



**CITY COUNCIL CHAMBERS**

**680 Park Avenue  
Idaho Falls, ID 83402**

**CITY COUNCIL MEETING**  
**Thursday, November 12, 2020**  
**7:30 p.m.**

Thank you for your interest in City Government. In compliance with the Idaho Rebounds Stage 3 guidelines which discourage public gatherings, the City of Idaho Falls hereby provides reasonable means for citizens to participate in the above-noticed meeting. The City believes strongly in public participation and has therefore identified the following ways to participate in this meeting:

**General Meeting Participation.**

1. *Livestream on the Internet.* The public may view the meeting at [www.idahofallsidaho.gov](http://www.idahofallsidaho.gov). Meetings are also archived for later viewing on the City's website.
2. *Email.* Public comments may be shared with the Mayor and members of the City Council via email at any time. Electronic addresses for elected officials are located at <https://www.idahofallsidaho.gov/398/City-Council>.
3. *In-person attendance.* The public may view the meeting from the Council Chambers, or, if the Chambers are full, via livestream in a nearby room. To comply with the Centers for Disease Control and Prevention (CDC) social distancing guidelines, appropriate seating will be provided in the Council Chambers and in a nearby overflow room. Such seating is available on a first-come, first-served basis. *Citizens are required to wear face masks for the protection of others.*

**Official Public Hearing Participation.** Members of the public wishing to participate in a public hearing noticed on this agenda may do so. Public testimony on an agenda item will be taken only for public hearings indicated on this agenda. Please note that not all meeting agenda items include a public hearing or the opportunity for public comment.

1. *Written Public Hearing Testimony.* The public may provide written comments via postal mail sent to City Hall or via email sent to the City Clerk at [IFClerk@idahofallsidaho.gov](mailto:IFClerk@idahofallsidaho.gov). Comments will be distributed to the members of the Council and become a part of the official public hearing record. Written testimony must be received **no later than 4:00 p.m.** the date of the hearing.
2. *Remote Public Hearing Testimony.* The public may provide live testimony remotely via the WebEx meeting platform with a phone or a computer. This platform will allow citizens to provide hearing testimony at the appropriate time. Those desiring public hearing access **MUST** send a valid and accurate email address to [PAlexander@idahofallsidaho.gov](mailto:PAlexander@idahofallsidaho.gov) no later than 4:00 p.m. the day of the hearing so log-in information can be sent to you prior to the meeting. Please indicate for which public hearing you wish to offer testimony.
3. *In-person Testimony.* Live testimony will be received in the Council Chambers at the appropriate time throughout the meeting. To comply with the Centers for Disease Control and Prevention (CDC) social distancing guidelines, appropriate seating will be provided in the Council Chambers and in a nearby overflow room. Such seating is available on a first-come, first-served basis. *Citizens are required to wear face masks for the protection of others.*

Please be aware that an amendment to this agenda may be made in the meeting upon passage of a motion that states the reason for the amendment and the good faith reason why the desired change was not included in the original agenda posting. All regularly scheduled City Council Meetings are live-streamed and then archived on the city website (barring electronic failure). If communication aids, services or other physical accommodations are needed to facilitate participation or access for this meeting, please contact City Clerk Kathy Hampton at 208-612-8414 or the ADA Coordinator Lisa Farris at 208-612-8323 as soon as possible so they can seek to accommodate your needs.

1. **Call to Order.**
2. **Pledge of Allegiance.**
3. **Public Comment.** *Members of the public may address the City Council regarding matters that are **not** on this agenda or already noticed for a public hearing. When you address the Council, please state your name and city for the record and please limit your remarks to three (3) minutes. Please note that matters currently pending before the*

*Planning Commission or Board of Adjustment, which may be the subject of a pending enforcement action or which are relative to a City personnel matter, are not suitable for public comment.*

4. **Coronavirus (COVID-19) Update (as needed).**

5. **Consent Agenda.** *Any item may be removed from the Consent Agenda at the request of any member of the Council for separate consideration.*

**A. Item from the Fire Department:**

- 1) Purchase of Firefighter Turnouts

**B. Item from Idaho Falls Power:**

- 1) Minutes from the September 24, 2020 and October 22, 2020 Idaho Falls Power Board Meetings

**C. Items from Municipal Services:**

- 1) IF-20-06, Change Order for Overhead Fiber Project for Idaho Falls Power
- 2) RFP 21-076 Generator Control Services for Idaho Falls Power
- 3) IF-21-04, Purchase of Road Salt for Public Works
- 4) IF-21-B, Purchase of Backhoe Loader for Public Works - Water
- 5) IF-21-C, Purchase of Backhoe Loader for Public Works - Streets
- 6) Quote – Purchase Backup Storage System for Police Department
- 7) Quote – Microsoft License Renewal for Information Technology
- 8) Treasurer's Report for September 2020
- 9) Minutes from the October 19, 2020 City Council Work Session and October 22, 2020 City Council Meeting
- 10) License Applications, all carrying the required approvals

RECOMMENDED ACTION: Approve, accept, or receive all items on the Consent Agenda according to the recommendations presented (or take other action deemed appropriate).

6. **Regular Agenda.**

**A. Municipal Services**

**1) Adoption of Resolution for Inter-Departmental Direct Loan Policy:** There is a strong desire to assist City Departments in achieving long term financial success. This requires careful planning and forecasting; sound investment management; and careful attention to regulatory requirements, as well as commitment and discipline in order to assist Departments with ever-changing economic conditions. This resolution will adopt a policy for the consideration of City inter-departmental direct loans, including scope, process, terms and limitations.

RECOMMENDED ACTION: Adopt a resolution for an inter-departmental direct loan policy and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

**B. Public Works**

**1) City Ordinance Revision - Title 9, Chapter 5 – Snow Removal Parking Restrictions:** For consideration is a proposed revision to Title 9, Chapter 5, Snow Removal Parking Restrictions



prepared by the City Attorney. The proposed revision was discussed at the November 9, 2020 Council Work Session.

**RECOMMENDED ACTION:** Approve the Ordinance amending City Code regarding those streets that are only plowed at night, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or approve the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

**2) Resolution to Adopt a Revised Snow and Ice Control Policies and Procedures Manual:** For consideration is a proposed Resolution to amend the City of Idaho Falls Snow and Ice Control Policies and Procedures Manual as discussed at the November 9, 2020 Council Work Session. The policy has been updated to reflect current snow removal practices and to account for newly annexed streets.

**RECOMMENDED ACTION:** Adopt the resolution to revise the City of Idaho Falls Snow and Ice Control Policies and Procedures Manual which has been updated to reflect current snow removal practices, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

### **C. Community Development Services**

**1) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Fairway Estates Division 27:** For consideration is the application for Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for Fairway Estates Division 27. The Planning and Zoning Commission considered this item at its August 4, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

**RECOMMENDED ACTIONS** (in sequential order):

- a. Approve the Development Agreement for Fairway Estates Division 27, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).
- b. Accept the Final Plat for Fairway Estates Division 27, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat (or take other action deemed appropriate).
- c. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Fairway Estates Division 27, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

**2) Final Plat and Reasoned Statement of Relevant Criteria and Standards, Grandview Storage 1st Amended:** For consideration is the application for Final Plat and Reasoned Statement of Relevant Criteria and Standards for Grandview Storage 1st Amended. The Planning and Zoning Commission considered this item at its May 5, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

**RECOMMENDED ACTIONS** (in sequential order):

- a. Accept the Final Plat for Grandview Storage 1st Amended, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat (or take other action deemed appropriate).
- b. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Grandview Storage 1st Amended, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

**3) Public Hearing – Annexation and Initial Zoning of RMH, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B: Approximately 41.27 Acres, SE ¼, Section 9, Township 2 North, Range 38 East:** For consideration is the application for Annexation and Initial Zoning of RMH, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, for M&B: Approximately 41.27 Acres, SE ¼, Section 9, Township 2 North, Range 38 East. The Planning and Zoning Commission considered this item at its October 6, 2020 meeting and recommended approval by a vote of 4-1. Staff concurs with this recommendation.

**RECOMMENDED ACTIONS (in sequential order):**

- a. Approve the Ordinance annexing M&B: Approximately 41.27 Acres, SE ¼, Section 9, Township 2 North, Range 38 East, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).
- b. Approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of M&B: Approximately 41.27 Acres, SE ¼, Section 9, Township 2 North, Range 38 East, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).
- c. Assign a Comprehensive Plan Designation of “Higher & Lower Density Residential” and approve the Ordinance establishing the initial zoning for RMH under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate), that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office.
- d. Approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning for RMH and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

**4) Public Hearing – Zoning Ordinance Amendment for 11-4-5.E.1 regarding residential parking location:** For consideration is an Ordinance the Zoning Ordinance section 11-4-5.E.1, Residential Parking Location. Full details and reasoning of the changes are included in the attached staff report. The Planning and Zoning Commission considered this item at its July 21, 2020 and recommended to the Mayor and City Council approval by a unanimous vote. On August 13, 2020 the City Council removed the rezone from the agenda because at that time it was combined with another proposed

change to modify the definition of single-unit attached dwellings. That portion of the proposal has been tabled. The attached ordinance only includes the changes to residential parking locations.

**RECOMMENDED ACTION:** Approve the Ordinance Amending the Zoning Ordinance of sections 11-4-5.E.1, Residential Parking Location, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

**5) Public Hearing – Rezone from I&M to HC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately 9.45 Acres, Section 25, Township 2 North, Range 37 East:** For consideration is the application for Rezoning from I&M to HC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately 9.45 Acres, Section 25, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its October 6, 2020, meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

**RECOMMENDED ACTIONS (in sequential order):**

- a. Approve the Ordinance Rezoning from I&M to HC, M&B: Approximately 9.45 Acres, Section 25, Township 2 North, Range 37 East, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).
- b. Approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from I&M to HC of M&B: Approximately 9.45 Acres, Section 25, Township 2 North, Range 37 East, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

**6) Public Hearing – Rezone from R1 to R2, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately .374 Acres SE ¼ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East:** For consideration is the application for Rezoning from R1 to R2, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately .374 Acres SE ¼ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its October 6, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

**RECOMMENDED ACTIONS (in sequential order):**

- a. Approve the Ordinance Rezoning from R1 to R2, M&B: Approximately .374 Acres SE ¼ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).
- b. Approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from R1 to R2 of M&B: Approximately .374 Acres SE ¼ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East (or take other action deemed appropriate).

**7) Public Hearing – Rezone from R1 to TN, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately 3 Acres N ½ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East:** For consideration is the application for Rezoning from R1 to TN, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately 3 Acres N ½ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its October 6, 2020 meeting and recommended approval by a vote of 5 to 1. Staff concurs with this recommendation.

**RECOMMENDED ACTIONS (in sequential order):**

- a. Approve the Ordinance Rezoning from R1 to TN M&B: Approximately 3 Acres N ½ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).
- b. Approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from R1 to TN of M&B: Approximately 3 Acres N ½ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East (or take other action deemed appropriate).

7. **Announcements.**

8. **Adjournment.**



# MEMORANDUM

**FROM:** Duane A Nelson; Fire Chief  
**DATE:** Tuesday, October 27, 2020  
**RE:** Purchase of Firefighter Turnouts

## Council Action Desired

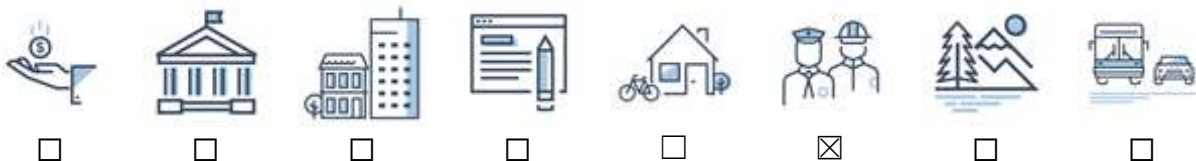
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing  
☒ Other Action (Approval, Authorization, Ratification, etc)

Approve the quote from Weidner Fire for a total of \$63,125.00 (or take other action deemed appropriate).

## Description, Background Information & Purpose

The protective ensemble firefighters wear during emergency calls is known as “turnouts.” Turnouts play a vital role in protecting personnel against all the dangers of fire, smoke, cancer causing agents and other harmful materials and situations. This replacement purchase allows the Fire Department to maintain and provide safe and effective gear for department personnel.

## Relevant PBB Results & Department Strategic Plan



This purchase meets our community-oriented goals of a safe and secure community by providing safety solutions that allow for rapid response to emergency calls and situations.

## Interdepartmental Coordination

N/A

## Fiscal Impact

Funds to purchase these twenty-five sets of turnouts are budgeted within the Fire Department 2020/2021 approved budget.

**Legal Review**

N/A



# Quotation

09/30/2020

## Weidner Fire

Weidner Fire  
135 West 7065 South  
Midvale, UT 84047  
Phone: 801-565-9595  
Email: sales@weidnerfire.com

S39732



### Bill To:

City of Idaho Falls  
Attn: Accounts Payable  
P.O. Box 50220  
Idaho Falls, ID 83405-0220

### Ship To:

City of Idaho Falls  
343 E Street  
Idaho Falls, ID 83402

Contact: Alyn Criddle

### Notes

HGAC Contract Pricing

Seller	Payment Terms	FOB Point	Shipping Terms	Carrier	Ship Service
Roger Crane	NET 30 DAYS	Origin	Prepaid & Billed	UPS	Ground

Item #	Number	Description	Unit Price	Qty Ordered	Total Price
1	5-Alarm Turnout Spec, TecGen71, Set Idaho Falls NMPTPR	FireDex FXR Turnout Gear Coat & Pant 6.5 oz. TECGEN Nomex®/Kevlar®/TECGEN, Gold, Thermal Liner: 7.4 oz. Glide Ice™ 1-Layer, Moisture Barrier: (F) 5.5 oz. Stedair® 4000, IFFD 3" L/Y Scotchlite Lettering (NO MASK POCKET - TOOL POCKET RIGHT)	\$ 2,525.00	8 ea	\$ 20,200.00
2	5-Alarm Turnout Spec, TecGen71, Set Idaho Falls MPTPR	FireDex FXR Turnout Gear Coat & Pant 6.5 oz. TECGEN Nomex®/Kevlar®/TECGEN, Gold, Thermal Liner: 7.4 oz. Glide Ice™ 1-Layer, Moisture Barrier: (F) 5.5 oz. Stedair® 4000, IFFD 3" L/Y Scotchlite Lettering (WITH MASK POCKET - TOOL POCKET RIGHT OR LEFT)	\$ 2,525.00	17 ea	\$ 42,925.00



## Quotation

09/30/2020

### Weidner Fire

Weidner Fire  
135 West 7065 South  
Midvale, UT 84047  
Phone: 801-565-9595  
Email: sales@weidnerfire.com

S39732



<b>Subtotal:</b>	<b>\$ 63,125.00</b>
<b>Sales Tax:</b>	<b>\$ 0.00</b>
<b>Total:</b>	<b>\$ 63,125.00</b>

Freight charges and Sales Tax will be added to the invoice, if applicable. If this purchase is Tax Exempt, a Certificate must be received with your Purchase Order.



## September 24, 2020 Unapproved

The Idaho Falls Power Board of the City of Idaho Falls met Thursday, September 24, 2020, at the Idaho Falls Power Energy Center, 140 S. Capital, Idaho Falls, Idaho at 7:00 a.m.

### Call to Order, Roll Call, and Announcements

There were present:

Mayor Rebecca L. Noah Casper

Board Member Jim Francis

Board Member Thomas Hally

Board Member Shelly Smede

Board Member Jim Freeman (by Zoom)

Board Member John Radford (by Zoom)

Absent:

Board Member Michelle Ziel-Dingman

Also present:

Bear Prairie, Idaho Falls Power (IFP) General Manager

Stephen Boorman, IFP Assistant General Manager

Randy Fife, City Attorney

David M. Smith, City Accountant

Jace Yancey, IFP Operations Technology Manager

Linda Lundquist, IFP Executive Assistant

Mayor Casper called the meeting to order at 7:05 a.m.

### Updates from Board Members

Board Member Radford said there weren't any notes to include from the Policy Maker's Council but did ask if there was concern with the two hydro articles that had been included in the packet.

Board Member Freeman gave a brief summary from a recent Northwest Public Power Council Association (NWPPA) meeting he attended and noted what appeared to be a disconnect between the American Public Power Association's (APPA) CEO and legislators with regard to an upward of a \$5 billion dollar loss in the utility industry due to the coronavirus pandemic. He expressed his opinion that decision making should come from river managers and mentioned that some difficulty in working with the Bureau of Land Management and forestry services had been reported by utilities.

### Carbon Free Power Project (CFPP)

General Manager (GM) Prairie outlined changes since the last meeting and noted that the Development Cost and Reimbursement Agreement (DCRA) had been negotiated by UAMPS with NuScale for a one-hundred percent (100%) cost reimbursement through the Combined Operational Licensing Agreement (COLA) submittal for Economic Competitive Test (ECT) failure. He stated that the plan is to be at a Class 3 Project Cost Estimate by January 2022. GM Prairie explained the differences in class estimates and noted that by the time the project reaches a Class 1, there should be firm bids from the contractors with a firm notice to proceed (FMTP), whereby the COLA gets filed and the construction license is received. GM Prairie stated that the financial exposure to Utah Associated Municipal Power Systems (UAMPS) is \$211 million with \$151 million for the economic competitive test (ECT) failure at a 30 percent (30%) cost reimbursement. He said the ECT model is getting some final tweaks and is expected to run at \$50MWh, and will be run every six months with Fluor, NuScale and Burns McDonnell overseeing the testing. He

added that UAMPS is responsible for costs if the Department of Energy (DOE) funds do not get appropriated or funded and that \$1.4 billion will be added into the Economic Competitiveness Model in this event. GM Prairie said that UAMPS is responsible to demonstrate that they have the finances to pay for the project and that Fluor and NuScale have to demonstrate the ability to build the project. He reiterated that in July 2020, the project management committee (PMC) passed a new budget with three conditions and stipulated that the DCRA and Engineering, Procurement and Construction Development Agreement (EPCDA) get negotiated and the DOE award must come through. He added that the PMC approved to move the off-ramp deadline to Oct. 31, 2020. Mayor Casper asked why money is needed now and GM Prairie stated that UAMPS needs to pay internal staff and Burns and McDonnell about \$150,000 - \$200,000. He mentioned that the DOE is paying \$2 million for a core drill outside of the \$1.4 billion award. Board Member Radford asked if the DOE agreement and award are one in the same and GM Prairie stated yes. There was a discussion about the best way to move forward with the pending DOE award. GM Prairie reminded the board that they initially came in strong with a 10MWh commitment to help the project get going, but that it makes sense now to right size to a lower amount based upon the latest resource needs analysis. Attorney Fife pointed out that it's the Board's responsibility to make good decisions for the utility and rate payers. Mayor Casper summarized and wrapped up the discussion with Board Member Francis' comfort level at \$700,000 with reluctance to go higher, Board Members Freeman, Hally and Radford are leaning toward a \$1 million cap and Board Member Smede deferred to GM Prairie's expertise. GM Prairie expressed his continued concerns with low subscription from other utilities in the region and potential cost overruns along with operational uncertainty for first of kind technology. He continued on and emphasized the importance of managing for worst-case scenarios but noted that he agreed with some of the Board in that if the project does get built on time and on budget, that it not only would be good for the city but the entire region due to the economic impact of this type of first of kind project. He reminded the Board to review the UAMPS Executive Summary included in the packet.

### **Q3 Financial and Operations Report**

David Smith, City Accountant reviewed the quarter three financial statements and pointed out that fiber is based on cash actually received and power is based on what the utility bills out. He noted that power pays its own power bill. He mentioned that it was a good quarter for "other income" and explained the highlighted information and talked about delinquent accounts and increasing residential customers. Mr. Smith added that he is working on some new reporting features that will show actual amounts spent on projects and Board Member Francis commented on how helpful a reporting feature like that would be to utility liaisons.

In reviewing the quarter three power supply reports, GM Prairie stated that expenses are slightly up from last year at \$6.22 million versus \$6.14 million. He attributed the year-over-year (YOY) difference to lower wholesale power costs. He reported the revenue to be down slightly from this year at \$1.12 million compared to \$1.36 million last year. GM Prairie said that even though 8,560 more megawatt hours were sold, the cost was less this year at \$11.89MWh versus last year at \$15.78HWh. He reported that the new costs should have been lower YOY, but the data was skewed by a Bonneville Power Association (BPA) refund in 2019. GM Prairie said that generation looks good with as expected water flows and noted that a cold April brought the loads up some. He added that even though May and June reported normal temperatures, the load was off, likely attributed to the coronavirus due to businesses and school closures. He stated that July and August sales appear to have bounced back and mentioned that the customer count is increasing. GM Prairie said he is likely to purchase 10MWh for quarter one and may participate in UAMPS' five-year block purchase of heavy load. He pointed out a La-Nina event shaping up in the ocean and mentioned that the Almanac is predicting colder and wetter conditions for this winter.

Due to lack of time, the BPA Contracts and Statues briefing was tabled until the next meeting.

Fiber Update

Jace Yancey, IFP Operations Technology Manager reviewed the interactive online fiber optic network map on the new fiber website. GM Prairie announced the new website and mentioned that all signups are now conducted online. Mr. Yancy showed pictures of the fiber huts and fiber optic construction projects. He mentioned that fiber construction and installation was delayed a due to the coronavirus that caused supply chain and personnel issues. Despite the delays, he said construction is wrapping up on the westside where new customers can expect fiber service by the end of October. Mr. Yancey stated that, depending on the weather, Brookside and Dunes could have new service mid to late November. In addition, he said there will be service available to about 2,200 customers in the ballpark area. Assistant General Manager (AGM) Boorman explained the splicing bid process and how it will go out to a formal bid. GM Prairie clarified that according to the fiber installation business model, the utility picks up approximately 25 percent (25%) of new customers over the year after construction. He talked about a robust marketing plan and explained a customer referral program to incentivize more business as well as the give-away of free thermostats for new fiber customers that sign up. AGM Boorman pointed out that IFP is putting in private fiber connection lines while competitors are running party lines. Board Member Hally asked if TEVO works with fiber and GM Prairie said it does as long as you have the service for it.

Utility Reports

*Transmission and Distribution* – AGM Boorman announced the need for a property purchase for approximately \$200,000 adjacent to the Harrison substation, which is landlocked by subdivisions. He explained that the purchase would give the utility more control over the easements for the purpose of access and changing out large transformers, etc. The board was in support of a purchase.

*Federal and State Regulation/Litigation* – Mr. Fife expressed his concern about the courts upholding government regulations on small cells. He pointed out that the city anticipated issues like this and it appears the city is in good shape as they responded in advance of the legislation. He stated that the utility has forms, fees and a process in place.

*Organizational Membership Reports* – GM Prairie stated an energy company with new technology that was deployed in Europe is planning to bring it to the United States to utilize Nevada's geothermal fields. It couples geothermal with solar and a thermal storage battery which allows peaking and shaping of the generation output. They are looking at \$60 per MWh for a 20-year power purchase agreement. He explained that this is an example of other types of carbon free projects are being developed with new technology.

Announcements

GM Prairie announced there will be a power sales agreement for N9+LLC brought before the Council this evening. Mayor Casper mentioned how helpful it is to have articles like the Northwest River Partners' article as supplemental information in the packet. GM Prairie mentioned that he may invite in Kris Millgate in to talk about her recent series.

There being no further business, the meeting adjourned at 11:02 a.m.

s/ Linda Lundquist

Linda Lundquist, EXECUTIVE ASSISTANT

s/ Rebecca L. Noah Casper

Rebecca L. Noah Casper, MAYOR

## October 22, 2020 Unapproved

The Idaho Falls Power Board of the City of Idaho Falls met Thursday, October 22, 2020, at the Idaho Falls Power Conference Room, 140 S. Capital, Idaho Falls, Idaho at 7:00 a.m.

### Call to Order, Roll Call, and Announcements:

There were present:

Mayor Rebecca L. Noah Casper

Board Member Michelle Ziel-Dingman

Board Member Thomas Hally

Board Member Jim Francis

Board Member Jim Freeman (via Zoom)

Board Member John Radford (via Zoom)

Board Member Shelly Smede (via Zoom, arrived at 7:06 a.m., left at 9:30 a.m.)

Also present:

Bear Prairie, Idaho Falls Power (IFP) General Manager

Stephen Boorman, IFP Assistant General Manager (via Zoom)

Randy Fife, City Attorney

Linda Lundquist, IFP Executive Assistant

Mayor Casper called the meeting to order at 7:00 a.m. and made some brief announcements about the Eastern Idaho Public Health meeting that is to occur this morning and the Hero's Trick or Trunk event due to take place on Saturday. She mentioned an International Energy Association article that had been released in April and acknowledged that nuclear power is not only a local issue, but a state, national and international issue.

### Board Member Updates and Announcements

Board Member Radford said that the Policy Maker's Council (PMC) conversations have been about election polling and understanding the outcomes of the elections. He said that between what he is hearing from the PMC and the Department of Energy (DOE), the election isn't a concern with regard to nuclear energy. Mayor Casper agreed that the bipartisan support is common sense.

Board Member Hally reminded the Board of tonight's debate and emphasized the importance of the final analysis.

### Carbon Free Power Project

General Manager (GM) Prairie announced that the Project Management Committee (PMC) for the Carbon Free Power Project (CFPP) has approved many actions including the creation of a CFPP LLC (LLC), which will allow Utah Associated Municipal Power Systems (UAMPS) through the LLC, to enter into separate power sales contracts with entities that aren't UAMPS' members, but they will still retain ownership in the project. Board Member Francis asked how the LLC will affect the PMC and GM Prairie answered that it doesn't change anything unless a participant comes in with a larger share than UAMPS, because that could shift the priority decision making of the project from UAMPS' members. He stated that there are other good reasons for the LLC like administering the DOE award as a flow-through to UAMPS once it's awarded. He added, if the project moves forward, that Doug Hunter, CEO of UAMPS will become the president of the LLC and will hire an accountant to oversee the finances and a project manager with a history of building nuclear projects. Board Member Ziel-Dingman asked if Mr. Hunter were to retire from UAMPS, would he remain the president of the LLC? GM Prairie stated that since the LLC is still controlled by the PMC, at this point it should have the say in who is the President of the LLC from his understanding. Attorney Fife

agreed that this is something to watch for and will be important relative to UAMPS' control of the project and that it should be clarified at some point. He added that there are some limits on the liability and questions whether the LLC can declare bankruptcy. He noted that he had spoken to UAMPS' attorney Mason Baker about the legalities of the LLC. Mr. Fife stated that there have been mixed answers in court cases, but emphasized that the sales contracts are still held by UAMPS with a flow-through to the LLC. GM Prairie displayed the LLC's organizational chart and reviewed each area's responsibilities and reiterated that the off-ramp deadline is still Oct. 31, 2020. He added that many CFPP participants are holding their council meetings over the next two weeks and that the next CFPP meeting will be on Nov. 9, 2020, where phase costs are expected to be locked in by the PMC. GM Prairie explained how the DOE award will pay twenty three percent (23%) of the cost and the award is on a scale. There was a discussion on the LLC and PMC voting. He said that the Development Cost and Reimbursement Agreement (DCRA) between UAMPS and NuScale was approved by the PMC and the UAMPS Board, which outlines the modules and development items that NuScale must deliver. GM Prairie explained that this agreement dovetails into the Engineering Procurement and Construction Development Agreement (EPCDA) with Fluor, which outlines credit support requirements and task order processes and payments. Board Member Francis asked who would run the Economic Competitive Test (ECT)? GM Prairie said that UAMPS hired a third party validation to have outside expertise on NuScale and Fluor's inputs into the ECT model runs and assumptions. There was a discussion on how IFP arrived at the current subscription amount. GM Prairie gave a historical summary of energy usage and stated that the modeling shows that IFP needs a low-cost, peak solution that doesn't overwhelm the portfolio, not necessarily baseload energy like zero margin cost nuclear is. He reminded the Board of past presentations on how IFP is net-long energy eighty-five percent 85% of the time and still has additional BPA energy that it is eligible to take. There was further discussion on energy needs in the region and in the Southwest. GM Prairie mentioned that some of the nuclear plants that are closing are in the \$35-45MWh range and when surveyed, ratepayers want affordable carbon free options. Mayor Casper reminded everyone that price shouldn't be the only deciding factor on this project. Board Member Radford agreed that public power can take these risks and should take these risks that for profit utilities are not incentivized to do. There was a general discussion on cost effectiveness of \$70 (2029 dollars) of the SMR with Board members voicing varying views of what is the right megawatt (MW) level related to the actual electricity needs of the utility.

The CFPP Resolution was reviewed and discussed. Board Member Hally stated that moving from 10MWh to 5MWh seemed steep and that 7MWh seemed more appropriate and added that he feels there will be a heavy tax hit on natural gas. GM Prairie reminded the Board of the current natural gas price curves that were presented in previous CFPP discussions and the current forward market price curve shows abundant low gas prices for the next 15+ years. GM Prairie acknowledged that legislation changes and sudden regulatory changes can/would drastically impact the price of natural gas. Board Member Ziel-Dingman said that IFP has reached a good compromise with 5MWh and added that IFP is giving 1/13<sup>th</sup> support in the project even though they are not 1/13<sup>th</sup> of this project and do not have the energy needs like other utilities in the project. GM Prairie stated that the reality of spending \$900,000 will be funding 50MWh, and only receiving 5MWh and he reiterated that IFP should be pursuing an affordable peak energy source based upon his analysis of the IFP portfolio and energy markets experience. He added that a 5MWh commitment clearly signals IFP's need, but pointed out the investment is at a much higher level. Board Member Francis said he was comfortable spending \$700,000 for 5MWh as had been discussed the last two months along with voicing risk concerns for this project and how it seems to always be changing, which are red flags in his mind. Board Member Smede agreed with Board Member Francis that IFP should not subscribe above their energy need. Board Member Freeman offered that he trusts GM Prairie's judgement that 5MWh is where IFP needs to be. GM Prairie explained that the project subscriptions are down to 108MWh and added that more participants could drop from the CFPP, which is a real concern for the future of the project. Board

## October 22, 2020 Unapproved

Member Radford is concerned how the public will perceive moving from 10MWh to 5MWH and agreed to go with the \$700,000 if there is a chance to save \$200,000 and Board Member Freeman agreed. GM Prairie recommended committing to the extra \$250,000 in case it would be needed to move the project forward to the next phase. GM Prairie agreed he would do everything he could to limit IFP's cost exposures and risks within the Board guidance, but stated that if the project comes down to needing the extra support of \$250,000 from IFP, and that support determines if the project lives on or ceases, that the Board would support the additional financial support from IFP due to the potential positive impact this can have on the city. Board Members gave the nod to move forward with the recommended spending and subscription as outlined in the proposed resolution. GM Prairie advised the Board that the Resolution will be on the regular City Council meeting's agenda for tonight's further discussion and approval.

### Board Policy Number Three

GM Prairie reviewed the policy and advised the Board to let him know if there were any changes or additions needed.

### BPA Contracts and Statutes

GM Prairie announced that Elliot Mainzer announced his departure from the Bonneville Power Administration (BPA) and that his replacement will be a DOE appointment. He reviewed funding statues of the Bonneville Project Act (ACT) and explained how the ACT was good for IFP as it reaffirmed preference sale, granted administrator authority to acquire resources and created a mechanism and authority for it. He said that the regional dialog contracts will expire in September 2028 and signing new contracts will likely begin before that in 2025, with preliminary discussion already starting. GM Prairie explained that IFP has to pay the amount they commit and currently, IFP pays about \$2 million per month for BPA power which works out to around \$35 per MWh. He added that IFP is part of the Slice/Block program that works well, but could be simplified with some potential flexibility added. He said that BPA is forecasting that they will absorb inflation costs and is projecting no power rate increase for the next rate period in 2022-24. GM Prairie mentioned a litigated provision in the ACT that calls for benefits in the low-cost hydro system to be shared with everyone in the region and not just public power entities. As part of the Residential Exchange Program, he offered that the economic impact for people living outside of the city, see a line item for Federal Energy Impact or a preference credit on their monthly power bills from their investor owned utility provider and this funding is paid for by preference customers like IFP under the Residential Exchange requirement and settlement.

GM Prairie reviewed IFP agenda items that will go before City Council that evening and mentioned that there will likely be a contract renewal for B. Jackson for \$1 million coming in November 2020.

### Standing Reports

*Transmission and Distribution* – GM Prairie mentioned the upcoming purchase near the Harrison substation. Mr. Fife noted that since the purchase is already in the budget and approved, there is no need for a meeting and mentioned to GM Prairie to schedule a closing and that IFP can purchase the property without further action. GM Prairie stated that the goal of purchasing the property is to ensure semitruck access to the substation and that the intention is to hold the deed until there is a buyer, at which time an easement will be integrated.

*Fiber* – GM Prairie gave a general fiber installation/customer update. He mentioned the positive feedback that has been received through Red Inc. Communication's marketing efforts. He previewed the instructional fiber animation video that will be uploaded on the new fiber website. Mayor Casper questioned why Red Inc. is doing this work for IFP and not another company in town? GM Prairie reminded her of a Board

**October 22, 2020 Unapproved**

presentation about a year ago where he showed the process of the request for qualifications (RFQ) for working with IF Power and Fiber. In that RFQ process, Red Inc. was the only firm that offered in-house animation, which was a requirement along with competitive pricing for general graphic design. He stated the committee that performed the RFQ felt that Red Inc. offered the most skills and value, compared with other local companies that were interviewed. GM Prairie acknowledged that since each company had their strengths and weaknesses, it was crucial to hold a formal RFQ to help award the contract.

**Announcements**

Mayor Casper explained that because the prior year's broadband legislation failed and caused such issues, a group called Imagine Idaho was created to grow awareness and potential legislation around broadband.

GM Prairie announced that a La Niña (a weather pattern that occurs in the Pacific Ocean) is in the forecast and if that holds, to expect a wetter and colder than normal winter with above normal snowpack.

There being no further business, the meeting adjourned at 11:04 a.m.

s/ Linda Lundquist

Linda Lundquist, EXECUTIVE ASSISTANT

s/ Rebecca L. Noah Casper

Rebecca L. Noah Casper, MAYOR



# MEMORANDUM

**FROM:** Pam Alexander, Municipal Services Director

**DATE:** Tuesday, October 20, 2020

**RE:** IF-20-06, Change Order for Overhead Fiber Project for Idaho Falls Power

## Council Action Desired

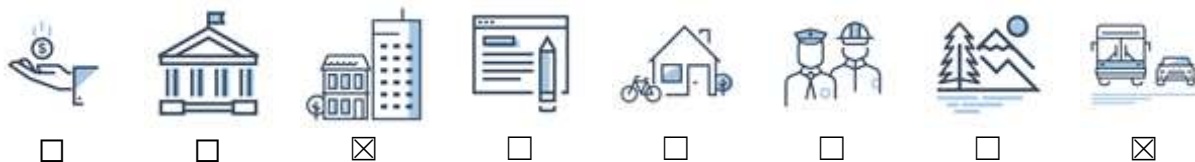
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing  
☒ Other Action (Approval, Authorization, Ratification, etc)

Approve a change order for B. Jackson Construction, Inc. for a total of \$1,000,000 or take other action deemed appropriate.

## Description, Background Information & Purpose

B. Jackson Construction, Inc. was the lowest responsive responsible bidder approved for a minimum bid of \$588,720.85 and included a not-to-exceed amount of \$1,000,000 for project cost capacity at the January 9, 2020 City Council meeting. B. Jackson Construction has agreed to honor the 2020 bid amounts for additional work to be completed in fiscal year 2021. This change order will increase the total contract award to \$2,000,000 for overhead fiber installation.

## Relevant PBB Results & Department Strategic Plan



This change order supports the well-planned growth and livable community-oriented results by installing overhead residential fiber for future fiber service availability.

## Interdepartmental Coordination

Municipal Services Department concurs with the change order recommendation.



**Fiscal Impact**

Funds for the overhead fiber installation services are budgeted within the 2020/21 Idaho Falls Power Fiber budget.

**Legal Review**

Legal has reviewed the change order and concurs the Council action desired is within State Statute.

## CHANGE ORDER NO.: 2

Owner: Idaho Falls Fiber  
Engineer: n/a  
Contractor: B. Jackson Construction  
Project: IFP Aerial Fiber Project  
Date Issued: 13 November 2020  
Owner's Project No.: Bid IF 20-06  
Engineer's Project No.:  
Contractor's Project No.:  
Effective Date of Change Order: 13 November 2020

The Contract is modified as follows upon execution of this Change Order:

Description:

**Authorize fiscal year 2021 additional construction work for the Project. This work will be at the Bid Per Unit pricing for the work completed in FY2020.**

Attachments:

**None**

Change in Contract Price		Change in Contract Times [State Contract Times as either a specific date or a number of days]	
Original Contract Price:		Original Contract Times:	
\$ 588,720.85		Substantial Completion:	
		Ready for final payment:	
[Increase] [Decrease] from previously approved Change Orders No. 1 to No. [Number of previous Change Order]:		[Increase] [Decrease] from previously approved Change Orders No.1 to No. [Number of previous Change Order]:	
\$ 300,000.00		Substantial Completion:	
		Ready for final payment:	
Contract Price prior to this Change Order:		Contract Times prior to this Change Order:	
\$ 966,489.85		Substantial Completion:	
		Ready for final payment:	
[Increase] [Decrease] this Change Order:		[Increase] [Decrease] this Change Order:	
\$ 1,000,000		Substantial Completion:	
		Ready for final payment:	
Contract Price incorporating this Change Order:		Contract Times with all approved Change Orders:	
\$ 1,966,489.85		Substantial Completion:	
		Ready for final payment:	

Recommended by Engineer (if required)	Authorized by Owner
By: Stephen Boorman, PE	By:
Title: AGM	Title:
Date: 10/19/20	Date:
Authorized by Owner	Approved by Funding Agency (if applicable)

City of Idaho Falls  
PO BOX 50220  
IDAHO FALLS, IDAHO 83405  
PHONE: (208) 612-8433

Office of Purchasing Agent

Opening Date: December 30, 2019

**BID IF-20-06**  
2020 IFF Overhead Fiber Project

Company			Creek Enterprise, Inc		B. Jackson Construction, Inc.
From			Tecumseh, MI		West Jordan, UT
License #			Not Licensed		004875-UNLIMITED-1-4
Bid Bond Included (Y/N)			N		Y
Addendum 1 included (Y/N)			N		Y
	Quantity	UOM			
BM2 (5/8)(8) 8' GROUND ROD	20	EA	\$59.76		\$74.69
Total			\$1,195.20		\$1,493.80
BM2A BOND STRAND TO PWR GROUND ON POLE	300	EA	\$25.27		\$57.57
Total			\$7,581.00		\$17,271.00
CD( )UV AERIAL CONDUIT ASEMBLY UNIT 1.25" to 1.5"	10,000	FT	\$11.00		\$2.83
Total			\$110,000.00		\$28,300.00
CO12E LASH 12CT FIBER	100	FT	\$2.42		\$1.73
Total			\$242.00		\$173.00
CO24E LASH 24CT FIBER	100	FT	\$2.48		\$1.73

Total			\$248.00		\$173.00
CO36E LASH 36CT FIBER	100	FT	\$2.54		\$1.73
Total			\$254.00		\$173.00
CO48E LASH 48CT FIBER	100	FT	\$2.66		\$1.73
Total			\$266.00		\$173.00
CO72E LASH 72CT FIBER	125,000	FT	\$2.80		\$1.80
Total			\$350,000.00		\$225,000.00
CO96E LASH 96CT FIBER	100	FT	\$2.96		\$1.97
Total			\$296.00		\$197.00
CO144E LASH 144CT FIBER	100	FT	\$3.43		\$2.06
Total			\$343.00		\$206.00
CO288E LASH 288CT FIBER	5,000	FT	\$4.18		\$2.16
Total			\$20,900.00		\$10,800.00
CO432E LASH 432CT FIBER	5,000	FT	\$5.25		\$2.39
Total			\$26,250.00		\$11,950.00
CS(10M) 5/16 STRAND	1	FT	\$3.27		\$2.12

Total			\$3.27		\$2.12
CS(6M) 1/4 STRAND	90,000	FT	\$2.81		\$1.69
Total			\$252,900.00		\$152,100.00
FIBER SPLICER HOURLY	1	HR	\$195.00		\$129.63
Total			\$195.00		\$129.63
PE1-3I DOWN GUY 10M WITH INSULATOR	100	EA	\$148.83		\$179.08
Total			\$14,883.00		\$17,908.00
PE2-2 OVERHEAD GUY 6M	1,000	FT	\$232.53		\$1.74
Total			\$232,530.00		\$1,740.00
PE2-3G OVERHEAD GUY 10M	100	FT	\$239.38		\$2.00
Total			\$23,938.00		\$200.00
PF3-5A SCREW ANCHOR TWIN EYE DIRT	100	EA	\$184.93		\$466.65
Total			\$18,493.00		\$46,665.00
PF5-3A ROCK ANCHOR TWIN EYE	1	EA	\$224.19		\$884.20
Total			\$224.19		\$884.20
PM100 (10") CORE DRILL SIDEWALK FOR ANCHOR PLACEMENT	0	EA	\$0.00		\$661.68

Total			\$0.00		\$0.00
PM11 GUY GUARD	150	EA	\$18.61		\$48.14
Total			\$2,791.50		\$7,221.00
PM4 CABLE EXTENSION ARM (SHORT)	75	EA	\$175.25		\$266.60
Total			\$13,143.75		\$19,995.00
PM4A CABLE EXTENSION ARM (LONG)	25	EA	\$285.21		\$273.94
Total			\$7,130.25		\$6,848.50
R1-5 TREE TRIMMING - SPACE REQUIRED TO GET STRAND AND LASHER THROUGH	200	FT	\$4.30		\$14.05
Total			\$860.00		\$2,810.00
T&E 3 MAN LINE CREW	40	HR	\$350.00		\$383.56
Total			\$14,000.00		\$15,342.40
T&E 4 MAN CREW	40	HR	\$425.00		\$524.13
Total			\$17,000.00		\$20,965.20
LUMP SUM TOTAL			\$1,115,667.16		\$588,720.85
Subcontractors Listed:			Optilink Broadcom, Inc.		
			Telecommunication		
			PWRW19-023		



# MEMORANDUM

**FROM:** Pam Alexander, Municipal Services Director

**DATE:** Tuesday, November 3, 2020

**RE:** RFP 21-076 Generator Control Services for Idaho Falls Power

## Council Action Desired

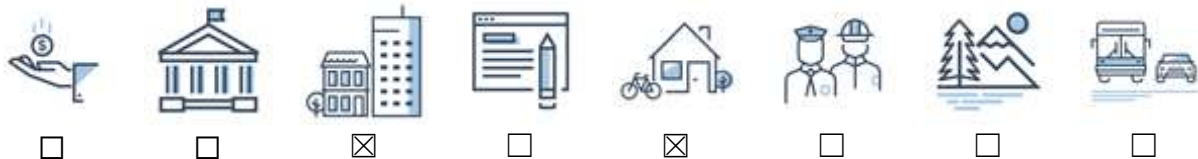
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing  
☒ Other Action (Approval, Authorization, Ratification, etc)

Accept and approve a recommendation for a professional services contract award to L&S Integrated Solutions for a not to exceed amount of \$200,000 or take other action deemed appropriate.

## Description, Background Information & Purpose

L&S Integrated Solutions submitted a proposal for generator control services for Idaho Falls Power. L&S received the highest proposal score from a total of four proposals received.

## Relevant PBB Results & Department Strategic Plan



This proposal supports the well-planned growth and livable community-oriented results by providing professional generator control services to replace the City's generator infrastructure.

## Interdepartmental Coordination

Municipal Services Department concurs with the recommendation for contract award.

**Fiscal Impact**

Funds for the generator control services are budgeted within the 2020/21 Idaho Falls Power operating budget.

**Legal Review**

Legal has reviewed the proposal award process and concurs the Council action desired is within State Statute.



RFP #20-076 Generator Control Services  
Evaluation

	CRITERION 1				CRITERION 2				CRITERION 3			
	COMPANY EXPERIENCE / QUALIFICATIONS (40 Points Possible)				PROJECT SCHEDULE (30 Points Possible)				COST AND QUALITY CONTROL (20 Points Possible)			
	#1	#2	#3	#4	#1	#2	#3	#4	#1	#2	#3	#4
L & S	40	40	40	40	28	30	30	30	18	18	17	18
Petrotech	35	38	36	35	30	30	30	30	20	19	18	17
HPI Energy	35	33	34	34	20	30	30	28	10	15	12	15
CASNE	25	30	28	30	20	28	27	25	10	16	16	15

Totals	100 Maximum				AVE
	#1	#2	#3	#4	
L & S	86	88	87	88	
Petrotech	85	87	84	82	
HPI Energy	65	78	76	77	
CASNE	55	74	71	70	



# MEMORANDUM

**FROM:** Pam Alexander, Municipal Services Director

**DATE:** Thursday, October 29, 2020

**RE:** IF-21-04, Purchase of Road Salt for Public Works

## Council Action Desired

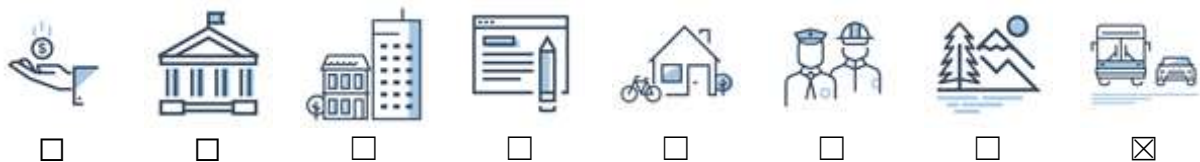
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing  
☒ Other Action (Approval, Authorization, Ratification, etc)

Accept and approve the bid from the lowest responsive and responsible bidder Specialty Construction Supply for an estimated total of \$137,165.00 or take other action deemed appropriate.

## Description, Background Information & Purpose

This purchase will provide 3,500 tons of road salt for \$39.19 per ton for the Street division.

## Relevant PBB Results & Department Strategic Plan



The purchase of the road salt supports the safe and secure community-oriented result by providing safe and reliable transportation on City streets.

## Interdepartmental Coordination

Public Works concurs with the Municipal Services Department recommendation for the purchase.

**Fiscal Impact**

Funds for the road salt are budgeted within the 2020/21 Public Works, Streets Division.

**Legal Review**

Legal has reviewed the bid process and concurs the Council action desired is within State Statute.

CITY OF IDAHO FALLS

PO BOX 50220  
IDAHO FALLS, ID 83405-0220  
Phone 208-612-8433

Office of Purchasing Agent

Opening Date: October 16, 2020

TABULATION BID IF-21-04

Road Salt  
(Approximate—3,500 Ton)

BIDDER	<u>Safe Salt Supply</u>	<u>Morton Salt, Inc.</u>	<u>Compass Minerals America, Inc.</u>	<u>Desert Mountain Corporation</u>	<u>Specialty Construction Supply</u>	<u></u>
CITY, STATE	<u>Pocatello, ID</u>	<u>Chicago, IL</u>	<u>Overland Park, KS</u>	<u>Kirtland, NM</u>	<u>Idaho Falls, ID</u>	<u></u>
Price Per Ton	<u>\$44.25</u>	<u>NO BID</u>	<u>\$41.82</u>	<u>\$110.94</u>	<u>\$39.19</u>	<u></u>



# MEMORANDUM

**FROM:** Pam Alexander, Municipal Services Director

**DATE:** Thursday, October 29, 2020

**RE:** IF-21-B, Purchase of Backhoe Loader for Public Works

## Council Action Desired

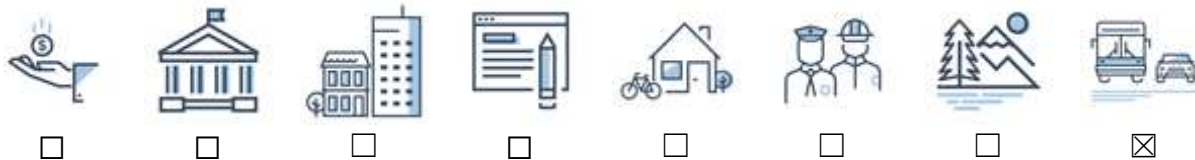
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing  
☒ Other Action (Approval, Authorization, Ratification, etc)

Approval to purchase one backhoe loader from Honnen Equipment of Idaho Falls for a total of \$142,853.57 or take other action deemed appropriate.

## Description, Background Information & Purpose

This backhoe loader will replace unit 1421 a 2017 John Deere backhoe loader for the Water division scheduled for replacement.

## Relevant PBB Results & Department Strategic Plan



The purchase of the backhoe loader supports the reliable public infrastructure and transportation community-oriented result by replacing equipment that has reached its useful life.

## Interdepartmental Coordination

Public Works concurs with the recommendation for award.

**Fiscal Impact**

Funding for the backhoe loader is budgeted within the 2020/21 Municipal Equipment Replacement Fund (MERF) for Public Works, Water division.

**Legal Review**

Legal has reviewed the bid process and concurs the Council action desired is within State Statute.

Quote Id: 22087474

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Prepared For:  
**CITY OF IDAHO FALLS WATER DEPARTMENT**



Prepared By: **TODD ROBINSON**

Honnen Equipment Co.  
1505 Foote Drive  
Idaho Falls, ID 83402

Tel: 208-523-9915  
Mobile Phone: 208-221-8385  
Fax: 208-523-7488  
Email: [toddrobinson@honnen.com](mailto:toddrobinson@honnen.com)

Date: 09 June 2020

Offer Expires: 31 December 2020

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*Confidential*

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**Quote Summary****Prepared For:**

CITY OF IDAHO FALLS WATER DEPARTMENT  
564 HEMMERT AVE  
IDAHO FALLS, ID 83401  
Business: 208-612-8471

**Prepared By:**

TODD ROBINSON  
Honnen Equipment Co.  
1505 Foote Drive  
Idaho Falls, ID 83402  
Phone: 208-523-9915  
Mobile: 208-221-8385  
toddrobinson@honnen.com

**Contract Number:** GS-30F-0013U **Contract Period:** 20 March  
2008 – 19 March 2023 **Eligibility:** Federal agencies and United  
States Military. Authorized state, counties and local  
municipalities through Disaster Relief/Preparedness  
justification.

**Quote Id:** 22087474  
**Created On:** 09 June 2020  
**Last Modified On:** 22 October 2020  
**Expiration Date:** 31 December 2020

<b>Equipment Summary</b>	<b>Selling Price</b>	<b>Qty</b>	<b>Extended</b>
2020 JOHN DEERE 410L BACKHOE LOADER	\$ 113,577.80 X	1 =	\$ 113,577.80
2021 NPK PH4 HAMMER CP/G015 LUBE	\$ 20,316.95 X	1 =	\$ 20,316.95
2021 NPK C4C Compactor	\$ 8,958.82 X	1 =	\$ 8,958.82
<b>Equipment Total</b>			<b>\$ 142,853.57</b>

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**Quote Summary**

Equipment Total	\$ 142,853.57
SubTotal	\$ 142,853.57
Total	\$ 142,853.57
Balance Due	\$ 142,853.57

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**Salesperson : X** \_\_\_\_\_**Accepted By : X** \_\_\_\_\_



# Selling Equipment

Quote Id: 22087474

Customer: CITY OF IDAHO FALLS WATER DEPARTMENT

## 2020 JOHN DEERE 410L BACKHOE LOADER

Hours:

Stock Number:

**Selling Price**  
**\$ 113,577.80**

Code	Description	Qty	Unit	Extended
0AB0T	410L BACKHOE LOADER	1	\$ 130,284.00	\$ 130,284.00
<b>Standard Options - Per Unit</b>				
170C	JDLink Ultimate 5 Year Subscription	1	\$ 0.00	\$ 0.00
1065	John Deere PowerTech Plus 4.5L (276 Cu. In.) Engine Meets Final Tier 4 and Stage IV Emissions	1	\$ 15,228.00	\$ 15,228.00
2035	Cab	1	\$ 13,243.00	\$ 13,243.00
2401	English Decals with English Operator and Safety Manuals	1	\$ 0.00	\$ 0.00
3065	Mechanical Front Wheel Drive (MFWD) with Limited Slip Differential	1	\$ 0.00	\$ 0.00
4891	Firestone 21L - 24 12PR & 12.5/80-18 12PR Traction Sure Grip Lug, Front	1	\$ 590.00	\$ 590.00
5285	Pilot Controls, Two Lever, with Pattern Selection	1	\$ 2,665.00	\$ 2,665.00
5440	New Series Multi-Brand Quick Coupler	1	\$ 1,484.00	\$ 1,484.00
5686	30" (762 mm) Wide, Heavy-Duty, 10 Cu. Ft. (0.28 Cu. M.) Capacity Bucket	1	\$ 1,695.00	\$ 1,695.00
6020	Extendible Dipperstick	1	\$ 8,365.00	\$ 8,365.00
6220	Auxiliary Hydraulic with One Way Flow (Hammer)	1	\$ 4,087.00	\$ 4,087.00
7025	Two-Function Loader Hydraulics, Single Lever	1	\$ 0.00	\$ 0.00
7655	1.5 Cu. Yd. (1.15 Cu. M.), 92 in. (2.34 m.) wide Heavy Duty Long Lip Bucket with Bolt-On Cutting Edge and Skid Plates	1	\$ 3,667.00	\$ 3,667.00
8485	1250 Lb. (567 kg) Front Counterweight	1	\$ 1,758.00	\$ 1,758.00
8685	Dual Maintenance Free Batteries With Disconnect and Jump Post	1	\$ 544.00	\$ 544.00
9060	Front View Mirror	1	\$ 82.00	\$ 82.00
9080	Engine Coolant Heater	1	\$ 172.00	\$ 172.00
9110	Ride Control	1	\$ 1,988.00	\$ 1,988.00
9116	LED Light Package	1	\$ 1,053.00	\$ 1,053.00
9120	Heavy-Duty Grille Frame	1	\$ 555.00	\$ 555.00
9210	Left Side Console Storage with Cup Holders	1	\$ 81.00	\$ 81.00
9515	Diagnostic Oil Sampling Ports	1	\$ 207.00	\$ 207.00
9916	Radio, Bosch Premium Package	1	\$ 1,356.00	\$ 1,356.00

# Selling Equipment

Quote Id: 22087474

Customer: CITY OF IDAHO FALLS WATER DEPARTMENT

9919	Sun Visor	1	\$ 95.00	\$ 95.00
9920	Exterior Rear View Mirrors (2)	1	\$ 343.00	\$ 343.00
9970	Seat, Cloth Air-Suspension - Heated	1	\$ 994.00	\$ 994.00
<b>Standard Options Total</b>				<b>\$ 60,252.00</b>
<b>Dealer Attachments</b>				
AT305073	Stabilizer Cylinder Guards (Set of Two)	1	\$ 311.00	\$ 311.00
AT323580	Backhoe Boom Protection Plate, Bolt-On	1	\$ 602.00	\$ 602.00
AT434236	Rubber Bumper for Grille Frame	1	\$ 190.00	\$ 190.00
<b>Dealer Attachments Total</b>				<b>\$ 1,103.00</b>
<b>Other Charges</b>				
	Freight	1	\$ 2,275.00	\$ 2,275.00
	HE PDI Full PDI	1	\$ 568.00	\$ 568.00
<b>Other Charges Total</b>				<b>\$ 2,843.00</b>
<b>Suggested Price</b>				<b>\$ 194,482.00</b>
<b>Customer Discounts</b>				
<b>Customer Discounts Total</b>			<b>\$ -80,904.20</b>	<b>\$ -80,904.20</b>
<b>Total Selling Price</b>				<b>\$ 113,577.80</b>

## 2021 NPK PH4 HAMMER CP/G015 LUBE

Hours: 0

Stock Number:

				<b>Selling Price</b>
				\$ 20,316.95
<b>Code</b>	<b>Description</b>	<b>Qty</b>	<b>Unit</b>	<b>Extended</b>
PH4005	PH4 HAMMER CP/G015 LUBE	1	\$ 21,500.00	\$ 21,500.00
<b>Standard Options - Per Unit</b>				
11060993	NPK MODELS: E205, GH4, PH4 HAMMER TOOL TIP TYPE: FX CROSSCUT CHISEL WORKING TOOL LENGTH: 18 IN	1	\$ 690.00	\$ 690.00
L2256	MTG INSTALLATION KIT 410L	1	\$ 1,650.00	\$ 1,650.00
<b>Standard Options Total</b>				<b>\$ 2,340.00</b>
<b>Other Charges</b>				
	Freight	1	\$ 450.00	\$ 450.00
	Setup	1	\$ 800.00	\$ 800.00
<b>Other Charges Total</b>				<b>\$ 1,250.00</b>
<b>Suggested Price</b>				<b>\$ 25,090.00</b>
<b>Customer Discounts</b>				
<b>Customer Discounts Total</b>			<b>\$ -4,773.05</b>	<b>\$ -4,773.05</b>
<b>Total Selling Price</b>				<b>\$ 20,316.95</b>

# Selling Equipment

Quote Id: 22087474

Customer: CITY OF IDAHO FALLS WATER DEPARTMENT

## 2021 NPK C4C Compactor

Hours: 0

Stock Number:

				Selling Price
				\$ 8,958.82
Code	Description	Qty	Unit	Extended
C4112	C4C COMPACTOR FIXED STYLE	1	\$ 6,500.00	\$ 6,500.00
<b>Standard Options - Per Unit</b>				
123	OEM Match Pin Requested?	1	\$ 650.00	\$ 650.00
L4036	MTG INSTALLATION KIT 410L	1	\$ 1,750.00	\$ 1,750.00
<b>Standard Options Total</b>				<b>\$ 2,400.00</b>
<b>Other Charges</b>				
	Freight	1	\$ 575.00	\$ 575.00
	Setup	1	\$ 810.00	\$ 810.00
<b>Other Charges Total</b>				<b>\$ 1,385.00</b>
<b>Suggested Price</b>				<b>\$ 10,285.00</b>
<b>Customer Discounts</b>				
<b>Customer Discounts Total</b>			<b>\$ -1,326.18</b>	<b>\$ -1,326.18</b>
<b>Total Selling Price</b>				<b>\$ 8,958.82</b>



# MEMORANDUM

**FROM:** Pam Alexander, Municipal Services Director

**DATE:** Tuesday, November 3, 2020

**RE:** IF-21-C, Purchase of Backhoe Loader for Public Works- Streets

## Council Action Desired

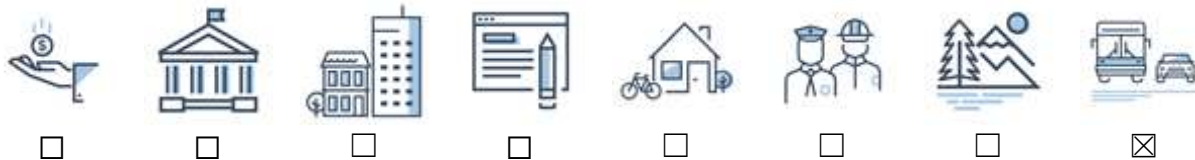
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing  
☒ Other Action (Approval, Authorization, Ratification, etc)

Approval to purchase one backhoe loader from Western States Equipment Company, Caterpillar of Idaho Falls for a total of \$114,784.22 or take other action deemed appropriate.

## Description, Background Information & Purpose

This backhoe loader will replace unit 1531, a 2011 Caterpillar Backhoe for the Streets division scheduled for replacement.

## Relevant PBB Results & Department Strategic Plan



The purchase of the backhoe loader supports the reliable public infrastructure and transportation community-oriented result by replacing equipment that has reached its useful life.

## Interdepartmental Coordination

Public Works concurs with the recommendation for award.

**Fiscal Impact**

Funding for the backhoe loader is budgeted within the 2020/21 Municipal Equipment Replacement Fund (MERF) for Public Works, Streets division.

**Legal Review**

Legal has reviewed the bid process and concurs the Council action desired is within State Statute.



Idaho Falls  
1200 Foote Dr Idaho Falls, ID 83402  
208.552.2287

**SOLD TO:**  
City Of Idaho Falls  
PO Box 50220  
Idaho Falls, ID 83405-0220

**SHIP TO:**  
Office  
PO Box 50220  
Idaho Falls, ID 83405-0220

**SALES AGREEMENT**

AGREEMENT: Q000201034-8  
AGREEMENT DATE: 11/4/2020  
AGREEMENT EXPIRES: 11/27/2020  
WAREHOUSE: Idaho Falls Machine Sales  
CUSTOMER NO.: 4206800  
CUSTOMER PO:  
SALESMAN: Ben L Winder

Ben.Winder@wseco.com

ITEM DESCRIPTION	PRICE
2020 Caterpillar 420XE Backhoe Loader S/N: H9X00254 SMU: 20 hrs ID:E0074103	\$113,443.04
● Caterpillar THUMB 420F S/N: DJ19007353 ID: E0063696	
● Delivery Freight	
● New Warranty - MS New Warranty - 3 year 1500hr. govermental fail safe warranty	
Service Call - MS Service Call - Install radio and front fenders. -	\$1,341.18

<b>Notes</b>	Before Tax Balance	\$114,784.22
	Sales Tax	\$0.00
	Trade Payoff	\$0.00
	Downpayment	\$0.00
	<b>Net Due</b>	<b>\$114,784.22</b>

<b>Western States Equipment</b>	<b>City Of Idaho Falls</b>
Order Received by _____	Approved and Accepted by _____
Title <u>Salesman</u> Date _____	Title _____ Date _____
	Warranty Document Received (initial) _____

**Trade Ins:** All trade-ins are subject to equipment being in as inspected condition by vendor at time of delivery of replacement machine purchase above. Purchaser hereby sells the trade in equipment described above to the vendor and warrants it to be free and clear of all claims, liens, and security interest except as shown above.  
**Warranty:** By initialing above the customer acknowledges that they have received a copy of the Western States Co/Caterpillar Warranty and has read and understands said warranty. All used equipment is sold as is where is and no warranty is offered or implied except as specified above.



# SALES AGREEMENT

NO.: Q000201034-8

## EQUIPMENT DETAILS

---

5895419 420XE 07A BACKHOE LOADER DCA1  
2193387 BUCKET-HD, 24", 6.2 FT3  
3531389 GUARD, STABILIZER  
4447500 COUPLER, PG, MAN.D.LOCK, BHL  
5590872 INSTRUCTIONS, ANSI  
9R6007 STABILIZER PADS, FLIP-OVER  
6W8832 CARRIAGE, PALLET, 61", IT  
0P0210 PACK, DOMESTIC TRUCK  
4616839 SHIPPING/STORAGE PROTECTION  
5635593 420 XE 07A BACKHOE LOADER CFG1  
4916734 WORKLIGHTS (8) HALOGEN LAMPS  
5295931 LOADER, ST, PL, QUICK COUPLER  
5427775 HYD, MP, 6FCN/8BNK, EH, QC  
5434284 STICK, EXTENDABLE, 14FT  
5441063 PT, 4WD/2WS AUTOSHIFT  
5481231 LINES, COMBINED AUX, E-STICK  
5535854 USB POWER PORT  
5675090 AUTO-UP STABILIZERS  
2825409 THUMB, HYDRAULIC, NO

2061748 SEAT BELT, 3" SUSPENSION  
2511800 BUCKET-GP, 1.31 YD3, IT  
4237607 PLATE GROUP - BOOM WEAR  
5330488 TIRES, 340 80-18/500 70-24, MX  
9R5320 CUTTING EDGE, TWO PIECE,WIDE  
1956935 FORK TINE, 2" X 5" X 48"  
4218926 SERIALIZED TECHNICAL MEDIA KIT  
0P9001 LANE 1 ORDER  
4621033 RUST PREVENTATIVE APPLICATOR  
3379696 COUNTERWEIGHT, 1015 LBS  
5075500 SEAT, DELUXE FABRIC, HEATED  
5419540 ENGINE, 74.5KW, C3.6 DITA, T4F  
5427810 AIR CONDITIONER, T4F  
5440883 CAB, DELUXE  
5455048 DISPLAY, TOUCH SCREEN  
5516453 RIDE CONTROL  
5606797 PRODUCT LINK, CELLULAR, PLE643  
0P0070  
2214282 THUMB, TINE, A 1



## TERMS AND CONDITIONS

**1. OFFER TO SELL, METHODS OF ACCEPTANCE AND AGREEMENT TERMS:** This Sales Agreement ("SA") is an offer for the sale of the equipment, vehicles, accessories and attachments described on the invoice (referred to generally as "equipment" or "goods") by Western States Equipment Company, an Idaho business corporation or its affiliates ("WSECO") to Customer under the terms and conditions specified herein. This offer may be accepted by **(1)** the execution of this SA by a representative of Customer or **(2)** Customer's verbal or written authorizations or conduct consistent with prior course of dealing between the parties authorizing WSECO to take action to fulfill this SA, or **(3)** the commencement of the manufacture or shipment of the goods specified in this SA, whichever of the foregoing first occurs.

Acceptance of this SA is limited to the express terms stated herein. Any proposal in Customer's acceptance for additional or different terms or any attempt by Customer to vary in any degree any of the terms is objected to and hereby rejected, but such proposals shall not operate as a rejection of this offer, unless such variances are in the terms of the description, quantity, price, delivery schedule, or payment schedule of the goods, but shall be deemed a material alteration of this SA and this SA shall be deemed agreed to by WSECO without said additional or different terms. Once accepted, this SA shall constitute the entire agreement between WSECO and Customer. WSECO is not bound by any representation or agreements, express, or implied, oral or otherwise, which are not stated within this SA or contained in a separate writing supplementing this SA and signed by authorized agents of both WSECO and Customer. This SA will supersede all previous communications, agreements, and contracts with respect to the subject matter hereof and no understanding, agreement, term, condition, or trade custom at variance with this SA will be binding on WSECO. No waiver or modification of the terms and conditions hereof will be effective unless in writing and signed by both Customer and WSECO.

**2. PAYMENT TERMS:** Customer agrees to pay the sales price for the equipment, less any net trade-in allowance, in accordance with the payment terms as all stated on the invoice. The sales price is offered F.O.B. at WSECO's designated facility as stated on the invoice and Customer is responsible for all shipping charges as provided in this SA. Customer is also responsible for paying all applicable sales, use or any other applicable taxes levied or assessed on the equipment by any federal, state or local governmental authority, unless Customer provides WSECO an appropriate exemption certificate as stated on the invoice. In the event that Customer fails to pay any applicable tax or other charge as agreed herein or fails to provide a valid exemption certificate, Customer agrees to indemnify and hold WSECO harmless from any liability and expense by reason of Customer's failure to pay said taxes or assessments, including, but not limited to, WSECO's reasonable attorney's fees and costs and other necessary legal expenses resulting from such failure.

**3. GRANT OF SECURITY INTEREST, AUTHORIZATION TO FILE STATEMENT AND PROTECTION OF COLLATERAL:** Until the Customer pays the total sales price and additional charges as provided in this SA, Customer hereby grants WSECO a security interest in and to the equipment and all additions, replacements, substitutions, and proceeds of the same ("Collateral") to secure payment of the sales price and any and all other amounts owed or owing by Customer to WSECO under this SA or otherwise. Customer authorizes WSECO to file financing statement(s) evidencing this security agreement and the collateral subject thereto and to take all steps necessary to perfect WSECO's interest in the equipment.

Customer agrees to execute any documents required by WSECO to evidence and perfect such security interest. Customer hereby appoints WSECO as its irrevocable attorney-in-fact for the purpose of executing any documents necessary to perfect or to continue the security interest granted in this SA. Customer will reimburse WSECO for all expenses for the perfection and the continuation of the perfection of WSECO's security interest in the Collateral. Customer promptly will notify WSECO before any changes in Customer's name including any changes to the assumed business names of Customer.

Customer, upon WSECO's request, will deliver to WSECO a schedule of the locations of the Collateral and agrees to update the list upon WSECO's further request. Customer will not commit or permit damage to or destruction of the Collateral or any material part of the Collateral. WSECO and its designated representatives and agents shall have the right at all reasonable times to examine and inspect the Collateral. Customer shall immediately notify WSECO of all cases involving the loss or damage of or to any material portion of the Collateral and generally of all material happenings and events affecting the Collateral.

**4. INSURANCE:** Customer shall not move, load, transport or otherwise handle the equipment on WSECO's premises without first having obtained insurance coverage. Customer shall carry all risks insurance on the equipment, including, without limitation, fire, theft and liability coverage with such other insurance as necessary to protect Customer's and WSECO's respective interests in the equipment. As long as any portion of the sales price is outstanding, Customer will deliver to WSECO from time to time the policies or certificates of insurance in forms satisfactory to WSECO, showing WSECO as an additional insured and including stipulations that coverage will not be cancelled or diminished without at least fifteen (15) days prior written notice to WSECO.

**5. TIME OF DELIVERY AND SHIPPING:** Orders for equipment are processed in the order of their acceptance by WSECO and WSECO will use its reasonable efforts to deliver the equipment to Customer on the scheduled delivery date as stated on the invoice. However, shipping and delivery dates are acknowledged to be estimates only and dependent upon many factors outside of WSECO's control including, but not limited to, the manufacturer's production schedule, material and labor shortages, shipping delays and various other unrelated factors. WSECO is not liable for delays or damages caused by delays in delivery or shipment of the equipment, unless stated on the face of the invoice to the contrary. Customer is responsible for all freight, shipping, loading and unloading costs.

**6. RISK OF LOSS/SHORTAGES/REJECTION OF GOODS:** Risk of loss of the goods shall pass to Customer as soon as the goods are properly loaded on the carrier. WSECO's responsibility for shipment ceases upon delivery of the goods to a transportation company. Any claim by Customer for shortage in shipment shall be made by written notice to WSECO within fifteen (15) days after receipt of the shipment. It is specifically agreed that the risk of loss shall not be altered by the fact that the conduct of either party hereto may constitute a default or breach and shortage in shipment is not deemed to constitute a nonconformity.



All equipment or goods shall be subject to the standard manufacturing and commercial variation and practices of the manufacturer thereof. In the event of shipment of non-conforming goods, WSECO shall be given a reasonable opportunity to replace the goods with those which conform to the order. Any notices pertaining to rejection or claims of nonconformity must be made in writing specifying in detail Customer's objections and such notices must be delivered within fifteen (15) days after delivery of the goods. It is agreed that in the event of rejection, Customer will store the goods or reship the goods to WSECO. Should Customer use the equipment or goods, such use shall be deemed an unequivocal acceptance of the goods. If Customer accepts goods tendered under this SA, such acceptance shall be final and irrevocable; no attempted revocation shall have any effect whatsoever.

**7. ASSIGNMENTS:** No right or interest in this SA shall be assigned by Customer without the written permission of WSECO, and no delegation of any obligation owed or of the performance of any obligation by Customer shall be made without written permission of WSECO. Any attempted assignment or delegation by Customer shall be wholly void and totally ineffective for all purposes unless made in conformity with this paragraph.

**8. NO WARRANTY:** Unless provided otherwise on the invoice, the equipment is purchased "**AS IS**" and there is no other agreement with Customer regarding the equipment other than what is stated in this SA and in any credit instrument and/or guaranty between Customer and WSECO. There are no other warranties, express or implied, for any equipment, product, service, or other items sold or furnished under this SA unless agreed to in writing between Customer and WSECO. **WSECO DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.**

**9. EQUIPMENT FAILURE/LIMITATION OF REMEDIES:** If, for any reason, the equipment does not perform satisfactorily, as judged by WSECO in its sole discretion, WSECO may repair or replace the equipment or any part thereof, at its option, without affecting any of the terms of this SA. This remedy does not apply if the equipment has failed or performs less than satisfactorily due to improper use of the equipment, accident (including, damage during shipment), neglect, abuse, misuse or exposure of the equipment to conditions beyond capacity, power, environmental design limits or operation constraints specified by WSECO or the equipment manufacturer. Customer is responsible for all expenses related to repair or replacement due to these causes. **THE REMEDIES IN THIS PARAGRAPH ARE CUSTOMER'S SOLE AND EXCLUSIVE REMEDIES AGAINST WSECO.**

**10. LIMITATION OF LIABILITY:** Notwithstanding trade customs or prior course of dealing to the contrary, in no event will WSECO, its subsidiaries, affiliates, agents or employees be liable for any incidental, indirect, special, or consequential damages in connection with or arising out of this SA or furnishing of any goods, services or other items or any third party's ownership, maintenance, or use of any goods, services or other items furnished under this SA, including, but not limited to, lost profits or revenues, loss of use of the equipment or any associated goods, damage to associated goods, costs of capital, cost of substitute goods, or claims of Customer's clients for such damages. Customer's sole remedy, for any liability of WSECO of any kind, including but not limited to negligence, with respect to any equipment, service, or other item is limited to that set forth in the paragraph entitled "**EQUIPMENT FAILURE/LIMITATION OF REMEDIES**" of this SA. WSECO is not responsible for meeting any federal, state, local or municipal code or specification (whether statutory, regulatory or contractual), unless Customer specifies it in writing and WSECO agrees to it in writing. Customer agrees that it has selected each item of equipment based upon its own judgment and particular needs and disclaims any reliance upon any statements or presentations made by WSECO. The liability for performing under any manufacturer warranty program rests solely with the subject manufacturer and WSECO has no liability or responsibility for performance thereunder.

**11. FORCE MAJEURE:** WSECO shall not be responsible or liable for any delay or failure to deliver any or all of the goods and/or performance of the services where such delay or failure is caused by any act of God, fire, flood, inclement weather, explosion, war, insurrection, riot, embargo, statute, ordinance, regulation or order of any government or agent thereof, shortage of labor, material fuel, supplies or transportation, strike or other labor dispute, or any other cause, contingency, occurrence or circumstance of any nature, whether or not similar to those herein before specified beyond WSECO's control, which prevents, hinders or interferes with manufacture, assembly or delivery of the goods or performance of the services. Any such cause, contingency, occurrence or circumstances shall release WSECO from performance of its obligations hereunder.

**12. INDEMNITY:** Customer agrees to indemnify and hold WSECO harmless from and against any and all claims, actions, suits, proceedings, costs, expenses, damages (including but not limited to consequential and incidental damages), liabilities, fees (including, but not limited to, attorney fees and court costs), and settlements, (including those brought or incurred by or in favor of Customer's employees, agents and subcontractors), arising out of or related to the selection, delivery, loading, unloading, towing, possession, use, operation, handling or transportation of the equipment. Customer agrees to defend, at its expense, any and all suits brought against WSECO either alone or in conjunction with others and additionally to satisfy, pay and discharge any and all judgments and fines against WSECO in any such suits or actions, whether based in negligence or otherwise.

**13. DEFAULT BY CUSTOMER:** An event of default shall occur if (a) Customer fails to pay when due the sales price; (b) Customer fails to perform or observe any covenant, condition, or agreement to be performed by it hereunder; (c) Customer ceases doing business as a going concern, makes an assignment for the benefit of creditors, admits in writing an inability to pay debts as they become due, files a petition in bankruptcy, or if its owners, shareholders or members of Customer take actions towards dissolution or liquidation of Customer; (d) Customer attempts to sell, transfer, or encumber, sublease or convey the equipment or any part thereof prior to paying the full sales price; or (e) WSECO, in good faith deems itself, insecure relative to payment of the sales price.

Upon the occurrence of any event of default, WSECO may exercise the following rights and remedies: (i) declare the sales price immediately due and payable; (ii) require Customer to assemble the equipment and make it available to WSECO at a place and time designated by WSECO; (iii) WSECO shall have full power to enter upon the property or jobsite of the Customer and take possession of and remove the equipment; (iv) WSECO shall have full power and authority to sell, lease, transfer or otherwise deal with the equipment or proceeds thereof, and in connection therewith WSECO may bid on the goods or equipment and that a commercially reasonable price for said reclaimed equipment may be determined by WSECO based upon current national auction values, market trends relating to supply and demand, and related factors for goods of similar type and condition; (v) if WSECO chooses to sell or lease the reclaimed equipment, WSECO may obtain a judgment against Customer for any deficiency remaining on the sales price after application of all amounts received from the exercise of its rights under this SA; and (vi) all rights and remedies of a secured creditor under the provisions of the Idaho Uniform Commercial Code, as amended from time to time. All of WSECO's rights and remedies, whether evidenced by this SA or other related agreement, shall be cumulative and may be exercised singularly or concurrently. Customer agrees to pay all costs incurred by WSECO in enforcing this SA or any of its provisions, including without limitation reasonable attorney's fees and costs and all costs of reclaiming the goods, whether or not legal action is commenced.

**14. JURISDICTION AND VENUE:** This SA and the relationship between WSECO and Customer shall be governed and construed according to the laws of the State of Idaho. At the sole and exclusive election of WSECO, jurisdiction and venue for any action or dispute arising under this SA shall be in the in the Fourth Judicial District of the State of Idaho, in and for Ada County, which is WSECO's corporate headquarters and principal place of business, wherein the parties acknowledge having done business sufficient to establish minimum contacts under the Idaho long arm statute, and which is a mutually convenient forum. In addition, Customer waives any and all rights to jurisdiction and/or venue in any other forum, including waiver of any and all rights to remove the action from any court originally acquiring jurisdiction.

**15. EQUIPMENT DATA:** This machine may be equipped with a wireless data communication system, such as Product Link. In such case, Customer understands data reflecting the machine performance, condition and operation is being transmitted to Caterpillar/WSECO to better serve the Customer and to improve upon Caterpillar products and services. This data may include, but is not limited to: fault codes, emissions data, fuel usage, service meter hours, software and hardware version numbers and installed attachments. Neither Caterpillar nor WSECO sell, rent or share collected information to any other third party, and will exercise reasonable efforts to keep the information secure. Caterpillar Inc. and WSECO recognize and will respect customer privacy. Customer agrees to allow this data to be accessed by Caterpillar and WSECO within normal, accepted business practices.

The undersigned represents and warrants that he/she is authorized by Customer identified below to bind the Customer to the obligations and duties expressed herein and does so commit Customer to the terms and conditions of SA by signing below. Until this SA (or indential counterpart thereof) has been signed by our duly authorized representative, it will constitute an offer by Customer to enter into this SA with WSECO on the terms herein.

**CUSTOMER:** \_\_\_\_\_

**WESTERN STATES EQUIPMENT COMPANY**

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

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

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: Salesman

Date: \_\_\_\_\_

Date: \_\_\_\_\_



STANDARD WARRANTY AND APPLICATION FOR  
EXTENDED COVERAGE FOR CATERPILLAR PRODUCTS

The Caterpillar equipment owner identified below ("Owner") hereby applies to Western States Equipment for Standard or Extended Coverage in accordance with the terms as set forth in this document, for the Caterpillar product identified below. Owner desires the Standard or Extended coverage option(s) listed below:

**COVERAGE EXPIRATION - FIRST TO OCCUR (MONTHS OR HOURS)** - Months after retail purchase (less duration of rental, demonstration, or other usage, if any, prior to the first purchaser or lessee)

Standard Warranty period based on Caterpillar guidelines				
OWNER's NAME City Of Idaho Falls			OWNER PHONE	
OWNER ADDRESS, CITY and ZIP CODE PO Box 50220 Idaho Falls, ID 83405-0220				
EXTENDED WARRANTY COVERAGE New Warranty - MS New Warranty - 3 year 1500hr. governmental fail safe warranty				
MODEL 420XE	PRODUCT DESCRIPTION 420XE Backhoe Loader	HOURLY METER 20	SERIAL NUMBER H9X00254	DELIVERY DATE

**IMPORTANT NOTE TO OWNER:** Complete terms of Standard or Extended Coverage are set forth on this document. Please read all pages carefully before signing. **YOUR RIGHTS AND REMEDIES IN CONNECTION WITH STANDARD OR EXTENDED COVERAGE ARE LIMITED AS INDICATED ON ALL PAGES OF THIS DOCUMENT. CATERPILLAR PRODUCTS CARRY NO IMPLIED WARRANTY OR MERCHANTABILITY OR FITNESS. STANDARD WARRANTY OR EXTENDED COVERAGE IS NOT INSURANCE.**

**ACKNOWLEDGEMENTS:** I have read and understand the terms, including limitations and exclusions, of Standard or Extended Coverage, and understand that it is not insurance. I also understand that the coverage applied for herein is not effective unless and until I pay the applicable charge for this extended coverage. I understand the SOS requirements \_\_\_\_\_ (initial)

OWNER/LESSEE SIGNATURE : \_\_\_\_\_ DATE: \_\_\_\_\_

The owner and product identified above meet all requirements for the coverage requested and the applicable charge for extended coverage has been paid.

DEALER SIGNATURE : \_\_\_\_\_ DATE: \_\_\_\_\_

**TRANSFER:** The unexpired portion of the Standard or Extended Repair Coverage may be transferred with Western States Equipment approval (see section F on back for complete details). Complete the section below to request transfer.

<b>Purchase Application</b> <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> FORESTRY <input type="checkbox"/> WASTE <input type="checkbox"/> GOVERNMENTAL <input type="checkbox"/> AG	PURCHASER NAME	DATE MACHINE SOLD	DATES INSPECTION COMPLETED & APPROVED	
	ADDRESS (STREET, RR)	(CITY/TOWN)	(STATE)	(ZIP CODE)
	TRANSFER HOUR METER READING	SIGNATURE OF NEW BUYER	DEALER CONFIRMATION	

By signing this agreement I agree to the terms on the following pages.

## CATERPILLAR STANDARD WARRANTY

**General Provisions:** Caterpillar warrants the products sold by it, and operating within the geographic area serviced by authorized USA and Canadian Caterpillar dealers, to be free from defects in material and workmanship. In other areas and for other products, different warranties may apply. Copies of applicable warranties may be obtained by writing Caterpillar Inc. 100 N.E. Adams St., Peoria IL, USA 61629-3345.

**Warranty Period:** The Standard Caterpillar Machine Warranty is 12 Months/UNLIMITED hours of operation (whichever occurs first), based upon Caterpillar's recommended guidelines. For new associated work tools, the warranty period is 12 Months/UNLIMITED hours, starting from the date of delivery or sale to first user. No extended coverage is available for Caterpillar work tools. For new replacement engines, the warranty is 6 months, starting from date of delivery to the first user. Note: For hydraulic line's quick connect/disconnect components sold on compact wheel loaders, mini hydraulic excavators, skid steer loaders, multi terrain loaders, and compact track loader machines, the warranty period is 50 hours starting from the date of delivery to the first user.

**Caterpillar Responsibilities:** If a defect in materials or workmanship is found during the Standard Warranty period, Caterpillar will, during normal working hours and at a place of business of a Caterpillar dealer or other source approved by Caterpillar. 1) Provide (at Caterpillar's choice) new, remanufactured, or Caterpillar-approved repaired parts or assembled components needed to correct the defect. 2) Replace lubricating oil, filters, antifreeze, and other service items made unusable by the defect. 3) Provide reasonable or customary labor needed to connect the defect. Note: Items replaced under this warranty become the property of Caterpillar. **Owner Responsibilities:** The user is responsible for: 1) Providing proof of delivery date to the first user. 2) The costs associated with transporting the product. 3) Labor costs, except as stated under "Caterpillar Responsibilities." 4) Local taxes, if applicable. 5) Parts shipping charges in excess of those which are usual and customary (air freight). 6) Cost to investigate complaints, unless the problem is caused by a defect in Caterpillar material or workmanship. 7) Giving timely notice of a warrantable failure and promptly making the product available for repair. 8) Costs associated with the performance of required maintenance (including proper fuel, oil, lubricants, and coolant) and items replaced due to normal wear and tear. 9) Allowing Caterpillar access to all electronically stored data. 10) Costs associated with travel time and mileage required for on-site repairs.

### EXTENDED REPAIR COVERAGE

**A. General Provisions:** During the selected coverage period, Western States Equipment will repair or replace, at its option, covered components of the product identified on the face of this document under the Extended Coverage Section. Coverage is subject to the listed conditions of "Standard", "Full Machine", "Power Train", or "Power Train Plus Hydraulics" and for the appropriately indicated "Months" and "Hours" for components that are defective in material or workmanship, subject to the terms and conditions set forth on both sides of this document. Such repair or replacement will be free of charge for parts and labor, except as otherwise stated below or as stated within the Standard Caterpillar Warranty section above. Under the "Governmental Full Machine" option, the extended coverage includes Scheduled Oil Sampling materials and analysis provided by Western States Equipment at Caterpillar's prescribed intervals. An Extended Coverage Contract is not required for purchase or to obtain financing.

**Warranty Periods:** Warranty periods for Extended Coverage are indicated in the extended warranty coverage box on the face of this document. The coverage is listed for hours and months, whichever expires first.

**Owners Responsibilities:** The owner (lessee, for leased products) at their expense, must maintain the product in accordance with the product's Operators Manual, and, upon request, provide adequate records verifying maintenance. For the "Power Train", "Power Train Plus Hydraulics", and "Full Machine" Extended Coverage, Scheduled Oil Sampling (SOS) must be taken by the owner at Caterpillar recommended intervals and sent to Western States Equipment. Failure to do so could jeopardize the Extended Coverage and result in shared liability on a pro rata basis if SOS could have predicted or reduced the cost of a covered failure. Note: Any malfunction of the service meter shall be reported within 30 days of said malfunction in writing, or this agreement is null and void.

**Power Train Extended Coverage:** The following components are covered. If a component is not listed, it is not covered. 1) ENGINE: basic engine including engine components essential to engine operation (i.e., fuel pump, oil pump, water pump, turbocharger, governor, engine control module, etc.). 2) TRANSMISSION: includes transmission pump and hydraulic controls. 3) TORQUE CONVERTER/DIVIDER. 4) DRIVE LINE: includes pinion and bevel gear. 5) TRANSFER GEAR GROUP. 6) DRIVE AXLES. 7) FINAL DRIVES. 8) HYDRAULIC DRIVE PUMPS AND MOTORS: on hydraulic excavators and machines equipped with hydrostatic drive or differential steering, including hydrostatic lines between the pump and motor. 9) BRAKE COMPONENTS for track-type loaders and tractors, only if they also provide steering. 10) STEERING CLUTCH COMPONENTS: on track-type loaders and tractors, if so equipped. 11) DIFFERENTIAL STEERING COMPONENTS: includes differential steer planetary group, pump, motor and pilot valves. 12) VIBRATORY COMPONENTS: on vibratory compactors. Includes vibratory mechanism, hydraulic pump and motor, hydraulic valves, universal joints, bearings, and drum isolation system. 13) ROTOR DRIVE MECHANISM: on paving profilers, reclaimers and stabilizers. This includes the drive shaft group, sheave groups, and clutch group. This excludes belts, chains and rotor brakes. 14) ELECTRONIC CONTROLS AND SENSORS: which function to direct power for moving the machine. This includes power shift controls, engine pressure controls, differential lock, and fingertip controls. Also includes the wiring connectors that are part of the designated power train components.

**Power Train Plus Hydraulics Extended Coverage:** The following components are covered. If a component is not listed, it is not covered. Power Train Plus Hydraulics coverage includes all of the above listed items under Power Train for the appropriately indicated hours and months, plus the following: 1) HYDRAULIC/STEERING HOSES AND LINES. 2) HYDRAULIC QUICK-COUPERS AND SWIVELS. 3) HYDRAULIC TANKS: includes specific internal parts. 4) HYDRAULIC OIL FILTER BASE, excluding hydraulic oil filters. 5) HYDRAULIC PUMPS AND MOTORS: including steering pumps (main and supplemental). 6) HYDRAULIC CYLINDERS: steering, suspension, and implement hydraulic cylinders (includes bulldozer and ripper cylinders on track-type tractors). 7) HYDRAULIC VALVES AND CONTROLS: includes all parts that make up a valve for directing or controlling hydraulic fluid for steering and implements, including automatic blade controls and bucket position controls. 8) HYDRAULIC ACCUMULATORS: steering and implement. 9) HYDRAULIC OIL COOLERS: steering and implement.

**Full Machine Extended Coverage:** All of the listed items included in the POWER TRAIN and POWER TRAIN PLUS HYDRAULICS coverage, plus all attachments/accessories that were installed on the product before delivery which are not covered by another warranty, for the appropriately indicated hours and months of coverage on the face of this document (whichever expires first). Governmental application "Full Machine Failsafe Coverage" will also include all fluid filters and pre-paid SOS as prescribed by Caterpillar's recommendations and a 95% machine availability as recorded by owner. Machine availability for Governmental application Full Machine Failsafe coverage will be determined by:

Scheduled Hours Available for Work (numerator)

Scheduled Hours (denominator)

The machine availability will be evaluated at 12-month intervals. If machine availability is below 95%, Western States Equipment will reimburse owner \$25.00 per hour for the

hours necessary to "enhance" availability to the 95% level.

Note: "Power Train", "Power Train Plus Hydraulics", and "Full Machine" coverage continue (unless transferred or terminated as per Section C or G below) until the expiration of the hours or months listed on the face of this document. The coverage period ends after reaching the specified number of months selected, or when the machine's hour meter reaches the specified number of hours limitation selected, whichever occurs first. Extended Coverage is available only through Western States Equipment for Caterpillar Equipment.

**Note:** Once Extended Coverage becomes effective, Western States Equipment's obligations there under extend only to the applicant identified on the face of this document, unless the remaining coverage is transferred to a subsequent end use purchaser of the product in accordance with Section F below, and indicated on the face of this document, or cancelled under Section G below.

**Note:** The travel time and mileage/hauling option is available only to Governmental application "Full Machine Failsafe coverage" option.

**B. ITEMS NOT COVERED:** Western States Equipment is not responsible for the following: 1) Premiums charged for overtime labor requested by the owner/lessee. 2) Transporting the product to and from the place where service is performed, or service calls made by the repairing dealer if the travel time and mileage/hauling option is not included. 3) Depreciation or damage caused by normal wear, lack of reasonable and proper maintenance, failure to follow operating instructions, misuse, lack of proper protection during storage, vandalism, the elements, collision or other accidents, or acts of God. 4) Normal maintenance and replacement of maintenance and wear items, such as filters, oil, fuel, hydraulic fluid, lubricants, coolants and conditioners, labor for taking oil sample, tires, Freon, batteries, lights, paint, fuses, glass, seat upholstery, undercarriage, lubricated joints (including pins and bushings), blades and cutting edge parts, belts, dry brakes, dry clutch linings, and bulbs. 5) Any defect in a non-covered component, or damage to or failure of a covered component caused by a defect in a non-covered component. 6) Travel time and mileage for Extended Repair Coverage repairs in the field, if travel time and mileage/hauling option is not included. 7) Auxiliary Equipment Manufacturers' attachments and new associated work tools and attachments carry only one warranty as prescribed by that manufacturer. 8) Western States Equipment will not be responsible for repairs, cost of repairs, or be assessed hours against the availability guarantee for damage or downtime caused by fire, vandalism, accident, operator's abuse, negligence, strikes, acts of God, failure to perform the manufacturer's recommended maintenance as set forth by the lube and maintenance guide, tire failure or Auxiliary Equipment or Attachments. 9) Owner/Lessee will not assess the time required to perform the manufacturer's recommended maintenance as set forth by the lube and maintenance guide against the availability guarantee. 10) All costs (including travel time and mileage/hauling) for repairs required because of abuse or improper operation will be charged to the owner/lessee. Minor repairs that do not affect the immediate and safe operation of the machine will be completed within the earliest possible period within Western States Equipment maintenance schedule.

**C. TERMINATION OF EXTENDED COVERAGE:** Western States Equipment is relieved of its obligation under Extended Coverage if: 1) The product is altered or modified in any manner not approved by Western States Equipment in writing. 2) The product's hour meter has been rendered inoperative or otherwise tampered with, or any malfunction of the service meter is not reported within 30 days of said malfunction in writing to Western States Equipment. 3) The product is removed from Western States' territory. 4) Use is made of the product within an application group other than the one designated in the original application for Extended Coverage for the product.

**D. LIMITATIONS OF WESTERN STATES EQUIPMENT LIABILITY:** In no event will Western States Equipment be liable for any incidental or consequential damages (including, without limitation, loss of profits, rental of substitute equipment, or other commercial loss) that may be caused due to a defect in the product of the breach of performance of Western States Equipment obligations under Extended Coverage.

**E. OBTAINING EXTENDED COVERAGE SERVICE:** To obtain service the owner/lessee must request Extended Coverage Service from the nearest Western States Equipment branch. When making a request, the owner/lessee must promptly make the product available for repair and inform the dealer of what they believe is the problem/defect. Extended Coverage service can be performed in the field if the owner/lessee and servicing branch agree to do so. However, Western States Equipment will not be held responsible for any additional cost incurred because of the decision to repair a machine in the field. Dealer Branches toll free number:

Idaho Falls, ID	877-552-2287	Pendleton, OR	888-388-2287
Lewiston, ID	800-842-2225	Pasco, WA	800-633-2287
Meridian, ID	800-852-2287	Spokane, WA	800-541-1234
Pocatello, ID	800-832-2287	Hayden, ID	208-762-6600 (Not a toll free number)
Twin Falls, ID	800-258-1009		
Kalispell, MT	800-635-7794		
Missoula, MT	800-548-1512		
LaGrande, OR	800-963-3101		

**F. TRANSFER OF UNUSED COVERAGE UPON RESALE:** Remaining Extended Coverage applicable to a used Caterpillar product is transferred to a subsequent end use purchaser only if: 1) The subsequent purchase is made before the product's Extended Coverage expires. 2) The product is determined by Western States Equipment to be in satisfactory condition following an inspection performed by an authorized Western States Equipment branch at the subsequent end use purchaser's expense. 3) The subsequent end use purchaser receives Western States Equipment's written confirmation of the transfer. 4) The use of the product by the subsequent end use purchaser remains in the initial/same application group designed on the product's original coverage application, or the subsequent end use purchaser pays the amount specified by Western States Equipment for conversion of the remaining coverage to a different application group.

**G. CANCELLATION OF COVERAGE:** The owner may cancel Extended Coverage: 1) Within thirty (30) days of machine purchase by original end use purchaser if no claim has been made, and receive a full refund of the coverage purchase price, less a \$50.00 cancellation fee. 2) At any other time during the coverage by the first end use purchaser and receive a pro rata refund of the coverage purchase price for the unexpired term of the coverage, based on the number of lapsed months, less a \$50.00 cancellation fee. 3) Prior to cancellation owner/lessee must provide written notice of the intent to cancel coverage to the nearest Western States Equipment branch.

**H. COVERAGE AFFORDED UNDER THIS CONTRACT IS NOT GUARANTEED BY THE IDAHO INSURANCE GUARANTY ASSOCIATION. OBLIGATIONS OF THE MACHINE SERVICE CONTRACT PROVIDER UNDER THIS MACHINE SERVICE CONTRACT ARE GUARANTEED UNDER A SERVICE CONTRACT LIABILITY POLICY. SHOULD THE MACHINE SERVICE CONTRACT PROVIDER FAIL TO PAY OR PROVIDE SERVICE ON ANY CLAIM WITHIN SIXTY (60) DAYS AFTER PROOF OF LOSS HAS BEEN FILED, THE MACHINE SERVICE CONTRACT HOLDER IS ENTITLED TO MAKE A CLAIM DIRECTLY AGAINST THE INSURANCE COMPANY.**

**I. UPON FAILURE OF THE OBLIGOR TO PERFORM UNDER THE CONTRACT, CATERPILLAR INSURANCE COMPANY SHALL PAY ON BEHALF OF THE OBLIGOR ANY SUMS THE OBLIGOR IS LEGALLY OBLIGATED TO PAY OR SHALL PROVIDE THE SERVICE THAT THE OBLIGOR IS LEGALLY OBLIGATED TO PERFORM ACCORDING TO THE OBLIGOR'S CONTRACTUAL OBLIGATION UNDER THE SERVICE CONTRACTS ISSUED BY THE OBLIGOR, AND CATERPILLAR INSURANCE COMPANY WILL PAY CLAIMS AGAINST THE OBLIGOR FOR THE RETURN OF THE UNEARNED PURCHASE PRICE OF THE SERVICE CONTRACT.**

**J. THIS DOCUMENT IS NOT AN IMPLIED WARRANTY. THIS COVERAGE IS EXPRESSLY IN LIEU OF ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. REMEDIES UNDER THIS COVERAGE ARE LIMITED TO THE PROVISION OF MATERIAL AND LABOR, AS SPECIFIED HEREIN. WESTERN STATES EQUIPMENT IS NOT RESPONSIBLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES.**

**K. REGISTER OBLIGOR: WESTERN STATES EQUIPMENT COMPANY IS REGISTERED OBLIGOR, WHO IS CONTRACTUALLY OBLIGATED TO THE SERVICE CONTRACT HOLDER OWNERS NAME TO PROVIDE SERVICE UNDER THIS SERVICE AGREEMENT. WESTERN STATES EQUIPMENT COMPANY CAN BE CONTACTED AT THE FOLLOWING ADDRESS OR PHONE NUMBER: WESTERN STATES EQUIPMENT COMPANY 500 E OVERLAND ROAD, MERIDIAN, ID 83642 (208) 888-2287. SERVICE CONTRACT INSURER: CATERPILLAR INSURANCE COMPANY 2120 WEST END AVE., NASHVILLE, TENNESSEE 37203 | 800 248-4228**



Caterpillar Inc.  
Peoria, Illinois 61629

☐ Check when information has been entered into the Product. Information System through Caterpillar dealer terminal.

DO NOT SEND IF  
ENTERED INTO P.I.S.

### Delivery Service Record

### Comprobante Del Servicio de Entrega

DLR. CODE	MODEL	MACHINE SERIAL NO.	HOURS	DELIVERY DATE	ENGINE SERIAL NO.
COD. DISTRIB.	MODELO	N/S MAQUINA	HORAS	FECHA DE ENTREGA	N/S MOTOR
H510	420XE	H9X00254	20		

**ATTACHMENTS INSTALLED:** BUCKET, DOZER, RIPPER, WINCH, CAB, TRANSMISSION, BOOM, STICK, ETC.

**ACCESORIOS INSTALADOS:** CUCHARON, HOJA, DESGARRADOR, MALACATE, CABINA, TRANSMISION, PLUMA, BRAZO, ETC,

Mfr. & Model or Part No, Fabricante y Modelo o N/P THUMB 420F	Mfr. & Model or Part No, Fabricante y Modelo o N/P	Mfr. & Model or Part No, Fabricante y Modelo o N/P	Mfr. & Model or Part No, Fabricante y Modelo o N/P
Serial No. N/S DJ19007353	Serial No. N/S	Serial No. N/S	Serial No. N/S

Customer Name (Please Print)  
Nombre del Cliente (con letra de imprenta) City Of Idaho Falls

Dirección postal completa PO Box 50220 Idaho Falls, ID 83405-0220

Country  
país USA

**Delivery service on this machine has been completed, including the following items. Check ( ) when each item is completed.**  
**El servicio de entrega de esta máquina se ha completado incluso los puntos siguientes, Marque ( ) cada punto que complete.**

- |  |   |
|--|---|
| <input type="checkbox"/> 1. Operation Guide delivered with machine and operating controls and warning labels explained to user.<br>Se entregó con la máquina la Guía de Operación y se explicó al usuario la operación de los controles y los rótulos de advertencia.              | <input type="checkbox"/> 3. Parts Book delivered with machine.<br>Se entregó con la máquina el Catálogo de Piezas.  |
| <input type="checkbox"/> 2. Maintenance Guide delivered with machine and maintenance service, fluid levels and adjustments explained to user,<br>Se entregó con la máquina la Guía de Conservación y se explicó al usuario el servicio de conservación, ajustes y nivel de fluidos | <input type="checkbox"/> 4. All items on Delivery Checklist have been completed,<br>Se hizo todo lo indicado en el Comprobante de Entrega (No. de Foma 01-085314-03). |

User's Signature  
Firma del usuario \_\_\_\_\_

Dir. Rep. Signature  
Firma del representante  
del distribuidor \_\_\_\_\_

### Delivery Checklist CONTINUED ON REVERSE SIDE

#### At dealership

- ☐ Make sure all pending Safety Product Improvement Programs (PIP) have been completed.
- ☐ Make sure all necessary forms and literature are available.
- ☐ All decals are installed.
- ☐ All attachments are installed/available.
- ☐ Install shipping/service lock pins in fire suppression system (if equipped) when transporting machine.

#### At delivery area with customer (owner, operator):

- ☐ Explain Parts Book.
- ☐ Explain all warning labels on machine,
- ☐ Show location of all serial numbers on machine.

#### Lubrication and Maintenance.

- ☐ Explain Maintenance Guide.
- ☐ Instruct how to use lubrication and maintenance chart.
- ☐ Show all lubrication points on the machine and attachments.

### Lista de Comprobación SIGUE AL DORSO

#### En la distribuidora

- ☐ Asegurese que se completaron los programas pendientes de mejoras al producto para fines de seguridad (PIP).
- ☐ Asegurese que hay disponibles todas las formas y folletos necesarios.
- ☐ Se han puesto todas las etiquetas.
- ☐ Todos los accesorios están instalados/disponibles.
- ☐ Se han instalado los pasadores de traba para embarque/servicio en el sistema supresor de incendios (si tiene) al transportar la máquina.

#### En el lugar de entrega, con el cliente (propietario, operador).

- ☐ Explicar el Catálogo de Piezas.
- ☐ Explicar todos los rótulos de advertencia de la máquina.
- ☐ Mostrar ubicación de todos los números de serie en la máquina.

#### Lubricación y Conservación

- ☐ Explicar la Guía de Conservación.
- ☐ Indicar cómo se utiliza el cuadro de lubricación y conservación.
- ☐ Mostrar todos los puntos de lubricación de la máquina y accesorios.



# MEMORANDUM

**FROM:** Pam Alexander, Municipal Services Director

**DATE:** Tuesday, November 3, 2020

**RE:** Quote - Purchase Backup Storage System for Police Department

## Council Action Desired

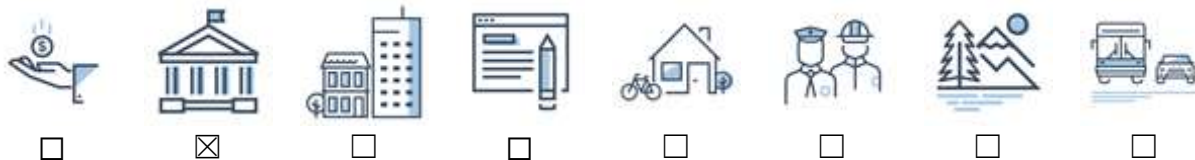
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing  
☒ Other Action (Approval, Authorization, Ratification, etc)

Approve the quote received from the State of Idaho contract with Dell EMC to purchase a Dell Compellent backup storage system for the Police Department for a total of \$84,451.37 or take other action deemed appropriate.

## Description, Background Information & Purpose

It is essential the Police Department have adequate and reliable technology storage. This purchase request is for hardware and professional services to install a backup storage system to ensure the reliability of storing Police Department law enforcement data.

## Relevant PBB Results & Department Strategic Plan



The purchase of backup storage system supports the good governance community oriented result by providing reliable backup storage for law enforcement data.

## Interdepartmental Coordination

The Police Department concurs with the purchase recommendation.

**Fiscal Impact**

Funds to purchase the backup storage hardware and professional services are budgeted within the 2020/21 Police Department operating budget and grant match funds for body worn cameras.

**Legal Review**

Legal concurs the Council action desired is within State Statute.



PURCHASE REQUISITION NBR: 0000077354

REQUISITION BY: OLEWIS/AKSCHOLES

STATUS: SUPERVISOR (#1)

REASON: PD-.5PB DELL COMPELLENT STORAGE SOLUTION

DATE: 10/23/20

SHIP TO LOCATION: POLICE DEPARTMENT

SUGGESTED VENDOR: 350 DELL COMPUTER CORPORATION

DELIVER BY DATE: 11/12/20

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	LOCAL DATA PROTECTION LICENSE UPGRADE TO REMOTE DA ***Anticipated City Council Date: 11/12/20*** * per DelleMC Quote: 3000071410857.1 Contract # C000000013097 Customer Agreement # PADD16200012 * Local Data Protection License Upgrade to Remote Data Protection License, Cust Kit Data Replication License ** COMMODITY: COMPUTERS, DP/WORD PROC. SUBCOMMOD: SERVER	1.00	EA	1290.5000	1290.50	
2	C2G 15FT LOCKING C19 TO C20 15 A 250V POWER CORD B * C2G 15ft Locking C19 to C20 15 A 250V Power Cord Black - TAA - power cable - 15 ft ** COMMODITY: COMPUTERS, DP/WORD PROC. SUBCOMMOD: SERVER	2.00	EA	17.3400	34.68	
3	DELL EMC SCV360 STORAGE SERVER * Spec. per DelleMC Quote: 3000071410857.1 * Dell EMC SCv360 Enclosure,Rack Rails, 48ea. 8TB, NLSAS, 12Gb, 7.2K, 3.5" HDD, Hard Drive Blank Filler 3.5" ** COMMODITY: COMPUTERS, DP/WORD PROC. SUBCOMMOD: SERVER	1.00	EA	55977.6600	55977.66	
4	DELL EMC SCV3000 STORAGE CONTROLLER SERVER * Spec. per DelleMC Quote: 3000071410857.1 * SCv3000 3Ux16 Drive Storage Array, SCv30X0 Dual Controller Components, 2ea. SC, RJ45, 4-port, Mezz Card, 2ea. IO, 16Gb FC, 4Port, PCI-E, Full height, Storage Center Core Software Bundle,	1.00	EA	27148.5300	27148.53	

Redundant Power Supply, 1378W, C20,  
16ea. SC, 8TB, SAS, 12Gb, 7.2K, 3.5" HDD,  
4 ea, 12Gb HD-Mini to HD-Mini SAS cable, 2m,  
2ea. C19 to C20, PDU Style, 16 AMP, Power Cord  
\*\*

SHIP TO:  
ATTN: OLIVER LEWIS

PURCHASE REQUISITION NBR: 0000077354

REQUISITION BY: OLEWIS/AKSCHOLES

STATUS: SUPERVISOR (#1)  
REASON: PD-.5PB DELL COMPELLENT STORAGE SOLUTION

DATE: 10/23/20

SHIP TO LOCATION: POLICE DEPARTMENT

SUGGESTED VENDOR: 350 DELL COMPUTER CORPORATION

DELIVER BY DATE: 11/12/20

LINE NBR	DESCRIPTION	QUANTITY UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
-------------	-------------	--------------	--------------	----------------	--------------------

4	DELL EMC SCV3000 STORAGE CONTROLLER SERVER 308 CONSTITUTION WAY IDAHO FALLS, IDAHO 83402	EA			
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\*\*\*Anticipated City Council Date: 11/12/20\*\*\*

COMMODITY: COMPUTERS, DP/WORD PROC.

SUBCOMMOD: SERVER

REQUISITION TOTAL: 84451.37

A C C O U N T I N F O R M A T I O N

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	00120025113400	Minor Equipment	100.00	1290.50
2	00120025113400	Minor Equipment	100.00	34.68
3	00120025113400	Minor Equipment	100.00	55977.66
4	00120025113400	Minor Equipment	100.00	27148.53
				84451.37

REQUISITION IS IN THE CURRENT FISCAL YEAR.



## A quote for your consideration.

Based on your business needs, we put the following quote together to help with your purchase decision. Below is a detailed summary of the quote we've created to help you with your purchase decision.

To proceed with this quote, you may respond to this email, order online through your **Premier page**, or, if you do not have Premier, use this **Quote to Order**.

**Quote No.** 3000071410857.1  
**Total** \$84,451.37  
Customer # 4614471  
Quoted On Oct. 22, 2020  
Expires by Nov. 21, 2020  
Solution ID 13254692  
Deal ID 20148729

Sales Rep Melissa Chastain  
Phone (800) 456-3355, 6180049  
Email Melissa\_Chastain@Dell.com  
**Billing To** ACCTS PAYABLE  
CITY OF IDAHO FALLS  
P O BOX 50220  
CONTROLLERS OFFICE  
IDAHO FALLS, ID 83405-0220

### Message from your Sales Rep

Please contact your Dell sales representative if you have any questions or when you're ready to place an order. Thank you for shopping with Dell!

Regards,  
Melissa Chastain

### Shipping Group

Shipping To	Shipping Method
OLIVER LEWIS CITY OF IDAHO FALLS 308 CONSTITUTION WAY IDAHO FALLS, ID 83402-3539 (208) 612-8662	Standard Delivery

Product	Unit Price	Qty	Subtotal
Local Data Protection License Upgrade to Remote Data Protect ion License, Cust Kit	\$1,290.50	1	\$1,290.50
C2G 15ft Locking C19 to C20 15 A 250V Power Cord Black - TAA - power cable - 15 ft	\$17.34	2	\$34.68
Dell EMC SCv360	\$55,977.66	1	\$55,977.66
Dell EMC SCv3000	\$27,148.53	1	\$27,148.53

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Subtotal:	\$84,451.37
Shipping:	\$0.00
Non-Taxable Amount:	\$84,451.37
Taxable Amount:	\$0.00
Estimated Tax:	\$0.00

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Total:	\$84,451.37
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Special lease pricing may be available for qualified customers. Please contact your DFS Sales Representative for details.

## Shipping Group Details

### Shipping To

OLIVER LEWIS  
CITY OF IDAHO FALLS  
308 CONSTITUTION WAY  
IDAHO FALLS, ID 83402-3539  
(208) 612-8662

### Shipping Method

Standard Delivery

		Qty	Subtotal
<b>Local Data Protection License Upgrade to Remote Data Protection License, Cust Kit</b>	<b>\$1,290.50</b>	<b>1</b>	<b>\$1,290.50</b>

Estimated delivery if purchased today:  
Oct. 30, 2020  
Contract # C000000013097  
Customer Agreement # PADD16200012

Description	SKU	Unit Price	Qty	Subtotal
Local Data Protection License Upgrade to Remote Data Protection License, Cust Kit	634-BCXG	-	1	-

		Qty	Subtotal
<b>C2G 15ft Locking C19 to C20 15 A 250V Power Cord Black - TAA - power cable - 15 ft</b>	<b>\$17.34</b>	<b>2</b>	<b>\$34.68</b>

Estimated delivery if purchased today:  
Nov. 10, 2020  
Contract # C000000013097  
Customer Agreement # PADD16200012

Description	SKU	Unit Price	Qty	Subtotal
C2G 15ft Locking C19 to C20 15A 250V Power Cord Black - TAA - power cable - 15 ft	A9194182	-	2	-

		Qty	Subtotal
<b>Dell EMC SCv360</b>	<b>\$55,977.66</b>	<b>1</b>	<b>\$55,977.66</b>

Estimated delivery if purchased today:  
Nov. 23, 2020  
Contract # C000000013097  
Customer Agreement # PADD16200012

Description	SKU	Unit Price	Qty	Subtotal
Dell EMC SCv360 Enclosure	210-ALTK	-	1	-
Rack Rails, Static, 4U	770-BCHH	-	1	-
Dell EMC SCv360 Shipping, DAO	340-BRVL	-	1	-
Dell Hardware Limited Warranty	813-6884	-	1	-
ProSupport Plus: Next Business Day Onsite Service After Problem Diagnosis, 3 Years	813-6930	-	1	-
ProSupport Plus: 7X24 HW/SW Technical Support and Assistance, 3 Years	813-6938	-	1	-
Thank you for choosing Dell ProSupport Plus. For tech support, visit <a href="http://www.dell.com/contactdell">//www.dell.com/contactdell</a>	951-2015	-	1	-
ProDeploy Dell Storage SCv Disk Series 360 4/5U Enclosure - Deployment	814-0248	-	1	-
ProDeploy Dell Storage SC Disk Series 360 4/5U Enclosure - Deployment Verification	814-0249	-	1	-
C13 to C14 PDU Style 16 AMP 13 Feet (4m) Right Angle Power Cord, Qty 4	450-AGQL	-	1	-
Cable Management Arm, 4U	770-BCHQ	-	1	-

SCv360 Dell EMC Bezel	325-BCPE	-	1	-
8TB, NLSAS, 12Gb, 7.2K, 3.5" HDD	400-ARKF	-	48	-
Hard Drive Blank Filler 3.5"	400-ATSH	-	12	-
			<b>Qty</b>	<b>Subtotal</b>
<b>Dell EMC SCv3000</b>		<b>\$27,148.53</b>	<b>1</b>	<b>\$27,148.53</b>

Estimated delivery if purchased today:  
Nov. 11, 2020  
Contract # C000000013097  
Customer Agreement # PADD16200012

Description	SKU	Unit Price	Qty	Subtotal
SCv3000 3Ux16 Drive Storage Array	210-ALVH	-	1	-
SCv30X0 Dual Controller Components	449-BBLE	-	1	-
SC, RJ45, 4-port, Mezz Card	403-BBPE	-	1	-
SC, RJ45, 4-port, Mezz Card	403-BBPE	-	1	-
IO, 16Gb FC, 4Port, PCI-E, Full height	406-BBLX	-	1	-
IO, 16Gb FC, 4Port, PCI-E, Full height	406-BBLX	-	1	-
Storage Center Core Software Bundle, Base License	634-BJUI	-	1	-
SSN License	634-BKCL	-	1	-
Storage Protection Bundle, Software License (Includes: RIRA, Live Volume, Replay Manager)	634-BKCN	-	1	-
Redundant Power Supply, 1378W, C20	450-AGJN	-	1	-
Rack rail, 2Us, Static	770-BBUJ	-	1	-
SC Bezel	350-BBKJ	-	1	-
SHIP,SCV3000,DAO	340-BRZD	-	1	-
Dell Hardware Limited Warranty	814-3905	-	1	-
ProSupport Plus: Next Business Day Onsite Service After Problem Diagnosis, 3 Years	814-3961	-	1	-
ProSupport Plus: 7x24 HW/SW Technical Support and Assistance, 3 Years	814-3962	-	1	-
Thank you for choosing Dell ProSupport Plus. For tech support, visit <a href="http://www.dell.com/contactdell">//www.dell.com/contactdell</a>	951-2015	-	1	-
ProDeploy Dell Storage SC Series vXXXX SAN - Deployment	805-2824	-	1	-
ProDeploy Dell Storage SC Series vXXXX SAN - Deployment Verification	805-2826	-	1	-
ProSupport for Software: 7X24 Storage Protection Bundle, 3 Years	815-4007	-	1	-
US Order	332-1286	-	1	-
SC, 8TB, SAS, 12Gb, 7.2K, 3.5" HDD	400-AVKZ	-	16	-
12Gb HD-Mini to HD-Mini SAS cable, 2m	470-ABDO	-	2	-
12Gb HD-Mini to HD-Mini SAS cable, 2m	470-ABDO	-	2	-
C19 to C20, PDU Style, 16 AMP, Power Cord	450-AEJJ	-	2	-

<b>Subtotal:</b>	<b>\$84,451.37</b>
<b>Shipping:</b>	<b>\$0.00</b>
<b>Estimated Tax:</b>	<b>\$0.00</b>
<b>Total:</b>	<b>\$84,451.37</b>

## Important Notes

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### Terms of Sale

This Quote will, if Customer issues a purchase order for the quoted items that is accepted by Supplier, constitute a contract between the entity issuing this Quote ("Supplier") and the entity to whom this Quote was issued ("Customer"). Unless otherwise stated herein, pricing is valid for thirty days from the date of this Quote. All product, pricing and other information is based on the latest information available and is subject to change. Supplier reserves the right to cancel this Quote and Customer purchase orders arising from pricing errors. Taxes and/or freight charges listed on this Quote are only estimates. The final amounts shall be stated on the relevant invoice. Additional freight charges will be applied if Customer requests expedited shipping. Please indicate any tax exemption status on your purchase order and send your tax exemption certificate to [Tax\\_Department@dell.com](mailto:Tax_Department@dell.com) or [ARSalesTax@emc.com](mailto:ARSalesTax@emc.com), as applicable.

**Governing Terms:** This Quote is subject to: (a) a separate written agreement between Customer or Customer's affiliate and Supplier or a Supplier's affiliate to the extent that it expressly applies to the products and/or services in this Quote or, to the extent there is no such agreement, to the applicable set of Dell's Terms of Sale (available at [www.dell.com/terms](http://www.dell.com/terms) or [www.dell.com/oemterms](http://www.dell.com/oemterms)), or for cloud/as-a-Service offerings, the applicable cloud terms of service (identified on the Offer Specific Terms referenced below); and (b) the terms referenced herein (collectively, the "Governing Terms"). Different Governing Terms may apply to different products and services on this Quote. The Governing Terms apply to the exclusion of all terms and conditions incorporated in or referred to in any documentation submitted by Customer to Supplier.

**Supplier Software Licenses and Services Descriptions:** Customer's use of any Supplier software is subject to the license terms accompanying the software, or in the absence of accompanying terms, the applicable terms posted on [www.Dell.com/eula](http://www.Dell.com/eula). Descriptions and terms for Supplier-branded standard services are stated at [www.dell.com/servicecontracts/global](http://www.dell.com/servicecontracts/global) or for certain infrastructure products at [www.dell.com/en-us/customer-services/product-warranty-and-service-descriptions.htm](http://www.dell.com/en-us/customer-services/product-warranty-and-service-descriptions.htm).

**Offer-Specific, Third Party and Program Specific Terms:** Customer's use of third-party software is subject to the license terms that accompany the software. Certain Supplier-branded and third-party products and services listed on this Quote are subject to additional, specific terms stated on [www.dell.com/offeringspecificterms](http://www.dell.com/offeringspecificterms) ("Offer Specific Terms").

**In case of Resale only:** Should Customer procure any products or services for resale, whether on standalone basis or as part of a solution, Customer shall include the applicable software license terms, services terms, and/or offer-specific terms in a written agreement with the end-user and provide written evidence of doing so upon receipt of request from Supplier.

**In case of Financing only:** If Customer intends to enter into a financing arrangement ("Financing Agreement") for the products and/or services on this Quote with Dell Financial Services LLC or other funding source pre-approved by Supplier ("FS"), Customer may issue its purchase order to Supplier or to FS. If issued to FS, Supplier will fulfill and invoice FS upon confirmation that: (a) FS intends to enter into a Financing Agreement with Customer for this order; and (b) FS agrees to procure these items from Supplier. Notwithstanding the Financing Agreement, Customer's use (and Customer's resale of and the end-user's use) of these items in the order is subject to the applicable governing agreement between Customer and Supplier, except that title shall transfer from Supplier to FS instead of to Customer. If FS notifies Supplier after shipment that Customer is no longer pursuing a Financing Agreement for these items, or if Customer fails to enter into such Financing Agreement within 120 days after shipment by Supplier, Customer shall promptly pay the Supplier invoice amounts directly to Supplier.

Customer represents that this transaction does not involve: (a) use of U.S. Government funds; (b) use by or resale to the U.S. Government; or (c) maintenance and support of the product(s) listed in this document within classified spaces. Customer further represents that this transaction does not require Supplier's compliance with any statute, regulation or information technology standard applicable to a U.S. Government procurement.

For certain products shipped to end users in California, a State Environmental Fee will be applied to Customer's invoice. Supplier encourages customers to dispose of electronic equipment properly.

Electronically linked terms and descriptions are available in hard copy upon request.

**<sup>A</sup>Dell Business Credit (DBC):**

OFFER VARIES BY CREDITWORTHINESS AS DETERMINED BY LENDER. Offered by WebBank to Small and Medium Business customers with approved credit. Taxes, shipping and other charges are extra and vary. Minimum monthly payments are the greater of \$15 or 3% of account balance. Dell Business Credit is not offered to government or public entities, or business entities located and organized outside of the United States.





# MEMORANDUM

**FROM:** Pam Alexander, Municipal Services Director

**DATE:** Thursday, October 29, 2020

**RE:** Quote – Microsoft License Renewal for Information Technology

## Council Action Desired

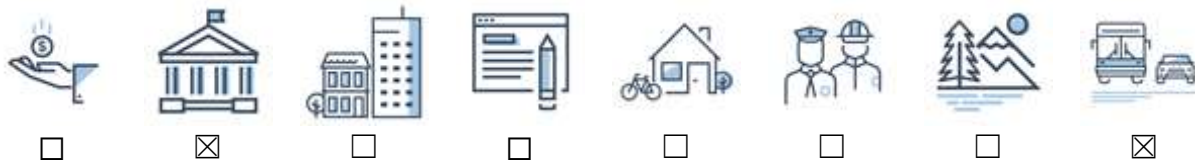
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing  
☒ Other Action (Approval, Authorization, Ratification, etc)

Approve the purchase of required city-wide Microsoft software product licenses from State of Idaho statewide contract with SHI for a total of \$147,349.27 per year, for a period of three-years or take other action deemed appropriate.

## Description, Background Information & Purpose

The purchase of Microsoft Licenses is required. This project was scheduled for this fiscal year as part of the annual Information Technology plan as the current three-year license agreement will expire this fiscal year.

## Relevant PBB Results & Department Strategic Plan



This purchase supports the good governance community-oriented result by renewing software product licenses as required.



**Interdepartmental Coordination**

Reviews have been conducted with all necessary City departments to ensure coordination of software product license renewals.

**Fiscal Impact**

Funds for this project are budgeted in the 2020/21 Municipal Services Department Information Technology budget.

**Legal Review**

Legal has reviewed the state contract process and concurs the Council action desired is within State Statute.



Pricing Proposal  
Quotation #: 19471159  
Reference #: 9/24/2020  
Created On: Sep-25-2020  
Valid Until: Sep-30-2020

## City of Idaho Falls ID

### Joseph Nilsson

Phone: (208) 612-8118

Fax:

Email: jnilsson@idahofallsidaho.gov

## Inside Account Manager

### Jess Santelli

290 Davidson Ave

Somerset, NJ, 08873

Phone: 732-652-0237

Fax:

Email: Jess\_Santelli@SHI.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 O365GCCE3fromSA ShrdSvr ALNG SubsvL MVL PerUsr Microsoft - Part#: AAA-11924 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	350	\$182.25	\$63,787.50
2 O365GCCE1FromSA ShrdSvr ALNG SubsvL MVL PerUsr Microsoft - Part#: 7R6-00001 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	250	\$64.20	\$16,050.00
3 CoreCALBridgeO365FromSA ALNG SubsvL MVL PerUsr Microsoft - Part#: AAA-12416 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	600	\$16.69	\$10,014.00
4 WINENTperDVC ALNG SA MVL Microsoft - Part#: KV3-00368 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	600	\$44.47	\$26,682.00
5 ExchgSvrStd ALNG SA MVL Microsoft - Part#: 312-02257 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	4	\$126.82	\$507.28

6	SQLSvrEntCore ALNG SA MVL 2Lic CoreLic Microsoft - Part#: 7JQ-00343 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	4	\$2,254.05	\$9,016.20
7	SQLSvrStdCore ALNG SA MVL 2Lic CoreLic Microsoft - Part#: 7NQ-00292 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	2	\$587.82	\$1,175.64
8	VisioStd ALNG SA MVL Microsoft - Part#: D86-01253 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	4	\$51.78	\$207.12
9	WinRmtDsktpSrvcsCAL ALNG SA MVL UsrCAL Microsoft - Part#: 6VC-01254 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	60	\$21.69	\$1,301.40
10	WinSvrDCCore ALNG SA MVL 2Lic CoreLic Microsoft - Part#: 9EA-00278 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	140	\$126.21	\$17,669.40
11	WinSvrSTDCore ALNG SA MVL 2Lic CoreLic Microsoft - Part#: 9EM-00270 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	16	\$17.79	\$284.64
12	SfBSvr ALNG SA MVL Microsoft - Part#: 5HU-00216 Contract Name: NASPO Software VAR Contract #: ADSP016-130651 Subcontract #: PADD17200277 Coverage Term: Dec-01-2020 – Nov-30-2021 <b>Note:</b> EA 6836110 Budgetary Year 1 of 3	1	\$654.09	\$654.09
			Shipping	\$0.00
			Total	\$147,349.27

## Additional Comments

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We are constantly striving to provide you with World Class Support!  
We'd love to hear about your quoting experience with this brief [survey](#)!

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date listed above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. For any additional information including Hardware, Software and Services Contracts, please contact an SHI Inside Sales Representative at (888) 744-4084. SHI International Corp. is 100% Minority Owned, Woman Owned Business. TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

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*The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.*



# MEMORANDUM

**FROM:** Josh Roos, City Treasurer  
**DATE:** Friday, October 30, 2020  
**RE:** Treasurer's Report for September 2020

## Council Action Desired

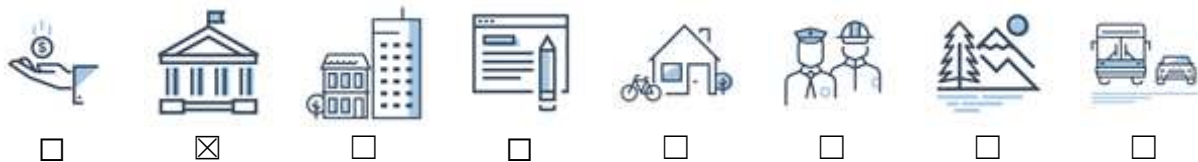
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing  
☒ Other Action (Approval, Authorization, Ratification, etc)

Accept and approve the Treasurer's Report for the month-ending September 2020 (or take other action deemed appropriate).

## Description, Background Information & Purpose

A monthly Treasurer's Report is required pursuant to Resolution 2018-06 for City Council review and approval. For the month-ending September 2020, total cash and investments total \$135M. Total receipts received and reconciled to the general ledger were reported at \$29.3M, which includes revenues of \$13.9M and interdepartmental transfers of \$15.4M. Total disbursements reconciled to the general ledger were reported at \$33.6M, which includes salary and benefits of \$5.8M, operating costs of \$12.4M and interdepartmental transfers of \$15.4M. As reported in the attached investment report, the total investments reconciled to the general ledger were reported at \$125.1M.

## Relevant PBB Results & Department Strategic Plan



The monthly Treasurer's Report supports the Good Governance result by providing sound fiscal management and enable trust and transparency.

## Interdepartmental Coordination

Not applicable.

**Fiscal Impact**

Not applicable.

**Legal Review**

Not applicable.

# CITY OF IDAHO FALLS MONTHLY TREASURER'S REPORT

September, 2020

FUND	BEGINNING CASH & INVESTMENTS	TOTAL RECEIPTS	TOTAL DISBURSEMENTS	ENDING BALANCE CASH & INVESTMENTS
GENERAL	\$12,402,565.60	\$3,989,992.40	\$5,807,756.22	\$10,584,801.78
STREET	\$4,428,561.67	\$171,305.80	\$683,738.10	\$3,916,129.37
RECREATION	(\$162,179.21)	\$107,625.86	\$143,692.67	(\$198,246.02)
LIBRARY	\$3,547,958.73	\$46,798.05	\$400,635.32	\$3,194,121.46
AIRPORT PFC FUND	\$1.17	\$32,131.85	\$32,133.02	\$0.00
MUNICIPAL EQUIP. REPLCMT.	\$5,746,017.45	\$220,958.52	\$543,422.01	\$5,423,553.96
EL. LT. WEATHERIZATION FD	\$3,208,708.55	\$121,802.94	\$85,774.71	\$3,244,736.78
BUSINESS IMPRV. DISTRICT	\$97,532.61	\$2,340.13	\$350.32	\$99,522.42
GOLF	(\$106,452.24)	\$308,514.75	\$278,258.49	(\$76,195.98)
SELF-INSURANCE FD.	\$3,234,591.17	\$161,363.09	\$81,946.47	\$3,314,007.79
HEALTH & ACCIDENT INSUR.	\$4,652,770.03	\$16,306.95	\$16,712.15	\$4,652,364.83
EMERGENCY MEDICAL SERVICES *	\$0.00	\$0.00	\$1,101,428.84	(\$1,101,428.84)
WILDLAND	\$29,978.62	\$105.07	\$691,856.54	(\$661,772.85)
SANITARY SEWER CAP IMP. **	\$2,947,617.16	\$96,210.47	\$3,043,827.63	\$0.00
MUNICIPAL CAPITAL IMP.	\$1,928,011.79	\$15,329.00	\$23,816.73	\$1,919,524.06
STREET CAPITAL IMPROVEMENT	\$1,178,420.46	\$71,364.23	\$4,232.74	\$1,245,551.95
BRIDGE & ARTERIAL STREET	\$920,324.23	\$21,544.88	\$3,305.68	\$938,563.43
WATER CAPITAL IMPROVEMENT ***	\$5,085,945.65	\$262,483.07	\$5,348,428.72	\$0.00
SURFACE DRAINAGE	\$215,556.10	\$5,803.16	\$774.25	\$220,585.01
TRAFFIC LIGHT CAPITAL IMPRV.	\$1,135,045.63	\$39,773.92	\$99,442.92	\$1,075,376.63
PARKS CAPITAL IMPROVEMENT	\$21,353.84	\$2,960.30	\$21,095.43	\$3,218.71
FIRE CAPITAL IMPROVEMENT	(\$2,466,151.58)	\$4,414.55	\$0.00	(\$2,461,737.03)
ZOO CAPITAL IMPROVEMENT	\$162,572.32	\$70,163.84	\$583.94	\$232,152.22
CIVIC AUDITORIUM CAPITAL IMP.	\$204,184.30	\$715.63	\$733.41	\$204,166.52
GOLF CAPITAL IMP.	\$262,235.24	\$25,579.84	\$941.91	\$286,873.17
POLICE CAPITAL IMPROVEMENT	(\$667,059.95)	\$667,059.95	\$0.00	\$0.00
AIRPORT	\$634,035.70	\$847,055.12	\$1,440,719.50	\$40,371.32
WATER ***	\$7,484,541.47	\$6,552,996.87	\$1,440,828.68	\$12,596,709.66
SANITATION	\$5,352,960.87	\$630,935.97	\$621,181.86	\$5,362,714.98
AMBULANCE *	(\$1,798,579.84)	\$2,544,035.44	\$745,455.60	\$0.00
IDAHO FALLS POWER	\$56,978,553.43	\$5,632,694.17	\$7,736,784.44	\$54,874,463.16
FIBER	\$133,811.91	\$2,123,355.41	\$1,460,317.77	\$796,849.55
WASTEWATER **	\$22,535,480.75	\$4,502,627.52	\$1,722,238.72	\$25,315,869.55
<b>TOTAL ALL FUNDS</b>	<b>\$139,328,913.63</b>	<b>\$29,296,348.75</b>	<b>\$33,582,414.79</b>	<b>\$135,042,847.59</b>

\* Funds from Ambulance were transferred to Emergency Medical Services

\*\* Funds from Sanitary Sewer Cap Imp were transferred to Wastewater

\*\*\* Funds from Water Cap Imp were transferred to Water

CITY OF IDAHO FALLS  
INVESTMENT RECONCILIATION  
Sep-20

	<u>BOND</u>	<u>AGENCY</u>	<u>TREASURY</u>	<u>CERTIFICATES</u>	<u>MONEY MARKET</u>	<u>CASH/EQUIVALENT</u>	<u>TOTAL</u>
LPL				\$1,257,120.61		\$16,249.00	\$1,273,369.61
LGIP					\$30,264,841.38		\$30,264,841.38
WELLS FARGO	\$43,871,723.99	\$12,789,348.31	\$10,428,848.20	\$6,004,605.07	\$0.00		\$73,094,525.57
DA DAVIDSON				\$526,025.00		\$761,191.30	\$1,287,216.30
WASHINGTON FEDERAL				\$258,838.62			\$258,838.62
ISU				\$267,506.91			\$267,506.91
KEY BANK	\$1,569,187.25	\$1,493,527.62	\$2,346,068.25			\$315,075.31	\$5,723,858.43
IDAHO CENTRAL				\$4,306,082.68			\$4,306,082.68
BANK OF IDAHO				\$6,622,743.63			\$6,622,743.63
BANK OF COMMERCE				\$2,019,720.50			\$2,019,720.50
	<u>\$45,440,911.24</u>	<u>\$14,282,875.93</u>	<u>\$12,774,916.45</u>	<u>\$21,262,643.02</u>	<u>\$30,264,841.38</u>	<u>\$1,092,515.61</u>	<u>\$125,118,703.63</u>



## **October 19, 2020 Work Session - Unapproved**

The City Council of the City of Idaho Falls met in Council Work Session, Monday, October 19, 2020, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 3:00 p.m.

### **Call to Order and Roll Call:**

There were present:

Mayor Rebecca L. Noah Casper  
Council President Michelle Ziel-Dingman  
Councilor John Radford (via WebEx)  
Councilor Thomas Hally  
Councilor Jim Freeman (via WebEx)  
Councilor Jim Francis  
Councilor Shelly Smede

Also present:

Bryce Johnson, Police Chief  
Jeremy Galbreath, Police Captain  
Duane Nelson, Fire Chief  
Pamela Alexander, Municipal Services Director  
Mark Hagedorn, Controller  
Josh Roos, Treasurer  
PJ Holm, Parks and Recreation Director  
Rick Cloutier, Airport Director (via WebEx)  
Chris Fredericksen, Public Works Director  
Stephen Boorman, Idaho Falls Power Assistant General Manager  
Darrell West, Bonneville Metropolitan Planning Organization Director  
Lisa Farris, Grants Administrator and Targhee Regional Public Transportation Authority (TRPTA) Board Member  
Summer Hirschfield, Grants Officer of Public Transportation for the Idaho Transportation Department (ITD) (via WebEx)  
Ed Morgan, Civic Center for the Performing Arts Manager  
Michael Kirkham, Assistant City Attorney  
Randy Fife, City Attorney  
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:06 p.m. with the following items:

### **Acceptance and/or Receipt of Minutes:**

It was moved by Councilor Francis, seconded by Councilor Radford, that Council receive the recommendations from the October 6, 2020 meeting of the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA). Roll call as follows: Aye – Councilors Hally, Francis, Radford, Dingman, Smede, Freeman. Nay – none. Motion carried.

### **Calendars, Announcements and Reports:**

October 20, Idaho Women's Business Center ribbon cutting  
October 22, Idaho Falls Power (IFP) Board Meeting; City Club debate for Seat 31 candidates; and City Council Meeting  
October 24, Trunk or Treat drive-thru event at Freeman Park

Mayor Casper stated the Department of Energy (DOE) recently announced a \$1.355 support package for the Small Modular Reactor (SMR)/Carbon Free Power Project (CFPP); the Idaho Falls Police Department (IFPD) received a \$6,400 grant from the U.S. Department of Justice (DOJ) for bullet-proof vests; two (2) accidents which involved four

## **October 19, 2020 Work Session - Unapproved**

(4) fatalities occurred over the course of the previous weekend (conversations with the County regarding one (1) of the intersections involved have occurred); the westside substation experienced an outage earlier in the day due to Bonneville Power Administration (BPA) equipment; a letter was sent to the congressional delegation regarding the extension of Coronavirus Relief Funds (CRF); she, along with the City of Ammon Mayor Sean Coletti, will meet with Governor Brad Little on October 20; and she recently attended the Association of Idaho Cities (AIC) Board Meeting – she noted the AIC Legislative Committee Meeting will occur on December 4, additional discussion with this committee may include liquor license reform, property taxes, and broadband.

### **Coronavirus (COVID-19) Update:**

Mayor Casper stated the number of cases are increasing higher than ever before, and additional outreach may be needed beyond the online resources. She believes there is a wide-spread and fundamental misunderstanding that the orders are mere suggestions, she clarified the orders that come from any public health board represent a temporary law even if enforcement is not occurring. She stated masks are only part of the recommendation along with social distancing, not attending events, frequent hand washing, and hand sanitizing. She encouraged not to let up in education for others. She also believes there is not a need for multiple layers of the same law (i.e. a City mandate).

### **Liaison Reports and Council Concerns:**

Council President Dingman stated the Idaho Falls Regional Airport (IDA) continues to be one (1) of the airports that are ‘thriving’ during COVID-19. She indicated it is a very safe time to fly, and the bulk of COVID-related challenges are with individuals returning from other areas. Council President Dingman also stated individuals have reached out to the Council regarding COVID, and per discussion with Eastern Idaho Public Health (EIPH), bars and restaurants are not the issue. The two (2) sources of community spread are large and small un-masked, un-distanced, long-time gatherings/parties/sporting activities which is a personal responsibility. Council President Dingman commended the Parks and Recreation (P&R) Department for handling the sports programs in a safe manner.

Councilor Francis stated the IFPD is placing the Lexipol Police Policy on the City’s website, and a Library Board Meeting will be held October 22. He believes businesses that are wearing masks should be thanked as they recognize the importance of mask wearing. He also reminded mask wearing will be required in any schools that may be participating in the November 3 election.

Councilor Smede noted school attendance has increased with the hybrid school schedule.

Councilor Hally recommended the Council pay attention to the Revenue and Taxation Committee. He indicated there are at least four (4) ideas to limit access to revenue for cities.

Councilor Radford had no items to report.

Councilor Freeman stated leaf collection began October 19, he also reiterated Trunk or Treat.

### **Memorandum of Understanding (MOU) with Creekside Counseling Discussion:**

Captain Galbreath believes healthy measures may not have previously occurred following traumatic events/incidents as many first responders have been diagnosed with Post Traumatic Stress Disorder (PTSD). He briefly reviewed services/elements in the MOU including critical incident debriefing; staff presentations; voluntary wellness interviews; mandatory counseling; and mandatory individual training. He believes it is a proactive step to focus on mental health of first responders. Chief Nelson expressed his appreciation for the collaboration with the IFPD. He believes this will change the mental culture of first responders. He stated training and working with counselors can make a healthy career. He also stated the agreement sets four (4) stages of implementing behavioral health awareness including training; professional counselors; and post crisis strategies. Chief Nelson stated a trust team has been set up within the Idaho Falls Fire Department (IFFD) to recognize and assist with other firefighters. He believes this can build a relationship with a counselor. He noted the Employee Assistance Program is an excellent benefit although this specific counselor is more familiar with first responders. Councilor Francis stated he strongly supports the agreement. He believes Creekside has prepared for this agreement through previous services for the IFFD and the IFPD. Councilor Hally believes Dr. Janet Allen is an ultimate professional. He believes the public, survivors, and first responders deserve this. Per Councilor Francis, Mr. Fife clarified this is a contract. Council President Dingman

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believes this is a worthwhile investment. Per Mayor Casper, Captain Galbreath stated some of the services/elements identified in the agreement have previously been occurring, other services were viewed as opportunities. Chief Nelson believes the contract may need adjusted over time. He noted there is a buy-in from the Local 1565 and the Fraternal Order of the Police (FOP). Mayor Casper stated the MOU will be included on the October 22 Council Meeting agenda.

### **Interfund Loan Opportunities and Policy Discussion:**

Director Alexander noted this discussion is in reference to borrowing/loaning from ourselves.

Mr. Roos presented the following:

#### Types of Loans

- Negative cash balances (indirect) – expenditures exceed revenues over time
- Direct loan – directly related to a specific purchase or project

Mr. Roos stated additional discussion will occur during the annual finance presentation at the November 9 Council Work Session.

Mr. Hagedorn clarified a direct loan, directly related to a specific purchase or project, needs to be in compliance with Government Finance Officers Association (GFOA) standards.

Director Alexander stated the loan request process would include a loan committee consisting of the Municipal Services finance team, one (1) director from a neutral department. The committee would review all loan requests and apply the policy parameters, followed by legal review and Council approval. Director Alexander reviewed the parameters – narrow scope, fundamental or essential City service that results in greater efficiency, overall savings and safety. Mr. Hagedorn stated the loan terms would include a realistic plan for repayment and a written loan agreement as similar to a third-party loan. Mr. Roos reviewed the limitations – the loaning department must have available funds versus near future use, limit on-going City costs (not generate more expenditures), and report during the annual budget presentation (would have to explain how each parameter is being met).

Director Cloutier stated this program would speed up airport projects as the ability to complete projects can be slowed down due to the reimbursement process from the Federal Aviation Administration (FAA). He noted FAA also reimburses interest or finance costs. Director Holm believes this would be a huge asset for the water conservation program and irrigation replacement program at Pinecrest Golf Course. He stated the irrigation system has been in place since the early 1970's and is constantly having issues with leakage and pressure and is inefficient and wasteful. He noted in 2019, the City used approximately 66M gallons of potable water that should not be used for irrigating property. He also noted budget authority was put in place this year to convert from the potable water to surface water utilizing the adjacent canal and water rights. He stated this is a \$3M conversion project to incorporate funds from multiple departments and the Municipal Equipment Replacement Fund (MERF) program. He also stated Golf MERF and Parks MERF each have \$1M. Director Holm stated is looking at utilizing funds from departments that would benefit from the project, for example, Water and IFP. He also stated this project has been needed for a while but P&R have struggled to find a proper funding source, and the water conservation loan was difficult. Mayor Casper believes this project is necessary for water conservation although almost impossible to find funding. She noted the City has not qualified for water resources loans. Director Alexander stated the IDA and P&R examples are the types of projects that would qualify for this type of loan. Per Mayor Casper, Mr. Hagedorn stated MERF monies are designed that Council does not need to approve each year. He also stated each loan concept would be unique. He noted it would be borrowing against, but it would still need MERF to spend. Mayor Casper stated this policy would impose internal discipline. Director Fredericksen believes diverting potable water makes sense and noted there would be a gain between 200-300 acre feet per year that could be applied to that annual mitigation needs, around 9% which would be used as recharge and a savings of \$9500. He noted every five (5) years there is a rolling average of water used to establish an amount needed for mitigation and if the usage decreases the mitigation would decrease as well. He stated there is a build-up of funds for long term projects, such as the water tower replacement project. He also stated a contribution makes sense and the loan term would not negatively affect the Water Division. He is supportive of solving the irrigation issues at Pinecrest. Mr. Boorman stated IFP would also be supportive. Councilor Hally believes costs can rise higher than inflation. He also believes this gives flexibility to take care of things in a timely manner, to

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save taxpayer money, and is a good business practice. Per Council President Dingman, Mr. Boorman stated this process has occurred in Portland. Mayor Casper noted funds for safety issues have also been included in the draft policy. Director Alexander stated the documents would have a hybrid interest rate. Per Councilor Francis, Director Alexander believes a not-to-exceed amount could be included in the policy. Councilor Francis believes the P&R project could be a pilot project/proposal. Councilor Hally suggested a fixed interest rate versus a flexible interest rate. Mayor Casper reviewed steps moving forward with the policy. Per Mayor Casper, Director Alexander stated this policy would be housed in Municipal Services and the enterprise departments as a team effort.

### **Contracts/Change Orders/Purchases Discussion:**

Mayor Casper stated in 2015 Director Fredericksen led the charge to simplify the process for approving large scale projects, with additional processes occurring in 2017. Mr. Boorman believes as organizations get bigger, it's not functional for the Mayor and Council to approve everything. He reviewed a small project process. It was noted this proposal will apply parameters and will not apply to large projects or purchases. Director Fredericksen believes the previous process has been helpful for day to day operations. He stated this proposed resolution will combine all previous resolutions into one (1) resolution. He briefly reviewed the dollar amounts for lease agreements, real property purchases, and contracts included in the resolution. Mayor Casper believes the directors are extremely responsible and she does not see this resolution as a way to hide purchases. She also believes this will share the next step of accountability. Per Councilor Radford, Director Alexander stated there would be no issues with the audit if this resolution is formalized. She also stated Municipal Services is supportive of this resolution as it provides clarity. Councilor Francis believes the Council needs to maintain the limit although he believes there should be a maximum dollar amount for change orders. Director Fredericksen noted the change order amounts did not change with this resolution. He indicated change orders are more of a timeliness issue as the project has already been approved by the Council during the budget process. Councilor Hally stated change orders may need to be completed immediately for a variety of reasons. He believes delegation of trust is very important in a vibrant corporation. Per Councilor Francis, Mayor Casper believes the \$75,000 for contracts is State law. Mr. Boorman believes there may need to be more public oversight for lease agreements and contracts. Director Fredericksen stated the 2017 resolution allowed contracts for up to \$50,000. He noted vehicle and/or equipment purchases may exceed \$50,000. Per Councilor Francis, Director Fredericksen stated he is comfortable with this amount. Mayor Casper stated this topic has been discussed and supported by all directors. Discussion followed regarding a project update/reporting mechanism to the Council for change orders and the variety of lease agreements. Councilor Francis questioned a report for the Council for any amount that exceeds \$500,000. Mayor Casper stated any controversial item will also be presented to Council for approval. She also stated Airport hangar leases would not fall under this resolution. Mr. Fife stated, per the resolution, contracts, leases, and real property purchases must be approved by the Department Director and reviewed by the City Attorney's Office. Mayor Casper stated an amended version of the resolution will be included on the October 22 Council Meeting agenda.

### **Targhee Regional Public Transportation Authority (TRPTA) Update and Discussion:**

Council President Dingman stated the bankruptcy court date continues to be delayed due to COVID, she believes the court date will occur in November with the bankruptcy finalized in December. She also stated the attorney created a plan to pay back TRPTA creditors utilizing the monies from the sale of property and negotiations that have occurred with the largest debtors. She noted the creditors are being repaid at approximately 98% of what was owed. Council President Dingman stated the buyers of the physical property requested a 60-day extension of the closing date as they are currently waiting on an addendum of their Small Business Administration (SBA) loan. She noted this requested extension included a \$20,000 fee that the buyers will pay. Council President Dingman announced, per the TRPTA Board decision, TRPTA will now "do business as" (DBA) Greater Idaho Falls Transit (GIFT). Council President Dingman stated due to staff transitions at ITD no one at the ITD office was familiar with TRPTA. She commended Ms. Hirschfield for her assistance. Ms. Hirschfield is planning The Transit Award Management System (TrAMS) dollars at approximately \$4M at the Federal Transit Administration (FTA); has been working with FTA/ITD to secure Coronavirus Aid, Relief, and Economic Security (CARES) Act dollars for GIFT; and is currently writing a grant for

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new bus benches and shelters. Council President Dingman stated the Bonneville Metropolitan Planning Organization (BMPO) is participating as an ex-officio member of the GIFT Board of Directors; is updating the Transportation Improvement Program (TIP) at BMPO for Policy Board approval; is recommending bus bench and shelter stops along proposed routes; and is providing data to help facilitate routes (routes are currently in the draft form). She also stated the GIFT Board of Directors is figuring out a Transit Director job description and subsequent recruitment search (in conjunction with ITD); discussing a Request for Proposal (RFP) for third-party transit operator (in conjunction with ITD); and updating marketing functions to gear up for re-launch, website, branding, social media, etc. Council President Dingman expressed her appreciation to the City for their leadership role in public transit. Per Mayor Casper, Mr. West stated accessibility discussion has occurred for placement of shelters and benches. Council President Dingman believes the Council is an integral part of the placement plan due to the reversal of the bus bench ordinance. She also believes the City lost control of bus benches with the previous system and there is now an opportunity to partner with the area's transit organization for proper placement and accessibility. Mayor Casper questioned the accountability for the new director. Council President Dingman stated the director will answer to the TRPTA Board. She believes ITD will have an integral part how this individual is managed. She also stated the BMPO model has seen a lot of success. She reviewed the BMPO model relative to the City's Community Development Services Department. She believes the GIFT director would be relative to the City's Public Works Department. Council President Dingman believes the City has the opportunity to build a new relationship but the relationship must have parameters with ITD. This discussion is ongoing. Councilor Hally expressed his appreciation to Council President Dingman as he believes uncertainty occurred for several years. He believes this is a good move. Councilor Francis concurred with Councilor Hally. Per Councilor Francis, Council President Dingman stated the director would be hired prior to implementing the transit system. Also per Councilor Francis, Council President Dingman stated the Community Transportation Association of America (CTAA) contract is with ITD although CTAA recommendations are being used as data. Councilor Freeman questioned public input. Council President Dingman stated public input is part of the public research and outreach for the implementation plan. Per Mayor Casper, Council President Dingman stated the sale and bankruptcy are moving ahead. She also stated the top priority is working on a budget followed by hiring and the RFP. Per Councilor Francis, Council President Dingman stated the bus details will be included in the RFP. Council President Dingman expressed her sincere appreciation to Ms. Farris, Mr. West, and Ms. Hirschfield.

It was then moved by Councilor Smede, seconded by Councilor Francis, to move into Executive Session (at 6:06 p.m.). The Executive Session was called pursuant to the provisions of Idaho Code Section 74-206(1)(c) to acquire an interest in real property which is not owned by a public agency. The Executive Session will be held in the City Annex Conference Room. At the conclusion of the Executive Session the Council will not reconvene into regular Work Session. Roll call as follows: Aye – Councilors Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

The City Council of the City of Idaho Falls met in Executive Session, Monday, October 19, 2020 in the City Annex Conference Room in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 6:11 p.m.

There were present:

Mayor Rebecca L. Noah Casper  
Council President Michelle Ziel-Dingman  
Councilor Thomas Hally  
Councilor Jim Francis  
Councilor Shelly Smede  
Councilor Jim Freeman (via telephone)  
Councilor John Radford (via telephone)

Also present:

Chris Fredericksen, Public Works Director  
Randy Fife, City Attorney

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The Executive Session was called pursuant to the provisions of Idaho Code Section 74-206(1)(c) to acquire an interest in real property which is not owned by a public agency.

There being no further business, the meeting adjourned at 6:44 p.m.

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Kathy Hampton, City Clerk

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Rebecca L. Noah Casper, Mayor

## **October 22, 2020 City Council Meeting - Unapproved**

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, October 22, 2020, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

### **Call to Order:**

There were present:

Mayor Rebecca L. Noah Casper  
Council President Michelle Ziel-Dingman  
Councilor John Radford (via WebEx)  
Councilor Thomas Hally  
Councilor Jim Freeman (via WebEx)  
Councilor Jim Francis  
Councilor Shelly Smede (via WebEx)

Also present:

All available Department Directors  
Randy Fife, City Attorney  
Kathy Hampton, City Clerk

### **Pledge of Allegiance:**

Mayor Casper requested Council President Michelle Ziel-Dingman to lead those present in the Pledge of Allegiance.

### **Public Comment:**

Mayor Casper requested any public comment not related to items currently listed on the agenda or not related to a pending matter.

Jeremy Herman, appeared via WebEx. Mr. Herman stated he was disturbed to recently discover that the Council is leaning towards financing the Law Enforcement Complex for 30 years which would increase the cost in finance charges. Mr. Herman urged the Council to put this issue to a bond vote as he believes a purchase this large should go to the public which is similar to other large capital and education purposes. He believes any time there is a raise in taxes that it should go to a public vote. Mr. Herman again urged the Council to lean toward a bond vote as he understands this will be finalized soon.

Kimberly Zwygart, resident of Idaho Falls, appeared via WebEx. Ms. Zwygart wished to speak on domestic violence in Idaho Falls that falls within the Idaho Falls Police Department (IFPD). She shared a personal story including being electrocuted by a conducted energy weapon (CEW), thinking she would die. Ms. Zwygart stated others may have read her story in the newspaper. She noted the officer, according to the IFPD manual, counted 32 violations all pertaining to lack of seeking medical attention. She stated she is lucky to be alive as a CEW can cause cardiac arrest. Ms. Zwygart stated she tried to report the violations to the IFPD, the Domestic Violence and Sexual Assault Center (DVSC), various individuals, and, not one action has been taken. She requested the Council be a voice for victims and, provide help to victims of domestic violence by providing better training within the IFPD. She believes the police need to be held accountable when they violate policies and procedures. She hopes her story will be heard and hopes her experience will change things.

### **Coronavirus (COVID-19) Update:**

Mayor Casper stated there were 66 new cases in Bonneville County, 136 new cases in the region, and 950 new cases Statewide. There were three (3) deaths in Bonneville County, totaling 27 individuals who have died from COVID-19. Mayor Casper stated there needs to be sensitivity and carefulness as it is unknown how COVID-19 will affect individuals. She noted the Eastern Idaho Public Health (EIPH) Board recently met and stated they (as a

## **October 22, 2020 City Council Meeting - Unapproved**

board) receive several forms of communication from residents which represents a single viewpoint. The board also stated it is not easy to craft policy direction with strongly held views which can end up with controversy. The EIPH is trying to find the best path forward in this pandemic. Mayor Casper stated there are many ranges of concerns. She believes the three (3) areas of the most concern are business, education, and health care (this should be first). If there is not safety for ambulance and hospital personnel, businesses cannot keep functioning. Mayor Casper stated the hospital space and availability of beds is reaching an all-time high, this may impact more individuals than just those who have COVID symptoms. She reiterated the need to wear masks, sanitize, wash hands, avoid crowd contact, social distance, and stay home when sick. These measures slow the spread so hospitals and the health care industry can keep up. Mayor Casper noted the EIPH Board Meeting included a presentation on mental health which many board members believes was commendable.

### **Consent Agenda:**

Municipal Services requested approval of Bid IF-21-02 – Haul and Spread of Liquid Wastewater Bio-Solids for Public Works; Bid IF-21-03 – Purchase Chlorine and Sodium Bisulfite for Public Works; minutes from the October 5, 2020 City Council Work Session and October 8, 2020 City Council Meeting; and license applications, all carrying the required approvals.

It was moved by Councilor Smede, seconded by Council President Dingman, to approve, accept, or receive all items on the Consent Agenda according to the recommendations presented. Roll call as follows: Aye – Councilors Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

### **Regular Agenda:**

#### **Idaho Falls Power**

##### **Subject: Bonneville Power Administration (BPA) Network Operating Agreement**

Idaho Falls Power (IFP) is a network transmission customer of BPA. This requires IFP to have an agreement in place that governs the terms and conditions under which this service is delivered. BPA has recently standardized their network agreements. This one will replace the older version.

Mayor Casper stated this item is not ready for consideration due to the lack of a signature. This item will be included on a future agenda.

##### **Subject: Kleinschmidt Phase I Relicensing Professional Services Contract**

Approval of this agreement will aid in the Federal Energy Regulatory Commissions (FERC) relicensing of the city's two hydroelectric projects. Kleinschmidt was selected in 2019, following a Search of Qualifications (SOQ) to provide professional services on a year-over-year basis as is allowed by State Statute 67-2320.

Councilor Radford stated licensing is important for safety and the continued operation.

It was moved by Councilor Radford, seconded by Councilor Freeman, to approve the Phase I Relicensing Preparatory work with Kleinschmidt Associates for a not-to-exceed amount of \$55,000 and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilors Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

##### **Subject: Specialty Engineering, Inc. Professional Services Agreement**

North American Electric Reliability Corporation (NERC) required safety testing is performed every five years at all IFP substations. Approval of this professional services agreement with Specialty Engineering, Inc. of Anchorage,



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Alaska will satisfy this requirement by providing Western Electricity Coordinating Council (WECC) the testing results for York, Gem State, Harrison and Westside Substations.

It was moved by Councilor Radford, seconded by Councilor Freeman, to approve the Professional Services Agreement with Specialty Engineering, Inc. for compliance testing at a not-to-exceed amount of \$111,000.00 and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilors Hally, Smede, Dingman, Freeman, Francis, Radford. Nay – none. Motion carried.

### **Subject: Resolution Adjusting Idaho Falls' Participant Entitlement Share in the Carbon Free Power Project (CFPP)**

The City of Idaho Falls, dba Idaho Falls Power (IFP) supports and is committed to the development of the Carbon Free Power Project to provide affordable, reliable, dispatchable, and carbon free electricity. IFP resource forecasting shows that 5,000kW is the needed amount of baseload generation in the coming years and requests the resolution to be approved. Approval will enable the City to continue in the project. This continuation of support for CFPP helps move the project development into the next phase which allows for further de-risking of project cost estimates and subscription.

Councilor Radford stated the Councilmembers, as the IFP Board Members, have spent numerous hours discussing this project. He referred to a report by Boise State University (BSU) in 2015 discussing the economic impacts of this project for the community. He believes a broad support of this project is important to the region. Councilor Radford stated \$81M would come to the regional economy annually; the State and local tax revenues would create \$36.9M solely in the construction period; there would be \$143M in federal taxes; this would include 3,356 jobs for construction; and \$2.97M, after operating, would come into the tax account as long as the plant functions. He believes this could build capital structures and improve parks, it is a critical asset, and is critical for the future of energy success. He also believes the City needs a private-public partnership to work so money continues to flow with confidence; the City needs to demonstrate a modular approach in building a nuclear power plant; and there is a need to find a base load energy source that fills the gap between coal and fossil fuels. Councilor Hally stated the resolution has been developed for many years. He noted there are a lot of unknowns although the country needs energy. He also stated it is difficult to forecast the amount of energy needed. He commended Councilor Radford for describing the financial impact. Councilor Hally believes the resolution mitigates the financial risk and protects ratepayers. He also believes this is a good effort of compromise. Councilor Francis stated this resolution has been a focus since July. He reiterated the compromise. He believes items need to be addressed although it holds a potential for the IFP portfolio to strive to be a carbon-free emission City. He does not believe it is going to create economic gain as described by Councilor Radford and is not an automatic economic guarantee. He stated his reservations are balanced by the potential gain of IFP. He supports the not-to-exceed dollar amount and he believes it will have a chance to go forward pending another off-ramp. Councilor Francis requested the financial individuals work out the financial uncertainties and make a commitment to address the technical issues. He stated this is a statement by the Council to request concrete issues. He believes it is about trust. Council President Dingman concurred with the robust discussion reiterating many hours were spent discussing this project. She also concurred that the resolution is a compromise while watching Utah Associated Municipal Power Systems (UAMPS), the Department of Energy (DOE), and NewScale. She noted the Council takes the job of protecting rate payers and the opportunity for significant economic benefit within the community seriously as the foundation of the City's economic development success is based on the affordable and reliable power. Council President Dingman noted Idaho Falls Power Director Bear Prairie has advised that 5MW is an appropriate and realistic energy demand based on data driven recommendations. Mayor Casper believes the resolution is clear and well written. She noted the City has a lot of hydro-electric power in the portfolio although hydro-electricity is not without risk. She stated this is one step in the right direction but not the only step to secure reliable and affordable non-carbon emitting power for ratepayers. She also noted the City is constantly studying the needs and demands; nuclear shows great promise; and the DOE will invest \$1.4B into this project which is a significant vote of confidence in technology. Councilor Freeman believes the resolution is an excellent example of Director Prairie's leadership with his understanding of the utility business. He is proud of the compromise. Councilor Radford expressed his appreciation to Director Prairie and noted he also

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leads the committee to run this project through UAMPS. He believes the DOE investment is critical and impelling. He also believes this project will add to the energy heritage legacy of the City.

It was moved by Councilor Radford, seconded by Councilor Freeman, to approve the Resolution for the City of Idaho Falls' Participant Entitlement Share and Development Cost Share Thresholds in the Carbon Free Power Project and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilors Smede, Hally, Radford, Dingman, Freeman, Francis. Nay – none. Motion carried.

### **RESOLUTION NO. 2020-25**

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AUTHORIZING AND APPROVING CITY ENTITLEMENT SHARE AND DEVELOPMENT COST SHARE THRESHOLDS IN THE UAMPS CARBON FREE POWER PROJECT; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

#### **Subject: Signing Authority Resolution**

Approving this Signing Authority Resolution will grant the Mayor and the Mayor's designees limited authority to execute minor contracts, lease agreements, real property purchases and change orders within certain limits to improve City efficiency timely execution of City initiatives.

Mayor Casper stated this resolution is being led by IFP although it is a City-wide administrative effort. Councilor Radford expressed his appreciation to all involved departments. He believes this resolution will allow department directors to have latitude with the approved budget in a more efficient way.

It was moved by Councilor Radford, seconded by Councilor Freeman, to approve the Signing Authority Resolution and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilors Dingman, Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

### **RESOLUTION NO. 2020-26**

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, GRANTING TO THE MAYOR AND THE MAYOR'S DESIGNEES LIMITED AUTHORITY TO EXECUTE CONTRACTS, LEASES, REAL PROPERTY PURCHASES, AND CHANGE ORDERS WITHIN CERTAIN LIMITS IN ORDER TO FURTHER CITY INTERESTS; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

#### **Municipal Services**

#### **Subject: Bid IF-20-25, Purchase of Steel Pole Structures for Idaho Falls Power**

This request is to purchase steel pole structures required for the 161kV transmission line project from Sugarmill Substation to Paine Substation. The steel poles will be used to build a new transmission line for the two substations.

Councilor Smede stated the funds are budgeted in the IFP budget. Councilor Freeman noted this includes 164 power poles.

It was moved by Councilor Smede, seconded by Councilor Dingman, to accept and approve the bid from lowest responsive and responsible bidder, Trans American Power Products for a total of \$2,957,943.00. Roll call as follows: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

**Parks and Recreation**

**Subject: Approval for the Naming of Donated Land**

This gift deed of property from Joseph and Jeanne Groberg was approved by Council on November 20, 2018. The property is located on Lot 15, Block 15 of the Packer Addition, Division No. 3. Pursuant to Resolution 2017-20 (A resolution establishing a policy for the naming of City facilities, parks and locations), the Grobergs have requested the name of the park be “Shadow’s Park. Section III.A.3 of Resolution 2017-20 states that when considering the naming or renaming of a City facility, park, or location after a deceased individual, priority will be given to those who made a sustained and lasting contribution to the City of Idaho Falls. The Parks and Recreation Commission unanimously voted to recommend this name at the October 5, 2020 commission meeting.

Councilor Francis stated Mr. Groberg wrote a letter to Parks and Recreation (P&R) regarding their dog named Shadow who was a friend to the neighborhood, therefore, the requested name of the park being “Shadow’s Park”. He believes this name will fit per the resolution. P&R Superintendent Ronnie Campbell stated the Groberg family is compassionate about the naming of this park. He noted all neighbors agree with the naming. Mayor Casper noted Joseph (Joe) Groberg was a former councilmember and has a great love for P&R.

It was moved by Councilor Francis, seconded by Councilor Smede, to approve the naming of a City owned park to “Shadow’s Park”. Roll call as follows: Aye – Councilors Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

**Police Department**

**Subject: Professional Service Agreement with Creekside Counseling**

It has been recognized for years that first responders deal with trauma daily, are at higher risk of developing post-traumatic stress, and have an elevated risk of suicide. The Idaho Falls Police Department (IFPD) and the Idaho Falls Fire Department (IFFD) have worked diligently in cooperation with employees to mitigate the impacts the stressors of their work. This agreement represents an additional step to ensure that we take care of those who take care of our community. This will help insure that we have healthy and resilient first responders who can in turn take care of the community in a healthy manner. This agreement establishes avenues for Fire and Police employees to seek support from professional counselors and provides a way for these costs to be controlled.

Councilor Francis stated this item was discussed/explained at the October 19 Work Session. This program is designed to directly help with the IFPD and the IFFD and their families. Creekside Counseling has learned the difficulties with the IFPD and IFFD. Councilor Francis noted some services in the first year will be cost-free. Councilor Hally believes this will help with the healing process. He also believes this will help to mitigate and protect citizens, families, and recipients of first responders. He stated he is very supportive. Fire Chief Duane Nelson noted the culmination of the IFFD and the IFPD. He believes this shows dedication and support from the elected officials. Police Chief Bryce Johnson concurred. He stated the average police officer will encounter numerous critical traumas in their career. He noted this goes hand-in-hand with holding employees accountable. Council President Dingman believes this helps destigmatize mental health treatment in the community. She also believes increasing access also benefits residents and is crucial to improving the IFPD operations. Councilor Freeman, as a former first responder, stated he has seen the stresses and he is very supportive. Councilor Radford concurred with previous comments. He believes families and the community will be stronger with this effort. Mayor Casper expressed her appreciation to Creekside Counseling and Janet Allen for the outreach and uncompensated time. She believes events of the previous summer have proven first responders must be well.

It was moved by Councilor Francis, seconded by Councilor Hally, to approve the Professional Services Agreement with Creekside Counseling and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilors Hally, Francis, Radford, Dingman, Smede, Freeman. Nay – none. Motion carried.

**Public Works**

**Subject: Joint Powers Agreement (JPA) with Iona Bonneville Sewer District for Sunnyside Trunk Wastewater Lining Improvements – 2021**

For consideration is a JPA with the Iona Bonneville Sewer District (IBSD) for proposed improvements to the wastewater trunk line in Sunnyside Road between Eagle Drive and Disney Drive. This sewer trunk line is 47 years old and is in need of rehabilitation. The majority of wastewater flow received from IBSD reaches the Wastewater Treatment Plant by way of this trunk line. This agreement assigns project costs to the City and IBSD based on percentages of wastewater flow that each entity contributes to the line.

Councilor Freeman stated the IBSD usage in this line is greater than the Idaho Falls usage. The City's cost is estimated to be \$882,589.

It was moved by Councilor Freeman, seconded by Councilor Radford, to approve the Joint Powers Agreement with Iona Bonneville Sewer District and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilors Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

**Community Development Services**

**Subject: Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Thatcher Grove Division No. 1.**

For consideration is the application for Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for Thatcher Grove, Division No. 1. The Planning and Zoning Commission considered this item at its August 4, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Councilor Francis stated the area is approximately 12 acres and is for single-family lot development.

It was moved by Councilor Francis, seconded by Councilor Radford, to approve the Development Agreement for Thatcher Grove Division No. 1, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilors Hally, Radford, Francis, Dingman, Smede. Nay – none. Motion carried. (Councilor Freeman temporarily lost WebEx connection)

It was moved by Councilor Francis, seconded by Councilor Radford, to accept the Final Plat for Thatcher Grove Division No. 1, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows: Aye – Councilors Francis, Dingman, Hally, Radford, Smede. Nay – none. Motion carried. (Councilor Freeman temporarily lost WebEx connection)

It was moved by Councilor Francis, seconded by Councilor Radford, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Thatcher Grove Division No. 1, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilors Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

**Subject: Public Hearing – Form Based Code Amendment to allow residential uses on the ground floor**

For consideration the Ordinance amending the Form Based Code, to allow residential uses on the ground floor with certain restrictions. The Planning and Zoning Commission considered this item at its September 15, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation. Per staff's request, the Council approved the ordinance on the first reading on October 8th, giving staff time to make some minor changes

## **October 22, 2020 City Council Meeting - Unapproved**

to the code language. The changes are included in the attached draft. The changes include minor adjustments to wording describing residential uses and added some clarifying language regarding required occupiable space.

Per Mayor Casper, Assistant Director Kerry Beutler does not believe this item was re-noticed as a public hearing as the changes from the October 8 Council Meeting were minor. Therefore, seeing no one present, Mayor Casper declared this item to be a discussion item only. Assistant Director Beutler stated the revisions should provide more flexibility for property owners in the downtown area; the proposal is a slight change where residential uses are allowed on the ground floor in storefront buildings; the form based code has limited residential use on the ground floor; there is a need for residential housing and space sized for retail use; and this would allow residential use after 30' of frontage adjacent to a street, specifically to a corner lot. Per Councilor Francis, Assistant Director Beutler stated this will help developers with Americans with Disabilities Act (ADA) accessibility.

It was moved by Councilor Francis, seconded by Councilor Radford, to approve the Ordinance amending the Form Based Code to allow residential uses on the ground floor of a Storefront Building under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. Roll call as follows: Aye – Councilors Dingman, Radford, Francis, Smede, Hally, Freeman. Nay – none. Motion carried.

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

### **ORDINANCE NO. 3347**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 10, CHAPTER 7 BY PERMITTING RESIDENTIAL USES ON THE MAIN LEVEL, BEHIND STOREFRONT AREAS, IN THE DOWNTOWN AREA; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

### **Announcements:**

Councilor Freeman recognized Purple Thursday for domestic violence awareness. Councilor Hally announced October is Breast Cancer Awareness month. Council President Dingman announced EIPH is holding a drive-thru for flu shots during the month of October. Mayor Casper announced the drive-thru Trunk or Treat on October 24 at Freeman Park, a similar event will be held at College of Eastern Idaho (CEI) on October 29.

### **Adjournment:**

There being no further business, the meeting adjourned at 8:54 p.m.

---

Kathy Hampton, City Clerk

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Rebecca L. Noah Casper, Mayor



# MEMORANDUM

**FROM:** Pam Alexander, Municipal Services Director

**DATE:** Tuesday, November 10, 2020

**RE:** Adoption of Resolution for Inter-Departmental Direct Loan Policy

## Council Action Desired

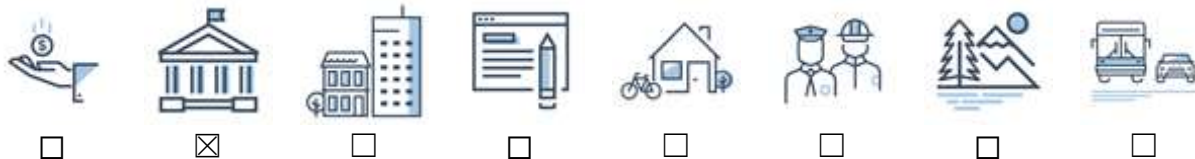
- ☐ Ordinance
 ☒ Resolution
 ☐ Public Hearing  
☐ Other Action (Approval, Authorization, Ratification, etc)

Adopt a resolution for an inter-departmental direct loan policy and give authorization for the Mayor and City Clerk to execute the necessary documents or take other action deemed appropriate.

## Description, Background Information & Purpose

There is a strong desire to assist City Departments in achieving long term financial success. This requires careful planning and forecasting; sound investment management; and careful attention to regulatory requirements, as well as commitment and discipline in order to assist Departments with ever-changing economic conditions. This resolution will adopt a policy for the consideration of City inter-departmental direct loans, including scope, process, terms and limitations.

## Relevant PBB Results & Department Strategic Plan



The adoption of the inter-departmental direct loan policy resolution is in support of the good governance community-oriented results by fostering innovative and sound fiscal management that enables trust and transparency.

**Interdepartmental Coordination**

All City departments have participated in the process leading to the development of the inter-departmental direct loan policy.

**Fiscal Impact**

The fiscal impact to the City will not exceed an aggregate amount of 15% of available cash funds, with no individual loan greater than 7.5%.

**Legal Review**

Legal has reviewed and concurs the Council action desired is within State Statute.

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING A POLICY RELATED TO CONSIDERATION OF CITY INTER-DEPARTMENTAL LOANS, INCLUDING SCOPE, PROCESS, TERMS, AND LIMITATIONS OF SUCH LOANS AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE.

WHEREAS, there is a strong desire to assist City Departments in achieving long-term financial success; and

WHEREAS, long-term financial success requires careful planning and forecasting; sound investment management; and careful attention to regulatory requirements, as well as commitment and discipline in order to assist City Departments with ever-changing economic conditions; and

WHEREAS, in general, Idaho cities have very limited economic tools to increase financial resources with increase operational costs; and

WHEREAS, Idaho cities must manage their finances within narrow statutory constraints, leaving little room for using the wider variety of financial management practices found in the private sector; and

WHEREAS, direct loans are never intended to become part of a business as usual practice; and

WHEREAS, the guidelines/parameters adopted by this Resolution help ensure that caution is applied such that a direct interdepartmental loan will not be used to circumvent the regular City budgeting process or simply to achieve goals that may appear to be not politically feasible for a time.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, AS FOLLOWS:

1. The City Council hereby adopts the Consideration of Inter-departmental Loans Policy attached to this Resolution as Exhibit "A".

ADOPTED and effective this \_\_\_\_ day of \_\_\_\_\_, 2020.



ATTEST:

CITY OF IDAHO FALLS, IDAHO

---

Kathy Hampton, City Clerk

---

Rebecca L. Noah Casper, Mayor

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO  
HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Resolution  
entitled, "A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A  
MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING A  
POLICY RELATED TO CONSIDERATION OF CITY INTER-  
DEPARTMENTAL LOANS, INCLUDING SCOPE, PROCESS, TERMS, AND  
LIMITATIONS OF SUCH LOANS AND PROVIDING THAT THIS  
RESOLUTION BE EFFECTIVE UPON ITS PASSAGE."

---

Kathy Hampton, City Clerk

(SEAL)



## Consideration of Inter-departmental Direct Loans

### ***Direct Loans***

There is a strong desire to assist City Departments in achieving long term financial success. This requires careful planning and forecasting; sound investment management; and careful attention to regulatory requirements, as well as commitment and discipline in order to assist Departments with ever-changing economic conditions. The total not-to-exceed aggregate amount is 15% of available cash funds and no individual loan greater than 7.5%. All loans will be subject to a market based interest rate. An interest rate analysis will occur annually to ensure the loan is not adversely affecting the investment portfolio. In the event there is a material change between loan and market rate, a refinancing will occur.

In general, Idaho cities have very limited economic tools to increase financial resources with increase operational costs. Idaho cities must manage their finances within narrow statutory constraints, leaving little room for using the wider variety of financial management practices found in the private sector.

- ☐ The City's Municipal Services Finance Team recognizes that occasionally, out-of-the ordinary circumstances arise which require special consideration. Working together with the City Attorney, the Finance Team has developed a direct inter-departmental loan mechanism to assist Departments with financial needs that fall outside the normal scope of budgeting and planning. To aid in careful consideration before implementing this tool as a more permanent policy/practice, the Finance Team has developed the following guidelines which define the very limited use this particular funding mechanism. **"Loan" Committee.**

The Loan Committee shall comprise the City's Financial Team and one Director from another department. The review and recommendation process is proposed as follows:

- The Loan committee will review all loan considerations and apply the policy parameters before recommending a loan
- Compliance with lending authority
- Legal review
- Mayor and Council approval

Policy Parameters:

- ☐ **A. Narrow Scope.**
  - A loan should be relate to a necessary, fundamental or "essential" City service.

- A loan should help to achieve a specific policy goal that results in greater efficiency or an overall cost savings to the City. A loan may be applied to a circumstance requiring compliance with state or federal requirements.

☐ **B. Loan Terms.**

- A loan should include realistic terms of repayment based upon sound business and financial practices and forecasts. “Realistic” applies both an achievable repayment *amount* and a practical repayment *schedule*.
- Loan terms must include appropriate interest in scheduled payments.
- The loan terms must be written.
- Funds for loan repayment must be identified.
- Loan terms *must* be approved by the Department Director, the Loan Committee; the City’s Legal Services Department; the Mayor; and the Council. This approval will serve to apply a variety of internal controls designed to check for the inappropriate application of political or other inappropriate pressure.

☐ **Limitations.**

- A loan cannot impair the loaning Department’s ability to proceed with business and spending as usual.
- A loan should be applied to circumstances that include an element of expediency that precludes using the regular budgetary process or a legal or regulatory restriction preventing a more traditional approach to funding.
- A loan only should be sought after more traditional funding sources have been examined and exhausted.
- A loan should not be used to fund projects that commit the City to ongoing costs or other financial obligations that are greater than current City financial obligations.

These guidelines/parameters have been drafted to ensure that caution is applied such that a direct interdepartmental loan will not be used to circumvent the regular City budgeting process or simply to achieve goals that may appear to be not politically feasible for a time. Direct loans are never intended to become part of a business as usual practice.



# MEMORANDUM

**FROM:** Chris H Fredericksen, Public Works Director

**DATE:** Tuesday, October 27, 2020

**RE:** City Ordinance Revision – Title 9, Chapter 5 – Snow Removal Parking Restrictions

## Council Action Desired

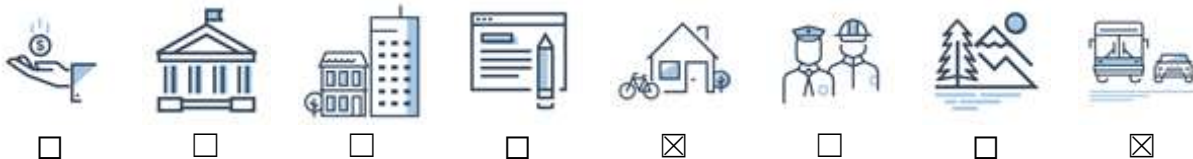
- ☒ Ordinance
 ☐ Resolution
 ☐ Public Hearing  
☐ Other Action (Approval, Authorization, Ratification, etc)

Approve the ordinance amending City Code regarding those streets that are only plowed at night, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

## Description, Background Information & Purpose

Attached is a proposed revision to Title 9, Chapter 5, Snow Removal Parking Restrictions prepared by the City Attorney. The proposed revision was discussed at the November 9, 2020 Council Work Session.

## Relevant PBB Results & Department Strategic Plan



The revision supports the community-oriented results of a livable community and reliable public infrastructure and transportation.

## Interdepartmental Coordination

Interdepartmental coordination has taken place with the as needed to accommodate this proposed change.

## Fiscal Impact

There is little, if any, financial impact associated with the proposed ordinance revision, however, plowing efficiencies should be gained by removing these two streets from the night-time plowing only designation.

**Legal Review**

The proposed ordinance revision was drafted by Legal Department.

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF IDAHO FALLS CITY CODE, TITLE 9, CHAPTER 5; SECTION 2 TO REMOVE 1<sup>ST</sup> STREET AND ELM STREET FROM THE DEFINED LIST OF NIGHT-TIME SNOW REMOVAL STREETS, PROVIDING FOR AN INFRACTION PENALTY FOR VIOLATIONS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, hail, snow, and/or sleet occur frequently in the City; and

WHEREAS, the City has adopted a system to remove snow from the City's streets; and

WHEREAS, as part of the City's snow removal system is governed by Title 9, Chapter 5 of the City Code; and

WHEREAS, from time to time, the City's desires to modify its snow removal efforts in order to adopt the most cost effective, efficient, and expedient method to snow removal.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO THAT:

**SECTION 1.** Title 9, Chapter 5, Section 2, of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

9-5-2: DEFINITIONS: Whenever the following words or terms are used in this Code, they shall have the meanings ascribed below:

...

**NIGHT-TIME SNOW REMOVAL STREETS:** The following public streets and portions thereof within the City:

~~1st Street: Northgate Mile to Holmes Avenue~~

19th Street: South Yellowstone Avenue to Rollandet Avenue

~~Elm Street: North Eastern Avenue to South Boulevard~~

Milligan Road: Pancheri Drive to the termination of curb and gutter improvements

Pier View Drive: Snake River Parkway to Milligan Road

River Parkway: Broadway to the north property line of 575 River Parkway

Rollandet Avenue: West 21st Street to West 17th Street

...

**ZONE B:** The entire area within the City, excluding Arterial or Collector streets, Nighttime Snow

Removal Streets, the Downtown Area and Zone A

. . .

**SECTION 2.** Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

**SECTION 3.** Codification Clause. The City Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

**SECTION 4.** Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**SECTION 5.** Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF IDAHO FALLS, IDAHO

\_\_\_\_\_  
REBECCA L. NOAH CASPER, MAYOR

ATTEST:

\_\_\_\_\_  
KATHY HAMPTON, CITY CLERK

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO,  
DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance  
entitled, “AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO,  
AMENDING TITLE 6, CHAPTER 3 TO CLARIFY THE CONTROLLED  
SUBSTANCE VIOLATIONS THAT PROHIBIT OR REVOKE A CITY CHILD  
CARE LICENSE; PROVIDING SEVERABILITY, CODIFICATION,  
PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.”

(SEAL)

\_\_\_\_\_  
KATHY HAMPTON, CITY CLERK





# MEMORANDUM

**FROM:** Chris H Fredericksen, Public Works Director

**DATE:** Tuesday, October 27, 2020

**RE:** Resolution to Adopt a Revised Snow and Ice Control Policies and Procedures Manual

## Council Action Desired

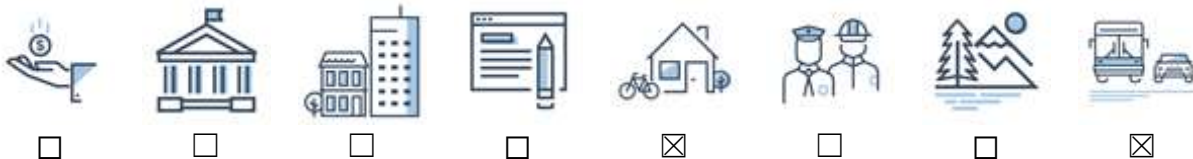
- ☐ Ordinance
 ☒ Resolution
 ☐ Public Hearing  
☐ Other Action (Approval, Authorization, Ratification, etc)

Adopt the resolution to revise the City of Idaho Falls Snow and Ice Control Policies and Procedures Manual which has been updated to reflect current snow removal practices, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

## Description, Background Information & Purpose

Attached is a proposed Resolution to amend the City of Idaho Falls Snow and Ice Control Policies and Procedures Manual as discussed at the November 9, 2020 Council Work Session. The policy has been updated to reflect current snow removal practices and to account for newly annexed streets.

## Relevant PBB Results & Department Strategic Plan



The resolution supports the community-oriented results of a livable community and reliable public infrastructure and transportation.

## Interdepartmental Coordination

Interdepartmental coordination has taken place as required to accommodate proposed changes to policy.

## Fiscal Impact

Snow removal changes reflected within the policy should increase efficiencies in plowing and produce cost savings.

**Legal Review**

The proposed resolution was drafted by the Legal Department.

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REVISING A UNIFORM SNOW AND ICE CONTROL POLICIES AND PROCEDURES MANUAL AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, snow and ice fall, creation, and accumulation are common events within the City annually; and

WHEREAS, the City desires to remove such snow or ice in a safe, economical, efficient, and predictable manner; and

WHEREAS, removal of such snow and/or ice is complicated, time consuming, and may interrupt with the normal traffic and parking activities; and

WHEREAS, the Council wishes to clarify the manner and timing of such snow and ice removal; and

WHEREAS, the Council has adopted an Ordinance that facilitates the adoption of a Snow and Ice Control Policies and Procedures Manual in order to regulate the timing and manner in which snow and ice would be removed from public streets within the City; and

WHEREAS, in order to implement the policies and procedures contained in the Ordinance the Council desires to revise this Snow and Ice Control Policies and Procedures Manual, attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, AS FOLLOWS:

1. The City Council hereby revises the Snow and Ice Control Policies and Procedures Manual attached to this Resolution as Exhibit "A".

ADOPTED and effective this \_\_\_\_ day of November, 2020.

CITY OF IDAHO FALLS, IDAHO

\_\_\_\_\_  
Rebecca L. Noah Casper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO            )  
  ) ss:  
County of Bonneville        )

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Resolution entitled, "A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REVISING A UNIFORM SNOW AND ICE CONTROL POLICIES AND PROCEDURES MANUAL AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW."

---

Kathy Hampton, City Clerk

(SEAL)



## **SNOW AND ICE CONTROL POLICIES AND PROCEDURES MANUAL**





SNOW & ICE CONTROL  
POLICIES AND PROCEDURES MANUAL  
IDAHO FALLS PUBLIC WORKS  
(Revised November 2020)

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# I. INTRODUCTION

## PURPOSE

The purpose of this manual is to establish an acceptable policy and operational procedures for snow and ice control on public streets under the jurisdiction of the City of Idaho Falls. This policy provides a uniform understanding of the priorities and procedures used to combat accumulation of snow and ice on City streets.

## OBJECTIVE

The objective of these policies and procedures is to provide adequate traction for vehicles properly equipped for winter driving conditions. Priority is given to streets which carry the largest traffic volume. Limited resources preclude service on lower priority streets until higher priority streets have been completed. It should be expected that during storms of high intensity or long duration and during non-regular working hours, drivers on lower priority streets will encounter snow-packed or icy conditions. Snow and ice control operations will continue during regular hours and/or until all streets have passable pavement or when plowing and sanding is no longer effective.

## SCOPE

This policy applies only to public streets under the jurisdiction of Idaho Falls. The City has over 755 lane miles of arterial, collector and residential streets that it maintains.

Snow removal for some state highways is provided by the Idaho Transportation Department (ITD) and include US-20 and I-15 within city limits.

In order to provide for efficient snow removal services on urban streets, the City has entered into a cooperative maintenance agreement with the Idaho Transportation Department. Under this agreement, Idaho Falls is responsible for snow and ice control on Broadway, Yellowstone, Northgate Mile, Sunnyside Road and Holmes Avenue within City Limits. The agreement is included within the appendices.

Snow removal from City-owned parking lots is provided by the Parks and Recreation Department or private contractors.

City ordinance assigns the responsibility of sidewalk snow removal from the City to the adjacent property owner. (*Idaho Falls City Code Title 8 Chapter 10*)

## II. POLICIES

### RESPONSIBILITY

The responsibility for implementing the snow and ice control policy lies with the Street Superintendent, or his designee during off hours and the Public Works Director may choose to authorize the use of additional resources when conditions warrant.

### TRAINING

Prior to the start of the snow season, the Street Division will conduct training activities for personnel that will be involved in snow control activities. The training will consist of classroom and hands-on equipment training, including the operation of sanders, snowplows, front-end loaders and other equipment as needed.

### WEATHER MONITORING

Street Division supervisors will use the National Weather Service daily forecasts to monitor weather conditions and will schedule snowplow crews based on these forecasts.

### COMMENCEMENT OF OPERATIONS

The Street Division will monitor conditions whenever there is danger of ice or snow conditions developing on City roadways. The Police Department also reports icy conditions to the Street Division after regular working hours. When snow or ice begins accumulating on the streets the Street Superintendent, or his designee during off hours, will authorize commencement of plowing and/or sanding operations as conditions warrant

### PRIORITIES

A limited amount of resources and the need to provide the greatest level of safety and benefit to the traveling public, in an efficient manner, necessitate that priority be given to certain heavily used streets above others more minor in nature. Therefore, streets with higher intensity use have a higher priority for snow removal service. Minor streets which require proportionally more time for snow removal for the amount of traffic served have lower priority.

City streets have been divided into the following three snow removal priority categories:

**PRIORITY 1:** These are arterial and major collector streets, generally with a right-of-way width exceeding 60 feet and average daily traffic greater than 5,000 and includes approximately 234 lane miles.

**PRIORITY 2:** These are generally minor collector streets, typically with a pavement width of at least 43 feet. Included in this category are streets serving

emergency response facilities, schools and streets with hills and sharp curves where traction problems may cause hazardous driving conditions and includes approximately 91 lane miles.

**PRIORITY 3:** All other streets not designated as either Priority 1 or 2 streets and includes approximately 430 lane miles.

Street priority snow removal maps are included in the appendix and are available for review on the City's website.

## DEVIATIONS FROM POLICY

Deviations from standard policies and procedures may occur due to unusual or extraordinary circumstances. Every winter storm has unique characteristics such as storm intensity, duration, wind, temperature and moisture content that influence the methodology used in response to each storm.

Deviations and exceptions from the general priorities and procedures may be made when, in the judgment of the responsible authority, such deviations will best support meeting established objectives and ensuring public safety.

### III. OPERATIONS PLAN

#### EQUIPMENT RESOURCES

The Street Division has a variety of equipment to utilize in snow removal activities. Equipment includes six (6) large snowplows, six (6) pickup trucks with plows, six (6) sand trucks five (5) equipped with plows, three (3) brine trucks one (1) equipped with a plow, three (3) snow loaders, three (3) front end loaders one (1) equipped with a plow, two (2) backhoes one (1) equipped with a plow and four (4) motor graders that can be used in snow and ice removal. Whenever plows are active, Fleet Maintenance personnel are called in to support the operation and to make necessary mechanical repairs.

The Street Division also utilizes equipment from other Divisions to assist with snow removal activities. This equipment includes two (2) large snowplows, four (4) backhoes, one (1) front end loader and eight (8) pickup trucks with plows.

**IDAHO FALLS STREET DIVISION SNOW REMOVAL EQUIPMENT**

Quantity	Type	Equipped with Snowplow	Equipped with Sander
6	10-Wheelers	Yes	
1	Loader	Yes	
2	Loaders		
3	Snow Loaders		
4	Graders		
1	Backhoe	Yes	
1	Backhoe		
1	Flusher/Sander	Yes	Yes
1	Flusher/Sander		Yes
4	Single Axle V-box	Yes	Yes
6	Pickups	Yes	
2	Single Axle Brine Trucks		
1	Single Axle Brine Truck	Yes	
2	10-Wheelers from other Divisions	Yes	
4	Backhoes from other Divisions		
1	Loader from other Divisions		
8	Pickups from other Divisions	Yes	

## STAFFING

There are 22 employees who work full time for the Street Division. These employees include 19 operators and a foreman that operate plows, sanders, snow loaders and front end loaders for snow removal. The Street Division Superintendent and Office Assistant support snow removal operations by logging and dispatching service requests.

### STREET DIVISION SNOW REMOVAL SHIFTS

Schedule	Shifts	Number of Employees
<b>Normal Daily Schedule*</b> Monday through Friday	Day Shift: 8:00 a.m. - 4:30 p.m.	17 Employees
	Downtown: 6:00 a.m. – 2:30 p.m.	1 Employee
	Swing Shift: 4:00 p.m. – 12:00 a.m.	2 Employees
	Night Shift: 12:00 a.m. – 8:00 a.m.	2 Employees
<b>Snow Schedule*</b> 24 hours / 7 days per week	Shift 1: 8:00 a.m. to 8:00 p.m.	12 Employees
	Shift 2: 8:00 p.m. to 8:00 a.m.	9 Employees
Downtown	6:00 a.m. to 6:00 p.m.	1 Employee

**\*Due to the nature of snow and ice control activities, Street Division supervisors will change schedules as needed to complete snow and ice control activities.**

## RESPONSE PLAN

When weather forecasts indicate a pending storm is anticipated to deposit snow within the City, the Street Division will begin applying salt-brine to Priority 1 and 2 streets to aid in ice and snow control.

Priority 1 streets are the first streets that receive plowing and sanding. Once Priority 1 streets are deemed safe for travel during or after a snow event, snow removal operations shift to Priority 2 streets. Once Priority 2 streets have been addressed focus is shifted to Priority 3 streets that are completed during Normal Daily Schedule hours. If there is a snow accumulation of more than **four (4) inches** on the road, plows will continue snow removal activities on Priority 3 streets during off hours. If during snow removal operations on lower priority streets, conditions deteriorate on Priority 1 or 2 streets, focus will be shifted back to these higher priority streets as necessitated by the snow event.

## CONTINUATION AND COMPLETION

Although no snow event is exactly the same, it usually takes 24-48 hours AFTER the snow stops falling to plow and sand Priority 1 and 2 streets.

Residential streets generally take an additional 48 hours to plow, assuming there are no interruptions to move back to Priority 1 or 2 streets.

During major storms, traffic on low-priority streets usually causes the snow to become packed or icy, before it can be plowed. In this case it may take days or even weeks to remove the packed snow and ice from these streets. When snow has become compacted on low-priority streets and plowing is ineffective due to low ambient temperatures, nighttime sanding and plowing operations may be discontinued until normal working hours and normal duty schedule resumed.

## PRE-STORM APPLICATION OF SALT BRINE

The Street Division will begin applying salt-brine to Priority 1 and 2 streets to aid in snow removal when weather forecasts indicate a pending storm is anticipated to deposit snow within the City. This application can generally be completed within 16 hours utilizing three (3) truck mounted applicators and shadow vehicles. This application helps prevent the bonding of snow and ice to the road surface on these higher priority streets.

## SANDING

Sanding is generally completed in conjunction with plowing in conformance with the priority road response system. Sanding alone is conducted when roads are icy or plowing is ineffective on snow-packed roads.

Once operations have begun, sanding will continue until the selected streets have had traction restored. Depending on the weather conditions, arterial and collector streets may receive multiple applications along with other high use intersections or streets with inclines.

## MATERIALS

For sanding operations, salt and sand mixtures will be used in different amounts, depending on pavement/air temperature and the amount of precipitation. Generally, a mixture consisting of two (2) parts sand to one (1) part salt is used.

## SALT STORAGE

The salt storage facility at 2575 Hemmert Avenue has a capacity of approximately 2,000 tons. Orders for salt delivery are regularly made to keep the storage facility at capacity.

## BRIDGES

The Street Division is responsible for the maintenance of 51 bridges within City limits. Bridges often become icy before the adjacent streets because the ambient air temperature is lower beneath the bridges than the ground temperature beneath the pavement. Bridges are monitored for icy conditions by Street Division personnel during normal working hours and after-hours by the Police Department.

Salt brine is usually applied to bridge decks before a snow or ice event to prevent the snow and ice from bonding to the bridge deck. If ice is present, a salt and sand mixture may be spread to increase traction and melt ice.

## CUL-DE-SACS

In an effort to become more efficient, crews will make one (1) full pass around the perimeter of the cul-de-sac with a snowplow, pushing the snow to the middle of the cul-de-sac. Snow will be removed from the cul-de-sac at a later date by Street Division employees during the normal daily schedule. This is a low priority activity that is generally last to be completed after every snow event.

## LOADING AND HAULING OF SNOW

Loading and hauling snow from City streets is the most expensive and time-consuming snow removal activity undertaken by the Street Division. This practice will be minimized to the maximum extent possible and will only be implemented when there are no other alternatives to keep streets open, to maintain access to adjacent properties or other extenuating special circumstances. A map depicting the method of snow removal is included within the appendices. This map will be reviewed and updated on an annual basis.

## PUBLIC RELATIONS

Providing information to the public is a vital part of the snow removal process. Residents need to know how they can help facilitate snow removal and what to expect in terms of a response by the Street Division to winter storms. Messages sent to the public can range from simple requests to remove parked vehicles from the street, to notification of street closures, or other severe conditions.

Prior to snow season each year, the City will convey information regarding parking restrictions, sidewalk snow removal requirements, prohibitions against throwing or blowing snow on to City streets and snow removal priorities.

During storms, the Street Division office will be staffed appropriately to manage requests for service according to storm intensity.

The Street Division will work closely with the City Public Information Officer to convey



information regarding snow removal activities as needed and to request resident compliance with snow removal parking restrictions.

## DISPATCHING REQUESTS FOR SERVICE

Since snowplow operators are already trained to follow priorities established by policies and procedures contained herein, it is inefficient to respond to individual concerns before allowing operators to respond in accordance with existing policies.

Telephone operators will log requests for service and periodically forward these logs to snow removal supervisors for review and potential action. Supervisors will use these logs to direct operators to areas of concern, after they have achieved the goals established within existing snow removal policies.

Supervisors will be notified immediately of hazardous conditions or new snow accumulation on higher priority streets, roadways impacted by drifting snow or other emergency conditions.

## V. OPERATIONAL PROCEDURES FOR DIFFERENT STORM INTENSITIES

The following procedures describe implementation of the Operations Plan for various storm intensities. These procedures are intended as an aide to supervisors and management staff to ensure essential actions are taken. Variations to these procedures may be made by the Street Superintendent, or his designate, to best meet the demands of changing storm events. These procedures will also help provide residents with a better understanding of how the City manages snow removal.

### MINOR SNOW EVENT

Generally, two to four (2-4) inches of accumulation of snow within the roadway

Resources will be committed to Priority 1 streets first. No additional resources will be brought in for lower-priority roads. Only after Priority 1 streets are cleared will available resources be shifted to Priority 2 streets. Similarly, the same resources will be used to serve Priority 3 streets only after goals have been met on Priority 1 and 2 streets.

**Priority 1 - Arterial and Major Collector Streets:** Twenty-four hours per day, seven (7) days per week, when needed. Generally cleared within 24 hours after the end of the storm.

**Priority 2 - Minor Collectors and Special Need Streets:** After Priority 1 streets are completed. Twenty-four hours per day, seven (7) days per week, when needed. Generally cleared within 24-48 hours after the end of the storm.

**Priority 3 - All Other Non-Priority 1 and 2 Streets:** After Priority 1 and 2 streets are completed. Regular hours only. Generally cleared within 72 hours after the end of the storm.

### AUTHORITY

The Street Superintendent or his designee during off-hours has the authority to call-out and direct snow removal resources.

### ADDITIONAL RESOURCES NEEDED

- Overtime authorization
- Up to 36 employees from other divisions split into two (2) crews, 12-hour shifts of eighteen (18) employees per crew to operate snowplows and sanders
- 12-14 contractor supplied trucks for snow removal

## PUBLIC INFORMATION

Requests for service handled by Street Division Office Assistant.

Informational press releases that may include requesting snow removal parking compliance will be coordinated through the City Public Information Officer.

## MODERATE SNOW EVENT

Generally, four to eight (4 - 8) inches of accumulation of snow within the roadway.

Resources will be committed to Priority 1 streets first. Only after Priority 1 streets are cleared will available resources be shifted to Priority 2 streets. Similarly, the same resources will be used to serve Priority 3 streets, only after needs have been met on Priority 1 and 2 streets.

**Priority 1 - Arterial and Major Collector Streets:** Twenty-four hours per day, seven (7) days per week, when needed. Generally cleared within 24 hours after the end of the storm

**Priority 2 - Minor Collectors and Special Need Streets:** After Priority 1 streets are complete. Twenty-four hours per day, seven (7) days per week, when needed. Generally cleared within 24-48 hours after the end of the storm.

**Priority 3 - All Other Non-Priority 1 and 2 Streets:** After Priority 1 and 2 streets are completed. Twenty-four hours per day, seven (7) days per week, when needed. Generally cleared within 72 hours after the end of the storm.

## AUTHORITY

The Street Superintendent or his designee during off-hours has the authority to call-out and direct snow removal resources.

## ADDITIONAL RESOURCES NEEDED

- Overtime authorization
- Up to 36 employees from other divisions split into two (2) crews, 12-hour shifts of eighteen (18) employees per crew, to operate snowplows and sanders
- 12-14 contractor supplied trucks for snow removal
- Additional contracted operators & equipment (graders, plows, etc.) may be used

## PUBLIC INFORMATION

Requests for service handled by Street Division Office Assistant.

Informational press releases that may include requesting snow removal parking compliance will be coordinated through the City Public Information Officer.

## HEAVY SNOW EVENT

Generally, eight to twelve (8 -12) inches of accumulation of snow within the roadway.

Street Division resources will be committed to Priority 1 streets first. Additional resources, as described below, will be brought in to clear lower-priority roads. Only after Priority 1 streets are cleared, will all resources be shifted to Priority 2 streets. All resources will be used to serve Priority 3 Streets only after needs have been met on Priority 1 and 2 streets.

**Priority 1 - Arterial and Major Collector Streets:** Twenty-four hours per day, seven (7) days per week, when needed. Generally cleared within 24 hours after the end of the storm.

**Priority 2 - Minor Collectors and Special Need Streets:** After Priority 1 streets are completed. Twenty-four hours per day, seven (7) days per week, when needed. Generally cleared within 24-48 hours after the end of the storm.

**Priority 3 - All Other Non-Priority 1 and 2 Streets:** After Priority 1 and 2 streets are completed. Twenty-four hours per day, seven (7) days per week, when needed. Generally cleared within 72 hours after the end of the storm.

During major storms, traffic on low-priority streets usually causes the snow to become packed or icy, before it can be plowed. In these cases, it may take days or even weeks to remove the packed snow and ice from these streets.

## AUTHORITY

The Street Superintendent or his designee during off-hours has the authority to call-out and direct snow removal resources.

## ADDITIONAL RESOURCES NEEDED

- Overtime authorization
- Up to 36 employees from other divisions split into two (2) crews, 12-hour shifts of eighteen (18) employees per crew, to operate snowplows and sanders
- Additional employee from Sanitation Division to assist Street Division with calls as needed
- 12-14 contractor supplied trucks for snow removal
- Additional contracted operators & snow removal equipment as required

## PUBLIC INFORMATION

Requests for service handled by Street and Sanitation Division Office Assistants.

Informational press releases that may include requesting snow removal parking compliance will be coordinated through the City Public Information Officer.

## SNOW EMERGENCY

Generally, more than twelve (12) inches of snow within the roadway.

Resources will be committed to Priority 1 streets first. Additional resources, as described below, will be brought in to clear lower-priority roads. Only after Priority 1 streets are cleared, will all resources be shifted to Priority 2 streets. All resources will be used to serve Priority 3 streets only after needs have been met on Priority 1 and 2 streets.

**Priority 1 - Arterial and Major Collector Streets:** Twenty-four hours per day, seven (7) days per week, when needed. Generally cleared within 24 hours after the end of the storm.

**Priority 2 - Minor Collectors and Special Need Streets:** After Priority 1 streets are completed. Twenty-four hours per day, seven (7) days per week, when needed. Generally cleared within 24-48 hours after the end of the storm.

**Priority 3 - All Other Non-Priority 1 and 2 Streets:** After Priority 1 and 2 streets are completed. Twenty-four hours per day, seven (7) days per week, when needed. Generally cleared within 72 hours after the end of the storm.

## AUTHORITY

The Street Superintendent or his designee during off-hours has the authority to call-out and direct snow removal resources. The Public Works Director authorizes additional resources from within the Department and coordinates press releases and other public information updates through the City Public Information Officer. The Public Works Director may also seek assistance from other Departments within the City to provide additional labor to meet the conditions.

## ADDITIONAL RESOURCES NEEDED

- Overtime authorization
- Up to 36 employees from other divisions split into two (2) crews, 12-hour shifts of

- eighteen (18) employees per crew, to operate snowplows and sanders
- Additional employee from Sanitation Division to assist Street Division with calls
- 12-14 contractor supplied trucks for snow removal
- Additional contracted operators & snow removal equipment as required

## PUBLIC INFORMATION

Send press release to notify residents that on-street parking restrictions will be actively enforced.

Requests for service will be handled by Street and Sanitation Division Office Assistants.

Informational press releases that may include requesting snow removal parking compliance will be coordinated through the City Public Information Officer.

## VI. PUBLIC INFORMATION

### ON-STREET PARKING

It is dangerous and difficult to plow narrow streets that are congested with parked vehicles. Plowing around parked cars limits the effectiveness of snow removal activities. Some narrow streets may not be plowed if equipment cannot safely drive down them. The most helpful thing residents can do to facilitate snow removal is to move vehicles off the street and encourage their neighbors to do the same.

To facilitate snow removal, City ordinance prohibits on-street parking whenever there is a qualifying Snow Event. A Snow Event is an occurrence in which more than two (2) inches of snow accumulates on the roadway as determined by the City and as posted on the City's official website. Any vehicles parked on streets within Idaho Falls after a Snow Event will be subject to ticketing and towing in accordance with snow removal parking restrictions. Visit the City website for updates and more information (*Idaho Falls City Code Title 9 Chapter 5*)

### SNOW BLOWING

Blowing, throwing or pushing snow from driveways and walks into the street creates additional work for snowplow operators and may create significant traffic hazards. Some businesses and residents have pushed large piles of snow into the street, hoping it would melt quickly. The snow pile is a hazard itself, but the ice created when the melting snow refreezes can make the situation even more dangerous. Move snow onto landscaped areas in the yard or parking lot. City Code prohibits placing snow upon any public street, sidewalk, easement, right-of-way, or public way, alleyway or sidewalk. (*Idaho Falls City Code Title 8 Chapter 10*)

### CUL-DE-SACS

There are approximately 441 cul-de-sacs in Idaho Falls. It takes considerably longer to clear snow from cul-de-sacs than other "uninterrupted" stretches of City streets. Because of the high cost-to-benefit ratio, cul-de-sacs and dead-end streets have the lowest priority for snow removal. Cul-de-sacs will be plowed, but it will likely be several days after a major storm ends before snow is removed from the middle of cul-de-sac.

### SIDEWALKS

Snowplow operators try to avoid placing snow on sidewalks, but in some instances this may not be possible. The adjacent property owner is responsible to keep sidewalks clear.

## ***WHAT CAN I DO IF I AM ELDERLY AND/OR DISABLED AND CAN'T SHOVEL SNOW FROM MY SIDEWALK?***

The City does not have the resources to provide snow removal from sidewalks. Please plan to make arrangements with a relative, friend or neighbor for help. For further assistance, you are welcome to contact **JustServe** at (801) 240-8901.

## **RESIDENTIAL DRIVEWAYS**

One of the most frequent concerns in the removal of snow from public streets is snow being deposited at the approach to residential driveways during plowing operations. As plows travel along streets, the snow accumulated on the plow blade has no place to go but on to the adjacent street landscaping areas and in driveways. The more snow that has fallen, the greater the problem encountered. As a service to the residents of Idaho Falls, an approximate 10-foot wide section will be opened by City crews at the driveway approach to allow access from the driveway to the street.

Residents can help this situation by piling snow they have shoveled from their driveways on to the right side facing the street, instead of placing it on both sides at the end of the driveway. By doing so operators can avoid carrying piles from the “upstream” portion of the street back across driveways.

## **ALLEYWAYS**

Alleyways are plowed on an as needed basis by the Sanitation Division for sanitation vehicles only.

## **MAIL DELIVERY**

City snow removal operators make every effort to remove snow as close to the curb as practical and to provide access to mailboxes for postal carriers. However, it is not always possible to provide ideal conditions and not damage mailboxes with the size and type of equipment the City operates. Therefore, the final cleaning adjacent to mailboxes is the responsibility of each resident.

If there is an accumulation of snow blocking your mailbox, either remove the snow or set out a temporary box, bucket, plastic tub or garbage can that can be reached by your letter carrier and label it with your address and the words “U.S. Mail.”

## **BROKEN TREE LIMBS**

During heavy storms, tree limbs may be broken. Please call (208) 612-8490 to report limbs blocking traffic.

Broken limbs outside the roadway are the responsibility of the tree owner. Limbs can be cut



and bundled for Bulky Waste Pickup. Call the Sanitation Division to schedule pickup at (208) 612-8491. Branches and limbs must be tied in bundles less than four (4) feet in length and not more than 50 pounds in weight per bundle.

## PROPERTY DAMAGE CLAIMS

Incidents involving contact between City equipment and private property typically occur within the public right-of-way. Although the public right-of-way is maintained by the adjacent property owner, there are times when the right-of-way is the only available space to store excess snow removed from the roads. A City right-of-way is an easement which is a privilege or a right, distinct from ownership. It is commonly defined as roadways and alleys however sidewalks, curbs and gutters, landscaping and parking strips, and driveway approaches are included in public rights-of-way. Those areas may be necessary to serve as excess snow storage, therefore, actions taken by operators can occasionally result in property damage, particularly during blizzard conditions or night-time snow plowing.

In the event of damage to private property during snow removal, the property owner should file a claim with the City Clerk's Office by calling (208) 612-8415 or a claim form can be printed off from the City of Idaho Falls website: [idahofallsidaho.gov](http://idahofallsidaho.gov). It can then be filled out, and returned to the City clerk's office in person, by mail, fax or e-mail. The claim will then be reviewed to determine if the damage was a result of impact with a plow blade or other piece of equipment. It should be noted that mailboxes should be constructed solidly to withstand the force of snow rolling off a plow.

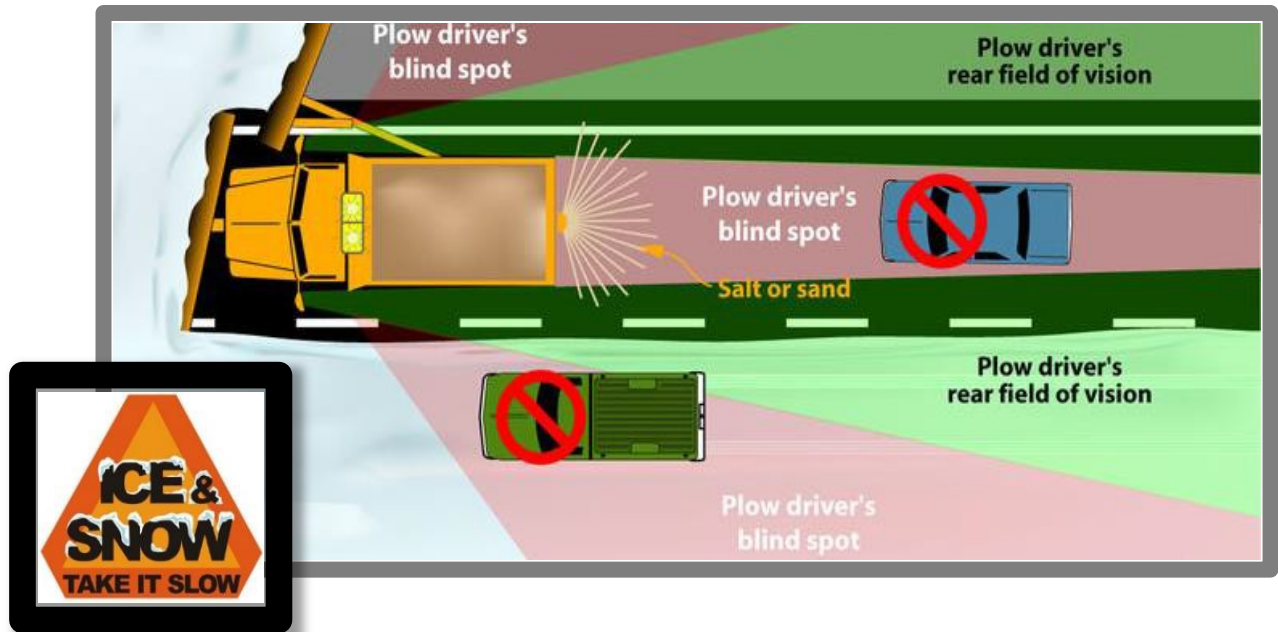
The weight of accumulating snow may cause damage to structures. Such damage is the responsibility of the resident and their insurance company.

### City of Idaho Falls Clerk's Office

Physical Address:	308 Constitution Way Idaho Falls ID, 83402
Mailing Address:	P.O. Box 50220 Idaho Falls, ID 83405
E-mail:	IFClerk@idahofallsidaho.gov
Phone:	(208) 612-8415
Fax:	(208) 612-8560

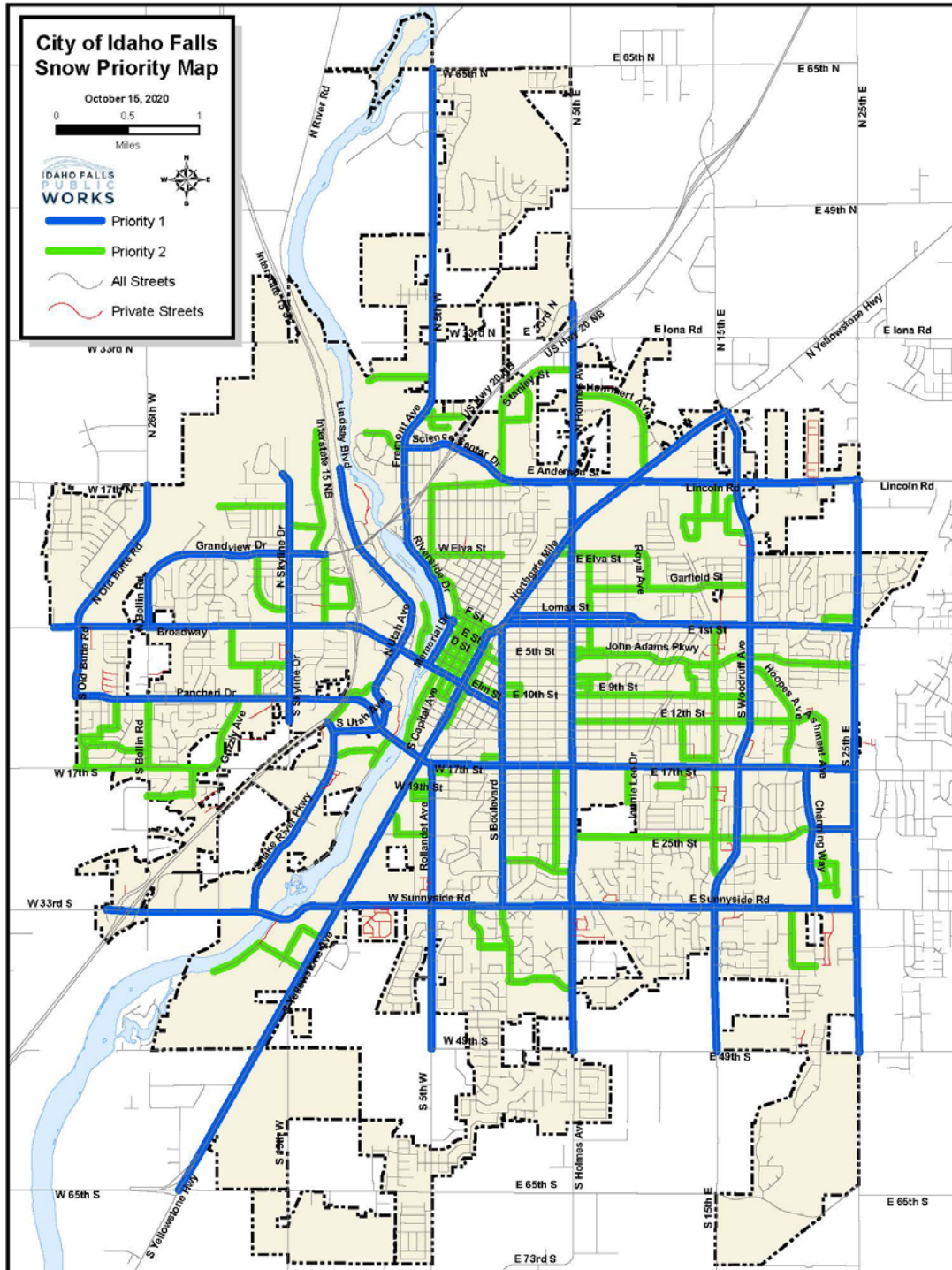
## SAFETY TIPS

- When trucks are plowing snow and spreading sanding material, stay back from the vehicle 100 feet to avoid problems.
- Plow trucks often have to back up. There are blind spots in the mirrors. For your safety, do not pull up directly behind them. They may not be able to see you.
- When cleaning driveways or parking lots, do not put snow in the street. This can cause problems for other motorists.
- Plow trucks generally push snow to the passenger side of the truck (right side when looking at it from the rear). Never attempt to pass a truck on the right since there can be much more snow on that side of the vehicle.

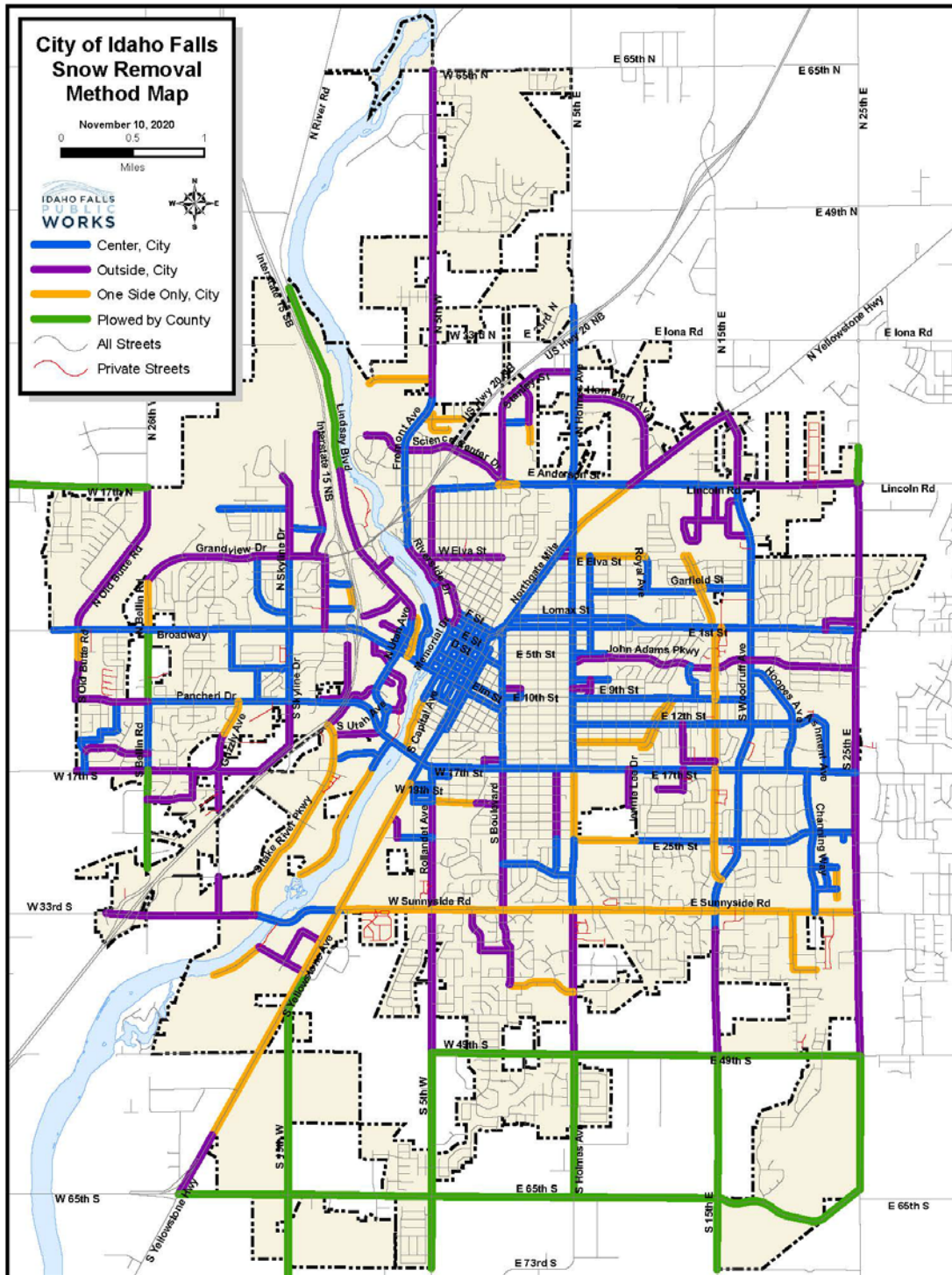


## VII. APPENDICES

### A. Snow Priority Map



## B. Snow Removal Method Map



## C. Idaho Transportation Department Maintenance Agreement



## COOPERATIVE AGREEMENT

### FOR MAINTENANCE OF STATE HIGHWAY.I-15, I-15B, US 20, US 20B,US 26,US 91

THIS AGREEMENT, made and executed in duplicate this 15th day of January, 200 4,  
by and between the IDAHO TRANSPORTATION DEPARTMENT, hereinafter called the "State," and the CITY OF  
IDAHO FALLS, hereinafter referred to as the "City."

#### WITNESSETH:

#### 1. RECITALS

The parties desire to provide for the maintenance of state highway routes within the City as provided in *Idaho Code, Section 40-310(5)*, and to arrange herein for the particular maintenance functions to be performed by the City and those to be performed by the State and to specify the terms and conditions under which such work will be performed.

#### 2. AGREEMENT

This agreement shall supersede previous Cooperative Maintenance Agreements. In consideration of the mutual covenants and premises herein contained, it is agreed that the City will perform such maintenance work as is specifically delegated to and the State will perform those particular functions of maintenance delegated to it on the state highway routes or portions thereof as hereinafter described under Sections 13, 17, and 17-a hereof or as said sections may be subsequently modified with the written consent of the parties hereto acting by and through their authorized representatives.

#### 3. MAINTENANCE DEFINED

Maintenance is defined as follows:

- a. The preservation and keeping of right-of-way and each type of roadway, structure, and facility in the safe and usable condition to which it has been improved or constructed, but does not include reconstruction or other improvement.
- b. Provisions as necessary for the safety and convenience of traffic and the upkeep of traffic control devices.
- c. The general utility services such as roadside planting and vegetation control.
- d. The special or emergency maintenance or repair necessitated by accidents or by storms or other weather conditions, slides, settlements, or other unusual or unexpected damage to a roadway, structure or facility.
- e. Upkeep of illumination fixtures on the streets, roads, highways, and bridges, which are required for the safety of persons using the said streets, roads, highways, and bridges.

#### 4. DEGREE OF MAINTENANCE

The degree and type of maintenance for each highway or portion thereof shall mean doing the work and furnishing the materials and equipment to maintain the highway facility herein described in a manner as near as practicable to the standard in which they were originally constructed and subsequently improved.

## 5. LEGAL RELATIONS AND RESPONSIBILITIES

Nothing in the provisions of this agreement is intended to affect the legal liability of either party to the contract by imposing any standard of care respecting the maintenance of state highways different from the standard of care imposed by law.

It is understood and agreed that neither the State, nor any officer, agent, servant, or employee thereof is responsible for any damage or liability occurring by reason of anything done or omitted to be done by the City or in connection with any work, authority or jurisdiction delegated to the City under this Agreement for Maintenance. The City, its officers, agents, servants, or employees, shall not be responsible for any damage or liability arising in connection with work to be performed by the State which is not otherwise delegated to the City.

## 6. HIGHWAY

Highway, as used herein, includes the entire right-of-way which is secured or reserved for use in the construction and maintenance of the traveled way and roadsides as hereinafter described.

## 7. ROADWAY

Roadway means the area between the inside face of curbs or the area between the flow lines of paved gutters; otherwise, the entire width within the highway which is improved for vehicular use including improved shoulders and side slopes, if they exist.

## 8. IMPROVED ROADSIDES

Improved roadside is the area between the roadway, as defined under Section 7, and the right-of-way boundary lines, including curb and sidewalk.

Curb relates to a timber, concrete, asphalt, or masonry structure separating or otherwise delineating the roadway from the remainder of the highway and shall include paved gutters. Medians that separate the roadways for traffic in opposite directions are considered a part of the improved roadsides. Sidewalk applies to the paved or otherwise improved surface area between the face of curb or edge of roadway and right-of-way boundary, including paved entrances or driveways.

## 9. UNIMPROVED ROADSIDES

Unimproved roadsides relate to the area between the roadway and right-of-way boundary wherein curbs and sidewalks do not exist.

## 10. BRIDGES

Bridges are structures that span more than 20 feet measured between abutments along the centerline of the street and multiple span structures where the individual spans are in excess of 10 feet measured from center-to-center of supports along the centerline of the street. All other cross-drainage structures shall be classified as culverts.



## 11. TRAFFIC CONTROL DEVICES

Traffic control devices include all signs, pavement markings, and highway illumination placed on or adjacent to the street or highway for the regulations, guidance, warning and aid of pedestrian and traffic movement thereon. Traffic signals will be treated under a separate agreement.

## 12. FRONTAGE ROADS

Frontage roads are roads constructed on either side of the highway to provide authorized road access to adjacent properties in lieu of access directly from the highway.

## 13. ROUTINE MAINTENANCE

Routine maintenance to be performed on the roadway or roadsides shall consist of such work as patching, spot sealing, crack sealing, snow plowing, snow removal, sanding, care of drainage, upkeep and repair of bridges, culverts, curbs, benches and sidewalks, street sweeping and cleaning, repair of damage and cleaning up after storms and traffic accidents, control of roadside vegetation, care of landscaped areas, planters, trees or other ornamental plantings, and upkeep and operation of traffic control devices, all in the manner as hereinafter specified.

### a. Roadway

- (1) Surface Repair: The patching of holes, depressed areas, spot sealing, undersealing, etc.
- (2) Crack Sealing: The cleaning, filling and sealing of cracks in pavement with sealing compounds.
- (3) Sweeping and Cleaning: The removal of dirt or litter normally coming onto the roadway from action of traffic or from natural causes, such as flood and storm debris.
- (4) Snow Removal: The removal of snow from the roadway by plowing, sweeping, and hauling and shall include applying sand and/or salt when required. The hauling away of snow need only apply on those highway sections where snow storage is limited or at such times when accumulations become greater than storage area capacity.
- (5) Utilities: Including manholes, boxes or other appurtenances shall be maintained by their owners.
- (6) Storm Sewers: Shall be kept clean and free from debris; traps and sumps cleaned as required after each storm.
- (7) Culverts: Shall be kept clean and free from debris; inlets and outlets shall be kept free of debris and growing grass or brush.

### b. Bridges

Shall be inspected in accordance with the national inspection standards of *U.S. Code, Section 116(d), Title 23*, administered by the State. Bridges designed to AASHTO H-20 or better standards must be inspected on a frequency not to exceed two years. Bridges that are posted for restricted weight limits and/or designed to AASHTO HS-15 or less will be inspected on an annual basis. Inspections are to be accomplished by a qualified inspector. The State's district engineer shall be immediately notified of major

defects. See current edition of *AASHTO Manual for Maintenance Inspection of Bridges* for inspector's qualifications, inspection reporting procedures, and structural analysis for load capacity of bridges.

**c. Improved Roadsides**

- (1) Curbs: Shall be kept in repair by cleaning, patching, lifting, and aligning.
- (2) Sidewalks: Shall be kept in repair by cleaning, patching, lifting, aligning, and regrading if of gravel or other non-cemented material.
- (3) Lawn or Grass Areas: Shall be kept mowed, watered, edges trimmed, and the watering operations shall not flood or sprinkle on the roadway.
- (4) Trees and Plantings: Shall be kept trimmed with dead material removed and hazardous limbs pruned. This agreement shall not be construed as restricting, prohibiting or otherwise relieving the City of the responsibility for inspection and upkeep of trees in a manner that will insure maximum safety to both vehicular and pedestrian traffic or to restrict or relieve the City from following the same policy and procedure generally followed by it with respect to streets of the City in the matter of requiring sidewalk repairs and control of vegetation to be made by or at the expense of abutting owners who are under legal obligation to perform such work.
- (5) Benches and Planters: Shall be kept in repair by cleaning, patching, aligning, and painting.

**d. Unimproved Roadsides**

- (1) Ditchings: Foreslopes, backslopes, and ditches shall be bladed and ditched regularly as required to keep as near as possible to the original typical cross section.
- (2) Cleaning: Foreslopes and backslopes shall be mowed as required. Trees and shrubs shall be kept trimmed, dead material removed and hazardous limbs pruned, waterways shall be kept free of debris.

**e. Traffic Control Devices**

Traffic control devices installed and maintained on the urban extensions of the State Highway System shall be in conformance with the recommendations and specifications of the current *Manual on Uniform Traffic Control Devices for Streets and Highways* as approved by the American Association of State Highway and Transportation Officials (AASHTO) and as adopted by the Idaho Transportation Department. The maintenance to be performed on these items shall consist of furnishing all necessary labor, material, services, and equipment to install, replace, operate, and/or repair in accordance with this agreement.

All traffic control devices installed inside the full control of access limits of the Interstate Highway System shall be the responsibility of the State.

- (1) Route Guide Signing: This includes all official designation guide signs at junctions of the urban extensions of the State Highway System, all entering community signs and all U.S. or State Highway System route markers necessary to properly identify and keep the motorist sure of the routes.



- (2) Other Guide Signs: This includes all other guide signs of an informational nature identifying streets, city parks, landmarks, and items of geographical or cultural interest that the community desires to sign.
- (3) Warning Signs: These will include all signs used to indicate conditions that are actually or potentially hazardous to users of the highway or street.
- (4) Speed Signs: These will include all regulatory signs to indicate speed limits that have been designated in accordance with statutory provisions.
- (5) Other Regulatory Signs: These will include all regulatory signs, other than the speed sign and lane control sign which are used to indicate the required method of traffic movement or use of the public highway or street.
- (6) Highway Lighting: This includes all fixed illumination of the roadway or sidewalks for purposes of providing better visibility of persons, vehicles or roadway features. All highway lighting shall be installed and maintained in accordance with current policies of the State. Maintenance shall include all upkeep of supports, interconnecting service, electrical energy costs, cleaning, lamp renewal, and associated labor and material costs required to maintain the lighting system in continuous nighttime operation.
- (7) Lane-Line Markings: These will include those lines dividing the roadway between traffic moving in opposite directions, lane-lines separating two or more lanes of traffic moving in the same direction, painted channelization, pavement edge markings, and no passing barrier lines where required.
- (8) Other Pavement Markings: These include all stop lines, crosswalk lines, parking space limits and word and symbol marking set into or applied upon the pavement surface or curbing or objects within or adjacent to the roadway for the purpose of regulating or warning traffic.

#### 14. ENCROACHMENT PERMITS

If the State delegates authority to issue encroachment permits to the City, the authority shall pertain to all parts of the highway or street throughout the particular length indicated under Section 17 and/or 17-a of this agreement. Authority to issue encroachment permits shall not be assigned to the City unless they have adequate ordinances governing the encroachments together with an administrative organization and procedure capable of enforcing the ordinances.

Permits shall be issued on a form provided by the State and the City will furnish a copy of each permit to the State. The City agrees to follow current policies of the State regarding encroachment unless the City, by ordinance or other regulation, imposes more restrictive regulations as stated below. Prior approval of the State shall be secured before any permit is issued for the original installation of any utility line, driveway or other permanent encroachment within the highway right-of-way.

If the City, by ordinance or other regulation, imposes more restrictive regulations and requirements regarding signs, marquees and/or driveways than above set forth or as provided in current State policies, nothing in these provisions shall be construed to prevent the City from enforcing such restrictive regulations in the granting or refusing of permits with respect to any State Highway. Where authority to issue encroachment permits is retained by the State, all local ordinances which are more restrictive than State policy will be observed. When



authority to issue Encroachment permits is retained by the State, approval of the City will be secured prior to the issuance of a permit. State permit forms will be used and a copy will be forwarded to the City for its record.

The City or State shall comply with its usual policy with respect to collecting costs from permittees in such cases as fees or charges are made by the City or State for encroachment work on streets or highways.

No signs, billboards or structures other than those authorized and installed by the State or the City as necessary for the regulating, warning, and guiding of traffic shall be permitted within or to overhang the right-of-way of any State Highway, except in accordance with these provisions:

- a. Signs or marquees extending over the sidewalk and right-of-way may be installed on a certain basis in business districts only, subject to the following restrictions:
  - No sign or marquee shall be permitted to project over the roadway nor to extend beyond a vertical line located 18 inches outside the inside face of the curb.
  - Signs extending over the sidewalk area shall have no part thereof less than 12 feet above sidewalk or ground level. Marquees extending over the sidewalk area shall have no part thereof less than eight feet above sidewalk or ground level.
- b. Displays or signs overhanging the right-of-way may be authorized on a permit basis only outside of business districts when the display is placed flat against and supported by the building and providing it does not extend more than 12 inches into the right-of-way.
- c. All signs and marquees shall conform to the city building and/or sign code excepting that minimum clearance requirements as herein specified must be complied with.

They shall at all times be maintained in a good appearing and structurally safe condition. Any existing sign or marquee suspended or projected over any portion of State Highway right-of-way, which constitutes a hazard, shall be immediately repaired or removed.

- d. Signs or displays will not be permitted which resemble, hide, or because of their color, interfere with the effectiveness of traffic signals and other traffic control devices. Illuminated signs or displays containing red, yellow, or green lights will not be permitted to overhang the right-of-way.
- e. Temporary municipal decorations may be installed and suspended over the State Highway on a permit basis only. They shall not be permitted in locations that interfere with the visibility and effectiveness of traffic control devices.

It is understood that none of the provisions listed above (a. to e. inclusive) will be in conflict the Beautification of Highways Act of 1966, *Idaho Code, Section 40, Chapter 28*.

- f. Use of state highway right-of-way for benches, planters, and trees is subject to the following conditions:
  - Benches, planters, and trees must be at least 18 inches from the face of the curb. When benches, planters, and trees are placed on sidewalks, there must be a four-foot open space for pedestrians and bicyclists measured at a right angle from the edge of the sidewalk, or as an alternative, spacing that meets city-approved standards.

- Benches, planters, and trees should not obstruct crosswalks or wheelchair ramps, or force pedestrians into the street by their placement.
- Benches, planters, and trees should not be placed so as to impede the sight distance of vehicles using the highway.
- Benches, planters, and trees shall not bear markings or signs that resemble official traffic signs.
- Cities allowing benches, planters, and trees on state highway right-of-way agree to indemnify, defend regardless of outcome, and hold harmless, ITD from all accidents or occurrences resulting in damage to property, injury, or loss of life related to bench placement on highway right-of-way within the city.

#### 15. TRANSPORTATION PERMITS

Transportation permits will be required on State Highways for all vehicles and their loads that exceed legal limitations. If authority to issue transportation permits is delegated to the City, such authority shall pertain only to travel that originates and terminates within the City corporate limits.

#### 16. ROUTE DESCRIPTION

<u>Route No.</u>	<u>Milepost</u>	<u>Length Miles</u>	<u>Description of Routing</u>
1. I-15 BUS. 001380	2.732 to 6.315	3.583	S Yellowstone Highway, from SCL to Broadway St.
US-26 002240	333.044 to 335.37	2.326	N. Yellowstone Highway from Broadway St. to Idaho Canal.
2. I-15 BUS. 001380	6.315 to 7.230	0.915	Broadway from Yellowstone Highway to ramps on I-15.
US-20 002070	305.035 to 306.900	1.865	Broadway from WCL to SB on and off ramps I-15.
3. I-15 001330	118.448 to 120..600	2.152	From SCL to NCL includes John Hole Interchange Structure.
4. US-20 002070	307.45 to 308.717	1.267	From Saturn to NCL.
5. US-20 BUS. West. 002073	2.270 to 3.717	1.489	North Holmes from Jct. US-26 to centerline US-20.
US-20 BUS. 004140	1.430 to 1.489	.042	Centerline US-20 to WB on and off ramps.
6. I-15 BUS.	.0153 to 1.804	1.211	I-15 to Intersection Yellowstone and Sunnyside.



## 17. DELEGATION OF MAINTENANCE

The maintenance work to be performed by the City or State shall conform to the provisions hereof and shall include those operations as hereinafter indicated.

MAINTENANCE FUNCTION	AGENCY TO PERFORM WORK				
	Route No. 1	Route No. 2	Route No. 3	Route No. 4	Route No.
<b>ROADWAY</b>					
1. Surface Repair	S	S	S	S	
2. Crack Sealing	S	S	S	S	
3. Sweeping and Cleaning	C	C	S	S	
4. Snow Removal	C	C	S	S	
5. Utilities	C	C	S	C	
6. Culverts	C	C	S	S	
7. Storm Sewers	C	C	S	C	
<b>BRIDGES</b>					
1. Main Structure	S	S	S	S	
2. Pedestrian Walks	C-3	C-3	C-3	C-3	
3. Railings	S	S	S	S	
<b>IMPROVED ROADSIDES</b>					
1. Curbs	C	C	S	S	
2. Sidewalk	C	C	N/A	C	
3. Lawn or Grass Areas	C	C	C	C	
4. Trees and Planting	C	C	C	C	
5. Medians	C	C	S	S	
6. Benches and Planters	C	C	C	C	
<b>UNIMPROVED ROADSIDES</b>					
1. Ditching	S	S	S	S	
2. Cleaning	S	S	S	S	
3. Weed Eradication	S	S	S	S	
<b>TRAFFIC CONTROL DEVICES</b>					
1. Route Guide Signs	S	S	S	S	
2. Other Guide Signs	C	C	S	S	
3. Warning Signs	C	C	S	S	
4. Speed Signs	S	S	S	S	
5. Other Regulatory Signs	C-5,10	C-5,10	S	S	
6. Highway Lighting	C-9	C	S-1	C	
7. Lane-Line Markings	S	S	S	S	
Other Pavement Markings					
1. Parking Space Limits	C	N/A	N/A	N/A	
2. Crosswalks	S-7	S-7	N/A	S-7	
3. Stop Bars	S-6	S-6	S-6	S-6	
4. School Crossing	S	S	N/A	S	
5. Railroad Crossing	S	S	N/A	N/A	
6. Lane Control	S	S	S	S	
<b>ISSUE PERMITS ENCROACHMENTS</b>					
	C-4	C-4	S	S	
<b>ISSUE PERMITS TRANSPORTATION</b>					
	S	S	S	S	

## 17. DELEGATION OF MAINTENANCE

The maintenance work to be performed by the City or State shall conform to the provisions hereof and shall include those operations as hereinafter indicated.

MAINTENANCE FUNCTION	AGENCY TO PERFORM WORK				
	Route No. 5	Route No. 6	Route No.	Route No.	Route No.
<b>ROADWAY</b>					
1. Surface Repair	S	S			
2. Crack Sealing	S	S			
3. Sweeping and Cleaning	C	C			
4. Snow Removal	C	C			
5. Utilities	C	C			
6. Culverts	C	C			
7. Storm Sewers	C	C			
<b>BRIDGES</b>					
1. Main Structure	S	S			
2. Pedestrian Walks	C-3	C-3			
3. Railings	S	S			
<b>IMPROVED ROADSIDES</b>					
1. Curbs	C	C			
2. Sidewalk	C	C-2			
3. Lawn or Grass Areas	C	C			
4. Trees and Planting	C	C			
5. Medians	C	C			
6. Benches and Planters	C	C			
<b>UNIMPROVED ROADSIDES</b>					
1. Ditching	S	S			
2. Cleaning	S	S			
3. Weed Eradication	S	S			
<b>TRAFFIC CONTROL DEVICES</b>					
1. Route Guide Signs	S	S			
2. Other Guide Signs	C	C			
3. Warning Signs	C	C			
4. Speed Signs	S	S			
5. Other Regulatory Signs	C-5,10	C-5,10			
6. Highway Lighting	C-8	C			
7. Lane-Line Markings	S	S			
Other Pavement Markings					
1. Parking Space Limits	C	C			
2. Crosswalks	S-7	S-7			
3. Stop Bars	S-6	S-6			
4. School Crossing	S	N/A			
5. Railroad Crossing	N/A	C			
6. Lane Control	S	S			
<b>ISSUE PERMITS ENCROACHMENTS</b>	C-4	S			
<b>ISSUE PERMITS TRANSPORTATION</b>	S	S			

## 17-A. DELEGATION OF MAINTENANCE – FRONTAGE ROADS

The maintenance work to be performed by the City or State shall conform to the provisions hereof and shall include those operations as hereinafter indicated.

MAINTENANCE FUNCTION	AGENCY TO PERFORM WORK				
	Route No.	Route No.	Route No.	Route No.	Route No.
<b>ROADWAY</b>					
1. Surface Repair					
2. Crack Sealing					
3. Sweeping and Cleaning					
4. Snow Removal					
5. Utilities					
6. Culverts					
7. Storm Sewers					
<b>BRIDGES</b>					
1. Main Structure					
2. Pedestrian Walks					
<b>IMPROVED ROADSIDES</b>					
1. Curbs					
2. Sidewalk					
3. Lawn or Grass Areas					
4. Trees and Planting					
5. Medians					
6. Benches and Planters					
<b>UNIMPROVED ROADSIDES</b>					
1. Ditching					
2. Cleaning					
3. Weed Eradication					
<b>TRAFFIC CONTROL DEVICES</b>					
1. Route Guide Signs					
2. Other Guide Signs					
3. Warning Signs					
4. Speed Signs					
5. Other Regulatory Signs					
6. Highway Lighting					
7. Lane-Line Markings					
8. Other Pavement Markings					
Parking Space Limits					
Crosswalks					
Stop Bars					
School Crossing					
Railroad Crossing					
Lane Control					
<b>ISSUE PERMITS ENCROACHMENTS</b>					
<b>ISSUE PERMITS TRANSPORTATION</b>					



**18. DELEGATION OF COSTS**

All agencies shall bear all costs of maintenance obligations assigned to them under this agreement.

**19. SUBSEQUENT IMPROVEMENTS**

When a highway section or portion thereof is improved to urban standards, i.e., with curbs, sidewalks, etc., the delegation of maintenance shall automatically change to conform to the provisions as provided for similar sections under this agreement.

**20. TERM OF AGREEMENT**

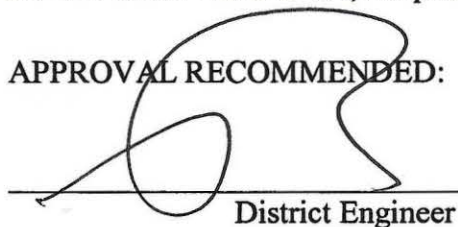
This agreement shall become effective January 15, 2004 and shall remain in full force and effect until amended or terminated.

The agreement as above may be amended upon the mutual consent of the parties thereto.

The agreement as above may be terminated at any time upon 30 days' written notice by either party thereof to the other.

IN WITNESS WHEREOF, the parties have set their hands the day and year first above written.

APPROVAL RECOMMENDED:

  
District Engineer

  
Maintenance Supervisor



IDAHO FALLS

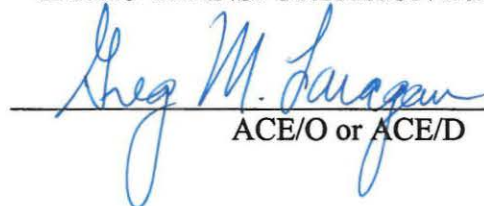
  
Mayor

  
City Clerk

ATTEST:

\_\_\_\_\_  
Secretary

IDAHO TRANSPORTATION DEPARTMENT

  
ACE/O or ACE/D

• **DELEGATION OF MAINTENANCE CONTINUED:**

1. Maintain lights over John Hole I.C. by City.
2. Includes Bike path from Snake River west.
3. Except Structural Repair.
4. State needs copy of permit.
5. Through traffic control – side street lane control by City.
6. Side street stop bars by City.
7. State will replace existing crosswalks with thermoplastic material on construction projects on approximate 7 year cycle. City to maintain otherwise.
8. Except IC-110 Ramps and westbound on / off signal.
9. Except 65<sup>th</sup> South signal illumination.
10. State to maintain street name and lane control signs on all traffic signals.



The map displays the following radio towers and their locations:

- RT. #3 I-15 001330** (Black box): NCL M.P. 120.600. Located near W 33rd N and Lindsay Blvd.
- RT. #4 US 20 002070** (Blue box): NCL M.P. 308.717. Located near W 17th N and Old Butte Hwy.
- RT. #4 US20 002070** (Blue box): Saturn Ave. M.P. 307.45. Located near W 17th N and Old Butte Hwy.
- RT. #2 US20 002070** (Green box): WCL M.P. 305.035. Located near W Broadway St and Osgood Rd.
- RT. #2 US 20 002070** (Green box): SB off ramp I-15 M.P. 306.900. Located near W 17th S and Osgood Rd.
- RT. #2 I-15B 001380** (Green box): SB on & off ramps I-15 M.P. 7.230. Located near W 17th S and Osgood Rd.
- RT. #3 I-15 001330** (Black box): SCL M.P. 118.448. Located near W 33rd S and S Bellin Rd.
- RT. #6 I-15B M.P. 0.153** (Yellow box): Located near W 49th S and Shelley New Sweden Hwy.
- RT. #5 US20B 004140** (Cyan box): US20 M.P. 1.489. Located near N Holmes Ave and Rigby Hwy.
- RT. #1 US26 002240** (Red box): Idaho Canal 335.37. Located near E Lincoln Rd and Lincoln.
- RT. #5 US20B 002073** (Cyan box): N Holmes M.P. 2.270. Located near N Holmes Ave and E Lincoln Rd.
- RT. #1 US 26 002240** (Red box): Broadway St. M.P. 333.044. Located near Broadway St and E Lincoln Rd.
- RT. #1 I-15B 001380** (Red box): Broadway St. M.P. 6.315. Located near Broadway St and E Lincoln Rd.
- RT. #2 I-15B 001380** (Green box): Broadway St. M.P. 6.315. Located near Broadway St and E Lincoln Rd.
- RT. #6 I-15B M.P. 1.804** (Yellow box): Located near Broadway St and E Lincoln Rd.
- RT. #1 I-15B 001380** (Red box): SCL M.P. 2.732. Located near W 65th S and S 15th W.



# MEMORANDUM

**FROM:** Brad Cramer, Director

**DATE:** Thursday, November 12, 2020

**RE:** Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Fairway Estates Division 27.

## Council Action Desired

☐ Ordinance

☐ Resolution

☐ Public Hearing

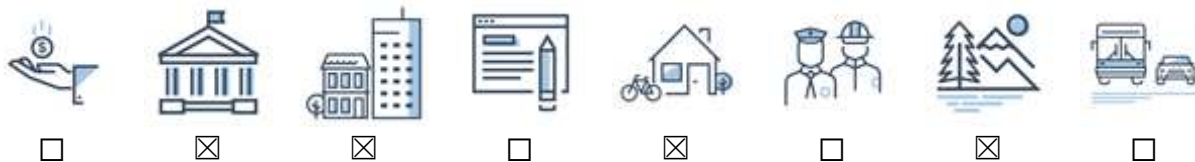
☒ Other Action (Approval, Authorization, Ratification, etc)

1. Approve the Development Agreement for Fairway Estates Division 27, and give authorization for the Mayor and City Clerk to execute the necessary documents.
2. Accept the Final Plat for Fairway Estates Division 27, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.
3. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Fairway Estates Division 27, and give authorization for the Mayor to execute the necessary documents.

## Description, Background Information & Purpose

Attached is the application for the Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for Fairway Estates Division 27. The Planning and Zoning Commission considered this item at its August 4, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

## Relevant PBB Results & Department Strategic Plan



Consideration of the Final Plat must be done consistent with the principles of the Comprehensive Plan, which includes many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

**Interdepartmental Coordination**

The Final Plat has been reviewed by staff from Fire, Idaho Falls Power, BMPO, Water, Planning, Sewer, Sanitation, Engineering, Survey and, and Parks and Recreation.




**Fiscal Impact**

NA





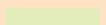
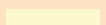












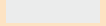
**Legal Review**

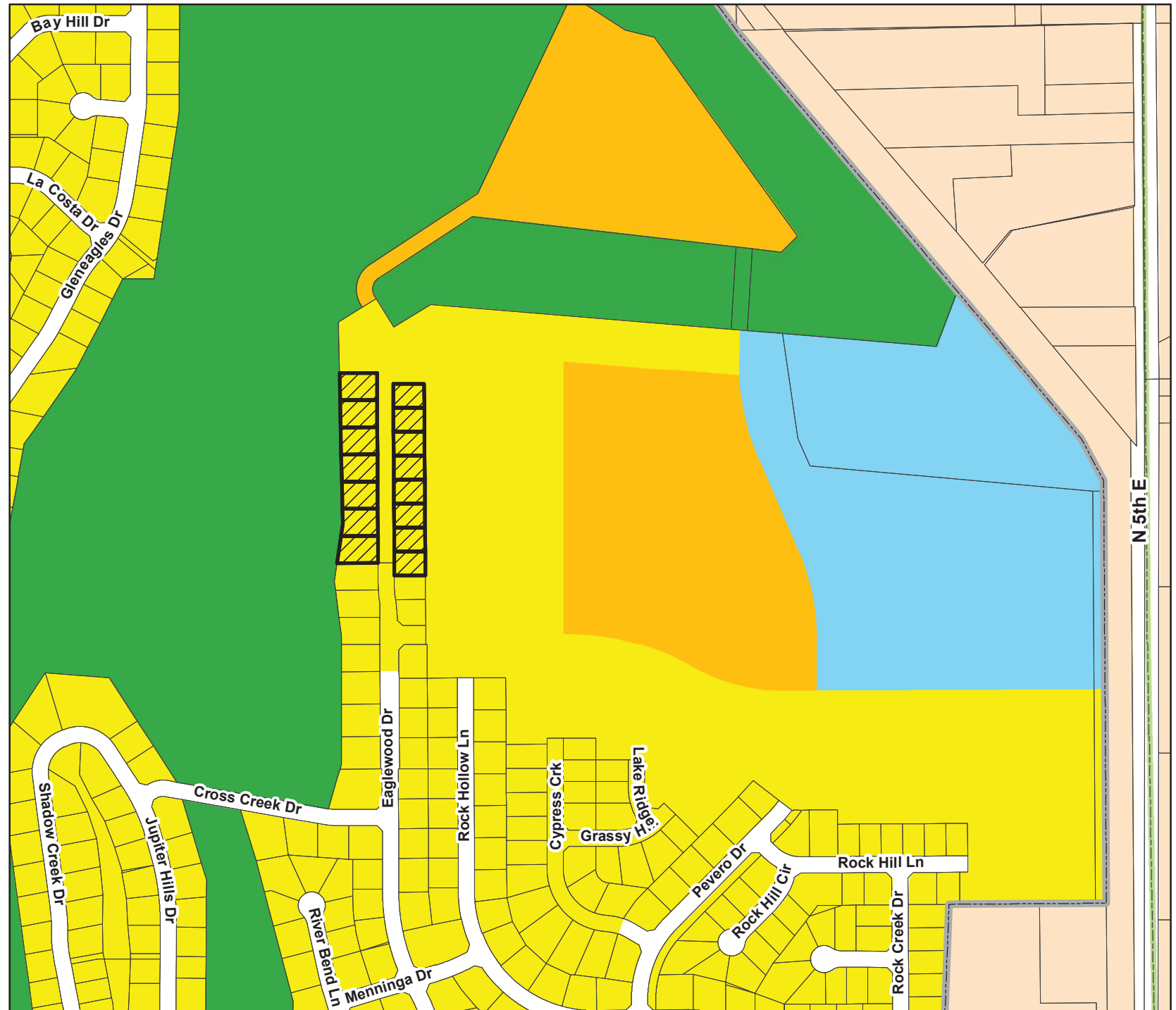
This application and agreement have been reviewed by Legal pursuant to applicable law.

### Legend

-  Site - CP
-  City Limits
-  Area of Impact

### Overlays

-  PT
-  PT&T-1
-  PUD
-  T-1
-  T-2
-  RE
-  RP
-  R1
-  R2
-  TN
-  RMH
-  R3
-  R3A
-  PB
-  DT
-  CC
-  LC
-  HC
-  R&D
-  LM
-  I&M
-  P









FAIRWAY ESTATES  
DIVISION NO. 27, A SUBDIVISION OF THE  
CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO  
IN THE W 1/2 SECTION 31, T3N, R38 E.B.M.

BOUNDARY DESCRIPTION

PART OF THE W 1/2 OF SECTION 31, TOWNSHIP 3 North., RANGE 38 EAST B.M., BONNEVILLE COUNTY, IDAHO, DESCRIBED AS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 31; THENCE N 00°10'33" W 1949.26 FEET TO THE NORTHEAST CORNER OF FAIRWAY ESTATES, DIVISION NO. 24 AND THE POINT OF BEGINNING; THENCE ALONG THE BOUNDARY OF SAID DIVISION NO. 24 THE FOLLOWING THREE (3) COURSES; 1) THENCE S 89°39'32" W 114.71 FEET; 2) THENCE N 00°19'56" W 47.15 FEET ALONG THE EASTERLY RIGHT-OF-WAY OF EAGLEWOOD DRIVE; 3) THENCE S 89°39'43" W 211.83 FEET TO THE EASTERLY BOUNDARY OF SAGE LAKES GOLF COURSE SUBDIVISION; THENCE ALONG THE EASTERLY BOUNDARY OF SAID SUBDIVISION THE FOLLOWING TWO (2) COURSES; 1) THENCE N 08°12'06" E 148.24 FEET; 2) THENCE N 01°11'20" W 556.21 FEET; THENCE N 89°39'42" E 198.16 FEET; THENCE S 00°19'56" E 40.60 FEET; THENCE N 89°39'33" E 114.48 FEET; THENCE S 00°21'02" E 709.24 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5.016 ACRES, MORE OR LESS.

AIRPORT DISCLOSURE

THIS PLAT FALLS WITHIN THE CITY OF IDAHO FALLS AIRPORT OVERLAY ZONE, ENACTED MAY 9, 2019, AND ALTHOUGH LOCATED OUTSIDE THE CRITICAL NOISE CONTOURS FOR THE AIRPORT, OCCASIONAL NUISANCE NOISE FROM AIR TRAFFIC OVERFLIGHT MAY BE PRESENT.

BASIS OF BEARINGS

CITY OF IDAHO FALLS COORDINATE SYSTEM OF 2004. DERIVED FROM THE IDAHO STATE PLANE COORDINATE SYSTEM (EAST ZONE 1101) U.S. SURVEY FEET AND USING A COMBINED SCALE FACTOR OF 1.000277265 FOR A GRID TO GROUND CONVERSION. ALL BEARINGS ARE GRID NORTH ALONG THE CENTRAL MERIDIAN.

SURVEYOR'S NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO DIVIDE THIS PROPERTY INTO SINGLE DWELLING LOTS. THE CITY OF IDAHO FALLS 2004 CONTROL WAS USED IN THIS SURVEY. BOUNDARY LINES ARE BASED ON ADJACENT SAGE LAKES GOLF COURSE SUBDIVISION, (INSTRUMENT NO. 838875), AND FAIRWAY ESTATES, DIVISION 24, (INSTRUMENT NO. 1627974) AND FOUND PROPERTY MONUMENTS.

SURVEYOR'S CERTIFICATE

I, CLINT M. JOLLEY, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY OF THIS SUBDIVISION, DESIGNATED AS FAIRWAY ESTATES, DIVISION NO. 27, WAS MADE UNDER MY DIRECTION, AND THAT SAID SUBDIVISION IS TRULY AND CORRECTLY SURVEYED AND STAKED AS PROVIDED BY LAW AND IN ACCORDANCE WITH THE ACCOMPANYING PLAT AS DESCRIBED HEREON.

P.L.S. 15571

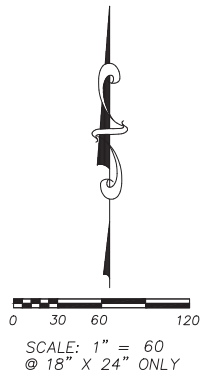


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HHC.COM  
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460 Lincoln Street • American Falls, Idaho 83211 • Phone: 208.226.5744 • Fax: 208.226.5767  
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DRAWN BY	DESIGN BY	CHECK BY
TD	HLE	CMJ
JOB NO.	2020-560	
DATE	October 5, 2020	
REVISIONS	DATE	

SUBDIVISION PLAT  
FAIRWAY ESTATES, DIVISION NO. 27  
SEC. 31, T. 3 N., R. 38 E.B.M.  
BONNEVILLE COUNTY, IDAHO

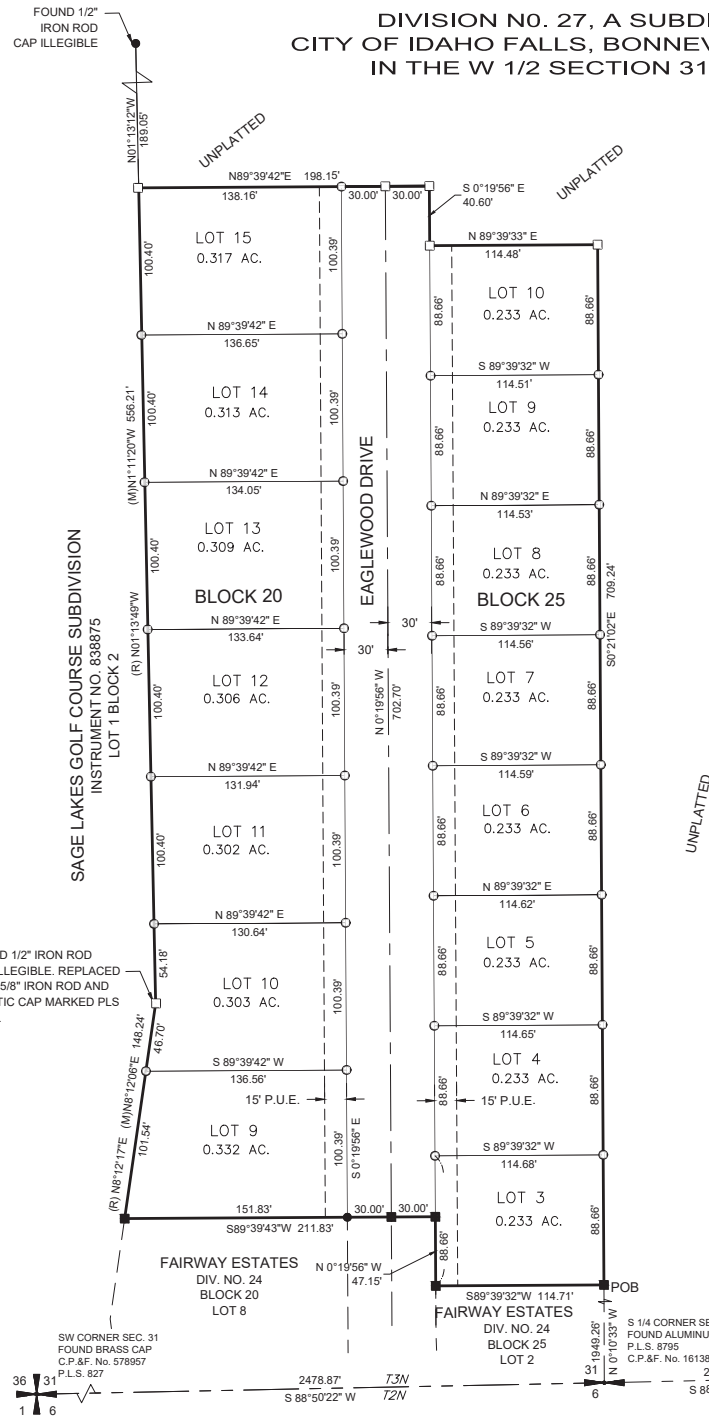
SHEET NO.  
1  
OF 2 SHEETS



TOTAL DEDICATED RIGHT OF WAY = 0.968 ACRES

LEGEND

- PLSS CORNER CONTROL
- PLACED 5/8" X 24" IRON ROD WITH CAP MARKED HLE P.L.S. 15571
- PLACED 1/2" X 24" IRON ROD WITH CAP MARKED HLE P.L.S. 15571
- FOUND 5/8" IRON ROD WITH CAP MARKED L.S. 15571 UNLESS OTHERWISE NOTED.
- FOUND 1/2" X 24" IRON ROD WITH CAP MARKED P.L.S. 15571 UNLESS OTHERWISE NOTED.
- SURVEYED PLAT BOUNDARY LINE
- LOT LINE
- SECTION CONTROL LINE
- PUBLIC UTILITY EASEMENT (P.U.E.)
- (R) RECORD BEARING FROM SAGE LAKES GOLF COURSE SUBDIVISION, NO. 1, RECORDED AS INSTRUMENT NO. 823407.
- POB Point of Beginning.



**FAIRWAY ESTATES**  
DIVISION NO. 27, A SUBDIVISION OF THE  
CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO  
IN THE W 1/2 SECTION 31, T3N, R38 E.B.M.

**RECORDER'S CERTIFICATE**

I HEREBY CERTIFY THAT THE FOREGOING PLAT FAIRWAY ESTATES, DIVISION NO. 27, WAS FILED IN THE OFFICE OF THE RECORDER OF BONNEVILLE COUNTY, IDAHO.

\_\_\_\_\_  
BONNEVILLE COUNTY RECORDER DATE



**TREASURER'S CERTIFICATE**

I, THE UNDERSIGNED COUNTY TREASURER IN AND FOR THE COUNTY OF BONNEVILLE, STATE OF IDAHO, PURSUANT TO THE REQUIREMENTS OF I.C. §50-1308, DO HEREBY CERTIFY THAT ALL COUNTY PROPERTY TAXES DUE FOR THE PROPERTY INCLUDED IN THE BOUNDARY DESCRIPTION SHOWN HEREON ARE CURRENT.

DATE: \_\_\_\_\_  
BONNEVILLE COUNTY TREASURER

**IRRIGATION WATER RIGHTS RELEASE**

THE PROPERTY INCLUDED IN THIS PLAT HAS PETITIONED FOR AND BEEN REMOVED FROM ALL FUTURE IRRIGATION WATER RIGHTS.

DATE: \_\_\_\_\_ INSTRUMENT NO. \_\_\_\_\_

**FLOOD PLAIN DESIGNATION**

ZONE C, PER COMMUNITY-PANEL NUMBER 160027 0065 C  
WITH AN EFFECTIVE DATE OF NOVEMBER 4, 1981

**AIRPORT DISCLOSURE**

THIS PLAT FALLS WITHIN THE CITY OF IDAHO FALLS AIRPORT OVERLAY ZONE, ENACTED MAY 9, 2019, AND ALTHOUGH LOCATED OUTSIDE THE CRITICAL NOISE CONTOURS FOR THE AIRPORT, OCCASIONAL NUISANCE NOISE FROM AIR TRAFFIC OVERFLIGHT MAY BE PRESENT.

**CITY'S ACCEPTANCE**

THE ACCOMPANYING PLAT WAS DULY ACCEPTED AND APPROVED BY THE CITY COUNCIL OF IDAHO FALLS ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MAYOR \_\_\_\_\_ CITY CLERK \_\_\_\_\_  
CITY ENGINEER \_\_\_\_\_ CITY SURVEYOR \_\_\_\_\_  
KENT J. FUGAL, PE 9247 KENNETH BALDWIN ROBERTS, PLS 9755

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
:SS.  
COUNTY OF \_\_\_\_\_ )  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED KEVIN ALLCOTT, KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT OF CAMBRIDGE DEVELOPMENT INC. AND THE OFFICER WHO SUBSCRIBED SAID CORPORATION'S NAME TO THE FOREGOING OWNER'S DEDICATION AND THE DRINKING WATER SYSTEM CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO EXECUTE THE SAME FOR AND ON BEHALF OF SAID CORPORATION.  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND THE YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF \_\_\_\_\_  
RESIDING AT: \_\_\_\_\_  
COMMISSION EXPIRATION DATE: \_\_\_\_\_

**DRINKING WATER SYSTEM CERTIFICATE**

PURSUANT TO I.C. §50-1334, THE OWNER DOES HEREBY, CERTIFY THAT ALL LOTS SHOWN ON THIS PLAT ARE ELIGIBLE TO RECEIVE WATER FROM THE CITY OF IDAHO FALLS MUNICIPAL WATER SYSTEM, AND SAID CITY HAS AGREED IN WRITING TO PROVIDE CULINARY WATER SERVICE TO SAID LOTS PURSUANT TO THE PROVISIONS OF TITLE 8, CHAPTER 4 OF THE IDAHO FALLS CITY CODE AS AMENDED FROM TIME TO TIME.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO SET ITS SIGNATURE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CAMBRIDGE DEVELOPMENT INC., AN IDAHO CORPORATION

\_\_\_\_\_  
KEVIN ALLCOTT - PRESIDENT

**HEALTH DEPARTMENT CERTIFICATE OF APPROVAL**

SANITARY RESTRICTIONS AS REQUIRED BY I.C. §50-1326 HAVE BEEN SATISFIED BASED ON DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF SANITARY RESTRICTIONS.

BUYER IS CAUTIONED THAT AT THE TIME OF THIS APPROVAL, NO DRINKING WATER OR SEWER/SEPTIC FACILITIES WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER OR SEWER FACILITIES HAVE SINCE BEEN CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES OR MEET THE OTHER CONDITIONS OF DEQ, THEN SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH I.C. §50-1326, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED.

EASTERN IDAHO PUBLIC HEALTH DISTRICT

\_\_\_\_\_  
ENVIRONMENTAL HEALTH SPECIALIST, REHS

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

**OWNER'S DEDICATION**

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED, CAMBRIDGE DEVELOPMENT INC., AN IDAHO CORPORATION, IS THE LAWFUL OWNER OF THE TRACT OF LAND INCLUDED WITHIN THE BOUNDARY DESCRIPTION SHOWN HEREON AND HAS CAUSED THE SAME TO BE PLATTED AND DIVIDED INTO BLOCKS, LOTS AND STREETS, WHICH PLAT SHALL HEREAFTER BE KNOWN AS FAIRWAY ESTATES DIVISION NO. 27, A SUBDIVISION OF THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO.

BE IT FURTHER KNOWN, THAT OWNER DOES HEREBY DEDICATE GRANT AND CONVEY TO THE PUBLIC, ALL STREETS AND RIGHT-OF-WAYS SHOWN HEREON, THAT OWNER ALSO DOES HEREBY GRANT AND CONVEY TO THE CITY OF IDAHO FALLS ALL PUBLIC EASEMENTS FOREVER AS IRREVOCABLE PERMANENT NON-EXCLUSIVE PUBLIC EASEMENTS AS SHOWN AND DESCRIBED HEREON.

OWNER, OR ITS HEIRS AND ASSIGNS, AGREE THEY WILL CONSTRUCT NO PERMANENT STRUCTURE WITHIN OR UPON ANY EASEMENT SHOWN HEREON, AND THE CITY OF IDAHO FALLS AND ITS SUCCESSORS, ASSIGNS, PERMITEES OR LICENSEES SHALL ALSO HAVE THE RIGHT, TO REMOVE, CUT OR TRIM ANY TREES, BRUSH, ORNAMENTAL SHRUBBERY OR PLANT WHICH MAY INJURE OR INTERFERE WITH THE USE THEREOF FOR ITS INTENDED PURPOSES, SUCH RIGHT MAY BE EXERCISED WITHOUT PRIOR NOTICE TO OWNERS OR ITS HEIRS, SUCCESSORS OR ASSIGNS.

OWNER OR ITS HEIRS, SUCCESSORS OR ASSIGNS FURTHER AGREE THAT THEY SHALL NOT PLANT ANY TREES, BRUSH, ORNAMENTAL SHRUBBERY OR PLANTS WHICH MAY HINDER THE SAFE AND EFFICIENT UTILIZATION OF SAID EASEMENTS.

OWNER OR ITS HEIRS, SUCCESSORS OR ASSIGNS HEREBY RELEASES THE CITY OF IDAHO FALLS AND ITS SUCCESSORS, ASSIGNS, PERMITEES OR LICENSEES FROM ANY CLAIM FOR DAMAGES, BASED UPON CONCEALED OR UNDISCLOSED PRIVATE IMPROVEMENTS CONSTRUCTED OR PERMITTED TO BE CONSTRUCTED BY OWNER OR ITS SUCCESSORS OR ASSIGNS WITHIN ANY PUBLIC EASEMENTS, SUBSEQUENT TO RECORDING THIS SUBDIVISION, THAT MAY BE INCURRED AS A RESULT OF THE CITY OF IDAHO FALLS AND ITS SUCCESSORS, ASSIGNS, PERMITEES OR LICENSEES ORDINARY USE OF THE PUBLIC EASEMENTS WITH DUE CARE.

OWNER OR ITS HEIRS, SUCCESSORS OR ASSIGNS DO HEREBY WARRANT AND SHALL DEFEND SUCH DEDICATION AND CONVEYANCES IN THE QUIET AND PEACEFUL POSSESSION OF THE PUBLIC OR THE CITY OF IDAHO FALLS, AS THE CASE MAY BE, AGAINST SAID OWNER AND ITS HEIRS, SUCCESSORS AND ASSIGNS, AND AGAINST EVERY PERSON WHOMSOEVER WHO LAWFULLY HOLDS OR WHO LATER CLAIMS TO HAVE LAWFULLY HELD ANY RIGHTS IN SAID ESTATE AS OF THE DATE HEREOF.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO SUBSCRIBED ITS SEAL AND SIGNATURE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CAMBRIDGE DEVELOPMENT INC., AN IDAHO CORPORATION

\_\_\_\_\_  
KEVIN ALLCOTT - PRESIDENT

**COUNTY SURVEYOR'S VERIFICATION**

I CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO AND THAT I HAVE EXAMINED THIS PLAT AND FIND THAT IT COMPLIES WITH I.C. §50-1305.

DATE: \_\_\_\_\_  
BONNEVILLE COUNTY SURVEYOR, SHANE C. REMER PLS 12222

**SURVEYOR'S CERTIFICATE**

I, CLINT M. JOLLEY, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY OF THIS SUBDIVISION, DESIGNATED AS FAIRWAY ESTATES, DIVISION NO. 27, WAS MADE UNDER MY DIRECTION, AND THAT SAID SUBDIVISION IS TRULY AND CORRECTLY SURVEYED AND STAKED AS PROVIDED BY LAW AND IN ACCORDANCE WITH THE ACCOMPANYING PLAT AS DESCRIBED HEREON.

P.L.S. 15571 \_\_\_\_\_



DRAWN BY	DESIGN BY	CHECK BY
TD	HLE	CMJ
JOB NO:	2020-560	
DATE:	October 5, 2020	
REVISIONS		DATE

SUBDIVISION PLAT  
FAIRWAY ESTATES DIVISION 26  
SEC. 31, T. 3 N., R. 38 E.B.M.  
BONNEVILLE COUNTY, IDAHO

SHEET NO. 2  
OF 2 SHEETS

IDAHO FALLS PLANNING AND ZONING COMMISSION  
STAFF REPORT

**Final Plat**  
**Fairway Estates Division 27**  
**August 4, 2020**



Community  
Development  
Services

**Applicant:**  
HLE

**Project Manager:**  
Brian J. Stevens

**Location:**  
Generally located North of W  
33rd N, East of N 5th W,  
South of W 65th N, West of  
N 5th E  
**Size:** Approx. 5.02 acres  
**Lots:** 15

**Existing Zoning:**  
Site: R1  
North: R1  
South: R1  
East: R1  
West: R1

**Existing Land Uses:**  
Site: Vacant  
North: Vacant  
South: Residential  
East: Residential  
West: Residential

**Future Land Use Map:**  
Low density

**Attachments:**  
1. Maps  
2. Aerials  
3. Exhibit  
4. Photos

**Requested Action:** To **recommend** to the Mayor and City Council approval of the final plat.

**History:** This property was annexed in 2019 and different portions received the R1, R2, and R3A zones. After looking at the City's aerial records this property has been agricultural land from 1954 until today.

**Staff Comments:** The plat includes 15 lots. All 15 lots will be used for residences, the lots meet the requirements for the R1 zone. As part of the preliminary plat a restriction was placed that 120 lots could be developed before the connection to the Lewisville Highway would be required. Division 23 removed 25 lots, Division 24 removed an additional 7 lots which left a total of 88 lots approximately a year ago. Currently under review is Division 25 and will bring that total down to 62. Division 26 is also being reviewed and will bring the total down to 51. This Division 27 will bring the total down to 36. The property will have frontage on Eaglewood Drive. Eaglewood Drive is a local street.

**Staff Recommendation:** Staff has reviewed the Final Plat and finds that it complies with the subdivision ordinance. Staff recommends approval of the plat.



**Subdivision Ordinance: Boxes: with an "X" indicated compliance with the ordinance**

REQUIREMENTS	Staff Review
Building envelopes sufficient to construct a building.	X
Lot dimensions conform to the minimum standards of Zoning Ordinance.	X
Lots have full frontage on, and access to, a dedicated street.	X
Residential lots do not have direct access to arterial streets.	X
Direct access to arterial streets from commercial or industrial lots shall be permitted only where it can be demonstrated that: 1) The direct access will not impede the flow of traffic on the arterial or otherwise create an unsafe condition; 2) There is no reasonable alternative for access to the arterial via a collector street; 3) There is sufficient sight distance along the arterial from the proposed point of access; 4) The proposed access is located so as not to interfere with the safe and efficient functioning of any intersection; and 5) The developer or owner agrees to provide all improvements, such as turning lanes or signals, necessitated for the safe and efficient uses of the proposed access.	NA
Adequate provisions shall be made for soil preservation, drainage patterns, and debris and waste disposal and collection.	X
Sidelines of lots shall be at, or near, right angles or radial to the street lines. All corner lots shall have a minimum radius of twenty feet on the property line.	X
All property within the subdivision shall be included within a lot or area dedicated for public use.	X
All corner lots zoned RP through R3, inclusive, shall be a minimum of ten percent larger in area than the average area of all similarly zoned lots in the plat or subdivision under consideration.	X
All major streets in subdivision must conform to the major street plan of the City, as set forth in Comprehensive Plan.	X
The alignment and width of previously platted streets shall be preserved unless topographical conditions or existing buildings or structures required otherwise.	X
Residential lots adjoining arterial streets shall comply with: 1) Such lots shall have reverse frontage on the arterial streets, 2) such lots shall be buffered from the arterial street by any effective combination of the following: lot depth, earth berms, vegetation, walls or fences, and structural soundproofing, 3) Minimum lot depth shall be 150ft except where the use of berms, vegetation, and structures can be demonstrated to constitute an effective buffer, 4) Whenever practical, existing roadside trees shall be saved and used in the arterial buffer, 5) Parking areas shall be used as part of the arterial buffer for high density residential uses, 6) Annexation and development agreement shall include provisions for installation and continued maintenance of arterial buffers.	X
Planning Director to classify street on basis of zoning, traffic volume, function, growth, vehicular & pedestrian safety, and population density.	Eaglewood Drive Local Street

**Comprehensive Plan Policies:**

Encourage development in areas served by public utilities or where extensions of facilities are least costly. (p. 67)

**Zoning:**

R1 Single Dwelling Residential Zone. This zone provides a residential zone which is representative of a less automobile-oriented, more walkable development pattern, characterized by somewhat smaller lot widths; and a somewhat denser residential environment than is characteristic of the RP Residential Park Zone. The principal uses in the R1 Residential Zone shall be single detached and attached dwelling units. This zone is also generally located near limited commercial services that provide daily household needs

### 11-2-3: ALLOWED USES IN RESIDENTIAL ZONES.

**Table 11-2-1: Allowed Uses in Residential Zones**

<p>P = permitted use. C<sub>1</sub> = administrative conditional use. C<sub>2</sub> = Planning Commission conditional use. C<sub>3</sub> = City Council conditional use. A blank denotes a use that is not allowed in that zone.</p> <p>*Indicates uses that are subject to specific land use provisions set forth in the Standards for Allowed Land Uses Section of this Chapter.</p>								
	Low Density Residential			Medium Density Residential			High Density Residential	
Proposed Land Use Classification	RE	RP	R1	R2	TN	RMH	R3	R3A
Accessory use	P	P	P	P	P	P	P	P
Agriculture*	P							
Animal Care Clinic					P*			P
Artist Studio					P*			
Bed and Breakfast*								P
Boarding /Rooming House							P	P
Day Care, Center*			C <sub>2</sub>	P	P		P	P
Day Care, Group*	C <sub>1</sub>		C <sub>1</sub>	P	P	C <sub>1</sub>	P	P
Day Care, Home	C <sub>1</sub>		C <sub>1</sub>	P	P	C <sub>1</sub>	P	P
Dwelling, accessory unit*	P			P	P		P	P
Dwelling, multi-unit*				P*	P		P	P
Dwelling, single unit attached*			P	P	P	P	P	P
Dwelling, single unit detached	P	P	P	P	P	P	P	P
Dwelling, two unit				P	P		P	P
Eating establishment, limited					P*			P
Financial Institutions					P*			P
Food Processing, small scale					P*			
Food Store					P*			
Fuel Station					P*			
Health Care and Social Services					P*			P
Home Occupation*	C <sub>1</sub>		C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>
Information Technology								P
Laundry and Dry Cleaning					P*			P
Live-Work*					C <sub>1</sub>			P
Manufactured Home*	P	P	P	P	P	P	P	P
Mobile Home Park*						C <sub>2</sub>		C <sub>2</sub>
Mortuary								P
Park and Recreation Facility*	P	P	P	P	P	P	P	P
Parking Facility								P
Personal Service					P*			P
Planned Unit Development*	C <sub>3</sub>	C <sub>3</sub>	C <sub>3</sub>	C <sub>3</sub>		C <sub>3</sub>	C <sub>3</sub>	C <sub>3</sub>
Professional Service								P
Public Service Facility*	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>
Public Service Facility, Limited	P	P	P	P	P	P	P	P
Public Service Use								P
Recreational Vehicle Park*						C <sub>2</sub>		

<b>Proposed Land Use Classification</b>	<b>RE</b>	<b>RP</b>	<b>R1</b>	<b>R2</b>	<b>TN</b>	<b>RMH</b>	<b>R3</b>	<b>R3A</b>
Religious Institution*	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>
Residential Care Facility							P	P
Retail					P*			C <sub>2</sub>
School*	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>
Short Term Rental*	P	P	P	P	P	P	P	P
Transite Station								P

(Ord. 3218, 9-13-18) (Ord. 3277, 10-10-19)

#### 11-3-4: STANDARDS FOR RESIDENTIAL ZONES.

**Table 11-3-1: Standards for Residential Zones**

	<b>RE</b>	<b>RP</b>	<b>R1</b>	<b>R2</b>	<b>TN</b>	<b>R3</b>	<b>R3A</b>	<b>RMH</b>
<b>Lot Area</b>								
Lot Area Minimum in ft <sup>2</sup>	1 acre*	12,000	7,000	6,000*	3,000*	5,000*	5,000	5,000
Lot Area Maximum in ft <sup>2</sup>			13,500*					
<b>Site Width</b>								
Site Width at Front Setback, Minimum in ft.	150	60	50	50	25	50	50	50
<b>Setbacks, Minimum in ft.</b>								
Front	40	30*	25*	20*	15*	15	15	30
Front Maximum in ft.					20*			
Side	20	7.5/10*	6	6	5	6	6	10
Rear	40	25	25	25	10	25*	25*	25*
<b>Lot Coverage, Building Height, and Density</b>								
Maximum Lot Coverage in %	30	40	40	80	50	80	80	40
Maximum Building Height in ft*	24	24	24	24	*			24
Maximum Density in net units/acre	1	4	6	17	15	35	35	8

\*See explanations, exceptions and qualifications in Section 11-3-4A,B,C of this Zoning Code.

(Ord. 3218, 9-13-18)

August 4, 2020

7:00 p.m.

Planning Department

Civic Auditorium

**Notice: Due to Governor Little's proclamation on March 19, 2020 and the Stay-At-Home Order given on March 25, 2020, the doors to the meeting were locked, but notice was given to the public on how to participate via any of the following ways: Submit comments in writing; participate via internet through a Webex meeting; participate via phone through Webex meeting; and watch the meeting via live stream on the City's website.**

**MEMBERS PRESENT:** Commissioners Natalie Black, Gene Hicks, Brent Dixon, George Morrison, Margaret Wimborne, Joanne Denney, Lindsey Romankiw

**MEMBERS ABSENT:** Arnold Cantu

**ALSO PRESENT:** Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Brent McLane; Naysha Foster and interested citizens.

**CALL TO ORDER:** Natalie Black called the meeting to order at 7:30 p.m. (late start due to technical difficulties).

**CHANGES TO AGENDA:** None.

**MINUTES:**

Hicks moved to approve the July 7, 2020 Minutes with the requested typo corrections, Dixon seconded the motion and it passed unanimously.

Dixon moved to approve the July 21, 2020 Minutes, Morrison seconded the motion and it passed unanimously.

**Business:**

**10. PLAT 20-030: FINAL PLAT. Fairway Estates Division 27.**

**Applicant: Kevin Alcott, 101 Park Ave., Idaho Falls, Idaho.** Alcott stated this is a simple extension and another division in Fairway Estates that follows the preliminary plat. Alcott stated that they have followed all the rules.

Wimborne asked where they are at with the additional access and building a bridge over the canal. Dixon stated that the staff notes indicate that this division will get them down to 36 remaining lots prior to the bridge being required.

Alcott reminded the Commission that it is lots built, not approved. Alcott mentioned that there was no discussion on the last hearing about fire code access.

Beutler presented the staff report, a part of the record.

**Denney moved to recommend to the Mayor and City Council approval of the Final Plat for Fairway Estates Division 27, as presented, Morrison seconded the motion and it passed unanimously.**

## **REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS**

### **FINAL PLAT OF THE FAIRWAY ESTATES DIVISION 27, GENERALLY LOCATED NORTH OF W 33RD N, EAST OF N 5TH W, SOUTH OF W 65TH N, WEST OF N 5TH E.**

**WHEREAS**, the applicant filed an application for a final plat on June 24, 2020; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public meeting on August 8, 2020; and

**WHEREAS**, this matter came before the Idaho Falls City Council during a duly noticed public meeting on November 12, 2020; and

**WHEREAS**, having reviewed the application, including all exhibits entered and having considered the issues presented:

#### **I. RELEVANT CRITERIA AND STANDARDS**

1. The City Council considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Zoning Ordinance, the City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate 5.02 acre parcel located generally north of W 33rd N, east of N 5th W, south of W 65th N, west of N 5th E.
3. The plat complies with all requirements of the Subdivision Ordinance and Zoning Ordinance.
4. The proposed development is consistent with the principles of the City's Comprehensive Plan.

#### **II. DECISION**

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the Final Plat.

**PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS**

**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020**

---

Rebecca L. Noah Casper, Mayor



# MEMORANDUM

**FROM:** Brad Cramer, Director

**DATE:** Thursday, November 12, 2020

**RE:** Final Plat and Reasoned Statement of Relevant Criteria and Standards, Grandview Storage 1st Amended.

## Council Action Desired

☐ Ordinance

☐ Resolution

☐ Public Hearing

☒ Other Action (Approval, Authorization, Ratification, etc)

1. Accept the Final Plat for Grandview Storage 1<sup>st</sup> Amended, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.
2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Grandview Storage 1<sup>st</sup> Amended, and give authorization for the Mayor to execute the necessary documents.

## Description, Background Information & Purpose

Attached is the application for the Final Plat and Reasoned Statement of Relevant Criteria and Standards for Grandview Storage 1<sup>st</sup> Amended. The Planning and Zoning Commission considered this item at its May 5, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

## Relevant PBB Results & Department Strategic Plan



Consideration of the Final Plat must be done consistent with the principles of the Comprehensive Plan, which includes many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

**Interdepartmental Coordination**

The Final Plat has been reviewed by staff from Fire, Idaho Falls Power, BMPO, Water, Planning, Sewer, Sanitation, Engineering, Survey and, and Parks and Recreation.

**Fiscal Impact**




NA

**Legal Review**




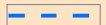

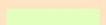
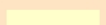







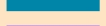





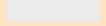

This application and agreement have been reviewed by Legal pursuant to applicable law.

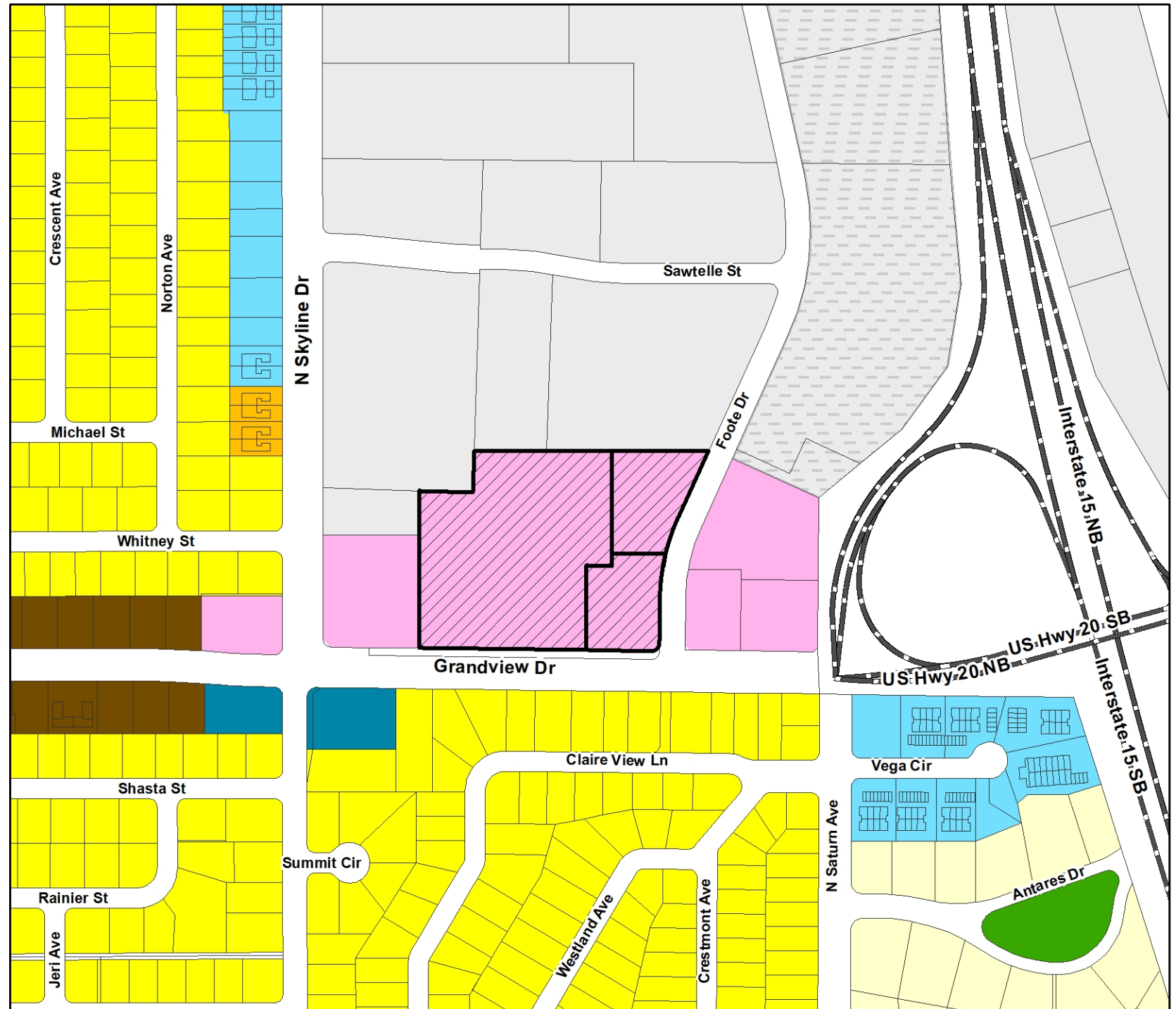


**Legend**

-  Site - CP
-  City Limits
-  Area of Impact

**Overlays**

-  PT
-  PT&T-1
-  PUD
-  T-1
-  T-2
-  RE
-  RP
-  R1
-  R2
-  TN
-  RMH
-  R3
-  R3A
-  PB
-  DT
-  CC
-  LC
-  HC
-  R&D
-  LM
-  I&M
-  P







Norton Ave

Michael St

Whitney St

Shasta St

Rainier St

N Skyline Dr

Summit Cir

Claire View Ln

Westland Ave

Crestmont Ave

N Saturn Ave

Vega Cir

Antares Dr

Sawtelle St

Foote Dr

Grandview Dr

Interstate 15 SB

Interstate 15 NB

Interstate 15 NB

US Hwy 20 SB

US Hwy 20 NB



CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD LENGTH
C-1	504.84'	10°49'34"	95.39'	S18°56'36"W	95.25'
C-2	504.84'	1°10'08"	10.30'	S14°06'38"W	10.30'
C-3	504.84'	3°28'27"	30.61'	S11°47'35"W	30.61'
C-4	504.84'	9°25'29"	83.04'	S5°20'38"W	82.95'
C-5	504.84'	23°43'30"	209.04'	S12°29'38"W	207.55'

# GRANDVIEW STORAGE UNITS

## FIRST AMENDED PLAT

A SUBDIVISION OF THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO

BEING A RE-PLAT OF LOT 1, BLOCK 1 OF GRANDVIEW STORAGE UNITS, LOCATED IN THE NORTHWEST QUARTER OF SECTION 13 TOWNSHIP 2 NORTH, RANGE 37 EAST, BOISE MERIDIAN.

- NOTES**
1. A 15 FOOT WIDE PUBLIC UTILITY EASEMENT IS HEREBY RESERVED WITHIN EACH LOT ALONG ALL ROAD FRONTAGES.
  2. NO LOT ACCESS TO GRANDVIEW DRIVE WILL BE ALLOWED.

**BOUNDARY DESCRIPTION**

LOT 1, BLOCK 1 OF GRANDVIEW STORAGE UNITS, INSTRUMENT NO. 1565769.

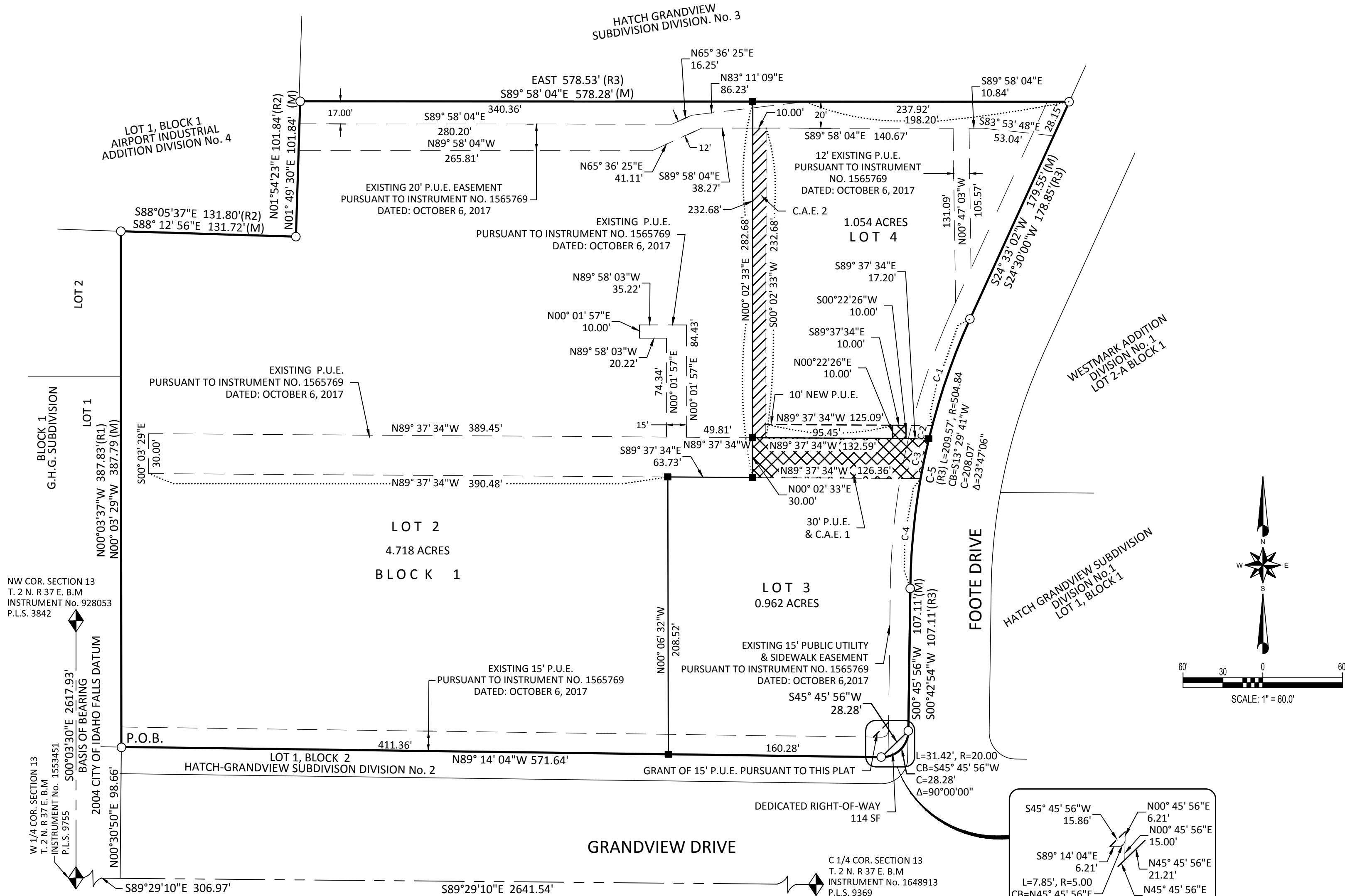
**NARRATIVE**

EAGLE ROCK ENGINEERING WAS COMMISSIONED BY GRANDVIEW STORAGE LLC A UTAH LIMITED LIABILITY COMPANY AND SHERIDAN HOLDINGS, LLC A UTAH LIMITED LIABILITY COMPANY TO AMEND A PLAT KNOWN AS GRANDVIEW STORAGE UNITS, RECORDED IN CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO UNDER INSTRUMENT NO. 1565769. THE 1ST AMENDED PLAT WILL CONSIST OF THREE (3) LOTS WITHIN THE BOUNDARY OF THE ORIGINAL PLAT FILED UNDER INSTRUMENT NO. 1565769. BASIS OF BEARING IS FROM THE 2004 CITY OF IDAHO FALLS GROUND.

### LEGEND

- P.O.B. POINT OF BEGINNING
- ROADWAY CENTERLINE
- SECTION LINE
- SUBDIVISION BOUNDARY
- LOT LINES
- EXISTING ADJOINING PARCELS
- LIMITS OF GRANT OF PUBLIC UTILITY EASEMENT (P.U.E.) BY EXECUTION OF THIS INSTRUMENT
- EXISTING PUBLIC UTILITY EASEMENT (P.U.E.) PURSUANT TO INSTRUMENT NO. 1565769
- EXISTING 15' PUBLIC UTILITY & SIDEWALK EASEMENT PURSUANT TO INSTRUMENT NO. 1565769
- C.A.E. 1 - CROSS ACCESS EASEMENT GRANTED
- C.A.E. 2 - CROSS ACCESS EASEMENT GRANTED
- PLACED 1/2" IRON ROD WITH CAP MARKED P.L.S. 9369
- FOUND 5/8" IRON ROD, CAP MARKED P.L.S. 9369
- P.L.S.S. CORNER
- (R1) G.H.G. SUBDIVISION INSTRUMENT NO. 828614
- (R2) AIRPORT INDUSTRIAL ADDITION INSTRUMENT NO. 449362
- (R3) DEED INSTRUMENT NO. 1330184

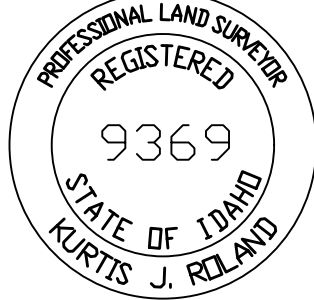
SHEET 1 OF 2



**SURVEYOR'S CERTIFICATE**

I, KURTIS J. ROLAND, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY OF THIS SUBDIVISION DESIGNATED AS GRANDVIEW STORAGE UNITS, FIRST AMENDED, WAS MADE UNDER MY DIRECTION, AND THAT SAID SUBDIVISION IS TRULY AND CORRECTLY SURVEYED AND STAKED AS PROVIDED BY LAW AND IN ACCORDANCE WITH THE ACCOMPANYING PLAT AS DESCRIBED HEREON.

LICENSE NO. 9369



**EAGLE ROCK ENGINEERING**  
CIVIL • PLANNING • SURVEYING  
IDAHO FALLS (208) 542-2665 REXBURG (208) 359-2665

**OFFICES AT:**

310 N 2nd East, Suite 153  
Rexburg, Idaho 83440

1331 Fremont Ave.  
Idaho Falls, Idaho 83402

SURVEYED BY: ADAM SNARR  
DRAWN BY: JULIE LEHMANN  
APPROVED BY: KURT J. ROLAND  
PROJECT NO. 19185  
SCALE: 1"=60'  
DATE: JULY 22, 2020  
REVISION:  
CAD NAME: GRANDVIEW STORAGE UNITS 1ST AMENDED

# GRANDVIEW STORAGE UNITS

## FIRST AMENDED PLAT

### A SUBDIVISION OF THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO

BEING A RE-PLAT OF LOT 1, BLOCK 1 OF GRANDVIEW STORAGE UNITS, LOCATED IN THE NORTHWEST QUARTER OF SECTION 13 TOWNSHIP 2 NORTH, RANGE 37 EAST, BOISE MERIDIAN.

#### DRINKING WATER SYSTEM CERTIFICATE

PURSUANT TO I.C. §50-1334, THE OWNER DOES HEREBY, CERTIFY THAT ALL LOTS SHOWN ON THIS PLAT ARE ELIGIBLE TO RECEIVE WATER FROM THE CITY OF IDAHO FALLS MUNICIPAL WATER SYSTEM, AND SAID CITY HAS AGREED IN WRITING TO PROVIDE CULINARY WATER SERVICE TO SAID LOTS PURSUANT TO THE PROVISIONS OF TITLE 8, CHAPTER 4 OF THE IDAHO FALLS CITY CODE, AS AMENDED FROM TIME TO TIME.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO SET ITS SIGNATURE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

GRANDVIEW STORAGE, LLC

\_\_\_\_\_  
TYRELL J. WALL, MANAGER

#### CITY'S ACCEPTANCE

THE ACCOMPANYING PLAT WAS DULY ACCEPTED AND APPROVED BY THE CITY COUNCIL OF IDAHO FALLS ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
CITY ENGINEER

KENT J. FUGAL, PE 9247

\_\_\_\_\_  
CITY SURVEYOR

KENNETH BALDWIN ROBERTS, PLS 9755

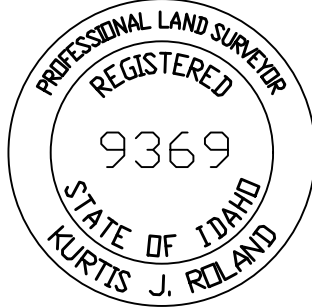
#### IRRIGATION WATER RIGHTS STATEMENT

WATER RIGHTS AND ASSESSMENT OBLIGATIONS ARE NOT APPURTENANT TO THE LANDS INCLUDED WITHIN THIS PLAT. LOTS WITHIN THIS SUBDIVISION WILL NOT RECEIVE A WATER RIGHT.

#### SURVEYOR'S CERTIFICATE

I, KURTIS J. ROLAND, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY OF THIS SUBDIVISION, DESIGNATED AS GRANDVIEW STORAGE UNITS, FIRST AMENDED PLAT, WAS MADE UNDER MY DIRECTION, AND THAT SAID SUBDIVISION IS TRULY AND CORRECTLY SURVEYED AND STAKED AS PROVIDED BY LAW AND IN ACCORDANCE WITH THE ACCOMPANYING PLAT AS DESCRIBED HEREON.

LICENSE NO. 9369



#### OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED GRANDVIEW STORAGE, LLC, A UTAH LIMITED LIABILITY COMPANY IS THE LAWFUL OWNER OF THE TRACT OF LAND INCLUDED WITHIN THE BOUNDARY DESCRIPTION SHOWN HEREON AND HAS CAUSED THE SAME TO BE PLATTED AND DIVIDED INTO BLOCKS, LOTS, AND STREETS, WHICH PLAT SHALL HEREAFTER BE KNOWN AS GRANDVIEW STORAGE UNITS, FIRST AMENDED PLAT, A SUBDIVISION OF THE CITY OF IDAHO FALLS, IDAHO, BONNEVILLE COUNTY, IDAHO.

BE IT FURTHER KNOWN, THAT OWNER DOES HEREBY DEDICATE GRANT AND CONVEY TO THE PUBLIC, ALL STREETS AND RIGHT-OF-WAYS SHOWN HEREON, THAT OWNER ALSO DOES HEREBY GRANT AND CONVEY TO THE CITY OF IDAHO FALLS ALL PUBLIC EASEMENTS FOREVER AS IRREVOCABLE PERMANENT NON-EXCLUSIVE PUBLIC EASEMENTS AS SHOWN AND DESCRIBED HEREON.

OWNER DOES HEREBY GRANT AND CONVEY TO LOTS 2, AND 4 OF BLOCK 1, A PRIVATE CROSS ACCESS EASEMENT AS SHOWN AND DESCRIBED HEREON AND LABELED AS CAE 1, AND THAT OWNER ALSO DOES HEREBY GRANT AND CONVEY TO LOT 2 OF BLOCK 1, A PRIVATE CROSS ACCESS EASEMENT AS SHOWN AND DESCRIBED HEREON AND LABELED AS CAE 2 TO BE USED AS MAINTENANCE ON THE EXTERIOR OF ANY BUILDINGS, THE SAID PRIVATE EASEMENTS GRANTED BY THE MUTUAL CONSENT AND AGREEMENT BETWEEN THE PARTIES, THE ADEQUACY AND RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, THAT THE OWNER ALSO DOES HEREBY GRANT, BARGAIN, AND CONVEY TO THE OWNER OF SAID LOTS, HIS LICENSEES, INVITEES, AGENTS, SUCCESSORS, AND ASSIGNS, THE FULL AND FREE RIGHT FOR SAID OWNER AND SAID OWNER'S TENANTS, SERVANTS, INVITEES, LICENSEES, AND VISITORS TO THE PRIVATE CROSS-ACCESS AGREEMENTS DESCRIBED HEREIN IN COMMON WITH ALL PERSONS DESIGNATED TO HAVE A LIKE RIGHT AT ALL TIMES HEREAFTER, FOR INGRESS AND EGRESS AND VEHICULAR ACCESS, AND A PERPETUAL EASEMENT FOR ROADWAY PURPOSES, ON AND ACROSS THE PROPERTY, EXCEPT FOR PARKING, THAT OWNER ALSO DOES HEREBY GRANT AND CONVEY TO THE CITY OF IDAHO FALLS FOREVER A NON-EXCLUSIVE IRREVOCABLE EASEMENT FOR RIGHT-OF-WAY FOR EMERGENCY VEHICLES AND EMERGENCY RESPONDERS, ACROSS THE CROSS ACCESS EASEMENT CAE 1.

OWNER, OR ITS HEIRS, SUCCESSORS OR ASSIGNS, AGREE THEY WILL CONSTRUCT NO PERMANENT STRUCTURE WITHIN OR UPON ANY PUBLIC EASEMENT SHOWN HEREON, AND THE CITY OF IDAHO FALLS AND ITS SUCCESSORS, ASSIGNS, PERMITTEES OR LICENSEES SHALL ALSO HAVE THE RIGHT TO REMOVE, CUT OR TRIM ANY TREES, BRUSH, ORNAMENTAL SHRUBBERY OR PLANT WHICH MAY INJURE OR INTERFERE WITH THE USE THEREOF FOR ITS INTENDED PURPOSES, AND CITY OF IDAHO FALLS SHALL HAVE THE RIGHT, TO REMOVE ANY OBSTRUCTIONS ON SAID CROSS-ACCESS EASEMENT WHICH MAY INJURE OR INTERFERE WITH THE CITY OF IDAHO FALL'S USE THEREOF, SUCH RIGHT OF REMOVAL MAY BE EXERCISED WITHOUT PRIOR NOTICE TO OWNER OR OWNER'S HEIRS, SUCCESSORS, OR ASSIGNS.

OWNER OR ITS HEIRS, SUCCESSORS OR ASSIGNS FURTHER AGREE THAT THEY SHALL NOT PLANT ANY TREES, BRUSH, ORNAMENTAL SHRUBBERY OR PLANTS WHICH MAY HINDER THE SAFE AND EFFICIENT UTILIZATION OF SAID EASEMENTS.

OWNER OR ITS HEIRS, SUCCESSORS OR ASSIGNS, FURTHER AGREE THAT THEY SHALL CONSTRUCT NO STRUCTURES OR MAINTAIN ANY OBSTRUCTIONS ON SAID CROSS-ACCESS EASEMENTS, INCLUDING BUT NOT LIMITED TO GATES, BARRIERS, OR VEHICLES OF ANY TYPE.

OWNER OR ITS HEIRS, SUCCESSORS OR ASSIGNS, FURTHER AGREE TO MAINTAIN THE SAID CROSS-ACCESS EASEMENTS AND TO REMOVE SNOW PURSUANT TO THE REQUIREMENTS OF THE INTERNATIONAL FIRE CODE §503 AS IT IS AMENDED FROM TIME TO TIME, AND AS ADOPTED BY THE CITY OF IDAHO FALLS, IDAHO.

OWNER OR ITS HEIRS, SUCCESSORS OR ASSIGNS HEREBY RELEASES THE CITY OF IDAHO FALLS AND ITS SUCCESSORS, ASSIGNS, PERMITEES OR LICENSEES FROM ANY CLAIM FOR DAMAGES, BASED UPON CONCEALED OR UNDISCLOSED PRIVATE IMPROVEMENTS CONSTRUCTED OR PERMITTED TO BE CONSTRUCTED BY OWNER OR ITS SUCCESSORS OR ASSIGNS WITHIN ANY PUBLIC EASEMENTS, SUBSEQUENT TO RECORDING THIS SUBDIVISION, THAT MAY BE INCURRED AS A RESULT OF THE CITY OF IDAHO FALLS AND ITS SUCCESSORS, ASSIGNS, PERMITEES OR LICENSEES ORDINARY USE OF THE PUBLIC EASEMENTS WITH DUE CARE.

OWNER OR ITS HEIRS, SUCCESSORS OR ASSIGNS DO HEREBY WARRANT AND SHALL DEFEND SUCH DEDICATION AND CONVEYANCES IN THE QUIET AND PEACEFUL POSSESSION OF THE PUBLIC OR THE CITY OF IDAHO FALLS, OR EACH LOT OWNER AS THE CASE MAY BE, AGAINST SAID OWNER AND ITS HEIRS AND ASSIGNS, AND AGAINST EVERY PERSON WHOMSOEVER WHO LAWFULLY HOLDS OR WHO LATER CLAIMS TO HAVE LAWFULLY HELD ANY RIGHTS IN SAID ESTATE AS OF THE DATE HEREOF.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO SUBSCRIBED ITS SEAL AND SIGNATURE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_\_\_.

GRANDVIEW STORAGE, LLC

\_\_\_\_\_  
TYRELL J. WALL, MANAGING MEMBER

#### ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
:SS.  
COUNTY OF \_\_\_\_\_ )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED TYRELL J. WALL, KNOWN OR IDENTIFIED TO ME, TO BE A MANAGING MEMBER OF THE LIMITED LIABILITY COMPANIES OF GRANDVIEW STORAGE, LLC AND THE PERSON WHO SUBSCRIBED SAID LIMITED LIABILITY COMPANY'S NAME TO THE FOREGOING OWNER'S DEDICATION AND THE DRINKING WATER SYSTEM CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN SAID LIMITED LIABILITY COMPANY'S NAME AS A PERSON AUTHORIZED TO BIND SUCH LIMITED LIABILITY COMPANY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND THE YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF \_\_\_\_\_

RESIDING AT: \_\_\_\_\_

COMMISSION EXPIRATION DATE: \_\_\_\_\_

#### RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING PLAT GRANDVIEW STORAGE UNITS, FIRST AMENDED PLAT WAS FILED IN THE OFFICE OF THE RECORDER OF BONNEVILLE COUNTY, IDAHO.

\_\_\_\_\_  
BONNEVILLE COUNTY RECORDER



#### TREASURER'S CERTIFICATE

I, THE UNDERSIGNED COUNTY TREASURER IN AND FOR THE COUNTY OF BONNEVILLE, STATE OF IDAHO, PURSUANT TO THE REQUIREMENTS OF I.C. §50-1308, DO HEREBY CERTIFY THAT ALL COUNTY PROPERTY TAXES DUE FOR THE PROPERTY INCLUDED IN THE BOUNDARY DESCRIPTION SHOWN HEREON ARE CURRENT.

DATE: \_\_\_\_\_  
\_\_\_\_\_  
BONNEVILLE COUNTY TREASURER

#### HEALTH DEPARTMENT CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY I.C. §50-1326 HAVE BEEN SATISFIED BASED ON THE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. BUYER IS CAUTIONED THAT AT THE TIME OF THIS APPROVAL, NO DRINKING WATER OR SEWER/SEPTIC FACILITIES WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER OR SEWER FACILITIES HAVE SINCE BEEN CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES OR MEET THE OTHER CONDITIONS OF DEQ, THEN SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH I.C. §50-1326, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED.

EASTERN IDAHO PUBLIC HEALTH DISTRICT

\_\_\_\_\_  
ENVIRONMENTAL HEALH SPECIALIST, REHS

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

#### COUNTY SURVEYOR'S VERIFICATION

I CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO AND THAT I HAVE EXAMINED THIS PLAT AND FIND THAT IT COMPLIES WITH I.C. §50-1305.

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

BONNEVILLE COUNTY SURVEYOR, SHANE C. REMER P.L.S. NO. 12222

SHEET 2 OF 2



**EAGLE ROCK**  
**ENGINEERING**

CIVIL • PLANNING • SURVEYING  
IDAHO FALLS (208) 542-2665  
REXBURG (208) 359-2665

#### OFFICES AT:

310 N 2nd East, Suite 153  
Rexburg, Idaho 83440

Fremont Ave.  
Idaho Falls, Idaho 83402

SURVEYED BY:	ADAM SNARR
DRAWN BY:	JULIE LEHMANN
APPROVED BY:	KURT ROLAND
PROJECT NO.	19185
SCALE:	
DATE:	JULY 22, 2020
REVISION:	
CAD NAME:	GRANDVIEW STORAGE UNITS 1ST AMENDED

IDAHO FALLS PLANNING AND ZONING COMMISSION  
STAFF REPORT

**Final Plat**  
**Grandview Storage 1 Amended**  
**May 5, 2020**



Community  
Development  
Services

**Applicant:**  
Eagle Rock Engineering

**Project Manager:**  
Brian J. Stevens

**Location:** Generally south of  
Sawtelle St., west of Foote  
Dr., north of Grandview Dr.,  
and east of N Skyline Dr.

**Size:** Approx. 6.73 acres  
**Lots:** 3

**Existing Zoning:**  
S Site: HC  
North: LM  
South: R1  
East: HC  
West: HC

**Existing Land Uses:**  
Site: Vacant  
North: Office/Commercial  
South: Residential  
East: Commercial  
West: Office

**Future Land Use Map:**  
Employment Center

**Attachments:**  
1. Maps  
2. Aerials  
3. Exhibit  
4. Photos

**Requested Action:** To **recommend** to the Mayor and City  
Council approval of the final plat.

**History:** This property was annexed in February of 1957. This  
Property has been vacant land from 1954 per viewing of the  
City's earliest aerial photo.

**Staff Comments:** The property is zoned HC. The plat  
includes 3 lots. The lots will meet the minimum requirements  
for the HC Zone. The lots will have frontage on either  
Grandview Drive and or Foote Drive. Cross access is being  
addressed on this plat and will allow lot 2 block 1 access from  
Foote Drive.

**Staff Recommendation:** Staff has reviewed the Final Plat and  
finds that it complies with the subdivision ordinance. Staff  
recommends approval of the plat.

**Subdivision Ordinance: Boxes: with an "X" indicated compliance with the ordinance**

REQUIREMENTS	Staff Review
Building envelopes sufficient to construct a building.	X
Lot dimensions conform to the minimum standards of Zoning Ordinance.	X
Lots have full frontage on, and access to, a dedicated street.	X
Residential lots do not have direct access to arterial streets.	NA
Direct access to arterial streets from commercial or industrial lots shall be permitted only where it can be demonstrated that: 1) The direct access will not impede the flow of traffic on the arterial or otherwise create an unsafe condition; 2) There is no reasonable alternative for access to the arterial via a collector street; 3) There is sufficient sight distance along the arterial from the proposed point of access; 4) The proposed access is located so as not to interfere with the safe and efficient functioning of any intersection; and 5) The developer or owner agrees to provide all improvements, such as turning lanes or signals, necessitated for the safe and efficient uses of the proposed access.	X
Adequate provisions shall be made for soil preservation, drainage patterns, and debris and waste disposal and collection.	X
Sidelines of lots shall be at, or near, right angles or radial to the street lines. All corner lots shall have a minimum radius of twenty feet on the property line.	X
All property within the subdivision shall be included within a lot or area dedicated for public use.	X
All corner lots zoned RP through R3, inclusive, shall be a minimum of ten percent larger in area than the average area of all similarly zoned lots in the plat or subdivision under consideration.	NA
All major streets in subdivision must conform to the major street plan of the City, as set forth in Comprehensive Plan.	NA
The alignment and width of previously platted streets shall be preserved unless topographical conditions or existing buildings or structures required otherwise.	X
Residential lots adjoining arterial streets shall comply with: 1) Such lots shall have reverse frontage on the arterial streets, 2) such lots shall be buffered from the arterial street by any effective combination of the following: lot depth, earth berms, vegetation, walls or fences, and structural soundproofing, 3) Minimum lot depth shall be 150ft except where the use of berms, vegetation, and structures can be demonstrated to constitute an effective buffer, 4) Whenever practical, existing roadside trees shall be saved and used in the arterial buffer, 5) Parking areas shall be used as part of the arterial buffer for high density residential uses, 6) Annexation and development agreement shall include provisions for installation and continued maintenance of arterial buffers.	NA
Planning Director to classify street on basis of zoning, traffic volume, function, growth, vehicular & pedestrian safety, and population density.	NA

**Comprehensive Plan Policies:**

Encourage development in areas served by public utilities or where extensions of facilities are least costly. (p. 67)

**Zoning:**

HC Highway and General Commercial Zone.

This zone provides a commercial zone for retail and service uses serving the traveling public. Characteristics of the Zone are buildings set back from the right-of-way line to promote safety on the highway and maintain maximum use of highway right-of-way for travel purposes, and a wide variety of architectural forms and shapes. This Zone should be located at specific locations along highways leading into the City.

## 11-2-4: ALLOWED USES IN COMMERCIAL ZONES.

**Table 11-2-2: Allowed Uses in Commercial Zones**

<p>P = permitted use. C<sub>1</sub> = administrative conditional use. C<sub>2</sub> = Planning Commission conditional use. C<sub>3</sub> = City Council conditional use. A blank denotes a use that is not allowed in that zone.</p> <p>*Indicates uses that are subject to specific land use provisions set forth in the Standards for Allowed Land Uses Section of this Chapter.</p>					
	Commercial				
Proposed Land Use Classification	PB	CC	LC	HC	PT
Accessory use*	P	P	P	P	P
Accessory use, Fuel Station*		P	P	P	
Accessory use, Storage Yard*		P	P	P	
Amusement Center, Indoor		P	P	P	
Amusement Center, Indoor Shooting Range*		P	P	P	
Amusement Center, Outdoor*				P	
Animal Care Clinic*	P	P	P	P	
Animal Care Facility*				P	
Bed and Breakfast*		P	P		P
Boarding /Rooming House		P	P		P
Building Material, Garden and Farm Supplies			P	P	
Cemetery*		C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	
Club*		P	P	P	
Communication Facility		P	P	P	
Day Care, all Types*	P	P	P	P	P
Drinking establishment		P		P	
Drive-through Establishment *	P*	P	P	P	P
Dwelling, accessory unit *		P	P	P	P
Dwelling, multi-unit*		P	P		P
Dwelling, single unit attached			P		
Dwelling, single unit detached			P		
Dwelling, two unit			P		P
Eating establishment		P	P	P	P
Eating Establishment, limited	P	P	P	P	P
Financial Institutions	P	P	P	P	P
Entertainment and Cultural Facilities	P	P	P	P	P



<b>Proposed Land Use Classification</b>	<b>PB</b>	<b>CC</b>	<b>LC</b>	<b>HC</b>	<b>PT</b>
Equipment Sales, Rental and Services			P	P	
Food Processing, small scale				P	
Food store		P	P	P	P
Health Care and Social Services	P	P	P	P	P
Higher Education Center		P	P	P	P
Home Occupation*	P	P	P	P	P
Hospital*	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>
Industry, craftsman	P	P	P	P	
Industry, light		P		P	
Information Technology	P	P	P	P	P
Laundry and Dry Cleaning		P			P
Live-Work*	C <sub>2</sub>	P	P	P	P
Lodging Facility		P	P	P	P
Mortuary				P	P
Parking Facility		P	P	P	P
Pawn Shop		P			
Personal Service	P	P	P	P	P
Professional Service	P	P	P	P	P
Planned Unit Development*		C <sub>3</sub>	C <sub>3</sub>		C <sub>3</sub>
Public Service Facility*	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>
Public Service Facility, Limited	P	P	P	P	P
Public Service Use	P	P	P	P	P
Recreation Vehicle Park*				P	
Religious Institution*		P	P	P	P
Residential Care Facility	P	P	P	P	P
Retail		P	P	P	P
School*		P	P	P	P
Short Term Rental*		P	P		P
Fuel Station		P	P	P	
Fuel Station, Super		C <sub>2</sub>	P	P	
Storage Facility, Indoor		P	P	P	P
Storage Facility, Outdoor				P	
Storage Yard*				P	
Transit Station		P	P	P	P
Vehicle and Equipment Sales			P	P	
Vehicle Body Shop				P	
Vehicle Repair and Service		P	P	P	
Vehicle Sales, Rental and Service		P		P	
Vehicle Washing Facility		C <sub>2</sub>	C <sub>2</sub>	P	

(Ord. 3210, 8-23-18) (Ord. 3218, 9-13-18) (Ord. 3233, 12-20-18) (Ord. 3277, 10-10-19)

May 5, 2020

7:00 p.m.

Planning Department

Council Chambers

**Notice:** Due to Governor Little's proclamation on March 19, 2020 and the Stay-At-Home Order given on March 25, 2020, the doors to the meeting were locked, but notice was given to the public on how to participate via any of the following ways: Submit comments in writing; participate via internet through a Webex meeting; participate via phone through Webex meeting; and watch the meeting via live stream on the City's website.

**MEMBERS PRESENT:** Commissioners Natalie Black, Arnold Cantu, Joanne Denney, Gene Hicks, Lindsey Romankiw, Brent Dixon, George Morrison.

**MEMBERS ABSENT:** George Swaney, Margaret Wimborne

**ALSO PRESENT:** Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Brian Stephens; Naysha Foster and interested citizens.

**CALL TO ORDER:** Natalie Black called the meeting to order at 7:00 p.m.

**CHANGES TO AGENDA:** None.

**MINUTES:** Morrison moved to approve the Minutes of April 21, 2020, Denney seconded the motion and it passed unanimously.

**Business:**

**5. PLAT 20-012: FINAL PLAT. Grandview Storage 1<sup>st</sup> Amended.** Stephens presented the staff report, a part of the record.

**Applicant: Kurt Roland, 1331 Fremont, Idaho Falls, Idaho.** Roland explained that the amendment is creating another lot from the original plat.

**Morrison moved to recommend to the Mayor and City Council approval of the Final Plat for Grandview Storage 1<sup>st</sup> Amended, Dixon seconded the motion and it passed unanimously.**

## **REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS**

### **FINAL PLAT OF THE GRANDVIEW STORAGE 1<sup>ST</sup> AMENDED, LOCATED GENERALLY SOUTH OF SAWTELLE ST., WEST OF FOOTE DR., NORTH OF GRANDVIEW DR., AND EAST OF N SKYLINE DR.**

**WHEREAS**, the applicant filed an application for a final plat on March 16, 2020; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public meeting on May 5, 2020; and

**WHEREAS**, this matter came before the Idaho Falls City Council during a duly noticed public meeting on November 12, 2020; and

**WHEREAS**, having reviewed the application, including all exhibits entered and having considered the issues presented:

#### **I. RELEVANT CRITERIA AND STANDARDS**

1. The City Council considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Zoning Ordinance, the City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate 6.73 acre parcel located generally south of Sawtelle St., west of Foote Dr., north of Grandview Dr., and east of N Skyline Dr.
3. The plat complies with all requirements of the Subdivision Ordinance and Zoning Ordinance.
4. The proposed development is consistent with the principles of the City's Comprehensive Plan.

#### **II. DECISION**

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the Final Plat.

**PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS**

**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020**

---

Rebecca L. Noah Casper, Mayor



# MEMORANDUM

**FROM:** Brad Cramer, Director

**DATE:** Thursday, November 12, 2020

**RE:** Annexation and Initial Zoning of RMH, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B: Approximately 41.27 Acres, SE ¼, Section 9, Township 2 North, Range 38 East.

## Council Action Desired

☒ Ordinance

☐ Resolution

☒ Public Hearing

☐ Other Action (Approval, Authorization, Ratification, etc)

1. Approve the Ordinance annexing M&B: Approximately 41.27 Acres, SE ¼, Section 9, Township 2 North, Range 38 East, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of M&B: Approximately 41.27 Acres, SE ¼, Section 9, Township 2 North, Range 38 East and give authorization for the Mayor to execute the necessary documents.

3. Assign a Comprehensive Plan Designation of "Higher & Lower Density Residential" and approve the Ordinance establishing the initial zoning for RMH under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate), that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office.

4. Approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning for RMH and give authorization for the Mayor to execute the necessary documents.

### Description, Background Information & Purpose

Attached is the application for Annexation and Initial Zoning of RMH, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, for M&B: Approximately 41.27 Acres, SE ¼, Section 9, Township 2 North, Range 38 East. The Planning and Zoning Commission considered this item at its October 6, 2020 meeting and recommended approval by a vote of 4-1. Staff concurs with this recommendation. [Click or tap here to enter text.](#)

### Relevant PBB Results & Department Strategic Plan



Consideration of the annexation/initial zoning must be done consistent with the principles of the Comprehensive Plan, which includes many policies and goals related to Good Governance, Growth, Sustainability, and livable Communities.

### Interdepartmental Coordination

The annexation legal description has been reviewed by the Survey Division.




### Fiscal Impact

NA





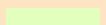
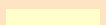










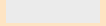
### Legal Review

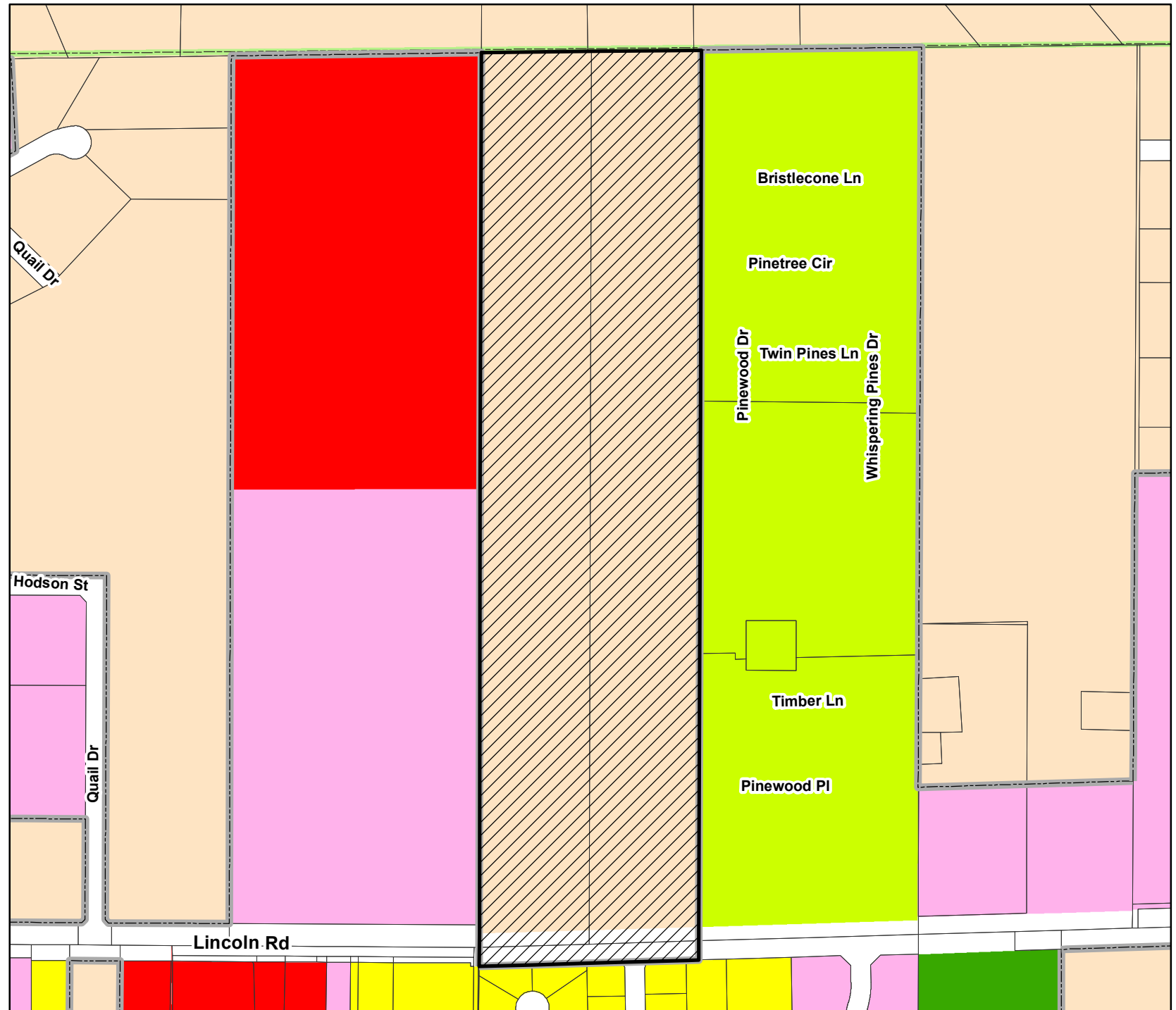
This application and ordinance have been reviewed by Legal pursuant to applicable law.

## Legend

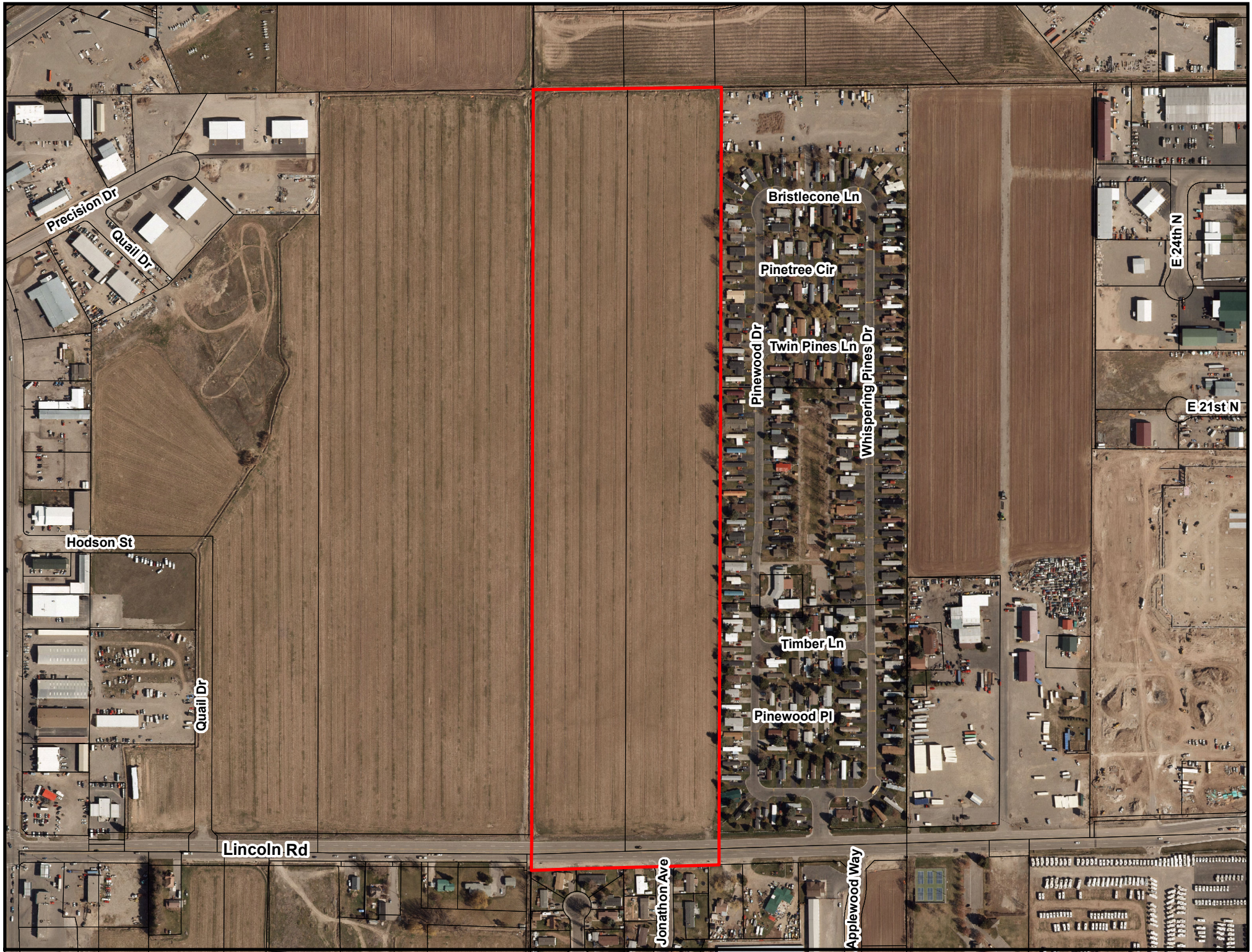
-  ANNEX 40AC RMH
-  City Limits
-  Area of Impact

## Overlays

-  PT
-  PT&T-1
-  PUD
-  T-1
-  T-2
-  RE
-  RP
-  R1
-  R2
-  TN
-  RMH
-  R3
-  R3A
-  PB
-  DT
-  CC
-  LC
-  HC
-  R&D
-  LM
-  I&M
-  P




















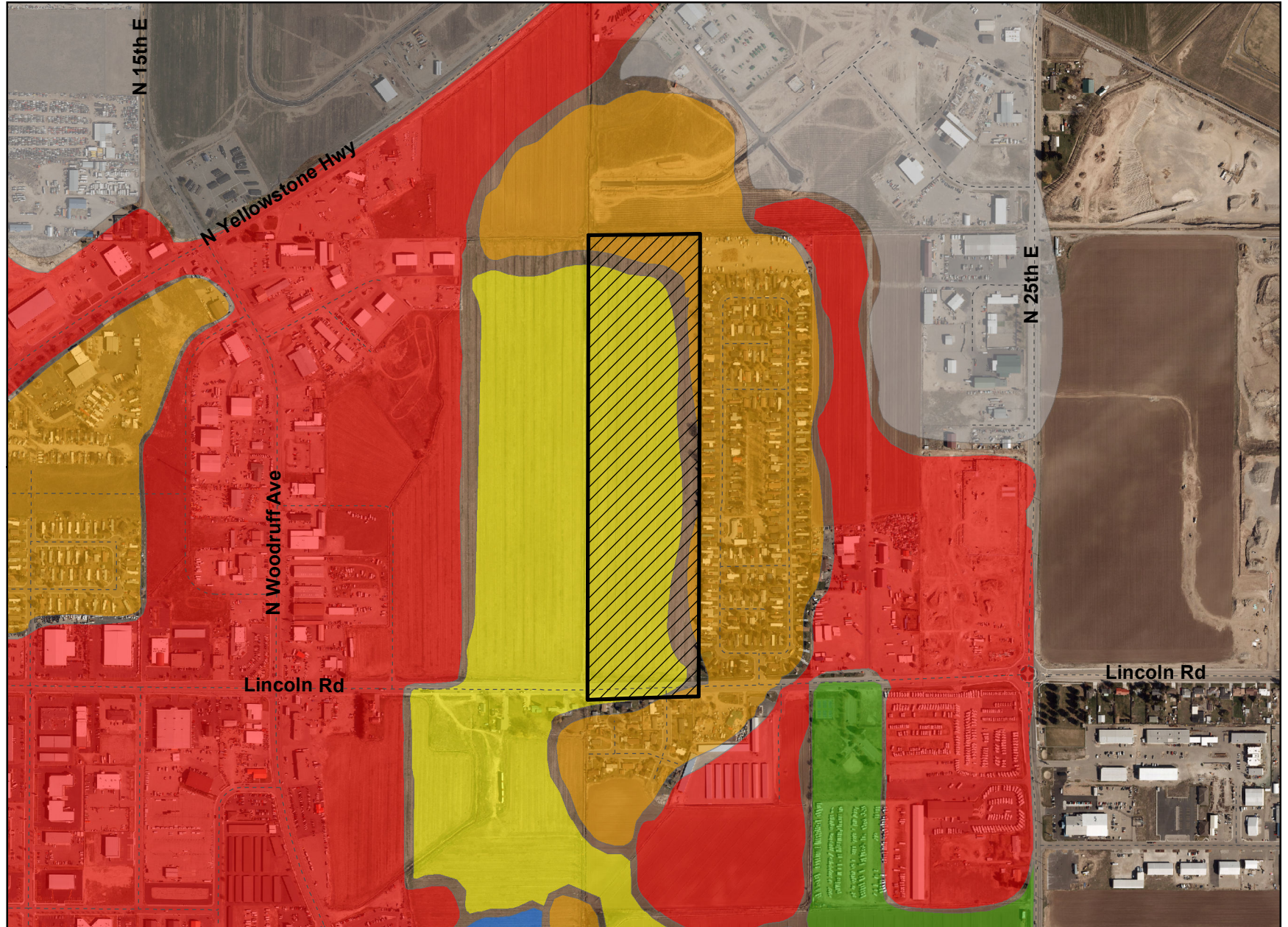


# Annexation

## ANNX20-015 Annexation and Initial Zoning of RMH, 40.41 acres Lincoln Rd

 Estate	 Greenbelt Mixed Uses	 Commercial	 Higher Education Centers	 Railroad Related Industrial
 Low Density	 Parks, Recreation	 Employment Centers	 Planned Transition	
 Higher Density	 Public Facilities, Open Spaces	 Medical Services Center	 Highway Related Industrial	

### Comprehensive Plan



IDAHO FALLS

Planning Division  
City Annex Building  
680 Park Ave.  
Idaho Falls, ID 83402  
(208) 612-8276



IDAHO FALLS PLANNING AND ZONING COMMISSION  
STAFF REPORT  
**ANNEXATION AND INITIAL ZONING OF RMH**  
**Approx. 41 acres, SE1/4 Section 9, T 2 N, R 38 E**  
**October 6, 2020**



Community  
Development  
Services

**Applicant:** Jeremiah Bigelow

**Project Manager:** Kerry Beutler

**Location:** West of Pinwood Mobile Home Park. North of Lincoln Rd., East of Woodruff Ave., South of Yellowstone Hwy, and West of N 25th E.

**Size:** 41 acres

**Zoning:**

Site: RA-1 County  
North: C-2, County  
South: R1  
East: RMH  
West: HC & LC

**Proposed Zoning:**  
RMH

**Existing Land Uses:**

Site: Agricultural  
North: Industrial  
South: Residential  
East: Residential  
West: Agricultural

**Future Land Use**

**Map:** Higher & Lower Density Residential

**Attachments:**

1. Comprehensive Plan Policies
2. Zoning Information
3. Maps & Aerial Photos

**Requested Action:** To **recommend** approval of annexation and initial zoning of RMH to the Mayor and City Council.

**Staff Comments:** The property is located north of Lincoln Road. This area is developing with a mix of residential and commercial uses as well as public facilities, with Lincoln Park to the southeast. Much of this area was developed in Bonneville County, such as Pinewood Estates, prior to annexation into the city. The development of Costco in this area has increased development activity and interest in this area. This property is currently being used for agricultural and has never been platted or built on. The property is currently zoned RA-1, Residential Agricultural in the County. The County Zoning Ordinance states the use of land for residential purposes is given primacy in the RA-1 Zone. The RA-1 Residential Agricultural Zone is established to encourage the orderly and timely conversion of certain open land areas into residential areas as the need arises.

**Annexation:** This is a Category “A” annexation as it is requested by the property owner. Annexation of the property is consistent with the City’s Comprehensive Plan. The property is contiguous to the east, west and south. The property has immediate access to utilities.

**Initial Zoning:** The proposed zoning is RMH, Residential Mobile Home. The Comprehensive plan identifies this area for Higher and Lower Density Residential. The RMH Zone is consistent with this designation. The Zoning Ordinance identifies the RMH Zone as a medium density zone. The Comprehensive Plan does not have a medium density designation, but it would make sense for this zone to be located in areas where there are both lower and higher designations. The allowed density in an RMH Zone is 8 units per acre. The property immediately to the east is also zoned RMH.

**Staff Recommendation:** Staff recommends approval of the annexation and initial zoning of RMH as it is consistent with the policies of the Comprehensive Plan.



## Comprehensive Plan Policies:

### **Residential development should reflect the economic and social diversity of Idaho Falls.**

New and existing developments should foster inclusiveness and connectivity through mixed housing types and sizes and neighborhood connections through paths, parks, open spaces, and streets. (p. 40)

### **Higher density housing should be located closer to service areas and those streets designed to move traffic, such as arterial streets and collectors, with access only to the collector street. (p. 43)**

People have told us they want a community of convenience where walkways and bikeways link residential areas to centers of employment and business. They want to be able to move quickly and easily across the community by vehicle. Residential areas are to be near to employment and business but shielded from traffic, noise, and glare. (p. 60)

### **Higher density residential** Homes, apartments, and condominiums developed at densities of 8 to 35 units per acre. (p.63)

### **Low density residential is development at densities of seven dwelling units or less per net acre.**

Most of the lands within the future land use map are designated low density residential. This reflects the existing pattern of development of Idaho Falls. Until the market dictates such lands are to be developed and annexed to the City, the goal is the land will be used for agricultural purposes, its historic land use. (p.66)

### **Encourage development in areas served by public utilities or where extensions of facilities are least costly. (p.67)**

## **Zoning: 11-3-3: PURPOSES OF RESIDENTIAL ZONES.**

(H) RMH Residential Mobile and Manufactured Home Zone. This zone provides a residential zone which is characterized by a medium density residential environment. A manufactured or mobile

home subdivision, mobile home park, or travel trailer park are special facilities specifically designed to accommodate mobile or recreational vehicles which may not conform to the requirements for permanent location within other residential Zones within the City are allowed within this zone.

## **11-3-4: STANDARDS FOR RESIDENTIAL ZONES.**

**Table 11-3-1: Standards for Residential Zones**

	RE	RP	R1	R2	TN	R3	R3A	RMH
<b>Lot Area</b>								
Lot Area Minimum in ft <sup>2</sup>	1 acre*	12,000	7,000	6,000*	3,000*	5,000*	5,000	5,000
Lot Area Maximum in ft <sup>2</sup>			13,500*					
<b>Site Width</b>								
Site Width at Front Setback, Minimum in ft.	150	60	50	50	25	50	50	50
<b>Setbacks, Minimum in ft.</b>								
Front	40	30*	25*	20*	15*	15	15	30
Front Maximum in ft.					20*			
Side	20	7.5/10*	6	6	5	6	6	10
Rear	40	25	25	25	10	25*	25*	25*
<b>Lot Coverage, Building Height, and Density</b>								
Maximum Lot Coverage in %	30	40	40	80	50	80	80	40
Maximum Building Height in ft*	24	24	24	24	*			24
Maximum Density in net units/acre	1	4	6	17	15	35	35	8

\*See explanations, exceptions and qualifications in Section 11-3-4A,B,C of this Zoning Code.

October 6, 2020

7:00 p.m.

Planning Department

City Annex Building

**MEMBERS PRESENT:** Commissioners Natalie Black, Gene Hicks, Brent Dixon, George Morrison, Lindsey Romankiw, Joanne Denney, Arnold Cantu.

**MEMBERS ABSENT:** Margaret Wimborne

**ALSO PRESENT:** Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Naysha Foster; Brian Stevens; Michael Kirkham, Esq.; and interested citizens.

**CALL TO ORDER:** Natalie Black called the meeting to order at 7:00 p.m.

**CHANGES TO AGENDA:** None.

**MINUTES:**

**Hicks moved to approve the September 15, 2020 Minutes, Morrison seconded the motion. Black called for roll call vote: Morrison, yes; Hicks, yes; Cantu, yes; Dixon, yes; Romankiw, yes. The motion passed unanimously.**

**Public Hearing(s):**

**3. ANNEX 20-015: ANNEXATION/INITIAL ZONING. Annexation and Initial Zoning of RMH.**

Black opened the public hearing.

**Applicant: Jeremiah Bigelow, 5035 E 34 North, Ririe, Idaho.** Bigelow is requesting annexation on 41 acres that is west of the Pinewood Mobile Home Park. Bigelow indicated that the property is contiguous to the Pinewood Mobile Park, they have water and sewer from the City that was put in when they did the Lincoln Road in 2014-2015. Bigelow is intending to put in a mobile home park similar to Pinewood Mobile Park.

Beutler presented the staff report, a part of the record.

Black asked about the LC that was annexed earlier in the summer. Beutler showed the property to the west of the property.

Dixon stated that when the property to the west was annexed, he commented that LC and HC were not consistent with the Comprehensive Plan and the Comprehensive Plan needs updated with an amendment first. Dixon stated that the feedback he received was that LC allows residential, so it is ok. Dixon stated that this time the comment is that the Comprehensive Plan doesn't have a medium density and it is low density next to high density so that is medium density so that is ok. Dixon feels that they should amend the Comprehensive Plan to update what is going on in the area, rather than making excuses as to why the proposal fits with, he Comprehensive Plan.

Beutler stated that Comprehensive Plan doesn't follow property line and is broad strokes. Beutler stated that this area has both yellow and orange, so he feels it is consistent with the Comprehensive Plan. Beutler stated that the Comprehensive Plan identifies low density

residential as 7 units per acre, and RMH allows 8 units per acre, so it is one unit higher, but not a significant amount.

Dixon stated that there was a large area of low density residential identified in the Comprehensive Plan and an annexation south of Lincoln road for commercial that took out part of the residential, then there was an annexation for the acreage to the west that was HC/LC and now this will take out the final 3<sup>rd</sup> of something that used to be 120-150 acres of low density residential, and the comment he hears is that it is all consistent and there was nothing changed. Dixon disagrees with that assertion.

Hicks stated that this is another 40 acres in the outskirts of the City and there are a lot of areas in the central area of the City that still has agricultural, that is in-fill and not being developed Hicks feels they have gone too far out and need to fix the center. Hicks is against this proposal not because of anything wrong with the proposal, but he feels it's wrong to stretch farther which will impact sewer, water and supporting services.

Beutler stated that they are within the City's Area of Impact line and it would make sense for this area to be annexed and get City services. Beutler stated that this property is adjacent to existing utilities. Hicks stated that his concern is that they are reaching too far out of the City and not doing fill-in and 40 acres in this area, will cost more money to maintain, and he is against going out until they fill in.

Morrison stated that you cannot force people to develop property and you have to follow the market.

Black suggested saving this for the Commissioners Discussion time.

No one appeared in person in support or opposition.

**Applicant: Jeremiah Bigelow.** Bigelow stated that they have annexed on the east, west and south of his property. Bigelow stated that they already have water and sewer and so it is not reaching out.

Black asked if there is a market for RMH. Bigelow stated that he purchased the property 20 years ago knowing that there would be a day that people would need more affordable housing. Bigelow stated that the housing prices are now so high that people need something affordable, so there is a need for mobile and manufactured houses.

Cramer indicated that he got a response from Henry Mowers who does not have a microphone to comment so he messaged his comments and Cramer read the comments.

**Henry Mowers.** Mower stated that with the current housing shortage, he feels it is a good idea to expand the mobile home park.

Black closed the public hearing.

Black stated that when the Costco area was annexed the Commission didn't know it was Costco, and her concern was that they were spreading too far, and now that area is developed. Black feels like most of this area is developed and it feels completely within the City. Black stated that the services are at the property. Black stated that the zoning is interesting and she didn't realize there was a market for mobile homes and the area next to it is a nice area and if that market is coming

back then they should accommodate it because the need for housing is high and that is a natural area next to the other mobile home park.

Hicks added that the area to the south on the other side of Lincoln is farmland and a large parcel. Black stated that the property has been annexed. Hicks agreed, and indicated that most of it is still open area, and his concern is they are reaching too far and the City has a lot of County and/or open area that should have more consideration instead of reaching to the out skirts of the City.

Morrison agreed with Black.

Dixon stated that the discussion that was just had is the prime example of why they need to update the Comprehensive Plan, when there is a major change in the area. Costco coming in was a major change, the widening of Lincoln Road was a major change, and it enabled the area to have good access. Dixon is disappointed that they have gone away from the practice of updating the Comprehensive Plan before they look at specific properties for annexation in a way that is not consistent with the current Comprehensive Plan. Dixon stated that the widening of Lincoln and addition of Costco make the Comprehensive Plan Change appropriate, and a Comp Plan change that would enable the type of development that is being requested would be appropriate and he would support that. Dixon stated that if the Comp Plan had been changed then he would be supportive of this application, however he will vote against it because the Comp Plan has not been changed, and it should have been done first.

Black asked staff about the procedure with the Comprehensive Plan. Cramer stated that in the past and current practice is that when an application is not consistent with the Comp Plan that is the first public hearing that has to happen is to amend the map. Cramer stated that the reason they haven't done that here, is historically RMH zoning has been in low density designated areas because the closest that matches them is low density residential. Cramer stated that the Comprehensive Plan Map shows low density designation here. Cramer stated that when this area was modified as part of the Area of Impact discussions most of this area was shown as low density residential, including the existing mobile home park that is built. Cramer stated that it was modified as part of the area of impact in recognition that if the area at the intersection of Lincoln and Hitt developed as commercial, then the plans would call for commercial to transition to higher density residential, to lower density residential. Cramer stated that is happening on the map with the transition. Cramer stated that mobile home parks might be higher density than what is typically seen in low density residential, but the higher density next to the low density is consistent. Cramer asked what designation the Comprehensive Plan should be amended for this application, because there are only 3 choices for residential, Estate, low density, higher density. Cramer agrees that the Comp Plan needs updated but it is a long process to add a new designation.

Dixon stated that this is an ongoing frustration. Dixon stated that this is 1/3 of an area that is identified as low density, and the second third to the west of this parcel was recommended to be annexed and zoned HC and LC and the reason that it was given to be consistent with the Comp Plan was that the LC allowed residential. Dixon stated that the area south of Lincoln was annexed earlier in the year with LC and the reason was it was consistent with what is to the west. Dixon stated that the reason why they are chipping away at the low density and with this action all low density will be gone. Dixon stated that this action is more consistent with the Comp Plan than the previous 2, but he feels like he needs to make a point and feels that they have totally

gotten rid of the low density residential in the area without ever changing the Comprehensive Plan. Dixon feels that the whole broad stroke has been wiped out without a review of the Comprehensive Plan. Dixon believes that the change would have been merited if reviewed and he would have supported the change.

Hicks stated that west of this parcel is Woodruff, which has become a bottleneck from Lincoln to 1<sup>st</sup> Street because of a double lane road becoming a single lane road. Hicks asked if this Commission has any stroke to accommodate the increase in population with the roads. Cramer stated that in terms of planning, Woodruff is a planned arterial and everything north has been County up until 1 year ago. Cramer stated that when the City sees development, there are standards when traffic studies are required. Cramer stated that at the time of annexation the question is should the City take over jurisdiction of the land, can it service the land, is the requested zoning appropriate, and traffic and development questions come when development comes, and when a plat comes if it requires a traffic study, and anything recommended will be done.

Black stated that there is a huge demand for housing, and she has asked developers to look at in-fill in town to see if it is feasible before they spread out to do large developments. Black feels that this is within the City. Black stated that the Commission cannot request roads to be built, and the City Public Works needs to look at that when they assign building permits. Black stated that they need to look to their elected officials and give them the input.

Cramer stated that he is not saying that P&Z shouldn't be looking at transportation issues, but it's a timing issue. Lincoln is planned and built, Woodruff is planned and not built, and as development comes forward you will regularly look at roads and can ask for connections onto major streets. Cramer stated that they will get to see this property when it is platted and can discuss roads then. Cramer stated that it is not questions for the annexation and initial zoning hearing.

Dixon asked about a comment in the chat and if the public hearing is closed should they even look at the comments. Michael Kirkham, Esq, stated that there were 2 comments from that member of the public and one came in after the hearing was closed, and so it is inappropriate to consider that comment unless you are going to reopen the hearing for the purpose of taking in the chat. Kirkham recommended going forward to give one last call out prior to closing public hearings and look at the chats.

Black kept the public hearing closed.

**Morrison moved to recommend to the Mayor and City Council approval of the Annexation of Approx. 41 acres, SE ¼ Section 9, T2N, R 38 E with initial zoning of RMH. Cantu seconded the motion. Black called for roll call vote: Hicks, abstain; Dixon, no; Morrison, yes; Cantu, yes; Denney, yes; Romankiw, yes. The motion passed 4-1.**



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 41.271 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the lands described in Exhibit A of this Ordinance are contiguous and adjacent to the City limits of the City of Idaho Falls, Idaho; and

WHEREAS, such lands described herein are subject to annexation to the City pursuant to the provisions of Idaho Code Section 50-222, and other laws, as amended; and

WHEREAS, the annexation of the lands described in Exhibit A is reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services; to enable the orderly development of private lands which benefit from a cost-effective availability of City services in urbanizing areas; and to equitably allocate the costs of City/public services in management of development on the City's urban fringe; and

WHEREAS, the City has authority to annex lands into the City pursuant to procedures of Idaho Code Section 50-222, as amended; and

WHEREAS, any portion of a highway lying wholly or partially within the lands to be annexed are included in the lands annexed by this Ordinance; and

WHEREAS, the lands annexed by this Ordinance are not connected to the City only by a "shoestring" or a strip of land which comprises a railroad or right-of-way; and

WHEREAS, all private landowners have consented to annexation of such lands, where necessary; and

WHEREAS, City of Idaho Falls Comprehensive Plan includes the area of annexation; and

WHEREAS, after considering the written and oral comments of property owners whose lands would be annexed and other affected persons, City Council specifically makes the following findings:

- 1) That the lands annexed meet the applicable requirements of Idaho Code Section 50-222 and does not fall within exceptions or conditional exceptions contained in Idaho Code Section 50-222;
- 2) The annexation is consistent with public purposes addressed in annexation and related plans prepared by the City; and
- 3) Annexation of the lands described in Section 1 are reasonably necessary for the orderly development of the City; and

WHEREAS, it appears to the Council that the lands described herein below in Exhibit A of this Ordinance should be annexed to and become a part of the City of Idaho Falls, Idaho; and

WHEREAS, the City wishes to exercise jurisdiction over the annexed lands in a way that promotes the orderly development of such lands; and

WHEREAS, the City of Idaho Falls Comprehensive Plan sets out policies and strategies designed to promote and sustain future growth within the City; and

WHEREAS, such designation is consistent with policies and principles contained within the City of Idaho Falls Comprehensive Plan; and

WHEREAS, the City desires the City of Idaho Falls Comprehensive Plan Map to be amended to reflect the designation contained in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, as follows:

SECTION 1. Annexation of Property. The lands described in Exhibit A are hereby annexed to the City of Idaho Falls, Idaho.

SECTION 2. Amended Map and Legal Description. The City Clerk shall file a certified copy of this Ordinance with the Bonneville County Auditor, Treasurer, and Assessor, within ten (10) days after the effective date hereof. The City Engineer shall, within ten (10) days after such effective date, file an amended legal description and map of the City, with the Bonneville County Recorder and Assessor and the Idaho State Tax Commission, all in accordance with Idaho Code Section 63-2215.

SECTION 3. Findings. The findings contained in the recitals of this Ordinance be, and the same are hereby adopted as the official City Council findings for this Ordinance, and any further findings relative to this Ordinance shall be contained in the officially adopted Council minutes of the meeting in which this Ordinance was passed.

SECTION 4. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 5. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Rebecca L. Noah Casper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO                    )  
  : ss.  
County of Bonneville            )

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS,  
IDAHO, DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled: "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 41.271 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

---

Kathy Hampton, City Clerk

(SEAL)

## **REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS**

**ANNEXATION OF PROPERTY, APPROXIMATELY 41.271 ACRES, SECTION 9, TOWNSHIP 2 NORTH, RANGE 38 EAST. GENERALLY WEST OF PINEWOOD MOBILE HOME PARK. NORTH OF LINCOLN RD., EAST OF WOODRUFF AVE., SOUTH OF YELLOWSTONE HWY, AND WEST OF N 25TH E.**

**WHEREAS**, the applicant filed an application for an application for annexation on August 19, 2020; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on October 6, 2020; and

**WHEREAS**, this matter came before the Idaho Falls City Council during a duly noticed public hearing on November 12, 2020; and

**WHEREAS**, having reviewed the application, including all exhibits entered and having considered the issues presented:

### **I. RELEVANT CRITERIA AND STANDARDS**

1. The Planning and Zoning Commission considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Subdivision and Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate 41.217 acre parcel located generally west of Pinewood Mobile Home Park, north of Lincoln Rd., east of Woodruff Ave., south of Yellowstone Hwy, and west of N 25th E.
3. The Comprehensive Plan designates this area as Higher & Lower Density Residential.
4. This is a category "A" annexation requested by the applicant and the property is enclaved.
5. The proposed annexation is consistent with the purposes set forth within the Comprehensive Plan of the City of Idaho Falls.
6. Annexation of the area will allow for orderly development and efficient, equitable and economical delivery of municipal services within the urbanizing areas.
7. The Planning and Zoning Commission recommended approval of the annexation.

### **II. DECISION**

Based on the above Reasoned Statement of Relevant Criteria and Standards, the City Council of the City of Idaho Falls approved the annexation as presented.

PASSED BY THE CITY OF IDAHO FALLS CITY COUNCIL

THIS \_\_\_\_ DAY OF NOVEMBER, 2020

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Rebecca L. Noah Casper, Mayor

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 41.271 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS RMH ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed initial zoning district of lands described in Exhibit A is RMH Zone for such annexed lands is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation “Higher & Lower Density Residential”; and

WHEREAS, the proposed zoning district is consistent and compatible with the existing and surrounding zoning districts and is consistent with principles of the City of Idaho Falls Comprehensive Plan; and

WHEREAS, for consistency with the Comprehensive Plan, the Council desires to designate the lands within the area of annexation as “Higher & Lower Density Residential”; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on October 6, 2020, and recommended approval of zoning the subject property to RMH Zone; and

WHEREAS, the Council conducted a duly noticed public hearing and passed a motion to approve this zoning on November 12, 2020.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, AS FOLLOWS:

**SECTION 1:** Comprehensive Plan Designation. The area described in Exhibit A are hereby given a Comprehensive Plan designation of Higher and Lower Density Residential.

**SECTION 2:** Legal Description. The lands described in Exhibit A are hereby zoned as RMH Zone.

**SECTION 3.** Zoning. The property described in Section 1 of this Ordinance be and the same hereby is zoned “RMH Zone” and the City Planner is hereby ordered to make the necessary amendments to the official maps of the City of Idaho Falls which are on file at the City Planning Department Offices, 680 Park Avenue.

**SECTION 4.** Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**SECTION 5.** Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**SECTION 6.** Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF IDAHO FALLS, IDAHO

\_\_\_\_\_  
Rebecca L. Noah Casper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO  
HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 41.271 ACRES DESCRIBED IN SECTION 1 OF THIS ORDINANCE AS R M H ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

\_\_\_\_\_  
Kathy Hampton, City Clerk



## **REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS**

**INITIAL ZONING OF RMH OF APPROXIMATELY 41.271 ACRES, SECTION 9, TOWNSHIP 2 NORTH, RANGE 38 EAST. GENERALLY LOCATED WEST OF PINWOOD MOBILE HOME PARK. NORTH OF LINCOLN RD., EAST OF WOODRUFF AVE., SOUTH OF YELLOWSTONE HWY, AND WEST OF N 25TH E.**

**WHEREAS**, the applicant filed an application for an application for initial zoning of RMH on August 19, 2020; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on October 6, 2020; and

**WHEREAS**, this matter came before the Idaho Falls City Council during a duly noticed public hearing on November 12, 2020; and

**WHEREAS**, having reviewed the application, including all exhibits entered and having considered the issues presented:

### **I. RELEVANT CRITERIA AND STANDARDS**

1. The Planning and Zoning Commission considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Subdivision and Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate 41.271 acre parcel located generally west of Pinewood Mobile Home Park, north of Lincoln Rd., east of Woodruff Ave., south of Yellowstone Hwy, and west of N 25th E.
3. The Comprehensive Plan designates this area as Higher & Lower Density Residential.
4. The proposed RMH Zone is consistent with the principles of the Comprehensive Plan and other zoning and uses in the area.

### **II. DECISION**

Based on the above Reasoned Statement of Relevant Criteria and Standards, the City Council of the City of Idaho Falls approved the initial zoning as presented.

PASSED BY THE CITY OF IDAHO FALLS CITY COUNCIL

THIS \_\_\_\_\_ DAY OF NOVEMBER,  
2020

---

Rebecca L. Noah Casper, Mayor



# MEMORANDUM

**FROM:** Brad Cramer, Director

**DATE:** Thursday, November 12, 2020

**RE:** Zoning Ordinance Amendment for 11-4-5.E.1 regarding residential parking location.

## Council Action Desired

- ☒ Ordinance
 ☐ Resolution
 ☒ Public Hearing  
☐ Other Action (Approval, Authorization, Ratification, etc)

Approve the Ordinance Amending the Zoning Ordinance of sections 11-4-5.E.1, Residential Parking Location, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

## Description, Background Information & Purpose

Attached is an Ordinance the Zoning Ordinance section 11-4-5.E.1, Residential Parking Location. Full details and reasoning of the changes are included in the attached staff report. The Planning and Zoning Commission considered this item at its July 21, 2020 and recommended to the Mayor and City Council approval by a unanimous vote. On August 13, 2020 the City Council removed the rezone from the agenda because at that time it was combined with another proposed change to modify the definition of single-unit attached dwellings. That portion of the proposal has been tabled. The attached ordinance only includes the changes to residential parking locations.

## Relevant PBB Results & Department Strategic Plan



Consideration of code amendments must be done consistent with the principles of the Comprehensive Plan, which includes many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

**Interdepartmental Coordination**

NA

**Fiscal Impact**

NA

**Legal Review**

This ordinance has been reviewed by Legal pursuant to applicable law.

IDAHO FALLS PLANNING AND ZONING COMMISSION  
STAFF REPORT  
RZON20-009 ZONING ORDINANCE AMENDMENTS  
RESIDENTIAL PARKING  
JULY 21, 2020



Community  
Development  
Services

**Applicant:** City of Idaho Falls

**Project Manager:** Brad Cramer

**Future Land Use Map:**

**Attachments:**

1. Zoning Ordinance Information

**Requested Action:** To recommend approval of amendments to Section 11-4-5 to the Mayor and City Council.

**Summary:** These two proposed changes address recently identified issues with the updated zoning code. These issues were brought to light with two recent applications. For the purposes of this staff report, the history, comments, and recommendations will be handled separately for each proposed change.

#### 11-4-5.E.1 RESIDENTIAL PARKING LOCATION

**History:** For many years the previous zoning code addressed permitted locations for residential parking with two requirements. First, that such parking could not be in a front yard setback or a side yard setback which faced a street. Second, that all residential parking had to be either inside a garage or carport or where a future garage or carport could legally be built. This code functioned well for locating the required parking on a site, but ignored the fact that many residents park their vehicle in their driveway. A strict reading of this code is that such parking was illegal.

To address this issue, the updated code kept the first part of the original language which said that parking couldn't be in the setback facing a street, but added the words "except for permitted driveways." A permitted driveway is being interpreted as the width of the allowed curb-cut. The new code left out the requirement that the parking be in a garage or carport or where such a structure could legally be built, because it seemed redundant. A garage or carport cannot be built in setbacks so there was really no need for the additional requirement.

**Staff Comments:** While adding "except for permitted driveways" addressed the concerns with parking in the driveway, a recent application demonstrated a newly created issue. The application was to enclose the garage and convert it to living space. The result is that the only parking available on the site will be in the driveway. It was never the intent of the code change to allow the enclosure of garages that have historically been required leaving only parking in the driveway for a residential property. To address this issue, staff proposes the code be modified to allow parking in the driveway, but not count it towards the required parking for the property.

**Staff Recommendation:** Staff recommends approval of the proposed code change.

**Comprehensive Plan Policies:** As noted with the proposed change to single-unit attached dwellings, the full section of Residential Development policies from the Comprehensive Plan is included as an attachment.

## **RESIDENTIAL PARKING LOCATION**

### **Language from Previous Zoning Code**

(5) Required Parking for Residential Uses – Two (2) parking spaces shall be provided for each dwelling unit except as provided in this section.

(d) In all Zones, the parking area required for a dwelling shall be enclosed in a garage or carport, or open parking and yard areas that are large enough to permit the future construction of a garage or carport that will comply with all provisions of this Zoning Code shall be provided.

(17) Location of Parking Facilities. The location of parking and loading facilities shall comply with the following:

(a) In residential Zones parking shall not be permitted in the required front yard or the required side yard that faces on a street. Parking may be permitted in other required side and rear yards in the residential Zones, providing all other requirements of this Zoning Code are met.

July 21, 2020

7:00 p.m.

Planning Department

Council Chambers

**Notice: Due to Governor Little's proclamation on March 19, 2020 and the Stay-At-Home Order given on March 25, 2020, the doors to the meeting were locked, but notice was given to the public on how to participate via any of the following ways: Submit comments in writing; participate via internet through a Webex meeting; participate via phone through Webex meeting; and watch the meeting via live stream on the City's website.**

**MEMBERS PRESENT:** Commissioners Natalie Black, Arnold Cantu, Gene Hicks, Brent Dixon, George Morrison, Margaret Wimborne

**MEMBERS ABSENT:** Joanne Denney, Lindsey Romankiw.

**ALSO PRESENT:** Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Brent McLane; Brian Stephens; Naysha Foster and interested citizens.

**CALL TO ORDER:** Natalie Black called the meeting to order at 7:00 p.m.

**CHANGES TO AGENDA:** None.

**MINUTES:** The minutes for the July 7, 2020 meeting were tabled until the August meeting.

**Public Hearing(s):**

**5. RZON 20-009: REZONE. Amendment of the Comprehensive Zoning Ordinance, Section 11-4-5. E.1 Parking Location in Residential Zones, and Section 11-7-1: Definitions, Dwelling Single Unit Attached.**

Black opened the public hearing.

**Applicant: City of Idaho Falls.**

Cramer presented the staff report. Cramer indicated that the items on the agenda are time sensitive. Cramer showed the language from the previous Zoning Ordinance that showed two parking spaces and those had to be in a garage or carport, or where a garage or carport could legally be built. Cramer explained that when people park on the side of their garage, it is a place where a garage and carport cannot be built, and the garage and carport requirement was meant for the 2 required stalls. Cramer stated that the language is to show that the required parking needs to be out of the required setbacks from the street. Cramer showed some pictures of people parking in their front yard or walling in a garage and now the only available parking is in the driveway. Cramer stated that this is an issue. Cramer showed that they are proposing to tweak the Code and specify that the required off street parking cannot be in the required front or side set back that faces a public street....and add the wording "Permitted driveways which directly connect required and other approved parking areas to the public and private streets may be used for parking, but shall not be considered as providing the required parking spaces for the use."

Black asked about RV's in driveways and it is legal. Cramer clarified if she is asking about RV's or what the code change accomplishes. Cramer stated that generally they are trying have the two required stalls that are out of the front and side yard spaces. Cramer explained that a

new house today would require two parking stalls outside of the front yard setbacks and then a driveway that connects that parking to the street. Cramer indicated that is to avoid the paving of someone's front yard. Cramer indicated that the driveway will be from the curb cut at the street to the garage or parking area, so they wouldn't allow a home to have a 60' wide curb cut, so they cannot have a 60' wide driveway. Cramer stated that they don't differentiate between and RV, truck, boat, car, so if people have a driveway, they can park in it. Cramer stated that if the RV sticks out over the sidewalk, they do address that with code enforcement and police. Cramer doesn't feel like it is appropriate to say what vehicles are appropriate in a driveway and which ones are not.

Dixon asked where the driveway ends on the street side. Cramer stated that the street is defined as everything between the right of way lines, which includes the park strip and the sidewalk, so the street doesn't end until the grass line of the yard. Cramer stated that the Code for sidewalks just state that you cannot block them and last year they wrote 1700 notes about violations. Dixon asked about a property south of Sunnyside that is multifamily and the guest parking is not deep enough and to park there you block the sidewalk and the roads are noted to be fire lanes and narrower than a regular city road. Dixon asked if tandem parking has the garage 2 vehicles deep. Cramer stated that when they are asking for tandem parking they are asking for a variance. Dixon asked about properties being grandfathered in. Cramer agreed that the property being shown is old enough to be grandfathered in and the single car garage is ok, but if someone wanted to build to today's standards, they would require 2 car garage or a variance to allow tandem parking. McLane confirmed that TN allows it. Dixon stated he knows a lot of places that have added a parking pad next to the driveway. Dixon asked if that is permitted because it is in the front set back, but not within the confines of the curb cut. Cramer stated this comes up regularly, and a technical reading of the code would state that is not permitted, but it does exist all over the place. Cramer has explored maximum lot coverage for concrete, they've tried to define how wide the driveway could be, and there is no good answer, so you are relying on people's sensibility to not pave their front yard. Cramer stated that it would be challenging to get people to rip up concrete that didn't require a permit. Cramer stated this is not a full solution but does address an immediate problem.

Cramer moved on to the second change Single Unit Attached Dwelling definitions. Cramer read the definition of a single unit attached dwelling. Cramer reviewed places it was allowed. Cramer showed pictures of what was allowed in the previous ordinance based on the current definition. Cramer stated that the issue that was created is it specifically states only 2 which was not the intent. Cramer stated that the intent was talking about limits to units, but rather let the zone control the number of units by density and lot coverage. Cramer believes they dropped 2 important words and it should have said 2 or more. Cramer stated that he gave 2 options to consider with one redefining single unit attached as they intended with "two or more" and then rely on the development standards that those were built in, so there wouldn't be a limit to the number of units, but controls within the zone such as density and lot coverage that would limit how many units could be built; the second option is more specific and states that single unit attached is between two and four dwelling units attached with common walls, and add a new definition that would be multi-unit attached that would be more than four.

Dixon asked if option one or two was adopted it would allow for R1 to go from a maximum of 3 units in a building to a new maximum of 4 units, and before 1999 twin units weren't allowed in R1 and now they want to move it up to 4 units. Cramer agreed that option 2 would state that, but



option 1 is not going to have the limit, which is why he included option 2. Cramer agreed that it would allow more than 3 in the R1 zone. Dixon asked if right now in R2 is a multi-unit attached allowed. Cramer stated that right now multi-unit attached doesn't exist in the Code, but you could build a 4-plex and whether those units were on separate lots would mean something different code wise. Cramer stated that right now the way that single unit attached is defined is only 2 units and anything above that is multi-family. Dixon stated that page 6 of 9 of the staff notes states that dwelling multi-unit is allowed in R-2 but it has an asterisk and it is unclear what the asterisk entails because it only says "subject to specific land use provisions as set forth...". Cramer indicated that page 8 has the information. Dixon indicated that it has to do with flashing and termination of the roof covering, etc. Cramer stated that information as all taken from the previous code where it was allowed in R1 and R2. Dixon confirmed that the main difference is that it would allow units to be on top of each other, whereas the single attached requires that each one be on its lot and not stacked. Cramer disagreed and indicated that the definition of multi-unit attached you still cannot stack. Cramer indicated that in R-2 you can stack and call it a 4-plex and condominiumize them that way, but it would be defined as a multi-unit dwelling, not a multi-unit attached. Dixon doesn't want the distinction between R-1 and R-2 so small that there is no purpose behind having R-2. Cramer stated that option 2 would have the distinction, that in an R-1 zone you'd be limited to 4 units and in an R-2 there would be no limit other than the density and option 1 only has the difference in density.

No one appeared in support or opposition to the application.

Black closed the public hearing.

Dixon stated that with the clarification provided by staff, that they recognize that this doesn't take care of every issue, but it does resolve an immediate issue, then he is in support of the change, and feels further changes are warranted, but will take more study on how to do them.

**Dixon moved to recommend to the Mayor and City Council approval of the proposed Ordinance change concerning Off-Street Parking and Loading as presented on page 9 of 9 of the staff notes including the redline changes on paragraph E, Morrison seconded the motion and it passed unanimously.**

Dixon indicated that the language on Option 2 for Dwelling Single Unit Attached was to say 2-4 dwelling units rather than two or more. Cramer agreed with Dixon's corrections. Dixon indicated that the multi-unit attached is more than 4, whereas 2-4 is the single unit attached which is consistent with the language presented back on page 31 (FHA Single Family Housing Policy Handbook Glossary, although it doesn't indicate whether those dwellings have to be on their own lots, etc. Dixon is concerned that the name isn't consistent, and the camel's nose got under the tent in 1999 to say R-1 now allows attached housing and it seems like we are moving more and more units of attached housing. Dixon stated that RP doesn't allow for attached so if they want single family detached, they'd go to RP rather than R1. Dixon is more supportive of option 2, because option 1 leaves too much unknown as far as how many units they can fit in and still meet the density requirement.

Morrison agreed with limiting the number specifically.

Wimborne agrees that is a good place to start and they can always go back and revisit if it is needed.

**Dixon moved to recommend to the Mayor and City Council, relative to Single Family Attached Dwellings, Option 2 offered in staff notes on page 5 of 9 with the following modification: Dwelling, Single -Unit Attached says 2-4 dwelling units instead of 2 or more dwelling units, as presented, Wimborne seconded the motion and it passed unanimously.**

#### **11-4-5: OFF-STREET PARKING AND LOADING**

##### **(E) Parking Location**

(1) In residential zones, off-street parking shall not be permitted in the required front or side setback that faces on a public street, ~~except for permitted driveways~~. Parking is permitted in other required side and rear setbacks. Permitted driveways which directly connect required and other approved parking areas to public and private streets may be used for parking, but shall not be considered as providing the required parking spaces for the use.

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 11, CHAPTER 4 TO CLARIFY CALCULATION OF REQUIRED OFF-STREET PARKING AND LOADING SPACES AND USES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City desires to have effective and consistent zoning regulations; and

WHEREAS, the City is aware of provisions in the zoning code which create undesirable and unintended consequences and are inconsistent with the principles of the Comprehensive Plan; and

WHEREAS, the City believes the proposed modifications to the zoning code will address these issues; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, THAT:

**SECTION 1.** Title 8, Chapter 1, of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

...

**11-4-5: OFF-STREET PARKING AND LOADING**

(E) Parking Location

(1) In residential zones, off-street parking shall not be permitted in the required front or side setback that faces on a public street. except for permitted driveways. Parking is permitted in other required side and rear setbacks. Permitted driveways which directly connect required and other approved parking areas to public and private streets may be used for parking, but shall not be considered as providing the required parking spaces for the use.

**SECTION 2.** Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

**SECTION 3.** Codification Clause. The City Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

**SECTION 4.** Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**SECTION 5.** Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this \_\_\_\_ day of August, 2020.

CITY OF IDAHO FALLS, IDAHO

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REBECCA L. NOAH CASPER, MAYOR

ATTEST:

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KATHY HAMPTON, CITY CLERK

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO,  
DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance  
entitled, “AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO,  
AMENDING TITLE 11, CHAPTER 4 TO CLARIFY CALCULATION OF  
REQUIRED OFF-STREET PARKING AND LOADING SPACES AND USES;  
PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY  
SUMMARY, AND ESTABLISHING EFFECTIVE DATE. .”

(SEAL)

\_\_\_\_\_  
KATHY HAMPTON, CITY CLERK



# MEMORANDUM

**FROM:** Brad Cramer, Director

**DATE:** Thursday, November 12, 2020

**RE:** Rezone from I&M to HC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately 9.45 Acres, Section 25, Township 2 North, Range 37 East.

## Council Action Desired

- ☒ Ordinance
 ☐ Resolution
 ☒ Public Hearing  
☐ Other Action (Approval, Authorization, Ratification, etc)

1. Approve the Ordinance Rezoning from I&M to HC, M&B: Approximately 9.45 Acres, Section 25, Township 2 North, Range 37 East, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).
2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from I&M to HC of M&B: Approximately 9.45 Acres, Section 25, Township 2 North, Range 37 East, and give authorization for the Mayor to execute the necessary documents.

## Description, Background Information & Purpose

Attached is the application for Rezoning from I&M to HC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately 9.45 Acres, Section 25, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its October 6, 2020, meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

## Relevant PBB Results & Department Strategic Plan





Consideration of the rezone must be done consistent with the principles of the Comprehensive Plan, which includes many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

**Interdepartmental Coordination**

NA




**Fiscal Impact**

NA






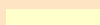










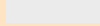
**Legal Review**

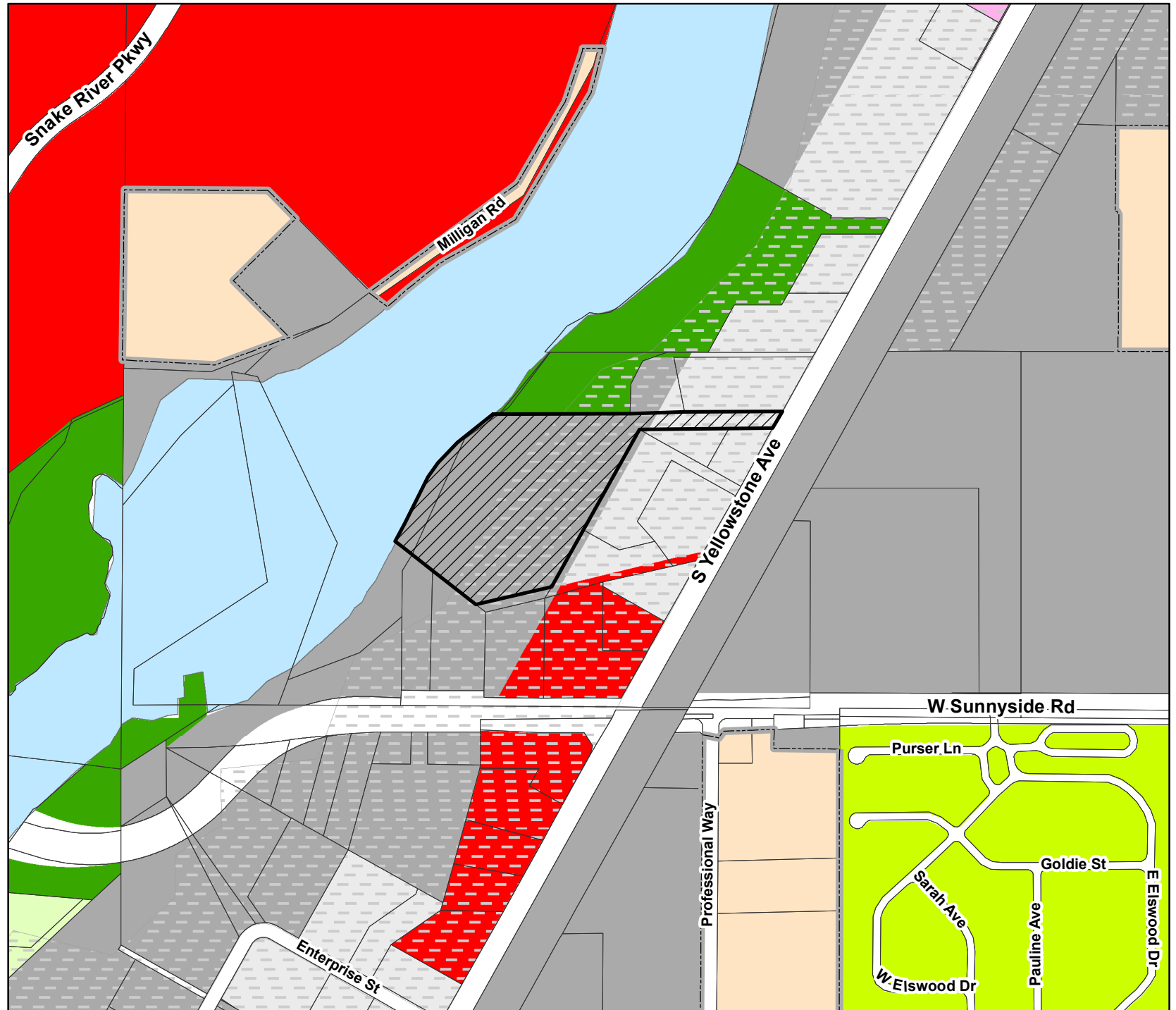
This application and ordinance have been reviewed by Legal pursuant to applicable law.

**Legend**

-  Rzon SkyVu
-  City Limits
-  Area of Impact

**Overlays**

-  PT
-  PT&T-1
-  PUD
-  T-1
-  T-2
-  RE
-  RP
-  R1
-  R2
-  TN
-  RMH
-  R3
-  R3A
-  PB
-  DT
-  CC
-  LC
-  HC
-  R&D
-  LM
-  I&M
-  P



Planning Division  
City Annex Building  
680 Park Ave.  
Idaho Falls, ID 83402  
(208) 612-8276




















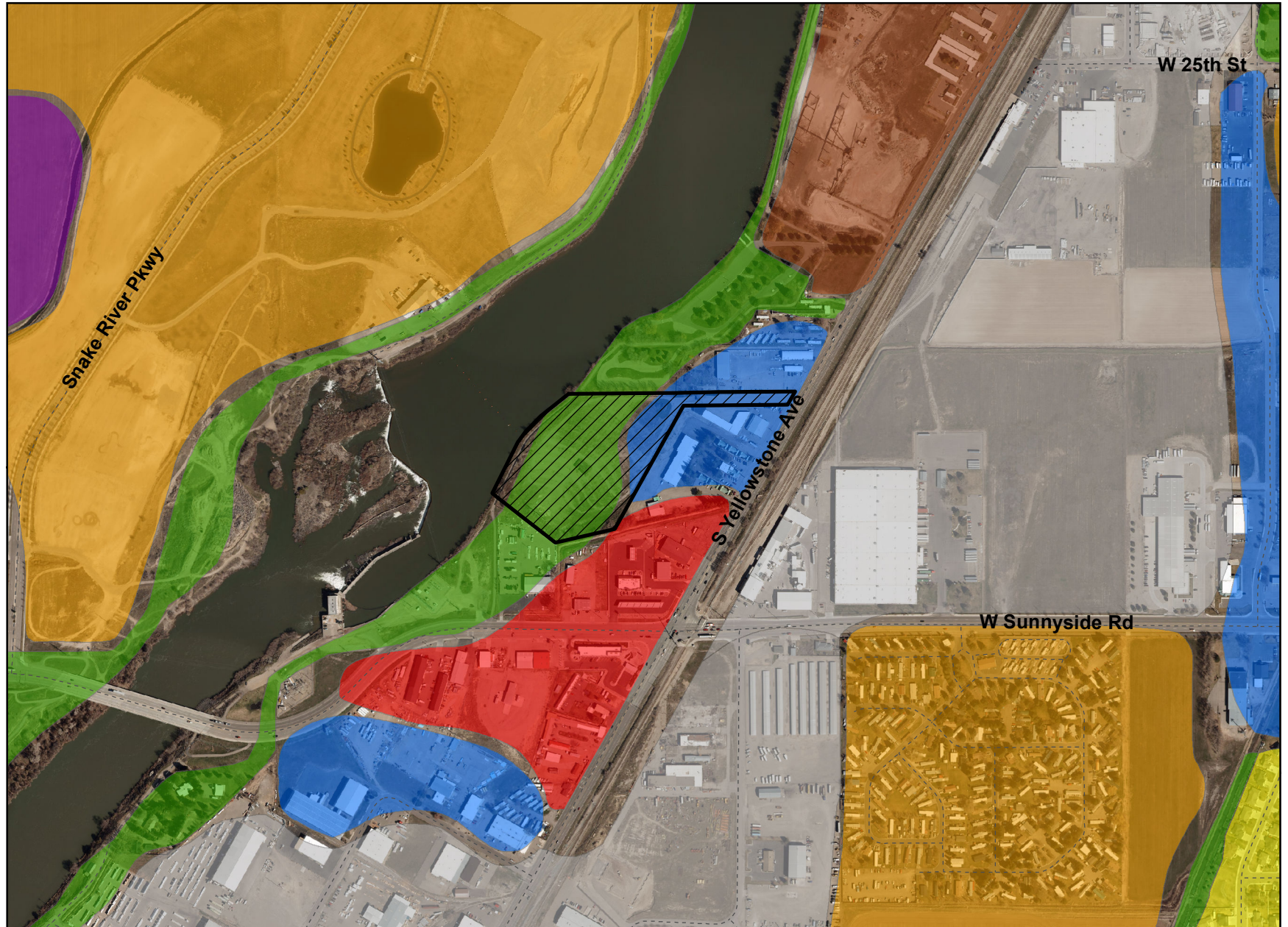


# Rezone

RZON20-014 ~ 3000 S Yellowstone Hwy old Sky Vu Theater

- |   |  |   |  |   |
|---|--|---|--|---|
|  Estate         |  Greenbelt Mixed Uses           |  Commercial              |  Higher Education Centers   |  Railroad Related Industrial |
|  Low Density    |  Parks, Recreation              |  Employment Centers      |  Planned Transition         |   |
|  Higher Density |  Public Facilities, Open Spaces |  Medical Services Center |  Highway Related Industrial |   |

## Comprehensive Plan



IDAHO FALLS

Planning Division  
City Annex Building  
680 Park Ave.  
Idaho Falls, ID 83402  
(208) 612-8276



IDAHO FALLS PLANNING AND ZONING COMMISSION  
STAFF REPORT  
**REZONE FROM I&M to HC**  
**Approx 9.45 acres, Section 25, T 2 N, R 37 E**  
**October 6, 2020**



Community  
Development  
Services

**Applicant:** Connect Engineering

**Project Manager:**  
Kerry Beutler

**Location:** Sky Vu Theater, North of W Sunnyside Rd., East of the Snake River, South of Pancheri Dr., West of S Yellowstone Ave.

**Size:** 9.45 acres

**Zoning:**  
North: P, LM  
South: I&M  
East: LM  
West: River

**Existing Zoning:** I&M  
**Proposed Zoning:** HC

**Existing Land Uses:**  
Site: Drive-in Theater  
North: Park, Commercial  
South: Commercial  
East: Residential, Commercial  
West: River

**Future Land Use Map:** Commercial, Parks, Recreation

**Attachments:**  
1. Comprehensive Plan Policies  
2. Zoning Information  
3. Maps and Aerial Photos

**Requested Action:** To recommend approval of the rezone from IM, Industrial and Manufacturing, to HC, Highway Commercial to the Mayor and City Council.

**History:** The property was annexed and zoned I&M-1, Industrial and Manufacturing in 1971. Until recently the property has been used as the Sky Vu Drive-in Theater.

**Staff Comments:** The property is located east of Yellowstone Ave., north of Sunnyside Road. The property is located adjacent to the Snake River. The Comprehensive Plan highlights the need to make private investment adjacent to the river complement the public investment in the River Walk.

The property has approximately 620 feet of river frontage. River Walk has already been developed along this section although it does narrow along this property and is bordered by a tall fence. Potential redevelopment of the property as a result of rezoning would allow the city to work with land owners on improvements that enhance the River Walk and the adjacent property.

The Comprehensive Plan also states that some uses in the industrial zones are not compatible with the improvements that have been made along the river. Removal of the I&M Zoning is consistent with the plan in removing those uses and preserving the focal point of the river. The HC Zone is consistent with the commercial designation of the Comprehensive Plan.

**Staff Recommendation:** Staff recommends approval of the rezone to HC as it is consistent with the policies of the Comprehensive Plan and existing land uses in the area.

## Rezoning

**Considerations:** Because the comprehensive plan provides only general guidance for zoning decisions, the Planning Commission shall also take the following considerations into account:

<b>Criteria for Rezoning Section 11-6-5(I) of Ordinance</b>	<b>Staff Comment</b>
The Zoning is consistent with the principles of City's adopted Comprehensive Plan, as required by Idaho Code.	The HC Zone is consistent with the commercial designation of the Comprehensive Plan. The Comprehensive Plan also states that some uses in the industrial zones are not compatible with the improvements that have been made along the river. Removal of the I&M Zoning is consistent with the plan in removing those uses and preserving the focal point of the river.
The potential for traffic congestion as a result of development or changing land use in the area and need that may be created for wider streets, additional turning lanes and signals, and other transportation improvements.	Traffic generation from uses allowed in the HC Zone should be very similar or less than the previous drive-in theater use and not require street widening, turning lanes, etc. Secondary access will need to be addressed for any new use of the property, but will be addressed at the time of site development.
The potential for exceeding the capacity of existing public services, including, but not limited to: schools, public safety services, emergency medical services, solid waste collection and disposal, water and sewer services, other public utilities, and parks and recreational services.	Rezoning to HC will not have an impact on infrastructure in the area.
The potential for nuisances or health and safety hazards that could have an adverse effect on adjoining properties.	Staff is unaware of specific nuisances or hazards related to the rezone if the property is developed under the HC Zone. Use in the HC Zone should be more compatible with the surrounding area.
Recent changes in land use on adjoining parcels or in the neighborhood of the proposed zoning map amendment.	The drive-in theater has closed allowing for redevelopment of the property. There has also be other redevelopment in this area with the new Maverick gas station and the new car wash at Sunnyside. The city has also worked to change this area with adjustments to South Tourist Park and the creation of Heritage Park across the river.
<b>Zoning Application Questions:</b>	<b>Applicant's response:</b>
Explain how the proposed change is in accordance with the City of Idaho Falls Comprehensive Plan.	The comp plan shows it as commercial which is what we are asking for.
What changes have occurred in the area to justify the request for rezone?	This was an old movie theater that has sat vacant for a long time.
Are there existing land uses in the area similar to the proposed use?	There is a mix of commercial and manufacturing in the area. I&M to the south. LC to the southeast and LM to the east.
Is the site large enough to accommodate required access, parking, landscaping, etc. for the proposed use?	Yes



## Comprehensive Plan Policies:

**Continue development of the Greenbelt from the upper power plant to Gem Lake.** People believe one of the best features of the City of Idaho Falls is the Snake River Greenbelt. The Greenbelt has become essential to the character of Idaho Falls, and residents support its expansion from the upper power plant to the York Road area. (p.18)

**Assure private investments in the area adjacent to the Greenbelt complement the public investment in the Greenbelt.** (p.18)

**Assure the uses adjacent to the Greenbelt are compatible with the Greenbelt development.** (p.19)

**Plan for different commercial functions within the City of Idaho Falls.** (p.46)

## Zoning:

### 11-3-5: PURPOSE OF COMMERCIAL ZONES

(D) HC Highway and General Commercial Zone. This zone provides a commercial zone for retail and service uses serving the traveling public. Characteristics of the Zone are buildings set back from the right-of-way line to promote safety on the highway and maintain maximum use of highway right-of-way for travel purposes, and a wide variety of architectural forms and shapes. This Zone should be located at specific locations along highways leading into the City.

### 11-3-7: PURPOSE OF INDUSTRIAL ZONES

(B) I&M Industrial and Manufacturing Zone. This zone provides an industrial zone in which the primary use of the land is a manufacturing, fabricating, processing, and warehousing. Land zoned I&M should be relatively flat, open land, conveniently located close to transportation, public utilities and other facilities necessary for large employment centers and successful manufacturing operations

**Table 11-3-5: Dimensional Standards for Commercial Zones**

	CC	PB	LC	HC
Site width at front setback - Minimum in ft.		50	*	50
<b>Setbacks – Minimum in ft.</b>				
Front		20	20*	20
Side			*	
Rear			*	
Landscape buffer contiguous to street* in ft.	7*	15	20*	20*
Landscape buffer contiguous to a residential Zones* in ft.	10	10	20/10	30/10
Building height – Maximum in ft.		*	*	
Lot Coverage- Maximum in %		80	80	
*See explanations, exceptions and qualifications that follow in Section 11-3-6A (1-3) of this Zoning Code.				



**Table 11-3-6: Dimensional Standards for Industrial Zones**

	<b>LM</b>	<b>I&amp;M</b>
Site Area- Minimum in acres		
<b>Setbacks – Minimum in ft.</b>		
Front	30	30
Side	0/30*	0/30*
Rear	0/30*	0/30*
Building Height- Maximum	see sub-sections (2) below	
Lot Coverage- Maximum in %	80	
Building Coverage- Maximum in %	50	
*See explanations, exceptions and qualifications that follow in 11-3-8A (1-2) of this Zoning Code.		

October 6, 2020

7:00 p.m.

Planning Department

City Annex Building

**MEMBERS PRESENT:** Commissioners Natalie Black, Gene Hicks, Brent Dixon, George Morrison, Lindsey Romankiw, Joanne Denney, Arnold Cantu.

**MEMBERS ABSENT:** Margaret Wimborne

**ALSO PRESENT:** Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Naysha Foster; Brian Stevens; Michael Kirkham, Esq.; and interested citizens.

**CALL TO ORDER:** Natalie Black called the meeting to order at 7:00 p.m.

**CHANGES TO AGENDA:** None.

**MINUTES:**

**Hicks moved to approve the September 15, 2020 Minutes, Morrison seconded the motion. Black called for roll call vote: Morrison, yes; Hicks, yes; Cantu, yes; Dixon, yes; Romankiw, yes. The motion passed unanimously.**

**Public Hearing(s):**

**4. RZON 20-014: REZONE FROM I&M to HC for SkyVu Property.**

Black opened the public hearing.

**Applicant: Steve Heath, Connect Engineering, 1150 Hollipark Drive. Idaho Falls, Idaho.** Heath stated that the property is located at the intersection of Yellowstone and Sunnyside and is the old Sky Vu Theatre. Heath stated that this property is commercial in the Comprehensive Plan Map, along with some parks. Heath stated that it is currently zoned I&M and they are wanting to rezone to Highway Commercial. Heath stated that it would fit the area well. Heath stated that there is a park being developed across the river, and park to the north. Heath stated that they will work with the staff through the process to ensure that it makes all requirements.

Beutler presented the staff report, a part of the record.

Dixon asked if the City has tried to acquire this property to add to the park to the north of the property, because the Comprehensive Plan does identify for park along the River.

Beutler stated that he does not know if the City has looked at this area for purchase, and there are a lot of available park areas on the system. Beutler stated that he met with Parks and Recs today and they indicated that they didn't need any additional land for development because they have south tourist park and a very large park across the river with Heritage Park.

Black asked if it is the owner requesting the zone change. Beutler stated he is unsure if the transaction has taken place.

No one appeared in support or opposition of the is application.

Black closed the public hearing.

Dixon stated that the interchange of I-15 to the west with the bridge across the river, making this an intersection of two highways with Yellowstone and the lead off from the Interstate, the Comprehensive Plan shows a combination of commercial and employment center and there is not manufacturing, and generally they have tried to keep the area near the river away from manufacturing and instead use it for other uses, including parks, commercial and residential. Dixon stated that based on staff's testimony, the City is ok with the actual park in this area only being the width of the existing walking path and not half the distance from the River to Yellowstone Highway. Dixon feels that HC makes sense and is in support.

Black agreed with Dixon's comments.

Morrison agrees that this could be a park to match the other side, but since it is by the highway HC would be ok.

**Dixon moved to recommend to the Mayor and City Council approval of the Rezone from I&M to HC for 9.45 Acres, Section 25, T 2N, R 37 E, as presented. Morrison seconded the motion. Black called for roll call vote: Hicks, yes; Dixon, yes; Morrison, yes; Cantu, yes; Denney, yes; Romankiw, yes. The Motion passed unanimously.**

November 6, 2020

Sherry L Barney  
2931 Boeing Road  
Cameron Park, CA. 95682  
530-409-2191

Re: My Property at 2932 S. Yellowstone Hwy.

To: Idaho Falls City Council  
City Annex Building Council Chambers  
PO Box 50220, 680 Park Avenue  
Idaho Falls, Idaho 83405

Re: RZON20-014 Rezone hearing Scheduled November 12, 2020

Dear City Council Members:

I write with my concerns regarding the future plans and rezoning of the old Sky Vu theater property. My property adjoins the subject property on the North side of Sky Vu and the access road into the land is on my South property line. I have a small home on the property that I currently have rented and for the last few years.

Here is an outline of my concerns:

- I have learned that the current thinking for developing the property is for an RV Campground, perhaps run by the KOA organization or a similar company. That kind of development will no doubt drastically change the nature, environment and peace of the immediate area.
- This kind of typical RV Campground generates a considerable amount of social activity and along with it a lot of noise. My property would be directly affected by noise from RV's coming and going and noise from the customers there, day and night.
- There will be lights and perhaps music and parties that are typical of vacationing campers and that can go on well into the evenings also. Day after day.
- The RV's coming along with BBQ's and camp fires will all add up to considerable air pollution which will directly affect my property.
- Of major concern is the singular access to the Sky Vu property adjoining my South property line. There should be some other access that can better serve this proposed RV Campground development. And for the sake of safety a second point of access should be required.

Please consider the above concerns as the process moves forward on this rezone and proposed development.

Thank you,

  
Sherry L. Barney

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF APPROXIMATELY 9.45 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM I&M ZONE TO HC ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed zoning district of lands described in Section 1 is HC Zone for such annexed lands and such zoning is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation “Commercial” and

WHEREAS, the proposed zoning district is consistent and compatible with the existing and surrounding zoning districts and is consistent with the City of Idaho Falls Comprehensive Plan; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on October 6, 2020, and recommended approval of zoning the subject property to HC Zone; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on November 12, 2020.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, AS FOLLOWS:

**SECTION 1: LEGAL DESCRIPTION:**

This ordinance shall apply to the following described lands in Idaho Falls, Idaho, Bonneville County, to-wit:

Approximately 9.45 acres, Section 25, Township 2 North, Range 37 East

**SECTION 2. Zoning.** That the property described in Section 1 of this Ordinance be and the same hereby is zoned “HC” and the City Planner is hereby ordered to make the necessary amendments to the official maps of the City of Idaho Falls which are on file at the City Planning Department Offices, 680 Park Avenue.

**SECTION 3. Savings and Severability Clause.** The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**SECTION 4. Publication.** This Ordinance, or a summary thereof in compliance with Idaho

Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**SECTION 5.** Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF IDAHO FALLS, IDAHO

\_\_\_\_\_  
Rebecca L. Noah Casper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO  
HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF 9.45 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM I&M ZONE TO HC ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

\_\_\_\_\_  
Kathy Hampton, City Clerk

## **REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS**

**REZONE FROM I&M TO HC FOR APPROXIMATELY 9.45 ACRES, SECTION 25, TOWNSHIP 2 NORTH, RANGE 37 EAST, GENERALLY KNOWN AS THE OLD SKY VU THEATER, AND LOCATED NORTH OF W SUNNYSIDE RD., EAST OF THE SNAKE RIVER, SOUTH OF PANCHERI DR., WEST OF S YELLOWSTONE AVENUE**

**WHEREAS**, the applicant filed an application for rezoning on August 24, 2020; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on October 6, 2020; and

**WHEREAS**, this matter came before the Idaho Falls City Council during a duly noticed public hearing on November 12, 2020; and

**WHEREAS**, having reviewed the application, including all exhibits entered and having considered the issues presented:

### **I. RELEVANT CRITERIA AND STANDARDS**

1. The City Council considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is generally known as the Old Sky Vu Theater, and located north of W Sunnyside Rd., east of the Snake River, south of Pancheri Dr., west of S Yellowstone Avenue.
3. The Comprehensive Plan designation for this area as Commercial.
4. The requested HC Zone is consistent with the Commercial designation.
5. The Planning and Zoning Commission recommend approval of the rezone from I&M to HC Zone.

### **II. DECISION**

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the Rezone.

**PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS**

**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020**

---

Rebecca L. Noah Casper, Mayor





# MEMORANDUM

**FROM:** Brad Cramer, Director

**DATE:** Thursday, November 12, 2020

**RE:** Rezone from R1 to R2, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately .374 Acres SE ¼ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East.

## Council Action Desired

☒ Ordinance

☐ Resolution

☒ Public Hearing

☐ Other Action (Approval, Authorization, Ratification, etc)

1. Approve the Ordinance Rezoning from R1 to R2, M&B: Approximately .374 Acres SE ¼ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from R1 to R2 of M&B: Approximately .374 Acres SE ¼ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East, and give authorization for the Mayor to execute the necessary documents.

## Description, Background Information & Purpose

Attached is the application for Rezoning from R1 to R2, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately .374 Acres SE ¼ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its October 6, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

## Relevant PBB Results & Department Strategic Plan



Consideration of the rezone must be done consistent with the principles of the Comprehensive Plan, which includes many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

**Interdepartmental Coordination**

NA

**Fiscal Impact**

NA

**Legal Review**

This application and ordinance have been reviewed by Legal pursuant to applicable law.


**Legend**

 RZON R1 to R2

 City Limits

 Area of Impact

**Overlays**

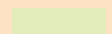
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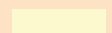
 PT&T-1

 PUD

 T-1

 T-2

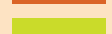
 RE

 RP

 R1

 R2

 TN

 RMH

 R3

 R3A

 PB

 DT

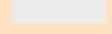
 CC

 LC

 HC

 R&D

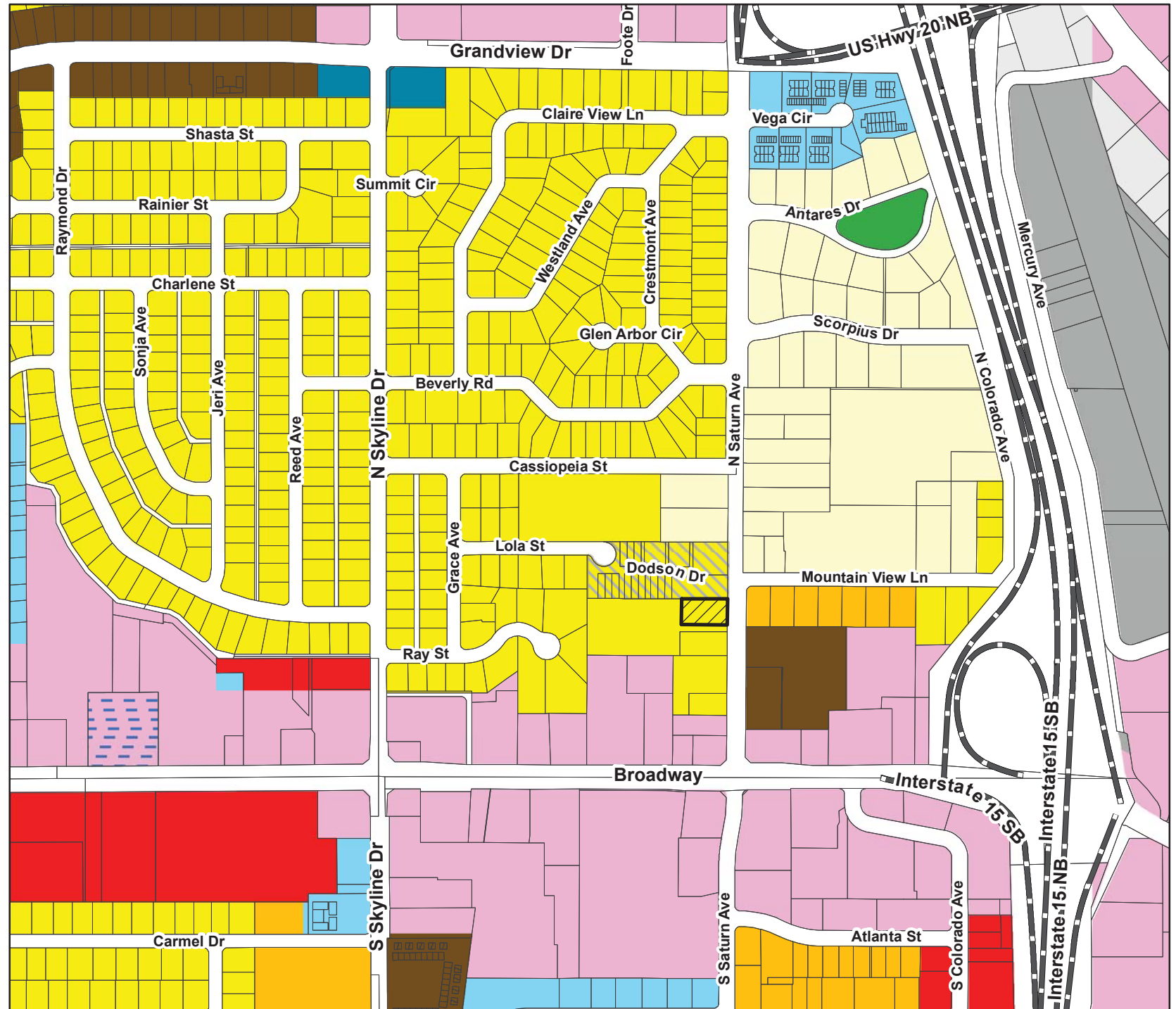
 LM

 I&M

 P



Planning Division  
City Annex Building  
680 Park Ave.  
Idaho Falls, ID 83402  
(208) 612-8276






















# Rezone

RZON20-016 The Grove R1 to R2

- |   |  |   |  |   |
|---|--|---|--|---|
|  Estate         |  Greenbelt Mixed Uses           |  Commercial              |  Higher Education Centers   |  Railroad Related Industrial |
|  Low Density    |  Parks, Recreation              |  Employment Centers      |  Planned Transition         |   |
|  Higher Density |  Public Facilities, Open Spaces |  Medical Services Center |  Highway Related Industrial |   |

## Comprehensive Plan



IDAHO FALLS

Planning Division  
City Annex Building  
680 Park Ave.  
Idaho Falls, ID 83402  
(208) 612-8276



IDAHO FALLS PLANNING AND ZONING COMMISSION  
STAFF REPORT

**REZONE FROM R1 to R2**

**Approximately 0.374 acres in the SE ¼ of the SW ¼, of the SW ¼  
of Section 13, Township 2 North, Range 37 East - October 6, 2020**



Community  
Development  
Services

**Applicant:** Connect  
Engineering

**Project Manager:**  
Naysha Foster

**Location:** Generally  
located north of  
Broadway, east of  
Skyline, south of  
Cassiopeia, and west  
of Saturn

**Zoning:**  
North: R1  
South: R1  
East: R2 & R3  
West: R1

**Existing Land Uses:**  
**Site:** Vacant

**North:** Residential  
Single Unit Attached

**South:** Residential,  
Mobile Home Park

**East:** Residential,  
Multi-Unit Attached

**West:** Residential,  
Mobile Home Park

**Future Land Use**  
**Map:** Low Density,  
abuts Higher Density

**Attachments:**

1. Comprehensive  
Plan Policies
2. Zoning  
Information
3. Maps and Aerial  
Photos

**Requested Action:** To recommend approval of the rezone from R1, Single Dwelling Residential, to R2, Mixed Residential to the Mayor and City Council.

**History:** The property was part of a much larger parcel that was annexed in 1954 and zoned R1 and Commercial. The annexation included the property between Cassiopeia and Broadway and between Saturn and Skyline. The mobile home park has been there since at least 1964.

**Staff Comments:** The proposed zone is Mixed Residential (R2). This zone provides a residential zone which is characterized by smaller lots and dwellings, more compact and denser residential development; and higher volumes of vehicular and pedestrian traffic than are characteristic of the RE, RP, and R1 Zones. The principle uses permitted in the R2 Zone shall be one, two, three and four dwelling units. This zone is also generally located near limited commercial services that provide daily household needs.

The property is approximately 0.374 acres. It is zoned R1 with the Airport Overlay of Approach Surface Zone. The Approach Surface Zone provides a 60 degree sector in which aircraft are conducting their turn and descent for final approach or initial turn after takeoff, however falls outside of the limited development criteria.

It is surrounded by high density development. North of this property in an area designated R1, is a Planned Unit Development on Dodson, which consists of single unit attached at a density of 9 units per acre. West and south of this site, is a mobile home park with a density of 14 units per acre. The multi-dwelling units to the east average 16 units per acre. The density in the R2 zone is 17 units per net acre. The maximum potential net density for this property is 6 dwelling units.

The R2 zoning designation has additional requirements. Thirty-five percent of the lot must be landscaped. There is also a requirement of a twenty foot landscape buffer along a public street. Two parking spaces are required per unit. Parking is not allowed in the front setback (along Saturn). Maximum building height is Thirty-six (36) feet, however any structure over twenty-four feet requires an additional two feet of setbacks for one foot of height.

Sidewalks and pedestrian crossing connect this site to amenities and services. The property is located in a walkable neighborhood, close to restaurants, shopping, an elementary school and a church. The property has access to Saturn, which is a major collector linking two arterials within one mile of one another to local streets. This site can easily be served with public utilities. This site would be difficult to develop and meet the R1 standards. The current lot size is over the maximum lot size allowed, therefore it would have to be platted into 2 lots that would not meet the minimum street frontage of 50 feet. The total length along Saturn is only 96 feet. *Continued on next page.*



**Staff Recommendation:** Staff recommends approval of the rezone to R2 as it is consistent with the policies of the Comprehensive Plan and existing land uses in the area.

## Rezoning

**Considerations:** Because the comprehensive plan provides only general guidance for zoning decisions, the Planning Commission shall also take the following considerations into account:

<b>Criteria for Rezoning Section 11-6-5(I) of Ordinance</b>	<b>Staff Comment</b>
The Zoning is consistent with the principles of City's adopted Comprehensive Plan, as required by Idaho Code.	The Comprehensive Plan shows this area as Low Density Residential however it abuts Higher density. The designations on the Preferred Land Use Map should be considered general areas and not exact lines. The proposed zone change is consistent with the goals and policies of the Comprehensive Plan. <i>See page 3.</i>
The potential for traffic congestion as a result of development or changing land use in the area and need that may be created for wider streets, additional turning lanes and signals, and other transportation improvements.	Traffic generation from this site as R2 will not require street widening, turning lanes, or other transportation improvements.
The potential for exceeding the capacity of existing public services, including, but not limited to: schools, public safety services, emergency medical services, solid waste collection and disposal, water and sewer services, other public utilities, and parks and recreational services.	This proposal has been reviewed by Public Works. Rezoning to R2 will not have an impact on infrastructure in the area.
The potential for nuisances or health and safety hazards that could have an adverse effect on adjoining properties.	Staff is unaware of specific nuisances or hazards related to the rezone if the property is developed under the R2 Zone. There are more restrictive development requirements in the R2 zone than in the surrounding R1 zone.
Recent changes in land use on adjoining parcels or in the neighborhood of the proposed zoning map amendment.	None. This is considered infill. The surrounding developments have been established since the 1960/70's.
<b>Zoning Application Questions:</b>	<b>Applicant's response:</b>
Explain how the proposed change is in accordance with the City of Idaho Falls Comprehensive Plan.	The Comp plan designates the property as Low Density, however Higher Density is adjacent. It fits all other City higher density policies.
What changes have occurred in the area to justify the request for rezone?	A PUD was built just north of this property and it has a mobile home park right next to it so the area is already a high density area.
Are there existing land uses in the area similar to the proposed use?	Yes, the PUD to the north, R2 to the east, R3 to the SE and R1 mobile home park to the west and south.
Is the site large enough to accommodate required access,	Yes.



parking, landscaping, etc. for the proposed use?	
--	--

### Comprehensive Plan Policies:

**Create a node of higher density housing and mixed uses to provide a ready market and to add interest to our arterial streets.** If a failing retail environment still includes or is near grocery stores, drug stores, small restaurants, and recreational amenities, encouraging redevelopment to higher density housing with limited retail may be an alternative which revitalizes the commercial strip. Effective design can minimize the negative impacts of traffic, and the ugliness of an older commercial strip can be reduced or eliminated by architectural quality, landscaping and trees including median landscaping, street lamps and furniture, wide sidewalks, and placement of restaurant, retail, and two or three story buildings near the street right-of-way. (p. 34)

**Residential development should reflect the economic and social diversity of Idaho Falls.** New and existing development should foster inclusiveness and connectivity through mixed housing types and sizes and neighborhood connections through paths, Parks, open space, and streets. (p. 40)

**Higher density housing should be located closer to service areas and those streets designed to move traffic, such as arterial streets and collectors, with access only to the collector street.** Apartments and townhouses are located adjacent to arterial and collector streets for two reasons. Larger lots necessary for higher density housing offer opportunities for building layout, setbacks, and buffering with berms and fences to minimize the impact of street noise. If apartments and townhouses are located close to arterial streets, traffic from apartments will not move through neighborhoods. However, higher density housing should still be clustered: it should not be used to line arterial streets. (p. 43)

**Encourage development in areas served by public utilities or where extensions of facilities are least costly.** Not only is a compact city convenient but the provision of public facilities is less expensive. Growth does not always occur at the fringe of a community. Vacant lands or underutilized parcels may redevelop to more intensive uses which use existing utilities. (Page 67)

### Zoning:

#### 11-3-3: Purpose of Residential Zones

**(D) R2 Mixed Residential Zone.** This zone provides a residential zone which is characterized by smaller lots and dwellings, more compact and denser residential development; and higher volumes of vehicular and pedestrian traffic than are characteristic of the RE, RP, and R1 Zones. The principle uses permitted in the R2 Zone shall be one, two, three and four dwelling units. This zone is also generally located near limited commercial services that provide daily household needs.

### 11-3-4: STANDARDS FOR RESIDENTIAL ZONES.

**Table 11-3-1: Standards for Residential Zones**

	RE	RP	R1	R2	TN	R3	R3A	RMH
<b>Lot Area</b>								
Lot Area Minimum in ft <sup>2</sup>	1 acre*	12,000	7,000	6,000*	3,000*	5,000*	5,000	5,000
Lot Area Maximum in ft <sup>2</sup>			13,500*					
<b>Site Width</b>								
Site Width at Front Setback, Minimum in ft.	150	60	50	50	25	50	50	50
<b>Setbacks, Minimum in ft.</b>								
Front	40	30*	25*	20*	15*	15	15	30
Front Maximum in ft.					20*			
Side	20	7.5/10*	6	6	5	6	6	10
Rear	40	25	25	25	10	25*	25*	25*
<b>Lot Coverage, Building Height, and Density</b>								
Maximum Lot Coverage in %	30	40	40	80	50	80	80	40
Maximum Building Height in ft*	24	24	24	24	*			24
Maximum Density in net units/acre	1	4	6	17	15	35	35	8
*See explanations, exceptions and qualifications in Section 11-3-4A,B,C of this Zoning Code.								

October 6, 2020

7:00 p.m.

Planning Department

City Annex Building

**MEMBERS PRESENT:** Commissioners Natalie Black, Gene Hicks, Brent Dixon, George Morrison, Lindsey Romankiw, Joanne Denney, Arnold Cantu.

**MEMBERS ABSENT:** Margaret Wimborne

**ALSO PRESENT:** Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Naysha Foster; Brian Stevens; Michael Kirkham, Esq.; and interested citizens.

**CALL TO ORDER:** Natalie Black called the meeting to order at 7:00 p.m.

**CHANGES TO AGENDA:** None.

**MINUTES:**

Hicks moved to approve the September 15, 2020 Minutes, Morrison seconded the motion. Black called for roll call vote: Morrison, yes; Hicks, yes; Cantu, yes; Dixon, yes; Romankiw, yes. The motion passed unanimously.

**Public Hearing(s):**

**5. RZON 20-016: REZONE. Rezone from R1 to R3 for Intersection of Dodson and Saturn.**

Black opened the public hearing

**Applicant: Barry Baine, Connect Engineering, 1150 Hollipark, Idaho Falls, Idaho.** Baine stated that this property is on the corner of Saturn and Dodson. Baine indicated that the application indicated R3, but they are now asking for R2 that will accommodate a 4 plex. Baine stated that the area around is zoned R1. Baine stated that across the street is higher density with R2 and R3. Baine stated that the R1 near this property is not actually R1 use, it has a PUD which is higher density. Baine stated that west of this property is a trailer park that is high density. Baine stated that rezoning this property is the best use of the property. Baine stated that the City is now allowing access off of Saturn, so the developer has secured a cross access for the drive. Baine stated that it would be impossible to develop as R1 because it is too big for a single family home on the whole thing as it exceeds the maximum lot size for R1 and then if it is split, it is too small for the minimum lot requirements for R1. Baine stated that it will be a good use of in-fill as the water and sewer infrastructure is already in place. Baine stated that R1 doesn't allow 4 plexes. Baine stated that the Comprehensive Plan shows this as low density, but everywhere around it is higher density, and the broad-brush strokes would allow the Comprehensive Plan to approve this. Baine stated that the developer is excited to develop on this property.

Black asked where the access to the property would come from. Baine showed the access that comes from a drive that would be shared with the trailer park that would come off of Saturn.

Dixon is still struggling to understand the applicant. Dixon asked for confirmation as to what is being requested R2 or R3. Baine clarified that the application states R3, but they are asking for R2 designation.

Foster presented the staff report, a part of the record.

Black asked how many units could fit on this property with the landscaping. Naysha stated that they could fit approximately 6 units on this property.

Dixon stated that there is a mistake in the staff report, as it states east and south is the manufactured home park, and it should read west and south. Foster agreed and will update prior to City Council. Dixon understands that the mobile home park was grandfathered in and if it were built today, at the same site, it would require a higher density zone than the current R1 to be built. Foster clarified that the mobile home park was not established prior to annexation and was established around 1964 and was developed with a higher density than what would be allowed in an R1 zone. Dixon stated that although the Comprehensive Plan shows this area as lower density it is on the ground already higher density than across the street where R2 is zoned. Foster agreed and indicated that the mobile home park is 14 units per acre.

### **Support/Opposition:**

**Michelle Fletcher, 796 Saturn, Idaho Falls, Idaho.** Fletcher wanted to do the PUD, but after hearing the arguments for R2 she understands the need and believes a four plex would be a good addition.

**Tim Metcalf, 754 Saturn, Idaho Falls, Idaho.** Metcalf is opposed to the change from R1 to R2 or R3. Metcalf doesn't feel that there has been any compliance with R1. Metcalf showed pictures of the property showing a semi-parking on the property, no lawn, no landscaping, garbage, broken asphalt, trash, etc. Metcalf stated that police, fire, and ambulance are at this location often. Metcalf stated that if this is supposed to be R1, what might be seen in R2. Metcalf doesn't feel that the property is being cared for. Metcalf stated that the sidewalk wasn't cleaned or plowed. Metcalf stated that he is concerned with the compliance that a four plex would have to city ordinances. Metcalf is opposed and feels that if they were going to make the property better, how come it looks the way it does now, and he feels they should make it better now.

**Michelle Fletcher, 796 Saturn, Idaho Falls, Idaho.** Fletcher asked if allowing these apartments would there be an HOA that would require better care for the area.

**Applicant: Barry Baine, 1150 Hollipark, Idaho Falls, Idaho.** Baine stated that the pictures show why they need a rezone so the property can be developed, because it cannot be developed as it is. Baine stated that rezoning would allow for development, and property management and HOA to take care of the grounds and the sidewalks. Baines stated that the owner hasn't had this property very long and it cannot be developed so it has become run down and rezoning would help to make the area look better.

**Tim Metcalf, 754 Saturn, Idaho Falls, Idaho.** Metcalf stated that the applicant indicated that it wasn't feasible to have flowers and stuff, but it was feasible to have the property taken care of with the other owner, and if the current owner didn't feel he could take care of it, then why did he buy it.

**Applicant: Barry Baine, 1150 Hollipark, Idaho Falls, Idaho.** Baine stated that the developer purchased the property to develop it, not grow lawn.

Black closed the public hearing.

Black stated that she lives near a vacant lot that is full of weeds and the City piles snow on it and it has now been approved, and she feels development is the best way to clear vacant lots that are

uncared for. Black stated that a developer buys property to develop it, and the applicant has stated the reasons why R1 is not a good fit. Black stated that this will be perfect in-fill. Black feels a four plex would be a good addition and feels development will help the surrounding properties.

Morrison reminded everyone that the proposal is for rezone, and not what will be built there. Morrison is in favor of the rezone.

Hicks is in favor of the rezone.

**Dixon moved to recommend to the Mayor and City Council approval of the rezone from R1 to R2 for approx. .374 acres in the SE ¼ of the SW 1/4 , of the SW ¼ of Section 13, Township 2 North, Range 37 E, as presented. Hicks seconded the motion. Black called for roll call vote. Hicks, yes; Dixon, yes; Morrison, yes; Cantu, yes; Denney, yes; Romankiw, yes. The motion passed unanimously.**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF APPROXIMATELY 0.374 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM R1 ZONE TO R2 ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed zoning district of lands described in Section 1 is R2 Zone for such annexed lands and such zoning is consistent with the current goals and policies of the City of Idaho Falls Comprehensive Plan and

WHEREAS, the proposed zoning district is consistent and compatible with the existing and surrounding zoning districts; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on October 6, 2020, and recommended approval of zoning the subject property to R2 Zone; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on November 12, 2020.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, AS FOLLOWS:

**SECTION 1: LEGAL DESCRIPTION:**

This ordinance shall apply to the following described lands in Idaho Falls, Idaho, Bonneville County, to-wit:

Approximately 0.374 Acres, in the SE ¼ of the SW ¼ of the SW ¼ of Section 13, Township 2 North, Range 37 East. Generally located near the intersection of Dodson Dr. and Saturn Ave., north of W Broadway, east of Skyline Dr., south of Cassiopeia, and west of Saturn Ave.

**SECTION 2. Zoning.** That the property described in Section 1 of this Ordinance be and the same hereby is zoned "R2" and the City Planner is hereby ordered to make the necessary amendments to the official maps of the City of Idaho Falls which are on file at the City Planning Department Offices, 680 Park Avenue.

**SECTION 3. Savings and Severability Clause.** The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.



**SECTION 4.** Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**SECTION 5.** Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF IDAHO FALLS, IDAHO

\_\_\_\_\_  
Rebecca L. Noah Casper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO  
HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF APPROXIMATELY 0.374 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM R1 ZONE TO R2 ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

\_\_\_\_\_  
Kathy Hampton, City Clerk

## **REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS**

**REZONE FROM R1 TO R2 OF APPROXIMATELY .374 ACRES OF THE SE ¼ OF THE SW ¼ OF THE SW ¼ OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 37 EAST, GENERALLY LOCATED NEAR THE INTERSECTION OF DODSON DR AND SATURN AVE. NORTH OF BROADWAY, EAST OF SKYLINE, SOUTH OF CASSIOPEIA AND WEST OF SATURN.**

**WHEREAS**, the applicant filed an application for rezoning on August 26, 2020; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on October 6, 2020; and

**WHEREAS**, this matter came before the Idaho Falls City Council during a duly noticed public hearing on November 12, 2020; and

**WHEREAS**, having reviewed the application, including all exhibits entered and having considered the issues presented:

### **I. RELEVANT CRITERIA AND STANDARDS**

1. The City Council considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is generally located near the intersection of Dodson Dr. and Saturn Ave., north of Broadway, east of Skyline, south of Cassiopeia and west of Saturn.
3. The Comprehensive Plan designation for this area is Low Density and Higher Density in close proximity.
4. The requested R2 Zone is consistent with the surrounding land uses as well as the policies and goals of the Comprehensive Plan for high density development and transitional areas.
5. The Planning and Zoning Commission recommended approval of the rezone from R1 to R2 Zone.

### **II. DECISION**

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the Rezone.

PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

---

Rebecca L. Noah Casper, Mayor

# Photos submitted during P&Z Hearing





















































































































INTERNATIONAL

3-27 COMMERCIAL 25  
11 982  
WYOMING





SPEED  
LIMIT  
25





























































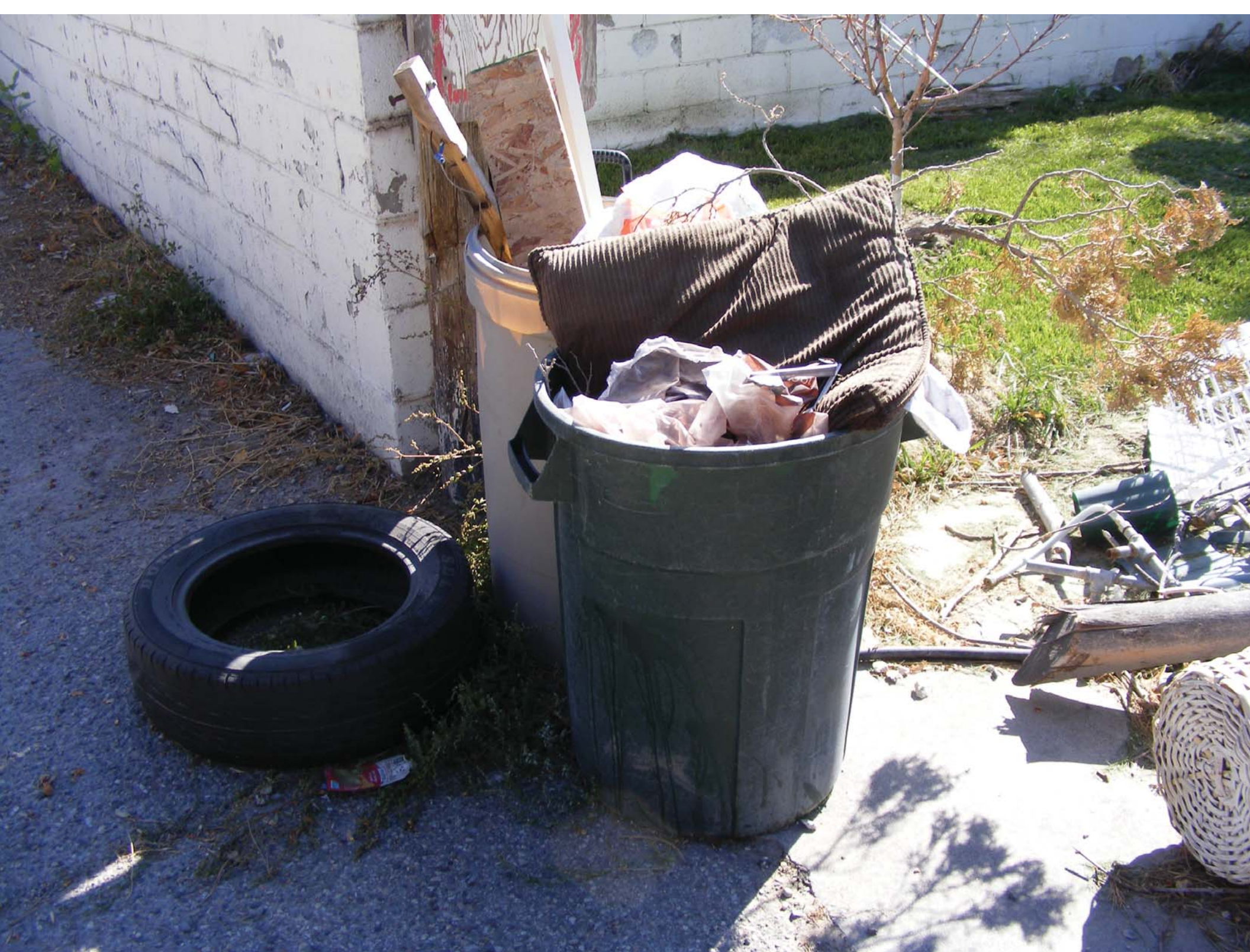








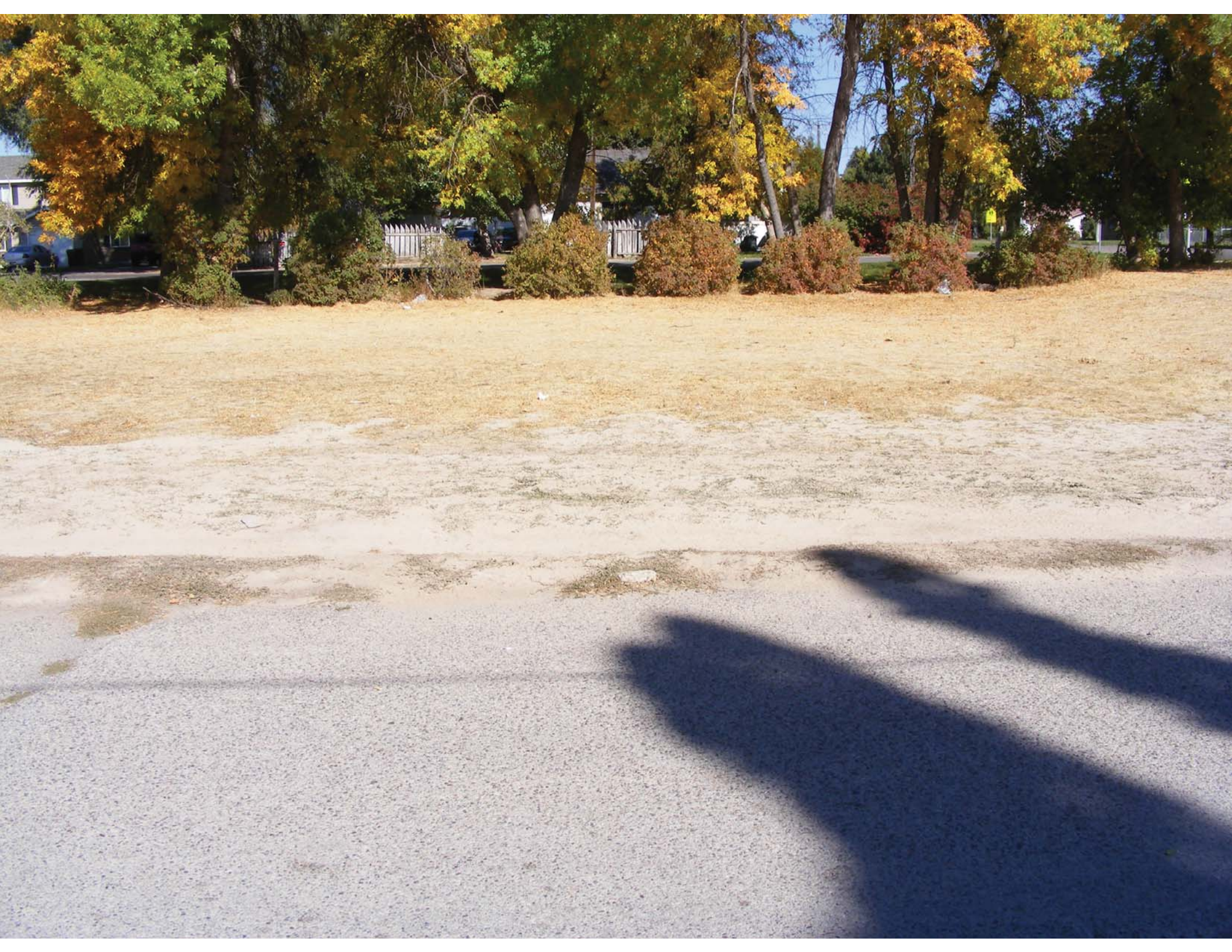








































CAUTION

1-800-  
1-877-





# MEMORANDUM

**FROM:** Brad Cramer, Director

**DATE:** Thursday, November 12, 2020

**RE:** Rezone from R1 to TN, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately 3 Acres N ½ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East.

## Council Action Desired

☒ Ordinance

☐ Resolution

☒ Public Hearing

☐ Other Action (Approval, Authorization, Ratification, etc)

1. Approve the Ordinance Rezoning from R1 to TN M&B: Approximately 3 Acres N ½ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).
2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from R1 to TN of M&B: Approximately 3 Acres N ½ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East, and give authorization for the Mayor to execute the necessary documents.

## Description, Background Information & Purpose

Attached is the application for Rezoning from R1 to TN, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately 3 Acres N ½ SW ¼ SW ¼, Section 13, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its October 6, 2020 meeting and recommended approval by a vote of 5 to 1. Staff concurs with this recommendation.

## Relevant PBB Results & Department Strategic Plan



☐



☒



☒



☐



☒



☐



☒



☐



Consideration of the rezone must be done consistent with the principles of the Comprehensive Plan, which includes many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

**Interdepartmental Coordination**

NA

**Fiscal Impact**


NA

**Legal Review**

This application and ordinance have been reviewed by Legal pursuant to applicable law.

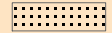
**Legend**

 RZON Cassiopeia

 City Limits

 Area of Impact

**Overlays**

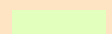
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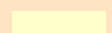
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 PUD

 T-1

 T-2

 RE

 RP

 R1

 R2

 TN

 RMH

 R3

 R3A

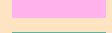
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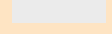
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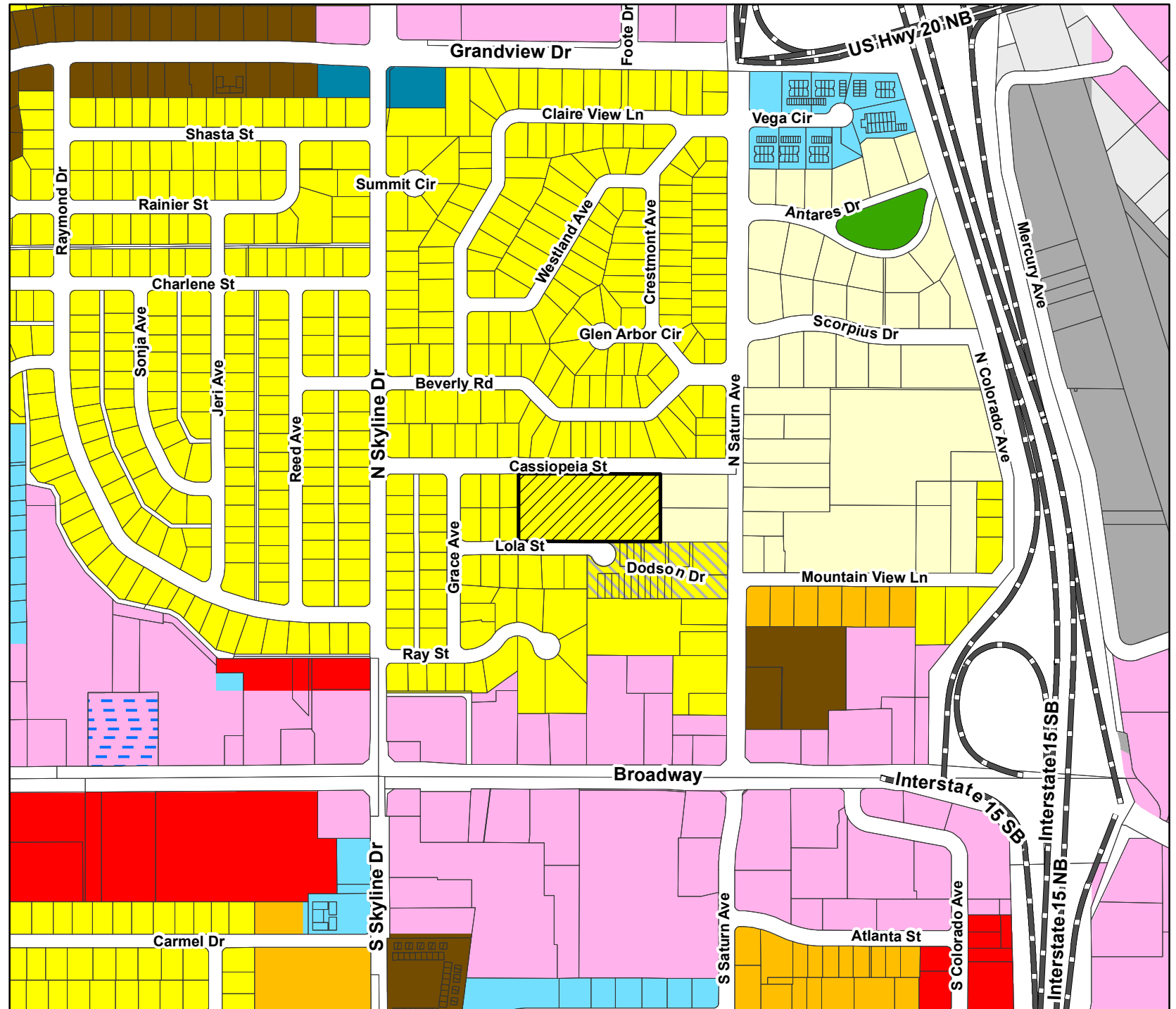
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














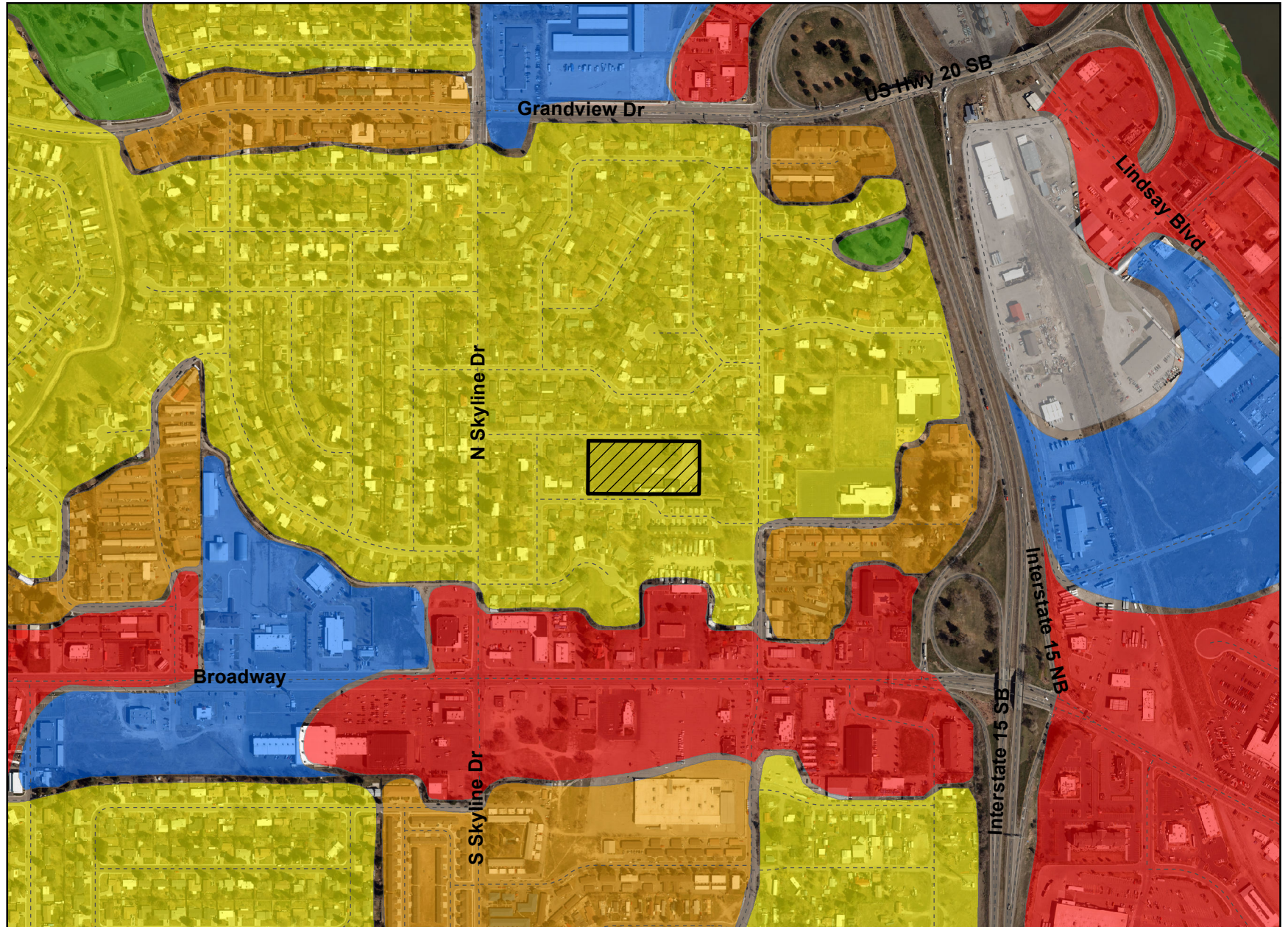


# Rezone

RZON20-015 ~ R1 to TN 1519 CASSIOPEIA ST

- |   |  |   |  |   |
|---|--|---|--|---|
|  Estate         |  Greenbelt Mixed Uses           |  Commercial              |  Higher Education Centers   |  Railroad Related Industrial |
|  Low Density    |  Parks, Recreation              |  Employment Centers      |  Planned Transition         |   |
|  Higher Density |  Public Facilities, Open Spaces |  Medical Services Center |  Highway Related Industrial |   |

## Comprehensive Plan



IDAHO FALLS

Planning Division  
City Annex Building  
680 Park Ave.  
Idaho Falls, ID 83402  
(208) 612-8276





IDAHO FALLS PLANNING AND ZONING COMMISSION  
STAFF REPORT

**REZONE FROM R1 TO TN**

**M&B: Approx 3 Acres N1/2 SW1/4 SW1/4, Section 13, T 2N, R 37E**  
**October 6, 2020**



Community  
Development  
Services

**Applicant:** Connect  
Engineering

**Project Manager:**  
Kerry Beutler

**Location:** Large  
Vacant Lot on  
Cassiopeia St., North of  
Broadway, East of  
Skyline Dr., South of  
Cassiopeia, and West  
of Saturn Ave.

**Size:** Approx. 3 acres

**Existing Zoning:**  
Site: R1  
North: R1  
South: R1/R1 w/PUD  
East: RP  
West: R1

**Existing Land Uses:**  
Site: Vacant/  
Construction Yard  
North: Residential  
South: Residential  
East: Residential  
West: Residential

**Future Land Use**  
**Map:** Lower Density  
Residential

**Attachments:**  
1. Zoning Ordinance  
Information  
2. Comprehensive  
Plan Policies  
3. Maps and aerial  
photos

**Requested Action:** To recommend approval of the rezone from R1 to TN to the Mayor and City Council.

**Staff Recommendation:** Staff recommends approval of rezone from R1 to TN.

**History:** The property was annexed into the city in 1954. The 1964 aerial shows the commercial use of the property. Minutes from a 1966 variance application indicate that the property was annexed and zoned R-1 and the commercial use of the property has continued as a non-conforming use, while the other residential uses have developed around it. A request to rezone to the property to R2 was proposed in 2019. The Planning Commission recommended denial, the applicant withdrew the application and the City Council never acted on the request.

**Staff Comments:** The property is currently zoned R1 with the Airport Overlay Zone. A portion of the property is within the Controlled Development Approach Surface area of the overlay zone. This will not change with the proposed rezone to TN. The airport overlay will continue to apply, but will restrict height.

The immediate area is zoned R1 and RP with single dwelling uses. The area that is zoned RP was previously zoned R1 and was changed in 2018 as part of the zoning ordinance update. This area also includes a mix of medium and higher density zones and uses to the south.

The Comprehensive Plan shows this area as Lower Density Residential which is defined as a density of 7 units or less per acre. Also in the area is the portion for Higher Density Residential. The higher designation is called out as including 8 to 35 units per acre. The Zoning Ordinance classifies the TN Zone as a medium density residential zone. The Comprehensive Plan does not have a medium density designation, but it would make sense for this zone to be located in areas where there are both lower and higher designations.

The TN Zone purpose statement characterizes it by a walkable, traditional residential neighborhood pattern with small lots and residences, a mix of housing types, and a grid street pattern with rear alleys. The Zoning Ordinance is also specific that in new developments private alleys are encouraged, but not required. This area was subdivided and platted in the 50's, with much of it having a more gridded street network. Alleys were not included in the original platting of this area and the instruction of alleys would be uncharacteristic. The lots north across Cassiopeia are through lots and back up to the street adjacent to the frontage of this property. In some ways Cassiopeia has the function of an alley without complete street improvements.

Continued on the next page

The TN Zone also includes development standards that contain elements of a form-based code allowing a variety of uses that will be required to integrate with the established characteristics of the existing neighborhood. Standards include items related to streetscape, pathway connections, building scale and form, and parking, see Zoning Section of this report. These standards will help to ensure that proposed development is compatible with the existing neighborhood. Infill development is also restricted with regard to height so that it is consistent with existing structures within the same block. In this area new development would be restricted to no more than two stories. The TN Zone, although it allows more uses than the R1 Zone, also has more restrictions than the existing R1 Zone.

The TN Zone also allows limited commercial uses, but in a very restricted manner. It is unlikely that a commercial use could be developed on this site because of the location restrictions. It would be restricted to use of the existing structures without modification. If this were to occur the use of the property would be similar to the historical use as it has been used as a commercial property since annexation.

The existing R1 Zone is limited to attached or detached single dwelling units and a maximum density of 6 units per acre. In addition to the single dwelling units the TN Zone would also allow for two unit (duplex), and multi-units with maximum density of 15 units per acre. South of this property, in areas also zoned R1, there is a PUD developed on Dodson Drive that includes attached single dwelling units at a density of 9 units per acre. South from there is a mobile home park that is at a density of 14 units per acre. Both of these developments exceed the density currently allowed in their R1 Zone, but are not as dense as would be allowed by the TN Zone.

As mentioned previously the site has been nonconforming since it came into the city and used as a commercial use that included the storage and use of machinery and equipment. A change to TN would be considered a less intense use of the property and the TN Zone has development standards that would require development to integrate with the established characteristics of the existing neighborhood. A change to TN would also meet the Comprehensive Plan policies to foster inclusiveness and connectivity through mixed housing types and sizes and provide an opportunity for all residents of the City to have housing which meets their needs.

The TN Zone would require a minimum 10 foot landscape buffer, or 7-foot landscape buffer with 6-foot wall or fence, on both the east and west sides of the property as those properties contain single unit residential uses. The TN Zone also has a 50% property coverage requirement very similar to the existing R1 Zone's 40% requirement, see page 5 of this report

### **Comprehensive Plan Policies:**

**Residential development should reflect the economic and social diversity of Idaho Falls.** New and existing developments should foster inclusiveness and connectivity through mixed housing types and sizes and neighborhood connections through paths, parks, open spaces, and streets, (p. 40).

**Bikeways should tie residential neighborhoods to schools, shopping, and employment.** (p.43)

**Higher density housing should be located closer to service areas and those streets designed to move traffic, such as arterial streets and collectors, with access only to the collector street.** Apartments and townhouses are located adjacent to arterial and collector streets for two reasons. Larger lots necessary for higher density housing offer opportunities for building layout, setbacks, and buffering with berms and fences to minimize the impact of street noise. If apartments and townhouses are located close to arterial streets, traffic from apartments will not move through neighborhoods. However, higher density housing should still be clustered: it should not be used to line arterial streets (p. 43).

**Low density residential is development at densities of seven dwelling units or less per net acre.** Most of the lands within the future land use map are designated low density residential. This reflects the existing pattern of development of Idaho Falls. Until the market dictates such lands are to be developed



and annexed to the City, the goal is the land will be used for agricultural purposes, its historic land use. (p.66)

**Higher density housing such as apartments are adjacent to collector and arterial streets.**

Neighborhoods should contain a variety of housing types and, with good site planning, apartments and townhouses can be near arterial streets, be directly served by collector streets, and provide an opportunity for all residents of the City to have housing which meets their needs. (p.66)

**Encourage development in areas served by public utilities or where extensions of facilities are least costly. (p.67)**

**Rezoning**

**Considerations:** Because the comprehensive plan provides only general guidance for zoning decisions, the Planning Commission shall also take the following considerations into account:

	<b>Applicant Comment</b>	<b>Staff Comment</b>
Explain how the proposed change is in accordance with the City's Comprehensive Plan.	The comp plan has that is low density residential. TN is considered medium density which is not on the comp plan currently.	The Comprehensive Plan shows this area as Lower Density Residential which is defined as a density of 7 units or less per acre. Also in the area is the portion for Higher Density Residential. The higher designation is called out as including 8 to 35 units per acre. The Zoning Ordinance classifies the TN Zone as a medium density residential zone. The Comprehensive Plan does not have a medium density designation, but it would make sense for this zone to be located in areas where there are both lower and higher designations.
What Changes have occurred in the area to justify the request for a rezone?	This property has been vacant for a long time and would be a great location for an infill project with the new TN zone.	The site was originally a commercial property and was annexed as a nonconforming use. Now that the commercial use has ended and new use will require conformance with current zoning standards. Newer development to the south has been built at a greater density that the existing zoning allows through the PUD process.
Are there existing land uses in the area similar to the proposed use?	R1 to the north and west. RP to the east. PUD with higher density to the south and a mobile home with higher density just south of the PUD.	Existing development to the southeast have been constructed with a similar density and lot size as the proposed TN Zone.
Is the site large enough to accommodate required access, Parking, landscaping, etc. for the proposed use?	Yes	Yes
		<b>Staff Comment</b>

The potential for traffic congestion as a result of development or changing land use in the area and need that may be created for wider streets, additional turning lanes and signals, and other transportation improvements	Street network in this area is somewhat gridded, with good access to Skyline Drive and Saturn Avenue. Traffic congestion is unlikely. Final development patterns will determine any additional street improvements.
The potential for exceeding the capacity of existing public services, including, but not limited to: schools, public safety services, emergency medical services, solid waste collection and disposal, water and sewer services, other public utilities, and parks and recreational services	Staff is unaware of capacity issues in this area that would be exceeded by development.
The potential for nuisances or health and safety hazards that could have an adverse effect on adjoining properties	Staff is unaware of any nuisances that development might create on adjoining properties.
Recent changes in land use on adjoining parcels or in the neighborhood of the proposed zoning map amendment	The site was originally a commercial property and was annexed as a nonconforming use. Now that the commercial use has ended and new use will require conformance with current zoning standards. Newer development to the south has been built at a greater density than the existing zoning allows through the PUD process.

**Transportation Plan:** Street network in this area is somewhat gridded, with good access to Skyline Drive and Saturn Avenue. Skyline Drive, to the west, is a Minor Arterial. Saturn Avenue, to the east, is a local street, but is identified as a bike/pedestrian priority within the Travel Context Classification map. This property is located between Grandview Drive, on the north, and Broadway, on the south, both arterial streets.

### **Zoning Ordinance:**

#### **11-3-3: PURPOSES OF RESIDENTIAL ZONES.**

(C) R1 Single Dwelling Residential Zone. This zone provides a residential zone which is representative of a less automobile-oriented, more walkable development pattern, characterized by somewhat smaller lot widths; and a somewhat denser residential environment than is characteristic of the RP Residential Park Zone. The principal uses in the R1 Residential Zone shall be single detached and attached dwelling units. This zone is also generally located near limited commercial services that provide daily household needs.

(E) TN Traditional Neighborhood Zone. This zone provides a residential zone which is characterized by a walkable, traditional residential neighborhood pattern with small lots and residences, a mix of housing types, and a grid street pattern with rear alleys. This Zone is situated in the historic neighborhoods within the central part of the City and in other locations where a traditional neighborhood character with a gridded street pattern is desired. The standards in this zone contain elements of a form-based code allowing a variety of uses that will be required to integrate with the established characteristics of the existing neighborhood.



## 11-3-4: STANDARDS FOR RESIDENTIAL ZONES.

**Table 11-3-1: Standards for Residential Zones**

	RE	RP	R1	R2	TN	R3	R3A	RMH
<b>Lot Area</b>								
Lot Area Minimum in ft <sup>2</sup>	1 acre*	12,000	7,000	6,000*	3,000*	5,000*	5,000	5,000
Lot Area Maximum in ft <sup>2</sup>			13,500*					
<b>Site Width</b>								
Site Width at Front Setback, Minimum in ft.	150	60	50	50	25	50	50	50
<b>Setbacks, Minimum in ft.</b>								
Front	40	30*	25*	20*	15*	15	15	30
Front Maximum in ft.					20*			
Side	20	7.5/10*	6	6	5	6	6	10
Rear	40	25	25	25	10	25*	25*	25*
<b>Lot Coverage, Building Height, and Density</b>								
Maximum Lot Coverage in %	30	40	40	80	50	80	80	40
Maximum Building Height in ft*	24	24	24	24	*			24
Maximum Density in net units/acre	1	4	6	17	15	35	35	8
*See explanations, exceptions and qualifications in Section 11-3-4A,B,C of this Zoning Code.								

## 11-3-4: STANDARDS FOR RESIDENTIAL ZONES.

### (A) Minimum and Maximum Lot Area.

(1) In the R1 Zone, the maximum lot size shall be thirteen thousand five hundred square feet (13,500 ft<sup>2</sup>), except for corner lots, wedge-shaped lots in cul-de-sacs, or other unusual shaped lots. This shall also not apply to conditional uses such as schools and religious institutions.

(2) In the R2 zone, seven hundred and fifty square feet (750 ft<sup>2</sup>) shall be added to the minimum required area for each additional dwelling unit.

(3) In the TN Zone, the maximum average lot area for subdivisions approved after the adoption of this Code, April 12, 2018, shall be six thousand two hundred and fifty square feet (6,250 ft<sup>2</sup>) in order to encourage a mix of lot sizes and dwelling types.

### (E) Supplemental standards for the TN Zone.

#### (1) Streetscape.

(a) In subdivisions recorded after the adoption of this Code, April 12, 2018, sidewalks shall be detached from the curb with planting strips provided to accommodate street tree planting in accordance with the standards in Section 11-4-4G (3).

(b) In subdivisions recorded before the adoption of this Code, April 12, 2018, detached sidewalks, planting strips and existing street trees shall be maintained. If trees must be removed because of disease or age, replacements shall be provided by the property owner subject to approval of the City Forester.

#### (2) Entryways and Pathway Connections.

(a) All structures shall have one (1) primary entry that faces the street and a pathway that connects the entry with the sidewalk.

- (b) Exceptions to the entryway requirements are allowed for dwelling units that face a common open space area which is open to the street.
- (c) A covered porch, with a minimum depth of five feet (5'), may encroach five feet (5') into the front yard setback facing a street.
- (3) Building Massing, Scale and Form.
  - (a) For in-fill development or additions to existing structures, the building shall not exceed the tallest height or greatest width of other residences on both sides of the street within the same block.
  - (b) For new development (including additions to existing structures), the primary building face that fronts the street shall not exceed twenty five feet (25') in width or the front facade shall be divided into subordinate wall planes or modular sections that do not exceed a total of an aggregate of twenty five feet (25').
  - (c) Building forms shall consist of simple rectangular shapes and height from finished floor to finished floor shall not exceed twelve feet (12').
  - (d) Roof forms shall be gabled, hipped or shed. Flat roofs are not prohibited but discouraged (unless flat roofs are the predominant roof form in the neighborhood).
- (4) Additions to Existing Structures. Additions to existing structures shall be the same or compatible with the existing structure (e.g. building materials, windows, doors, and form of the building and roof).
- (5) Residential Parking Features. In order to prevent parking, garages, driveways and curb-cuts from becoming the primary feature of residential buildings or property, the following shall apply:
  - (a) Whenever feasible, driveways, garages, and parking areas shall be accessed from an alley.
  - (b) Garages, with garage doors that face the street, shall not extend forward of the front face of the primary structure.
  - (c) A garage door that is visible from the public street should blend with the façade and architectural elements of the structure.
  - (d) Required parking should be provided from the alley for in-fill development located with alley access.
  - (e) In new development, private alleys are encouraged and can be allowed with a reduced setback from the alley, reduction in parking requirements, or an allowance for tandem parking.
  - (f) Shared garage parking shall not exceed four (4) garage doors per building and shall be similar in exterior design to the dwelling units in the development.
  - (g) Surface parking areas shall not be located in clusters of more than four (4) spaces.
  - (h) Surface parking areas shall be screened from public streets and adjacent residential uses by landscaping or architectural screening.
    - (i) Driveway curb-cuts shall be sized for a single-car width, ten feet (10') maximum. The driveway width shall not increase beyond ten feet (10') until the driveway extends beyond the front setback.



October 6, 2020

7:00 p.m.

Planning Department

City Annex Building

**MEMBERS PRESENT:** Commissioners Natalie Black, Gene Hicks, Brent Dixon, George Morrison, Lindsey Romankiw, Joanne Denney, Arnold Cantu.

**MEMBERS ABSENT:** Margaret Wimborne

**ALSO PRESENT:** Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Naysha Foster; Brian Stevens; Michael Kirkham, Esq.; and interested citizens.

**CALL TO ORDER:** Natalie Black called the meeting to order at 7:00 p.m.

**CHANGES TO AGENDA:** None.

**MINUTES:**

Hicks moved to approve the September 15, 2020 Minutes, Morrison seconded the motion. Black called for roll call vote: Morrison, yes; Hicks, yes; Cantu, yes; Dixon, yes; Romankiw, yes. The motion passed unanimously.

**Public Hearing(s):**

**6. RZON 20-015: REZONE. Rezone from R1 to TN for 3 Acres on Cassiopeia.**

Black opened the public hearing.

**Applicant: Barry Baine, Connect Engineering, 1150 Hollipark Drive, Idaho Falls, Idaho.**

Baine indicated that this property came before the Commission last year for a rezone to R2.

Baine stated that this property is just north of the previous application. Baine stated that the R2 was not recommended for approval, so the owner did not move on to City Council. Baine stated that they have discussed how to develop this property and R1 is hard to develop as it sits. Baine stated that TN is the most stringent as far as rules and guidelines, but would allow the developer some flexibility over R1, but would keep it to the standards of the neighborhood. Baine stated that this area is zoned R1 and it has higher density with a PUD that has approximately 10 units per acre. Baine stated that the zone in the area is R1, but the use is mixed with high density and low density and Baine feels that TN is a medium density and would fit. Baine indicated that the Comprehensive Plan doesn't have medium density designation, so they feel that the medium density of TN would fit in this area with both low and high density. Baine stated that after the denial the developer wanted to have a meeting to discuss with the neighbors, and Covid slowed that down, and they were unable to hold that meeting, and they did go and knock doors and talk to residents. Baine stated that he talked to 12 neighbors in the area, and some of them were in the PUD and they were for the development. Baine stated that some of the homes he talked to was more of an education discussion about TN as it is hard to understand, and he tried to show people how the TN zone will require the development to conform to the neighborhood. Baine stated that the neighbor's concerns were density and traffic, and that is always a concern with any development. Baine indicated that he discussed with the neighbors the walkways that would be required and that would be helpful for the area. Baine stated that the development will help the storm water issues for the area. Baine believes this is a good spot for infill development that is already served by public utilities. Baine stated that this property is R1, but is being used as a commercial lease, and the TN Zone would be an upgrade from the current commercial use.

Baine stated that the property has access to Saturn and Dodson that goes through the PUD with the private drive. Baine stated that TN zone provides residential zone that is characterized by the traditional neighborhood pattern, with the small lots, residents, and housing types. Baine stated that the parking that is required would push them to do an alley way or some way to have parking in the middle to alleviate the on-street parking. Baine stated that the TN zone requires them to integrate the established characteristics of the existing neighborhood. Baine stated that TN is different from R2 because it forces the development to conform to the neighborhood characteristics. Baine stated that the neighbors were concerned with the development changing the view of their neighborhood and the TN Zone is set up to help the new development become part of the neighborhood. Baine stated that TN does allow commercial, but it is strict and stringent and so no commercial use would be allowed other than what is currently there.

Hicks asked if there has been an interface with the neighborhood. Baine stated that they decided to not do a neighborhood meeting, but he did go and knock on doors and was able to talk with some neighbors in the area.

Beutler presented the staff report, a part of the record.

Black asked what the maximum density that could be on this lot. Beutler indicated that the maximum density is 15 units per acre, and this is 3 acres, but you have to account for parking, etc. Beutler stated that there are so many potential ways to develop in TN that it is hard to say what would fit.

Dixon asked about the TN requiring the streetscape to match what is existing, and asked what existing streetscape this would be matching, whether it be Cassiopeia, Saturn, Lola, or the Townhouses on Dodson. Beutler stated that page 5 of the staff report it states specifically that the streetscape is having detached sidewalks. Beutler directed to page 6 of the report, item 3 that discusses about infill development and the form restrictions.

### **Support/Opposition:**

**Abby Howell, 776 Grace Ave., Idaho Falls, Idaho.** Howell asked if the TN Zone is a new zone that is put in specifically to trick public to make it the same as R2. Black stated that the zone was redone 2 years ago. Black stated that the Commission has been working to try to understand the zone too. Black stated that developers have attempted to put it in areas that the Commission disagrees with and have turned down the applications. Black stated that the zone is to help with some of the infill to give options where it is difficult to get development in some areas. Beutler added that they developed the TN Zone to try to preserve existing neighborhoods. Beutler stated that neighborhoods that were subdivided into the 50's and zoned R1 and R1 didn't match with what was on the ground, as setbacks were larger, lot sizes were different, and so developing a Traditional Neighborhood they try to see what is actually on the ground in the neighborhood and develop some standards so that when development occurs it would be compatible with the adjacent neighborhoods. Beutler stated that it is utilized in areas that have a mix of densities and often those densities don't match with the existing zone. Howell asked if the TN zone would allow the commercial buildings to stay and be used as a business. Beutler stated that the TN zone does allow commercial uses, and they would be restricted to existing structures. Cramer added that if there is a business in operation, it can stay in operation regardless of whether it is TN or R2, and if the business changes, the TN would allow the building to be used for a different commercial use.



**Henry Mowers (Chat):** Mowers stated that this is too deep into the R1 single family homes, and effects far too many residents, including my own residence. With the continued higher density on the lot on Saturn now approved, I would argue the highest and best use of this property to be single residential homes consistent with the homes surrounding area. Meet the demand for single family homes in the area and maintain the pride in ownership and integrity in the neighborhood and enjoyment of the already existing homeowners. Mowers is opposed to higher density than that in the area. Single family use can be done here without changing zone. Petitioner states it is being used as commercial, but I've seen no activity suggesting land use. I believe Traditional Neighborhood is misleading to the layman and if fully understood would likely be opposed by many of the neighbors.

**Michelle Fletcher, 795 Saturn, Idaho Falls, Idaho.** Fletcher stated that the PUD is under R1 and does fall into the low-density category and she feels it is in the best interest to develop this land into the R1 status. Fletcher stated that the current owner is seeking to rezone after already being denied R2, and no changes to the land have been made, and the concerns still remain the same with the access roads, the schools, and the churches. Fletcher showed a video of the neighborhood and what the PUD density looks like. Fletcher stated that Idaho Falls needs quality housing, and the 3-acre lot could provide up to 18 homes under the current zone. Fletcher surveyed the community and over 20 people agreed with maintaining the R1. Fletcher would like it to stay R1, and not be changed to a higher density zone with the intent of building a higher quality town home, then the ability would be lost to deny the density of 17 lots per acre, and the land would be exploited for a short term profit. Fletcher stated that the lot is unique and very desirable. Fletcher stated that they should look to R1 and the PUD rather than opening it up to a medium density. Fletcher stated that R2 and TN are medium density categories, compared to PUD R1 and low density. Fletcher would like the Commission to push to build single homes so they can attract people moving in with great jobs and support the community. Fletcher showed a video of the neighborhood and what the PUD density looks like. Fletcher stated that two neighbors have put their houses up for sale to avoid the higher density possibility of the development. Fletcher had a written survey, and Kirkham agreed that it can be accepted into the record for the Commission to review. Cramer asked if this has been emailed to the Commission. Fletcher stated that she was not informed of the zone change. Cramer stated he would double check as he has a list of the names it was sent to.

**Jerry Jane, 1568 Lola, Idaho Falls, Idaho.** Jane stated that this was turned down last year, and nothing has changed on the ground, and the fact remains that the applicant is asking for a proposal that would allow an increased density in the 3-acre area. Jane stated that the R1 designation is throughout the area. Jane stated that the trailer park is non-conforming, but the area around the north, east, and west of the proposed development is R1 and that is conforming with the Comprehensive Plan. Jane stated that it is the same applicant as last year and the same owner being Corner Stone Properties, LLC. Jane stated that it is a large property management company that has holdings around the country, and they want to maximize their profits and that comes before the public benefit of the citizens of Idaho Falls. Jane feels it is in the public interest to keep the property R1. Jane is concerned about traffic and the Arrington property that is being sold with an asking price of \$500,000. Jane stated that the business and office that is there in the shed and he understands that they can continue to operate the business, although he hasn't seen any activity. Jane is concerned that they would put a driveway onto Lola Street. Jane wants to keep it single family housing, and a low-density area.

**Kacey Wegner, 1511 Lola Street, Idaho Falls, Idaho.** Wegner stated that her front window's view is the big metal shed on the subject property. Wegner stated that her house was moved from Broadway and onto the cul-de-sac. Wegner bought the home in 2011 and there were no apartments, and the 3-plexes were built after they moved in. Wegner stated that after they had lived there 3 years and the apartments were built their car had been broken into 2x, the car was stolen. Wegner clarified that she is not blaming the apartments, but feels it gave access to Dodson that had a lot more traffic. Wegner stated that there are children that walk-through Lola and through Dodson to get to school because the crosswalk is from Saturn off of Dodson. Wegner stated that there are children almost hit daily. Wegner is concerned that if more children are in the area it will be a bigger problem. Wegner stated that people have skidded out of control in the winter hitting the bump going from Lola to Dodson. Wegner stated that if the development is only going to use Cassiopeia that is a lot of traffic for a small area. Wegner feels the subject property is an eye sore, but it needs to be developed into houses. Wegner stated that people have spent time and money fixing the older homes in the area to look nice. Wegner stated that it is not fair to the people that are building and fixing homes to have the developer put in town homes and multi-family residences as it doesn't benefit anyone. Wegner stated that the community is to the west, the apartments they know nothing about except when the cops come to the apartments. Wegner wants to know how many people per acre could be put in the development with the TN Zone. Wegner is opposed to the rezone and feels that the R1 can be developed in this area. Wegner stated that the neighborhood is not a gridded street pattern.

**Sora Torres, 1569 Cassiopeia, Idaho Falls, Idaho.** Torres is concerned about the traffic and will the new development decrease the value of their homes as opposed to individual houses that would make it better. Torres stated that the traffic right now is bad and if you go from her house to Saturn to turn left onto Grandview you can get stuck for over ½ hour. Torres stated that 40 apartments would make the traffic worse. Torres has a cousin with 5 children on Lola and the children walk to school, so they are concerned. Torres stated that Cassiopeia is straight, and the rest of the streets are winding, not gridded. Torres asked if parking will be on Cassiopeia. Torres stated that if there is going to be parking allowed on Cassiopeia she doesn't want to continue to live in the area. Torres likes her neighbors and loves her area and would hate to see a change.

**Greg Laville, 831 Lola, Idaho Falls, Idaho.** Laville stated that the TN and R2 are similar except the TN allows commercial. Laville has lived at his address for 6 years and when they were shopping for their home the realtor verified that the area across the street was zoned for single family units. Laville stated that after looking through the staff report, the only justification he can find for TN is because it is a great place for in-fill, and that isn't a good enough reason for him. Laville stated that since they were here last year, there have been 75 units built on Skyline and Broadway, 13 new buildings at the end of Saturn off of Pancheri, and 3-6 buildings in Snake River Landing, there is room for more buildings in other places. Laville stated that the additional traffic could be handled better in other places because they don't have to drive through an established neighborhood. Laville stated that on page 2 of the Staff report, 3<sup>rd</sup> paragraph states the change to TN would be a less intense use of the property. Laville disagrees and asks how 44 housing units can be less intense than a parking lot for trailers which is what the property has been being used for. Laville read from page 4 of the staff report – that staff is unaware of the creation of potential nuisances as a result of this development. Laville feels that 44 units when there is room for 18 houses, would result in increased traffic which is a concern, additional noise and crowding, additional cars on the streets. Laville feels that people



are moving to this area for affordable living, and they are not moving here because of duplexes and 4-plexes. Laville understands that some different housing is needed, but 125 units have been added to the west side of town since last year. Laville stated that the property on Cassiopeia should remain R1 and build single family residents.

**Greg Shield, 754 Grace, Idaho Falls, Idaho.** Shield is opposed to the development and feels it is terrible to put high density next to a historic home. Shield feels it should remain R1 to maintain the culture of the neighborhood. Shield feels the high density on Saturn is appropriate, but not for this lot.

**Beutler read emails that were received:**

**Randall Wheeler.** Wheeler stated Idaho Falls is experiencing an increase in population which does increase the need for housing. Wheeler stated that high density housing in the area would not be beneficial to the people in the existing homes and would increase traffic that would cause safety issues for the children and schools in the area. Wheeler stated that leaving the property zoned R1 would be consistent with the surrounding areas and zoning and ensure good quality homes to be built. Wheeler asked that they deny TN.

**Lee Maybe.** Maybe is the current owner adjacent to the north west corner of the property. Maybe stated that the TN zone is a refreshing approach and is not opposed to townhome or family concept but is opposed to apartment type densities. Maybe has concerns over the shared property line that need to be addressed with design work on the property.

**Applicant: Barry Baine, 1150 Hollipark, Idaho Falls, Idaho.** Baine commended the neighbors for coming out. Baine stated that he can tell there is pride in the neighborhood. Baine stated that this property has been vacant for over 50 years in an R1 status and if it were viable and profitable to do an R1 development, it would have already been done as an R1 development. Baine stated that with lot restrictions, lot sizes etc., 18 homes are not attainable, and it would be closer to 14 homes, or 6 homes on ½ acre lots. Baine stated that the R1 PUD is medium density and low density is 7 units or less. Baine stated that Traditional neighborhood is concerned medium density. Baine stated that the PUD is a nice place and that is what the developer feels that the TN does is allow for similar types of housing and doesn't allow for higher density. Baine stated that apartments could be built, but single-family townhomes can be built on the property. Baine stated that it is hard to say how many units could be built in the area so they have to vote off of the maximum density which is 45, but the setbacks, parking requirements, etc., so all of the concepts that Baine has worked up is closer to the 32 units (approx. 10 units per acre). Baine stated that the property owner does want to profit off the property, but they still have to conform to the rules and guidelines of the TN zone. Baine stated that the current owners are a local company located out of Rigby. Baine stated that a couple in the PUD townhomes knew before purchasing their townhome that TN was a possibility and still purchased their home. Baine feels that the TN Zone will bring affordable housing to the area, and a different type of housing. Baine stated that a lot of people are wanting smaller lots and less maintenance or an HOA that takes care of things. Baine agreed with the comment that the additional townhomes style coming to Idaho Falls is a trend and a desire. Baine stated that parking on the street would be available on the street whether this is TN, R1 or another zone because it's a public street. Baine stated that safety is an issue, and they will work with the City to improve the streets and sidewalks to create better connectivity. Baine stated that he would advocate for a speed bump, but the City has to make that call. Baine noticed on Fletcher's video that there wasn't much

traffic, and they know traffic is always an issue and a struggle. Baine feels that the TN is different from R2 and they have tried to cater more towards the neighbors with the TN.

Dixon asked staff about the bottom of page 5 and entry ways and pathway connections where all structures will have one primary entry that faces the street and a pathway that connects the entry with the sidewalk and exceptions are allowed for units that face a common open space (courtyard), and page 6 with building mass to scale and form 3(a) for in-fill development or additions to existing structures, the building shall not exceed the tallest height or greatest width of other residents on both sides of the street within the same block. Dixon is looking at the width of the residents on the same street on Cassiopeia and comparing that to the width of the 3-plexes that are on Dodson Drive which is not part of the public street, so he doesn't consider it part of the block, but when he looks at the existing residences, they are not as wide as the 3-plex. Dixon asked if City Council approved 4-plexes in R1 which would be wider than the 3-plexes, so the TN zone and that building mass scale and form for in-fill development limit the width such that it would prevent 3- and 4 – units in a building, or could they just turn them sidewalks and make it a courtyard and end up having a much larger building than anything on the street.

Cramer indicated that the change to R1 to allow for 4 attached townhomes was not approved, and was withdrawn because of the Opti Coast Design Report, and they wanted to explore that report before they made any changes and 2 units attached is allowed in R1.

Beutler stated that they would still look at the widths on Cassiopeia and Lola and the lots and see what they are, but they would be limited according to the Code, and cannot be wider than the greatest width on both sides. Beutler stated that would limit the type of structure that could be built. Dixon asked if the TN Zone is more likely to result in new structures similar to the existing structures, than keeping it at R1 considering what is allowed in R1 where you can have duplexes and there are no duplexes in the area right now as far as Cassiopeia and Grace and Lola. Beutler stated that the intent of the TN they were working with neighborhoods that had a mix of density so the zoning that was there didn't reflect what was on the ground, so you are going for look with form and so even if it is an increase in density largely it would look very much the same.

Black closed the public hearing.

Black stated that this is difficult, and they have been working with developers to understand how they can help development in the City. Black stated that they hear the issues with traffic, and it is everywhere in town. Black stated that no one wants high density and every single development that was discussed with higher density they had a room full of people who were opposed to the development. Black stated that this property has been vacant for many years. Black stated that they have talked about in-fill and housing has gotten so expensive with materials price. Black stated that developers want to make money, but they need to make housing that residents can afford. Black wants to purchase a townhome that is moderately priced, moderately sized and it cannot be found. Black stated that the developers are trying to create affordable housing, not low-income housing. Black feels that this area is perfect for in-fill. Black stated that they need to be flexible with in-fill. Black stated that she wants housing that fits, and she feels TN can make it fit better than R-2 because there are restrictions. Black stated that TN was made so they can be flexible and help the developer and the current residents. Black stated that they need to accommodate a wide variety of people.

Morrison stated that the TN Zone fits perfectly to fill this space and is in favor.



Dixon is trying to understand if TN will allow for higher density than R1 in this area. Dixon stated that the comment about it not being feasible to build R1 is unclear as to why its not feasible because you could easily divide this into 10 or 12 lots, with street on both sides. Dixon is sensitive to the idea of not changing the character of the neighborhood because higher density should not be in the interior of neighborhoods pursuant to the Comp Plan. Dixon stated that if this is going to result in higher density it seems like it is contrary to the basic idea of the Comp Plan. Dixon stated that if it is going to be similar density but a different set of rules that govern how it is developed that are more of the look and feel, then given some of the peculiarities of this location where Lola ends in a cul-de-sac and some other things, then it might provide the flexibility. Dixon stated that if the intent is to have TN to allow for higher density then he is not in favor because they are putting higher density in the core of low-density neighborhood rather than on the edges.

Morrison doesn't think that the zoning or putting multi-family housing in the neighborhood changes the nature of the neighborhood and feels that it would fit in with the neighborhood.

**Morrison moved to recommend to the Mayor and City Council approval of the Rezone from R1 to TN for approx. 3 acres N ½ SW ¼ SW ¼, Section 13, T 2N, R 37 E, as presented, Denney seconded the motion. Black called for roll call vote: Hicks, yes; Dixon, No; Morrison, yes; Cantu, yes; Romankiw, yes; Denney, yes.**

**Dixon opposed the motion because it is confusing as to whether TN would allow higher density here, and if it would then it is in appropriate because it is in the interior of the neighborhood and the Comprehensive Plan indicates that higher density should be on the perimeter next to connectors and the other higher density that is to the south of this property has direct connection to Skyline or Saturn.**

Beutler reminded that there will be another meeting on October 20, 2020. Beutler stated that there is a digital training on the 16<sup>th</sup>.

Black adjourned the meeting at approximately 10:15 p.m.

**Respectfully Submitted**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF APPROXIMATELY 3 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM R1 ZONE TO TN ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed zoning district of lands described in Section 1 is TN Zone for such annexed lands and such zoning is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation “Lower and Higher Density Residential;” and

WHEREAS, the proposed zoning district is consistent and compatible with the existing and surrounding zoning districts and is consistent with the City of Idaho Falls Comprehensive Plan; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on October 6, 2020, and recommended denial of zoning the subject property to TN Zone; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on November 12, 2020.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, AS FOLLOWS:

**SECTION 1: LEGAL DESCRIPTION:**

This ordinance shall apply to the following described lands in Idaho Falls, Idaho, Bonneville County, to-wit:

Approximately 3 Acres N1/2 SW1/4 SW1/4, Section 13, T 2N, R 37E

**SECTION 2. Zoning.** That the property described in Section 1 of this Ordinance be and the same hereby is zoned “TN” and the City Planner is hereby ordered to make the necessary amendments to the official maps of the City of Idaho Falls which are on file at the City Planning Department Offices, 680 Park Avenue.

**SECTION 3. Savings and Severability Clause.** The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**SECTION 4. Publication.** This Ordinance, or a summary thereof in compliance with Idaho



Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**SECTION 5.** Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF IDAHO FALLS, IDAHO

\_\_\_\_\_  
Rebecca L. Noah Casper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO  
HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF 3 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM R1 ZONE TO TN ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

\_\_\_\_\_  
Kathy Hampton, City Clerk

## **REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS**

### **REZONE FROM R1 TO TN FOR APPROXIMATELY 3 ACRES N1/2 SW1/4 SW1/4, SECTION 13, T 2N, R 37E, LOCATED NORTH OF BROADWAY, EAST OF SKYLINE DR. , SOUTH OF CASSIOPEIA, AND WEST OF SATURN AVENUE**

**WHEREAS**, the applicant filed an application for rezoning on August 25, 2020; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on October 6, 2020; and

**WHEREAS**, this matter came before the Idaho Falls City Council during a duly noticed public hearing on November 12, 2020; and

**WHEREAS**, having reviewed the application, including all exhibits entered and having considered the issues presented:

#### **I. RELEVANT CRITERIA AND STANDARDS**

1. The City Council considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate 3 acre parcel located north of Broadway, east of Skyline Dr., south of Cassiopeia, and west of Saturn Avenue.
3. The Comprehensive Plan designation for this area is Lower Density Residential. Higher Density is also in the vicinity.
4. The Planning and Zoning Commission recommended approval of the requested rezone.
5. The proposed development is consistent with principles of the City's Comprehensive Plan.

#### **II. DECISION**

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the Rezone.

**PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS**

**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020**

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Rebecca L. Noah Casper, Mayor



To whom it may concern,

The current property owner of Casseopeia lot is seeking to rezone to TN after already being denied in 2019 for R2 status. There have been no changes made to the property and the concerns and hindrances that deyned R2 in 2019 remain the same. The zoning TN allows everything R2 allows as well as further developments which is listed below. This property owner is seeking financial gains to rezone and sell to developers rather than developing the property in the R1 status which the property is designed for and supports. The committee and mayor are already voted Cassiopeia to stay R1 in 2019. The current property owner is pursuing to change the lot into medium and high density zoning under different zoning names. We want growth. R1 allows for positive growth. R1 benefits the neighborhood and city that is in desperate need of quality family housing.

Cassepoia is a 3 acre lot and under current R1 status can develop into 24 residences in Planned Unit Development status. If changed to Traditional Neighborhood the developers can create 51 residences which the neighborhood can not support nor sustain. Please review video of lot and connecting streets. Lola cuts out and Dodson is more of an alley than a road. There is only one access street for Casseiopeia. Due to inadequate roads, lights, signage and safety, schools and churches that bring high volume already I strongly advise voting against Traditional Neighborhood zoning. It is best to develop under R1 status.

R1 already allows dwelling single unit attached and detached, manufactured homes, home occupations, parks, planned unit development and public service facilities. The current owner has not seeked any of these options and has been persisting to change the zone of the land from Low density population to medium density for the benefit of self and developers rather than the neighborhood and needs of Idaho Falls.

With TN it would allow accessory units, multi unit, 2 unit dwelling, eating establishments, food processing, food storage, animal care , fuel stations and retail. Due to the location of the Casseopia lot, this rezone is unsustainable with limited access roads and dangerment that could be imposed due to the high volume of traffic with the children at schools and buses.

Unfortunately, there has been no mail notice of this proposed change. I request that the zoning committee stand by the mayors decision in 2019 to keep cassiopeia lot under R1 status to promote quality growth in the area and build 24 single unit homes that are in desperate need idaho falls area. Families do not wish to move here for apartment buildings. R1 can allow for quality townhomes and I support maintaining and building under that status for both the Saturn and Cassiopeia lots that are considered in this meeting.

Thank You,

Michelle Fletcher

Below is a list of neighbors that wish to maintain R1 status :

The Following is a list of immediate neighbors in support of R1:

Michelle Fletcher and Keegan Johnson 796 Saturn Ave michellefletcher28@gmail.com

George Harris 784 N Saturn Ave elaineandgeorge@q.com

Ashley Oldfield and Sergio Candido 795 Saturn Ave. chibinightfairy@gmail.com

Randel and Teresa Wheeler 801 N Saturn Ave Rwheel8e@gmail.com

Bryan Willson and Tirzah Pritchard 1501 Beverly RD Bunitx777@yahoo.com

Mary and Brue Wheeler 1503 Beverly RD NWMary@cabelone.net

Victor Orozco 1509 Beverly Road Victorj1787@gmail.com

Bret Sommer 1513 Beverly Road bretsommer@ymail.com

Reed Tucker 1529 Beverly Rd. reedtucker@aol.com

Linda Tobias & Steven Tobias 1541 Beverly Rd darknighthott29@gmail.com

Kandice Caswell 1563 Casseopia St. babyladyz333@yahoo.com

Carina Merchant 1569 Casseopeia flor.carina.merchant@gmail.com

Myron and Eunice Ehresman 1564 Cassepia St.

Bryson and Abby Howell 776 Grace Ave abbyhowell91@gmail.com

Kim Bautista 1567 Lola St. Kim.bautista@gmail.com

Tracy Hodel 1531 Lola Street warriorwart@aol.com

Breanna Hickley 1547 Lola St. bkhinckley@gmail.com

Tarreen and Dwanyne Hickley 1547 Lola Deweym@hotmail.com

Jerry Jayne 1568 Lola St. gajwild@gmail.com

Katherine and Jason Foote realtorkatfoote@gmail.com

JaLynee Fletcher 1563 Casseopia

Kayce Wegner 1511 Lola St.

Greg 1531 Lola St

Zlane Harris 781 Dodson



Fransico Sanchez 760 Saturn Ave

Joshua Mchaltan 1504 Dodson drive Unit A

## Ann Peterson

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**From:** Brad Cramer  
**Sent:** Friday, November 6, 2020 8:23 AM  
**To:** Ann Peterson  
**Subject:** FW: City Council Public Hearing on November 12, 2020 - Fwd: ZSON20-015 - Meeting set for 10.6.20 - Hodel Package  
**Attachments:** Hodel Pkg for Meeting 10.6.20 - RZON20-015.pdf

Good morning Ann,

Will you please include the attachment and the email below with the Council packet for the Cassiopeia rezone?

Thanks.



Community Development Services  
**Brad Cramer** | Director

680 Park Avenue  
Idaho Falls, Idaho 83402  
Work: (208) 612-8276  
Fax: (208) 612-8520  
[bcramer@idahofallsidaho.gov](mailto:bcramer@idahofallsidaho.gov)

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**From:** Tracy Hodel <warriorwart@aol.com>  
**Sent:** Thursday, November 5, 2020 6:01 PM  
**To:** Brad Cramer <BCramer@idahofallsidaho.gov>  
**Subject:** City Council Public Hearing on November 12, 2020 - Fwd: ZSON20-015 - Meeting set for 10.6.20 - Hodel Package

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B. Cramer,

Please see the attached written testimony with photos, as well as this e-mail, submitted to be entered into the record of this matter for the City Council Meeting on November 12, 2020. We respectfully request that the attached letter and this e-mail be read out loud and the photos be shown as testimony and taken into consideration by the City Council. Due to COVID, we will be watching the live stream of the meeting.

The attachment was e-mailed to the Planning & Zoning Commissioners office to be included in the Planning & Zoning Commissioner's Meeting held October 6, 2020. The e-mail was sent in advance of that meeting and was received by Kerry B., as you can see from the attached copy of Kerry's response e-mail to me. However, somehow it was not included or provided to the Planning & Zoning Commissioners, so they had no review or consideration of the testimony and photos attached, and it was left out of the record. (You may confirm this information with Kerry or Anne at the Planning & Zoning Commissioners office, as Anne communicated with Kerry on this, and she left a voice-mail on my phone. I still have the recorded message should you need that.)

We reiterate that we are strongly opposed to the proposed change in zoning from R1 to TN and believe that our position should be heard by the City Council and all interested parties.



The City Council's decision will impact our lives each and every day for the rest of our lives as this lot is directly across the street from our house. We believe that if single family homes were built on the lot, the developers would not have any problem selling the houses as the City of Idaho Falls has a shortage of, and is in need of single family homes, especially on the west side of the City. The idea that it is too costly to build single family homes on the lot is not correct. Houses are needed and people are looking to buy them.

Thank you for your assistance in getting the information to the appropriate individuals at City Council.

Please confirm receipt. Thank you.

Sincerely,

Tracy and Paul G. Hodel (Greg)

-----Original Message-----

From: Kerry Beutler <[kbeutler@idahofallsidaho.gov](mailto:kbeutler@idahofallsidaho.gov)>

To: Tracy Hodel <[warriorwart@aol.com](mailto:warriorwart@aol.com)>

Sent: Mon, Oct 5, 2020 8:56 am

Subject: RE: ZSON20-015 - Meeting set for 10.6.20 - Hodel Package

Thank you for your email. We will forward it on to the Planning Commissioners.



Community Development Services Department  
**Kerry Beutler** | Assistant Planning Director

680 Park Avenue  
Idaho Falls, Idaho 83402  
Work: (208) 612-8278  
[kbeutler@idahofallsidaho.gov](mailto:kbeutler@idahofallsidaho.gov)

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**From:** Tracy Hodel <[warriorwart@aol.com](mailto:warriorwart@aol.com)>

**Sent:** Friday, October 2, 2020 1:11 PM

**To:** Kerry Beutler <[kbeutler@idahofallsidaho.gov](mailto:kbeutler@idahofallsidaho.gov)>

**Subject:** ZSON20-015 - Meeting set for 10.6.20 - Hodel Package

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Kerry,

My name is Tracy Hodel. We live at 1531 Lola Street. We are submitting the attached package for the Planning and Zoning Commission's review prior to the Meeting scheduled for October 6, 2020. We will be in attendance in person at the meeting. However, we wanted to provide this information in advance to allow time for review.

Thank you for your assistance to get the information to the appropriate individuals.

Please let us know if there is anything further we need to do.

Sincerely,

Tracy Hodel  
(208) 371-1798

Greg Hodel  
(208) 760-7661



Paul G. Hodel and Tracy Hodel  
1531 Lola Street  
Idaho Falls, ID 83402

October 2, 2020

Planning and Zoning Commission  
City of Idaho Falls, ID

RE: **LETTER OF OPPOSITION TO REZONING**

Project: RZON20-015, 1519 Cassiopeia from Single Dwelling Residential (R1) to Traditional Neighborhood (TN)  
Applicant: Connect Engineering  
Location: This property is Large Vacant Lot on Cassiopeia St., north of Broadway, east of Skyline Dr., south of Cassiopeia, and west of Saturn Ave.

Dear Planning and Zoning Commission and Interested Parties:

We, the undersigned home owners at 1531 Lola Street, strongly oppose the zoning proposal noted above. We moved into our home anticipating retirement in a quiet neighborhood. As home owners of property directly across the street from the proposed site, we respectfully request that you consider our position against the re-zoning from R1 to TN status. The reasons we are opposed to changing the zoning for the subject property entitled above are as follows:

1. **Reduced Property Values**

Should condos/apartments or other densely packed housing go in at the proposed site, property values of all existing homes in this area will be reduced. Not only the homes on Cassiopeia and Lola Street, but the entire neighborhood will be affected due to access to the site. In general, renters are transient in nature and are not as vested in the community and appearance of property. More renters in the area means lower property values for the neighborhood.

2. **Increased Traffic and Parking**

We live in a quiet, established neighborhood of single family homes. There are seven houses on Lola Street which ends in a cul de sac. If this zoning change is approved, it would greatly increase traffic and noise as the site would have many, many more vehicles and many, many more people living in a condensed spot. Vehicles will take up all street parking so there will be none available for those visiting the homes that exist. We note that there are 18 units packed in a small space on Dodson. There is already overflow parking in front of our house with vehicles from the multi-units on Dodson. Those units have enough space for one or two vehicles in the driveway/garage. However, there are many times that those units have more than two vehicles and those additional vehicles are parked in the cul de sac and in front of our house and the subject lot. If densely packed housing is added across the street from us, there will definitely be additional vehicles from the new units that park all along our street. Also, the safety of all children and pets should be taken into consideration with the increase of traffic.

3. **Congestion**

We believe that this proposed site zoning should not be changed. At this time there are multiple other areas that are already zoned for such multi-unit complexes. Adding yet another place on the west side of town for this type of housing is not necessary and unwanted in this area. The amount of people living in such densely packed housing and their vehicles will bring too much traffic to this neighborhood and is not in the best interests of the community. We believe that to change the zoning is spot zoning, and pushing this type of housing further into our quiet established neighborhood. The proposed plan would overcrowd our street, which is zoned for single family dwellings. We are opposed.

We question what studies have been done regarding the impact of the increased volume of people and vehicles, and City services regarding the subject lot. Our neighborhood was not designed, intended or zoned for such densely packed housing. We also note that the property has always been zoned as R1, and the purchaser of the property bought the same knowing it was zoned as R1. We do not want the zoning changed. We love our home and the neighborhood and want the current zoning to stay in place. Thank you for consideration of our opposition to this zoning change proposal.

Sincerely,



Paul G. Hodel

Tracy Hodel

(Photos of proposed site, our home, and Lola Street are attached)































Viewer (las



Parcels: RPA000007136091

Parcel Number RPA000007136091

Comments

Owner

CORNERSTONE  
PROPERTIES LLC

Additional  
Owner

Owner Address PO BOX 797

Owner City RIGBY

Owner State ID

Owner Zipcode 83442-0797

Parcel Address 1519 CASSEOEPIA ST

Parcel City IDAHO FALLS

Parcel Zipcode 83402

Tax Code Area 001-0000

[Zoom to](#)

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## Kerry Beutler

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**From:** Lee Mabey <lmabey25@gmail.com>  
**Sent:** Tuesday, October 6, 2020 2:48 PM  
**To:** Kerry Beutler; bjolley@connectengr.com  
**Subject:** Comments tonight's mtg, Casseopeia R1 to TN  
**Attachments:** image001.png

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Planning and zoning commission and Connect Engineering.

I am Lee Mabey the current owner adjacent to the northwest corner of the property proposed for rezoning from R1 to TN.

The traditional neighborhood concept is a refreshing approach. I do not oppose single family or a townhome concept. I am opposed to more apartment type densities.

I also have some grade issues along the shared property line with the developer that need to be addressed in any design work for the property. I have reached out to connect engineering to voice my concerns.

Sincerely,

Lee W Mabey  
208-419-8920

On Tue, Sep 22, 2020, 09:07 Kerry Beutler <[kbeutler@idahofallsidaho.gov](mailto:kbeutler@idahofallsidaho.gov)> wrote:

Lee,

Thanks for the email and the questions. Below is a link to the City Zoning Ordinance. The residential zones begin on page 31. The TN, Traditional Neighborhood zone also includes supplemental development standards, beginning at the bottom of page 34. We don't have specific development plans from the applicant. When the city considers a rezoning application they consider all uses that are allowed in the requested zone for the property. Development proposals often change or don't get developed at all so the city doesn't base the decision on any one specific proposal.

With regard to a retaining wall or fence that would depend on what type of development was proposed. No additional fencing would be required if the property developed as single unit residential. If multi-unit residential were developed it would require either a 10 foot landscape strip adjacent to your property or a 7-foot wide landscape area with a 6 foot fence.



I would recommend putting any concerns regarding the TN zoning designation in writing and providing them to my office so we can provide those to the Planning and Zoning Commission and the City Council. Concerns such as the retaining wall would probably be best taken up with the applicant, as you could discuss their possible plans and come to an agreement as adjacent property owners. I've provided the applicants contact info below.

Please let me know of any additional questions that you might have.

Connect Engineering, Blake Jolley

1150 Hollipark Drive, Idaho Falls

208-681-8590

[bjolley@connectengr.com](mailto:bjolley@connectengr.com)

<https://www.idahofallsidaho.gov/DocumentCenter/View/7031/Title-11---Comprehensive-Zoning>



Community Development Services Department

**Kerry Beutler** | Assistant Planning Director

680 Park Avenue  
Idaho Falls, Idaho 83402  
Work: (208) 612-8278

[kbeutler@idahofallsidaho.gov](mailto:kbeutler@idahofallsidaho.gov)

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**From:** Lee Mabey <[lmabey25@gmail.com](mailto:lmabey25@gmail.com)>  
**Sent:** Monday, September 21, 2020 9:55 PM  
**To:** Kerry Beutler <[kbeutler@idahofallsidaho.gov](mailto:kbeutler@idahofallsidaho.gov)>  
**Subject:** Casseopeia R1 to TN

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Kerry,

I am Lee Mabey the owner of the adjacent property on the north west corner of the proposed changes.

Could you direct me to additional info on TN, I watched a short you tube video and I do not see anything detracting or objectionable being proposed per the zoning but would like to see specific development plans.

Also there is quite a grade drop between my property and the current empty lot. As part of the development if permitted I would ask that this grade drop, retaining wall/boundary fence be updated.

What is the most effective way to get my concerns heard and communicate with the developer.

Thanks

Lee Mabey



## Kerry Beutler

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**From:** Randall Wheeler <[rwheel8e@gmail.com](mailto:rwheel8e@gmail.com)>  
**Sent:** Sunday, October 4, 2020 5:55 PM  
**To:** Kerry Beutler  
**Subject:** Fwd: Casseiopeia rezoning

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----- Forwarded message -----

**From:** **Randall Wheeler** <[rwheel8e@gmail.com](mailto:rwheel8e@gmail.com)>  
**Date:** Sun, Oct 4, 2020, 5:17 PM  
**Subject:** Casseiopeia rezoning  
**To:** <[kneutler@idahofallsidaho.gov](mailto:kneutler@idahofallsidaho.gov)>

I would like this email addressed to those influence for the rezoning of the lot on Cassiopeia in Idaho Falls.

I recognise that Idaho falls is experiencing an increase in population. Which brings the need for additional housing in Idaho Falls. The current zoning of the property on Cassiopeia is R1 which would be which allow 24 residences to be constructed in that area. Which would be good quality housing for those seeking homes in Idaho Falls area. It is my belief that changing the zoning to TN and allow high volume residences in that area would degrade the surrounding property and not be beneficial for those in the existing homes. It would also increase traffic in the area which would also cause safety issues for the children and schools in the area. Leaving this piece of property zowned R1 would be consistent with the surrounding area properties and zoning. It would also help ensure good quality homes to be built as they would not be stacked 1 on top of another. It is my feeling that the request to resume to TN should be denied and the property be left zoned as R1.

Randall Wheeler

November 9, 2020

Ruth C. Byron  
1553 Beverly Road  
Idaho Falls, ID 83402

Dear Idaho Falls City Council Members:

I am writing in opposition of the zoning change of project RZON20-015, 1519 Casseopeia from Single Dwelling Residential (R1) to Traditional Neighborhood (TN).

My family moved into the neighborhood in 1959, so I know this area well. I purchased my family home in 2016. This neighborhood is predominantly single dwelling residential. Over the last few years, there have been additions of several apartment complexes in the area and approval for an additional apartment complex on Saturn was given in last month's meeting. Adding more apartments to this area will create greater congestion on the already overburdened streets. Exiting and entering Beverly Road and Casseopeia, as well as Ray, Raymond, and Charlene, in the mornings and evenings to get to and from work and school is nearly impossible. South bound traffic is backed up on Skyline Drive from Broadway to Beverly and at times beyond Charlene Street. Attempting to enter Saturn is difficult before and after school due to parents dropping off students at Temple View Elementary. If one is able to get onto Saturn heading north, it is nearly impossible to get onto Grandview Drive/Highway 20 due to backed up traffic stopped at the light where I-15 traffic enters Highway 20. Traffic congestion on Saturn Avenue will increase with the completion of Idaho Falls City Project #10 which connects Pancheri Drive with Grandview Drive. Neither Saturn nor Skyline is equipped to handle additional traffic since both streets are lined with houses which requires homeowners to navigate additional traffic as they enter and exit their properties.

Apartments will greatly change the neighborhood. That many additional apartment units will not only cause traffic congestion, but will also create a burden on the elementary schools nearby which are already crowded. The increased population density and traffic will negatively affect the property values of the existing neighborhood homes.

Since this area could be subject to changes with the I-15 Highway 20 interchange project, it would behoove the city to solidify that plan before moving to rezone the property on Casseopeia. It was mentioned in the previous hearing that the property had not been sold as zoned, however, the Arrington property had been retained by the family until recently. Lastly, there was confusion at the October meeting concerning exactly what the Traditional Neighborhood (TN) zoning code encompasses. Until there is clear definition and understanding of the zoning code itself, there should be no consideration of a change.

Leaving the 1519 Casseopeia property as Single Dwelling Residential (R1) is the only equitable solution for the current residents of this neighborhood.

Sincerely,  
Ruth C. Byron