



**Lewiston Planning & Zoning Commission  
REGULAR MEETING AGENDA  
August 12, 2026 - 5:30 PM  
Bell Building – Second Floor Conference Room – 215 D Street  
Lewiston, Idaho 83501**

Seating will be available on a first-come, first-served basis.

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**I. CALL TO ORDER**

**II. CITIZENS COMMENTS**

An opportunity for citizens to address the Commission with comments and/or questions about Planning and Zoning Commission-related matters that are not a public hearing action item on this agenda. Citizens are asked to limit their time to three (3) minutes each.

**III. ACTIVE AGENDA**

**A. APPROVAL OF JULY 22, 2026 MEETING MINUTES (ACTION ITEM)**

- B. APPROVAL OF THE REASONED STATEMENT FOR CONDITIONAL USE PERMIT APPLICATION CUP-26-4 BY DUSTIN TRAN (ACTION ITEM):** The applicant requests Conditional Use Permit approval for animal rights in the Low Density Residential, R2A zone, on a .70 acre parcel located at 422 Preston Avenue. The applicant is requesting animal rights to place one (1) horse on the property. The applicant is asking for a waiver of standards of 4,220 square feet from the half acre (21,780 square feet) minimum livestock area. The applicant has a livestock area of 17,560 square feet. Keeping of livestock, subject to the standards of sections 37-195 through 37-199 of Lewiston City Code is allowed by Conditional Use Permit in the Low Density Residential, R2A, zone. - Action Item ()

- C. APPROVAL OF THE REASONED STATEMENT FOR ZONE CHANGE APPLICATION ZNC-26-2 BY JESSICA AND KYLE BEAN (ACTION ITEM):** The applicant requests a zone change from Low Density Residential, R2A, Zone to Medium Density Residential, R3, Zone for the 2.01 acres at 3525 13<sup>th</sup> Street. - Action Item ()

- D. PUBLIC HEARING AND RECOMMENDATION TO CITY COUNCIL ON ZONING CODE AMENDMENT ZA-02-26, LANDSCAPING:** : The Planning and Zoning Commission will consider amending various provisions of the Zoning Code specific to the purpose of and requirements for landscaping in development and redevelopment, including elimination of the shade coverage requirement and change to the amount of interior parking lot landscaping required. The Commission will make a recommendation to City Council to approve or deny the proposal.

- Action Item ()

**IV. STAFF-COMMISSION COMMUNICATIONS**

- A. SOLICITING COMMISSIONER ATTENDANCE FOR THE NEXT REGULARLY SCHEDULED MEETING OF AUGUST 26, 2026 (MEDIUM DENSITY RESIDENTIAL, R3, ZONE AND HIGHER DENSITY RESIDENTIAL, R4, ZONE DISCUSSION AND DIRECTION TO STAFF REGARDING POTENTIAL AMENDMENTS).**

**V. ADJOURNMENT (Action Item) - Action Item**

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

July 22, 2026

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The LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Department Second Floor Conference Room at 215 "D" Street. Chair Iacoboni called the meeting to order at 5:32 p.m.

**I. CALL TO ORDER**

*COMMISSIONERS PRESENT:* Gabriel Iacoboni, Chair; Shaunita Cable; Cynthia Ball; Kyle Harris;

*COMMISSIONERS EXCUSED:* Zach Battles; Emily Wolf, Vice Chair;

*STAFF MEMBERS PRESENT:* Katie Hollingshead, Assistant Planner; Dawn Ortiz, Community Development Office Supervisor; Jennifer Tengono, City Attorney; Pat Severance, Public Works Development Review Supervisor;

**II. CITIZENS' COMMENTS**

None

**III. ACTIVE AGENDA**

**A. APPROVAL OF JULY 08, 2026 MEETING MINUTES (ACTION ITEM)**

Commissioners Harris and Ball moved and seconded, respectively, approval of the July 08, 2026. The motion carried 4-0.

**B. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR CONDITIONAL USE PERMIT APPLICATION CUP-26-4 BY DUSTIN TRAN (ACTION ITEM):**

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

Commissioner Ball asked if the applicant moved the pasture fence, could this be approved without a variance.

Staff stated yes, but it would take up the existing yard up to the house.

There being no further questions for the staff, Chair Iacoboni asked for applicant testimony.

Applicant Representative Kaylin Wells from Lewiston, Idaho. They would also feed the horse hay and grain using the existing barn for hay storage and the other for tack storage. They would clean the pasture multiple times a week, and some items can be purchased that keep the amount of flies down. All obstructions have been removed from the pasture. There are plans to purchase a structure at a later date if the CUP is approved, and the horse would remain in the shelter at night. There is a faucet on the property that is close and can be used to water the horse. The fencing structure is consistent all the way around the property.

Chair Iacoboni asked if the fence is maintained.

Applicant representative stated there is a section that was damaged, but it does not contain a hole, just a dent.

Chair Iacoboni asked what the timeline would be to get everything ready for the horse.

Applicant representative stated within the next two months. There are a few concerns with the existing barn having some sharp edges.

Commissioner Ball asked if there are any concerns with the neighbors from the apartment complex bothering her or scaring her.

Applicant representative stated they would move the horse's structure on the opposite side of the pasture and feed her on that side as well.

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

Mitch Carson, 426 Preston Ave. The property has not been kept up in the last few years. There is no shade or grass for an animal in the pasture; there is debris throughout the pasture that could hurt the horse; concern that the horse may have a colt; the area is not big enough for even one horse; concern with manure and flies since his wife has medical problems that could be affected; fencing is not in good condition, there has been other animals that have escaped from the pasture previously; there is a problem with the applicants dog and police being called.

Larry Lowe, 415 Preston Avenue. The pasture is barren and dry; the barn is really just a lean-to; fencing is not maintained; biggest concern is the care for the animals, as he had to call on the dog for getting out several times. He has had to scare the dog back home so kids could walk down the street because it was out. There is

debris in the pasture that could hurt the horse. The applicant had other animals on the property.

Commissioner Ball asked if there were problems with the other animals.

Mr. Lowe stated he did not know about it, or else he would have called the authorities.

Staff Ortiz read in three letters received for public comment. See Appendix A.

Jennifer Tengono, City Attorney stated, as a reminder to the Commission and to all parties, that, under Lewiston City Code with conditional use permits in an R2A zone, keeping livestock is permitted when authorized in accordance with the standards and requirements of sections 37-195 through 37-199 of Lewiston City Code. Staff Tengono read the text of Lewiston City Code Section 37-195. She stated it is important to remember that Lewiston City Code does authorize the keeping of livestock so long as it is in conformance with city code, and the inconveniences of them, like noise, flies, and things of that nature are incidental. Additionally, she encouraged the Commission to address whether this a pasture, a corral or dry lot, because it is important for the Commission to address during the public hearing and get that information, because it would be important to address as far as abating possible nuisances, and, the manure cleanup, because it is probably the primary potential nuisances that may arise. She also noted, that the application is still missing one of the co-owner's signatures, so she recommended that if the Commission approves this application, that it should be contingent on receiving the other property owner's signature.

Chair Iacoboni asked the applicant for their rebuttal.

Applicant representative stated calls on the dog were from 2021-2023, but there have not been any in the last three years, and it is well taken care of. The pallets around the tree do not have any nails. The pasture has not been maintained, but moving forward it will need to be. The fence is fine, and horses usually don't push fence lines, especially the horse they will be keeping back there.

Commissioner Ball asked how tall the fence was.

Applicant representative stated maybe five feet. The manure will be used for their garden, but will be cleaned out monthly, and this horse usually goes in the same spot. The horse's stall will be cleaned every day, and that is the standard they hold themselves to. When they had sheep there has never been any complaints when they were there. The horse will have ample food, water, and shade.

Commissioner Harris stated there is a gate on the side by the apartment complex and wanted to know if it was welded shut or just the chain.

Applicant representative stated that it is chained and locked on the pasture side. In regard to air quality, the applicant does have asthma and does not seem to have any problems with the horse or pasture, possibly with the hay though.

Chair Iacoboni asked if this area has always been R2A.

Staff Hollingshead stated that since 1969 it has been an R2A.

Chair Iacoboni closed the public hearing.

After deliberation and discussion, Commissioner Ball and Chair Iacoboni moved and seconded, respectively, to direct staff to draft reasoned statement approving CUP-26-4 with the conditions that the CUP-26-4 is only for this horse, obtain the 2<sup>nd</sup> signature of the owner, and approve the waiver of standards for minimum livestock area. The motion passed 4-0.

**C. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND  
DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR  
ZONE CHANGE APPLICATION ZNC-26-2 BY JESSICA AND KYLE  
BEAN(ACTION ITEM):**

Chair Iacoboni explained the public hearing process, opened the public hearing, and asked staff for a 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 further questions for the staff, Chair Iacoboni asked for applicant testimony.

Applicant Kyle Bean stated that they would like to make this a manufactured home park. He believes coming off 13<sup>th</sup> Street for the egress is the best option.

Chair Iacoboni asked how many units they plan to set.

Applicant Bean stated that as many as possible following the regulations.

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

Nuri Nimmer with Hodge & Associates. He speaks in favor of the zone change. Recommend approval as it meets the Comprehensive Plan. The property is better suited for R3 as it sits between the commercial corridor to the south and residential to the north.

Staff Ortiz confirmed that all Commissioners present received the three emails sent out previously this week.

Staff Ortiz read three additional emails. See Appendix A.

Staff Hollingshead stated that last year the Lewiston School District did a rezone for the elementary schools. It is a very extensive process, and consideration of where children live was taken into consideration so there is not overcrowding. The Lewiston School District is provided notice of these hearings.

Staff Tengono stated the Idaho Supreme Court, as you may or may not be aware, has recently had a slew of land use cases come before it. These cases have been decided based primarily on the adequacy or inadequacy of the public agency's reasoned statement, and the information that is being relied upon by the governing body, and whether that information supports a factual finding. She stated that the Commission should rely on the public record and emphasized that public comment alone is typically not sufficient to establish a fact, unless the Commission is able to tie the public comment to something presented during the public hearing and the specific relevant criteria and standards. Right now, the question is, is the proposed zone appropriate for the location? And traditional guidance says that if it meets the comp plan, if it meets city code, and if there is sufficient information to demonstrate that it is otherwise in compliance with local and state laws, then the Commission shall approve the application. She noted that if public testimony is concerned about safety, traffic, or other concerns, they should also present documentation or other information that supports their testimony. However, if a public utility is unable to provide a service, it will state so.

Chair Iacoboni asked the applicant for their rebuttal, and they did not feel the need to. Chair Iacoboni closed the public hearing.

After deliberation and discussion, Commissioner Ball and Chair Iacoboni moved and seconded, respectively, to direct staff to draft a reasoned statement approving ZNC-26-2. The motion passed 4-0.

#### **IV. STAFF-COMMISSION COMMUNICATIONS:**

##### **A. Query of Commissioners for the August 12, 2026, meeting.**

All commissioners in attendance should be in attendance for the August 12, 2026, meeting.

Staff Hollingshead stated Commissioner Anderson has resigned as of today.

V. ADJOURN

There being no further business, Commissioners Harri and Ball moved and seconded, respectively, to adjourn. The motion carried 4-0, and the Planning and Zoning Commission adjourned at approximately 7:25 p.m.

RESPECTFULLY SUBMITTED,

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Dawn Ortiz,  
Recording Secretary

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Chairperson or Acting Chairperson  
Planning and Zoning Commission

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

# Appendix A



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## Planning and Zoning 13th and Cedar Ave

1 message

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**RICK L WILKINS** <rwilkins1564@msn.com>

Tue, Jul 21, 2026 at 9:44 PM

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

Dear Lewiston Planning and Zoning Commission

I am writing to express my opposition to the proposed rezoning of this neighborhood from single-family residential to multi-family residential. While I understand the need for housing, I have serious concerns about safety, increased traffic on already narrow roads, and the impact on families and children who live, walk, and play here. I am concerned the current infrastructure may not support additional residential density, including strain on the water system, sanitary services, drainage, and possible effects on property taxes. I also ask the City to consider whether Orchards Elementary and nearby schools have the capacity for additional students, and how rezoning could affect classroom space, safety, and resources. Finally, I ask the commission to consider the neighborhood's character, parking, noise levels, and overall quality of life for those who chose to live in this single-family community. Thank you for your time and consideration.

Sincerely,

Rick and Janell Wilkins

Sent from my Verizon, Samsung Galaxy smartphone  
Get Outlook for Android



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## Planning and Zoning on 13th and Cedar Ave property

1 message

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**Celeste Weinmann** <celestemweinmann@yahoo.com>

Tue, Jul 21, 2026 at 3:06 PM

Reply-To: Celeste Weinmann <celestemweinmann@yahoo.com>

To: "sgrow@cityoflewiston.org" <sgrow@cityoflewiston.org>, "Dortiz@cityoflewiston.org" <Dortiz@cityoflewiston.org>

To whom this may concern,

I have lived on this street since 1996. I have raised my kids and now have my grandkids here often.

I recently saw the posting, barely noticeable, along the fence. I assumed it was about road work.

This street is too narrow for accommodating the flow of traffic as it is.

Not to mention almost getting hit multiple times a week by people pulling out without looking from the Burrel Street Station apartments and the bar. Navigating our street can somedays be a bit much.

Please consider this when making your decision in this matter.

Sincerely,

Celeste Weinmann

Yahoo Mail: Search, Organize, Conquer



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## Zoning change proposal for 3525 13th Street Lewiston ID Comment/Testimony

1 message

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James Parkin <jwparkin4@gmail.com>

Mon, Jul 20, 2026 at 9:32 PM

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

Dawn Ortiz,

Please submit the following to comment to the Planning and Zoning Commission and relevant city staff for the July 22 meeting. The meeting purpose is to change 2535 13th Street from R2A Zone to an R3 zone.

To whom it may concern:

My name is James Parkin. I am the owner of 1311 Cedar Ave. Lewiston ID. My property is very close to 3525 13th Street and anything constructed on that property will be in view of my property. Changes to the zoning of that property will undoubtedly affect the value of my property. Its proximity to my property will essentially change the zoning for me. At this time the property next to mine is cleared for I don't know what. Will the owner of that property be asking for a rezoning? Will there be condos or apartments being built all around my property? Since this rezoning has a great potential to reduce the value of my property and change the makeup of my neighborhood, I respectfully request that the rezoning for 2535 13th Street be denied.

Thank you

James William Parkin IV  
Owner of 1311 Cedar Ave

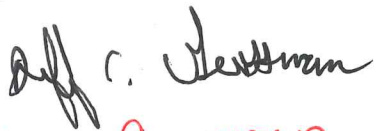
7/20/2026

To whom it may concern,

I am writing about the conditional use permit or zoning change to allow a horse on the property at 422 Pocatone Ave. Lewiston ID. Although I am of the opinion that property owners should be to use their property as they see fit, I do have some concerns. Mainly that the property now is unkempt and seems unsafe to be able to stable a horse. I do not think that adding a horse to the property is going to improve the upkeep and am worried for the horses safety and neighborhood safety also.

Please take these concerns under consideration while making this decision.

Thank-you Jeff C. Grossman

  
Jeff Grossman

430 Pocatone Ave.  
Lewiston ID  
83501

To Whom it may concern,

As the owner of the property at 428 Preston Ave,  
I have concerns for any livestock kept on the  
Property at 422 Preston Ave.

There is a large amount of work needed to make  
this a safe place for the animal.

Another concern is the manure, smell and flies  
associated with the same.

This could be a problem for the people who  
rent my apartments too.

Thank you

Brian McKardner

208-305-5310

To Whom it may concern,

I ~~am~~ am submitting a second letter about proposed zoning change for property at 422 Preston Ave. Lewiston ID.

I have many concerns for this property and the impact it will have on the surrounding area.

I am submitting these pictures, city ordinances and my interpretation of the whole issue, and my wife's health issues

Thank you

Mitch Carson

426 Preston Ave

| Incident  | Nature          | Disposition       |     |
|-----------|-----------------|-------------------|-----|
| 25-L11583 | Citizen Dispute | 08:08:58 08/01/25 | CAA |
| 25-L3746  | VIN Inspection  | 12:03:41 03/17/25 | INA |
| 25-L3313  | 12Convulsions   | 16:11:30 03/08/25 | INA |
| 23-L17822 | Animal at Large | 16:40:22 10/12/23 | INA |
| 23-L16976 | Animal at Large | 16:48:37 09/27/23 | INA |
| 23-L6377  | Animal Noise    | 11:01:48 03/22/23 | INA |
| 23-L6111  | Theft           | 10:49:19 03/17/23 | NCI |
| 22-L16973 | Animal Noise    | 13:33:31 11/02/22 | INA |
| 22-L8874  | Animal Noise    | 14:13:32 06/15/22 | INA |
| 22-L6804  | Suspicious      | 11:31:55 05/11/22 | INA |
| 22-L6208  | Animal at Large | 18:02:48 04/30/22 | INA |
| 22-L3661  | Animal at Large | 13:20:15 03/13/22 | INA |
| 21-L4528  | VIN Inspection  | 12:58:45 03/30/21 | INA |
| 21-L1333  | Animal Problem  | 14:54:52 01/27/21 | ANI |

8 calls on dog

- #1 corral - stalls ~~shelter~~ for animal, no shade trees or structure  
Dry lot - temporary place, rehab, being worked or exercised  
Pastures - forage, grazing over continual basis except for replant, rotation and plowing

Pictures 1-6, 8-14

property not cleaned, irrigated or upkeep

#2 amount of live stock on property

#3 Fencing pictures #1-11

— not maintained, many hazards, wire, tin, fencing, pallets raised metal planter boxes

#4 forage pictures #1-6, 8-14

— dead grass, weeds

#5 Manure & Clean up  
Dry lot - weekly  
Stalls - twice weekly  
Pasture - monthly

#6 Change of livestock or numbers kept - Mare having a foal

#7 ~~How~~ How close all properties are picture #15

#8 Wifes health & concern there - COPD, chronic heart failure, immune deficiency

#9 live stock born on property - horse bred/born on property

#10 Follow up & policing of property to ensure quality & care for animal and property  
cows from Vista/Stuart Ave.

#11 issue with ongoing dog at large - chickens at large  
Killed by neighbor dog

# 1



#2



#3



#4



#5



#6



#7



#8



#9



#10



#11



#12

Photos

Save Home

23 of 23



Off market: \$439,100 (4 beds, 2 baths, 2,352 Square Feet)

#13

Photos

Save Home

25 of 29



Off market: \$489,100 (4 beds, 2 baths, 2,352 Square Feet)

#14

Photos

Save Home

24 of 29



Off market: \$489,100 (4 beds, 2 baths, 2,352 Square Feet)

#15

File Edit View Add Tools Help

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Google 100% Data attribution

• **Sec. 37-195. - Purpose and applicability.**

The purpose of this article is to provide allowances, prohibitions, limitations and standards for the keeping and raising of livestock. It is the intent of this article to encourage the use and protection of lands in more rural areas of the city for animal husbandry purposes, maintain and enhance the city's rural lifestyle, encourage household self-sufficiency, promote the benefits of animal husbandry, minimize potential adverse effects on adjoining property from the keeping and raising of livestock to neighboring residents and to educate youth as to the enjoyment and responsibilities of raising and caring for livestock. The allowances, prohibitions, limitations and standards set forth in this article shall not apply to youth raising or caring for livestock for purposes of participation in a related educational program, such as 4-H (Head, Heart, Hands and Health Club/Program).

However, 4-H livestock shall not be kept in any manner so as to cause offense to neighboring residents regarding noise, odor, dust, drainage/run-off, etc. Complaints about such may be subject to the City of Lewiston requiring corrective action to be taken to abate any such offense, up to and including requiring the removal of the livestock from the subject property.

The City of Lewiston recognizes and supports the right to keep and raise livestock in keeping with the requirements established herein by right in the agricultural transitional zone (F-2 zone) and the suburban residential zone (R-1 zone), and with a conditional use permit in the low density residential zone (R-2A zone); however, the keeping of poultry shall also be allowed by right, subject to the standards specified herein, on any single-family or duplex residential lot, except in the central business district, as defined in section 37-145 of this Code. The City of Lewiston has determined that inconveniences or discomforts with the keeping of livestock shall not be considered a nuisance if operations are consistent with accepted customs and standards and the code sections set forth in this article.

(Ord. No. 4354, § 5, 3-29-04; Ord. No. 4580, § 1, 8-13-12; Ord. No. 4645, § 1, 10-26-15)

• **Sec. 37-196. - Definitions.**

Any term used but undefined in this article shall be defined as per common definition of the English dictionary.

*Animal* means livestock, as defined herein.

*Animal rights* means the ability to keep a specific number and type of livestock or poultry on a piece of property because of it being allowed by the zoning, authorized by a conditional use permit, or as a historic, legally established and continuously maintained nonconforming use.

*Cleaning* means the removal of manure from stalls or pens, stockpiling of manure, composting of manure, tilling manure into fields or hauling the manure off site.

*Corral* means an outdoor stall.

*Dry lot* means an area of property upon which no forage is present for feeding. Dry lots shall be at least nine hundred (900) square feet with a minimum dimension of ten (10) feet. Dry lots shall not be partitioned into less than nine hundred (900) square foot areas. Dry lots are a place of temporary containment for convalescing animals, animals being worked, or animals given regular exercise on a different location of the property.

*Livestock* is a generic term and includes all cattle or animals of the bovine species; all horses, mules, burros and donkeys or animals of the equine species; all goats or animals of the caprine species; all swine or animals of the porcine species; all sheep or animals of the ovine species; all poultry; llamas and alpacas. Sucklings, or livestock which are born from animals already on a property and less than three (3) months old, shall not be counted toward the allowable number of livestock on any given property.

*Livestock area* means pasture, corrals, dry lots, feedlots and other property including buildings and structures, available to and used by the livestock.

17

Coops shall be constructed of rigid, sturdy materials and have walls on a minimum of three (3) sides. The use of tarps, nonrigid plastic sheeting, canvas, or similar materials shall not be permitted.

d.

Coops shall be located to the side of or behind an on-site residence, not closer than three (3) feet to any property line and not closer than ten (10) feet to any existing, neighboring residence, including any attached garage and any adjoining deck or patio; any existing, neighboring gazebo, swimming pool or hot tub, unless the adjacent property owner gives written consent otherwise.

e.

Runs shall be enclosed by a six-foot tall minimum fence.

f.

Runs may be located anywhere relative to any on-site residence and may include any unpaved and uncovered part of the owner's yard, but shall not be closer than ten (10) feet to any existing, neighboring residence, including any attached garage and any adjoining deck or patio; any existing, neighboring gazebo, swimming pool or hot tub, unless the adjacent property owner gives written consent otherwise.

g.

Coops and runs shall be constructed and maintained so as to prevent the poultry from escape.

h.

Ground surface of run areas shall be dirt, grass, straw, and/or other appropriate surface type conducive to the habits and health of poultry and shall be maintained to prevent intrusion of soil erosion and dust onto neighboring properties.

i.

Coops and runs shall be constructed and maintained so as not to allow stormwater or other drainage onto neighboring property, including public rights-of-way and drainage ways.

j.

The keeping of chickens shall require the resident owner of the property to sign, date, and submit to the community development department a form prepared by the community development department whereby the resident acknowledges having read the requirements for the keeping of poultry and stating that he/she will comply with said requirements. If the property owner is not a resident of the property, then both the property owner and the resident shall sign and date the form. The form shall be accompanied by a site plan that identifies, in addition to other typical site plan information, the locations of the proposed poultry coop and outdoor run area. The locations of the coop and the outdoor run area shall be shown to meet the distance/separation requirements listed in subsections (4)(d) and (f) of this section.

(5)

The keeping of swine, geese or male chickens, i.e., roosters, is prohibited.

(6)

The standards for the allowable numbers of livestock as specified above may be exceeded for a three-month period for a suckling when it is slow to mature to market weight and needs to be kept with its mother.

(7)

The allowable number of livestock and the related standards contained herein shall also apply where the keeping of livestock is related to a commercial agricultural operation, unless otherwise authorized by conditional use permit.

(8)

Where more than one (1) type of livestock is kept on a property and the different types of livestock have different required space or area requirements, the amount of area provided shall be equal to

Manure may be spread, tilled, and harrowed into pastures. The pasture area shall be a minimum of one-half (½) acre for each two (2) cows or horses being confined on the property. Manure may not be tilled into the soil within twenty-five (25) feet of a category B drainage, one hundred (100) feet of a municipal well, or in areas known to have high water table.

(g)

*Manure storage.*

(1)

Stockpiled manure storage areas shall not exceed a footprint of five hundred (500) square feet from March through October and eight hundred (800) square feet from November through February and be no greater than six (6) feet high. Stockpiled manure shall be placed a minimum of thirty (30) feet from any property line.

(2)

Stockpiled manure shall not be stored for a period of longer than forty-five (45) days during the months of March through October, and sixty (60) days from November through February, weather permitting.

(h)

*Disposal of material.* The materials cleaned from stalls, pasture areas, coops, runs, etc., shall be removed from the property, unless composted or re-used and located on site in such a manner as not to cause any nuisance to neighbors, in terms of odor, drainage, or insect attraction.

(i)

*Nuisance.* Animals shall be kept in such a manner as to not constitute a nuisance to neighbors, in terms of noise, odor, animal trespass, attraction of insects, etc.

(Ord. No. 4354, § 5, 3-29-04; Ord. No. 4580, § 1, 8-13-12; Ord. No. 4645, § 3, 10-26-15)

- **Sec. 37-199. - Conditional use permits.**

(a)

The keeping of a type of livestock not explicitly governed herein may be permitted by conditional use permit, subject to keeping with the intents, purposes and maintenance standards set forth in this article.

(b)

Approval of any conditional use permit application governed by this article shall be presumed to allow the keeping of any/all types of livestock permitted under this article, subject to the limitations and standards herein, unless otherwise specified as a condition of approval of the conditional use permit.

(c)

Approval of any conditional use permit application governed by this article shall be presumed to run with the land and carry over from one (1) property owner to the next, unless otherwise specified as a condition of approval of the conditional use permit.

(d)

Any change to the type of livestock or any increase in the number of livestock or any change to any other aspect of the keeping of livestock that is a condition of approval of a conditional use permit shall be subject to approval of a new conditional use permit, unless the original permit did not limit numbers and/or types of livestock allowed or any other aspect of the keeping of livestock.

(Ord. No. 4354, § 5, 3-29-04; Ord. No. 4580, § 1, 8-13-12; Ord. No. 4682, § 1, 1-9-17)

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## Planning and Zoning 13th and Cedar Ave

1 message

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**RICK L WILKINS** <rwilkins1564@msn.com>

Tue, Jul 21, 2026 at 9:44 PM

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

Dear Lewiston Planning and Zoning Commission

I am writing to express my opposition to the proposed rezoning of this neighborhood from single-family residential to multi-family residential. While I understand the need for housing, I have serious concerns about safety, increased traffic on already narrow roads, and the impact on families and children who live, walk, and play here. I am concerned the current infrastructure may not support additional residential density, including strain on the water system, sanitary services, drainage, and possible effects on property taxes. I also ask the City to consider whether Orchards Elementary and nearby schools have the capacity for additional students, and how rezoning could affect classroom space, safety, and resources. Finally, I ask the commission to consider the neighborhood's character, parking, noise levels, and overall quality of life for those who chose to live in this single-family community. Thank you for your time and consideration.

Sincerely,

Rick and Janell Wilkins

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)



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## Planning and Zoning on 13th and Cedar Ave property

1 message

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**Celeste Weinmann** <celestemweinmann@yahoo.com>

Tue, Jul 21, 2026 at 3:06 PM

Reply-To: Celeste Weinmann <celestemweinmann@yahoo.com>

To: "sgrow@cityoflewiston.org" <sgrow@cityoflewiston.org>, "Dortiz@cityoflewiston.org" <Dortiz@cityoflewiston.org>

To whom this may concern,

I have lived on this street since 1996. I have raised my kids and now have my grandkids here often.

I recently saw the posting, barely noticeable, along the fence. I assumed it was about road work.

This street is too narrow for accommodating the flow of traffic as it is.

Not to mention almost getting hit multiple times a week by people pulling out without looking from the Burrel Street Station apartments and the bar. Navigating our street can somedays be a bit much.

Please consider this when making your decision in this matter.

Sincerely,

Celeste Weinmann

[Yahoo Mail: Search, Organize, Conquer](#)



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## Zoning change proposal for 3525 13th Street Lewiston ID Comment/Testimony

1 message

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**James Parkin** <jwparkin4@gmail.com>

Mon, Jul 20, 2026 at 9:32 PM

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

Dawn Ortiz,

Please submit the following to comment to the Planning and Zoning Commission and relevant city staff for the July 22 meeting. The meeting purpose is to change 2535 13th Street from R2A Zone to an R3 zone.

To whom it may concern:

My name is James Parkin. I am the owner of [1311 Cedar Ave. Lewiston ID](#). My property is very close to 3525 13th Street and anything constructed on that property will be in view of my property. Changes to the zoning of that property will undoubtedly affect the value of my property. Its proximity to my property will essentially change the zoning for me. At this time the property next to mine is cleared for I don't know what. Will the owner of that property be asking for a rezoning? Will there be condos or apartments being built all around my property? Since this rezoning has a great potential to reduce the value of my property and change the makeup of my neighborhood, I respectfully request that the rezoning for 2535 13th Street be denied.

Thank you

James William Parkin IV  
Owner of 1311 Cedar Ave

**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:**  
CUP26-4

**II. APPLICANT'S NAME AND ADDRESS:**  
Dustin Tran  
422 Preston Avenue  
Lewiston, ID 83501

**III. IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:**  
422 Preston Avenue  
Lewiston, ID 83501

**IV. DATE OF PUBLIC HEARING:**  
July 22, 2026

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

**VI. NATURE OF SUBJECT CONDITIONAL USE PERMIT APPLICATION:**  
The applicant requests Conditional Use Permit approval for animal rights in the Low Density Residential, R-2A, Zone, on a 0.70 acre parcel located at 422 Preston Avenue. The applicant is requesting animal rights to place one (1) horse on the property. The applicant is asking for a waiver of standard of 4,220 square feet from the half acre (21,780 square feet) minimum livestock area. The applicant has a livestock area of 17,560 square feet. Keeping of livestock, subject to the standards of sections 37-195 through 37-199 of Lewiston City Code is allowed by Conditional Use Permit in the Low Density Residential, R-2A, Zone.

**VII. DECISION:**  
The Lewiston Planning and Zoning Commission **APPROVES CUP-26-4 including the associated waiver of 4,220 square feet from the required 21,780 square feet livestock area standard in Lewiston City Code § 37-197** SUBJECT TO the conditions in Section VIII of this Conditional Use Permit.

**VIII. CONDITIONS OF APPROVAL:**

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

1. Applicant will get the signature of co-owner Thi Ha Pham on the application; and
2. The Commission limits its animal rights approval to exclusively one (1) horse on the subject property. Future property owners will be required to obtain a new conditional use permit to house other types of animals on the subject property.

**IX. TERMINATION OF CONDITIONAL USE PERMIT:**

Pursuant to Lewiston City Code § 37-160, authorization of a conditional use permit shall be void after twelve (12) months unless:

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

The Commission received written and oral testimony from neighboring property owners indicating that the property had not been properly irrigated and was not fit for a horse and that there was no shade on the property. Testimony was also received regarding a dog that lives on the property that frequently escapes and police must be called.

The applicant's representative, Kaylin Wells, testified that there have not been any calls about the dog since 2023 and she acknowledged that when the dog was a puppy, he did escape the yard. She also acknowledged that currently the pasture area was not housing any animals and was not being watered and that improvements such as frequent watering of the grass to provide forage for the horse, installation of a shade structure for the horse and repairs to a section of the fence that was damaged by a vehicle from a neighboring property would all be completed prior to the horse being placed on the property.

**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:

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR CUP26-4

Page 2 of 10

The subject property is a 0.70 acre parcel with a single-family dwelling. The subject property is sort of flag shaped and is larger on the southern end than on the street facing northern end. The pasture area proposed for the horse is located at the southern portion of the subject property. The applicant is requesting Conditional Use Permit approval to keep one (1) horse at the subject property in the existing pasture area. The applicant indicates they have previously kept lambs for 4-H in this pasture area, but it is not currently housing any animals at this time.

Surrounding properties on all four sides are a mix of single-family and duplex style dwellings with properties on the west and south having larger lots with adjacent pasture areas. Lots to the north are smaller in size. The subject property is located in the middle of the block, with the intersection of Preston Avenue and 5<sup>th</sup> Street half a block to the east, and the intersection of Preston Avenue and 4<sup>th</sup> Street half a block to the west. The subject property has large open pasture areas adjacent on two sides of the proposed pasture area. The subject property is adjacent to a duplex on the east side of the property and single-family dwellings on the northeast and northwest sides of the property.

The applicant is asking for a waiver of standard from the half acre (21,780 square feet) of required pasture area, of 4,220 square feet. The applicant has a pasture area of 17,560 square feet (.40 acre) available for the horse's specific use. The applicant states a shelter area will be provided and that the existing small barn structure will be used to store hay and feed for the horse as well as tack, supplements and other horse related items. The horse will be watered by trough and there is existing irrigation lines in the back yard to supply water.

The Commission heard testimony from City Attorney Jennifer Tengono, who read Lewiston City Code § 37-195 to the Commission, which states:

The purpose of this article is to provide allowances, prohibitions, limitations and standards for the keeping and raising of livestock. It is the intent of this article to encourage the use and protection of lands in more rural areas of the city for animal husbandry purposes, maintain and enhance the city's rural lifestyle, encourage household self-sufficiency, promote the benefits of animal husbandry, minimize potential adverse effects on adjoining property from the keeping and raising of livestock to neighboring residents and to educate youth as to the enjoyment and responsibilities of raising and caring for livestock. The allowances, prohibitions, limitations and standards set forth in this article shall not apply to youth raising or caring for livestock for purposes of participation in a related educational program, such as 4-H (Head, Heart, Hands and Health Club/Program). However, 4-H livestock shall not be kept in any manner so as to cause offense to neighboring residents regarding noise, odor, dust, drainage/run-off, etc. Complaints about such may be subject to the City of Lewiston requiring corrective action to be taken to abate any such offense, up to and including requiring the removal of the livestock from the subject property.

The City of Lewiston recognizes and supports the right to keep and raise livestock in keeping with the requirements established herein by right in the agricultural transitional zone (F-2 zone) and the suburban residential zone (R-1 zone), and with a conditional use permit in the low density residential zone (R-2A zone); however, the keeping of poultry shall also be allowed by right, subject to the standards specified herein, on any single-family or duplex residential lot, except in the central business district, as defined in section 37-145 of this Code. The City of Lewiston has determined that inconveniences or discomforts with the keeping of livestock shall not be considered a nuisance if operations are consistent with accepted customs and standards and the code sections set forth in this article.

Several members of the public expressed concerns regarding the suitability of the property for keeping a horse. Comments focused on the current condition of the property, including the presence of debris, the condition of the fencing and outbuildings, and the size and condition of the proposed pasture area. Some commenters questioned whether the property could safely and humanely accommodate a horse. Several members of the public also expressed concerns about potential health impacts associated with keeping a horse on the property. These comments focused on the possibility that odors, dust, or other conditions associated with housing a horse could adversely affect nearby residents, particularly individuals with existing respiratory or other health conditions.

The Commission received testimony from the applicant's representative, Kaylin Wells, who stated that no animals are currently being housed in the existing pasture area. Ms. Wells explained that, before a horse is placed on the property, several improvements will be completed, including frequent watering of the pasture/grass to provide forage for the horse, installation of a shade structure, and repair of a section of fencing that was damaged by a vehicle from a neighboring property.

Ms. Wells also described the proposed care of the horse. She stated that the subject property has an existing water spigot next to the pasture area and that the horse would be provided with fresh water daily. She further stated that manure would be removed on a weekly basis and that "fly predators" would be used as part of the property's fly control efforts. According to Ms. Wells, the horse would be fed hay and grain in addition to any available forage, and the existing barn would be used to store hay, grain, tack, and other supplies needed for the horse's care.

The Commission relied on Ms. Wells' testimony in finding that the applicant had developed a plan to address potential nuisances associated with keeping a horse on the property. Commissioner Harris noted that Ms. Wells' plan to water the pasture area to help keep dust down would relieve some of the issues with smell.

The Commission also considered statements from City Attorney Tengono regarding the enforcement of the Animal Rights, Livestock, and Pasture Standards contained in the Lewiston City Code. City Attorney Tengono explained that the City Code permits the keeping of livestock within the R-2A zoning district, even though certain nuisances, such as

manure, may accompany such uses, provided the applicant maintains the property in compliance with the applicable requirements of the Lewiston City Code.

Commissioner Harris stated that he did not have concerns with the proposed use so long as any potential nuisances could be appropriately mitigated. Commissioner Iaconboni observed that regularly removing manure and properly managing its storage would help minimize odors, flies, and other nuisances commonly associated with keeping a horse. Commissioner Ball noted that housing the horse in the proposed shelter, which is located away from the neighboring residences, would further reduce potential impacts on surrounding properties, a point with which Commissioner Cable agreed. Commissioner Ball also observed that, if the keeping of the horse were to become problematic or result in violations of City Code, the City's Code Enforcement process would be available to address those issues.

The Commission also noted testimony from several members of the public indicating that they were unaware the applicant had previously kept animals on the subject property. The Commission found this testimony persuasive in demonstrating that the prior keeping of animals on the property had generally been conducted in a manner that complied with the Lewiston City Code. The Commission further noted that, although there was testimony regarding past instances of animals escaping the property, there was no evidence presented of ongoing code violations related to the keeping of animals on the property since approximately 2023.

2. The proposed use **is not** a public necessity **and is not** justified by the applicant and deemed to be of benefit to the public. Applicable commentary:

The Commission agreed that the proposed use was not a public necessity. However, the Commission concluded that this criterion was not particularly applicable to a Conditional Use Permit for Animal Rights in the R-2A zone. In reaching this conclusion, the Commission again relied on Lewiston City Code § 37-195 (cited in full above), which expressly identifies Animal Rights as a permitted conditional use within the R-2A zone when approved through the conditional use permit process. Commissioner Iaconboni also noted that the "R-2A zone is designated for people to have an animal," when reflecting the intent of the zoning district to accommodate such uses when they comply with the applicable standards.

The Commission further found that the property is located in the Low Density Residential, R-2A, Zone, where Animal Rights are an allowed conditional use. Based on Ms. Wells' testimony detailing the plan for improvements to the property, the plan for caring for the horse, and the Commission's determination that potential nuisances could be adequately mitigated and addressed through compliance with City Code, and, if necessary, through the City's Code enforcement process, the Commission concluded that approval of the conditional use permit was appropriate.

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:

The subject property is a 0.70 acre parcel with a single-family dwelling. The subject property is sort of flag shaped and is larger on the southern end than on the street facing northern end. The pasture area proposed for the horse is located at the southern portion of the subject property.

Surrounding properties on all four sides are a mix of single-family and duplex style dwellings with properties on the west and south having larger lots with adjacent pasture areas. Lots to the north are smaller in size. The subject property is located in the middle of the block, with the intersection of Preston Avenue and 5<sup>th</sup> Street half a block to the east, and the intersection of Preston Avenue and 4<sup>th</sup> Street half a block to the west. The subject property has large open pasture areas adjacent on two sides of the proposed pasture area. The subject property is adjacent to a duplex on the east side of the property and single-family dwellings on the northeast and northwest sides of the property.

The Commission received testimony from the applicant's representative, Kaylin Wells, who stated that no animals are currently being housed in the existing pasture area. Ms. Wells explained that, before a horse is placed on the property, several improvements will be completed, including frequent watering of the pasture/grass to provide forage for the horse, installation of a shade structure, and repair of a section of fencing that was damaged by a vehicle from a neighboring property.

Ms. Wells also described the proposed care of the horse. She stated that the subject property has an existing water spigot next to the pasture area and that the horse would be provided with fresh water daily. She further stated that manure would be removed on a weekly basis and that "fly predators" would be used as part of the property's fly control efforts. According to Ms. Wells, the horse would be fed hay and grain in addition to any available forage, and the existing barn would be used to store hay, grain, tack, and other supplies needed for the horse's care.

The Commission also relied on information provided during the staff presentation showing that adjacent parcels on the west and south sides of the subject property were also pasture-type open areas (though not currently used for as pastures) and that the closest residential home to the subject property's pasture area had a parking lot between it and the pasture area. Commissioner Ball noted that these types of properties are often sought out because of the Animal Rights that accompany them in the R-2A Zone. The Commission also relied on testimony from Ms. Wells that the shelter structure for the horse would be placed on the west side of the pasture, away from the closest residential building.

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

The subject property is a 0.70 acre parcel that contains a single-family dwelling. The property is sort of flag shaped and is larger on the southern end than on the street facing

northern end. The pasture area proposed for the horse is located in the southern portion of the property. The applicant is requesting Conditional Use Permit approval to keep one (1) horse on the property in the existing pasture area. The applicant states that they have previously kept lambs for 4-H in the pasture area.

The Commission found that the proposed use will not endanger the environment, public health, or public safety. In reaching this conclusion, the Commission considered the applicant's testimony regarding the proposed care and management of the horse, including the provision of shelter, daily fresh water, regular manure removal, fly control measures, repairs to the existing fencing, and improvements to the pasture area before the horse is placed on the property.

The Commission also considered the public testimony regarding the condition of the property, potential odors, manure management, flies, the possibility of animals escaping, and concerns for the safety of neighboring children. The Commission found that these concerns could be adequately addressed through the applicant's proposed management practices and compliance with the Animal Rights, Livestock, and Pasture Standards of the Lewiston City Code. The Commission further noted that the City Code authorizes the keeping of livestock within the R-2A zoning district, provided the property is maintained in compliance with the applicable code requirements, and that the City's Code Enforcement process is available to address any future violations or nuisance conditions.

The Commission also found no evidence that the subject property's topography or surrounding environment would create a safety concern for the proposed use. Commissioner Harris noted that no testimony or evidence was presented indicating that the slope of the property would adversely affect the keeping of a horse. Commissioner Ball acknowledged concerns regarding prior instances of animals escaping the property but found, based on the applicant's testimony regarding planned fencing repairs and management practices, that similar issues were not likely to occur with the proposed use. The Commission further found that locating the horse's shelter away from neighboring residences and implementing the proposed manure management and fly control measures would reduce potential impacts on adjacent properties.

Based on the evidence presented, the Commission concluded that the proposed use satisfies this approval criterion because it will not endanger the environment, public health, or public safety.

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

The subject property is located in the Comprehensive Plan's Future Land Use Map designation of Neighborhood Residential. Neighborhood Residential is a relatively low intensity primarily residential place type that includes a variety of housing types including single-family detached, duplexes, cluster housing, and accessory dwelling units (ADU's). Building should respect the scale and character of the existing built environment regarding size, mass, and design.

The Commission also considered the applicable goals, objectives, and actions of the Comprehensive Plan that may be applicable to this application, which are:

- LU.1.3 Balance land uses. Establish land use patterns that accommodate various land uses in proportion to the needs of the community.
- NH.2.4 Protect ground water quality and improve storm water quality. Encourage the reduction of pollutants and potential contaminants.

The Commission found that the proposed use is consistent with the character of the surrounding area. The subject property is a 0.70 acre parcel with a single-family dwelling. Surrounding properties on all four (4) sides are a mix of single family and duplexes with properties on the west and south having larger lots with adjacent pasture areas. Lots to the north are smaller in size. The Subject property is located in the middle of the block with the intersection of Preston Avenue and 5<sup>th</sup> Street half a block to the east and the intersection of Preston Avenue and 4<sup>th</sup> Street half a block to the west.

The Commission found that the proposed use, consisting of the keeping of one horse together with the requested variance, will be in substantial conformance with the Lewiston Comprehensive Plan. In reaching this conclusion, the Commission incorporated and relied upon the Comprehensive Plan analysis contained in the City Staff Report and found that analysis to be supported by the evidence presented during the public hearing.

The Commission further found that the proposed use will maintain the residential character of the neighborhood while allowing a use specifically contemplated by both the R-2A zoning district and the conditional use permit process. Accordingly, the Commission concluded that the proposed Conditional Use Permit, together with the requested variance, is in substantial conformance with the goals and policies of the Lewiston Comprehensive Plan.

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:

Neither the Lewiston Fire Department nor the Public Works Department, Engineering Division provided comments on the application.

The Commission received information from the Assistant City Planner that political subdivisions were solicited for comments, and no objections were received regarding the ability to provide services. The Commission noted that had other political subdivisions wanted to object, they would have provided comment to that effect. The Commission relied on the lack of testimony from political subdivisions to determine that the proposed use would not adversely impact the ability to provide services.

7. The proposed conditional use **is** in conformance with Idaho Code 67-6537, Use of Surface and Ground Water. Applicable commentary:

No testimony was received regarding the use of surface or ground water from political subdivisions that received notice, the public or the applicant. As a result, the Commission determined that there was no credible information to indicate that the proposed conditional use of the subject property would not be in conformance with Idaho Code § 67-6537.

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 Planning and Zoning Commission reconsider its final decision within fourteen (14) calendar days by 5:00 p.m. on the fourteenth (14<sup>th</sup>) 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 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: (1) 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

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR CUP26-4

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application or an affected person aggrieved by a final decision concerning matters identified in Idaho Code § 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinance, as described above, seek judicial review under the procedures provided by Title 67, Chapter 52, Idaho Code.

**By:** \_\_\_\_\_  
Signature of Planning and Zoning Commission Chair or Vice Chair or Acting Chair

**Printed:** \_\_\_\_\_

**Date of Signature:** \_\_\_\_\_

**ATTEST:** \_\_\_\_\_  
Dawn Ortiz, Community Development Office Supervisor

**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:**  
ZNC26-2

**II.    APPLICANT'S NAME AND ADDRESS:**  
Jessica & Kyle Bean  
514 Thain Road  
Lewiston, ID 83501

**III.   PROPERTY OWNER'S NAME AND ADDRESS:**  
JK Bean, LLC  
c/o Jessica Bean, Manager  
2319 Grelle Avenue  
Lewiston, ID 83501

**IV.    IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:**  
3525 13<sup>th</sup> Street  
Lewiston, ID 83501

**IV.    DATE OF PUBLIC HEARING:**  
July 22, 2026

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

**VI.    NATURE OF APPLICATION:**  
Rezone subject property from Low Density Residential, R-2A, Zone to Medium Density Residential, R-3, Zone.

**VII.   DECISION:**  
The Lewiston Planning and Zoning Commission recommends **APPROVAL** of ZNC26-2 to the Lewiston City Council.

## **VIII. RELEVANT CONTESTED FACTS RELIED UPON:**

The relevant contested facts relied upon are:

Public testimony was received that indicated that the proposed rezoning of the subject property to allow multi-family development would be too intense a use for this area and create unreasonable traffic congestion on the already narrow Cedar Avenue. Assistant Planner Katie Hollingshead provided testimony that based on the existing zoning designation, 18 dwelling units, both single-family and accessory dwelling units, could be built with no additional approval from the Planning and Zoning Commission. Of these potential units, there could be at least 6 new driveway approaches that could be installed with a subdivision as-is. The anticipated use of the subject property, as described by the applicant, would actually reduce the number of new driveway approaches installed on Cedar Avenue (Applicant intends to have driveways on 13<sup>th</sup> Street) and potentially improve possible congestion that is created based on the number of installed driveways alone.

## **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 a 2.01 acre lot that contains a single-family dwelling and some accessory buildings. Much of the property is vacant land. The applicant is requesting a zone change from the existing Low Density Residential, R-2A, Zone to Medium Density Residential, R-3, Zone so that they may develop the subject property as multi-family housing as permitted by right in the R-3 zone. The subject property is located across the street (Cedar Avenue) from other lands zoned R-3 that contain multifamily dwellings. The surrounding neighborhood is a mix of both larger scale multi-family (to the northwest at 1226 Burrell Avenue) and several smaller scale multi-family units to the north and east. The subject property is also located across the street from lands zoned Community Commercial, C-3, Zone, with several commercial businesses operating along Thain Road and connecting to 13th Street.

The subject property is located at the corner of 13th Street and Cedar Avenue. Both 13th Street and Cedar Avenue are designated as local roads at this location. 13th Street is a one-way street between Grelle Avenue and Cedar Avenue with only north bound traffic allowed. The subject property is located one block south of the intersection of 13th Street and Burrell Avenue. Burrell Avenue is a collector street. There is a transit bus stop at the Nez Perce County Fairgrounds, also located at 13th Street and Burrell Avenue. The subject property is also located one block north of the intersection of 13th Street, Grelle Avenue and Thain Road. Grelle Avenue is designated as a collector street and Thain Road is designated as an

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS  
FOR ZNC26-2

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arterial street.

The subject property is located in the Neighborhood Commercial Future Land Use Designation, which calls for both lower intensity commercial uses and multi-family residential uses. The subject property's location on local roads, behind the commercial corridor and the Thain Road arterial, make it appropriate for the Medium Density Residential, R-3, Zone and the associated multi-family uses allowed by right in that zone.

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.

Suggested Residential Density Range is 8+ dwelling units per acre 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 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.

Residential attached and Residential Multi-Unit are both listed as supporting uses in the Neighborhood Commercial Future Land Use Designation.

- LU.1 Accommodate future development and redevelopment
- LU.1.1 Optimize zoning alignments. Align incompatible zoning and land uses and development regulation with the Future Land Use Map to establish consistent and compatible growth patterns.
- LU.1.1.1 Conduct a comprehensive review of the Land Use Code to identify and modify zoning regulations that do not align with the desired development outlined in the future land use map and land use categories.
- 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.
- LU.2 Provide housing choices throughout Lewiston
- LU.2.1 Diversity 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.

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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.
- 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.
- 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 regulation 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 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.
- H.2 Diversity housing options
- H.2.1 Raise community awareness and interest for missing middle housing types. Educate developers and residents and 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.2.2.1 Evaluate existing land use regulations for areas where additional missing middle housing could be accommodated and update as needed. Consider incentives such as reduced permitting fees for these housing types.
- H.3.2.1 Identify areas within walking distance of existing or planned transit services and direct resources to encourage missing-middle and denser housing types in those locations.
- H.3.2.2 Evaluate infrastructure for areas with existing excess capacity and target additional housing resources in those locations.
- H.3.2 Maximize efficient housing development. Encourage denser housing types in areas with infrastructure capacity and transit access.
- H.3.2.1 Identify areas within walking distance of existing or planned transit services and direct resources to encourage missing-middle and denser housing types in those locations.
- H.3.2.2 Evaluate infrastructure for areas with existing excess capacity and target additional housing resources in those locations.

The subject property is located in a neighborhood that has been identified by the Comprehensive Plan Work Plan Committee (a subcommittee of the Planning and Zoning

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Commission) as being appropriate for upzoning and the rezone of the subject property would continue an existing segment of R-3 zoned property further south and would help to create that desired buffer zone between the existing commercial zone to the west and the single family dwelling to the east.

Commissioner Harris pointed out that most of the properties around the subject property are zoned R-3, other than a small subset of R-2A properties to the east. He noted that the Comprehensive Plan's Future Land Use Map pushes towards higher density development or commercial development. He further stated that "this is a prime example of a property that should be rezoned."

The Commission unanimously agreed that the proposed rezone is in general conformance with the Comprehensive Plan.

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 a 2.01 acre lot that contains a single-family dwelling and some accessory buildings. A majority of the property is vacant land. The applicant is requesting a zone change from the existing Low Density Residential, R-2A, Zone to Medium Density Residential, R-3, Zone so that they may develop multi-family housing as permitted by right in the R-3 zone. The subject property is located across the street (Cedar Avenue) from other lands zoned R-3 that contain multi-family dwellings. The surrounding neighborhood is a mix of both larger scale multi-family (to the northwest at 1226 Burrell Ave) and several smaller scale multi-family units to the north and east. The subject property is also located across the street from lands zoned Community Commercial, C-3, Zone, with several commercial businesses operating along Thain Road and connecting to 13th Street.

The subject property is located in the Neighborhood Commercial Future Land Use Designation which calls for both lower intensity commercial uses and multi-family residential uses. The subject property's location on local roads, behind the commercial corridor and Thain Road arterial, make it appropriate for the Medium Density Residential, R-3, Zone and the associated multifamily uses allowed by right in that zone.

The Commission heard testimony from Assistant Planner Hollingshead and reviewed Geographical Information System maps that demonstrated that the subject property was across the street from other lands zoned Medium Density Residential, R-3, zone and that the surrounding neighborhood is a mix of both larger scale multi-family and several smaller scale multi-family units in addition to single-family dwellings. This contradicts the public comments that this is a "single-family neighborhood" as the mapping systems showed many non-single-family dwellings in the immediate area.

The subject property is located in a neighborhood that has been identified by the Comprehensive Plan Work Plan Committee (a subcommittee of the Planning and Zoning Commission) as being appropriate for upzoning and the rezone of the subject property would

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continue an existing segment of R-3 zoned property further south and would help to create that desired buffer zone between the existing commercial zone to the west and the single family dwelling to the east.

The Commission noted that while there is a parcel of land that will remain R-2A and create an island, the approval of this rezone is consistent with the Comprehensive Plan and the City's future development plans for lands in this particular area abutting the Thain Road corridor. Commissioner Ball noted that other vacant lands in the area are also being developed. The Commission therefore concluded that increasing the density for the subject property by allowing a higher zoning designation is appropriate based on the information above.

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 an approximately 2.01 acre parcel at the intersection of 13th Street and Cedar Avenue that contains a single-family dwelling and two accessory buildings. Properties to the north are a mix of multi-family dwellings and single-family dwellings, with the Nez Perce County Fairgrounds on block to the north at the intersection of 13th Street and Burrell Avenue. Properties to the north are zoned both R-3 and R-2A. Properties to the west, across 13th Street, are commercial in nature with those properties being zoned Community Commercial, C-3, Zone. Properties to the immediate south are single family dwellings but are zoned Community Commercial, C-3, Zone. Properties to the east are a mix of duplexes, triplexes and single-family dwellings and are zoned Low Density Residential, R-2A, Zone.

The subject property is located across the street (Cedar Avenue) from other lands zoned R-3 that contain multifamily dwellings. The surrounding neighborhood is a mix of both larger scale multi-family (to the northwest at 1226 Burrell Ave) and several smaller scale multi-family units to the north and east. The subject property is also located across the street from lands zoned Community Commercial, C-3, Zone, with several commercial businesses operating along Thain Road and connecting to 13th Street.

The Commission heard testimony from Assistant Planner Hollingshead and reviewed Geographical Information System maps that demonstrated that the subject property was across the street from other lands zoned Medium Density Residential, R-3, zone and that the surrounding neighborhood is a mix of both larger scale multi-family and several smaller scale multi-family units in addition to single-family dwellings. This contradicts the public comments that this is a "single-family neighborhood" as the mapping systems showed many non-single-family dwellings in the immediate area.

The subject property is located in a neighborhood that has been identified by the Comprehensive Plan Work Plan Committee (a subcommittee of the Planning and Zoning Commission) as being appropriate for upzoning and the rezone of the subject property would continue an existing segment of R3 zoned property further south and would help to create

that desired buffer zone between the existing commercial zone to the west and the single family dwelling to the east.

The Commission focused its discussion on how there are numerous other multi-family dwellings in the vicinity of the subject property, and with it abutting a commercial zone, it is foreseeable that the subject property could serve as a buffer between the commercial corridor and the lower density residential zones remaining in the area. Ultimately, the Commission found that it would not present unforeseen immitigable impacts, and that it would be in more conformity with the neighborhood if developed as proposed.

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:

Political subdivisions were notified of the proposed rezone for the subject property. However, the political subdivisions that received notice of the proposed rezone did not provide comment in opposition to the application or indicate capacity-related issues for the services they provide. City departments provided no comments. The Lewiston Orchards Irrigation District (LOID) commented that they had met with the applicant and should be able to serve the proposed unit increase with a zone change from a maximum of 18 to 55 units. LOID stated that it was their understanding, after meeting with the applicants, that they hope to develop a modular home park similar to the one off of 15th Street and Airway Avenue. If the applicant moves forward with that plan, and depending on density, then LOID should be able to serve the development from the existing mainlines in 13th Street to the west of the subject property.

The Commission also heard testimony from Assistant Planner Hollingshead, in response to written testimony from a neighbor regarding the capacity of the neighborhood school, Orchards Elementary School, to accommodate additional students. Assistant Planner Hollingshead stated that the Lewiston Independent School District (LISD) had completed a redistricting for each of the seven elementary schools within its district and that Assistant Planner Hollingshead had been a participant on that committee. Assistant Planner Hollingshead stated that LISD had already considered growth in the east Orchards neighborhoods and had redistributed students, based on geographical location, so that the three “downtown” schools took on more students and the four “orchards” schools had more open class space to accommodate an influx of students due to residential development. Commissioner Ball also pointed out that if developed as proposed (55 and over community), there would not likely be children who would be attending elementary school due to this development.

The Commissioners also noted that the lack of opposition to the application from political subdivisions indicated that they did not object to the proposed zoning of the subject property and that infill development, such as this, was an efficient use of existing public utilities in the area. They further noted that any necessary service-related issues would be addressed through established development procedures at the appropriate stages of development with both the service providers and the City of Lewiston.

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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 Commission received written testimony from neighbors citing that the proposed rezone from “single-family residential to multi-family residential” would strain the water system, sanitary services, Orchards Elementary School and further narrow roadway width of Cedar Avenue. However, the political subdivisions that received notice of the proposed rezone did not provide comment in opposition to the application or indicate such issues with the capacity of the services they provide.

Notably, the Commission received written testimony from LOID who is the water purveyor of the subject property, stated they had met with the applicant and should be able to serve the proposed unit increase with a zone change from a maximum of 18 to 55 units. LOID stated that it was their understanding, after meeting with the applicants, that they hope to develop a modular home park similar to the one off of 15th and Airway Avenue. If the applicant moves forward with that development plan and depending on final density, then LOID should be able to serve the development from the existing mainlines in 13th Street to the west of the subject property.

The Commission also heard testimony from City Attorney, Jennifer Tengono, that public testimony alone is not a factual finding and the Commission should concentrate on the relevant criteria. A majority of the public comment did not take into account the effects that development that could occur under the existing zoning designation would have over the proposed development under the proposed zoning designation, and were more generally against *any* development of the subject property.

The Commission heard testimony from Assistant Planner Hollingshead and reviewed Geographical Information System maps that demonstrated that the subject property was across the street from other lands zoned Medium Density Residential, R-3, zone and that the surrounding neighborhood is a mix of both larger scale multi-family and several smaller scale multi-family units in addition to single-family dwellings. This contradicts the public comments that this is a “single-family neighborhood” as the mapping systems showed many non-single-family dwellings in the immediate area.

Assistant Planner Hollingshead also provided a demonstration of how the subject property could be subdivided under the current Low Density Residential, R-2A, zoning, which could create nine lots, each that could have two dwelling units on it. This hypothetical subdivision could create up to six driveway entrances onto Cedar Avenue and would require no additional approval from the Planning and Zoning Commission.

The Commission agreed that based on all of the testimony received, the proposed rezone is suitable for the area and will not unduly burden the neighborhood anymore than a

subdivision creating nine lots (and up to 18 dwelling units) under the current Low Density Residential, R-2A, zoning would.

6. The proposed rezone **is** in conformance with Idaho Code § 67-6537, Use of Surface and Ground Water. Applicable commentary:

No testimony was received regarding the use of surface or ground water from political subdivisions that received notice, the public or the applicant. As a result, the Commission determined that there was no credible information to indicate that the proposed rezone of the subject property would not be in conformance with Idaho Code § 67-6537.

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 Office Supervisor

# Memo



**To: LEWISTON PLANNING AND ZONING COMMISSION**  
**From: SHANNON GROW, COMMUNITY DEVELOPMENT DIRECTOR**  
**Date: AUGUST 5, 2026**  
**Re: REVISIONS TO LANDSCAPING REQUIREMENTS**

The purpose of this memorandum is to provide the Planning and Zoning Commission some context on why the Commission is again reviewing code revisions for landscaping. This effort has a long history. The Comprehensive Plan was adopted July, 2024 and the Ad Hoc Subcommittee was created the next month in August, 2024. The subcommittee created a work plan that was presented to the City Council in March of 2025. This work plan included an evaluation of landscaping requirements in the City code. The committee met with landscaping contractors and a member of the Lewiston Urban Forestry Commission to revise code for landscaping requirements. These revisions were reviewed by the Planning and Zoning Commission in April 2025 and passed to City Council. City Council reviewed the proposed landscaping revisions in Ordinance 4942 in May 2025. However, Ordinance 4942 was not passed due to a split vote in June 2025. Council concerns included the appearance of additional “red tape” being placed on business owners as well as the low threshold of parking spaces that triggered internal landscaping requirements.

In December, 2025 the Planning and Zoning Commission reviewed revisions to parking lot standards. This action created Ordinance 4959, which was approved by City Council on February 23, 2026. The changes made in this ordinance precipitated changes to the landscaping requirements. The Planning and Zoning Commission reviewed these changes and the previous recommended changes on April 22, 2026. Staff were concerned that the City Council would not approve the recommended changes to landscaping as they had not substantially changed since Ordinance 4942. Staff conducted a benchmarking effort to review landscaping requirements for neighboring jurisdictions. Staff presented these findings to the City Council at their worksession on July 6, 2026, and received direction from the Council on proposed changes that they would like implemented.

The proposed changes in draft ordinance 4967 include interior landscaping at 20 spaces (currently 6), changing the amount of interior landscaping from a percentage to square feet, and removing the requirement for shade trees to create a canopy cover of 50% of the parking lot area after a ten-year growth period. Council also asked to include discretion of staff to consider and approve alternatives to landscaping requirements.

# 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 comments/testimony on***

**Wednesday August 12, 2026 at 5:30 pm.**

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

*Seating will be available on a first-come, first-served basis.*

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

## **ZONING CODE AMENDMENT ZA-02-26, LANDSCAPING PROVISIONS:**

The Planning and Zoning Commission will consider amending various provisions of the Zoning Code specific to the purpose of and requirements for landscaping in development and redevelopment, including elimination of the shade coverage requirement and change to the amount of interior parking lot landscaping required. The commission will make a recommendation to City Council to approve or deny the proposal.

**FOR FURTHER INFORMATION ABOUT THIS PROPOSAL** contact Joel Plaskon at the Community Development Department at [jplaskon@cityoflewiston.org](mailto:jplaskon@cityoflewiston.org) or (208) 746-1318, ext. 7202.

**Submission of Written Comments/Testimony:** To ensure that written comments can be forwarded to the Planning and Zoning Commission and relevant city staff prior to the hearing, please submit comments/testimony no later than **5:00 p.m. on Tuesday August 11, 2026** by: Emailing [dortiz@cityoflewiston.org](mailto:dortiz@cityoflewiston.org) or mailing to: Dawn Ortiz, Community Development Department, PO Box 617, Lewiston, ID 83501.

**Comments/Testimony for public hearings may also be given in-person at the meeting, during the public hearing.**

**Public Hearing notice publication date: Sunday July 26, 2026**

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, Dawn Ortiz, at least forty-eight (48) hours in advance of the meeting at [dortiz@cityoflewiston.org](mailto:dortiz@cityoflewiston.org) or (208) 746-1318, ext. 7265.

CITY ORDINANCE NO. 4967

AN ORDINANCE OF THE CITY OF LEWISTON AMENDING LEWISTON CITY CODE SECTION 37-3 RELATING TO THE DEFINITION OF “PARKING LOT”; AMENDING LEWISTON CITY CODE SECTION 37-153 RELATING TO LANDSCAPING; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1: Lewiston City Code § 37-3 is hereby amended as follows:

**Sec. 37-3. - Definitions.**

As used in this chapter:

...

*Parking lot* means a two thousand four hundred (2,400) square feet or more area of land devoted to parking spaces for more than five (5) motor vehicles, contiguously.

...

SECTION 2: Lewiston City Code § 37-153 is hereby amended as follows:

**Sec. 37-153. - Landscaping.**

- (a) Purpose: Landscaping requirements are to be an integral part of ~~all site and parking lot development and redevelopment~~. The intent is to create shade and reduce heat buildup, reduce the barren appearance of parking lots, create aesthetic environments, buffer adjoining land uses, slow stormwater runoff, and mitigate pollution, buffer incompatible uses, reduce the barren appearance of parking lots, create aesthetic environments, create shade and reduce heat buildup while maintaining design flexibility.
- (b) Landscaping shall be required for all ~~off-street parking areas lots, for more than five (5) vehicles, which is two thousand four hundred (2,400) square feet or more of parking~~, except for those uses enumerated in subsection ~~(g)~~(f) of this section, and to provide landscaped buffers between public rights-of-way and parking lots, subject to the following provisions:
  - (1) A five-foot wide minimum ~~buffer landscape strip~~ is required between ~~the a~~ parking lot and ~~a~~ public rights-of-way with a minimum of one (1) one and one-half-inch caliper shade tree and five (5) shrubs every ~~thirty-five (35)~~ (30) linear feet. The plantings therein shall not interfere with motorist sight distance within a clear vision area, as defined in Section 32-1 of this Code.

- (2) All parking lots under ten thousand (10,000) square feet of vehicular surface area shall have a minimum of two ~~three~~ (3)-foot wide perimeter planting area ~~landscape strip~~ around that portion of the parking ~~area~~ lot not adjacent to ~~the~~ a public rights-of-way. All lots over ten thousand (10,000) square feet are to have a minimum of five-foot perimeter ~~landscape planting~~ strip around that portion of the parking ~~lot area~~ not adjacent to ~~a the~~ public right-of-way. All perimeter ~~landscape planting~~ strips are to have a minimum of one (1) shade ~~street~~ tree of one and one-half-inch caliper and five (5) shrubs every thirty ~~(30)-five~~ (35) linear feet.
- (3) ~~All landscaping required by this section shall be in healthy condition at the time of planting, planted in soil type and depth appropriate to ensure its growth and health, and maintained to an extent that it furthers the stated purpose of this section. The topping, heading, or stubbing of trees required by this section is prohibited, unless authorized by the City Forester or deemed necessary in writing by a certified arborist.~~
- (4) ~~All landscape areas required by this section shall contain a soil depth appropriate for the healthy growth of the species planted and groundcover appropriate for the continued health of the plantings therein and for the prevention of erosion.~~
- (35) Interior landscaping ~~is required for parking lots of twenty (20) vehicles or more. Interior landscaping is to shall~~ be a ~~percent~~ percentage square footage of the total vehicular surface area and ~~is in~~ shall be addition to the perimeter and right-of-way landscaping requirements.

| Vehicular surface area               | <del>Percent</del> <u>Minimum</u> square footage of interior landscaping |
|--------------------------------------|--------------------------------------------------------------------------|
| <del>2,500—6,999 square feet</del>   | <del>3%</del>                                                            |
| <del>79,000—49,999 square feet</del> | <del>5%</del> <u>1,475</u>                                               |
| 50,000—149,000 square feet           | <del>8%</del> <u>8,000</u>                                               |
| 150,000 or larger                    | <del>10%</del> <u>15,000</u>                                             |

Interior plantings are to include trees with a minimum size of one and one-half-inch caliper. ~~To ensure proper growth of vegetation, a~~ All interior planting beds shall have a minimum dimension of ~~five (5)~~ six (6) feet at the narrowest point with a soil depth appropriate for the trees selected. See City of Lewiston tree planting standards and techniques for proper tree planting procedures. No shrub landscaping is required for interior planting. ~~Required shade trees will be of such species and canopy shape to provide a predicted fifty (50) percent canopy cover of the parking lot area after a ten-year growth period.~~ All tree species shall be classified by the City Tree Selection Guide as drought, insect and disease resistant. Exceptions may be approved by the community

development director upon the recommendation of the city forester. Preservation of healthy trees existing on the site before construction may be used to satisfy species and landscaping requirements.

(46) An irrigation system shall be provided for all required landscaping.

~~(c) In the commercial (C), manufacturing (M), airport (A), and port (P) zones, when abutting a residential zone, the required side and rear yards, which share a common property line with the residential zone, shall be landscaped or fenced except as provided for in this section. Landscaping shall consist of a minimum of sixty (60) percent coniferous plants, a minimum of six (6) feet in height at the time of planting, spaced in a manner to create a complete visual screen between the abutting land uses within three (3) years from time of planting. Fencing shall consist of six-foot-tall wood, slatted chained link or masonry panels. Prior to installation of the landscaping or fencing, the adjacent residential property owner shall be contacted and asked for input whether the buffer will be landscaping or fencing. The adjacent residential owner may also waive the buffer. The adjacent residential property owner shall be given fifteen (15) days to indicate their preference. If no response is provided within fifteen (15) days, the nonresidential property owner may install fencing or landscaping as described above.~~

~~(dc)~~ Trees and shrubs may be arranged to achieve the desired effect provided the required number is provided.

~~(ed)~~ An occupancy permit shall not be issued by the community development department until the required landscaping is completed. Occupancy of a building is not allowed unless the following condition applies:

(1) If, due to seasonal weather considerations, it is not feasible to install required landscaping, a temporary certificate of occupancy may be issued upon showing by the property owner of a written commitment to install the required landscaping by a date certain not greater than six (6) months from the issuance of the occupancy permit and contacting the community development department for inspection thereof.

~~(fc)~~ It is not the intent of this chapter to inhibit creative solutions to land use problems. An alternative design or modification of these requirements may be allowed with the approval of the community development director or designee. This is not a variance of or waiver of existing standards and the proposed alternative must meet or exceed existing requirements. Requirements may be modified when:

(1) Soil or slope limitations make strict adherence impractical;  
(2) Safety considerations are involved, especially in the clear vision triangles;  
(3) ~~Due to a change of use of an existing site, t~~The required buffer yard is larger than can be provided due to site conditions that are not within the property owner's control.

~~(gf)~~ Exemptions:

- (1) Single-family residential off-street parking areas;
- (2) Properly licensed auto and vehicle dealers are exempt from providing landscaping within the interior of the sales and display area.
- (3) Parking areas for five (5) or fewer contiguous parking spaces.

SECTION 3: This ordinance shall take effect and be in full force from and after its passage and publication.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**CITY OF LEWISTON**

By: \_\_\_\_\_  
Daniel G. Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Tanya M. Brocke, City Clerk