



Lewiston City Council
REGULAR MEETING AGENDA
November 25, 2024 - 6:00 PM
Lewiston City Library – Second Floor Event Space – 411 D Street
Lewiston, Idaho 83501

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

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZENS COMMENTS

This is an opportunity for citizens to address the Council on agenda items or other items they wish to bring to the attention of the Council. Citizens are encouraged to discuss operational issues in advance with the Mayor. In consideration of others wishing to speak, please limit your remarks to three minutes.

IV. PUBLIC HEARINGS AND RELATED ACTION ITEMS

- A. PUBLIC HEARING: ZNC24-4:** Accepting testimony on a Zone Change application by Chris Clark to rezone the east forty-five feet (approximately) of 132 Thain Road from Community Commercial (C-3) to Medium Density Residential (R-3) - Presentation (City Planner Plaskon)
- B. FIRST READING: ORDINANCE 4932:** Considering implementing the City Council's decision in ZNC24-4, declaring that certain real property be removed from the Community Commercial (C-3) Zone to the Medium Density Residential (R-3) Zone and amending the official zoning map of the City of Lewiston - Action Item (City Planner Plaskon)

V. CONSENT AGENDA

All items on the Consent Agenda are considered routine by the Council and will be enacted by one motion. There will be no separate discussion on these issues unless a councilor so requests, in which case the item will be removed from the Consent Agenda and considered on the Active Agenda under "Items Moved from the Consent Agenda".

- A. CITY COUNCIL MINUTES:** Considering approval of the minutes of the following meetings: 10/24/2024 Special Meeting; 10/28/2024 Executive Session; 10/28/2024 Regular; and the 11/04/2024 Work Session - Action Item
- B. ADVISORY BOARD AND COMMISSION MINUTES:** Accepting the minutes of the following Advisory Board and Commission meetings: 10/10/2024 & 10/31/2024 Historic Preservation Commission; 9/18/2024 Public Works Advisory Commission; 11/7/2024 Emergency Medical Services Advisory Board; 10/9/2024 and 10/23/2024 Planning and Zoning Commission - Action Item

- C. **VOUCHER'S PAYABLE:** Considering approval of the Voucher's Payable dated 10/19/2024 - 10/31/2024 in the amount of \$2,115,065.19 - Action Item
- D. **2025 CERTIFICATE OF COMPLIANCE:** Considering approval of the Lewiston Fire Department's 2025 renewal of its Certificate of Compliance to provide emergency and nonemergency ambulance transport services within city limits - Action Item
- E. **SKYVIEW ESTATES PHASE IV PRELIMINARY PLAT:** Considering approving the Skyview Estates Phase IV preliminary plat, and associated Reasoned Statement of Relevant Criteria and Standards, which proposes to subdivide approximately 22.11 acres of property, located south of Powers Avenue, and east of 23rd Street, into 39 lots - Action Item

VI. ACTIVE AGENDA

- A. **APPEAL (AP-01-2024) OF CUP24-3 (TRANSITIONAL HOUSING VILLAGE AT 2207 EAST MAIN STREET):** Considering whether to accept jurisdiction of the appeal filed by Linda Glines regarding the Planning and Zoning Commission's decision of CUP24-3, in which case the Planning and Zoning Commission's decision shall be final, or hold a public hearing regarding such appeal after proper notice is provided - Action Item (City Planner Plaskon)
- B. **FIRE PREVENTION AND PROTECTION SERVICES AGREEMENT - FEDERAL CARTRIDGE COMPANY:** Considering approval of the Fire Prevention and Protection Services Agreement between Federal Cartridge Company, doing business as CCI/SPEER, and the City of Lewiston - Action Item (Fire Chief Rightmier)
- C. **ADA TRANSITION PLAN ANNUAL REPORT:** Considering approval of the 2023 Lewiston, Idaho ADA Transition Plan Annual Report - Action Item (Public Works Director Johnson)
- D. **RESOLUTION 2024-42:** Considering accepting a public water utility and access easement from LFOD, LLC to the City of Lewiston - Action Item (Public Works Director Johnson)
- E. **RESOLUTION 2024-43:** Considering approving the July 2024 "Thain Road Corridor and Access Study" drafted by Kittelson & Associates, Inc. - Action Item (Public Works Director Johnson)
- F. **RFQ-24-023 WWTP MASTER PLAN UPDATE (WW064) CONTRACT AWARD:** Considering awarding the Wastewater System Master Plan Update Professional Services Agreement to Keller Associates, Inc., in an amount not to exceed \$462,700 and authorizing the Mayor to execute the agreement - Action Item (Public Works Director Johnson)
- G. **ORDINANCES**
 - 1. **SECOND AND THIRD READINGS**
 - a. **ORDINANCE 4929:** Considering implementing the City Council's decision in ANX24-2 to annex land into the Lewiston City Limits - Action Item (City Planner Plaskon)
 - 2. **ADOPTION AND APPROVAL OF ORDINANCE SUMMARIES**
 - a. **ORDINANCE 4929:** Action Item

- H. RESOLUTION 2024-40:** Considering implementing the City Council's decision in CPA24-3, amending the Future Land Use Maps in Chapter 4 of Lewiston's Comprehensive Land Use Plan - Action Item (City Planner Plaskon)

I. ORDINANCES

1. SECOND AND THIRD READINGS

- a. ORDINANCE 4930:** Considering implementing the City Council's decision in ZNC24-3, declaring that certain newly-annexed real property be included in the City of Lewiston Community Commercial (C-3) Zone; and amending the official zoning map of the City of Lewiston - Action Item (City Planner Plaskon)
- b. ORDINANCE 4931:** Considering amending Section 39-1 of the Lewiston City Code to update the City of Lewiston Area of City Impact Boundary Map - Action Item (City Planner Plaskon)

2. ADOPTION AND APPROVAL OF ORDINANCE SUMMARIES

- a. ORDINANCE 4930:** Action Item
- b. ORDINANCE 4931:** Action Item

- J. REASONED STATEMENT ZNC24-3:** Considering approval of the Reasoned Statement of Relevant Criteria and Standards for ZNC24-3 - Action Item (City Planner Plaskon)

VII. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

VIII. UNFINISHED AND NEW BUSINESS

- A. CITY COUNCILOR COMMENTS:** Comments shall not be related to an item currently before the City Council or an item that may come before the City Council in the foreseeable future, and shall be limited to comments, not discussion.
- B. CITY BOARDS AND COMMISSIONS LIAISON UPDATES**
- C. MAYOR COMMENTS**
- D. AGENDA TOPICS:** - Action Item

IX. ADJOURNMENT - Action Item

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact Nikki Province, ADA Coordinator, at least forty-eight (48) hours in advance of the meeting at 208-746-3671 x 6211.



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE PUBLIC HEARING: ZNC24-4	AGENDA NO. IV.A. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) Rezone application ZNC24-4 by Chris Clark is to rezone the easterly forty-five feet (approximately) of 132 Thain Road from Community Commercial, C-3, to Medium Density Residential, R-3. This would extend the existing R-3 Zone to the south to include that part of the subject property being requested for rezoning, including that part of the existing building on the subject property, creating a split-zoned property. This rezone would not result in or allow the creation of a separate lot. The existing lot would remain unchanged in size and configuration. It would simply be in two different zoning districts. This situation (split-zoned lots) is not the norm, but is not rare. The Planning and Zoning Commission has recommended that this rezone application be approved by City Council.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) None.	
ACTION PROPOSED The Planning and Zoning Commission has recommended that this rezone application be approved by City Council. This would be achieved by approval of the associated Ordinance number 4932. The City Council shall direct staff to prepare a Reasoned Statement of Relevant Criteria and Standards documenting its decision in either approving or denying ZNC24-4.	

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Lewiston City Council 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.

MONDAY, NOVEMBER 25, 2024 at 6:00 P.M.

**LEWISTON CITY LIBRARY
2ND FLOOR MEETING ROOM,
411 D STREET LEWISTON, ID 83501**

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

Testimony for public hearings may be made: in-person at the meeting, by emailing Tanya Brocke at tbrocke@cityoflewiston.org, or by calling (208) 746-3671 ext. 6202.

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

ZONE CHANGE APPLICATION ZNC24-4 BY CHRIS CLARK FOR 132 THAIN ROAD: An application to rezone the east forty-five feet (approximately) of 132 Thain Road from Community Commercial, C-3, to Medium Density Residential, R-3. The Planning and Zoning Commission has recommended that the City Council approve this application.

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

For further information on the above zoning action, the public hearing process, or appeal process, please contact the Community Development Department at (208) 746-1318, ext. 7202 or jplaskon@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 November 8, 2024 and 46 persons were notified.

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.

ZNC24-4 (CLARK)

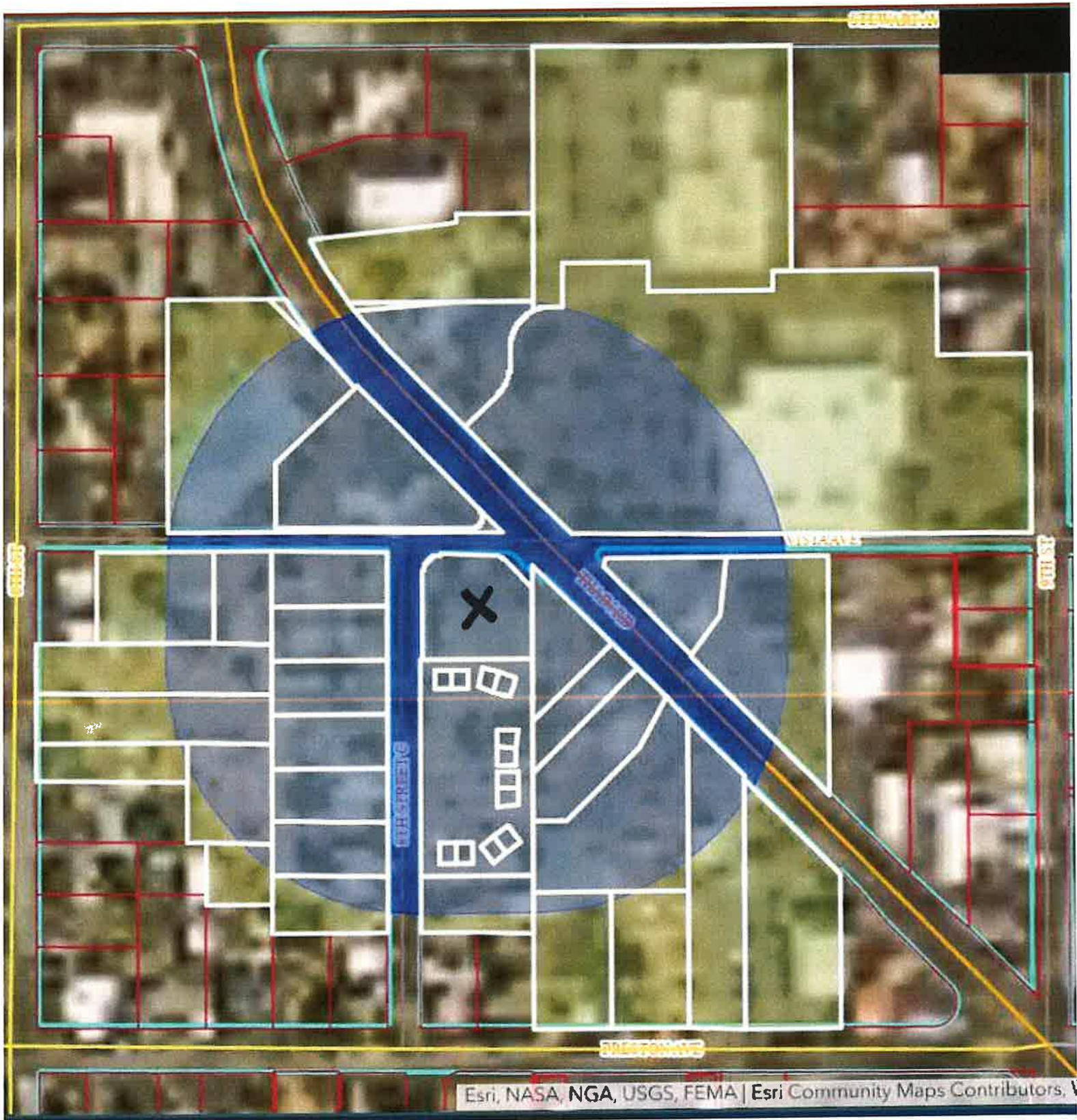
PROPERTIES WITHIN 330' BOUNDARY

OWNER1	OWNER2	MAILING ADDRESS	CITY	STATE	ZIP
ALLEN RICHARD	ALLEN SHERI	566 CRESTLINE CIRCLE DR	LEWISTON	ID	83501
BALDUS ANGELA		3127 8TH STREET C UNIT B	LEWISTON	ID	83501
BENNETT BRETT		1021 RANDALL FLAT RD	MOSCOW	ID	83843
BROLLIER VIRGINIA		810 VISTA AVE	LEWISTON	ID	83501
CASTRO FAMILY TRUST	CASTRO DAVID	250 S 5TH ST FL 2 STE 200	BOISE	ID	83702
CLC SALES INC		132 THAIN RD STE 102	LEWISTON	ID	83501
COVERT CHRISTOPHER		3129 1/2 8TH STREET C UNIT A	LEWISTON	ID	83501
DEMPSEY KIMBERLY		3134 8TH STREET C	LEWISTON	ID	83501
EDWARDS MICHAEL		140 THAIN RD	LEWISTON	ID	83501
EDWARDS MIKE		138 THAIN RD	LEWISTON	ID	83501
FLEETWOOD CORY	FLEETWOOD SYDNEY	3133 8TH STREET C UNIT A	LEWISTON	ID	83501
GIBBS TOMI		3125 8TH ST	LEWISTON	ID	83501
GOSSELIN JOHN		3122 8TH STREET C	LEWISTON	ID	83501
HELFRICH CODY	HELFRICH TRISHA	3132 8TH STREET C	LEWISTON	ID	83501
JOHNSON JERRY		3124 8TH STREET C	LEWISTON	ID	83501
JONES JESSIE	JONES CODY	3135 8TH STREET C	LEWISTON	ID	83501
JONES RYAN	JONES MICHELLE	3126 8TH STREET C	LEWISTON	ID	83501
JOSHNIK LLLP		3184 ELDER ST	BOISE	ID	83705
KEENER ERIC	KEENER KRISTINA	3128 8TH STREET C	LEWISTON	ID	83501
KERNIN HEATHER		3133 1/2 8TH STREET C UNIT B	LEWISTON	ID	83501
KIMBERLYNN PROPERTIES LLC		1114 RED ROCK RD	KAMIAH	ID	83536
KING REVOCABLE FAMILY TRUST	KING KEVIN	10845 VALLE VISTA RD	LAKEIDE	CA	92040
LEWISTON ID HOLDINGS LLC		PO BOX 8609	FLEMING ISLAND	FL	32006
LUKE MICHAEL		3133 1/2 8TH STREET C UNIT A	LEWISTON	ID	83501
MBI LLC & SMOKEY POINT NW LLC	C/O PAWN ONE	204 N DIVISION ST STE 200	SPOKANE	WA	99202
MCFADDEN JUDITH L L C		24013 J PLACE	OCEAN PARK	WA	98640
PENTZER JED		3129 1/2 8TH STREET C UNIT B	LEWISTON	ID	83501
PILANT JUSTIN	PILANT TATIANA	809 PRESTON AVE	LEWISTON	ID	83501
SHRUM MARILYN		3123 8TH ST	LEWISTON	ID	83501
STAAB STEPHEN	STAAB CATHERINE	12813 VISTA AVE	OROFINO	ID	83544
SWALL MARK	SWALL LORI L 2010 TRUST	18002 MAP ROCK RD	CALDWELL	ID	83607
TAYLOR JUD		PO BOX 1630	LEWISTON	ID	83501
THAIN PROPERTIES L L C		651 THAIN RD STE B	LEWISTON	ID	83501
TRAIL TIMOTHY	TRAIL RHONDA	806 VISTA AVE	LEWISTON	ID	83501
WASHBURN MERLE		3130 8TH STREET C	LEWISTON	ID	83501
WATSON BRETTON		1228 11TH AVE	LEWISTON	ID	83501
WINE GUYS INVESTMENTS LLC		601 W MAIN AVE STE 400	SPOKANE	WA	99201
WOOD ROY	WOOD JUDITH	823 PRESTON AVE	LEWISTON	ID	83501
LEWISTON ORCHARDS SEWER DISTRICT		PO BOX 1122	LEWISTON	ID	83501
LEWISTON INDEPENDENT SCHOOL DISTRICT	BOARD OF DIRECTORS	3317 12TH STREET	LEWISTON	ID	83501
CENTRAL ORCHARDS SEWER DISTRICT	BOARD OF DIRECTORS	1522 POWERS AVE	LEWISTON	ID	83501
LEWISTON ORCHARDS IRRIGATION DISTRICT	BOARD OF DIRECTORS	1520 POWERS AVE	LEWISTON	ID	83501
LEWISTON-NEZ PERCE COUNTY	AIRPORT AUTHORITY BOARD	406 BURRELL AVE	LEWISTON	ID	83501
PORT OF LEWISTON	BOARD OF COMMISSIONERS	1626 6TH AVE NORTH	LEWISTON	ID	83501
NEZ PERCE COUNTY	BOARD OF COUNTY COMMISSIONERS	PO BOX 896	LEWISTON	ID	83501
WATER DISTRIBUTION OFFICE	ATTN: BRYAN LACY	2505 16TH AVE	LEWISTON	ID	83501

8 POLITICAL ENTITIES
38 PROPERTY OWNERS*
46 TOTAL NOTIFIED

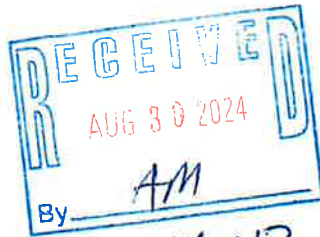
*DUPLICATES REMOVED

ZNC 24-4 MAP



9A/M H-HGJMS

X



STAFF USE ONLY

Case Number: **ZNC24-4**Hearing Date: **9/25/24****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: Clark, Chris Date: 15 Aug 2024
Last First M.I.

Address: 1610 NE Wheatland Drive
Street Address Apartment/Unit #
Pullman, WA 99163
City State ZIP Code

Phone: 509-432-8222 Email cclark@windermere.com

Property Owner: CLC Sales Phone: 509-432-8222

Property Owner Mailing Address: Pullman, WA 99163

DESCRIPTION OF PROPERTY

Street Address of Subject Property: 132 Thain Road, Lewiston, Idaho 83501

Subdivision Name: N.A.

Block: N.A. Lot: N.A.

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

NATURE OF REQUEST

Change **FROM** Zone District: C3 **TO** Zone District: R3

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.

4-45045

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.

The C-3 zoned property is on a boundary between zones R3 to the South and the R2A zone to the West. Extending the R3 zone to the North will help provide needed residential apartments and have very similar plan goals of adjacent properties. The property will combine the very best of all the zones proposed.

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 building was designed as to be office and retail; however, only a portion of the building has been occupied as office. Since there is an abundance of office and retail space, the East part of the building has remained unfinished since 2003. The parking requirements have changed and the building would not meet the parking requirements for its use. By changing to an R3 use parcel will be in compliance with current parking regulations.

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

With approval of this zone change the backyard of the units will be adjacent to the backyard of the apartments to the South. The inclusion of these two apartments will not require re-working of the existing parking lot and the majority of the work will take place inside the current shell of the building minimizing construction time.

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 residential use will generate less parking load and would be similar to a retail or office facility in terms of power, water and sewer requirements. We are thinking that the apartments would be well suited to individuals or couples seeking a more urban type of living with the proximity of local restaurants within walking distances.

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 addition of the two apartments will reduce parking requirements and thus reduce traffic to and from the site as compared to a full build-out with a retail or office use.

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).

N/A

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: 29 AUG 2024

The Property Owner hereby authorizes this application:

Signature: _____

Date: 8-30-2024

**** 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 Mayor 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 ½" x 11") to scale

132 THAIN ROAD

Legal Description:

**LEWISTON ORCHARDS:
E168.06' OF N151' 6 2
(EXC #9030-DEEDED TO CITY FOR
ROW)**

Document Reference:

**WD 857950
DEED832712
QCD 682902
WD 657859
WD 632635**



Add Apartments to Office Building

132 Thain Road



Add Apartments to Office Building

132 Thain Road

Zoning C3

PRIOR PERMIT

PARKING (22 STALL PROVIDED)

Existing Office Area: 2,989 SF/250 =11.9

Exist Retail Area: 3,850 SF/400=9.6

Zoning C3 & R3

PROPOSED

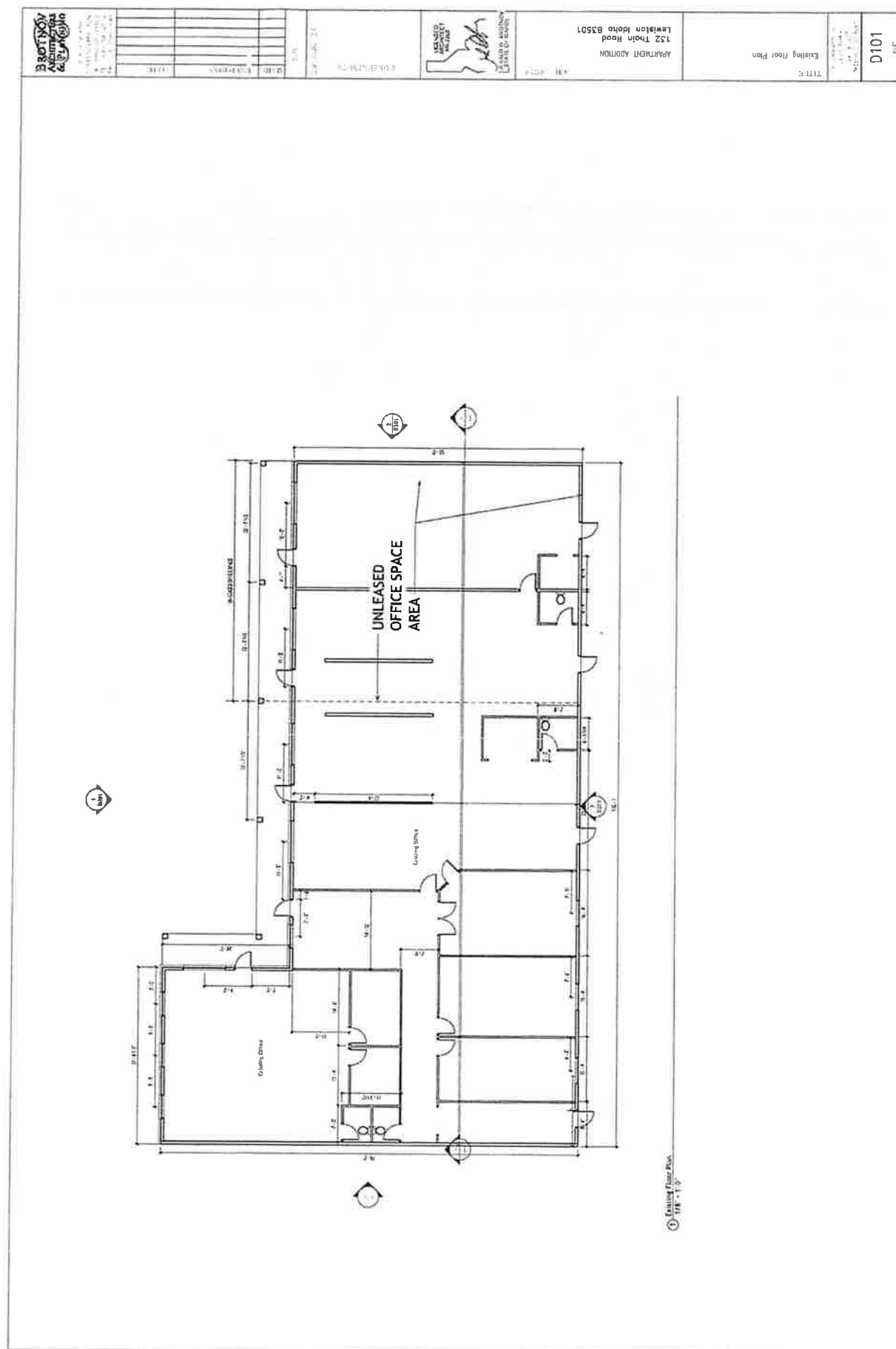
PARKING (22 STALLS)

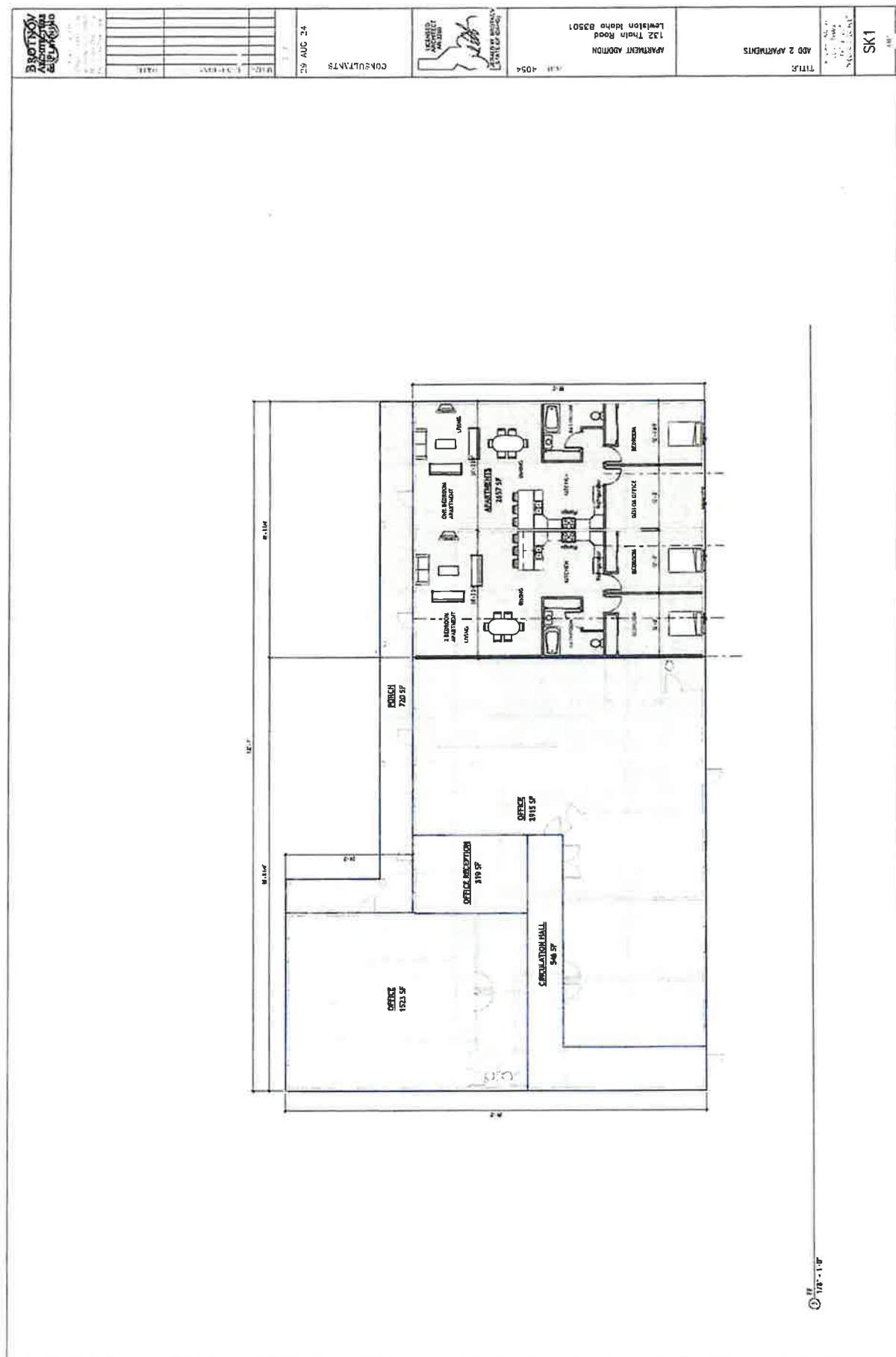
Proposed Office Area: 4,757 SF/250=19

Proposed Residential Area: 2,657 SF

One space per bedroom (3)

Proposed Hallway Circulation: 546 SF





ORIGINAL PERMIT ZONING PARKING CALCULATION

DESIGN ANALYSIS

I. OFFICE BUILDING (IN ACCORDANCE WITH 1997 UBC)

- A. DESCRIPTION: ONE BUILDING ON SAME PROPERTY
1. NEW CONSTRUCTION INCLUDES THE FOLLOWING AREAS:
- OFFICES
 - UNFINISHED RETAIL

II. OCCUPANCY CLASSIFICATION - SECTION 701, 702, AND 703

- A. OCCUPANCY GROUPS & BUILDING SQUARE FOOTAGE (INCLUDES CIRCULATION)

	OCCUPANCY	SQUARE FOOTAGE
NEW CONSTRUCTION	B	6,839 SQ. FT.
	TOTAL GROSS SQUARE FOOTAGE	6,839 SQ. FT.

III. TYPES OF CONSTRUCTION - SECTIONS 1701, 1705, 1707, 1708, 1710, 1711 AND 17-A

- A. NEW BUILDING AREA - TYPE V NON-RATED CONSTRUCTION

IV. BASIC ALLOWABLE FLOOR AREA - SECTIONS 504 TO 508; TABLE 5-A

- A. BUILDING AREA

- GROUP B
 - BASIC ALLOWABLE FLOOR AREA 8,000 SQ. FT.
 - SEPARATED ON THREE SIDES (100%) 8,000 SQ. FT.
- SUB-TOTAL FOR SEPARATION ON THREE SIDES 16,000 SQ. FT.
- TOTAL ALLOWABLE BUILDING AREA 16,000 SQ. FT.

- B. TOTAL ALLOWABLE BUILDING AREA - GROUP B

- BUILDING AREA - 6,839 DIVIDED BY 16,000 = 0.427
- $0.427 < 1$ (ALLOWABLE)

V. PARKING REQUIREMENTS

- A. OFFICE AND/OR CLINIC FACILITIES: ONE SPACE PER 250 SQUARE FEET OF FLOOR AREA PLUS ONE SPACE PER 2 EMPLOYEES.
- RETAIL FACILITIES: ONE SPACE PER 400 SQUARE FEET OF FLOOR AREA.

- TOTAL SQUARE FOOTAGE - OFFICE SPACE 2,989 SQ. FT.
- TOTAL SQUARE FOOTAGE - RETAIL SPACE 3,850 SQ. FT.
- TOTAL NUMBER OF EMPLOYEES 1 PERSON

- B. REQUIRED NUMBER OF SPACES

- OFFICE SQUARE FOOTAGE - 2,989 DIVIDED BY 250 = 11.9
- RETAIL SQUARE FOOTAGE - 3,850 DIVIDED BY 400 = 9.6
- EMPLOYEES - 1 DIVIDED BY 2 = .5
- TOTAL SPACES - 11.9 + 9.6 + .5 = 22 SPACES REQUIRED

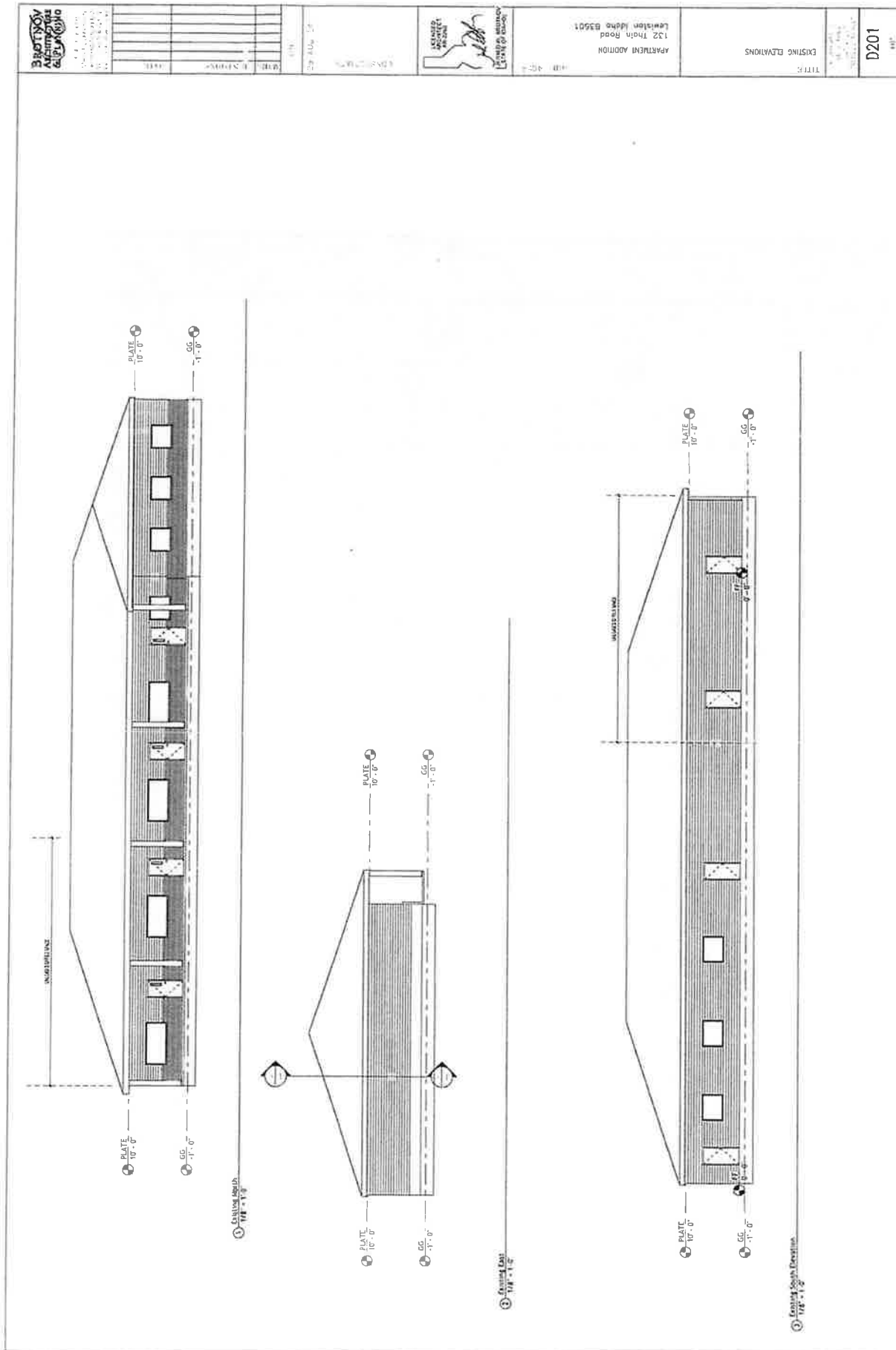
- C. TOTAL NUMBER OF SPACES PROVIDED = 22 SPACES

- 22 SPACES = 22 SPACES (ALLOWABLE)

VI. LANDSCAPING REQUIREMENTS

- A. TOTAL AREA OF LANDSCAPING TO BE NO LESS THAN 5% OF TOTAL SITE AREA

- TOTAL SQUARE FOOTAGE - ENTIRE SITE 19,295 SQ. FT.
- TOTAL SQUARE FOOTAGE - LANDSCAPING 2,798 SQ. FT.
- $2,798 / 19,295 = 14.5\%$ (ALLOWABLE)





PLANNER'S STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

Date:

9/10/24

Case File Number:

ZNC24-4

Applicant:

Chris Clark

Property Owner:

Chris Clark

Site Location:

The easterly portion (approximately forty-five feet) of 132 Thain Road

Request/Proposal:

Rezone from Community Commercial, C3, to Medium Density Residential, R3. The applicant desires to convert the easterly forty-five feet (approximately) of the existing office building on the subject property into two apartments.

Subject Property and Surrounding Land Uses:

The subject property is developed with an office building and associated parking lot. Surrounding properties are multi-family residential to the south, a gas station to the north across Vista Avenue a variety of retail businesses to the east and single family residential to the west across 8th Street C.

Related Or Other Pending Discretionary Actions:

None.

Flood Plain, Wetlands, EPA Regulated Site:

N.A.

Code References:

See attachments hereto (subject property current zoning, Community Commercial, C3; subject property proposed zoning, Medium Density Residential, R3; Zoning Code Article VII, Amendments).

Comprehensive Plan:

The subject property is designated as Neighborhood Commercial (NC) on the Comprehensive Plan (the Plan) Future Land Use Map. Page 62 of the Plan states: "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." A copy of the NC Designation is attached hereto for reference.

Although the NC Designation is primarily intended for commercial uses, apartments are listed as a supporting use for this designation. Page 62 of the Plan states:

"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."

Goals, Objectives, and Actions from the Plan that may be considered relevant to ZNC24-4 include:

"GOAL LU.1 ACCOMMODATE FUTURE DEVELOPMENT AND REDEVELOPMENT.

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

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

LU.1.3.2	Evaluate the zoning code to enable compatible uses in more locations to minimize the distance
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	between residents and needed services.
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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.
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LU.2.2 Allow for density by ensuring compatibility. Build additional housing types in a scale appropriate way that fits into existing neighborhoods.

LU.2.3 Facilitate workforce housing for critical services and employers. Key sectors such as healthcare, education, emergency services, and personal services need workforce housing in Lewiston. Explore what land use policy changes and regulation would enable such development.

ED.2.3 Improve housing affordability for lower-income households. Housing is a critical element in the attraction and long-term retention of employees and is needed at all levels of income but is mostly in demand at lower price points.

ED.2.3.2	Attract an increased variety of housing types to accommodate new workers.
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ED.4.3 Re-envision underutilized retail spaces. Accommodate a wider range of uses and activities to better meet changing market demands.

ED.4.3.3	Evaluate the commercial zoning districts in the zoning code zoning code to ensure relevant commercial and mixed uses are allowed where appropriate.
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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.1.3 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.

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."

Page 88 of the Plan states 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."

Input From Other Departments/Agencies:

The Engineering Division of the Public Works Department states that they have no objection to the proposed rezone. The Fire Department has not commented, yet, on this application. However, if ZNC24-4 is approved, the applicant will need to meet Fire Department requirements for the building permit to convert the office space in the existing building to apartments.

Analysis:

The applicant desires to convert the easterly forty-five feet (approximately) of the existing office building on the subject property into two apartments; however, the existing C3 zoning of the property does not permit residential use. Therefore, the applicant requests approval to extend the existing R3 Zone adjacent to the south side of the subject property onto the easterly portion of his property. The remainder and majority of the subject property would remain in the C3 Zoning district. The area and configuration of the property proposed for rezoning would not allow for subdivision of the proposed R3 Zone property to be subdivided, as it would not meet the minimum lot standards of the R3 Zone. The applicant has been informed of and has acknowledged this.

Though the applicant has stated intent to create two apartments, the Commission should keep in mind that if ZNC24-4 is approved, the applicant and/or subsequent property owner(s) may establish any use permitted in the proposed R3 Zone. However, the size of the property proposed for rezoning and the fact

that the existing building and associated parking take up that property makes it unlikely that anything different or more intensive than the two intended apartments would be established.

There is a ground monument sign for the building located at the northeast corner of the subject property. It will be located in the proposed R3 Zone if ZNC24-4 is approved; however, the sign complies with the provisions of the sign code for signs in residential zones.

The subject property is in a mixed-use area consisting of a variety of commercial and residential uses. The subject property fronts Thain Rd, a minor arterial street and a transit route, but has no access to Thain Road. It has two driveways, one on 8th St C, which is a local residential street and one on Vista Avenue, which is also a local residential street and is one-way, eastbound. Thain Road has curb, gutter and sidewalk. 8th Street C only has curb, gutter and sidewalk along the subject property but along none of the others on the block. Vista Avenue has some curb, gutter but no sidewalk.

The building on the subject property is approximately seven thousand square feet. The site plan for the 2001 building permit and an old GIS aerial photo show twenty parking spaces with only one driveway, and that was on 8th Street C. Apparently, two parking spaces were removed after the building was built to create a second driveway approach on Vista Avenue. Since the time the building was constructed, the parking requirements of the Zoning Code increased. Under today's code, twenty-eight parking spaces would be required. There are currently eighteen parking spaces on the site. Conversion of the easterly part of the building into two apartments would decrease the minimum number of parking spaces and bring the property closer to compliance with the minimum number of parking spaces required, as apartments require less parking than office space.

The subject property is designated as Neighborhood Commercial (NC) on the Comprehensive Plan Future Land Use Map. The current C3 zoning of the property is in clear conformance with that designation. The proposed R3 Zone for the subject property is less clearly in conformance with the Plan, but still could be considered in conformance. Staff directs the Commission's attention in this matter to the Comprehensive Plan section of this report, especially that part of it discussing the circumstances under which a NC Designated property could or should be considered appropriate for residential use up to eight dwelling units per acre, as follows:

"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."

A shortage of housing is currently a known problem in Lewiston. The applicant states in his rezone application that the existing building on the subject property is not fully occupied with office use(s), as intended, and that there is an over-abundance of office space in the city at this time. This may be justification for approval of this rezone, despite the fact that the intended resulting housing would not be located behind or on top of a commercial use and would not be accessed from a collector or arterial street (although it does front one), as called for in the Comprehensive Plan.

Relevant Criteria and Standards:

The commission shall consider the following relevant criteria and standards when considering a request for a change in zoning:

- (1) The proposed rezone (is/is not) in general conformance with the comprehensive plan.
- (2) The subject land (is/is not) at least as well suited or is better suited for the proposed zoning district than the existing zoning district.
- (3) The proposed rezone (does/does not) present foreseen, immitigable impacts of incompatible uses or development being located in the same vicinity.
- (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.
- (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.

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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.

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;
- (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)

Editor's note— Ord. No. 4249, § 33, adopted October 25, 1999, added a new section § 37-69.1. This section has been editorially renumbered to avoid duplication.

DIVISION 8. - MEDIUM DENSITY RESIDENTIAL ZONE R-3

Sec. 37-42. - R-3 medium density residential zone.

- (a) *Purpose.* To provide land for the development of multifamily dwellings and to provide an orderly transition from more intensive, high density uses to less intensive, lower density uses.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 16, 10-25-99)

Sec. 37-43. - Uses permitted outright.

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

- (1) Bed and breakfast facilities, subject to the special conditions of section 37-13.1(1) of this Code;
- (2) Church, subject to the special conditions of section 37-20.1(2) of this Code;
- (3) Class A manufactured home;
- (4) Commercial uses legally established as of December 31, 2004, and which have maintained a valid business and occupation permit;
- (5) Family day care, subject to the special conditions of section 37-13.1(2) of this Code;
- (6) Intermediate term care facility, subject to the special conditions of section 37-44.1(1) of this Code;
- (7) Long-term care facility, subject to the special conditions of section 37-44.1(2) of this Code;
- (8) Manufactured home park, subject to the provisions of chapter 23 of this Code, with a maximum density of sixteen (16) dwelling units per acre;
- (9) Mortuary, subject to the special conditions of section 37-20.1(1) of this Code;
- (10) Multifamily dwelling, meeting the standards of section 37-124.1 of this Code;
- (11) Park, subject to the special conditions of section 37-20.1(4) of this Code;
- (12) School, subject to the special conditions of section 37-20.1(3) of this Code;
- (13) Single-family dwelling;
- (14) Small lot development subject to the requirements of section 37-33, standards for small lot development;
- (15) Tiny house village, subject to the provisions of chapter 23 of this Code, with a maximum density of sixteen (16) dwelling units per acre;
- (16) Two-family dwelling.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4161, § 5, 7-1-96; Ord. No. 4249, § 17, 10-25-99; Ord. No. 4385, § 7, 2-14-05; Ord. No. 4386, § 2, 2-14-05; Ord. No. 4433, § 4, 1-9-06; Ord. No. 4499, § 2, 1-28-08; Ord. No. 4531, § 4, 7-13-09; Ord. No. 4656, § 10, 3-28-16; Ord. No. 4676, § 14, 11-28-16; Ord. No. 4841, § 8, 11-14-22)

Sec. 37-44. - Conditional uses permitted.

In an R-3 Zone the following uses and their accessory uses are permitted when authorized in accordance with the standards and requirements in articles IV and IX:

- (1) Repealed by Ord. No. 4742.
- (2) Day care center, subject to the special conditions of section 37-20.1(5) of this Code;
- (3) Dormitory, subject to the special conditions of section 37-44.1 of this Code;
- (4) Group day care, subject to the special conditions of section 37-13.1(3) of this Code;
- (5) Intensification, or expansion of commercial uses of ten (10) percent of the building area or more which were legally established and licensed for business and occupation;
- (6) Manufactured home park, subject to the provisions of chapter 23 of this Code, with a density greater than sixteen (16) dwelling units per acre;
- (7) Noncommercial kennel, subject to the commercial kennel standards of section 37-163(15) of this Code;
- (8) Preschool, subject to the special conditions of section 37-20.1(6) of this Code;
- (9) 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;
- (10) Re-establishment of a commercial use which was legally established but where the business and occupation license has lapsed for a period not to exceed one (1) year;
- (11) 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;
- (12) 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;
- (13) Tiny house village, subject to the provisions of chapter 23 of this Code, with a density greater than sixteen (16) dwelling units per acre.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 18, 10-25-99; Ord. No. 4322, § 5, 12-9-02; Ord. No. 4328, § 2, 3-24-03; Ord. No. 4385, § 8, 2-14-05; Ord. No. 4386, § 3, 2-14-05; Ord. No. 4531, § 4, 7-13-09; Ord. No. 4742, § 21, 8-19-19; Ord. No. 4799, § 7, 3-8-21; Ord. No. 4841, § 9, 11-14-22)

Sec. 37-44.1. - Special conditions.**(1) *Intermediate care facility.***

- (a) The size of the site is shown to be reasonable for the intended use.
- (b) Access to the site meets all applicable ordinances.
- (c) The surrounding property will not otherwise be adversely affected.

(2) *Long-term care 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.

(3) *Dormitory.*

- (a) Dormitories with twelve (12) occupants or more shall have on-site management.
- (b) Buildings shall be designed with the following security measures:
 - 1. Interior access to each room;
 - 2. Controlled access beyond the lobby and to individual floors;
 - 3. Manager's name and contact information posted in clear view in the lobby.
- (c) Dumpsters shall be located inside the building or placed no closer than fifteen (15) feet from any property line adjacent to residentially zoned property.

(Ord. No. 4249, § 19, 10-25-99; Ord. No. 4386, § 6, 2-14-05)

Sec. 37-45. - Lot size.

In an R-3 zone, the minimum lot size shall be as follows:

- (1) Lot area shall be a minimum of six thousand (6,000) square feet plus an additional two thousand five hundred (2,500) square feet for each dwelling unit over one (1).
- (2) Lot width shall be a minimum of sixty (60) feet.
- (3) Lot depth shall be a minimum of eighty (80) feet.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4499, § 2, 1-28-08; Ord. No. 4531, § 4, 7-13-09; Ord. No. 4676, § 15, 11-28-16)

Sec. 37-46. - Yards.

Except as provided in article VIII, in an R-3 zone minimum yard requirements shall be as follows:

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

- (2) A side yard shall be a minimum of five (5) feet and the total of both side yards shall be a minimum of fifteen (15) feet, except that on corner lots the side yard on the street side shall be a minimum of fifteen (15) feet from the property line or thirty-five (35) feet from the centerline of the street, whichever is greater.
- (3) A rear yard shall be a minimum of twenty (20) feet.
- (4) Side and rear yards shall be increased by one (1) foot for each foot by which a building exceeds a height of thirty-five (35) feet. A front yard shall be increased by one (1) foot for each two (2) feet by which a building exceeds thirty-five (35) feet.
- (5) Two-family dwelling units constructed as a use permitted outright in this zone and constructed so as to share a common or adjoining side wall shall be allowed to legally split into two (2) minimum five thousand (5,000) square foot lots, provided the front and rear setbacks are in compliance with this chapter and the side yard opposite the zero-lot line shall be a minimum of fifteen (15) feet. In no case shall the minimum width of the zero-lot line lot be less than fifty (50) feet nor the depth less than eighty (80) feet.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4676, § 16, 11-28-16)

Sec. 37-47. - Lot coverage.

In an R-3 zone, buildings shall not cover more than fifty (50) percent of the lot.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4676, § 17, 11-28-16)

Sec. 37-48. - Height of buildings.

In an R-3 zone, no building shall exceed a height of forty-five (45) feet.

(Ord. No. 4108, § 2, 8-15-94)

Sec. 37-49. - Reserved.

Editor's note— Ord. No. 4216, § 1, adopted August 10, 1998, repealed § 37-49, relative to signs permitted in the R-3 zone, which derived from Ord. No. 4108, § 2, adopted August 15, 1994.

ARTICLE XII. - AMENDMENTS

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

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.

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.

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)

Sec. 37-180.1. - Relevant criteria and standards when considering zone changes

The commission shall consider the following relevant criteria and standards when considering a request for a change in zoning:

- (1) The proposed rezone (is/is not) in general conformance with the comprehensive plan.
- (2) The subject land (is/is not) at least as well suited or is better suited for the proposed zoning district than the existing zoning district.
- (3) The proposed rezone (does/does not) present foreseen, immitigable impacts of incompatible uses or development being located in the same vicinity.
- (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.
- (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.

(Ord. No. 4631, § 3, 7-13-15)

Editor's note— Ord. No. 4631 § 3, adopted July 13, 2015, added a new section § 37-181. This section has been editorially renumbered to avoid duplication.

Sec. 30-12. Signs in residential zones.

(a) The following signs are authorized in all residential zones without a sign permit:

- (1) One (1) temporary sign no larger than six (6) square feet.
- (2) One (1) window sign no larger than two (2) square feet in one (1) window on the property or one (1) wall sign no larger than two (2) square feet next to one (1) door on the property. Such window sign or wall sign may be an internally illuminated sign, but shall not be an animated sign.
- (3) One (1) temporary sign, no larger than six (6) square feet when the property on which the temporary sign is placed is being offered for sale, lease, or rent. Such temporary sign shall be removed within fifteen (15) days after such property is sold, leased, or rented.
- (4) Bench signs, so long as such signs are not visible from the public right-of-way.

Signs authorized by this subsection shall not count toward any limitation on the number or area of signs allowed on a lot, as set forth in this section.

(b) Within a residential zone, a property owner shall secure a sign permit prior to placing any other sign on the owner's property.

(c) Unless otherwise provided, the following regulations apply to all signs within residential zones:

- (1) Signs may be internally illuminated signs. If a sign is an internally illuminated sign, the illumination shall be constant and not animated.
- (2) Billboards, electronic message centers, roof signs, and wall art displays that include electrical or mechanical components are prohibited.
- (3) Signs may be placed anywhere on the property; provided, however, no sign shall be placed in a clear vision area or in an area to be dedicated as public right-of-way.
- (4) Bench signs are prohibited in all residential zones, unless such signs are not visible from the public right-of-way.
- (5) No sign shall exceed six (6) square feet per dwelling unit; provided, that the total area of all signs located on a lot shall not exceed thirty-two (32) square feet.
- (6) A church, a semi-public use, a subdivision, multifamily dwelling, or a manufactured home park may have one (1) ground monument sign per entrance to such church, semi-public use, subdivision, multifamily dwelling, or manufactured home park no larger than thirty-two (32) square feet. Such sign(s) shall not be placed within a clear vision area or in an area to be dedicated as public right-of-way, as determined by the public works director, or designee.
- (7) Ground monument signs and freestanding signs shall not exceed six (6) feet in height.
- (8) The length of ground monument signs and freestanding signs shall not exceed ten (10) percent of the linear lot street frontage or eighteen (18) feet, whichever is less; provided, however, if the lot is a flag lot, then a ground monument sign or freestanding sign shall not exceed thirty-two (32) square feet and the length requirement set forth above shall not apply.
- (9) No more than two (2) signs shall be allowed per lot street frontage.

(d) A property owner who obtains a conditional use permit in a residential zone shall comply with the requirements of this section unless the planning and zoning commission modifies such requirements as part of the conditional use permit.

(Ord. No. 4692, § 2, 10-30-17; Ord. No. 4906, § 6, 3-25-24)

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.

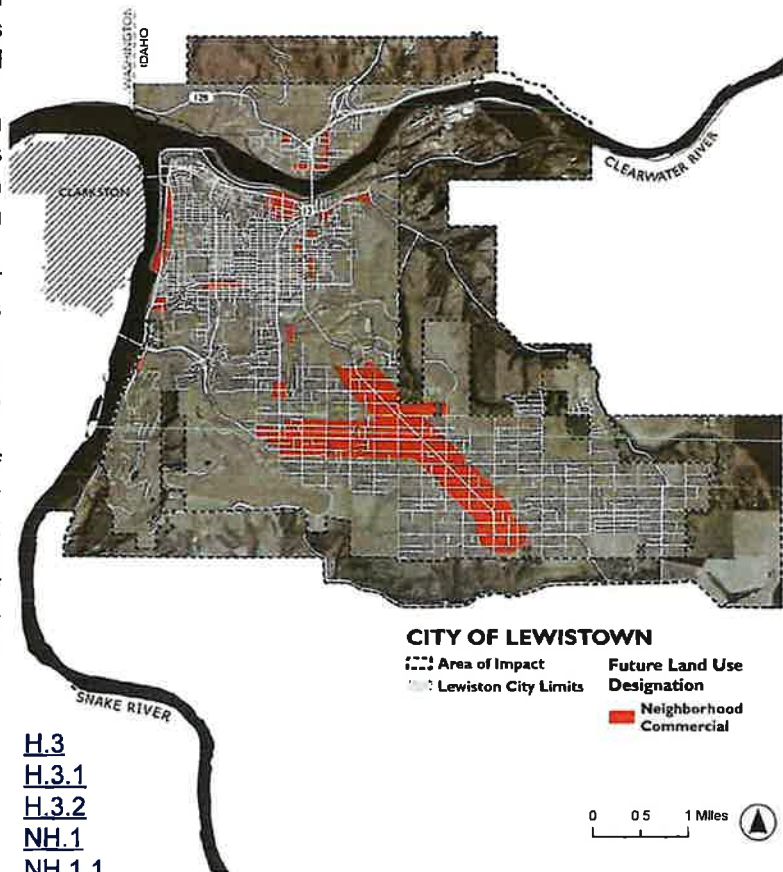
Examples

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.

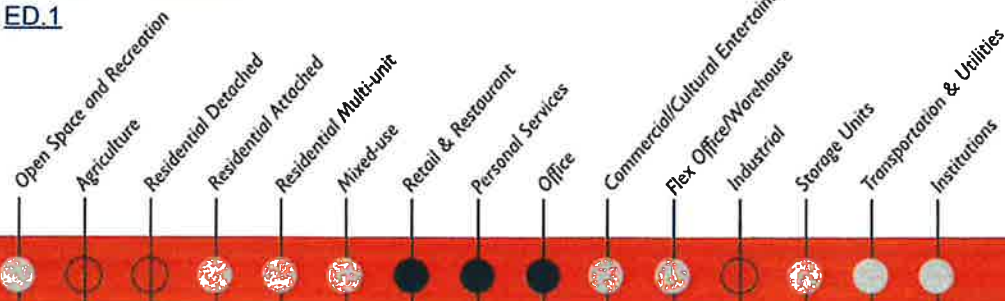


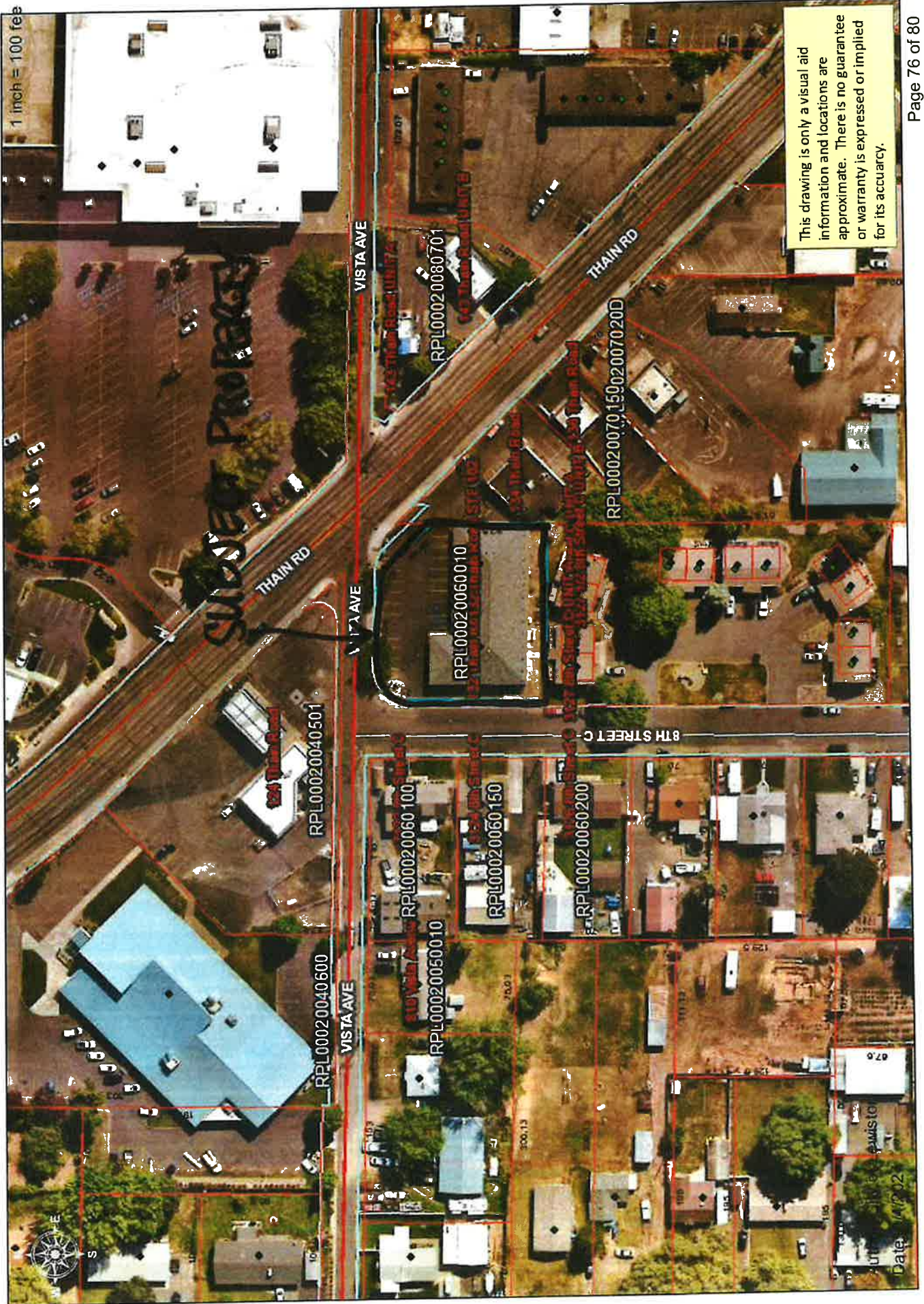
Policy Basis	• LU.2	• ED.3	• H.3
• CC.3	• LU.2.1	• ED.3.1	• H.3.1
• CC.3.1	• LU.2.2	• ED.3.2	• H.3.2
• LU.1	• LU.2.3	• ED.4	• NH.1
• LU.1.1	• TC.2.5	• ED.4.2	• NH.1.1
• LU.1.2	• TC.3.2	• ED.4.3	
• LU.1.3	• ED.1		

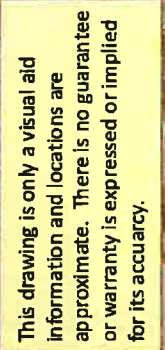
● Primary Use

● Supporting Use

○ Discouraged Use







After discussion of the required conditional use permit relevant criteria and standards, Commissioners Branson and Anderson moved and seconded, respectively, to direct staff to draft a Reasoned Statement approving CUP24-4. Motion passed 5-0.

VI. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR ZONE CHANGE APPLICATION ZNC24-4 BY CHRIS CLARK (ACTION ITEM):

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

Staff Hollingshead provided a verbal summary of the staff report with maps and photos so the commission could get geographically familiar with the area.

City Attorney Jennifer Tengono ask for clarification if section 37-10 was taken into consideration when creating the staff report.

Staff Hollingshead stated she assumed that City Planner Joel Plaskon took that into consideration when he created the staff report.

Chair Cable asked for square footage of lot size.

Staff Hollingshead stated it is .42 of an acre or about 18,300.

Chair Ball asked clarification for City Attorney Jennifer Tengono to clarify the zoning code she referenced to get clarification.

Staff Tengono stated section 37-10 states its zone boundaries says, unless otherwise specified. Zone boundaries are section lines, subdivision lines, plot lines, center lines of streets, alleys, or railroad rights of way for such lines extended. She doesn't know if that was considered because it seems more that it's based on a division of a building, but it says, unless otherwise stated, unless otherwise specified, so it could be specified otherwise in the code.

Chair Ball asked if this would be a subdivision.

Staff Hollingshead stated no it is just a re-zone of a portion of the property.

Chair Ball asked if parking would be in more conformance with the commercial or the residential side.

Staff Hollingshead stated both because the amount or required parking would be less.

Chair Branson asked for clarification on regards to paragraph on page 62 referring to a shortage of housing.

Staff Hollingshead stated that under the Comprehensive Plan section he is calling out specific things that the Comprehensive Plan states in that area and telling how they differ than that. Because the proposal does not meet it 100% of the Comprehensive Plan.

Commissioner Anderson stated she thinks this re-zone should be tabled to receive more clarification on what Staff Tengono mentioned in regards to section 37-10.

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

Applicant's representative Architect Jerry Brotnov stated they cannot keep it full commercially. There is not enough parking for retail. He clarified what section would be R3 and that it does touch an R3 zone to the south. He has never noted any standing storm water on the property.

Commissioner Branson asked if R3 allow commercial and could the whole building be an R3 zone.

Mr. Brotnov stated part of the building is already occupied commercially. This project will be all and interior build, some egress window installation.

Chair Ball asked if there is going to be parking separating commercial from residential.

Mr. Brotnov stated that if the parking became problematic then assigned parking could be done.

Staff Hollingshead stated commercial office use is not allowed in an R3.

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

Michael Edwards, Lewiston Id stated that there has been difficulty between him and the previous owner in regards to property lines, access, fencing and the building is built on the property line.

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

Applicant Clark stated he was not aware of any of the background information Mr. Edwards provided. The reason for he re-zone is to put residential housing and there is a large need for that in the valley. Will see more of this coming this way. The re-zone is

an extension off the existing zone. There are existing doors coming off the back of the property and they will most likely put patios back there also.

Chair Ball asked if the Thain corridor will remain a C3 Zone in the Future Land Use Map Designation.

Staff Hollingshead stated that is not how the future land use map works. It doesn't call out specific zones it calls for use designations. It will remain a commercial use designation.

Stall Tengono recommended leaving the public hearing open until the next meeting, so staff can provide answers to all the Commissioner's questions.

Commissioner Branson and Anderson moved and seconded, respectively to continue the public hearing until the next Planning and Zoning Commission meeting. Motion passed 5-0.

VII. REQUEST FOR RECONSIDERATION OF A FINAL DECISION BY THE PLANNING AND ZONING COMMISSION PURSUANT TO LEWISTON CITY CODE SEC. 37-185(B) OF CONDITIONAL USE PERMIT APPLICATION CUP24-3, AN APPLICATION SUBMITTED BY MICHELLE KING AND THE LC VALLEY YOUTH RESOURCE CENTER FOR A TRANSITIONAL HOUSING VILLAGE FOR YOUNG ADULTS (ACTION ITEM)

Chair Ball asked Staff Tengono to provide staff presentation of Request for Consideration.

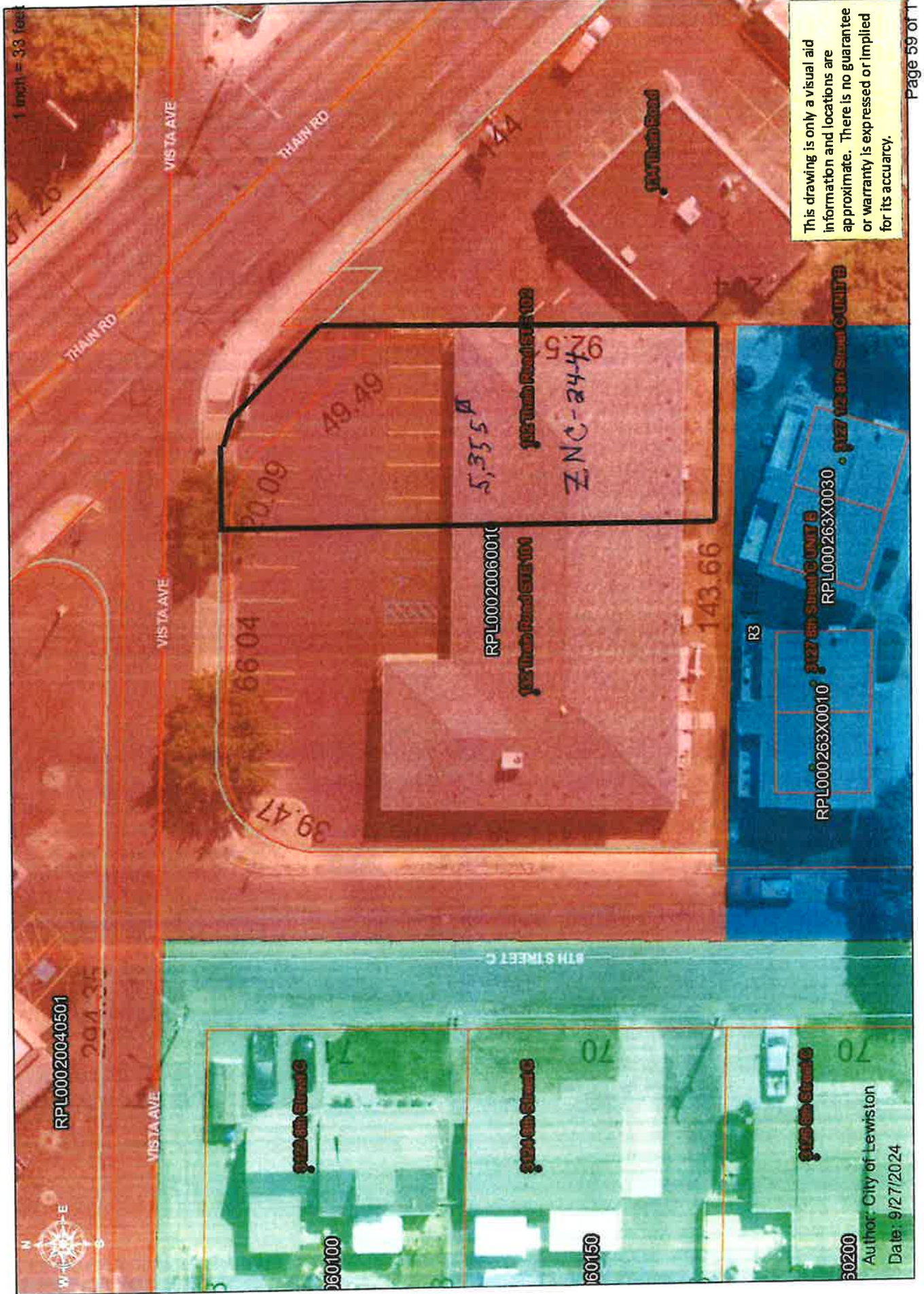
Staff Tengono provided Commissioners a copy of Lewiston City Code Section 37-185. She stated public comment was received earlier at today's meeting and that is not in consideration of this request. She provided verbal summary of public hearing, relative criteria and process of request of reconsideration and appeal in regard to CUP24-3. Staff also reviewed reasons provided by Mrs. Glines for the Request of Reconsideration.

Commissioners reviewed and discussed applicants concerns, deciding if the substantial evidence received supported their decisions to approve the application.

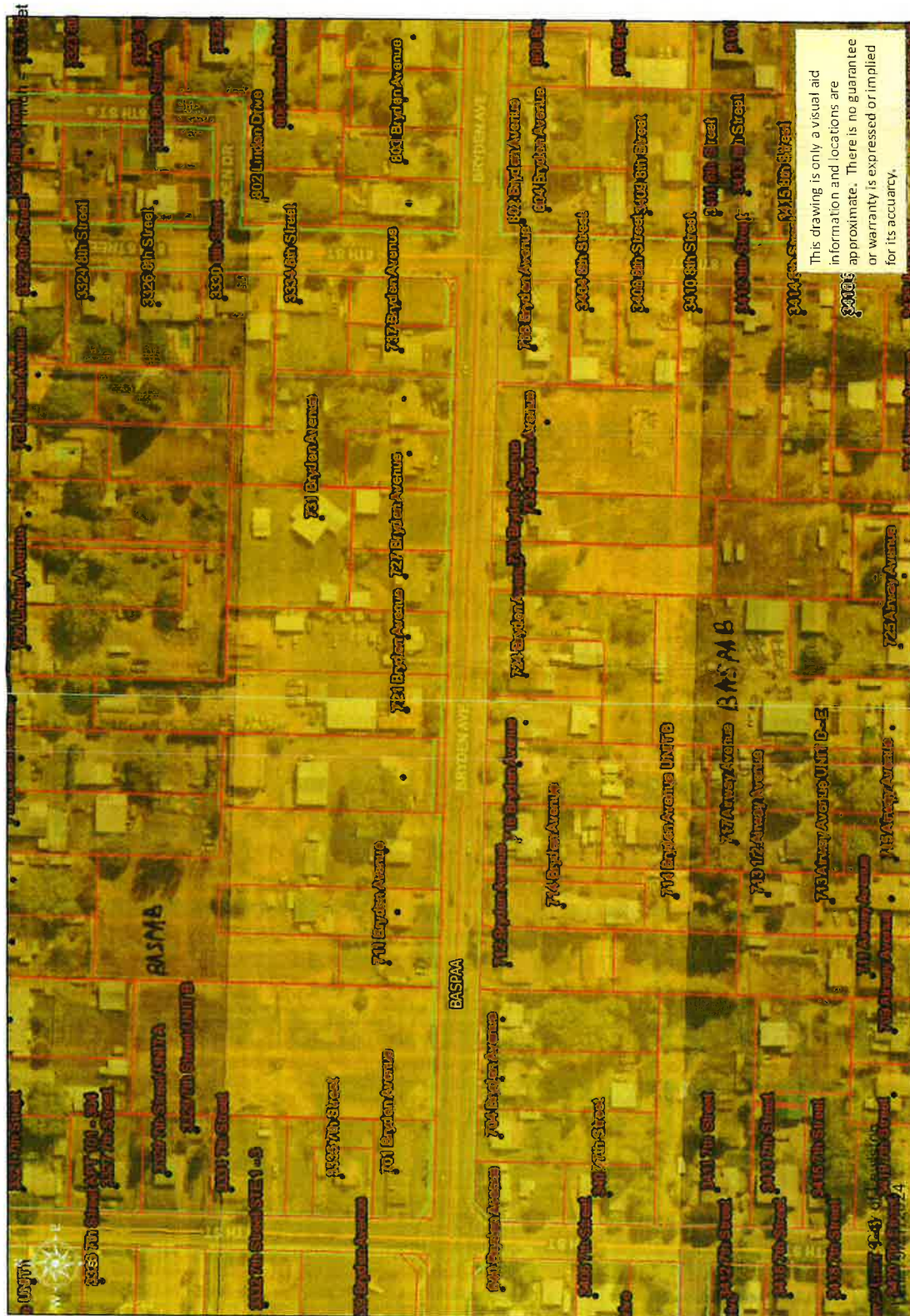
After discussion, Commissioner Branson and Vice Chair Iacoboni moved and seconded, respectively, to direct staff to draft a written statement affirming the Planning and Zoning Commission's decision to approve Conditional Use Permit CUP24-3. Motion passed 5-0.

VIII. STAFF-COMMISSION COMMUNICATIONS

City of Lewiston



City of Lewiston





132 Thain Road Proposed **R3 Zone Extension** from bordering R3 zone to the South.

Notes:

1. We are not creating a subdivision. Owner cannot sell of portions of the property.
2. The proposed zoning (C3 to R3) does not create an island.



Add Apartments to Office Building

132 Thain Road

Zoning C3

PRIOR PERMIT

PARKING (22 STALL PROVIDED)

Existing Office Area: 2,989 SF/250 = 11.9

Exist Retail Area: 3,850 SF/400 = 9.6

Zoning C3 & R3

PROPOSED

PARKING (22 STALLS)

Proposed Office Area: 4,757 SF/250 = 19

Proposed Residential Area: 2,657 SF

One space per bedroom (3)

Proposed Hallway Circulation: 546 SF

SK2

October 9, 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; Kathy Branson; Shaunita Cable; Maureen Anderson; Emily Wolf; Kevin Kelly

COMMISSIONER EXCUSED:

STAFF MEMBERS PRESENT: Joel Plaskon, City Planner; Dawn Ortiz, Community Development Office Supervisor; Pat Severance, Engineering Development Supervisor

II. CITIZEN COMMENTS

None

III. APPROVAL OF SEPTEMBER 25, 2024 MEETING MINUTES (ACTION ITEM)

Commissioner Branson and Vice Chair Iacoboni moved and seconded, respectively, approval of the September 25, 2024 meeting minutes with corrections. The motion carried 6-0-1 with Commissioner Wolf abstaining.

IV. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON CONDITIONAL USE PERMIT APPLICATION CUP24-4 BY SARA BENNETT OF RIVERSIDE RECOVERY (ACTION ITEM):

Commissioners Anderson and Branson moved and seconded, respectively, to approve the reasoned statement for CUP24-4 as written. The motion carried 6-0-1 with Commissioner Kelly abstaining.

 **V.**

CONTINUATION OF PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR ZONE CHANGE APPLICATION ZNC24-4 BY CHRIS CLARK (ACTION ITEM):

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

Staff Plaskon provide verbal summary of what was discussed at previous Planning and Zoning Commission meeting.

Chair Ball asked staff if there are already split zone areas.

Staff Plaskon stated that yes there are and provided examples.

Commissioner Anderson asked if there are current incidents where the building has been split by a zone.

Staff Plaskon stated he was not sure if there is and that any concerns should be judged against the relevant criteria for the reasoned statement.

Chair Ball asked what the rear yard setback was for structure.

Staff Plaskon stated it was 11.5 feet and if this rezone was approved this part of the building would become a nonconforming in terms of the setbacks for the side and rear yard standards.

Chair Ball stated there was discussion at last meeting on if there would be room for back patio when it looked like the existing building didn't meet setbacks.

Staff Plaskon stated this CUP proposal is not a development proposal but a rezone. Staff would review the building use change so there is no additional nonconformity created above and beyond the existing conditions. So they would not be able to get any closer to the property line that already is, so the only patio that would be allowed would be flat work.

Commissioner Anderson expressed her concern for the lot size not meeting R3 standards.

Staff Plaskon provided verbal confirmation on how this request would fit into the Comprehensive Plan.

Chair Ball discussed that it might be better to rezone to a C4 or a C5 and keep the lot commercial.

Staff Plaskon stated that would create an island of that zone or an illegal spot zone. It is okay to be an R3 because it already abuts an existing R3 zone. Staff asked the Commission to take concerns back to the criteria.

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

Applicant Chris Clark, Pullman Wa stated the valley doesn't have a need for more office space, but there is a need for residential. He is only asking for a change of use not to change setbacks. The structure is already a nonconforming structure to today's standards as there is not enough parking.

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

Dawn Ortiz, Community Development Office Supervisor read in a public comment submitted via email.

Noah Prescott "I hope this is the right place to send this. I am in support of ZNC24-4, performing the zone change from C3 Commercial to R3 Residential. It frustrated me that the Planning and Zoning Commission emphatically approved a Residential to Commercial rezone earlier in the meeting on 9/25/2024, but then began bike shedding small issues when this proposal originally came up. This kind of development is exactly the "slippery slope" we need in order to make Lewiston a sustainable city. As the Developer, Chris, said in the original meeting, mixed use development is all around us, but it should be in a lot more locations. His new proposal is exactly in the spirit of what the new Project 2044 Zoning Code is supposed to be, and I'm glad someone has begun to take the first step. Many of the housing developments the Commission has approved lately have been large-scale housing with multiple bedrooms, but what we really need in this valley are small homes and apartments for young people without kids or older people who don't need more than a bedroom or two. These proposed apartments seem to be just that, and rejecting this proposal flies in the face of the new Zoning Regulations that were just approved. Please approve this change, so that Lewiston can take a positive step forward into the future."

There being no further public comment, Chair Ball closed the public hearing

After discussion, Commissioner Kelly and Vice Chair Iacoboni moved and seconded, respectively, to direct staff to draft a written statement approving ZNC24-4. Motion passed 6-1 with Commissioner Cable opposing.

VI. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR VARIANCE APPLICATION VAR24-2 BY DK HOLDING LLC: (ACTION ITEM)

October 23, 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; Kathy Branson; Maureen Anderson; Emily Wolf;

COMMISSIONER EXCUSED: Kevin Kelly; Shaunita Cable

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner; Dawn Ortiz, Community Development Office Supervisor; Jennifer Tengono, City Attorney

II. CITIZEN COMMENTS

None

III. APPROVAL OF OCTOBER 09, 2024 MEETING MINUTES (ACTION ITEM)

Commissioner Branson and Anderson moved and seconded, respectively, approval of the October 09, 2024 meeting minutes with corrections. The motion carried 5-0.

IV. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON ZONE CHANGE APPLICATION ZNC24-4 BY CHRIS CLARK. (ACTION ITEM):

Commissioner Wolfe and Vice Chair Iacoboni moved and seconded, respectively, to approve the reasoned statement for ZNC24-4 as written. The motion carried 5-0.

V. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON VARIANCE APPLICATION VAR24-2 BY DK HOLDINGS LLC. (ACTION ITEM):

Vice Chair Iacoboni and Commissioner Branson moved and seconded, respectively, to approve the reasoned statement for VAR24-2 as written. The motion carried 5-0.

VI. APPROVAL OF THE REASONED STATEMENT AFFIRMING THE COMMISSION'S DECISION AFTER RECONSIDERATION OF CONDITIONAL USE PERMIT CUP24-3 FOR A TRANSITIONAL HOUSING VILLAGE. (ACTION ITEM):

**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:
ZNC24-4

Instrument # 917538

NEZ PERCE COUNTY

10-28-2024 01:13:52 PM No. of Pages: 8

Recorded for : CITY OF LEWISTON

PATTY WEEKS

Ex-Officio Recorder Deputy

Index to: MISC

Fee: 0.00

II. APPLICANT'S NAME AND ADDRESS:
CLC Sales, Inc.
Chris Clark
1610 Wheatland Drive
Pullman, WA 99163

III. IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:
Approximately the easterly forty-three feet of 132 Thain Road

IV. DATES OF PUBLIC HEARING:
September 25, 2024 and October 9, 2024

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

VI. NATURE OF APPLICATION:
Rezone subject property from Community Commercial, C-3, Zone to Medium Density Residential, R-3, Zone.

VII. DECISION:
The Lewiston Planning and Zoning Commission recommends **APPROVAL** of ZNC24-4 to the Lewiston City Council.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC24-4

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VIII. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are:

There was discussion among City staff and the Commission as to whether the proposed rezone was required to comply with Lewiston City Code § 37-10 regarding zone boundaries and whether the proposed rezone needed to be in compliance with the development standards of the R-3 zoning district. The public hearing was continued to October 9, 2024, to allow Joel Plaskon, City Planner, to provide testimony concerning these matters.

During the continued public hearing on October 9, 2024, Mr. Plaskon testified and answered questions from the Commissioners concerning whether the City has ever considered an application to split zone a building and parcel of property in a manner similar to that proposed by the Applicant. Mr. Plaskon indicated that he was not aware of any such private applications, but that the application only had to be considered in accordance with Lewiston City Code § 37-180.1 (Relevant Criteria and Standards When Considering Zone Changes). He further emphasized that the Commissioners should focus their attention on these particular requirements when evaluating the application before them.

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 in general conformance with the Lewiston Comprehensive Plan. Applicable commentary:

The subject property is designated Neighborhood Commercial (NC) on the Comprehensive Plan Future Land Use Map. The NC area provides low to mid intensity commercial services primarily for surrounding residents. The subject property is in a mixed-use area consisting of a variety of commercial and residential uses. The subject property fronts Thain Road, a minor arterial street and a transit route, but has no direct access to Thain Road. It has two driveways, one on 8th Street C, which is a local residential street and another on Vista Avenue, which is a one-way local residential street that travels eastbound.

The Applicant desires to convert the easterly forty-five feet (approximately) of the existing office and retail building on the subject property to two residential apartment units. Such units would not be located above or behind commercial use(s) and would displace the property's Thain Road commercial street frontage, but there would still be commercial street frontages on 8th Street C and Vista Avenue. The Applicant indicated that the proposed commercial sites displaced are currently undeveloped.

The subject property's current C-3 zoning does not permit residential uses. However, there is adjacent R-3 zoned properties abutting the subject property on the south side along this easterly portion of the subject property. The Applicant intends for the remainder and majority of the

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC24-4

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subject property to remain in the C-3 zone and used for commercial office space. City staff testified that the area and configuration of the subject property and the portion to be rezoned does not allow for subdivision of the proposed R-3 zone property, as it would not meet the minimum lot standards for subdivision or development in the Lewiston zoning code.

Although the NC designation is primarily intended for commercial uses, apartments are listed as a supporting use for this designation. A majority of the Commissioners found that the Applicant's request was in general conformance with the following standards of the Comprehensive Plan:

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.
 - City staff testified that the proposed use of the subject property would keep commercial uses long the street frontage, but that the residential use did not comply with this standard because the residential use would be neither above or behind the commercial use, but alongside such use. Commissioners Cable and Anderson felt that by not having the residential use above or behind the commercial portion of the subject property, it was not in compliance with the Comprehensive Plan. However, the remaining Commissioners agreed that the City was in need of more housing in general, and that the Applicant had submitted a proposal that would provide a different variety of housing than seen elsewhere in the City.
- Intensity: Provides transition in intensity from adjacent uses/zones and provides an appropriate transition in building use, type, and scale from surrounding uses.
 - The Commission found, by majority, that there is sufficient grounds to justify extending the R-3 zone to this portion of the subject property because it directly abuts the R-3 zoning district to the south. While the Commissioners did not expressly approve of the idea of splitting the zoning designation of a building or lot, they found sufficient justification from the Applicant's testimony concerning how the proposed split zone will operate.
- Access: Located on a collector or arterial roadway with adequate access for the proposed use.
 - The Commission noted that the subject property does not open directly to Thain Road, but has driveways along 8th Street C and Vista Avenue. This is helpful for the subject property since Thain Road is a very busy arterial roadway, which can present traffic hazards. Despite this, it was noted by City staff and the Commissioners that Vista Avenue is a one-way roadway.

- Infrastructure: The existing or planned infrastructure is adequate to meet the needs of the proposed use.
 - Information was presented to the Commissioners that the current number of parking stalls would be sufficient for the proposed project and bring the subject property into better compliance with the zoning code's parking requirements. Additionally, there was no testimony received that City services or infrastructure would be inadequate for the proposed rezone.
- 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.
 - The Applicant testified that his intended apartment residents would be "young urban professionals," and the type of people who are not opposed to be located next to commercial office spaces. He indicated his intended residents would not want exterior maintenance, but would want a clean nice place with a high level of finishes. He further testified that he has tried to utilize the property for commercial leases, but stated there is an overabundance of commercial office space in the Lewiston area that makes this difficult.

The Commissioners found by majority that the proposed rezone is consistent with the following goals and/or objectives of the Comprehensive Plan:

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

- The Commissioners noted that while the proposed rezone is not in compliance with requirement that apartments be located above or behind commercial uses, they are likely to encounter more requests that are for mixed commercial/residential uses in ways not already envisioned by the zoning code.

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.

- The Commissioners discussed that under this provision, the Applicant provided sufficient testimony that there is a need for this type of housing in the Lewiston area.

ED.2.3.2 Attract an increased variety of housing types to accommodate new workers.

- The Commissioners noted that while there might be better zoning designations that allow by right mixed uses of this type, they felt that generally, the Applicant provided sufficient testimony that the proposed

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC24-4

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use of the property would provide diverse options for individuals to choose a different type of housing option than is traditionally available.

ED.4.3 Re-envision underutilized retail spaces. Accommodate a wider range of uses and activities to better meet changing market demands.

- The Applicant provided testimony that there is an overabundance of commercial spaces in the Lewiston area, so much so that he has not been able to lease out the commercial space he proposes to rezone. He also testified about the need to provide new ideas and options for residential housing options because developable land is hard to find.

ED.4.3.3 Evaluate the commercial zoning districts in the zoning code zoning code to ensure relevant commercial and mixed uses are allowed where appropriate.

- While Commissioners Cable and Anderson felt that the extension of the R-3 zoning district for the sake of permitting mixed uses was not appropriate in this context because the residential property would be next to the commercial property, it was noted by other Commissioners that the proposed rezone otherwise met with the Comprehensive Plan's goals to incorporate mixed uses where appropriate.

The Commissioners were split with a 5-2 finding that the proposed rezone is in general compliance with the Comprehensive Plan. There was general discussion that the subject property could be subject to a different zoning designation that incorporated elements from both the C-3 and R-3 zoning districts, but no such zone exists. The Commissioners found by majority that despite objections to the residential portion of the proposed mixed use being next to the commercial uses, the creative way to incorporate more diverse housing options within in the City was generally met by the Applicant's testimony in support of the proposed rezone.

2. The subject property is at least as well suited or is better suited for the proposed zoning district than the existing zoning district. Applicable commentary:

The subject property's current C-3 zoning does not permit residential uses. However, there is adjacent R-3 zoned properties abutting the subject property on the south side along this easterly portion. The Applicant intends for the remainder and majority of the subject property to remain in the C-3 zone. The commercial building on the subject property is approximately 7,000 square feet, used primarily for office spaces. The site plan for the 2001 building permit and an old GIS aerial photograph show twenty parking spaces with only one driveway leading onto 8th Street C. Apparently, two parking spaces were removed after the building was built to create a second driveway approach on Vista Avenue. Since the time the building was constructed, the parking requirements of the zoning code has increased. Under the current zoning code, 28 parking spaces would be required. There are currently 18 parking spaces on the site. Conversion of the easterly portion of the subject property into two apartments would decrease the minimum number of parking spaces and bring the subject property closer into compliance.

The City Staff Report, incorporated herein by reference, provides that the subject property is in conformance with the requirements of the C-3 zoning designation as-is. However, the

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC24-4

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proposed R-3 zoning designation for the easterly 45 feet of the property is less clearly compliant. City staff testified that while the Applicant proposes to turn the two available commercial spaces into apartments, he could technically use it for any other approved use in the R-3 zoning district. The City Staff Report also noted that there is a shortage of housing in Lewiston, which may provide justification for approval of this rezoning application, despite that the intended housing would not be located behind or above the commercial use or accessed from a collector or arterial street (even though it fronts one).

The Commissioners noted that rezoning the subject property from C-3 to R-3 improves the off-street parking situation because there is currently an insufficient amount of parking stalls for the existing office and retail building. The two apartments expected to result from this rezone require less off-street parking than the current commercial use. The subject property is located adjacent to existing apartments and R-3 zoning to the south and apartments are identified in the Comprehensive Plan as a use supportive of the applicable NC Future Land Use Designation. The Commissioners also noted that there is a known housing shortage in Lewiston and a shortage of apartment housing.

The Commissioners were split with a 5-2 finding that the subject property is at least well suited for the proposed R-3 zoning designation because there is property adjacent that would create an extension of the R-3 zone. However, Commissioners Cable and Ball noted that this is not a smooth transition since there are commercial uses on both sides of the proposed apartments. There was general discussion among the Commissioners concerning the transition from residential to commercial uses is not smooth or fluid, but there was general agreement that the need for suitable and diverse housing options was a greater need, if the Applicant develops the property the manner proposed.

3. The proposed rezone **does not** present foreseen, immitigable impacts of incompatible uses or development being located in the same vicinity. Applicable commentary:

The subject property is in a mixed use area consisting of a variety of commercial and residential uses. The subject property is developed with an office building and associated parking lot. Surrounding properties are multi-family residential to the south, a gas station to the north across Vista Avenue, a variety of retail businesses to the east, and single family residential to the west across 8th Street C. The subject property's designation as NC in the Comprehensive Plan envisions low to mid intensity commercial services, while providing a transition from more intense commercial or industrial uses to less intense and small scale residential areas. Although the NC designation is primarily intended for commercial uses, apartments are listed as a supporting use for this future land use designation.

The Commission by a 4-3 majority found that because the subject property is north of existing apartments (the two properties back up to one another) and R-3 zoning district, there is a transition between the R-3 uses and surrounding uses that justify extending the R-3 to this portion of the subject property. However, those Commissioners who determined that the proposed rezone would present foreseen immitigable impacts of incompatible uses or development noted that the two properties actually back up to one another, meaning they would

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC24-4

Page 6 of 8

still represent separate residential areas, leaving the subject property's proposed apartments to be sandwiched between commercial uses on both sides.

Despite this, the Commission, by majority, found that residential apartments and commercial office and retail uses are not inherently, nor in this case, in conflict or incompatible. The Commissioners noted that they are likely to see more requests for mixed uses to incorporate more residential uses on commercial properties, but that the Comprehensive Plan's objectives to diversity and accommodate various land uses is supportive of this proposed rezone. Additionally, the two apartments expected as a result of this rezone will reduce the insufficiency of the off-street parking currently existing on the subject property by reducing the overall amount of traffic that would be expected of the commercial versus residential uses.

4. The effects of the proposed rezone **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:

Public hearing notice of this rezone application was sent to all political subdivisions in the jurisdiction, and no objections were received claiming the rezone would present undue burden on the delivery of their services. Comments were received from the Engineering Division of the Public Works Department, which did not object to the proposed rezone. It was noted in the City Staff Report that the Fire Department did not comment, but that if the rezone application were approved, the Applicant would be required to meet Fire Department requirements for the building permit to convert the office space in the existing building to apartments.

5. 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. Applicable commentary:

The subject property is in a mixed use area consisting of a variety of commercial and residential uses. The subject property fronts Thain Road, but has no direct access to Thain Road. The subject property has two driveways, one on 8th Street C and another on Vista Avenue, a one-way street that heads eastbound. Thain Road has curb gutter and sidewalk. 8th Street C has curb, gutter and sidewalk along the subject property but not other properties on the block. Vista Avenue has some curb and gutter, but no sidewalk.

There was discussion among the Commissioners and City staff about the density requirements of the R-3 zone, but the subject property's density was noted as being below that requirement.

The Commissioners indicated that there is likely to be more requests to extend residential zoning options into commercial areas, but that consideration should be given to those areas where residential zones already abut the commercial zone, when considering requests for mixed uses. Some Commissioners noted a preference to not to downzone commercially zoned properties in favor of residential zoning, but to create a zone that can incorporate the needs of both the C-3 and R-3 zones.

Commissioner Anderson also pointed out that because Vista Avenue is one-way, traffic tends to cut across the gas station, which is across the street from the subject property, to circumvent this. She noted that while the proposed rezone is not likely to increase traffic to and from the subject property, more use of the subject property could create more potential for accidents to occur because of drivers trying to avoid using Vista Avenue as a one-way street.

Commissioner Wolf noted that the two apartments expected to result from this this rezone will meet the goals and objectives to increase housing quality and production, as well as diversifying housing options on the subject property in a manner that is similar to and not incompatible with that of the surrounding residential properties. There was no testimony received or evidence submitted to indicate the subject property will not be adequately served by public streets, sanitary sewer, water, and storm sewer or that it will adversely affect any environmental resources.

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

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant **could** take actions to obtain approval, such actions might include: Not applicable.

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

By:

Cynthia L. Ball
Signature of Planning and Zoning Commission Chair or Vice Chair or Acting Chair

Printed:

Cynthia L. Ball

Date of Signature:

Oct 23, 24

ATTEST:

Dawn Ortiz
Dawn Ortiz, Community Development Office Supervisor



Subject bld
West end

Subject bldg
East end

Adj prop
to the east



Across
Thain Rd



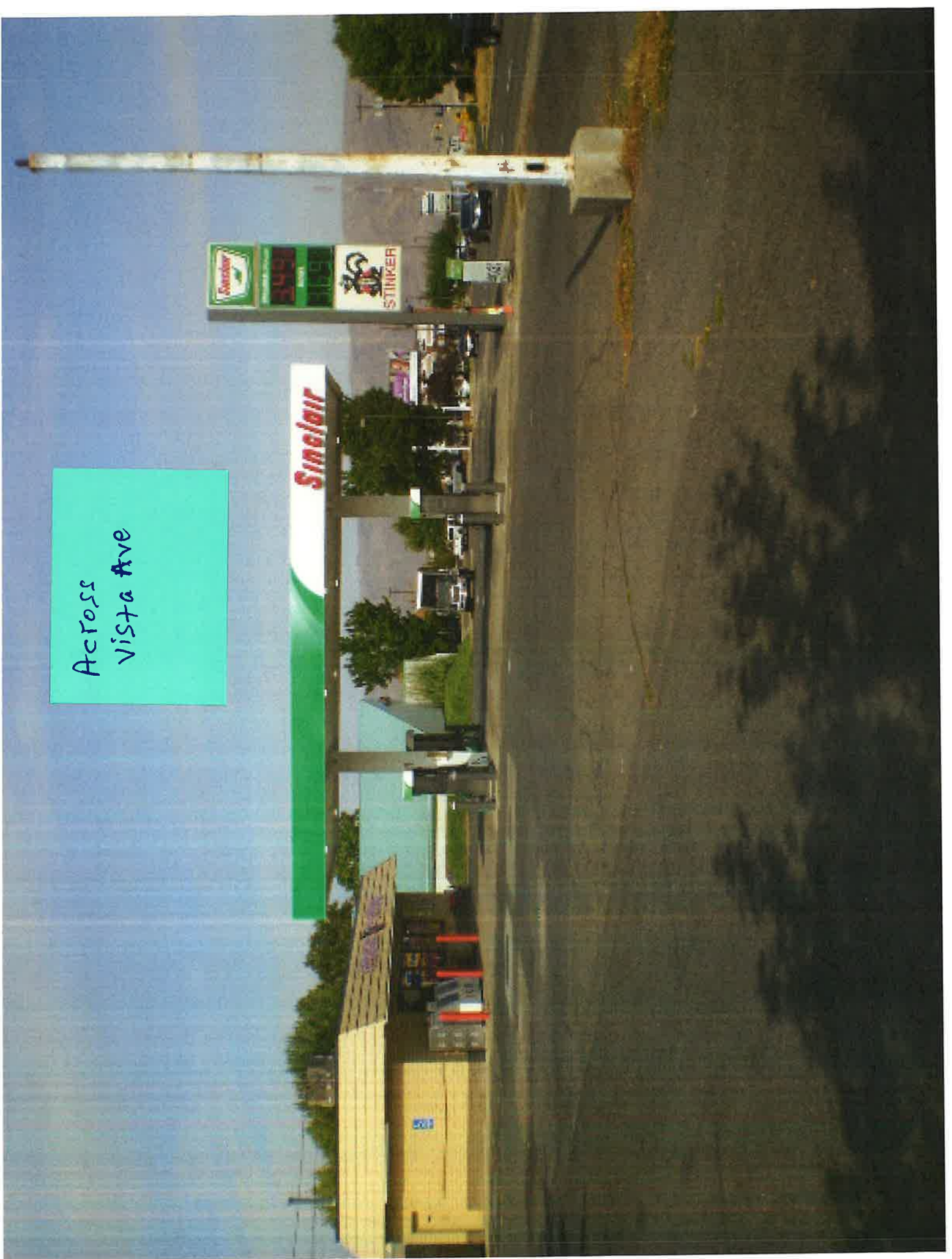
DUTCH BROS

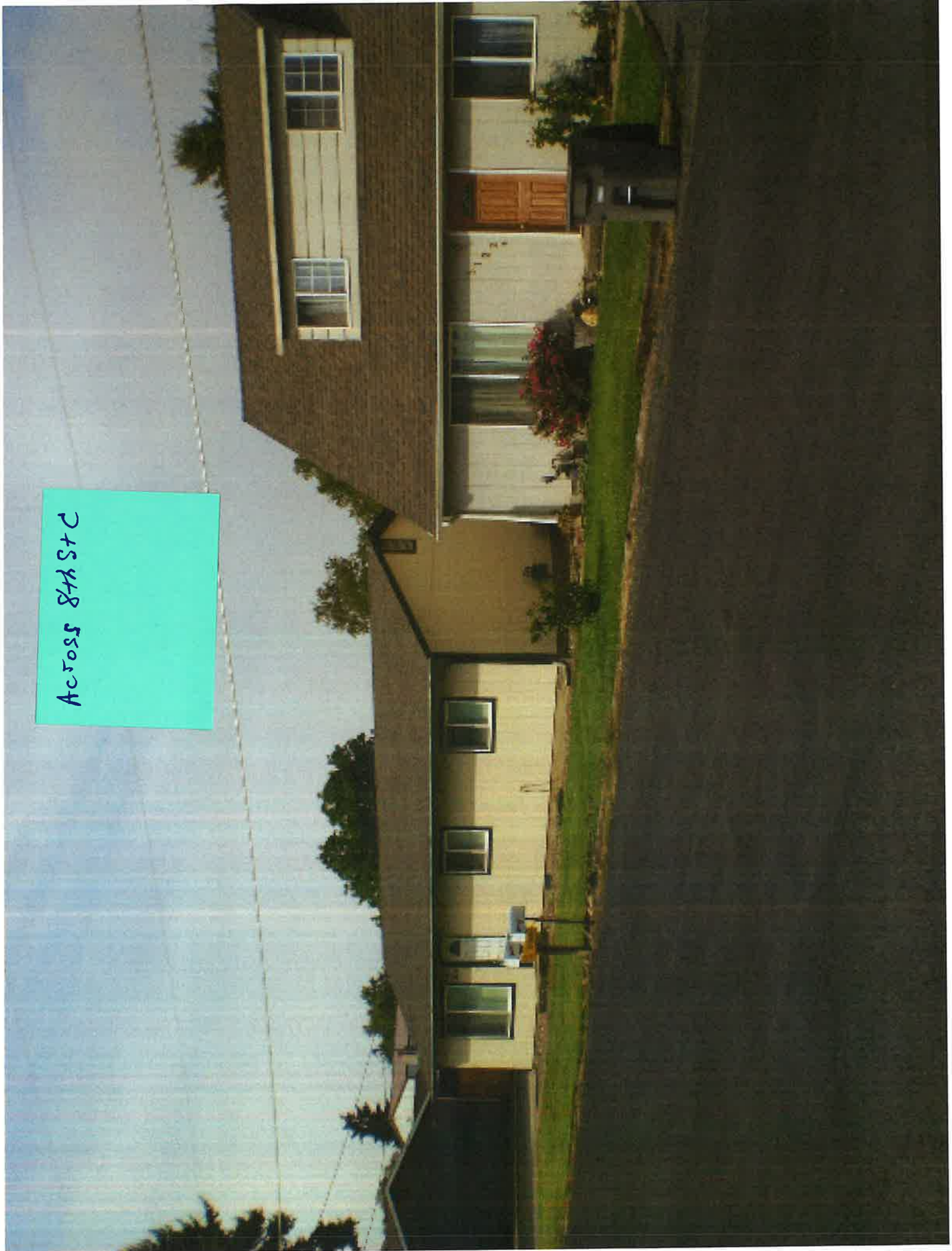
POSITIVE
ENERGY

Gifts



Across
Vista Ave







Looking South
on 8th St + C

Looking north
on 8th St & C
@ Vista Ave

Vista Ave 403

ONE WAY

STOP

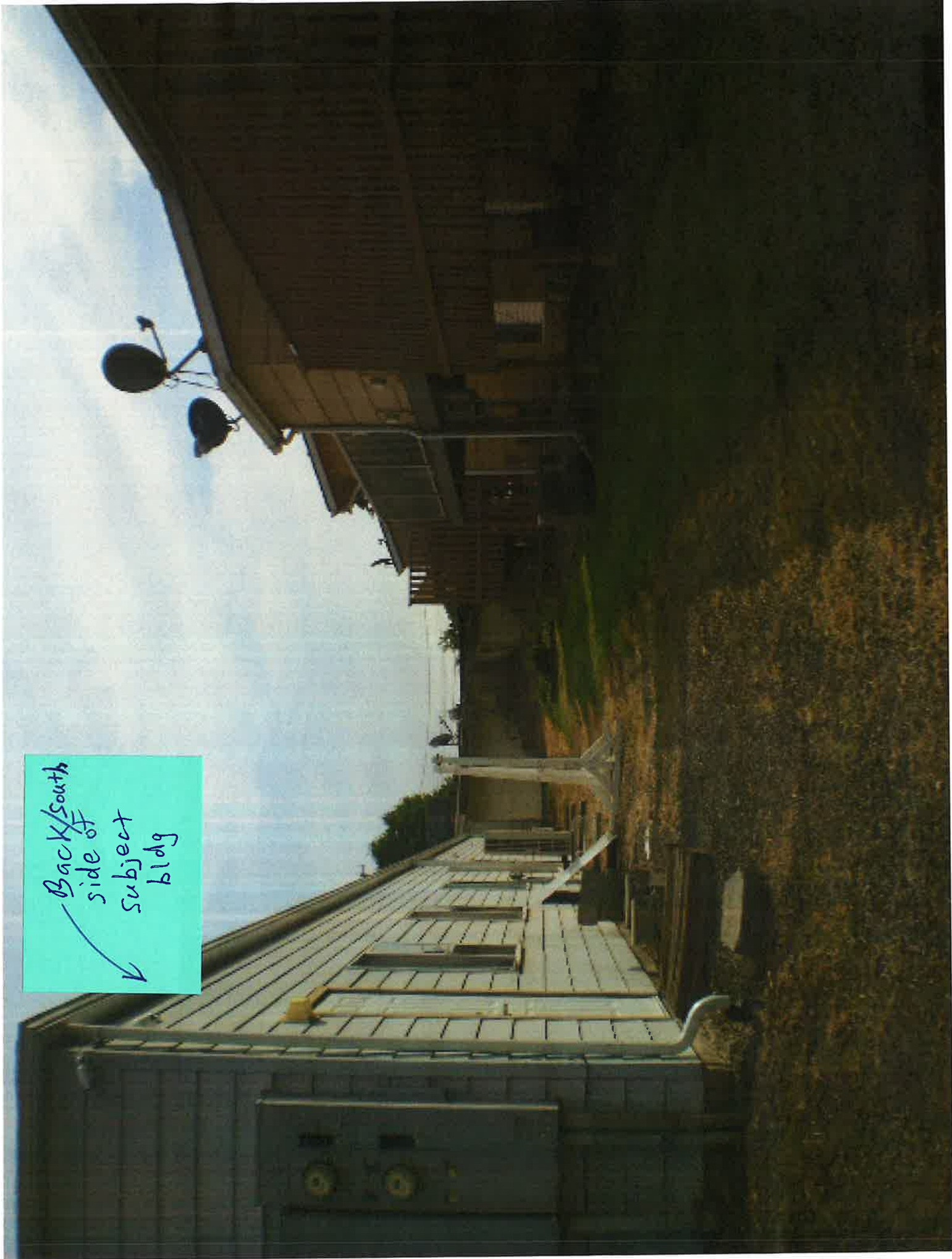
403

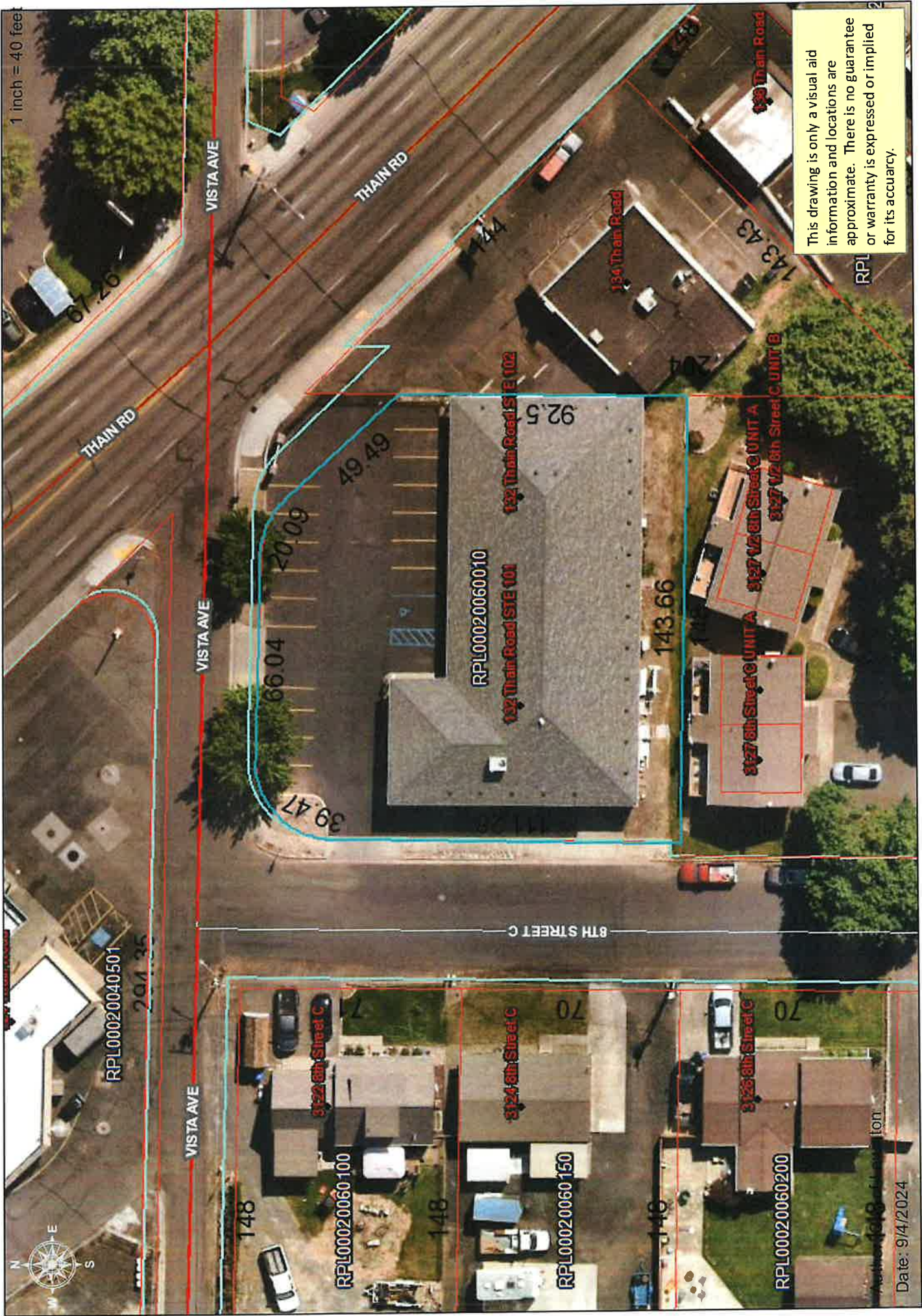
Subway

McDonald's



403







CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE FIRST READING: ORDINANCE 4932	AGENDA NO. IV.B. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) This ordinance, number 4932, if passed will rezone the easterly forty-five feet (approximately) of 132 Thain Road from Community Commercial, C-3, to Medium Density Residential, R-3 (ZNC24-4).	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) None.	
ACTION PROPOSED The Planning and Zoning Commission has recommended that City Council approve rezone number ZNC24-4.	

CITY ORDINANCE NO. 4932

AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ZNC24-4, DECLARING THAT CERTAIN REAL PROPERTY BE REMOVED FROM THE COMMUNITY COMMERCIAL (C-3) ZONE TO THE MEDIUM DENSITY RESIDENTIAL (R-3) ZONE; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LEWISTON; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the real property described in Section 1 is within the Community Commercial (C-3) Zone, and consists of approximately the easterly forty-three feet (43') of the east portion of the property located at 132 Thain Road;

WHEREAS, on September 25, 2024 and October 9, 2024, the Lewiston Planning and Zoning Commission held a duly noticed public hearings to consider ZNC24-4, an application to rezone the above-described real property to the Medium Density Residential (R-3) Zone, and recommended approval of ZNC24-4 to the Lewiston City Council on October 23, 2024; and

WHEREAS, on November 25, 2024, the Lewiston City Council held a duly noticed public hearing to consider ZNC24-4, and subsequently completed a written Reasoned Statement, all in accordance with Idaho Code §§ 67-6509, 67-6511 and 67-6535.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: The real property described in Exhibit A, attached hereto, and incorporated herein, is hereby removed from the Community Commercial (C-3) Zone, and included in the Medium Density Residential (R-3) Zone, as defined by the Zoning Ordinance of the City of Lewiston, Idaho.

SECTION 2: The Zoning Map of the City of Lewiston is hereby amended to remove said real property described above from the Community Commercial (C-3) Zone and include said real property in the Medium Density Residential (R-3) Zone.

SECTION 3: The real property being rezoned is depicted in Exhibit B, attached hereto, and incorporated herein.

ORDINANCE NO. 4932

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SECTION 4: This ordinance shall take effect and be in full force from and after its passage and publication.

PASSED this _____ day of _____, 2024.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

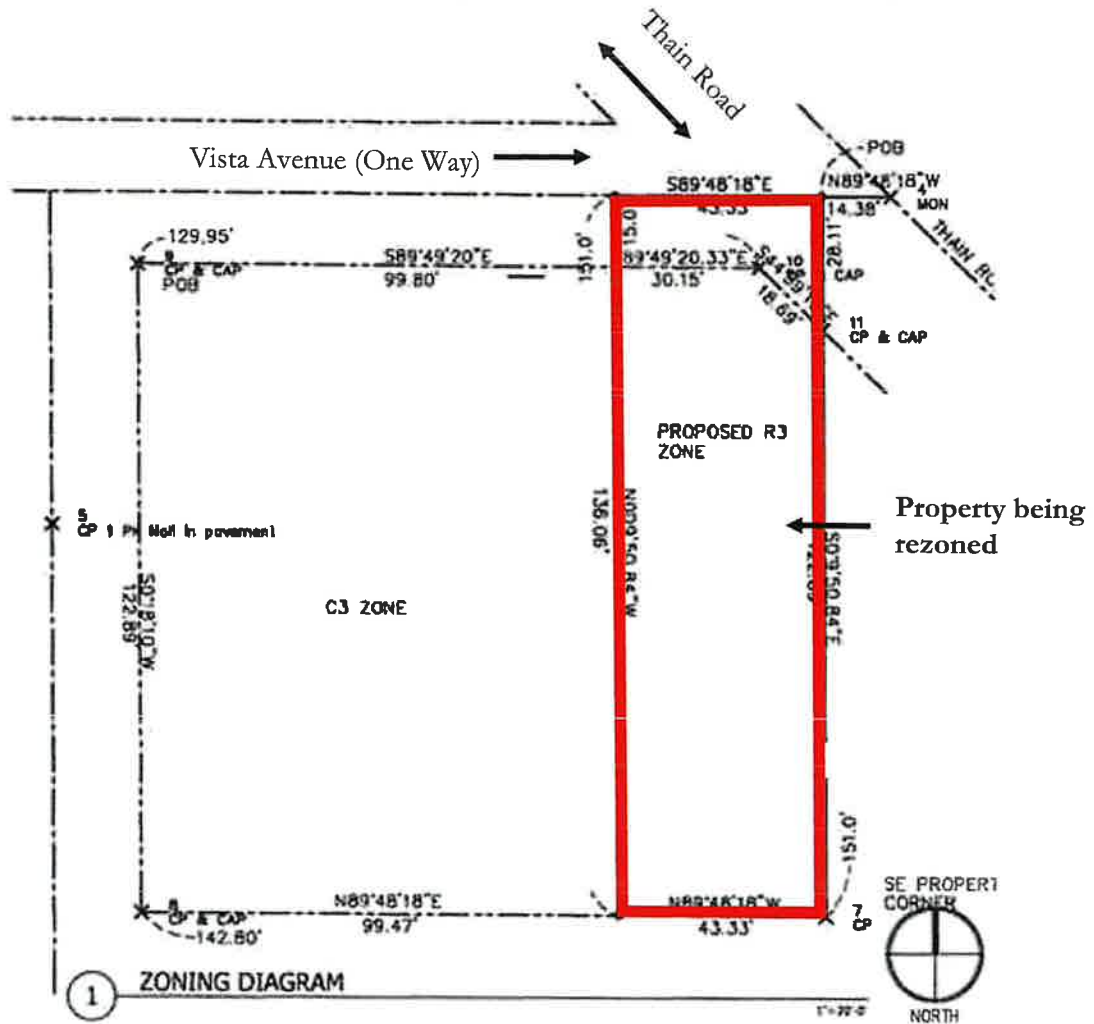
Tanya M. Brocke, City Clerk

Exhibit A
Legal Description of Rezoned Property

The proposed land use is regulated by the City of Lewiston Zoning Code Chapter 37, Article III to be classified as R3 Medium Density Residential and described as follows:

Commencing at the intersection of Thain Road and Vista Avenue thence N89°48'18"W a distance of 14.38' to the TRUE POINT OF BEGINNING; thence S0°9'50.84"E 151'; thence N89°48'18"W a distance of 43.33'; thence N0°9'50.84"W a distance 151'; thence S89°48'18"E a distance of 43.33' to THE POINT OF BEGINNING

Exhibit B
Depiction of Property



October 24, 2024

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Special Meeting in the Bell Building Second Floor Conference Room at 215 D Street. Mayor Johnson called the meeting to order at 4:00 pm.

I. CALL TO ORDER

COUNCILORS PRESENT: Mayor Johnson; Council President Kleeburg; Councilor Forsmann (4:04 p.m.); Councilor Klein (Zoom); Councilor Liedkie; Councilor Schroeder; Councilor Spickelmire.

II. PLEDGE OF ALLEGIANCE

Mayor Johnson led the Pledge of Allegiance.

III. CITIZENS COMMENTS

Tami Myers, a resident of Lewiston, spoke in support of a service agreement between the City of Lewiston and Beautiful Downtown Lewiston, and the "Reimagine Downtown Lewiston" project.

Katie Seekins, a resident of Lewiston, spoke in support of the United Airlines Minimum Revenue Guarantee.

Ann Watkins, a resident of Clarkston and business owner in Lewiston, spoke in support of a service agreement between the City of Lewiston and Valley Vision.

Mark Brigham, a resident of Clarkston, spoke in support of a service agreement between the City of Lewiston and Valley Vision.

Nancy MacIntosh, a resident of Lewiston and Executive Director of the Civic Theater, spoke in support of a service agreement between the City of Lewiston and the Civic Theater.

Sue Brown, a resident of Lewiston, spoke in support of a service agreement between the City of Lewiston and Valley Vision.

Jon Evans, Executive Director of the Boys & Girls Club, spoke in support of a service agreement between the City of Lewiston and the Boys & Girls Club.

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Mike Tatko, a resident of Lewiston, encouraged the Council to support service agreements with Valley Vision and the Boys & Girls Club.

Gary Peters, spoke in support of a service agreement with Valley Vision and encouraged Councilors to support the United Airlines Minimum Revenue Guarantee.

IV. **ACTIVE AGENDA**

- A. **FY'25 SERVICES AGREEMENT - VALLEY VISION, INC.:** Considering approval of the Fiscal Year 2025 Services Agreement between the City of Lewiston and Valley Vision, Inc. - Action Item

City Attorney Tengono reminded Council members to disclose any potential conflicts of interest. Councilor Liedkie disclosed her position on the board of Valley Vision, clarified that she does not receive any financial gain from the position, and stated her intention to vote on the matter.

Council President Kleeburg explained the service agreements were tabled as the Council did not have enough information on why the budget amount for the contracts changed from \$118,000 to \$88,000.

Councilor Liedkie clarified that, in her original motion during the August 26, 2024, budget meeting, her intent was to remove Beautiful Downtown Lewiston's allocated amount of \$30,000 from the budget. She expressed that her reasoning was based on the absence of a report demonstrating notable accomplishments and the belief that funding should support measurable services rather than personnel.

Councilors Spickelmire and Schroeder moved and seconded, respectively, to pay Valley Vision, Inc. up to \$40,000 for services. The motion passed 6-0.

*Councilors Spickelmire and Liedkie moved and seconded, respectively, to approve the Services Agreement between the City of Lewiston and Valley Vision, Inc. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Spickelmire; Forsmann; Liedkie; Klein.***

- B. **FY'25 SERVICES AGREEMENT - BOYS AND GIRLS CLUBS OF THE LEWIS CLARK VALLEY, INC.:** Considering approval of the Fiscal Year 2025 Services Agreement between the City of Lewiston and the Boys and Girls Clubs of the Lewis Clark Valley, Inc. - Action Item

Councilors Forsmann and Spickelmire moved and seconded, respectively, to pay Boys and Girls Clubs of the Lewis Clark Valley, Inc. up to \$18,000 for services provided. The motion passed 5-1 with Councilor Liedkie voting against.

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*Councilors Forsmann and Schroeder moved and seconded, respectively, to approve the Services Agreement between the City of Lewiston and the Boys and Girls Clubs of the Lewis Clark Valley, Inc. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Spickelmire; Forsmann; Klein. VOTING NAY: Liedkie.***

- C. FY'25 SERVICES AGREEMENT - LEWISTON CIVIC THEATER, INC.:** Considering approval of the Fiscal Year 2025 Services Agreement between the City of Lewiston and Lewiston Civic Theater, Inc. - Action Item

Council President Kleeburg and Councilor Forsmann moved and seconded, respectively, to pay Lewiston Civic Theater, Inc. up to \$30,000 for services provided. The motion passed 5-1 with Councilor Liedkie voting against.

*Council President Kleeburg and Councilor Schroeder moved and seconded, respectively, to approve the Services Agreement between the City of Lewiston and Lewiston Civic Theater, Inc. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Spickelmire; Forsmann; Klein. VOTING NAY: Liedkie.***

- D. FY'25 SERVICES AGREEMENT - BEAUTIFUL DOWNTOWN LEWISTON REVITALIZATION CORPORATION:** Considering approval of the Fiscal Year 2025 Services Agreement between the City of Lewiston and Beautiful Downtown Lewiston Revitalization Corporation - Action Item

After discussion and the understanding that the item could be reconsidered in the future, no action was taken on this matter.

V. DISCUSSION ITEMS

Please note that identifying an item as an "Action Item" does not require the City Council to vote on that item.

- A. INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN CITY OF LEWISTON, ASOTIN COUNTY FIRE PROTECTION DISTRICT NO. 1, AND CITY OF ASOTIN:** Overview and discussion on the renewal of an intergovernmental cooperation agreement for the provision of ambulance services to the Asotin County Fire Protection District No. 1 and the City of Asotin by the Lewiston Fire Department, including staffing, funding sources, and related information to inform decision-making for the next contract term

Fire Chief Rightmire provided an overview of the City's agreements with Asotin County and the City of Asotin regarding fire protection services. He explained that the next steps include renewing the contract, which expired on September 30, 2024, and that it will be placed on a future Council agenda.

- B. PROPOSED MAIN STREET BOND:** Discussion on the proposed Main Street Bond, which will be presented to voters in the upcoming May or November election

Public Works Director Johnson informed Council about the concept design process and schedule, and then explained the benefits of a bond, which would allow the project to be completed all at once, instead of in multiple projects.

- C. UNITED AIRLINES AIR SERVICE MINIMUM REVENUE GUARANTEE (MRG):** Discussion on the request from the Lewiston-Nez Perce County Airport Authority Board for a special meeting regarding United Airlines, Inc. request for a Minimum Revenue Guarantee (MRG) for the 2025 fiscal year

Airport Director Mike Isaacs provided a recap of the United Minimum Revenue Guarantee (MRG) request of \$4.9 million for the fiscal year beginning October 1, 2024 and ending September 30, 2025. Following Mr. Isaacs presentation, Airport Authority Board Chair Gary Peters expressed the importance of the airport, while Airport Authority Board member Joe Gish encouraged support of funding the MRG.

City Attorney Tengono advised the Council to consider state constitutional provisions, federal regulations, and Federal Aviation Administration (FAA) grant assurances and obligations in their decision-making.

Mayor Johnson noted they would take City Attorney Tengono's advisement into consideration and moved on to the next agenda item.

VI. UNFINISHED AND NEW BUSINESS

- A. CITY COUNCILOR COMMENTS:** Comments shall not be related to an item currently before the City Council or an item that may come before the City Council in the foreseeable future, and shall be limited to comments, not discussion.

Councilor Forsmann expressed appreciation to all those in attendance at the meeting.

- B. MAYOR COMMENTS**

Mayor Johnson congratulated Heidi Cornell on her recognition as Teacher of the Year and extended thanks to all teachers working in the Lewiston schools. He then congratulated the Nez Perce Tribe on the ribbon-cutting ceremony for the soon-to-open Aht'Wy Interchange Bridge.

VII. ADJOURNMENT - Action Item

There being no further business to come before the Lewiston City Council, Councilors Liedkie and Forsmann moved and seconded, respectively, to adjourn the October 24, 2024 Special Meeting. The motion carried 6-0 and the meeting adjourned at 6:01 p.m.

Daniel G. Johnson, Mayor

Tanya M. Brocke, City Clerk

DRAFT

October 28, 2024

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in an Executive Session in the Lewiston City Library Second Floor Community Room at 411 D Street. Council President Kleeburg called the meeting to order at 5:30 PM.

I. CALL TO ORDER

COUNCILORS PRESENT: Council President Kleeburg; Councilor Forsmann; Councilor Klein; Councilor Liedkie (phone); Councilor Schroeder; Councilor Spickelmire (phone).

COUNCILORS EXCUSED: Mayor Johnson.

II. EXECUTIVE SESSION

Pursuant to Idaho Code § 74-206(1)(f): To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement; and Idaho Code § 74-206(1)(j): To consider labor contract matters authorized under section 74-206A(1)(a) and (b), Idaho Code - Action Item

*Council President Kleeburg and Councilor Forsmann moved and seconded, respectively, to go into executive session pursuant to Idaho Code § 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated and Idaho Code § 74-206(1)(j) to consider labor contract matters authorized under section 74-206A(1)(a) and (b), Idaho Code. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Forsmann; Klein; Schroeder; Liedkie; Spickelmire. VOTING NAY: None.***

III. ADJOURNMENT - Action Item

There being no further business to come before the Lewiston City Council, Councilor Forsmann and Council President Kleeburg moved and seconded, respectively, to adjourn the October 28, 2024 Special Meeting Executive Session. The motion carried 6-0 and the meeting adjourned at 5:58 p.m.

Daniel G. Johnson, Mayor

Tanya M. Brocke, City Clerk

October 28, 2024

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular Meeting at the Lewiston Library Second Floor Activity Room at 411 D Street. Council President Kleeburg called the meeting to order at 6:00 PM.

I. CALL TO ORDER

COUNCILORS PRESENT: Council President Kleeburg; Councilor Forsmann; Councilor Klein; Councilor Schroeder; Councilor Spickelmire (Zoom).

COUNCILORS EXCUSED: Mayor Johnson; Councilor Liedkie.

II. PLEDGE OF ALLEGIANCE

Council President Kleeburg led the Pledge of Allegiance.

III. CITIZENS COMMENTS

Dan Yonge, a resident of Lewiston, spoke in support of a zoning amendment related to small lot subdivisions.

Mark Steiner, a resident of Lewiston, also spoke in support of a zoning amendment related to small lot subdivisions.

IV. PRESENTATIONS

- A. MONTHLY FINANCIAL REPORT:** Financial report for the twelve (12) months ended September 30, 2024, in accordance with Idaho Code § 50-208 - Oral Report (Finance Director Gordon)

Finance Director Gordon provided an oral report on the September 30, 2024 financial report.

V. PUBLIC HEARINGS AND RELATED ACTION ITEMS

- A. PUBLIC HEARING: ANX24-2, CPA24-3 & ZNC24-3:** Accepting testimony on a request to remove a parcel of land located at 1125/1127 Warner Avenue 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 - Action Item (Assistant Planner Hollingshead)

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Council President Kleeburg announced the subject of the public hearing, explained the public hearing process, asked for the staff report and opened the public hearing.

After Assistant Planner Hollingshead summarized the request, Council President Kleeburg asked for public testimony.

Nuri Nimmer, a Professional Engineer of Hodge and Associates in Moscow and applicant representative, noted he did not have any additional comments and stood for questions.

There being no other public testimony, Council President Kleeburg closed the public hearing.

- B. FIRST READING OF ORDINANCE 4929:** Considering implementing the City Council's decision in ANX24-2 to annex land into the Lewiston City Limits - Action Item (Assistant Planner Hollingshead)

Councilor Schroeder and Council President Kleeburg moved and seconded, respectively, to approve the first reading of Ordinance 4929. The motion passed 4-1 with Councilor Forsmann opposed.

ORDINANCE 4929: AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ANX24-2 TO ANNEX LAND INTO THE LEWISTON CITY LIMITS, AND PROVIDING AN EFFECTIVE DATE.

- C. FIRST READING OF ORDINANCE 4930:** Considering implementing the City Council's decision in ZNC24-3, declaring that certain newly-annexed real property be included in the City of Lewiston Community Commercial (C-3) Zone; and amending the official zoning map of the City of Lewiston - Action Item (Assistant Planner Hollingshead)

Councilor Schroeder and Council President Kleeburg moved and seconded, respectively, to approve the first reading of Ordinance 4930. The motion passed 5-0.

ORDINANCE 4930: AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ZNC24-3, DECLARING THAT CERTAIN NEWLY-ANNEXED REAL PROPERTY BE INCLUDED IN THE CITY OF LEWISTON COMMUNITY COMMERCIAL (C-3) ZONE; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LEWISTON; AND PROVIDING AN EFFECTIVE DATE.

- D. **FIRST READING OF ORDINANCE 4931:** Considering amending Section 39-1 of the Lewiston City Code to update the City of Lewiston Area of City Impact Boundary Map - Action Item (Assistant Planner Hollingshead)

Councilors Schroeder and Forsmann moved and seconded, respectively, to approve the first reading of Ordinance 4931. The motion passed 5-0.

ORDINANCE 4931: AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 39-1 OF THE LEWISTON CITY CODE TO UPDATE THE CITY OF LEWISTON AREA OF CITY IMPACT BOUNDARY MAP, AND PROVIDING AN EFFECTIVE DATE.

- E. **PUBLIC HEARING: 2023 CDBG CAPER:** Accepting testimony on the Consolidated Annual Performance and Evaluation Report (CAPER) for the 2023 Community Development Block Grant (CDBG) Program Year - Presentation (Grant Manager Rose)

Council President Kleeburg announced the subject of the public hearing, explained the public hearing process, opened the public hearing and asked for the staff presentation.

Grant Manager Rose provided a presentation of the 2023 Community Development Block Grant Consolidated Annual Performance and Evaluation Report, which summarizes the accomplishments achieved during the 2023 Community Development Block Grant program year.

There being no public comment, Council President Kleeburg closed the public hearing.

- F. **2023 CDBG CAPER:** Considering approval of the 2023 Consolidated Annual Performance and Evaluation Report (CAPER) for the City of Lewiston's Community Development Block Grant (CDBG) Program - Action Item (Grant Manager Rose)

Councilors Forsmann and Schroeder moved and seconded, respectively, to approve the 2023 Consolidated Annual Performance and Evaluation Report (CAPER) for the City of Lewiston's Community Development Block Grant (CDBG) program. ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Forsmann; Klein; Spickelmire. VOTING NAY: None. EXCUSED: Liedkie.

VI. **CONSENT AGENDA**

Council President Kleeburg explained that all items on the Consent Agenda are

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considered routine by the Council and will be enacted by one motion. There will be no separate discussion on these issues unless a Councilor so requests, in which case the item will be removed from the Consent Agenda and considered on the Active Agenda under "Items Moved from the Consent Agenda".

Councilor Schroeder and Council President Kleeburg moved and seconded, respectively, to approve the Consent Agenda. ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Forsmann; Klein; Spickelmire. VOTING NAY: None. EXCUSED: Liedkie.

- A. **CITY COUNCIL MINUTES:** Considering approval of the minutes of the following meetings: 10/07/2024 Work Session; and 10/14/2024 Regular - Action Item
- B. **ADVISORY BOARD AND COMMISSION MINUTES:** Accepting the minutes of the following Advisory Board and Commission meetings: 9/25/2024 Planning and Zoning Commission; 8/15/2024 and 9/18/2024 Library Board of Trustees; 9/5/2024 Historic Preservation Commission; and 9/10/2024 Urban Renewal Agency - Action Item
- C. **VOUCHER'S PAYABLE:** Considering approval of the Voucher's Payable dated 10/4/2024 - 10/18/2024 in the amount of \$2,750,480.56 - Action Item

VII. ACTIVE AGENDA

- A. **ZONING CODE AMENDMENT:** Considering a request to initiate a zoning amendment to Lewiston City Code Section 37-33, Small lot development or zero lot line development pursuant to Lewiston City Code Section 37-178 - Action Item (Assistant Planner Hollingshead)

Councilors Forsmann and Schroeder moved and seconded, respectively, to initiate Zoning Code amendment to Lewiston City Code Section 37-33 related to small lot development or zero lot line development. The motion passed 5-0.

- B. **IFB-24-026 PIONEER PARK RESILIENCY PROJECT PLAYGROUND EQUIPMENT PURCHASE:** Considering accepting the quote submitted by Northwest Playground Equipment, Inc., under the NPPGov contract #PS21045, in the total amount of \$206,241.97, and authorizing staff to move forward with the purchase - Action Item (Community Development Director Grow)

Councilor Schroeder and Council President Kleeburg moved and seconded, respectively, to accept the IFB-24-026 quote submitted by Northwest Playgournd Equipment, Inc., under the NPPGov contract #PS21045, in the amount of \$206,241.97, and authorize the staff to move

forward with the purchase. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Forsmann; Klein; Spickelmire. VOTING NAY: None. EXCUSED: Liedkie.**

- C. **RESOLUTION 2024-45:** Considering approving a LHTAC/Local Agreement between the Local Highway Technical Assistance Council (LHTAC) and City of Lewiston for the 2024 Local Children Pedestrian Safety Program, Sponsor Administration, 12th Street; Warner Avenue to Airway Avenue; and authorizing the Mayor to execute the agreement to receive the grant funds in the amount of \$250,000 - Action Item (Public Works Director Johnson)

Councilors Schroeder and Forsmann moved and seconded, respectively, to approve Resolution 2024-45. ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Forsmann; Klein; Spickelmire. VOTING NAY: None. EXCUSED: Liedkie.

- D. **RFQ-24-025 RESERVOIR EVALUATIONS AND UPGRADES PROGRESSIVE DESIGN-BUILD (WR071):** Considering approving the professional services agreement with T Bailey Inc., for Reservoir Evaluations and Upgrades Progressive Design-Build (WR071) and authorizing the Mayor to sign the agreement - Action Item (Public Works Director Johnson)

Councilors Forsmann and Schroeder moved and seconded, respectively, to award RFQ-24-025 to T. Bailey Inc., and authorize the Mayor to execute the agreement between T Bailey Inc., and the City of Lewiston. ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Forsmann; Klein; Spickelmire. VOTING NAY: None. EXCUSED: Liedkie.

- E. **FIRST AMENDMENT: OWNER'S ADVISOR RESERVOIR & UPGRADES AGREEMENT:** Considering approving the First Amendment to the professional services agreement with J-U-B Engineers for Owner's Advisor Reservoir & Upgrades and authorizing the Mayor to sign the agreement - Action Item (Public Works Director Johnson)

Councilors Schroeder and Forsmann moved and seconded, respectively, to approve the First Amendment to the professional services agreement between the City of Lewiston and J-U-B and authorize the Mayor to sign the agreement. ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Forsmann; Klein; Spickelmire. VOTING NAY: None. EXCUSED: Liedkie.

F. **ORDINANCES**

1. **SECOND/THIRD READINGS**

- a. **ORDINANCE 4927**: Considering enacting Section 36-39 relating to approved connections to the City water supply for potable use - Action Item (Public Works Director Johnson)

Councilors Forsmann and Schroeder moved and seconded, respectively, to combine the second and third readings and waive the third reading in full of Ordinance 4927. The motion passed 5-0.

Councilors Forsmann and Schroeder then moved and seconded, respectively, to approve the second and third readings of Ordinance 4927. The motion passed 5-0.

ORDINANCE 4927: AN ORDINANCE OF THE CITY OF LEWISTON ENACTING SECTION 36-39 RELATING TO APPROVED CONNECTIONS TO THE CITY WATER SUPPLY FOR POTABLE USE; AND PROVIDING AN EFFECTIVE DATE.

2. ADOPTION AND APPROVAL OF ORDINANCE SUMMARIES

- a. **ORDINANCE 4927**: Action Item

Councilors Forsmann and Schroeder moved and seconded, respectively, to adopt Ordinance 4927 and approve the related ordinance summary. *ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Forsmann; Klein; Spickelmire. VOTING NAY: None. EXCUSED: Liedkie.*

VIII. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

IX. UNFINISHED AND NEW BUSINESS

- A. CITY COUNCILOR COMMENTS**: Comments shall not be related to an item currently before the City Council or an item that may come before the City Council in the foreseeable future, and shall be limited to comments, not discussion.

Councilor Forsmann asked Fire Chief Rightmier to address road etiquette regarding emergency vehicles.

Council President Kleeburg noted that he attended Pumpkin Palooza and found it to be a fun event.

- B. MAYOR COMMENTS**

None.

C. CITY BOARDS AND COMMISSIONS LIAISON UPDATES

Councilor Forsmann provided an update about the Historic Preservation Commission and Emergency Medical Services Advisory Board.

D. AGENDA TOPICS: - Action Item

None.

X. ADJOURNMENT - Action Item

There being no further business to come before the Lewiston City Council, Councilors Schroeder and Forsmann moved and seconded, respectively, to adjourn the October 28, 2024 Regular Meeting. The motion carried 5-0 and the meeting adjourned at 7:10 p.m.

Daniel G. Johnson, Mayor

Tanya M. Brocke, City Clerk

November 4, 2024

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Work Session in the Bell Building Second Floor Conference Room at 215 D Street. Mayor Johnson called the meeting to order at 3:00 PM.

I. CALL TO ORDER

COUNCILORS PRESENT: Mayor Johnson; Council President Kleeburg; Councilor Forsmann; Councilor Klein (Zoom); Councilor Liedkie (Zoom at 3:14 p.m.); Councilor Schroeder; Councilor Spickelmire.

II. PLEDGE OF ALLEGIANCE

Mayor Johnson led the Pledge of Allegiance.

III. CITIZENS COMMENTS

Bill Furstenau, a resident of Lewiston, spoke against changing the code for shipping containers.

Dick Riggs, a resident of Lewiston, spoke against selling any cemetery property.

Cindy Ball, a resident of Lewiston, spoke against selling any cemetery property.

Elizabeth Goetzinger, a resident of Lewiston and member of the Cemetery and Urban Forestry Commission, spoke as a private citizen against selling any cemetery property.

Tami Myers, a resident of Lewiston, expressed cautious excitement about the Reimagine Downtown Lewiston project.

Dan Mader, a resident of Lewiston, spoke in support of the Reimagine Downtown Lewiston project.

Tobe Finch, President of Happy Day Restaurants, spoke in favor of the Reimagine Downtown Lewiston project.

Bob Fabian spoke regarding the cemetery property.

Dennis Hastings of Vassar-Rawls Funeral Home, spoke in support of continued development of the cemetery.

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Glenn Rogers, a resident of Lewiston, spoke against allowing shipping.

Penny Barbee, a resident of Lewiston, spoke against allowing shipping containers.

IV. **DISCUSSION ITEMS**

Please note that identifying an item as an "Action Item" does not require the City Council to vote on that item.

- A. **POLICE RETIREMENT & PERPETUAL CARE FUND:** An update on the Police Retirement and Perpetual Care Funds from Senior Portfolio Manager, Jeff Trudeau of US Bank - Action Item

Jeff Trudeau and Jenny Hogaboom from US Bank provided an update on the pension fund, beginning with a brief overview of how pension funds operate. They noted that an actuarial report is expected in December and invited Councilors to reach out with any questions.

Alan Johnson, retired Lewiston Police Officer and member of the retirement board, commended US Bank on their effective management of the fund.

- B. **MAIN STREET CORRIDOR UPDATE:** An update on the Main Street "Reimagine Downtown Lewiston" project from project consultant, Welch Comer & Associates, Inc. - Action Item

Phil Boyd from Welch Comer & Associates provided an update, covering the project timeline, public outreach efforts, and design elements like two-way traffic, potential roundabouts, mid-block crossings, and parking. Upcoming dates include a public open house on November 13 and a preliminary design adoption on November 25.

- C. **NORMAL HILL CEMETERY MASTER PLAN UPDATE:** An update on the progress of the Normal Hill Cemetery Master Plan and community input survey by Cemetery and Urban Forestry Commission Chair Shirley Phillips and Public Information Officer Maurer - Action Item

Public Information Officer Maurer summarized the Normal Hill Cemetery survey results, noting that 796 responses were received, with "Option 2"—developing the entire undeveloped land without selling any property—as the preferred choice.

Cemetery and Urban Forestry Commission Chair Phillips updated the Council on the Master Plan progress, clarifying that the lack of implementation was due to funding constraints rather than commission neglect. She urged the Council to consider retaining the entire property and to focus on implementing the Master

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Plan.

After Council discussion, Mayor Johnson encouraged Councilors to submit any additional questions to the City Clerk for distribution.

- D. SHIPPING CONTAINERS:** A review of proposed amendments to Lewiston City Code Sections 37-129 and 37-3 regarding shipping containers, presented by Community Development Director Grow - Action Item

Community Development Director Grow updated the Council on shipping containers, which are currently prohibited by code but are common in the city. The options discussed include either enforcing the ban or amending the code to allow them. Although Ordinance 4921 passed the first reading, it was delayed after feedback regarding permit fees. Director Grow requested direction from Council on how to proceed.

After discussion, Councilors agreed that further attention was needed before making a decision and requested the issue be placed on a future agenda for review.

V. UNFINISHED AND NEW BUSINESS

- A. CITY COUNCILOR COMMENTS:** Comments shall not be related to an item currently before the City Council or an item that may come before the City Council in the foreseeable future, and shall be limited to comments, not discussion.

Councilor Forsmann encouraged residents to vote on Election Day and reminded everyone that Veterans Day is on November 11th.

Councilor Spickelmire announced that the Veterans Day Parade will take place on Saturday, November 9, 2024, at 11:11 a.m.

- B. CITY BOARDS AND COMMISSIONS LIAISON UPDATES**

None.

- C. MAYOR COMMENTS**

Mayor Johnson shared that the Federal Bureau of Investigation (FBI) is using the Police Department as a staging and briefing area and has brought a Bearcat (armored vehicle) with them. Councilors were invited to view the vehicle, as the Police Department hopes to acquire one in the future.

Mayor Johnson also announced the start of the 2025 Transportation Capital Improvement Plan annual update process and encouraged public participation.

D. AGENDA TOPICS: Action Item

None.

VI. ADJOURNMENT - Action Item

There being no further business to come before the Lewiston City Council, Councilor Forsmann and Council President Kleeburg moved and seconded, respectively, to adjourn the November 4, 2024 Work Session. The motion carried 6-0 and the meeting adjourned at 5:19 p.m.

Daniel G. Johnson, Mayor

Tanya M. Brocke, City Clerk

October 10, 2024

The HISTORIC PRESERVATION COMMISSION met in the Bell Building Upstairs Conference Room at 215 "D" Street. Chair Boots called the meeting to order at 10:01 a.m.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Ed King, Vice Chair; Laurinda Riggs (at 10:05 am); Tamara Berlik; Kayleigh Phillipi; Lisa Hasenoehrl; (via Zoom); Leah Boots, Chair; Dennis Ohrtman; Bob Reitz;

COMMISSIONERS EXCUSED: Greg Follett;

STAFF MEMBERS PRESENT: Joel Plaskon, City Planner;

CITY COUNCIL LIAISON PRESENT: None.

GUESTS: None

II. CITIZEN COMMENTS

None.

III. NEW BUSINESS

1. APPROVAL OF SEPTEMBER 5, 2024 REGULAR MEETING MINUTES

Commissioners Hasenoehrl and King moved and seconded, respectively, to approve the September 5, 2024 Regular meeting minutes. The motion passed 7-0 (Commissioner Riggs arrived after the vote).

IV. OLD BUSINESS

1. PRIORITIES PLAN REVIEW AND UPDATE

Commissioner Reitz presented the information he was able to find on Word of Life Church and Trinity Lutheran. Commissioner Hasenoehrl gave a summary of the information that she had collected and gave a handout to the Commission. Commissioner King said he was having some trouble getting in touch with someone at United Methodist. Chair Boots said that since she had missed the last meeting that she was unsure of the purpose of the project and had not had time to do any research on the churches she had been assigned.

The Commission discussed what they wanted the ultimate goal of this project to be, whether that's putting up plaques or having information to put out on Facebook for the Historic Updates that the Commission had discussed doing with the Public Information Officer.

Commissioner Berlik provided a brief synopsis of the information she was able to collect on Lewis-Clark Memorial Gardens chapel. Commissioner Phillipi gave a synopsis of the information she was able to collect. Commissioner Ohrtman stated he had not been able to work on collecting information on his assigned churches yet but would do so. Commissioner Riggs provided a summary of the information she had been able to collect and that she was waiting for a response from some folks she had reached out to.

The Commission discussed various ways they might be able to find information on the churches that would be interesting or useful for this project.

The Commission decided that each Commissioner would provide a written synopsis of what they had found and send it to Staff Hollingshead.

V. COMMISSIONER COMMENTS:

Commissioner Ohrtman had brought a picture that he had bought from another community that had the outline of all the churches in that community and mentioned that the Commission could explore finding an artist to help create something similar for Lewiston and the Historic Preservation Commission could use it as a fundraiser and sell prints.

Chair Boots asked Staff Plaskon if he could share anything about the Cemetery Survey that the Parks and Recreation Department has open right now. Staff Plaskon stated that he was not involved with that survey but he did know that it was available on the City website. Some of the Commissioners had taken the survey and they shared their impressions of the survey.

Commissioner King asked if there had been any follow up to the property owner who had painted the building black at 515 Main Street.

Commissioner Ohrtman let the Commissioner know that the National Park Service had approved the plans for the marquee renovation at the Liberty Theater.

VI. COUNCIL LIAISON COMMENTS:

None.

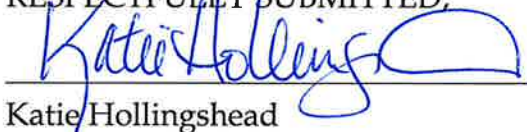
VII. STAFF-COMMISSION COMMUNICATIONS:

Commissioner Berlik said she may not be in attendance at the November meeting. All other Commissioners are able to attend.

VIII. ADJOURN

There being no further business, Commissioners Ohrtman and Berlik moved and seconded, respectively to adjourn the meeting of the Historic Preservation Commission at approximately 10:38 a.m. Motion passed 8-0.

RESPECTFULLY SUBMITTED,



Katie Hollingshead
Recording Secretary



Chairperson or Acting Chairperson
Historic Preservation Commission

Approved this 7 day of November, 2024.

October 31, 2024

The HISTORIC PRESERVATION COMMISSION met in the Bell Building Upstairs Conference Room at 215 "D" Street. Vice Chair King called the meeting to order at 10:13 a.m.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Ed King, Vice Chair; Laurinda Riggs; Tamara Berlik (via Zoom); Lisa Hasenoehrl; (via Zoom); Bob Reitz; Greg Follett;

COMMISSIONERS EXCUSED: Leah Boots, Chair; Dennis Ohrtman; Kayleigh Phillipi;

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner;

CITY COUNCIL LIAISON PRESENT: None.

GUESTS: Dick White

II. CITIZEN COMMENTS

Staff Hollingshead read an email she had received in regards to the Certificate of Appropriateness application for 206 9th Street. " Good Morning Katie, In regard to the Notice of consideration of application 206 9th street. The proposal to paint the building "Spicy Hue" (Bright Orange as the chip depicts) seems that this color would not blend well with the buildings in the neighborhood that are mostly grey or earth tones. I am under the impression that the historical society's mission is to preserve a more subtle look. I understand if the business logos or marketing artwork requires this color, but to just paint bright orange may be excessive in my opinion but I will be in acceptance to whatever the majority considers. Thank you, John Jackson 856 F Street Lewiston, Id"

III. NEW BUSINESS

1. Certificate of Appropriateness – West End Historic District. An application by Dick White on behalf of Warner Avenue Development, LLC for exterior paint at 206 9th Street.

Staff Hollingshead reviewed the application for the Commission and the paint chip that had been supplied. Staff showed pictures of other buildings the applicant owns on F street that have also been painted this color. Staff stated that the applicant has

indicated that they will be painting three (3) sides of the building and will leave the existing brick unpainted.

Vice Chair King walked the Commission through the Design Guidelines for the West End Historic District review form. Commissioner Berlik asked if the three (3) cream sides of the building that were to be painted were currently painted or if the cream color was the natural color of the bricks/concrete. Dick White, applicant, stated that the cream color was painted. Mr. White added that he had chosen the "Spicy Hue" color for his other building on F street because it was the closest he could find to match the color of the existing bricks. Mr. White stated that he thought the color would also match the unpainted brick portion of the subject building. Mr. White pointed out that the probation and parole building across the street was all red brick, while the adjacent property at Rising Sun Sober Living was a mixed brick color and Wells Fargo Bank was a brownish brick color, so there are a variety of brick colors in the immediate vicinity.

After review and discussion, Commissioner's Follett and Reitz moved and seconded, respectively, to approve the Certificate of Appropriateness for paint at 206 9th Street. Motion passed 6-0.

2. Certificate of Appropriateness – West End Historic District. An application by Tim Lynch on behalf of Landmark Property Group, for removal, reconfiguration and replacement of an exterior door on the south side of the building to allow for compliance with the American's with Disabilities Act standards and current City Code.

Staff Hollingshead reviewed the application, architectural drawings, and photos supplied by the applicant. Vice Chair King asked for clarification on the temporary door versus the final door. Staff Hollingshead stated that the applicant is working on the interior remodel of half of the space and the temporary door will access that space. Once the temporary door is in, the interior remodel of the other half of the space will be completed and the replacement of the double doors will be completed. Staff Hollingshead stated that the definition of temporary from the International Building Code is 180 days or less, and the temporary door would have to conform to that code. The Commission discussed whether or not the curved window above the doors would be recessed into the building with the doors and Staff reviewed how the plans show that the arched window would stay in its original location and just the door itself would be recessed into the building.

Vice Chair Kind walked the Commission through the Design Guidelines for the West End Historic District review form. After review and discussion, Commissioners Riggs and Follett moved and seconded, respectively, to approve the Certificate of

Appropriateness for both the temporary single door and the permanent double door at 111 Main Street. The motion passed 6-0.

IV. COMMISSIONER COMMENTS:

None.

V. STAFF-COMMISSION COMMUNICATIONS:

Staff Hollingshead reminded the Commission that the regular meeting would be the following meeting on November 7, and that packets would be sent out later in the day. Staff reminded the Commissioners to email her the narratives they had on their assigned churches to discuss at the next meeting.

VI. ADJOURN

There being no further business, Commissioners Follett and Riggs moved and seconded, respectively to adjourn the meeting of the Historic Preservation Commission at approximately 10:59 a.m. Motion passed 6-0.

RESPECTFULLY SUBMITTED,


Katie Hollingshead

Recording Secretary



Chairperson or Acting Chairperson

Historic Preservation Commission

Approved this 7 day of November, 2024.

September 18, 2024

The PUBLIC WORKS ADVISORY COMMISSION (PWAC) met in the Bell Building 2nd Floor Meeting Room at 215 “D” Street. Council Liaison and Chair Kathy Schroeder called the meeting to order at approximately 12:04 p.m.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Laura Wright, Brent Bourassa, Lytonia “LT” Gardee, and Kayleigh Philippi

CITY COUNCIL LIAISONS PRESENT: Chair and Councilor Kathy Schroeder

STAFF MEMBERS PRESENT: Dustin Johnson, Public Works Director and Haley Kelley, Public Works Specialist

OTHERS PRESENT: Melissa Cleveland, PE, Senior Project Manager with Welch Comer & Associates

II. CITIZEN COMMENTS

None.

III. CONSENT AGENDA

Chair Schroeder explained that all items on the Consent Agenda are considered routine by the Commission and will be enacted by one motion. There will be no separate discussion on these issue unless a Commissioner so requests, in which case the item will be removed from the Consent Agenda and considered under “Items Moved From the Consent Agenda.”

Commissioner Bourassa and Wright moved and seconded, respectively, approval of the Consent Agenda. The motion carried 4-0.

A. APPROVAL OF AUGUST 21, 2024 MEETING MINUTES: - Action Item

IV. DIRECTOR'S REPORT

Director Johnson provided updates and answered questions on previous agenda topics with a focus on the Main Street Reconstruction Project.

V. ACTIVE AGENDA

A. MAIN STREET RECONSTRUCTION PROJECT - TRAFFIC CIRCULATION: - Presentation

Director Johnson provided a brief overview and explanation that the project was being pursued under a General Obligation (GO) bond which will be voted on in May 2025. He introduced Melissa Cleveland, PE, Senior Project Manager with Welch Comer & Associates to the commission for a high level presentation on the preliminary traffic for the project.

Ms. Cleveland explained that models presented today are at 10% design level and are dependent on feedback from the community, impacted property owners, the steering committee, and staff. She said that the next public meeting was scheduled for October 1st and would be focused on businesses and property owners along Main and D Streets.

Lewiston Public Works Advisory Commission
REGULAR MEETING MINUTES
September 18, 2024 – 12:00 PM – Page 2

The commission provided the following feedback to Ms. Cleveland and to staff:

Commissioner Comments	Consultant & Staff Comments
Commissioners Bourassa and Wright expressed concern over the length of the existing turn lane on the levee bypass.	Ms. Cleveland said that traffic counts were not conducted at the D Street and levee bypass intersection but that it would be considered.
Commissioners Wright and Gardee expressed frustration over the current quantity of parking stalls and shared concern that the redesign would exacerbate the issue.	Ms. Cleveland said that Welch Comer would compare parking stall quantities between the existing and proposed configurations. Mr. Johnson said that while there is a public perception of deficient parking, an inventory showed that the number of stalls for businesses is adequate but that increased wayfinding signs for public parking would be beneficial.
Ms. Wright recommended increased green space from 9th Street to 11th Street.	Ms. Cleveland said that a boulevard and sidewalk buffers were in the model presented today.
Mr. Bourassa expressed concern over angled parking stalls and the difficulties posed by oversized vehicles.	Ms. Cleveland explained that the steering committee is deliberating the parking stall configuration, but feedback has been that parking stalls should be consistent along the corridor.
Ms. Wright expressed concern over the impact parking stall configuration would have on winter storm maintenance.	
Mr. Bourassa asked how the redesign would impact public events.	Mr. Johnson said if Main and D Streets were two-way, it would ease traffic control for the events. Ms. Cleveland echoed Mr. Johnson.
Mr. Bourassa questioned how an increase in bike paths would work with road switchbacks.	Mr. Johnson said that the switchback on Snake River Avenue heading to Prospect Ave is being addressed in a separate project slated for next year.
Ms. Wright said two-way traffic would necessitate new traffic signals.	Ms. Cleveland said that the existing signals have outlived their lifespan and need updating regardless.
Mr. Bourassa asked if there were opportunities to remove more cross-streets.	Ms. Cleveland said that further discussion with adjacent businesses and property owners would be needed. Mr. Johnson echoed Ms. Cleveland.
Ms. Wright questioned if feedback had been received on the feasibility of delivery trucks on a two-way Main Street.	Ms. Cleveland said that this topic was expected to be discussed at the October 1st meeting but that preliminary ideas included time-restricted parking stalls which would require more concrete delivery schedules for businesses, but which is a common practice in other cities.

VI. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

VII. UNFINISHED & NEW BUSINESS

A. COMMISSIONER COMMENTS: - Action Item

None.

B. STAFF LIAISON COMMENTS: - Action Item

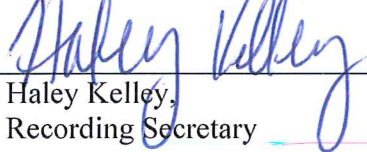
Director Johnson said that he would be leaning on the commission for feedback on the Main Street Reconstruction Project as it progresses.

C. FUTURE AGENDA ITEMS: - Action Item

VIII. ADJOURNMENT - Action Item

There being no further business, Commissioners Wright and Bourassa moved and seconded, respectively, to adjourn the meeting. The motion carried 4-0 and the Public Works Advisory Commission adjourned at approximately 1:14 p.m.

RESPECTFULLY SUBMITTED,



Haley Kelley,
Recording Secretary



Chairperson or Acting Chairperson
Public Works Advisory Commission

Approved this 16 day of October, 2024



07 November 2024

**EMERGENCY MEDICAL SERVICES ADVISORY BOARD
07 NOVEMBER 2024 SPECIAL WORKSESSION MEETING MINUTES**

EMSAB Members: Dave Chenault Mike Larson Serena Tschirgi
 Victoria Johnson Jennifer Grinage

EMSAB November Special work session meeting called to order at 03:08 p.m. Absent member Laura Gifford. Also present were Staff Liaison Greg Rightmier, City Attorney Jennifer Tengono, City Council representative Kassee Forsmann, and Ambulance Billing Assistant Amy Paris who took notes.

Citizen Comments:

None

Active Agenda:

- Fire Chief Rightmier provided the following agency updates:
 - Application has been completed and submitted
 - Committee member Dave Chenault moved to approve the application which was seconded by Serena Tschirgi. The application will move forward to the city council on November 25. Jennifer Tengono will place on the consent agenda.
- Chapter 7 was discussed and reviewed section by section to make notes and updates. Progress was made through Chapter 7-13.
- Will continue with the review of chapter 7 on the next special meeting

Unfinished and New Business:

None

Adjournment

Meeting was adjourned at 4:57pm by Mike Larson

**NEXT EMSAB SPECIAL WORKSESSION MEETING IS TUESDAY, JULY 16, 2024 AT 12:00 PM
IN THE STATION 1 TRAINING ROOM**

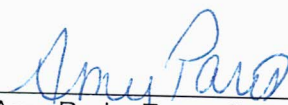
Submitted by:



Gregory V. Rightmier, Staff Liaison

11-12-24

Date



Amy Paris, Recording Secretary

11-12-24

Date

GVR: da

c: Tanya Brocke, City Clerk
Dan Johnson, Mayor
Kassee Forsmann, Council Liaison
Jennifer Tengono, City Attorney

October 9, 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; Kathy Branson; Shaunita Cable; Maureen Anderson; Emily Wolf; Kevin Kelly

COMMISSIONER EXCUSED:

STAFF MEMBERS PRESENT: Joel Plaskon, City Planner; Dawn Ortiz, Community Development Office Supervisor; Pat Severance, Engineering Development Supervisor

II. CITIZEN COMMENTS

None

III. APPROVAL OF SEPTEMBER 25, 2024 MEETING MINUTES (ACTION ITEM)

Commissioner Branson and Vice Chair Iacoboni moved and seconded, respectively, approval of the September 25, 2024 meeting minutes with corrections. The motion carried 6-0-1 with Commissioner Wolf abstaining.

IV. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON CONDITIONAL USE PERMIT APPLICATION CUP24-4 BY SARA BENNETT OF RIVERSIDE RECOVERY (ACTION ITEM):

Commissioners Anderson and Branson moved and seconded, respectively, to approve the reasoned statement for CUP24-4 as written. The motion carried 6-0-1 with Commissioner Kelly abstaining.

V. CONTINUATION OF PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR ZONE CHANGE APPLICATION ZNC24-4 BY CHRIS CLARK (ACTION ITEM):

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

Staff Plaskon provide verbal summary of what was discussed at previous Planning and Zoning Commission meeting.

Chair Ball asked staff if there are already split zone areas.

Staff Plaskon stated that yes there are and provided examples.

Commissioner Anderson asked if there are current incidents were the building has been split by a zone.

Staff Plaskon stated he was not sure if there is and that any concerns should be judged against the relevant criteria for the reasoned statement.

Chair Ball asked what the rear yard setback was for structure.

Staff Plaskon stated it was 11.5 feet and if this rezone was approved this part of the building would become a nonconforming in terms of the setbacks for the side and rear yard standards.

Chair Ball stated there was discussion at last meeting on if there would be room for back patio when it looked like the exiting building didn't meet setbacks.

Staff Plaskon stated this CUP proposal is not a development proposal but a rezone. Staff would review the building use change so there is no additional nonconformity created above and beyond the existing conditions. So they would not be able to get any closer to the property line that already is, so the only patio that would be allowed would be flat work.

Commissioner Anderson expressed her concern for the lot size not meeting R3 standards.

Staff Plaskon provided verbal confirmation on how this request would fit into the Comprehensive Plan.

Chari Ball discussed that it might be better to rezone to a C4 or a C5 and keep the lot commercial.

Staff Plaskon stated that would create an island of that zone or an illegal spot zone. It is okay to be an R3 because it already abuts an existing R3 zone. Staff asked the Commission to take concerns back to the criteria.

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

Applicant Chris Clark, Pullman Wa stated the valley doesn't have a need for more office space, but there is a need for residential. He is only asking for a change of use not to change setbacks. The structure is already a nonconforming structure to today's standards as there is not enough parking.

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

Dawn Ortiz, Community Development Office Supervisor read in a public comment submitted via email.

Noah Prescott "I hope this is the right place to send this. I am in support of ZNC24-4, performing the zone change from C3 Commercial to R3 Residential. It frustrated me that the Planning and Zoning Commission emphatically approved a Residential to Commercial rezone earlier in the meeting on 9/25/2024, but then began bike shedding small issues when this proposal originally came up. This kind of development is exactly the "slippery slope" we need in order to make Lewiston a sustainable city. As the Developer, Chris, said in the original meeting, mixed use development is all around us, but it should be in a lot more locations. His new proposal is exactly in the spirit of what the new Project 2044 Zoning Code is supposed to be, and I'm glad someone has begun to take the first step. Many of the housing developments the Commission has approved lately have been large-scale housing with multiple bedrooms, but what we really need in this valley are small homes and apartments for young people without kids or older people who don't need more than a bedroom or two. These proposed apartments seem to be just that, and rejecting this proposal flies in the face of the new Zoning Regulations that were just approved. Please approve this change, so that Lewiston can take a positive step forward into the future."

There being no further public comment, Chair Ball closed the public hearing

After discussion, Commissioner Kelly and Vice Chair Iacoboni moved and seconded, respectively, to direct staff to draft a written statement approving ZNC24-4. Motion passed 6-1 with Commissioner Cable opposing.

VI. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR VARIANCE APPLICATION VAR24-2 BY DK HOLDING LLC: (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.

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

Applicant Dan Yonge, Lewiston explained the location of the mentioned retaining wall and that the lot has a four foot elevation change. Due this elevation change it would cause the driveway to have such a different elevation. Trying to build with the existing street causes problems also due to the slope. It is hard to see the slope in pictures and the larger garage would have a better curb appeal and hopefully influence owners to actually park in their garage.

Staff Plaskon reminded the commission that subdivision plat approval does not approve building footprints. He also stated that even if the plat implied approval of the building footprints shown, the plat did not identify which portion of the structure in the building footprint is garage vs livable space and that the plat has a note on it that says that the development of the lots would be built to the small lot development standards of the zoning code.

Pat Severance, Engineering Development Supervisor was available for questions.

Vice Chair Iacoboni asked staff Severance if there are alternatives or is this variance application the actual minimum variance needed, in your opinion.

Staff Severance stated the applicant did propose an alternative, but he is not sure how the applicant came to that. He doesn't understand why the 2% cross slope would cause the garages to be next to each other or why they couldn't stay separate. To give the commissioners an idea of what a 2% cross slope is, that is the same as an Americans with Disabilities Act (ADA) compliant slope. There are not many 2% cross slopes in Lewiston. Most are steeper.

Commissioner Anderson pointed out that the side to side elevation is only two foot.

Staff Severance stated that was correct, the four foot slope is from corner of lot to other corner of lot diagonally.

Applicant Yonge stated he is applying for all lots to have this variance because he understands the housing shortage and he has built these houses before so he knows they can be affordable. Having the neighborhood looking consistent.

There being no questions for the applicant and no public comment, Chair Ball closed the public hearing.

After discussion and deliberation on the required relevant criteria and standards, Commissioner Anderson and Vice Chair Iacoboni moved and seconded, respectively, to direct staff to draft a written statement denying VAR24-2. Motion passed 7-0.

VII. STAFF-COMMISSION COMMUNICATIONS

Staff Plaskon stated work has begun on creating a work plan to implement the Comprehensive Plan and that should come in front of the commission soon in regards to rezones and code amendments.

Chair Ball asked if anyone was addressing boxcar storage in the community.

Staff Plaskon stated he didn't know, but that shipping containers used as buildings will be in front of City Council at their November work session.

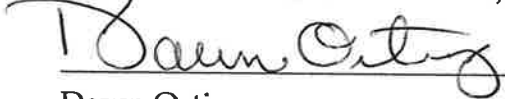
A. Query of Commissioners for the October 9, 2024 meeting

All present Commissioners besides Commissioners Cable and Kelly, shall be in attendance at the October 23, 2024 meeting.

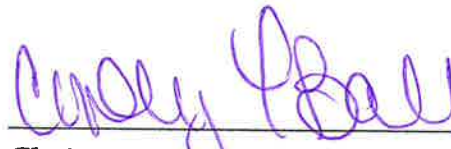
VIII. ADJOURN

There being no further business, Commissioner Kelly and Vice Chair Iacoboni moved and seconded, respectively, to adjourn. The motion carried 7-0 and the Planning and Zoning Commission meeting adjourned at approximately 7:58 p.m.

RESPECTFULLY SUBMITTED,



Dawn Ortiz,
Recording Secretary



Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this B day of November, 2024.

October 23, 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; Kathy Branson; Maureen Anderson; Emily Wolf;

COMMISSIONER EXCUSED: Kevin Kelly; Shaunita Cable

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner; Dawn Ortiz, Community Development Office Supervisor; Jennifer Tengono, City Attorney

II. CITIZEN COMMENTS

None

III. APPROVAL OF OCTOBER 09, 2024 MEETING MINUTES (ACTION ITEM)

Commissioner Branson and Anderson moved and seconded, respectively, approval of the October 09, 2024 meeting minutes with corrections. The motion carried 5-0.

IV. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON ZONE CHANGE APPLICATION ZNC24-4 BY CHRIS CLARK. (ACTION ITEM):

Commissioner Wolfe and Vice Chair Iacoboni moved and seconded, respectively, to approve the reasoned statement for ZNC24-4 as written. The motion carried 5-0.

V. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON VARIANCE APPLICATION VAR24-2 BY DK HOLDINGS LLC. (ACTION ITEM):

Vice Chair Iacoboni and Commissioner Branson moved and seconded, respectively, to approve the reasoned statement for VAR24-2 as written. The motion carried 5-0.

VI. APPROVAL OF THE REASONED STATEMENT AFFIRMING THE COMMISSION'S DECISION AFTER RECONSIDERATION OF CONDITIONAL USE PERMIT CUP24-3 FOR A TRANSITIONAL HOUSING VILLAGE. (ACTION ITEM):

Commissioners Anderson and Wolf moved and seconded, respectively, to approve the Commission's Decision on Reconsideration of CUP24-3 as written. The motion carried 5-0.

VII. STAFF-COMMISSION COMMUNICATIONS

Katie Hollingshead, Assistant Planner stated that although the agenda states there are no items for the November 13th meeting, a preliminary plat has been submitted for the Commission to review. Staff Hollingshead let the Commission know that Mr. Yonge has gone to City Council to request a code amendment and it will be a discussion item on the Council's October 28th meeting agenda, the Commission might see a discussion item on the November 13th agenda regarding Council's direction. The Comprehensive Plan work committee has been meeting regularly to discuss upcoming code changes and zoning map amendments and staff is working on having those items drafted for the Commission to review in December.

A. Query of Commissioners for the November 13, 2024 meeting

All present Commissioners besides Commissioner Branson who can attend via Zoom shall be in attendance at the November 13, 2024 meeting.

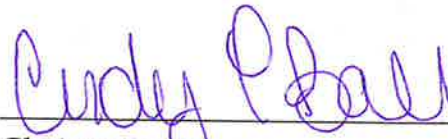
VIII. ADJOURN

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

RESPECTFULLY SUBMITTED,



Dawn Ortiz,
Recording Secretary



Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this 13 day of November, 2024.



Voucher's Payable

Vendor Name	Ck#	Ck Date	Department	Description	Total
A CHILD IS MISSING INC	116934	10/24/2024	POLICE	PD A CHILD IS MISSING ALERT RENEWAL FEES	\$500.00
AERZEN USA CORP	116936	10/24/2024	WSTWTR	PW-WWTP-COOLING FAN; QUOTE ATTACHED	\$2,583.53
AG-PRO	116937	10/24/2024	PARKSFAC	NEW NOZZLES AND BODIES FOR THE CHEMICAL SPRAYER	\$83.25
	117052	10/31/2024	FLTMAINT	BPO/ FLEET REPAIR PARTS	\$35.50
ALWAYS TOWING LLC	116939	10/24/2024	FLTMAINT	BPO- FLEET TOWING SERVICES	\$375.00
AMAZON CAPITAL SERVICES	116940	10/24/2024	EXECUTIVE	EXEC BPO: OFFICE/TRAINING SUPPLIES FOR CLERK	\$24.60
			FIRE	FIRE - AMAZON - LAPEL MIC & SUPPLIES	\$93.47
				FIRE - AMAZON - STATION SUPPLIES	\$163.88
			INFOSYSTMS	MONITOR STANDS	\$75.98
			LEGISLATIV	IPHONE 13 CASE WITH SCREEN PROTECTOR - KLEIN	\$11.55
			LIBRARY	BPO - LIB - OPERATING SUPPLIES	\$243.37
				BPO - LIB - VIDEO GAMES	\$144.39
			POLICE	BPO PD OFFICE AND TECHNOLOGY SUPPLIES	\$196.66
			RECREATION	SPEAKERS, POWER STRIPS, VIDEO CARTS, VOLLEYBALLS	\$863.82
			WATER	PW-WA-STYLUS FOR IPAD NEEDED FOR CARTEGRAPH	\$26.98
			WSTWTR	PW-WWC-SOLDERING STATION & TIPS	\$157.78
	117053	10/31/2024	FIRE	FIRE - AMAZON - STATION SUPPLIES	\$163.84
			INFOSYSTMS	MEMORY/RAM	\$320.00
				MOTION SENSOR FOR SECURITY ACCESS	\$97.37
			PARKSFAC	IPAD AIR CASE	\$26.99
				SAFETY BOOTS FOR JOE BROEMELING PARKS	\$176.98
ANATEK LABS INC	116941	10/24/2024	WATER	PW-WTP-BPO SAMPLING ANALYSIS FOR COMPLIANCE	\$1,040.00
			WSTWTR	BPO-PW-IPT-BPO SAMPLING ANALYSIS FOR COMPLIANCE	\$1,210.00
	117054	10/31/2024	WSTWTR	BPO-PW-IPT-BPO SAMPLING ANALYSIS FOR COMPLIANCE	\$605.00
APPLE INC	117055	10/31/2024	PARKSFAC	APPLE IPAD - FACILITIES	\$749.00
ARROW CONSTRUCTION SUPPLY LLC	116942	10/24/2024	TRNSPN	PW - ST - CRACK SEAL MATERIAL	\$1,552.00
ASSOCIATION OF IDAHO CITIES	116938	10/24/2024	TRNSPN	PW - FED WATER QUALITY COALITION MEMBERSHIP 2025	\$256.68
			WATER	PW - FED WATER QUALITY COALITION MEMBERSHIP 2025	\$256.66
			WSTWTR	PW - FED WATER QUALITY COALITION MEMBERSHIP 2025	\$256.66
ATLAS SAND & ROCK	116943	10/24/2024	TRNSPN	BPO - ST - DUTHIE SAND & ROCK	\$108.48
	117056	10/31/2024	TRNSPN	BPO - ST - DUTHIE SAND & ROCK	\$120.68
AUSTIN BROWN	116945	10/24/2024	FIRE	BPO FIRE - DR. AUSTIN BROWN - MEDICAL CONTROL	\$3,000.00
BAVCO	117057	10/31/2024	WATER	PW-WD BPO BACKFLOW PARTS AND REPAIR KITS	\$805.85



Voucher's Payable

BLUE RIBBON LINEN SUPPLY INC	116944	10/24/2024	CEMETERY	URINAL SCREENS FOR CEMETERY BATHROOM	\$164.50
	117058	10/31/2024	POLICE	BPO PD RUG CLEANING FEES FOR FRONT LOBBY	\$25.00
BRADY COMPANIES LLC DBA BRADY INDUSTRIES OF IDAHO LLC	117059	10/31/2024	PARKSFAC	URINAL MATS FOR CITY BUILDINGS	\$43.97
BRETTON S WATSON DBA ABLE LOCKSMITH	116935	10/24/2024	PARKSFAC	LOCK WORK AT HERETH CONCESSION STAND	\$120.00
				LOCK WORK AT THE DOG PARK	\$128.95
BRIAN BIRDELL	116931	10/24/2024	INFOSYSTMS	NAMPA POLICE / CALDWELL POLICE TECH VISIT	\$108.00
BRIAN W MORROW DBA WORLD OF MARTIAL ARTS LLC	117114	10/31/2024	RECREATION	KARATE INSTRUCTOR - 30%	\$81.00
CAMP CABIN & HOME INC	116946	10/24/2024	WSTWTR	PW-WWCOLL-BPO PROPANE	\$28.14
	117060	10/31/2024	WSTWTR	PW-WWTP- BPO PROPANE	\$27.46
CANON FINANCIAL SERVICES INC	116947	10/24/2024	COMDEV	BPO-CD-CANON PRINTER: DX5760I COPIER LEASE-CANON	\$253.63
CDW GOVERNMENT LLC	116948	10/24/2024	INFOSYSTMS	MONITOR STOCK & PRIVACY FILTERS	\$9,561.76
CENTRAL PROGRAMS INC DBA GUMDROP BOOKS	116964	10/24/2024	LIBRARY	LIB - JUV NONFICTION ORDER	\$458.10
CENTURYLINK	117061	10/31/2024	COMDEV	10/10/24 BILL DATE: UTILITY CHARGES	\$80.71
			FIRE	10/10/24 BILL DATE: UTILITY CHARGES	\$738.29
			INFOSYSTMS	10/10/24 BILL DATE: UTILITY CHARGES	\$577.72
			LIBRARY	10/10/24 BILL DATE: UTILITY CHARGES	\$55.70
			PARKSFAC	10/10/24 BILL DATE: UTILITY CHARGES	\$971.81
			POLICE	10/10/24 BILL DATE: UTILITY CHARGES	\$906.66
			TRANSITOP	10/10/24 BILL DATE: UTILITY CHARGES	\$161.42
			WATER	10/10/24 BILL DATE: UTILITY CHARGES	\$403.55
			WSTWTR	10/10/24 BILL DATE: UTILITY CHARGES	\$438.93
	117062	10/31/2024	INFOSYSTMS	10/16/24 BILL DATE: UTILITY CHARGES	\$39.74
CES	117063	10/31/2024	WATER	PW-WTP-REPLACEMENT INTERTIE PROCESS FAILURE PARTS	\$2,964.08
CHRIS REESE	116932	10/24/2024	POLICE	SWAT COMMAND DECISION MAKING	\$373.00
CHS INC	117064	10/31/2024	WSTWTR	PW-WWTP-BPO HERBACIDE FOR LANDSCAPING	\$291.98
CIMCO-GC SYSTEMS LLC	116949	10/24/2024	WSTWTR	PW-WWTP-CLAY VALVE ON FRESH WATER AIRGAP; REBUILT	\$873.45
CINTAS CORPORATION #606	116950	10/24/2024	FLTMAINT	BPO/ FLEET UNIFORM RENT & LAUNDRY	\$78.68
			PARKSFAC	BPO - PARKS - CLEANING SUPP. & LAUNDERED UNIFORMS	\$154.32
	117065	10/31/2024	FLTMAINT	BPO/ FLEET UNIFORM RENT & LAUNDRY	\$93.40
			PARKSFAC	BPO - PARKS - CLEANING SUPP. & LAUNDERED UNIFORMS	\$51.44



Voucher's Payable

CITY OF LEWISTON EMPLOYEE BENEFIT- CAFETERIA PLAN	117032	10/31/2024	ADMSVC	Payroll Run 1 - Warrant 103124	\$7,949.80
CLEARWATER ECONOMIC DEVELOPMENT ASSOC	116951	10/24/2024	LEGISLATIV	CEDA 2025 MEMBERSHIP DUES	\$11,579.00
COLEMAN OIL COMPANY LLC DBA COLEMAN OIL COMPANY	116952	10/24/2024	CEMETERY	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$397.22
			COMDEV	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$476.94
			FIRE	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$3,442.04
			FLTMAINT	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$220.20
			LIBRARY	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$56.36
			PARKSFAC	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$2,020.25
			POLICE	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$5,312.35
			RECREATION	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$65.88
			SANITATION	BPO - TS - FUEL	\$329.37
				BPO - TS - FY25 FUEL FOR SDI HAUL	\$1,217.78
				BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$84.12
			STMWTR	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$602.92
			TRANSITOP	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$4,200.19
			TRNSPN	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$3,625.94
			WATER	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$799.06
			WSTWTR	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$1,302.90
	117066	10/31/2024	CEMETERY	CP-0187803-10/31/2024 BILL DATE: FUEL CHARGES	\$107.71
			COMDEV	CP-0187803-10/31/2024 BILL DATE: FUEL CHARGES	\$231.09
			FIRE	CP-0187803-10/31/2024 BILL DATE: FUEL CHARGES	\$1,340.45
			PARKSFAC	CP-0187803-10/31/2024 BILL DATE: FUEL CHARGES	\$810.26
			POLICE	CP-0187803-10/31/2024 BILL DATE: FUEL CHARGES	\$1,781.58
			SANITATION	BPO - TS - FUEL	\$109.67
				BPO - TS - FY25 FUEL FOR SDI HAUL	\$904.22
			STMWTR	CP-0187803-10/31/2024 BILL DATE: FUEL CHARGES	\$352.26
			TRANSITOP	CP-0187803-10/31/2024 BILL DATE: FUEL CHARGES	\$1,465.31
			TRNSPN	CP-0187803-10/31/2024 BILL DATE: FUEL CHARGES	\$1,514.02
			WATER	CP-0187803-10/31/2024 BILL DATE: FUEL CHARGES	\$523.86
			WSTWTR	CP-0187803-10/31/2024 BILL DATE: FUEL CHARGES	\$552.84
COLLIER ELECTRIC LLC	117067	10/31/2024	WSTWTR	BPO-PW-WWTP-ONCALL ELEC SRVS	\$1,658.68



Voucher's Payable

COMMERCIAL TIRE INC	117068	10/31/2024	FLTMANT	BPO/ FLEET TIRE REPAIRS & DISPOSAL	\$126.00
				NEW SNOW RATED TIRES FOR AMBULANCE #277	\$1,610.76
CONSOLIDATED ELECTRICAL DISTRIBUTORS	116953	10/24/2024	INFOSYSTMS	ELECTRICAL BOX AND CONDUIT	\$168.62
			PARKSFAC	BPO - FAC - CONSOLIDATED ELEC - ELECTRICAL SUPPL	\$11.81
			WSTWTR	PW-WWTP-STARTING CONTACTS FOR ELECTRIC MOTORS (2)	\$1,279.06
CONSOLIDATED SUPPLY CO	117069	10/31/2024	WATER	PW-WD-NON INVENTORY MISC PARTS; QUOTES ATTACHED	\$9,328.72
CREA CONSTRUCTION INC	117070	10/31/2024	WSTWTR	PW-WWC-COMPACTION EMERGENCY REPAIR 18TH/G ST	\$8,100.29
CUES INC	117071	10/31/2024	WSTWTR	PW-WWCOLL-BPO MISC REPAIRS TO TRUCK EQUIP	\$1,660.35
DELL MARKETING LP	116954	10/24/2024	INFOSYSTMS	LIBRARY PATRON PC REPLACEMENTS	\$16,851.84
				PC/LAPTOP STOCK	\$55,158.00
DUSTIN SPOONER	116933	10/24/2024	INFOSYSTMS	NAMPA POLICE / CALDWELL POLICE TECH VISIT	\$108.00
EDNETICS INC	116955	10/24/2024	LIBRARY	BPO - LIB - MANAGED INTERNAL BROADBAND	\$6,300.00
EFTPS	1711	10/31/2024	ADMSVC	Payroll Run 1 - Warrant 103124	\$172,439.10
ERB'S ACE HARDWARE LLC	116956	10/24/2024	FIRE	BPO FIRE - ERB HARDWARE - SUPPLIES	\$64.02
			LIBRARY	REFUND FROM INVOICE 87824	(\$19.54)
			POLICE	PD TRASH CAN FOR NPC JAIL	\$139.99
			WATER	PW-WD-BPO OPERATING SUPPLIES: TOOLS & HARDWARE	\$4.24
				PW-WTP-BPO-OPERATING SUPPLIES: TOOLS & HARDWARE	\$120.23
			WSTWTR	WW034 BPO LOSD LIFT STATION MAINT SUPPLIES	\$21.58
	117072	10/31/2024	FLTMANT	BPO/ FLEET REPAIR PARTS & SUPPLIES	\$19.54
			WATER	PW-WTP-BPO-OPERATING SUPPLIES: TOOLS & HARDWARE	\$45.86
ERGOTECH CONTROLS LLC DBA INDUSTRIAL NETWORKING SOLUTIONS	116957	10/24/2024	INFOSYSTMS	PEPLINK MAX BR1 MINI 5G (NON-WIFI)	\$524.17
ERIC KJORNESS	117045	10/31/2024	POLICE	NAMPA POLICE/CALDWELL POLICE TECH VISIT	\$108.00
FASTENAL COMPANY	116958	10/24/2024	WSTWTR	PW-WWTP-BPO MAINT SUPPLIES	\$30.69
	117073	10/31/2024	PARKSFAC	BPO - FASTENAL VENDING SUPPLIES	\$419.96
FERGUSON ENTERPRISES #3011	116959	10/24/2024	STMWTR	PW - STMW - 10" DIMPLE BAND FOR LINE REPAIR	\$80.79
			WATER	PW-WD-BPO X-CONN SUPPLIES	\$416.64
				PW-WD-SENSUS METERS RESTOCK	\$1,014.75
	117074	10/31/2024	WATER	PW-WD-BPO WATERWORKS/PLUMBING FITTINGS/ACCESSORIE	\$754.93
				PW-WD-SENSUS METERS RESTOCK	\$9,565.90
FISHER SYSTEMS INC	116960	10/24/2024	WATER	PW-WTP BPO SERVICE CALLS FOR ALARMS	\$312.50
	117075	10/31/2024	WSTWTR	PW-WWTP-BPO ALARM SYSTEM CHANGES	\$125.00



Voucher's Payable

FOP LEWIS CLARK LODGE #10	117033	10/31/2024	ADMSVC	Payroll Run 1 - Warrant 103124	\$1,779.96
GATEWAY MATERIALS	117076	10/31/2024	TRNSPN	BPO - ST/TR - OPERATING SUPPLIES	\$53.98
			WATER	PW-WTP-BPO METAL MATERIAL & FABRICATION	\$8.50
GOBLE SAMPSON AND ASSOCIATES INC	116962	10/24/2024	WSTWTR	PW-WWTP-SHAND PARTS; REISSUE OF 22403146	\$202.14
GRAINGER	116963	10/24/2024	WATER	PW-WTP-BPO MOTORS/PUMPS/TOOLS/FITTINGS	\$123.00
				WR043 COMM DR CHLORINATION CABLE PROTECTOR	\$182.03
			WSTWTR	BPO-PW-WWTP-P/M/M MAINT SUPPLIES	\$432.54
				PW-WWCOLL-BPO REPAIR PARTS AND RELATED ITEMS	\$541.05
			WATER	PW-WTP-BPO MOTORS/PUMPS/TOOLS/FITTINGS	\$1,104.04
H D FOWLER COMPANY INC	116965	10/24/2024	WATER	PW-WR524; 7TH ST CT WTR MAIN EXT; METER SETTER-2	\$502.18
HACH COMPANY	116966	10/24/2024	WATER	PW-WTP- BPO FOR PLANT EQUIPMENT/INSTRUMENTS	\$750.34
	117078	10/31/2024	WATER	PW-WTP- BPO FOR PLANT EQUIPMENT/INSTRUMENTS	\$982.42
HAHN RENTAL CENTER	117079	10/31/2024	WSTWTR	WW052-WWTP WATERLINE EXT;PORTABLE SANITARY FACILI	\$137.00
HAHN SUPPLY	116967	10/24/2024	PARKSFAC	BPO - FAC - HVAC SUPPLIES AND TOOLS	\$95.50
				BPO - PARKS - HAHN SUPPLY - MISC TOOLS	\$147.38
				FILTER/ DRYER FOR LIBRARY	\$43.64
			WATER	PW-WTP-BPO PLUMBING SUPPLIES/TOOLS/FILTERS	\$103.92
			WSTWTR	PW-WWTP-SHIRTS B GUZMAN	\$64.75
HCAA LLC	117080	10/31/2024	WSTWTR	PW-WWTP-SHIRTS B GUZMAN	\$64.75
HENRY SCHEIN	116968	10/24/2024	FIRE	BPO FIRE - HENRY SCHEIN - EMS SUPPLIES	\$453.90
HOME DEPOT CREDIT SERVICES	116969	10/24/2024	FIRE	BPO FIRE - HOME DEPOT - SUPPLIES	\$208.10
			INFOSYSTMS	BPO - ISS - TOOLS AND SUPPLIES HOME DEPOT	\$1,010.75
				REFUND FROM INVOICE 9974188	(\$1,010.75)
			PARKSFAC	BPO - FAC - HOME DEPOT - CONSTRUCTION SUPPLIES	\$49.70
			TRNSPN	BPO - ST/TR - OPERATING SUPPLIES	\$184.90
			WSTWTR	PW-WWCOLL-BPO SUPPLIES, POWER AND HAND TOOLS	\$138.88
	117081	10/31/2024	TRANSITOP	TRANSIT BPO HARDWARE/TOOLS/CLEANING SUPPLIES	\$10.31
			WATER	PW-WTP-BPO FASTENERS/TOOLS/WOOD/PAINT/RELATED	\$61.40
			WSTWTR	PW-WWTP-BPO SUPPLIES, POWER AND HAND TOOLS	\$122.81
IACP	116971	10/24/2024	POLICE	PD ANNUAL IACP NET SUBSCRIBER DUES	\$875.00
IDAHO CHILD SUPPORT RECEIPTING	117034	10/31/2024	ADMSVC	Payroll Run 1 - Warrant 103124	\$270.00
IDAHO STATE POLICE	116972	10/24/2024	POLICE	PD ILETS USER FEES OCT-DEC 2024	\$13,543.75
IDAHO STATE TAX COMMISSION	117035	10/31/2024	ADMSVC	Payroll Run 1 - Warrant 103124	\$30,756.00



Voucher's Payable

IDAHO TRUCK SALES CO	116973	10/24/2024	FLTMAINT	BPO/ FLEET REPAIR PARTS & REPAIRS	\$200.55
INGRAM LIBRARY SERVICES	116974	10/24/2024	LIBRARY	BPO - LIB - ADULT NONFICTION 1ST FLR	\$719.91
				BPO - LIB - ADULT NONFICTION 2ND FLR	\$410.88
				BPO - LIB - JUVENILE FICTION	\$1,026.06
				BPO - LIB - LARGE PRINT	\$435.13
				BPO - LIB - TEEN FIC	\$285.83
	117082	10/31/2024	LIBRARY	BPO - LIB - ADULT NONFICTION 1ST FLR	\$263.57
				BPO - LIB - ADULT NONFICTION 2ND FLR	\$12.73
INK TECHNOLOGIES PRINTER SUPPLIES LLC DBA INK TECHNOLOGIES.COM	116975	10/24/2024	LEGAL	BPO-LEGAL-INK TECHNOLOGIES-PRINTER INK-FY25	\$56.70
INLAND FASTENER INC	116976	10/24/2024	WSTWTR	PW-WWTP-BPO EQUIPMENT SUPPLIES	\$32.15
INTERNATIONAL ASSOCIATION OF ARSON INVESTIGATORS	116970	10/24/2024	FIRE	FIRE - IAAI FIRE MARSHAL DUES	\$103.00
INTERNATIONAL CITY MANAGEMENT ASSOCIATION DBA MISSIONSQUARE RETIREMENT	1710	10/31/2024	ADMSVC	Payroll Run 1 - Warrant 103124	\$3,934.03
JAMES E THOEN DBA RESCUE NORTHWEST	117100	10/31/2024	FIRE	FIRE - RESCUE NORTHWEST - TECH EQUIP	\$2,898.80
				REFUND FROM INVOICE 5621	(\$28.00)
JOE HALL FORD	116978	10/24/2024	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	\$189.12
			FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	\$121.74
				REFUND FROM INVOICE 32337	(\$121.74)
JOHN'S SAW SERVICE	116979	10/24/2024	PARKSFAC	REPAIR STRING TRIMMERS	\$330.19
J-U-B ENGINEERS	117084	10/31/2024	PARKSFAC	COMMUNITY PARK IRRIGATION STUDY PROJECT	\$1,750.00
K & G CONSTRUCTION LLC	116980	10/24/2024	WATER	PW-WA-FRONT OFFICE REMODEL; QUOTE ATTACHED	\$5,780.00
KENWORTH SALES COMPANY	116981	10/24/2024	FLTMAINT	NEW DEF SENSOR AND WATER VALVE FOR TRUCK #307	\$787.73
KITTCOM	116982	10/24/2024	POLICE	PD QUARTERLY HEALTH CHECK FOR SPILLMAN	\$350.00
KONECRANES INC	116983	10/24/2024	WSTWTR	PW-WWTP-2024 SRVC PROGRAM FOR CRANES	\$1,800.00
LACAL EQUIPMENT INC	116984	10/24/2024	FLTMAINT	PELICAN SWEEPER PARTS FOR INVENTORY	\$2,324.24
	117085	10/31/2024	FLTMAINT	PELICAN SWEEPER PARTS FOR INVENTORY	\$1,290.87
LATAH SANITATION INC	116977	10/24/2024	POLICE	PD SERVICE CALL FOR PORTABLE TOILET AT RANGE	\$45.00
	117083	10/31/2024	CEMETERY	BPO PARKS AND CEMETERY PORTABLE TOILETS	\$83.00
			PARKSFAC	BPO PARKS AND CEMETERY PORTABLE TOILETS	\$1,055.75
			WATER	PW-WD-BPO PORTAPOT MONTHLY SRV	\$45.00
LAWSON PRODUCTS INC	116985	10/24/2024	FLTMAINT	BPO - FLEET REPAIR PARTS & SUPPLIES	\$328.24



Voucher's Payable

LEAH BURRIS	117046	10/31/2024	HR	CASH PRIZE FOR PRIDE / P&R CORNHOLE TOURNAMENT	\$450.00
LEATHAM FAMILY LLC DBA SYMBOLARTS LLC	117103	10/31/2024	POLICE	BPO PD OFFICER AND PROMOTIONAL BADGES	\$140.00
LEFTA SYSTEMS	116987	10/24/2024	POLICE	PD ANNUAL FEE FOR SHIELD SUITE SOFTWARE	\$10,380.00
LES SCHWAB TIRE CENTER	116988	10/24/2024	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	\$56.57
			FLTMAINT	OSL/ REPLACE ALL FOUR TIRES ON #075 FIRE PICKUP	\$1,359.04
	117087	10/31/2024	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	\$9.99
LEWIS CLARK STATE COLLEGE	116986	10/24/2024	STMWTR	REG - CRESSWELL - FLAGGER TRAINING	\$89.00
	117086	10/31/2024	STMWTR	REG - SCOTT - FLAGGER TRAINING	\$89.00
LEWISTON-NEZ PERCE COUNTY AIRPORT AUTHORITY	116989	10/24/2024	GOLFCRS	GOLF COURSE LEASE PAYMENT FOR FY2025	\$33,996.29
			PARKSFAC	LEASE ON FIRE STATION 4	\$7,968.80
LOID	116990	10/24/2024	PARKSFAC	10/01/24 BILL DATE UTILITY CHARGES	\$9,588.38
				10/16/24 BILL DATE UTILITY CHARGES	\$3,768.00
MISC CUSTOMER REFUND	116928	10/24/2024	CEMETERY	CEMETERY BUY BACK PROGRAM	\$1,162.00
	116929	10/24/2024	CEMETERY	CEMETERY BUY BACK PROGRAM	\$314.00
	116930	10/24/2024	WATER	UB 0509049042 911 CYPRESS	\$279.11
	117036	10/31/2024	ECONDEV	CD-CDBG-HRP ARBINI	\$11,051.68
	117037	10/31/2024	ECONDEV	CD-CDBG-HIGH SCHOOL	\$325.00
	117038	10/31/2024	RECREATION	NOT ENOUGH PARTICIPANTS FOR TRIP.	\$25.00
	117039	10/31/2024	RECREATION	NOT ENOUGH PARTICIPANTS FOR TRIP.	\$25.00
	117040	10/31/2024	RECREATION	NOT ENOUGH PARTICIPANTS FOR TRIP.	\$25.00
	117041	10/31/2024	LIBRARY	MILEAGE REIMBURSEMENT FOR YOUTH SERVICES OUTREACH	\$65.05
	117042	10/31/2024	ECONDEV	CD-CDBG-HRP LITTLE-BOILER CHANGE OUT.	\$13,294.00
	117043	10/31/2024	LIBRARY	CHILD ABUSE/NEGLECT CENTRAL REG. GLOVER,SHANTIE	\$40.00
	117044	10/31/2024	RECREATION	NOT ENOUGH PARTICIPANTS FOR TRIP.	\$25.00
MITCHELL LEWIS AND STAVER CO	116992	10/24/2024	WSTWTR	WW034 LOSD LIFT STATION 3 & 4 PARTS	\$1,916.12
MODERN ELECTRIC LLC	117089	10/31/2024	INFOSYSTMS	ACCESS AND CAMERA INSTALLATION - AIRPORT PARK	\$1,228.30
				ACCESS AND CAMERA INSTALLATION - FIRE ADMIN	\$1,500.00
				CAMERA INSTALLATION - BRACKENBERRY SQUARE	\$1,438.49
MORETON & COMPANY	116993	10/24/2024	INSTRUST	2025 MORETON CONSULTING FEE FOR COMMERCIAL INS PA	\$47,250.00
				FY25 COMMERCIAL PACKAGE	\$421,739.80
			POLICE	PD HILL NOTARY BOND RENEWAL	\$60.00
			SANITATION	FY25 COMMERCIAL PACKAGE	\$38,262.50
			STMWTR	FY25 COMMERCIAL PACKAGE	\$16,820.93
			TRANSITOP	FY25 COMMERCIAL PACKAGE	\$16,027.69
			TRNSPN	FY25 COMMERCIAL PACKAGE	\$56,623.60
			WATER	FY25 COMMERCIAL PACKAGE	\$105,844.63
			WSTWTR	FY25 COMMERCIAL PACKAGE	\$107,588.85



Voucher's Payable

NAPA AUTO PARTS	116994	10/24/2024	FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$1,113.41
			FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$821.55
				REFUND FROM INVOICE 436063	(\$91.98)
	117090	10/31/2024	FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$209.36
				REFUND FROM INVOICE-439163	(\$17.62)
			FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$533.46
				NEW TURBO AND GASKETS FOR #310	\$1,169.35
			WSTWTR	PW-WWTP-BPO BATTERIES; VEHICLE ITEMS	\$186.29
NATIONWIDE RETIREMENT	1709	10/31/2024	ADMSVC	Payroll Run 1 - Warrant 103124	\$6,911.83
NATIONWIDE-RESERVE	1712	10/31/2024	ADMSVC	Payroll Run 1 - Warrant 103124	\$1,134.50
NET TRANSCRIPTS INC	116995	10/24/2024	POLICE	PD TRANSCRIBE INTERNAL AFFAIRS FILES	\$179.10
NEZ PERCE COUNTY	116996	10/24/2024	LEGAL	BPO-LEGAL-NPC-COL FY25 PROSECUTION SERVICES	\$9,616.50
NORCO INC	116997	10/24/2024	FIRE	BPO FIRE - NORCO - MEDICAL OXYGEN/SUPPLIES	\$376.58
			PARKSFAC	HVAC GASSES	\$42.96
			TRNSPN	BPO - ST/TR - PERSONAL PROTECTIVE EQUIPMENT	\$494.39
			WSTWTR	BPO-PW-WWCOLL-MISC PERSONAL PROTECTIVE EQUIP	\$35.80
NORTH 40 OUTFITTERS	116998	10/24/2024	FIRE	BPO FIRE - NORTH 40 - STATION SUPPLIES	\$44.98
			FLTMAINT	BPO/ FLEET REPAIR PARTS & SUPPLIES	\$138.90
			PARKSFAC	BPO - FAC - NORTH 40 - SHOP SUPPLIES	\$32.99
				BPO - PARKS - NORTH 40 MISC SUPPLIES	\$42.67
			POLICE	BPO PD UNIFORM PANTS/PATROL	\$83.99
			TRNSPN	BPO - ST/TR - OPERATING SUPPLIES	\$139.90
			WATER	PW-WTP-BPO OPERATING SUPPLIES	\$232.86
	117091	10/31/2024	PARKSFAC	BPO - FAC - NORTH 40 - SHOP SUPPLIES	\$28.53
				BPO - PARKS - NORTH 40 MISC SUPPLIES	\$94.61
			TRNSPN	BPO - ST/TR - OPERATING SUPPLIES	\$17.99
			WATER	PW-WTP-BPO OPERATING SUPPLIES	\$19.97
			WSTWTR	PW-WWTP-BPO OPERATING SUPPLIES	\$230.18
				PW-WWTP-E WILPONEN; NEW EMPLOYEE GEAR	\$339.95
				PW-WWTP-SAFETY BOOTS E WILPONEN	\$164.99
NORTHWEST ENGRAVING	116999	10/24/2024	FIRE	FIRE - NORTHWEST ENGRAVING - HELMET STAND	\$110.00
NUANCE COMMUNICATIONS INC	117092	10/31/2024	POLICE	BPO PD SOFTWARE LICENSE FEES FOR DRAGON DICTATION	\$1,250.00
ODP BUSINESS SOLUTIONS LLC	117001	10/24/2024	EXECUTIVE	EXEC BPO: OFFICE SUPPLIES FOR CLERK	\$65.49



Voucher's Payable

			LIBRARY	BPO - LIB - COPY PAPER	\$119.31
			POLICE	BPO PD OFFICE SUPPLIES	\$1,067.91
			TRNSPN	BPO - PW OFFICE - OPERATING/OFFICE SUPPLIES	\$41.09
	117094	10/31/2024	EXECUTIVE	EXEC BPO: OFFICE SUPPLIES FOR CLERK	\$15.19
			LIBRARY	BPO - LIB - OFFICE SUPPLIES	\$35.03
				REFUND FROM INVOICE 387598584001	(\$103.05)
			PARKSFAC	COPY PAPER, LINED YELLOW LEGAL TABLETS	\$129.61
			POLICE	BPO PD OFFICE SUPPLIES	\$109.83
			TRNSPN	BPO - PW OFFICE - OPERATING/OFFICE SUPPLIES	\$98.72
				BPO - ST/TR - OFFICE SUPPLIES	\$299.20
OMEGA RAIL MANAGEMENT INC	117002	10/24/2024	WATER	PW-WTR-RAILROAD LEASES	\$1,197.54
ONLINE SOLUTIONS LLC DBA CITIZENSERVE	117003	10/24/2024	COMDEV	CD-CITIZENSERVE NEW USER 6/10/2024-3/31/2025	\$1,454.79
O'REILLY AUTO PARTS	117000	10/24/2024	FLTMAINT	BPO/ FLEET REPAIR PARTS	\$63.61
	117093	10/31/2024	FLTMAINT	BPO/ FLEET REPAIR PARTS	\$477.88
				BPO/ FLEET REPAIR PARTS-CORE REFUND	(\$10.00)
				BPO/ FLEET REPAIR PARTS-TO BE RETURNED	\$95.49
				CREDIT FROM INVOICE 3834-242375	(\$95.49)
OSAGE INDUSTRIES INC	117095	10/31/2024	FLTMAINT	SEAT BELT BUCKLE FOR AMBULANCE #273	\$75.26
OVERDRIVE INC	117004	10/24/2024	LIBRARY	BPO - LIB - JUVENILE OVERDRIVE	\$839.80
	117096	10/31/2024	LIBRARY	LIB - ONLINE PERIODICALS	\$1,800.00
OVERHEAD DOOR INC DBA OVERHEAD DOOR CO OF LEWISTON-CLK	117005	10/24/2024	WSTWTR	PW-WWC-GARAGE DOOR SPRING REPAIR	\$1,364.40
OXARC	117006	10/24/2024	FLTMAINT	BPO/ FLEET REPAIR PARTS & SUPPLIES	\$241.85
			PARKSFAC	OXARC - WELDING SUPPLIES	\$58.29
			WATER	PW-WD- BPO SAFETY SUPPLIES	\$51.00
				PW-WTP-BPO SODIUM HYPOCHLORITE FOR WELLS	\$1,851.00
				PW-WTP-BPO-CALCIUM THIOSULFATE FOR WATER TREATMENT	\$1,551.98
			WSTWTR	PW-WWCOLL-BPO PERSONNEL SAFETY SUPPLIES	\$21.19
	117097	10/31/2024	WSTWTR	PW-WWCOLL-BPO PERSONNEL SAFETY SUPPLIES	\$46.19
				PW-WWTP-BPO PERSONNEL SAFETY SUPPLIES	\$166.00
PATRICK & COMPANY	117098	10/31/2024	POLICE	PD 500 ANNUAL DOG TAGS	\$350.00
PERFECTION TIRE OF LEWISTON	117007	10/24/2024	FLTMAINT	6 TIRES FOR #227	\$1,987.64
PERSI	1708	10/31/2024	ADMSVC	Payroll Run 1 - Warrant 103124	\$240,467.11
	1713	10/31/2024	ADMSVC	Payroll Run 9 - Warrant M1031	\$780.96
POLYDYNE INC	117008	10/24/2024	WSTWTR	PW-WWTP-POLYMER CLARIFLOC-2604 (6 TOTES)	\$23,567.64
PORT OF LEWISTON	117009	10/24/2024	INFOSYSTMS	BPO - FIBER CONNECTIONS	\$945.00
POSITIVE CONCEPTS, INC	117010	10/24/2024	POLICE	PD EVIDENCE LABEL PRINTER PAPER	\$171.00



Voucher's Payable

PRINTCRAFT PRINTING	117011	10/24/2024	POLICE	BPO PD BUSINESS CARDS	\$40.00
				PD 3 POSTERS TO DISPLAY LPD VALUE STATEMENT	\$75.00
				PD ADDRESS STAMP FOR COMMUNICATIONS	\$26.00
	117099	10/31/2024	POLICE	BPO PD BUSINESS CARDS	\$70.00
			WSTWTR	PW-WWC-BUSINESS CARDS; G CREVISTON; RESTOCK	\$60.00
PROQUEST	117012	10/24/2024	LIBRARY	LIB - FOLD3 RENEWAL	\$1,778.62
RICHIE LUCAS	117047	10/31/2024	FIRE	NATIONAL FIRE ACADEMY- NEW EXECUTIVE CHIEF OFFICER	\$136.00
RICOH USA INC	117013	10/24/2024	EXECUTIVE	EXEC BPO: FY 25 CITY HALL COPIER RENT FOR IMC6000	\$226.83
			FIRE	BPO FIRE - RICOH - HQ METER	\$193.87
				BPO FIRE - RICOH - STATION PRINTERS	\$242.40
			LEGAL	BPO-LEGAL-RICOH MONTHLY COPIER RENTAL FY25	\$134.77
			LIBRARY	BPO - LIB - LEASE FEES	\$643.26
			PARKSFAC	BPO - PARKS - COPIER CONTRACT	\$335.46
			POLICE	BPO PD COPIER RENTAL	\$399.74
				BPO PD DISPATCH COPIER RENTAL	\$267.30
			TRANSITOP	TRANSIT BPO COPIER (RICOH IM C3500) RENTAL	\$134.76
			WATER	PW-WTP-BPO RICOH IM C4500 LEASE PAYMENT	\$323.90
			WSTWTR	PW-WWCOLL-RICOH IM C4500 LEASE PAYMENT	\$316.36
	117014	10/24/2024	LIBRARY	BPO - LIB - COPY FEES	\$65.14
			PARKSFAC	BPO - PARKS - COLORED COPIES	\$229.78
			POLICE	BPO PD COPY FEES	\$68.26
			WATER	PW-WTP-COPIER USE BASED ON COPY COUNT	\$92.76
	117101	10/31/2024	LIBRARY	BPO - LIB - LEASE FEES	\$280.86
SANITARY DISPOSAL INC DBA SUNSHINE DISPOSAL & RECYCLING	117019	10/24/2024	SANITATION	BPO - PW - FY25 ANNUAL CURBSIDE COLLECTION	\$285,386.02
				BPO - PW - FY25 EXTRA YW & RECY CURBSIDE CARTS	\$1,724.83
SCADACORE INC	117015	10/24/2024	WATER	BPO-PW-WTP-SCADACORE MONTHLY SUBSCRIPTION	\$490.00
			WSTWTR	BPO-PW-WWA-SCADACORE MONTHLY SUBSCRIPTION	\$860.00
SITEONE LANDSCAPE SUPPLY LLC	117016	10/24/2024	PARKSFAC	BPO - PARKS - SITE ONE IRRIGATION SUPPLIES	\$178.17
SPARKLIGHT	117017	10/24/2024	STMWTR	BPO - PW DEPT - SURVEY STATION COST SHARE	\$30.39
			TRNSPN	BPO - PW DEPT - SURVEY STATION COST SHARE	\$30.39
			WATER	BPO - PW DEPT - SURVEY STATION COST SHARE	\$30.38
			WSTWTR	BPO - PW DEPT - SURVEY STATION COST SHARE	\$30.39
STERLING BATTERY COMPANY	117018	10/24/2024	FLTMAINT	BPO - FLEET VEHICLE BATTERIES	\$278.77
	117102	10/31/2024	FLTMAINT	BPO - FLEET VEHICLE BATTERIES	\$502.75
SUZANN BANKS	117048	10/31/2024	POLICE	NAMPA POLICE/CALDWELL POLICE TECH VISIT	\$108.00
TARGET SOLUTIONS LEARNING LLC	117104	10/31/2024	FIRE	FIRE - TARGET SOLUTIONS - SOFTWARE	\$19,965.85



Voucher's Payable

THATCHER COMPANY INC	117022	10/24/2024	WATER	PW-BPO-WTP-ACH FOR WATER TREATMENT	\$29,718.72
THE HOME DEPOT PRO	117020	10/24/2024	PARKSFAC	CEILING TILES FOR FIRE STATIONS	\$192.08
				SCRUB DADDY PADS	\$84.00
				TRASH BAGS AND CUSTODIAN CLEANING SUPPLIES	\$412.42
THE MASTER'S TOUCH LLC	116991	10/24/2024	WATER	PW-WTR-LEAD & COPPER PUBLIC NOTICES AND MAILINGS	\$2,075.48
	117088	10/31/2024	FINANCE	BPO - UB - PRINTING & MAILING MONTHLY STATEMENTS	\$6,533.70
THOMAS, DEAN & HOSKINS OF IDAHO, INC.	117021	10/24/2024	WATER	WR100 ITD WATERLINE; KN23119 PORT OF ENTRY; DESIG	\$334.00
TRAFFIC SAFETY SUPPLY CO INC	117105	10/31/2024	TRNSPN	PW-STC-CHANGEABLE MESSAGE BOARDS (2)	\$33,100.00
				PW-STC-RUBBER SPEED BUMPS (8)/BURRELL-10TH ST	\$1,317.27
TRANSUNION RISK AND ALTERNATIVE DATA SOLUTIONS INC	117106	10/31/2024	POLICE	BPO PD PRE-EMPLOYMENT CREDIT CHECKS	\$19.34
TRIBUNE PUBLISHING CO	117023	10/24/2024	EXECUTIVE	EXEC BPO: PUBLICATIONS AND ORDINANCE SUMMARIES	\$77.08
	117107	10/31/2024	EXECUTIVE	EXEC BPO: PUBLICATIONS AND ORDINANCE SUMMARIES	\$207.84
	117108	10/31/2024	LIBRARY	LIB - DAILY NEWS RENEWAL	\$328.32
				LIB - LEWISTON TRIBUNE RENEWAL	\$346.97
UNIFORMS2GEAR INC	117109	10/31/2024	POLICE	PD CERTIFICATION BARS FOR CLASS A UNIFORMS	\$324.54
URM STORES INC	117024	10/24/2024	FIRE	FIRE - URM - OPEN HOUSE SUPPLIES	\$62.62
			POLICE	BPO PD BOTTLED WATER AND ICE	\$31.92
			RECREATION	BPO - SENIOR NUTRITION - DAILY FOOD PURCHASES	\$408.74
	117110	10/31/2024	RECREATION	BPO - SENIOR NUTRITION - DAILY FOOD PURCHASES	\$757.75
			WSTWTR	PW-WWCOLL-BPO OPERATING/BRKROOM/CLEANING SUPPLIES	\$192.62
				PW-WWTP-BPO OPERATING/BREAKROOM/CLEANING SUPPLIES	\$30.44
US FOODS - SPOKANE	117025	10/24/2024	RECREATION	BPO FOOD SUPPLY FOR SENIOR MEAL PROGRAM	\$3,024.97
USABBLUEBOOK	117026	10/24/2024	WATER	WR043 MISC CAP WTR; COMM DR/ N LEW BOOSTERS	\$1,175.05
	117111	10/31/2024	WATER	WR043 MISC CAP WTR; COMM DR/ N LEW BOOSTERS	\$145.72
VALLEY ELECTRIC INC	117027	10/24/2024	WSTWTR	WW034 LOSD LIFT STATION BPO-PW-WWTPONCALL ELEC SRV	\$2,278.24
VALNET CONSORTIUM	117028	10/24/2024	LIBRARY	BPO - LIB - LIBRARY CARDS	\$270.00
	117112	10/31/2024	LIBRARY	LIB - QUARTERLY BILLING 2ND QUARTER	\$5,950.00
VERIZON WIRELESS	117049	10/31/2024	COMDEV	10/12/24 BILL DATE: UTILITY CHARGES	\$439.45
			EXECUTIVE	10/12/24 BILL DATE: UTILITY CHARGES	\$40.01
			FIRE	10/12/24 BILL DATE: UTILITY CHARGES	\$1,923.23
			FLTMANT	10/12/24 BILL DATE: UTILITY CHARGES	\$47.48



Voucher's Payable

			HR	10/12/24 BILL DATE: UTILITY CHARGES	\$37.48
			INFOSYSTMS	10/12/24 BILL DATE: UTILITY CHARGES	\$705.05
			LEGISLATIV	10/12/24 BILL DATE: UTILITY CHARGES	\$169.82
			LIBRARY	10/12/24 BILL DATE: UTILITY CHARGES	(\$141.87)
			PARKSFAC	10/12/24 BILL DATE: UTILITY CHARGES	\$118.70
			POLICE	10/12/24 BILL DATE: UTILITY CHARGES	\$2,587.33
			STMWTR	10/12/24 BILL DATE: UTILITY CHARGES	\$206.83
			TRANSITOP	10/12/24 BILL DATE: UTILITY CHARGES	\$283.28
			TRNSPN	10/12/24 BILL DATE: UTILITY CHARGES	\$1,538.05
			WATER	10/12/24 BILL DATE: UTILITY CHARGES	\$1,296.00
			WSTWTR	10/12/24 BILL DATE: UTILITY CHARGES	\$1,098.06
WASHINGTON DEPT OF REVENUE	1707	10/31/2024	FIRE	3RD QTR WA '24 B&O	\$720.28
WASHINGTON STATE SUPPORT REGISTRY	117050	10/31/2024	ADMSVC	Payroll Run 1 - Warrant 103124	\$358.86
WEBER ENTERPRISES LLC DBA GARLINGHOUSE MEMORIALS	116961	10/24/2024	PARKSFAC	LEGACY STONE ORDERS AND REPLACEMENT STONES	\$100.00
WESTERN RECYCLERS INC	117113	10/31/2024	TRNSPN	BPO - PW OFFICE - SHREDDING SERVICES	\$45.00
WEX BANK	117029	10/24/2024	POLICE	BPO PD FUEL FOR UNMARKED DEPARTMENT VEHICLES	\$545.27
WSCFF EMPLOYEE BENEFIT TRUST	117051	10/31/2024	FIRE	MERP PAYOUT - METCALF	\$16,672.32
ZIEGLER BUILDING CENTER	117030	10/24/2024	TRNSPN	BPO - ST/TR - OPERATING/CONSTRUCTION SUPPLIES	\$8.58
			WATER	PW-WD-BPO OPERATING/CONSTRUCTION SUPPLIES	\$60.65
	117115	10/31/2024	PARKSFAC	WRAP METERS FOR WINTERIZING IRRIGATION SYSTEMS	\$75.75
ZOLL MEDICAL CORPORATION GPO	117031	10/24/2024	FIRE	FIRE - ZOLL - BATTERIES	\$1,569.48
				FIRE - ZOLL MEDICAL - MAINTENANCE	\$2,380.00
Total					\$2,115,065.19

LEWISTON FIRE DEPARTMENT AMBULANCE SERVICE



2025 APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY



15 October 2024

Emergency Medical Services Advisory Board
City of Lewiston
1134 F Street
Lewiston, Idaho 83501

Dear Board Members:

Lewiston Fire Department Ambulance Service is seeking a certificate of compliance to provide Emergency Medical Service and nonemergency transport service for calendar year 2025 as required by City Ordinance 4138. I have provided a letter in this application certifying the department will comply with the provisions of the ordinance and any applicable policies, procedures and standards adopted by the City Council.

Following this letter are materials required by the ordinance for a certificate of compliance as required by the Emergency Medical Services Advisory Board Policy and Lewiston City Code Chapter 7.

Sincerely,

Gregory V. Rightmier
Fire Chief

**LEWISTON FIRE DEPARTMENT
2025
APPLICATION FOR
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY**



Idaho Ambulance License

STATE OF IDAHO
EMERGENCY MEDICAL SERVICES
AGENCY LICENSE

Lewiston Fire Department

#8210

Effective 10/31/2024 Through 10/31/2025

Issued by the Idaho Department of Health and Welfare, Bureau of Emergency Medical Services & Preparedness. This license confirms that all provisions of Idaho Code §56-1011 through §56-1023 and IDAPA16.01.03 Emergency Medical Services Agency Licensing Requirements have been met.



Wayne Denny,
Bureau Chief

Non-transferable

Idaho Bureau of Emergency Medical Services & Preparedness

EMS Agency Licensing - Renewal Application

****Verify this is the correct agency. Contact your Field Coordinator if it is incorrect.****

Renewing Agency

Lewiston Fire Department

AGENCY DEMOGRAPHICS

****Update any missing or incorrect information in the fields below.******If information is incorrect but the field is locked for editing, contact a EMS Field Coordinator at 208-334-4000.**

Organizational Tax Status

Other (e.g., Government)

Organization Type

Fire Department

Organization Status

Non-Volunteer

***Agency Email:**

firedept@cityoflewiston.org

***Phone:**

208

- 743

- 3554

Ext:

***Address:**

1245 Idaho Street

***Postal Code:**

83501

City:

Lewiston

County:

Nez Perce

State:

Idaho

Service Type, Clinical Level, Operational Declarations

LICENSED SERVICE TYPES & OPERATIONAL DECLARATIONS

Review the Operational Declarations for the Agency's Service Types.

Primary Type Of Service

911 Response Transport

License Number:

8210

License Status:

Active

***Permitted Clinical Level:**

ALS

Ambulance License

Paramedic-Prehospital ✕

Paramedic-Transfer ✕

Paramedic-Standby ✕

Select Options

Non-Transport License

Select Options

Air Medical License

Select Options

****Do not make changes to the Operational Declarations.****

Contact your Field Coordinator with any questions regarding the current Service Types and Operational Declarations.

Annual Data Reporting

Section 1

ANNUAL HISTORICAL CALL VOLUME DATA

Each agency must submit a categorized breakdown of historical call volume for the preceding year of operation.

***Enter the agency's Total EMS Call Volume in Idaho for the last complete calendar year. (No commas, Numeric response between 0-99,999)**

7847

***Enter the number of EMS calls that required patient transport. (No commas, Numeric response between 0-99,999)**

4452

***Agency's average response time within the geographic coverage area during daylight hours in ideal weather:**

☐ Less than 5 min ☐ 5-10 min ☒ 10-15 min ☐ 15-20 min ☐ 20-30 min ☐ greater than 30 min

***The longest response time within the geographic coverage area, responding to an emergency call in ideal weather during daylight hours:**

☐ Less than 5 min ☐ 5-10 min ☐ 10-15 min ☐ 15-20 min ☐ 20-30 min ☒ 30-45 min ☐ Greater than 45 min

***Number of calls in the last calendar year to the area with the longest projected response time:**

☒ Less than 10 ☐ 10-20 ☐ 21-50 ☐ 51-100 ☐ 101-200 ☐ 201-300 ☐ Greater than 300

***Describe the beginning point of the longest response time:**

Headquarters Fire Station located at 1245 Idaho St, Lewiston, ID 83501

***Describe the ending point of the longest response time:**

LFD has several response areas in rural Nez Perce County. The rural populated areas consist of the communities of Southwick and Peck. Additionally, there are some wilderness response areas to the south at the confluence of the salmon and snake river that represent extended response times however very few calls.

NEW LICENSING DURING PRIOR YEAR

***Check all that apply to your agency from this past year:**

☐ Obtained a license for a new Service Type/Clinical Level/Operational Declaration

☐ Changed the clinical level of licensed personnel it utilizes

☐ Changed geographic coverage area (except by agency annexation)

☐ Discontinued providing patient transport services

☒ None of the above

Personnel Staffing Plan

Section 1

PERSONNEL STAFFING

24-HOUR RESPONSE STAFFING PLAN

EMS AGENCY - RESPONSE REQUIREMENTS AND WAIVERS.

IDAPA 16.01.03.520 - Each EMS agency must respond to calls on a twenty-four (24) hour a day basis within the agency's declared geographic coverage area unless a waiver exists.

NON-TRANSPORT EMS AGENCY - PETITION FOR WAIVER (IDAPA 16.01.03.522)

A **Non-Transport agency** may petition the Department for a waiver of the twenty-four (24) hour response requirement if one or more of the following conditions exist as outlined in IDAPA 16.01.03.522 .

Not Populated on 24-Hour Basis. The community, setting, industrial site, or event being served by the agency is not populated on a twenty-four (24) hour basis.

Not on Daily Basis Per Year. The community, setting, industrial site, or event being served by the agency does not exist on a three hundred sixty-five (365) day per year basis.

Undue Hardship on Community. The provision of twenty-four (24) hour response would cause an undue hardship on the community being served by the agency.

AMBULANCE OR AIR MEDICAL EMS AGENCY - PETITION FOR WAIVER (IDAPA 16.01.03.526)

An existing **Ambulance** or **Air Medical agency** may petition the Board of Health and for a waiver of the twenty-four (24) hour response requirement if one or more of the following conditions exist as outlined in IDAPA 16.01.03.526 .

Undue Hardship on Community. The provision of twenty-four (24) hour response would cause an undue hardship on the community being served by the agency.

Abandonment of Service. The provision of twenty-four (24) hour response would cause abandonment of the service provided by the agency.

***Describe how the staffing plan ensures appropriately licensed personnel are available to provide the required care.**

LFD is staffed with a minimum of 16 firefighters daily on 24-hour shifts with a combination of paramedics and EMTs's. Our minimum daily staffing has 3 paramedics, one on each of our three ALS transport units. This staffing model is augmented by the 32 members that are not working any given day as well as up to 15 part-time members.

***Waiver Request: Does your agency have a 24-Hour Response Waiver approved by the Bureau? If not, do you need to submit a request to start one?**

☐ Yes ☒ No

EMS PERSONNEL INJURIES/ DEATHS

***Number of Provider line-of-duty injuries in prior calendar year?**

4

***Number of Provider line-of-duty deaths in prior calendar year?**

0

PERSONNEL ROSTER UPDATED IN IGEMS

Review the Agency's Record in IGEMS to ensure the Personnel Roster is current and accurate. This information is used to verify your personnel for the 24-hour response staffing plan and petitions for waiver.

Add/Remove Personnel: You can add/remove personnel directly from the Agency's Record by selecting Personnel in the menu on the left side of the page, then following instructions on the page. **Update Credentialing:** To update a provider's credentialing status in IGEMS, go to Applications, select the Agency Applications and submit a current **Agency Roster Role Update** form with the required information listed below then verify the Agency's Personnel Roster was updated in the Agency Record.

All personnel providing patient care must:

- 1.) Hold an active EMS Personnel License or current ABC Certificate.
- 2.) Be credentialed to practice under the supervision of the agency Medical Director.
- 3.) Be identified as either Volunteer (Compensated or Uncompensated) or Career (Full-Time or Part-Time).
- 4.) Only use OM Skills approved on the Medical Director's current OM Addendum, after successfully completing required training/testing and receiving credentialing from the Medical Director.

***Attestation:** ☒ As an authorized agency representative I attest that the formal roster reported to the state of Idaho is true and accurate.

Stations & Vehicles

Section 1

AGENCY STATION LOCATIONS

You can **Add/Update** new stations on this list. **DO NOT Delete** stations on this page.

If you believe you need to delete a station contact the Bureau at (208) 334-4000.

Station Status	Station Name	Station Number	Agency Headquarters	Address (mappable)	Postal Code	City	County	State
☒ Yes	Asotin County Fire Station	4	No	2377 Appleside Blvd	99403	Clarkston	Asotin	Washington
☒ Yes	HQ	0	Yes	1245 Idaho Street	83501	Lewiston	Nez Perce	Idaho
☒ Yes	Station 1	1	No	300 13th St.	83501	Lewiston	Nez Perce	Idaho
☒ Yes	Station 2	2	No	1533 Grelle Ave	83501	Lewiston	Nez Perce	Idaho
☒ Yes	Station 4	3	No	424 Burrell Ave	83501	Lewiston	Nez Perce	Idaho

VERIFICATION OF VEHICLES & EQUIPMENT

Each agency will verify on the renewal application the list of vehicles in use by the agency and the number of those that have been involved in vehicle crashes during the last calendar year.

***Does your agency have any current Equipment Modifications approved by the Bureau?**

- ☒ No
- ☐ Yes we have an Equipment Exception allowing alternative equipment
- ☐ Yes we have an Equipment Exemption removing an equipment requirement.

***Were any Agency vehicles involved in crashes during the last calendar year?**

- ☒ Yes
- ☐ No

***Identify any vehicles involved in crashes this year.**

1GCEK19038Z249571 2008 Chevrolet Pickup

	Keep	Active?	VIN#	Type	Year	Make	Model/Chassis Mfg	Unit Number/Call Sign	Lic Plate or N- Number	Odometer/Mileage	Grant Status
	Yes	Yes	1FDUF4HT4MEC13365	Ambulance	2021	Ford	F450	278	F2055	61788	Non-grant Vehicle
	Yes	Yes	IC6SRFNTXLN356863	Other	2020	Dodge	RAM 1500	072	F2661	28293	Non-grant Vehicle
	Yes	Yes	1HTGKATR13H565231	Other	2002	International	TRUCK	612	HAZMAT 3	25000	Non-grant Vehicle
	Yes	Yes	1GCEK19058Z240600	Other	2008	Chevrolet	PICKUP	075	F1118	72535	Non-grant Vehicle
	Yes	Yes	4P1CJ01A2CA012884	Fire Apparatus	2012	Other		001	F2658	74497	Non-grant Vehicle
	Yes	Yes	1FDUF4GT6FEA04083-	Ambulance	2014	Ford		285	F2769	131357	Non-grant Vehicle
	Yes	Yes	4P1BAAFF3HA017105	Fire Apparatus	2017	Other	Pumper	007	F2656	52089	Non-grant Vehicle
	Yes	Yes	IFDAW57P36ED52483	Other	2006	Ford	F550	613	HAZMAT 4	34385	Non-grant Vehicle
	Yes	Yes	1FM5K8AR4GGB55594	Other	2016	Ford	Explorer	165	F2104	49729	Non-grant Vehicle
	Yes	Yes	1FM5K8AR9FGA22120	Other	2015	Ford	Explorer	169	F2660	32798	Non-grant Vehicle
	Yes	Yes	1FDUF4GT7BAE79868-	Ambulance	2011	Ford		284	F2433	161246	Non-grant Vehicle
	Yes	Yes	1FDUF4GT7HED12866	Ambulance	2017	Ford		273	F2057	92556	Non-grant Vehicle
	Yes	Yes	4P1CEO1AX6A006564	Fire Apparatus	2006	Other		002	F2664	97882	Non-grant Vehicle
	Yes	Yes	1FDUF4HTXKEE93046	Ambulance	2019	Ford	WARRIOR	277	F2238	86866	Non-grant Vehicle
	Yes	Yes	1FDAF57F2XEE53426	Other	1999	Ford	F550	010	F2522	91375	Non-grant Vehicle
	Yes	Yes	4P1CEO1AX6A006565	Fire Apparatus	2006	Other		003	F2663	56000	Non-grant Vehicle
	Yes	Yes	1FDAF57P86ED71398-	Extrication/Rescue	2006	Ford		15	F2665	48769	Non-grant Vehicle
	Yes	Yes	3C7WRTCL6JG277288	Fire Apparatus	2018	Dodge	RAM 350	013	F2659	5057	Non-grant Vehicle
	Yes	Yes	1FDUF4GT5CEC12631	Ambulance	2012	Ford		281	F2619	154209	Non-grant Vehicle
	Yes	Yes	4PICT02S8YA000795	Fire Apparatus	2000	Other	Aerial	021	F331	20330	Non-grant Vehicle
	Yes	Yes	1FM5K8AR5GGC92298	Other	2016	Ford	Explorer	170	F2103	32590	Non-grant Vehicle
	Yes	No	3C4PDDAG1HT634227	Other	2017	Dodge	Journey	070	F2053	32590	Non-grant Vehicle
	Yes	Yes	4P1BAAFF8LA021014	Fire Apparatus	2019	Pierce	ENFORCER	008	F2657	19952	Non-grant Vehicle
	Yes	Yes	1FDUF4HT2HEF40241	Ambulance	2017	Ford	F450	276	F2052	99560	Non-grant Vehicle
	Yes	No	1GCEK19038Z249571	Other	2008	Chevrolet	PICKUP	076	F2662	91668	Non-grant Vehicle
	Yes	Yes	3C7WRTCL2LG204731	Fire Apparatus	2020	Dodge	RAM 3500	016	F1991	2295	Non-grant Vehicle

Agency Administrator Sign & Submit

Section 1

CHANGES ALLOWED ON RENEWAL APPLICATION

The following questions are about changes that can take place on the renewal application. Any other changes may require special waivers or a new license application. Contact our field coordinators if you have changes that aren't represented by these questions.

***Any changes to your Dispatch Agreement or Provider?**

☐ Yes

☒ No

***Any changes to Extrication Services for your agency?**

☐ Yes

☒ No

***911 EMD/PSAP Dispatch Provider**

Lewiston Joint Dispatch

Non-emergency EMD/PSAP Phone

208 - 746 - 0171

***Alternate or Self Dispatch information**

Lewiston Joint Dispatch

Non-emergency Dispatch Phone

208 - 746 - 0171

Any changes made to the geographic coverage area made by agency annexation?

☐ Yes

☒ No

AGENCY DOCUMENTATION

The following documents are no longer required to be uploaded into IGEMS, but they are still required to be on file at your agency. The Bureau of EMSP has the right to request copies of these documents at any time for validation.

By selecting "Yes" you are attesting to the fact that these documents are current and available for inspection upon request.

***Current written agreement with the Agency Medical Director**

☒ Yes

☐ No

***Current Medical Supervision Plan approved and signed by Medical Director**

☒ Yes

☐ No

***Current copy of Medical Guidelines / Protocols (must be reviewed and signed by Medical Director every two years)**

☐ Agency uses Idaho EMS Physician Commission Protocols

☒ Agency has copies of internal customized protocols approved by Medical Director

☐ Agency does not have a copy of current protocols

***Copies of all Patient Care Integration Agreements with other agencies**

☐ Yes

☐ No

☒ N/A (Our agency does not work with any other agencies)

*Copies of all Mutual Aid agreements with other agencies

- ☒ Yes
- ☐ No
- ☐ N/A (our agency has no mutual aid agreements with other organizations)

AGENCY ADMINISTRATION ATTESTING STATEMENT

As the duly authorized representative for the applying EMS Agency, I attest that all information supplied in this application is true and correct to the best of my knowledge. I further attest that the information contained in the application reflects the intended operation for the type of licensure and agree to contact the Bureau with changes to the information provided as required by rule or within 30 days of the change. I understand that licenses issued by the Bureau are nontransferable and must be renewed annually.

Signed on Oct 7, 2024 2:56:28 PM by Amy Paris

**LEWISTON FIRE DEPARTMENT
2025
APPLICATION FOR
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY**



EMS Roster

LEWISTON FIRE DEPT



Interoffice Memorandum

Date: 10/15/24 **RE:** Application for Certificate of Compliance

To: EMSAB **From:** Greg Rightmier, Fire Chief

Below please find a list of our personnel that includes all of their EMS certifications and expiration dates in addition to their driver's license expiration dates. Beginning in 2024, all City Employees have their driver record verified by the Human Resources division. Additionally, along with the EMS certifications, this information is available online and will be produced for EMSAB at any time.

Please accept this memo as certification that we have verified and validated all EMS certifications in addition to driver license currency and driving record history.

LFD PERSONNEL ROSTER & CERTIFICATION

Effective: 26 September 2024

First Name	Last Name	Credential Name	Expiration Date
Jordan	Alfrey	CPR	2/17/2025
Jordan	Alfrey	Drivers License Tracking	11/2/2030
Jordan	Alfrey	Idaho - EMT	3/31/2025
Jordan	Alfrey	Washington - EMT	11/30/2025
Joe	Andersen	CPR INSTRUCTOR	6/1/2025
Joe	Andersen	Drivers License Tracking	11/19/2027
Joe	Andersen	Idaho - AEMT	3/31/2026
Joe	Andersen	Washington - AEMT	11/30/2024
N. Cody	Anderson	ACLS	2/16/2025
N. Cody	Anderson	CPR	2/28/2024
N. Cody	Anderson	Drivers License Tracking	5/27/2030
N. Cody	Anderson	Idaho - Paramedic	9/30/2025
N. Cody	Anderson	PALS	11/16/2025
N. Cody	Anderson	Washington - Paramedic	11/30/2024
David	Bobeck	CPR INSTRUCTOR	6/1/2025
David	Bobeck	Drivers License Tracking	7/23/2025
David	Bobeck	Idaho - Paramedic	9/30/2024
David	Bobeck	PALS	11/15/2025
David	Bobeck	Washington - Paramedic	11/30/2026
Treyce	Bradley	CPR	11/13/2025
Treyce	Bradley	Drivers License Tracking	6/26/2025
Treyce	Bradley	Idaho - EMT	9/30/2025
Treyce	Bradley	Washington - EMT	11/30/2026
Brian	Burke	CPR	2/16/2026
Brian	Burke	Drivers License Tracking	7/28/2031
Brian	Burke	Idaho - EMT-OM	3/31/2026
Brian	Burke	Washington - EMT-OM	11/30/2026
Christopher	Cook	CPR	2/17/2025
Christopher	Cook	Drivers License Tracking	12/11/2027
Christopher	Cook	Idaho - EMT-OM	9/30/2025
Christopher	Cook	Washington - EMT-OM	11/30/2024
B. Bradley	Covington	CPR	2/17/2024
B. Bradley	Covington	Drivers License Tracking	5/18/2026
B. Bradley	Covington	Idaho - AEMT-OM	9/30/2024
B. Bradley	Covington	Washington - AEMT-OM	11/30/2025
Jon	Dahmen	ACLS	6/13/2024
Jon	Dahmen	CPR	2/13/2025
Jon	Dahmen	Drivers License Tracking	12/9/2025
Jon	Dahmen	Idaho - Paramedic	9/30/2025
Jon	Dahmen	PALS	11/15/2024
Jon	Dahmen	Washington - Paramedic	11/30/2024

First Name	Last Name	Credential Name	Expiration Date
Andrew	Dickinson	CPR	2/27/2025
Andrew	Dickinson	Drivers License Tracking	7/20/2031
Andrew	Dickinson	Idaho - EMT-OM	3/31/2026
Andrew	Dickinson	Washington - EMT-OM	11/30/2025
Colton	Doramus	ACLS	2/16/2025
Colton	Doramus	CPR INSTRUCTOR	6/1/2025
Colton	Doramus	Drivers License Tracking	11/12/2027
Colton	Doramus	Idaho - Paramedic	9/30/2024
Colton	Doramus	PALS	12/14/2025
Colton	Doramus	Washington - Paramedic	11/30/2026
Joe	Evangelho	CPR	10/10/2024
Joe	Evangelho	Idaho - EMT	9/30/2027
Ross	Freedden	CPR INSTRUCTOR	6/1/2025
Ross	Freedden	Drivers License Tracking	6/4/2025
Ross	Freedden	Idaho - EMT	3/31/2027
Ross	Freedden	Washington - EMT	11/30/2027
Henry	Funk	CPR	2/24/2025
Henry	Funk	Drivers License Tracking	10/17/2025
Henry	Funk	Idaho - EMT-OM	3/31/2026
Henry	Funk	Washington - EMT-OM	11/30/2026
Timothy	Gifford	ACLS	2/13/2025
Timothy	Gifford	CPR	2/27/2025
Timothy	Gifford	Drivers License Tracking	5/29/2024
Timothy	Gifford	Idaho - Paramedic	9/30/2024
Timothy	Gifford	PALS	11/11/2024
Timothy	Gifford	Washington - Paramedic	11/30/2026
Kyle	Graves	ACLS	2/16/2025
Kyle	Graves	CPR	2/13/2025
Kyle	Graves	Drivers License Tracking	5/6/2025
Kyle	Graves	Idaho - Paramedic	9/30/2025
Kyle	Graves	PALS	11/30/2025
Kyle	Graves	Washington - Paramedic	11/30/2024
Kyle	Greene	ACLS	2/5/2026
Kyle	Greene	CPR INSTRUCTOR	6/1/2025
Kyle	Greene	Drivers License Tracking	5/26/2031
Kyle	Greene	Idaho - Paramedic	9/30/2024
Kyle	Greene	PALS	11/15/2024
Kyle	Greene	Washington - Paramedic	11/30/2025
Ryan	Greene	Drivers License Tracking	12/14/2027
Ryan	Greene	Idaho - EMT	9/30/2025
Ryan	Greene	Washington - EMT	11/30/2025
Joe	Handley	ACLS	6/13/2024
Joe	Handley	Drivers License Tracking	3/4/2029

First Name	Last Name	Credential Name	Expiration Date
Joe	Handley	Idaho - Paramedic	9/30/2025
Joe	Handley	PALS	11/30/2025
Joe	Handley	Washington - Paramedic	11/30/2024
Michael	Henrie	ACLS	3/14/2026
Michael	Henrie	CPR	2/27/2025
Michael	Henrie	Drivers License Tracking	4/26/2028
Michael	Henrie	Idaho - Paramedic	9/30/2025
Michael	Henrie	PALS	12/14/2025
Michael	Henrie	Washington - Paramedic	11/30/2026
Logan	Hersey	Drivers License Tracking	7/14/2026
Logan	Hersey	Idaho - EMT	3/31/2026
Logan	Hersey	Washington - EMT	1/31/2026
Brayden	Hoyt	Drivers License Tracking	8/8/2027
Brayden	Hoyt	Idaho - EMT	3/31/2026
Brayden	Hoyt	Washington - EMT	1/31/2026
Ryan	Humphrey	ACLS	2/14/2025
Ryan	Humphrey	CPR	2/28/2025
Ryan	Humphrey	Drivers License Tracking	12/3/2026
Ryan	Humphrey	Idaho - Paramedic	9/30/2026
Ryan	Humphrey	PALS	11/15/2024
Ryan	Humphrey	Washington - Paramedic	11/30/2024
Christopher	Jacks	ACLS	3/15/2026
Christopher	Jacks	CPR INSTRUCTOR	2/16/2026
Christopher	Jacks	Drivers License Tracking	1/31/2027
Christopher	Jacks	Idaho - Paramedic	9/30/2026
Christopher	Jacks	PALS	11/30/2025
Christopher	Jacks	Washington - Paramedic	11/30/2025
William	Jenkins	CPR	2/17/2025
William	Jenkins	Drivers License Tracking	9/27/2026
William	Jenkins	Idaho - AEMT	9/30/2025
William	Jenkins	Washington - AEMT	11/30/2026
Christopher	Jones	ACLS	6/13/2024
Christopher	Jones	CPR INSTRUCTOR	6/1/2025
Christopher	Jones	Drivers License Tracking	1/26/2028
Christopher	Jones	Idaho - Paramedic	9/30/2025
Christopher	Jones	PALS	11/30/2025
Christopher	Jones	Washington - Paramedic	11/30/2024
Erik	Kelly	ACLS	2/16/2025
Erik	Kelly	CPR	2/13/2025
Erik	Kelly	Drivers License Tracking	8/26/2025
Erik	Kelly	Idaho - Paramedic	9/30/2024
Erik	Kelly	PALS	12/14/2025
Erik	Kelly	Washington - Paramedic	11/30/2025

First Name	Last Name	Credential Name	Expiration Date
Cody	Koth	ACLS	7/18/2024
Cody	Koth	CPR	2/3/2024
Cody	Koth	Drivers License Tracking	3/26/2025
Cody	Koth	Idaho - Paramedic	9/30/2025
Cody	Koth	PALS	12/14/2025
Cody	Koth	Washington - Paramedic	11/30/2024
Justin	Krein	Drivers License Tracking	11/23/2025
Justin	Krein	Idaho - EMT	9/30/2026
Justin	Krein	Washington - EMT	5/31/2026
Mikael	Leach	ACLS	3/15/2026
Mikael	Leach	CPR	2/19/2026
Mikael	Leach	Drivers License Tracking	4/28/2025
Mikael	Leach	Idaho - Paramedic	9/30/2025
Mikael	Leach	PALS	12/14/2025
Mikael	Leach	Washington - Paramedic	11/30/2026
Soren	Lowe	ACLS	4/30/2026
Soren	Lowe	CPR	2/22/2026
Soren	Lowe	Drivers License Tracking	10/20/2028
Soren	Lowe	Idaho - Paramedic	9/30/2024
Soren	Lowe	PALS	11/30/2025
Soren	Lowe	Washington - Paramedic	11/30/2025
J. Richie	Lucas	ACLS	3/15/2026
J. Richie	Lucas	CPR INSTRUCTOR	6/1/2025
J. Richie	Lucas	Drivers License Tracking	1/12/2027
J. Richie	Lucas	Idaho - Paramedic	9/30/2025
J. Richie	Lucas	PALS	11/30/2025
J. Richie	Lucas	Washington - Paramedic	11/30/2024
Timothy	McFarland	CPR	2/24/2025
Timothy	McFarland	Drivers License Tracking	10/6/2025
Timothy	McFarland	Idaho - AEMT	9/30/2025
Timothy	McFarland	Washington - AEMT	11/30/2026
Nate	Metcalfe	CPR INSTRUCTOR	4/15/2026
Nate	Metcalfe	Drivers License Tracking	11/3/2024
Nate	Metcalfe	Idaho - Paramedic	9/30/2026
Nate	Metcalfe	Washington - Paramedic	11/30/2025
Jared	Miesen	CPR	2/24/2025
Jared	Miesen	Drivers License Tracking	8/30/2026
Jared	Miesen	Idaho - EMT-OM	3/31/2026
Jared	Miesen	Washington - EMT-OM	11/30/2026
Kyler	Nilsson	ACLS	2/14/2025
Kyler	Nilsson	CPR	2/22/2026
Kyler	Nilsson	Drivers License Tracking	4/12/2027
Kyler	Nilsson	Idaho - Paramedic	3/31/2026

First Name	Last Name	Credential Name	Expiration Date
Kyler	Nilsson	PALS	11/15/2024
Kyler	Nilsson	Washington - Paramedic	11/30/2026
Ephraim	Norman	CPR	1/19/2025
Ephraim	Norman	Drivers License Tracking	7/20/2031
Ephraim	Norman	Idaho - EMT-OM	9/30/2024
Ephraim	Norman	Washington - AEMT-OM	11/30/2026
Andy	Ockwell	ACLS	2/16/2025
Andy	Ockwell	CPR INSTRUCTOR	6/1/2025
Andy	Ockwell	Drivers License Tracking	8/31/2027
Andy	Ockwell	Idaho - Paramedic	3/31/2026
Andy	Ockwell	PALS	11/30/2025
Andy	Ockwell	Washington - Paramedic	11/30/2026
Jonathan	Ockwell	CPR	2/24/2025
Jonathan	Ockwell	Drivers License Tracking	2/12/2031
Jonathan	Ockwell	Idaho - EMT-OM	3/31/2027
Jonathan	Ockwell	Washington - AEMT-OM	11/30/2026
Kirby	Ockwell	ACLS	2/16/2025
Kirby	Ockwell	CPR	2/13/2025
Kirby	Ockwell	Drivers License Tracking	8/29/2030
Kirby	Ockwell	Idaho - Paramedic	9/30/2026
Kirby	Ockwell	PALS	11/15/2024
Kirby	Ockwell	Washington - Paramedic	11/30/2024
Cameron	Ottmar	CPR	2/13/2025
Cameron	Ottmar	Drivers License Tracking	5/17/2025
Cameron	Ottmar	Idaho - EMT	9/30/2026
Cameron	Ottmar	Washington - EMT	11/30/2026
Timothy	Parker	ACLS	6/30/2024
Timothy	Parker	CPR	2/1/2024
Timothy	Parker	Drivers License Tracking	6/20/2025
Timothy	Parker	Idaho - Paramedic	9/30/2025
Timothy	Parker	PALS	11/30/2025
Timothy	Parker	Washington - Paramedic	11/30/2024
Tyrell	Poggemeyer	CPR INSTRUCTOR	6/1/2025
Tyrell	Poggemeyer	Drivers License Tracking	9/12/2031
Tyrell	Poggemeyer	Idaho - EMT-OM	3/31/2025
Tyrell	Poggemeyer	Washington - EMT-OM	11/30/2026
Kody	Portlock	CPR	1/30/2021
Kody	Portlock	Drivers License Tracking	12/16/2027
Kody	Portlock	Idaho - EMT	3/31/2027
Kody	Portlock	Washington - EMT	11/30/2027
Matthew	Reitano	CPR	4/7/2025
Matthew	Reitano	Drivers License Tracking	11/8/2031
Matthew	Reitano	Idaho - EMT	3/31/2026

First Name	Last Name	Credential Name	Expiration Date
Matthew	Reitano	Washington - EMT	1/31/2027
Ryan	Rhodes	ACLS	1/30/2026
Ryan	Rhodes	CPR INSTRUCTOR	6/1/2025
Ryan	Rhodes	Drivers License Tracking	1/19/2026
Ryan	Rhodes	Idaho - Paramedic	9/30/2025
Ryan	Rhodes	PALS	8/5/2024
Ryan	Rhodes	Washington - Paramedic	11/30/2026
Gregory	Rightmier	Drivers License Tracking	9/16/2024
Gregory	Rightmier	Idaho - EMT	9/30/2025
Gregory	Rightmier	Washington - EMT	11/30/2025
Makoa	Rosario	CPR	2/10/2024
Makoa	Rosario	Drivers License Tracking	12/31/2025
Makoa	Rosario	Idaho - EMT	9/30/2024
Makoa	Rosario	Washington - EMT	1/31/2025
Robert	Roth	ACLS	3/25/2024
Robert	Roth	CPR INSTRUCTOR	6/1/2025
Robert	Roth	Drivers License Tracking	8/5/2025
Robert	Roth	Idaho - Paramedic	9/30/2025
Robert	Roth	PALS	12/14/2025
Robert	Roth	Washington - Paramedic	11/30/2026
Jonathan	Sells	ACLS	3/1/2026
Jonathan	Sells	CPR	2/28/2025
Jonathan	Sells	Drivers License Tracking	11/13/2026
Jonathan	Sells	Idaho - Paramedic	3/31/2025
Jonathan	Sells	PALS	12/14/2025
Jonathan	Sells	Washington - Paramedic	11/30/2026
Frank	Staab	CPR	2/27/2025
Frank	Staab	Drivers License Tracking	12/4/2027
Frank	Staab	Idaho - EMT-OM	9/30/2024
Frank	Staab	Washington - EMT-OM	11/30/2024
Mark	Swift	ACLS	9/20/2024
Mark	Swift	CPR INSTRUCTOR	9/20/2024
Mark	Swift	Drivers License Tracking	3/16/2027
Mark	Swift	Idaho - Paramedic	9/30/2025
Mark	Swift	PALS	9/20/2024
Mark	Swift	Washington - Paramedic	11/30/2025
John	Thompson	CPR	2/17/2025
John	Thompson	Drivers License Tracking	1/23/2029
John	Thompson	Idaho - AEMT	9/30/2025
John	Thompson	Washington - AEMT	11/30/2025
Gavin	Triplett	ACLS	2/28/2025
Gavin	Triplett	CPR	2/17/2024
Gavin	Triplett	Drivers License Tracking	5/8/2032

First Name	Last Name	Credential Name	Expiration Date
Gavin	Triplett	Idaho - Paramedic	9/30/2025
Gavin	Triplett	PALS	11/30/2025
Gavin	Triplett	Washington - Paramedic	11/30/2024
Morgen	Vonbargen	ACLS	3/15/2026
Morgen	Vonbargen	CPR INSTRUCTOR	6/1/2025
Morgen	Vonbargen	Drivers License Tracking	4/2/2030
Morgen	Vonbargen	Idaho - Paramedic	9/30/2025
Morgen	Vonbargen	PALS	12/14/2025
Morgen	Vonbargen	Washington - Paramedic	11/30/2026
Jacob	Waits	CPR	2/3/2024
Jacob	Waits	Drivers License Tracking	9/11/2026
Jacob	Waits	Idaho - EMT	3/31/2025
Jacob	Waits	Washington - EMT	11/30/2025
Turner	Webb	Drivers License Tracking	4/6/2027
Turner	Webb	Idaho - EMT	9/30/2024
Turner	Webb	Washington - EMT	11/30/2026
Keith	Weissenfels	CPR	2/24/2025
Keith	Weissenfels	Drivers License Tracking	11/12/2027
Keith	Weissenfels	Idaho - EMT	3/31/2027
Keith	Weissenfels	Washington - EMT	11/30/2024
William	Wicks	ACLS	3/14/2026
William	Wicks	CPR	2/15/2026
William	Wicks	Drivers License Tracking	1/19/2032
William	Wicks	Idaho - Paramedic	9/30/2025
William	Wicks	PALS	11/30/2025
William	Wicks	Washington - Paramedic	11/30/2024

**LEWISTON FIRE DEPARTMENT
2025
APPLICATION FOR
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY**



Certificate of Liability Insurance

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/01/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Moreton & Company - Idaho P.O. Box 191030 Boise, ID 83719 208 321-9300	CONTACT NAME: Lisa Reckamp PHONE (A/C, No, Ext): 208 321-9300 E-MAIL ADDRESS: lreckamp@moreton.com		FAX (A/C, No): 208-321-0101
	INSURER(S) AFFORDING COVERAGE INSURER A : Travelers Indemnity Co. of America		NAIC # 25666
INSURED City of Lewiston P.O. Box 617 Lewiston, ID 83501	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
	INSURER F :		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ BI/PD Ded:10000 GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:			ZLP81M4189124PB	10/01/2024	10/01/2025	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED \$ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Lewiston Emergency
 Medical Services Advisory Board
 1245 Idaho Street
 Lewiston, ID 83601

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Chel Rastor

**LEWISTON FIRE DEPARTMENT
2025
APPLICATION FOR
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY**



Compliance Letter



15 October 2024

Emergency Medical Services Advisory Board
City of Lewiston
Post Office Box 617
Lewiston, Idaho 83501

RE: CERTIFICATE OF COMPLIANCE

Dear EMSAB:

As fire chief of the Lewiston Fire Department and chief executive of the Lewiston Fire Department Ambulance Service, I hereby declare the intent of the ambulance service to fully comply with the provisions of Article II, Emergency Medical Services System, Sections 7-3 through 7-11 of Ordinance 4138, including any applicable policies, procedures and standards adopted by the Lewiston City Council.

Sincerely,

Gregory V. Rightmier
Fire Chief



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE SKYVIEW ESTATES PHASE IV PRELIMINARY PLAT	AGENDA NO. V. E. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) The Lewiston City Council has not acted on this plat previously. At their November 13, 2024, regular meeting, the City of Lewiston Planning and Zoning Commission considered the Skyview Estates – Phase IV, Preliminary Plat, and voted unanimously to recommend approval of the plat as presented, to the Lewiston City Council. The Skyview Estates Phase IV preliminary plat proposes to subdivide approximately 22.11 acres of property, located south of Powers Avenue, and east of 23rd Street, into 39 lots. Lots located along the northern boundary of the proposed subdivision will be accessed from the existing adjacent Powers Avenue. On the west, existing 23rd Street will be extended to the south, and a non-contiguous section of Birch Avenue will provide east-west access across the southerly portion of the subdivision. Three new public streets will provide north-south access. The central north-south street will provide through access, and the remaining two north-south streets will incorporate cul-de-sac turn-arounds to provide residential access. The proposed street configurations provide a balance of access and accessibility with connections to adjoining un-platted land as required in Section 32-32(d) of the subdivision code, while also discouraging through traffic on local streets in accordance with Section 32-32(e) of City Code. In total, an additional 2,985 l.f. of public street and associated public utilities will need to be constructed to service the completed subdivision. Frontage improvements consisting of approximately 1,156 l.f. of curb, gutter and sidewalk with required asphalt patch-back are proposed to be constructed along the existing Powers Avenue frontage of the proposed subdivision. Extension of City sewer mains will also be required along the Powers Avenue frontage to provide sewer service to the northern lots, and connections to public services for un-platted land to the east. The proposed subdivision is located adjacent to the Lewiston Orchards Irrigation District, and the irrigation district has indicated their intent to provide potable water service for the proposed lots contingent upon annexation of the proposed development into the District, and approval of the developer's design documents. Avista Utilities, CenturyLink/Lumen Technologies, and Sparklight have also confirmed their intent to provide utility service. The subject property was recently annexed into the City limits and designated as an R2 – low density residential zone. The proposed lot configurations adhere to the requirements of the R2 zone as outlined in the City of Lewiston Zoning Ordinance, City Code Chapter 37.	

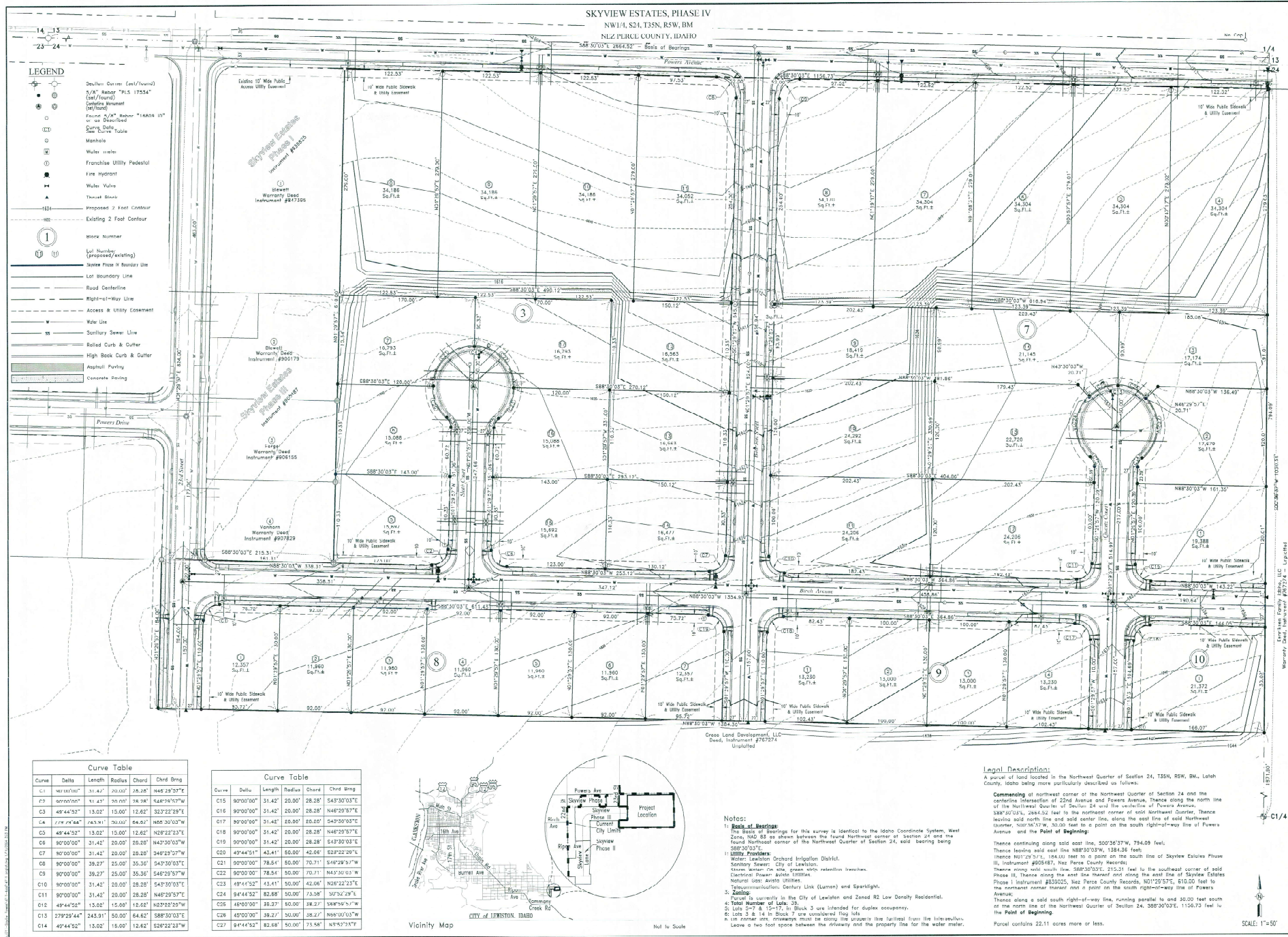
The preliminary plat is presented at a scale of 50' to the inch when printed at full scale, which differs from the 100' to the inch standard specified in Section 32-20(a) of the subdivision code. Because the 50' to 1" scale provides for better "clarity of lines, bearings, and dimensions" as specified in Title 50-1304 (1) of Idaho Code, City staff recommends that the 50' to 1" scale be accepted as exceeding the code requirement of the specified 100' to 1" scale. With the exception of the noted difference in scale, the preliminary plat complies with the applicable requirements of the City of Lewiston Subdivision Ordinance, City Code Chapter 32.

BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources)

Approval of this preliminary plat will result in future impacts on Public Works' staff and budgets due to the required maintenance associated with public improvements constructed as part of the proposed development.

ACTION PROPOSED

Staff recommends that Council accept the unanimous recommendation of the City of Lewiston Planning and Zoning Commission, and approve the Skyview Estates - Phase IV, Preliminary Plat as presented. A draft Reasoned Statement, with entries based on the information contained in the staff report, has been attached to the information packet for your consideration or use, at your discretion.



Hydrobia ulvae (Linn.)
English = Periwinkle • Landshiper Antilope
P.O. box 2713
405 S. Worthington Street
Macon, LA 31204
(706) 867-2570

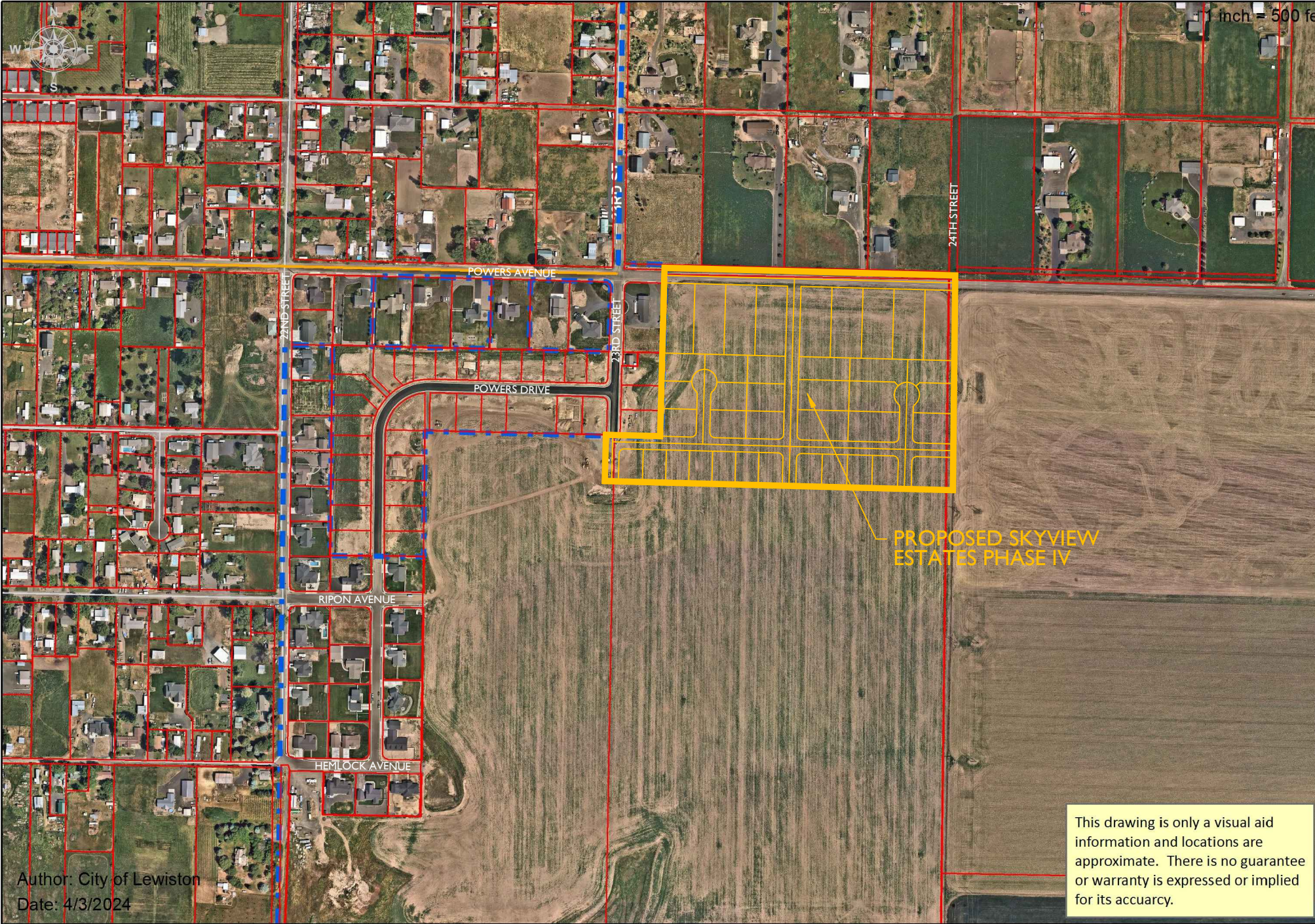


Skyview Estates, Phase IV
PRELIMINARY PLAT
Graco Land Development, LLC
2206 Hamlock Avenue
Lawston, ID 82501
(208)-750-1056

Drafted by:	SW
Checked by:	SB
File Name:	0715 general.bldg
Tab:	24X36
Layer Style:	ICOPU
Plot Style:	Primary.ctb
Project:	4711-10-35
Date:	9/19/24

1	OF	1
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City of Lewiston



Author: City of Lewiston
Date: 4/3/2024

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.

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

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

- I. **APPLICATION NUMBER:**
SUB24-000007
- II. **APPLICANT'S NAME AND ADDRESS:**
Greco Land Development, LLC
2206 Hemlock Avenue
Lewiston ID, 83501
- III. **IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:**
22.11 acres of undeveloped property, located south of Powers Avenue, and east of 23rd Street, Lewiston, Idaho.
- IV. **IDENTIFICATION OF ZONING DISTRICT AND FUTURE LAND USE DESIGNATION OF SUBJECT PROPERTY:**
R-2 Low Density Residential Zone, Neighborhood Residential
- V. **DATE OF CONSIDERATION:**
November 13, 2024
- VI. **NAME OF GOVERNING BODY:**
City of Lewiston Planning and Zoning Commission
- VII. **NATURE OF SUBJECT APPLICATION:**
Application for approval of subdivision preliminary plat.
- VIII. **DECISION:**
The Lewiston Planning and Zoning Commission recommends **APPROVAL** of SUB24-000007.

IX. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are:

None.

X. RELEVANT CRITERIA AND STANDARDS:

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

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

The Skyview Estates Phase IV preliminary plat proposes to subdivide approximately 22.11 acres of property, located south of Powers Avenue, and east of 23rd Street, into 39 lots. Lots located along the north boundary of the proposed subdivision will be accessed from the existing adjacent Powers Avenue. On the west, existing 23rd Street will be extended to the south, and a non-contiguous section of Birch Avenue will provide east-west access across the southerly portion of the subdivision. Three new public streets will provide north-south access. The central north-south street will provide through access, and the remaining two north-south streets will incorporate cul-de-sac turn-arounds to provide residential access. The proposed street configurations provide a balance of access and accessibility with connections to adjoining un-platted land as required in Section 32-32(d) of the subdivision code, while also discouraging through traffic on local streets in accordance with Section 32-32(e) of City Code. In total, an additional 2,985 l.f. of public street, and associated public utilities will need to be constructed to service the completed subdivision. Frontage improvements consisting of approximately 1,156 l.f. of curb, gutter and sidewalk with required asphalt patch-back are proposed to be constructed along the existing Powers Avenue frontage of the proposed subdivision. Extension of City sewer mains will also be required along the Powers Avenue frontage to provide sewer service to the northern lots, and

connections to public services for un-platted land to the east. The proposed subdivision is located adjacent to the Lewiston Orchards Irrigation District, and the irrigation district has indicated their intent to provide potable water service for the proposed lots contingent upon annexation of the proposed development into the District, and approval of the developer's design documents. Avista Utilities, CenturyLink/Lumen Technologies, and Sparklight have also confirmed their intent to provide utility service.

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

The proposed plat adheres to the requirements for the R-2 Zone which were established to promote the orderly development of the city according to the comprehensive plan; to conserve and stabilize the value of property; and otherwise to promote the public health, safety, and general welfare.

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

The proposed subdivision was reviewed by the City of Lewiston Community Development Department, and Community Development staff confirmed that the proposed subdivision is in compliance with applicable standards contained in Chapter 37 of Lewiston City Code, and meets the lot configuration requirements for lot width, lot depth, and lot size as established for the applicable R2 zone.

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

The proposed subdivision is in conformance with the Lewiston Comprehensive Plan which includes the subject property in the Neighborhood Residential - Future Land Use Designation area. The proposed subdivision promotes the desired Neighborhood Residential characteristics by providing a relatively low intensity residential neighborhood with adequate street access, and opportunities for single family detached residences and duplexes.

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

The plat area includes all of the applicant's contiguous property which is located within the City Limits.

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

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

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

The plat was reviewed by the City Surveyor and Public Works Staff under the direction of the City Engineer. The preliminary plat is presented at a scale of 50' to the inch when printed at full scale, which differs from the 100' to the inch standard specified in Section 32-20(a) of subdivision code. Because the 50' to 1" scale provides for better "clarity of lines, bearings, and dimensions" as specified in Title 50-1304 (1) of Idaho Code, City staff recommends that the 50' to 1" scale be accepted as exceeding the code requirement of the specified 100' to 1" scale. With the exception of the noted difference in scale, the preliminary plat contained the information as required by Section 32.20 of the City Subdivision Code.

8. The proposed subdivision **does not** contain all or any part of the site of a proposed park, school, flood control facility, or other public area as shown by the City's Comprehensive Plan or future acquisitions map.

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

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

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

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

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

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

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

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

23rd Street and Birch Avenue are the continuations of existing streets previously approved by the City Council. Bourbon Street, Quartz Court and Slate Court are unique names for the local emergency services dispatch area and adhere to the requirements established for street naming established in Chapter 31 of City Code.

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

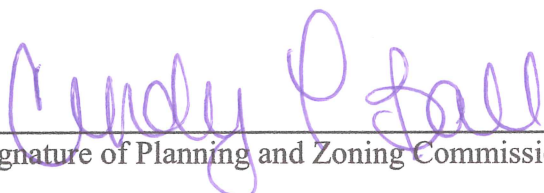
Not applicable.

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

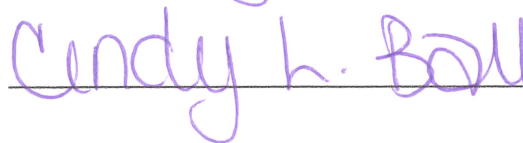
Not applicable.

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

By:


Signature of Planning and Zoning Commission Chair or Vice Chair or Acting Chair

Printed:



Date of Signature:



ATTEST:


Dawn Ortiz, Community Development Specialist

**LEWISTON CITY COUNCIL
REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR APPROVAL, APPROVAL WITH CONDITIONS, OR DENIAL OF A
SUBDIVISION PRELIMINARY PLAT**

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

- I. **APPLICATION NUMBER:**
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- III. **IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:**
22.11 acres of undeveloped property, located south of Powers Avenue, and east of 23rd Street, Lewiston, Idaho.
- IV. **IDENTIFICATION OF ZONING DISTRICT AND FUTURE LAND USE DESIGNATION OF SUBJECT PROPERTY:**
Low Density Residential (R-2) Zone, Neighborhood Residential
- V. **DATE OF CONSIDERATION:**
November 25, 2024
- VI. **NAME OF GOVERNING BODY:**
Lewiston City Council
- VII. **NATURE OF SUBJECT APPLICATION:**
Application for approval of subdivision preliminary plat.
- VIII. **DECISION:**
The Lewiston City Council **APPROVES SUB24-000007 (Skyview Estates – Phase IV, Preliminary Plat).**

IX. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are:

None.

X. RELEVANT CRITERIA AND STANDARDS:

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

1. The proposed subdivision **will** be in compliance with the intents and purposes of Chapter 32 (Subdivisions) of the Lewiston City Code. Lewiston City Code § 32-2 (Purpose and Intent) states:
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REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR SUB24-000007 (SKYVIEW ESTATES, PHASE IV – PRELIMINARY PLAT)

connections to public services for un-platted land to the east. The proposed subdivision is located adjacent to the Lewiston Orchards Irrigation District, and the irrigation district has indicated their intent to provide potable water service for the proposed lots contingent upon annexation of the proposed development into the District, and approval of the developer's design documents. Avista Utilities, CenturyLink/Lumen Technologies, and Sparklight have also confirmed their intent to provide utility service.

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

The proposed plat adheres to the requirements for the R-2 Zone which were established to promote the orderly development of the city according to the comprehensive plan; to conserve and stabilize the value of property; and otherwise to promote the public health, safety, and general welfare.

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

The proposed subdivision was reviewed by the City of Lewiston Community Development Department, and Community Development staff confirmed that the proposed subdivision is in compliance with applicable standards contained in Chapter 37 of Lewiston City Code, and meets the lot configuration requirements for lot width, lot depth, and lot size as established for the applicable R2 zone.

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

The proposed subdivision is in conformance with the Lewiston Comprehensive Plan which includes the subject property in the Neighborhood Residential - Future Land Use Designation area. The proposed subdivision promotes the desired Neighborhood Residential characteristics by providing a relatively low intensity residential neighborhood with adequate street access, and opportunities for single family detached residences and duplexes.

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

The plat area includes all of the applicant's contiguous property which is located within the City Limits.

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

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

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

The plat was reviewed by the City Surveyor and Public Works Staff under the direction of the City Engineer. The preliminary plat is presented at a scale of 50' to the inch when printed at full scale, which differs from the 100' to the inch standard specified in Section 32-20(a) of subdivision code. Because the 50' to 1" scale provides for better "clarity of lines, bearings, and dimensions" as specified in Title 50-1304 (1) of Idaho Code, City staff recommends that the 50' to 1" scale be accepted as exceeding the code requirement of the specified 100' to 1" scale. With the exception of the noted difference in scale, the preliminary plat contained the information as required by Section 32.20 of the City Subdivision Code.

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

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

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

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

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

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

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

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

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

23rd Street and Birch Avenue are the continuations of existing streets previously approved by the City Council. Burbon Street, Quartz Court and Slate Court are unique names for the local

emergency services dispatch area and adhere to the requirements established for street naming established in Chapter 31 of City Code.

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

Not applicable.

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

Not applicable.

NOTICE TO APPLICANT AND AFFECTED PERSONS: An applicant or affected person may file a written request for reconsideration with the City Clerk to request that the City Council reconsider its final decision within fourteen (14) calendar days by 5:00 p.m. on the fourteenth (14th) day after the City Council 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 administrative remedies prior to the filing of a petition for judicial review of a final decision made by the City Council.

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: _____
Daniel G. Johnson, Mayor

Date of Signature: _____

ATTEST: _____
Tanya M. Brocke, City Clerk



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE APPEAL (AP-01-2024) OF CUP24-3 (TRANSITIONAL HOUSING VILLAGE AT 2207 EAST MAIN STREET)	AGENDA NO. VI.A. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) A transitional housing village is a facility that provides transitional housing for homeless persons or persons without permanent housing; having a commons building that provides kitchen, bathroom and laundry facilities, but not sleeping accommodations for residents and that may or may not include sleeping quarters or an apartment of on-site staff; where sleeping units for residents are provided outside of the commons building. The Planning and Zoning Commission conducted a public hearing and approved conditional use permit CUP24-3, an application by Michelle King for a transitional housing village for young adults eighteen to twenty years of age at the United Way property at 2207 East Main Street and the two adjoining city-owned tax parcels. That decision was challenged by neighbor Linda Glines, asking the Planning and Zoning Commission to reconsider their decision. The Planning and Zoning Commission, upon reconsideration of their approval, affirmed that decision. That affirmation is now being appealed to City Council. Pursuant to Lewiston City Code Section 37-185(c), "The council may, in its sole discretion and without hearing or notice, either refuse to accept jurisdiction of such appeal, in which case the decision of the commission shall be final, and any appeal fees shall be refunded; or it may provide that such appeal shall be heard at a public hearing before the city council at such time and pursuant to such rules as the council may determine."	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) Staff is unaware of any direct budgetary impacts regarding this matter.	
ACTION PROPOSED The City Council shall decide whether to refuse acceptance of jurisdiction over this matter and let the Planning and Zoning Commission stand or to accept jurisdiction and conduct its own public hearing on the matter at a later date and render its own decision.	



DATE: November 12, 2024

TO: Lewiston City Council and Mayor

SUBJECT: Memorandum on Appeal of CUP24-3

Dear Mayor and City Councilors:

At the October 23, 2024 Planning and Zoning Commission meeting, the Planning and Zoning Commission (P&ZC) issued its written Decision on Reconsideration reaffirming its approval of CUP24-3, 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, and a waiver of Lewiston City Code § 37-151(e). The P&ZC's Decision on Reconsideration was approved in response to a Request for Reconsideration received by the City on September 19, 2024, by Linda Glines (the Appellant), who resides on 22nd Street in Lewiston near the location of the proposed transitional housing village.

After receiving the P&ZC's Decision on Reconsideration, the Appellant now submits the following additional concerns to the City Council in her appeal for your consideration:

1. The City's Public Works Department does not identify issues with water and sewer service connections during the CUP review process, as this is typically addressed during the building permit process. Therefore, P&ZC's decision was based on incomplete information regarding the sewer and water infrastructure.
2. The P&ZC's decision was made without a Traffic Mitigation Report, which is relevant to the building permit process, not the CUP process.
3. While the Appellant could not find fault with the Facility Management Plan submitted by Michelle King (the Applicant), she is concerned about potential issues outside the property boundaries of the proposed transitional housing village.
4. The Appellant criticizes the limited amount of time allowed for public comments during the public hearing held for this matter, and the lack of communication about opportunities to speak or submit written comments.

In raising these concerns, the Appellant identifies the following as the substantial rights that are prejudiced as a result of the P&ZC's decision to affirm CUP24-3:

1. Lewiston City Code § 37-125(1) requires a transitional housing village to be located within 0.25 miles of a public transportation route. This raises a concern about the project's location, as it is the only site meeting City criteria due to the proximity to public transportation, limiting resident's input on the project's placement. The Appellant believes the City should revise Lewiston City Code to allow more site options for transitional tiny home villages.
2. The Appellant argues that no building project should be considered until both the sewer and water lines are replaced in 22nd Street, and the street is fixed and repaved because the sewer and water lines are too old and experience frequent line breaks and leaks.

3. The Appellant questions the City's role as a landlord in this matter and potential conflict of interest with a Community Development Block Grant awarded to the project. The Appellant argues that if the City receives lease payments, then it is a beneficiary of grant money in violation of federal laws.
4. The Appellant believes this project will result in increased property and other crimes in the area because any vetting by the facility will be a moot point, since residents of the proposed transitional housing village will have their juvenile records sealed. Because the Applicant is not accountable for actions of the residents of the proposed transitional housing village when in the community, the Appellant and other neighbors will be forced to take measures to secure their property.
5. The Appellant is concerned about "resale value" (not "assessed property value") decreasing as a result of living next to the proposed transitional housing village.
6. The Appellant believes CUP24-3 will burden property owners and renters with additional property insurance costs due to crime increases in the area and an increase in claims that may be filed.

I am now providing a legal analysis to the City Council to assist in the review of the Appeal of CUP24-3.

ANALYSIS

Preliminarily, matters relating to Lewiston City Code § 3-125(1), the City's alleged role as "landlord" for a portion of the property subject to CUP24-3, and the award of Community Development Block Grant funds to the Applicant fall outside the scope of a CUP application or valid grounds for appeal. These issues are being raised for the first time during this appeal. As such, they will not be addressed in the analysis below, and it is recommended that the City Council similarly refrain from considering them as part of its review.

- 1. Appellant has failed to meet the minimum requirements of Lewiston City Code § 37-185(c) by failing to identify how P&ZC has erred or how her substantial rights have been prejudiced.**

Lewiston City Code § 37-185(c) requires an appellant to identify (i) the sections of Lewiston City Code or applicable state or federal law(s) that have been incorrectly applied or violated and a description of how they have been incorrectly applied or violated, and (ii) a description of the real or potential prejudice to a substantial right of the applicant or affected person (in this case Ms. Glines). As a result, it is the burden of the party contesting the land use action of the P&ZC to first illustrate how the P&ZC erred in the manner required under Lewiston City Code § 37-185(c), and then to establish that a substantial right has been prejudiced as a result of that error.

There is no "bright line test governing whether a petitioner's substantial rights have been violated." *Hungate v. Bonner County*, 166 Idaho 388, 394, 458 P.3d 966, 972 (2020). When a party "*opposes* a governing board's decision to grant a permit... the petitioner must still show, not merely allege, real or potential prejudice to his or her substantial rights." *Hawkins v. Bonneville County Bd. of Comm'rs*, 151 Idaho 228, 233, 254 P.3d 1224, 1229 (2011). Because a party opposing the issuance of a conditional use permit "has no substantial right in seeing someone else's application adjudicated correctly, he or she must therefore show something more." *Id.* In recent cases, the Idaho Supreme Court has held that an affected landowner's substantial rights were harmed when: (1) property values are impacted; or (2) the conditional use permit will interfere with the use and enjoyment of the affected landowner's

property. *Hungate*, 166 Idaho at 394, 458 P.3d at 972. *Sullivan, Tr. of Catherine Sullivan Fam. Tr. of 2000 v. Blaine Cnty.*, 556 P.3d 1282, 1290 (Idaho 2024).

Here, the Appellant, for the most part, argues that the approval of CUP24-3, and the construction of a transitional housing village as proposed by the Applicant, will lead to a parade of horrors—failure of the water and sewer systems that service the neighborhood, destruction of City infrastructure, increased crime, and other issues from so-called delinquent youth and the company they allegedly attract. These claims rely on speculation and negative stereotypes often unfairly attributed to youth in the foster care system. While it is true that the proposed village will likely bring more young adults to the area, the assumption that this will inevitably lead to crime and disorder is rooted in common misperceptions about vulnerable youth striving for a stable future that the Applicant is proposing to provide at the proposed transitional housing village.

Furthermore, while the Appellant has made bare allegations concerning negative impacts, she has failed to specifically identify how alleged violations to her substantial rights interfere with her use and enjoyment of her property at the opposite end of 22nd Street. It is clear from the record that the Appellant opposes the Applicant’s transitional housing village, but she has not established *how* the approval of CUP24-3 will actually or potentially prejudice her use and enjoyment of her property. The bare allegations that the mere existence of the transitional housing village prejudices her “substantial rights” is not sufficient. Therefore, the City Council should refuse to rehear CUP24-3 because the Appellant has not alleged any procedural errors or deficiencies, nor pointed towards any evidence in the record to explain how the P&ZC’s action to approve CUP24-3 will undermine the use or enjoyment of her property.

2. Appellant generally challenges the sufficiency of the evidence, even though the Appellant has not identified how the P&ZC allegedly failed to consider or apply the relevant criteria and standards when approving CUP24-3.

The Appellant’s “Grounds for Appeal” largely questions the sufficiency of the evidence upon which the P&ZC based its decision when approving CUP24-3. However, these objections do not address any specific procedural errors or deficiencies in the P&ZC’s application of the relevant criteria and standards set forth in LCC § 37-160(c). At this stage of the appeal process, it is the Appellant’s burden to identify procedural errors rather than to dispute the weight or sufficiency of the evidence. It is not the duty of city staff or the City Council to identify these issues on the Appellant’s behalf or to rectify the deficiencies in her appeal.

Furthermore, the Appellant has noted that several areas of concern fall outside the scope of the CUP review process. Given the Appellant’s failure to identify procedural deficiencies at this stage in the appeal process, the City Council is encouraged to decline rehearing the appeal of CUP24-3 and to avoid re-weighing the evidence previously considered by the P&ZC, as this matter has already undergone a thorough and comprehensive review.

In Idaho, when an agency makes a decision for or against a land use application in its quasi-judicial capacity, that decision must be based on substantial evidence in the record as a whole, even if there is conflicting evidence. *Evans v. Teton Cnty.*, 139 Idaho 71, 77 (2003) underscores that such decisions are upheld so long as substantial, competent evidence supports them, even amid objections grounded in

personal opinion or concerns outside the scope of the applicable standards.¹ Here, the Appellant seeks to introduce new evidence beyond the established record, an approach inconsistent with both procedural requirements of Lewiston City Code and Idaho Code, while also acknowledging that these issues extend beyond the factors encompassed in the CUP review process.

Lewiston City Code § 37-160(c) identifies the specific relevant criteria and standards guiding the P&ZC's review of CUP applications. Those relevant criteria and standards are as follows:

- 1) The proposed use (will/will not) result in conditions that will tend to generate nuisances (including, but not limited to noise, dust, glare, vibrations, odors, and the like) or, if so, that any anticipated nuisances will be appropriately mitigated.
- 2) The proposed use (is/is not) a public necessity (and/but) (is/is not) justified by the applicant and deemed to be of benefit to the public.
- 3) The character of the proposed use, if developed according to the plan as submitted, (will/will not) be in harmony with the area in which it is to be located.
- 4) The proposed use (will/will not) endanger the environment or the public health or safety.
- 5) The proposed use (will/will not) be in substantial conformance with the comprehensive plan.

The Idaho Supreme Court has long affirmed that planning and zoning decisions carry a strong presumption of validity, particularly concerning an agency's interpretation and application of its own zoning ordinances. *Citizens against Linscott v. Board of County Comm'rs*, 168 Idaho 705, 723, 486 P.3d 515, 523 (2021)(internal citation omitted); *see also Evans*, 139 Idaho at 75, 73 p.3d at 88 (“this Court defers to the Board of Commissioners’ findings of fact unless the findings of fact are clearly erroneous. [] the Board of Commissioners’ factual findings are not clearly erroneous so long as they are supported by substantial, competent, although conflicting evidence.”) (citations omitted). Absent a showing of procedural error or violation of these standards, there is no legal basis for re-weighing the evidence previously considered by the P&ZC.

Apart from expressing her disagreement with the conclusions reached by the P&ZC and her call for a construction moratorium within her neighborhood, the Appellant has not alleged that the P&ZC's decision was unsupported by substantial and competent evidence, nor has she claimed that it was arbitrary and capricious. Instead, her challenge focuses on factors that fall outside the scope of the CUP review criteria.

Further, the Appellant introduces concerns that pertain to later stages in the building and development process—phases that are subject to additional standards and requirements under other sections of Lewiston City Code and Idaho Code. These issues fall outside the CUP process and cannot form a valid basis for appeal at this stage. Additionally, the Appellant has no basis to challenge these subsequent processes in the present appeal, as these standards and requirements will be addressed as part of the project's progression through future development and permitting phases.

¹ Specifically, the Idaho Supreme Court in *Evans* highlighted how: “The record also contains numerous objections to the PUD. One in particular, from a professional Hydrologist, outlines valid questions regarding the impact of the PUD on ground and surface water systems. However, many of the other objections were based on personal opinion and emotion rather than on the Comprehensive Plan and violations of its many policies. This Court must affirm the findings of the Board of Commissioners where, as here, if they are supported by substantial, competent, although conflicting, evidence.”

3. Limiting public comment to 3 minutes complies with the principles of procedural due process.

The Appellant reiterates her argument, previously raised in her request for reconsideration, that she was not afforded sufficient time to respond to CUP24-3. However, she has not alleged any procedural violations concerning the public hearing notice or process, beyond her own failure to recognize the significance of the meeting and her opportunities to provide public comment. The P&ZC determined that this argument was a moot point, as the Appellant did not fully utilize the available opportunities to provide testimony during the public hearing. Additionally, while she claims that the three minutes allotted for her testimony was insufficient, she overlooks that she was, in fact, given four minutes to present her comments.

Existing Idaho Supreme Court case law emphasizes that procedural due process in this context is flexible, and only “requires: (a) notice of the proceedings, (b) a transcribable verbatim record of the proceedings, (c) specific written findings of fact, and (d) an opportunity to present and rebut evidence.” *Neighbors for a Healthy Gold Fork v. Valley Cnty.*, 145 Idaho 121, 125 (2007). The requirement of procedural due process requires “some process to ensure that the individual is not arbitrarily deprived of his rights in violation of the state or federal constitutions.” *Cowan v. Board of Comm’rs of Fremont County*, 143 Idaho 501, 512 (2006). This requirement is traditionally met when affected parties are provided with notice and an opportunity to be heard. Case law concerning the topic has found that the opportunity to be heard must occur at a meaningful time and in a meaningful manner in order to satisfy the due process requirement. *Id.*

As an initial matter, the Appellant is not entitled to mailed notice of the CUP because her property is located more than three hundred thirty feet (330’) from the subject property. Consequently, the public hearing notices available to the Appellant were the public notices published in the Lewiston Tribune and posted at the subject property.

Despite not being entitled to a mailed notice, the Appellant was present at the public hearing and sat through the explanation of how the public hearing would proceed. During the public hearing, she did not object to the announced time limit, nor did she raise any concerns or requests for additional time when her opportunity to speak was presented. Upon conclusion of her allotted four minutes, and upon being notified by Commissioner Ball that her time had expired, the Appellant concluded her remarks without objection, indicating no concerns regarding the sufficiency of the time provided to fully express her views or respond to arguments in support of the application.

Moreover, the Applicant, and all other members of the public, were provided the opportunity to present written information to the P&ZC in addition to providing oral public testimony during the public hearing but chose not to do so. Lastly, the Appellant and others at the public hearing were provided more than one opportunity to provide testimony regarding the application despite the initial 3-minute time limitation, an opportunity the Appellant, again, did not take.

In addressing the Appellant’s objections concerning time restrictions during the public hearing, it is pertinent to consider the legal precedent set in *Barry Barnes v. City of Lewiston, Planning and Zoning Commission*, CV35-22-1130 (April 20, 2023). In *Barry Barnes*, the petitioner challenged the fairness of the three-minute time allocation at the public hearing for a CUP application, arguing that the applicant’s representatives were allowed unlimited time to present their case while the public, including himself, was subject to a strict three-minute time limit.

The court, however, upheld the time restriction, noting that the petitioner had received notice of the hearing and an opportunity to present his views. Importantly, the court found that his due process rights were not violated, particularly given his failure to object to the time limit during the hearing and

his opportunity to submit additional written testimony—which he failed to utilize. (See *Barry Barnes*, Memorandum Opinion and Order at 10.)

Applying this reasoning to the present case, it becomes evident that the Appellant’s due process rights were likewise not infringed upon by the time limitation imposed during her hearing. Despite her current objections, the Appellant neither raised concerns regarding the time restriction nor requested additional time when it was announced or enforced. Additionally, like the petitioner in *Barry Barnes*, the Appellant could have provided supplementary comments or rebuttals in writing, but did not do so. Moreover, the Appellant’s time allocation was extended beyond the standard limit, as she was granted four minutes instead of the usual three. Therefore, as in *Barry Barnes*, the Appellant’s procedural due process rights were preserved, as she was provided a meaningful opportunity to present her testimony, despite her failure to use all options available to her to submit testimony and evidence in support of her position in opposition to CUP24-3.

CONCLUSION

The Appellant has not met her burden to identify the procedural errors or deficiencies in the P&ZC’s application of Lewiston City Code §37-160(c) in the approval of CUP24-3. She has neither demonstrated that the P&ZC misapplied the relevant criteria and standards for approval of a conditional use permit, nor has she alleged that the P&ZC’s decision was arbitrary or capricious. Moreover, the Appellant’s arguments largely fall outside the scope of the CUP appeal process, presenting cumulative and repetitive assertions that the P&ZC has already fully considered. As such, her arguments fail to meet the basic requirements in Lewiston City Code § 37-185(c).

The Appellant further failed to show how any alleged procedural or substantive violations have prejudiced her substantial rights in a way that prevents her from the use and enjoyment of her property. Given these omissions, the City Council is therefore urged to decline jurisdiction over this appeal and to reject any attempt to re-evaluate matters that have been comprehensively reviewed by the P&ZC within the proper procedural and legal framework.

The City Council is therefore encouraged to refuse to accept jurisdiction of this appeal and refund the appeal fee to the Appellant pursuant to Lewiston City Code § 37-185(c)(1)(a).

If you need further assistance, please contact our office.

Sincerely,



Jennifer Tengono,
City Attorney

cc: Shannon Grow, Community Development Director
Joel Plaskon, City Planner
Katie Hollingshead, Assistant City Planner
Dawn Ortiz, Community Development Office Supervisor
Tanya M. Brocke, City Clerk
Linda Glines, Appellant at lindaglines35@gmail.com
Michelle King, Applicant at michelle@lcvyrc.org

RECEIVED
11/4/2024

[Signature]



APPEAL OF FINAL DECISION OF THE PLANNING & ZONING COMMISSION

(Per Lewiston City Code § 37-185(c))

STAFF USE ONLY

Appeal Number: **AP2024-01**
Hearing Date:
Filing Fee: **\$325.00 (paid)**
Charge Code: Zoning (24113)

Instructions: This form must be completed and submitted to the City Clerk within fourteen (14) calendar days of the adoption of the Planning & Zoning's written decision on reconsideration. Along with this form, the required fee, as specified in Section 37-188 of the Lewiston City Code, must be deposited within the same fourteen-day period. Failure to submit both within the specified timeframe will result in the commission's decision being final.

1. APPLICANT OR AFFECTED PERSON INFORMATION

Please provide your contact details below:

Full Name: Glines Linda J
Last First M.I.

Address: 0229 22nd St Lewiston ID 83501
Street Address City State ZIP Code

Phone: 208-305-7943 Email: linda.glines35@gmail.com

2. DECISION BEING APPEALED

Please provide details of the final decision you are appealing:

- Date of Decision: 09-11-24 + 09-25-24
- Date of Reconsideration Decision: 10-23-24
⇒ A Request for Reconsideration must be filed prior to an appeal. See LCC § 37-185 (b)
- Project or Case Number (if applicable): CAP 24-3

3. GROUNDS FOR APPEAL

Please identify the section(s) of the Lewiston City Code or applicable state or federal law that has been incorrectly applied or violated. Also, provide a description of how they have been incorrectly applied or violated:

see attached

Note: If additional space is needed, attach additional sheets.

4. PREJUDICE TO SUBSTANTIAL RIGHT

Please describe any real or potential prejudice to your substantial rights resulting from the decision:

see attached

Note: If additional space is needed, attach additional sheets.

5. PAYMENT OF REQUIRED FEE

I acknowledge that the required fee, as specified in Section 37-188 of the Lewiston City Code, must be submitted to the City Clerk within the fourteen-day appeal period. I understand that failure to submit this fee along with this form will result in the final decision being upheld.

- Amount Paid: 325.00
- Date of Payment: 11-9-24

The fee schedule is adopted by resolution of the City Council. Please contact the Community Development Department at 208-746-1318 x 7200 for assistance with the filing fee.

6. SIGNATURE

I certify that the information provided in this appeal is accurate and complies with the requirements of Lewiston City Code § 37-185 (c). I understand that, upon submission of this appeal, further actions and approvals on the project are stayed and the City Council may, in its sole discretion, choose to accept or refuse jurisdiction of the appeal.

Signature:

Shirley J. Glines

Date:

11-09-24

plus attached signature page.

Submit to:

Tanya Brocke, City Clerk
City of Lewiston
PO Box 617
1134 F Street
Lewiston, ID 83501
tbrocke@cityoflewiston.org

APPELLANT SIGNATURES

APPEAL TO CUP24-3		

NO	PRINTED NAME	SIGNATURE	PHONE NUMBER	STREET ADDRESS	DATE
1	Tina Hansen		205-246-6228	0111 22nd St	9-14-24
2	Riley Berg		208-553-9103	0127 22nd St	9-16-24
3	Terika Blackwell		208-717-7068	01207 25th St	9-16-24
4	Shannon Miller		208-553-5948	11	9-16-24
5	Wayne P. Berg		208-553-5948	11	9-16-24
6	Debra Miller		208-5413-3797	11	9-16-24
7	Nolyn Berg		208-553-5948	11	9-16-24
8	Cherity Compton		208-413-3511	11	9-16-24
9	Dustin Squires		208-305-2558	0204 22nd Street	9-16-24
10	Boston Jones		509-780-2368	0228 22nd Street	9-16-24
11	Brandon Jones		425-308-958	0232 22nd St	9-16-24
12	Linda Glines		208-305-7943	0229 22nd St	9-16-24
13	Rick Glines		208-305-7259	0229 22nd St	9-16-24

APPELLANT SIGNATURES

APPEAL TO CUP24-3

NO	PRINTED NAME	SIGNATURE	PHONE NUMBER	STREET ADDRESS	DATE
1	MIKE BRANE	<i>Mike Brane</i>	208-746-1882	0150-23 ST	9-16-24
2	TERISHA BRANE	<i>Terisha Brane</i>	208-746-1870	0150 33rd St.	9-16-24
3	Paul Mackinnon	<i>Paul Mackinnon</i>	201 746-4192	2302 Main St	9-16-24
4	Stephen Fowler	<i>Stephen Fowler</i>	208-305-1699	0150 23rd Street	9/17/24
5	KEITH WATSON	<i>Keith Watson</i>	208-413-3906	0128 23RD St.	9/17/24
6	Janice Walker	<i>Janice Walker</i>	208-798-4653	0117 23rd St	9-17-24
7	Tom Clark	<i>Tom Clark</i>	208-798-4673	0117 23rd St	9-17-24
8	Amy Barker	<i>Amy Barker</i>	208-791-4793	0123 31st MAINT	9-18-24
9	Horacio Bezona	<i>Horacio Bezona</i>	208 5539724	0113 24th St	9-18-24
10	Michael Delp	<i>Michael Delp</i>	208 5537969	0113 24th St	9-18-24
11	ALAN BIRN	<i>Alan Birn</i>	208-791-7242	0207-24th St	9-18-24
12	Beverly Solomon	<i>Beverly Solomon</i>	208-790-5082	0207 24th St.	9-18-24
13	Jessie Solomon	<i>Jessie Solomon</i>	208 791 4821	Jessie Solomon	9/18/24

NO	PRINTED NAME	SIGNATURE	PHONE NUMBER	STREET ADDRESS	DATE
14	Wood, Arthur C.	<i>Arthur C. Wood</i>	208-821-3102	0221 22nd St. #113	9-16-24
15	Sheila Hasset	<i>Sheila Hasset</i>	509-552-0209	0221 22nd St. #13	9-16-24
16	Jennifer Squires	<i>J. Squires</i>	208-553-9217	0224 22nd St	9-16-24
17	Pam Knight	<i>Pam Knight</i>	208-553-9477	0222 22nd St.	9-16-24
18	Scott Hagen	<i>Scott Hagen</i>	208-816-6918	0222 22nd St.	9-16-24
19	Danvil Gaudard	<i>Danvil Gaudard</i>	208-790-4829	0203 22nd St	9-16-24
20	Talesha Taylor	<i>Talesha Taylor</i>	208-791-0799	0215 22nd St. #1	9-16-24
21	Kat Glover	<i>Kat Glover</i>	208-627-0621	0115 23rd St	9-16-24
22	William Kessel	<i>William Kessel</i>	208-474-7421	0115 23rd St	9-16-24
23	Brandon Dugdale	<i>Brandon Dugdale</i>	208-413-4346	0121 23rd St	9-16-24
24	Emily Aquista	<i>Emily Aquista</i>	208-413-4771	0121 23rd St.	9-16-2024
25	Karla Boyce	<i>Karla Boyce</i>	208-790-8020	0211 23rd Street	9-16-2024
26	Bony Gordon	<i>Bony Gordon</i>	208-553-7643	0224 23rd St.	9-16-2024
27	Ashley Gordon	<i>Ashley Gordon</i>	208-553-1866	0224 23rd St	9-16-24
28	Vince Kite	<i>Vince Kite</i>	208-413-8034	0226 23rd St	9-16-24
29	Eden Barber	<i>Eden Barber</i>	210-4-5457	0211 23rd St. #113	9-16-2024
30	Brian Sumner	<i>Brian Sumner</i>	208-553-0565	0150 23rd St.	9-16-2024

NO	PRINTED NAME	SIGNATURE	PHONE NUMBER	STREET ADDRESS	DATE
14	Rebecca Glover		509-596-0561	0115 23rd St.	9-18-24
15	Kirk Gustafson		208-305-7461	0115 23rd Street	09/18/2024
16	Harshinder Singh		208-746-3578	2405 Main St.	09/19/24
17	Linda McFeron		208-743-5990	0125 24th St.	09/19/24
18	Robert Gould		208-990-0037	0125 24th St.	09/19/24
19	Dick L Goodson		208-305-3696	0117 22nd Street	09/19/24
20	Brook A. Ruhn		208-790-4488	2815 Clearwater Ave.	10/27/24
21	Joe Cunningham		208-305-8650	0137 26th Street	10/27/24
22	Jessie Cunningham		208-305-8625	0137 26th Street	10/27/24
23	Michael Immanuel		208-798-1616	0212 26th Street	10/27/24
24	Brenda Pailey		798-1616	0212 26th St	10/27/24
25	Jessie Pailey		798-1616	0212 26th St	10/27/24
26	Douglas M Conry		208-791-2628	605 24th St	10/29/24
27	Helen A Gray		208-791-9408	605 24th St #A	10/30/24
28	Sheree Polunsky		208-791-9369	0202 23rd St	10-30-24
29	Jeff Edwards		208-305-3503	0207 25th St	11-3-2024
30	Nathan Parry		208-400-0481	6474 Cougar Ridge	11-3-2024

Appeal of Final Decision of the Planning & Zoning Commission

Submitted to the City of Lewiston on 11/04/2024

We, the residents of 22nd Street, 23rd Street and other residents within the residential area of the proposed transitional tiny village, are requesting a review and appeal of this Conditional Use Permit CUP24-3. This permit was issued to Michelle King for "The Village".

Grounds for Appeal

In the final decision paperwork, the following is stated:

Finding 1: Although Pat Severance was not specifically prepared to address the issues raised by the Appellant, his input was nonetheless considered. His opinion, combined with information from the City Staff Report, which included the Public Works Department's review of the application, was evaluated by the Planning and Zoning Commission in its decision to approve CUP24-3. The absence of issues identified concerning water and sewer services was a significant factor in reaching its conclusion.

Explanation: The Public Works Department was duly notified of the application and was given the opportunity to provide comments. While various concerns were identified during the review process, there was no mention of any negative impacts on the water and sewer systems. The City of Lewiston confirmed its capacity to provide water and sewer services to the property in question. Importantly, throughout the application process, neither the City of Lewiston nor its departments raised any concerns regarding the viability of the water and sewer lines, even with the proposed addition of 13 more service lines.

*****Appeal Response:** A conversation was held with Luke Antonich, the City Engineer, about the process for reviewing the water and sewer lines. He stated that the department would verify that connections were valid when the CUP was requested/reviewed. The city DOES NOT verify the conditions and viability of the lines UNTIL a building permit is requested. This would explain why there is an absence of issues identified concerning the water and sewer services. **The comment in the findings, "The absence of issues identified concerning water and sewer services was a significant factor in reaching its conclusion.", was determined by information that was not yet reviewed by the City of Lewiston Engineering Department. This also negates the Explanation portion of the findings.**

The City of Lewiston is aware that the water lines in the affected area are 80 plus years old, the lines are comprised of a type of steel that is deteriorating and needs to be replaced. It has been on "the list" of water and sewer lines to be replaced for several years but keeps

getting delayed. Luke Antonich did state that it is again slated for both lines to be replaced in 2025, if it does not get delayed again. He can attest that the water pressure meets federal guidelines at this time as a pressure test was conducted AFTER it was noted that the pressure fluctuated at the end of 22nd Street. The test was done after Planning and Zoning had reached its decision and was never included in any reports to the Planning and Zoning Commission. He stated that he could not attest to the pressure or use of the sewer lines as they were not tested.

*****Appeal Fact:** Planning and Zoning decided that there were no known issues with the water and sewer lines was made on assumptions NOT fact. The lines are deteriorating and are in desperate need of replacement. The City of Lewiston is aware that financially both lines need to be replaced at the same time to save costs. The street will then need to be repaved afterwards. The City of Lewiston has 20 plus years of records of both the water and sewer lines having leaks and the city digging up the street to make temporary fixes. There are 12 big patches on 22nd Street with patches over patches from the last 20 years.

Finding 2: The explanation section states that a requirement of a Traffic Mitigation Report is relevant to the building permit process, not the conditional use permit.

*****Appeal Response:** The condition of the water and sewer lines ALSO is relevant to the building permit process, not the conditional use permit. Part of the CUP24-3 decision was made on information not available to them and should not have been a deciding factor for approval of the CUP24-3.

Finding 4: Discusses the Applicant's Facility Management Plan.

*****Appeal Response:** We find no fault with the submitted plan as it pertains to actions WITHIN the fenced property. 24/7 supervision of the site, resident pre-screening and regular drug testing all fall WITHIN the fenced property line. The issues of concern are what happens outside of the property fence. This will be addressed in more detail under the Prejudice portion of this appeal.

Finding 5: Addresses the amount of time for responses.

*****Appeal Response:** We were informed at the first Commission meeting that we were only given 3 minutes to speak. Chairperson Ball used her phone timer to keep track of the amount of time each resident spoke. At the beginning of the meeting, we were not told that we would have another opportunity to address the Commission. If all of us had known, we would have stayed and spoken again. We were not aware that we could object to the time limits, request more time or submit written comments. This was not conveyed as options to us.

Prejudice to Substantial Right

We, the residents of the affected area have undressed concerns with The Village project moving forward.

Allowed zones: According to testimony/comments from Michelle King and Kathy Schroeder, this site is the ONLY site that is allowed via the city. This is because of the wording of Ordinance 4841, section 18, sub section 37-125, item #1 as it states, "Location shall be within one-quarter mile (0.25) of a public transportation route, as measured along the shortest route on the city street system, between the public transportation route and the closet point of the subject property."

Due to this restriction, it is being presented as the project will not be able to happen unless all requested accommodations are allowed or changed to have the project go forward. This puts people in a position of emotionally not being able to deny the requests as the project has merit as it is the ONLY site that meets city criteria.

The City of Lewiston needs to review the bus stop requirement and possibly remove it from the ordinance. This would open many other sites that could be considered for this and future transitional tiny home villages. The city could also consider opening other zones for transitional tiny home villages to be built. Right now, they are limited to 4 zones, and all are an industrial/residential or commercial mix. There are NO residential only zones allowed at this time. Yet, regular tiny homes can be built in residential only zones.

There are many more options but again, the city ordinance denies the possibility to use them. Due to this, we feel the City of Lewiston has put the residents that are affected by this project in a position of not having any type of say or opinion on the placement of the project.

City infrastructure: I have spoken with the city engineer, Luke Antonich. In my conversation with him, we found out that the water and sewer lines on 22nd Street are 80 to 100 years old. He believes that the water and sewer lines on 23rd Street may be in the same condition as 22nd Street. The water lines are made of a type of steel that is disintegrating bit by bit. The sewer lines are not in any better shape. He informed me that this street is in the 2025 fiscal year budget to have both the water and sewer lines replaced. It is my understanding that it has been in the budget for many years, and it keeps getting "bumped" as more urgent issues required the use of the money. He did inform me that just because it is in the budget, that does not mean it will happen if those monies need to be directed to another more urgent project. I asked if a study would be done on the condition of the lines and was told not until a building permit has been requested. A "study" may be nothing more than noting that a 6-inch water line could be sufficient to add another 13 homes to the water line. We really did not discuss the sewer lines in depth. Every couple of years

one or the other of the lines breaks/leaks and the city must tear up our road to repair them. This will continue if the lines are not replaced. We cannot get our street repaired until these lines are replaced.

This project or any building project should not be considered until both the water and sewers are replaced plus street is fixed and repaved. This affects every single residence on 22nd Street if this project goes forward.

Currently the Corps of Engineers is working on a project that runs between 22nd Street and Highway 12. They need access for their construction equipment and employee parking. This is causing major disruption at the mouth of the street. Any additional construction of The Village at the same time is going to make it very inconvenient for those that live on the street.

City Responsibility and Liability: The city becomes a “landlord” should they rent the property to Michelle King. Landlord responsibilities extend beyond the leased property as you now must work hand in hand with the neighbors in the area.

We believe that there is a conflict of interest with the Community Development Block Grant that was awarded to The Village project. A copy of the HUD guidelines detailing this is included. It states that there can be no benefit to the issuing entity of the grant. If the city is receiving payment from a lease, then the city is receiving a benefit from issuing the grant to the project.

Resident Concerns: The vetting of the residents for felony convictions is a moot point. Once a child turns 18 most of their criminal records are sealed. We have no idea what type of 18- to 21-year-old residents will be allowed to move into The Village. We have no assurances except the King’s word. As an example: What happens if theft incidents start to climb? The Village will have absolutely no control over what these young adults can do once they step outside of the fence of The Village. This has been stated by the King’s. The only control they have is inside the fence. There is also the issue that the friends and visitors of the residents of The Village could also bring problems and issues to the area. What accountability does The Village and the King’s have if a resident, any associate of the resident or staff cause or create an incident of any type that affects a neighbor, that occurs outside The Village fence? Examples: trespassing, verbal confrontations, petty theft, property destruction.

Residents are concerned about the issues that this facility is going to expose the neighborhood to. This includes property owners AND renters. We are ALL going to be affected by this project. We should not have to worry about gathering and locking up all our belongings and property in case of theft. We should not have to worry about trespassing on our properties. We are being forced into more protective measures (making sure all our vehicles have locking gas caps and purchasing video surveillance equipment

as examples). We foresee constant calls burdening law enforcement about trespassing, verbal confrontations, petty theft, property destruction.

Property owners are worried that the RESALE VALUE, not the assessed property value, is going to decrease. If an owner wants to sell for \$300,000.00, no one wants to pay resale value living next to a project like The Village. Property owners will lose money if they cannot sell their homes at listed value. No one will get near their asking price for their property.

There is also the issue of burdening the property owners and renters with additional home insurance and renter insurance costs. Any claims for theft or vandalism against the insurance policies are going to increase the cost of said policies.

We are not against this project, there is a need for it. We do not want the issues and worries that will accompany this project in our area. We should not have to lose money if we sell our property nor pay increased costs to protect ourselves and our property. There are many more areas that could be made available. We understand that they will have oversight and control inside the fence. It is unknown what will happen outside the controlled fence area. The King's will have no liability or control of the issues that this will bring upon our streets but why should the worries and the problems be placed upon those who live here? Shouldn't we have a say or opinion that will be seriously considered by the City of Lewiston?

There will be many letters and emails sent supporting the project. The people supporting the project DO NOT live in the area. The letters of support should NOT OUTWEIGH the residents' opposition of the project in the area in which we live.

There are pages of signatures of property owners and renters who are co-signers of this appeal. It shows there is a united agreement that we do not want The Village in this location.

We are respectfully asking that this appeal be reviewed at a City of Lewiston Council meeting. Residents of the area are prepared to present a public comment for this appeal.

This content is from the eCFR and is authoritative but unofficial.

Title 24 —Housing and Urban Development
Subtitle B —Regulations Relating to Housing and Urban Development
Chapter V —Office of Assistant Secretary for Community Planning and Development,
Department of Housing and Urban Development
Subchapter C —Community Facilities
Part 570 —Community Development Block Grants
Subpart I —State Community Development Block Grant Program

Source: 57 FR 53397, Nov. 9, 1992, unless otherwise noted.

Authority: 12 U.S.C. 1701x, 1701 x-1; 42 U.S.C. 3535(d) and 5301-5320.

Source: 40 FR 24693, June 9, 1975, unless otherwise noted.

§ 570.489 Program administrative requirements.

(a) Administrative and planning costs. —

(1) State administrative and technical assistance costs.

- (i) The State is responsible for the administration of all CDBG funds. The State may use CDBG funds not to exceed \$100,000, plus 50 percent of administrative expenses incurred in excess of \$100,000. Amounts of CDBG funds used to pay administrative expenses in excess of \$100,000 shall not, subject to paragraph (a)(1)(iii) of this section, exceed the sum of 3 percent of the State's annual grant; 3 percent of program income received by units of general local government during each program year, regardless of the origin year in which the State grant funds that generate the program income were appropriated (whether retained by units of general local government or paid to the State); and 3 percent of funds reallocated by HUD to the State.
- (ii) To pay the costs of providing technical assistance to local governments and nonprofit program recipients, a State may, subject to paragraph (a)(1)(iii) of this section, use CDBG funds received on or after January 23, 2004, in an amount not to exceed the sum of 3 percent of its annual grant; 3 percent of program income received by units of general local government during each program year, regardless of the origin year in which the State grant funds that generate the program income were appropriated (whether retained by units of general local government or paid to the State); and 3 percent of funds reallocated by HUD to the State during each program year.
- (iii) The amount of CDBG funds used to pay the sum of administrative costs in excess of \$100,000 paid pursuant to paragraph (a)(1)(i) of this section and technical assistance costs paid pursuant to paragraph (a)(1)(ii) of this section must not exceed the sum of 3 percent of the State's annual grant; 3 percent of program income received by units of general local government during each program year, regardless of the origin year in which the State grant funds that generate the program income were appropriated (whether retained by the unit of general local government or paid to the State); and 3 percent of funds reallocated by HUD to the State.

- (iv) In calculating the amount of CDBG funds that may be used to pay State administrative expenses prior to January 23, 2004, the State may include in the calculation the following elements only to the extent that they are within the following time limitations:
 - (A) \$100,000 per annual grant beginning with FY 1984 allocations;
 - (B) Two percent of the sum of a State's annual grant and funds reallocated by HUD to the State within a program year, without limitation based on when such amounts were received;
 - (C) Two percent of program income returned by units of general local government to States after August 21, 1985; and
 - (D) Two percent of program income received and retained by units of general local government after February 11, 1991.
- (v) In regard to its administrative costs, for grants before origin year 2015, the State has the option of selecting its approach for demonstrating compliance with the requirements of paragraph (a)(1) of this section. For grants beginning with origin year 2015 grants and subsequent grants, the State must use the approach in paragraph (a)(1)(v)(A) of this section. Any State whose matching cost contributions toward State administrative expense matching requirements are in arrears must bring matching cost contributions up to the level of CDBG funds expended for such costs. A State grant may not be closed out if the State's matching cost contribution is not at least equal to the amount of CDBG funds in excess of \$100,000 expended for administration. The two approaches for demonstrating compliance with this paragraph (a)(1) are:
 - (A) ***Year-to-year tracking and limitation on drawdown of funds.*** The State will calculate the maximum allowable amount of CDBG funds that may be used for State administrative expenses from the sum of each origin year grant, program income received during that associated program year and reallocations by HUD to the State during that associated program year. The State will draw down amounts of those funds only upon its own expenditure of an equal or greater amount of matching funds from its own resources after the expenditure of the initial \$100,000 for State administrative expenses. The State will be considered to be in compliance with the applicable requirements if the actual amount of CDBG funds spent on State administrative expenses does not exceed the maximum allowable amount, and if the amount of matching funds that the State has expended for that grant year is equal to or greater than the amount of CDBG funds in excess of \$100,000 spent during that same grant year. Under this approach, the State must demonstrate that it has paid from its own funds at least 50 percent of its administrative expenses in excess of \$100,000 by the closeout of each grant.
 - (B) ***Cumulative accounting of administrative costs incurred by the State since its assumption of the CDBG program for grants before origin year 2015.*** Under this approach, the State will identify, for each grant it has received, the CDBG funds eligible to be used for State administrative expenses, as well as the minimum amount of matching funds that the State is required to contribute. The amounts will then be aggregated for all grants received. The State must keep records demonstrating the actual amount of CDBG funds from each grant received that was used for State administrative expenses, as well as matching amounts that were contributed by the State. The State will be considered to be in compliance with the applicable requirements if the aggregate of the actual amounts of CDBG funds spent on State administrative expenses does not exceed the aggregate maximum allowable

amount and if the aggregate amount of matching funds that the State has expended is equal to or greater than the aggregate amount of CDBG funds in excess of \$100,000 (for each annual grant within the subject period) spent on administrative expenses during its 3- to 5-year Consolidated Planning period. If the State grant for any grant year within the 3- to 5-year period has been closed out, the aggregate amount of CDBG funds spent on State administrative expenses, the aggregate maximum allowable amount, the aggregate matching funds expended, and the aggregate amount of CDBG funds in excess of \$100,000 (for each annual grant within the subject period) will be reduced by amounts attributable to the grant year for which the State grant has been closed out.

- (2) The State may not charge fees of any entity for processing or considering any application for CDBG funds, or for carrying out its responsibilities under this subpart.
- (3)
 - (i) Administrative costs are those described at § 570.489(a)(1) for States and, for units of general local government, are those described at sections 105(a)(12) and (a)(13) of the Act.
 - (ii) The combined expenditures by the State and its funded units of general local government for planning, management, and administrative costs shall not exceed 20 percent of the aggregate amount of the origin year grant, any origin year grant funds reallocated by HUD to the State, and the amount of any program income received during the program year.
 - (iii) For origin year 2015 grants and subsequent grants, no more than 20 percent of any annual grant (excluding program income) shall be expended by the State and its funded units of general local government for planning, management, and administrative costs. In addition, the combined expenditures by the States and its unit of general local government for planning, management, and administrative costs shall not exceed 20 percent of any origin year grant funds reallocated by HUD to the State.
 - (iv) Funds from a grant of any origin year may be used to pay planning and program administrative costs associated with any grant of any origin year.
- (b) **Reimbursement of pre-agreement costs.** The State may permit, in accordance with such procedures as the State may establish, a unit of general local government to incur costs for CDBG activities before the establishment of a formal grant relationship between the State and the unit of general local government and to charge these pre-agreement costs to the grant, provided that the activities are eligible and undertaken in accordance with the requirements of this part and 24 CFR part 58. A State may incur costs prior to entering into a grant agreement with HUD and charge those pre-agreement costs to the grant, provided that the activities are eligible and are undertaken in accordance with the requirements of this part, part 58 of this title, and the citizen participation requirements of part 91 of this title.
- (c) **Federal grant payments.** The State's requests for payment, and the Federal Government's payments upon such requests, must comply with 31 CFR part 205. The State must use procedures to minimize the time elapsing between the transfer of grant funds and disbursement of funds by the State to units of general local government. States must also have procedures in place, and units of general local government must use these procedures to minimize the time elapsing between the transfer of funds by the State and disbursement for CDBG activities.
- (d) **Fiscal controls and accounting procedures.**

- (1) A State shall have fiscal and administrative requirements for expending and accounting for all funds received under this subpart. These requirements must be available for Federal inspection and must:
 - (i) Be sufficiently specific to ensure that funds received under this subpart are used in compliance with all applicable statutory and regulatory provisions and the terms and conditions of the award;
 - (ii) Ensure that funds received under this subpart are only spent for reasonable and necessary costs of operating programs under this subpart; and
 - (iii) Ensure that funds received under this subpart are not used for general expenses required to carry out other responsibilities of State and local governments.
 - (2) A State may satisfy this requirement by:
 - (i) Using fiscal and administrative requirements applicable to the use of its own funds;
 - (ii) Adopting new fiscal and administrative requirements; or
 - (iii) Applying the provisions in 2 CFR part 200.
 - (A) A State that opts to satisfy this requirement for fiscal controls and administrative procedures by applying the provisions of 2 CFR part 200 must comply with the requirements therein.
 - (B) A State that opts to satisfy this requirement for fiscal controls and administrative procedures by applying the provisions of 2 CFR part 200 must also ensure that recipients of the State's CDBG funds comply with 2 CFR part 200.
- (e) **Program income.**

- (1) For the purposes of this subpart, "program income" is defined as gross income received by a State, a unit of general local government, or a subgrantee of the unit of general local government that was generated from the use of CDBG funds, regardless of when the CDBG funds were appropriated and whether the activity has been closed out, except as provided in paragraph (e)(2) of this section. When income is generated by an activity that is only partially assisted with CDBG funds, the income must be prorated to reflect the percentage of CDBG funds used (e.g., a single loan supported by CDBG funds and other funds; or a single parcel of land purchased with CDBG funds and other funds). Program income includes, but is not limited to, the following:
 - (i) Proceeds from the disposition by sale or long-term lease of real property purchased or improved with CDBG funds, except as provided in paragraph (e)(2)(v) of this section;
 - (ii) Proceeds from the disposition of equipment purchased with CDBG funds;
 - (iii) Gross income from the use or rental of real or personal property acquired by the unit of general local government or subgrantee of the unit of general local government with CDBG funds, less the costs incidental to the generation of the income;
 - (iv) Gross income from the use or rental of real property, owned by the unit of general local government or other entity carrying out a CDBG activity that was constructed or improved with CDBG funds, less the costs incidental to the generation of the income;
 - (v) Payments of principal and interest on loans made using CDBG funds, except as provided in paragraph (e)(2)(iii) of this section;

- (vi) Proceeds from the sale of loans made with CDBG funds, less reasonable legal and other costs incurred in the course of such sale that are not otherwise eligible costs under sections 105(a)(13) or 106(d)(3)(A) of the Act;
 - (vii) Proceeds from the sale of obligations secured by loans made with CDBG funds, less reasonable legal and other costs incurred in the course of such sale that are not otherwise eligible costs under sections 105(a)(13) or 106(d)(3)(A) of the Act;
 - (viii) Interest earned on funds held in a revolving fund account;
 - (ix) Interest earned on program income pending disposition of the income;
 - (x) Funds collected through special assessments made against nonresidential properties and properties owned and occupied by households not of low and moderate income, if the special assessments are used to recover all or part of the CDBG portion of a public improvement; and
 - (xi) Gross income paid to a unit of general local government or subgrantee of the unit of general local government from the ownership interest in a for-profit entity acquired in return for the provision of CDBG assistance.
- (2) "Program income" does not include the following:
- (i) The total amount of funds, which does not exceed \$35,000 received in a single year from activities, other than revolving loan funds that is retained by a unit of general local government and its subgrantees (all funds received from revolving loan funds are considered program income, regardless of amount);
 - (ii) Amounts generated by activities eligible under section 105(a)(15) of the Act and carried out by an entity under the authority of section 105(a)(15) of the Act;
 - (iii) Payments of principal and interest made by a subgrantee carrying out a CDBG activity for a unit of general local government, toward a loan from the local government to the subgrantee, to the extent that program income received by the subgrantee is used for such payments;
 - (iv) The following classes of interest, which must be remitted to HUD for transmittal to the Department of the Treasury, and will not be reallocated under section 106(c) or (d) of the Act:
 - (A) Interest income from loans or other forms of assistance provided with CDBG funds that are used for activities determined by HUD to be not eligible under § 570.482 or section 105(a) of the Act, to fail to meet a national objective in accordance with the requirements of § 570.483, or to fail substantially to meet any other requirement of this subpart or the Act;
 - (B) Interest income from deposits of amounts reimbursed to a State's CDBG program account prior to the state's disbursement of the reimbursed funds for eligible purposes; and
 - (C) Interest income received by units of general local government on deposits of grant funds before disbursement of the funds for activities, except that the unit of general local government may keep interest payments of up to \$100 per year for administrative expenses otherwise permitted to be paid with CDBG funds.
 - (v) Proceeds from the sale of real property purchased or improved with CDBG funds, if the proceeds are received more than 5 years after expiration of the grant agreement between the State and the unit of general local government.

- (3) The State may permit the unit of general local government which receives or will receive program income to retain it, subject to the requirements of paragraph (e)(3)(ii) of this section, or may require the unit of general local government to pay the program income to the State. The State, however, must permit the unit of general local government to retain the program income if it will be used to continue the activity from which it was derived. The State will determine when an activity is being continued.
- (i) **Program income paid to the State.** Except as described in paragraph (e)(3)(ii)(A) of this section, the State may require the unit of general local government that receives or will receive program income to return the program income to the State. Program income that is paid to the State is treated as additional CDBG funds subject to the requirements of this subpart. Except for program income retained and used by the State for administrative costs or technical assistance under paragraph (a) of this section, program income paid to the State must be distributed to units of general local government in accordance with the method of distribution in the action plan under 24 CFR 91.320(k)(1)(i) that is in effect at the time the program income is distributed. To the maximum extent feasible, the State must distribute program income before it makes additional withdrawals from the United States Treasury, except as provided in paragraph (f) of this section.
- (ii) **Program income retained by a unit of general local government.** A State may permit a unit of general local government that receives or will receive program income to retain it. Alternatively, a State may require that the unit of general local government pay any such income to the State unless the exception in paragraph (e)(3)(ii)(A) of this section applies.
- (A) A State must permit the unit of general local government to retain the program income if the program income will be used to continue the activity from which it was derived. A State will determine when an activity is being continued. In making such a determination, a State may consider whether the unit of general local government is or will be unable to comply with the requirements of paragraph (e)(3)(ii)(B) of this section or other requirements of this part, and the extent to which the program income is unlikely to be applied to continue the activity within the reasonably near future. When a State determines that the program income will be applied to continue the activity from which it was derived, but the amount of program income held by the unit of general local government exceeds projected cash needs for the reasonably near future, the State may require the local government to return all or part of the program income to the State until such time as it is needed by the unit of general local government. When a State determines that a unit of local government is not likely to apply any significant amount of program income to continue the activity within a reasonable amount of time, or that it is not likely to apply the program income in accordance with applicable requirements, the State may require the unit of general local government to return all of the program income to the State for disbursement to other units of local government. A State that intends to require units of general local government to return program income in accordance with this paragraph must describe its approach in the State's action plan required under 24 CFR 91.320 of this title or in a substantial amendment if the State intends to implement this option after the action plan is submitted to and approved by HUD.
- (B) Program income that is received and retained by the unit of general local government is treated as additional CDBG funds and is subject to all applicable requirements of this subpart, regardless of whether the activity that generated the program income has been closed out. If the grant between the State and the unit of general local government that

generated the program income is still open when it is generated, program income permitted to be retained will be considered part of the unit of general local government's grant that generated the program income. If the grant between the State and the unit of general local government is closed out, program income permitted to be retained will be considered to be part of the unit of general local government's most recently awarded open grant. If the unit of general local government has no open grants with the State, the program income retained by the unit of general local government will be counted as part of the State's program year in which the program income was received. A State must employ one or more of the following methods to ensure that units of general local government comply with applicable program income requirements:

- (1) Maintaining contractual relationships with units of general local government for the duration of the existence of the program income;
- (2) Closing out the underlying activity, but requiring as a condition of closeout that the unit of general local government obtain advance State approval of either a unit of general local government's plan for the use of program income or of each use of program income by grant recipients via regularly occurring reports and requests for approval;
- (3) Closing out the underlying activity, but requiring as a condition of closeout that the unit of general local government report to the State when new program income is received; or
- (4) With prior HUD approval, other approaches that demonstrate that the State will ensure compliance with the requirements of this subpart by units of general local government.

(iii) **Transfer of program income to Entitlement program.** A unit of general local government that becomes eligible to be an Entitlement grantee may request the State's approval to transfer State CDBG grant-generated program income to the unit of general local government's Entitlement program. A State may approve the transfer, provided that the unit of general local government:

- (A) Has officially elected to participate in the Entitlement grant program;
- (B) Agrees to use such program income in accordance with Entitlement program requirements; and
- (C) Has set up Integrated Disbursement Information System (IDIS) access and agrees to enter receipt of program income into IDIS.

(iv) **Transfer of program income of grantees losing Entitlement status.** Upon entry into the State CDBG program, a unit of general local government that has lost or relinquished its Entitlement status must, with respect to program income that a unit of general local government would otherwise be permitted to retain, either:

- (A) Retain program income generated under Entitlement grants and continue to comply with Entitlement program requirements for program income; or
- (B) Retain the program income and transfer it to the State CDBG program, in which case the unit of general local government must comply with the State's rules for program income and the requirements of this paragraph (e).

- (4) The State must report on the receipt and use of all program income (whether retained by units of general local government or paid to the State) in its annual performance and evaluation report.

(f) Revolving funds.

- (1) The State may permit units of general local government to establish revolving funds to carry out specific, identified activities. A revolving fund, for this purpose, is a separate fund (with a set of accounts that are independent of other program accounts) established to carry out specific activities which, in turn, generate payments to the fund for use in carrying out such activities. These payments to the revolving fund are program income and must be substantially disbursed from the revolving fund before additional grant funds are drawn from the Treasury for revolving fund activities. Such program income is not required to be disbursed for non-revolving fund activities.

- (2) The State may establish one or more State revolving funds to distribute grants to units of general local government throughout a State or a region of the State to carry out specific, identified activities. A revolving fund, for this purpose, is a separate fund (with a set of accounts that are independent of other program accounts) established to fund grants to units of general local government to carry out specific activities which, in turn, generate payments to the fund for additional grants to units of general local government to carry out such activities. Program income in the revolving fund must be disbursed from the fund before additional grant funds are drawn from the Treasury for payments to units of general local government which could be funded from the revolving fund.

- (3) A revolving fund established by either the State or unit of general local government shall not be directly funded or capitalized with grant funds.

- (g) Procurement.** When procuring property or services to be paid for in whole or in part with CDBG funds, the State shall follow its procurement policies and procedures. The State shall establish requirements for procurement policies and procedures for units of general local government, based on full and open competition. Methods of procurement (e.g., small purchase, sealed bids/formal advertising, competitive proposals, and noncompetitive proposals) and their applicability shall be specified by the State. Cost plus a percentage of cost and percentage of construction costs methods of contracting shall not be used. The policies and procedures shall also include standards of conduct governing employees engaged in the award or administration of contracts. (Other conflicts of interest are covered by § 570.489(h).) The State shall ensure that all purchase orders and contracts include any clauses required by Federal statutes, Executive orders, and implementing regulations. The State shall make subrecipient and contractor determinations in accordance with the standards in 2 CFR 200.330.

(h) Conflict of interest –

(1) Applicability.

- (i) In the procurement of supplies, equipment, construction, and services by the States, units of local general governments, and subrecipients, the conflict of interest provisions in paragraph (g) of this section shall apply.

- * (ii) In all cases not governed by paragraph (g) of this section, this paragraph (h) shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance with CDBG funds by the unit of general local government or its subrecipients, to individuals, businesses and other private entities.

-  (2) **Conflicts prohibited.** Except for eligible administrative or personnel costs, the general rule is that no persons described in paragraph (h)(3) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this subpart or who are in a position to participate in a decisionmaking process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.
- (3) **Persons covered.** The conflict of interest provisions for paragraph (h)(2) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the State, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving CDBG funds.
- (4) **Exceptions: Thresholds requirements.** Upon written request by the State, an exception to the provisions of paragraph (h)(2) of this section involving an employee, agent, consultant, officer, or elected official or appointed official of the State may be granted by HUD on a case-by-case basis. In all other cases, the State may grant such an exception upon written request of the unit of general local government provided the State shall fully document its determination in compliance with all requirements of paragraph (h)(4) of this section including the State's position with respect to each factor at paragraph (h)(5) of this section and such documentation shall be available for review by the public and by HUD. An exception may be granted after it is determined that such an exception will serve to further the purpose of the Act and the effective and efficient administration of the program or project of the State or unit of general local government as appropriate. An exception may be considered only after the State or unit of general local government, as appropriate, has provided the following:
- (i) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
 - (ii) An opinion of the attorney for the State or the unit of general local government, as appropriate, that the interest for which the exception is sought would not violate State or local law.
- (5) **Factors to be considered for exceptions.** In determining whether to grant a requested exception after the requirements of paragraph (h)(4) of this section have been satisfactorily met, the cumulative effect of the following factors, where applicable, shall be considered:
- (i) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available;
 - (ii) Whether an opportunity was provided for open competitive bidding or negotiation;
 - (iii) Whether the person affected is a member of a group or class of low or moderate income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
 - (iv) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decisionmaking process with respect to the specific assisted activity in question;
 - (v) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (h)(3) of this section;

- (vi) Whether undue hardship will result either to the State or the unit of general local government or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
 - (vii) Any other relevant considerations.
- (i) **Closeout of grants to units of general local government.** The State shall establish requirements for timely closeout of grants to units of general local government and shall take action to ensure the timely closeout of such grants.
- (j) **Change of use of real property.** The standards described in this section apply to real property within the unit of general local government's control (including activities undertaken by subrecipients) which was acquired or improved in whole or in part using CDBG funds in excess of the threshold for small purchase procurement (2 CFR 200.88). These standards shall apply from the date CDBG funds are first spent for the property until five years after closeout of the unit of general local government's grant.
- (1) A unit of general local governments may not change the use or planned use of any such property (including the beneficiaries of such use) from that for which the acquisition or improvement was made, unless the unit of general local government provides affected citizens with reasonable notice of and opportunity to comment on any proposed change, and either:
- (i) The new use of the property qualifies as meeting one of the national objectives and is not a building for the general conduct of government; or
 - (ii) The requirements in paragraph (j)(2) of this section are met.
- (2) If the unit of general local government determines, after consultation with affected citizens, that it is appropriate to change the use of the property to a use which does not qualify under paragraph (j)(1) of this section, it may retain or dispose of the property for the changed use if the unit of general local government's CDBG program is reimbursed or the State's CDBG program is reimbursed, at the discretion of the State. The reimbursement shall be in the amount of the current fair market value of the property, less any portion of the value attributable to expenditures of non-CDBG funds for acquisition of, and improvements to, the property, except that if the change in use occurs after grant closeout but within 5 years of such closeout, the unit of general local government shall make the reimbursement to the State's CDBG program account.
- (3) Following the reimbursement of the CDBG program in accordance with paragraph (j)(2) of this section, the property no longer will be subject to any CDBG requirements.
- (k) **Accountability for real and personal property.** The State shall establish and implement requirements, consistent with State law and the purposes and requirements of this subpart (including paragraph (j) of this section) governing the use, management, and disposition of real and personal property acquired with CDBG funds.
- (l) **Debarment and suspension.** The requirements in 2 CFR part 2424 are applicable. CDBG funds may not be provided to excluded or disqualified persons.
- (m) **Subrecipient monitoring and management.** The provisions of 2 CFR 200.330 through 200.332 are applicable.

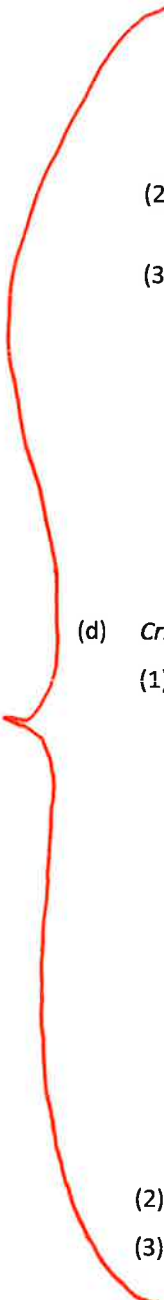
- (n) **Audits.** Notwithstanding any other provision of this title, audits of a State and units of general local government shall be conducted in accordance with 2 CFR part 200, subpart F, which implements the Single Audit Act. States shall develop and administer an audits management system to ensure that audits of units of general local government are conducted in accordance with 2 CFR part 200, subpart F.
- (o) **Grant Closeout.** —HUD will close grants to States in accordance with the grant closeout requirements of 2 CFR 200.343.
- (p) **Cost principles and prior approval.** A State must ensure that costs incurred by the State and by its recipients are in conformance with 2 CFR part 200, subpart E. All cost items described in 2 CFR part 200, subpart E, that require Federal agency approval are allowable without prior approval of HUD, to the extent that they otherwise comply with the requirements of 2 CFR part 200, subpart E, and are otherwise eligible, except for the following:
 - (1) Depreciation methods for fixed assets shall not be changed without the express approval of the cognizant Federal agency (2 CFR 200.436).
 - (2) Fines, penalties, damages, and other settlements are unallowable costs to the CDBG program (2 CFR 200.441).
 - (3) Costs of housing (e.g., depreciation, maintenance, utilities, furnishings, rent), housing allowances, and personal living expenses (goods or services for personal use) regardless of whether reported as taxable income to the employees (2 CFR 200.445).
 - (4) Organization costs (2 CFR 200.455).

[57 FR 53397, Nov. 9, 1992, as amended at 60 FR 1952, Jan. 5, 1995; 61 FR 54922, Oct. 22, 1996; 67 FR 15112, Mar. 29, 2002; 72 FR 73496, Dec. 27, 2007; 77 FR 24143, Apr. 23, 2012; 80 FR 69871, Nov. 12, 2015; 80 FR 71936, Nov. 18, 2015; 80 FR 75937, Dec. 7, 2015]

Sec. 37-185. Actions after a final decision of the planning and zoning commission and/or city council.

- (a) *Final decisions.* A decision is not considered final, and no petition for judicial review of the decision may be filed, until the provisions of this section have been completed and the provisions below have been exhausted as provided by this section and Idaho Code § 67- 6535(2)(b), as may be amended from time-to-time.
- (1) A final decision of the commission is not a final decision for the purposes of judicial review until the commission has issued a final decision upon reconsideration and the city council has issued a final decision on appeal.
- a. Commission recommendations to city council are not final decisions and, thus, shall not be subject to reconsideration or appeal.
- (b) *Request for reconsideration of a final decision by the commission or by the city council.*
- (1) *Procedure.* An applicant or affected person may file a written request for reconsideration with the city clerk to request that the commission or the city council reconsider a final decision within fourteen (14) calendar days by 5:00 p.m. on the fourteenth day after the commission or city council has adopted its written 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.
- a. A request for reconsideration shall be a mandatory exhaustion of an applicant or affected person's administrative remedies prior to the filing of an appeal of a commission decision to the city council or petition for judicial review of a final decision by the city council.
- (2) *Stay of action.* The filing of a request for reconsideration stays further action on the project, including recording of any related ordinances or resolutions.
- (3) *Reconsideration.*
- a. Upon receipt of a request for reconsideration that complies with the requirements of this section, the matter shall be scheduled for reconsideration by the commission or city council, as applicable, no later than the second regularly scheduled meeting after the filing of the request for reconsideration.
- b. Upon reconsideration, the decision may be affirmed, reversed, or modified, pursuant to Idaho Code § 67-6535, as may be amended from time-to-time. A written decision shall be provided to the applicant or affected person within thirty (30) days of reconsideration, in accordance with Idaho Code § 67-6535, as may be amended from time-to-time.
- c. A decision on reconsideration of a final decision made by the city council is not eligible for reconsideration under the provisions of this section.
- (c) *Appeal of a final decision of planning and zoning commission.*
- (1) *Procedure.* Within fourteen (14) calendar days after the 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. 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 this 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. Written notice of

the appeal shall be filed with the city clerk and the fee required by section 37-188 of this Code shall be deposited with the city clerk within the fourteen-day period. If an appeal is not filed and/or the fee required by section 37-188 of this Code is not deposited with the city clerk within the fourteen-day period, then the decision of the commission shall be final. If an appeal is filed and the required fee is deposited within the required time, the commission shall make a written report of the case to the council.

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- a. The council may, in its sole discretion and without hearing or notice, either refuse to accept jurisdiction of such appeal, in which case the decision of the commission shall be final, and any appeal fees shall be refunded; or it may provide that such appeal shall be heard at a public hearing before the city council at such time and pursuant to such rules as the council may determine.
 - (2) *Stay of proceedings.* The filing of an appeal of a commission decision stays further approvals and/or actions on the project.
 - (3) *Conduct of appeal hearing.*
 - a. The city council shall hear an appeal of a final decision of the commission de novo, and is not required to rely upon or be bound by the reasoning or conclusions made by the commission.
 - b. In the event the council decides to hold a public hearing regarding an appeal, the city clerk shall publish notice of a public hearing on the matter as required by section 37-184(b) of this Code.
 - c. During the public hearing, testimony shall be limited to those issues that were set forth in the written appeal. The city council may ask about or request information regarding aspects of the project that were not included in the written appeal, if they desire, but shall not supplement or alter the specific grounds upon which the appeal is made.
 - (d) *Criteria on which decision may be based.*
 - (1) After hearing a request for reconsideration or an appeal, the commission or city council may affirm, reverse, or modify any final decision, or the city council may order the case back to the commission for further proceedings. The commission's or city council's decision to affirm, reverse, or modify a final decision shall be based on one (1) or more of the following criteria:
 - a. The decision violates state or federal law.
 - b. The decision exceeds the statutory or delegated authority of the commission or city council.
 - c. The decision was made through procedures that were unlawful or inconsistent with this Code.
 - d. The decision is not supported by substantial evidence.
 - e. The decision is arbitrary, capricious, or an abuse of discretion in that it was made without rational basis, or in disregard of the facts and circumstances presented. Even if the record would support two (2) different interpretations of what this Code and applicable state and federal law requires, the action is not arbitrary, capricious, or an abuse of discretion if exercised honestly and after due consideration upon review.
 - (2) If error is found, the commission or city council may reverse or modify the decision.
 - (3) If no error is found, the commission or city council shall deny the request for reconsideration or appeal, and the decision shall be upheld.
 - (4) The city clerk shall mail to the applicant and the appellant notice of the decision together with the reasoned statement and a notification of the right to seek further review, including judicial review.

NOTICE OF PUBLIC HEARING

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

Wednesday August 28, 2024 at 5:30 pm.

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

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

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

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

CONDITIONAL USE PERMIT APPLICATION CUP24-3 BY MICHELLE KING AND THE LEWIS-CLARK VALLEY YOUTH RESOURCE CENTER FOR A TRANSITIONAL HOUSING VILLAGE AT 2207 EAST MAIN STREET: 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 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.

FOR FURTHER INFORMATION AND TO SUBMIT TESTIMONY, contact the Community Development Department at (208) 746-1318, ext. 7202.

Hearing notice publication date: Sunday, August 11, 2024.

NOTICE OF PUBLIC HEARING

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

WEDNESDAY AUGUST 28, 2024 at 5:30 P.M.
COMMUNITY DEVELOPMENT DEPARTMENT BUILDING
2ND FLOOR MEETING ROOM,
215 D STREET LEWISTON, ID 83501

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

For further information on the above zoning action, the public hearing process, or appeal process, please contact the Community Development Department at (208) 746-1318, ext. 7202 or jplaskon@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 8/xx/24 and xx persons were noticed.

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

City of Lewiston



OWNER1	MAIL_ADD1	MAIL_ADD2	MAIL_CITY	MAIL_ST	MAIL_ZIP
ADCOPE LLC	621 21ST ST		LEWISTON	ID	83501
ALUISIA, EMILY	121 23RD ST		LEWISTON	ID	83501
BANNM, MICHAEL & TRISHA	0150 23RD ST		LEWISTON	ID	83501
BEZONA, LORETA	0113 24TH ST		LEWISTON	ID	83501
BOYCE, KARLA & FIBELSTAD, VINCENT	0211 23RD ST		LEWISTON	ID	83501
CRUSADERS MOTORCYCLE CLUB LLC	PO BOX 2103		LEWISTON	ID	83501
GOODSON, DICK	205 18TH ST		LEWISTON	ID	83501
HAMILTON, WILLIAM WAYNE	PO BOX 84		AHSAHKA	ID	83520
HANSEN, TIMOTHY	0111 22ND ST		LEWISTON	ID	83501
STATE OF IDAHO	P O BOX 36		BOISE	ID	83722
JOHNSTON, RONALD	606 24TH ST		LEWISTON	ID	83501
K L M SERVICES L L C	3424 MEADOWLARK DR		LEWISTON	ID	83501
KESSEL, WILLIAM	5342 LAKEVIEW RD		OROFINO	ID	83544
KING SERVICES REAL EST LLC	2303 MAIN ST		LEWISTON	ID	83501
KNEISLY MARY JANE FAMILY TRUST	2226 RIVERSIDE DR		CLARKSTON	WA	99403
CITY OF LEWISTON	P O BOX 617		LEWISTON	ID	83501
LITTLE, KYLE & LITTLE, TABBATHA	2318 E MAIN ST		LEWISTON	ID	83501
MCCANN, JOE & MCCANN, FRANCES FAMILY LP	202 26TH AVE		LEWISTON	ID	83501
MCFERON, LINDA & GOULD, ROBERT	0125 24TH ST		LEWISTON	ID	83501
NANIK, JEFFREY	0218 22ND ST		LEWISTON	ID	83501
NICE PROPERTIES LLC	504 MAIN ST STE 127		LEWISTON	ID	83501
PIMIENTA, LOPEZ & ARCEO L L C	2214 E MAIN ST		LEWISTON	ID	83501
PURCELL, PATRICK	0208 22ND ST		LEWISTON	ID	83501
SANFORD, THOMAS & THERESA	22225 MISNER RD		LAPWAI	ID	83540
SPARKS, ROBERT R & BETTY	2304 E MAIN ST		LEWISTON	ID	83501
SQUIRES, DUSTIN & HARDIN, JENNIFER	204 22ND ST		LEWISTON	ID	83501
STEPHENS, KEN & CARLSON, CARLA	719 AIRWAY AVE		LEWISTON	ID	83501
TWIN COUNTY UNITED WAY	2207 E MAIN ST		LEWISTON	ID	83501
UHLENKOTT, AMELIA	612 24TH ST		LEWISTON	ID	83501
US ARMY CORPS OF ENGINEERS	CITY COUNTY AIRPORT		WALLA WALLA	WA	99362
VALPEY, TOM & LINDA	0117 23RD ST		LEWISTON	ID	83501
WALTON, MELISSA	0219 23RD ST		LEWISTON	ID	83501
WEAVER LIVING TRUST	0208 23RD ST		LEWISTON	ID	83501

**STAFF USE ONLY**

Case Number: CUP24-3
Hearing Date: 8/28/24
Nature of CUP Application: Transitional Housing Village in M1 Zone

APPLICATION FOR CONDITIONAL USE PERMIT

(Pre-application meeting strongly encouraged)

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

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

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

APPLICANT INFORMATION

Full Name: King Michelle L Date: 7/31/2024
Last First M.I.

Address: LC Valley Youth Resource Center, 1633 10th Avenue
Street Address Apartment/Unit #

Lewiston ID 83501
City State ZIP Code

Phone: 208.305.6183 Email: michelle@lcvyrc.org

OWNERSHIP INFORMATION

Property Owner Name: Tiwn County United Way and City of Lewiston

Phone: 208.305.6771 Email: travismyklebust700@gmail.com

Mailing Address: PO Box 1660, Lewiston ID 83501

PROPERTY INFORMATION

Street Address of Subject Property: 2207 E Main St and the two adjacent, city-owned tax parcels,
one to the north and one to the east

Subdivision Name: N.A. Block: N.A. Lot: N.A.

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

Property Zoning: M1

NATURE OF YOUR REQUEST

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

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

PLAN INFORMATION

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

Site plans shall include the following:

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

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

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

APPLICATION SUBMITTAL AND PROCESSING

Incomplete applications will not be processed.

Application fee must be paid at the time of submittal.

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

APPLICANT'S CERTIFICATION

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

Signature of Applicant: Christl Kij, President (LCV YRC)

Date: 8/2/2024

The Property Owner hereby authorizes this application:

Signature of Owner: [Signature] (TCUW)

Date: 8/2/24

Signature of Owner: [Signature] (COL)
Date: 8/5/24

LC Valley Youth Resource Center
Conditional Use Permit Application
for 2207 East Main Street

1. Please describe the nature of your conditional use request. You should address pertinent issues, which may include: number of employees, hours of operation, anticipated traffic volume increase, health, safety, compatibility with neighboring land use, site access, on-site traffic flow, off street parking, loading/unloading, pick-up/drop-off, landscaping, and other planned on-site improvements.

Helping local unaccompanied teens navigate their way into adulthood “takes a village.” Please consider the LC Valley Youth Resource Conditional Use Permit Application to build the **Village** local youth need to successfully transition into thriving adults.

The LC Valley Youth Resource Center **Village** will provide young adults with a housing program specifically designed to meet their unique needs.

The Village will consist of 12 sleeping units (aka cottages or pseudo tiny houses) with bathroom and shower, a unit for the live-in onsite host, and an outdoor recreation area. There will be a “Commons Building” for cooking, laundry, socialization, and training.

The LC Valley Youth Resource Center Village will serve up to 12 displaced local young adults ages 18-20 experiencing or at-risk of experiencing homelessness with priority placement for LCVYRC guests, active local high school students, and youth exiting foster care. Village programming is designed to mitigate the risks of first-time renters and teach “adulting” skills including cleaning, cooking, meal planning, smart grocery shopping, financial literacy, healthy relationships and more.

All guests will be under age 21, therefore, alcohol and/or tobacco products will not be allowed on the property. The Village will be “high barrier,” which is to say participants must agree to program stipulations including drug testing.

Guests will be required to make progress towards self-identified goals such as finishing high school, pursuing secondary or trade training opportunities, employment, and a transitional plan to execute before the guests’ 21st birthday.

The Village Vision is to successfully transition youth experiencing homelessness into adulthood through self-sufficient and sustainable living and learning skills to promote economic independence and long-term health.

Most of the pertinent details are included in the Facility Management Plan which is included with this application. Below are a few bullet points to call out answers to the criteria in question 1.

- **Total number of employees for this facility:** 5
- **Hours of operation:** Direct on-site adult supervision will be provided 24 hours a day, 7 days a week for 365 days a year.
- **Anticipated traffic volume increase:** It is uncommon for this population to have driver’s license and/or automobiles. The expected increase in traffic consists of two more employees than currently work at Twin County United Way and up to three participants with automobiles.
- **Health, safety, compatibility with neighboring land use:** Adjacent land consists of a vacant lot, a large personal shop, El Sombrero across the street, and residential homes to

the north. A well-managed, gated tiny-house type community will improve the health and safety of the neighborhood.

- **Site access:** Primary access point is through the front door on the south side of the Activity Center, which faces Main Street.
- **On-site traffic flow:** n/a
- **Off street parking:** 9 off-street parking spots (including 1 ADA spot) are included in the plan. The LCVYRC team does not anticipate all the parking spots will be utilized as most Village participants will not drive.
- **Landscaping:** Landscaping will include trees and an outdoor recreation area in compliance with Lewiston City Code 42-35.
- **Other planned on-site improvements:** The Village will be a gated community of cottages for young adults ages 18-20. This community will meet all the requirements detailed in Lewiston City Code sections 37-125 and 42-31 through 42-35.

Please reference attached Facility Management Plan for additional details.

2. What public facilities and utilities are available to serve your site? Describe the adequacy to serve the use requested. You should provide specific information regarding water supply, sewage, traffic impacts, stormwater detention and drainage, garbage service and other pertinent utilities and services.

These are addressed in the "Keyed Notes" on the architectural diagram.

- a. Will the proposed use result in conditions that will tend to generate nuisances (including but not limited to noise, dust, glare, vibrations, odors and the like) and, if so, how will the nuisances be mitigated?

Use will not generate nuisances. The exception may be some noise during weekend outdoor activities such as barbecues or outdoor movie nights in the designated recreation area. This area is not adjacent to residential neighbors.

LC Valley Youth Resource Center 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.

- b. Describe how/why the proposed use is a public necessity or, if it is not, describe how it is a benefit to the public.

This proposed use is a public necessity. One in ten young adults aged 18-25 experienced homelessness in the United States in 2022 (National Conference of State Legislators, 2023, <https://www.ncsl.org/human-services/youth-homelessness-overview>). According to the National Alliance to End Homelessness, National Youth and Transitions Database State Data Snapshots 2018-2022, 43% of Idaho foster youth aged 19 experienced homelessness over the past two years. Additionally, the majority of chronically homeless adults became homeless for the first time during their childhood (Parpouchi et al., 2021, <https://bmcpsy psychiatry.biomedcentral.com/articles/10.1186/s12888-021-03142-0>). The LCVYRC's goal is to sustainably break the cycle of homelessness in our community by facilitating life-changing opportunities for displaced local youth and young adults.

The LC Valley Youth Resource Center currently provides services, including overnight shelter, for displaced local youth ages 12-17. However, LCVYRC is unable to provide shelter to adults, so youth are required to leave on their 18th birthday. Current data indicates 15 LCVYRC youth will be in need of housing within the next 18 months.

LCVYRC's case management team works with youth to prepare for coming of age, but there are legal barriers preventing success. Unaccompanied youth are unable to sign rental applications, establish bank accounts, and agree to credit checks required for most rental properties. Therefore, youth are unable to prepare for this transition before becoming legal adults.

Young adult housing challenges are also compounded by rental scarcity in our community. Lewiston's rental market does not have available inventory for high-risk, newly 18-year-old tenants who do not have an established credit score, a co-signer, or first-last-and-deposit to mitigate the risk factors.

The LCVYRC team has tested multiple solutions to overcome housing obstacles for youth as they become adults, and unfortunately, these efforts have fallen short of meeting the demand. Many youth have expressed hopelessness for being unable to secure permanent housing and have been hospitalized for attempting suicide within the first six months of their adulthood. There is a need for transitional housing with wraparound support as LCVYRC participants mature from youth to adult while facing challenges unique to their population.

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.

- c. Describe how the character of the proposed use, if developed according to the plans as submitted, will be in harmony with the area in which it is to be located.

This proposal includes land which is currently host to the Twin County United Way and a field of cheat grass which used to be a park. The proposed use will repurpose and reinvigorate the property while continuing to provide resources for the community. This Village will be a gated community of cottages with the required full-perimeter privacy fence.

- d. Describe how the proposed use will not endanger the environment or the public health or 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.

- e. Describe how the proposed use will be in substantial conformance with the comprehensive plan of the city.

The proposed use conforms to the following goals articulated in "ENVISION LEWISTON 2044" Appendix A Action plan.

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.1.3.2 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.

LC Valley Youth Resource Center – Transitional Housing Code Compliance Notes

Additional notes relevant to Lewiston Code Sec 37-125

- 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 miles from bus route
- Parking shall be provided as set forth in article VII of this chapter;
 - Village designs comply with this requirement.
- 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;
 - Fence included in architectural plans
- 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;
 - Lighting will be installed and configured in compliance with this requirement
- Indoor client intake waiting area shall be provided
 - Activity Center commons space will serve as indoor waiting area
- Access into a homeless shelter, or bridge housing shelter shall be controlled through a single point of entry for each building.
 - Gated cottage community will have single point of entry.

Additional notes relevant to Lewiston Code Sec 42-31 through 42-35

Sec. 42-31. - Purpose; applicability.

- A. *Purpose.* The purpose of this article is to provide standards for the development of transitional housing villages in the City of Lewiston, which are designed to provide low-cost or no-cost temporary housing options for persons experiencing homelessness or lack of permanent housing to facilitate the opportunity for such persons to transition to permanent housing.

The Village will be a low-cost or no-cost temporary housing solution for local youth depending on their unique circumstances. For example, full-time high school students will be provided housing at no-cost. Graduates with full-time employment will have sliding-scale fees.

- B. *Applicability.* This article applies only to transitional housing villages, as defined herein, in the City of Lewiston, and shall not apply to transitional housing other than in transitional housing villages.

The Village is a transitional housing village.

Sec. 42-32. - Definitions.

- a) *Recreation area* means an area within a transitional housing village reserved for and having recreational equipment and/or otherwise improved open space to be used for leisure activities of transitional housing village residents.

The recreation area is designated on the drawing.

- b) *Transitional housing village* means a lot, parcel, or tract of land developed, used, or intended to be used for the purpose of providing transitional housing for homeless persons or persons without permanent housing; having a commons building that provides kitchen, bathroom, and laundry facilities, but not sleeping accommodations, for residents and that may or may not include sleeping quarters or an apartment for on-site staff; where sleeping units, as defined herein, are provided outside of the commons building for residents.

The LC Valley Youth Resource Center Village will be a self-contained, gated community specifically designed to provide safe, stable, and appropriate shelter for youth aged 18-20 as they transition into adulthood.

The Village will provide shelter for youth who meet one or more of the following criteria:

- Have been forced to leave their home
- Cannot live safely with a parent, legal guardian, or relative
- Have no other safe alternative living arrangement
- Are homeless or at risk of experiencing homelessness

- c) *Sleeping unit* means a building that:

1. Is two hundred eighty-eight (288) square feet or less in floor area, including lofts;

Village "cottages" (aka sleeping units) are 200 square feet. The ADA compliant unit is 240 square feet.

2. Is designed, built, and has permanent provisions for human occupancy as a place for sleeping;

Village cottages will be on permanent foundations with appropriate utilities including water, sewer, and electricity.

3. May include provisions for living, eating, and either sanitation or kitchen facilities, but not both sanitation and kitchen facilities; and

Cottages will not include kitchen facilities. Kitchen facilities will be located in the Activity Center (aka commons building).

4. Is built in accordance with the requirements of the codes adopted in chapter 10 of this Code.

Architectural designs incorporate all the requirements of the codes adopted in chapter 10.

Sec. 42-33. - Zoning districts; minimum spacing.

- a) *Zoning districts.* Transitional housing villages shall be permitted in the zoning districts specified in chapter 37 of this Code.

Property is in the correct zoning districts.

- b) *Minimum spacing.* A transitional housing village shall not be located closer than three quarters ($\frac{3}{4}$) of a mile (three thousand nine hundred sixty (3,960) feet) to another transitional housing village, as measured along the shortest route on the city street system.

This is the first transitional housing village in Lewiston.

Sec. 42-34. - Facility management plan.

The Facility Management Plan is included with this application.

Sec. 42-35. - Development standards.

- a) *Commons building.* A transitional housing village shall provide a commons building that provides kitchen, bathroom, and laundry facilities for its residents, and which may or may not include sleeping quarters or an apartment for on-site staff.

The current Twin County United Way building will be remodeled to become the "Activity Center" and serve as the Village Commons Building. Designs are included with this application.

- b) *Minimum lot size.* None. Minimum lot dimensions and area shall be as necessary to comply with the development standards in this article.

The three lots combined comply with the development standards in this article.

- c) *Yards/setbacks for commons building and sleeping units.*

1. No commons building or sleeping unit shall be closer than:

- a) Fifteen (15) feet to a front property line;

- b) Fifteen (15) feet to a street side property line on a corner lot;
- c) Ten (10) feet to any other property line;
- d) Ten (10) feet to another sleeping unit; provided, however, there shall be at least six (6) feet between any associated deck, porch, patio cover, or other structure attached to the sleeping unit, or freestanding, but less than three (3) feet from the sleeping unit(s); or
- e) Five (5) feet to the transitional housing village interior roadway.

Village designs comply with these requirements.

- d) *Building height.* The maximum building height, as defined in chapter 37 of this Code, shall be sixteen (16) feet, except for a two-story commons building, which shall not exceed twenty-eight (28) feet in height.

Village designs comply with these requirements.

- e) *Accessory structures.* Accessory structures shall be permitted in accordance with the following provisions:
 - 1. Accessory structures shall meet the minimum yard/setback requirements for the commons building and sleeping units, as set forth in subsections (c)(1)a. through c. of this section.
 - 2. Accessory structures attached to a sleeping unit or freestanding, but less than three (3) feet from the structure to which they are accessory, shall maintain a minimum of six (6) feet from any other structure.
 - 3. Accessory structures shall be set back from the transitional housing village interior roadway by a minimum of five (5) feet.
 - 4. No accessory structure shall exceed two hundred sixty-four (264) square feet, unless:
 - a) It is a carport or garage for all or multiple tenants, in which case it shall not exceed two hundred sixty-four (264) square feet multiplied by the number of sleeping units it is intended to serve;
 - b) It is for storage for overall property maintenance by the owner/manager, in which case it shall not exceed one thousand two hundred (1,200) square feet; or
 - c) It is a common recreation/social gathering building for use by tenants, in which case it shall not be size-limited.
 - 5. Accessory structures shall not exceed sixteen (16) feet in height.

Village designs comply with these requirements.

- f) *Off-street parking.* Off-street parking within transitional housing villages shall conform to the following minimum standards.
 - 1. A minimum of 0.33 parking space per sleeping unit, plus one (1) parking space per staff member on the largest shift, shall be provided on the transitional housing village property, and no such required parking shall encroach into any public street right-of-way.

2. Required parking spaces may be separate from each other or grouped in any number; however, no required parking spaces shall be arranged in tandem.
3. Required parking spaces and the related service driveway(s) shall be surfaced with asphalt or concrete, permeable pavement/pavers, or compacted gravel; provided, however, that for any compacted gravel driveway, the part of it closest to and joining the street shall be asphalt or concrete for a minimum distance of forty (40) feet to mitigate tracking of gravel onto the street. Individual parking stalls shall be striped or indicated with wheel stops.
4. If multiple parking spaces are provided side-by-side, then they shall be striped or indicated with wheel stops.
5. All parking spaces and drive aisles shall be designed and improved to the dimensional standards of City Standard Drawing 1-15, as may be amended or replaced from time-to-time.
6. The parking lot landscaping standards of chapter 37 of this Code shall not be required, unless as a condition of approval imposed through a conditional use permit.
7. A minimum of one (1) covered bicycle parking space with a bike rack for bicycle locking, or one (1) bicycle locker or covered bicycle locker space, per sleeping unit shall be provided. Such bicycle parking spaces may be grouped together or provided individually at each sleeping unit, the latter of which shall not include areas beneath sleeping unit eaves or front door stoop overhangs.

Village designs comply with these requirements.

- g) *Screening.* Screening shall be required along the perimeter of the lot. Such screening shall be a minimum of six (6) feet tall, or four (4) feet tall along a street frontage, and may consist of sight-obscuring fencing or landscaping that is dense enough to be sight-obscuring. Such screening may include existing fencing or landscaping along the perimeter of the lot. Screening shall not interfere with a required sight-distance triangle.

Village designs comply with these requirements

- h) *Recreation area.* An outdoor recreation area shall be required in each transitional housing village. The recreation area shall be a minimum of five (5) percent of the lot area and shall have a minimum of one and one-half (1½) inch caliper shade tree per three hundred fifty (350) square feet of outdoor recreation area. A fraction of one-half (0.5) or higher shall be rounded up to the nearest whole number in doing this calculation. The recreation area shall be accessible to all transitional housing village residents and shall be of slope and configuration as to be practicable for the intended purpose. The recreation area shall contain active and/or passive recreation improvements, which may include, but is not limited to, grass, trees, shrubs, picnic tables, playground equipment, shade structures, barbeques, and horseshoe pits. The recreation area shall not be displaced or reduced below the minimum required size.
- i) *Shade trees.* A minimum of one and one-half (1½) inch caliper shade tree shall be placed every thirty-five (35) feet on the perimeter of the transitional housing village. All required shade trees shall be maintained, and replaced as necessary, by the transitional housing village owner. An automatic drip irrigation system shall be provided by the transitional housing village owner for all required shade trees.

- j) *Street access and interior driveway circulation.* Street access and interior driveway circulation shall meet the standards required by the public works and fire departments.
- k) *Stormwater detention facilities.* Stormwater detention facilities shall be provided, subject to the requirements of the public works department.

Village designs comply with these requirements

VARIANCE REQUEST(S)

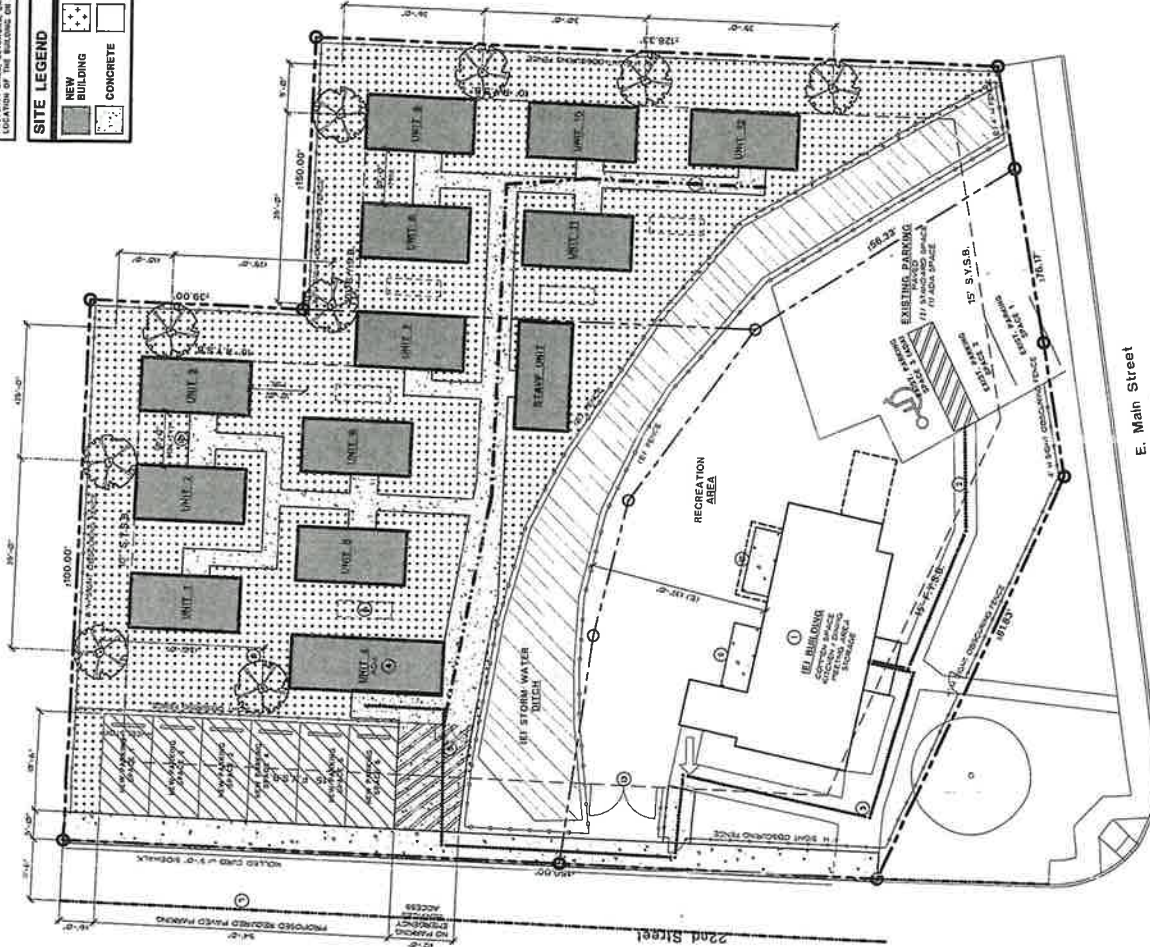
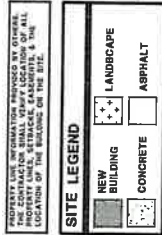
- Request that required parking area on 22nd Street be allowed to back onto street.

PARKING REQUIREMENTS (VERIFY)

(E) BUILDING : 5 spaces for staff
 SLEEPING UNITS : 12 x 33 = 4 spaces
 TOTAL PARKING REQUIRED : 9 spaces total (paved)
 TOTAL PARKING SHOWN : 9 spaces total

KEYED NOTES

- The existing building is to be remodeled as a common use area. Functions will include a commercial grade laundry with Type I hood fire suppression system, a laundry area, and (2) accessible restrooms. See page 2 for a preliminary floor plan.
- There is an existing accessible parking space with a paved access to the building from the existing building. A dotted line indicates the path of accessibility.
- The scope of work of the project will include providing an accessible route from the existing building to the existing building to the sleeping unit that will be accessible. Proposed sidewalk improvements are indicated on the drawing. A dotted line indicates the path of accessibility.
- Sleeping units shall be constructed by an Idaho licensed general contractor OR if built off site, shall have a HUD inspection sticker. All site work shall be constructed by an Idaho licensed general contractor. All mechanical, electrical and plumbing work shall be completed by Idaho licensed contractors.
- A double gate shall be provided at the main entry to the building. One gate shall have key code access for tenants. One gate shall have a key lock for emergency personnel to access a wider opening. The paved area at the gate is striped as "no parking" and is to be used by emergency personnel only.
- Storm water infiltration trench(s) to be designed by an Idaho licensed civil engineer per city standards for development north of the existing storm water ditch.
- R.O.W. improvements required on 22nd Street to be city standards. Indicating a rolled curb and 5'-0" sidewalk. Request that parking be allowed to back into 22nd Street. New parking area required to be paved.
- Trees around perimeter. Maximum spacing to be 35'-0".
- Distance for fire hose reach from main entry gate, following paved sidewalk, to most remote sleeping unit is 140'. Indicate indicates measured path.
- Units are minimum 10'-0" apart.
- Concrete pad for kitchen hood make-up air unit.
- Covered area for secured, covered bike racks / bike storage.
- Pair of 5'-0" gates for access to 22nd Street.
- There is not enough space between the existing building and the existing storm water ditch for additional required parking spaces behind the existing building. Request that the existing area is proposed for the required recreation area.



SITE PLAN - PRELIMINARY
 NOT TO SCALE (N.T.S.)

YOUTH RESOURCE CENTER TRANSITIONAL HOUSING
 PRELIMINARY OPTION B.2

CLEVER FOX
 ARCHITECTURE

1001 W. 1st Street, Suite B, Lewiston, ID 83501
 (208) 832-3455
 DRAWN BY: MK
 CHECKED BY: MK
 DATE: 10/10/2018
 JOB NO: 24-09-39
 REVISION DATE:

SHEET NO.
 1

PRELIMINARY ONLY - NOT FOR CONSTRUCTION
 3

PRELIMINARY ONLY - NOT FOR CONSTRUCTION
SHEET NO. 2

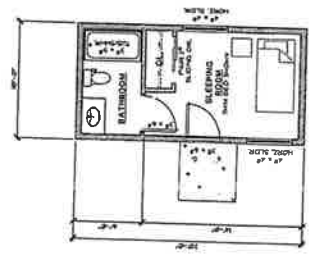
DRAWN BY: JHE
CHECKED BY: JHE
DATE: 12/20/2014
JOB NO. 747-00-30
REVISION DATE

CLEVER FOX
ARCHITECTURE

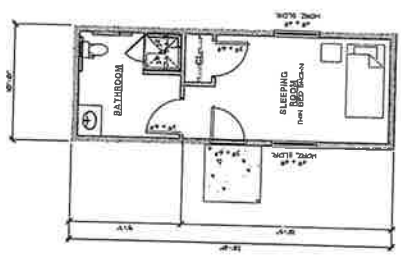
1000 1st Street, Suite 10, Lewiston, ID 83201
509.255.3433
cleverfoxarchitect.com

YOUTH RESOURCE CENTER TRANSITIONAL HOUSING
PROPOSED SLEEPING UNIT LAYOUTS
2207 Main Street Lewiston Idaho
FLOOR PLAN - SLEEPING UNITS

STD. UNIT - OPT. 'B'
14' x 27' - 0"



ADA UNIT
14' x 27' - 0"





Village Program

Facilitating Generational Change

Facility Management Plan

Contact: Michelle King

Phone: 208.305.6183 (direct voice & text)

208.717.5566 (generic voice & text)

Email: michelle@lcvyrc.org

Website: www.lcvyrc.org

August 2, 2024

Summary

Right now, there are thousands of homeless youth across the nation approaching their 18th birthday that are not eager to reach this traditionally exciting life milestone (National Conference of State Legislators, 2023, <https://www.ncsl.org/human-services/youth-homelessness-overview>). For them, becoming 18 will literally throw them into a world of many “unables” – unable to sign a lease for a residence, unable to secure/provide a deposit, unable to obtain a job, unable to obtain needed education, unable to obtain critical support, and so forth. In Region 2 of the state of Idaho, this same scenario holds true for many homeless and at-risk youth.

The LC Valley Youth Resource Center (LCVYRC) currently serves youth aged 12-17 in Lewiston, Idaho and Clarkston, Washington. While the LCVYRC has been honored to serve these youth since 2020, a significant care gap has also been observed that, sadly, mirrors the above scenario. For example, at present, the LCVYRC is aware of 15 homeless and at-risk youth that will be forced into a world of “unables” in the next 18 months.

It is well known that the majority of chronically homeless adults were first homeless as a youth (Parpouchi et al., 2021, <https://bmcpsy psychiatry.biomedcentral.com/articles/10.1186/s12888-021-03142-0>). As such, developing positive solutions for homeless youth translates into reducing/eliminating adult homelessness for many. While the LCVYRC has successfully developed positive solutions for youth aged 12-17, without a guided and supported transition into adulthood, these youth are destined to once again become homeless. This is where the LCVYRC Village program comes in.

The LCVYRC Village program is a transitional housing facility and service, comprised of a commons building and 13 cottages to individually house 12 youth aged 18-20 as well as an employee host. By providing stable housing and support services, these youth can focus on identifying and developing needed skills and resources to become successful adults in the community. Thus, The Village will allow the LCVYRC to provide an opportunity for generational change for these youth, with an emphasis on social and emotional wellbeing, permanent connections, financial literacy, health, nutrition, education, employment, and safe and stable housing.

The LCVYRC is excited to create the support bridge needed to ensure a successful transition into young adulthood for homeless and at-risk youth with The Village program. It takes “a village” to confidently ensure these youth are able to reach the sustainability they deserve.

Need for Assistance

One in ten young adults aged 18-25 experienced homelessness in the United States in 2022 (National Conference of State Legislators, 2023, <https://www.ncsl.org/human-services/youth-homelessness-overview>). According to the National Alliance to End Homelessness, National Youth and Transitions Database State Data Snapshots 2018-2022, 43% of Idaho foster youth aged 19 experienced homelessness over the past two years. Additionally, the majority of chronically homeless adults became homeless for the first time during their childhood (Parpouchi et al., 2021, <https://bmcpsy psychiatry.biomedcentral.com/articles/10.1186/s12888-021-03142-0>). The LCVYRC's goal is to sustainably break the cycle of homelessness in our community by facilitating life-changing opportunities for displaced local youth and young adults.

The LC Valley Youth Resource Center currently provides services, including overnight shelter, for displaced local youth ages 12-17. However, LCVYRC is unable to provide shelter to adults, so youth are required to leave on their 18th birthday. Current data indicates 15 LCVYRC youth will be in need of housing within the next 18 months.

LCVYRC's case management team works with youth to prepare for coming of age, but there are legal barriers preventing success. Unaccompanied youth are unable to sign rental applications, establish bank accounts, and agree to credit checks required for most rental properties. Therefore, youth are unable to prepare for this transition before becoming legal adults.

Young adult housing challenges are also compounded by rental scarcity in our community. Lewiston's rental market does not have available inventory for high-risk, newly 18-year-old tenants who do not have an established credit score, a co-signer, or first-last-and-deposit to mitigate the risk factors.

The LCVYRC team has tested multiple solutions to overcome housing obstacles for youth as they become adults, and unfortunately, these efforts have fallen short of meeting the demand. Many youths have expressed hopelessness for being unable to secure permanent housing and have been hospitalized for attempting suicide within the first six months of their adulthood. There is a need for transitional housing with wraparound support as LCVYRC participants mature from youth to adult while facing challenges unique to their population.

Approach

Through a combination of shelter and services, LC Valley Youth Resource Center Village participants will show improvements in all four outcome areas: safe and stable housing, education or employment, permanent connections, and social/emotional well-being.

Safe, Stable, and Appropriate Shelter

The LC Valley Youth Resource Center Village will be a self-contained, gated community specifically designed to provide safe, stable, and appropriate shelter for youth aged 18-20 as they transition into adulthood.

The Village will provide shelter for youth who meet one or more of the following criteria:

- Have been forced to leave their home
- Cannot live safely with a parent, legal guardian, or relative
- Have no other safe alternative living arrangement
- Are homeless or at risk of experiencing homelessness

Safety is the top priority at The Village. Many facets of the safety policy and related practices are detailed in the subsections below, including 24/7 supervision, program practices, physical structures, technology, and procedures to protect participants from exposure.

Youth ages 18 through 20 are eligible to participate in The Village program. This includes pregnant and parenting youth ages 18 through 20 and their child(ren). Each Village youth will have a self-identified plan to successfully secure permanent housing before their 21st birthday.

Housing Model and Structure

The LC Valley Youth Resource Center Village will be a self-contained, gated, tiny house community, and provide safe, stable, and appropriate housing for local youth aged 18 through 20 and their child(ren).

Participants enter through a welcoming Activity Center which includes a commercial kitchen, dining area, contemporary classroom, a gender-neutral restroom, laundry facilities, and a basic needs supply storage.

Registered participants will enter the housing community (north of the moat) by entering an access code at the gate on the southwest corner. The cottage with the most universal line-of sight will be reserved for the onsite host.

Twelve individual youth cottages will be dispersed throughout the securely fenced property. The cottages will be 10'x20' and include a bed, desk, dresser, closet, and bathroom with shower. One cottage will be slightly larger to facilitate ADA accommodations.

Supplies will include linens, cleaning equipment, and basic dorm-like supplies. Each cottage will serve one displaced local youth. Pregnant or parenting participants will be provided with equipment and furnishings for their child(ren). The Village will not serve any other demographics or provide any other community functions.

Practice, procedures, and client safety

The LC Valley Youth Resource Center Village team will consist of a Team Leader/Case Manager, two Case Managers, a Home Economics Specialist, and a Maintenance Specialist. All team members will receive training in trauma informed care, human trafficking, sexual exploitation, leadership, de-escalation, emergency preparedness, mental health first aid for youth, suicide prevention, motivational interviewing, first aid, and more. Complete training curriculum will comply with US Family and Youth Services Bureau (FYSB)– Children and Family Services – Runaway and Homeless Youth training standards for FYSB funded Transitional Living Programs.

Direct on-site adult supervision will be provided 24 hours a day, 7 days a week for 365 days a year. Case Managers daytime schedule will be staggered to ensure supervision throughout all hours of the day and night. The three Case Managers will rotate staying overnight in the host cottage based on a fixed schedule. The ratio will be no greater than twelve young adults to one case manager at any time.

During the intake process, each youth will work with their Case Manager to develop an exit plan which includes safe and appropriate housing. In most circumstances, this plan will include incrementally developing a savings for first/last/deposit and building monthly savings to equate to the amount needed to pay rent once they move out. When appropriate, Village team members will provide letters of support for youth participants as they apply for their next housing opportunity.

Youth will also be required to make progress towards self-identified goals such as finishing high school, pursuing secondary or trade training opportunities, and/or employment.

All participants will be under the age of 21, therefore, alcohol and/or tobacco products will not be allowed on the property. Illegal drugs are also prohibited. Participants must

consent to routine drug testing. Registered sex offenders will not be allowed on the property.

The Village will ensure youth safety by requiring all 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. Aftercare for former participants will be conducted in the Activity Center as well. Only current youth, their child(ren), and employees will be allowed into the gated housing community. This will protect participating youth and their child(ren) from exposure.

The Village will have a robust outdoor video surveillance system, which will also provide video surveillance inside the Activity Center. Pregnant or parenting youth ages 18 through 20 will be provided with additional and appropriate safety resources such as baby monitors, etc.

When the Village reaches maximum occupancy, Case Managers will work with the Idaho Region II Access Point to provide new applicants with a warm hand-off to additional community resources. This applies for youth ages 18 through 21. Youth under age 18 (and their child/children) are welcome at the 10th Avenue LCVYRC facility.

Participant Acceptance Protocol

The Village will consider applications from youth who meet one or more of the following criteria:

- Have been forced to leave their home
- Cannot live safely with a parent, legal guardian, or relative
- Have no other safe alternative living arrangement
- Are homeless or at risk of experiencing homelessness

And who meet all the following criteria:

- Are between the ages of 18-20
- 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 work towards self-identified goals
- Agree to participate in the program elements detailed below

Official Safety Policy

This policy has been reviewed and approved by Lewiston Police Department. LCVYRC leadership will routinely meet with Lewiston Police leadership to ensure the safety policy is kept up to date. The policy officially states:

Everyone gets to be safe at the LC Valley Youth Resource Center. To preserve safety, participants are expected to comply with the following:

- Participants will comply with all staff and volunteer instructions.
- Participants will speak to each other with respect.
- Participants will keep hands and feet to themselves.
- Participants will not bring weapons on the premises.
- Participants will not bring nicotine, alcohol, cannabis, or illegal drugs on the premises. All vapes have an age restriction of 21+ so they are considered illegal for participants. Confiscated vapes will not be returned.
- All participant medications will be stored in a locked medicine box in their individual cottage.
- Cottages are reserved for individual use. Participants will only enter their designated cottage.
- Participants will meet with visitors at the Activity Center and not allow visitors to enter the gated, cottage community.
- Participants will not climb fences or trees.
- 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.
- Participants will not bring pets to the Village (except service dogs and tiny horses).
- Participants will be respectful to each other and each other's property while sharing common area appliances and resources.
- Participants will pick up after themselves, properly dispose of waste, and ensure common areas are clean after use.
- Participants must have a valid driver's license and current vehicle insurance on any automobile in a parking spot on the premises. Said automobile must be functioning and legally drivable.
- Participants will always be respectful of neighbors.
- Participants will be responsible for their own belongings and will ensure their belongings are locked in their cottage when they are not present.
- Quiet hours at the Village will be from 10:00pm-6:00am, during quiet hours participants will ensure they are not loud enough that it bothers other participants or any neighbors to the village.
- 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.

Disciplinary action may consist of anything from verbal/written warnings and counseling to expulsion from the program. Rather than follow rote procedures, the Village will handle each matter individually to ensure fairness to all involved. That said, all concerns will be addressed promptly and appropriately.

If expulsion is the appropriate action, Case Manager(s) will encourage the participant to actualize their self-identified exit plan. Exit plans are established during the intake process.

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. Furthermore, the Village will conduct intermittent neighborhood surveys to find surface opportunities to maintain a positive relationship with the neighborhood.

In the event of an emergency or security concern, all personnel on site will abide by the Village's Emergency Action Plan which will be developed after construction and before occupancy. This plan requires diagrams of escape routes from each building. Therefore, these diagrams will be created after all planning and approval stages are completed.

Comprehensive youth-centered services model

The LC Valley Youth Resource Center Village service model is built upon the core principles of trauma informed care including safety, trustworthiness and transparency, peer support, collaboration and mutuality, empowerment voice and choice, and cultural/historical/gender issues.

The LC Valley Youth Resource Center also aligns with the Positive Youth Develop framework. Specifically:

- Youth create their own personal growth plans, in collaboration with Case Managers.
- When youth make mistakes, staff help them problem solve to make things right.
- The LC Valley Youth Resource Center has a process through which youth, moderated by staff, can adjudicate personal disputes with each other.
- Current or former youth are to participate in the interview process when hiring new team members.
- Youth have input into new programs, from planning to writing grant proposals to implementation.
- At-risk youth in LC Valley Youth Resource Center programs volunteer within the organization. Youth plan and execute group activities. They also assist with group maintenance projects.
- Youth help enhance the physical space by participating in discussions about what improvements are needed, planning how to make changes, and implementing them.
- Alumni are asked for feedback and/or advice.
- Youth have ways to make their voices heard in the community and in the media.
LCVYRC Board Vice President, Lee McVey, owns local radio stations and welcomes youth on his morning show to share their perspective.

- Staff encourage youth to volunteer at other community organizations. Staff have accompanied youth while volunteering at the YWCA.
- The LCVYRC helps youth use and display their talents, such as art, writing, and athletics. Most recently, youth were invited to display art at the Downtown Art Walk celebration.

Ensuring equity

The LC Valley Youth Resource Center Village serves local youth in need of assistance, regardless of race, ethnicity, sex, gender identity or expression, disability, language, national origin, religion, sexual orientation, socio-economic status, or other characteristics which make youth unique. The LCVYRC is committed to providing a safe, inclusive, and culturally responsive environment for *all* youth.

Provision of basic needs

The LCVYRC will provide basic needs for youth at The Village. These basic needs include:

- Meals will be provided at the Activity Center including continental breakfast, host-less lunch, and home-cooked dinner prepared by a Home Economics Specialist. Dinner will also serve as a cooking lesson opportunity.
- Hygiene products and some clothing will be available at the Activity Center. Case Managers will take youth shopping for new clothing, shoes, coats, and more as fiscally responsible shopping is an essential component of youth training.
- Youth will receive tools for transportation including bus tokens, e-bicycles with helmets, and assistance in obtaining a driver's license if youth are interested.
- A personal safety information and resource guide will be available at the Activity Center. On-site signage (i.e., posters) will promote national resources such as trafficking hotlines, 988, the runaway safeline, and domestic violence hotlines.
- Pregnant or parenting youth and their child(ren)'s supplies will be provided through a partnership with a local teen parenting support group.
- Through validated screenings, case managers will identify youth who are at risk of or victims of trafficking, commercial exploitation, sex abuse, and/or other forms of victimization.

Screening and assessment

The Village application process will include validated screenings to determine eligibility. Screenings will identify physical health, potential for victimization, connection to family, access to resources, reproductive health, behavioral health, safety, issues of neglect or abuse, and other risk factors. If a screening identifies a specific area of concern, case

managers will follow up with the Licensed Social Worker (LSW) to complete an assessment.

Case managers will also use the JIFF screening and/or CAFAS screening to determine a youth's individual needs and identify if the youth's participation may pose any risks to the health and safety of other participants.

The Casey Life Skills Assessment (CLSA) will also be conducted within a motivational interview during the intake process. The CLSA will assess life skills in nine different areas:

1. Daily Living Skills (meal planning, cleaning and food storage, home maintenance and computer and internet basics)
2. Self-Care Skills (healthy physical and emotional development such as personal hygiene, taking care of your health and pregnancy prevention)
3. Relationship and Communication (developing and sustaining healthy relationships, cultural competency, and permanent connections with caring adults)
4. Housing, Money Management, and Transportation (banking and credit, finding and keeping affordable housing, budgeting, and living within one's means)
5. Work and Study Life (basics of employment, legal issues, study skills and time management)
6. Career and Education Planning (planning for career postsecondary education pertinent to older youth)
7. Civic Engagement
8. Navigating the Child Welfare System
9. Looking Forward (your level of confidence and feelings important to success)

Follow-up screenings and assessments will be completed on an ongoing basis to assess the health and wellness of the youth (and their child(ren) as appropriate).

Case management

Case managers will conduct motivational interviews during the intake process to help youth articulate self-identified goals and develop strategies based upon screening/assessment results.

Case managers will then work with each youth to create and maintain a fully developed individualized service plan which may include uniquely applicable resources from the following:

- Social services
- Law enforcement

- Legal services
- Physical health services
- Educational services
- Vocational/employment training
- Mental/behavioral health services
- Foster youth to independence (resources for existing foster care)
- Affordable childcare and/or early childhood education (Head Start)

Each service plan will meet the youth's unique needs. The plan will also include a transition strategy to support safe and stable living when the youth complete The Village program.

Lewiston City Code does not allow the LCVYRC to serve as a mental, behavioral, or physical health service provider. Therefore, case managers will connect youth with individualized service providers and provide a warm hand-off introduction for youth participants.

Case managers will ensure participants are connected with educational advancement opportunities, life skills training, job attainment and retention skills, and work activities. Case managers will work with youth to comply with probation requirements when necessary.

Life skills training and referrals

The Village will work to align youth with sustainable employment based on their self-identified goals and the individualized service plan. This may involve simply obtaining and maintaining employment with support in job searching, employment applications, and providing working-appropriate attire. Or it may involve completing a high school diploma, GED, or vocational certification. It may even involve pursuing post-secondary education with assistance regarding enrollment and applying for financial aid. The Village will ensure youth have transportation to work/school as appropriate to support education and employment goals.

Youth will be required to complete life skills training from the two curricula listed below:

1. Life Skills Reimagined (<https://www.lifeskillsreimagined.com>) curriculum. Topics include:
 1. Financial literacy: Budgeting, banking, income taxes, cash flow, credit wise, comparison shopping

2. Obtaining and maintaining employment: Basic work rules, being a great employee, looking great at work, career planning
 3. Resiliency: Understanding emotional trauma, healthy boundaries, building smart romantic relationships, building a support team
 4. Independent living: Finding a rental, apartment living
 5. Communication skills: Effective communication, managing negative emotions, working through conflict
2. Project Life (<https://www.vaprojectlife.org/life-skills-curriculum/>) curriculum. Topics include:
- Education: Learning style, Dream it/Plan it/Do it, setting SMART goals
 - Risk Prevention: Drug education, facts about alcohol poisoning, sexual education
 - House and home management: Keeping my house clean, minor home repairs, landlord tenant activity
 - Career preparation: Where do you want to work, getting a job and keep it
 - Health and nutrition: Whole health and exercise, nutrition, understanding food labels

Transition planning and aftercare

Each participating youth will have a written plan which will meet their unique needs and support safe and stable living when they complete The Village program.

Case managers will assist youth in securing important documents and paperwork, such as a birth certificate, social security card, state issued identification, medical records, and credit reports.

Case managers will remain in contact with participants for at least three months after they complete The Village program. The Aftercare plan will include meeting monthly at the Activity Center to stay connected and provide follow-up services.

Each participant's aftercare strategy will outline how the case manager will maintain contact and support participant's ongoing safety. This aftercare plan and documentation will include:

- Services, referrals, and counseling offered related to health care and insurance coverage
- Youth's housing status, educational services, and rate of participation in and completion of services

- Evidence of regular contact (including all attempts to contact) for a period of three months, and how, if applicable, services beyond three months will be documented
- Assistance details in obtaining appropriate educational, vocational, training, or employment services (including coordination with McKinney-Vento school district liaisons)
- Information regarding supportive services to assist in job advancement or post-secondary education and training
- Information regarding support in improving social and emotional well-being and permanent connections
- A referral process on how partnering agencies can provide support to the referred youth
- Proactive and reactive strategies to encourage retention in education, employment, housing, and personal issues
- Information regarding supportive services to help the youth advance to better jobs

For pregnant or parenting youth, the strategy will also include a plan to help the youth and their dependent children stay connected with their schools or obtain appropriate educational services, including coordination with McKinney-Vento school district liaisons and proactive/reactive strategies to encourage dependent children's retention in school, childcare, and regular well-child checkups.

Partnerships and service coordination

The LCVYRC has active partnerships and coordinates services with many local providers. These partnerships will expand as the service demographic expands to serving 18-through-20-year-olds. Current partnerships include:

- **Lewiston and Clarkston School Districts:** Bidirectional communication with Clarkston High School, EOC, Lincoln Middle School, Lewiston School District Hub, Lewiston High School, Tammany High, Sacajawea Middle School, and Jenifer Middle School. The LCVYRC Case Manager visits each secondary campus weekly. School staff identify youth in need of LCVYRC services and refer them to a LCVYRC Case Manager (CM). The CM meets with the youth on the school campus, builds a relationship with the child, and invites them to visit the LCVYRC. The LCVYRC works with the child, their family, and the schools to formulate and execute plans for each student's success.
- **Lewiston Police Department:** The LCVYRC actively works with Lewiston Police Department to prevent runaways and assist families in crisis.
- **Idaho Region II Child Welfare:** The LCVYRC actively works with Child Welfare to provide safety plan solutions for youth.

- Idaho Region II Children's Mental Health: The LCVYRC works with Children's Mental Health to support youth in achieving individual, strength-based, mental health goals.
- YWCA: The LCVYRC consistently works closely with the YWCA to connect youth with services, support groups, and information.
- Idaho Foodbank: Idaho Foodbank provides food which is prepared and served to youth at the LCVYRC. The LCVYRC Case Manager also provides warm hand-offs to connect youth and families with food distribution centers within the Idaho Foodbank network.
- Asotin County Taskforce to End Homelessness: The LCVYRC actively participates in this task force.
- CHAS Clinics: The LCVYRC assists youth with scheduling and signing into medical, dental, and behavioral health appointments.
- Quality Behavioral Health (QBH): QBH provides mental health and substance use disorder services, crisis services, services for those who have been sexually assaulted, and the Recovery Navigator Program which provides harm reduction services to those in need. The LCVYRC provides a warm hand off in connecting Washington youth with QBH resources.
- Opportunities Unlimited: OUI provides referrals to the LCVYRC and follow-up case management for teens with disabilities who flee domestic violence.
- Idaho Region II Homeless Task Force: The LCVYRC President serves as Treasurer and Region II representative on the Idaho Balance of State Point-In-Time Count committee.
- Idaho Region II Citizens Review Panel: The LCVYRC President is an active member of the panel which evaluates and provides recommendations for the improvement of the child protection system in Idaho Region II.
- Idaho Region II Behavioral Health Board Housing Committee: The LCVYRC President serves as a member of this committee.

Organizational capacity

The LCVYRC has successfully been serving displaced local teens for nearly four years. In 2023, the LCVYRC provided resources for 292 individual youth, served 4,081 meals, and provided 697 nights of shelter to 41 unique local teens in need.

The LCVYRC Team has relevant experience and expertise needed to carry out The Village program. This team has experience in developing, administering, managing, and evaluating the current Basic Center Program.

The LCVYRC Board resumes for oversight and financial management are attached. This team has the capacity to fulfill roles and functions effectively. The LCVYRC Board President also has experience working collaboratively with youth and young adults with lived experience to inform program design, implementation, and improvements.

Board of Directors:

- Co-founder, Michelle King, serves as board president and volunteer CEO. Mrs. King also serves on the CHAS board of directors and many local committees addressing homelessness and child abuse. Michelle has lived experiences of youth homelessness and teen parenting, graduated from LCSC with a bachelor's degree in communications, and has the equivalent to a master's degree in leadership from the National Association of Broadcaster's Leadership Foundation. She works full time for North America's premium broadcast technology provider, WideOrbit.
- Vice-President, Lee McVey, is co-owner of McVey Entertainment which includes five local radio stations and an events promotional company. Lee also serves as Past-Chair of the Idaho State Broadcasters Association.
- Secretary-Treasurer, Cori Whittman-Stitt is co-Owner/general manager of Whittman Farms where she manages the human resource, finance, marketing, and administrative functions of the operation. She is a graduate of the University of Idaho (BS Business, BA Spanish, minor in Ag Economics) and holds an MS-Agribusiness from Kansas State University. Cori worked in the agricultural policy arena of Washington D.C. for six years, including positions with the U.S. Grains Council, American Farm Bureau Federation, National Association of Wheat Growers, and she served as Legislative Assistant for former Senator Larry Craig. She spent five years in Thailand as founding director of Breakthrough Thailand, a community development organization working toward prevention of sex trafficking before returning to a primary role on the farm in 2015.
- Board Member, Doug LaMunyan, currently serves as Principal of Clarkston High School. Doug also serves on the Twin County United Way Board of Directors. LaMunyan previously served as superintendent of the Pomeroy School District and principal of Pomeroy Junior-Senior High.
- Rick Tousley, an educator for 39 years and former member of the Lewiston City Council, has seen the effects of homelessness in its various stages. He believes a program like The Village can bring about generational change. "Children must be able to see a future where they are a part of a productive society. Creating a safe, learning environment for them is a key component for their future."
- Joanna McFarland was born and raised in Jerome, Idaho, to a cattle rancher and piano teacher. Mrs. McFarland has a bachelor and juris doctorate from the University of

Idaho. She has been a public defense attorney since 2005, serving northern Idaho in indigent representation.

- Carol Blankinship worked as a legal secretary/assistant for over 15 years, worked for the Clarkston School District for 12 years in an elementary school, and has been a foster parent. She is excited for the opportunity to bring these experiences together with the LC Valley Youth Resource Center to achieve the agency's goals for young adults.

Finances are managed by Secretary/Treasurer, Cori Wittman-Stitt and Presnell Gage, PLLC. Mrs. Wittman-Stitt also serves as General Manager of Whitman Farms. Presnell Gage, PLLC reconciles bookkeeping monthly and performs an annual audit for the LC Valley Youth Resource Center.

Advisors: Current and former participants serve as advisors and participate in activity planning, rulemaking, hiring, decorating, and more. A team of adult advisors influence policy making in relevant capacities. Adult advisors include John Michael (Community member who previously experienced homelessness), Ali McCall (Counselor, Jenifer Middle School), Cynthia A. Núñez (School Community Social Worker, Lewiston School District), Cindy Harris-Lindauer, LMSW (Regional Program Specialist, Idaho Region II Division of Behavioral Health/Children's Mental Health), Donna Franklin (District Nurse, Clarkston School District), Kimberly Neely (Child Welfare Chief, Region II of Idaho Department of Health and Welfare Children and Family Services), and many more community members.

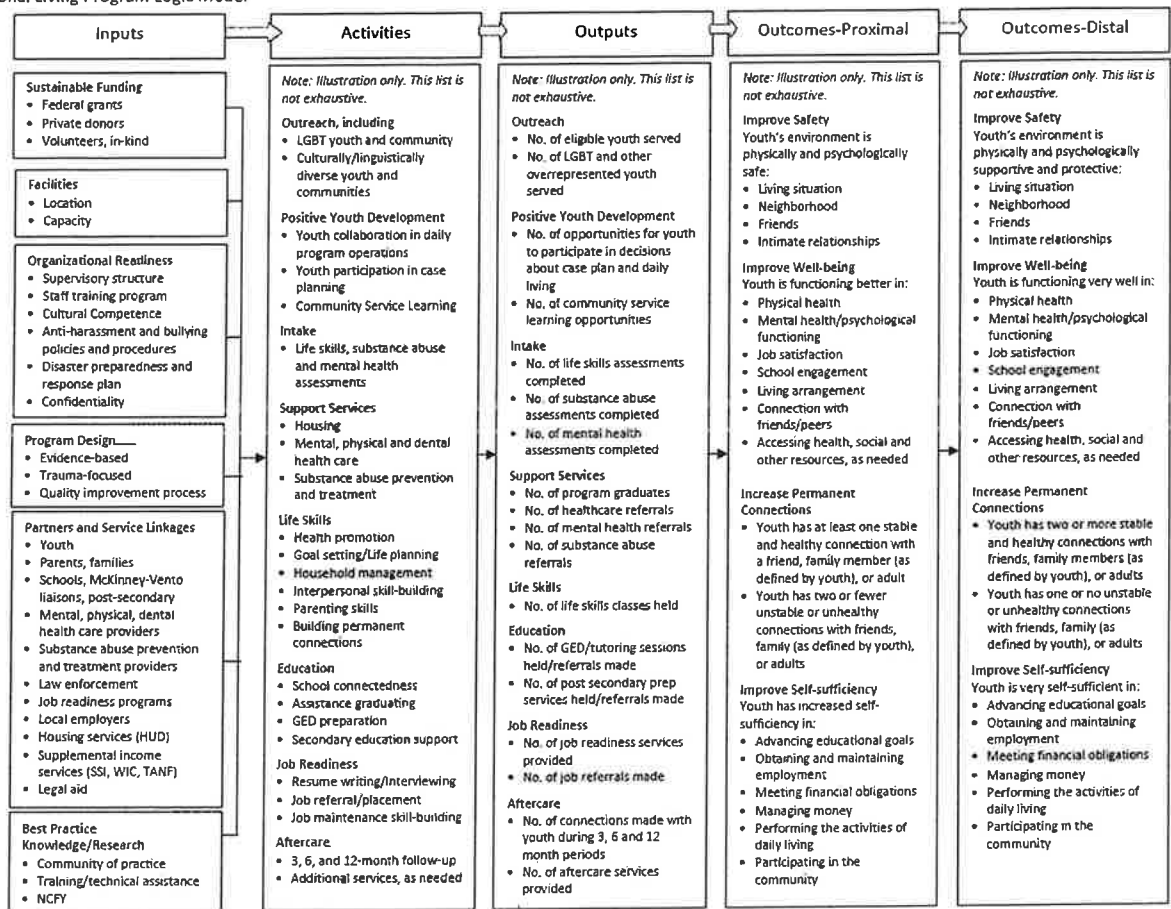
Project performance evaluation plan

Goals: The Village program service estimates for 2025 include providing an opportunity for generational change to 12 individual youth every 18 months. Success in meeting this goal will be measured used the four core outcomes:

1. Social and emotional wellbeing: connect to trauma information providers to assist with physical health, substance abuse, mental health, personal safety, and sexual risk behaviors.
2. Permanent connections: Positive, ongoing attachments to families, role models, community, school, and other social networks.
3. Education or employment: Connect with school, vocational training, improve job search skills, or obtain employment.
4. Safe and stable housing: after leaving, youth transition to safe and stable housing that appropriately matches their level of need.

Logic model

Transitional Living Program Logic Model



Job Descriptions

The LCVYRC Village Team includes one team leader, two case managers, a home economics specialist, and a maintenance specialist.

The Team Leader/Case Manager's duties will include coordinating staff schedules; scheduling life-skill trainers; administering a meal schedule; supervising maintenance; providing case management for four youth; hiring; training; and serving as onsite overnight host one night a week.

Two Case Managers will provide intake interviews, screenings, outreach, and case management for four youth each. These team members will also serve as onsite overnight host three nights a week.

The Home Economics Specialist will prepare the meal plan; conduct grocery shopping; prepare dinner as part of a cooking class five evenings a week; and teach meal planning, smart grocery shopping, nutrition, and budgeting.

The Maintenance Specialist will maintain the grounds and the buildings under the supervision of the team leader.

Conclusion

Helping local unaccompanied teens navigate their way into adulthood “takes a village.”

The LCVYRC Team has celebrated many “messy miracles” while standing in the gap with homeless, abandoned, and abused local teens. It has been heartbreaking to be powerless to prevent these resilient children from becoming homeless the day they turn 18.

We are ecstatic to build the **Village** local youth need to successfully complete the transition into thriving adults.



PLANNER'S STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

Date: August 16, 2024

Case File Number: CUP24-3

Applicant: Michelle King

Property Owner(s): Twin County United Way
City of Lewiston

Site Location: 2207 E. Main St. and the two adjacent tax parcels to the east and to the north.

Request/Proposal:

The applicant requests conditional use permit approval to establish a transitional housing village on the subject properties in the Light Industrial, M1, Zoning District. The facility would provide housing for young adults ages 18, 19, and 20 years of age who need housing.

Subject Property and Surrounding Land Uses:

The Twin County United Way (TCUW)-owned property (2207 E. Main St.) contains their office building. The two, city-owned tax parcels are vacant, undeveloped lands that are designated as a park (Eastside Park) but have had no park-like improvements installed. Immediately to the north is a motor-vehicle repair garage/shop, followed by a neighborhood of single family homes. To the south across E. Main St. is the El Sombrero restaurant, some single family homes, and the Hells Canyon Grand Hotel. Immediately to the east is a vacant, undeveloped parcel of land (privately owned but also designated for/as part of the previously mentioned unimproved Eastside Park) followed by a mix of businesses. To the west across 22nd St. is a single family home and that part of the Idaho Transportation Department right of way that is the easterly portion of Locomotive Park.

Related Or Other Pending Discretionary Actions:

None.

Flood Plain, Wetlands, EPA Regulated Site:

Not applicable.

Code References:

See attachment hereto.

Comprehensive Plan:

The subject properties are 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 supporting uses on lands with this designation. A copy of the Community Commercial Land Use Designation is provided as an attachment hereto.

Goals, Objectives, and Actions from the Plan that appear to be relevant in consideration 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 various land uses in proportion to the needs of the community.

LU.1.3.2 Evaluate the zoning code to enable compatible uses in more locations to minimize the distance between residents and needed services.

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.

LU2.1.1 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.

Input From Other Departments/Agencies:

From the Public Works Department:

"If over 2,000 square feet of newly created impervious area an on-site stormwater management system is required. A Traffic generation statement is needed. Future discussion needed on the condition of the open stormwater channel and installation of a bridge of this open channel. An engineering study/design is needed to determine if a culvert can be used. Frontage improvements (use City Standard Drawing #3-4) along 22nd Street - modified to 11.5 feet from centerline to back of rolled curb and 5 foot wide sidewalks.

Variance for wider driveway needed on parcel north of canal. Staff recommends

SR CUP24-3 2207 E. Main St.

a variance approval because of the existing backing into row nearest the corner will be eliminated and it is a low volume dead end road.”

“Public Works does not oppose a 54 foot driveway along 22nd St on the northern parcel. As a concession, the applicant is removing four existing non compliant stalls nearest the intersection of 22nd St and East Main. Engineer does not oppose the CUP.”

From the Fire Department:

“Fire Code compliance shall be determined through the building/development process. No issues with the Conditional Use Permit approval.”

Analysis:

The subject property consists of approximately one-half acre on the northeast corner of E. Main St. and 22nd St in a mixed-use neighborhood in the Light Industrial, M1, Zoning District. The applicant requests conditional use permit approval to allow a transitional housing village, providing housing and life skills for 12 young adults ages 18-20 years of age. The facility would have an on-site live-in “host” and be in operation 24 hours a day, seven days a week, 365 days a year.

A transitional housing village is defined in Lewiston City Code (LCC) as “...a lot, parcel, or tract of land developed, used, or intended to be used for the purpose of providing transitional housing for homeless persons or persons without permanent housing; having a commons building that provides kitchen, bathroom, and laundry facilities, but not sleeping accommodations, for residents and that may or may not include sleeping quarters or an apartment for on-site staff; where sleeping units, as defined herein, are provided outside of the commons building for residents.”

The purpose of a transitional housing village is “...to provide standards for the development of transitional housing villages in the City of Lewiston, which are designed to provide low-cost or no-cost temporary housing options for persons experiencing homelessness or lack of permanent housing to facilitate the opportunity for such persons to transition to permanent housing.”

The facility is proposed to have five staff members, usually not all working on site at the same time. It would contain individual “sleeping units” for “guests”, i.e. residents. These sleeping units would be prefabricated structures that would be required to obtain building permits. They would each contain a full bathroom, but no kitchen. They are proposed to be 10’ wide and 20’ long, except an ADA-compliant unit that would be 10’ wide and 28’ long.

There would be a 6’ tall sight-obscuring fence around the perimeter of the property, except along the street frontages of the property where it is required to be 4’ tall. There would be covered bike racks for residents, an outdoor recreation area, and perimeter and interior shade trees planted. There would also be a

security fence with a double gate at the main entry to the sleeping unit area. One gate would have a key code for resident access and the other would have Knox lock for emergency personnel access.

There would be security night lighting and parking provided for staff and residents. The existing United Way office building would be repurposed to be a “commons building” that would have a kitchen, dining area, laundry facilities and two half-bathrooms for residents and staff. The resident guests would cook, eat, do laundry, lounge, and be provided life skills training and other services in this building.

Existing vehicular access to the site is a driveway on E. Main St, an arterial street. Such access is to 3 off-street parking spaces, including one ADA compliant parking space. Additional vehicular access is proposed at the northwest corner of the property to 6 proposed off-street, paved and striped parking spaces there. There exists curb, gutter and sidewalk on the E Main St frontage of the subject property, but not the 22nd St frontage, where street improvements will be required to bring that up to standard.

There is an open, concrete stormwater channel across the property between the existing building (that will be the “commons building”) and the area behind it where the sleeping units would be located. Pedestrian access between the commons building and the sleeping units for the residents and staff would be by bridge over the stormwater channel and/or from the west side of the subject property on 22nd St north of the stormwater channel. Such access would be via a key coded, locked gate, as the sleeping unit area will be surrounded by a sight-obscuring, 6’ tall fence.

The application, as reviewed by city staff, appears to meet all required standards of the applicable Zoning Code (LCC Chapter 37) provisions, as well as those of the Shelters and Transitional Housing Villages Code (LCC Chapter 42) with the following exception:

- The applicant requests that the Commission waive the Zoning Code standard that parking be allowed to back onto a street. The parking requested to be allowed to back onto the street is located in the northwest corner of the subject property and would back out onto 22nd St, which is a low-speed, low-traffic, dead-end, local, street.

The applicant has provided the facility management plan required by city code for a transitional housing village. The related safety and security plan has tentatively been approved by the Police Department. The requirements for the facility management plan are as follows:

Sec. 42-34. Facility management plan.

- (a) Facility management plan. A facility management plan shall be submitted with each application for a transitional housing village. Such plan shall address the following:

- (1) The training program (who, what, how, when, where) to be provided for facility staff, including any volunteer staff. Such training shall include:
 - a. Review of the facility management plan;
 - b. Training specific to conflict resolution; mediation; what to do if encountering a person displaying violent, suicidal, or criminal behavior, or suffering from a mental health crisis; abuse prevention; and substance abuse prevention; and
 - c. Any other type of training deemed appropriate by the transitional housing village owner and/or operator.
 - (2) Protocols to address client acceptance, length of stay, and ancillary service offerings, including relationships with and referrals to and from other related service providers;
 - (3) A safety and security plan developed in conjunction with local law enforcement that addresses emergency response and security for homeless shelter staff, including volunteer staff, and clients;
 - (4) Protocols to address outdoor noise, litter, indecent exposure, disturbing the peace, loitering, and other public nuisances;
 - (5) Protocols to address neighborhood outreach and response to complaints;
 - (6) Protocols to address the safekeeping of clients' personal property;
 - (7) Minimum staffing levels; and
 - (8) Protocols as to when a client will be discharged for not following the transitional housing village's rules.
- (b) Operation of a transitional housing village shall be in compliance with the facility management plan.

The criteria against which the Planning and Zoning Commission (the Commission) is to judge a conditional use permit are listed herein below. The Commission may impose any conditions it "...considers necessary to protect the best interests of the surrounding property or the city as a whole. Those conditions may include, but are not limited to:

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

Relevant Criteria and Standards:

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

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

- (2) The proposed use (is/is not) a public necessity (and/but) (is/is not) justified by the applicant and deemed to be of benefit to the public.
- (3) The character of the proposed use, if developed according to the plan as submitted, (will/will not) be in harmony with the area in which it is to be located.
- (4) The proposed use (will/will not) endanger the environment or the public health or safety.
- (5) The proposed use (will/will not) be in substantial conformance with the comprehensive plan.

Prepared By:

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DIVISION 18. LIGHT INDUSTRIAL ZONE M-1

Sec. 37-84. Light industrial zone M-1.

Purpose: To provide for light manufacturing, processing, storage, warehousing, distribution and commercial uses subject to stated standards. To provide for necessary community uses that are not appropriate in residential districts. Regulations are intended to prevent friction between uses in the zone and also to protect nearby residential districts.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 43, 10-25-99; Ord. No. 4689, § 6, 4-24-17)

Sec. 37-85. Uses permitted outright.

In an M-1 zone, the following uses and their accessory uses are permitted outright subject to the provisions of article IV:

- (1) Auto, manufactured home, recreational vehicle, heavy equipment sales and service;
- (2) Boat sales and marina;
- (3) Commercial entertainment facility - indoor;
- (4) Commercial or industrial laundry;
- (5) Eating or drinking establishment;
- (6) General contracting and storage yard;
- (7) Greenhouses and nurseries;
- (8) Manufacturing, fabricating, processing, repairing, packing or storage, except a use specifically listed as a use permitted outright or as a conditional use in an M-2 zone;
- (9) Mini-storage;
- (10) Port facility;
- (11) Public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a public agency;
- (13) Retail sales and service;
- (14) Semi-public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a semi-public agency;
- (15) Service station;
- (16) Tire recapping;
- (17) Truck terminal;
- (18) Veterinary clinic or kennel;
- (19) Wholesale distribution.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. § 44, 10-25-99; Ord. No. 4322, § 4, 12-9-02; Ord. No. 4346, § 2, 11-17-03; Ord. No. 4387, § 1, 2-14-05; Ord. No. 4742, § 25, 8-19-19; Ord. No. 4753, § 11, 12-14-19; Ord. No. 4799, § 17, 3-8-21)

Sec. 37-86. Conditional uses permitted.

In an M-1 zone, the following uses and their accessory uses are permitted when authorized in accordance with the provisions of articles IV and IX:

- (1) Bulk petroleum storage and distribution facilities;
- (2) Commercial entertainment facility - outdoor;
- (3) Grain storage;
- (4) Homeless shelter, subject to the standards of section 37-125 of this Code;
- (5) Other light manufacturing uses which are not permitted outright but which are consistent with the purpose of the M-1 zone and are not detrimental to any of the outright permitted uses or other existing conditional uses or to nearby residential uses;
- (6) 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;
- (7) 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;
- (8) Quarrying;
- (9) Bridge housing shelter, subject to the standards of section 37-125 of this Code;
- (10) Transitional housing village, subject to the provisions of chapter 42 of this Code.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 45, 10-25-99; Ord. No. 4346, § 2, 11-17-03; Ord. No. 4387, § 2, 2-14-05; Ord. No. 4689, § 7, 4-24-17; Ord. No. 4753, § 12, 12-14-19; Ord. No. 4799, § 18, 3-8-21; Ord. No. 4838, § 4, 12-13-2; Ord. No. 4841, § 15, 11-14-22)

Sec. 37-87. Limitations on use.

In an M-1 zone the following limitations on use shall apply:

- (1) Any use which creates a nuisance because of noise, smoke, odor, dust or gas is prohibited.
- (2) Materials shall be stored, and grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or otherwise create a health hazard.
- (3) All service, processing and storage on property abutting or facing a residential zone or a through highway shall be wholly within an enclosed building or screened from view from the residential zone or a through highway by a permanently maintained, sight obscuring fence at least eight (8) feet high, approved landscaping material or a combination thereof.
- (4) Access from a public street to properties in an M-1 Zone shall be so located as to minimize traffic congestion and avoid directing industrial traffic onto residential streets.
- (5) Building entrances or other openings adjacent to a residential or commercial zone shall be prohibited if they cause glare, excessive noise or otherwise adversely affect the use or value of the adjacent property.

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(Supp. No. 5)

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- (6) Effluent from permitted uses cannot be returned to the rivers without prior treatment or processing to ensure compliance with state and federal water pollution control standards and city ordinances.

(Ord. No. 4108, § 2, 8-15-94)

Sec. 37-88. Yards.

In an M-1 zone a side yard or rear yard abutting a residential zone shall be a minimum of twenty-five (25) feet. Said required yard shall be screened by means of a sight obscuring fence, approved landscaping materials or a combination thereof. Such required screening shall be installed prior to the issuance of an occupancy permit.

(Ord. No. 4108, § 2, 8-15-94)

ARTICLE III. TRANSITIONAL HOUSING VILLAGES¹

Sec. 42-31. Purpose; applicability.

- (a) *Purpose.* The purpose of this article is to provide standards for the development of transitional housing villages in the City of Lewiston, which are designed to provide low-cost or no-cost temporary housing options for persons experiencing homelessness or lack of permanent housing to facilitate the opportunity for such persons to transition to permanent housing.
- (b) *Applicability.* This article applies only to transitional housing villages, as defined herein, in the City of Lewiston, and shall not apply to transitional housing other than in transitional housing villages.

(Ord. No. 4841, § 24, 11-14-22)

Sec. 42-32. Definitions.

- (a) *Recreation area* means an area within a transitional housing village reserved for and having recreational equipment and/or otherwise improved open space to be used for leisure activities of transitional housing village residents.
- (b) *Transitional housing village* means a lot, parcel, or tract of land developed, used, or intended to be used for the purpose of providing transitional housing for homeless persons or persons without permanent housing; having a commons building that provides kitchen, bathroom, and laundry facilities, but not sleeping accommodations, for residents and that may or may not include sleeping quarters or an apartment for on-site staff; where sleeping units, as defined herein, are provided outside of the commons building for residents.
- (c) *Sleeping unit* means a building that:
 - (1) Is two hundred eighty-eight (288) square feet or less in floor area, including lofts;
 - (2) Is designed, built, and has permanent provisions for human occupancy as a place for sleeping;
 - (3) May include provisions for living, eating, and either sanitation or kitchen facilities, but not both sanitation and kitchen facilities; and
 - (4) Is built in accordance with the requirements of the codes adopted in chapter 10 of this Code.

(Ord. No. 4841, § 24, 11-14-22)

Sec. 42-33. Zoning districts; minimum spacing.

- (a) *Zoning districts.* Transitional housing villages shall be permitted in the zoning districts specified in chapter 37 of this Code.

¹Editor's note(s)—Sec. 23 of Ord. No. 4841, adopted November 14, 2022, directed for the renumbering of art. III, administration and enforcement, as art. IV. Sec. 24 of said ordinance, added new provisions to be designated as art. III, to read as herein set out.

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- (b) *Minimum spacing.* A transitional housing village shall not be located closer than three quarters ($\frac{3}{4}$) of a mile (three thousand nine hundred sixty (3,960) feet) to another transitional housing village, as measured along the shortest route on the city street system.

(Ord. No. 4841, § 24, 11-14-22)

Sec. 42-34. Facility management plan.

- (a) Facility management plan. A facility management plan shall be submitted with each application for a transitional housing village. Such plan shall address the following:
- (1) The training program (who, what, how, when, where) to be provided for facility staff, including any volunteer staff. Such training shall include:
 - a. Review of the facility management plan;
 - b. Training specific to conflict resolution; mediation; what to do if encountering a person displaying violent, suicidal, or criminal behavior, or suffering from a mental health crisis; abuse prevention; and substance abuse prevention; and
 - c. Any other type of training deemed appropriate by the transitional housing village owner and/or operator.
 - (2) Protocols to address client acceptance, length of stay, and ancillary service offerings, including relationships with and referrals to and from other related service providers;
 - (3) A safety and security plan developed in conjunction with local law enforcement that addresses emergency response and security for homeless shelter staff, including volunteer staff, and clients;
 - (4) Protocols to address outdoor noise, litter, indecent exposure, disturbing the peace, loitering, and other public nuisances;
 - (5) Protocols to address neighborhood outreach and response to complaints;
 - (6) Protocols to address the safekeeping of clients' personal property;
 - (7) Minimum staffing levels; and
 - (8) Protocols as to when a client will be discharged for not following the transitional housing village's rules.
- (b) Operation of a transitional housing village shall be in compliance with the facility management plan.

(Ord. No. 4841, § 24, 11-14-22)

Sec. 42-35. Development standards.

- (a) *Commons building.* A transitional housing village shall provide a commons building that provides kitchen, bathroom, and laundry facilities for its residents, and which may or may not include sleeping quarters or an apartment for on-site staff.
- (b) *Minimum lot size.* None. Minimum lot dimensions and area shall be as necessary to comply with the development standards in this article.
- (c) *Yards/setbacks for commons building and sleeping units.*
- (1) No commons building or sleeping unit shall be closer than:
 - a. Fifteen (15) feet to a front property line;

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- b. Fifteen (15) feet to a street side property line on a corner lot;
 - c. Ten (10) feet to any other property line;
 - d. Ten (10) feet to another sleeping unit; provided, however, there shall be at least six (6) feet between any associated deck, porch, patio cover, or other structure attached to the sleeping unit, or freestanding, but less than three (3) feet from the sleeping unit(s); or
 - e. Five (5) feet to the transitional housing village interior roadway.
- (d) *Building height.* The maximum building height, as defined in chapter 37 of this Code, shall be sixteen (16) feet, except for a two-story commons building, which shall not exceed twenty-eight (28) feet in height.
- (e) *Accessory structures.* Accessory structures shall be permitted in accordance with the following provisions:
- (1) Accessory structures shall meet the minimum yard/setback requirements for the commons building and sleeping units, as set forth in subsections (c)(1)a. through c. of this section.
 - (2) Accessory structures attached to a sleeping unit or freestanding, but less than three (3) feet from the structure to which they are accessory, shall maintain a minimum of six (6) feet from any other structure.
 - (3) Accessory structures shall be set back from the transitional housing village interior roadway by a minimum of five (5) feet.
 - (4) No accessory structure shall exceed two hundred sixty-four (264) square feet, unless:
 - a. It is a carport or garage for all or multiple tenants, in which case it shall not exceed two hundred sixty-four (264) square feet multiplied by the number of sleeping units it is intended to serve;
 - b. It is for storage for overall property maintenance by the owner/manager, in which case it shall not exceed one thousand two hundred (1,200) square feet; or
 - c. It is a common recreation/social gathering building for use by tenants, in which case it shall not be size-limited.
 - (5) Accessory structures shall not exceed sixteen (16) feet in height.
- (f) *Off-street parking.* Off-street parking within transitional housing villages shall conform to the following minimum standards.
- (1) A minimum of 0.33 parking space per sleeping unit, plus one (1) parking space per staff member on the largest shift, shall be provided on the transitional housing village property, and no such required parking shall encroach into any public street right-of-way.
 - (2) Required parking spaces may be separate from each other or grouped in any number; however, no required parking spaces shall be arranged in tandem.
 - (3) Required parking spaces and the related service driveway(s) shall be surfaced with asphalt or concrete, permeable pavement/pavers, or compacted gravel; provided, however, that for any compacted gravel driveway, the part of it closest to and joining the street shall be asphalt or concrete for a minimum distance of forty (40) feet to mitigate tracking of gravel onto the street. Individual parking stalls shall be striped or indicated with wheel stops.
 - (4) If multiple parking spaces are provided side-by-side, then they shall be striped or indicated with wheel stops.
 - (5) All parking spaces and drive aisles shall be designed and improved to the dimensional standards of City Standard Drawing 1-15, as may be amended or replaced from time-to-time.

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- (6) The parking lot landscaping standards of chapter 37 of this Code shall not be required, unless as a condition of approval imposed through a conditional use permit.
 - (7) A minimum of one (1) covered bicycle parking space with a bike rack for bicycle locking, or one (1) bicycle locker or covered bicycle locker space, per sleeping unit shall be provided. Such bicycle parking spaces may be grouped together or provided individually at each sleeping unit, the latter of which shall not include areas beneath sleeping unit eaves or front door stoop overhangs.
 - (g) *Screening.* Screening shall be required along the perimeter of the lot. Such screening shall be a minimum of six (6) feet tall, or four (4) feet tall along a street frontage, and may consist of sight-obscuring fencing or landscaping that is dense enough to be sight-obscuring. Such screening may include existing fencing or landscaping along the perimeter of the lot. Screening shall not interfere with a required sight-distance triangle.
 - (h) *Recreation area.* An outdoor recreation area shall be required in each transitional housing village. The recreation area shall be a minimum of five (5) percent of the lot area and shall have a minimum of one and one-half (1½) inch caliper shade tree per three hundred fifty (350) square feet of outdoor recreation area. A fraction of one-half (0.5) or higher shall be rounded up to the nearest whole number in doing this calculation. The recreation area shall be accessible to all transitional housing village residents and shall be of slope and configuration as to be practicable for the intended purpose. The recreation area shall contain active and/or passive recreation improvements, which may include, but is not limited to, grass, trees, shrubs, picnic tables, playground equipment, shade structures, barbecues, and horseshoe pits. The recreation area shall not be displaced or reduced below the minimum required size.
 - (i) *Shade trees.* A minimum of one and one-half (1½) inch caliper shade tree shall be placed every thirty-five (35) feet on the perimeter of the transitional housing village. All required shade trees shall be maintained, and replaced as necessary, by the transitional housing village owner. An automatic drip irrigation system shall be provided by the transitional housing village owner for all required shade trees.
 - (j) *Street access and interior driveway circulation.* Street access and interior driveway circulation shall meet the standards required by the public works and fire departments.
 - (k) *Stormwater detention facilities.* Stormwater detention facilities shall be provided, subject to the requirements of the public works department.

(Ord. No. 4841, § 24, 11-14-22)

Sec. 42-36. Reserved.

ARTICLE IX. CONDITIONAL USES

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

- (a) Uses designated in this chapter as conditional uses may be permitted upon authorization by the commission in accordance with the standards and procedures established in this article. The commission may impose, in addition to those standards and requirements expressly specified by this chapter, any additional conditions which it considers necessary to protect the best interests of the surrounding property or the city as a whole. Those conditions may include, but are not limited to:
- (1) More restrictive standards than generally required, such as increased lot or yard size, with limitations or increased parking space requirements;
 - (2) Minimizing adverse impacts, such as limiting the number, size and location of signs and requiring screening, diking, fencing or landscaping;
 - (3) Controlling the timing, sequence, and duration of development;
 - (4) Designating the exact location and nature of development and assuring that it is maintained properly;
 - (5) Requiring the provision of on-site or off-site public facilities.
- (b) Pursuant to Idaho Code § 67-6512(f), exceptions or waivers of standards, other than use, in this chapter may be permitted by the commission through issuance of a conditional use permit only when the exceptions or waivers of standards are incidental to the conditional use permit being considered by the commission.
- (c) The commission shall consider the following relevant criteria and standards when considering whether to grant a conditional use permit and/or an exception or waiver of standard that is incidental to a conditional use permit:
- (1) The proposed use (will/will not) result in conditions that will tend to generate nuisances (including but not limited to noise, dust, glare, vibrations, odors and the like) or, if so, that any anticipated nuisances will be appropriately mitigated.
 - (2) The proposed use (is/is not) a public necessity (and/but) (is/is not) justified by the applicant and deemed to be of benefit to the public.
 - (3) The character of the proposed use, if developed according to the plan as submitted, (will/will not) be in harmony with the area in which it is to be located.
 - (4) The proposed use (will/will not) endanger the environment or the public health or safety.
 - (5) The proposed use (will/will not) be in substantial conformance with the comprehensive plan.
- (d) Any use which is granted and permitted as a conditional use in a particular zone under the terms of this chapter shall be deemed to be a conforming use in said zone. A use existing prior to August 15, 1994, and which is classified in this chapter as a conditional use, shall be considered a conforming use. Any future change or alteration in existing structures shall be permitted outright, provided required permits are obtained and standards complied with. Any change in use shall be subject to the regulations of the zone in which it is located.
- (e) Any increase in lot area for a use allowed by conditional use shall require the approval of the planning and zoning commission in the same manner as the original application.

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- (f) Upon approval by the planning and zoning commission of the findings of fact, conclusions of law and decision, those decisions that create uses that may be transferred with the land shall be filed on record in the office of the Nez Perce County recorder.
 - (g) Authorization of a conditional use shall be void after twelve (12) months unless:
 - (1) A building permit pursuant thereto has been applied for;
 - (2) Where no building permit is required, the intent of the conditional use has been fulfilled; or
 - (3) Substantial progress towards completion of the project has been accomplished, as determined by the community development director.
 - (h) The community development director may extend the expiration date of a conditional use permit to six (6) months upon written request of the applicant. The decision to grant or deny the extension shall be based on the following criteria:
 - (1) Application for extension is received prior to the expiration date;
 - (2) The conditional use remains consistent with the comprehensive plan and conditional uses allowed with the zone;
 - (3) The applicant can show progress towards establishing the conditional use;
 - (4) The applicant can show that circumstances specific to the conditional use and beyond the applicant's control warrant an extension of time.
- (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4530, § 1, 4-27-09; Ord. No. 4631, § 1, 7-13-15; Ord. No. 4651, § 1, 2-22-16)

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

- (a) A property owner or his agent may initiate a request for a conditional use or for the modification of an existing conditional use by filing an application with the community development department on forms prescribed in article XIII. The application shall be submitted at least twenty (20) working days prior to the meeting at which it will be considered. The application for a conditional use shall be accompanied by a site plan drawn neatly and accurately and to an appropriate scale showing at least the following items:
 - (1) Property lines;
 - (2) Street address or legal description;
 - (3) Zoning of the property;
 - (4) Setbacks measured from the property lines;
 - (5) All building locations, size of buildings and overhangs;
 - (6) Driveways and parking spaces;
 - (7) Landscaping;
 - (8) The size, location and nature of the requested use;
 - (9) The location and size of all existing and proposed signs;
 - (10) Location of solid waste disposal and collection facilities;
 - (11) Other information, as directed by the community development department, necessary to fully explain and describe the nature of the request.

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- (b) The general site plan, as approved or modified by the commission, shall be made a part of the applicant's file and all construction and development shall comply with the conditions of approval set by the commission as well as all applicable city codes. Nothing in this general site plan approval shall be interpreted as allowing the owner or applicant variation from current ordinances that were not specifically addressed at the time of permit approval.

(Ord. No. 4108, § 2, 8-15-94)

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

Before the commission shall act upon a request for a conditional use, it shall hold a public hearing pursuant to section 37-184 of this chapter.

(Ord. No. 4108, § 2, 8-15-94)

COMMUNITY COMMERCIAL

Description

Community Commercial areas provide mid- to high-intensity commercial uses that attract people from across the community. The most intense uses should be located adjacent to major roadways, particularly near intersections of two major roadways. Uses should decrease in intensity when located farther from major roadways and near less intense residential areas. Inactive uses such as storage and warehousing should be located behind more active commercial uses along streets.

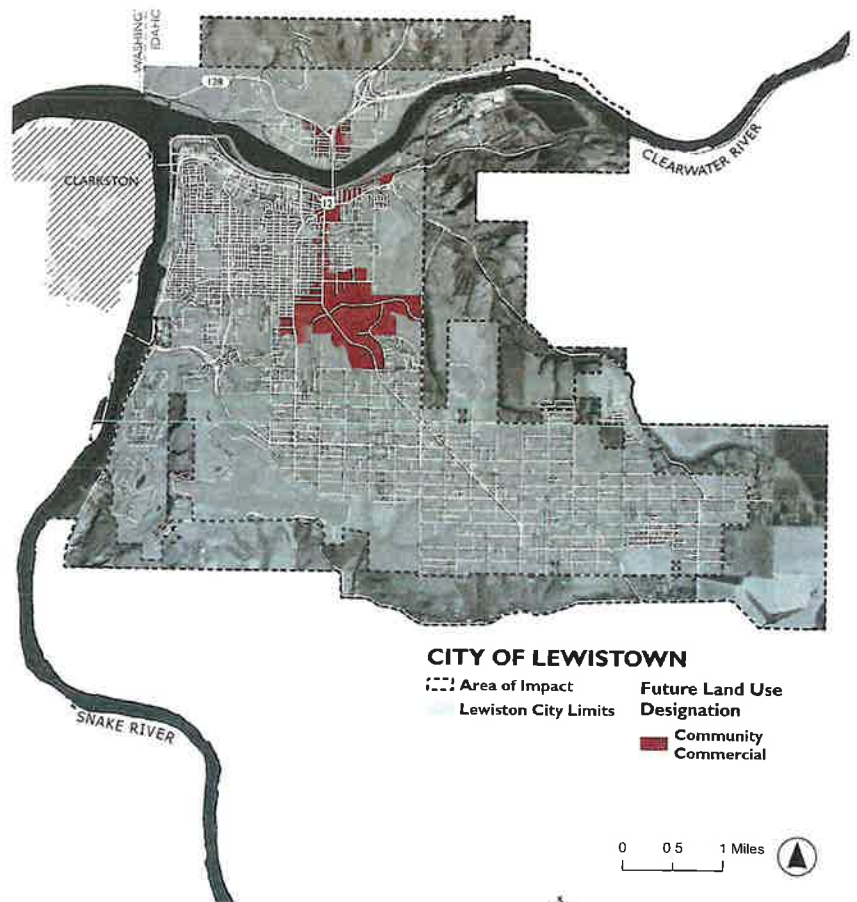
Examples

Distribution centers, office and storage facilities, technology and software firms, grocery stores and supermarkets.

Suggested Residential Density Range

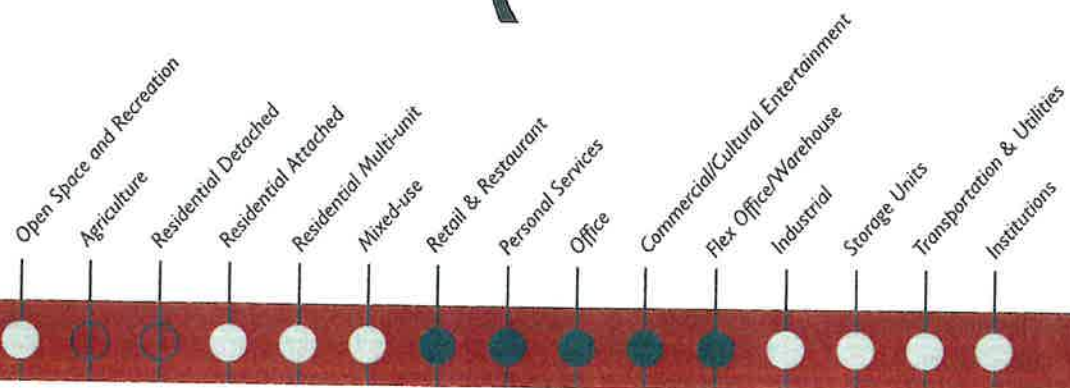
12+ DU/acre can be considered with the following essential considerations:

- **Location:** Commercial uses remain along street frontage. Residential uses should be located above or behind commercial uses.
- **Intensity:** Provides transition in intensity from adjacent uses/zones, provides and appropriate transition in building 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 on the future land use map.



Policy Basis

- [CC.3](#) • [LU.2.2](#) • [ED.4](#)
- [CC.3.1](#) • [LU.2.3](#) • [ED.4.2](#)
- [LU.1](#) • [TC.2.5](#) • [ED.4.3](#)
- [LU.1.1](#) • [TC.3.2](#) • [H.3](#)
- [LU.1.2](#) • [ED.1](#) • [H.3.1](#)
- [LU.1.3](#) • [ED.3](#) • [H.3.2](#)
- [LU.2](#) • [ED.3.1](#) • [NH.1](#)
- [LU.2.1](#) • [ED.3.2](#) • [NH.1.1](#)





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

City of Lewiston



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.

Author: City of Lewiston
Date: 8/16/2024

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 moat and how will the individuals understand this is a privilege.

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

Commissioner Anderson asked if there will be sidewalks to get around the moat, 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 moat, 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 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,


Chairperson or Acting Chairperson

Recording Secretary

Planning and Zoning Commission

Approved this 11 day of Sept, 2024.

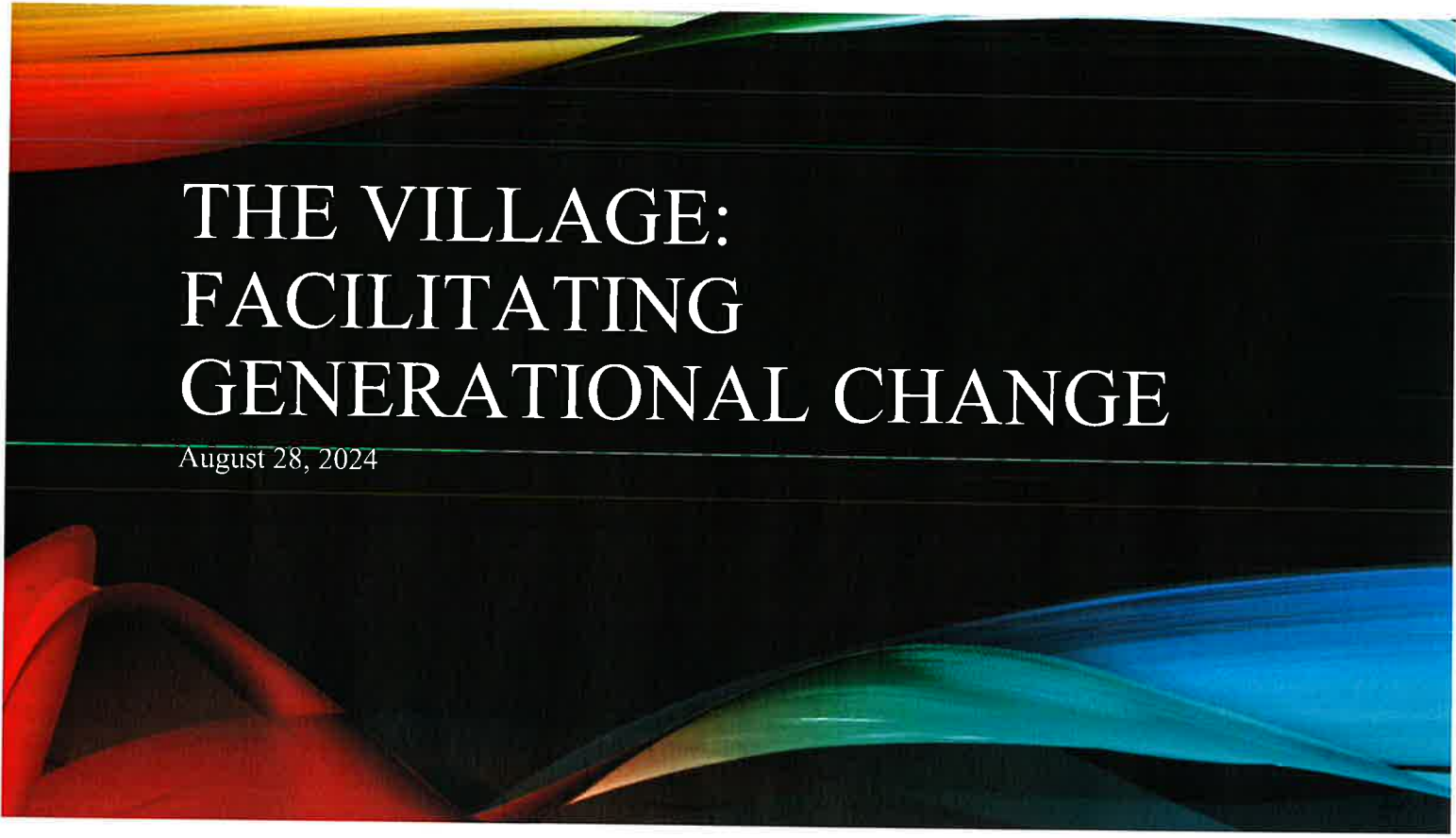
Sec. 37-125. Homeless shelter, bridge housing shelter, and transitional housing village standards.

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.

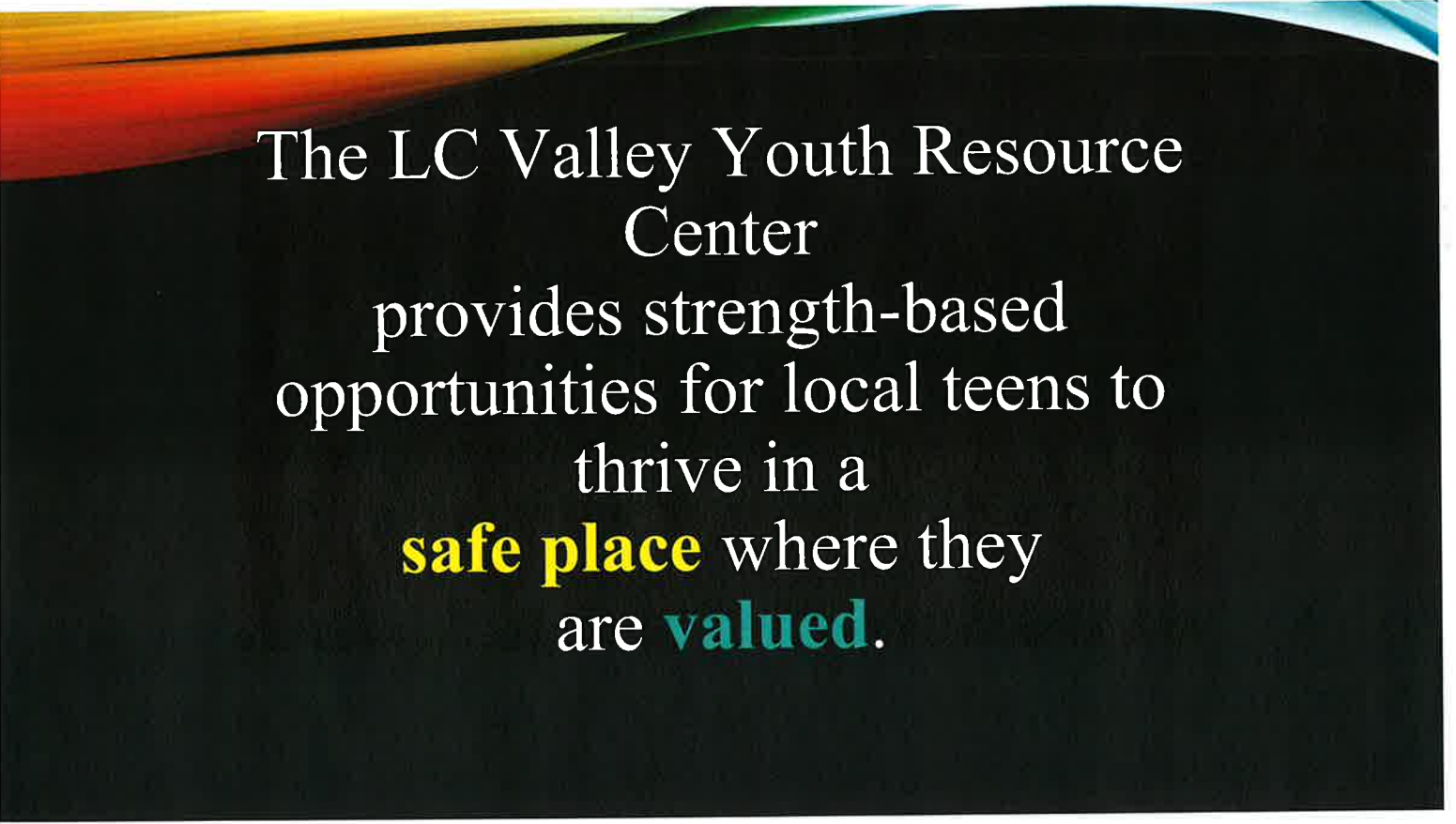
(Ord. No. 4689, § 10, 4-24-17; Ord. No. 4838, § 6, 12-13-21; Ord. No. 4841, § 18, 11-14-22)

Appendix A



THE VILLAGE: FACILITATING GENERATIONAL CHANGE

August 28, 2024



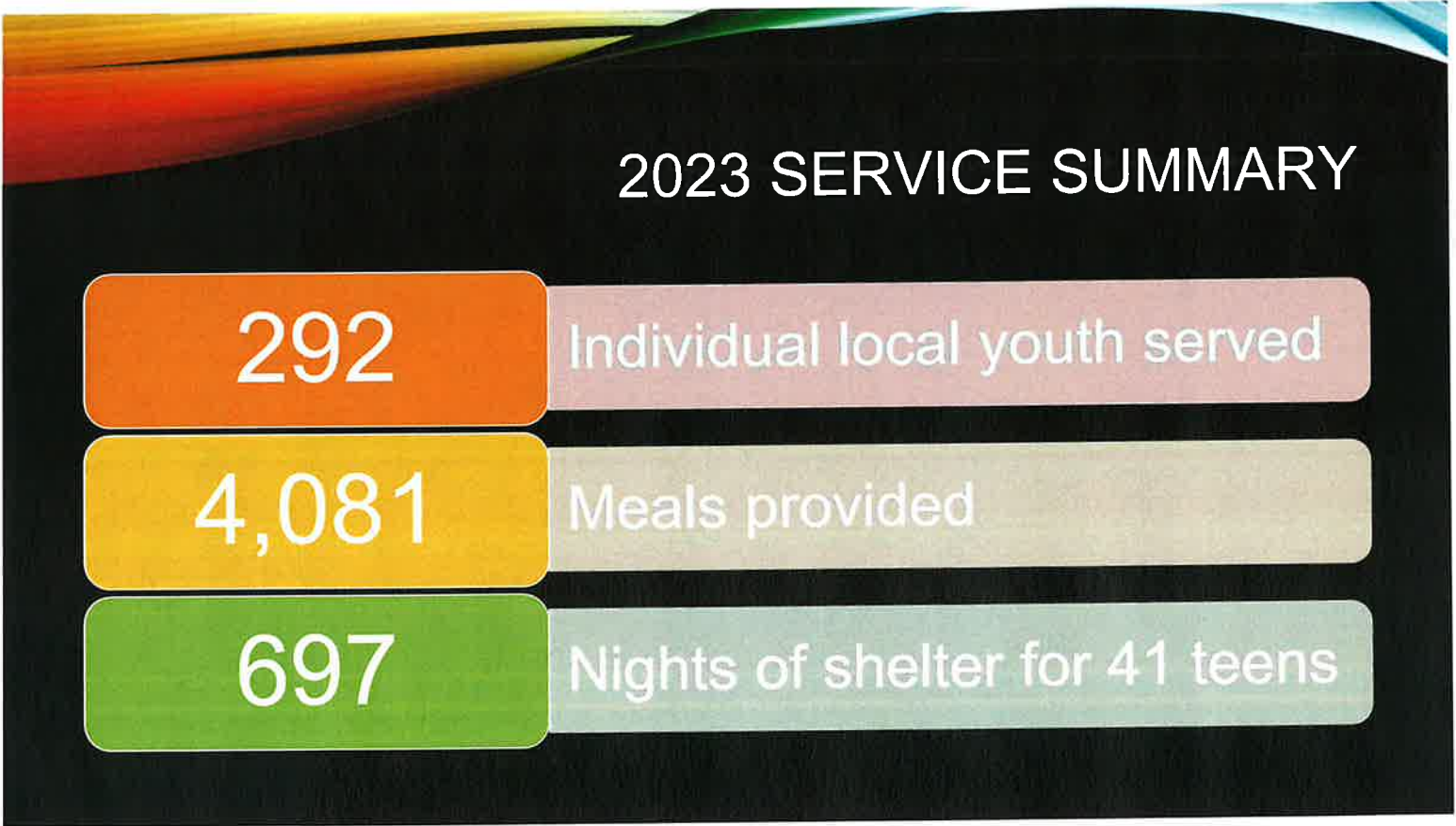
The LC Valley Youth Resource
Center
provides strength-based
opportunities for local teens to
thrive in a
safe place where they
are **valued**.

TODAY

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

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



A graphic titled "2023 SERVICE SUMMARY" with a dark background and a colorful abstract wave at the top. It lists three statistics: 292 individual local youth served, 4,081 meals provided, and 697 nights of shelter for 41 teens. Each statistic is in a colored box (orange, yellow, green) next to a light-colored text box.

2023 SERVICE SUMMARY

292

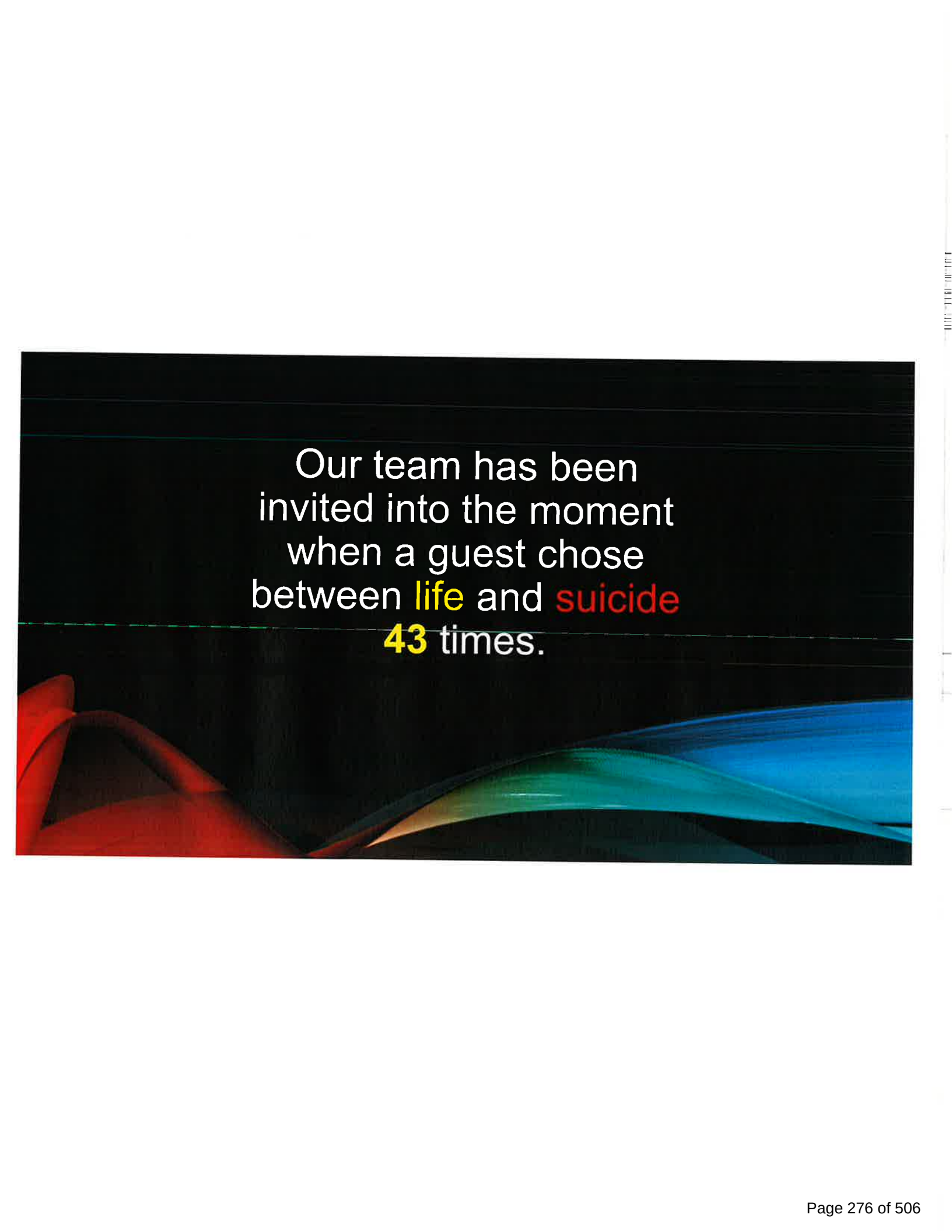
Individual local youth served

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.

An abstract graphic featuring a black background. In the lower portion, there are flowing, ribbon-like shapes in red, green, and blue. The red shape is on the left, the green is in the middle, and the blue is on the right, all appearing to flow from left to right.

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.**

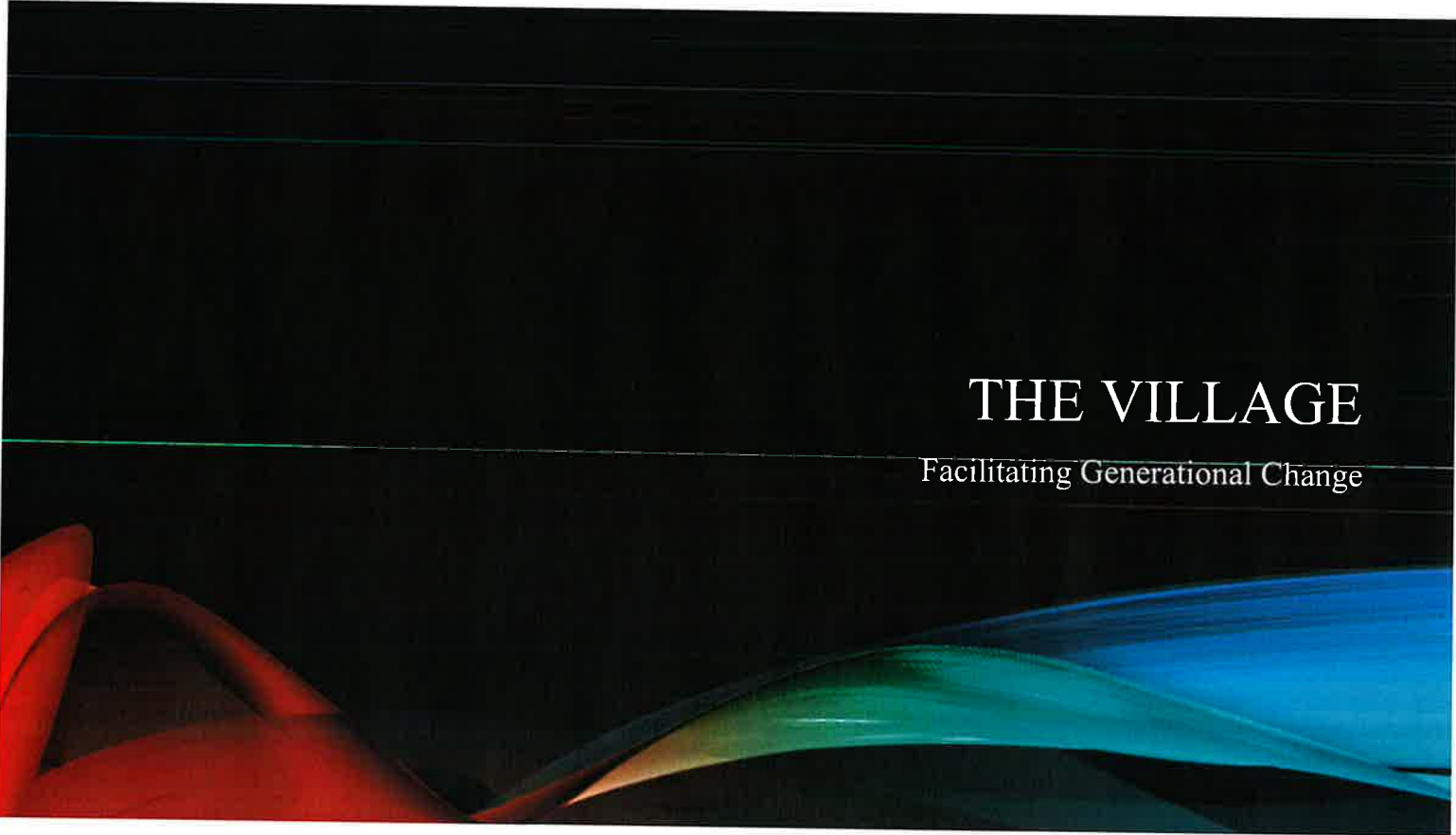
”

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

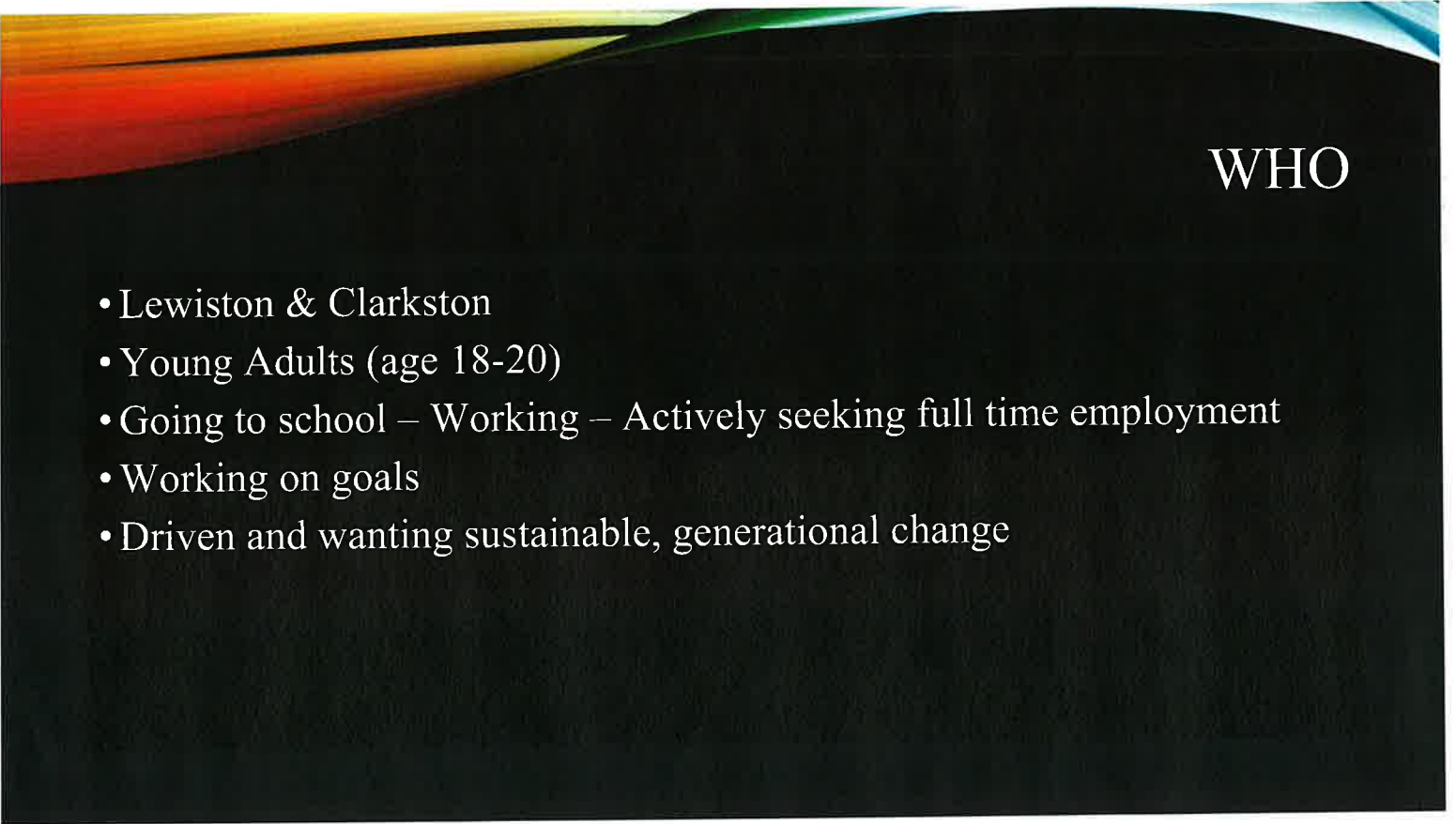
Facilitating Generational Change

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



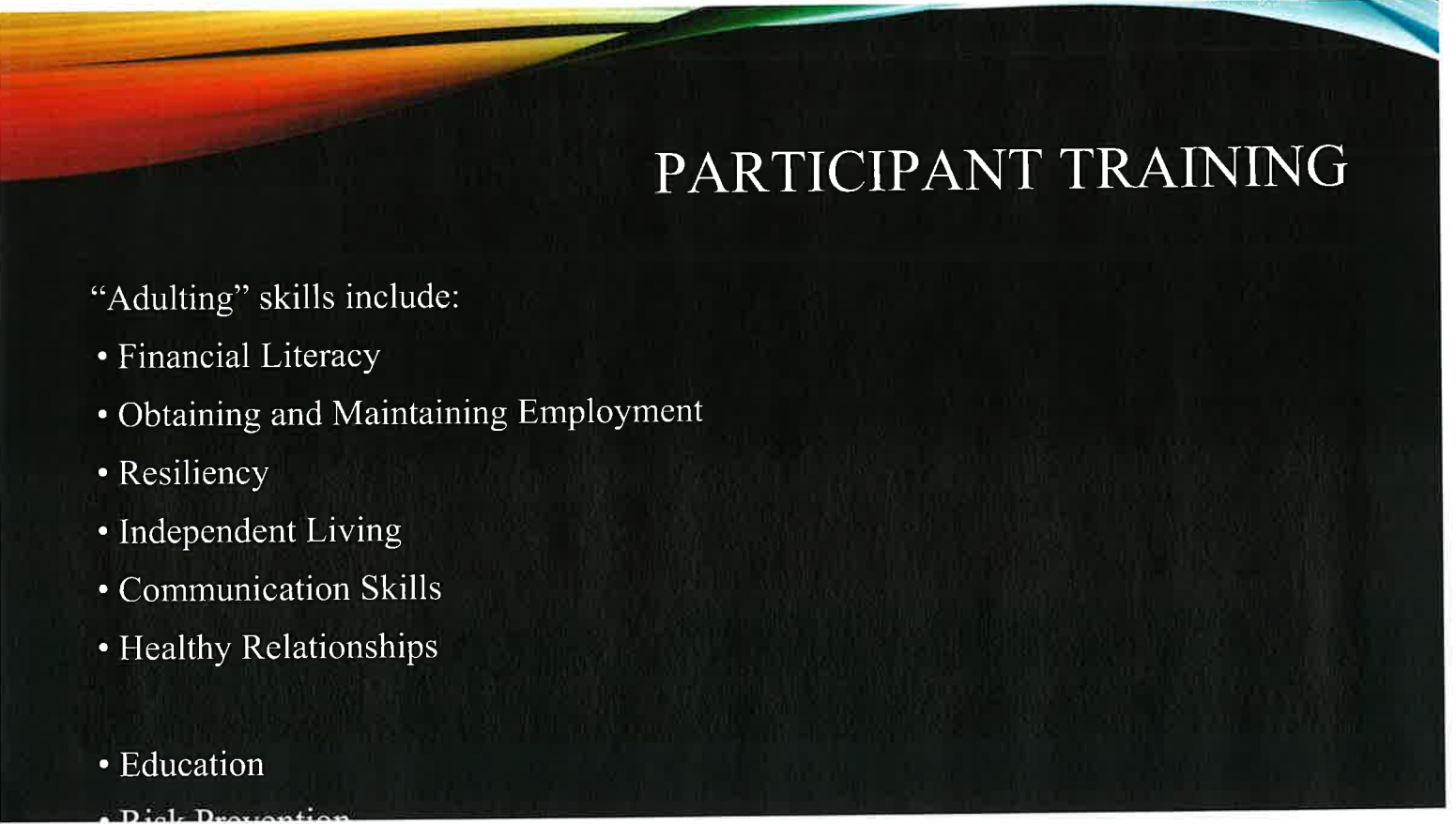
WHO

- 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

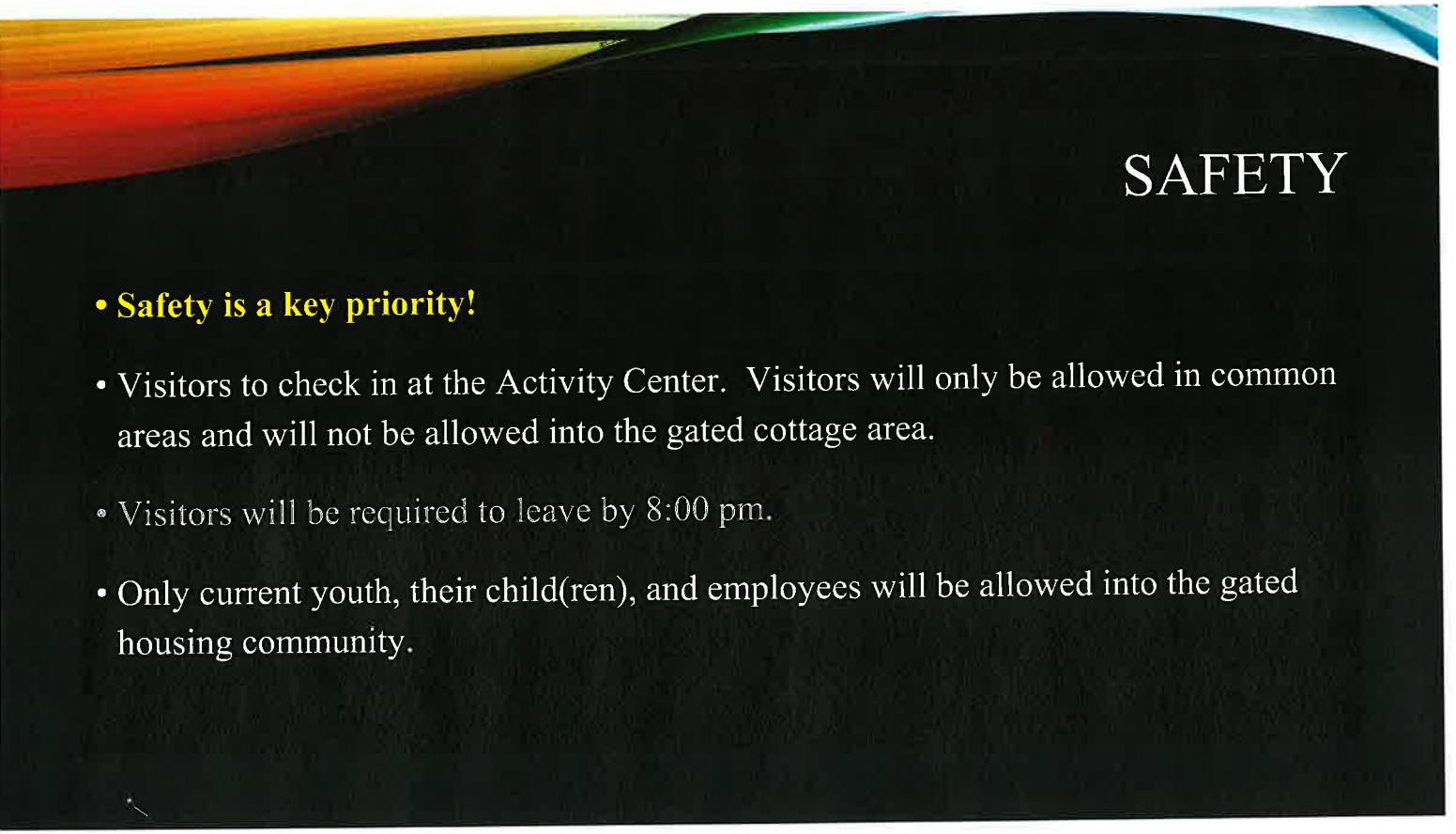
“Adulting” skills include:

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



SOME OF THE RULES

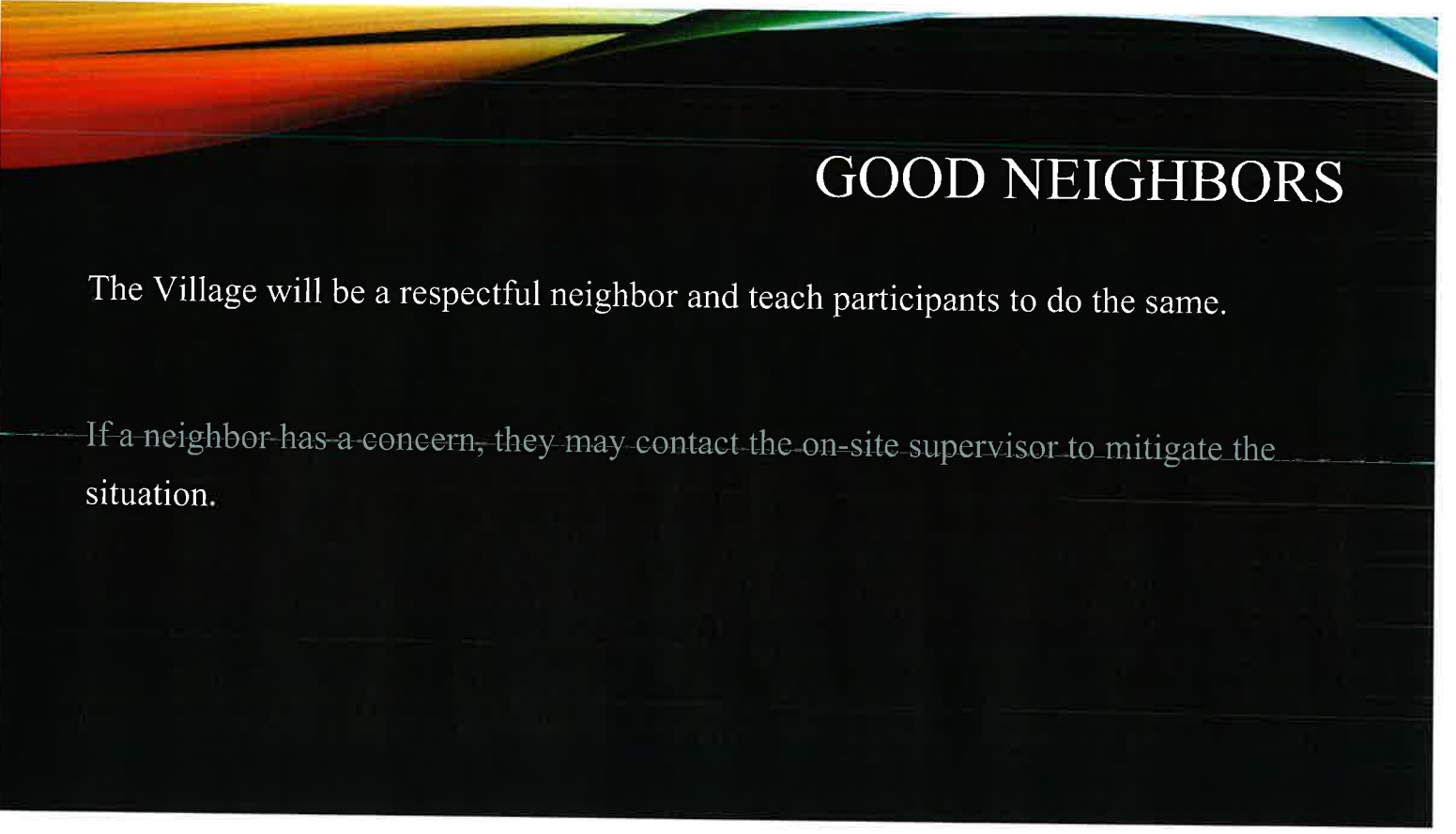
- Participants will not bring nicotine, alcohol, cannabis, or illegal drugs on the premises.
- Cottages are reserved for individual use. Participants will only enter their designated cottage.
- Participants will ensure they always represent the Village in a professional and courteous manner regardless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



SAFETY

- **Safety is a key priority!**

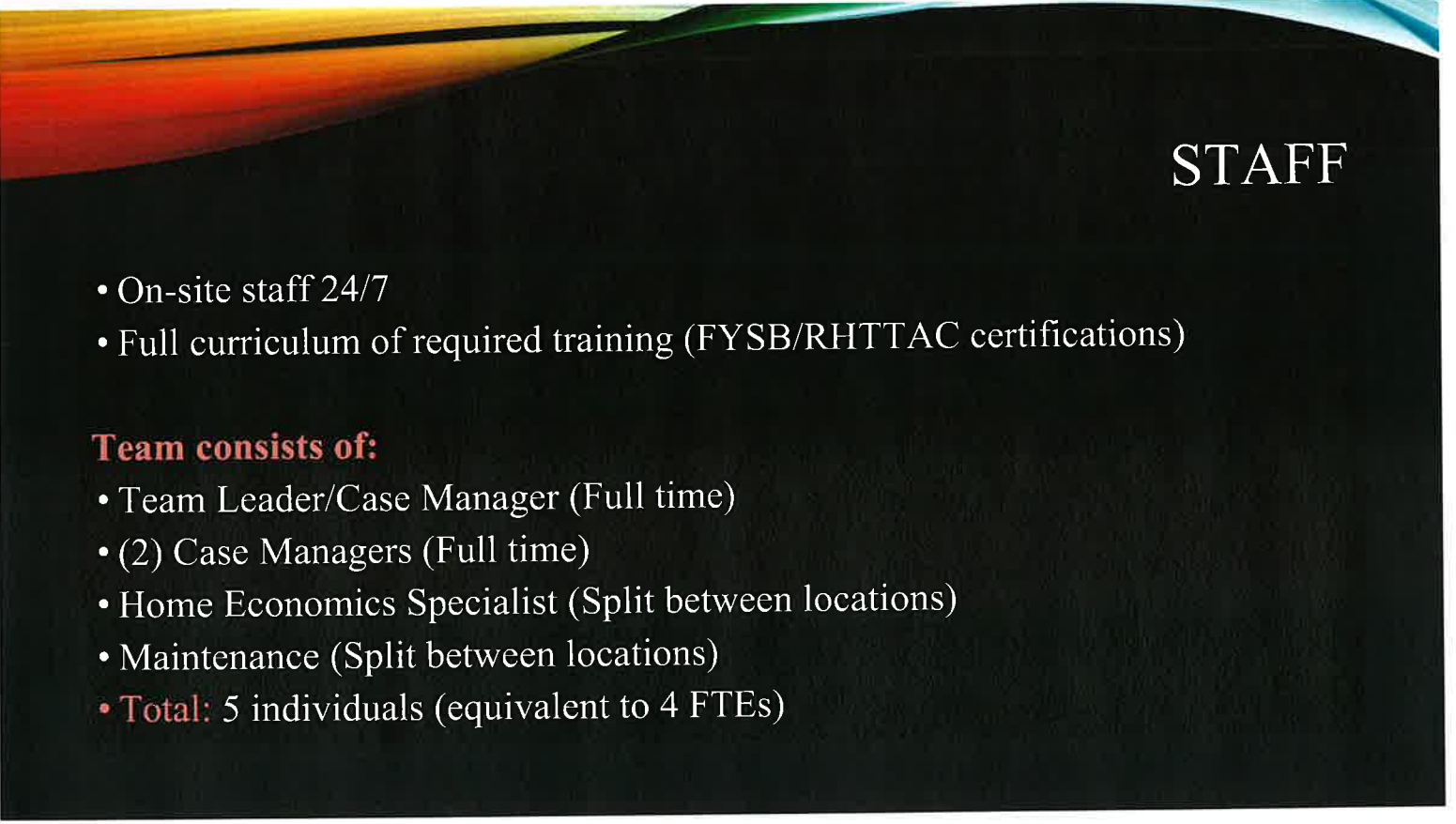
- Visitors to check in at the Activity Center. Visitors will only be allowed in common areas and will not be allowed into the gated cottage area.
- Visitors will be required to leave by 8:00 pm.
- Only current youth, their child(ren), and employees will be allowed into the gated housing community.



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:

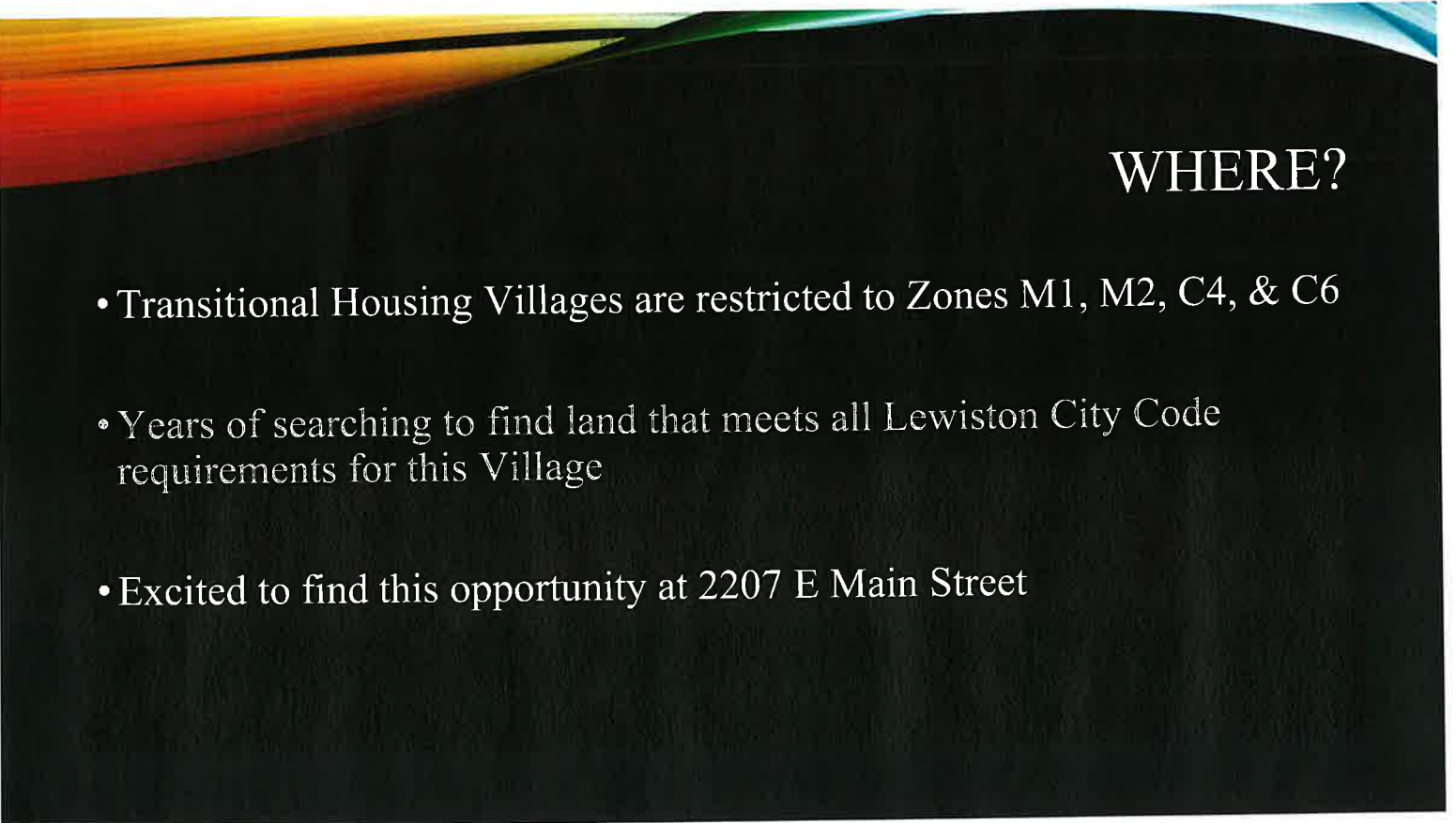
- Team Leader/Case Manager (Full time)
- (2) Case Managers (Full time)
- Home Economics Specialist (Split between locations)
- Maintenance (Split between locations)
- **Total:** 5 individuals (equivalent to 4 FTEs)



PARTICIPANTS' CASE PLANS

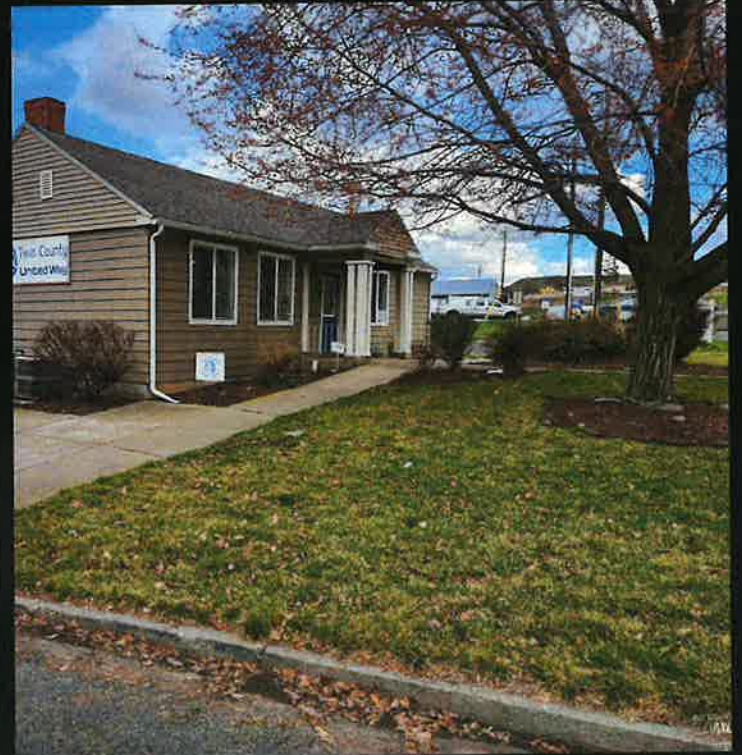
With Case Manager guidance and support, participants will develop and execute a self-identified plan to:

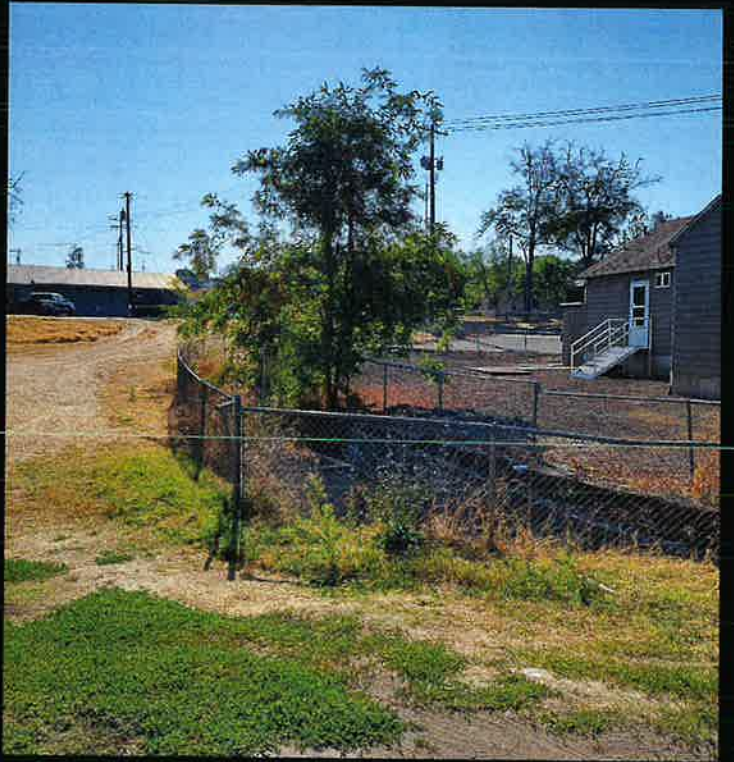
- Successfully secure safe, stable, and permanent housing before their 21st birthday with a transition strategy to achieve this goal
- Secure important documents and paperwork, such as a birth certificate, social security card, state issued identification, medical records, and credit reports
- Successfully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



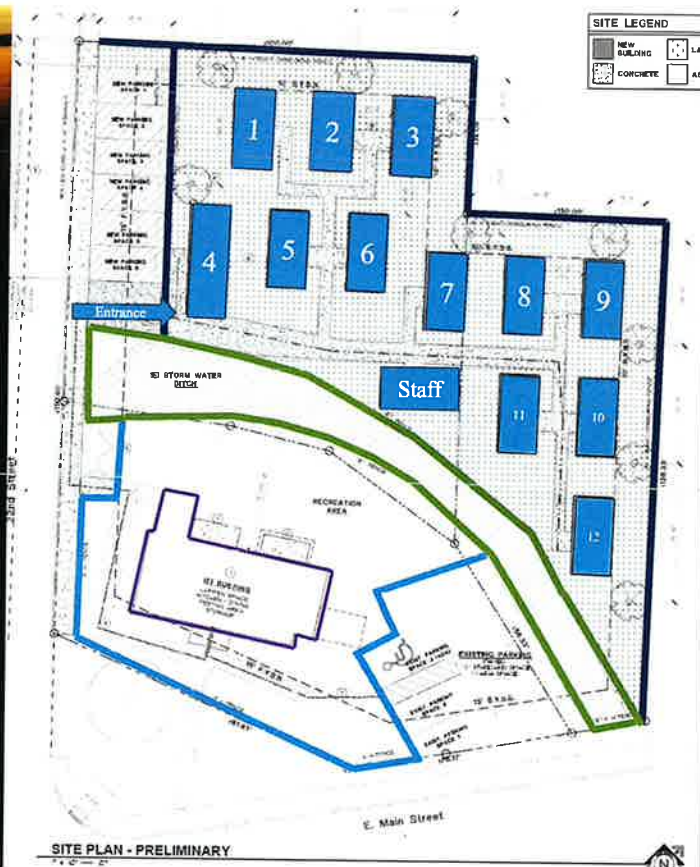
WHERE?

- 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





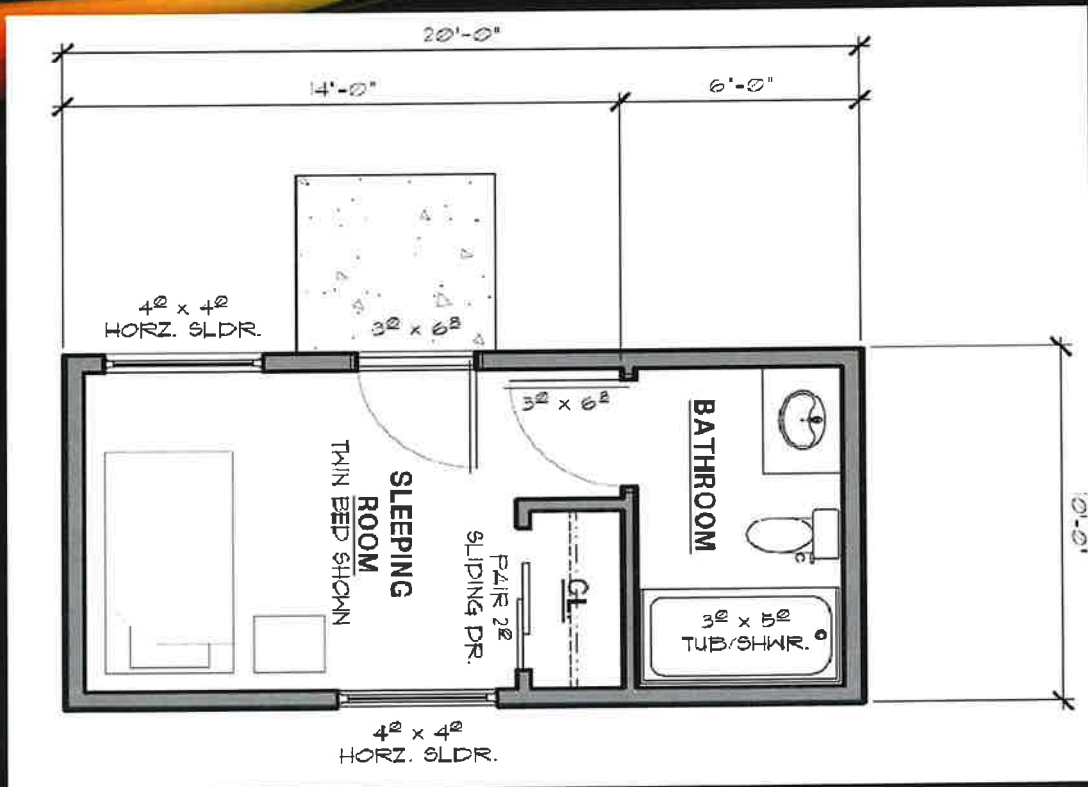


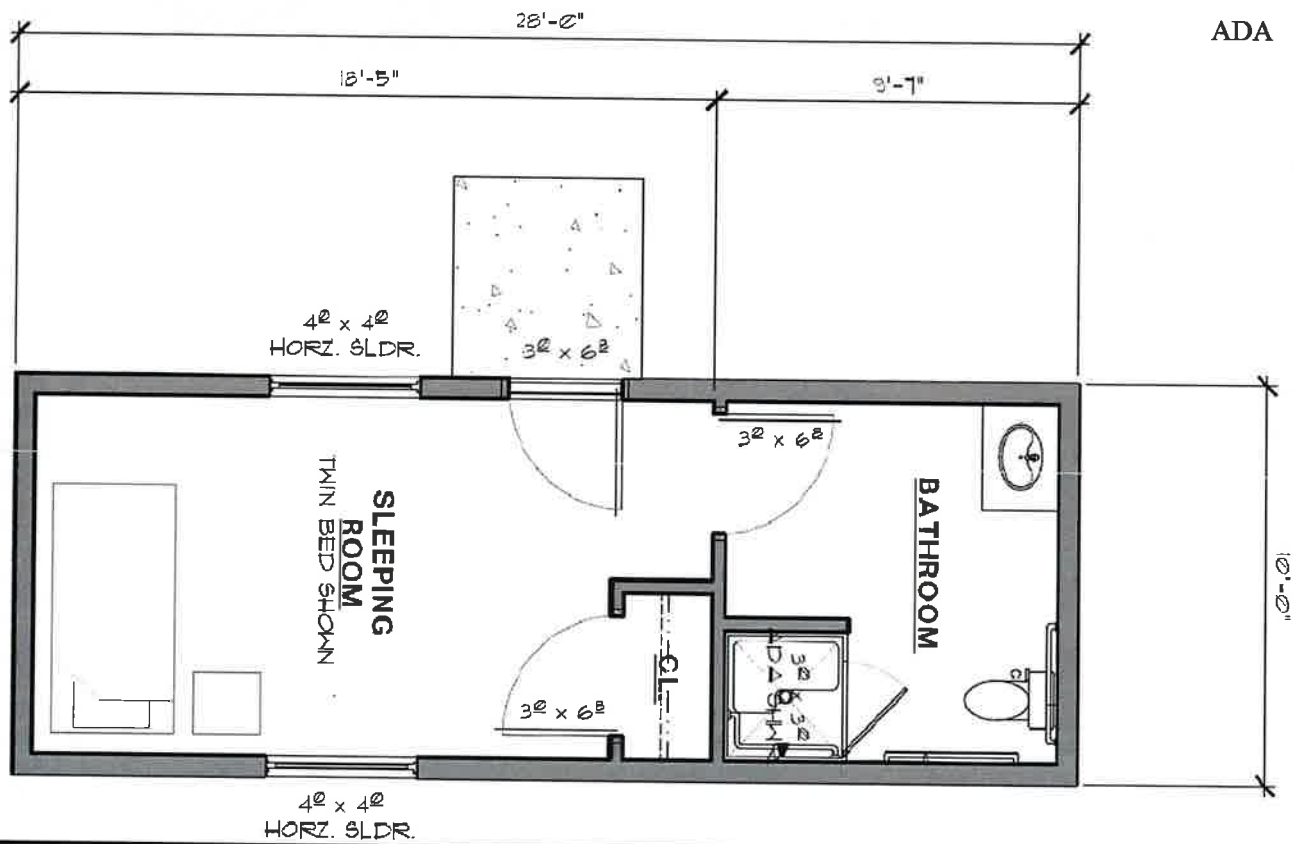


KEY HIGHLIGHTS

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

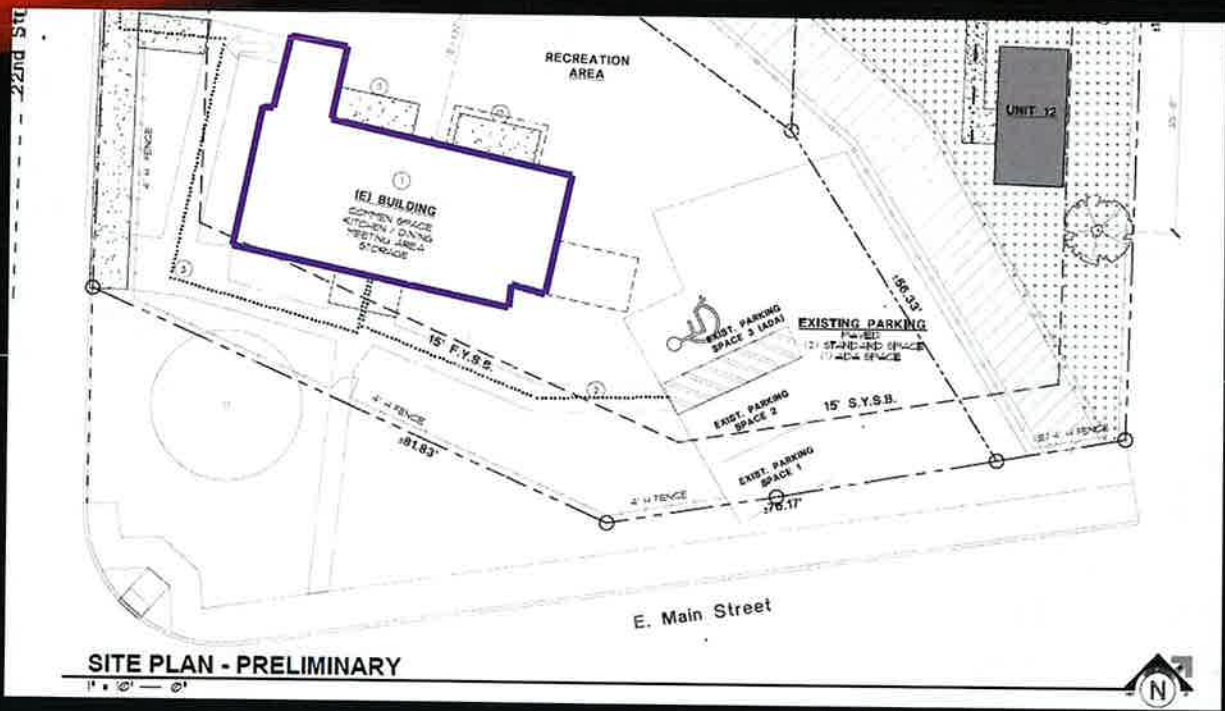


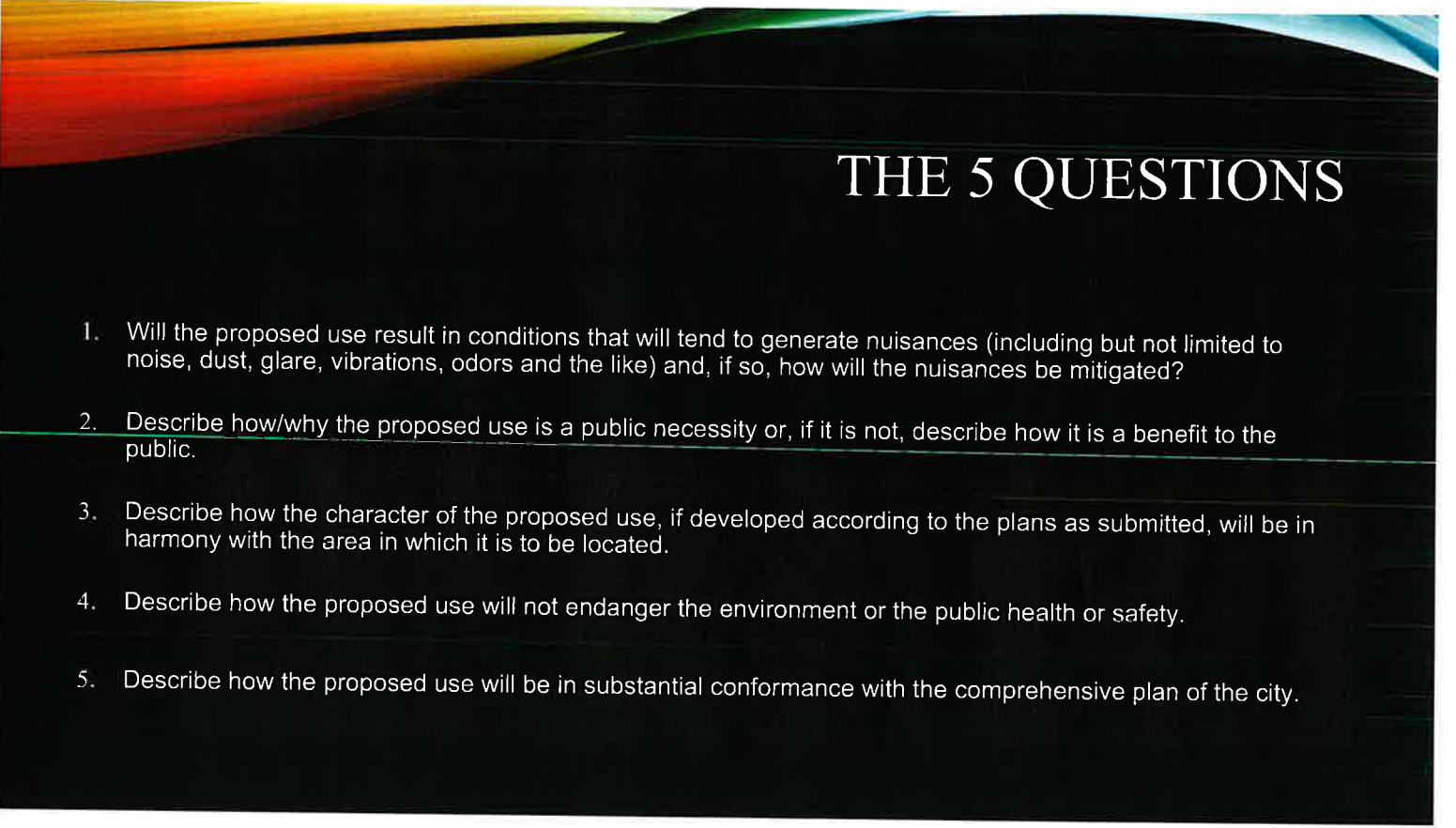




ADA

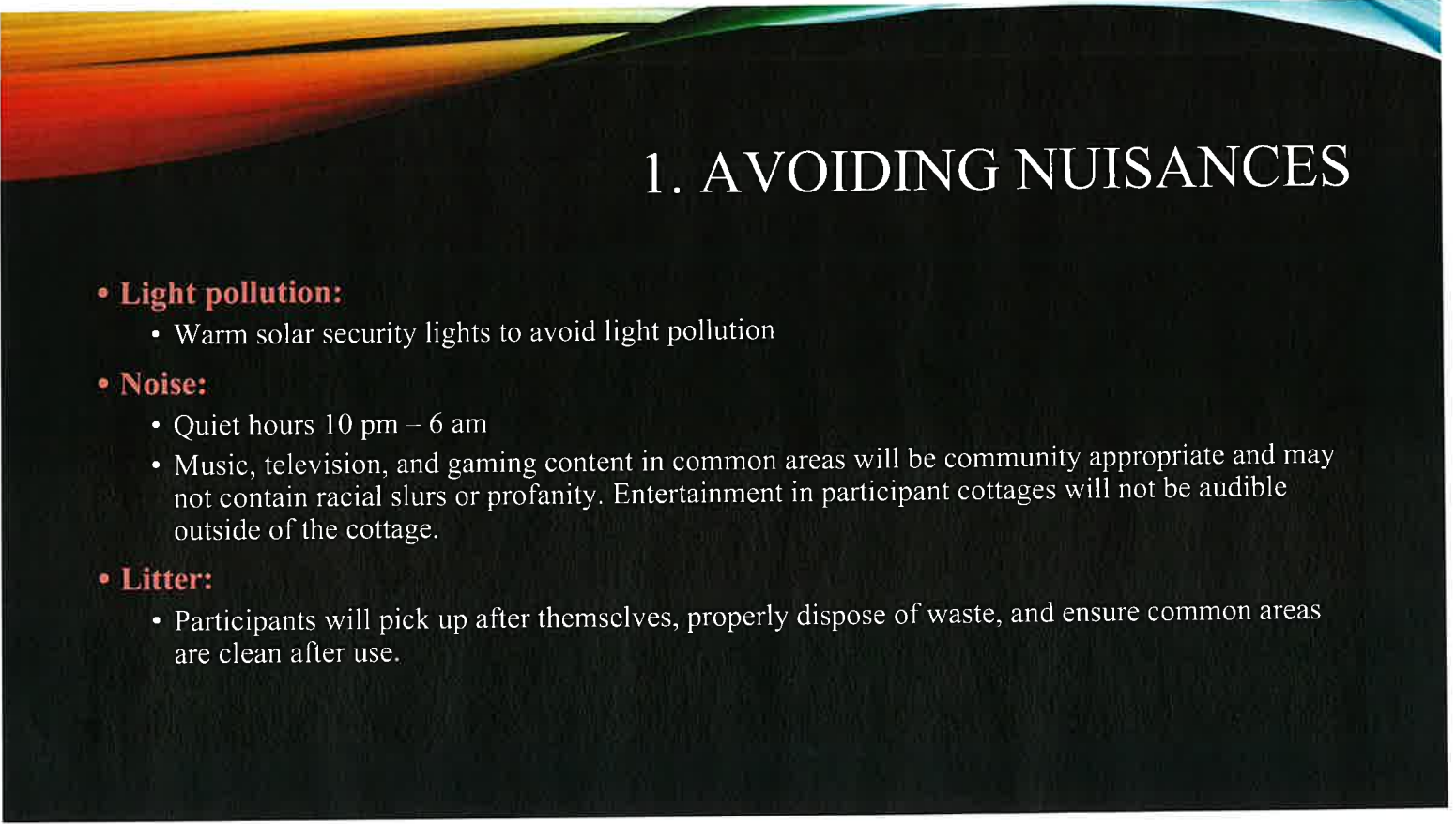






THE 5 QUESTIONS

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:**

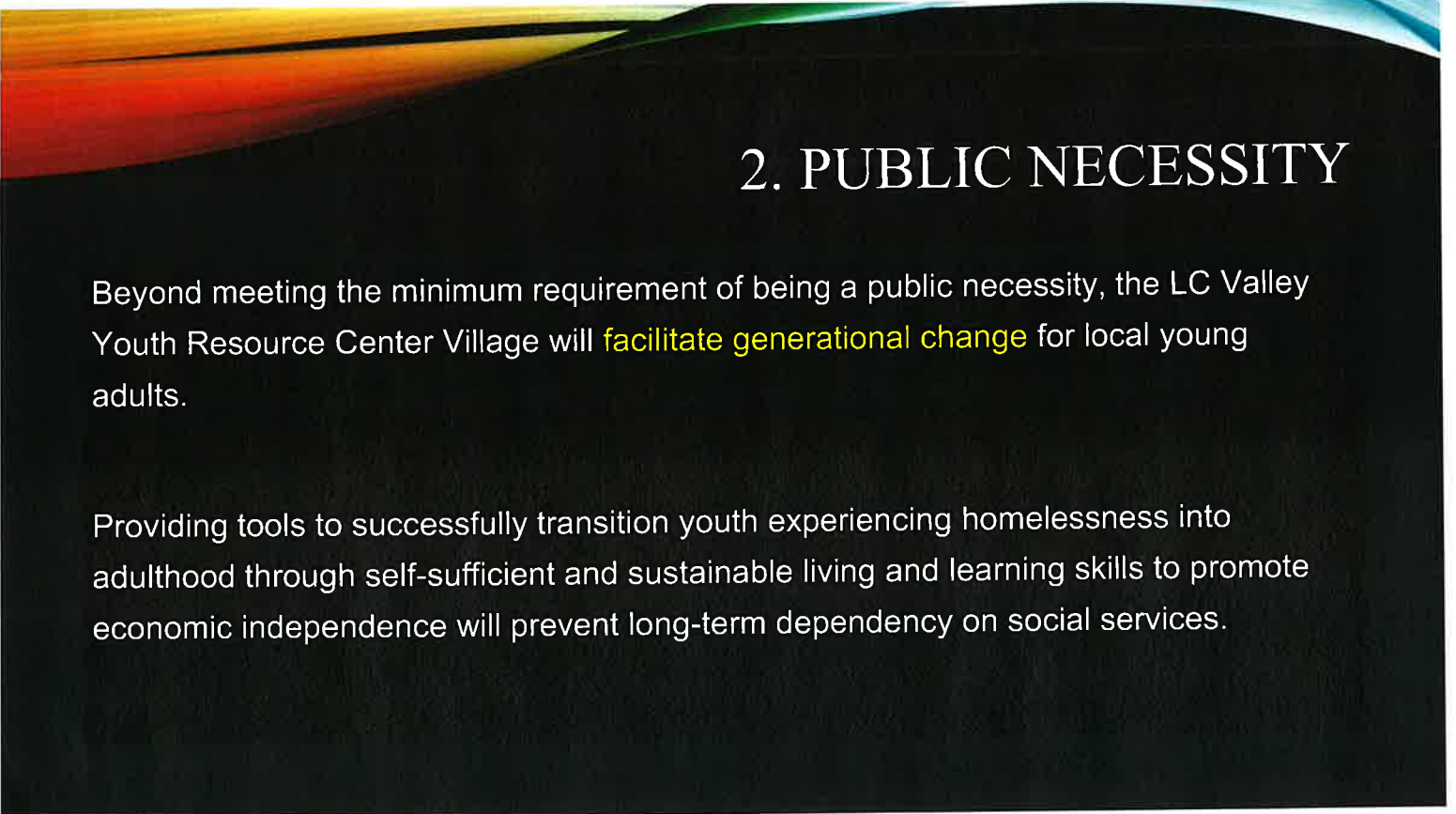
- Participants will pick up after themselves, properly dispose of waste, and ensure common areas are clean after use.



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

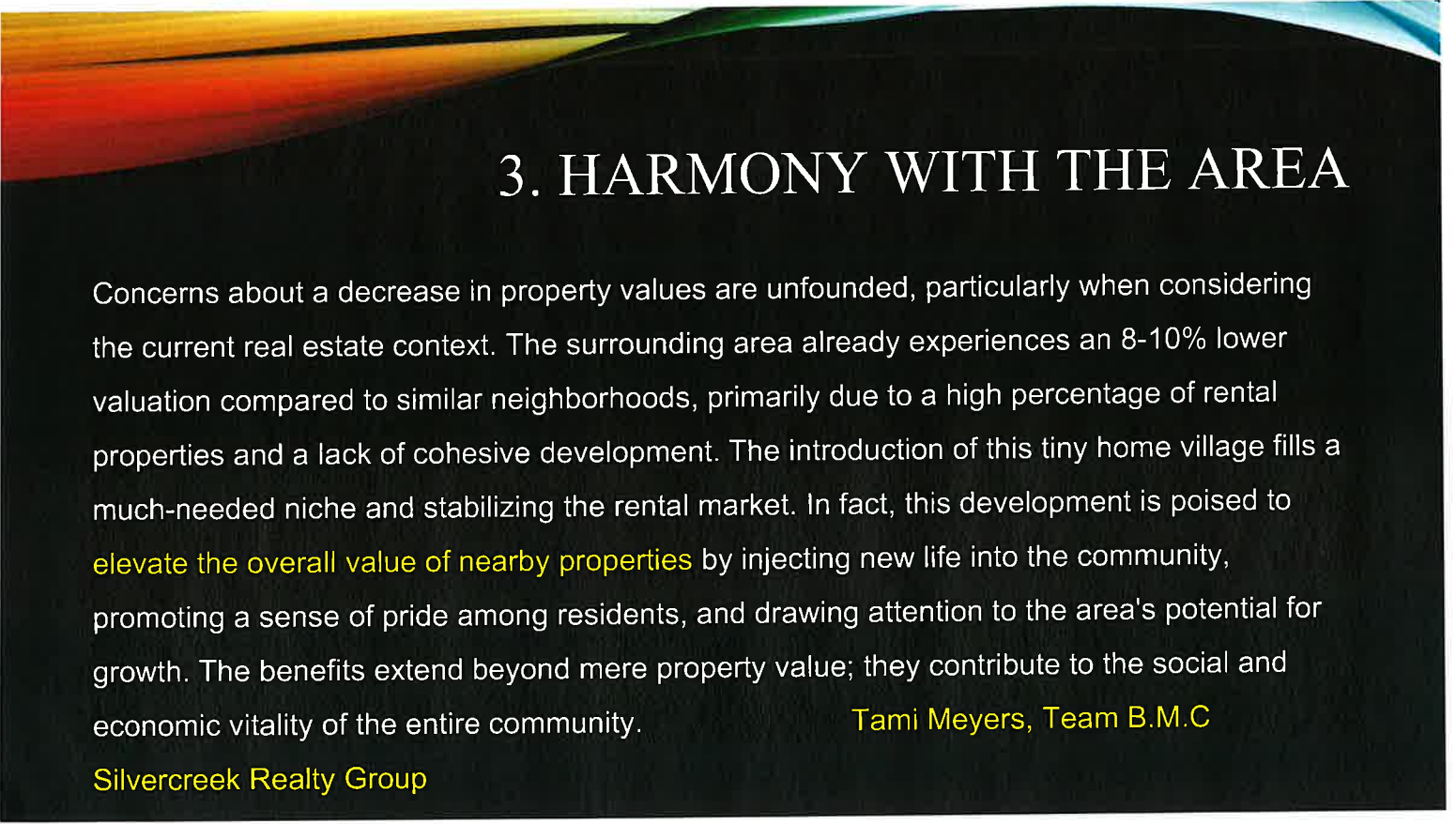
Beyond meeting the minimum requirement of being a public necessity, the LC Valley Youth Resource Center Village will **facilitate generational change** for local young adults.

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.

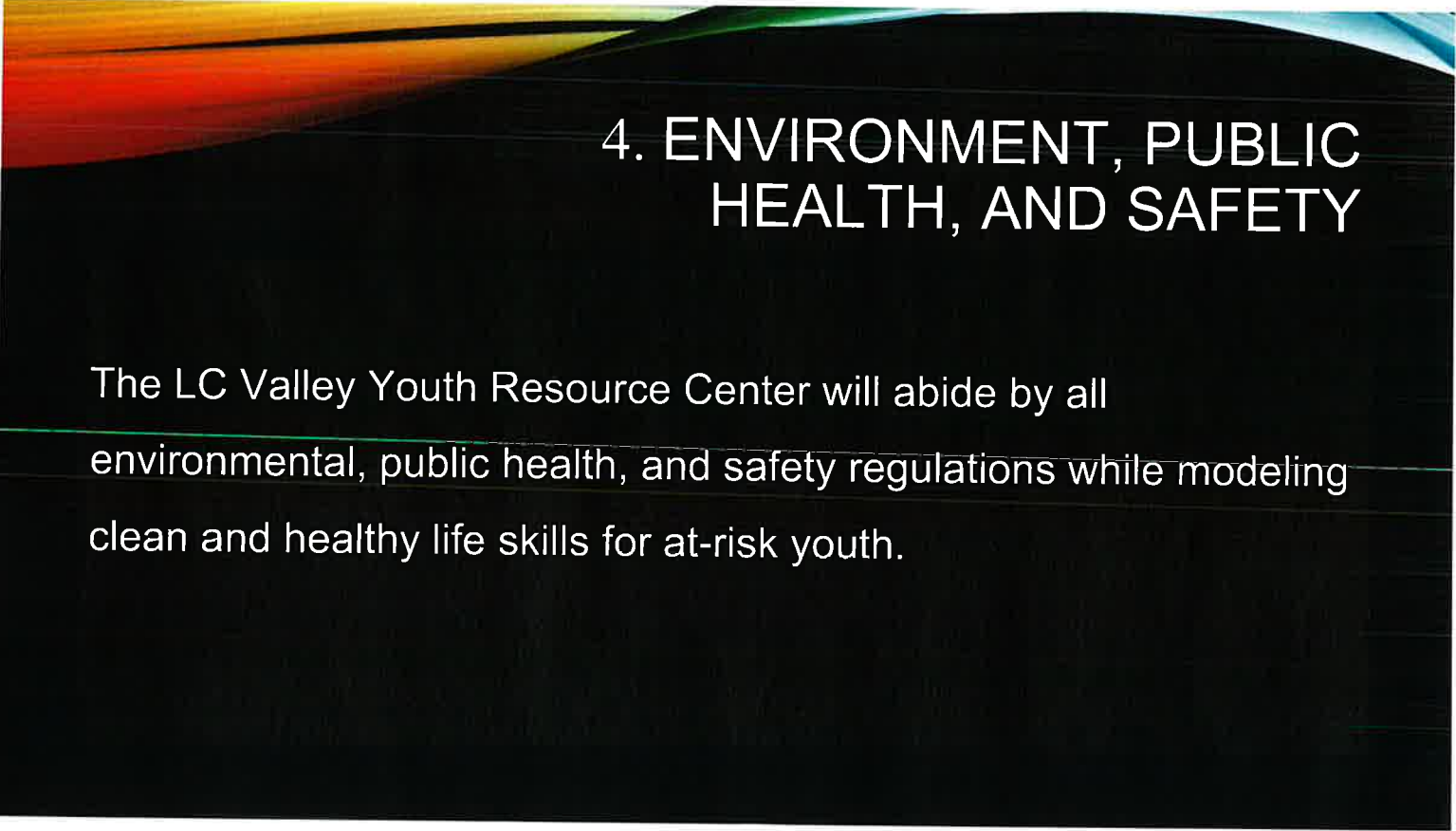


3. HARMONY WITH THE AREA

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.

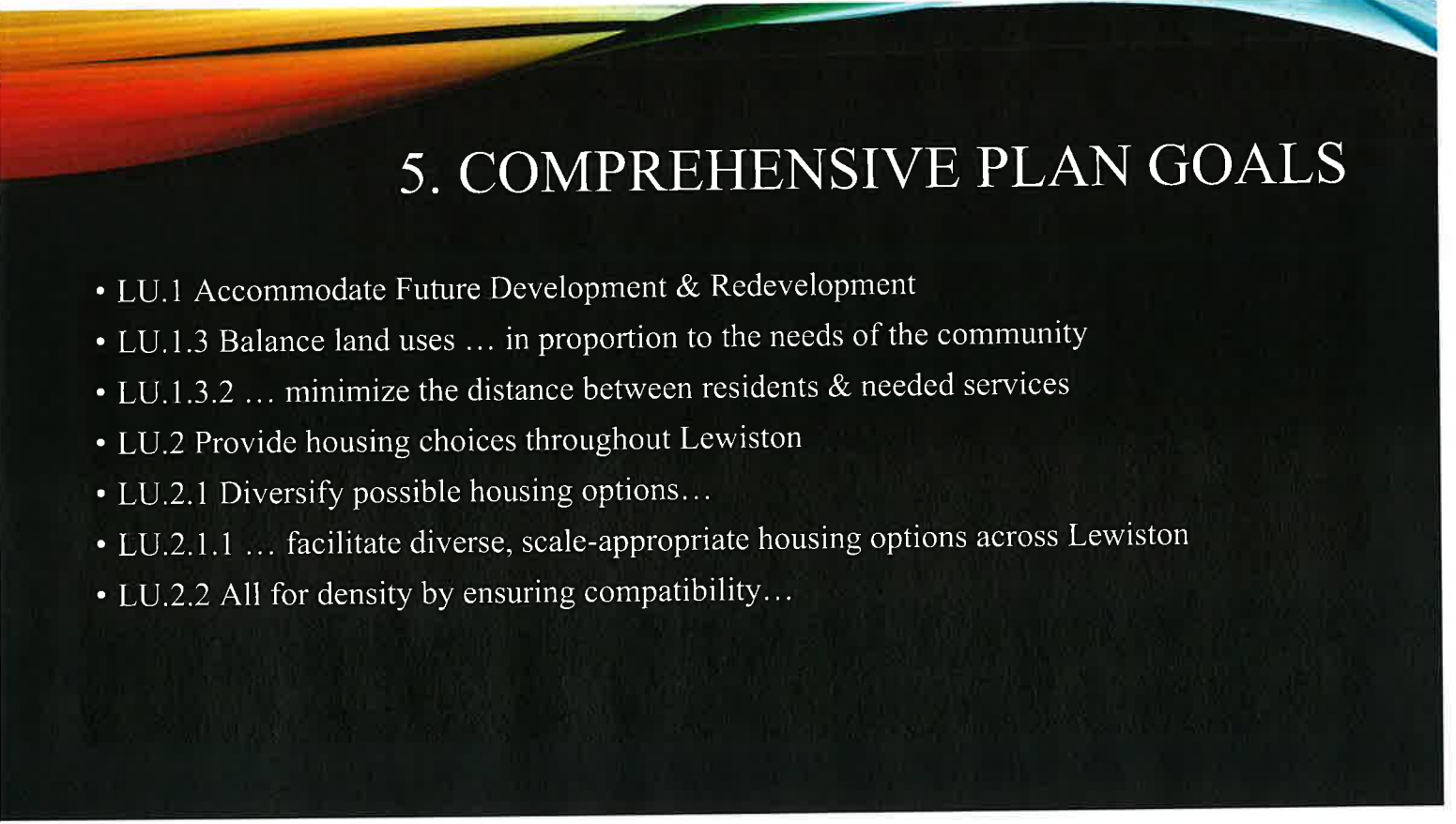
Tami Meyers, Team B.M.C

Silvercreek Realty Group



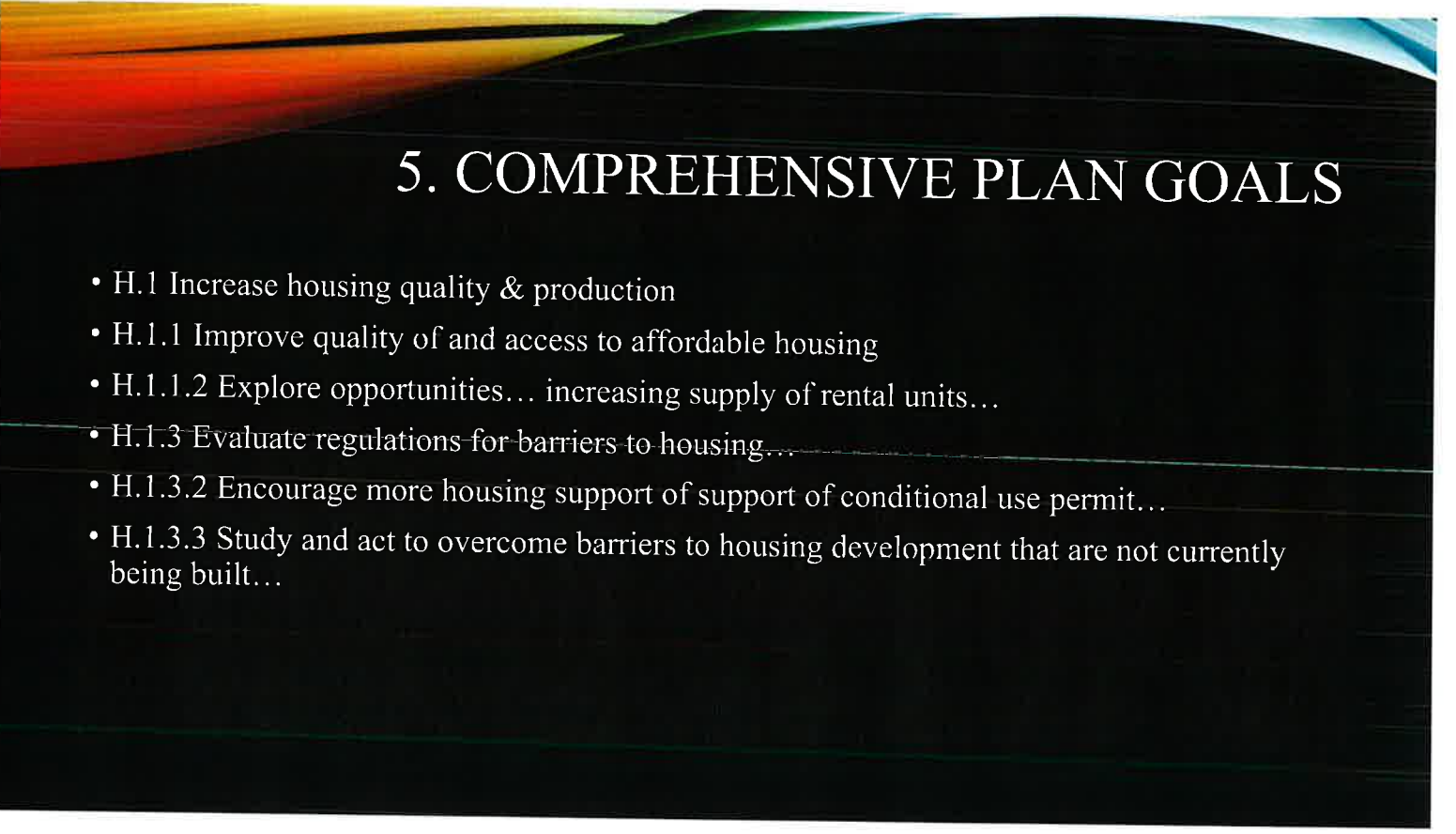
4. ENVIRONMENT, PUBLIC HEALTH, AND SAFETY

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.



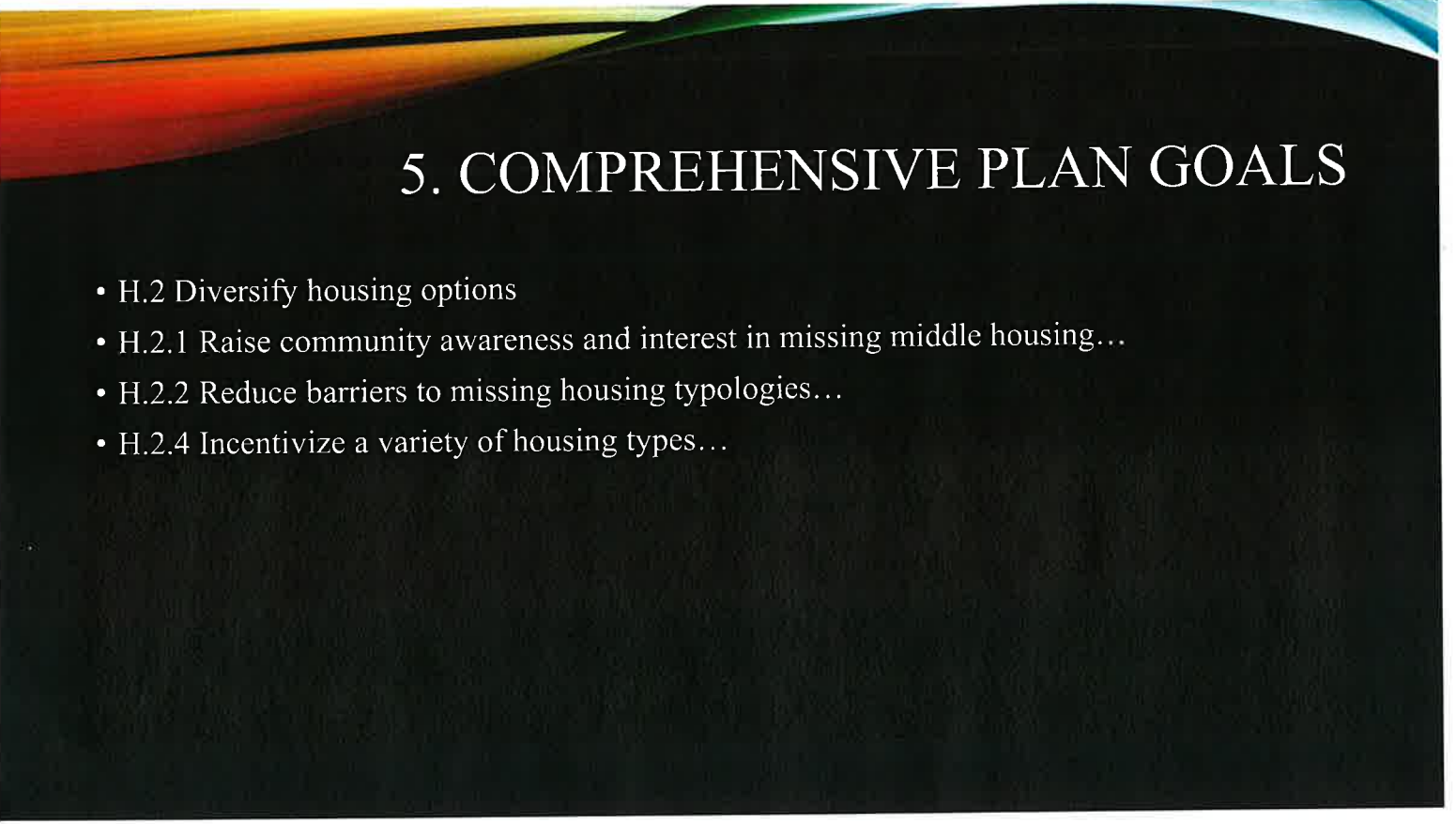
5. COMPREHENSIVE PLAN GOALS

- 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 Heimgartner <CHeimgartner@chas.org>
To: "cd@cityoflewiston.org" <cd@cityoflewiston.org>

Mon, Aug 26, 2024 at 5:00 PM

From: Cassie Heimgartner
Sent: Monday, August 26, 2024 4:59 PM
To: dortiz@cityoflewiston.org <dortiz@cityoflewiston.org>
Cc: Kelly Lanman <KLanman@chas.org>; Michelle King <michelle@lcvalleyrc.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 Heimgartner | 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 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

Wed, Aug 28, 2024 at 10:06 AM

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

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@lcvalrc.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

**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

Wed, Aug 28, 2024 at 11:37 AM

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

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



Lewiston

Dawn Ortiz <dortiz@cityoflewiston.org>

Letter of support

1 message

Wed, Aug 28, 2024 at 12:35 PM

Beth Hawker <blhawker@icmail.lcsc.edu>

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 <balletaylor463@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@lhfa.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.ORGwww.idahohousing.com



Lewiston

Dawn Ortiz <dortiz@cityoflewiston.org>

LC Valley Youth Resource Center Village Project Support Letter

1 message

Wed, Aug 28, 2024 at 5:01 PM

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

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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September 11, 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: Katie Hollingshead, Assistant Planner; Dawn Ortiz, Community Development Office Supervisor; Jennifer Tengono, City Attorney;

II. **CITIZEN COMMENTS**

Linda Glines, Lewiston Idaho stated a group of us local residents were at the meeting last week to voice our opposition to the village. We mistakenly were under the impression that the meeting was just to allow parking changes. We did not understand that it was a vote on allowing the next step for the village to become a possible reality. We understand that not having that knowledge is a moot point at this time. That being said, I am addressing the Commission tonight to make this statement a part of the public records. We have concerns about a Commissioner's conflict of interest and discussing the project within the meeting which could have led to the persuasion of other commissioners and their vote, and then also voting on the village project. Gabe Iacoboni has a long-term relationship with Michelle King and her projects. He was treasurer of the LC Valley Adult Resource center the ARC and is a proponent who publicly supports the village project. Due to this involvement, we feel that he should have recused himself from the discussion and the vote on the village. Recusing himself could have changed the outcome of the discussions and the final vote. My questions are legally, should he have declared his involvement and his support for and with Michelle King and her projects, and should he have recused himself from the proceedings involving the project

III. **APPROVAL OF AUGUST 28, 2024 MEETING MINUTES (ACTION ITEM)**

Commissioner Branson and Anderson moved and seconded, respectively, approval of the August 28, 2024 meeting minutes with corrections. The motion carried 7-0.

IV. APPROVAL OF THE REASON STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON CONDITIONAL USE PERMIT APPLICATION CUP24-3 FOR A TRANSITIONAL HOUSING VILLAGE (ACTION ITEM)

Chair Ball called for a recess at 5:35, Planning and Zoning Commission resumed at 5:50 PM.

Commissioner Iacoboni stated he would like to address some of the comments related to the conflict of interest, statement, or allegation. It's probably well known that the housing is an issue that's important to me. So I currently serve on the board of the LC Valley Adult Resource Center. We have currently rebranded to LC Valley Cares. It is also true that on prior issues I have worked with Michelle King on issues. However, LC Valley Cares is an organization that has no financial stake or interest in this application. I have had no contact with Michelle King related to this application in any way. There's been prior analyses done on issues like this when I have served on the board of LC Valley Cares as well, and I don't believe there is a conflict of interest related here. However, I will say Wendy Geiger, who serves as LC Valley Cares board chair, wrote a personal letter in support of the application, but there was no official action taken by LC Valley Cares as a board to officially support that application. So I do not believe there is a conflict of interest here.

Commissioners Wolf and Branson moved and seconded, respectively, to approve the reasoned statement for CUP24-3 as written. The motion carried 7-0.

~~V. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT AND RELEVANT CRITERIA AND STANDARDS ON APPLICATION ANX24-2, CPA24-3 AND ZVC24-3 BY CODY MERRELL (ACTION ITEM)~~

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

~~Staff Hollingshead provided a verbal summary of the staff report with maps and photos so the commission could get geographically familiar with the area. Staff did state the property is in a 1031 exchange and staff is working with that company to get their signature on the application.~~

~~Jennifer Tengono stated there is a page in the provided packet that says annexation authority, state Idaho code and Lewiston annexation policy. The Idaho code section that's referenced is not the current section of Idaho code that has been repealed. The reference in the Staff report on page 2 is the current Idaho code section. So that's just a procedural note.~~

~~Chair Ball asked if the houses on the property were inhabited.~~

~~Staff Hollingshead stated no they are not.~~

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

~~Nuri Nemmer with Hodge and Associates, Moscow Idaho stated he does not have anything else at this time but stands for questions.~~

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

~~Anna Hegar, 1126 Warner Ave. Asked who the new neighbor is going to be.~~

~~Staff Hollingshead stated the applicant is Cody Merrell.~~

~~Dawn Ortiz, Community Development Office Supervisor read public comment that was received prior to the meeting.~~

~~Virginia James, 1128 Warner Ave stated she is against zoning to commercial, south side of Warner is all residential. Effects value of our homes and will increase the amount traffic coming in and out of the property. Change to C3 is taking residential property and changing it to commercial which is not fair to the neighborhood.~~

~~Karl Ziegler owner of 1109 Warner Ave emailed. Karl and Theresa Ziegler (Ziegler's) own the property to the west of 1125/1127 Warner Ave. Ziegler Lumber Co. (Ziggy's) leases the property from the Ziegler's at 1109 Warner Ave. Ziggy's has operated in Lewiston since May of 1981. Ziegler built and leased 1109 Warner Ave to Ziggy's in September 1999 where Ziggy's continues to operate. Ziegler's and Ziggy's have no objection to Cody Merrell's application to be annexed into the Lewiston City Limits.~~

~~Commissioner Branson stated that there is a traffic analysis in the staff report.~~

~~There being no further public comment or rebuttal from the applicant, Chair Ball closed the Public Hearing.~~

~~After deliberation and articulate detailed reasons for the proposed recommendations, Commissioner Anderson and Vice Chair Iacoboni moved and seconded, respectively, to recommend approval of ANX24-2 to City Council. Motion passed 7-0.~~

~~Commissioners Anderson and Branson moved and seconded, respectively to amended previous motion to recommend approval of ANX24-2 to City Council condition upon approval of the landowner. Motion passed 7-0.~~

Vice Chair Iacoboni and Commissioner Anderson moved and seconded, respectively, to recommend approval of CPA24-3 to City Council. Motion passed 7-0.

Commissioners Branson and Kelly moved and seconded, respectively, to direct staff to draft the Reasoned Statement approving ZNC24-03. Motion passed 7-0.

VI. STAFF-COMMISSION COMMUNICATIONS

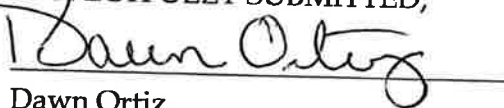
A. Query of Commissioners for the September 25, 2024 meeting

All Commissioners present stated they should be in attendance of the September 25, 2024 meeting besides Commissioner Wolf.

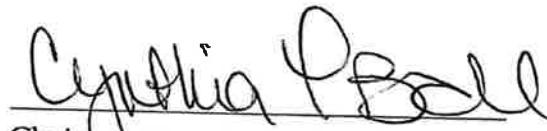
VII. ADJOURN

There being no further business, Commissioner Kelly and Vice Chair Iacoboni moved and seconded, respectively, to adjourn. The motion carried 7-0 and the Planning and Zoning Commission meeting adjourned at approximately 6:38 p.m.

RESPECTFULLY SUBMITTED,



Dawn Ortiz,
Recording Secretary



Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this 25 day of September, 2024.

**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

Instrument # 916822

NEZ PERCE COUNTY

9-16-2024 08:01:42 AM No. of Pages: 8

Recorded for : CITY OF LEWISTON

PATTY WEEKS

Ex-Officio Recorder Deputy

Index to: MISC

Fee: 0.00

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

Page 1 of 8

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

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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.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS FOR CUP24-3

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.

LU2.1.1 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.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS FOR CUP24-3

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

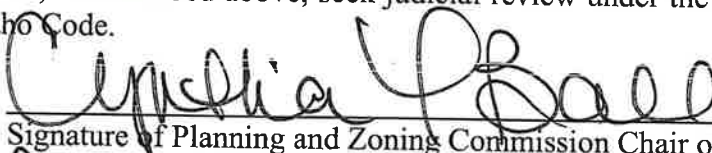
Page 7 of 8

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.

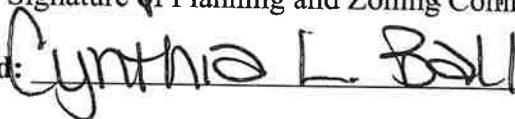
Every final decision rendered shall provide or be accompanied by notice to the applicant regarding the applicant's right to request a regulatory taking analysis pursuant to Idaho Code § 67-8003. The mailing of a signed and dated copy of this Reasoned Statement of Relevant Criteria and Standards by the 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

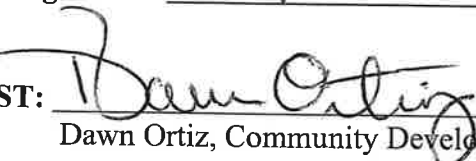
Printed:



Date of Signature:

9/11/2024

ATTEST:



Dawn Ortiz, Community Development Specialist

RECEIVED

SEP 19 2024

STAFF USE ONLY

Appeal Number: _____
Hearing Date: _____
Filing Fee: _____

City Attorney's Office



NOTICE OF APPEAL TO THE LEWISTON CITY COUNCIL

****Please submit appeal filing fee payable to the City of Lewiston with your completed application. ****

APPELLANT INFORMATION

Full Name: Glines Linda J Date: 09/19/2024
Last First M.I.

Address: 0229 22nd Street Apartment/Unit #
Street Address

Lewiston Idaho 83501
City State ZIP Code

Phone: 208-305-7943 Email: lindaglines35@gmail.com

This is an appeal of a decision made by the **LEWISTON PLANNING & ZONING COMMISSION** on
09/11/2024 regarding the following application: Conditional Use Permit 24-3 Michelle King for the Village
(date of Reasoned Statement Approval)

Pursuant to Lewiston City Code § 37-185, I certify that I am the applicant in the above-described application or a property owner entitled to mailed notice of said application pursuant to Lewiston City Code § 37-184. I further certify that this appeal has been filed with the City Clerk and accompanied by the required filing fee within fifteen (15) calendar days after the Lewiston Planning and Zoning Commission approved its written Reasoned Statement of Relevant Criteria and Standards regarding the above-described application, in accordance with Lewiston City Code § 37-185.

REASON FOR APPEAL

A statement is attached regarding our reasons for the appeal of CUP 24-3.

A list of signatures of residents affected and wishing to participate in this appeal is also attached.

Note: If additional space is needed, attach additional sheets or use reverse side of this sheet.

Linda J. Glines
Signature of Appellant

09/19/2024
Date

1
Revised 2022

APPELLANT SIGNATURES

APPEAL TO CUP24-3

NO	PRINTED NAME	SIGNATURE	PHONE NUMBER	STREET ADDRESS	DATE
1	Tina Hansen		208-240-6228	0111 22nd St	9-14-24
2	River Berg		208-553-9103	0127 22nd St	9-16-24
3	Jerika Blackwell		208-717-7068	04202 25th St	9-16-24
4	Shannon Miller		208-553-5948	11	9-16-24
5	Wayne P. Berg		208-553-5948	11	9-16-24
6	Debra Miller		208-5413-3797	11	9-16-24
7	Nolyn Berg		208-553-5948	11	9-16-24
8	Cherity Compton		208-413-8511	11	9-16-24
9	Dustin Squires		208-305-2558	0204 22nd Street	9-16-24
10	Boston Jones		509-780-2368	0228 22nd Street	9-16-24
11	Brandon Jones		425-308-958	0232 22nd St	9-16-24
12	Linda Glines		208-305-7943	0229 22nd St	9-16-24
13	Rick Glines		208-305-7259	0229 22nd St	9-16-24

NO	PRINTED NAME	SIGNATURE	PHONE NUMBER	STREET ADDRESS	DATE
14	Wood, Arthur C.	<i>Arthur C. Wood</i>	208-827-3102	0221 22nd St. #13	9-16-24
15	Sheila Hassett	<i>Sheila Hassett</i>	509-552-0209	0221 22nd St. #13	9-16-24
16	Jennifer Squires	<i>J. Squires</i>	208-553-9217	0204 22nd St	9-16-24
17	Pam Knight	<i>Pam Knight</i>	208-553-9477	0222 22nd St.	9-16-24
18	Scott Hegen	<i>Scott Hegen</i>	208-816-6918	0222 22nd St.	9-16-24
19	Jamie England	<i>Jamie England</i>	208-790-6529	0203 22nd St.	9-16-24
20	Taleesha Taylor	<i>Taleesha Taylor</i>	208-791-0799	0215 22nd St. #1	9-16-24
21	Kat Glover	<i>Kat Glover</i>	208-827-0021	0115 23rd St	09/16/24
22	William Kessel	<i>William Kessel</i>	208-474-7421	0115 23rd St	9/16/24
23	Brandon Dugdale	<i>Brandon Dugdale</i>	208-413-4340	0121 23rd St	9-16-2024
24	Emily Adwisa	<i>Emily Adwisa</i>	208-413-471	0121 23rd St.	9-16-2024
25	Karla Bayce	<i>Karla Bayce</i>	208-790-8020	0211 23rd Street	9-16-2024
26	Bony Gordon	<i>Bony Gordon</i>	208-553-7043	0224 23rd St.	9-16-2024
27	Ashley Gordon	<i>Ashley Gordon</i>	208-553-1806	0224 23rd St	9/16/24
28	Vince Kite	<i>Vince Kite</i>	208-413-8034	0226 23rd St	9/16/24
29	Eden Becker	<i>Eden Becker</i>	208-553-1641	Eden Becker	9-16-2024
30	Brenna Sumner	<i>Brenna Sumner</i>	208-553-0505	0150 23rd St.	9-16-2024

APPELLANT SIGNATURES

APPEAL TO CUP24-3

NO	PRINTED NAME	SIGNATURE	PHONE NUMBER	STREET ADDRESS	DATE
1	MIKE BARR	<i>Michael Barr</i>	208-746-1870	0150-23 ST	9-16-24
2	TERISHA BARR	<i>Terisha Barr</i>	208-746-1870	0150 23rd St.	9-16-24
3	Paul McKenna	<i>Paul McKenna</i>	201 746-4192	2303 Main St	9-16-24
4	Stephen J Faulstich	<i>Stephen J Faulstich</i>	208-305-1649	0150 23rd Street	9/17/24
5	KEITH WATSON	<i>Keith Watson</i>	208 413 3906 MRS	0128 23RD ST.	9/17/24
6	Franka Valdez	<i>Franka Valdez</i>	208-798-4673	0117 23rd St	9-17-24
7	Tom Valdez	<i>Tom Valdez</i>	208-798-4673	0117 23rd St	9-17-24
8	Amy Barclay	<i>Amy Barclay</i>	208 791-4793	2333 EST MARI	9-18-24
9	Loreta Bezanc	<i>Loreta Bezanc</i>	208 553 9724	0113 24 St	9-18-24
10	Michael Delo	<i>Michael Delo</i>	208 553 7969	0113 24st	9-18-24
11	ALLAN OLIVER	<i>Allan O. Solom</i>	208-791-7242	0207-24st.	9-18-24
12	Beverly Solom	<i>Beverly Solom</i>	208-790-5082	0207 24th St.	9-18-24
13	Scott Solom	<i>Scott Solom</i>	208 291 4821	Solom Solom	9/18/24

NO	PRINTED NAME	SIGNATURE	PHONE NUMBER	STREET ADDRESS	DATE
14	Rebecca Glover		509-596-9561	0115 23rd St.	9.18.24
15	Kirk Gustafson		208-305-5761	0115 23rd Street	09/18/2024
16	Harshinder Singh		208-746-3578	2405 main St.	09/19/24
17	Linda McFeron		208-743-5990	0125 24th St.	09/19/24
18	Robert Gault		208-790-2037	0125 24th St.	09/19/24
19	Dick L Goodson		208-305-3696	0117 22nd Street	09/19/24
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We, the residents of 22nd and 23rd Street, are requesting a review and appeal of this Conditional Use Permit CUP24-3. This permit was issued to Michelle King for "The Village". Written info from the Planning and Zoning Reasoned Statement approving CUP24-3 will be copied for use in this appeal.

1. "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."

***The water and sewer lines are about 100 years old. This city has dug up to fix broken pipes at least every other year for the last 20 years. There are 12 big patches on 22nd Street. Five of them are on the last 100 feet of the dead end. Some were never truly patched just filled with gravel. The residences in the last 100 to 150 feet experience lowered water pressure daily due to use from the rest of the street. Adding another 13 bathrooms to the aging lines is going to cause more problems. Pat Severance did NOT have the proper info available to him to make his statement in support of the lines not having a "detrimental effect on the City's water and sewer systems in the area". He was put on the spot with no info in front of him when asked by the commission his OPINION. Due to this opinion, part of the decision was made to approve the CUP24-3.

2. "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."

***22nd Street is a mess and needs to be repaved. It cannot be done until the water and sewer lines are replaced. There will be an increase to traffic due to The Village. The fact that this is a dead-end street, all vehicles that come down the street use the driveway at 0229 to turn around. This affects the residents that live at that address and the use will increase.

22nd Street is also narrow. The fence around the house directly across from the proposed parking area sits about 2.5 feet from the edge of the road. Who is going to pay to fix the fence when residents, staff and visitors end up damaging that fence?

3. "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."

***No one from the City of Lewiston has ever talked to the residents of the area about the park usage. The city made the decision to quit taking care of the park. Residents have gone to the city in person to ask about the park and never received any responses from anyone within the city. There is a 6-block area of residents, that would like the land returned to park status and taken care of. Usage will return if the park is maintained with basic playground equipment, picnic tables, and kept green. We deserve our child friendly park as much as any other area of the city.

4. "The Applicant provided a copy of its proposed use will not endanger the environment or the public health or safety. 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 vetting of the residents for felony convictions is a moot point. Once a child turns 18 most of their criminal records are sealed. We have no idea what type of 18- to 21-year-old resident will be allowed to move into The Village. We have no assurances except the King's word. As an example: What happens if theft incidents start to climb? The Village will have absolutely no control over what these young adults can do once they step outside of the fence of The Village. This has been stated by the King's. The only control they have is inside the fence. There is also the issue that the friends and visitors of the residents of The Village could also bring problems and issues to the area. What accountability does The Village and the King's have if a resident, any associate of the resident or staff cause or create an incident of any type that affects a neighbor, that occurs outside The Village fence? Examples: trespassing, verbal confrontations, proven petty theft, property destruction.

5. Three minutes is NOT enough time for a citizen to be able to express and share all info for the Planning and Zoning Commission to understand what is trying to be conveyed. Yet, Michelle King is allowed as much time as needed to give her presentation. A "conversation" of everything listed in this appeal should have been allowed at the meeting. Again, three minutes is NOT enough time for a true conversation. We, the residents, are being forced by the commission to accept something that we do not wish to have in our neighborhood. Does our opinion and our worries not count? If the residents, are not supportive of this location for The Village, how does the "harmonious criteria" apply?
6. "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."
***We feel that this statement/comment potentially could have caused an emotional response for the project vote. This is another example of our concerns and voices being considered irrelevant.

September 25, 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; Kathy Branson; Shaunita Cable; Maureen Anderson;

COMMISSIONER EXCUSED: Emily Wolf

COMMISSIONER ABSENT: Kevin Kelly

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner; Dawn Ortiz, Community Development Office Supervisor; Jennifer Tengono, City Attorney;

II. CITIZEN COMMENTS

Linda Glines, Lewiston, Id Stated Commissioner Iacoboni did not disclose that he was on one of Michelle King's boards and his support for her project before the original discussion is a conflict of interest. Due to the conflict of interest the CUP should be voided. The process should start over and Commissioner Iacoboni should recuse himself. She stated that she spoke with several City staff who misdirected her on how to appeal the Planning and Zoning Commissions decision. She has acquired 49 signature from the neighborhood that do not want the Village there. It will cause problems for the people that live there and this project.

Rick Glines, Lewiston, Id stated he opposes the CUP for the Village project. The area is cleaned up, so there are no more crimes or drugs. The adults and visitors from the Village will be wandering the streets after it closes. He doesn't want to worry about possible theft or vandalism. There are young adults in Pullman that were raised in good homes and were burning couches. Are the young adults from the Village who are coming from broken homes going to act any different.

Mike Bann, Lewiston Id stated he has multiple signatures in opposition of the CUP. He is concerned about the value of his home going down. He is also concerned with theft and the youth wondering around the streets after the Village closes. There are other locations better suited for this project.

Tom Valpey, Lewiston Id stated he is concerned that the valuation of his property will go down.

Linda Valpey, Lewiston Id stated she is opposed of the CUP for the Village. It doesn't seem fair that the people that do not live in their neighborhood can vote on this that would bring property value down.

Jim Watson, Lewiston Id stated the neighborhood is already suffering and neighbors are willing to sell their houses right now to get out before their property value goes down. They ask that the Village not be built.

Bill Kessle, Lewiston Id stated he is opposed to the CUP for the Village as well. He is concerned for when the Village fails and the City has to take on the cost of what is left.

Boston, Lewiston Id stated he does not think this is an adequate spot for the Village. The 18-20 year olds will be wondering the streets and his houses are located at the end of 22nd Street where river access is and this will be a popular hangout. He is also concerned with safety and theft. The location should be turned back into a park.

Jennifer Squires, Lewiston, Id stated there is age discrimination going on because there are people older than 21 that need housing. She is also concerned for when the bikers have parties at the shop. Police do not do anything to stop them.

Dustin Squires, Lewiston Idaho stated he is opposed to the CUP for the Village. It will be a negative impact on the neighborhood and property values

III. APPROVAL OF SEPTEMBER 11, 2024 MEETING MINUTES (ACTION ITEM)

Commissioner Branson and Anderson moved and seconded, respectively, approval of the September 11, 2024 meeting minutes as written. The motion carried 5-0.

IV. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON APPLICATION ANX24-2, CPA24-3 AND ZNC24-3 BY CODY MERRELL (ACTION ITEM):

Commissioner Anderson and Vice Chair Iacoboni moved and seconded, respectively, to approve the reasoned statement for ZNC24-3 as written. The motion carried 5-0.

V. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR CONDITIONAL USE

PERMIT APPLICATION CUP24-4 BY SARA BENNETT OF RIVERSIDE RECOVERY
(ACTION ITEM):

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

Staff Hollingshead provided a verbal summary of the staff report with maps and photos so the commission could get geographically familiar with the area.

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

Applicant Sara Bennett stated she did not have anything further to elaborate on then what staff provided.

Chair Ball asked if staff from the center will be moved to the new building to provide more room for clients at the old building.

Applicant stated yes that is correct.

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

Jeremy Medlock, Lewiston, Id wanted to make sure that this is not going to be a sober living house. There have already been problems with homeless and crime in the area.

Dawn Ortiz, Community Development Office Supervisor read public comment that was received prior to the meeting.

C. Mike Reid, Lewiston Id stated "We have a property at 1730 18th St. that is in close proximity to Riverside Recovery at 1720 18th Ave. and have no objection to their application for a conditional use permit for expansion at 1708 18th Ave."

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

Applicant Bennett stated there is no plan to change the use from that stated in her application.

Chair Ball asked if their service houses clients over night or have plans to change the use at a later date.

Applicant Bennett stated no.

There being no further questions for the applicant, Chair Ball closed the Public Hearing.

After discussion of the required conditional use permit relevant criteria and standards, Commissioners Branson and Anderson moved and seconded, respectively, to direct staff to draft a Reasoned Statement approving CUP24-4. Motion passed 5-0.

VI. **PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR ZONE CHANGE APPLICATION ZNC24-4 BY CHRIS CLARK (ACTION ITEM):**

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

Staff Hollingshead provided a verbal summary of the staff report with maps and photos so the commission could get geographically familiar with the area.

City Attorney Jennifer Tengono ask for clarification if section 37-10 was taken into consideration when creating the staff report.

Staff Hollingshead stated she assumed that City Planner Joel Plaskon took that into consideration when he created the staff report.

Chair Cable asked for square footage of lot size.

Staff Hollingshead stated it is .42 of an acre or about 18, 300.

Chair Ball asked clarification for City Attorney Jennifer Tengono to clarify the zoning code she referenced to get clarification.

Staff Tengono stated section 37-10 states its zone boundaries says, unless otherwise specified. Zone boundaries are section lines, subdivision lines, plot lines, center lines of streets, alleys, or railroad rights of way for such lines extended. She doesn't know if that was considered because it seems more that it's based on a division of a building, but it says, unless otherwise stated, unless otherwise specified, so it could be specified otherwise in the code.

Chair Ball asked if this would be a subdivision.

Staff Hollingshead stated no it is just a re-zone of a portion of the property.

Chair Ball asked if parking would be in more conformance with the commercial or the residential side.

Staff Hollingshead stated both because the amount or required parking would be less.

Chair Branson asked for clarification on regards to paragraph on page 62 referring to a shortage of housing.

Staff Hollingshead stated that under the Comprehensive Plan section he is calling out specific things that the Comprehensive Plan states in that area and telling how they differ than that. Because the proposal does not meet it 100% of the Comprehensive Plan.

Commissioner Anderson stated she thinks this re-zone should be tabled to receive more clarification on what Staff Tengono mentioned in regards to section 37-10.

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

Applicant's representative Architect Jerry Brotnov stated they cannot keep it full commercially. There is not enough parking for retail. He clarified what section would be R3 and that it does touch an R3 zone to the south. He has never noted any standing storm water on the property.

Commissioner Branson asked if R3 allow commercial and could the whole building be an R3 zone.

Mr. Brotnov stated part of the building is already occupied commercially. This project will be all and interior build, some egress window installation.

Chair Ball asked if there is going to be parking separating commercial from residential.

Mr. Brotnov stated that if the parking became problematic then assigned parking could be done.

Staff Hollingshead stated commercial office use is not allowed in an R3.

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

Michael Edwards, Lewiston Id stated that there has been difficulty between him and the previous owner in regards to property lines, access, fencing and the building is built on the property line.

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

Applicant Clark stated he was not aware of any of the background information Mr. Edwards provided. The reason for he re-zone is to put residential housing and there is a large need for that in the valley. Will see more of this coming this way. The re-zone is

an extension off the existing zone. There are existing doors coming off the back of the property and they will most likely put patios back there also.

Chair Ball asked if the Thain corridor will remain a C3 Zone in the Future Land Use Map Designation.

Staff Hollingshead stated that is not how the future land use map works. It doesn't call out specific zones it calls for use designations. It will remain a commercial use designation.

Staff Tengono recommended leaving the public hearing open until the next meeting, so staff can provide answers to all the Commissioner's questions.

Commissioner Branson and Anderson moved and seconded, respectively to continue the public hearing until the next Planning and Zoning Commission meeting. Motion passed 5-0.

VII.

REQUEST FOR RECONSIDERATION OF A FINAL DECISION BY THE PLANNING AND ZONING COMMISSION PURSUANT TO LEWISTON CITY CODE SEC. 37-185(B) OF CONDITIONAL USE PERMIT APPLICATION CUP24-3, AN APPLICATION SUBMITTED BY MICHELLE KING AND THE LC VALLEY YOUTH RESOURCE CENTER FOR A TRANSITIONAL HOUSING VILLAGE FOR YOUNG ADULTS (ACTION ITEM)

Chair Ball asked Staff Tengono to provide staff presentation of Request for Consideration.

Staff Tengono provided Commissioners a copy of Lewiston City Code Section 37-185. She stated public comment was received earlier at today's meeting and that is not in consideration of this request. She provided verbal summary of public hearing, relative criteria and process of request of reconsideration and appeal in regard to CUP24-3. Staff also reviewed reasons provided by Mrs. Glines for the Request of Reconsideration.

Commissioners reviewed and discussed applicants concerns, deciding if the substantial evidence received supported their decisions to approve the application.

After discussion, Commissioner Branson and Vice Chair Iacoboni moved and seconded, respectively, to direct staff to draft a written statement affirming the Planning and Zoning Commission's decision to approve Conditional Use Permit CUP24-3. Motion passed 5-0.

VIII. STAFF-COMMISSION COMMUNICATIONS

A. Query of Commissioners for the October 9, 2024 meeting

Staff Hollingshead stated there is a Public Hearing scheduled for the October 9, 2024 meeting.

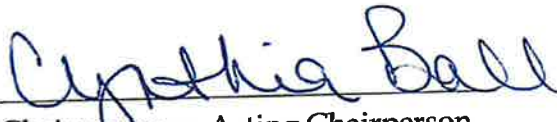
All present Commissioners shall be in attendance at the October 9, 2024.

IX. ADJOURN

There being no further business, Commissioner Anderson and Vice Chair Iacoboni moved and seconded, respectively, to adjourn. The motion carried 5-0 and the Planning and Zoning Commission meeting adjourned at approximately 8:27 p.m.

RESPECTFULLY SUBMITTED,

Dawn Ortiz,
Recording Secretary



Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this 9 day of October, 2024.

**CITY OF LEWISTON PLANNING AND ZONING COMMISSION
DECISION ON RECONSIDERATION OF CUP24-3**

This document shall serve as memorialization of the rationale for affirming, reversing or modifying the decision of the Planning and Zoning Commission, which shall be based upon criteria provided for in Title 37 of Lewiston City Code.

I. APPLICATION NUMBER:
CUP24-3

II. APPELLANT'S NAME AND ADDRESS:
Linda Glines
0229 22nd Street
Lewiston, ID 83501

Instrument # 917540

NEZ PERCE COUNTY

10-28-2024 01:22:41 PM No. of Pages: 10

Recorded for : CITY OF LEWISTON

PATTY WEEKS

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: MISC

III. APPLICANT'S NAME AND ADDRESS:
Michelle King
LC Valley Youth Resource Center Inc
1633 10th Avenue
Lewiston, ID 83501

IV. 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

V. 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.

VI. DATE OF PUBLIC HEARING:
August 28, 2024

VII. DATE OF PLANNING AND ZONING COMMISSION'S DECISION:
September 11, 2024

VIII. DATE OF RECONSIDERATION BY PLANNING AND ZONING COMMISSION:
September 25, 2024

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

X. DECISION:
The Lewiston Planning and Zoning Commission AFFIRMS its decision of CUP24-3.

DECISION ON RECONSIDERATION FOR CUP24-3

X. FINDINGS OF FACT:

1. The applicant is Michelle King of the LC Valley Youth Resource Center, Inc.
2. The property owners of record are the Twin County United Way, Inc. and the City of Lewiston, Idaho.
3. An Application For Conditional Use Permit was received on July 31, 2024, with attachments.
4. Additional information was requested by City staff, which was received on August 1, 2024.
5. The application was deemed complete and entered on Citizen Serve on August 2, 2024.
6. The application is for conditional use permit approval to establish a transitional housing village for homeless, young adults between the ages of 18 and 21 years of age. The application also included a request to allow a waiver of Lewiston City Code § 37-151(e) to allow off-street parking to back onto the street.
7. The subject property is approximately 0.5 acres.
8. The subject property is located in the Light Industrial, M-1, Zoning District.
9. Lewiston City Code § 37-85 identifies the following uses and their accessory uses as being permitted outright in the Light Industrial, M-1, Zoning District:
 - a. Auto, manufactured home, recreational vehicle, heavy equipment sales and service;
 - b. Boat sales and marina;
 - c. Commercial entertainment facility - indoor;
 - d. Commercial or industrial laundry;
 - e. Eating or drinking establishment;
 - f. General contracting and storage yard;
 - g. Greenhouses and nurseries;
 - h. Manufacturing, fabricating, processing, repairing, packing or storage, except a use specifically listed as a use permitted outright or as a conditional use in an M-2 zone;
 - i. Mini-storage;
 - j. Port facility;
 - k. 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;
 - l. Retail sales and service;
 - m. 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;
 - n. Service station;
 - o. Tire recapping;
 - p. Truck terminal;
 - q. Veterinary clinic or kennel;
 - r. Wholesale distribution.
10. Lewiston City Code § 37-86 identifies the following uses and their accessory uses as being permitted with an approved conditional use permit:
 - a. Bulk petroleum storage and distribution facilities;
 - b. Commercial entertainment facility - outdoor;

- c. Grain storage;
 - d. Homeless shelter, subject to the standards of section 37-125 of this Code;
 - e. Other light manufacturing uses which are not permitted outright but which are consistent with the purpose of the M-1 zone and are not detrimental to any of the outright permitted uses or other existing conditional uses or to nearby residential uses;
 - f. 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;
 - g. 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;
 - h. Quarrying;
 - i. Bridge housing shelter, subject to the standards of section 37-125 of this Code;
 - j. Transitional housing village, subject to the provisions of chapter 42 of this Code.
11. The existing use on the site is: commercial office and unimproved City Park land.
 12. Current access to the site is from East Main Street and 22nd Street.
 13. Lewiston City Code authorizes this conditional use pursuant to LCC § 37-86(10).
 14. A copy of the application and plans was transmitted to interested and affected public agencies on August 9, 2024 and written comments were received from:
 - a. City of Lewiston Public Works Department
 - b. City of Lewiston Fire Department
 15. Pursuant to Lewiston City Code § 37-184(b)(2), a public hearing notice containing the date, time, place of the public hearing, and a summary of the proposed application was mailed to property owners within 330 feet of the exterior boundaries of the subject property on August 9, 2024, at least 8 calendar days prior to the public hearing.
 16. On August 20, 2024 the subject property was duly posted with the public hearing notice pursuant to Idaho Code § 67-6512(b) at least one week prior to the public hearing.
 17. The record contains:
 - a. Notice of Public Hearing
 - b. Map of area to receive mailed public hearing notices
 - c. List of names and addresses receiving mailed public hearing notices
 - d. Application materials
 - e. Facility Management Plan
 - f. Maps of subject property
 - g. City Planner's Staff Report and referenced materials
 - h. Public comments
 - i. The Village: Facilitating Generational Change PowerPoint Presentation
 - j. YouTube recordings of August 28, 2024, September 11, 2024 and September 25, 2024 Planning and Zoning Commission meetings
 - k. Reasoned Statement of Relevant Criteria and Standards for CUP24-3 adopted September 11, 2024
 - l. Request for Reconsideration (Notice of Appeal to City Council) received September 19, 2024 and referenced materials

DECISION ON RECONSIDERATION FOR CUP24-3

18. The public hearing notice was duly published in the Lewiston Tribune on August 11, 2024, at least 15 days prior to the public hearing date.
19. On August 28, 2024, a public hearing before the Planning and Zoning Commission was held:
 - a. The public hearing was opened at 6:07 p.m.
 - b. Joel Plaskon, City Planner, presented the staff report
 - c. Michelle King, of the LC Valley Youth Resource Center, Inc., presented testimony in support of the application
 - d. Oral Public Comments were received from:
 - i. Linda Glines – Opposed
 - ii. Trisha Ban – Opposed
 - iii. Jennifer Squires – Opposed
 - iv. Bill Kessel – Opposed
 - v. Kat Weber – Opposed
 - vi. Rick Tousley – In support
 - vii. Dick Jetson – Opposed
 - viii. Keith Watson – Opposed
 - e. Written Public Comments were received from:
 - i. Chaz Health – Aaron Wilson and Casey Heimgartner – In support
 - ii. Jim Rehder – In support
 - iii. Kelley McFee – In support
 - iv. Randy Ford, Lewiston Food Bank – In support
 - v. Vanessa Schneider – In support
 - vi. Beth Hawker – In support
 - vii. Lisa Martin – In support
 - viii. Charolette Hill – In support
 - ix. Wendy Geiger – In support
 - x. Megan Comstock – In support
 - xi. Jamie Simpson – In support
 - xii. Jolene Cliffe – In support
 - f. Michelle King was provided the opportunity to provide rebuttal testimony
 - g. The Planning and Zoning Commission asked questions of City staff and the Applicant
 - h. Pat Severance, Engineering Development Supervisor provided testimony on behalf of the City's Public Works Department
 - i. The Planning and Zoning Commission opened the floor for additional public testimony, and oral public comments were received from:
 - i. Jennifer Squires – Opposed
 - ii. Keith Watson – Opposed
 - j. Michelle King was provided the opportunity to provide rebuttal testimony
 - k. The public hearing was closed at 8:27 p.m.
20. The Planning and Zoning Commission deliberated and discussed the relevant criteria and standards, identified relevant facts and information, and articulated detailed reasons for its proposed decision to approve CUP24-3.

21. The Planning and Zoning Commission, by voice vote, voted 7-0 to direct staff to draft the Reasoned Statement of Relevant Criteria and Standards approving CUP24-3 including the requested waiver of LCC § 37-151(e).
22. During the public comment portion of the September 11, 2024 Planning and Zoning meeting, the Appellant provided testimony that she believed Commissioner Iaconboni had a conflict of interest that prohibited him from participating in the public hearing process, and that his deliberations could have unfairly influenced the other Commissioners and their vote. Specifically, she alleged he is a proponent who publicly supports the Village project, he has a "long-term relationship with Michelle King and her projects," and pointed toward his role as Treasurer for the "LC Valley Adult Resource Center/the Ark" as evidence in support of this.
23. In addressing the alleged conflict of interest Commissioner Iaconboni provided the following statement:
 - a. He is the Treasurer of the LC Valley CARES Inc. (formerly known as the Adult Resource Center Inc.)
 - b. Michelle King is not on the board of directors for LC Valley CARES Inc.
 - c. Housing issues in general in the LC Valley are of importance to him
 - d. He has worked with Michelle King on past issues of mutual interest.
 - e. LC Valley CARES Inc. has no financial stake or interest in CUP24-3
 - f. He has not communicated with Michelle King or anyone else about CUP24-3, the Village project, or anything else related to the application before him
 - g. He has previously recused himself from matters where the Adult Resource Center Inc. has had an interest, and does not believe this situation is similar to then or that a conflict of interest exists
 - h. He pointed out that Wendy Geiger, who serves as the President of LC Valley CARES Inc. submitted a letter in support of CUP24-3, but she did so personally and not on behalf of LC Valley CARES Inc, and her letter of support did not represent an official action of the board of directors of LC Valley CARES Inc.
24. The Planning and Zoning Commission, by voice vote, voted 7-0, to adopt its Relevant Criteria and Standards drafted by staff as proposed on September 11, 2024.
25. The City received the Request for Reconsideration (as a Notice of Appeal to the City Council) on September 19, 2024.
 - a. Accompanying the Request for Reconsideration were 49 signatures in support of the request.
26. Lewiston City Code § 37-185(3)(a) provides that upon receipt of a request for reconsideration, the matter shall be scheduled for reconsideration by the Planning and Zoning Commission no later than the second regularly scheduled meeting after the filing of the request for reconsideration.
 - a. The hearing on reconsideration was held on September 25, 2024, the first regularly scheduled Planning and Zoning Commission meeting following receipt of the Request for Reconsideration.
27. Lewiston City Code § 37-185(3)(b) provides that upon reconsideration, the decision may be affirmed, reversed, or modified pursuant to Idaho Code § 67-6535, as may be amended from time-to-time.

DECISION ON RECONSIDERATION FOR CUP24-3

28. On September 25, 2024 a public meeting before the Planning and Zoning Commission was held:

a. City Attorney Jennifer Tengono presented her report:

i. As summarized, these issues are:

1. Pat Severance's testimony consisted only of his opinion when he stated that CUP24-3 would not have a detrimental effect on the City's water and sewer systems in the area.
2. 22nd Street cannot handle more traffic as-is, regardless of what a traffic impact statement says.
3. The City's decision to no longer use the park for park purposes was not made with the consent of the neighboring property owners. The neighbors want the property to be restored as a City park.
4. The neighbors are not sufficiently assured that the residents of the proposed transitional housing village will not be criminals, or that their friends and visitors will not increase crime in the immediate area.
5. Public comment was limited to 3 minutes, but the applicant was provided an unlimited amount of time.
6. Commissioner Iacobani asked a question that could have caused an emotional response, which was not fair to those who opposed the application.

ii. Appellant failed to identify any procedural injury or substantial harm to real property interest(s) she has or may suffer as a result of the Planning and Zoning Commission's approval of CUP24-3 in her Request for Reconsideration.

iii. The City Attorney testified that she believed the procedural or substantial property rights injured as a result of the Planning and Zoning Commission's decision were as follows:

1. The P&ZC did not have sufficient evidence to concerning the water and sewer capacity for CUP24-3.
 - a. Here, the Appellant challenged the weight given to Pat Severance's opinion related to the ability of the water and sewer system to accept 13 more connections.
2. The P&ZC should reconsider the City Council's legislative decision concerning the park area, which is only a portion of the subject property in CUP24-3.
3. Procedural Due Process
 - a. The Appellant claims her procedural due process rights were violated due to a 3-minute time limit on public comments during the public hearing, while the Applicant, was given an unlimited amount of time to speak in favor of her application.
 - b. During the August 28, 2024 public hearing, the Appellant spoke for 4 minutes and did not take an opportunity to speak a second time when the floor was opened for a second round of public comment.

- c. During the public hearing, the Appellant did not object to the time limit at the time it was announced, nor did she request additional time to say what she wanted, nor did she submit written comment, which was an available option that contained no time limits.
4. Appearance of fairness in the process
- iv. The City Attorney also testified that of the 49 signatures received in support of the Appellant's Request for Reconsideration, only 5 people participated in the public hearing.
1. Additionally, of the 5 people who participated, only 3 people were entitled to mailed notice of the public hearing.
 - a. The Appellant was not one of the persons entitled to mailed notice of the public hearing for CUP24-3.
 2. Of the 49 signatures, only 14 of the individuals were property owners within 330 feet of the subject property.
- b. Following the City Attorney's report and testimony, the Planning and Zoning Commission discussed and deliberated the Appellant's Request for Reconsideration point by point and made the following conclusions:

Conclusion			Standards
Affirm	Reverse	Modify	
X			Finding 1: Although Pat Severance was not specifically prepared to address the issues raised by the Appellant, his input was nonetheless considered. His opinion, combined with information from the City Staff Report, which included the Public Works Department's review of the application, was evaluated by the Planning and Zoning Commission in its decision to approve CUP24-3. The absence of issues identified concerning water and sewer services was a significant factor in reaching its conclusion. Explanation: The Public Works Department was duly notified of the application and was given the opportunity to provide comments. While various concerns were identified during the review process, there was no mention of any negative impacts on the water and sewer systems. The City of Lewiston confirmed its capacity to provide water and sewer services to the property in question. Importantly, throughout the application process, neither the City of Lewiston nor its departments raised any concerns regarding the viability of the water and sewer lines, even with the proposed addition of 13 more service lines.

DECISION ON RECONSIDERATION FOR CUP24-3

7

X		Finding 2: The building development process and its requirements are beyond the authority of the Planning and Zoning Commission when considering a conditional use permit application. Although the Reasoned Statement addresses public safety and area usage, concerns about the roadway's capacity to handle increased traffic and civil issues related to property damage fall outside the Planning and Zoning Commission's jurisdiction. Explanation: The Appellant expressed concerns about the need to repave 22nd Street, which she claims cannot occur until the water and sewer lines are replaced. These infrastructure issues are not within the Planning and Zoning Commission's authority. Additionally, the requirement for a Traffic Mitigation Report is relevant to the building permit process, not the conditional use permit. Concerns about potential property damage by guests, visitors, and staff of the Applicant are civil matters and do not fall under the Planning and Zoning Commission's purview. Political subdivisions in the area were notified of the application, and none expressed objection or concern with the proposed project, other than what was identified in the City Staff Report.
X		Finding 3: The Lewiston City Council holds responsibility for designating park space and managing the use and disposition of City property. Explanation: While neighborhood preferences regarding the property are important, they are not part of the relevant standards and criteria outlined in Lewiston City Code §37-160 for evaluating the approval or denial of a conditional use permit application.
X		Finding 4: The Applicant's testimony on handling problematic residents, along with the Facility Management Plan and her experience with housing troubled youth, supported the Commission's decision that approving CUP24-3 would not compromise public health and safety. Explanation: The Appellant highlighted concerns related to the Applicant's inability to control problematic behaviors of the youth who will reside at the Village while they are off-site. However, Appellant did not specify any issues with the development or application of the Applicant's Facility Management Plan (Plan). The Plan, created with input from the Lewiston Police

DECISION ON RECONSIDERATION FOR CUP24-3

			Department, mandates 24/7 supervision of the site, resident pre-screening, and regular drug testing (among other things). During the public hearing, unrelated neighborhood issues were raised by citizens that fall outside the scope of the conditional use permit approval process. The Planning and Zoning Commission confirmed that the Plan includes necessary elements, such as proper resident vetting. The Applicant cannot control individuals outside the facility but can remove residents who violate rules.
X			Finding 5: The Planning and Zoning Commission determined the issue to be moot because the Appellant did not utilize all available opportunities to provide testimony during the public meeting. Explanation: During the public hearing, the Appellant was given 4 minutes to testify. She did not object to the time limit, request more time, or submit written comments, which had no time restrictions. Additionally, she did not speak again when the Commissioners reopened the floor for additional public comment.
X			Finding 6: The Planning and Zoning Commissioners based their decisions on the entire record, not individual emotional reactions. Explanation: During the public hearing, various questions and comments were made that could have elicited emotional responses. The Planning and Zoning Commissioners emphasized that their decisions were based on the entire record, not on any single response. The Appellant did not claim actual bias, only that a single question might have caused an emotional reaction. An alleged conflict of interest was raised post-hearing but was addressed, with no actual conflict found.

XI. CONCLUSIONS OF LAW

The Lewiston Planning and Zoning Commission reviewed the Request for Reconsideration with regard to Lewiston City Code § 37-185, and based on the conditions required herein, concludes CUP24-3 **meets the standards of approval** under Lewiston City Code § 37-160(c) and Idaho Code § 67-6512.

XII. DECISION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Planning and Zoning Commission hereby **AFFIRMS** its decision to **APPROVE** CUP24-3, including waiver of Lewiston City Code § 37-151(e) to permit off-street parking to back onto the street.

DECISION ON RECONSIDERATION FOR CUP24-3

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 affirm 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 affirm CUP24-3.

NOTICE TO APPLICANT AND AFFECTED PERSONS: 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:

Cynthia L. Ball

Signature of Planning and Zoning Commission Chair or Vice Chair or Acting Chair

Printed:

Cynthia L. Ball

Date of Signature:

Oct. 23. 24

ATTEST:

Dawn Ortiz

Dawn Ortiz, Community Development Office Supervisor

DECISION ON RECONSIDERATION FOR CUP24-3



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE FIRE PREVENTION AND PROTECTION SERVICES AGREEMENT - FEDERAL CARTRIDGE COMPANY	AGENDA NO. VI. B. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) Federal Cartridge Company (CCI Spear) is a long-term customer of the Lewiston Fire Department for Fire Prevention and Fire Protection Services. Their properties lie adjacent to and outside the city, and they desire Fire Department services. The current contract is up for renewal, and both parties have agreed that a continued contractual agreement is mutually desired.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) The FY 25 payment will be \$200,712.96. The contract automatically renews for the following 4 years with a built-in annual cost increase. Over 5 years, the city will receive \$1,065,612.36 in revenue.	
ACTION PROPOSED Staff recommends approval of this service contract.	

**FIRE PREVENTION AND PROTECTION SERVICES AGREEMENT
BETWEEN FEDERAL CARTRIDGE COMPANY AND
THE CITY OF LEWISTON**

THIS FIRE PREVENTION AND PROTECTION SERVICES AGREEMENT

("Agreement") is entered into by and between Federal Cartridge Company, a Minnesota general business corporation doing business as CCI/SPEER ("Subscriber"), and the City of Lewiston, an Idaho municipal corporation ("City"). Subscriber and City may also individually be referred to as "Party" or collectively as "Parties."

WHEREAS, Subscriber owns real property located outside the corporate limits of City, and Subscriber desires City to provide fire prevention and protection services for such property;

WHEREAS, City desires to provide such fire prevention and protection services for Subscriber; and

WHEREAS, City is authorized to enter into this Agreement pursuant to Idaho Code § 50-301, which Agreement serves important public safety purposes.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, it is hereby agreed to and stipulated by and between Subscriber and City as follows:

1. **SERVICES:** City shall provide fire prevention and fire protection services, as described in this Agreement, for Subscriber's property located at 2299 Snake River Avenue and 180 Southport Avenue in Lewiston, Idaho, more particularly depicted and described by the property tax parcel numbers in Exhibits A and B, respectively, attached hereto and incorporated herein (collectively "Property"), which Property is located outside the corporate limits of City.

2. **FIRE INSPECTIONS:** Subscriber shall allow City to conduct fire inspections of the Property, including within structures located on the Property, as City deems appropriate. City shall notify Subscriber, in writing, of any required and/or recommended alterations to the Property, which alterations shall be the responsibility of Subscriber. In the event Subscriber fails to make and maintain

FIRE PREVENTION AND PROTECTION SERVICES AGREEMENT BETWEEN
FEDERAL CARTRIDGE COMPANY AND THE CITY OF LEWISTON

any required alterations to the Property within the timeframe required by City, City may terminate this Agreement upon providing at least thirty (30) days' prior written notice to Subscriber.

Additionally, Subscriber shall have all fire protection systems and devices located on the Property inspected, tested, functional, and/or repaired as required by the International Fire Code, as adopted by City, and in compliance with National Fire Protection Association ("NFPA") standards. Fixed-fire protection systems inspection, testing, and maintenance records, as referenced in the International Fire Code adopted by City and referenced standards in said International Fire Code, shall be submitted to City's Fire Department within ten (10) calendar days of the inspection in the manner and frequency determined by City's Fire Chief or designee.

3. **REQUEST FOR FIRE PROTECTION SERVICES:** In the event of an emergency for which Subscriber desires City to provide fire protection services to the Property, Subscriber shall call 9-1-1 and inform the dispatch center of the nature of the emergency and that the Property receives fire protection services from City.

4. **RESPONSE TO REQUEST:** Upon receipt of a request for fire protection services, City shall determine if City has equipment and personnel available to respond to the Property and, if so, determine the type of equipment and number of personnel available. In the event City determines that adequate equipment and personnel are available to respond to the Property, then City shall dispatch said equipment and personnel to the Property to provide fire protection services. In the event City determines that adequate equipment and/or personnel are not available to respond to the Property, then City shall immediately advise Subscriber of such fact, and City shall not be required to respond to the Property to provide fire protection services.

Subscriber expressly acknowledges and agrees that City provides fire protection services on a first-come, first-served basis and that City handles emergency calls on a priority basis as determined by City, with life-threatening emergencies taking precedence over threats to property located

throughout City's corporate limits and contract areas, including the Property. It is within City's sole discretion to respond to an emergency within City's corporate limits or contract service area without incurring any liability to Subscriber. In the event of a request for fire protection services, Subscriber shall be treated the same as any entity within City's corporate limits or any other subscriber. Prioritization of response shall not be affected by Subscriber's status of being located outside City's corporate limits. In the event an emergency arises within City's corporate limits or contract service area while City is responding to an emergency at the Property, City may withdraw any or all of City's personnel and equipment from the Property in City's sole discretion, and City shall not incur any liability to Subscriber.

5. **PROPERTY ACCESS:** Subscriber shall maintain proper access for City's personnel and equipment to access the Property and all structures located on the Property. Subscriber shall provide and maintain, at Subscriber's expense, roads, driveways, or lanes with sufficient width and surface to allow City's personnel and equipment, including, but not limited to, City's fire trucks, access onto the Property. Subscriber shall keep such roads, driveways, or lanes clear of any obstructions, including, but not limited to, landscaping, trees, fences, snow, and ice.

Subscriber shall allow City to access the Property and all structures located on the Property as needed by City in responding to a request for fire protection services and shall cooperate with City's Incident Commander in the suspension or reduction in Subscriber's operations.

6. **WATER ACCESS:** Subscriber acknowledges and agrees that City's fire suppression equipment will carry a limited supply of water. In the event Subscriber has a water source that can be used while City is providing fire protection services to the Property, Subscriber shall allow City to access and use such water source at no cost to City. Subscriber, at its expense, shall maintain such water source and connection so that such water source and connection can be used with City's fire suppression equipment.

7. **CHANGES TO THE PROPERTY:** Any construction on the Property or alteration, addition, and/or change in use or process of structures located on the Property shall be reviewed and approved by City's Fire Department prior to any such construction, alteration, addition, and/or change in use or process.

8. **COMPLIANCE WITH THE INTERNATIONAL FIRE CODE:** The Property, including all structures located on the Property, shall meet the minimum standards and requirements set forth in the International Fire Code, as adopted by City.

9. **TERM AND RENEWAL:** The Initial Term of this Agreement shall be from October 1, 2024 through September 30, 2025 ("Initial Term"). Thereafter, this Agreement shall automatically renew for up to four (4) additional one (1)-year terms (each a "Renewal Term"), unless terminated as provided for in this Agreement. Each renewal term shall commence on October 1 and conclude on September 30 of the following year.

Subscriber understands that City is strictly bound by Article VIII, § 3 of the Idaho Constitution, which prohibits City from incurring any indebtedness or liability, in any manner, beyond its current fiscal year, which is October 1 through September 30. The Initial Term and the automatic renewal of this Agreement are wholly contingent upon the annual appropriation of funds by City for its duties under this Agreement. Said appropriations may be made solely at the option and discretion of City. In the event that City does not appropriate funds for its duties under this Agreement for the ensuing fiscal year, for any reason, City may terminate this Agreement without penalty. City shall give prompt written notice to Subscriber attesting to the non-appropriation of funds and the effective date of termination, and no financial obligations shall accrue after the effective date of said termination.

10. **TERMINATION:** Either Party may terminate this Agreement, with or without cause, upon providing thirty (30) days' prior written notice to the other Party. In the event this Agreement is terminated, including termination by City for non-appropriation pursuant to Section 9,

FIRE PREVENTION AND PROTECTION SERVICES AGREEMENT BETWEEN
FEDERAL CARTRIDGE COMPANY AND THE CITY OF LEWISTON

Subscriber shall pay City on a prorated basis for the applicable Renewal Term in which termination occurred. Subscriber shall pay City within thirty (30) days from the date of invoice from City. If at the time of termination Subscriber already fully paid City for the applicable Renewal Term, then City shall reimburse Subscriber on a prorated basis for the remaining months in the applicable Renewal Term in which termination occurred. In such event, City shall reimburse Subscriber within thirty (30) days from the date of termination.

11. **PAYMENT:** For the Initial Term of this Agreement, Subscriber shall pay City Two Hundred Thousand Seven Hundred Twelve Dollars And Ninety-Six Cents (\$200,712.96) on or before July 1, 2025. For each subsequent Renewal Term of this Agreement, the payment shall increase by three percent (3%) from the amount paid in the previous year and shall be due on or before July 1st of that Renewal Term year.

12. **INDEMNIFICATION:** Subscriber expressly releases and shall indemnify and hold City, its officers, agents, and employees harmless from any and all claims for losses or damages, including, but not limited to, injuries to persons or property, resulting from City's failure to furnish or delay in furnishing firefighting equipment and/or personnel to the Property, or the failure to prevent, control, or extinguish any fire at the Property, whether or not said loss or damage resulted from the negligence of City, its officers, agents, or employees.

In the event City is alleged to be liable on account of any act or omission of Subscriber, its officers, agents, or employees, then Subscriber shall defend such allegation through counsel chosen by Subscriber, and Subscriber shall bear all costs, fees, and expenses of such defense, including, but not limited to, all attorney fees and expenses, court costs, and expert witness fees and expenses.

This indemnification provision shall survive the expiration or termination of this Agreement. Subscriber's indemnification and defense obligations herein shall extend to claims occurring after this

Agreement is terminated or expired, as well as while this Agreement is in force, and shall continue until all claims are finally adjudicated and fully and finally barred by applicable laws.

13. **NOTICES:** Except as provided in Section 4 of this Agreement, all notices required to be given pursuant to this Agreement shall be in writing and shall be deemed delivered immediately if hand-delivered or seventy-two (72) hours after depositing the same in the U.S. mail, certified or registered, postage prepaid, addressed to the respective addresses set forth below:

Subscriber: Senior Operations Director
Federal Cartridge Company, doing business as CCI/SPEER
2299 Snake River Avenue
P.O. Box 856
Lewiston, Idaho 83501

City: Fire Chief
City of Lewiston
1245 Idaho Street
Lewiston, Idaho 83501

All non-emergency questions related to this Agreement shall be directed to the City of Lewiston Fire Department, which is located at 1245 Idaho Street, Lewiston, Idaho, and which can be reached at 208-743-3554.

14. **CHOICE OF LAW:** This Agreement shall be governed by and interpreted in accordance with the laws of the State of Idaho, with venue for any action brought pursuant to this Agreement to be in the Second Judicial District, Nez Perce County, State of Idaho.

15. **INDEPENDENT CONTRACTOR AND CITY EMPLOYEES:** The Parties agree that City is an independent contractor and that City employees who assist in providing services under this Agreement shall remain employees of City. The Parties agree that City shall have sole authority and control over such employees.

16. **SEVERABILITY:** In the event that any provision of this Agreement is found for any reason to be unenforceable, the remainder of this Agreement shall remain in full force and effect and shall be binding upon the Parties.

17. **SURVIVAL:** All covenants, conditions, indemnifications, and other elements in this Agreement that might involve performance subsequent to any termination or expiration of this Agreement or that cannot be reasonably ascertained or fully performed until after termination or expiration of this Agreement shall survive.

18. **MODIFICATIONS:** This Agreement may be modified or amended only by a writing duly executed by both Parties.

19. **PERFORMANCE/WAIVER:** No waiver of any provision of this Agreement shall be effective unless made in writing and signed by the waiving Party. The failure of any Party to require the performance of any term or obligation of this Agreement, or the waiver by any Party of any breach of this Agreement, shall not prevent any subsequent enforcement of such term or obligation or be deemed a waiver of any subsequent breach.

20. **SUCCESSORS AND ASSIGNS:** This Agreement may not be assigned in whole or in part by either of the Parties hereto without the prior express written consent of the other Party.

21. **THIRD PARTY BENEFICIARIES:** Nothing contained herein shall create any relationship, contractual or otherwise, with, or any rights in favor of, any third party. Nothing contained herein shall extend the liability of either Party beyond that provided by governing law.

22. **ATTORNEY FEES:** In the event a controversy, claim, or action arises between the Parties to this Agreement regarding the enforcement of its terms and conditions, or the breach of any of its provisions, the prevailing Party shall be entitled to recover from the other Party all costs and expenses incurred by the prevailing Party, including reasonable attorney fees, regardless of whether such controversy, claim, or action is prosecuted to judgment or appealed.

23. **PUBLIC RECORDS:** The Parties herein understand and acknowledge that this Agreement and its attachments are subject to the Idaho Public Records Act, I.C. §§ 74-101, *et seq.*, the Idaho Open Meetings Act, I.C. §§ 74-201, *et seq.*, and other applicable federal and state laws, and might be public records.

24. **FORCE MAJEURE:** Neither Party shall be liable for any failure to perform as required by this Agreement to the extent that such failure to perform is caused by any reason beyond the Party's control, or by reason of any of the following: labor disturbances or disputes, accidents, failure of any required governmental approval, civil disorders, acts of aggression, acts of God, failure of utilities, mechanical shutdowns, material shortages, disease, or similar occurrences.

25. **CONTRACTING AUTHORITY:** Each Party warrants that the person or persons executing this Agreement on behalf of such Party has the full right, power, and authority to enter into and execute this Agreement on such Party's behalf, and that no consent from any other person or entity is necessary as a condition precedent to the legal effect of this Agreement.

26. **MERGER AND INTEGRATION:** This writing embodies the whole agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained in this Agreement. All previous and contemporaneous communications, representations, or agreements, either verbal or written, between the Parties are superseded by this Agreement.

27. **JOINT DRAFTING:** The Parties expressly agree that this Agreement was jointly drafted and both Parties had an opportunity to negotiate its terms and obtain the assistance of legal counsel in reviewing its terms prior to execution. Therefore, this Agreement shall be construed neither against nor in favor of either Party but shall be construed in a neutral manner.

28. **STATE OF IDAHO REQUIREMENTS:** The following provisions are required by the State of Idaho. The inclusion of these provisions in this Agreement does not indicate City's support or opposition to these provisions nor agreement by City that these clauses are relevant to the

FIRE PREVENTION AND PROTECTION SERVICES AGREEMENT BETWEEN
FEDERAL CARTRIDGE COMPANY AND THE CITY OF LEWISTON

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subject matter of this Agreement. Rather, these provisions are included solely to comply with the laws of the State of Idaho.

A. Anti-Boycott Against Israel Act: If this Agreement: (1) is to acquire or dispose of services, supplies, information technology, or construction; and (2) has a total potential value of One Hundred Thousand Dollars (\$100,000) or more; or (3) Other Party is a company with ten (10) or more employees, then, pursuant to Idaho Code § 67-2346, Other Party certifies that Other Party is not currently engaged in, and will not for the duration of this Agreement engage in, a boycott of goods or services from Israel or territories under Israel's control. The terms "company" and "boycott Israel" shall have the meanings ascribed to them in Idaho Code § 67-2346.

B. No Public Funds For Abortion Act: Pursuant to Idaho Code § 18-8703, Other Party certifies that it is not, and will not for the duration of this Agreement become, an abortion provider or an affiliate of an abortion provider, as those terms are defined in the "No Public Funds for Abortion Act," Idaho Code §§ 18-8701 *et seq.*

C. Contract With Company Owned Or Operated By The Government Of China Prohibited: If this Agreement is to acquire or dispose of services, supplies, information technology, or construction, then, pursuant to Idaho Code § 67-2359, Other Party certifies that Other Party is not a company currently owned or operated by the government of China and will not for the duration of this Agreement be owned or operated by the government of China. The terms "company" and "government of China" shall have the meanings ascribed to them in Idaho Code § 67-2359.

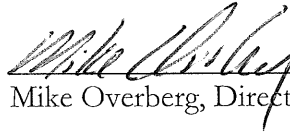
D. Prohibition On Contracts With Companies Boycotting Certain Sectors:
If this Agreement: (1) is to acquire goods or services; (2) has a value of One Hundred Thousand Dollars (\$100,000) or more that is to be paid wholly or partly from public funds; and (3) other Party is a company with ten (10) or more full-time employees, then, pursuant to Idaho Code § 67-2347A,

other Party certifies that other Party is not currently engaged in, and will not for the duration of this Agreement engage in, a boycott of any individual or company because the individual or company: (a) engages in or supports the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, minerals, hydroelectric power, nuclear energy, or agriculture; or (b) engages in or supports the manufacture, distribution, sale, or use of firearms, as defined in Idaho Code § 18-3302(2)(d). The terms “boycott” and “company” shall have the meanings ascribed to them in Idaho Code § 67-2347A.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the day and year written below.

DATED this 11 day of November 2024.

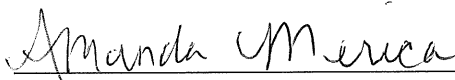
FEDERAL CARTRIDGE COMPANY



Mike Overberg, Director of Operations

STATE OF IDAHO)
) ss.
County of Nez Perce)

On this 11 day of November 2024, before me, a Notary Public, personally appeared Mike Overberg, known or identified to me as the Director of Operations of Federal Cartridge Company, and stated he or she has the authority to execute this instrument on behalf of Federal Cartridge Company and did execute this Agreement on behalf of Federal Cartridge Company.



Notary Public for the State of Idaho
Commission Expires 10/11/28

CITY OF LEWISTON

By: _____

Daniel G. Johnson, Mayor

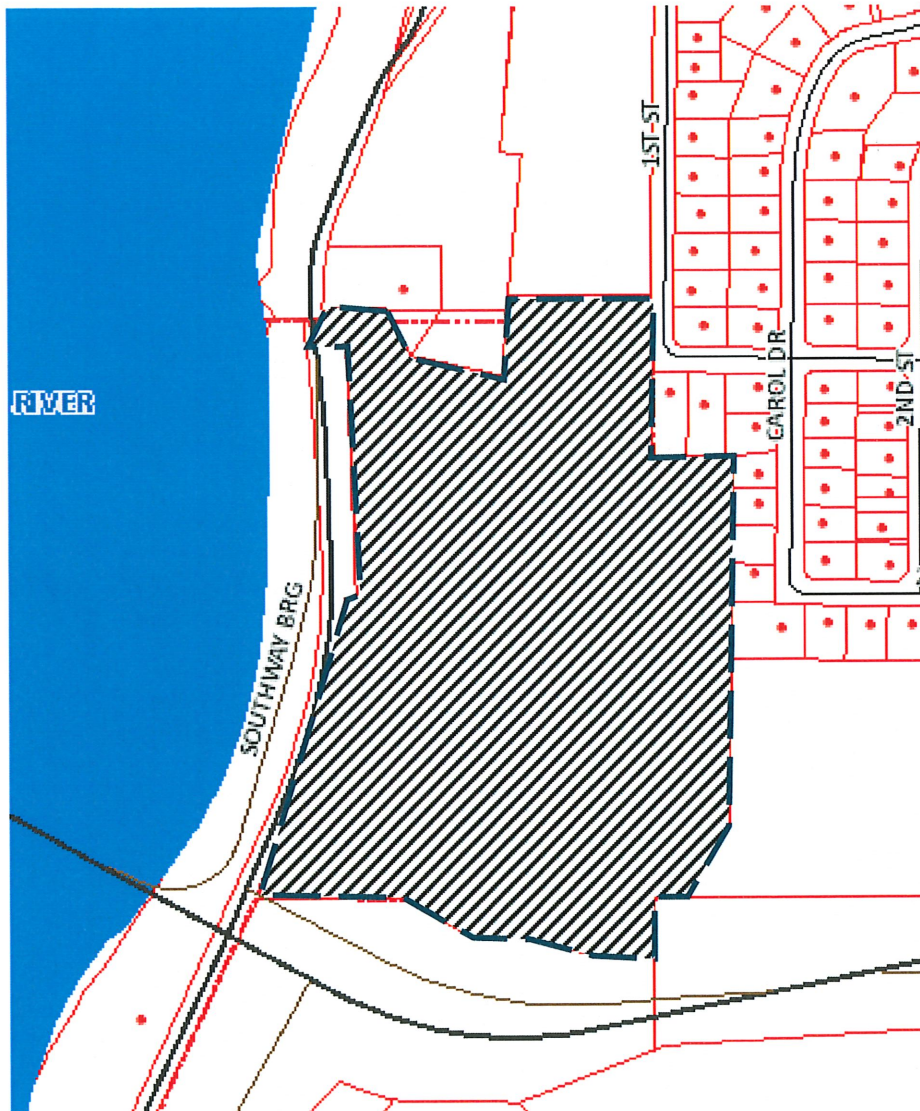
ATTEST:

Tanya M. Brocke, City Clerk

FIRE PREVENTION AND PROTECTION SERVICES AGREEMENT BETWEEN
FEDERAL CARTRIDGE COMPANY AND THE CITY OF LEWISTON

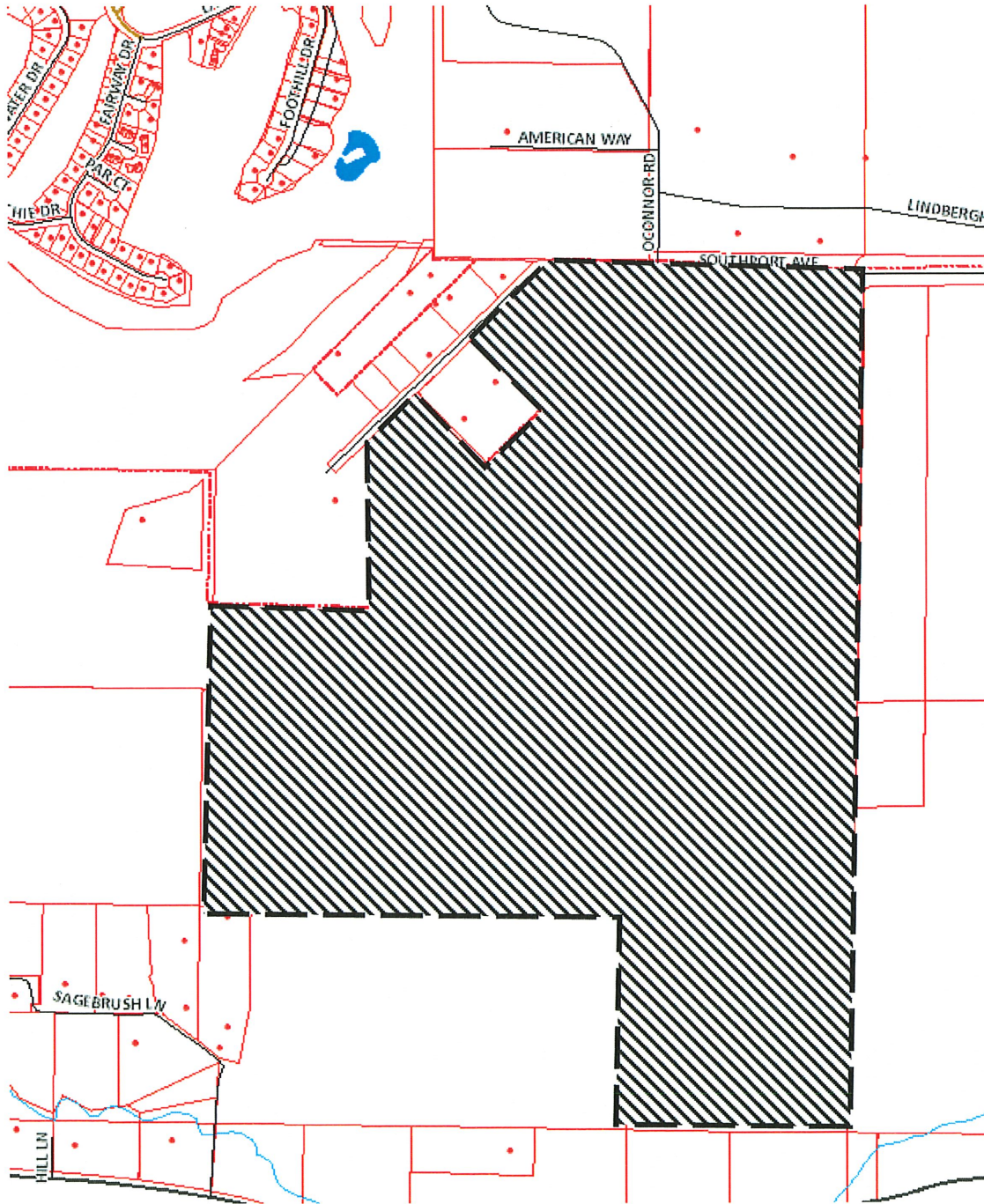
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EXHIBIT A
Depiction of 2299 Snake River Avenue, Lewiston



Nez Perce County Tax Parcel Numbers
RP35N06W122400
RP35N06W122450
RP35N06W122501
RPL356W0120650
RPL356W0124200

EXHIBIT B
Depiction of 180 Southport Avenue, Lewiston



Nez Perce County Tax Parcel Number
RP35N06W240005



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE ADA TRANSITION PLAN ANNUAL REPORT	AGENDA NO. VI. B. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) The ADA Transition Plan was adopted by City Council on September 14, 2020. The ADA Transition Plan is intended to address the most recent ADA polices and rules. It positions the City's facilities, policies, and design standards to be consistent with draft public right-of-way design guidance (when finalized) and ADA requirements. This plan includes a recommendation for the City to produce an annual report on its progress in implementing the upgrades to policies, programs, and public infrastructure to comply with the requirements of the Americans with Disabilities Act. The 2022 Annual Report was presented to City Council and approved on March 27, 2023. In addition to standard updates to reflect 2023 data, staff revisited the ADA Transition Plan and made significant changes to the 2023 Annual Report based on the plan's recommendations: • Addition of Figure 2 to the "Introduction & Purpose" section; • Addition of "Design Standards Status" subsection; • Addition of "Grievance Process" subsection; and • Addition of Figure 4 and Figure 5 to the "Projects" section. The 2023 Annual Report was formally adopted by the Disability Advisory Commission (DAC) on September 12, 2024. The next step is City Council approval.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) As this report covers the policies, plans, programs, services, and projects pertaining to ADA improvements during calendar year 2023, there are no impacts unless a request was made by City Council to pursue any ADA-specific initiatives not already accounted for in the Fiscal Year 2025 budget.	
ACTION PROPOSED Staff is requesting City Council review and accept the 2023 Lewiston, Idaho ADA Transition	



Lewiston, Idaho ADA Transition Plan Annual Report – 2023

September 2024

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Introduction & Purpose

The Americans with Disabilities Act of 1990, as amended, (ADA) is a comprehensive civil rights law enacted to prohibit discrimination and ensure equal opportunities for individuals with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation.

The 2020 ADA Transition Plan for Lewiston ("Plan") was prepared in accordance with Title II of the ADA, which prohibits discrimination against individuals with disabilities in the provision of state and local government programs, services, and facilities.

Title II requires that public entities identify and evaluate all programs, services and facilities and review all policies, practices and procedures governing their administration. These are summarized in this report in sections on: Policies and Plans; Programs and Services; and Projects.

This annual report describes the progress the City of Lewiston achieved during the 2023 calendar year and is a continuation of the groundwork laid out by the 2020 Annual Report.

Lewiston will continue to experience changes in population, physical size, public building, streets, sidewalks, curb ramps, and policies, just as it has in the past. The purpose of the Plan is to ensure this change occurs in a manner that both corrects barriers to accessibility identified in the Plan and prevents new barriers from emerging.

Figure 1 shows United States Census Bureau data on Lewiston's population who report having a type of disability. Additional data provides more details on the type of disability, recognizing that some people may have more than one disability.

Figure 1: Lewiston Population, Disability Characteristics (2022)

Disability Type	Number	% of Total Pop.
City Population	33,456	
Population with a disability	5,994	17.9%
Hearing difficulty	1,661	5.0%
Vision difficulty	1,512	4.5%
Cognitive difficulty	3,069	9.7%
Ambulatory difficulty	2,931	9.3%
Self-care difficulty	1,246	3.9%
Independent living difficulty	2,133	8.1%
Disability by Age Group	Number	% of Total Pop.
Age 5-17 with disabilities	473	1.4%
Age 18-64 with disabilities	3,232	9.7%
Age 65+ with disabilities	2,289	6.8%

Source: US Census American Community Survey, 2022 5-year Estimates (Table S1810)

This annual report describes the progress the City of Lewiston achieved during the 2023 calendar year and is a continuation of the groundwork laid out by the 2020 Annual Report.

Major 2023 Accomplishments

It is estimated that more than \$990,000 worth of infrastructure and programmatic investments were applied in Lewiston to make the city more accessible:

- \$989,754 in pedestrian facility improvements, inclusive of \$147,540 in curb ramp projects and \$817,850 in sidewalk projects; and
- \$2,000 in grant funding awarded to the Lewiston City Library for various goods and services supporting accessibility.
- Plan priority corridors were incorporated into the City's 2024 Transportation Capital Improvements Plan and prioritized among 142 overall projects.

Figure 2 shows the recommended actions, timeframe, and reasoning for implementing the Plan following its adoption by the Lewiston City Council on September 14, 2020.

Figure 2: Summary Actions and Timeframe for ADA Transition Plan Implementation

Action	Timeframe	Why is this important?	Status
Establish internal ADA Coordinating Committee	2022	Having an internal staff committee with representatives from different departments allows the City to convene this group when there are individual ADA compliance requests. The group will also help guide development of the Annual Report.	To be implemented.
Amend City Policies and Design Standards	2023	Updating city policies and standards to follow ADA and PROWAG will bring the city's practices into compliance and help ensure new infrastructure meets ADA requirements to the greatest degree possible.	To be implemented.
Pursue public building upgrades as part of capital investment program and assess priorities	Annually	People have a right to access their government and interconnected system of public facilities, including sidewalks, building, and parking access.	To be implemented.
Establish Developers Cooperative Fund to allow for opportunistic ramp upgrades and filling of sidewalk gaps	2022-2024	This program will help fill sidewalk gaps and upgrade adjacent ramps when a developer is working along a priority route or within a priority zone.	To be implemented.
Establish Priority Curb Ramp Upgrade Program, building up to \$100,000 a year	2022-2024	The priority curb ramp program is in addition to the existing curb ramp upgrade efforts that address only projects where street resurfacing occurs (which may not	To be implemented.

Action	Timeframe	Why is this important?	Status
		always be in a priority zone or along a priority route).	
Pursue funding for concept design on Top 3 priority corridors	2022-2024	Costly projects will likely require other fundings, such as federal and state funding. Concept design will help better scope the projects for grants that require more detailed information and ensure new infrastructure is not torn out when full-scale upgrades occur.	To be implemented.
Pursue Idaho Transportation Department (ITD) ADA Curb Ramp Program grant for upgrading ramps for compliance along state highways (may include pathway crossing ramps)	2022-2026	Work with Disability Advisory Commission (DAC), ITD District 2, and the Lewis Clark Valley Metropolitan Planning Organization (LCVMPO) to determine priority of state routes for Lewiston residents. This may require the City to pursue this grant program as other cities do for ITD routes. ITD may also upgrade ramps and pursue additional sidewalks with their own projects, which can be requested by the City and LCVMPO.	To be implemented.
Update ADA Transition Plan Inventory and Reassess Priorities	Every 5 to 10 years	As in the past, the City should continue updating its inventory. An Annual Report effort will make data collection easier in the future.	To be implemented.

The 2023 report is intended to serve as both a report to satisfy the requirements of Title II, as well as a tool to assist the City in identifying internal methods necessary to streamline documentation and reporting of progress on ADA compliance.

Disability Advisory Commission

The Disability Advisory Commission (DAC) provides advice and recommendations to the Lewiston City Council on a wide array of disability matters within the City of Lewiston. The DAC meets monthly on the second Thursday of each month. In 2023, the DAC met eleven (11) times.

The powers and duties of the DAC are defined by the City as follows:

- Advise and make recommendations to the City Council and City staff on matters related to Title II of the Americans with Disabilities Act (ADA). Title II of the ADA specifically relates to City of Lewiston programs, activities, and services.
- Become familiar with Title II of the ADA and the status of existing City of Lewiston programs, services, and facilities related to the ADA.
- Consider concerns and/or issues brought before the Disability Advisory Commission by citizens related to accessibility in the City or the ADA, as related to the City of Lewiston.

- Seek opportunities to discuss accessibility issues with citizens and become familiar with citizens' opinions on accessibility issues.
- Direct ADA complaints to the appropriate City of Lewiston staff.
- Develop relationships with organizations that serve individuals with disabilities, as defined by the ADA.
- Assist and actively engage in educational efforts and outreach activities related to Title II of the ADA that are led by the City of Lewiston or its partners.
- Develop a work plan that consists of goals and objectives for the Disability Advisory Commission on an annual basis.

Disabilities Advisory Commission members for 2023 included:

- Ged Randall (Chair); Term expired January 2023
- Eric Peterson; Term expires July 2025
- Constance Vance; Term expires July 2024
- Amy Brogan; Term expires April 2025
- Jessica Grainger, Term expires September 2025
- Mark Havens (Member); Term Expires July 2024
- Mike Feeney (Member); Term Expires July 2024
- Matthew Ruth (Member); Term Expires March 2026

Major Issues Addressed in 2023

- Open Meeting Law Training
- Lewiston Transit Services available for people with disabilities and the 19th Ave. project
- Volunteer snow shoveling for people with disabilities and the elderly
- White Cane Training
- Emergency communication for the elderly and persons with disabilities
- The Aging of the Valley Presentation and Discussion
- Letter of Support for the ITD Strategic Initiatives Program Grant for Bryden Ave, Snake River Ave, and 9th Street Grade
- Presentation and Discussion regarding the Nez Perce County Board of Community Guardians

DAC meeting agendas can be accessed at: <https://www.cityoflewiston.org/AgendaCenter>

Policies & Plans

Beyond requirements stemming from the ADA, the City's own policies support the need to assess its infrastructure and related programs. Chapter 38 of Lewiston City Code pertains to discrimination and its stated purpose and intent is as follows:

"It is the finding and the intent of the City of Lewiston that no person shall be denied his or her civil rights or be discriminated against based upon his or her actual or perceived race, color, national origin, ancestry, religion, creed, sex, age, marital or familial status, physical or mental disability, sexual orientation, or gender identity/expression."

Reviews and updates to policies and standards ensure this purpose and intent is met.

Design Standards Status

Plan recommendations included updates to the City's design standards to align with the United States Access Board's standards. The Plan reviewed the City's design standards to identify the degree to which they conformed to prevailing design guidance contained in the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG) and the United States Access Board's

Proposed Guidelines for in the Public Right of Way (PROWAG). On August 9, 2023, the final rule was published in the Federal Register, formally adopting PROWAG.

Figure 3 provides a summary of the status of the recommended changes and/or updates to design standards which were adopted in the Plan.

Figure 3: Summary Table of Design Standard Updates

Standard Drawing	Date Adopted	Recommendation	Status
1 - General Standards			
1-09 Concrete Street Repair Detail	2/5/2009	Add note that if the Repair touches a non-compliant curb ramp (at the joint) the ramp shall be brought to current standard.	To be reviewed.
1-11 Curbside Mailbox Detail	2/5/2009	Update to show 4'0" Clear Walk Area, noting not inclusive of curb width; Show mailbox with no more than 12" of overhang from post on backside at sidewalk to avoid protruding object.	To be reviewed.
1-17 Sidewalk Drain	10/21/2010	Clarify that 2" min gradient applies to sidewalk surfaces in this instance. If so, change to 2% max; 1.5% min.	Standard was updated 3/11/21 but didn't include recommended revisions. To be included in the next update.
2 - Concrete Standards¹			
2-04 Valley Gutter	2/5/2009	Add note that valley gutter cannot be part of pedestrian access route or aligned with bottom or ramp or within crosswalk.	To be reviewed.
2-06 General Notes for All Types of Curb and Gutter	2/26/2013	Add note on MUTCD Section 6 requirements for when pedestrian access routes are impacted by construction.	To be reviewed.
2-08 Concrete Sidewalk	8/27/2015	Modify to show 5' minimum with 4' only by engineer approval inclusive of 5' passing area every 200 ft maximum.	To be reviewed.
2-09 Pedestrian Curb and Type 'A' Curb	2/5/2009	Modify for beveled curbing to help facilitate natural debris removal; also reduces pedal strike on shared use pathway curbing.	To be reviewed.
2-11 Double Sidewalk Ramps - Type 1	9/1/2010	Add maximum flare slopes per PROWAG, 10% maximum	To be reviewed.
2-12 Single or Double Sidewalk Ramp - Type 2	3/9/2017	Single Ramp requires additional 4'x4' landing in street with 2% slope in all directions; modify or create new single ramp drawing.	To be reviewed.

¹ 2020 ADA Transition Plan recommendation to modify all sidewalk widths to show 5' minimum; 4' by engineer approval in combination with 5' passing area every 200'.

Standard Drawing	Date Adopted	Recommendation	Status
2-13 Sidewalk Ramp - Type 3	9/1/2010	Add maximum flare slopes per PROWAG (denote them); Single ramp requires 4'x4' landing, max 2% in street.	To be reviewed.
2-20 Typical Two-Way Arterial Street Driveway Approach	3/9/2009	Reconfigure ramps to minimize diagonal alignment.	To be reviewed.
3 - Street Standards²			
3-3 Local Residential Street Typical-Infiltration Drainage	1/13/2015	Modify for 5' minimum sidewalk width.	To be reviewed.
3-4 Typical Local Residential Street	2/17/2009	Modify for 5' minimum sidewalk width.	To be reviewed.
3-5 <500' Cul-De-Sac Roadway	3/9/2017	Note need for ramp connecting to street if sidewalks not included around full cul-de-sac. Modify for 5' minimum sidewalk width.	To be reviewed.
3-6 <500' Cul-De-Sac Roadway	2/17/2009	Note need for ramp connecting to street if sidewalks not included around full cul-de-sac. Modify for 5' minimum sidewalk width.	To be reviewed.
3-8 Residential Collector with Infiltration Drainage	2/17/2009	Modify for 5' minimum sidewalk width.	To be reviewed.
3-9 Residential Collector	2/17/2009	Modify for 5' minimum sidewalk width.	To be reviewed.
3-11 Local Commercial with Infiltration Drainage	2/17/2009	Modify for 5' minimum sidewalk width. Note 6' bike lanes not inclusive of gutter width (may modify to 4' or 5').	To be reviewed.
3-12 Local Commercial	2/17/2009	Modify for 5' minimum sidewalk width. Note 6' bike lanes not inclusive of gutter width (may modify to 4' or 5').	To be reviewed.
3-13 Industrial & Commercial Collector	2/17/2009	Modify for 5' minimum sidewalk width. Note 6' bike lanes not inclusive of gutter width (may modify to 4' or 5').	To be reviewed.
3-14 Minor Arterial	2/17/2009	Note 6' bike lanes not inclusive of gutter width (prefer to keep at 6' not inclusive of gutter if posted speed is 35 mph or greater)	To be reviewed.

² 2020 ADA Transition Plan recommendation to note that curb ramps are required at all intersections due to status as legal crosswalk.

Standard Drawing	Date Adopted	Recommendation	Status
3-16 Typical Rural Roadways (within Impact Area)	2/19/2009	Consider requirement of a 5' wide pathway on one side (based on land use?)	To be reviewed.
3-17 Curb Extension & Mid-Block Choker (PG 1 of 2)	11/1/2012	Make curb ramp alignments directional instead of diagonal; align throat of ramp with sidewalk alignment.	To be reviewed.

Programs & Services

The City of Lewiston continually strives to correct and prevent barriers to access programs and services. Lewiston provides a variety of programs and services through communications via the City website, City social media accounts, City magazine, City electronic newsletter, and emergency service dispatches; a lift-equipped, curb-to-curb ADA Paratransit Service for eligible riders provided by the Transit Department; and revisions to administrative policies to reflect the most-current requirements of the ADA by the Human Resources Department.

Grievance Process

The City's Grievance Procedure under the Americans with Disabilities Act can be found on the City's website, here: <https://www.cityoflewiston.org/DocumentCenter/View/833/Grievance-Procedure-PDF>

Lewiston Library

The Lewiston City Library acquired and incorporated the following goods and services, respectively, to support accessibility in 2023:

- Purchased a Nature View Serenity Pod for the children's area using the \$1,000 of "Welcoming Libraries for Underserved Children" grant funding awarded by the Idaho Commission for Libraries to create a comforting, personalized space to help reduce stress and improve focus; and
- Implemented a chatbot on the City of Lewiston Library webpage to assist visitors in real-time during operating hours.

The "Library On The Go" is an outreach vehicle which carries several fully loaded book carts, tables, chairs, four (4) laptops, three (3) Chromebooks, four (4) tablets, and other equipment in order to offer a fully functional library at an off-site location. The program incorporated the following in 2023:

- Additional large print reading material purchased using the awarded "That All May Read" mini-grant funding of \$1,000 from the Idaho Commission for Libraries; and
- Addition of stops and programs at the Mill Creek Apartments, Burrell Street Station apartments, and the Western Village Apartments serving elderly residents and residents with disabilities.

Staff Training

Staff from the Human Resources, Police, and Fire Departments attended a training provided by Courageous Kid Climbing in January 2023 titled "Autism in the Wild". This training was intended to assist first responders and field staff with best practices on how to provide assistance to, and interact with, Autistic people in the community.

In June 2023, Public Works Department Engineering staff attended an "ADA Compliance" course organized by the Local Highway Technical Assistance Council (LHTAC) which provided attendees with a walkthrough of the regulatory background of the requirements in Section 504 of the Rehabilitation Act and Title II of the ADA as well as technical accessibility design.

Projects

As shown in **Figure 4**, the various programs and projects identified in the Plan are intended to illustrate a comprehensive program to upgrade existing street corners with compliant ramps and fill sidewalk gaps on high priority routes. Individual project or street corner upgrades will occur through new projects, resurfacing, Community Development Block Grants (CDBG), private development, among others.

Projects consist primarily of capital infrastructure improvements that occur within the City-owned and managed streets and facilities.

- City-owned building projects may include new construction or rehabilitation projects related to internal infrastructure such as restroom and drinking fountain upgrades, along with projects such as access ramps, parking spaces, and on-site walkway.
- Parks and recreation facilities projects may include new or upgraded facilities such as restrooms, playground equipment, accessible picnic tables, parking, pathways in parks, and building upgrades.
- Pathway system projects may include new or upgraded shared use pathways and natural surface trails.
- Public right-of-way improvements consist of upgrades to existing streets to include things such as sidewalk and curb ramp replacement, construction of new sidewalks and curb ramps, and other accessibility features such as pedestrian push buttons, crosswalk upgrades, and pedestrian refuge islands.

Figure 4: How Lewiston Will Transition Its Streets to Compliance

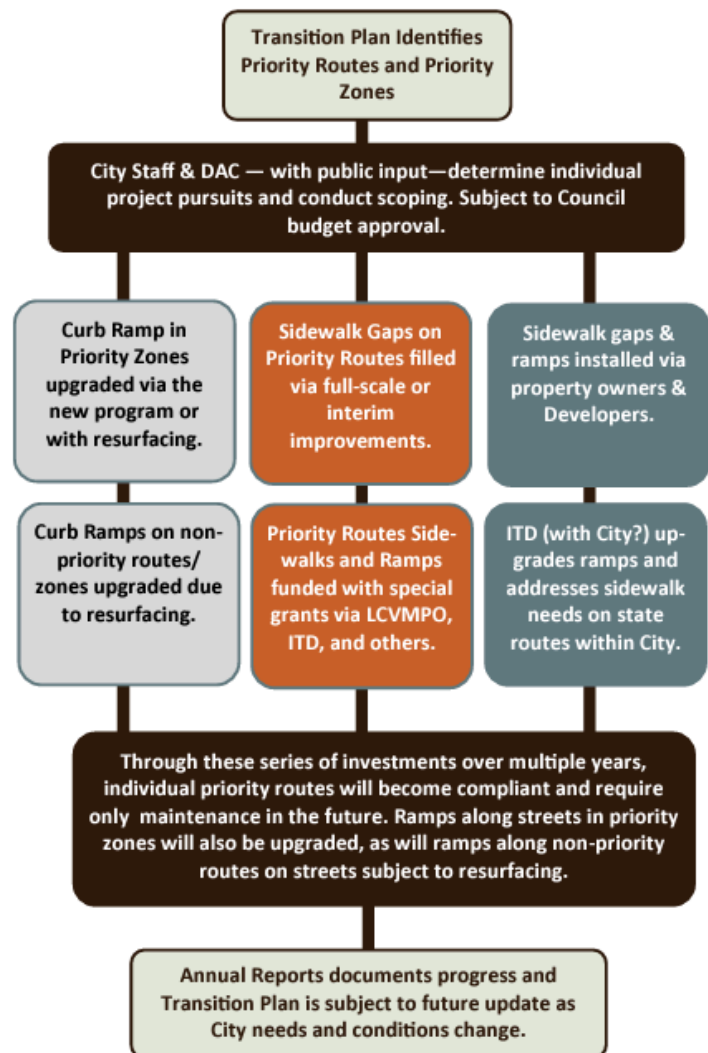


Figure 5 shows the existing methods by which the City of Lewiston upgrades sidewalks and curb ramps to comply with ADA requirements. They are a combination of City, federal grants, and private development funding that lead to new installations or upgrades to existing facilities.

Figure 5: Existing Investment Programs - 2023

Program	Recommendation	Budget ³
Building and Structures	The City should continue to fund regular ADA upgrades to its buildings and structures. These may be funded separately from public right-of-way upgrades.	
ADA Compliance and Improvements Fund	Budget \$60,000 per year. This program is used to fund location-specific upgrades based on individual requests or complaints. Because of this, the degree to which the funds are used on high priority areas will be based on the location of the individual requests.	
Street Resurfacing	Budget \$50,000 per year. The City upgrades non-compliant ramps along streets that are subject to resurfacing but with local streets making up the majority of Lewiston's transportation system, the degree to which this program addresses high priority streets varies. This amount fluctuates each year based on the budget amount for resurfacing and the number of streets being resurfaced that have curb ramps needing upgrades.	\$50,000

Public Right-of-Way Improvements

Public right-of-way improvements occur either through city-specific projects which are designed and constructed through city funds or private development which adds or rebuilds sidewalks, curb ramps, and other accessible features as a result of the City's land development requirements.

In 2023, it is estimated that the public right-of-way in the City of Lewiston was subject to approximately \$989,754 ADA-related investments including:

- 59 new or upgraded curb ramps totaling \$147,540;
- 15,118 lineal feet (or 2.86 miles) of new or upgraded sidewalk totaling \$817,850; and
- \$24,364 for other ADA-related improvements.

Approximately \$256,488 of public sector funding, consisting of City of Lewiston expenditures, and approximately \$715,806 of private development funding was applied to public right-of-way projects consisting of sidewalks and curb ramps.

Approximately \$17,460 worth of sidewalk and curb ramps were jointly funded between public and private sector funding.

Figure 6 includes a summary and estimated value of these improvements, as well as approximate location.

³ Fiscal Year 2023 Adopted Budget Narrative. The City's fiscal year is October 1st to September 30th.

Figure 6: Summary of Public Right-of-Way Projects - 2023

Project Name	Type of Upgrade	# of Ramps	Linear Feet of Sidewalk	Street, From/to (or address)	Source (Public/Private)	Total Ramp Cost	Total Sidewalk Cost	Total Other Cost	Total Combined Cost
	(Ramp, Sidewalk, Other - specify)	(If available)	(if applicable)	(general location)	(Who did the project?)	(if known)	(if known)	(i.e. push buttons)	(For ADA elements Only)
Canyon Crest Estates CIII-2	Sidewalk, ADA Ped Ramps	5	747 LF	18th Street at Pathway Drive	Private	\$10,350	\$33,615	\$0	\$43,965
Canyon Crest Estates CIII-3	Sidewalk, Ramps	12	2,000 LF	18th Street at Golden Hills Drive	Private	\$24,840	\$90,000	\$0	\$114,840
Skyview Estates	Sidewalk, Ramps	4	3,615 LF	2200 Block Of Powers Drive to Skyview Drive	Private	\$8,280	\$162,765	\$0	\$171,045
Blackhawk Subdivision	Sidewalk, Ramps	3	640 LF	800 Block of Preston Ave	Private	\$6,210	\$28,800	\$0	\$35,010
M & D RV Park	Sidewalk, Ramps	0	253 LF	400 Block of 24th Street N	Private	\$0	\$11,385	\$0	\$11,385
Fenton Park Repairs/13th Street Washout	Sidewalk, Ramps	1	306 LF	600 Block of 13th Street	Private	\$2,070	\$13,770	\$0	\$15,840
Zany's Frontage	Sidewalk, Ramps	2	130 LF	2000 Block of 19th Ave	Private/Public	\$4,140	\$5,850	\$0	\$9,990
TR063 21st Street/19th Ave Sidewalk Infill	Sidewalk, Ramps	0	30 LF	2122 Nez Perce Grade	Public	\$0	\$9,000	\$0	\$9,000
Hangar Subdivision	Sidewalk	7	3,600 LF	3200 Block of 4th Street	Private	\$14,490	\$162,000	\$0	\$176,490
Valley Vista Subdivision (Knollcrest South End)	Sidewalk, Ramps	0	253 LF	410 Knollcrest Drive	Private	\$0	\$11,385	\$0	\$11,385
P1FCU (12th Street)	Sidewalk, Ramps	2	1,032 LF	449 Thain Road	Private	\$4,140	\$41,796	\$0	\$45,936
LCCU	Sidewalk, Ramps	1	327 LF	540 Bryden Ave	Private	\$2,070	\$14,715	\$0	\$16,785
Sacajawea Jr. High School (12th Street)	Sidewalk, Ramps	1	120 LF	3610 12th Street	Private/Public	\$2,070	\$5,400	\$0	\$7,470
Rogers Subaru	Sidewalk, Ramps	0	50 LF	1720 21st Street	Private	\$0	\$2,025	\$0	\$2,025
LCCU (17th Street parking lot)	Sidewalk, Ramps	1	60 LF	1632 17th Ave	Private	\$2,070	\$2,700	\$0	\$4,770
Les Schwab Tire Center	Sidewalk, Ramps	1	290 LF	1408 Main Street	Private	\$2,070	\$11,745	\$0	\$13,815
Boys and Girls Club (9th Ave)	Sidewalk, Ramps	7	755 LF	1200 Block of 9th Ave	Private	\$14,490	\$33,975	\$0	\$48,465
Mic Lorentz Frontage Improvements	Sidewalk, Ramps	0	90 LF	3310 15th Street	Private	\$0	\$4,050	\$0	\$4,050
TR065 19th Ave; 15th to 16th Sidewalk Infill	Sidewalk, Ramps	4	393 LF	1500 block of 19th Ave, South side	Public	\$15,920	\$124,034	\$0	\$139,954
TR045 10th Street & Burrell Ave Mini-Roundabout	Sidewalk, Ramps, RRFB	8	427 LF	Intersection of Burrell Ave and 10th Street	Public	\$34,330	\$48,840	\$24,364	\$107,534
		59 ramps	15,118 LF (2.86 miles)			\$147,540 Ramp Cost	\$817,850 Sidewalk Cost	\$24,364 Other Cost	\$989,754 Total Combined Cost

Priority Projects Status

The Plan identified a list of the City's Top 10 priority corridors for ADA-related investments which are incorporated into the City's Transportation Capital Improvement Plan (CIP). The CIP is a planning document that is updated annually to reflect projects completed the previous year, addition of new projects, and revisions to existing projects. The CIP identifies and prioritizes major transportation capital projects but because it is not a funding document, it does not reflect funding or budgeting for project execution and thus timelines are ultimately unknown. The 2024 CIP was adopted by the City Council on March 11, 2024.

Figure 7 shows the priority projects and how they rank among the 142 overall projects and 14 plans and/or studies included in the 2024 CIP.

Priority Zone Improvements

In addition to the priority corridors, the Plan identified priority zones that may be subject to future ramp-specific projects other than what is identified in the ten (10) priority projects.

The recommendations in the Plan are for the City to pursue a variety of strategies to bring these corridors into compliance with ADA. They are listed in order of priority as determined through factors such as DAC priority, exposure to traffic, proximity to health, social service, and grocery stores, proximity to Census tracts with a high disabled population, proximity to a bus route, and ease of implementation. These routes have a combination of compliant sidewalks, older non-compliant infrastructure, and missing sidewalk segments. **Figure 7** denotes any progress made on these corridors through public or private actions in the reporting year, where applicable.

Figure 7: Priority Projects & Zones – 2023

Routes, by Priority	Status
1. Main, 1st to 21st	Main Street, Interstate Bridge to Jefferson Street; D Street: 1st Street to Temple Lane ranked #1 in the 2024 CIP.
2. Thain/21st, 7th to Powers	21st Street, 7th Avenue to Nez Perce Grade ranked #4 in the 2025 CIP 21st Street, 7th Avenue to Nez Perce Grade - Phase I of the Fiberseal Project included improvements to stormwater manholes and pavement patching which was completed in Fall 2023. Phase II includes pedestrian ramp reconstruction, sidewalk infill, pavement milling, fiberseal, permanent marking, and permanent striping in 2024. - Thain Road, Stewart Avenue to Powers Avenue - The "Thain Road Corridor & Access Management Plan" began in 2023 through the Lewis Clark Valley Metropolitan Planning Organization (LCVMPO).
3. 9th St/8th, D to Bryden	8th Street, 5th Avenue to 11th Avenue ranked #6 in the 2024 CIP 9th Street, Idaho Street to 5th Avenue ranked #7 in the 2024 CIP
4. Idaho St, 9th St to 21st St.	Idaho Street, 9th Street to 21st Street ranked #44 in the 2024 CIP
5. Bryden, 4th to Thain	- Sections from 4th Street to 7th Street and 7th Street to Thain Road are ranked as #8 and #9, respectively, in the 2024 CIP - The Bryden Avenue Reconstruction Phase I (4th Street to 7th Street) project's PS&E, following a public meeting in January 2023, was progressed to 90%. Project design and right-of-way plans are on hold awaiting an approved environmental process and document.

Routes, by Priority	Status
6. 18th/17th/5th, Main to Bryden	• 17th Street and 13th Avenue: 11th Avenue to 13th Avenue to 14th Street ranked #21 in the 2024 CIP. • 17th Street, 13th Avenue to 15th Avenue sidewalk infill project design services contracted with Keller Associates, Inc. in 2023. • 18th/17th/5th Streets, Main Street to Bryden Avenue is ranked #22 in the 2024 CIP. • 17th Street and 23rd Avenue intersection is ranked #60 in the 2024 CIP.
7. D St, 1st St to 11th St	• Main Street and D Street, Interstate Bridge to Jefferson Street ranked #1 in the 2024 CIP.
8. Southway/16th Ave, Snake River Ave to 21st	• Southway/16th, Snake River Avenue to 8th Street, ranked #12 in the 2023 CIP. • Currently scheduled to receive funding for improvements from Southway/16th to 11th Street in 2025.
9. 11th Avenue, Snake River Ave to 21st	• 11th Avenue, Prospect Avenue to 8th Street ranked #65 in the 2024 CIP.
10. Warner, 10th/Thain to 14th	• Warner Avenue, 13th Street to 16th Street ranked #13 in the 2024 CIP.



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE RESOLUTION 2024-42	AGENDA NO. VI. C. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) In order to provide adequate fire protection facilities at the new Northwest Fourslide facility located at Wild Dove Way, a public water utility and access easement needed to be granted by LFOD, LLC (property owner) to the City of Lewiston. The easement was signed by LFOD, LLC and notarized on September 12, 2024. The next step is City Council approval of Resolution 2024-42 to accept this public water utility and access easement from LFOD, LLC.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) N/A	
ACTION PROPOSED Staff is requesting that City Council consider approval of Resolution 2024-42.	

(Above space for Recorder's use)

RESOLUTION 2024-42

A RESOLUTION ACCEPTING A PUBLIC WATER UTILITY AND ACCESS EASEMENT FROM LFOD, LLC TO THE CITY OF LEWISTON

WHEREAS, LFOD, LLC, an Idaho limited liability company, agrees to grant a permanent easement for public water utility and access purposes, including, but not limited to, vehicular and pedestrian access for the installation, maintenance, repair, access, and replacement of public water utilities.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: An easement from LFOD, LLC, an Idaho limited liability company, as Grantor, is hereby accepted by the City of Lewiston, as Grantee. A copy of said easement is attached hereto and incorporated herein as Exhibit 1.

SECTION 2: The City Clerk is hereby authorized and directed to record this Resolution 2024-42 and the original Public Water Utility and Access Easement with the Nez Perce County Recorder.

SECTION 3: This Resolution shall become effective upon its passage.

Signature page to follow

PASSED this _____ day of _____ 2024.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Tanya M. Brocke, City Clerk

STATE OF IDAHO)
) ss.
County of Nez Perce)

On this _____ day of _____ 2024, before me, a Notary Public, personally appeared Daniel G. Johnson and Tanya M. Brocke, known or identified to me as the Mayor and City Clerk, respectively, of the City of Lewiston, and stated that they have the authority to execute this instrument on behalf of the City of Lewiston, and did execute this instrument on behalf of the City of Lewiston.

Notary Public for the State of Idaho
Commission Expires _____

EXHIBIT 1
to
Resolution 2024-42

(Above space for Recorder's use)

PUBLIC WATER UTILITY AND ACCESS EASEMENT

THIS EASEMENT is granted by LFOD, LLC, an Idaho limited liability company, whose address is 2307 Grelle Ave, Lewiston, ID 83501 (Grantor), to the City of Lewiston, an Idaho municipal corporation, whose address is 1134 F St, Lewiston, ID 83501 (Grantee).

WITNESSETH:

That for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee, its successors and assigns forever, a permanent easement for public water utility and access purposes, including, but not limited to, vehicular and pedestrian access for the installation, maintenance, repair, access, and replacement of public water utilities and access over, through, along, and under the real property described in Exhibit A, attached hereto and incorporated herein. An illustration of said public water utility and access easement areas is attached hereto and incorporated herein as Exhibit B.

Said public water utility and access easement shall be exclusive to Grantee as to the easement area below ground level. Said public water utility and access easement shall not be exclusive to Grantee as to the easement area above ground level; provided, however, Grantor shall not interfere or allow interference with Grantee's rights pursuant to this easement.

To have and to hold said easement for public water utility and access purposes forever.

Signature page to follow

IN WITNESS WHEREOF, Grantor has executed the foregoing instrument on the day and year written below.

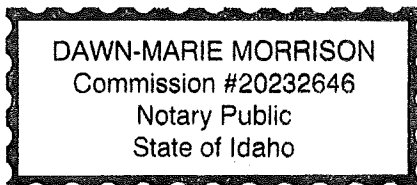
DATED this 12 day of September 2024.

LFOD, LLC


Janice Mellinger, Board Chair

STATE OF IDAHO)
County of Nez Perce) ss.

On this 12th day of September 2024, before me, a Notary Public, personally appeared Janice Mellinger, known or identified to me as the Board Chair of LFOD, LLC, and stated she has the authority to execute this instrument on behalf of LFOD, LLC, and did execute this instrument on behalf of LFOD LLC.




Notary Public for IDAHO
Commission Expires 06-16-2029

EXHIBIT A
LEGAL DESCRIPTION OF EASEMENT AREAS

Easement Area #1

Commencing at the 5/8" rebar marking the ¼ corner of said Section 25,
Thence S00°56'01"W along the Township line of said Section 25, a distance of 597.93 feet to a 5/8" rebar with a plastic cap marking the intersection of the said township line and the North Right-of-Way line of Idaho State Highway 128;
Thence leaving said Township Line, and following said South Right-of-Way line, South 77°02'43" West a distance of 102.76 feet to a point;
Thence S78°54'15"W a distance of 115.74 feet to a point;
Thence leaving said South Right-of-Way line of Idaho State Highway 128 S00°54'56"W a distance of 1,171.72 feet to a point;
Thence S89°01'40"E a distance of 348.25 feet to a point;
Thence S00°57'15"W a distance of 40.00 feet to a point;
Thence N89°01'40"W a distance of 348.39 feet to a point;
Thence N89°02'00"W a distance of 134.84 feet to a point;
Thence S00°58'00"W a distance of 129.63 feet to the point of beginning.
Ten feet on each side of the following:

- Thence N80°18'48"W a distance of 73.02 feet to a point;
- Thence N54°22'55"W a distance of 147.83 feet to a point;
- Thence N89°15'37"W a distance of 46.85 feet to a point;
- Thence S00°44'23"W a distance of 21.40 feet to a point, said point being the terminus of this description.

Easement Area #2

Commencing at the 5/8" rebar marking the ¼ corner of said Section 25,
Thence S00°56'01"W along the Township line of said Section 25, a distance of 597.93 feet to a 5/8" rebar with a plastic cap marking the intersection of the said township line and the North Right-of-Way line of Idaho State Highway 128;
Thence leaving said Township Line, and following said South Right-of-Way line, South 77°02'43" West a distance of 102.76 feet to a point;
Thence S78°54'15"W a distance of 115.74 feet to a point;
Thence leaving said South Right-of-Way line of Idaho State Highway 128 S00°54'56"W a distance of 1,171.72 feet to a point;
Thence S89°01'40"E a distance of 348.25 feet to a point;
Thence S00°57'15"W a distance of 40.00 feet to a point;
Thence N89°01'40"W a distance of 348.39 feet to a point;
Thence N89°02'00"W a distance of 134.84 feet to a point;
Thence S00°58'00"W a distance of 313.03 feet to the point of beginning.
Ten feet on each side of the following:

- Thence N78°45'00"W a distance of 140.18 feet to an angle point;
- Thence S37°51'53"W a distance of 18.15 feet to an angle point;
- Thence N51°59'06"W a distance of 21.31 feet to an angle point;

- Thence S51°59'06"E a distance of 21.31 feet to an angle point;
- Thence S37°51'53"W a distance of 25.71 feet to an angle point;
- Thence S90°00'00"W a distance of 201.18 feet to an angle point;
- Thence N75°16'52"W a distance of 92.13 feet to an angle point;
- Thence N45°01'31"W a distance of 87.24 feet to an angle point;
- Thence N29°54'26"W a distance of 61.37 feet to an angle point;
- Thence S60°05'34"W a distance of 39.19 feet to a point, said point being the terminus of this description.

WATERLINE EASEMENT EXHIBIT
888 WILD DOVE WAY
SITUATE IN PORTIONS OF
THE SOUTHEAST QUARTER OF
SECTION 25, TOWNSHIP 36 NORTH, RANGE 6 WEST, BOISE
NEZ. PERCE COUNTY, IDAHO.





CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE RESOLUTION 2024-43	AGENDA NO. VI. E. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) The Thain Road Corridor is a critical north-south thoroughway connecting the Lewiston Orchards neighborhoods to the core business areas, downtown, and the surrounding highway network. Between Stewart Avenue and Powers Avenue, Thain Road is a four-lane minor arterial and carries approximately 19,000 vehicles daily. The corridor provides direct access to businesses on Thain Road offering grocery, fuel, retail, financial, and dining services. The corridor also serves as a pass-through corridor for regional travelers connecting downtown Lewiston, Lewiston Orchards neighborhood, and the broader Nez Perce County. The residential area adjacent to Thain Road to the west is also defined as a transportation disadvantaged population based on data from the Environmental Protection Agency (EPA) Disadvantaged Communities index. The corridor serves a wide range of competing needs and documented existing challenges related to traffic operations, safety, access density, and mobility which will only increase as the area continues to grow. The Lewis Clark Valley Metropolitan Planning Organization (LCVMPO) took the lead in conducting the Thain Road Corridor and Access Study (Study). The study area includes Thain Road between Stewart Avenue and Powers Avenue, shown in Figure 1. The purpose of the Study was to identify a long-term vision for the corridor to improve safety, mobility, and connectivity for all users, including people that walk, bike, drive, roll, or use transit. The outcome of the Study is a list of 13 feasible, low-cost recommended projects that can be implemented over time. The recommended projects were developed through data-driven analysis and three phases of public engagement. Transportation disadvantaged populations were also considered in alternatives development and evaluation to ensure that recommended projects enhance connectivity and mobility for populations that have historically been underserved by the transportation system. This report summarizes key findings that informed the development of the preferred alternatives and included descriptions of each preferred alternative, including planning-level concepts and cost estimates.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the	

City budget and/or personnel resources)

Adoption of this document does not bind Council to any future projects, it merely accepts the findings of the study.

ACTION PROPOSED

Staff recommends approval of Resolution 2024-43 and adoption of the Thain Road Corridor Study.

RESOLUTION 2024-43

A RESOLUTION APPROVING THE “THAIN ROAD CORRIDOR AND ACCESS STUDY” DRAFTED BY KITTELSON & ASSOCIATES, INC., AND DATED JULY 2024

WHEREAS, the Thain Road Corridor is a vital north-south thoroughfare that connects the Lewiston Orchards neighborhoods to the core business areas, downtown Lewiston, and the surrounding highway network;

WHEREAS, the section of Thain Road between Stewart Avenue and Powers Avenue functions as a four-lane minor arterial, accommodating approximately 19,000 vehicles daily, and providing direct access to essential services such as grocery, fuel, retail, financial, and dining establishments;

WHEREAS, the corridor serves as a critical pass-through for regional travelers, linking downtown Lewiston, the Lewiston Orchards neighborhood, and the broader Nez Perce County;

WHEREAS, the residential area adjacent to Thain Road to the west is identified as a transportation disadvantaged population according to the Environmental Protection Agency (EPA) Disadvantaged Communities index;

WHEREAS, the corridor currently faces numerous challenges related to traffic operations, safety, access density, and mobility, which are anticipated to escalate with continued regional growth;

WHEREAS, the Lewis Clark Valley Metropolitan Planning Organization and the City of Lewiston have jointly undertaken the Thain Road Corridor and Access Study (the "Study") to establish a long-term vision aimed at enhancing safety, mobility, and connectivity for all users, including pedestrians, cyclists, motorists, and transit users;

WHEREAS, the Study area encompasses Thain Road between Stewart Avenue and Powers Avenue culminating in a list of 13 feasible, low-cost recommended projects, developed through rigorous data-driven analysis and three phases of public engagement, to be implemented progressively;

WHEREAS, the development and evaluation of alternatives within the Study have duly considered transportation disadvantaged populations to ensure that the recommended projects improve connectivity and mobility for historically underserved communities;

WHEREAS, the Study report encapsulates key findings that have informed the development of preferred alternatives, including planning-level concepts and cost estimates;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: The foregoing recitals are hereby incorporated into and made part of this resolution, including all defined terms therein.

SECTION 2: The “Thain Road Corridor and Access Study” drafted by Kittelson & Associates, Inc. and dated July 2024 is hereby approved, a copy of which is attached hereto and incorporated herein as Exhibit A.

SECTION 3: This resolution shall become effective upon its passage.

PASSED this _____ day of _____ 2024.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Tanya M. Brocke, City Clerk

EXHIBIT A
to
Resolution 2024-43



Thain Road

CORRIDOR AND ACCESS STUDY

July 2024

Thain Road Corridor and Access Study

LEWISTON, ID

Prepared for:
**Lewis Clark Valley Metropolitan
Planning Organization (LCVMPO)**
215 D Street
Lewiston, ID 83501

Prepared by:
Kittelson & Associates, Inc.
202 East Spokane Falls Boulevard, Suite 303
Spokane, WA 99202
800.878.5230

Project Analysts:
Katie Popp, EI
Allison Winter
Transportation Analysts

Project Manager:
Lauren Nuxoll, PE, PTOE
Senior Engineer

Project Principal:
Wende Wilber, PTP
Senior Principal Planner

Kittelson Project Number: 29010

July 2024



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TECHNICAL APPENDICES

Appendix A	Existing and Future Conditions Memorandum
Appendix B	Tier I Analysis Memorandum
Appendix C	Tier 2 Alternatives Flow Chart and PowerPoint
Appendix D	Public Engagement Summaries
Appendix E	Intersection Fact Sheets
Appendix F	Planning Level Cost Estimates

1. PROJECT OVERVIEW

The Thain Road Corridor is a critical north-south throughway connecting the Lewiston Orchards neighborhoods to the core business areas, downtown, and the surrounding highway network. Between Stewart Avenue and Powers Avenue, Thain Road is a four-lane minor arterial and carries approximately 19,000 vehicles daily. The corridor provides direct access to businesses on Thain Road offering grocery, fuel, retail, financial, and dining services. The corridor also serves as a pass-through corridor for regional travelers connecting downtown Lewiston, Lewiston Orchards neighborhood, and the broader Nez Perce County. The residential area adjacent to Thain Road to the west is also defined as a transportation disadvantaged population based on data from the Environmental Protection Agency (EPA) Disadvantaged Communities index. The corridor serves a wide range of competing needs and documented existing challenges related to traffic operations, safety, access density, and mobility which will only increase as the area continues to grow.

The Lewis Clark Valley Metropolitan Planning Organization (LCVMPO) and City of Lewiston (City) partnered to conduct the Thain Road Corridor and Access Study (Study). The study area includes Thain Road between Stewart Avenue and Powers Avenue, shown in Figure 1.

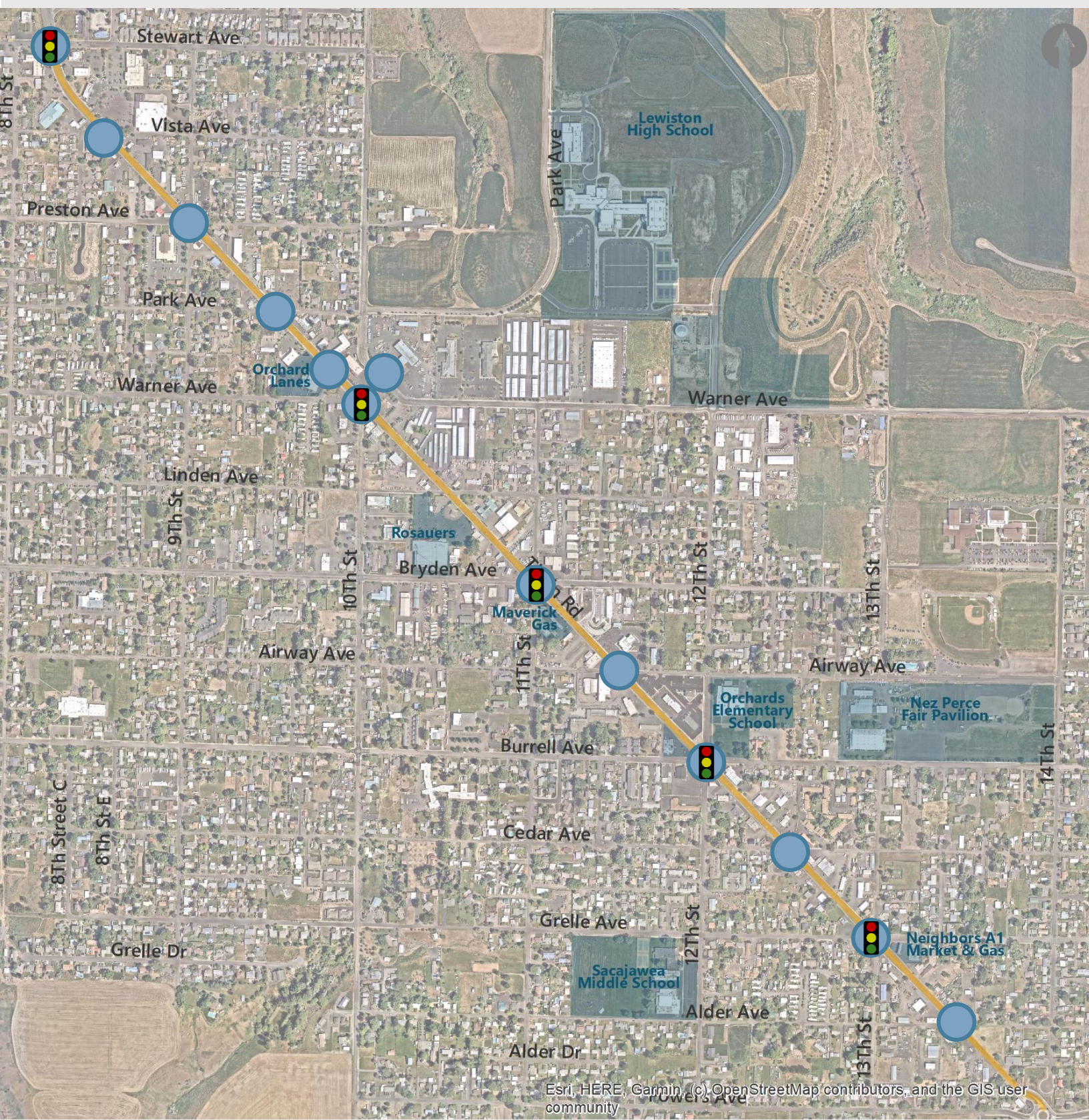
The purpose of the Study was to identify a long-term vision for the corridor to improve safety, mobility, and connectivity for all users, including people that walk, bike, drive, roll, or use transit. The outcome of the Study is a list of 13 feasible, low-cost recommended projects that can be implemented over time.

The recommended projects were developed through data-driven analysis and three phases of public engagement. Transportation disadvantaged populations were also considered in alternatives development and evaluation to ensure that recommended projects enhance connectivity and mobility for populations that have historically been underserved by the transportation system.

This report summarizes key findings that informed the development of the preferred alternatives and included descriptions of each preferred alternative, including planning-level concepts and cost estimates.

For further in-depth information and analysis see the Technical Memorandums included as Appendices.

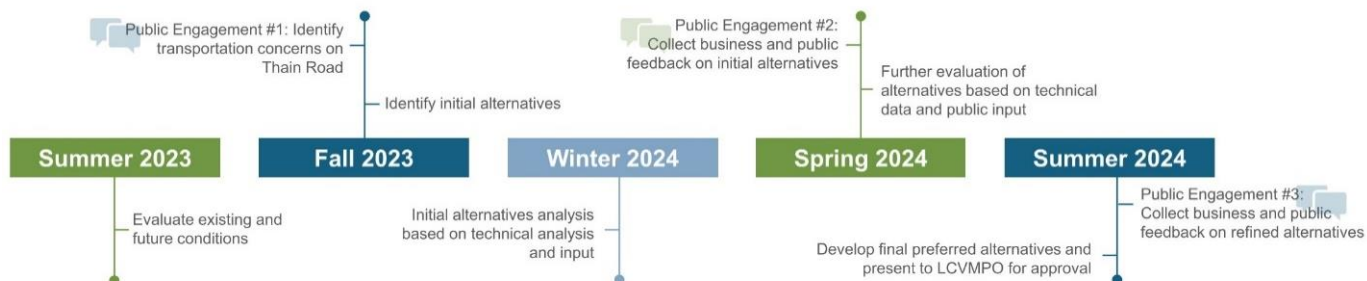
Thain Road Corridor Study Area



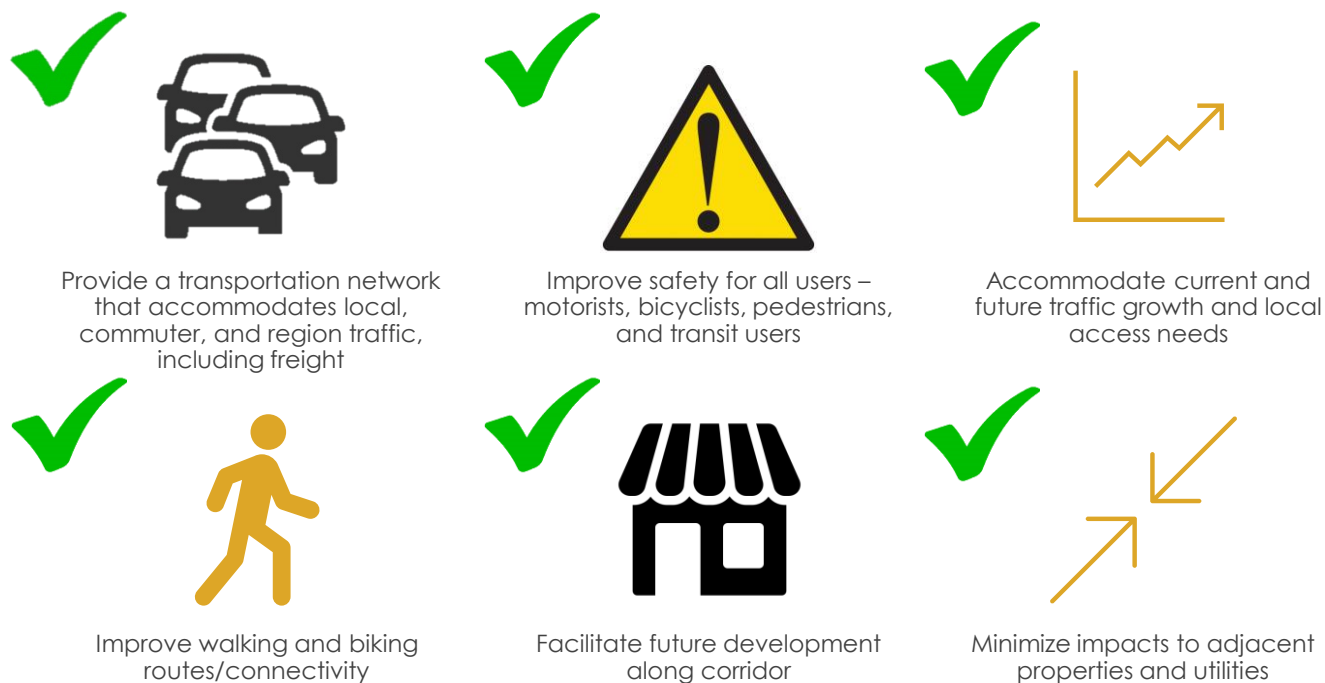
-  Study Intersection
-  Existing traffic signal

STUDY TIMELINE

Figure 2. Study Timeline



PROJECT GOALS



2. AGENCY AND PUBLIC INVOLVEMENT OVERVIEW

Coordination and engagement with the MPO, City, stakeholders, business and property owners, and the general public informed the development of alternatives. Over 500 people that made up a diverse sub-set of the Lewiston community (youth, elderly, people who do not own or drive a vehicle, people with a disability) provided direct input that informed the development of project recommendations. Additionally, Project Steering Committee consisting of a group of staff from the MPO, City, and Lewiston Transit provided technical guidance and decision-making input at key milestones.

GENERAL PUBLIC

Public Engagement #1 September 2023	Public Engagement #2 March 2024	Public Engagement #3 May 2024
• Activities: Nez Perce County Fair, Business/ Property Owner Corridor Walk, Pop-ups at Grocery Outlet and Rosauer's, Virtual Open House • Purpose: Inform the public about the project and collect input on how Thain Road operates today in terms of safety, congestion, and mobility. • 325 people visited the Fair Booth • 70 people visited the online open house • 40 people visited the pop-up events • 31 property owners were contacted	• Activities: CatFM Home & Garden Show, Business/ Property Owner Corridor Walk, Virtual Open House. • Purpose: Collect general public and business/ property owner input on initial project alternatives. • 115 people visited the H&G Show Booth • 225 people visited the online open house • 90 property owners were contacted	• Activities: Rosauer's Pop-Up, Virtual Open House. • Purpose: Collect general public and business/ property owner input on refined project alternatives. • 52 people visited the Pop-Up Open House

More details on Public Engagement efforts are provided in the *Public Engagement Summaries (Appendix D)*.

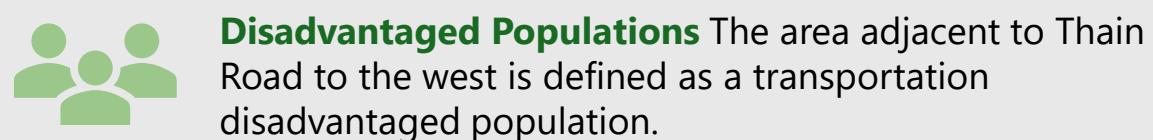
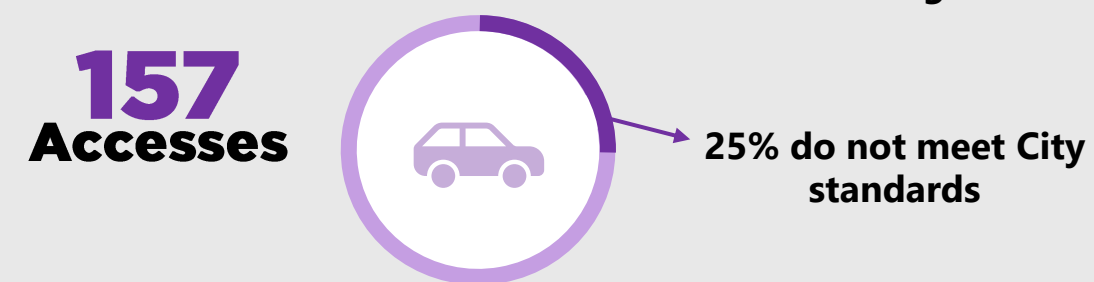
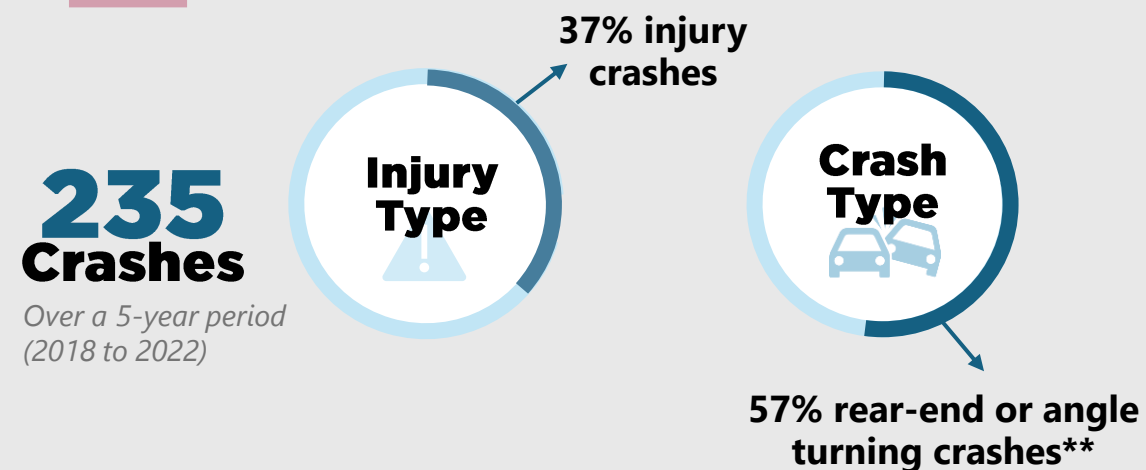
3. NEEDS AND DEFICIENCIES

Existing and future needs and deficiencies were analyzed based on data and community outreach efforts. Figure 3 shows the needs and deficiencies in the study area.

Thain Road Corridor

Needs & Deficiencies Summary

Thain Road is essential for businesses attracting customers, school children and parents commuting daily, and regional travelers accessing state highways. The corridor serves a wide range of competing needs and has a list of challenges related to traffic operations, safety, access density, and mobility.



**Represents the highest ADT on the Study corridor (between Stewart Avenue and 10th Street). Based on 2019 data. **The remaining 43% mostly include head-on turning (12%), side swipe (11%), and angle (11%) crashes. There were 3 pedestrian crashes (1%) and 1 bicycle crash (<1%).*



The main takeaway from the public engagement activities was the widespread agreement that something needs to be done to improve traffic and safety on Thain Road. People recognized the challenges of balancing local business access with operational performance within the corridor's limited right-of-way. Public feedback from community members and business/ property owners can be categorized in four major themes – Traffic, Safety, Geometry, and Access.

Traffic



- Increasing traffic congestion, especially at Thain Road/10th Street and 10th Street/Warner Avenue intersections
- Drivers are cutting through neighborhoods and driving too fast to avoid congestion
- People were split between supporting roundabouts and not wanting to see any more roundabouts
- Growth is continuing in the Lewiston Orchards area and traffic will continue to increase

Safety



- Increasing number of vehicle crashes
- Walking and biking are difficult, especially near schools
- Drivers are avoiding Thain Road and using residential streets, often speeding through neighborhoods.

Geometry/Condition



- Intersection patterns are confusing. Travel lanes don't always line up and there are more than 4 roads coming into one intersection, and some roads are one-way only
- The roadway and sidewalks are in poor condition

Access



- Difficulty making left turns from accesses and driveways along Thain Road and at intersections without signals or permissive left turns
- Corridor needs to serve both local business traffic and commuter traffic passing through to other destinations
- Ability to attract new business along the corridor

4. ALTERNATIVES DEVELOPMENT

A tiered approach was used to develop, evaluate, and screen alternatives.

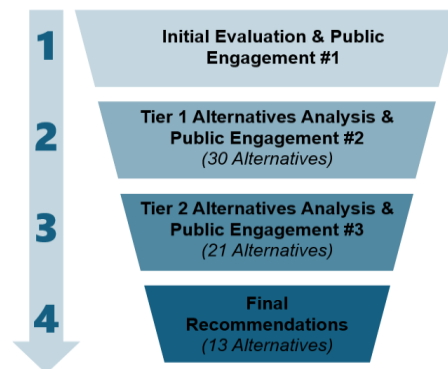


Figure 4. Alternatives Development

Each intersection and corridor-wide alternative was assessed based on the following evaluation metrics:



TIER 1 ANALYSIS

The Tier 1 analysis identified and evaluated 29 possible intersection and roadway improvements on Thain Road. The improvements included new intersection control (roundabouts and traffic signals), road closures, traffic pattern changes, access management, pedestrian improvements, and a corridor-wide center median. More details on the Tier 1 analysis alternatives and evaluation results can be found in the *Tier 1 Analysis Memorandum* (Appendix B).

Infrastructure improvements such as road closures and traffic pattern changes were identified as low-cost options to reduce conflict points. Larger intersection improvements such as roundabouts and roadway widening were also considered to meet the City's operational targets in 2045. The range of improvement types considered for each intersection are summarized in Table 1.

Table 1. Summary of Improvements Considered in Tier 1

Intersection	Signal Modification	Access Management	Roadway Closure	New Traffic Signal	New Roundabout	Traffic Pattern Changes	Approach Widening	Enhanced Crossings
Stewart Ave	✓							
Vista Ave		✓	✓					
Preston Ave			✓	✓	✓			
Park Ave		✓	✓			✓		
Warner Ave		✓	✓					
10 th Street	✓	✓	✓		✓	✓		
Linden Ave		✓	✓			✓		
Bryden Ave	✓		✓		✓		✓	
Burrell Ave	✓		✓				✓	✓

Twelve alternatives were eliminated from further assessment based on the results of the evaluation. Significant right-of-way needs/ property impacts, not meeting City operational standards in 2045, increased out-of-direction travel through neighborhoods, increased conflict points, or reduced mobility were the primary reasons that alternatives were removed. High costs were also considered but weren't the deciding factor of whether an alternative was eliminated or not if it had safety and mobility improvements.

The remaining **17** alternatives were presented to the public for feedback and moved forward to a more in-depth Tier 2 analysis.

Feedback from the Public Engagement #2 activities is summarized below.

Thain Rd / 10th St / Warner Ave

- People recognized the complexity of this connection and expressed concerns about any projects that may increase out-of-direction travel and impact connectivity to Lewiston High School.



Reducing Left-Turning Conflicts

- Support for reducing left-turning conflicts to and from Thain Road and simplifying multi-leg intersections, where they are feasible and wouldn't impact businesses by requiring significant out-of-direction travel.



Thain Rd Geometry

- Recognition that widening Thain Road to a 5-lane section isn't feasible because there isn't enough room to widen the roadway without significant property impacts throughout the corridor

Maintaining Business Accesses

- Maintaining business access and reducing out-of-network travel is a high priority for many people.

Additional Alternatives Considered

The following alternatives were considered in the Tier I phase but were eliminated due to the reasons described below.

Roundabouts

In previous phases, roundabouts were identified to improve safety and traffic flow. After further evaluation of the roundabouts and reviewing draft conceptual layouts, it was determined that traffic signals are preferred on Thain Road. While they both meet 2045 traffic operation needs, traffic signals have significantly less impact to private property and existing businesses access and are more cost effective.

Three-Lane Cross-Section

The 2022 *Thain Road and Lewiston Orchards Transportation Study* recommended a 3-lane cross-section with a two-way-left-turn-lane (TWLTL) alternative for Thain Road between Vista Avenue and Burrell Avenue. This alternative was not carried forward for the following reasons:

- The high number of driveways and cross streets equate to a high number of left- and right-turning movements for vehicles. While adding a TWLTL could improve safety of left turning vehicles moving in and out of businesses, overall delay would likely increase because of right-turning vehicles slowing down to turn into business driveways.
- 2045 traffic operations show several intersections with queue lengths for turning movements exceeding 300 feet. These long queue lengths may limit the usability of the TWLTL for vehicles moving in and out of business driveways, increasing congestion.

TIER 2 ANALYSIS

The Tier 2 analysis built upon the analysis results of Tier 1 and analyzed new alternatives based on the outcomes from public engagement and steering committee discussions. A more in-depth assessment of each alternative was conducted to understand the impacts to mobility caused by eliminating access points, network-level traffic operations, transit infrastructure opportunities, constructability, right-of-way requirements/ property impacts, likelihood of business and public support. Twenty-one alternatives were assessed for the 13 study intersections on the corridor.

The range of improvement types considered for each intersection are summarized in Table 2.

Table 2. Summary of Improvements Considered in Tier 2

Intersection	Signal Modification	Access Management	Roadway Closure	New Traffic Signal	New Roundabout	Traffic Pattern Changes	Approach Widening	Enhanced Crossings
Stewart Ave	✓							
Vista Ave		✓	✓					
Preston Ave			✓	✓				
Park Ave		✓	✓			✓		
Warner Ave		✓	✓					
10 th Street	✓	✓	✓		✓	✓		
Linden Ave		✓	✓			✓		
Bryden Ave	✓		✓				✓	
Burrell Ave	✓							
Cedar Ave								✓
Grelle Ave						✓		
Alder Ave		✓					✓	

Discussions with the Steering Committee about these options resulted in **13** draft recommended projects, one for each intersection, which were presented to the public in May 2024.

Thain Rd / 10th St / Warner Ave



- Concern about the restriction of left-turns at the 10th Street / Warner Ave intersection and the ability to go down Gun Club Road or head to the High School from the Orchards.
 - Would like to see a roundabout at 10th Street / Warner Ave
- Free northbound right-turn along Thain onto 10th Street and Warner Ave.

Pedestrian Crossing



- Support for increased pedestrian crossing along Thain Road.

Thain Rd Geometry



- Concern about truck right-turning movements onto side streets with the closure of several side streets.

Maintaining Business Accesses

- Maintaining business access and reducing out-of-network travel is a high priority for many people.

5. RECOMMENDED PROJECTS

The Recommended Projects provide feasible near-term improvements to safety and mobility that the City can implement as funding becomes available. They are based on results of the Tier 2 analysis, ongoing conversations with the Steering Committee, and public feedback. Overall, the projects feature intersection control improvements, closed access and side streets, enhanced crossings, roadway realignment and traffic signal upgrades.

Recommended projects are detailed in a series of 12 “Fact Sheets” for each project location. The fact sheets provide a conceptual layout and planning-level cost estimate as well as a description of key considerations, and a summary of mobility, safety, and connectivity impacts.

Thain Road Corridor

Improvements Summary

The recommended improvements for Thain Road address safety, mobility, and connectivity challenges throughout the corridor and surrounding network.

-  All analyzed intersections are **projected to meet City operating standards (LOS D or better)** in 2045.
-  Total **crash conflicts are reduced** at 6 intersections. *Vista Avenue, Preston Avenue, Park Avenue, Warner Avenue, Linden Avenue, and 10th Street*
-  Enhanced crossings **improve pedestrian comfort and safety** within the direct vicinity of schools.

Icon	Improvement	Location
	New Traffic Signal	 Preston Avenue
	Signal Timing Updates/ Leading Pedestrian Intervals	 Stewart Avenue, Bryden Avenue, and Burrell Avenue
	Center Median and/ or Access Restriction	 Warner Avenue/ Thain Road intersection, 10 th Street/ Warner Avenue intersection, segment from Vista Avenue to Park Avenue, segment from Linden Avenue to Grelle Avenue
	Side Street Closures	 Vista Avenue, Preston Avenue, Park Avenue, Linden Avenue, and 11th Street at Bryden Avenue.
	New Transit Pullouts	 Vista Avenue, Linden Avenue
	New Pedestrian Hybrid Beacons (PHBs)	 Linden Avenue, Cedar Avenue, and Alder Avenue
	Realign/ Widen Intersection	 Preston Avenue, Bryden Avenue, and Alder Avenue



 **Corridor-Wide Recommendations**

 Access Management

 Traffic Signal Optimization

 Center Medians

CORRIDOR-WIDE RECOMMENDATIONS

In addition to the Recommended Projects, systemic improvement along Thain Road should be considered to improve safety and operations.



Access Management

The City should consider updating the current driveway standards and encourage development that utilizes shared accesses to minimize, manage, and reduce the number of conflict points that exist along Thain Corridor and other commercial corridors within City limits. For driveway location and operational planning, the following should be addressed in the standards:

- Land Use type – residential, commercial, or industrial
- Number of driveways permitted per parcel based on frontage distance and street classification.
- Intersection adjacency – driveways should be located as far from the intersection as possible.
- Spacing from property lines
- Minimum and maximum widths
- Change of use or redevelopment of parcel and standards for bringing driveways into compliance.
- Driveway design details (i.e., curbs, grades, sight distance)

Table 3 provides a summary of select driveway standards from comparable communities including: Missoula, MT; Helena, MT; Walla Walla, WA; Pasco, WA; Kennewick, WA; Ontario, OR. The standards listed are primarily for arterials and commercial land uses. As mentioned above, many communities provide different standards based on the roadway functional type and land use category.

Table 3: Example Driveway Standards for Non-Residential Uses on Collector/Arterial Roadways

	Ranges of standards used
Number of driveways permitted per property	1 per 60' of frontage Limit of 2 per property Based on daily trip generation
Spacing	50' for collectors to 300' for arterials 5' from property lines
Driveway Widths (two-way)	30' to 40' 30% of lot frontage
Setback from intersection	50' to 150'



Traffic Signal Upgrades/ Leading Pedestrian Intervals

In addition to the 13 intersection-specific improvements, corridor-wide traffic signal upgrades and Leading Pedestrian Intervals (LPIs) are recommended as a system-wide improvement for traffic operations and mobility. LPIs give pedestrians the opportunity to enter the crosswalk at the intersection 3-7 seconds before vehicles are given a green indication, which increases visibility of pedestrians in a crossing, reduces conflicts between pedestrians and vehicles, and increases likelihood of motorists

yielding to pedestrians.¹ LPIs are included in the Federal Highway Administration (FHWA) list of Proven Safety Countermeasure. Guidance for LPI timing and pedestrian accessibility is provided in the Manual on Uniform Traffic Control Devices (MUTCD). Costs for implementing LPIs can be very low when only signal timing updates are required.



Center Median

Center medians improve safety and traffic flow efficiency by managing turning movements and reducing conflicts. In addition to a center median at Warner Avenue, a center median may be considered at other segments where there are high concentrations of driveways and other business accesses. These may include:

- Thain Road between Vista Avenue and Park Avenue. This location would be compatible with a new traffic signal at Preston Avenue that helps facilitate intersection controlled turning movements.
- Thain Road between Linden Avenue and Bryden Avenue. This location would be compatible with the recommended intersection capacity improvements at Bryden Avenue that helps facilitate intersection controlled turning movements.
- Thain Road between Bryden Avenue and Grelle Avenue. This location would be compatible with the traffic signal upgrades at Burrell Avenue that will increase efficiency of signal phasing.

Further evaluation is needed to understand the volume of turning traffic entering and exiting business accesses along this segment. Planning-level cost estimates for center medians at the three locations identified above are provided in Appendix F.

LONG-TERM CONSIDERATIONS

The following recommendations are potential long-term projects that can be considered in the future as the area around the Thain Road corridor develops.

Preston Avenue and Park Avenue

Planned development east of Thain Road will contribute additional traffic volumes to Thain Road, adding stress to already congested intersections like 10th Street/ Thain Road/ Warner Avenue. As traffic volumes increase, the City may consider improving Park Avenue east of Thain Road to accommodate two-way traffic and implementing an intersection improvement such as a single-lane roundabout at Park Avenue/ 10th Street and/ or at Preston Avenue/ 10th Street to provide additional east-west connectivity between Thain Road and major activity centers.

Planned Network Extensions

There are several future connections identified in the 2020 Lewiston Transportation Plan that could provide additional network connectivity for the Lewiston Orchards. These include the extension of 18th Street and Nez Perce Drive to Lindsay Creek Road and the extension of Cecil Andrus Way to the planned Nez Perce Drive extension.

¹ [Federal Highway Administration Leading Pedestrian Intervals Fact Sheet](#)

6. IMPLEMENTATION

With adoption of the Thain Road Corridor & Access Study, the LCVMPD and City can incorporate the Study in upcoming updates to long-range planning documents, including the Lewiston Transportation plan and LCVMPD Long Range Transportation Plan (LRTP), to ensure the projects are part of capital improvement planning and prioritization and are eligible for local, state, and federal funding sources. City access standards are recommended to be updated based on the recommendations provided in this Study.

Figure 6 shows the general next steps for moving the project recommendations from concept to construction.

Figure 6. From Study to Construction Phase



PROJECT PRIORITIZATION

The 11 identified projects were organized into two groups based on time/expense and operational/safety need. A summary matrix of the 11 projects is shown in Table 4.

Figure 7. Time/Expense Project Prioritization

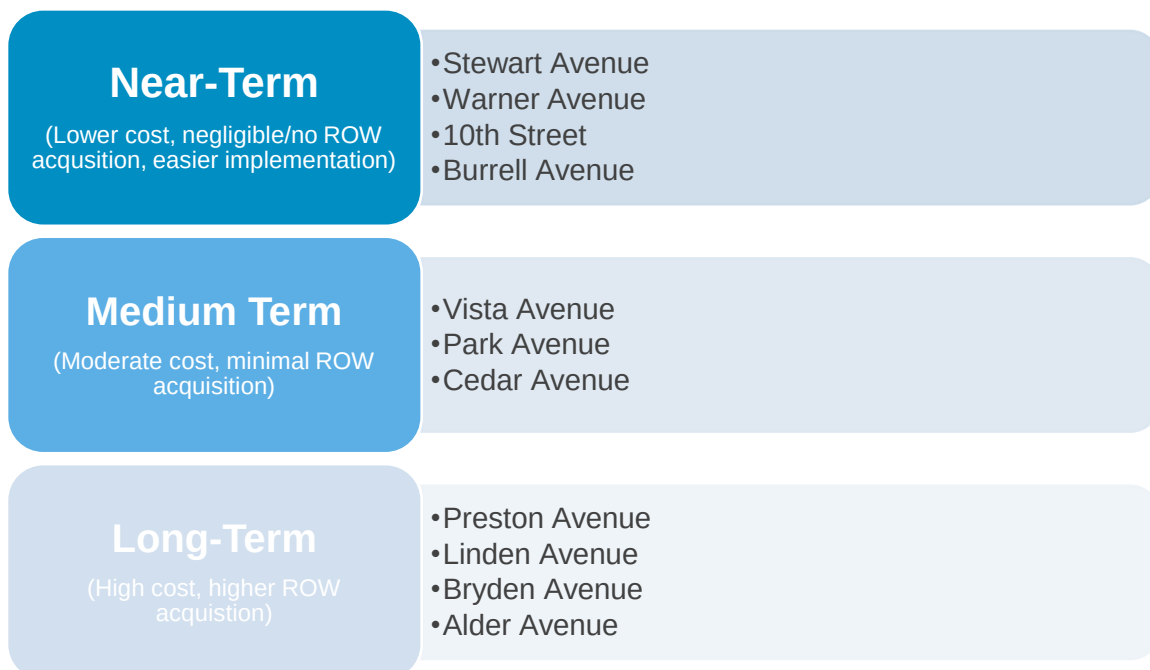


Figure 8. Operational/Safety Need Project Prioritization



*It is recommended that the improvements at Preston Avenue are constructed before or in a similar time period as the improvements at 10th Street.

Table 4. Prioritization Matrix

		Time/ Expense		
		Near-Term	Medium-Term	Long-Term
Operational/ Safety Need	High Need	10 th St	Vista Ave	Bryden Ave Alder Ave
	Medium Need	Warner Ave Burrell Ave	-	Preston Ave
	Low Need	Stewart Ave	Park Ave Cedar Ave	Linden Ave



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE RFQ-24-023 WWTP MASTER PLAN UPDATE (WW064) CONTRACT AWARD	AGENDA NO. VI. F. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) The City's Wastewater System consists of the Lewiston Wastewater Collection System (WWCS) and the Lewiston Wastewater Treatment Plant (WWTP). The WWCS encompasses about 107 miles of wastewater pipes on both sides of the Clearwater River. This system collects and conveys wastewater from City customers as well as Lewiston Orchards Sewer District (LOSD), Central Orchards Sewer District (COSD), and the Nez Perce Tribe (NPT). The WWTP is located on the north side of the Clearwater River just upstream from its confluence with the Snake River. The City of Lewiston owns and operates the WWTP which treats all domestic, commercial, and industrial wastewater received by the various districts. The WWTP had an average daily flow of 3.5 million gallons in 2023. Proportions of flow from the various districts are roughly 66% City of Lewiston (includes NPT flow), 12% COSD, and 22% LOSD. Updated facility master plans are a requirement of the Idaho Dept. of Environmental Quality for cities like Lewiston. The most recent planning document for the Wastewater System was a 2018 Master Plan Update to reflect current conditions and completed improvements for that time. The project will update the current Wastewater Master Plan using a 20-year planning period. The objective of the project is to assess the WWTP and collection system condition, performance and operations to ensure public and staff safety, and continued compliant operations. The project will identify prioritized improvements based on condition assessment, age of infrastructure, and performance findings. The project shall emphasize improvements in the system to promote efficiency, sustainability, and allow for growth. A Capital Improvement Plan (CIP), with recommended improvements, including a detailed capital funding plan to guide future planning activities by stakeholders, shall be included in the plan. Current condition assessments of system assets shall be performed along with analysis of the systems under current and projected conditions. City demand, GIS, maintenance, and treatment data will be made available for use in this project. Purchasing Division received two SOQ's on August 1, 2024. Purchasing distributed SOQ's to each of the five members of the evaluation team. Each team member independently reviewed and scored the SOQ's prior to meeting as a team to discuss. Both consultants were interviewed on August 21, 2024. After interviews, complete final rankings were done by each team member. Final selection was determined based on the summary and average of the SOQ's scores. Keller Associates, Inc., was selected and requested to prepare a draft scope of work, fee, and	

schedule for Wastewater Master Plan Update. The scope of work and fee are exhibits to the attached contract.

BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources)

The total fee for the Wastewater Master Plan Update is not to exceed \$462,700. Project funding will come from the City of Lewiston Wastewater Enterprise Fund. The current year's budget included \$300,000 for the Master Plan Update. An amendment to the budget in the amount of \$312,000 which includes sufficient budget including the additional option of \$149,600 will be necessary utilizing Wastewater reserves.

ACTION PROPOSED

Staff recommends City Council awarding the Professional Services agreement with Keller Associates, Inc., and authorize the Mayor to execute the contract.

**PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF LEWISTON AND KELLER ASSOCIATES, INC.**

THIS PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into by and between the City of Lewiston, an Idaho municipal corporation (“City”), and Keller Associates, Inc., an Idaho Corporation located at 100 E. Bower Street, Suite 110, Meridian, ID 83642 (“Consultant”). City and Consultant may also individually be referred to as “Party” or collectively as “Parties.”

WHEREAS, City desires Consultant perform professional services associated with the **Wastewater System Master Plan Update**, further described in Exhibit A; and

WHEREAS, Consultant desires to perform such Services for City.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, it is hereby agreed to and stipulated by and between City and Consultant as follows:

I.

INCORPORATION OF RECITALS

The foregoing recitals are hereby incorporated into and made a part of this Agreement, including all defined terms therein.

II.

DUTIES OF CONSULTANT

A. **PROFESSIONAL SERVICES:** Consultant shall perform the professional services as set forth in Exhibit A, attached hereto and incorporated herein (“Services”).

B. **SPECIAL PROVISIONS:** All special provisions that apply to this Agreement are set forth in Exhibit B, attached hereto and incorporated herein. In the event that a special provision set forth in Exhibit B conflicts with any other term of this Agreement, the special provision shall govern.

C. INDEPENDENT CONTRACTOR: The Parties agree that Consultant is an independent contractor, with no employment relationship with City.

D. FRINGE BENEFITS: Because Consultant is engaged in Consultant's own independently established business, Consultant is not eligible for, and shall not participate in, any employee pension, health, or other fringe benefit plan of City.

E. WORKER'S COMPENSATION: Consultant shall maintain in full force and effect worker's compensation for Consultant and any agents, employees, and staff that Consultant employs, and assure that Consultant's subcontractors do likewise. Consultant shall provide proof of such coverage to City, or satisfactory proof that such worker's compensation insurance is not required.

F. RIGHT OF CONTROL: City agrees that it has no right to control or direct the details, manner, or means by which Consultant accomplishes the results of the Services. Consultant agrees, however, that Consultant's other contracts or services shall not interfere with Consultant's performance of the Services.

G. EQUIPMENT AND SUPPLIES: Consultant shall supply, at Consultant's sole expense, all equipment, tools, materials, and/or supplies needed to accomplish the Services.

H. LICENSES AND LAW: Consultant represents that Consultant possesses the skills and experience necessary and all licenses required to perform the Services. Consultant shall comply with all applicable laws in the performance of the Services, including, but not limited to, all equal employment opportunity requirements, federal wage and labor requirements, and handicap accessibility requirements. If Consultant uses a motor vehicle in performance of this Agreement, Consultant shall maintain a valid driver's license and liability insurance at least in the minimum amounts required by Exhibit C.

I. WARRANTY AND STANDARD OF CARE: Consultant warrants that any materials and/or goods supplied pursuant to this Agreement shall be of good merchantable quality. Consultant shall perform the Services in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.

J. SUBCONTRACTORS AND SUBCONSULTANTS: Consultant shall not utilize any subcontractors or subconsultants in the performance of this Agreement without prior written approval from City.

K. INSURANCE: Consultant, at its sole expense, shall procure and maintain in full force and effect insurance in accordance with the requirements set forth in Exhibit C, attached hereto and incorporated herein.

L. INDEMNIFICATION: To the fullest extent permissible by law, Consultant shall indemnify and hold City, its officers, officials, and employees harmless for all claims, demands, losses, actions, causes of action, suits, damages, judgments, obligations, liabilities, costs, expenses, and/or injuries to persons or property (collectively “Claims”) to the extent that such Claims arise out of or are in connection with any negligent act, error, or omission of Consultant, its officers, officials, or employees, that is in any way connected with the Services provided under this Agreement. In the event that City is alleged to be liable on account of any negligent act, error, or omission of Consultant, its officers, officials, or employees, then Consultant shall reimburse City, in proportion to Consultant’s negligence, as determined by the trier of fact, for: (1) City’s cost of defense, including, but not limited to, attorney fees and expenses, court costs, and expert witness fees and expenses; and (2) damages. In the event of litigation, each Party shall defend itself.

Additionally, Consultant agrees to indemnify and hold City, its officers, officials, and employees harmless from any and all taxes, penalties, assessments, fines, premiums, and similar

liabilities if Consultant is found by any governmental authority to be an employee rather than an independent contractor in Consultant's performance of the Services.

These indemnification provisions shall survive the expiration or termination of this Agreement. Consultant's indemnification and defense obligations herein shall extend to Claims occurring after this Agreement is terminated or expired, as well as while this Agreement is in force, and shall continue until all Claims are finally adjudicated and fully and finally barred by applicable laws.

M. NON-EXCLUSIVE: This Agreement is not exclusive to Consultant. Consultant acknowledges that City may obtain additional professional services of the same nature as provided for in this Agreement.

N. NON-DISCRIMINATION: Consultant shall not engage in employment practices that discriminate against any person, including any sub-consultant, because of such person's race, creed, sex, color, national origin, ancestry, religion, physical or mental disability, marital or familial status, sexual orientation, or gender identity/expression, unless based on a bona fide occupational qualification or otherwise exempted by state or federal law.

O. PERSONNEL: In providing Services under this Agreement, Consultant agrees to assign the direct participation of experienced and qualified personnel. All staff used by Consultant in the performance of the Services shall be qualified by training and experience to perform their assigned tasks. Consultant shall submit, for approval by City, a staffing proposal for the Services. Consultant shall not reassign such staff without City's prior written approval; and City shall have the right to approve their successors. City shall have the right, in its sole discretion, to have any of Consultant's personnel removed from the project.

P. CONSULTANT RELIANCE: Consultant may rely, without liability, on the accuracy and completeness of information provided by City without the need for independent verification.

Q. STATE OF IDAHO REQUIREMENTS: The following provisions are required by the State of Idaho. The inclusion of these provisions in this Agreement does not indicate City's support or opposition to these provisions nor agreement by City that these clauses are relevant to the subject matter of this Agreement. Rather, these provisions are included solely to comply with the laws of the State of Idaho.

1. ANTI-BOYCOTT AGAINST ISRAEL ACT: If this Agreement: (1) is to acquire or dispose of services, supplies, information technology, or construction; (2) has a total potential value of One Hundred Thousand Dollars (\$100,000) or more; and (3) Consultant is a company with ten (10) or more employees, then, pursuant to Idaho Code § 67-2346, Consultant certifies that Consultant is not currently engaged in, and will not for the duration of this Agreement engage in, a boycott of goods or services from Israel or territories under Israel's control. The terms "company" and "boycott Israel" shall have the meanings ascribed to them in Idaho Code § 67-2346.

2. NO PUBLIC FUNDS FOR ABORTION ACT: Pursuant to Idaho Code § 18-8703, Consultant certifies that it is not, and will not for the duration of this Agreement become, an abortion provider or an affiliate of an abortion provider, as those terms are defined in the "No Public Funds for Abortion Act," Idaho Code §§ 18-8701 *et seq.*

3. CONTRACT WITH COMPANY OWNED OR OPERATED BY THE GOVERNMENT OF CHINA PROHIBITED: If this Agreement is to acquire or dispose of services, supplies, information technology, or construction, then, pursuant to Idaho Code § 67-2359, Consultant certifies that Consultant is not a company currently owned or operated by the government of China and will not for the duration of this Agreement be owned or operated by the government of

China. The terms “company” and “government of China” shall have the meanings ascribed to them in Idaho Code § 67-2359.

4. PROHIBITION ON CONTRACTS WITH COMPANIES BOYCOTTING CERTAIN SECTORS: If this Agreement: (1) is to acquire goods or services; (2) has a value of One Hundred Thousand Dollars (\$100,000) or more that is to be paid wholly or partly from public funds; and (3) Consultant is a company with ten (10) or more full-time employees, then, pursuant to Idaho Code § 67-2347A, Consultant certifies that Consultant is not currently engaged in, and will not for the duration of this Agreement engage in, a boycott of any individual or company because the individual or company: (a) engages in or supports the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, minerals, hydroelectric power, nuclear energy, or agriculture; or (b) engages in or supports the manufacture, distribution, sale, or use of firearms, as defined in Idaho Code § 18-3302(2)(d). The terms “boycott” and “company” shall have the meanings ascribed to them in Idaho Code § 67-2347A.

III.

DUTIES OF CITY

A. PAYMENT: City agrees to pay Consultant up to the total sum, not to exceed, four hundred sixty-two thousand seven hundred Dollars (\$462,700). City shall pay Consultant within thirty (30) days from receipt of invoice from Consultant. Consultant shall keep accurate records of expenses. If City contests an invoice, City shall advise Consultant within thirty (30) days of receipt of invoice of the specific basis for doing so, may withhold only that portion so contested, and shall pay the undisputed portion.

B. PAYROLL TAXES: Neither Federal, State, or local income taxes, nor payroll taxes of any kind shall be withheld and paid by City on behalf of Consultant or Consultant’s employees. Consultant shall not be treated as an employee of City with respect to the Services performed

pursuant to this Agreement for Federal or State tax purposes. Consultant understands that Consultant is responsible to pay, according to law, Consultant's income tax. Consultant further understands that Consultant may be held liable for self-employment (Social Security) tax to be paid by Consultant according to law.

IV.

GENERAL PROVISIONS

A. TERM AND RENEWAL: The term of this Agreement shall be from the Effective Date of this Agreement through completion of the Services. In the event that this Agreement is dependent upon funding in a future fiscal year, the term of this Agreement shall be wholly contingent upon City's annual appropriation of funds for this Agreement. Said appropriation may be made solely at the option and discretion of City.

B. TERMINATION: This Agreement may be terminated only as follows:

1. City may terminate this Agreement, with or without cause, upon at least fifteen (15) days' written notice to Consultant.
2. Consultant may terminate this Agreement only if City defaults on its obligations under this Agreement, but only after giving City written notice of Consultant's intent to terminate and allowing at least thirty (30) days for the default to be cured.
3. City may terminate this Agreement in the event that City does not appropriate funds for the Agreement for an ensuing fiscal year. In such event, City shall give prompt written notice to Consultant attesting to the non-appropriation of funds and the effective date of termination of this Agreement, and no financial obligations, penalty, liability, or consequence of any kind shall accrue to City after the effective date of said termination.

Upon termination: (1) Consultant shall discontinue the Services under this Agreement; (2) Consultant shall promptly provide City all maps, plots, drawings, estimate sheets, specifications,

documents, models, renderings, and other work product prepared in connection with the Services; and (3) City shall pay Consultant a proportional amount of the sum set forth in Section III.A of this Agreement for all Services performed through the date of termination.

C. NOTICES: All notices, requests, demands, statements, and consents required or permitted to be given pursuant to this Agreement shall be in writing and signed by or on behalf of the Party giving the notice. Such communications shall be deemed delivered: (a) immediately if hand-delivered; (b) seventy-two (72) hours after depositing the same in the U.S. mail, certified or registered, addressed to the respective addresses set forth below; or (c) one (1) business day after depositing the same with a recognized commercial air courier or express service, addressed to the respective addresses set forth below. Any communication made by email or similar method shall not constitute notice pursuant to this Agreement.

Consultant: Keller Associates, Inc.
Consultant's Name

Stillman Norton, Project Manager
Contact Name, Position

733 5th Street, Suite A
Address

Clarkston, WA 99403
City, State, Zip

City: City of Lewiston
Attn: Joe Kaufman
P.O. Box 617
Lewiston, Idaho 83501

D. CHOICE OF LAW: This Agreement shall be governed by and interpreted in accordance with the laws of the State of Idaho, with venue for any action brought pursuant to this Agreement to be in the Second Judicial District, Nez Perce County, State of Idaho.

E. SEVERABILITY: Any provision of this Agreement that may be declared invalid or otherwise unenforceable by a court of competent jurisdiction shall not affect the validity or enforceability of any other part of this Agreement, so long as the remainder of the Agreement is reasonably capable of completion.

F. SURVIVAL: Except with respect to City's obligations as set forth in Section IV.A of this Agreement concerning the non-appropriation of funds for this Agreement, all covenants, conditions, indemnifications, and other elements in this Agreement that might involve performance subsequent to any termination or expiration of this Agreement or that cannot be reasonably ascertained or fully performed until after termination or expiration of this Agreement shall survive.

G. AMENDMENTS: This Agreement may be amended only by a writing duly executed by both Parties.

H. PERFORMANCE/WAIVER: No waiver of any provision of this Agreement shall be effective unless made in writing and signed by the waiving Party. The failure of any Party to require the performance of any term or obligation of this Agreement, or the waiver by any Party of any breach of this Agreement, shall not prevent any subsequent enforcement of such term or obligation or be deemed a waiver of any subsequent breach.

I. SUCCESSORS AND ASSIGNS: This Agreement may not be assigned in whole or in part by either of the Parties hereto without the prior express written consent of the other Party.

J. THIRD PARTY BENEFICIARIES: Nothing contained herein shall create any relationship, contractual or otherwise, with, or any rights in favor of, any third party. Nothing contained herein shall extend the liability of either Party beyond that provided by governing law.

K. ATTORNEY FEES: Notwithstanding any statute to the contrary, in the event suit is brought by any Party to this Agreement to enforce the terms of this Agreement, the prevailing Party

shall be entitled to recover reimbursement for reasonable attorneys' fees and costs, in the amount determined by the court, in addition to any other available remedies.

L. FORCE MAJEURE: "Event of Force Majeure" means an event beyond the reasonable control of a Party that prevents such Party from complying with any of its obligations under this Agreement, including riots, acts of God, accidents, order of a court of competent jurisdiction, failure of a required governmental approval, civil disorders, acts of war, material shortages, or disease, and not attributable to such Party's neglect or nonfeasance.

No Party shall be considered in breach of this Agreement or liable to the other Party for any losses and damages to the extent that performance of their respective obligations is prevented by an Event of Force Majeure. The Party prevented from carrying out its obligations hereunder ("Affected Party") shall give notice to the other Party of an Event of Force Majeure upon it being foreseen by, or becoming known to, the Affected Party. If and to the extent that the Affected Party is prevented from performing its obligations by an Event of Force Majeure, while the Affected Party is so prevented, the Affected Party shall be relieved of its obligations hereunder, but shall endeavor to continue to perform its obligations under the Agreement so far as reasonably practicable.

M. PUBLIC RECORDS: The Parties herein understand and acknowledge that this Agreement, its exhibits and attachments, communications between them, and the Work Product are subject to the Idaho Public Records Act, I.C. §§ 74-101, *et seq.*, and other applicable federal and state laws, and might be subject to disclosure.

N. USE OF CITY NAME: Consultant shall not include the name, logo, or any identifying marks of City in any advertising, sales promotion, or other publicity matter.

O. TIME IS OF THE ESSENCE: Time is of the essence with regard to the performance of all of Consultant's obligations under this Agreement.

P. NON-EXCLUSIVE REMEDIES: No provision in this Agreement made for the purpose of securing enforcement of the terms and conditions of this Agreement shall be deemed an exclusive remedy or to afford the exclusive procedure for the enforcement of said terms and conditions, and the remedies herein provided are deemed to be cumulative.

Q. COUNTERPARTS: This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

R. DISPUTE RESOLUTION: In the event that a dispute related to this Agreement arises, the dispute shall be articulated in writing by either Party. City and Consultant shall then attempt to negotiate in good faith and resolve the dispute. If the Parties fail to resolve the dispute through negotiation, then the Parties shall enter into non-binding mediation or another mutually agreed upon alternative dispute resolution process. Each Party shall pay the fees of its counsel, consultants, and experts, but the fees and expenses for the mediator shall be split equally between the Parties. The Parties agree that non-binding mediation or another mutually acceptable alternative dispute resolution process shall precede litigation.

S. OWNERSHIP OF DOCUMENTS: Upon City's payment to Consultant as provided in this Agreement, all maps, plots, drawings, estimate sheets, specifications, documents, models, renderings, and other work product prepared in connection with the Services (collectively "Work Product") shall be the property of City. Use or reuse of Work Product for any purpose other than intended by this Agreement shall be at the risk of City and without legal liability or exposure to Consultant.

T. JOINT DRAFTING: The Parties expressly agree that this Agreement was jointly drafted and both Parties had an opportunity to negotiate its terms and obtain the assistance of legal

counsel in reviewing its terms prior to execution. Therefore, this Agreement shall be construed neither against nor in favor of either Party, but shall be construed in a neutral manner.

U. CONTRACTING AUTHORITY: Each Party warrants that the person or persons executing this Agreement on behalf of such Party has the full right, power, and authority to enter into and execute this Agreement on such Party's behalf, and that no consent from any other person or entity is necessary to effectuate this Agreement.

V. MERGER AND INTEGRATION: This writing embodies the whole agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained in this Agreement. All previous and contemporaneous communications, representations, or agreements, either verbal or written, between the Parties concerning all subject matters contained in this Agreement are superseded by this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the last day and year written below ("Effective Date").

DATED this _____ day of _____ 2024.

CITY OF LEWISTON

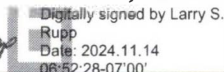
By: _____
Daniel G. Johnson, Mayor

ATTEST:

Tanya M. Brocke, City Clerk

DATED this 14th day of November 2024.

KELLER ASSOCIATES, INC.

Larry S. Rupp 
Digitally signed by Larry S. Rupp
Date: 2024.11.14 08:52:28-07'00'

By: Larry Rupp

Title: President

STATE OF IDAHO)
) ss.
County of Ada)

On this 14th day of November 2024, before me, a Notary Public, personally appeared Larry Rupp, known or identified to me as the President of Keller Associates, Inc., and stated he has the authority to execute this instrument on behalf of Keller Associates, Inc., and did execute this instrument on behalf of Keller Associates, Inc.



Katrina Oksten
Notary Public for the State of Idaho

Commission Expires 08-12-2030

EXHIBIT A
SCOPE OF SERVICES

Exhibit A

CITY OF LEWISTON

WASTEWATER SYSTEM MASTER PLAN UPDATE

SCOPE OF WORK

PROJECT DESCRIPTION

The **City of Lewiston** (“Owner”) has contracted with **Keller Associates, Inc.** (“Consultant”) to provide wastewater planning services. The Consultant’s scope of work has been developed based on the following project description. As the project moves forward, some of the information may change or be refined, and additional information will become known, resulting in the possible need to change, refine, or supplement the scope of work.

The Owner owns, maintains, and operates a public sewer collection system and wastewater treatment plant (WWTP). The Owner desires to complete an updated Wastewater Master Plan, which was last prepared in 2016 and subsequently updated in 2018. This planning effort will focus on updating the overall master plan to reflect improvements since the last planning effort, updating the collection system model, evaluating the current condition of treatment and collection infrastructure, and evaluating future development scenarios that could impact both the collection and treatment facilities. A capital improvement plan for the wastewater system will be included to document the recommended improvements.

The Owner maintains a collection system that consists of collection gravity pipelines (ranging from 6 to 48 inches in diameter), pressure pipelines, manholes, and 13 active lift stations (7 City, 1 Nez Perce Tribe, 5 Lewiston Orchards Sewer District (LOSD)). The Owner receives, conveys, and treats flow from the Nez Perce Tribe (Clearwater River Casino), LOSD, and Central Orchards Sewer District (COSD). The Owner operates and maintains LOSD’s collection system, including their five lift stations, as well as the Nez Perce Tribe’s casino lift station. Wastewater flow is conveyed to an activated sludge WWTP that treats and discharges effluent into the Clearwater River. Biosolids are dewatered and hauled to a nearby composting facility.

Consultant’s services are limited to those services outlined in the following scope of work. Services will be paid for by City funds.

SCOPE OF WORK

TASK 1: PROJECT MANAGEMENT

Consultant Responsibilities

- 1.1. Project Management. Provide general project administration services including contract administration, project accounting, monthly progress reports, scheduling, and internal project administration.
- 1.2. Kickoff Meeting. Prepare for and attend a project kickoff meeting with the Owner. The purpose of this meeting will be to establish communication channels, review the overall project schedule including major milestones and meetings, review objectives of the study, discuss available data and published materials that will be made available by the Owner, and review process for deliverables including process for Owner review and approval. Planning criteria will also be reviewed during the Kickoff Meeting.

Owner Responsibilities

- Provide meeting space for project meetings. Provide advertising where required.

Assumptions

- Project management budget assumes a planning schedule of up to 15 months.
- Should Owner request additional meetings or require an extended schedule, project management budget will be increased accordingly.

- Kickoff meeting will be held in-person. This meeting will include the Project Manager and one project engineer from the Consultant. Other Consultant team members may attend virtually via video or teleconference.

Deliverables

- Monthly progress reports.
- Project meeting agenda and minutes.

TASK 2: DATA ACQUISITION & FACILITY TOURS

Consultant Responsibilities

- 2.1. Request for Information. A request for information will be prepared by the Consultant describing the information needed including, but not limited to, the following items:
 - a. Discharge Monitoring Reports (DMRs) with operational data, daily influent monitoring, water quality data (previous 5 years) in spreadsheet format.
 - b. Winter-time water consumption data (previous 2 years). Identify major water users within the service area with private water supplies. Also identify major users with highly consumptive uses (i.e. bottling plant) and private industries within the study area with their own wastewater systems. Consumption data to be exported to spreadsheet format with user type (i.e. residential, commercial), and georeferenced link to model or GIS (i.e. parcel data, address, or meter ID).
 - c. Lift station daily pump run time (previous 2 years) and flow data (if available).
 - d. Available flow meter data from major industries and for satellite systems (Tribe, LOSD, COSD).
 - e. 24-hour SCADA data for lift station flow rates and WWTP influent flows for top five high flow periods in the previous 5 years.
 - f. Updated base mapping, including roadways, parcel lines, political boundaries, land use, topographic contours, current aerial imagery, manholes, and pipelines (along with material, age, and size attributes) to be provided in GIS format. GIS to include survey grade pipe invert data for modeled lines, incorporating recent survey information of collection system as applicable.
 - g. Record drawings for each lift station, with pump on/off control settings and pump curves (if updated or different than last planning effort that commenced in 2014).
 - h. Precipitation data (15-minute intervals) for flow monitoring period.
 - i. Most recent Sanitary Sewer Survey from Idaho DEQ.
 - j. Financial summary records for the sewer system, including annual expenses (summarized by operating, debt, capital, and replacement) and revenues (including connection fee, summary of monthly operating revenue by user type, and other revenue sources). Also provide number and type of accounts and other billing summary information, as requested.
 - k. Population growth projections, industrial growth projections (in terms of loads, flows, and locations), land use, anticipated development densities, and anticipated growth areas, if different from or updated since previous master planning effort.
 - l. Correspondence related to anticipated regulatory requirements in the 20-year planning period.
 - m. List of known problems/issues.
 - n. Summary of pipeline conditions information from CCTV video files of sewer mains. Provide in spreadsheet format with unique asset identifier that can be linked to the City's GIS. CCTV files for select segments, as requested.
 - o. Spreadsheet copy of NASSCO ratings for the collection system.

- p. Lewis-Clark State College (LCSC) I/I Evaluation.
 - q. GIS shapefiles of the Owner's most recent Water Master Plan and Transportation Plan capital improvements.
 - r. Copies of other related planning documents (i.e. Transportation plans, water master plans, comprehensive plans, buildable lot inventories, energy audits/studies, rate studies, etc.).
- 2.2. Lift Station Conditions Evaluation. Conduct a site tour of the lift stations listed under subtasks 2.4.a and 2.4.b. This tour and assessment will include the following:
- a. General Assessment. Based on facility tour, information from Owner's staff, and available information, document existing physical conditions and deficiencies. Provide a general condition assessment of each lift station. Site assessment is limited to visual observations and is not intended to be a comprehensive inspection.
 - b. Structural Assessment. Provide visual observations of lift station structures (i.e. wet wells, vaults, buildings) and document existing structural conditions and deficiencies.
 - c. Electrical Assessment. Evaluate general condition of backup power, control panels, lighting, and other electrical equipment.
 - d. SCADA Review. Discuss existing SCADA system with Owner's operators and document known issues, operator needs not currently met by the existing system and discuss potential improvements.
- 2.3. Wastewater Treatment Plant Physical Conditions Evaluation. Conduct a site tour of the WWTP facility with Owner's staff. This tour and assessment will include the following:
- a. General Assessment. Based on facility tour, information from Owner's staff, and available information, document existing physical conditions and deficiencies. Provide a general condition assessment of the WWTP and lab equipment. Site assessment is limited to visual observations and is not intended to be a comprehensive inspection.
- 2.4. Pump Test. Consultant will complete a pump test at each lift station listed below to observe available suction and discharge pressures and flow meter readings, then compare this data to available pump curves and previously reported pump rates. Lift stations will be tested as follows:
- a. Single pump test on each pump – Airport, Casino (NPT), Chapman, FedEx, Water Plant, LOSD #1, LOSD #2, LOSD #3, LOSD #4, and LOSD #5.
 - b. Test each pump and also test each force main isolated from other two (two – 16", one 24") – South Shore.
 - c. No test – Cypress (LOSD), North Shore.
- 2.5. Flow Monitoring. Prepare a flow monitoring plan that will include a map with recommended monitoring sites. It is anticipated that flow monitoring will be set up largely in the same locations as the last master planning effort. Provide flow monitoring for up to ten locations for up to four weeks at each location. Provide eight portable flow meters for use in the flow monitoring effort (Owner to provide other two). Spend two days visiting metering sites and assisting with installation and setup. After the first week of operation, visit with Owner's staff to assist in downloading of data. Compile and review data provided by Owner's staff in subsequent weeks. Budget includes providing flow monitoring equipment (\$1,500/meter/month).
- 2.6. Data Collection and Review. Collection and processing of furnished data, mapping, and reports. Provide a follow-up Request for Information for supplemental data.

Owner Responsibilities

- Provide requested data within two weeks of request.
- Complete field work and provide sampling/testing, if required.
- Conduct site tour with Consultant; provide access to facilities and records.

- Provide assistance with confined spaces entry, setting the flow meters, traffic control, gathering data routinely from each of the flow monitoring stations, and pulling the flow meters.
- Provide field tested discharge pressure gauges ahead of lift station pump tests and participate in pump testing.

Assumptions

- Site tour is limited to visual observations and is not intended to be a comprehensive inspection. Consultant will not enter confined spaces.
- Consultant will provide training to Owner's staff on setup of flow meters, data extraction, and removal of flow meters. For budgeting purposes, Consultant has two days for setup, a single day to collect data, and a single day for take down.
- Flow monitoring will be limited to a four-week period.
- Consultant shall be entitled to rely on the accuracy and completeness of the information provided by Owner, Owner's consultants and Contractors, information from public records, and information ordinarily or customarily furnished by others, including, but not limited to specialty Contractors, manufacturers, suppliers, and publishers of technical standards. This assumption applies to this task and subsequent tasks.

Deliverables

- Requests for Information
- Summary tables and figures for flow monitoring and conditions assessments will be incorporated into the report.

TASK 3: PLANNING CRITERIA

Consultant Responsibilities

- 3.1. Location. Provide brief description of project location.
- 3.2. Study Area. Assist Owner in identifying the 20-year and 50-year service areas. It is anticipated that the study area will at least be the same as the previous master planning effort and may include up to three additional areas adjacent to city limits where future growth is expected.
- 3.3. Growth Trends. Review historical residential growth projections and summarize recommended growth rates. The growth trends estimated in the previous planning effort will be revisited and updated to reflect the last 10 years of growth. The growth rate will be used for both residential and non-residential users. Growth projections will be estimated for both 20-years (treatment planning) and 50-years (collection planning). Evaluate up to three growth scenarios in areas identified by the Owner and where growth is anticipated from future development. These would be in addition to or could include further evaluation of previously evaluated growth scenarios in the Tammany Creek Area and Vista Outdoors expansion. This effort will also include calculating remaining capacity of the collection system and recommended trigger points for key capital improvement projects.
- 3.4. Flowrate Estimates. Using existing wastewater treatment influent flow data, summarize average day, maximum month, maximum day, and peak hour flowrates. Summary to also include typical residential flows per capita and typical flows per employee for non-residential flows. Summarize flow estimates for the 20-year and 50-year planning periods. Project future loads based on Owner input on the type and distribution of growth within the study area.
- 3.5. Summarize Infiltration and Inflow (I/I). Summarize system-wide influence of infiltration and inflow based on seasonal flow patterns and responses to precipitation events. This effort also includes summarizing I/I evaluation efforts completed by others at Lewis Clark State College (LCSC).
- 3.6. Design Loading Rates. Review historical data to characterize wastewater loadings and project future loadings based on growth assumptions and input from Owner.

- 3.7. Regulatory Requirements. Review and summarize current, pending and future regulatory requirements and planning criteria that may influence operation, maintenance, and capital improvements of the existing wastewater system. A Standard Operating Procedure (SOP) for PFAS sampling will be developed.
- 3.8. Additional Planning Criteria Considerations. Summarize industry standards and work with Owner to identify planning criteria to be used for evaluating the system performance and identifying triggers for when improvements may be required. These are anticipated to include triggers such as depth of flow over diameter of pipe and maximum pipe installation depths for new trunklines.
- 3.9. Draft Plan Section. Prepare draft section writeups. Final document to have Owner's comments incorporated.

Owner Responsibilities

- Provide input and approval of growth projections and planning criteria.
- Review and comment on draft documents in a timely manner.

Assumptions

- Planning criteria will not be changed once established. Changing planning criteria may result in rework which can be completed as an additional service.
- Scope excludes environmental work. If required, environmental permitting and field work (i.e., wetland delineations/investigations, biological assessments, and cultural resource surveys) will be provided as an additional service.

Deliverables

- Draft Project Planning write-up

TASK 4: EXISTING COLLECTION FACILITIES EVALAUTION

Consultant Responsibilities

- 4.1. Base Map. Update the existing system base map utilizing readily available GIS data, showing location of key facilities, pipelines, and basin boundaries.
- 4.2. Conditions Assessment. Based on facility tour (subtask 2.2), information from Owner's staff, and available information, document existing physical conditions deficiencies for the collection system, including the following:
 - a. CCTV Review. Review CCTV summary reports provided by Owner to generally assess pipeline conditions.
 - b. City Condition Rating Review. Using NASCCO condition summary reports provided by Owner, rank pipe conditions. Document methodology for assessing pipeline conditions scoring.
 - c. NASSCO Rating Conversion. Work with Owner to convert NASSCO rating information on collection system to shapefile layers that can be imported into GIS.
 - d. Annual Pipeline Replacement Program Recommendations. Recommend next steps for implementing an annual pipeline replacement program, including recommendations for annual pipeline replacements based on typical remaining pipe life.
 - e. Lift Stations Condition Summary. Summarize existing lift station conditions and deficiencies identified under Task 2 above. Identify typical short-lived asset replacements and recommend an annual lift station replacement budget.
- 4.3. Collection System Capacity Evaluation.
 - a. Model Development. Utilize the Owner's GIS, lift station record drawings and pump curves, and other information provided by the Owner to update existing InfoSWMM model (hosted by Consultant) of the Owner's interceptor collection system.

- b. Distribute Flows in Model. Update flow distribution in the existing model by utilizing available winter-time water meter data from the Owner to approximate and distribute dry weather flows within the system. Utilize available collection system flow data (i.e. major industrial discharge meter, COSD, and LOSD meters) for allocating these larger loads. Allocate infiltration and inflow for each basin utilizing available pump run time, flow monitoring, and SCADA data.
 - c. Calibrate Model. Calibrate and update the existing model to reflect available flow data, pump runtime, and flow monitoring data.
 - d. Evaluate Existing Hydraulic Capacity. Evaluate the existing collection system hydraulic capacity for peak hour conditions.
 - e. Future Trunkline Layout. Use available topographic information from the Owner and projected loads to develop a future pipeline layout to service unsewered areas.
 - f. Evaluate Future Deficiencies. Evaluate potential deficiencies resulting from future 20-year and 50-year projected wastewater loads.
 - g. Capacity Evaluation. Compare existing and future projected flows to the existing capacity of the wastewater conveyance system. Summarize existing capacity deficiencies.
- 4.4. Operations. Document existing sewer collection system operations and maintenance issues and concerns reported by Owner staff.
- 4.5. Workshop Meetings. In conjunction with Task 5, lead up to two workshop meetings with the Owner to review preliminary findings including existing and anticipated future conditions.
- 4.6. Draft Plan Sections. Prepare draft section writeups. Final document to have Owner's comments incorporated.

Owner Responsibilities

- Review and comment on draft documents.
- Participate and provide meeting location for workshop meetings.

Assumptions

- Sewer model is anticipated to include the same major interceptors that were modeled in the previous planning effort, including City-owned and LOSD-owned trunklines, plus up to an additional mile of pipeline identified with input from City staff. If Owner later decides to have Consultant add additional pipelines an amendment will be needed. Similar to the previous master plan, COSD information will not be requested and included as a part of the model.
- If model does not readily calibrate to existing conditions, and additional field work is recommended to troubleshoot the Owner's sewer system, these services can be completed as an additional service.
- As-built and GIS information along with Owner-provided field data will provide needed information for developing collection system model.
- If adverse pipe grades are evident in GIS invert data, and additional survey checks are required, then these will be field checked by the Owner or the Owner will authorize an additional service to this contract.
- Budget includes a \$2,500 hydraulic modeling software fee.

Deliverables

- GIS digital copy of NASSCO ratings shapefiles.
- Draft write-up. Wastewater Master Plan to have Owner's staff comments incorporated.
- Review and comment on draft documents in a timely manner.

TASK 5: EXISTING TREATMENT FACILITIES EVALAUTION

Consultant Responsibilities

- 5.1. Schematic Process Layout. Update most recently updated schematic process layout of the existing treatment plant showing major process components.
- 5.2. History. Document wastewater treatment plant history and system description to reflect current flow and water quality data, recent discharge monitoring records (DMRs), plant improvements that have been completed since the previous planning study, and current condition of plant equipment and facilities.
- 5.3. Wastewater System Management Classification, Operators and License. Provide a brief writeup of wastewater treatment required licensing and current operator license information.
- 5.4. Conditions Assessment. Based on facility tour (subtask 2.3), information from Owner's staff, and available information, document existing physical conditions deficiencies.
- 5.5. Wastewater Treatment Plant Capacity Evaluation.
 - a. Update existing hydraulic profile and hydraulic model for the treatment plant. Evaluate hydraulic potential bottlenecks at design flows.
 - b. Update plant process model. Summarize existing plant deficiencies using plant data to compare actual performance to expected performance.
- 5.6. Operations. Document existing wastewater treatment operations and maintenance issues and concerns reported by Owner staff.
- 5.7. Workshop Meetings. In conjunction with Task 4, lead up to two workshop meetings with the Owner to review preliminary findings including existing and anticipated future conditions.
- 5.8. Draft Plan Sections. Prepare draft section writeups. Final document to have Owner's comments incorporated.

Owner Responsibilities

- Review and comment on draft documents.
- Participate and provide meeting location for workshop meeting^s.

Assumptions

- As-built and GIS information along with Owner-provided field data will provide needed information for updating and developing the models.

Deliverables

- Draft write-up. Wastewater Master Plan to have Owner's staff comments incorporated.
- Review and comment on draft documents in a timely manner.

TASK 6: NEED FOR SYSTEM IMPROVEMENTS

Consultant Responsibilities

- 6.1. Health, Sanitation, and Security. Summarize concerns and relevant regulations or correspondence from/to state and federal agencies.
- 6.2. Aging Infrastructure. Incorporate summary findings of conditions assessment of assets and summarize available pipeline age/material information. Summarize the following:
 - Unit performance issues, deficiencies, and useful life.
 - Existing system reliability per DEQ and EPA guidelines.
 - Ability to meet current and potential future effluent limits and other regulatory requirements.

6.3. Reasonable Growth. Using the design flow and loading information, document the reasonable growth capacity to meet needs during the planning period.

6.4. Draft Plan Section. Prepare draft section writeup. Final document to have Owner's comments incorporated.

Owner Responsibilities

- Provide input and review of this section of the plan.

Deliverables

- Draft section of report summarizing need for project.

TASK 7: EVALUATE IMPROVEMENT ALTERNATIVES

Consultant Responsibilities

- 7.1. Identify Improvement Alternatives. Where improvements are not relatively straightforward, evaluate up to three alternative improvements for each proposed improvement to correct existing and anticipated future deficiencies. For the collection system, these may include parallel pipelines, replacement pipelines, flow rerouting, inter-basin pumping, infiltration/inflow reduction, and pumping facility upgrades. For the wastewater treatment plant, these are anticipated to include septage receiving relocation, digester and biogas, biosolids handling and disposal, maintenance storage, pump maintenance access, clarifier dewatering, and aeration basin control. A "no action" alternative will also be considered. The biosolids alternatives will recapture the drying alternatives study completed in early 2024 and will assess timing for these improvements.
- 7.2. Site Plan/Schematics. Develop a master plan concept map and/or figures for selected alternatives. Also develop an integrated master plan figure overlaying selected alternatives in the Wastewater Master Plan with selected alternatives for the Water Master Plan and Transportation Plan.
- 7.3. Environmental Impacts. A summary of the preliminary environmental screening of the system alternatives will be developed. Improvement projects will address climate, land use, floodplain, wetlands, water quality, rivers, wild, cultural resources, flora and fauna.
- 7.4. Alternative Cost/Benefit Analysis. Prepare planning level cost estimates for preferred alternative(s). Assist in comparing benefits, drawbacks, and costs of up to three viable alternatives. This will include life-cycle cost analysis on preferred alternatives. Discuss non-monetary factors such as operations, maintenance, sustainability, and impacts on adjoining lands. Life-cycle costs will be provided that include capital cost, operations, and maintenance.
- 7.5. Draft Plan Sections. Preparation of portions of the Wastewater Master Plan write-up including a summary on recommended improvement alternatives.
- 7.6. Workshop Meeting. Set the project meeting agenda and provide minutes. This meeting will be a workshop to review preliminary improvement alternatives.

Owner Responsibilities

- Provide a review of the alternatives considered and input on selection criteria and ultimate selection of preferred alternative.
- Participate and provide facilities for the workshop meeting.
- Review and comment on draft documents in a timely manner.

Assumptions

- The scope of this study does not include an Environmental Information Document or associated environmental investigations and field work.
- Cost estimating will be AACE Class 5 (planning level cost estimates).

Deliverables

- Draft write-up summarizing recommended improvement alternatives. Wastewater Master Plan to have Owner's staff comments incorporated.
- Project meeting agenda and minutes.

TASK 8: CAPITAL IMPROVEMENT PLAN (CIP)

Consultant Responsibilities

- 8.1. Capital Improvement Plan. Information will be presented as tables and figures summarizing recommended improvements.
 - a. Summarize recommended improvements.
 - b. Prepare planning level cost estimates for recommended improvements.
 - c. Provide separate summary sheets for each capital improvement.
- 8.2. Preliminary Project Schedule. Summarize costs for 5-year, 10-year, and 20-year needs. Develop a 5-year CIP that shows anticipated expenses by year for the first several years for the Priority 1 improvements.
- 8.3. Annual Budget Considerations.
 - a. Annual Replacement Budgets. Update previously developed recommended annual replacement budgets for existing infrastructure based on typical replacement values and asset life.
 - b. Annual Operations and Maintenance Costs. Estimate the operations and maintenance cost implications for the Priority 1 improvement projects.
- 8.4. Draft Plan Sections. Preparation of portions of the Wastewater Master Plan write-up including a summary capital improvement plans.
- 8.5. Workshop Meeting. Set the project meeting agenda and provide minutes. This meeting will be a workshop to review the draft capital improvement plan.

Owner Responsibilities

- Participate and provide facilities for workshop meeting, including input on prioritization of projects.
- Provide Consultant with similar project cost information to help set the planning level costs. Provide input on land /easement costs.
- Review and comment on draft documents in a timely manner.

Assumptions

- An evaluation of operation and maintenance budgets for existing facilities is not included as part of this study but can be provided as an additional service.
- For future collection system projects anticipated to be developer driven and developer funded, summarize only pipeline upsize costs.
- Scope excludes a user rate analysis, including evaluation of individual rate structures, cost-of-service evaluations, and connection fee studies. These services can be provided as an additional service.
- Consultant's opinions of probable cost represent Consultant's judgment as an experienced and qualified design professional. Since Consultant has no control over the cost of labor, materials, equipment, or services furnished by others, or over the Owner's and other contractor's methods of determining prices, or over competitive bidding or market conditions, the Consultant does not guarantee that proposals, bids, or actual construction cost will not vary from opinions of probable cost prepared by the Consultant.

Deliverables

- Draft writeup of capital improvement plan.

- Project meeting agenda and minutes.

TASK 9: MISCELLANEOUS PLANNING SERVICES

Consultant Responsibilities

- 9.1. Sewer Collection and WWTP SOPs. Develop Standard Operating Procedures (SOPs) for both the sewer collection system and WWTP. These are anticipated to include the general operating procedures for the major process equipment (greater than ~\$25,000 in value). It will include step-by-step instructions, but each SOP will be limited to less than 10 pages in length. The maximum number of SOPs included in this task is 30.
- 9.2. WWTP Operation & Maintenance Plan. Format the WWTP O&M plan developed in October 2022 at the conclusion of the last major WWTP upgrades project to a multi-volume document and provide one complete hardcopy to the Owner.
- 9.3. Staffing Analysis.
 - a. Request for Information. A request for information will be prepared by the Consultant describing the information needed for the Staffing Analysis to help summarize existing Owner maintenance activities. This will include asking for a summary of existing maintenance activities performed by operators in both your collection system and WWTP including daily, weekly, monthly, annual, and other periodic maintenance activities including number of staff needed for each.
 - b. Review Industry Standards. Summarize industry standards for maintenance activities and staffing for sewer collection and treatment facilities. Compare to Owner's maintenance program.
 - c. Review Peer Community Standards. Coordinate with up to three peer communities and summarize their maintenance activities and staffing levels and compare to the Owner's programs.
 - d. Maintenance Labor-hour Estimate. Prepare a labor-hour estimate of both the sanitary sewer collection and wastewater treatment systems' maintenance schedules. Coordinate with Owner on work policies affecting labor (i.e. vacation, sick leave, bereavement, etc.).
 - e. Draft Plan Section. Summarize findings for inclusion in the Wastewater Master Plan.

Owner Responsibilities

- Provide input on current operating practices.
- Participate and provide facilities for workshop.
- Provide access to log of collection system maintenance.
- Provide input on maintenance goals for the sewer collection system.

Deliverables

- One (1) electronic copy in PDF format of SOPs.
- One (1) paper copy of the reformatted WWTP O&M Manual and one electronic copy in PDF format.
- Draft section of report summarizing results of staffing analysis.

TASK 10: FACILITY PLAN DOCUMENTATION & PUBLIC MEETING

Consultant Responsibilities

- 10.1. Draft Wastewater Master Plan. Compile draft write-ups for the various planning elements outlined in the previous tasks into a Wastewater Master Plan report that also addresses comments from the Owner's staff. Appendices will be created that include pertinent supporting documentation. Submit final draft report for Owner review.
- 10.2. Public Meeting. Prepare materials for and present summary findings in a public meeting.
- 10.3. Agency Submittal. Address final Owner comments and submit for agency review.

10.4. Final Wastewater Master Plan. Address agency comments and finalize document.

Owner Responsibilities

- Review and comment on final draft plan in a timely manner.
- Pay agency review fees, if applicable.
- Participate and provide facilities for public meeting. Provide public notice as required (typically no less than 14 days in a newspaper of community-wide circulation). Assist in addressing public comments.

Deliverables

- Public meeting presentation materials.
- Three (3) paper copies of the plan and one electronic copy in PDF format.
- Wastewater model electronic copy.
- GIS digital electronic copy.

TASK 11: OPTIONAL SERVICES

11.1. Additional WWTP Conditions Evaluation. In addition to the general conditions assessments described under subtask 2.3, the following additional assessments will be completed:

- a. Structural Assessment. Provide visual observations of WWTP buildings and structures and document existing structural conditions and deficiencies.
- b. Electrical Assessment. Evaluate general condition of backup power, control panels, lighting, and other electrical equipment.
- c. SCADA Review. Discuss existing SCADA system with Owner's operators and document known issues, operator needs not currently met by the existing system and discuss potential improvements.

11.2. COSD Lift Stations – Pump Testing and General Condition Assessment.

- a. Request for Information. The request for information prepared under subtask 2.1 above will also include a request for the following information for COSD's lift stations:
 - 1) Lift station daily pump run time (previous 2 years) and flow data (if available).
 - 2) Record drawings for each lift station, with pump on/off control settings and pump curves.
- b. Pump Test. Consultant will complete a pump test for COSD's 8 lift stations to observe available suction and discharge pressures and flow meter readings, then compare this data to available pump curves and previously reported pump rates.
- c. Lift Station Conditions Evaluation. Conduct a site tour of the COSD lift stations. This tour and assessment will include the following:
 - 1) General Assessment. Based on facility tour, information from Owner's staff, and available information, document existing physical conditions and deficiencies. Provide a general condition assessment of each lift station. Site assessment is limited to visual observations and is not intended to be a comprehensive inspection.

Owner Responsibilities

- Provide requested data within two weeks of request.
- Conduct site tour with Consultant; provide access to facilities and records.
- Provide field tested discharge pressure gauges ahead of lift station pump tests and participate in pump testing.

Assumptions

- Site tour is limited to visual observations and is not intended to be a comprehensive inspection. Consultant will not enter confined spaces.

- Consultant shall be entitled to rely on the accuracy and completeness of the information provided by Owner, Owner’s consultants and Contractors, information from public records, and information ordinarily or customarily furnished by others, including, but not limited to specialty Contractors, manufacturers, suppliers, and publishers of technical standards. This assumption applies to this task and subsequent tasks.

Deliverables

- Requests for Information
- Draft section of report summarizing COSD lift station pump performance and conditions

11.3. COSD Lift Stations – Additional Conditions Evaluation. In addition to the general conditions assessments described under task 10.2 above, the following additional assessments will be completed for the COSD lift stations:

- 1) Structural Assessment. Provide visual observations of lift station structures (i.e. wet wells, vaults, buildings) and document existing structural conditions and deficiencies.
- 2) Electrical Assessment. Evaluate general condition of backup power, control panels, lighting, and other electrical equipment.
- 3) SCADA Review. Discuss existing SCADA system with Owner’s operators and document known issues, operator needs not currently met by the existing system and discuss potential improvements.

Deliverables

- Draft section of report summarizing additional COSD lift stations conditions

11.4. Quality Assurance Plan. Prepare an update to the most recent version of the Owner’s Quality Assurance Plan (QAP).

Deliverables

- One (1) electronic copy in PDF format of updated QAP.

11.5. Outfall Observation. Consultant to hire and coordinate with a diving company to observe the condition of the wastewater treatment outfall in the Clearwater River and up to two more locations near the outfall where existing south shore force mains could be exposed. Dive company to include a brief summary report of findings and video file. Information compiled under this task will be summarized in the overall Wastewater Master Plan.

Deliverables

- Draft section of report summarizing outfall condition and recommended improvements.

11.6. Risk-Based Prioritization. Work with Owner to identify consequence factors that could define overall risks in the collection system.

- a. Pipelines. Utilize the conditions scoring developed as part of Task 4.2.b along with available age and pipe type develop a “likelihood of failure” for the City’s pipeline assets. With input from Owner and ranking criteria, develop an overall risk score that considers the “consequence of failure” using readily available information such as proximity to water way, pipeline diameter, and adjacent land use.
 - b. Lift Stations. Work with the City to identify consequence of failure criteria to prioritize risk for major lift station elements for up to six lift stations.
 - c. Summarize Findings. Document analysis and recommendations in the form of a technical memorandum.
-

- 11.7. Cost Allocation Analysis. Estimate the cost allocation portion of each capital improvement project cost that could be cost-shared with either the LOSD or COSD. Summarize findings in the Wastewater Master Plan.

Deliverables

- Draft section of report summarizing results of cost allocation analysis.

- 11.8. District Consolidation Recommendations. Summarize steps that may need to occur for the possible future consolidation of the LOSD and/or COSD systems with the Owner's system. Identify items that would either prevent consolidation from happening or make it more difficult when it happens. Meet with LOSD representatives to better understand their future plans. Summarize findings in the Wastewater Master Plan.

Deliverables

- Draft section of report summarizing consolidation analysis.

- 11.9. Dewatering Evaluation. Coordinate with Owner's staff for Owner to conduct two weeks of dewatering analysis of the screw presses. Consultant will contact polymer and equipment manufacturers and will formalize an enhancement plan for this period. Consultant will evaluate the data collected by the Owner's staff and provide recommendations in the Wastewater Master Plan.

Assumptions

- This analysis is only evaluating polymer usage and screw press functionality and will not include an evaluation of sludge characteristics.
- Does not include Huber coming onsite to assist with analysis which, if needed, would require a contract amendment.

Deliverables

- Draft section of report summarizing dewatering analysis recommendations.

- 11.10. Aeration Evaluation. Coordinate with Owner's staff for Owner to conduct two weeks of aeration analysis of the activated sludge aeration system. Consultant will formalize an enhancement plan for this period. Consultant will evaluate the data collected by the Owner's staff and provide recommendations in the Wastewater Master Plan.

Deliverables

- Draft section of report summarizing aeration analysis recommendations.

MANAGEMENT RESERVE

From time to time the Owner may have additional tasks related to the project, or additional tasks may be encountered that are not identified in this scope of work or that may be dependent on decisions not yet made ("Additional Services"). This task establishes a management reserve for Additional Services. Consultant shall not perform any Additional Services unless authorized in writing by Owner staff (Public Works Director or Owner's Project Manager). Compensation for Additional Services may be based on Consultant's time and material or a lump sum amount as agreed by Owner and Consultant.

ADDITIONAL SERVICES (Not Included)

- Field work, including survey check, material testing, additional flow monitoring, etc.
- User Rate or Connection Fee Study
- Additional Meetings, Public Outreach, or Stakeholder Support
- Funding application and administrative support
- Staffing, operations and maintenance evaluation and recommendations beyond what is listed in the scope of work

- Model use training for Owner staff

SCHEDULE

Consultant intends to provide a draft master plan document for Owner review within 15 months of receiving the requested information from the Owner. The schedule assumes that requested information is provided by the Owner within the timeframes indicated in the scope of work, and that Owner reviews are generally completed within one week.

COMPENSATION

As compensation for services to be performed by Consultant, the Owner will pay Consultant as described in the following table. The total authorized budget amount shall not be exceeded without written authorization from the Owner. For time and materials tasks, compensation will be according to the Consultant's standard billing rates updated semi-annually in January and July.

Task	Type	Amount
Task 1 – Project Management	LS	\$18,300
Task 2 – Data Acquisition & Facility Tours	LS	\$56,100
Task 3 – Planning Criteria	LS	\$23,200
Task 4 – Existing Collection Facilities Evaluation	LS	\$66,400
Task 5 – Existing Treatment Facilities Evaluation	LS	\$33,100
Task 6 – Need for System Improvements	LS	\$14,600
Task 7 – Evaluate Improvement Alternatives	LS	\$83,600
Task 8 – Capital Improvement Plan	LS	\$50,700
Task 9 – Selected Optional Tasks		
9.1 Sewer Collection and WWTP SOPs	LS	\$53,100
9.2 WWTP Operation & Maintenance Plan	LS	\$1,900
9.3 Staffing Analysis	LS	\$25,500
Task 10 – Facility Plan Documentation & Public Meeting	LS	\$26,200
TOTAL BASE TASK COST (tasks 1-10)		\$452,700
Management Reserve	T&M	\$10,000
TOTAL BASE TASK COST + Management Reserve		\$462,700
Task 11 – Additional Optional Tasks		
11.1 Additional WWTP Conditions Evaluation	LS	\$21,900
11.2 COSD Lift Stations – Pump Testing and General Condition Assessment	LS	\$14,200
11.3 COSD Lift Stations – Additional Conditions Evaluation	LS	\$28,500
11.4 Quality Assurance Plan	LS	\$1,900
11.5 Outfall Observation	LS	\$22,100
11.6 Risk Based Prioritization	LS	\$19,700
11.7 Cost Allocation Analysis	LS	\$3,900
11.8 District Consolidation Recommendations	LS	\$9,500
11.9 Dewatering Evaluation	LS	\$12,100
11.10 Aeration Evaluation	LS	\$15,800
TOTAL ADDITIONAL OPTIONAL TASK COSTS (task 11 only)		\$149,600
TOTAL COST (tasks 1-11 + Management Reserve)		\$612,300

LS = Lump Sum T&M = Time and Materials

EXHIBIT B
SPECIAL PROVISIONS

None proposed.

EXHIBIT C

INSURANCE

- A. Consultant, at its sole expense, shall procure and maintain in full force and effect insurance written by an insurance company or companies with AM Best's rating(s) of A VIII or better. All insurance companies must be authorized to do business in the State of Idaho. By requiring insurance herein, City does not represent that coverage and limits are necessarily adequate to protect Consultant, and such coverage and limits shall not be deemed as a limitation on Consultant's liability under the indemnities granted to City in this Agreement.
- B. Certificates of Insurance and additional insured, primary and non-contributory, and waiver of subrogation endorsements evidencing the coverages required herein and endorsements required herein shall be provided to City upon full execution of this Agreement and prior to the start date of the Services. All certificates must be signed by an authorized representative of Consultant's insurance carrier. Renewal certificates must be provided to City a minimum of five (5) days prior to the effective date of the renewal.
- C. Certificates and endorsements required herein shall be mailed to:
City of Lewiston
Purchasing Division
P.O. Box 617
Lewiston, Idaho 83501
- D. Certificates must evidence the following minimum coverages:
1. WORKERS' COMPENSATION insurance meeting the statutory requirements of the State of Idaho, if applicable.
 2. EMPLOYERS' LIABILITY insurance, if applicable, providing limits of liability in the following amounts:

Each Accident:	\$500,000 each accident
Bodily Injury by Accident:	\$500,000 policy limit
Bodily Injury by Disease:	\$500,000 each employee
 3. COMMERCIAL GENERAL LIABILITY insurance, if applicable, providing limits of liability in the following amounts:

General Aggregate:	\$2,000,000
Product/Completed Operations Aggregate:	\$2,000,000
Personal & Advertising Injury Liability:	\$1,000,000
Per Occurrence:	\$1,000,000
Damage to Rented Premises:	\$ 50,000

The Commercial General Liability ("CGL") insurance policy shall be written on an "Occurrence" form and shall cover liability arising from premises, operations, independent contractors, products, completed operations, personal injury,

advertising injury, and liability assumed under an insured contract (including tort liability of another assumed in a contract). Required coverage shall be maintained without interruption from the date City and Consultant fully execute this Agreement and prior to Consultant commencing work under this Agreement through the statute of limitations (or statute of repose, if applicable).

4. BUSINESS AUTOMOBILE LIABILITY insurance providing bodily injury and property damage liability coverage for not less than \$1,000,000 each accident limit. Business Automobile Liability insurance shall be written on a standard ISO policy form, or an equivalent form, providing coverage for liability arising out of owned, hired, or non-owned vehicles in connection with this Agreement.
5. PROFESSIONAL LIABILITY insurance with limits of not less than \$1,000,000 per claim and \$1,000,000 aggregate. If the insurance required by this section is obtained through a "Claims Made" policy, this coverage or its replacement shall have a retroactive date of no later than the inception of this Agreement. Continuous or extended reporting coverage shall be maintained a minimum of five (5) years or the maximum time under the State of Idaho statute of limitations for claims under this coverage, whichever is greater, after the Services are last provided under this Agreement.

Or

Consultant shall maintain professional liability insurance coverage meeting these requirements for the applicable of statutory limitation of claims (or statute of repose, if applicable) after completion of the Services.

- E. Consultant shall name the City, its officers, officials, employees, and volunteers ("Additional Insureds") as additional insureds on Consultant's commercial general liability insurance policy and all other liability insurance policies with the exception of the professional liability policy, with respect to liability arising out of work or operations performed by or on behalf of Consultant, including materials, parts, or equipment furnished in connection with such work or operations. To the maximum extent permitted by law, the coverage provided to the Additional Insureds under the commercial general liability policy shall be provided by a policy provision or an endorsement that is as least as broad as CG 20 10 07 04 (ongoing operations) in combination with CG 20 37 07 04 (completed operations). Notwithstanding the foregoing, Consultant shall provide ISO Form B - CG 20 10 11 85 or equivalent coverage where available from its carrier. The Additional Insured endorsement must be provided with the certificate of insurance. Such policy provision(s) or endorsement(s) shall further provide that coverage is primary and not excess over or contributory with any other valid, applicable, and collectible insurance or self-insurance in force for the Additional Insureds.
- F. Consultant waives all rights against City, its officers, officials, employees, and volunteers for recovery of damages to the extent that damages are covered by commercial general

liability, commercial excess/umbrella liability, business automobile liability, workers' compensation or employer's liability insurance, or professional liability insurance maintained pursuant to the requirements of this Agreement.

- G. The Worker's Compensation, Employer's Liability, Professional Liability, Commercial General Liability, and Business Automobile Liability insurance policies carried by Consultant pursuant to this Agreement shall include an endorsement expressly waiving any right of subrogation on the part of the insurer against City and its elected officials, agents, employees, successors and assigns. Consultant shall pay any additional costs or charges for obtaining such waiver. A copy of the waiver of subrogation endorsement shall accompany the certificate(s) of insurance.
- H. For any policy required of Consultant, any deductible or self-insured retention in excess of \$10,000 must be declared and is subject to City's approval. Funding of deductibles or self-insured retentions maintained by Consultant is the sole responsibility of Consultant, including any deductible or self-insured retentions applicable to coverage afforded to City or other Additional Insureds. The coverage afforded to the Additional Insureds must not be conditioned upon payment of any deductible or self-insured retentions.
- I. Consultant shall require that any contractor of any tier retained to fulfill Consultant's duties under this Agreement shall: (1) procure and maintain insurance that complies with the requirements set forth in this Exhibit, including the additional insured, primary and non-contributory, and waiver of subrogation requirements; and (2) provide Consultant with certificates of insurance and endorsements evidencing such coverages and endorsements. Additionally, Consultant shall review such certificates of insurance and endorsements to ensure that the coverages therein evidenced comply with the requirements set forth in this Exhibit. On a case-by-case basis, City may agree to adjust these requirements for any contractor.
- J. Receipt by City of a non-conforming certificate of insurance, policy, or endorsement without objection or City's failure to collect a certificate of insurance shall not waive or alter Consultant's duty to comply with the insurance requirements set forth herein.
- K. Consultant shall keep the insurance policies in effect as long as the Agreement is in effect or as otherwise specified herein, whichever is longer.
- L. Consultant shall notify or require insurer to notify City at least fifteen (15) days prior to cancellation, non-renewal, or limitation in scope or coverage of Consultant's policies.
- M. In addition to any other remedies that City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may:
 - 1. Order Consultant to stop work under this Agreement and/or withhold any payment(s) that become due to Consultant hereunder until Consultant demonstrates compliance with the insurance requirements herein, or
 - 2. Terminate this Agreement.

Exercise of any of the above remedies is an alternative to other remedies that City may have and is not the exclusive remedy for Consultant's failure to maintain insurance or secure the appropriate endorsements.

- N. Nothing herein shall be construed as limiting, in any way, the extent to which Consultant may be held responsible for payments of damages to persons or for property arising from Consultant's, or its subcontractor's, performance of the work covered under this Agreement.



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE ORDINANCE 4929	AGENDA NO. VII.D.1.a. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) Ordinance 4929 implements the Council's decision in ANX24-2 to annex land into the Lewiston City limits and provides and effective date.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) None	
ACTION PROPOSED Approve Ordinance 4929	

(Above space for Recorder's use)

CITY ORDINANCE NO. 4929

AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ANX24-2 TO ANNEX LAND INTO THE LEWISTON CITY LIMITS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the real property described herein consists of approximately 4.99 acres owned by #916 Pioneer Exchange Accommodation Titleholder, LLC; and

WHEREAS, as required by Idaho Code §§ 50-222(3)(a)(i) and (5)(a), #916 Pioneer Exchange Accommodation Titleholder, LLC has consented to annexation of such real property; such real property is contiguous to the City of Lewiston; and the City of Lewiston Comprehensive Plan includes the area of annexation.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: The real property described in Exhibit A, attached hereto and incorporated herein, is hereby annexed by the City of Lewiston and incorporated into the boundaries of the City of Lewiston. A depiction of said real property is attached hereto and incorporated herein as Exhibit B.

SECTION 2: The ordinance shall take effect and be in fully force from and after its passage and publication.

PASSED this _____ day of _____, 2024.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Tanya M. Brocke, City Clerk

STATE OF IDAHO)
) ss.
County of Nez Perce)

On this _____ day of _____ 2024, before me, a Notary Public, personally appeared Daniel G. Johnson and Tanya M. Brocke, known or identified to me as the Mayor and City Clerk, respectively, of the City of Lewiston, and stated that they have the authority to execute this instrument on behalf of the City of Lewiston, and did execute this instrument on behalf of the City of Lewiston.

Notary Public for the State of Idaho
Commission Expires: _____

Exhibit A To Ordinance No. 4929
Legal Description of Subject Property

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.

Exhibit B to Ordinance No. 4929
Depiction of the Subject Property



**CITY OF LEWISTON
SUMMARY OF ORDINANCE NO. 4929**

ORDINANCE NO. 4929: AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ANX24-2 TO ANNEX LAND INTO THE LEWISTON CITY LIMITS, AND PROVIDING AN EFFECTIVE DATE.

Section 1 annexes the real property described in Exhibit A into the City of Lewiston. Section 2 provides an effective date.

As required by Idaho Code § 50-901A, the following excerpt from Ordinance No. 4929 is required to be published in full:

...

SECTION 1: The real property described in Exhibit A, attached hereto and incorporated herein, is hereby annexed by the City of Lewiston and incorporated into the boundaries of the City of Lewiston. A depiction of said real property is attached hereto and incorporated herein as Exhibit B.

...

The real property described in Exhibit A has the street addresses of 1125 and 1127 Warner Avenue, Lewiston, ID 83501.

Ordinance No. 4929 is effective upon passage and publication.

CITY OF LEWISTON

By: Daniel G. Johnson
Mayor

Attest: Tanya M. Brocke
City Clerk

The full text of this ordinance is available at the City Clerk's office, Lewiston City Hall, 1134 F Street, Lewiston, during regular business hours.

I, JENNIFER TENGONO, City Attorney, reviewed the foregoing Summary of Ordinance No. 4929. The summary is true and complete, and provides adequate notice to the public pursuant to Idaho Code § 50-901A.

Dated this _____ day of _____ 2024.

JENNIFER TENGONO
City Attorney

EXHIBIT A

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.



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE RESOLUTION 2024-40	AGENDA NO. VI. H. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) Resolution 2024-40 implements the councils decision in Comprehensive Plan Map Amendment CPA24-3, as related to ANX24-2.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) None.	
ACTION PROPOSED Approve Resolution 2024-40.	

RESOLUTION 2024-40

A RESOLUTION OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN CPA24-3, AMENDING THE FUTURE LAND USE MAPS IN CHAPTER 4 OF LEWISTON'S COMPREHENSIVE LAND USE PLAN, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 11, 2024, the Lewiston Planning and Zoning Commission held duly noticed public hearings to consider CPA24-3, an application to amend Lewiston's Comprehensive Land Use Plan to include approximately 4.99 newly-annexed acres generally located at 1125 and 1127 Warner Avenue within city limits and assign such real property a future land use designation of Neighborhood Commercial, and recommended approval of said application; and

WHEREAS, on October 28, 2024, the Lewiston City Council held a duly noticed public hearing to consider CPA24-3, and subsequently approved said application, all in accordance with Idaho Code §§ 67-6509 and 67-6525.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: "Future Land Use Map" in Chapter 4 of Lewiston's Comprehensive Land Use Plan is amended as depicted in Exhibit A, attached to and incorporated herein, and the subject 4.99 acres (approximately) are hereby assigned a future desired land use designation of Neighborhood Commercial. Exhibit A-1 highlights the area of such map being annexed and is included in this resolution for informational purposes only.

SECTION 2: "Neighborhood Commercial" future land use map in Chapter 4 of Lewiston's Comprehensive Land Use Plan is amended as depicted in Exhibit B, attached hereto and incorporated herein. Exhibit B-1 highlights the area of such map being annexed and is included in this resolution for informational purposes only.

SECTION 3: This resolution shall become effective as of the date on which Ordinance No. 4929 is published.

PASSED this _____ day of _____, 2024.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Tanya M. Brocke, City Clerk

Exhibit A

to Resolution 2024-40



CITY OF LEWISTON

Future Land Use Map

Legend

 City Limit

Designation

-  Community Commercial
-  Neighborhood Commercial
-  AOI Non-Residential
-  Community Residential
-  Neighborhood Residential
-  AOI Residential
-  Industrial
-  Open Space
-  Special Use
-  Downtown



0 0.75 1.5 Miles

Exhibit A-1
to Resolution 2024-40



CITY OF LEWISTON

Future Land Use Map

Legend

City Limit

Added by CPA 24-3

Designation

Community Commercial

Neighborhood Commercial

AOI Non-Residential

Community Residential

Neighborhood Residential

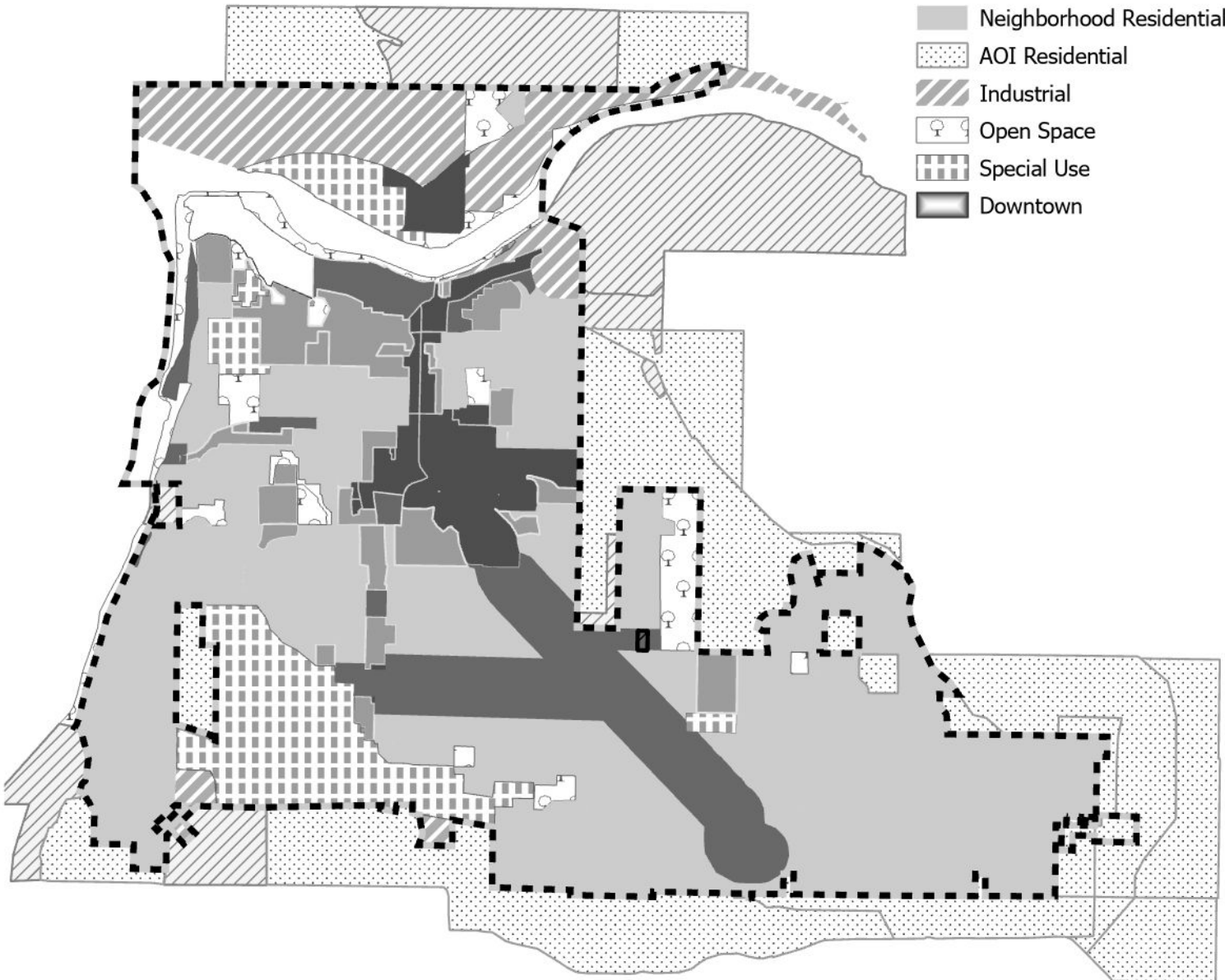
AOI Residential

Industrial

Open Space

Special Use

Downtown



0 0.75 1.5 Miles

Exhibit B

to Resolution 2024-40

CITY OF LEWISTON

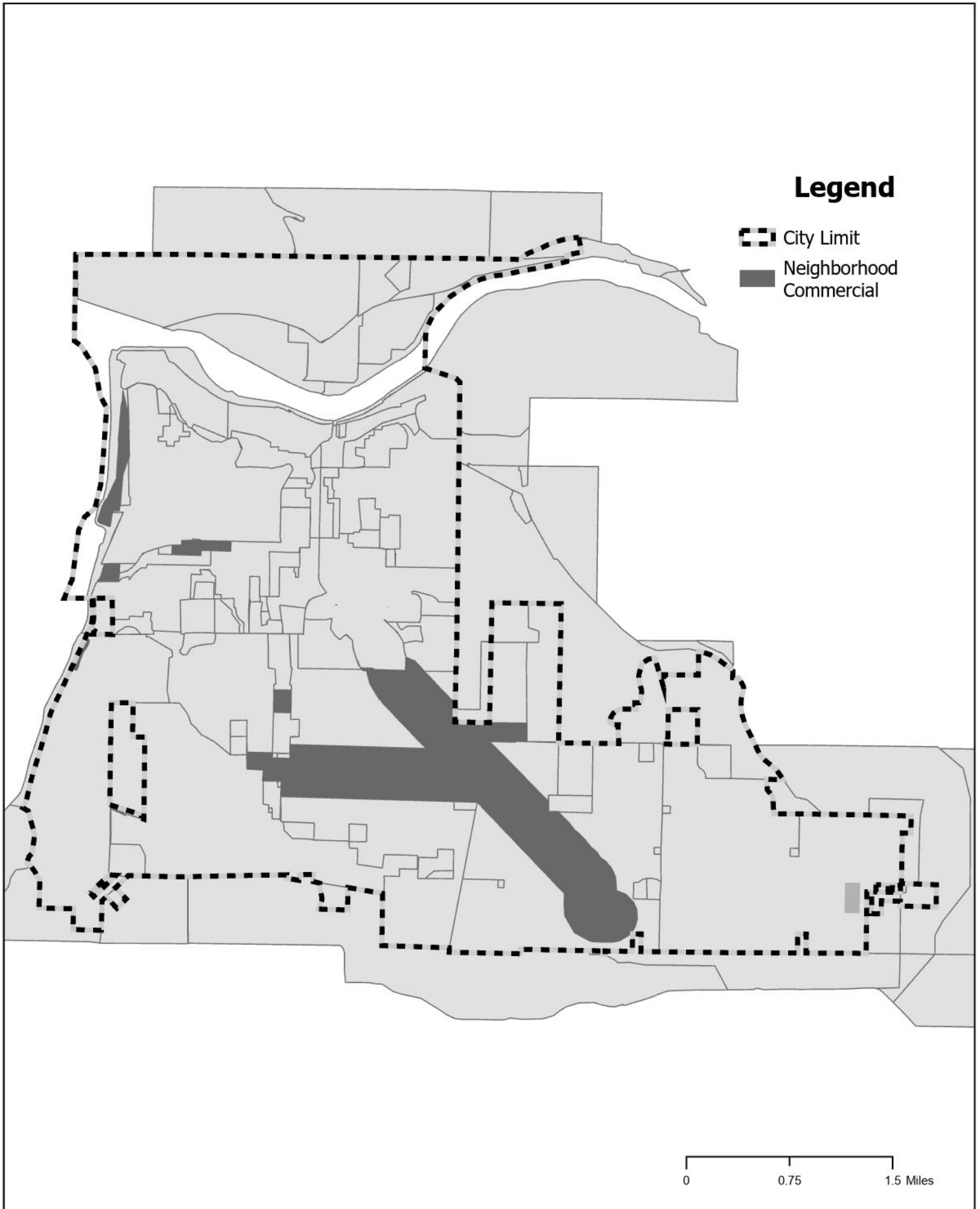
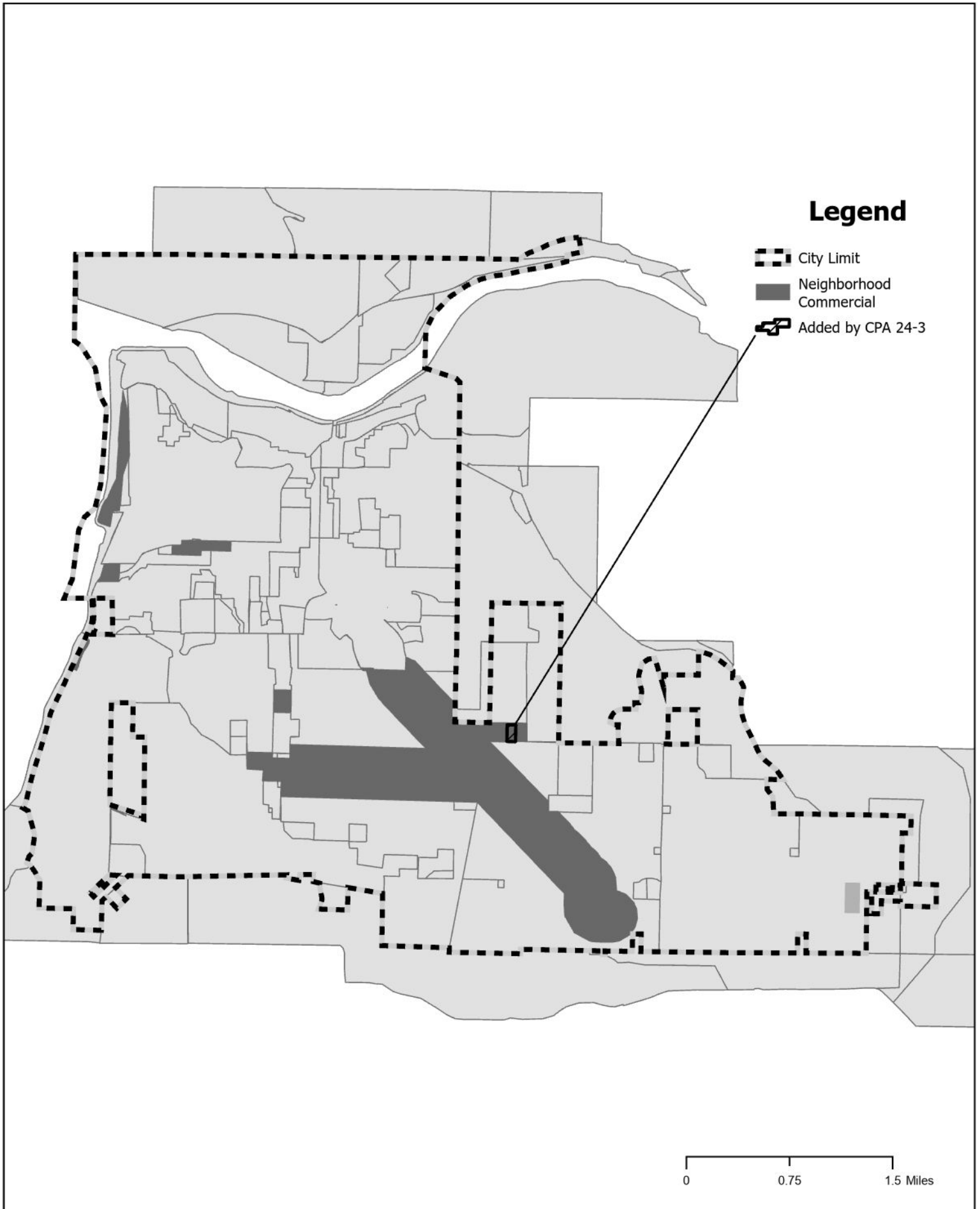


Exhibit B-1
to Resolution 2024-40



CITY OF LEWISTON





CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE ORDINANCE 4930	AGENDA NO. VII. F. 1. a. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) Ordinance 4930 implements the Council's decision in ZNC24-3, declaring that certain newly annexed real property be included in the Community Commercial, C3, zoning district and amending the official zoning map.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) None.	
ACTION PROPOSED Approve Ordinance 4930	

CITY ORDINANCE NO. 4930

AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ZNC24-3, DECLARING THAT CERTAIN NEWLY-ANNEXED REAL PROPERTY BE INCLUDED IN THE CITY OF LEWISTON COMMUNITY COMMERCIAL (C-3) ZONE; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LEWISTON; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, through Ordinance No. 4929, the City of Lewiston annexed the real property described in Section 1, which property consists of approximately 4.99 acres generally located at 1125 and 1127 Warner Avenue in Lewiston, Idaho;

WHEREAS, on September 11, 2024, the Lewiston Planning and Zoning Commission held a duly noticed public hearing to consider ZNC24-3 an application to zone the above-described property to the City of Lewiston Community Commercial (C-3) Zone, and recommended approval of said application on September 12, 2024; and

WHEREAS, on October 28, 2024, the Lewiston City Council held a duly noticed public hearing to consider ZNC24-3 and subsequently completed a written Reasoned Statement, all in accordance with Idaho Code §§ 67-6509, 67-6511, 67-6525, and 67-6535.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: The real property described in Exhibit A, attached hereto and incorporated herein, is hereby removed from the Area of City Impact (Nez Perce County) Farm (F-1) Zone and included in the City of Lewiston Community Commercial (C-3) Zone, as defined by the Zoning Ordinance of the City of Lewiston, Idaho.

SECTION 2: The Zoning Map of the City of Lewiston, Idaho is hereby amended to remove the above-described parcel of real property from the Area of City Impact (Nez Perce County) Farm (F-1) Zone and include said parcel of real property in the City of Lewiston Community Commercial (C-3).

SECTION 3: This ordinance shall take effect and be in full force from and after its passage and publication and after the publication of Ordinance No. 4929.

ORDINANCE NO. 4930

Page 1 of 2

PASSED this _____ day of _____, 2024.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Tanya M. Brocke, City Clerk

Exhibit A To Ordinance No. 4930
Legal Description of Subject Property

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.



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE ORDINANCE 4931	AGENDA NO. VII. F. 1. b. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) Ordinance 4931 amends section 39-1 of the City Code to update the City of Lewiston Area of Impact boundary map.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) None	
ACTION PROPOSED Approve Ordinance 4931	

CITY ORDINANCE NO. 4931

AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 39-1 OF THE LEWISTON CITY CODE TO UPDATE THE CITY OF LEWISTON AREA OF CITY IMPACT BOUNDARY MAP, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: The City of Lewiston Area of City Impact Boundary Map referenced in Lewiston City Code § 39-1 is hereby replaced with the map attached hereto and incorporated herein as Exhibit A. The new map amends the Area of City Impact Boundary as a result of ANX24-2, annexing approximately 4.99 acres through Ordinance No. 4929.

SECTION 2: This ordinance shall take effect and be in full force from and after its passage and publication.

PASSED this _____ day of _____, 2024.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Tanya M. Brocke, City Clerk

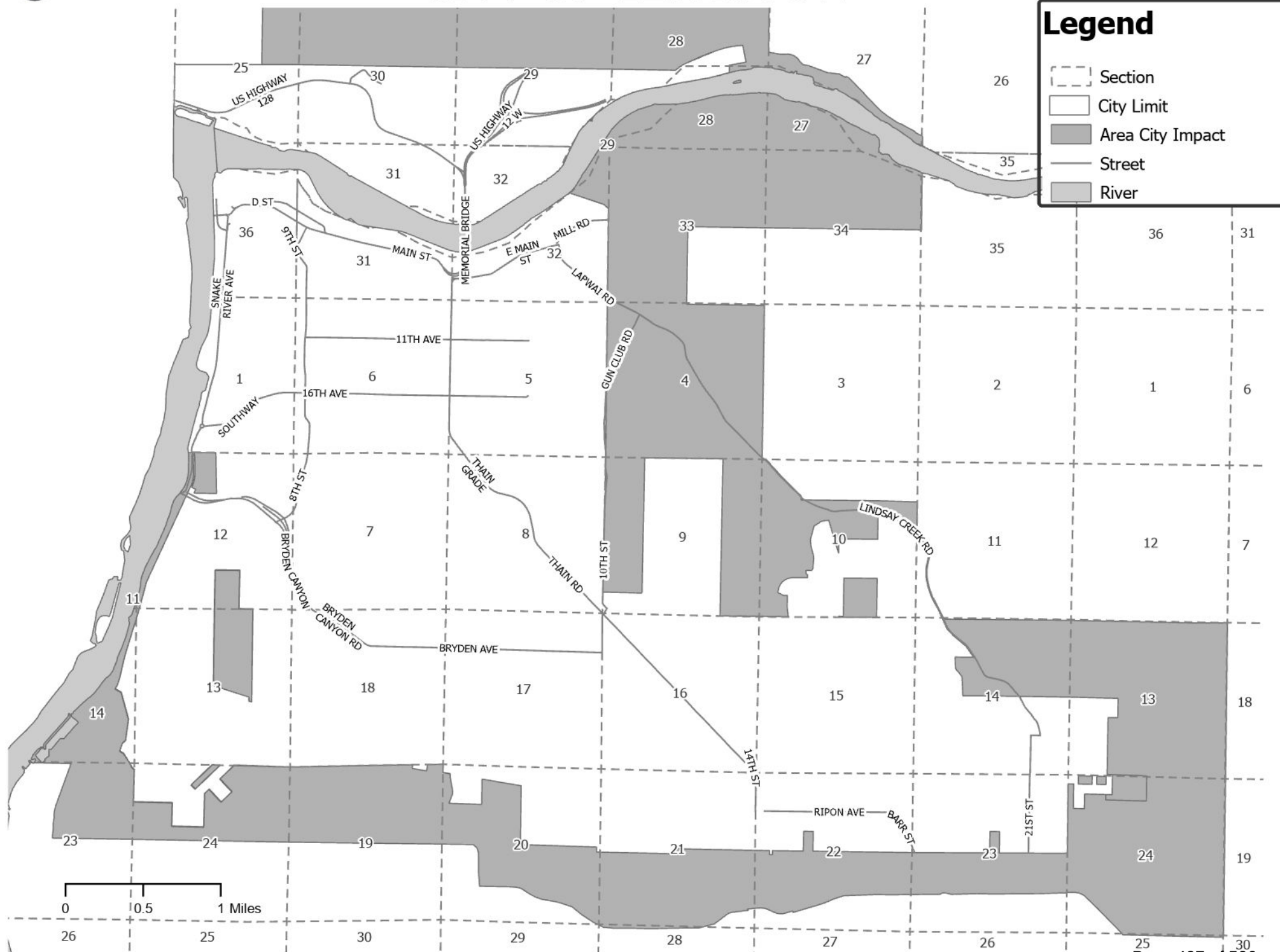
Exhibit A

to Ordinance No. 4931

Area of City Impact Boundary Map



CITY OF LEWISTON



**CITY OF LEWISTON
SUMMARY OF ORDINANCE NO. 4930**

ORDINANCE NO. 4930: AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ZNC24-3, DECLARING THAT CERTAIN NEWLY-ANNEXED REAL PROPERTY BE INCLUDED IN THE CITY OF LEWISTON COMMUNITY COMMERCIAL (C-3) ZONE; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LEWISTON; AND PROVIDING AN EFFECTIVE DATE.

Section 1 removes the real property described in Exhibit A from the Area of City Impact (Nez Perce County) Farm (F-1) Zone and includes said real property in the Community Commercial (C-3) Zone. Section 2 amends the Zoning Map of the City of Lewiston accordingly. Section 3 provides an effective date.

As required by Idaho Code § 50-901A, the following excerpts from Ordinance No. 4930 are required to be published in full:

WHEREAS, through Ordinance No. 4929, the City of Lewiston annexed the real property described in Section 1, which property consists of approximately 4.99 acres generally located at 1125 and 1127 Warner Avenue in Lewiston, Idaho;

...

SECTION 1: The real property described in Exhibit A, attached hereto and incorporated herein, is hereby removed from the Area of City Impact (Nez Perce County) Farm (F-1) Zone and included in the City of Lewiston Community Commercial (C-3) Zone, as defined by the Zoning Ordinance of the City of Lewiston, Idaho.

...

Ordinance No. 4930 is effective upon passage and publication and after the publication of Ordinance No. 4929.

CITY OF LEWISTON

By: Daniel G. Johnson
Mayor

Attest: Tanya M. Brocke
City Clerk

The full text of this ordinance is available at the City Clerk's office, Lewiston City Hall, 1134 F Street, Lewiston, during regular business hours.

I, JENNIFER TENGONO, City Attorney, reviewed the foregoing Summary of Ordinance No. 4930. The summary is true and complete, and provides adequate notice to the public pursuant to Idaho Code § 50-901A.

Dated this _____ day of _____ 2024.

JENNIFER TENGONO
City Attorney

EXHIBIT A

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.

**CITY OF LEWISTON
SUMMARY OF ORDINANCE NO. 4931**

ORDINANCE NO. 4931: AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 39-1 OF THE LEWISTON CITY CODE TO UPDATE THE CITY OF LEWISTON AREA OF CITY IMPACT BOUNDARY MAP, AND PROVIDING AN EFFECTIVE DATE.

Section 1 amends the Area of City Impact Boundary Map referenced in Lewiston City Code § 39-1 as a result of ANX24-2. Section 2 provides an effective date.

Ordinance No. 4931 is effective upon passage and publication.

CITY OF LEWISTON

By: Daniel G. Johnson
Mayor

Attest: Tanya M. Brocke
City Clerk

The full text of this ordinance is available at the City Clerk's office, Lewiston City Hall, 1134 F Street, Lewiston, during regular business hours.

I, JENNIFER TENGONO, City Attorney, reviewed the foregoing Summary of Ordinance No. 4931. The summary is true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A.

Dated this _____ day of _____ 2024.

JENNIFER TENGONO
City Attorney



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE REASONED STATEMENT ZNC24-3	AGENDA NO. VI. J. AGENDA DATE: November 25, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) Proposed Reasoned Statement explains Council's rationale and decision in ZNC24-3.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) None	
ACTION PROPOSED Approve Reasoned Statement as currently written.	

**LEWISTON CITY COUNCIL
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:
ZNC24-3

II. APPLICANT’S NAME AND ADDRESS:
Cody Merrell
1221 Crane Creek Road
Potlatch, Idaho 83855

#916 Pioneer Exchange Accommodation Titleholder, LLC
c/o Pioneer 1031 Co.
1211 W. Myrtle Street #100
Boise, Idaho 83702

III. IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:
1125 and 1127 Warner Avenue
Lewiston, Idaho 83501

IV. DATE OF PUBLIC HEARING:
October 28, 2024

V. NAME OF HEARING BODY:
Lewiston City Council

VI. NATURE OF APPLICATION:
Rezone subject property from Nez Perce County Farm, F-1, Zone to City of Lewiston Community Commercial, C-3, Zone.

VII. DECISION:
The Lewiston City Council **APPROVES ZNC24-3**

VIII. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are: No contested facts were received at this public hearing.

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:

The Lewiston City Council hereby adopts the Relevant Criteria and Standards from the Lewiston Planning and Zoning Commission and incorporates it by reference into its decision to approve ZNC24-3.

1. The proposed rezone **is** in general conformance with the Lewiston Comprehensive Plan. Applicable commentary:

The subject property is an approximately 4.89 acre parcel of land that is an island of county designated property. It has a Nez Perce County zoning designation of Farm, F-1, Zone, and contains two (2) single family dwellings and other accessory buildings. The subject property is surrounded on all four sides by City of Lewiston zoned property. Specifically, Community Commercial, C-3, Zone, on the east, west and north sides, and Low Density Residential, R-2A, Zone on the south side on the other side of Warner Avenue.

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 Applicant's request to zone the property Community Commercial, C-3, Zone provides consistent zoning to the abutting parcels to the east, west, and north sides.

The Staff Report provided to the City Council and the public, incorporated herein by reference, provides information that Warner Avenue was recently improved (see note above in Relevant Contested Facts Relied Upon) to handle more traffic as a result of the development of the new Lewiston High School.

2. The subject property **is** at least as well suited or is better suited for the proposed zoning district than the existing zoning district. Applicable commentary:

The subject property is surrounded on all four sides by City zoned property. Specifically, Community Commercial, C-3, Zone on the east, west, and north sides and Low Density Residential, R-2A, 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, a walking trail and parking lot, with planned future development of fitness courts. Ziggy's Building Supply is immediately to the west, with mini-storage rental businesses farther west along Warner Avenue. The Lewiston High School campus is to the north and there are

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC24-3

Page 2 of 5

several single family dwellings to the south on the other side of Warner Avenue. The Lewiston Independent School District #1 and the City of Lewiston also have their bus barn and storage yards to the southeast of the subject property, at the corner of Warner Avenue and 12th Street.

3. The proposed rezone **does not** present foreseen, immitigable impacts of incompatible uses or development being located in the same vicinity. Applicable commentary:

The subject property is flanked on three sides by Community Commercial, C-3, zoned property with similar commercial uses to that proposed for the subject property. 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 southeast of the subject property, at the corner of Warner Avenue and 12th Street.

The permitted uses in the proposed Community Commercial, C-3, Zone include a variety of uses including retail and restaurant, personal services and office with supporting uses such as open space and recreation, commercial entertainment, and storage units. The Community Commercial, C-3, Zone purpose statement provides that 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.

4. The effects of the proposed rezone **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:

The subject property is a county island surrounded by city property. Warner Avenue is designated as a collector road and recent improvements were made at the Warner Avenue and 12th Street and Warner Avenue and 10th Street intersections due to the construction of the new Lewiston High School Campus. The subject property is not on a City bus route and the closest bus stop is on the west side of Than Road at Warner Avenue and Thain Road (Chevron Gas Station).

City departments, specifically the Engineering Division of Public Works and the Fire Department, had no objections to the zone change application.

5. 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. Applicable commentary:

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 the subject property. Annexation of county encloses is important to provide a continual and rational boundary of City limits.

The Applicant indicated on his application that he intends to build a mini-storage unit complex on the subject property. Water and sewer services are available in Warner Avenue for the applicant to access without having to extend main line services to reach the subject property.

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

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant **could** take actions to obtain approval, such actions might include: Not applicable.

As explained below, an applicant denied an application concerning matters identified in Idaho Code § 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinance, seek judicial review under the procedures provided by Title 67, Chapter 52, Idaho Code.

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 City Council reconsider its final decision within fourteen (14) calendar days by 5:00 p.m. on the fourteenth (14th) day after the City Council 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 administrative remedies prior to the filing of a petition for judicial review of a final decision made by the City Council.

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: _____
Daniel G. Johnson, Mayor

Date of Signature: _____

ATTEST: _____
Tanya M. Brocke, City Clerk