

**MINUTES FROM THE CITY
PLANNING AND ZONING MEETING
OF THE CITY OF LEWISTON
December 7, 2021**

Lewiston Planning and Zoning Meeting held at the Lewiston Town Hall, 29 South Main, Lewiston, UT

Attendance: Vice Chairman: Rod Garner
Commissioners: Abel Herrera, Jarred Glover
Council member: John Morrison
Planning & Zoning Administrator: Stephannie Davis
Absent: Dan Bergeson, Eric Nielson

Public Attendance: Kevin Davis, Janice Field, David Jensen, Nancy Pitcher, Kurt Walbom, Chris Barr,
Mark Bergeson, Parker Westhoff

1. CALL TO ORDER

V. Chairman Garner called the meeting to order at 7:00 pm.

V. Chairman Garner addressed the minutes of the Lewiston City P&Z Public Hearing and Meeting held November 9, 2021. Commissioner Herrera motioned for the Lewiston City P&Z Commission to approve the minutes of November 9, 2021. Commissioner Glover seconded the motion. All in favor "Aye." Motion carried.

V. Chairman Garner excused Eric Nielson and Dan Bergeson.

2. NEW BUSINESS

Kimber Hall – Building Permit – Accessory Building – Approval - 51 S. 1600 W. – V. Chairman Garner recognized Mark Bergeson for a building permit on behalf of Mr. Hall. Mr. Bergeson informed the commission that he would like to be approved to build a shed in the A-10 zone as a storage building. The plans have been submitted into the City Inspect system. Mr. Bergeson noted that he is working with the building department due to the availability of materials for approval of the building plans. V. Chairman Garner and the Commission reviewed the setbacks and plan provided and noted that all seems to be in order. V. Chairman Garner motioned for the Commission to approve the building permit application. Commissioner Herrera seconded the motion. All in favor "Aye." Motion Carried.

Ritewood Egg – Building Permit – Accessory Building – Approval - 2500 S 1600 W – V. Chairman Garner recognized David Jensen representing Ritewood Egg for a building permit. Mr. Jensen informed the Commission that they would like to be approved for a building permit for a building to house cage free equipment and for cage free birds. The building is going to be erected in the same footprint as the buildings being torn down. There are currently 2 buildings in the footprint of the proposed building which will be 156' x 485'. He informed the Commission that this will be a two-story building (24' in height). Currently the buildings are "two-story" including the pit. The new buildings will include conveyor system to remove the manure and this building

will include the manure dryer. V. Chairman Garner and the Commission reviewed the provided plans, and all seems to be in order. The plans will be submitted into the City Inspect system once the electrical drawings are complete. At that time, they will apply for the building permit. V. Chairman Garner motioned for the Commission to approve the building permit subject to the approval by the building department of the electrical and drawings and the permit application. Commissioner Glover seconded the motion. All in favor "Aye." Motion carried.

Parker Westhoff – Lot Split - Discussion – ~400 E. 800 So. – V. Chairman Garner recognized Parker Westhoff for discussion of the parcel at ~400 E. 800 S. Mr. Westhoff referred to the survey and informed the Commission that there was a question regarding the boundary line adjustments on the four parcels. These boundaries were just updated by the County. They recorded these as "lot-splits," whereas they were to be recorded as boundary line adjustments. V. Chairman Garner acknowledged that this is the case and would not be regarded as "splits" at this time. There was one exception that was to be a quit-claim deed of 10' into an existing parcel because of a building that was over the original boundary line. There were 2 acres that we originally landlocked and so Mr. Westhoff moved that parcel to the East while adding the required frontage for a building lot. Mr. Westhoff is requesting clarity as to whether he needs city approval. V. Chairman Garner clarified that Planning & Zoning will need to get involved for approval when parcel 09-022-0021 becomes a building lot if the application is made, and fees are paid. The Commission reviewed the provided information, and Council Member Morrison remarked that all seems to be in order as a future valid buildable lot with the 250' of frontage and also mentioned that if he sells the lot, then the set-aside to create the 10-acres will need to be completed. At this time Mr. Curt Walbom addressed the Commission regarding this parcel. He had inquired of P&Z Administrator Davis in November about this parcel and was informed that there may be concerns about subdivision issues and she would research the concerns. He asked the Commission if there are concerns or if they had been addressed. V. Chairman Garner remarked that Mr. Westhoff will need the ag-land declaration to bring the acreage to 10 to be a legal buildable lot. As such, it does not meet a subdivision, only if Mr. Westhoff splits another lot from the property. Discussion concluded.

Chris Karren – Lot Split - Discussion – ~ 1500 W. Center & ~ 1000 N. 800 W. – Chris Karren was not in attendance.

Chris Field – Lot-Split – Discussion – 1030 S. 800 W. – V. Chairman Garner recognized Janice Field on behalf of Chris Field. Ms. Field informed the Commission that they were at the previous month's meeting inquiring about splitting off the home and farm buildings from some of the acreage. She informed the Commission that the frontage was measured out at 432' from the north corner of the corrals and including the home and pasture. V. Chairman Garner and the Commission reviewed the provided documentation, and all seems to be in order. Ms. Field asked about the next steps to separate the parcel (almost 3 acres) from the larger parcel (80 acres) and acknowledged that they would do the set-aside with an ag-land declaration for the total of 10 acres. Council Member Morrison reminded Ms. Field that if they split off any additional lots, it will become a subdivision. Planning & Zoning Administrator Davis gave Ms. Field the subdivision application, ag-land declaration, and the process to complete the lot-split. Discussion concluded.

2022 Chairman and Vice Chairman Nomination

- Consider nominations for 2022 Chairman (currently vacant being backfilled with R. Garner)
- Consider nominations for 2022 Vice-Chairman (currently R. Garner)

V. Chairman Garner acknowledged that nominations need to be opened for the positions of Chairman and Vice Chairman. Commissioner Herrera noted that Commissioners Bergeson and Nielsen are the next senior members. Given that Commissioners Bergeson and Nielsen were not in attendance, V. Chairman Garner motioned to table the nomination until the next meeting. V. Chairman Garner acknowledged that he would stay on the Commission until an appointment for a new Commissioner can be made. Motion Tabled.

OTHER BUSINESS

Phase 4 Business Park – Preliminary Plat Plan – V. Chairman R. Garner and the Commission reviewed the provided preliminary plat plan regarding Phase 4 of the Business Park, and all seems to be in order to move onto the City Council for approval. V. Chairman Garner motioned for the Commission to approve the preliminary plat plan to move forward. Commissioner Herrera seconded the motion. All in favor “Aye.” Motion carried.

Informational Updates from Planning and Zoning Administrator Davis:

- City Inspect Training: At the February 1, 2022, meeting, representatives from Hyde Park City will come prior to the Planning & Zoning meeting at 6:00 pm to give all Commissioners City Inspect training. Commissioner Glover mentioned that he will not be at that meeting and it was noted that he will need to complete the training on his own.

New Business:

- Annual Training Requirements: Annual training requirements are 4 hours for Commissioners. Planning & Zoning Administrator Davis mentioned that she will arrange for Land-Use training to be brought to the city in the spring and will update with details as appropriate.
- Water Shares: Cub River Irrigation Company wants to stay agricultural in their applications and do not want to split off 1 share of water to subdivisions. Lewiston City owns water shares, and it will be important in the future for the secondary water system to have these shares so that we are not using culinary water for irrigation of lawns and other areas. The current ordinance allows developers to pay a fee in lieu of transferring water shares to the city for their developments. Currently a water share is valued at \$4,500 with Cub River. To protect the water rights going forward, it would be worth discussing requiring a water share versus payment of the fee in lieu of transfer.
- Lot-Splits and Historical Parcel Information Date: The current subdivision ordinance was adopted in 2013, therefore, as part of this ordinance concerning subdivisions and lot-splits, the date of 2013 will be the timeframe to refer to when researching the history of a parcel. From that year on, the history of the parcel and lot-splits will be considered when reviewing applications for new subdivisions of land. V. Chairman Garner asked Council Member Morrison what will be proposed to the City Council. Council Member Morrison agreed with the 2013 date. Planning & Zoning Administrator Davis will follow-up with

information to provide to Council Member Morrison for recommendation to the City Council regarding this issue.

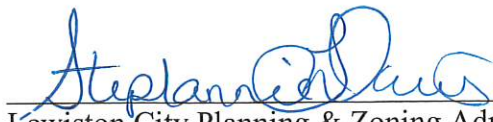
- Fire-flow Concerns for Larger Buildings: The Cache County Fire Marshal has raised concerns regarding water fire flow rates in terms of protecting larger buildings, such as Ritewood Egg. There is concern as to whether these buildings should be viewed as more of a commercial application versus agricultural for their building requirements if recommended by the Fire Marshal. Currently, Ritewood and others have a letter from the mayor that acknowledges the concern of fire flow, and that additional coverage would fall under the city fire department. The concern is that if there is a large fire that takes additional time to extinguish, the city could be liable for damages due to the extended time. P&Z Administrator Davis clarified that designation of “commercial” by the Fire Marshal could include the requirement to add for suppression sprinklers within these building for the added protection and which lowers the fire flow requirements to the buildings (example: lowering the requirement from 3000 gpm to 1500 gpm). Council Member Morrison asked if the water project in 2022 would fix this issue, especially on the west side of town. P&Z Administrator Davis remarked that it depends on where the building is as this concern is also in the Business Park. Commissioner Glover asked to clarify if this is culinary water. Council Member Morrison answered that it is the culinary water line system that is being improved and used for the fire hydrants. P&Z Administrator Davis clarified that the fire flow calculation is based on the size of the building, the fuel source, what is in the building, and other factors. The residential fire flow would be adequate, it is the larger manufacturing or commercial buildings that *could* be at risk. V. Chairman Garner asked P&Z Davis to follow-up with the City Attorney regarding agricultural building versus commercial buildings and the requirements and county definitions. Commissioner Herrera inquired about the Business Park, P&Z Administrator remarked that there were letters provided by the mayor to some of the building owners and that there were no requirements currently for these buildings to have fire suppression sprinklers. Also noted, was that when using the terms “commercial versus agricultural,” it is only in reference to the building and not the parcel zoning. V. Chairman Garner noted that as Lewiston grows there will be more requirements and the Commission should try and stay ahead of these requirements.

No other business.

3. ADJOURN

There being no further business to come before the Planning and Zoning Commission, V. Chairman Garner motioned that the Lewiston City P&Z meeting adjourn. Commissioner Herrera seconded the motion. All members present voted “Aye.” Motion carried.

The meeting adjourned at 7:50 p.m.


Lewiston City Planning & Zoning Administrator

