



## Twin Falls Planning & Zoning Commission Agenda

Tuesday, June 10, 2025, 6:00 PM

203 Main Ave East  
Twin Falls, ID 83303

### Members -

**City Limits:** Cortney Campbell, Chairperson; Tiffany Zimmerman, Vice-Chairperson; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Rui Gomes

**Area of Impact:** Jeff Bulkley

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Conflict of Interest Declaration
- 3) Consent Calendar
  - a) Request to approve minutes from the following meeting: May 13, 2025, and June 4, 2025.
- 4) Items of Consideration
- 5) Public Hearings
  - a) **ACTION ITEM:** Request for a Special Use Permit to allow an Indoor recreation facility on property located at 3227 Eldridge Ave. c/o Lisa Lekkerkerk on behalf of Eduardo Garcia and Fabiola Aguilar (PZ25-0055).  
By: Kelli Ebersole, City Planner
  - b) **ACTION ITEM:** Request for a Variance, to reduce the required building setback distances, on property located at 689, 687 and 677 Washington St N. c/o EHM Engineers, Inc on behalf of Zey, LLC (PZ25-0044).  
By: Kelli Ebersole, City Planner
  - c) **ACTION ITEM:** Request for a Variance, to reduce the required front building setback distance to 20 feet, on property located at 448 Addison Ave. c/o Rich Davis (PZ25-0050).  
By: William Klaver, Senior City Planner
  - d) **ACTION ITEM:** Request for a recommendation to City Council for a Zoning Development Agreement/Zoning District Change, from Neighborhood Commercial to R6 High Density Residential, on property located at the 900 block of Falls Ave W. c/o EHM Engineers, Inc on behalf of Grandview Farms, LLC (PZ25-0039).  
By: Kelli Ebersole, City Planner
  - e) **ACTION ITEM:** Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 3.06 acres on property located at the 500 block of South Hills Rd. c/o Gerald Martens (PZ25-0043).  
By: Lisa Strickland, City Planner
  - f) **ACTION ITEM:** Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 52.55 acres on property located at 4100 N 2700 E. c/o EHM Engineers, Inc on behalf of South Canyon Farms, LLC (PZ25-0004).

By: Lisa Strickland, City Planner

- g) **ACTION ITEM:** Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 20.96 acres on property located approximately at 1400 block of Sunway Drive North (aka 2700 East) c/o EHM Engineers, Inc on behalf of Believers Church, Inc (PZ25-0054).

By: Jonathan Spendlove, Planning and Zoning Director

- h) **ACTION ITEM:** Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 3.86 acres on property located at 2521 Stadium Blvd. c/o David Kemp (PZ25-0049).

By: William Klaver, Senior City Planner

- i) **ACTION ITEM:**  
Request for a recommendation for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Land Use Conditions". c/o City of Twin Falls (PZ24-0121).

By: Jonathan Spendlove & William Klaver

6) Upcoming Meeting(s)

- a) July 2, 2025 - Work Session - This is a public hearing  
July 8, 2025.

7) 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 13, 2025, 6:00 PM

### Members -

**City Limits:** Cortney Campbell, Chairperson; Tiffany Zimmerman, Vice-Chairperson; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Rui Gomes

**Area of Impact:** Jeff Bulkley

### 1) Confirmation of Quorum/Call Meeting to Order

Chairperson Campbell called the meeting to order at 06:00 PM

Members Attending: Campbell, Zimmerman, Rambur, Weatherford, Gomes, Bulkley

Staff Attending: Spendlove, Klaver, Strickland, Ebersole, Green, Stowe

### 2) Conflict of Interest Declaration

### 3) Consent Calendar

- a) Request to approve the minutes from the following meeting: April 22, 2025.

Vice-Chairperson Zimmerman made a motion to approve the consent calendar, as presented. Commissioner Bulkley seconded the motion.

### 4) Items of Consideration

- a) Request for the consideration of the Preliminary Plat for Cattail Subdivision, consisting of 6 lots on 5.5 (+/-) acres on property located on the 1600 block of Mountain View Dr. c/o David Thibault on behalf of Kent Taylor (PZ25-0045)

#### Staff Presentation:

Senior Planner Klaver presented the request for the consideration of the Preliminary Plat for Cattail Subdivision, consisting of 6 lots on 5.5 (+/-) acres on property located on the 1600 block of Mountain View Dr. c/o David Thibault on behalf of Kent Taylor (PZ25-0045)

**Per City Code 10-12-2-3:** The Commission shall review the preliminary plat. The Commission's decision is final unless appealed to the City Council. The final plat is reviewed by the City Council.

**Commission's Findings:** In determining the acceptance of a proposed subdivision the Commission shall consider the objectives of this Title and at least the following:

1. The conformance of the subdivision with a Comprehensive Plan.
2. The availability of public services to accommodate the proposed development.
3. The continuity of the proposed development with the capital improvement program.
4. The public financial capability of supporting services for the proposed development;  
and
5. The other health, safety or environmental problems that may be brought to the Commission's attention.

**Action On Preliminary Plat:** The Commission may approve, conditionally approve, disapprove, or table for additional information when acting on the preliminary plat.

The property has been zoned C-1 with the Canyon Village PUD since January 2015. In March 2015, the lot was established as Lot 2, Block 1 of Canyon Village Subdivision, a PUD. In August 2016, the southern half was broken off and established the configuration it is in today.

This is a six (6) lot preliminary plat that is served by a single access, that is private, off of Mountain View Drive. Each lot is approximately one (1) acre, with the smallest being 0.6 acres and the largest being 1.2 acres. A sidewalk is proposed along the west side of Mountain View Drive and dead ends at the private access. However, there is a 10 ft sidewalk on the east side of Mountain View Drive. To get people across Mountain View Dr in a safe and efficient manner, Staff would recommend a condition that the ADA ramp aligns with the ADA ramp on the NE corner of Mountain View Dr and Village Park Avenue.

The comprehensive plan calls for this area to be Town Neighborhood and Mixed Use. Mixed Use calls for a pedestrian-oriented environment. Should the condition be approved of aligning the ADA ramps, Staff believes this proposal would follow the Comprehensive Plan.

This subdivision is surrounded by development. The availability of public services is ample and should not be a hindrance to accommodate.

Staff has reviewed the preliminary plat based on the proposed development plan, zoning regulations and the Comprehensive Plan. Staff finds the preliminary plat is within compliance should the applicant conform to Staff recommended conditions.

Upon conclusion, this preliminary plat complies with the standards as outlined in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding C-1 PUD zoning development standards, and the 2016 comprehensive plan. All general criteria for approval have been met, per State Statute 50 - Chapter 13.

Should the Commission approve this request as presented, Staff recommends approval be subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards; and
2. Subject to submittal of a preliminary plat, submitted prior to final plat submittal, showing compliance with all conditions and comments in the Engineering Memorandum dated April 9, 2025.
3. Subject to the ADA ramp aligning with the ADA ramp on the NE corner of Mountain View Dr and Village Park Ave.

#### **Applicant Presentation:**

David Thibault EHM Engineers, Inc, presented on behalf of the applicant. He stated they have been working on this project since it started. They are wanting to make it similar to the property to the east. He explained more about the ADA connection and the infrastructure that will go in.

#### **PZ/Questions & Comments:**

- Commissioner Rambur asked about the property to the west and if EHM was involved.

- David Thibault replied that they are not.
- Commissioner Rambur asked about the LDS church and connecting with them.
- David Thibault replied they are not.
- Commissioner Bulkley asked what they are wanting to go in there.
- David Thibault stated a medical office is the hope. They want to be neighborly. They want to keep businesses that run 8-5 to help with residential properties.
- Commissioner Bulkley asked what the maintenance with the retention ponds look like.
- David Thibault one is maintained by the city. Will have individual detainment on site. The wetlands area is a standalone parcel. Common area maintenance is part of the development.

Public Hearing: Opened

- Shawn Whitney is in favor of this and would rather day business and not apartments. She would like to have sidewalks on the west side.
- David Thibault used the map to show the property line and will have sidewalks along the frontage, but they don't own the property to finish it.

Public Hearing: Closed

Discussions Followed:

Commission likes the proposal and feels good about this project.

**MOTION:** Commissioner Bulkley moved to approve the consideration of the Preliminary plat for Cattail Subdivision, consisting of 6 lots on 5.5 (+/-) acres on property located on the 1600 block of Mountain View Dr. c/o David Thibault on behalf of Kent Taylor. Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

**Approved 6 to 0.**

- b) Preliminary Presentation for a request for a recommendation to City Council for a Zoning Development Agreement/Zoning District Change, from Neighborhood Commercial to R6 High Density Residential, on property located at the 900 block of Falls Ave W. c/o EHM Engineers, Inc on behalf of Grandview Farms, LLC (PZ25-0039).

Staff Presentation:

Planner Ebersole presented the preliminary Presentation for a request for a recommendation to City Council for a Zoning Development Agreement/Zoning District Change, from Neighborhood Commercial to R6 High Density Residential, on property located at the 900 block of Falls Ave W. c/o EHM Engineers, Inc on behalf of Grandview Farms, LLC (PZ25-0039). Per City Code 10-6-1.7 (B) The applicant is required to present a preliminary review prior to a public hearing to the Planning and Zoning Commission in which the Commission may give suggestions and ask questions of the applicant about the proposed ZDA.

Per City Code 10-6-1.7(E) Approval of a ZDA shall be based on the following standards: the proposed uses are not detrimental to surrounding properties; deviations from Title 10 shall be warranted by the design of the conceptual plan; conformance to the Comprehensive Plan,

and existing and/or proposed infrastructure must be adequate for the project.

Per City Code 10-14-1 thru 8 Any application for a zoning district change shall follow the procedures outlined in these sections.

N/A

A full analysis of this application will be provided during 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 10, 2025.

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 from EHM Engineers, Inc, presented on behalf of the applicant. He explained why they are requesting the change.

PZ/Questions & Comments:

Commissioner Bulkley asked for clarification of the zoning change.  
David Thibault replied that it will be like R-6.

## 5) Public Hearings

- a) Request for a recommendation for a Zoning District Change/Zoning Development Agreement from R-2 to R-4 ZDA on property located at 807 Wendell St. c/o Sid Lezamiz (PZ25-0002)

Staff Presentation:

Senior Planner Klaver presented the request for a recommendation for a Zoning District Change/Zoning Development Agreement from R-2 to R-4 ZDA on property located at 807 Wendell St. c/o Sid Lezamiz (PZ25-0002)

**Per City Code 10-6-1.7 (B)** The applicant is required to present a preliminary review prior to a public hearing to the Planning and Zoning Commission in which the Commission may give suggestions and ask questions of the applicant about the proposed ZDA.

**Per City Code 10-6-1.7(E)** Approval of a ZDA shall be based on the following standards: the proposed uses are not detrimental to surrounding properties; deviations from Title 10 shall be warranted by the design of the conceptual plan; conformance to the Comprehensive Plan, and existing and/or proposed infrastructure must be adequate for the project.

**Per City Code 10-14-1 thru 8** Any application for a zoning district change shall follow the procedures outlined in these sections.

In March 1990 the planning and zoning commission granted a Special Use Permit to operate a public swimming pool with a water slide. Around 2013-2014 the pool site was filled in and the property has been vacant since. In 2022/2023 the eastern half of Wendell Street was reconstructed.

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:

- A. Foster and promote a variety of appropriate land use combinations in a pre-planned development pattern;
- B. Encourage developers to use a creative approach in land development;
- C. Retain and conserve natural land and topographic features;
- D. Promote greater use of streetscape and pedestrian-oriented aesthetics;
- E. Promote the creation and efficient use of open spaces;
- F. Create flexibility and variety in the location of improvements on lots;
- G. Provide flexibility in development standards to facilitate creative land development concepts.

Typically, ZDAs need to have a minimum two (2) acres of land. However, because this is an infill property and there's three (3) street frontages, Staff and the applicant believe this would be beneficial to utilize the ZDA process.

The R-2 zoning district allows for 1 residential structure with a maximum of 2 units on the property. To get more units on this property, the developer would need to subdivide the property into various lots. With the acreage available, this would allow for 9 single-family lots or 5 duplex lots resulting in a maximum number of dwelling units of 10. Per the applicant's narrative, the infrastructure required through the subdivision process would make the project unfeasible to develop.

This ZDA proposes to have the base zoning designation of R-4. One of the first questions the Commission should weigh is whether the R-4 zoning designation is appropriate. As a base zone, this would permit 12 single-family lots or 7 duplex lots resulting in a maximum number of dwelling units of 14. Setbacks are very similar between R4 and R2; the difference being as follows: R4 Side yard = 5 ft; R2 Side Yard = 7 ft.

The ZDA proposes to modify the R-4 zoning designation by the following:

- 1. Allow by right the land use dwelling-multiple household (5 units or more),
- 2. Allow for up to two (2) structures on 1 lot, and have a max density on the 1.168 acre property 15 units.

The applicant has agreed to the following:

- 1. General architectural requirements as shown within the documents.
- 2. Reconstruction to the centerline of Wendell and Lawrence.
- 3. Constructing 24 feet of Robbins Avenue.
- 4. Constructing an underground water retention pit to handle the storm water needs.

The ITE trip generator Manual lists multifamily housing generating 0.57 trips per unit on

weekdays at the PM peak hour, and 6.74 trips per unit per day. Wendell is classified as a collector road, and will be constructed to full width. The anticipated additional trips would be negligible to the overall functionality of the City's street system in this area.

The comprehensive plan depicts this area to be Town Neighborhood. Town Neighborhood description lists appropriate uses as follows: single-family, duplexes, triplexes, townhomes, parks and recreation facilities, schools, and civic facilities. The surrounding area is characterized as mostly single-family, with public schools across Wendell St, and further south and west duplexes, multifamily, and assisted living have been constructed. Staff believe this proposal to be in line with the Town Neighborhood goals. The ZDA process was created in code to offer a process where creative solutions could be crafted to address unique properties that have limitations on development.

Should the Commission approve this request as presented, Staff recommends approval be subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards; and
2. Subject to fire hydrant(s) to be installed and coordinated with the Fire Marshal at the time of development.

#### Applicant Presentation:

Sid Lezamiz followed up and read a narrative.

#### PZ/Questions & Comments:

- Commissioner Rambur asked about parking on Wendell.
- Sid Lezamiz replied there will be no parking on Wendell, garages are 45' deep.
- Commissioner Gomes asked if there is room for a car outside the garage.
- Sid Lezamiz responded there will be on the westside.
- Chairperson Campbell asked about the school with extra vehicles and congestion.
- Sid Lezamiz stated there will be no sidewalk right now and they will be adding one.
- Commissioner Bulkley stated his concerns about the current condition of the roads and that this will increase problems.
- Senior Planner Klaver clarified that the condition is rebuilding both roads to improve them. This puts it on the developer not the city.

#### Public Hearing: Opened

Brad Richards lives at the end of Lawrence and feels traffic is a concern. He feels this is not residential and too much traffic.

#### Public Hearing: Closed

- Sid Lezamiz clarified the distance from back to end - making the buildings smaller will not work. The design is for singles and couples.
- Commissioner Bulkley feels the density won't work.

- Senior Planner Klaver clarified the subdivision process, and it will allow 9 single or 5 duplex 10 max. R-4 allows 12 single or 7 duplex max 14 units. This is asking for 15.
- Chairperson Campbell asked how many are 2-bedroom vs 1.
- Senior Planner Klaver 5 of each.

**Discussions Followed:**

Commissioner Rambur feels what is allowed now and what is being proposed will work. He feels parking will not be an issue.

Commissioner Bulkley isn't sure about the extra traffic.

Chairperson Campbell feels that the bedrooms will have less vehicles. The sidewalk will improve the area. Feels the applicant having multiple rentals has a good idea about space for parking.

TZ

Commission Gomes feels this is a great project and his only concern is parking in back.

Director Spendlove clarified that the parking and roadway will be under review before the final building permit.

Commissioner Weatherford feels the zone change is appropriate parking is a concern.

**MOTION:** Commissioner Rambur moved to approve the request for a recommendation for a Zoning District Change/Zoning Development Agreement from R-2 to R-4 ZDA on property located at 807 Wendell St. c/o Sid Lezamiz (PZ25-0002). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

**Approved 5 to 1.**

- b) Request to approve a Special Use Permit to allow a drive-thru on property located at 1657 Sun West Way. c/o Matt Ahrens on behalf of Jimmy James (PZ25-0034).

**Staff Presentation:**

Planner Ebersole presented the request to approve a Special Use Permit to allow a drive-thru on property located at 1657 Sun West Way. c/o Matt Ahrens on behalf of Jimmy James (PZ25-0034).

Per City Code 10-13-2-2 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.

**10-13-2-2:** Upon Granting a Special Use Permit, Conditions May Be Attached To A Special Use Permit Including, But Not Limited To, Those:

1. Minimizing adverse impact on other developments.
2. Controlling the sequence and timing of development.
3. Controlling the duration of development.
4. Assuring that development is maintained properly.
5. Designating the exact location and nature of development.
6. Requiring the provision for on-site or off-site public facilities or services.
7. Requiring more restrictive standards than those generally required in this Title.

**City Code 10-4-8(B)6a** states a special use permit is required for "any facility with drive-through service."

The property is zoned C-1 PUD, Commercial Highway District, located in the Sun West Lazy J PUD, recorded in 2011.

The property is currently undeveloped, located on the southeast corner of Washington Street North and Pole Line Road.

The applicant states in their narrative that this drive-through use will be part of a multi-tenant retail strip mall in anticipation of a food related service occupying the north tenant space of the building. The anticipated hours of operation are 7:00 am – 9:00 pm for the future tenant.

The drive-through is designed to be entered from Sun West Way and continue behind the building, with the pickup window located on the north side of the building. Vehicles will exit the drive-through and continue to travel through the parking area back to Sun West Way. The drive-through lane shows an escape lane, and the queue will not interfere with the required parking location. The drive-through queue shows that it meets the minimum requirement of five (5) vehicles to the first order point/menu board.

The intersection of Washington Street North and Pole Line Road is one of the busiest

intersections in the City, with approximately 27,000 vehicles traveling through every day, according to the ITD Traffic Count map. The ITE Trip Generation Manual states the average vehicle trips generated by a restaurant with a drive-through and indoor seating is 53 vehicles during the AM Peak hour. An additional 53 vehicles through this area, during peak hours, will not overwhelm the intersection or traffic flow. Pole Line Road is a State Highway, maintained by ITD. Washington Street North is a road that is maintained and controlled by the City. According to the applicant's narrative, the proposed tenant estimates approximately 25 vehicles per peak hour through the drive-through.

There is a 35' landscape buffer requirement on both Pole Line Road and Washington Street North, as they are both arterial roads. The applicant will be required to install landscaping to the gateway arterial standards, as well as meet the requirements of the Sun West Lazy J PUD. In addition, parking islands will be installed with landscaping, based on the number of parking spaces required for the strip mall.

The 2016 Comprehensive Plan; "Grow With Us", designates this area as appropriate for "Mixed Use" serving local and regional commercial, which allows for high-density mixed-use development in a compact, pedestrian-oriented environment, sitting at intersections of major arterials.

Staff has determined the proposed use is compatible with the comprehensive plan and the area, as it is a high-density commercial center with other retail stores and restaurants serving the community at large.

Based on the standards for approval, Staff does not foresee negative impacts related to the land use.

Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project.

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, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.
2. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

#### Applicant Presentation:

David Thibault from EHM Engineers, Inc. presented on behalf of the applicant. David pointed out the surrounding properties that have drive-thrus.

#### PZ/Questions & Comments:

- Commissioner Bulkley asked about Williams RD and where it came off.
- David Thibault stated it is a right-in right-out and is currently a road.
- Commissioner Weatherford asked about the drive-through and escape lane.
- David Thibault pointed out on the map where the lane is.
- Commissioner Zimmerman asked if there are plans for a turn lane.
- David Thibault stated the engineering office is in charge.

Public Hearing: Opened and closed with no public input

Discussions Followed:

Commission feels this is a good fit and will work in this area.

**MOTION:** Commissioner Bulkley moved to approve the request for a Special Use Permit to allow a drive-thru on property located at 1657 Sun West Way. c/o Matt Ahrens on behalf of Jimmy James (PZ25-0034). Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

**Approved 6 to 0.**

- c) Request for a Special Use Permit to allow a fourplex on property located at 1445 Washington St S. c/o Kahler Nield on behalf of Derrick Ellis (PZ25-0036).

Staff Presentation:

Senior Planner Klaver presented the request for a Special Use Permit to allow a fourplex on property located at 1445 Washington St S. c/o Kahler Nield on behalf of Derrick Ellis (PZ25-0036).

**Per City Code 10-4-5** states "a special use permit is required to allow a fourplex."

**Per City Code 10-13-2-2** 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.

**Per City Code 10-13-2-2:** Upon Granting a Special Use Permit, Conditions May Be Attached To A Special Use Permit Including, But Not Limited To, Those:

1. Minimizing adverse impact on other developments.
2. Controlling the sequence and timing of development.
3. Controlling the duration of development.
4. Assuring that development is maintained properly.
5. Designating the exact location and nature of development.
6. Requiring the provision for on-site or off-site public facilities or services.
7. Requiring more restrictive standards than those generally required in this Title.

The property is zoned R-4; Residential Medium Density. According to our records, the original home was demolished in 2010 and the property has remained vacant.

**Per City Code 10-13-2.2** a special use is a use otherwise prohibited by the terms of this title in a given zone, but may be allowed under specific provisions and when not in conflict with the comprehensive plan. The commission is tasked with reviewing the request based on a set of standards set forth by Title 10 and to make a final decision on whether to approve the request as presented, approve the request with conditions, deny the request or table the request for additional information.

**Per City Code 10-4-5** a special use permit is required for a fourplex within the R-4 zoning district. The comprehensive plan identifies this area as neighborhood commercial and town neighborhood. Designations within the comprehensive plan are not property specific but are a guide for future development for a certain area. Neighborhood Commercial provides supporting services that complement the neighborhood character with land uses types such as small scale office/commercial, townhomes, condominiums, apartments and civic facilities. Town Neighborhood is primarily residential in nature with smaller lots of clustered development consisting of single-family, duplex, townhomes, parks, schools and civic facilities. A fourplex would be compatible with the land uses supported by the comprehensive plan and compatible with anticipated growth patterns.

The property is surrounded by a mix of single-family and multifamily residential uses. The lot is an existing residential lot that has been vacant for approximately 15 years. Adding a fourplex to the lot would revitalize the property and blend well with the surrounding area. It is located within the city limits and would be able to obtain service required by the code to adequately serve the development. Connections to these services will be the responsibility of the developer and will not be an added burden to the public or its facilities. As this property is located along an arterial that supports a high volume of traffic, the addition of the fourplex will not create a noticeable change to the surrounding area. Access to the property will be required to meet city codes and standards and designed to avoid creating undo interference

with existing traffic patterns. Considering the zoning district, comprehensive plan designation and the possible impacts related to the proposed land use Staff anticipates the addition of a fourplex will not adversely impact the surrounding area.

Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project. Upon conclusion, should the Commission approval the request as presented, Staff recommends approval be subject to:

1. Site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.

**Applicant Presentation:**

Kahler Nield from EHM Engineers, Inc presented on behalf of the applicant. He feels this is a good blend to Washington St. This lot has been vacant for over 15 years and this would be a good use for it.

**PZ/Questions & Comments:**

- Commissioner Bulkley asked about the plat map and what is on the back half of the lot.
- Kahler Nield replied they are only allowed to build on the front portion currently. Ty would like to leave the back big enough to build on it in the future.

Public Hearing: Opened and closed with no public input.

**Discussions Followed:**

Commission feels this is a good fit and shouldn't be a problem in the area.

**MOTION:** Commissioner Weatherford moved to approve the request for a Special Use Permit to allow a Fourplex on property located at 1445 Washington St S. c/o Kahler Nield on behalf of Derrick Ellis. Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

**Approved 6 to 0.**

- d) Request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Supplemental Regulations" and "Wellhead Protection Overlay District". c/o City of Twin Falls

**Staff Presentation:**

Senior Planner Klaver presented the request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Supplemental Regulations" and "Wellhead Protection Overlay District". c/o City of Twin Falls

**Per 10-14-2,** Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

**Per 10-14-4,** Zoning amendments 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
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

**Per 10-14-5,** the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- 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.

N/A

N/A

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The Commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

*Sample main motions:*

1. *Move to recommend approval for the proposed zoning text amendment to the Supplemental Regulations & Wellhead Protection Overlay District chapters of Title 10 as presented;*
2. *Move to recommend approval with conditions for the proposed zoning text amendment to the Supplemental Regulations & Wellhead Protection Overlay District chapters of Title 10; or*
3. *Move to table the item to a date certain of \_\_\_\_\_*

**PZ/Questions & Comments:**

- Commissioner Rambur asked about panhandling and if it's addressed in Title 10 right now.
- Senior Planner Klaver replied it is not in Title 10.

Public Hearing: Opened and closed with no public input

Discussions Followed:

Commission feels this was covered well.

**MOTION:** Commissioner Weatherford made a motion to recommend approval of the request, as presented, with staff recommendations. Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

**Approved 6 to 0.**

**6) Upcoming Meeting(s)**

- a) June 4, 2025 - Work Session - This will be a public hearing for Title 10 rewrite.  
June 10, 2025.

**7) Adjournment**

The meeting adjourned at 07:57 PM

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Jody Green, Planning Technician



## Twin Falls Planning & Zoning Commission Minutes

Wednesday, June 4, 2025, 12:00 PM

203 Main Ave East  
Twin Falls, ID 83303

### Members -

**City Limits:** Cortney Campbell, Chairperson; Tiffany Zimmerman, Vice-Chairperson; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Rui Gomes

**Area of Impact:** Jeff Bulkley

### 1) Confirmation of Quorum/Call Meeting to Order

Chairperson Campbell called the meeting to order at 12:00 PM

Members Attending: Campbell, Zimmerman, Rambur, Weatherford, Herrgesell, Bulkley

Staff Attending: Spendlove, Klaver, Green

### 2) Conflict of Interest Declaration

### 3) Consent Calendar

### 4) Items of Consideration

- a) Consideration of Resolution No. 2025-009 validating conformity of the "Revenue Allocation Area #4-3: First Amendment" with the City Comprehensive Plan, c/o Urban Renewal Agency of the City of Twin Falls (PZ25-0066).

#### Staff Presentation:

Director Spendlove presented the request for Consideration of Resolution No. 2025-009 validating conformity of the "Revenue Allocation Area #4-3: First Amendment" with the City Comprehensive Plan, c/o Urban Renewal Agency of the City of Twin Falls (PZ25-0066). Per State Statute, the Planning and Zoning Commission is tasked with making a decision on the resolution (see attachments) validating the conformity of this URA Plan with the City Comprehensive Plan. A majority vote of the Commission will decide the outcome of this request.

The Planning and Zoning Commission is tasked with making a decision on this request, including the associated resolution.

The following options are available: approve the request, deny the request, or table the request for additional information.

*Sample Motion: I move to approve Resolution 2025-008 confirming the conformity of the "Revenue Allocation Area #4-3: First Amendment" with the City Comprehensive Plan.*

#### PZ/Questions & Comments:

- Commissioner Bulkley clarified that it is currently in an URA and they are wanting to remove a specific property.



- Director Spendlove responded that the property in question is not the same owner as the rest of the area.
- Commissioner Bulkley asked why they are wanting to remove it now.
- Director Spendlove explained the process of why they are created and why they are looked at for renewal.
- Commissioner Zimmerman asked who is asking for this.
- Director Spendlove answered that Urban Renewal is.

**Discussions Followed:**

Chairperson Campbell feels with them not changing zoning, not removing any rights, just allowing owner to pursue future

Commission feel staff recommendations will work for this item.

**MOTION:** Commissioner Bulkley moved to approve the consideration of Resolution No. 2025-009 validating conformity of the "Revenue Allocation Area #4-3: First Amendment" with the City Comprehensive Plan, c/o Urban Renewal Agency of the City of Twin Falls (PZ25-0066). Commissioner Herrgesell seconded the motion. Roll call vote showed all members present voted.

**Approved 6 to 0.**

## 5) Public Hearings

- a) Request for a recommendation for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Land Use Conditions". c/o City of Twin Falls (PZ24-0121).

**Staff Presentation:**

Director Spendlove presented the request for a recommendation for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Land Use Conditions". c/o City of Twin Falls (PZ24-0121).

**Per 10-14-2,** Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

**Per 10-14-4,** Zoning amendments 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
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend

and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

**Per 10-14-5**, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- 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.

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The Commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

*Sample main motions:*

- 1. Move to recommend approval for the proposed zoning text amendment to the Land Use Conditions chapter of Title 10 as presented;*
- 2. Move to recommend approval with conditions for the proposed zoning text amendment to the Land Use Conditions chapter of Title 10; or*
- 3. Move to table the item to a date certain of \_\_\_\_\_*

Commissioner Herrgesell left the meeting.

**MOTION:** Commissioner Weatherford moved to table the request for a recommendation for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Land Use Conditions". c/o Twin Falls (PZ24-0121). to the June 10, 2025, meeting. Commissioner Bulkley seconded the motion. Roll call vote showed all members present voted.

**Approved 5 to 0.**

**6) Upcoming Meeting(s)**

- a) June 10, 2025

**7) Adjournment**

The meeting adjourned at 01:01 PM



**Date:** Tuesday, June 10, 2025  
**To:** Planning and Zoning Commission  
**From:** Kelli Ebersole, City Planner

## **ACTION ITEM**

### **Request:**

Request for a Special Use Permit to allow an Indoor recreation facility on property located at 3227 Eldridge Ave. c/o Lisa Lekkerkerk on behalf of Eduardo Garcia and Fabiola Aguilar (PZ25-0055).

### **Time Estimate:**

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

### **Background:**

This is a request for a special use permit from Eduardo Garcia and Fabiola Aguilar to operate an indoor recreation facility (sports arena) on property located at 3227 Eldridge Avenue.

The property is approximately 116,567 sq. ft (2.68 acres) with a building that is approximately 32,730 sq. ft. The building was constructed as a shell building, and is currently vacant. The applicant would like to open an indoor sports complex, for soccer and other sports.

### **Approval Process:**

Approval of this special use permit would allow the applicant to construct the sports arena and operate as such.

**City Code 10-4-10** states “a special use permit is required for “an indoor recreation facility” in the M-2, Heavy Manufacturing zone.

**Per City Code 10-13-2-2:** 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.

Upon Granting a Special Use Permit, Conditions May Be Attached To A Special Use Permit Including, But Not Limited To, Those:

1. Minimizing adverse impact on other developments.
2. Controlling the sequence and timing of development.
3. Controlling the duration of development.
4. Assuring that development is maintained properly.
5. Designating the exact location and nature of development.
6. Requiring the provision for on-site or off-site public facilities or services.
7. Requiring more restrictive standards than those generally required in this Title.

**Budget Impact:**

N/A

**Regulatory Impact:**

Should this request be approved, a special use permit will be granted for an indoor recreation facility.

**History:**

The property is zoned M-2, Heavy Manufacturing District. The shell building was constructed in 2024, and is currently vacant.

**Analysis:**

The applicant will be running an indoor sports arena, primarily for soccer. The plan is to be open every day from 9:00 am – 9:00 pm, with a schedule built for open play, team trainings, and league play.

The facility can be used for tournament play and can be rented out for public and private trainings and team practices. When not in use for soccer, the facility may be converted for batting cages for baseball/softball practice. There are currently no other facilities in the city offering the same amenities.

The anticipated traffic for the facility is between 50 – 100 people a day, with tournaments having between 100 – 150 people coming in and out of the facility in a single day. There is paved parking on site, and the number of required spaces will be evaluated with the building permit review. Parking should be

available for the vehicle traffic of players, spectators, and the five (5) employees for the facility.

As this property is in the M-2 zone, surrounded by manufacturing facilities, there is little concern for issues with noise, glare, or odor from the facility.

The 2016 Comprehensive Plan; “Grow With Us” designates this area as appropriate for “Industrial” use, which allows for a variety of uses integrated with the manufacturing facilities in the area. Staff has determined the proposed use is compatible with the comprehensive plan.

Based on the standards for approval, staff does not foresee negative impacts related to the land use and will serve a need in this city and for its citizens.

**Conclusion:**

Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project.

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

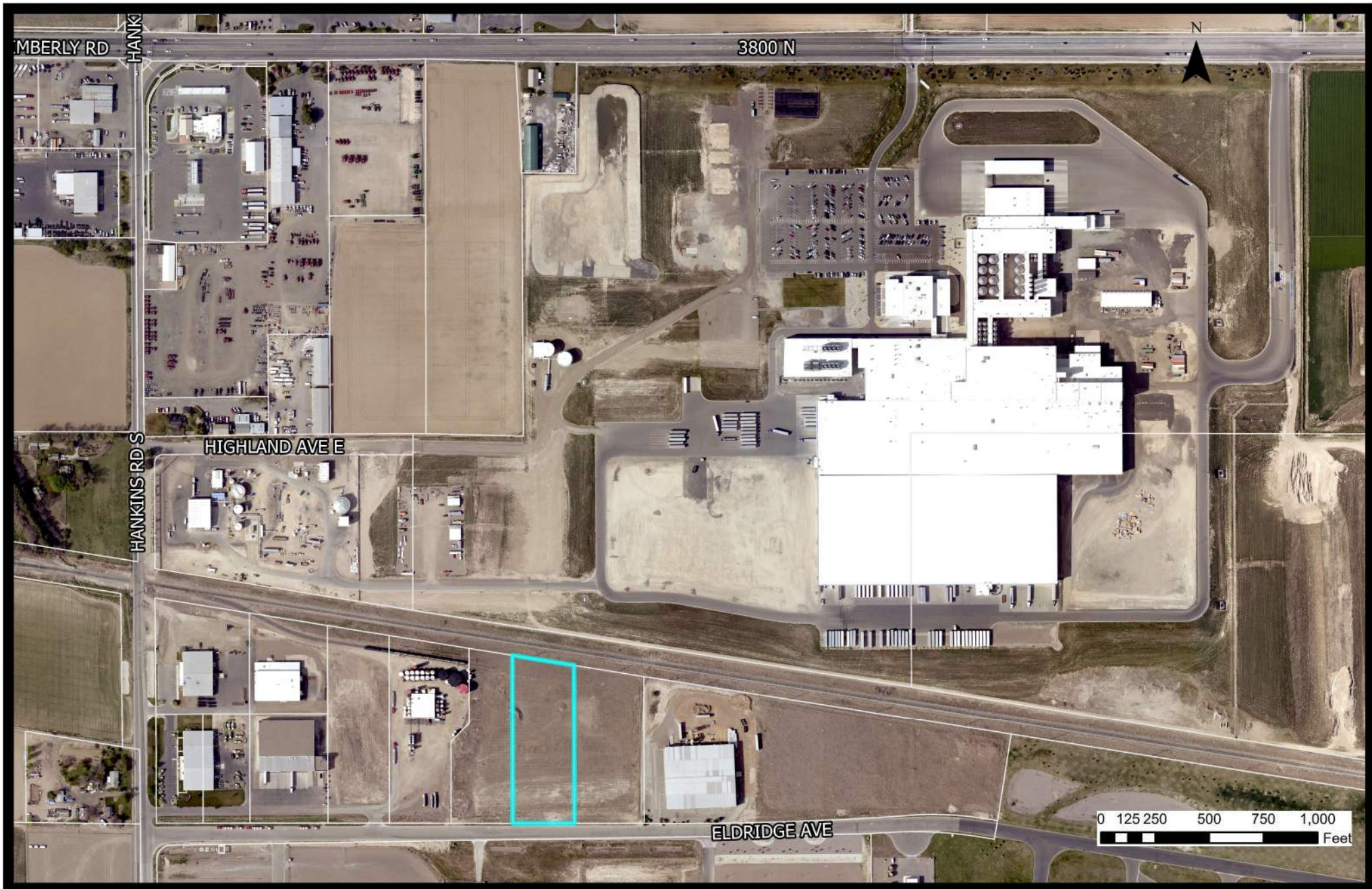
1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.

**Attachments:**

1. PZ25-0055 Vicinity Map
2. PZ25-0055 Aerial map
3. PZ25-0055 Presentation Map
4. PZ25-0055 NSEW map
5. PZ25-0055 Site Plan
6. PZ25-0055 Building Photos
7. PZ25-0055 Elevations
8. PZ25-0055 Narrative



# VICINITY MAP



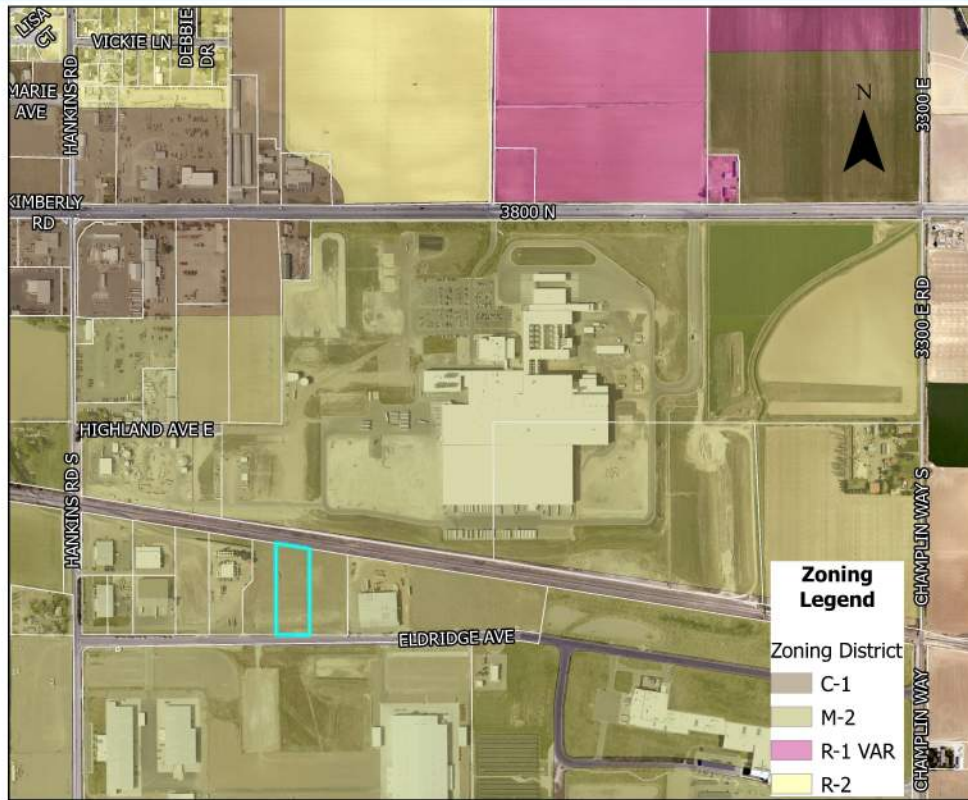


# Aerial View





## ZONING MAP



### Zoning

Current Zoning: M-2

Current Land Use: Vacant

Proposed Zoning: **M-2**

Proposed Land Use: Indoor Sports Arena

### Surrounding Area

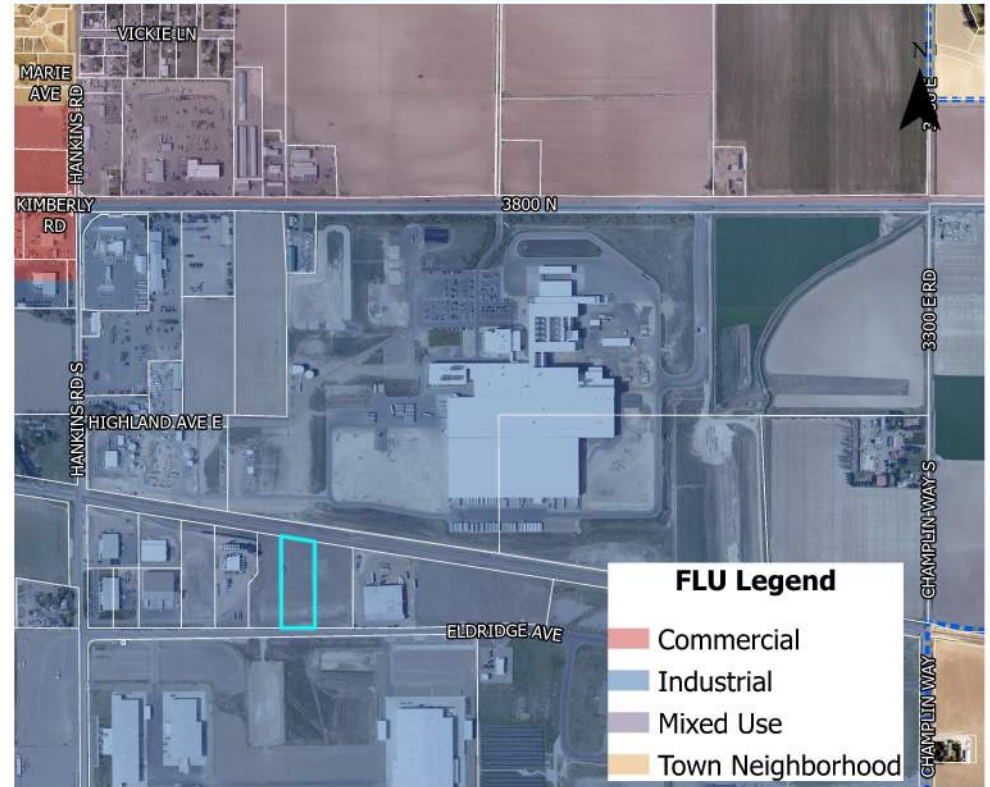
North: Railroad Tracks

South: Manufacturing

East: Vacant

West: Manufacturing

## FUTURE LAND USE MAP



### Regulations

10-1-4, 10-1-5, 10-4-10, 10-11-1 thru 10-1-9, 10-13-2.2

### FLU Category

Industrial:  
Non-Retail employment  
Supporting uses, such as hotels, restaurants, and other retail are integrated into the land use

Office parks  
Corporate campus  
Warehousing  
General manufacturing  
Food processing  
Industrial campus



# Street View

North



South

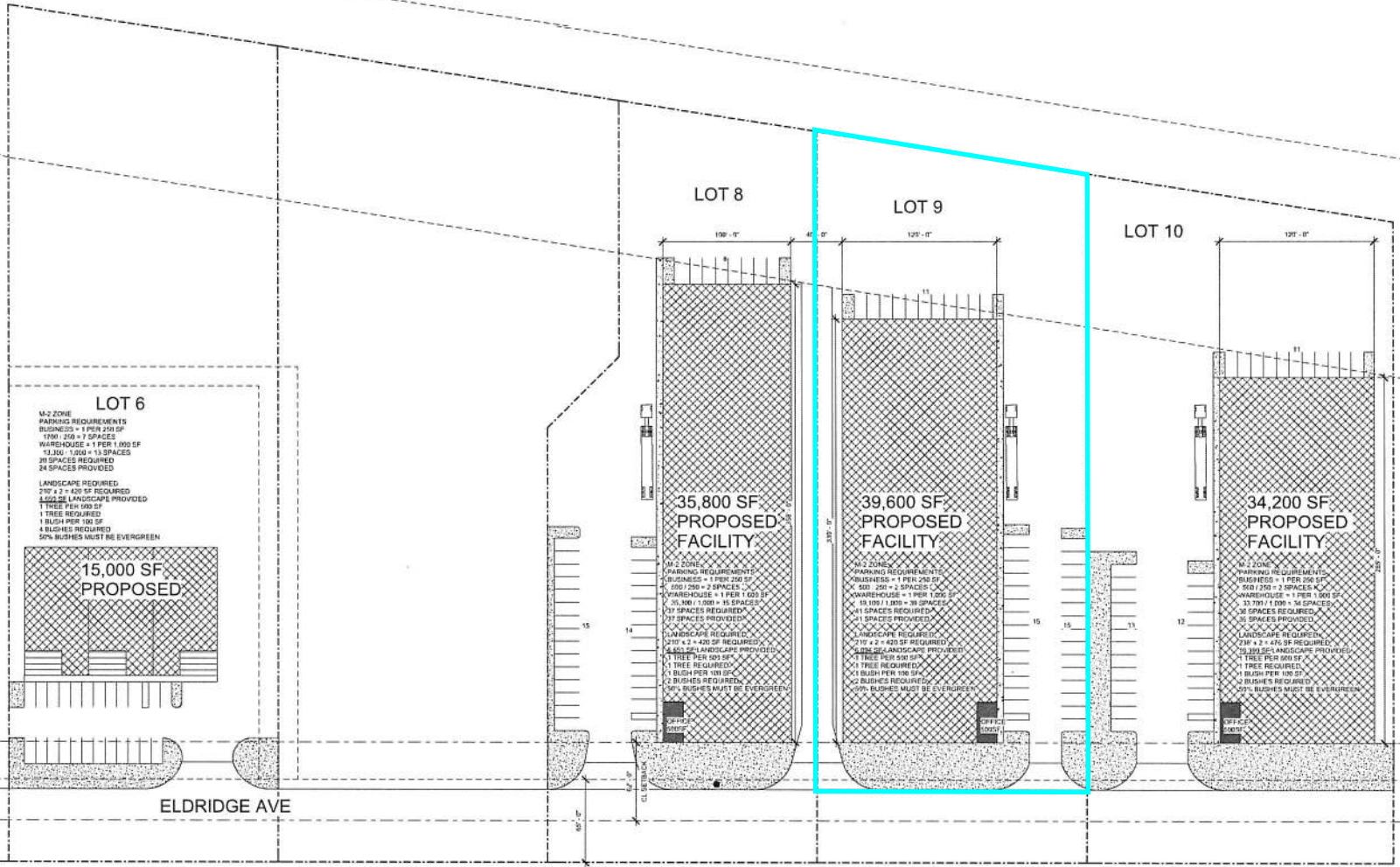


East



West





**LOT 6**  
M-2 ZONE  
PARKING REQUIREMENTS  
BUSINESS = 1 PER 250 SF  
1700 / 250 = 7 SPACES  
WAREHOUSE = 1 PER 1000 SF  
13,000 / 1000 = 13 SPACES  
20 SPACES REQUIRED  
24 SPACES PROVIDED  
LANDSCAPE REQUIRED  
210' x 2' = 420 SF REQUIRED  
400 SF LANDSCAPE PROVIDED  
1 TREE PER 600 SF  
1 TREE REQUIRED  
1 BUSH PER 100 SF  
4 BUSHES REQUIRED  
50% BUSHES MUST BE EVERGREEN

**15,000 SF  
PROPOSED**

**LOT 8**

**35,800 SF  
PROPOSED  
FACILITY**

**LOT 9**

**39,600 SF  
PROPOSED  
FACILITY**

**LOT 10**

**34,200 SF  
PROPOSED  
FACILITY**

**ELDRIDGE AVE**

SETBACK REQUIREMENTS  
NO SETBACK ON SIDE AND REAR YARDS  
SETBACKS ON ANTERIAL FRONTAGES SHALL BE THIRTY FIVE FEET  
FROM THE PROPERTY LINE AND FIFTEEN FEET ON OTHER STREETS.  
1. LOADING SPACE REQUIRED FOR FACILITIES BETWEEN 10,000 AND 50,000 SF

1 Site  
1" = 40'-0"

DATE 5.28.2021

PROJECT NAME  
ENTER ADDRESS HERE  
SITE PLAN

PROPOSED SITE PLAN  
Project Name  
Enter Address Here  
SITE PLAN

**Laughlin Ricks Architecture**  
architecture/planning  
114 JRD AVE. E. • Twin Falls, Idaho 83401  
PHONE: (208) 734-4050

DATE 5.28.2021  
DRAWN BY

**A2-1**











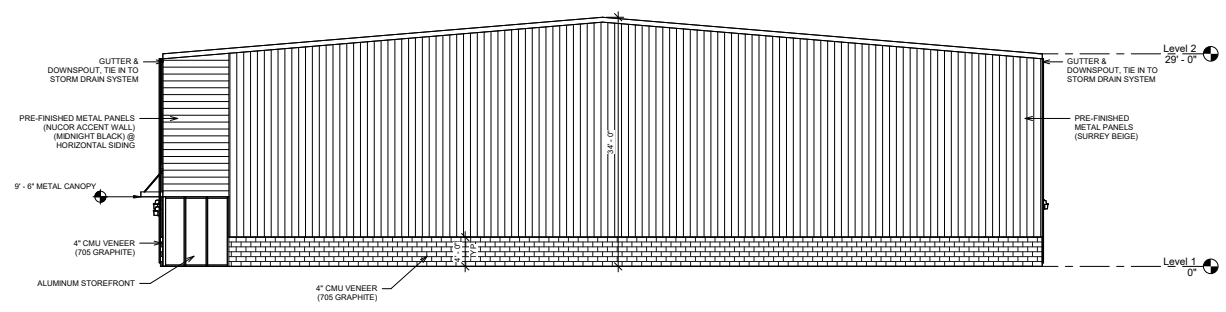




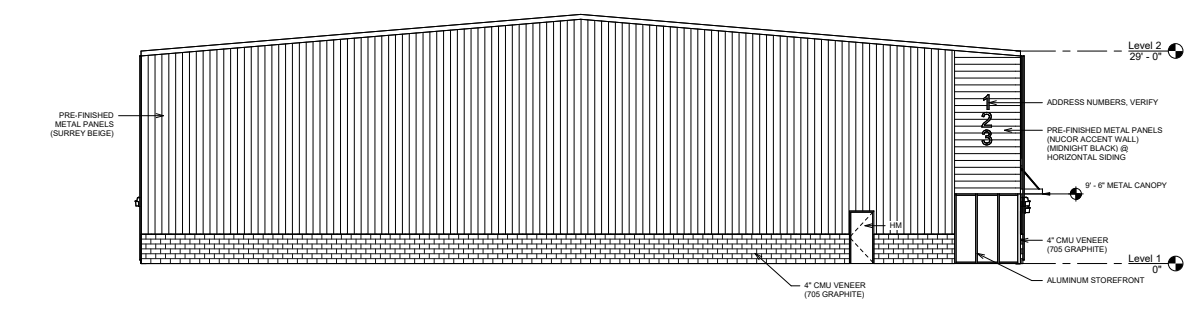








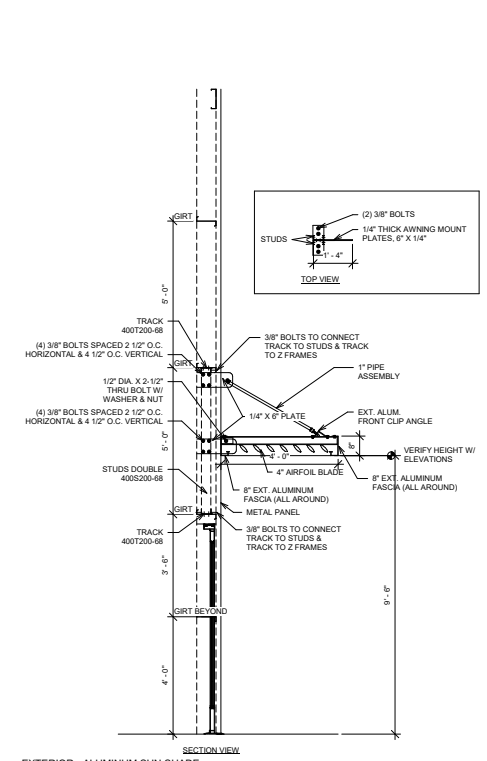
1 North  
 1/8" = 1'-0"



2 South  
 1/8" = 1'-0"

Buildings shall have approved address numbers, or approved building identification placed.  
 All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. Buildings shall have approved address numbers, or approved building identification placed in a position that is plainly legible, visible from the street or frontage road fronting the property and of a contrasting color (IFC 505.1).  
 Address size is based on distance from the street: up to 50 ft. is 4 in., 51 to 100 ft. is 6 in., 101 to 150 ft. is 8 in., 151 to 200 ft. is 10 in. and greater is 12 in.

**Knox Box Installation**  
 A Knox Box shall be installed to the right of the main access door(s). It should be mounted between 5 and 6 feet from ground level. Alternative locations will have to be approved by the Fire Marshal.



SECTION VIEW  
 EXTERIOR - ALUMINUM SUN SHADE

3 CANOPY  
 1/2" = 1'-0"

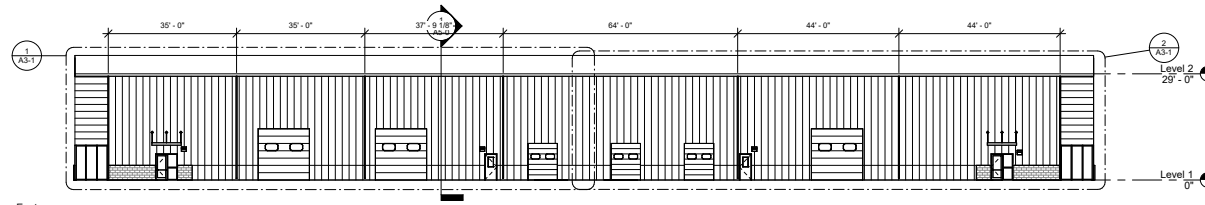
A NEW DEVELOPMENT FOR:  
 IRON CREEK ENTERPRISES  
 ELMWOOD AVE. LOT 1, TWIN FALLS, ID 83403  
 EXTERIOR ELEVATIONS

Laughlin Ricks Architecture  
 —architecture/planning—  
 134 3RD AVE. E. • TWIN FALLS, IDAHO 83401  
 PHONE (208) 736-8650

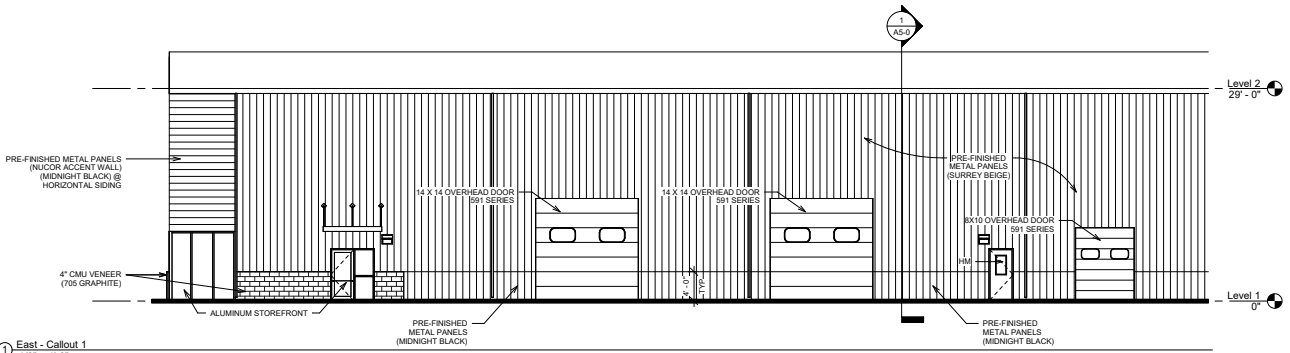
CITY APPROVED PLANS  
 Reviewed for Code Compliance  
 PLANS MUST BE ON JOB SITE  
 FOR ALL INSPECTIONS

DATE: 11/21/2022  
 NM RCR  
 Drawn Checked

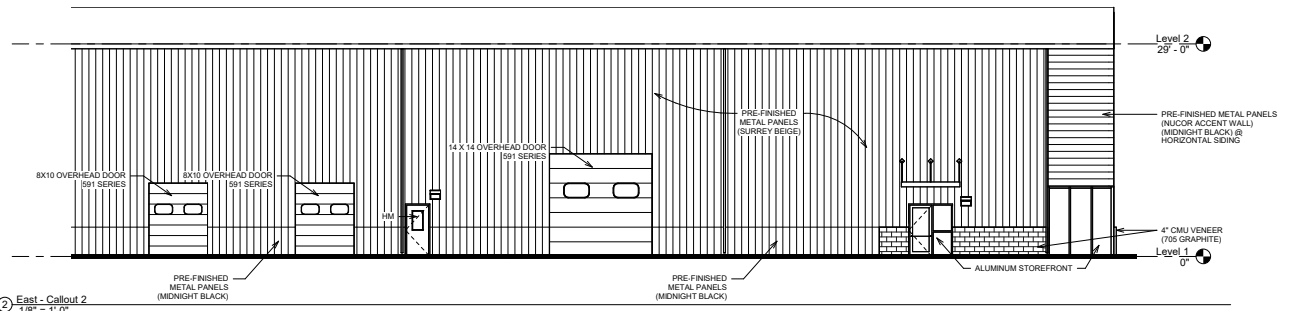
A3-0



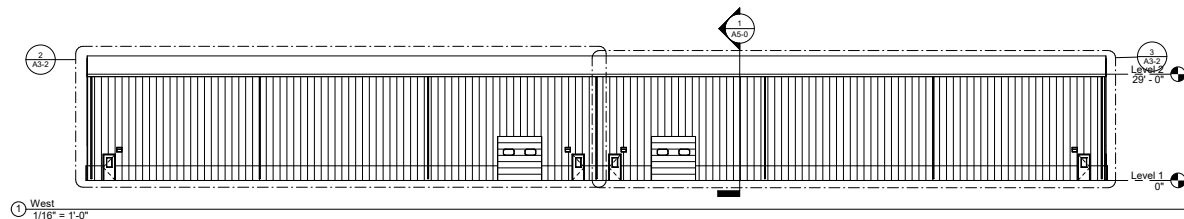
① East  
1/16" = 1'-0"



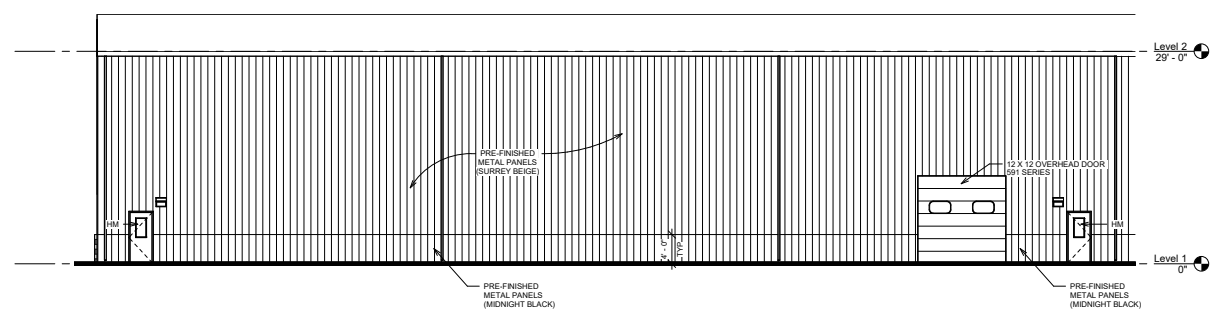
① East - Callout 1  
1/8" = 1'-0"



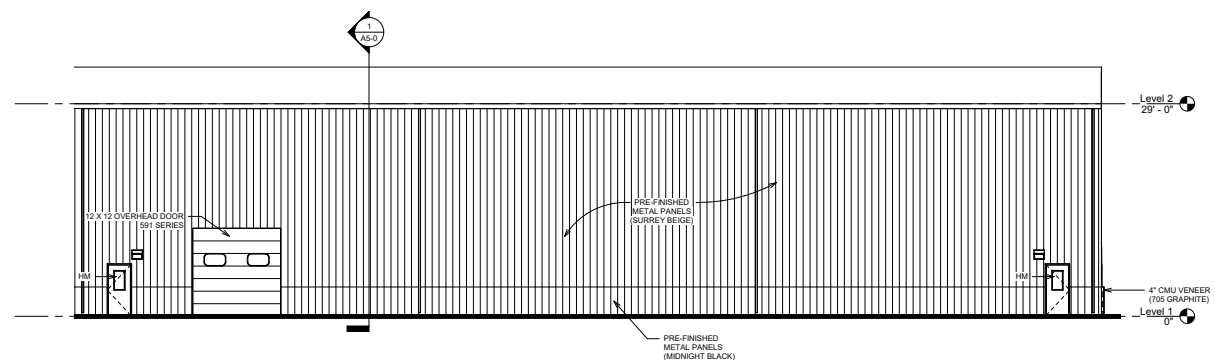
② East - Callout 2  
1/8" = 1'-0"



① West  
1/16" = 1'-0"



② West - Callout 1  
1/8" = 1'-0"



③ West - Callout 2  
1/8" = 1'-0"

LICENSED  
ARCHITECT  
ARCH. 000170  
*R. Collyer*  
R. Collyer  
11/21/2022

DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
CHECKED: \_\_\_\_\_

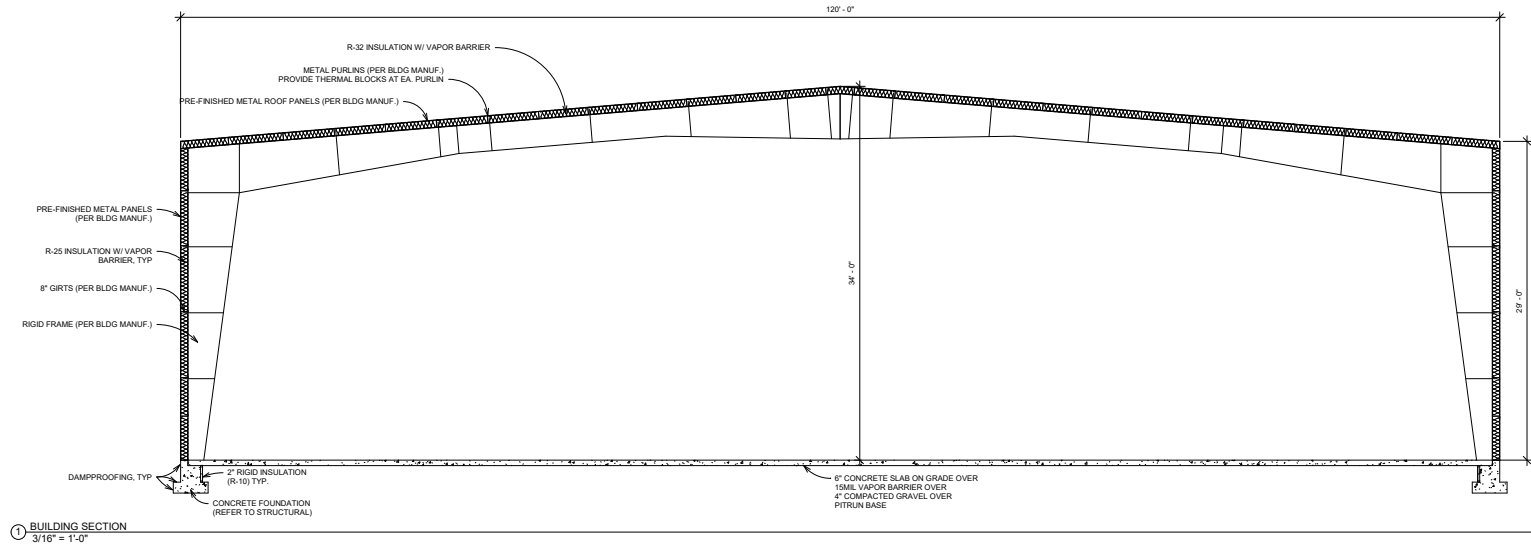
A NEW DEVELOPMENT FOR:  
IRON CREEK ENTERPRISES  
ELIZABETH AVE. LOT 1, TWIN FALLS, ID 83301  
EXTERIOR ELEVATIONS

Laughlin Ricks Architecture  
—architecture/planning—  
134 3RD AVE. E. • TWIN FALLS, IDAHO 83301  
PHONE (208) 736-8650

DATE: 11/21/2022  
NM: RCR  
Drawn: [Signature]

**A3-2**

CITY APPROVED PLANS  
Reviewed for Code Compliance  
PLANS MUST BE ON JOB SITE  
FOR ALL INSPECTIONS



DATE: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A NEW DEVELOPMENT FOR:  
IRON CREEK ENTERPRISES  
ELIZABETH AVE LOT 1, TWIN FALLS, ID 83301  
BUILDING SECTION

Laughlin Ricks Architecture  
—architecture/planning—  
134 3RD AVE. E. • TWIN FALLS, Idaho 83301  
PHONE (208) 736-8650

CITY APPROVED PLANS  
Reviewed for Code Compliance  
PLANS MUST BE ON JOB SITE  
FOR ALL INSPECTIONS

DATE: 11/21/2022

NM: RCR  
Drawn: Checked:

A5-0



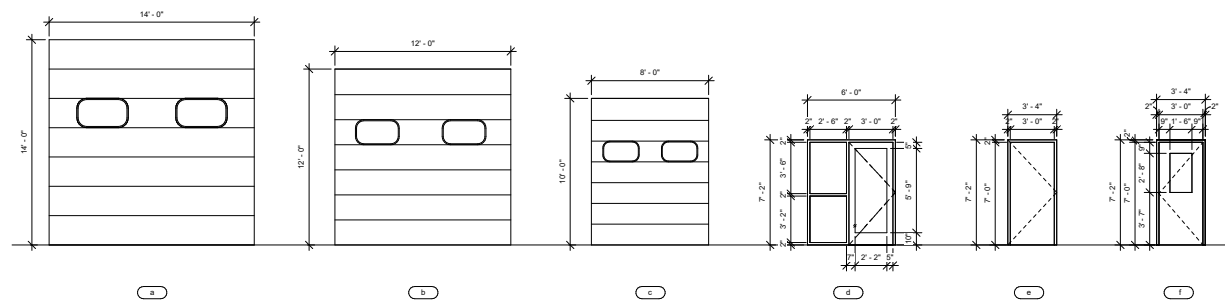
| DOOR SCHEDULE |           |        |        |               |             |                |              |                                          |            |           |                          |
|---------------|-----------|--------|--------|---------------|-------------|----------------|--------------|------------------------------------------|------------|-----------|--------------------------|
| Door Number   | Elevation | Width  | Height | Door Material | Door Finish | Frame Material | Frame Finish | Accessories                              | Door Glass | UL RATING | Comments                 |
| 1             | d         | 6'-0"  | 7'-0"  | ALUMINUM      | FF          | ALUMINUM       | FF           | CLOSER, WEATHERSTRIPPING, ENTRANCE LEVER | SFGL       |           |                          |
| 2             | a         | 14'-0" | 14'-0" | STEEL         | FF          | STEEL          | FF           | ELECTRIC OPERATOR, BOTTOM SENSING EDGE   | TEMPERED   |           | OVERHEAD DOOR 591 SERIES |
| 3             | a         | 14'-0" | 14'-0" | STEEL         | FF          | STEEL          | FF           | ELECTRIC OPERATOR, BOTTOM SENSING EDGE   | TEMPERED   |           | OVERHEAD DOOR 591 SERIES |
| 4             | f         | 3'-0"  | 7'-0"  | HOLLOW METAL  | PAINT       | HOLLOW METAL   | PAINT        | CLOSER, WEATHERSTRIPPING, ENTRANCE LEVER | SFGL       |           |                          |
| 5             | c         | 8'-0"  | 10'-0" | STEEL         | FF          | STEEL          | FF           | ELECTRIC OPERATOR, BOTTOM SENSING EDGE   | TEMPERED   |           | OVERHEAD DOOR 591 SERIES |
| 6             | c         | 8'-0"  | 10'-0" | STEEL         | FF          | STEEL          | FF           | ELECTRIC OPERATOR, BOTTOM SENSING EDGE   | TEMPERED   |           | OVERHEAD DOOR 591 SERIES |
| 7             | c         | 8'-0"  | 10'-0" | STEEL         | FF          | STEEL          | FF           | ELECTRIC OPERATOR, BOTTOM SENSING EDGE   | TEMPERED   |           | OVERHEAD DOOR 591 SERIES |
| 8             | f         | 3'-0"  | 7'-0"  | HOLLOW METAL  | PAINT       | HOLLOW METAL   | PAINT        | CLOSER, WEATHERSTRIPPING, ENTRANCE LEVER | SFGL       |           |                          |
| 9             | a         | 14'-0" | 14'-0" | STEEL         | FF          | STEEL          | FF           | ELECTRIC OPERATOR, BOTTOM SENSING EDGE   | TEMPERED   |           | OVERHEAD DOOR 591 SERIES |
| 10            | d         | 6'-0"  | 7'-0"  | ALUMINUM      | FF          | ALUMINUM       | FF           | CLOSER, WEATHERSTRIPPING, ENTRANCE LEVER | SFGL       |           |                          |
| 11            | f         | 3'-0"  | 7'-0"  | HOLLOW METAL  | PAINT       | HOLLOW METAL   | PAINT        | CLOSER, WEATHERSTRIPPING, ENTRANCE LEVER | SFGL       |           |                          |
| 12            | b         | 12'-0" | 12'-0" | STEEL         | FF          | STEEL          | FF           | ELECTRIC OPERATOR, BOTTOM SENSING EDGE   | TEMPERED   |           | OVERHEAD DOOR 591 SERIES |
| 13            | f         | 3'-0"  | 7'-0"  | HOLLOW METAL  | PAINT       | HOLLOW METAL   | PAINT        | CLOSER, WEATHERSTRIPPING, ENTRANCE LEVER | SFGL       |           |                          |
| 14            | f         | 3'-0"  | 7'-0"  | HOLLOW METAL  | PAINT       | HOLLOW METAL   | PAINT        | CLOSER, WEATHERSTRIPPING, ENTRANCE LEVER | SFGL       |           |                          |
| 15            | b         | 12'-0" | 12'-0" | STEEL         | FF          | STEEL          | FF           | ELECTRIC OPERATOR, BOTTOM SENSING EDGE   | TEMPERED   |           | OVERHEAD DOOR 591 SERIES |
| 16            | f         | 3'-0"  | 7'-0"  | HOLLOW METAL  | PAINT       | HOLLOW METAL   | PAINT        | CLOSER, WEATHERSTRIPPING, ENTRANCE LEVER | SFGL       |           |                          |
| 17            | e         | 3'-0"  | 7'-0"  | HOLLOW METAL  | PAINT       | HOLLOW METAL   | PAINT        | CLOSER, WEATHERSTRIPPING, ENTRANCE LEVER | SFGL       |           |                          |

DOOR HANDLES, PULLS, LATCHES, LOCKS, AND OTHER OPERATING DEVICES ON DOORS REQUIRED TO BE ACCESSIBLE SHALL NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST TO OPERATE. (IBC SECTION 1010.1.9.1)

ANY DOOR WITH THUMB LOCK TO BE READILY DISTINGUISHABLE AS BEING LOCKED OR PROVIDE A PANIC, PUSH-PAD, OR LEVER THAT DEACTIVATES LOCK IN A SINGLE MOTION. THUMB LOCKS NOT ALLOWED.

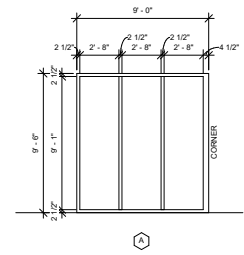
ANY DOOR OTHER THAN MAIN EXIT DOOR TO HAVE DOOR HARDWARE THAT UNLOCKS LOCK IN A SINGLE MOTION.

PROVIDE SIGN ON MAIN EXIT DOOR, "THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED."



ALUMINUM STOREFRONT: CLEAR ANODIZED ALUMINUM. ALL STOREFRONT GLASS SHALL BE 1" INSULATED GLASS, BRONZE TINTED W/ LOW E, TEMPERED

DOOR TYPES  
1/4" = 1'-0"



ALUMINUM STOREFRONT: CLEAR ANODIZED ALUMINUM. ALL STOREFRONT GLASS SHALL BE 1" INSULATED GLASS, BRONZE TINTED W/ LOW E, TEMPERED

WINDOW TYPES  
1/4" = 1'-0"

CITY APPROVED PLANS  
Reviewed for Code Compliance  
PLANS MUST BE ON JOB SITE  
FOR ALL INSPECTIONS



A NEW DEVELOPMENT FOR:  
IRON CREEK ENTERPRISES  
ELIZABETH AVE LOT 1, THIN FALLS, FL 33030  
DOOR & WINDOW TYPES

Laughlin Ricks Architecture  
—architecture/planning—  
134 3RD AVE. E. • THIN FALLS, FL 33030  
PHONE: (202) 736-9650

DATE: 11/21/2022  
NM RCR  
Drawn Checked

A9-0

The reason for this request is to run an Indoor Sports Arena.

Eduardo and Fabiola will be running indoor soccer leagues ranging from elementary, middle school, high school, and adult divisions. They will also be running open play on certain days of the week. They will be doing soccer tournaments for youth, high school, and adult teams.

The facility will also be rented out for public and private trainings and team practices.

Batting cages will also be available to rent out.

Number of Employees will be 5.

Possibly set up 4 sets of portable bleachers with 3 rows on East Side. The noise should not affect any adjoining business.

Sample Schedule:

Mondays: Open Play, Youth divisions, team trainings.

Tuesdays: Open Play, High School divisions, team trainings.

Wednesdays: Over 35 division, team trainings.

Thursdays: CoEd division, team trainings.

Fridays: Women's division, Open play, team trainings.

Saturdays: Youth divisions, Men's competitive division, team trainings.

Sundays: Open Play, Men's competitive divisions.

Hours of Operation: Monday – Sunday, 9am to 9pm

Monday – Saturday approximately 75 to 100 people coming in and out of the facility.

Sundays – 50 to 75 people coming in and out of facility. (Sundays are the slowest days.)

Tournaments will have about 100 – 150 coming in and out of the facility.



**Date:** Tuesday, June 10, 2025  
**To:** Planning and Zoning Commission  
**From:** Kelli Ebersole, City Planner

### **ACTION ITEM**

**Request:**

Request for a Variance, to reduce the required building setback distances, on property located at 689, 687 and 677 Washington St N. c/o EHM Engineers, Inc on behalf of Zey, LLC (PZ25-0044).

**Time Estimate:**

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

**Background:**

This is a request for a variance of the front yard building setbacks at property located at 677, 687, and 689 Washington Street North. The properties are currently vacant, with the proposed building being approximately 4,500 sq. ft. The applicant would like to be able to construct the building eight (8') feet from the property line along Washington Street North and reduced the side building setback to between five (5') and ten (10') feet from neighboring residences.

**Approval Process:**

**Per City Code 10-4-7**, buildings within the C-1 Zone are required to meet a Front Yard Setback of 35 feet on major arterials, and 15 feet on all other streets.

**Per City Code 10-7-6**, buildings are required to meet additional Front Yard setback distances along certain roadways. The setback for Washington Street North is 80 feet, with the setback for Caswell Avenue at 52 feet, as measured from the center of the street.

**Per City Code 10-13-2-1**, the Commission may authorize variances from the terms of Title 10 that will not be contrary to the public interest, where special conditions apply that would result in unnecessary hardship.

The Variance Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. The Commission shall make a decision on the request within thirty (30) days after the public hearing. 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.

The Variance request must meet the five criteria for approval:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
2. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.
3. That special conditions and circumstances do not result from the actions of the applicant.
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.

5. That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.

**Budget Impact:**

N/A

**Regulatory Impact:**

If the Variance request is approved, the applicant will be able to construct their building within the approved setbacks.

**History:**

In 2000, the City Council adopted the Front Yard Setback code, 10-7-6, modifying the front yard setback along Arterial streets and Collector roads. This modification was made to account for future road expansion, as needed by the city. Around 2010, Washington Street North was widened from two (2) lanes to four (4) lanes, with turning lanes created at needed intersections. This widening project took place from Addison Avenue to Pole Line Road, completed in multiple phases. The project required the City to acquire private property from residential and business owners along Washington Street North to create the extra lane and infrastructure, making those properties legal non-conforming due to the reduction of the front yard setbacks.

The property is zoned C-1, Commercial Highway District.

**Analysis:**

The applicant is asking for a front yard setback reduction from Washington Street North, as well as the side yard setbacks abutting the residential neighboring properties.

With the Washington Street North widening project, property front yard setbacks were reduced from the required street centerline building setbacks. The residential properties along Washington Street North were reduced significantly, making those properties legal non-conforming properties. As those properties stand today, the reduced front yard setbacks are allowed. If those property owners choose to expand or alter the properties, there is a permitting process that must be followed and approved prior to any property becoming more non-conforming.

Any new development along Washington Street North or Caswell Avenue is required to meet the current zoning code, including setbacks. Per 10-7-6, the centerline setback for Washington Street North is 80 feet, with the setback for Caswell Avenue at 52 feet, as measured from the center of the street. The properties are also subject to a 15' front yard setback, measured from property line. Properties in the C-1 zone abutting residential properties have a required side yard setback of 25 feet from the property line.

Using the required setbacks leaves a small building footprint. The applicant is asking to reduce the front yard setback to eight (8) feet from the property line along Washington Street North, following the legal non-conforming residential properties, to the south, along Washington Street North. Furthermore, the applicant is asking to reduce the side yard setback to 5'-10' from the property lines that abut residential properties.



The Variance request must meet the five criteria for approval:

1. **That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.** *Because of the Washington Street North expansion project, the existing properties lost street frontage, making the properties legal non-conforming. With the current setback regulations, the building envelope for the properties is much smaller than other properties in the C-1 zoning district. Portions of this property are located in a flood plain, reducing the allowed buildable land. With Washington Street North having a raised median, it restricts access to the property with a right in, right out only access, requiring access points on Washington Street North and Caswell Avenue West.*
2. **That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.** *The applicant has stated that a building of 4,500 sq. ft. is not able to be placed on this property, meeting current front, centerline, and side setback requirements, as well as meeting access and drive isle requirements. While this may be true, a smaller building footprint may be able to be configured and built on site to meet the current requirements. While the C-1 zone allows for many commercial uses, this site is limited to what could be built there based on the lot size, the flood plain, and setback requirements. A large big box store would not fit, and the tenant space is limited. Based on an average size Tenant Improvement space of 1,500 square feet, this lot would not allow for more than three if the applicant was allowed to build the 4,500 square foot building, as requested.*
3. **That special conditions and circumstances do not result from the actions of the applicant.** *The applicant is asking for the variance to the setbacks due to the diminished building footprint due to current setback and floodplain regulations. The applicant is not asking for any additional land use changes. The right in, right out access limitation is not the fault of the applicant.*
4. **That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.** *Approving this variance would allow for the vacant properties to be developed as submitted in this request. Making allowances for setbacks due to the diminished building footprint does not change any other regulations that the applicant will have to meet with regard to building, engineering, fire, or other zoning codes. The land use of commercial office/retail space is now an outright permitted use in the C-1 zone, and could be built today, following the current code. The existing properties to the south are now legal non-conforming buildings, and have a separate permitting process to go through for any expansion.*
5. **That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.** *The commission is tasked with deciding whether a variance is required to have any development on these properties. A smaller building may be able to be developed on site using the diminished footprint, although the cost of the development may be a hardship for the applicant if the costs outweigh the return on investment.*

The applicant has stated in the narrative that the building envelope left by the current setback requirements is too small to build anything usable, therefore making the property unbuildable by current standards. The applicant would like to use this property for retail/office space for a building of approximately 4,500 square feet, situated along the southern piece of property. The eight (8') foot setback request is only for the portion of building to the far south. The side setback variance affects the southern and western boundaries of the project bordering residential properties, with multiple setbacks ranging from five (5') feet to ten (10') feet. The existing residential property owners may be adversely affected by this request, due to the close proximity of the building to their residential properties. A

condition may be added that requires the applicant to plant a landscape buffer between the commercial building and the bordering residential properties to help mitigate any noise disturbance that may occur.

The proposed building has been located along the southern and western portions of the property. The northern portion of the property is located in the flood plain, restricting any building on that portion of property. The flood plain map is attached, showing the portion of property located in the flood plain. Parking spaces are allowed to be placed in that location.

The required parking is placed along the Washington Street North frontage, with access to the property on Caswell Avenue West and Washington Street North. The access points are both right in only access, directing traffic one way through the parking lot. Washington Street North has a raised median, restricting vehicles from turning left onto Washington Street North.

The current parking and landscaping requirements will need to be met with the building permit, with Washington Street North having a 10-foot gateway arterial landscape requirement, per Title 10-7-12 (B). Approving this variance request would allow the applicant to alter this requirement as they are asking for the setback to be reduced to 8 feet where the building fronts Washington Street North. Allowing this reduced setback would create a smaller arterial landscape strip where the building fronts Washington Street North.

The proposed side yard setbacks are very close to the surrounding residential neighbors. The applicant has sent a letter to the surrounding neighbors stating their intent for the property (included in the packet), and, as of this staff report being written, there have been no public comments sent to the city regarding the request, in favor or against.

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Neighborhood Commercial" which is designed to complement the neighborhood character, providing supporting services and small-scale commercial for the surrounding neighborhood.

### **Conclusion:**

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, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.
2. Subject to a landscape buffer between the commercial building and the bordering residential properties to help mitigate noise disturbance. Per Title 10-11-4(B)2, whenever bushes or trees are used as screening/buffer, the screening height may not be less than three feet (3') at the time of planting, providing a minimum height of six feet (6') is achieved within six (6) years after planting.

Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project. The Commission may approve, approve with conditions, or deny the request.

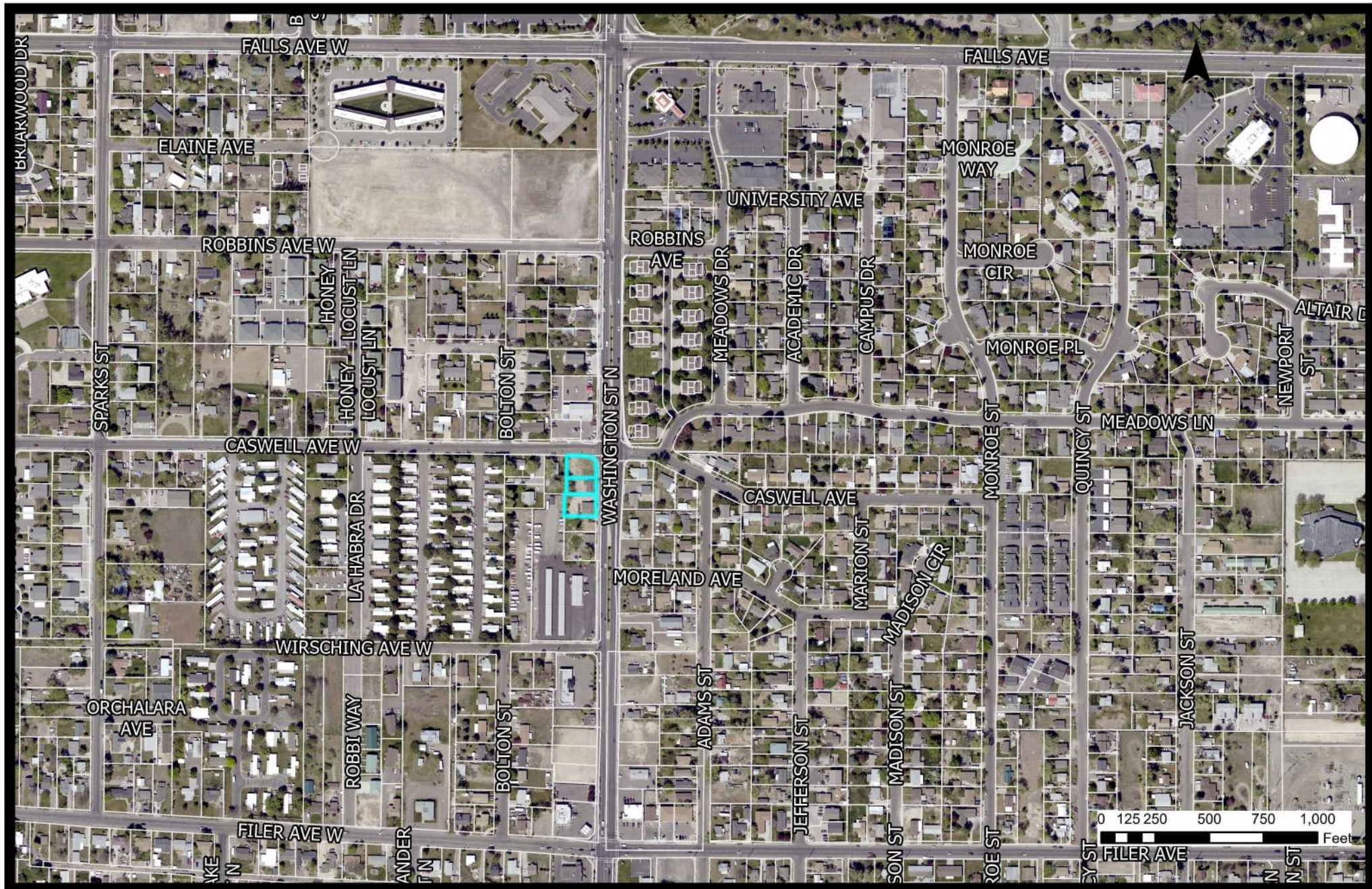
### **Attachments:**

1. PZ25-0044 Vicinity Map
2. PZ25-0044 Presentation Map
3. PZ25-0044 Aerial View
4. PZ25-0044 NSEW Street View
5. PZ25-0044 Flood Plain View
6. PZ25-0044 Site Plan

7. PZ25-0044 Elevations
8. PZ25-0044 Narrative and Neighbor Letter
9. PZ25-0044 Variance Standards

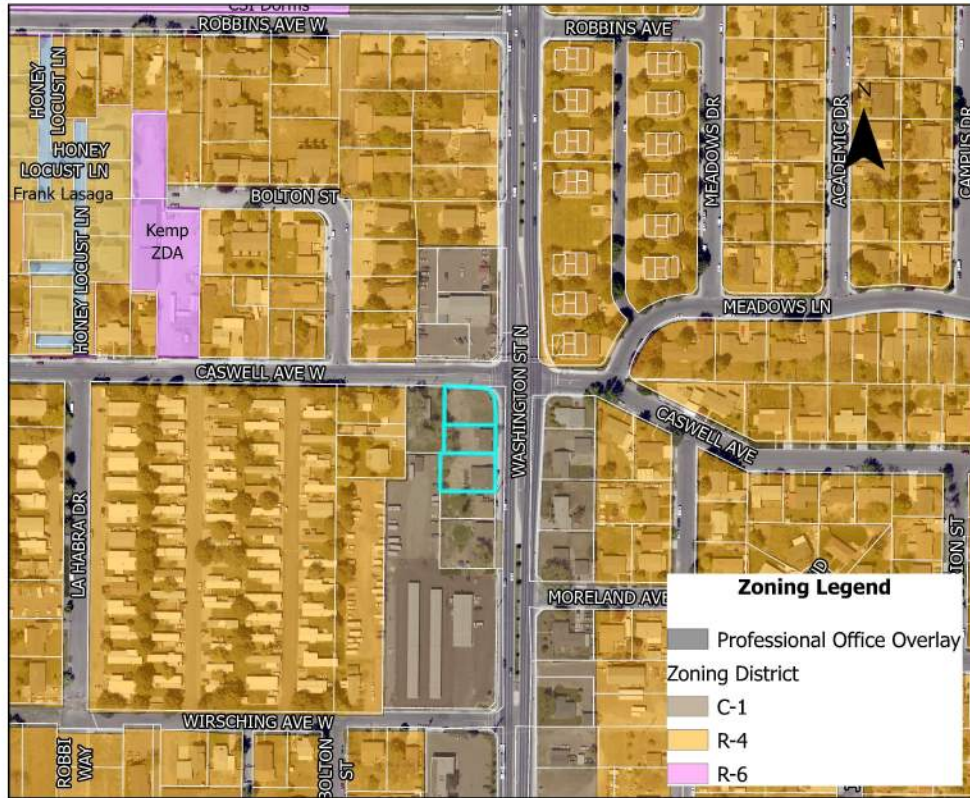


# VICINITY MAP





## ZONING MAP



### Zoning

Current Zoning: C-1

Current Land Use: Vacant/Residential

Proposed Zoning: **C-1**

Proposed Land Use: Commercial Office/Retail  
Service Building

### Surrounding Area

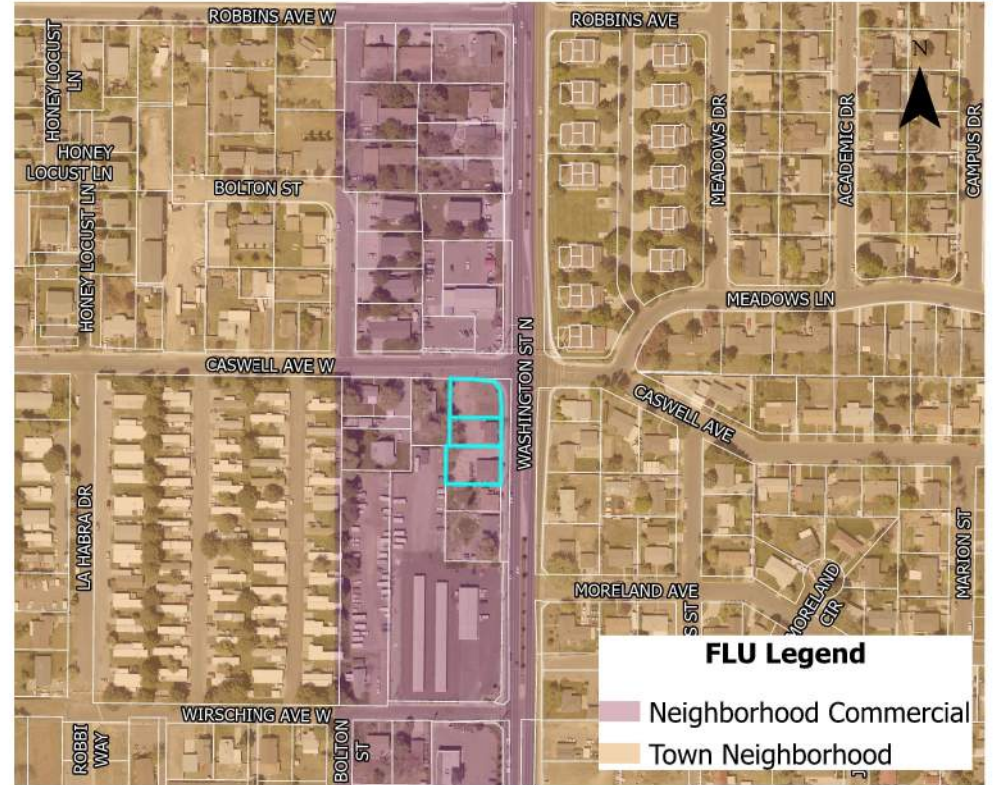
North: Caswell Avenue/Vehicle Sales Lot

South: Residential

East: Washington St N/Residential

West: Residential

## FUTURE LAND USE MAP



### Regulations

10-1-4, 10-1-5, 10-4-8, 10-13-3

### FLU Category

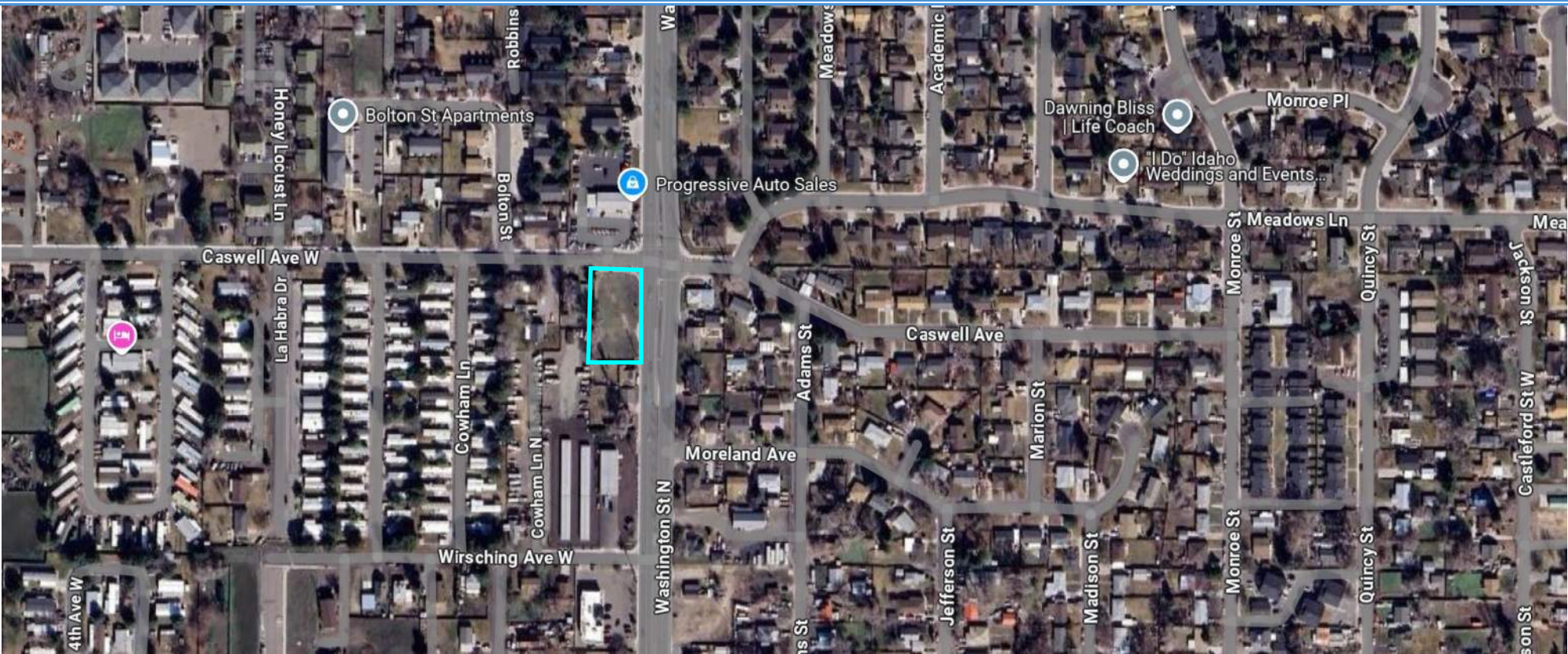
Neighborhood Commercial:

- Provides supporting services and small-scale commercial for the surrounding neighborhood
- Designed to complement the neighborhoods character

Office parks  
Corporate campus  
Warehousing  
General manufacturing  
Food processing



# Aerial View





# Street View

North



South



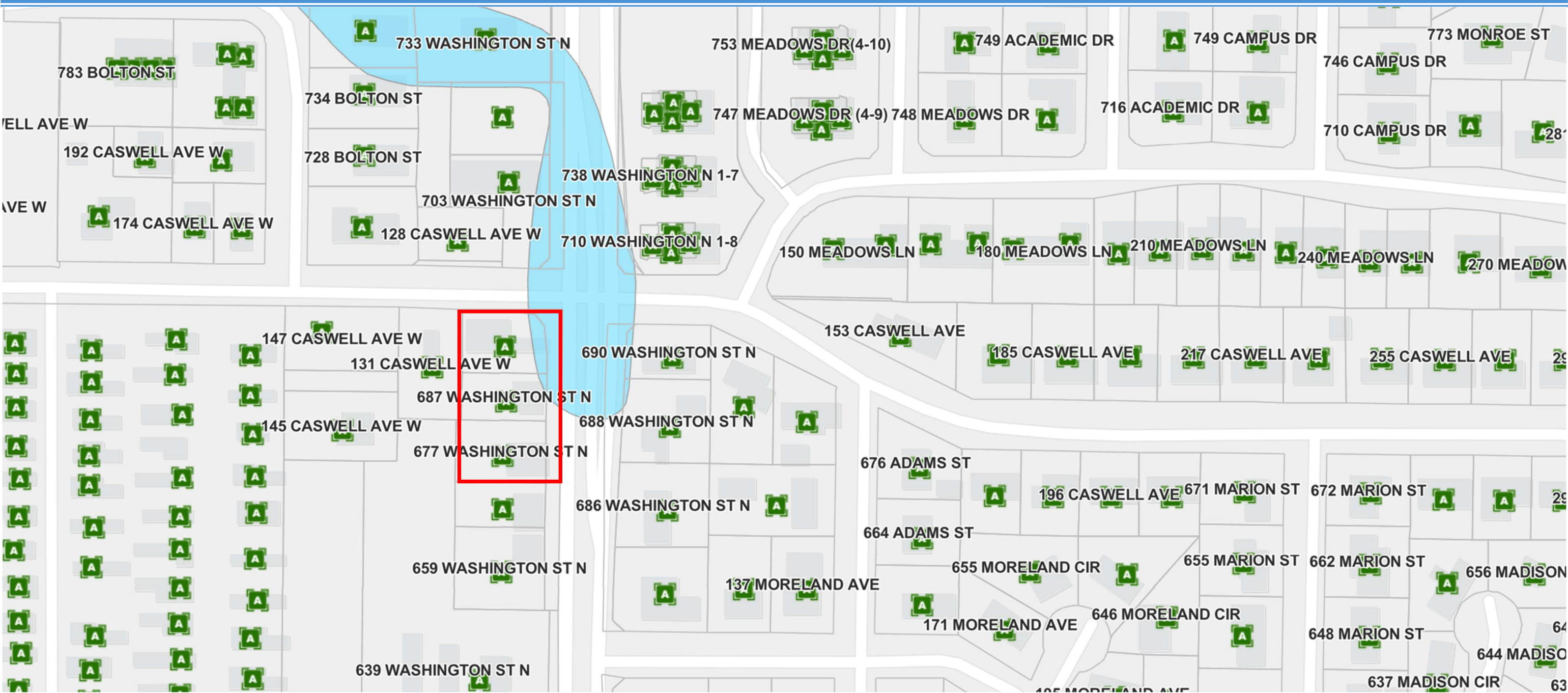
East



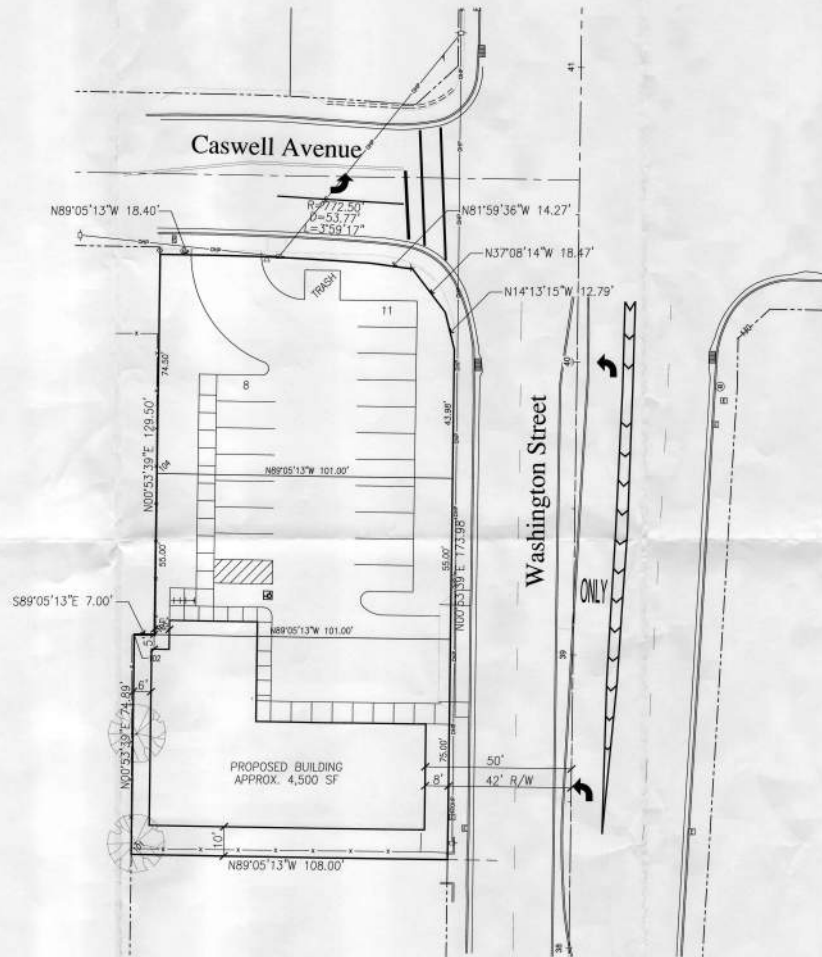
West



# Flood Plain View







Located In  
A Portion of  
Lot 16  
Orchalara Subdivision  
In  
NE 4, Section 8  
Township 10 South, Range 17 East  
Boise Meridian  
Twin Falls County, Idaho  
2025



### Design Data:

Owner/Developer: Zey, LLC  
David Thibault  
621 N. College Rd., Ste. 100  
Twin Falls, ID 83301  
(208)734-4888

Engineer: EHM Engineers, Inc.  
621 N. College Rd.  
Ste. 100  
Twin Falls, ID 83301  
(208)734-4888  
David Thibault, P.E.

Dev. Area: 20,896 SF  
Zone: C-1  
Existing Use: Vacant  
Proposed Use: Commercial  
Setbacks: Setbacks Variance Requested

Setback Variance Exhibit  
for:  
Zey, LLC  
Twin Falls, Idaho

DO NOT SCALE DRAWINGS  
CONTRACTOR SHALL VERIFY ALL  
DIMENSIONS AND DIMENSIONS AT  
THE JOB SITE AND NOTIFY THE  
ENGINEER OF ANY DIMENSIONAL  
DISCREPANCIES, OMISSIONS, OR  
CONFLICTS BEFORE BEGINNING  
OR FABRICATING ANY WORK.

9/30/24 TCM PER ARCH.

APP'D: D. THIBAUT  
DESIGN: T. MCBRIDE  
DRAWN: T. MCBRIDE  
DATE: JULY, 2024  
SCALE: AS SHOWN  
FILE NO: 354-24SP1

**EHM Engineers Inc.**  
Engineers / Surveyors / Planners  
621 N. College Rd., Suite 100 Twin Falls, ID 83301 - (208)734-4888





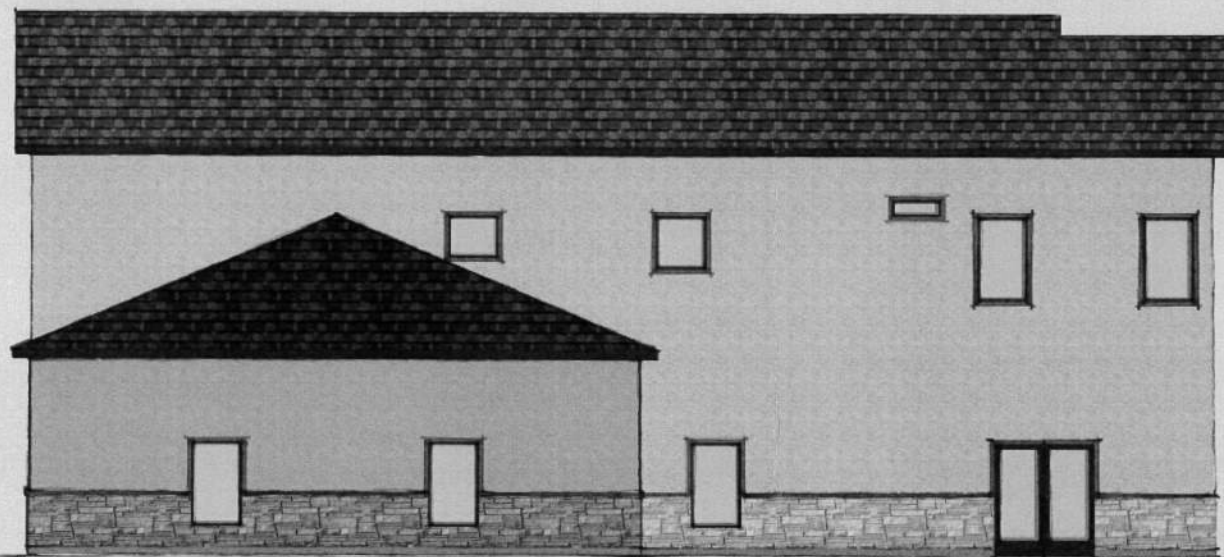
**NORTH ELEVATION**



**SOUTH ELEVATION**



**WEST ELEVATION**



**EAST ELEVATION**



## **Supplemental Information in Support of a Variance for Zey, LLC. (Reduction in Building Setback)**

EHM Engineers, Inc. has been hired to represent Zey, LLC. in their request to seek a variance to reduce the required building setback distances for their property located at 687, 687, and 677 Washington St. in Twin Falls, Idaho. The subject property has been cleared of any buildings and is a collection of three separate lots. Current City Code Regulations require front, rear, and side yard setbacks as well as a centerline setback from Washington Street and a setback from Commercial Uses which are adjacent to Residential Uses.

The lot depth measured from Washington St. to the rear of the lots is between 98 ft. and 105 ft. of depth in the east/west direction. Therefore, when potential building envelopes are examined and considered for these three parcels, the code required front yard setback eliminates approximately 25 feet of the frontage to accommodate the 80 centerline setback which is required along Washington St. (City Code 10-7-6), the code required setback distance from residential uses adjacent to commercial uses is 25 feet for both the side and rear yards (City Code 10-4-8.3). Therefore, the potential building setback eliminates more than 50% of the building lot depth and leaves between 48 feet and 55 feet for a building. However, when design layouts were developed another 24 ft. to 26 ft. needs to be considered for access and drive isle which diminishes the available land to 28 ft. to 35 ft. for a building. This limitation is not consistent with other properties within the C-1 zone and is unique to the setting and configuration of the subject property. In fact, if the properties were examined individually, the property addressed as 677 Washington St. North would be encumbered by setback nearly its entire area with only the extremely limited depth for a building envelope. In the event that the City Code requirements were to be enforced fully it would likely eliminate these parcels from being buildable for most designs.

Additionally, the property is affected at the northernmost end by recognized flood plain area defined by FEMA near the intersection of Washington St. and Caswell Avenue. Therefore, locating a building structure at the north end is not permissible. Rather, the parking area will be located at the north end to minimize any work within the recognized flood plain. By keeping the intersection area limited to parking, better sight distance is maintained and the intersection and views are not obstructed. The current state of existing development, the code provisions and zoning regulations and limitations placed upon this Washington St. corridor lead us to believe that properties along Washington Street will continue to experience a transition from residential uses to more commercial uses with time. As such transition is necessary given the functional classification of Washington St. as an Arterial Street with zone designation as C-1 we believe that consideration to minimizing the setbacks as they relate to separations between commercial and residential uses should be granted. The fact is that with heavy traffic in proximity to the existing residential homes, a change to use to commercial will often times be welcomed over the roadway impacts and commercial uses would be better suited for the area.

FEB/28/2025

Dear Neighbors,

I hope this letter finds you well. I am writing to inform you about an upcoming project that I am planning for the property located at 677 Washington St N, Twin Falls, ID 83301. I am seeking to build a commercial building and wanted to reach out to you as a valued neighbor to provide you with an overview of the project and address any concerns you may have. The proposed commercial building is intended for use as retail or office spaces. I believe this addition will enhance the overall neighborhood by bringing more local business opportunities, improving infrastructure, and adding to the community's appeal. I have taken careful consideration in designing the building to ensure that it aligns with the aesthetics and character of the area, while being mindful of any environmental or noise concerns. I value the opinions of those living in this area and believe in the importance of fostering a positive relationship with my neighbors. If you have any questions, concerns, or suggestions regarding the project, please feel free to reach out to me directly. I am more than happy to discuss the plans in more detail and would greatly appreciate your support.

Thank you for taking the time to read this letter, and I look forward to hearing from you. I am hopeful that this project will be beneficial to everyone in the community.

Sincerely,

Iman Zahroony  
(208)-320-7380  
Iman\_zahroony@yahoo.com

**COPY**

(Letter Sent to ≥ Neighboring Residences)

# VARIANCE APPROVAL STANDARDS

## **Title 10-13-3:**

**4. A narrative statement and documentation demonstrating that the building or site is on a national, state or local register of historic places or sites or that the requested variance conforms to all the following standards:**

- a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.**
- b. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.**
- c. That special conditions and circumstances do not result from the actions of the applicant.**
- d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.**
- e. That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.**



**Date:** Tuesday, June 10, 2025  
**To:** Planning and Zoning Commission  
**From:** William Klaver, Senior City Planner

## **ACTION ITEM**

### **Request:**

Request for a Variance, to reduce the required front building setback distance to 20 feet, on property located at 448 Addison Ave. c/o Rich Davis (PZ25-0050).

### **Time Estimate:**

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

### **Background:**

Rich Davis of Gateway Properties, request a variance of the street centerline building setbacks at property located at 448 Addison Avenue. The property is currently vacant, with the proposed building being approximately 600 sq. ft. The applicant would like to be able to construct the building twenty (20') feet from the property line along Addison Avenue.

### **Approval Process:**

**Per City Code 10-4-7**, buildings within the C-1 Zone are required to meet a Front Yard Setback of 35 feet on major arterials, and 15 feet on all other streets.

**Per City Code 10-7-6**, buildings are required to meet additional Front Yard setback distances along certain roadways. The setback for Washington Street North is 80 feet, with the setback for Caswell Avenue at 52 feet, as measured from the center of the street.

**Per City Code 10-13-2-1**, the Commission may authorize variances from the terms of Title 10 that will not be contrary to the public interest, where special conditions apply that would result in unnecessary hardship.

The Variance Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. The Commission shall make a decision on the request within thirty (30) days after the public hearing. 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.

### The Variance request must meet the five criteria for approval:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
2. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.
3. That special conditions and circumstances do not result from the actions of the applicant.
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.



5. That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.

**Budget Impact:**

N/A

**Regulatory Impact:**

If the Variance request is approved, the applicant will be able to construct their building within the approved setbacks.

**History:**

The property is located in the Original Townsite Plat for Twin Falls, which was created in 1904. The original configuration of this lot was around 9,000 Square feet. This plat has the front property line utilizing 35 feet from the centerline of Addison Avenue. In 1994, the State of Idaho purchased a little more than 18 feet for right-of-way expansion from this lot. This effectively reduced the lot by roughly 2,000 Square feet. In the 70's the neighbor to the east purchased 808 Square feet of property to make the configuration today which is around 6,000 Square feet. A typical lot in the Twin Falls Original Townsite was 50' x 125' or 6,250 Square feet.

By 1978, the house was removed and has been land has been vacant since.

In 1999 the centerline setback code section (10-7-6) was instituted which required a building setback of 80 ft from the centerline of Addison Avenue.

**Analysis:**

**That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.**

The applicant's narrative talks about the front yard setback not being applied to the neighboring properties. Where this is an historic plat and most houses existed prior to the 1999 centerline setback, this would be true. These existing structures are now considered legal, nonconforming and would require zoning approval for a change of use or expansion of the building footprint. Where this code section doesn't apply to all properties within the R-6 designation, an argument could be made that this regulation/circumstance is not applicable in the same district for other properties. However, this regulation is uniformly enforced for the designated collectors and arterials. Furthermore, this property was substantially reduced when Addison Avenue was widened by the State in 1994.

**That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.**

Rights commonly enjoyed in the zoning designation of R-6 PRO, are primarily residential with the ability to ask for some limited professional offices. The R-6 zoning designation allows by right single family, duplex, triplex, fourplex, and structures with 5+ units. This is the City of Twin Falls highest intensity, solely residential, zoning designation. For a property of this size, a single family residence would be the most units that could be constructed on this property. A professional office could also be approved by a special use permit. The applicant is seeking to place a 600 square foot structure. This is not excessive and would be reasonable size for the surrounding area.

**That special conditions and circumstances do not result from the actions of the applicant.**

The applicant and previous owner did not result in this special circumstance. The lot has been in this configuration since the 70's and vacant since the late 70's.

**That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.**

One special privilege could be seen as this property would be fully permitted to build to the 20 foot setback as requested. Other properties that are less than the 80 foot centerline setback are considered legal non-conforming. Legal non-conforming structures need to go through a process to expand or change the use. This process isn't necessarily a huge process, however, it is another step these other properties would have to take, whereas granting this variance this property would not.

However, the Planning and Zoning Commission just heard and passed a recommendation to the City Council a text amendment which removed the Centerline setback requirement as found in 10-7-6. The City Council has not heard this text amendment and is not effective until an ordinance is passed, if it is passed at all. Staff has not heard negative comments on this proposed title amendment and anticipates this section being removed with the conclusion of the Title 10 rewrite.

**That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.**

Utilizing the applicant's scale on the site plan, the current setbacks would result in a building area of a little over 760 Square feet. However, this would result in a triangle house which would pose some unique situations and may be seen as unnecessary and unreasonable.

#### **Conclusion:**

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, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.
2. Subject to vehicles not backing onto Addison Avenue. This may be done through access from the alleyway or an onsite turnaround. This condition shall be met at the time of building permit.

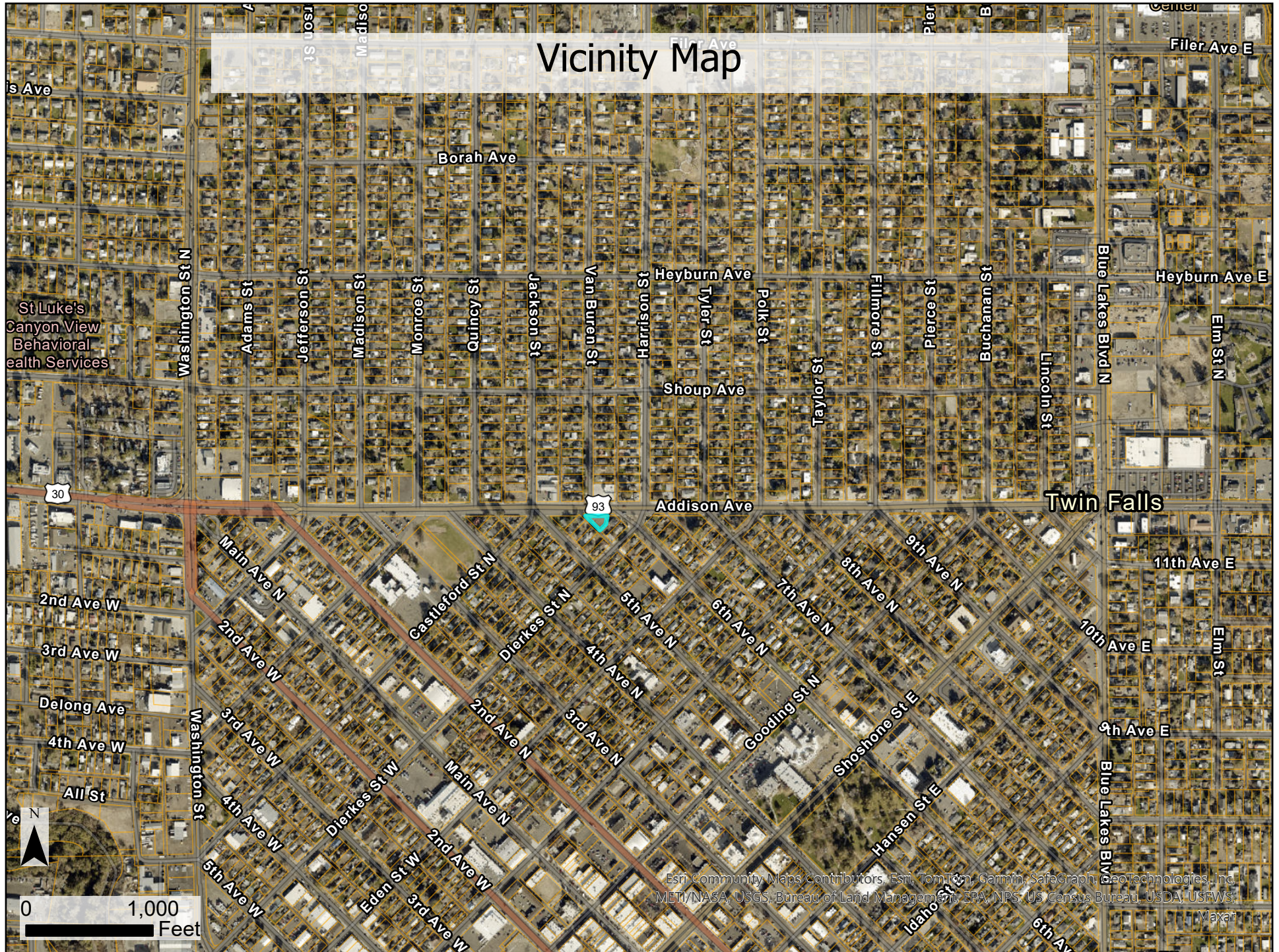
Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project. The Commission may approve, approve with conditions, or deny the request.

#### **Attachments:**

1. PZ25-0050 Vicinity Map
2. PZ25-0050 Aerial Map
3. PZ25-0050 Presentation Map
4. PZ25-0050 Proposed Site Plan
5. PZ25-0050 Proposed Building Plans
6. PZ25-0050 Applicant Narrative



# Vicinity Map



Esri, Community Maps Contributors, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, Maxair



# Aerial Map

93

Addison Ave

93

5th Ave N

Dierkes St N

6th Ave N

5th Ave N



0 100 Feet

Maxar, Microsoft, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc. MET/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS



# ZONING MAP



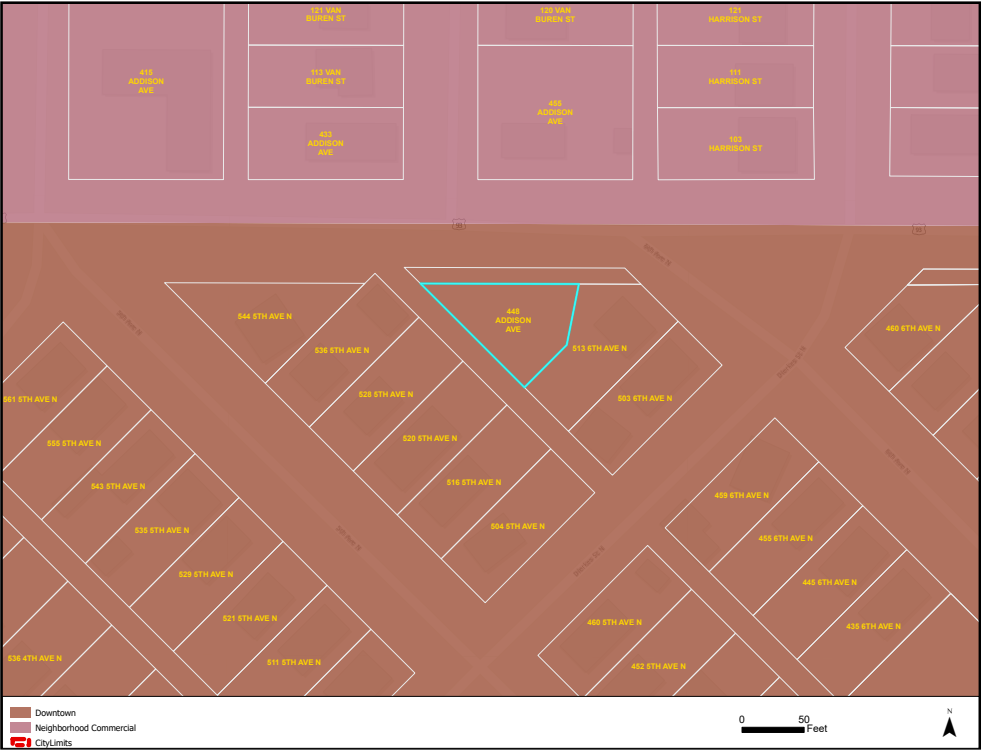
## Zoning

|                           |             |
|---------------------------|-------------|
| <u>Current Zoning:</u>    | R-6 PRO     |
| <u>Current Land Use:</u>  | Vacant      |
| <u>Proposed Zoning:</u>   | R-6 PRO     |
| <u>Proposed Land Use:</u> | Residential |

## Surrounding Area

|               |                                 |
|---------------|---------------------------------|
| <u>North:</u> | Residential/Religious (R-4 PRO) |
| <u>South:</u> | Residential (R-6)               |
| <u>East:</u>  | Residential (R-6)               |
| <u>West:</u>  | Residential (R-6)               |

# FUTURE LAND USE MAP

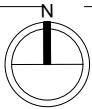


## Regulations

Twin Falls Municipal Code Section(s) 10-4-6; 10-7-6; & 10-13-3.

## Future Land Use Category

Downtown/High Density Residential: Central business district serving the local and regional area. This area has a diverse mix of land use, including restaurants, retail, community and civic facilities, and residential. This designation encourage s redevelopment and infill that is scaled to create a function, walkable, pedestrian friendly environment.



Addison Avenue

Sidewalk

Concrete Driveway

Existing 80' Setback  
From Center Line  
of Addison Ave.

20' Proposed  
Setback  
From P/L

448

600 Sq. ft.

513

503

528

520

## General legend

- Property Boundary
- Setback Line

| Rev | Date     | Description         | By | Chkd. |
|-----|----------|---------------------|----|-------|
| C   | 04.16.25 | Issued for Approval | EB | RD    |
| B   | 04.15.25 | Issued for Approval | EB | RD    |
| A   | 04.15.25 | Issued for Approval | EB | RD    |

Owner:

Gateway Properties LLC.

Project:

448 Addison Ave, Twin Falls  
, ID 83301, USA

Title:

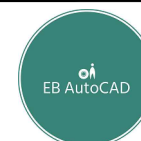
Site  
Layout Plan

Scale @ A3: 1/16" = 1'-0"

Prepared by: E. Beggs  
Checked: R. Davis  
Date: April 2025

Country: United States

Drawing Status: Approval

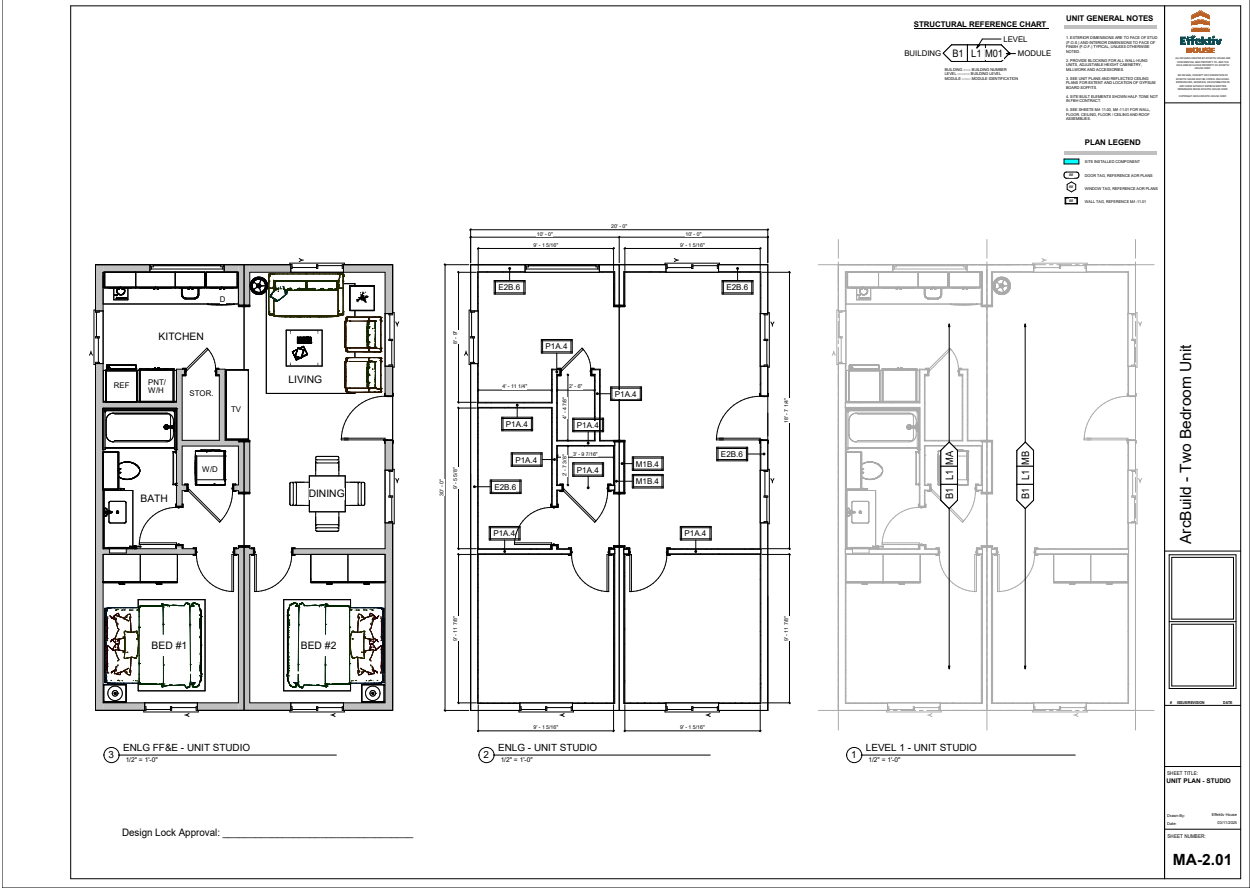


Drawing No.: 1001

Revision:  
C

Exhibit A  
Floor Plans, Elevations & Finishes

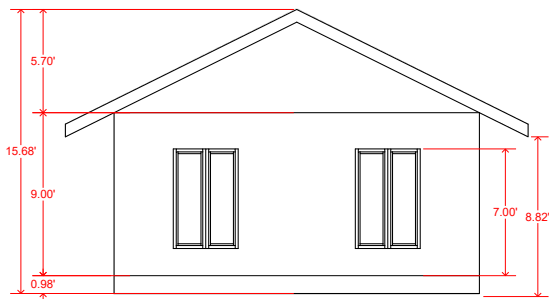
Floor Plan



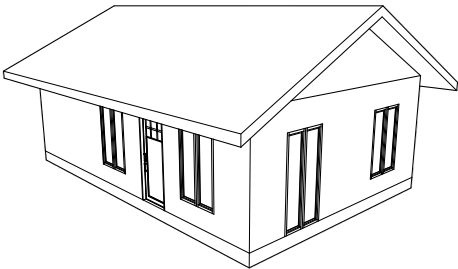


**Elevations:**

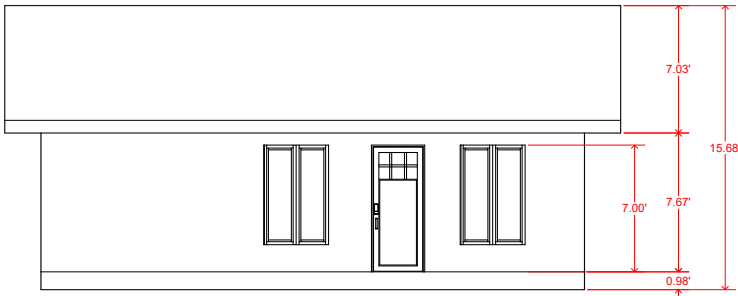
*Please note: elevation illustrates a flat roof, P2 comprising 600 sqft, not a P4 as labeled.*



**FRONT VIEW**



**ISOMETRIC VIEW**



**SIDE VIEW**



ARCbuild  
Modular Solutions

PROJECT:

**P4 - OP 2**

LOCATION:

NUMBER:

**2 OF 3**

TITLE:

**CONCEPTUAL PROJECT**

SCALE:

**INDICATED**

DATE:

**25/03/2025**

CODE:

**A-02**

## **Request for Variance of Front Setback - 448 Addison Ave**

This request is to allow the setback to conform with the existing R6 requirement of a 20' front setback by **removing the existing additional front setback that exists on Addison Ave, which is 80' from the center line of the road.**

This request does not have any effect whatsoever to adjoining properties.

This request will provide a compatible and cohesive use of this property with those that are within the same district and adjacent to it.

This variance request conforms to all of the following:

1. There are special conditions to this property that do not apply to the surrounding homes and businesses. The special 80' setback has not been applied to the adjacent properties with many of them built with much less than the existing R6 zoning 20' front setback that is requested here. The existing 80' setback is excessive and encumbers this (and all other properties affected by it) making it impractical for nearly any use.
2. This property is inherently deprived of the rights enjoyed by all other existing homes and businesses in this district, by severely limiting the buildable area in relation to all others that exist.
3. The existing additional 80' setback from the center line of Addison Ave has not been caused by the property owner or anything related to their actions.
4. Granting this variance will not provide any special privilege to the property owner in any way, but it will allow for fair and equitable use of the property in relation to other properties currently being utilized in this district.
5. The existing additional 80' setback from the center line of Addison Ave results directly in an unnecessary hardship to this property. If this additional setback is not removed, then it limits the buildable area of this property to such a small extent that it is impractical for any use.

\* Please note that many homes in this district are very close to the road and this would not be nearly as close with the request here. It will be well within line and visually pleasing to match well with the district. Thank you!



**Date:** Tuesday, June 10, 2025  
**To:** Planning and Zoning Commission  
**From:** Kelli Ebersole, City Planner

### **ACTION ITEM**

**Request:**

Request for a recommendation to City Council for a Zoning Development Agreement/Zoning District Change, from Neighborhood Commercial to R6 High Density Residential, on property located at the 900 block of Falls Ave W. c/o EHM Engineers, Inc on behalf of Grandview Farms, LLC (PZ25-0039).

**Time Estimate:**

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

**Background:**

EHM Engineers, Inc on behalf of Grandview Farms, LLC, has made a request to rezone property located at the 900 block of Falls Avenue West, specifically Lots 1 through 12, Block 1, Meadow West Subdivision. The proposed amendment would rezone the property to R-6 ZDA, establishing a new Zoning Development Agreement for the property, allowing the developer to build an apartment complex on property, with modified height and parking regulations.

**Approval Process:**

**Per City Code 10-6-1.7(E)** approval of a ZDA shall be based on the following standards:

1. 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.
2. Any variation from the underlying zoning district development requirements must be warranted by the design and amenities incorporated in the conceptual development plan.
3. The underlying zoning district and the conceptual development plan shall conform to the comprehensive plan.
4. Existing and/or proposed streets and utility services must be suitable and adequate for the proposed development

**Per City Code 10-14-5, Zoning Map Amendment:**

The commission 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 City Code 10-7-20.

**Per City Code 10-6-1:** A preliminary presentation of the request is required before a public hearing in front of the Planning & Zoning Commission. The preliminary presentation was held on Tuesday, May 13, 2025.

Once the commission makes a recommendation of the Zoning Development Agreement (ZDA) / Zoning District Change (ZDC) request, the item will go before City Council for public hearing and a final decision.

**Budget Impact:**

N/A

**Regulatory Impact:**

If approved by the Council, the property would be rezoned from R2 NCO PUD to R6 ZDA for the approximate eight (8) acres.

**History:**

The property is currently zoned R2 NCO PUD, as part of the Meadow West PUD #274. This agreement was created and approved in 2017.

The property in question is located in the Neighborhood Commercial area of the PUD, created for a high-end retail/office village to complement the surrounding residential neighborhood.

As of today, the property has remained vacant.

**Analysis:**

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.

The applicant has proposed to change the zoning of eight (8) acres to R6 ZDA, specifically Lots 1 – 12, Block 1, Meadow West Subdivision. This action will remove the lots from the original PUD, creating a new Zoning Development Agreement for multi-family use.

The R6 zone allows for multiple house dwellings (5 units or more) as an outright permitted use. This rezone would allow the developer to construct an apartment complex on the lots, adding more residential units to the area.

The applicant would like to create the Zoning Development Agreement to modify the allowed building height and off-street parking regulations listed in Title 10-4-6 (R6, Residential Multi-Family Household District) of city code.

Current code allows for buildings up to thirty-five feet (35') in height. The proposed ZDA would allow for buildings up to forty-two (42') in height.

Off-Street Parking regulations require two off-street parking spaces per residential unit. The proposed ZDA allows for the garage spaces to be counted towards the total required off-street parking. With 144



units proposed, the required parking would equal 288 parking spaces. Adding the garage spaces as counted as part of the required parking will allow the applicant to build less parking spaces on site.

The proposed apartment complex allows for 144 units per the site plan. There will be twelve buildings constructed, ranging from six – eighteen units per building. The six and twelve-unit buildings will have one-car garages located on the bottom floor, with the dwelling units located on the second floor. The eighteen-unit buildings will be three stories, with parking located in front of the units and the around the complex area.

Falls Avenue West and Grandview Drive is a high-traffic intersection, primarily residential, with a commercial gas station/convenience store directly to the North. The potential detrimental impacts on surrounding areas will be largely from more vehicles in the area, although the intersection and roads will be built to handle the increased traffic.

The original PUD agreement required Falls Avenue West to be constructed to city standards. The road has been constructed, but has failed inspection by the Engineering Department. A condition has been added to this request that Falls Avenue West must be constructed to city standards and approved by the Engineering Department. The ordinance for this request will not be taken forward to City Council for approval until there is confirmation of the road passing inspection.

The Future Land Use Map shows this area as Neighborhood Commercial, which allows for apartments. City staff finds the result of this change allows a transition between the commercial use to the north and the single family residential to the south, east and west, creating a mixed-use community.

Staff believes the layout of this project is well laid out, with the buildings being spaced apart and there being two accesses to the complex, located on the north and south sides of the properties. There is green space and landscaping surrounding the complex, which is cohesive with the surrounding area.

This specific project accomplishes a number of goals found in the Comprehensive Plan:

- **Land Use Goal 3:** encourage mixed-use developments. This area is close to the hospital and major retail and business locations, serving to provide resources for shopping and working environments for the residents.
- **Land Use Goal 5:** Create great neighborhoods with a wider range of housing types, mix of uses and amenities.

### **Conclusion:**

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

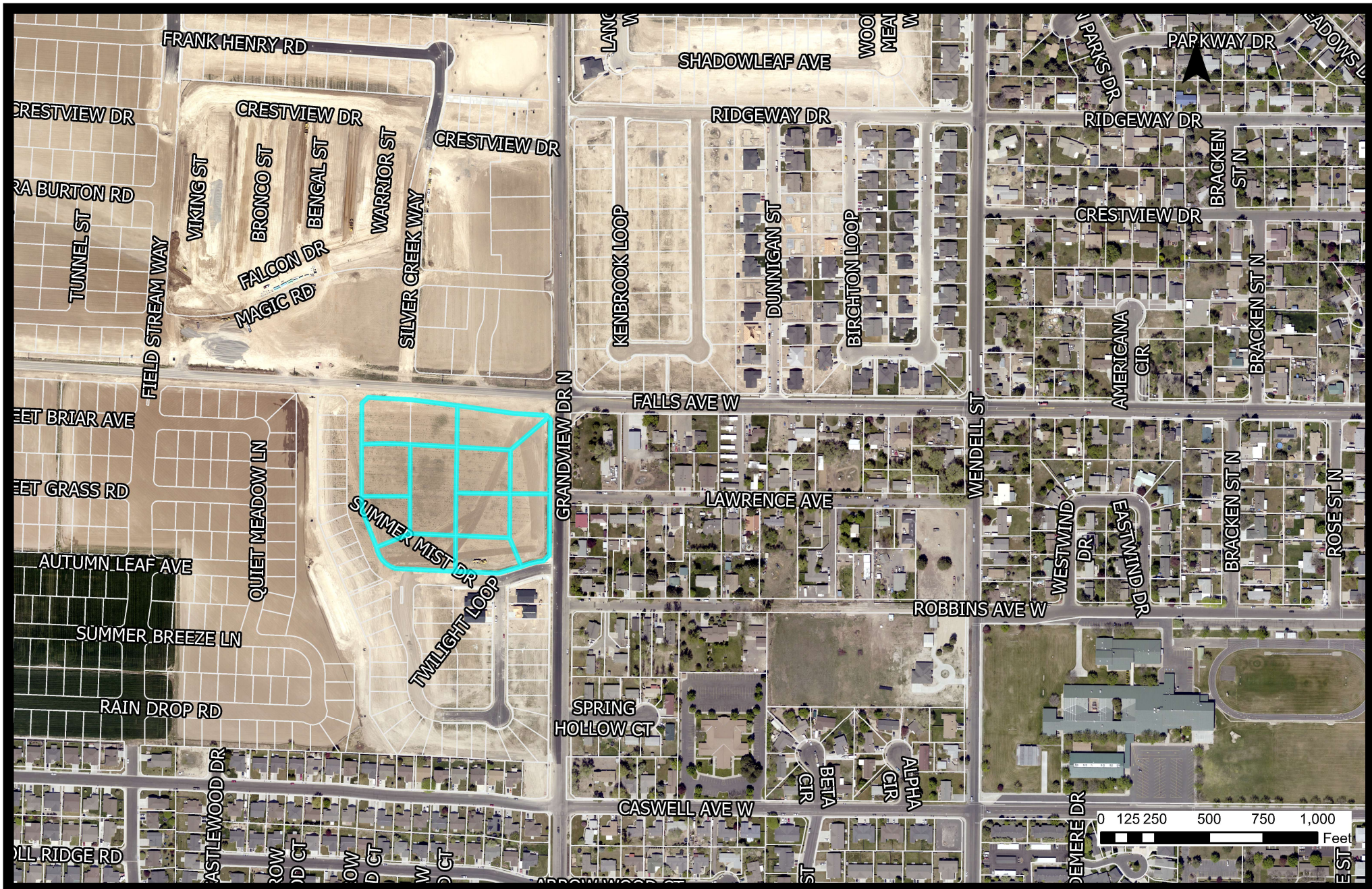
1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.
2. Subject to Falls Avenue West being constructed to city standards and approved by the Engineering Department prior to the ordinance for the request being signed by City Council.
3. Subject to a 6" raised concrete curb built on Falls Avenue West, from the Grandview Drive intersection to 375' west, as approved by the City Engineer. This will be enforced at time of first building permit.

**Attachments:**

1. PZ25-0039 Vicinity Map
2. PZ25-0039 NSEW Street View Template
3. PZ25-0039 Presentation Map
4. PZ25-0039 Applicant exhibits
5. PZ25-0039 Meadow West Apt. ZDA
6. PZ25-0039 R-2 NCO R-6 ZDA comparison



# VICINITY MAP





# Street View

North



South



East

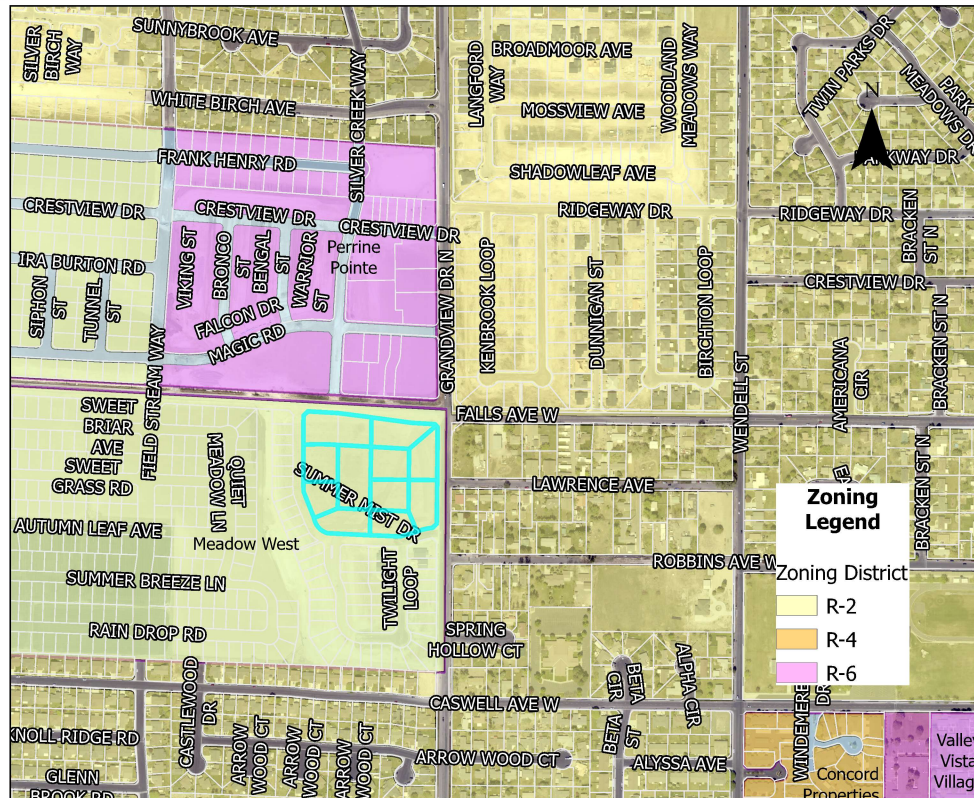


West





## ZONING MAP



### Zoning

Current Zoning: R-2 NCO PUD

Current Land Use: Vacant

Proposed Zoning: R-6 ZDA

Proposed Land Use: Multi Family Residential

### Surrounding Area

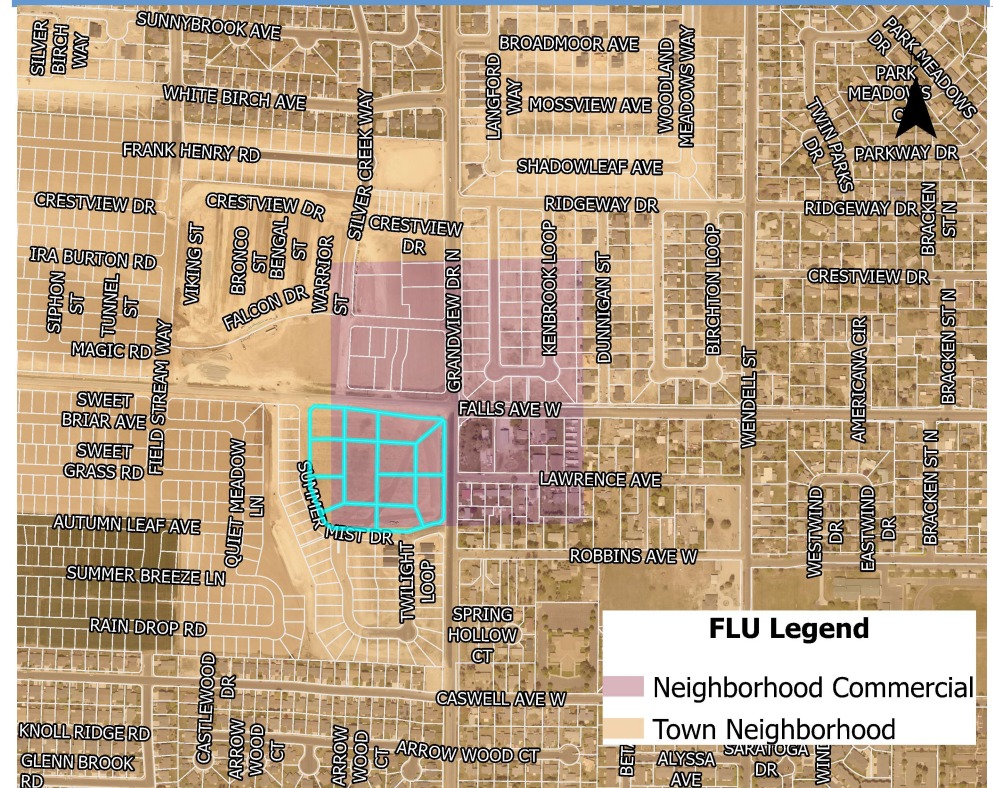
North: Falls Avenue West/Gas Station

South: Residential

East: Grandview Drive/Residential

West: Residential

## FUTURE LAND USE MAP



### Regulations

10-4-6, 10-6-1, 10-14-1 thru 8, 10-6-1.4 (B)

### FLU Category

**Town Neighborhood:**  
Primarily residential in nature, consisting of single-family, duplex, triplex, and fourplexes, with schools and parks/recreation facilities.

**Neighborhood Commercial:**  
Provides supporting services and small-scale commercial for the surrounding neighborhood, designed to complement the neighborhoods character.





**EXHIBIT C**  
**Located In**  
**Lots 1 thru 12, Block 1**  
**Meadow West Subd., a PUD**

OWNER:  
GRANDVIEW FARMS, LLC  
c/o GARY WOLVERTON JR.  
P.O. BOX 5170  
TWIN FALLS, ID. 83303  
(208) 736-9294

PARKING:  
REQUIRED: 312 SPACES (BASED ON 96 1 & 2 BEDROOM  
UNITS AND 48 3 BEDROOM UNITS)  
PROVIDED: 315 TOTAL SPACES (72 OF WHICH ARE GARAGE  
SPACES)

LANDSCAPING:  
REQUIRED: (10% OF SITE PER R6 ZONING REQUIREMENTS)  
= 34,778 S.F.  
LANDSCAPING EXCEEDS AREA REQUIREMENTS.

SETBACKS:  
BUILDING SETBACKS TO BE AS FOLLOWS:  
FRONT YARD: 62' FROM FALLS CL  
80' FROM GRANDVIEW CL  
20' FROM PROPERTY LINE

SIDE YARD: 5'  
REAR YARD: 15'  
LAYOUT MEETS OR EXCEEDS REQUIREMENTS.



PUD AMENDMENT - SITE EXHIBIT C  
for  
MEADOW WEST APARTMENTS

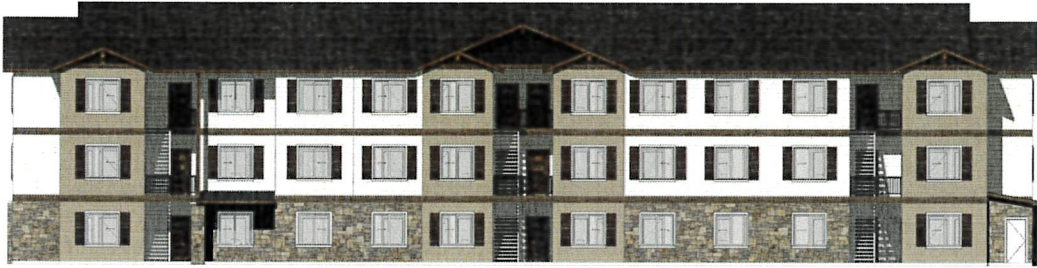
DO NOT SCALE DRAWING  
CONTRACTOR SHALL VERIFY ALL  
DIMENSIONS AND LOCATIONS  
OF ALL UTILITIES AND OBSTACLES  
BEFORE CONSTRUCTION  
THIS DRAWING IS NOT TO BE  
USED FOR ANY OTHER PROJECT  
WITHOUT THE WRITTEN  
CONSENT OF THE ENGINEER

PRELIMINARY

|          |                  |
|----------|------------------|
| APPROVED | -                |
| DRAWN    | -                |
| CHECKED  | -                |
| DATE     | 3/7/2023         |
| BY       | AS 010301        |
| REV. NO. | 238-24 EXH. C-04 |
| PROJECT  | EXHIBIT C        |

**EXHIBIT D**

**RENDERINGS**



18-Plex Front Elevation

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18-Plex Rear Elevation

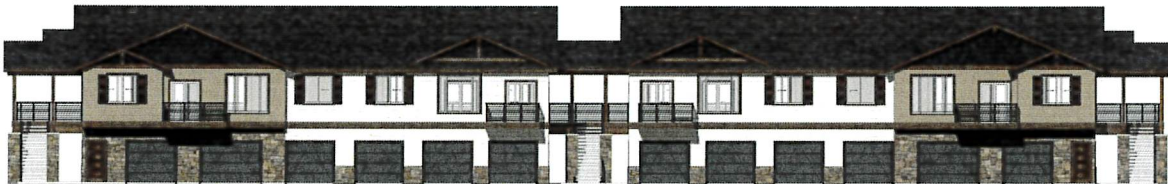
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12-Plex Front Elevation

---



12-Plex Rear Elevation

---

(6-Plex Similar to ½ 12-Plex)

# Meadow West Apartments, a ZDA

An R6, Residential

## Zoning Development Agreement

This Zoning Development Agreement (ZDA) is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 202\_\_, by and between the City of Twin Falls, State of Idaho a municipal corporation, hereinafter called "City" and Grandview Farms, LLC (hereinafter called "Developer") for the purpose of developing Multi-family Residential Uses on property located West of Grandview Drive North and South of Falls Avenue West, known as Meadow West Apartments, a ZDA.

### NOW THEREFORE:

1. All future development, improvements, and uses shall conform to the standards and regulations of the Twin Falls City Code Title 10 – Chapter 4 – Section 6; R6, Residential Multi-Household District or as amended, and all references to other sections therein including the following deviations:

2. R6, Residential Multi-Household District modified to include the following:

10-4-6.3: Property Development Standards:

(D) Building Height: No building shall exceed forty two feet (42') in height.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2') off street parking spaces. Garage spaces shall be counted towards the total required off street parking.

Developer: Grandview Farms, LLC, an Idaho  
limited liability company  
Gary Wolverton, Jr., Manager

City: City of Twin Falls  
P.O. Box 1907  
Twin Falls, ID 83303-1907

“CITY”  
CITY OF TWIN FALLS

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

“DEVELOPER”  
Grandview Farms, LLC, an Idaho  
limited liability company

By: \_\_\_\_\_  
Gary Wolverton, Jr., Manager

STATE OF IDAHO                    )  
                                          ss.  
County of Twin Falls            )

On this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_ before  
me, a Notary Public for said County and State, personally appeared \_\_\_\_\_,  
and \_\_\_\_\_, known or identified to me, to be the Mayor and City  
Clerk, respectively, of the CITY OF TWIN FALLS, IDAHO, that executed said instrument, and  
acknowledged to me that such City executed the same.

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

\_\_\_\_\_  
Residing at \_\_\_\_\_

Commission Expires: \_\_\_\_\_



STATE OF \_\_\_\_\_ )  
 ) ss.  
 County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_ before me, a Notary Public for said County and State, personally appeared Gary Wolverton, Jr., known or identified to me, to be the Manager of the limited liability company, whose name is subscribed to the within instrument, and acknowledged to me that the limited liability company executed the same.

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

---

Residing at \_\_\_\_\_

Commission Expires: \_\_\_\_\_

**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**REZONE: R6, ZDA**  
**TWIN FALLS COUNTY, IDAHO**

BEING BLOCK 1 AS SHOWN ON THAT CERTAIN MAP ENTITLED "MEADOW WEST SUBDIVISION, A PUD", RECORDED DECEMBER 18, 202017 AS INSTRUMENT NO. 2017-020414 IN THE OFFICE OF THE COUNTY RECORDER OF TWIN FALLS COUNTY, SAID MAP BEING A PORTION OF THE N2 NE4 OF SECTION 7, TOWNSHIP 10 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7 AS SHOWN ON SAID MAP;  
THENCE, ALONG THE EAST BOUNDARY OF THE NE4 OF SAID SECTION 7, SOUTH 00°28'07" WEST 84.42 FEET;  
THENCE, LEAVING SAID EAST BOUNDARY, NORTH 89°31'53" WEST 46.00 FEET TO A POINT ON THE WEST BOUNDARY OF SAID BLOCK 1 AND BEING THE **REAL POINT OF BEGINNING**;  
THENCE, ALONG THE BOUNDARY OF SAID BLOCK 1, SOUTH 00°28'07" WEST 461.33 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 45°28'07" WEST 28.38 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET, THROUGH A CENTRAL ANGLE OF 16°14'54", AN ARC DISTANCE OF 35.45 FEET AND A LONG CHORD THAT BEARS SOUTH 80°28'49" WEST 35.33 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 72°21'23" WEST 106.34 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, ALONG THE ARC OF TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, THROUGH A CENTRAL ANGLE OF 20°05'38", AN ARC DISTANCE OF 26.30 FEET AND A LONG CHORD THAT BEARS SOUTH 82°24'12" WEST 26.17 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, NORTH 87°32'59" WEST 329.68 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, ALONG THE ARC OF TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, THROUGH A CENTRAL ANGLE OF 65°19'07", AN ARC DISTANCE OF 85.50 FEET AND A LONG CHORD THAT BEARS NORTH 54°53'26" WEST 80.95 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, NORTH 22°13'52" WEST 150.43 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, ALONG THE ARC OF TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, THROUGH A CENTRAL ANGLE OF 22°22'04", AN ARC DISTANCE OF 29.28 FEET AND A LONG CHORD THAT BEARS NORTH 11°02'50" WEST 29.09 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, NORTH 00°08'12" EAST 349.37 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, NORTH 46°39'07" EAST 29.02 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 86°49'58" EAST 162.55 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 82°17'27" EAST 340.96 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 86°49'58" EAST 108.89 FEET;  
THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 43°10'55" EAST 19.55 FEET TO SAID **REAL POINT OF BEGINNING**.

CONTAINING APPROXIMATELY 7.98 acres.

END OF DESCRIPTION

# Land Use Comparison Chart

## Property Development Standards Comparison

| R-2 NCO<br>(current zone)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | R-6 ZDA Zoning District<br>(requested zone)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><u>R-2 Allowed Uses:</u></p> <p><b>Communications and utilities:</b></p> <ul style="list-style-type: none"> <li>a. Underground and aboveground transmission lines.</li> <li>b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.</li> </ul> <p><b>Parks:</b></p> <ul style="list-style-type: none"> <li>a. Open space.</li> <li>b. Private parks and playgrounds without crowd attracting facilities.</li> <li>c. Public parks and playgrounds without crowd attracting facilities.</li> </ul> <p><b>Residential:</b></p> <ul style="list-style-type: none"> <li>a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.</li> <li>b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.</li> <li>c. Dwellings - detached single household.</li> <li>d. Dwellings - duplex.</li> </ul> <p><u>NCO Allowed Uses:</u></p> <p><b>Communications and utilities:</b></p> <ul style="list-style-type: none"> <li>a. Underground and aboveground transmission lines.</li> <li>b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.</li> </ul> <p><b>Parks:</b></p> <ul style="list-style-type: none"> <li>a. Open space.</li> <li>b. Private parks and playgrounds without crowd attracting facilities.</li> <li>c. Public parks and playgrounds without crowd attracting facilities.</li> </ul> <p><b>Residential:</b></p> <ul style="list-style-type: none"> <li>a. Household units in upper floors of commercial or professional buildings.</li> </ul> <p><b>Retail Trade:</b></p> <ul style="list-style-type: none"> <li>a. Bakery.</li> <li>b. Bookstore.</li> </ul> | <p><u>Allowed Uses:</u></p> <p><b>Communications and utilities:</b></p> <ul style="list-style-type: none"> <li>a. Underground and aboveground transmission lines.</li> <li>b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.</li> </ul> <p><b>Parks:</b></p> <ul style="list-style-type: none"> <li>a. Open space.</li> <li>b. Private parks and playgrounds without crowd attracting facilities.</li> <li>c. Public parks and playgrounds without crowd attracting facilities.</li> </ul> <p><b>Residential:</b></p> <ul style="list-style-type: none"> <li>a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.</li> <li>b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.</li> <li>c. Dwellings - detached single household.</li> <li>d. Dwellings - duplex.</li> <li>e. Dwellings - multiple household (5 units or more).</li> <li>f. Dwellings - triplex and fourplex. (Ord. 2526, 5-20-1996)</li> <li>b. Apparel repair and alteration.</li> <li>c. Beauty and barber shops.</li> <li>d. Building care contracting offices.</li> <li>e. Business associations.</li> <li>f. Civic, social and fraternal organizations.</li> <li>g. Construction trade offices.</li> <li>h. Consumer credit collection offices.</li> <li>i. Copy center - self-service.</li> <li>j. Daycare services.</li> <li>k. Dog grooming and/or kennels.</li> <li>l. Duplicating and stenographic offices.</li> <li>m. Employment agency.</li> <li>n. Finance and investment offices.</li> <li>o. Horticultural services.</li> <li>p. In home daycare services.</li> <li>q. Insurance and related business.</li> <li>r. Labor unions and organizations.</li> <li>s. Photography studios.</li> <li>t. Professional organizations.</li> <li>u. Professional services.</li> <li>v. Real estate and related business.</li> <li>w. Tourist information center.</li> </ul> |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>c. Craft shop, in conjunction with retail business.</li> <li>d. Eating places.</li> <li>e. Florist shop.</li> <li>f. Food, drugs, etc.</li> <li>g. General merchandise.</li> <li>h. Hardware store.</li> <li>i. Hobby and toy store.</li> <li>j. Ice cream store.</li> <li>k. Import store.</li> <li>l. Laundering and dry cleaning.</li> <li>m. Laundromats.</li> <li>n. Music store.</li> <li>o. Pet shop.</li> <li>p. Sporting goods store.</li> </ul> <p><b>Services:</b></p> <ul style="list-style-type: none"> <li>a. Beauty and barbershops.</li> <li>b. Copy center - self-service.</li> <li>c. Daycare services.</li> <li>d. Duplicating and stenographic offices.</li> <li>e. In-home daycare services.</li> <li>f. Photography studios.</li> </ul> | <ul style="list-style-type: none"> <li>x. Welfare and charitable facilities.</li> </ul> <p><b>Sports facilities:</b></p> <ul style="list-style-type: none"> <li>a. Athletic areas.</li> <li>b. Miniature golf courses.</li> <li>c. Outdoor, public and commercial ice and roller skating facilities.</li> <li>d. Outdoor, public and commercial swimming pools.</li> <li>e. Outdoor, public and commercial tennis courts.</li> </ul> <p><b>Transportation:</b></p> <ul style="list-style-type: none"> <li>a. Bus facilities, including pick up shelters.</li> <li>b. Open parking lot or garage for automobiles.</li> <li>c. Taxicab office.</li> <li>d. Ticket and arrangement facilities.</li> </ul> <p><b>Property Development Standard modifications with the ZDA:</b></p> <ul style="list-style-type: none"> <li>a. Allowed building height of up to 42 feet.</li> <li>b. Allowing the garage space be counted as part of the required parking requirement (2 spaces per dwelling unit).</li> </ul> |
| <p><b><u>Property Line Setbacks:</u></b><br/>(per building)<br/>Front Yard: 20' minimum from property line.<br/>Side Yard: 7' minimum to the side property line.<br/>Rear Yard: 20' minimum from property line.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p><b><u>Property Line Setbacks:</u></b><br/>(per building)<br/>Front Yard: 20' minimum from property line.<br/>Side Yard: 5' minimum to the side property line.<br/>Rear Yard: 15' minimum from property line.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b><u>Off Street Parking:</u></b><br/>Residential: 2 off street parking spaces per dwelling unit.<br/>Non-Residential: Follow City Code 10-10</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p><b><u>Off Street Parking:</u></b><br/>Residential: 2 off street parking spaces per dwelling unit.<br/>Non-Residential: Follow City Code 10-10</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p><b><u>Building Height:</u></b><br/>No building shall exceed thirty-five feet (35') in height.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p><b><u>Building Height:</u></b><br/>No building shall exceed thirty-five feet (35') in height.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



**Date:** Tuesday, June 10, 2025  
**To:** Planning and Zoning Commission  
**From:** Lisa Strickland, City Planner

## **ACTION ITEM**

### **Request:**

Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 3.06 acres on property located at the 500 block of South Hills Rd. c/o Gerald Martens (PZ25-0043).

### **Time Estimate:**

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

### **Background:**

This is a request to annex approximately 3 acres located along the 500 block of South Hills Rd into the city limits with an R-2 zoning designation.

### **Approval Process:**

**Per City Code 10-15-1:** Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and Zoning Ordinance changes for the unincorporated area. The Council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the Commission.

**Per City Code 10-15-2 (A),** the commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

### **Budget Impact:**

N/A

### **Regulatory Impact:**

Annexation of this property will affect the regulations by which this property is enforced. Currently the Area of Impact is managed by Twin Falls County. If annexed, the property will fall under the regulatory policies of the City of Twin Falls.

### **History:**

Currently, the subject property is undeveloped with no significant history. However, the surrounding property to the south was recently rezoned to R-2 as the second phase of the Sundance Subdivision. This development has a platted subdivision that will consist of 285 residential lots.

### **Analysis:**

The subject property is located within the City's Area of Impact and abuts the city limits along the south and east side of the property. The property is designated as Town Neighborhood on the Future Land Use Map. This designation is characterized as residential with clustered developments consisting of 2-10 dwelling units per acre. Typical land uses found within this designation are single-family, duplex,

townhomes, parks, recreational areas, schools and civic facilities.

Keeping in mind that the comprehensive plan designation is a guide and is not specific to property boundaries, the designation does represent what would generally be compatible with the surrounding area. With the property to the south being residential and with similar development to the north, rezoning the property to R-2 would be both compatible with the comprehensive plan designation and the neighboring properties.

**Conclusion:**

Upon conclusion, prior to annexation of an unincorporated area, the council shall receive a recommendation from the commission on the appropriate zoning designation of the property. This recommendation will allow the council to hold a public hearing to make a final decision on the zoning designation and annexation of property. The recommendation from the commission may be to recommend approval as presented, recommend denial, recommend an alternative zoning designation or table the request to acquire new information.

**Attachments:**

1. PZ25-0043 Vicinity Map
2. PZ25-0043 Zoning & FLU
3. PZ25-0043 Applicant Narrative
4. PZ25-0043 Boundary Exhibit

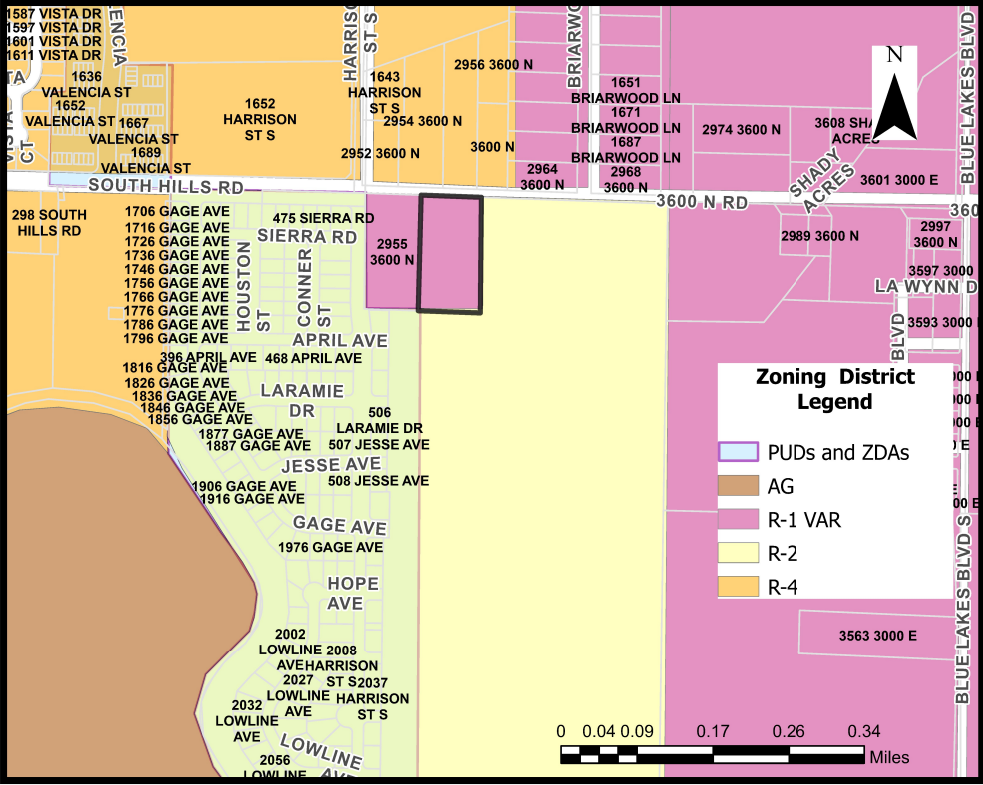


# Vicinity Map





# ZONING MAP



## Zoning

Current Zoning: County Jurisdiction

Current Land Use Designation: Town Neighborhood

Proposed Land Use Designation: NA

Proposed Land Use: Residential R-2

## Surrounding Area

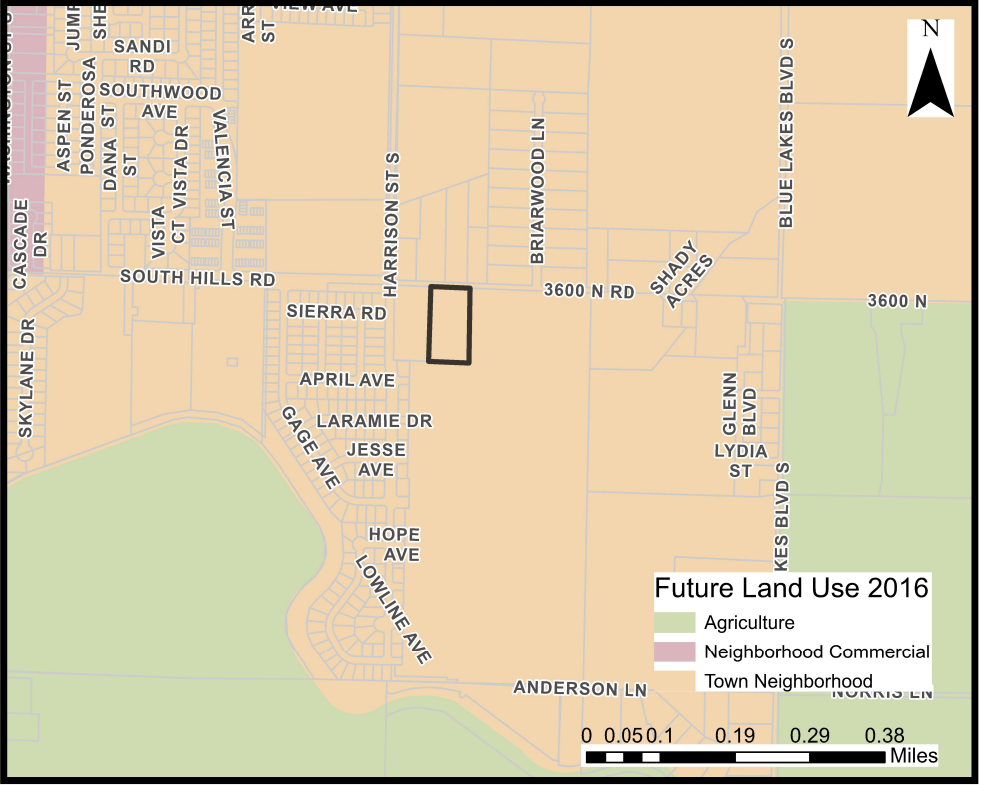
North: South Hills Rd / Residential

South: Undeveloped Sundance Subd

East: Rural Residential

West: Residential

# FUTURE LAND USE MAP



## Regulations

10-1-4, 10-1-5, 10-15, 10-4-4

## FLU Category

Town Neighborhood: Primarily Residential, smaller lot sizes, clustered development

Land Use Type: Single Family, Duplex, Townhomes, Parks, Recreational Areas, Schools, Civic Facilities

#### Reason for Request

To allow Development as an R2 Residential Subdivision that is totally comparable with Sundance Subdivision that is adjacent to the East and South borderlines of Parcel to be annexed.

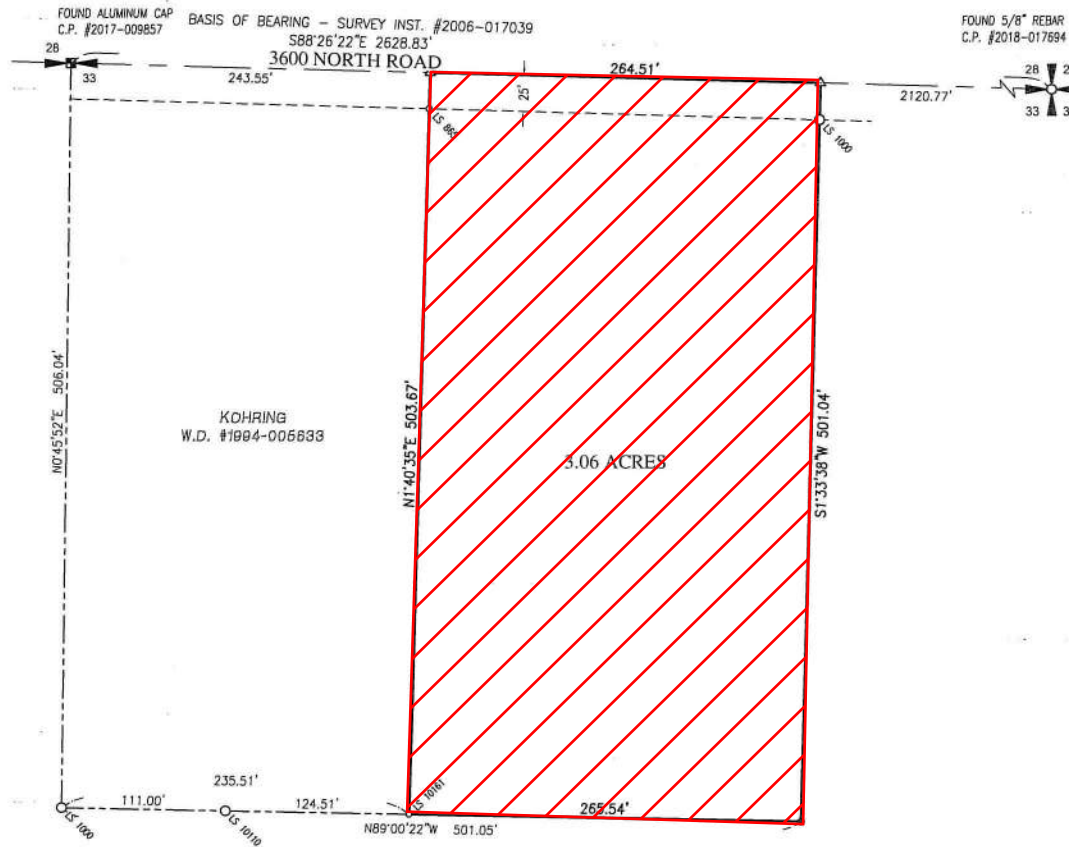
The annexation also allows frontage road and utilities to be developed concurrently with the adjacent Sundance Subdivision.

The proposed Residential Subdivision is in conformance with the comprehensive Plan, Compatible with adjacent development and will be developed within the next two years as an R2 Residential Subdivision.

Located In  
A Portion of  
NW <sup>4</sup> NE <sup>4</sup>, Section 33  
Township 10 South, Range 17 East  
Boise Meridian  
Twin Falls County, Idaho  
2025



0 30 60 120  
SCALE IN FEET



### Legend

|                                          |  |
|------------------------------------------|--|
| SURVEY BOUNDARY LINE                     |  |
| SECTION LINE                             |  |
| ADJACENT PROPERTY LINE                   |  |
| COUNTY ROADWAY EASEMENT LINE             |  |
| CALCULATED POINT (NOT SET)               |  |
| FOUND 5/8" REBAR (AS NOTED)              |  |
| FOUND 1/2" REBAR (AS NOTED)              |  |
| FOUND ALUMINUM CAP                       |  |
| SET 1/2" x 24" REBAR<br>& CAP - LS 10110 |  |

### Survey References

#0000-915082  
#1991-012668  
#1994-003131  
#2006-017039  
#2020-010827 - SUNDANCE SUBDIVISION NUMBER 2, A PUD

### Deed References

#2006-018215  
#1994-005633

### Surveyor's Narrative

THE PURPOSE OF THIS SURVEY IS TO LOCATE AND MONUMENT THE BOUNDARY OF THE PARCEL OF LAND DESIGNATED AS "RPT10S17E33J0801" AND DESCRIBED IN DEED #2006-018215 (DOES NOT MATHEMATICALLY CLOSE). THE DEED IS NOT CONSISTENT WITH THE SURVEY RECORDED BY DENNIS ZIMMERMAN AND ROGER KRUGER. A NEW LEGAL DESCRIPTION HAS BEEN PREPARED BASED ON THIS SURVEY.

THE NORTHWEST, NORTHEAST AND SOUTHWEST CORNERS WERE FOUND PER RECORDED SURVEY MENTIONED HEREON. THE SOUTHEAST CORNER WAS RESET PER THE DEED AND RECORD OF SURVEY #2006-017039.



### CERTIFICATE OF SURVEYOR

I, CHRISTOPHER S. HARMISON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, IN THE STATE OF IDAHO, AND THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND IS AN ACCURATE REPRESENTATION OF SAID SURVEY. IT IS IN CONFORMITY WITH THE CORNER PERPETUATION AND FILING ACT, STATE OF IDAHO CODE 55-1601 THROUGH 55-1612 AND TO THE IDAHO CODE RELATING TO SURVEYS.

Record of Survey  
for  
GERALD MARTENS

|           |               |
|-----------|---------------|
| JOB NO.   | 070-15        |
| APPROVED  |               |
| DESIGN    |               |
| DRAWN     | CSH           |
| DATE      | MAR 2025      |
| SCALE     | As Shown      |
|           | V 070-15 CTRL |
| Sheet No. | 1             |





**Date:** Tuesday, June 10, 2025  
**To:** Planning and Zoning Commission  
**From:** Lisa Strickland, City Planner

## **ACTION ITEM**

### **Request:**

Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 52.55 acres on property located at 4100 N 2700 E. c/o EHM Engineers, Inc on behalf of South Canyon Farms, LLC (PZ25-0004).

### **Time Estimate:**

Approximately 5-10 minutes for the presentation with public comment, questions/discussion to follow.

### **Background:**

This is a request for annexation of approximately 52 acres located generally at 4100 N 2700 E. The applicant is seeking the entirety of the property to be zoned C-1.

### **Approval Process:**

To initiate annexation, the property owner must request incorporation into the City Limits. The property must be within the city's utility services boundary, and either contiguous to or surrounded by the city. The subject property is contiguous along its southern boundary, and the service boundary in this area has been expanded westward to include properties along Pole Line Rd.

**Per City Code 10-15-1**, prior to the annexation of an unincorporated area, the City Council must seek and obtain a recommendation from the Planning and Zoning Commission regarding proposed plan and zoning ordinance changes. The Council shall neither hold a public hearing nor give notice of a proposed hearing, nor take any action on the plan, amendment, or repeal until the Commission's recommendations have been received.

**Per City Code 10-15-2 (A)**, the Commission is required to conduct at least one public hearing, where interested parties can be heard. The hearing should focus solely on the proposed plan and zoning changes and shall not entertain comments on annexation (Ord. 2012, 7-6-1981).

### **Budget Impact:**

N/A

### **Regulatory Impact:**

Annexation of this property will transition regulatory jurisdiction from Twin Falls County to the City of Twin Falls.

### **History:**

After receiving a recommendation from the Planning and Zoning Commission, on April 7, 2025, the Council reviewed a request including the subject property and others south of Pole Line Rd W, aiming to amend the comprehensive plan and expand the city's utility service area. This amendment creates opportunities for properties to request annexation, zoning changes, and access to city services. The Council approved this request on June 2, 2025, by resolution.

**Analysis:**

The comprehensive plan amendment enabled the Council to establish future land use designations for this area. The decision was to maintain a commercial corridor along Pole Line Rd W, with Town Neighborhood to the north and south of the corridor. These designations guide development patterns and are not bound by property lines but do serve as a visual aid for determining the division of commercial and residential planning allowing the commission to make a more compatible zoning recommendation.

Currently, this area is predominantly under county jurisdiction but generally exhibits a mixture of commercial and residential use to the south and east, with commercial areas adjacent to Pole Line Rd. Properties in the area are primarily zoned either C-1 (Commercial Highway District) or R-2 (Residential Single-Family/Duplex):

- The R-2 Residential Zone supports residential development, ensuring sufficient personal space and privacy, protected from commercial and industrial intrusion, with centralized water and sewer services. Its main uses include single-family homes, duplexes, and complementary facilities like schools, religious institutions, cultural spaces, and parks.
- The C-1 Zone accommodates various commercial activities, offering businesses access to customers and is suited for major roadways.

Zoning needs to be generally aligned with the comprehensive plan and most suitable to the surrounding area. Because of this, Staff would recommend zoning the southern quarter-mile of the property as C-1, and the remainder as R-2 to be more harmonious with the neighboring zones. Rezoning the entire property as commercial would appear to be inappropriate given its lack of proximity to other commercial development along Pole Line Rd and the potentially adverse impact on an area that has historically been used for agriculture. A blend of commercial development along the highway with residential areas to the north would be considered more appropriate and align with the comprehensive plan amendments that were just made.

**Conclusion:**

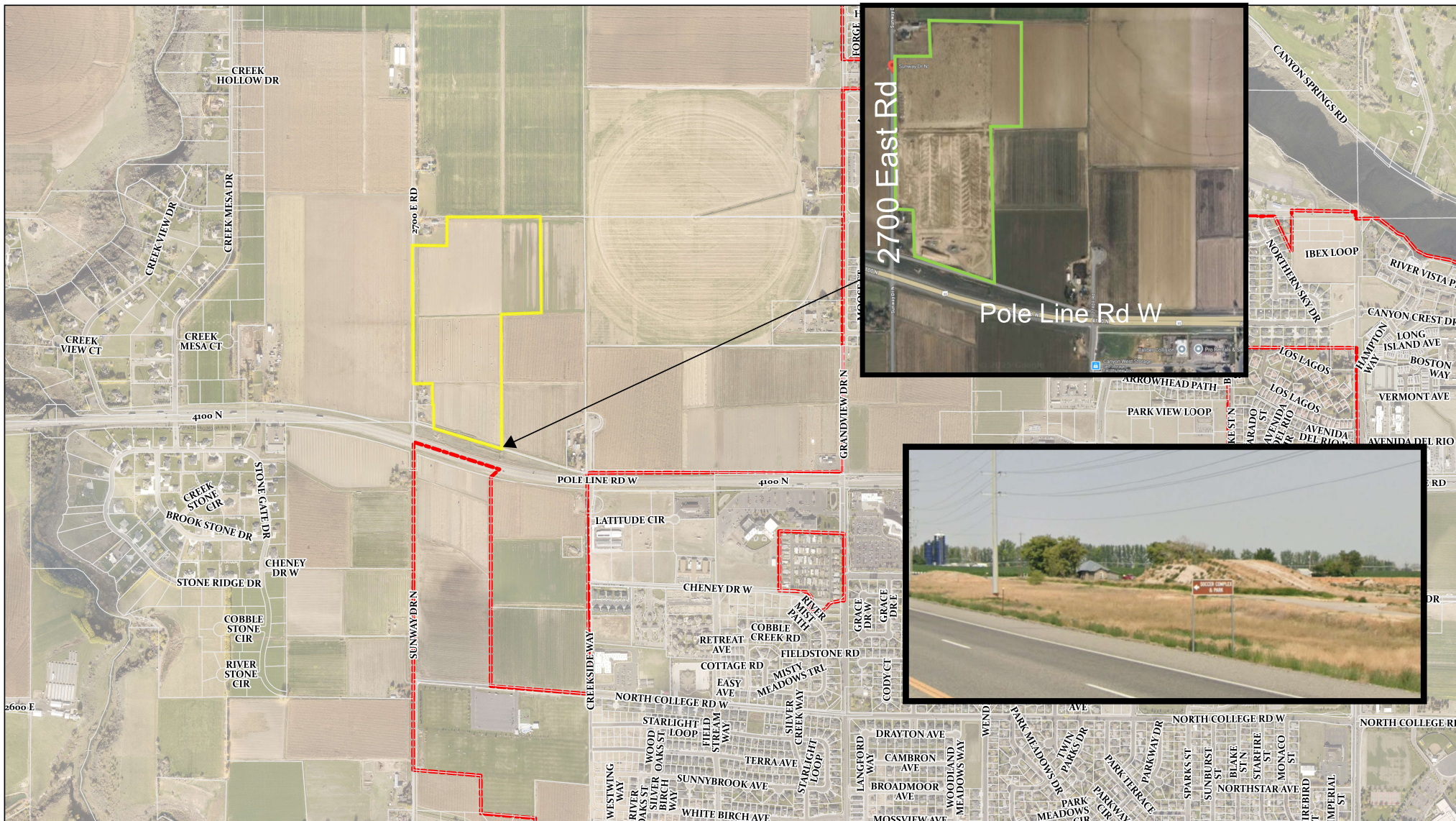
Upon conclusion, the Commission may recommend approval as it was requested, suggest an alternative zoning designation, recommend denial or table the request for additional information. This recommendation is then forwarded to the Council for a public hearing, to be followed by a final decision.

**Attachments:**

1. PZ25-0004 Vicinity Map
2. PZ25-0004 County Zoning Map
3. PZ25-0004 Zoning & FLU Map
4. PZ25-0004 Distance Illustration
5. PZ25-0004 Zoning Comparison
6. PZ25-0004 Applicant Narrative

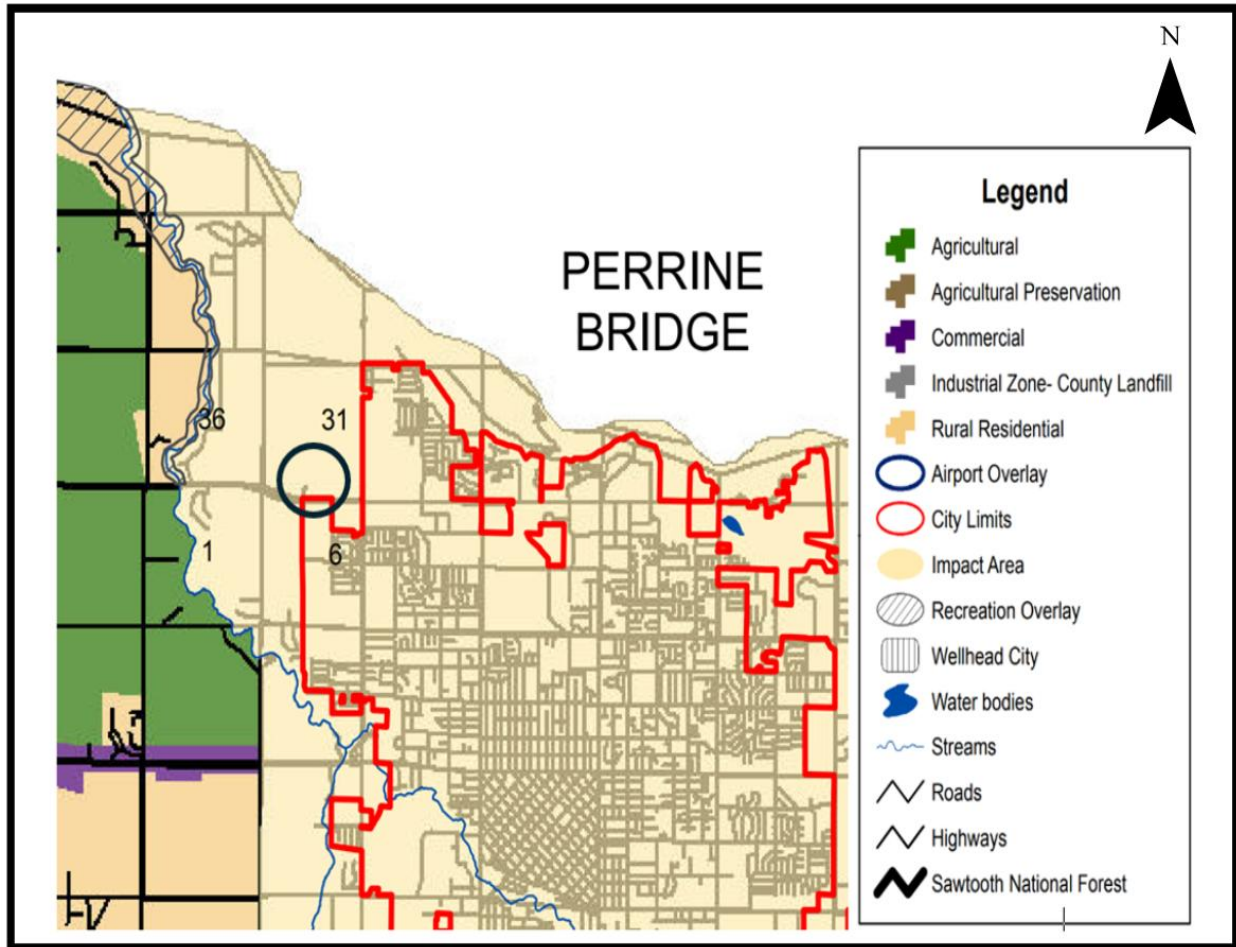


# Vicinity Map



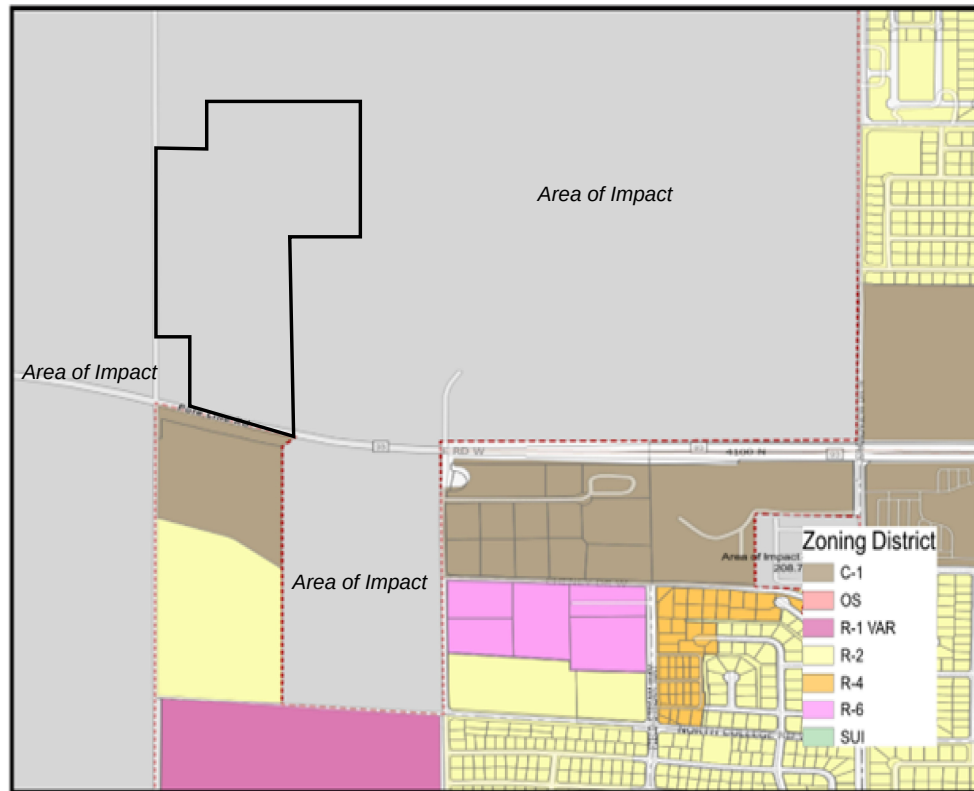


# COUNTY ZONING MAP





## Zoning Map



### Zoning

Current Zoning: Area of Impact

Current Land Use Designation: Town Neighborhood/Commercial

Proposed Land Use Designation: R-2

Proposed Land Use: NA

### Surrounding Area

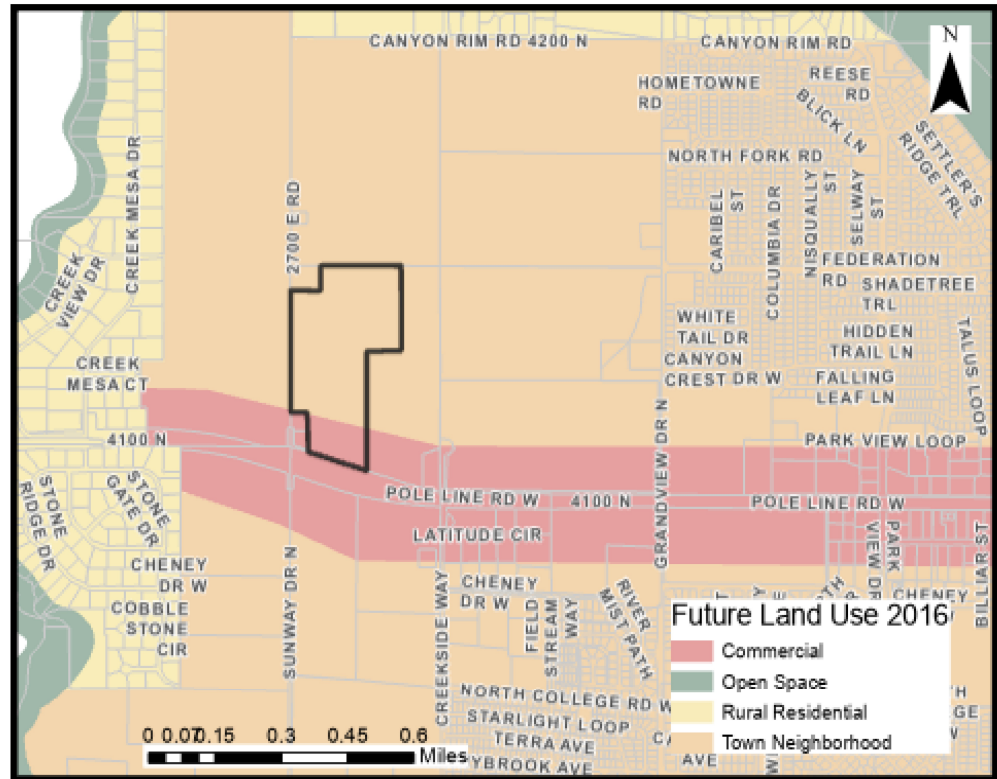
North: Agricultural

South: Pole Line Rd W

East: Agricultural

West: 2700 E

## FUTURE LAND USE MAP



### Regulations

10-1-4, 10-1-5, 10-15

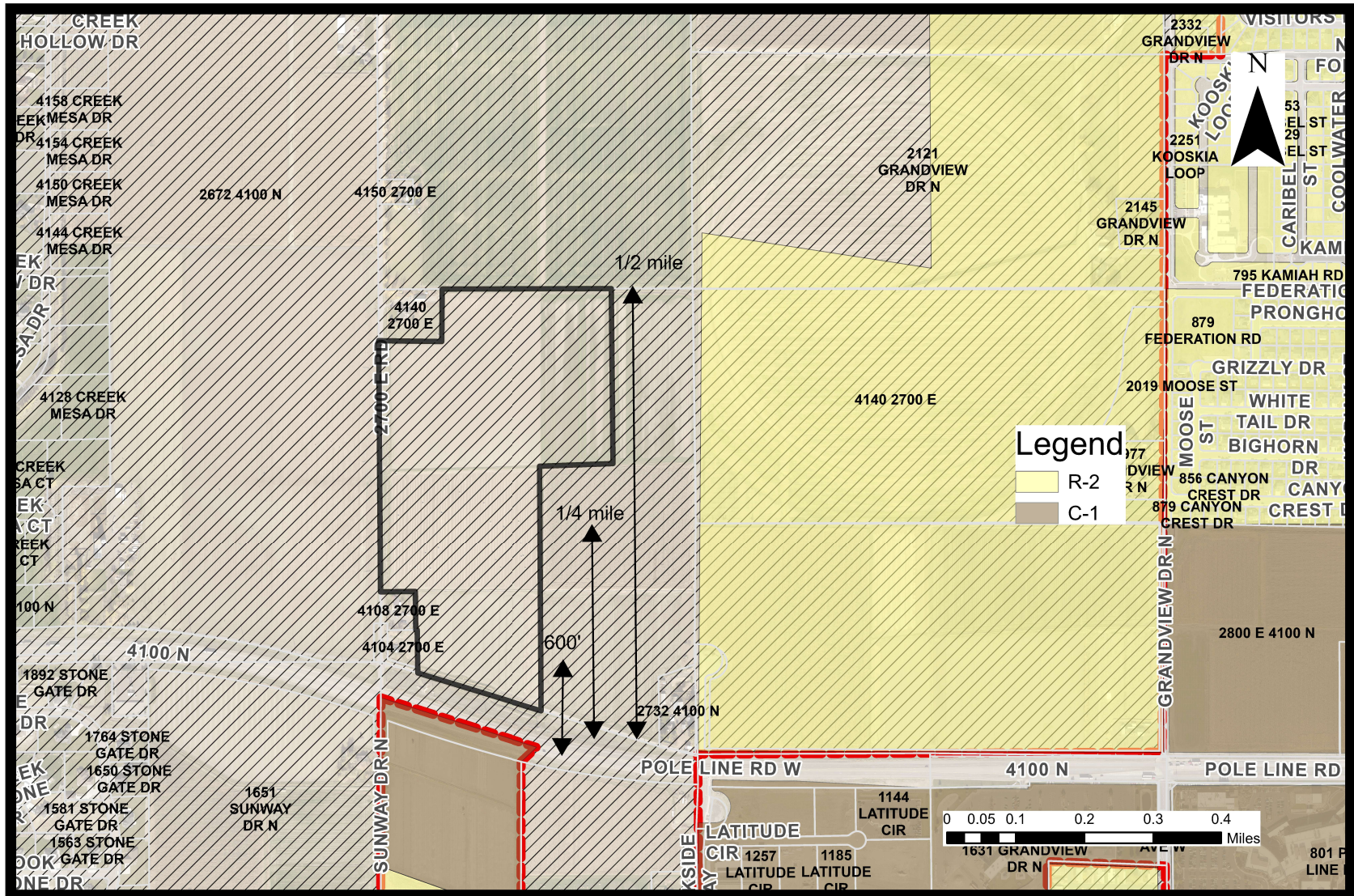
### FLU Category

Town Neighborhood: Primarily Residential, smaller lot sizes, clustered development  
Land Use Type: Single Family, Duplex, Townhomes, Parks, Recreational Areas, Schools, Civic Facilities

Commercial: Highway Oriented, Large Scale, Connects Businesses to Customers  
Land Use Type: Retail, Hotels, Offices, Restaurants



# Distance Illustration



# R-2

Zoning Regulations



**10-4-4: R2, RESIDENTIAL SINGLE  
HOUSEHOLD OR DUPLEX DISTRICT:**   
**10-4-4.1: PURPOSE:**

This district is intended to promote and preserve residential development and to provide a low density residential environment with a mix of both single household and duplex dwellings in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required. (Ord. 2526, 5-20-1996)

**10-4-4.2: USE REGULATIONS:**

**(A) Permitted Uses:**

- 1. Communications and utilities** Structures <25 sq ft. and <3' above ground
- 2. Parks:**
- 3. Residential:**
  - a. Dwellings - detached single household.
  - b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
  - d. Dwellings - duplex.

**(B) Special Uses:**

- 1. Communications and utilities**  
Structures >25 sq ft. and >3' above ground
- 2. Cultural Facilities:**
- 3. Governmental Facilities:**
- 4. Parks:**
- 5. Public assembly:**
  - a. Auditoriums, Schools, Religious Facilities
- 6. Residential:**
  - a. Home occupations.
  - c. Bed and breakfast facilities.
- 7. Services:**
  - a. In home daycare services.
- 8. Sports Facilities:**
  - a. Golf courses and country clubs.
  - b. Outdoor, public and commercial ice and roller skating, swimming pools, tennis courts.
- 9. Transportation:**
  - a. Bus facilities and shelters.

**10-4-4.3: PROPERTY DEVELOPMENT  
STANDARDS:**

**(A) Lot Area:**

- a. The minimum lot area shall be six thousand (6,000) square feet for a single household dwelling and ten thousand (10,000) square feet for a duplex dwelling.

**(B) Lot Occupancy:** No more than sixty percent (60%) of a lot.

**(C) Building Height:** shall not exceed thirty five feet (35')

**(D) Yards:**

1. Front Yard:  
(20') to the front property line.
2. Side Yard:  
(7') to the side property line.
3. Rear Yard:  
(20') to the rear property line

# C-1

Zoning Regulations

## **10-4-8: C1, COMMERCIAL HIGHWAY**

### **DISTRICT:**

#### **10-4-8.1: PURPOSE:**

This district is intended to provide for commercial activities of various sizes from large malls to small shops, fast food restaurants and tourist accommodations. This district is designed for application on major streets or portions thereof. (Ord. 2526, 5-20-1996)

#### **10-4-8.2: USE REGULATIONS:**

##### **(A) Permitted Uses:**

###### **1. Communications and utilities:**

- a. Radio and television stations without transmission and receiving towers.
- b. Telegraph centers and telegraph stations.
- c. Telephone exchange stations.
- d. Underground and aboveground transmission lines.
- e. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') above ground.

###### **2. Cultural facilities:**

- a. Botanical gardens and arboretums.

- b. Historic sites and monuments.
- c. Libraries, museums and art galleries.
- d. Planetariums and aquariums.

###### **3. Governmental facilities:**

- a. Fire stations and police stations.
- b. Governmental office buildings.
- c. Judicial facilities.

###### **4. Manufacturing:**

- a. Business park ZDA only.

###### **5. Medical Facilities:**

- a. Acupuncture facilities approved by the South-Central district health department or other state regulatory agency.
- b. Ambulance service.
- c. Doctors' offices.
- d. Drug and alcohol treatment centers.
- e. Hospitals and clinics.
- f. Rehabilitation services.

###### **6. Parks:**

- a. Open space.
- b. Park concessions.
- c. Private parks and playgrounds without crowd attracting facilities.
- d. Public parks and playgrounds without crowd attracting facilities.
- e. Public parks and playgrounds with crowd attracting facilities.

###### **7. Public assembly:**

- a. Auditoriums.
- b. Funeral chapels.
- c. Religious facilities.
- d. Schools - private, single purpose.
- e. Schools - private, vocational and/or academic.
- f. Schools - public.
- g. Theaters - indoor.
- h. Wedding chapels and/or reception halls.

###### **8. Residential:**

- a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
- b. Bed and breakfast facilities.
- c. Dwellings - multiple households (5 units or more).
- d. Home occupations.
- e. Household units existing at the time this title was adopted.
- f. Household units in the same building as an allowed use and occupied by the owner or an employee of the allowed use.
- g. Household units in upper floor of commercial or professional buildings.
- h. Nursing homes and rest homes.



- i. Residence halls, residence hotels, rooming houses.

**9. Retail trade:**

- a. Alcoholic beverages when consumed on premises where sold and if located three hundred feet (300') or more from residential property.
- b. Apparel and accessories.
- c. Automobile parts store.
- d. Bakery.
- e. Bookstore.
- f. Commercial greenhouses.
- g. Craft shop, in conjunction with retail business.
- h. Eating places.
- i. Farm and garden supplies.
- j. Florist shop.
- k. Food, drugs, etc.
- l. General merchandise.
- m. Hardware store.
- n. Hobby and toy store.
- o. Home furnishings and equipment.
- p. Ice cream store.
- q. Import store.
- r. Laundering and dry cleaning.
- s. Laundromats.
- t. Lumber, plumbing and/or electrical supply stores.
- u. Music store.
- v. Pawnshop.

- w. Pet shop.
- x. Sporting goods store.
- y. Taxidermy studio.
- z. Temporary automobile, truck and recreational vehicle sales permitted with staff approval, provided that there shall be state approval, no parking or display of vehicles in landscaped areas, and no sight obstructions.

**10. Services:**

- a. Advertising.
- b. Apparel repair and alteration.
- c. Beauty and barber shops.
- d. Building care contracting offices.
- e. Business associations.
- f. Civic, social and fraternal organizations.
- g. Construction trade offices.
- h. Consumer credit collection offices.
- i. Copy center - self-service.
- j. Daycare services.
- k. Dog grooming and/or kennels.
- l. Duplicating and stenographic offices.
- m. Employment agency.
- n. Finance and investment offices.
- o. Horticultural services.
- p. In home daycare services.
- q. Insurance and related business.
- r. Labor unions and organizations.

- s. Photography studios.
- t. Professional organizations.
- u. Professional services.
- v. Real estate and related business.
- w. Tourist information center.
- x. Welfare and charitable facilities.

**11. Sports facilities:**

- a. Athletic areas.
- b. Miniature golf courses.
- c. Outdoor, public and commercial ice- and roller-skating facilities.
- d. Outdoor, public and commercial swimming pools.
- e. Outdoor, public and commercial tennis courts.

**12. Transportation:**

- a. Bus facilities, including pick up shelters.
- b. Open parking lot or garage for automobiles.
- c. Taxicab office.
- d. Ticket and arrangement facilities.

**(B) Special Uses:**

**1. Communications and utilities:**

- a. Radio and television stations with wireless communications facilities.
- b. Utility owned buildings and structures more than twenty-five (25) square feet in area or more than three feet (3') above ground.

**2. Cultural facilities:**

- a. Cemeteries.
- b. Zoos.

**3. Government facilities:**

- a. Jails, detention centers, work release centers.
- b. Water treatment plants.
- c. Government open storage yard.

**4. Manufacturing:**

- a. Handcrafted furniture.

**5. Medical facilities:**

- a. Animal hospital - large animals.
- b. Animal hospital - small animals.
- c. Prosthetics - sales, service and/or construction.

**6. Miscellaneous:**

- a. Any facility with drive-through service.

**7. Parks:**

- a. Amusement parks.

**8. Public assembly:**

- a. Exhibition halls.
- b. Fairgrounds.
- c. Sports arena.
- d. Theaters - outdoor.

**9. Residential:**

- a. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.
- b. Motels and transient hotels.

- c. RV and camping parks.
- d. Shelter homes.

**10. Retail trade:**

- a. Alcoholic beverages when consumed on the premises where sold if located less than three hundred feet (300') from residential property.
- b. Automobile and recreational vehicle rental/storage yard.
- c. Automobile and truck sales and/or rentals.
- d. Car wash facilities.
- e. Equipment rental.
- f. Fuel sales (bulk).
- g. Gasoline service stations.
- h. Large implement and heavy equipment sales and/or rentals.
- i. Manufactured/mobile home sales and/or rentals.
- j. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
- k. Sporting vehicles and motorcycles - sales and/or rentals.
- l. Storage unit rentals.
- m. Tire shops.

**11. Services:**

- a. Appliance repair.
- b. Auctions and/or public sales.
- c. Automobile and truck service and/or repair.

- d. Furniture repair/upholstery.
- e. Publishing and printing business.
- f. Sporting vehicles and motorcycles - service and repair.
- g. Tattoo parlors or derma graphic studios approved by the South Central district health department or other state regulatory agency.
- h. Testing laboratories.

**12. Sports facilities:**

- a. Go-cart tracks.
- b. Golf courses and country clubs.
- c. Golf driving ranges.
- d. Indoor recreation facility.

**13. Transportation:**

- a. Freight transfer points.
- b. Open parking lot or garage for trucks and buses.
- c. Packing and crating.
- d. Trucking facilities.

**14. Wholesale:**

- a. Wholesale distribution and warehousing but excluding H-1 facilities.

### **10-4-8.3: PROPERTY DEVELOPMENT STANDARDS:**

The following property development standards shall apply to all land and buildings in the C1 district:

#### **(A) Lot Area:**

1. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall provide the minimum lot area of the R6 district.

#### **(B) Lot Occupancy:**

1. Commercial Uses: No requirement.
2. Residential Uses: less than five (5) units not attached to a commercial use shall conform to the lot occupancy requirements of the R6 district. (Ord. 2526, 5-20-1996)

**(C) Building Height:** No building shall exceed fifty feet (50') in height except as provided by section [10-7-3](#) of this title.

#### **(D) Yards:**

Front yards shall conform to the following standards, or section [10-7-6](#) of this title, whichever is greater:

#### **1. Commercial Uses And Residential Uses with Five Or More Units Per Building:**

**a. Front Yards:** A setback of thirty-five feet (35') shall be maintained on major arterials and fifteen feet (15') on all other streets. In developed areas which have already established building lines, this requirement may be reviewed and adjusted by the commission, subject to the following exceptions:

**b. Side and Rear Yards:** No property line setbacks are required on side yard or rear yards when adjacent to existing commercial uses, existing residential uses with five (5) or more units per building, vacant property that is zoned for nonresidential development, or vacant property that is designated on the future land use plan for nonresidential development. A property line setback of twenty-five feet (25') shall be maintained on the side yard and rear yard for buildings adjacent to existing residential uses with four (4) or fewer units per building, vacant property that is zoned for residential development or vacant property that is designated on the future land use plan for residential development.

**2. Residential Uses:** Residential uses less than five (5) units and not attached to commercial use shall conform to the yard standards of the R6 district. (Ord. 3077, 8-11-2014)

SOUTH CANYON FARMS  
ANNEXATION NARRATIVE

4a. This property lies in the northwest area of Twin Falls area of impact, north of Pole Line Road and east of 2700 East Road (Sunway Drive extended). The owners of this property are requesting annexation into the City of Twin Falls to develop the property with City services for commercial uses, including an rv park.

4.b.i. This proposed development is located adjacent to the Pole Line Road corridor which has a commercial designation of undefined depth depicted on the future land use map. Other areas along this corridor historically have expanded commercial uses to varying depths of 900 to 1,200 feet and deeper in some areas to the east due to natural land breaks. The proposed zoning resembles the land use designation as it's developed out to the east and it is reasonable to expect those areas in between this property and those to the east to develop in the same pattern as they're annexed. In relation to the comprehensive plan not only is this area placing commercial uses in an area with the characteristic of being highway-oriented it expands the utility looping north of Pole Line Road which is more limited to the east. The rv park which is anticipated to be constructed within the southern portion of the development will enhance the ability to serve tourism traveling through the area offering a place to stay for those that choose that mode of travel while enjoying leisure time in that setting.

4.b.ii. As stated, the proposed development of the subject property is similar to those closest developed properties to the east with farmland currently existing in between the two. The area to the immediate west is primarily farming operations transitioning to rural residential further to the west along Rock Creek canyon. The area to the north of the subject property is farmland and rural residential mixed. In relation to the future land use plan, it is anticipated this area would grow to contain similar uses as it develops out.

4.b.iii. The intent is to develop the plan in phases with emphasis on extension of utilities from the south side of Pole Line Road with the concentration being primarily on the area designated as the rv park and commercial being placed on the southern portion adjacent to Pole Line Road in subsequent phases as users are identified.





**Date:** Tuesday, June 10, 2025  
**To:** Planning and Zoning Commission  
**From:** Jonathan Spendlove, Planning and Zoning Director

## **ACTION ITEM**

### **Request:**

Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 20.96 acres on property located approximately at 1400 block of Sunway Drive North (aka 2700 East) c/o EHM Engineers, Inc on behalf of Believers Church, Inc (PZ25-0054).

### **Time Estimate:**

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

### **Background:**

Clay Ramirez of Believers Church, represented by David Thibault of EHM Engineers, has requested to annex approximately 21 (+/-) acres of property into city limits with the R-2 zoning designation. The subject property is generally located at the 1400 block of Sunway Drive North (aka 2700 East).

### **Approval Process:**

**Per City Code 10-15-1:** Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and Zoning Ordinance changes for the unincorporated area. The Council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the Commission.

**Per City Code 10-15-2 (A):** The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

### **Budget Impact:**

N/A

### **Regulatory Impact:**

If annexed, the subject property will be incorporated into the City of Twin Falls and fall under all regulatory authority of the City of Twin Falls.

### **History:**

The property is currently utilized as a residential property. It is located in the Twin Falls City Area of Impact.

### **Analysis:**

**The Comprehensive Plan has designated this area as Town Neighborhood.**

- The land uses typically found in the Town Neighborhood designation are: residential, schools, parks and recreation facilities, and civic facilities.

**The proposed zoning for this request is Residential Single Household or Duplex District (R-2). This zone can be characterized by the following:**

- **Purpose Statement:**
  - R-2 is "intended to promote and preserve residential development and to provide a low density residential environment with a mix of both single household and duplex dwellings in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required."
- **Sample of Permitted Uses:**
  - R-2: Single-family attached and detached; duplex; parks; etc.
- **Heights:**
  - R-2 is thirty-five (35') feet

The surrounding area is primarily in the County and zoned for larger lots. In December 2024, the City annexed the property on the east side of Sunway Drive N, which was zoned R-2 in this area. The R-2 designation seems to make sense in this area with trying to blend the county developments with proposed developments that were just annexed into the City.

**Conclusion:**

The Commission is tasked to make a recommendation to the City Council by reviewing the comprehensive plan and the requested zoning designations compatibility with the future land use map designation.

The Commission will make a recommendation to City Council to approve the requested zoning designation, as presented, recommend denial of the requested zoning designation, recommend a different zoning designation or table the request for additional information.

**Sample Motion:**

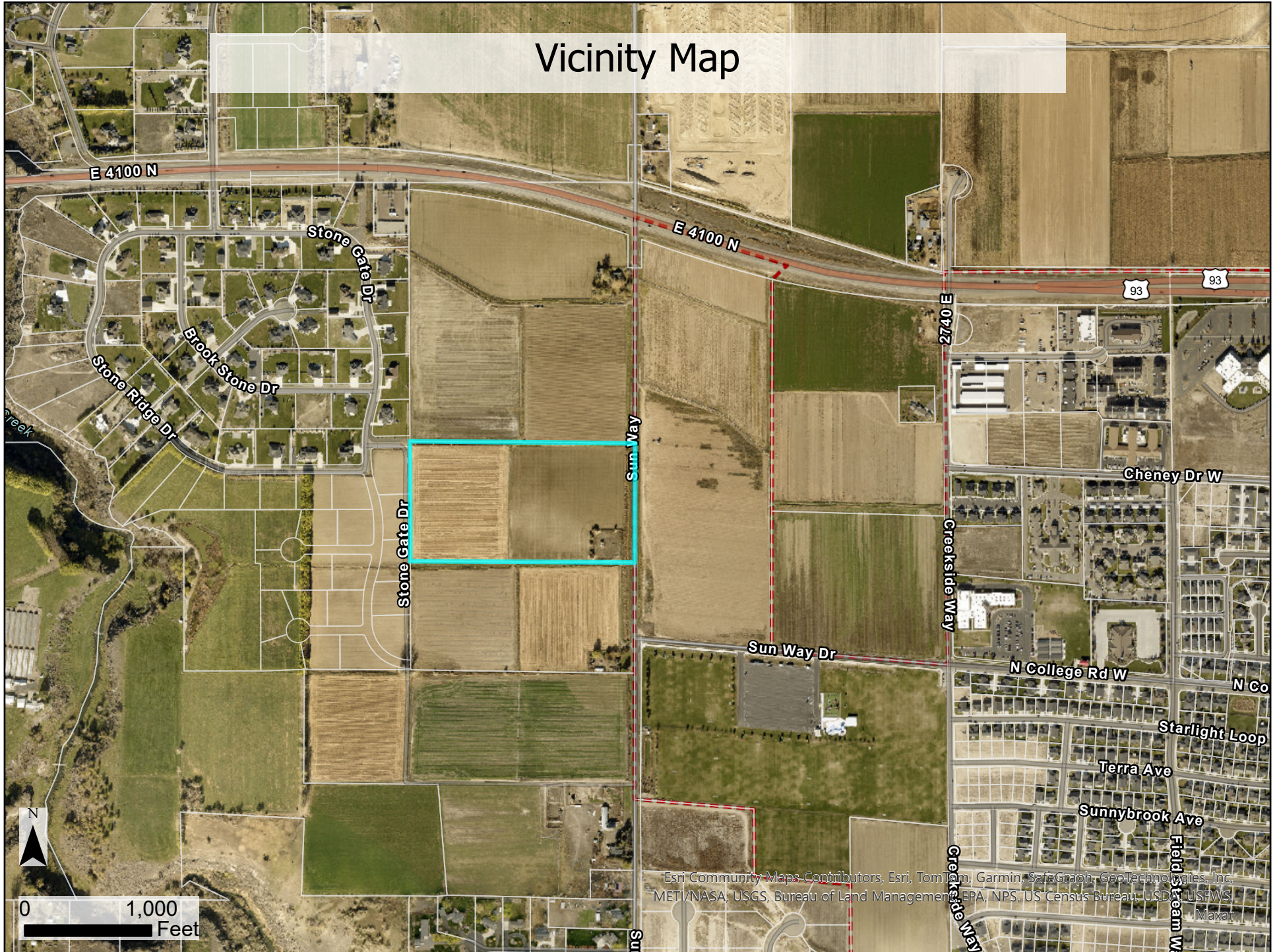
1. *Move to recommend to City Council the subject property be zoned as presented with the R-2 zoning district.*
2. *Move to recommend to City Council the subject property be zoned \_\_\_\_\_.*
3. *Move to table the request for additional information.*

**Attachments:**

1. PZ25-0054 Vicinity Map
2. PZ25-0054 Aerial Map
3. PZ25-0054 Presentation Map
4. PZ25-0054 Applicant Narrative
5. PZ25-0054 Proposed Site Plan



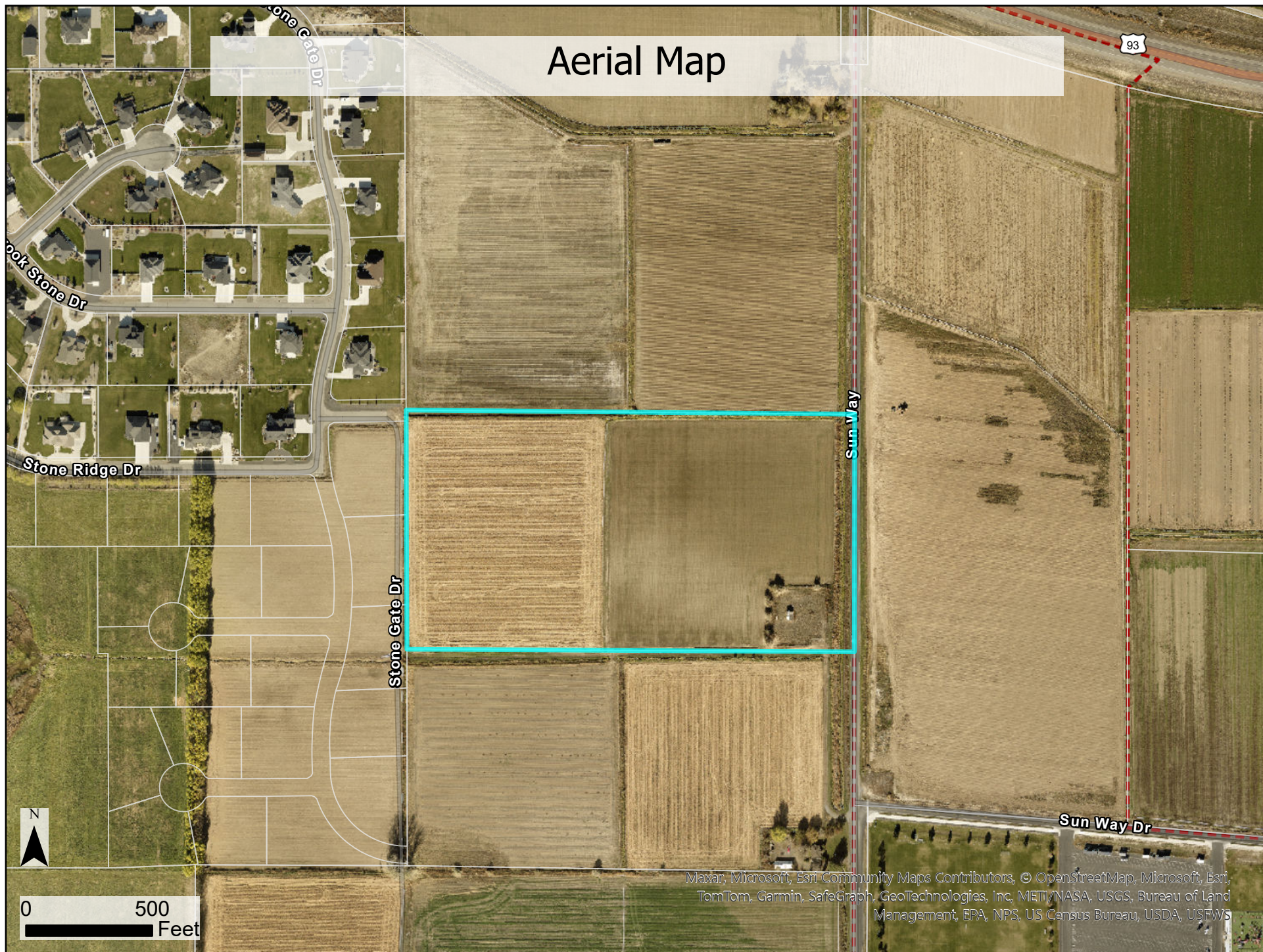
# Vicinity Map



Esri Community Maps Contributors, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, Maxar



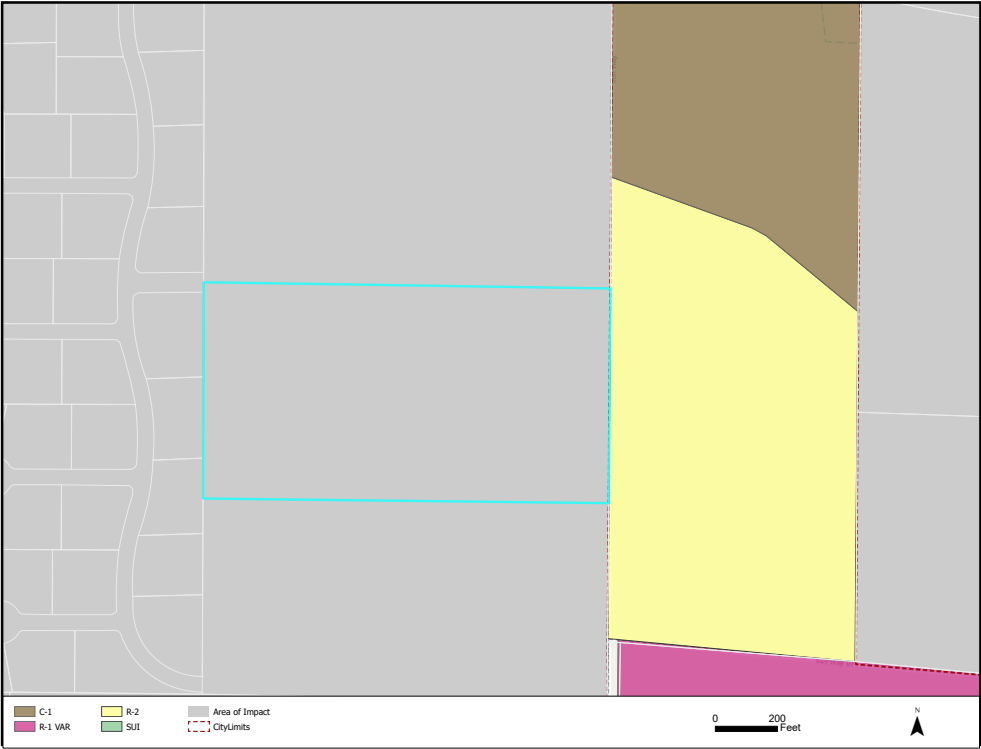
# Aerial Map



Maxar, Microsoft, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS



ZONING MAP



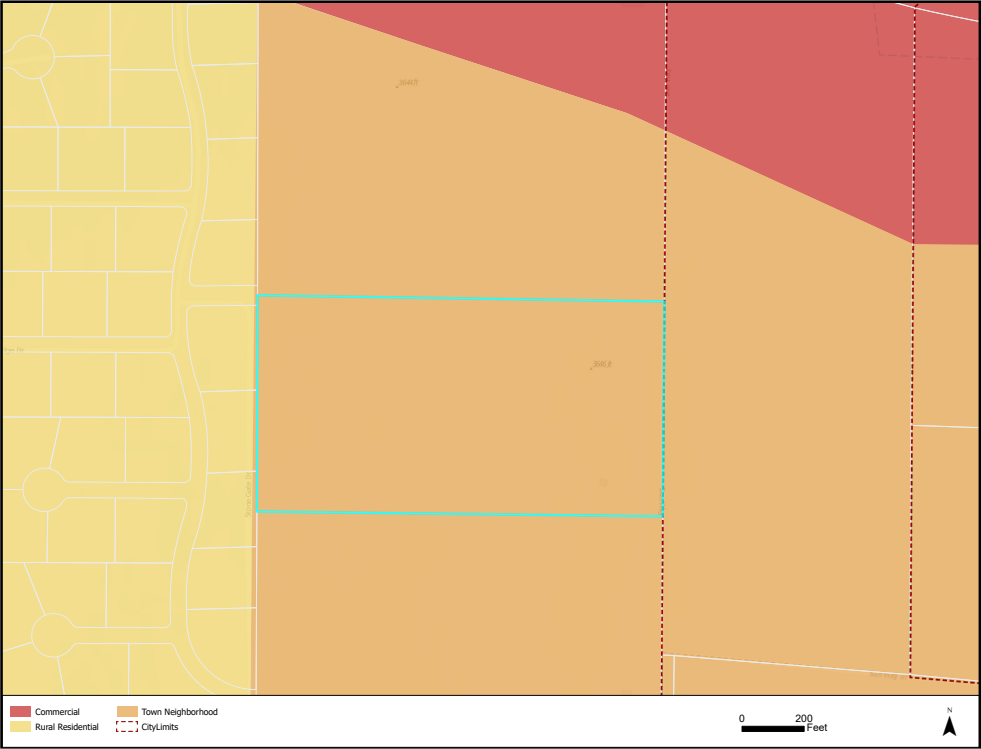
Zoning

|                    |                       |
|--------------------|-----------------------|
| Current Zoning:    | County Jurisdiction   |
| Current Land Use:  | Vacant                |
| Proposed Zoning:   | R-2                   |
| Proposed Land Use: | Religious Institution |

Surrounding Area

|        |                                    |
|--------|------------------------------------|
| North: | Agricultural (County Jurisdiction) |
| South: | Agricultural (County Jurisdiction) |
| East:  | Residential (R-2)                  |
| West:  | Residential (County Jurisdiction)  |

FUTURE LAND USE MAP



Regulations

Twin Falls Municipal Code Section(s) 10-15

Future Land Use Category

Town Neighborhood: Primarily residential in character with a desired land use mixture of single family, duplex, triplex, parks and recreation facilities, schools, and civic facilities.

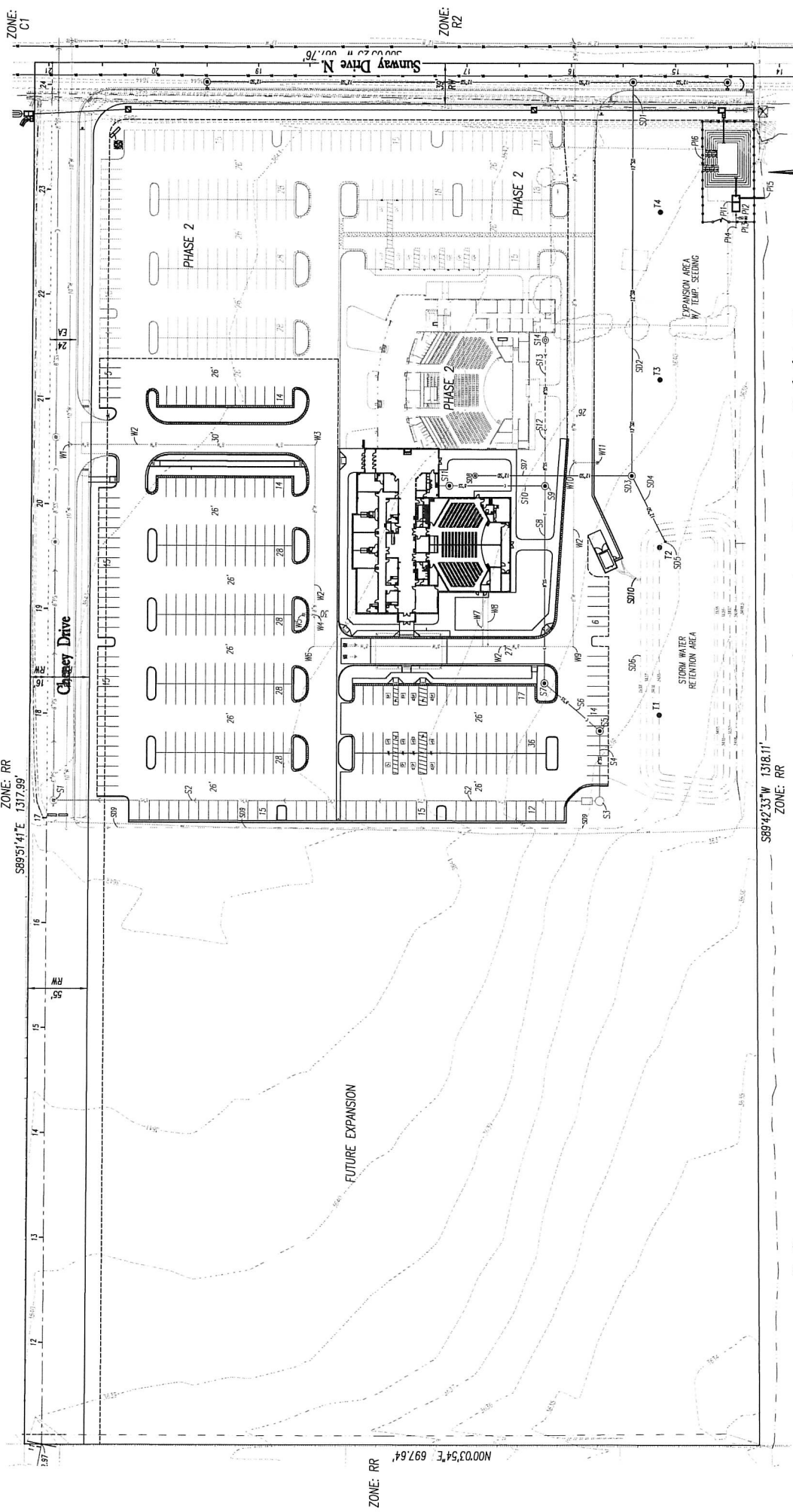
WESTERN HORIZON  
ANNEXATION NARRATIVE

4a. The owner of this property is requesting annexation into the City of Twin Falls with a zoning designation of R2 residential and a special use permit to develop the property with City services for a religious facility.

4.b.i. The request is in conformance with the comprehensive plan and future land use plan as amended. In relation to the comprehensive plan, the proposed development provides connectivity to adjacent, established corridors. The facility operates outside of peak hour traffic patterns and will provide extension of public utilities and fire protection within the area as well as needed street improvements within the area.

4.b.ii. The proposed facility provides a use that blends well with all surrounding uses and provide an amenity to the neighborhood. The area to the immediate east is currently under development for a mixture of commercial and residential uses. The land areas to the north is a one-owner parcel which is bordered on Pole Line Road to the north and is primarily agriculture in nature at this point. The lands to the west and south are similar to the one on the north being uses primarily for farming. All immediate neighbors within the area have been visited with and are generally positive regarding the application.

4.b.iii. The intent is to develop the plan in two phases with emphasis on extension of utilities through the off-site corridor and then concentrate on the construction of the first phase of the church. The remainder of the land holdings to the west may be used for expansion in the long range future.



# Annexation & Zoning Exhibit For BELIEVERS CHURCH

Located In  
A portion of  
SE4 NE4, Section 1  
Township 10 S, Range 16 E, RM.  
Twin Falls County, Idaho

## Site Data

|               |                                                                                   |                |                                                                                                                            |                |                            |
|---------------|-----------------------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------|
| OWNER:        | BELIEVERS CHURCH<br>TWIN FALLS, ID 83303<br>224 S. MAIN ST.<br>CONVIA CLAY HANREZ | EXISTING ZONE: | RR                                                                                                                         | PROPOSED ZONE: | R2 WITH SPECIAL USE PERMIT |
| ENGINEER:     | EDM ENGINEERS, INC.<br>621 N. COLLEGE RD. STE. 100<br>(208) 734-4888              | SETBACKS:      | ALL BUILDING AND YARD SETBACKS WILL BE IN ACCORDANCE WITH THE CURRENT C.O.T.F. ZONING ORDINANCES.                          |                |                            |
| ARCHITECT:    | PROJECT 29 ELEVEN<br>(208) 834-2002<br>CONTACT: NED RUTKHAUER                     | EASEMENTS:     | AS DEPICTED OR RECORDED BY SEPARATE DOC'S FOR UTILITIES AND ACCESS                                                         |                |                            |
| EXISTING USE: | CHURCH & ASSOC. USES (CONST. OVER 2 PHASES)                                       | UTILITIES:     | CITY WATER AND SEWER, PRIVATE PRESSURE IRRIGATION SYSTEM THROUGH TWIN FALLS CANYON COMPANY SHARES, JOINT TRENCH UTILITIES. |                |                            |
| PROPOSED USE: |                                                                                   | STORMWATER:    | STORM WATER FOR LOTS WILL BE MAINTAINED IN ACCORDANCE W/ CITY OF TWIN FALLS STDS.                                          |                |                            |
|               |                                                                                   | LAND AREA:     | 20.96 ACRES                                                                                                                |                |                            |





**Date:** Tuesday, June 10, 2025  
**To:** Planning and Zoning Commission  
**From:** William Klaver, Senior City Planner

## **ACTION ITEM**

### **Request:**

Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 3.86 acres on property located at 2521 Stadium Blvd. c/o David Kemp (PZ25-0049).

### **Time Estimate:**

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

### **Background:**

David Kemp has requested to annex approximately 4 (+/-) acres of property into city limits with the R-2 zoning designation. The subject property is generally located 2521 Stadium Boulevard which is located at the NW corner of the Carriage Lane North and Stadium Boulevard intersection. Currently, the property is used as a single family residential property.

### **Approval Process:**

**Per City Code 10-15-1:** Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and Zoning Ordinance changes for the unincorporated area. The Council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the Commission.

**Per City Code 10-15-2 (A):** The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

### **Budget Impact:**

N/A

### **Regulatory Impact:**

If annexed, the subject property will be incorporated into the City of Twin Falls and fall under all regulatory authority of the City of Twin Falls.

### **History:**

The property is currently utilized as a residential property. It is located in the Twin Falls City Area of Impact.

### **Analysis:**

**The Comprehensive Plan has designated this area as Commercial and Town Neighborhood.**

- The land uses typically found in the Town Neighborhood designation are: residential, schools, parks and recreation facilities, and civic facilities.

**The proposed zoning for this request is Residential Single Household or Duplex District (R-2). This zone can be characterized by the following:**

- **Purpose Statement:**
  - R-2 is "intended to promote and preserve residential development and to provide a low density residential environment with a mix of both single household and duplex dwellings in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required."
- **Sample of Permitted Uses:**
  - R-2: Single-family attached and detached; duplex; parks; etc.
- **Heights:**
  - R-2 is thirty-five (35') feet

Where the surrounding zoning designations is primarily R-2 with some R-1, Staff believes either designation would fit with the Comprehensive Plan.

**Conclusion:**

The Commission is tasked to make a recommendation to the City Council by reviewing the comprehensive plan and the requested zoning designations compatibility with the future land use map designation.

The Commission will make a recommendation to City Council to approve the requested zoning designation, as presented, recommend denial of the requested zoning designation, recommend a different zoning designation or table the request for additional information.

**Sample Motion:**

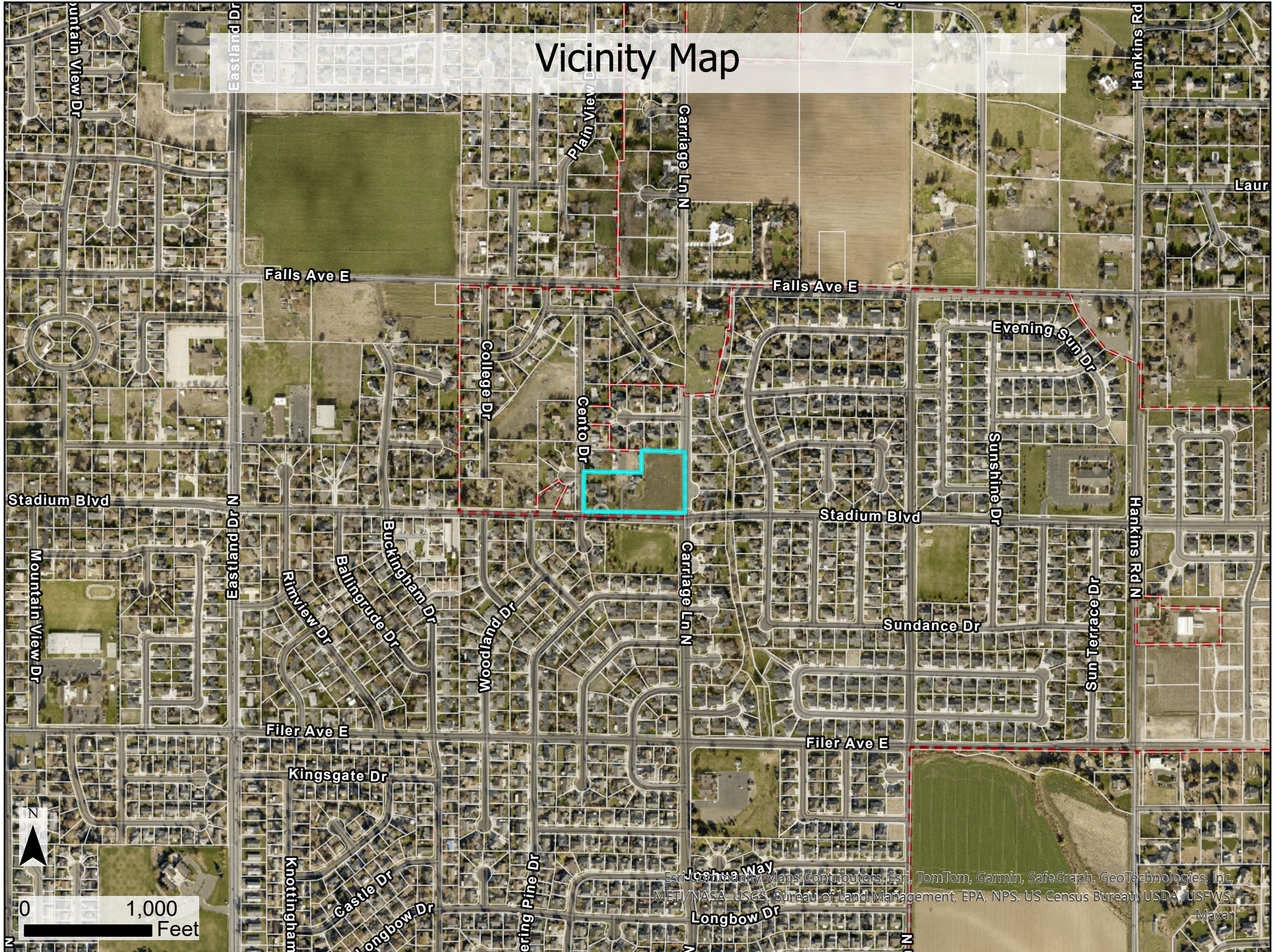
1. *Move to recommend to City Council the subject property be zoned as presented with the R-2 zoning district.*
2. *Move to recommend to City Council the subject property be zoned \_\_\_\_\_.*
3. *Move to table the request for additional information.*

**Attachments:**

1. PZ25-0049 Vicinity Map
2. PZ25-0049 Aerial Map
3. PZ25-0049 Presentation Map
4. PZ25-0049 Applicant Narrative



# Vicinity Map





# Aerial Map

748 CEN TO DR

2542  
SUNGLOW  
CIR

2550  
SUNGLOW  
CIR

2574  
SUNGLOW  
CIR

2590  
SUNGLOW  
CIR

768 CEN TO DR

2521  
STADIUM  
BLVD

Stadium Blvd

Carriage Ln N

Cento Dr

Ct

Cento Dr

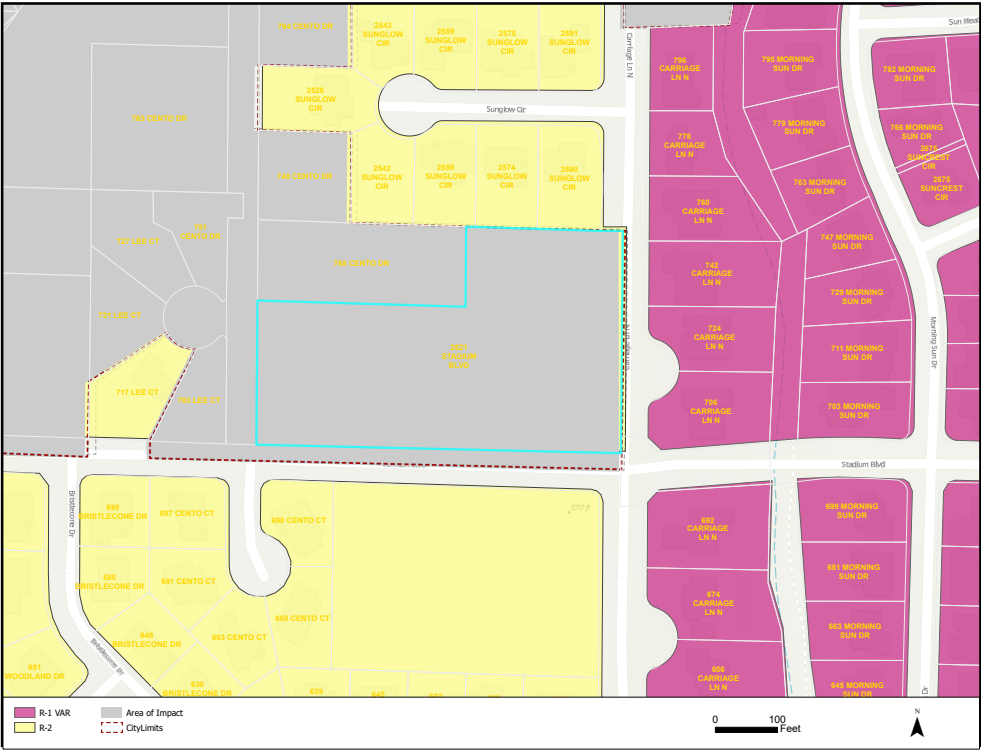


0 100 Feet

Maxar, Microsoft, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS



ZONING MAP



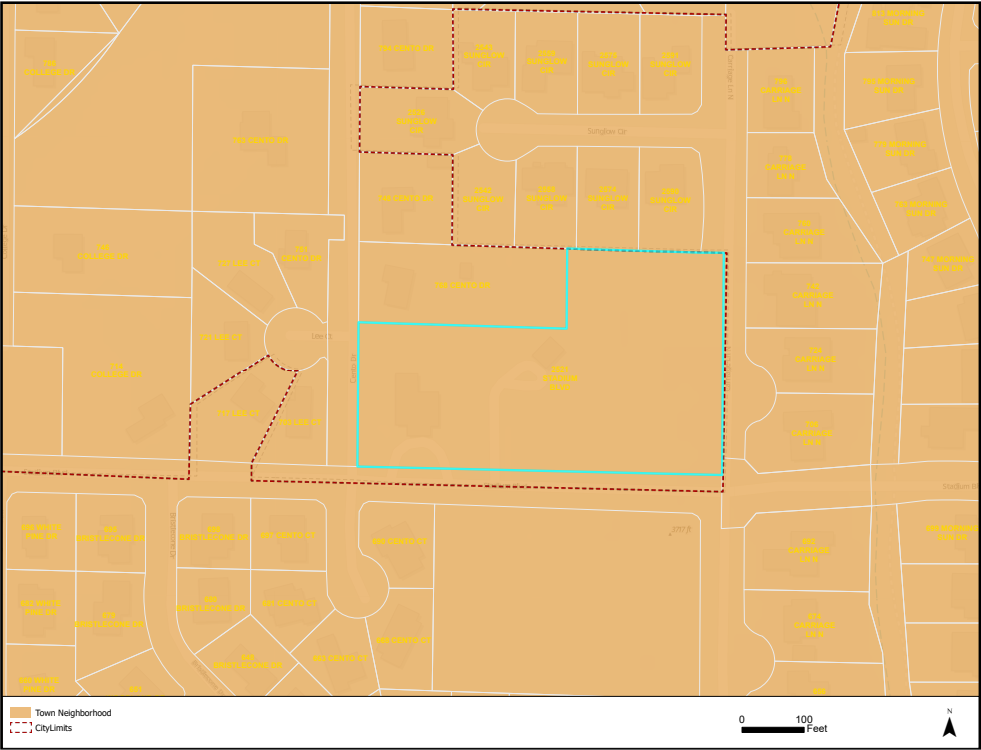
Zoning

|                    |                     |
|--------------------|---------------------|
| Current Zoning:    | County Jurisdiction |
| Current Land Use:  | Residential         |
| Proposed Zoning:   | R-2                 |
| Proposed Land Use: | Residential         |

Surrounding Area

|        |                                   |
|--------|-----------------------------------|
| North: | Residential (R-2)                 |
| South: | Residential (R-2)                 |
| East:  | Residential (R-1)                 |
| West:  | Residential (County Jurisdiction) |

FUTURE LAND USE MAP



Regulations

Twin Falls Municipal Code Section(s) 10-15

Future Land Use Category

Town Neighborhood: Primarily residential in character with a desired land use mixture of single family, duplex, triplex, parks and recreation facilities, schools, and civic facilities.

To whom it may concern,

I am requesting annexation of the 3-4 acre parcel at 2521 Stadium Blvd in order to continue the preliminary plat process with a view towards subdivision for residential use of the property which is currently bare ground and surrounded by residential development.

I anticipate this will be zoned R2 which is consistent with the comprehensive plan and is compatible with existing use which surrounds the property.

Respectfully submitted

David L Kemp





**Date:** Tuesday, June 10, 2025  
**To:** Planning and Zoning Commission  
**From:** Jonathan Spendlove & William Klaver

## **ACTION ITEM**

### **Request:**

Request for a recommendation for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Land Use Conditions". c/o City of Twin Falls (PZ24-0121).

### **Time Estimate:**

20-30 minutes for Staff presentation.

### **Background:**

\*\*\*This item was tabled during the June 4th work session for further discussion and a continuation of the public hearing to take place on June 10th. \*\*\*

In February 2018, the City Council tasked Planning and Zoning Staff to initiate a complete rewrite of Title 10: Zoning and Subdivision Regulations. The main goals of the rewrite are to accomplish the following:

1. Update the current definitions;
2. Simplify the code navigation process for users;
3. Streamline the development approval process; and
4. Make the code reflect the goals, language, and strategies of the 2016 Comprehensive Plan.

The chapter applicable to this Staff Report is "Land Use Conditions". This chapter is a major departure from the current code as this would create permitted uses with conditions and associated criteria. For many years, staff heard from applicants, Commissioners and City Council members that certain uses requiring Special Use Permits had become onerous. As times change and new land uses have been created, or changed over time, the need to have Special Use Permits and a subsequent public hearing for the majority of uses has become a detriment to businesses. The Zoning Use Permit process is proposed to be an administrative review to ensure certain site improvements have been constructed/installed per criteria outlined in the code. Once these criteria have been met, the land use may proceed to construction or operation.

These drafts have been on the City's website since April 14, 2025. Staff has not received any comments on the proposed draft.

### **Approval Process:**

**Per 10-14-2**, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

**Per 10-14-4**, Zoning amendments 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
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

**Per 10-14-5,** the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- 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.

**Budget Impact:**

N/A

**Regulatory Impact:**

If approved, this section will provide the general verbiage for the Land Use Conditions in Title 10. Prior to adoption, the entirety of Title 10 will be brought forth to the Commission and Council in its final format, where the Council will decide to proceed with an ordinance or not.

**History:**

N/A

**Analysis:**

N/A

**Conclusion:**

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The Commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

*Sample main motions:*

1. *Move to recommend approval for the proposed zoning text amendment to the Land Use Conditions chapter of Title 10 as presented;*
2. *Move to recommend approval with conditions for the proposed zoning text amendment to the Land Use Conditions chapter of Title 10; or*
3. *Move to table the item to a date certain of \_\_\_\_\_*

**Attachments:**

1. New Zoning Districts - Conversion Chart
2. PZ24-0121 Proposed Land Use Matrix
3. PZ24-0121 Proposed Land Use Conditions
4. Public Comment #1





## Zoning Districts Conversion Chart - Proposed New Names and Consolidations

| Existing Zoning Districts                                   | Proposed Changes                                                                                   | Proposed Zoning Districts                         |
|-------------------------------------------------------------|----------------------------------------------------------------------------------------------------|---------------------------------------------------|
| <b>AG</b> , Agricultural District                           | <b>AG</b> , Agricultural District to <b>AG</b> , Agricultural District                             | <b>AG</b> , Agricultural District                 |
| <b>SUI</b> , Suburban-Urban Interface District              | <b>SUI</b> , Suburban-Urban Interface District to <b>RR</b> , Rural Residential                    | <b>RR</b> , Rural Residential District            |
| <b>R1-VAR</b> , Residential Single Household District       | <b>R1-VAR</b> , Residential Single Household District to <b>TN-1</b> , Town Neighborhood 1         | <b>TN-1</b> , Town Neighborhood District 1        |
| <b>R2</b> , Residential Single Household or Duplex District | <b>R2</b> , Residential Single Household or Duplex District to <b>TN-1</b> , Town Neighborhood 1   | <b>TN-2</b> , Town Neighborhood District 2        |
| <b>R4</b> , Residential Medium Density District             | <b>R4</b> , Residential Medium Density District to <b>TN-2</b> , Town Neighborhood 2               | <b>TN-3</b> , Town Neighborhood District 3        |
| <b>R6</b> , Residential Mult-Household District             | <b>R6</b> , Residential Mult-Household District to <b>TN-3</b> , Town Neighborhood 3               | <b>CC</b> , Central City District                 |
| <b>CB</b> , Commerical Central Business District            | <b>CB</b> , Commerical Central Business District to <b>CC</b> , Central City District              | <b>CM</b> , Commercial                            |
| <b>C1</b> , Commercial Highway District                     | <b>C1</b> , Commercial Highway District to <b>CM</b> , Commercial                                  | <b>IND 1</b> , Light Industrial                   |
| <b>M1</b> , Light Manufacturing District                    | <b>M1</b> , Light Manufacturing District to <b>Ind 1</b> , Light Industrial                        | <b>IND 2</b> , Heavy Industrial                   |
| <b>M2</b> , Heavy Manufacturing District                    | <b>M2</b> , Heavy Manufacturing District to <b>Ind 2</b> , Heavy Industrial                        | <b>OS</b> , Open Space                            |
| <b>OS</b> , Open Space District                             | <b>OS</b> , Open Space District to <b>OS</b> , Open Space District                                 | <b>AP</b> , Airport District                      |
| <b>AP</b> , Airport District                                | <b>AP</b> , Airport District to <b>AP</b> , Airport District                                       | <b>MU</b> , Mixed Use                             |
| <b>OT</b> , Old Town District                               | <b>OT</b> , Old Town to <b>CC</b> , Central City District                                          | <b>CSI</b> , College of Southern Idaho District   |
| <b>CM</b> , Commerical Mixed Use District                   | <b>CM</b> , Commerical Mixed Use District to <b>MU</b> , Mixed Use District                        | <b>CRO</b> , Canyon Rim Overlay District          |
| <b>RM</b> , Residential Mixed Use District                  | <b>RM</b> , Residential Mixed Use District to <b>MU</b> , Mixed Use District                       | <b>CMT</b> , Community Market District            |
| <b>CSI</b> , College of Southern Idaho District             | <b>CSI</b> , College of Southern Idaho District to <b>CSI</b> , College of Southern Idaho District | <b>P-1</b> , No Required Parking                  |
| <b>MHO-1</b> , Mobile Home Overlay District                 | <b>MHO-1</b> , Mobile Home Overlay District to <b>ELIMINATE</b>                                    | <b>P-2</b> , Case by Case                         |
| <b>PRO</b> , Professional Office Overlay District           | <b>PRO</b> , Professional Office Overlay District <b>PRO</b>                                       | <b>PRO</b> , Professional Office Overlay District |
| <b>CRO</b> , Canyon Rim Overlay District                    | <b>CRO</b> , Canyon Rim Overlay District to <b>CRO</b> , Canyon Rim Overlay District               |                                                   |
| <b>NCO</b> , Neighborhood Commercial Overlay District       | <b>NCO</b> , Neighborhood Commercial Overlay District to <b>Applicable ZDA</b>                     |                                                   |
| <b>WHO</b> , Warehouse Overlay Historic District            | <b>WHO</b> , Warehouse Overlay Historic District to <b>ELIMINATE</b>                               |                                                   |
| <b>RB</b> , Residential Business District                   | <b>RB</b> , Residential Business District to <b>CMT</b> , Community Market                         |                                                   |

| LAND USE | OS         | PRO                         | AG          | RR                | TN-1                | TN-2                | TN-3                | MU        | CMT              | CC           | COM        | IND1             | IND2             | AP      | CSI                       |
|----------|------------|-----------------------------|-------------|-------------------|---------------------|---------------------|---------------------|-----------|------------------|--------------|------------|------------------|------------------|---------|---------------------------|
| LAND USE | Open Space | Professional Office Overlay | Agriculture | Rural Residential | Town Neighborhood 1 | Town Neighborhood 2 | Town Neighborhood 3 | Mixed Use | Community Market | Central City | Commerical | LIGHT INDUSTRIAL | HEAVY INDUSTRIAL | Airport | College of Southern Idaho |

### City of Twin Falls Title 10 Update Proposed Zoning and Land Use Matrix

PERMITTED USES, NO further Zoning Action

P

PERMITTED USE If SPECIAL USE PERMIT is issued.

S

PERMITTED USE, Zoning Admin Review for stated Req's

Z

NOT PERMITTED

| 1. AGRICULTURE & ANIMALS                                                       | OS | PRO | AG | RR | TN-1 | TN-2 | TN-3 | MU | CMT | CC | COM | IND 1 | IND2 | AP | CSI |
|--------------------------------------------------------------------------------|----|-----|----|----|------|------|------|----|-----|----|-----|-------|------|----|-----|
| Agritourism Activity (within 300' of Residential Use or Residential Zone)      |    |     | S  | S  |      |      |      |    |     |    |     |       |      |    |     |
| Agritourism Activity (more than 300' from Residential Use or Residential Zone) |    |     | P  | P  |      |      |      |    |     |    |     |       |      |    |     |
| Community Garden                                                               | P  |     | P  | P  | Z    | Z    | Z    | P  | Z   | P  | P   | P     | P    | P  | P   |
| Farm                                                                           |    |     | P  | P  |      |      |      |    |     |    |     |       |      |    | P   |
| Fish Hatchery                                                                  | S  |     | P  |    |      |      |      |    |     |    |     |       | S    |    |     |
| Farms – animals on pasture                                                     | P  |     | P  | P  |      |      |      |    |     |    |     |       |      |    |     |
| Farms – plants and trees                                                       | P  |     | P  | P  |      |      |      |    |     |    |     | P     | P    |    |     |
| Kennel - Indoor                                                                |    |     | P  |    |      |      |      |    |     | S  | P   | P     | P    |    |     |
| Kennel - Outdoor                                                               |    |     | P  |    |      |      |      |    |     |    | S   | S     | P    |    |     |
| Livestock Sales                                                                |    |     | S  |    |      |      |      |    |     |    |     | S     | P    |    |     |
| Nursery – Major                                                                |    |     | P  | S  |      |      |      |    |     |    |     | P     | P    | S  | P   |
| Nursery – Minor                                                                |    |     | P  | P  |      |      |      | P  | S   | P  | P   | P     | P    | P  | P   |
| Stable, Commercial                                                             |    |     | P  |    |      |      |      |    |     |    |     |       | S    |    | S   |
| Veterinary Clinic -Minor                                                       |    |     | P  |    |      |      |      | S  | S   | S  | S   | P     | P    |    | P   |
| Veterinary Clinic – Major                                                      |    |     | P  |    |      |      |      |    |     |    |     | S     | S    |    | S   |
| 2. ASSEMBLY                                                                    | OS | PRO | AG | RR | TN-1 | TN-2 | TN-3 | MU | CMT | CC | COM | IND 1 | IND2 | AP | CSI |
| Botanical Gardens and Arboretums                                               | S  |     | S  | S  | S    | S    | S    | P  | S   | P  | P   | P     | P    | P  | P   |
| Convention Center { >500}                                                      | S  |     | S  |    |      |      |      | S  |     | S  | S   | S     | S    | S  | S   |
| Event Center - Major {100 - 500 people}                                        | S  |     | S  | S  |      |      |      | S  |     | S  | Z   | Z     | Z    | P  | P   |
| Event Center - Minor { <100}                                                   | S  |     | Z  | Z  |      |      |      | Z  | Z   | Z  | Z   | P     | P    | P  | P   |
| Funeral Center                                                                 |    |     |    |    |      |      |      | P  | S   | P  | P   |       |      |    |     |
| Museum / Learning Center - Major                                               | S  |     | S  |    |      |      |      | Z  | S   | S  | Z   |       |      | P  | P   |
| Museum / Learning Center - Minor                                               | P  | S   | P  | Z  |      |      |      | Z  | Z   | Z  | P   |       |      | P  | P   |
| Religious Facility                                                             |    |     | Z  | Z  | Z    | Z    | Z    | P  | Z   | P  | P   | P     | P    | Z  | P   |

| <b>3. CIVIC/INSTITUTIONAL</b>                              | <b>OS</b> | <b>PRO</b> | <b>AG</b> | <b>RR</b> | <b>TN-1</b> | <b>TN-2</b> | <b>TN-3</b> | <b>MU</b> | <b>CMT</b> | <b>CC</b> | <b>COM</b> | <b>IND1</b>  | <b>IND2</b>  | <b>AP</b> | <b>CSI</b> |
|------------------------------------------------------------|-----------|------------|-----------|-----------|-------------|-------------|-------------|-----------|------------|-----------|------------|--------------|--------------|-----------|------------|
| Cemetery                                                   | S         |            | S         |           |             |             |             |           |            |           | S          | P            | P            |           |            |
| City of Twin Falls Facilities - Owned or Operated          | P         | P          | P         | P         | P           | P           | P           | P         | P          | P         | P          | P            | P            | P         | P          |
| College, University, Trade, or Boarding School             |           |            |           |           |             |             |             | S         |            | S         | P          |              | P            | P         | P          |
| Detention Center (Jail - Juvenile and Adult, Work Release) |           |            |           |           |             |             |             |           |            |           | S          | S            | P            |           |            |
| Emergency Service Stations                                 |           |            |           |           |             |             |             |           |            | P         | P          | P            | P            |           | S          |
| Judicial Facility                                          |           |            |           |           |             |             |             | P         |            | P         | P          | P            | P            |           |            |
| School                                                     |           |            | S         | S         | S           | S           | S           | S         | S          | S         | P          |              |              |           | P          |
| <b>4. COMMERCIAL SALES and SERVICES</b>                    | <b>OS</b> | <b>PRO</b> | <b>AG</b> | <b>RR</b> | <b>TN-1</b> | <b>TN-2</b> | <b>TN-3</b> | <b>MU</b> | <b>CMT</b> | <b>CC</b> | <b>COM</b> | <b>IND 1</b> | <b>IND 2</b> | <b>AP</b> | <b>CSI</b> |
| Administrative or Professional Office - Major              |           |            |           |           |             |             |             | P         | S          | P         | P          | P            | P            | P         | P          |
| Administrative or Professional Office - Minor              |           | S          |           |           |             |             |             | P         | P          | P         | P          | P            | P            | P         | P          |
| Artisan's Workshop - Major                                 |           |            |           |           |             |             |             | Z         | Z          | Z         | P          | P            | P            |           |            |
| Artisan's Workshop - Minor                                 |           |            |           |           |             |             |             | P         | Z          | P         | P          | P            | P            |           |            |
| Auction Services and/or Public Sales Establishment         |           |            |           |           |             |             |             | Z         |            | Z         | Z          | P            | P            |           |            |
| Bar/Night Club/Smoking Lounge                              |           |            |           |           |             |             |             | S         |            | S         | S          | S            | S            | S         |            |
| Barber & Cosmetology Services                              |           | S          |           |           |             |             |             | P         | P          | P         | P          | P            | P            | P         | P          |
| Body Art Studio                                            |           |            |           |           |             |             |             | Z         | Z          | Z         | Z          | P            | P            |           |            |
| Car Wash                                                   |           |            |           |           |             |             |             | S         |            | S         | Z          | P            | P            |           |            |
| Consumer Goods Repair                                      |           |            |           |           |             |             |             | S         | S          | S         | S          | P            | P            |           |            |
| Drive-Thru                                                 |           |            |           |           |             |             |             | S         | S          | S         | S          | S            | S            |           | S          |
| Dry Cleaning/Laundering - Major                            |           |            |           |           |             |             |             |           |            | S         | S          | P            | P            |           | S          |
| Dry Cleaning/Laundering - Minor                            |           | S          |           |           |             |             |             | P         | S          | P         | P          | P            | P            |           | P          |
| Equipment and Machinery Repair, Major                      |           |            |           |           |             |             |             |           |            | S         | S          | P            | P            |           |            |
| Equipment and Machinery Repair, Minor                      |           |            |           |           |             |             |             |           |            | S         | P          | P            | P            |           |            |
| Equipment and Machinery Sales/Rental, Major                |           |            |           |           |             |             |             |           |            | S         | S          | P            | P            |           |            |
| Equipment and Machinery Sales/Rental, Minor                |           |            |           |           |             |             |             | S         | Z          | Z         | P          | P            | P            |           |            |
| Financial Institution                                      |           | S          |           |           |             |             |             | P         | S          | P         | P          | P            | P            | P         | P          |
| Fuel/Charging Station                                      |           |            |           |           |             |             |             | S         | S          | Z         | Z          | Z            | Z            |           | Z          |
| Health/Fitness Facility - Major                            |           |            |           |           |             |             |             | S         | S          | S         | S          | P            | P            |           | P          |
| Health/Fitness Facility - Minor                            |           |            |           |           |             |             |             | P         | S          | P         | P          | P            | P            |           | P          |
| Laundromat, Self Serve                                     |           |            |           |           |             |             |             | P         | S          | P         | P          | P            | P            |           | P          |
| Manufactured homes sales                                   |           |            |           |           |             |             |             |           |            |           | S          | P            | P            |           |            |
| Mortuary                                                   |           |            |           |           |             |             |             |           |            | Z         | Z          | P            | P            |           |            |
| Paint Booth                                                |           |            |           |           |             |             |             |           |            | Z         | Z          | Z            | Z            |           | Z          |
| Pawnshop                                                   |           |            |           |           |             |             |             |           |            | Z         | Z          | Z            | Z            |           |            |
| Payday Loan / Check Cashing Service                        |           |            |           |           |             |             |             |           |            | Z         | Z          | Z            | Z            |           |            |
| Pet Grooming                                               |           |            |           |           |             |             |             | Z         | S          | Z         | Z          | Z            | Z            |           |            |
| Photography studios                                        |           | S          |           |           |             |             |             | P         | P          | P         | P          | P            | P            |           |            |
| Print Shop – Major                                         |           |            |           |           |             |             |             | S         |            | S         | P          | P            | P            |           |            |
| Print Shop – Minor                                         |           |            |           |           |             |             |             | P         | P          | P         | P          | P            | P            |           | P          |
| Restaurant                                                 |           |            |           |           |             |             |             | P         | S          | P         | P          | P            | P            | P         | P          |



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|                                        |    |     |    |    |      |      |      |    |     |    |     |      |      |     |    |     |
|----------------------------------------|----|-----|----|----|------|------|------|----|-----|----|-----|------|------|-----|----|-----|
| Retail Shop                            |    |     |    |    |      |      |      | P  | Z   | P  | P   | P    | P    | P   | P  | P   |
| Retail Store - Major                   |    |     |    |    |      |      |      | S  |     | S  | P   | P    | P    | P   | P  |     |
| Retail Store - Minor                   |    |     |    |    |      |      |      | P  | S   | Z  | P   | P    | P    | P   | P  | P   |
| Seamstress/Tailor                      |    |     |    |    |      |      |      | P  | P   | P  | P   | P    | P    |     |    |     |
| Theater - Indoor                       |    |     |    |    |      |      |      | S  |     | P  | P   | P    | P    |     |    | P   |
| Theater - Outdoor                      | S  |     |    |    |      |      |      |    |     | S  | S   | S    | S    |     |    | S   |
| Truck Stop                             |    |     |    |    |      |      |      |    |     |    | S   | S    | S    |     |    |     |
| Vehicle Rental Facility                |    |     |    |    |      |      |      |    |     | S  | P   | P    | P    | P   | S  |     |
| Vehicle Sales                          |    |     |    |    |      |      |      |    |     | S  | Z   | P    | P    |     |    |     |
| Vehicle Sales - Heavy Trucks           |    |     |    |    |      |      |      |    |     | S  | S   | S    | P    |     |    |     |
| Vehicle Sales – Temporary              |    |     |    |    |      |      |      |    |     | Z  | Z   | Z    | Z    |     |    |     |
| 5. HEALTH/HUMAN CARE                   | OS | PRO | AG | RR | TN-1 | TN-2 | TN-3 | MU | CMT | CC | COM |      |      | IND | AP | CSI |
| Assisted Care/Living Facility - MAJOR  |    |     |    |    |      |      | S    | S  | S   | P  | P   |      |      |     |    |     |
| Assisted Care/Living Facility - MINOR  |    | S   |    |    |      |      | S    | P  | P   | P  | P   |      |      |     |    | P   |
| Daycare Center                         |    | S   |    |    |      |      |      | P  | P   | P  | P   |      |      |     |    | P   |
| Daycare Facility                       |    |     | Z  | Z  | Z    | Z    | Z    | P  | P   | P  | P   |      |      |     | Z  | P   |
| Daycare Home                           |    |     | P  | P  | P    | P    | P    |    |     |    |     |      |      |     |    |     |
| Hospital                               |    |     |    |    |      |      |      |    |     | S  | S   |      |      |     |    |     |
| Medical Clinic, Major                  |    |     |    |    |      |      |      | S  |     | P  | P   |      |      |     |    | P   |
| Medical Clinic, Minor                  |    | S   |    |    |      |      |      | P  | P   | P  | P   |      |      |     |    | P   |
| Shelter Home                           |    |     | S  |    |      |      | S    | S  | S   | S  | P   | P    | P    | P   |    |     |
| Substance Abuse Treatment Facility     |    |     | S  |    |      |      |      |    |     | P  | P   | P    | P    |     |    |     |
| 6. INDUSTRIAL                          | OS | PRO | AG | RR | TN-1 | TN-2 | TN-3 | MU | CMT | CC | COM | IND1 | IND2 |     | AP | CSI |
| Electric Power Generating Plant        | S  |     |    |    |      |      |      |    |     |    |     | S    | S    |     |    |     |
| Fuel sales (bulk)                      |    |     |    |    |      |      |      |    |     |    | S   | S    | S    |     |    |     |
| Grain & Seed Processing                |    |     | P  |    |      |      |      |    |     |    |     | S    | P    |     |    |     |
| Manufacturing, Heavy                   |    |     |    |    |      |      |      |    |     |    |     | S    | P    |     |    |     |
| Manufacturing, Light                   |    |     |    |    |      |      |      |    |     | S  | S   | S    | P    |     |    | P   |
| Manufacturing, Medium                  |    |     |    |    |      |      |      |    |     |    | S   | S    | P    |     |    |     |
| Recycling Center                       |    |     |    |    |      |      |      |    |     |    |     | S    | P    |     |    |     |
| Recycling Plant                        |    |     |    |    |      |      |      |    |     |    |     | S    | S    |     |    |     |
| Slaughterhouse                         |    |     |    |    |      |      |      |    |     |    |     | S    | S    |     |    |     |
| Storage Facility, Self-service         |    |     |    |    |      |      |      |    |     | S  | S   | P    | P    |     |    |     |
| Storage Yard                           |    |     |    |    |      |      |      |    |     | S  | S   | P    | P    |     |    | S   |
| Taxidermy studio                       |    |     |    |    |      |      |      |    |     | S  | S   | S    | P    |     |    |     |
| Testing laboratories, Major            |    |     |    |    |      |      |      |    |     | S  | S   | S    | P    |     |    |     |
| Testing laboratories, Minor            |    | S   |    |    |      |      |      | S  | S   | P  | P   | P    | P    |     |    | P   |
| Vehicle Impound Yard                   |    |     |    |    |      |      |      |    |     |    |     | S    | S    |     |    |     |
| Vehicle Repair Services, Major         |    |     |    |    |      |      |      |    |     | S  | S   | S    | S    |     |    | S   |
| Vehicle Repair Services, Minor         |    |     |    |    |      |      |      |    |     | S  | Z   | P    | P    |     |    | P   |
| Warehouse/Distribution Center          |    |     |    |    |      |      |      |    |     | S  | S   | P    | P    | S   |    |     |
| WRECKING, Salvage & Junkyard           |    |     |    |    |      |      |      |    |     |    |     | S    | S    |     |    |     |
| 7. LODGING                             | OS | PRO | AG | RR | TN-1 | TN-2 | TN-3 | MU | CMT | CC | COM | IND1 | IND2 |     | AP | CSI |
| Bed & Breakfast Facility               |    | S   | S  | S  |      |      | S    | S  | P   | P  | P   |      |      |     |    | S   |
| Campground / Recreational Vehicle Park | S  |     |    |    |      |      |      |    |     |    | S   |      |      |     |    |     |
| DORMITORY                              |    |     |    |    |      |      |      |    |     |    |     |      |      |     |    | P   |
| HOTEL                                  |    |     |    |    |      |      |      |    |     | P  | P   |      |      |     |    | P   |
| Motel                                  |    |     |    |    |      |      |      |    |     | S  | S   |      |      |     |    |     |

| 8. RECREATION/ENTERTAINMENT                          | OS | PRO | AG | RR | TN-1 | TN-2 | TN-3 | MU | CMT | CC | COM | IND1 | IND2 | AP | CSI |
|------------------------------------------------------|----|-----|----|----|------|------|------|----|-----|----|-----|------|------|----|-----|
| Athletic Arena or Stadium - Public Owned             | S  |     | S  | S  | S    | S    | S    | S  | S   | S  | P   | P    | P    | P  | P   |
| Athletic Arena or Stadium - Private Owned            |    |     |    |    |      |      |      |    |     | S  | S   | S    | S    | S  | P   |
| Fun Center - Minor                                   |    |     |    |    |      |      |      | P  | P   | P  | P   | P    | P    |    | P   |
| Fun Center - Major                                   |    |     |    |    |      |      |      | Z  | S   | Z  | Z   | S    | P    |    | P   |
| Fun Park                                             |    |     |    |    |      |      |      | S  |     | S  | S   | S    | P    |    |     |
| Golf Course/ Golf Driving Range                      | S  |     | S  |    |      |      |      |    |     |    | S   |      |      | S  | P   |
| Park / Playground - Private                          |    |     |    |    |      |      |      |    |     |    |     |      |      |    |     |
| Park / Playground - Public                           |    |     |    |    |      |      |      |    |     |    |     |      |      |    |     |
| Racetrack                                            |    |     |    |    |      |      |      |    |     |    |     |      | S    | S  |     |
| Sport Shooting Range - Indoor                        |    |     |    |    |      |      |      |    |     | Z  | Z   | Z    | Z    |    |     |
| Sport Shooting Range - Outdoor                       | S  |     |    |    |      |      |      |    |     |    |     |      | S    | S  |     |
| ZIP LINE                                             | S  |     |    |    |      |      |      |    |     |    |     |      |      |    | P   |
| Zoo                                                  | S  |     |    |    |      |      |      |    |     | S  | S   |      | S    |    |     |
| 9. RESIDENTIAL                                       | OS | PRO | AG | RR | TN-1 | TN-2 | TN-3 | MU | CMT | CC | COM | IND1 | IND2 | AP | CSI |
| ACCESSORY Building                                   | Z  |     | Z  | Z  | Z    | Z    | Z    |    |     |    |     |      |      | Z  |     |
| Dwellings - Accessory Dwelling Unit (ADU)            |    |     | Z  | Z  | Z    | Z    | Z    |    |     |    |     |      |      | Z  |     |
| Dwellings - attached Single Dwelling Unit (Townhome) |    |     |    |    | Z    | Z    | Z    | Z  | Z   | Z  |     |      |      |    |     |
| Dwelling - Detached Single Dwelling Unit             |    |     | P  | P  | P    | P    | P    |    |     |    |     |      |      | P  |     |
| Dwellings-- Multi- Dwelling Unit (5+)                |    |     |    |    |      |      | P    | P  |     | P  | P   |      |      |    | P   |
| Dwellings - Two Dwelling Unit                        |    |     |    |    | P    | P    | P    | P  |     |    |     |      |      |    |     |
| DWELLINGS - Triplex (3 units on 1 lot)               |    |     |    |    |      | S    | P    | P  | S   |    |     |      |      |    |     |
| DWELLINGS - Fourplex (4 units on 1 lot)              |    |     |    |    |      | S    | P    | P  | S   |    |     |      |      |    |     |
| Dwelling - Caretaker Unit                            |    | P   |    |    |      |      |      | P  | P   | P  | P   | P    | P    | P  |     |
| Dwellings - Mixed Use Building                       |    |     |    |    |      |      |      |    | S   | P  | P   |      |      |    |     |
| Group Home ( <i>See Idaho Statute</i> )              |    |     | P  | P  | P    | P    | P    |    |     | P  |     |      |      | P  |     |
| HOME OCCUPATION                                      |    |     | Z  | Z  | Z    | Z    | Z    | Z  |     | Z  |     |      |      | Z  |     |
| Manufactured Housing Community                       |    |     |    |    |      |      |      |    |     |    | S   |      |      |    |     |
| 10. OTHER                                            | OS | PRO | AG | RR | TN-1 | TN-2 | TN-3 | MU | CMT | CC | COM | IND1 | IND2 | AP | CSI |
| Adult Establishments                                 |    |     |    |    |      |      |      |    |     |    |     |      | Z    |    |     |
| Airport Supplemental Uses                            |    |     |    |    |      |      |      |    |     |    |     |      |      | P  |     |
| Airport/Heliport                                     |    |     |    |    |      |      |      |    |     |    |     |      |      | P  |     |
| Eagles Nest - CSI                                    |    |     |    |    |      |      |      |    |     |    |     |      |      |    | P   |
| Helistop                                             |    |     |    |    |      |      |      |    |     |    | S   |      |      | P  |     |
| Outdoor amplified sound or music                     | S  |     | S  | S  |      |      |      | S  | S   | S  | S   | S    | S    | S  | S   |
| Parking Structure                                    |    |     |    |    |      |      |      | S  |     | S  | S   | P    | P    | P  | S   |
| Utility Collection/Distribution Facility             | Z  |     | Z  | Z  | Z    | Z    | Z    | Z  | Z   | Z  | Z   | Z    | Z    | Z  | Z   |
| Utility Collection/Distribution Line                 | P  |     | P  | P  | P    | P    | P    | P  | P   | P  | P   |      | P    | P  | P   |
| Wind Turbine                                         |    |     | S  | S  |      |      |      |    |     |    |     |      | S    | S  | S   |
| Wireless Communication Equipment - Colocation        | Z  |     | Z  | Z  | Z    | Z    | Z    | Z  | Z   | Z  | Z   | Z    | Z    | Z  | Z   |
| Wireless Communications Tower                        | S* |     | S* |    |      |      |      | S* |     | S* | S*  |      | S*   | S* | S*  |

|                                                                               |   |  |    |  |  |  |  |   |    |   |   |  |   |   |   |
|-------------------------------------------------------------------------------|---|--|----|--|--|--|--|---|----|---|---|--|---|---|---|
| Wireless Communications Tower - Stealth or Alternative Design                 | Z |  | S* |  |  |  |  | Z | S* | Z | Z |  | Z | Z | Z |
| *Shall follow the criteria listed in 10-4 Conditional uses for Stealth Tower. |   |  |    |  |  |  |  |   |    |   |   |  |   |   |   |

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## 10-4: Zoning Use Permit Application Requirements

### 10-4-1: General Requirements to all Zoning Use Permits

All zoning use permits shall provide the following site improvements:

- (A) Landscape Buffer Requirement: A landscape buffer shall be provided between non-residential uses and residential uses and districts that shall conform to the following:
  - 1. Non-Residential Use in the Community Market & Mixed-Use Districts:
    - a. Shall have a ten (10) foot buffer between non-residential uses and residential uses or districts.
  - 2. Non-Residential Use in the Commercial & Industrial Districts:
    - a. Shall have a fifteen (15) foot buffer between non-residential uses and residential uses or districts.
- (B) Exhaust Fans /HVAC Equipment shall be directed away from residential districts and uses.
  - 1. Natural ventilation openings shall be directed away from residential districts and uses to the extent possible as determined by the administrator.
- (C) Any person desiring to obtain a Zoning Use Permit, as herein defined, shall submit all necessary completed applications to the Administrator on forms as provided by the City.

**10-4-2 Zoning Use Permit Land Use Requirements:** Unless otherwise exempted, all uses requiring a Zoning Use Permit shall comply with the pertinent requirements as outlined in 10-7.

### 10-4-3: AGRICULTURE & ANIMALS:

#### (A) Community Garden

- 1. Criteria applicable to all districts:
  - a. A Community Garden operating plan is required. The plan shall contain the following:
    - i. Fertilizer Storage
    - ii. Waste Plan
  - b. A Community Garden shall not be greater than two (2) acres.
  - c. Community Gardens shall use non-potable water, unless otherwise permitted by the City Council.
  - d. The subject property must be designed and maintained so that water and fertilizer will not drain onto adjacent property or public right of way.
  - e. Community Garden operating hours are limited to one-half hour before sunrise and one-half hour after sunset.
  - f. Community Gardens shall be limited to the cultivation of fruits, vegetables, herbs, plants and flowers.

- g. A garden shall not house or support animals including but not limited to chickens, goats, pigs, or other livestock.
- h. Any composting site must be located at least 300' from residential uses.

#### **10-4-4: ASSEMBLY**

##### **(A) Event Center, Major (100-500 People)**

- 1. Criteria applicable to all districts:
  - a. Any area or equipment associated with outdoor event operations shall be screened if within 300' of a residential use or zone.
  - b. Outside amplified sound shall obtain a Special Use Permit.
  - c. All alcohol served shall be facilitated by those holding a valid alcohol license.

##### **(B) Event Center, Minor (<100 People)**

- 1. Criteria applicable to all districts:
  - a. Any area or equipment associated with outdoor event operations shall be screened if within 300' of a residential use or zone.
  - b. All alcohol served shall be facilitated by those holding a valid alcohol license.
  - c. An Event Center within 300' of a residential zone or use shall cease all outdoor event operations one-half hour before sunrise and one-half hour after sunset.
  - d. Outside amplified sound shall obtain a Special Use Permit.

##### **(C) Museum / Learning Center, Major (≥100 People)**

- 1. Criteria applicable to all districts:
  - a. Any area or equipment associated with outdoor operations shall be screened if within 300' of a residential use or zone.
  - b. Any outdoor sound equipment will be faced away from adjacent properties and public right of way.
  - c. Any operations within 300' of a residential use or zone shall obtain a Special Use Permit.
  - d. Outside amplified sound shall obtain a Special Use Permit.

##### **(D) Museum / Learning Center, Minor (<100 People)**

- 1. Criteria applicable to all districts:
  - a. Any area or equipment associated with outdoor operations shall be screened if within 300' of a residential use or zone.
  - b. Any outdoor sound equipment will be faced away from adjacent properties and public right of way.
  - c. Any operations within 300' of a residential use or zone shall obtain a Special Use Permit.
  - d. Outside amplified sound shall obtain a Special Use Permit.

##### **(E) Religious Facility**

- 1. Criteria applicable to CMT and AP Districts:
  - a. A property which contains buildings that have a designed occupancy of 300 or greater shall only have vehicle access off a collector or arterial roadway.

- b. All buildings that have a designed occupancy of 300 or greater must be at least 25' away from residential uses.
  - c. A property which contains buildings that have a designed occupancy of 300 or greater shall have a sight-obscuring screening fence on non-street frontage property lines.
  - d. Outside amplified sound shall obtain a Special Use Permit.
2. Criteria applicable to Residential Districts
- a. A property which contains buildings that have a designed occupancy of 300 or greater shall only have vehicle access off a collector or arterial roadway.
  - b. All buildings that have a designed occupancy of 300 or greater must be at least 25' away from residential uses.
  - c. A property which contains buildings that have a designed occupancy of 300 or greater shall have a sight-obscuring screening fence on non-street frontage property lines.
  - d. No amplified sound outside is allowed.

#### **10-4-5: COMMERCIAL SERVICES:**

##### **(A) Artisan's Workshop - Major**

- 1. Criteria applicable to Mixed Use & Community Market Districts:
  - a. All production, fabrication, assembly, and storage of materials shall be conducted indoors if located within 300' of a residential use or district.
  - b. Permitted Hours of operation are between 7:00 AM and 10:00 PM
  - c. Loading docks shall be screened from public right of way, residential uses and residential districts.
- 2. Criteria applicable to the Central City District:
  - a. All production, fabrication, assembly, and storage of materials shall be screened.

##### **(B) Artisan's Workshop - Minor**

- 1. Criteria applicable to all districts
  - a. All production, fabrication, assembly, shall be conducted indoors if located within 300' of a residential use or district.
  - b. All storage of materials shall be indoors if adjoining a residential use or district.
  - c. Permitted Hours of operation are between 7:00 AM and 10:00 PM
  - d. Loading docks shall be screened from public right of way, residential uses and residential districts.

##### **(C) Auction Services and/or Public Sales Establishment**

- 1. Criteria applicable to Mixed Use & Central City Districts:
  - a. All auction related items or goods must be stored indoors.
    - i. Vehicles and large implements shall be exempted from this requirement.
- 2. Criteria applicable to the Commercial District:
  - a. All auction related items shall be completely screened from public right of way and adjacent properties.

- i. Vehicles and large implements shall be exempted from this requirement.

**(D) Body Art Studio**

1. Criteria applicable to all Districts:
  - a. Body art procedures shall not be visible from outside the building or tenant space.

**(E) Car Wash**

1. Criteria applicable to all Districts:
  - a. The installation of a water discharge monitoring system as determined by the City Engineer.
  - b. Water from the car wash shall not drain across any public or ADA sidewalk or into public right-of-way.
  - c. A car wash facility adjoining a residential use or district shall construct a minimum 6' masonry wall.
  - d. Vacuums: Vacuum stations and similar equipment are prohibited on the sides of the principal structure abutting a residential use.

**(F) Equipment & Machinery Sales/Rental, Minor**

1. Criteria applicable to all Districts:
  - a. All facility operations shall be indoors.

**(G) Fuel / Charging Station**

1. Criteria applicable to all Districts:
  - a. Within 300 feet of a residential use or district shall require a Special Use Permit.
  - b. Spill Prevention Plan: A spill prevention and counter measures plan shall be provided prior to building plan approval that includes, at a minimum:
    - ii. Clean up procedures for fuel (or other hazardous material) spills occurring inside and outside the building;
    - iii. Counter measures for use in preventing fuel (or other hazardous material) spills from entering the stormwater collection system or public right-of-way; and
    - iv. Routine cleanup procedures for work areas and parking areas. Washdown water shall not be permitted to enter the stormwater collection system or public right-of-way.

**(H) Mortuary**

1. Criteria applicable to all Districts:
  - a. All activity relating to the dead shall be handled discreetly and be screened from public view to the maximum extent possible, including delivery and storage of the remains.

**(I) Paint Booth**

1. Criteria applicable to all Districts:
  - a. All paint booth operations shall be indoors.
  - b. All objects, motor vehicles, etc. shall be screened or stored indoors.
  - c. Approval from DEQ shall be submitted to the City prior to issuance of any permit.

**(J) Pawn Shop**



1. Criteria applicable to all Districts:
  - a. All facilities are limited to operating hours of 6:00 AM to 10:00 PM.
  - b. All facilities shall be 0.5 miles apart.
  - c. Security Plan which includes:
    - i. Security System
    - ii. Provide security cameras sufficient to monitor all outdoor areas on the property.
  - d. All outdoor storage shall be screened from adjacent properties and public right of way.

**(K) Payday Loan / Check Cashing Service**

1. Criteria applicable to all Districts:
  - a. All facilities are limited to operating hours of 6:00 AM to 10:00 PM.
  - b. All facilities shall be 0.5 miles apart.
  - c. Security Plan which includes:
    - i. Security System
    - ii. Provide security cameras sufficient to monitor all outdoor areas on the property.

**(L) Pet Grooming**

1. Criteria applicable to all Districts:
  - a. Any operations within 300' of residential uses shall require a Special Use Permit.
  - b. All animals shall be indoors at all times, except when being exercised. At such times, animals shall be under the supervision and direct control of a caretaker
  - c. A waste disposal plan is required.
  - d. Services cannot be provided for livestock or large animals, such as cattle, horses, sheep, etc.

**(M) Retail Shop**

1. Criteria applicable to all Districts:
  - a. Trash and disposal areas shall be located at the rear of subject property and be screened from adjacent properties and public right of way.
  - b. If an ancillary storage yard is included the storage yard cannot be greater than one thousand square feet (1,000 sf) and shall be completely screened from adjacent properties and public right of way.
  - c. All external lighting associated with the Retail Shop shall be turned off from 10:00 PM to 6:00 AM.
  - d. A retail shop adjoining a residential use or district shall construct a 6' masonry wall.

**(N) Retail Store - Minor**

1. Criteria applicable to all Districts:
  - a. Located within 300' of residential use or district a Special Use Permit is Required.

**(O) Vehicle Sales**

1. Criteria applicable in all Districts:
  - a. Vehicles shall not be displayed in required landscaping.
  - b. All other uses (car wash, vehicle repair, etc) shall meet each of those standards.

**(P) Vehicle Sales – Temporary**

1. Criteria applicable in all Districts:
  - a. Vehicles shall not be displayed in landscaping.
  - b. Vehicle temporary sale event shall not operate for more than ten (10) consecutive days.
  - c. A single (1) temporary vehicle sales event is permitted per lot and/or property, once per quarter.
  - d. Shall follow the Regulations found in Idaho Statute for “Temporary Supplementary Sales Lot”

**10-4-6: HEALTH/HUMAN CARE:**

**(A) Daycare Facility**

1. Criteria applicable in all Districts:
  - a. Daycare Facilities are exempted from Required Improvements as defined in section 10-7-1 (A)-2 & 10-4-2.

**10-4-7: INDUSTRIAL:**

**(A) Vehicle Repair Services, Minor**

1. Criteria applicable to all Districts:
  - a. Outdoor storage of parts, materials, or equipment is prohibited except licensed vehicles awaiting repair or repaired vehicles awaiting pick up.
  - b. All repair, assembly, disassembly or maintenance of vehicles shall occur indoors.
    - i. Minor maintenance including tire inflation, adding oil, wiper or battery replacement, glass repair or replacement, paintless dent repair and other similar services as determined by the Administrator is exempted from the indoor operation requirement.

**10-4-8: LODGING:**

**(A) Reserved**

**10-4-9: RECREATION/ENTERTAINMENT:**

**(A) Fun Center - Major**

1. Criteria applicable in all Districts:
  - a. Outdoor components of the Fun Center within three-hundred (300) feet of residential uses or districts shall require a special use permit.

**(B) Sport Shooting Range - Indoor**

1. Criteria applicable in all Districts:
  - a. Site Location: A shooting range shall be located: not less than 500 lineal feet from any property in an existing residential district, with the exception of parks, open space, stormwater management areas, or similar lands reserved for uses that do not include dwellings.

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- b. Indoor Range Design: Indoor ranges shall be designed so projectiles cannot penetrate the walls, floor or ceiling, and ricochets or back splatter cannot harm range users. Considerations should be made for cleaning of all surfaces and handling of hazardous wastes.
- c. Staffing: Sport Shooting Range staff must always be present on the subject property when the shooting range is in use.
- d. Shooting Range Operation Plan: Each range shall provide an operation plan. A copy of the operation plan shall be filed with an application for a conditional use permit. The operation plan shall include:
  - i. Site Plan
  - ii. Building Plans & Elevations
  - iii. Safety Plan
  - iv. Outside Security Plan
  - v. Copy of liability insurance
  - vi. Other plans and/or information, as may be reasonably requested by Staff to verify compliance with this Ordinance or unique conditions that apply to the site.
- e. The application shall include a sound study prepared by a licensed sound engineer that demonstrates how the proposed use will address the impact of noise on adjoining uses. Any adverse effects shall be mitigated through setbacks, buffers, sound mitigation and / or hours of operation.
- f. Alcohol Sales Prohibited: Indoor gun ranges shall not sell or dispense alcoholic beverages, nor shall they be in a building which contains a business that sells or dispenses alcoholic beverages. Alcoholic beverages are not allowed on the premises of the Indoor Gun Range at any time.
- g. Receive permission from the City for the ability to discharge firearms within City Limits in accordance with City Code 6-2-1-D

### 10-4-10: Residential

#### (A) Accessory Building

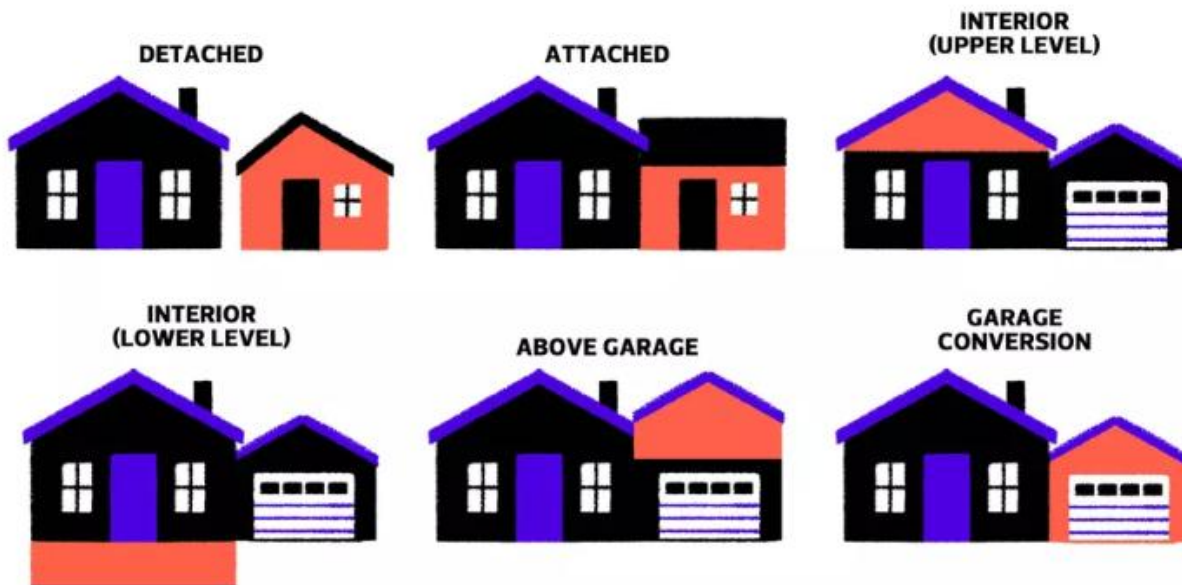
- 1. Criteria applicable in all Districts:
  - a. Accessory Buildings are not allowed to be placed within platted easements.
  - b. Maximum height: Same as the underlying district.
  - c. Property Line Setbacks:
    - i. Front: 20'
    - ii. Side: 3' for buildings 15' tall or less; or same as primary building if accessory building height is greater than 15'
    - iii. Rear: 3' for buildings 15' tall or less; or same as primary building if accessory building height is greater than 15'
  - d. Zoning Permit not required for Accessory Buildings under the following conditions:
    - i. Under 200 sq ft in size; or as otherwise exempted from the International Residential Code per Idaho Statute, as amended.
    - ii. Single Story
    - iii. Storage only, no habitable space allowed.
    - iv. Property owner is responsible to follow the property lines setbacks contained herein.
    - v. Property owner is responsible to move/relocate any accessory building found to be in violation of this section.
  - e. Detached accessory buildings, not requiring a building permit, may be built up to the side or rear property line, provided all of the following conditions are met:

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- i. Written permission of adjacent property owner is obtained, including a recorded access easement for maintenance of the structure.
  - ii. Firewalls as required by the building code are constructed.
  - iii. There is no water runoff from building onto adjacent property.
  - iv. The accessory building is not located closer than ten feet (10') to a main building.
  - v. There is no architectural projection, or rain gutters, beyond the property line.
- f. Accessory building are exempted from section 10-7-1 (A)-2 & 10-4-2.

### (B) Accessory Dwelling Unit

1. Purpose: The purpose of allowing ADU's is to:
  - a. Provide a means of obtaining rental income, companionship, security, and services for residents, particularly seniors, single parents, and families with grown children.
  - b. Create new housing units while respecting the physical attributes of single-dwelling development while increasing the housing stock of existing neighborhoods in a manner that is less intense than alternatives.
  - c. Provide a broader range of accessible and more affordable housing.
  - d. Protect neighborhood stability, property values, and the single household residential appearance of the neighborhood by ensuring ADU's are installed under the conditions of this chapter.
2. Accessory Dwelling Unit Examples:



3. Criteria applicable in all districts:
  - a. Applicability: Accessory Dwelling Units (ADUs) are permitted upon a legal lot, or parcel, containing a legal single household dwelling unit. Only one (1) ADU shall be allowed per legal lot, or parcel.
  - b. Accessory Dwelling Unit Development Standards:



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- i. Accessory Dwelling Unit Size: ADU's shall not exceed forty-five percent (45%) of the square footage of the living space for the principal residence.
- ii. Height:
  - a. Attached ADU's shall follow the height limit listed for the principal residence as required for the base zoning district.
  - b. Detached ADU's shall follow the height limit listed for Detached Accessory Buildings.
- iii. Setbacks: ADU's shall follow the property line setbacks for the principal building.
- iv. Types: the ADU may be added to, included within the principal residence, or located in a detached structure:
- v. Additional Design Criteria:
  - a. Additions to an existing structure, or newly constructed detached structures, created for the purpose of developing and accessory dwelling unit, shall be designed consistent with the existing roof pitch, siding, and windows of the principal dwelling unit.
  - b. Conversion of Existing Structures: Any existing structure converted into an ADU must meet all of the requirements of this section.
- vi. **Number of Occupants:** the total number of individuals that reside in both units may not exceed the number allowed for a household as defined in this title.
- vii. **Owner Occupancy:** Either the principal dwelling unit or the ADU must be occupied by the owner. Proof of owner occupancy shall be required prior to issuing any permit. Proof of owner occupancy shall be provided via a signed certified copy of the homeowner's exemption.
- viii. Parking: One (1) additional parking space shall be provided for exclusive use of the accessory dwelling unit.
- ix. Utilities: Accessory Dwelling units shall receive water, sewer, and sanitation services from the primary dwelling. Additional service lines and/or meters shall not be installed.

#### (C) Attached Single Dwelling Unit (Townhome)

- 1. Criteria applicable in all Districts:
  - a. Shall go through the Planned Townhome Subdivision process (see City Code 10-10).
  - b. Rear or side of townhome buildings may not be located on collector/ arterial streets. If a project is situated at the intersection of a collector and an arterial, the rear shall not be on the arterial.
  - c. Located on and access to collector/arterial streets only.
- 2. Criteria applicable in the TN-1 District:
  - a. No more than four (4) units in a building block.
- 3. Criteria applicable in the TN-2 & CMT Districts:
  - a. No more than six (6) units in a building block.
- 4. Criteria applicable in the TN-3, MU, & CC Districts:
  - a. No more than eight (8) units in a building block.

**(D) Home Occupations:**

1. Criteria applicable in all Districts:
  - a. The presence or pursuit of the home occupation shall not result in any nuisance condition or excessive noise, as defined by this code, nor shall the approval of Zoning Permit allow circumvention of any other city codes.
  - b. Hours of Operation: 7:00 AM – 8:00 PM
  - c. The dwelling unit must be suitable for use for the home occupation without modifications except as specified hereafter. Remodeling or modification of any portion of the dwelling unit or accessory structure to be used in the course of the home occupation shall be prohibited if it would change the character, use, or occupancy classification of the dwelling as set forth in the currently adopted building code. Remodeling and modifications necessary to accommodate handicapped persons shall be allowed, provided applicable building permits have been issued.
  - d. No oversized vehicle as defined in section 9-6-8 of this code, or any vehicle which by virtue of dimensions, gross vehicle weight or declared use is required by Idaho Code to display, or does display, commercial or apportioned registration plates, may be used or stored on site or on street in carrying out the home occupation.
  - e. No assets, inventory, equipment, or raw materials used in a home occupation shall be displayed or stored outdoors. No hazardous materials/quantities, as determined by the Twin Falls fire department, may be stored at the site of the home occupation.
  - f. Sales and services to patrons shall be arranged by appointment and scheduled so that no more than one patron vehicle is on the premises at any one time.
  - g. Delivery vehicles must meet all truck route regulations of this code.
  - h. Prohibited Uses: The following uses shall not be permitted as a home occupation: auto repair; adult entertainment; manufacturing type uses, any use that creates hazardous or biomedical waste, and those of similar classification as determined by the Administrator.
  - i. Home Occupations are exempted from section 10-7-1 (A)-2 & 10-4-2.

**10-4-11: OTHER**

**(A) Adult Establishments**

1. Purpose: The purpose of these regulations is to regulate the location of adult oriented business within the City in a manner that will protect property values, neighborhoods, and residents from the potential adverse secondary effects of sexually oriented businesses while providing to those who desire to patronize adult oriented businesses such an opportunity in appropriate areas within the City.

It is not the intent of this Code to suppress any speech activities protected by the First Amendment of the United States Constitution, not to impose content-neutral regulations that address the adverse secondary effects of sexually oriented business may have on adjoining properties and the immediate neighborhood.

2. Development Standards:

a. Adult Establishment Location:

- i. Adult Establishments shall not be located within 1320 feet of a school, daycare, public park or playground, religious facility, or another Adult Establishment.
  - ii. Adult Establishments shall not be developed on a lot or parcel within 750 feet of a residential use or zone.
  - iii. Adult Establishments shall not be developed on a lot or parcel within 200 feet of the following roadways:
    - a. Pole Line Road from Rock Creek to Eastland Drive North
    - b. Blue Lakes Boulevard North from Perrine Bridge to Falls Avenue
    - c. Washington Street South from Park Road to 3400 N
    - d. Kimberly Road from Eastland Drive to 3300 E
    - e. Addison Avenue East from Eastland Drive to 3300 East (Champlin Way)
    - f. Orchard Drive from Grandview Drive South to Washington Street South
    - g. Grandview Drive South from Orchard Drive to Addison Ave West
    - h. Orchard Drive from Hankins Road S to 3300 East
    - i. 3300 East (Champlin Way) from Addison Ave East to Orchard Drive (3700 North)
  - iv. The disposal of waste and debris containing sexually explicit materials must be disposed in a secure trash receptacle.
  - v. Required Signage: Signage prohibiting minors on the premises shall be visibly posted on all building entrances and exits. Signs shall be 1' x 1' in size.
  - vi. A security plan addressing the following items is required when alcohol is being served on the premises:
    - a. Number and location of Security personnel.
    - b. Security System.
    - c. Security cameras sufficient to monitor all outdoor areas on the property.
    - d. Identification Check system to verify ages of patrons.
  - vii. Admission / entrance queue located parallel to and against the structure while maintaining adequate pedestrian passage on any accessible paths.
- b. Adult Establishment Administrative Staff Contact Information.
- c. Any other information deemed necessary by City Staff.

**(B) Telecommunication Facility – Colocation**

- a. Criteria applicable in all Districts:
  - i. Shall be in compliance with Twin Falls Municipal Code 10-13-7.

**(C) Telecommunications Tower - Stealth, or Alternative Design**

- a. Criteria applicable in all Districts:
  - i. Shall be in compliance with Twin Falls Municipal Code 10-13-7.
  - ii. Height shall be limited to base zoning district.

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- iii. Stealth designs shall be designed to blend into the context which it resides.
  - 1. Water tower
  - 2. Architectural elements such as steeples, crosses, bell towers, clock towers, etc.
  - 3. Trees shall be decorated with lights at night during holiday season November – January.
  - 4. Re-creation of historic buildings, structures, scenes that are meaningful to the area.

**(D) Utility Collection/Distribution Facility – Minor**

- 1. Criteria applicable to all Districts:
  - a. Facilities shall be screened or wrapped. Should the facility be wrapped, it shall be approved by the Twin Falls Arts Commission.
  - a. Minor Utility Collection/Distribution Facilities are exempted from section 10-7-1 (A)-2 & 10-4-2.

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## Jody Green

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**From:** No Reply  
**Sent:** Saturday, May 31, 2025 2:44 PM  
**To:** Kelli Ebersole; Will Klaver; Jody Green; Lisa Strickland; Jonathan Spendlove  
**Subject:** Public Comment Notice for PZ24-0121

A public comment has been submitted for PZ24-0121 presented at the Planning and Zoning Meeting on 6/4/2025.

Name: Garin Evans  
Email: garinevans@gmail.com  
Comments:

Garin Evans

441 Martin St.

Twin Falls, ID

garinevans@gmail.com

5/31/2025

To the Twin Falls Planning and Zoning Commission:

I am writing regarding section 10-4-10(B)(3)(vii), which outlines the owner occupancy requirement for Accessory Dwelling Units (ADUs):

"Either the principal dwelling unit or the ADU must be occupied by the owner. Proof of owner occupancy shall be required prior to issuing any permit. Proof of owner occupancy shall be provided via a signed certified copy of the homeowner's exemption."

While I understand the intent of preserving neighborhood character and accountability by ensuring owner occupancy, I am concerned that the method proposed—relying on the homeowner’s exemption as proof—presents practical and legal challenges that may undermine this goal.

## 1. Not All Owner-Occupants Qualify or Apply

According to Idaho Code §63-602G, the homeowner’s exemption is voluntary and only applicable to primary residences. Owners may have legitimate reasons not to apply, such

as:

- Holding the property in a trust, LLC, or partnership,
- Using the property as a secondary residence,
- Choosing not to file for the exemption for financial or privacy reasons.

Thus, some ADUs could meet the intent of owner occupancy but still be denied permits under the current proposed language.

## 2. Unclear Enforcement Upon Sale or Transfer

The draft code does not address how owner-occupancy will be enforced when a property is sold or inherited. Since the homeowner’s exemption is tied to the

individual and not the structure, it may lapse or remain active based on outdated or incomplete information. This could create confusion for new property owners or place an unreasonable burden on City staff to track changes in real estate ownership.3. County Data May Not Be Accessible for Zoning Enforcement

Enforcement would depend on county-level data systems that are not designed for zoning compliance. The State Tax Commission and county assessor manage the exemption for tax purposes, not for municipal occupancy enforcement. Requiring the homeowner's exemption for city zoning purposes introduces a dependency on systems that may not share timely updates with the City, and which the City may have no authority to audit or manage.

## Recommendation

I respectfully recommend that the Commission reconsider relying solely on the homeowner's exemption to verify owner occupancy. Instead, the City could consider more direct and locally enforceable alternatives, such as:

- A notarized affidavit of owner occupancy,
- A recorded covenant filed with the permit,
- A local occupancy registration system tied to the ADU approval.

These options provide greater flexibility, avoid unnecessary exclusion of eligible owners, and place enforcement authority squarely within the City's jurisdiction.

Thank you for your thoughtful work on these important code revisions and for the opportunity to provide input as a resident. I appreciate your consideration of how

this section might be improved to ensure clarity, fairness, and effective administration.

Sincerely,

Garin Evans

Twin Falls, Idaho

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