled as a den, study, office, or similar, shall be counted as a bedroom for the purposes of parking calculation. Rooms that meet the definition of a bedroom which are separated by a narrow corridor that could allow for the separation of the areas into individual bedrooms shall each be counted as a bedroom for the purposes of parking calculation.

- 4.5.** Specific Zone Exemptions: The following zoning districts have off-street parking requirements specific to each respective zone and are not required to meet Section 4-6-5(E)(6) below; however, all other provisions of Section 4-6-5 shall apply.
- a. Central Business (CB) Zoning District: Off-street parking is not required within the CB Zoning District.
 - b. Urban Mixed Commercial Zoning District Required Off-Street Parking:
 - i. Minimum Required.
 - ii. Maximum Allowed Off-Street Parking. The maximum allowed off-street surface parking shall be limited to no more than one hundred percent (100%) of the minimum parking required as specified within the minimum required parking table of Section 4-6-5(E)(6) of this Code. Parking within parking structures or placed under structures shall not be counted toward the maximum allowed off-street parking limitation.
 - c. University Zoning District. Off-street parking is not required within the U Zoning District since the University of Idaho manages parking on campus through the Parking and Transportation Services Department.

Use of Building or Site	Minimum Number of Automobile Parking Spaces Required
Residential Uses	50% of the minimum parking required by this Code
Hotels	1 per room
Convention/Meeting Spaces	1 per 10 fixed seats and 1 per each 100 sf of assembly space without fixed seating
Office, Retail, and Other Uses	No minimum parking specified

- 5.6.** Accessibility: Where off-street parking is required for multi-family residential, commercial, or institutional uses, accessible parking and access shall be provided in accordance with the most recent standards promulgated by the American National Standards Institute (ANSI) and the most recently adopted building code. The van accessible space detail, standard accessible space detail, accessible sign detail, and the number of accessible spaces required are shown in Figure 2 below. The most recently adopted ANSI and building code requirements shall take precedence over Figure 2 in the circumstance where there are differing standards.

FIGURE 2
ACCESSIBILITY STANDARDS



Total Number of Parking Spaces	Minimum Number of Required Accessible Parking Spaces	Minimum Number of Required Van Accessible Spaces
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	1
301 to 400	8	1
401 to 500	9	2
501 to 1000	2 percent of total	1/8 of total minimum accessible spaces
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000	

6.7. Minimum Number of Automobile Parking Spaces Required by use of building or site:

RESIDENTIAL USES	Minimum Number of Automobile Parking Spaces Required ²
<i>Dwellings in Residential Zones</i>	
Single Family (up to 4 unrelated individuals)	2 per du, plus 1 per bedroom in excess of 4 bedrooms
Two Family	2 per du, plus 1 per bedroom in excess of 4 bedrooms
Twinhome	2 per dwelling unit
Townhouse	2 per dwelling unit
Single Family (up to 6 unrelated individuals)	2 per du, plus 1 per bedroom in excess of 4 bedrooms
	Studio or one bedroom: 1.25 per du
Multiple Family (3 or more units)	Two bedroom: 1.75 per du Three or more bedroom: 0.75 per bedroom
Mobile Home Parks	2 per mobile home
<i>Group Living</i>	
Boarding House (occupied by owner, up to 6 boarders)	2 per du, plus 1 per bedroom in excess of 4 bedrooms
Dormitories	1 per 2 occupants based upon anticipated max occupancy
Fraternity, Sorority, and Cooperative Houses	1 per 2 occupants based upon anticipated max occupancy
<i>Accessory Uses</i>	
Accessory Dwelling Unit	1 in addition to principal structure requirements

RESIDENTIAL USES	Minimum Number of Automobile Parking Spaces Required ²
<i>Dwellings in Residential Zones</i>	
Single Family (up to 4 unrelated individuals)	<u>2 per du, plus 1 per bedroom in excess of 4 bedrooms</u>
Two Family	
Twinhome	
Townhouse	
Single Family (up to 6 unrelated individuals)	
Multiple Family (3 or more units)	Studio or one bedroom: 1.25 per du Two bedroom: 1.75 per du Three or more bedroom: 0.75 per bedroom
Mobile Home Parks	2 per mobile home
<i>Group Living</i>	
Boarding House (occupied by owner, up to 6 boarders)	2 per du, plus 1 per bedroom in excess of 4 bedrooms
Dormitories	1 per 2 occupants based upon anticipated max occupancy
Fraternity, Sorority, and Cooperative Houses	1 per 2 occupants based upon anticipated max occupancy
<i>Accessory Uses</i>	
Accessory Dwelling Unit	1 in addition to principal structure requirements

NON-RESIDENTIAL USES	Minimum Number of Automobile Parking Spaces Required ²
<i>Agricultural Uses</i>	
Agriculture, Animal Production	None Required
Agriculture, Crop Production	None Required
Animals and Fowl (as permitted by City Code Title 10)	None Required
Animal Slaughtering and Processing	None Required

Gardens (Market and Community) no on-site retail sales	None Required
With on-site retail sales	None Required
Sawmills	None Required
Amusement and Recreation Facilities	
Archery/Shooting Ranges (indoor only)	1.5 per firing lane
Bowling Centers	6 per lane
Dance Halls	1 per 100 sf
Fitness Centers	1 per 300 sf
Golf Courses and Country Clubs	4 per hole
Miniature Golf Facilities	1 per hole
Movie Theaters	1 per 4 seats
Riding Stables	1 per 3 stalls
Stadiums and Sports Arenas (Ice/Roller Rinks, Gymnasiums, Ballfields)	1 per 8 seats, plus 1 per 100 sf of assembly space without fixed seats ³
Animal-Related Business	
Veterinary Services	1 per 200 sf
Pet Care Services	1 per 400 sf
Financial, Technology, and Professional Services	
Agencies, Brokerages and Other Insurance Related Activities	1 per 400 sf
Broadcasting Studios	1 per 400 sf
Business, Professional, Political, Social Advocacy, Grantmaking, and Similar Organizations	1 per 400 sf
Commercial Banking, Savings Institutions, and Credit Unions	1 per 400 sf
Construction Contractor Services	1 per 400 sf of office space
Data Processing, Hosting, and Related Services	1 per 400 sf
Professional, Scientific, and Technical Services	1 per 400 sf
Publishing Industries (except Internet)	1 per 400 sf
Real Estate Services	1 per 400 sf
Securities, Commodity Contracts, and Other Financial Investments	1 per 400 sf
Software Publishers	1 per 400 sf
Food and Beverage Service	
Coffee/Espresso Stand	1 per 200 sf
Drinking Places (Alcoholic Beverages)	1 per 200 sf
Restaurants	1 per 200 sf

Manufacturing	
Beverage Manufacturing	1 per 1,000 sf
Manufacturing, Heavy	
Manufacturing, Light	
Aerospace Product and Parts Manufacturing	

Computer and Electronic Product Manufacturing	
Electrical Equipment, Appliance, and Component Manufacturing	
Medical Equipment and Supplies Manufacturing	
Pharmaceutical and Medicine Manufacturing	
Public/Institutional Uses	
Antenna Towers (<i>new</i>)	1 stall per site
Co-Location	None Required
Cemeteries	None Required
Child Day Care Services	
<i>Family, 5 or fewer children</i>	2 per child care facility
<i>Group, 6 to 12 children</i>	2 per child care facility plus the loading zone requirements of Section 4-3-4. D.
<i>Small, 13 to 20 children</i>	3 per facility plus the loading zone requirements of Section 4-3-4. D.
<i>Large, 21 or more children</i>	4 per facility plus the loading zone requirements of Section 4-3-4. D.
Civic and Social Organizations	1 per 4 seats or 100 inches of bench seating, plus 1 per 100 square feet of open assembly area
Community/Neighborhood Center	1 per 4 seats or 100 inches of bench seating, plus 1 per 100 square feet of open assembly area
Correctional Institutions	1 per each 6 beds
Educational Services	Kindergarten, Elementary & Middle Schools: 2 spaces per classroom and 1 for every 8 seats in largest assembly area; High Schools: 5 spaces per classroom and 1 for every 8 seats in largest assembly area;
Fairgrounds	1 per 8 seats and 1 per 100 sf of assembly space without fixed seats
Funeral Homes and Funeral Services	1 per 75 sf used for assembly
Government Office Buildings	1 per 400 sf
Health Care Services (Ambulatory)	1 per 200 sf
Hospitals	1 per bed
Museums and Art Galleries	1 per 500 sf
Nursing and Residential Care Facilities	1 per 3 beds
Public Parks & Recreational Facilities (operated by local government)	1 per 8 seats and 1 per 100 sf of assembly space without fixed seats ³
Public Service and Utility Facilities	None Required
Religious Facilities	1 per 4 seats or 100 inches of bench seating, plus 1 per 100 square feet of open assembly area
Telecommunications Services	1 per 400 sf
Retail and Personal Services	
Consumer Goods Rental	1 per 400 sf
Laundries and Drycleaners	1 per 400 sf
Personal Care Services	1 per 400 sf

Retail Sales (excluding 4411 & 444)	1 per 400 sf; 1 per 800 sf for retail stores handling bulky merchandise (furniture, appliances, etc.)
Large Retail Establishment	
Storage Services	
Self-Storage Facilities	1 per 300 sf of sales or office area
Warehouses/Wholesale Uses	1 per 2,000 sf
Temporary Uses¹	None Required
Vehicles and Equipment	
Automobile and RV Dealers	1 per 800 sf
Automotive Repair and Maintenance	
Building Material Sales & Garden Equipment/Supplies	
Commercial and Industrial Machinery and Equipment Repair and Maintenance	
Electronic and Precision Equipment Repair and Maintenance	
Gas Stations	
Heavy Equipment Sales (mobile homes, farm equipment)	
Parking Lots and Garages	None Required
Personal and Household Goods Repair and Maintenance	1 per 800 sf
Railroad Yards and General Freight Trucking	1 per 2 employees on maximum work shift, but not less than 1 per 1,000 sf
Rental and Leasing Services	1 per 800 sf
Scrap Yards/Material Recycling ¹	1 per 300 sf of sales or office area
Visitor Accommodations	
Bed and Breakfast	0.5 per bedroom
Hotels and Motels	1 per sleeping room
RV Parks and Campgrounds	1 per each trailer/tent or RV space

NOTES

¹ Or applicant provide parking survey and summary to document peak on-street parking demand for the neighborhood for Zoning Administrator and/or Board of Adjustment determination that adequate parking is available.

² Exemptions to minimum off-street parking requirements in CB, UMC, and U Zones. See Section 4-6-5(E)(4)

³ Or as determined by the Zoning Administrator, in consideration of operating characteristics of the use

**** Exempt from having to meet minimum number of off-street parking spaces, if requirement would result in five (5) or fewer such spaces.**

7.8. Bicycle Parking Incentive: The total number of required automobile parking spaces for all uses other than single family and two (2) family dwellings may be reduced by ten percent (10%) if bicycle parking is provided in accordance with the following standards:

- Required Bicycle Spaces:** The total number of bicycle parking spaces must be equal to four (4) times the total number of reduced automobile parking spaces.
- Approved Bicycle Rack Types.** All required bicycle parking support racks shall be of the 'A', inverted 'U' or modified 'U' (or equivalent) style, or a bicycle locker or other storage device which;

- i. support[s] the bicycle in an upright position by the bicycle frame in a minimum of two (2) locations;
- ii. prevent[s] the wheel of the bicycle from tipping over; and
- iii. enable[s] the locking of the frame and one (1) or both wheels.

All bike racks or bike lockers shall be securely anchored in the ground. Nothing within this Section is intended to preclude opportunities for creative and artistic bicycle racks that meet the bicycle support and locking requirements contained herein.

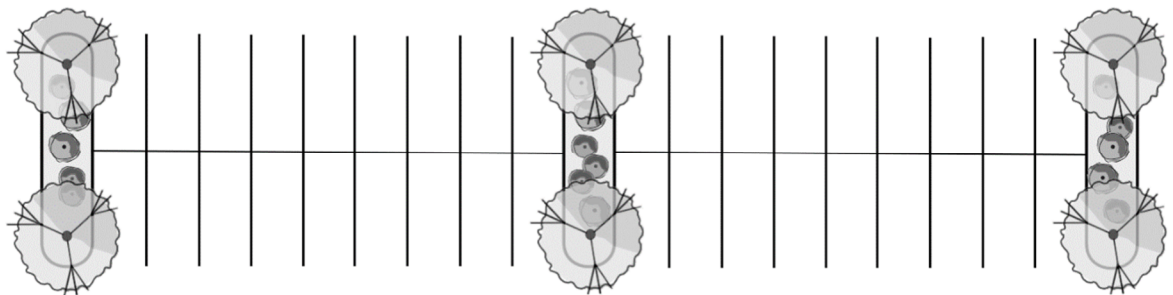
- c. **Bicycle Rack Location and Lighting.** Bicycle racks shall be placed as close to the primary building entrance(s) as possible in a convenient location that is clearly visible and well lit for ease of use and to provide protection against vandalism and theft. Bicycle racks should not be placed so as to block an entrance or inhibit pedestrian flow in or out of a building.
- d. **Bicycle Rack Sheltering.** No less than twenty-five percent (25%) of bicycle racks serving commercial or institutional uses, and no less than fifty percent (50%) of bicycle racks serving multi-family residential uses, shall be placed under building overhangs, awnings, free-standing shelter structures, or similar structures that protect the entire bicycle parking space from precipitation.
- e. **Bicycle Rack Spacing and Area.** The minimum bicycle parking space shall be twenty four inches (24") wide by seventy two inches (72") long. Spacing between bicycle racks shall be no less than forty eight inches (48"). Where multiple rows of bicycle racks are installed, a center access aisle of no less than forty eight inches (48") shall be provided. Bicycle racks shall be placed no closer than twenty four (24") from any adjacent building wall or other obstruction.

F. **Landscaping Requirements:**

- 1. **Purpose:** The purpose of these landscaping requirements is to promote the general welfare of the public by: reducing noise levels and glare; filtering stormwater runoff; reducing the urban heat island effect; filtering vehicular emissions; stabilizing soils to help with erosion and flood control; providing shade to users of the parking lots; promoting safety by directing traffic circulation; promoting attractive off-street vehicular parking areas in the City; and protecting and improving the appearance, character and value of the surrounding properties and neighborhoods. This objective is to be accomplished by providing external landscape buffers between parking areas and adjoining land uses and by providing landscape islands in the interior of parking lots. Native plantings and xeriscaping are encouraged for water savings, reduced maintenance, reduction in fertilizers and pesticides, increased pollination, and a reduction in yard waste.
- 2. **Application:** Landscaping is required as herein described for all off-street parking lots containing five (5) or more parking spaces.
- 3. **Placement of Landscaping in Off-Street Parking Lots:**
 - a. **Required Exterior Landscaping:** Landscaping shall be provided between off-street parking lots and abutting public rights-of-way and adjacent properties. The buffer strip in which the landscaping is provided shall be a minimum of three feet (3') in width and shall contain:
 - i. One (1) tree of one and one-half inch (1.5") caliper every forty (40) lineal feet

- ii. One (1) shrub of at least one (1) gallon in size for perennial and at least two (2) gallons in size for deciduous or evergreen, every six feet (6'). Such shrubs, upon maturity, shall provide visual relief of a minimum of three feet (3') in height and fifty percent (50%) shall be evergreen.
 - iii. Consideration shall be given to the selection of trees and shrubs that at maturity do not present vehicular sight obstructions at driveway / street intersections.
- b. Required Interior Landscaping: Parking lots containing thirty (30) or more parking spaces shall include interior landscaping. Multiple parking lots on a single property are counted separately for the purpose of interior landscaping. The Zoning Administrator may determine that parking lots that are separate, but connected by travel aisles, may still be counted separately for the purpose of interior landscaping requirements. Interior parking lot landscaping shall be in the form of landscaped islands that comply with the following requirements:
- i. Landscape islands shall have a minimum width of eight feet (8'), as measured inside of perimeter curbing, and a length equivalent to the adjacent parking spaces.
 - ii. There shall be one (1) island for every twelve (12) parking spaces, evenly distributed in the parking lot.
 - iii. The landscape islands shall be protected by curbing and shall contain:
 - (a) One (1) tree of one and one-half inch (1.5") caliper;
 - (b) Low shrubs of at least one (1) gallon in size for perennial and at least two (2) gallons in size for deciduous or evergreen; and
 - (c) Vegetative ground cover.
 - iv. Landscape islands adjacent to a double row of parking spaces, as shown in Figure 3 below, shall contain two (2) trees of one and one-half inch (1.5") caliper.
 - v. Consideration shall be given to the selection of trees and shrubs that at maturity will not interfere with parking lot lighting or present vehicular sight obstructions.
 - vi. The Zoning Administrator may authorize the relocation of a parking lot tree to another parking lot landscape area if such tree is deemed to interfere with parking lot lighting or vehicular sight distances.

FIGURE 3



(Ord. 97-11, 4/7/97; 97-33, 11/3/97; 2003-10; 04/21/2003; 2005-07, 02/07/2005; 2005-33, 12/19/2005; 2006-19; 11/06/06; 2014-05, 05/19/2014; 2017-05, 05/15/2017; 2018-07, 05/21/2018; 2019-11, 12/02/2019)

SECTION 5: SEVERABILITY. Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of the remaining provisions. The remaining chapters and sections of Title 4, shall be in full force and effect.

SECTION 6: EFFECTIVE DATE. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Moscow. This Ordinance shall be in full force and effect from and after the date of its passage, approval and publication according to law.

PASSED on Motion by the Following Vote:

	Aye	Nay	Abstain	Absent
Evan Holmes	_____	_____	_____	_____
Scott Sumner	_____	_____	_____	_____
Drew Davis	_____	_____	_____	_____
Sage McCetich	_____	_____	_____	_____
Sandra Kelly	_____	_____	_____	_____
Bryce Blankenship	_____	_____	_____	_____

ADOPTED by the City Council of the City of Moscow, Idaho and **APPROVED** by the Mayor of the City of Moscow, this ____ day of _____, 2026.

Hailey Lewis, Mayor

CERTIFICATION and ATTESTATION. I hereby certify that the above is a true copy of an Ordinance passed at a regular meeting of the City Council, City of Moscow, held on _____, 2026.

Laurie M. Hopkins, City Clerk