MINUTES FROM THE CITY
PLANNING AND ZONING MEETING
OF THE CITY OF LEWISTON
February 1, 2022

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

Attendance: Vice Chairman (acting Chairman): Eric Nielsen
Commissioners: Abel Herrera, Delon Mortimer
Council member: John Morrison
Planning & Zoning Administrator: Stephannie Davis
Absent: Dan Bergeson
Mayor: Jeff Hall

Public Attendance: Kevin Davis, Nancy Pitcher, Keri Parr, Darrin Michaelis, Karen Karren, Sid Roderer

1. <u>CALL TO ORDER</u>

V. Chairman Nielsen called the meeting to order at 7:01 pm.

V. Chairman Nielsen welcomed Delon Mortimer to the Commission, it was noted that Dan Bergeson and Jarred Glover were absent.

V. Chairman Nielsen recognized Mayor Jeff Hall to address the Commission regarding expectations. Mayor Hall thanked the Commission for their service and asked that the Commissioners look toward the future and prepare for it as development is coming to Lewiston. Mayor Hall communicated that there is training that is required, including OPMA training which will be held after the City Council meeting in February and ethics training, which is not required, but strongly advised and will be held in March of 2022. Mayor Hall expressed appreciation to P&Z Administrator Davis on her preparation and communications and asked that the Commissioners serve to the betterment of Lewiston including thinking of issues and offering solutions without infringing on people's property rights including nonconforming buildings (by looking at the needs of the city, the neighbors, and the property owner), residential zones and sizes of the lots (such as R-1-15,000) what kinds of people want to move to Lewiston (they want to experience the rural lifestyle), and what holds for the next 5-10 years. The city will be working on the Master Plan this summer. He also spoke of the commitment required including being prepared and researching prior to meetings and concluded by thanking the Commissioners and P&Z Administrator Davis for their service.

V. Chairman Nielsen addressed the minutes of the Lewiston City P&Z Public Hearing and Meeting held January 4, 2022. Commissioner Herrera motioned for the Lewiston City P&Z Commission to approve the minutes. Commissioner Mortimer seconded the motion. All in favor "Aye." Motion carried.

2. <u>NEW BUSINESS</u>

Platinum Construction, LLC – SFD – Approval – 338 N Main St. – V. Chairman Nielsen recognized Darrin Michaelis representing Platinum Construction for a building permit. Mr. Michaelis informed the commission that he would like to be approved to build a 1450 square foot home with no basement and an elevation of 16'9". The plans have been submitted into the City Inspect system. V. Chairman Nielsen and the Commission reviewed the setbacks and plan provided and noted that all seems to be in order in terms of the structures, however, it was noted by Public Works Director P. Swainston earlier in the week that site improvements were not completed correctly and questioned whether it was appropriate to start building homes in the subdivision when the site improvements had not been completed. P&Z Administrator Davis told Mr. Swainston that the question would need to be addressed with the Commission. Significant discussion ensued regarding the subdivision and bonding for improvements. It was noted by Mr. Michaelis and confirmed by Councilman Morrison that there was a meeting attended by Mr. Michaelis, Mr. Baldwin, Mr. Swainston (Public Works), V. Commissioner Gardner, Mayor Field, and Councilman Morrison where it was agreed that the sidewalks would not be completed prior to building the homes because of the probability of breaking the cement and having to redo the work. It was agreed that all other site work had to be addressed and completed prior to issuing building permits and then a bond could be issued for the sidewalk. Mayor Hall mentioned that the building inspectors told the commission that a Certificate of Occupancy had to be issued if all building code requirements were completed and could not be withheld due to site improvements. Commissioner Mortimer asked if it was required to approve a building permit prior to the improvements being completed. It was remarked that is the question that is before them. Councilman Morrison asked if there was money set aside by the developer (Baldwin's). P&Z Administrator Davis noted that she would have to investigate if money was set-aside for the project in a bond because, the municipal code requirement that all improvements be completed prior to recording the subdivision plat, it was assumed that the bond was in place. V. Chairman Nielson motioned for the Commission to approve the building permit application on condition that the bond was in place and site improvements are addressed. Commissioner Herrera seconded the motion. All in favor "Aye." Motion Carried.

Chris Karren – Lot Split – Discussion ~ 1500 W. Center - V. Chairman Nielsen recognized Karen Karren for discussion on what is required for a lot-split subdivision. Mrs. Karren informed the Commission that the parcel in question is 3.15 acres and that they would like to cut off and make a ¾ acre lot that included the home and absorb the additional acreage into the farm property. The Karren's would like it to be 180' wide with 70' on the west side set-aside in ag land declaration (with the additional 9-1/4 acres) to make it the required 10 acres and frontage of 250'. The Commission reviewed the provided application packet and noted that the Karren's own both parcels addressed and the ¾ acre parcel could possibly be achieved by doing a lot-line adjustment. Discussion was made about the requirement to have the 250 feet of frontage if lines were adjusted and that UDOT would need to be contacted if access was changed on Center Street as it is a Utah state road. It was decided that the appropriate way to move forward is a lot-line adjustment with the ag land declaration for setting aside the additional acreage to make the 10 acres required within the A-10 zone. Commissioner Mortimer remarked that P&Z could change the ordinance down the road and not have to worry about the 9-acres. He was corrected by Councilmember Morrison that it is a different process. It was also noted that the Karren's would need to come before the Commission again for final approval once all the requirements were addressed. P&Z Administrator Davis agreed to send the Karren's the municipal code and all supporting documents. V. Chairman Nielson made a motion to permit the lot changes on condition that it may be completed with a lot line adjustment if all the supporting information and survey confirms this. The motion was seconded by Commissioner Mortimer. All in favor "Aye." Motion carried on the condition of paperwork being completed per city code and state statue.

Chris Karren – Lot Split – Discussion ~ 1000 W. 800 N. – V. Chairman Nielsen recognized Karen Karren for discussion on what is required for a lot-split subdivision to split-off a 1-acre parcel with the 9-acre set-aside from the larger parcel which is the corner of a pivot. Mrs. Karren informed the Commission that they understood this would be a subdivision from the parent parcel because they had already split the property one time (with the 9-acre set-aside). Discussion ensued regarding the process for a subdivision and that there would have to be appropriate set-asides for any lots to conform to the A-10 zoning requirements. P&Z Administrator Davis commented that there would not need to be sidewalk because the code specifies conforming to surrounding areas and does not require that level of improvement in the A-10 area. It was also noted that the Karren's would have to come before the P&Z Commission and Council for the next couple of months after starting the process as the subdivision code and process requires approval of each stage. V. Chairman Nielsen and the Commission reviewed the provided application packet and concluded that the information and forms needed would be provided to the Karren's to start the process. All in favor of tabling the motion "Aye." Motion tabled.

OTHER BUSINESS

Phase 3 Business Park – Discussion – V. Chairman Nielsen recognized Sid Roderer (Lewiston City Realtor) to educate the Commission regarding the annexation of the Business Park property and to provide documents showing the ordinance and zoning that was subsequently recorded. The Commission reviewed the provided information regarding Phase 3 and 4 of the Business Park. Ms. Roderer was asked to attend this meeting because P&Z Administrator Davis was not part of the original process, and the County GIS system is showing A-10 zoning. Without being able to locate the approved Ordinance within the office questions arose as to whether the business park was zoned correctly for M-1. It was confirmed that the last 2 phases are zoned correctly, but since the Ordinance cannot be found for the original phase, more research and action will be required to ensure this as the County has no record of that annexation and original zoning. Discussion ensued regarding the types of business within the Business Park and whether current zoning allows for those businesses. The municipal code 10-8-2 (Schedule of Uses) allows conditional use of the businesses under the zoning that was assumed (M-1). Discussion ensued regarding why they would be conditional use and information was provided showing that is how businesses are approved within the Business Park. She also approached the subject of additional zones for the city and whether the rezoning of the property is required. It was remarked that, if the city finds the documentation that was approved in the beginning and they get it recorded, maybe this should all be completed prior to selling the rest of the parcels in the Business Park. Councilman Morrison reiterated that any rezoning recommendations coming from Planning & Zoning would have to be approved through City Council. Discussion ended.

Municipal Code – Discussion – V. Chairman R. Nielsen introduced the discussion into municipal code clarification.

- 10-9-14 site development / setbacks (already discussed).
- 10-6-1, 10-6-12: zoning (already discussed).

- 10-8-2: schedule of uses allows for different types of activities being permitted within zones as a conditional use.
- Chapter 7: land use definitions. This was provided so that the Commissioners can familiarize themselves with definitions as the need arises.

<u>Informational Updates from Planning and Zoning Administrator Davis:</u>

- P&Z Administrator Davis introduced that the Commission had discussed at the last meeting to make recommendations for zoning and setbacks in the Business Park that could be considered as the current development standards for M-1 do not have designations except for "Note 6" stating that they would adhere to adjoining zone. This would also be an appropriate time to review the CC&Rs for the Business Park.
- OPMA Training will be held after the City Council meeting as a group in 2 weeks. Councilman Morrison remarked that if the Commissioners do not make it to the meeting, they must do the training on their own.
- General Plan: Mayor Hall and the City Council will be reviewing and updating the plan with significant input from Lewiston City residents. The Planning & Zoning Commission will need to be heavily involved because of the significant land-use and municipal code implication. There is a larger process that will need to be undertaken and will include public meetings, public feedback, and possibly in the monthly newsletter and online. The current General Plan was adopted in 2015. P&Z Administrator Davis will ensure that the Commissioners have a copy if they do not have one currently.

<u>New Business:</u>

- No new business.

3. <u>ADJOURN</u>

There being no further business to come before the Planning and Zoning Commission, Commissioner Herrera motioned that the Lewiston City P&Z meeting adjourn. Commissioner Mortimer seconded the motion. All members present voted "Aye." Meeting adjourned.

The meeting adjourned at 8:32 p.m.

Stephanie Davis

Lewiston City

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