

11(a)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, REZONING APPROXIMATELY 1.77 ACRES OF LAND LOCATED AT 1591 ZENER STREET, POCATELLO, IDAHO, FROM ZONING DESIGNATION LIGHT INDUSTRIAL (LI) TO RESIDENTIAL COMMERCIAL PROFESSIONAL (RCP), SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED EXHIBIT "A"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, University LLC made application to the City to rezone approximately 1.77 acres of land located at 1591 Zener Street, Pocatello, more particularly described on Exhibit "A", from Light Industrial (LI) to Residential Commercial Professional (RCP); and

WHEREAS, the Planning and Zoning Commission held a Public Hearing on July 13, 2022, to consider the rezoning request as required by law, and thereafter recommended approval of the request; and

WHEREAS the proposed rezone is in compliance with the laws of the State of Idaho and of the City of Pocatello; and

WHEREAS, the City Council being fully advised and having held a Public Hearing on the request August 4, 2022, adopting its written Decision on September 1, 2022, in compliance with the laws of the State of Idaho and of the City of Pocatello, having decided to grant the rezoning request.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF POCATELLO AS FOLLOWS:

Section 1: That the land described in Exhibit A previously zoned Light Industrial (LI) be, and the same hereby is, rezoned to Residential Commercial Professional (RCP).

Section 2: That this ordinance repeals all ordinances or parts of ordinances in conflict herewith.

Section 3: That the official zoning map adopted by the City of Pocatello and on file with the City Clerk in accordance with applicable law be amended to incorporate the change of zoning provided for in this Ordinance.

Section 4: That this ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this ____ day of September, 2022.

CITY OF POCA TELLO, a municipal
corporation of Idaho

BRIAN C. BLAD, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

STATE OF IDAHO

)

ss:

County of Bannock

)

On this _____ day of September, 2022, before me, the undersigned, a Notary Public for the State, personally appeared Brian C. Blad and Konni R. Kendell, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, and acknowledged to me that they executed the foregoing instrument for and on behalf of said municipal corporation and that said municipal corporation executed the same.

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

(SEAL)

NOTARY PUBLIC FOR IDAHO

Residing in: _____

Commission expires: _____

EXHIBIT A

THE WESTERLY 15 FEET OF LOT 13 AND ALL OF LOTS 14, 15, 16 AND 17 IN BLOCK 1 OF THE FIRST ADDITION TO HAWTHORNE ACRES SUBDIVISION IN BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF BANNOCK COUNTY, IDAHO.

EXCEPT: A PLOT OF LAND LYING IN LOT 14, BLOCK 1 OF THE FIRST ADDITION TO HAWTHORNE ACRES, A SUBDIVISION IN BANNOCK COUNTY, IDAHO. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 14 (WHICH IS THE TRUE POINT OF BEGINNING) THENCE NORTH 0° 9' EAST 5 FEET; THENCE SOUTH 89° 10' WEST 5 FEET; THENCE SOUTH 0° 39' EAST 5 FEET; THENCE NORTH 89° 10' EAST ALONG THE SOUTH LINE OF SAID LOT 14 A DISTANCE OF 5 FEET BACK TO THE TRUE POINT OF BEGINNING.

ALSO: BEGINNING AT THE SOUTHEAST CORNER OF LOT 14 IN BLOCK 1 OF THE FIRST ADDITION TO HAWTHORNE ACRES, BANNOCK COUNTY, IDAHO AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF BANNOCK COUNTY, IDAHO; THENCE SOUTH 0° 39' EAST, IN PROLONGATION OF THE EAST LINE OF SAID LOT 14 A DISTANCE OF 133.73 FEET MORE OR LESS TO THE NORTH EASTERLY RIGHT OF WAY BOUNDARY OF RELOCATED HIGHWAY U.S. 30 NORTH; THENCE NORTH 61° 38' WEST ALONG SAID RIGHT OF WAY BOUNDARY, 180.68 FEET; THENCE NORTH 0° 39' WEST 45.5 FEET TO THE SOUTHWEST CORNER OF LOT 15 IN BLOCK 1 OF THE FIRST ADDITION TO HAWTHORNE ACRES; THENCE NORTH 89° 10' EAST ALONG THE SOUTH LINE OF BLOCK 1 IN THE FIRST ADDITION TO HAWTHORNE ACRES, 160 FEET MORE OR LESS TO THE POINT OF BEGINNING.

ALSO: THE WESTERLY 15 FEET OF LOT 11, IN BLOCK 2 OF THE SECOND ADDITION TO HAWTHORNE ACRES, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF BANNOCK COUNTY, IDAHO

11(b)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, AMENDING THE COMPREHENSIVE PLAN LAND USE MAP FOR PROPERTY LOCATED WEST OF I-15 AND SOUTH OF I-86, BANNOCK COUNTY, IDAHO BY DESIGNATING APPROXIMATELY 22.97 ACRES OF LAND AS RESIDENTIAL (R), SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED EXHIBIT "A"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, G. Brandon Ratliff made application to the City to amend the Comprehensive Plan Land Use Map by designating approximately 22.97 acres as Residential (R), said property being located west of I-15 and south of I-86 and more particularly described on the attached Exhibit "A"; and

WHEREAS, the Planning and Zoning Commission held a Public Hearing on July 13, 2022, to consider the Comprehensive Plan Map amendment as required by law, and thereafter recommended approval of the request; and

WHEREAS the proposed Comprehensive Plan Map amendment is in compliance with the laws of the State of Idaho and of the City of Pocatello; and

WHEREAS, the City Council being fully advised and having held a Public Hearing on the request August 4, 2022, adopted its written Decision on September 1, 2022, in compliance with the laws of the State of Idaho and of the City of Pocatello, having decided to grant the Comprehensive Plan Map amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF
THE CITY OF POCA TELLO AS FOLLOWS:

Section 1: That the Comprehensive Plan Land Use Map designation for the land described in Exhibit A is hereby amended designating the approximately 22.97 acres as Residential (R).

Section 2: That this ordinance repeals all ordinances or parts of ordinances in conflict herewith.

Section 3: That the official Comprehensive Plan Map adopted by the City of Pocatello and on file with the City Clerk in accordance with applicable law be amended to incorporate the designations provided for in this Ordinance.

Section 4: That this ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this ____ day of September, 2022.

CITY OF POCA TELLO, a municipal
corporation of Idaho

BRIAN C. BLAD, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

STATE OF IDAHO

)

ss:

County of Bannock

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On this _____ day of September, 2022, before me, the undersigned, a Notary Public for the State, personally appeared Brian C. Blad and Konni R. Kendell, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, and acknowledged to me that they executed the foregoing instrument for and on behalf of said municipal corporation and that said municipal corporation executed the same.

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

(SEAL)

NOTARY PUBLIC FOR IDAHO

Residing in: _____

My commission expires: _____

EXHIBIT A

North ½ of the Southeast ¼ of Section 11, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, less that tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 162-371995, records of Bannock County, Idaho.