

**PLANNING & ZONING COMMISSION (PZC)**  
**Meeting Minutes for April 12, 2023 at 6:30 p.m.**  
**City Council Chambers**  
**911 North Seventh Avenue, Pocatello, ID 83201**

**Chair Chanda** opened the meeting at 6:30 p.m.

**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.

**Present:** Eugene Bartu, Krystal Chanda, Whitney Fenwick, Roger Frey, Marjanna Hulet, Richard Phillips and Shin Kue Ryu.

**Staff:** Carl Anderson, Jim Anglesey, Matt Kerbs, Aceline McCulla, Brent McLane and Merrill Quayle.

**Bartu, Chanda, Fenwick, Frey, Hulet, Phillips** made a site visit for agenda item 3, and none of the Commission members had anything else to report.

**AGENDA ITEM #2: APPROVAL OF MINUTES**

The Commission may wish to waive the oral reading of the special clarification and meeting minutes and approve the special meeting minutes held March 22, 2023.

It was moved by **M. Hulet** and seconded by **R. Phillips** to approve the meeting minutes as written from March 22. Those voting in favor were Bartu, Chanda, Fenwick, Frey, Hulet, Phillips and Ryu. Those voting against were none. Motion passed unanimously.

**AGENDA ITEM #3: PUBLIC HEARING – PRELIMINARY PLAT - FILE 22-3691**

This time has been set aside for the Commission to hear comments from the public regarding a request by Kurt and Amber Davis Living Trust, represented by RMES, to subdivide 1.29 acres (more or less) into 15 lots. The property is located east of Philbin Road and south of Quinn Road.

**Chanda** opened up the public hearing at 6:33 p.m.

**Brady Smith** of RMES represents Kurt and Amber Davis Living Trust. Smith explained that preliminary plat has been to site plan review a couple times, and with Subdivision Ordinance updates, this proposal comes before. Smith and the owners are in agreement with the conditions in the staff report.

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

No public comments have been received regarding this application.

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 March 1, 2023, 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; and **3)** All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply.

With no public comments, **Chanda** opened and closed public hearing at 6:41 p.m.

It was moved by **M. Hulet** and seconded by **W. Fenwick** to approve the preliminary plat application from Kurt & Amber Davis Living Trust for the Keystone Townhouses subdivision, finding the application does meet the standards for approval under Chapter 16.20.050 of Pocatello Municipal Code, with the conditions listed in the staff report, and to authorize the Chair to sign the findings of fact. Those voting in favor were Bartu, Chanda, Fenwick, Frey, Hulet, Phillips and Ryu. Those voting against were none. Motion passed unanimously.

#### **AGENDA ITEM 4: PUBLIC HEARING - COMPREHENSIVE PLAN 2040**

This time has been set aside for the Commission to hear comments from the public and to make a recommendation to City Council regarding Pocatello Comprehensive Plan 2040 (CP 2040).

**Chanda** opened up the public hearing at 6:43 p.m.

Long-Range Planner **Jim Anglesey** of the City of Pocatello summarized the staff report and provided a digital presentation, which will be included with the minutes.

There were 35 public comments received regarding this application.

**Chanda** opened up the meeting for public comment at 7:00 p.m.

#### Those in favor:

**Sue Skinner** is concerned about drinking water, and that the lower Portneuf water aquifer is not mentioned in CP 2040, there are vulnerabilities in the creek areas. A plan for sensitive aquifer designation should be created. For over 30-years people have asked for water protection.

**Shannon Ansley** happy with CP 2040 document, we need to protect the water aquifer in the valley. Any spills get into the aquifer and we need to protect the critical water source. Septic should not be allowed and City sewer and water should be only allowed in the valley.

**Liana Litzsinger** thinks the document is amazing, but they are not legally binding. Implementation strategies is a concern, she would like staff to make this document more binding and provide annual updates.

**Stephen Weig** likes the plan, is concerned about bad sidewalks on the west side. They should be corrected so wheel chair users and walkers can get along safely.

**Kathy Olsen** had concerns that the City does not protect the people of Pocatello, but the City does support greenways, open spaces and small lot sizes. City staff and Council need to listen to its people.

#### Those neutral:

**Ryan Satterfield** likes the plan, but is not sure the City would implement the plan. Caution on climate change is focused on more than economic areas and there could be better balance. His other concern was hill side development.

**Lydia Noble** has business concerns; the City needs more proof of economic growth. Census Data shows Pocatello is decreasing compared to other Cities. The City needs bigger companies that would help finance the growth and infrastructure to make this plan work.

Those opposed: none.

Applicant Rebuttal:

**Anglesey** reiterated that the implementation process is key for the comprehensive plan, and public involvement is essential to create and implement this document. City staff, community groups and community members helped create this plan, and it takes the whole community and staff efforts to move the plan forward so it does not just sit on a shelf.

With no more public comments, **Chanda** closed the public hearing at 7:22 p.m.

It was moved by **M. Hulet** and seconded by **W. Fenwick** to recommend approval of Pocatello Comprehensive Plan 2040, and to authorize the Chair to sign the findings of fact. Those voting in favor were Bartu, Chanda, Fenwick, Frey, Hulet, Phillips and Ryu. Those voting against were none. Motion passed unanimously.

**AGENDA ITEM 5: PUBLIC HEARING - COMPREHENSIVE PLAN 2040 – FUTURE LAND USE MAP**

This time has been set aside for the Commission to hear comments from the public and to make a recommendation to City Council regarding Pocatello Comprehensive Plan 2040 Future Land Use Map.

**Chanda** opened up the public hearing at 7: 23 p.m.

Long-Range Planner **Jim Anglesey** of the City of Pocatello summarized the staff report gave a digital presentation, which will be included with the minutes.

Several responses were received regarding the courtesy letter sent to all 1,897 affected property owners prior to the public hearing for this application.

**Chanda** opened up the meeting for public comment at 7:31 p.m.

Those in favor:

**Robin Wilson** is in favor of the updated Future Land Use Map and used as a reference for future zoning decisions.

Those neutral:

**Elaine Prokschl-Baily** supports the mixed use.

**Lydia Noble** was concerned that single-family housing needs to be built and needs to be affordable. She is concerned that density issues could be a potential deterrent for businesses to come to Pocatello.

Those opposed:

**Robin Kent** was concerned with the open space designation and homeless people issues, with no support by the PPD. She wants her property to be designated back to residential.

**Annalucy Keller** was concerned with the open space, trail creek system and maintenance of the City Creek properties from camp sites and other uses.

**Brian Kettler** was concerned about the open space designation and posted signage as private property. He has concerns with future burdens or restrictions on the land, and forceful dictation, when it is privately owned. He values the trail system, there are many private land owners within the trail system and coordination efforts need to be made to address private land owner concerns and how to work with private land owners.

Applicant Rebuttal:

**Anglesey** stated that the City would not force private property owners to change their current zoning, but staff would work with private property owners if the City requests any type of zone change.

Anglesey clarified questions regarding the differences between future land use designations and zoning. Designations are guiding principles for land use whereas zoning is tied to regulatory standards. Zoning is what dictates how land is to be used. Designations help guide a vision for future land use.

With no more public comments, **Chanda** closed the public hearing at 7:56 p.m.

Discussion between Commission members ensued.

It was moved by **M. Hulet** and seconded by **W. Fenwick** to recommend approval of Pocatello Comprehensive Plan 2040 Future Land Use Map, and to authorize the Chair to sign the findings of fact. Those voting in favor were Bartu, Fenwick, Frey, Hulet, Phillips and Ryu. Those voting against were Chanda. Motion passed unanimously.

With no other Commission business, **Chanda** closed the meeting at 7:57 p.m.

Submitted by: Signature on File  
Aceline McCulla, Secretary

Approved on: *May 10, 2023*

Good evening Madam Chair & Members of the Commission, Jim Anglesey, Long-Range Planner for the City of Pocatello. The request before you is to seek the Commission's recommendation regarding Pocatello Comprehensive Plan 2040.

The Plan is part of the Our Valley | Our Vision initiative which outlines Pocatello's planning process that is focused on Equity, Education, Empowerment & Engagement. This process culminates into a vision which informs a suite of community plans.

The Comprehensive Plan is central to the Planning & Development Services Department's role which is to oversee the orderly growth and development of Pocatello. The purpose of the Comprehensive Plan is to establish a community-wide playbook that establishes the City's priorities for the next 20-years. City leaders, elected officials, staff, developers, community organizations and the general public should look to the Plan as the guide for important policies and decisions. To get the most out of this Plan the community should use it to:

- Represent community values for future development and vision.
- Provide a framework and common goals for all other community plans.
- Guide policy decisions.
- Inform changes to City regulations and standards.
- Inform resource and budgeting decisions, and
- Evaluate and measure progress toward achieving community-wide goals.

The Plan seeks to implement a vision for Pocatello and its people. It reflects the voice of residents and is the guiding document for shaping Pocatello's future. The vision presented in the plan is built off of the community's values as identified through significant public outreach.

The entire process for Comprehensive Plan 2040 began in February of 2021 where Planning staff began the initial steps to inform and coordinate with City

Departments and advisory committees, perform research and formulate the outreach process and survey information. This outreach took place between June & December of 2021 where City staff attempted to engage the public through various events, open houses and online activities. This included:

- 20 community events, 8 of which were open houses dedicated specifically to engagement regarding the Plan.
  - These events included tabling at Family Fun Day, Poky Paddle, Revive @ 5, Farmers Market & Welcome Back Orange & Black, as well as tabling at the ISU Student Union Building.
  - Included also were presentations given to Rotary Clubs and the Chamber of Commerce.
  - And an online open house for those unable to attend in-person.
  - Nearly all households in the City (22,036) were mailed an invitation to participate in the in-person open houses and 250 community members chose to participate.
  - *(DESCRIBE OPEN HOUSE ACTIVITIES)*
- Central to this outreach was the Community Values Survey.
  - The survey was open from July 1<sup>st</sup> to October 31<sup>st</sup> of 2021.
  - 864 individuals chose to participate in the survey, which equates to 1.5% of the City's population.
  - *(DESCRIBE SURVEY RESPONSES)*

Between January 2022 and January 2023, planning staff thoroughly combed through survey responses and open house feedback to identify common values and concepts the community shared with us. Once these common values were identified, staff began researching topic specific information that would inform a vision with specific goals and strategies. The culmination of this vision, its goals and strategies, are presented to you in the comprehensive plan draft.

*(DESCRIBE VISION & VISION ELEMENTS)*

The most critical component to this or any other long-range plan is that of implementation. The City is committed to implementing the goals and strategies in this Plan. Pocatello seeks to foster a strong collaborative culture to advance the

Plan's vision. Going forward, we must work together as a community to build upon that spirit and to better integrate a holistic, interdisciplinary approach to city projects, processes and decision making. Collaboration must extend beyond City departments and City officials. Implementation of the Plan will only be successful through partnerships with the community, including nonprofits, businesses, employers, and the general public. These community partners offer perspectives, strategies, and resources that are essential to realizing the community vision for the future of Pocatello.

The draft of the plan was released to the public on February 24, 2023 to provide opportunity for review and feedback. This comment period was accompanied by two open houses held at the Marshall Public Library on March 7<sup>th</sup> and March 29<sup>th</sup>, 2023. The feedback we received during this comment period enabled us to finalize the document and adjust the plan as described in the memorandum presented to you in this meeting's agenda packet. All comments submitted to the Planning Department have also been included in your agenda packet for your review. In addition to your guidance throughout this process, we could not have gotten to this point on Comprehensive Plan 2040 without the significant contributions of the following groups and individuals:

- The comprehensive plan focus group which included:
  - Kate Fornorotto
  - Derek Janssen
  - Heather Murray
  - Kailey White
  - Amy Wuest
  - & the Commissions Representative, Shin Ku Ryu
- Planning & Development Services Staff including
  - Brent McLane
  - Carl Anderson
  - Will Klaver
  - Matthew Lewis
  - Aceline McCulla
  - And those who are no longer with the Department:

- Greg Cleary
  - & our Intern Rahmondo Trevino
- Additional City Staff that contributed significant work to the Plan includes:
  - Ryan Howerton, the City's GIS Coordinator
  - & GIS intern Kyleigh Kowalski
- Finally, I'd like to thank all the community members who have participated in the Planning process and have provided direction and vision that laid the foundation for this plan.



Good evening Madam Chair & Members of the Commission, Jim Anglesey, Long-Range Planner for the City of Pocatello. The request before you is to seek the Commission's recommendation regarding Pocatello Comprehensive Plan 2040 Future Land Use Map. The Future Land Use Map provides direction on how the land within and surrounding the City of Pocatello is to be used for future (re)development. The map should reflect the vision of Pocatello Comprehensive Plan 2040 and is to be used in tandem with the City's current zoning ordinance (Title 17) which utilizes Euclidean zoning, characterized by the separation of land uses by use type. The proposed Future Land Use Map, if approved, will replace the current Future Land Use Map. Major differences in the proposed map includes land within the Area of City Impact (ACI) where the current map only extended beyond the municipal boundaries within the Northgate area, it also includes three new designations, as well as areas important to protect from development due to the desire to protect riparian, nature, wildlife, and/or recreational areas.

#### (DESCRIBE DESIGNATIONS)

As a result of the public engagement efforts regarding Comprehensive Plan 2040 between June and December 2021 and the resulting goals and strategies of the proposed plan and as a requirement by state code regarding comprehensive plans, a draft of the Future Land Use Map was created. Once the draft was created, all property owners whose property designation was proposed to change were sent a letter outlining the proposed changes. Pocatello City Code section 17.02.300.A.3.d requires that if more than 200 property owners are to be noticed, in lieu of mailed notices to each property owner, the City is only required to publish said notice in the Journal both as a display ad and a legal notice with additional noticing sent to television and radio media outlets. However, as a courtesy, Planning staff sent approximately 2,000 letters to provide opportunity for property owners to respond, ask questions, or request a change in the proposed designation. These letters were sent February 28, 2023 informing each recipient that they had until March 31, 2023 to respond if changes to the proposal were desired. Dozens of calls were received regarding these letters and staff clarified information that may not have been clear and resolved concerns

regarding the proposed designations. In many instances, property owners worked with staff to discuss any needed adjustments to the proposed designation of their property. From the feedback we received from property owners one major change from the original proposed designations was that of changing the designation of “Public (P)” to “Open Space (OS)” due to concern of many that the designation of “P” would restrict the use of private property and/or result in eminent domain even though the reality of this concern is certainly not the case nor was it the intention of said designation to inflict any regulatory taking.

It is important to keep in mind that the Future Land Use Map does not equal zoning. The Future Land Use Map is adopted to guide development and land uses but does not include any regulatory standards. Zoning on the other hand is a regulatory tool used to provide development standards regarding use on a particular lot or parcel. It is through zoning that allows or restricts various use types. The Future Land Use designation of a particular property may not align with existing zoning; however, the designation may provide the ability to rezone the property to allow for various (re)development activities.