

BOARD of ADJUSTMENT



Jerry Schutz
Board Chair
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Public Hearing
~ Minutes ~

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

Tuesday
December 9, 2025

7:00 PM

Council Chambers
206 E Third Street

Thomson called the meeting to order at 6:59 PM

MEMBERS PRESENT: Tim Thomson, Vice Chair; Steve Bush, Marshall Comstock, Ivy Dickinson, Laura Weldon

MEMBERS ABSENT: Tim Kinkeade, Jerry Schutz

STAFF: Lucy Falcy, Jennifer Fleischman

REGULAR AGENDA

1. **Approval of Minutes from November 10, 2025 (ACTION ITEM)**

Comstock moved for approval of the minutes as written, seconded by Dickinson. Vote by Acclamation; Ayes: Unanimous (5) 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 2010 South Main Street. Permit Application LUP2025-0027 (ACTION ITEM)**

Conditional Use Permit application to establish an existing legally non-conforming sign located at 2010 S. Main St as historically significant in order to allow its continued use and modification per Moscow City Code 4-6-7-I.

Falcy presented the Conditional Use Permit (CUP) request as described above and informed the Board of the standards considered by the National Register of Historic Places for something to be deemed eligible for historic registry. There were no comments from Idaho Department of Transportation regarding this application. The plans and records for past widening of Highway 95 would be retained by the Engineering Division but are not readily available.

The Public Hearing opened at 7:10 PM

Steven Hacker (applicant), Moscow, provided a brief explanation of the proposed work the owners would like to do on the sign and the intent. There will not be structural changes to the sign.

Kyle Allison, Moscow, supported the proposed changes to the sign but wondered if the sign was originally built within city limits. A 1967 Moscow City map shows the property was within city limits and zoned Motor Business.

Sage McCetich, Moscow, was in favor with the proposed sign modifications.

The Public Hearing closed at 7:15 PM

The Board had a discussion about how the sign has become historically significant in how recognizable it is to long-time community members and that it has been on the subject property for over 50 years. There was a comment that the sign has not been a nuisance to traffic or other neighbors in the time it has been there. They were in agreement that the sign is a historical part of Moscow and culturally significant to many residents and they would like to encourage historical preservation.

Comstock moved to establish the free-standing sign at 2010 S Main St as historically significant and approve the CUP with no conditions and direct Staff to prepare the draft Relevant Criteria and Standards document. The motion was seconded by Bush. Roll Call Vote; Ayes: Unanimous (5). Nays: None. Abstentions: None. Motion carried.

4. Public Hearing: Proposal for a Conditional Use Permit at 427 Troy Road. Permit Application LUP2025-0032 (ACTION ITEM)

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

The Vice Chair announced that the applicant has withdrawn their application, and the Hearing will no longer proceed as originally noticed.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

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

The meeting adjourned at 7:19 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 TO ALLOW REPAIR
AND MODIFICATION OF A NONCONFORMING SIGN AS A HISTORICALLY
SIGNIFICANT SIGN WITHIN THE MOTOR BUSINESS (MB) ZONE PER MOSCOW
CITY CODE 4-6-7-I.**

WHEREAS, the applicant filed an application for a Conditional Use Permit on October 22, 2025;
and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed
public hearing on December 9, 2025; 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; and

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

**THE 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 and Comprehensive Plan.
2. The subject property is designated Auto-Urban Commercial in the Moscow Comprehensive Plan.
3. The subject property is located within the Motor Business (MB) Zoning District.
4. All surrounding properties are also located within the MB Zone and comprise various commercial uses.
5. The subject property is a 27,346 square foot parcel located on the east side of South Main Street, south of East Palouse River Drive.

6. Per MCC 4-6-7-M, properties within the MB Zone are permitted a single freestanding sign per street frontage, each not to exceed twenty-five (25) feet in height.
7. The existing freestanding sign on the subject site is thirty-three (33) feet in height as measured from the grade at the base of the sign and is considered a nonconforming sign as it exceeds the permitted sign height.
8. The grade of the highway adjacent to the subject sign is approximately six (6) feet in elevation above the grade at the base of the sign. The height of the sign over the adjacent road grade is twenty-seven (27) feet.
9. Per MCC 4-6-7-F, as a nonconforming sign, the subject sign is prohibited from being repaired or modified without coming into compliance with the Moscow Sign Code.
10. Per MCC 4-6-7-I, an existing sign which an applicant can demonstrate as having significant historical value to a neighborhood or to the community at large may be repaired and/or relocated, regardless of applicable zoning district and nonconformity regulations, subject to the issuance of a Conditional Use Permit.
11. There are no records on file for the subject sign. Estimated sign installation year is between 1967-1969.
12. The subject property housed a Chinese restaurant between 1967-2025.
13. The subject sign that served the Chinese restaurant has Chinese styling.
14. There was verbal testimony given by two (2) people in support of the application.
15. The Board of Adjustment finds that the subject sign is historically significant.

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

II. RELEVANT CRITERIA AND STANDARDS

1. The proposed use is a conditionally permitted use within the Zoning District:

Existing signs which an applicant can demonstrate as having significant historical value to a neighborhood or to the community at large may be repaired and/or relocated, regardless of applicable zoning district and nonconformity regulations, subject to the issuance of a Conditional Use Permit (CUP). The Board has determined that the existing sign has significant historical value based upon its affiliation with the Chinese Village which was originally constructed sometime in the 1960's and is therefore eligible for a CUP for its repair and refacing.

2. The character of the proposed use will be in harmony with the neighborhood and surrounding land uses:

The existing use of the site and the subject sign predates much of the surrounding development and is appropriately zoned. With the exception of its height, the subject sign is within the allowed freestanding sign dimensions for the MB Zone.

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

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

4. The location, design, and size of the proposed use will be adequately served by existing streets, public facilities and services:

The subject site has been and will continue to be adequately served by existing streets, public facilities, and services.

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

As part of the required sign permit process, the Building Department will review the sign for compliance with current structural requirements. The sign has stood without endangering the public since at least 1969. It is not causing any traffic visibility issues.

6. Proposed use meets all applicable development standards of the Zoning Code:

The Board finds that the proposed sign is a “Historically Significant Sign” and is therefore permitted to be repaired with the current zoning nonconformities, subject to a CUP. There are no other development standards which are currently not being met.

7. The proposed use will not be in conflict with the Comprehensive Plan:

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

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Board of Adjustment determined the subject sign at 2010 South Main Street to be historically significant and approves the application for a Conditional Use Permit for its proposed sign face change with no conditions.

PASSED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW this 16th day of December, 2025.



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.