



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

AGENDA

BANNOCK COUNTY

PLANNING & DEVELOPMENT COUNCIL MEETING

MAY 21, 2025 – 5:15 PM

The public meeting will be held in Conference Room 1, Office of Planning and Development Services, 5500 S 5th Ave, Pocatello, ID 83204.

Any citizen who wishes to address the Council, must first complete a sign-up sheet and give their name and address for the record. If a citizen wishes to read documentation of any sort to the Council, they must have a copy available to submit as part of the record. There will be a three (3) minute time limitation for presentations by citizens. The purpose of this agenda is to assist the Council and interested citizens in the conduct of this public meeting. **Citizens should examine the agenda for the item of their interest. However, citizens are advised that only Public Hearings allow for public comment during the discussion / consideration process.** Citizens have an opportunity to be heard by the Council if the item meets the criteria as described in the agenda. *You must sign in at the start of the meeting to be recognized.*

RECESS: The Council Chair or Vice Chair may call a recess, as they deem necessary, to allow Council members and participants a brief rest period.

Bannock County complies with requirements of the Americans with Disabilities Act. Special accommodations can be provided with three (3) days advance notice by calling 208.236.7230, emailing development@bannockcounty.gov, or coming into the office.

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|-----------------|----|---|
| AGENDA ITEM NO. | 1. | <p>ROLL CALL AND DISCLOSURE OF CONFLICT OF INTEREST – EX-PARTE COMMUNICATION AND SITE VISIT</p> <p>Disclose any communication, including who was there and the basic substance of conversation. Disclose if a site visit was made, location(s) of the site visit and what was seen.</p> |
| AGENDA ITEM NO. | 2. | <p>PRELIMINARY BUSINESS</p> <p>a) Agenda Clarification and Approval (Action Item)</p> |

- AGENDA ITEM NO. 3. APPROVAL OF MINUTES (**ACTION ITEM**)
a) February 19, 2025

PUBLIC HEARING ITEMS

(The procedure used for conducting the public hearings is at the end of this agenda.)

- AGENDA ITEM NO. 4. CONDITIONAL USE PERMIT – PORTABLE BUILDING
SALES: Canda Dimick petitions for a conditional use
permit to sell portable buildings. There will be a 12x20
portable office building for home business to sell
handcrafted outdoor furniture, home items, and
farm/garden products. The facility proposes hours of
operation from 11 a.m. to 6 p.m., Monday through
Saturday. Property owners will be operating the business.
The affected property is known as parcel RPR4227007300
and is currently addressed as 9303 S. Sunnyside, Lava Hot
Springs, ID 83246. At the hearing, the Council shall
evaluate the proposed use against criteria established in
§530 of the Zoning Ordinance. Type of action: Decision.
(ACTION ITEM)

- AGENDA ITEM NO. 5. REZONE: Jeremy Maska proposes the redesignation of
approximately 4.14 acres of land from Residential
Suburban to Light Industrial on the Zoning Map. The
subject property is located in Section 5 of Township 6
South, Range 34 East and is identified as parcel
RPR3853006700. Type of action: Recommendation to
County Commissioners.
(ACTION ITEM)

- AGENDA ITEM NO. 6. ORDINANCE CHANGE §394 – ZONING ORDINANCE
AMENDMENT: Matt Loo proposes a change to §394.6
General Standards of the Master Planned Community
(MPC) Zone to changes the minimum area required from
750 acres to 550 acres. Type of action: Recommendation
to County Commissioners.
(ACTION ITEM)

BUSINESS ITEMS

None

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- | | | |
|-----------------|-----|---|
| AGENDA ITEM NO. | 7. | ITEMS OF INTEREST a) Update on recommendations to Commissioners b) Discussion of upcoming hearing items c) Announcements |
| AGENDA ITEM NO. | 8. | CITIZEN COMMENTS This time has been set aside to hear items from the audience, not listed on the agenda. Items which appeared somewhere else on the agenda will not be discussed at this time. The Council is not allowed to take any official action at this meeting on matters brought forward under this agenda item. You must sign in at the start of the meeting in order to be recognized. Note: Total time allotted for this item is fifteen (15) minutes, with a maximum of three (3) minutes per speaker. |
| AGENDA ITEM NO. | 9. | WORK SESSION a) None |
| AGENDA ITEM NO. | 10. | ADJOURN |
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The application for each item will be available to the public by request at Planning and Development Services office and on the department's website at www.bannockcounty.us/planning. Written testimony of fewer than two (2) pages must be received by the Planning and Development Services office no later than May 13, 2025. Written testimony may also be sent to development@bannockcounty.gov. Any written testimony not received by the deadline must be brought to the council meeting and presented at the public hearing. All submitted testimony shall be considered public record. Discriminatory testimony shall not be permitted. Written testimony must comply with standards established in §560.7 of the Bannock County Zoning Ordinance.

PUBLIC HEARING PROCEDURE

1. A presentation is made by the applicant.
2. An explanation of the subject of the hearing is presented by the Planning and Development Service staff. (No time limit)
3. Testimony is given by the audience in favor of the proposal and then neutral on the proposal and against the proposal. Questioning of the participants, and rebuttals are entertained by the Planning and Development Council
4. The applicant may rebut the arguments offered by the opposition.
5. The Planning and Development Council discusses the hearing subject; they may direct questions to the staff, the applicant and the audience during this stage of the hearing process.
6. The hearing is closed to oral testimony from the applicant and the audience. The hearing process is concluded.

The Council accepts oral testimony and may accept limited written testimony from those in attendance, but only if the parties have filled out the testimony sign-in sheet. **If you have submitted written testimony as part of the packet, you cannot also give an oral testimony unless it is to read the written testimony into the record.** In order to keep a clear audio recording of this hearing, when testifying, a person must come to the podium and state their full name and address. Comments will not be accepted from the audience seats and discriminatory testimony shall not be permitted. There shall be no booing, hissing, or cheering.

AGENDA ITEM NO. 3

Approval of Minutes -
February 19, 2025

BANNOCK COUNTY PLANNING AND DEVELOPMENT COUNCIL

DRAFT MEETING MINUTES | February 19, 2025

BANNOCK COUNTY STAFF PRESENT: Hal Jensen, Planning Director, Alisse Foster, Subdivision Planner; and Kiel Burmester, Road and Bridge Director.

Ward calls the meeting to order at 5:16 p.m.

1. ROLL CALL AND DISCLOSURE OF CONFLICTS OF INTEREST:

Present Council Members: Stewart Ward, Chad Selleneit, Molly Dimick, and Krystal Madsen.

Dimick recused herself from Items No. 4 & 5.

2. PRELIMINARY BUSINESS AGENDA CLARIFICATION AND APPROVAL:

Hal Jensen, Planning Director, Bannock County, Item No. 12, review of Council-By-Laws will be dropped from the agenda. Make recommendation to begin with Items No. 6 & 7 and then follow up with Items No. 4 & 5.

Selleneit makes motion to accept agenda.

Dimick seconds. All in favor.

3. APPROVAL OF MINUTES:

Make change to spelling of Stewart Ward's name to the November 20, 2024, minutes.

Dimick makes motion to approve minutes.

Selleneit seconds. All in favor.

PUBLIC HEARING ITEMS:

Selleneit makes motion to open public hearing

Madsen seconds. All in Favor.

4. CONDITIONAL USE PERMIT – CAMPGROUND:

Christian Kobus petitions for a conditional use permit to create a 30-spot campground, on approximately 5 acres. The affected property is known as parcel RPRRIFL001300 and is currently unaddressed. Proposed hours of operation are 24 hours, seven days a week; a private well and

septic are being proposed. At the hearing, the Council shall evaluate the proposed use against criteria established in §530 of the Zoning Ordinance. Type of action: Decision.

Christian Kobus, 9022 W. Pocatello Creek Road, Pocatello, ID. Trying to make small campground for overflow of the Lava area.

Ward, "you are looking for 30 spots?"

Christian Kobus, "yes."

Ward, "according site plan, mix of different things, tents, RV's, and tiny homes. Is that right?"

Christian Kobus, "basically RV parking and tiny homes on wheels."

Ward, "Are there bathrooms, septic system, and would you drill a well?"

Christian Kobus, "yes, eventually, but at this time, proposing dry camping area and probably electrical services."

Ward, "so restrooms would be formal restrooms for now?"

Christian Kobus, "yes."

Ward, "are you providing water to all the spots?"

Christian Kobus, "not at this time."

Selleneit, "so on the tiny homes, sounds like they are a future type of thing. In the future are you planning on having each individual sewer to these little cabins or public waste water area or sewage area?"

Christian Kobus, "holding tanks for each unit, possible RV dump pad."

Selleneit, "would you have someone clean out the holding tanks?"

Christian Kobus, "yes."

Selleneit, "would there be one community well or running water to each individual little cabin or camp spot?"

Christian Kobus, "eventually would have water to each spot."

Selleneit, "no permits to dry camp."

STAFF

Alisse Foster, Subdivision Planner, staff report has recommended conditions. Does council have any questions?

No questions.

PUBLIC TESTIMONY

Public testimony in favor: None.

Public testimony neutral: None.

Public testimony opposed: Ward read letters in opposition to campground from Alwin Call, Emily Olsen, and Ellen Christensen.

Sara Reece, Bald Eagle, Lava Hot Springs, ID. Did not receive notice. Concerned about road conditions. Yurts with lights that are left on 24/27. Water and sewer concern. Market for campground in the area. Impact on little valley. Maintaining roads.

Glenn Christiansen, S. Blaser Hwy, Lava Hot Springs, ID. Concerned about water and sewer system. Contamination. Increase in the traffic. Do not see any plans for drainage in that area.

Candice Simmons, Simmons Road, Lava Hot Springs, ID. Read written testimony. Concerned about water and septic. Ingress and egress. Fire, ambulance, and emergency personnel. High fire risk. No necessity, abundant campsites that already exist. Rattlesnake ridge. No need there. Traffic and people coming and going all the time.

Charles Olsen, 6912 Pheasant Drive, Lava Hot Springs, ID. Valley only ½ mile wide. Snow, sound, 30 campgrounds in my backyard, light pollution, noise pollution, ruin his little piece of paradise. Ask council to reject application.

J.C. Smith, 7245 S. Grouse, Lava Hot Springs, ID. Closest neighbor. Fire hazard and no water. Speed limit is a suggestion. Shooting and target practicing. Concerned about horses.

Shelly Call, 6896 S. Pheasant Drive, Lava Hot Springs, ID. Campground would be kitty corner from her property. Moved to Lava to get away from the city life. Bought outside of Lava. Concerned about noise. Only one way out and could be a disaster. Rides four-wheelers and horses and people do not have respect. Picks up trash to keep it clean. Noise of generators and parties.

FINDINGS:

1. The proposed use **would** adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. Noise from increased traffic, voices, music, potential generator use and recreational vehicles will substantially disrupt the existing residential area and current resident's lifestyle.
2. The proposed use **would** cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The traffic for 30 campsites will create an unusual amount of traffic when compared to the traffic generated by a single-family residence.
3. The proposed use **would not** damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity. The proposed use would not damage public health, safety, etc., due to the fact that the applicant has stated this camp site will be a dry campsite with no water and septic system available to the general public
4. The proposed use **would** be consistent with the goals and policies of the Comprehensive Plan of the county. Staff has identified, in the staff report, that the use would be compatible with particular goals and policies of the Comprehensive Plan by protecting private property rights, promoting tourism, economic development. Policy 2.2.3 and Objective 1.5.
5. The proposed use **would** be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical. Any temporary and/or permanent structures will be smaller in size than a single-family residence and be compatible in terms of height, bulk and scale.

Madsen, based on the record and the discussion this evening, I move to deny the request by Christian Kobus, for a Conditional Use Permit, as described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

With the following conditions of approval:

CONDITIONS:

1. All fire pits will be installed in accordance with Lava Rural Fire District.
2. Adequate trash collection and disposal for the campground will be provided by the owner.
3. Prior to campground opening, N Grouse Circle must meet private road standards, according to the Bannock County Highway Standards & Roadway Development Procedures.
4. All tiny homes must meet the standards of a recreational vehicle (RV), according to the Idaho Department of Motor Vehicles.
5. Portable restrooms are required while campground is open.
6. Quiet hours will be from 9:00pm – 6:00am.
7. If public water system and/or sewer system is proposed in the future the applicant will need to apply for a substantial change to this conditional use permit.

Selleniet seconds.

Roll call. Ward – yes. Selleniet – yes. Madsen – yes.

Motion denied 3-0.

5. CONDITIONAL USE PERMIT – CAMPGROUND:

Martin Sanders petitions for a conditional use permit to create a giftshop and a 25-spot campground, on approximately 6 acres. The affected property is known as parcel RPRRIFL001200 and is currently unaddressed. Proposed hours of operation for the campground are 24 hours, seven days a week; a private well and septic are being proposed. Proposed hours of operation for the gift shop to be 9AM to 5PM. Type of action: Decision.

Martin Sanders, 986 Bryan Street, Pocatello, ID. Read clarification and changes to application. Intent is not to have a campground, family business sifting dirt to find gemstones. Ten tent sites for long distance travelers and two teepees will be onsite and will be free for natives. Gift shop. Introduced different map. Aware of hazards and will comply with the County. Two portable toilets and no drinking water. Each space will have its own picnic table. Do not expect many people to stay in tents, but have option to stay in tent by their parking spot. Teepees to honor the history of the valley.

Ward, “any possibility of an overnight, we have to consider it as a campground.”

Martin Sanders, “if that is a make or break deal, I can eliminate the potential of ten tents.”

Ward, “that changes the application from a campground to now a business. It is a completely different application that we cannot address tonight. You would have to come back for just the business side and not the campground.”

STAFF

Alisse Foster, Subdivision Planner, it was noticed as a campground with 25 spots and in the notice, it did address a gift shop. Any questions?

Selleneit, “did the initial application address septic and well?”

Alisse Foster, “yes.”

Ward, “if he revises his application to remove the camp spots, is it still a CUP for that business?”

Alisse Foster, “it would fall under the retail category which is a Conditional Use Permit in this zone.” Discussed setbacks.

PUBLIC TESTIMONY

Public testimony in favor: None.

Public testimony neutral: None.

Public testimony opposed: Sara Reece, Bald Eagle, Lava Hot Springs, ID. Conflict with surrounding residential uses for the noise, light, litter, and dust. Concerned about drainage from parking lot having an impact on the wetlands. Who is going to enforce laws?

Glenn Christiansen, S. Blaser Hwy, Lava Hot Springs, ID. Concerned about water and sewer system.

Candice Simmons, Simmons Road, Lava Hot Springs, ID. Waste water will be running into the canal that runs into the Portneuf. Not suited for recreation. Domestic problems increased. Is there going to be a camp host? More traffic, accidents, and snakes. Ingress and egress concern to keep people safer.

Charles Olsen, 6912 Pheasant Drive, Lava Hot Springs, ID. Sheep herder that owns a big chunk of that mountain. He runs 200-500 sheep at a time and lets them graze and no dog running them.

Ground not level and will need a lot of dirt work. Referenced the yurts, dirt, and septic system. Concerned about alcohol and drugs.

J.C. Smith, 7245 S. Grouse, Lava Hot Springs, ID. Impact of people and who is going to police area? Fix the road so fire and ambulance can get up there. Fire hazard and winds. Traffic concerns. Crazy drivers. Don't really want to tell Martin no, but this is not going next to his house, it is going next to mine. Don't think he would want it next to his house. Lots were sold for homes, not campgrounds.

Shelly Call, 6896 S. Pheasant Drive, Lava Hot Springs, ID. Do not want drugs and alcohol close to house. Where is extra dirt going from sifting dirt? Wants to feel safe in home. More people coming into Lava.

Martin Sanders, 986 Bryan Street, Pocatello, ID. Intent is to put clean paved dirt into the center of parking lot area. Intend to use dirt or haul it off. Minimal excavating. Discussed tailings. Discussed camp host if there were going to be campers.

Selleneit, "where is the dirt coming from?"

Martin Sanders, "several mines throughout the region."

FINDINGS

1. The proposed use **would** adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. Noise from increased traffic, voices, music, potential generator use will substantially disrupt the existing residential area and current resident's lifestyle.
2. The proposed use **would** cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The traffic for 25 campsites and a gift shop will create an unusual amount of traffic when compared to the traffic generated by a single-family residence.
3. The proposed use **would not** damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
4. The proposed use would not damage public health, safety, etc., due to the fact that the applicant has stated this camp site will be a dry campsite with no water and septic system

available to the general public. Any water brought to the site will be non-potable and used for the proposed activity of mineral sifting.

5. The proposed use **would** be consistent with the goals and policies of the Comprehensive Plan of the county. Staff has identified, in the staff report, that the use would be compatible with particular goals and policies of the Comprehensive Plan by protecting private property rights, promoting tourism, economic development. Policy 2.2.3 and Objective 1.5.
6. The proposed use **would** be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical. Any temporary and/or permanent structures will be smaller in size than a single-family residence and be compatible in terms of height, bulk, and scale.

Selleneit, based on the record and the discussion this evening, I move to deny the request by Martin Sanders, for a Conditional Use Permit, as described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

With the following conditions of approval:

CONDITIONS

1. All fire pits will be installed in accordance with Lava Rural Fire District.
2. Adequate trash collection and disposal for the campground will be provided by the owner.
3. Prior to campground opening, N Grouse Circle must meet private road standards, according to the Bannock County Highway Standards & Roadway Development Procedures.
4. Portable restrooms are required while campground is open.
5. The owner shall provide potential risk of flooding to overnight campers.
6. Quiet hours will be from 9:00pm – 6:00am.
7. If public water system and/or sewer system is proposed in the future the applicant will need to apply for a substantial change to this conditional use permit.

Madsen seconds.

Roll call. Ward – yes. Selleniet – yes. Madsen – yes.

Motion denied 3-0.

6. COMPREHENSIVE PLAN ADOPTION:

Bannock County proposes to adopt a new Comprehensive Plan. In accordance with State Code 67-6509, the Planning and Development Council shall conduct at least one public hearing to recommend material change to the Plan. Type of action: Recommendation to County Commissioners.

Hal Jensen, Planning Director, discussed rewrite and edits of the Comprehensive Plan. Does council have any concerns, comments, edits or changes to language or recommendations?

Ward, “what are staff’s thoughts on agency comments? Do you support them or not support them?”

Hal Jensen, Planning Director, “yes and no.” Discussed letter received from City of Pocatello and Portneuf Greenway comments. If no changes to Comprehensive Plan, recommend to County Commissioners.

PUBLIC TESTIMONY

Public testimony in favor: Dan Haralson in support. Ward, read letter in support of Comprehensive Plan.

Public testimony neutral: Devon Hillam, City of Chubbuck Community Service Director, 290 East Linden Avenue, Chubbuck, ID. Great plan and largely in support of this plan. Read letter regarding elements and suggestions to Comprehensive Plan.

Ben Gardner, 14723 W. Chubbuck Road, Chubbuck, ID. Read changes he would like made to the Future Land Use Map.

Public testimony opposed: None.

Staff and council discussed the Future Land Use Map and zoning.

Dimick, based on the record and the discussion this evening, I move to recommend approval to the Board of County Commission, the proposed Bannock County Comprehensive Plan, as described in the application materials as supplemented with additional information attached in the staff memo and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair, with the following changes:

1. Change the Future Land Use Map, Parcel RPR3853006700, from Residential Suburban to Light Industrial Warehouse per property owner's request, Ben Gardner, 14723 W. Chubbuck Road.
2. Goal 1.3, Add 1.3.6, Continue to coordinate the development of walking and bike paths with local municipalities as adjacent development occurs at the edges of the cities.

Selleneit seconds.

Roll call. Ward – yes. Selleniet – yes. Dimick – yes. Madsen – yes.

Recommended approval 4-0.

7. ORDINANCE CHANGE – SEDIMENT AND EROSION CONTROL ORDINANCE TEXT CHANGE:

Bannock County proposes textual changes to section 410 Erosion Control. Type of action: Recommendation to County Commissioners.

Hal Jensen, Planning Director, discussed brief history. Ordinance change request from City of Pocatello. MS4 group and have a permit and there are five (5) entities. City of Pocatello is the lead, City of Chubbuck, Idaho State University, Bannock County, and State Transportation Department. MS4 overlay area. MS4 stands for Municipal Separate Storm Sewer System and it is required from the Feds through the Idaho Department of Environmental Quality. The City of Pocatello controls and regulates. The County is a party and entity. Discussed two paragraph changes to bring County ordinance in compliance with other four (4) entities.

Selleneit, based on the record and the discussion this evening, I move to recommend approval to the Board of County Commissioner the proposed changes to the Construction Site Sediment and Erosion Control Ordinance of Bannock County, Idaho, as described in the application materials as supplemented with additional information attached in the staff memo and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

Madsen seconds.

Roll call. Ward – yes. Selleniet – yes. Madsen – yes. Dimick – yes.

Recommended approval 4-0.

Selleneit makes motion to close public hearing.

Dimick seconds. All in favor.

8. PRELIMINARY PLAT APPROVAL – PEPPERGRASS POINT SUBDIVISION:

Jose Nava requests preliminary plat approval for tax parcels RPRRWH4000600, RPRRWH4000500, and RPRRWH4000400 in accordance with procedures and standards established in the Subdivision and Zoning Ordinances. Type of action: Decision.

Ward, “even though we have written consent to vacate those easements from all the utilities, is that sufficient because it is a plat?”

Alisse Foster, Subdivision Planner, “from what I have researched in Idaho Code, I did not see it has to be that kind of document. It just states utility companies have to agree. Jose reached out to Dig Line, page 237, is what Dig Line provided to him. They went out and marked the property and could not find utilities present in the easement they are proposing to vacate.”

FINDINGS

1. The preliminary plat **is** in conformance with the Bannock County Planning and Development Council’s approved Concept Plan, all applicable provisions of the Bannock County Subdivision Ordinance, other County Codes and Ordinances, and Idaho Code. This is a re-plat of three existing lots into two.
2. The street plan for the proposed subdivision **will** permit its development in accordance with the Bannock County Subdivision Ordinance. This is a platted subdivision and existing roads have already allowed the road development.
3. The street plan for the proposed subdivision **will** permit the development of adjoining land by providing access to that land by right of way dedicated to the County, or a developed street to the property boundary. This is a platted subdivision and existing roads have already allowed the road development.
4. Lot lines and roads **do** relate to land shapes and existing development. This is a re-plat of three existing lots into two, the new lot line relates to existing lot lines and land shapes.

Madsen, based on the record and the discussion this evening, I move to approve the request for the preliminary plat of Peppergrass Point Subdivision, as described in the application materials as supplemented with additional information attached in the staff report and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

With the following conditions of approval:

CONDITIONS:

1. CC&Rs shall reference new subdivision name.
2. Plat shall state: "The 100' wide recreation easement of which 50 feet is dedicated in phase 2, is designated for the recreational ingress and egress (i.e. Horse riding, biking, walking...) of all Wildhorse Ridge Subdivision residences. The 10' wide trail shall be free from obstructions such as fences, building structures, gardens, and landscaping."

Selleniet seconds.

Roll call. Ward – yes. Selleniet – yes. Madsen – yes. Dimick – yes.

Motion approved 4-0.

9. CONDITIONAL USE PERMIT – GRAVEL PIT:

Coleman Horrocks requests to open a new phase of an existing gravel pit, according to the original findings, conclusion and decision of the Conditional Use Permit. Type of action: Decision.

Coleman Horrocks, 9659 N. Philbin Road, Pocatello, ID. Original Conditional Use Permit from 25 years ago. Didn't want to open at once, start at far end due to noise. Following rules of permit. Believes gravel pit is grandfathered. Phase 2 pushing 500 ft. to the East approximately. Referenced map. Request due to stock piles. Not trying to juggle seasonal operations. Owned shares in a company that owned gravel pit. Discussed plan for Phase 2 and dust. Comply with same hours of operation.

Selleniet, based on the record and the discussion this evening, I move to approve the request by Coleman Horrocks, to open phase 2 of the previously approved gravel pit, as described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

With the following conditions of approval:

1. All conditions listed in the findings (instrument #20011957) from the original CUP shall be upheld.
2. Provide Planning and Development with a copy of DEQ's required permits before starting extraction of phase 2.

Madsen seconds.

Roll call. Ward – yes. Selleniet – yes. Madsen – yes. Dimick – yes.

Motion approved 4-0.

10. ITEMS OF INTEREST:

- a) Required by ordinance and statute a coordination meeting between council and commission once a year in the first quarter of the year. Joint meeting with Commission on March 18, 2025, at 2:00 p.m.
- b) Upcoming hearing items for March 19, 2025:

Conditional Use Permit for Gravel Pit in Downey and Preliminary Plat for Westfield Estates Division 6.

11. CITIZEN COMMENTS:

Candice Simmons, Simmons Road, Lava Hot Springs, ID. Discussed Bannock County public hearing signs and could hardly read. Written comments into Minutes. Wants County to go back to the way they used to do meeting and signage. Stamp written statements.

12. WORK SESSION:

None.

13. MEETING ADJOURNED

The public meeting was held in Conference Room 1, Office of Planning and Development Services, 5500 S 5th Ave, Pocatello, ID 83204.

PUBLIC HEARING ITEMS

AGENDA ITEM NO. 4

Conditional Use Permit:

Portable Building Sales – Canda Dimick



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

CONDITIONAL USE PERMIT PUBLIC HEARING: May 21, 2025 STAFF REPORT

FILE #: CUP-25-6

LOCATION: RPR4227007300, 9303 S. Sunnyside, Lava Hot Springs, ID 83246

APPLICANT:

Canda Dimick
8742 South Sunnyside Road
Lava Hot Springs, ID 83246

OWNER:

Canda Dimick
8742 South Sunnyside Road
Lava Hot Springs, ID 83246

RECOMMENDATION: Staff recommends one of the following:

- Denial, or;
- Approval with the following conditions:
 1. Hours of operation 11:00 a.m. – 6:00 p.m., Monday – Saturday.
 2. All signs must adhere to Zoning Ordinance Section 475.14.
 3. Outdoor lighting must adhere to Zoning Ordinance Section 475.10.
 4. No more than 30 portable structures will be on site at any given time.
 5. Any customer parking must be contained on property and no street parking will be permitted.

Council may wish to add additional conditions as needed.

REQUEST & BACKGROUND: Canda Dimick petitions for a conditional use permit to sell portable buildings. There will be a 12x20 portable office building for home business to sell handcrafted outdoor furniture, home items, and farm/garden products. The facility proposes hours of operation from 11 a.m. to 6 p.m., Monday through Saturday. Property owners will be operating the business.

SITE CHARACTERISTICS AND ZONING:

ZONING: Recreational

PROPERTY SIZE: ~ 80.15 acres

VIEWS: The property is visible from S. Sunnyside Road

EXISTING STRUCTURES: Single-family residence and outbuildings

SURROUNDING LAND USES AND ZONING

NORTH: Primarily bare ground and is designated as Agricultural on the zoning map.

STAFF REPORT
CONDITIONAL USE PERMIT- DIMICK
Page 1 of 5

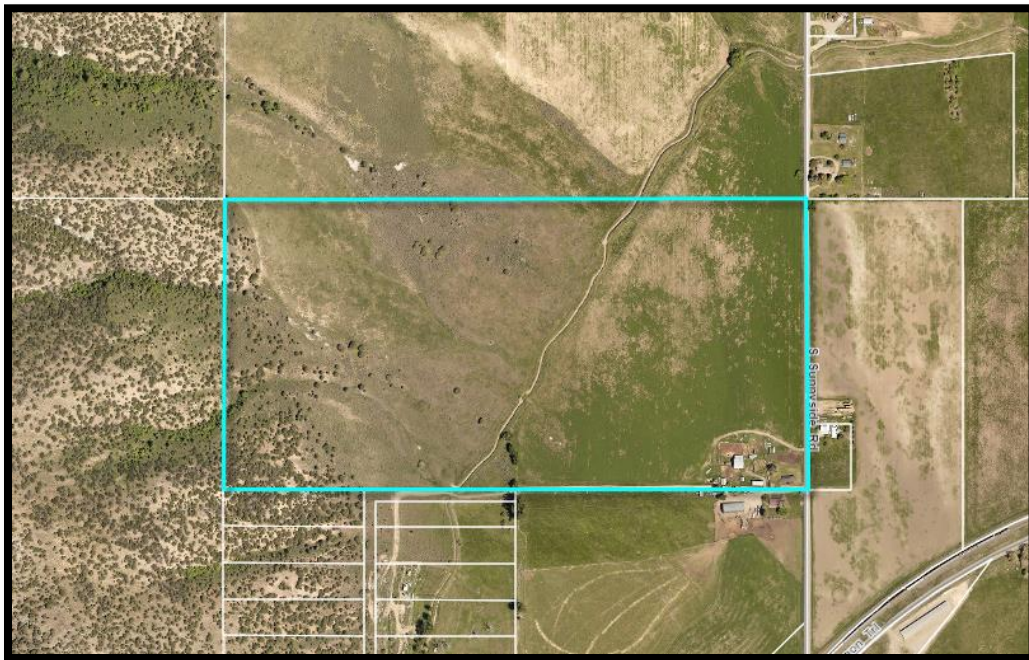
EAST: Primarily bare ground with some residential uses and is designated as Recreational on the zoning map.

SOUTH: Primarily bare ground with some residential uses and is designated as Recreational on the zoning map.

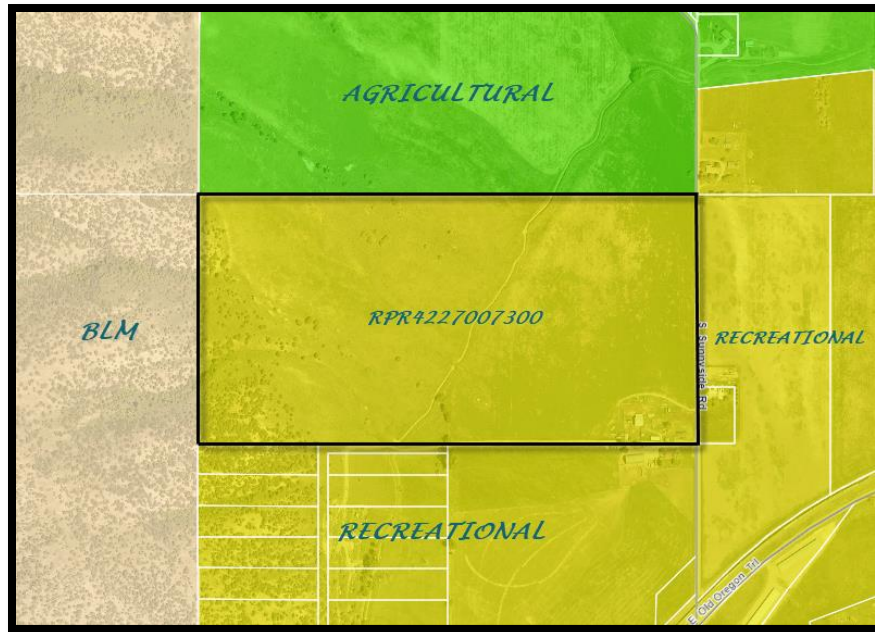
WEST: Primarily bare ground designated as BLM on the zoning map.

APPLICABLE LAWS AND PLANS:

1. Idaho Code §67-6512, SPECIAL USE PERMITS, CONDITIONS, AND PROCEDURES
2. Bannock County Comprehensive Plan, 2025-27
3. Bannock County Zoning Ordinance, 1998-1, specifically:
 - a. §340 RECREATION ZONING DISTRICT
 - b. §395 USE REGULATIONS SUMMARY
 - c. §530 CONDITIONAL USE



SITE MAP



ZONING MAP

CONDITIONAL USES (ZONING ORDINANCE §530)

A conditional use may be granted to an applicant if the proposed use is otherwise prohibited by the terms of the ordinance, but may be allowed with conditions under specific provisions of the ordinance and when it is not in conflict with the comprehensive plan.

STANDARDS FOR APPROVING A CONDITIONAL USE PERMIT (ZONING ORDINANCE §530.6)

The Planning and Development Council may grant a conditional use permit if it makes affirmative findings on each of the following standards:

- A. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.**

Staff Findings of Fact

Applicant states the portable structures (storage sheds, tiny homes, greenhouses, chicken coops, and dog kennels) are being retained as accessory buildings, structures and uses which are customarily incidental to residential uses as permitted in the Recreational zone. These structures are commonly retained at home improvement stores, which is a conditional use in the Recreational zone. They are common structures currently seen and used on properties throughout Bannock County. Similar structure uses are on the parcel where the lot will be located and also on neighboring properties. The business will be onsite and will be family/owner operated. The Council should review these uses

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CONDITIONAL USE PERMIT - DIMICK
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to determine whether this proposed use would adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- B. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.**

Staff Findings of Fact

According to the applicant, access to the property is off of a county-maintained road that is traveled by neighboring property owners/farmers and those accessing public land. The proposed use is not anticipated to increase much traffic. Most of the sales can and are handled online. Occasionally, there will be potential buyers visiting the lot. The Council should determine if this proposed use would cause an undue disruption of travel in the vicinity.

- C. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.**

Staff Findings of Fact

Applicant states that noise will only be occasional groundskeeping equipment, no louder and longer than residential yard maintenance. Potential buyers visiting the lot will have access to a parking area off of the county road. There will be security cameras installed and outdoor lighting will be minimal. The Council should review conditions listed in the staff report to determine if they can mitigate the use or if this proposed use would damage public health, safety, or general welfare within the vicinity.

- D. The proposed use would be consistent with the goals and policies of the Comprehensive Plan.**

Staff Findings

Staff has identified the following applicable goals and policies (others may be identified by the Council):

The Bannock County Comprehensive Plan states:

Goal 2.2 - Development that fosters economic growth while maintaining the rural character of the county.

Goal 3.2 - A strong and diverse economy.

3.2.1 - Appropriately zone locations within the county to allow for a variety of residential, agricultural, commercial, and industrial uses.

3.2.2 - Continue to support Bannock Development Corp. and other economic drivers

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CONDITIONAL USE PERMIT - DIMICK
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and their efforts.

3.2.3 - Support the development of economic incentives for business expansion and growth.

- E. The proposed use would be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical.**

Staff Findings of Fact

Applicant states the lot will be developed to adhere to zoning regulations. No portable structure will exceed height restrictions. Retail lot will not exceed 30 portable structures.

IDAHO CODE REGARDING CONDITIONAL USE PERMITS

IC 67-6512(a): Denial of a special use permit or approval of a special use permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with requirements established thereby.

IC 67-6512(e): Prior to granting a special use permit, studies may be required of the social, economic, fiscal, and environmental effects and any aviation hazard as defined in section 21-501(2), Idaho Code, of the proposed special use. A special use permit shall not be considered as establishing a binding precedent to grant other special use permits. A special use permit is not transferable from one (1) parcel of land to another.

AGENCY COMMENTS:

None at time of report.

PUBLIC COMMENTS:

None at time of report.

REPORT BY:

Annie Hughes Williams, Zoning Planner
annieh@bannockcounty.gov
208-236-7230

REPORTED DATE: May 13, 2025

**Staff comments in this report are based solely upon evidence available at the time of the report. Additional information may be brought to light at or before the hearing.*

EXHIBITS:

1. Application and site plan
2. Applicable Laws (on file with Staff)
3. Evidence of Notices (on file with Staff)
4. Agency/Public Comments (if any)




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CONDITIONAL USE PERMIT - DIMICK
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EXHIBIT 1

Application & Site Plan

CUP-25-6

Submitted On: Mar 21, 2025

 Canda Dimick



Conditional Use Permit**Parcel #**

RPR4227007300

Zoning

Recreational

Please describe your project.

Portable building retail lot.

What product or service are you providing?

Portable buildings/home occupation (handcrafted outdoor furniture, home items, and farm/garden products).

Proposed hours of operation

11 am to 6 pm, mst

Proposed days of the week operation will be in use

Monday through Saturday

Method for Handling Waste

Currently have M.R.&E., Inc 90 gallon container. All other debris if any will be taken to Bannock County landfill.

Proposed number of employees

0

Equipment and Machinery Use

Occasional delivery truck.

Water Supply

Private

Sewage Disposal

Private

Will New Buildings be Required?

Yes

If yes, describe:

12 X 20 Portable Office Building

Will Existing Buildings be Utilized?

No

Vehicles Used in Operation:

None

Will there be any emissions, such as smoke, dust, etc.?

Possible dust when mowing, and occasional odor from weed control.

Daily One-Way Vehicle Trips, Including Employees, Deliveries, etc.

Several building deliveries initially then only occasionally as product is sold off the lot and replaced. Potential buyer visits to the lot. Business owners will be operating the business and will be going in and out daily. We don't anticipate any more road traffic impact then what is already experienced.

Standards for Approval

Please address how your request meets each of the following standards for approval:

Narrative addressing how your application meets criterion 1: The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

The portable structures (storage sheds, tiny homes, greenhouses, chicken coops and dog kennels) being retailed are accessory buildings, structures and uses which are customarily incidental to residential uses as permitted in the RS and REC districts. These structures are commonly retailed at home improvement stores which is a conditional use in the REC district. They are common structures currently seen and used on properties throughout Bannock County. Similar structure uses are on the parcel where the lot will be located and also on neighboring properties. The business will be onsite family owner/operated.

Narrative addressing how your application meets criterion 2: The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

Access to the property is off of a county maintained road that is traveled by neighboring property owners/farmers and those accessing public land. The proposed use is not anticipated to increase much traffic. Most of the sales can and are handled online. Occasionally there will be potential buyers visiting the lot.

Bannock County Planning & Development Council

May 21, 2025

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Narrative addressing how your application meets criterion 3: The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

Noise will only be occasional groundskeeping equipment, no louder and longer then residential yard maintenance. Potential buyers visiting the lot will have access to a parking area off of the county road. There will be security cameras installed and outdoor lighting will be minimal.

Narrative addressing how your application meets criterion 4: The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

Bannock County's comprehensive plan strongly promotes economic growth. The proposed use will provide a local competitive retailer for the benefit of Bannock County residents and property owners.

Narrative addressing how your application meets criterion 5: The proposed use would be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

The lot will be developed to adhere to zoning regulations. No portable structure will exceed height restrictions. Retail lot will not exceed 30 portable structures.

Acknowledgement

Electronic Signature [Typed Name of Applicant]

Dan N Dimick and Canda L Dimick

Date

03/14/2025



EXHIBIT 2

Portable Building



EXHIBIT 3

Ordinance Excerpt

340 RECREATION DISTRICT (REC)**341 PURPOSE:**

To encourage a compatible blend of recreation and tourist uses with public recreational uses in such a way as to preserve Bannock County's recreational resources.

342 CHARACTERISTICS OF LAND IN THIS DISTRICT:

When considering designating land to the REC district, that land must meet the following criteria: the land is not suitable for agricultural uses; is adjacent to land already used for recreational purposes; is not environmentally sensitive; is not an important habitat for wildlife, and additional improved county arterial or collector roads would not need to be provided.

343 PERMITTED USES - WITH STAFF REVIEW AND APPROVAL OF SITE PLAN (SECTION 503)

- A. Uses permitted in the RS district.
- B. Outdoor Recreational uses, such as skiing, tennis, stables, golf courses, commercial skating rinks, parks, and swimming pools, and the like.
- C. Uses which are accessory to the principal permitted uses listed above.

344 USES CONDITIONALLY PERMITTED:

- A. Uses conditionally permitted in the RS district.
- B. Indoor entertainment and commercial uses permitted in CG districts, except as shown on use chart, Section 395. Such uses include hotels, inns, indoor recreational activities such as bowling alleys, theaters, skating rinks, parks, dry cleaning shops, restaurants, R.V. parks, camp grounds, gift shops, and gas stations accessory to a commercial recreational facility.
- C. Public utility facilities, excluding distribution and service lines. **(Amendment No. 30 Ordinance #2015-5)**
- D. Mining.
- E. Non-hunting uses that involve firearms.
- F. Campgrounds and Recreational Vehicle parks.

Because no list of uses can be complete, decisions on specific uses will be rendered by

the Office of Planning and Development Services with appeal to the Planning and Development Council available to the applicant.

345 PERFORMANCE REQUIREMENTS FOR NON-RESIDENTIAL DEVELOPMENT:

All new non-residential construction within the RECREATION district shall conform to the following standards:

- A. Existing attractive and healthy trees with trunk diameters of eight or more inches shall be preserved, unless they are in conflict with proposed building locations, create safety hazards, or are excluded from the Planning and Zoning Department's list of approved trees. Site plans shall be arranged so that suitable trees can be saved wherever possible. Tree removal plans shall be reviewed by the above department for compliance with this section. If a suitable tree is found to have been removed in violation of this section, the property owner shall replace it with one or two trees, as determined by the Planning Director, at least twelve feet in height for conifers or at least two inches caliper in diameter for deciduous trees.
- B. Site development will avoid unnecessary disturbance of ground so as to maintain existing native plant species, inhibit weed growth, and abate dust.
- C. Landscaped yards with full vegetative ground cover shall conform to the standards for the Residential Suburban district in terms of dimension. The rear yard requirement may be reduced by fifty percent if it abuts a commercial or industrial use. Front areas to be landscaped may be crossed by access drives or exits and sidewalks, but may not otherwise be paved. All landscaping must be maintained in a healthy, growing condition and conform to the following additional requirements:
 - 1. Landscaped yard areas shall contain at least one canopy tree for each fifty feet of lot width or length for the business in question. This shall be in addition to the landscaping required for the parking area of the building in question.
- D. **REPEALED (Amendment #31, Ordinance 2016-3)**
- E. Site plans shall be designed in such manner that they minimize the traffic impact of non-residential uses on local residential roads.
- F. Buildings and their appurtenances shall be oriented to limit conflicts with surrounding residential uses due to noise, light, litter, or dust.
- G. Where a non-residential use abuts a residential use, the following standards shall be complied with concerning development of the non-residential use:
 - 1. The developer of any non-residential use shall provide between the residential use or district, and the developed portion of the non-residential use, a minimum of 50 foot

landscaped buffer (see Section 485.) It shall count as the required yard. All required buffer areas shall meet the requirements set forth in Sections 435 and 436.

2. Fences, whose design and materials shall be approved by the Planning Director, shall be erected and thereafter maintained along residential property lines to provide privacy and to prevent the intrusion of unwanted light, dust, or blowing debris.
3. Mechanical equipment must be screened to limit its visibility from neighboring residential uses and residentially zoned lands.
4. Noise-producing mechanical equipment must be located at least fifty feet from any common property line with residential uses and residentially zoned lands.
5. Lighting of the site shall not exceed fifteen feet in height and shall be directed away from residences, or residentially zoned land in the vicinity of the site.
6. Openings in buildings and activity centers on sites shall be located to minimize interference with residential uses.
7. Drainage from buildings and parking lot areas shall be detained on site and shall be directed away from residential land which abuts non-residential uses.
8. Loading and delivery entrances shall be located away from the interface with residential uses or zoning shall be screened to prevent the intrusion of the non-residential activities into the adjacent residential neighborhood.

346 SUBDIVIDING IN THE RECREATIONAL DISTRICT: The following methods of subdividing are permitted in the REC zone:

- A. Open Space Designed Subdivision (Sec. 401 of Subdivision Ordinance) with density of one dwelling per acre.

Open Space designed subdivisions are required if 25% or more of the subdivision is above 5000' elevation, or if the proposed subdivision includes important wildlife habitat.

Applicant may seek design deviations with regard to sewage treatment facilities and water delivery systems.

- B. Conventional: (when at least 75% of the area to be subdivided is below 5000' elevation) One acre minimum lot size. Such lots will be restricted from further division, and the plat and deeds shall so reflect.

1. Lots may not be further divided and plat and deeds must so indicate.

- C. Planned Unit Developments

1. Planned unit developments may be proposed in the REC district for uses permitted within the district.
 2. Design deviations may be applied to building bulk and placement requirements. Planned unit developments net density may be up to seven times greater than that which is permitted in the REC district.
 3. Minimum size for a planned unit development in the REC district shall be ten acres and the maximum size is 100 lots or dwelling units and 100 acres. **(Amendment #19 Ordinance #2008-4)**
- D. All subdivisions on a city boundary must be annexed into that city which has designated that land to be within its "Area of City Impact".
1. In the event the City declines, in writing, to annex the development, the County shall hear the application in accordance with its Area of Impact Agreement with the City, or Idaho Code shall apply if none exists.

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347 TABLE OF BUILDING BULK AND PLACEMENT STANDARDS:

The following table sets forth the building bulk and placement standards for the Recreation district:

RECREATION DISTRICT**MINIMUM SETBACKS (FT)**

| | FROM LOCAL ROAD R-O-W | FROM ARTERIAL OR COLLECTOR R-O-W | REAR YARD | SIDE YARD | MAXIMUM FREE-STAND- ING SIGN HEIGHT (FT) | MINIMUM % LAND- SCAPED | MAXIMUM STRUCTURE HT. |
|---|--------------------------------|---|--------------|--------------|---|------------------------------|-----------------------------|
| PERMITTED USES: | | | | | | | |
| Non-Residential Uses | 30 | 50 | 20 | 20 | 20 | 5 % | 35 |
| Accessory Bldg. for Non-res. Uses | 30 | 50 | 10 | 20 | N/A | -- | -- |
| Parking Lots | 30 | 50 | 0 | 0 | 5 | 5 % | N/A |
| Residential Uses | 30 | 50 | 20 | 10 | N/A | -- | 35 |
| Residential Accessory Structures | 30 | 50 | 10 | 10 | N/A | -- | -- |
| Agricultural Structures | 30 | 50 | 10 | 10 | N/A | -- | -- |
| Farm Animal Structures | 30 | 50 | 30 | 30 | N/A | -- | 15 |

(Amendment 63, Ordinance 2024-02)

All structures shall be 100' from any stream or riparian area.

One-acre minimum lot area; larger lot sizes may be required by the Health Department.

FINDINGS

BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL FINDINGS AND ORDER

CONDITIONAL USE PERMIT – CANDA DIMICK MEETING DATE: May 21, 2025

FILE #: CUP-25-6
LOCATION: RPR4227007300, 9303 S. Sunnyside, Lava Hot Springs, ID 83246

| | |
|--|--|
| APPLICANT: Canda Dimick 8742 South Sunnyside Road Lava Hot Springs, ID 83246 | OWNER: Canda Dimick 8742 South Sunnyside Road Lava Hot Springs, ID 83246 |
|--|--|

REQUEST & BACKGROUND: Canda Dimick petitions for a conditional use permit to sell portable buildings. There will be a 12x20 portable office building for home business to sell handcrafted outdoor furniture, home items, and farm/garden products. The facility proposes hours of operation from 11 a.m. to 6 p.m., Monday through Saturday. Property owners will be operating the business.

FINDINGS:

JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

SITE CHARACTERISTICS AND ZONING:

ZONING: Recreational

PROPERTY SIZE: ~ 80.15 acres

VIEWS: The property is visible from S. Sunnyside Road

EXISTING STRUCTURES: Single-family residence and outbuildings

REQUIRED FINDINGS FOR CONDITIONAL USE PERMIT, §530:

- A. The proposed use **[would]** **[would not]** adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

B. The proposed use **[would]** **[would not]** cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

C. The proposed use **[would]** **[would not]** damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

D. The proposed use **[would]** **[would not]** be consistent with the goals and policies of the Comprehensive Plan of the county.

E. The proposed use **[would]** **[would not]** be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical.

(If adding approval conditions) with the following conditions of approval,

ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by Canda Dimick, for a Conditional Use Permit to sell portable buildings shall be **[approved]** **[denied]** **[tabled]**.

Motion by _____, seconded by _____ to adopt the foregoing Findings and Order.

ROLL CALL:

| | |
|-------------------------|--|
| Councilperson Dimick | Voted [Yes] [No] [Absent/Recused] |
| Councilperson Madsen | Voted [Yes] [No] [Absent/Recused] |
| Councilperson Selleneit | Voted [Yes] [No] [Absent/Recused] |
| Councilperson Ulrich | Voted [Yes] [No] [Absent/Recused] |
| Councilperson Ward | Voted [Yes] [No] [Absent/Recused] |

Motion carried by a _____ to _____ vote.

Dated this _____ day of _____, 2025.

Signed by (Chairperson) (Vice Chair)

ACKNOWLEDGEMENT CERTIFICATE

State of Idaho)
S.S.
County of Bannock)

On this _____ day of _____, in the year of 2025, before me _____, a notary public, personally appeared _____ as chair/vice-chair on behalf of the Bannock County Planning and Development Council, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

| | |
|---|---------------------------------------|
| S | _____ |
| E | Notary Public |
| A | My Commission Expires on _____ 20____ |
| L | |

MOTION

MOTION

Based on the record and the discussion this evening, I move to **[approve]** **[deny]** **[table]** the request by Canda Dimick., for a Conditional Use Permit to sell portable buildings, as described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

(IF ADDING APPROVAL CONDITIONS) with the following conditions of approval,

1.

2.

AGENDA ITEM NO. 5

Rezone – Jeremy Manska



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

REZONE PUBLIC HEARING: MAY 21, 2025 STAFF REPORT

FILE #: RZO-25-1
LOCATION: RPR3853006700, 14788 W. Chubbuck Road, Chubbuck, ID 83202

| | |
|--------------------------------|------------------------|
| APPLICANT: | OWNER: |
| Jeremy Maska | G3B, LLC |
| 1655 N. 2 nd Avenue | 14723 W. Chubbuck Road |
| Pocatello, ID 83201 | Chubbuck, ID 83202 |

REQUEST & BACKGROUND: The applicant, Jeremy Maska, requests to rezone approximately 4.14 acres from Residential Suburban to Light Industrial.

SITE CHARACTERISTICS AND ZONING:

ZONING: Residential Suburban

PROPERTY SIZE: ~ 4.14 acres

EXISTING STRUCTURES: Accessory structure

SURROUNDING LAND USES AND ZONING

NORTH: Primarily a gravel pit and residential uses within the Residential Suburban zoning district.

EAST: Primarily residential use within the Residential Suburban zoning district.

SOUTH: Primarily a gravel pit and bare ground with some residential uses within the Residential Suburban zoning district and Light Industrial zoning district.

WEST: Primarily gravel pits with some residential uses within the Residential Suburban zoning district.

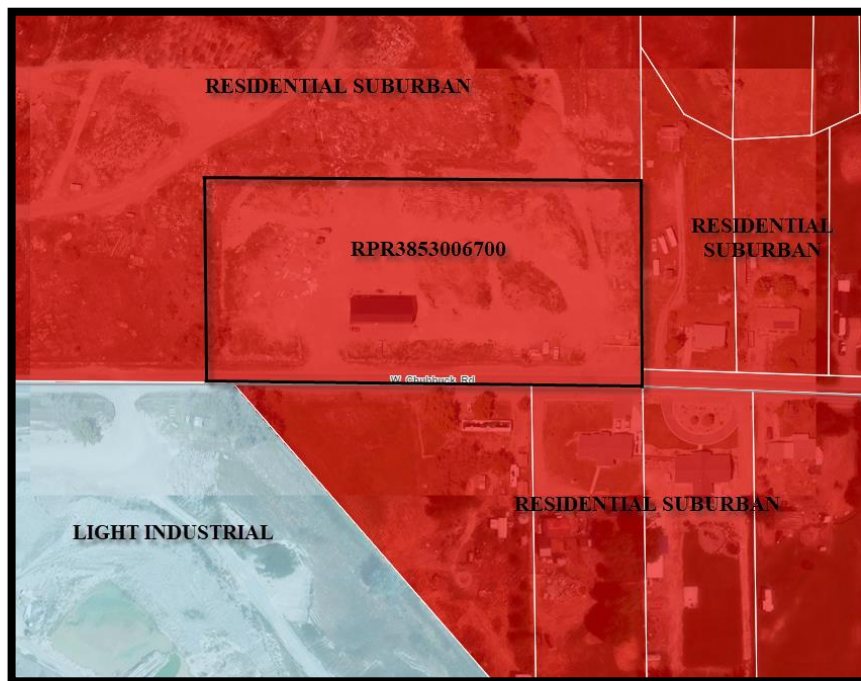
APPLICABLE LAWS AND PLANS:

1. Idaho Code §67-6509, Recommendation and Adoption, Amendment, and Repeal of the Plan.
2. Bannock County Comprehensive Plan, 2025-27
3. Bannock County Zoning Ordinance, 1998-1, specifically:
 - a. §520 REZONING
 - b. §330 RESIDENTIAL SUBURBAN
 - c. §370 LIGHT INDUSTRIAL AND WHOLESALE DISTRICT

STAFF REPORT
REZONE - MANSKA
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SITE MAP



ZONING MAP

STANDARDS FOR GRANTING A REZONE (ZONING ORDINANCE §520.4)

The Planning and Development Council may grant a rezone if it makes affirmative findings of fact on each of the following standards:

A. The uses allowed in the proposed district would be compatible with surrounding uses.

Staff Findings

The applicant states that this property sits on the edge of the County's current Light Industrial zone, which consists primarily of gravel mining facilities to the south and to the west. To the northwest, there is a steel fabrication facility and trucking/construction business. Directly to the north and adjacent to this property, there is an existing gravel pit. The proposed use would have the same density as the development in the area and the manner in which growth and use in the area is occurring. The applicant recognizes that the rezone request is compatible with the surrounding uses.

B. The proposed zoning district would not adversely affect the surrounding neighborhood's stability and property values.

Staff Findings

The applicant states that while industrial uses may not be suitable for all districts, certain light industrial activities can coexist with residential and commercial uses. The proposed district permits light industrial use that involve minimal noise, pollution, and traffic. These uses are carefully regulated to ensure they do not interfere with the quality of life in adjacent residential areas. Examples include, small manufacturing operations, research and development facilities, and artisan workshop. Council should determine if these potentials would adversely affect surrounding properties and property values.

C. The applicant has shown that there is a need for the proposed zoning district in the County or at the proposed location.

Staff Findings

The applicant states the company has been pushed out of their previous location due to expanding operations. The applicant states there are not a lot of available turn-key locations for this type of business in the surrounding area. By rezoning this property, it gives this new business an opportunity to be back in production with little to no down time, which could potentially be a loss in wages, employees, and revenue. Council should consider information provided by the applicant to determine if there is a need for the proposed change.

- D. The public cost resulting from the change in land use would not be excessive when compared with the public benefit derived from the change in land use.**

Staff Findings

Applicant states that there should be no public cost to the County as the property is privately owned. The public cost of the change of the land use is likely minimal.

- E. Adequate public services, utilities, and facilities would be available to serve the changed land use.**

Staff Findings

Public utilities are available along W. Chubbuck Road and are already serving the existing property.

- F. The proposed zoning district would not allow uses that would be detrimental to the environment of the immediate neighborhood.**

Staff Findings

Applicant states the area around this property consists primarily of aggregate mining, which creates dust, air, and noise pollution. This business is conducted inside a controlled structure with noise dampening walls and all work being done indoors. The volume of trucking is significantly less than the other businesses in the area with only having up to three (3) outgoing deliveries a week, approximately one (1) incoming delivery a month. The four (4) employees that work daily typically stay on site until closing time. There are no customers coming in and out, as all customer relations are conducted in person off-site or through email communication. Therefore, staff does not believe that recommending this rezone for approval would be detrimental to the environment of the immediate area.

- G. The requested change would be in accordance with the goals and policies of the County Comprehensive Plan.**

Staff Findings

Applicant states the proposed district is designed to stimulate economic growth by attracting businesses and investments. The compatibility of uses ensure that commercial activities thrive without negatively impacting residential areas. Applicant also states this balanced approach leads to job creation, increased property values, and a vibrant local economy.

Staff has identified the following applicable goals and policies (others may be identified by the Council).

The Bannock County Comprehensive Plan states:

Goal 3.2: A strong and diverse economy.

Policy 3.2.1: Appropriately zone locations within the county to allow for a variety of residential, agricultural, commercial, and industrial uses.

Policy 3.2.2: Continue to support Bannock Development Corp. and other economic drivers and their efforts.

Policy 3.2.3: - Support the development of economic incentives for business expansion and growth.

IDAHO CODE REGARDING REZONING

IC 67-6511(a): Requests for an amendment to the zoning ordinance shall be submitted to the zoning or planning and zoning commission which shall evaluate the request to determine the extent and nature of the amendment requested. Particular consideration shall be given to the effects of any proposed zone change upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction. An amendment of a zoning ordinance applicable to an owner's lands or approval of conditional rezoning or denial of a request for rezoning may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with the requirements established thereby.

(b) After considering the comprehensive plan and other evidence gathered through the public hearing process, the zoning or planning and zoning commission may recommend and the governing board may adopt or reject an ordinance amendment pursuant to the notice and hearing procedures provided in section 67-6509, Idaho Code, provided that in the case of a zoning district boundary change, and notwithstanding jurisdictional boundaries, additional notice shall be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered, and any additional area that may be impacted by the proposed change as determined by the commission. Notice shall also be posted on the premises not less than one (1) week prior to the hearing. When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be provided by local ordinance in lieu of posted or mailed notice. In the absence of a locally adopted alternative notice procedure, sufficient notice shall be deemed to have been provided if the city or county provides notice through a display advertisement at least four (4) inches by two (2) columns in size in the official newspaper of the city or county at least fifteen (15) days prior to the hearing date, in addition to site posting on all external boundaries of the site. Any property owner entitled to specific notice pursuant to the provisions of this subsection

STAFF REPORT
REZONE - MANSKA
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shall have a right to participate in public hearings before a planning commission, planning and zoning commission or governing board subject to applicable procedures.

(c) The governing board shall analyze proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction, the governing board may require the request to be submitted to the planning or planning and zoning commission or, in absence of a commission, the governing board may consider an amendment to the comprehensive plan pursuant to the notice and hearing procedures provided in section 67-6509, Idaho Code. After the plan has been amended, the zoning ordinance may then be considered for amendment pursuant to paragraph (b) of this subsection.

(d) If a governing board adopts a zoning classification pursuant to a request by a property owner based upon a valid, existing comprehensive plan and zoning ordinance, the governing board shall not subsequently reverse its action or otherwise change the zoning classification of said property without the consent in writing of the current property owner for a period of four (4) years from the date the governing board adopted said individual property owner's request for a zoning classification change. If the governing body does reverse its action or otherwise change the zoning classification of said property during the above four (4) year period without the current property owner's consent in writing, the current property owner shall have standing in a court of competent jurisdiction to enforce the provisions of this section. Upon the granting of a Conditional Use Permit, conditions may be attached to a permit including, but not limited to, those:

AGENCY COMMENTS:

None received at the time of this report.

PUBLIC COMMENTS:

None received at the time of this report.

REPORT BY:

Annie Hughes Williams, Zoning Planner
annieh@bannockcounty.gov
208.236.7230

REPORTED DATE: May 13, 2025

**Staff comments in this report are based solely upon evidence available at the time of the report. Additional information may be brought to light at or before the hearing.*

EXHIBITS:


1. Application, Sketch Plan, and Overview
2. Applicable Laws (on file with Staff)
3. Evidence of Notices (on file with Staff)
4. Agency/Public Comments (if any)

EXHIBIT 1

Application & Site Plan

RZO-25-1

Submitted On: Apr 18, 2025

 Jeremy Manska**Project Information****Current Use of Property**

Residential Suburban

Surrounding Land Use

Residential Suburban/Light Industrial

Parcels Proposed for Rezone

| | |
|--------------------------------|-----------------------|
| Parcel Number | Current Zoning |
| RPR3853006700 | Residential Suburban |
| Proposed Zoning | Section |
| Light Industrial and Wholesale | 5 |
| Property Owner | Township |
| G3B LLC | 6 S |
| Acres | Range |
| 4.14 | 34 E |

I have authorization to include this parcel for rezoning.

true

Narrative Standards

Please address how the proposed rezoning meets the following requirements:

A. The uses allowed in the proposed district would be compatible with surrounding uses.

The uses allowed in the proposed district are designed to be compatible with the surrounding uses. This property sits on the edge of the County's current Light Industrial district which consists primarily of gravel mining facilities to the south and west. To the northwest there is a steel fabrication facility and trucking/construction businesses. Directly to the north and adjacent to this property there is an existing gravel pit. This area lends itself to more industrial with the surrounding gravel pits, steel fabrication, and trucking services.

B. The proposed zoning district would not adversely affect the surrounding neighborhood's stability and property values.

The proposed rezoning complements the surrounding area. While industrial uses may not be suitable for all districts, certain light industrial activities can coexist with residential and commercial uses. The proposed district permits light industrial use that involve minimal noise, pollution, and traffic. These uses are carefully regulated to ensure they do not interfere with the quality of life in adjacent residential areas. Examples include small manufacturing operations, research and development facilities, and artisan workshops.

C. The applicant has shown that there is a need for the proposed zoning district in the County or at the proposed location.

The company has been pushed out of their previous location due to expanding operations. There are not a lot of available turn-key locations for this type of business in the surrounding area. By rezoning this property, it gives this new business an opportunity to be back in production with little to no down time which could potentially be a loss in wages, employees, and revenue.

D. The public cost resulting from the change in land use would not be excessive when compared with the public benefit derived from the change in land use.

There is no cost to the public to change the zoning to light industrial. The property is privately owned but will increase tax revenues and provide additional jobs for the area. The company currently employs 4 full-time employees and 5 part-time employees (including owners) with plans to expand and increase production.

E. Adequate public services, utilities, and facilities would be available to serve the changed land use.

Public utilities are available along W Chubbuck Rd or are already serving the existing property.

F. The proposed zoning district would not allow uses that would be detrimental to the environment of the immediate neighborhood.

The area around this property consists primarily of aggregate mining which creates dust, air, and noise pollution. This business is conducted inside a controlled structure with noise dampening walls and all work being done indoors. The volume of trucking is significantly less than the other businesses in the area with only having up to 3 outgoing deliveries a week, approximately 1 incoming delivery a month. The 4 employees that work daily typically stay on site until closing time. There are no customers coming in and out as all customer relations are conducted in person off-site or through email communication.

G. The requested change would be in accordance with the goals and policies of the County Comprehensive Plan.

The proposed district is designed to stimulate economic growth by attracting businesses and investments. The compatibility of uses ensures that commercial activities thrive without negatively impacting residential areas. This balanced approach leads to job creation, increased property values, and a vibrant local economy.

Acknowledgement

Electronic Signature [Typed Name of Applicant]

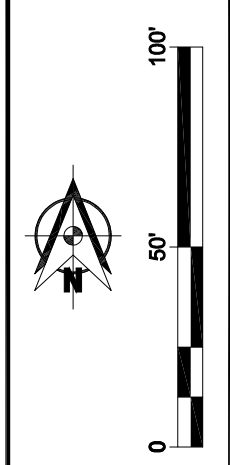
Jeremy Maska

I agree that my electronic signature above is equivalent to a handwritten signature and is binding for all purposes related to this transaction

true

Date

04/18/2025



PROJECT DETAILS

LIGHT INDUSTRIAL REZONE
POCATELLO, ID 83202
OVERVIEW

DATE:
03/12/2025

DRAWING BY:
J. MANSKA

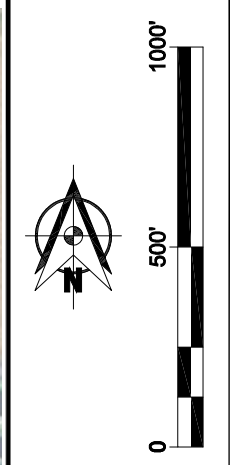
Westwind
CONSTRUCTION

polebamidaho.com

SHOPS • COMMERCIAL • RESIDENTIAL •
PLANS • KITS • DESIGN BUILD

EXHIBIT 2

Overview



PROJECT DETAILS

LIGHT INDUSTRIAL REZONE
POCATELLO, ID 83202
OVERVIEW

DATE:
04/16/2025

DRAWING BY:
J. MANSKA

WestWind
CONSTRUCTION
polebanidaho.com
SHOPS • COMMERCIAL • RESIDENTIAL •
PLANS • KITS • DESIGN BUILD

EXHIBIT 3

Ordinance Excerpts

370 LIGHT INDUSTRIAL AND WHOLESALE DISTRICT (LIW)**371 PURPOSE:**

The Light Industrial and Wholesale district is established to provide a location for light manufacturing, and for wholesale businesses and warehouses to provide supplies and storage space for the business sector of the community. Design features should emphasize accommodation of large trucks, the presence of rail trackage, and the materials-handling space required by commercial suppliers. The district's purpose shall be to facilitate the conduct of commerce among businesses while minimizing the effects of such activities on the surrounding land uses. Its purpose shall also be to provide for businesses which sell bulky products or require outdoor storage or sales lots.

372 CHARACTERISTICS OF LAND IN THIS DISTRICT:

- A. The Light Industrial and Wholesale district should be located with ready access to truck routes and possible railroad sidings. Locations should be chosen to minimize impacts upon or hazards to nearby residential areas. Accommodations should be made for large trucks and related commercial activity. Land for this use should be relatively flat and free of natural hazards such as flooding or unstable soil.
- B. Locations should also be chosen based upon their ability to be screened from potentially affected residential uses. Convenience to commercial consumers should be taken into account when locating the Light Industrial and Wholesale zone.

373 USES PERMITTED:

The following uses shall be permitted in the LIW district subject to the conditions found elsewhere in this Ordinance:

1. Advertising billboards (outdoor advertising)
2. Agricultural support
3. Auto body, auto towing, and auto repair
4. Auto parts rebuilding
5. Auto sales and service
6. Beer and wine distributor
7. Blacksmith
8. Boat sales
9. Bookbindery
10. Cabinetmaking
11. Chemical distribution
12. Coal dealer
13. Commercial building contractor
14. Commercial heating-cooling and mechanical contractor
15. Component assembly

16. Concrete contractor
17. Construction equipment sales and service
18. Construction products supply
19. Dry Cleaning Shop
20. Electric motor remanufacture
21. Engine rebuilding
22. Excavation contractor
23. Farm equipment sales
24. Fencing contractor
25. Firewood sales
26. Food Distributor
27. Freight terminals
28. Gas stations
29. General warehousing
30. Household furnishing movers
31. Industrial equipment sales
32. Industrial product supply
33. Insulation contractor
34. Kennels
35. Landscape contractor
36. Lumber yards
37. Machine shop
38. Masonry supply business
39. Manufactured housing sales lots
40. Mini storage warehousing
41. Painting contractor
42. Petroleum bulk plant
43. Produce wholesalers
44. Public service
45. Pump and well–drilling contractor
46. Recycling facility
47. Repair uses
48. Road contractors
49. Roofing contractors
50. Sign contractors
51. Truck mechanical & body repair
52. Truck sales and service
53. Wholesale bakery
54. Wholesale dairy
55. Wholesale florist
56. Wholesale paper supply
57. Public utility and public service facility.

373.1 Because no list can be complete, decisions on specific use will be rendered by the Planning and Development Services Office with appeal to the Board of County

Commissioners available to the applicant.

374 USES CONDITIONALLY PERMITTED:

The following land uses shall be eligible for consideration as conditional uses as provided for in Section 530 of this Ordinance:

- A. Permitted industrial uses as long as the land in question does not share a common boundary with residentially zoned land.
- B. All uses listed in Section 395 as conditional uses in the Light Industrial Wholesale zoning district.
- C. Mining and refining as long as the land in question does not share a common boundary with residentially zoned land.

375 PERFORMANCE STANDARDS:

Performance standards in the LIW district shall be as follows:

- A. On-site landscaping shall be provided on areas which are open to the public. Service and/or storage yards need not be counted or landscaped if fully fenced and screened from view from roads and other zones of lower intensity use. Landscaped buffer areas at least fifty feet wide shall be provided along common boundaries with residentially zoned land, and shall meet the screening standards in Sections 435 and 436.
- B. ***REPEALED (Amendment #31, Ordinance 2016-3)***

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

376 TABLE OF BUILDING BULK AND PLACEMENT STANDARDS:

The following table sets forth the building bulk and placement standards for the Light Industrial Wholesale district.

LIGHT INDUSTRIAL AND WHOLESALE DISTRICT**MINIMUM SETBACKS (FT)**

| | FROM LOCAL ROAD R-O-W | FROM ARTERIAL OR COLLECTOR R-O-W | REAR YARD | SIDE YARD | MAXIMUM FREESTANDING SIGN HEIGHT (FT) | MINIMUM % LANDSCAPED |
|-----------------------------------|-----------------------------|---|---------------|---------------|---|-------------------------|
| PERMITTED USES: | | | | | | |
| Uses as listed in LIW District | 10 | 50 | Bldg. Code | Bldg. Code | 35 | 5%* |
| Parking Lots | 10 | 50 | -- | -- | 5 | 5%* |
| Accessory Buildings | 10 | 50 | Bldg. Code | Bldg. Code | N/A | -- |

(Amendment 63, Ordinance 2024-02)

* See 375.A

All structures shall be 100' from any stream or riparian area.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

330 RESIDENTIAL SUBURBAN DISTRICT (RS)**331 PURPOSE:**

The Residential Suburban zoning district is established to provide small (one acre or less) residential estates on municipal sewage treatment facilities and/or water systems, or larger lot development where sewer effluent and water systems can be provided. The RS district is located on the boundaries of the County's cities where municipal services are expected to be extended, and usually within a city's area of impact.

332 CHARACTERISTICS OF LAND IN THIS DISTRICT:

The Residential Suburban designation is to be applied to existing smaller lot neighborhoods which are currently developed for residential use and are designated to remain so by the Comprehensive Plan, and for areas of undeveloped land which are deemed suitable and appropriate for development of residential uses according to criteria set forth in the comprehensive plan. Factors to be considered in designating land for Residential Suburban districts should include, but not be limited to, availability of county services and roads, surrounding land uses, the suitability of the land for extension of municipal services.

333 USES PERMITTED - WITH STAFF REVIEW AND APPROVAL OF SITE PLAN (SECTION 503)

Uses permitted in the Residential Suburban district shall be as follows:

- A. Single-family dwellings.
- B. Duplexes.
- C. Livestock on one acre or more of land.
- D. Public service facilities
- E. Livestock pens or runs located a minimum distance of 50 feet from a neighboring house, or the minimum setback for a residence if no house yet exists.
- F. Accessory buildings, structures and uses which are customarily incidental to residential uses.
- G. Home occupations as defined in this Ordinance.
- H. Churches.
- I. State licensed day care for up to 6 client children at any one time in the day care

operator's primary residence or a day care center.

J. Golf courses.

K. Private, noncommercial recreational facilities.

334 USES CONDITIONALLY PERMITTED:

The following land uses may be permitted conditionally in the Residential Suburban district subject to conditions established elsewhere in this Ordinance.

A. Public utility installations, not including business offices, repair or storage facilities.

B. State licensed day care for more than six client children at any one time to a maximum of 20 children in the day care operator's primary residence; licensed day care for over 20 children may be conditionally permitted in a structure which was not initially constructed for residential purposes.

C. Cemeteries.

D. Institutional housing.

E. Multi-family dwellings.

335 PARKING STANDARDS:

Parking spaces for residential uses within the Residential Suburban district shall be required in accord with the standards established by this section.

335.1 Developers of residential structures shall provide parking spaces as required by the following table:

| Number of Bedrooms/Unit | PARKING SPACES REQUIRED PER UNIT DWELLING UNITS/STRUCTURE (read across) | | | |
|----------------------------|--|---|------|-----------|
| | 1 | 2 | 3-6* | 7 or more |
| 1 | 2 | 2 | 1.6 | 1.5 |
| 2 | 2 | 2 | 1.8 | 1.6 |
| 3 | 2 | 2 | 2.0 | 1.8 |
| 4 | 3 | 3 | 2.2 | 2.0 |
| 5 or more | 3 | 3 | 2.4 | 2.0 |

*Applies to congregate parking for apartments in the Residential Suburban district. Attached single-family units on individual lots shall provide parking in accord with standards for single-family dwellings.

- 335.2 All congregate parking areas shall be separated from adjacent lands by a sight proof fence or hedge at least four feet in height. No paving for congregate parking areas shall be placed any closer than five feet from an adjacent residentially-zoned property line.
- 335.3 Landscaping for congregate parking lots in the Residential Suburban district shall contain at least one-and-one-half-inch caliper tree per fifty square feet for all required landscaping within the bounds of the parking lot.
- 335.4 Any trash collection or storage facilities for multi-family residential uses shall be located at least ten feet from adjacent residential property and at least ten feet from any windows in the walls of the buildings they serve.
- 335.5 Congregate parking lots shall be located behind the front setback line of the buildings they serve.
- 335.6 Congregate parking lots shall have direct driveway access to a public or private road.
- 335.7 Parking lots shall be maintained in a dust-free condition.
- 335.8 Parking lot landscaping equal to ten percent of the total parking lot area shall be provided in residential parking lots. Said landscaping shall be placed within the perimeter of the actual parking area.
- 335.9 Parking spaces shall have an effective width of nine feet and an effective length of eighteen feet. Maneuver space for parking spaces shall be provided on the site in question. Parking spaces shall be arranged in such fashion that circulation is convenient and well integrated with off-site traffic flow.
- 336 SUBDIVIDING IN THE RESIDENTIAL SUBURBAN DISTRICT: The following methods of subdividing are permitted in the RS zone:
- A. Open Space Designed Subdivision (Sec. 401 of Subdivision Ordinance) with density of one dwelling per acre.
1. OPEN SPACE designed subdivisions are required in the RS zone if 25% or more of the proposed development is 5000 feet elevation or more or if proposal includes lands designated important wildlife habitat.
- B. Conventional Subdivision: (**Amendment #4 Ordinance # 2000-2**)
1. Within a city's area of impact, a minimum lot size of five acres is required where septic tank and drainfield sewage disposal systems are proposed. Such lots may not be further subdivided, and the plat and deeds must so indicate. Lots of less than five acres must employ municipal treatment of sewage or private sewage treatment systems which treat sewage such that the effluent is equal to or less contaminated than that of the City of

Pocatello sewage treatment facility. Such treatment facilities shall be built to the design standards of the city whose impact area it is within.

2. Outside a city's area of impact, the usual lot size of one acre may be proposed for on-site sewage disposal where soil type, distance to ground water and other factors are adequate to prevent ground or surface water contamination.

C. Planned Unit Development provided that municipal water and sewer is provided and limited to locations within Area of City Impact (ACI); density may be up to one dwelling per 1/3 acre; for residential uses or for mixed-use developments which include neighborhood commercial uses subordinate to residential uses in the same development. **(Amendment #19 Ordinance #2008-4)**

1. Developments for uses other than residential and neighborhood commercial shall not be permitted in the RS district.

2. The increased density allowed in a PUD shall be offset by provision of common open space equal to at least ten percent of the net developed area of the project. The open space shall be usable ground.

3. Minimum size for a planned unit development in the RS district shall be ten acres and the maximum size is 100 lots or dwelling units and 100 acres. **(Amendment #19 Ordinance #2008-4)**

D. All subdivisions on a city boundary must be annexed into that city which has designated that land to be within its "Area of City Impact".

1. In the event the City declines, in writing, to annex the development, the County shall hear the application in accordance with its Area of Impact Agreement with the City, or Idaho Code shall apply if none exists.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

337 TABLE OF BUILDING BULK AND PLACEMENT STANDARDS:

The following table sets forth building bulk and placement standards for the Residential Suburban district:

RESIDENTIAL SUBURBAN DISTRICT**MINIMUM SETBACKS (FT)**

| | MINIMUM LOT AREA | FROM LOCAL ROAD R-O-W | FROM ARTERIAL OR COLLECTOR R-O-W | REAR YARD | SIDE YARD | MAXIMUM STRUCTURE HT. |
|--|----------------------|-----------------------|----------------------------------|-----------|-----------|-----------------------|
| PERMITTED USES: | | | | | | |
| Single-Family Residence | 1 acre | 30 | 50 | 20 | 10 | 35 |
| Two-Family Residence | $\frac{3}{4}$ / D.U. | 30 | 50 | 20 | 10 | 35 |
| Multi-Family Residence | $\frac{1}{2}$ / D.U. | 30 | 50 | 30 | 20 | 35 |
| Residential Accessory Structures (see section 401.C.4) | - | 30 | 50 | 20 | 10 | 35 |
| Farm Animal Structure | | 30 | 50 | 30 | 30 | 15 |
| Non-residential Buildings | - | 30 | 50 | 20 | 20 | - |

(Amendment 63, Ordinance 2024-02)

Setback for all structures shall be 100' from any stream or riparian area.

Larger lot sizes may be required by the District Health Department.

Minimum Lot Size: Five acres where well and or septic tank/drainfield system is used within a city's area of impact.

FINDINGS

BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL
FINDINGS AND ORDER

REZONE – JEREMY MANSKA
MEETING DATE: MAY 21, 2025

FILE#: RZO-25-1
LOCATION: RPR3853006700, 14788 W. Chubbuck Road, Chubbuck, ID 83202

| | |
|--------------------------------|------------------------|
| APPLICANT: | OWNER: |
| Jeremy Maska | G3B, LLC |
| 1655 N. 2 nd Avenue | 14723 W. Chubbuck Road |
| Pocatello, ID 83201 | Chubbuck, ID 83202 |

REQUEST & BACKGROUND: The applicant, Jeremy Maska, requests to rezone approximately 4.14 acres from Residential Suburban to Light Industrial.

FINDINGS:
JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS, AND FACTS RELIED UPON

SITE CHARACTERISTICS AND ZONING:

ZONING: Residential Suburban
PROPERTY SIZE: ~ 4.14 acres
EXISTING STRUCTURES: Accessory structure located on parcel RPR3853006700

REQUIRED FINDINGS FOR GRANTING A REZONE, §520:

1. The uses allowed in the proposed district **(would) (would not)** be compatible with surrounding uses.

2. The proposed zoning district **(would) (would not)** adversely affect the surrounding neighborhood's stability and property values.

3. The applicant has shown that there **(is) (is not)** a need for the proposed zoning district in the County or at the proposed location.

4. The public cost resulting from the change in land use **(would) (would not)** be excessive when compared with the public benefit derived from the change in land use.

5. Adequate public services, utilities, and facilities **(would) (would not)** be available to serve the changed land use.

6. The proposed zoning district **(would) (would not)** allow uses that would be detrimental to the environment of the immediate neighborhood.

7. The requested change **(would) (would not)** be in accordance with the goals and policies of the County Comprehensive Plan.

ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by Jeremy Maska to rezone approximately 4.14 acres from Residential Suburban to Light Industrial, the Council recommends **[approval]** **[denial]** **[table]** to the Board of County Commissioners.

Motion by _____, seconded by _____ to adopt the foregoing Findings and Order.

ROLL CALL:

| | |
|-------------------------|--|
| Councilperson Dimick | Voted [Yes] [No] [Absent/Recused] |
| Councilperson Madsen | Voted [Yes] [No] [Absent/Recused] |
| Councilperson Selleneit | Voted [Yes] [No] [Absent/Recused] |
| Councilperson Ulrich | Voted [Yes] [No] [Absent/Recused] |
| Councilperson Ward | Voted [Yes] [No] [Absent/Recused] |

Motion carried by a _____ to _____ vote.

Dated this _____ day of _____, 2025.

Signed by (Chairperson) (Vice chair)

ACKNOWLEDGEMENT CERTIFICATE

State of Idaho)
S.S.
County of Bannock)

On this ____ day of _____, in the year of 2025, before me _____, a notary public, personally appeared _____ as chair/vice-chair on behalf of the Bannock County Planning and Development Council, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

S
E
A
L

Notary Public
My Commission Expires on _____ 20____

MOTION

MOTION

Based on the record and the discussion this evening, the Council [**recommend approval to the Board of County Commissioners**] [**recommend denial to the Board of County Commissioners**] [**tabled**] to the Board of County Commissioners, the request made by Jerry Manska to rezone as described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

(IF ADDING APPROVAL CONDITIONS) with the following conditions of approval,

1.
2.

AGENDA ITEM NO. 6

Ordinance Change:

Zoning Ordinance Amendment – Matt Loo



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

MASTER PLANNED COMMUNITY ZONE ORDINANCE AMENDMENT

PUBLIC HEARING: May 21, 2025

STAFF MEMO

GENERAL INFORMATION:

- The current ordinance was adopted in 1998. The Master Planned Community section was added in 2016.
- The intent of this zone is to create self-sustaining new communities with integrated commercial, recreational, natural, and residential land uses, and in which specific provision is made for non-automobile modes to access employment, shopping, and recreational facilities. These communities provide a variety of housing opportunities and choices that include a range of household types, family sizes, and incomes. This zone will ensure development plans better suited to the environments in which the development is to be located. The zone includes higher performance requirements than the conventional requirements found elsewhere in the Zoning Ordinance. Particular emphasis is placed on community design and aesthetic values.
- Applicant wishes to amend Section 394.6 General Provisions to allow a minimum area of 550 acres opposed to the current requirement of 750 acres.

APPLICABLE LAWS:

1. Public notice was given in accordance with Idaho Code §67-6525.

AGENCY COMMENTS:

None at the time of report.

PUBLIC COMMENTS:

None at the time of report.

REPORT BY:

Annie Hughes Williams, Zoning Planner
annieh@bannockcounty.gov
208-236-7230

REPORTED DATE: May 13, 2025

**Staff comments in this report are based solely upon evidence available at the time of the report. Additional information may be brought to light at or before the hearing.*

EXHIBITS:

1. Proposed amendment to Master Planned Community Zone Ordinance Bannock County, Idaho

STAFF MEMO

Master Planned Community Zone Ordinance Amendments

Page 1 of 1

EXHIBIT 1

Application

ORD-25-1

Submitted On: Mar 6, 2025

 Matt Loo

**Ordinance Text Change Narrative****Please provide a description of the proposed Ordinance change.**

We are seeking Bannock County's consideration and ultimate approval to reduce the minimum acreage requirement in the Master Planned Community (MPC) Zone from 750 to 550.

A statement of why the amendment is necessary.

We have currently secured approximately 600 acres of property in the unincorporated area of Bannock County between McCammon and Lava Hot Springs off US Highway 30, and we wish to develop this property into an Outdoor Adventure Resort.

A statement of how the proposed amendment is in accordance with the adopted Comprehensive Plan for Bannock County.

Vision Statement: In 2040, Bannock County will be a vibrant, family-friendly community that embraces its rural lifestyle while promoting sustainable economic growth and outdoor adventure. This vision statement encompasses the entire essence of our proposed project. And the developer is looking forward to collaborating with elected leadership, county development staff and residents of Bannock County around this proposed development to address specific needs or concerns to support the managed growth of the region.

A statement demonstrating that the proposed amendment is for the benefit of the County as a whole and not solely for the benefit of particular landowner(s) or parties at a particular point in time.

By approving the proposed reduction of the minimum acreage amendment to the MPC zone, this project can promptly commence the entitlement process. This initiative is poised to stimulate significant economic growth by creating new job opportunities for local residents, attracting new families to the area, and supporting local businesses and school systems. Additionally, it will draw visitors from outside the region, generating new revenue streams and enhancing the overall economic viability of Bannock County and its surrounding communities.

A statement showing compliance with Idaho State Code.

We believe that the following plan and state code meets the vision and intent of our proposed project:

Idaho Statewide Comprehensive Outdoor Recreation Plan (SCORP): While not a part of the Idaho State Code, this plan provides a strategic framework for outdoor recreation in Idaho, highlighting the economic impact of outdoor recreation and guiding development efforts.

Idaho Code Title 67, Chapter 71: This chapter addresses the registration and use of off-highway vehicles (OHVs) and snowmobiles. It also provides funding from OHV and snowmobile registrations to remediate damage to endowment lands caused by their use and to expand recreation opportunities on these land.

Acknowledgement

The application will not be scheduled for public hearing until a preliminary meeting(s) is conducted between applicant and staff discussing narrative items above where the application is verified by staff as complete. The Planning Council will make a recommendation to the Board of County Commissioners who will hold a public hearing and make a final decision. If approved, the Board of Commissioners must pass an ordinance and publish the change within the affected Bannock County Ordinance.

Date

03/06/2025

I hereby acknowledge that I have read the application and state the above information, including all submitted materials, is correct. I am also aware that the applicant or a representative must be present at the public hearing and that the decision on this request will be recorded in the official records of Bannock County.

true

Applicant Signature [Typed Signature]

Matthew U. Loo

EXHIBIT 2

Text Change Narrative

Bannock County Ordinance Text Change Narrative

Please provide a description of the proposed Ordinance change. *

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A statement demonstrating that the proposed amendment is for the benefit of the County as a whole and not solely for the benefit of particular landowner(s) or parties at a particular point in time. *

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EXHIBIT 3

ESC Edits

394 MASTER PLANNED COMMUNITY (MPC) ZONE

394.6 GENERAL STANDARDS:

In addition to those standards required by other federal, state, and county laws and ordinances, each MPC shall be held to the following standards:

D. The minimum area of an MPC shall be ~~seven hundred and fifty (750) acres~~ 550 acres.

MOTION

MOTION

Based on the record and the discussion this evening, I move to **[recommend approval to the Board of County Commissioners] [recommend denial to the Board of County Commissioners] [tabled]** the proposed changes to the Master Planned Community Zone Ordinance of Bannock County, Idaho, as described in the application materials as supplemented with additional information attached in the staff memo and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

AGENDA ITEM NO. 7

Items of Interest

- a) Update on recommendations to Commissioners
- b) Discussion of upcoming hearing items
- c) Announcements