



**Lewiston Planning & Zoning Commission
REGULAR MEETING AGENDA
June 26, 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.

III. ACTIVE AGENDA

A. APPROVAL OF JUNE 12, 2024 MEETING MINUTES (ACTION ITEM)

B. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND RECOMMENDATION TO CITY COUNCIL ON ZONING CODE AMENDMENT, ZA-02-24, SHIPPING CONTAINERS (ACTION ITEM): Lewiston City Code, Sec 37-129 prohibits the use of shipping containers as storage buildings in all zoning districts except the Industrial, Port and Airport Zoning Districts. Lewiston City Council, at their work session meeting on June 3, 2024, directed staff to begin the public hearing process to remove this prohibition from city code. A related amendment to the definition of "building" in city code is also proposed. The Planning and Zoning Commission will consider this matter and make a recommendation to City Council to approve or deny this proposal. - Action Item

IV. STAFF-COMMISSION COMMUNICATIONS

A. QUERY OF COMMISSIONERS FOR THE JULY 10, 2024 MEETING (PUBLIC HEARING ON ZA-01-24, REMOVAL OF PUBLIC WORKS REQUIREMENTS FROM THE ZONING CODE).

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.

June 12, 2024

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

I. CALL TO ORDER

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

COMMISSIONERS EXCUSED: None.

STAFF MEMBERS PRESENT: Joel Plaskon, City Planner; Jennifer Tengono, City Attorney; Dawn Ortiz, Community Development Office Supervisor; Pat Severance, Development Engineer;

II. CITIZEN COMMENTS

None

III. ACTIVE AGENDA

A. APPROVAL OF MAY 22, 2024 MEETING MINUTES (ACTION ITEM)

Commissioners Branson and Iacoboni moved and seconded, respectively, approval of the May 22, 2024 meeting minutes. The motion carried 7-0.

B. INITIATION OF ZONING CODE AMENDMENT (ACTION ITEM):

City Planner Plaskon reviewed that the items recommended for removal from the zoning code are more appropriately dealt with in other sections of the code, such as Public Works, as it causes confusion having those requirements in the zoning code when the Planning and Zoning division does not have the jurisdiction over those items.

Commissioner Kelly asked if the sections being removed from zoning code were covered by in code in other chapters.

Pat Severance, Development Engineer, stated that yes, Public Works has code that covers right of way improvements and dedications and that Public Works is also working on updating their section of city code to make the processes more clear.

Chair Ball asked if there would be references to those code sections in place of the language that was being removed. City Planner Plaskon stated no, there would not be references, as the information is not zoning related and developers should

be looking at Public Works code for information about Public Works related improvements.

Commissioner Kelly and Anderson moved and seconded, respectively, to initiate the zoning code amendment to remove provisions under the authority of the Public Works Department. Motion carried 7-0.

IV. **STAFF-COMMISSION COMMUNICATIONS:**

Commissioner Branson asked if it was possible to have a yearly recap on what was accomplished with the Comprehensive Plan. She also asked if the Commissions bylaws should be updated since they were last updated in 2020.

Chair Ball asked if there was a year end recap already in place.

City Planner Plaskon stated no, there was not something like that already in place.

Commissioner Iacoboni asked if the Commission was able to create subcommittees if they were interested in pursuing a review or anything else.

City Planner Plaskon stated that the Commission was able to form subcommittees whenever they wanted but he would recommend waiting till the new Comprehensive Plan had been adopted by City Council. He also stated that an annual recap of the associated work plan was a good idea and could be done moving forward.

City Attorney Tengono stated that zoom meetings and other items like that were already covered in city code and the bylaws do not need to reflect that information.

A. Query of Commissioners for June 26, 2024 meeting.

Commissioner Anderson will be absent, all other commissioners present should be in attendance of the June 26, 2024 meeting

V. **ADJOURN**

There being no further business, Commissioners Iacoboni and Branson moved and seconded, respectively, to adjourn. The motion carried 7-0 and the Planning and Zoning Commission adjourned at approximately 5:44 p.m.

RESPECTFULLY SUBMITTED,

Dawn Ortiz,
Recording Secretary

Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this _____ day of _____, 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 on

Wednesday June 26, 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 proposal:

ZONING CODE AMENDMENT, ZA-02-24, SHIPPING CONTAINERS: Lewiston City Code, Sec. 37-129 prohibits the use of shipping containers as storage buildings in all zoning districts except the Industrial, Port, and Airport Zoning Districts. Lewiston City Council, at their work session meeting on June 3, 2024, directed staff to begin the public hearing process to remove this prohibition from city code. A related amendment to the definition of "building" in city code is also proposed. The Planning and Zoning Commission will consider this matter and make a recommendation to City Council to approve or deny this proposal.

FOR FURTHER INFORMATION contact the Community Development Department at (208) 746-1318, Planning and Zoning Extension.

Hearing notice publication date: Sunday June 9, 2024.

ZA-02-24, SHIPPING CONTAINERS

~~Sec. 37-129. Use of prefabricated containerized transport units as accessory buildings or storage units.~~

~~(a) — The use of prefabricated containerized transport containers or dry freight containers as accessory buildings or storage buildings shall not be permitted in the City of Lewiston on property with residential (R), local commercial (C-1), tourist commercial (C-2) or central commercial (C-5) Zones. Said units may be placed on other property zoned commercially (C-3, C-4 or C-6) on a temporary basis subject to the following limitations:~~

- ~~(1) — The unit may not be placed on the property for longer than a period of ninety (90) days in any calendar year;~~
- ~~(2) — The unit shall not be located in any setback required in the zone nor may it be placed in any clear vision area or required landscaping area;~~
- ~~(3) — The unit shall not be located so as to reduce the number of parking or loading spaces below the minimum required for the use of the property;~~
- ~~(4) — Any such unit placed with ancillary compressors, chillers or other similar devices which produce audible noise shall be so placed and located so that the noise generated by said device shall be inaudible from any adjacent residential uses.~~

~~Said temporary uses shall be subject to the approval of the community development department upon receipt of a site plan clearly showing the following information:~~

- ~~(1) — The location of the existing buildings, structures, parking and loading areas, required landscaping and setbacks, signs and other physical features of the site;~~
- ~~(2) — Use of adjacent properties;~~
- ~~(3) — Size and location of the unit proposed to be located on the site and the proposed use of said unit;~~
- ~~(4) — Other information as may be reasonably required by the community development department in order to properly evaluate the request.~~

~~A building permit shall be required for the placement of these structures; said permit shall be in conformance with the requirements for said permits under the Lewiston City Code.~~

~~(b) Said units may be placed on any property zoned port (P), airport (A) or manufacturing (M) subject to the receipt of a building permit and conformance to the setback requirements of the zone in which the unit is to be located.~~

~~This prohibition does not preclude their use in conjunction with bona-fide shipping and transport activities.~~

(Ord. No. 4108, § 2, 8-15-94)

Sec. 37-3. Definitions.

As used in this chapter:

Building means any structure having a roof supported by walls, posts, or columns and built for the shelter of persons, animals, or property of any kind. This term shall include shipping, ocean, intermodal, and sea cargo containers and prefabricated containerized transport units.