

BOARD of ADJUSTMENT



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

Public Meeting
~ Agenda ~

Lucy Falcy
Staff Liaison
208.883.7095

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

Tuesday
March 31, 2026

5:30 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. **Approval of Minutes from March 18, 2026 (ACTION ITEM)**

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

2. **Public Comment**

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

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

Conditional Use Permit for the utilization of an existing building located at 324 North Jackson Street as a Public Service Facility operating as a family-based resource center and overnight shelter, within the Motor Business (MB) Zoning District, per Moscow City Code 4-3-4. Permit Application LUP2026-0005.

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

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

ADJOURN

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

BOARD of ADJUSTMENT



Jerry Schutz
Board Chair
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Public Hearing
~ Minutes~

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

Wednesday
March 18, 2026

7:00 PM

Council Chambers
206 E Third Street

Schutz called the meeting to order at 7:00 PM

MEMBERS PRESENT: Jerry Schutz, Chair; Steve Bush, Marshall Comstock, Ivy Dickinson
MEMBERS ABSENT: Tim Kinkeade, Tim Thomson, Laura Weldon
OTHERS: Evan Holmes
STAFF: Lucy Falcy, Jennifer Fleischman

REGULAR AGENDA

1. Approval of Minutes from February 17, 2026 (ACTION ITEM)

Comstock moved for approval of the minutes as written, seconded by Dickinson. Vote by Acclamation; Ayes: Unanimous (4) Nays: None. Abstentions: None. Motion carried.

2. Public Comment

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

None offered.

3. Public Hearing: Proposal for a Conditional Use Permit at 324 N. Jackson St. Permit Application LUP2026-0005 (ACTION ITEM)

Conditional Use Permit application for the utilization of an existing building located at 324 North Jackson Street as a Public Service Facility operating as a family-based resource center and overnight shelter, within the Motor Business (MB) Zoning District, per Moscow City Code 4-3-4.

Falcy presented the Conditional Use Permit (CUP) request as described above and recommended approval with one condition regarding parking and alley access. A public comment was submitted after the packet was published but before the deadline that should be considered part of the packet (see attached). There are no code restrictions regarding serving alcohol within a certain area of a public and utility service facility. All participants in the program are vetted for history of violence or drug use.

The Public Hearing opened at 7:12 PM

Bruce Pitman (applicant), Moscow, speaking as the board president for Family Promise of the Palouse (FPP), thanked staff for a great presentation and provided brief remarks about what FPP does in the area.

Autumn Shafer (applicant), Pullman, introduced herself as the Executive Director of FPP and provided more details regarding the programs offered by the organization. The applicants are supportive of the condition recommended by Staff regarding parking. The proposed kitchen would be used by the staff and families.

Jennifer Wallace, Moscow, speaking as the Executive Director of Palouse Habitat for Humanity, was in support of the proposed site for FPP and the expanded services mentioned.

Mary Beth Rivetti, Moscow, spoke in favor of the specific project and also the national program of Family Promise.

Ed Button, Moscow, supported the project and talked about some of the safety features of the building. The Board had a conversation about how well-built the proposed building site is.

Nancy Nelson, Moscow, was in favor of the project and spoke about the accessibility of the proposed location.

Brooke Wilson, Potlatch, supported the proposed application and relayed personal testimony of the beneficial programs that FPP offers to the community.

Nils Peterson, Moscow, as the Executive Director of Hills & Rivers Trust of the Palouse, formerly known as Moscow Affordable Housing Trust (MAHT) spoke in favor of the project. Mentioned that MAHT used to be located in the same building as FPP, as the downstairs neighbor, and that there were no reported nuisances during that period.

The Public Hearing closed at 7:37 PM

The Board talked about the community need for the types of services offered by FPP and how the organization has successfully worked with other programs in the area. The Board members emphasized the strong community support that was provided during public testimony and reiterated that the proposed location was ideal for access to local services.

Comstock moved to approve the CUP at 324 North Jackson Street with one condition as recommended by Staff and directed Staff to prepare the draft Relevant Criteria and Standards document. The motion was seconded by Bush. Roll Call Vote; Ayes: Unanimous (4). Nays: None. Abstentions: None. Motion carried.

REPORTS

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The next Board of Adjustment meeting is scheduled for 5:30 PM on March 31, 2026.

Staff have received another CUP application which will need to be scheduled for public hearing.

The meeting adjourned at 7:41 PM

Jerry Schutz, Chair

Date

**BEFORE THE BOARD OF ADJUSTMENT
OF THE CITY OF MOSCOW, COUNTY
OF LATAH, STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A CONDITIONAL USE PERMIT APPLICATION FOR THE UTILIZATION OF AN EXISTING BUILDING LOCATED AT 324 NORTH JACKSON STREET AS A PUBLIC SERVICE FACILITY TO OPERATE AS A FAMILY-BASED RESOURCE CENTER, DAY-USE SHELTER, AND OVERNIGHT SHELTER WITHIN THE MOTOR BUSINESS (MB) ZONING DISTRICT PER MOSCOW CITY CODE 4-3-4.

WHEREAS, the applicant filed an application for a Conditional Use Permit on February 9, 2026; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on March 18, 2026; and

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

WHEREAS, during the public hearing and having considered the matter including all testimony presented, the Moscow Zoning Board of Adjustment approved the proposed Conditional Use Permit and instructed Staff to prepare the Reasoned Statement of Relevant Criteria for the Board's review and approval:

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

I. RELEVANT FACTS AND CONCLUSIONS

1. The Board of Adjustment considered the request pursuant to the City of Moscow Zoning Code, 2019 Comprehensive Plan, and Moscow City Code.
2. The applicant, Family Promise of the Palouse (FPP), is applying for a Conditional Use Permit (CUP) for a Public Service and Utility Facility in the Motor Business (MB) Zone. The applicant is proposing to convert the existing building, located at 324 N. Jackson, into their main operating center.
3. Services to be provided by FPP include; information resource center, household supply redistribution center, social program services, transportation, daytime living facilities for families involved in the program, temporary overnight sleeping facilities for up to two (2) families and intermittent meetings and classes.
4. FPP limits its services to families with children experiencing housing insecurity or homelessness.

5. FPP anticipates four (4) full-time staff, two (2) part-time staff, two (2) part-time drivers, and volunteers to provide services at this location. The site will be staffed between 7:00 a.m. and 6:00 p.m. Monday through Friday and staff are available on-call outside of those hours. FPP clients have access to the facility by appointment only. During weekends, when staff are not within the building, guests at the facility would include; families that are overnight guests at the facility as well as, during the daytime only, participants in the rotating shelter program. FPP anticipates 5-15 clients to be within the operation center on a daily basis. Security cameras will be installed throughout the building. Applicants are screened for drug use and records of violence.
6. FPP has been operating in Moscow since 2013. From 2013-2025 their main operation center was located at 510 W. Palouse River Drive.
7. Chapter 2, Land Use and Community Character, Future Land Use, designates the subject property as Urban Mixed.
8. Chapter 3, Community Mobility, identifies Jackson Street as a collector street.
9. A general goal of Chapter 5.9, Public Utilities, Services, and Growth Capacity, is to “provide for the orderly and efficient delivery and location of public facilities, utilities and services to the residents and businesses within the community.”
10. The subject property is approximately 20,000 square feet in size and hosts a single-story structure, 7,500 square feet in size that previously housed a science laboratory.
11. Access to the subject property is via a single drive aisle off of N. Jackson Street as well as from the alley located east of the site. There are a total of eleven (11) off-street parking spaces available.
12. The subject property, as well as all surrounding property, is located within the Motor Business (MB) Zoning District.
13. The Zoning Administrator has interpreted the proposed use as a Public Service and Utility Facility per MCC 4-3-3.
14. Public Service and Utility Facilities are conditionally permitted uses in the MB Zone per MCC 4-3-4.
15. Public Service and Utility Facilities do not have a minimum parking requirement per MCC 4-6-2-E-6.
16. The building on the subject site meets all bulk standards per MCC 4-4-2. No external building modifications are proposed. All future building modifications to zoning code standards.
17. No comments were received from other agencies or City departments.
18. Four (4) public comments in support of the application were provided in writing prior to the public hearing and six (6) public comments in support of the application were provided during the public hearing.

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

II. RELEVANT CRITERIA AND STANDARDS

1. The proposed use (is/is not) a conditionally permitted use within the Zoning District.

The Zoning Administrator determined the proposed use to be a Public Service and Utility Facility. The MB zone permits Public Service and Utility Facilities within the Motor-Business Zone with a Conditional Use Permit. It also permits outright the various sub-uses of the site, including; social advocacy services, professional offices, community neighborhood centers, retail sales, and lodging.

2. The character of the proposed use (will/will not) be in harmony with the neighborhood and surrounding land uses.

The proposed use will be in harmony with the area. Existing adjacent uses include a recycling center, potable water distributor, brewery, drive-through coffee-kiosk, and a single-family residence that is permitted through a conditional use permit due to its location in a commercial zone. Rosauer's supermarket is located 200 feet away to the north. These are mostly intense commercial uses. This portion of Jackson Street is a designated collector. The site is within two (2) blocks of public transit in any direction.

3. The proposed use as approved, or as approved with conditions, (will/will not) generate nuisances that would be injurious or detrimental to the adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like).

The proposed use will not generate nuisances or be injurious or detrimental to adjoining properties or the neighborhood. The site is open to the public during business hours but most services are provided by appointment only. Clients experiencing homelessness are generally brought to and from the site and the amenities serving the clients are indoors.

4. The location, design, and size of the proposed use (will/will not) be adequately served by existing streets, public facilities and services.

The site is adequately served by existing streets, public facilities, and services. No additional utilities or services are requested or required. It is well situated near to public transportation to serve clients that may not have vehicle access.

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

The proposed facility will not endanger public health or safety. Use of the site is primarily within the existing structure. Traffic to the site will follow historic patterns and have direct access off of a collector street as well as an alley.

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

The proposed use will meet all applicable development standards, including building setbacks and height restrictions. There is no parking requirement for a Public Service Facility and parking will be provided on-site.

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

The use is consistent with the Comprehensive Plan as it supports the goals and strategies of multiple chapters and does not conflict with other sections of the Plan.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Board of Adjustment approves the application for a Conditional Use Permit for the utilization of an existing building located at 324 North Jackson Street as a Public Service Facility operating as a day-use center, family-based resource center, and overnight shelter for up to two (2) families within the Motor Business (MB) Zoning District subject to the following condition:

1. That the subject site parking include at least eleven (11) spaces parking spaces and that the site utilize a through-traffic pattern to the alley if necessary to avoid backing onto N. Jackson Street.

PASSED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THIS 31st DAY OF MARCH, 2026.

Jerry Schutz, Chair
Board of Adjustment

* In accordance with Moscow City Code Section 4-6-5, any applicant, City representative or affected person, may appeal a final decision of the Board of Adjustment or of the Planning and Zoning Commission to the Council within ten (10) calendar days following a final decision of such Board or Commission regarding an interpretation of or administration of the Zoning Code by the Zoning Administrator, which includes: a variance application, conditional use permit, or PUD, by filing written notice of appeal specifying the grounds therefor with the City Clerk, or their designee. Grounds upon which an appeal to the City Council may be made following a final decision of the Board of Adjustment or of the Planning and Zoning Commission includes the following:

1. Decision violates statutory or constitutional provisions;
2. Decision exceeds statutory authority;
3. Decision was made upon unlawful procedure;
4. Decision was unsupported by substantial evidence in the records or as a whole; or
5. Decision was arbitrary, capricious, or an abuse of discretion.