

CITY ORDINANCE NO. 4936

AN ORDINANCE OF THE CITY OF LEWISTON AMENDING LEWISTON CITY CODE SECTION 37-45 RELATING TO LOT SIZE IN THE R-3 ZONE; AMENDING THE PURPOSE STATEMENT OF LEWISTON CITY CODE SECTION 37-50(a); AMENDING LEWISTON CITY CODE SECTION 37-51 RELATING TO USES PERMITTED OUTRIGHT IN AN R-4 ZONE; AMENDING LEWISTON CITY CODE SECTION 37-52 RELATING TO THE CONDITIONAL USES PERMITTED IN AN R-4 ZONE; AMENDING LEWISTON CITY CODE SECTION 37-56 RELATING TO THE PERMITTED BUILDING HEIGHT IN AN R-4 ZONE; AMENDING LEWISTON CITY CODE SECTIONS 37-57.2(23) AND 37-93.2(a)(3) TO ESTABLISH REGULATION OF MULTIFAMILY RESIDENCES UNDER SECTION 37-124.1; AMENDING LEWISTON CITY CODE SECTION 37-82 TO PERMIT MULTIFAMILY RESIDENTIAL USES NOT ON THE GROUND FLOOR; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1: Lewiston City Code § 37-45 is hereby amended as follows:

Sec. 37-45. Lot size.

In an R-3 zone, the minimum lot size shall be as follows:

- (1) Lot area shall be a minimum of six thousand (6,000) square feet plus an additional ~~two~~one thousand five hundred (21,500) square feet for each dwelling unit over one (1).
- (2) Lot width shall be a minimum of ~~sixty~~sixty (650) feet.
- (3) Lot depth shall be a minimum of eighty (80) feet.

SECTION 2: Lewiston City Code § 37-50(a) is hereby amended as follows:

Sec. 37-50. R-4 higher density residential zone.

(a) *Purpose.* To accommodate a compatible mixture of higher density residential uses with limited options for scattered, small-scale, low-impact neighborhood service businesses. Such areas are generally in proximity to major community facilities, employers, arterials and commercial developments. Such uses and generally serve as transition or buffer zones between major arterials or more intensively developed areas and residential districts.

SECTION 3: Lewiston City Code § 37-51 is hereby amended as follows:

Sec. 37-51. Uses permitted outright.

In an R-4 zone the following uses and their accessory uses are permitted outright subject to the provisions of article IV:

...

(4) Commercial uses legally established as of December 31, 2004, and which have maintained a valid business license and occupation permit;

...

(6) ~~Hospital;~~ Group day care, subject to the special conditions of section 37-13.1(3) of this Code;

...

SECTION 4: Lewiston City Code § 37-52 is hereby amended as follows:

Sec. 37-52. Conditional uses permitted.

In an R-4 zone, the following uses and their accessory uses are permitted when authorized in accordance with the standards and requirements in articles IV and IX:

...

(4) ~~Group day care, subject to the special conditions of section 37-13.1(3) of this Code;~~ Eating and drinking establishment. Qualification for an eating and drinking establishment in the R-4 Zones is contingent upon it being small scale and neighborhood oriented with no drive-thru service;

...

(6) ~~Noncommercial kennel, subject to the commercial kennel standards of section 37-163(15) of this Code;~~

(7) Personal service uses;

- ~~(8) Professional offices, except medical, dental, and banking services;~~
- ~~(9)(7) Preschool, subject to the special conditions of section 37-20.1(6) of this Code;~~
- ~~(10) (8) Public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a public agency;~~Other limited commercial uses that are consistent with the purpose of the R-4 Zone and are not detrimental to any of the outright permitted uses or other existing conditional uses or to nearby residential uses;
- ~~(11)(9) Re-establishment of a commercial use which was legally established but where the business and occupation license has lapsed for a period not to exceed one (1) year;~~
- ~~(12)(40) Replacement of a nonconforming residential use not located abutting a principal or minor arterial street, as identified in the Lewiston Comprehensive Transportation Plan, subject to setback and yard requirements of the R-2 zone;~~
- ~~(13)(44) Semi-public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a semi-public agency.~~

SECTION 5: Lewiston City Code § 37-56 is hereby amended as follows:

Sec. 37-56. Height of buildings.

In an R-4 zone no building shall exceed a height of ~~fiftysixty~~ (650) feet.

SECTION 6: Lewiston City Code § 37-57.2(23) is hereby amended as follows:

Sec. 37-57.2. Uses permitted outright.

In the North Lewiston mixed use development (MXD-NL) zone, the following uses and their accessory uses are permitted when authorized in accordance with the provisions of articles IV and IX:

...

(23) Single-family, two-family, or multifamily residential, subject to the lot size requirements of the R-4 higher density residential zone, and multifamily residential shall be subject to the provisions of the standards of section 37-124.1 of this Code;

SECTION 7: Lewiston City Code § 37-93.2(3) is hereby amended as follows:

Sec. 37-93.2. Uses permitted.

(a) *Area A.* In the Bryden Avenue Special Planning Area A the following uses and their accessory uses are permitted outright subject to standards of article IV of this chapter:

...

(3) Multifamily dwellings meeting the standards of section 37-124.1 of this Code.

...

SECTION 8: Lewiston City Code § 37-82 is hereby amended as follows:

Sec. 37-82. Conditional uses permitted.

In a C-6 zone, the following uses and their accessory uses are permitted when authorized in accordance with the provisions of articles IV and IX:

...

(7) Multifamily residential uses not on the ground floor of a building.

SECTION 9: This ordinance shall take effect and be in full force from and after its passage and publication.

PASSED this 27th day of January, 2025.

CITY OF LEWISTON

By: [Signature]
Daniel G. Johnson, Mayor



Tanya M. Brocke, City Clerk

ORDINANCE NO. 4936

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**CITY OF LEWISTON
SUMMARY OF ORDINANCE NO. 4936**

ORDINANCE NO. 4936: AN ORDINANCE OF THE CITY OF LEWISTON AMENDING LEWISTON CITY CODE SECTION 37-45 RELATING TO LOT SIZE IN THE R-3 ZONE; AMENDING THE PURPOSE STATEMENT OF LEWISTON CITY CODE SECTION 37-50(a); AMENDING LEWISTON CITY CODE SECTION 37-51 RELATING TO USES PERMITTED OUTRIGHT IN AN R-4 ZONE; AMENDING LEWISTON CITY CODE SECTION 37-52 RELATING TO THE CONDITIONAL USES PERMITTED IN AN R-4 ZONE; AMENDING LEWISTON CITY CODE SECTION 37-56 RELATING TO THE PERMITTED BUILDING HEIGHT IN AN R-4 ZONE; AMENDING LEWISTON CITY CODE SECTIONS 37-57.2(23) AND 37-93.2(a)(3) TO ESTABLISH REGULATION OF MULTIFAMILY RESIDENCES UNDER SECTION 37-124.1; AMENDING LEWISTON CITY CODE SECTION 37-82 TO PERMIT MULTIFAMILY RESIDENTIAL USES NOT ON THE GROUND FLOOR; AND PROVIDING AN EFFECTIVE DATE.

Section 1 amends Lewiston City Code § 37-45 relating to lot size in the R-3 Zone. Section 2 amends Lewiston City Code § 37-50(a) revising to the purpose statement for the R-4 Zone. Section 3 amends Lewiston City Code § 37-51 to add and remove permitted uses in the R-4 Zone. Section 4 amends Lewiston City Code § 37-52 to add and remove conditional uses permitted in the R-4 Zone. Section 5 amends Lewiston City Code § 37-56 to limit building heights to fifty feet in the R-4 Zone. Section 6 amends Lewiston City Code § 37-57.2 to subject multifamily residential dwellings to the standards of § 37-124.1 in the MXD-NL Zone. Section 7 amends Lewiston City Code § 37-93.2 to subject multifamily residential dwellings to the standards of § 37-124.1 in the Bryden Avenue Special Planning Area A. Section 8 amends Lewiston City Code § 37-82 to add subsection 7 to permit multifamily residential uses no on the ground floor of a building. Section 9 provides an effective date.

Ordinance No. 4936 is effective upon passage and publication.

CITY OF LEWISTON

By: Daniel G. Johnson
Mayor

Attest: Tanya M. Brocke
City Clerk

The full text of this ordinance is available at the City Clerk's office, Lewiston City Hall, 1134 F Street, Lewiston, during regular business hours.

I, JENNIFER TENGONO, City Attorney, reviewed the foregoing Summary of Ordinance No. 4936. The summary is true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A.

Dated this 31st day of January 2025.


JENNIFER TENGONO
City Attorney