

**POCATELLO CITY COUNCIL
HEARING: FEBRUARY 6, 2025
EXECUTIVE SUMMARY**

REQUEST:

The Planning & Development Services Department is seeking the Council's approval for the proposed changes to Title 17: Zoning Regulations. 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 (**See Attachment B**).

RECOMMENDATION:

In consideration of the application and City staff review, the Planning & Zoning Commission recommended approval of the application after a public hearing was held on January 8, 2025 finding the application meets the standards for approval under section 17.02.170.F of Pocatello City Code.

ATTACHMENTS:

- a. Planning & Zoning Commission Findings of Fact
- b. Planning & Zoning Commission Staff Report Packet

ATTACHMENT A
CITY COUNCIL
FEBRUARY 6, 2025

**FINDINGS OF FACT & RECOMMENDATION
CITY OF POCATELLO
PLANNING & ZONING COMMISSION
HEARING JANUARY 8, 2025**

APPLICANT: City of Pocatello – Planning & Development Services
REQUEST: Zoning Ordinance Text Amendment
FILE: ZOTA24-0002
STAFF: Jim Anglesey, Long-Range Senior Planner

- I. GENERAL BACKGROUND:** Planning & Development Services staff sought the Commission's recommendation to approve 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 had prepared the subject amendments to Title 17: Zoning Regulations.
- II. PUBLIC HEARING:** A public hearing was held before the Planning & Zoning Commission on the evening of January 8, 2025. Staff provided a presentation regarding the proposed text amendments. There were no comments from the public provided.
- III. 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 provided to local media outlets to include in their public service announcements. Additionally, notice information was posted on City social media platforms. No written comments were received from the public.
- IV. CRITERIA FOR REVIEW:** 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 this Title 17. Pursuant to City Code 17.02.170.F, Criteria for Zoning Ordinance Text Amendments, 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 in terms of the standards listed in the table below:

Table 1. Zoning Ordinance Text Amendment Review Criteria Analysis

REVIEW CRITERIA (17.02.170.F):				
Compliant			City Code and P&Z Findings	
Yes	No	N/A	Code Section	Analysis
☒	☐	☐	17.02.170.F1	The proposed text amendment would be in the community's best interest.
			<i>Finding</i>	The proposed text amendment is in the community's best interest due to its alignment with the goals and strategies of Pocatello Comprehensive Plan 2040.
☒	☐	☐	17.02.170.F2	The proposed text amendment is consistent with the existing provisions of the zoning ordinance.
			<i>Finding</i>	The proposed text amendments help clarify the wording of the zoning ordinance and help streamline and realign regulatory standards that assist in implementing the vision outlined in Pocatello Comprehensive Plan 2040.

☒	☐	☐	17.02.170.F3	The proposed text amendment is consistent with existing provisions of the Comprehensive Plan.
			<i>Finding</i>	The proposed text amendment aligns with the goals and strategies of Pocatello Comprehensive Plan 2040 as outlined in Table 1 of the staff report.

V. PLANNING & ZONING COMMISSION RECOMMENDATION: In consideration of the application, the Planning & Zoning Commission recommends **approval** of the Zoning Ordinance Text Amendment application from the City of Pocatello's Planning & Development Services Department finding the application meets the standards for approval under section 17.02.170.F. of Pocatello City Code.



Rich Phillips, Chair
Planning & Zoning Commission
Authorized to sign 1/8/2025

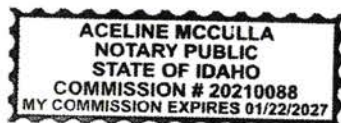
STATE OF IDAHO)

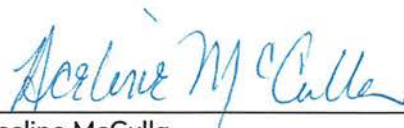
ss:

County of Bannock)

On this 13th day of January, 2025, before me, the undersigned, a Notary Public in and for the State, personally appeared Rich Phillips, known to me or proved to me to be the person whose name is subscribed to the foregoing instrument, and being duly sworn, acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Aceline McCulla
Notary Public for Idaho
Residing in Pocatello, Idaho

ATTACHMENT B
CITY COUNCIL
FEBRUARY 6, 2025



Planning & Development Services

PLANNING SERVICES
911 NORTH 7TH AVENUE | P.O. Box 4169

NEIGHBORHOOD & COMMUNITY SERVICES
POCATELLO, IDAHO 83205-4169 208.234.6184 <https://www.pocatello.gov>

AGENDA ITEM NO.

POCATELLO PLANNING & ZONING COMMISSION MEETING: JANUARY 8, 2024 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/maximium 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 ¹	-	-	-	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-Comprehensive 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-City~~ 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 ~~d~~Department of ~~f~~Fish and ~~g~~Game.
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 ~~d~~Department of ~~f~~Fish and ~~g~~Game.

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~~Fish and ~~e~~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</u> multi-family dwelling units	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, the~~ 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.