



**Lewiston Planning & Zoning Commission
REGULAR MEETING AGENDA
September 11, 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 AUGUST 28, 2024 MEETING MINUTES (ACTION ITEM)

B. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON CONDITIONAL USE PERMIT APPLICATION CUP24-3 FOR A TRANSITIONAL HOUSING VILLAGE (ACTION ITEM):: Michelle King requests conditional use permit approval to establish a transitional housing village for young adults needing housing on approximately 0.5 acres in the Light Industrial, M-1, Zoning District at 2207 East Main Street and the two adjacent tax parcels to the east and north. This application includes a request to allow some of the required parking to back out onto 22nd Street. - Action Item ()

C. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON APPLICATION ANX24-2, CPA24-3 AND ZNC24-3 BY CODY MERRELL (ACTION ITEM):: The applicant requests that the parcel of land located at 1125/1127 Warner Avenue be removed from the Lewiston Area of City Impact and annexed into Lewiston city limits and that it be assigned a Comprehensive Plan Land Use Designation of Neighborhood Commercial and placed in the Community Commercial, C3, Zoning District and amending the Lewiston Area of City Impact Map accordingly. - Action Item ()

IV. STAFF-COMMISSION COMMUNICATIONS

A. QUERY OF COMMISSIONERS TO ATTEND THE SEPTEMBER 25, 2024 MEETING (CUP PUBLIC HEARING).

V. ADJOURNMENT (ACTION ITEM) - 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 Nikki Province, ADA Coordinator, at least forty-eight (48) hours in advance of the meeting at 208-746-3671 x 6211.

August 28, 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 leaving at 9:10 pm; Kathy Branson; Shaunita Cable; Emily Wolf; Maureen Anderson; Kevin Kelly;

COMMISSIONERS EXCUSED: None

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

Chair Ball stated that she received an email in regard to this meeting from City Staff Joel Plaskon and replied to all which mistakenly created and impromptu meeting of Commission off record which is a violation to the open meeting law. Nothing substantive about tonight's meeting was discussed. The topic of the email had to do with meeting procedure.

II. CITIZEN COMMENTS

None

III. APPROVAL OF JULY 10, 2024 MEETING MINUTES (ACTION ITEM)

Commissioner Branson and Vice Chair Iacoboni moved and seconded, respectively, approval of the July 10, 2024 meeting minutes. The motion carried 5-0-2 with Commissioners Anderson and Kelly abstaining.

IV. PRELIMINARY PLAT - CANYON CREST WEST, PHASE IA (ACTION ITEM)

City Surveyor Mark Weigand verbally summarized the request for the Planning and Zoning Commission.

Commissioners asked clarification questions to city staff.

After deliberation and articulating their reasons, Commissioners Kelly and Anderson moved and seconded, respectively, to recommend approval of the Canyon Crest West, Phase IA Preliminary Plat and to approve the Reasoned Statement to the City Council with amendment to include the correct application number in the footer of the document. The motion carried 7-0.

V. **PUBLIC HEARING AND DIRECTION TO CITY STAFF TO DRAFT A REASONED STATEMENT AND RELEVANT CRITERIA AND STANDARDS ON CONDITIONAL USE PERMIT APPLICATION CUP24-3 FOR A TRANSITIONAL HOUSING VILLAGE (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 staff report with maps and photos so the commission could get geographically familiar with the area. Staff provided comments from other departments that have requirements that will need to be met for development and building occupancy but do not oppose the CUP.

Vice Chair Iacoboni asked if the applicant would need to come back before the Planning and Zoning Commission for the variance or would it be something approved by the City.

Staff Plaskon stated that the waiver of the zoning code standard that parking not be allowed to back onto the street would be part of the conditional use permit, if approved by the Planning and Zoning Commission.

There being no further questions for staff, Chair Ball asked the Applicant for testimony.

Applicant Michelle King provided a verbal presentation of her slide show that explained the program and project the Village. See Appendix A for the Slide Show. Housing will be available for individuals aged 18 to 20. The Village will be a gated community of 12 cottages, a host cottage, and an activity center. Individuals will need to participate actively in the program.

Commissioner Branson asked if there would be inspections of the cottages, how will there be access over the mote and how will the individuals understand this is a privilege.

Applicant King stated there will be consistent inspections, there will be access around the mote and individuals will need to apply to stay in the Village.

Commissioner Anderson asked if there will be sidewalks to get around the mote, what happens to a child if they are not ready to move out of the program and vacate their residency there at the age of 21 and will the rear door be ADA accessible.

Applicant King stated yes there will be a designated path, there are other services that can assist with the individual when they get that old and the ADA individual needs to access the front of the building as the rear is not ADA accessible.

Chair Ball asked for confirmation that individuals would have to leave the property exits to 22nd and then re-access the property from the back, how will the staff prevent individuals from sneaking in non-Village residents.

Applicant King stated that tenants would have to exit out and enter at a gate north of the mote, but staff on duty will have access to cameras that would notify when someone accesses the property.

Commissioner Branson asked who will maintain the grounds.

Applicant King stated some of the grounds service will be determined by design professionals, but there will be a facility manager to take care of the grounds.

Commissioner Wolf asked if teen pregnancy/parenting would be part of the program.

Applicant King stated yes it would.

Commissioner Cable asked what would happen to a couple that has a child, would they be able to stay in the same cottage.

Applicant King stated that would be a case by case basis and living in the same cottage might not be the best situation.

Chair Ball asked if the Lewis Clark Valley Youth Resource Center (LCVYRC) would own the property the cottages and activity center would be on.

Applicant King stated the LCVYRC would purchase the activity center property and then lease the back property the cottages would be on from the city.

City Attorney Jennifer Tengono stated that applicant King has acquired conditional approval from the City Council to enter into a lease contingent upon the outcome if the conditional use permit. The property is not surplus at this time, but is has been determined that it's likely to be underutilized and subject to lease, but the terms of the lease have not been discussed between the City or Applicant King. The City is limited in its public-private partnerships to those for public purposes. So the City cannot, by the Idaho constitution, enter into agreements that benefit a private purpose.

Chair Ball called for 5-minute recess at 7:04 PM.

Planning and Zoning Commission resumed at 7:10 PM.

There being no questions for the applicant, Chair Ball asked for public testimony.

Linda Glines, Lewiston Idaho stated she is concerned about the amount of traffic this project will have, backing out into the street isn't safe, will the new cottages and activity center have an impact on the existing sewer and water line that need to be replaced. This land was once a park and she would like to see it become a park again. She stated there are better locations then the one proposed for this project.

Trisha Bann, Lewiston Idaho stated she would like to see this land be returned back to a park.

Jennifer Squired, Lewiston Idaho stated she is concerned about the existing water lines and how this project will affect them, will this decrease their property value and who will be living in these cottages, will they go through background checks. She would like to see this land as a park again and is also concerned on if the children damage her property who will be responsible.

Bill Kessel, Lewiston Idaho stated that he is concerned if the project fails what happens to all the a banded structures, can the City take on that financial responsibility and the property should be reverted back to a park. He stated he does not think the grants for this project are going to be enough financially to keep it running.

Kat Glover, Lewiston Idaho stated there are better locations then this land for such a project. She would like to see it a park again.

Rick Tousley, Lewiston Idaho stated the City has been struggling with homelessness and at one point the City Council had a subcommittee for homelessness. The previous mentioned locations are not a good fit for this project. This project is a great opportunity for these young adults.

Dick Goodson, Commercial Property Owner in Lewiston Idaho asked if the young adults moving in will go through a vetting process and what is the City's involvement in this project. He does not want this project to happen.

Keith Watson, Lewiston Idaho stated this property should be put back as a park, the grants to run this project will run out, nothing is forever.

Dawn Ortiz, Community Development Office Supervisor read in emails received for public comment. See Appendix B.

There being no further public comment, Chair Ball asked the applicant for a rebuttal.

Applicant Michelle King stated that they originally started with the idea of 20 cottages but after looking at the available land and program capability they decided 12 would be better. They have looked at several parcels of land, but none of them meet zoning requirements. The concern regarding funding sources, the youth resource center runs 100% debt free and they hope to achieve that same with this program. The program will require background checks and finger printing for applicants.

Jennifer Tengono, City Attorney stated the property has not been declared surplus, but determination has been made that it is currently underutilized. If the City chooses to dispose of the property, then the City would have to make a declaration that the property is surplus or so it's not needed for City purposes. There would be a public hearing to discuss the different requirements associate with whether or not the City should sell it. Then the property is sold at public auction to the highest bidder. The other process is the City has the ability to lease City owned property that is underutilized. It would be leased for public purposes, such as the Fair Grounds, Community Center. One half plus one of the City Council would have to vote in favor of the lease, it is not a majority vote and this would occur after the negotiations of the lease terms is determined.

Commissioner Anderson stated that she does not see this property and program as an underutilized property or for public purposes.

Chair Ball asked the applicant if there is any plan for handling disgruntled neighbors and any overflow of parking such as guests, will there be parking permits.

Applicant King stated in regarding to parking overflow they can park up behind El Sombrero as she has spoken with the owner and that would be allowed. In regards to disruptive neighbors, they would work with City Police and the neighbor being disrupted.

Commissioner Iacoboni asked the applicant what would happen if the parking variance was not granted.

Applicant King stated it would be devastating to the project.

Pat Severance, Development Engineer stated that he is not aware of the condition of the water lines in the road. The City has a lot of aging infrastructure in the downtown. Adding these structure so the line will not be disruptive to what's there now.

Chair Ball asked for any further public comment.

Jennifer Squires, Lewiston Idaho asked why the other property would not work.

Keith Watson, Lewiston Idaho stated he would still like to see it as a park.

The being no further public comment, Chair Ball asked for the applicant's rebuttal.

There being no rebuttal or further questions, Chair Ball closed the public hearing.

After discussion of the required conditional use permit relevant criteria and standards, Vice Chair Iacoboni and Commissioner Wolf moved and seconded, respectively, to direct staff to draft a Reasoned Statement approving CUP24-3 with approval of the waiver of the zoning code standard to allow for backing out onto 22nd street. Motion passed 7-0.

VI. APPOINTMENT OF COMMITTEE MEMBERS TO CREATE A WORK PLAN FOR THE COMPREHENSIVE PLAN (ACTION ITEM)

Chair Ball moved to appoint Vice Chair Iacoboni and Commissioners Anderson and Wolf with Commissioner Cable as an alternate to the ad hoc committee of the City Council to make recommendations on the implementation of the Comprehensive Plan.

Commissioner Maureen Anderson voted in favor
Commissioner Kathy Branson voted in favor
Commissioner Gabriel Iacoboni voted for Gabe Iacoboni
Commissioner Kevin Kelly voted in favor
Commissioner Shay Cable voted in favor
Commissioner Emily Wolf voted in favor
Chair Cynthia Ball voted in favor

VII. STAFF-COMMISSION COMMUNICATIONS

A. Query of Commissioners for the September 11, 2024 meeting

All Commissioners present stated they should be in attendance of the September 11, 2024 meeting, beside Chair Ball who stated she might not be able to attend.

VIII. ADJOURN

There being no further business, Commissioners Kelly and Branson moved and seconded, respectively, to adjourn. The motion carried 7-0 and the Planning and Zoning Commission meeting adjourned at approximately 9:18 p.m.

RESPECTFULLY SUBMITTED,

Dawn Ortiz,
Recording Secretary

Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this _____ day of _____, 2024.

Sec. 37-125. Homeless shelter, bridge housing shelter, and transitional housing village standards.

Where homeless shelters, bridge housing shelters, or transitional housing villages are allowed as a use permitted outright or as a conditional use, the following minimum standards shall apply in addition to the provisions of chapter 42 of this Code.

- (1) Location shall be within one-quarter (0.25) mile of a public transportation route, as measured along the shortest route on the city street system, between the public transportation route and the closest point of the subject property;
- (2) Parking shall be provided as set forth in article VII of this chapter;
- (3) Notwithstanding section 37-153 of this Code, a six-foot tall minimum sight obscuring fence or equivalent landscape screening shall be provided along all neighboring property lines, excluding a street or alley right-of-way;
- (4) Fixed night lighting sufficient to provide illumination and clear visibility of all outdoor areas during the hours between thirty (30) minutes after sunset and thirty (30) minutes before sunrise shall be provided in a manner that does not glare or trespass onto adjoining property;
- (5) Indoor client intake waiting area shall be provided; and
- (6) Access into a homeless shelter, or bridge housing shelter shall be controlled through a single point of entry for each building.

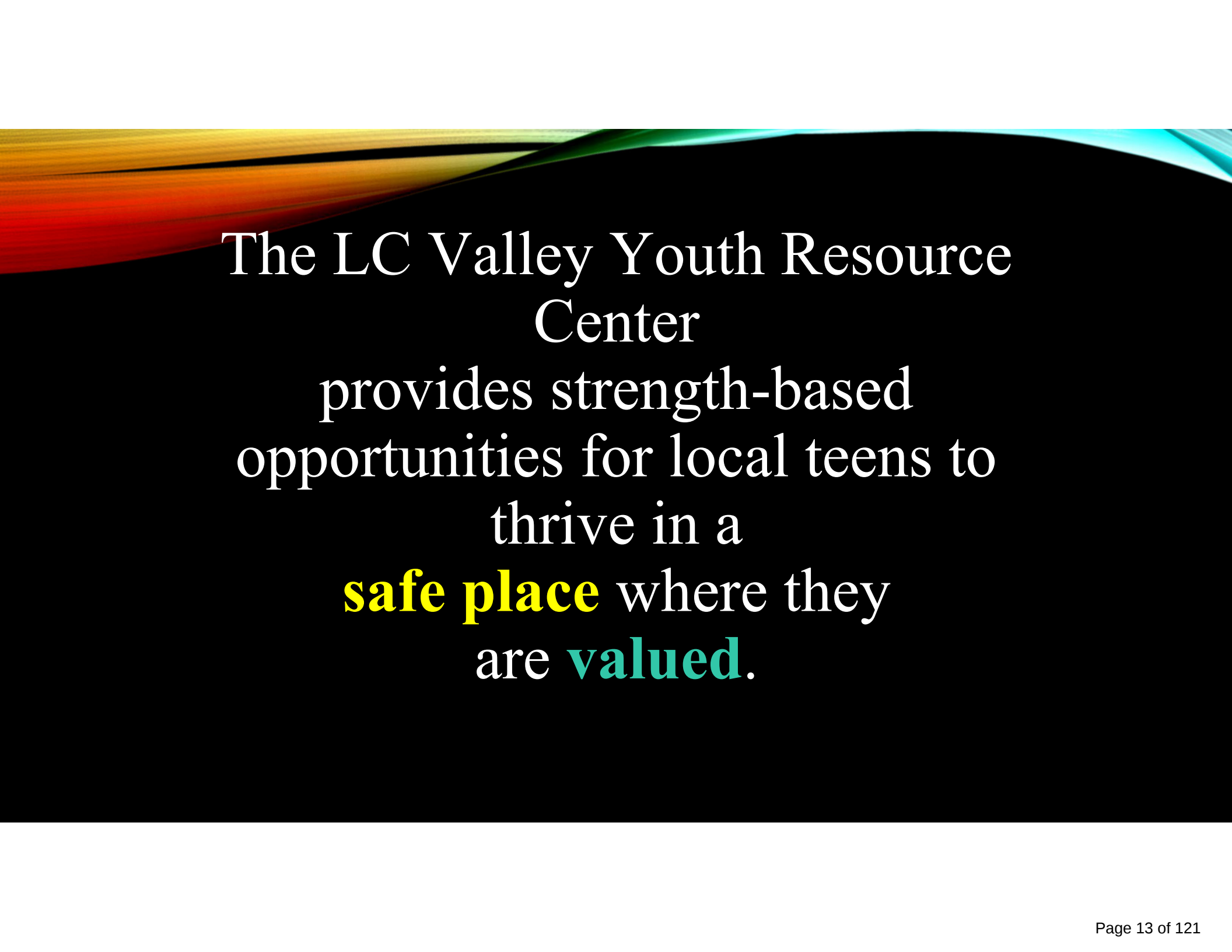
(Ord. No. 4689, § 10, 4-24-17; Ord. No. 4838, § 6, 12-13-21; Ord. No. 4841, § 18, 11-14-22)

Appendix A



THE VILLAGE: FACILITATING GENERATIONAL CHANGE

August 28, 2024



The LC Valley Youth Resource
Center
provides strength-based
opportunities for local teens to
thrive in a
safe place where they
are **valued**.

TODAY

Currently serving Lewiston and Clarkston teens **ages 12-17** with:

1. Drop-In Program
2. Overnight Accommodations
3. STAC (Safe Teen Assessment Center)



2023 SERVICE SUMMARY

292

Individual local youth served

4,081

Meals provided

697

Nights of shelter for 41 teens

Our team has been
invited into the moment
when a guest chose
between **life** and **suicide**
43 times.

WHAT HAPPENS WHEN OUR KIDS TURN 18?

“

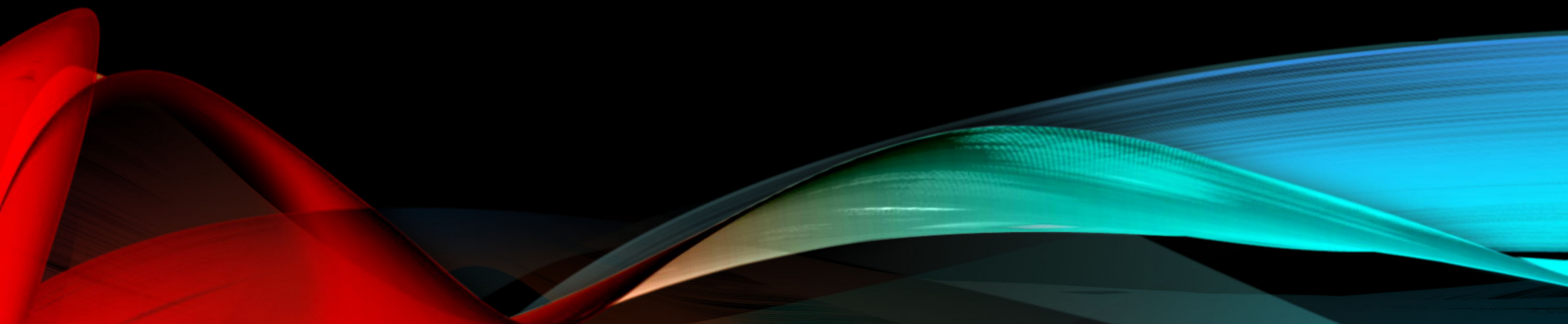
**1 IN 10
YOUNG ADULTS
AGES 18-25
EXPERIENCED HOMELESSNESS
LAST YEAR
IN THE UNITED STATES.**

”

“

**43% OF IDAHO FOSTER YOUTH
AGED 19 EXPERIENCED HOMELESSNESS
OVER THE PAST TWO YEARS**

”



“

**MOST CHRONICALLY HOMELESS ADULTS
BECAME HOMELESS AS TEENAGERS.**

”

Children account for **25%** of people experiencing homelessness in Idaho's Balance of State (excludes Boise) as per most recently published Point In Time Count

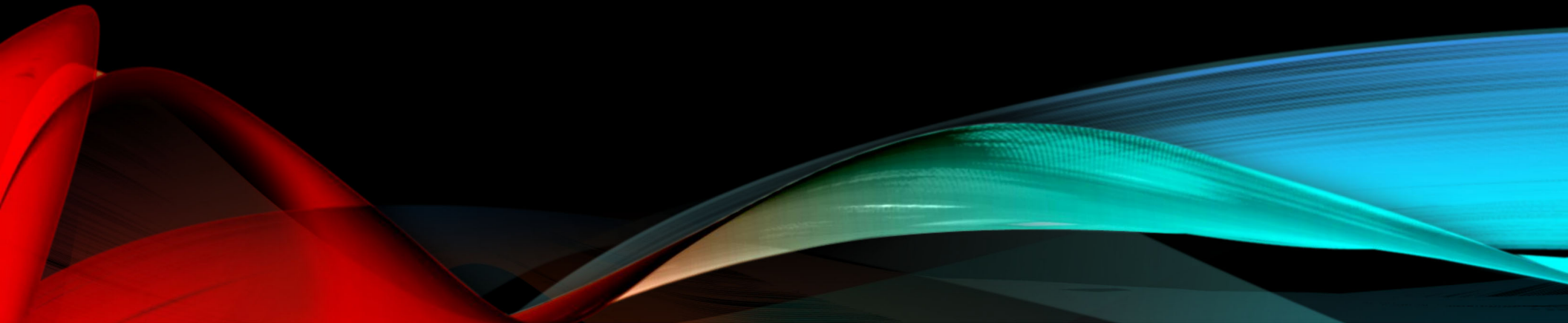


WHAT ARE THE OBSTACLES FOR 18-20 YEAR OLDS?

- Limited rental inventory
- No credit
- No rental history
- Not enough for First + Last + Deposit
- Many are full time students in their senior year

THE VILLAGE

Facilitating Generational Change

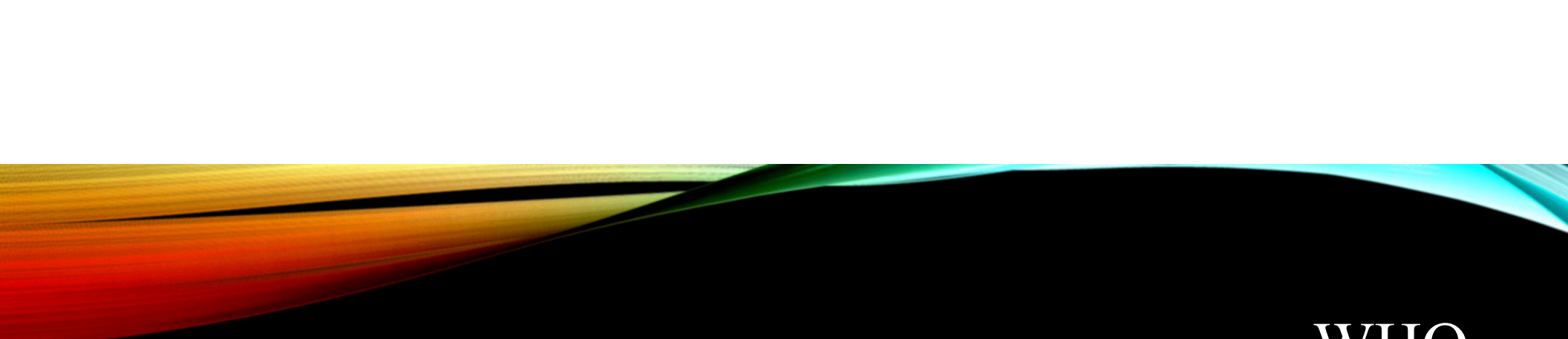


GOAL: To sustainably break the cycle of homelessness in our community by facilitating life-changing opportunities for displaced local youth and young adults.



WHAT IS THE VILLAGE?

- Housing for local youth ages 18-20 specifically designed to meet their unique needs
- Gated community of 12 cottages, host cottage, and activity center
- Priority placement for LCVYRC guests, active local high school students, and youth exiting foster care



WHO

- Lewiston & Clarkston
- Young Adults (age 18-20)
- Going to school – Working – Actively seeking full time employment
- Working on goals
- Driven and wanting sustainable, generational change



AND WHO MEET ALL THE FOLLOWING CRITERIA:

- Agree to work towards self-identified goals
- Are not a registered sex offender or convicted of felony related to drugs or violence
- Agree to safety policy and routine drug testing
- Agree to participate in the program elements



PARTICIPANT TRAINING

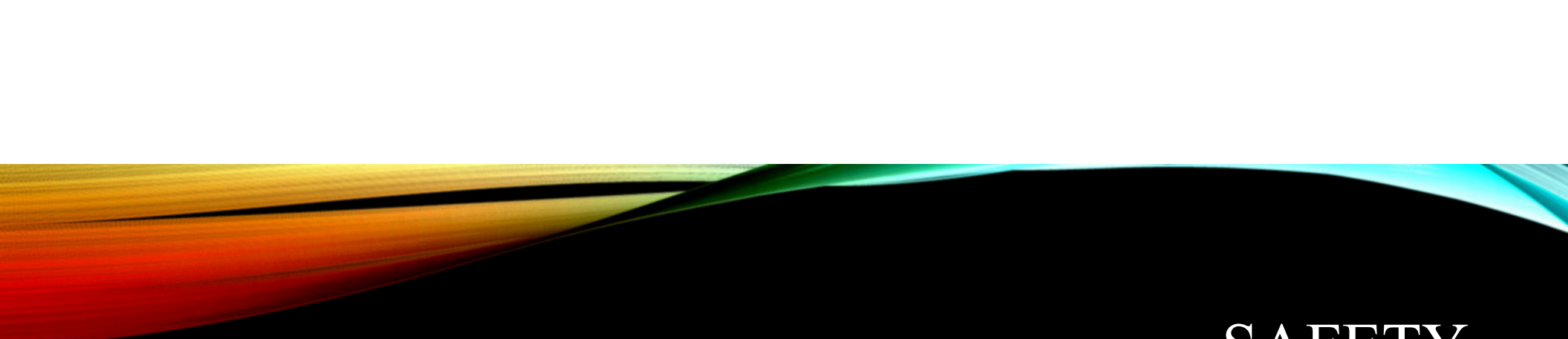
“Adulting” skills include:

- Financial Literacy
- Obtaining and Maintaining Employment
- Resiliency
- Independent Living
- Communication Skills
- Healthy Relationships
- Education
- Risk Prevention



SOME OF THE RULES

- Participants will not bring nicotine, alcohol, cannabis, or illegal drugs on the premises.
- Cottages are reserved for individual use. Participants will only enter their designated cottage.
- Participants will ensure they always represent the Village in a professional and courteous manner regardless of if they are on the Village property or not.



SAFETY

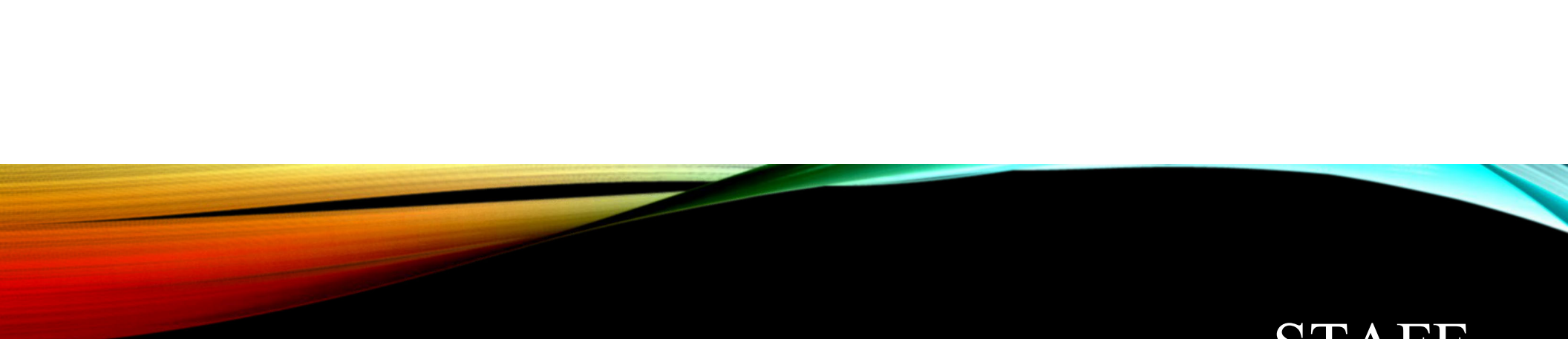
- **Safety is a key priority!**
- Visitors to check in at the Activity Center. Visitors will only be allowed in common areas and will not be allowed into the gated cottage area.
- Visitors will be required to leave by 8:00 pm.
- Only current youth, their child(ren), and employees will be allowed into the gated housing community.



GOOD NEIGHBORS

The Village will be a respectful neighbor and teach participants to do the same.

If a neighbor has a concern, they may contact the on-site supervisor to mitigate the situation.



STAFF

- On-site staff 24/7
- Full curriculum of required training (FYSB/RHTTAC certifications)

Team consists of:

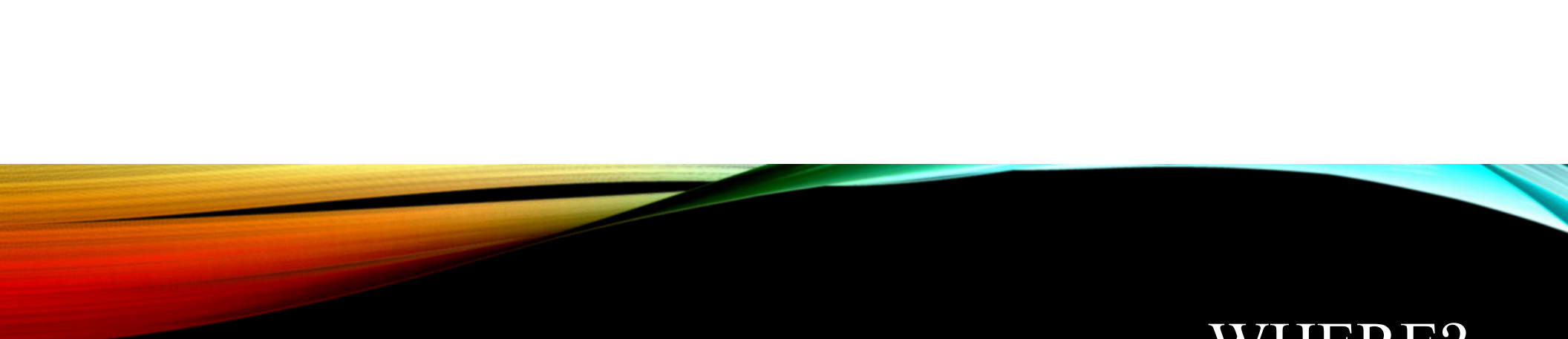
- Team Leader/Case Manager (Full time)
- (2) Case Managers (Full time)
- Home Economics Specialist (Split between locations)
- Maintenance (Split between locations)
- **Total:** 5 individuals (equivalent to 4 FTEs)



PARTICIPANTS' CASE PLANS

With Case Manager guidance and support, participants will develop and execute a self-identified plan to:

- Successfully secure safe, stable, and permanent housing before their 21st birthday with a transition strategy to achieve this goal
- Secure important documents and paperwork, such as a birth certificate, social security card, state issued identification, medical records, and credit reports
- Successfully execute education and/or employment goals
- Complete program training



WHERE?

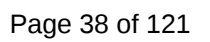
- Transitional Housing Villages are restricted to Zones M1, M2, C4, & C6
- Years of searching to find land that meets all Lewiston City Code requirements for this Village
- Excited to find this opportunity at 2207 E Main Street







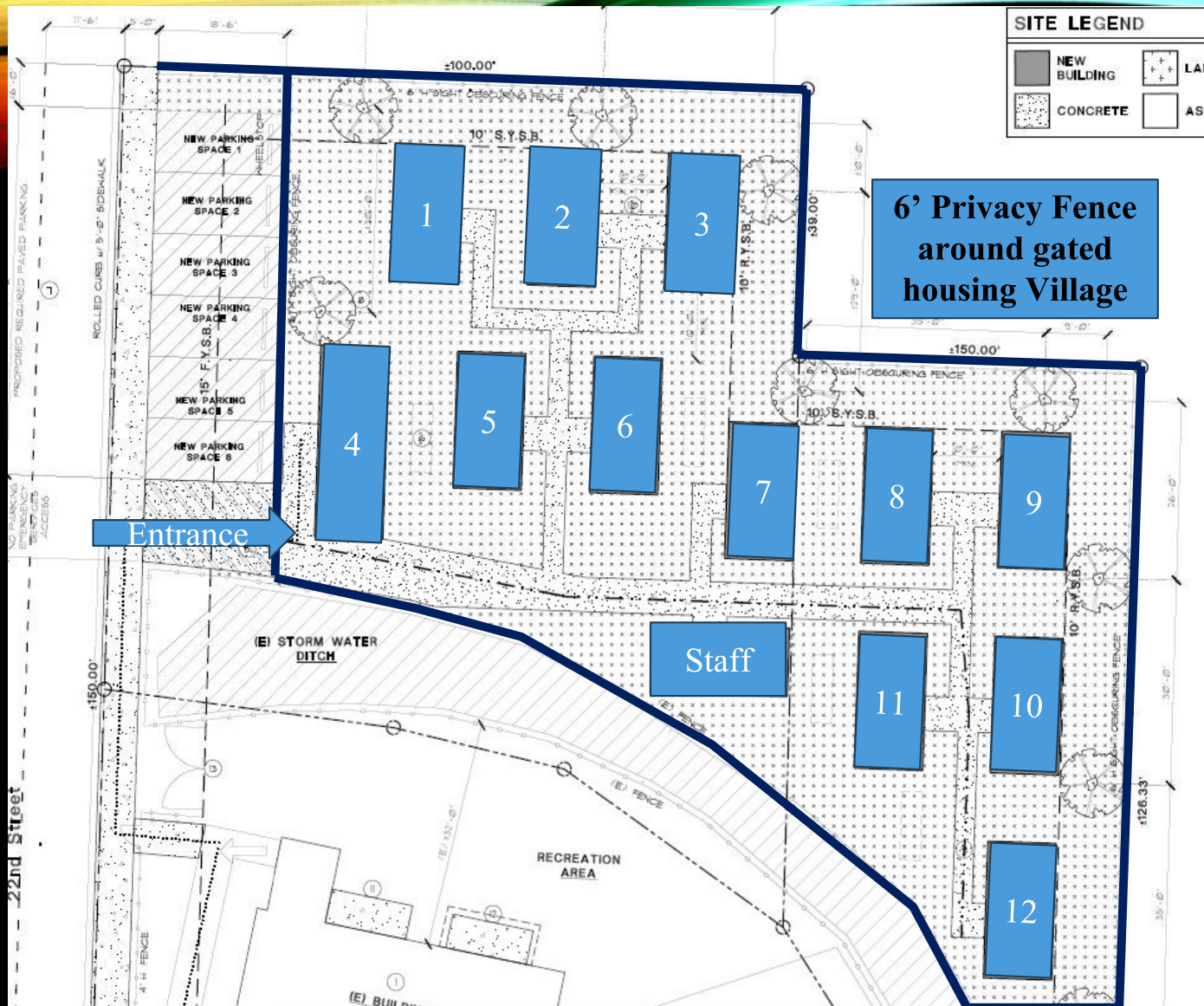


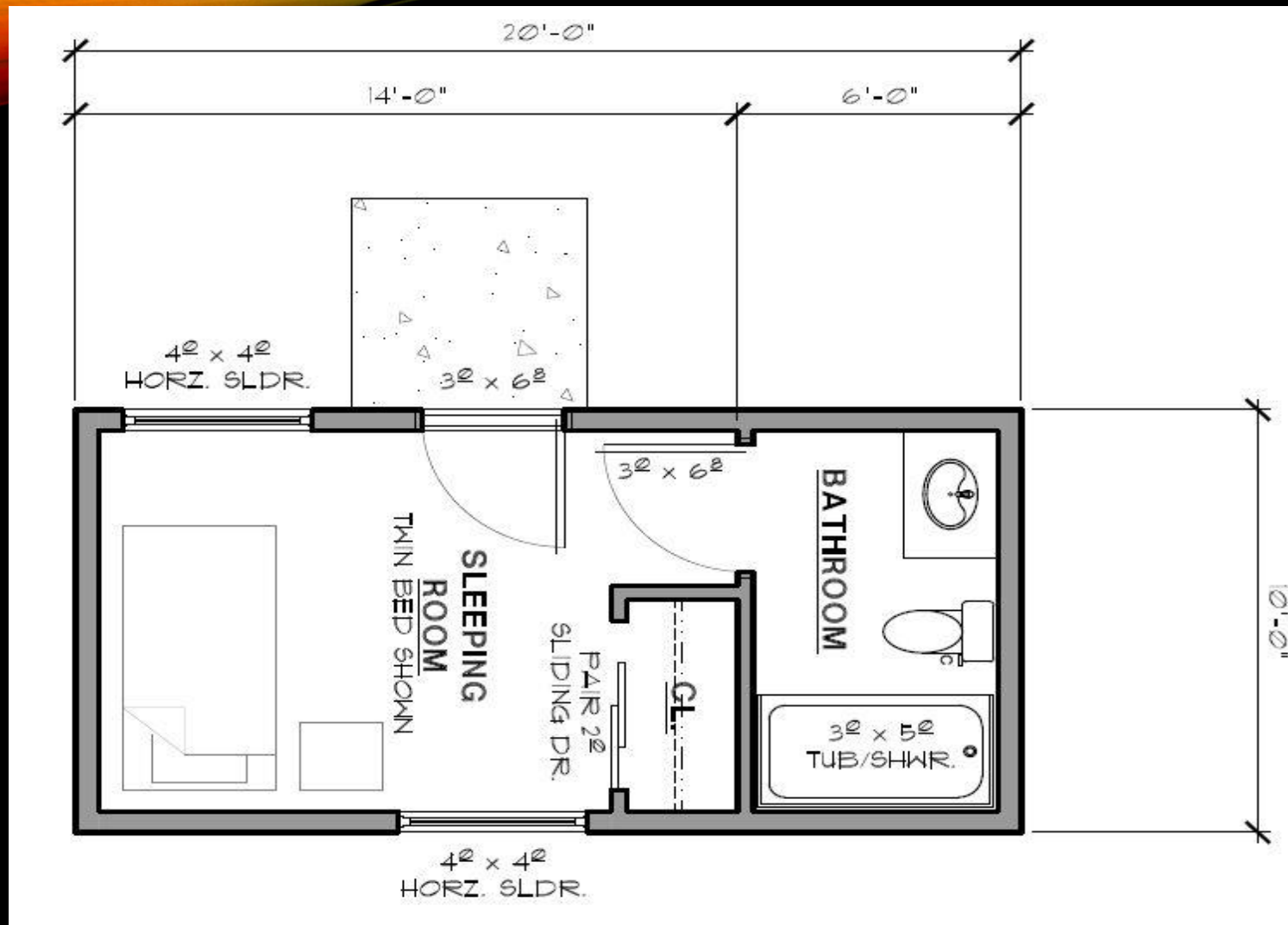


KEY HIGHLIGHTS

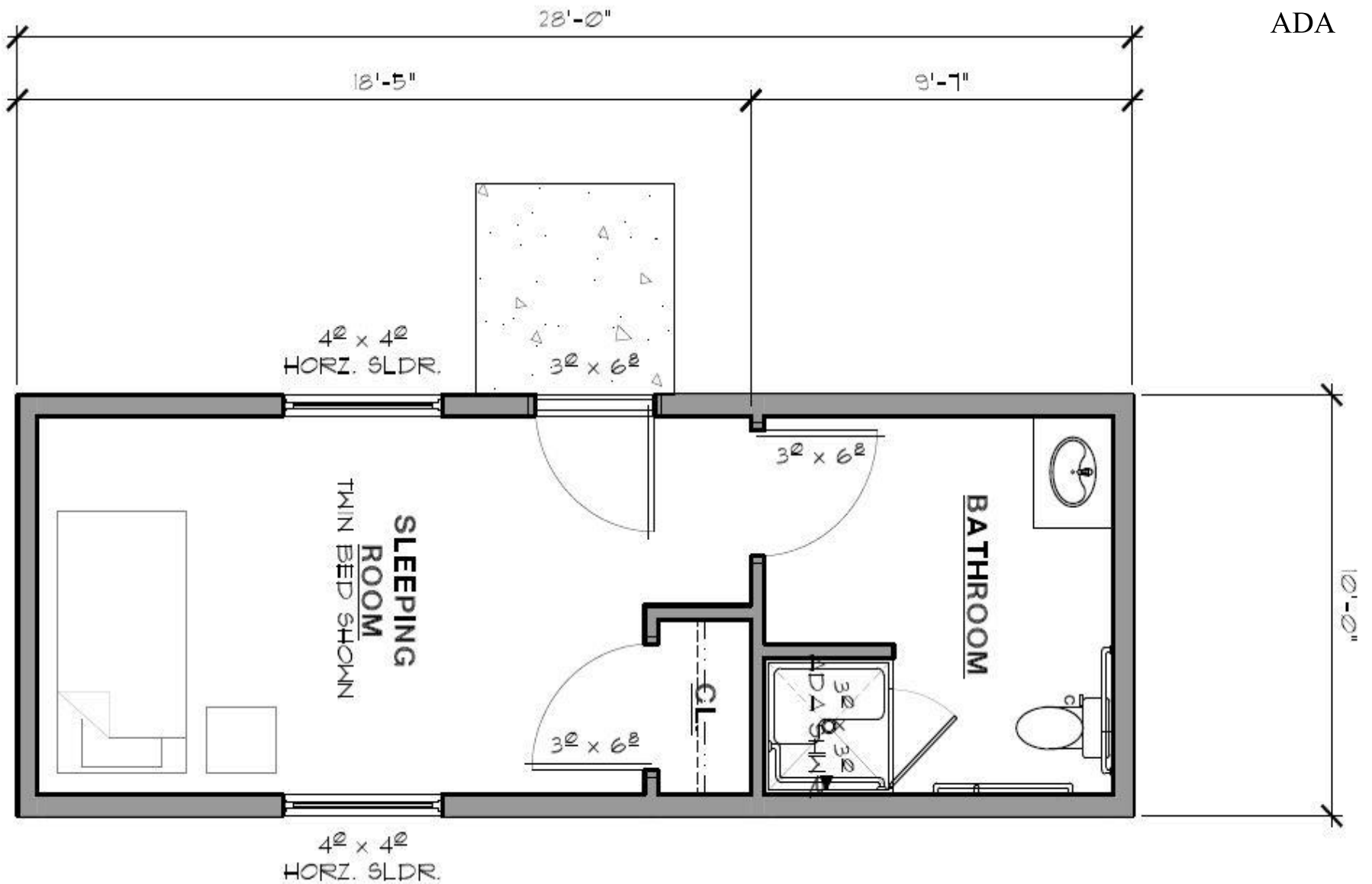
- Gated community with single point of entry
- Privacy fence
- Surveillance cameras
- Security lighting

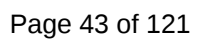


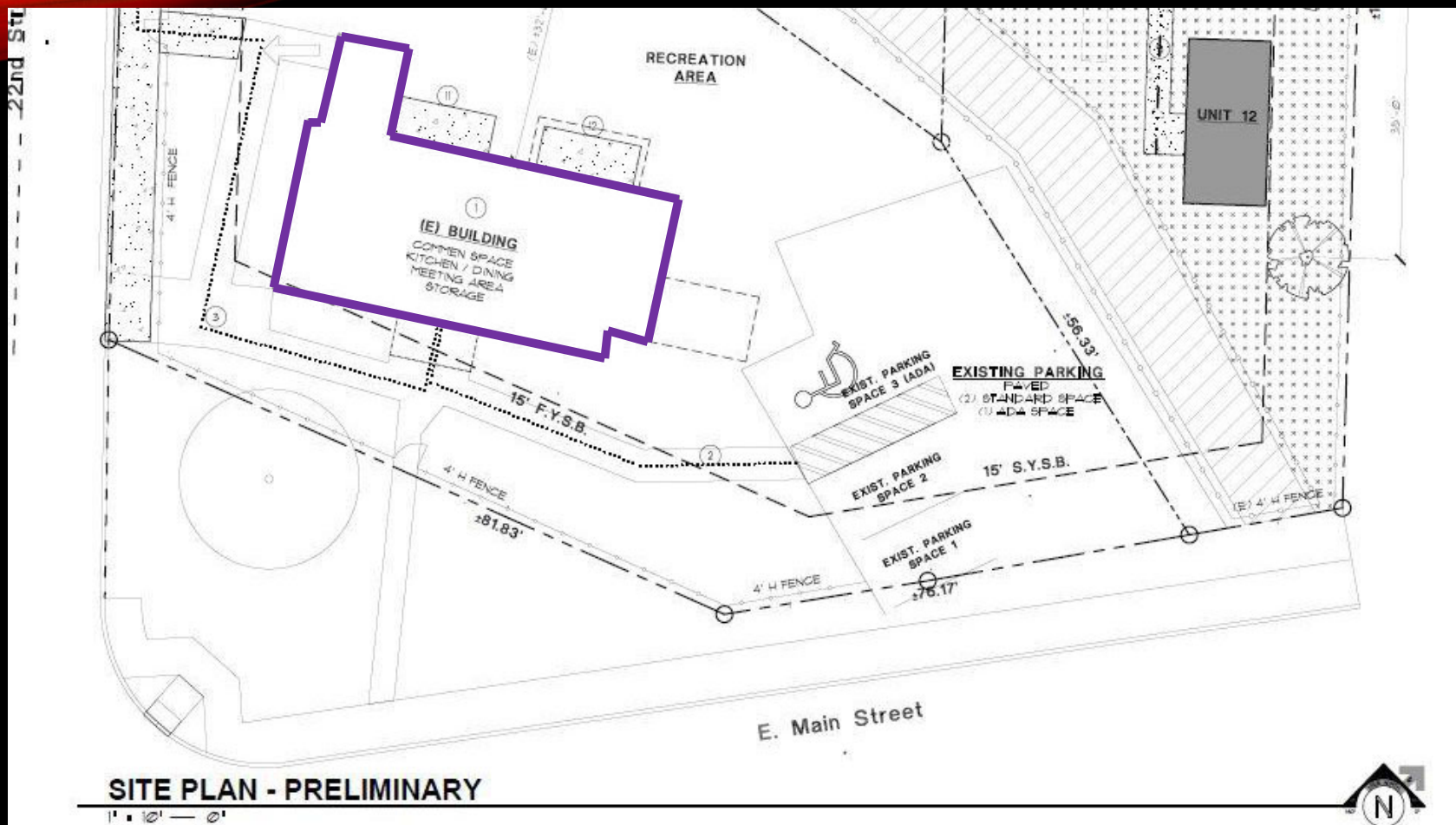


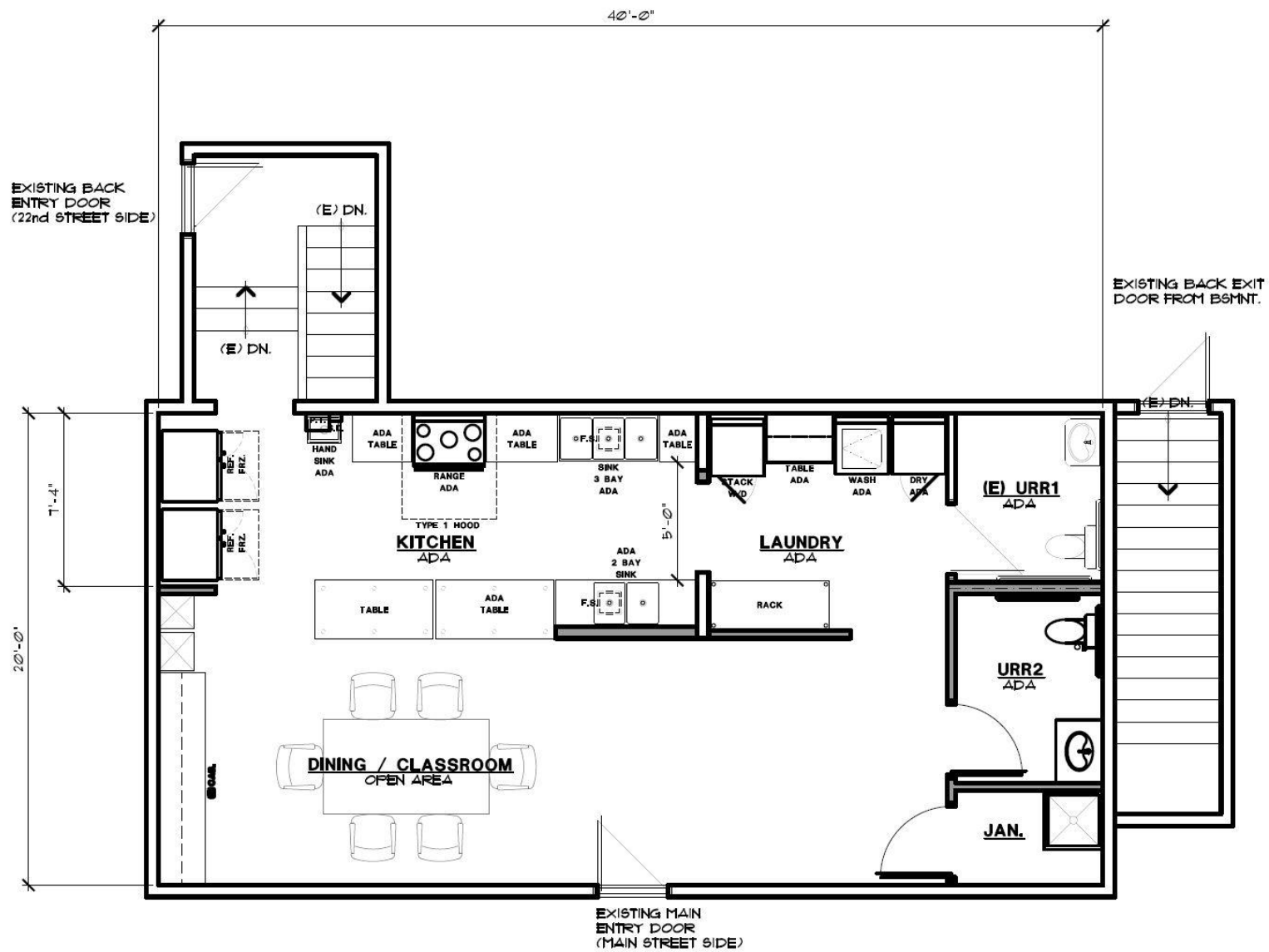


ADA











THE 5 QUESTIONS

1. 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?
2. Describe how/why the proposed use is a public necessity or, if it is not, describe how it is a benefit to the public.
3. 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.
4. Describe how the proposed use will not endanger the environment or the public health or safety.
5. Describe how the proposed use will be in substantial conformance with the comprehensive plan of the city.



1. AVOIDING NUISANCES

- **Light pollution:**

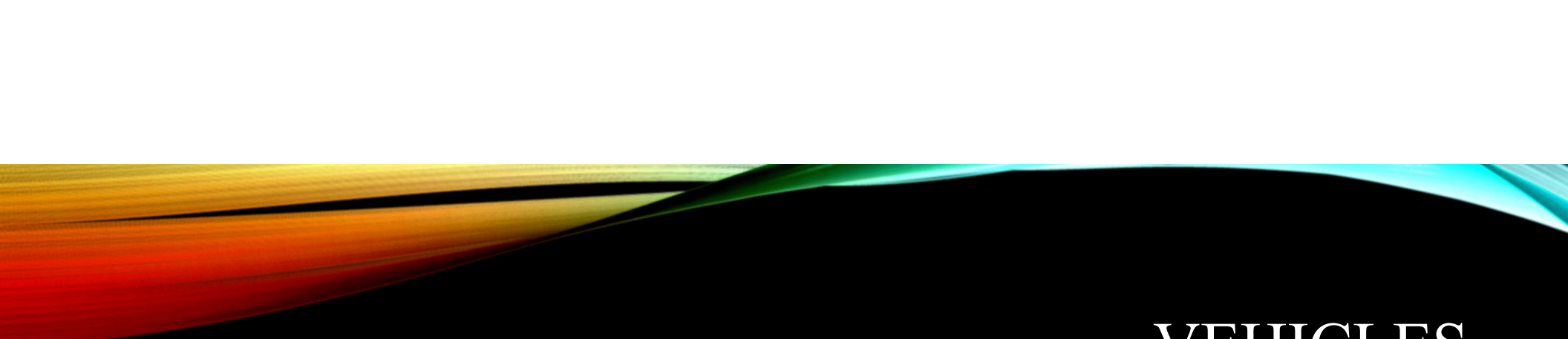
- Warm solar security lights to avoid light pollution

- **Noise:**

- Quiet hours 10 pm – 6 am
- Music, television, and gaming content in common areas will be community appropriate and may not contain racial slurs or profanity. Entertainment in participant cottages will not be audible outside of the cottage.

- **Litter:**

- Participants will pick up after themselves, properly dispose of waste, and ensure common areas are clean after use.



VEHICLES

- Participants must have a valid driver's license and current vehicle insurance on any automobile in a parking spot on the premises.
- All automobile must be functioning and legally drivable.

It will be uncommon for Village participants to own a vehicle. Most use bicycles, long boards, or walk.



2. PUBLIC NECESSITY

Beyond meeting the minimum requirement of being a public necessity, the LC Valley Youth Resource Center Village will **facilitate generational change** for local young adults.

Providing tools to successfully transition youth experiencing homelessness into adulthood through self-sufficient and sustainable living and learning skills to promote economic independence will prevent long-term dependency on social services.



3. HARMONY WITH THE AREA

A well-maintained tiny home village designed for youth not only **enhances the property values** within its immediate vicinity but also serves as a catalyst for broader community revitalization. By providing a structured environment where young adults can learn essential life skills, the village fosters a generation of responsible, capable, and community-minded individuals. This directly translates into a stable and attractive neighborhood, as the presence of conscientious, well-supported residents reduces turnover and increases the appeal of the area. Moreover, the design and upkeep of the village signal to potential buyers and investors that the neighborhood is forward-thinking and invested in its future.



3. HARMONY WITH THE AREA

Concerns about a decrease in property values are unfounded, particularly when considering the current real estate context. The surrounding area already experiences an 8-10% lower valuation compared to similar neighborhoods, primarily due to a high percentage of rental properties and a lack of cohesive development. The introduction of this tiny home village fills a much-needed niche and stabilizing the rental market. In fact, this development is poised to **elevate the overall value of nearby properties** by injecting new life into the community, promoting a sense of pride among residents, and drawing attention to the area's potential for growth. The benefits extend beyond mere property value; they contribute to the social and economic vitality of the entire community.

Tami Meyers, Team B.M.C

Silvercreek Realty Group



4. ENVIRONMENT, PUBLIC HEALTH, AND SAFETY

The LC Valley Youth Resource Center will abide by all environmental, public health, and safety regulations while modeling clean and healthy life skills for at-risk youth.



5. COMPREHENSIVE PLAN GOALS

- LU.1 Accommodate Future Development & Redevelopment
- LU.1.3 Balance land uses ... in proportion to the needs of the community
- LU.1.3.2 ... minimize the distance between residents & needed services
- LU.2 Provide housing choices throughout Lewiston
- LU.2.1 Diversify possible housing options...
- LU.2.1.1 ... facilitate diverse, scale-appropriate housing options across Lewiston
- LU.2.2 All for density by ensuring compatibility...



5. COMPREHENSIVE PLAN GOALS

- H.1 Increase housing quality & production
 - H.1.1 Improve quality of and access to affordable housing
 - H.1.1.2 Explore opportunities... increasing supply of rental units...
 - H.1.3 Evaluate regulations for barriers to housing...
 - H.1.3.2 Encourage more housing support of support of conditional use permit...
 - H.1.3.3 Study and act to overcome barriers to housing development that are not currently being built...



5. COMPREHENSIVE PLAN GOALS

- H.2 Diversify housing options
 - H.2.1 Raise community awareness and interest in missing middle housing...
 - H.2.2 Reduce barriers to missing housing typologies...
 - H.2.4 Incentivize a variety of housing types...

break the cycle
of homelessness in our community
by
facilitating life-changing
opportunities for displaced local
youth and
young adults.

Thank you for your consideration.

Michelle King, President

michelle@levyrc.org

Direct (208) 305-6183

Appendix B

Fw: Letter Of Support - LC Valley Resource Center - The Village

1 message

Cassie Helmgartner <CHelmgartner@chas.org>
To: "cd@cityoflewiston.org" <cd@cityoflewiston.org>

Mon, Aug 26, 2024 at 5:00 PM

From: Cassie Helmgartner
Sent: Monday, August 26, 2024 4:59 PM
To: dortiz@cityoflewiston.org <dortiz@cityoflewiston.org>
Cc: Kelly Lanman <KLanman@chas.org>; Michelle King <michelle@lcvyrc.org>
Subject: Letter Of Support - LC Valley Resource Center - The Village

Zoning Commission Members,

Please find a Letter of Support for LC Valley Resource Center's proposed *Village* project attached.

I plan to be in attendance and can answer any clarifying questions if they arise or am available via email as well.

Thank you for your consideration.

Cassie Helmgartner | Sr. Director of Operations – CHAS Health
Clarkston, WA | Lewiston, ID | Moscow, ID
C: 509.254.4916
T: 208.848.8300 | cheimgartner@chas.org | [chas.org](https://www.chas.org)



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Cassie Helmgartner | Sr. Director of Operations – CHAS Health
Clarkston, WA | Lewiston, ID | Moscow, ID
C: 509.254.4916
T: 208.848.8300 | cheimgartner@chas.org | [chas.org](https://www.chas.org)



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 **LC Valley Resource Center Village LOS 8.20.24.pdf**
143K



August 20, 2024

City of Lewiston Planning & Zoning
215 D Street
Lewiston, ID 83501

Dear Zoning Commission Members:

CHAS Health would like to formally express our support for LC Valley Youth Resource Center's proposed Village project to meet the needs of young adults in the community transitioning out of homelessness. CHAS Health has long appreciated the Resource Center's strength-based approach to meeting the needs of the most vulnerable youth across the Lewis-Clark Valley.

We strongly support this project and its focus on sustainably breaking the cycle of homelessness in young adults through a focused, supportive, and results-focused approach. As a Federally Qualified Health Center with clinics currently serving the Lewis-Clark Valley, including those facing housing insecurity and other social drivers of health, CHAS Health looks forward to the important role this project can play in improving the health of young people and setting them up for future healthy and productive lives.

We look forward to continuing to work with the Resource Center, the Village, and other community partners to eliminate homelessness in the community and to increase access to services that improve equity.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Wilson", is written over a faint horizontal line.

Aaron Wilson, CEO
CHAS Health



Support for LCVYRC Village Project

1 message

Jim Rehder <jsrehder@gmail.com>
To: dortiz@cityoflewiston.org

Wed, Aug 28, 2024 at 9:52 AM

Dear City of Lewiston,
Please approve the Conditional Use Permit for Lewis Clark Valley Youth Resource Center (LCVYRC) Village project. This is a major assistance for youth who need support, assistance and opportunities for their personal development and also establishing their health relationships.

We support Michelle King, Manager of LCVYRC, in her great work for youth in our region. Please help her and her team strengthen their services for youth.

Thank you in advance for your support of the Conditional Use Permit for LCVYRC Village Project.

Sincerely,
Jim Rehder, Chair
Region 2 Behavioral Health Board



Village Project

1 message

Kally McFee <kally@everybrainmatters.org>
To: dortiz@cityoflewiston.org

Wed, Aug 28, 2024 at 10:06 AM

Dear City of Lewiston,

Please approve the Conditional Use Permit for Lewis Clark Valley Youth Resource Center (LCVYRC) Village project. This is a major assistance for youth as they transition into adults who need support, assistance and opportunities for their personal development and also establishing healthy relationships in our community.

We support Michelle King, Manager of LCVYRC, in her great work for youth in our region. Please help her and her team strengthen their services for these youth.

Thank you in advance for your support of the Conditional Use Permit for LCVYRC Village Project.

Sincerely,

Kally McFee
Every Brain Matters



Letter of Support for LC Valley Youth Resource Center "Village: Facilitating Generational Change"

1 message

Randy Ford <rford@idahofoodbank.org>

Wed, Aug 28, 2024 at 10:20 AM

To: "dortiz@cityoflewiston.org" <dortiz@cityoflewiston.org>

Cc: Michelle King <michelle@lcvalyrc.org>, Shanna Decker <sdecker@idahofoodbank.org>

Dear Lewiston Planning & Zoning Commissioners,

On behalf of The Idaho Foodbank, I am writing to express our strong support for the LC Valley Youth Resource Center's "Village: Facilitating Generational Change" project. This initiative will provide crucial resources and life skills training to displaced young adults, helping them navigate the challenges of adulthood and build a foundation for future success.

At The Idaho Foodbank, we are deeply committed to addressing food insecurity and promoting healthy, thriving communities across Idaho. We recognize that housing stability, food security, and access to education are interconnected issues that significantly impact a person's ability to lead a healthy and fulfilling life. The "Village: Facilitating Generational Change" project aligns with our mission by providing these essential supports to young people at a critical time in their lives.

By focusing on practical skills such as meal planning, smart grocery shopping, and financial literacy, this program will empower participants with the tools they need to make informed decisions about their health and well-being. This, in turn, helps to reduce food insecurity and encourages the development of healthy habits that can have a lasting impact on the community.

We are particularly encouraged by the emphasis on serving displaced youth, including those transitioning out of foster care and those still in school. These young people face unique challenges, and the comprehensive support offered by the Village program will help to bridge gaps in resources and create opportunities for long-term success.

The Idaho Foodbank is proud to support this important work and looks forward to the positive outcomes it will generate for the youth and the community as a whole. We believe that by working together, we can help create a future where all Idahoans have the resources they need to thrive.

Thank you for your time and dedication to your community, and your time in reading our letter of support.

Please feel free to reach out if there are questions or clarifications needed regarding this letter of support.

Sincerely,
Randy Ford

President & CEO

The Idaho Foodbank

Randy Ford
President & CEO
The Idaho Foodbank



 rford@idahofoodbank.org

 208 577-2702

 3630 E. Commercial Court
Meridian, ID 83642

 idahofoodbank.org



Letter in Support of the The Village

1 message

Vanessa Adams <vanessaadams@hotmail.com>
To: "dortiz@cityoflewiston.org" <dortiz@cityoflewiston.org>

Wed, Aug 28, 2024 at 11:37 AM

I am unable to make tonight's Hearing in regards to the The Village project. I am attaching a letter for the board to review.

Please let me know if you need anything further from me. I appreciate your help.

Sincerely,
Vanessa Schneider



Support for LC Valley Resource Center.pdf
83K

Vanessa Schneider
2630 17th Street
Clarkston, WA 99403
vanessaadams@hotmail.com
(559) 288-3475
August 28, 2024

City of Lewiston Planning & Zoning Department
215 D Street
Lewiston, ID 83501

Dear Members of the Planning & Zoning Department,

I am writing to express my strong support for The Village, a project facilitated by the LC Valley Youth Resource Center. While I live in Clarkston, I work in Lewiston. As someone who has directly benefited from the services provided by this incredible organization, I can personally attest to the profound impact they have on at-risk youth in our community.

The Village will play a critical role in supporting young adults who are aging out of the current resources available to them. These young people often find themselves without the necessary life skills to navigate adulthood successfully, and without intervention, many are at serious risk of becoming homeless. The Village aims to bridge this gap by providing essential life skills training, support, and guidance, offering these young adults a much-needed leg up in life.

My own experience with the LC Valley Youth Resource Center has been nothing short of transformative. My daughter, who was struggling with mental health issues and having a very difficult time in general, found respite and resources through the Center. It provided her with a safe and supportive environment during a challenging time in her life. It also provided respite for me, as I knew she was in a safe, caring environment. I firmly believe that The Village will extend this same level of support to even more young adults, helping them transition into adulthood with confidence and hope.

The work of the LC Valley Youth Resource Center is crucial in preventing homelessness among our youth and in ensuring they have the tools they need to succeed. The Village will be a vital addition to our community, and I urge you to approve this project, which will have a lasting positive impact on the lives of so many vulnerable young people.

Thank you for your time and consideration.

Sincerely,

Vanessa Schneider



Letter of support

1 message

Beth Hawker <blhawker@lcmail.lcsc.edu>

Wed, Aug 28, 2024 at 12:35 PM

To: "dortiz@cityoflewiston.org" <dortiz@cityoflewiston.org>

Hello,

I have attached my letter of support for the village.

Sincerely,

Beth Hawker

 **support letter .pdf**
35K

To whom it may concern,

The purpose of this letter is to express my strong support for the Village: Transitional Living program. Which has shown dedication to change within the Lewiston Clarkston Valley. I have witnessed first-hand the positive impact of the Lewiston Clarkston Valley Youth Resource Center on many young lives. My name is Beth Hawker, and I work for the LCV Youth Resource Center as a case manager. To work for an organization that is dedicated to bringing a positive impact to youth in need is important to me. I was a homeless teenager and if I had had access to the LCV Youth Resource Center it would have greatly improved my well-being during my teenage years. The Transitional Living program can help provide support and guidance for young adults as they navigate through the challenges of becoming independent through this program, they can learn valuable coping skills and gain access to necessary resources in a safe and supportive environment. I believe this program can help bridge the gap between dependence and independence, allowing young adults to strive and reach their full potential. Homelessness among young adults is a complex social problem that is often influenced by various factors; these may include family conflict, issues with identity and self-awareness, complications in school or education, substance use, pregnancy, parenthood neglect, domestic violence, and abuse within the home. These challenges can make it difficult for young adults to maintain stable housing and contribute to the larger issue of homelessness. In addition, many young people are facing difficulty in finding stable employment and accessing education making it difficult for them to afford housing. This is further worsened by the fact that many have never been taught financial skills such as budgeting which makes it harder for them to manage their money more effectively. Those who have been involved in child welfare foster care and the juvenile justice system are especially at risk of becoming homeless due to a lack of support and resources. Young adults who experience trauma before and after becoming homeless are at high risk for developing mental health or substance use disorders. This can lead to a cycle of

homelessness and dysfunction, mirroring the environment they grew up in. We must provide a stronger support system for these individuals offering them a chance to break the cycle and improve their lives. We should strive to do something new and innovative, to create positive change for young people who have never had a voice or a chance. I experienced domestic violence, addiction, and unstable home life in my childhood, jumping from shelter to shelter, hotel to hotel, couch to couch. If I had not met certain people in my life who showed me healthy love and support I would have become a statistic. Without the guidance and help of those who believed in me I may have fallen into the same cycle of violence and addiction instead, I was able to break free and create a better life for myself. The Village project focuses on empowering young adults by giving them some control over their lives. Where not every young adult will fit into the guidelines, the project recognizes that each individual has a unique journey and encourages them to strive for positive change. This approach promotes personal growth and self-determination among the youth creating a supportive and inclusive community. It would be great if this support could be provided in our Valley. It's time to support young people who have never experienced support.

Thank you,

Beth Hawker



Support of Conditional Use Permit

1 message

Lisa Martin <LisaM@co.nezperce.id.us>

Wed, Aug 28, 2024 at 1:26 PM

To: "dortiz@cityoflewiston.org" <dortiz@cityoflewiston.org>

City of Lewiston

Please approve the Conditional Use Permit for Lewis Clark Valley Youth Resource Center Village Project (LCVYRC). We desperately need this type of service for our young adults. If we can provide them with resources, services and above all positive relationships we are intervening as these youth are in need of our community support.

Michelle King is a Champion in our community and has done great work for the LCVYRC. I work with Michelle in the capacity of a Housing sub-committee member for Region 2 Behavioral Health Board. Michelle does her homework, she and her team need our community support!

Thank you in advance for your support and willingness to consider the Conditional Use Permit for LCVYRC Village Project.

Lisa J. Martin

Idaho District 2 Treatment Court Manager

PO Box 896

Lewiston, ID 83501

Cell -208-790-1748

lisam@co.nezperce.id.us

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Letter of Support

1 message

Charlotte Hill <belletaylor463@gmail.com>
To: dortiz@cityoflewiston.org

Wed, Aug 28, 2024 at 2:35 PM

To Whom It May Concern,

I wholeheartedly endorse The Village: Transitional Living Program and am confident in its positive impact on the LC Valley community. Having witnessed the transformative work of the Lewiston Clarkston Valley Youth Resource Center (LCVYRC) in changing lives and providing teens with the opportunity to thrive, I firmly believe in the value of The Village.

My name is Charlotte Hill, and I work as a direct care staff member at the LCVYRC. I am also a proud member of the Youth Action Board (YAB), where I actively advocate for homeless youth across Idaho State. A few years ago, I was abandoned by my adoptive mom at the LCVYRC when I was just 17. The staff there took me in, cared for me, and helped me thrive, shaping me into the person I am today. I am living proof of the profound impact that a supportive environment can have on a young person's life. Because of my personal experience, my professional role, and my advocacy work, I can confidently say that the Transitional Living Program will bring significant benefits to those it serves.

This initiative is crucial because it provides safe and stable housing for 18-20-year-olds who are experiencing homelessness. This support is vital for young adults, as it offers them a secure environment where they can focus on education, employment, and building a stable future without the constant stress of finding shelter.

Supporting this program will lead to increased stability and opportunities for young adults who are experiencing homelessness, which will greatly benefit not only these individuals but also our entire community. By providing housing and support services, we can help young people build a foundation for a better future, reducing long-term homelessness and fostering a healthier, more supportive community environment.

I am proud to endorse The Village: Transitional Living Program and fully support its mission to provide young adults with the resources and stability they need to succeed. This program is more than just a temporary solution; it is a critical investment in the future of our youth and our community. I urge you to consider the long-lasting positive impact this program will have and to support it wholeheartedly.

Thank you for your time and consideration.

Sincerely,
Charlotte Hill

Public Comment I Received on CUP 24-3

1 message

Gabe Iacoboni <giacoboni@cityoflewiston.org>
To: Dawn Ortiz <dortiz@cityoflewiston.org>

Wed, Aug 28, 2024 at 2:47 PM

Hi Dawn,

See below public comment I received on the public hearing tonight for **CONDITIONAL USE PERMIT APPLICATION CUP24-3 FOR A TRANSITIONAL HOUSING VILLAGE**:

Dear Lewiston City Council,

I am writing to express my full support for the establishment of a tiny home village in Lewiston, Idaho, specifically designed to provide a stable living environment for 18-21-year-olds.

Beyond the immediate benefits of providing safe and affordable housing, this initiative offers significant advantages for our community as a whole. Studies have shown that investing in youth housing can lead to:

- **Improved Economic Outcomes:** By providing a stable foundation, young adults are better equipped to pursue education, employment, and financial independence.
- **Enhanced Health and Well-being:** Access to safe and affordable housing has a profound impact on physical and mental health.
- **Strengthened Social Connections:** A tiny home village fosters a sense of community and belonging.

A tiny home village would also offer a crucial opportunity to support these young adults in overcoming the trauma they may have experienced. By providing a safe and supportive environment, we can empower them to rebuild their lives, develop coping mechanisms, and pursue their personal goals. Investing in their well-being will not only benefit them individually but also enrich our community.

By providing a safe and supportive community, it would enable these young adults to continue their education, pursue vocational training, and build the foundations for a successful future.

Moreover, living in a community with peers facing similar challenges and staff they have already built trust with would foster a sense of belonging and camaraderie, rather than isolating them in shelters that are 90 miles or more out of town. They would be close to the social connections and support systems they were able to establish while at the Youth Resource Center. Their 18th birthday would not be a date that ends their education at Clarkston or Lewiston High School and begins their education on the streets because of no longer having a safe haven. By providing a stable and supportive environment, we can help these young individuals overcome adversity and achieve their full potential.

Thank you for your time and consideration.

Sincerely,

Wendy Geiger

LC Valley Cares Board Chair

Co Chair E.L.V.E.S.



LCVYRC Village Project

1 message

Megan Comstock <megan.a.comstock@gmail.com>
To: dortiz@cityoflewiston.org

Wed, Aug 28, 2024 at 3:34 PM

City of Lewiston -

Please approve the Conditional Use Permit for the Village project. This project is a must needed service that could bring about generational change.

Too many youth age out of a broken system that simply does not offer the support and training required to become a productive member of society.

This village will provide an opportunity to empower individuals while providing that wraparound support.

Michelle King is a phenomenal advocate for some of our most vulnerable in our community.

Sincerely,

Megan Comstock
Region 2 Behavioral Health Board Member



LC Valley Youth Resource Center's Village project

1 message

Jamie Simpson <JamieS@ihfa.org>

Wed, Aug 28, 2024 at 3:40 PM

To: "dortiz@cityoflewiston.org" <dortiz@cityoflewiston.org>

Hello, My name is Jamie Simpson. My team provides service agency functions for the House Idaho Collaborative, which is the Continuum of Care for all of Idaho except Ada County. We have recently received a planning grant to bolster coordination among those agencies who work with Idaho youth who are homelessness or at risk of homelessness, and are excited for the much needed housing option LC Valley and their new Village project will bring. Youth, especially those transitioning out of foster care, have a much higher chance of experiencing homelessness, which can become chronic if they experience other barriers to employment or housing. Providing a safe option for youth in the Lewiston area to ease into permanent housing with support is critical to helping stem the increase in homelessness in the area. I would like to offer my support and encouragement to Lewiston in approving the conditional use permit for the Village project.

Jamie Simpson | HOMELESSNESS PROGRAMS MANAGER
Idaho Housing and Finance Association
P.O. Box 7899, Boise, ID 83707-1899
Phone 208-331-4844 | JamieS@IHFA.ORG
www.idahohousing.com



LC Valley Youth Resource Center Village Project Support Letter

1 message

Jolene Cliffe <jolene@dacnw.org>
To: Dawn Ortiz <dortiz@cityoflewiston.org>

Wed, Aug 28, 2024 at 5:01 PM

Dear Planning and Zoning board,

I am writing to express my strong support for the conditional use permit application for the LC Valley Youth Resource Center regarding the Village housing project.

The Village project is a necessary initiative, and its successful execution would "satisfy an urgent need" in our community, as stated in the 2024 Strategic Plan under "Prioritization Considerations." On page 6, LU.2.1, it states, "Diversify possible housing options. Ensure that a variety of types, scale, and density-appropriate housing can be constructed throughout Lewiston, promoting neighborhoods that cater to residents of all incomes, ages, family structures, and cultures."

This project will provide a safe and supportive environment where young individuals can learn essential life skills, furthering their journey toward economic independence and long-term well-being. Many of the individuals who could be served are people with disabilities under the ADA, a group that is often underserved in our community. By offering housing and specialized services tailored to their unique needs, the Village project will play a vital role in helping these young people reach their full potential.

The proposed location at 2207 E Main is ideal, as it offers convenient access to public transit and is less than a 5-10 minute bus ride to the community center, the high school, LCSC, the downtown business district, and many services they will likely access. This proximity will enable residents to easily access the services they need and engage with the broader community.

I strongly urge the Planning Board/Zoning Administrator to approve the conditional use permit for the Village housing project. This initiative represents a significant opportunity to make a lasting impact on the lives of at-risk homeless young adults, including those with disabilities, and to contribute to a more inclusive and supportive community.

Thank you for considering this important project.

Jolene Cliffe
Independent Living Advocate
Disability Action Center
[330 5th St.](#)
Lewiston, ID 83501
(208)746-9033 Ext. 103
jolene@dacnw.org

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**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:

CUP24-3

II. APPLICANT'S NAME AND ADDRESS:

Michelle King
LC Valley Youth Resource Center Inc
1633 10th Avenue
Lewiston, ID 83501

III. PROPERTY OWNERS' NAME AND ADDRESS:

Twin County United Way, Inc.	City of Lewiston
PO Box 1660	1134 F Street
Lewiston, ID 83501	Lewiston, ID 83501

IV. IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:

2207 East Main Street and the two adjoining tax parcels to the north and east known as tax parcels RPL0500081001C and RPL365W081320, respectively.

V. DATE OF PUBLIC HEARING:

August 28, 2024

VI. NAME OF HEARING BODY:

Lewiston Planning and Zoning Commission

VII. NATURE OF SUBJECT CONDITIONAL USE PERMIT APPLICATION:

The Applicant requests conditional use permit approval to establish a transitional housing village for homeless, young adults between the ages of 18 and 21 years of age on approximately 0.5 acres in the Light Industrial, M-1, Zoning District. This application includes a request to allow waiver of Lewiston City Code Sec. 37-151(e) that does not allow off-street parking to be designed to back onto the street.

VIII. DECISION:

The Lewiston Planning and Zoning Commission APPROVES CUP24-3, including waiver of the Lewiston City Code § 37-151(e) that does not allow off-street parking to be designed to back onto

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR CUP24-3

the street, thereby allowing the Applicant's parking lot to be designed so that drivers may back onto 22nd Street.

IX. 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:

None.

X. 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
- (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:

Testimony was received from the neighbors of the area that the water and sewer lines were insufficient to support the proposed Village. Public Works staff member Pat Severance provided testimony that while he did not know the specifics of the water and sewer lines at issue, the impact of the proposed transitional housing village would be minimal and it is not anticipated that the proposed development would have a detrimental effect on the City's water and sewer systems in that area.

Public testimony was also received that there would not be sufficient guest parking for the proposed Village. The Applicant indicated that she had positive working relationships with a neighboring commercial business with a large parking lot. She indicated that if needed, she would seek permission from that business and use its parking lot when necessary, but did not think such services would be required frequently. She noted that the residents were not permitted to have overnight guests, and that guests were only permitted in the common area. Further, many of the youths who would be residents did not likely have the means for a vehicle, so parking was not anticipated to be a significant issue.

There was public testimony received regarding the safety of the neighborhood, if troubled youth were brought in. The Applicant noted that it intends to screen residents and will not accept youth with felonies or who are known to be violent. It currently has such policies in place at its existing facility, and generally has not had issues with its neighbors. The Commission weighed the testimony provided and noted the concerns of the neighbors did not outweigh the Applicant's long track record of successful operations. There were also comments that there was a "biker

club” in the same neighborhood who hosts large, rowdy parties, and that the proposed Village would have less of an impact than the existing biker parties that occur.

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 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:

The Applicant indicated that security lighting for the transitional housing village (the “Village”), as visually depicted in the Applicant’s on-screen presentation during the public hearing, hereby incorporated herein by reference, will be “warm” in color, low-level lighting, mounted approximately at eye level or below on the six-foot tall, sight-obscuring security fence surrounding the property. There will also be “quiet hours” enforced on the subject property between the hours of 10:00 p.m. and 6:00 a.m. The Applicant testified that it has an established “track record” of being a good neighbor with the LC-Valley Youth Resource Center, a residential facility, which is similar in nature to the Village.

City staff indicated that a traffic impact statement will be required by the City’s Public Works Department prior to building permit issuance. Said traffic impact statement will be evaluated for any potential traffic impact mitigation necessary from the establishment of the proposed Village. However, low traffic impact is expected from the proposed Village, as few of the residents are expected to have cars. The new parking required for the Village will be required to be paved, eliminating dust and gravel being tracked onto the street from the current dirt and gravel parking situation in that location.

A “facility management plan” is required, pursuant to Lewiston City Code § 42-34, for the proposed Village. The Applicant provided a copy of its proposed Facility Management Plan with its application. This plan is incorporated herein by reference. The plan covers staff training in how to manage various types of potential nuisance and peace disturbance behavior, including substance abuse, mental health crisis, violence or physical abuse, suicidal and criminal behavior, if encountered. The plan also includes a safety and security plan which was prepared in conjunction with the Lewiston Police Department, in accordance with Lewiston City Code.

2. The proposed use **is** a public necessity **and is** justified by the applicant and deemed to be of benefit to the public. Applicable commentary:

Multiple public comments were received regarding the public need to provide this type of housing for youths who are “aging out” of the foster care system. Additionally, said public comments highlighted the public benefit the proposed “Village” will provide to the community at large. The Commissioners noted that the current facility operated by the Applicant has a huge impact and the proposed Village would provide just as big an impact. Moreover, the Applicant presented a 2023 Service Summary concerning the number of individual youth served, the number of meals provided, and the nights of shelter provided to 41 different teens from its current facility. The Applicant testified that the intent of

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR CUP24-3

Page 3 of 8

the Village would be to provide transitional housing for these youths the Applicant services and that no other similar service is currently offered in the LC Valley. The proposed use also aligns with reported state of Idaho recognition of need and efforts to improve services for children in the foster care system. The primary driver of application CUP24-3 is to provide housing for foster care children who have no housing opportunity after being ineligible for foster care upon reaching the age of eighteen years.

3. The character of the proposed use, if developed according to the plan as submitted, **will** be in harmony with the area in which it is to be located. Applicable commentary:

City staff noted that the proposed Village will have less adverse impact to and is more compatible with surrounding residential uses than many uses that are permitted by right on the subject property in the applicable M-1 Zoning District, such as heavy equipment sales and service, industrial laundry and manufacturing facilities, and tire recapping and truck terminals. In addition to the information noted in Section 1 of this Reasoned Statement, the Commission noted that the paved parking would fix the current non-conforming parking and improve the immediate area with low-level, downcast light. Paired with the sight-obscuring fence, the proposed Village will seem more residential in nature than the other uses permitted by right. However, there is concern amongst the Commissioners that none of the residential neighbors were in support of the application and oppose the loss of a City park. Despite this, it was repeatedly noted by several participants that the City park is not maintained as such, the playground equipment was removed a long time ago, and there does not appear to be any intention expressed by the City to re-develop the park for continued use as a public park.

City staff testified that the new Comprehensive Plan does try to mix the commercial and residential uses in zones similar to the one where the proposed Village is located. By keeping the use residential in nature, it is in conformance with the residential nature of the neighborhood, even though it borders commercial properties. Lastly, it was noted that the M-1 zoning district permits transitional housing villages upon approval of a conditional use permit, and is therefore otherwise in conformance with the Zoning District's standards.

4. The proposed use **will not** endanger the environment or the public health or safety. Applicable commentary:

The Applicant provided a copy of its facility management plan with its conditional use permit application. The facility management plan covers staff training in how to manage various types of potential nuisance and peace disturbance behavior, including substance abuse, mental health crisis, violence or physical abuse, suicidal and criminal behavior, if encountered. The plan also includes a safety and security plan, which was prepared in conjunction with the Lewiston Police Department, in accordance with Lewiston City Code.

The Applicant further testified that all standards, requirements and licensing required by the Public Health North Central Idaho District must be adhered to, as well as local requirements for water, sewer, storm water, building, and fire codes. City staff testified that all standards of the Lewiston City Code shall be complied with, except Lewiston City Code § 37-151(e) which requires off-street parking to be designed and installed so as not to require backing onto the street. City staff indicated that the Applicant requested waiver of this standard in its conditional use permit application.

The Applicant provided testimony that due to the unique layout of the property and the proposed Village, it is not possible to configure the proposed Village in a way that allows for sufficient parking in conformance with the City Code. Therefore, the only workable solution is to have parking back into 22nd Street. The Applicant stated that since a majority of the residents will not likely own vehicles, staff will be the primary users of the parking lot. City staff noted that 22nd Street, along which the proposed parking lot would be located, is a dead-end street with little traffic, but there was public testimony that the street has more traffic than the City may realize. There was much discussion concerning the hazards associated with having young, inexperienced drivers backing onto a public street, but most of the discussion focused on hypotheticals and worst case scenarios of young, inexperienced drivers in general. Upon weighing the testimony received, the Commissioners noted that such scenarios were not likely in this instance due to the low likelihood that residents of the proposed Village would own a car. Additionally, if this were a residential development, the young, inexperienced drivers the neighbors are concerned about would still back up onto public streets and there would be nothing the Commission could do in that instance.

Therefore, in weighing the discussions on the matter of the requested waiver, the Commission approved waiver of the standard, pursuant to Lewiston City Code § 37-160(b). Waiver of such standard is justified because:

- A. The street (22nd St) onto which the vehicular backing will occur is a low traffic, local, dead-end street.
- B. The applicable parking spaces will be paved, eliminating the tracking of dirt and gravel from said spaces onto the street, which is now occurring from people parking there when it is dirt and gravel.
- C. The applicable parking spaces will be paved and striped, reducing the possibility of the community mistakenly thinking it is a public parking area. (The east side of Locomotive Park is across the street to the west of this parking on the west side of 22nd Street).
- D. The City of Lewiston Public Works Department, which has administrative authority over non-criminal street safety (design, improvements, access, parking, etc.), has recommended waiver of this standard. The Applicant will remove four existing non-compliant parking spaces at the southwest corner of the existing building. Such spaces are partially, and not legally, in the 22nd Street right of way and back onto the street too close to the intersection with East Main Street.

5. The proposed use **will** be in substantial conformance with the Comprehensive Plan. Applicable commentary:

The subject property is designated on the Future Land Use Map (FLUM) of the Comprehensive Plan (the Plan) as Community Commercial, which is primarily intended for mid-to-high level commercial uses. However, mixed use and multi-unit residential use are listed as appropriate supporting uses on lands with this designation.

Goals, Objectives, and Actions from the Plan that support approval of CUP24-3 include the following:

GOAL LU.1 ACCOMMODATE FUTURE DEVELOPMENT
AND REDEVELOPMENT.

LU.1.3 Balance land uses. Establish land use patterns that accommodates

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR CUP24-3

various land uses in proportion to the needs of the community.

GOAL LU.2 PROVIDE HOUSING CHOICES.

THROUGHOUT LEWISTON.

LU.2.1 Diversify possible housing options. Ensure that a variety of types, scale and density-appropriate housing can be constructed throughout Lewiston, promoting neighborhoods that cater to residents of all incomes, ages, family structures and cultures.

LU.2.1.1 Conduct a review of the Land Use Code and implement modifications to facilitate diverse, scale-appropriate housing options across Lewiston.

LU.2.2 Allow for density by ensuring compatibility. Build additional housing types in a scale appropriate way that fits into existing neighborhoods.

GOAL H.1 INCREASE HOUSING QUALITY AND PRODUCTION.

H.1.1 Improve quality of and access to affordable housing. Implement related existing plans and identify solutions for housing access.

H.1.1.2 Explore opportunities for increasing production of affordable housing by increasing the supply of rental units serving residents currently receiving rental subsidies, or by getting involved in the development of public housing. This may include pursuing public-private partnerships to fund development, establishing a housing authority, and other actions such as amending the zoning code to facilitate and/or encourage more multi-family residential housing supply and supporting rezone, conditional use permit and planned unit development applications for such housing.

H.1.3 Evaluate regulations for barriers to housing. Assess and amend subdivision and zoning regulations to change factors that limit the ability to build new housing where appropriate.

H.1.3.2 Encourage more housing through support of support conditional use permit and planned unit development applications for needed housing types, evaluating and updating zoning code to allow for more needed housing types, and incentives like density bonuses to facilitate more housing units.

H.1.3.3 Study and act to overcome barriers to housing development for housing types that are not currently being built (e.g., multifamily and missing-middle housing). Barriers may include parking requirements, state restrictions on uses of funding, environmental review, developer infrastructure investments, permitting timelines, land availability, lack of land zoned for these housing types, lack of zoning code use by right allowance for these housing types, and others.

GOAL H.2 DIVERSIFY HOUSING OPTIONS.

H.2.1 Raise community awareness and interest in missing middle housing types. Educate developers and residents about the benefits of a diverse range of housing.

H.2.2 Reduce barriers to missing middle housing typologies. Study and reduce or eliminate barriers to allow for additional housing typologies that are not currently being built.

H.2.4 Incentivize a variety of housing types. Enable additional tools and incentives for development of ADUs and other housing types that tend to be lower in cost and result in increased density.

Additionally, the Housing Chapter of the Plan says the following:

HOUSING HEALTH AND WELLBEING CONSIDERATIONS.

Access to quality and affordable housing is critical for health and wellbeing, as shelter is a basic human need. When housing is in poor condition, things like mold, exposure to lead and asbestos, and poor insulation can have detrimental effects to physical health. The financial burdens of high housing costs can lead to mental stress and lessen the ability to properly maintain housing conditions. Access to a variety of housing options to suit the various stages of life allows people to stay in the community and maintain social connections. Housing location can also greatly affect health outcomes. Residences near hazards and poor environmental conditions experience shorter life expectancy than areas without the same risks. Having a safe, stable, and affordable place to live is critical to the Lewiston community's health and wellbeing.

The Commission discussed these standards and the adoption of the Goals and Objectives section of the Staff Report provided with the public packet, incorporated herein by reference. They determined that the proposed Village would be in substantial conformance because in the end it improves the health and wellbeing of the youth affected and the overall community.

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:

The City of Lewiston has indicated that it will provide public water, sewer, stormwater, police and fire services to the proposed Village. No objections from any city departments or divisions providing such services has objected to approval of CUP24-3. Public hearing notice of CUP24-3 was provided to all political subdivisions that would provide services to the proposed Village, and no objections to its approval or testimony of adverse impact to their ability to provide services or their capacity was received. The Commission noted that the proposed Village is 0.2 miles away from public transportation and is on a bus line. The Lewiston School District has indicated its willingness to provide support to the Applicant.

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. The decision is to approve CUP24-3.

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. The decision is to approve CUP24-3.

NOTICE TO APPLICANT AND AFFECTED PERSONS: An applicant or affected person may file a written request for reconsideration with the City Clerk to request that the Planning and Zoning Commission reconsider its final decision within fourteen (14) calendar days by 5:00 p.m. on the fourteenth (14th) day after the Planning and Zoning Commission has adopted this Reasoned Statement of Relevant Criteria and Standards. The written request for reconsideration shall include, at a minimum, the following information: (i) the name and address of the applicant or affected person requesting reconsideration, (ii) the specific deficiencies in the decision for which reconsideration is sought, and (iii) a description of any procedural injury or substantial harm to real property interest(s) suffered as a result of the decision, all in accordance with Lewiston City Code § 37-185(b)(1). A form may be obtained from the City Clerk. A request for reconsideration shall be a mandatory exhaustion of an applicant or affected person's

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR CUP24-3

Page 7 of 8

administrative remedies prior to the filing of an appeal of the Planning and Zoning Commission's decision to the City Council.

Within fourteen (14) calendar days after the Planning and Zoning Commission has adopted its written decision on reconsideration, an applicant or affected person may file with the City Clerk a written notice of appeal to the City Council, in accordance with Lewiston City Code § 37-185(c). A form may be obtained from the City Clerk. The written notice of appeal shall include, at a minimum, the following information: (i) the name and address of the applicant or affected person, (ii) identification of the section(s) of the Lewiston City Code or applicable state or federal law(s) that has been incorrectly applied or violated and a description of how they have been incorrectly applied or violated, and (iii) a description of the real or potential prejudice to a substantial right of the applicant or affected person. The fee required by Lewiston City Code § 37-188 shall be deposited with the City Clerk within the fourteen (14)-day period. If an appeal is not filed and/or the fee required by Lewiston City Code § 37-188 is not deposited within the fourteen (14)-day period, then the decision of the Planning and Zoning Commission shall be final.

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 Reasoned Statement of Relevant Criteria and Standards 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, as described above, seek judicial review under the procedures provided by Title 67, Chapter 52, Idaho Code.

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. This public hearing will be held at a meeting which may have additional public hearings on the agenda.

WEDNESDAY SEPTEMBER 11, 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 Facebook 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:

APPLICATIONS ANX24-2, CPA24-3, ZNC24-3 BY CODY MERRELL: The applicant requests that parcel of land located at 1125/1127 Warner Avenue be removed from the Lewiston Area of City Impact and annexed into Lewiston city limits and that it be assigned a Comprehensive Plan Land Use Designation of Neighborhood Commercial and placed in the Community Commercial, C3, Zoning District and amending the Lewiston Area of City Impact Map accordingly.

Any person (or persons) aggrieved, 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 August 23, 2024 and 22 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
WARD BRIAN E		1130 WARNER AVE	LEWISTON	ID	83501
SOURDOUGH POST #10043 OF VFW	OF US INC	1104 WARNER AVE	LEWISTON	ID	83501
LEWISTON CITY OF		PO BOX 617	LEWISTON	ID	83501
GLUDT DANIEL		1113 LINDEN AVE	LEWISTON	ID	83501
ERICKSON DEWAINE E &	ERICKSON BILLIE L	1124 WARNER AVE	LEWISTON	ID	83501
SCHOOL INDEPENDENT DIST #1 &	LEWISTON CITY OF &	3317 12TH ST	LEWISTON	ID	83501
POWELL CHARLES L &	POWELL DEBORAH E	1122 WARNER AVE	LEWISTON	ID	83501
JAMES RICHARD M &	JAMES VIRGINIA L	1128 WARNER AVE	LEWISTON	ID	83501
SWARTZ ASHLEY &	PARRA JUAN ROBLEDO	1140 WARNER AVE	LEWISTON	ID	83501
KAUFMAN PATRICK		1120 WARNER AVE	LEWISTON	ID	83501
INDEPENDENT SCHOOL DIST #1		3317 12TH ST	LEWISTON	ID	83501
REED RUTH JOAN		1114 WARNER AVE	LEWISTON	ID	83501
POWELL CHARLES L &	POWELL DEBORAH E	1122 WARNER AVE	LEWISTON	ID	83501
SKINNER EVE LIVING TRUST		3717 11TH STREET E	LEWISTON	ID	83501
ULRICH JIM F &	ULRICH SENA	1210 LINDEN AVE	LEWISTON	ID	83501
RALSTON JOHN M &	HEGAR ANNA M	1126 WARNER AVE	LEWISTON	ID	83501
ZIEGLER KARL E &	ZIEGLER THERESA	620 E HOLLAND AVE	SPOKANE	WA	99218
REININGER MARION H		3308 12TH ST	LEWISTON	ID	83501
KAUFMAN PATRICK		1120 WARNER AVE	LEWISTON	ID	83501
KRESS MARY I &	KRESS LAWRENCE L	1134 WARNER AVE	LEWISTON	ID	83501
LUSTIG ADAM		1115 LINDEN AVE	LEWISTON	ID	83501
BENDER JOHN &	BENDER JULIE A	3310 12TH ST	LEWISTON	ID	83501

City of Lewiston





ANX24-2

STAFF USE ONLY

Case Number: _____

Hearing Date: _____

APPLICATION FOR VOLUNTARY ANNEXATION

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, before or outside of the public hearing at which this matter will be heard.

PROPERTY OWNER/APPLICANT INFORMATION

Property

Owner

Name: Merrell Cody

Last

First

M.I.

Address: 1221 Crane Creek Road

Street Address

Potlatch, Idaho 83855

City

State

ZIP Code

Phone: (208) 669-1488

Email: cody@merrell-enterprises.com

*****IF ADDITIONAL PROPERTY OWNERS, THEN PROVIDE THEIR INFORMATION ON THE
ADDITIONAL PROPERTY OWNER INFORMATION PAGE (PAGE 3)*****

PROPERTY INFORMATION

Tax Parcel
Number(s):

RP001530070050

Subdivision Name:
(if applicable)

Lewiston Orchards Tract 19

Block: 153

Lot: 7

OR attach a metes and bounds description if the subject property cannot be completely described by Lot and Block of a subdivision.

Property Acreage: 4.99 Acres

NATURE OF YOUR REQUEST

The current Comprehensive Plan Designation of this property is: N/A

The **proposed** Comprehensive Plan Designation of this property is: Community Commercial

The current zoning of this property is: Ag/Res

The **proposed** zoning of this property is: C3 Commercial

5-10-14

Please provide **WRITTEN** responses to the following questions:

1. What is the Comprehensive Plan Designation of the property and of the adjoining properties? Describe how the requested zoning classification conforms to the adopted Comprehensive Plan map and text.

Neighborhood Commercial

The requested zoning matches all adjacent zoning and only varies slightly from the

Neighborhood Commercial Zone.

2. Describe how the subject land is at least as well suited or is better suited for the proposed zoning district than the existing zoning district.

The proposed zone matches the zone of all adjacent properties. The existing zone is

a Nez Perce County zone and is not comparable to city zoning

3. Describe how the proposed rezone does not present foreseen, immitigable impacts of incompatible uses or development being located in the same vicinity.

The proposed zone best conforms to existing zones, thus creating compatible uses.

4. Describe how the effects of the proposed rezone are not anticipated to place undue burden upon delivery of services provided by any political subdivision (i.e. taxing entity) within the planning jurisdiction, including school districts.

The proposed zone is located on a newly upgraded street making services to the site easier than most sites around town. As a commercial property the impact to school districts and other political entities are anticipated to be minimal. Police and fire services may have additional minor responsibilities as with any development for property protection.

5. Describe how the size, type, intensity and density of development expected to occur on the subject property as a result of this rezoning is suitable for the area and will not unduly burden the neighborhood, public infrastructure or environmental resources.

The anticipated use of the site is storage units matching a large portion of that block.

Infrastructure has been constructed in anticipation of commercial use of that lot

6. If the subject property is located within a designated historic district, describe how the requested zone change will not be in conflict with the intents and purposes of Lewiston City Code Chapter 19.5, Historic Districts (A Certificate of Appropriateness from the Lewiston HPC is required).

Subject property is not within a designated historic district.

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: _____ Date: _____

The Property Owner hereby authorizes this application:

Signature: _____ Date: _____

**** INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED****

QUESTIONS? Contact City Planner Joel Plaskon at 208-746-1318 x 7202

APPLICATION PROCESS

1. The applicant submits the completed application to the Community Development Department requesting the Zone change. The representative of the Department reviews the application for completeness prior to further processing.

ALL MATERIALS INCLUDED IN THE APPLICATION MUST BE PROVIDED AT THIS TIME. INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED.

PLEASE NOTE: 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 and/or the Lewiston City Council outside of the public hearing at which this matter will be heard.

2. The Community Development Department sets the public hearing date for the application according to the public hearing schedule. The Planning and Zoning Commission holds public hearings on the second and fourth Wednesday of each month. The Commission will make a recommendation on a zone change application to the City Council, who will also conduct a public hearing on the matter and render the decision. The City Council holds public hearings on the second and fourth Monday of each month. **Completed applications must be submitted at least four weeks prior to the public hearing date.** You will be notified of the hearing date when you submit your application.
3. The Community Development Department notifies all residents within 300 feet of the property for which you are requesting the Zone Change. This notifies them of the nature of your application, the date of the public hearing, and solicits comments from them.
4. The Community Development Department solicits comments from public agencies and City Departments so a recommendation can be made.
5. After all comments have been received, the Community Development Department prepares a staff report and recommendation for the Planning and Zoning Commission. You will receive a copy of this report and recommendation in advance of the meeting.
6. The Planning and Zoning Commission holds a public hearing on the request. The applicant is invited to speak as well as others who wish to provide testimony, whether in support or in opposition, to the request. **IT IS STRONGLY RECOMMENDED THAT YOU BE IN ATTENDANCE AT THIS MEETING.**
7. The Planning and Zoning Commission will make a recommendation to the City Council. This recommendation is forwarded to the City Manager for submittal to the City Council.
8. The City Council sets a public hearing date, generally several weeks away to allow sufficient time for legal notice. The property owners who received notice for the Planning and Zoning public hearing will again receive notice of the City Council public hearing.
9. The City Council holds a public hearing on the request. If the City Council approves the PUD Amendment request. The City Attorney prepares an ordinance for the Council.
10. At subsequent public meetings, the City Council holds the first, second, and third readings of the Ordinance. Following the third reading and adoption of the Ordinance, the Ordinance is published in the newspaper, after which the PUD Amendment becomes final.

APPLICANT'S CHECKLIST

- ☐ Completed and signed application with supporting documents;
- ☐ Filing fee payable to the City of Lewiston;
- ☐ A correct legal description of the property;
- ☐ A site plan (11" x 17" or 8 1/2" x 11") to scale

CPA24-3

STAFF USE ONLY

Case Number: _____

Hearing Date: _____



APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

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.

****NOTE: INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED****

APPLICANT INFORMATION

Full Name: Merrell Cody Date: 7-31-24
Last First M.I.
Address: 1221 Crane Creek Road
Street Address Apartment/Unit #
Potlatch, Idaho. 83855
City State ZIP Code
Phone: (208) 669-1488 Email: cody@merrell-enterprises
Property Owner Name: Same Phone: _____
Mailing Address: _____

PROPERTY INFORMATION

Street Address of Subject Property: 1125/1127 Warner Ave.
Subdivision Name: Lewiston Orchards Tract 1 Block: 153 Lot: 7

OR attach a metes and bounds description if not part of a subdivision.

NATURE OF YOUR REQUEST

The current Comprehensive Plan Designation of this property is: Ag/Res

The proposed Comprehensive Plan Designation of this property is: Commercial

8-45893

Please provide a statement fully describing your request for a Comprehensive Plan Amendment. What conditions have changed in the area to cause the need to amend the Comprehensive Plan? How will the requested amendment address those changes?

The existing lot is located in Nez Perce County and has not been annexed into the City yet.

The parcel is surrounded by community commercial lots which makes reasonable to include this parcel within that designation as well. Changes to the Comprehensive plan would be seamless if the suggested change is made.

APPLICANT'S CHECKLIST

In order to properly process your request for a Comprehensive Plan Amendment, please be sure to include the following material with your completed application:

- ☐ Completed and signed application, including supporting documents;
- ☐ Site Plan (11 x 17) or 8 ½ x 11) to scale;
- ☐ A correct legal description of the property;
- ☐ Filing fee payable to the City of Lewiston

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: 

Date: _____

The Property Owner hereby authorizes this application:

Signature of Owner: _____

Date: _____

COMPREHENSIVE PLAN AMENDMENT APPLICATION PROCESS

1. The applicant submits the completed application form to the Community Development Department requesting the amendment to the Comprehensive Plan. **All materials included in the application must be provided at this time.** The representative of the Department reviews the application for completeness prior to further processing.

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.

2. The Community Development Department sets the public hearing date for the application according to the public hearing schedule. The Planning and Zoning Commission holds public hearings on the second and fourth Wednesdays of each month. Completed applications must be submitted approximately four (4) weeks prior to the public hearing date. You will be notified of the hearing date when you submit your application. Because the State of Idaho limits the number of times each year a municipality may amend the comprehensive plan, your hearing dates may be delayed.
3. The Community Development Department notifies all residents, by mail, within 300 feet of the property for which you are requesting the Comprehensive Plan Amendment. This notifies them of the nature of your application, the date of the public hearing, and solicits comments from them.
4. The Community Development Department solicits comments from public agencies and City Departments so a recommendation can be made.
5. After comments have been received, the Community Development Department prepares a staff report and recommendation for the Planning and Zoning Commission. You will receive a copy of this report and recommendation in advance of the meeting.
6. The Planning and Zoning Commission holds a public hearing on the request. You are invited to speak as well as others who wish to provide testimony whether in support or opposition of the request. **It is strongly recommended that you be in attendance at this meeting.**
7. The Planning and Zoning Commission will make a recommendation to the City Council. This recommendation is forwarded to the City Manager for submittal to the City Council.
8. The City Council sets a public hearing date, generally several weeks away to allow sufficient time for legal notice. The property owners who received notice for the Planning and Zoning public hearing will again receive notice of the City Council public hearing.
9. The City Council holds a public hearing on the request.
10. If the City Council approves the Comprehensive Plan Amendment request, the City Attorney prepares an Ordinance for the Council.

11. At subsequent public meetings, the City Council holds the first, second, and third readings of the Ordinance. Following the third reading and adoption of the ordinance, the ordinance is published in the newspaper, after which the Comprehensive Plan Amendment becomes final.

2NC24-3

STAFF USE ONLY

Case Number: _____

Hearing Date: _____



APPLICATION FOR ZONE CHANGE

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 INFORMATION

Full Name: Merrell Cody Date: 7-9-24
Last First M.I.

Address: 1221 Crane Creek Road
Street Address Apartment/Unit #
Potlatch, Idaho 83855
City State ZIP Code

Phone: (208) 669-1488 Email cody@merrell-enterprises.com

Property Owner: Same Phone: _____

Property Owner Mailing Address: _____

DESCRIPTION OF PROPERTY

Street Address of Subject Property: 1125/1127 Warner Ave.

Subdivision Name: Lewiston Orchards Tract 19

Block: 153 Lot: 7

OR, if not part of a subdivision, attach a metes and bounds description

NATURE OF REQUEST

Change FROM Zone District: Ag/Res TO Zone District: C3 Commercial

The Planning and Zoning Commission shall evaluate a requested amendment to a zoning district to determine the nature and extent of the requested change. If it is an accord with the adopted comprehensive plan, the commission may recommend and the council may adopt or reject the requested change. The commission may request documentation of land use impacts, both existing and proposed, through studies, presentations, or other documents, and may require said documentation to be stamped and signed by professionals deemed qualified by the commission.

Annexation is requested in order to/because (describe the reason/purpose):

Connect to City services, develop the lot for commercial use and to remove a county island lot.

PROPERTY OWNER CERTIFICATION AND CONSENT TO VOLUNTARY ANNEXATION

The property owner(s) hereby certifies that the information contained in this application is true and correct to the best of my/our knowledge and agrees to enter into an "Irrevocable Consent to Annexation Agreement" (separate document to be produced by the City for the applicant to sign) for the annexation of the subject property to the City of Lewiston, whereby such annexation shall be binding upon subsequent purchasers, heirs, or assigns of lands addressed in this consent, to wit:

Property owner(s):	1) Merrell Enterprises		
	Printed Name	Signature	Date
	2) _____		
	Printed Name	Signature	Date
	3) _____		
	Printed Name	Signature	Date
	4) _____		
	Printed Name	Signature	Date

ADDITIONAL PROPERTY OWNER INFORMATION

Provide Information of Any Owner of the Subject Property to be Annexed Not Already Listed on Page 1.

**Property
Owner
Name:**

Last *First* *M.I.*

Address:

Street Address

City

State

ZIP Code

Phone:

Email:

**Property
Owner
Name:**

Last *First* *M.I.*

Address:

Street Address

City

State

ZIP Code

Phone:

Email:

**Property
Owner
Name:**

Last *First* *M.I.*

Address:

Street Address

City

State

ZIP Code

Phone:

Email:

APPLICATION SUBMITTAL CHECKLIST

- | | | |
|--------------------------|--------------------------|--|
| YES | NO | 1) Two copies of the completed, signed paper application form each with the following attachments: |
| ☐ | ☐ | |
| YES | NO | |
| ☐ | ☐ | |
| ☐ | ☐ | A) A correct legal description of the property to be annexed, including its acreage; |
| YES | NO | B) A vicinity map identifying the subject property in relation to the existing city limit line and streets within one quarter mile (1,320 feet) of the subject property; |
| ☐ | ☐ | C) A detailed map identifying the subject parcel(s) requested for annexation, including property line dimensions, adjoining streets and the existing city limit line; |
| YES | NO | D) Supplemental property owner information sheet, if applicable |
| ☐ | ☐ | 2) Filing Fee payable to CITY OF LEWISTON. This fee will also pay for comprehensive plan land use designation and zoning associated with and necessary for annexation. |
| YES | NO | |
| ☐ | ☐ | |

ANNEXATION AUTHORITY:
STATE OF IDAHO CODE AND LEWISTON ANNEXATION POLICY

Idaho Code Section 50-222 et seq. gives cities the authority to "annex lands which are reasonably necessary to assure the orderly development of Idaho's cities." It also states "annexation of lands into a city shall follow the procedures applicable to the category of lands as established by this section."

A private landowner may petition for annexation under Idaho Code Section 50-222(3)(a) entitled "Category A: Annexations wherein:

- (i) All private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation;
- (ii) Any residential enclaved lands of less than one hundred (100) privately-owned parcels, irrespective of surface area, which are surrounded on all sides by land within a city or which are bounded on all sides by lands within a city and by the boundary of the city's area of impact; or
- (iii) The lands are those for which owner approval must be given pursuant to subsection (5)(b)(v) of this section."

Idaho Code Section 50-222(5)(a): "Procedures for Category A Annexations: Lands lying contiguous or adjacent to any city in the state of Idaho may be annexed by the city if the proposed annexation meets the requirements of category A. Upon determining that a proposed annexation meets such requirements, a city may initiate the planning and zoning procedures set forth in Chapter 65, Title 67, Idaho Code, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed."

ANNEXATION APPLICATION PROCESS

1. Pre-application meeting to determine feasibility and desirability of annexation, as well as related comprehensive plan, zoning, public infrastructure, emergency service, and property development issues.
2. The applicant submits a completed application on the form provided to the Community Development Department requesting the annexation to the City of Lewiston. **All material included in the application must be provided at this time.** The representative of the Department reviews the application for completeness prior to further processing.
3. The Community Development Department sets the public hearing date for the application according to the public hearing schedule. The Planning and Zoning Commission holds public hearings on the second and fourth Wednesdays of each month. Completed applications must be submitted at least twenty (20) working days prior to the public hearing date. You will be notified of the hearing date when you submit your application.
4. The Community Development Department notifies by mail all residents within 300 feet of the property for which you are requesting annexation. This notifies them of the nature of your application, the date of the public hearing, and solicits comments from them.
5. The Community Development Department solicits comments from public agencies and City Departments so a recommendation can be made.
6. The Community Development Department reviews the request for compliance with Idaho Code and prepares a recommendation for the Planning and Zoning Commission. The applicant will receive a copy of this report and recommendation in advance of the meeting.
7. A public hearing date is set before the Planning and Zoning Commission and a public hearing notice is published in the newspaper. Neighboring property owners are sent notice of the public hearing and the property is posted with a public hearing notice.

8. The Planning and Zoning Commission holds a public hearing on the request. The applicant is invited to speak as well as others who wish to provide testimony whether in support or opposition to the request. **It is strongly recommended that the applicant be in attendance at this meeting.**
9. The Planning and Zoning Commission will make a recommendation to the City Council.
10. The City Council holds a public hearing on the request subject to the same notice requirements as done at the Planning and Zoning Commission level. **It is strongly recommended that the applicant be in attendance at this meeting.**
11. If the City Council approves the annexation request, the City Attorney prepares an ordinance for annexation, a resolution for comprehensive plan land use designation, and an ordinance for zoning for the Council.
12. At subsequent public meetings, the City Council holds the first, second, and third readings of the ordinances and approves the resolution. Following the third reading and adoption of the ordinances, the ordinances are published in the newspaper after which the decisions become final.

8-21-2024

**Legal Description by Hodge & Associates
For Cody Merrell
Annexation Parcel**

A parcel of land, a portion of which is Lot 7, Block 153 of vacated Map of Lewiston Orchards Tract 19, Book 1 of Dedications, Pages 8-12, Cabinet I 46 A, Nez Perce County Records, located in the southwest Quarter of the Northwest Quarter of Section 9 and the Northeast Quarter of the Southeast Quarter of Section 16, all in Township 35 North, Range 5 West, Boise Meridian, Nez Perce County, Idaho, described as follows:

Lot 7, Block 153 of Vacated Map of Lewiston Orchards Tract 19 together with the adjacent south 10.00 feet of Vacated Park Avenue, as described in Warranty Deed, Instrument #914799 Nez Perce County Records.

Together with: the adjacent north 30.00 feet of Warner Avenue.

Parcel contains 5.03 acres more or less.



PLANNER'S STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

Date: 8/21/2024

Case File Number: ANX24-2, CPA24-3, ZNC24-3

Applicant:

Cody Merrell
1221 Crane Creek Road
Potlatch, ID 83855

Property Owner:

Cody Merrell
1221 Crane Creek Road
Potlatch, ID 83855

Site Location:

1125/1127 Warner Avenue
Lewiston, ID 83501

Request/Proposal: The applicant requests that the parcel of land located at 1125/1127 Warner Avenue be removed from the Lewiston Area of City Impact and annexed into the Lewiston city limits and that it be assigned a Comprehensive Plan Land Use Designation of Neighborhood Commercial and placed in the Community Commercial, C3, Zoning District and amending the Lewiston Area of City Impact Map accordingly.

Subject Property and Surrounding Land Uses: The subject property is an approximately 4.896 acre parcel of land with two single family dwellings and some accessory structures located on it. A majority of the subject property is vacant pasture land. The subject property is surrounded on all four sides by city property and is a county island. Surrounding uses include single family dwellings to the south (located in the Low Density Residential, R2A, Zoning District), Ziggy's Home Improvement store and several mini storage businesses to the

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west (located in the Community Commercial, C3, Zoning District), the Lewiston High School campus to the north (located in the Community Commercial, C3, Zoning District) and City of Lewiston owned property to the east, currently housing a water storage facility and parking lot and public restroom with future plans for fitness courts (located in the Community Commercial, C3, Zoning District).

Related Or Other Pending Discretionary Actions:

None.

Flood Plain, Wetlands, EPA Regulated Site:

NA

Code References:

TITLE 50

MUNICIPAL CORPORATIONS

CHAPTER 2

GENERAL PROVISIONS — GOVERNMENT — TERRITORY

50-222. annexation by cities. (1) Legislative intent. It is the intent of the legislature to honor the right of private landowners to have a voice in their own governance, to minimize conflict between citizens and municipalities, to provide a mechanism for the orderly development of Idaho cities, including the efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands that benefit from cost-effective availability of municipal services in urbanizing areas, and to equitably allocate the costs of public services in managing development on the urban fringe.

(2) Definitions. For purposes of this section:

(a) "Consent" means a written document executed by the landowner or the landowner's authorized agent explicitly agreeing to annexation. Written consent to annex lands must be recorded in the county recorder's office to be binding upon subsequent purchasers, heirs, or assigns of lands addressed in the consent.

(b) "Contiguous" means sharing a common border. For the purpose of this section, land is not contiguous if the only common border is along a shoestring connection.

(c) "Implied consent" means that valid consent to annex is implied for the area of all lands connected to a water or wastewater collection system owned and operated in its entirety by the city if the connection was requested in writing by the owner or the owner's authorized agent prior to July 1, 2024, or if the connection was completed before July 1, 2008.

(d) "Landowner" means a person owning real property in the area proposed for annexation.

(e) "Planning and zoning commission" means the entity performing planning and zoning duties for the city, which may be the city council itself, a planning commission, a zoning commission, or a planning and zoning commission.

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(f) "Subject land" means an area proposed for annexation by a city pursuant to this section.

(3) Requirements. Except as provided in subsection (5) of this section, no city of this state shall annex land unless and until the following requirements are met:

(a) The subject land is contiguous to or surrounded by the city, except as provided in subsections (7), (9), or (11) of this section;

(b) The city notifies each landowner and the board of county commissioners of its intent to annex the subject land. Such notification shall:

(i) Include a summary of the annexation plan;

(ii) Advise landowners of their right to give or withhold consent;

(iii) Include a description of how consent can be made, where it should be filed, and the deadline for such filing, which shall be no later than forty-five (45) days after the date of notification;

(iv) Include information about where the entire record of the proposed annexation may be reviewed; and

(v) Include a legal description of the subject land and a simple map depicting the location of the subject land;

(c) The city publishes notice of its intent to annex the subject land. In providing notice, the city shall comply with the notice and hearing procedures governing a zoning district boundary change as set forth in [chapter 65, title 67](#), Idaho Code, unless otherwise provided in this section, on the question of whether the subject land should be annexed and, if annexed, the zoning designation to be applied to the subject land. The initial notice of public hearing concerning the question of annexation and zoning shall be published in the official newspaper of the city and mailed by first class mail to every landowner of property included in the annexation proposal at least twenty-eight (28) days prior to the initial public hearing. All public hearing notices shall establish a time and procedure by which comments concerning the proposed annexation may be received in writing and heard;

(d) The city council adopts a written annexation plan;

(e) Subsequent to publishing notice of intent and a written annexation plan, the city council and the planning and zoning commission each holds a public hearing on the proposed annexation, pursuant to section [67-6525](#), Idaho Code, at which landowners and city residents are afforded an opportunity to testify for or against annexation. Provided, however, if a city performs its own planning and zoning functions without a commission, the two (2) public hearings required by this paragraph may be combined into one (1) public hearing, but in such case, the notice to landowners required by paragraph (c) of this subsection must be mailed at least forty-five (45) days prior to the public hearing; and

(f) Landowners representing sixty percent (60%) of the parcels and at least fifty percent (50%) of the area proposed for annexation give voluntary consent as defined in subsection (2) of this section and record such consent with the county recorder's office for the county in which the property is located.

(4) Written annexation plan. The written annexation plan required by subsection (3) of this section shall describe:

(a) The manner of providing tax-supported municipal services to the subject land;

- (b) The changes in taxation and other costs that would result if the subject land were to be annexed;
- (c) The means of providing fee-supported municipal services, if any, to the subject land;
- (d) An analysis of the potential effects of annexation on other units of local government that currently provide tax-supported or fee-supported services to the subject land;
- (e) The proposed future land use plan and zoning designation or designations, subject to public hearing, for the subject land; and
- (f) A statement of the public purposes that would benefit from annexation.

(5) Exceptions.

(a) Annexation with consent. In the case of a prospective annexation where all landowners of the subject property have requested annexation or where consent has been given by the landowner or landowners of a contiguous parcel or parcels or where implied consent has been given, the provisions of subsections (3) and (4) of this section shall not apply. In such a case, the subject land may extend beyond the city area of impact if the land is contiguous to the city and the comprehensive plan includes the area of annexation. Lands need not be contiguous to the city limits at the time a landowner consents to annexation for the property to be subject to a valid consent to annex, but no annexation of lands may occur, regardless of consent, until such land becomes contiguous to the city. Upon determining that a proposed annexation meets the requirements of this subsection, a city may initiate the planning and zoning procedures set forth in [chapter 65, title 67](#), Idaho Code, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed.

(b) Enclaves. The provisions of subsections (3) and (4) of this section shall not apply to the annexation of any residential enclaved lands of thirty (30) or fewer privately owned parcels that are surrounded on all sides by lands within a city or lands that cannot legally or physically be annexed.

(6) Ordinance. If all requirements provided in subsection (3) or (5) of this section are satisfied and the city agrees to the annexation, then the city council shall enact an annexation ordinance.

(7) Highways. In any annexation proceeding, all portions of highways lying wholly or partly in the subject area shall be included in the area annexed unless there is an express agreement otherwise between the city and the governing board of the highway agency providing road maintenance at the time of annexation. Provided, however, no city council may annex property if the property will be connected to the city only by a shoestring connection or strip of land comprising the highway's right-of-way in order to establish contiguity.

(8) Fairgrounds. Property that is used as a fairground pursuant to the provisions of [chapter 8, title 31](#), Idaho Code, or [chapter 2, title 22](#), Idaho Code, shall not be annexed unless the annexation is approved by a majority of the board of county commissioners of the county in which the property lies.

(9) Airports. A city may annex land that is not contiguous to the city itself if such land is occupied by a municipally owned or operated airport or landing field. A city may not annex any land contiguous to the airport or landing field unless the land may otherwise be annexed pursuant to this section.

(10) Recreational areas. Property owned by a nongovernmental entity that is used to provide outdoor recreational activities to the public and that has been designated as a planned unit development of fifty (50) acres or more and does not require or utilize any city services must have the express written permission of the nongovernmental entity owner to be annexed by a city.

(11) Railroad rights-of-way. A railroad right-of-way property may be annexed pursuant to this section only when property within the city adjoins or will adjoin both sides of the right-of-way. Provided, however, no city council may annex property if the property will be connected to the city only by a shoestring connection or strip of land comprising the railroad right-of-way.

(12) Agricultural or forest lands. In addition to the requirements set forth in this section, the following lands may not be annexed without the express written permission of the landowner:

(a) Land, if five (5) acres or greater, actively devoted to agriculture as defined in section [63-604\(1\)](#), Idaho Code, regardless of whether such land is surrounded or bounded on all sides by lands within the city; and

(b) Land, if five (5) acres or greater, actively devoted to forest land as defined in section [63-1701](#), Idaho Code, regardless of whether such land is surrounded or bounded on all sides by lands within the city.

(13) Judicial review. In the case of a city-initiated annexation, the decision of a city council to annex and zone land shall be subject to judicial review in accordance with the procedures provided in [chapter 52, title 67](#), Idaho Code, and pursuant to the standards set forth in section [67-5279](#), Idaho Code. An appeal shall be filed by an affected person in the appropriate district court no later than twenty-eight (28) days after the date of publication of the annexation ordinance and shall be heard by the district court at the earliest practicable time. All cases in which there may arise a question of the validity of any city-initiated annexation under this section shall be advanced as a matter of immediate public interest and concern and shall be heard by the district court at the earliest practicable time.

(14) This section applies to annexations occurring on and after July 1, 2024. It does not invalidate or affect consent, including implied consent, obtained or annexations undertaken lawfully according to the laws in effect at the time of such consent or annexations.

History:

[50-222, added 2024, ch. 321, sec. 2, p. 1060.]

TITLE 67

STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 65

LOCAL LAND USE PLANNING

67-6509. Recommendation and adoption, amendment, and repeal of the plan. (1) The planning or planning and zoning commission, prior to recommending the plan, amendment, or repeal of the plan to the governing board, shall conduct at least one (1) public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the plan to be discussed shall be published in the official newspaper or paper of general circulation within the jurisdiction. The commission shall also make available a notice to other papers, radio, and television stations serving the jurisdiction for use as a public

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service announcement. Notice of intent to adopt, repeal, or amend the plan shall be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing scheduled by the commission. Following the commission hearing, if the commission recommends a material change to the proposed amendment to the plan that was considered at the hearing, it shall give notice of its proposed recommendation and conduct another public hearing concerning the matter if the governing board will not conduct a subsequent public hearing concerning the proposed amendment. If the governing board will conduct a subsequent public hearing, notice of the planning and zoning commission recommendation shall be included in the notice of public hearing provided by the governing board. A record of the hearings, findings made, and actions taken by the commission shall be maintained by the city or county.

(2) The governing board, as provided by local ordinance, prior to adoption, amendment, or repeal of the plan, may conduct at least one (1) public hearing, in addition to the public hearing or hearings conducted by the commission, using the same notice and hearing procedures as the commission. The governing board shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendments, or repeal until recommendations have been received from the commission.

(3) No plan shall be effective unless adopted by resolution by the governing board. A resolution enacting or amending a plan or part of a plan may be adopted, amended, or repealed by definitive reference to the specific plan document. A copy of the adopted or amended plan shall accompany each adopting resolution and shall be kept on file with the city clerk or county clerk.

(4) Any person may petition the commission or, in absence of a commission, the governing board for a plan amendment at any time, unless the governing board has established by resolution a minimum interval between consideration of requests to amend, which interval shall not exceed six (6) months. The commission may recommend amendments to the comprehensive plan and to other ordinances authorized by this chapter to the governing board at any time.

History:

[67-6509, added 1975, ch. 188, sec. 2, p. 515; am. 1992, ch. 269, sec. 3, p. 832; am. 1999, ch. 396, sec. 5, p. 1103; am. 2010, ch. 253, sec. 1, p. 643; am. 2014, ch. 93, sec. 5, p. 256; am. 2024, ch. 227, sec. 1, p. 795.]

TITLE 67

STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 65

LOCAL LAND USE PLANNING

67-6511. Zoning ordinance. (1) Each governing board shall, by ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided under section [67-6509](#), Idaho Code, establish within its jurisdiction one (1) or more zones or zoning districts where appropriate. The zoning districts shall be in accordance with the policies set forth in the adopted comprehensive plan.

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(a) Within a zoning district, the governing board shall where appropriate establish standards to regulate and restrict the height, number of stories, size, construction, reconstruction, alteration, repair or use of buildings and structures; percentage of lot occupancy, size of courts, yards, and open spaces; density of population; and the location and use of buildings and structures. All standards shall be uniform for each class or kind of buildings throughout each district, but the standards in one (1) district may differ from those in another district.

(b) Within an overlay zoning district, the governing board shall establish clear and objective standards for the overlay zoning district while ensuring that application of such standards does not constitute a regulatory taking pursuant to Idaho or federal law.

(2) Ordinances establishing zoning districts shall be amended as follows:

(a) Requests for an amendment to the zoning ordinance shall be submitted to the zoning or planning and zoning commission, which shall evaluate the request to determine the extent and nature of the amendment requested. Particular consideration shall be given to the effects of any proposed zone change upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction. An amendment of a zoning ordinance applicable to an owner's lands or approval of conditional rezoning or denial of a request for rezoning may be subject to the regulatory taking analysis provided for by section [67-8003](#), Idaho Code, consistent with the requirements established thereby.

(b) After considering the comprehensive plan and other evidence gathered through the public hearing process, the zoning or planning and zoning commission may recommend and the governing board may adopt or reject an ordinance amendment pursuant to the notice and hearing procedures provided in section [67-6509](#), Idaho Code, provided that in the case of a zoning district boundary change, and notwithstanding jurisdictional boundaries, additional notice shall be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered, and any additional area that may be impacted by the proposed change as determined by the commission. Notice shall also be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section [62-1104](#), Idaho Code. Notice shall also be posted on the premises no less than one (1) week prior to the hearing. When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures that would provide adequate notice may be provided by local ordinance in lieu of posted or mailed notice. In the absence of a locally adopted alternative notice procedure, sufficient notice shall be deemed to have been provided if the city or county provides notice through a display advertisement at least four

(4) inches by two (2) columns in size in the official newspaper of the city or county at least fifteen (15) days prior to the hearing date, in addition to site posting on all external boundaries of the site. Any property owner entitled to specific notice pursuant to the provisions of this subsection shall have a right to participate in public hearings before a planning commission, planning and zoning commission or governing board subject to applicable procedures.

(c) The governing board shall analyze proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction, the governing board may require the request to be submitted to the planning or planning and zoning commission or, in absence of a commission, the governing board may consider an amendment to the comprehensive plan pursuant to the notice and hearing procedures provided in section 67-6509, Idaho Code. After the plan has been amended, the zoning ordinance may then be considered for amendment pursuant to paragraph (b) of this subsection.

(d) If a governing board adopts a zoning classification pursuant to a request by a property owner based upon a valid, existing comprehensive plan and zoning ordinance, the governing board shall not subsequently reverse its action or otherwise change the zoning classification of said property without the consent in writing of the current property owner for a period of four (4) years from the date the governing board adopted said individual property owner's request for a zoning classification change. If the governing body does reverse its action or otherwise change the zoning classification of said property during the above four (4) year period without the current property owner's consent in writing, the current property owner shall have standing in a court of competent jurisdiction to enforce the provisions of this section.

History:

[67-6511, added 1975, ch. 188, sec. 2, p. 515; am. 1983, ch. 121, sec. 1, p. 314; am. 1985, ch. 141, sec. 1, p. 384; am. 1987, ch. 329, sec. 1, p. 688; am. 1992, ch. 269, sec. 4, p. 833; am. 1999, ch. 396, sec. 8, p. 1105; am. 2003, ch. 142, sec. 1, p. 411; am. 2011, ch. 89, sec. 3, p. 194; am. 2013, ch. 216, sec. 1, p. 507; am. 2023, ch. 140, sec. 3, p. 386.]

DIVISION 14. - COMMUNITY COMMERCIAL ZONE C-3

• **Sec. 37-67. - Community commercial zone C-3.**

Purpose. To provide for development of commercial and service uses designed to serve community wide needs. Such areas shall provide for uses which because of size, operating characteristics, or need for major street accessibility, may not be suitable in the central business district or local commercial areas. Provisions of this zone shall ensure compatibility of design with any adjacent residential development.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 30, 10-25-99)

Sec. 37-68. - Uses permitted outright.

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In a C-3 zone, the following uses and their accessory uses are permitted outright subject to the provisions of article IV:

- (1) Auto, boat, manufactured home, recreational vehicle sales and service;
- (2) Car wash, subject to the special conditions of [section 37-60.1\(1\)](#) of this Code;
- (3) Commercial entertainment facility, subject to the special conditions of [section 37-69.1\(3\)](#) of this Code;
- (4) Day care center, subject to the special conditions of [section 37-20.1\(5\)](#) of this Code;
- (5) Drinking establishments;
- (6) Eating establishments;
- (7) Financial institutions;
- (8) Mini-storage, subject to the special conditions of [section 37-69.1\(1\)](#) of this Code;
- (9) Personal services;
- (10) Preschool, subject to the special conditions of [section 37-20.1\(6\)](#) of this Code;
- (11) Professional and business offices;
- (12) Public or governmental offices or semi-public uses which uses are similar to other uses permitted outright in this zone;
- (13) Residential uses legally established as of December 31, 2004;
- (14) Retail sales and services;
- (15) Service station, subject to the special conditions of [section 37-60.1\(2\)](#) of this Code;
- (16) Small animal hospital, clinic or kennel, subject to the special conditions of [section 37-69.1\(2\)](#) of this Code;
- (17) Repealed by Ord. No. 4742.
- (18) Repealed by Ord. No. 4742.
- (19) Repealed by Ord. No. 4753.
- (20) Church.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 31, 10-25-99; Ord. No. 4322, § 4, 12-9-02; Ord. No. 4346, § 2, 11-17-03; Ord. No. 4390, § 3, 2-14-05; Ord. No. 4531, § 8, 7-13-09; Ord. No. 4742, § 20, 8-19-19; Ord. No. 4753, § 3, 12-14-19)

Sec. 37-69. - Conditional uses.

- In a C-3 zone, the following uses and their accessory uses are permitted when authorized in accordance with the standards and requirements of articles IV and IX:

- (1) Other 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;

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- (2) Other 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;
 - (3) Other limited commercial uses which are not permitted outright but which are consistent with the purpose of the C-3 zone, and are not detrimental to any of the outright permitted uses or other existing conditional uses;
 - (4) Recreational vehicle park, subject to the provisions of [chapter 23](#), article II of this Code;
 - (5) Replacement of a nonconforming commercial use located abutting a principal or minor arterial street, as identified in the Lewiston Comprehensive Transportation Plan, subject to standards of [section 37-163](#)(17) of this Code;
 - (6) 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;
 - (7) A nonconforming commercial use may expand to bring that use into compliance with the requirements of this chapter, article VII, off-street parking and loading. Such nonconforming commercial use may expand onto a separate parcel containing a conforming use where that parcel is abutting the nonconforming use for purposes of parking only.
- (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 32, 10-25-99; Ord. No. 4328, § 2, 3-24-03; Ord. No. 4346, § 2, 11-17-03; Ord. No. 4698, § 16, 10-30-17; Ord. No. 4753, § 4, 12-14-19; Ord. No. 4799, § 13, 3-8-21)

Sec. 37-69.1. - Special conditions.

- (1) *Mini-storage.* Where a mini-storage complex abuts a residential use, the portion of the site abutting the residential use shall be fenced and/or landscaped. The underlying zoning, parking and landscaping standards shall determine the extent to which landscaping and fencing is required.
 - (a) Where a mini-storage complex abuts a commercial zone, outdoor storage areas must be fenced along the perimeter of the outdoor storage area with a sight-obscuring fence.
 - (b) Asphalt or Portland cement paving shall be required on all areas designated for vehicular movement, on- or off-loading, or parking.
 - (c) On-site area for on- and off-loading of vehicles shall be provided so that such operations do not take place on or interfere with public right-of-way.
 - (d) Exterior security lighting shall be provided.
- (2) *Small animal hospital, clinic or kennel.*
 - (a) The floor of an indoor kennel shall be made or covered with a durable, impervious surface sloped to a floor drain to allow the area to be cleaned and disinfected.
 - (b) The outdoor dog runs shall be enclosed with fences or walls of a minimum of eight (8) feet in height.

(c) All laws applicable to the public health shall be complied with for the entire period of the operation of the kennel.

(d) Outdoor kennels, play yards or pens associated with the kennel shall be located only in the side or rear yard and shall be set back one hundred (100) feet from any residentially zoned property.

(e) A minimum ten-foot-wide landscaped buffer shall be installed along any side or rear property line adjacent to residentially zoned property. Landscaping shall consist of one (1) one and one-half (1½) inch caliper deciduous tree or one (1) six-foot evergreen tree and five (5) one-gallon shrubs per thirty-five (35) linear feet.

(3) *Commercial entertainment facility.*

(a) The size of the site is shown to be reasonable for the intended use.

(b) Parking and access to the site meets all applicable ordinances.

(c) The surrounding property will not otherwise be adversely affected.

(d) Any exterior lighting shall be directed or shrouded so as to not shine onto any adjacent properties.

(e) Requirements of [chapter 24](#), article II of this Code, noise control and regulation, shall be met.

(f) If located adjacent to residential use property, a sight-obscuring fence, a minimum of six (6) feet in height, or a landscape buffer with a minimum eighty (80) percent opacity rating shall be installed on the perimeter of the portion of the lot abutting the residential use.

(Ord. No. 4249, § 33, 10-25-99; Ord. No. 4399, § 1, 7-11-2005; Ord. No. 4440, § 2, 8-14-06)

Sec. 37-69.2. - Development standards.

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

(1) *Maximum height for buildings.* Forty-five (45) feet.

(2) *Maximum lot coverage.* None.

(3) *Minimum lot size.* None.

(4) *Minimum front yard.* Twenty (20) feet measured from the front property line or forty-five (45) feet from the center line of the street, whichever is greater.

(5) *Minimum side yard.* None except fifteen (15) feet when a property abuts a residential zone.

(6) *Minimum rear yard.* None except fifteen (15) feet when a property abuts a residential zone.

(7) *Signs.* Signs shall be subject to the restrictions enumerated in the sign ordinance of the city.

(8) *Off-street parking.* Off-street parking shall be subject to the requirements enumerated in article VII.

(9) *Minimum screening: Side or rear yards abutting residential zones shall be screened by means of a sight obscuring fence or approved landscaping materials. Such screening shall be installed prior to the issuance of a certificate of occupancy.*

(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)

ARTICLE XII. AMENDMENTS

Sec. 37-178. Authorization to initiate amendments. SHARE

An amendment to the text of this chapter or to the official zoning map may be initiated by the council, by the commission, or by the property owner. A property owner may initiate a request for an amendment by filing an application with the community development department using forms prescribed in Article XIII. The application shall be submitted at least twenty (20) working days prior to the meeting of the planning and zoning commission at which it will be considered. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-179. Public hearing and records of amendments. SHARE

The commission shall hold a public hearing on every requested change in zoning district boundaries in accordance with [section 37-184](#) of this chapter. Its recommendations on each request zone change shall be transmitted to the city council. No zone change shall be accomplished other than by ordinance duly passed by the city council. The city clerk shall maintain records of amendments to this chapter in a form convenient for use by the public. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-180. Accordance with adopted comprehensive plan. SHARE

The commission shall evaluate a requested amendment to a zoning district to determine the nature and extent of the requested change. If it is in accord with the adopted comprehensive plan, the commission may recommend and the council may adopt or reject the requested change. The commission may request documentation of land use impacts, both existing and proposed, through studies, presentations, or other documents, and may require said documentation to be stamped and signed by professionals deemed qualified by the commission.

If the commission determines the requested change is not in accord with the adopted comprehensive plan, the commission may either deny the request or recommend to the council an appropriate amendment to the plan. The council may adopt or reject the amendment under the procedures provided in Idaho Code, Section [67-6509](#). After the plan is

amended, the zoning map may be amended in conformity therewith. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4344, § 4, 11-17-03)

Comprehensive Plan:

The subject property is designated on the Future Land Use Map (FLUM) of the Comprehensive Plan (the Plan) as Area of Impact (AOI) Non-Residential which lists retail & restaurant, personal services, office uses, flex office/warehouse and Industrial and the primary uses. Adjacent lands to the east and the west have a FLUM designation of Neighborhood Commercial, which is primarily intended for low to mid intensity commercial services and to also provide a transition from more intense commercial or industrial uses to less intense and smaller scale residential areas. A copy of the AOI Non-Residential and Neighborhood Commercial Land Use Designation is attached to this report.

Goals, Objectives, and Actions from the Plan that appear to be relevant in consideration of ANX24-2, CPA24-3 and ZNC24-3 include the following:

From Chapter 4, Land Use;

Area of Impact (AOI) Lewiston's AOI is predominantly undeveloped with approximately 65% of land being used for agricultural purposes. Industrial uses are prominent and occupy approximately 15% of the AOI (namely ATK/CCISpear and Clearwater Paper). These industrial areas are largely along the rivers. Residential uses occupy approximately 13% of land and are generally located in areas farther from the waterfront, particularly in areas in the southeastern portion of the AOI. The remaining 7% is occupied by miscellaneous and exempt uses such as roadways, and institutions. Nez Perce county regulates land use in the AOI. Considerations for new and emerging land uses should be coordinated with Country Partners to address the potential of sizable solar, wind production facilities in current agricultural areas and how they may impact or benefit the environments around them including pollinator and other habitat considerations.

There are several enclaves of the AOI within areas of the city limits. It may be appropriate for these areas to annex or be annexed into the city to ensure consistency of services and infrastructure. New annexations in other contiguous areas of the city limits may be considered as development occurs or is desired, particularly in the southeastern portion of the AOI where many residential uses are present and are expected to continue to grow. Future annexations should consider a variety of factors including: • Alignment with the expected land use patterns, types, and intensities in this Plan. • Availability of adequate services and infrastructure. • Proposed annexation would provide a continual and rational boundary.

LU.1 Accommodate future development and redevelopment.

LU.1.1 Optimize zoning alignments. Align incompatible zoning and land uses and development regulations with the Future Land Use Map to establish consistent and compatible growth patterns.

ANX24-000002, CPA24-000003, ZNC24-000003

LU.1.3 Balance land uses. Establish land use patterns that accommodate various land uses in proportion to the needs of the community.

TC.3.2 Improve coordination of land use and transportation planning. Match uses and infrastructure for maximum efficiency and compatibility between land uses and the transportation system.

ED.1 Strengthen Lewiston's role as a regional economic hub.

ED.3 Build on industry strengths while exploring new opportunities.

ED.3.2 Identify and expand existing and potential new industry clusters through the development of an economic development strategic plan. Create an economic development strategic plan that has focus on cluster business recruitment.

ED.4 Continue developing unique places and explore emerging areas for revitalization.

Input From Other Departments/Agencies:

From the Engineering Division of Public Works: "Engineering is not opposed to the Annexation, Comp Plan Map Amendment or Rezone applications."

The Fire Department did not have any comments regarding the proposed annexation, comp plan map amendment or rezone.

Analysis:

The subject property is an approximately 4.89 acre parcel of land that is an island of county designated property. It has a County zoning designation of F-1 Farm Zone and contains two single family dwellings and some accessory buildings. The property is surrounded on all four sides by City zoned property. Specifically, Community Commercial, C3, Zone on the east, west, and north sides and Low Density Residential, R2A, Zone on the south side across Warner Avenue.

Surrounding uses include City of Lewiston owned property to the east containing a water storage facility, public bathrooms, walking trail and parking lot, with planned future development of fitness courts. Ziggy's Building Supply immediately to the west, with mini-storage rental businesses farther west along Warner Avenue. The Lewiston High School campus to the north and single family dwellings to the south across Warner Avenue. The Lewiston Independent School District #1 and the City of Lewiston also have their bus barn and storage yards to the south east of the subject property, at the corner of Warner Avenue and 12th Street.

The subject property is identified in the Comprehensive Plan as a County enclave in the Area of Impact and states that it may be appropriate for these areas to annex into the city to ensure consistency of services and infrastructure. The applicants request to zone the property to Community Commercial, C3, zone provides consistent zoning to the adjacent parcels to the north, west and east.

The applicant's request for the FLUM designation of Neighborhood Commercial is consistent with the FLUM designation for the adjacent parcels to the east and west of the subject property. The permitted uses in the proposed C3 zoning district are consistent with the Future Land Use Map designation of Neighborhood Commercial which lists primary uses as retail & restaurant,

ANX24-000002, CPA24-000003, ZNC24-000003

personal services and office with supporting uses such as open space and recreation, commercial entertainment, and storage units. The C3 zone purpose states it is to provide for development of commercial and service uses designed to serve community wide needs and that the provisions of this zone shall ensure compatibility of design with any adjacent residential development. The C3 zone has both special conditions for certain uses (mini-storage, small animal hospital, clinic or kennel and commercial entertainment facility) and development standards that apply to all uses that include additional minimum yard setbacks from residential zones and screening requirements.

Warner Avenue is designated as a collector road and recent improvements were made at the Warner and 12th St. intersection and the Warner and 10th St. intersection with the installation of the new Lewiston High School Campus. The subject property is not on a City of Lewiston bus route and the closest bus stop is on the west side of Thain at Warner Avenue and Thain Road (Chevron station).

Water and sewer lines are located in Warner Avenue, providing easy access to those city services. Annexation into city limits also provides access to police and fire response services. Further, annexation of the subject property will add it to the city's property tax rolls which allows the property owner to help support the repair and maintenance of the transportation roadway that occupants of the subject property already are using as they enter and exit. Annexation of county enclaves is important to provide a continual and rational boundary of city limits.

This requested annexation complies with Idaho Code Title 50, Chapter 2, Section 50-222(5) as an Annexation with consent.

Relevant Criteria and Standards:

See attached worksheet.

Prepared By:

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P.O.Box 617
Lewiston, ID 83501

AOI NON-RESIDENTIAL

Description

Limited to AOI, primarily industrial and commercial uses. This may include utilities, agricultural, livestock, mining and/or extraction or institutional areas.

Examples

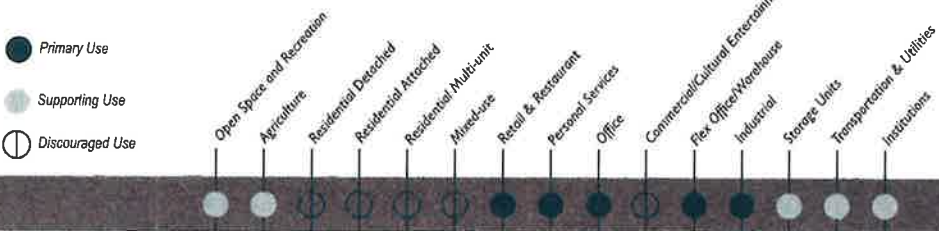
Retail, office, manufacturing, and industrial

Suggested Residential Density Range

None

Policy Basis

- LU.1
- LU.1.1
- LU.2
- LU.2.2
- LU.3
- LU.3.1
- LU.3.2
- TC.2.5
- TC.3.2
- ED.3.1
- ED.3.2
- NH.1
- NH.1.1



NEIGHBORHOOD COMMERCIAL

Description

Neighborhood Commercial areas provide low-mid intensity commercial services primarily for surrounding residents. More intense and larger scale businesses should be located at intersections of collectors and arterial roadways and should be less intense. These areas may also provide a transition from more intense commercial or industrial uses to less intense and smaller scale residential areas.

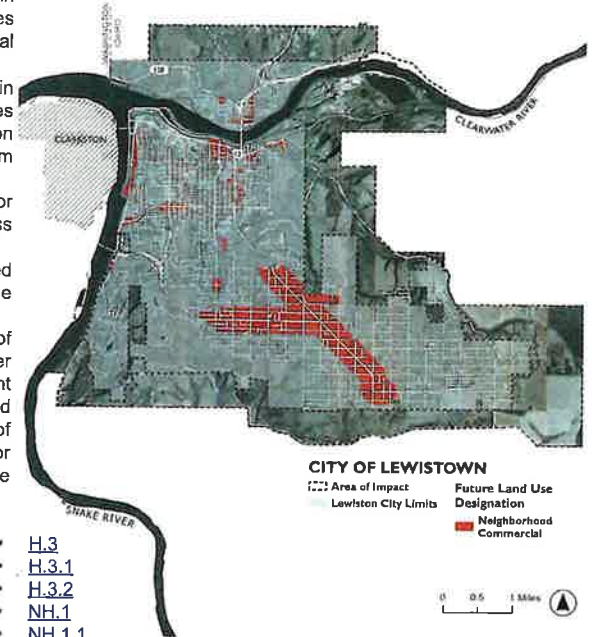
Examples

Pharmacy, convenience stores, laundry/dry cleaning services, child care centers, small-scale professional offices.

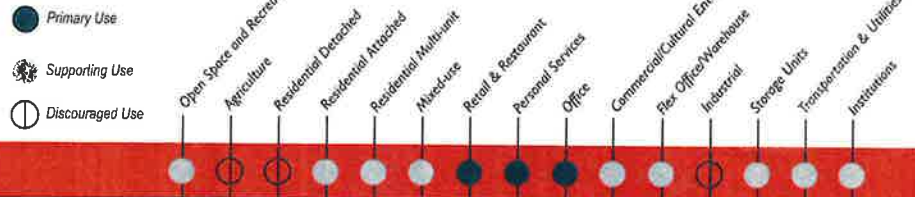
Suggested Residential Density Range

8+ DU/acre can be considered with the following essential considerations:

- **Location:** Commercial uses remain along street frontage. Residential uses are located above or behind commercial uses when present.
- **Intensity:** Provides transition in intensity from adjacent uses/zones and provides an appropriate transition in building use, type, and scale from surrounding uses.
- **Access:** Located on a collector or arterial roadway with adequate access for the proposed use.
- **Infrastructure:** The existing or planned infrastructure is adequate to meet the needs of the proposed use.
- **Compatibility:** The presence of residential would not possibly hinder future commercial uses on adjacent commercial areas. The proposed location is not within the proximity of industrial uses in areas identified for additional industrial uses in the future land use map.



- Policy Basis**
- LU.2
 - CC.3
 - CC.3.1
 - LU.1
 - LU.1.1
 - LU.1.2
 - LU.1.3
 - LU.2.1
 - LU.2.2
 - LU.2.3
 - TC.2.5
 - TC.3.2
 - ED.1
 - ED.3
 - ED.3.1
 - ED.3.2
 - ED.4
 - ED.4.2
 - ED.4.3
 - H.3
 - H.3.1
 - H.3.2
 - NH.1
 - NH.1.1

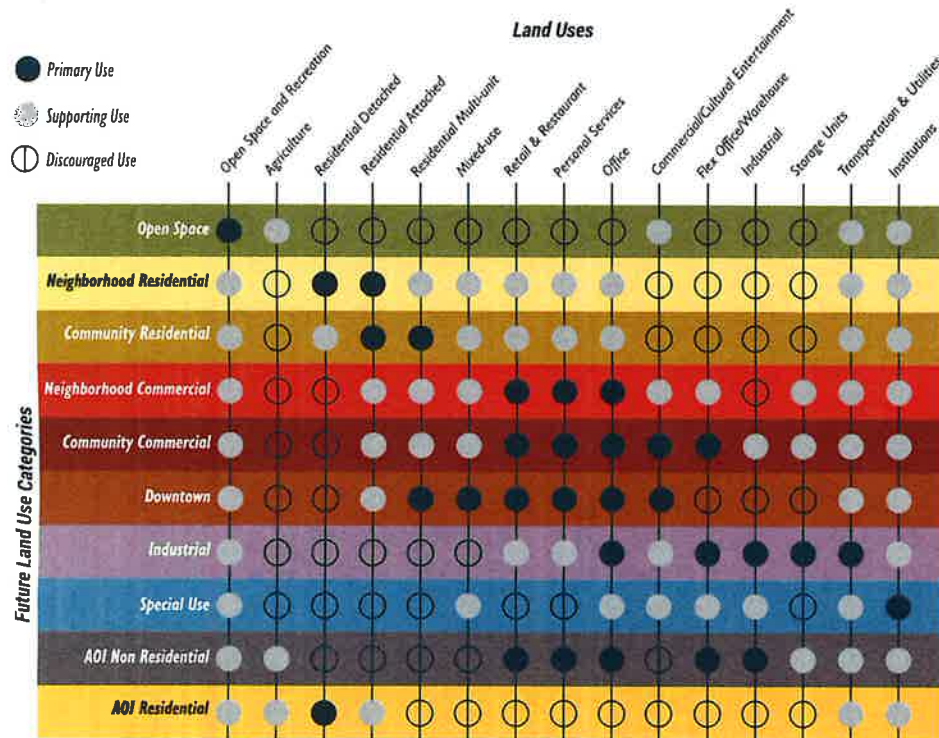


FUTURE LAND USE CATEGORIES

The following section outlines land use and identifies land use categories for Lewiston's future development. The land use categories within the City's planning framework serve as a compass, guiding the trajectory of growth and development while preserving the distinctive character that defines Lewiston. This exploration into the specific land use categories is tailored to the City's vision and goals.

Future Land Use Matrix

The future land use matrix shows the various categories that are depicted on the future land use map. The colors on the matrix correspond to the colors on the map. Each category row shows the various kinds of land use and if they are the primary, supporting, or discouraged land uses in a given category. Both the land uses and the categories are more fully described within this chapter.



Land Use Descriptions

The following land use descriptions provide general examples of the types of dwellings, activities, and developments that can typically be found in a given use. Each category includes, but may not be limited to only the examples listed. Uses not listed in these descriptions should be evaluated to see where they best fit with similar uses as far as intensity, density, and potential nuisance and health factors.

Open space and recreation

- Parks
- Conservation areas
- Floodplains
- Golf Course
- Cemetery
- Levees
- Areas of steep topography

Agriculture

- Crop production
- Grazing and pastures
- Homesteads

Residential detached

- Single-family dwelling
- Single-family dwelling with Accessory Dwelling Unit
- Cluster Housing

Residential attached

- Duplex
- Townhome / Rowhome (dwelling that share one or two walls with a similar dwelling but provides their own entrances)

Residential multi-unit

- Triplex
- Fourplex
- Multifamily /Apartment

Mixed Use

- A combination of residential, lodging, office, commercial, uses. Examples include:
- Live/ Work Units
- Vertically integrated use buildings
- Horizontally integrated use sites

Retail

- Grocery stores
- Shops and Boutiques
- Restaurants
- Pharmacy
- Clothing and Furniture Store

Personal services

- Hair Salon
- Barber Shop
- Spa and fitness facilities
- Tailor Shop
- Tanning Salon
- Childcare

Office

- Professional services (accounting, operations, marketing, secretarial, etc.)
- Bank and financial services
- Medical and dental clinic

Commercial/Cultural Entertainment

- Theatre / amphitheater
- Recreation center
- Bowling alley/indoor recreation
- Cinema
- Gallery

Flex office/warehouse

- Shared building with both office and warehouse uses

Industrial

- Warehouses and storage facilities
- Manufacturing, processing, and assembly facilities
- Maintenance Shops
- Mining and raw materials extraction
- Construction Materials

Storage Units

- Self-Storage Units

Transportation & Utilities

- Rights-of-way
- Trails and footpaths
- Bus Stops
- Train line Pump station
- Telecommunications facility
- Power line, station, or substation
- Utility hut or service box

Institutions

- Government and Public facilities
- Schools and Colleges
- Hospitals
- Religious Institutions

**CITY OF LEWISTON PLANNING AND ZONING COMMISSION
REASONED STATEMENT OF RELEVANT CRITERIA AND
STANDARDS FOR GRANTING OR DENIAL OF
ZONING DISTRICT BOUNDARY CHANGE/REZONE**

This document shall serve as memorialization of the rationale for the granting or denial of a zoning district boundary change/rezone, 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 APPLICATION:
Rezone subject property from [current zone] to [proposed zone]

VII. DECISION:
The Lewiston Planning and Zoning Commission recommends [APPROVAL/DENIAL]
of XXX to the Lewiston City Council.

VIII. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are:

IX. RELEVANT CRITERIA AND STANDARDS:

The following relevant criteria, standards, facts, and considerations are hereby declared as reasons for the decision on this zoning district boundary change/rezone:

1. The proposed rezone **(is/is not)** in general conformance with the Lewiston Comprehensive Plan. Applicable commentary:
2. The subject property **(is/is not)** at least as well suited or is better suited for the proposed zoning district than the existing zoning district. Applicable commentary:
3. The proposed rezone **(does/does not)** present foreseen, immitigable impacts of incompatible uses or development being located in the same vicinity. Applicable commentary:
4. The effects of the proposed rezone **(are/are not)** anticipated to place undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction, including school districts. Applicable commentary:
5. The size, type, intensity, and density of development expected to occur on the subject property as a result of this rezoning **(is/is not)** suitable for the area and **(will/will not)** unduly burden the neighborhood, public infrastructure, or environmental resources. 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:

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: _____
Tanya Brocke, Community Development Specialist



This drawing is only a visual aid information and locations are approximate. There is no guarantee or warranty is expressed or implied for its accuracy.

