

August 23, 2023

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

Planning & Zoning meetings are recorded live. To view the full video, go to cityoflewiston.org.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Michael Busch, Chair; Gabriel Iacoboni, Vice Chair; Kathy Branson; Maureen Anderson; Cynthia Ball; Kevin Kelly;

COMMISSIONERS EXCUSED: Justin Merwin

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner; Aaron Butler, IT; Jennifer Tengono, Assistant City Attorney

II. CITIZEN COMMENTS

None

III. APPROVAL OF JULY 12, 2023 MEETING MINUTES (ACTION ITEM)

Commissioner Branson and Anderson moved and seconded, respectively, approval of the July 26, 2023 meeting minutes. The motion carried 5-0-1, with Commissioner Kelly abstaining.

IV. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR CONDITIONAL USE PERMIT APPLICATION CUP23-3 BY TOBE FINCH OF HAPPY DAY CORPORATION TO INSTALL A BILLBOARD AT 1840 19TH AVENUE (ACTION ITEM):

Staff Hollingshead provided a verbal summary of the staff report and presented maps and photos of the subject property and location of the proposed billboard. Commissioner Branson asked if another billboard could be placed in this billboard overlay zone, Staff answered yes, that there is enough space to meet the 500 feet spacing requirement, so another property owner could apply for a separate Conditional Use Permit for a billboard in this billboard overlay zone. Commissioner Anderson asked about the elevation difference from the proposed billboard location and the single family dwellings further south. Staff Hollingshead used the City’s Geographical Information Systems maps to show the topography differences between the subject property and the single family dwellings to the south. There is approximately 120 feet in elevation difference. There being no other questions for staff, Chair Busch asked if the applicant was present. Mike Cooper, 2023 13th Street, Clarkston, spoke as a representative for the applicant. He stated that the property is owned by TA Finch and not Happy Day Corporation, but that Bruce

and Tobe Finch own both. The Commission did not have any questions for the applicant. There being no other testimony, Chair Busch closed the public hearing. The Commission discussed the relevant criteria and standards, and acknowledged for the record, as included in the staff report, that the proposed billboard should be located 10 feet further to the east than currently proposed to avoid having to move it at such time as the westerly 10 feet of the applicants property has to be dedicated for additional 17th Street right of way. . Commissioner's Anderson and Iacoboni, moved and seconded, respectively, to direct staff to draft the Reasoned Statement to approve Conditional Use Permit application CUP23-3. Motion passed 5-1, with Commissioner Ball against.

V. PRELIMINARY PLAT - SOUTHERN HILLS ADDITION #1 (ACTION ITEM):

City Surveyor, Mark Weigand, presented the preliminary plat and showed the Commission photos of the subject property. Mr. Weigand reviewed the requirements for lot sizes, right of way frontage improvements and installation of utilities and noted that the preliminary plat complies with all the application requirements of the City of Lewiston Subdivision Ordinance, City Code Chapter 32. Commissioner's Ball and Branson, moved and seconded, respectively, to recommend approval of the Southern Hills Addition #1 preliminary plat to City Council. Motion passed 6-0.

VI. INITIATION OF ZONING CODE AMENDMENT ZA-01-23 TO AMEND PROVISIONS REGARDING PUBLIC HEARINGS, FINAL DECISIONS, AND APPEALS (ACTION ITEM):

Staff Hollingshead presented information on the proposed amendments to City Code Sections 37-183, 37-184, 37-185, 37-192. Staff Hollingshead let the Commission know that Assistant City Attorney Tengono was available for questions. Commissioner Kelly asked about the language in Sec 37-184 (c) (2) regarding disruption. Attorney Tengono presented on the legal background on the proposed changes to that section.

The Commission discussed the matter of disruptive behavior at a meeting and other phrasing that might be more appropriate. Commissioner Kelly asked if the rules for conduct were somewhere that could be reviewed. Staff Hollingshead reviewed Section 2-26(d) and suggested to the Commission that the rules of conduct and decorum under this section might provide the language that the Commission was looking for and that the code amendment could have that section linked so that a citizen could easily access it. Commissioner's discussed the changes they would like for Attorney Tengono to make to the code amendment.

Commissioners Branson and Iacoboni, moved and seconded, respectively, to initiate zoning code amendment ZA-01-23 with the proposed amendments regarding disruptive behavior to be prepared by Attorney Tengono and brought back as an agenda item before scheduling for public hearing. Motion passed 6-0.

VII. **INITIATION OF ZONING CODE AMENDMENT ZA-02-23 TO DELETE SECTION 37-159.1 (ACTION ITEM):**

Staff Hollingshead reviewed the existing Zoning Code section which references the setback from overhead transmission lines and easements and informed the Commission that International Fire Code also has a setback requirement, making the zoning code redundant. Commissioners Kelly and Anderson, moved and seconded respectively to initiate zoning code amendment ZA-02-23. Motion passed 6-0.

VIII. **STAFF-COMMISSION COMMUNICATIONS:**

A. Query of Commissioners for September 13, 2023 meeting.

All Commissioners in attendance indicated they are available to attend.

IX. **ADJOURN**

There being no further business, Chair Busch and Commissioner Kelly moved and seconded, respectively, to adjourn. The motion carried 6-0 and the Planning and Zoning Commission adjourned at approximately 6:43 p.m.

RESPECTFULLY SUBMITTED,

Katie Hollingshead,
Recording Secretary

Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this _____ day of _____, 2023.

