



Twin Falls Planning & Zoning Commission Agenda

Tuesday, June 14, 2022, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS

Members -

City Limits: Craig Kelley, Chairperson; Carolyn Bolton, Vice-Chair; Shelley McEuen; Todd Rambur; Cortney Campbell; Marilu Perez

Area of Impact: David Detweiler

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Consent Calendar
 - a) **ACTION ITEM:** Approval of minutes from the following meeting: May 24 and June 1, 2022
- 3) Items of Consideration
- 4) Public Hearings
 - a) **ACTION ITEM:** Request for a recommendation to City Council for a zoning district change and zoning map amendment from R4 (Residential Medium Density) to R4 ZDA (Residential Medium Density Zoning Development Agreement) for approximately 34 acres on property located at the 1200-1300 blocks of the east side of Harrison Street South c/o EHM Engineers, Inc. on behalf of Idaho Land Holding, LLC. (PZ22-0035)
By: Lisa Strickland, City Planner
 - b) **ACTION ITEM:** Request for a recommendation to City Council for a Zoning Title Amendment to Title 10 Chapter 4 Section 19: Canyon Rim Overlay, removing permitted and special uses, modifying allowed maximum heights and, removing the ZDA Requirement c/o Priya Raman on behalf of North Canyon Medical Center. (PZ22-0087)
By: Lisa Strickland, City Planner
- 5) Upcoming Meeting(s)
 - a) **INFORMATIONAL:** Tuesday, June 28, 2022
- 6) Adjournment

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Kelli Ebersole (208) 735-7267 at least two working days before the meeting. Si desea esta información en Español, por favor llame a Josh Palmer al teléfono (208) 735-7312.

CITY OF TWIN FALLS

PLANNING & ZONING COMMISSION

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chair shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council or Planning & Zoning Commission shall wait to be recognized by the Mayor or Chair, approach the microphone/podium, state their name, and then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the staff. The staff shall make an audio recording of the Public Hearing.
 3. A City Staff Report shall summarize the application and history of the request.
 4. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
 - **A complete explanation and description of the request.**
 - **Why the request is being made.**
 - **Location of the Property.**
 - **Impacts on the surrounding properties and efforts to mitigate those impacts.**
 5. Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor or Chairman.
 6. The City Council or Planning & Zoning Commission may ask questions of staff or the applicant pertaining to the request.
 7. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor or Chair may limit public testimony to no less than two (2) minutes per person.
 - **Individuals are not permitted to give their time to other speakers.**
 - **However, five (5) or more individuals that received written notice of the public hearing may appoint, by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the Mayor or Chair. The spokesperson shall be limited to 15 minutes.**
 - **Written comments, including e-mail, received by 12:00 p.m. on the date of the hearing shall be either read into the record or displayed to the public on the overhead projector.**
 8. Following the Public Testimony, the applicant is permitted five (5) minutes to respond.
 9. Following the Public Testimony and Applicant's response, Council or Commission members, as recognized by the Mayor or Chair, shall be allowed to question the Applicant, Staff or anyone who has testified. Responses shall be limited to answering the questions asked. The Mayor or Chair may limit the time permitted for the answer.
 10. The Mayor or Chair shall close the Public Hearing. The City Council or Planning & Zoning Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.
- * Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor or Chairman.



Twin Falls Planning & Zoning Commission Minutes

Tuesday, May 24, 2022, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS

Members -

City Limits: Craig Kelley, Chairperson; Carolyn Bolton, Vice-Chair; Shelley McEuen; Todd Rambur; Cortney Campbell; Marilu Perez

Area of Impact: David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Chairman Kelley called the meeting to order at 06:01 PM
A quorum was present.

Members Present: Kelley, Bolton, Campbell, McEuen, Detweiler, Rambur

Staff Present: Spendlove, Strickland, Vitek, Zollinger, Ebersole

2) Consent Calendar

MOTION Vice Chair Bolton moved to approve the Consent Calendar, as presented.
Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 6-0.

- a) Approval of minutes from the following meeting: May 10, 2022

3) Items of Consideration

- a) Preliminary Presentation for the consideration of the zoning district change and zoning map amendment from R-4 to R-4 ZDA for property located at the 1200-1300 blocks of the east side of Harrison Street South, c/o EHM Engineers, Inc. on behalf of Idaho Land Holding, LLC. (app. PZ22-0035)

Staff Presentation:

City Planner Strickland presented the Preliminary Presentation for the consideration of the zoning district change and zoning map amendment from R-4 to R-4 ZDA for property located at the 1200-1300 blocks of the east side of Harrison Street South, c/o EHM Engineers, Inc. on behalf of Idaho Land Holding, LLC. (app. PZ22-0035)

Per Twin Falls City Code 10-6-1.7(E), Approval of a ZDA shall be based on the following standards:

- The proposed uses shall not be detrimental to any surrounding uses, nor shall they be detrimental to the health, safety and general welfare of the public.
- Any variation from the underlying zoning district development requirements must be warranted by the design and amenities incorporated in the conceptual development plan.
- The underlying zoning district and the conceptual development plan shall conform to the comprehensive plan.
- Existing and/or proposed streets and utility services must be suitable and adequate for the proposed development.
- The property has no zoning history and is undeveloped.

The proposed development is for attached dwellings with 4 units per building. The site will contain 75 buildings equaling 300 residential units within the 34 acre development. The current uses in the area are agricultural and residential in nature with a mixture of lot sizes. The design of the development will require platting and is designed to provide townhouses with adequate open space with landscaping, play areas and walking/riding trails. The R-4 zoning allows for fourplex dwellings with an approved special use permit. The proposed plan is to have 4 dwellings per building outright permitted and to have each unit individually platted to allow for individual ownership. This presentation consists of a general overview of the proposed development. Staff makes no recommendations at this time, and analysis of the request will be presented at the public hearing.

Upon conclusion, the preliminary presentation allows the Commission to preview the request to ask questions and give suggestions to applicants about the proposed project. The Commission may also grant the public the opportunity to do the same. A public hearing is scheduled for June 14, 2022. At the public hearing, the Commission will hear the request, take public testimony, deliberate and make a recommendation to the Council. The Commission may recommend approval, recommend approval with conditions, recommend denial or table the request for additional information.

Applicant Presentation:

David Thibault, EHM Engineers, Inc., representing applicant, gave a preliminary presentation for the consideration of the zoning district change and zoning map amendment from R-4 to R-4 ZDA for property located at the 1200-1300 blocks of the east side of Harrison Street South. He reviewed the shared accesses and why Pheasant Rd is designed as it is shown. He talked about the density of the project and stated this is a development to create affordable housing (monthly rate for rent vs monthly mortgage rate would be less). He stated this development would be similar to Valencia Park, as it is the same owner. He stated there is a need to fill for this type of development and he shared the reasons for the lot design.

PZ/Questions & Comments:

- Vice Chair Bolton asked what the commission is looking at tonight.
 - City Planner Strickland explained the preliminary presentation process.
 - Vice Chair Bolton asked about zero setbacks.
 - Mr. Thibault stated the reason for asking for the zero-lot line is due to each unit being on its own lot and need the zero setback to have each unit on its own lot. He stated they are also asking for smaller lot size due to how they want to build the project, as they did at Valencia Park.
 - Vice Chair Bolton asked what qualifies as affordable housing.
 - Mr. Thibault explained how affordable housing projects are determined.
 - Commissioner Detweiler asked for clarification on the total lot size for the project and the area that is being requested to be rezoned. He also asked what will happen to the current houses on the property.
 - Mr. Thibault explained what property is excluded and what properties are in the area to be rezoned.
 - City Planner Strickland reviewed the phasing and the ZDA process.
- b) Request for the consideration of the preliminary plat for Twin Falls Harrison Subdivision, approximate 12 (+/-) acres consisting of 46 lots located at the Harrison Street and Clinton Drive intersection, c/o Civil Science, on behalf of Cal Kunkel (app. PZ22-0085)

Staff Presentation:

City Planner Zollinger presented the request for the consideration of the preliminary plat for Twin Falls

Harrison Subdivision, approximate 12 (+/-) acres consisting of 46 lots located at the Harrison Street and Clinton Drive intersection, c/o Civil Science, on behalf of Cal Kunkel (app. PZ22-0085).

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat.

Approval of the Preliminary Plat will set parameters for which the Final Plat must substantially conform to. Including total number of lots, street layout, sidewalk connections, and other similar items.

A Final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. After a final plat has been approved by the City Council and construction plans approved, the plat may be recorded, and lots sold for development.

The area to be called Twin Falls Harrison Subdivision was annexed into the City in 2021, (Application PZ21-0028), with a Zoning designation of R-4. The property was one single piece of property owned by the Eternal Life Church.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan "Grow With Us" designates this area as Town Neighborhood. Staff has determined this request complies with the 2016 Comprehensive Plan.

Analysis:

The applicant is proposing to subdivide 45 residential lots and 1 non-buildable lot designated for stormwater retention.

As stated on the subdivision documents, the applicant intends for this to be a duplex subdivision. Each residential lot will consist of 7,000sf or more, which would allow for duplexes to be constructed in accordance with the R-4 zoning district.

Access into the subdivision will be from Harrison Street South and Clinton Drive. Clinton Drive will be completed and connected to Harrison Street South.

Two new streets will be constructed, Honeycrisp Drive, and Grannysmith Way.

On December 9th, 1997, the Planning & Zoning Commission granted Special Use Permit # 518 to allow for the construction and operation of a religious facility. The Commission attached a condition to the property that when Harrison Street is developed, sidewalk will be constructed and the approach of the church be removed from its existing location along Orchard Drive and relocated to Harrison Street.

As shown on the subdivision documents, sidewalk will be constructed from the southern portion of the subdivision along Harrison Street to the intersection of Harrison Street and Orchard Drive.

The new approach for the Eternal Life Church will be shown on the construction plans.

The subdivision will be serviced by city utilities.

Upon conclusion, should the Commission approve this request as presented, staff recommends approval be subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

Applicant Presentation:

Steven Anderson, rep app, presented the request for the consideration of the preliminary plat for Twin Falls Harrison Subdivision, approximate 12 (+/-) acres consisting of 46 lots located at the Harrison Street and Clinton Drive intersection. He stated the improvements to Harrison Street have been negotiated between the church and developer, with the developer paying for the road improvements.

PZ/Questions & Comments:

- Vice Chair Bolton asked about sidewalk installation extension and who is responsible for the cost of sidewalk.
- City Planner Zollinger stated it is an agreement between the developer and the church. He stated the sidewalk deferral along Orchard Avenue stays in place at this time.
- Vice Chair Bolton asked about storm water retention space and if a park will be included in this subdivision.
- City Planner Zollinger explained how the impact fee program has changed and the process for the city to get parks in desired locations, not using the storm water retention pond as the park. He stated there will be no park in this subdivision.

Discussions Followed: without concerns

MOTION: Vice Chair Bolton moved to approve the preliminary plat for Twin Falls Harrison Subdivision, approximate 12 (+/-) acres consisting of 46 lots located at the Harrison Street and Clinton Drive intersection, c/o Civil Science, on behalf of Cal Kunkel, (app. PZ22-0085), as presented, with staff recommendations.

Commissioner McEuen seconded the motion.

Unanimously Approved by a vote of 6-0.

4) Public Hearings

- a) Request for a recommendation to City Council to allow for additional height beyond 50 feet on property located on 2nd Avenue South between Hansen Street and Shoshone Street c/o Bill Truax on behalf of Galena Opportunity, Inc. (PZ22-0051)

Staff Presentation:

Planning and Zoning Director Spendlove presented the request for a recommendation to City Council to allow for additional height beyond 50 feet on property located on 2nd Avenue South between Hansen Street and Shoshone Street c/o Bill Truax on behalf of Galena Opportunity, Inc. (PZ22-0051)

A request for additional height follows the public hearing process for zoning map amendments as described in subsection 10-14-5(B) and section 10-14-7 of City Code.

The Planning & Zoning Commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The Commission shall then transmit its recommendation to City Council.

After receiving the recommendation, the City Council shall conduct a public hearing, and make a final decision on the request.

The current use of the property as Parking lots have been in place for over three decades. Special Use Permit PZ21-0158 was approved for the Garage Land Use and PZ-0159 was approved for extra height on neighboring properties, in November 2021.

The 2016 Comprehensive Plan “Grow With Us” designates this area as “Downtown” This request meets this designation and other comprehensive plan guidelines by encouraging development and infill, while also providing downtown housing options and their accessory, or related, land uses. City Staff has determined this request follows the City’s comprehensive plans.

Potential Impacts

The applicant and Staff do not anticipate detrimental impacts beyond reasonable levels based on the previously approved extra height limitations on the adjacent properties.

The commission may recommend to City Council that additional height be approved as requested, approved with modifications, tabled for additional information, or it may recommend that the request be denied.

If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to continued compliance with the application materials and drawings submitted by the applicant.
3. Subject to the maximum height of sixty (60) feet to include all mechanical and service equipment.

Applicant Presentation:

Gerald Martens, partner in property ownership, gave a presentation regarding the request for additional height beyond 50 feet on property located on 2nd Avenue South between Hansen Street and Shoshone Street. He stated he is part of the landowner group that contributed to this project. He stated he worked with the project owners to protect the parking for their tenants. He stated without the additional height, there will be no way to generate enough parking for the two new buildings, current buildings, and accommodate public parking. He shared they worked to have 2nd level access to their building.

PZ/Questions & Comments:

- Commissioner Detweiler asked about parking for business owners currently downtown.
- Planning & Zoning Director Spendlove stated the public parking spots would be available for those businesses. He explained the P1 Parking Overlay district.
- Commissioner Detweiler asked how many parking spots are there currently.
- Planning & Zoning Director Spendlove stated the current lot has 50 parking spots, while the new lot will have over 300 spots. He spoke to the stacked parking discussion with the property owner.
- Vice Chair Bolton asked about the extra height request being less than the adjacent buildings.
- Planning & Zoning Director Spendlove replied the other two buildings were approved at 85-foot height.
- Commissioner Detweiler asked what is in the area between the buildings and parking lot. He asked if a Special Use Permit request will be brought to the commission for the landscaping.
- Planning & Zoning Director Spendlove stated the applicant is proposing pedestrian corridors on either side of the parking lot with the exits from the lot being into the alley.
- Planning & Zoning Director Spendlove clarified that Mr. Martens represents the property owner partnership for this request.

Public Hearing: Opened and closed without input

Discussions Followed:

- Vice Chair Bolton is in favor of this request, as the commission has already approved the taller height for the other buildings.

- Commissioner Rambur is in favor of the request. He stated he likes the growth downtown.
- Commissioner McEuen is in favor of the request. She stated it is nice to see opportunity for downtown.
- Chairman Kelley stated the parking lot needs height to function and likes that it will bring an extra 50 public parking spots.

MOTION: Commissioner Detweiler moved to approve the request for a recommendation to City Council to allow for additional height beyond 50 feet on property located on 2nd Avenue South between Hansen Street and Shoshone Street c/o Bill Truax on behalf of Galena Opportunity, Inc. (PZ22-0051), as presented, with staff recommendations. Commissioner Rambur seconded the motion.

Unanimously Approved by a vote of 6-0.

- b) Request for a Special Use Permit to allow for a drive-through on property located at 1241 Falls Avenue East c/o EHM Engineers, Inc. on behalf of The Human Bean Coffee Shop. (PZ22-0072) – ***withdrawn by applicant.***
- c) Request for a Special Use Permit for a sixty (60) foot Wireless Communication Facility with a utility owned structure greater than three (3) feet on property located at 169 Madrona Street c/o Horrocks Engineering, on behalf of TDS Metrocom, LLC. (PZ22-0076) - ***rescheduled to June 14, 2022***
- d) Request for a Special Use Permit to allow for a utility-owned structure greater than three (3) feet aboveground, on property located on 971 Carriage Ln c/o Tilson Technology Management, on behalf of TDS Metrocom, LLC. (PZ22-0089)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit to allow for a utility-owned structure greater than three (3) feet aboveground, on property located on 971 Carriage Ln c/o Tilson Technology Management, on behalf of TDS Metrocom, LLC. (PZ22-0089)

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall decide on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months, or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony, and minutes of the previous hearing to reach a decision on the appeal.

Standards Applicable to Special Uses:

- Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
- Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
- Will be designed, constructed, operated, and maintained to be harmonious and appropriate in

appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

- Will not be hazardous or disturbing to existing or future neighboring uses.
- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

This area is zoned R-2, Residential Single Household or Duplex District. The cabinet will be located on the southeast corner of Thomsen Park.

This request is associated with a large project proposed to take place within the city's right of way in order for Tilson/TDS to provide fiberoptic services throughout the city. The installation of a utility cabinet to house the equipment necessary to provide this service is similar to other cabinets used by utility service companies. The special use permit allows the commission the opportunity to look at the location, of the cabinet and address any visual impacts that may require mitigation. The staff has reviewed the request and does not foresee any issues with the proposed location of the cabinet.

Upon conclusion, should the Commission recommend approval of the request as presented, staff recommends the following:

1. Subject to site plan amendments as required by Building, Fire, Engineering, and Zoning Officials to ensure compliance with all applicable codes and standards.

Applicant Presentation:

Todd Naylor, applicant, stated he has nothing to add at this time.

PZ/Questions & Comments:

- Chairman Kelley asked if this is the same area as a prior request that was previously approved by the commission.
- City Planner Strickland explained the applicant has decided to move the node from the previously approved location on Carriage Ln and Elizabeth Blvd. to this new location.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

MOTION: Commissioner Detweiler moved to approve the request to allow for a utility-owned structure greater than three (3) feet aboveground, on property located on 971 Carriage Ln c/o Tilson Technology Management, on behalf of TDS Metrocom, LLC. (PZ22-0089).

Vice Chair Bolton seconded the motion.

Unanimously Approved by a vote of 6-0.

5) Upcoming Meeting(s)

- a) Wednesday, June 1, 2022 – Worksession – General Training
Tuesday, June 14, 2022
Tuesday, June 28, 2022

6) Adjournment

The meeting adjourned at 06:56 PM

Kelli Ebersole, Technician



Twin Falls Planning & Zoning Commission Minutes

Wednesday, June 1, 2022, 12:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS

Members -

City Limits: Craig Kelley, Chairperson; Carolyn Bolton, Vice-Chair; Shelley McEuen; Todd Rambur; Cortney Campbell; Marilu Perez

Area of Impact: David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Vice Chair Bolton called the meeting to order at 12:02 PM
A quorum was present.

Members Present: Bolton, Detweiler, McEuen, Campbell

Staff Present: Spendlove, Zollinger, Ebersole, Nope

2) General Training

- a) Civic Clerk Log In.
Commissioners confirmed their Civic Clerk login.
- b) PZ Commission Training.
City Planner Zollinger gave a presentation on the history of planning and the history of the City of Twin Falls Planning.
Planning and Zoning Director Spendlove and City Attorney Nope gave input on the commission's responsibilities and procedures.

3) Upcoming Meeting(s)

- a) Tuesday, June 14, 2022
Tuesday, June 28, 2022

4) Adjournment

Kelli Ebersole, Administrative Assistant



Date: Tuesday, June 14, 2022
To: Planning and Zoning Commission
From: Lisa Strickland

ACTION ITEM

Request:

Request for a recommendation to City Council for a zoning district change and zoning map amendment from R4 (Residential Medium Density) to R4 ZDA (Residential Medium Density Zoning Development Agreement) for approximately 34 acres on property located at the 1200-1300 blocks of the east side of Harrison Street South c/o EHM Engineers, Inc. on behalf of Idaho Land Holding, LLC. (PZ22-0035)

Time Estimate:

Approximately 5-10 minutes for the presentation with questions/comments to follow.

Background:

The property located along the 1200-1300 block of Harrison includes several parcels located at the intersection of Harrison St and Pheasant Rd. The applicant is requesting to rezone the property from R-4 to R-4 ZDA with plans to develop 300 individually platted lots allowing 4 attached single household dwellings in each building with parking, open space and walkability throughout.

The Comprehensive Plan future land use map designates this area as Town Neighborhood. Per the plan, Town Neighborhood promotes a land use mix of single family attached and detached, duplexes, triplexes and townhomes. The development should be residential in character. Lots sizes are generally smaller than rural residential and contiguous to clustered development. The gross density/size would average 2-10 dwelling units per acre.

Approval Process:

Per Twin Falls City Code10-6-1.7(E), Approval of a ZDA shall be based on the following standards:

- The proposed uses shall not be detrimental to any surrounding uses, nor shall they be detrimental to the health, safety and general welfare of the public.
- Any variation from the underlying zoning district development requirements must be warranted by the design and amenities incorporated in the conceptual development plan.
- The underlying zoning district and the conceptual development plan shall conform to the comprehensive plan.
- Existing and/or proposed streets and utility services must be suitable and adequate for the proposed development.

Budget Impact:

n/a

Regulatory Impact:

A zoning development agreement (ZDA) is designed to accommodate appropriate combinations of uses that may be planned, developed, and operated as integral land use units either by a single owner or a combination of owners. A ZDA is intended to accomplish some, or all of the following:

1. Foster and promote a variety of appropriate land use combinations in a preplanned development pattern;
2. Encourage developers to use a creative approach in land development;
3. Retain and conserve natural land and topographic features;
4. Promote greater use of streetscape and pedestrian-oriented aesthetics;
5. Promote the creation and efficient use of open spaces;
6. Create flexibility and variety in the location of improvements on lots;
7. Provide flexibility in development standards to facilitate creative land development concepts.

Land uses in the ZDA shall conform to the standards and regulations of the underlying zoning district(s), unless otherwise approved and included within the ZDA. The ZDA shall be comprised of a list of land use exceptions being requested, any development exceptions requested and shall be incorporated into the conceptual development plan. The ZDA shall provide exceptions requested shall not be detrimental to any surrounding uses or to the health, safety and general welfare of the public.

History:

There is no significant zoning history for this property.

Analysis:

A conceptual plan and associated written comments have been provided by the applicant and have been reviewed by staff. The conceptual plan proposed by the applicant consists of 75 buildings each consisting of 4 "townhouse dwelling units" that can be individually owned and will be platted on their own lots. The remainder of the area surrounding the lots will be owned and maintained collectively by the owners in the subdivision and will provide open space for the residence. The R-4 zone allows for attached single household dwellings (aka townhouses) on lots fronting arterials and collectors, therefore the applicant is not requesting a complete departure from current land use requirements.

The applicant has provided several depictions of varying types of structures with basic architecture, such as single-story and two-story buildings with pitched roofs. There will be multiple streets constructed to support this development as well as provide future connections as more development occurs. The applicant has provided a phased plan consisting of 3 phases with plans to complete the project by 2027.

Currently, the density provided for in the R-4 zoning district would allow for 11,000 sq. ft. lots with a 4-plex on each lot, which is the equivalent of approximately 400 dwelling units. The applicant has applied for a zoning development agreement in order to provide a master development plan and to request some exceptions to the code that would allow for the 300 dwelling units. Staff has reviewed the plan and does not foresee the land use of "town-houses" being detrimentally different from currently permitted land uses within the zoning district. Each "townhouse" has the opportunity to be individually owned, and is more in line with a typical residential development rather than apartment complexes.

The design of the development provides a reasonable amount of open space and should help lower the visual impact of the clustered town-houses. Staff has determined the overall development will have a similar impact on the surrounding area as a typical subdivision; and we find this plan to be in conformance with the overall goals and objectives listed within comprehensive plan.

Conclusion:

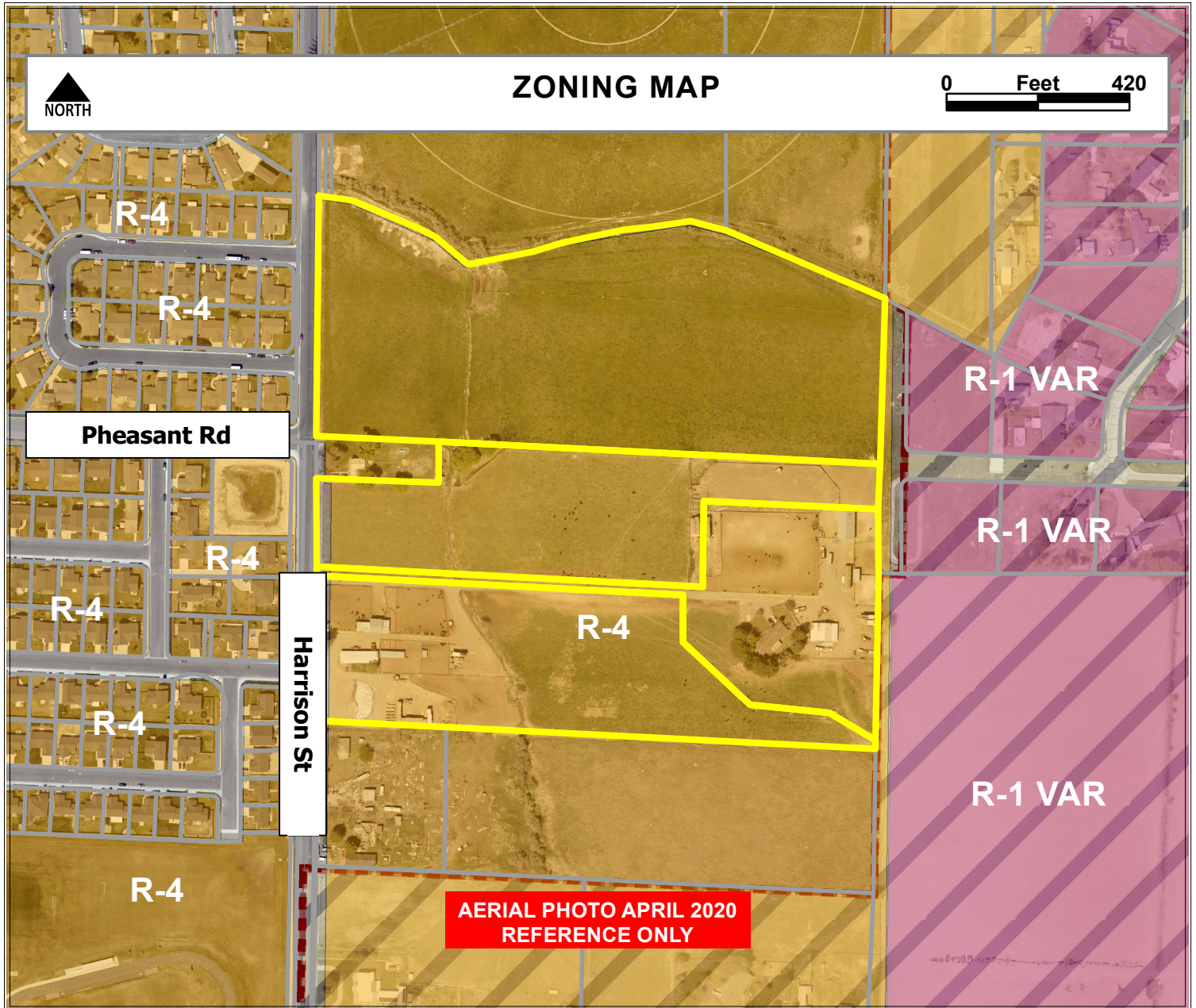
The ZDA process requires a public hearing for citizens to testify about the project. After testimony has been heard, the commission will deliberate and move to make a recommendation to the City Council. The recommendation can be to deny the request, approve the request as presented, approve the request with conditions or table the request for additional information.

If the commission recommends approval of the request as presented, staff recommends the following condition:

1. Subject to site plan amendments as determined by Building, Engineering, Fire and Zoning officials to comply with applicable City Codes and standards.

Attachments:

1. Zoning Map
2. Future Land Use Map
3. Narrative
4. ZDA Document
5. Development Layout



Subject Property

Current Zone: R-4
 Proposed Zone: R-4 ZDA
 Existing Land Use: Agricultural
 Proposed Land Use: Residential
 FLU Designation: Town Neighborhood

Surrounding Properties

North: Undeveloped
 South: Undeveloped
 East: Residential/Undeveloped
 West: Residential

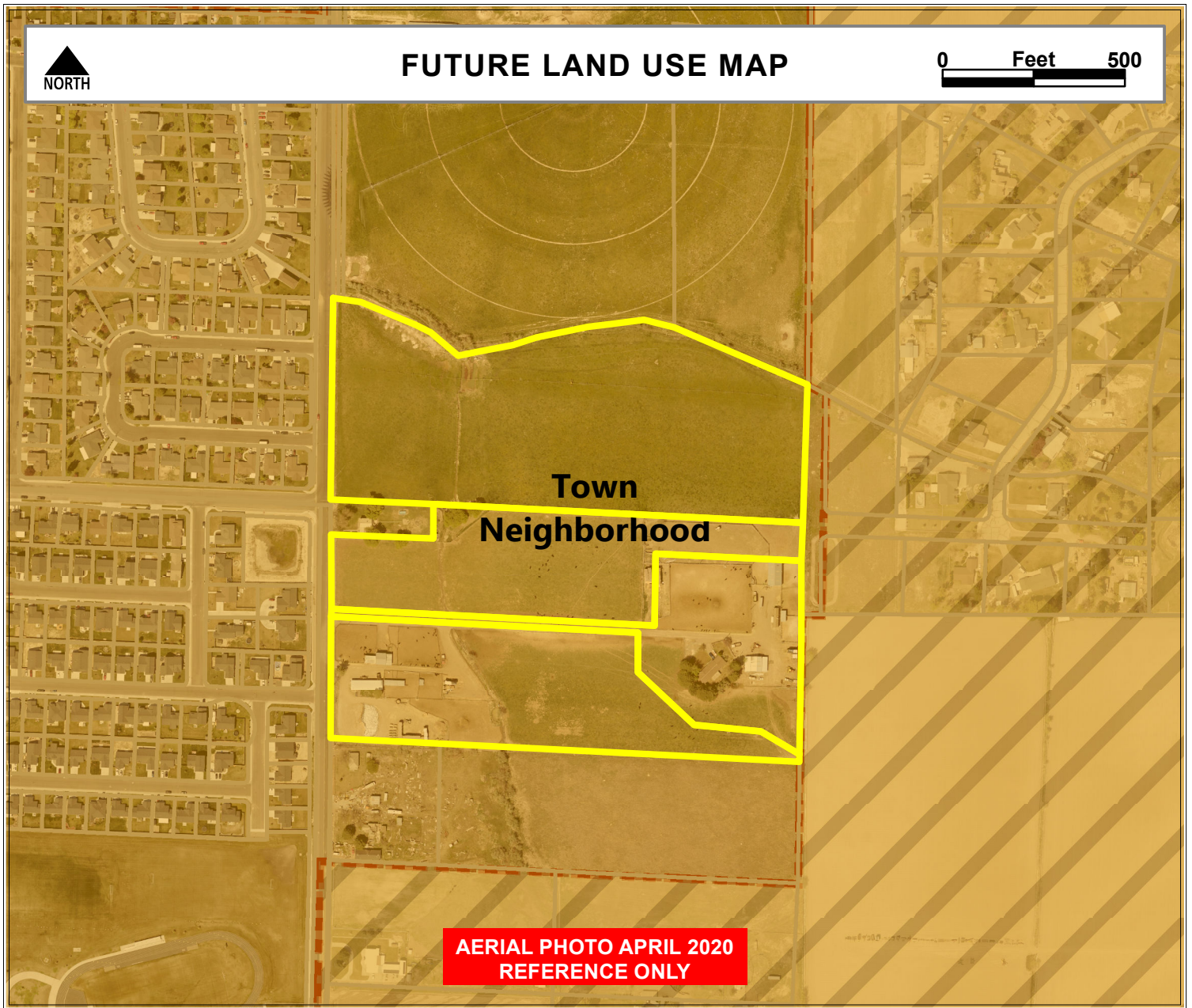
Applicable Zoning Regulations

10-1, 10-4-5, 10-6, 10-11, 10-12

Zoning

R-1 VAR

R-4



Future Land Use

 Town Neighborhood

PROSPERITY HILLS ZDA TOWNHOUSE SUBDIVISION
ZONING DISTRICT CHANGE AND ZONING MAP AMENDMENT
ZONING DEVELOPMENT AGREEMENT APPLICATION
PROJECT JUSTIFICATION, CONFORMANCE AND COMPATIBILITY

a. Reason for the request:

The property for the proposed Prosperity Hills ZDA Townhouse Subdivision is located in the R-4 Medium Density Residential District. This application for Zoning District Change and Zoning Map Amendment is in accordance with the City of Twin Falls Code Section 10-4-5.2 8.6.c that allows the construction of attached dwellings with 4 units per building with a special use permit in the R-4 Zone. This townhome subdivision will be developed following the Master Development Plan that is included with this application. The ZDA plan shows the intended use of the land in a visual manner and by written documentation of the proposals and standards.

b. Statement:

i. Relationship to Comprehensive Plan

The Future Land Use Map included in the 2015 City of Twin Falls Comprehensive Plan designates the subject property and surrounding area as Town Neighborhoods. The proposed development with attached dwellings with 4-unit buildings will have 75 buildings with 300 residential units within the 34 acre development. This provides an area compatible with the Comprehensive Plan designation that is intended to promote and preserve medium density residential development and provide a residential environment to allow the present and future residents to live and play in an area with space for personal privacy, minimum vehicular traffic that is free from the encumbrance by commercial and industrial activities.

ii. Compatibility with the Surrounding Area

The proposed development is compatible with the existing uses in the surrounding area. The adjacent properties along the west property boundary, across Harrison St. South, are part of the Golden Eagle Subdivision No.'s 3 & 6, and Villa Vista Subdivision No.'s 7 & 8. The property located to the north is undeveloped but a Preliminary Plat of Calistoga Springs Subdivision has been approved by the City. The property located to the south is undeveloped. The property located adjacent to the east boundary is a mixture of undeveloped farm ground and partly borders South Blue Lakes Vista Subdivision. The current uses in the area are agricultural and residential in nature with a mixture of lot sizes and affordable construction. The proposed development provides another component to the mixture of affordable housing and is compatible with the existing mixture of residential uses in the area.

iii. Intended Use/Development of the Property

The intended development of the property includes 75 residential buildings that include 4 attached dwelling units each with off street parking. An additional clubhouse building is also proposed for the use of the Prosperity Hills Homeowners. The building density provides affordable townhomes with adequate open space with landscaping, play areas and walking/riding trails.

iv. Requested Exceptions for Specific Uses and/or Development Standards

The R-4 Zoning District allows duplex dwellings. Fourplex dwellings are not permitted outright, however they are with a Special Use permit. This development will have 4 dwelling units per building with each individually owned dwelling on a separate platted lot. No other land use/development allowances are requested.

Prosperity Hills ZDA Townhouse Residential Development

ZDA Development Commitment

Pursuant to All Parts of the Planning Exhibit

This ZDA Development Commitment is made and entered into this _____ day of _____, 2022, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City" and Idaho Land Holding, LLC, hereinafter called "Developer" for the purpose of developing a residential subdivision as a Zoned Development Agreement (ZDA). The legal description of the property is a portion of the Southwest Quarter of the Northeast Quarter and Northwest Quarter of the Southeast Quarter, Section 28 Township 10 South, Range 17 east of the Boise Meridian in Twin Falls County, Idaho.

Development and Improvements shall conform to the standards and regulations of the Twin Falls City Code Title 10 — Chapter 4 — Section 5 and Chapter 6 - Section 1, and all references to other sections therein, as amended, except for the following:

(1) Use Regulations:

(A) Permitted Uses: Modified to include: Dwellings — Attached single household (aka Townhouse)

(B) Special Uses: No Changes Requested.

(C) Prohibited Uses: None Requested.

(2) Property Development Standards:

(A) Lot Area: Modified as Follows: Residential Lots: Minimum 722 Square Feet
Open Space or Common Area Tracts: No Minimum

(B) Lot Occupancy: Modified As Follows: Residential Lots: 100% of Lot Area
Open Space or Common Area Tracts: 0% Occupancy

(C) Building Height: no change requested.

(D) Yards: Modified as Follows: Residential Lots: No property Line Setback Required
All Buildings shall be a Minimum of 7 feet from exterior boundary.
Street Setbacks: Street setbacks on south side of Feather Avenue to be reduced to 12 feet minimum. No Change Requested for all other streets.

(E) Access: Modified As shown

1. Harrison St. South to be developed as public collector streets. Pheasant Rd., Gregory Way, Lacasa Ave., and Feather Ave. to be developed as public residential streets. Access to the buildings will be through private driveways and parking lots.

(F) Landscaping: Landscaping shown on Master Development Plan to be installed, owned and maintained by Homeowners Association.

(G) Off Street Parking: Two off street parking places are provided for each 1 to 2-bedroom unit. Two and one-half off street parking places are provided for each 3-bedroom residential unit.

(H) Signs: Modified to include the following

1. Freestanding signs along Harrison St. South will be erected to identify the development as the Prosperity Hills Subdivision. The signs will be permitted through the Twin Falls Building Department. A photo of a sign similar to the one that is proposed is attached.
- (I) Walls, Fences, Hedges, Trees, Shrubs, and Landscaping Structures: Modified to Include: A minimum of 6' tall white vinyl fence will be installed as exterior screen fencing along the exterior property boundary, to be installed per phase.
- (3) Other Site development Criteria — if applicable
 - (A) Building Elevations: Project to be Constructed in accordance with the Building Elevations Provide with This Agreement.
 - (B) Density: No Change Requested.
 - (C) Residential Lot Width: Platted townhouse lot width will be 19 feet minimum.
 - (D) Residential Lot Depth: Platted townhouse lot length will be 38 feet minimum.
 - (E) Open Space or Common Area: No minimum or maximum size
 - (F) Multi-Use Transportation Access: No amenities specifically designed for multi-use transportation access are planned.
 - (G) Park: No Change Requested to Park Dedication Procedure.
 - (H) Pathways: The sidewalks along collector streets will be set back 5 feet from the curb and be 6 feet wide. The sidewalks along public residential streets will be adjacent to the curb and 5 feet wide. Sidewalks along private drives and parking areas will be a mixture of offset from and adjacent to the curb and be 5 feet wide minimum.
 - (I) Screening: Modified to include the following
 1. Trash containers, outdoor storage, and such facilities shall be visibly screened from roadways, adjacent residential areas, and adjacent properties. Screening may consist of landscaping, masonry walls, or vision barrier fencing.
- (4) Architectural Standards: The buildings will be constructed by the developer in accordance with the building elevations included with this application.
- (5) Management Associations: A Prosperity Hills Homeowner's Association will be formed with documentation recorded at Twin Falls County.
- (6) Project Phasing: The development is intended to be constructed in 4 phases starting at the north end and working to the south and east. The estimated schedule for the construction is to complete one or more phases each year starting in the fall of 2022 and to be completed by 2027.

If no development has occurred on the ZDA subject parcel within the time identified, the planning and zoning commission and city council may review the original ZDA development requirements and conceptual development plan to ensure their continued validity. If the city determines the concept is no longer valid, then:

- (A) The city may initiate a process to change the zoning classification, or
- (8) New ZDA development requirements and/or a new conceptual development plan may be required to be approved prior to the city issuing a building permit for any portion of the ZDA subject parcel

STATE OF _____

County of _____

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____, known to me to be the persons whose names are subscribed to the within instrument on behalf of said Owner and acknowledged to me that said Owner executed the same.

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

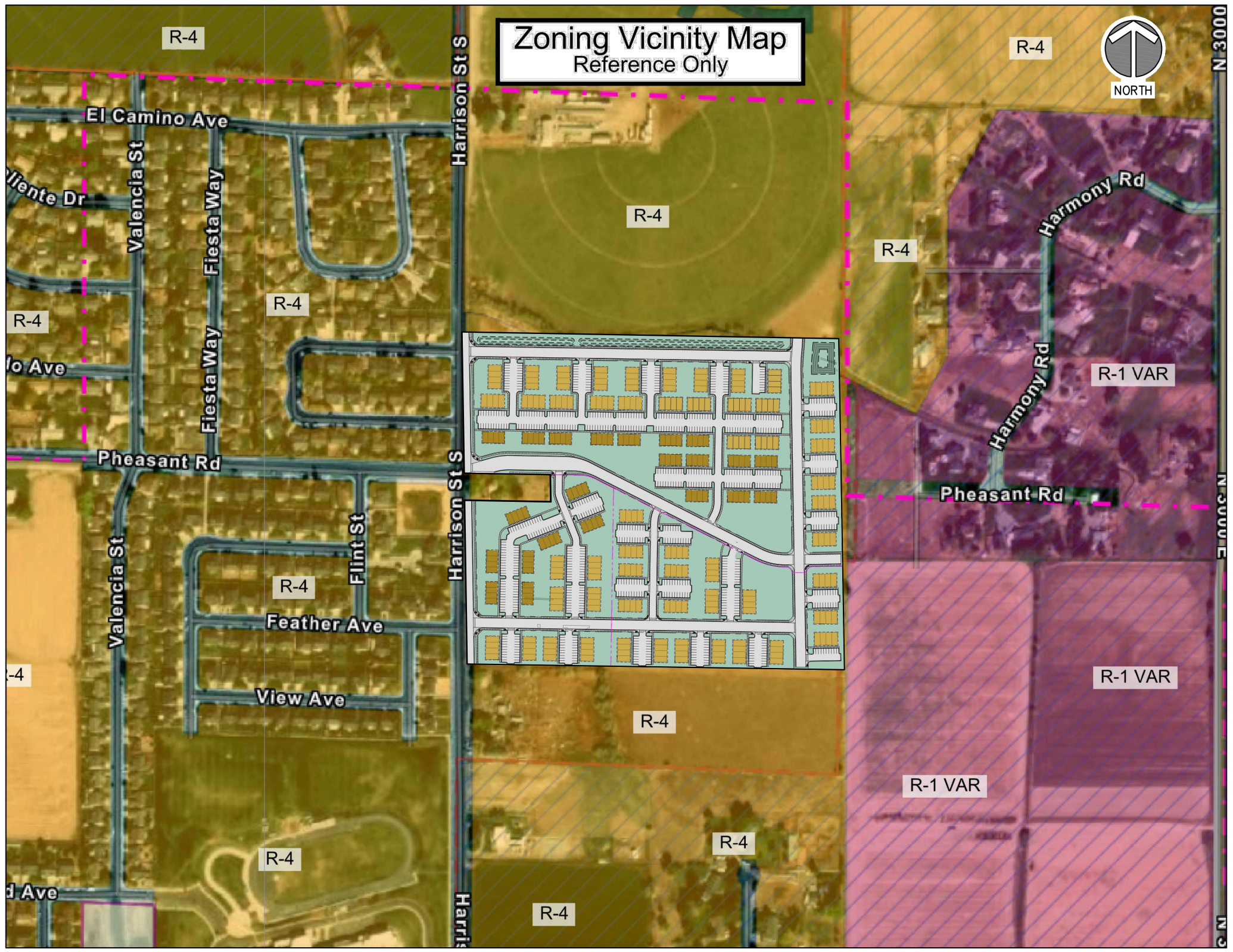
Notary Public for _____

Residing at: _____

Date: _____

Zoning Vicinity Map

Reference Only



R-4

R-4

R-4

R-4

R-4

R-1 VAR

R-4

R-1 VAR

R-1 VAR

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R-4

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R-4

N 3000 E
N 3000 S

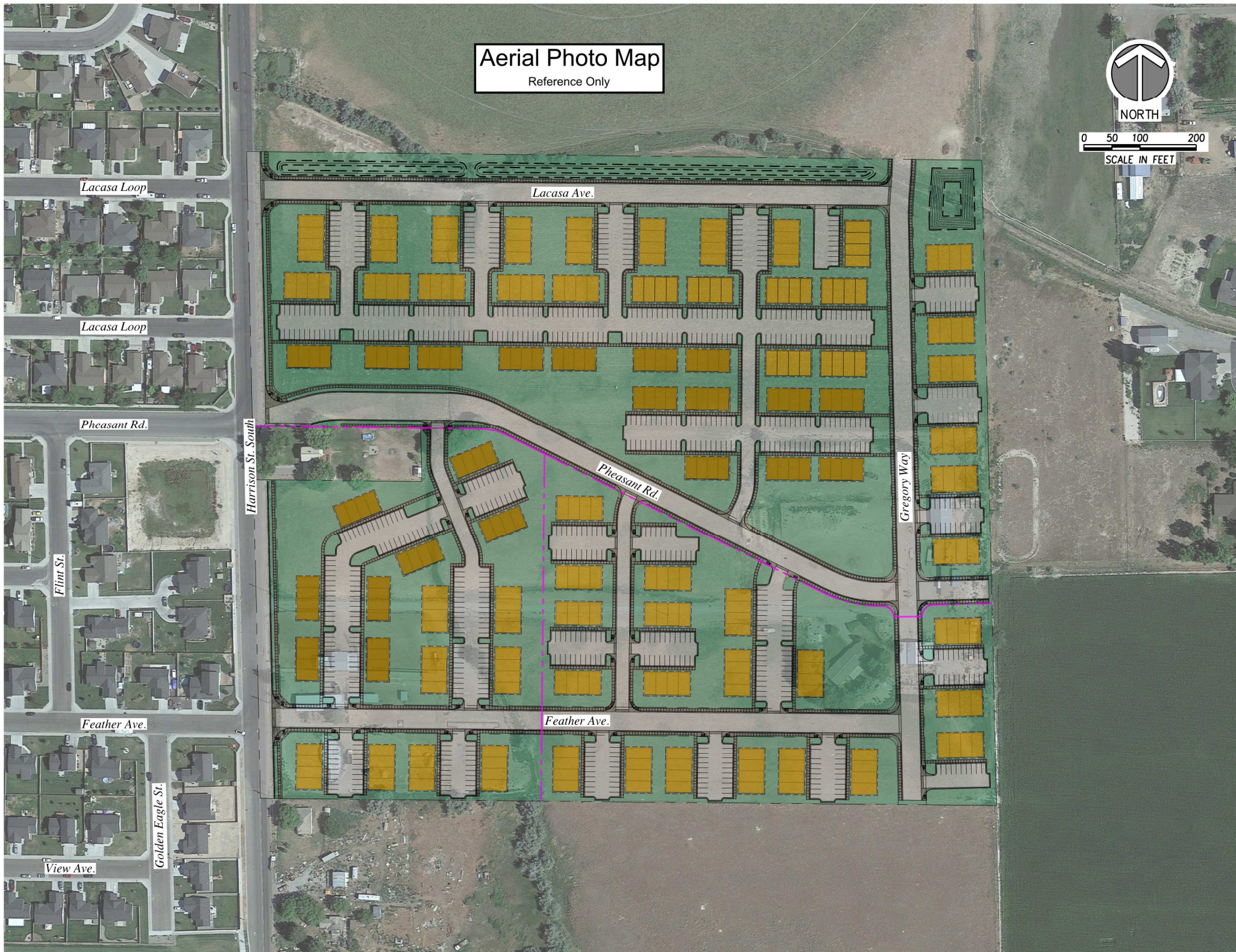
Aerial Photo Map

Reference Only



0 50 100 200

SCALE IN FEET



Opt A



Opt B



Opt C



Disclosure: All floor plans and elevations are for conceptual purposes only. Owner has the right to modify these plans without notice.



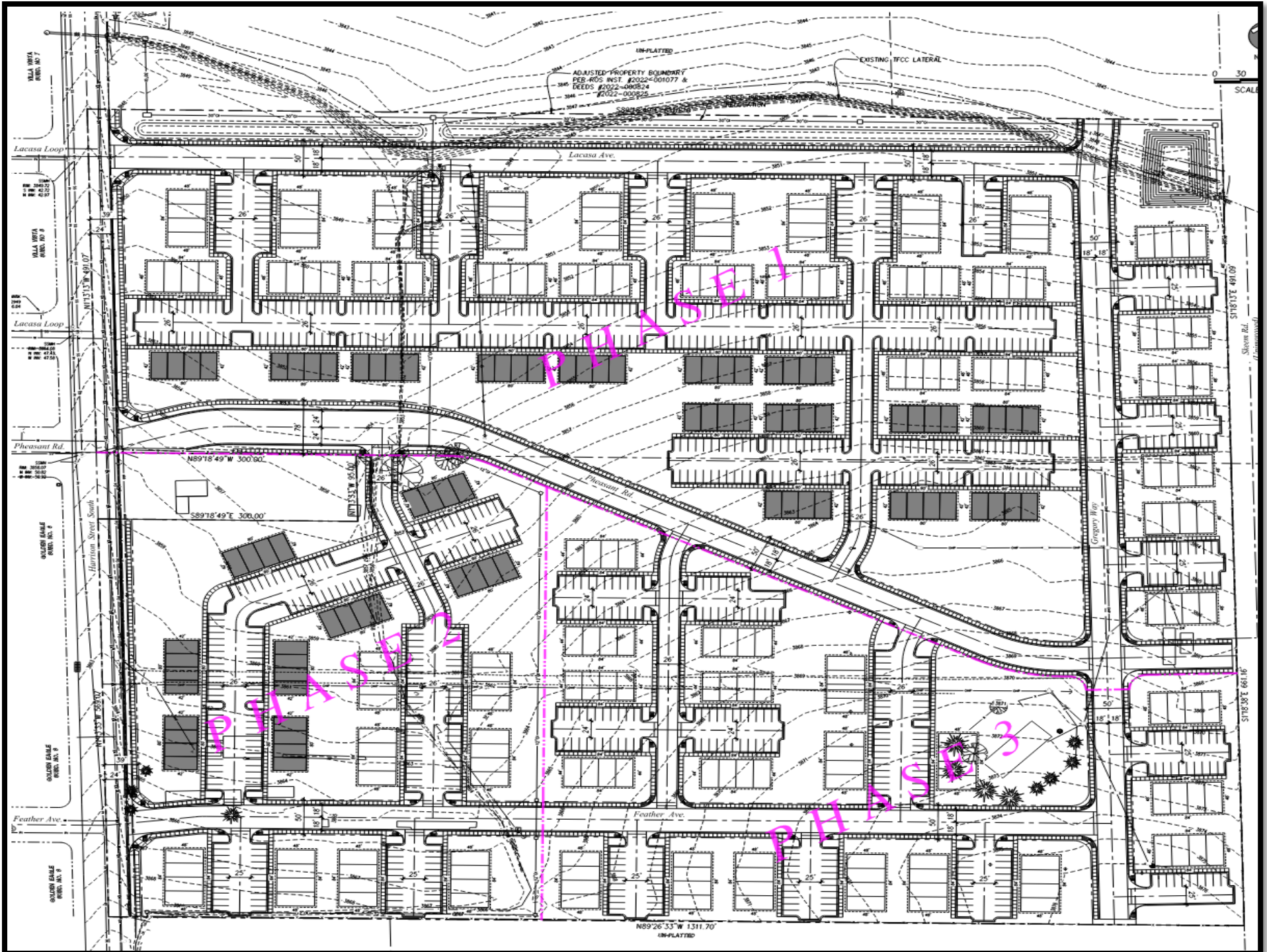
Disclosure: All floor plans and elevations are for conceptual purposes only. Owner has the right to modify these plans without notice.





Single Story

Two Story





Date: Tuesday, June 14, 2022
To: Planning and Zoning Commission
From: Lisa Strickland

ACTION ITEM

Request:

Request for a recommendation to City Council for a Zoning Title Amendment to Title 10 Chapter 4 Section 19: Canyon Rim Overlay, removing permitted and special uses, modifying allowed maximum heights and, removing the ZDA Requirement c/o Priya Raman on behalf of North Canyon Medical Center. (PZ22-0087)

Time Estimate:

Approximately 5-10 minutes wth questions/comments to follow.

Background:

The request is to amend the Canyon Rim Overlay Zoning District Title by removing certain sections regulating land use types and ZDA requirements, and amending location restrictions on applying for extra building heights.

Approval Process:

Per City Code 10-14-4 Zoning districts, zoning subdistricts and overlay districts shall be amended in the following manner:

(A) Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested.

(B) If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and (Ord. 2012, 7-6-1981)

Per City Code 10-14-6 The commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The commission shall ensure that any favorable recommendations for amendments are in accordance with a comprehensive plan and established goals and objectives.

Upon granting or denying an application to amend this title, the council shall specify:

(A) The regulations and standards used in evaluating the application.

(B) The reasons for approval or denial.

(C) The actions, if any, that the applicant could take to obtain a permit.

In the event the council shall approve an amendment, such amendment shall thereafter be made a part of this title upon the preparation and passage of an ordinance. (Ord. 2012, 7-6-1981)

Budget Impact:

N/A

Regulatory Impact:

Per City Code 10-14-5 The commission shall hold a public hearing and make recommendations on proposed zoning amendments. Zoning amendments may consist of text or map revisions.

(A) Zoning Title Amendment: The commission, prior to recommending a zoning title amendment to the council, shall conduct at least one public hearing in which interested persons shall have an

opportunity to be heard. Notice for public hearings shall be provided as set forth in section [10-7-20](#) of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the amendment with its recommendation to the council.

History:

Title 10-4-19 was adopted in 1996. The intent was to establish an overlay district for the canyon rim. The overlay along the Snake River Canyon includes all of the area within seven hundred feet (700') and all of the area within two hundred feet (200') of the Rock Creek Canyon Rim.

In 2006 and 2014, amendments to this Title dealing with the building height restrictions were approved stating that additional building heights beyond one hundred feet (100') from the canyon rim may be allowed; but only in certain locations (within one thousand feet (1,000') of state administered highways or between Washington and Blue Lakes) and only for certain land use types (hotel/convention center or private/public mixed use developments).

The Code also requires a Zoning Development Agreement for all development proposed in the overlay area (700 and 200 feet from the rim respectively).

Analysis:

The applicant has coordinated with staff on the proposal to amend Title 10-4-19 Canyon Rim Overlay. Upon request, staff provided a draft of the proposed changes we had been working on internally. These changes would include removing land-use regulations, updating the building height development standards, and removing the requirement for a Zoning Development Agreement for proposed development within the overlay.

Removal of the use regulations would cause the land-uses to be determined by the base zoning district upon which the overlay is placed.

Replacing the building height development standards would allow for the maximum height allowed per the base zoning code within one hundred fifty feet (150') of the canyon rim. Additional heights beyond fifty feet (50') would be required to follow City Code 10-7-3; a process that requires public hearings and final approval from the City Council.

Currently, a Zoning Development Agreement is required if the property is within the canyon rim overlay. The purpose of a Zoning Development Agreement is to allow for development creativity and allow an applicant to request variations from the underlying zoning and development requirements. Historically, the ZDA requests have not been used for the stated purpose in code, rather it has been used for additional heights, and modifying permitted/special land uses.

The Snake River Canyon is a space with natural beauty that has been developed with requirements for public amenities, such as a walking trail for all to enjoy. The Snake River Canyon has been an attractive area for development over the years with the majority of undeveloped areas currently master planned within an existing Planned Unit Development or Zoning Development Agreement. The amendment to the Title eliminating the Zoning Development Agreement requirement would then governed by the base zoning district upon which the overlay is placed.

Conclusion:

The Commission may recommend approval of the proposed amendment, recommend approval with modifications to the proposed amendment, or recommend denial. The Planning & Zoning Commission recommendation is then sent forward to the City Council for a final decision.

Attachments:

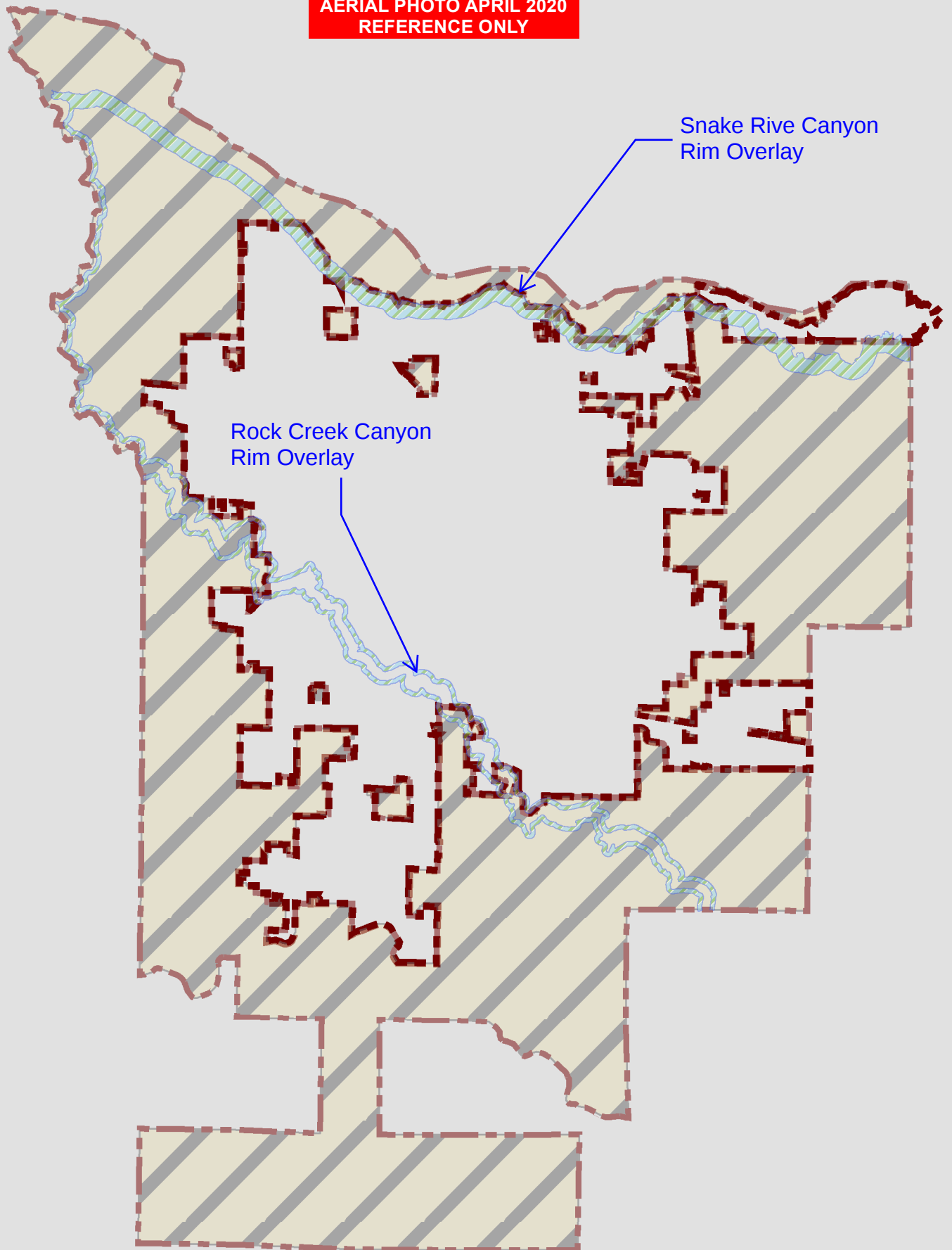
1. Canyon Rim Overlay Map
2. 10-4-19 CRO Canyon Rim Overlay-Amendments
3. Additional Height Exhibit



ZONING MAP

0 Feet 7,100

AERIAL PHOTO APRIL 2020
REFERENCE ONLY



Snake River Canyon
Rim Overlay

Rock Creek Canyon
Rim Overlay

10-4-19: CRO, CANYON RIMS OVERLAY DISTRICT:

10-4-19.1: PURPOSES:

The purposes of the canyon rims overlay district are as follows:

- (A) To protect the public and private property owners from the natural hazards of rock fall and slope failure along the Snake River Canyon and Rock Creek Canyon.
- (B) To protect views and create a unique visual environment along the canyon rims.
- (C) To preserve and improve the aesthetic appearance of the canyon rims for the enhancement of the quality of life in the community.
- (D) To provide development standards that enhance the value of canyon rim areas to the developer and the community.

10-4-19.2: LOCATION:

The canyon rims overlay district shall include all of that area within the city and its area of impact located within two hundred feet (200') of the Rock Creek Canyon rim and within seven hundred feet (700') of the Snake River Canyon rim which carries a residential or C-1 zoning designation. (Ord. 2526, 5-20-1996)

10-4-19.3: USE REGULATIONS:

~~(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:~~

~~Residential: Any residential use permitted in the zoning district upon which the overlay is placed.~~

~~Commercial: The following commercial uses are permitted if the zoning district upon which the overlay is placed permits the use. Retail trade uses operating between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. as follows:~~

~~1. Communications And Utilities:~~

- ~~a. Underground and aboveground transmission lines.~~
- ~~b. Utility-owned buildings and structures less than twenty-five (25) square feet in area and less than three feet (3') aboveground.~~

~~2. Cultural Facilities:~~

- ~~a. Botanical gardens and arboretums.~~
- ~~b. Historic sites and monuments.~~
- ~~c. Libraries, museums and art galleries.~~
- ~~d. Planetariums and aquariums.~~

~~3. Parks:~~

- ~~a. Open space.~~
- ~~b. Public parks and playgrounds without crowd attracting facilities.~~

~~4. Public Assembly:~~

- ~~a. Funeral chapels.~~
- ~~b. Religious facilities.~~

~~5. Residential:~~

- ~~a. Nursing homes and rest homes.~~

~~6. Retail Trade:~~

- ~~a. Apparel and accessories.~~
- ~~b. Bakery.~~
- ~~c. Bookstore.~~
- ~~d. Craft shop, in conjunction with retail business.~~
- ~~e. Eating places.~~
- ~~f. Florist.~~
- ~~g. Hobby and toy store.~~
- ~~h. Ice cream store.~~
- ~~i. Import store.~~

- j. Music store.
- k. Taxidermy studio.

7. Services:

- a. Advertising.
- b. Apparel repair and alteration.
- c. Beauty and barbershops.
- d. Building care contracting offices.
- e. Business associations.
- f. Civic, social and fraternal organizations.
- g. Construction trade offices.
- h. Consumer credit collection offices.
- i. Daycare services.
- j. Duplicating and stenographic offices.
- k. Finance and investment offices.
- l. In-home daycare services.
- m. Insurance and related business.
- n. Labor unions and organizations.
- o. Photography studios.
- p. Professional organizations.
- q. Professional services.
- r. Real estate and related business.
- s. Welfare and charitable facilities.

8. Transportation:

- a. Bus facilities, including pick-up shelters.
 - i) Notwithstanding the foregoing list of permitted uses, any such proposed use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit. (Ord. 2620, 8-2-1999)

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

Residential: Any use permitted by special use in the zoning district upon which the overlay is placed.

Commercial: Any of the following commercial uses may be permitted by special use permit if permitted outright or by special use in the zoning district upon which the overlay is placed.

1. Communications And Utilities:

- a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.

2. Miscellaneous:

- a. Any facility with drive-through service in the canyon rim overlay zoning district adjacent to Rock Creek Canyon.

3. Parks:

- a. Park concessions.

4. Public Assembly:

- a. Auditoriums.

5. Exhibition halls.

6. Residential:

- a. Motels and transient hotels.
- b. Residence halls, residence hotels, rooming houses.

7. Retail Trade:

- a. Alcoholic beverages, when consumed on the premises where sold.
- b. Permitted retail/trade uses listed in subsection (A) of this section operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
- c. Pet shop.

d. Mobile/manufactured home sales and/or rentals in the Rock Creek Canyon CRO between Martin Street and 2750 East.

8. Sports Facilities:

- a. Athletic areas.
- b. Golf courses and country clubs.
- c. Golf driving ranges.
- d. Miniature golf courses.
- e. Outdoor, public and commercial ice and roller skating facilities.
- f. Outdoor, public and commercial swimming pools.
- g. Outdoor, public and commercial tennis courts.

9. Transportation:

- a. Taxicab office.
- b. Ticket and arrangement facilities. (Ord. 2620, 8-2-1999; amd. Ord. 2859, 5-1-2006)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-19.4: PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and buildings in the canyon rims overlay district:

(A) Lot Area: Same as the basic zoning district upon which the overlay is placed.

(B) Lot Occupancy: Same as the basic zoning district upon which the overlay is placed ~~but note that the landscaping requirements of these standards also affect lot coverage.~~ (Ord. 2526, 5-20-1996)

(C) Building Height: No building shall exceed thirty five feet (35') in height or the maximum building height limitation——set forth below, whichever is less. All heights are to be measured from the existing canyon rim elevation or the existing ground level elevation at the building site, whichever is greater.

1. Rock Creek Canyon: Twenty five feet (25') above the canyon rim at fifty feet (50') from the canyon rim and rising evenly to thirty five feet (35') at one hundred feet (100') from the rim.
2. Snake River Canyon from Rock Creek to the centerline of 3300 East, extended: Twenty five feet (25') above the canyon rim at fifty feet (50') from the canyon rim and rising evenly to thirty five feet (35') at one hundred feet (100') from the rim.
3. Snake River Canyon east of the centerline of 3300 East, extended: Twenty five feet (25') above the canyon rim at one hundred feet (100') from the canyon rim and rising evenly to thirty five feet (35') at two hundred feet (200') from the rim. (Ord. 2851, 3-6-2006)

4. Building height exception: Notwithstanding the foregoing:

- a. Additional building height beyond one hundred feet (100') from the canyon rim may be allowed for hotel/convention centers, through the ZDA process, in the canyon rims overlay zone within one thousand feet (1,000') of state administered highways serving as gateway arterials, as defined in section 10-7-12 of this title. For purposes of this section, the term "hotel/convention center" shall be defined as a full service hotel with a convention center designed to accommodate a minimum of five hundred (500) convention attendees. A citizens' design review committee, appointed by the mayor, shall make recommendations to the planning and zoning commission for any building higher than thirty five feet (35').
- b. Additional building height beyond fifty feet (50') from the canyon rim may be allowed in that portion of the canyon rims overlay district located between Washington Street North and Blue Lakes Boulevard North through the ZDA process, in a ZDA that consists of more than ten (10) acres and that constitutes a private/public mixed-use development. The term "private/public mixed-use development" is defined as a development which promotes a mixture of cultural and commercial activities in the ZDA through:
 1. A combination of multiple buildings and public access across open space to the canyon rim trail system; and
 2. Promotion of community interaction among members of the public, through a combination of required ZDA property uses; open spaces and canyon rim trail system access. Permitted uses in such ZDA shall include

~~commercial, professional, residential and cultural activities. A citizens' design review committee, appointed by the mayor, shall make recommendations to the planning and zoning commission for any building higher than twenty five feet (25'). (Ord. 3082, 12-8-2014)~~

(C) Building Height:

1. Within the C1 Zoning District: No building shall exceed maximum building height of Twenty-five feet (25') in height measured at fifty linear feet (50') from the canyon rim and rising evenly to thirty-five feet (35') in height measured at one hundred linear feet (100') from the canyon rim, and thereafter rising evenly to fifty feet (50') in height measured at one hundred fifty linear feet (150') from the canyon rim.
2. All other applicable Districts: No building shall exceed maximum building height of Twenty-five feet (25') in height measured at fifty linear feet (50') from the canyon rim and rising evenly to thirty-five feet (35') in height measured at one hundred linear feet (100') from the canyon rim.
3. All heights are to be measured from the existing canyon rim elevation, or the existing ground level elevation at the building site, whichever elevation is greater.
4. Additional Height: Additional height may be requested for those areas beyond the fifty-foot (50') Canyon Rim Setback. See Additional Building Height Process City Code 10-7-3.

(D) Building Setbacks:

1. Yards: Same as that of the basic zoning district upon which the overlay is placed.
2. Geological Report: The minimum canyon rim setback in the CRO district shall be one hundred feet (100') without a geological report meeting the following requirements:
 - a. The name, address, and telephone number of the responsible Idaho licensed geological engineer;
 - b. The qualifications of the Idaho licensed geological engineer, including a list of similar studies and references;
 - c. A certificate of professional liability insurance for the individual or firm preparing the report;
 - d. A location map, showing the relation of the site studied to the surrounding area, including the topography and drainage pattern of that area, and the location of any off site observations (wells, soil observation pits, etc.) used in preparing the findings of the report;
 - e. A parcel map, showing the parcel boundaries, the proposed canyon rim setback, building envelope, or building location, the proposed location of any on site sewage disposal facilities, any watercourses or drainageways across or adjacent to the parcel, and the location of any soil observation pits, wells, or other observations used in preparing the findings of the report;
 - f. A description of the geologic setting of the parcel;
 - g. A description of the methods used to arrive at the findings, including the sampling procedure used to determine the sites used for observations; and
 - h. A clear statement that buildings behind the proposed canyon rim setback, within the proposed envelope, or at the proposed building location are not subject to significant hazard from slope movements and that construction on the site will not present a significant hazard to people or properties.
 - i. The findings shall be qualified, as necessary, with recommendations for site stabilization, drainage, and building construction techniques or specifications that will minimize any potential hazard.
 - j. The information used as a basis for the findings may be integrated with the findings or presented separately.
3. Canyon Rim Setback: The minimum canyon rim setback in the CRO district with a geological report meeting the requirements set forth above shall be either the minimum setback recommended in the geological report or the minimum setback set out below, whichever is greater:
 - a. Rock Creek Canyon: Fifty feet (50').
 - b. Snake River Canyon from Rock Creek Canyon to the centerline of 3300 East, extended: Fifty feet (50').
 - c. Snake River Canyon east of the centerline of 3300 East, extended: One hundred feet (100').

(E) Landscaping: Overall, twenty percent (20%) of the total area included in any commercial or mixed use development in the canyon rims overlay district shall be devoted to landscaped open space. That space shall meet the requirements of section [10-11-2](#) of this title and shall include the following elements:

1. Street Buffers: Commercial uses shall provide a minimum thirty foot (30') landscaped buffer along arterial and collector streets. Residential uses shall provide a minimum fifty foot (50') landscaped buffer along arterial streets.
2. Use Buffers: There shall be a minimum fifty foot (50') landscaped buffer between residential and commercial elements of a mixed use canyon rims overlay district development.
3. Use Of Buffers: Roads and utilities may cross landscaped buffers, sidewalks and trails may run through them, and permitted freestanding signs and minor utility installations may be based in them.
4. Parking Areas: Parking areas including twenty four (24) or more spaces shall be broken into separate bays by landscaped areas and pedestrian walks that comprise at least ten percent (10%) of the area devoted to parking.
5. Canyon Rim Setback Area: The canyon rim setback area may be included as part of the twenty percent (20%) landscaping requirement if the area is landscaped to meet the minimum requirements of subsection [10-11-2\(A\)](#) of this title or if planted with native vegetation. (Ord. 2526, 5-20-1996)

(F) Signs: See the sign code in [chapter 9](#) of this title. (Ord. 3005, 6-6-2011)

(G) Additional Development Standards:

1. Form: Buildings that have a footprint of more than three thousand (3,000) square feet shall be designed to reduce their apparent mass using one or more of the following techniques:
 - a. Varying Height: Buildings may be "stepped back" in height from the setback line to reduce their apparent mass and visual competition with the canyon wall.
 - b. Varying Setback: The building line facing the canyon rim may be varied (i.e., different portions of the building would be different distances from the setback line).
 - c. Landscaping: Mass plantings and earthworks can be designed and sited to effectively break the apparent mass of a building.
2. Outdoor Sales And Storage: There shall be no outdoor sales or display areas in the canyon rims overlay district. All outdoor storage, including solid waste containers, shall be fully screened from public view by some combination of location on the site, fences or walls, and landscaped buffers.
3. Fences: ~~Fences in the yard created by the setback from the canyon rim shall be limited in height by a line extended from the building roofline or the maximum legal building roofline, whichever is lower, to the canyon rim. Fences in the canyon rims overlay district shall be subject to subsection [10-4-19.4\(G\)1](#) of this section. (Ord. 2526, 5-20-1996)~~

~~10-4-19.5: ZDA REQUIREMENT:~~

~~All development except existing residential lots in the canyon rims overlay district shall be part of an approved zoning development agreement. (Ord. 3082, 12-8-2014)~~

