



**Lewiston Planning & Zoning Commission
REGULAR MEETING AGENDA
July 10, 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.

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 26, 2024 MEETING MINUTES (ACTION ITEM)

- B. PRELIMINARY PLAT – DRAKE ADDITION (ACTION ITEM):** The applicant proposes to re-plot Lot 2 of Block 1, of the Pupo Addition, which consists of approximately 2.01 acres of land into 5 lots. The Commission will consider the associated Reasoned Statement of Relevant Criteria and Standards and make a recommendation to City Council. - Action Item ()

- C. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND RECOMMENDATION TO CITY COUNCIL ON ZONING CODE AMENDMENT, ZA-01-24, PUBLIC WORKS REQUIREMENTS IN THE ZONING CODE (ACTION ITEM):** The Commission will consider a Zoning Code Amendment to remove from the Zoning Code various provisions throughout zoning districts that are under the authority of the Public Works Department, such as but not limited to requirements for the installation of street improvements and dedication of street right of way. The Commission will make a recommendation on this matter to the City Council. - Action Item ()

IV. STAFF-COMMISSION COMMUNICATIONS

- A. QUERY OF COMMISSIONERS FOR THE JULY 24, 2024 MEETING.**

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 26, 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; Kevin Kelly; Kathy Branson; Shaunita Cable; Emily Wolf;

COMMISSIONERS EXCUSED: Maureen Anderson;

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

II. CITIZEN COMMENTS

None

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

Vice Chair Iacoboni and Commissioner Branson moved and seconded, respectively, approval of the June 12, 2024 meeting minutes. The motion carried 6-0.

IV. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND RECOMMENDATION TO CITY COUNCIL ON ZONING CODE AMENDMENT, ZA-02-24, SHIPPING CONTAINERS (ACTION ITEM)

Chair Ball explained the public hearing process, opened the public hearing and asked for a staff presentation.

Staff Plaskon provided a verbal summary of the zoning code changes for placement of shipping containers within City limits. Staff Plaskon stated that this was brought to City Council's attention and they direct staff to start the public hearing process and that is why it is in front of the commission tonight.

Commissioner Kelly asked if staff knew why they prohibited storage containers in the first place.

Staff Plaskon stated that storage containers were not considered pleasant to look at, so they were not allowed in City Limits.

Chair Ball asked if there had been any action to the violations and are the existing containers grandfathered in.

Staff Plaskon stated that no action has been taken, as it is on a complaint basis and the existing containers are not legal so they cannot be grandfathered in.

Commissioner Cable expressed concerned that there is no action taken now for the illegal structures how will the City mitigate if moving forward.

Staff Plaskon stated that is a policy that would be set forth by City Council and there has not been given any information on that policy yet. When there is a prohibition against something in City Code and the community continues to do it, that is a sign that there is a demand and the community has a want the City is not meeting. One of the primary purposes of doing this is that at least it gives them the option to do it legally.

Commissioner Cable states she sees it as they are doing it because it is not enforced and they can get away with it.

Vice Chair Iacoboni stated that there is an aspect of self-regulation of having it in code, instead of just everyone is in violation.

Commissioner Wolf asked if it complaint driven then what is the follow up.

Staff Plaskon stated that the Community Resource Officer would be sent out, to verify the violation and the homeowner would be notified of the violation and they would have either to remove the structure or acquire a building permit.

Chair Ball asked staff if the City Council requested this be removed from code.

Staff Plaskon stated yes.

Commissioner Wolf asked if any additional land use applications would be required for placement of a storage container such as a conditional use application.

Staff Plaskon stated no, just a building permit unless they use the storage container for something besides storage.

There being no public comment Chair Ball closed the public hearing.

After deliberation and discussion, Commissioner Branson and Vice Chair Iacoboni moved and seconded, respectively, to recommend approval of ZA-02-24 to the City Council. Motion passed 6-0.

V. 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)

All Commissioners present stated they shall be in attendance at the July 10, 2024 meeting, beside Commissioner Kelly who will not be present.

Staff Plaskon stated at the July 8th, 2024 City Council meeting there will be a resolution for adoption of the Comprehensive Plan.

VI. ADJOURN

There being no further business, Commissioner Kelly and Branson moved and seconded, respectively, to adjourn. The motion carried 6-0 and the Planning and Zoning Commission meeting adjourned at approximately 5:47 p.m.

RESPECTFULLY SUBMITTED,

Dawn Ortiz,
Recording Secretary

Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this _____ day of _____, 2024.



July 2, 2024

To: Lewiston Planning and Zoning Commission

Re: Drake Addition - Preliminary Plat (SUB24-000004)

Commissioners:

The Drake Addition preliminary plat proposes to re-plat Lot 2 of Block 1, of the Pupo Addition, which consists of approximately 2.01 acres of land, into five lots. The property is located north of Cedar Avenue between 20th and 21st Streets. Three of the proposed lots in the subdivision will be "standard" lots which have frontage on improved Cedar Avenue, that exceed the minimum required lot width for the zone. The remaining two lots in the subdivision are "flag lots" configured in conformance with Section 37-124 of City Code. An existing residence, located on the proposed Lot 1, currently occupies the property. Because the property was previously platted in 2018, the required frontage improvements have already been satisfied, and no additional right-of-way dedications or easements are required. The property is located in the Lewiston Orchards Irrigation District, and L.O.I.D. will provide water service for the proposed lots. An existing City sewer main is also located in Cedar Avenue, and the proposed lots will be eligible to receive City sewer service. Avista Utilities, CenturyLink/Lumen Technologies, and Sparklight have also confirmed their intent to provide utility service to the development.

The subject property is currently zoned R1, and the proposed lot configurations adhere to the requirements of the R1 zone, as outlined in the City of Lewiston Zoning Ordinance, City Code Chapter 37.

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

City Staff recommends that the Lewiston Planning and Zoning Commission recommend to the Lewiston City Council approval of the Drake Addition preliminary plat as presented.

Sincerely,

Mark Weigand, PLS
City Surveyor

T 35 N, R 5 W, S 14

DRAKE ADDITION

Administrative Plat of Lot 2 of Pupo Addition to the City of Lewiston, located in Section 14, T35N, R5W, Boise Meridian Nez Perce County, Idaho

FUTURE DEVELOPMENT
Future development of the lots created by this subdivision plat require building permits based on plans complying with all City of Lewiston codes, duly adopted at the time of development, governing construction of buildings and adjacent public improvements. Prior to developing a lot the owner or perspective owner is responsible for due diligence research to apprise themselves of all development requirements. These requirements may or may not have been identified during the subdivision process and may or may not be shown on the plat. The City of Lewiston is not responsible for any losses, financial or otherwise, resulting from the unsuitability of a lot for a specific use.

PLAT NOTES
1. No fencing beyond front plan of garage on Lot 1 that adjoins fire lane. No fencing beyond where property starts to angle towards Cedar Ave adjoining with fire lane on Lot 3. No fencing taller than 3' beyond front plan of house/garage between Lots 1&2 also Lots 2&3.

LEGAL DESCRIPTION
Lot 2, Block 1 Pupo Addition to City of Lewiston per the recorded plat thereof, Inst. No. 866084.

Containing 2.01 Acres, more or less.

CITY NOTES
1. Existing Zoning Classification - R1 Suburban Residential
2. Sanitary Sewage Disposal - City of Lewiston
3. Franchise Utility Providers - Avista, Lumen, Sparklight

BASIS OF BEARINGS
The Basis of Bearings for this survey is the Idaho Coordinate System, Transverse Mercator Projection, West Zone, NAD 83 (2011), Epoch 2010 as shown between the found centerline monuments at the intersections of Cedar Avenue and 20th Street and Burrell Avenue and 20th Street, said bearing being N 00°50'07" E. The project GPS control coordinates were derived from an NGS OPUS solution from the following base (CORS) stations:

DG8521 IDNP GRANGEVILLE APT CORS ARP
DL6886 LW51 LEWISTON CORS ARP
DL7745 P372 ENTERPRISEOR2007 CORS ARP

Distances shown hereon are in US Survey Feet and have been scaled to represent actual ground distances at survey control point 2 (N:1719191.11, E:2327311.03, Ortho. El.:1492.04). The combined state plane and sea level scale factor applied at point 2 is 1.0003415116. Geodetic north is an angular rotation of (-)0°51'10" at survey control point 2.

SURVEYOR CERTIFICATION
This map correctly represents a survey made by me or under my direction in conformance with the Survey Recording Act. This survey map was prepared at the request of Daniel Drake, in June, 2024.

Tamara L. Wardle - Idaho Professional Land Surveyor
22509
4/6/24
STATE OF IDAHO
TAMARA L. WARDLE

RIM ROCK CONSULTING, INC.
Land Surveying
Site Planning
Mapping
125 West 3rd Street #102 Moscow, Idaho 83843 208-883-0339 rimrock@rimrockconsulting.net

CITY ENGINEER'S CERTIFICATE

I hereby certify that this plat complies with the subdivision ordinances of the City of Lewiston, Idaho.

City Engineer, City of Lewiston, Idaho Date

CITY CLERK'S CERTIFICATE

I hereby certify that this plat the dedicated public rights-of-way, and easements granted within this plat have been approved and accepted by the City Council of Lewiston Idaho, at a meeting held on the day of 2024

City Clerk, City of Lewiston, Idaho Date

COUNTY TREASURER

I hereby certify that all ad valorem taxes and assessments for the property hereon described have been paid for the year 2024 and proceeding years.

Nez Perce County Treasurer Date

PUBLIC HEALTH-IDAHO NORTH CENTRAL DISTRICT

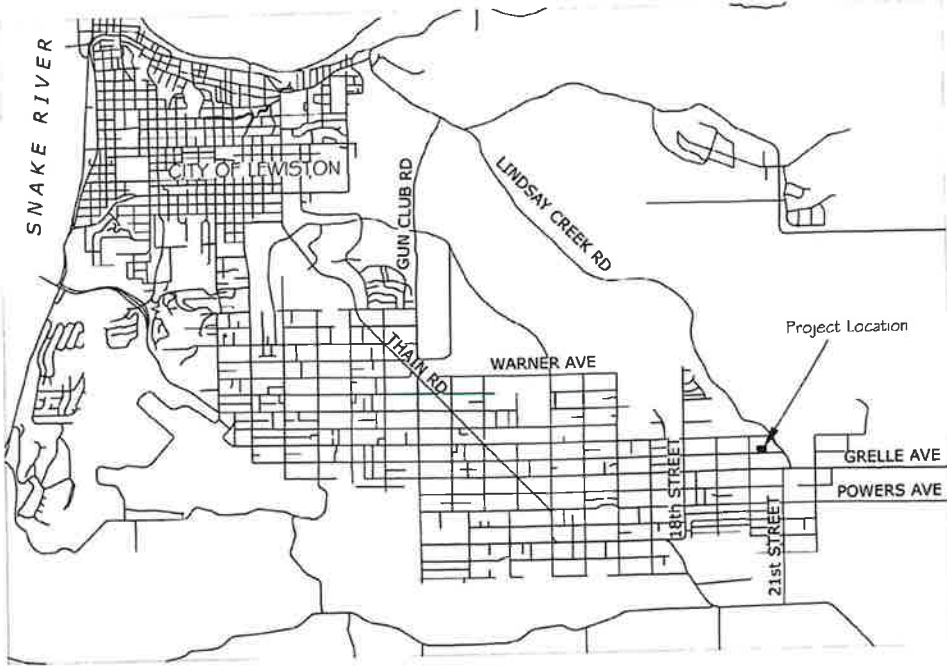
Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.

Health District Signature Date

CITY SURVEYOR'S CERTIFICATE

I hereby certify that I have checked this plat and that it complies with the requirements of TITLE 50, CHAPTER 13, IDAHO CODE.

Surveyor, City of Lewiston, Idaho Date



VICINITY MAP
Not to Scale

OWNERS DEDICATION

Known all men by these presents that Daniel Drake, owner of the land and premises included in this plat have caused said land to be subdivided and platted as shown hereon as an addition to the City of Lewiston, Idaho, to be known as DRAKE ADDITION. The undersigned also declares that this plat is in conformance with the City of Lewiston Subdivision Ordinance. The Lewiston Orchards Irrigation District of Nez Perce County, Idaho, is a political subdivision of the State of Idaho, duly organized and operating under and pursuant to the laws thereof and through an agreement with the United States Secretary of the Interior as administered by the U.S. Bureau of Reclamation. L.O.I.D. has agreed in writing to serve all the lots in this subdivision.

In witness of this declaration, I set my hand:

Daniel Drake Date

ACKNOWLEDGEMENT

State of Idaho } S.S.
County of Nez Perce }

Before me, the undersigned Notary Public, personally appeared Daniel Drake, Known to me to be the person who executed the foregoing owners certificate, a free and voluntary Act and Deed.
In witness thereof, this day of 2024. I set my hand and affix my seal.

Notary Public in and for the State of Idaho

Residing at

My commission expires

SUBDIVIDER

Daniel Drake
2015 Cedar Ave
Lewiston, ID 83501
208-791-3436

DATE	STATE	COUNTY	PROJECT	DRAWN BY
JUNE 2024	ID	NEZ PERCE	DRAKE ALD	TLW

COUNTY RECORDER CERTIFICATE

STATE OF IDAHO, COUNTY OF NEZ PERCE

RECORDED AT THE REQUEST OF

AT THIS DAY OF

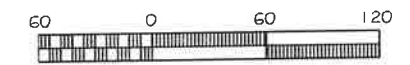
RECORDER

DEPUTY

T 35 N, R 5 W, S 14

DRAKE ADDITION

Administrative Plat of Lot 2 of Pupo Addition to the City of Lewiston, located in Section 14, T35N, R5W, Boise Meridian, Nez Perce County, Idaho



ORIGINAL SCALE : 1" = 60 FEET
CADD FILE : Drake, Daniel ROS.dwg

LEGEND

- Set 5/8" x 30" long rebar w/ aluminum cap L5 22509
- Found 5/8" rebar w/ cap PLS 7379 or as described
- Calculated Position - Nothing Found or Set
- Fd. City of Lewiston Control Monument
- Fd. Centerline Monument

1 Block Number

3 Lot Number

Existing Buildings

Fire Lane - No Parking

(M) Measured

(R) Record Per Survey References

Subject Property Boundary Line

Street Centerline

Street Right of Way Line

Easement Line

Fence Line

Adjacent Property Line

Lewiston Orchards Tract 12 Lot Line

SURVEY REFERENCES

- Warranty Deed Inst. No. 866781
- Pupo Addition, Inst. No. 866084, PLS 7379, April, 2019
- Record of Survey Inst. No. 750478, PLS 7379, Nov. 2007
- Lewiston Orchards Tract 12, Inst. No. 52427

SURVEYOR NARRATIVE

- The purpose of this survey was to locate Lot 2 of Pupo Addition to the City of Lewiston and subdivide it into 5 lots.
- The buildings shown hereon are existing structures on the parcel. No encroachments were observed at the time of this survey.
- Coordinates shown are grid coordinates, Idaho Coordinate System, West Zone, NAD_83(2011). Units are US Survey Feet. Distances shown hereon are ground measured values.

LINE TABLE:			
LINE	BEARING	DISTANCE	RECORD
L1	S 89°08'53" E	30.00'	
L2	N 00°50'07" E	10.00'	
L3	S 89°08'53" E	21.82'	(22.00' R2)
L4	S 89°08'53" E	30.00'	
L5	N 89°11'27" W	40.33'	(40.20' R2)
L6	S 88°54'39" E	18.34'	(18.20' R2)
L7	N 00°23'27" E	16.14'	(16.00' R2)
L8	S 02°03'06" W	15.72'	(15.92' R2)
L9	N 89°08'53" W	30.00'	
L10	N 27°24'00" E	22.36'	
L11	N 44°09'31" W	28.29'	
L12	S 45°53'10" W	28.30'	
L13	S 25°39'31" E	22.35'	

COUNTY RECORDER CERTIFICATE

STATE OF IDAHO, COUNTY OF NEZ PERCE
RECORDED AT THE REQUEST OF _____
AT _____ THIS _____ DAY OF _____

RECORDER _____

DEPUTY _____



RIM ROCK CONSULTING, INC.

- Land Surveying
- Site Planning
- Mapping

125 West 3rd Street #102 Moscow, Idaho 83843 208-883-5339 rimrock@rimrockconsulting.net

SHEET
2
OF
2

City of Lewiston Control Monument #20A Fd. 3" dia. aluminum cap in concrete at the intersection of 16th Street & Warner Avenue
N:1721802.985
E:2322001.038

Pt. 2
N:1719191.11
E:2327311.03

BURRELL AVENUE

BLOCK 92, LEWISTON ORCHARDS TRACT No. 12

JOHNSON SUBDIVISION
Inst. Nos. 481538 & 487883

PUPO ADDITION

PUPO, SHARON & DAVE
PLT #866084

BERNAL, ROBIN
QCD #883476

STAMPER, KENNETH & CYNTHIA
PRD #909237

ROS Inst. No. 750478

MICHAEL E. STEIGERS
PRD #859464

LEACHMAN, DANIEL & CAROL
AGR #463654

Pt 504
N:1718509.55
E:2327623.65

Pt 512
N:1718504.94
E:2327931.68

City of Lewiston Control Monument #17A Fd. 3" dia. brass cap in case at the intersection of 20th Street & Alder Avenue
N:1717184.927
E:2327252.575

DATE	STATE	COUNTY	PROJECT	DRAWN BY
JUNE 2024	ID	NEZ PERCE	DRAKE AID	TLW



**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:**
SUB24-000004
- II. **APPLICANT'S NAME AND ADDRESS:**
Dan Drake
2015 Cedar Avenue
Lewiston ID, 83501
- III. **IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:**
A re-plat of Lot 2, Block 1 of the Pupo Addition, consisting of 2.01 acres, located at 2015 Cedar Avenue, Lewiston, Idaho.
- IV. **IDENTIFICATION OF ZONING DISTRICT AND NEIGHBORHOOD OF SUBJECT PROPERTY:**
Suburban Residential (R-1) Zone, Neighborhood No. 7
- V. **DATE OF CONSIDERATION:**
July 10, 2024
- VI. **NAME OF GOVERNING BODY:**
City of 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 SUB24-000004.

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 administrative 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:

The Drake Addition preliminary plat proposes to re-plat Lot 2 of Block 1, of the Pupo Addition, which consists of approximately 2.01 acres of land, into five lots. The property is located north of Cedar Avenue between 20th and 21st Streets. Three of the proposed lots in the subdivision will be "standard" lots which have frontage on improved Cedar Avenue, that exceed the minimum required lot width for the zone. The remaining two lots in the subdivision are "flag lots" configured in conformance with Section 37-124 of City Code. An existing residence, located on the proposed Lot 1, currently occupies the property. Because the property was previously platted in 2018, the required frontage improvements have already been satisfied, and no additional right-of-way dedications or easements are required. The property is located in the Lewiston Orchards Irrigation District, and L.O.I.D. will provide water service for the proposed lots. An existing City sewer main is also located in Cedar Avenue, and the proposed lots will be eligible to receive City sewer service. Avista Utilities, CenturyLink/Lumen Technologies, and Sparklight have also confirmed their intent to provide utility service to the development.

The subject property is currently zoned R1, and the proposed lot configurations adhere to the requirements of the R1 zone, as outlined in the City of Lewiston Zoning Ordinance, City Code Chapter 37.

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

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 currently zoned R-1, and the proposed lot configurations adhere to the requirements of that zone as outlined in the City of Lewiston Zoning Ordinance, City Code Chapter 37.

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 currently zoned R-1, and the proposed lot configurations adhere to the requirements of that zone as outlined in the City of Lewiston Zoning Ordinance, City Code Chapter 37.

4. The proposed subdivision **will** be in conformance with the Lewiston Comprehensive Plan's requirements and objectives. Applicable commentary:

The proposed plat adheres to the requirements for the R-1 Zone which 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.

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.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR SUB24-000004

Page 3 of 5

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. The proposed subdivision **does not** contain 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 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 not** have, in whole or in part, terrain having an average slope exceeding ten percent (10%).

The native slopes of all land located within the plat area are less than the 10% threshold. All constructed improvements will be designed by an Idaho licensed engineer.

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(s) **are** in conformance with Lewiston City Code § 31-85. Applicable commentary:

No new streets are proposed by the associated subdivision and all existing streets have been previously named and accepted by the City Council.

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: 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: _____

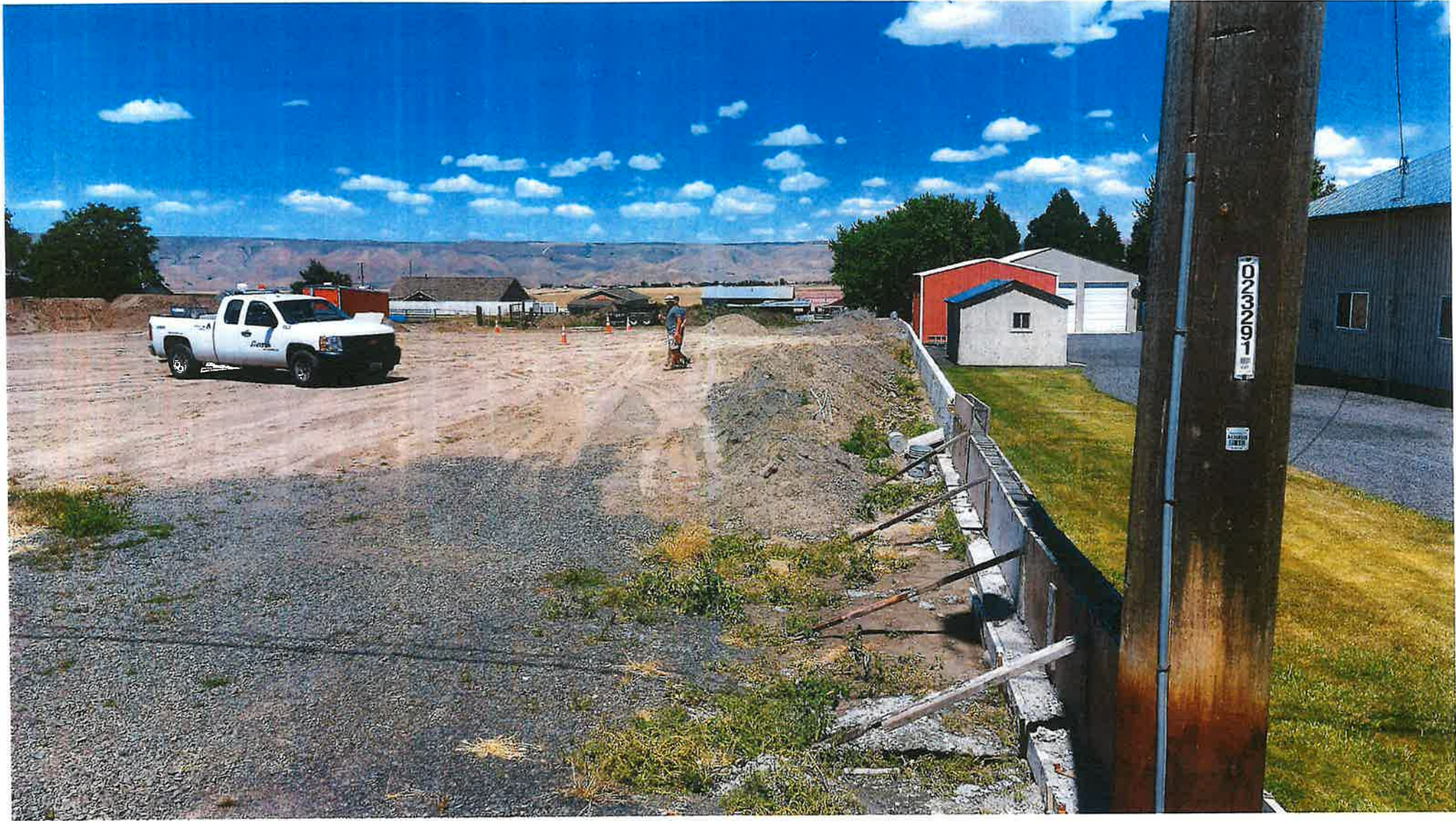
Date of Signature: _____

ATTEST: _____
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 July 10, 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:

- I. **ZONING CODE AMENDMENT, ZA-01-24, PUBLIC WORKS REQUIREMENTS IN THE ZONING CODE:** The Commission will consider a Zoning Code Amendment to remove from the Zoning Code various provisions throughout zoning districts that are under the authority of the Public Works Department, such as but not limited to requirements for the installation of street improvements and dedication of street right of way. The Commission will make a recommendation on this matter to the City Council.

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

Hearing notice publication date: Sunday June 23, 2024.

ZA-01-24, REMOVAL OF PUBLIC WORKS REQUIREMENTS FROM THE ZONING CODE

Sec. 37-61. Development standards.

In a C-1 zone, the following development standards shall apply and be in force:

~~(10) Sidewalks. Portland cement concrete sidewalks shall be required in all commercial zones. See section 32-45(c) of this Code.~~

(Ord. No. 4108, § 2, 8-15-94)

Sec. 37-66. Development standards.

In a C-2 zone the following development standards shall apply and be in force:

~~(9) Sidewalks. Portland cement concrete sidewalks shall be required in all commercial zones. See section 32-45(c) of this Code.~~

(Ord. No. 4108, § 2, 8-15-94)

Sec. 37-69.2. Development standards.

In a C-3 zone, the following development standards shall apply and be in force:

~~(10) Sidewalks. Portland cement concrete sidewalks shall be required in all commercial zones. See section 32-45(c) of this Code.~~

(Ord. No. 4108, § 2, 8-15-94)

Sec. 37-73. Development standards.

In a C-4 zone, the following development standards shall apply and be in force:

~~(10) Sidewalks. Portland cement concrete sidewalks shall be required in all commercial zones. See section 32-45(c) of this Code.~~

(Ord. No. 4108, § 2, 8-15-94)

Sec. 37-79. Development standards.

In a C-5 zone, the following development standards shall apply and be in force:

~~(9) Sidewalks. Portland cement concrete sidewalks shall be required in all commercial zones. See section 32-45(c) of this Code.~~

(Ord. No. 4108, § 2, 8-15-94)

Sec. 37-83. Development standards.

In a C-6 zone, the following development standards shall apply and be in force:

~~(10) Sidewalks. Portland cement concrete sidewalks shall be required in all commercial zones. See section 32-45(c) of this Code.~~

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4531, § 9, 7-13-09)

Sec. 37-93.5. Setbacks and yards.

(a) Planning Area A.

~~(4) — Dedication of right-of-way: Dedication to the city of a minimum ten (10) feet of property abutting and parallel to Bryden Avenue shall be required of development along Bryden Avenue. Dedication shall be required at the time of new development or at major remodeling.~~

(Ord. No. 4372, § 1, 4-11-05)

Sec. 37-93.6. Standards for development.

(a) Planning Area A.

(8) The following parking standards shall apply:

~~f. — Stormwater controls shall be incorporated into required landscaped buffers.~~

~~(9) — New construction or major remodeling within Planning Area A shall require a statement of anticipated traffic generation signed and stamped by a design professional licensed in the State of Idaho. The statement of traffic generation shall include:~~

~~a. — A statement of anticipated average trips per day;~~

~~b. — A statement of anticipated peak-hour trips.~~

~~Within fifteen (15) days of submittal of the statement of anticipated traffic generation, the city engineer shall determine if a traffic impact analysis meeting City of Lewiston standards will be required. Implementation of the recommendations of a traffic impact analysis shall be the responsibility of the applicant/developer.~~

(Ord. No. 4372, § 1, 4-11-05; Ord. No. 4462, § 1, 12-11-06; Ord. No. 4692, § 13, 10-30-17; Ord. No. 4843, § 1, 4-11-22)

Sec. 37-93.8. Access, streetscape, and sidewalks.

(a) Planning Area A.

(1) Access to/from Bryden Avenue as administered by the City Engineer, shall be limited to:

a. One (1) access per one hundred (100) linear feet of curb as measured from the edge of right-of-way at the intersection of Bryden Avenue and streets designated as arterials or residential collectors;

b. Or, where access to a property from Bryden Avenue would be eliminated by subsection (a)(1)(a) of this section, a single access shall be allowed to the property no more than twenty-six (26) feet in width.

(2) Access driveways to a single parcel to/from Bryden Avenue may not exceed twenty-six (26) feet in width.

(3) Access driveways to multiple parcels to/from Bryden Avenue may not exceed thirty (30) feet in width.

(4) No vehicle access from/to Bryden Drive or Linden Drive shall be allowed, except where required for emergency vehicles.

~~(7) — Sidewalks shall be constructed to standards published as City of Lewiston Standard Drawing D-4A (Residential Collector), Option 1 or Option 2, as determined by the public works director or his/her designee. Option 1 will be utilized unless existing sidewalk placement makes Option 1 unsafe or impractical.~~

(b) *Planning Area B.*

(1) ~~As administered by the City Engineer, No~~ commercial access to local residential or residential collector streets shall be allowed across property with an established residential use.

~~(2) At the time of new construction or major remodeling, sidewalk and curbing shall be installed along all rights of way abutting the subject property or properties.~~

(Ord. No. 4372, § 1, 4-11-05; Ord. No. 4522, § 1, 11-24-08; Ord. No. 4843, § 2, 4-11-22)