



**Lewiston Planning & Zoning Commission
REGULAR MEETING AGENDA
May 8, 2024 - 5:30 PM
Bell Building – Second Floor Conference Room – 215 D Street
Lewiston, Idaho 83501**

Seating will be available on a first-come, first-served basis. All others who wish to observe this meeting may watch and listen to the livestream on their own device(s) by visiting the City of Lewiston's website at cityoflewiston.org.

I. CALL TO ORDER

II. CITIZENS COMMENTS

An opportunity for citizens to address the Commission with comments and/or questions about Planning and Zoning Commission-related matters that are not a public hearing action item on this agenda. Citizens are asked to limit their time to three minutes each.

A. CITIZEN COMMENTS

III. ACTIVE AGENDA

A. APPROVAL OF APRIL 10, 2024 MEETING MINUTES (ACTION ITEM)

B. APPROVAL OF APRIL 24, 2024 MEETING MINUTES (ACTION ITEM)

**C. PRELIMINARY PLAT – EASTRIDGE ESTATES PRELIMINARY PLAT
CONSIDERATION OF THE ASSOCIATED REASONED STATEMENT OF RELEVANT
CRITERIA AND STANDARDS AND RECOMMENDATION TO CITY COUNCIL
(ACTION ITEM):** The applicant proposes to plat approximately 28.33 acres of property, located in the Nez Perce Terrace Planned Unit Development, south of Nez Perce Drive and west of Gun Club Road, into four Blocks with a total of 26 Lots. - Action Item

**D. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO
STAFF REGARDING THE REASONED STATEMENT FOR CONDITIONAL USE
PERMIT APPLICATION CUP24-2 BY LORETTA TYE (ACTION ITEM):** The applicant requests conditional use permit approval for a Home Occupation business occupying more than 25% of the dwelling or accessory structure at 717 Linden Avenue. Home Occupations may occupy more than 25% of the gross floor area of the dwelling or accessory building when approved with a conditional use permit as provided in Article IX of Chapter 37, Zoning. - Action Item

IV. STAFF-COMMISSION COMMUNICATIONS

**A. QUERY OF COMMISSIONERS FOR THE MAY 22, 2024 MEETING (PUBLIC
HEARING ON THE COMPREHENSIVE PLAN).**

V. ADJOURNMENT - Action Item

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the Community Development Specialist at least forty-eight (48) hours in advance of the meeting at 208-746-1318, ext. 7265.



Lewiston

Dawn Ortiz <dortiz@cityoflewiston.org>

Please Read at P&Z meeting on May 22

1 message

Coco Umiker <coco@ccccellars.com>

Tue, Apr 30, 2024 at 2:51 PM

To: khollingshead@cityoflewiston.org, Joel Plaskon <jplaskon@cityoflewiston.org>, dortiz@cityoflewiston.org

Hello!

Please read my thoughts below during the PZ meeting on May 22nd during the citizen comment period regards to the comprehensive plan. I would also like this read at the City Council Meeting regarding the comprehensive plan that is tentatively set for late June.

My family has owned and farmed the land located along the east side of 10th street at 3143 10th street since 1916. Our family (MacLerran, Nichols, & Umiker) owns collectively, approximately 70 acres. This land is supporting a successful vineyard and winery which employs 6 full-time workers and many part-time workers. A portion of the land is farmed for wheat and part of the farmyard serves as a hub for working on farm equipment for both the wheat and vineyard operations. Our vineyard and winery operation is a prime example of value-added agriculture. Our continued success is dependent on our ability to continue farming within the ACI. The profit margins on farming and even value-added farming are getting slimmer all the time. We fear that the city may try to annex our farm, should this happen the increase in property taxes for our many farm buildings and land would likely make it impractical for us to continue farming. We hope to continue growing grapes and making wine as long as we are able and then pass this enterprise on to the 5th generation of our family. We also hope to further expand the vineyard onto some of the current wheat ground.

The future land use category purposed here for our land is labeled as ACI residential and ACI Non-Residential, in both cases agriculture is listed as a possible use. Are there other ACI categories that emphasize farming more and list them as primary use? Is our farm included in the city's future annexation plans? We would hope that as long as we continue farming our land, that the city would let us remain in the county and NOT annex our farm.

Thank you!

Nicole "Coco" Umiker

Cheers, Coco

Coco Umiker, Ph.D.



3143 10th St.
Lewiston, ID 83501
(208) 816-4679
www.clearwatercanyoncellars.com

April 10, 2024

The LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Department Second Floor Conference Room at 215 “D” Street. Vice Chair Iacoboni called the meeting to order at 5:30 p.m.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Gabriel Iacoboni, Vice Chair; Maureen Anderson; Michael Busch; Kevin Kelly; Kathy Branson; Shaunita Cable; Emily Wolf;

COMMISSIONERS EXCUSED: Cynthia Ball, Chair;

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner; Aaron Butler, IT; Jennifer Tengono, Assistant City Attorney;

II. CITIZEN COMMENTS

None

III. ACTIVE AGENDA

A. APPROVAL OF MARCH 27, 2024 MEETING MINUTES (ACTION ITEM)

Commissioners Branson and Anderson moved and seconded, respectively, approval of the March 27, 2024 meeting minutes with conditions. The motion carried 6-0.

B. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS APPROVING ZONE CHANGE APPLICATION ZNC24-1 BY 3D STOUT LLC (ACTION ITEM):

Commissioner Kelly moved to approve the reasoned statement of relevant criteria and standards as written. Commissioner Branson provided the second. Motion carried 6-0.

IV. STAFF-COMMISSION COMMUNICATIONS:

A. Query of Commissioners for April 24, 2024 meeting.

Commissioner Anderson is unable to attend but all other Commissioners present said that they would be attending the Joint meeting with the City Council on April 24, 2024. The Commission and Council will be reviewing the draft Comprehensive Plan. Staff Hollingshead reminded the Commission that the link to the draft plan had been sent out the week prior and to take time between now and the 24th to review and bring comments and questions to the meeting.

V. ADJOURN

There being no further business, Commissioners Anderson and Wolf moved and seconded, respectively, to adjourn. The motion carried 6-0 and the Planning and Zoning Commission adjourned at approximately 5:36 p.m.

RESPECTFULLY SUBMITTED,

Dawn Ortiz,
Recording Secretary

Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this _____ day of _____, 2024.

April 24, 2024

The LEWISTON PLANNING AND ZONING COMMISSION AND CITY COUNCIL JOINT MEETING met in the Community Development Department Second Floor Conference Room at 215 “D” Street. Mayor Johnson called the meeting to order at 5:41 p.m.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Cynthia Ball, Chair; Gabriel Iacoboni, Vice Chair; Michael Busch; Kevin Kelly; Kathy Branson; Shaunita Cable; Emily Wolf;

COMMISSIONERS EXCUSED: Maureen Anderson;

CITY COUNCILORS PRESENT: Kathy Schroeder, Kasee Forsmann, Jim Kleeburg, Jessica Klein via Zoom

CITY COUNCILORS EXCUSED:

STAFF MEMBERS PRESENT: Joel Plaskon, City Planner; Dawn Ortiz, Community Development Office Supervisor; Aaron Butler, IT; Jennifer Tengono, Assistant City Attorney; Shannon Grow, Community Development Director; Kayla Hermann, City Attorney; Dan Johnson, Mayor;

Others Present: Joe Moss, Logan Simpson

II. PLEDGE OF ALLEGIANCE

III. CITIZEN COMMENTS

Staff Ortiz read email into record. Noah Prescott “In short; I support the new Comprehensive Plan proposal and would like to see these changes with as little changes as possible. I believe it is exactly what Lewiston needs in order to become the best city it can possibly be, and would love for other cities in the surrounding area to follow suit.”

IV. DISCUSSION ITEMS ABOUT ENVISION LEWISTON 2044, LEWISTON’S DRAFT COMPREHENSIVE PLAN

A. WELCOME & INTRODUCTIONS

Staff Plaskon provided short verbal review of the project background and where the Plan is in the process now.

Joe Moss with Logan Simpson provided presentation and verbal overview of the Comprehensive Plan process and phases.

B. PROJECT OVERVIEW

Mr. Moss provided an overview of Project Timeline, Public Engagement, phase 3 process and timeline for Plan adoption. Current phase in public review phase and the draft has been reviewed to date about 850 times.

Counselor Forsmann asked if the dates mentioned by Mr. Moss for Plan adoption are tentative.

Mr. Moss stated they are tentative.

C. DRAFT PLAN OVERVIEW

Mr. Moss stated there are 11 components to the Comprehensive Plan. Then he reviewed the required components and where they are located in the plan. He reviewed that there has been a large amount of community outreach and have been working with as many people as possible throughout the process. Mr. Moss then reviewed the vision and the three different themes that grew from the community outreach. Mr. Moss stated that part of this Plan is funded by a health grant and encouraged a health integration portion of the plan that has 7 dimensions of health. He stated the Plan has a specific waterfront section that has carried over from the previous Plan in a more compact section. He then explained how the land use chart provides a detail of primary uses and then secondary uses. Each land use is also broken down into more detailed explanation for uses, densities and policies. He stated the Plan does include transportation, which includes the airport in an appendix. Mr. Moss stated the last chapter is the implementation and provides tools for the decision making process. He stated each goal and action is broken down in an action plan appendix providing prioritization on which goals are a high need or low priority.

D. QUESTIONS

Mayor Johnson asked how you could use this Plan to increase or affect the area of impact.

Mr. Moss stated this is an ideal scenario and zoning is a great tool. The area of impact is to encourage involvement with the County and anticipate the growth and land use in that area.

Staff Plaskon stated the legislature just re-wrote the section of the state code regarding areas of impact and explained that the City has no jurisdiction in or control of the area of impact.

Planning and Zoning Commission Chair Ball asked if the Plan helps the City identify process to move forward to change zoning.

Mr. Moss stated the land use map is what the City would like to see happen in the future. The maps do encourage offering incentives for impacts of these areas, recommendations on rezoning, but also guidance and recommendations on how to move business or commercial uses.

Staff Plaskon provided examples from the Plan that are directed at the waterfront that encourage new development and change.

E. NEXT STEPS

Mr. Moss stated they are working on a file draft and should be provided to the Planning and Zoning Commission in May. Then it will go in front of the City Council in June and a resolution in July.

V. UNFINISHED AND NEW BUSINESS:

A. PLANNING & ZONING COMMISSIONERS COMMENTS

Vice Chair Iacoboni stated he was on the Steering Committee and the main takeaway was the Plan is the vision for what the City can look like in the future and his main takeaway is that builders and the commissioners or individuals are the ones that will be going to make this happen.

Commissioner Cable stated she had technical comments that she would send over to Joel, but also this is an overview and the need to check into this Plan is a high need to make sure these goals are achieved. Revitalizing the waterfront would be a great goal. She also stated that the art section was lacking. She wondered if taking some of the graphs and plans from the appendices into the main plan would be helpful and that some of the paragraphs were long.

Commissioner Branson, Wolf, Kelly all agreed with what Commissioner Iacoboni and Cable stated.

Chair Ball stated that the large dream is great, but if the drive to get it done is not there, it will not succeed. She would like to see a recap of what was accomplished from the last Plan. Is there a list of properties that the City has in regards to if they

fit the Plan and does the City have a foot in the door to encourage this Plan. Finally, she would like the railcar storage on the railroad tracks to go away.

B. CITY COUNCILOR COMMENTS

Councilor President Kleeburg stated the waterfront plan is a document that is appropriate, but has not been followed up on like it should have. The street budget is not that great and the City is doing what they can. This plan is the big picture. Where does the City want to be in 20 plus years?

Councilor Schroeder asked clarifying questions on the priorities and emphasized her desire to focus on the redevelopment of the Twin City Foods site at the confluence of the rivers.

Staff Plaskon provided an explanation on how the action items are broken down and this is where the City needs to work on them on a yearly process.

Councilor Schroeder stated there are a lot of goals and objectives in the Plan, and there needs to be a central focus. She asked if they could just pick one major thing to work on.

Staff Plaskon stated that is possible if that is what the Planning and Zoning Commission and City Council decided.

Councilor Forsmann stated that this Plan is great starting point and having a direct focus would help with making movement. She encourages growth in the waterfront and focusing on that would be a great project.

C. MAYOR COMMENTS

Mayor Johnson stated that the Port of Lewiston should be viewed as a partner and can play a key role in the development of the water ways. Also, the comment by Commission Chair Ball about the property acquisition or disposal is a great opportunity to move forward. Mayor Johnson stated as development moves south, the thought of moving the wastewater down Tammany and out through Snake River Ave

Councilor Schroeder stated that the Twin City Foods site is a very important part of our economy.

Planning and Zoning Commissioner Branson asked how City Area of Impact is determined.

Staff Plaskon stated that state code guidance on how to determine its boundary is very vague and that it is not a set distance from city limits. He said that state code guidance just changed and that the boundary is now supposed to be reviewed every five years.

Planning and Zoning Commission Chair Ball stated she would like to see Lewiston as destination location.

Planning and Zoning Commissioner Vice Chair Iacobo stated the catalyst for changing of an area is investment, random luck or the encouragement of investors.

VI. ADJOURN

There being no further business, Councilor Forsmann and Schroeder moved and seconded, respectively, to adjourn. The motion carried 10-0 and the Planning and Zoning Commission and City Council joint meeting adjourned at approximately 7:01 p.m.

RESPECTFULLY SUBMITTED,

Dawn Ortiz,
Recording Secretary

Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this _____ day of _____, 2024.



May 8, 2024

To: Lewiston Planning and Zoning Commission

Re: Eastridge Estates - Preliminary Plat

Commissioners:

The Eastridge Estates preliminary plat proposes to plat approximately 28.33 acres of property, located in the Nez Perce Terrace Planned Unit Development, south of Nez Perce Drive and west of Gun Club Road, into four Blocks with a total of 26 Lots. In accordance with the intents of the Planned Unit Development Agreement, the developer is proposing to create a mix of single-family and multi-family housing, with the single-family residential lots on the south edge of the development, and a large area of multi-family housing on the northern portion. A new public street, approximately 1310 feet in length, and associated public utilities will need to be constructed to service the single-family residences on the southern end of the development. The new street, proposed to be named Ironwood Court, is proposed to be constructed as a 50 foot wide right-of-way street, and will incorporate a cul-de-sac turn-around with a 45 foot driving radius at its easterly terminus. Although Lot 1 of Block 4, which is proposed for multifamily development, has legal frontage on Gun Club Road, the developer is proposing to access the multifamily development from Juniper Drive on the west, via an existing access easement agreement. In order to provide sewer service for the proposed development, the developer will need to construct new City sewer main north through the proposed development to tie in with the existing sewer main currently located in Juniper Drive to the west. The City and the Lewiston Orchards Sewer District are also working with the developer to extend a sewer main south of the proposed development to the current location of LOSD's Cypress Sewer Lift Station. It is hoped that through this collaborative effort, the lift station can be eliminated, and this section of the public sewer system can be converted to a much more efficient gravity flow system. City Water mains will also need to be extended into the development area to provide water service for the proposed development. Avista Utilities, CenturyLink/Lumen Technologies, and Sparklight have also confirmed their intent to provide utility service.

The subject property is in the Nez Perce Terrace Planned Unit Development, and the proposed lot configurations and land uses adhere to the requirements established by the associated Planned Unit Development Agreement.

The preliminary plat complies with the applicable requirements of the City of Lewiston Subdivision Ordinance, City Code Chapter 32.

City Staff recommend that the Lewiston Planning and Zoning Commission recommend to the Lewiston City Council approval of the Eastridge Estates preliminary plat as presented.

Sincerely,



Mark Weigand, PLS
City Surveyor

PRELIMINARY PLAT EASTRIDGE ESTATES

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5
AND THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 35 NORTH, RANGE 5 WEST, BOISE MERIDIAN.
CITY OF LEWISTON, COUNTY OF NEZ PERCE, IDAHO.



VICINITY MAP
NTS

PRELIMINARY PLAT NOTES:

SUBDIVIDER

ASA Construction & Development
821 W. MALDON, STE. 509
SPOKANE, WA 99201
PHONE NUMBER: (509) 824-1170

EXISTING ZONING

NEZ PERCE TERRACE PUD - LOW DENSITY RESIDENTIAL & HIGH DENSITY RESIDENTIAL

SUBDIVISION ACREAGE

LOW DENSITY RESIDENTIAL - 8.106 ACRES
MULTI-FAMILY RESIDENTIAL - 20.139 ACRES
TOTAL = 28.244 ACRES

SUBDIVISION LOTS

20 LOTS

SURVEY DATUM

CITY OF LEWISTON CONTROL NETWORK

TITLE REPORT

TITLEONE A TITLE & ESCROW CO., FILE NO. 23402558, DATED FEBRUARY 18, 2024 AT 7:30 AM

PROPOSED UTILITIES

WATER SUPPLY: CITY OF LEWISTON
SEWAGE DISPOSAL: CITY OF LEWISTON
STORM DRAINAGE: ON-SITE
FIRE PROTECTION: CITY OF LEWISTON
POWER AND GAS: AVISTA UTILITIES
TELEPHONE: LUMEN
CABLE TV / INTERNET: SPARKLIGHT

LEGAL DESCRIPTION (RECORD)

A PARCEL OF LAND SITUATED IN SECTION 5, TOWNSHIP 35 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CITY OF LEWISTON, COUNTY OF NEZ PERCE, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER BETWEEN SECTIONS 5 AND 8; THENCE NORTH 89°50'18" EAST ALONG THE SECTION LINE BETWEEN SECTIONS 5 AND 8 1284.12 FEET TO THE POINT OF BEGINNING AND ALSO A POINT ON THE EAST LINE OF SBL PROPERTY; THENCE NORTH 00°09'10" WEST 43.31 FEET; THENCE NORTH 25°01'00" WEST 207.35 FEET; THENCE NORTH 60°06'23" WEST 50.08 FEET; THENCE ON A NON-TANGENT CURVE TO THE LEFT 163.55 FEET, RADIUS OF 300.00 FEET, DELTA OF 31°14'08", CHORD BEARING OF NORTH 74°22'56" WEST AND A CHORD DISTANCE OF 161.53 FEET; THENCE NORTH 88°58'28" WEST 81.26 FEET; THENCE NORTH 01°00'00" WEST 93.33 FEET; THENCE NORTH 82°14'08" EAST 26.10 FEET; THENCE ON A CURVE TO THE RIGHT 128.83 FEET, RADIUS OF 340.00 FEET, AND DELTA OF 21°39'26"; THENCE SOUTH 76°06'23" EAST 565.30 FEET; THENCE ON A CURVE TO THE RIGHT 424.01 FEET, RADIUS OF 515.00 FEET, AND DELTA OF 47°10'21" TO A POINT ON THE SECTION LINE BETWEEN SECTIONS 5 AND 8; THENCE SOUTH 69°59'16" WEST ALONG THE SECTION LINE 668.55 FEET TO THE POINT OF BEGINNING.

A PARCEL OF LAND SITUATED IN SECTION 8, TOWNSHIP 35 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CITY OF LEWISTON, COUNTY OF NEZ PERCE, STATE OF IDAHO, DESCRIBED AS FOLLOWS:

THE EAST 1,389.66 FEET OF THE NORTH 600 FEET OF SECTION 8, TOWNSHIP 35 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CITY OF LEWISTON, COUNTY OF NEZ PERCE, STATE OF IDAHO.

EXCEPTING ANY PORTION OF THE DEDICATED RIGHT OF WAY OF MAGNOLIA STREET AS DESCRIBED PER INSTRUMENT NO. 174458.

EXCEPTING THEREFROM AS FOLLOWS:

BEGINNING AT THE SECTION CORNER TO SECTION 4, 5, 8, AND 9, WHICH IS THE POINT OF BEGINNING; THENCE SOUTH 88°50'18" WEST ALONG THE SECTION LINE BETWEEN SECTIONS 5 AND 8 A DISTANCE OF 284.47 FEET; THENCE SOUTH 19°43'21" EAST, A DISTANCE OF 380.28 FEET; THENCE NORTH 83°41'19" EAST, A DISTANCE OF 184.30 FEET TO A POINT ON THE EAST SECTION LINE OF SECTION 8; THENCE NORTH 00°04'42" WEST, A DISTANCE OF 322.10 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM ANY PORTION OF GUN CLUB ROAD.

RECORD EASEMENTS

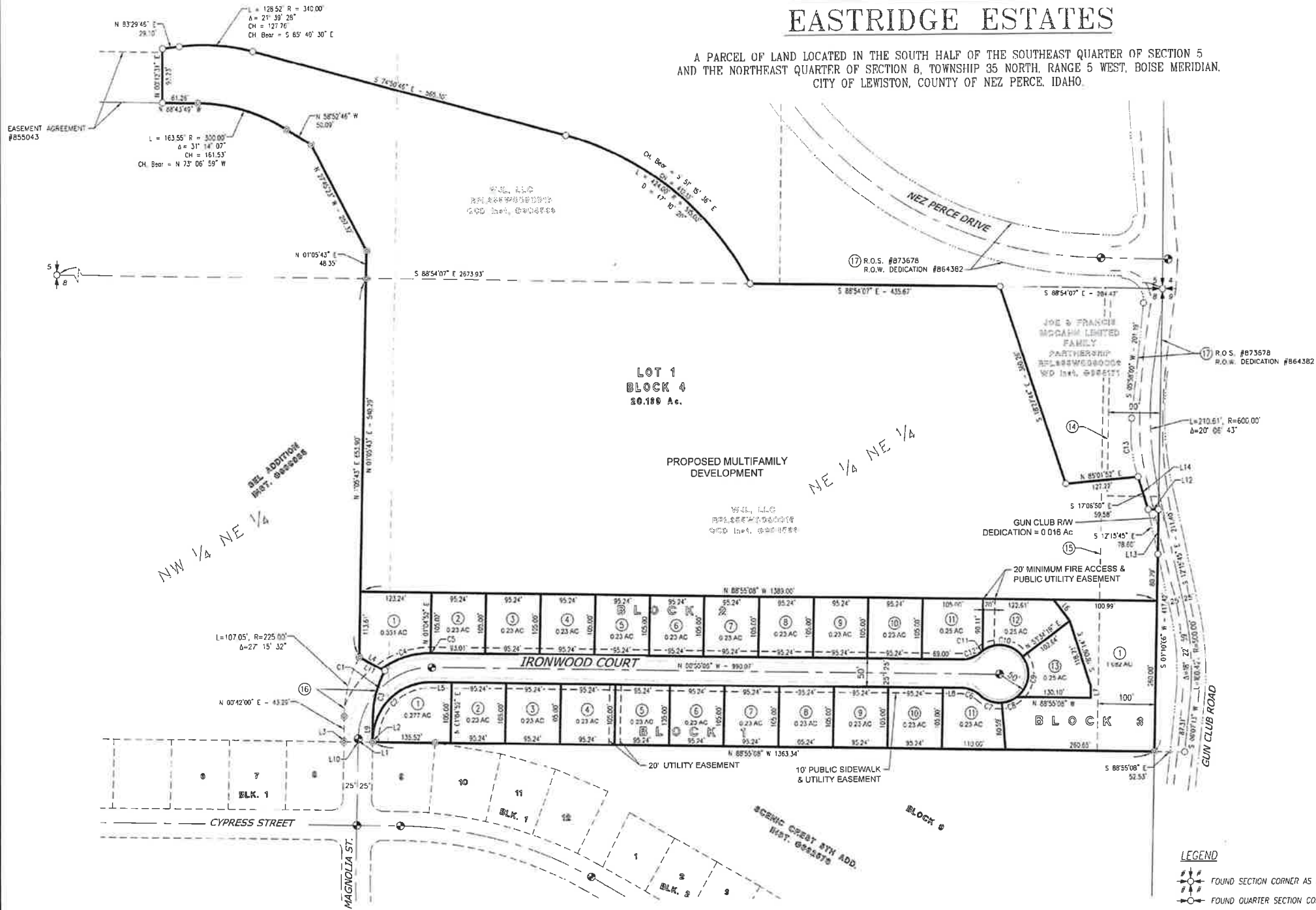
PUBLIC UTILITY EASEMENT, BK. 4 OF MISC. PG. 387.
PUBLIC UTILITY EASEMENT, BK. 4 OF MISC. PG. 558.
ROAD ACCESS & WATER PIPELINE EASEMENT PER INST. #435004.
PUBLIC UTILITY EASEMENT PER INST. #443823.

PROPOSED EASEMENTS

- 10 FOOT PUBLIC SIDEWALK & UTILITY EASEMENT
- 20 MINIMUM FOOT FIRE ACCESS & PUBLIC UTILITY EASEMENT.
- 20 FOOT PUBLIC UTILITY EASEMENT.

GENERAL NOTES

- ALL STORMWATER SHALL BE MITIGATED IN CONFORMANCE WITH THE CITY OF LEWISTON'S 2010 STORMWATER DESIGN MANUAL.
- FIRE HYDRANT PLACEMENT SHALL COMPLY WITH THE IFC.
- SECONDARY ACCESS/REGRESS ROAD SHALL BE CONSTRUCTED TO LPD FIRE ACCESS ROAD STANDARDS.



LEGEND

- FOUND SECTION CORNER AS NOTED
- FOUND QUARTER SECTION CORNER AS NOTED
- FOUND CENTERLINE MONUMENT AS NOTED
- FOUND PROPERTY CORNER
- CALCULATED POSITION
- SUBJECT PROPERTY BOUNDARY LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- EXISTING LOT LINE
- SECTION LINE
- QUARTER SECTION LINE
- SIXTEENTH SECTION LINE
- PROPOSED EASEMENT
- EXISTING EASEMENT
- CONTOUR LINE

ITEM CORRESPONDING TO SCHEDULE B-II

- RIGHT-OF-WAY EASEMENT TO THE WASHINGTON WATER POWER COMPANY, RECORDED NOV. 12, 1931, BOOK 4 OF MISC. AT PAGE 357, RECORDS OF NEZ PERCE COUNTY, (OVER, ALONG & ACROSS THE S 1/2 SW 1/4 & S 1/2 SE 1/4 SEC. 5, 135N, R5W, B.M., NO WIDTH NOTED BLANKET, NOT PLOTTED HEREON).
- RIGHT-OF-WAY EASEMENT TO THE WASHINGTON WATER POWER COMPANY, RECORDED NOV. 12, 1931, BOOK 8 OF MISC. AT PAGE 558, RECORDS OF NEZ PERCE COUNTY, (OVER & ACROSS THE SE 1/4 SE 1/4 SEC. 5, 135N, R5W, B.M., NO WIDTH NOTED BLANKET, NOT PLOTTED HEREON).
- EASEMENT FOR ROAD ACCESS AND WATER PIPELINE, RECORDED SEPT. 4, 1980, INSTRUMENT NO. 439004, RECORDS OF NEZ PERCE COUNTY (NORTH 360 FEET OF THE EAST 90 FEET, NE 1/4 NE 1/4 SEC. 8, PLOTTED HEREON).
- RIGHT-OF-WAY EASEMENT TO WASHINGTON WATER POWER COMPANY, RECORDED FEB. 24, 1976, INSTRUMENT NO. 443623, RECORDS OF NEZ PERCE COUNTY. (EAST 100 FEET OF THE NORTH 800 FEET OF NE 1/4 SEC. 8, PLOTTED HEREON).
- RIGHT-OF-WAY DEDICATION, RESOLUTION 2009-33, RECORDED JUNE 9, 2009, INSTRUMENT NO. 774456, RECORDS OF NEZ PERCE COUNTY. (PLOTTED HEREON).
- RECORD OF SURVEY, RECORDED FEB. 11, 2020, INSTRUMENT NO. 873678, RECORDS OF NEZ PERCE COUNTY. (PLOTTED HEREON).

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	196.35'	125.00'	90°00'06"	S46°04'50"W	176.78'
C2	157.08'	100.00'	90°00'06"	S46°04'50"W	141.42'
C3	63.26'	175.00'	27°15'32"	S14°36'04"W	82.47'
C4	91.12'	150.00'	34°48'25"	S72°49'28"W	89.73'
C5	2.23'	150.00'	0°51'12"	N89°20'44"W	2.23'
C6	36.14'	50.00'	41°24'35"	N00°12'51"W	35.36'
C7	40.89'	50.00'	45°51'41"	S70°36'24"E	39.76'
C8	27.90'	50.00'	31°58'17"	N59°38'38"E	27.54'
C9	78.62'	50.00'	90°05'10"	N8°36'54"E	70.76'
C10	78.16'	50.00'	89°33'53"	N81°12'36"W	70.44'
C11	3.78'	50.00'	4°20'08"	S51°50'21"W	3.78'
C12	36.14'	50.00'	41°24'35"	N70°22'35"E	35.36'
C13	98.69'	245.00'	23°04'50"	S9°34'25"E	98.03'

Line Table		
Line #	Length	Direction
L1	5.00'	S1°04'48"W
L2	5.00'	S1°04'48"W
L3	5.00'	S1°04'48"W
L4	42.76'	S61°46'10"E
L5	35.32'	S88°55'08"E
L6	46.82'	S36°35'08"E
L7	20.53'	S07°12'1"E
L8	31.45'	S88°55'08"E
L9	43.38'	N0°58'16"E
L10	50.00'	N88°55'08"W
L11	50.00'	N61°46'10"W
L12	18.26'	S89°22'19"E
L13	76.63'	S1°10'08"W
L14	62.91'	S17°06'50"E

Scale: 1" = 100'

EASTRIDGE ESTATES PRELIMINARY PLAT

WJL, LLC

621 W. MALLON, ST. 509

SPOKANE, WA 99201

KELTIC ENGINEERING, INC.

315 Adams Lane • Lewiston, Idaho 83501 • (208) 743-2115 • (208) 743-2136 fax

• Development • Planning • Design • Construction Management

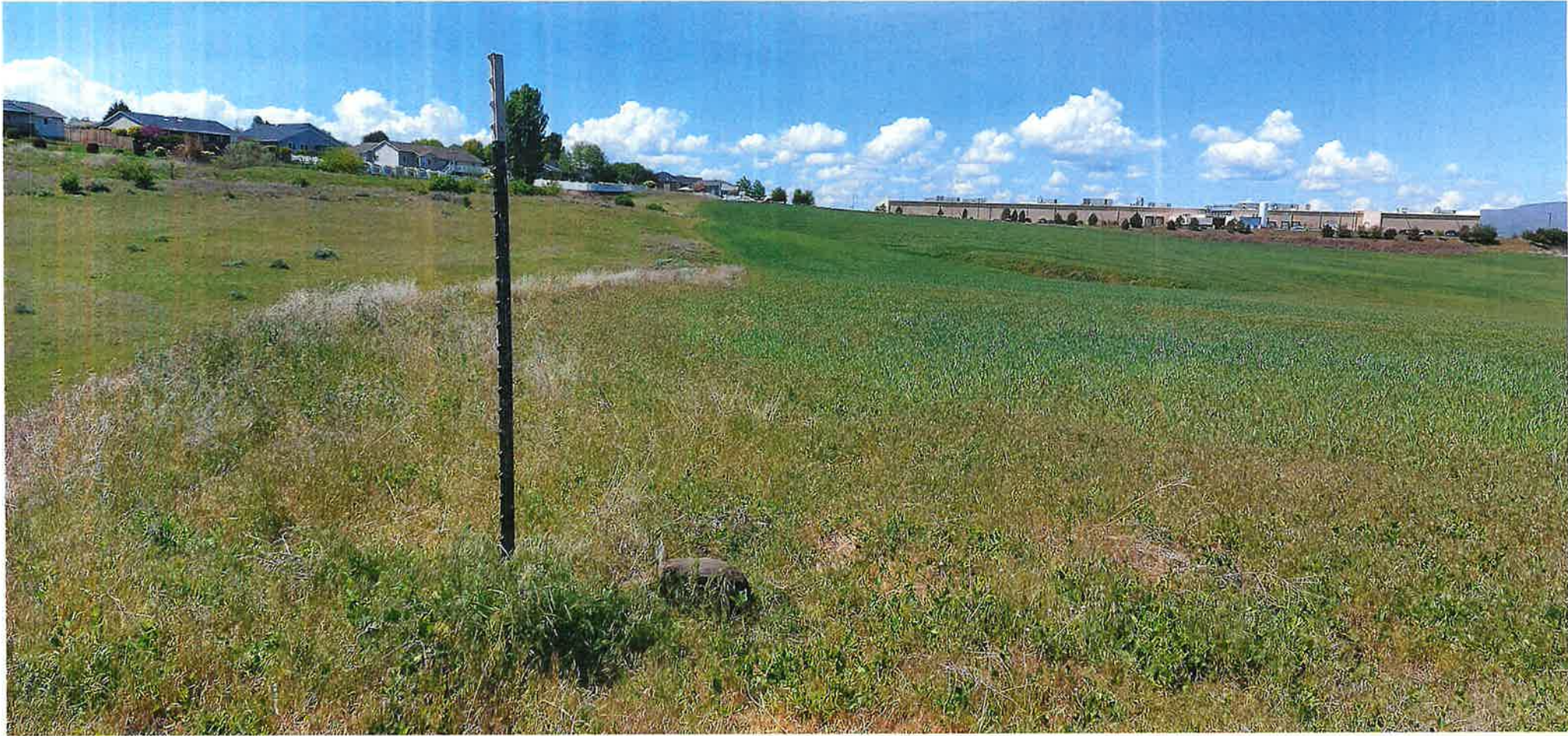


DRAWN BY:	RGW	CHECKED BY:	MAM
DESIGNED BY:	MAM		
DATE:	08/05/2023		
LAST REV:	3/22/2024		
PROJECT NO.	23-0052		
SHEET NO.	1 OF 1		









City of Lewiston



**CITY OF LEWISTON PLANNING AND ZONING COMMISSION
REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
RECOMMENDING APPROVAL, APPROVAL WITH CONDITIONS, OR
DENIAL OF A SUBDIVISION PRELIMINARY PLAT TO THE LEWISTON
CITY COUNCIL**

This document shall serve as memorialization of the rationale for the recommendation to Lewiston City Council, approving, approving with conditions, or denial of a Subdivision Preliminary Plat, which shall be based upon relevant criteria and standards, including the Lewiston Comprehensive Plan, Lewiston City Code, and Idaho Code. *See* I.C. § 67-6535.

- I. **APPLICATION NUMBER:**
SUB23-000006
- II. **APPLICANT'S NAME AND ADDRESS:**
A&A Construction & Development
621 W. Malon Street, Ste. 509
Spokane, WA 99201
- III. **IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:**
A 28.33 Acre parcel of land located in the Nez Perce Terrace P.U.D., South of Nez Perce Drive, and West of Gun Club Road in Lewiston, Idaho.
- IV. **IDENTIFICATION OF ZONING DISTRICT AND NEIGHBORHOOD OF SUBJECT PROPERTY:**
Nez Perce Terrace, Planned Unit Development, Neighborhood No. 3
- V. **DATE OF PUBLIC HEARING:**
May 8, 2024
- VI. **NAME OF HEARING BODY:**
Lewiston Planning and Zoning Commission
- VII. **NATURE OF SUBJECT APPLICATION:**
Application for approval of subdivision preliminary plat.
- VIII. **DECISION:**
The Lewiston Planning and Zoning Commission recommends **APPROVAL** of SUB23-000006.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR SUB23-000006

IX. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are:

None.

X. RELEVANT CRITERIA AND STANDARDS:

The following relevant criteria, standards, facts, and considerations are hereby declared as reasons for the decision on this subdivision preliminary plat:

1. The proposed subdivision **will** be in compliance with the intents and purposes of Chapter 32 (Subdivisions) of the Lewiston City Code. Lewiston City Code § 32-2 (Purpose and Intent) states:
 - (a) The purpose of this chapter is to provide for the orderly growth and harmonious development of the City of Lewiston, to insure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions, and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply, drainage, sanitary sewerage, and other health requirements; to insure consideration for adequate sites for schools, recreation areas, and other public facilities; to promote the conveyance of land by accurate legal descriptions; and to provide logical procedures for the achievement of this purpose.
 - (b) Its interpretation and application, the provisions of this chapter are intended to provide a common ground of understanding and a sound equitable working relationship between the public and private interests to the end that both independent and mutual objectives can be achieved in the subdivision of land. Applicable commentary:

In accordance with the intents of the Planned Unit Development Agreement, the developer is proposing to create a mix of single-family and multi-family housing, with the single-family residential lots on the south edge of the development, and a large area of multi-family housing on the northern portion. A new public street, approximately 1310 feet in length, and associated public utilities will need to be constructed to service the single-family residences on the southern end of the development. The new street, proposed to be named Ironwood Court, is proposed to be constructed as a 50 foot wide right-of-way street, and will incorporate a cul-de-sac turn-around with a 45 foot driving radius at its easterly terminus. Although Lot 1 of Block 4, which is proposed for multifamily development, has legal frontage on Gun Club Road, the developer is proposing to access the multifamily development from Juniper Drive on the west, via an existing access easement agreement. In order to provide sewer service for the proposed development, the developer will need to construct new City sewer main north through the proposed development to tie in with the existing sewer main currently located in Juniper Drive to the west. City Water mains will also need to be extended into the development area to provide water service for the proposed development. Avista Utilities, CenturyLink/Lumen Technologies, and Sparklight have also confirmed their intent to provide utility service.

2. The proposed subdivision **will** be in compliance with the intents and purposes of Chapter 37 (Zoning Code) of the Lewiston City Code. Lewiston City Code § 37-2 (Purpose) states: “The purpose of this chapter is to promote the orderly development of the city according to the comprehensive plan; to conserve and stabilize the value of property; and otherwise to promote the public health, safety, and general welfare.” Applicable commentary:

The subject property is in the Nez Perce Terrace Planned Unit Development, and the proposed lot configurations and land uses adhere to the requirements established by the associated Planned Unit Development Agreement. The Planned Unit Development requirements were established to promote the orderly development of the city according to the comprehensive plan; to conserve and stabilize the value of property; and otherwise to promote the public health, safety, and general welfare.

3. The proposed subdivision **will** be in compliance with Chapter 37 (Zoning) of the Lewiston City Code standards (unless otherwise waived by Conditional Use Permit or Variance) to include meeting the minimum lot depth, minimum lot width, and minimum lot area standards as set forth by the zoning district which it is located in. Applicable commentary:

The subject property is in the Nez Perce Terrace Planned Unit Development, and the proposed lot configurations and land uses adhere to the requirements established by the associated Planned Unit Development Agreement. The Planned Unit Development requirements were established to promote the orderly development of the city according to the comprehensive plan; to conserve and stabilize the value of property; and otherwise to promote the public health, safety, and general welfare.

4. The proposed subdivision **will** be in conformance with the Lewiston Comprehensive Plan’s desired futures for the neighborhood the proposed subdivision will be located. Applicable commentary:

The subject property is in the Nez Perce Terrace Planned Unit Development, and the proposed lot configurations and land uses adhere to the requirements established by the associated Planned Unit Development Agreement. The Planned Unit Development requirements were established to promote the orderly development of the city according to the comprehensive plan; to conserve and stabilize the value of property; and otherwise to promote the public health, safety, and general welfare.

5. The proposed subdivision **does** include the entire tract of land, unless an approved preliminary plat, planned unit development (PUD), or approved development master plan shows development in phases. Applicable commentary:

The plat area includes the applicants entire parcel as determined by a survey in the field conducted by an Idaho Licensed Land Surveyor.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR SUB23-000006

Page 3 of 5

6. The proposed subdivision **has** received favorable review from applicable public utility providers:

Representatives of applicable public utility providers have reviewed the plat proposal, and affirmed their ability and intent to provide service by signing the utility services acceptance form contained in the preliminary plat application packet.

7. The applicant **has** complied with all elements of Lewiston City Code § 32.20. Applicable commentary:

The plat was reviewed by the City Surveyor and Public Works Staff under the direction of the City Engineer and contained the information as required by Section 32.20 of the City Subdivision Code.

8. Where the proposed subdivision contains all or any part of the site of a proposed park, school, flood control facility, or other public area as shown by the City's Comprehensive Plan or future acquisitions map, the proposed subdivision **does** comply with the provisions of Idaho Code § 67-6517. Applicable commentary:

The approved City Comprehensive plan does not propose any public areas at this location.

9. The proposed subdivision **is not** within a known floodplain. Applicable commentary:

Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) do not indicate that the platted property is located in a designated floodplain.

10. The proposed subdivision **does** have, in whole or in part, terrain having an average slope exceeding ten percent (10%). If it does, then the applicant **has** provided a suitability study that the proposed subdivision will comply with in regards to design and development. Applicable commentary:

The applicant provided a geotechnical report, file # MO22105A, produced by GeoProfessional Innovation, dated January 8, 2024, which addressed mass grading and slope construction recommendations and constriction criteria for the subject site.

11. The proposed subdivision **is** in conformance with the City's Master Transportation Plan and/or neighborhood plan. Applicable commentary:

The current adopted Transportation Plan does not address, or make recommendations for the property located within the applicants proposed development.

12. The proposed subdivision's street name **is** in conformance with Lewiston City Code § 31-85. Applicable commentary:

The proposed street name adheres to the requirements established in City Code, and does not repeat a name currently utilized in the local utility services dispatching area.

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant could not take actions to obtain approval, the explanation is:

Not Applicable.

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant could take actions to obtain approval, such actions might include:

Not Applicable.

NOTICE TO APPLICANT AND AFFECTED PERSONS: The Planning and Zoning Commission's recommendation to the City Council is not a final decision, and thus, shall not be subject to reconsideration or appeal.

By: _____
Signature of Planning and Zoning Commission Chair or Vice Chair or Acting Chair

Printed: _____

Date of Signature: _____

ATTEST: _____
Dawn Ortiz, Community Development Specialist

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Lewiston Planning and Zoning Commission will conduct a public hearing at which you may provide testimony on

Wednesday May 8, 2024 at 5:30 pm.

**COMMUNITY DEVELOPMENT DEPARTMENT BUILDING
2ND FLOOR MEETING ROOM,
215 D STREET LEWISTON, ID 83501**

Seating will be available on a first-come, first-served basis. All others who wish to observe this meeting may watch and listen to the livestream on their own device(s) by visiting the City of Lewiston's Youtube page or the City's website at cityoflewiston.org.

Testimony for public hearings may be made: in-person at the meeting, by emailing Dawn Ortiz at dortiz@cityoflewiston.org, or by calling (208) 746-1318 ext 7265 and leaving a message.

This public hearing will be to determine approval or denial of the following request:

CONDITIONAL USE PERMIT APPLICATION CUP24-2 BY LORETTA TYE: The applicant requests conditional use permit approval for a Home Occupation business occupying more than 25% of the dwelling or accessory structure at 717 Linden Avenue. Home Occupations may occupy more than 25% of the gross floor area of the dwelling or accessory building when approved with a conditional use permit as provided in article IX of Chapter 37, Zoning.

FOR FURTHER INFORMATION AND TO SUBMIT TESTIMONY, contact the Community Development Department at (208) 746-1318, ext. 7261.

Hearing notice publication date: Sunday, April 21, 2024.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Lewiston Planning and Zoning Commission will conduct a public hearing at which you may provide testimony. This public hearing will be held at a meeting which may have additional public hearings on the agenda.

WEDNESDAY MAY 8, 2024 at 5:30 P.M.
COMMUNITY DEVELOPMENT DEPARTMENT BUILDING
2ND FLOOR MEETING ROOM,
215 D STREET LEWISTON, ID 83501

Seating will be available on a first-come, first-served basis. All others who wish to observe this meeting may watch and listen to the livestream on their own device(s) by visiting the City of Lewiston's Youtube page or the City's website at cityoflewiston.org.

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Any person (or persons) may support or oppose the applicant's request. **Persons receiving this notice are encouraged to provide testimony/comment.**

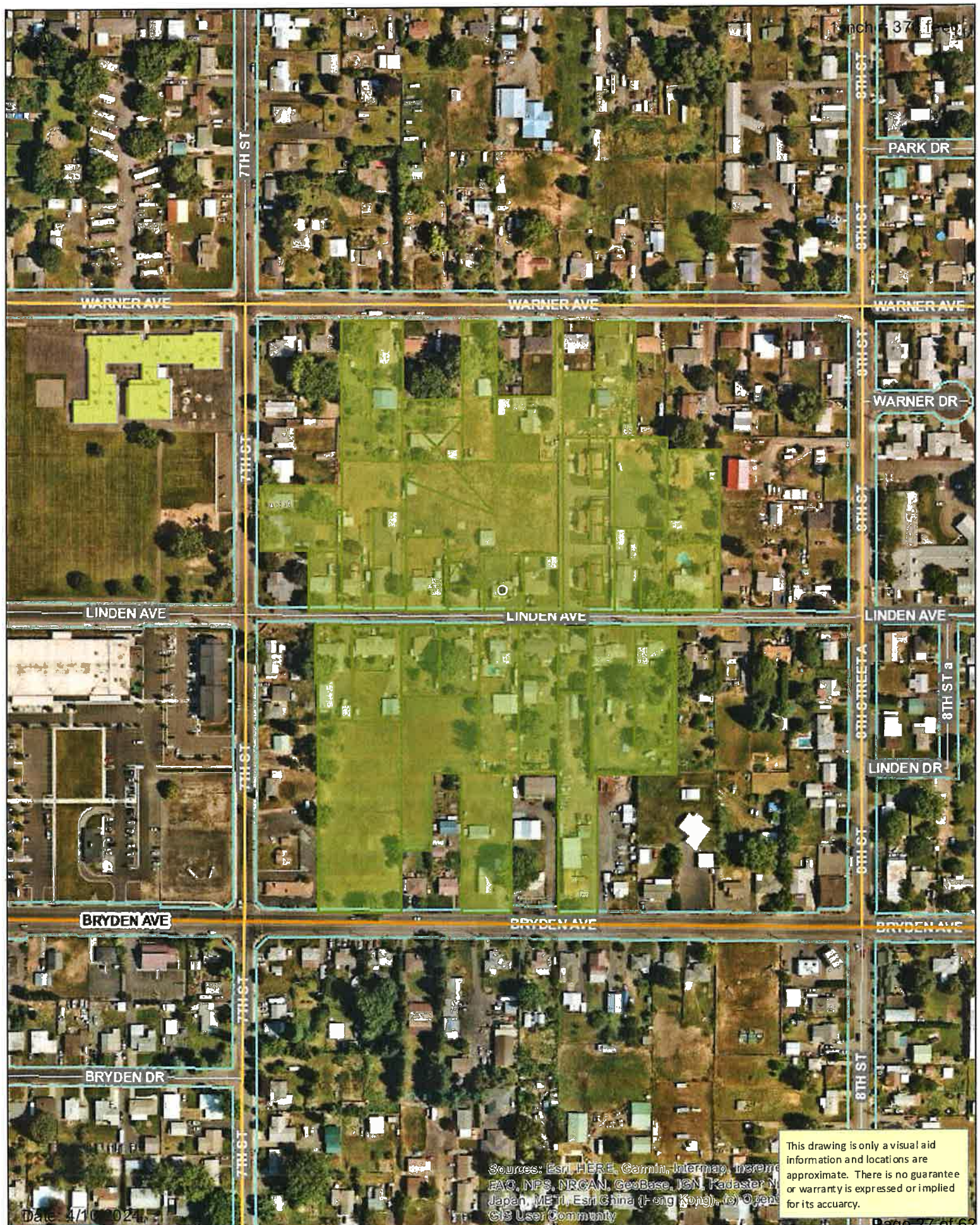
For further information on the above zoning action, the public hearing process, or appeal process, please contact the Community Development Department at (208) 746-1318, ext. 7261 or khollingshead@cityoflewiston.org. Our offices are located at 215 'D' Street, Lewiston. Business hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

Notice of this public hearing was mailed on 4/xx/24 and xx persons were noticed.

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the meeting coordinator at least forty-eight (48) hours in advance of the meeting at (208) 746-1318, ext. 7202.

OWNER1	OWNER2	MAIL_ADD1	MAIL_CITY	MAIL_ST	MAIL_ZIP
BAILEY DEREK &	BAILEY BRITTANI	730 LINDEN AVE	LEWISTON	ID	83501
CHANNELL MONICA M		727 LINDEN AVE	LEWISTON	ID	83501
MALCHOW ESTHER M		720 WARNER AVE UNIT A	LEWISTON	ID	83501
RANDALL MARVIN W &	RANDALL VERNONA M	3626 12TH ST	LEWISTON	ID	83501
CURTIS PETER TODD		726 WARNER AVE	LEWISTON	ID	83501
KERNAN CRAIG M &	KERNAN TINA L	721 BRYDEN AVE	LEWISTON	ID	83501
CASSIRER E FRANCES		722 LINDEN AVE	LEWISTON	ID	83501
COX STANLEY LEROY &	COX AUGUSTINA CUAJAO	714 1/2 WARNER AVE	LEWISTON	ID	83501
COURTNEY MARLA		721 LINDEN AVE UNIT F	LEWISTON	ID	83501
FRECHETTE FRANCIS E &	FRECHETTE JAYNE E	720 LINDEN AVE	LEWISTON	ID	83501
CHIAPPONE ANGEL &	CHIAPPONE PATRICIA J LIV TRUST	P O BOX 235	LEWISTON	ID	83501
DALEY BREANNA N		716 WARNER AVE	LEWISTON	ID	83501
HILL GEORGE P		721 LINDEN AVE UNIT B	LEWISTON	ID	83501
SCHLOTTMAN KRISTIN		707 LINDEN AVE	LEWISTON	ID	83501
DICUS DONALD E &	DICUS ALETTA N	715 BRYDEN AVE	LEWISTON	ID	83501
DUGDALE RONALD J &	DUGDALE DEBORAH L	710 WARNER AVE	LEWISTON	ID	83501
ANDERSEN LIVING TRUST	ANDERSEN KENNETH D &	728 LINDEN AVE	LEWISTON	ID	83501
GUZMAN OSCAR A JR &	GUZMAN DIANIA L	726 LINDEN AVE	LEWISTON	ID	83501
CHIAPPONE ANGEL &	CHIAPPONE PATRICIA J LIV TRUST	P O BOX 235	LEWISTON	ID	83501
CURTIS PETER TODD		726 WARNER AVE	LEWISTON	ID	83501
TIBBITS ZACHARY F &	TIBBITS JESSIE J	721 LINDEN AVE UNIT C	LEWISTON	ID	83501
LEWIS JOSEPH A &	LEWIS SHANNON P	718 LINDEN AVE	LEWISTON	ID	83501
ZANDER ALAN &	ZANDER LAURA	1831 ALLMON DR	LEWISTON	ID	83501
BONNER SILVIA C		703 LINDEN AVE	LEWISTON	ID	83501
THORNTON DOUGLAS R &	THORNTON CHERYL L	3315 7TH ST	LEWISTON	ID	83501
CASEY MARLENE A		721 LINDEN AVE UNIT E	LEWISTON	ID	83501
KILLIAN STEPHANNIE ANNE &	KILLIAN DANIEL DEE SR	715 LINDEN AVE	LEWISTON	ID	83501
GORRINGE BECKY ANN		712 LINDEN AVE	LEWISTON	ID	83501
KING KENNETH W &	KING CHRISTINE T	721 LINDEN AVE UNIT A	LEWISTON	ID	83501
KILLIAN VICTORIA		711 LINDEN AVE	LEWISTON	ID	83501
BLACKBURN KRISTEN		721 LINDEN AVE UNIT D	LEWISTON	ID	83501
TYE LORETTA J		717 LINDEN AVE	LEWISTON	ID	83501
DUGDALE RONALD J &	DUGDALE DEBORAH L	710 WARNER AVE	LEWISTON	ID	83501
FOSTER JIMMY WAYNE &	FOSTER CYNTHIA JEAN	716 LINDEN AVE	LEWISTON	ID	83501
THORNTON RUSSAELL Y		3313 7TH ST	LEWISTON	ID	83501
CORNELL KENO R		719 LINDEN AVE	LEWISTON	ID	83501
WILSON DAN R &	WILSON SANDRA L	4064 DUTHIE BLVD	LEWISTON	ID	83501
HINKLEY MISTY &	RALES SHANIA	729 LINDEN AVE	LEWISTON	ID	83501
CURTIS PETER TODD		726 WARNER AVE	LEWISTON	ID	83501
DVORAK JAMES T &	DVORAK SHAWNA M	706 LINDEN AVE	LEWISTON	ID	83501

City of Lewiston





PLANNER'S STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

Date: 4/18/2024

Case File Number: CUP24-2

Applicant:

Loretta Tye
717 Linden Avenue
Lewiston, ID 83501

Property Owner:

Loretta Tye
717 Linden Avenue
Lewiston, ID 83501

Site Location:

717 Linden Avenue
Lewiston, ID 83501

Request/Proposal: The applicant requests Conditional Use Permit approval for a Home Occupation business occupying more than 25% of the dwelling of accessory structure at 717 Linden Avenue, in the Low Density Residential, R2A Zone. Home Occupations may occupy more than 25% of the gross floor area of the dwelling or accessory building when approved with a conditional use permit as provided in Article IX of Chapter 37, Zoning.

Subject Property and Surrounding Land Uses: Subject property contains a single family dwelling and a newly built 900 square foot accessory building. It is bordered by single family dwellings on the east and west sides and has a large open pasture bordering it to the north that contains horses. McGhee Elementary School's campus is to the west at the corner of Linden and 7th Street and Lewiston Transitional Care of Cascadia is located to the east at the corner of

CUP24-000002

Linden and 8th Street. Surrounding properties are mostly single family dwellings with some apartments located to the west on the southwest corner of Linden and 7th Street, a set of 6 condos located at 721 Linden Avenue and additional multifamily units located in the 800 block of Linden Avenue.

Related Or Other Pending Discretionary Actions:

None.

Flood Plain, Wetlands, EPA Regulated Site:

NA

Code References:

Sec. 37-3. Definitions.

Conditional use means a use permitted in a particular zone district upon showing that such use in a specified location will comply with all the conditions and standards as specified in this chapter, including any additional conditions of approval, and when approved by the planning and zoning commission.

(Ord. No. 4108, § 2, 8-15-94)

DIVISION 4. - LOW DENSITY RESIDENTIAL ZONE R-2A

- **Sec. 37-34. - R-2a low density residential zone.**

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[DOWNLOAD \(DOCX\) OF SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

Purpose. To provide land for lower density residential development with the keeping of livestock as a conditional use.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4161, § 4, 7-1-96; Ord. No. 4249, § 13, 10-25-99)

- **Sec. 37-35. - Uses permitted outright.**

In an R-2A zone, the following uses and their accessory uses are permitted outright subject to the provisions of article iv:

- (1) Bed and breakfast facilities, subject to the special conditions of [section 37-13.1](#)(1) of this Code;
- (2) Church, subject to the special conditions of [section 37-20.1](#)(2) of this Code;
- (3) Class A manufactured home;

CUP24-000002

- (4) Commercial uses legally established as of December 31, 2004, and which have maintained a valid business and occupation permit;
 - (5) Family day care, subject to the special conditions of [section 37-13.1](#)(2) of this Code;
 - (6) Manufactured home park, subject to the provisions of [chapter 23](#) of this Code, with a maximum density of nine (9) dwelling units per acre;
 - (7) Mortuary, subject to the special conditions of [section 37-20.1](#)(1) of this Code;
 - (8) Park, subject to the special conditions of [section 37-20.1](#)(4) of this Code;
 - (9) School, subject to the special conditions of [section 37-20.1](#)(3) of this Code;
 - (10) Single-family dwelling;
 - (11) Tiny house village, subject to the provisions of [chapter 23](#) of this Code, with a maximum density of nine (9) dwelling units per acre;
 - (12) Two-family dwelling.
- (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 14, 10-25-99; Ord. No. 4385, § 5, 2-14-05; Ord. No. 4398, § 8, 1-9-06; [Ord. No. 4841](#), § 6, 11-14-22)

• **Sec. 37-36. - Conditional uses permitted.**

In an R-2A zone, the following uses and their accessory uses are permitted when authorized in accordance with the standards and requirements in articles IV and IX:

- (1) Repealed by Ord. No. 4742.
- (2) Day care center, subject to the special conditions of [section 37-20.1](#)(5) of this Code;
- (3) Group day care, subject to the special conditions of [section 37-13.1](#)(3) of this Code;
- (4) Intermediate care facility;
- (5) Keeping of livestock, subject to the standards of sections [37-195](#) through [37-199](#) of this Code;
- (6) Long-term care facility;
- (7) Intensification, or expansion of commercial uses of ten (10) percent of the building area or more which were legally established and licensed for business and occupation;
- (8) Multifamily dwelling, meeting the standards of [section 37-124.1](#) of this Code;
- (9) Noncommercial kennel, subject to commercial kennel standards of [section 37-163](#)(15) of this Code;

- (10) Preschool, subject to the special conditions of [section 37-20.1](#)(6) of this Code;
- (11) Public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a public agency;
- (12) Re-establishment of a commercial use which was legally established but where the business and occupation license has lapsed for a period not to exceed one (1) year;
- (13) Replacement of a nonconforming residential use not located abutting a principal or minor arterial street, as identified in the Lewiston Comprehensive Transportation Plan, subject to setback and yard requirements of the R-2 zone;
- (14) Semi-public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a semi-public agency;
- (15) Manufactured home park, subject to the provisions of [chapter 23](#) of this Code, with a density greater than nine (9) dwelling units per acre;
- (16) Small lot development subject to the requirements of [section 37-33](#), standards for small lot development;
- (17) Tiny house village, subject to the provisions of [chapter 23](#) of this Code, with a density greater than nine (9) dwelling units per acre.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 15, 10-25-99; Ord. No. 4322, § 5, 12-9-02; Ord. No. 4328, § 2, 3-24-03; Ord. No. 4354, § 2, 3-29-04; Ord. No. 4385, § 6, 2-14-05; Ord. No. 4398, § 9, 1-9-06; Ord. No. 4433, § 3, 1-9-06; Ord. No. 4499, § 2, 1-28-08; Ord. No. 4531, § 3, 7-13-09; Ord. No. 4656, § 2, 3-28-16; Ord. No. 4676, § 5, 11-28-16; Ord. No. 4742, § 2G, 8-19-19; Ord. No. 4799, § 4, 3-8-21; [Ord. No. 4841](#), § 7, 11-14-22)

- **Sec. 37-37. - Lot size.**

In an R-2A zone, the minimum lot size shall be as follows:

- (1) For a single-family dwelling, the minimum lot area shall be seven thousand five hundred (7,500) square feet, subject to sections [32-45](#)(f)(1) and [36-103](#) of this Code.
- (2) For a two-family dwelling, the minimum lot area shall be ten thousand (10,000) square feet, and connection to a municipal sanitary sewer system must be provided.
- (3) For a multifamily dwelling, the minimum lot area shall be ten thousand (10,000) square feet plus four thousand (4,000) square feet for each dwelling unit over two (2), and connection to a municipal sanitary sewer system must be provided.
- (4) Lot width shall be a minimum of seventy (70) feet.
- (5) Lot depth shall be a minimum of one hundred (100) feet.

(6) Two-family dwelling units constructed as a use permitted outright in this zone and constructed so as to share a common or adjoining side wall shall be allowed to legally split into two (2) minimum five thousand (5,000) square foot lots, provided the front and rear setbacks are in compliance with this chapter and the side yard opposite the zero-lot line shall be a minimum of fifteen (15) feet. In no case shall the minimum width of the zero-lot line lot be less than fifty (50) feet nor the depth less than eighty (80) feet.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4381, § 2, 1-24-05; Ord. No. 4499, § 2, 1-28-08; Ord. No. 4676, § 6, 11-28-16)

- **Sec. 37-38. - Yards.**

Except as provided in article VIII, in an R-2A zone the minimum yard requirements shall be as follows:

(1) A front yard shall be a minimum of twenty (20) feet or thirty-five (35) feet from the centerline of the street, whichever is greater.

(2) A side yard shall be a minimum of five (5) feet and the total of both side yards shall be a minimum of fifteen (15) feet, except that on corner lots the side yard on the street side shall be a minimum of fifteen (15) feet or thirty-five (35) feet from the centerline of the street, whichever is greater.

(3) A rear yard shall be a minimum of twenty (20) feet.

(Ord. No. 4108, § 2, 8-15-94)

- **Sec. 37-39. - Lot coverage.**

In an R-2A zone buildings shall not cover more than forty (40) percent of the lot.

(Ord. No. 4108, § 2, 8-15-94)

- - **Sec. 37-40. - Height of buildings.**

In an R-2A zone, no building shall exceed a height of thirty-five (35) feet.

(Ord. No. 4108, § 2, 8-15-94)

ARTICLE VI. - HOME OCCUPATIONS

- **Sec. 37-140. - Statement of purpose.**

It is the intent of this chapter to promote and encourage economic activity and entrepreneurship within the city while protecting residential neighborhoods from the negative impacts of commercial use of residential dwellings. The City of Lewiston recognizes that, in general, unrestricted commercial activity, and specifically certain types of businesses, are incompatible with the enjoyment of residentially zoned property and

may be detrimental to residential property values. The City of Lewiston further recognizes that homeowners have an expectation that their investment in their home is also an investment in their neighborhood, and that this investment comes with certain rights and responsibilities.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4393, § 2, 3-14-05)

Sec. 37-140.1. - General provisions.

- (a) A home occupation is an activity, profession, or craft carried on entirely within a residence or associated accessory buildings by the occupants, which activity is clearly incidental to the use of said residence as a dwelling and does not change the residential character of it; is conducted in such a manner as to not give any outward appearance of a business in the ordinary meaning of the term; so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence; and which does not infringe upon the rights of neighboring residents to enjoy a peaceful occupancy of their homes.
- (b) Home occupations may occupy an area of a dwelling or an accessory building not to exceed twenty-five (25) percent of the gross floor area of the dwelling. Home occupations may occupy more than twenty-five (25) percent of the gross floor area of the dwelling or accessory building when approved with a conditional use permit as provided in article IX of this chapter, except that swimming instruction shall be exempt from this requirement.
- (c) Not more than one (1) person other than members of the family residing in the residence shall be engaged in such occupation at the premises.
- (d) No exterior displays, including window displays or lawn displays, are allowed.
- (e) No outdoor storage shall be permitted.
- (f) No regularly occurring outdoor activity, except as allowed in this chapter.
- (g) No home occupation shall be conducted in such a manner, and/or no materials or mechanical equipment shall be used, which will be detrimental to the residential use of said residence or cause a nuisance to surrounding residences, because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or other factors.
- (h) The cumulative impact of multiple home occupations licensed at a single address shall not exceed the criteria set for a single home occupation.
- (i) Where a combination of dwelling unit and accessory building is used for a home occupation, the total area in use may not exceed that allowed for a single home occupation.

(Ord. No. 4393, § 3, 3-14-05; Ord. No. 4531, § 14, 7-13-09; Ord. No. 4692, § 16, 10-30-17)

• Sec. 37-141. - Permitted home occupations.

Authorized home occupations include, but are not limited to, the following and are subject to the following provisions:

(1) Artists and craftpersons, including, but not limited to, visual artists, photographers, authors, sculptors, dressmakers, seamstresses, tailors, gunsmiths, and home crafters. Conditional use permits authorizing this home occupation to exceed twenty-five (25) percent of the gross floor area of the dwelling shall be approved only for the applicant for said permit and shall not be transferable to a subsequent owner.

(2) Family day care, not to exceed six (6) children excluding the children, stepchildren, or foster children of the day care provider.

(3) Instruction, including, but not limited to, tutoring, music, craft, dance, yoga, or athletic instruction.

Conditional use permits authorizing this home occupation to exceed twenty-five (25) percent of the gross floor area of the dwelling shall be approved only for the applicant for said permit and shall not be transferable to a subsequent owner.

No more than twelve (12) persons shall receive instruction at any one time.

(4) Professions, generally those that require state licensing or board certification, including but not limited to physicians, chiropractors, dentists, lawyers, architects, engineers, counselors, real estate, business services, and financial consulting.

(5) Personal services, including but not limited to hairdressers, barbers, and masseurs.

(6) Construction/contracted trades and services, including, but not limited to, general contractors, carpenters, plumbers, electricians, landscape contracting, lawn care services, and pest control. Conditional use permits authorizing this home occupation to exceed twenty-five (25) percent of the gross floor area of the dwelling shall be approved only for the applicant for said permit and shall not be transferable to a subsequent owner;

a. No construction material shall be stored outside;

b. No pesticides or herbicides may be stored outside;

c. No heavy equipment such as backhoes, dump trucks, or scrapers may be stored on the premises;

d. Contractors may not operate a contractor's storage yard in any residential zone.

(7) Sales, including but not limited to phone sales, Internet sales, in-home product presentation, and travel agents, but not including on-site retail sales from the premises, with the following limitations:

a. All inventory must be stored within the allowed area of the home occupation.

b. No more than two (2) delivery trips per day may be generated by the business.

(8) Repair and refinishing, including but not limited to electronics, appliances, and bicycles. The items being repaired or refinished shall not be stored outside.

Conditional use permits authorizing this home occupation to exceed twenty-five (25) percent of the gross floor area of the dwelling shall be approved only for the applicant for said permit and shall not be transferable to a subsequent owner.

(9) Farm stand, limited to sales of fruits and vegetables grown by the owner and for sale at property of the owner, with the following limitations:

a. Sales in the required front yard shall not obstruct traffic or cause a sight obstruction for traffic.

b. Sales must be seasonal in nature.

(10) Other uses not specifically enumerated herein may apply for a conditional use permit in accordance with provisions of article IX of this chapter, conditional use permits.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4393, § 4, 3-14-05; Ord. No. 4531, § 14, 7-13-09)

• **Sec. 37-142. - Home occupations not permitted.**

The following uses, by the nature of the investment or operation, have a pronounced tendency, once started, to rapidly increase beyond the limits permitted for home occupation, or have a tendency to produce objectionable noise and other nuisances, and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the uses specified below shall not be permitted as home occupations:

(1) Auto repair, minor or major, including customization or painting;

(2) Motorcycle repair, major or minor, including customization or painting;

(3) Cabinet shop;

(4) Furniture refinishing or upholstery;

(5) Gift shop or antique shop;

(6) Painting of vehicles, trailers or boats;

(7) Photo developing, retail;

(8) Wood lots and on-premises firewood sales;

(9) Businesses in which more than one (1) person, not an occupant of the residence, reports to the site of the business office to receive work assignments, material or payroll;

(10) Repair of any internal combustion engines;

(11) Nursery or garden shop;

(12) Contractor's storage yard;

(13) Manufacturing, except those activities consistent with the statement of purpose for home occupations;

(14) Machining.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4393, § 5, 3-14-05)

•

CUP24-000002

- **Sec. 37-143. - Administration.**

- (a) All home occupations must have an approved City of Lewiston business license.
- (b) Application for home occupations must be made on forms provided by the City of Lewiston and all applicable fees must be paid. Applications shall be reviewed by all applicable departments of the City of Lewiston and outside agencies. Additional conditions for operation of the home occupation may be required by the community development director in addition to the standards provided in [section 37-141](#). Decisions regarding approval or denial of a home occupation may be appealed to the Lewiston Planning and Zoning Commission pursuant to [section 37-192](#).
- (c) Licenses for home occupations must be renewed annually.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4393, § 6, 3-14-05)

Sec. 37-160. Authorization to grant or deny conditional uses.

 SHARE

(a) Uses designated in this chapter as conditional uses may be permitted upon authorization by the commission in accordance with the standards and procedures established in this article. The commission may impose, in addition to those standards and requirements expressly specified by this chapter, any additional conditions which it considers necessary to protect the best interests of the surrounding property or the city as a whole. Those conditions may include, but are not limited to:

- (1) More restrictive standards than generally required, such as increased lot or yard size, with limitations or increased parking space requirements;
- (2) Minimizing adverse impacts, such as limiting the number, size and location of signs and requiring screening, diking, fencing or landscaping;
- (3) Controlling the timing, sequence, and duration of development;
- (4) Designating the exact location and nature of development and assuring that it is maintained properly;
- (5) Requiring the provision of on-site or off-site public facilities.

(b) Pursuant to Idaho Code Section [67-6512](#)(f), exceptions or waivers of standards, other than use, in this chapter may be permitted by the commission through issuance of a conditional use permit only when the exceptions or waivers of standards are incidental to the conditional use permit being considered by the commission.

(c) The commission shall consider the following relevant criteria and standards when considering whether to grant a conditional use permit and/or an exception or waiver of standard that is incidental to a conditional use permit:

(1) The proposed use (will/will not) result in conditions that will tend to generate nuisances (including but not limited to noise, dust, glare, vibrations, odors and the like) or, if so, that any anticipated nuisances will be appropriately mitigated.

(2) The proposed use (is/is not) a public necessity (and/but) (is/is not) justified by the applicant and deemed to be of benefit to the public.

(3) The character of the proposed use, if developed according to the plan as submitted, (will/will not) be in harmony with the area in which it is to be located.

(4) The proposed use (will/will not) endanger the environment or the public health or safety.

(5) The proposed use (will/will not) be in substantial conformance with the comprehensive plan.

(d) Any use which is granted and permitted as a conditional use in a particular zone under the terms of this chapter shall be deemed to be a conforming use in said zone. A use existing prior to August 15, 1994, and which is classified in this chapter as a conditional use, shall be considered a conforming use. Any future change or alteration in existing structures shall be permitted outright, provided required permits are obtained and standards complied with. Any change in use shall be subject to the regulations of the zone in which it is located.

(e) Any increase in lot area for a use allowed by conditional use shall require the approval of the planning and zoning commission in the same manner as the original application.

(f) Upon approval by the planning and zoning commission of the findings of fact, conclusions of law and decision, those decisions that create uses that may be transferred with the land shall be filed on record in the office of the Nez Perce County recorder.

(g) Authorization of a conditional use shall be void after twelve (12) months unless:

(1) A building permit pursuant thereto has been applied for;

(2) Where no building permit is required, the intent of the conditional use has been fulfilled; or

(3) Substantial progress towards completion of the project has been accomplished, as determined by the community development director.

(h) The community development director may extend the expiration date of a conditional use permit to six (6) months upon written request of the applicant. The decision to grant or deny the extension shall be based on the following criteria:

(1) Application for extension is received prior to the expiration date;

(2) The conditional use remains consistent with the comprehensive plan and conditional uses allowed with the zone;

(3) The applicant can show progress towards establishing the conditional use;

(4) The applicant can show that circumstances specific to the conditional use and beyond the applicant's control warrant an extension of time. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4530, § 1, 4-27-09; Ord. No. 4631, § 1, 7-13-15; Ord. No. 4651, § 1, 2-22-16)

Sec. 37-161. Application for a conditional use.

 SHARE

(a) A property owner or his agent may initiate a request for a conditional use or for the modification of an existing conditional use by filing an application with the community development department on forms prescribed in Article XIII. The application shall be submitted at least twenty (20) working days prior to the meeting at which it will be considered. The application for a conditional use shall be accompanied by a site plan drawn neatly and accurately and to an appropriate scale showing at least the following items:

(1) Property lines;

(2) Street address or legal description;

(3) Zoning of the property;

(4) Setbacks measured from the property lines;

(5) All building locations, size of buildings and overhangs;

(6) Driveways and parking spaces;

(7) Landscaping;

(8) The size, location and nature of the requested use;

(9) The location and size of all existing and proposed signs;

(10) Location of solid waste disposal and collection facilities;

(11) Other information, as directed by the community development department, necessary to fully explain and describe the nature of the request.

(b) The general site plan, as approved or modified by the commission, shall be made a part of the applicant's file and all construction and development shall comply with the conditions of approval set by the commission as well as all applicable city codes. Nothing in this general site plan approval shall be interpreted as allowing the owner or applicant variation from current ordinances that were not specifically addressed at the time of permit approval. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-162. Public hearing on a conditional use.

Before the commission shall act upon a request for a conditional use, it shall hold a public hearing pursuant to section [37-184](#) of this chapter. (Ord. No. 4108, § 2, 8-15-94)

Comprehensive Plan:

The subject property is located in Neighborhood Number 5, West Orchards and has a future land use designation of low density residential.

CHAPTER 1. A VISION FOR LEWISTON IN 2020

First, people of all income groups have safe and adequate housing available; residential areas are protected from commercial incursion. A variety of housing types are provided throughout the community while respecting the development pattern of the neighborhood in which they are located.

Sixth, we are a compact urban community, preventing sprawl and efficiently using our land resources and infrastructure, understanding that the random spread of a community wastes valuable resources while adding little to the tax base. Development will be occurring next to already developed areas, rather than in a random, leapfrog pattern and will be developed to city standards.

CHAPTER 6. LAND USE

GOAL (LU-1.0): To promote orderly development and arrangement of land uses throughout the community; provide ample space for future growth, ensure the compatibility of adjacent land uses and follow sound environmental planning principals.

OBJECTIVES: LU-14.1: Review and revise zoning designations, as appropriate, to assure that adequate land (both developed and undeveloped) is available for both single family and multi-unit residential development.

GOAL (LU-15.0): Maintain the design and functional character of each neighborhood.

LU-15.3: Continually review permitted, conditional and prohibited uses to assure that the mix of uses allowed by the zoning ordinance does not adversely impact residential neighborhoods. Revise zoning ordinance if appropriate.

Neighborhood Number Five – West Orchards

a. Residential Land Use

Within this neighborhood, every housing type found in the City of Lewiston is located, from older manufactured home parks to newer high end homes, new and older multifamily projects, senior housing developments of various types and both site built and manufactured single family homes. This neighborhood is the most densely developed in the Orchards and generally meets or exceeds four units per acre.

b. Commercial Land Use

Outside of the Thain Road corridor, commercial development is located on Bryden Avenue at and near the South Gate Plaza Shopping Center, now an employment center with Regence Blue Shield as the major tenant, and

small centers at 5th Street and Preston Avenue. There are also a number of home occupations in the area.

Independent School District No. 1 owns property on which schools are located and include McGee Elementary at 636 Warner Avenue and Centennial Elementary at 815 Burrell Avenue.

Linden Avenue is classified as a local road, while both 7th Street to the West and 8th Street to the east are classified as collector streets. The subject property is just one block from Bryden Avenue which is an Arterial Street.

Input From Other Departments/Agencies:

The Fire Department provided no comments upon request.

The Public Works Department, Engineering Division provided no comments upon request.

Analysis:

The subject property is approximately .23 of an acre in size and has a single family dwelling on it. The applicant constructed a 900 square foot accessory structure in 2023 and wishes to use the entire structure for her health and wellness business. The applicant currently uses approximately 208 square feet for massage therapy and would like to expand her business to also offer other wellness activities such as yoga, strength training, Pilates and meditation. The applicant has held a home occupation business license at this location since February 2024 and offered massage at a commercial location prior to that. The applicants existing single family dwelling is 1016 square feet. Using all of the 900 square foot accessory building for home occupation business purposes is a use of 89% of the gross floor area of the dwelling.

As stated in the application, the applicant plans on offering small (5-6 participants) exercise classes and wellness education classes. This follows the perimeters of Sec 37-141, Permitted home occupations, which allows for instruction to include (but not limited to) yoga or athletic instruction for up to 12 persons at any one time. The applicant has a graveled off street parking area that would accommodate 4 parking stalls (2 stalls tandem) for clients in addition to her personal vehicle. Off Street parking code does not identify specific parking requirements for massage therapy or athletic instruction.

Linden Avenue is a narrow street with a right of way width of 30 feet and a paved width of 20 feet or less, depending on the location, and has no sidewalk on either side. Linden Avenue is designated a local road with 7th Street to the west and 8th Street to the east designated as collector streets. Bryden Avenue is one block to the south and is an arterial street.

The subject property is flanked on both the east and west sides by single family dwellings and is bordered on the north side by a large pasture area that contains horses. There is a large, sight obscuring hedge between the accessory building

on the subject property and the single family dwelling to the east. The single family dwelling to the west (715 Linden Ave) is separated by the house on the subject property and the driveway at 715 Linden Ave. The pasture to the north of the subject property provides approximately 195 linear feet of land between the subject property and the closest single family dwelling to the north (720 Warner Ave). Although the uses proposed by the applicant are not necessarily ones that normally create a lot of noise, it should be noted that commercial activities could create more noise than those of single family dwellings. The proximity of surrounding dwellings is important to consider. The applicant states that 1 to 2 classes would be offered per day, 1 hour in duration, between the hours of 7:30am and 6:30 pm. The applicant states that the number of classes is kept low to reduce the amount of additional traffic generated.

Relevant Criteria and Standards:

See attached reasoned statement worksheet.

Prepared By:

Katie Hollingshead

(208) 746-1318, ext. 7261

khollingshead@cityoflewiston.org

P.O.Box 617

Lewiston, ID 83501

**CITY OF LEWISTON PLANNING AND ZONING COMMISSION
REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR GRANTING OR DENIAL OF CONDITIONAL USE PERMIT**

This document shall serve as memorialization of the rationale for the granting or denial of a Conditional Use Permit, which shall be based upon relevant criteria and standards, including the Lewiston Comprehensive Plan, Lewiston City Code, and Idaho Code. See I.C. § 67-6535.

I. APPLICATION NUMBER:

II. APPLICANT'S NAME AND ADDRESS:

III. IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:

IV. DATE OF PUBLIC HEARING:

V. NAME OF HEARING BODY:
Lewiston Planning and Zoning Commission

VI. NATURE OF SUBJECT CONDITIONAL USE PERMIT APPLICATION:

VII. DECISION:
The Lewiston Planning and Zoning Commission [APPROVES/DENIES] XXX.

VIII. CONDITIONS OF APPROVAL:
Pursuant to Lewiston City Code § 37-160, the Planning and Zoning Commission may impose conditions upon approval of a conditional use permit. This conditional use permit is subject to the following conditions:

XXX.

IX. TERMINATION OF CONDITIONAL USE PERMIT:
Pursuant to Lewiston City Code § 37-160, authorization of a conditional use permit shall be void after twelve (12) months unless:

- (1) A building permit pursuant thereto has been applied for;
- (2) Where no building permit is required, the intent of the conditional use has been fulfilled; or

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR CUP~~xx-xxxxxx~~

Page 1 of 3

(3) Substantial progress towards completion of the project has been accomplished, as determined by the community development director.

X. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are:

XI. RELEVANT CRITERIA AND STANDARDS:

The following relevant criteria, standards, facts, and considerations are hereby declared as reasons for the decision on this conditional use permit:

1. The proposed use **(will/will not)** result in conditions that will tend to generate nuisances (such as noise, dust, glare, vibrations, and odors) or, if so, any anticipated nuisances will be appropriately mitigated. Applicable commentary:
2. The proposed use **(is/is not)** a public necessity **(and/but) (is/is not)** justified by the applicant and deemed to be of benefit to the public. Applicable commentary:
3. The character of the proposed use, if developed according to the plan as submitted, **(will/will not)** be in harmony with the area in which it is to be located. Applicable commentary:
4. The proposed use **(will/will not)** endanger the environment or the public health or safety. Applicable commentary:
5. The proposed use **(will/will not)** be in substantial conformance with the Comprehensive Plan. Applicable commentary:
6. Pursuant to Idaho Code § 67-6512, the conditional use permit may be granted subject to the ability of political subdivisions, including school districts, to provide services for the proposed use. Applicable commentary:

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant **could not** take actions to obtain approval, the explanation is:

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant **could** take actions to obtain approval, such actions might include:

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR CUPxx-xxxxxx

Page 2 of 3

NOTICE TO APPLICANT: Every final decision rendered shall provide or be accompanied by notice to the applicant regarding the applicant's right to request a regulatory taking analysis pursuant to Idaho Code § 67-8003. The mailing of a signed and dated copy of this document by the City to the applicant shall constitute compliance with such notice requirement. An applicant denied an application or an affected person aggrieved by a final decision concerning matters identified in Idaho Code § 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinance, seek judicial review under the procedures provided by Title 67, Chapter 52, Idaho Code.

An action or ruling by the Planning and Zoning Commission pursuant to the City of Lewiston Zoning Code may be appealed to the Lewiston City Council by the person who initiated the action before the Planning and Zoning Commission or by any person entitled to notice by mail of the action under section 37-184(b)(2) of the City of Lewiston Zoning Code. Such appeal must be filed within fifteen (15) calendar days after the Planning and Zoning Commission has adopted its written Reasoned Statement of Relevant Criteria and Standards. Written notice of the appeal must be filed with the City Clerk within such fifteen (15) day period. If an appeal is not filed and the fee required by section 37-188 of the City of Lewiston Zoning Code is not deposited with the City Clerk within such fifteen (15) day period, the decision of the Planning and Zoning Commission shall be final.

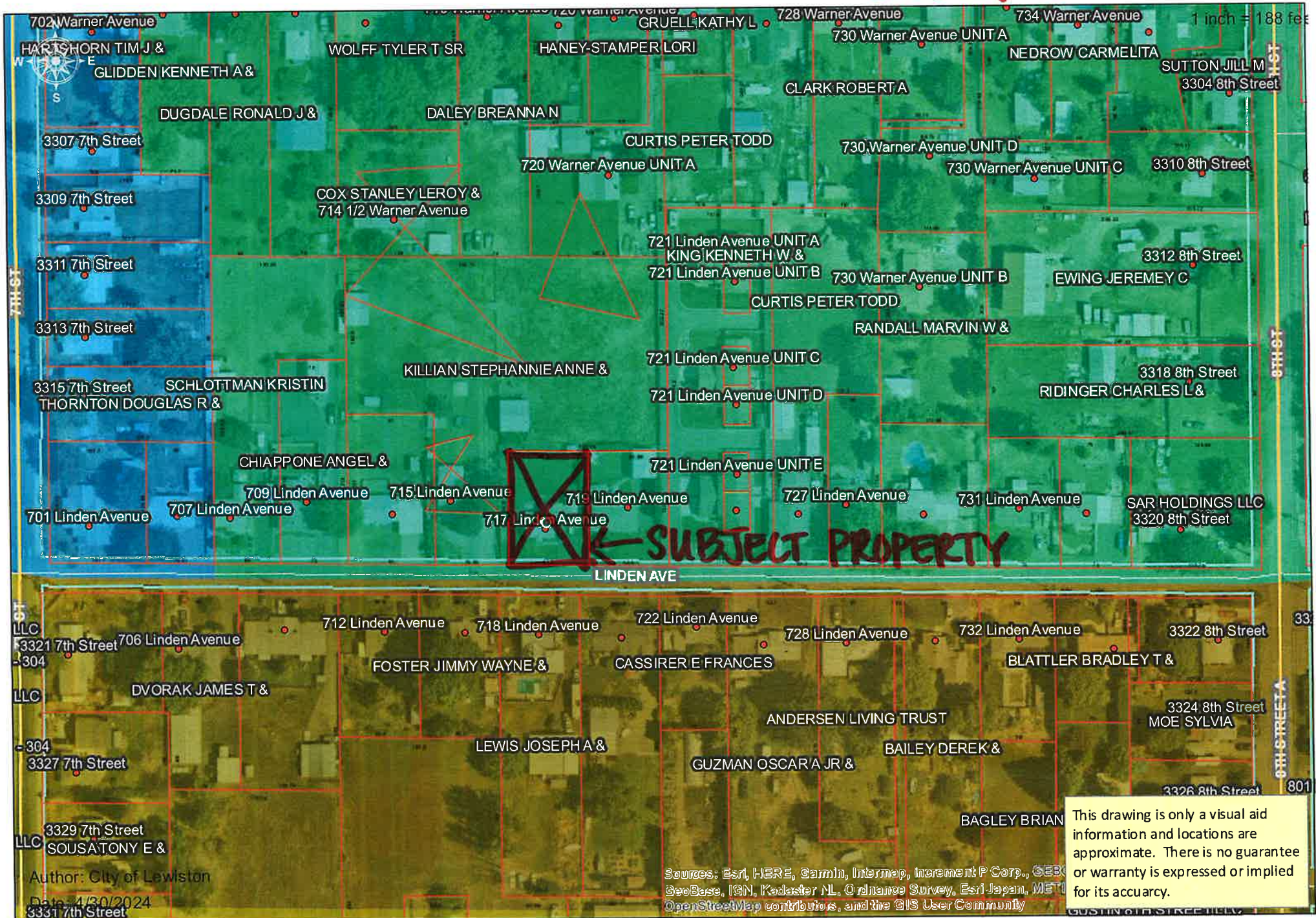
By: _____
Signature of Planning and Zoning Commission Chair or Vice Chair or Acting Chair

Printed: _____

Date of Signature: _____

ATTEST: _____
Tanya Brocke, Community Development Specialist





**STAFF USE ONLY**Case Number: CUP 24-000002Hearing Date: 5-8-2024

Nature of CUP Application: _____

Home Occupation
utilizing more than
25% of the home or
accessory building.**APPLICATION FOR CONDITIONAL USE PERMIT**

(Pre-application meeting strongly encouraged)

Conditional use means a use permitted in a particular zone district upon showing that such use in a specified location will comply with all the conditions and standards as specified in Chapter 37 of the City Code, including any additional conditions of approval recommended by the Planning and Zoning Commission.

Pursuant to Idaho Code Section 67-6512(f), exceptions or waivers of standards, other than use, in the Zoning Chapter may be permitted by the Commission through issuance of a conditional use permit only when the exceptions or waivers of standards are incidental to the conditional use permit being considered by the commission.

By submitting this application to the City of Lewiston you are entering a quasi-judicial process. As such, you must not discuss the application with any member of the Lewiston Planning and Zoning Commission, or the Lewiston City Council, outside of the public hearing at which this matter will be heard.

APPLICANT INFORMATIONFull Name: Tye Loretta Date: 3-25-24
Last First M.I.Address: 717 Linden Ave
Street Address Apartment/Unit #
Lewiston Id 83501
City State ZIP CodePhone: 208-743-1974 Email: nwnaturalhealthcarellc@hotmail**OWNERSHIP INFORMATION**Property Owner Name: Loretta TyePhone: 208-790-4066 Email: lorettatye333@gmail.comMailing Address: 717 Linden Ave Lewiston Id 83501

PROPERTY INFORMATION

Street Address of Subject Property: 717 Linden Ave

Subdivision Name: 45900

Block: _____

Lot: _____

OR attach the most current deed if not part of a subdivision.

Property Zoning: RZA

Low Density Residential

NATURE OF YOUR REQUEST

PLEASE ANSWER THE FOLLOWING QUESTIONS ON A SEPARATE SHEET OF PAPER.

1. Please describe the nature of your conditional use request. You should address pertinent issues, which may include: number of employees, hours of operation, anticipated traffic volume increase, health, safety, compatibility with neighboring land use, site access, on-site traffic flow, off street parking, loading/unloading, pick-up/drop-off, landscaping, and other planned on-site improvements.
2. What public facilities and utilities are available to serve your site? Describe the adequacy to serve the use requested. You should provide specific information regarding water supply, sewage, traffic impacts, stormwater detention and drainage, garbage service and other pertinent utilities and services.
3.
 - a. Will the proposed use result in conditions that will tend to generate nuisances (including but not limited to noise, dust, glare, vibrations, odors and the like) and, if so, how will the nuisances be mitigated?
 - b. Describe how/why the proposed use is a public necessity or, if it is not, describe how it is a benefit to the public.
 - c. Describe how the character of the proposed use, if developed according to the plans as submitted, will be in harmony with the area in which it is to be located.
 - d. Describe how the proposed use will not endanger the environment or the public health or safety.
 - e. Describe how the proposed use will be in substantial conformance with the comprehensive plan of the city.

PLAN INFORMATION

Site plans and floor plans are required. Floor plans shall accurately depict room sizes and uses, as well as doorways, windows, walls, hallways and stairways. Building elevation drawings may also be required, as determined by the City Planner.

Site plans shall include the following:

- ☐ Property lines, including dimensions;
- ☐ Street address or legal description;
- ☐ North arrow and scale;
- ☐ Setbacks between buildings and property lines;

- ☐ All building locations, size and uses, labeled as existing and/or proposed;
- ☐ Driveways and parking spaces;
- ☐ Landscaping;
- ☐ Location of garbage dumpsters
- ☐ Other information, as directed by the Community Development Director, necessary to fully explain and describe the nature of the request.

The plans, as approved or modified by the Planning and Zoning Commission, shall be deemed a part of the applicant's conditional use permit and all use and development shall comply with the plans, application and conditions of approval set by the Planning and Zoning Commission, as well as all applicable City Codes. Nothing in a conditional use permit approval shall be interpreted as allowing the owner or applicant variation from current ordinances that were not specifically addressed at the time of conditional use permit approval.

APPLICATION SUBMITTAL AND PROCESSING

Incomplete applications will not be processed.

Application fee must be paid at the time of submittal.

Expect a five to seven working day application review period prior to commitment to schedule the required public hearing. Corrected or additional information may be required after application submittal, based upon application review.

APPLICANT'S CERTIFICATION

The applicant(s) hereby certifies that the information contained in this application is true and correct to the best of my/our knowledge.

Signature of Applicant: _____

Corretta J. Pyle

Date: 3/27/24

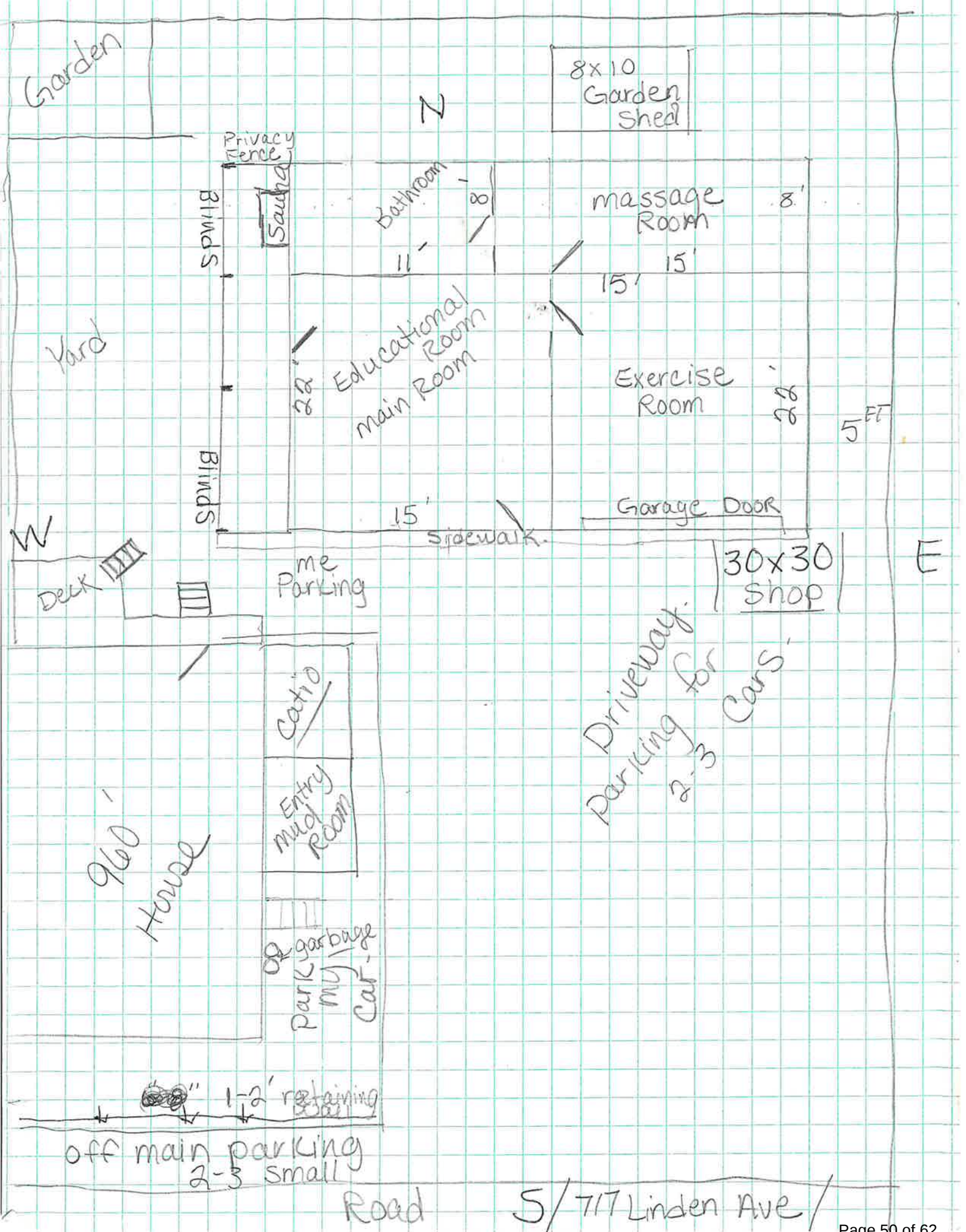
The Property Owner hereby authorizes this application:

Signature of Owner: _____

Corretta J. Pyle

Date: 3/27/24





march 27, 2004

I am applying for a conditional use permit in order to offer and promote natural healing modalities to clients and persons interested in taking responsibility for their state of health and wellness.

Classes will be conducted in main room and specified exercise room. Sauna will be available on the covered patio. Clients choosing to learn about growing herbs may utilize the garden space.

Class size will be limited to 5-6 participants based on parking availability. Classes will be up to 1 hour in duration and may commence between the hours of 7:30 AM - 6:30 PM. At this time I am the only instructor, in the future there may be guest instructors.

Classes may include but not limited to: breathwork, meditation, MAT Pilates, Reformer Pilates, Postural alignment, muscle retraining, strength training for balance, Nerve flossing, traction, hands on adjustments for postural balance, Yoga infusion, herbal remedies, growing & processing herbs & veggies, vibrational healing (sound therapy) and sauna.

Along with the many modalities of massage that I offer, it is my goal to create an environment for the body, mind and spirit to thrive throughout all phases of life, to encourage each client to take personal responsibility for their health and in so doing encouraging and empowering members of their own families and inner circle. Using a common sense approach I feel we can get better together.

Forretta Jye C.M.M.P.

Credentials
ACSM (American College of Sports Medicine)
Group Exercise Cert '98
NASM (National Association of Sports Medicine)
Personal Trainer
NCBTMB (National Cert. Board Massage & Bodywork)
Professional Board Cert '98
AMTA (American Massage Therapy Assoc.)
Professional Member '98
cmmp (Certified Medical Massage Practitioner)
2009 Licensed Id. # WA.
ERYT (Experienced Registered Yoga teacher).
over 500 hrs training, taught over 2000 class
CPR (certified)
Bootcamp (I created and ran this program 2006-2013)

I have spent the last 25+ years helping clients; feel better, get stronger, reduce anxiety, & be more competitive, to name a few.

I am thankful to be able to work from my home and continue to offer services that not only improve the quality of life for my clients and the community at large. By promoting natural healthcare we all win.

Benefits of Breathwork/meditation

- increased lung capacity
- Reduce stress and anxiety
- improve quality of sleep
- improve exercise performance
- improved focus / coping skills

Benefits of Exercise

- increased strength and balance
- Reduced stress and anxiety
- maintenance of low BMI
- Decreased Blood pressure (better circulation)
- increased ~~more~~ longevity
- improved posture
- improved detox capability
- increased overall Energy

Benefits of Sauna

- Release of toxins
- Elevate HR → increased blood flow
- accelerated Caloric burn
- increased immune system
- stress reduction
- weight loss
- Cardiovascular Conditioning
- Reduction in arthritic and muscular pain
- Enhanced skin tone.

BEMER Therapy

Bioelectromagnetic energy Regulation

Benefits: increased circulation
increased Cellular detoxification
accelerated wound healing
reduction of stress

Any and all of these healing modalities are ~~proven~~ helpful adjuncts to daily living.

Improving landscaping and creating a positive environment for natural healing has positive impacts on neighborhood.

1-2, 1 hour Classes/day will keep traffic ~~to~~ to a minimum.

There will be no excessive garbage or water use.

Landscaping

Front Yard

Retaining wall (short/front off road parking

Back yard - 2 ft along fence line river rock -
2 ft along N + W side of building River Rock
pavers from house to shop.

periodic decorative fence & grasses
along fence line.

paver path to garden shed in back.

Roll down blinds (privacy) off covered
(sauna) porch.

Fencing N side of covered porch (privacy)

Exercise Room -

Install 2-3 6'x6' mirrors

Install floor mats -

I

Location 717 Linden Ave
Lewiston, Id.
83501

The west 83.94 feet of the East 167.87 feet
of the South 135 ft. of Lot 3, Block 9,
Lewiston Orchard Tract NO. 1, according to
the recorded plat thereof, records of Nez Perce
County, Idaho measurements being from the
centerlines of adjacent streets and alleys.



PERMIT APPLICATION
COMMUNITY DEVELOPMENT DEPARTMENT,
215 'D' ST, P.O. BOX 617, LEWISTON, ID 83501
PHONE: (208) 746-1319 EXT. 0 FAX (208) 746-5595

JOB ADDRESS: 717 Linden Ave. Lewiston

NAME	MAILING ADDRESS	PHONE	CELL	FAX
Loretta Tye BUILDING OWNER	717 Linden		208-746-4066	
Pole Barn Willys LLC CONTRACTOR	609 Burrell Dr.		208-503-9263	
TENANT (commercial or MFH in park)				
ARCHITECT/DESIGNER				
ENGINEER				

DESCRIBE WORK: 30X30X10 w/ 8X30 Roof only lean to
900 sq ft 240 sq ft 900 sq ft 1140 sq ft

IS THIS WORK IN AN ACCESSORY STRUCTURE? YES OR NO ESTIMATED PROJECT VALUATION: \$ 37,200

PROPOSED USE OR TYPE OF BUSINESS: Garage, massage room

COMMERCIAL PROJECTS ONLY (please provide):	LOT OR PARCEL SIZE - SQ FT	TOTAL PARKING AREA - SQ FT	NUMBER OF PARKING SPACES	NUMBER OF EMPLOYEES

IBC TIME LIMITATION OF APPLICATION: An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Separate permits are required for electrical, plumbing, heating, ventilation or air conditioning and work in the Right-of-Way

PLAN REVIEW FEE DUE AT TIME OF SUBMITTAL. PLAN REVIEW FEE IS NON-REFUNDABLE.

TO PROMOTE SAFE EXCAVATION PLEASE REFER TO STATE OF IDAHO STATUTE 55-22 AND CALL 811 BEFORE STARTING WORK

I hereby certify that I have read and examined this application and know the same to be true and correct.

Signature of Owner <u>William Woehler</u>	Date <u>9/17/23</u>	Print Name <u>William Woehler</u>	Project Title (contractor, architect, etc.) <u>Contractor</u>
Signature of Authorized Agent	Date	Print Name	

FOR STAFF USE ONLY			
Application Accepted by & Date Received:	Permit Number:	Permit Fee:	\$
Bluebeam Number:		Plan Review Fee:	\$
Plan Review Completed Date:	Approved for Issuance by:	Total Due:	\$

Reviewed for Code Compliance
09/25/2023

9/19/2023



City of Lewiston
Permit Center
215 D Street / P.O. Box 617
Lewiston, ID 83501
(208) 746-1318



cc

Residential Plan Review Fee Invoice

ESTIMATE

Applicant: _____
Job Address: _____
Job Description: _____

Estimated Valuation: \$ 34,499.59

Code	Description	Amount	Total
3200	Building Permit Fees	\$ 608.01	
3205	Plan Review Fees 65% of permit fee	\$ 395.21	
TOTAL			\$ 1,003.22

Miscellaneous Fees:

Plan Review Fee Amount Due: \$ 395.21

Staff Use Only	
File #:	
Permit #:	BP22-000
Notes:	Electrical, Mechanical and Plumbing require separate permits

All fees are valid from 10/01/2022 to 09/30/2023

** The Permit and Plan Review Fees were based on an estimate of the project valuation at the time of submittal.

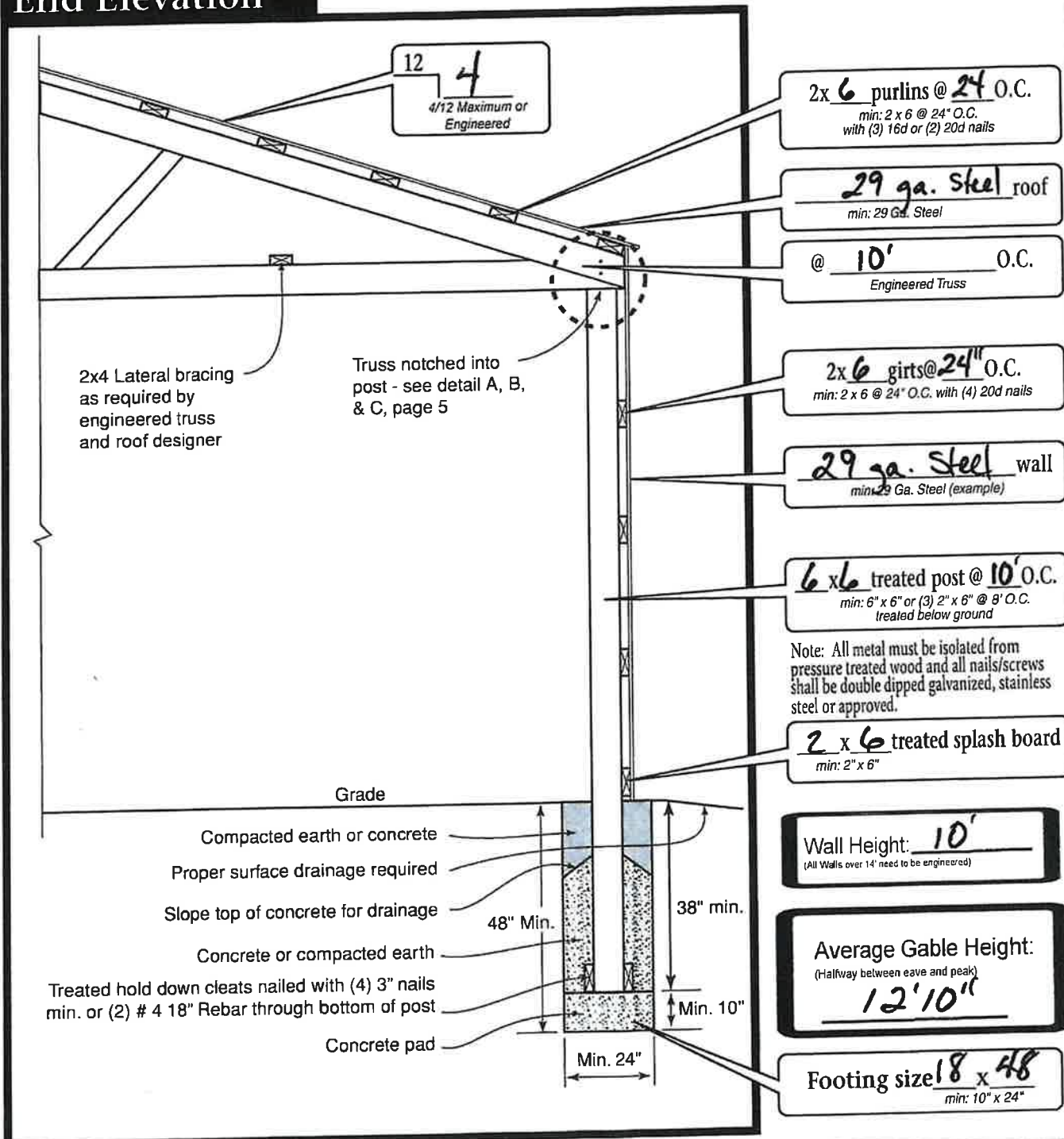
** An adjustment may be made at time of permit approval if the valuation is changed after plan review

Reviewed for Code Compliance

09/25/2023

Pole Barn Construction

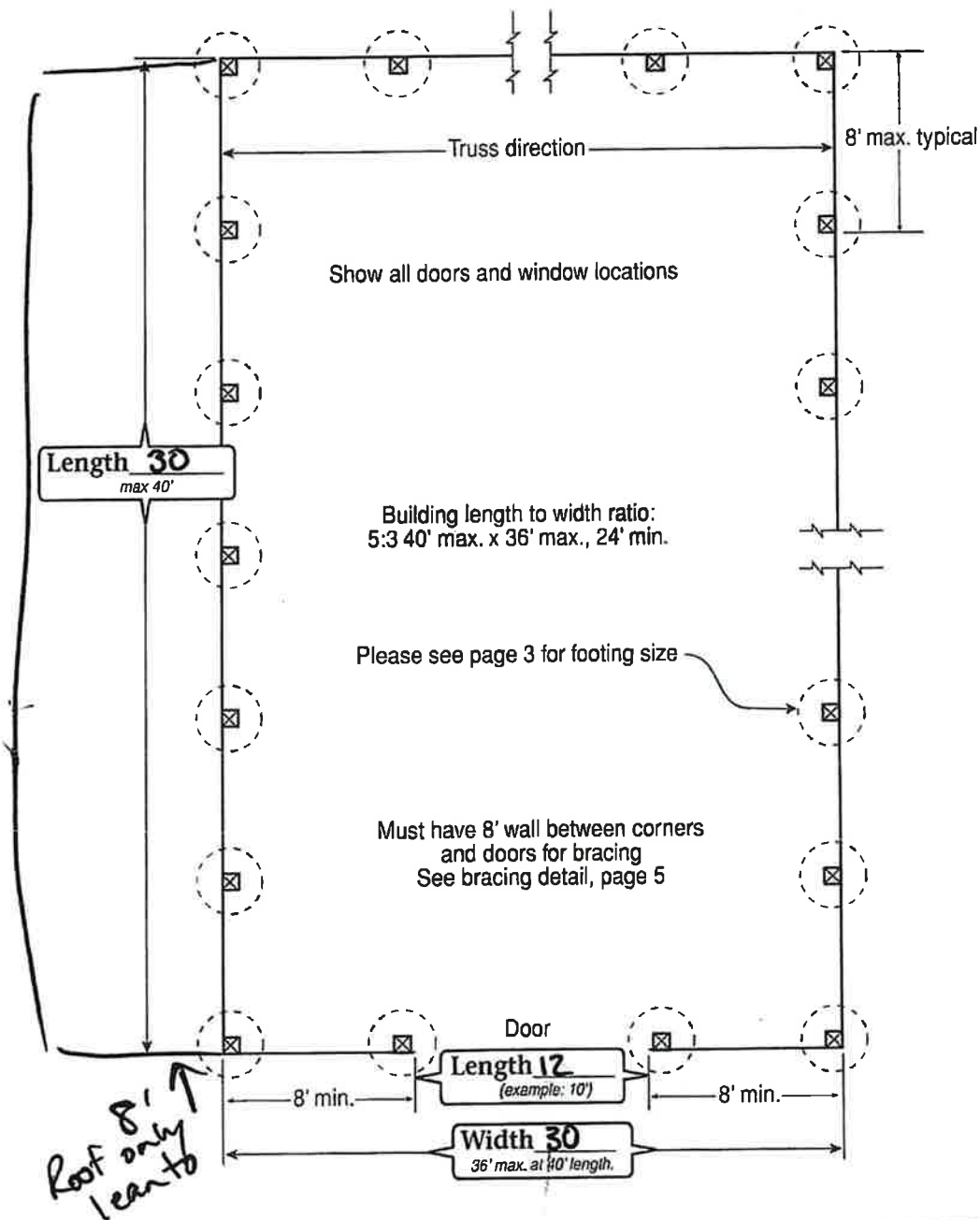
End Elevation



This handout was developed by the City of Lewiston, Community Development Department as a basic plan submittal under the 2012 International Residential Code. It is not intended to cover all circumstances. Check with your Department of Building Safety for additional requirements.

Pole Barn Construction

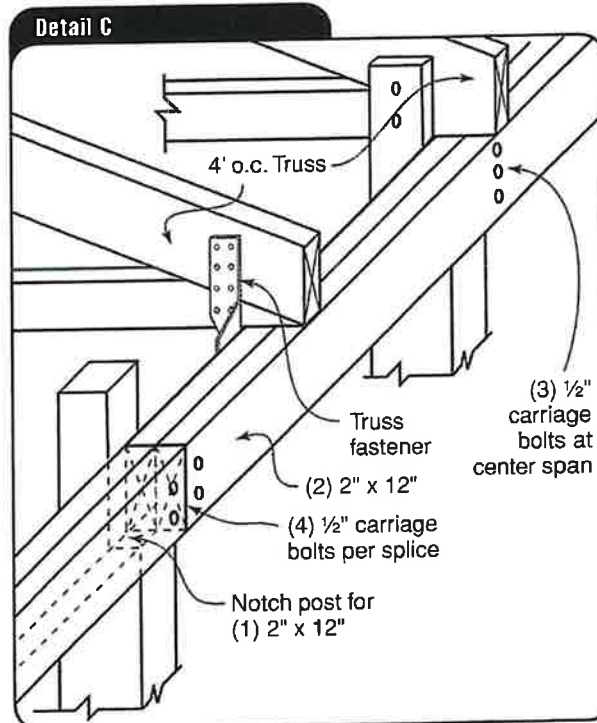
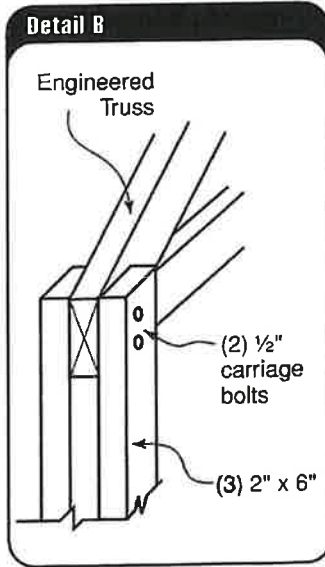
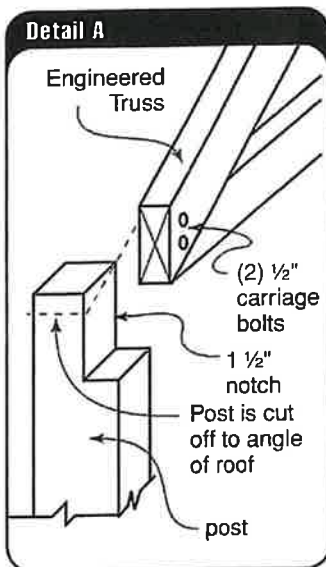
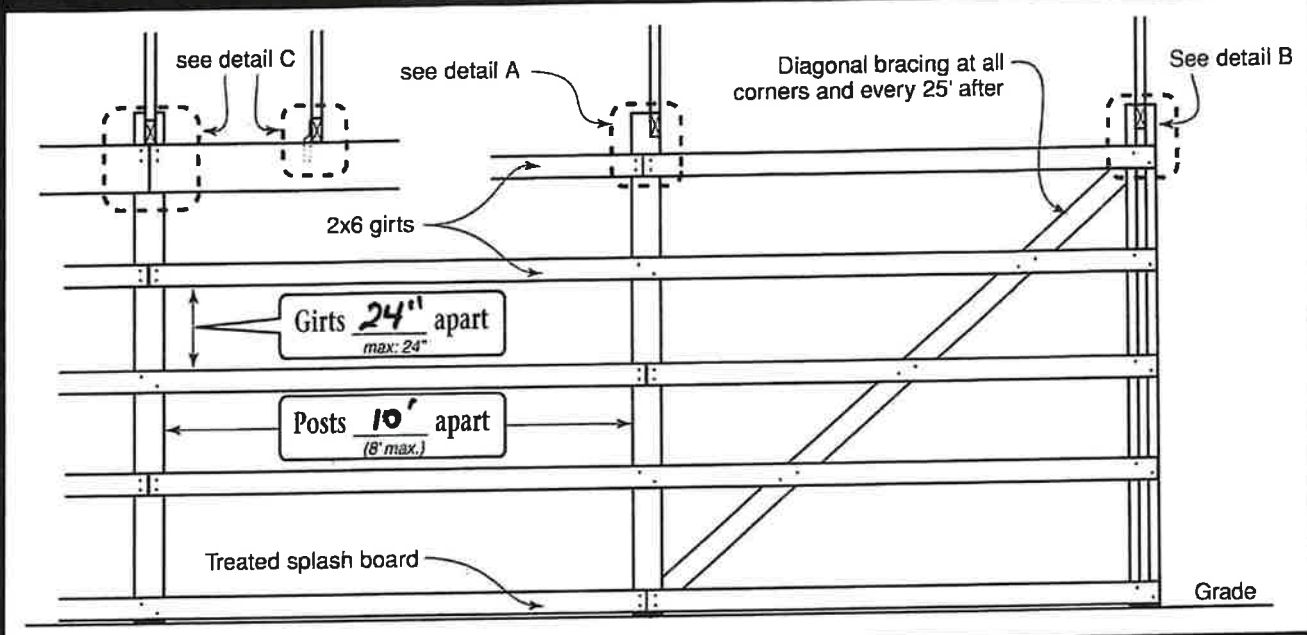
Floor plan



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Pole Barn Construction

Side Elevation



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City of Lewiston



09/25/2023