

1. 1.11.2023 Agenda

Documents:

[1.11.2023 AGENDA PZC.PDF](#)

2. 1.11.2023 Packet

Documents:

[1.11.2023 PACKET PZC.PDF](#)

MEETING AGENDA

LEWISTON PLANNING AND ZONING COMMISSION

JANUARY 11, 2023 AT 5:30 P.M.

COMMUNITY DEVELOPMENT DEPARTMENT BUILDING,
215 D STREET, 2ND FLOOR, LEWISTON, ID 83501

Citizen comments and testimony for public hearings may be made: in-person, by emailing Dawn Ortiz at dortiz@cityoflewiston.org, or by calling (208)798-2570 and leaving a message. Citizen comments and testimony for public hearings submitted by email or phone will be forwarded to the Planning & Zoning Commission. If you would like your citizen comment to be read out loud during the meeting, please so indicate in your message. Testimony for public hearings that was submitted by email or phone and unable to be forwarded to the Planning & Zoning Commission prior to the meeting will be read out loud during the public hearing. Members of the public who wish to provide in-person comment or testimony, but who are unable to secure a seat in the designated meeting space and/or overflow room(s) due to occupancy or gathering limits, will be rotated in and out of the designated meeting space in order to provide comment. While not in the designated meeting space, such persons may watch and listen to the livestream of the meeting on their own devices by visiting the City of Lewiston's Facebook page or the City's website at cityoflewiston.org

COMMISSION MEMBERS: Michael Busch, Kathy Branson, Cynthia Ball, Kevin Kelly, Gabriel Iacoboni, Open Position, Open Position

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**AS A MATTER OF PUBLIC SERVICE AND GOVERNMENTAL TRANSPARENCY, THIS MEETING MAY BE RECORDED, STREAMED LIVE AND/OR ACCESSED AT A LATER TIME. NOTE THAT THIS MAY INCLUDE VIDEO AND AUDIO OF ALL PERSONS PRESENT.**  
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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 minutes each.
- III. **APPROVAL OF DECEMBER 14, 2022 MEETING MINUTES (ACTION ITEM)**
- IV. **ELECTION OF COMMISSION CHAIRPERSON FOR 2023 (ACTION ITEM)**
- V. **ELECTION OF VICE CHAIRPERSON FOR 2023 (ACTION ITEM)**
- VI. **STAFF-COMMISSION COMMUNICATIONS**
 - A. Query of Commissioners for the January 25, 2023 meeting (CUP public hearing).

VII. ADJOURN (ACTION ITEM)

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access to the facility within which this meeting is being held, please contact City Planner, Joel D. Plaskon at least forty-eight hours in advance of the meeting at (208) 746-1318 extension 7202 or jplaskon@cityoflewiston.org.

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December 14, 2022

The LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Department Second Floor Conference Room at 215 "D" Street. Vice 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 <https://livestream.com/accounts/11220190> and select Planning & Zoning.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Richard Kremer, Chair; Michael Busch, Vice Chair; Gabriel Iacoboni; Kevin Kelly; Kathy Branson

COMMISSIONERS EXCUSED: Cynthia Ball

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

II. CITIZEN COMMENTS

None

III. APPROVAL OF NOVEMBER 9, 2022 MEETING MINUTES (ACTION ITEM)

Commissioners Kelly and Branson moved and seconded, respectively, approval of the November 9, 2022 meeting minutes. The motion carried 5-0.

IV. APPROVAL OF REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS FOR ZONING MAP AMENDMENT, ZNC22-000007, TO REZONE A PORTION OF DOWNTOWN, IN THE WEST END HISTORIC DISTRICT, FROM C-4, GENERAL COMMERCIAL ZONE, TO C-5, CENTRAL COMMERCIAL ZONE (ACTION ITEM):

Chair Kremer stated that he had not watched the recorded meeting and would be abstaining from voting on this item. Chair Kremer asked the Commission if there were any questions for staff or any additions or corrections to the presented reasoned statement. Seeing none, Chair called for a motion. Commissioner Busch and Iacoboni moved and seconded, respectively to approve the reasoned statement of relevant criteria and standards and recommend approval to City Council. Motion passed 4-0-1, with Chair Kremer abstaining.

V. PUBLIC HEARING FOR ZONING CODE AMENDMENT, ZA-03-22, TO AMEND THE FORM AND IMPACT BASED ZONE (ACTION ITEM)

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

Staff Hollingshead provided a verbal summary of the proposed changes that had previously been reviewed with the Commission at the November 9, meeting.

Commissioner Branson asked about the Twin City Foods site and how large that area was. Staff Hollingshead reviewed a map of the Form and Impact Based Zone, including the Twin City Foods property. Chair Kremer asked if the railroad tracks had been abandoned yet and Staff stated they did not know. Commissioner Branson asked if there were environmental concerns at the Twin City Food site and staff stated that it was a brown field site. Commissioner Branson asked if there was someone interested in purchasing the Twin City Foods site and staff stated that she was aware of someone attempting to purchase but was not aware of the purchase being completed. Commissioner Kelly asked if any other jurisdictions in Idaho use form based zoning and staff stated she did not know but she is aware of city's outside of Idaho using similar zoning.

There being no other discussion, Chair Kremer closed the public hearing. Commissioner's Branson and Busch moved and seconded, respectively, to approve the amendments and recommend approval to City Council. Motion passed 5-0.

VI. STAFF-COMMISSION COMMUNICATIONS:

A. Presentation of a Plaque for service to Richard Kremer.

Staff Hollingshead presented a plaque to Chair Kremer and thanked him for his years of service to the Planning & Zoning Commission.

B. Query of Commissioners for December 28, 2022 meeting.

Staff stated that there were no current applications in or public hearings scheduled. The Commission agreed to cancel the December 28, 2022 meeting.

Commissioner Iacoboni asked if any applications had been received for the open position on the Commission and staff Hollingshead stated no. Commissioner Iacoboni asked if staff could ask the City Clerk to contact the applicants who had applied for the open City Council seat and see if any of them would be interested in serving on the Commission. Staff Hollingshead stated she would email the Clerk and see if that was an option.

VII. ADJOURN

There being no further business, Commissioners Kelly and Iacoboni moved and seconded, respectively, to adjourn. The motion carried 5-0 and the Planning and Zoning Commission adjourned at approximately 5:55 p.m.

RESPECTFULLY SUBMITTED,

Katie Hollingshead
Recording Secretary

Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this _____ day of _____, 2022.

City of Lewiston

Planning and Zoning Commission Bylaws

Article I. Name

The name of this advisory board or commission is the Planning and Zoning Commission, hereafter referred to as the "Commission".

Article II. Membership

The Commission shall consist of seven (7) voting members.

Article III. Officers

A. The officers of the Commission shall be a chairperson and vice-chairperson elected from among the Commission members at the first regularly scheduled meeting in January, or at such other time as the Commission deems feasible.

B. Officers shall serve a term of one (1) year from the meeting at which they are elected and until their successors are duly elected.

C. The chairperson shall preside at all meetings of the Commission, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Commission, serve as an *ex officio* voting member of all committees, and generally perform all duties associated with that office.

D. The vice-chairperson, in the event of the absence or disability of the chairperson or of a vacancy in that office, shall assume and perform the duties and functions of the chairperson.

E. In the event of the absence of the chairperson and vice-chairperson, those Commission members present shall elect, by majority vote, a temporary chairperson for that meeting. Should the chairperson or vice-chairperson arrive, the temporary chairperson shall relinquish the chair upon the conclusion of the item of business then in consideration before the Commission.

Article IV. Meetings and Minutes

A. All Commission meetings shall be governed by the Idaho Open Meetings Law, I.C. §§ 74-201 *et seq.*; and all Commission records shall be subject to the Idaho Public Records Act, I.C. §§ 74-101 *et seq.*, and the City of Lewiston records retention schedule.

B. Regular meetings shall be held on second and fourth Wednesday of each month at five thirty (5:30) p.m. in the large, second floor meeting room of the Community Development Department office building at 215 D Street, or at such other location or time as shall be designed in advance. If a day fixed for a regular meeting falls on a holiday recognized by the City of Lewiston, then such meeting shall be cancelled.

C. Special meetings may be called by a consensus of the Commission, the chairperson, or the staff liaison. If the time and place of a special meeting has not been determined at a regular meeting with all

Commission members present, then a notice of the time and place of the special meeting shall be sent to all Commission members as soon as practicable.

D. Unless otherwise provided by law, a quorum for the transaction of business at any meeting shall consist of a majority of the currently appointed voting members of the Commission.

E. Meeting minutes of the Commission shall comply with Idaho Code Title 74, Chapter 2. Meeting minutes shall be maintained in accordance with the City of Lewiston records retention schedule.

Article V. Rules of Debate

A. *Recognition by chairperson and interruptions prohibited.* A Commission member desiring to speak at a meeting shall address the chairperson and, upon recognition by the chairperson, shall confine himself or herself to the question under debate. A Commission member, once recognized by the chairperson, shall not be interrupted when speaking.

B. *Call for the question.* A Commission member may call for the question upon being recognized by the chairperson. If the motion to call for the question is seconded, debate shall not be allowed, and the motion must be approved by two-thirds (2/3) of the Commission members present. If the motion is so approved, the Commission shall immediately vote on the underlying question without further debate.

Article VI. Committees

A. As authorized by the Commission, the chairperson may appoint committees of one (1) or more Commission members and/or members of the community at large, each for such specific purposes as the business of the Commission may require from time-to-time. A committee shall be considered to be discharged upon completion of the purpose for which it was appointed and after a final report is made to the Commission.

B. All committees shall make a progress report to the Commission at each Commission meeting.

C. No committee shall have other than advisory powers unless, by suitable action of the Commission, it is granted specific power to act.

D. All committee meetings shall be governed by the Idaho Open Meetings Law, I.C. §§ 74-201 *et seq.*; and all committee records shall be subject to the Idaho Public Records Act, I.C. §§ 74-101 *et seq.*, and the City of Lewiston records retention schedule.

Article VII. General

A. *Voting.* An affirmative vote of the majority of all Commission members present at the time shall be necessary to approve any action before the Commission. A motion shall fail if votes upon such motion are tied. The chairperson may vote upon and may move or second a proposal before the Commission. Unless otherwise provided by law, every Commission member present when a question is put forth shall vote for or against the same. Unless excused from voting, if a Commission member refuses or fails to vote, and the result of such refusal or failure creates a tie, that Commission member's vote shall be counted as an "aye." If a Commission member is excused from voting, that member may be counted for purposes of determining a quorum, but shall not be counted toward the minimum number of votes required to pass or reject a motion.

B. *Conflicts of interest.* Commission members shall adhere to the applicable provisions in Idaho Code regarding conflicts of interest.

C. *Conflicts.* In the event of a conflict between a provision in these Bylaws, the Lewiston City Code, and/or Idaho Code, the order of priority shall be Idaho Code, the Lewiston City Code, and these Bylaws.

D. *Amendments.* The Commission may amend the number of voting members (Article II); when officers will be elected and the duties of additional officers, if applicable (Article III); and the date, time, and location of regular meetings (Article IV) upon majority vote of the full Commission; approval from the City Council shall not be required to amend such provisions. However, the remaining provisions of these Bylaws shall not be amended by the Commission without prior approval from the City Council.

These Bylaws were adopted by the Commission on March 11, 2020. These Bylaws shall replace and supersede any previously-adopted Bylaws of the Commission.



Signature of Commission Chair

March 11, 2020
Date



Attest