

A G E N D A
CITY OF POCATELLO
PLANNING & ZONING COMMISSION MEETING
JANUARY 8, 2025 • 6:30 PM
COUNCIL CHAMBERS | 911 N. SEVENTH AVENUE

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The Planning & Zoning Commission is a citizen advisory group to the City Council. They are charged with making recommendations concerning land use plans, planning processes and/or on matters of plan implementation. All regular meetings of the P&Z Commission are recorded for record retention and transcription.

The following is the official agenda of the Planning & Zoning Commission. Discussion and Commission action will be limited to those items on the agenda. Any citizen who wishes to address the Commission shall first be recognized by the Chair, and shall give his/her name and address for the record. If a citizen wishes to read documentation of any sort to the Commission, he/she shall first seek permission from the Chair. Oral testimony may be restricted to no more than 3 minutes per person.

1. ROLL CALL AND DISCLOSURES

Disclose who was talked to, the basic substance of the conversation, and whether the conversation had any influence. Disclose if there is anything personally or professionally that would not allow an impartial or unbiased decision. Disclose if a site visit was done, location(s) of the visit, and what was seen.

2. APPROVAL OF MINUTES

The Commission may wish to waive the oral reading of the P&Z clarification and regular meeting minutes from December 11, 2024, and to approve the minutes as written. **(ACTION ITEM)**

3. PUBLIC HEARING: ASPEN GROVE PLANNED UNIT DEVELOPMENT – FILE PUD24-0002

This time has been set aside for the Commission to hear comments from the public regarding the Aspen Grove Planned Unit Development project submitted by Sunrise Engineering on behalf of Gate City Builders. The property is located at 2806 S. 5th Avenue and consists of four (4) parcels encompassing 5.56-acres (more or less). The subject property is zoned Residential-Commercial-Professional (RCP) with a future land use map designation of Mixed-Use (MU). The request is to allow for lot size averaging to construct eight (8) multi-family structures on individual lots with Lot 9 proposed to be a common lot for stormwater retention, recreation area and parking. **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

4. PUBLIC HEARING: ASPEN GROVE PRELIMINARY PLAT - FILE PP24-0004

This time has been set aside for the Commission to hear comments from the public regarding a preliminary plat application to be known as Aspen Grove Subdivision request by Gate city Builders, represented by Sunrise Engineering. The property is located at 2806 S. 5th Avenue and consists of four (4) parcels encompassing 5.56-acres (more or less) with a total of nine (9) lots. The subject property is zoned Residential-Commercial-Professional (RCP) with a future land use map designation of Mixed-Use (MU). The request is to allow for lot size averaging to construct eight (8) multi-family structures on individual lots with Lot 9 proposed to be a common lot for stormwater retention, recreation area and parking. **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

5. PUBLIC HEARING: TITLE 17 TEXT AMENDMENTS

This time has been set aside for the Commission to hear comments from the public regarding City Initiated Text Amendments to Title 17: Zoning Regulations. **(ACTION ITEM)**

6. ADJOURN.

AGENDA

MINUTES

MINUTES
CITY OF POCA TELLO
PLANNING & ZONING COMMISSON CLARIFICATION MEETING
DECEMBER 11, 2024 · 6:00 PM
COUNCIL CHAMBERS | 911 N. SEVENTH AVENUE

Vice Chair Adam Geyer called the meeting to order at 6:00 PM.

1. ROLL CALL.

Present: Eugene Bartu, Benjamin Gomez, Adam Geyer, Marjanna Hulet, Annie Mendoza, and Desirea Valladolid.

Excused: Richard Phillips.

Staff: Jim Anglesey, Becky Babb, Matthew Lewis, Aceline McCulla, and Merrill Quayle.

2. DISCUSSION TO CLARIFY ITEMS ON THE P&Z MEETING AGENDA FOR DECEMBER 11, 2024.

The Commission and staff discussed the agenda items.

Agenda Item #3: Adjourn.

With no further discussion, **Geyer** closed the meeting at 6:03 PM.

Submitted by:

Aceline McCulla, Secretary

Approved on:

MINUTES
CITY OF POCATELLO
PLANNING & ZONING COMMISSION MEETING
DECEMBER 11, 2024 · 6:00 PM
COUNCIL CHAMBERS | 911 N. SEVENTH AVENUE

Vice Chair Adam Geyer opened the meeting at 6:30 p.m.

1. ROLL CALL.

Present: Eugene Bartu, Benjamin Gomez, Adam Geyer, Marjanna Hulet, Annie Mendoza, and Desirea Valladolid.

Staff: Jim Anglesey, Becky Babb, Matthew Lewis, Aceline McCulla, and Merrill Quayle.

Excused: Richard Phillips.

Bartu did a site visit for agenda items 3 and 4, **Hulet** did a site visit for agenda 3, and the rest of the members had nothing to report.

2. APPROVE MINUTES.

The Commission may wish to waive the oral reading of the P&Z clarification and regular meetings minutes held September 11, 2024, and to approve the minutes as written.

It was moved by **M. Hulet** and seconded by **B. Gomez** to approve the meeting minutes held September 11, 2024. Those voting in favor were Bartu, Gomez, Geyer, Hulet, Mendoza, and Valladolid. Motion passed unanimously.

3. PUBLIC HEARING: MAP AMENDMENT - FILE MA24-0004

This time has been set aside for the Commission to hear comments from the public regarding a Map Amendment application, submitted by Brandon Desfosses. The subject property, known as 155 Willard Ave., entails 0.3 acres (more or less) where half is zoned Residential Medium Density Single-Family (RMS) and half is zoned Commercial General (CG) with a Future Land Use designation of Residential (R). The request is to rezone the CG portion of the property to RMS. **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

Geyer opened the public hearing at 6:33 PM.

Brandon Desfosses stated he wants to rezone from Commercial General to the Residential zoning to put a single home on the property and to have zoning match the surrounding properties.

Sr. Long-Range Planner **Jim Anglesey** of the City of Pocatello summarized the staff report and stated no written comments were received for this project.

Staff concludes that the proposed zoning map amendment is **compliant** with Pocatello City Code Section 17.02.170.E. full analysis is detailed within this staff report.

Hulet asked if the City will rezone these properties as a City-wide effort. **Anglesey** stated currently the City does not have plans rezone this area, until a zoning ordinance rewrite with the smart code and form based code is completed. The Future Land Use Map will help guide a future discussion. As owners want to make changes, they may do so one property at a time.

Geyer opened the hearing for public comment, and with no public comment closed the public hearing at 7:37 PM.

It was moved by **M. Hulet** and seconded by **B. Gomez** to recommend approval of the zoning map amendment application from Brandon Desfosses to rezone the subject property from Commercial General (CG) to Residential Medium Density Single-family (RMS), finding the application meets the standards for approval under section 17.02.170.E of Pocatello City Code, and to authorize the Vice Chair to sign the Findings of Fact & Recommendation. Those voting in favor were Bartu, Gomez, Geyer, Hulet, Mendoza, and Valladolid. Motion passed unanimously.

4. PUBLIC HEARING: PRELIMINARY PLAT - FILE PP24-0003

This time has been set aside for the Commission to hear comments from the public regarding a Preliminary Plat application, submitted by Ben Johnson representing Johnson Contracting & Engineering, Inc. The subject property, located in the 800 Block of Barton Road North/Northwest of Cowboy Mobile Home Park and more specifically known as parcel RPCPP106404 entails 1.10 acres (more or less) and is zoned Residential-Commercial-Professional (RCP) with a Future Land Use designation of Mixed Use (MU). The request is to subdivide the subject parcel into thirteen (13) townhome lots and two (2) stormwater/non-buildable lots and to be known as Barton Villas Subdivision. **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

Geyer opened the public hearing opened at 6:39 PM.

Ben Johnson of Johnson Contracting & Engineering is seeking approval for their preliminary plat to build thirteen (13) townhouse units and will work with staff to complete the Code requirements and asked the P&Z to approve the request.

Hulet asked if the applicant was agreeable to the development conditions listed in the staff report. **Johnson** stated he was agreeable to all conditions listed in the staff report.

Sr. Planner **Matthew Lewis** of the City of Pocatello summarized the staff report. Lewis stated no written comments were received for this project.

Staff finds that the proposal is compliant with all applicable standards of City Code 16.20.050, assuming the following conditions are met: **1)** All comments contained in the Public Works Memorandum, dated December 3, 2024, shall be adhered to (see attachment A); **2)** A fire turnaround shall be provided as required by Fire Department Staff (see Attachment B); **3)** Per Municipal Code Section 17.05.350 C. "Trees: One tree a minimum size of one and one-half inch (1½") caliper shall be planted in the planter strip or front yard for every thirty-five feet (35') of lot frontage;" **4)** A building permit may not be issued unless all applicable standards of City Code Section 16.24.100 are adhered to, or a subdivision surety bond and warranty bond is obtained as outlined in City Code 16.24.110, prior to recording; **5)** Pursuant to Intermountain Gas Company (IGC) if the proposed development will require natural gas, IGC will have to install a new section of main to serve the development; and **6)** All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply.

Geyer opened the hearing for public comment, and with no public comments, closed the public hearing at 6:48 PM.

It was moved by **M. Hulet** and seconded by **A. Mendoza** to approve the preliminary plat application from Ben Johnson for the Barton Villas Subdivision, finding the application does meet the standards for approval

under Chapter 16.20.050 of Pocatello Municipal Code, with the conditions listed in the staff report, and to authorize the Vice Chair to sign the Findings of Fact and Decision. Those voting in favor were Bartu, Gomez, Geyer, Hulet, Mendoza, and Valladolid. Motion passed unanimously.

5. ADJOURN.

With no other business, **Geyer** closed the meeting at 6:49 PM.

Submitted by:

Aceline McCulla, Secretary

Approved on:

DRAFT

AGENDA 3

ASPEN GROVE
PLANNINGED UNIT DEVELOPMENT



**PLANNING & ZONING COMMISSION
MEETING JANUARY 8, 2025
STAFF REPORT**

PROJECT:	Aspen Place PUD	FILE # PUD24-0002
APPLICANT/OWNER:	David Assan of Sunrise Engineering -representing Gate City Builders	
SURVEYOR/ENGINEER:	Matt Baker of Sunrise Engineering	
REQUEST:	Planned Unit Development application	
TITLE REPORT:	Title report was submitted and reviewed	
LOCATION:	Four separate parcels located at 2806 S. 5 th Avenue	
STAFF:	Matthew G. Lewis M.S., Senior Planner	

PLEASE NOTE: The staff report was completed 10 days before the due date mainly in light of the Holidays. This being the case there may be additional information provided to the Commission at their January 8, 2025 meeting.

GENERAL BACKGROUND

REQUEST: David Assan of Sunrise Engineering on behalf of Gate City Builders, has submitted an application for a Planned Unit Development (PUD). The property is located at 2806 S. 5th Avenue and consists of four (4) parcels encompassing 5.56-acres (more or less). The subject property is zoned Residential-Commercial-Professional (RCP) with a future land use map designation of Mixed-Use (MU). The request is to allow for lot size averaging to construct eight (8) multi-family structures on individual lots with Lot 9 proposed to be a common lot for stormwater retention, recreation area and parking.

DENSITY & LOT DESIGN: The above noted parcel is zoned Residential-Commercial-Professional (RCP). The subject PUD will be followed by a subdivision application. Common areas will be provided for parking, open space and storm water retention with said areas being dedicated and maintained by the homeowner's association. See further discussion from staff under section 17.02.140.G.1 regarding density and lot design.

Each eighteen (18)-plex will consists of twelve (12) 2-bedroom units and six (6) one (1) bedroom units on a lot measuring 5,662 sq.ft. (more or less). Based on Municipal Code Section 17.05.570-1 one & one-half (1.5) off-street parking spaces are required per two (2) bedroom unit and one (1) required for the single bedroom units resulting in a total of 192 off-street parking spaces. A total of 259 (259) parking spaces are proposed.

NOTIFICATION: All property owners within a 300-foot radius of the existing property boundaries have been provided notice of the public hearing in order that they may provide comment on the proposed request. Notice was also published in the [Idaho State Journal](#) and a sign was posted on the subject property. No public comment has been received as of the completion of the staff report.

UTILITY PROVIDER & CITY DEPARTMENT NOTICE: Utility providers and affected City departments were provided notice on 12/5/2024. As of Wednesday December 18, 2024, no comments have been received from utility providers and affected City departments with exception of the Public Works Memorandum.

OPTIONAL MOTIONS:

1. **Approval of the Application:** Motion to recommend approval of the Aspen Place Planned Unit Development from David Assan on behalf of Gate City Builders finding the application **does** meet the standards for approval under Chapter 17.02.140 of Pocatello Municipal Code, **with the conditions of approval** [insert conditions of approval here], and to authorize the Chair to sign the Findings of Fact and Recommendation.
2. **Denial of the Application:** Motion to recommend denial of the Aspen Place Planned Unit Development from David Assan on behalf of Gate City Builders finding the application **does not** meet the standards for approval under Chapter 17.02.140 of Pocatello Municipal Code, **finding that:** [cite findings for denial], and to authorize the Chair to sign the Findings of Fact and Recommendation.

TABLES:

1. PUD Review Criteria Analysis
2. PUD General Standards Analysis

ATTACHMENTS:

- A. Planned Unit Development Layout and Response to Review Criteria under 17.01.140 C.
- B. Public Works Memorandum dated December 18, 2024
- C. Aerial
- D. Front Landscaping/Sidewalk Cross Section

Table 1. PUD Review Criteria Analysis

REVIEW CRITERIA (17.01.140 C):					
Compliant			City Code and Staff Review		
Yes	No	N/A	Code Section	Analysis	
☒	☐	☐	17.02.140 C.1	The project provides alternative methods of land development;	
			<i>Staff Review</i>	The applicant is proposing that the following be considered as an alternative method of land development for reasons illustrated in the project narrative associated with the application (Attachment A). The applicant has designed the project to provide a safe, attractive development with the stated intent providing high quality housing to the area for both students and families. The subject site is designed to incorporate a recreation area for residents as required by code for a PUD. The applicant is proposing to utilize lot size averaging as called out in City Code 17.02.140 G. See the staff analysis under this subsection for an evaluation of the proposed lot size averaging.	
☒	☐	☐	17.02.140 C.2	The project includes a mix of land uses; these uses are compatible and well integrated even though they might otherwise be discouraged through conventional zoning techniques;	

			Staff Review	As noted above, the site consists of 4 parcels encompassing 5.56-acres (more or less). Land uses adjacent to and near the proposed development include Rest Lawn Cemetery to the south, a manufactured home community to the east/northeast, a mixed commercial use adjacent the northern boundary and Ross Park with a community trail to the west. The property is zoned RCP which allows the use outright. Staff is recommending that an eight (8)-foot wide planter strip be provided between the curb and eight (8) foot wide sidewalk with a ten (10) foot landscaped setback provided on the east side of the sidewalk (as required by Municipal Code). In addition - one (1) tree a minimum of one & one-half inches (1.5”) in caliper shall be provided for every thirty-five feet of street frontage in both landscaping areas. Such planting shall be staggered a minimum of ten 10-feet between trees within the landscape areas (Refer to Attachment D). Such will provide a more pedestrian friendly experience and would be in line with the proposed cross section envisioned with the Brownfields Study area in addition to providing an amenity for the residence of the apartments and general public.
☒	☐	☐	17.02.140 C.3	The project conserves natural and topographic features;
			Staff Review	The subject site consists of minimal grade thus development is not subject to Hillside Development or Sensitive Land Standards.
☒	☐	☐	17.02.140 C.4	The project promotes compatibility with adjacent land uses, established neighborhoods, and available public facilities;
			Staff Review	See Staff review under 17.02.140 C.2 above. Existing infrastructure such as but not limited to water and sewer is available adjacent S. 5 th Avenue. Utility connections will be subject to review at the time a preliminary/final plat application is submitted. Once complete, these services are adequate to serve the property.
☒	☐	☐	17.02.140 C.5	The project considers intensity of use including, but not limited to, building coverage, magnitude of activities, density, and traffic circulation/patterns;
			Staff Review	As noted above each eighteen (18)-plex will consists of twelve (12) 2-bedroom units and six (6) one (1) bedroom units on a lot measuring 5,662 sq.ft. (more or less).
☒	☐	☐	17.02.140 C.6	The project emphasizes architectural design and aesthetic value; and
			Staff Review	The project provides multi-family units are architecturally designed providing for a pleasing aesthetic value to the project and surrounding areas. The multi-family buildings will have vinyl siding, perforated metal soffit and a colored accent band. Staff recommends that earth-tone colors be used where possible.
☒	☐	☐	17.02.140 C.7	The project emphasizes provision of open spaces and quality recreation areas and facilities;
			Staff Review	See staff analysis under section 17.01.140.D.4

Table 2. PUD General Standards Analysis

REVIEW CRITERIA (17.01.140 D):					
Compliant			City Code and Staff Review		
Yes	No	N/A	Code Section	Analysis	
☒	☐	☐	17.02.140 D.1	Ownership or Unitary Control: A PUD shall be under single ownership or unified control throughout the entire planning stage and the completion of all approved infrastructure to ensure that development is accomplished as planned. Proof of single ownership or unified control is required and may be demonstrated by a deed showing a single owner, restrictive covenants of a property owners' association, or otherwise as approved by the city.	
			Staff Review	A Title Report has been submitted with the application showing NKA Bareground as the owner of the subject parcel. Additionally, a signed and notarized Affidavit of Legal Interest from Gary Ratliff and Jonathan Vincent was provided as part of the application allowing Sunrise Engineering to submit the PUD Application on their behalf. The applicant will be responsible to provide a draft Declaration of Covenants, Conditions and Restrictions (CC&R'S) prior to recording a Final Plat.	
☒	☐	☐	17.02.140 D.2	Integration: In the design process, particular effort shall be made to integrate a PUD proposal with the surrounding natural and built out environment. Particular attention shall be paid to proposed traffic patterns, pedestrian circulation, surrounding land uses, and drainage patterns.	
			Staff Review	There is one (1) point of ingress/egress to the development via South 5 th Avenue. Public Works and Traffic Department personnel are requiring that the approach, as proposed, be moved to the north to line up with Garden Street to the west which extends between S. 4 th & 5 th Avenues. This results in the Apartment building on Lot 1 to be relocated to the proposed multi-use stormwater/recreation area located adjacent South 5 th Avenue. The latter shall be moved to Lot 1. The parking area shall be dedicated as shared common lot area and at no point may gates or other obstructions be placed within the parking and access area so as to prevent fire access through said parking area. The parking lot shall be maintained by the future Homeowners Association in perpetuity who shall be responsible for all maintenance and snow removal.	
☒	☐	☐	17.02.140 D.3	Subdivision Requirements: Any PUD that includes a subdivision of land shall comply with all standards set forth by the subdivision ordinance of the city. Subdividing of land may not proceed until a proposed PUD has been approved.	
			Staff Review	The subject PUD application will be followed by both a preliminary & final plat application to subdivide the property. All standards of the subdivision ordinance shall apply and will be reviewed at the time of application submittal. Any modifications at that time, may require an amendment to the final approved PUD application.	

☒	☐	☐	17.02.140 D.4	Open Space: Regardless of the type of PUD, common open space shall encompass at least twenty percent (20%) of the net land area involved in the development. Rights of way and areas included within private lots shall not be counted toward the required open space. The required common open space shall include, but not be limited to, usable recreation areas and/or facilities (e.g., parks, clubhouses, athletic courts, pools, trails).
			Staff Review	The project area as called out in the summary of the request states that there is 5.56 acres of land area, or 242,194 sq. ft. (more or less). The open space dedication states that at least 20% of the net land area involved in the development shall be left for open space. As such, a minimum of 48,439 sq. ft. shall be dedicated as open space and the applicant is proposing 86,348 sq. ft (more or less) which includes all landscape areas between lots and the private recreation areas associated with Lot 9. Please note that the calculation does not include the parking/circulation area. (Note: Land dedicated as open space shall be permanently maintained by either private covenants attached to and made part of the plan, or if suitable and mutually agreeable to the applicant and the city, by public dedication. If open space is to be maintained through private covenants, the director may require, prior to recording of any final plat, establishment of a homeowners' association and/or either: a. Completed improvements, development, and dedication of open space features; b. Posting of a bond sufficient to assure completion of improvements, development, and dedication of open space features.)
☒	☐	☐	17.02.140 D.5	Grading and Vegetation: All lands graded and/or stripped of vegetation, except private residential yards, shall be revegetated by the developer in a timely manner with approved species adapted to site conditions. Revegetation plans shall be submitted to and approved by the city engineer or designee prior to grading
			Staff Review	A landscaping plan shall be reviewed and approved at the time of building permit. Said plan shall be designed as outlined under Condition #5 and the cross section (see Attachment D). The applicant shall receive approval by the city engineer or designee prior to grading. See recommended condition #7 concerning future landscaping.
☒	☐	☐	17.02.140 D.6	Time Frame: For any approved PUD, physical construction of approved infrastructure shall begin within three (3) years of final approval of the PUD. Grading or landscaping does not constitute physical construction. Build-out of the PUD infrastructure shall be completed within five (5) years of final approval. If not complete, the PUD becomes null and void and reapplication is required thereafter. If requested, the planning and zoning commission may consider granting time extensions for the PUD time frames described herein. Extensions shall not exceed a one year period, and requests for such extensions shall be received by the city at

				least three (3) months prior to the expiration date. These time limits may be as otherwise adjusted and approved through the PUD process.
			Staff Review	The applicant has not indicated that the PUD will be constructed in phases.
☒	☐	☐	17.02.140 D.7	Planned Unit Development to Run with The Land: A planned unit development granted pursuant to the provisions of this chapter shall continue for the approved use upon a change of property ownership, subject to the same conditions and terms of approval.
			Staff Review	All conditions and terms of approval shall run with the land and shall apply upon any change in ownership.

Table 3. PUD Development Standards in Residential Zoning Districts Analysis

REVIEW CRITERIA (17.01.140 G):				
Compliant			City Code and Staff Review	
Yes	No	N/A	Code Section	Analysis
☒	☐	☐	17.02.140 G.1	Lot size averaging may be used provided that the overall density does not exceed the maximum number of dwelling units per acre allowed by the underlying zoning district, plus up to twenty percent (20%).
			Staff Review	Municipal Code requires a minimum of 1,452 sq.ft. per unit for multi-family or in this case 26,136 sq.ft. per 18-plex for a total of 209,088 sq.ft. (8 x 26,136) or 4.80 acres for the eight (8) 18-plex structures. The RCP zoning district allows a maximum number of thirty (30) dwelling units per acre. Past interpretation of lot size averaging on separate applications has indicated that lot size averaging may include the common area of the project into the lot size average calculation. The overall density does not exceed the maximum number of dwelling units per acre allowed by Municipal Code. The average minimum lot size meets the minimum requirement of the RCP zoning district.
☒	☐	☐	17.02.140 G.2	Uses permitted in the neighborhood commercial and residential commercial professional districts may constitute up to twenty five percent (25%) of the net land area within a residentially zoned PUD.
			Staff Review	The applicant is proposing to develop multi-family structures outright in the RCP zoning district.
☒	☐	☐	17.02.140 G.3	Open space (common area) shall conform to the general standards set forth in subsection D4 of this section.
			Staff Review	See analysis under subsection D4 regarding open space requirements.
☒	☐	☐	17.02.140 G.4	Residential PUDs shall meet minimum off street parking requirements for residential components. A reduction of up to ten percent (10%) from minimum off-street parking requirements may be allowed for nonresidential uses.
			Staff Review	Based on Municipal Code Section 17.05.570-1 one & one-half (1.5) off-street parking spaces are required per apartment unit with one (1) required for the single bedroom units resulting in a total of 192 off-street parking spaces. A total of 259 (259) parking spaces are proposed.

☒	☐	☐	17.02.140 G.5	Architectural design principles shall be approved for each PUD and shall be enforced by the property owner(s) or a property owners' association. The standards shall address. a. Style or type of building; b. Color scheme; and c. Building materials.
			Staff Review	See staff review under section 17.02.140 C.6.

SUMMARY & CONDITIONS:

The Planning and Zoning Commission shall hold a public hearing on this matter and render a recommendation. The Commission shall submit findings of fact and their recommendation to the City Council within forty-five (45) days following the closure of the public hearing. In consideration of the application and proposed development, staff concludes that the Planned Unit Development request is compliant with Pocatello Municipal Code Section 17.02.140. Should the Commission recommend approval of the subject application, staff recommends the following conditions:

1. All applicable standards of Pocatello Municipal Code 16.20 & 16.24 shall be strictly adhered to;
2. All open space designated as part of the subject PUD shall be maintained by the future Homeowner's Association subject to the standards of Municipal Code 17.02.140.D.4;
3. The parking area shall be dedicated as shared common area and at no point may any gates or other obstruction be placed within the parking and access area so as to prevent fire access through the parking lot areas as well as the rear yard of each townhome.
4. A street light shall be installed on the north side of the approach.
5. Staff is recommending that an eight (8)-foot wide planter strip be provided between the curb and eight (8) foot wide sidewalk with a ten (10) foot landscaped setback provided on the east side of the sidewalk (as required by Municipal Code). In addition - one (1) tree a minimum of one & one-half inches (1.5") in caliper shall be provided for every thirty-five feet of street frontage in both landscaping areas. Such planting shall be staggered a minimum of ten 10-feet between trees within the landscape areas (Refer to Attachment D);
6. All proposed amenities shall be complete with each phase as proposed;
7. A final landscape plan shall be submitted at the time of the initial building permit application and shall be compliant with all landscaping requirements of Pocatello Municipal Code. Said plan shall include a planting schedule which includes the type of vegetative, non-vegetative cover, and tree type and size.
8. All approved architectural standards shall be enforced by the Homeowner's Association per Municipal Code 17.02.140.G.5; and
9. All other standards or conditions of Municipal Code not herein stated but applicable to the Planned Unit Development, land subdivision and residential development shall apply.

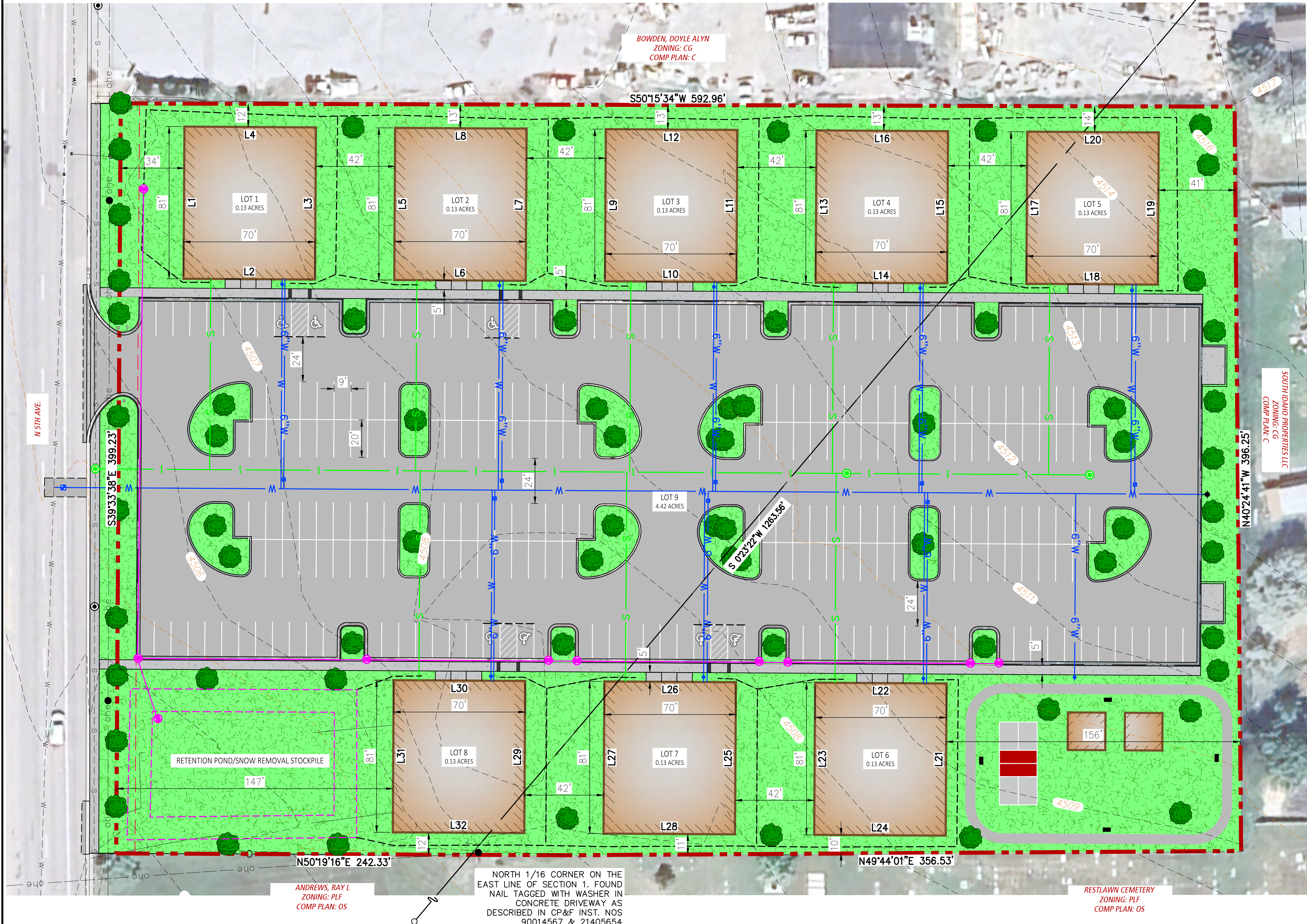
ATTACHMENT A

**PLANNED UNIT DEVELOPMENT LAYOUT &
RESPONSE TO REVIEW CRITERIA**

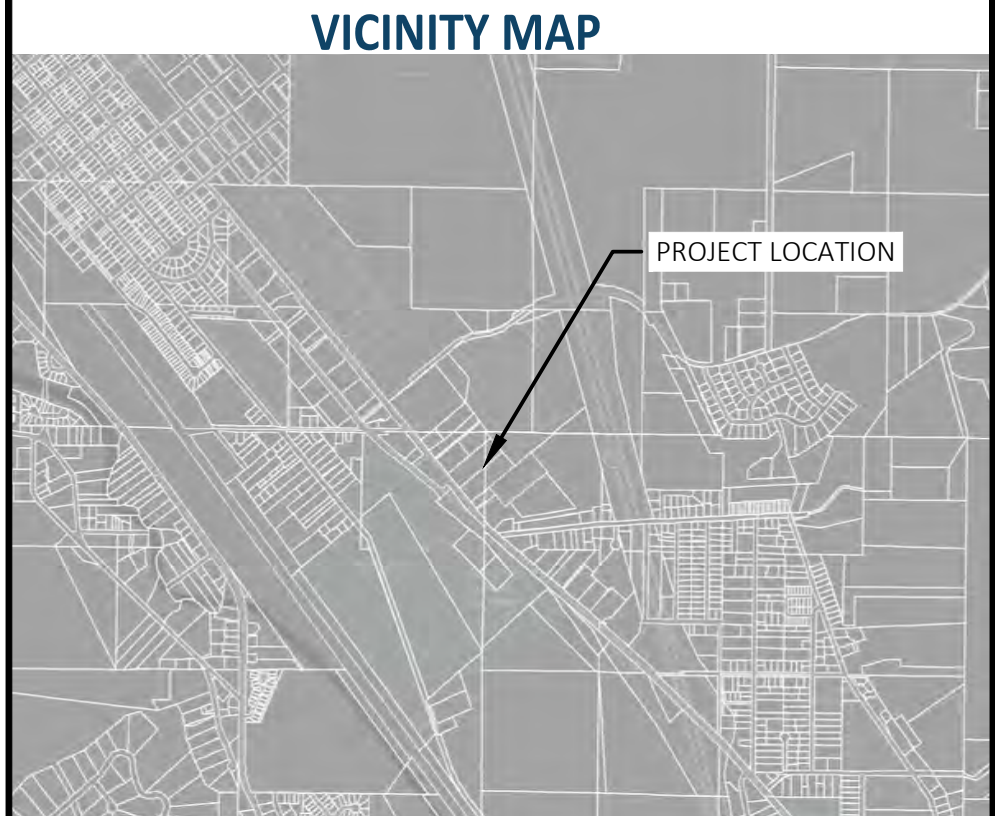
PRELIMINARY PLAT FOR:
ASPEN GROVE SUBDIVISION

LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 7
SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO

NORTHEAST CORNER OF
SECTION 1. FOUND 3/4"
IRON PIN WITH NO CAP
AS DESCRIBED IN CP & F
INST. NO. 21405652



LINE TABLE		
NO.	BEARING	LENGTH
L1	S39°33'38"E	81.00'
L2	N50°26'22"E	70.00'
L3	N39°33'38"W	81.00'
L4	S50°26'22"W	70.00'
L5	S39°33'38"E	81.00'
L6	N50°26'22"E	70.00'
L7	N39°33'38"W	81.00'
L8	S50°26'22"W	70.00'
L9	S39°33'38"E	81.00'
L10	N50°26'22"E	70.00'
L11	N39°33'38"W	81.00'
L12	S50°26'22"W	70.00'
L13	S39°33'38"E	81.00'
L14	N50°26'22"E	70.00'
L15	N39°33'38"W	81.00'
L16	S50°26'22"W	70.00'
L17	S39°33'38"E	81.00'
L18	N50°26'22"E	70.00'
L19	N39°33'38"W	81.00'
L20	S50°26'22"W	70.00'
L21	N39°33'38"W	81.00'
L22	S50°26'22"W	70.00'
L23	S39°33'38"E	81.00'
L24	N50°26'22"E	70.00'
L25	N39°33'38"W	81.00'
L26	S50°26'22"W	70.00'
L27	S39°33'38"E	81.00'
L28	N50°26'22"E	70.00'
L29	N39°33'38"W	81.00'
L30	S50°26'22"W	70.00'
L31	S39°33'38"E	81.00'
L32	N50°26'22"E	70.00'



LEGEND	
	PROPOSED BOUNDARY LINE
	PROPOSED PROPERTY LINE
	PROPOSED EASEMENT LINE
	PROPOSED CENTER LINE
	SECTION LINE
	EXISTING WATER LINE
	PROPOSED WATER LINE
	EXISTING SEWER LINE
	PROPOSED SEWER LINE
	EXISTING STORM LINE
	PROPOSED STORM LINE
	EXISTING GAS LINE
	PROPOSED GAS LINE
	EXISTING TELEPHONE / FIBER LINE
	PROPOSED TELEPHONE / FIBER LINE
	EXISTING CATV LINE
	PROPOSED CATV LINE
	STANDARD CURB / RIBBON CURB
	FIRE HYDRANT / WATER VALVE
	WATER METER / WATER SERVICE
	IRRIGATION BOX / IRRIGATION SERVICE
	SEWER MANHOLE
	SEWER SERVICE
	STORM MANHOLE / STORM CATCH BASIN
	STORM INFILTRATION BED
	POWER POLE / POWER BOX
	GAS METER
	TELEPHONE BOX / FIBER OPTIC BOX
	CABLE TV BOX / STREET LIGHT

NOTES

- CURRENT ZONING: RESIDENTIAL COMMERCIAL PROFESSIONAL (RCP)
- TOTAL AREA OF SUBDIVISION: 5.45 ACRES
- LOT SIZE DATA
PROPOSED MIN: 0.13 ACRES
- THE PROPOSED BUILDING CORNERS ARE THE PROPERTY CORNERS
SUBDIVISION STATS
9 LOTS
- LOT 9 IS PROPOSED TO BE A COMMON LOT FOR STORM WATER
RETENTION, PUBLIC UTILITIES, AND PARKING LOT.
- SEWER AND WATER TO BE CONNECTED TO THE CITY OF POCA TELLO
COLLECTION AND DISTRIBUTION SYSTEMS RESPECTIVELY.
- STORMWATER WILL BE RETAINED ON SITE IN RETENTION POND
- 259 PARKING SPACE PROVIDED, 7 OF WHICH ARE ADA SPACES
- CODES, COVENANTS, AND RESTRICTIONS (CC&R'S) ADDRESSING THE
CREATION OF A HOMEOWNER'S ASSOCIATION WILL BE SUBMITTED
WITH THE FINAL PLAT.

PRELIMINARY STORM WATER REQ.

NOTE: ALL STORM WATER FOR ENTIRE SUBDIVISION TO BE
DIRECTED TO STORM WATER RETENTION POND.

REQUIRED: 20,116 CU FT
PROVIDED: 20,142 CU FT

INTELLECTUAL PROPERTY NOTICE

THE DESIGN, IDEAS, DRAWINGS CONTAINED WITHIN THIS SET OF ASSOCIATED DOCUMENTS ARE THE SOLE PROPERTY OF SE. THEY ARE SUBJECT TO COPYRIGHT OF SE. THEY ARE CREATED, EVOLVED AND DEVELOPED FOR USE ON THIS SPECIFIC PROJECT. ANY USE OF THESE DRAWINGS, DESIGNS, MATERIALS OR INFORMATION CONTAINED HEREIN, INCLUDING BUT NOT LIMITED TO COPYING OR REPRODUCTION, WHICH IS NOT EXPRESSLY AUTHORIZED BY SE, IS STRICTLY PROHIBITED AS AN INFRINGEMENT OF ITS COPYRIGHT AND WILL RESULT IN ENFORCEMENT UP TO THE FULLEST EXTENT OF THE LAW.

HALF SIZE SCALE (B)
1 INCH = 60 FEET

1 INCH = 30 FEET
FULL SIZE SCALE (D)

SHEET INFORMATION

DRAWN BY: TJT	REVIEWER: RMH
CREATED: 10.23.2024	LAST REVISED: 10.28.2024

DEVELOPER INFORMATION

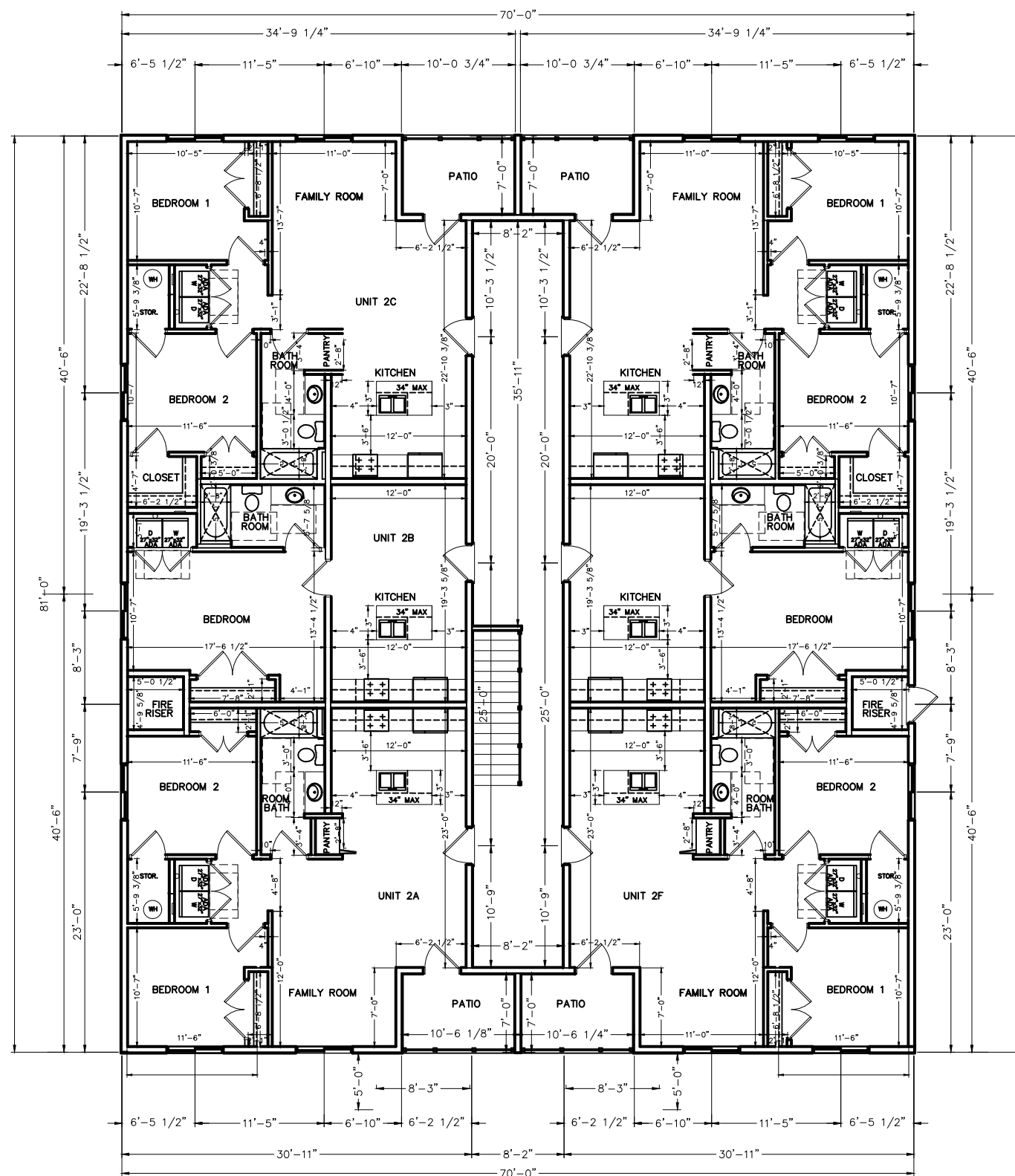
NAME: GATE CITY BUILDERS	
CONTACT: JONATHAN VINCENT	
INFO: GATECITYBUILDERS@YAHOO.COM	

SHEET NAME:
PRELIMINARY PLAT FOR:
ASPEN GROVE SUBDIVISION

SUNRISE ENGINEERING

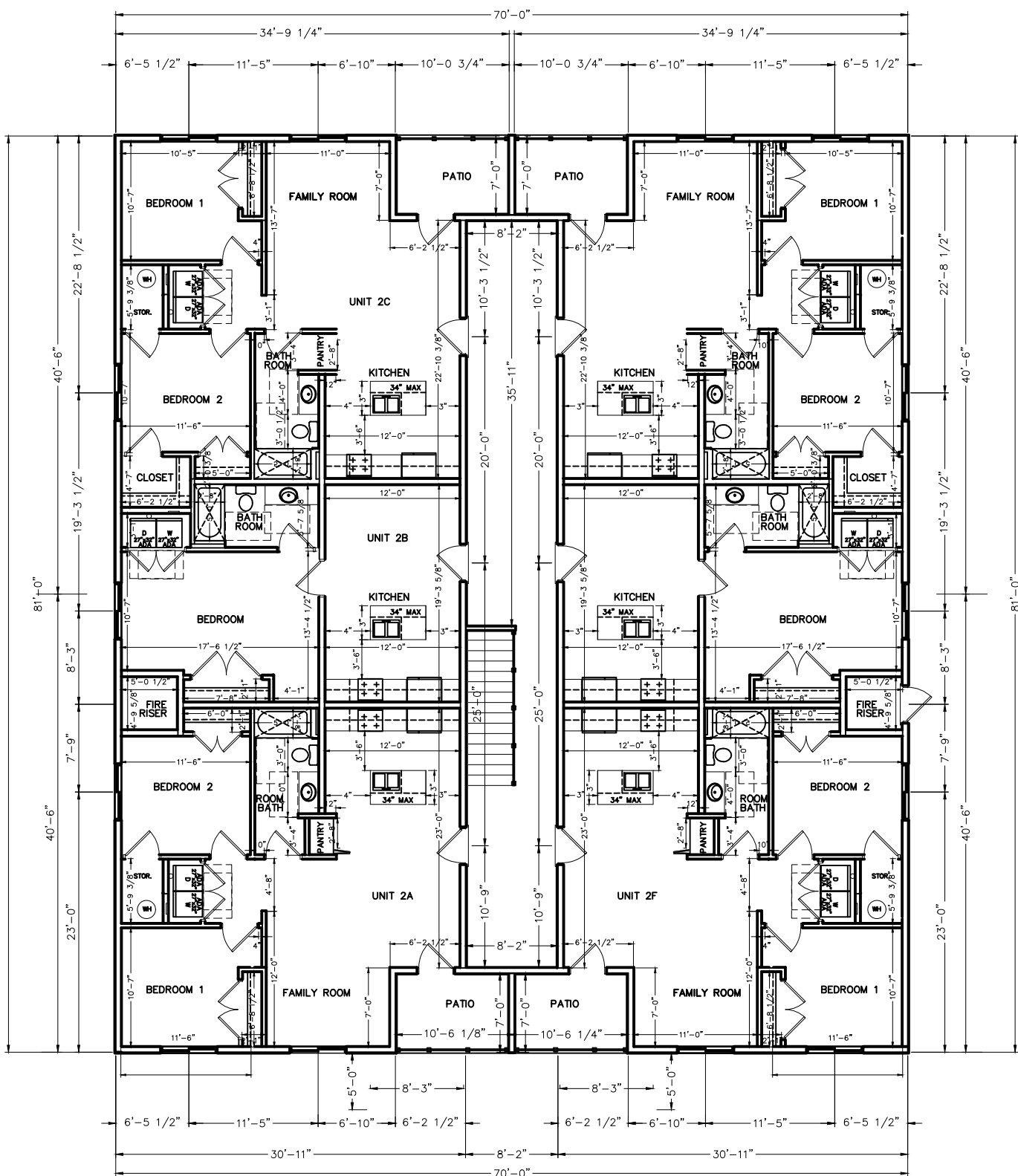
600 EAST OAK STREET, POCA TELLO, ID 83201
TELEPHONE 208.234.0110
www.sunrise-eng.com

SHEET NUMBER
1 OF 1



2ND FLOOR DIMENSION PLAN

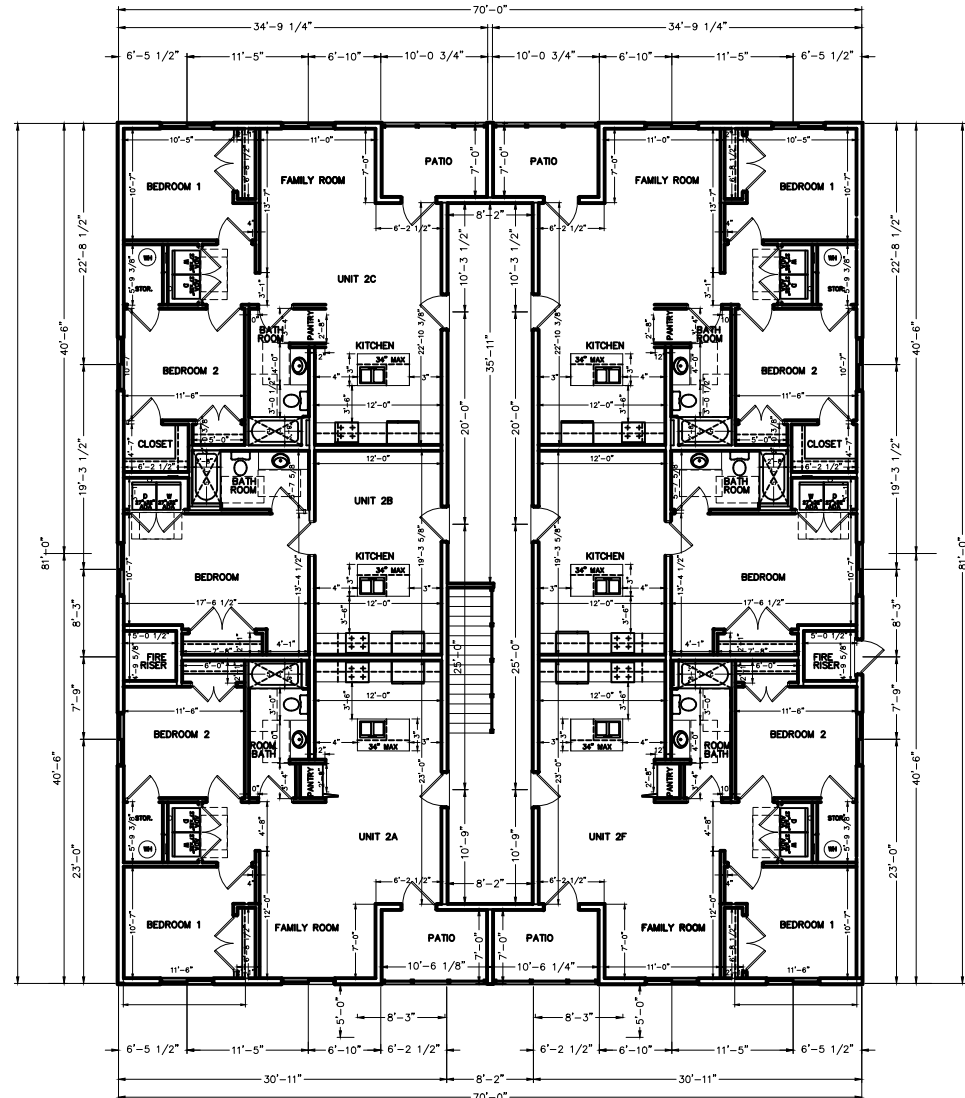
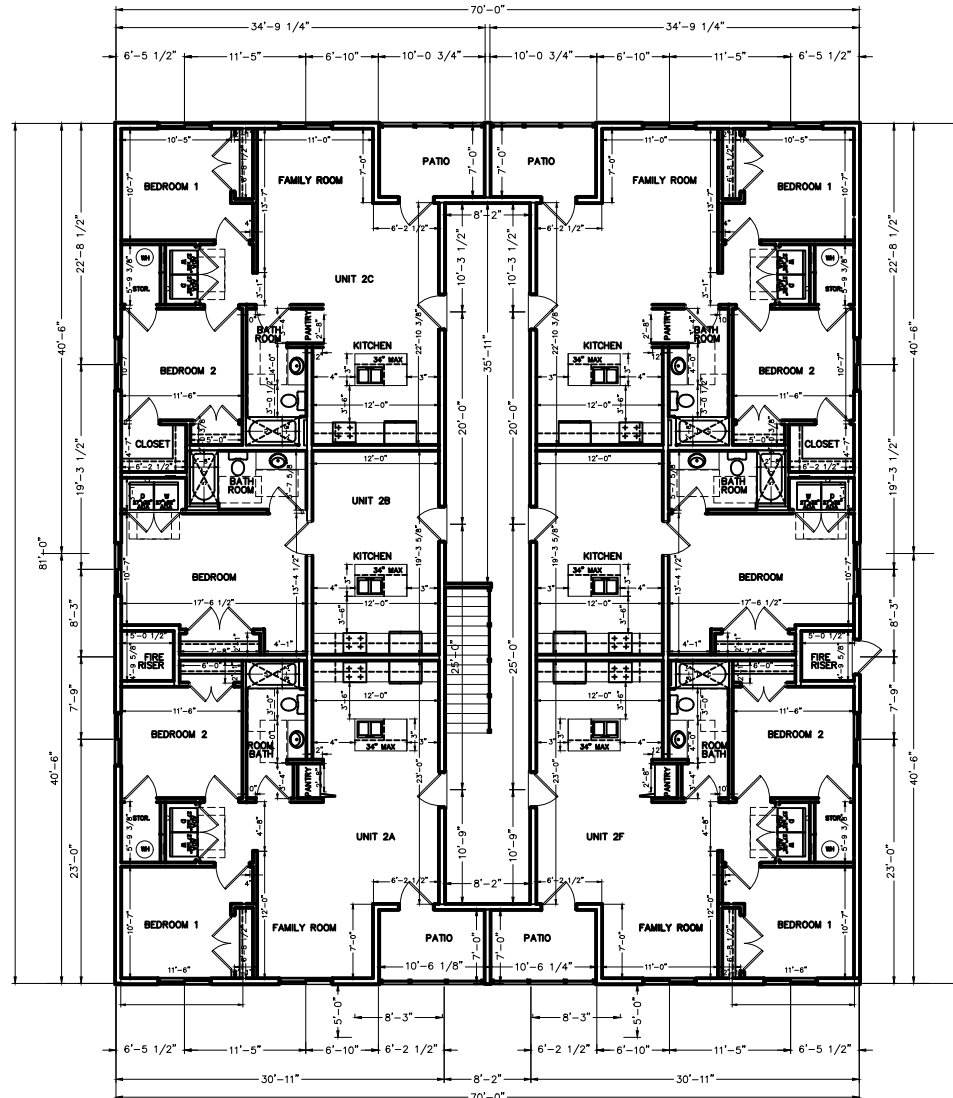
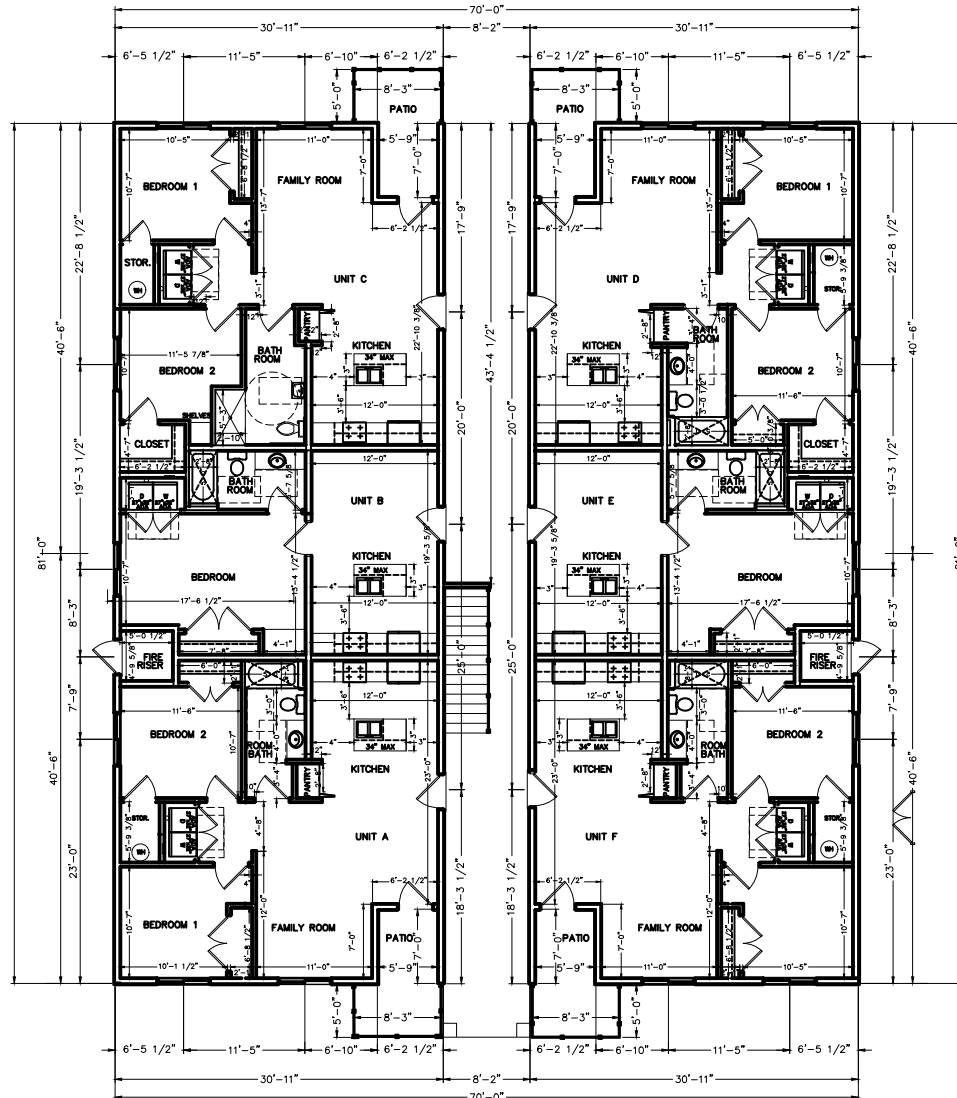
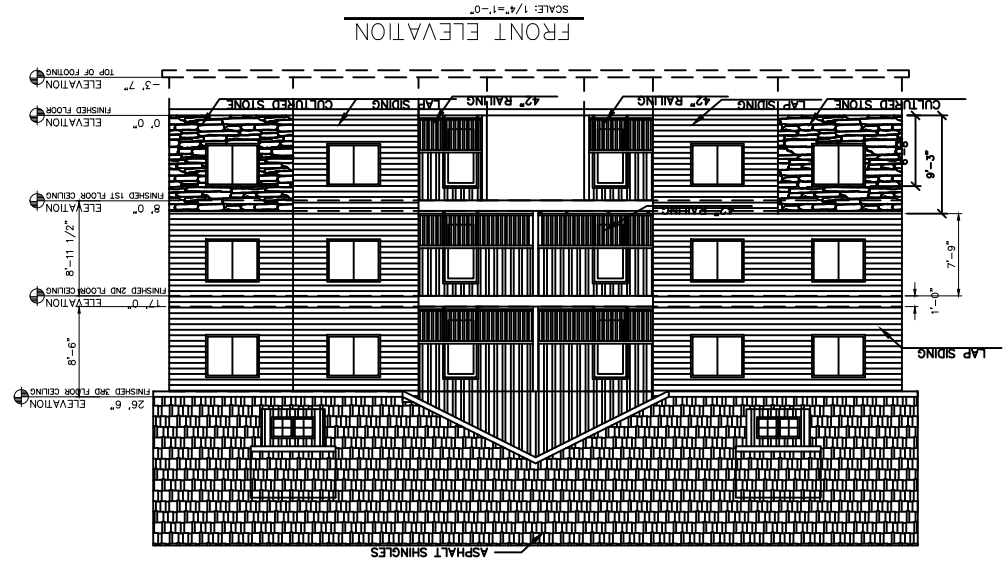
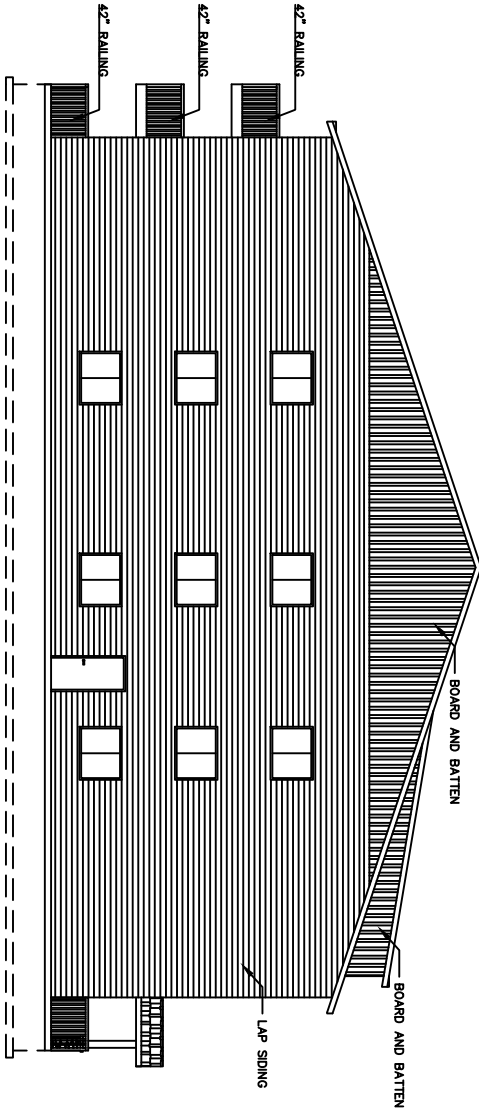
SCALE: 1/4"=1'-0"



3RD FLOOR DIMENSION PLAN

SCALE: 1/4"=1'-0"





ASPEN GROVE 18 PLEX
2 BEDROOM UNIT 865 SQ. FEET
1 BEDROOM UNIT 582 SQ. FEET

REQUIREMENT 1: The project provides alternative methods of land development;

Response: The current property is partially developed with a single structure and roadway access, with undeveloped land surrounding it. This project proposes to re-develop the property into 8 multi-family units with landscaping and recreational facilities.

REQUIREMENT 2: The project includes a mix of land uses; these uses are compatible and well integrated even though they might otherwise be discouraged through conventional zoning techniques;

Response: The site plan demonstrates the arrangement of buildings and landscape areas, with ample parking and stormwater facilities provided.

REQUIREMENT 3: The project conserves natural and topographic features;

Response: The proposed project minimizes grading activities to only excavations necessary for construction. The landscaping has been designed to provide a uniform layout to improve aesthetics.

REQUIREMENT 4: The project promotes compatibility with adjacent land uses, established neighborhoods, and available public facilities;

Response: The proposed project is located between a Public Land Use site, a commercial site, and a residential subdivision. The design of the site ensures a uniform mix of hardscapes and landscape areas to compliment the neighborhood.

REQUIREMENT 5: The project considers intensity of use including, but not limited to, building coverage, magnitude of activities, density, and traffic circulation/patterns;

Response: The proposed project will develop 8 residential buildings with 18-units per building suitable for students and families to live across from the Ross Park and within proximity to the University, Zoo and other places of interest. The location of the subdivision approach encourages only right turn unto South 5th Avenue.

REQUIREMENT 6: The project emphasizes architectural design and aesthetic value

Response: The design of the subdivision blends a mix of landscaped areas with the apartment designs, incorporating recreational facilities to create an aesthetically pleasing development.

REQUIREMENT 7: The project emphasizes provision of open spaces and quality recreation areas and facilities.

Response: The project proposes a landscape coverage of 38%, with the development providing a pickleball court and recreational areas. There are 259 parking spaces provided covering 2.16 acres of the property.

ATTACHMENT B

PUBLIC WORKS MEMORANDUM 12/18/24



Memorandum

To: Matthew Lewis, Senior Planner

From: Merrill Quayle PE, Public Works Engineer *MB*

Date: 12.18.2024

Re: Aspen Grove Apartments - P&Z Preliminary Plat (01.08.2025) Application #PP24-0004

The Public Works Department has reviewed the preliminary plat application for the above-mentioned project and submits that the following changes and items shall be addressed prior to final plat application.

Plat Conditions

1. The final plat shall meet all the requirements defined in section **16.24.040: Final Plat Requirements** of the Subdivision Ordinance.
2. Subdivision Plat shall conform to all state and local laws and ordinances.
3. The subdivision plat shall be formatted per Bannock County's requirements and reproducible on an 8.5x11 sheet of paper per Bannock County instructions. The plat shall be black opaque ink, no gray scale or color.
4. Notes on the Plat shall be approved by the City of Pocatello Engineering and Legal Department prior to recording.
5. Provide adjoining property owners recorded deeds, a copy of all recorded easements, and document(s) which grants the signatory to sign the plat on behalf of the owner(s) to the City Surveyor at the time of final application for review.
6. Add cross easements access easement for all utilities, access and CCR's to include future maintenance and replacement plan of said improvements and appurtenances. Provide a recorded copy to the City for the file.
7. Add note, Easements not depicted: All lots in this subdivision are subject to a drainage easement equal to the primary structure setback line along all lot lines. Lots must be graded and maintained so as to minimize drainage to adjoining properties. Also, there is an easement for refuse pickup that is within the parking area. Also add this paragraph to the owner's certificate. "The undersigned owner(s) of real property located within the Aspen Grove Apartments Plat, hereby grant permission to the City of Pocatello Sanitation Department to drive City vehicles onto the asphalt/concrete and any other private property in order to provide garbage service at the above location including vehicles needed to perform clean-up maintenance on such private property. Owner(s) release and hold harmless the City of Pocatello, a municipal corporation of Idaho, and its employees from any liability and will accept full responsibility for damages to the driving surface area, Owner(s) acknowledge and agree are beyond the control of the City of Pocatello and its employees.

Development Conditions

1. Switch the retention pond/snow removal stockpile area with Lot 1.
2. Confirm the center line of the proposed approach is lined up with the center line of Garden Street.
3. A street light shall be added at the proposed approach adjacent to S 5th Ave.

4. A traffic calculation and evaluation will need to be submitted at the time of final application.
5. Landscape trees adjacent to S 5th Ave. shall not incumber sight distance for a 35mph travel speed.
6. Add master meter size, vault and double check valve and vault location and detail to final plan set.
7. Calculations show there should be a minimum of 10 6-yard garbage dumpsters provided for this development. Dumpsters will be front load and require 60-90-feet of clear space for truck access.
8. The parking area shall be dedicated as shared common area and at no point may any gates or other obstruction be placed within the parking and access area so as to prevent fire access and garbage pickup through the parking lot areas. Fire access will be required to the rear yard of each townhome from the parking area.
9. Place a fire truck turning template for the drive isles within the parking area to insure adequate drivability.
10. Above ground communication line parallel to S 5th Ave. will need to be relocated underground through this development.
11. There will need to be a property association and property management that will facilitate one monthly payment for sanitation, sewer and water pertaining to the City of Pocatello utility Billing.
12. All capacity fees shall be paid at the time of the first building application.
13. A building permit may not be issued unless all applicable standards of City Code Section 16.24.100 are adhered to.
14. A subdivision surety bond will need to be provided to obtained early recording of the plat as outlined in City Code 16.24.110.

General Conditions

1. One (1) full sized copies of construction drawings for right-of-way and infrastructure improvements shall be submitted for review under section **16.24.030(D): Final Plat Application Requirements** of the Subdivision Ordinance.
2. Proposed right-of-way and infrastructure shall be designed by a licensed engineer in the State of Idaho and constructed by a contractor licensed and in good standings with the City of Pocatello and Public Works and meet all local, state, and federal regulations and standards.
3. If the developer desires to record the final plat prior to completion of all the required public infrastructure and improvements, then the developer shall be required to adhere to section **16.24.110: Subdivision Surety Bond and Warranty Bond** of the Subdivision Ordinance.
4. All items above will need to be addressed in accordance with section **16.24.080(A): Recording of Final Plat** of the Subdivision Ordinance.
5. A qualified engineer shall submit a written analysis of the storm water plan. This will include but not be limited to the associated calculations, pipe size, design details showing that the proposed design meets the Portneuf Valley Stormwater Design Manual current storm water requirements.
6. An erosion and sediment control plan and a final stabilization plan will be required as part of the final plat application.
7. Provide the model results for the culinary water system for projected pressures and flows for the subdivision and the entire pressure zone affected. Supply a digital layout of the subdivision with elevations for model verification.
8. Utility and street light approval is required by the City.
9. US Mail box units required and location approved by the Post Master and the City of Pocatello.

ATTACHMENT C

AERIAL OF THE SITE

Pocatello Planning Map

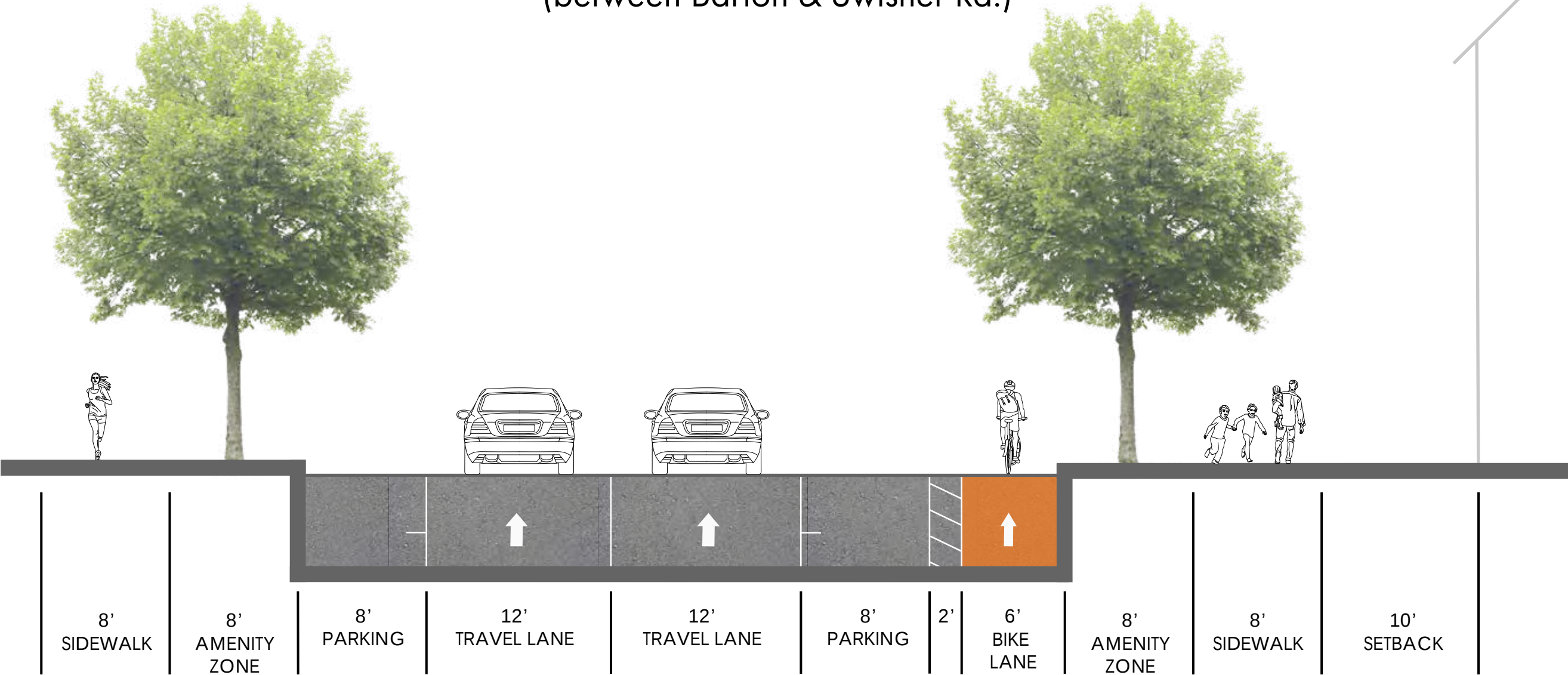


ATTACHMENT D

**FRONT LANDSCAPING & SIDEWALK CROSS
SECTION**

S. 5th Cross Section

(between Barton & Swisher Rd.)



AGENDA 4

ASPEN GROVE PRELIMINARY PLAT



**PLANNING & ZONING COMMISSION
MEETING JANUARY 8, 2025
STAFF REPORT**

SUBDIVISION:	Aspen Grove Subdivision	FILE: PP24-0004
APPLICANT/OWNER:	David Assan of Sunrise Engineering; representing Gate City Builders	
SURVEYOR/ENGINEER:	Matt Baker of Sunrise Engineering	
REQUEST:	Preliminary Plat Subdivision Application	
LOCATION:	Four separate parcels located at 2806 S. 5 th Avenue	
LOTS/UNITS:	Eight (8) eighteen (18) multi-family buildings; 1 common lot	
STAFF:	Matthew G. Lewis, Senior Planner	

PLEASE NOTE: The staff report was completed 10 days before the due date mainly in light of the Holidays. This being the case there may be additional information provided to the Commission at their January 8, 2025 meeting.

RECOMMENDATION & CONDITIONS:

Staff finds that the proposal is compliant with all applicable standards of City Code 16.20.050, assuming the following conditions are met:

1. Per Pocatello Municipal Code Section 17.02.140D.3 states that subdividing of land may not proceed until a proposed PUD has been approved, the Final Plat shall not be submitted until the subject PUD has been approved;
2. The parking area shall be dedicated as shared common area and at no point may any gates or other obstruction be placed within the parking and access area so as to prevent fire access through the parking lot areas as well as the rear yard of each townhome.
3. A street light shall be installed on the north side of the approach.
4. Staff is recommending that an eight (8)-foot wide planter strip be provided between the curb and eight (8) foot wide sidewalk with a ten (10) foot landscaped setback provided on the east side of the sidewalk (as required by Municipal Code). In addition - one (1) tree a minimum of one & one-half inches (1.5") in caliper shall be provided for every thirty-five feet of street frontage in both landscaping areas. Such planting shall be staggered a minimum of ten 10-feet between trees within the landscape areas (Refer to Attachment D);
5. All proposed amenities shall be complete with each phase as proposed;
6. A final landscape plan shall be submitted at the time of the initial building permit application and shall be compliant with all landscaping requirements of Pocatello Municipal Code. Said plan shall include a planting schedule which includes the type of vegetative, non-vegetative cover, and tree type and size.
7. All approved architectural standards shall be enforced by the Homeowner's Association per Municipal Code 17.02.140.G.5; and
8. A building permit may not be issued unless all applicable standards of City Code Section 16.24.100 are adhered to.
9. All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply.

REQUEST: David Assan of Sunrise Engineering on behalf of Gate City Builders, has submitted an application for a Preliminary Plat to be known as Aspen Grove Subdivision. The property is located at 2806 S. 5th Avenue and consists of four (4) parcels encompassing 5.56-acres (more or less) with a total of nine (9) lots. The subject property is zoned Residential-Commercial-Professional (RCP) with a future land use map designation of Mixed-Use (MU). The request is to allow for lot size averaging to construct eight (8) multi-family structures on individual lots with Lot 9 proposed to be a common lot for stormwater retention, recreation area and parking.

COMPREHENSIVE PLAN: The Comprehensive Plan Map designates the area for Residential. Staff finds the following goals, objectives and policies from the Comprehensive Plan to be applicable to this application: Housing Goal 1: Encourage development of a wide variety of high-quality housing opportunities that are safe, sanitary, attractive and affordable. Objective 1.1: Encourage development of housing affordable for households of all income levels throughout the community.

NOTIFICATION (16.20.040.D): All property owners within a 300-foot radius of the existing property boundaries have been provided notice of the public hearing in order that they may provide comment on the proposed request. Notice was also published in the Idaho State Journal and a sign was posted on the subject property. No public comment has been received as of the completion of the staff report.

OPTIONAL MOTIONS:

- 1. Approval of the Application:** “Motion to recommend approval of the Preliminary Plat from David Assan on behalf of Gate City Builders, finding the application **does** meet the standards for approval under Chapter 16.20.050 of Pocatello Municipal Code, with the conditions listed in the staff report: [cite findings for approval], and to authorize the Chair to sign the Findings of Fact and Decision.”
- 2. Denial of the Application:** “Motion to recommend denial of the preliminary plat application from David Assan on behalf of Gate City Builders finding the application **does not** meet the standards for approval under Chapter 16.20.050 of Pocatello Municipal Code, [insert any additional conditions of denial], and to authorize the Chair to sign the Findings of Fact and Decision.”

ATTACHMENTS:

- A. Preliminary Plat
- B. Aerial
- C. Front Landscaping/Sidewalk Cross Section

Table 1. Preliminary Plat Review Criteria Analysis

REVIEW CRITERIA (16.20.050):				
Compliant			City Code and Staff Review	
Yes	No	N/A	Code Section	Analysis
☒	☐	☐	16.20.050 A	The subdivision proposal complies with applicable provisions of this title.
			<i>Staff Review</i>	The proposal is compliant with all applicable standards of Title 16, provided that all comments and conditions are met.
☒	☐	☐	16.20.050 B.	The subdivision proposal complies with all applicable city design standards and development regulations.
			<i>Staff Review</i>	Assuming all conditions and corrections are met the proposed subdivision is compliant with all applicable city design standards and development regulations. See further discussion is for Criteria

				16.20.050 A-H and the Public Works Memorandum (Attachment A).
☒	☐	☐	16.20.050 C.	The subdivision proposal complies with all applicable zoning requirements of the underlying zoning district, applicable overlays, and other applicable development standards.
			Staff Review	DENSITY & LOT DESIGN: The above noted parcel is zoned Residential-Commercial-Professional (RCP). The plat consists of nine (9) lots in total. Lot 9 is a common lot consisting of parking, storm water retention, landscaping and recreation. Said areas are being dedicated and maintained by the Homeowner's Association. Each eighteen (18)-plex will consists of twelve (12) 2-bedroom units and six (6) one (1) bedroom units on a lot measuring 5,662 sq.ft. (more or less). Based on Municipal Code Section 17.05.570-1 one & one-half (1.5) off-street parking spaces are required per two (2) bedroom unit and one (1) required for the single bedroom units resulting in a total of 192 off-street parking spaces. A total of 259 (259) parking spaces are proposed.
☒	☐	☐	16.20.050 D.	All public facilities including streets, sidewalks, curbs, gutters, water, sewer, fire protection, and sanitation services can be provided to the newly created lots and accommodate future extension to adjacent land. 1. The use of a "control strip" intended to control or prevent the future extension of public facilities or development of adjacent land is prohibited.
			Staff Review	R.O.W. IMPROVEMENTS: There is one (1) point of ingress/egress to the development via South 5th Avenue. Public Works and Traffic Department personnel are requiring that the approach, as proposed, be moved to the north to line up with Garden Street to the west which extends between S. 4th & 5th Avenues. This results in the Apartment building on Lot 1 to be relocated to the proposed multi-use stormwater/recreation area located adjacent South 5th Avenue. The latter shall be moved to Lot 1. WATER, SEWER, & STORMWATER: Water and sewer are available to extend to the proposed subdivision and shall be subject to all applicable Municipal Standards prior to acceptance of the final plat. UTILITY PROVIDER & CITY DEPARTMENT NOTICE: Pursuant to Municipal Code 16.20.040F, utility providers and affected City departments were provided notice on December 5, 2024. To date, no comments have been received from the Utility providers receiving notice. The applicant is responsible for contacting all private utility companies for extension of services such as power, natural gas, and internet services. City Department comments/conditions are summarized in Attachment B. PRIVATE COVENANTS, RESTRICTIONS & CONDITIONS: Recorded Owner's Covenants, Conditions and Restrictions (CC & R's) for the subdivision, if any, must be submitted after the recording of the final

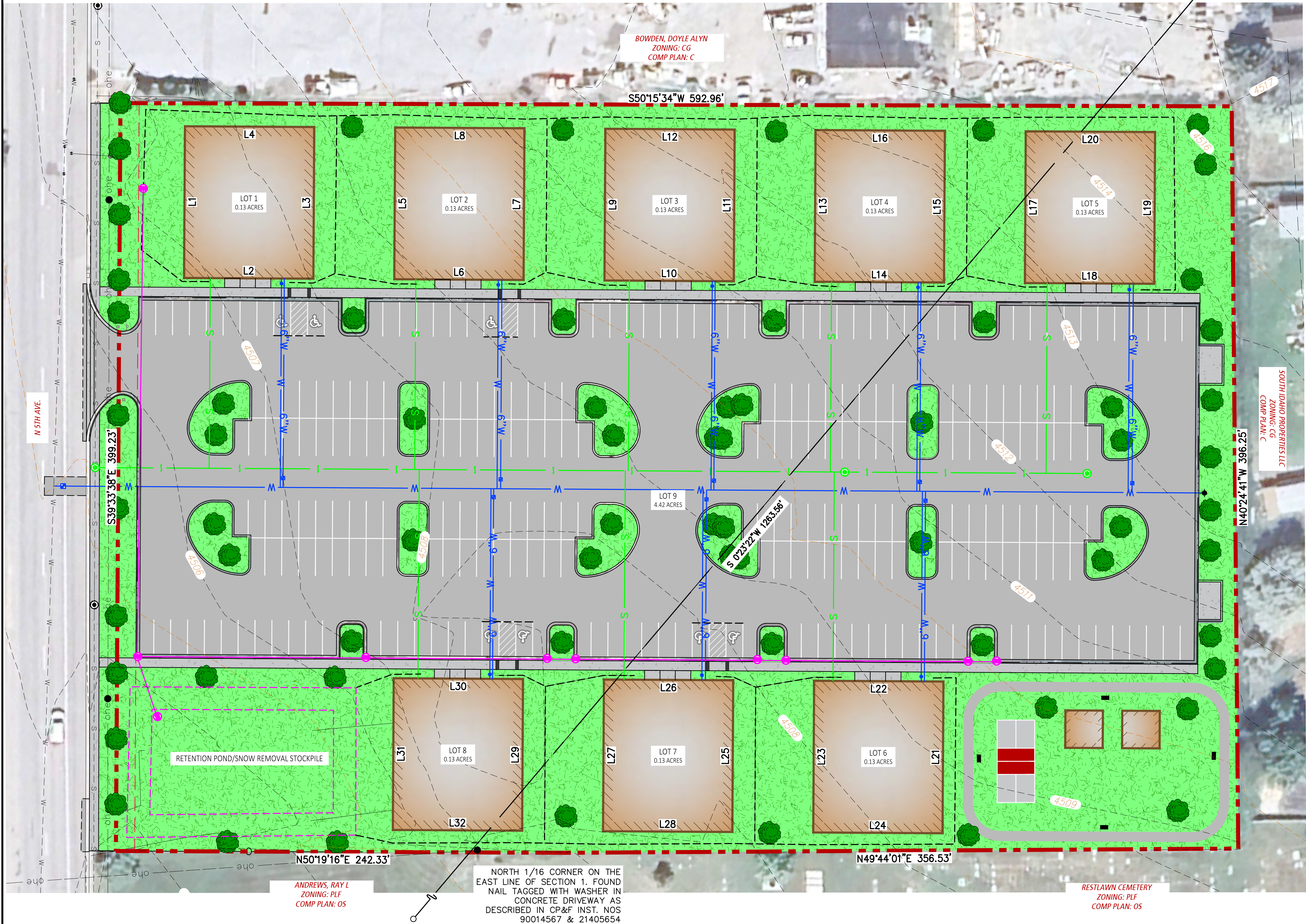
				plat.
☒	☐	☐	16.20.050 E.	If city public works determines that the proposed subdivision will result in significant traffic impacts pursuant to subsection 16.20.030V of this chapter, then a "traffic impact study" will be required as part of the commission's review.
			Staff Review	Municipal subsection 16.20.030V states that a traffic impact study will be required for any subdivision creating one hundred (100) or more peak hour trips based on the Institute of Transportation Engineers' "Trip Generation Handbook" (current edition). A traffic impact study may be waived by the Public Works Department upon the receipt of an approved traffic analysis to be included with the application. A traffic impact study has not been required as part of the application review.
☒	☐	☐	16.20.050 F.	The proposal provides for a continuation of a connected transportation system unless topography or natural features prevents a connection to abutting streets or property.
			Staff Review	The subject site consists of minimal grade thus development is not subject to Hillside Development or Sensitive Land Standards. There is not an existing street system to the east therefore connectivity is not needed.
☒	☐	☐	16.20.050 G.	The proposed subdivision provides for bicycle and pedestrian transportation routes and amenities in accordance with Bannock transportation planning organization's most recent adopted bicycle and pedestrian plans.
			Staff Review	The Bannock Transportation Planning Organizations adopted bicycle and Pedestrian Plan proposes a Bike Lane to be provided on S. 5 th Avenue. Such is depicted as part of the S. 5 th Avenue Cross Section (see Attachment D).
☒	☐	☐	16.20.050 H.	Public utilities are provided to the newly created lots in public rights of way or in appropriately sized easements. (Ord. 2971, 2016)
			Staff Review	Public utilities are available to extend through to provide service to the newly created lots. Utilities shall be located within either the right-of-way or access easements/utility easements. See Criteria 16.20.050.D for additional comment.

ATTACHMENT A
PRELIMINARY PLAT LAYOUT

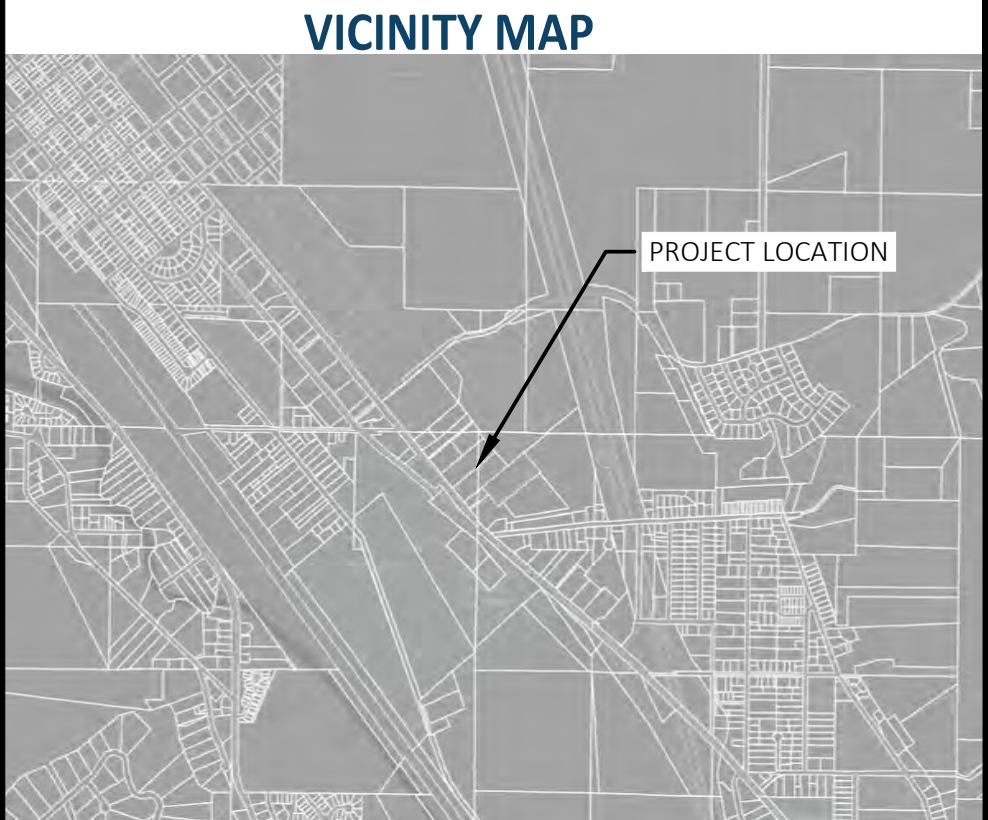
PRELIMINARY PLAT FOR:
ASPEN GROVE SUBDIVISION

LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 7
SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO

NORTHEAST CORNER OF
SECTION 1. FOUND 3/4"
IRON PIN WITH NO CAP
AS DESCRIBED IN CP & F
INST. NO. 21405652



LINE TABLE		
NO.	BEARING	LENGTH
L1	S39°33'38"E	81.00'
L2	N50°26'22"E	69.00'
L3	N39°33'38"W	81.00'
L4	S50°26'22"W	69.00'
L5	S39°33'38"E	81.00'
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PROVIDED: 20,142 CU FT

INTELLECTUAL PROPERTY NOTICE

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HALF SIZE SCALE (B)
1 INCH = 60 FEET

1 INCH = 30 FEET
FULL SIZE SCALE (D)

SHEET INFORMATION

DRAWN BY: TJT	REVIEWER: RMH
CREATED: 10.23.2024	LAST REVISED: 10.24.2024

DEVELOPER INFORMATION

NAME	GATE CITY BUILDERS
CONTACT	JONATHAN VINCENT
INFO	GATECITYBUILDERS@YAHOO.COM

SHEET NAME:
PRELIMINARY PLAT FOR:
ASPEN GROVE SUBDIVISION

SUNRISE ENGINEERING

600 EAST OAK STREET, POCATELLO, ID 83201
TELEPHONE 208.234.0110
www.sunrise-eng.com

SHEET NUMBER
1 OF 1

ATTACHMENT B
AERIAL OF THE SITE

Pocatello Planning Map

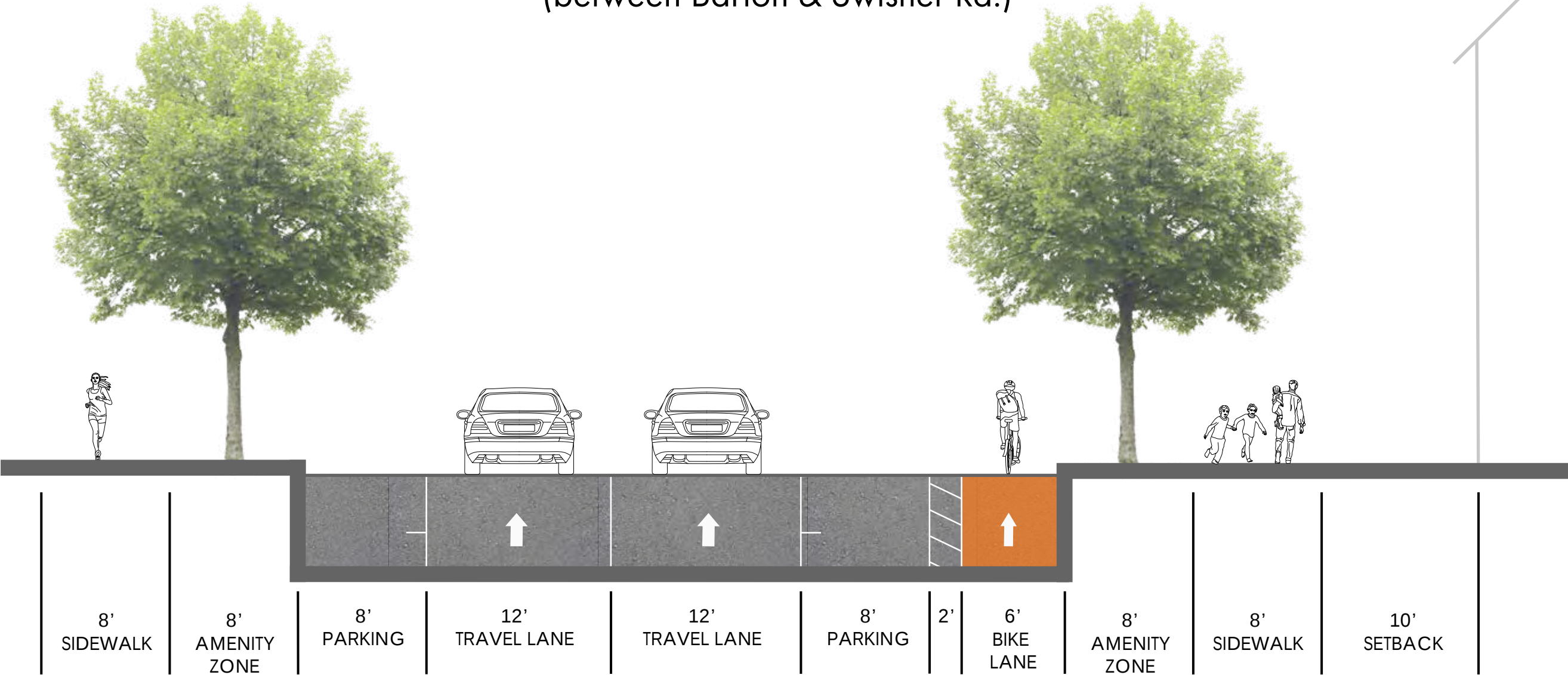


ATTACHMENT C

**FRONT LANDSCAPING & SIDEWALK CROSS
SECTION**

S. 5th Cross Section

(between Barton & Swisher Rd.)



AGENDA 5

TITLE 17 TEXT AMENDMENTS



**POCATELLO PLANNING & ZONING
COMMISSION MEETING: JANUARY 8, 2025
STAFF REPORT**

PROJECT: City Initiated Text Amendments to Title 17: Zoning Regulations
APPLICANT: City of Pocatello – Planning & Development Services
STAFF: Jim Anglesey, Long-Range Senior Planner

STAFF RECOMMENDATION:

Staff finds that the proposed text amendments meet the standards of City Code 17.02.170.F as the amendments are in the community's best interest, consistent with the existing provisions of the Zoning Ordinance, and consistent with the existing provisions of the Comprehensive Plan. Staff recommends that the Commission consider the proposed amendments to Title 17: Zoning Regulations and act to recommend: approval; approval with modifications; or denial of the proposed changes to City Council.

OPTIONAL MOTIONS:

- 1. Approval of the Application:** "Move to recommend approval of the proposed amendments to Title 17: Zoning Regulations, finding the amendments are in compliance with the Comprehensive Plan and the criteria listed in section 17.02.170 of Pocatello City Code, **[insert any conditions of approval]**, and to authorize the Chair to sign the findings of fact."
- 2. Denial of the Application:** "Move to recommend denial of the proposed amendments to Title 17: Zoning Regulations, finding the amendments are not in compliance with the Comprehensive Plan and the criteria listed in section 17.02.170 of Pocatello City Code, finding that: **[cite findings for denial]**, and to authorize the Chair to sign the findings of fact."

GENERAL BACKGROUND:

Planning & Development Services staff is seeking the Commission's recommendation to either approve or deny the proposed changes to Title 17: Zoning Regulations, and prepare a draft for the City Council to consider. Planning staff is charged with overseeing the orderly growth and development of the City of Pocatello. One function of this work is the administration of the City's land use related ordinances. Staff has prepared the following amendments to Title 17: Zoning Regulations. Pages 2-4 of the staff report contains a brief summary of the proposed amendments, and **Attachment A** contains the proposed text.

Pursuant to City Code 17.02.170, the City Council, Planning & Zoning Commission or the Planning and Development Services Director may initiate action to amend the text of Title 17. Pursuant to City Code 17.02.170.F, Criteria for Zoning Ordinance Text Amendment, the Planning and Zoning Commission and the City Council shall review the facts and circumstances of the proposed amendment to the text of the zoning ordinance based on the following standards:

1. The proposed text amendment would be in the community's best interest.
2. The proposed text amendment is consistent with the existing provisions of the zoning ordinance.
3. The proposed text amendment is consistent with the provisions of the Comprehensive Plan.

NOTIFICATION:

Notice was published in the Idaho State Journal on December 24, 2024 and again on December 31, 2024 both as a display ad and a legal notice as required in City Code section 17.02.300.A.3. Notice information was also provided to local television and radio stations to include in their public announcements. Additionally, notice information was posted on all City social media platforms. No written comment from the public has been received at the time this report was submitted.

ATTACHMENTS:

A. Proposed Text Amendments

SUMMARY OF PROPOSED AMENDMENTS

17.01.160.B.3.b: Use Classifications

- Add “microbreweries” to the description of an “eating and drinking establishment”. This helps distinguish between a small commercial scale brewery and a large industrial scale brewery.

17.01.170.A: Administrative Provisions

- Add a 25-year sliding scale that will help determine legal-nonconforming (grandfathered) status in regards to lot, land use, and development standards configurations. As a department policy (not code), the grandfathering year has been 1981, making it difficult to find development records that proved a property to be legally permitted. A 25-year sliding scale is a more appropriate method of grandfathering and will enable access to more complete records to determine code compliance.

17.02.300.A.3.c: Decision Making Procedures/Public Hearings

- Remove the current public noticing requirements for vacations and refer to Idaho State Code. These requirements were recently amended in Idaho State Code and because of these changes, it is proposed we refer to State code to reduce the need to amend our codes to meet what the State requires.

17.03.500: Use Table

- Remove “Zero Lot Line Dwelling Units” this use category only appears in this table and has no further explanation anywhere else in code. This also conflicts with current setback standards.
- Add “Services” at the end of the “Animal Related” use category to use the same language elsewhere in Title 17.
- Remove “Oriented” and add “Services” at the end of the “Repair Oriented” use category to use the same language elsewhere in Title 17.
- Add “Retail” at the beginning of and remove “Oriented” at the end of the “Sales Oriented” use category to use the same language elsewhere in Title 17.
- Change use allowances for “Motor Vehicle Servicing/Repair” in the RCP zone from “Conditionally permitted” and in the CG zone from “Permitted” to “Restricted” to reflect note 29 mentioned below.
- Change use allowances for “Self-Service Storage” in the CG and OP zones from “Conditionally permitted” to “Not permitted”. This use would still be permitted outright in Light Industrial and Industrial zones.
- Note 6: Remove statement allowing residential uses in the Warehouse District to reflect allowance permitted in the Downtown Development Standards in a later section. Add allowance of multi-family residential uses without ground floor commercial storefronts in commercial zones by conditional use permit only (must meet the standards outlined in a later section).
- Note 29: Car washes to be conditionally permitted in CG so long as they meet the pertinent standards outlined in a later section. Car washes to not be permitted in RCP.

17.03.600: Dimensional Standards Table

- Remove redundant information regarding the number of dwelling units per acre.
- Amend minimum lot sizes for single-family units in the RMM zone.
- Amend minimum lot sizes for two-family units in RMM and RH zones.
- Amend minimum lot sizes for townhomes in RL, RMS, RMM, and RH zones.
- Amend minimum lot sizes for condos/multi-family in the RMM zone.
- Note 1: Remove redundant statement regarding the inclusion of streets in the minimum lot size amount. Add note regarding minimum lot sizes for condos and multifamily representing lot area per unit.

17.04.100: Resource Protection Overlay (RPO)**17.04.110: Purpose**

- Amend “winter range and migration corridors” to read “habitat protection areas” to reflect wording in the Comprehensive Plan.

17.04.120: Applicability

- Amend wording to remove redundancies in code and reflect wording in the Comprehensive Plan.

17.04.140: Review Required

- Amend wording from “conference” to “meeting” to better reflect intended purposes of the Site Plan Review Committee.

17.04.170: Sensitive Lands Standards

- Amend grammar and wording to better reflect intended interpretation of code and wording of the Comprehensive Plan.

17.04.220: Original Townsite Overlay (OTO)**17.04.220.D: Development Standards**

- Streamline parking standards and flexibilities for all use types in the OTO.
- Allow for parking requirement reductions for all use types in the OTO.

17.04.220.E: Downtown Development Standards

- Amend format to allow for better readability of standards.
- Add allowance for multi-family and townhome residential uses in all commercial and industrial zones within the designated Downtown Area so long as they meet certain standards.

17.05.570: Parking Standards by Land Use

- Amend wording for off-site parking allowances to reflect wording in other sections of code.
- Streamline parking standards for single-family and duplex use types to align with the existing standards of multi-family parking.

17.05.620: Commercial Development Standards

- Amend wording to remove outdated zoning names and to better reflect intended interpretation of code.
- Add development standards for car washes.
- Add development standards for Multi-family Residential uses without a commercial component in commercial districts.

Table 1. Compliance with Comprehensive Plan 2040

Planning Approach
Compact Building Design: Compact design means making more efficient use of land that has already been developed. Encouraging development to grow up, rather than out, is one way to do this. Infill development, building on empty or underutilized lots, is another. Building within an existing neighborhood can attract more people to the jobs, homes, and businesses already there while also making the most of public investments in things like water and sewer lines, roads, and emergency services. Housing Opportunities & Choices: Building quality housing for families of all life stages and income levels is an integral part of a Smart Growth approach. Housing constitutes a significant share of new construction and development in any city, but its economic importance is sometimes overlooked. Adding housing in commercial districts can breathe new life into these neighborhoods in evenings and on weekends. More importantly, the housing options available in a community will influence families' economic opportunity, costs of living, and time spent commuting each day. Diversifying housing options within existing neighborhoods can give everyone more choices about where to live. Open Space Preservation: Preserving open spaces like foothills, parks, and farms is both an environmental issue and economic issue. People across the country want access to natural recreation areas, which translates into demand for housing and tourism. Meeting that demand will improve the City's ability to attract employers, while also supporting agricultural industries outside of town. Preserving open spaces can also make communities more resilient by protecting them from natural disasters, combating air pollution, controlling wind, providing erosion control, moderating temperatures, protecting water quality, and protecting animal and plant habitats.
Economically Robust
Goal 2. Promote Downtown as the economic engine for the city. Strategy A. Implement the Pocatello Downtown Development Plan such as relocating City Hall to Historic Downtown, creating tax incentives, and developing identified projects. Strategy E. Reduce the effects of sprawl by incentivizing infill development that allows for higher intensity of development.
Environmentally Resilient
Goal 4. Cultivate compact development patterns and enhanced aesthetics that promote walkability, community health, reduced infrastructure, and energy costs. Strategy A. Adopt standards to incentivize vertical mixed-use development, open space and foothill preservation, and reduced off-street parking requirements.
Connected, Safe & Accessible
Goal 4. Maximize the public right-of-way to create great places. Strategy F. Incentivize other modes of transportation by updating parking standards, such as minimum/maximum parking spaces, surface/structured parking, and shared parking.
Authentic & Affordable Neighborhoods
Goal 1. Create Complete Neighborhoods by implementing development criteria informed by unique neighborhood plans. Strategy C. Adopt incentives that encourage the development of affordable, missing middle, intergenerational, and mixed-income housing, especially where key community services and transit options already exist.

17.01.160: USE CLASSIFICATIONS:

B. Listing of Use Classifications: The following classifications of uses are established:

3. Commercial Use Types:

b. Eating And Drinking Establishments: Establishments which sell prepared food and/or beverages for consumption on site or takeaway including restaurants, banquet facilities, delicatessens, storefront bakeries, bars, taverns, brewpubs, [microbreweries](#), and espresso bars.

17.01.170: ADMINISTRATIVE PROVISIONS:

A. Nonconforming Situations: The purpose of this section is to bring nonconforming situations into conformance with this code and the comprehensive plan, allowing them to continue only subject to the standards and requirements of this chapter. Except as otherwise provided in this chapter, any lot, land use, or structure lawfully existing on the effective date of this chapter or subsequent amendments thereto that does not comply with the standards of this chapter shall be known as a legal nonconforming situation. Change of ownership, tenancy, or management personnel in a nonconforming situation shall not affect its legal nonconforming status. The applicant, not the City of Pocatello, has the burden of proving that any nonconforming situation was legally established by an approved permit or other form of verification as determined by the Planning Director. [All lots, land uses, or structures developed in their current configuration for twenty-five \(25\) years or more shall be grandfathered as a legal nonconforming situation if said situation does not conform to current zoning standards.](#)

17.02.300: DECISION MAKING PROCEDURES/PUBLIC HEARINGS:

A. Purpose, Application, And Public Notice Requirement:

3. Notification Procedures:

c. Vacation: Prior to hearing a vacation request (including plats, rights of way, and easements), notice shall [be provided as required by Idaho State Code](#). ~~be published in the newspaper of general circulation within the jurisdiction fifteen (15) days prior to the public hearing and a second time no less than seven (7) days prior to the hearing. Notice shall also be provided, by certified mail, to property owners within the land being considered and within three hundred feet (300') of the external boundaries of the land being considered. Notice by certified mail shall occur at least fifteen (15) days prior to the hearing.~~

17.03.500: DISTRICT USE TABLE:

TABLE 17.03.500
USE TABLE

Use Category	RE	RL	RMS	RMM	RH	RCP	CG	CC	OP	LI	I
Residential:											
Home Occupation	R ²	R ²	R ²	R ²	R ²	R ^{2,4}	R ^{2,4}	R ^{2,4}	N	N	N
Household Living	P	P	P	P	P	P	R ⁶	R ⁶	N	R ⁶	R ⁶
Residential Care Facility	C	C	C	P	P	P	R ⁶	R ⁶	N	R ⁶	R ⁶
Residential Daycare	R ³	R ³	R ³	R ³	R ³	R ^{3,4}	R ^{3,4}	R ^{3,4}	N	N	N
Shelter Housing	N	N	N	N	C	C	P	R ⁶	N	N	N
Housing Types:											
Accessory Dwelling Units	R ⁸	R ⁸	R ⁸	R ⁸	R ⁸	R ⁸	R ^{6,8}	R ^{6,8}	N	N	N
Boarding/Rooming Houses	N	N	N	R ¹	R ¹	R ^{1,6}	R ^{1,6}	R ^{1,6}	N	R ⁶	R ⁶
Manufactured Home Units	R ⁷	R ⁷	R ⁷	R ⁷	R ⁷	R ⁷	N	N	R ²⁴	R ²⁴	R ²⁴
Manufactured/Mobile Home Parks	N	N	C ¹⁷	C ¹⁷	C ¹⁷	N	N	N	N	N	N
Multi-family Dwelling Units	N	N	N	P	P	P	R ⁶	R ⁶	N	R ⁶	R ⁶
Residential Condominium	N	N	N	R ⁵	R ⁵	P	R ⁶	R ⁶	N	R ⁶	R ⁶
Short-term Rental	P	P	P	P	P	P	R ⁶	R ⁶	N	R ⁶	R ⁶
Single-Family Dwelling Units, Detached	P	P	P	P	P	P	N	N	R ²⁴	R ²⁴	R ²⁴
Townhomes	N	P	P	P	P	P	N	N	N	N	N
Two-Family Units (Duplex)	N	P	P	P	P	P	N	N	N	N	N
Zero-Lot-Line Dwelling Units	N	N	N	N	P	P	N	N	N	N	N
Civic (institutional):											
Basic Utilities	R ¹⁹	R ¹⁹	R ¹⁹	R ¹⁹	R ¹⁹	R ¹⁹	R ¹⁹	R ¹⁹	P	P	P
Colleges	C	C	C	C	C	P	P	P	P	N	N
Community Recreation	R ⁹	R ⁹	R ⁹	R ⁹	R ⁹	P	P	P	N	N	N
Cultural Institutions	N	N	C	C	C	P	P	P	C	C	N

Emergency Services	P	P	P	P	P	P	P	P	P	P	P
Medical Centers	N	N	N	C	C	C	C	C	P	N	N
Public/Social Support Facilities	N	N	N	N	C	C	P	P	C	C	C
Religious Institutions	P	P	P	P	P	P	P	P	N	N	N
Schools	C	C	C	C	C	P	P	P	N	N	N
Social/Fraternal Clubs/Lodges	N	N	N	N	N	P	P	P	N	N	N
Commercial:											
Bed and Breakfast	C ¹⁰	C ¹⁰	C ¹⁰	C ¹⁰	C ¹⁰	R ¹⁰	R ¹⁰	R ¹⁰	N	N	N
Commercial Lodging	N	N	N	N	N	R ¹⁰	P	P	R ²⁵	C	N
Eating and Drinking Establishment	N	N	N	C ¹¹	C ¹¹	R ²⁰	P	R ²³	R ²⁵	R ²⁵	R ²⁵
Entertainment Oriented:											
Adult Entertainment	N	N	N	N	N	N	R ²¹	R ²¹	N	N	N
Indoor Entertainment	N	N	N	N	N	R ²⁰	P	P	P	N	N
Major Event Entertainment	N	N	N	N	N	N	C	C	N	N	N
General Retail:											
Outdoor Entertainment	N	N	N ¹⁸	N	N	R ²⁰	P	C	C	N	N
Animal Related Services	N	N	N	N	N	N	P	P	N	P	P
Consumer Services	N	N	N	C ¹¹	C ¹¹	P	P	P	R ²⁵	R ²⁵	R ²⁵
Outdoor Sales	N	N	N	N	N	N	P	N	N	P	P
Repair Services Oriented	N	N	N	N	N	P	P	P	R ²⁵	P	P
Retail Sales Oriented	N	N	N	C ¹¹	C ¹¹	R ²²	P	P	R ²⁵	R ²⁵	R ²⁵
Motor Vehicle Sales/Rental	N	N	N	N	N	N	P	C	N	P	P
Motor Vehicle Servicing/Repair	N	N	N	N	N	C R ²⁹	P R ²⁹	C	C	P	P
Vehicle Fuel Sales	N	N	N	N	N	C	P	C	R ²⁶	R ²⁶	R ²⁶
Non-Accessory Parking	C ¹²	C ¹²	C ¹²	C ¹²	C ¹²	P	P	P	P	P	P
Office	N	N	N	C	C	P	P	P	P	R ²⁷	R ²⁷
RV Park	N	N	N	N	N	N	C	N	N	C	N
Self-Service Storage	N	N	N	N	N	N	C N	N	C N	P	P

U.S. Postal Service	N	N	N	C	C	P	P	P	P	P	P
Industrial:											
Industrial Services	N	N	N	N	N	N	N	N	N	P	P
Heavy Industrial	N	N	N	N	N	N	N	N	N	C	P
Light Industrial	N	N	N	N	N	N	C	N	P	P	P
Railroad Yards	N	N	N	N	N	N	N	N	N	N	P
Research and Development	N	N	N	N	N	C	C	C	P	P	P
Warehouse/Freight Movement	N	N	N	N	N	N	N	N	R ²⁸	P	P
Waste Related	N	N	N	N	N	N	N	N	N	N	P
Wholesale Sales	N	N	N	N	N	N	C	N	C	P	P
Accessory Structures	R ¹³	R ¹³	R ¹³	R ¹³	R ¹³	R ¹³	R ¹³	R ¹³	R ¹³	R ¹³	R ¹³
Cemeteries	C	C	C	C	C	N	N	N	N	N	N
Detention Facilities	N	N	N	N	N	N	C	N	C	C	C
Heliports	N	N	N	C ¹⁴	C ¹⁴	C	C	C	C	C	C
Mining	N	N	N	N	N	N	N	N	N	C	C
WECS	R ¹⁶	R ¹⁶	R ¹⁶	R ¹⁶	R ¹⁶	R ¹⁶	R ¹⁶	R ¹⁶	R ¹⁶	R ¹⁶	R ¹⁶
Wireless Communication Facilities	R ¹⁵	R ¹⁵	R ¹⁵	R ¹⁵	R ¹⁵	R ¹⁵	R ¹⁵	R ¹⁵	R ¹⁵	R ¹⁵	R ¹⁵

Notes:

6. Residential uses are permitted outright, provided that buildings maintain ground floor commercial storefronts to all adjacent public streets. ~~For Industrial and Light Industrial districts, residential uses are further restricted to the designated Warehouse Historic District.~~ Multi-family Residential uses without ground floor commercial storefronts are permitted in all commercial zoning districts by conditional use permit only.

29. Car washes are permitted only by conditional use permit in CG. Car washes are not permitted in RCP.

17.03.600: DIMENSIONAL STANDARDS

TABLE 17.03.600

DIMENSIONAL STANDARDS TABLE

Standard	RE	RL	RMS	RMM	RH	RCP ²	CG	CC	OP ⁹	LI	I
Maximum number of dwelling units per acre ⁴	-	-	-	42	30	-	-	-	-	-	-
Minimum lot size ¹						None	None	None	None	None	None
Single-family	15,000 sq. ft.	7,500 sq. ft.	5,000 sq. ft.	5,000 4,200 sq. ft.	4,200 sq. ft.						
Two-family		12,000 sq. ft.	8,000 sq. ft.	8,000 6,050 sq. ft.	6,720 5,625 sq. ft. ¹²						
Townhomes		6,000 4,000 sq. ft.	4,000 3,630 sq. ft.	3,630 2,750 sq. ft.	3,630 2,750 sq. ft.						
Condominiums or multi-family				3,630 2,750 sq. ft.	1,452 sq. ft.						
Minimum setbacks ⁴											
Front yard	25 ft.	20 ft.	20 ft.	15 ft.	10 ft.	10 ft. ³	10 ft. ³	0 ft. ³	30 ft. ³	10 ft. ³	10 ft. ³
Any street frontage						10 ft. ³	10 ³	0 ft. ³			
Garage (facing any street)	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.						
Side facing street on corner and through lots	20 ft.	20 ft.	15 ft.	15 ft.	10 ft.				20 ft. ¹⁰	10 ft. ¹⁰	10 ft. ¹⁰
Side yard	10 ft.	7 ft.	6 ft.	6 ft.	6 ft.	0 ft. ^{3,8}	0 ft. ^{3,8}	0 ft. ^{3,8}	10 ft. ¹⁰	0 ft. ¹⁰	0 ft. ¹⁰
Rear Yard	20 ft.	20 ft.	20 ft.	15 ft.	10 ft.	0 ft. ³	0 ft. ³	0 ft. ³	10 ft.	0 ft. ¹⁰	0 ft. ¹⁰
Alley loaded garage	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.						

Minimum parking lot setbacks											
Front Yard	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft. ³	10 ft. ³	10 ft. ³			
Any Street frontage	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft. ³	10 ft. ³	10 ft. ³			
Side yard ⁸	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft. ³	0 ft. ³	0 ft. ³			
Rear Yard	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft. ³	0 ft. ³	0 ft. ³			
Minimum landscaping requirement (% of parking lot) ^{7,11}	10%	10%	10%	10%	10%	10%	7%	0%	25%	5%	5%
Maximum height	35 ft.	35 ft.	35 ft.	35 ft.	45 ft.	45 ft.	105 ft. ⁶	120 ft. ⁶	105 ft. ⁶	105 ft. ⁶	120 ft. ⁶

Notes:

1. ~~Does not include area devoted to streets for townhomes, residential condominiums or multi-family development.~~ For condominiums and multi-family, the minimum lot size represents a minimum square footage of lot area per unit.

17.04.100: RESOURCE PROTECTION OVERLAY (RPO):

17.04.110: PURPOSE:

The purpose of the RPO is to implement goals and objectives contained in the comprehensive plan related to protection of the area's important environmental resources, such as significant natural and archaeological features, water resources, and wildlife ~~winter range and migration corridors~~ habitat protection areas, while still allowing property development in a manner consistent with its zoning designation and in a manner that offers the best protection possible to the designated resources. This overlay establishes procedures to enable the applicant and city to achieve the mutually compatible objectives of reasonable use of land and protection of vital resources.

17.04.120: APPLICABILITY:

The provisions of this overlay shall apply to all development that may physically alter lands located within the resource protection overlay as designated on the ~~official city of Pocatello zoning map, comprehensive plan natural features overlay map, and/or other maps as referenced and incorporated or as amended.~~ Sensitive Lands Map and other applicable maps of the Comprehensive Plan. All development plans shall be designed to reduce potential disturbance to any protected resources, through the use of buffers, conservation easements, and creative land development techniques. The overlay specifically applies to designated natural and archaeological features; wildlife habitat protection

areas; streams and other open waters, including the Portneuf River; wetlands; and riparian areas. ~~Each area of protection shall be designated on the appropriate map by means of outlining, color change, etc.~~ In the event of overlapping standards the most restrictive shall apply. ~~The boundary lines of any specified areas shall be determined by the use of the scale appearing on each applicable map.~~ Where interpretation is needed as to the exact location of the ~~line~~ overlay or where there appears to be a conflict between the mapped boundary and actual field conditions, an interpretation may be requested according to the terms of section 17.02.180 of this title.

17.04.140: REVIEW REQUIRED:

All development affecting lands within the RPO shall be reviewed in accordance with the site plan procedures set forth in section 17.02.500, "Site Plan Review Committee", of this title. A preapplication ~~conference~~ meeting is required for all land development applications with an RPO designation. The ~~conference~~ meeting shall be used to determine the applicability of the provisions of this chapter; determine the need for specific studies as set out in this chapter; and identify the review process. No activity shall be undertaken until all appropriate permits have been obtained. Approval for subdivisions and/or other land development activities shall not be granted unless the applicant has complied with the requirements set forth in this chapter.

17.04.170: SENSITIVE LANDS STANDARDS:

B. Applicability: The provisions of this section shall be applied to any property or parcels containing sensitive lands as identified herein and/or as depicted ~~on-in~~ the ~~e-C~~omprehensive ~~p-Plan~~ natural features overlay map. These provisions shall apply regardless of whether or not a building permit, development permit, land division, or other authorization is required. These provisions do not provide any exemption from any state or federal regulations that may apply. The ~~e-C~~ity of Pocatello has designated the following as sensitive lands:

1. Wildlife habitat protection areas:

~~— a. Mule deer winter range; and~~

~~— b. Migration corridors.~~

2. Significant natural and archaeological features, including:

a. Mapped basalt cliffs;

b. Edson Fichter ~~n~~Nature ~~conservation~~ ~~a~~Area;

c. Areas containing petroglyphs or other prehistoric or archaeological resources;

d. Idaho State University's Red Hill;

e. City Creek ~~conservation~~ Management ~~a~~Area; and

f. Other areas worthy of conservation because of their intrinsic natural or cultural characteristics, ecological functions, scenic qualities or distinctive character which have been designated as sensitive

lands by the eCity through the eComprehensive pPlan ~~amendment process described in section 17.02.120 of this title.~~

D. Development Proposal Submittals: Applicants with properties within designated sensitive lands areas must include the following additional information in their submittal:

1. A description of how the proposal is designed to respond to site constraints identified in the information provided above and in the site analysis and any proposed mitigation.
2. A preliminary grading plan including a line showing limits of areas to be disturbed and the total number of acres to be disturbed.
3. Erosion and sediment control plan.
4. Vegetation protection plan, including a revegetation plan based on existing vegetation, and a slope stabilization plan, with a proposed time line for completion.
5. Finished grade of all proposed streets and roadways.
6. Location of significant natural and archaeological features described in ~~subsection B2 of this section, and those areas designated on in the Pocatello eComprehensive pPlan natural features overlay map.~~
7. Location of ~~mule deer winter range and migration corridors~~ wildlife habitat protection areas as shown ~~on in the natural features overlay map of the eComprehensive pPlan or as designated provided~~ by the Idaho ~~dDepartment of fFish and gGame.~~
8. Location of land where slope exceeds twenty five percent (25%) and land where slope exceeds forty five percent (45%).
9. South and west facing slopes.
10. Location of concentrated areas of native big game plant food species as defined by the Idaho ~~dDepartment of fFish and gGame.~~

E. Development Standards: In addition to the standards of the underlying zoning district, the following standards shall apply to all uses and activities affecting designated sensitive lands areas. If a conflict occurs between these standards and the underlying zoning district or other terms of this chapter or this code, the more restrictive standards shall apply. The standards are intended to encourage development that is compatible with sensitive lands. Approval shall only be granted when the applicant satisfactorily demonstrates that the development proposal meets the following standards:

1. Site Plan And Building Design:
 - a. Grading plans shall address how the proposal preserves the natural topography and existing vegetation.
 - b. Development shall not be located immediately on identified significant natural features.
 - c. Site plans shall address how the proposal protects wildlife habitat by concentrating development, where possible, outside of the designated wildlife habitat protection ~~overlay area or migration corridors identified by the Idaho fish and game department.~~

d. Site plans shall address how the proposal preserves the hillsides by concentrating development away from ~~hillside sloped~~ areas of fifteen percent (15%) or greater where possible.

e. Fencing, where utilized, shall be wildlife friendly ~~and~~ as recommended by the Idaho ~~d~~Department of ~~f~~ish and ~~g~~Game.

f. Feeding of big game shall be prohibited.

g. All garbage and pet food shall be secured.

h. Pets shall be restrained or confined pursuant to the provisions of title 6, chapter 6.04 of this code.

i. Open burning and fireworks of any kind are prohibited.

j. If located within a wildland-urban interface area, use of firewise building materials and landscaping principles shall be required per city fire department regulations.

k. Nonresidential landscaping shall include native species of the sagebrush steppe plant community, and nonvegetative ground cover shall not exceed fifty percent (50%) of the total landscape areas. Exceptions must be city approved, drought tolerant, and adapted to site conditions.

2. Transportation Facilities Standards: The following standards shall apply to transportation facilities and structures affecting designated sensitive lands, including roads and driveways, bridges, bridge crossing support structures, culverts, and pedestrian and bike paths:

a. Transportation facilities and structures shall not bisect principal wildlife ~~migration routes~~ habitat protection areas unless otherwise approved by the ~~e~~City.

b. Dimensional standards for sidewalks, parking, and streets and access roads crossing sensitive lands shall be no wider than minimum legal requirements according to this code to serve their intended purposes in order to minimize site disturbance.

c. "T" type or other turning and backing cul-de-sacs may be substituted for circular turnarounds, if approved by the city's development engineering services and fire departments.

4. Density Limitations: Any portion of a project site that lies within designated wildlife ~~winter range or migration corridors~~ habitat protection area shall be limited to one-half (1/2) the density that the underlying zoning designation would allow, except as described in subsections E5, E6, and E7 of this section ~~or as is otherwise determined by annexation agreement.~~

5. Density Transfer: The density remaining after the deduction is taken for lands in the wildlife habitat protection ~~overlay~~ area may be clustered on a portion of the site if the project retains open space that is accepted by and dedicated to a public agency, or in certain circumstances a homeowners' association, ~~for the wildlife winter range or migration corridors.~~

17.04.220: ORIGINAL TOWNSITE OVERLAY (OTO):

D. Development Standards:

4. Parking: ~~For single family and two-family dwellings, w~~ When alley access is available, off street parking spaces shall be accessed from the adjacent alley. On street parking spaces aligning with the property street frontage may be counted toward up to 50% of the required off street parking requirements. ~~For other use types, o~~ Off street parking and loading shall be provided in accordance with section 17.05.500 of this title, with the following exceptions and additions:

a. Reduction: Off street parking requirements may be reduced by up to thirty percent (30%) for all development, except for single family and two-family dwelling units unless parking is determined adequate by the Planning Director or their designee, with a building footprint of less than five thousand (5,000) square feet, or a maximum of six (6) on street parking spaces abutting the development may be counted toward required off street parking requirements.

b. Waiver: Off street loading requirements shall be waived for developments with a building footprint of less than ten thousand (10,000) square feet, except for motor vehicle sales.

c. Rounding Down: If any use requires one-half (1/2) or more of a parking space, the parking requirement shall be rounded down to the lesser number of spaces.

d. Location of Parking Facilities: Parking areas, traffic circulation, and drive-thrus shall not be located between the front building facade and the front lot line. Required parking spaces may be located on another parcel not farther than four hundred feet (400') from the building or use they are intended to serve, measured in a straight line in any direction from the building.

e. Development shall have a minimum parking lot setback of five feet (5') on the side yard and rear yard setbacks.

E. Downtown Development Standards:

1. Application. The following standards in this subsection shall apply only to land within the Downtown Area as identified in the Pocatello Downtown Development Plan.

~~1- 2.~~ Lighting: Street lighting shall be provided in accordance with the Light Plan of the Pocatello Downtown Development Plan. The required lighting shall be placed in the required planter strips, unless authorized elsewhere on the project site as approved by the Planning Director or designee.

3. Residential Uses:

a. Multi-family residential uses are permitted outright in all commercial and industrial zoning districts within the Downtown Area, provided that each building has a minimum of three (3) stories, and is developed with a flat or parapet roof. No external stairways or breezeways are permitted. Buildings shall meet Nonresidential Use setbacks as set forth in this section.

b. Townhome residential uses are permitted outright in all commercial and industrial zoning districts within the Downtown Area, provided that each townhome unit has a minimum of three (3) stories, and is developed with a flat or parapet roof. Buildings shall meet Nonresidential Use setbacks as set forth in this section.

17.05.570: PARKING STANDARDS BY LAND USE:

The purpose of required parking spaces is to provide enough on site parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. The required parking numbers correspond to use categories, as well as specific uses, in response to this long term emphasis. Expansion, reconstruction, or change in legal, nonconforming situations shall be governed by the terms of section 17.01.170 of this title. The number of parking stalls required by specific land uses is listed in table 17.05.570-1 of this section.

Up to fifty percent (50%) of required parking spaces may be provided on another parcel not farther than off site in a city approved parking lot which is located within a five hundred foot feet (500') radius of the subject site, which parking lot may be owned by a third party, from the building or use they are intended to serve, measured in a straight line in any direction from the building, provided a signed agreement from the ~~third party parking lot~~ owner is obtained and the shared parking arrangement does not reduce the ~~third party~~ owner's required parking spaces ~~below code requirements for the owner's use.~~

TABLE 17.05.570-1

PARKING STANDARDS BY LAND USE

gfa = Gross floor area in square feet

Use Category		Off Street Parking Requirement
Residential uses:		
-	Single-family dwelling unit (attached or detached)	2 off street
-	Two-family dwelling unit	4 off street
	<u>Single-family, two-family, townhome, condominium, and multi-family dwelling units</u>	Studio/1 bed units = 1 per unit; 2 bed units = 1.5 per unit; 3 bed + units = 2 per unit
	Group home (15 residents or less)	Same as single-family dwelling
	Boarding house	1 per tenant
	Residential treatment/assisted living center	1 per 2 beds plus 1 per employee at maximum shift positions
	Long term care facility	1 per 4 beds plus 1 per employee at maximum shift positions
	Fraternity/sorority	1 per tenant
	Dormitory	1 per tenant plus 2 per resident caretaker
Civic/institutional:		
	College/university	10 per classroom and 1 per 250 gfa of administrative office
	Community recreation	4 per 1,000 gfa
	Cultural institutions (e.g., museum, library)	3 per 1,000 gfa

	Daycare center	1 per 7 children plus 1 per employee at maximum shift positions
	Medical centers	1 per 2 beds plus 1 per employee and doctor at maximum shift positions
	Neighborhood recreation	Determined by specific use proposed
	Religious institutions	1 per 5 seats (1 seat = 2 feet of pew)
	Schools:	
	Elementary	3 per classroom
	Junior high/middle	3.5 per classroom
	High	1 per 5 students plus 1 per employee
	Schools with no bus service	Schools with no bus service shall submit a parking plan to determine parking and parking lot circulation needs
	Social/fraternal clubs/lodges	1 per 250 gfa
	Commercial:	
	Commercial lodging:	
	Bed and breakfast	1 per guestroom plus 2 per dwelling
	Hotel	1 per guestroom plus 1 per 400 gfa of banquet facilities
	Eating/drinking establishments:	
	Eat-in restaurants	1 per 200 gfa
	Drive-through only restaurants	1 per 400 gfa
	Bars only	1 per 200 gfa
	Entertainment oriented:	
	Auditorium	1 per 4 seats
	Athletic field	20 per field and 1 per 4 seats (8 foot bench length)
	Golf course	4 per green and hole, and 1 per employee
	Driving range	1 per tee area and 1 per employee
	Amusement centers	1 per 167 gfa
	Bowling alley	5 per lane
	Health club	1 per 250 gfa
	Movie theater	1 per 4 seats
	General retail:	
	Consumer sales	1 per 250 gfa
	Convenience store	1 per 250 gfa plus 1.5 per fueling stations
	Consumer services:	1 per 250 gfa
	Barber/beauty shop	2.5 per station

	Laundromat	1 per 2 washing machines
	Beauty schools	1.5 per operator station
	Dance schools	1 per 200 gfa
	Trade schools	10 per classroom and 1 per 250 gfa of administrative office
	Repair services (nonautomotive)	1 per 250 gfa
	Outdoor sales:	
	Nursery/greenhouse	1 per 250 gfa
	Machinery sales/trucks >2.5 ton	1 per 500 gfa
	Motor vehicle related:	
	Sales/rental autos <2.5 ton, boats, RVs	1 per 350 gfa
	Service/repair (e.g., lube shop and car wash)	4 per service bay plus 1 per employee
	Fuel sales	1.5 per fueling station; 1 per employee at maximum shift positions (plus convenience store if applicable)
	Office:	
	Professional (except medical/dental)	1 per 250 gfa
	Medical/dental (including day treatment centers)	1 per 200 gfa
	RV parks	1 per RV space
	Self-service storage/miniwarehouse	1 per employee plus 1 per 50 units
	U.S. postal service	1 per 250 gfa
	Industrial:	
	Industrial services	1 per employee at maximum shift positions
	Manufacturing and production	1 per employee at maximum shift positions
	Research and development	Determined by specific uses proposed
	Wholesale sales	1 per 500 gfa
	Other:	
	Funeral homes	1 per 4 seats (1 seat = 2 feet of pew)
	Auction house	1 per 2 seats

17.05.620: COMMERCIAL DEVELOPMENT STANDARDS:

A. Compliance Required: All development shall comply with:

1. All of the applicable development standards contained in the underlying zoning district, except where the applicant has obtained variances in accordance with section 17.02.160, "Variances," of this title;

2. All other applicable standards and requirements contained elsewhere in this title.

B. Building Facades and Exterior Walls: The following development standards shall apply for all development in a commercial or mixed use district:

1. When the front and street side of a non-fenestrated building facade is greater than seven hundred fifty (750) square feet in area, the elevation shall be divided into distinct planes of five hundred (500) square feet or less to prevent creation of continuous blank facades along the front of the building and all street sides. The following design features or elements can be used to meet this provision: fascias; canopies and awnings; arcades; functional porches at least five feet (5') wide with a roof; vertical offsets at least two feet (2') wide; windows; plane changes; cornice treatments; or other multidimensional or special architectural treatments. Use of paint alone will not meet this standard.

2. All exterior materials should be sufficiently durable to ensure stability, maintainability, and long life. Natural materials conveying permanence, such as stone, masonry, or beveled wood siding are preferred.

3. At least two (2) changes in one or a combination of the following shall be incorporated into the building design: color, texture, and materials.

4. All sides of buildings with street frontage shall include materials and design elements consistent with those on the front building facade.

C. Bicycle And Pedestrian Circulation: In ~~the NC, CG and RCP~~ all commercial and mixed use zoning districts, the following additional development standards shall apply ~~to commercial, office, and mixed use development:~~

1. Continuous internal pedestrian walkways, no less than four feet (4') in width, shall be provided from the public sidewalk or right of way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, and building and store entry points.

2. Sidewalks no less than four feet (4') in width shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. A landscaped strip not less than five feet (5') wide shall be provided along the facade when a sidewalk is required, except in front of entryways or entryway projections, or where no building setback is required (see table 17.03.600 of this section).

3. To enhance pedestrian safety and comfort and provide visually differentiated walkways, all internal pedestrian crosswalks shall be visually distinguished from driving surfaces through use of paint or other markings, or other smooth surface, durable, low maintenance materials.

4. Parking areas shall be designed to minimize conflicts between pedestrian and vehicular movements. Parking area landscaping shall be used to provide visual relief and shade, and to define and separate parking access and pedestrian areas within parking lots.

5. Bicycle racks shall be provided on site near the business entrance and shall meet the standards of section 17.05.560 of this title. Bicycle parking areas shall not be located within parking aisles, landscape areas, or pedestrian ways.

D. Screening And Shielding Requirements: The following standards shall apply in the commercial and mixed use zoning districts:

1. Loading areas shall be located as follows, in order of preference. If located on a building's street side, loading areas shall be oriented to minimize views of loading activities and trucks from the street. If a loading/delivery area must face the street, it shall be screened from public view with landscaping and/or fencing.

- a. At the rear of the building;
- b. On the interior side (side not facing a street side);
- c. On the side facing a street.

2. Noise emissions resulting from delivery, loading, trash removal or compaction, or other such operations, shall be subject to noise and nuisance standards defined elsewhere in this code.

3. Mechanical equipment located on a building shall be within the roof form or enclosed with a screening structure with a design and materials, which are consistent with the design and materials of the building.

4. Mechanical equipment not located on a building shall be oriented to minimize views of the equipment from public rights of way and properties outside the site boundaries, and screened from view with a durable, solid wall or fence, an evergreen hedge, or a combination of these.

5. All refuse and recycling containers shall be screened and meet the requirements of the city's sanitation department.

6. Storage areas for building materials, equipment, or supplies shall be screened appropriately so as not to be visible from the public right of way, and all such storage areas shall be within setback lines.

7. Similar, complementary, and adjacent land uses should provide cross access between properties and joint access to arterials adjacent to the property wherever possible.

E. Multiple Building, ~~Retail Development (Shopping Center)~~ Complex Design In ~~The CG And RCP All Commercial~~ Districts: ~~In the CG and RCP zoning districts, t~~e the following design standards shall apply to ~~retail commercial~~ development consisting of more than one principal structure. Conditions of approval of the development plan may include, but are not limited to, any of the following site and building design guidelines deemed appropriate by the reviewing body.

1. Building Design Standards:

a. All buildings within a multi-building complex ~~(shopping center)~~ are encouraged to achieve a harmonious design through the use of compatible architectural elements, such as, but not limited to, roof form, exterior building materials, and window patterns;

b. Front and street frontage building facades of individual buildings are encouraged to incorporate compatible design elements, such as surface materials, color, roof treatment, windows and doors, to achieve a harmonious design. The sides of each building shall include elements such as windows, doors, color, texture, landscaping, or wall treatment to prevent the creation of long, continuous blank walls.

2. Sign Design Standards: Signage that incorporates similar design elements as the buildings is encouraged.

3. On Site Circulation: Buildings shall be located to facilitate safe and comfortable pedestrian travel between buildings. Shopping center site design shall include pedestrian paths or crosswalks between buildings on the site.

F. Car Washes: The following standards shall apply to the development of car washes where they are permitted either outright or conditionally. Conditions of approval of the development plan may include additional standards deemed appropriate by the reviewing body:

1. Siting Requirements:

a. A car wash shall be located a minimum distance of three hundred (300) feet from a residential zoning district, measured from the boundary of the property in which a car wash is located, in all directions.

b. Car wash tunnels shall be oriented in a way that vehicles exit toward the street.

c. Vacuum stations shall be located behind or to the side of the principal structure.

d. Parking spaces, queuing lanes, vacuum stations, loading facilities and trash enclosures shall be prohibited within the front yard area or between the principal structure and any street frontage.

2. Building Design Standards:

a. The front and street side facades shall include features at intervals of no more than 25 linear feet including but not limited to canopies; awnings; arcades; functional doors; vertical offsets at least two feet (2') wide; windows; plane changes; cornice treatments; or other multidimensional or special architectural treatments. Use of paint alone will not meet this standard.

b. Interior flashing lights associated with the car wash tunnels shall not be visible from adjacent rights-of-way.

G. Multi-family Residential Uses Without A Commercial Component In Commercial Districts: The following standards shall apply in the Commercial General and Central Commercial zoning districts for all residential uses without ground floor commercial storefronts. Conditions of approval of the development plan may include additional standards deemed appropriate by the reviewing body.

1. Standards:

a. All commercial development standards in this section shall apply;

b. Each building shall have a minimum of three (3) stories. No external stairways or breezeways are permitted;

c. Building setback minimums are subject to the standards of the underlying zoning district and shall have a maximum front and corner street side setback of ten (10) feet;

d. The principal entrance of a building shall face the public street on which the building is addressed, or as otherwise determined by the Director or their designee.