

Moscow City Council



Regular Meeting ~Minutes~

www.ci.moscow.id.us

Laurie M. Hopkins
City Clerk

208.883.7015

Monday, July 6, 2026

7:00 PM

**Council Chambers
206 E. Third St.**

The meeting was called to order at 7:00 p.m.

PRESENT: Mayor Hailey Lewis, Bryce Blankenship, Drew Davis, Evan Holmes, Sandra Kelly, Scott Sumner

ABSENT: Sage McCetich

STAFF: Bill Belknap, Mia Bautista, Nichol Baird Spencer, Megan Cherry, Mike Ray, Lucy Falcy, Laurie M. Hopkins

PLEDGE OF ALLEGIANCE

Mayor Lewis led the Pledge of Allegiance.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council June 15, 2026 Minutes - Laurie M. Hopkins

B. Approval of Payment of Claims - Sarah Decker

C. Indefinite Trailer Permit at 1824 E. D Street - Lucy Falcy

Under MCC Section 6-1-6, City Council may grant a temporary trailer permit for an indefinite period if unusual hardship is shown by the issuance of an ordinary 60 day permit. The permit for an indefinite period shall only be issued upon showing that the trailer is used to house an aged, infirm, or ill member of the immediate family of the owner of the parcel of land upon which said trailer is situated and upon which the owner of said parcel of land himself resides; and such permit shall only remain in existence until the termination of the condition which required the application for a special permit due to hardship. A request has been made to the Planning Division for an Indefinite Trailer Permit at 1824 E. D Street in the City of Moscow. The applicant, Ryan Urie, is requesting long-term placement of a 33-foot travel trailer to be occupied by his mother and father, aged 79 and 84. The applicant has submitted a letter, photos, and a site plan of the subject property for the Council's review. This item was reviewed at the June 22, 2026 Administrative Committee meeting and recommended for approval.

ACTIONS: Approve the Indefinite Trailer Permit request.

D. Rendezvous in the Park Alcohol Use Request in East City Park - Amanda Argona

Rendezvous in Moscow, Inc. is hosting its annual music and arts festival, Rendezvous in the Park, on July 17-18, 2026, in East City Park. The festival features live, family-friendly concerts in the evenings, a two-day arts festival for children during the mornings, food vendors, and one licensed beer/wine vendor. Following standard operating procedures for events with alcohol within a City Park, Rendezvous in Moscow, Inc. is requesting the allowance of attendees to possess and consume alcoholic beverages within the event footprint during the hours of 4 p.m. and 10 p.m. during the

aforementioned dates. Per Moscow City Code, Section 5-13-4, a draft resolution has been prepared by the Community Events Division and reviewed by the Legal Department for the Council's consideration. This was reviewed by the Administrative Committee on June 22, 2026 and recommended for approval.

ACTION: Approve the resolution allowing for the possession and consumption of alcoholic beverages in East City Park within the event footprint of Rendezvous in the Park during the listed times and dates of the event.

Holmes moved and Davis seconded to approve the consent agenda as presented. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REGULAR AGENDA

2. Mayors Appointments (ACTION ITEM)

None offered.

3. Public Comment (limit 15 minutes)

Joe Thompson (Moscow) represents the Idaho affiliate of the National Federation of the Blind and brought up why Moscow doesn't have audible signals at the traffic lights. He is advocating having them at the county and state levels and asked council to petition the state to install them at the highway intersections. Mayor Lewis offered to discuss with the Idaho Transportation Department.

John Slagboom (Moscow) said he agrees with Mr. Thompson. He asked about a July 4th proclamation and Mayor Lewis said she did not due to the timing of the holiday. He spoke on the proposed FY2027 parks capital project budget which includes the East City Park stage construction cost. He requested the contract be put on hold until the FY2027 budget hearing is held in August. Mayor Lewis clarified

Tym Park (Moscow) stated he was almost hit by a person riding a scooter at the intersection of Jefferson and Third where the site lines are reduced. He emphasized the need for education for electric bikes and scooters.

Nils Peterson (Moscow) thanked the council for the trailer permit approved on the consent agenda. He requested the council discuss tiny homes.

4. Written Decision Regarding the Appeal of a Board of Adjustment Decision Regarding 513 S. Main Street (ACTION ITEM) - Mike Ray

On March 2, 2026, Roderick 'Rusty' Olps applied for a Conditional Use Permit to provide educational services at 513 S. Main Street. The Moscow Board of Adjustment considered the application at a duly noticed public hearing on April 27, 2026. The Board of Adjustment denied the application as documented in their written decision dated May 20, 2026. On May 27, 2026, Mr. Olps filed an appeal of the Board's decision to the City Council in accordance with Moscow City Code Title 4, Chapter 8, Section 8-5. On June 15, 2026, the Moscow City Council considered the appeal during a duly noticed regular meeting of the City Council and reversed the decision of the Board of Adjustment in whole. Staff has prepared the written decision for the Council's review and approval.

PROPOSED ACTIONS: Approve the proposed written decision as presented; or approve the proposed written decision with modifications; or provide staff with further direction.

Ray introduced the item as written above. Holmes stated he finds the statement falls into the same trapping of what words mean. Davis moved to approve. Kelly seconded. Roll Call Vote: Ayes: Four (4). Nays: One (Holmes). Abstentions: None. Motion carried.

5. City Shop Mural Artist Selection (ACTION ITEM) - Megan Cherry

Following Council's approval of the muralist RFQ for the City Shop on December 1, 2025, artist submissions were accepted from January 5 – March 2, 2026. A total of 21 artists submitted qualifications for consideration. A Selection Panel made up of artists, neighborhood residents, City staff, and Moscow Arts Commission (MAC) members reviewed the submissions and recommended four finalists to create site-specific designs. The MAC voted to recommend those finalists during their regular meeting on Tuesday, April 14th. The finalists presented designs, which were reviewed by the Selection Panel on June 3, 2026. Those designs are available to view here: <https://moscowarts.submittable.com/gallery/20796d7e-9f79-4a1f-b0f1-0aa1db5f44d7>. A public input period was open from May 26 – 29, 2026. A total of 43 people responded, with results in the packet. The Panel recommended that the MAC and City Council select either the design by Sasha Primo or the one by Taylor Shaw, each with slight adjustments to the design. The MAC discussed the designs during their regular meeting on June 9 and recommended moving forward with "Forged in Moscow" by Taylor Shaw, in Colorway #1. Recommended updates to the design include removing the side-by-side, cement truck, and woodchipper, as well as incorporating more figures and park-related subject matter in their place. Following City Council approval, Arts and City Shop staff will work with the artist to complete design edits and will present the final design to the Mayor for approval.

PROPOSED ACTIONS: Approve the design by Taylor Shaw, with revisions as recommended by the Moscow Arts Commission, and the associated professional services agreement, or take such other action deemed appropriate.

Cherry introduced the item as written above. In response to council questions, Cherry explained the process for content editing with the mayor making the final decision. An anti-graffiti layer will be used, and the basecoat will be completed in the next couple weeks. Kelly moved to approve the design by Taylor Shaw, with revisions as recommended by the Moscow Arts Commission, and the associated professional services agreement. Davis seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

6. Moscow Police Department Sculpture Artist Selection (ACTION ITEM) - Megan Cherry

Following Council's approval of the sculpture RFQ for the Moscow Police Department on February 2, 2026, artist submissions were accepted from February 6 – March 27, 2026. A total of six artists submitted qualifications for consideration. A Selection Panel made up of artists, current and retired MPD officers, City staff, and Moscow Arts Commission (MAC) members reviewed the submissions and recommended two finalists to create site-specific designs. The MAC voted to recommend those finalists during their regular meeting on Tuesday, April 14th. The finalists presented designs, which were reviewed by the Selection Panel on June 2, 2026. Those designs are available to view here: <https://moscowarts.submittable.com/gallery/cf3db467-c437-4510-8be8-e9304e840d04>. A public input period was open from May 26 – 29, 2026. A total of 89 people responded, with results in the packet. The Panel recommended that the MAC and City Council select "Eternal Watch" by Ken McCall with slight adjustments to the design. The MAC discussed the designs during their regular meeting on June 9 and recommended moving forward with McCall's design. Recommended updates to the design include adjusting the scale and position of the wings. Following City Council approval, MPD, Arts, and Facilities staff will work with the artist to complete design edits and will present the final design to the Mayor for approval.

PROPOSED ACTIONS: Approve the design by Ken McCall, with edits as recommended by the MAC, and the associated professional services agreement, or take such other action deemed appropriate.

Cherry introduced the item as written above adding the artwork will commemorate the enduring legacy of service carried from one officer to the next at the "end of watch." The sculpture was crafted to be connected to the Moscow Police Department and the 2007 incident being memorialized with the shield, wings, clock

and words. The clock is set at 1:49 to represent Lee Newbill's badge number. The words represented in the badge are placeholders as there will be a public input session for the public to provide words that represent police work. Suggested design edits was to adjust the scale and/or the position of the wings. Cherry would meet with the artist and Chief Dahlinger on how to approach those design edits and then the mayor would approve.

Blankenship said the size of the wings was mentioned in the public comments a few times. The space is unique and balance is needed.

Davis felt because it is a structural piece of art, the artist thought about how the light would hit the art. The piece is on par with what is needed for a theme and location. He is comfortable with the piece as is and doesn't feel edits are necessary.

Holmes likes that the piece meets the criteria for interpretation, grabs your attention, invites you to come closer and leaves you with a message. He agrees with Davis, in that the artist had it right with the shadows and words for reflection. He would leave the piece as is.

Kelly also agrees with Davis and Holmes. She likes it the way it is.

Davis moved to approve the design by Ken without edits and approve the associated professional services agreement. Kelly seconded. Blankenship asked Cherry to provide additional information on what edits were discussed. Cherry answered Chief Dahlinger offered notes regarding the size of the badge in relationship to the size of the wings. The MAC recommended a minimum height of 14 feet, which would make the sculpture taller than the Police Department sign and create a more appropriate scale between the sculpture and the building. The edits are ultimately to make sure the work reflects the content and the work being done in the building. Holmes stated that he agrees with the motion but intends to vote against it so the MAC can make final edits. He noted that the mayor can consider the council's comments during her final approval.

Sumner confirmed that the sculpture will not be shorter than the 14-foot minimum. He said he is inclined to support Dahlinger's suggestions, as he will be walking past the sculpture regularly. He also expressed confidence that the artist will incorporate the suggestions while ensuring the sculpture remains structurally sound.

Roll Call Vote: Ayes: Two (Kelly, Davis). Nays: None. Abstentions: None. Motion failed.

Blankenship moved to approve the design by Ken McCall with edits as recommended. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

7. PUBLIC HEARING: Ordinance Amending Moscow City Code Title 4, Chapters 1, 3, 4, and 6 Regarding Single-Family Dwellings, Two-Family Dwellings, and Bed and Breakfast Inns (ACTION ITEM) - Mike Ray

The City of Moscow Community Development Department over the past few years has observed the evolution of building plans being submitted for two-family dwellings which increasingly have multi-family elements. 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. These multi-family-like but portrayed as two-family dwellings appear to be intentionally intended to avoid life safety, ADA accessibility, and off-street parking that would otherwise be required for multi-family

dwelling units to protect the health, safety and welfare of the occupants of multi-family dwellings and mitigate the impacts of the use upon the surrounding neighborhood. The Planning and Zoning Commission has identified the need to mitigate the immediate impact upon the surrounding neighborhoods by preparing an ordinance to amend certain definitions, ensure there is adequate open space, and require sufficient off-street parking. Additionally, in order to be in compliance with House Bill No. 583 upon its effective date of July 1, 2026, the City is amending the use table to allow Bed and Breakfast Inns as a permitted use in all zoning districts in which single-family dwellings are permitted. The Planning and Zoning Commission conducted a public hearing on the proposed ordinance on May 13, 2026, and unanimously recommended approval to City Council. The Administrative Committee reviewed this item at their June 22, 2026, meeting.

PROPOSED ACTIONS: After considering public testimony, approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take such other action deemed appropriate.

Ray introduced the item as written above and provided a presentation. See attached. In answer to questions regarding air exchange by Holmes, Ray said he spoke with many appraisers. P&Z did discuss egress windows. Mayor Lewis opened the public hearing at 8:25 p.m.

Rijel Tavella (Moscow) was an affordable housing advocate in Los Angeles. She encouraged the council to reject the ordinance and rebuild it. She said single room occupancy is an affordable housing option for the lowest income. Moscow has long history of subdividing housing into apartments. When trying to add more housing in the center of Moscow, this is excessive and puts a burden on those trying to provide affordable housing. She suggested tabling or rejecting it.

John Slagboom (Moscow) has lived in a subdivided home. He is against these changes and agrees with Rijel. He felt these changes make it more difficult and adds cost to developers. He asked the council to not punish creativity and vote no.

Nils Peterson (Moscow) thinks this ordinance is a mistake. He feels the root problem is parking and these changes are to address parking. Parking needs to be addressed separately. He pointed out Moscow is becoming more urban and there is a problem with car storage. He asked the Council to revise the zoning code to add building types and adjust parking rules and do not proceed with the amendment.

Mayor Lewis closed the public hearing at 8:37 p.m. Council discussion focused on balancing housing needs with life safety requirements and clarifying the intent of the proposed ordinance.

Holmes stated the ordinance does not prohibit multifamily housing but addresses ADA accessibility and fire safety requirements. He said it provides greater clarity within the City's code, reduces potential liability, and establishes a stronger regulatory framework while allowing future discussions on housing policy.

Sumner noted the City already regulates the number of unrelated individuals living in a dwelling, although staff clarified enforcement is complaint driven. He expressed support for prioritizing housing over parking, stating that reducing parking requirements is one of the simplest ways to encourage affordable housing. He suggested considering a home's size rather than the number of bedrooms when determining parking requirements. Staff explained the current standard requires two parking spaces per dwelling unit, with one additional space for each bedroom over four, and noted that regulating parking by floor area would present challenges in distinguishing storage and unfinished spaces.

Mayor Lewis stated that while the community is becoming more urban, the City should be cautious about applying suburban definitions. She said increasing the housing inventory should not come at the expense of allowing developers or property owners to exploit the unique characteristics of the local housing market, particularly its student population. She emphasized that staff's request is for clarification of the existing code and regulatory framework used to evaluate development proposals. She noted that when staff identifies issues with the current code and the P&Z Commission recommends amendments, Council should carefully consider those recommendations. She added that Moscow's housing market is unique because of the university's presence and should not be evaluated the same as communities without a university.

Kelly supported the need for affordable housing but emphasized that new housing must also meet appropriate safety standards, stating the proposed changes are a positive first step.

Blankenship supported the ordinance, stating it provides greater consistency and clearer standards.

Davis said the amendments improve clarity and strengthen life safety protections while ensuring multifamily housing meets appropriate safety regulations rather than restricting its development.

Sumner stated the City should continue reviewing its development regulations to facilitate housing while minimizing unnecessary ancillary requirements and maintaining a focus on ADA accessibility and fire safety.

Blankenship moved to approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary Davis seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lewis read Ordinance 2026-04 by title:

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 3, SECTION 3-4, LAND USE TABLE; 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

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8. Lot Division at 924 Public Avenue (ACTION ITEM) - Lucy Falcy

The applicants, Renee and Emmett Love and Isaak and Aven Julye, are requesting a lot division to create two lots of approximately 1.62 and 2.81 acres in size as well as an unbuildable tract of approximately 0.59 acres in size on their existing five-acre parcel located at 924 Public Avenue. An existing single-family dwelling, 924 Public Avenue, will remain on the newly created southern lot. The subject property is located in the Single-Family Residential (R-1) Zoning District. Within the R-1 zone, lots are required to be a minimum of 9,600 square feet in size, have a minimum lot width of eighty (80) feet, and have forty (40) feet of public street frontage. Both proposed lots meet the minimum lot area and width requirements of the R-1 Zone and the existing single-family dwelling will meet all setback requirements. The applicants intend to donate the unbuildable tract to Palouse-Clearwater

Environmental Institute to use as a pedestrian path. Property owners within 600 feet of the subject property have been notified of the proposed division and a sign was posted on the subject property seven (7) days prior to the public meeting date. This item was reviewed at the June 22, 2026, meeting of the Administrative Committee and recommended for approval with one condition.

PROPOSED ACTIONS: Approve the proposed lot division with the condition that a minimum of fifty (50) feet of width be maintained on Parcel 1 for the extension of Cherry Blossom Lane in the future; or approve the lot division with no conditions; or deny the lot division; or take such other action as deemed appropriate.

Falcy introduced the item as written above. One large property is proposed to be divided into three parcels, one of which is a non-buildable, L-shaped tract intended for a walking path. The access easement is provided for the benefit of the walking path tract. The future extension of Cherry Blossom Lane remains to be determined and will not occur as part of this proposal. The purpose of the easement is to ensure it remains wide enough to accommodate a future extension of the roadway if needed. Currently, the access easement is undersized. Due to the steep terrain, the tract is limited to pedestrian use.

Sumner commented the easement to allow the potential for Cherry Blossom Lane makes sense for connectively as if the easement is less than 50-feet, the street could not be extended.

Holmes noted there could be concerns from adjacent property owners regarding the proposed path and expressed hope that PCEI would provide appropriate landscape buffers and consult with neighboring property owners during the design process. He stated he supports the proposal with the understanding that PCEI will work collaboratively with adjacent property owners, similar to the process used for the Palouse Path and Latah Trail.

Kelly moved to approve the proposed lot division with the condition that a minimum of the 50 foot of width be maintained on Parcel 1 for the extension of Cherry Blossom Lane. Blankenship seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REPORTS

City Council and Mayor

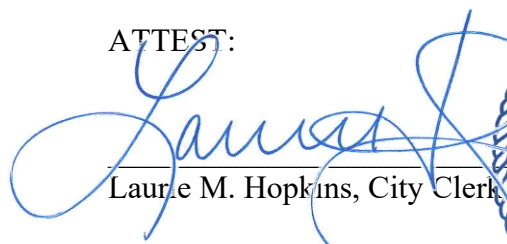
Reports were delayed.

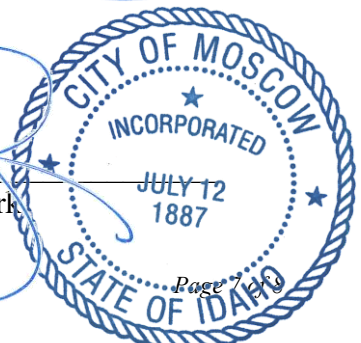
ADJOURN TO EXECUTIVE SESSION PER IDAHO CODE 74-206 (1)(F) – THE MEETING WILL NOT RECONVENE

Kelly moved at 9:20 p.m. to adjourn to executive session per Idaho Code 74-206 (1)(F) and the meeting will not reconvene Blakenship seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.


Hailey Lewis, Mayor

ATTEST:


Laurie M. Hopkins, City Clerk



**CITY OF MOSCOW
MINUTES OF CITY COUNCIL EXECUTIVE SESSION
July 6, 2026**

Present: Mayor Lewis, Bryce Blankenship, Evan Holmes, Sandra Kelly, Scott Sumner
Absent: Sage McCetich
Also Present: Bill Belknap, City Supervisor; Mia Bautista, City Attorney,

The executive session was called to order at 8:33 p.m.

- 1st item: 74-206(1)(f) - controversies not yet being litigated but imminently likely to be litigated 9:28-9:41
- 2nd item: 74-206(1)(f) - pending litigation 9:41-9:51
- 3rd item: 74-206(1)(f) - controversies not yet being litigated but imminently likely to be litigated 9:51-10:03

The executive session was adjourned at 10:03 p.m.

**BEFORE THE CITY COUNCIL
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

**WRITTEN DECISION OF THE MOSCOW CITY COUNCIL REGARDING THE
APPEAL OF A BOARD OF ADJUSTMENT DECISION PERTAINING TO THE
PROPOSED USE OF A BUILDING LOCATED AT 513 SOUTH MAIN STREET IN THE
CITY OF MOSCOW, IDAHO.**

WHEREAS, Idaho Code 67-6511 authorizes governing cities to establish standards “to regulate and restrict the height, number of stories, size, construction, reconstruction, alteration, repair or use of buildings and structures; percentage of lot occupancy, size of courts, yards, and open spaces; density of population; and the location and use of buildings and structures.”; and

WHEREAS, The City of Moscow pursuant to Idaho Code 67-6509 has adopted Moscow City Code Title 4, Land Use, Chapter 3: Permitted Uses and Chapter 8: Appeals, Variances, Conditional and Special Uses; and

WHEREAS, on March 2, 2026, Roderick ‘Rusty’ Olps submitted a Conditional Use Permit application to the Planning Division for the use of an existing building to provide music, dance, and fitness classes in the Central Business Zone per Moscow City Code Title 4, Chapter 4, Section 4-2; and

WHEREAS, music, dance, and fitness classes are classified as ‘Educational Services’ in the Moscow Land Use Table per Moscow City Code Title 4, Chapter 4, Section 4-2; and

WHEREAS, “Educational Service” is a conditionally permitted use within the Central Business zone where it is provided by a school or instructor that is not associated with an elementary or secondary school or college, university, or professional school; and

WHEREAS, on April 27, 2026, the Zoning Board of Adjustment (hereinafter “Board”) conducted a duly noticed public hearing to consider the Conditional Use Permit application (LUP 2026-0010); and

WHEREAS, the Board denied the Conditional Use Permit application at the April 27, 2026 public hearing under the determination that it did not meet required Criterion 2: “The character of the proposed use will be in harmony with the neighborhood and surrounding land uses” as outlined in Moscow City Code Title 4, Chapter 8, Section 8-4.B; and

WHEREAS, on May 20, 2026, the Board approved their written decision which denied the Conditional Use Permit for music, dance, and fitness classes at 513 S Main Street; and

WHEREAS, on May 27, 2026, Mr. Olps filed an appeal of the Board’s decision to the City Council in accordance with Moscow City Code Title 4, Chapter 8, Section 8-5, claiming that the decision of the Board was unsupported by substantial evidence in the records or as a whole; and

WHEREAS, Mr. Olps requested oral argument within said appeal in accordance with Moscow City Code Title 4, Chapter 8, Section 8-5.B.3; and

WHEREAS, on June 15, 2026, the Moscow City Council considered Mr. Olps' appeal during a duly noticed regular meeting of the City Council; and

WHEREAS, the Moscow City Council reviewed the complete record related to the appeal, did not consider any new or additional evidence, and did consider Mr. Olps' oral argument on the appeal:

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION OF THE RECORD ESTABLISHED BY THE MOSCOW ZONING BOARD OF ADJUSTMENT AND CONSIDERATION OF BOARD OF ADJUSTMENT DECISION REGARDING LUP2026-0010 AND HAVING CONSIDERED THE ISSUES PRESENTED IN THE APPEAL, HEREBY CONCLUDES THAT ALL MATTERS STATED ABOVE ARE TRUE AND CORRECT AND ARE INCORPORATED HEREIN ALONG WITH THE FOLLOWING:

I. RELEVANT FACTS AND CONCLUSIONS

1. Roderick 'Rusty' Olps filed a timely appeal in accordance with Moscow City Code Title 4, Chapter 8, Section 8-5 on the grounds that the decision of the Zoning Board of Adjustment was unsupported by substantial evidence in the records or as a whole, and he requested oral argument before the City Council.
2. The City Council considered Mr. Olps' appeal during a duly noticed regular meeting of the City Council.
3. The City Council considered the appeal pursuant to procedures and requirements of Moscow City Code Title 4, Chapter 8, Section 8-5.
4. The City Council was provided the complete record related to this matter including all filings, applications, meeting minutes, written decisions, meeting transcripts, meeting recordings, and all other official records regarding the matter.
5. Upon review of the record of the April 27, 2026, Zoning Board of Adjustment meeting, the City Council finds that the record lacks specific evidence or factual findings identifying any specific operating characteristics or potential nuisances that would result from the operation of the proposed use on the subject property that would render the use to be inconsistent or injurious to the neighboring and surrounding properties and land uses.
6. Upon review of the Zoning Board of Adjustment's written decision dated May 20, 2026, the City Council finds that the written decision lacks adequate justification or factual findings and analysis to support the determination that the character of the proposed use will be in harmony with the neighborhood and surrounding land uses.

7. Therefore, upon consideration of the complete record and the written decision of the Zoning Board of Adjustment, the Council concurs with the appellant that the Board's decision was unsupported by substantial evidence in the records and as a whole.

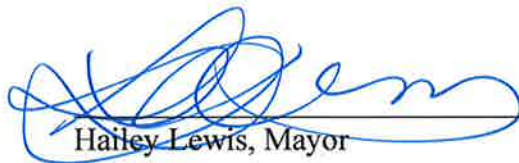
DECISION

The Moscow City Council hereby **REVERSES** the decision of the Zoning Board of Adjustment in whole.

PASSED on Motion by the Following Vote:

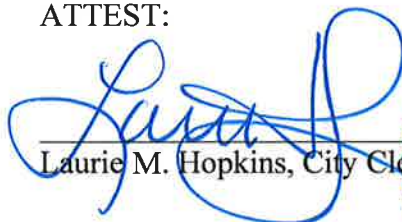
	Aye	Nay	Abstain	Absent
Sage McCetich	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Drew Davis	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Sandra Kelly	<u> </u>	<u>X</u>	<u> </u>	<u> </u>
Scott Sumner	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Evan Holmes	<u> </u>	<u>X</u>	<u> </u>	<u> </u>
Bryce Blankenship	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

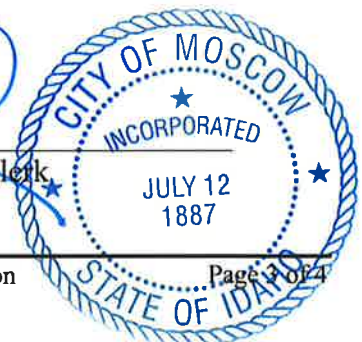
ADOPTED by the City Council of the City of Moscow, Idaho and **APPROVED** by the Mayor of the City of Moscow, this 6th day of July 2026.


Hailey Lewis, Mayor

CERTIFICATION. I hereby certify that the above is a true copy of the City Council decision passed at a regular meeting of the City Council, City of Moscow, held on July 6, 2026.

ATTEST:


Laurie M. Hopkins, City Clerk



Note: Idaho Code § 67-8003(1). Within 28-days of this written decision an owner of private property that is the subject of this action may request a written taking analysis concerning this action.

Idaho Code § 67-5231(3). A petition for judicial review of a final agency action other than a rule or order must be filed within twenty-eight (28) days of the agency action, except as provided by other provision of law.

Public Hearing: Ordinance Amending Moscow City Code Title 4, Chapters 1, 3, 4, and 6 Regarding Single-Family Dwellings, Two-Family Dwellings, and Bed and Breakfast Inns

City Council
July 6, 2026

Background

- The City of Moscow Community Development Department has observed the evolution of building plans being submitted for two-family dwellings which increasingly have multi-family elements
- Recent building permit applications and construction plans have been submitted for structures represented as two-family dwellings, but which are designed to function as and be leased as multi-family dwellings
- Structures are being represented as two-family dwellings to avoid health, safety, and welfare standards (ADA, life-safety, off-street parking, and other Federal, State, and local building standards) that apply to multi-family dwellings

Background

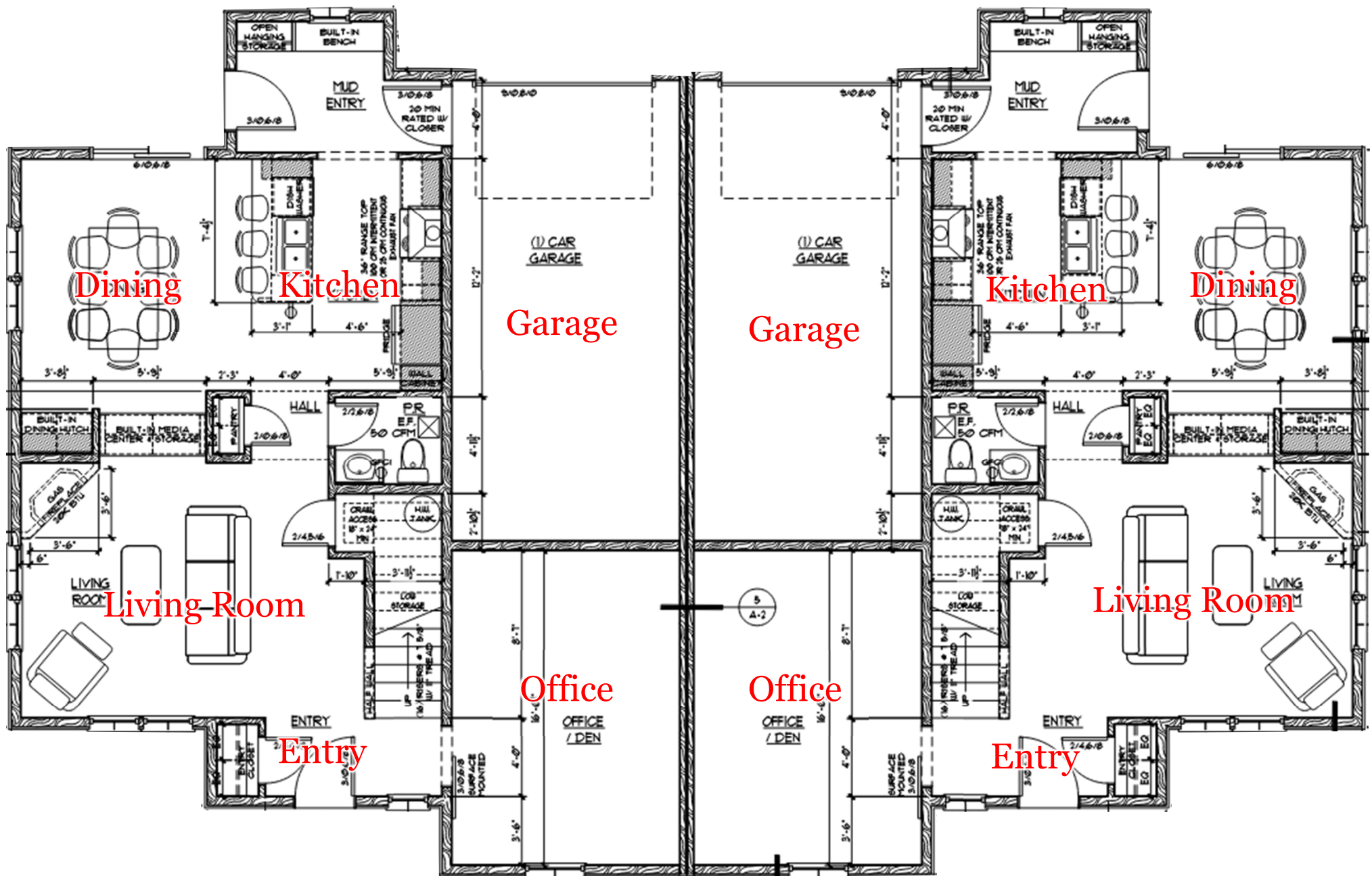
- Multi-family dwellings (3 or more dwellings)
 - Fire alarm and suppression systems
 - ADA accessible units with accessible site amenities
 - Off-street parking and common open space
- Two-family dwellings
 - No fire alarm or suppression system requirements
 - Not subject to ADA requirements
 - Have a much lower parking requirement and no ADA parking is required

Building Codes

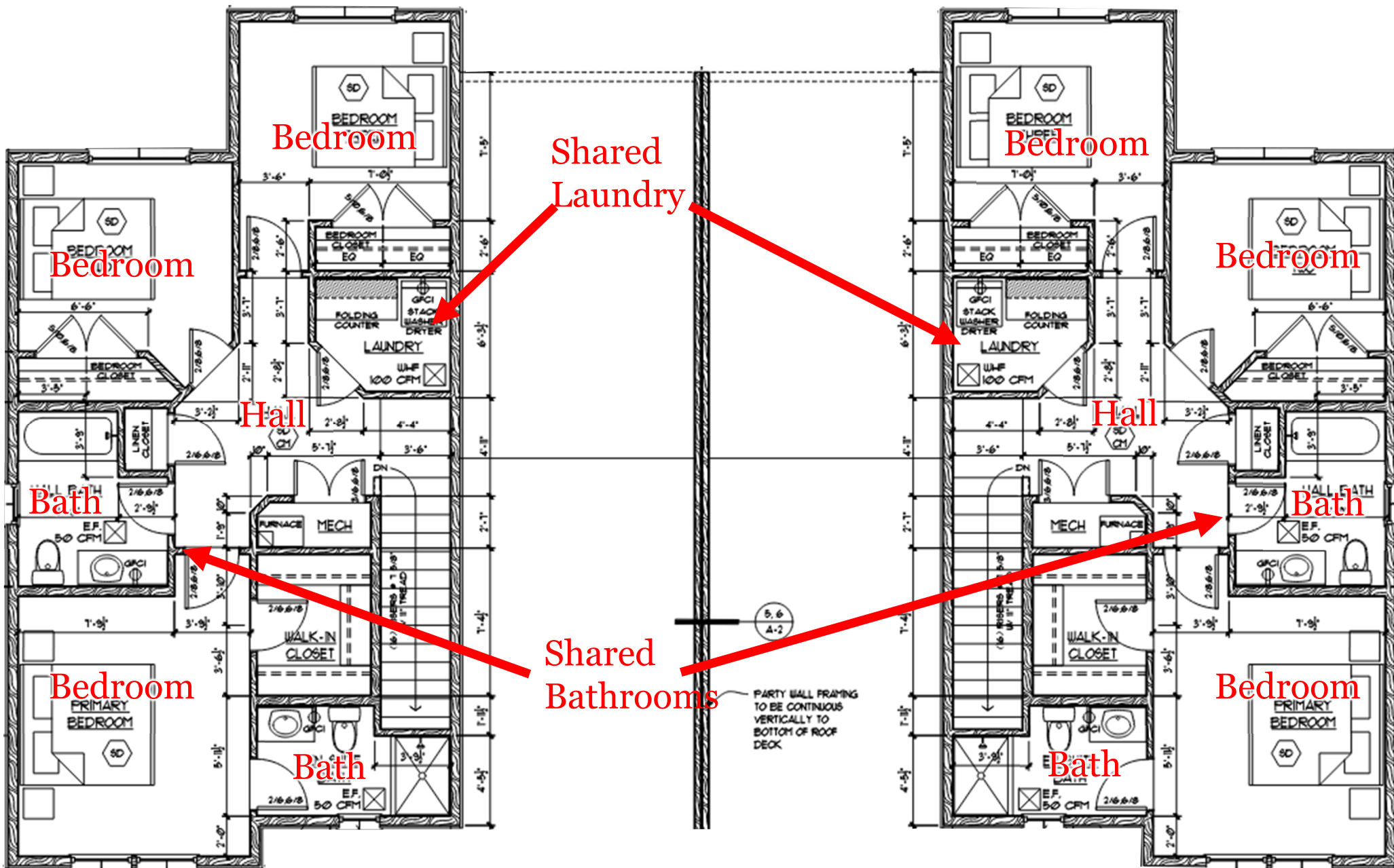
- State of Idaho requires municipalities to adopt the building codes that are adopted by the state
 - 2018 International Building Code
 - Covers multi-family and commercial buildings
 - Municipalities may adopt stricter standards
 - 2018 International Residential Code
 - Covers single- and two-family dwellings
 - Municipalities are permitted to adopt stricter standards only in certain chapters
 - Currently fire sprinkler systems and/or fire alarm systems are not required and municipalities are not allowed to require them

Existing Definitions

- Dwelling Unit - A building or portion thereof providing complete housekeeping facilities for one family
- Family Definition
 - There shall be no more than one “family” per dwelling unit
 - Not more than four unrelated individuals living together as a single housekeeping unit
 - “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

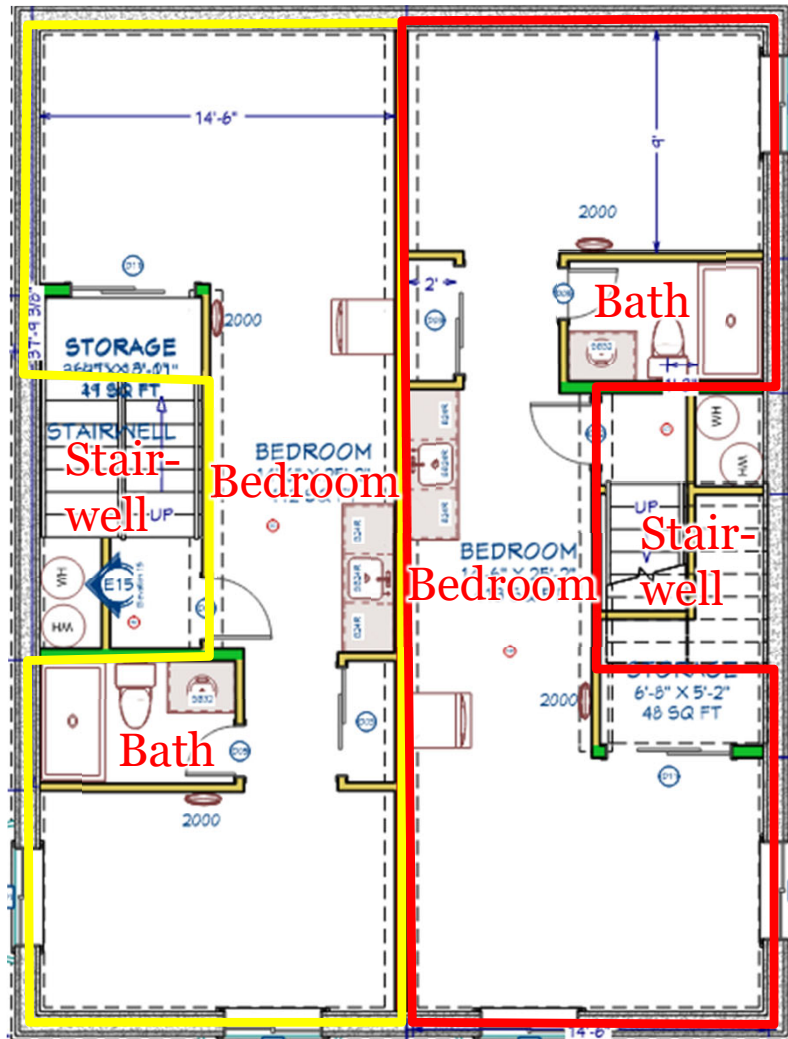


First Floor – Typical Duplex



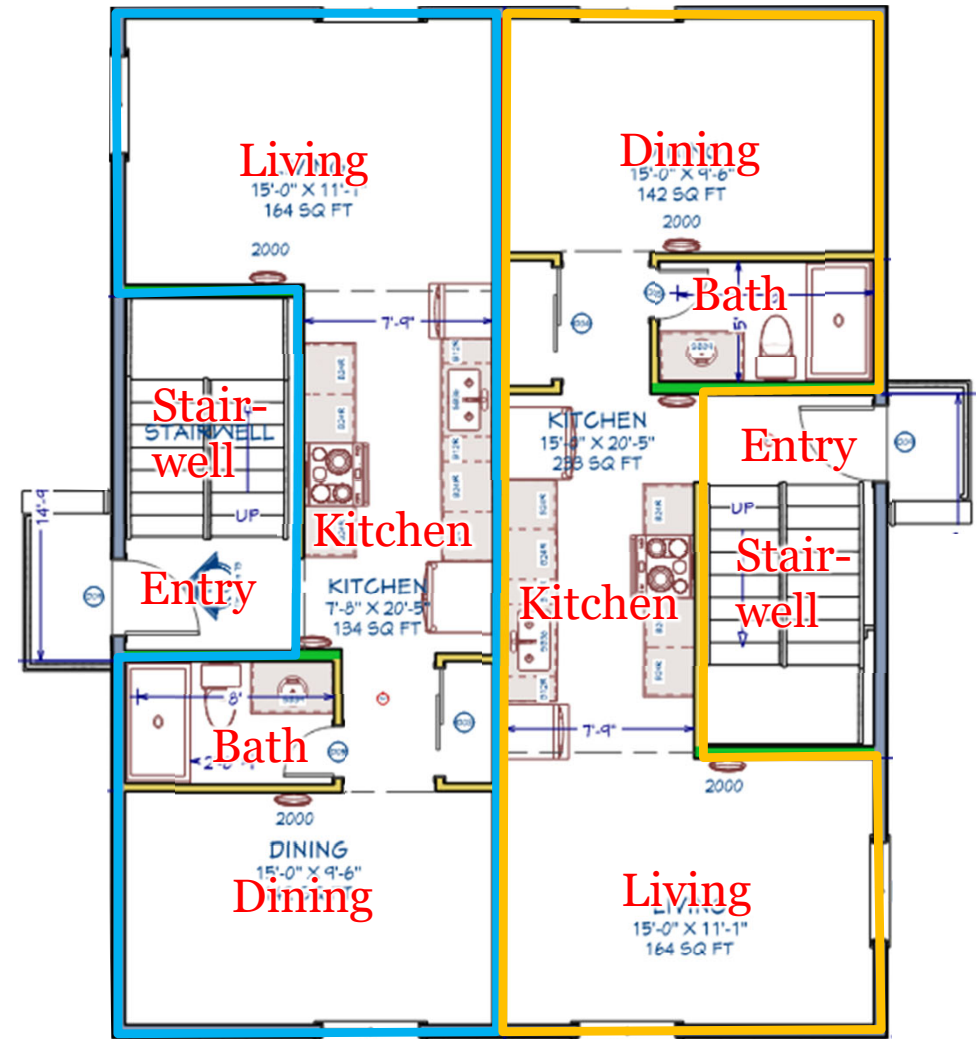
Second Floor – Typical Duplex

Single access from Stairs- No Hallways



Basement

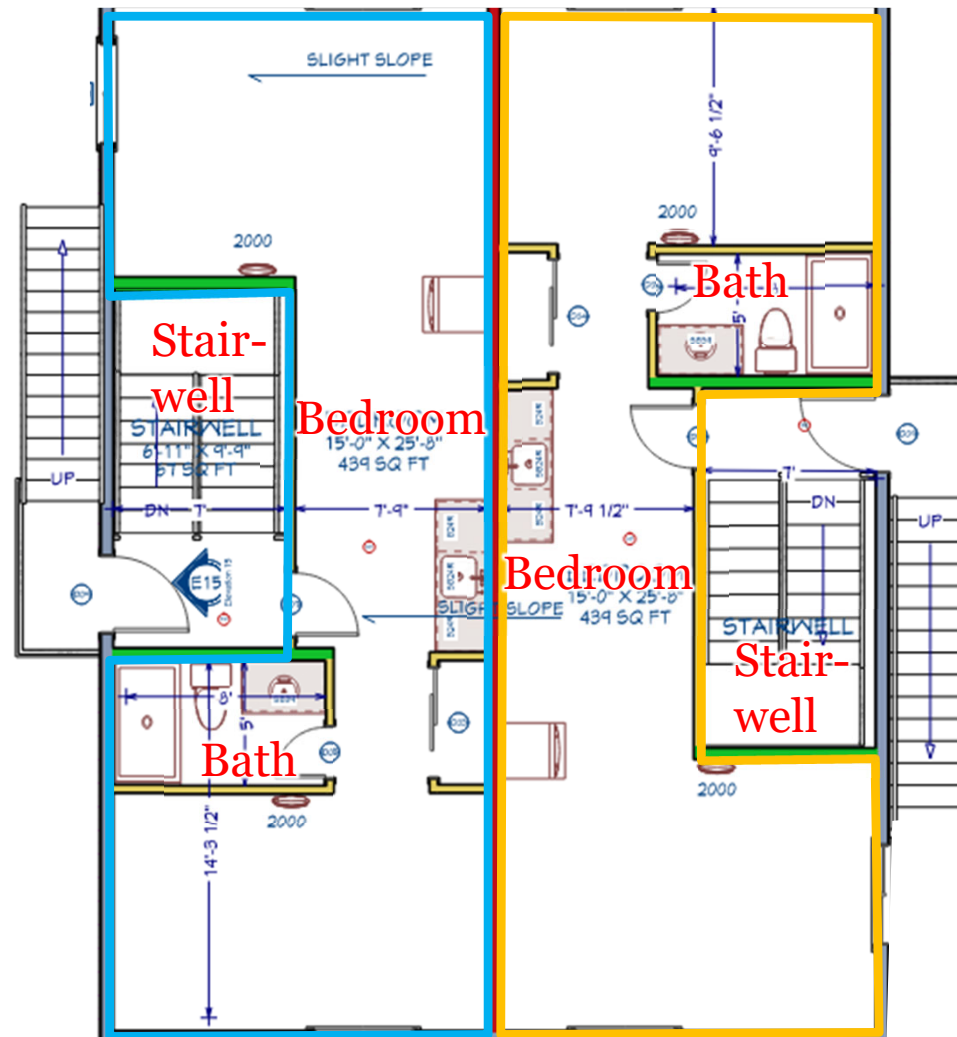
Kitchen Sinks, Cabinets &
Refrigerators in Bedrooms



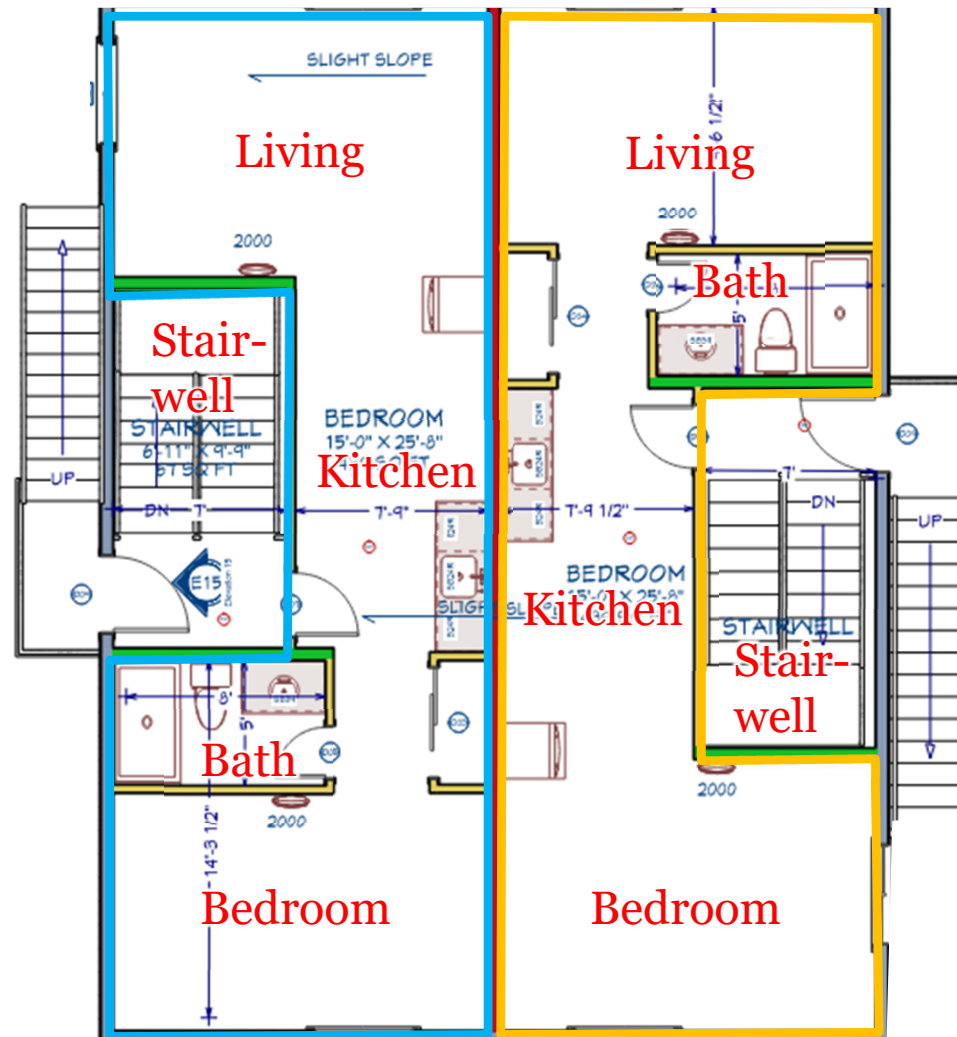
First Floor

• Evolving Duplex





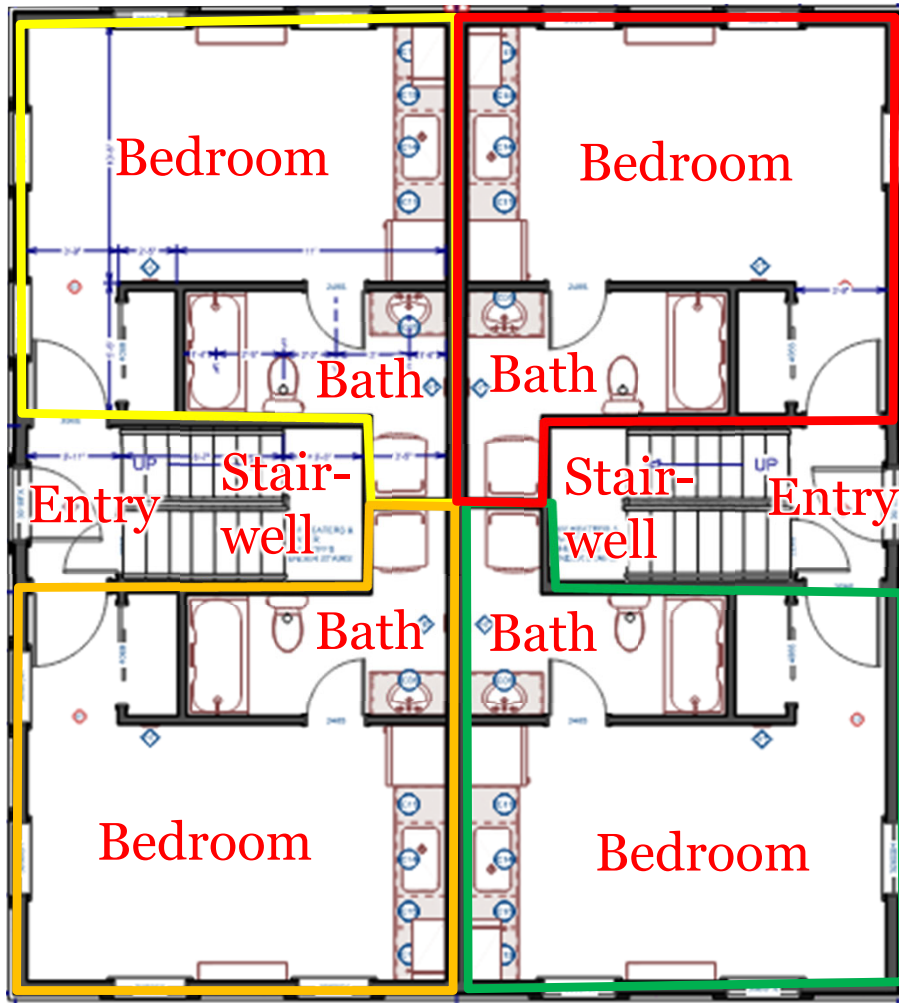
Fourth Floor



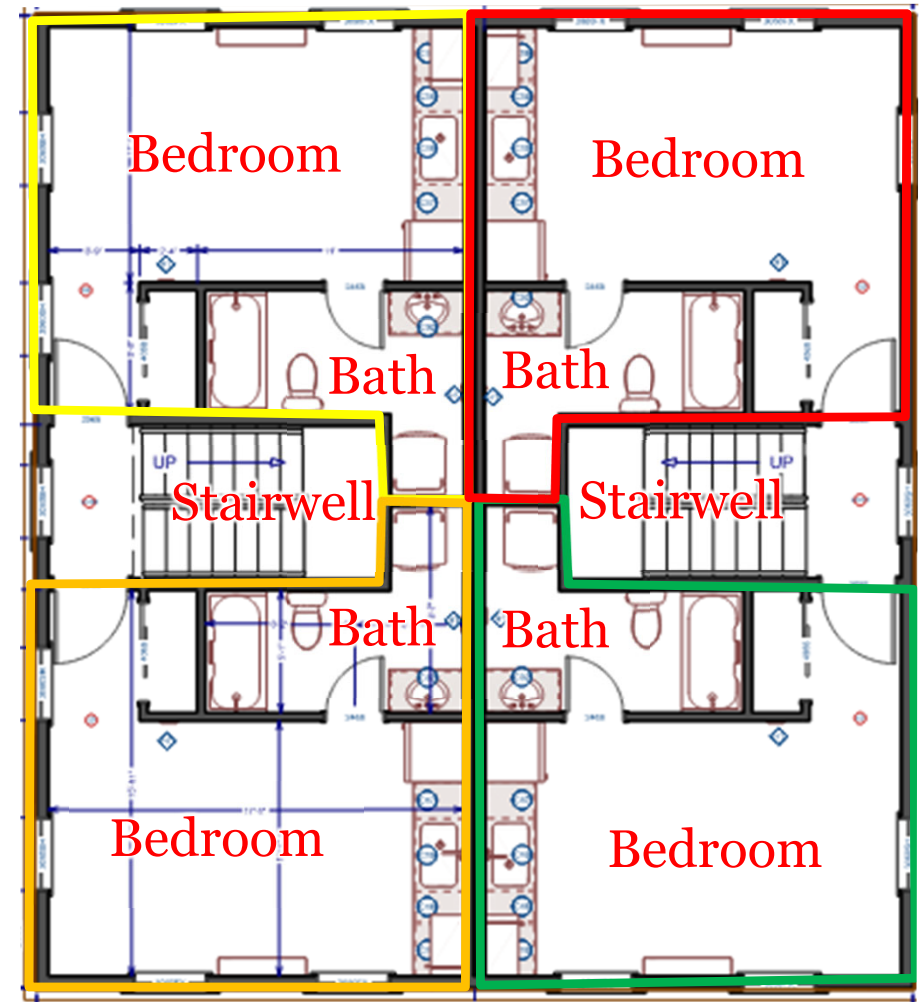
Fourth Floor

Parking Requirements

- Two-family
 - 2 spaces plus 1 for every bedroom in excess of 4 bedrooms
 - 4 parking spaces required
- Multi-family
 - 1.25 spaces per studio or 1-bedroom apartment
 - 13 spaces required



First Floor



Second Floor

First Floor Plan

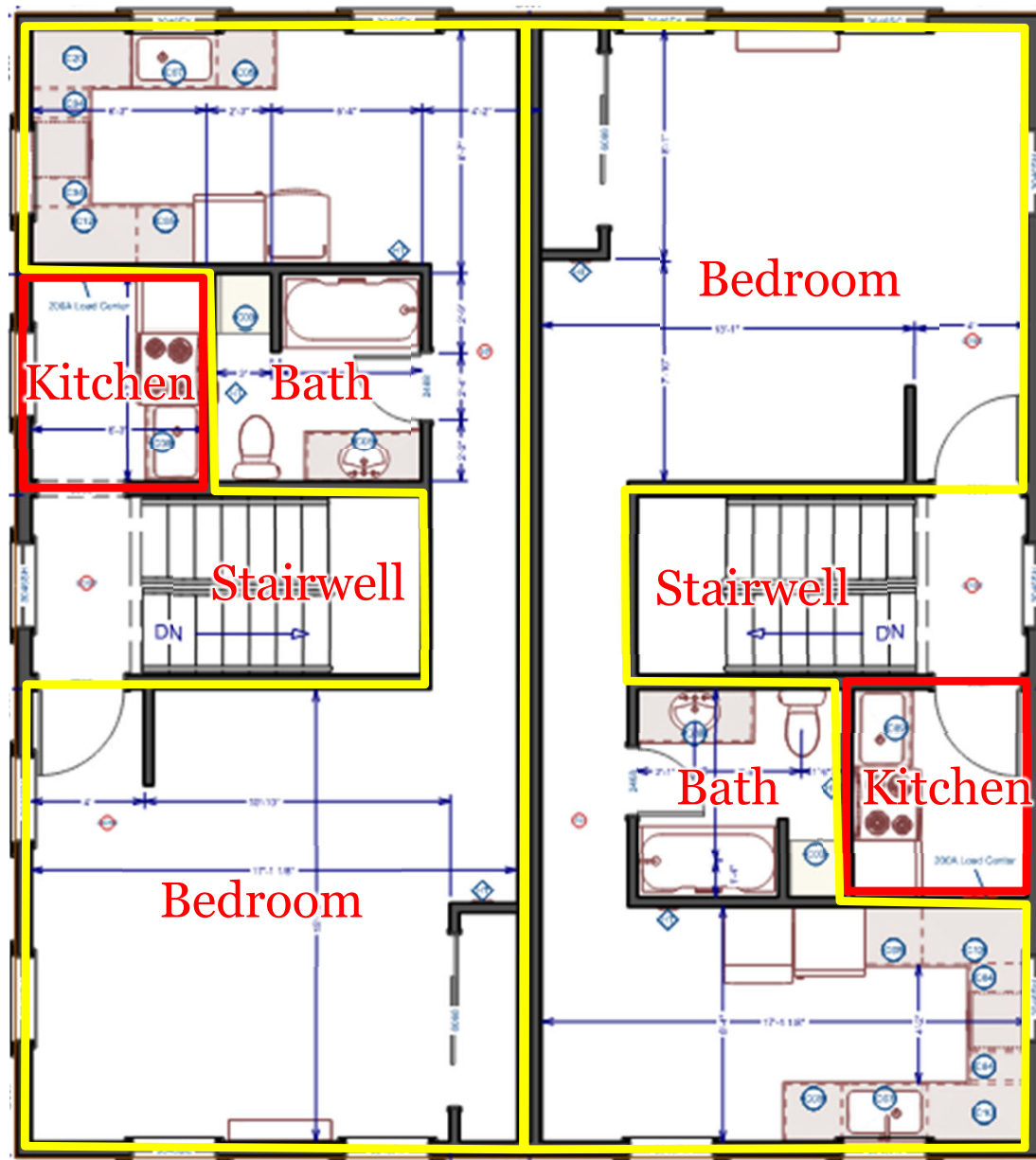
scale 1/4" = 1'

Second Floor Plan

scale 1/4" = 1'

NORTH





Third Floor

Proposed Amendments

- The recent building permit plans submitted as two-family dwellings were determined to be multi-family dwellings based upon existing City Code
- After review of permits issued over the past 2 years it was determined that clarification of the existing code was needed to further address the intent of the definitions

Definitions

- 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 be designed in a manner which would allow independent occupancy unless otherwise permitted by this code.

Definitions

- *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 with a recorded deed restriction, so long as the property is used as a single-family dwelling only with no physical separation established to separate living quarters within the dwelling which would allow the structure to be used and occupied by two families living independently of each other. 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.

Definitions

- 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.

Definitions (P&Z)

- 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.

Definitions (Council)

- 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. For the purposes of this Code a kitchen is a food preparation area containing cabinetry and/or countertops, a sink, and one or more of the following: a refrigerator, cooking device, dishwasher, a natural gas stub or supply, or a 220-volt electrical outlet/wiring

ASBURY ST

ALLEY GRAVEL

ALMON ST

ALLEY GRAVEL

SIXTH ST





THIRD ST

ALLEY GRAVEL

FOURTH ST

ASBURY ST

ALLEY GRAVEL

ALMON ST

ALLEY GRAVEL

Definitions

- 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 the ground level and may be provided via a private yard, deck, or patio area. Functional open space shall not include parking areas and the smallest dimension of such open space shall not be less than fifteen feet (15').

BULK & PLACEMENT REGULATIONS TABLE

	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Minimum Setbacks⁹ (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 ^{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 Height⁸ (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	-	-				

Design requirements for parking lots

- 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 dwelling 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.

Design requirements for parking lots

- 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 dwelling 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 dwelling 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.

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.
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.
4. Bedroom Calculation: Any separate room which meets the definition of bedroom, which could legally be used as a bedroom, 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.
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.

Off-Street Parking Requirements

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
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

Off-Street Parking 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

Building Permit Review

- Reviewed 111 normal single family, two family, twinhome, and townhouse plans from 2024-2025
 - Reviewed plans using proposed changes
 - Parking requirements
 - Sinks in bedrooms
 - Washer and dryer sets
 - All plans reviewed were compliant with proposed changes

LAND USE TABLE

P = Permitted Use

PA = Permitted Accessory Use

C = Conditional Use Permit

Blank = Not Permitted

RESIDENTIAL USES	NAICS 2012 Code No.	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
<i>Dwellings in Residential Zones²</i>																	
Single Family (up to 4 unrelated individuals)		P	P	P	P	P	P	P									
Two Family							P	P									
Twinhome							P	P									
Townhouse ¹							P	P									
Single Family Dwelling Unit (up to 6 unrelated individuals)		C	C	C	C	C	C	P									
Multiple Family (3 or more units)								P									
Mobile Home Parks								P									
<i>Dwellings in Commercial Zones</i>																	
Above or behind a commercial use or on a secondary street frontage									P	P		P/C ³	P	P	PA ⁴	P/C ³	P
On the ground floor on primary street frontage									P	C		C	C	C	PA ⁴	C	P
<i>Group Living</i>																	
Boarding House (occupied by owner, up to 6 boarders)		P	C	C	C	C	C	P									
Dormitories																	P
Fraternity, Sorority, and Cooperative Houses	721310							C									P
<i>Accessory Uses</i>																	
Accessory Buildings or Structures (up to 1,000 sq ft)		PA	PA	PA	PA	PA	PA ¹⁵	PA ¹⁵	PA								
Accessory Buildings or Structures (1,001 to 1,500 sq ft)		C	C	C	C	C	C	C	C								
Accessory Buildings or Structures (no size limitation)										PA	PA	PA	PA	PA	PA	PA	PA
Accessory Dwelling Unit ¹		PA	PA	PA	PA	PA	PA	PA									
Accessory Home Occupations Type I ¹		PA	PA	PA	PA	PA	PA	PA	PA	PA		PA	PA	PA	PA	PA	PA
Accessory Home Occupations Type II ¹		C	C	C	C	C	C	C	PA	PA		PA	PA	PA	PA	PA	PA
Accessory Gardens		PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA

See below, *Dwellings in Commercial Zones*

See above, *Dwellings in Residential Zones*

See above, *Dwellings in Commercial Zones*

HB 583 - Short-term Rentals

- State Code amended to prohibit a city or county from imposing different restrictions or obligations on short-term rentals than are imposed on single-family dwellings

NON-RESIDENTIAL USES	NAICS 2012 Code No.	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Storage Services																	
Self-Storage Facilities	531130	C	C											C	P		
Warehousing and Storage	493										PA ¹²			C	P		
Wholesale Uses	423										PA ¹²			C	P		
Temporary Uses¹												P	P	P	P	P	
Vehicles and Equipment																	
Automobile and RV Dealers	4411											C	C	P	P		
Automotive Repair and Maintenance	8111											C	C	P	P		
Building Material Sales & Garden Equipment/Supplies	444													P	P		
Commercial and Industrial Machinery and Equipment Repair and Maintenance	811310														P		
Electronic and Precision Equipment Repair and Maintenance	8112								P	P		P	P	P	P		
Gasoline Stations	447											C	C	P	P		
Heavy Equipment Sales (manufactured home dealers, farm and garden equipment)	453930 423820													C	P		
Parking Lots and Garages	812930	PA	PA	PA	PA	PA	PA	PA	P	P	PA	P	P	P	P	P	P
Personal and Household Goods Repair and Maintenance	8114									P		P	P	P	P	P	
Railroad Yards and General Freight Trucking	488210/4841														P		
Rental and Leasing Services (excluding 5322)	532											C	C	P	P		
Scrap Yards/Material Recycling	423930														C		
Visitor Accommodations																	
Bed and Breakfast Inns		P	P	CP	CP	CP	CP	P	P	P		P	P	P		P	P
Hotels and Motels	721110											P	P	P		P	P
RV Parks and Campgrounds	721211	C	C					C					P	P	P		P

Recommendation

- Planning and Zoning Commission conducted a public hearing on the proposed ordinance on May 13, 2026, and unanimously recommended approval to City Council
- After considering public testimony, approve the ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary