Wednesday, November 13, 2019  
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 Skyler Beebe at sbbeebe@pocatello.us; 208.234.6248 or 5815 South 5th Avenue, Pocatello, ID.

PLANNING & ZONING COMMISSION (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 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.

AGENDA ITEM 1: ROLL CALL AND 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 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.

AGENDA ITEM 2: APPROVAL OF MINUTES

The Commission may wish to approve the minutes from the clarification and regular meetings on September 25, 2019. (ACTION ITEM)

AGENDA ITEM 3: PUBLIC HEARING – SUBDIVISION ORDINANCE CHANGES

This time has been set aside for the Commission to hear comments from the public regarding changes to Title 16, Subdivision Ordinance. The changes are to clarify and/or update sections of the ordinance. A complete copy of the ordinance is available in the Planning and Development Services Department. (ACTION ITEM)

AGENDA ITEM 4: PUBLIC HEARING – ZONING ORDINANCE CHANGES

This time has been set aside for the Commission to hear comments from the public regarding changes to Title 17, Zoning Ordinance. The changes are to clarify and/or update sections of the ordinance. A complete copy of the ordinance is available in the Planning and Development Services Department. (ACTION ITEM)
Chair Ryan Satterfield called the meeting to order at 6:01 PM.

AGENDA ITEM #1: ROLL CALL

Present: Jared Bernt, Jack Moore, Dorothy Ricks, Ryan Satterfield and Kailey White.
Excused: Shin Kue Rye.
Staff: Carl Anderson, Aceline McCulla, and Merrill Quayle.

AGENDA ITEM #2: DISCUSSION TO CLARIFY ITEMS ON THE SEPTEMBER 11, 2019, PLANNING AND ZONING COMMISSION MEETING AGENDA

The Commission and staff discussed the agenda items.

AGENDA ITEM #3: ADJOURN

With no further discussion, Chair Satterfield adjourned the clarification meeting at 6:25 P.M.

P.M.

Submitted by __________________________________________________________________________ Approved on __________________________________________________________________________

Aceline McCulla, Secretary
PLANNING & ZONING COMMISSION (PZC)
Minutes for Meeting of September 25, 2019 at 6:30 p.m.
City Council Chambers, Municipal Building
911 North Seventh Avenue, Pocatello, ID 83201

The meeting began at 6:30 PM.

AGENDA ITEM #1: ROLL CALL AND 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 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.

Bernt made a site visit for agenda item 3 and had nothing else to report. Moore made a site visit for agenda item 3 and had nothing else to report. Ricks had nothing to report. Satterfield had nothing to report. White made a site visit for agenda item 3 and had nothing else to report.

Present: Jared Bernt, Jack Moore, Dorothy Ricks, Ryan Satterfield, and Kailey White.
Excused: Shin Kue Ryu.
Staff: Carl Anderson, Aceline McCulla, and Merril Quayle.

AGENDA ITEM #2: APPROVAL OF MINUTES
The Commission may wish to approve the minutes from the clarification and regular meetings on September 11, 2019.

It was moved and seconded, (J. Moore, D. Ricks) to approve the minutes for the clarification and regular meeting on September 11, 2019. Those voting in favor were Bernt, Moore, Ricks, and White. Those voting against were none. Satterfield abstained. Motion passed.

AGENDA ITEM #3: PRELIMINARY PLAT – POINTE VIEW APARTMENTS SUBDIVISION
Kent Morris, represented by Rocky Mountain Engineering and Surveying (RMES), has submitted a preliminary plat application to subdivide 1.83 acres (more or less) into nine (9) residential lots. The property is located north of Brock Drive, south of Quinn Road, east of Philbin Road and west of Breezy Pointe Drive.

Brady Smith, RMES, 600 E. Oak Street, Pocatello gave some history of this project, which was first presented in 2008, and Smith noted this project did not change. The area has been zoned for mixed in the Comprehensive Plan for over ten years. The apartments would be built on individual lots, with the intention to sell the apartments to different buyers. The preliminary plat meets municipal code for the mixed use-zoning district.

Satterfield asked Smith if he read, understood, and agreed with staff conditions listed in the staff report. Smith stated he read, understood, and did not have any concerns with staff’s conditions in the report.

Senior Planner Carl Anderson of the City of Pocatello summarized the staff report.

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 September 16, 2019, shall be adhered to; 2) 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; 3) The parking area shall be dedicated as shared common area and at no point may any fencing or other obstruction be placed within the parking and access area so as to prevent fire access and turnaround; and 4) All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply.

Moore asked how tall the apartment building would be. Smith clarified that ground to the peak of the roof is 27 feet, 1 inch.

Commission members ensued in discussion.

It was moved and seconded, (J. Bernt, D. Ricks) to recommend approval to City Council of the preliminary plat application by Kent Morris to subdivide 1.83 acres (more or less) into 9 residential lots, located north of Brock Drive, south of Quinn Road, east of Philbin Road and west of Breezy Pointe Drive, finding the application does meet the standards for approval under Chapter 16.20.050 of Pocatello Municipal Code, with the conditions of approval listed in the staff report. Those voting in favor were Bernt, Moore, Ricks, Satterfield, and White. Those voting against were none. Motion passed unanimously.

With no other business, Chair Satterfield closed the meeting at 6:43 P.M.

Submitted by ___________________________ Approved on ___________________________

Aceline McCulla, Secretary
STAFF REPORT
POCATELLO PLANNING & ZONING COMMISSION
REGULAR MEETING NOVEMBER 13, 2019

PROJECT: City-initiated Text Amendment to Title 16 Subdivision Regulations

REPRESENTATIVE: City of Pocatello Planning & Development Services Department

PLANNER: Carl Anderson, Senior Planner

TABLES: Table 1. Summary of Amendments to Title 16
Table 2. Compliance with 2015 Comprehensive Plan

ATTACHMENTS: Attachment A. Title 16 Proposed Amendments

NOTICE: Public notice for the public hearing to be held on November 13, 2019, was published in the Idaho State Journal on October 24, 2019, and again on November 5, 2019.

PUBLIC HEARINGS & MEETINGS: June 13, 2019 City Council Work Session (Meeting)
November 13, 2019 Planning & Zoning Commission (Hearing)

BACKGROUND:
The current Subdivision Ordinance, Title 16 Subdivision Regulations, was amended and the ordinance adopted in 2016 as ordinance number 2971. Since that time, and upon review of multiple applications, staff has identified multiple items that should be amended in order to improve the subdivision process and applicable code sections within.

On June 13, 2019, staff brought the proposed changes to City Council for a work session and requested direction on the proposed changes to Title 16 Subdivision Regulations. The proposed amendments to Title 16 are intended to address the following objectives:

1. Alter the pre-application review process, making it optional.
2. Allow for some flexibility to waive the requirement for a traffic impact study at the discretion of Public Works Department staff, upon the receipt of an approved traffic analysis.
3. Modify the request for public hearing process to more closely align with Idaho State Code 67-6521.
4. Standardize the application requirements for a preliminary plat and final plat in order to improve both the consistency of application requirements and the process for preliminary and final plat review.
5. Remove the requirement for a surety bond to be released by City Council upon the acceptance of public infrastructure and improvements. When applicable, this would remove the requirement for an additional meeting after the final plat or short plat application.

6. Minor formatting modifications throughout the ordinance, including: deleting duplicate definitions, correcting text, renumbering of Section 16.28, and adding flexibility to allow for the Public Works Director’s designee to complete review and/or make determinations where applicable to reflect the review process.

After the initial meeting with City Council, staff identified eighteen (18) local developers, engineers and architects to review the proposed changes and provide comment. Of the eighteen (18), eight (8) agreed to review the changes and
three (3) written comment were received regarding the changes as presented to Council. Since that time, one alteration was made to the proposed changes and staff has removed the recommendation that a traffic impact study also be required when subdivision outlets already meet 100 peak hour trips. This was removed in order for staff to conduct further research.

A summary of proposed amendment are contained within Table 1 and alignment of the proposed amendments with the Comprehensive Plan is detailed in Table 2.

<table>
<thead>
<tr>
<th>Section</th>
<th>Amendments</th>
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<tbody>
<tr>
<td>16.04.040 Extraterritorial Authority:</td>
<td>• Minor formatting modifications.</td>
</tr>
<tr>
<td>16.08.010: General Definitions:</td>
<td>• COMMON PROPERTY LINE: A property line between abutting properties and may consist of one or more connected line segments. (Moved from 16.28) • Public Improvement Standards: &quot;the county health department&quot;</td>
</tr>
<tr>
<td>16.12: Preapplication Review Required:</td>
<td>• 16.12: PRE-APPLICATION REVIEW: • 16.12.010: Remove the requirement for pre-application review, making pre-application review available upon request or as deemed necessary by city staff on a case by case basis. • Minor formatting modifications.</td>
</tr>
<tr>
<td>16.16: Short Plat Subdivision Application:</td>
<td>• 16.16.010. K: The applicant shall provide the city surveyor with a copy, on CAD Mylar film, of the recorded plat and an electronic (digital) AutoCAD® (DWG) format file within thirty (30) days of recording.</td>
</tr>
<tr>
<td>16.20: Preliminary Plat Subdivision Application</td>
<td>• Minor formatting modifications. • Reduce the number of full sized copies of the plat that are required at application submittal and include the requirement for a PDF copy. • 16.20.030. V: 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' &quot;Trip Generation Handbook&quot; (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. • 16.20.040. E: Pursuant to section 67-6521, Idaho Code, any affected person may at any time prior to final action on a subdivision application, if no public hearing has been held, petition the City Council Commission or governing board writing to hold a public hearing pursuant to section 67-6512, Idaho Code; provided however, that if twenty (20) affected persons petition for a hearing, the hearing shall be held. • 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 &quot;traffic impact study&quot; will be required as part of the commission's application review. • 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.</td>
</tr>
<tr>
<td>16. 24 Final Subdivision Plat Application</td>
<td>• Minor formatting modifications. • 16.24.060.B: City staff shall perform a completeness will review of the final plat application for substantial conformity, within five (5) days from official receipt of the application.</td>
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</table>

City-initiated Text Amendment to Title 16, Subdivision Regulations, November 13, 2019

City of Pocatello Planning & Development Services
a. 16.24.060.B.a: If the final plat application is not complete and in substantial conformance, the final plat application will be considered incomplete and returned to the applicant. In the event that an incomplete application is returned more than two (2) times, additional application fees shall be required.

- 16.24.080: City approval of the final plat does not guarantee county approval for recording. After county signatures are obtained and the final plat is recorded, the subdivider is responsible for submitting one full size copy of the recorded plat on CAD Mylar film and an electronic (digital) AutoCAD® (DWG) format file to the city surveyor within thirty (30) days of recording.

- 16.24.100.A.3: A building permit may be issued to a subdivision lot pursuant to subsection A2 of this section if the only remaining incomplete infrastructure component is the street pavement and both the city fire department and the public works department have determined that the street pavement subbase is sufficient to provide for emergency vehicle access to the lot until pavement is installed. Said determination shall be in writing and the appropriate bonding in place.


- 16.24.110.A: Subject to approval of the estimated cost data and construction drawings, the surety bond amount shall be set at a minimum of one hundred twenty five percent (125%) of the estimated cost of the required public infrastructure and improvements, and reviewed for accuracy by City staff.

- 16.24.110 C.6: Upon a determination of proper completion, the public works director, or designee, shall present process the written request to accept the public infrastructure and improvements to the city council for final action and distill the determination of proper completion into written findings. This action shall constitute a formal acceptance and action of the required public infrastructure and improvements.

- 16.24.110 C.7.a: The developer must complete all identified deficiencies and pass required inspections in order to obtain a determination of proper completion and have their request for acceptance presented to the city council for final action processed as outlined in Section 16.24.110.C.6.

- 16.24.110 E.1: The warranty time period of two (2) years for all public infrastructure and improvements shall begin on the date following the completion of all said infrastructure and improvements and final acceptance by the city council staff.

16.28 Property Line Adjustment Provisions

- Deleted definition section 16.28.010.A and consolidated under code section 16.08.010:
- Renumber sections 16.28.010 – 16.28.050
Table 2. Compliance with 2015 Comprehensive Plan

<table>
<thead>
<tr>
<th>SUMMARY</th>
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<tbody>
<tr>
<td>Ch. 4 Economic Development</td>
</tr>
<tr>
<td><strong>Goal 1.</strong> Provide a business-friendly environment.</td>
</tr>
<tr>
<td><strong>Objective 1.1</strong> Continue improving the development review protocol so that it is user-friendly and streamlined.</td>
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<tr>
<td><strong>Objective 1.2</strong> Promote customer service in delivering City services.</td>
</tr>
<tr>
<td><strong>Ch. 12: Housing</strong></td>
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<tr>
<td><strong>Goal 1.</strong> Encourage development of a wide variety of high-quality housing opportunities that are safe, sanitary, attractive and affordable.</td>
</tr>
<tr>
<td><strong>Objective: 1.1</strong> Encourage development of housing affordable for households of all income levels throughout the community.</td>
</tr>
<tr>
<td><strong>Policy: a.</strong> Continue the support of a pro-active role in meeting demand for affordable housing.</td>
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**STAFF RECOMMENDATION:** Staff recommends that the Commission consider the proposed amendments to Title 16 Subdivision Regulations and take action to recommend approval, denial, or approval with modifications, of the proposed changes to City Council.

**OPTIONAL MOTIONS:**

1. “I MOVE TO RECOMMEND APPROVAL OF THE PROPOSED AMENDMENTS TO TITLE 16 SUBDIVISION REGULATIONS FINDING THE AMENDMENTS IN COMPLIANCE WITH THE COMPREHENSIVE PLAN AND THE SUBDIVISION ORDINANCE.”

2. “I MOVE TO RECOMMEND DENIAL OF THE PROPOSED AMENDMENTS TO TITLE 16 SUBDIVISION REGULATIONS, FINDING THE AMENDMENT __________________.”
Title 16 SUBDIVISION REGULATIONS
Chapter 16.04 GENERAL PROVISIONS

16.04.040: EXTRATERRITORIAL AUTHORITY:

A. Area Within The Urban Service Boundary, Rights Of City To Comment: All subdivisions of land within the officially designated urban service boundary (area of city impact), located outside the official limits of the city of Pocatello shall be administered in accordance with the ordinances of the county having jurisdiction. The county with jurisdiction shall transmit all proposed subdivision plats, within said area, to the city for review and comment at least fourteen (14) days before the first official decision regarding the subdivision is to be made by the county. Items which may be considered by the city include, but are not limited to, continuity of street pattern, street design, integrity and continuity of utility systems and drainage provisions and the provision of emergency services. (Ord. 2971, 2016)

Chapter 16.08 DEFINITIONS

16.08.010: GENERAL DEFINITIONS:

COMMON PROPERTY LINE: A property line between abutting properties and may consist of one or more connected line segments.

PUBLIC IMPROVEMENT STANDARDS: A set of regulations setting forth the details, specifications, and instructions to be followed in the planning, design, and construction of certain public improvements in the city, formulated by the city public works, the county health department, and other city departments and approved by the city council.

Chapter 16.12 PRE-APPLICATION REVIEW

16.12.010: PREAPPLICATION REVIEW REQUIRED:

All proposed land divisions shall may be reviewed by city staff prior to the submittal of a formal application, as deemed necessary by city staff on a case by case basis. Such review does not constitute filing of a land division application; rather, the purpose is to allow city staff concept review while allowing the applicant or applicant’s duly authorized representative the opportunity to ask questions regarding the regulations and design requirements applicable to the division of property and to become aware of any issues prior to formal submittal of a land division application. (Ord. 2971, 2016)

16.12.020: SUBMISSION REQUIREMENTS:

The applicant or applicant's duly authorized agent shall submit six (6) eleven inch by seventeen inch (11” x 17”) copies of the proposed land division concept plan to the planning and development services department. A. City staff shall review the submitted concept plan and evaluate compliance with the applicable provisions of the comprehensive plan, zoning ordinance, and other regulations. (Ord. 2971, 2016)
Chapter 16.16 SHORT PLAT SUBDIVISION APPLICATION

16.16.010: SHORT PLAT SUBDIVISION:

A. The applicant shall provide the city surveyor with a copy, on CAD Mylar film, of the recorded plat and an electronic (digital) AutoCAD® (DWG) format file within thirty (30) days of recording.

Chapter 16.20 PRELIMINARY SUBDIVISION PLAT APPLICATION

16.20.020: APPLICATION AND FEES:
The applicant or their authorized representative, after completing the preapplication concept review shall file an application for preliminary plat approval with the planning and development services department on a form prescribed by the city, together with ten (10) two (2) full size copies (18 inches x 24 inches), six (6) one (1) eleven inch by seventeen inch (11" x 17") drawings, and a PDF copy of the preliminary plat and the appropriate application fee paid in full. (Ord. 2971, 2016)

16.20.030: PRELIMINARY PLAT APPLICATION SUBMITTAL:

V. 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.

16.20.040: PRELIMINARY PLAT APPLICATION REVIEW:

E. Pursuant to section 67-6521, Idaho Code, any affected person may at any time prior to final action on a subdivision application, if no public hearing has been held, petition the city council commission or governing board in writing to hold a public hearing pursuant to section 67-6512, Idaho Code; provided however, that if twenty (20) affected persons petition for a hearing, the hearing shall be held.

16.20.050: REVIEW CRITERIA:

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. The use of a "control strip" intended to control or prevent the future extension of public facilities or development of adjacent land is prohibited.

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 application review.

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.
16.20.070: EXPIRATION OF PLANNING AND ZONING COMMISSION’S RECOMMENDATION:

A. The commission’s recommendation is valid for a period of two (2) years from the date the recommendation is reduced to writing and mailed to the applicant.

1. A. The complete final plat application must be submitted to the planning and development services prior to the expiration of the two (2) year period.

2. B. Failure to submit the complete final plat application prior to the two (2) year expiration date shall require the submittal of a new preliminary plat application pursuant to this chapter. (Ord. 2971, 2016)

Chapter 16.24 FINAL SUBDIVISION PLAT APPLICATION

16.24.020: APPLICATION AND FEES:

After the review and a recommendation of approval of the preliminary plat application by the planning and zoning commission, the subdivider may proceed with the preparation of a final plat application pursuant to the provisions of this chapter. A. The final plat application, with applicable fees, shall be submitted to the planning and development services department within the required two (2) year approval period pursuant to section 16.20.070 of this title. (Ord. 2971, 2016)

16.24.040: FINAL PLAT REQUIREMENTS:

G. All linear dimensions shall be shown to the nearest 0.01 of a foot and all bearings shall be shown to the nearest second of arc. All curves shall be defined by the radius, central angle, tangent, arc length, chord distance and chord bearing. The description and location of all monuments used to control the survey shall be shown.

1. All monuments shall be set in accordance with title 50, section 13, Idaho Code. All exterior boundary corners shall be marked with a five-eighths inch \( \left( \frac{5}{8} \text{ in.} \right) \) diameter by twenty four inch \( (24\text{ in.}) \) minimum length iron rod \( \left( \frac{5}{8}\text{ in.} \times 24\text{ in.} \right) \) with a two inch \( (2\text{ in.}) \) diameter aluminum cap. All exterior boundary corners shall also be marked with a metal "T" type fence post at least six feet \( (6\text{ ft}) \) in length set immediately adjacent to the required corner monument.

2. Street monument vaults shall meet city standards and be placed a maximum of six hundred feet \( (600\text{ ft}) \) apart with a two inch \( (2\text{ in.}) \) aluminum cap on top of a five-eighths inch by twenty four inch \( \left( \frac{5}{8}\text{ in.} \times 24\text{ in.} \right) \) iron rebar. All other centerline monuments shall be a two inch \( (2\text{ in.}) \) aluminum cap on top of a five-eighths inch by twenty four inch \( \left( \frac{5}{8}\text{ in.} \times 24\text{ in.} \right) \) iron rebar.

B. City staff shall perform a completeness will review of the final plat application for substantial conformity, within five (5) days from official receipt of the application.

a. If the final plat application is not complete and in substantial conformance, the final plat application will be considered incomplete and returned to the applicant. a. In the event that an incomplete application is returned more than two (2) times, additional application fees shall be required.
b. If the applicant desires to make changes affecting the substantial conformity of the final plat, then the plat application will be resubmitted to the planning and zoning commission for review and a new recommendation pursuant to the preliminary plat provisions of this title. The resubmittal of a preliminary plat for review by the planning and zoning commission will require the applicant to submit a new application fee according to the application fee schedule. (Ord. 2971, 2016)

16.24.070: FINAL PLAT APPROVAL:

B. Subject to city council consideration and approval and prior to recording, the final plat is subject to the following review process:

5. Upon receiving authorization from the surveyor for the county, the subdivider may submit the final plat on CAD Mylar film to the city surveyor in order to obtain the authorized city signatures.

16.24.080: RECORDING OF FINAL PLAT:
City approval of the final plat does not guarantee county approval for recording. After county signatures are obtained and the final plat is recorded, the subdivider is responsible for submitting one full size copy of the recorded plat on CAD Mylar film and an electronic (digital) AutoCAD® (DWG) format file to the city surveyor within thirty (30) days of recording.

16.24.090: RECORDING OF PHASES:

D. All phases proposed with the final plat application must be recorded within two (2) years from the date the original final plat application was approved by the city council otherwise said approval becomes null and void. Said two (2) year time period may be extended by the city council.

16.24.100: STRUCTURES, IMPROVEMENTS AND BUILDING PERMITS:

A. Building permits may be issued for structures or improvements on subdivision lots under any one of the following circumstances:

3. A building permit may be issued to a subdivision lot pursuant to subsection A2 of this section if the only remaining incomplete infrastructure component is the street pavement and both the city fire department and the public works department have determined that the street pavement subbase is sufficient to provide for emergency vehicle access to the lot until pavement is installed. Said determination shall be in writing and the appropriate bonding in place.

16.24.110: SUBDIVISION SURETY BOND AND WARRANTY BOND:

A. Provisions: Prior to obtaining required signatures of city officials necessary for authorization for the subdivider to record a final subdivision plat, the subdivider shall provide the city with a subdivision surety bond (surety bond) in order to ensure proper completion of all public infrastructure and improvements required to be installed in the subdivision. The surety bond shall be issued in the name of the "developer" (as defined below) and subject to these provisions:

1. "Subdivider" is defined as the person(s) or entity with vested ownership or operational control of the subject property or their legally authorized representative responsible for the subdivision of the subject property.
2. "Developer" is defined as the individual or entity with ownership and/or operational control of the development of the public infrastructure and improvements associated with the subdivision.

B. Contents: The surety bond shall be in a form and contain such provisions as authorized by city council and approved by the city legal department. The surety bond shall include at minimum, but not be limited to, the following:

1. Subject to approval of the estimated cost data and construction drawings, the surety bond amount shall be set at a minimum of one hundred twenty-five percent (125%) of the estimated cost of the required public infrastructure and improvements, and reviewed for accuracy by City staff.

C. Disposition And Release Of The Surety Bond:

1. The developer giving the surety bond provided for herein shall be responsible for all costs, materials and workmanship of infrastructure and improvements and public utilities.

2. At the completion of the work, the developer giving the surety bond shall submit to the public works department one CAD Mylar film copy of the final construction drawings and a digital copy of the "as built" drawings in accordance with the city electronic format and a certificate of completion signed by the developer and the developer's project engineer.

3. At completion of the work, the developer shall submit a written request to the public works director, or designee, requesting the eCity council to accept the public infrastructure and improvements and release the surety bond in part or in whole.

4. The public works director, or designee, shall, within fifteen (15) business days of the receipt of the developer's written request, authorize city staff to conduct an inspection of the public infrastructure and improvements and prepare a written inspection report.

5. Upon completion of the inspection and the inspection report, the public works director, or designee, shall determine if the requested public infrastructure and improvements have been properly completed and passed inspection or if said infrastructure and improvements, or portions thereof, have not been properly completed and/or failed inspection.

6. Upon a determination of proper completion, the public works director, or designee, shall present process the written request to accept the public infrastructure and improvements to the city council for final action and distill the determination of proper completion into written findings. This action shall constitute a formal acceptance and action of the required public infrastructure and improvements.

7. Upon a determination that said infrastructure and improvements, or portions thereof, have not been properly completed and/or failed inspection, the public works director, or designee, will provide the developer with a copy of the inspection report and a detailed "punch list" of the deficiencies.

   a. The developer must complete all identified deficiencies and pass required inspections in order to obtain a determination of proper completion and have their request for acceptance
8. In the event the developer fails to properly complete the public infrastructure and improvements and/or fails to comply with all applicable development standards within established time lines, the public works director, or designee, has the authority to initiate execution of the surety bond.

D. Partial Release Permitted: The public works director may, upon receipt of a written request from the developer, authorize a partial release of the surety bond in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Percentage of Work Value Completed</th>
<th>Maximum Percent of Surety Eligible for Release</th>
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<tbody>
<tr>
<td>25% of total surety value</td>
<td>Up to 20% of original surety</td>
</tr>
<tr>
<td>50% of total surety value</td>
<td>Up to 20% of original surety</td>
</tr>
<tr>
<td>75% of total surety value</td>
<td>Up to 20% of original surety</td>
</tr>
<tr>
<td>100% of total surety value</td>
<td>Up to 25% of original surety</td>
</tr>
</tbody>
</table>

1. Based on this schedule, the city would retain fifteen percent (15%) of the original surety bond amount.

2. Upon the proper execution of the required warranty bond pursuant to subsection E of this section, the city will release any remaining balance of the surety bond.

E. Warranty Bond Requirements:

1. The warranty time period of two (2) years for all public infrastructure and improvements shall begin on the date following the completion of all said infrastructure and improvements and final acceptance by the city council staff.

2. If the developer fails to make the required corrections within the reasonable time set per subsection E3 of this section, the public works director, or designee, may declare such developer in default and initiate execution and use of the warranty bond to defray the cost of required work.
   a. In the event the warranty bond is insufficient to cover the cost of making such corrections, the developer shall be responsible for all additional costs.
   b. If corrections have been required by the public works director, or designee, the original warranty period shall be extended an additional one year, for that work which has been corrected, from the date all required corrections have been completed and approved by the public works director, or designee.
Chapter 16.28 PROPERTY LINE ADJUSTMENT PROVISIONS

16.28.010: DEFINITIONS:
COMMON PROPERTY LINE: A property line between abutting properties and may consist of one or more connected line segments.

PROPERTY LINE ADJUSTMENT: The relocation of or elimination of a common property line between abutting properties that does not create an additional unit of land. (Ord. 2971, 2016)

16.28.020: STANDARDS:

16.28.030: APPLICATION:

16.28.040: IMPLEMENTATION:

16.28.050: FINAL APPROVAL:
PROJECT: City-initiated Text Amendment to Title 17 Zoning Regulations

REPRESENTATIVE: City of Pocatello Planning & Development Services Department

PLANNER: Carl Anderson, Senior Planner

TABLES: Table 1. Summary of Amendments to Title 17
Table 2. Compliance with 2015 Comprehensive Plan

ATTACHMENTS: Attachment A. Title 17 Proposed Amendments

NOTICE: Public notice for the public hearing to be held on November 13, 2019, was published in the Idaho State Journal on October 24, 2019, and again on November 5, 2019.

PUBLIC HEARINGS & MEETINGS: June 13, 2019 City Council Work Session (Meeting)
November 13, 2019 Planning & Zoning Commission (Hearing)

BACKGROUND:
Pursuant to City Code 17.02.180, the City Council, Planning & Zoning Commission or the Planning and Development Services Director may initiate action to amend the text of this Title 17. The Zoning Ordinance, Title 17, was last amended during a repeal and replace in 2008. Since that time staff has identified multiple items to be amended in order to improve the function of the zoning ordinance, as well as improve administration of the ordinance itself.

Pursuant to City Code 17.02.180.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.

On June 13, 2019, staff brought the proposed changes to City Council for a work session and requested direction on the proposed changes to Title 17 Zoning Regulations. The proposed amendments to Title 17, include many minor modifications, with some exceptions, and are intended to address the following objectives:

1. Improve the usability of Title 17 by consolidating related code sections and removing inconsistencies.
2. Removed the Neighborhood Commercial Zoning district from Title 17 as there are currently no properties with this zoning designation.
3. Remove the land use exception process from the code as this application is no longer necessary based on the purpose of the land use exception. The land use exception application is no longer in the fee schedule and such an application has not been processed since 2012.
4. Minor formatting modifications throughout the ordinance, including: deleting duplicate/not-applicable
definitions, correcting text, renumbering of multiple sections of code as detailed throughout.

After the initial meeting with City Council, staff identified eighteen (18) local developers, engineers and architects to review the proposed changes and provide comment. Of the eighteen (18), eight (8) agreed to review the changes and three (3) written comments were received regarding the changes as presented to Council on June 13, 2019.

Since that time, one alteration was made to the proposed changes. It was originally recommended that the Administrative Variance (17.02.170.K) be amended to require that an administrative variance be required to meet the criteria of a variance. After verbal comment was received by staff and upon further review, staff recommends that the administrative variance be moved to section 17.03.600 and retitled administrative adjustment with some modifications detailed in table 1. The modification to section 17.02.170.K will require a citation correction to City Code section 15. 20.240. B.2 & 8. Upon legal review, this section will be brought forward for modification at the time that the sign code is updated.

Of the comments received, it was also suggested that removal of off-street parking requirements in Old Town and the Warehouse District be extended to Original Townsite Overlay (OTO), and that the minimum lot size standards be reduced to reflect the existing fabric of the area of the OTO. These changes are not currently proposed, however, staff will review the OTO and evaluate the potential impact of said recommendations.

A summary of the proposed amendments is contained within Table 1 and alignment of the proposed amendments with the Comprehensive Plan is detailed in Table 2.

<table>
<thead>
<tr>
<th>TABLE 1. Summary of Amendments to Title 16</th>
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<tbody>
<tr>
<td>Section</td>
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<tr>
<td>------------------------</td>
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<tr>
<td>17.01 General Provisions</td>
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<td>17.02 Land Use Decisions</td>
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</table>
17.02.200: Decision Making Procedures/Public Hearings
- Deleted the Land Use Exception process from the Decision and Public Hearing Matrix.

17.02.600: Planning and Zoning Commission
- Modified sections B.1 & B2 to require that all Planning & Zoning Commission members reside in the City of Pocatello in order to align with Idaho State Code.

17.03 Zoning Districts
- Minor formatting modifications.
- Significant renumbering of code sections.
- Deleted the Neighborhood Commercial (NC) zoning district, and removed all references, as there is not a parcel of land in the City with this zoning designation.
- Moved residential, commercial, and industrial development standards (17.03.240, 340, and 440) to code Sections 17.05 Development standards. This was done to consolidate similar and applicable code sections in order to increase usability of the code.
- Reorganized code sections 17.03.500, 510, 520, 530 to 17.03.400, 410, 420, and 430 in order to be aligned with the remainder of the zoning districts.
- Consolidated code sections 17.03.230, 330, and 430 into one use table in order to increase the usability of the code. These code sections have been consolidated into 17.03.500 District Use Table.
  - Changes to the consolidated use table (17.03.500) include reformatting, changes to note numbering, and removing inconsistencies.
  - The use of “Group Home” was added to the use table.
  - Medical Centers are recommended to no longer be permitted by CUP in the RMS zoning district.
  - Upper story Residential Condominiums would be allowed in the CG, CC, LI and L with the addition of note 7 which states Residential uses are permitted outright in upper stories, provided that ground floor commercial use is also provided on the property. (NEW) For Industrial and Light Industrial districts, residential uses are further restricted to the designated Warehouse Historic District. (NEW)
  - Uses were made to be either, permitted, conditionally permitted, not permitted, or restricted in conjunction with a note where applicable.
- Consolidated code sections 17.03.240, 340, and 440 Tables into a single table. These code sections have been consolidated into section 17.03.600.
<table>
<thead>
<tr>
<th>Dimensional Standards.</th>
</tr>
</thead>
<tbody>
<tr>
<td>o Changes to the consolidated Dimensional Standards Table (17.03.600) include reformatting, changes to note numbering, and remove inconsistencies.</td>
</tr>
<tr>
<td>o Parking lot landscaping and setback standards were added for all residential zoning districts. (NEW)</td>
</tr>
<tr>
<td>o House setbacks were removed as these are accounted for with the front yard, side facing street, side yard, and rear yard.</td>
</tr>
<tr>
<td>o Addressed an issue identified in code in the RH and RCP zoning districts where instances have occurred, based on minimum lot size requirement, that a duplex would be prohibited while a triplex or fourplex would be permitted. Note 12 was added which states: A two-family home shall be permitted where enough lot area is available for a triplex or fourplex.</td>
</tr>
<tr>
<td>o Add administrative adjustment process to Section 17.03.600. As previously stated, this process will no longer require neighbor signoff, however, it must be demonstrated that the 10% adjustment will not create any adverse impacts which will negatively impact the public health, safety and welfare. Additionally, include minimum lot size as eligible for an Administrative adjustment.</td>
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<table>
<thead>
<tr>
<th>17.04 Overlay Areas</th>
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<tbody>
<tr>
<td>• Minor formatting modifications.</td>
</tr>
<tr>
<td>• 17.04.220: Original Townsite Overlay (OTO)</td>
</tr>
<tr>
<td>o D.3 Remove the requirement for building height in OTO which states, “The maximum height of the principal building shall not exceed the average height of the existing buildings located on the face of the block by more than ten percent (10%).”</td>
</tr>
<tr>
<td>o The section now states that, “the maximum height of the principal building shall not exceed the maximum height permitted in the underlying zoning district.” This was done in order to encourage development, and increase enforceability of the standard.</td>
</tr>
<tr>
<td>o D.4 was re-worded to clarify the permitted accessory structure footprint and to remove lot coverage requirements as there is no longer a standard for lot coverage.</td>
</tr>
<tr>
<td>• 17.04.230: Residential Stabilization Overlay (RSO):</td>
</tr>
<tr>
<td>o Removed the requirement that existing structures not be removed unless it is determined by the building official that such creates a danger to the public’s health, safety, and general welfare.</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>17.05 Development Standards</th>
</tr>
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<tbody>
<tr>
<td>• 17.05.250.A was modified to include the following language: “In addition to the required trees as noted in each district, said landscaping shall consist of vegetative cover including but not limited to Decorative grasses, shrubs or other low water vegetative ground cover. The remaining ground cover may consist of non-vegetative cover such as Decorative rock, bark, or drought tolerant grass. Kentucky Bluegrass is allowed but more drought tolerant / low water grasses are encouraged.”</td>
</tr>
<tr>
<td>• 17.05.260. A was modified to remove an inconsistency in the percent of parking lot landscaping required.</td>
</tr>
<tr>
<td>• 17.05.260. A.5 was modified to clarify landscaping requirement for vegetative and nonvegetative ground cover.</td>
</tr>
</tbody>
</table>
17.05.260. C was modified to include the language stating that, “the landscaped area outside the required setback area landscaping may be counted toward the required interior landscaped area”.

17.05.270 Transitional Landscape Buffers was edited in order to improve the administration of this section of code.

17.05.520 Applicability. This section was edited in order to state the following:
  o Because of the special physical constraints in the central commercial zoning district, and the designated Warehouse Historic District, off street parking requirements in this the aforementioned districts need not be met for any permitted use which occupies or will occupy an existing building. All off street parking requirements shall be met for uses involving new construction or expansion of existing structures.
  o This was done to encourage infill development in these areas and to retain the historical character of the area.

New Section 17.05.600-630 District Development Standards (moved from 17.03).
  o This section consolidates residential, commercial, and industrial development standards into one place.
  o Minor formatting modifications were made to this section.
  o Lighting standards were removed under section 17.05.120.E.3 as these requirements are located in code section 17.05.400.

17.06 Special Use Standards

17.06.100 Accessory Dwelling Units (ADU):
  o The requirement for a Conditional Use Permit was removed for accessory dwelling units. This process would be modified to an administrative review. Staff’s recommendation is that should an ADU comply with all Accessory Dwelling Standards, it be permitted outright.

17.06.200 Accessory Structures:
  o 1. a was modified to clarify that the accessory structure combined footprint not exceed the primary structure and removed reference to lot coverage.

Table 2. Compliance with 2015 Comprehensive Plan

<table>
<thead>
<tr>
<th>SUMMARY</th>
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<tbody>
<tr>
<td>Ch. 4 Economic Development</td>
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</table>

**Goal 1.** Provide a business-friendly environment.

**Objective 1.1** Continue improving the development review protocol so that it is user-friendly and streamlined.

**Objective 1.2** Promote customer service in delivering City services.

**Goal 3.** Strengthen the City’s accessibility, convenience, desirability and image as a regional shopping center and place to do business.

**Objective 3.2** Allow for and encourage the development of a variety of retail and service businesses that are pleasant places for people to shop, work, walk and congregate.

**Policy a.** Encourage mixed-use and infill development in key locations throughout the community.

**Objective 3.3** Encourage infill and redevelopment of established industrial, employment and commercial areas.

**Policy b.** Develop design standards and guidelines to ensure compatibility of new infill development in the
Ch. 5: Land Use

**Goal 1.** Implement zoning designations and development regulations that accommodate existing and future needs of the City’s population and that serve to facilitate orderly development within the City and region.

**Goal 3.** Develop and implement zoning designations and regulations that promote land uses and developments that complement the surrounding vernacular while utilizing the unique context and opportunities of each designated area.

**Objective 3.1** Develop zoning districts and regulations that focus on relationships between developments based on form, scale and function.

**Policy a.** Explore all of the various planning options available to provide flexible, diverse and productive development options in their respective and proper locations.

**Policy b.** Develop design codes that support infill development and redevelopment that is visually compatible with the surrounding neighborhood and complements established areas.

Ch. 12: 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.

**Policy: a.** Continue the support of a pro-active role in meeting demand for affordable housing.

**Goal 2.** Adopt zoning districts and Development regulations that allow for a variety of housing types responsive to the needs within the community.

**Policy: a.** Provide opportunities for accessory dwellings in residential zones by applying development standards that address architectural design, parking and separate entrances for accessory dwellings.

**Goal 4.** Provide greater opportunities for the development of a greater variety of mixed-use housing types above commercial and office space.

**Objective: 4.1** Promote infill and redevelopment that increases opportunities for upper-story mixed-use housing.

**Policy: a.** Develop zoning designations and ordinance provisions that promote development of upper-story mixed-use housing opportunities in order to fulfill the need for this type of housing.

Ch.13 Community Design

**Goal 1.** Improve the physical appearance and image of the City of Pocatello.

**Objective 1.1** Improve the physical appearance and image of the City of Pocatello.

**Policy d.** Encourage buffer areas and open spaces between residential and other districts to promote compatibility between uses.

**Goal 2.** Consider use of various planning tools available that are flexible and predictable which generally improve the overall appearance of Pocatello.

**Objective 2.1** Incorporate predictable but flexible development options into the zoning ordinance based on current planning practices.

**Policy b.** Develop and incorporate flexible and easily understood design guidelines and standards that assist citizens, business owners and design professionals to contribute positively to surrounding land uses.
Policy d. Maintain the Site Plan Review Committee process to assist developers and applicants with design and potential issues.

**Objective 2.2** Encourage development that is attractive and compatible and improves the quality of its surrounding environment, including established neighborhoods.

Policy c. Encourage landscape and beautification efforts with all new development.

**Goal 3.** Promote an attractive and walkable community.

**Objective 3.1** Create pedestrian friendly environments in all areas of the City of Pocatello.

**Policy b.** Require buildings, whether residential, commercial, office or institutional, to be compatible in terms of scale and/or design for both the automobile and pedestrians.

<table>
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<th>Ch.18 Implementation</th>
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**Goal 2.** Implement goals, objectives and policies of the Comprehensive Plan.

**Objective 2.2** Incorporate goals, objectives and policies of the Comprehensive Plan into municipal codes.

**Objective 2.3** Use Comprehensive Plan goals, objectives and policies to develop written standards with which to regulate development in order to protect public health, safety and welfare.

**STAFF RECOMMENDATION:** Staff finds that the proposed text amendments meet the standards of city Code 17.02.180.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 take action to, recommend approval, denial, or approval with modifications, of the proposed changes to City Council.

**OPTIONAL MOTIONS:**

1. “I MOVE TO RECOMMEND APPROVAL OF THE PROPOSED AMENDMENTS TO TITLE 17 ZONING REGULATIONS FINDING THE AMENDMENTS IN COMPLIANCE WITH THE COMPREHENSIVE PLAN AND THE CRITERIA LISTED IN CHAPTER 17.02.180”

2. “I MOVE TO RECOMMEND DENIAL OF THE PROPOSED AMENDMENTS TO TITLE 17 ZONING REGULATIONS, FINDING THE AMENDMENT ______________________.”
ATTACHMENT A
Chapter 17.01
GENERAL PROVISIONS

17.01.130: CONSISTENCY WITH COMPREHENSIVE PLAN:

Zoning districts shall be guided by use designations outlined in the Pocatello comprehensive plan. The following chart shall be used to guide consistency.

PLAN DESIGNATION-ZONING DISTRICT CONVERSION CHART

<table>
<thead>
<tr>
<th>Plan Designation</th>
<th>Zoning Districts Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>R Residential</td>
<td>RE Residential estate</td>
</tr>
<tr>
<td></td>
<td>RL Residential low density single-family</td>
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<tr>
<td></td>
<td>RMS Residential medium density single-family</td>
</tr>
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<td></td>
<td>RMM Residential medium density multi-family</td>
</tr>
<tr>
<td></td>
<td>RH Residential high density multi-family</td>
</tr>
<tr>
<td>MU Mixed use</td>
<td>RCP Residential/commercial/professional</td>
</tr>
<tr>
<td>C Commercial</td>
<td>CC Central commercial</td>
</tr>
<tr>
<td></td>
<td>NC Neighborhood commercial*</td>
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<tr>
<td></td>
<td>CG Commercial general</td>
</tr>
<tr>
<td>E Employment</td>
<td>I Industrial</td>
</tr>
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<td></td>
<td>LI Light industrial</td>
</tr>
<tr>
<td></td>
<td>OP Office park</td>
</tr>
<tr>
<td>P Public</td>
<td>A Airport</td>
</tr>
<tr>
<td></td>
<td>PLF Public land/facility</td>
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</tbody>
</table>
17.01.150: DEFINITIONS:

CITY: The City of Pocatello.

ENTERTAINMENT FACILITY/THEATER: A building or part thereof, not publicly owned, devoted to showing motion pictures or dramatic, musical, or other live performances.

HOUSEHOLD: A unit used in determining occupancy/category of residential use for any given unit. The following shall constitute one household unit: A person living alone, or any of the following groups living together as a single housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

A. One person living alone;
B. Any number of people related within the second degree of consanguinity (blood) or affinity (marriage), including such relationships by virtue of adoption, guardianship, or other court-ordered custodial arrangement, living together by blood, marriage, adoption, guardianship or other duly-authorized custodial relationship; or
C. Two (2) unrelated or nonmarried people and any children related, within the degree described above, to either of them; or
D. Not more than three (3) unrelated people if any one of them is not related, as described above, to both the others.

“Household” does not include: Any society, club, fraternity, sorority, association, lodge, federation, or like organization; any group of individuals whose association is temporary or seasonal in nature; or any group of individuals who are in a group living arrangement as a result of criminal offenses.

LANDSCAPING: Improvements consisting of living plants vegetation such as trees, shrubs, vines, ground covers or grass; and non-vegetative cover natural features such as wood chips, stone, or decorative rock.

LOT COVERAGE: The percentage of impervious surface in relation to total lot area.

NONVEGETATIVE GROUND COVER: River Decorative rock, stone, bark, gravel, or other city approved ornamental cover.

RESIDENTIAL RENTAL DWELLING: Either a single unit dwelling or a two-unit dwelling structure in which all, or a portion, of the structure is made available for nontransient lodging for compensation for a single household unit. Contrast with boarding houses and multiple-family dwellings (apartment buildings or complexes), which are not included in this category.

SETBACK: The minimum distance required between a lot line and a structure, or parking lot.
17.02.130: CONDITIONAL USE PERMITS (CUP):

E. Authority To Grant: The hearing body may approve, approve with conditions, or deny an application for a conditional use permit. The decision may be appealed by the applicant or other affected persons (according to the provisions of Idaho Code section 67-6521) to the city council, using the process outlined in section 17.02.400, “Appeals”, of this chapter. The hearing body may impose any conditions necessary to accomplish the following:

1. Minimize potential adverse impacts on other developments and surrounding land use;
2. Control the sequence and timing of development;
3. Control the duration of the construction period;
4. Assure that development is maintained properly;

5. Designating the exact location and nature of development;
6. Require the provision for on site or off site public facilities or services;
7. Require more restrictive standards than those generally required in this title;
8. Require mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction;
9. Require that studies addressing demographic, economic, fiscal, traffic, engineering, geologic, and environmental concerns effects and any aviation hazard as defined in section 21-501 (2), Idaho Code, be conducted prior to granting approval.
17.02.140: LAND USE EXCEPTIONS:

A. Purpose: The land use exception process is established to allow applicants for an exception to land use standards and regulations to bypass the conditional use permit, variance, or sign exception process, in the interests of time, complexity of application, and/or for the convenience of the applicant. In the land use exception process, the public hearing is held before the city council, rather than before the hearing examiner or planning and zoning commission. As with the standard conditional use permit, variance, and sign exception process, the land use exception process affords the city an opportunity to review the location, design, configuration, and potential impact of the proposal on surrounding land uses.

B. Application: A land use exception application shall be filed and include all information and fees outlined on the application form.

C. Hearings And Notices: Upon receipt of a complete land use exception application, a hearing date shall be set, notice of the hearing provided, and hearing held in the manner required by section 17.02.300, "Decision Making Procedures/Public Hearings," of this chapter.

D. Criteria For Review: Criteria for evaluation of land use exceptions shall be as outlined for the specific land use process from which an exception is requested (see sections 17.02.130 and 17.02.170 of this chapter and section 15.20.260 of this code).

E. Amendments To Approved Land Use Exceptions: Standards for evaluation of amendments to land use exceptions shall be as outlined for the specific land use process from which an exception was obtained (see sections 17.02.130 and 17.02.170 of this chapter and section 15.20.260 of this code). (Ord. 2846 § 1, 2008)

17.02.1540: PLANNED UNIT DEVELOPMENTS:

F. Amendments (Major And Minor): An approved PUD may be amended by the following procedures:

1. Major Amendments: These shall be processed in the same manner as the original planned unit development application. Major amendments are listed below:

   a. Change in the proposed land uses;

   b. Change in the street pattern, particularly if it would negatively impact adjoining property as determined by the director;

   c. Increase in overall density or intensity of use that exceeds either:

      (1) Ten percent (10%) of the approved number of dwelling units; or

      (2) Ten percent (10%) of the total approved building square footage;

   d. Decrease of more than ten percent (10%) of approved number of parking spaces;

   e. Change in the proposed phasing sequence of the PUD;
f. Decrease in the amount of required or proposed open space, landscaping or required setbacks exceeding ten percent (10%) of the approved amount;

g. Changes in the location and number of curb cuts onto a collector or an arterial street; and

h. Any other proposed change deemed by the director to be a major change.

2. Minor Amendments: Upon written request from an applicant detailing the proposed amendment, these minor modifications shall be reviewed and determination made by the site plan review committee (see section 17.02.500 of this chapter) Director using the criteria listed below. Appeal of the committee’s Director’s decision may be made to the Planning and Zoning Commission and shall follow the provisions of section 17.02.300, "Decision Making Procedures/Public Hearings", of this chapter. The following are considered minor amendments to a planned unit development:

H. Development Standards In A Residential/Commercial/Professional (RCP) District: Planned unit developments may be proposed in RCP districts for all residential, residential/commercial/professional, neighborhood commercial, and commercial general uses. Development standards include:

1. Uses permitted in a commercial general district may constitute up to twenty five percent (25%) of the net land area in a residential/commercial/professionally zoned PUD.

2. No uses, other than those permitted in R, RCP, NC, or CG zoning districts (see sections 17.03.200 and 17.03.300 of this title) may be permitted within an RCP PUD.

17.02.1650: NEIGHBORHOOD REFINEMENT PLAN (NRP):

17.02.1760: VARIANCES:

A. Definition: A variance is a modification of the bulk and placement requirements of this title as to lot size, lot coverage, lot width, lot depth; front yard, side yard, rear yard setbacks; parking space requirements, height of buildings, or other ordinance provisions adversely affecting the development or use of property. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of the characteristics of the site and that the variance is not in conflict with the public interest.

F. Criteria For Review: The hearing-examiner shall review the facts and circumstances of each proposal shall be reviewed, and render a decision rendered, based on in the form of written findings of fact that address all of the following criteria:

K. Administrative Variance: The director, or designee, may approve the modification of a setback, building height, minimum lot coverage size, or building footprint size requirement of this title by up to ten percent (10%) subject to the following requirements:

1. All standards of City Code 17.02.170.F.1-5, Criteria for Review, shall be met.

2. 1. The applicant must provide written consent from all adjoining property owners of record, signified by the owner’s signature on a form provided by planning and development services.

3. 2. The consent form shall clearly describe the nature of the proposed variance request and state that the property owner, by signing the form, is consenting to the variance request.
4.3. If any of the adjoining owners fail to sign the consent form, then the administrative variance cannot be processed.

5.4. If the applicant fails to obtain all the required signatures they may, at their own discretion, submit a variance application pursuant to this section. (Ord. 2931, 2014)

17.02.1870: TITLE TEXT AND MAP AMENDMENTS:

17.02.1980: INTERPRETATIONS:

17.02.300: DECISION MAKING PROCEDURES/PUBLIC HEARINGS:

A. Purpose, Application, And Public Notice Requirement:

1. Purpose: The purpose of this chapter shall be to provide interested persons an opportunity to be heard, to provide a clear and open decision making process, and to satisfy the requirements of Idaho Code.

2. Decisions And Public Hearings: All public hearings shall comply with the standards set forth by this chapter and the provisions of Idaho Code. Decision making responsibility for land use decisions and requirements for public hearings are set forth in the following matrix:

DECISION AND PUBLIC HEARING MATRIX

H = Hearing before the review body
R = Recommendation by the review body
D = Final decision by the review body

<table>
<thead>
<tr>
<th>Land Use Process</th>
<th>Director</th>
<th>Historic Preservation Commission</th>
<th>Hearing Examiner</th>
<th>Planning And Zoning Commission (P&amp;Z)</th>
<th>City Council (CC)</th>
<th>Appeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interpretations (section 17.02.190 of this chapter)</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td>City council</td>
<td></td>
</tr>
<tr>
<td>Time extensions (sections 17.02.130, 17.02.170 of this chapter)</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td>City council</td>
<td></td>
</tr>
<tr>
<td>Certificate of appropriateness (section 17.04.210 of this title)</td>
<td>D</td>
<td></td>
<td>City council</td>
<td></td>
<td></td>
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<tr>
<td>---------------------------------------------------------------</td>
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</tr>
<tr>
<td>Sign exception(^1) (section 15.20.250 of this code)</td>
<td></td>
<td>H/D</td>
<td>City council/district court</td>
<td></td>
<td></td>
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<tr>
<td>Variance (section 17.02.170 of this chapter)</td>
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<td>H/D</td>
<td>City council/district court</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conditional use permit (1.5 acres or less) (section 17.02.130 of this chapter)</td>
<td></td>
<td>H/D</td>
<td>City council/district court</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conditional use permit (over 1.5 acres) (section 17.02.130 of this chapter)</td>
<td></td>
<td>H/D</td>
<td>City council/district court</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land-use exception (section 17.02.140 of this chapter)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>H/D</td>
<td>District court-</td>
<td></td>
</tr>
<tr>
<td>Public lands/facilities use proposal</td>
<td></td>
<td></td>
<td>H/R</td>
<td>D</td>
<td>District court</td>
<td></td>
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</table>

\(^1\) Not applicable to land use exception.
<table>
<thead>
<tr>
<th>(section 17.03.520 of this title)</th>
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<th></th>
<th><strong>H/R</strong></th>
<th><strong>H/D</strong></th>
<th>District court</th>
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<tr>
<td>Zoning text/map amendment (section 17.02.180 of this chapter)</td>
<td></td>
<td></td>
<td><strong>H/R</strong></td>
<td><strong>H/D</strong></td>
<td>District court</td>
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<td>Planned unit development (section 17.02.150 of this chapter)</td>
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<td><strong>H/R</strong></td>
<td><strong>H/D</strong></td>
<td>District court</td>
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<tr>
<td>Neighborhood plan refinement (section 17.02.160 of this chapter)</td>
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<td><strong>H/R</strong></td>
<td><strong>H/D</strong></td>
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<td>Annexation (section 17.02.110 of this chapter)</td>
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<td><strong>H/R</strong></td>
<td><strong>H/D</strong></td>
<td>District court</td>
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<td>Vacation (Idaho Code 50-311 or 50-1306A)</td>
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<td></td>
<td><strong>H/D</strong></td>
<td><strong>H/D</strong></td>
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<td>Comprehensive plan amendment (section 17.02.120 of this chapter)</td>
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<td><strong>H/R</strong></td>
<td><strong>H/D</strong></td>
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<td>Subdivision(^2) (title 16 of this code)</td>
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<td>D</td>
<td>District court</td>
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<td>----------------------------------------</td>
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<td>Wireless communications facilities (title 15, chapter 15.42 of this code)</td>
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<td>H/D</td>
<td>City council/district court</td>
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<tr>
<td>Wind energy conversion system (section 17.06.600 of this title)</td>
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<td></td>
<td>H/D</td>
<td>City council/district court</td>
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Notes:
2. Governed by title 16, "Subdivision Regulations", of this code.

**17.02.700: PLANNING AND ZONING COMMISSION:**

**B. Membership, Selection, Term And Rules, Records And Meetings:**

1. Membership: The commission shall consist of seven (7) members, six (6) all of whom shall be residents of the city. The seventh member shall be appointed from among residents within the area of city impact.

2. Selection: Commission members shall be appointed by the mayor and confirmed by majority vote of the city council. A member of the commission shall have resided in the city or area of city impact for at least two (2) years prior to appointment and shall remain a resident of the city or area of city impact during the term(s) of appointment. All commission members shall serve without compensation. The city council may authorize the reimbursement of costs for expenses incurred in the course of carrying out legitimate commission duties.
Chapter 17.03
Zoning Districts

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17.03.4200: List of Zoning Districts:
17.03.4300: Uses:
17.03.4400: Development Standards: (Moved to 17.05)
17.03.4500: Additional Development Standards: (Moved to 17.05)
17.03.5600: Special Base Zoning Districts: (Moved to 17.03.400)
17.03.5610: Airport District (A): (Moved to 17.03.410)
17.03.5620: Public Lands/Facilities District (PLF): (Moved to 17.03.420)
17.03.5630: University District (U): (Moved to 17.03.430)

17.03.100: Establishment of Districts

A. Zoning Map: The boundaries of zoning districts are hereby established as shown on a map entitled the "Zoning Map Of The City Of Pocatello, Idaho". The map may be periodically amended and is hereby made a part of this title by reference. Where uncertainty exists regarding a zoning district boundary, an interpretation shall be made in accordance with section 17.02.100 of this title.

B. Zoning Districts and Standards: The zoning districts and standards set forth in this title are the development standards and requirements that apply to land located within a specified zoning district. The standards are organized by zoning district and specify the purpose of each zoning district, the uses allowed in each district, and other standards and criteria that apply. Unless otherwise noted, the standards contained in this chapter are declared to be minimum standards. (Ord. 2846 § 1, 2008)

17.03.200: Purpose

A. The purpose of Residential zoning districts are established to promote the orderly development and maintenance of livable, peaceful and attractive neighborhoods where residents can live their home life with a minimum of disturbance and disruption. Residential
neighborhoods are to be developed to be pedestrian friendly. Only such uses as may not interfere unreasonably with the enjoyment of normal home activities shall be permitted. Standards are designed to encourage residential development and nonresidential development (schools, churches, parks and recreation facilities, daycare centers, neighborhood commercial uses, and other services) that are compatible. Nonresidential development is to be at appropriate locations and scale.

B. Another purpose of these regulations is to create an environment in which construction of a full range of owner occupied and rental housing at affordable prices is encouraged. This can be accomplished by providing residential zoning districts of varying densities, encouraging innovative design, and providing reasonable development standards to encourage construction of affordable housing. (Ord. 2846 § 1, 2008)

B. The purpose of the commercial and mixed use zoning districts is to provide a range of commercial services for community residents. Commercial and mixed use zoning districts are intended to promote the availability of a full range of retail and office uses that are available throughout the city, so that residents can fulfill all or most of their needs within easy driving, walking and/or biking distance of their homes. The location of each commercial district shall be carefully selected, and designed according to development standards created to minimize the potential adverse impacts of commercial activity on established residential areas. Mixed use areas are intended to include residential, commercial and institutional activities, and may be located in new and redeveloping commercial areas and near residential districts where appropriate. A further purpose of these regulations is to promote a full range of economic activities and job opportunities within the city limits, in compliance with the economic goals of the comprehensive plan. (Ord. 2846 § 1, 2008)

C. The purpose of the industrial and employment zoning districts is to designate areas where a range of industrial services and employment for city residents are permitted. The regulations governing development in industrial and employment zoning districts are to ensure that a full range of job opportunities is available throughout the city so that residents can work close to home if they choose. Design guidelines and development standards are established to minimize the potential adverse impacts of industrial activity on residential areas. A further purpose of these regulations is to ensure that there is a full range of economic activities and job opportunities within the city limits, in compliance with the economic development goals of the comprehensive plan. (Ord. 2896, 2011)

17.03.300: List of Zoning Districts

A. Residential Estate District (RE): The RE zoning district is designed primarily to accommodate detached single-family dwellings with or without accessory residential dwelling units at a minimum lot size of fifteen thousand (15,000) square feet and larger. Open space, park lands, and neighborhood recreation areas are encouraged. Some civic and institutional uses are also conditionally permitted.

B. Residential Low Density Single-Family District (RL): The RL zoning district is designed to accommodate single-family dwellings and a mix of other housing types such as accessory dwellings, townhomes, and two-family dwellings. Neighborhood park and recreation areas are encouraged. Some civic and institutional uses are also conditionally permitted.
C. Residential Medium Density Single-Family District (RMS): The RMS zoning district is designed to accommodate single-family dwellings, and a mix of other housing types such as accessory dwellings, townhomes, and two-family dwellings. Development standards for this zoning district promote pedestrian travel to a variety of neighborhood services within close proximity. Neighborhood park and recreation areas are encouraged. Some civic and institutional uses are also conditionally permitted.

D. Residential Medium Density Multi-Family District (RMM): The RMM zoning district is designed to accommodate a mix of housing types including single-family dwellings, townhomes, two-family dwellings, multi-family dwelling units (apartments), condominiums and accessory dwellings. Development standards for this zoning district promote pedestrian travel to a variety of neighborhood services within close proximity. Neighborhood park and recreation areas are encouraged. Some civic, institutional and neighborhood commercial uses are also conditionally permitted.

E. Residential High Density Multi-Family District (RH): The RH zoning district is designed to accommodate a variety of housing types including single-family dwellings, two-family dwellings, accessory dwellings, multi-family dwelling units (apartments), townhomes, and condominiums. Development standards for this zoning district promote pedestrian travel to a variety of neighborhood services within close proximity. Neighborhood park and recreation areas are encouraged. A limited amount of neighborhood commercial, civic, and institutional uses are permitted outright. Other civic and institutional uses also are conditionally permitted. (Ord. 2931, 2014)

A. Neighborhood Commercial District (NC): The NC zoning district is designed to provide convenient shopping facilities to meet the regular needs of nearby residential neighborhoods. With a service area of about one and one-half (1.5) miles, such commercial centers typically range in size from ten thousand (10,000) to forty thousand (40,000) gross square feet on sites less than five (5) acres. Separated from other commercially zoned areas by at least one-half (1/2) mile, community commercial centers are intended to serve several residential neighborhoods, ideally at the intersection of two (2) or more major collector streets or at the intersection of an arterial and collector street. Housing is permitted in this district provided buildings maintain ground floor commercial storefronts. Residential density shall not exceed eight (8) units per net acre, i.e., the maximum density permitted in the RMM zone district. A limited number of higher intensity uses, including, but not limited to, car washes, gas stations, religious institutions, and parking lots, are conditionally permitted. In addition to mandatory site development review, design guidelines and development standards in the NC zoning district have been adopted to ensure that developments will be well-integrated, attractively landscaped, and promote pedestrian travel to neighborhood services within close proximity.

F. Residential/Commercial/Professional District (RCP): The RCP zoning district is intended to accommodate a mix of residential, professional office, and neighborhood commercial uses including business/professional services, convenience retail, personal services, and restaurants, in close proximity to residential areas and major transportation facilities. Residential uses are permitted consistent with the density and requirements of the RH zoning district. Heliports, medical centers, and some utilities are conditionally permitted. Developments in the RCP zoning district may be used to serve as a buffer between residential areas and commercial and/or industrial areas.
G. Commercial General District (CG): The CG zoning district is designed to accommodate a full range of retail, office and civic uses with a citywide and/or regional trade area. Residential uses are permitted provided that buildings maintain ground floor commercial storefronts. A wide range of higher intensity uses, including, but not limited to, self-service storage, utilities, heliports, and major event entertainment, are conditionally permitted.

H. Central Commercial District (CC): The CC zoning district is designed to provide a concentrated central business district, centered on the city's historic downtown, including a mix of civic, retail, and office uses. Residential uses are permitted provided buildings maintain ground floor commercial storefronts. A wide range of uses, including, but not limited to, facilities with drive-up windows, major event entertainment facilities, and gasoline stations, are conditionally permitted. Some properties in this central commercial zoning district are further subject to the standards of the historic preservation overlay (see section 17.04.210 of this title). (Ord. 2896, 2011: Ord. 2846 § 1, 2008)

I. Office Park District (OP): The OP zoning district provides appropriate locations for combining light industrial, office, business, research and development activities, and secondary small scale commercial uses that serve the employees and businesses in the office park zone, e.g., hotels, restaurants, daycare, personal services and fitness centers, in a campus like setting. Only those light industrial uses with no off-site impacts, e.g., noise, glare, odor, vibration, are permitted in the OP zoning district. In addition to mandatory site development review, design and development standards in the OP zoning district have been adopted to ensure that developments will be well integrated, attractively landscaped, and promote pedestrian travel.

J. Light Industrial District (LI): The LI zoning district provides appropriate locations for general industrial uses including industrial service, light industrial production, research and development, warehousing and freight movement, and wholesale sales activities with minimal impacts on neighboring properties due to nuisance characteristics such as noise, glare, odor, and vibration.

K. Industrial District (I): The I zoning district provides appropriate locations for intensive industrial uses including industrial service, manufacturing and production, warehousing and freight movement, railroad yards, waste related, and wholesale sales activities. Activities in the I district include those which involve the use of raw materials, require significant outdoor storage and generate heavy truck and/or rail traffic. Because of these characteristics, industrially zoned property should be carefully located to minimize impacts on established residential, commercial, and light industrial areas. (Ord. 2846 § 1, 2008)

17.03.5400: SPECIAL BASE ZONING DISTRICTS:

Special base zoning districts are those zoning districts that have a unique application in the community and are associated with land and facilities that are in a fixed location. The purpose of each special base zoning district is usually tied to a master plan for a facility or property. (Ord. 2846 § 1, 2008)

17.03.5410: AIRPORT DISTRICT (A):

A. Purpose: The airport district (A) is established to provide for the aesthetic enhancement and orderly development and maintenance of uses within the city of Pocatello’s regional airport and the surrounding area. The development of such properties will address the following goals:

2. Provide a mix of land uses that offer a variety of services for airport visitors, corporate and business offices, and the general public.

3. Promote the Pocatello Regional Airport as a regional aviation center.

B. Master Plan: The currently adopted airport master plan (for lands not governed by FAA regulations) is the document that governs and directs the improvement and growth of the physical airport. The type of uses proposed shall be reviewed and approved by the airport committee, and processed as set forth under the adopted master plan. (Ord. 2896, 2011: Ord. 2846 § 1, 2008)

17.03.5420: PUBLIC LANDS/FACILITIES DISTRICT (PLF):

A. Purpose: The purpose of the public lands/facilities district is to satisfy general public needs by reserving land to accommodate public utilities, facilities, resource protection areas, and/or other public infrastructure deemed to be of local, regional, state, or national importance.

B. Permitted Land Uses: Permitted uses include, but are not limited to, public uses, agriculture/horticulture, cemeteries, detention facilities, heliports, and wireless communication facilities.

C. Review Procedures: As a result of the potentially large size and unique operational characteristics of certain public facilities and their attendant impacts on other property and the natural environment, all site development proposals shall require specific approval from the city council after public hearing, review, and recommendation from the planning and zoning commission. Notices and public hearing procedures shall be as outlined in section 17.02.3200, "Decision Making Procedures/Public Hearings", of this title.

D. Standards: All uses within this district shall be designed and built in a manner so as to minimize any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, radioactive or other hazardous condition; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare or heat; liquid or solid refuse or wastes; or other substances, conditions or elements in a manner or amount as to adversely affect the surrounding area. (Ord. 2846 § 1, 2008)

17.03.5430: UNIVERSITY DISTRICT (U):

A. Zoning Map Designation: The "university district" is defined as those lands depicted as such on the zoning map, encompassing properties either owned by or under the control of Idaho State University and/or comprising the university's campus at the time this title was adopted.

B. Development Plan: Land use on the campus of Idaho State University is governed by State law and the university's development plan. All development is approved, permitted, and regulated by State authority and is to be in accordance with the overall campus development plan, which shall be submitted for city review and comment upon initial creation and/or amendment.

C. Development Review: All development proposals shall be reviewed by the city's site plan review committee. Comments and recommendations shall be forwarded to university officials for consideration. If, in the determination of the city, the proposal is deemed detrimental to the public's health, safety, and welfare, or if the development and its implementation will have adverse
impacts on existing or planned public facilities of the city, then the city may refuse to provide city services to said facilities and/or pursue any other remedy provided by law.

D. Changes To Zoning Map Designations: If Idaho State University relinquishes ownership of property to another owner then the special base zoning district designation, university, becomes immediately null and void. After such nullification the property shall be assigned an appropriate zoning district designation, after hearing in accordance with the hearing process for rezoning requests as outlined in section 17.02.3200, "Decision Making Procedures/Public Hearings", of this title and in accordance with the goals and policies of the comprehensive plan and the provisions of this title. (Ord. 2896, 2011: Ord. 2846 § 1, 2008)

17.03.500: Uses

A. Types Of Uses: For the purposes of this chapter, there are four (4) kinds of uses:

1. A permitted use (P) is one that is permitted outright, but subject to all of the applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of section 17.01.160, "Use Classifications", of this title.

2. A restricted use (R) is permitted outright only when in compliance with special requirements, exceptions, or restrictions, in addition to the applicable provisions of this title.

3. A conditional use (C) is permitted only upon approval by the hearing body examiner or planning and zoning commission. The approval process and criteria are set forth in sections 17.02.3200, "Decision Making Procedures/Public Hearings", and 17.02.130, "Conditional Use Permits (CUP)", of this title. A use not listed as a conditional use may be held to be a similar use under the provisions of section 17.01.160, "Use Classifications", of this title.

4. A nonpermitted use (N) is a use that is not permitted in the specified zoning district under any circumstances, unless granted an exception by the Pocatello city council.

B. Use Table: A list of permitted, restricted, conditional and nonpermitted uses in all zoning districts is presented in Table 17.03.500 Use Table of this section.
<table>
<thead>
<tr>
<th>Use Category</th>
<th>RE</th>
<th>RL</th>
<th>RMS</th>
<th>RMM</th>
<th>RH</th>
<th>NC</th>
<th>RCP</th>
<th>CG</th>
<th>CC</th>
<th>OP</th>
<th>LI</th>
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<td><strong>Residential:</strong></td>
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<tr>
<td>Group Home</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
<td>N</td>
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<tr>
<td>Group Living, Supervised</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
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<tr>
<td>Group Living, Unsupervised</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>R²</td>
<td>R²</td>
<td>R²</td>
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<tr>
<td>Home Occupation</td>
<td>R³</td>
<td>R³</td>
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<td>R³</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
<td>R³</td>
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<tr>
<td>Accessory Dwelling Units</td>
<td>C⁹</td>
<td>C⁹</td>
<td>C⁹</td>
<td>C⁹</td>
<td>C⁹</td>
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<tr>
<td>Bed and Breakfast</td>
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<td>C¹¹</td>
<td>C¹¹</td>
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<tr>
<td>Boarding Houses</td>
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<td>R²</td>
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<td>R²</td>
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<td>Manufactured Home Units</td>
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<td>P⁸</td>
<td>P⁸</td>
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<td>N</td>
<td>N</td>
<td>R³</td>
<td>R³</td>
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<tr>
<td>Manufactured/Mobile Home Parks</td>
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<td>N</td>
<td>C¹⁸</td>
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<td>Multi-family Dwelling Units</td>
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<tr>
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|------------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|--------|---|---|
| Manufacturing and Production:      | N | N | N | N | N | N | N | N | N | N | N | C | P |        |   |   |
|------------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|--------|---|---|
| Heavy Industrial                   | N | N | N | N | N | N | N | N | N | N | N | C | P |        |   |   |
| Light Industrial                   | N | N | N | N | N | N | N | N | N | N | N | C | P |        |   |   |
| Railroad Yards                    | N | N | N | N | N | N | N | N | N | N | N | N | P |        |   |   |
| Research and Development           | N | N | N | N | N | N | N | C | C | C | C | P | P |        |   |   |</p>
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Notes:
1. Group living homes with up to and including 15 residents permitted by right, per provisions of Idaho Code section 67-6531, or per United States Supreme Court decision. Group living facility homes with 16 or more residents requires submitted approval of a conditional use permit application.
2. Permitted subject to meeting all standards of section 17.06.500 of this title and obtaining a boarding house permit and license pursuant to title 5, chapter 5.68 of this code.
3. Permitted subject to requirements of section 17.06.400, "Home Occupations", of this title.
4. Permitted subject to requirements contained in title 5, chapter 5.28, "Childcare", of this code and elsewhere in this title.
5. **Reserved.** Permitted only in, or accessory to, existing residential structures.
6. If built side by side, then minimum lot size requirements according to standards for attached dwelling units (townhouses) apply; otherwise, the maximum number of dwelling units per acre for the subject zoning district apply.
7. **Reserved.** Residential uses are permitted outright in upper stories, provided that ground floor commercial use is also provided on the property. (NEW) For Industrial and Light Industrial districts, residential uses are further restricted to the designated Warehouse Historic District. (NEW)
8. Limited to multifamily manufactured homes meeting the standards of subsection 17.06.300D, "Manufactured Homes On Individual Lots", of this title, provided a moving and installation permit has been obtained from the building department and all requirements of Idaho state code title 67 are satisfied.
9. The following are permitted outright: water lines, storm water lines, water quality swales, sanitary sewer lines, and local electrical, gas, cable, or telephone lines or conduit. Specifically excluded are uses such as, but not limited to, substations, satellite facilities, and utility operation centers. (Moved to note 20.)
9. **Reserved.** Permitted subject to requirements of section 17.06.100, "Accessory Dwelling Units", of this title.
10. Recreational trails are a permitted use. City owned recreation lands and facilities are permitted subject to compliance with applicable residential zone development standards per section 17.03.240, table 17.03.240 of this chapter.
11. Bed and breakfast facilities with 5 or fewer guestrooms are conditionally permitted pursuant to sections 17.02.130, "Conditional Use Permit (CUP)", and subject to 17.05.500, "Off Street Parking And Loading Standards", of this title. Bed and breakfast facilities with 5 or fewer guestrooms are permitted in the RCP zoning district. Other types of commercial lodging are not permitted.
12. Limited to multi-family projects, not to exceed 10 percent of total gross square feet of the project buildings.
13. Only park and ride and other transit related facilities are permitted conditionally, all other accessory parking facilities are not permitted.
14. Permitted subject to requirements of section 17.06.200, "Accessory Structures", of this title.
15. Heliports are a conditional use permitted only for medical centers.
17. Subject to the requirements of section 17.06.600 of this title.
18. Subject to the requirements of section 17.06.300 of this title.
19. The Juniper Hills Country Club Exception: The uses, improvements, developments and activities associated with the Juniper Hills Country Club golf course and facilities are permitted subject to compliance with applicable residential zone development standards per section 17.03.2460 and Table 17.03.2460 of this chapter.

20. The following are permitted outright: water lines, storm sewer lines, water quality swales, sanitary sewer lines, and local electrical, gas, cable, or telephone lines or conduit. Specifically excluded are uses such as, but not limited to, substations, satellite facilities, and utility operation centers; all others shall be by conditional use permit in the CG, BCP, and CC zoning districts.

21. Uses operating before 6:00 a.m. and after 10:00 p.m., and drive-up windows are permitted by conditional use, as governed in section 17.02.130, "Conditional Use Permits (CUP)", of this title.

22. Subject further to provisions of title 5, chapter 5-60 of this code governing adult entertainment.

23. Limited to 10,000 gross square feet in size, except retail grocery outlets, which are limited to 40,000 gross square feet; all others shall be by conditional use permit.

24. Drive-through operations are allowed through the conditional use permit process.

25. A single-family detached dwelling or single-family manufactured home is allowed for 1 on site caretaker residence when located on the same lot as the permitted use and occupied exclusively by the caretaker and family.

26. These limited uses, separately or in combination, may not exceed 25 percent of the entire square footage within a development complex. No retail uses shall exceed 30,000 square feet of gross leasable area per building or business.

27. Vehicle fuel sales permitted outright unless in combination with convenience sales, in which case it is permitted conditionally.

28. Office uses are permitted in LI and I zoning districts as accessory uses up to 30 percent of the entire square footage within a development complex only as accessory uses to a principal use; all others shall be by conditional use permit.

29. Warehouse/freight movement uses are permitted in OP zoning districts only as accessory uses to a principal use; all others shall be by conditional use permit.

(Ord. 2931, 2014; Ord. 2896, 2011: Ord. 2846 § 1, 2008)

17.03.330 Notes:
1. Residential uses are permitted outright in upper stories, provided that ground floor commercial use is also provided on the property. (Moved to note 7 above)
2. Group living is allowed as a residential use in existing residential structures and consistent with Idaho state code; in all other cases it is a conditional use.
3. Permitted only in existing residential structures and after meeting all standards for and obtaining a boarding house permit and license.
4. Permitted only in existing residential structures and subject to the requirements of section 17.06.400, "Home Occupations", of this title.
5. Permitted only in existing residential structures and subject to the requirements contained in title 5, chapter 5.28 of this code and elsewhere in this title.
6. Permitted subject to the requirements of section 17.06.100, "Accessory Dwelling Units", of this title.
7. Permitted only in existing residential structures and after meeting all standards for and obtaining a boarding house permit and license.
8. The following are permitted outright: water lines, storm sewer lines, retention/detention areas, sanitary sewer lines, and local electrical, gas, cable, or telephone lines or conduit. Specifically excluded are uses such as, but not limited to, substations, satellite facilities, and utility operation centers; all others shall be by conditional use permit. (Moved to note 20)
9. Bed and breakfast facilities with 5 or less guestrooms are permitted. Other types of commercial lodging are nonpermitted. (Moved to note 11)
10. Uses operating before 6:00 a.m. and after 10:00 p.m. and drive-up windows are permitted by conditional use, as governed in section 17.02.130, "Conditional Use Permits (CUP)", of this title. (Moved to note 21)
11. Subject further to provisions of title 5, chapter 5.60 of this code governing adult entertainment. (Moved to note 22)
12. Limited to 10,000 gross square feet in size, except retail grocery outlets, which are limited to 40,000 gross square feet; all others shall be by conditional use permit. (Moved to note 23)
13. To a maximum of 10,000 square feet, all others shall be by conditional use permit. (Only applicable to NC)
14. See title 5, chapter 15.42, "Wireless Telecommunications Towers And Facilities", of this code for requirements for permitted and restricted facilities. (Moved to note 16)
15. Drive-through operations are allowed through the conditional use permit process. (Moved to note 24)

(Ord. 2896, 2011: Ord. 2851 § 2, 2008: Ord. 2846 § 1, 2008)

17.03.430 Notes:
1. A single-family detached dwelling or single-family manufactured home is allowed for 1 on-site caretaker residence when located on the same lot as the permitted use and occupied exclusively by the caretaker and family. (Moved to note 25)

2. These limited uses, separately or in combination, may not exceed 25 percent of the entire square footage within a development complex. No retail uses shall exceed 30,000 square feet of gross leasable area per building or business. (Moved to note 26)

3. Vehicle fuel sales permitted outright unless in combination with convenience sales, in which case it is permitted conditionally. (Moved to note 27)

4. Office uses are permitted in I-1 and I-2 zoning districts as accessory uses up to 30 percent of the entire square footage within a development complex only as accessory uses to a principal use; all others shall be by conditional use permit. (Moved to note 28)

5. Warehouse/hangar use is permitted in OP zoning districts only as accessory uses to a principal use; all others shall be by conditional use permit. (Moved to note 29)


(Ord. 2896, 2011; Ord. 2846 § 1, 2008)

17.03.600: DIMENSIONAL STANDARDS

A. Dimensional Standards: A list of dimensional requirements including setbacks, height limitations, minimum lot size, and minimum landscaping is presented in Table 17.03.600.Use Table of this section.

B. Administrative Adjustment: The director, or designee, may approve the modification of a setback, building height, minimum lot size, minimum landscaping, or building footprint size standards of this title by up to ten percent (10%) subject to the following requirements:

1. The applicant must provide a written description of the requested adjustment detailing how the modification will not create any adverse impacts which will negatively impact the public health, safety and welfare, on a form provided by Planning and Development Services. The form shall clearly describe the nature of the proposed adjustment request and describe any anticipated impacts.

2. If the applicant fails to obtain the required administrative adjustment they may, at their own discretion, submit a variance application pursuant to section 17.02.160 (Ord. 2931, 2014)
<table>
<thead>
<tr>
<th>Standard</th>
<th>RE</th>
<th>RL</th>
<th>RMS</th>
<th>RMM</th>
<th>RH/RCP</th>
<th>NG</th>
<th>RCP²</th>
<th>CG</th>
<th>CC</th>
<th>OP</th>
<th>LI</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum number of dwelling units per acre¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Minimum Lot width</td>
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<tr>
<td>Minimum lot size:</td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Single-family</td>
<td>15,000 sq. ft.</td>
<td>7,500 sq. ft.</td>
<td>5,000 sq. ft.</td>
<td>5,000 sq. ft.</td>
<td>4,200 sq. ft.</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Two-family</td>
<td>12,000 sq. ft.</td>
<td>8,000 sq. ft.</td>
<td>8,000 sq. ft.</td>
<td>6,720 sq. ft.</td>
<td>24</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Townhomes in groups of 2 or more</td>
<td>6,000 sq. ft.</td>
<td>4,000 sq. ft.</td>
<td>3,630 sq. ft.</td>
<td>3,630 sq. ft.</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Condominiums or multi-family</td>
<td>3,630 sq. ft.</td>
<td>1,452 sq. ft.</td>
<td></td>
<td></td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Minimum setbacks²</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Front yard</td>
<td>25 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>15 ft.</td>
<td>10 ft.</td>
<td>10²</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>30 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Any street frontage</td>
<td>25 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>15 ft.</td>
<td>10²</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>0 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>House</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Garage (facing any street)</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Side facing street on corner and through lots²</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>10²</td>
<td>0 ft.</td>
<td>0 ft.</td>
<td>0 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Side yard²</td>
<td>10 ft.</td>
<td>7 ft.</td>
<td>6 ft.</td>
<td>6 ft.</td>
<td>6 ft.</td>
<td>10²</td>
<td>0 ft.</td>
<td>0 ft.</td>
<td>0 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>15 ft.</td>
<td>10 ft.</td>
<td>10²</td>
<td>0 ft.</td>
<td>0 ft.</td>
<td>0 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Attached (townhomes, residential condominiums and multi-family)</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Alley loaded garage</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Side or rear yard abutting RE, RL or RMS zoning district</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Minimum parking lot setbacks</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10²</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Any Street frontage</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10²</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Side yard²</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10²</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10²</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Minimum landscaping requirement (% of parking lot)²</td>
<td>10%</td>
<td>10%</td>
<td>10%</td>
<td>10%</td>
<td>10%</td>
<td>10%</td>
<td>10%</td>
<td>10%</td>
<td>10%</td>
<td>7%</td>
<td>0%</td>
<td>25%</td>
</tr>
<tr>
<td>Maximum height</td>
<td>35 ft.</td>
<td>35 ft.</td>
<td>35 ft.</td>
<td>35 ft.</td>
<td>45 ft.</td>
<td>35</td>
<td>45 ft.</td>
<td>60 ft.</td>
<td>75 ft.</td>
<td>45 ft.</td>
<td>45 ft.</td>
<td>75 ft.</td>
</tr>
</tbody>
</table>
Notes:
1. Does not include area devoted to streets for townhomes, residential condominiums or multi-family development.
2. Reserved. Residential uses in the RCP zoning district shall meet bulk and placement standards of the RH zoning district.
3. Reserved. Greater setback requirements apply when abutting a residential zoning district. See transitional buffers, section 17.05.270 of this title.
4. Building projections such as eaves, bay windows, and chimneys may extend a maximum of 2 feet into designated setbacks (side, rear or front). Nonenclosed porches, steps and decks less than 30 inches in height from finished grade may extend a maximum of 6 feet or 50 percent, whichever is less, into the required front and rear setbacks, and may extend a maximum of 2 feet into required side yard setbacks.
5. For attached townhomes, side yard setbacks are required only for end units.
6. The maximum height of any building in the CC or CG zoning districts within 100 feet of any residential zoning district shall not exceed 45 feet measured from the proposed structure to the residential zoning district boundary.
7. Does not include required setback landscaping.
8. Including adjacent alleyways.
9. Minimum parcel size is 5 acres, prior to subdividing to create the office park.
10. In the OP, LI and I zoning district, no side or rear yard setback shall be required except where the district abuts a residential zoning district. When adjacent to a residential district, a setback as required under transitional buffers section 17.05.270 of this title shall be maintained.
11. In the OP, LI and I zoning districts landscaped setbacks may be counted toward the total requirement, however, parking lot landscaping shall not be counted. All parking lot landscaping shall be contained within the parking area.
12. A two-family home shall be permitted where enough lot area would be available for a triplex or fourplex. (NEW)


1. Residential uses in the RCP zoning district shall meet bulk and placement standards of the RH zoning district. (Moved to note 2)
2. Greater setback requirements apply when abutting a residential zoning district. See transitional buffers, section 17.05.270 of this title.
3. The maximum height of any building in the CC or CG zoning districts within 100 feet of any residential zoning district shall not exceed 45 feet measured from the proposed structure to the residential zoning district boundary. (Moved to note 6)
4. Does not include required setback landscaping. (Moved to note 7)
5. Including adjacent alleyways. (Moved to note 8)

1. Minimum parcel size is 5 acres, prior to subdividing to create the office park. (Moved to note 9)
2. No side or rear yard setback shall be required except where the district abuts a residential zoning district. When adjacent to a residential district, a setback as required under transitional buffers section 17.05.270 of this title shall be maintained. (Moved to note 10)
3. Landscaped setbacks may be counted toward the total requirement, however, parking lot landscaping shall not be counted. (Moved to note 11)

(Ord. 2846 § 1, 2008)
17.03.240 RESIDENTIAL DEVELOPMENT STANDARDS: (Moved to 17.05.100)

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 17.02.170, "Variances", of this title;
2. All other applicable standards and requirements contained elsewhere in this title.

B. Development Standards: Development standards in residential zoning districts are as follows and as further outlined in table 17.03.240 of this section:
   1. No building permits will be issued for any structures or improvements upon any lot or parcel prior to the final recording of an approved land division and the approved installation of required public improvements pursuant to title 16 of this code.
   2. For single-family and two-family dwellings, a minimum of forty-five percent (45%) of the front yard area shall be completed with landscaping. The "front yard area" is defined as the area extending the full width of the lot from the front property line to the front of the dwelling.
      a. Driveways and/or additional parking areas may cover a maximum of fifty-five percent (55%) of the front yard area.
      b. The required off-street parking spaces for the use shall be paved (i.e., asphalt, concrete or pavers) or surfaced with composite permeable pavers, porous pavement or porous concrete, or open-celled paving grid systems installed per industry standards.
      c. Additional parking areas located within the front yard area may be paved or surfaced with permeable or impermeable materials or gravel.
      d. If a residential home includes a garage, then the parking spaces located in front of the garage door(s) are considered to be the "required" spaces and shall be subject to subsection B2b of this section.
      e. Compliance with the provisions of this section will be reviewed in conjunction with the review of required building permits for new residential construction, additions or accessory structures.
   3. For single-family and two-family dwellings, when alley access is available, off-street parking spaces shall be accessed from the adjacent alley per subsection 17.04.220 D5 of this title.
   4. Lighting shall be no taller than fifteen feet (15') and shall be shielded to direct light away from adjacent uses and/or public rights of way.

17.03.340 DEVELOPMENT STANDARDS: (Moved to 17.05.100)

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 17.02.170, "Variances", of this title;

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

B. Development Standards: Development standards in commercial and mixed-use zoning districts are contained in table 17.03.340 of this section:

TABLE 17.03.340-
DEVELOPMENT STANDARDS IN-
COMMERCIAL AND MIXED USE ZONING DISTRICTS


C. 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 nonfenestrated 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.

D. Bicycle And Pedestrian Circulation: In the NC, CG, and RCP 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 17.03.340 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 areas 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 17.05.660 of this title. Bicycle parking areas shall not be located within parking aisles, landscape areas, or pedestrianways.

E. 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. All lighting fixtures shall be shielded to prevent the spillover of light to adjoining properties.

4. 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.

5. 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.

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

7. 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.

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

F. Multiple Building, Retail Development (Shopping Center) Design In The NC, CG, And RCP Districts: In the NC, CG, and RCP zoning districts, the following design standards shall apply to retail 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.

4. Building Design Standards:
   a. All buildings within a multibuilding 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: All signage shall meet the standards of Title 15, Chapter 15.20 of this code. 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. (Ord. 2896, 2011; Ord. 2846 § 1, 2008)

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 17.02.170, "Variances", of this title;

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

B. Development Standards: Development standards in industrial zoning districts are as follows and as further outlined in Table 17.03.440 of this section:

1. If located along a major arterial road, the front setback shall be a minimum of ten feet (10') wide with an opaque screen or twenty feet (20') wide with a semipaque screen.

   TABLE 17.03.440-
   SITE DEVELOPMENT STANDARDS IN
   INDUSTRIAL ZONING DISTRICTS

17.03.450: ADDITIONAL DEVELOPMENT STANDARDS: (Moved to 17.05.100)

A. Commercial Development In The OP Zoning District: The following development standards shall apply for commercial development located in the OP zoning district:

1. Commercial development may be a maximum of twenty-five percent (25%) of the office park development or building size.

2. The site should have access to an arterial or major collector street within one thousand feet (1,000') with capacity sufficient to ensure that adequate access to local businesses is maintained. If deemed necessary by city staff, a traffic impact study may be required.

B. Daycare Uses: The following standards shall apply for all commercial daycare uses in the OP and LI zoning districts:

1. The daycare use shall be accessory use to the primary site use.

2. The daycare shall be licensed by the city of Pocatello and the state of Idaho.

C. Pedestrian Circulation In The OP Districts: In the OP zoning districts, the following additional development standards shall apply:

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.

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.

D. Building Facades And Exterior Walls In The OP District: To provide detail and visual interest, the following development standards shall apply for all development in the OP zoning district:

1. Nonfenestrated front and street side building facades greater than two hundred feet (200') in length, measured horizontally, shall incorporate design elements to prevent creation of continuous blank facades along the front of the building and all street sides. Examples include, but are not limited to, windows, plane changes, cornice treatments, placement of columns, backlit awnings, neon runners, or other special architectural treatments.

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

E. Sales And Storage Lots For Recreational Vehicles And Heavy Equipment: Sales and storage lots for recreational vehicles and heavy equipment, where the equipment is capable of breaking a paved surface, may be located on a maintained gravel surface subject to the following requirements:

1. Treatments of magnesium chloride, calcium chloride, or a city approved equal, shall be applied to the lot a minimum of twice a year or as necessary so that the gravel area is maintained in a dustless condition. Design and maintenance plans for the gravel areas shall be reviewed and approved by the development engineering services division.

2. The gravel area shall be maintained in a weed-free condition.

3. Customer and employee parking shall be paved and spaces shall be marked.

4. Access drives to the sales lots and storage areas shall be paved. Paved lanes shall provide adequate access routes meeting fire code requirements.

5. A ten foot (10') wide landscaped buffer area shall be located around the perimeter of the entire gravel area or site.

6. Best management practices found in the Idaho department of environmental quality "Catalog Of Stormwater Best Management Practices For Cities And Counties" as amended or replaced, shall be used in developing and maintaining the gravel areas.

7. Stormwater shall be managed in accordance to the current city of Pocatello stormwater master plan.

8. Control measures shall be required to prevent track out from unpaved areas to paved rights of way.
F. Outdoor Storage Areas: All outdoor storage areas shall be screened from view from all adjoining properties and public rights of way. (Ord. 2896, 2011: Ord. 2846 § 1, 2008)

17.03.500: SPECIAL BASE ZONING DISTRICTS: (Moved to 17.03.400)

Special base zoning districts are those zoning districts that have a unique application in the community and are associated with land and facilities that are in a fixed location. The purpose of each special base zoning district is usually tied to a master plan for a facility or property. (Ord. 2846 § 1, 2008)

17.03.510: AIRPORT DISTRICT (A): (Moved to 17.03.400)

A. Purpose: The airport district (A) is established to provide for the aesthetic enhancement and orderly development and maintenance of uses within the city of Pocatello’s regional airport and the surrounding area. The development of such properties will address the following goals:

2. Provide a mix of land uses that offer a variety of services for airport visitors, corporate and business offices, and the general public.
3. Promote the Pocatello Regional Airport as a regional aviation center.
4. Master Plan: The currently adopted airport master plan (for lands not governed by FAA regulations) is the document that governs and directs the improvement and growth of the physical airport. The type of uses proposed shall be reviewed and approved by the airport committee, and processed as set forth under the adopted master plan. (Ord. 2896, 2011: Ord. 2846 § 1, 2008)

17.03.520: PUBLIC LANDS/FACILITIES DISTRICT (PLF): (Moved to 17.03.400)

A. Purpose: The purpose of the public lands/facilities district is to satisfy general public needs by reserving land to accommodate public utilities, facilities, resource protection areas, and/or other public infrastructure deemed to be of local, regional, state, or national importance.

B. Permitted Land Uses: Permitted uses include, but are not limited to, public uses, agriculture/horticulture, cemeteries, detention facilities, heliports, and wireless communication facilities.

C. Review Procedures: As a result of the potentially large size and unique operational characteristics of certain public facilities and their attendant impacts on other property and the natural environment, all site development proposals shall require specific approval from the city council after public hearing, review, and recommendation from the planning and zoning commission. Notices and public hearing procedures shall be as outlined in section 17.02.300, "Decision Making Procedures/Public Hearings", of this title.

D. Standards: All uses within this district shall be designed and built in a manner so as to minimize any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, radioactive or other hazardous condition; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare or heat; liquid or solid refuse or wastes; or other substances, conditions or elements in a manner or amount as to adversely affect the surrounding area. (Ord. 2846 § 1, 2008)
17.03.530 UNIVERSITY DISTRICT (U) *(Moved to 17.03.400)*

A. Zoning Map Designation: The "university district" is defined as those lands depicted as such on the zoning map, encompassing properties either owned by or under the control of Idaho State University and/or comprising the university's campus at the time this title was adopted.

B. Development Plan: Land use on the campus of Idaho State University is governed by state law and the university’s development plan. All development is approved, permitted, and regulated by state authority and is to be in accordance with the overall campus development plan, which shall be submitted for city review and comment upon initial creation and/or amendment.

C. Development Review: All development proposals shall be reviewed by the city's site plan review committee. Comments and recommendations shall be forwarded to university officials for consideration. If, in the determination of the city, the proposal is deemed detrimental to the public's health, safety, and welfare, or if the development and its implementation will have adverse impacts on existing or planned public facilities of the city, then the city may refuse to provide city services to said facilities and/or pursue any other remedy provided by law.

D. Changes To Zoning Map Designations: If Idaho State University relinquishes ownership of property to another owner then the special base zoning district designation, university, becomes immediately null and void. After such nullification the property shall be assigned an appropriate zoning district designation, after hearing in accordance with the hearing process for rezoning requests as outlined in section 17.02.300, "Decision-Making Procedures/Public Hearings", of this title and in accordance with the goals and policies of the comprehensive plan and the provisions of this title. (Ord. 2896, 2011; Ord. 2846 § 1, 2008)
Chapter 17.04
OVERLAY AREAS

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. 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 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 17.02.1980 of this title. (Ord. 2846 § 1, 2008)

17.04.180: VARIANCES:

Variances from the standards of this chapter shall be sought through the variance process outlined in section 17.02.1760 of this title. (Ord. 2846 § 1, 2008)

17.04.200: DEVELOPMENT AND DESIGN OVERLAY AREAS:

17.04.220: ORIGINAL TOWNSITE OVERLAY (OTO):

D. Development Standards:

3. Building Height: The maximum height of the principal building shall not exceed the maximum height permitted in the underlying zoning district average height of the existing buildings located on the face of the block by more than ten percent (10%).

4. Accessory Structures: The combined footprint of all accessory structures shall not exceed seventy five percent (75%) of the size of the principal structure or maximum lot coverage, whichever is less. The maximum height of any accessory structure shall not exceed the height of the principal structure.

17.04.230: RESIDENTIAL STABILIZATION OVERLAY (RSO):

Because of changing surroundings, certain established residential areas require special attention to both their existing and future land uses. These residential neighborhoods and street corridors are identified on the development overlay map of the comprehensive plan because encroachment of nonresidential uses could adversely affect established neighborhoods. Therefore, those residential areas for which a change from established land uses could prove detrimental to a particular corridor, neighborhood, or its surrounding neighborhood shall be given a residential stabilization overlay
designation (RSO). The emphasis for areas designated RSO shall be maintenance and rehabilitation of existing structures in a manner consistent with the existing zoning designation. **Therefore, existing structures shall not be removed unless it is determined by the building official that such creates danger to the public’s health, safety, and general welfare.**
Chapter 17.05
DEVELOPMENT STANDARDS

17.05.600 DISTRICT DEVELOPMENT STANDARDS: (Moved from 17.03)
17.05.610 RESIDENTIAL DEVELOPMENT STANDARDS: (Moved from 17.03.240)
17.05.620: COMMERCIAL DEVELOPMENT STANDARDS: (Moved from 17.03.340)
17.05.630: INDUSTRIAL DEVELOPMENT STANDARDS: (Moved from 17.03.440)

17.05.200: LANDSCAPING STANDARDS:

17.05.220: GENERAL:

A. Landscaping for single-family structures on individual lots and two-family structures on individual lots is governed by the standards contained in section 17.03.340.05.110 of this title. The standards and requirements of this chapter shall apply to all other privately owned properties and all land use and development within the city of Pocatello. The standards shall apply to all areas held in common ownership and/or under common maintenance within any residential development or subdivision such as, but not limited to, retention and detention ponds.

C. Trees planted within the public right of way are governed by title 12, chapter 42.28 of this code and shall be selected from among those trees which are on the "City Of Pocatello Master List Of Acceptable Trees".

17.05.240: PLANTING SPECIFICATIONS AND PLANT SUBSTITUTIONS:

D. Tree plantings within landscape areas may be clustered upon approval by the director, or designee.

17.05.250: STREET FRONTAGE/SETBACK AREA LANDSCAPING:

A. General. All areas within the required setbacks from street rights of way in all zoning districts shall be landscaped except where crossed by driveways or walkways. No parking shall be allowed on landscaped areas. In addition to the required trees as noted in each district, said landscaping shall consist of vegetative cover including but not limited to decorative grasses, shrubs or other low water vegetative ground cover. The remaining ground cover may consist of non-vegetative cover such as decorative rock, bark, or drought tolerant grass. Kentucky Bluegrass is allowed but more drought tolerant / low grasses are encouraged.

17.05.260: PARKING LOTS:

In addition to other requirements of this chapter, the following standards shall apply to parking lot landscaping:

A. A minimum of seven percent (7%) of the parking lot impervious area, as identified
by table 17.03.600, shall consist of interior lot landscaping meeting the following requirements:

5. In addition to required trees, the landscape islands shall contain vegetative or nonvegetative ground cover, including, but not limited to, shrubs, decorative grasses, or other low water plantings such as low water vegetative ground cover ground covers, bark, rock, etc. The remaining ground cover may consist of non-vegetative cover such as decorative rock, bark, or drought tolerant grass. Nonvegetative ground cover shall not exceed fifty percent (50%) of the total landscape areas.

C. Perimeter landscaped areas outside the paved surface areas in setbacks may not be used to meet the interior lot landscaping requirement, except as provided in subsection B of this section. The landscaped area outside the required setback area landscaping may be counted toward the required interior landscaped area.

17.05.270: TRANSITIONAL LANDSCAPE BUFFERS:

A. Standards For Transitional Landscape Buffers:

1. An opaque screen is a continuous visual barrier to a height of six feet (6') and partial visual obstruction between six (6) and twenty feet (20') at maturity. To provide a complete visual barrier, deciduous and evergreen trees and shrubs, earthen berms with a maximum side slope of three to one (3:1), a solid wall, or a combination of these may be used. Plantings shall be sized and spaced so that the required screen will be achieved in five (5) years. The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of the screen between six (6) and twenty feet (20') tall shall not contain any completely unobstructed openings more than ten feet (10') wide.

2. A semi- opaque screen is a visual barrier with partial visual obstruction to a height of at least twenty feet (20'). To provide a visual barrier, deciduous and evergreen trees and shrubs, earthen berms with a maximum side slope of three to one (3:1) or a combination of both may be used. Plantings shall be sized and spaced so that the required screen will be achieved in five (5) years. The semi-opaque screen shall be semi-opaque in all seasons of the year. At maturity, the screen shall not contain any completely unobstructed openings more than ten feet (10') wide.

B. When Provided:

Transitional landscape buffers shall be provided when the development site abuts a residential zoning district; rights of way shall count toward the measurement of the buffer area, as follows:

1. Manufactured/mobile home parks and recreational vehicle parks shall have a fifteen foot (15') wide landscaped buffer around perimeters.

2. Office buildings, schools, and churches shall have a fifteen foot (15') wide landscaped buffer, or a ten foot (10') wide landscaped buffer with a semi-opaque screen, with an additional five feet (5') in width for each story above one to a
maximum buffer width of thirty feet (30').

3. Commercial and/or nonresidential RCP uses shall have a ten foot (10') wide landscaped buffer with an opaque screen, or a twenty foot (20') wide landscaped buffer with a semi-opaque screen.

4. Industrial uses shall have a thirty-foot (30') wide landscaped buffer with an opaque screen. (Ord. 2646 § 1, 2008)

A. COMMERCIAL GENERAL AND RESIDENTIAL COMMERCIAL PROFESSIONAL ZONING DISTRICTS:

1. A minimum ten (10') foot wide landscaped buffer with a sight obscuring fence or solid wall at least six (6') feet in height shall be erected along the common property line abutting the residential district;

B. INDUSTRIAL DISTRICTS:

1. A minimum twenty (20') foot wide landscaped buffer with a sight obscuring fence or solid wall at least six (6') feet in height shall be erected along the common property line abutting the residential district;

2. In the event a heavy industrial use as defined in Municipal Code abuts a residential district than the landscape buffer shall be a minimum of thirty (30) feet in width and meet the standards as described in this section;

C. SPECIFIC LAND USES ABUTTING A RESIDENTIAL ZONING DISTRICT:

1. Manufactured/mobile Home and Recreational Vehicle (RV) Parks, Office Buildings (not exceeding 2 stories in height shall include the following:

   a. A minimum ten (10') foot wide landscaped buffer with a sight obscuring fence or solid wall at least six (6') feet in height shall be erected along the common property line abutting the residential district;

2. Office Buildings 3 stories or greater abutting a Residential Zoning District:

   a. A minimum fifteen (15') foot wide landscaped buffer with a sight obscuring fence or solid wall at least six (6') feet in height shall be erected along the common property line abutting the residential district. An additional five (5') feet in width shall be provided for each story above three (3) stories;

D. GENERAL REQUIREMENTS FOR ALL DISTRICTS AND USES DESCRIBED:

1. The landscape buffer shall contain at least one tree a minimum caliper of one and one-half (1 1/2") inches during planting for every twenty (20') lineal feet of common lot line. Each tree shall be planted no less than twenty (20') feet apart and the species shall be selected
from among those trees which are the "City of Pocatello Master List of Acceptable Trees":

2. In addition to the required trees, the buffer area shall consist of vegetative cover including but not limited to decorative grasses, shrubs or low water ground cover. The remaining ground cover may consist of non-vegetative cover.

17.05.280: WATER CONSERVATION STANDARDS:

A. Plant Selection And Use Limitation:

3. No nondrought resistant grass or high water use plants shall be allowed on slopes exceeding twenty five percent (25%). Such slopes shall be planted or reseeded with native and/or drought tolerant introduced species as recommended by the Natural Resource Conservation Service. The city maintains the "recommended species and seed mixes for critical area stabilization" developed by the NRCS. (Ord. 2846 § 1, 2008)

17.05.290: LANDSCAPE PLAN SUBMITTAL REQUIREMENTS:

Any development, except individual lots for single-family or two-family structures, requiring landscape installation shall require the submission of a landscape development plan. The landscape development plan shall be reviewed as part of land use development and building application permit process. Landscaping shall be installed prior to receipt of a certificate of occupancy, unless otherwise permitted herein. All plans shall contain the following information:

A. North arrow, scale, date, title, name and address of owner/business, and site location with address;

B. Accurate scale (at 1 inch = 20 feet or larger), or as appropriate for the scale of development) and property boundaries showing the location of property lines and their dimensions;

C. Existing and proposed water courses, drainage features, streets, sidewalks, utility lines and easements, and other public or private improvements within or adjacent to the site;

D. All existing plant material to be removed or retained and delineation of protection methods for plant materials to be retained, including trees of an eight inch (8") caliper or larger;

E. Contour lines at one, two (2), or five foot (5') intervals and as appropriate to the scale of the project;

F. Existing and proposed buildings and other structures, paved areas, curbs, walks, light standards, signs, fences and screen walls, and other permanent features to be added and/or retained on the site;

G. Calculation of total site area, landscaped setback areas, interior parking lot landscaping, required buffer areas, paved vehicular use areas, required transitional
Irrigation plans showing location and type of all outlets (spray, bubbler, drip, etc.); location and size of water meter or other connection; location, type, and installation details of backflow prevention device; and delineation of each watering zone or circuit appropriate to proposed plantings, and designed so as to not run onto impervious surfaces or create excess runoff. Irrigation plans shall show a connection to nonpotable water sources where they are available. (Ord. 2846 § 1, 2008)

17.05.300: INFILL AND REDEVELOPMENT STANDARDS:

17.05.340: GENERAL STANDARDS:

Minimum lot size requirements of the underlying zoning district may be reduced in accordance with one of the two (2) methods described below.

A. Dedications In Conjunction With Land Divisions: Where land dedications for permanent parks and open space are accepted by the city through the subdivision or partition approval process, reductions to lot sizes shall be permitted on a one for one basis, up to the total square footage of dedications, subject to the following requirements:

4. Reduced size lots must provide a land area with dimensions sufficient to accommodate buildings, parking lots, etc., in accordance with the land use, setback, and other requirements of the underlying zoning district, unless a variance is granted pursuant to the terms of section 17.02.1760 of this title.

B. Lot Size Averaging: To make better use of land at locations where strict application of minimum lot size requirements precludes efficient infill and redevelopment, the size of some lots within a subdivision may be reduced in accordance with the following requirements:

3. Reduced size lots must provide a land area with dimensions sufficient to accommodate buildings, parking lots, etc., in accordance with the land use, setback, and other requirements of the underlying zoning district, unless a variance is granted pursuant to the terms of section 17.02.1760 of this title. (Ord. 2846 § 1, 2008)

17.05.360: MULTI-FAMILY INFILL AND REDEVELOPMENT STANDARDS:

The following standards are intended to promote compatibility of multi-family infill development with existing buildings and neighborhoods as is reasonably possible:
A. Multi-family and attached dwelling developments shall meet the standards of this section, and shall be subject to review in accordance with section 17.02.6400, "Site Plan Review Committee", of this title.

17.05.400: LIGHTING STANDARDS:

17.05.420: STANDARDS:

B. All lightsing fixtures shall be shielded in such a way as to direct light away from all adjacent properties, especially those developed with residential uses.

17.05.500: OFF STREET PARKING AND LOADING STANDARDS:

17.05.520: APPLICABILITY:

Initial construction of any building or land requires conformance with the standards outlined in this chapter for off street parking and loading areas. Increases in building or land area require compliance with these standards in proportion to the increased area. Changes in use require compliance with these standards as listed in section 17.01.170 of this title.

Because of the special physical constraints in the central commercial zoning district, and the designated Warehouse Historic District, off street parking requirements in this the aforementioned districts need not be met for any permitted use which occupies or will occupy an existing building. All off street parking requirements shall be met for uses involving new construction or expansion of existing structures. (Ord. 2896, 2011: Ord. 2846 § 1, 2008)

17.05.600 DISTRICT DEVELOPMENT STANDARDS: (Moved from 17.03)

17.05.610 RESIDENTIAL DEVELOPMENT STANDARDS: (Moved from 17.03.240)

A. Compliance Required: All development shall comply with: (Moved from 17.03.240.A)

1. All of the applicable development standards contained in the underlying zoning district, except where the applicant has obtained variances in accordance with section 17.02.1760, "Variances", of this title;

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

B. Development Standards: Development standards in residential zoning districts are as follows and as further outlined in table 17.03.240 of this section. (Moved from 17.03.240.B)

1. No building permits will be issued for any structures or improvements upon any lot or parcel prior to the final recording of an approved land division and the approved installation of required public improvements pursuant to title 16 of this code.

2. For single-family and two-family dwellings, a minimum of forty five percent (45%) of the front yard area shall be completed with landscaping. The "front yard area" is defined as the area extending the full width of the lot from the front property line to the front of the dwelling.
a. Driveways and/or additional parking areas may cover a maximum of fifty five percent (55%) of the front yard area.

b. The required off street parking spaces for the use shall be paved (i.e., asphalt, concrete or pavers) or surfaced with composite permeable pavers, porous pavement or porous concrete, or open celled paving grid systems installed per industry standards.

c. Additional parking areas located within the front yard area may be paved or surfaced with permeable or impermeable materials or gravel.

d. If a residential home includes a garage, then the parking spaces located in front of the garage door(s) are considered to be the "required" spaces and shall be subject to subsection B2b of this section.

e. Compliance with the provisions of this section will be reviewed in conjunction with the review of required building permits for new residential construction, additions or accessory structures.

3. For single-family and two-family dwellings, when alley access is available, off street parking spaces shall be accessed from the adjacent alley per subsection 17.04.220D5 of this title.

4. Lighting shall be no taller than fifteen feet (15’') and shall be shielded to direct light away from adjacent uses and/or public rights of way.

17.05.620: COMMERCIAL DEVELOPMENT STANDARDS: (Moved from 17.03.340)

A. Compliance Required: All development shall comply with: (Moved from 17.03.340.A)

1. All of the applicable development standards contained in the underlying zoning district, except where the applicant has obtained variances in accordance with section 17.02.1760, "Variances", of this title;

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

B. Development Standards: Development standards in commercial and mixed-use zoning districts are contained in table 17.03.340 of this section: (Moved from 17.03.340.B)

TABLE 17.03.340
DEVELOPMENT STANDARDS IN
COMMERCIAL AND MIXED-USE ZONING DISTRICTS

C. Building Facades and Exterior Walls: The following development standards shall apply for all development in a commercial or mixed use district: (Moved from 17.03.340.C)

1. When the front and street side of a nonfenestrated 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.

D. Bicycle and Pedestrian Circulation: In the NC, CG, and RCP districts, the following additional development standards shall apply to commercial, office, and mixed use development: (Moved from 17.03.340.D)

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 17.03.340 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 pedestrianways.

E. Screening and Shielding Requirements: The following standards shall apply in the commercial and mixed use zoning districts: (Moved from 17.03.340.E)

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. All lighting fixtures shall be shielded to prevent the spillover of light to adjoining properties.

43. 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.

54. 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.

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

76. 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.

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

F. Multiple Building, Retail Development (Shopping Center) Design in the NC, CG, and RCP Districts: In the NC, CG, and RCP zoning districts, the following design standards shall apply to retail 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. (Moved from 17.03.340.F)

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: All signage shall meet the standards of title 15, chapter 15.20 of
this code. 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. (Ord. 2896, 2011; Ord. 2846 § 1, 2008)

17.05.630: INDUSTRIAL DEVELOPMENT STANDARDS: (Moved from
17.03.440)

A. Compliance Required: All development shall comply with: (Moved from 17.03.440.A)

1. All of the applicable development standards contained in the underlying zoning district,
except where the applicant has obtained variances in accordance with section 17.02.1760,
"Variances", of this title;

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

B. Development Standards: Development standards in industrial zoning districts are as follows,
and as further outlined in table 17.03.440 of this section. (Moved from 17.03.440.B)

1. If located along a major arterial road, the front setback shall be a minimum of ten feet (10')
wide with an opaque screen or twenty feet (20') wide with a semi-opaque screen.

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<td>SITE DEVELOPMENT STANDARDS IN</td>
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17.03.450: ADDITIONAL DEVELOPMENT STANDARDS: (Moved from 17.03.450)

A. 2. Commercial Development in The OP Zoning District: The following development standards
shall apply for commercial development located in the OP zoning district:

1. a. Commercial development may be a maximum of twenty five percent (25%) of the office
park development or building size.

2. b. The site should have access to an arterial or major collector street within one thousand
feet (1,000') with capacity sufficient to ensure that adequate access to local businesses
is maintained. If deemed necessary by city staff, a traffic impact study may be required.

B. 3. Daycare Uses: The following standards shall apply for all commercial daycare uses in the
OP and LI zoning districts:

1. a. The daycare use shall be accessory use to the primary site use.
2. b. The daycare shall be licensed by the city of Pocatello and the state of Idaho.

G. 4. Pedestrian Circulation in The OP Districts: In the OP zoning districts, the following additional development standards shall apply:

1. a. 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. b. 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.

3. c. 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.

D. 5. Building Facades and Exterior Walls in the OP District: To provide detail and visual interest, the following development standards shall apply for all development in the OP zoning district:

1. a. Nonfenestrated front and street side building facades greater than two hundred feet (200') in length, measured horizontally, shall incorporate design elements to prevent creation of continuous blank facades along the front of the building and all street sides. Examples include, but are not limited to, windows, plane changes, cornice treatments, placement of columns, backlit awnings, neon runners, or other special architectural treatments.

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

E. 6. Sales and Storage Lots for Recreational Vehicles and Heavy Equipment: Sales and storage lots for recreational vehicles and heavy equipment, where the equipment is capable of breaking a paved surface, may be located on a maintained graveled surface subject to the following requirements:

1. a. Treatments of magnesium chloride, calcium chloride, or a city approved equal, shall be applied to the lot a minimum of twice a year or as necessary so that the graveled area is maintained in a dustless condition. Design and maintenance plans for the graveled areas shall be reviewed and approved by the development engineering services division.

2. b. The graveled area shall be maintained in a weed free condition.

3. c. Customer and employee parking shall be paved and spaces shall be marked.
4. d. Access drives to the sales lots and storage areas shall be paved. Paved lanes shall provide adequate access routes meeting fire code requirements.

5. e. A ten foot (10') wide landscaped buffer area shall be located around the perimeter of the entire graveled area or site.

6. f. Best management practices found in the Idaho department of environmental quality "Catalog of Stormwater Best Management Practices for Cities and Counties" as amended or replaced, shall be used in developing and maintaining the graveled areas.

7. g. Stormwater shall be managed in accordance to the current city of Pocatello stormwater master plan.

8. h. Control measures shall be required to prevent track out from unpaved areas to paved rights of way.

F. 7. Outdoor Storage Areas: All outdoor storage areas shall be screened from view from all adjoining properties and public rights of way. (Ord. 2896, 2011: Ord. 2846 § 1, 2008)
Chapter 17.06
SPECIAL USE STANDARDS

17.06.100: ACCESSORY DWELLING UNITS:

B. Applicability: Accessory dwellings are conditionally permitted in all residential, commercial, and mixed use zoning districts, provided they are in compliance with the provisions set forth in this section. If conflicts occur between these and other standards of this title, the more restrictive shall apply.

17.06.200: ACCESSORY STRUCTURES:

A. Residential Zoning Districts: Accessory structures are permitted by right in all residential zoning districts, subject to the following:

1. Dimensional Requirements:

   a. The combined footprint of all accessory structures shall be no larger than the square foot area of the primary structure and in no case shall the primary structure and accessory structure(s) exceed the maximum lot coverage allowed in the underlying zoning district;