

### Hearing Examiner's Report and Findings

**PROJECT:** Juniper Hills Country Club Sign Exception  
**FILE NO:** 22-1865  
**APPLICANT/OWNER:** Juniper Hills Country Club – Ron Malooly  
**REQUEST:** Sign Exception  
**LOCATION:** 6600 Bannock Hwy  
**STAFF:** Jim Anglesey, Long-Range Senior Planner

**REQUEST & BACKGROUND:** The request is for a sign exception to allow for two (2) ground signs where 15.20.180.A.1 allows for only one (1). The owner of the subject property is Juniper Hills Country Club, Inc.

**NOTIFICATION (15.20.260):** All property owners and occupants that share a common boundary line, including across the public right-of-way, with the subject property have been provided notice of the public hearing in order that they may provide comment on the application. All notices herein described have been provided at least fifteen (15) days prior to the public hearing or as otherwise required by Idaho State Code. No written or verbal comments from the public were received.

#### **HEARING EXAMINER AUTHORITY TO GRANT (15.20.260):**

The hearing examiner has the authority to approve signs with or without special conditions concerning sign size, design, illumination, height, width, landscaping, placement on site, or any other condition it deems pertinent for sign enhancement. The hearing examiner shall only approve signs and sign structures that are consistent with the purpose set out in section 15.20.010 of this chapter and with the Comprehensive Plan of the City. Any aggrieved party may, within ten (10) days of the decision, appeal a decision to the City Council which shall hold a public hearing on the matter.

Type of Action: Quasi-Judicial.

#### **ANALYSIS AND FINDINGS OF FACT: FINDINGS OF FACT**

1. The Hearing Examiner discloses that she visited the site to observe the physical character and relationships of the subject property and surrounding area. No ex-parte communications took place with anyone prior to the public hearing or during the writing of this report beyond the information gathered or requested at said public hearing. The Hearing Examiner states that there is nothing personally or professionally that would not allow an impartial or unbiased decision.
2. City Staff did not receive any comments.
3. A public hearing was held on Thursday July 14, 2022 beginning at approximately 5:30 p.m. and closing at approximately 5:40 p.m.

#### **RECOMMENDATION & CONDITIONS:**

Based on review of the Application for a Sign Exception and analysis of the staff report, the applicant's presentation and favorable public comments, **the Hearing Examiner approves the request for a sign exception** to allow two (2) ground signs where 15.20.180.A.1 allows for only one (1) with the following conditions:

1. All applicable standards of the City of Pocatello Municipal Code Title 15.20 "Sign Code" not herein listed and applicable shall apply; and
2. The applicant shall be required to be approved for a sign permit prior to sign construction.

Table 1. Sign Exception Criteria Analysis

REVIEW CRITERIA (15.20.270):				
Compliant			City Code and Analysis	
Yes	No	N/A	Code Section / Analysis	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>15.20.270.A</b>	<b>An exception sought should be the result of unique physical characteristics of the site in question.</b>
			<i>Staff Review</i>	Juniper Hills Country Club is located within the Residential Medium Density Single-Family (RMS) zoning district. Where the Country Club is not a residential use, any new signage shall be in conformance with the requirement of signage within the Residential-Commercial-Professional (RCP) zoning district (15.20.170.A). The RCP zoning district allows one ground sign that does not exceed thirty-two (32) square feet in copy area, nor six (6) feet in height from grade. Current signage is obscured from view along Bannock Highway due to landscaping and speed limits. New signage is proposed to be included within the redesign of the entrance of the subject property allowing for signage to be more visible from the street.
			<i>Staff Review</i>	Juniper Hills Country Club is located within the Residential Medium Density Single-Family (RMS) zoning district. Where the Country Club is not a residential use, any new signage shall be in conformance with the requirement of signage within the Residential-Commercial-Professional (RCP) zoning district (15.20.170.A). The RCP zoning district allows one ground sign that does not exceed thirty-two (32) square feet in copy area, nor six (6) feet in height from grade. Current signage is obscured from view along Bannock Highway due to landscaping and speed limits. New signage is proposed to be included within the redesign of the entrance of the subject property allowing for signage to be more visible from the street.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>15.20.270.B</b>	<b>The applicant shall have taken all reasonable steps to comply with the strict terms of the ordinance from which he or she requests an exception.</b>
			<i>Staff Review</i>	The RCP zoning district allows one ground sign that does not exceed thirty-two (32) square feet in copy area, nor six (6) feet in height from grade. Proposed signage includes two (2) signs measuring three feet (3') tall and five foot, six inches (5'6") wide. At 16.5 square feet, the total signage square footage is proposed to be 33 square feet. These signs will be placed on a new entryway feature on either side of the ingress/egress of the property. These features will be placed outside of the sight triangle and will be ten foot, nine inches (10'9") in height from grade. The applicant considered one of the signs being removed from the design, however, due to the proposed entryway features, the applicant desires a more symmetrical design, including the use of the two signs.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>15.20.270.C</b>	<b>The circumstances surrounding the request shall be extraordinary as related to the applicant's land and the reasonable use thereof.</b>
			<i>Staff Review</i>	The request is to allow greater visibility from the street due to existing landscaping and symmetry of the new entryway design. Without the sign exception, Code section 15.20.180 would only allow one of the signs to remain as part of the design which would still allow reasonable use of the property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>15.20.270.D</b>	<b>The applicant should show that, absent an exception, no reasonable identification of the subject land remains.</b>
			<i>Staff Review</i>	The request is to allow greater visibility from the street due to existing landscaping and symmetry of the new entryway design. Without the sign exception, Code section 15.20.180 would only allow one of the signs to remain as part of the design. This may be unreasonable especially since the combined square footage exceeds the total square footage allowance of one sign by only one (1) foot.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>15.20.270.E</b>	<b>The applicant for an exception shall show how the proposed exception has been designed to minimize adverse effects on adjoining land.</b>
			<i>Staff Review</i>	The request is to allow greater visibility from the street due to existing landscaping and symmetry of the new entryway design. Without the sign exception, Code section 15.20.180 would only allow one of the signs to remain as part of the design. This may be unreasonable especially since the combined square footage exceeds the total square footage allowance of one sign by only one (1) foot. Splitting this allowable

				signage into two smaller signs reduces the potential adverse effects on adjoining property and fits in better with surrounding residential uses.
			<b>15.20.270.F</b>	<b>The proposal must be in conformance with the purpose set forth in this chapter.</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Staff Review</b>	The purpose of the Sign Code is to promote the public health, safety, and general welfare by regulating existing and proposed signage. It is intended to protect and enhance the physical appearance of the community, reserve the scenic and natural beauty, provide an enjoyable and pleasing community, protect property values, and create an attractive economic and business climate. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over the public right-of-way, provide more open space, and curb the deterioration of natural beauty and the community environment.

**APPLICABLE MUNICIPAL CODE/COMPREHENSIVE PLAN:**

1. Municipal Code Section 15.20, 15.20.180, 15.20.250, 15.20.260 and 17.02.400
2. 2015 City of Pocatello Comprehensive Plan

**2015 COMPREHENSIVE PLAN:**

Staff finds the following goals, objectives and policies identified in the 2015 Pocatello Comprehensive Plan to be applicable to this application:

- Chapter 13, Goal 2, Objective 2.3: Protect and enhance scenic views and natural landscapes by avoiding the visual clutter created by excessive signage.
  - Policy e. Encourage the development of reasonable, orderly and effective sign designs.

Respectfully submitted this 15th day of July, 2022,



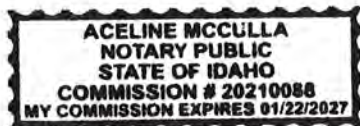
Kathleen Lewis  
Hearing Examiner

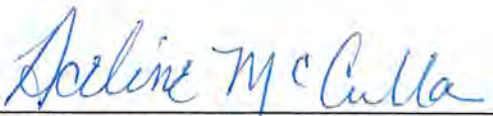
STATE OF IDAHO )  
 )  
 ) ss:  
 )  
COUNTY OF BANNOCK )

On this 15th day of July 2022, before me, the undersigned, a Notary Public in and for the State, personally appeared Kathleen Lewis, known to me or proved to me to be the person whose name is subscribed to the foregoing instrument, and being duly sworn, acknowledged to me that he 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.

(Seal)



  
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NOTARY PUBLIC FOR IDAHO  
Aceline McCulla  
Residing in Pocatello, Idaho