Wednesday, September 28, 2016
City Council Chambers, Municipal Building
911 N. Seventh Avenue
6:30 p.m.

City Hall is accessible to persons with disabilities. Program access accommodations may be provided with three (3) days' advance notice by contacting Dave Hunt at dhunt@pocatello.us; 208.234.6248 or 5815 South 5th Avenue, Pocatello, ID.

PLANNING & ZONING COMMISSON (P&Z)

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 are quasi-judicial in nature and are recorded for record retention and minute transcription.

AGENDA CLARIFICATION MEETING: A meeting will be held at 6:00 p.m. in the Iwamizawa Conference Room at City Hall, prior to the regular meeting for clarification of the agenda.

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. A three (3) minute time limitation is requested for presentations to the Commission.

AGENDA ITEM #1: DISCLOSURE OF CONFLICT OF INTEREST, EX-PARTE COMMUNICATION AND SITE VISIT.
Disclose who was talked to, the basic substance of the conversation, and whether the conversation had any influence. Disclose if a site visit was done, location(s) of the visit, and what was seen.

AGENDA ITEM #2: APPROVAL OF MINUTES
The Commission many wish to approve the minutes from their regular meetings held on June 8 and July 13, 2016.

AGENDA ITEM #3: PUBLIC HEARING – URBAN SERVICE BOUNDARY EXPANSION
This time has been set aside for the Commission to hear comments from the public regarding a request from the City of Pocatello to expand the Urban Service Boundary (USB) north and east of Satterfield Drive and E. Chubbuck Road.

PLANNING & ZONING COMMISSON (P&Z) AGENDA # 2

Minutes for June 8, 2016 at 6:30 p.m.
City Council Chambers, Municipal Building
911 North Seventh Avenue, Pocatello, ID 83201

The meeting began at 6:33 PM.

Present: Jack Brennan, Bill Hancock, Ryan Loveland, Ryan Satterfield, and Matthew Tovey.
Excused: Kathleen Lewis and Steve Long.
Staff: Dave Foster, Aceline McCulla, and Merril Quayle.

AGENDA CLARIFICATION MEETING: A meeting was held at 6:00 p.m. in the Iwamizawa Conference Room at City Hall, prior to the regular meeting for clarification of the agenda.

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Disclose who was talked to, the basic substance of the conversation, and whether the conversation had any influence. Disclose if a site visit was done, location(s) of the visit, and what was seen.

Brennan stated he conducted bonding research and had nothing to report. **Hancock** had nothing to report, **Loveland** had nothing to report. **Satterfield** stated he had conversations with staff and insurance companies about bonding and had nothing to report. **Tovey** had nothing to report.

AGENDA ITEM #2: APPROVAL OF MINUTES
The Commission may wish to approve the minutes from the regular meeting held on May 25, 2016.

A motion was made by **Brennan** and seconded by **Hancock** to approve the Minutes from May 25, 2016. Upon roll call, those voting in favor were Brennan, Hancock, Loveland, Satterfield, and Tovey. Motion passed.

AGENDA ITEM #3: SUBDIVISION ORDINANCE
The Commission will continue deliberations on the proposed changes to the Subdivision Ordinance.

Dave Foster, Associate Planner with the City of Pocatello, stated the Commission was dealing with two issues from the May 25 meeting. The first proposed revision would allow issuance of building permits for development on a recorded platted subdivision lot prior to 100% completion of subdivision infrastructure, provided the only remaining infrastructure was the street pavement. The fire and public works departments must grant approval to ensure the status of the street was sufficient to support emergency service vehicles for the duration, before being paved. Language was incorporated under section 16.24.100(A)(3) to allow the issuance of a building permit under the above circumstances, and a certificate of occupancy could be issued under this scenario. The Commission agreed this issue had been resolved.

The second issue was with warranty bonding at the end of a project for the two-year period. Originally, there was one option, the posting of a warranty bond. It was suggested after more research to expand that to

include three options. The first was a straight warranty bond for each development for the two-year period. The second would allow a cash surety to be posted with a title company or financial institution for that same period; all other conditions of the warranty and bonding period would still apply and would be for two years, against the infrastructure, the workmanship, the durability, and the materials involved. The third option was to utilize a licensed contractor's bond in the appropriate amount with the appropriate language that it was warrantied and covered. Currently, it is written that a licensed developer could use their bond with appropriate language in the bond. The commission agreed to add language to utilize a licensed contractor's bond in lieu of a separate warranty bond, provided the contractor's bond complied with the provisions, sections, and language.

Commissioners **Satterfield** and **Brennan** discussed their research on warranty bonds.

Hancock suggested the language in quotes be used in 16.24.110(E)(2)(c) Warranty Bond Requirements. "A developer and/or a developer's contractor that is a licensed and bonded contractor within the City of Pocatello may utilize their contractor's bond in lieu of a separate Warranty Bond, provided said contractor's bond complies with the provisions of this Section." The Commission agreed to this additional language to move forward.

Satterfield had concerns about the boundary line adjustment process. He stated that previously, a record of survey could have been done if the property met the standard lot size and a building permit would have been issued. The new process would require property line adjustments to be platted rather than a record of survey. **Foster** clarified that was not correct. **Satterfield** felt the process was over stepping, the record of survey was adequate and cheaper. The plat process would take more time and have more fees. **Foster** clarified that the term subdivision includes dividing a property by at least two. The record of survey is a map of boundaries and a deed conveys property. Problems have occurred with nonconforming properties, no infrastructure, and hidden costs to the purchaser. A plat covers sewer, water, curb, and gutter, and the costs would be known upfront. The buyer would not be caught off guard with required processes and costs that were not addressed with a record of survey. **Hancock** stated that what the City proposed is reasonable, not that it would work for every situation, but most circumstances.

Satterfield asked Merril Quayle to discuss how a subdivision development permit and associated cost would be affected by the Ordinance. **Merril Quayle,** Public Works Engineer with the City of Pocatello, provided background information to Satterfield's questions.

A motion was made by **Brennan** and seconded by **Hancock** to recommend approval to City Council for the proposed changes to the Subdivision Ordinance noting the changes in section 16.24.110(E)(2)(c). Upon roll call, those voting in favor were Brennan, Hancock, Loveland, Satterfield, and Tovey. Motion passed.

With no other business, Chair Lewis closed the meeting at 7:38 PM.

Submitted by _____ Approved on _____

Aceline McCulla, Secretary

PLANNING & ZONING COMMISSON (PZC) AGENDA # 2
Minutes for July 13, 2016 at 6:30 p.m.
City Council Chambers, Municipal Building
911 North Seventh Avenue, Pocatello, ID 83201

The meeting began at 6:33 PM.
Present: Jack Brennan, Bill Hancock, Ryan Satterfield, and Kathleen Lewis.
Excused: Steve Long, Ryan Loveland, and Matthew Tovey.
Staff: Dave Foster, Matthew Lewis, Aceline McCulla, and Merril Quayle.

AGENDA CLARIFICATION MEETING: A meeting was held at 6:00 p.m. in the Iwamizawa Conference Room at City Hall, prior to the regular meeting for clarification of the agenda.

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Disclose who was talked to, the basic substance of the conversation, and whether the conversation had any influence. Disclose if a site visit was done, location(s) of the visit, and what was seen.

Brennan had visited items 3 and 4 and had nothing else to report. **Hancock** had nothing to report. **Satterfield** had visited item 3 and had nothing else to report. **Chair Lewis** had nothing to report.

AGENDA ITEM #2: APPROVAL OF MINUTES
The Commission may wish to approve the minutes from the regular meeting held on June 8, 2016.

Satterfield asked to have his concerns on the property line adjustment included in the June 8 minutes. **McCulla** stated the comments would be included and ready by the next meeting.

AGENDA ITEM #3: PRELIMINARY PLAT – DOUBLE EAGLE ESTATES
Michael Millward of Ridgepoint Holdings, LLC and RMES have submitted an application to subdivide approximately 8.697 acres into 28 residential lots located at the end of Surprise Valley Road, south of Highland Golf Course. The proposal is a replat of Copper Creek Subdivision, Block 2, Lot 1 and Lot 3 through Lot 40.

Joel Dixon, Rocky Mountain Engineering and Surveying, 600 East Oak Street, Pocatello, stated the project was a 8.7-acre piece of property and currently platted as Copper Creek Estates. This is a gated community, a condominium type development with 39 buildable lots, a couple common space lots and two private drives. In 2010, the infrastructure was installed and built. The proposal was reduced 37 buildable lots to 27 buildable lots and a common lot. He discussed the existing utilities and roads, and stated limited grading would be done. Dixon mentioned the gravel area between the two Von Elm Street ends would be paved with a 20-foot road and 2-foot shoulders to connect them. **Hancock** asked if this new road would also be dedicated to the City. **Dixon** stated it was a right-of-way on the plat and there was an existing easement in place that was dedicated. The stormwater ponds would be cleaned, checked, and maintained. **Chair Lewis** asked if the lots would have a graded pad or if they would be sold undeveloped. **Dixon** stated the lots would be sold undeveloped and the owners would be responsible for grading. **Chair Lewis** asked if homeowners would be made aware of slope and grade restrictions.

Dixon stated that the buyers would be made aware of this information during the application process. The developer selling the lot would need to make the buyer aware that there are restrictions.

Dave Foster, Associate Planner with the City of Pocatello, stated this new replat would override any previous recorded plat. He summarized the staff report and mentioned that all grading would need to comply with slope development standards. The numbers are within the parameters and some lots would need grading. He noted that drainage areas would need to be identified and homeowners aware prior to the purchase. **Chair Lewis** asked Foster to talk about Von Elm Street. **Foster** explained that they would only control the part that would come off Surprise Valley. There are existing utility and easements through the rest of that to the existing southerly end of Von Elm, the City already possesses for access there. The easement is there and currently a gravel or rock road. It would not be dedicated, it was placed for utility purposes; these are easements of record for the City. **Hancock** asked if Foster had concern with the road being 20-feet instead of the standard 30-foot road. **Foster** deferred this question to Merrill Quayle.

Merril Quayle, Development and Public Works Engineer with the City of Pocatello, clarified that Von Elm is a 50-foot deeded right of way; it is off-site improvements. When it was Copper Creek, the road would be phased in as things developed and paved for emergency services access, as it was a private development. He continued with some history of the Copper Creek Subdivision Plat. The current site plan was evaluated with the Street Superintendent. Public road improvements for off-site access would to be a minimum of 24-feet, with 12-foot lanes, 2-foot shoulders, and drainage on the side. **Hancock** stated that the staff recommendation was the 24-foot roadway. **Quayle** stated that when they started talking about the minimum it was for a private access road, as Foster stated, but this was not going to be a fire department access anymore with the deeded right-of-ways, it would be a public roadway. **Brennan** asked Quayle if the right-of-way is 50-feet, and the paved road is only 24-feet, if it is going to be a public road, when does it get the 50-feet and who pays for it. **Quayle** stated this is off-site improvements; typically, new development puts in the curb, gutter, sidewalk, and so forth. Since this is off-site development, the minimum has been determined to be the 24-feet paved roadway. Because of the topography and uniqueness of this area, the road would probably not be developed to the standards Brennan was reflecting on with the curb, gutter, sidewalk, and so forth.

Satterfield wanted clarification on a potential deed restriction for recreational purposes only on part of this ground. When this property was dedicated together with the golf course, it was dedicated for recreation purposes and City staff was looking into this with Legal to find out the status on that restriction. The property has gone through a number of hands since then and Satterfield wanted this as part of the record.

A motion was made by **Brennan** and seconded by **Hancock** to recommend approval to City Council for the Preliminary Plat for Double Eagle Estates Subdivision Replat of Copper Creek Subdivision, Block 2, Lot 1 and Lot 3 through Lot 40, to subdivide approximately 8.7 acres into 28 lots per staff recommendations and three conditions listed in the staff report, and an additional recommendation that the deed restriction be clarified before final approval. Upon roll call, those voting in favor were Brennan, Hancock, Satterfield, and Lewis. Motion passed.

AGENDA ITEM #4: PRELIMINARY PLAT – LA VALLA HEIGHTS

Bill Isley of BBAD Investments and Rocky Mountain Engineering and Surveying have submitted an application to subdivide approximately 20.37 acres into 30 residential lots located on an extension of La Valla Strada.

Bill Isley, 3520 E Center Street, Pocatello, discussed the history of the property, the lots sizes, and the approximate value of the future homes. Isley requested concessions for setbacks and road length to reduce the impact on the landscape and hillside, which staff agreed. Isley offered to complete the 160 feet of sidewalk, with handicap access point, on the upper road intersection that was not completed by the previous

developer, this year. He mentioned that only 4.5 acres of the 20-acre site would be developed and the homes would be affordable. This subdivision would have its own Home Owner's Association (HOA).

Brennan asked if Isley would be grading the pads. Isley replied yes.

Matthew Lewis, Planning Manager with the City of Pocatello, summarized the staff report and stated there that staff did agree with the reduction of setbacks and the reduction in road width and length to reduce impact on the hillside and landscape, and it would reduce erosion, which is discussed in the conditions and fits the uniqueness of the area.

After review and analysis, staff recommends approval with the following four conditions. 1) All conditions submitted by Public Works Department representatives as noted in Exhibit 1 shall be adhered to. 2-1) Staff recommends that the side yard setback be reduced from 6-feet to 5-feet reducing the need to extend the road 35-feet further into the hillside. 2-2) Slope Development standards as outlined under Code Section 17.05 shall be adhered to as applicable. 3) All corrections noted by City representatives on the preliminary plat shall be made prior to submittal of the final plat. 4) All other standards or conditions Municipal Code not herein stated but applicable to residential development shall apply. Lewis also mentioned that only 4.65 of the 20-acre site would be disturbed, which is a positive.

Satterfield asked if the City has seen any issues with previous phases of association property on this hillside, or have they worked fairly well. **Lewis** stated there have not been any issues with this hillside. **Hancock** asked Lewis with regard to staff recommendations, if the setback allowance was unique to the topography and situation or would this be a precedence and happen more often. **Lewis** stated that the request would not set a precedence in light of the topography. **Brennan** asked where the stormwater retention system was for this subdivision. **Lewis** stated the retention ponds were developed for this portion of the project in the previous projects, and Merril Quayle could elaborate more on this question. **Quayle** clarified the storm water ponds and showed how the pond on La Valla Strada would overflow into Center Street. The lot 29 would be used as a fore bay, which would then go into the pond, which was sized in accordance with the Stormwater Master Plan at the time of construction. **Hancock** asked if the current systems are adequate for the current water levels. **Quayle** stated the water systems were adequate. **Isley** clarified the entire pond drainage system throughout the development. He stated all the lots would be graded to avoid slope issues among the lots.

A motion was made by **Hancock** and seconded by **Satterfield** to recommend approval to City Council for the La Valla Heights Subdivision to subdivide approximately 20.37 acres into 30 residential lots located on an extension of La Valla Strada, per staff recommendations and four conditions listed in the staff report. Upon roll call, those voting in favor were Brennan, Hancock, Satterfield, and Lewis Motion passed.

With no other business, Chair Lewis closed the meeting at 7:30 PM.

Submitted by _____ Approved on _____

Aceline McCulla, Secretary

AGENDA ITEM 3

STAFF REPORT
PLANNING & ZONING COMMISSION
HEARING DATE: SEPTEMBER 28, 2016

Applicant:	City of Pocatello
Subject:	Expansion of Urban Service Boundary
Location:	North and East of Satterfield Drive and E. Chubbuck Road
Staff:	Matthew G. Lewis, Planning Division Manager

Request:

The City of Pocatello is initiating a request to expand the existing Urban Service Boundary (USB) associated with the Comprehensive Plan Land Use Map. The area in question is north and east of Satterfield Drive and E. Chubbuck Road as depicted on the attached map. In addition to the expansion of the USB, a land use designation of "Mixed Use" would be added to the Comprehensive Plan Land Use Map for the area in question.

Urban Service Boundary Details:

What is the Urban Service Boundary? The USB is essentially a line around the City showing where growth is likely to occur beyond current City development and will be served by City services, specifically meaning that the "urbanized area" will be developed and urban services such as water, sewer and streets would be installed. The area would likely be annexed and urban development such as new subdivisions, apartments, office buildings, and commercial development would occur. Land outside of the USB would remain rural and under the Bannock County's jurisdiction. Urban services like water, sewer and City streets would not be extended and the county zoning would prohibit urban development and creation of small lot subdivisions.

The Commission may recall approximately one year ago recommending the amendment of the Area of City Impact (ACI) agreement with Bannock County. At that time, we aligned the USB with the ACI except in a few key locations.

Regarding this request to expand the USB, staff estimates the USB will be expanded by approximately 4,220 acres beyond its current boundary. As part of the expansion, land use designations must be given on the Comprehensive Plan Map and staff's recommendation is a designation of "Mixed Use." The ACI will need to be expanded prior to annexation and zoning designation.

Why expansion? The Commission may recall one year ago recommending reduction of the USB as part of the renegotiated ACI with Bannock County. It was recommended by the Planning and Zoning Commission to have the USB reduced in several areas especially east and northeast of city limits and that the ACI should follow the USB. The City Council approved the map and

procedural agreement in October of 2015. Staff has recently been approached by several developers regarding possible development of property outside of the current USB. As such, public works, fire and police department officials were asked the question, "Could the area be adequately served by water, sewer, sanitation, streets and emergency services."

Following discussions with Mike Jaglowski, Public Works Director, he indicated that a large portion of the proposed USB could be served with existing facilities. Details are addressed in his attached memorandum.

Fire Department officials indicate even without further development the east bench is in need of a new fire station.

Police would likely initially serve the area with a small substation similar to the one next to Fred Meyer.

Planning & Zoning Commission Action:

The Planning & Zoning Commission shall hold a public hearing on this matter and render a recommendation. The Commission shall submit findings of fact and recommendations to the City Council following closure of the public hearing.

Staff Recommendation:

Based on the site in question, comments received by City staff and the Comprehensive Plan Goals, Objectives and Policies outlined in this report and the fact that much of the area can be served by public infrastructure and emergency services, staff recommends approval of expanding the USB and amending the Comprehensive Plan Land Use Map with a "Mixed Use" designation.

State Code Provisions:

Title 67, Chapter 65, 67-6509 – Recommendation and Adoption, Amendment, and Repeal of the (Comprehensive) Plan. State Code 67-6509(d) states that amendments to the Comprehensive Plan shall be established by resolution. The Comprehensive Plan, adopted by Resolution..., states, "The Comprehensive Plan text and maps may be amended as provided by Section 67-6509 of Idaho Code. Any person may petition the Planning and Zoning Commission for a plan text or map amendment. The Planning and Zoning Commission may recommend text or map amendments to the Mayor and City Council not more frequently than every six months."

Comprehensive Plan Analysis:

The Following Comprehensive Plan Objectives Can Be Satisfied:

Chapter 2 – Population: Objective 1.1, "In order to retain and grow in all segments of the population, the City should consider unprecedented land use opportunities and tools to provide more flexible but carefully and purposefully defined development patterns that meet the needs and demands of future generations and evolving markets; use planning opportunities to pave the way for improved population growth, population retention, better market conditions and improved economic development."

Staff Analysis: Expansion of the USB will provide unprecedented land use opportunities and will pave the way for improved population growth.

Objective 2.1, "Ensure that adequate public services and infrastructure are provided and available to accommodate future growth."

Staff Analysis: Expanding the USB has encouraged dialogue between City departments to ensure that there are adequate public services and infrastructure to accommodate this future growth.

Chapter 5 – Land Use: Objective 1.1, "Integrate cooperative planning and development actions with all local governments and public agencies in the Portneuf River Valley region."

Staff Analysis: This expansion has been an effort between different local governments and public agencies.

Objective 1.2, "Use the Urban Services Boundary (USB)/Area of City Impact (ACI) to support development when adequate public facilities and infrastructure are available or are planned to be installed concurrent with development."

Staff Analysis: The purpose of the USB is ensure that the City is able to serve the area. If it is unable to do so, the USB will not be expanded.

Objective 1.4, "Guide annexation within the USB/ACI to encourage orderly growth."

Staff Analysis: Expansion of the USB encourages growth in that direction and allows the City to guide it in the way staff feels is best for the City.

Chapter 8 – Public Services, Facilities, Utilities: Objective 4.1, "Ensure that there is sufficient quantity and quality supply of water to meet existing and future demand."

Staff Analysis: The City is able to supply water to the location to meet future demand.

Objective 10.1, "Ensure that the City residents and businesses are provided with safe, healthy, scheduled collection and disposal of waste materials."

Staff Analysis: The City is able to provide collection of waste materials to meet future demand.

Chapter 13 – Community Design: Objective 2.2, "Encourage development that is attractive and compatible and improves the quality of its surrounding environment, including established neighborhoods."

Staff Analysis: Expansion of the USB is the first step in the City being able to guide development in the area. By guiding the development, staff is able to encourage the development to be attractive and compatible with the surrounding environment.

Public Notice:

Proper notice was published in the Idaho State Journal as required per State Code Section 67-6509 and notice was provided to all political subdivisions and the manager of the local public airport.

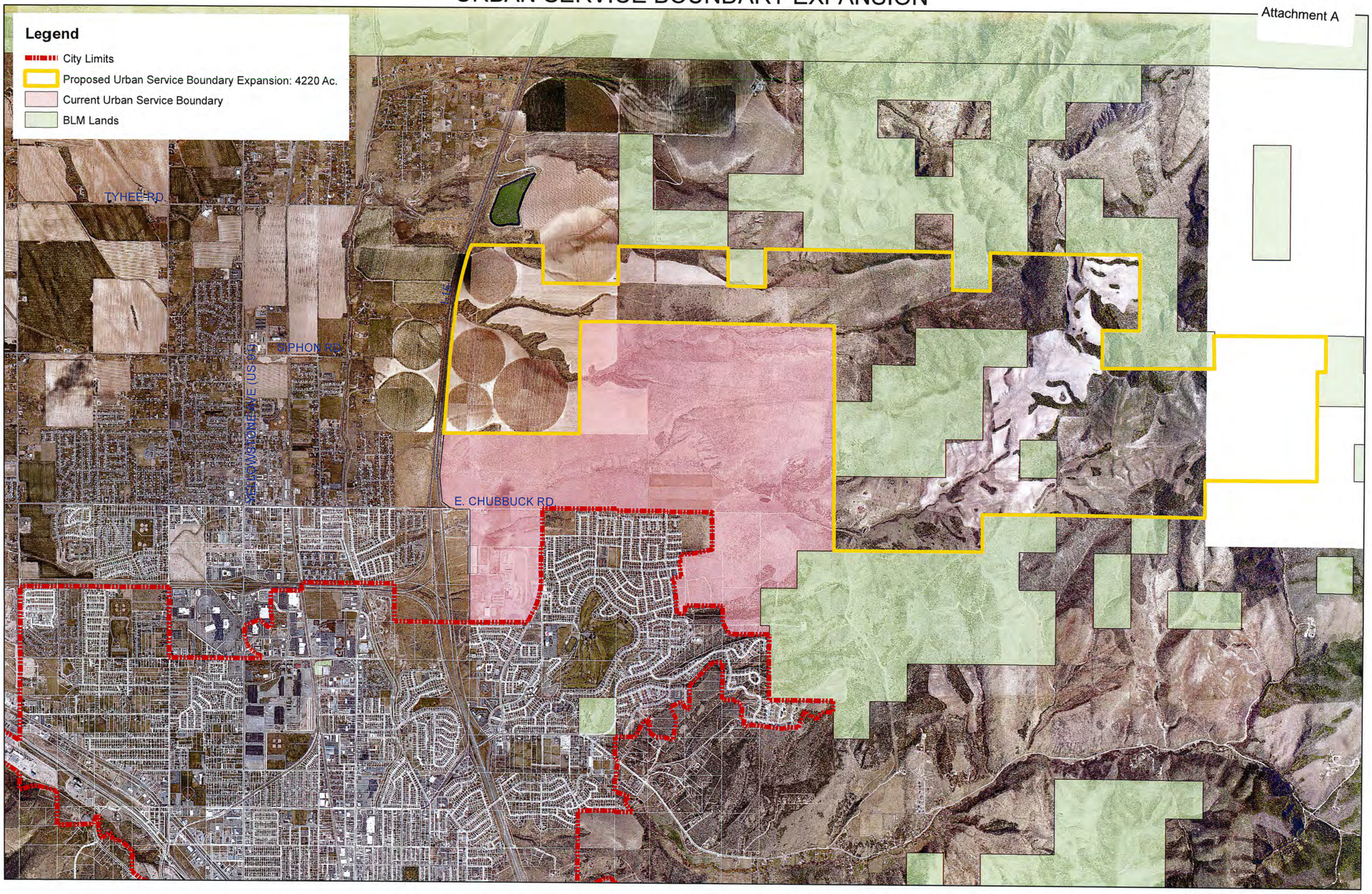
Public Comments:

No public comments either for or against have been received.

Attachments: A – Map of Area
B – Memorandum from Mike Jaglowski, Public Works Director
C – Letter in Support from Devin Hillam, Bannock County Planning Director

URBAN SERVICE BOUNDARY EXPANSION

Attachment A



Public Works Department
911 North 7th Avenue P.O. Box 4169
Pocatello, ID 83205-4169
Phone (208) 234-6225 Fax (208) 234-6151

MEMORANDUM

TO: Matthew G. Lewis, Planning Division Manager

FROM: Michael R. Jaglowski, PE, Public Works Director

DATE: September 21, 2016

SUBJECT: Expansion of Urban Services North and East of Satterfield Drive and E. Chubbuck Road

The question has been raised regarding the City of Pocatello's ability to provide City Utility, namely water and sewer, services and to provide Public Works, namely sanitation and street services to any future development generally described as shown in Attachment A outlined in yellow encompassing an area of approximately 4,220 acres.

The existing systems and network generally extend north to E Chubbuck Road in a manner where future connection and extension of the Water, Sewer, and Street systems can be made to serve the western portion of the area described in Attachment A and the eastern portion can be serve from the same location with the addition of a connection from the existing High County water storage tank .The City systems could serve up to 1,000 homes or equivalent demand with the existing physical infrastructure as mentioned above. Any more than aforementioned demand, improvements will be required, which are typically the financial responsibility of the developer. Improvements likely to be required would include but not limited to new water sources, water storage, booster pump stations, sewer lift stations, and the crew to operate the new assets. Each new systems asset will be added to the system, as actual demand requires.

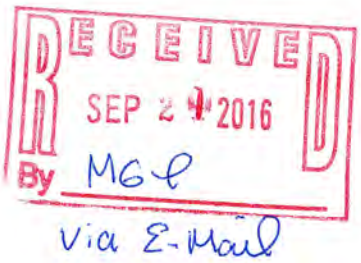
Additional to the above, it is forecasted that new Sanitation and Street maintenance equipment will be required to service any new development and demands within the referenced area. Additional equipment require are 2 solid waste sanitation trucks, 2 ten cubic yard dump trucks outfitted with snow removal equipment, and the crew to operate the equipment. Each additional equipment asset will be added to the system, as actual demand requires.

Attachment C

BANNOCK COUNTY

OFFICE OF PLANNING & DEVELOPMENT SERVICES
5500 SOUTH FIFTH AVENUE • POCATELLO, ID 83204
(208) 236-7230 • Fax: (208) 232-2185

Matthew Lewis
City of Pocatello



September 21, 2016

To Whom It May Concern,

Having reviewed the proposed Urban Service Boundary upon request by Matthew Lewis, I am writing in support of the proposal. Having inspected all of the site personally, I see no issues with extending the boundary whereas the City has determined that it could provide services into the area in the future and whereas I believe that this ground would be a natural extension for development within the City of Pocatello.

Sincerely,

Devin Hillam
Bannock County Planning Director