

# PLANNING & ZONING COMMISSION



Dennis Wilson  
Commission Chair  
[P&Z@ci.moscow.id.us](mailto: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>

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**Wednesday**  
**August 12, 2026**

**7:00 PM**

**Council Chambers**  
**206 E Third Street**

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## WELCOME AND ATTENDANCE

## REGULAR AGENDA

### 1. **Approval of Minutes from July 22, 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. **Public Hearing: Proposal for a Rezone and Preliminary Subdivision Plat for property generally located east of the intersection of Third Street and Mountain View Road, within the City of Moscow, known as Harvest Hills 2<sup>nd</sup> Addition. Permit Applications LUP2026-0024 and LUP2026-0025 (ACTION ITEM)**

1. Proposed Rezone of at two point six eight (2.68) acre area from the Moderate Density, Single Family Residential (R-2) Zone to the Medium Density Residential (R-3) Zone.
2. Proposed Preliminary Subdivision Plat of a 17.2-acre area to create sixty-four (64) parcels averaging 9,080 square feet in size, referred to as the Harvest Hills 2<sup>nd</sup> Addition.

**PROPOSED ACTIONS:** After conducting the public hearing and upon consideration of testimony received:

1. Recommend approval of the proposed rezone with no conditions; or recommend approval of the proposed rezone with conditions; or recommend denial of the proposed rezone; or take such other action deemed appropriate.
2. Recommend approval of the proposed preliminary plat with conditions; or recommend approval of the proposed preliminary plat with no conditions; or recommend denial of the proposed preliminary plat; or take such other action deemed appropriate.
3. In accordance with the Commission's decision on the rezone and preliminary plat, direct staff to prepare the Relevant Criteria and Standards documents.

### 4. **Public Hearing: Proposal for a Variance at 510 and 520 Empire Lane. Permit Application LUP2026-0020 (ACTION ITEM)**

Proposed variance application to reduce the required exterior setback for an existing manufactured home park from fifteen (15) feet to nine and a half (9.5) feet in order to separate an existing single-family dwelling from the existing manufactured home park within the Multiple-Family Residential (R-4) Zoning District, per Moscow City Code 6-2-9.C.

**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](mailto: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.

**PROPOSED ACTIONS:** After conducting the public hearing and upon consideration of testimony received:

1. Approve the proposed variance request; or approve the proposed variance request with conditions; or deny the proposed variance request; or take such other action deemed appropriate.
2. In accordance with the Commission's decision on the variance request, direct staff to prepare the Relevant Criteria and Standards documents.

**5. Public Hearing: Legislative Hearing Providing for the Amendment of Title 4, Chapters 1, 3, and 6 of Moscow City Code Regarding Amendments to Accessory Dwelling Unit (ADU) and Manufactured Home Requirements (ACTION ITEM)**

Senate Bill 1354a – Accessory Dwelling Units and House Bill 800 – Manufactured Homes are two bills that were signed in to law during the 2026 Idaho Legislative Session. The proposed ordinance is intended to bring the Moscow City Code into compliance with the new laws.

**PROPOSED ACTIONS:** After conducting the public hearing and consideration of testimony received, recommend approval of the proposed Ordinance to City Council; or recommend approval of the Ordinance with modifications; or recommend denial of the Ordinance; or take such other action deemed appropriate.

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

Proposal for a Comprehensive Plan Land Use Designation and Zoning Designation for a 44.01-Acre Area Proposed to be Annexed into the City of Moscow and Generally Located on the West Side of Orchard Avenue, North of the Orchard Ave/Trail Road Intersection. Permit Application LUP2025-0033

1. Proposal to retain the current Comprehensive Plan Land Use Designation of Auto-Urban Residential.
2. Proposal to rezone the subject property from the Agriculture Forestry (AF) Zone to a combination of the Moderate Density, Single Family Residential (R-2) Zone and the Suburban Residential (SR) Zone.

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

**7. Citizen Survey Questions (ACTION ITEM)**

The City has distributed Citizen Surveys to 1,200 randomly selected addresses every two years since 2002. The 2026 Citizen Survey will be distributed this fall, and every City Commission has been requested to provide two questions to be included in the survey.

**PROPOSED ACTIONS:** Discuss and provide staff with feedback and further direction if necessary.

**REPORTS**

1. Transportation Commission meeting report.

**ANNOUNCEMENTS**

**UPCOMING EVENTS/MEETINGS**

The next Planning & Zoning Commission regular meeting is scheduled for August 26, 2026.

**ADJOURN**

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# PLANNING & ZONING COMMISSION



Dennis Wilson  
Commission Chair  
[P&Z@ci.moscow.id.us](mailto: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**  
**July 22, 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, Joel Hamilton, Cole Mize, Nels Reese, Sue Scott, Victoria Seever, Matthew Smith  
MEMBERS ABSENT: Scott Gropp  
OTHERS: Sage McCetich  
STAFF: Jennifer Fleischman, Mike Ray

## **REGULAR AGENDA**

### **1. Approval of Minutes from June 24, 2026 (ACTION ITEM)**

Seever moved for approval of the minutes as written, seconded by Scott. Roll Call Vote; Ayes: Unanimous (8). 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. Public Hearing: Proposal for a Comprehensive Plan Land Use Designation and Zoning Designation for a 44.01-Acre Area Proposed to be Annexed into the City of Moscow and Generally Located on the West Side of Orchard Avenue, North of the Orchard Ave/Trail Road Intersection. Permit Application LUP2025-0033 (ACTION ITEM)**

- 1. Retaining the current Comprehensive Plan Land Use Designation of Auto-Urban Residential.*
- 2. Rezoning of the subject property from the Agriculture Forestry (AF) Zone to a combination of the Moderate Density, Single Family Residential (R-2) Zone and the Suburban Residential (SR) Zone.*

Beebe stated a conflict of interest and excused himself from the meeting at 7:01 PM.

Ray presented the proposed rezone and comprehensive plan designation as described above, and recommended the Commission recommend approval to City Council with no conditions. The subject property is within the Area of City Impact.

Public Hearing opened at 7:12 PM

Scott Becker (applicant's representative), Moscow, introduced himself and offered to answer any questions.

Kate Jaeckel, Moscow, opposed the rezone request stating that R-2 would not be appropriate because of the steep grade on the property, impact on her personal well productivity, and the potential interference with the

wetlands located to the north. Urged the Commission to deny the request because she does not want more development in the area and has concerns about how the width of Orchard Avenue would handle a subdivision. With Woodbury 2<sup>nd</sup> Addition proposed to the east of Arborcrest Road, the increased traffic would affect the safety of property owners along Orchard Ave.

John O’Laughlin, Moscow, was opposed to the proposed development and upset about the current construction traffic along Orchard Ave for the Woodbury development. He requested the City delay approval of the annexation of the subject property until the developers submit their plans for the land. He also expressed concerns about the impact of the Woodbury subdivision on the water from the pump house.

Brad Jaeckel, Moscow, spoke in opposition of the proposed rezone and had concerns that the packet information was incorrect regarding the property that was being annexed, as well as the impact to traffic on Orchard Ave. He did not agree that the road is as wide as shared in the staff report and presented. He stated that the subject property is too steep for the density of the proposed zoning district.

Mark Solomon, Moscow, was opposed to the proposed rezone and talked about concerns for the water demand of the current residential developable lots already within the City. He stated that the City has gotten too close to the maximum water use recently.

Melissa Epler, Moscow, opposed the rezone and urged the Commission to make it Suburban Residential (SR) instead of a R-2 zoning district. She had concerns about the water use within the City without a long-term plan, losing farmland, and too high density for the topography. She also did not think the public hearing notice provided enough time for public input and requested that process be modified.

Jason Apt, Moscow, spoke in opposition to the proposed rezone because of the topography of the land. He had concerns about flooding along Orchard Avenue, as well as the current width of Orchard Ave being dangerous for increased traffic users.

Scott Becker (applicant’s representative), Moscow, reminded the Commissioners that the proposed rezone and annexation does not include a development project as that has not been planned. Road improvements along Orchard Avenue would be required for future development projects, including the narrow portions of the road to the north. The grade of the property would be partially evened out to accommodate development on the top, as well as to provide access for water and sewer connections. He also mentioned that the Rolling Hills subdivisions are R-2 and have a similar topography.

Public Hearing closed at 7:41 PM

The Commission talked about what triggers the development and/or expansion of a City street. The current Comprehensive Plan Designation fits a zoning district of R-1, R-2, or R-3 for the subject property. There was continued conversation about the state of Orchard Avenue and the SR zone on the south side of the property. The Commission talked about how the adjacent Orchardview Acres subdivisions were developed. There were concerns about creating more islands of County land within City limits.

Scott moved to table the proposed rezone and comprehensive plan designation, seconded by Hamilton. After further discussion about reasons to table the decision, the motion was rescinded by Scott with Hamiltons agreement.

The Commission continued to discuss the proposed rezone and comprehensive plan designation.

Scott moved to deny the proposed rezone and comp plan designation, stating it does not provide for the logical and orderly location of land uses and lacks a sufficient existing transportation network. The motion was seconded by Hamilton. After further discussion about the reasons to deny the application, the motion was rescinded by Scott with Hamiltons agreement.



Reese moved to recommend approval of the proposed Comprehensive Plan Designation and Rezone request, seconded by Seever. Roll Call Vote; Ayes: Mize, Reese, Seever, Wilson (4). Nays: Hamilton, Scott (2). Abstentions: Smith (1). Motion carried.

Seever moved to direct staff to draft the Relevant Criteria and Standards, seconded by Mize. Roll Call Vote; Ayes: Hamilton, Mize, Reese, Seever, Wilson (5). Nays: Scott (1). Abstentions: Smith (1). Motion carried.

Beebe rejoined the meeting at 8:12 PM.

#### **4. Final Review of Accessory Dwelling Unit (ADU) and Manufactured Home Code Draft Ordinance (ACTION ITEM)**

*Senate Bill 1354a – Accessory Dwelling Units and House Bill 800 – Manufactured Homes are two bills that were signed in to law during the 2026 Idaho Legislative Session. There will need to be amendments made to Moscow City Code to bring the code into compliance with the new laws. Staff has prepared a draft ordinance for the Commission's consideration.*

Ray informed the Commissioners that the requested changes that were discussed at the last meeting have been provided in the packet. The proposed Ordinance is scheduled for Public Hearing at the August 12<sup>th</sup> meeting of the Commission. Recent Idaho State Code changes prompted the proposed code amendment.

#### **5. Citizen Survey Questions (ACTION ITEM)**

*The City has distributed Citizen Surveys to 1,200 randomly selected addresses every two years since 2002. The 2026 Citizen Survey will be distributed this fall, and every City Commission has been requested to provide two questions to be included in the survey.*

Ray reminded the Commissioners that the questions for the Citizen survey are due at the end of August. There was a brief conversation about what questions were asked in past surveys.

#### **REPORTS**

##### *1. Transportation Commission meeting report.*

The next meeting of the Transportation Commission is scheduled for Thursday, August 13<sup>th</sup>. The last meeting had a traffic analysis presented by Engineering regarding the intersections at Hayes St and Third St, and Hayes St and Sixth St.

Scott requested Hamilton add a discussion item to the next Transportation Commission agenda about the stop sign at the corner of First St and Adams St.

#### **ANNOUNCEMENTS**

The Commissioners welcomed the newest member, Matthew Smith.

#### **UPCOMING EVENTS/MEETINGS**

*The next Planning & Zoning Commission regular meeting is scheduled for August 12, 2026.*

**The meeting was adjourned at 8:22 PM**

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Dennis Wilson, Chair

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Date

CITY OF MOSCOW  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT

**Hearing Date:** August 12, 2026

**GENERAL INFORMATION**

**Hearing Body:** Planning and Zoning Commission

**Subject:** Proposal for a Rezone and Preliminary Subdivision Plat for property generally located east of the intersection of Third Street and Mountain View Road within the City of Moscow, known as the Harvest Hills 2<sup>nd</sup> Addition. Permit Applications LUP2026-0024 and LUP2026-0025

**Attachments:**

1. Notice of Public Hearing
2. Application for Rezone
3. Proposed Rezone Materials
4. Application for Preliminary Plat
5. Proposed Preliminary Plat
6. Neighborhood Meeting Materials

**STAFF REVIEW**

**Proposal:** The applicant, Phil Rheingans, is proposing a rezone and Preliminary Subdivision Plat for property generally located east of the current terminus of Third Street near the intersection of Third Street and Mountain View Road within the City of Moscow. The proposal is to rezone a 2.68-acre area which is currently zoned Moderate Density, Single Family Residential (R-2) to the Medium Density Residential (R-3) Zone. The proposed preliminary subdivision plat is a 17.2-acre area to create 64 parcels averaging 9,080 square feet in size, referred to as the Harvest Hills 2<sup>nd</sup> Addition.

**Site and Area Land Use:** The subject property has historically been utilized for agricultural purposes and is currently vacant. The property is adjacent to single family residential developments (Damen's Addition, Skyview Estates Addition, Moser Estates Addition) to the north, the Rolling Hills Additions to the south, and the Harvest Hills 1<sup>st</sup> Addition directly to the west. Moser Park is directly adjacent to the east and is currently undeveloped.

**Background:** In 2005, the subject property was annexed into the City and rezoned from Agriculture/Forestry (AF) to the Moderate Density Single Family Residential (R-2) Zoning District. The Comprehensive Plan Land Use Designation at the time was Low Density Residential (LR). Also included in the land use actions in 2005 was a preliminary plat for the Windfall Hills Subdivision. The Windfall Hills Subdivision included 77 single family residential lots, averaging 9,700 sq. ft. at a density of approximately 4.5 units per net acre.

The Windfall Hills preliminary plat was approved by City Council on August 1<sup>st</sup>, 2005 subject to seven conditions. The developer then submitted a preliminary Planned Unit Development (PUD) to reduce the required front yard setbacks from 25 feet as required by the R-2 Zone to 10 feet. The

PUD also included sample home elevations that specified a certain architectural style for the development. In exchange for the reduction in setback requirements, the developer proposed to provide additional landscaping and public amenities above those required by the code, as well as certain design elements of the proposed houses intended to improve the aesthetic appeal of the neighborhood and reduce the amount of site grading. On July 19<sup>th</sup>, 2006, the Planning and Zoning Commission approved the preliminary PUD for Windfall Hills with three conditions. On July 21<sup>st</sup>, 2008 the Windfall Hills final plat and development agreement came before the City Council and both were subsequently approved.

In 2008, the developer of Windfall Hills approached the City about a Verizon pedestal that needed to be moved as part of the proposed subdivision. At the time, the City was contemplating a road improvement project on the portion of Mountain View Road that includes the Windfall Hills Subdivision frontage. There was also a desire by the City to extend the section of Janson Street from the north subdivision plat boundary to its intersection with Damen Street since the development of the Janson Street Extension was not required of the previous subdivision plats to the north. The City and the developer reached an agreement whereas the City would contribute up to \$50,000 towards the relocation of the Verizon pedestals and be responsible for the underground utilities on the Janson Street Extension, if the developer paid for public improvements to Mountain View Rd including the bicycle and pedestrian path on the east side and paid for the above-ground improvements for the Janson Street Extension. This agreement was executed through a Memorandum of Understanding (MOU) which was approved by Council on April 21<sup>st</sup>, 2008. Subsequently in 2009 a revised MOU was entered into which replaced the 2008 MOU. Below is a detailed description of what was required within the 2008 MOU and the subsequent 2009 MOU.

The 2008 MOU was entered into on July 21<sup>st</sup>, 2008 and contained the following requirements of the developer:

1. That the developer deposit a security for all Mountain View Road bicycle and pedestrian path public improvements by July 27<sup>th</sup>, 2008; and
2. That the developer deposit a security for the above-ground improvements to extend Janson Street from the north subdivision boundary to Damen Street; and
3. Designating the timing of the aforementioned Janson Street extension to occur in Phase II of the development; and
4. That the developer dedicate a portion of property for street right-of-way for the widening of Mountain View Road and a 25 ft. wide pedestrian and bicycle path easement to the east of Mountain View Road; and
5. That the developer assumes the costs in excess of the City's \$50,000 contribution for moving a Verizon pedestal located on the east side of Mountain View Road.

The MOU also required that the City:

1. Assume full financial responsibility up to \$50,000 toward the cost of relocation of the Verizon pedestal; and
2. Assume full financial responsibility for or shall install all required below-ground public improvements for the Janson Street Extension prior to the developer installing all above-ground public improvements required for the Janson Street Extension.

For various reasons, portions of the July 21<sup>st</sup>, 2008 MOU were not completed and the City and the developer then entered into a June 8<sup>th</sup>, 2009 MOU which replaced the previous MOU. The 2009 MOU contained the following requirements of the developer:

1. That the developer assumes the total cost of the Janson Street Extension prior to receiving building permits on lots within Phase I of the development.

2. That the developer dedicate a portion of property for street right-of-way for the widening of Mountain View Road and a 25 ft. wide pedestrian and bicycle path easement to the east of Mountain View Road on or before June 3, 2009; and
3. That the developer shall grant a 35 ft. wide easement for street purposes on the east side of Mountain View Road for the widening of the road; and
4. That the developer shall file the final plat for Windfall Hills Subdivision by June 3<sup>rd</sup>, 2009.

The 2009 MOU required that the City:

1. Construct improvements on Mountain View Road including paving, curb and gutter, and a drainage system; and
2. The aforementioned improvements shall include the entire subdivision frontage as well as the Hoffman unplatted property to the south of the subdivision.

The City has since constructed the agreed-upon construction improvements on Mountain View Road and the developer only completed conditions #2 and #3 that were required above. The developer failed to record the final plat for the Windfall Hills Subdivision so consequently the Windfall Hills Subdivision final plat approval expired and the Janson Street Extension was never paid for or completed.

In 2013, a preliminary subdivision plat on the subject property was approved for Harvest Hills Addition that was very similar to the original Windfall Hills proposal. There were five conditions placed upon the approval which included the requirement that the applicant construct Janson Street and that a portion of Third Street be widened to accommodate on-street parking on one side of the street. After the preliminary plat approval the applicant indicated that the approved project was not financially feasible and never proceeded with the final plat stage of the subdivision plat process.

Then in 2015, the applicant submitted a new Harvest Hills subdivision plat for only 7.45 acres of the entire 24.7-acre property. The applicant proposed to rezone the majority of the property to Medium Density Single Family Residential (R-3) and plat twinhomes lots and also create a 2.2-acre Neighborhood Business (NB) lot at the intersection of Mountain View Road and Third Street. On February 1, 2016, City Council approved the proposed rezone request and then on April 18, 2016 the Council approved the preliminary subdivision plat for Harvest Hills 1<sup>st</sup> Addition with three conditions. Since the proposed subdivision plat boundary did not extend to the Janson Street intersection, the Council approved a new MOU and Development Agreement that allowed the deferral of the construction of Janson Street to future plats to the east.

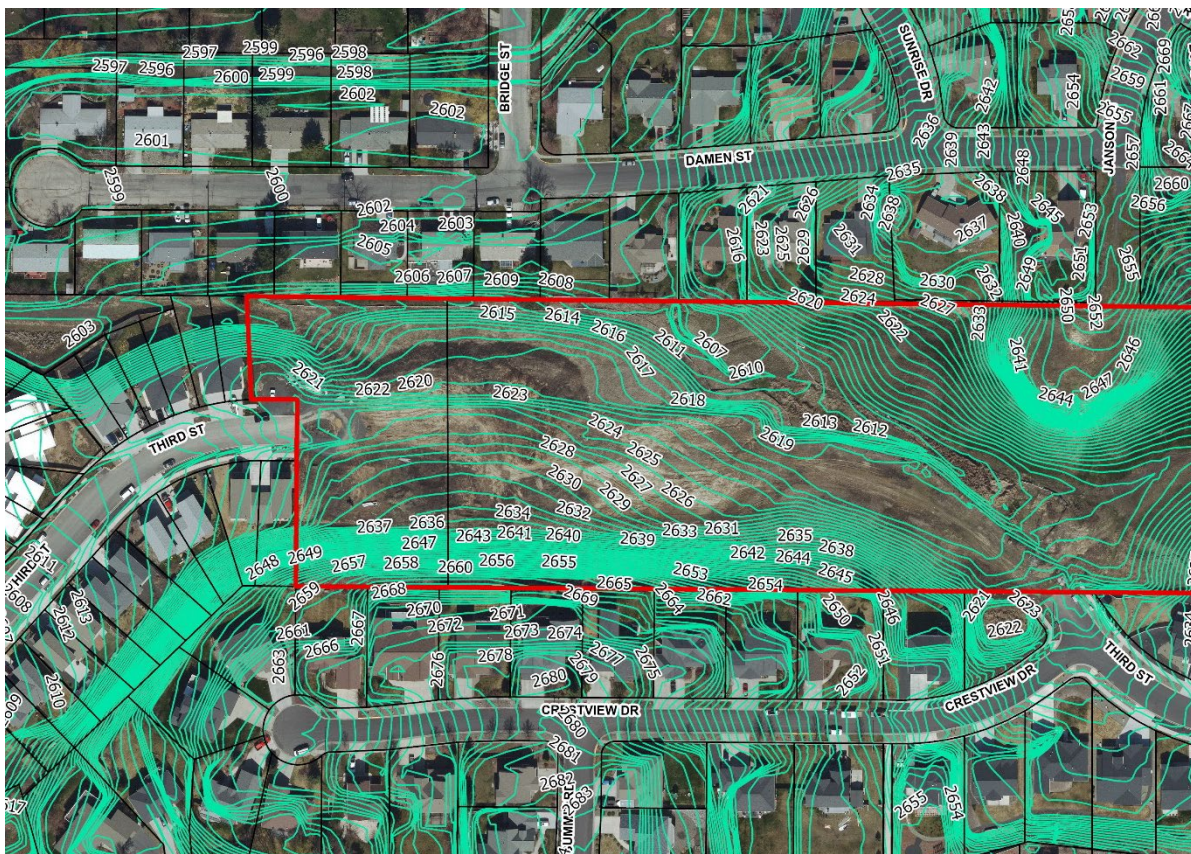
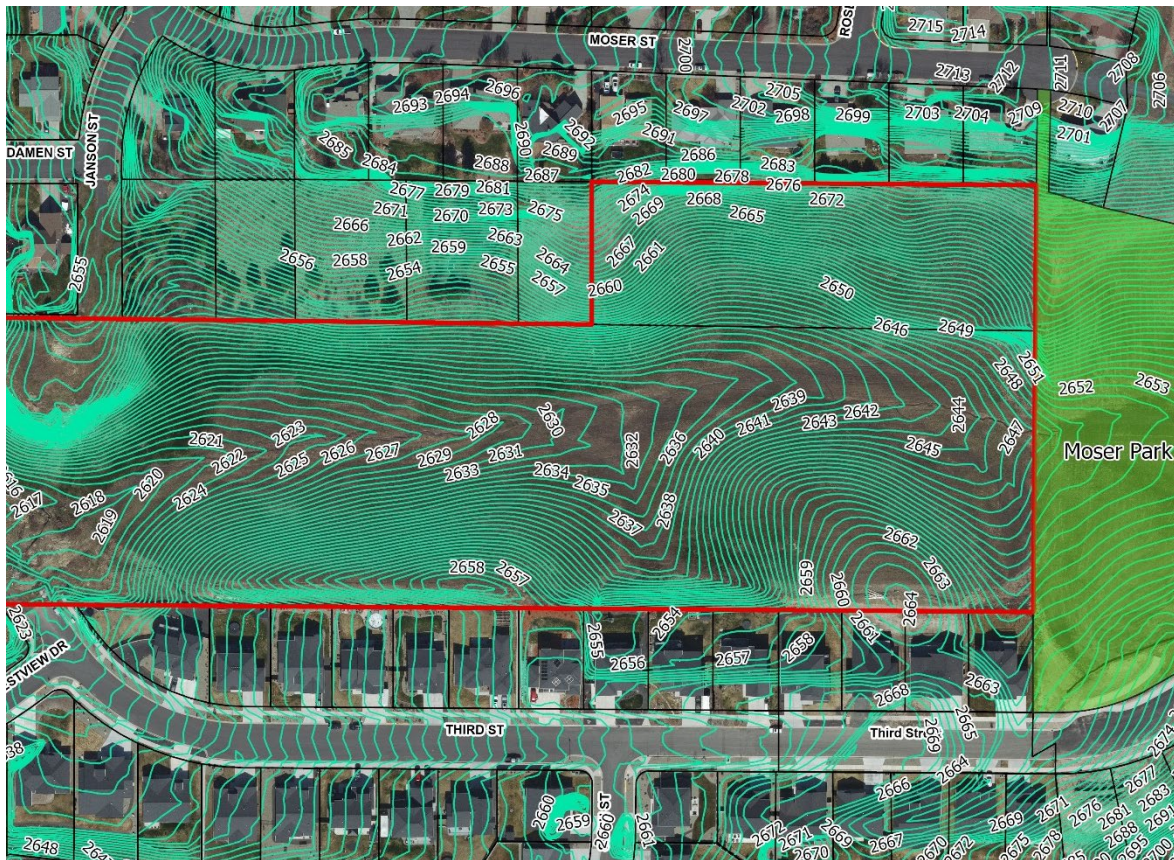
In 2021, the applicant then submitted a preliminary subdivision plat for the remaining 17.2-acre area of land located directly east of the Harvest Hills 1<sup>st</sup> Addition and referred to as Harvest Hills 2<sup>nd</sup> Addition. The proposal included 56 lots ranging from 7,219 to 24,075 square feet in size and was approved by City Council on September 7, 2021. The applicant then failed to submit the final plat documents to the Latah County Recorder's Office within 180 days of Council approval, so the 2021 approval was rendered null and void.



Vicinity Map

The subject property contains areas of moderate to steeply sloping topography as the land slopes down from the southeast portion of the property in a northwesterly direction with slopes up to 20%.





Topography Maps



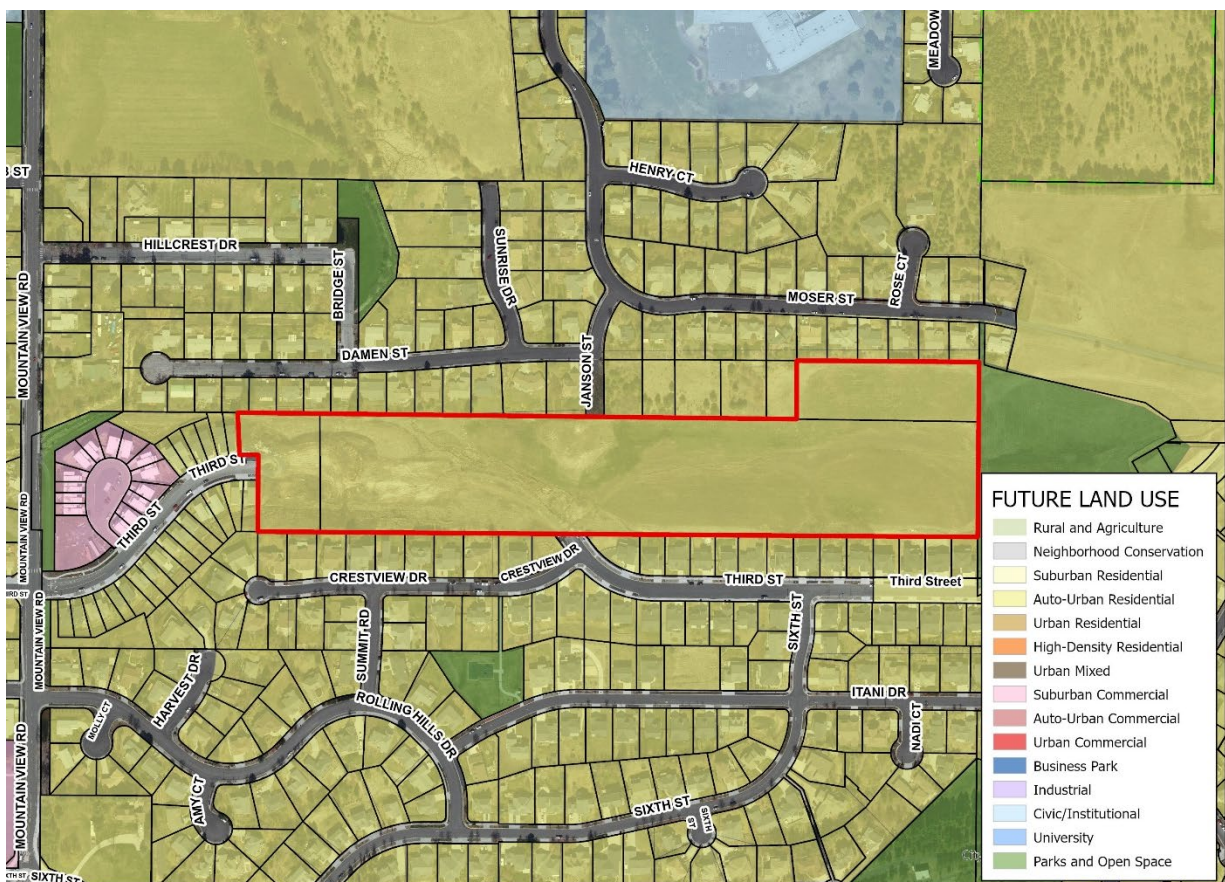
### Comprehensive Plan Land Use Designation:

The subject property is currently designated by the 2019 Comprehensive Plan as Auto-Urban Residential (AU-R). According to the Comprehensive Plan, AU-R designated areas are,

*“designated areas contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”*

All of the surrounding subdivisions are also designated as Auto-Urban Residential, with the exception of the 2.16-acre Neighborhood Business parcel in Harvest Hills 1<sup>st</sup> Addition which is designated as Suburban Commercial. All parks and open space within the area including the Moser Park property located directly to the east of the subject property are designated as Parks and Open Space.

The Comprehensive Plan designates Mountain View Road as a minor arterial and the proposed extension of Third Street as a collector. All other surrounding streets are designated as local neighborhood streets.



Current Comprehensive Plan Land Use Designations



**Zoning:** The subject property is currently designated as the Moderate Density Residential (R-2) Zoning District. The properties to the north, east, and south of the subject property are also zoned R-2. Harvest Hills 1<sup>st</sup> Addition to the west is zoned a combination of the Neighborhood Business (NB) and Medium Density Residential (R-3) Zones. The applicant is proposing to rezone a 2.68-acre area which is currently zoned Moderate Density, Single Family Residential (R-2) to the Medium Density Residential (R-3) Zone.

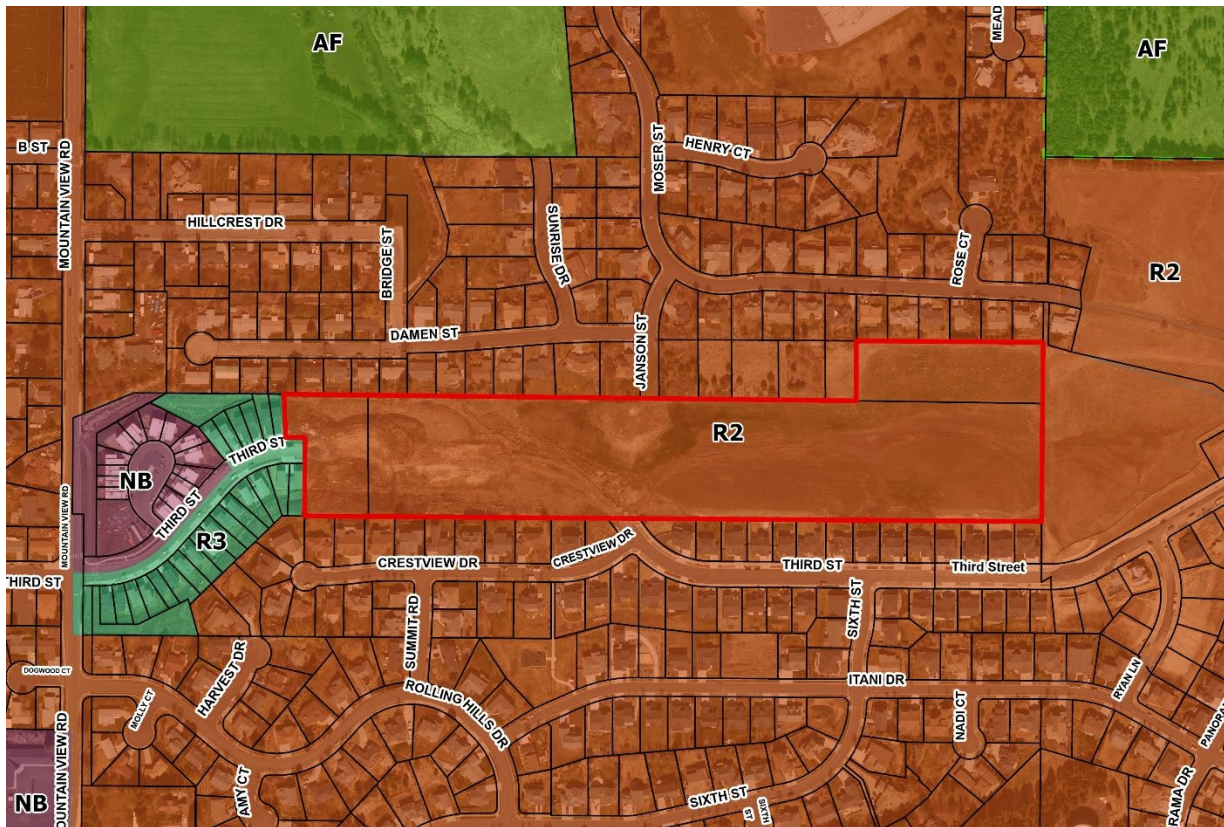
The R-2 zoning district is a moderate density residential zone appropriate where the following circumstances are present:

1. Single family dwellings predominate.
2. The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.
3. Utilities and other public facilities are adequate for the densities allowed.
4. Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.

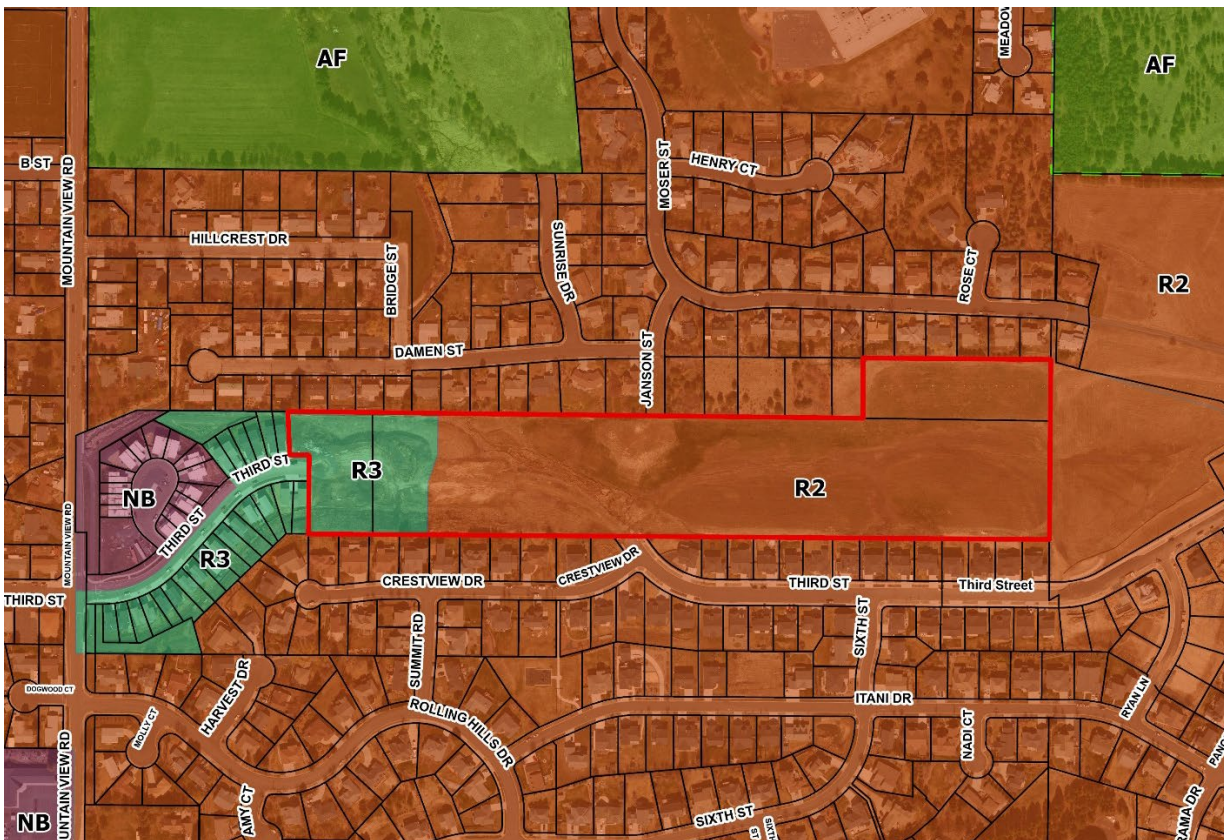
Uses permitted within the R-2 Zone include single-family residential dwellings, market and community gardens, group child care facilities, and public parks and recreational facilities.

The Medium Density Residential (R-3) Zoning District provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan.

Uses permitted within the R-3 Zone include single-family dwellings, two family dwellings, twinhomes, townhouses, market and community gardens, group and small child care facilities, and public parks and recreation facilities.



Current Zoning



Proposed Zoning

**Preliminary Plat:** The applicant is proposing to subdivide the existing 17.2-acre area to create 64 parcels averaging 9,080 square feet in size, referred to as the Harvest Hills 2<sup>nd</sup> Addition. There are 18 twinhome lots which are proposed within the R-3 portion of the subdivision and 46 standard single-family lots within the R-2 portion.

The minimum lot size within the R-2 Zone is 7,000 sf and minimum lot width of 60 feet. The minimum lot size for twinhomes within the R-3 Zone is 3,250 square feet and the minimum lot width is 30 feet. All proposed lots meet the minimum lot size and width requirements for their respective zones.

**Water and Sewer:** Water service is proposed to be extended via existing water mains that have been extended to the current terminus of Third Street at the far east end of Harvest Hills 1<sup>st</sup> Addition. A new water main will be extended off of the existing and will extend along the Third Street alignment to the eastern subdivision boundary.

Sanitary sewer currently exists within the Third Street alignment on the subject property and is currently connected to Rolling Hills 8<sup>th</sup> Addition. This 8" sanitary sewer main was installed previously as part of an agreement between the previous Windfall Hills developer and the developer of the Rolling Hills Additions. Sanitary sewer mains will be extended through Janson Street and Amber Court to the eastern subdivision boundary.

Storm Sewer will be conveyed through the subdivision through a new main in Third Street that connects with the main in Harvest Hills 1<sup>st</sup> Addition and the storm main extending from Rolling Hills 8<sup>th</sup> Addition. The stormwater will ultimately be conveyed to stormwater detention ponds in Harvest Hills 1<sup>st</sup> Addition. The stormwater detention ponds then drain to Paradise Creek.

**Access, Streets, Traffic:** The subject property is located adjacent to Third Street to the west which is designated as a collector street. The section of Third Street adjacent to the subject property is developed as a 34-foot-wide roadway with two travel lanes, bike lanes on both sides of the street, and curbing and gutters on both sides of the street. A portion of the north side of Third Street within Harvest Hills 1<sup>st</sup> Addition is widened to provide nine (9) on-street parking spaces per a City Council condition for the Harvest Hills 1<sup>st</sup> Addition plat.

The proposed preliminary plat includes the continuation of Third Street to the east. Third Street through the subject property is also considered a collector street and will be developed to the same standard as Harvest Hills 1<sup>st</sup> Addition, with bike lanes and no on-street parking permitted.

There are two pedestrian pathway connections provided on the preliminary plat. At the far east end of the development there is a right-of-way dedication that provides a ten-foot-wide connection from Amber Court to Moser Park. Additionally, between Lots 8 and 9 of Block 4 there is a proposed ten-foot-wide pedestrian easement which allows for the connection of the pedestrian pathway which extends to the property from Third Street to the south.

**Parkland Dedication:** The subject property contains approximately 13.32 acres of net developable land. The developer is required to dedicate 5% of the net developable land within the R-2 Zone and 7% within the R-3 Zone. The total parkland dedication requirement for Harvest Hills 2<sup>nd</sup> Addition is 32,876 square feet. There is an excess balance of 11,265 square feet that was dedicated and



banked as part of Harvest Hills 1<sup>st</sup> Addition, which results in a total parkland dedication requirement of 21,611 square feet. The developer has proposed a 19,083 square foot island at the center of the cul-de-sac and a 10-foot-wide, 1,525 square foot tract that provides pedestrian access from Amber Court to Moser Park. The sum of the two proposed dedications is 1,003 square feet short of the total parkland dedication requirement of the proposed subdivision and the Parks and Recreation Department has recommended that the developer pay a fee in lieu of dedication for the remaining parkland.

#### **Input From Other Departments:**

#### **RELEVANT CRITERIA & STANDARDS – ZONING AMENDMENT:**

1. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.
2. The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.
3. The uses expected to occur as a result of the rezone will be compatible with the surrounding area.
4. The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.
5. The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.

#### **RELEVANT CRITERIA & STANDARDS - SUBDIVISION:**

1. The proposed subdivision is in conformance with all applicable City Code requirements.
2. The proposed subdivision is in general conformance with the Comprehensive Plan.
3. Public Services and utilities are available or can be made available and are adequate to accommodate the proposed subdivision.
4. The proposed subdivision will not be detrimental to the public health, safety, or general welfare.

#### **RECOMMENDATIONS:**

Staff recommends that the City of Moscow Planning and Zoning Commission conduct the public hearing and upon consideration of testimony received:

1. Recommend approval of the proposed rezone of the 2.68-acre area which is currently zoned Moderate Density, Single Family Residential (R-2) to the Medium Density Residential (R-3) Zone with no conditions; and
2. Recommend approval of the proposed preliminary plat for Harvest Hills 2<sup>nd</sup> Addition with no conditions; and
3. In accordance with the Commission's decision on the rezone and preliminary plat, direct staff to prepare the Relevant Criteria and Standards documents.

# NOTICE OF PUBLIC HEARING

Proposal for a Rezone and Preliminary Subdivision Plat for property generally located east of the intersection of Third Street and Mountain View Road within the City of Moscow, known as the Harvest Hills 2<sup>nd</sup> Addition. Permit Applications LUP2026-0024 and LUP2026-0025.

A public hearing at which you may be present and speak will be conducted by the Planning and Zoning Commission of the City of Moscow at which time the following proposals will be considered:

1. Proposed Preliminary Subdivision Plat of a 17.2-acre area (Area #1 and #2 below) to create sixty-four (64) parcels averaging 9,080 square feet in size, referred to as the Harvest Hills 2<sup>nd</sup> Addition.
2. Proposed Rezone of at two point six eight (2.68) acre area (Area #1 below) from the Moderate Density, Single Family Residential (R-2) Zone to the Medium Density Residential (R-3) Zone.

**MEETING DATE:** Wednesday, August 12, 2026

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

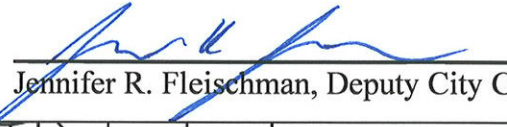
**MEETING TIME:** 7:00 p.m.

*Note:* Meeting start time is not necessarily indicative of hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting. The file containing information on this matter is available for public review at the Community Development Department located in the Haddock Building at 504 S Washington Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Public participants desiring to submit textual materials to the decision-making board shall make that submission at least five (5) calendar working days in advance of the scheduled meeting. Emailed comments can be received at [P&Z@ci.moscow.id.us](mailto:P&Z@ci.moscow.id.us). Materials provided tardy may be admitted for consideration subject to the discretion of the decision-making board. You may obtain further information about the public hearing process and procedures on the City's Website at:

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

Laurie M. Hopkins, Moscow City Clerk

  
Jennifer R. Fleischman, Deputy City Clerk





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

LUP2026-0025

| For City Use Only |                 |            |      |
|-------------------|-----------------|------------|------|
| Date Received     |                 |            |      |
| Dept              | Fee Type        | Fees       | Paid |
| CDV               | Application Fee | \$1,053.00 |      |
|                   | Receipt Number  |            |      |

## APPLICATION FOR PRELIMINARY SUBDIVISION PLAT

(Please type or print plainly with blue ink.)

### APPLICANT:

Name: Phil Rheingans Phone: [REDACTED]  
Address: Po Box 8986, Moscow, ID 83843 Email: [REDACTED]

### OWNER: (if other than applicant)

Name: same Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_

### ENGINEER/SURVEYOR:

Name: Scott Becker Phone: 208-882-3520  
Address: 405 S Washington St, Moscow, ID 83843 Email: [REDACTED]

Primary point of contact (select one): Applicant ☐ Owner ☒ Engineer/Surveyor ☐

### PROPERTY:

- Proposed Subdivision Name: Harvest Hills Second Addition
- Address(es) or Parcel Number(s): Parcel # RPM00000095765
- Legal Description: *Please attach copy of full description.*
- Gross Area of all land involved: 17.2 acres, and/or \_\_\_\_\_ sq. ft.
- Total Net Area of land area, exclusive of proposed or existing public street and/or other public lands:  
13.32 acres, and/or \_\_\_\_\_ square feet.
- Total number of lots: 64 Average lot size: 9080
- Existing Zoning of subject property: R-2

### PROJECT DESCRIPTION:

Please describe the concept of the proposed subdivision and approximate percentage (%) of each proposed new land use (i.e. 75% single-family residential; 20% multi-family; 5% commercial). Also include any proposed park land and the acreage:

100% single family residential 0.47 acres of additional parkland dedication  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**SEWER AND WATER MAIN OVERSIZING REIMBURSEMENT POLICY:**

Oversizing of utilities will not be eligible for reimbursement from the City unless a written request is submitted to the City Engineer prior to approval of the project construction drawings and written approval of such a request is issued by the City Engineer.

**PRELIMINARY PLAT CHECKLIST** - Please provide the following information:

- \_\_\_\_\_ 1. Subdivision name
- \_\_\_\_\_ 2. Location: Section, Township, Range
- \_\_\_\_\_ 3. Subdivider's name & address
- \_\_\_\_\_ 4. Engineer/surveyor name & address
- \_\_\_\_\_ 5. Date of subdivision
- \_\_\_\_\_ 6. Reference to adjoining subdivisions with names
- \_\_\_\_\_ 7. North arrow
- \_\_\_\_\_ 8. Scale, not less than 1 in. = 60 ft.
- \_\_\_\_\_ 9. Existing and proposed right-of-way or public tracts with widths and names
- \_\_\_\_\_ 10. Lot and block layout with numbering and dimensions
- \_\_\_\_\_ 11. Existing zoning designation, or proposed if a rezone is requested
- \_\_\_\_\_ 12. All existing and proposed easements of record stating width and purpose
- \_\_\_\_\_ 13. Location of any existing open spaces or permanent structures
- \_\_\_\_\_ 14. General layout of sewer and water utilities
- \_\_\_\_\_ 15. Proposed phasing, if any
- \_\_\_\_\_ 16. Acreage breakdown with gross and net (less right-of-way)
- \_\_\_\_\_ 17. Plan/profile of proposed street grades
- \_\_\_\_\_ 18. Existing Topography\*
- \_\_\_\_\_ 18. Proposed finished grading plan\*
- \_\_\_\_\_ 19. Location of any delineated wetlands and/or water bodies and, if applicable, the floodway and 100-year floodplain (BFE data must be included if the plat is  $\geq 5$  acres or  $\geq 50$  lots)
- \_\_\_\_\_ 20. Vicinity sketch

\*5' max. contour interval (except for slopes  $> 50\%$  may have 10' interval). Areas with existing slopes  $\geq 20\%$  shall be shaded or clearly indicated on the plans.

**APPLICATION SUBMITTAL:**

This application must be completed and submitted with the below described items to the Community Development Department at least twenty-one (21) days prior to the hearing at which the application is to be considered by the Planning and Zoning Commission. Applicant will be notified by the City Planner I as to the time, date, and place of the hearing pertaining to this application.

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

1. Payment of application fees.
2. Copy of neighborhood meeting invitation, mailing list, attendance list and minutes.
3. One full-sized Preliminary Plat Map and one electronic copy.

*I understand this information is a public record and may be posted to a public website. I declare and certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct and that I have legal authority to submit this Application.*

Signature of Applicant

Date

6-25-26

Signature of Property Owner (if different)

Date

6-25-26



Found Brass Cap  
by W. Smith, PE/LS #2481  
CPF, Instrument #285184

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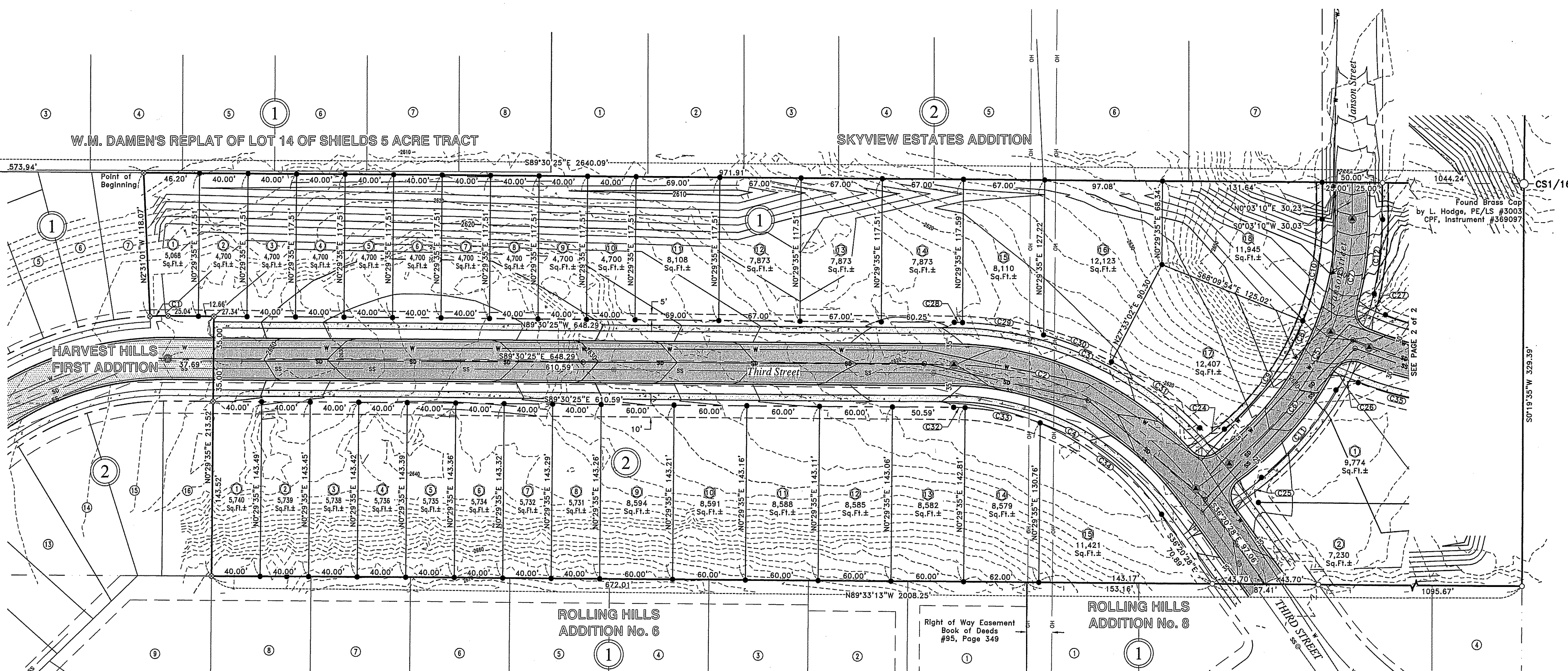
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#### Legal Description

A parcel of land located in the Southwest Quarter of Section 9, Township 39 North, Range 5 West, Boise Meridian, more particularly described as follows:

Commencing at the southwest corner of Section 9, thence along the westerly line of Section 9, N0°17'01"E, 1320.60 feet, to the northwest corner of the South Half of the Southwest Quarter of Section 9; Thence along the north line of said South Half, S89°30'25"E, 573.94 feet to the northeast corner of Harvest Hills First Addition and the Point of Beginning;

Thence continuing along said north line the following three courses:  
Thence S89°30'25"E, 971.91 feet to the west right-of-way line of Janson Street;  
Thence S89°30'25"E, 50.00 feet to the east right-of-way line of Janson Street;  
Thence S89°30'25"E, 538.16 feet;  
Thence leaving said north line, N0°12'44"W, 157.00 feet to the southwest corner of Lot 5, Block 2 of Moser Estates Third Addition;  
Thence along the south line of Moser Estates Third Addition, S89°32'04"E, 508.66 feet to the southeast corner of said Addition and the east line of the North Half of the Southwest Quarter of Section 9;  
Thence along said east line, S0°43'42"W, 157.23 feet to the northeast corner of the South Half of the Southwest Quarter of Section 9;  
Thence along the east line of the South Half of the Southwest Quarter of Section 9, S0°19'35"W, 329.39 feet;  
Thence leaving said east line, N89°33'13"W, 291.71 feet to the northeast corner of Rolling Hills Addition No. 8;  
Thence along the north line of Rolling Hills Addition No. 8 the following three courses:  
Thence N89°33'13"W, 803.96 feet to the northeasterly right-of-way line of Third Street;  
Thence N89°33'13"W, 87.41 feet to the southeasterly right-of-way line of Third Street;  
Thence N89°33'13"W, 153.16 feet to the northeast corner of Rolling Hills Addition No. 6;  
Thence along the north line of Rolling Hills Addition No. 6, N89°33'13"W, 672.01 feet to the southeast corner of Harvest Hills First Addition;  
Thence along the easterly boundary of Harvest Hills First Addition the following five courses:  
Thence N0°29'35"E, 143.52 feet to the south right-of-way line of Third Street;  
Thence N0°29'35"E, 70.00 feet to the north right-of-way line of Third Street;  
Thence continuing along said easterly boundary and along said north right-of-way line the following two courses:  
Thence N89°30'25"W, 37.68 feet;  
Thence 14.97 feet along a curve to the left, having a Delta = 3°00'35", Radius = 285.00 feet, Chord = 14.97 feet and a Chord Bearing = S88°59'17"W;  
Thence continuing along said easterly boundary and leaving said north right-of-way line N2°31'01"W, 118.07 feet to the Point of Beginning.

Parcel Contains 17.20 Acres±

#### Notes

1. Plot area is currently Zoned R2. Lots 1-10 in Block 1 and Lots 1-8 in Block 2 are to be rezoned R3. Surrounding area in Harvest Hills First Addition is Zoned R-3, area in W.M. Dammen's Replat of Lot 14 of Shields 5 Acre Tract, Skyview Estates Addition, Moser Estates Third Addition, Rolling Hills Additions No. 6, & No. 8, Rolling Hills 5th Addition and unplatted surrounding areas are Zoned R-2.
2. Total plot area: 17.20 acres±  
Plot R/W area: 3.41 acres±  
Tracts A & B: 0.47 acres± (Parkland Dedication)  
Net Lot Area: 13.32 acres±.
3. All the area within of Harvest Hills Second Addition is within designated Flood Zone "C". Areas of minimal flooding.  
Flood Zone designation and definitions from Flood Insurance Rate Map (FIRM) Community-Panel Number 16008602400, dated 4-15-2002. No delineated wetlands on site.
4. All Harvest Hills Second Addition Subdivision lots lying in the South Half of the Southwest Quarter are subject to the provisions of the right-of-way easements for overhead power to Washington Water Power as set forth in Instrument #128680, Book 95 of Deeds, Page 349, dated 4-15-1936 and Instrument #128796 Book 95 of Deeds Page 374, dated 4-28-1936.

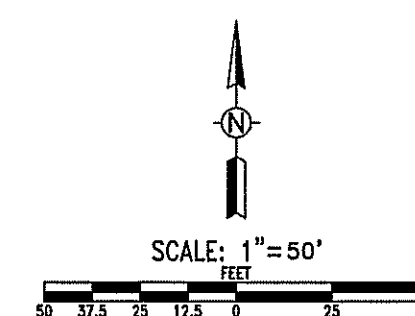
#### Basis of Bearings

The Basis of Bearings for this survey is identical to the Idaho Coordinate System, West Zone, NAD 83 as shown between the found southwest corner of Section 9 and the found northwest corner of the Southwest Quarter of Section 9, said bearing being N0°17'01"E.

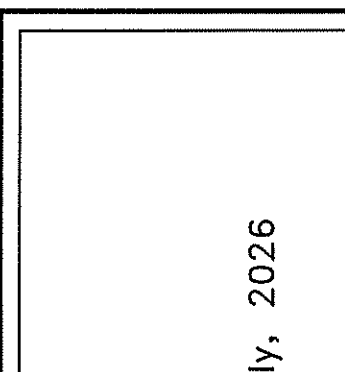
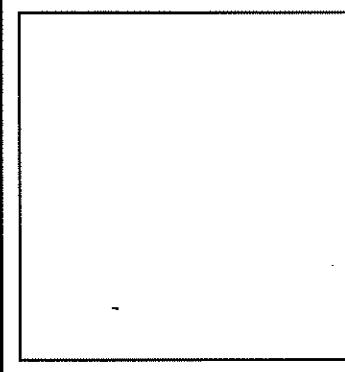
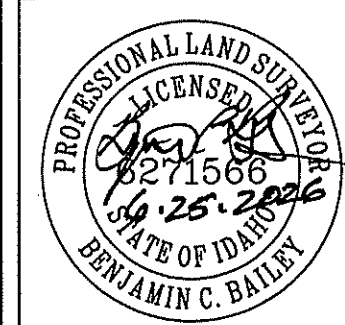
| Curve Table |         |           |         |         |             | Curve Table |         |           |         |         |             |
|-------------|---------|-----------|---------|---------|-------------|-------------|---------|-----------|---------|---------|-------------|
| Curve       | Length  | Delta     | Radius  | Chord   | Chrd Brng   | Curve       | Length  | Delta     | Radius  | Chord   | Chrd Brng   |
| C1          | 14.97'  | 3°00'35"  | 285.00' | 14.97'  | S88°59'17"W | C24         | 22.46'  | 85°47'26" | 15.00'  | 20.42'  | N86°58'33"W |
| C2          | 231.98' | 53°09'57" | 250.00' | 223.75' | S62°55'27"E | C25         | 22.75'  | 86°54'15" | 15.00'  | 20.63'  | N7°06'39"E  |
| C3          | 225.96' | 45°25'36" | 285.00' | 220.09' | N66°47'38"W | C26         | 21.11'  | 80°37'14" | 15.00'  | 19.41'  | N71°04'13"E |
| C4          | 199.50' | 53°09'57" | 215.00' | 192.42' | S62°55'27"E | C27         | 21.40'  | 81°43'25" | 15.00'  | 19.63'  | N27°57'23"W |
| C5          | 233.89' | 53°36'12" | 250.00' | 225.45' | S26°51'16"W | C28         | 6.75'   | 1°21'25"  | 285.00' | 6.75'   | N88°49'43"W |
| C6          | 138.85' | 31°49'16" | 250.00' | 137.07' | N37°44'44"E | C29         | 67.85'  | 13°38'24" | 285.00' | 67.69'  | N81°19'48"W |
| C7          | 95.04'  | 21°46'56" | 250.00' | 94.47'  | N10°56'38"E | C30         | 60.11'  | 12°05'05" | 285.00' | 60.00'  | N68°28'03"W |
| C8          | 196.65' | 50°04'34" | 225.00' | 190.45' | S25°05'27"W | C31         | 91.25'  | 18°20'41" | 285.00' | 90.86'  | N53°15'10"W |
| C9          | 111.11' | 28°17'38" | 225.00' | 109.98' | N35°58'55"E | C32         | 9.41'   | 2°30'29"  | 215.00' | 9.41'   | N88°15'11"W |
| C10         | 85.54'  | 21°46'56" | 225.00' | 85.02'  | N10°56'38"E | C33         | 63.38'  | 16°53'25" | 215.00' | 63.15'  | N78°33'14"W |
| C11         | 95.05'  | 19°48'11" | 275.00' | 94.58'  | N40°39'41"E | C34         | 126.71' | 33°46'04" | 215.00' | 124.89' | N53°13'30"W |
| C12         | 61.69'  | 12°51'10" | 275.00' | 61.56'  | N6°28'45"E  | C35         | 53.42'  | 10°55'49" | 280.00' | 53.34'  | S74°05'05"E |

#### Legend

- Found Monument as Described
- Set 5/8" Diameter Rebar w/Aluminum Cap Stamped "Hodge PLS #6271566"
- Set Centerline Monument Stamped "Hodge PLS #6271566"
- Found 5/8" Rebar Stamped "Hodge 3003" or as Described
- Found Centerline Monument Stamped "Priest 6449"
- Calculated Position
- Block Number
- Lot Number - Harvest Hills Second Addition
- Lot Number - Other Subdivision
- Curve Data - See Curve Table
- Proposed Man Hole
- Existing Man Hole
- Harvest Hills Second Addition Plot Boundary
- Proposed Lot Line
- Existing Lot Line
- Proposed Right of Way
- Existing Right of Way
- Proposed Easement
- Section Line
- Existing Public Easement to City of Moscow
- Proposed Water Line
- Proposed Sanitary Sewer Line
- Proposed Storm Drain Line
- Existing Water Line
- Existing Storm Drain Line
- Existing Sanitary Sewer Line
- Existing Overhead Power Line
- Existing 2' Contour Interval
- Asphalt Paving
- Concrete Paving



Hodge & Associates, Inc.  
Engineers • Planners • Landscape Architects

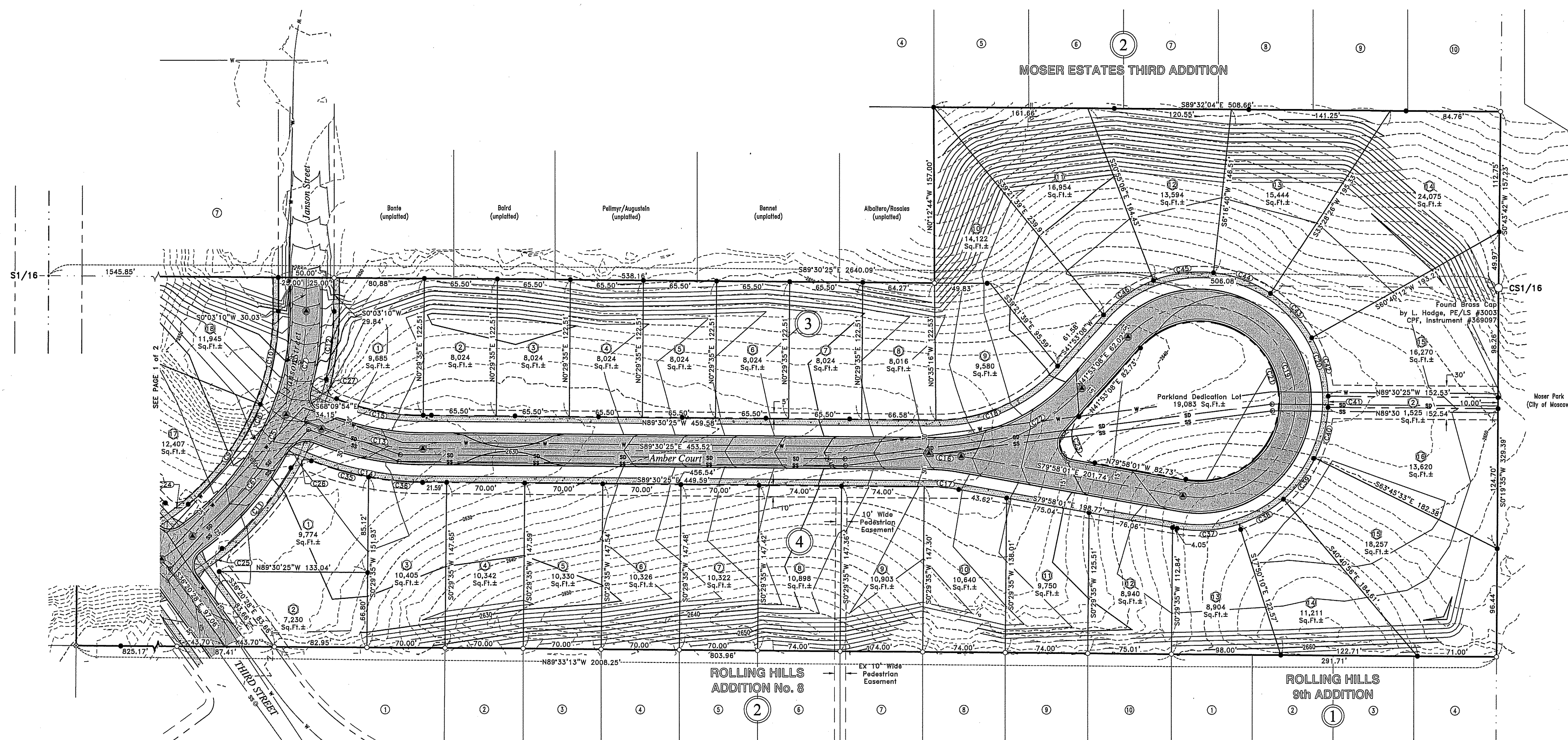


Harvest Hills Second Addition  
to the City of Moscow, Latah County, Idaho - Preliminary Plat  
Phil Rheingans, P.O.Box 8986 Moscow, Idaho 83843  
July, 2026

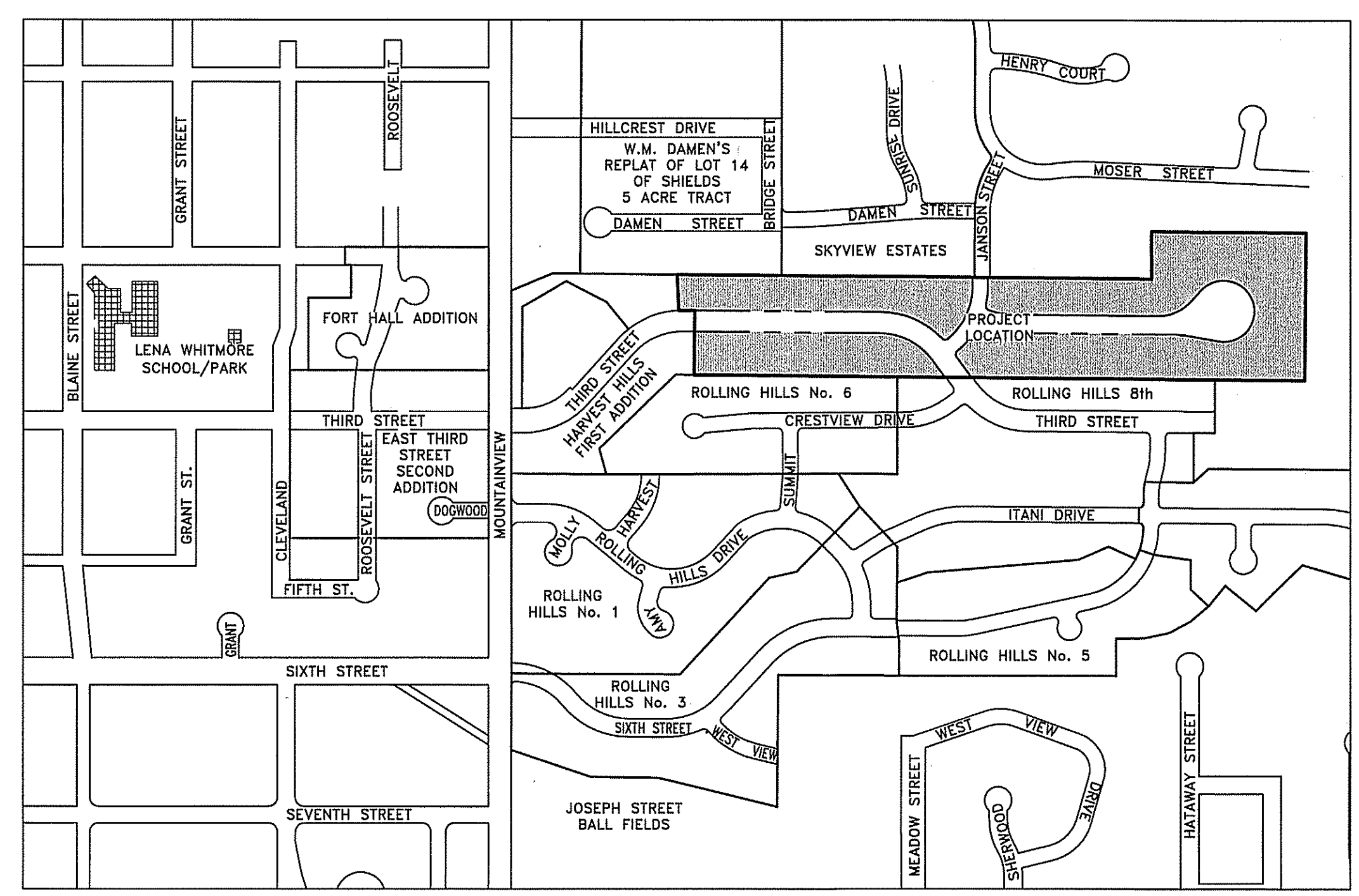
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Checked by: TPT/MEB  
File Name: HH FIRST ADD PRELIM  
Tab: P1  
Layer Style: TOPO  
Plot Style: Primary.ctb  
Project: 3483-07-13  
Date: 6/25/26

1 OF 2





| Curve Table |         |            |         |         |             | Curve Table |        |            |         |        |             |
|-------------|---------|------------|---------|---------|-------------|-------------|--------|------------|---------|--------|-------------|
| Curve       | Length  | Delta      | Radius  | Chord   | Chrd Brng   | Curve       | Length | Delta      | Radius  | Chord  | Chrd Brng   |
| C5          | 233.89' | 53°36'12"  | 250.00' | 225.45' | S26°51'16"W | C23         | 53.17' | 121°51'09" | 25.00'  | 43.70' | S19°02'27"E |
| C6          | 138.85' | 31°49'16"  | 250.00' | 137.07' | N37°44'44"E | C24         | 22.46' | 85°47'26"  | 15.00'  | 20.42' | N86°58'33"W |
| C7          | 95.04'  | 21°46'56"  | 250.00' | 94.47'  | N10°56'38"E | C25         | 22.75' | 86°54'15"  | 15.00'  | 20.63' | N7°06'39"E  |
| C8          | 196.65' | 50°04'34"  | 225.00' | 190.45' | S25°05'27"W | C26         | 21.11' | 80°37'14"  | 15.00'  | 19.41' | N71°04'13"E |
| C9          | 111.11' | 28°17'38"  | 225.00' | 109.98' | N35°58'55"E | C27         | 21.40' | 81°43'25"  | 15.00'  | 19.63' | N27°57'23"W |
| C10         | 85.54'  | 21°46'56"  | 225.00' | 85.02'  | N10°56'38"E | C35         | 53.42' | 10°55'49"  | 280.00' | 53.34' | S74°05'05"E |
| C11         | 95.05'  | 19°48'11"  | 275.00' | 94.58'  | N40°39'41"E | C36         | 48.68' | 9°57'25"   | 280.00' | 48.60' | S84°31'43"E |
| C12         | 61.69'  | 12°51'10"  | 275.00' | 61.56'  | N6°28'45"E  | C37         | 56.18' | 27°52'09"  | 115.50' | 55.63' | N86°05'54"E |
| C13         | 93.12'  | 21°20'31"  | 250.00' | 92.58'  | S78°50'10"E | C38         | 46.05' | 22°50'46"  | 115.50' | 45.75' | N60°44'27"E |
| C14         | 102.08' | 20°53'15"  | 280.00' | 101.51' | S79°03'48"E | C39         | 46.52' | 23°04'37"  | 115.50' | 46.21' | N37°46'45"E |
| C15         | 79.44'  | 20°41'20"  | 220.00' | 79.01'  | N79°09'45"W | C40         | 47.20' | 23°24'45"  | 115.50' | 46.87' | N14°32'04"E |
| C16         | 29.14'  | 9°32'24"   | 175.00' | 29.10'  | S84°44'13"E | C41         | 10.00' | 4°57'44"   | 115.50' | 10.00' | N0°20'50"E  |
| C17         | 24.14'  | 9°32'24"   | 145.00' | 24.12'  | S84°44'13"E | C42         | 54.82' | 27°11'46"  | 115.50' | 54.31' | N15°43'55"W |
| C18         | 123.01' | 48°36'27"  | 145.00' | 119.36' | N66°11'21"E | C43         | 54.82' | 27°11'46"  | 115.50' | 54.31' | N42°55'41"W |
| C19         | 357.46' | 238°08'51" | 86.00'  | 150.33' | N19°02'28"W | C44         | 54.82' | 27°11'46"  | 115.50' | 54.31' | N70°07'27"W |
| C20         | 480.07' | 238°08'51" | 115.50' | 201.89' | N19°02'27"W | C45         | 54.82' | 27°11'46"  | 115.50' | 54.31' | N27°40'47"W |
| C21         | 295.11' | 238°08'52" | 71.00'  | 124.11' | N19°02'27"W | C46         | 54.82' | 27°11'46"  | 115.50' | 54.31' | S55°29'01"W |
| C22         | 148.46' | 48°36'27"  | 175.00' | 144.05' | N66°11'21"E |             |        |            |         |        |             |



**Legend**

- Found Monument as Described
- Set 5/8" Diameter Rebar w/Aluminum Cap Stamped "Hodge PLS #6271566"
- Set Centerline Monument Stamped "Hodge PLS #6271566"
- Found 5/8" Rebar Stamped "Prist 6449"
- Found 5/8" Rebar Stamped "Hodge 3003" or as Described
- Found Centerline Monument Stamped "Prist 6449"
- Calculated Position

**Block Number**

**Lot Number - Harvest Hills Second Addition**

**Lot Number - Other Subdivision**

**Curve Data - See Curve Table**

**Proposed Man Hole**

**Existing Man Hole**

**Harvest Hills Second Addition Plot Boundary**

**Proposed Lot Line**

**Existing Lot Line**

**Proposed Right of Way**

**Existing Right of Way**

**Proposed Easement**

**Section Line**

**Existing Public Easement to City of Moscow**

**Proposed Water Line**

**Proposed Sanitary Sewer Line**

**Proposed Storm Drain Line**

**Existing Water Line**

**Existing Storm Drain Line**

**Existing Sanitary Sewer Line**

**Existing Overhead Power Line**

**Existing 2' Contour Interval**

**Asphalt Paving**

**Concrete Paving**

**Hodge & Associates, Inc.**  
Engineers - Planners - Landscape Architects

P.O. Box 8728  
405 S. Washington Street  
Moscow Idaho 83843  
(208) 887-3520

**PROFESSIONAL LAND SURVEYOR**  
ID #271566  
JUL 25 2026  
BENJAMIN C. BAILEY

**Harvest Hills Second Addition**  
to the City of Moscow, Latah County, Idaho - Preliminary Plat

Phil Rheingans, P.O.Box 8986 Moscow, Idaho 83843

July, 2026

Drafted by: SW  
Checked by: TTY/MED  
File Name: HH FIRST ADD PRELIM  
Tab: P2  
Layer Style: TOPO  
Plot Style: Primary.ctb  
Project: 3483-07-13  
Date: 6/25/26





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

| For City Use Only |                        |            |      |
|-------------------|------------------------|------------|------|
| Date Received     |                        |            |      |
| Dept              | Fee Type               | Fees       | Paid |
| CDV               | Zoning/Comp Plan Amend | \$1,145.00 |      |
| CDV               | Annexation             | \$1,145.00 |      |
| Receipt Number    |                        |            |      |

## APPLICATION FOR ZONING OR COMPREHENSIVE PLAN AMENDMENT

(Please type or print plainly with blue ink.)

### GENERAL INFORMATION

#### 1. Applicant

Name: Phil Rheingans Phone: [REDACTED]  
Address: Po Box 8986 Moscow, ID 83843 Email: [REDACTED]

Relationship to affected property (please check one):

Owner ☒ Purchaser ☐ Lessee ☐ Other ☐ (explain below):

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

Name: same Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_

#### 3. Location of Affected Property: see attached legal description

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

Legal Description: \_\_\_\_\_  
(Subdivision) (Block) (Lot)

### INFORMATION ON REQUESTED REZONE

#### 4. Proposal: The applicant requests a rezone of the above-described property as follows:

From: R2 to: R3  
(Current zoning) (Proposed zoning)

#### 5. Reason: Applicant requests a rezone for the following reason(s):

to construct additional twin homes similar to the homes constructed west of the proposed zone.

6. Before the Moscow Planning and Zoning Commission can approve a zoning amendment request, the Commission must first make findings of compliance pursuant to MCC 4-9-3, with the following five **Relevant Criteria and Standards**. Please describe in the spaces provided below what you believe to be justification showing compliance with each criteria:

A. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.

The zone is consistant with section 2.5.7. The zone is an expansion of the neighborhood identity to the west without creating an association.

B. The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.

The zone change is for a portion of an infill lot which extends an existing R3 zone easterly for continuation of like properties.

C. The uses expected to occur as a result of the rezone will be compatible with the surrounding area.

The expected use is for additional twin homes matching the ones to the west.

D. The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.

The increased density is on a collector street with sufficient services available for the rezoned parcels.



- E. The size, type, and density of development expected to occur as a result of the rezone can be adequately served by existing transportation network, public facilities and services.

The proposed rezone is on a collector street with access to public facilities and services.

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Notification: The Idaho Code requires that all property owners located within 300 feet of the affected property receive notification of the public hearing to be conducted by the Planning and Zoning Commission regarding any rezone request.

The Planning and Zoning Commission shall have the authority to require any additional information they consider necessary to render a fair decision and recommendation on a rezone, comprehensive plan amendment, or annexation request. The Planning and Zoning Commission may recommend, and the City Council may require, additional conditions and limitations as specified in Title 4, Chapter 9, Section 9-3. of the Moscow City Code.

All questions addressed on this application and the submitted documents must be filed with the Moscow City Planner at least twenty-one (21) days prior to the hearing date. The applicant will be notified by the City as to the time, date and place of the hearing pertaining to this application. The applicant, or their duly-appointed representative, must be present at the public hearings held before both the Planning and Zoning Commission and the City Council.

**The following materials must be included with this application before it will be processed:**

1. Application fee
2. Copy of neighborhood meeting invitation, mailing list, attendance list, and minutes
3. If a legal description of the affected property is given by Metes and Bounds, a separate sheet containing that description

*I understand this information is a public record and may be posted to a public website. I declare and certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct and that I have legal authority to submit this application.*

Signature of Applicant

Date

Signature of Property Owner (if different)

Date

6/25/2026

Legal Description by Hodge & Associates for:  
Harvest Hills Development Corporation  
**Rezone Parcel**

A parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 9, Township 39 North, Range 5 West, Boise Meridian, described as follows:

**Commencing** at the southwest corner of Section 9, thence along the westerly line of Section 9, N0°17'01"E, 1320.60 feet, to the northwest corner of the Southwest Quarter of the Southwest Quarter of Section 9; Thence along the north line of said Southwest Quarter of the Southwest Quarter, S89°30'25"E, 573.94 feet to the northeast corner of Harvest Hills First Addition and the **Point of Beginning**;

Thence continuing along said north line, S89°30'25"E, 406.20 feet;

Thence leaving said north line, S0°29'35"W, 117.51 feet;

Thence S21°49'41"W, 75.15 feet;

Thence S0°29'35"W, 143.26 feet to a point on the north line of Rolling Hills Addition No. 6 Instrument #478263, Latah County Records;

Thence along said north line, N89°33'13"W, 320.00 feet to the southeast corner of Harvest Hills First Addition Instrument #594141, Latah County Records;

Thence along the easterly boundary of Harvest Hills First Addition the following five courses:

Thence N0°29'35"E, 143.52 feet to the south right-of-way line of Third Street;

Thence N0°29'35"E, 70.00 feet to the north right-of-way line of Third Street;

Thence continuing along said easterly boundary and along said north right-of-way line the following two courses:

Thence N89°30'25"W, 37.69 feet;

Thence 14.97 feet along a curve to the left, having a Delta = 3°00'35",

Radius = 285.00 feet, Chord = 14.97 feet and a Chord Bearing = S88°59'17"W;

Thence continuing along said easterly boundary and leaving said north right-of-way line N2°31'01"W, 118.07 feet to the **Point of Beginning**.

Parcel Contains 2.68 Acres±





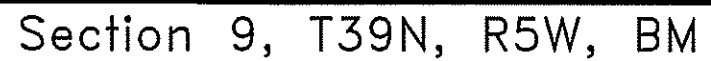
## Harvest Hills Second Addition

Rezone Exhibit

City of Moscow, Latah County, Idaho

|             |                 |
|-------------|-----------------|
| Drafted by: | SW              |
| Checked by: | BB              |
| File Name:  | 3831 HH2 rezono |
| Tab:        | Layout          |
| Plot Style  | Primary.ctb     |
| Project:    | 3831-07-13      |
| Date:       | 6/26/26         |

1 of 1



1/4  
8-9 Found Brass Cap  
by W. Smith, PE/LS #2481  
CPF, Instrument #285184

Southeast Corner of  
Damen's Replat  
Found Iron Pin, "Hodge 3003"  
3.2' North of Section Line  
See Record of Survey  
Instrument #367915(1)

W.M. DAMEN'S REPLAT OF LOT 14 OF SHIELDS 5 ACRE TRACT

# SKYVIEW ESTATES ADDITION

"Hodge 3003" CS1/16  
1044.24'   
Found Brass Cap  
by L. Hodge,  
PE/LS #3003  
CPF, Instrument #369097

Length: 14.97'  
Delta: 3°00'35"  
Radius: 285.00'  
Chord: 14.97'  
Chrd Brng: S88°59'17"W

THIRD  
STREET

# HARVEST HILLS FIRST ADDITION

Rezone Parcel  
2.68 Acres±

Rheingans  
Warranty Deed  
Instrument #540586

ROLLING HILLS  
ADDITION No. 8

TRACT A

## Basis of Bearings

The Basis of Bearings for this survey is identical to the Idaho Coordinate System, West Zone, NAD 83 as shown between the found southwest corner of Section 9 and the found northwest corner of the Southwest Quarter of Section 9 said bearing being N00°17'01"E.

Legend

- |                                                                                       |                                                                        |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------|
|  | Found Monument as Described                                            |
|  | Set 5/8" Diameter Rebar w/Aluminum<br>Cap Stamped "Hodge PLS #6271566" |
|  | Found 5/8" Diameter Rebar "Priest 6449"<br>or as Described             |
|  | Found 5/8" Diameter Rebar "Younger 12724"                              |
|  | Calculated Position                                                    |
|  | Block Number                                                           |
|  | Lot Number                                                             |
|  | Curve Data, See Curve Table                                            |
|  | Rezone Parcel Boundary Line                                            |
|  | Parent Parcel Boundary Line                                            |
|  | Other Subdivision Lot Line                                             |
|  | Section/Section Subdivision Line                                       |
|  | Centerline                                                             |
|  | Right-of-Way                                                           |
|  | Existing Access & Utility Easement                                     |

SCALE: 1"=60'

# Neighborhood Meeting

TO: Neighbors and Interested Community Members

RE: Harvest Hills 2<sup>nd</sup> Addition plat and partial rezone

WHEN: Friday, June 19, 2026 4:00 pm

WHERE: Latah County Fairgrounds, Grange Building, 1021 Harold St, Moscow

WHAT: You are invited to a neighborhood meeting regarding a partial rezone and plat for Harvest Hills 2<sup>nd</sup> addition. Project team members will be available for discussion with individual attendees after the presentation to answer questions and record comments. See Attached Map for proposed layout.

I will also respond to email questions and comments at [REDACTED] as well as phone calls at (208) 882-3520 through June 19, 2026. All questions and comments will be recorded and submitted to the city as part of the subdivision and rezone request submittal. You will also have an opportunity to comment on the project at a future City of Moscow public hearing for the project.



Sincerely,

Scott Becker  
Project Manager  
Hodge and Associates, Inc.



ABELS, AMY

[REDACTED]

MOSCOW, ID 83843

ACORD, JOEL

[REDACTED]

MOSCOW, ID 83843

ADAMS, JUDY

[REDACTED]

MOSCOW, ID 83843

ADMASSU, WUDNEH

[REDACTED]

MOSCOW, ID 83843

ALBRECHT, MIA

[REDACTED]

MOSCOW, ID 83843

ALEXANDER, BENJAMIN

[REDACTED]

MOSCOW, ID 83843

AMICK, BRANDON

[REDACTED]

MOSCOW, ID 83843

ANAKAJ PROPERTIES LLC

PO BOX 4046

PALMER, AK 99645

ANDERSON, ALISA

[REDACTED]

MOSCOW, ID 83843

ANDERSON, DWIGHT

[REDACTED]

MOSCOW, ID 83843

ARDEESER REVOCABLE LIVING TRST

[REDACTED]

MOSCOW, ID 83843

ATONDO, ALYSON

[REDACTED]

MOSCOW, ID 83843

AUGENSTEIN, ELISE

[REDACTED]

MOSCOW, ID 83843

BACON, ADAM

[REDACTED]

MOSCOW, ID 83843

BAKER, JERRY

[REDACTED]

MOSCOW, ID 83843

BAKER, RUSSELL

[REDACTED]

MOSCOW, ID 83843

BARBOUR REVOCABLE LIVING TRUST

[REDACTED]

MOSCOW, ID 83843

BARNES, CARSON

[REDACTED]

MOSCOW, ID 83843

BAXTER LIVING TRUST

[REDACTED]

MOSCOW, ID 83843

BECKER, CHRISTY

[REDACTED]

MOSCOW, ID 83843

BECKER, JAMES

[REDACTED]

MOSCOW, ID 83843

BELL, DOUGLAS

[REDACTED]

MOSCOW, ID 83843

BENTZ REVOCABLE SURVIVORS TRST

[REDACTED]

MOSCOW, ID 83843

BERG, JAMIE

[REDACTED]

MOSCOW, ID 83843

BERGLEY, LORETTA

[REDACTED]

MOSCOW, ID 83843

BIFFORD, JOEL

[REDACTED]

MOSCOW, ID 83843

BLISS, JOMARIE

[REDACTED]

BILLINGS, MT 59106

BLUTO, JASSEN

[REDACTED]

MOSCOW, ID 83843

BOHACH REVOCABLE LIVING TRUST

[REDACTED]

MOSCOW, ID 83843

BONTE LIVING TRUST

[REDACTED]

MOSCOW, ID 83843

BOOS, ERIC  
PO BOX 138  
LITTLEROCK, WA 98556

BROWER, KIRK  
[REDACTED]  
MOSCOW, ID 83843

CANTRELL, BRIGITTE  
[REDACTED]  
MOSCOW, ID 83843

CARTER FAMILY LIVING TRUST  
[REDACTED]  
MOSCOW, ID 83843

CHEATHAM, DAVID  
[REDACTED]  
FAIRFAX STATION, VA 22039

CIMIOTTI, JERRY  
[REDACTED]  
MOSCOW, ID 83843

COLDIRON, LUKE  
[REDACTED]  
MOSCOW, ID 83843

CRACRAFT, SKYLAR  
[REDACTED]  
MOSCOW, ID 83843

D STREET TREEFARM LLC  
[REDACTED]  
MEDINA, WA 98039

DEGOES, PAUL  
[REDACTED]  
MOSCOW, ID 83843

BORG, CARL  
[REDACTED]  
MOSCOW, ID 83843

BROWNING, BRIAN  
[REDACTED]  
MOSCOW, ID 83843

CAPILITAN, MEL  
[REDACTED]  
MOSCOW, ID 83843

CASEBOLT, DAVID  
[REDACTED]  
MOSCOW, ID 83843

CHRISTIAN, TOMMY  
[REDACTED]  
MOSCOW, ID 83843

CITY OF MOSCOW  
504 S WASHINGTON ST  
MOSCOW, ID 83843

COUPE, CHRISTOPHER  
[REDACTED]  
MOSCOW, ID 83843

CRAIG, JAMES  
[REDACTED]  
MOSCOW, ID 83843

DAVIS, JACKSON  
[REDACTED]  
MOSCOW, ID 83843

DELANO, RICHARD  
[REDACTED]  
MOSCOW, ID 83843

BRAGG, JANE  
[REDACTED] ST  
MOSCOW, ID 83843

CAMPBELL, JOSEPH  
[REDACTED]  
MOSCOW, ID 83843

CARLYLE, RYAN  
[REDACTED]  
MOSCOW, ID 83843

CASTELLANOS, CINDY  
[REDACTED]  
MOSCOW, ID 83843

CHURCH METHODIST  
PO BOX 9774  
MOSCOW, ID 83843

CLOTT, LARRY  
[REDACTED]  
MOSCOW, ID 83843

COWAN, ROBERT  
[REDACTED]  
MOSCOW, ID 83843

CRIST, ZACKERY  
[REDACTED]  
MOSCOW, ID 83843

DECKER, MATTHEW  
[REDACTED]  
MOSCOW, ID 83843

DENNEY, MICHAEL  
[REDACTED]  
MOSCOW, ID 83843



DEOBALD, LEE

[REDACTED]  
MOSCOW, ID 83843

DINNING, BRIAN

[REDACTED]  
MOSCOW, ID 83843

DIRKS, JAY

[REDACTED]  
MOSCOW, ID 83843

DODGE REVOCABLE LIVING TRUST

[REDACTED]  
MOSCOW, ID 83843

EDWARD &amp; JUDITH WICHER TRUST

[REDACTED]  
IDAHO FALLS, ID 83404

ENG, KEVIN

[REDACTED]  
MOSCOW, ID 83843

ENGELBRECHT, JOHN

[REDACTED]  
MOSCOW, ID 83843

ERTLE, ANDREW

[REDACTED]  
MOSCOW, ID 83843

FARMER, JEANNIE

[REDACTED]  
MOSCOW, ID 83843

FEMREITE FAMILY REV LVNG TRUST

[REDACTED]  
MOSCOW, ID 83843

FISHER, JASON

[REDACTED]  
MOSCOW, ID 83843

FLATHERS, RONALD

[REDACTED]  
MOSCOW, ID 83843

FLETCHER, RORY

[REDACTED]  
MOSCOW, ID 83843

FLOCH, DALE

[REDACTED]  
MOSCOW, ID 83843

FOISY, BRIAN

[REDACTED]  
MOSCOW, ID 83843

FORD, THOMAS

[REDACTED]  
MOSCOW, ID 83843

FOUTCH, BRYAN

[REDACTED]  
MOSCOW, ID 83843

FRANCK, JOSHUA

[REDACTED]  
MOSCOW, ID 83843

GABRIEL, RAFY

[REDACTED]  
MOSCOW, ID 83843

GARCIA, PAUL

[REDACTED]  
MOSCOW, ID 83843

GARDNER, STEVEN

[REDACTED]  
MOSCOW, ID 83843

GODFREY, MATTHEW

[REDACTED]  
MOSCOW, ID 83843

GRAHAM, JANICE

[REDACTED]  
MOSCOW, ID 83843

GREENE, SALLY

[REDACTED]  
MOSCOW, ID 83843

GRIEBLING, DANIEL

[REDACTED]  
MOSCOW, ID 83843

HAGEN, GARY

[REDACTED]  
MOSCOW, ID 83843

HALL, SARAH

[REDACTED]  
MOSCOW, ID 83843

HALLADAY, JOLENE

[REDACTED]  
MOSCOW, ID 83843

HALSTEAD, THOMAS

[REDACTED]  
MOSCOW, ID 83843

HARDESTY, DANIEL

PO BOX 80

VIOLA, ID 83872

HARRIS, LAWRENCE

[REDACTED]  
MOSCOW, ID 83843

HAYNES, SETH

[REDACTED]  
MOSCOW, ID 83843

HELBLING, WILLIAM

[REDACTED]  
MOSCOW, ID 83843

HIERSCHBIEL, STUART

[REDACTED]  
MOSCOW, ID 83843

HOANG, LINH

[REDACTED]  
MOSCOW, ID 83843

HUGHES, CAROLE ANN

[REDACTED]  
MOSCOW, ID 83843

IZZO, JESS

[REDACTED]  
MOSCOW, ID 83843

JACOBS, WAYNE

[REDACTED]  
MOSCOW, ID 83843

JEFFORDS, TAMI

[REDACTED]  
MOSCOW, ID 83843

JOHNSON, JILL

[REDACTED]  
MOSCOW, ID 83843

HARVEST HILLS DEVELOPMENT

PO BOX 8986

MOSCOW, ID 83843

HEFNER, DANIEL

[REDACTED]  
MOSCOW, ID 83843

HELLMAN, PATRICIA

[REDACTED]  
MOSCOW, ID 83843

HIGHFILL, MICHAEL

[REDACTED]  
MOSCOW, ID 83843

HOHSTADT, CORBIN

[REDACTED]  
MOSCOW, ID 83843

HULL, RICHARD

[REDACTED]  
MOSCOW, ID 83843

J &amp; M CROOM LIVING TRUST

[REDACTED]  
SPOKANE, WA 99224

JAIN, BRADLEY

[REDACTED]  
MOSCOW, ID 83843

JENSEN, ERIC

[REDACTED]  
MOSCOW, ID 83843

JONES, ADAM

[REDACTED]  
MOSCOW, ID 83843

HATHAWAY, DAVID

[REDACTED]  
MOSCOW, ID 83843

HEISIG, MATTHEW

[REDACTED]  
MOSCOW, ID 83843

HERMANN, DIANE

[REDACTED]  
MOSCOW, ID 83843

HILL, JOHN

[REDACTED]  
MOSCOW, ID 83843

HORNE, JANA

[REDACTED]  
MOSCOW, ID 83843

ITANI DEVELOPMENT IV INC

1515 SW WADLEIGH ST

PULLMAN, WA 99163

JACKSON, KIMBERLY

[REDACTED]  
MOSCOW, ID 83843

JEFFERS, NICKOLAS

[REDACTED]  
MOSCOW, ID 83843

JODAN PROPERTIES, LLC

[REDACTED]  
MOSCOW, ID 83843

JONES, AMBER

PO BOX 9953

MOSCOW, ID 83843

JONES, DANIEL

[REDACTED]  
MOSCOW, ID 83843

JORDAN, AARON

[REDACTED]  
MOSCOW, ID 83843

KARASEV, ALEXANDER

[REDACTED]  
MOSCOW, ID 83843

KASSEM, EMAD

[REDACTED]  
MOSCOW, ID 83843

KELLEY, ABEL

[REDACTED]  
MOSCOW, ID 83843

KHADKA, KAMAL

[REDACTED]  
MOSCOW, ID 83843

KIFLEMICHAEL, SELAM

[REDACTED]  
MOSCOW, ID 83843

KINZER, ART

[REDACTED]  
MOSCOW, ID 83843

KIRCHNER FAMILY TRUST

[REDACTED]  
MOSCOW, ID 83843

KLARQUIST, EMILY

[REDACTED]  
MOSCOW, ID 83843

KNEALE, RYAN

[REDACTED]  
MOSCOW, ID 83843

KNEALE, SCOTT

[REDACTED]  
MOSCOW, ID 83843

KOEPE, LEONARD

[REDACTED]  
MOSCOW, ID 83843

KONEN, CADE

[REDACTED]  
MOSCOW, ID 83843

KREIS, ROBERT

[REDACTED]  
MOSCOW, ID 83843

KURANAGA, LINDA

[REDACTED]  
MOSCOW, ID 83843

LEESTMA, DANIEL

[REDACTED]  
MOSCOW, ID 83843

LEWIS, JERALD

[REDACTED]  
MOSCOW, ID 83843

LI, FENG

[REDACTED]  
MOSCOW, ID 83843

LICHTE, AMY

[REDACTED]  
MOSCOW, ID 83843

LIVELSBERGER, PHILLIP

[REDACTED]  
MOSCOW, ID 83843

LOCKE, KENNETH

[REDACTED]  
MOSCOW, ID 83843

LUNDQUIST, WILLIAM

[REDACTED]  
MOSCOW, ID 83843

MARC &amp; ANNE KLOWDEN TRUST

[REDACTED]  
MOSCOW, ID 83843

MARCHANT, GREGORY

[REDACTED]  
MOSCOW, ID 83843

MARILYN &amp; JASON FRANKLIN TRUST

[REDACTED]  
MOSCOW, ID 83843

MARR, MARK

[REDACTED]  
MOSCOW, ID 83843

MARTIN TRUST

[REDACTED]  
MOSCOW, ID 83843

MARTIN, ANDREW

[REDACTED]  
MOSCOW, ID 83843

MARTIN, TODD

[REDACTED]  
MOSCOW, ID 83843



MASCOTRA, JAMES

MOSCOW, ID 83843

MCLUEN, BENJAMIN

MOSCOW, ID 83843

MILLER, STEPHANIE

MOSCOW, ID 83843

MORDHORST, TODD

MOSCOW, ID 83843

MURPHY, MICHAEL

MOSCOW, ID 83843

NEEDHAM, SHANE

MOSCOW, ID 83843

NINI HOANG REVOCABLE TRUST

MOSCOW, ID 83843

NUTER, CHRISTOPHER

MOSCOW, ID 83843

OPLINGER, SCOTT

MOSCOW, ID 83843

PAYTON, MARK

MOSCOW, ID 83843

MCEVOY-NAVARRO, ELIZABETH

MOSCOW, ID 83843

MCNUTT, GORDON

MERIDIAN, ID 83642

MILLS, PETER

MOSCOW, ID 83843

MORGAN, DIANA

MOSCOW, ID 83843

NANCE, JAMES

MOSCOW, ID 83843

NESBITT, KASSIDY

MOSCOW, ID 83843

NORMURA TOJO LIVING TRUST

MOSCOW, ID 83843

NYHUS, PETER

MOSCOW, ID 83843

PARIS, GEORGE

MOSCOW, ID 83843

PENG, CHING-AN

MOSCOW, ID 83843

MCGURKIN, PAMELA

MOSCOW, ID 83843

MEIER, TESSA

MOSCOW, ID 83843

MIXON, ALLEN

MOSCOW, ID 83843

MOSMAN, WYNN

MOSCOW, ID 83843

NARUOKA, YUKIKO

MOSCOW, ID 83843

NEWMAN, ERIK

MOSCOW, ID 83843

NORTON, ANDREW

MOSCOW, ID 83843

OLIVEIRA, LOUISE

MOSCOW, ID 83843

PARKS, MITCHELL

MOSCOW, ID 83843

PIERCE-GARNETT, DAVID

MOSCOW, ID 83843

PIMENTEL, DAVID

[REDACTED]  
MOSCOW, ID 83843

PITTS, CRYSTAL

[REDACTED]  
MOSCOW, ID 83843

PRESTIMONICO, NICOLE

[REDACTED]  
ROSEVILLE, CA 95747

RAY, MONICA

[REDACTED]  
MOSCOW, ID 83843

RAYNER, PATRICIA

[REDACTED]  
MOSCOW, ID 83843

REEVES, MARK

[REDACTED]  
MOSCOW, ID 83843

RICHARDS REVOCABLE TRUST

[REDACTED]  
MOSCOW, ID 83843

RICHARDS, BRANDON

[REDACTED]  
MOSCOW, ID 83843

RICHARDS, SHAWN

[REDACTED]  
MOSCOW, ID 83843

RICKER, BRYAN

[REDACTED]  
MOSCOW, ID 83843

ROBINSON, WILLIAM

[REDACTED]  
MOSCOW, ID 83843

ROBISON, BRADLY

[REDACTED]  
MOSCOW, ID 83843

ROESLER, JASON

[REDACTED]  
MOSCOW, ID 83843

RONALD EARL SEAMAN LIVING TRUST

[REDACTED]  
MOSCOW, ID 83843

SABAN, PAUL

[REDACTED]  
MOSCOW, ID 83843

SAUL, BRAD

[REDACTED]  
MOSCOW, ID 83843

SCHETZLE, KICHANA

[REDACTED]  
MOSCOW, ID 83843

SCOTT, LLOYD

[REDACTED]  
MOSCOW, ID 83843

SEIDMAN, HARRY

[REDACTED]  
MOSCOW, ID 83843

SENSING, WILBUR

[REDACTED]  
MOSCOW, ID 83843

SHARMA, BAL

[REDACTED]  
MOSCOW, ID 83843

SHELDEN, ERIC

[REDACTED]  
MOSCOW, ID 83843

SHEPARD, PHILIP

[REDACTED]  
MOSCOW, ID 83843

SHRESTHA, DEV

[REDACTED]  
MOSCOW, ID 83843

SHUFFIELD, BRIAN

[REDACTED]  
MOSCOW, ID 83843

SKANDALOS, GEORGIOS

[REDACTED]  
MOSCOW, ID 83843

SKIBIEL, AMY

[REDACTED]  
MOSCOW, ID 83843

SMILEY-JOHNSON, WENDY

[REDACTED]  
TROY, ID 83871

SMITH, BRIAN

[REDACTED]  
MOSCOW, ID 83843

SMITH, IAN

[REDACTED]  
MOSCOW, ID 83843

SMITH, LLOYD

[REDACTED]  
MOSCOW, ID 83843

SMITH, MARVIN

[REDACTED]  
MOSCOW, ID 83843

SNEGOSKY, DAKOTA

[REDACTED]  
MOSCOW, ID 83843

SPELLMAN, EMILY

[REDACTED]  
MOSCOW, ID 83843

SPILLMAN, BRIAN

[REDACTED]  
MOSCOW, ID 83843

STANKE, WILLIAM

[REDACTED] R  
MOSCOW, ID 83843

STEELE, EDWARD

[REDACTED]  
MOSCOW, ID 83843

STENLUND, TRACY

[REDACTED]  
MOSCOW, ID 83843

STEVENSON, JOSHUA

[REDACTED]  
MOSCOW, ID 83843

STINSON, LORI

[REDACTED]  
MOSCOW, ID 83843

STRONG, NATHAN

[REDACTED]  
MOSCOW, ID 83843

SUTERA, JOHN

[REDACTED]  
MOSCOW, ID 83843

TALBOTT, JUDEE

[REDACTED]  
MOSCOW, ID 83843

TAYLOR, CHRISTOPHER

[REDACTED]  
MOSCOW, ID 83843

THOMPSON, NANCY

[REDACTED]  
MOSCOW, ID 83843

THOMSON, BRYAN

[REDACTED]  
MOSCOW, ID 83843

TOTTEN, WAYNE

[REDACTED]  
MOSCOW, ID 83843

TREADWELL, JOHN

[REDACTED]  
MOSCOW, ID 83843

TRUJILLO-BARRERA, ANDRES

[REDACTED]  
MOSCOW, ID 83843

TULLSEN, ANDREW

[REDACTED]  
MOSCOW, ID 83843

UNLU, GULHAN

[REDACTED]  
MOSCOW, ID 83843

URQUIDI, ANTONIO

[REDACTED]  
MOSCOW, ID 83843

VAN ECK, PETER

[REDACTED]  
TROY, ID 83871

VAN NULAND, KELLY

[REDACTED]  
MOSCOW, ID 83843

VENEZIANO, ANNETTE

[REDACTED]  
MOSCOW, ID 83843

VESTAL, BURK

[REDACTED]  
MOSCOW, ID 83843

VOGEL, WARREN

[REDACTED]  
MOSCOW, ID 83843

WAISANEN, CASSANDRA

[REDACTED]  
MOSCOW, ID 83843

WALKER, MATTHEW

[REDACTED]  
MOSCOW, ID 83843

WAMBEKE, DANIEL

[REDACTED]  
MOSCOW, ID 83843



WANAMAKER, NANCY

MOSCOW, ID 83843

WANG, YONG

MOSCOW, ID 83843

WARNER, PHILIP

MOSCOW, ID 83843

WARNERT REVOCABLE TRUST

SAN RAMON, CA 94582

WEAVER, COLLEEN

MOSCOW, ID 83843

WEBB, WILLIAM

MOSCOW, ID 83843

WESSELS, DUANE

MOSCOW, ID 83843

WEST, ISAAC

MOSCOW, ID 83843

WESTERMAN, SIERRA

MOSCOW, ID 83843

WHITT LIVING TRUST

COEUR D ALENE, ID 83814

WIECHERS FAMILY REV TRUST

MOSCOW, ID 83843

WIGLE, TONI

MOSCOW, ID 83843

WILLIAMSON, CHRISTIANE

MOSCOW, ID 83843

WINTERBOTTOM REVOCABLE TRUST

MOSCOW, ID 83843

WRAY, MARK

MOSCOW, ID 83843

WRIGHT, JOHN

MOSCOW, ID 83843

WU, XIAO

MOSCOW, ID 83843

YOPP, DAVID

MOSCOW, ID 83843

ZUBA, JAMES

MOSCOW, ID 83843

## Harvest Hills 2 Subdivision Plat and Partial Rezone

### Neighborhood Meeting Minutes

Friday, June 19, 2026, 4:00pm

Presenter: Scott Becker, PE Hodge and Associates

Developer: Phil Rheingans

Meeting Location: Latah County Fairgrounds Grange Room

### Meeting Purpose

The presentation and discussion of the proposed Harvest Hills 2<sup>nd</sup> Addition Plat and Partial Rezone

### Meeting

The meeting was called to order at 4:00 and was open to the neighbors.

Scott Becker opened the meeting by introducing a general overview of the project. He presented boards with the subdivision plat layout and partial rezone.

There were an open discussion concerns, solutions and additional options

The following is a list of concerns by the neighbors and remedies by the engineer and developer:

1. I heard they are going to put in manufactured homes. *Scott explained there will be no manufactured homes in the subdivision. The developer is proposing some additional twin homes. It's possible someone confused twin homes with double wide homes.*
2. What is being done about run off from the site and flooding on Damen and Bridge Streets? *Scott explained that once the street and homes within the development have been constructed, direct runoff from the site will be reduced by 75% or more. Stormwater from the street area and from roofs will be directed to the storm drain system in the street and conveyed to the existing detention pond near Mountain View Street.*
3. With the new subdivision will flooding increase at Paradise Creek? The City told us there is nothing that can be done to increase the capacity of Paradise Creek. *Scott responded, the stormwater runoff from the sited will not increase flooding because stormwater will run into the detention pond and be released at the current rate. However, the development will not decrease the flooding potential either.*
4. Will there be development behind my home? The city and realtor told me no one would build around my house. *Scott: There will be construction behind your home but no construction along the park side of the property.*
5. We're concerned that Jansen Street will dramatically increase traffic on Moser Street if it is connected to 3<sup>rd</sup> Street. Can Jansen Street be a pedestrian path rather than a vehicle

route. *Scott: the City of Moscow wants the Jansen Street connection but the developer and engineer would support the neighbor's petition for a pedestrian only connection.*

6. Will there be additional parking on 3<sup>rd</sup> Street? *Scott: 3<sup>rd</sup> Street is a collector street with bicycle lanes no plan for additional parking on the street.*
7. People currently park on 3<sup>rd</sup> Street. Who regulates parking in a bicycle lane? *Scott: Moscow PD or code enforcement will regulate parking in a no parking zone but that is not the developer's responsibility.*
8. When will the 3<sup>rd</sup> Street Bridge be constructed for vehicle traffic? *Scott: The 3<sup>rd</sup> Street Bridge would be a valuable asset for City connectivity and traffic flow, but I do not see that being a priority until the Council has the fortitude to push it through.*
9. Will houses be built on the extension of Moser Street? Additional homes will completely destroy our view. *Scott: Moser Street is not part of this subdivision, but there are plans to develop it in the future and construct homes along it.*

There was general discussion of development in Moscow and the direction of the city. With no other questions, the meeting adjourned at 5:30 pm.

Attached is a copy of the attendance sheet and email correspondence.

Respectfully



Scott Becker, PE

Hodge & Associates, Inc.

Enc.



# Meeting Attendance Sheet

LUP2026-0024

Project Name: Harvest Hills Second Plat and Partial Rezone

Project Number: 3831

Meeting Type: Neighborhood Meeting

Meeting Location: Latah County Fairgrounds Grange Room

Meeting Time: June 19, 2026, 4:00 PM

| Name                 | Mailing Address   |
|----------------------|-------------------|
| Jim Mascota          | [REDACTED] Moscow |
| Amy Lichte           | [REDACTED]        |
| Daniel Jackson       | [REDACTED]        |
| Shannon Ford         | [REDACTED]        |
| Jan + John Graham    | [REDACTED]        |
| Cliff + Carolyn Todd | [REDACTED]        |
| Eric + Jane Berg     | [REDACTED]        |
| Andrew Tullsen       | [REDACTED]        |
| Jim and Gi Nance     | [REDACTED]        |
| Phil Rheingans       | [REDACTED]        |

## Meeting Attendance Sheet

Project Name: Harvest Hills Second Plat and Partial Rezone  
Project Number: 3831  
Meeting Type: Neighborhood Meeting  
Meeting Location: Latah County Fairgrounds Grange Room  
Meeting Time: June 19, 2026, 4:00 PM

| Name                 | Mailing Address |
|----------------------|-----------------|
| Lyndee Walker        | [REDACTED]      |
| Eric Jensen          | [REDACTED]      |
| CARL BORG            | [REDACTED]      |
| Brad & Debra<br>Saul | [REDACTED]      |
| Phil Shepard         | [REDACTED]      |
| SCOTT OPLINGER       | [REDACTED]      |
| Ram Masciotra        | [REDACTED]      |
|                      |                 |
|                      |                 |
|                      |                 |

**scottbecker@moscow.com**

---

**From:** scottbecker@[REDACTED]  
**Sent:** Tuesday, June 16, 2026 12:51 PM  
**To:** 'Shannon Ford'  
**Subject:** RE: Harvest Hills 2nd Addition  
**Attachments:** 3831 pre plat.pdf

Hi Shannon,

Your house backyard abuts Block 4 Lot 15. You can see this on the second page of the map I've attached. The south side of your home is along Moser Park.

I can better show you the layout at the neighborhood meeting or if you would like to stop by our office, I can show you that as well.

I hope that helps.

Thank you,

Scott

---

**From:** Shannon Ford <[REDACTED]>  
**Sent:** Tuesday, June 16, 2026 12:37 PM  
**To:** scottbecker@moscow.com  
**Subject:** Re: Harvest Hills 2nd Addition

Hi Scott,

Following back up on this with you.

Thanks,

Shannon

On Wed, Jun 10, 2026 at 6:04 AM <[scottbecker@moscow.com](mailto:scottbecker@moscow.com)> wrote:

Shannon,

I'm out of the office this week. I'll send that you early next week when I'm back in the office.

Thanks,

Scott

---

**From:** Shannon Ford <[REDACTED]>  
**Sent:** Tuesday, June 9, 2026 9:12 AM  
**To:** [scottbecker@moscow.com](mailto:scottbecker@moscow.com)  
**Subject:** Harvest Hills 2nd Addition

Morning Scott,



Can you please confirm where our house is on this picture?

Our address is [REDACTED]

Thank you,

Shannon



**scottbecker@moscow.com**

---

**From:** scottbecker@moscow.com  
**Sent:** Monday, June 15, 2026 7:41 AM  
**To:** 'Barb Femreite'  
**Subject:** RE: Harvest Hills 2nd Addition  
**Attachments:** 3831 pre plat.pdf

Hi Barb,

Attached is the preliminary plat. The rezone would be for Block 1 lots 1-10 and Block 2 lots 1-8. This would be a continuation of the twin homes that are currently constructed to the west.

The project will connect the missing piece of Third Street and connect Jansen to Third Street so the City adamantly wants this project completed.

Let me know if you have any questions.

Thanks,

Scott

---

**From:** Barb Femreite [REDACTED]  
**Sent:** Wednesday, June 10, 2026 7:59 AM  
**To:** scottbecker@moscow.com  
**Subject:** Re: Harvest Hills 2nd Addition

Thank you

Barb Femreite

On Wed, Jun 10, 2026 at 6:02 AM <[scottbecker@moscow.com](mailto:scottbecker@moscow.com)> wrote:

Hi Barb,

I'm out of the office this week. I'll send that to you next week.

Thanks,

Scott

---

**From:** Barb Femreite [REDACTED]  
**Sent:** Monday, June 8, 2026 5:18 PM  
**To:** [scottbecker@moscow.com](mailto:scottbecker@moscow.com)  
**Subject:** Harvest Hills 2nd Addition

Please send me an electronic copy of the proposed map and the partial rezone.



Thank you,

Barb Femreite



Virus-free. [www.avast.com](http://www.avast.com)

**scottbecker@moscow.com**

---

**From:** kjirsti day [REDACTED]  
**Sent:** Friday, June 19, 2026 3:42 PM  
**To:** scottbecker@moscow.com  
**Subject:** Harvest Hills 2

Hi Mr. Becker,

I am a resident on Wheatland Court in the Harvest Hills neighborhood and am unable to attend the meeting tonight. I wanted to ask about parking for the new houses going in. We have a difficult time parking in our little cul-de-sac already and have to use 3rd street on occasion for guests or even our own vehicles. It is a big problem already. My concern is that adding these new homes without accounting for the fact that the current houses do not allow for even 2 cars to comfortably or conveniently fit into one lot will cause hardship on the new tenants, but also the current tenants. Especially with increased road traffic as well from the two neighboring developments. Additional cars parked along the road causes more opportunity for collisions and decreased visibility for the kids playing. I was surprised when we moved in that the current parking situation was approved for the number of houses in our little block.

Thank you so much for being willing to hear me out and for hosting this meeting tonight.

Kjirsti Leestma  
[REDACTED]

[Sent from Yahoo Mail for iPhone](#)

**scottbecker@moscow.com**

**From:** Alida craig [REDACTED]  
**Sent:** Friday, June 19, 2026 3:18 PM  
**To:** scottbecker@moscow.com  
**Subject:** Re: Harvest Hills 2 neighborhood meeting

Thank you so much for your quick reply.

I am very concerned with the number of town homes. Especially because Phil builds the garages so small. This is Idaho and a lot of people have pickup trucks. And they have larger SUVs which just don't fit in the garages that Phil has built.

Thank you so much for passing our concerns on to the city.

And I really appreciate your quick response.

Regards.

Alida

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---

**From:** scottbecker@moscow.com <scottbecker@moscow.com>  
**Sent:** Friday, 19 June 2026 15:06:44  
**To:** 'Alida craig' [REDACTED]  
**Subject:** RE: Harvest Hills 2 neighborhood meeting

Hi Alida,

Here are the answers to your questions:

1. There are 18 townhouse lots proposed. 8 on the south side of 3<sup>rd</sup> St and 10 on the north side of 3<sup>rd</sup> St.
2. The houses would be very similar to the one that are constructed to the west
3. One car for each side of the home
4. There will be driveway parking for those lots
5. The developer is Phil Rheingans

These are valid concerns that I will send to the City. I will include this email in our Neighborhood packet.

Thank you for reaching out.

Scott

---

**From:** Alida craig [REDACTED]  
**Sent:** Friday, June 19, 2026 2:59 PM  
**To:** scottbecker@moscow.com  
**Subject:** Harvest Hills 2 neighborhood meeting

Dear Mr. Becker:

We will not be able to attend the meeting tonight but we have some questions.

How many of the lots will have townhomes on them?

What are the sizes of the houses?

Are their garages for 2 cars or just one?.

Is there going to be any additional parking set aside?



Who is the developer?

Our concern is that we live on Wheatland court. When the townhomes on 3<sup>rd</sup> street and Wheatland Court were constructed they did not include enough space allocated for parking. The Developer built 4 bedroom townhomes with one car garages. Please note that the garages are so small that the majority of cars will not fit into the garage and the very small parking space on Wheatland court does not handle the overflow so people are forced to park on 3<sup>rd</sup> street. Eventually, one side of 3<sup>rd</sup> street will not allow parking anymore due to the bike path. We are extremely concerned about the number of new houses that are going to be put into this area because it appears there is no parking allocated for these homes.

An additional concern is that we have a number of children that live in this area. Traffic will be dramatically increased on 3<sup>rd</sup> street because the 2 neighborhoods adjacent to 3<sup>rd</sup> street will have the option of now using 3<sup>rd</sup> street to get to mountain view.

It is our request that the city decrease the number of lots that are going to be developed. If the lots are bigger this will allow space for people to actually park on their own property instead of parking on 3<sup>rd</sup> street.

To summarize, we have 2 concerns about this development. #1 - parking. #2 - a dramatic increase in traffic on 3<sup>rd</sup> street. Thank you for acknowledging our comments.

Jim and Alida Craig



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**scottbecker@moscow.com**

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**From:** scottbecker@moscow.com  
**Sent:** Monday, June 15, 2026 7:16 AM  
**To:** 'Bohach, Gregory' [REDACTED]  
**Subject:** RE: Harvest Hills 2nd Addition  
**Attachments:** \_ags\_d9c536e2-68c3-11f1-840a-005056935859.pdf

Greg,

Here's a better map. The subject parcel is located roughly between Damen St and Crest View Drive. The development would make the 3rd Street connection complete. It also connects Jansen St to 3rd St. The plat was approved and signed in 2021 but was never filed so the City views this as a formality.

You can also stop by the office and I can show you more for clarification. We have a front door again!

Thanks,

Scott

-----Original Message-----

**From:** Bohach, Gregory [REDACTED]  
**Sent:** Wednesday, June 10, 2026 7:14 PM  
**To:** scottbecker@moscow.com  
**Subject:** Harvest Hills 2nd Addition

Hi Scott:

I was looking at the notice of the neighborhood meeting in the mail and was trying to determine where this is located. Nothing was labeled on the figure. I couldn't find much on line. Can you explain its location?

Thanks,

Greg Bohach

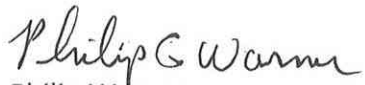
Jennifer R. Fleischman, Deputy City Clerk

July 27, 2026

206 East Third Street

Moscow, ID 83843

Attached is my textual material concerning the Proposed Preliminary Subdivision and Proposed rezone of the Harvest Hills 2<sup>nd</sup> Addition.

  
Philip Warner



Moscow, Idaho 83843





Harvest Hills 2<sup>nd</sup> Addition - Laurie M. Hopkins, Moscow City Clerk

Your Notice of Public Hearing dated July 25, 2026 concerning the Harvest Hills 2<sup>nd</sup> addition states that textual material to the decision making board may be made in advance of the scheduled hearing on August 12, 2026. These comments are submitted relevant to that statement.

My name is Philip Warner, I live at 1960 Crestview Drive adjacent to the proposed project. I would like to present my comments in two different categories. First the proposed preliminary subdivision and the proposed rezone.

I find it interesting that the city is presenting a proposed preliminary subdivision plat and proposed rezone when ground work has already begun on the project. Obviously the developers have been assured by the city that these proposed preliminary reviews will be approved otherwise they would not be expending considerable funds on the site work. The approval of these proposals becomes a moot point.

The construction zone has subsurface water near the excavation level. This can be determined by the water collection pond at the end of Crestview Drive. Also, the site preparation contractor is pumping subsurface water from a pond in the construction area. (photo attached) Any home built below that point will likely collect water at the lower levels and require sump pumps. A former wetland area (photo attached) has also been buried. This was confirmed by the city as they required a fence be placed around it during previous site work. This is a direct violation of the US Army Corps of Engineers 404 permit system. The USACE is charged with regulating the discharge of fill material into waters including wetlands which has certainly taken place here. Also, since the single family homes of the project will be built in a gully the residents will have a fine view of a dirt bank. From my property we will have a view into two backyards which I suspect would not be appreciated by future home owners.

Secondly, I would like to address the site preparation work that is taking place at the construction site. Since site work will be done for the subdivision and rezone. I thought it would be worthwhile to discuss what is taking place now and in the future. Since the work is being accomplished very near established residences I assume that the city permit for this work has specifications for work hours, noise, dust control etc. The contractor has 3 bulldozers, 2 excavators and 2 scrapers working at the site as near as a couple of yards from my back fence. The bulldozers and scrapers emit large plumes of black smoke because the diesel engines are not tuned properly which doesn't help the air quality. A layer of dust has settled on our home as I am sure it has on our neighbors homes. The water truck has remained idle for the entire project. (photo of dust and exhaust smoke attached). I don't need to tell you what this project will do to our property value. Thank you for the opportunity to comment. - Philip Warner

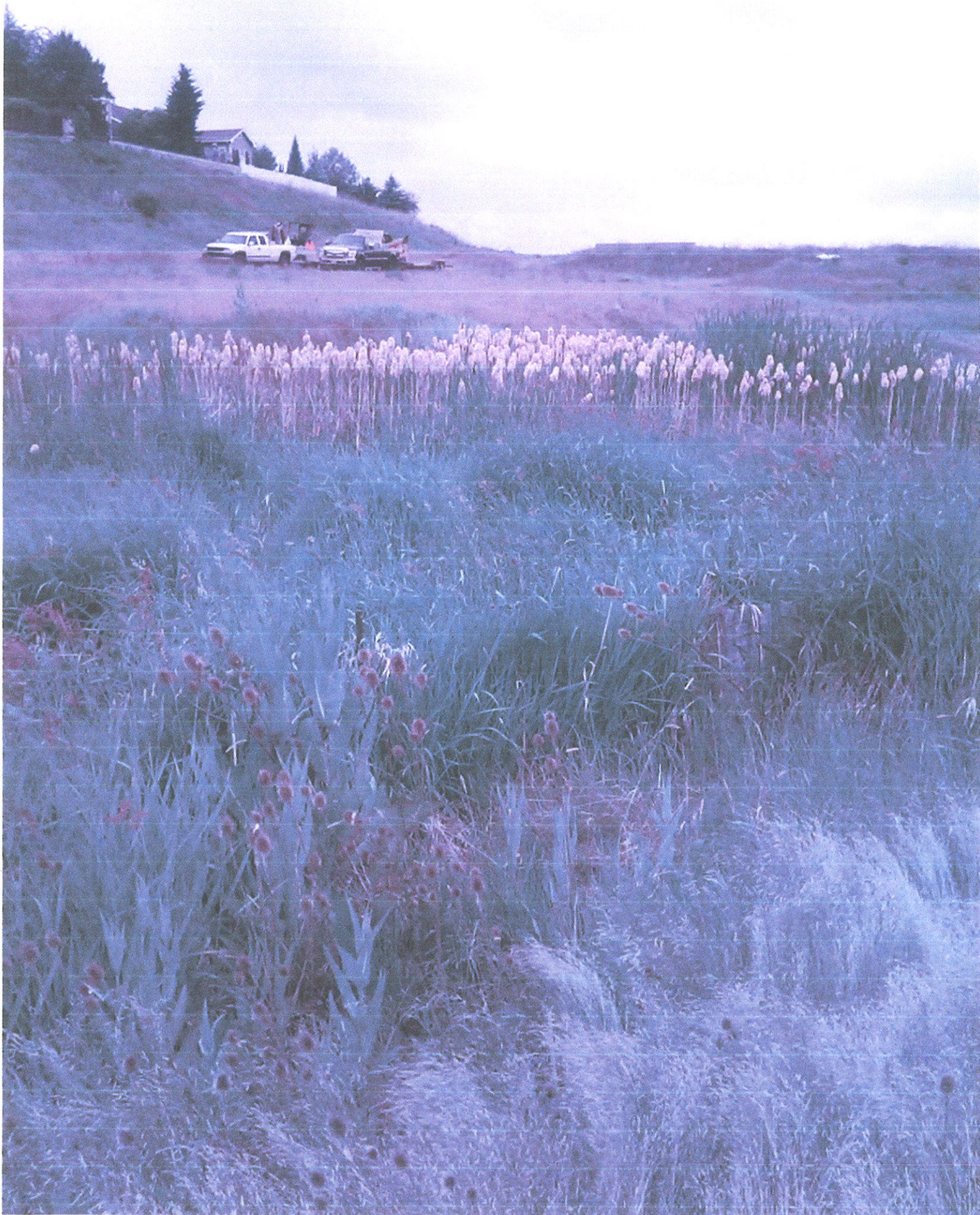




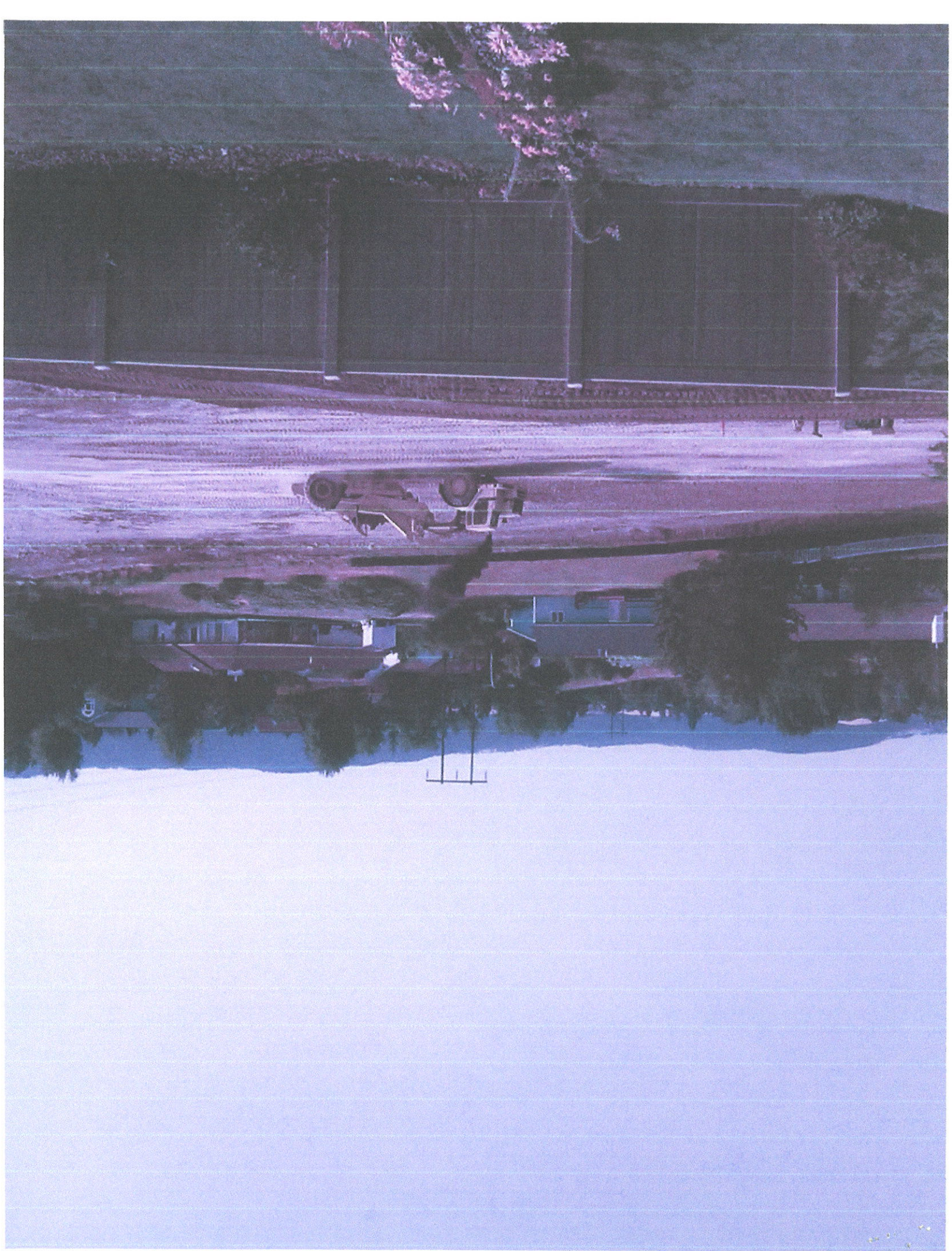




Wetland that has been buried









MEMORANDUM OF UNDERSTANDING 2009  
BETWEEN CITY OF MOSCOW, IDAHO AND  
MICHAEL HOFFMAN, DEVELOPER,  
WINDFALL HILLS SUBDIVISION

THIS MEMORANDUM OF UNDERSTANDING 2009 BETWEEN CITY OF MOSCOW, IDAHO AND MICHAEL HOFFMAN, DEVELOPER, WINDFALL HILLS SUBDIVISION OF THE CITY OF MOSCOW, IDAHO (hereinafter "2009 MOU") is entered into the 8<sup>th</sup> day of June, 2009 by and between City of Moscow, Idaho a municipal corporation of the State of Idaho, 206 East Third Street, Moscow, Idaho, 83843 (hereinafter referred to as "CITY"), and Michael Hoffman, Developer of Windfall Hills Subdivision of the City of Moscow, Idaho (hereinafter referred to as "DEVELOPER").

WITNESSETH:

WHEREAS, on July 21, 2008, CITY and DEVELOPER entered into Memorandum Of Understanding Between City Of Moscow, Idaho Michael Hoffman, Developer, Windfall Hills Subdivision but, for various reasons, portions of such July 21, 2008 MOU were not completed; and

WHEREAS, CITY and DEVELOPER wish to replace such July 21, 2008 MOU with this 2009 MOU; and

WHEREAS, CITY desires to construct improvements on Mountain View Road within CITY limits which improvements include paving, curb and gutter, sidewalks, and a drainage system; and

WHEREAS, such improvements shall include Windfall Hills Subdivision frontage and the Hoffman-owned property immediately south of and adjacent to the Third Street extension (shown in the accompanying map); and

WHEREAS, the installation of the Plat monumentation or payment of the total amount of sixteen thousand five hundred dollars (\$16,500) in security shall occur in accordance with the Monumentation Agreement dated July 21, 2008 on or before the date of filing of the final plat; and

WHEREAS, dedication of Mountain View right-of-way and parkland or dedication of an easement for Street purposes by DEVELOPER necessary for CITY to complete Mountain View improvement work (as shown on the accompanying map) must occur by May 25, 2009; and

WHEREAS, a portion of Windfall Hills Subdivision frontage shall be dedicated through the recording of the final plat by June 3, 2009; and



WHEREAS, remaining Hoffman-owned frontage on Mountain View shall be dedicated through a separate deed of dedication for the right-of-way and either a deed of dedication or an easement for parkland necessary for the existing asphalt trail shall be executed on or before June 3, 2009; and

WHEREAS, DEVELOPER wishes to and hereby agrees to construct Janson Street from its current terminus near Damon Street to the north line of the Windfall Hills Subdivision (as shown on the accompanying map) and agrees that such work shall include paving, curb and gutter, sidewalks, retaining walls, a drainage system, and a water main, and shall occur within Phase I of Windfall Hills Subdivision; and

WHEREAS, security may be utilized to defer construction of these improvements to a Phase subsequent to that of Phase I of the Windfall Hills Subdivision of the City of Moscow, Idaho as long as such deferral does not extend beyond the phase which includes the construction of the intersection of Windfall Court and Janson Street; and

WHEREAS, DEVELOPER agrees to be financially responsible for all costs of the extension of Janson Street from the northern boundary of the Windfall Hills Plat to its connection with Janson Street at the corner of Janson Street and Damon Street (hereinafter "Janson Street Extension" as shown in Exhibit "A"); and

WHEREAS, no party to this 2009 MOU wishes for this 2009 MOU to establish a precedence or to have any precedential value beyond this current MOU; and

WHEREAS, this 2009 MOU is entered into voluntarily by both parties; and

WHEREAS, time is of the essence in the execution of this 2009 MOU; and

WHEREAS, the valuable consideration exchanged between the parties includes the commitment by DEVELOPER to complete the filing of the final Plat of the Windfall Hills Subdivision on or before June 3, 2009;

NOW, THEREFORE, DEVELOPER and CITY hereby agree as follows:

#### I. PROPERTY AFFECTED

This 2009 MOU affects property commonly known as the Windfall Hills Addition to the City of Moscow, Latah County, Idaho and also affects the property shown as Hoffman Unplatted Property, both of which are more particularly described as follows and which are shown on the attached Exhibit "A", the same as if copied and transcribed herein:

##### A. WINDFALL HILLS PLAT

A parcel of land located in the SW 1/4 of Section 9, T39N, R5W, B.M., and being more particularly described as follows:

Beginning at the Southwest Corner of said Section 9; thence along the westerly line of said Section 9, N 0°16'55" E, 793.64 feet, to the TRUE POINT OF BEGINNING:

Thence continuing along said westerly line, N 0°16'55" E, 456.89 feet; Thence departing said westerly line, N 67°28'12" E, 179.00 feet; Thence S 89°45'15" E, 744.93 feet, along the southerly line of W.M. Dahmen's Replat of Lot 14 & Parts of Lots 10, 11, 12, 13 & 15 of Shield's Five Acre Tract Addition To The City Of Moscow, Idaho; Thence along the southerly line of Skyview Estates Addition to the City of Moscow, ID, S 89°11'47" E, 635.94 feet, to the southeast corner of said Skyview Estates; Thence S 89°31'07" E, 588.11 feet; Thence N 0°03'14" W, 156.94 feet, to the Southwest corner of Lot 5, Block 2 of Moser Estates Third Addition to the City of Moscow, ID; Thence along the southerly line of said Moser Estates Third Addition, S 89°32'39" E, 508.57 feet, to the southeast corner of said Moser Estates Third Addition; Thence S 0°48'25" W, 157.16 feet, to the Center-South 1/16 (CS 1/16) Corner; Thence along the easterly line of said SW 1/4 of Section 9, S 0°20'01" W, 329.48 feet; Thence N 89°33'23" W, 970.20 feet; Thence N 49°03'30" W, 59.13 feet; Thence S 64°56'31" W, 89.18 feet; Thence N 89°33'23" W, 973.45 feet, along the northerly line of the Rolling Hills Addition No. 6 To The City Of Moscow, Idaho, to the northwest corner of said Rolling Hills Addition No. 6; Thence S 46°04'46" W, 53.32 feet, along the northwesterly line of said Rolling Hills Addition No. 6; Thence departing said northwesterly line, N 48°09'15" W, 146.58 feet; Thence S 41°50'45" W, 210.74 feet; Thence 240.93 feet along a curve to the right, Delta = 48°26'10", Radius = 285.00 feet, Chord = 233.82 feet, and a Chord Bearing = S 66°03'50" W; Thence N 89°43'05" W, 69.81 feet, to the TRUE POINT OF BEGINNING.

Parcel contains 22.90 acres, more or less.

#### B. HOFFMAN UNPLATTED PROPERTY

A parcel of land situated in the southwest quarter of the southwest quarter of Section 9, Township 39 North, Range 5 West, Boise Meridian, Latah County, Idaho and being more particularly described as follows:

Commencing at the southwest corner of said Section 9; thence N00°16'55" E 660.27 feet along the west line of said section to the northwest corner of the Rolling Hills Addition No. 1 to the City of Moscow, Idaho as shown on the recorded plat thereof; thence S89°33'24" E 30.00 feet, along the north boundary of said addition, to the easterly right-of-way line of Mountain View Road and the TRUE POINT OF BEGINNING; thence N00°16'55" E 133.46 feet along said right-of-way line to a point on the south boundary of the proposed Windfall Hills Addition to the City of Moscow, the plat being on file with said City of Moscow; thence along said south boundary S89°43'05" E

39.81 feet; thence continuing along said south boundary 240.93 feet along a curve to the left having a radius of 285.00 feet, a central angle of 48°26'10", and a chord of N66°03'50" E 233.82 feet; thence continuing along said south boundary N41°50'45" E 210.74 feet; thence continuing along said south boundary S48°09'15" E 146.58 feet to the westerly boundary of the Rolling Hills Addition No. 6 to the City of Moscow, Idaho as shown on the recorded plat thereof; thence along said westerly boundary S46°04'46" W 295.83 feet; thence continuing along said westerly boundary S15°36'14" E 87.79 feet to the north boundary of said Rolling Hills Addition No. 1; thence N89°33'24" W 314.50 feet along said north boundary to the TRUE POINT OF BEGINNING.

## II. PUBLIC IMPROVEMENTS

DEVELOPER agrees to design and install the following Jansen Street Extension public improvements, at DEVELOPER'S expense, pursuant to this 2009 MOU in accordance with CITY standards duly adopted by resolution of the City Council and in accordance with approved engineering plans : subgrade, paving, curb and gutter, sidewalks, retaining walls, pathways, drainage system, and a water main.

DEVELOPER agrees to install the remaining Mountain View Road frontage public improvements, at DEVELOPER'S expense, shown on the approved Windfall Hills Subdivision engineering plans in accordance with the Development Agreement entered into between the parties on July 21, 2008.

## III. DEVELOPER SHALL DO ALL OF THE FOLLOWING:

- A. DEVELOPER shall assume total cost and financial responsibility for, and shall design and construct the Jansen Street Extension or, in lieu of construction, shall deposit with CITY in cash or security acceptable to City Council, sufficient monies to complete all improvements required by CITY in accordance with approved engineering design plans, to City standards, for the Janson Street Extension improvements from the north border of the Windfall Hills Plat to the intersection of Damon Street with the currently existing Janson Street prior to receiving building permits on lots within Phase I of the Plat.
- B. DEVELOPER shall grant to CITY a portion of street right-of-way contiguous with the east side of Mountain View Road from the south side of the Hoffman Unplatted Property to the north end of the western border of the Windfall Hills Plat for the widening of Mountain View Road to the east and, in addition, DEVELOPER shall also grant to CITY a pedestrian and bicycle path easement twenty five feet (25') wide, the length of such properties on or before June 3, 2009 for purposes of allowing the public to use the bicycle and pedestrian path public improvements.
- C. DEVELOPER shall grant a thirty five foot (35') wide easement for street purposes contiguous with the east side of Mountain View Road from the south side of the



Hoffman Unplatted property to the north end of the west border of the Windfall Hills Subdivision Plat for the widening of Mountain View Road to the east on or before May 25, 2009.

- D. DEVELOPER shall file the final plat for Windfall Hills Subdivision by June 3, 2009.

IV. CITY SHALL DO ALL OF THE FOLLOWING:

- A. CITY shall construct improvements on Mountain View Road within CITY limits which improvements include paving, curb and gutter, and a drainage system.
- B. Such improvements shall include Windfall Hills Subdivision frontage and the Hoffman Unplatted Property immediately south of and adjacent to the Third Street extension (shown in the accompanying map).

V. BINDING ON HEIRS AND ASSIGNS AND SUCCESSORS IN INTEREST

This 2009 MOU shall be binding upon the heirs, assignees and successors in interest of the respective parties.

VI. MODIFICATION

DEVELOPER and CITY agree that the provisions of this 2009 MOU may be modified only upon written request of DEVELOPER accompanied by a complete set of plans, and acceptance of such plan modifications by the City Council or by a subsequent MOU between the parties.

VII. SPECIFIC AGREEMENTS

- A. The parties hereby understand and agree that time is of the essence in this 2009 MOU and no building permit shall be issued for the Windfall Hills Plat until the filing of the Final Plat, installation of or the filing of security for the Plat Monumentation, and the construction of or placement of security for the public improvements within the Plat Phase for which the permits are requested, including the construction of Janson Street.
- B. DEVELOPER specifically understands and agrees that this 2009 MOU is entered into voluntarily and not because of any inducement, threat or pressure from CITY or any other party.
- C. This 2009 MOU supersedes Memorandum Of Understanding Between City Of Moscow, Idaho Michael Hoffinan, Developer, Windfall Hills Subdivision entered into by the parties on July 21, 2008.)

IN WITNESS WHEREOF, the parties have executed this 2009 MOU to be effective the date first above written.

DEVELOPER:

CITY:

CITY OF MOSCOW, IDAHO

  
Michael Hoffman, Developer

  
Nancy Chaney, Mayor

ATTEST:

  
Stephanie Kalasz, City Clerk



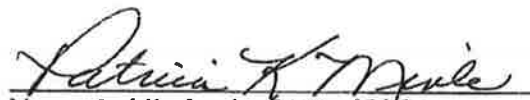
#### ACKNOWLEDGMENT

STATE OF IDAHO           )  
                                      ) ss.  
COUNTY OF LATAH       )

On this 22 day of May, 2009, before me, a Notary Public in and for said State, appeared Michael Hoffman, known to me to be the person named above and acknowledged that he executed the foregoing document as the duly authorized representative for DEVELOPER and has the legal authority to bind DEVELOPER to the duties and obligations contained in this 2009 MOU.



Agreement/MOU Windfall Hills (04-2009)/pm

  
Notary Public for the State of Idaho  
Residing at Troy, Idaho  
My commission expires 12/22/09

No. 530170  
AT THE REQUEST OF:  
CITY OF MOSCOW  
DATE & HOUR:  
6-11-09 2:30 PM  
SUSAN PETERSEN  
LATAH COUNTY RECORDER  
Fee \$ 0 BY   
ENGINEERING  
PO BOX 9203  
MOSCOW ID 83843

# COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

**HEARING DATE:** August 12, 2026

## **GENERAL INFORMATION**

**Hearing Body:** Planning and Zoning Commission

**Subject:** Variance to allow reduced setbacks created through a proposed lot division and lot line adjustment along the eastern border of Lots 18 and 19 within an existing manufactured home park located at 510 Empire Lane within the Multiple Family Residential (R-4) Zoning District per Moscow City Code 6-2-9.

**Attachments:**

1. Application
2. Exhibits
3. Site Pictures
4. Site Plan

**Prepared by:** Mike Ray, AICP

## **STAFF REVIEW**

**Proposal:** The applicant, Jerry Schutz, is requesting a variance from a required fifteen foot (15') setback standard outlined in the Manufactured Home Park code (MCC 6-2) within the Empire Mobile Home Park located at 510 Empire Lane. This request is to accommodate a proposed Lot Line Adjustment and Lot Division (LLA/LD) request (LUP 2026-0013). The proposed LLA/LD cannot move forward as proposed without approval of the Variance.

The LLA/LD request is proposing to divide a one acre lot in the SE corner of the site which contains a site-built single-family dwelling and accessory outbuilding addressed as 700 Empire Lane, from the remainder of the mobile home park lot of 9.2 acres. The western proposed lot line for the newly created lot will create setbacks for two existing manufactured homes that do not meet the required setback requirement of fifteen (15) feet. The proposed setbacks for the affected manufactured homes on Empire Lots 18 and 19 range from 0.5 feet to 15.2 feet.

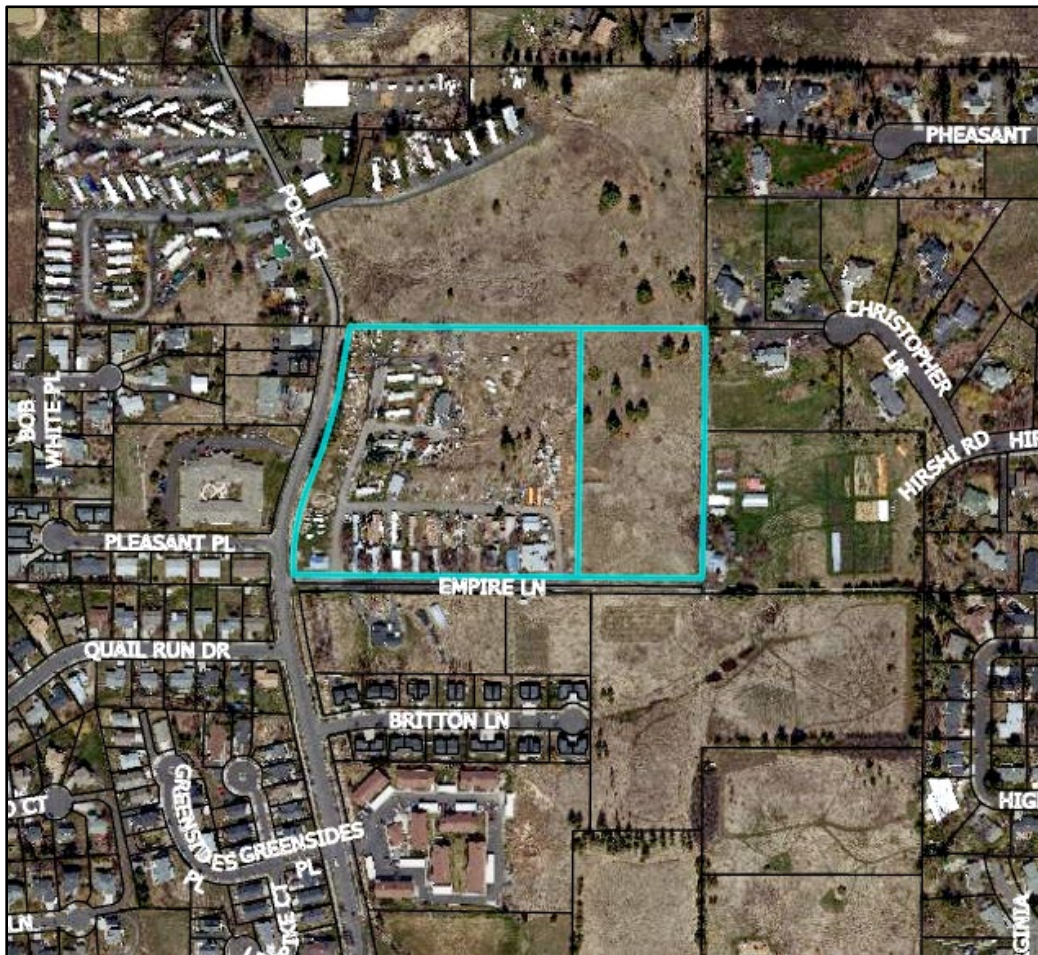
**Site and Area Land Use:** The subject property was first established as a mobile home park around the late 1960's while located within Latah County. It was annexed into the City in 1999 as part of the North Polk Sewer District (Ord. 1999-40). The subject property is currently 9.2 acres and contains three internal street extensions that are accessed from one internal street that parallels Polk Street. There are currently approximately 42 spaces within the park and they vary between 20' wide by 50' - 70' deep for the existing RV spaces and approximately 50' wide by 80' deep for the manufactured home spaces. GIS maps



indicate that Lots 18 and 19 are approximately fifty feet (50') wide. The applicant has verbally noted that the manufactured home on Empire lot 18 was built in the 1980s, the manufactured home on Empire lot 19 was installed in 1971 and 700 Empire Lane was originally a manufactured home installed in 1970 and has been converted to a stick built dwelling in subsequent years.

In 2022, the applicant requested and received a Conditional Use Permit for the allowance of Recreational Vehicle (RV) spaces within the mobile home park. The CUP for the RV spaces allows for the installation of RVs in manufactured home spaces throughout the subject property. The owners lives in the stick-built house on the SE corner of the site and gains access from Empire Lane.

Access to the subject property is provided via Empire Lane near its intersection with Polk Street. To the east of the subject property is vacant land owned by the applicant, to the north is a large property that contains open space with eight manufactured homes on the north end of the property, and to the south is a single-family urban agriculture property. To the west across Polk Street is an assisted living facility, duplexes and multi-family residential uses, and to the northwest is a manufactured home park.



Vicinity Map

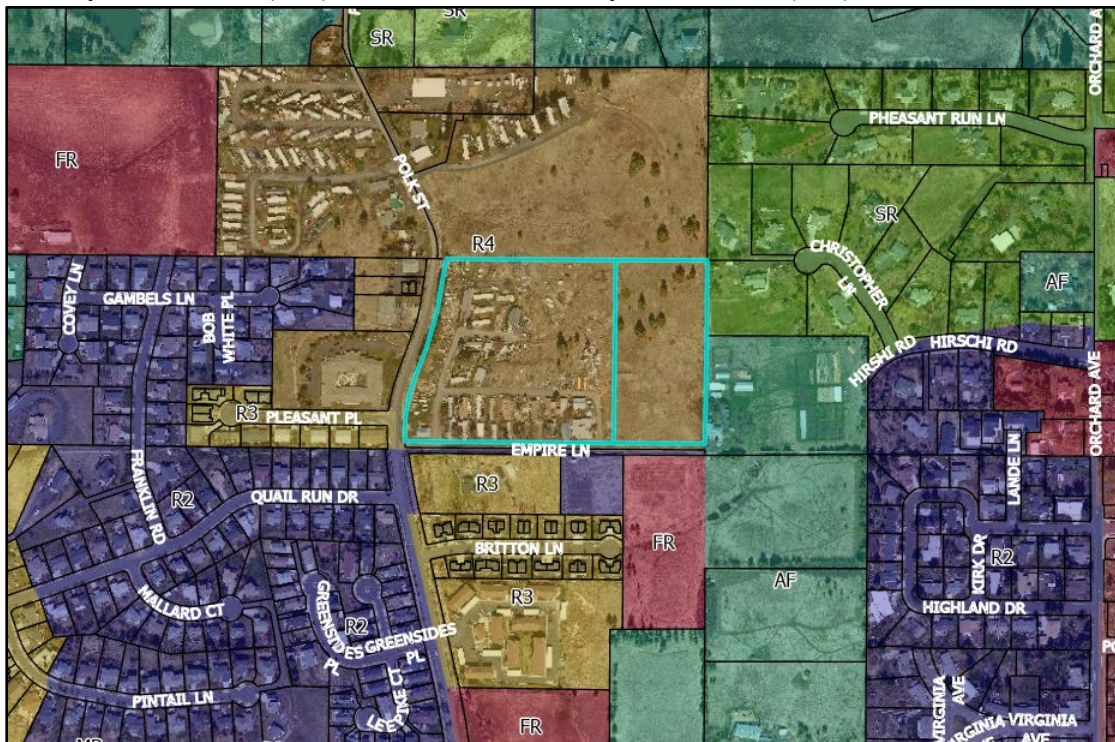




Aerial Image

#### **Moscow City Code Title 4 Land Use Regulations (Zoning Code)**

The subject property and adjacent properties to the north, west, and east are currently zoned Multiple Family Residential (R-4). Properties to the south are zoned Medium Density Residential (R-3) and Moderate Density Residential (R-2).



Existing Zoning

Per MCC 4-2-4-G, the R-4 Zoning District,

*“Provides for the most intense residential land uses permitted in the community. It is to be applied where activity levels are high and adequate public facilities are available, especially near the University of Idaho campus or the City Central Business Zoning District. Adequate transportation access should be given high priority in determining the appropriate location for R-4 zoning districts.”*

Per MCC 4-3-4, Mobile Home Parks are an outright permitted use in the R-4 Zoning District. Recreational Vehicle (RV) Parks are a conditional use within the R-4 Zoning District and require review and approval by the Planning and Zoning Commission, per the RV Park Ordinance. Other uses permitted within the R-4 Zone include single family dwellings, two family dwellings, twinhomes, townhouses, and multi-family dwellings. Also permitted are professional offices, bed and breakfasts, daycare facilities, and parking lots.

Per MCC 4-4-2, the minimum lot size in the R-4 Zoning District for a single-family home is 5,000 square feet and the required side-yard setback is five-feet (5'). The applicant's upcoming Lot Division/Lot Line Adjustment application meets all provisions of the Zoning Ordinance.

Per MCC 4-8-3 Variances, the granting of a variances must meet applicable relevant criteria and standards and may have conditions of approval placed upon the approval.

### **Moscow City Code Title 6, Chapter 2 Manufactured Home Park**

*MCC 6-2-9-C Buffer Area. All manufactured home lot lines and all structures within a manufactured home park shall be set back a minimum of fifteen feet (15') from the property line of the development. The need for a buffer area shall be determined by the Planning and Zoning Commission. If the Planning and Zoning Commission determines a need for a buffer area, a sight obscuring fence or evergreen hedge at least six feet (6') in height shall be maintained within the rear and side buffer areas. Such fence or hedge across the front of the development shall be set back at least ten feet (10') from the front property line. The remainder of the buffer area will be landscaped as determined in the development plan submitted to the Planning and Zoning Commission.*

Regarding the setback provision of MCC 4-6-9-C, the proposed LLA/LD will create setbacks for Empire Lots 18 and 19 that do not meet the fifteen foot (15') minimum setback requirement. Empire Lot 18 will have a setback of 13.5 feet from the exterior wall of the mobile home to the proposed wall and a six-inch (6") setback for the attached covered patio. Covered patios are permitted to encroach up to two-feet (2') into required setbacks per MCC 4-4-4-C which would still require that it be setback thirteen feet (13') from the property line. The proposed lot division will create a nine-and-a-half foot (9.5') setback to the exterior walls of the manufactured home on Empire Lot 19.

The proposed property division line between the house and shop associated with 700 Empire Lane and Lots 18 and 19 of Empire Mobile Home Park to the west does allow for the house and shop of 700 Empire Lane to meet the required side-yard setback

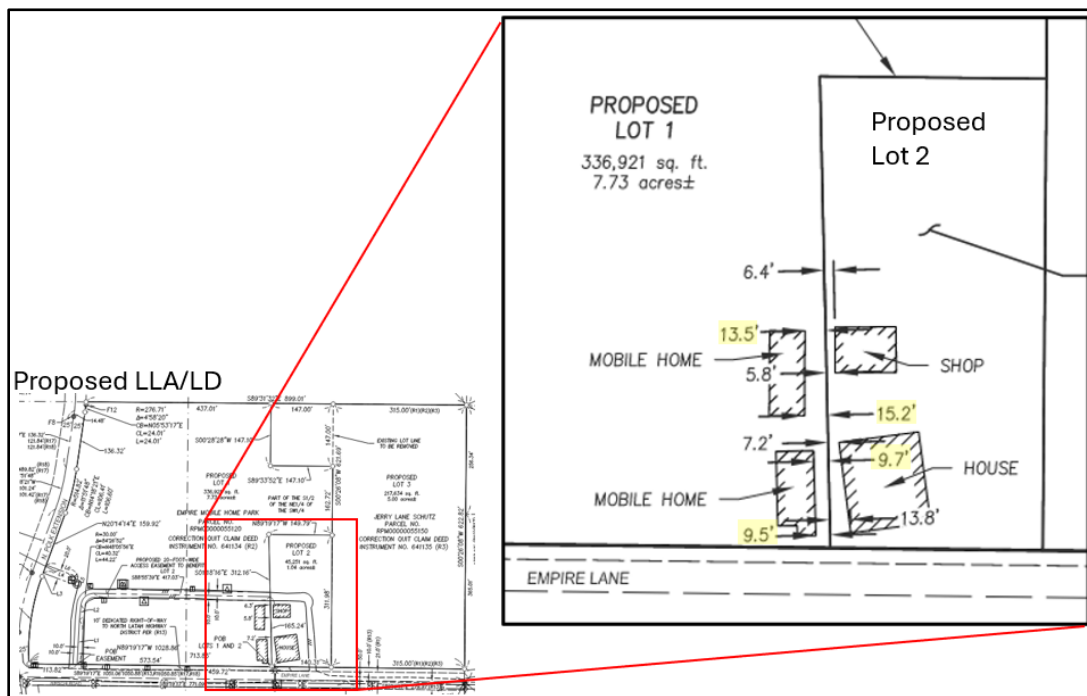


requirement of five feet (5') per MCC 4-4-2. Moving the proposed lot division line further east until the setbacks were reduced to the minimum of five feet (5') would not negate the need for the variance for the manufactured homes on Empire Lots 18 and 19.

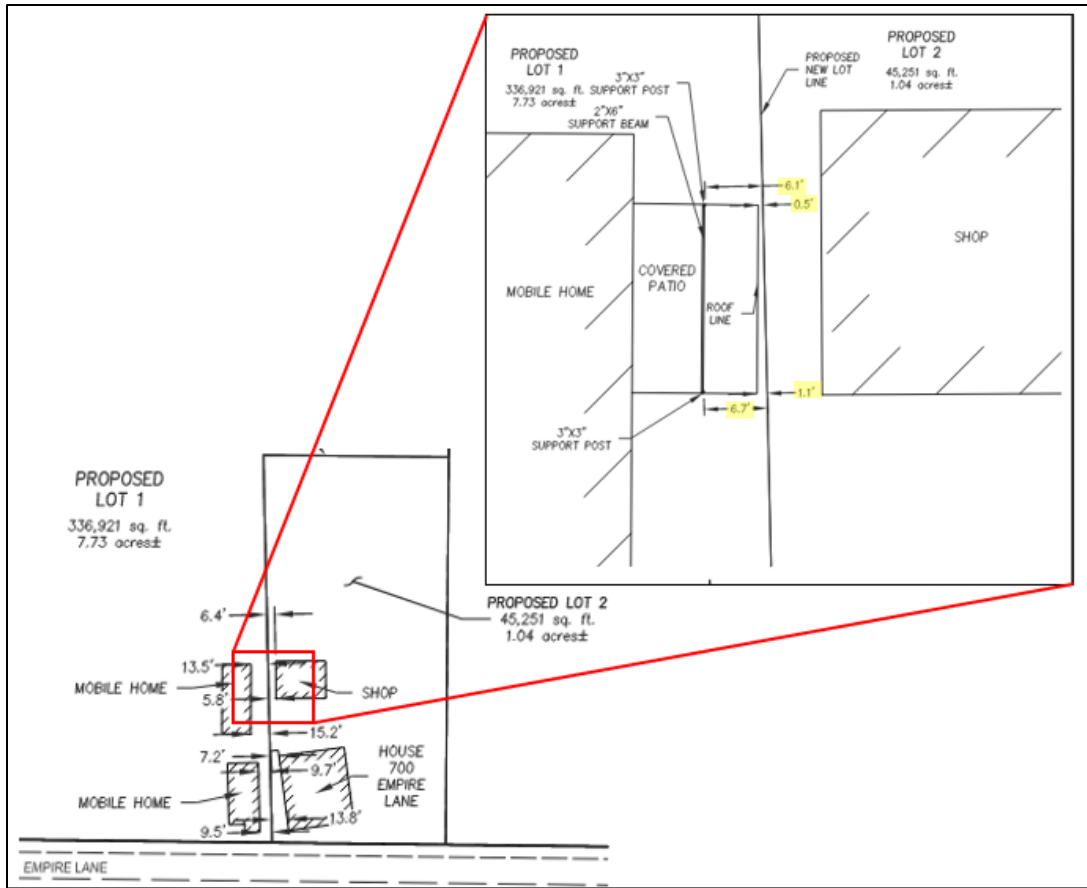
Regarding the buffer area, it is the duty of the Planning Commission to determine if fencing or screening is required within the buffer area. At present, the applicant is proposing no changes to the existing landscaping or fencing within the area between the proposed lot line and the structures on Empire Lots 18 and 19. As shown in photos provided in the application, the area between the shop of 700 Empire Lane and the covered patio of Empire Lot 18 is thickly planted in trees and shrubs, primarily on the lot proposed to go with 700 Empire Lane. The house on 700 Empire Lane is elevated above the manufactured home on Empire Lot 19, with a seven foot (7') retaining wall. As shown in the pictures, this creates a vertical drop-off between the two properties with no vegetation for a portion of it. The patio of 700 Empire Lane is immediately adjacent to the proposed property line..

The International Residential Building Code requires that a fence of at least 36 in. in height be installed on top of a vertical drop of 30 in. or more. Staff is recommending that a 36 in. fence be constructed at the top of the retaining wall for visual screening and to meet building code requirements

*MCC 6-2-13 Variances. Variances may be permitted as set forth in the Zoning Code. The applicant is requesting a variance per this provision.*



Distances between proposed lot line and exterior walls of existing adjacent structures



Close up view of distances between covered patio and proposed lot line

**Moscow Comprehensive Plan:** The entirety of the subject property is currently designated as Auto-Urban Residential (AU-R). According to the Comprehensive Plan, AU-R designated areas,

*“contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”*

All surrounding properties are also designated as Auto-Urban Residential (AU-R).

The subject property has property frontage on Polk Street which is designated as a collector in the 2019 Comprehensive Plan, and Empire Lane which is a local neighborhood street.

**Access, Streets, Traffic:** The subject property has existing access via Empire Lane which is developed as a 20-foot-wide paved street with gravel shoulders up to the main park entrance, and then transitions to gravel for the remainder until its terminus into a residential urban agriculture property. There are internal private streets within the mobile home park.

### **RELEVANT CRITERIA AND STANDARDS**

The following are Staff's comments relating to the criteria required for approval of a Variance. They may be used for the Relevant Criteria and Standards or changed to include or remove any statement deemed necessary or appropriate by the Board.

- 1. The applicant has demonstrated that special conditions and/or circumstances exist which are peculiar to the property (such as size, shape, topography or location) which are not applicable to other property similarly situated in the same zoning district.**

The house, shop, and manufactured homes on Empire Lots 18 & 19 are all long-established structures. The mobile home park was developed prior to annexation into the City. The applicant is proposing to separate a single-family dwelling from the manufactured home park.

- 2. The applicant has demonstrated that, because of the aforementioned special conditions of the property, application of the provisions of this Zoning Code would impose undue hardship and would deprive the property owner of rights commonly enjoyed by owners of other property similarly situated in the same zoning district under the terms of this Zoning Code.**

The Lot Line Adjustment/Lot Division application that has been submitted concurrent with this Variance application meets all provisions of the Zoning Code and will be recommended for approval if this Variance is approved. Having a single-family dwelling incorporated in a manufactured home park is not a common occurrence. Allowing the single-family dwelling to be separated from the manufactured home park would allow fee simple ownership similar to the majority of the surrounding properties.

- 3. Granting of the variance will not be in conflict with the public interest or injurious to property or persons in the vicinity of the subject property.**

The applicant owns both parcels affected by the proposed Variance request. Any future purchaser of either property will purchase into an existing situation. Granting the Variance with the proposed conditions will not be in conflict with the public interest or injurious to property or persons in the vicinity.

### **RECOMMENDATION FOR VARIANCE APPLICATION**

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



In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards that enable the Board to approve the variance application and ensure the variance is consistent with the purposes, and intents of the Moscow Zoning Code.

Staff recommends that the City of Moscow Planning and Zoning Commission conduct the public hearing and upon consideration of testimony presented, approve the Variance to allow for reduced setbacks between the existing manufactured homes located on Lots 18 and 19 of Empire Mobile Home Park and a proposed property line to the east with the following condition:

1. That a 36-inch solid fence be installed at the top of the retaining wall for any portion of the wall where the height of the retaining wall exceeds thirty-inches (30").

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

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

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

# NOTICE OF PUBLIC HEARING

Proposal for a Variance at 510 and 520 Empire Lane.  
Permit Application LUP2026-0020.

A public hearing at which you may be present and speak will be conducted before the Planning and Zoning Commission of the City of Moscow, at which time the following proposal will be considered:

A Variance application to reduce the required exterior setback for an existing manufactured home park from fifteen (15) feet to nine and a half (9.5) feet in order to separate an existing single-family dwelling from the existing manufactured home park within the Multiple-Family Residential (R-4) Zoning District, per MCC 6-2-9.C.

**HEARING DATE:** Wednesday, August 12, 2026

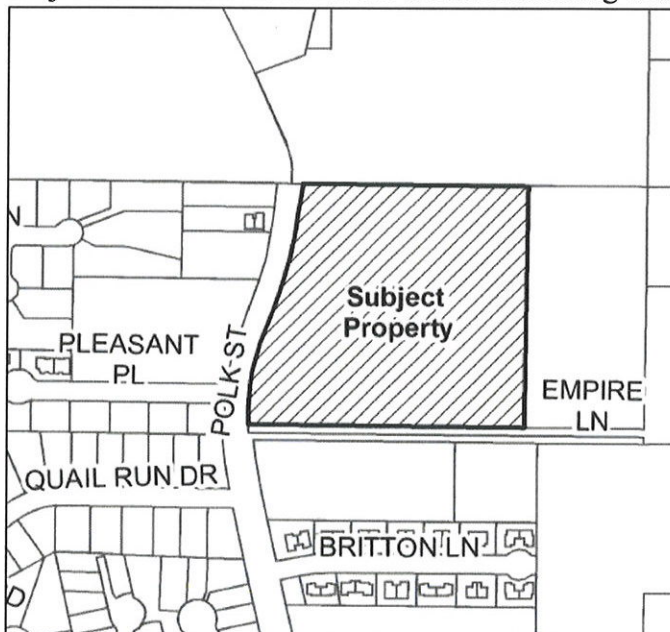
**HEARING LOCATION:** Council Chambers on the Second Floor of Moscow City Hall  
206 East Third Street, Moscow, Idaho

**MEETING TIME:** 7:00 pm

*Note:* Meeting start time is not necessarily indicative of hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting. The file containing information on this matter is available for public review at the Community Development Department located in the Haddock Building at 504 S Washington Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Public participants desiring to submit textual materials to the decision-making board shall make that submission at least five (5) calendar working days in advance of the scheduled meeting. Emailed comments can be received at [P&Z@ci.moscow.id.us](mailto:P&Z@ci.moscow.id.us). Materials provided tardy may be admitted for consideration subject to the discretion of the decision-making board. You may obtain further information about

the public hearing process and procedures on the City's Website at: <https://www.ci.moscow.id.us/593/Public-Hearing-Notices>



Laurie M. Hopkins, Moscow City Clerk

  
Jennifer R. Fleischman, Deputy City Clerk

Published: Saturday, July 25, 2026



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

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

## APPLICATION FOR ZONING VARIANCE

(Please type or print plainly with blue ink.)

### GENERAL INFORMATION

#### 1. Applicant

Name: Jerry Schutz Phone: [REDACTED]  
Address: [REDACTED] Email: [REDACTED]

Relationship to affected property (please check one):

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

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

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_

#### 3. Location of Affected Property: See attached legal description (Exhibit A)

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

Legal Description: \_\_\_\_\_  
(Subdivision) (Block) (Lot)

### INFORMATION ON REQUESTED VARIANCE

4. **Proposal:** The applicant proposes the following construction and/or use for the above-described property:  
The applicant is requesting a zoning variance in order to reconfigure the parcels associated with the properties at 700 Empire Lane,  
520 Empire Lane, and 5 acres of undeveloped land. Specifically, the proposal seeks to separate the existing mobile Home Park  
from the residence at 700 Empire Lane, creating a distinct one-acre parcel for that residence. Additionally, the applicant proposes  
to adjust the lot line to ensure a remaining five-acre undeveloped parcel currently identified as parcel # RPM000055150.

*Existing and proposed site conditions shall be shown on an attached site plan drawn to a standard engineer's or architect's scale. The site plan shall show, label and dimension all property lines and easements, existing and proposed buildings, parking lot, driveway(s) and fencing. The site plan should also show topography and landscaping if pertinent to the Variance.*



5. **Reason(s) for Variance Request:** The proposed construction and/or use described in Question 4 above would be in violation of Section MCC 6.2.9 of the Moscow Zoning Ordinance which requires that:  
See attached Exhibit "B" #5
- 
- 

6. In order for the Board of Adjustment to issue a Variance, the Board of Adjustment must make findings of compliance with the following three **Relevant Criteria and Standards**. Please describe in the spaces provided below how your requested Variance is in compliance with each of the Relevant Criteria and Standards.

**Criteria #1.** SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH ARE PECULIAR TO THE PROPERTY (SUCH AS SIZE, SHAPE, TOPOGRAPHY OR LOCATION) WHICH ARE NOT APPLICABLE TO OTHER PROPERTY SIMILARLY SITUATED IN THE SAME ZONING DISTRICT.  
See attached Exhibit "B" #6-1

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**Criteria #2.** BECAUSE OF THE AFOREMENTIONED SPECIAL CONDITIONS OF THE PROPERTY, APPLICATION OF THE PROVISIONS OF THE CITY ZONING CODE WOULD IMPOSE UNDUE HARDSHIP AND WOULD DEPRIVE THE PROPERTY OWNER OF RIGHTS COMMONLY ENJOYED BY OWNERS OF OTHER PROPERTY SIMILARLY SITUATED IN THE SAME ZONING DISTRICT.  
See attached Exhibit "B" #6-2

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**Criteria #3.** GRANTING OF THE VARIANCE WILL NOT BE IN CONFLICT WITH THE PUBLIC INTEREST OR INJURIOUS TO PROPERTY OR PERSONS IN THE VICINITY OF THE SUBJECT PROPERTY.  
See attached Exhibit "B" #6-3

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## CONDITIONS OF APPROVAL

In granting any Variance, the Board of Adjustment may prescribe appropriate conditions and safeguards that enable the Board of Adjustment or the Commission to approve the Variance application and ensure the Variance is consistent with the purposes and intents of the Zoning Code.

## COMPLIANCE

1. In the event of failure to comply with the plans approved by the Board of Adjustment, or with any conditions of a Variance approval, the permit shall be immediately revoked and shall be automatically null and void.
2. Where plans are submitted and approved as part of the application for a Variance, modifications of the original plans may be required by the Board of Adjustment as a condition of approval.
3. Where plans approved by the Board of Adjustment are modified following such approval, such plan modifications must be submitted to and determined by City staff to be in substantial conformance with the plans approved by the Board of Adjustment. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board of Adjustment for an additional public hearing as an amendment to the Variance application.

## REVOCATIONS

If a Building Permit and/or Certificate of Occupancy pertaining to the Variance is not obtained for the subject property within one (1) year from the date of the Board of Adjustment's final decision, such Variance shall be immediately revoked and shall be automatically null and void.

**Application Submittal:**

This application must be completed and submitted with the below described items to the Community Development Department at least sixteen (16) days prior to the hearing at which the application is to be considered by the Board of Adjustment. Applicant will be notified by the City Planner I as to the time, date, and place of the hearing pertaining to this application.

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

1. Application Fee
2. Legal description (deed) of subject property, if it is not subdivision, block and lot
3. Site Plan, drawn to scale
4. Floor Plan(s) (drawn to scale), if applicable
5. Elevation Drawing(s) (drawn to scale), if applicable

*I understand this information is a public record and may be posted to a public website. I declare and certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct and that I have legal authority to submit this Application.*

  
Signature of Applicant

04 June 2026  
Date

\_\_\_\_\_  
Signature of Property Owner (if different)

\_\_\_\_\_  
Date

---

EXHIBIT A

Situate in the County of Latah, State of Idaho, to-wit:

Parcel I:

That part of the South 1/2 of the NE 1/4 of the SW 1/4 of Section 5, Township 39 North, Range 5 West, B.M., lying East of the County Road.

EXCEPTING THEREFROM a strip of land along the South side of the above described property 21 feet wide.

ALSO EXCEPTING THEREFROM the East 315 feet of said South 1/2 of the NE 1/4 of the SW 1/4.

SUBJECT TO right of way of North Polk Street and Empire Lane.

Parcel II:

The East 315 feet of the South 1/2 of the NE 1/4 of the SW 1/4 of Section 5, Township 39 North, Range 5 West, B.M.

EXCEPTING THEREFROM a strip of land along the South side of the above described property 21 feet wide.

SUBJECT TO right of way of Empire Lane.

*This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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## EXHIBIT "B"

4. The applicant is requesting A zoning variance in order to reconfigure the parcels associated with the properties at 700 Empire Lane, 520 Empire Lane, and 5 acres of undeveloped land. Specifically, the proposal seeks to separate the existing mobile Home Park from the residence at 700 Empire Lane, creating a distinct one-acre parcel for that residence. Additionally, the applicant proposes to adjust the lot line to ensure a remaining five-acre undeveloped parcel currently identified as #RPM000055150.

5. MCC 6.2.9 (Standards for Mobile Home Parks) Para C: Buffer area. As Empire MHP is an existing park, and it would be difficult if not impossible to move the two homes on spaces 9 & 18, we are requesting the MCC 6.2.9.A.2 (Existing MHP) be used in this application, which has no minimum site size, (2-a); No minimum MH lot size (2-b); Minimum set-backs, (2-c-i) Front: none as long as MH does not encroach on any walkway or street; (c-ii) Side and rear five feet (5') ; (d) minimum space between units ten feet (10'); (e) maximum lot coverage of 70%.

The only variance we would be requesting would be for Sec 6.2.9.C relating to the buffer area of fifteen feet (15') relating to new construction. As Empire MHP is an existing MHP, in existence since circa 1969, we would argue that the new construction standard should not be imposed.

6-1. In 2022, under the special conditions criteria, P & Z approved a plan to incorporate (create) a one (1) acre, eleven (11) space dedicated recreational vehicle park along the western boundary, abutting Hogg Creek and N. Polk Extn. That RVP was never actually implemented due to the passing of Gerald Schutz in 2023. Additionally, at the time of the application and with P & Z approval, we requested use of the RV overlay, allowing RVs in vacant or existing mobile home spaces that were otherwise unoccupied.

When the new recreational vehicle park spaces are added, they will fully conform to MCC6-3-11-G, which requires a 10-foot setback and a six-foot site-obscuring fence, as well as MCC6-3-11-C, which requires a Buffer yard.

The configuration of the existing mobile home park has remained unchanged for 40 years and was established when the parcel was under Latah County jurisdiction, and not within the City of Moscow. At the time, MHP, the house, and the +/- 5 acres in the undeveloped eastern part of the property were lumped into a single parcel, and Gerald never sought to separate the parcels.

## EXHIBIT "B"

The topography of the property, where 18 of the mobile homes and the house are set, consists of flat, terraced spaces on a steep hillside, which would severely limit the ability to move the homes or the house farther apart.

6-2. Because of the property's unique conditions, enforcing the city zoning code (Sec 6.2.9.C) as-is would impose a hardship and deny the owner the same property rights (homeownership) enjoyed by others in the district. The proposed lot line adjustment between proposed Lots 1 and 2 would not be able to meet the MCC 6-2-9-C fifteen-foot (15') setback. The directly affected resident at 520 Empire Lane, Space 9, has lived there since approximately 1980 and the home has been in place since 1972.

The home at 520 Empire Lane #18 has been in place since 1980, and the current resident has lived there since 2001. Neither resident has expressed objections to the line adjustment. Additionally, their lot size will not be impacted, and there is at least a five-foot (5') distance from the mobile homes to the proposed lot line, as is required by MCC 6.2.9.A.2 (existing MHP). The house and the shop at 700 Empire Lane are also situated at least five feet (5') from the proposed lot line.

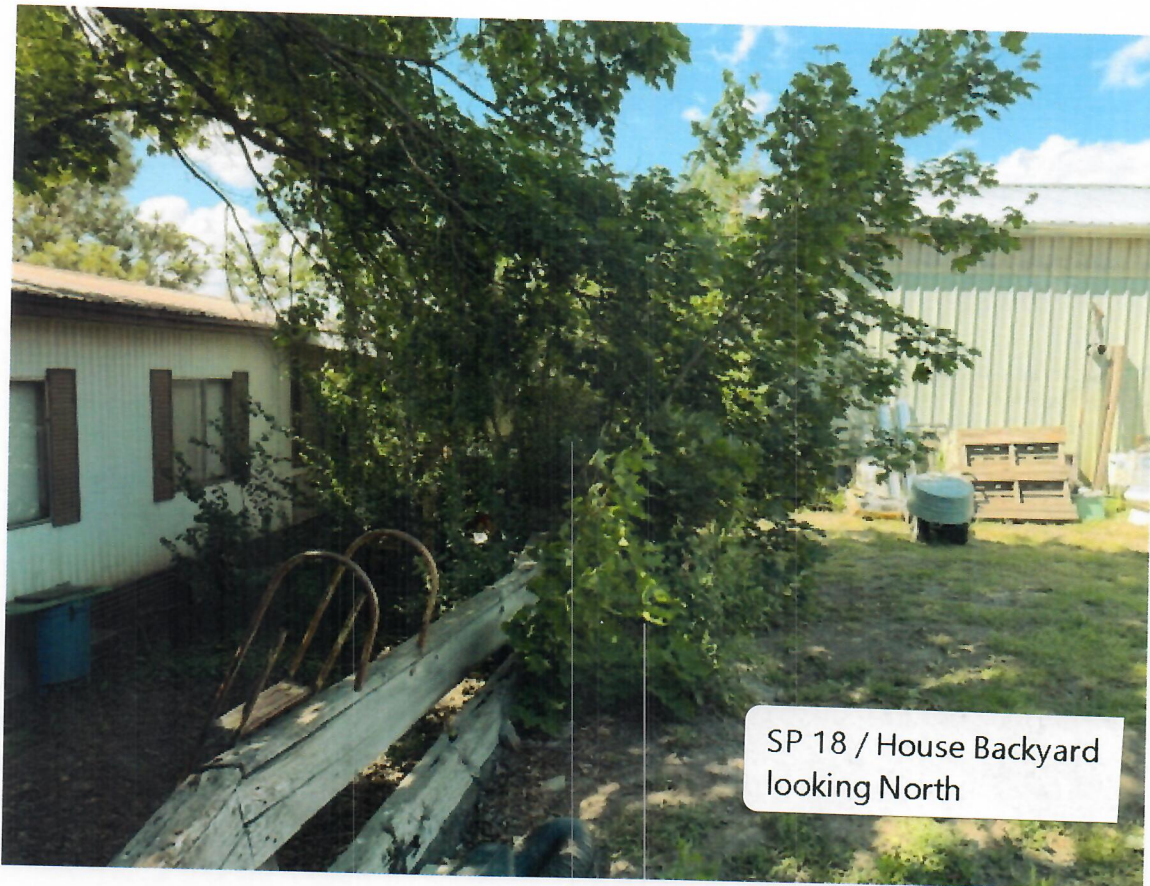
There is a seven-foot (7') vertical separation (retaining wall) between space 9 and the house at 700 Empire Lane, approximately 10 feet at the front has vegetation, both of which act as a visual buffer.

There is a five-foot vertical separation (retaining wall) with vegetation along the back portion of the shop, approximately forty-feet, paralleling the shop and space 18, and approximately thirty-feet (30') line of mature, dense tree vegetation creating a visual buffer.

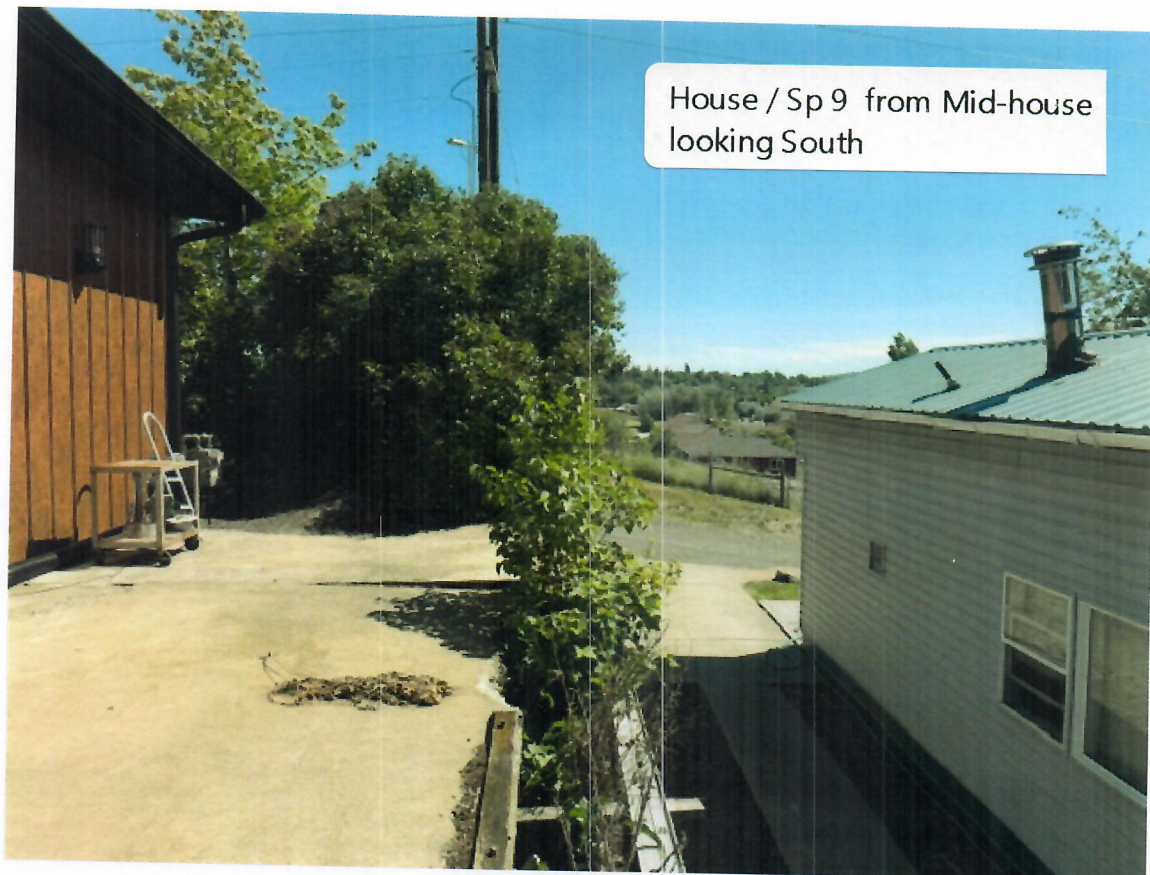
We are requesting a waiver of the fifteen-foot (15') setback and buffer requirements stated in Sec 6.2.9.C as the City is requesting that section apply to the proposed lot line. This variance only affects the applicant as the property owner of both the house and the mobile home park.

6-3. Granting this variance will not be in conflict with the public interest, nor cause any harm to nearby properties or residents. The proposed lot line adjustment will not alter the property's existing conditions. The layout of the current mobile home park, and the through traffic patterns will remain unchanged. This adjustment is purely to separate the owner's personal residence at 700 Empire Lane from the mobile Home Park, and preserve the +/- undeveloped 5- acres, to create a tax parcel for the private residence and remove it from the MHP parcel.





SP 18 / House Backyard  
looking North

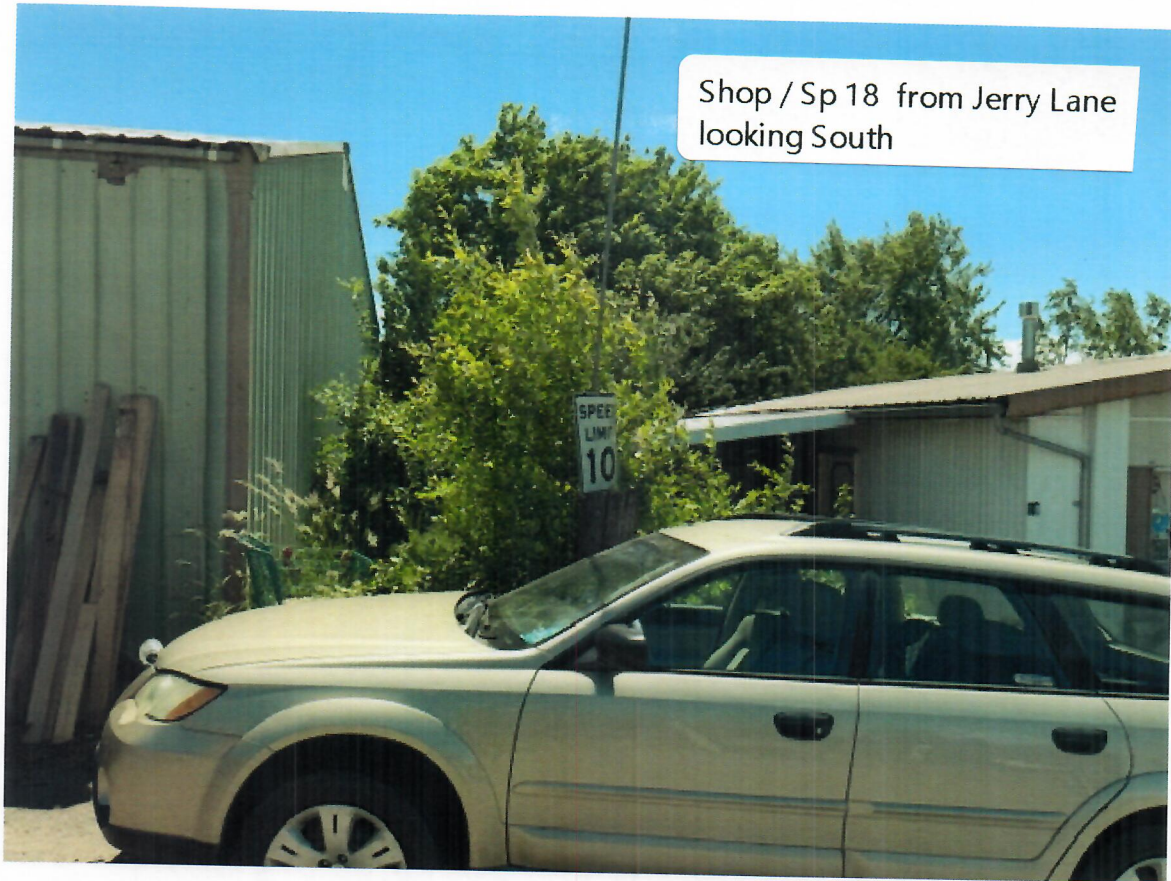


House / Sp 9 from Mid-house  
looking South



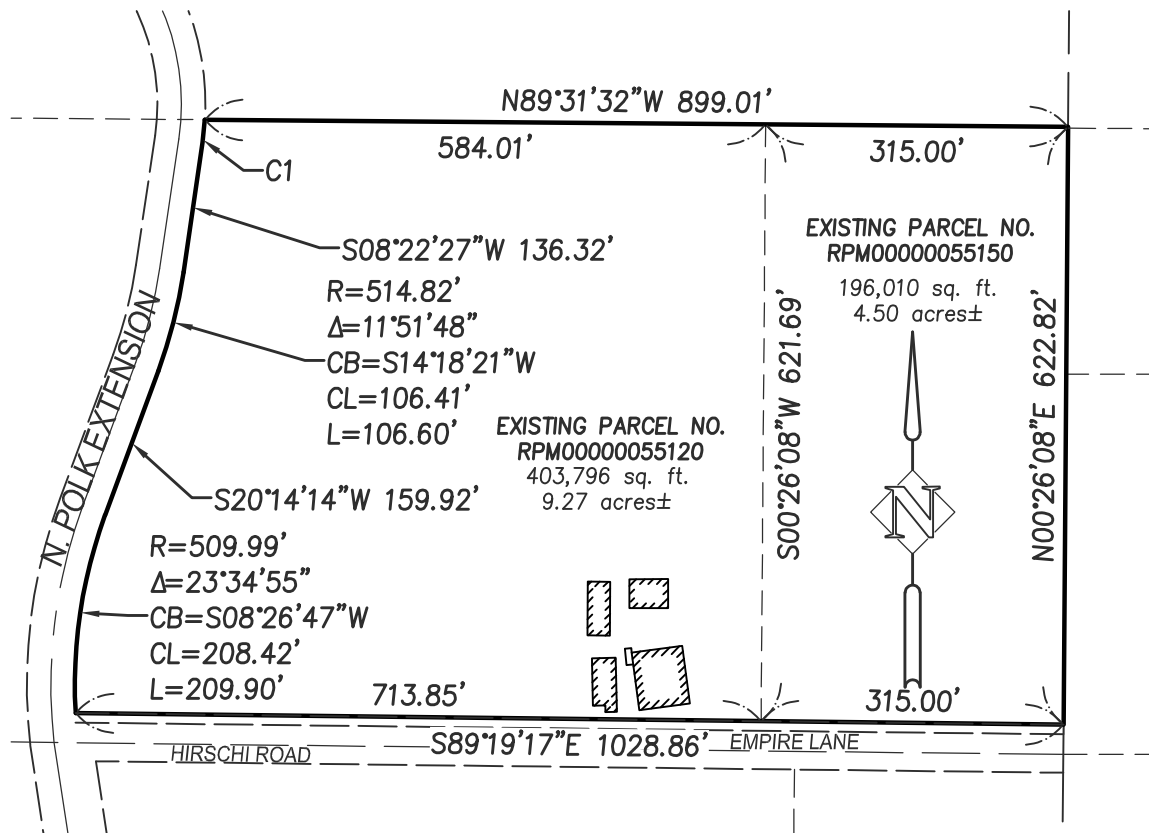






# EXHIBIT

## EMPIRE MOBILE HOME PARK EXISTING LOT CONFIGURATION CITY OF MOSCOW, LATAH COUNTY, IDAHO



### CURVE TABLE

| Curve # | Length | Radius  | Delta                | Chord Bearing         | Chord Length |
|---------|--------|---------|----------------------|-----------------------|--------------|
| C1      | 24.01' | 276.71' | $004^{\circ}58'20''$ | $S05^{\circ}53'17''W$ | 24.01'       |

0 100 200 400



SCALE: 1" = 200'

THIS EXHIBIT DOES NOT  
CONSTITUTE A PROPERTY  
BOUNDARY SURVEY

SHEET 1 OF 1

# SYNTIER

## Engineering, Inc.

405 SE Brelsford Drive, Suite C  
Pullman, WA 99163  
www.SynTierEngr.com 509.339.6187

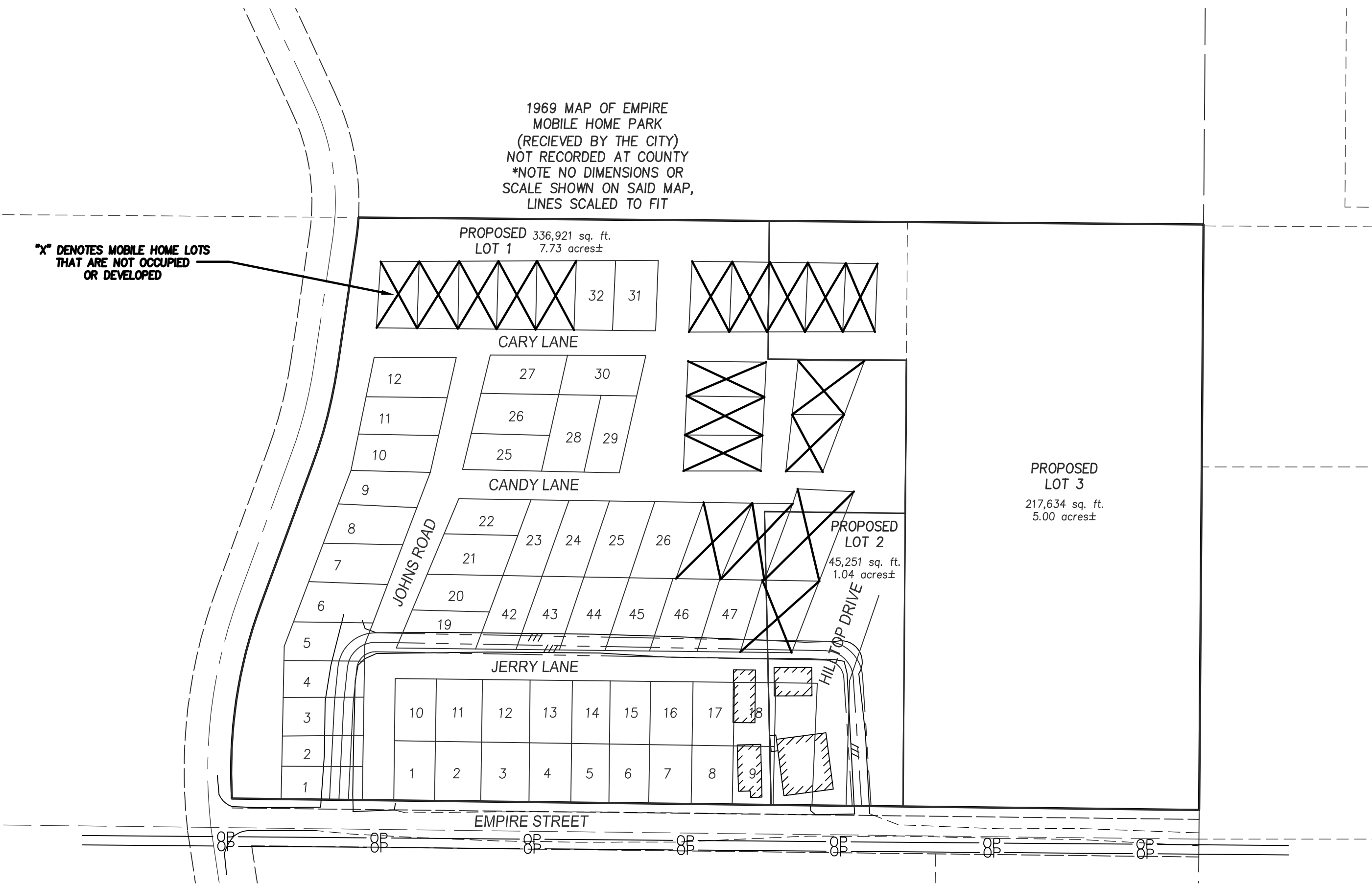
P:\MSP (MISCELLANEOUS SURVEY PROJECT)\MSP-415 (MOSCOW TRAILOR PARK BLA)\MSP-415-SURVEY\MSP-415-SP.DWG



# EMPIRE MOBILE HOME PARK PRELIMINARY LOT DIVISION

LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN,  
CITY OF MOSCOW, LATAH COUNTY, IDAHO

NOTE: THIS SHEET IS FOR GRAPHICAL PURPOSES ONLY, DO NOT RECORD



- LEGEND:**
- PROPERTY LINE
  - SECTION LINE
  - 1/4 SECTION LINE
  - 1/16 SECTION LINE
  - 1/64 SECTION LINE
  - PROPOSED LOT LINE
  - EXISTING CENTERLINE
  - EXISTING RIGHT OF WAY LINE
  - EXISTING LOT LINE
  - EXISTING EASEMENT LINE
  - PROPOSED EASEMENT LINE
  - OVERHEAD POWER
  - EXISTING ASPHALT
  - EXISTING EDGE OF GRAVEL
  - EXISTING BUILDING
  - SECTION CORNER AS NOTED
  - 1/4 SECTION CORNER AS NOTED
  - CENTER OF SECTION
  - FOUND MONUMENT SEE CORNER NOTES
  - SET 5/8" REBAR WITH YPC MARKED "VONLINDERN, PLS 19293"
  - CALCULATED ANGLE POINT, NOTHING SET
  - POWER POLE
  - POWER JUNCTION BOX
  - POWER POLE WITH STREET LIGHT
  - STORM DRAIN
  - MANHOLE
  - FIRE HYDRANT
  - WATER METER
  - TELECOM JUNCTION BOX
  - RECORD INFORMATION SEE OFFICIAL DOCUMENTS
  - YPC YELLOW PLASTIC CAP
  - RPC RED PLASTIC CAP
  - AFN AUDITOR'S FILE NUMBER
  - POC POINT OF COMMENCEMENT
  - POB POINT OF BEGINNING
  - C1/L1 CURVE/LINE SEE CURVE OR LINE TABLE



|          |     |       |                    |
|----------|-----|-------|--------------------|
|          | By  | Date  | Scale: 1"=100'     |
| Surveyed | CBB | 03/26 | Date: May 14, 2026 |
| Drawn    | MWS | 04/26 | Drawing Name       |
| Checked  |     |       | MSP-415-SP.DWG     |
| Approved |     |       |                    |
| Accepted |     |       | Sheet 1 of 1       |

**SYNTIER**  
Engineering, Inc.  
405 SE Brelsford Drive, Suite C  
Pullman, WA 99163  
www.SynTierEngr.com 509.339.6187

For:  
**JERRY SCHUTZ**  
510 20 EMPIRE  
MOSCOW, IDAHO  
83843

**EMPIRE MOBILE HOME PARK PRELIMINARY  
LOT DIVISION**  
LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST  
QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN,  
CITY OF MOSCOW, LATAH COUNTY, IDAHO



# EMPIRE MOBILE HOME PARK PRELIMINARY LOT DIVISION

LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN,  
CITY OF MOSCOW, LATAH COUNTY, IDAHO

LAND DESCRIPTION PER (R1)

PARCEL I

THAT PART OF THE SOUTH 1/2 OF THE NE 1/4 OF THE SW 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 5 WEST, B.M., LYING EAST OF THE COUNTY ROAD.

EXCEPTING THEREFROM

A STRIP OF LAND ALONG THE SOUTH SIDE OF THE ABOVE DESCRIBED PROPERTY 21 FEET WIDE.

ALSO EXCEPTING THEREFROM

THE EAST 315 FEET OF SAID SOUTH 1/2 OF THE NE 1/4 OF THE SW 1/4.

SUBJECT TO

RIGHT OF WAY OF NORTH POLK STREET AND EMPIRE LANE.

PARCEL II

THE EAST 315 FEET OF THE SOUTH 1/2 OF THE NE 1/4 OF THE SW 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 5 WEST, B.M.

EXCEPTING THEREFROM

A STRIP OF LAND ALONG THE SOUTH SIDE OF THE ABOVE DESCRIBED PROPERTY 21 FEET WIDE.

SUBJECT TO

RIGHT OF WAY OF EMPIRE LANE.

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: THAT JERRY SCHUTZ, PERSONALLY AND AS REGISTERED AGENT OF EMPIRE MOBILE HOME PARK, OWNER IN FEE SIMPLE, WITH HIS FREE CONSENT AND IN ACCORDANCE WITH HIS DESIRES CAUSED THE LAND HEREIN DESCRIBED TO BE SUBDIVIDED AND PLATTED AS SCHUTZ SHORT PLAT AND DO HEREBY ADOPT THE SURVEY OF SYNTIER ENGINEERING AS THE OFFICIAL SURVEY OF SCHUTZ SHORT PLAT; AND DO HEREBY CERTIFY THAT HE IS THE OWNER OF AND THE ONLY PARTY HAVING ANY INTEREST IN THE LANDS SO DIVIDED, AND THAT THE PROPERTY SHOWN HEREON IS NOT ENCUMBERED BY ANY DELINQUENT TAXES OR ASSESSMENTS; AND, THAT THEY ARE AUTHORIZED TO SIGN THIS DEDICATION.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2026.

BY:

JERRY SCHUTZ

BY:

JERRY SCHUTZ, REGISTERED AGENT OF EMPIRE MOBILE HOME PARK, LLC

ACKNOWLEDGMENTS:

STATE OF IDAHO )

COUNTY OF LATAH )

SS.

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2026, BEFORE THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE AFORESAID STATE, PERSONALLY APPEARED BEFORE ME, JERRY SCHUTZ, WHO ACKNOWLEDGED SAID EXECUTION TO BE HIS FREE AND VOLUNTARY ACT FOR THE PURPOSES MENTIONED THEREIN AND STATED ON OATH THAT HE IS AUTHORIZED TO EXECUTE SAID INSTRUMENT.

SIGNED NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO

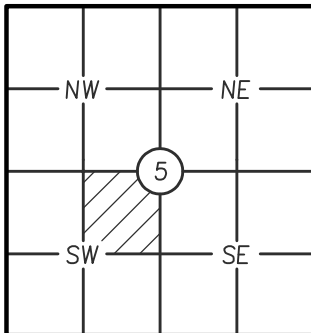
PRINTED NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO

RESIDING AT \_\_\_\_\_

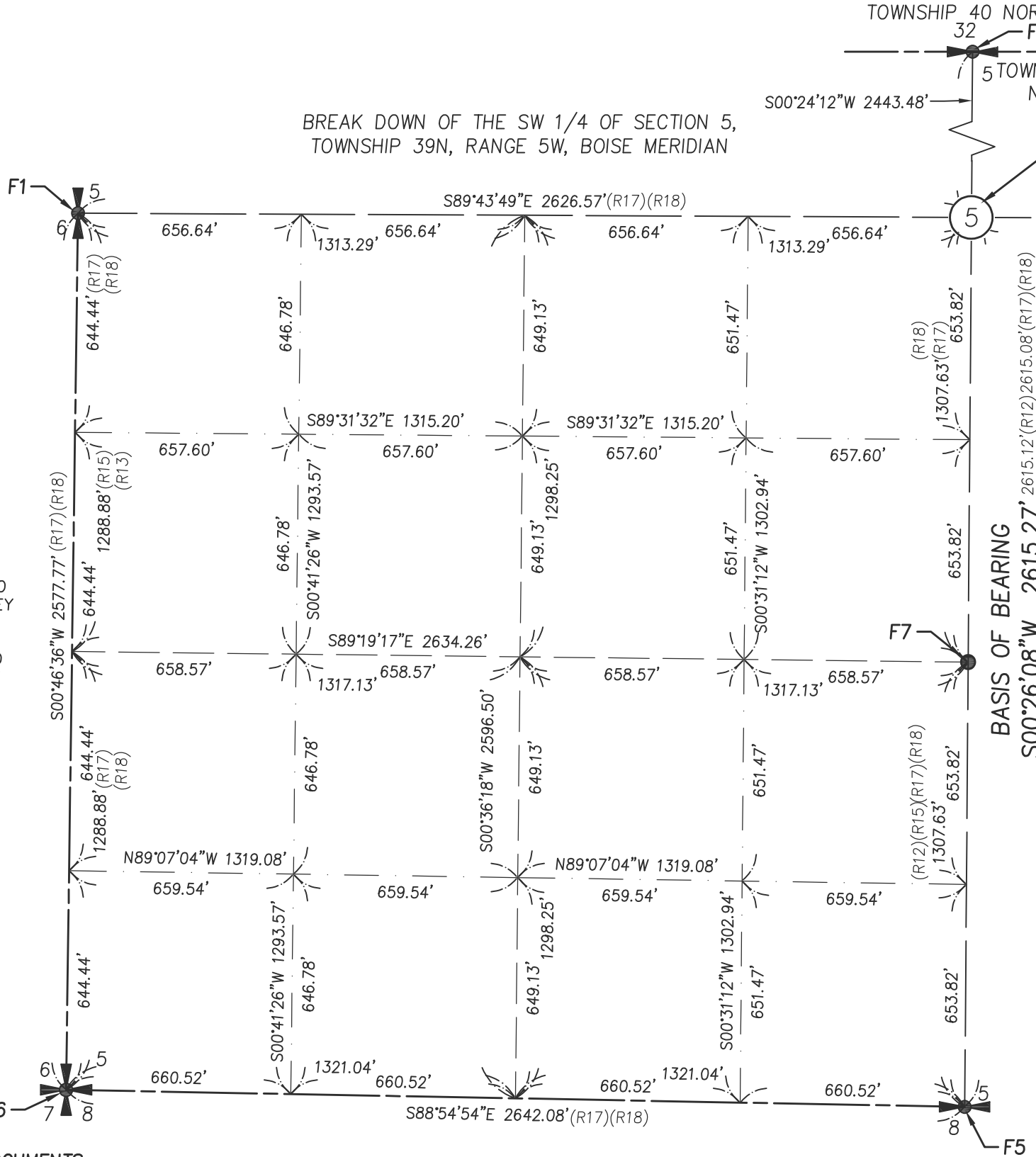
MY COMMISSION EXPIRES \_\_\_\_\_

CORNER VISITATION:

THE MONUMENTS SHOWN AS FOUND AND TIED HEREON WERE VISITED IN MARCH OF 2026.



S.5, T.39N., R.5W., B.M.



CORNER NOTES:

F1 FOUND ITD MONUMENT CASE IN THE NORTH BOUND LANE OF HIGHWAY 95 FOR THE WEST QUARTER CORNER OF SECTION 5, UNABLE TO OPEN.

RPF-2 1/2" ALUMINUM CAP MARKED "ARDURRA, REFERENCE, MONUMENT, PLS 11119" AT SURFACE. N14°35'36"E, 50.05'  
RPF-2 1/2" ALUMINUM CAP MARKED "ARDURRA, REFERENCE, MONUMENT, PLS 11119" AT SURFACE. S14°42'07"E, 49.99'  
RPF-2 1/2" ALUMINUM CAP MARKED "ARDURRA, REFERENCE, MONUMENT, PLS 11119" AT SURFACE. S88°04'30"W, 35.00'

F2 FOUND 3" BRASS CAP MARKED "LATAH COUNTY MONUMENT, T39N R5W BM, C 1/4, S5, 1991, P.E. OR L.S. IDAHO REG. NO. 3003" AT SURFACE.

RPF-2 1/2" ALUMINUM CAP MARKED "ARDURRA, REFERENCE, MONUMENT, PLS 11119" N45°05'29"E, 40.00'  
RPF-2 1/2" ALUMINUM CAP MARKED "T-O ENGINEERS, REFERENCE, MONUMENT, PLS 11119" S20°02'56"E, 20.00'  
RPF-2 1/2" ALUMINUM CAP MARKED "ARDURRA, REFERENCE, MONUMENT, PLS 11119" S45°05'29"W, 50.00'

F3 FOUND 1" OUTSIDE DIAMETER IRON PIPE FOR THE EAST QUARTER CORNER BENT EASTERLY, 1.0' BELOW SURFACE.

F4 FOUND 2 1/2" BRASS CAP FOR THE NORTH QUARTER CORNER MARKED " T40NR5W, 1/4S, 32, 5, T39NR5W, 1981, 1768", 1.0' BELOW SURFACE.

RPF-2 1/2" ALUMINUM CAP MARKED "ARDURRA, REFERENCE, MONUMENT, PLS 11119" N89°48'11"W, 20.00'  
RPF-2 1/2" ALUMINUM CAP MARKED "ARDURRA, REFERENCE, MONUMENT, PLS 11119" S00°24'06"W, 20.00'

F5 FOUND 3" BRASS CAP FOR THE SOUTH QUARTER CORNER, MARKED " LATAH COUNTY MONUMENT, T39N R5W BM, 5, 8, 1/4, 1979, P.E. OR L.S. IDAHO REG. NO. 3003", AT SURFACE.

RPF-5/8" REBAR W/RPC MARKED "HMH, CONTROL" S86°26'29"E, 14.82'  
RPF-NAIL WITH WASHER MARKED "A&C, 1003", S18°08'57"W, 33.41'  
IN A 6"x8" WOODEN FENCE POST.

F6 FOUND CITY OF MOSCOW MONUMENT CASE FOR THE SOUTHWEST CORNER OF SECTION 5 IN THE CENTER OF HIGHWAY 95, UNABLE TO OPEN.

RPF- 3/4" REBAR, NO CAP S63°15'38"W, 65.70'  
RPF- 5/8" REBAR, NO CAP S88°55'30"E, 55.87'  
RPF- 1 1/2" BRASS CAP MARKED S57°39'36"E, 67.58'  
"PS/LS 3003" IN WATER VALVE CASE IN CENTERLINE OF RODEO DRIVE.

F7 FOUND 1 1/2" ALUMINUM CAP MARKED "C 1/16, 1991", 0.5' BELOW SURFACE, SOUTH 79°19'35" WEST, 0.42' FROM CALCULATED POSITION.

RPF- 1/2" REBAR, W/RPC MARKED N44°32'44"W, 70.75'  
"T-O, CONTROL"  
RPF- 1/2" REBAR, W/RPC MARKED S44°01'33"W, 50.04'  
"T-O, CONTROL"  
RPF- CUTOFF POWERPOLE W/ BEARING TREE TAG S15°59'31"E, 9.64'

F8 FOUND MONUMENT CASE IN THE CENTERLINE OF NORTH POLK EXTENSION, UNABLE TO OPEN, S08°22'27"W, 14.48' FROM THE CALCULATED CURVE TANGENT.

F9 FOUND MONUMENT CASE IN THE CENTERLINE OF NORTH POLK EXTENSION, UNABLE TO OPEN.

F10 FOUND MONUMENT CASE IN THE CENTERLINE OF NORTH POLK EXTENSION, UNABLE TO OPEN.

F11 FOUND MONUMENT CASE IN THE CENTERLINE OF NORTH POLK EXTENSION, UNABLE TO OPEN.

F12 FOUND 1" SMOOTH IRON PIN LEANING SOUTHERLY, 1.0' BELOW SURFACE, S 01°28'41"E, 6.65' FROM CALCULATED POSITION, DID NOT USE.

F13 FOUND 5/8" REBAR WITH YPC FOR THE SOUTHWEST CORNER OF LOT 9, BLOCK A OF CHRISTOPHER'S CROSSING SUBDIVISION (R11) MARKED "HODGE 3003", 0.3' ABOVE SURFACE.

RECORDER'S CERTIFICATE:

FILED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

AT \_\_\_\_ M. IN BOOK \_\_\_\_ OF \_\_\_\_

AT PAGE \_\_\_\_ INSTRUMENT NUMBER \_\_\_\_

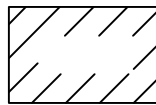
AT THE REQUEST OF \_\_\_\_\_

LATAH COUNTY RECORDER

DEPUTY

LEGEND:

- PROPERTY LINE
- SECTION LINE
- 1/4 SECTION LINE
- 1/16 SECTION LINE
- 1/64 SECTION LINE
- PROPOSED LOT LINE
- EXISTING CENTERLINE
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- OVERHEAD POWER
- EXISTING ASPHALT
- EXISTING EDGE OF GRAVEL



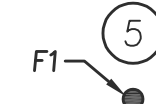
EXISTING BUILDING



SECTION CORNER AS NOTED



1/4 SECTION CORNER AS NOTED



CENTER OF SECTION



FOUND MONUMENT SEE CORNER NOTES



SET 5/8" REBAR WITH YPC MARKED "VONLINDERN, PLS 19293"



CALCULATED ANGLE POINT, NOTHING SET



POWER POLE



POWER JUNCTION BOX



POWER POLE WITH STREET LIGHT



STORM DRAIN MANHOLE



FIRE HYDRANT



WATER METER



TELECOM JUNCTION BOX



RECORD INFORMATION SEE OFFICIAL DOCUMENTS



YELLOW PLASTIC CAP



RED PLASTIC CAP



AUDITOR'S FILE NUMBER



POINT OF COMMENCEMENT



POINT OF BEGINNING



CURVE/LINE SEE CURVE OR LINE TABLE

SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF JERRY SCHUTZ IN FEBRUARY OF 2026.

JASON MICHAEL VONLINDERN, PLS 19293 DATE \_\_\_\_\_



PURPOSE OF THE SURVEY:

THIS RECORD OF SURVEY WAS REQUESTED BY MR. JERRY SCHUTZ TO MONUMENT AND DESCRIBE THE PROPOSED LOT DIVISION OF PARCEL NUMBERS, RPM00000055120, AND RPM00000055150. SAID LOT DIVISION IS NOT EFFECTIVE UNTIL DEEDS OF CONVEYANCE ARE RECORDED.

|          |     |       |                     |
|----------|-----|-------|---------------------|
|          | By  | Date  | Scale: 1"=400'      |
| Surveyed | CBB | 03/26 | Date: June 22, 2026 |
| Drawn    | MWS | 06/26 | Drawing Name        |
| Checked  |     |       | MSP-415-SP.DWG      |
| Approved |     |       |                     |
| Accepted |     |       | Sheet 1 of 3        |

**SYNTIER**  
Engineering, Inc.

405 SE Brelsford Drive, Suite C  
Pullman, WA 99163  
www.SynTierEngr.com 509.339.6187

For:

JERRY SCHUTZ

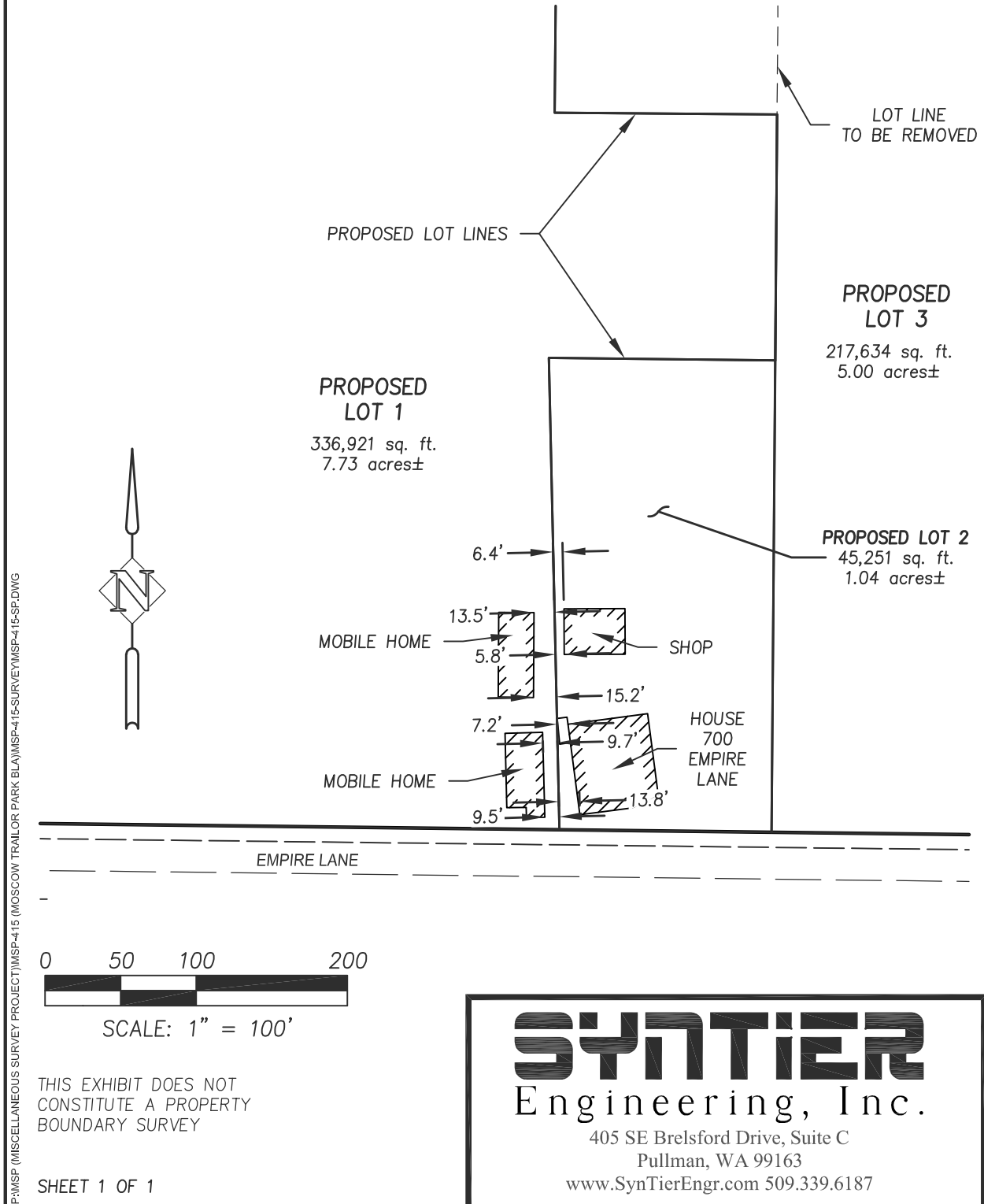
510 20 EMPIRE  
MOSCOW, IDAHO  
83843

EMPIRE MOBILE HOME PARK PRELIMINARY  
LOT DIVISION

LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN,  
CITY OF MOSCOW, LATAH COUNTY, IDAHO

# EXHIBIT

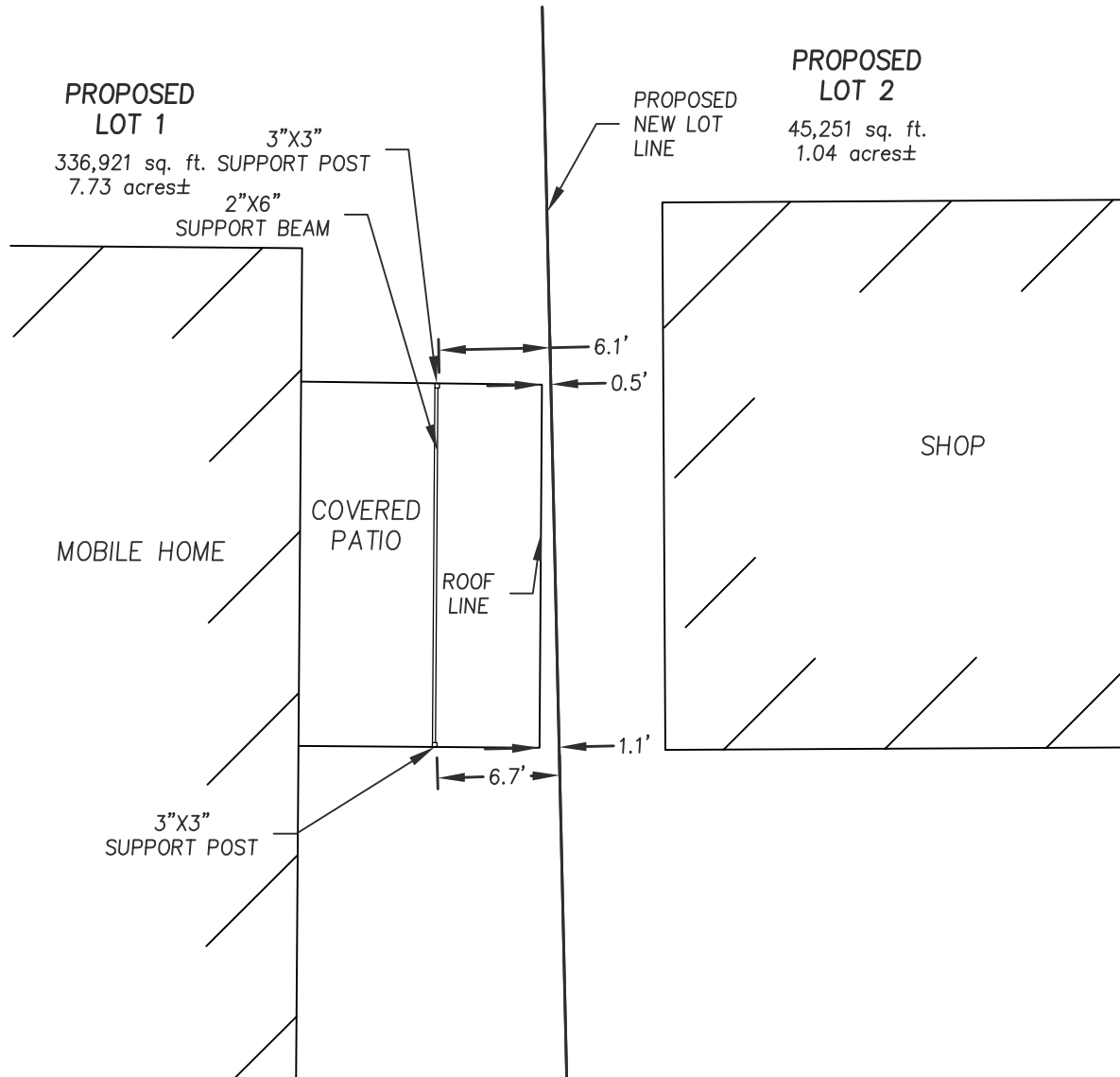
## EMPIRE MOBILE HOME PARK ADJACENT STRUCTURES CITY OF MOSCOW, LATAH COUNTY, IDAHO





# EXHIBIT

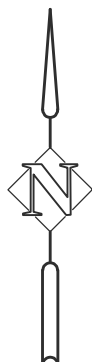
## EMPIRE MOBILE HOME PARK ADJACENT COVERED PATIO DETAIL CITY OF MOSCOW, LATAH COUNTY, IDAHO



SCALE: 1" = 10'

THIS EXHIBIT DOES NOT  
CONSTITUTE A PROPERTY  
BOUNDARY SURVEY

SHEET 1 OF 1

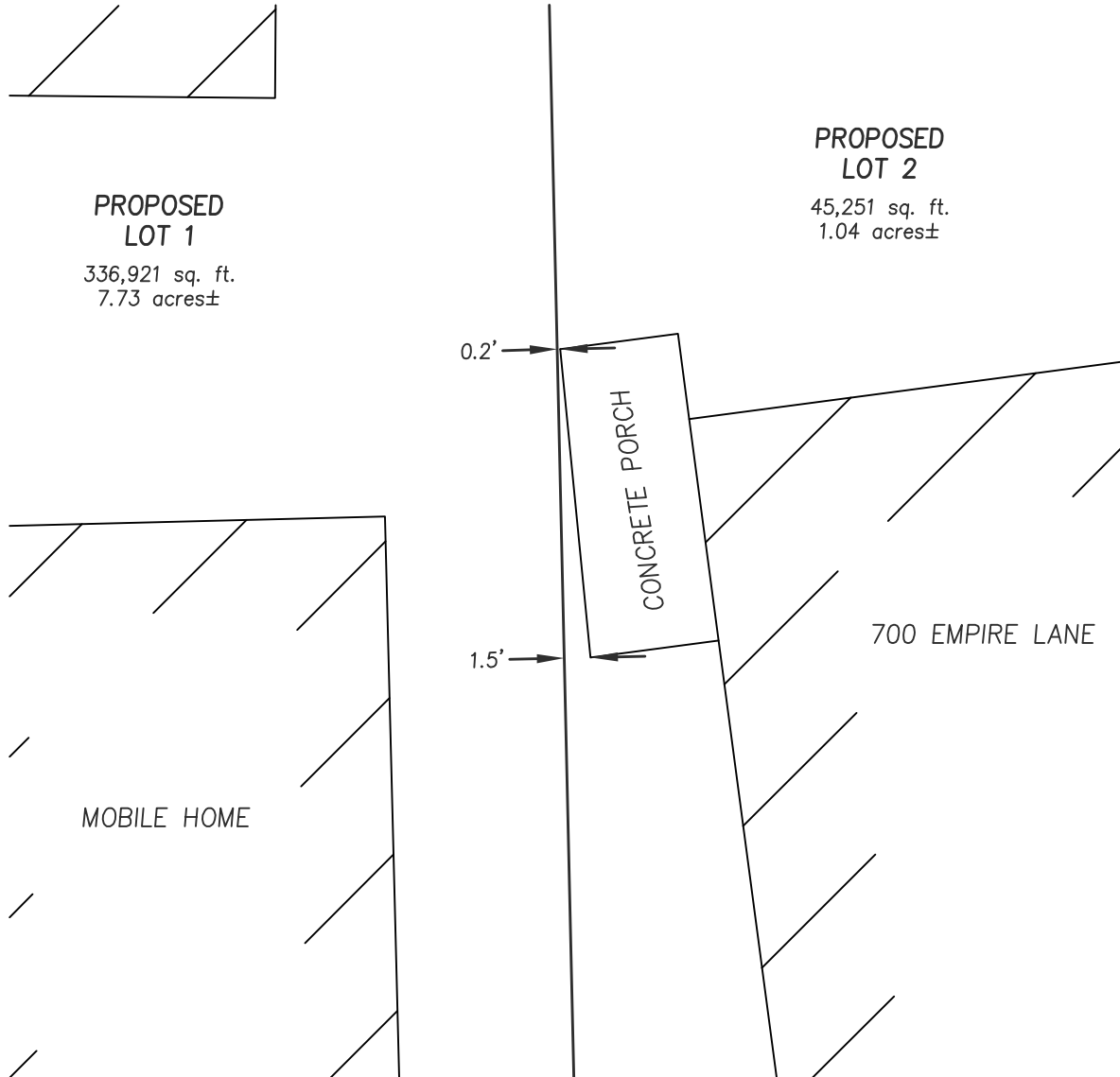


# SYNTIER

Engineering, Inc.

405 SE Brelsford Drive, Suite C  
Pullman, WA 99163  
www.SynTierEngr.com 509.339.6187

**EXHIBIT**  
**EMPIRE MOBILE HOME PARK**  
**CONCRETE PORCH DETAIL**  
**CITY OF MOSCOW, LATAH COUNTY, IDAHO**



SCALE: 1" = 10'

THIS EXHIBIT DOES NOT  
 CONSTITUTE A PROPERTY  
 BOUNDARY SURVEY

SHEET 1 OF 1

P:\MSP (MISCELLANEOUS SURVEY PROJECT)\MSP-415 (MOSCOW TRAILOR PARK BLA)\MSP-415-SURVEY\MSP-415-SP.DWG

**SYNTIER**  
 Engineering, Inc.

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 Pullman, WA 99163  
 www.SynTierEngr.com 509.339.6187

# NOTICE OF PUBLIC HEARING

Legislative Hearing Providing for the Amendment of Title 4, Chapter 1, 3, and 6 of Moscow City Code Regarding Amendments to Manufactured Homes and Accessory Dwelling Units.

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

Legislative Hearing Providing for the Amendment of Moscow City Code Title 4, Chapters 1, 3, and 6; Providing for the Amendment of the Definition of Manufactured Home and Accessory Dwelling Unit Standards.

**HEARING DATE:** Wednesday, August 12, 2026

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

**MEETING TIME:** 7:00 p.m.

*Note:* Meeting start time is not necessarily indicative of hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting. The file containing information on this matter is available for public review at the Community Development Department located in the Haddock Building at 504 S Washington Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Public participants desiring to submit textual materials to the decision-making board shall make that submission at least five (5) calendar working days in advance of the scheduled meeting. Emailed comments can be received at [P&Z@ci.moscow.id.us](mailto:P&Z@ci.moscow.id.us). Materials provided tardy may be admitted for consideration subject to the discretion of the decision-making board. You may obtain further information about the public hearing process and procedures on the City's Website at:

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

Laurie M. Hopkins, Moscow City Clerk

  
\_\_\_\_\_  
Jennifer R. Fleischman, Deputy City Clerk

Published: Saturday, July 25, 2026



**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 FOR MANUFACTURED HOME; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 4, CHAPTER 3, SECTION 3-5.A., SPECIFIC USE STANDARDS FOR ACCESSORY DWELLING UNITS; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 4, CHAPTER 6, SECTION 6-2.E.7. PARKING TABLE; 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**, during the 2026 Idaho Legislative Session, House Bill No. 800 was passed and signed by the Governor amending Idaho Code § 67-6509A, which revised provisions regarding the siting of manufactured homes in residential areas; and

**WHEREAS**, in order to be in compliance with House Bill No. 800 upon its effective date of July 1, 2026, the City is amending the definition of Manufactured Home; and

**WHEREAS**, during the 2026 Idaho Legislative Session, Senate Bill No. 1354 was passed and signed by the Governor adding of a new section Idaho Code § 67-6541, to establish a definition and provisions regarding Accessory Dwelling Units; and

**WHEREAS**, in order to be in compliance with Senate Bill No. 1354 upon its effective date of July 1, 2026, the City is amending the specific use standards for Accessory Dwelling Units which include size, minimum occupancy, owner occupancy and off-street parking requirements; and

**WHEREAS**, the off-street parking table needs to be updated for compliance with Senate Bill No. 1354 and the passage of Ordinance 2026-04; and

**WHEREAS**, on \_\_\_\_\_, 2026, the Planning and Zoning Commission conducted a public hearing upon the amendments contained herein and recommended approval to the City Council; and

**WHEREAS**, on \_\_\_\_\_, 2026, the City Council conducted a public hearing and considered and adopted the amendments contained herein;

**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 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.



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 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.
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, 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. 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*. 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.
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(8) and which meets the following additional standards:
- The manufactured home ~~shall be~~ may be either a single section or multisectional and shall enclose a space of ~~not less than one thousand (1,000) square feet at least four hundred (400) square feet for a single section or eight hundred (800) square feet for a multisectional manufactured home;~~ and
  - 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, except when placed on a basement foundation; and
  - 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
  - The manufactured home shall have any exterior siding and roofing material which is approved by the City for site-built homes; and
  - 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 3, Section 3-5. A. of the Moscow City Code be, and the same is hereby amended to read as follows:

...

Sec. 3-5.        Specific Use Standards.

A.        Accessory Dwelling Units:

1.        Applicability and Purpose. These standards shall apply to Accessory Dwelling Units which are permitted by this Code. These standards are intended to help promote the benefits of Accessory Dwelling Units, while also preserving neighborhood character and creating predictability and certainty for established neighborhoods.
2.        Specific Standards.

- a. General. Accessory Dwelling Units must meet all applicable regulations for the zoning district in which they are located, except as otherwise expressly stated within this Section.
- b. Size. The floor area of the Accessory Dwelling Unit may not exceed ~~six hundred (600)~~ one thousand (1,000) square feet or ~~forty percent (40%)~~ seventy-five percent (75%) of the gross floor area of the principal dwelling, whichever is less.
- c. Maximum Occupancy. The number of persons allowed to reside within an Accessory Dwelling Unit shall be limited to ~~two (2)~~ four (4).
- d. ~~Owner Occupancy.~~
  - i. ~~Prior to the issuance of a building permit for an Accessory Dwelling Unit, the property owner must record a deed restriction upon the property which states that the property owner will reside on the property, within either the principal dwelling or Accessory Dwelling Unit. The deed restriction must be approved by the City Attorney and shall be binding upon the heirs, assigns, and subsequent purchasers of the property.~~
  - ii. ~~Owner occupancy means a property owner, as reflected in real property records, who makes his or her legal residence at the property, as evidenced by voter registration or similar means and actually resides at the property for more than six (6) months out of any given year. Owner occupancy may also include a named natural person with an ownership or benefit in a private trust, but shall not extend to corporate trusts.~~
  - iii. ~~The Zoning Administrator may waive this requirement for temporary absences of greater than six (6) months for military service, employment sabbatical, or family medical leave qualified absences. Temporary leave waivers for other reasons must be reviewed and approved by the City Council.~~
  - iv. ~~In the event the owner is unable to reside on the property as required herein, only one (1) of the dwelling units on the property may be occupied.~~
- e. Off-street parking. One (1) off-street parking space shall be required for the Accessory Dwelling Unit, only if there are currently no off-street parking spaces provided in addition to that required for the principal dwelling on the property.

...

(Ord. 2010-24, 11/15/2010; 2011-15, 09/19/2011; 2012-23, 12/03/2012; 2013-15, 08/19/2013; 2015-06, 04/06/2015; 2015 07, 05/04/2015; 2018-07, 05/21/2018; 2019-12, 12/02/2019; 2020-14, 11/16/2020; 2021-09, 07/19/2021; 2024-04, 03/04/2024; 2026-04, 07/06/2026).

...

**SECTION 4:** That Title 4, Chapter 6, Section 6-2.E.76. of the Moscow City Code be, and the same is hereby amended to read as follows:

...

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

| RESIDENTIAL USES                                                              | Minimum Number of Automobile Parking Spaces Required <sup>2</sup>                                                                                                                   |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Dwellings in Residential Zones</b>                                         |                                                                                                                                                                                     |
| Single Family (up to 4 unrelated individuals)                                 | 2 per du, plus 1 per bedroom in excess of 4 bedrooms                                                                                                                                |
| Two Family                                                                    |                                                                                                                                                                                     |
| Twinhome                                                                      |                                                                                                                                                                                     |
| Townhouse                                                                     |                                                                                                                                                                                     |
| <del>Single Family</del> <u>Dwelling Unit</u> (up to 6 unrelated individuals) |                                                                                                                                                                                     |
| Multiple Family (3 or more units)                                             | Studio or one bedroom: 1.25 per du<br>Two bedroom: 1.75 per du<br>Three or more bedroom: 0.75 per bedroom                                                                           |
| Mobile Home Parks                                                             | 2 per mobile home                                                                                                                                                                   |
| <b>Group Living</b>                                                           |                                                                                                                                                                                     |
| 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                                                                                                                              |
| <b>Accessory Uses</b>                                                         |                                                                                                                                                                                     |
| Accessory Dwelling Unit                                                       | <del>1 in addition to principal structure requirements only if there</del><br><u>are currently no off-street parking spaces provided for the principal dwelling on the property</u> |

| NON-RESIDENTIAL USES                                                  | Minimum Number of Automobile Parking Spaces Required <sup>2</sup>                   |
|-----------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <b>Agricultural Uses</b>                                              |                                                                                     |
| 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                                                                       |
| <b>Amusement and Recreation Facilities</b>                            |                                                                                     |
| 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                                             | 4 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 <sup>3</sup> |



...

| 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/Esspresso 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 (new)                                                                       | 1 stall per site                                                                  |
| Co-Location                                                                                | None Required                                                                     |
| Cemeteries                                                                                 | None Required                                                                     |
| Child Day Care Services                                                                    |                                                                                   |
| Family, 5 or fewer children                                                                | 2 per child care facility                                                         |
| Group, 6 to 12 children                                                                    | 2 per child care facility plus the loading zone requirements of Section 4-3-4. D. |
| Small, 13 to 20 children                                                                   | 3 per facility plus the loading zone requirements of Section 4-3-4. D.            |
| Large, 21 or more children                                                                 | 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;<br>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 <sup>3</sup>                                                                                                                             |
| 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                                                                                                                                                                                                  |
| <b>Retail and Personal Services</b>                                      |                                                                                                                                                                                                               |
| 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                                               |                                                                                                                                                                                                               |
| <b>Storage Services</b>                                                  |                                                                                                                                                                                                               |
| Self-Storage Facilities                                                  | 1 per 300 sf of sales or office area                                                                                                                                                                          |
| Warehouses/Wholesale Uses                                                | 1 per 2,000 sf                                                                                                                                                                                                |
| <b>Temporary Uses<sup>1</sup></b>                                        |                                                                                                                                                                                                               |
| <b>Vehicles and Equipment</b>                                            |                                                                                                                                                                                                               |
| 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)                     | None Required                                                                                                                                                                                                 |
| Parking Lots and Garages                                                 |                                                                                                                                                                                                               |
| 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 <sup>1</sup>                              | 1 per 300 sf of sales or office area                                                                                                                                                                          |

| <b>Visitor Accommodations</b> |                                     |
|-------------------------------|-------------------------------------|
| 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 |

| <b>NOTES</b>                                                                                                                                                                                                                      |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <sup>1</sup> 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. |  |
| <sup>2</sup> Exemptions to minimum off-street parking requirements in CB, UMC, and U Zones. See Section 4-6-5(E)(4)                                                                                                               |  |
| <sup>3</sup> Or as determined by the Zoning Administrator, in consideration of operating characteristics of the use                                                                                                               |  |

...

**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 sections of Title 4, Chapter 1, Chapter 3, and Chapter 6 that are unmodified by this Ordinance 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 |
|-------------------|-------|-------|---------|--------|
| Scott Sumner      | _____ | _____ | _____   | _____  |
| Sage McCetich     | _____ | _____ | _____   | _____  |
| Bryce Blankenship | _____ | _____ | _____   | _____  |
| Drew Davis        | _____ | _____ | _____   | _____  |
| Sandra Kelly      | _____ | _____ | _____   | _____  |
| Evan Holmes       | _____ | _____ | _____   | _____  |

**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

DRAFT

**BEFORE THE PLANNING AND ZONING COMMISSION  
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 THE REVIEW OF A FORTY-FOUR POINT ZERO ONE (44.01) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND GENERALLY LOCATED ON THE WEST SIDE OF ORCHARD AVENUE NORTH OF THE ORCHARD AVE/TRAIL ROAD INTERSECTION.

**WHEREAS**, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on November 12, 2025; and

**WHEREAS**, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on July 22, 2026; and

**WHEREAS**, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

**THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:**

**I. RELEVANT FACTS AND CONCLUSIONS**

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a 44.01-acre area proposed to be annexed into the City of Moscow and generally located on the west side of Orchard Avenue north of the Orchard Ave/Trail Road Intersection.
3. Under Idaho Code, prior to the annexation of the property within the City, the Planning and Zoning Commission is required to review the subject property and provide the City Council with a recommendation regarding the appropriate future land use designation and zoning designation to be applied to the subject property upon annexation.
4. The subject property is a 44.01-acre area which contains four parcels. The original application only contained the northernmost parcel which is 30.75 acres in size. When the application was received, staff contacted the property owners on the west side of Orchard Avenue within the county to determine whether there was interest in expanding the annexation request to include a larger area.
5. Properties at 2111 Orchard Ave and 2103 Orchard Ave gave consent to be included in the annexation request.

6. The property at 2215 Orchard Ave is currently connected to city water and sewer service and a prior owner had agreed to annex into the city in order to obtain a city water connection. 2215 Orchard Ave is being included in the annexation under the “implied consent” provision of Idaho State Code Section 50-222. Implied consent means that *valid consent to annex is implied for the area of all lands connected to a water or wastewater collection system owned and operated in its entirety by the city if the connection was requested in writing by the owner or the owner’s authorized agent prior to July 1, 2024, or if the connection was completed before July 1, 2008.* Since this property is currently connected to city water and sewer service and the prior owner requested the water connection on August 29, 2018, the implied consent provision to annex the property is met.
7. The original 30.75-acre parcel is actively being farmed and currently has no structures on it. The three additional properties at 2103, 2111, and 2215 Orchard Ave are cumulatively 11.19 acres in size and all have single-family dwellings and various outbuildings constructed upon the properties. The current city limits boundary extends down the west side of Orchard Ave and is directly adjacent to the east of the subject property.
8. To the east of the subject property are the Orchardview Acres 1<sup>st</sup> and 2<sup>nd</sup> Addition Subdivisions which are within the city limits and are developed with single-family dwellings on lots that are at least an acre in size. To the north is agricultural land and to the west there are large residential lots which are accessed from North Polk Extension, all within Latah County.
9. To the south there are four single-family dwellings which are also located in the county but will be surrounded by the city limits on three sides if the annexation request is approved. The 30.75-acre parcel also extends around a 1.32-acre parcel which contains a farm, single-family dwelling, and a business. The owners of the 1.32-acre parcel have indicated that they do not wish to be included in the annexation request, and their property will become a county island should the annexation be approved.
10. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and the proposal is to retain that designation.
11. Auto-Urban Residential (AU-R) designated areas,  
*“contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”*
12. Adjacent properties to south are also within the Auto-Urban Residential designation, while properties to the east and west are designated as Suburban Residential. Properties to the north are within the Rural and Agricultural designation. The subject property is adjacent to Orchard Ave which is designated as a collector street on the Thoroughfare Plan.



13. The subject property and adjacent properties immediately to the north, west, and south are within Latah County and are currently designated as Agriculture/Forestry (AF). Properties to the east of the subject property are currently designated as the Suburban Residential (SR) Zoning District.
14. The subject property has existing access via Orchard Avenue which is designated in the Thoroughfare Plan as a collector street. The collector street standard is a 34-foot-wide roadway with two travel lanes, bike lanes on both sides of the street, and curbing and gutters on both sides of the street. There are portions of Orchard Ave which meet this standard, primarily south of the intersection of Orchard Ave and Highland Drive. North of Lanny Drive the street transitions to more of a rural street standard with pavement widths which vary from 20 to 30 feet and sporadic curbing and sidewalks. North of the Orchard Ave/Trail Road intersection the street pavement width is reduced to approximately 16 feet and north of the first driveway approach to the house at 2215 Orchard Ave the street transitions to a gravel roadway.
15. A water main currently exists along the Orchard Ave alignment and extends to roughly the midpoint of the subject property. The Engineering Department has indicated that the proposed annexation area can be served by the Ponderosa Boosted Water Zone. According to the City of Moscow Draft Water Comprehensive Plan, sufficient fire flow capacity is projected to be available at the end of Orchard Avenue to support low- to medium-density residential development.
16. A sanitary sewer main currently exists along the Orchard Ave alignment and extends to roughly the midpoint of the subject property. The Engineering Department has indicated that the Orchard Lift Station has adequate capacity to serve the proposed annexation. The City of Moscow Draft Sewer Comprehensive Plan projects sufficient long-term capacity for the Orchard Lift Station. Current flows are less than 20 percent of the lift station's tested capacity, indicating substantial available capacity to accommodate additional development.
17. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on October 28, 2025 to discuss the proposed Comprehensive Plan Designation.

**BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:**

## **II. RELEVANT CRITERIA AND STANDARDS**

1. **The proposed Comprehensive Plan amendment is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposal to retain the existing designation of Auto-Urban Residential is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan and are consistent with the surrounding properties, as well as the surrounding land use and development patterns.
2. **The proposed Comprehensive Plan amendment would provide for the logical and orderly location of land uses, community services and facilities.** The Commission finds that the proposed designation of Auto-Urban Residential is logical and harmonious with the surrounding land uses and development and is consistent with the land use designations of the surrounding properties.
3. **The uses expected to occur as a result of the Comprehensive Plan amendment will be compatible with the surrounding area.** The uses which are expected to occur with the Auto-

Urban Residential are primarily detached single family dwellings which are consistent and compatible with the uses in the surrounding area to the east, south, and west.

4. **The size, type, and density of development expected to occur as a result of the Comprehensive Plan amendment will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed designation is suitable for the area and will not unduly burden the neighborhood of public infrastructure. The subject property has direct access via Orchard Street which is designated as a collector street and Trail Road which is designated as a minor arterial street. The Engineering Department has indicated that there are sufficient public utility services available to meet the needs of existing and future development.
5. **The proposed Comprehensive Plan amendment is deemed to be appropriate in consideration of changing conditions within the community that are not reflected within the current Comprehensive Plan (such as new development or re-development, land use patterns and/or trends, traffic patterns and/or volume, market demands, community vision and/or needs, capital improvements, or new or revised City plans).** The proposal is to retain the existing Comprehensive Plan land use designation of Auto-Urban Residential, which is consistent with the surrounding area.

### III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Planning and Zoning Commission recommends approval of the proposal to retain the current Comprehensive Plan Land Use Designation of Auto-Urban Residential for the 44.01-acre subject property generally located on the west side of Orchard Avenue north of the Orchard Ave/Trail Road Intersection.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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Dennis Wilson, Chair  
Planning and Zoning Commission

**BEFORE THE PLANNING AND ZONING COMMISSION  
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 REQUEST FOR THE REZONE OF A FORTY-FOUR POINT ZERO ONE (44.01) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND GENERALLY LOCATED ON THE WEST SIDE OF ORCHARD AVENUE NORTH OF THE ORCHARD AVE/TRAIL ROAD INTERSECTION FROM THE AGRICULTURE FORESTRY (AF) ZONE TO THE MODERATE DENSITY, SINGLE FAMILY RESIDENTIAL (R-2) ZONE AND THE SUBURBAN RESIDENTIAL (SR) ZONE.

**WHEREAS**, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on November 12, 2025; and

**WHEREAS**, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on July 22, 2026; and

**WHEREAS**, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

**THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:**

**I. RELEVANT FACTS AND CONCLUSIONS**

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a 44.01-acre area proposed to be annexed into the City of Moscow and generally located on the west side of Orchard Avenue north of the Orchard Ave/Trail Road Intersection.
3. Under Idaho Code, prior to the annexation of the property within the City, the Planning and Zoning Commission is required to review the subject property and provide the City Council with a recommendation regarding the appropriate future land use designation and zoning designation to be applied to the subject property upon annexation.
4. The subject property is a 44.01-acre area which contains four parcels. The original application only contained the northernmost parcel which is 30.75 acres in size. When the application was received, staff contacted the property owners on the west side of Orchard Avenue within the county to determine whether there was interest in expanding the annexation request to include a larger area.
5. Properties at 2111 Orchard Ave and 2103 Orchard Ave gave consent to be included in the annexation request.

6. The property at 2215 Orchard Ave is currently connected to city water and sewer service and a prior owner had agreed to annex into the city in order to obtain a city water connection. 2215 Orchard Ave is being included in the annexation under the “implied consent” provision of Idaho State Code Section 50-222. Implied consent means that *valid consent to annex is implied for the area of all lands connected to a water or wastewater collection system owned and operated in its entirety by the city if the connection was requested in writing by the owner or the owner’s authorized agent prior to July 1, 2024, or if the connection was completed before July 1, 2008.* Since this property is currently connected to city water and sewer service and the prior owner requested the water connection on August 29, 2018, the implied consent provision to annex the property is met.
7. The original 30.75-acre parcel is actively being farmed and currently has no structures on it. The three additional properties at 2103, 2111, and 2215 Orchard Ave are cumulatively 11.19 acres in size and all have single-family dwellings and various outbuildings constructed upon the properties. The current city limits boundary extends down the west side of Orchard Ave and is directly adjacent to the east of the subject property.
8. To the east of the subject property are the Orchardview Acres 1<sup>st</sup> and 2<sup>nd</sup> Addition Subdivisions which are within the city limits and are developed with single-family dwellings on lots that are at least an acre in size. To the north is agricultural land and to the west there are large residential lots which are accessed from North Polk Extension, all within Latah County.
9. To the south there are four single-family dwellings which are also located in the county but will be surrounded by the city limits on three sides if the annexation request is approved. The 30.75-acre parcel also extends around a 1.32-acre parcel which contains a farm, single-family dwelling, and a business. The owners of the 1.32-acre parcel have indicated that they do not wish to be included in the annexation request, and their property will become a county island should the annexation be approved.
10. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and the proposal is to retain that designation.
11. Auto-Urban Residential (AU-R) designated areas,  
*“contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”*
12. Adjacent properties to south are also within the Auto-Urban Residential designation, while properties to the east and west are designated as Suburban Residential. Properties to the north are within the Rural and Agricultural designation. The subject property is adjacent to Orchard Ave which is designated as a collector street on the Thoroughfare Plan.



13. The subject property and adjacent properties immediately to the north, west, and south are within Latah County and are currently designated as Agriculture/Forestry (AF). Properties to the east of the subject property are currently designated as the Suburban Residential (SR) Zoning District.
14. The applicant is proposing to rezone the subject property from the Agriculture Forestry (AF) Zone to a combination of the Moderate Density, Single Family Residential (R-2) Zoning District and the Suburban Residential (SR) Zoning District.
15. According to the City of Moscow Zoning Code, the R-2 Zoning District is a moderate density residential zone appropriate where the following circumstances are present:
  1. Single family dwellings predominate.
  2. The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.
  3. Utilities and other public facilities are adequate for the densities allowed.
  4. Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.
16. Uses permitted within the R-2 Zone include single-family residential dwellings, market and community gardens, group child care facilities, and public parks and recreational facilities. The minimum lot size for parcels within the R-2 Zone is 7,000 sf and the minimum lot width is 60 feet.
17. The Suburban Residential (SR) Zone is intended to create and protect a permanent single family residential neighborhood at a very low density. Where properly located and controlled, specified rural uses, including pasturage of livestock, may be allowed. Because large areas are contained within lots in this zoning district, the demand for parking is to be satisfied by spaces located entirely on private property. Public improvements are to be designed to serve the rural, low intensity uses permitted in this zoning district; for this reason and because some uses permitted in the SR zoning district may not be compatible with more intensive zoning districts, the following conditions shall apply to the designation of land in the SR zoning district:
  1. Local streets developed to a reduced standard specially applicable in the SR zoning district shall not provide primary access to development with a higher density than permitted in the SR zoning district.
  2. The minimum size of an SR zoning district shall be ten (10) acres.
  3. The SR zoning district shall be located only in areas specifically designated A or A/LR on the Comprehensive Plan Map. Because the SR zoning district may interfere with higher density, more efficient land use, it should be applied where such interference would be unlikely, such as in areas primarily rural in character and not close to schools, public facilities and shopping areas. The SR zoning district should not be applied where the reduced street standards permitted would interfere with present or future transportation needs for the area in which the SR zoning district is proposed.
  4. After zoning and development of land in the SR zoning district occurs, changes from this zoning district can only take place concurrently with or after redevelopment of streets and utilities to standards applicable in the proposed zoning district for which the person is applying.
18. Uses permitted within the SR Zone include single-family residential dwellings, market and community gardens, group child care facilities, and public parks and recreational facilities. The

minimum lot size for parcels within the SR Zone is one acre and the minimum lot width is 100 feet.

19. The subject property has existing access via Orchard Avenue which is designated in the Thoroughfare Plan as a collector street. The collector street standard is a 34-foot-wide roadway with two travel lanes, bike lanes on both sides of the street, and curbing and gutters on both sides of the street. There are portions of Orchard Ave which meet this standard, primarily south of the intersection of Orchard Ave and Highland Drive. North of Lanny Drive the street transitions to more of a rural street standard with pavement widths which vary from 20 to 30 feet and sporadic curbing and sidewalks. North of the Orchard Ave/Trail Road intersection the street pavement width is reduced to approximately 16 feet and north of the first driveway approach to the house at 2215 Orchard Ave the street transitions to a gravel roadway.
20. A water main currently exists along the Orchard Ave alignment and extends to roughly the midpoint of the subject property. The Engineering Department has indicated that the proposed annexation area can be served by the Ponderosa Boosted Water Zone. According to the City of Moscow Draft Water Comprehensive Plan, sufficient fire flow capacity is projected to be available at the end of Orchard Avenue to support low- to medium-density residential development.
21. A sanitary sewer main currently exists along the Orchard Ave alignment and extends to roughly the midpoint of the subject property. The Engineering Department has indicated that the Orchard Lift Station has adequate capacity to serve the proposed annexation. The City of Moscow Draft Sewer Comprehensive Plan projects sufficient long-term capacity for the Orchard Lift Station. Current flows are less than 20 percent of the lift station's tested capacity, indicating substantial available capacity to accommodate additional development.
22. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on October 28, 2025 to discuss the proposed rezone.

**BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:**

## **II. RELEVANT CRITERIA AND STANDARDS**

1. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed rezone is consistent with the proposed 2019 Comprehensive Plan Land Use Designations of Auto-Urban Residential.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed designations of the Moderate Density, Single Family Residential (R-2) Zoning District and the Suburban Residential (SR) Zoning District provide for the continuation of the existing zoning designations in the area. The proposed zoning of R-2 and SR allows for the same uses which exist in the surrounding area.
3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area. Properties to the east, southeast, and south within the city limits are residential subdivisions which are the same designation as the subject property.

4. **The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The Engineering Department has indicated that there are sufficient public utility services available to meet the needs of existing and future development. The City of Moscow Draft Water Comprehensive Plan indicates that there is sufficient fire flow capacity is projected to be available at the end of Orchard Avenue to support low- to medium-density residential development. The City of Moscow Draft Sewer Comprehensive Plan projects sufficient long-term capacity for the Orchard Lift Station. Current flows are less than 20 percent of the lift station's tested capacity, indicating substantial available capacity to accommodate additional development.
5. **The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.** The proposed designation is suitable for the area and will not unduly burden the neighborhood of public infrastructure. The subject property has direct access, via Orchard Street which is designated as a collector street and Trail Road which is designated as a minor arterial street. The Engineering Department has indicated that there are sufficient public utility services available to meet the needs of existing and future development.

### III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the rezone request for 44.01-acre subject property generally located on the west side of Orchard Avenue north of the Orchard Ave/Trail Road Intersection from the Agriculture Forestry (AF) Zone to a combination of the Moderate Density, Single Family Residential (R-2) Zone and the Suburban Residential (SR) Zone with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this  
\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Dennis Wilson, Chair  
Planning and Zoning Commission

## Planning & Zoning Commission

### 2002 Survey

**Would you support design review requiring city approval for specific building designs and appearance for construction in downtown Moscow to maintain its distinctive character?**

| Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Don't Know |
|----------------|-------|---------|----------|-------------------|------------|
| 19%            | 40%   | 19%     | 11%      | 4%                | 7%         |

**What type of economic growth do you favor? Please select your top three choices and rank 1, 2, 3 (1 being most favorable).**

|                                    | #1  | #2  | #3  |
|------------------------------------|-----|-----|-----|
| No Growth                          | 4%  | 1%  | 2%  |
| Wholesale Distribution             | 2%  | 2%  | 5%  |
| Forestry Related                   | 0%  | 2%  | 4%  |
| Retail Business                    | 17% | 12% | 13% |
| Finance; Insurance                 | 0%  | 1%  | 1%  |
| Tourism; Recreational              | 2%  | 10% | 10% |
| Light Manufacturing (Assembly)     | 8%  | 10% | 9%  |
| General Business Services          | 4%  | 7%  | 11% |
| Motels                             | 2%  | 1%  | 1%  |
| Heavy Manufacturing (lumber, pulp) | 0%  | 2%  | 2%  |
| Agriculturally Related             | 4%  | 6%  | 8%  |
| Cultural/Entertainment Events      | 16% | 15% | 12% |
| University                         | 22% | 14% | 12% |
| "High Tech" Industries             | 19% | 16% | 11% |
| Other                              | 0%  | 0%  | 0%  |



## 2004 Survey

**Would you support design review requiring City approval for specific building designs and appearance for construction in downtown Moscow to maintain its distinctive character?**

| Strongly Support | Support | Neutral | Oppose | Strongly Oppose | Don't Know |
|------------------|---------|---------|--------|-----------------|------------|
| 18%              | 45%     | 21%     | 8%     | 3%              | 5%         |

**Allowing small retail or office businesses (such as physicians, accountants, engineers, business consultants, and beauty salons) in residential neighborhoods is a benefit to the community.**

| Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Don't Know |
|----------------|-------|---------|----------|-------------------|------------|
| 12%            | 27%   | 20%     | 24%      | 12%               | 5%         |

**Please identify the importance of the following neighborhood characteristics to you:**

|                                                         | Very Important | Important | Somewhat Important | Not Important | Don't Know |
|---------------------------------------------------------|----------------|-----------|--------------------|---------------|------------|
| Proximity to school                                     | 31%            | 34%       | 12%                | 20%           | 3%         |
| Proximity to work                                       | 18%            | 35%       | 25%                | 20%           | 2%         |
| Proximity to shopping                                   | 10%            | 26%       | 37%                | 25%           | 2%         |
| Proximity to park or public recreation facility         | 18%            | 39%       | 29%                | 13%           | 1%         |
| Proximity to downtown                                   | 9%             | 29%       | 34%                | 28%           | 0%         |
| Single family housing neighborhood                      | 31%            | 31%       | 16%                | 18%           | 4%         |
| Duplex housing neighborhood                             | 4%             | 13%       | 25%                | 53%           | 5%         |
| Apartment housing neighborhood                          | 7%             | 13%       | 22%                | 54%           | 4%         |
| Large lot size (greater than one half acre)             | 7%             | 18%       | 21%                | 47%           | 7%         |
| Medium lot size (quarter to one half acre)              | 9%             | 23%       | 27%                | 33%           | 8%         |
| Small lot size (less than one quarter acre)             | 5%             | 14%       | 22%                | 50%           | 9%         |
| Historic housing district (Fort Russel area or similar) | 16%            | 23%       | 21%                | 32%           | 8%         |
| Alley access                                            | 6%             | 18%       | 23%                | 47%           | 6%         |
| Cul-de-sac or dead-end street                           | 8%             | 15%       | 23%                | 47%           | 7%         |
| Small street blocks with numerous intersections         | 4%             | 9%        | 23%                | 55%           | 9%         |
| Proximity to public walking/bike pathway                | 23%            | 30%       | 27%                | 18%           | 2%         |

## 2006 Survey

**Would you support a design review requirement (which would require building design and appearance review and approval by the City) for construction located within the downtown historic district to maintain its historic and distinctive character?**

| Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Don't Know |
|----------------|-------|---------|----------|-------------------|------------|
| 19%            | 40%   | 22%     | 11%      | 4%                | 4%         |

**Do you support regulations that would require any new buildings constructed downtown to provide off-street parking?**

| Strongly Support | Support | Neutral | Oppose | Strongly Oppose | Don't Know |
|------------------|---------|---------|--------|-----------------|------------|
| 21%              | 42%     | 19%     | 9%     | 4%              | 5%         |

## 2008 Survey

**I support allowing gated communities within the City of Moscow (“gated communities” are housing developments that are surrounded by fenced barriers including restricted vehicular access.)**

| Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Don't Know |
|----------------|-------|---------|----------|-------------------|------------|
| 6%             | 16%   | 17%     | 27%      | 31%               | 3%         |

**I agree that new buildings constructed in the historically agricultural areas within Moscow should incorporate design features to be compatible with the previous and existing historic agricultural buildings.**

| Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Don't Know |
|----------------|-------|---------|----------|-------------------|------------|
| 14%            | 38%   | 24%     | 12%      | 7%                | 4%         |

**The City of Moscow is considering a greater allowance of limited commercial uses within new residential development. What commercial uses would be desirable to you to have in close proximity to your residence? (Please check all that apply)**

| Daycare Facilities | Medical Offices | Professional Offices | Convenience Stores | Groceries | Personal Services | Eating & Drinking | Other |
|--------------------|-----------------|----------------------|--------------------|-----------|-------------------|-------------------|-------|
| 30%                | 30%             | 24%                  | 25%                | 41%       | 23%               | 41%               | 18%   |

## 2010 Survey

**The City of Moscow is considering a greater allowance of limited commercial uses within new residential development. What commercial uses would be desirable to you to have in close proximity to your residence? (Please check all that apply)**

| Daycare Facilities | Medical Offices | Professional Offices | Convenience Stores | Groceries | Personal Services | Eating & Drinking | Other |
|--------------------|-----------------|----------------------|--------------------|-----------|-------------------|-------------------|-------|
| 30%                | 24%             | 20%                  | 21%                | 38%       | 20%               | 40%               | 16%   |

**I would be interested in high-quality high-density residential living opportunity (e.g. an apartment, loft, or condominium) near downtown and the University of Idaho campus.**

| Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Don't Know |
|----------------|-------|---------|----------|-------------------|------------|
| 15%            | 18%   | 21%     | 23%      | 18%               | 4%         |

**The presence of a mixture of residential uses (e.g. single-family homes, townhomes, and duplexes) within a single neighborhood that includes common open spaces as buffers to provide separation between those uses would make the neighborhood more desirable to me.**

| Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Don't Know |
|----------------|-------|---------|----------|-------------------|------------|
| 18%            | 26%   | 26%     | 14%      | 6%                | 8%         |

**Please check the three most important items below that you feel should be addressed in planning for future growth in the community.**

|                                         |     |
|-----------------------------------------|-----|
| Amount of growth                        | 31% |
| Location of land uses                   | 23% |
| Historic Preservation                   | 11% |
| Economic Development                    | 47% |
| Neighborhood Preservation               | 22% |
| Traffic Management and Congestion       | 44% |
| Condition of Streets and Sidewalks      | 30% |
| Location and/or Condition of City Parks | 14% |
| Water Resource Planning                 | 43% |
| Private Development Standards           | 17% |
| Location of Public Facilities           | 4%  |
| Other                                   | 6%  |

## 2012 Survey

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |     |     |     |     |     |     |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|----|
| <b>g. The City of Moscow is considering allowing accessory dwelling units in residential neighborhoods. An accessory dwelling unit is generally a small studio or one-bedroom apartment within an existing home or in some cases can be detached from the home, but upon the same lot. These types of units provide opportunities for caring for aging family members and can encourage more efficient use of lot space and affordable housing. I would support allowing accessory uses in my neighborhood.</b> | 25% | 38% | 17% | 6%  | 10% | 3%  | 2% |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |     |     |     |     |     |     |    |
| <b>h. If accessory dwelling units were permitted within my neighborhood, I would be interested in adding an accessory dwelling unit to my property.</b>                                                                                                                                                                                                                                                                                                                                                         | 6%  | 7%  | 25% | 22% | 24% | 14% | 1% |

## 2014 Survey

**Compare the two neighborhood characteristics provided and check the one that is more important to you**

|                                                                                                                                                                                                     |     |    |     |                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|-----|-----------------------------------------------------------------------------------------------------------------------------------------------|
| A neighborhood that includes a mix of housing types, stores, and businesses that are easy to walk to.                                                                                               | 52% | OR | 43% | A neighborhood with primarily single-family houses only and you have to drive to stores and                                                   |
| Houses with smaller yards and you would have to have a short commute to work, it is easy to walk to school, stores and restaurants.                                                                 | 51% | OR | 42% | Houses with larger yards and you would have a longer commute to work and you have to drive to get to parks, playgrounds and recreation areas. |
| Houses with small yards and where it is easy to walk to schools, stores and restaurants                                                                                                             | 49% | OR | 43% | Own or rent a detached, single-family house, and have to drive to shops and restaurants and have a longer commute to work.                    |
| Own or rent an attached single-family home (where you share one or more common walls), townhouse, or condominium where it is easy to walk to shops, restaurants and have a shorter commute to work. | 32% | OR | 60% | Own or rent a detached, single-family house, and have to drive to shops and restaurants and have a longer commute to work.                    |
| A neighborhood with well-connected sidewalks and bicycle facilities (such as bike lanes and separated pathways)                                                                                     | 84% | OR | 10% | A neighborhood without well-connected sidewalks and bicycle facilities (such as bike lanes and separated pathways).                           |



## 2017 Survey

**The City of Moscow currently allows public and private colleges and university as educational uses within the Central Business District (downtown Moscow) when granted a conditional use permit. The conditional use permit provides an opportunity to review the proposed use to determine if any conditions should be required in order to reduce any potential negative impacts of the proposed conditional use. Given this process, do you agree that educational uses would be allowed with the Central Business District through a conditional use permit?**

| Yes | No  |
|-----|-----|
| 62% | 32% |

**The City of Moscow has recently received numerous inquiries from citizens wishing to construct and live in a Tiny Home within the City. Tiny Homes are generally a home of 400 square feet or less in size which are constructed on wheels or a foundation. The City of Moscow is considering allowing greater opportunities for Tiny Home development in the City. Do you support Tiny Homes as a method of providing affordable housing options in Moscow?**

| Yes | No  |
|-----|-----|
| 79% | 16% |

**Currently, Tiny Home developments would be processed as a Planned Unit Development which requires a public hearing and approval of the Planning and Zoning Commission or City Council. Two impediments to Tiny Homes under the current City Code are the limitations on the number of homes that are allowed on a certain size property (density) and the number of off-street parking spaces for automobiles that are required. Since Tiny Homes are much smaller than a typical single-family dwelling, would you support amending the City Code to allow higher density and less off-street parking requirements for Tiny Homes?**

| Yes | No  |
|-----|-----|
| 59% | 34% |

## 2019 Survey

### Please identify the importance of the following climate change strategies for the Planning & Zoning commission to consider in planning efforts and recommendations

|                                                                                                                                                                                         | Highly Important | Important | Neutral | Somewhat Important | Not Important | Don't Know | No Answer |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------|---------|--------------------|---------------|------------|-----------|
| Work with the City Council and other commissions to develop a Climate Action Plan, which would detail the steps that the City can take to help mitigate and/or adapt to climate change. | 43%              | 23%       | 9%      | 4%                 | 16%           | 3%         | 3%        |
| Encourage development that is at a density that is sufficient to support multiple modes of transportation (walking, bicycling, public transit, etc.)                                    | 45%              | 28%       | 8%      | 6%                 | 8%            | 3%         | 2%        |
| Encourage a mixture of land uses that allow walking or bicycling to service that you use on a daily or weekly basis.                                                                    | 42%              | 27%       | 13%     | 5%                 | 7%            | 3%         | 2%        |
| Require electric car and/or e-bike charging stations for large residential or commercial developments.                                                                                  | 16%              | 25%       | 22%     | 8%                 | 21%           | 6%         | 3%        |
| Explore the development of an automotive parking lot outside of downtown for long term storage of automobiles that may not be used very often.                                          | 12%              | 17%       | 23%     | 12%                | 25%           | 10%        | 2%        |

### Please identify the importance of the following neighborhood characteristics to you

|                                                                     | Highly Important | Important | Neutral | Somewhat Important | Not Important | Don't Know | No Answer |
|---------------------------------------------------------------------|------------------|-----------|---------|--------------------|---------------|------------|-----------|
| A mixture of housing types (single family, duplex, townhouse, etc.) | 17%              | 33%       | 19%     | 8%                 | 19%           | 3%         | 2%        |
| Smaller lot sizes with more neighborhood open space                 | 11%              | 23%       | 23%     | 8%                 | 28%           | 5%         | 3%        |

|                                                        |     |     |     |    |     |    |     |
|--------------------------------------------------------|-----|-----|-----|----|-----|----|-----|
| Neighborhoods with narrower streets and alleys         | 5%  | 9%  | 20% | 5% | 51% | 7% | 3%  |
| A restaurant within a 5-10-minute walk from your house | 10% | 21% | 17% | 8% | 39% | 2% | 3%  |
| Other                                                  | 14% | 3%  | 2%  | 0% | 3%  | 9% | 70% |

## 2023 Survey

### Q1: New Developments

Respondents were asked to rank their preferences of potential options to increase housing density in the City. The option to “Allow reduced lot sizes while requiring more common green spaces to reduce need for private yards” was the first choice with an average score of 2.8 and the least selected choice would be to “Allow all residential uses in single family zoning districts (duplexes, condominiums, townhouses and apartment complexes” with a score of 4.6.

**Denser housing developments can reduce housing costs, increase housing inventory, and help reduce urban sprawl and costs related to expansion and maintenance of public infrastructure. When considering new residential developments, the City should:**

|                                                                                                    | Rating (lower score indicates higher preference) |
|----------------------------------------------------------------------------------------------------|--------------------------------------------------|
| Reduce lot sizes, reduce private yards, more common green spaces                                   | 2.8                                              |
| Reduce lot sizes in single-family zones, increase housing density, potentially reduce housing cost | 3.2                                              |
| Allow duplexes within single-family zones                                                          | 3.3                                              |
| Wider array of duplexes, condominiums, townhouses in single-family zones                           | 3.5                                              |
| Not allow densification of single-family zones                                                     | 3.7                                              |
| Allow all residential types in single family-zones                                                 | 4.6                                              |

Some respondents chose to rank items with repeating numbers while others strictly rated each item 1-6. Some responses also selected certain ones to rank rather than providing all options with an answer, which caused a variance in response rates. This may be something to consider in future surveys if this needs to be re-worded. This question received an average response rate of 80%.

### Q2: Parking Problem

To address the various parking issues in the community, citizens were asked where they believe the most issues occur. Options to respond with were either “Significant Problem”, “Slight Problem”, “Neutral”, or “Not a Problem”. Downtown was by far the most selected with 40% of received surveys selecting “Significant Problem” whereas the other options were less than 10%. This question had an average 98% response rate.

**To what degree do you think parking is a problem within the City of Moscow in the following locations?**

|                                        | Significant Problem | Slight Problem | Neutral | Not a Problem | Don't Know |
|----------------------------------------|---------------------|----------------|---------|---------------|------------|
| Downtown                               | 40%                 | 40%            | 6%      | 13%           | 0%         |
| My Neighborhood                        | 9%                  | 20%            | 8%      | 61%           | 1%         |
| Eastern commercial areas (Troy Hwy)    | 4%                  | 8%             | 22%     | 57%           | 7%         |
| Western commercial areas (Pullman Hwy) | 3%                  | 7%             | 20%     | 60%           | 7%         |

### Q3: Parking Solution

The Commission provided respondents with a variety of potential actions that could assist with reducing parking demand or increase parking availability. By rating the options on a scale of 1-7 with 1 being the most preferred, the option to "Promote using more alternative mobility options (transit viability, biking, walking, etc.)" was most preferred and the least preferred was "A large, costly to build parking structure".

#### **What options are you interested in that might relieve parking problems in Moscow?**

|                                                                                 | Rating (lower score indicates higher preference) |
|---------------------------------------------------------------------------------|--------------------------------------------------|
| Promote alternative mobility options (transit viability, biking, walking, etc.) | 2.5                                              |
| Utilizing garages/driveways more, rather than competing for street parking      | 3.0                                              |
| Dedicated parking on outskirts of town for less-used vehicles                   | 3.6                                              |
| None of the above                                                               | 4.1                                              |
| More surface parking lots that generate low tax returns and are dead zones      | 4.2                                              |
| Reduce parking spaces for residences/businesses, and go first come, first serve | 4.5                                              |
| A large, costly to build parking structure                                      | 4.6                                              |

While these results may be expected, this question may have some conflicting answers. Some respondents chose to rank items with repeating numbers while others strictly rated each item 1-7. Some surveys also had some of the options answered rather than all of them. For example, alternative mobility options had a 78.3% response rate whereas surface parking lots had a 67.8% rate. Furthermore, there were many comments left on the survey regarding the verbiage that was used for the options provided stating it was a "biased" question. Specifically, the option of "A large, costly to build parking structure" may have deterred some individuals from responding.