



# City Council Agenda

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City of Idaho Falls  
Regular Council Meeting  
680 Park Avenue

**Thursday**  
October 12, 2023  
**7:30 P.M.**

## **Mayor**

Rebecca Casper

## **City Council**

Michelle Ziel-Dingman  
Council President

John Radford  
Council Seat 5

Jim Freeman  
Council Seat 6

Tom Hally  
Council Seat 3

Jim Francis  
Council Seat 4

Lisa Burtenshaw  
Council Seat 2



Livestream at [www.idahofallsidaho.gov/429/Live-Stream](http://www.idahofallsidaho.gov/429/Live-Stream)

# PUBLIC PARTICIPATION

Welcome to the Idaho Falls City Council Meeting.

Regularly scheduled City Council meetings are open to the general public. City Council meetings are also live-streamed and archived on [the City website](#). Please be aware that the meeting agenda will differ from the published version if amendments to the agenda are made by the Council during the meeting.

The Council encourages public input. While a general public comment option is not required by Idaho law, the Idaho Falls City Council welcomes general public input as part of regular City Council meetings. General public comment will be allowed for up to 20 minutes. However, citizens are always welcome to contact their Council representatives via e-mail or telephone, as listed on [the City website](#). The Council is committed to an atmosphere that promotes equal opportunity, civility, mutual respect, proper decorum and freedom from discrimination or harassment.

Those who wish to address City Council during the council meetings are encouraged to adhere to the guidelines below.

## Public Comment Guidelines

Speakers are encouraged to:

- State their name and city of residence.
- Focus comments on matters within the purview of the City Council.
- Limit comments to three (3) minutes or less.
- Refrain from repeating information already presented to preserve time for others to speak. Large groups are encouraged to select one or two speakers to represent the voice of the entire group.
- Practice civility and courtesy. City leaders have the right and the responsibility to maintain order and decorum during the meeting. Time may be curtailed for those speakers whose comments are profane or disruptive in nature.
- Refrain from comments on issues involving matters currently pending before the City's Planning and Zoning Commission or other matters that require legal due process, including public hearings, City enforcement actions, and pending City personnel disciplinary matters.
- Comments that pertain to activities or performance of individual City employees should be shared directly with the City's Human Resources Director (208-612-8248), the City's Legal Department (208-612-8178) or with the Office of the Mayor (208-612-8235).

## Public Hearing Guidelines

- In-person Comment. Because public hearings must follow various procedures required by law, please wait to offer your comments until comment is invited/indicated. Please address comments directly to the Council and try to limit them to three (3) minutes.
- Written Comment. The public may provide written comments via postal mail sent to City Hall or via email sent to the City Clerk at [IFClerk@idahofalls.gov](mailto:IFClerk@idahofalls.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 forty-eight (48) hours prior to the date of the hearing to ensure inclusion in the permanent City record.
- Remote Comment. When available, the public may provide live testimony remotely via the WebEx meeting platform using a phone or a computer. Those desiring public hearing access should send a valid and accurate email address to [virtualattend@idahofalls.gov](mailto:virtualattend@idahofalls.gov) no later than twenty-four (24) hours prior to the date of the hearing so log-in information can be sent prior to the meeting. Please indicate which public hearing the testimony is intended for on the agenda. Please note that this remote option will not be available for all meetings.

**If communication aids, services, or other physical accommodations are needed to facilitate participation or access for this meeting, please contact the City Clerk at (208) 612-8414 or the ADA Coordinator at (208) 612-8323 not less than 48 hours prior to the meeting. They will help accommodate special needs wherever possible.**





# City Council Meeting

## Agenda

680 Park Avenue  
Idaho Falls, ID 83402

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Thursday, October 12, 2023

7:30 PM

City Council Chambers

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### City Council Agenda:

1. **Call to Order.**
2. **Pledge of Allegiance.**
3. **Public Comment.**

Please see guidelines above.

4. **Consent Agenda.**

Any Consent Agenda item may be moved to the Regular Agenda for separate consideration if requested by a Council member. Other changes to this agenda may require the approval of a majority of Council.

#### A. **Idaho Falls Power**

- 1) Kleinschmidt Phase II Relicensing Professional Service Contract - **23-290**  
Pre-Application - FY2024

**Attachments:** Idaho Falls Relicensing Proposal\_2024.pdf

- 2) IFP 21-34, Conduit Fiber Agreement with B. Jackson Construction **23-293**

#### B. **Public Works**

- 1) Minutes from the Annual Meeting of Public Works Department Utilities **23-294**

**Attachments:** Public Works Annual Utility Meeting Minutes

#### C. **Municipal Services**

- 1) Bid IF-24-01 Haul and Spread Liquid Wastewater Biosolids for Public Works **23-291**

**Attachments:** Bid IF-24-01 Iron Horse Trucking

#### D. **Office of the City Clerk**

- 1) Minutes from Council Meetings **23-292**

**Attachments:** 2023 0824 - City Council -Unapproved  
2023 0724 Work Session - Unapproved  
2023 0309 - City Council -Unapproved.edited  
2023 0123 Work Session - Unapproved

- 2) License Applications, all carrying the required approvals

**Action Item:**

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

**5. Regular Agenda.**

**A. Idaho Falls Power**

- 1) IFP 23-31 MVA Power Transformer - Virginia Transformer Corp. **23-286**

Idaho Falls Power (IFP) put out a request for quotes (RFQ) for a 161kV-12.47kV 15/20/25 MVA power transformer. A single bid was received from Virginia Transformer Corp. for \$1,659,741.00, which was 50% higher than anticipated. IFP recommends rejecting the bid at this time and putting out a future RFQ in hopes that pricing will come down.

**Action Item:**

Reject bid for MVA Power Transformer with Virginia Transformer Corp. at a price of \$1,659,741 (or take other action deemed appropriate).

**Attachments:** IFP23-31 MVA Power Transformer - Virginia Transformer Corp.pdf

**B. City Attorney**

- 1) Development and Cost Sharing Agreement with SSYA IF, LLC **23-283**

SSYA IF, LLC, is developing the property immediately adjacent and to the west of the City's Ryder Park property as a car dealership. The Development is outside of the City's geographic boundaries. In order to receive approval to develop and construct the project from Bonneville County, SSYA IF, LLC, is required to construct a road. SSYA IF, LLC, approached the City to discuss constructing the road along the boundary between the development property and Ryder Park. The proposed boundary road would require that the City dedicate the portion of Ryder Park that lies within the area proposed to become the boundary road. In exchange for the City agreeing to allow a portion of Ryder Park to be converted into a road, SSYA IF, LLC, has agreed to construct the required curb and gutter at SSYA IF, LLC's sole cost. In addition, SSYA IF, LLC, has agreed to construct an improved drive approach to Ryder Park.

**Action Item:**

Approve the Development and Cost Sharing Agreement with SSYA IF, LLC (or take other action deemed appropriate).

**Attachments:** Development Agreement YASS and City of Idaho Falls - DRAFT.pdf

**C. Community Development Services**

- 1) Public Hearing-Adoption of a Form Based Code Amendment to include new sections addressing the South Downtown." **23-287**

Attached is the ordinance adopting the October 2023 Edition of the Form Based Code. This ordinance

replaces the existing Form Based Zoning Code and includes additional language to address the area known as South Downtown. The Form Based Code establishes standards to protect and enhance the unique and historic character of these areas. The Planning and Zoning Commission considered the code amendment at its July 11, 2023, meeting and unanimously recommended approval to the Mayor and City Council as presented. Prior to the Planning and Zoning Commission hearing, and in addition to regular noticing requirements, staff provided bi-lingual notices regarding the code and hearing to every property owner of record as well as renters and tenants in the affected area. Staff respectfully requests approval of the ordinance.

**Action Item:**

Approve the Ordinance amending Title 10, Chapter 7, Section 1 of the City Code adopting the October 2023 Edition of the Form Based Code (or take other action deemed appropriate).

**Attachments:** Staff Report  
October 2023 Edition Form Based Code  
PC Minutes  
Public Comment  
Ordinance

- 2) Quasi-judicial Public Hearing-Rezone from CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code, Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards on approximately 70 acres generally located between Cliff Street to Pancheri Drive and from the Snake River to South Yellowstone Avenue. **23-288**

Attached is the application for Rezoning from CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards for approximately 70 acres generally located between Cliff Street to Pancheri Drive and from the Snake River to South Yellowstone Avenue. The Planning and Zoning Commission considered this item at its July 11, 2023, meeting and voted unanimously to recommend approval to the Mayor and City Council as presented.

**Action Item:**

1. Approve the Ordinance Rezoning approximately 70 acres generally located between Cliff Street to Pancheri Drive and from the Snake River to South Yellowstone Avenue from CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code, under 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 CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

**Attachments:** Existing Zoning Exhibit Map.pdf  
Proposed Zoning Map  
Staff Report  
PC Minutes  
Ordinance  
Reasoned Statement

**6. Announcements.**

**7. Adjournment.**

# Memorandum

File #: 23-290

City Council Meeting

**FROM:** Bear Prairie, General Manager  
**DATE:** Tuesday, October 3, 2023  
**DEPARTMENT:** Idaho Falls Power

## Subject

Kleinschmidt Phase II Relicensing Professional Service Contract - Pre-Application - FY2024

## Council Action Desired

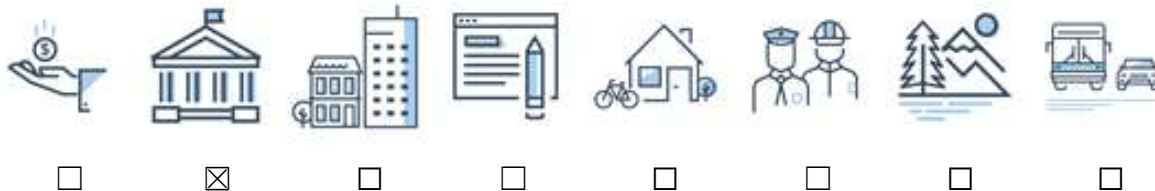
- ☐ Ordinance ☐ Resolution ☐ Public Hearing  
☒ Other Action (Approval, Authorization, Ratification, etc.)

Approve the Phase II Relicensing pre-application work for FY2024 with Kleinschmidt Associates for \$345,100, (or take other action deemed appropriate).

## Description, Background Information & Purpose

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 Statue 67-2320. The City Council approved Kleinschmidt Associates' original contract in October 2021 and additional spending authority in October 2022 for phase I consulting work for Federal Energy Regulatory Commission's (FERC) relicensing of the city's hydroelectric projects.

## Alignment with City & Department Planning Objectives



This action supports our readiness for good governance by assurance of regulatory and policy compliance to minimize and mitigate risk, ensuring access to reliable and affordable power. It also supports the reliability element of the IFP Strategic Plan.

## Interdepartmental Coordination

The City Attorney Department and Idaho Falls Power.

## Fiscal Impact

Funding for these services is in the 2023/24 CIP budget.

## Legal Review



The City Attorney Department has reviewed this proposed expenditure for professional services and concurs that it is within State Statute §67-2320.



Providing **practical** solutions to **complex** problems affecting energy, water, and the environment

September 21, 2023

**VIA EMAIL**

Richard Malloy  
Idaho Falls Power  
140 So. Capital  
Idaho Falls, ID 83402

Proposal for Relicensing Consulting Services for Idaho Falls Power's Gem State (FERC No. 2952) and Idaho Falls Hydroelectric Projects (FERC No. 2842) – FY'24 Relicensing Phase 2: Study Plan Development and Desktop Studies (1970004.03)

Dear Richard:

Kleinschmidt Associates (Kleinschmidt) is pleased to submit this proposal to continue assisting in providing relicensing support to Idaho Falls Power (IFP) for the Federal Energy Regulatory Commission (FERC) relicensing of the Gem State Hydroelectric Project (FERC No. 2952) and Idaho Falls Hydroelectric Project (FERC No. 2842) (collectively, Projects).

Kleinschmidt prepared this proposal at IFP's request to continue to assist in the second phase of pre-filing activities for concurrent relicensing processes using FERC's Integrated Licensing Process (ILP) (Phase 2). Our existing Purchase Order (108870) is expiring, and IFP has requested that Kleinschmidt provide an updated budget for Fiscal Year (FY) 2024. For the purposes of this scope, Phase 2 of pre-filing activities includes necessary work through the filing of the Proposed Study Plan and beginning desktop studies for select study plans. We have included scope to provide support services for FERC's Scoping Meeting as outlined in our previous proposal from September 2022.

Following the proposed schedule outlined in the PAD, as filed August 2, 2023, the Kleinschmidt Team will participate in a scoping meeting and site visit in consultation with resource agencies and stakeholders at a date of FERC's choosing, in October 2023. Following that meeting, Kleinschmidt will begin development of the study plan outlines and review PAD comments submitted in November 2023. The anticipated issuance of FERC's scoping document is June 2024, with the Initial Study Report due one year later in June 2025. For this reason, Kleinschmidt recommends beginning some of the "standard" studies in 2024 and has included this in the task list below.

## **PROPOSED SCOPE OF WORK**

The Kleinschmidt Team will assist IFP in beginning Phase 2 of pre-filing activities for the relicensing of the Projects, from participation in FERC's scoping process through development of the Proposed Study Plans and initial desktop implementation of select studies. These activities, and the following tasks, will follow FERC's applicable ILP regulations at 18 Code of Federal Regulations (18 CFR) Part 5. Note that this proposal assumes there will be no requests to FERC for dispute resolution of any proposed studies. Should there be disputes over the proposed study plan, we would submit a supplemental budget.

### **TASK 1 – PROJECT MANAGEMENT**

Kleinschmidt proposes to continue reoccurring team meetings between IFP and the Kleinschmidt Project Manager, including subject-matter experts as needed. These meetings are currently scoped to continue bi-weekly through FY 2024, however, as relicensing milestones approach, these meetings may increase to weekly. Similarly, meetings may be canceled during slower periods of the Project. Kleinschmidt has also scoped time for the general administration of the contract (Project Controls), monthly invoicing and billing, and updates to the schedule and project plan in our project management software program.

Kleinschmidt will continue to maintain and use SharePoint to manage all document exchanges and future relicensing document production. Since Kleinschmidt will host SharePoint, a limited number of hours for IT support, however, our IT department typically cannot resolve login/credential issues that span across outside parties' networks. The Kleinschmidt Team will continue to use the existing internal SharePoint site for document production, data management, stakeholder contact list, and document review workflows.

Included in this task is continued maintenance of the project consultation log as part of the Administrative Record. The consultation log includes all project-related communications with stakeholders, including agencies, NGOs and Tribes. It will be a living document tracking discussions with stakeholders surrounding study requests, study implementation, comments on reports and other project-related discussions. It will not include communications with FERC. The consultation log will be a living document and filed along with the DLA and again with the FLA.



## **TASK 2 – FERC SCOPING**

The Kleinschmidt Team will assist IFP through FERC's public scoping process pursuant to the National Environmental Policy Act (NEPA). The following activities will be completed in the months following the filing of the PAD between July 2023 and January 2024.

Task 2.1 - FERC Scoping Meeting and Site Visit: The Kleinschmidt Team will assist in the preparation and presentation of information on Project facilities and operations at the Scoping Meetings and Site Visit, which will be held within 30 days of FERC noticing its acceptance of the NOI and PAD and issuing Scoping Document 1 [§5.8(d)]. The Scoping Meetings and Site Visit will include two days of participation by up to four Kleinschmidt staff in daytime and evening public meetings as well as a site visit of both Projects. The Scoping Meeting and Site Visit is anticipated to occur in October 2023, at a date and time set and organized by FERC.

Task 2.2 - Review of FERC Scoping Document, PAD Comments, and Study Requests: FERC will issue a Scoping Document (SD1) within 60 days of the filing of the NOI/PAD and following the site visit and scoping meeting, anticipated in November 2023. Following the FERC scoping meeting, IFP will receive comments on the PAD and requests for studies and information from agencies and stakeholders. The Kleinschmidt Team will review the SD1, PAD comments, and stakeholder study requests and will synthesize comments and issues into summary matrix that includes identification of commenting entity, resource area, potential issue and preliminary response for IFP review and consideration for development of the Proposed Study Plan and response to studies that will be developed under Task 6.

## **TASK 3 – STUDY PLAN DEVELOPMENT**

The Kleinschmidt Team will assist IFP in developing the Proposed Study Plan, according to FERC's requirements under 18 CFR §5.11-5.13.

Task 3.1 – Proposed Study Plan: Kleinschmidt will review the study requests, potential relicensing strategies, and approach for addressing the study requests in consultation with IFP. Potential study response approaches include: 1) incorporating elements of the study request into already considered studies; 2) agreeing to a previously unplanned study; or 3) rejecting the study. Each treatment requires consideration of FERC's National Environmental Policy Act (NEPA) responsibilities, the management authorities of the requestor, and the risk to IFP operations. A Proposed Study Plan (PSP) will be compiled that summarizes stakeholder requests for proposed relicensing studies and IFP's response to study requests (adopted, partially adopted, or rationale for not adopting study). For each IFP proposed relicensing study, the following information will be developed to

include: 1) goals and objectives; 2) description of study area; 3) a summary of existing/background information; 4) Project nexus and rationale for adopting the study; and 5) proposed methodology; 6) deliverables and anticipated schedule. The PSP will also include a summary table of received study requests and IFPs treatment and responses to those requests.

Kleinschmidt has identified 11 potential issues as described in Table 6-1 of the PAD. Using the PAD as a starting point, the Kleinschmidt Team will develop a Study Program for IFP review and eventual submittal to FERC. Based on the anticipated schedule, the PSP development would begin in November 2023, with filing in January 2024.

Task 3.2 – Study Plan Meeting: Following the filing of the PSP, a public meeting will be held to review the PSP and receive comments from agencies and other stakeholders. The cost estimate assumes the meeting will be held virtually and will be facilitated by Kleinschmidt. Materials for the meeting will include PowerPoint presentation and maps showing the Project areas. Kleinschmidt will provide a meeting summary and will file this meeting summary as required with FERC. Based on the anticipated schedule, the Study Plan Meeting would be held in February 2024.

Task 3.3 – Revised/Final Study Plan: Agencies and stakeholders will have the opportunity to comment on the PSP and IFP will be required to file a Revised Study Plan (RSP) with FERC that addresses any comments received on the PSP. The RSP will include modified studies that incorporate comments received or which summarize the specific reasons why the study requests have not been adopted. Based on the anticipated schedule, the Study Plan Meeting would be held in February of 2024.

Following the filing of the RSP, in the event that agencies are in disagreement with the RSP proposed studies, the agencies would have an opportunity to ask FERC to adjudicate any differences of opinions – the level of effort for this “dispute resolution” process is not included here. Assuming there are no disputes, FERC will signal that IFP may commence its study program with a Study Plan Determination (SPD). Based on the existing anticipated relicensing schedule, the FERC SPD is anticipated to be issued in June 2024. The Kleinschmidt Team will review the SPD and provide IFP with a summary matrix of any key revisions to IFP proposed studies as required by FERC in the SPD.



#### **TASK 4 - 2024 STUDY PLAN IMPLEMENTATION**

As currently outlined in the Project schedule in the PAD, FERC will issue their Study Plan Determination in June 2024. This document is typically the signal to licensees to implement their study program. It is unclear the scope and scale of IFPs study plan implementation efforts. Studies may include one or two years of data collection depending on the resource area. The Kleinschmidt Team is proposing to begin a select few studies in advance of FERC's issuance to ensure that a full two years of data is collected for those studies identified as two-year studies. Preliminary scoping for these studies will be a deliverable from Task 3 above. At this time, Kleinschmidt has included costs to implement up to four desktop studies, additional work, including field efforts will be part of a new scope and budget; however, the evolution of the RSP and final SPD may necessitate revisiting scope, schedule and budget to ensure the mandated study program can be successfully implemented.

#### **SCHEDULE**

Kleinschmidt will initiate this Scope of Work immediately upon notice to proceed. Based on a notice to proceed by October 2023, Kleinschmidt will complete the Scope of Work from October 1, 2023, through September 2024, consistent with IFP budget cycle. The detailed schedule for each task will be defined in coordination with IFP to meet the completion dates shown in Table 1.

**TABLE 1 – SCHEDULE**

<b>TASK</b>	<b>COMPLETION DATE</b>
Notice to Proceed	October 2023
Task 1 – Project Management	On-going
Task 2 - FERC Scoping	October – November 2023
Task 3 –Study Plan Development	November 2023 - January 2024
Task 4 – Select Study Implementation	Spring/Summer/Fall 2024

## **COST OF SERVICES**

Kleinschmidt will perform the FY 2024 proposed work on an Hourly Rate plus Expenses basis for the estimated cost of **\$345,100** (three hundred forty-five thousand one hundred dollars). The Cost of Services is calculated using Kleinschmidt's Standard Rates. The estimate is not a fixed price or an upper limit. We will not exceed the estimated amount without first discussing the need with you and receiving your authorization to proceed. Attachment B shows the hourly billing rates for FY 2024.

**TABLE 2 – COST OF SERVICES FOR IDAHO FALLS AND GEM STATE PROJECTS PRE-FILING ACTIVITIES FROM FINALIZING PAD THROUGH FERC SCOPING, REVISED FROM 2021 PROPOSAL**

<b>TASK</b>	<b>TOTAL COST (FY 2024)</b>
<b>Task 1 – Project Management</b>	\$84,000
<b>Task 2 – FERC Scoping/Site Visit</b>	\$96,600
<b>Task 3– Study Plan Development</b>	\$128,200
<b>Task 4 – Study Implementation</b> <i>(select desktop studies)</i>	36,300
<b>TOTAL</b>	<b>\$345,100</b>

## **TERMS AND CONDITIONS**

The proposed Scope of Work will be performed on an Hourly Rate plus Expenses basis in accordance with this proposal and Kleinschmidt's Standard Terms and Conditions, with exceptions taken on February 25, 2019 by IFP (incorporated by reference), Method of Payment (Attachment C), and 2024 Rate Schedule (Attachment B), with an anticipated increase each subsequent year. Kleinschmidt will provide an updated Rate Schedule as revisions occur.

We appreciate the opportunity to assist you with this project. If you have any questions about this proposal, please call Finlay Anderson at 971-345-0517 or Shannon Luoma at 425-528-1614. We appreciate the opportunity to assist IFP with this important relicensing effort for the Idaho Falls and Gem State Projects.

Richard Malloy  
September 21, 2023

7.

If you issue a purchase order as means of authorization of the work, please reference Kleinschmidt Proposal No. 1970004.03 in the purchase order, and note in the purchase order that any terms and conditions on the purchase order are null and void.

Sincerely,

**KLEINSCHMIDT ASSOCIATES**



Shannon Luoma  
Project Manager



Finlay Anderson  
Project Director

SML:JM

Attachment A 2024 Rate Schedule  
Attachment B Method of Payment

cc: Proposal Distribution

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**ATTACHMENT A**  
**2024 RATE SCHEDULE**



**KLEINSCHMIDT ASSOCIATES**  
**2024 RATES (USD)**

<b>LABOR CATEGORY</b>	<b>HOURLY BILLING RATE</b>
<b>SENIOR MANAGERS/CONSULTANTS</b>	
Principal Consultant F1	\$305.00
<b>ENGINEERS</b>	
Senior Engineering Advisor E7	\$282.00
Senior Engineering Consultant E6	\$255.00
Senior Engineer E5	\$210.00
Project Engineer E4	\$190.00
Engineer E3	\$175.00
Staff Engineer E2	\$156.00
Engineer Technician E1	\$120.00
<b>LICENSING COORDINATORS/PLANNERS</b>	
Senior Regulatory/Planner Advisor L/P7	\$282.00
Senior Licensing Coordinator/Planner L/P6	\$225.00
Project Licensing Coordinator/Planner L/P5	\$184.00
Licensing Coordinator/Planner L/P4	\$162.00
Staff Licensing Coordinator/Planner L/P3	\$140.00
Associate Licensing Coordinator/Planner L/P2	\$122.00
Licensing Coordinator/Planner Technician L/P1	\$98.00
Licensing Intern L/P0	\$75.00
<b>SCIENTISTS</b>	
Senior Science Advisor S7	\$271.00
Senior Scientist S6	\$214.00
Project Scientist S5	\$182.00
Scientist S4	\$157.00
Staff Scientist S3	\$138.00
Associate Scientist S2	\$110.00
Scientist Technician S1	\$95.00
Field Technician S0	\$72.00
<b>PROJECT AND PROGRAM MANAGEMENT</b>	
Project Director	\$295.00
Senior Project Manager PM2	\$267.00
Project Manager PM1	\$226.00
Senior Support Staff A7	\$226.00
Project Controller A6	\$187.00
Senior Project Coordinator or Administrator /Accountant A5	\$151.00
Project Administrator or /Accountant A4	\$131.00
Administrative Staff A3	\$113.00
Associate Administrative Staff A2	\$98.00
Office Assistant A1	\$87.00
<b>DESIGNERS/DRAFTERS</b>	
Lead Designer D5	\$175.00
Senior Designer D4	\$156.00
Designer D3	\$138.00
Senior Drafter D2	\$120.00
Drafter D1	\$104.00

Effective January 1, 2023



## ATTACHMENT B

### METHOD OF PAYMENT

## KLEINSCHMIDT ASSOCIATES

### METHOD OF PAYMENT

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1. Client may pay Kleinschmidt either on a negotiated Lump Sum basis or Hourly Rate basis, as defined in the Work Authorization and agreed by the *Client* and Kleinschmidt in writing.
2. Client agrees to pay Kleinschmidt for Services the amounts quoted in the Proposal or Work Authorization, in accordance with the compensation terms laid out in the contract. Kleinschmidt agrees not to exceed the estimated consulting costs as stated in the proposal without explaining the need to the Client and obtaining the Client's authorization to proceed.
3. For Lump Sum projects, Kleinschmidt will invoice monthly as a percent complete of the project or Work Authorization, unless otherwise defined in the Work Authorization.
4. For Time and Materials, or Hourly Rate projects, Kleinschmidt will invoice monthly for all employee time at the hourly billing rate currently in effect, times a number of hours worked on the project plus subconsultant fees and expenses as described below. Client agrees to pay for expert testimony and direct preparation for testimony in any litigation, arbitration, or other legal or administrative proceeding at 150% of the standard billing rates with a minimum daily charge based upon an 8-hour day, plus Reimbursable Expenses.
5. For any projects where expenses are invoiced separately from labor, the following apply:
  - a. Client agrees to pay Kleinschmidt a 15 percent markup for subconsultant services.
  - b. Client agrees to pay 3 percent of labor costs for telecommunications (e.g., phone, data transmission and storage, fax, conference and video conference, data security).
  - c. Client agrees to pay for specialized computer programs, field equipment, and other unit charges (e.g., photocopies, mileage, photos, drawing reproductions, CD preparation, SharePoint hosting) according to the current rates in effect.
  - d. Client agrees to pay any other reimbursable expenses actually incurred by Kleinschmidt at cost.

**File #:** 23-293

**City Council Meeting**

**FROM:** Bear Prairie, General Manager  
**DATE:** Wednesday, October 4, 2023  
**DEPARTMENT:** Idaho Falls Power

## Subject

IFP 21-34, Conduit Fiber Agreement with B. Jackson Construction

## Council Action Desired

- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing

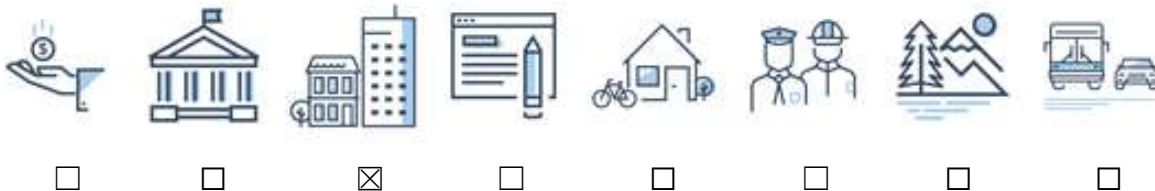
☐ Other Action (Approval, Authorization, Ratification, etc.)

Grant Idaho Falls Power and Fiber additional spending authority of \$2,693,946.20 as previously awarded under the multi-year B. Jackson Construction contract originally approved August 26, 2021 for a contract total of \$6,467,501.84 (or take other action deemed appropriate).

## Description, Background Information & Purpose

City Council approved B. Jackson Construction's contract to provide conduit for buried electrical conductor replacement and fiber optic cable installation until the fiber expansion project is complete. Work for the final phase of the fiber project is planned to be in FY2024 at \$2,449,042 plus a ten percent (10%) contingency of \$244,904.20 for a total authorization of \$2,693,946.20.

## Alignment with City & Department Planning Objectives



This action supports our readiness for managed, well-planned growth and development, by expanding residential fiber services and enhancing the reliability of our electric system with timely replacement of aging electrical infrastructure. This action also supports the growth element of the IFP Strategic Plan.

## Interdepartmental Coordination

Idaho Falls Power coordinated with the City Attorney Department.

## Fiscal Impact

This expenditure is budgeted for in the 2023/24 CIP budget.

**Legal Review**

The City Attorney Department agrees that this action is within state statute.

# Memorandum

File #: 23-294

City Council Meeting

**FROM:** Chris H Fredericksen  
**DATE:** Wednesday, October 4, 2023  
**DEPARTMENT:** Public Works

## Subject

Minutes from the Annual Meeting of Public Works Department Utilities

## Council Action Desired

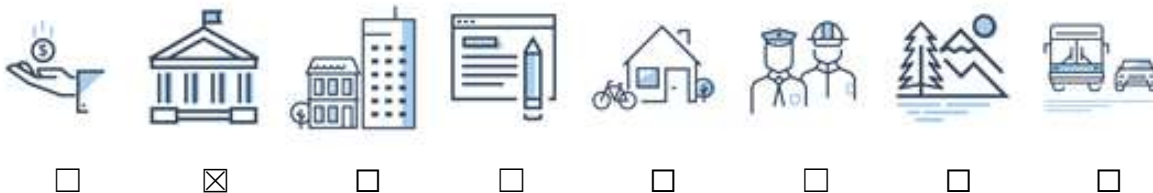
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☒ Other Action (Approval, Authorization, Ratification, etc.)

Approve the minutes from the Annual Meeting of Public Works Department Utilities from July 12, 2023 (or take other action deemed appropriate).

## Description, Background Information & Purpose

The Idaho Open Meetings law requires that the governing body of a public agency provide for the taking of written minutes for all of its public meetings.

## Alignment with City & Department Planning Objectives



The action is in accordance with Idaho Code 74-205(1) and supports good governance by demonstrating sound management and enabling trust and transparency.

## Interdepartmental Coordination

N/A

## Fiscal Impact

N/A

## Legal Review

N/A



2023-069

July 12, 2023

The City Council of the City of Idaho Falls met in Special Meeting (Annual Public Works Department Utility Meeting), Wednesday, July 12, 2023, at the Wastewater Administration Office located at 4075 Glen Koester Lane, Idaho Falls, Idaho at 4:00 p.m.

### Meeting Minutes

Officials Present: Mayor Rebecca Casper, Council President Dingman, Councilor Halley, Councilor Francis, Councilor Freeman

Officials Absent: Councilor Radford, Councilor Burtenshaw

Also Present: Director Chris Fredericksen, Chris Canfield, Carl Utter, David Richards, Jordan Rechenmacher, Kent Fugal, Rachael Huntsman

Call to Order: Meeting called to order at 4:07 pm

Announcements: None

Discussion: Director Fredericksen delivered a prepared presentation and led discussion. The following is a summary of the presentation/discussion highlights.

### Hiring & Retaining

- CDL & operator licenses required – some of the positions more difficult to find and fill, more open than full
- High school diploma or GED plus work time / experience
- Idaho Rural Water offers state wide training Water/Sewer employees can attend to maintain yearly required CEU - city pays for training
- Water Division employee use an app called Water College and have had success with employees passing the tests – employee able to take test at College of Eastern Idaho
- Employee has to work one year before able to take State of Idaho test – employee starts as water operator in training. After the test is passed with 70% or higher, employee moves to water operator
- City of Nampa is creating a CDL training program. Brian Cardon, Streets Division Superintendent is also working on a program to help fill the need for CDL.
- Younger workforce, jump ship if other makes more than them
- Human Resource is doing study – employees are at or below market average
- Councilor Francis suggested attending College of Eastern Idaho for career fairs
- Job fairs and hour attending – wage rates and pay schedules – focus on younger generation – starting rate
- Mayor suggested job fairs
- Councilor Freeman suggested attending D91 Career Fair

### Public Works Department Budget

- Public Works manages 10 of 34 funds in the city
- Sanitation 111.1% change expenditure increase, \$688,400 change in revenue

July 12, 2023

- Wastewater 112.7% change expenditure increase, \$1,093,000 change in revenue
- Water 104.0% change expenditure increase, \$296,000 change in revenue

#### Sanitation Division

- FY2023/2024 – Proposed budget
  - Expenditure 111.1% previous
  - Expenditure \$6,159,700
  - Revenue \$5,988,400
  - Tilt Frame \$270,000
  - 95 Gallon Carts \$150,000
  - New Dumpsters \$300,000
  - Request for 1 new full-time employee
- FY2022/2023 – Current Budget
  - Expenditures 75%
  - Budget \$5,837,500
  - Expenditures \$3,997,300
  - Budget committed 68%
  - Average monthly expenditures \$444,100
  - Revenues thru June 2023 \$507,300
- Assets
  - 21,265 – 95 Gallon residential carts
  - 324 – 1.5 cubic yard containers
  - 2,213 – 3 cubic yard containers
  - 275 – 30 cubic yard containers
  - 22 – 30 cubic yard recycling
  - 16 – 3 cubic yard glass recycling containers
- Recycling
  - 549 tons of refuse removed from the waste stream
  - 883 tons of glass since inception
  - Cost of service \$5,500
  - Cardboard charges \$3,300
  - Total recycling cost \$8,800 month
- Discussion of Recycling Program
  - Services offered through end of calendar year and remove recycling after holidays
  - Maintain glass recycling
  - Offering metal or cardboard recycling is the same cost of one employee
  - Less waste goes to transfer station
  - Transfer station often close and trucker unable to dump
  - If services are stopped, Kerry and Eric will handle social media

July 12, 2023

- Longer lead time may allow time to communicate with those citizens that care about the recycling program

## Wastewater

- FY2023/2024 – Proposed budget
  - Expenditure 112.7% previous
  - Expenditure \$25,960,400
  - Revenue \$13,743,000
  - Increase \$2,922,900
  - Re-budget Dewatering Project 10,000,000
  - 2 New Collection employee & 1 Wastewater Treatment plant employee \$169,900
  - New Line Camera \$200,000
  - 2 Heavy-Crane beds with existing vehicles \$38,000 each
- FY2022/2023 – Current Budget
  - Expenditures 75%
  - Budget \$26,940,400
  - Expenditures \$24,482,000
  - Budget committed 91%
  - Average monthly expenditures \$2,720,222
  - Revenues thru June 2023 \$1,210,500
- Assets
  - 33 Sanitary Lift Stations and maintains 9 for IBSD
  - 298 miles of gravity sewer line
  - 46 storm lift stations
  - 174 miles of storm line
  - Wastewater Treatment Plant
    - Capacity of 17 MG/D
    - Average daily flow of 9.5 MG/D
    - 56% of capacity – room to grow
- Rate Increase
  - Last rate increase 2022 – 2023 – 2% increase (\$24.00 - \$24.50)
  - 2023-2024 Proposed Rates – 2% increase (\$24.50 - \$25.00)
- Flooding
  - Reconstruct 14<sup>th</sup> St and 15<sup>th</sup> St and Lee tie to storm system in Lee to move that water quicker
  - Discussion about flooding homes, Public Works employee toured basement and some of alternative 15<sup>th</sup> and Lee – challenge from engineering
  - Estimated design costs are around \$360,000 improvements to fix that intersection

July 12, 2023

## Water

- FY2023/2024 – Proposed budget
  - Expenditure 104% previous
  - Expenditure \$23,564,200
  - Revenue \$13,905,500
  - Increase \$908,100
  - Water Tower Re-budgeted \$7,000,000
  - Request for 3 new full-time employees \$215,400
- FY2022/2023 – Current Budget
  - Expenditures 75%
  - Budget \$23,129,200
  - Expenditures \$16,701,000
  - Budget committed 72%
  - Average monthly expenditures \$1,855,700
  - Revenues thru June 2023 \$1,151,400
- Assets
  - 21 – Wells (located on 16 sites)
  - 356 – miles of water main line
  - 2,658 – fire hydrants
  - 9,198 – main line valve
  - 5,459 – meter location
    - 830 with meters installed
- Water Facility Plan Update – Whole System Metering
  - Single family resident - \$38.85 increase to \$40.98 increase
  - 2015 - \$250,000 annually and 2% last year
  - Commercial metering will be complete in 7 years
  - Residential metering will be complete in 20 years
  - Rate increase over next 5 years will pay for metering
  - 2024 – 12%, 2025 – 12%, 2026 – 10%, 2027 – 5.5%
  - Funding sources could consist of grants, loans, and rates
  - Potential proposed impacts to future budgets
    - Rates 5.5 vs 12% (or combination thereof)
    - 3 full-time employees - \$215,400
    - Equipment - \$750,000
    - Total - \$965,400
- Lead and Copper
  - Lead and copper rule will change in October 2024
  - DEQ must receive report where lead is located in system
  - GIS interns working on this information

July 12, 2023

- Action Item
  - Discussion was held regarding increasing annual rates to fund proposed meter installation as presented.
  - Councilor Dingman, Councilor Hally, Councilor Francis, Council Freeman approved pursuing rate increases and timeline for installing meters.

Adjournment: Meeting adjourned at 5:44 pm

# Memorandum

File #: 23-291

City Council Meeting

**FROM:** Pam Alexander, Municipal Services Director  
**DATE:** Wednesday, October 4, 2023  
**DEPARTMENT:** Municipal Services

## Subject

Bid IF-24-01 Haul and Spread Liquid Wastewater Biosolids for Public Works

## Council Action Desired

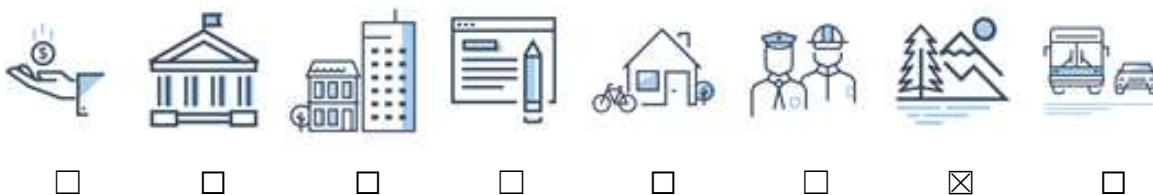
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☒ Other Action (Approval, Authorization, Ratification, etc.)

Accept and approve the bid received from Iron Horse Trucking, LLC. to haul and spread liquid wastewater biosolids for a total of \$237,375.00 or take other action deemed appropriate.

## Description, Background Information & Purpose

To maintain compliance with Idaho Department of Environmental Quality (ADEQ) discharge permit requirements, Public Works must have the ability to haul and spread liquid wastewater biosolids. City staff have met with bidder and reached agreement on the exceptions noted on the bid.

## Alignment with City & Department Planning Objectives



The haul and spread of wastewater biosolids supports the environmental sustainability community-oriented result as it allows Public Works to meet discharge permit requirements and assist local farmers with an option to using chemical fertilizer.

## Interdepartmental Coordination

Public Works concurs with the bid award recommendation.

## Fiscal Impact

Funds for the haul and spread services are budgeted within the Public Works 2023/24 Wastewater Treatment Plan Operation and Maintenance sludge removal budget line item.

## Legal Review

The City Attorney concurs that the Council action is within State Statute.



# CITY OF IDAHO FALLS

## INSTRUCTION TO BIDDERS

### Invitation to Bid Number: IF-24-01

#### INVITATION:

Sealed bids for furnishing all tools, labor, equipment and materials necessary to haul and spread Liquid Wastewater Biosolids described in "Specifications" will be received at the Procurement Office, 308 Constitution Way, Idaho Falls, Idaho 83402 until 11:00 A.M. on the 3<sup>th</sup> day of Oct, 2023, and then will be publicly opened and read. The price page(s) and the signature page(s) of the bid must be the original—copies or faxed copies are not acceptable and will result in rejection of the bid.

The **Envelope** containing your bid must be sealed, show the Invitation to Bid Number, the date and time of opening and your Company name. The envelope should be addressed as follows:

Vendor's Name

Invitation to Bid Number: **IF-24-01**

Date: 10-3-23

Time: 10:00 A.M.

Mailing Address

City of Idaho Falls

Procurement Office

PO Box 50220

Idaho Falls, ID 83405

**OR**

Special Delivery

City of Idaho Falls

Procurement Office

308 Constitution Way

Idaho Falls, ID 83402

If the mailed or special delivery envelope does not contain the above information, the bid may be rejected as non-responsive.

#### BID SECURITY:

Each bid must be submitted on the prescribed form. The bid must be accompanied by a Certified Check or Cashier's Check drawn on a bank in good standing or a Bid Bond issued by a Surety authorized to issue such bonds in the State of Idaho, all in an amount not less than (5%) of the total amount bid. Bidder agrees this bid may not be withdrawn for a period of thirty (30) calendar days after the opening of bids.

#### RETURN OF BID SECURITY:

The bid security of the successful bidder will be retained until he has executed the Agreement and furnished the required Payment and Performance Bonds. If he fails to execute and deliver the Agreement and furnish such bonds within ten (10) days of the Notice of Award, the City may annul the Notice of Award and the bid security of that Bidder will be forfeited. The bid security of any Bidder whom the City believes to have a reasonable chance of received the award may be retained by the City until after the executed Agreement is delivered to the City.

#### PERFORMANCE BOND AND PAYMENT BOND

The Bidder agrees that this bid shall be good and may not be withdrawn for a period of thirty (30) Calendar days after the opening of bids.

The Bidder agrees to execute this Contract with the City of Idaho Falls, and will further deliver to the City of Idaho Falls security for faithful performance of the Contract in the full amount of the Contract amount and security for the protection of persons supplying labor or materials for the Contract in the full amount of the Contract amount within ten (10) days after receipt of notification of acceptance of his Bid. The contract must be submitted with the completed performance and payment bond information as set forth in the forms of "Performance Bond" and "Payment Bond" in these documents and accompanied by a Certified Check or Cashier's Check drawn on a bank in good standing; Performance and Payment bond issued by a Surety authorized to issue such bonds in the State of Idaho; or Government Obligations, as defined under Idaho Code Section 54-1901 (2) (h), payable to the City of Idaho Falls, Idaho.

***Government Obligations as Security*** In the event the Bidder posts government obligations as security, pursuant to Section 54-1926A, Idaho Code, such government obligations shall be physically delivered to the CITY or unconditionally deposited into a designated account controlled solely by the City. If the government obligations are physically delivered to the CITY, they shall be unconditionally endorsed in favor of Mr. Mark Hagedorn, Treasurer of the City of Idaho Falls. If the government obligations are delivered by someone other than the Bidder, the person delivering such obligations shall execute a Power of Attorney in the form attached to the Performance and Payment Bonds as Attachments "A" and "A-1", in lieu of endorsing the government obligations in favor of the City Treasurer.

**PREFERENCE FOR IDAHO DOMICILED BIDDERS:**

In determining the lowest responsible bidder, the City shall consider the preferences for Idaho domiciled public works contractors and Idaho suppliers for purchases as provided in Idaho Code Sections 67-2348 and 67-2349, as currently in force and subsequently amended. The law requires providing a reciprocal preference for Idaho domiciled bidders on purchases of materials, supplies or equipment. The law and any applicable percentage preference is ONLY applicable to bidders domiciled in a state granting THEIR in state bidders a preference law or a reciprocal preference law. It is not applicable to domiciled bidders in states without a preference law or a reciprocal preference law. Bidder shall indicate on the signature page, in the space provided, the bidder's state of domicile. If a bidder is domiciled outside the State of Idaho and desires to be considered as an Idaho domiciled bidder, he shall indicate this on the signature page, in the space provided.

If the bidder indicates that he is domiciled outside the State of Idaho and that he desires to be considered as an Idaho domiciled bidder, he shall provide information with the bid sufficient to establish a significant Idaho economic presence as defined in Idaho Code Section 67-2349, as currently in force and subsequently amended. Bids received without this information will be considered invalid. If the bidder is domiciled in a state with a bid preference penalty, the bidder shall provide information with the bid concerning the bidder's state of domicile, the amount of the bid preference penalty in his state and a copy of the applicable code section with respect thereto. Failure to provide such information may result in rejection of the bid.

**GENERAL:**

The intention of the specifications is to describe the hauling and spreading of liquid wastewater biosolids in sufficient detail to secure bids. Bid to be submitted on forms furnished.

The original bid documents may be duplicated and/or faxed for Bidder to obtain additional copies, however the submitted bid of the price page(s) and the signature page(s) must be the original entries and signature of the Bidder—copies or faxed copies are not acceptable and will result in rejection of the bid. **Please sign with BLUE ink.**

The City of Idaho Falls Procurement Office may be reached by calling 208-612-8431.

**QUALIFICATION OF BIDDERS:**

Bidders may be required to submit evidence that they have sufficient knowledge, experience, equipment and financial resources to perform the particular work bid upon.

In determining the Bidder's qualifications, the following factors will be considered: Work previously completed by the bidder and whether the bidder (a) maintains a permanent place of business, (b) has adequate plant and equipment to do the work properly and expeditiously, (c) has the financial resources to meet all obligations incident to the work, and (d) has appropriate technical experience.

**WORKER'S COMPENSATION INSURANCE:**

The Vendor/Contractor shall take out and maintain during the life of this Contract, Worker's Compensation Insurance for all of their employees, employed at the site of the project and in case of any work that is sublet, the Vendor/Contractor shall require the subcontractor, similarly, to provide Worker's Compensation Insurance for all the latter's employees unless such employees are covered by the protection afforded by the Vendor/Contractor. In case any class of employees engaged in hazardous work under this Contract at the site of the project, is not protected under Worker's Compensation statutes, the Vendor/Contractor shall provide and shall cause such subcontractor to provide compensation insurance with a private company in an amount equal to that provided by the Worker's Compensation statute for the protection of his employees not otherwise protected.

**PUBLIC LIABILITY AND OTHER INSURANCE:**

The Vendor/Contractor shall obtain and keep in force during the term of the Contract, Public Liability and Property Damage Insurance in companies and in a form to be approved by the City. Said insurance shall provide coverage to the Contractor, any subcontractor performing work provided by this Contract, and the City. The City shall be named as an additional insured on said policy insofar as the work and obligations performed under the Contract are concerned. The coverage so provided shall protect against claims for personal injuries, including accidental death as well as claims for property damages, which may arise from any act or omission of the Vendor/Contractor or the subcontractor, or by anyone directly or indirectly employed by either of them. The minimum policy limits of such insurance shall be as follows:

**CERTIFICATES OF INSURANCE REQUIRED FOR:**

Worker's Compensation	(Statutory)
Employers Liability	(\$100,000.00 minimum)
Comprehensive General Liability	(\$500,000 minimum combined single limits for bodily injury and property damage)



CERTIFICATE OF ELIGIBILITY:

The successful Bidder shall be required to execute a Certificate of Eligibility (See attached) as a condition for the award of this Bid / Contract.

INTERPRETATIONS:

Interpretations, corrections and changes of the bid will be made by Addendum. Addendums will be posted with the original bid on the City's Webpage ([www.idahofallsidaho.gov/bids.aspx](http://www.idahofallsidaho.gov/bids.aspx)) by the Procurement Office at least three (3) days prior to the bid opening. Interpretations, corrections, and changes of the bid made in any other manner will not be binding, and Bidders shall not rely upon them.

TERMS AND CONDITIONS:

This formal bid document and subsequent Purchase Order are to be considered the City's sole terms and conditions. Bids submitted with any additional terms and conditions may not be considered.

BASIS OF AWARD:

The award of the bid will be made to the bidder submitting the responsive bid which will best serve the interest and requirements of the City of Idaho Falls. The bids will be evaluated for compliance with the specifications furnished by the City of Idaho Falls. The contract will be awarded to the bidder submitting the lowest responsive bid based upon the bid evaluation method set forth in the paragraph entitled "BID EVALUATION".

BID IRREGULARITIES:

If the bid form furnished is not used or is altered or if there are unauthorized additions, conditional bids, or irregularities of any kind, which make the bid incomplete, indefinite, irregular, or ambiguous; the bid may be rejected. Bids received without the signature of a Company representative under the heading **\*\*BID PROPOSAL SIGNATURE\*\*** will be considered invalid.

TERM OF BID AND BID AWARD:

The Bidder's bid shall remain in effect for a period of 60 working days after the bid opening. If awarded the Bid, the successful Bidder will comply with the terms and conditions of the Bid Documents and subsequent Purchase Orders through the period of time as listed above. The City of Idaho Falls reserves the right to purchase any or all of the items as listed.

ANTI-BOYCOTT AGAINST ISRAEL ACT:

Pursuant to Idaho Code section 67-2346, if payments under this contract exceed one hundred thousand dollars (\$100,000) and Vendor/Contractor employs ten (10) or more persons, Vendor/Contractor certifies that it is not currently engaged in, and will not for the duration of this contract engage in, a boycott of goods or services from Israel or territories under its control. The terms in this Paragraph that are defined in Idaho Code section 67-2346 shall have the meaning defined therein.

DISCLAIMER:

The City of Idaho Falls reserves the right to accept or reject any or all bids, to waive any or all bids, to waive any informalities and irregularities in said bids, and to accept individual bid items.

### CERTIFICATE OF ELIGIBILITY

(Please fill out the top or bottom portion of this document, whichever is applicable)

Iron Horse Trucking LLC, represented by Gerard Val Jolley represents that:  
(Bidder/Vendor) (Representative's Name)

- 1) For the purposes of this certificate, the term "Ineligible Person" shall mean any officer, agent or employee of the City of Idaho Falls, and the spouse and any member of the household of such officer, agent or employee. The term "Ineligible Entity" shall mean any corporation, partnership, trust, association, sole proprietorship or organization of any kind in which an Ineligible Person holds any pecuniary or ownership interest of any kind or which employs an Ineligible Person.
- 2) Bidder is not an Ineligible Person or Ineligible Entity.
- 3) No Ineligible Person or Ineligible Entity has an interest of any kind in the abovementioned Bidder, nor will any Ineligible Person or Ineligible Entity receive any consideration or benefit of any kind on account of the above-referenced project or purchase.
- 4) To the best of my knowledge no Ineligible Person or Ineligible Entity has any interest in the above-referenced project or purchase, which is prohibited under Idaho Code Section 59-201.
- 5) I am over eighteen (18) years of age, have personal knowledge of the foregoing and would so testify if called upon in a court of law.

Dated the 29 day of September, 2023.

BIDDER/VENDOR:

Gerard Val Jolley  
Representative's Signature

Gerard Val Jolley  
Bidder/Vendor

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If you are unable to sign the above Certificate of Eligibility, you may, depending upon the circumstances, still be eligible to carry out this contract (PO). In order to receive such consideration, please explain the reasons why you are unable to execute the Certificate of Eligibility.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

BIDDER/VENDOR:

\_\_\_\_\_  
Representative's Signature

\_\_\_\_\_  
Bidder/Vendor

## **SPECIFICATIONS**

### **LIQUID WASTEWATER BIOSOLIDS HAULING**

The City of Idaho Falls Sewer Division requests bids to haul and spread wastewater biosolids (sewage sludge) as indicated in these Contract Documents. The City will load the liquid wastewater biosolids into the Hauler's trucks at the designated location at the City's Wastewater Treatment Plant. The Hauler shall haul the liquid wastewater biosolids to the fields designated by the Sewer Superintendent or his representative and in a manner which conforms to these Specifications.

### **TRUCKING EQUIPMENT REQUIREMENTS**

Hauler shall supply tanker truck(s), together with a driver/operator for each truck, capable of hauling liquid wastewater biosolids from the City's Wastewater Treatment Plant to designated fields in the area in a manner that prevents leaking or spilling of the liquid wastewater biosolids onto highways, streets, roads, or other land surfaces or waterways not approved for biosolids application or disposal. Hauler will be liable for any and all costs (including clean-up costs and/or fines) associated with any spills from Haulers equipment.

Trucks shall be equipped with a spreader that is capable of uniformly spreading the liquid wastewater biosolids over the entire width of the truck at variable controlled application rates. The application rates will vary based on the agronomic rate for each field, as directed by the Sewer Superintendent or his designated representative.

Hauler to provide DOT Certified trucks. Copies of the DOT certification are due upon award of the Contract. DOT Certifications to be provided shall be in a form to show the VIN numbers such that the City can verify the certification with the trucks used.

Trucks do not require placards to haul liquid wastewater biosolids.

The Hauler shall provide all maintenance, fuel and parts for the trucks and spreaders and keep them in good working order.

The Hauler shall provide the City with a fully-loaded weight and an empty weight from certified scales for each tanker employed under this Contract.

The City reserves the right to require Hauler to replace any vehicle not performing satisfactory work.

### **PERSONNEL REQUIREMENTS**

All of Hauler's drivers/operators shall be properly licensed and shall have the necessary skills to operate the truck and spreader in the manner necessary to perform the work. The City reserves the right to require Hauler to replace any driver/operator not performing satisfactory work.



All drivers/operators must attend an orientation at the Idaho Falls Wastewater Treatment Plant prior to hauling any liquid wastewater biosolids under this Contract.

### **SCHEDULE OF WORK**

Working hours shall be determined by the Sewer Superintendent or his designated representative based on the needs of the Treatment Plant. Liquid wastewater biosolids hauling will begin as determined by the City. Hauler will be required to begin hauling within 72-hour notice from the City. The City may temporarily or permanently suspend hauling at any time due to, but not limited to, weather and/or field conditions. Liquid wastewater biosolids hauling under this contract is anticipated to begin March/April, 2023 and terminate by November 30, 2023.

Delays due to bad weather or other conditions beyond the control of the City will not be cause for additional compensation. The City is not responsible for idle trucks due to delays in loading caused by breakdowns of Treatment Plant equipment.

The City reserves the right to supplement the Hauler's work by hauling liquid wastewater biosolids with City employees and equipment if, at its sole discretion, such is in the City's best interest. Additionally, if the City determines that the Hauler is unable to provide adequate hauling resources to meet the City's needs, the City reserves the right to hire an additional Hauler as necessary to complete the work. This activity may result in reduction in contract amounts accordingly and or replacement of Hauler not performing as determined by the City.

### **FUEL ESCALATION**

The City will consider progress estimate adjustments to applicable contract item costs as a payment to the Contractor or a credit to the City, when the indexes change, as defined for fuel. On the first Monday for each month, the Idaho Transportation Department will publish a current fuel index (CFI) based on the price of ultra-low sulfur, clear, diesel #2 fuel, as reported by Oil Price Information Services. CFIs are posted monthly at [Microsoft Word - fuel\\_index.docx \(idaho.gov\)](#). The contract base fuel index (BFI) will be the last posted index amount preceding the bid opening date. A payment to the Contractor may be applied or a credit to the City may be deducted from monies due to the Contractor for each affected progress estimate.

A price adjustment will be made only when the CFI varies by more than 20 percent from the BFI and only for that portion of the variance in excess of 20 percent. Credits and payments are computed as follows:

The City will:

- a. Obtain the work quantity performed from the progress estimate for the work completed.
- b. Compute the fuel usage for each field by witnessing fuel consumption rates for the Contractors trucks to each field to be delivered.
- c. Sum the total fuel usage in gallons (Q) subject to surcharge/credit.
- d. Compute the fuel price adjustment (FPA) credit or payment using the following formulas:

Contractor payment if CFI is greater than 120% of BFI:

$$\text{FPA} = (\text{CFI} - 1.20 \text{ BFI}) * Q$$

City credit if CFI is less than 80% of BFI:

$$\text{FPA} = (\text{CFI} - 0.80 \text{ BFI}) * Q$$

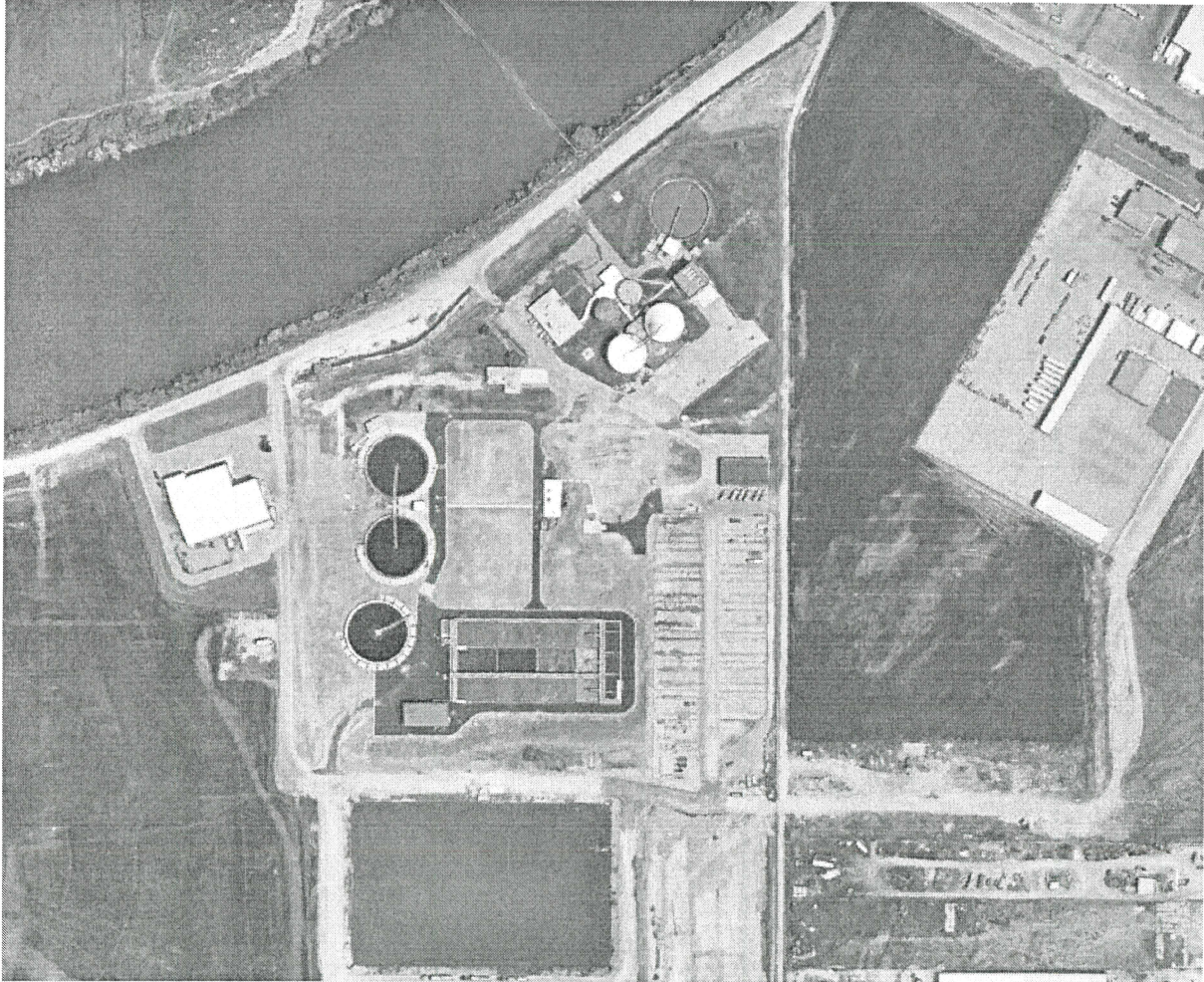
Where:

FPA = Fuel price adjustment in dollars.

BFI = Base fuel index. CFI = Current fuel index.

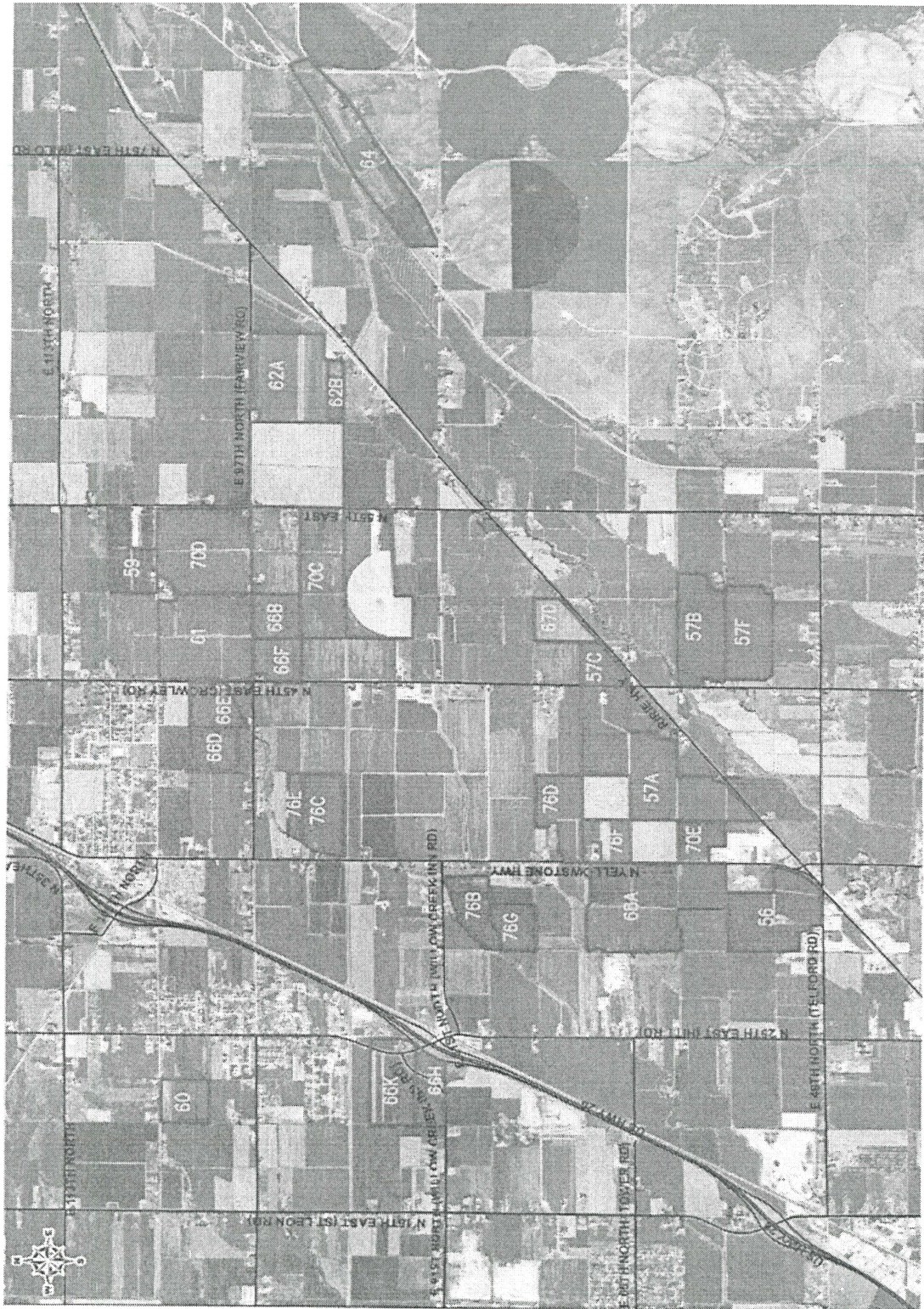
Q = Total fuel gallons used for the progress estimate.

The City will determine the CFI's from individual progress payments where a fuel surcharge/credit is applicable and will calculate the FPA for the fuel usage.



Idaho Falls Wastewater Treatment Plant Location





Example of Field Application Locations. Actual Locations as Directed by the Sewer Superintendent. Locations subject to change.



## **SPECIAL PROVISION BID ITEM**

### **SP-1 LIQUID WASTEWATER BIOSOLIDS HAULING**

#### **Measurement**

Measurement shall be by the kgal-mi (1 kgal-mi = 1000 gallons hauled one mile). [Example: Measurement for a truck hauling a 7000 gallon load a distance of 14 miles would be  $(7 \text{ kgal}) * (14 \text{ mi}) = 98 \text{ kgal-mi}$ ]. The haul distance used for payment calculations is the one-way distance from the Treatment Plant to the center of the field to which the liquid wastewater biosolids is hauled and spread. The payment distances to each field will be determined by the City. The average haul distance per load is estimated to be 14 miles one-way. Measurement of liquid wastewater biosolids volume hauled will be based on the tanker capacity at the fill level for hauling for each vehicle.

#### **Payment**

Payment shall be full compensation for hauling and spreading liquid wastewater biosolids including trucks, spreaders, and drivers/operators. Progress payments will be paid on a monthly basis.

Contractor shall invoice the Sewer Department Monthly for processing. City Treatment Plant personnel will verify Contractor invoiced quantities. Contractor should plan for up to 3 weeks of proceeding time from receipt of an invoice that is approved. All invoicing and payment requests/correspondence are to be done thru the Treatment Plant personnel.

**BID EVALUATION:**

**Liquid Wastewater Biosolids Hauling**

(All items must have "Unit Price" and "Total Amount" filled in)

Item Number and Description				Quantity		Unit Price		Total Amount	
						Dollars	Cts	Dollars	Cts
SPECIAL PROVISIONS									
SP – 1	Liquid Wastewater Biosolids Hauling			125,000	kgal-mi	1.89	9	237,375.	00
TOTAL BID AMOUNT								237,375.	00

+ ADDITIONS

Are there exceptions to this specification? ☒ yes

☐ no

If yes, attach the explanation.

ONLY FIRM PRICES ON BIDS WILL BE ACCEPTED!

The City of Idaho Falls reserves the right to accept or reject any bid.

- ① WE REQUEST THAT THE PERFORMANCE BOND BE WAIVED OR COST OF BOND BE ADDED TO CONTRACT AMMOUNT AT RATE OF 194.9.
- ② WE RECIEVE PAYMENT, EVERY TWO WEEKS.
- ③ IF CONTRACT AMMOUNT IS RAISED OR EXTENDED DURING CONTRACT PERIOD, THE CONTRACT WILL BE AWARDED TO IRON HORSE TRUCKING LLC UNDER THE SAME TERMS.
- ④ IF FUEL COSTS MEET OR EXCEED 6.00 PER GAL, THERE WILL BE A 10% FUEL SURCHARGE ON EACH PALLEY TICKET. THIS WILL REPLACE THE STATE OF IDAHO FUEL INDEX ADJUSTMENT SCALE RECOMMENDATIONS FOR COMPENSATION.
- ⑤ ALL FIELDS AND ROUTES TO FIELDS MUST BE AGREED SAFE AND CONDITIONS THAT IS SAFE FOR SEMI TRUCKS. NO HARSH ABUSIVE CONDITIONS FOR IRON HORSE TRUCKS. CITY WILL HAVE FIELDS AVAILABLE THAT DON'T ABUSE EQUIPMENT.
- ⑥ CITY WILL PROVIDE FUNDING FOR CONTINUED HAULING OF SLUDGE TILL POND IS EMPTY OR SNOW/FROST COMES. NO DELAY IN HAULING FOR CONTRACT BIDDING IN PRIME HAULING TIME IN OCT. THIS EFFECTS PROFABILITY FOR IRON HORSE TRUCKING & DRIVERS.

**SIGNATURE PAGE:**

Exceptions: If the terms and conditions provided on the preceding pages cannot be met, bidders are instructed to note those terms and conditions with which they take exception, giving a full explanation and sign below. If no exceptions are taken, write "**NONE**" and sign below.

EXEMPTIONS LISTED ON PREVIOUS PAGE.

Bidder's State of Domicile Idaho.

Does your State of Domicile have a Bid Preference Penalty? Yes \_\_\_ No ✓

Amount of Bid Preference Penalty (If Applicable) \_\_\_\_\_.

Please provide a copy of the State Statute regarding such Bid Preference Penalty.

Failure to furnish information on State of Domicile may result in Rejection of Bid. (Please see section entitled Bidder's State of Domicile).

**\*\*BID PROPOSAL SIGNATURE\*\***

Gerard Val Jolley  
Representative's Signature

GERARD VAL JOLLEY  
Representative's Name—Printed

lhtrucking@yahoo.com  
Representative's E-Mail Address

208-339-3654  
Telephone

\_\_\_\_\_  
Fax Telephone

Iron Horse Trucking LLC  
Bidder-Company

1696 BOW RD.  
Address

Idaho  
City

Idaho 83427  
State Zip Code

9-29-23  
Date



## BID BOND

---

KNOW ALL MEN BY THESE PRESENTS, that we

Iron Horse Trucking LLC, as Principal, and

Frankenmuth Insurance Company, a corporation organized under the laws of the State of MI , as  
Surety, are held and firmly bound unto

City of Idaho Falls ID, as Obligee, in the sum of

FIVE PERCENT OF THE TOTAL AMOUNT BID (5% of total amount bid) for payment of  
which sum well and truly to be made, Principal and Surety, bind ourselves, our heirs, executors,  
administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

IF-24-01 Haul & Spread Liquid Wastewater Biosolids

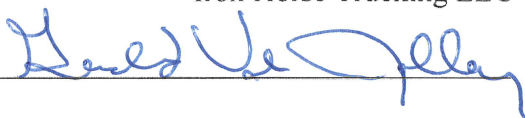
NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter  
into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as  
may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful  
performance of such Contract and for the prompt payment of labor and material furnished in the  
prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such  
bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof  
between the amount specified in said bid and such larger amount for which the Obligee may in good faith  
contract with another party to perform the work covered by said bid, then this obligation shall be null and  
void, otherwise to remain in full force and effect.

Signed and sealed this day: 10/3/2023

PRINCIPAL:

Iron Horse Trucking LLC

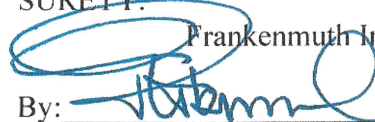
By: \_\_\_\_\_



SURETY:

Frankenmuth Insurance Company

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



Jennifer Grenrood  
Attorney-in-Fact



FRANKENMUTH INSURANCE COMPANY

**POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS, that Frankenmuth Insurance Company (the "Company"), a corporation duly organized and existing under the laws of the State of Michigan, having its principal office at 1 Mutual Avenue, Frankenmuth, Michigan 48787, does hereby nominate, constitute and appoint:

Kara Skinner, Cameron Huntsucker, Mercedes Trokey-Moudy, Sierra Maine, Jennifer Grenrood

Their true and lawful attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal, acknowledge and deliver any and all bonds, contracts and undertakings of suretyship, with the exception of Financial Guaranty Insurance, provided, however, that the penal sum of any one such instrument shall not exceed the sum of:

**Fifty Million and 00/100 Dollars (\$50,000,000)**

This Power of Attorney is granted pursuant to the following Resolution duly adopted at a meeting of the Board of Directors of Frankenmuth Insurance Company:

"RESOLVED, that the President, Senior Vice President or Vice President and each of them under their respective designations, hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer of the Company, qualifying the attorney(s) named in the given power of attorney, to execute on behalf of, and acknowledge as the act and deed of Frankenmuth Insurance Company on all bonds, contracts and undertakings of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 15th day of December, 2022.



Frankenmuth Insurance Company

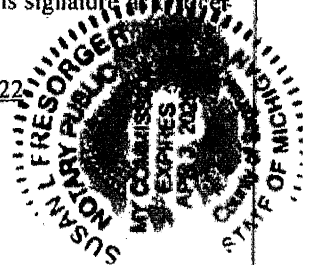
By Frederick A. Edmond, Jr.  
Frederick A. Edmond, Jr.,  
President and Chief Executive Officer

Sworn to before me, a Notary Public in the State of Michigan, by Frederick A. Edmond, Jr., to me personally known to be the individual and officer described in, and who executed the preceding instrument, deposited and said the Corporate Seal and his signature or Officer were affixed and subscribed to said instrument by the authority of the Company.

IN TESTIMONY WHEREOF, I have set my hand, and affixed my Official Seal this 15th day of December, 2022.

Susan L. Fresorger  
Susan L. Fresorger, Notary Public  
Saginaw County, State of Michigan  
My Commission Expires: April 3, 2028

(Seal)



I, the undersigned, Executive Vice President of Frankenmuth Insurance Company, do hereby certify that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and is in full force and effect as of this date.

IN WITNESS WHEREOF, I have set my hand and affixed the Seal of the Company, this 3rd day of October, 2023.

Andrew H. Knudsen  
Andrew H. Knudsen, Executive Vice President,  
Chief Operating Officer and Secretary

ALL CORRESPONDENCE RELATED TO BOND VALIDATION AND/OR A CLAIM SHOULD BE DIRECTED TO  
VP SURETY, 701 U.S. ROUTE ONE, SUITE 1, YARMOUTH, ME 04096

# Memorandum

File #: 23-292

City Council Meeting

**FROM:** Corrin Wilde, City Clerk  
**DATE:** Wednesday, October 4, 2023  
**DEPARTMENT:** Mayor's Office

## Subject

Minutes from Council Meetings

## Council Action Desired

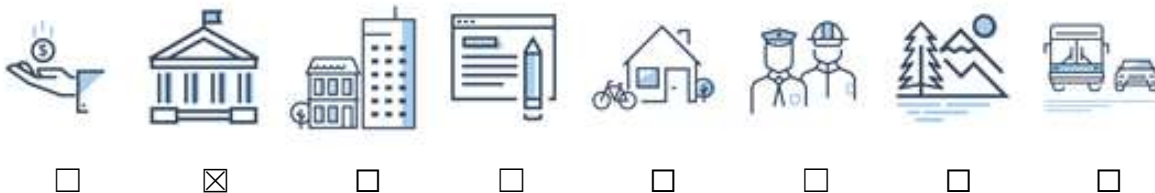
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☒ Other Action (Approval, Authorization, Ratification, etc.)

Approve the minutes from 23 January 2023 Work Session, 9 March 2023 City Council Meeting, 24 July 2023 Work Session and 24 August 2023, City Council Meeting.

## Description, Background Information & Purpose

23 January 2023 Work Session, 9 March 2023 City Council Meeting, 24 July 2023 Work Session and 24 August 2023, City Council Meeting.

## Alignment with City & Department Planning Objectives



The Minutes support the Good Governance community-oriented result by providing assurance of regulatory and policy compliance to facilitate transparency and minimize and mitigate risk.

## Interdepartmental Coordination

N/A

## Fiscal Impact

N/A

## Legal Review

N/A



# City Council Meeting Minutes - Draft

680 Park Avenue  
Idaho Falls, ID 83402

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**Thursday, August 24, 2023,**

**7:30 PM**

**City Council Chambers**

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## **1. Call to Order**

**Present:** Mayor Rebecca L. Noah Casper, Council President Michelle Ziel-Dingman, Councilor Radford (Virtually), Councilor Hally, Councilor Freeman, Councilor Francis; and Councilor Burtenshaw

### **Also present:**

All available Department Directors  
Randy Fife, City Attorney  
Corrin Wilde, City Clerk

## **2. Pledge of Allegiance**

Mayor Casper led those present in the Pledge of Allegiance.

### **Public Comment**

No one appeared.

### **Consent Agenda**

#### **A. Idaho Falls Power**

- 1) 2023-2025 EICAP Energy Efficiency Agreement

#### **B. Public Works**

- 1) Bid Award - 15th Street and Lee Avenue Storm Drain Improvements

#### **C. Office of the City Clerk**

- 1) Minutes from Council Meetings
- 2) License Applications

Councilor Radford stated that because there is an item on the consent agenda that is between Idaho Falls Power and Eastern Idaho Community Action Partnership and because he is the CEO of EICAP he is recusing himself from this portion and will not vote tonight.

It was moved by President Ziel -Dingman, seconded by Councilor Francis to approve, accept, or receive all items on the Consent Agenda according to the recommendations presented. The motion was carried by the following vote: Aye – Councilors Francis, Dingman, Freeman, Hally, Burtenshaw. Nay – None. Abstain – Councilor Radford.

## 5. Regular Agenda

### A. Public Works

**1)** Agreement with the Local Highway Technical Assistance Council (LHTAC) for replacing the Emerson Bridge over the Butte Arm Canal Attached for your consideration is an Agreement with LHTAC to replace the Emerson Bridge over the Butte Arm Canal. The proposed project is part of the Leading Idaho Bridge Program.

Assistant Director Chris Canfield appeared. Mr. Canfield stated that the Governor implemented a bridge replacement program recently with surplus state funds and is a direct state project. Mr. Canfield stated that the Emerson bridge project has been on our radar on our bridge inspections report for some time and it has a bit of a sag on the west sidewalk is showing age and is ready for replacement. He said there is no cost share on behalf of the city as a local sponsor with this program and LHTAC would administer multiple bridge bundle projects with designs of multiple projects and administer construction projects throughout the state. Councilor Hally stated that the plan is to widen 65<sup>th</sup> Street, Mr. Canfield agreed, but he noted that it is not a road widening project currently. Mr. Canfield stated that with the bridge replacement project, we will widen the structure to match the future alignment that is desired. Mr. Canfield stated that with the 65<sup>th</sup> Northbridge, there are two bridge programs including the Federal Aid bridge program that we initiated a Resolution on back in February and we qualified to replace that structure. Mr. Canfield says he applied for that because he didn't know that the state program was just to replace the structure in the width that currently exists. Mr. Canfield stated that since then LHTAC has verified that they can widen the structure under the state program. He says it's a better deal for the city to go under the state program because it's less match responsibly and saves a half million dollars by not going with the Federal program and we get our bridge replaced a little sooner. Mr. Canfield stated the bridge will be widened and the road will come with development.

It was moved by Councilor Burtenshaw, seconded by Councilor Hally, to approve the Agreement with LHTAC for replacing the Emerson Bridge over the Butte Arm Canal and authorization for the Mayor and City Clerk to sign the documents. The motion was carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay -None.

**2)** Agreement with the Local Highway Technical Assistance Council (LHTAC) for replacing the 65th North Bridge over the Idaho Canal

It was moved by Councilor Hally, seconded by Councilor Burtenshaw to approve the Agreement with LHTAC for replacing the 65th North Bridge over the Idaho Canal and authorize the Mayor and City Clerk to sign the necessary documents. The motion was carried by the following vote: Aye – Councilors Dingman, Radford, Francis, Burtenshaw, Hally, Freeman. Nay -None.

**3)** Easement Vacation - First Amended Snake River Landing Addition, Division 15.

Assistant Director Chris Canfield stated that this item is on the Snake River Landing development parcel. He said it is close to the Heritage Park project where there was a power line relocation to accommodate the development along the park as well as coordinate with development activities in the area. He said



# City Council Meeting Minutes - Draft

680 Park Avenue  
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this is a vacation requested by the property owner and is a power line easement vacation and has been reviewed by public works as well as Idaho Falls Power has acknowledged it and everyone is on board with it and recommends approval.

It was moved by Councilor Burtenshaw, seconded by Councilor Hally to approve the easement vacation Ordinance under a suspension of the rules requiring three complete and separate readings and request that it be read by title. The motion was carried by the following vote: Aye – Councilors Radford, Freeman Burtenshaw, Francis, Dingman, Hally. Nay - None.

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

## ORDINANCE NO. 2023- 3530

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE VACATIONS OF EASEMENTS LOCATED WITHIN THE CITY OF IDAHO FALLS AND LEGALLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE; PROVIDING THAT TITLE TO SAID VACATED EASEMENTS SHALL VEST AS SPECIFIED IN SECTION 3 OF THIS ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

## **B. Municipal Services**

### **1) Adoption of the 2023/24 Fees, Including New Fees, and Fee Increases**

Director Pam Alexander stated the reason we have this item for consideration first is because those Fees are a copulation of the actual budget. Director Alexander stated that we did have a public hearing on August 10<sup>th</sup> and during the public hearing it was revealed that there were a few fees that were inadvertently left off the Fee Schedule and those fees will have to go through a public hearing process again and issue a 14-day notice. Director Alexander stated that we will be considering those fees that were inadvertently left off on September 14<sup>th</sup> at a public hearing. She said the purpose of this evening is to review and approve the fees that we did review at the public hearing on August 10<sup>th</sup>.

It was moved by Council President Dingman, seconded by Councilor Francis to Adopt the 2023/2024 fee resolution. The motion was carried by the following vote: Aye – Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay - None.

## RESOLUTION NO. 2023-16

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING A SCHEDULE OF REVISED FEES FOR SERVICES PROVIDED AND REGULARLY CHARGED AS SPECIFIED BY CITY CODE; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

### **2) Adoption of the 2023/24 Fiscal Year Budget Ordinance**

Director Alexander stated that this evening they are looking to adopt the 2023/24 fiscal year budget for \$339,533,522.





# City Council Meeting Minutes - Draft

680 Park Avenue  
Idaho Falls, ID 83402

It was moved by Councilor Francis, seconded by Councilor Freeman to Adopt the 2023/24 fiscal year budget in the amount of \$339,533,522 and approve the attached appropriations ordinance appropriating monies to and among various funds, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. The motion was carried by the following vote: Aye – Councilors Burtenshaw, Hally, Freeman, Francis. Nay – Councilors Radford, Dingman.

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

## ORDINANCE NO. 3531

THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, FOR THE PERIOD COMMENCING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, APPROPRIATING AND APPORTIONING THE MONIES OF SAID CITY TO AND AMONG THE SEVERAL FUNDS OF SAID CITY AND DESIGNATING THE PURPOSE FOR WHICH SAID MONIES MAY BE EXPENDED; SPECIFYING THE AMOUNT OF MONEY PAID BY PROPERTY TAX TO BE APPROPRIATED TO SAID FUNDS; AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

**3) Declare a Sole Source Expenditure and Ratify the Approval of the Repair of the Idaho Falls Civic Center for the Performing Arts Gala Orchestra Pit Lift Repair.**

Director Alexander stated on the August 10<sup>th</sup> Council Agenda regarding the request to receive a quote to fix the Idaho Falls Civic Center for the Performing Arts pit lift in the amount of \$232,000. Director Alexander stated that one of the things that they neglected to do as part of that action was highlight the emergency statute that allowed us to remove the water from the pit lift as well as designate the Sole Source to bring the vendor back out to install the pit lift and make those repairs. Director Alexander stated this item before you this evening is to declare a Sole Source expenditure to Gala Systems, Inc. and Ratify the approved repair of the Gala Orchestra pit lift at the Idaho Falls Civic Center for the Performing Arts. Councilor Radford wanted to know if the city has flood insurance and if this would be covered by insurance. Director Alexander stated that because this was such a rare and unique storm our insurance company declined it because it was an act of God. Director Alexander stated because of the volume of water and the fast pace in a short period the water overwhelmed the drainage in the parking lot at the Civic. She said the water went down the stairs and breached the door and there was over 5 feet of water within a very short period. Mayor Casper noted that no system failed it was just more water than the system was ever designed for.

It was moved by Council President Dingman, seconded by Councilor Francis to Declare that Gala Systems, Inc., is the only vendor that can perform repairs necessary to protect the Idaho Falls Civic Center's Pit Lift and that the expenditure is immediately required to safeguard the Idaho Falls Civic Center for the Performing Arts operations and ratify the purchase order in the amount of \$232,000. The motion was carried by the following vote: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay - None.

# City Council Meeting Minutes - Draft

**4) Declare a Response to an Emergency and Ratify Emergency Restoration Services at the Idaho Falls Civic Center for the Performing Arts.**

Director Alexander stated that this item is to declare an emergency as well as Ratify expenditures. Director Alexander says that with the amount of water, the city called restoration companies and the first company that was able to respond came within an hour to the City Hall building and then went over to the Civic. Ms. Alexander noted that she did attach some pictures and stated that you see the amount of damage that there was it was very prudent that city staff call a restoration company as it was an emergency. Director Alexander stated that this item declares the flooding of the Idaho Falls Civic Center as an emergency and requires immediate expenditure of public money pursuant to Idaho code 67-2808 and ratify the emergency services performed by Tobin Restoration for a total of \$123,636.91.

It was moved by Council President Dingman, seconded by Councilor Francis to Declare that the flooding of the Idaho Falls Civic Center was an emergency that necessarily demanded the immediate expenditure of public money pursuant to Idaho Statute §67-2808, and ratify the emergency restoration services performed by Tobin Restoration at the Idaho Falls Civic Center for the Performing Arts for a total of \$123,636.91. The motion was carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay - None.

## **C. Community Development Services**

**1) Legislative Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 16.302 acres in the SE ¼ of Section 6, NE ¼ of Section 7, Township 2 North, Range 38 East**

**2) Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of LC, Limited Commercial with the Controlled Development Airport Overlay Zone, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 16.302 acres of the SE ¼ of Section 6, NE ¼ of Section 7, Township 2 North, Range 38 East.**

Mayor Casper opened the public hearing and ordered all items presented to be entered into the record. She requested an applicant presentation.

Applicant Blake Jolley with Connect Engineering 2295 N Yellowstone Hwy Suite 6.

Mr. Jolley stated that the request tonight for annexation into the city. He said it is a category A annexation and is 16.302 acres adjacent to the City of Idaho Falls on the North side of Idaho Falls and NW of Bish's RV and E of the INL (Idaho National Laboratory). Mr. Jolley stated on the comprehensive plan the property is a mixed-use zone and the zone of LC would fit well in that area to be able to provide different opportunities there. He said at this point no project is being considered and feels that it will be a good opportunity for the property owner to figure out what they want to do with it.

Director Sanner appeared and presented a slide presentation. Mr. Sanner stated this request is for approximately 16.3 acres to be annexed into the city with a zoning designation of LC, Limited

# City Council Meeting Minutes - Draft

Commercial. Director Sanner presented slide-1 an aerial view of the property lines and described the location as being East of North Boulevard and East 33<sup>rd</sup> Street intersection and it borders to the South butting up against the South to Hwy 20. Slide -2 Zoning of surrounding properties. He noted the property to the North is still in the County. Slide 3 refers to the comprehensive plan showing the property as a mixed-use transect encouraging a mixture of commercial and residential which the LC allows. Director Sanner stated that as part of this annexation, we are getting the full right of way for 33<sup>rd</sup> Street. Mr. Sanner stated for the Airport Compatibility land use this is listed as controlled development and it does not impact the annexation. Mr. Sanner stated that this is a very straightforward annexation and meets what the comprehensive plan transect shows of a mixed-use zone.

Mayor Casper requested any public comment. She reiterated this annexation is straightforward. No one appeared. Mayor Casper closed the public hearing.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Ordinance annexing 16.302 acres in the SE ¼ of Section 6, NE ¼ of Section 7, Township 2 North, Range 38 East, assign a Comprehensive Plan Designation of “Mixed-Use Center and Corridors”, and under a suspension of the rules requiring three complete and separate readings, request that it be read by title and published by summary. The motion was carried by the following vote: Aye—Dingman, Radford, Francis, Burtenshaw, Hally, Freeman. Nay - None.

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

## ORDINANCE NO. 3532

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 16.302 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.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 16.302 acres in the SE ¼ of Section 6, NE ¼ of Section 7, Township 2 North, Range 38 East and give authorization for the Mayor to execute the necessary documents. The motion was carried by the following vote: Aye – Radford, Freeman, Burtenshaw, Francis, Dingman, Hally. Nay - None.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Ordinance establishing the initial zoning of LC, Limited Commercial with the Controlled Development Airport Overlay Zone as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, 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. The motion was carried by the following vote: Aye—Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay - None.

# City Council Meeting Minutes - Draft

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

**ORDINANCE NO. 3533**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 16.302 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS LC, LIMITED COMMERCIAL WITH THE CONTROLLED DEVELOPMENT AIRPORT OVERLAY ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the initial zoning of LC, Limited Commercial with the Controlled Development Airport Overlay Zone and give authorization for the Mayor to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Burtenshaw, Hally, Radford, Dingman, Freeman, Francis. Nay - None.

**3) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Virlow Village Division 1.**

Director Sanner is referring to the site plan that is in the Council packet. He said this is an infill development and there is a provision in our city code 11-2-6 p7. Director Sanner stated that typically the lot size should be 150-foot-long lots and this provision allows for a reduction of the lot size and that is why the length of these lots is less than 150. Director Sanner noted that the reason the lot lines look a little different on the plat is because per the access management plan that we have in the city, there is only allowed one access onto 1st Street and that drives how the lot is laid out. He said with the one access point as opposed to each townhome having an access point. You come off 1st Street you come into this internal drive that is prescribed on the plat as an access easement to allow the residents to access their homes and garage. He said that we have the internal drive and because of the radius that is required for a fire truck it shifted all the garages to the left and that is why you will see the property lines come straight then make a slight angle and straighten out again. He said there is also an access easement on the south of lots 1 and 2 which does not have cross property access.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Development Agreement for the Final Plat for Virlow Village Division 1 and give authorization for the Mayor and City Clerk to sign said agreement. The motion was carried by the following vote: Aye – Councilors Dingman, Burtenshaw, Francis, Freeman, Hally, Radford. Nay - None.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to accept or Approve the Final Plat for Virlow Village Division 1 and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion was carried by the following vote: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay - None.



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It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Virlow Village Division 1 and give authorization for the Mayor to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay - None.

### **3. Announcements**

Mayor Casper stated that September 11<sup>th</sup> is our next Work Session and before that September 4<sup>th</sup> is Labor Day. She noted that is time for the Eastern Idaho State Fair and back to school for the kids.

### **4. Adjournment.**

There being no further business, the meeting adjourned at 8:20 PM

s/ Corrin Wilde  
Corrin Wilde, City Clerk

s/Rebecca L. Noah Casper  
Rebecca L. Noah Casper, Mayor

## July 24, 2023, Council Work Session - Unapproved

The City Council of the City of Idaho Falls met in a Council Work Session, on Monday, July 24, 2023, in the Idaho Falls Civic Center located at 501 S Holmes Avenue in Idaho Falls 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  
Councilor Hally  
Councilor Jim Freeman  
Councilor Jim Francis  
Councilor Lisa Burtenshaw

Also present:

Randy Fife, City Attorney  
Rick Cloutier, Airport Director  
Ryan Tew, Human Resources Director  
Duane Nelson, Fire Chief  
Jake Durtchi, Idaho Falls Downtown Development Corporation  
Wade Sanner, Community Development Services Director  
Wayne Reiter, Aviation Planner- ARDURRA  
Nathan Cuvala, Project Manager- ARDURRA  
Corrin Wilde, City Clerk

Mayor Casper called the meeting to order at 3:00 p.m. with the following items:

### Airport: Presentation and Discussion-Airport Master Plan.

Director Cloutier introduced Nathan Cuvala and Wayne Reiter from ARDURRA. Director Cloutier stated that for the past 18 months, they have been working on the Master Plan and data collection and today you will be presented with the Master Plan alternatives which is the vision for the Airport as we grow. Director Cloutier stated our needs as we grow today and our needs as we grow over the next 20 years. He said today you will listen and ask questions and review the data presented. They will take the information received from Council members and start putting information together for public meetings anticipated for some time in August. There will be several public meetings and then it will come back to the Council for adoption.

Wayne Reiter began the presentation by giving an overview of the items to be discussed including:

- Master Plan Overview and Project Status
- Forecast Review
- Requirements Review
- Draft Alternatives
- Next Steps
- Questions

Master Plan Overview is a 20-year plan to meet aviation demand safely and efficiently at an airport. Mr. Reiter stated that there was a kickoff meeting in August 2021 and in October 2022 there was a Forecast and Facility requirements open house. Mr. Reiter explained that a Master Plan normally is a 2-year process and was originally intended to use 2020 as the baseline for the forecast, however because of COVID, using 2020 as the baseline for the forecast would not have given a good baseline to plan from. Mr. Reiter discussed the Master Plan Process



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including the research and requirements as well as the implementation. Mr. Reiter reviewed the following with general discussion throughout: Commercial Forecast, Cargo Forecast, and General Aviation Forecast. Mr. Reiter discussed Design standards that are needed including Relocate Runway 3 windcone outside RSA, expanding runway shoulders and blast pads, expanding taxiway width and shoulders, and eliminating direct access to Runway 17/35 from the apron (a high priority to the FAA to increase safety), Relocate the deicing pad and VOR-DME, Reconfigure GA parking spaces, and add 41 hangars over 20 years. Director Cloutier pointed out that the first 3 items listed will bring us to design standards that we need and not future development. Requirements for Landside: Expand the terminal and add 2 gates, expand all parking lots (passenger, employee, rental car), Expand the cargo apron and processing facility, Expand the SRE building, and expand the terminal access road.

Mr. Reiter stated that there are some recommendations. he noted that these are not requirements but are recommendations to help enhance the development and service levels at the airport. The recommendations are as follows: Relocate the ATCT and ARFF station, add approach lights to Runway 3, Assess storm drainage capacity and structural integrity, reconfigure the parking lot access point along Skyline, and Add EV charging stations to parking lots. Mr. Reiter listed Alternatives intended to address the requirements and recommendations. He said this is the creative part of the planning process, everything has been data-driven and now they can be creative in the process if they still meet the requirements and design standards. Alternatives can be a combination of alternatives if they fit with each other. Mr. Reiter stated that they had a concept that was presented to the airport and with the comments received they made some revisions and then submitted them to the technical advisory committee on May 3, 2023. Mr. Reiter stated they received comments from the committee and the Airport made some more changes and came up with the concepts presented today. Mr. Reiter presented some drawings of the concepts. Director Cloutier stated that the TAC committee includes Airport staff, general aviation users, commercial aviation users, and Community Development Services personnel.

Mr. Reiter presented photos of draft Alternatives including 14 slides with general discussion throughout.

Slide 1 – Terminal Expansion. Slide 2 – Loop Option 1. Slide 3 - Loop Option 2. Slide 4 – Terminal Phase 2. Slide 5 – Terminal Phase 2A. Slide 6 – Eastside Development Runway 17/35 Open or Closed. Slide 7 – East GA Option 1 Runway 17/35 Closed. Slide 8 - East GA Options 2 Runway 17/35 Closed. Slide – 9 South Quad Option 1. Slide 10 – South Quad Options 2. Slide 11 - South Quad Option 3. Slide 12 – West Side Cargo Phase 1. Slide 13 – West Side Cargo Phase 2. Slide 14 – West Side Terminal. Mr. Reiter outlined the Next Steps for the Master plan. He said the City/Airport selects the preferred alternatives and then holds a public open house to present those alternatives. Mr. Reiter stated that once the preferred alternatives are selected, we would move on to the next phase in the Master Plan process and that is to develop an implementation plan and complete ALP. He said once that is put together, we would prepare the Master Plan document and ALP in a draft form and then hold another TAC meeting and another public open house to present the full draft Master Plan document and allow and receive public comment for 30 days. Mr. Reiter stated next, they submit it to the FAA for review and comments.

Incorporate comment from FAA then submit to the City Council for adoption.

Mayor Casper asked if there was a timeline associated with this process. Mr. Reiter indicated that all these steps will be roughly within the next year.

### Presentation and Discussion: Idaho Falls Downtown Development Corporation: downtown parking strategies and enforcement options.

Director Sanner introduced Jake Durtchi with IFDDC (Idaho Falls Downtown Development Corporation). Director Sanner stated that in October of 2022, IFDDC started a discussion to discuss parking strategies and at that time a couple of suggestions were presented. He said the Council asked IFDDC to come back and present them. Director Sanner stated that what is being presented today will require a code change so today they are looking for direction to go ahead and draft a code revision and bring it back to the Council later as to what is being proposed.

Jake Durtchi stated that Downtown is growing and there are lots of new businesses and development and with that, more customers are coming in and there are more parking demands. Mr. Durtchi stated that over the last several years they have talked to lots of people that have experienced this type of growth for example larger cities that have addressed parking. Mr. Durtchi stated we are talking about a 3-zone parking system. He pointed out on a map

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the different types of Zones; he said in the green are Zone A (on-street parking) Zone B (interior lots) and Zone C (free parking) requiring you to walk a couple blocks typically. Mr. Durtchi introduced the app that they are proposing to use called "Park Smarter" he presented a slide. Mr. Durtchi gives an overview of how the app works. He says you can park and scan a QR code that is on the parking station. The QR code opens immediately to the correct meter and allows you to enter your vehicle and plate number and the amount of time you wish to reserve (the app can store 10 vehicles per person). He says if people still want to pay with cash there will be a coin mechanism on the parking stations that we are proposing. Mr. Durtchi stated that when you get a notification on your phone that says, do you want to add more time to your parking spot, it's a different experience than getting a parking ticket on your windshield. Mr. Durtchi explained that they would rather have a customer pay forty-five cents for a few more minutes instead of a \$20 ticket. Mr. Durtchi says another thing they have considered is raising the fee after the car has been parked for 3 hours so it would be something like \$2 an hour then after 3 hours it goes up to \$4 an hour. Mr. Durtchi stated that the agreement that we have with the people that provide the parking stations is a 5-year lease agreement. He said the lease agreement can be terminated at any time and they will come and pick up the parking meters at any time that we ask them to during the term of the lease. Mr. Durtchi stated that after 5 years we may then purchase the meters for 1 dollar if we choose to. Mr. Durtchi stated that each meter costs 55 dollars a month equaling 660 per year and the total cost for all the meters is \$1925 a month and the total annual cost is \$23,000. He noted that there is also the cost of operating the parking, enforcement of parking, and using the software as well as some other expenses. Mr. Durtchi says the total cost per station and installation is 236 thousand dollars. He said they are estimating the annual revenue at 315 thousand dollars and estimating the annual ongoing cost at 23,000 dollars. Mr. Durtchi feels that they will be able to break even on this in one year. He said this will all be done through the DDC (Downtown Development Corporation) however we will need the sidewalk which is city property and will require an agreement. Mr. Durtchi is also proposing a change in the Ordinance. Mr. Durtchi says that right now the city helps pay for the parking and would need that to continue but there is no additional request for funds. Councilor Freeman asked about the installation of the Kiosk, he wanted to know if it would damage the sidewalks. Mr. Durtchi explained that they would cut a little section out of the sidewalk. He feels that it is a good installation and looks nice. He says if you take the parking meter out next year cut the bolts off and remove it you would see a circular piece of concrete with bolt ends sticking out of it. Mr. Durtchi says the installation is not disruptive and is a quick installation process. Mayor Casper asked what kind of change would be made to the City Ordinance. City Attorney Randy Fife stated that the code will need to be adjusted to give notice to people that there is a connection between those meters and the enforcement piece and then we could either do an encroachment agreement or add it to a contract that IFDDC (Idaho Falls Downtown Development Corporation) can control those meters and we might even be able to do nothing because they are the city's sidewalks. Mayor Casper pointed out that looking at the app shows the names of the parking areas and asked if there was a way to make it a little more user-friendly as far as identifying the lots with names rather than codes. Mr. Durtchi stated that the parking lots will have an identifying name however the street parking will not. He said the app would allow us to customize the name. Mayor Casper stated that there is interest in proceeding with this so we will see this in a future Council meeting perhaps in two weeks.

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

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, that the Council receive the recommendations from the July 11, 2023, meeting of the Planning and Zoning (P&Z) Commission pursuant to the Local Land Use Planning Act (LLUPA). The motion carried with the following vote: Aye – Councilors Dingman, Radford, Francis, Burtenshaw, Hally, Freeman Nay – none.

## July 24, 2023, Council Work Session - Unapproved

### Mayor and Council: Calendars, Announcements, Events, Reports, Updates, Concerns, Questions, and Discussion:

Mayor Casper distributed calendar items for July and August. She stated that we have a Budget Tuesday meeting this week and we have a Council meeting on Thursday at the Civic Center. Thursday night will be the adoption of our tentative budget often referred to as the not to exceed budget. Next week on Monday the 31<sup>st</sup> we will have a swearing-in ceremony for IFPD. War Bonnet Round Up starts on Thursday the 3<sup>rd</sup> of August. On August 8<sup>th</sup> there is a Chamber luncheon with Governor Little. August 12<sup>th</sup> is the Duck Race and a Grand Opening for FunLand.

Mayor Casper stated that we have received a request from the FOP (Fraternal Order of Police) to be on an agenda. The mayor asked the Council if there is any interest in having a presentation from the FOP on a future work session agenda this year. Three Council members are not interested in having the FOP come forward with a presentation and three Council members would be willing to listen to a presentation. The mayor is not interested currently and feels that we have other means of managing our employees and owe it to all our employees to do a good job and not just a segregated unit.

- Council President Dingman stated that Friday night is Council night at the War Bonnet Round Up. On August 19<sup>th</sup> is the Mut Strut fundraiser for the Snake River Animal Shelter at Freeman Park the theme is "Rescue me" and there will be a discount for all first responders and former first responders who want to participate in walking their animals. The following weekend on August 26<sup>th</sup> the Idaho Falls Animal Shelter will be celebrating the Idaho Falls shelters mascot and they will be doing some fun things to raise awareness of pet adoptions at our city shelter.
- Councilor Hally had no items to report.
- Councilor Radford stated that if you had bought bricks, he said they have been installed in the middle of FunLand if you want to go see where your brick is. Councilor Radford stated that when in DC for the policy makers conference there was one good piece of information from Governor Simpson's office and that is in mark up in the committee, they had 6 billion dollars set aside to fuel traditional nuclear power plants and that was an application process and no one applied. Councilor Radford indicated that it appears there may be billions that may come to the SMR project for UAMPS. He said it is within the committee and the budget is far from being done so we will see what ends up happening.
- Councilor Francis stated that he has some items from the Chief of Staff on August 1<sup>st</sup> the public outreach planning tool (also known as POP) will be available on the city server and Eric Grossarth will begin working with different departments around August 8<sup>th</sup> so by the middle of August that should be a useful tool for departments planning their public engagement process. Sister Cities youth delegation is heading to Tokai-Mura, Japan on Wednesday for 12 days and the city committee is planning to have a booth at the farmers market on August 19<sup>th</sup> to promote the Sister Cities program and what it means. Councilor Francis stated that we have worked out a simplified version of the noise ordinance with Mr. Kirkham and will be on a Work Session agenda sometime soon.
- Councilor Freeman stated that while attending ICUA (Idaho Consumer-owned Utilities Association) this past week, there was a lot of good information there and we made a lot of good contacts with other people in the energy industry and got reports from BPA and others and it was very well done and always is.
- Councilor Burtenshaw stated that BMPO on August 16<sup>th</sup> is a combined TAC meeting and the policy board meeting and wanted to make sure people will be back in town. Mayor Casper will be back in town as well as Councilor Freeman and Councilor Francis.  
Councilor Burtenshaw stated that on the day of the duck race, the ducks drop at 4 p.m. and that is also the day of the Youth Jam down at the river.

It was moved by Councilor Francis, seconded by Councilor Burtenshaw to move into an Executive Session being called to the provisions of Idaho Code Section 74-206(1)(j) to consider labor contract matters authorized under Idaho Code Section 74-206(1)(a) and (b), Idaho Code. The Executive Session will be held at the Idaho Falls Civic Center. The Council will not reconvene in an open session after the executive sessions.

**July 24, 2023, Council Work Session - Unapproved**

Mayor Casper pointed out that the motion should state one Executive Session being called to the provisions of Idaho Code Section 74-206(1)(j) to consider labor contract matters. The Executive Session will be held at the Idaho Falls Civic Center. The Council will not reconvene in an open session after the executive sessions. Mayor Casper noted that we only have one department talking to us about labor contract matters. She stated that to be clear we are only going into Executive session for (1) (j) today.

The motion was carried by the following vote: Aye – Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay – None

There being no further business, the meeting adjourned at 5:31 P.M.

s/Corrin Wilde  
Corrin Wilde, City Clerk

s/Rebecca L. Noah Casper  
Rebecca L. Noah Casper, Mayor



# City Council Meeting Minutes - Draft

680 Park Avenue  
Idaho Falls, ID 83402

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Thursday, March 9, 2023,

7:30 PM

City Council Chambers

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## 1. Call to Order

**Present:** Mayor Rebecca L. Noah Casper, Council President Michelle Ziel-Dingman, Councilor Radford, Councilor Hally, Councilor Freeman, Councilor Francis; and Councilor Burtenshaw

### Also present:

All available Department Directors  
Micheal Kirkham, Assistant City Attorney  
Corrin Wilde, City Clerk

## 2. Pledge of Allegiance

Mayor Casper led those present in the Pledge of Allegiance.

### Public Comment

No one appeared.

### Consent Agenda

#### A. Office of the Mayor

- 1) Appointments to City Boards, Committees, and Commissions

#### B. Idaho Falls Power

- 1) IFP 23-13 and 23-15 Rip Rap Installation at the Gem State and Upper Plants
- 2) Sourcewell Quote 120320-FZC Electric Zamboni Kendrick Equipment.
- 3) Resolution Amending the Idaho Falls Power Service Policy.

#### C. Municipal Services

- 1) Treasurer's Report for December 2022
- 2) Bid IF-23-07, Purchase of Chlorine 150-pound Cylinders for Public Works
- 3) 2022-23 Third Quarter Impact Fee Report.

#### D. Public Works

- 1) Bid Award - Seal Coats 2023
- 2) Bid Award - Pancheri Sewer Lift Station Improvements

#### E. Office of the City Clerk



# City Council Meeting Minutes - Draft

680 Park Avenue  
Idaho Falls, ID 83402

## 1) License Applications, all carrying the required approvals.

It was moved by President Ziel -Dingman, seconded by Councilor Francis to approve, accept, or receive all items on the Consent Agenda according to the recommendations presented. The motion was carried by the following vote: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw.  
Nay – None

## 5. Regular Agenda

### A. Idaho Falls Power

#### 1) TEA Energy Authority WSPP Agreements Trade Confirmation Nos. 1206812-3

Idaho Falls Power requests ratification of these power trade agreements with TEA Energy Authority to purchase 10 MW of peak load energy for \$2,088,240 and sell 10 MWs of peak load energy at Mid-C Index pricing from July 1, 2023, to September 30, 2023. These two transactions price hedge the index-priced purchase from Bonneville Power Administration that was previously entered into to reduce market price exposure for customers.

Assistant General Manager Stephen Boorman stated that this is a power purchase for 2 million dollars for July, August, and September this year and is indicative of that price.

It was moved by Councilor Freeman, seconded by Councilor Radford to Ratify TEA Energy Authority's WSPP Agreements for Trade Confirmation Nos. 1206812-3 for a total purchase amount of \$2,088,240.00. The motion carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman Nay – None

## 3. Announcements

Next Thursday is 3/14 also known as pie day. March 15 is the BMPO meeting.  
Thursday, March 16<sup>th</sup> there will be a community engagement lunch.  
Friday, March 17<sup>th</sup> is the Pipe and Drum celebration supported by the firefighters and their families.  
Saturday 18<sup>th</sup> Family event St. Paddy's Day downtown.

## 4. Adjournment.

There being no further business, the meeting adjourned at 7:38 PM

s/ Corrin Wilde  
Corrin Wilde, City Clerk

s/Rebecca L. Noah Casper  
Rebecca L. Noah Casper, Mayor



## January 23, 2023, Council Work Session

The City Council of the City of Idaho Falls met in Council Work Session, on Monday, January 23, 2023, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls 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  
Councilor Tom Hally  
Councilor Jim Freeman  
Councilor Jim Francis  
Councilor Lisa Burtenshaw

Also present:

Mark Hagedorn, Finance Manager / Treasurer  
Bryce Johnson, Police Chief  
Chris Fredericksen, Public Works Director  
Chris Canfield, Assistant Public Works Director  
David Richards, Water Superintendent  
Kent Fugal, City Engineer  
Randy Fife, City Attorney  
Corrin Wilde, City Clerk

Mayor Casper called the meeting to order at 3:02 p.m. with the following items:

### Acceptance and/or Receipt of Minutes:

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, to receive recommendations from the Planning and Zoning Commission meeting of January 3, 2023, pursuant to the Local Land Use Planning Act (LLUPA). The motion carried with the following vote: Aye—Hally, Radford, Francis, Dingman, Burtenshaw, Freeman. Nay – none.

### Public Works: Consideration: Bid Award - North Highland Park Concrete Improvements 2023:

Director Fredericksen presented a bid award for North Highland Park Concrete and that is a continuation of phase 4 of concrete, a low bid for \$191,780.00 from JM Concrete, to place a sidewalk along Presto and Jefferson, where no sidewalk exists.

Mayor Casper did not create a consent agenda for this meeting, and as such, there are things on the regular agenda that would be on the consent agenda. Councilor Radford asked for an update. Director Fredericksen indicated that this is Phase 4 of the intended 5 Phases, then evaluated to see if there are additional items that need attention.

It was moved by Councilor Burtenshaw, seconded by Councilor Hally to approve the plans and specifications, award to the lowest responsive, responsible bidder, JM Concrete, Inc. in the amount of \$191,780.00 and give authorization for the Mayor and City Clerk to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay – None

### Consideration: State Local Agreement and Resolution with the Idaho Transportation Department (ITD) for the Raised Curb Medians Project:

Director Fredericksen stated that this project is anticipated with a total cost of \$484,171.00, with a match that needs to be met of \$35,538.00. Before advertising ITD has asked for \$10,374. This median project will place

### January 23, 2023, Council Work Session

medians along Sunnyside and 25th East on the north and south legs, median on Sunnyside and Woodruff on the north, south, and east legs, and on the intersection of 25th East and 25th Street on the south leg along Texas Roadhouse to prevent left turn movements. They have had discussions and public meetings where they went out and chatted about the potential medians.

Mayor Casper asked about the public meeting. Director Fredericksen stated that businesses want access, and businesses have expressed concern about taking away left turn movements. The City of Ammon had representatives at the meeting with Hitt Road being the dividing line, they have had conversations about those safety improvements. Most people who have driven the intersections know what left turn movements want to be prevented. Director Fredericksen stated that in between 25th and Sunnyside, they have looked at the opportunity to install U-turn locations north of Target. They did not secure additional funding for that as part of the project, but they are working towards that in the future.

Councilor Radford uses that a lot as his office is right there and agrees that it is super dangerous. He worries about the stacking of cars from the light at Sportsman's and how will that be dealt with. Director Fredericksen will work with traffic engineers and as new traffic patterns appear, they can pull up traffic cameras and reprogram from the office. Director Fredericksen stated that on major arterials during peak times they have reached saturation and they cannot move traffic with the current lane configuration. They are over capacity even with 5 lanes. Councilor Radford stated that they had fewer accidents and huge improvements when they did this same thing further up. Director Fredericksen agreed that when they have accidents it is left or head-on and taking left-hand turns off of arterial roads will make it safer.

Councilor Francis confirmed this will take away left turn and take away accidents and that is one of the main reasons for doing it. Councilor Francis asked if Woodruff would be a raised median for a short distance and then at the fire station marked on the roadway. Director Fredericksen stated that they will not be impacting the firehouse as the median will not go that far down.

Councilor Hally asked if it was by KJ's and stated that it could be a mess in that area.

Councilor Burtenshaw stated that it doesn't go to Ellis Physical Therapy, so it will only impact one business.

Director Fredericksen stated that the first approach is the only one that would be minimized for the one business.

It was moved by Councilor Hally, seconded by Councilor Burtenshaw to approve of the State Local Agreement and Resolution with ITD for the Raised Curb Medians Project and authorization for the Mayor and City Clerk to sign the documents. The motion was carried by the following vote: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay – None

### Discussion and Consideration: Cooperative Agreement for Traffic Signal and Roadway Illumination with Idaho Transportation Department:

Director Chris Fredericksen presented a cooperative agreement with ITD (Idaho Transportation Department) involving signals on their routes within Idaho Falls and has included roadway illumination. Public Works staff and Idaho Falls Power have been working with ITD on issues with signals. Idaho Falls had their own maintenance agreement to maintain. Staff rolled up their sleeves, and came forward with the proposed changes, and the overall intent is to provide overall better service for the traveling public. This allows them to use their own equipment in ITD signals, and deal with traffic signal timing easier. It better defines all individual agreements that they have which have been approved individually through various Federal Aid projects, such as when the Sunnyside bridge was built over the Snake River it had an illumination agreement associated with the project that was a stand-alone agreement, and this Agreement supersedes those individual agreements and makes it more efficient to see what they need to maintain. Director Fredericksen stated this agreement will bring ITD and the City to the table every March to see what projects need to be programmed. Director Fredericksen showed Exhibit B, showing 32 signals talked about within the agreement and all the illumination.

Councilor Freeman wanted to make sure it's not more roadway than what they have been responsible for in the past and the agreement remains status quo. Director Fredericksen stated that they are asking for and receiving

### January 23, 2023, Council Work Session

more onus to be able to address problems within Idaho Falls, and there is still a cost-sharing agreement that is detailed in the last portion of the Agreement and they pay their portion of the legs that they have and Idaho Falls pays for their signals. All signals have been updated to date, and 32 total and any of the signals that ITD has in Bonneville County ITD pays for all of that and works it out with the County.

President Dingman indicated that this sets up a formal reimbursement so they can execute and reimburse and not have to get on the ITD schedule and wait. Councilor Radford asked about compatibilities and inventory. Director Fredericksen stated that the change in this agreement allows Idaho Falls to utilize City standards in ITD signal cabinets to make it more efficient for personnel to deal with. The public doesn't understand what the City of Idaho Falls is and what is ITD. So, this will be nice to make this seamless, and if someone calls with a problem, they can coordinate and address it in real-time with the traffic engineer over at Idaho Falls Power.

Mayor Casper stated that this is a no-brainer, but it has taken a while. Is Idaho Falls the first City to request this? Do other cities have this type of agreement? Director Fredericksen stated 1<sup>st</sup> in District 6 but is unknown Statewide. Mayor Casper asked if this Agreement includes any of the maintenance issues, or just signalization and illumination and potholes are still ITD's responsibility, but could that happen in the future with an agreement that the City would patch the potholes and bill ITD for the patching? Director Fredericksen stated that is the next agreement. This Agreement addresses maintenance items that they've had, like along US 20 they had some circuitry that was going bad, and ITD and Idaho Falls had discussions about who is responsible for that, and it was determined that it is not maintenance to pull new circuitry, and this Agreement defines whose roles it would be to replace versus maintenance.

Mayor Casper asked if they would revisit annually from the date signed. Director Fredericksen stated they would look annually to get the budgeting cycle. Some State projects would go to the State Budget, so staff would meet annually in March.

Councilor Freeman stated that they had a scare a couple of years ago about discussions on maintenance on bridges and where that ended up. Director Fredericksen stated that as part of the US 20/I15 project started the conversation with the possibility of what ITD would declassify as US 20 Business Routes/ITD Business Routes. Until a preferred alternative there was just discussion. Last week Bonneville County had a joint meeting with ITD to discuss streets to take over based on projects that ITD has proposed. The conversations are ongoing, but with the preferred alternative H2 there will be some discussions. The bigger piece is the US 20 from Johns Hole however it is disconnected from the new US 20. Councilor Freeman stated those are high-cost maintenance and for the city to pick those up, where would the funding come from?

Councilor Francis asked if there is a conflict, and City standards are steeper, than State standards, City standards take precedence. City Engineer Kent Fugal stated that for things like Councilor Francis is describing the standards are the same with traffic control devices, but they differ with equipment used inside signal cabinets. Councilor Francis clarified that they would use the City Traffic Engineer to operate the system and timing. ITD uses a different traffic signal controller, and they would continue to upgrade and modify all equipment to the same type of signaling equipment and ITD would share the cost of the equipment used on their routes.

Councilor Radford confirmed it is the same engineer doing the work.

It was moved by Councilor Burtenshaw, seconded by Councilor Hally to approve the Cooperative Agreement and give authorization for the Mayor and City Clerk to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay – None

## January 23, 2023, Council Work Session

### Discussion and Consideration: Cooperative Agreement for Roadway Maintenance with Idaho Transportation Department:

Director Chris Fredericksen stated that this is a cooperative agreement with ITD (Idaho Transportation Department) for roadway maintenance. This is a standard form that ITD uses Statewide and doesn't allow a lot of flexibility, but they wanted to upgrade from the agreement that was written in 2004 and amended in 2009, which recognizes and pulls out traffic signal issues in roadway agreement and lighting issues, it also addresses new City limits and changes to ITD routing information. Regarding potholes, it has been interesting with the freeze style this winter. ITD has a new operating engineer who discovered an issue with the patching equipment not running properly and the potholes got large fast. The agreement and the new operations engineer will work through ITD will be advantageous to address concerns.

It was moved by Councilor Hally, seconded by Councilor Burtenshaw to approve the Cooperative Agreement for roadway maintenance and give authorization for the Mayor and City Clerk to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay – None

### Discussion: Potential Traffic signal removals at three intersections:

Director Fredericksen presented that the intent was to discuss 3 individual traffic signals that don't meet traffic signal warrants. Yellowstone and Cliff (State System); E Street and Park (near Fire Station 1); Ponderosa and 17th Street (was discussed in the last traffic removal study). They found in their evaluation that the side street access points have increased delays with traffic signals, versus proceeding when able at a stop-controlled intersection. Staff wants to talk about Yellowstone and Cliff, and it has been discussed as part of the railroad acquisition and they want that traffic signal removed and put a HAWK push button activation for pedestrian crossing. ITD is pushing toward a project for pavement rehabilitation on Yellowstone between Sunnyside and Lomax that would deal with potholes and removal of railroad planking that exists at Cliff Street and Yellowstone. Director Fredericksen is proposing that if the traffic signal is removed, they would replace it with the HAWK push-button activation for pedestrian crossing. Yellowstone has been a barrier to accessing the riverwalk and downtown, and they would like to recognize that the traffic signal doesn't serve a purpose.

Councilor Radford asked if there is funding to go over or under Yellowstone and if is this an option. The safest things are over or under. Director Fredericksen stated that Yellowstone is the barrier to bicycle and pedestrian traffic. Fredericksen stated that when they were developing the bicycle and pedestrian discussion, one potential crossing was an extension to Gallatin and Point District where there isn't a lot built out and you could have grade changes that would make sense. In the developed urbanized area, it would be difficult to either over or under, but further south towards Pantheri it could be easier and options may exist.

Councilor Francis asked if the advantage is for cross traffic at Cliff or the advantage of moving traffic on Yellowstone. Director Fredericksen stated that they reference the warrant criteria, several items need to be met to meet the criteria for a signal, and they look at traffic on primary and side streets. At Yellowstone and Cliff, when you approach that intersection, a call is put in coming from Cliff, and, that car could get through without stopping Yellowstone arterial traffic. So, it is negatively impacting both sides and major streets. One business owner noticed that when a traffic signal was taken out for a time due to maintenance, the business owner indicated it has been easier to get in and out of Cliff without the signal. Councilor Francis stated that the concern is to cross 5 lanes from Cliff to Maple. Councilor Francis asked if there is a middle ground, as he feels the signal on Cliff is too responsive, so maybe the timing needs to be changed, and maybe set up to blink yellow and red during portions of the day. Councilor Francis feels that if there is a pedestrian crossing then it is a random stop for people in Yellowstone. Director Fredericksen thinks with the removal there would be a better opportunity to address concerns and tie an aux signal into a coordination plan on Yellowstone to better move the traffic and get pedestrians across. Councilor Francis is concerned about traffic going 5 lanes across Yellowstone. Mayor Casper feels there is enough intermittency for that to happen without much difficulty, as she hasn't seen a lot of traffic in that intersection.

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Councilor Freeman stated that B Street was similar and asked if there had been wrecks since that signal was taken out. Director Fredericksen stated that they look at severe accidents, and he doesn't recall any injury-level accidents.

Councilor Radford stated that they wanted to put islands in. Councilor Radford wants to discuss how much gasoline is saved by commuters when traffic stops are taken out, totaling \$30 – \$50 million in savings. Director Fredericksen stated that traffic signal studies indicate that minimizing the stops makes a huge difference with fuel rates continuing to rise. Arterial roadways are becoming busier without major improvements, so anytime you can get rid of congestion it is something to look towards. They are trying to serve the vehicle traffic and bike /pedestrian groups. They are trying to enhance access to amenities downtown and along the river with the Cliff and Yellowstone intersection.

Councilor Burtenshaw stated that the Railroad tracks being in a weird direction causes cars to back up in a weird pattern. When will the State look at doing Sunnyside to Lomax? Director Fredericksen stated that they are trying to identify funding to do the project this summer, and that would remove this railroad crossing. Councilor Burtenshaw stated that it would be to the City's advantage to have a decision to be on board with ITD, so this intersection doesn't drag out. Director Fredericksen agreed.

Councilor Freeman is concerned about Ponderosa; he uses that light on his bike because it is a long way to another light on 17<sup>th</sup> Street and a way to get across. Councilor Radford stated that they improved St. Clair since the last time they looked at this intersection.

Director Fredericksen stated that the Traffic Signal Removal Study they did had comments from people who lived in the subdivision from the south of Ponderosa, and School District 91 had strong comments as well. They have talked to Ralph Frost and Margaret Wimborne and they are comfortable with his signal being removed if they consider installing a HAWK at this location. The pathway exists north of here and a Hawk signal would help get to the trail network. President Dingman stated that there were some businesses (Grand Teton Chiropractic, Snake River Floral) that had issues with the light. Director Fredericksen stated a primary concern was bus traffic and the School District indicated that a HAWK could fix concerns. The proposed development with Applewood south of Jenni Lee the utilization of that traffic signal on 17<sup>th</sup> Street and Jennie Lee will increase, especially the left turn, so with this signal operating as it does with additional delays, they are bringing it forward for review and consideration. Director Fredericksen stated that out of all three if they identify a comfort level, they will go back to public meetings and invite public discussion.

Councilor Hally stated that on Ponderosa the Pathway will increase walking traffic across the road. Hally doesn't think a HAWK dealing with 5 lanes of traffic going 50 mph and changing lanes is going to be safe.

Councilor Burtenshaw asked if the HAWK was as high as the regular signal. On which side of the intersection is the HAWK installed? Director Fredericksen stated they would evaluate and see which side is needed. Councilor Burtenshaw feels all or nothing for this intersection, as a HAWK is usually not an intersection. Panchari and Grizzly have a HAWK, and it is unique to have it at an intersection. Councilor Burtenshaw is not familiar with a Hawk at an intersection and would prefer to have an all-or-nothing.

Director Fredericksen acknowledged the higher speeds on 17<sup>th</sup> Street. There is a HAWK on Sunnyside in front of Hillcrest and that has been effective.

Councilor Francis asked if there is a standard of speed that you cannot use HAWK signals. Director Fredericksen is not aware, and the traffic signals and advanced signaling (Flashing prepare to stop) are on higher-speed roadways. Director Fredericksen presented E Street and Park, it is something that staff has talked about with the Fire Chief and the Fire Station has no issues with the removal of that signal.

Councilor Freeman feels that one is less controversial.

The mayor asked if they needed some kind of resolution. Director Fredericksen is asking if he can chat with the public and find out what they are worried about and then bring that back to the Council.

Councilor Freeman stated that Ponderosa needs a red light on 17<sup>th</sup> Street so they can get out on side streets otherwise there is never a break in traffic. It is hard to make a left turn on Sunnyside or 17<sup>th</sup> Street without a light.

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Councilor Radford stated that the studies showed there would be lower side wait times. Director Fredericksen stated that as arterial roadways become busier, you are coming to a point where you know based on the time of day, that a left-hand turn might not be the best idea, and that is why the U-turn areas have become so effective. Councilor Radford stated that he uses the side streets to get to the Downtown area, because sometimes during the day it takes him 12 minutes with lights, without side streets; if he uses side streets right up from Rosehill Cemetery there is a side road that goes to stop signs, and he can get downtown in 3 minutes. Lights slow traffic down.

Mayor Casper stated she is less concerned about drivers having to change their habits if it promotes safer walkability. She trusts the engineers. Mayor Casper is nervous to hear how to get someone across 5 lanes of traffic, but again will trust the engineering and solution, therefore. Mayor Casper feels that the next step is to go to the public and see what concerns they have. Mayor Casper did not hear any Councilor wanting to freeze any portion of the analysis, and a general concurrence to move forward was given.

#### **Discussion and Consideration – Bid Award - Wastewater Treatment Plant Dewatering project:**

Director Fredericksen stated that some of the bidding is increasing, the number of bidders has decreased, and some prices have become more in line, but they still have issues associated with getting materials on time. For the large 3 projects that have been bid on recently, including the Police Station, water tower, and dewatering, 2 of 3 bids came close to the engineers' estimate. This project was not close and higher than what they had anticipated. They had prequalified 5 bidders and from those 5, they received 2 bids, and the low bid was \$11,846,400 and they had anticipated \$10.5 million. The low bid of \$11.8 million and they had pre purchased equipment of \$1,599,000 in equipment with construction costs of a total of \$13.5 million. The staff has talked about this being over the anticipated budget for the project. The recommendation today is to move forward with awarding the project and using the bid, as they do not feel that a delay would achieve a cost saving. This is more than what is budgeted for wastewater, and they'd have to move \$3 million in contingency funding which they have budgeted and approved \$20 million. He has discussed it with Pam Alexander and Mark Hagedorn, and it would be a simple transfer of funding. The wastewater project will be built over 2 fiscal years, and so they have budgeted \$10.5 million in 2 years for the project and that won't all be spent this fiscal year, and the transfer of the contingency fund would give them spending authority. There are sufficient funds within the wastewater fund to pay for this unit at the increased dollar figure.

Councilor Hally agrees that this would not be cheaper because the second lowest bidder was in the \$14 million range and if they reject this bid, you could have a sole bid of \$14-15 million. The risk is that it could go higher, and not lower. Councilor Hally wants to accept the bid and move on.

Director Fredericksen stated that the second bid was \$14.8 million.

Councilor Francis asked if the contingency fund was in the wastewater department. Director Fredericksen stated it is City water. Director Fredericksen stated that there is budgeted authority and funding behind any bid that is approved, and all funds to build this would come from the wastewater fund there is sufficient funding, however, there is an accounting mechanism that goes and shows if he is going to allocate \$13 million project, that he must have \$13 million available for that project. The transfer of funds is more of a checks and balances. Mayor Casper clarified that the authority is a city-wide budget authority that doesn't exist enough to pay for this.

Councilor Radford stated that sometimes at the end of the year, they are off by \$3 million in spending authority, but it is smart to move the funds.

Director Fredericksen stated that within Public Works they will have \$3 million extra. Director Fredericksen stated that the item in front of the Council is to award the bid, but it doesn't preclude them from going back to the contractor and asking for value engineering to reduce things.

Councilor Francis stated that they have talked about this for a long time, and the cost savings in the long term, and in terms of not having to haul as much or pay for those contracts over time. Councilor Francis says go for it. Councilor Radford feels they are just as likely to save money next year or spend more next year.



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Director Fredericksen stated that in the construction world costs might come down, but the infrastructure package for wastewater and water are now being developed, and as those contractors become more busy, next year you might not get a bid if they are too busy.

Councilor Francis stated that this is a specialized bid project. Director Fredericksen stated that they did prequalify contractors to make sure you have the correct contractor that can deal with live sewage. Doing that eliminates a lot of potential contractors.

Councilor Burtenshaw asked if they need to include in the motion the contingency or do they need two separate motions, one for the bid and one for the contingency. Mayor Casper stated there is not a motion for the contingency.

Mark Hagedorn will require the Council to approve a budget transfer for this. Mayor Casper asked what the threshold for that is, as they have done budget transfers that the Council is not involved in. Mr. Hagedorn stated that if a director budgets funds within his department, that does not take action from the Council to move funds, but if they are transferring funds outside of a department to a department it requires Council approval.

It was moved by Councilor Burtenshaw, seconded by Councilor Hally to approve the plans and, specifications and award the bid to the lowest responsive, responsible bidder, GSE Construction Company in the amount of \$11,846,400, and to transfer budget authority to Waste Water Department in the amount of \$3 million and give authorization for the Mayor and City Clerk to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Dingman, Radford, Francis, Burtenshaw, Hally, Freeman. Nay – None

#### Discussion: Sole Source Bid – Water meters.

Director Fredericksen stated that Keller and Associates did a study analysis to identify the best water meters to install on the commercial network. As this was brought forward there was discussion identifying Badger Water Meters as the best alternative. They wanted to have a sole source purchase. The purchase order is included in the packet to purchase 719 meters of various sizes and the water division would have those available for developers and contractors to purchase from the water division at actual cost. The overall cost of that was \$379,045.94 and the quote is included in the packet.

Councilor Hally pointed out that they had a meeting where they discussed the water meters and there were 4 or 5 alternatives and everyone there who had expertise agreed that Badger was the best choice.

Mayor Casper stated that the quote is good for 90 days and the end of the 90 days is coming up next week.

It was moved by Councilor Hally, seconded by Councilor Burtenshaw to declare Hydro Specialties Company as the only vendor for the purchase of Badger Water Meters and cellular endpoints because the water meters and endpoints will be used for resale at the Water Division per Idaho Code 67-2808(2)(a)(vii). The motion was carried by the following vote: Aye – Councilors Radford, Freeman, Burtenshaw, Francis, Dingman, Hally. Nay – None

#### Police Department – Police Personnel Manual Amendments:

Mayor Casper stated that one item from the Police Department is straightforward forward and they can start before the Chief arrives.

Councilor Burtenshaw is comfortable moving forward as there were no comments made, and it is way beyond the 30 days.

Mayor Casper stated that the changes were reviewed with the Council and after they were reviewed, they were put out to everybody, all rank-and-file members had the opportunity to weigh in and during 30-day period no one had concerns that rose to a level that needed to make a change, the process requires final approval from Council.

Councilor Francis stated that neither he nor Councilor Burtenshaw nor the Police Chief had any comments and it has been over 90 days. Mayor Casper stated that the First Amendment that requires the payment of comp time before promotion will do a great deal to help the department deal with the backlog of comp time, save lots of money, and create more budget predictability within the department.

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Police Chief Bryce Johnson appeared and indicated that he had met with almost everyone at the department and there was no feedback received and they all understood the purpose of the changes.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Resolution amending the police personnel manual. The motion was carried by the following vote: Aye – Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay – None

#### Discussion: Sole Source Purchase - Taser 7 Conducted Energy Weapon:

Police Chief Bryce Johnson appeared and indicated that this was a budgeted item for an Electronic Conduction device, and Taser is the only manufacturer of such a device. This is a sole source purchase, and it was budgeted for, and it falls within the budget.

Councilor Freeman stated that he recalls they had trouble repairing broken tasers and so now they are replacing them. Chief Bryce Johnson stated that they didn't include replacement of tasers in the budget for the last couple of years. Taser has moved on to a new model, and Taser no longer supports the model the Police have, there are no longer cartridges for the current Tasers, and they are not warranted, and they will not be supported in police use of force. So, they need to eliminate Tasers or go to the new model. Chief Johnson wants to go to the new model so they have a less-than-lethal use of force option.

Councilor Freeman asked what they would do with the old ones. Chief Johnson stated that they can go back to Tasers to be traded in or can be used for training. Councilor Freeman asked if it is a lease program and not so much a purchase program. Chief Johnson stated that they wanted a 5-year contract, and Mike Kirkham worked on the contract with Taser, and Taser agreed to the City's rewrite of the agreement. The agreement is for a certain number of tasers, every year for 5 years and the city can opt-out. That will put it on a rotation schedule so you have them in the time, in which they will warranty the taser.

Councilor Burtenshaw stated and confirmed that within 5 years all the tasers will be replaced, so they won't be in this position again where all the tasers are outdated. Chief Johnson stated that every year they will have the budget for it just like firearms and batons. Mayor Casper stated that it levels the cost out, so it is an annual maintenance commitment and the price is locked in for 5 years.

Councilor Francis asked if they opted into the training for Tasers. Chief Johnson stated that they would provide some training, and they put some of that into the contract as a bonus. Chief Johnson stated that they will take advantage of the training opportunities as part of the contract. Councilor Francis didn't understand tier 1/ tier 2. Is it asking to allow them to evaluate the Tasers?

Chief Johnson stated that the taser is complex and has its memory and minicomputer. Every time you do a spark test each day the taser is plugged into a computer and it downloads everything that was done with the taser. All that data is kept, and the data is downloaded when the taser is used. Chief Johnson stated that it allows for information sharing and it benefits everyone. The metadata is shared, but nothing personal. Councilor Francis clarified that Taser takes that feedback to improve the product.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to Declare Axon Enterprise, Inc. as the only vendor for the conducted energy weapons that are reasonably available because the Taser 7 Conducted Energy Weapon has no functional equivalent and approve a sole source purchase of the Taser 7 Conducted Energy Weapons in the amount of \$365,004.07. The motion was carried by the following vote: Aye – Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay – None

#### Mayor and Council - Calendars, Announcements Reports, and updates Liaison Reports and Councilmember Concerns:

Legislative Session is underway so they have the Chamber Advocacy process, but she doesn't know when they will hold the meetings. In the past, they have been on Thursday mornings. Councilor Hally asked if they would still be at the college. Mayor Casper is unsure of the location but will update when she has more information.

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Mayor Casper stated that you can participate via a link for the AIC Meetings on Friday.

Mayor Casper stated that the City Bills are lined up with good sponsors.

A Candidate guide has been passed out to the Council Members, and the Mayor asked Councilors to add what they want added and return to Carla by mid-February, so they can have an up-to-date guide before candidacy declarations start to come forward. The idea behind the guide was to make sure that people who were choosing to run for City Council know the commitment they are making timewise, and they understand what type of a job this entails. Not intended to scare, just inform people.

Councilor Radford got a call about a survey of time. Mayor Casper stated that there is per department an estimate of time needed.

The mayor stated that many of the Councilors will share things happening during liaison reports, but many things are going on with the city. There is a desire to change the impact fees ordinance, and that is actively being looked at. The audit is in full swing. The Gallagher study from HR has been discussed. Director Tew will talk about it in the airport meeting. The hiring of a new Community Director is underway. Interim Director Beutler and Ryan Tew have a list to review, and the Mayor will look to see who to interview. Mayor Casper has a schedule for the interview process that is maybe too soon (she had planned for next week) and might need to adjust the calendar. Councilors have a role to play and she wants them to spend time with the final candidates and ask the candidates questions, and they could do a lunch or a gathering. Mayor Casper will involve both liaisons in the interviews. Most every department has its hands full doing what they do.

- President Dingman stated that Idaho Falls Fire Department- Recently kicked off Idaho Falls Fire Department Recruit Academy (10 weeks) with 15 recruits participating, which is the largest academy they have ever had.

Idaho Falls Airport - Tail Wind Restaurant area upstairs has been rebranded to Snake River Bar and Grill, and it is a full-service bar and grill and has souvenirs.

Airport just launched its 1<sup>st</sup> annual student art contest, open to District 91 High School Students and submissions are now through March 1. Looking for artists to depict the theme of Idaho Falls Flies into the Future, 1<sup>st</sup> 2<sup>nd</sup>, and 3<sup>rd</sup> winner with art displayed in the airport and a small cash prize. Go to [Idahofallsidaho.gov](http://Idahofallsidaho.gov) for more information.

- Councilor Hally stated Redevelopment Agency will have the finished product of Marriott Courtyard along the river behind Candlewood Suites. They will be demolishing the old King B Building behind Candlewood. It is a new District. Things are on deck to go forward with the District of Anderson where the school is located for tax credits and some low-income rentals. Someone is showing interest in Anderson on land to put storage warehouses on land that is not conducive for any other purpose. The redevelopment program is ongoing.
- Councilor Radford let the Council members know that he had money he kept in his campaign account, and if anyone hasn't closed out their account, there is now a monthly reporting requirement to the Secretary of State, and as soon as you start raising money it is a monthly reporting requirement, not yearly. Councilor Burtenshaw stated that she just did the yearly report. Councilor Hally stated that you must declare a final report.

Parks and Recreation- They have toured some of the zoo projects and exciting things are happening in the Hamilton Building at the zoo, and if you get a chance go and see if Zoo Director Dave Pennock will take them through and you can see the amazing artistry.

Idaho Falls Power – They are doing surveys so if you have feedback get working on that. Councilor Burtenshaw could not think what a compliance report would be, and the question about whether they get timely compliance reports, and she couldn't put into context. Councilor Radford stated that they have a role as a regulatory body as much as an advocate. Councilor Burtenshaw stated that they would know if they were getting it timely or not. Councilor Burtenshaw asked if they complied every time or not.

Councilor Radford suggested making that statement in the survey so they can do a better job explaining.

Mayor Casper stated there is a special meeting on the 1<sup>st</sup> that will have people traveling from DC to visit. Mayor Casper stated that they have typically started the meeting at 7:45 – and go until 11:45, but he will not be a 4-hour

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meeting, (2 hours anticipated). Mayor Casper asked if they could change the meeting time to 7:30 – 9:30 or 8:00 - 10:00. Councilors agreed that 8:00 a.m.-10:00 a.m. is good. Councilor Burtenshaw will not be at that meeting. The meeting will be at Idaho Falls Power.

- Councilor Francis stated the Idaho Falls Police Department is in discussions with the School District to add to the SRO program. As mentioned in the State of the City Address, the Police Assisted Addiction and Recovery Initiative is being worked on and going forward with the department.
- Councilor Freeman – City of Idaho Falls Fire Department-  
The new fire station will be opened to the south, and there isn't a firm timeline yet, but they are working towards getting that timeline, and the recruiting class going through will give them the option to have enough people to man that station. Councilor Burtenshaw indicated that Director Fredericksen stated they would have a site plan for the new fire department.
- Councilor Burtenshaw stated that tomorrow night in Boise, they are meeting sometime after they get to Boise, at the Eagle Tubing Park and Doug Swanson from Idaho Falls will be there to usher people around, and no pressure on Councilor Hally to go down the slide. Ryan Newton is running it, and Doug Swanson is there for introductions. Councilor Hally asked if they were meeting at 4 p.m.

Randy Fife asked if it was a meeting. – Mayor Casper stated it is a tour. Fife told them to be careful not to make policy.

#### Discussion: Reorganization of Office of the Mayor:

Mayor Casper stated that as the city grows, she has to match her management style with the growth of the city. Mayor Fuhrman added a part-time PIO and later it became a full-time position in 2012, but half was paid by Idaho Falls Power, and half by the City general fund. Mayor Casper made changes in the 2014 meeting as a power board with Idaho Falls Power; fall of 2015 an economic development coordinator was added; Public safety formed the PIO Team in 2017; 1<sup>st</sup> public works utility Board meeting annually in 2018; added capacity to have a paid intern in Mayor Office in 2019; Chief of Staff in 2022; started practicing for Airport Board in 2021 and official in 2022; moved City Clerk to Mayor office end of 2022; currently planning to bring forward changes to Title 3 to standardize the code that relates to directors.

Mayor Casper wants to always improve operations to be responsive to City growth. Not every management challenge has the same solution. Sometimes the solution is better training, decision making, Council action, and increased budget, some solutions take time, more staff or use of existing staff differently, use attrition, and let people retire with, the same number of FTEs but deployed differently.

Mayor Casper stated it is common for executives to reorganize. Mayor Casper stated that when she was elected in 2013, she was told to ask for resignation and then rehire everyone, and she chose not to do it as it sowed seeds of uncertainty and impacted morale. She took what she inherited and, in some ways, it has been fine with the existing structure, and in other ways, it has been modified over time. There is always concern about creating uncertainty that will impact employee morale. Mayor Casper likes to know what is behind each door, and each option and wants to understand thoroughly before making decisions, and that style suits some and aggravates others. Mayor Casper wants to adjust to stay on top of the flow of business. The city has grown and the workload of the city has grown, and they have not added employees, staying around 600 full-time employees. The 15 recruits for the fire department are the biggest infusion of staff at any one time. Mayor Casper stated that her department has seen an addition of an economic development person and a chief of staff. Mayor Casper makes clear that the changes are not being made because of personalities, favored personalities, or the idea that there is a structure that works. The goal is to create a structure that makes sense for the city to serve the citizens, and then hire to fill those positions.

Mayor Casper explained that the chart explains how relationships and responsibilities will flow. Mayor Casper stated that the span of control could be 4-9 depending on the occupation. Councilor Freeman stated that they recommend 5 for actively managing a crisis. Mayor Casper stated that lives aren't dependent on a supervisor like in an emergency management setting. Mayor Casper showed on the chart that is Mayor's office has the Chief of

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Staff reports to the Mayor and the Chief of Staff then takes responsibility for everyone within the Mayor's Office including economic development, PIO, executive assistant, and City Clerk. The dotted lines come from the Chief of Staff going to various departments. Future hires for the City Clerk's office will be managed by the City Clerk. As they go to remodel City Hall it may make sense to install a receptionist to direct traffic once the elevator is installed, and that position can double as a helping hand for the Clerk's office. When the previous City Clerk left, she had a concern that the workload could be onerous and they don't want it to be more than what the 2 people hired can handle. The Mayor supervises Public Safety (Police and Fire), utilities and enterprises, and quality of life (Parks and Rec), (the library is governed by a board/indirect role). Administration breaks out into 3 with Municipal Services (Finance and Daily operations) fleet management, IT building maintenance, and daily maintenance. The City Attorney's office is not in a structure, because they have a supra role of being over and above all City Employees making operations compliance and keeping everyone out of legal trouble. They are grounded in helping the city function, and the office itself will have needs, including budget, equipment, etc. HR has a role to play in helping the city but has needs as an organization. The solid lines denote the Mayor having a responsibility or a need to work with the directors. The dotted line denotes the day-to-day operations of any one of the departments that the Chief of Staff has a dotted line going to quality of life and 3 of the administration functions, and that suggests that if there is a day-to-day need they will work with the Chief of Staff instead of Mayor, which removes 5 direct reports from Mayor and shifts them to the Chief of Staff. It divvies up the responsibility and gives each department more opportunity to have its needs met. The goal is to empower the Mayor's Office to have optimal contact with each organization. The goal is One City- One Team capacity is desired. Mayor Casper stated that in addition there are additional responsibilities for the Mayor and Chief of Staff, to give a better sense of what each position entails. The city might need another Administrator and Assistant City Administrator in the future, and the future Mayor could set up to make whatever change they desire.

Mayor Casper indicated that Councilor Francis stated during his meeting with the Mayor, that the Chief of Staff could be a good place to have a liaison assignment. The mayor is open to other suggestions like that, and there might be a way to combine liaison assignments.

Councilor Hally asked for clarification that instead of the Chief of Staff, there would be an assistant City administrator. Mayor Casper indicated that is a possibility, although they are hired for very different things. Mayor Casper is not in favor of the City Manager's Office.

Councilor Freeman stated that since they do have Board assignments maybe do an arrow from Council to those departments. Mayor Casper asked if they should eliminate liaisons from either of those or maybe only have one instead of 2. Councilor Freeman is a liaison to both entities that have boards. Councilor Freeman stated that as a liaison you can meet more often than as a Board. He feels liaison is important. Mayor Casper stated that the two departments have begun to grow in other ways and have taken on more of an administrative load. Some things Mayor Casper doesn't see until there is a problem. Mayor Casper stated that some of the growth in the two departments has created friction, and that is normal when things are changing and establishing new ways of doing things. There have been a lot of conversations in the last 6 months with concerns of expanse, management, etc., and that is normal within a bureaucracy to have that kind of churn when change is happening. It is not always seen as normal and frustrates people. The goal is to get to a place where every department can do its best. For the 2 departments that have boards, one of the thoughts is it has weakened the executive ability to be able to manage the departments on a day-to-day basis because the argument is "I have a board that I answer to, not you." It has been suggested that there be a dialogue in the Council about what do boards do within the city. Mayor Casper asked if you keep liaisons, is the board another layer of involvement?

Councilor Burtenshaw suggested that there are a lot of things that Police and Fire have in common as public safety and maybe a joint liaison with public safety makes sense. There are several issues regarding dispatch and contracts and if there were similar liaisons it might help. Councilor Freeman suggested having a public safety liaison that does both Fire and Police and sometimes they can do joint meetings. Councilor Freeman suggested talking to Chiefs of Fire and Police to see how they feel. Mayor Casper has not presented to any of the directors formally. Mayor Casper stated that it is good to share what the structure looks like to make sure that there is no

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error or overlook. Mayor Casper will go to the Directors next to get input so there is no chance that people feel threatened, worry, or create rumors about why things are being changed.

Councilor Francis asked if that same consolidation could go to liaisons for power utility enterprise, with power, and airport. Councilor Burtenshaw stated that she thought fire and police have the same mission with public safety, but power and airport don't play in the same sandbox.

Mayor Casper stated that Randy Fife has shared that the City of Moscow had work sessions structured in such a way to hold briefings for some departments before the work session and have the work session and then hold briefings after, so everyone could be a part of the briefings if they wanted to. The layout presented could allow for briefings before and after work sessions between 2:30 – 3:30 and 5:30 – 6:30.

President Dingman had conversations months ago and her concern was talking to people about running for office, when she tells them it is a 3–4-hour meeting and other things added to create a 6–7-hour day, it could be challenging for people that would be highly qualified to serve in the future. Councilor Francis stated that in the liaison meetings, there is brainstorming and communication that goes on, and there is a lot to be gained beyond the report for the month. President Dingman doesn't feel it benefits the relationship or development of sound policy or ordinances, it only allows other Council Members who are not liaisons to receive greater information, and that has its purpose and something that can be pursued, but it doesn't substitute the liaison role. Councilor Radford stated that you do get the relationship with the liaison assignments but is that with the spirit of open government? If a lot is happening in liaison meetings that becomes policy that opens government. Councilor Francis stated that it is talking about things that would come to Council for approval. President Dingman stated that you cannot write every ordinance from start to finish as a group, so your option is to have a Council liaison that participates in that conversation or you have a department director doing it by themselves. Councilor Radford stated that the way the city ran once was safety committees, and when he talked to old former Council members that say oh you are doing specific assignments, it is an interesting conversation, when they say I hear so and so on the Council is having this conversation. He sees the problem with liaison systems, in general, is they get too connected and fight for directors that they are connected to, as opposed to not being as friendly they might not fight for what the director is bringing forth. Mayor Casper stated that when you have been "captured" by a department, you lose oversight. Councilor Francis stated that he doesn't agree with his directors always.

Councilor Radford stated that when he came to the City Council safety committee meeting, he saw directors having to persuade, and now the Councilors are coming to advocate for the department, and the Council is answering to the department. Councilor Hally feels they disagree with liaisons, and without liaison meetings, you lose the depth of the operation. Councilor Radford stated that if he was in a committee structure, he'd be happy to meet with them regularly. Mayor Casper stated that if directors have to meet with committees and prepare for that, and then must still have liaison meetings, it will take a lot of time.

Randy Fife shared how he feels a committee system works. Fife explained that in Moscow, they split the work of the city, with a part-time Mayor and half the city work was with a committee of 3 council members, and the other half was a committee of 3 council members. The committee, then decided what would come before them for consideration and they designed the agenda, and they heard the things during a 1.5-hour meeting that was public. If 2 of the 3 members of the committee decided it was worthy it would get on the Council agenda, if there were questions, that needed more information, they would hold it and ask them to come back in a few weeks. The other committee would meet after the first committee and take care of the other half of the city business. There weren't liaisons, because half of the Council already knew about the topic and it was discussed with directors, and if they wanted more they could talk to the director. The mayor didn't design the agenda except to compile it based on what the Council wanted on the agenda. 3 people knew and had a presentation about the topic, so there wasn't a need for a liaison. The other big difference was having a city supervisor who did background work, coordinated, and talked to directors, and would help put together with Committee Chairs what would happen. They didn't meet in the same week. 3 hours one week, and however long the next week that Council wanted. They started at 3 – 4:30 with one committee and 4:30 – 6:00 with the next committee. The following week they just had a council meeting.



**January 23, 2023, Council Work Session**

Mayor Casper stated that there are different ways to structure the Council side of things. The goal is to find more things to do right.

Councilor Francis stated that his suggestion for Boards, is for the Power Board to go through an evaluation for the Board, then have some feedback to use, and they need clarity on both boards on what the powers the Council wants to have. They have a good opportunity to come up with the self-evaluation form and use the information with the comments. Councilor Radford stated that they are trying to do it for the February Power Board meeting. Councilor Francis feels that would be a good way to get thoughts to determine policy. Mayor Casper feels it would be helpful for everyone to have clarification.

Councilor Radford asked if they were asking for clarification of the role of the Board as opposed to the Mayor or in conjunction with the role of the Mayor. Councilor Radford stated that would be a good conversation. Maybe bring in someone who has done this over and over in the Country and there are a lot of nuances of what the role Mayor plays for Idaho Falls Power and what role the Board has. Mayor Casper stated that it is the same word for the legal structure of the Mayor and Council. Councilor Radford stated that the wording is similar and it uses the term CEO. Councilor Radford wants to discuss it, but it is not a simple conversation. Mayor Casper stated that a broader setting would be better, not in a board meeting might be useful. Mayor Casper suggested creating a document that the Council can help to edit. Councilor Radford suggested sending out research. Mayor Casper stated that there have been times about joking about the library and the library director has been present and stated that you are not the boss of me, the Library Board is the boss of the director of the library. Mayor Casper feels that they need to determine the intent of the Power and Airport Board. Mayor Casper stated that if the airport director or power director would say that the Mayor is not in charge, the Board is in charge, she would want to tell them unless the Board takes action, the Mayor helps to do day-to-day administration and uses the directives of the Council. There are different ways to characterize it so that the lines don't become meaningless, so a chart isn't meaningless. The next step is to go to the directors before moving on. Councilor Burtenshaw asked for a timeline on implementation Mayor Casper stated that they are moving now, with rough edges to smooth out. February is the next Director meeting.

Announcements:

Idaho Falls Airport meeting tomorrow.

Boise Wednesday and Thursday

Next Wednesday is February 1st for the Idaho Falls Power Board meeting.

There being no further business, the meeting adjourned at 5:35 PM

s/Corrin Wilde

Corrin Wilde, City Clerk

s/Rebecca L. Noah Casper

Rebecca L. Noah Casper, Mayor

# Memorandum

File #: 23-286

City Council Meeting

**FROM:** Bear Prairie, General Manager  
**DATE:** Thursday, September 28, 2023  
**DEPARTMENT:** Idaho Falls Power

## Subject

IFP 23-31 MVA Power Transformer - Virginia Transformer Corp.

## Council Action Desired

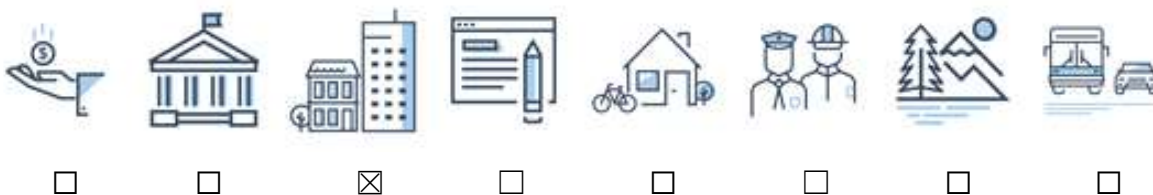
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☒ Other Action (Approval, Authorization, Ratification, etc.)

Reject bid for MVA Power Transformer with Virginia Transformer Corp. at a price of \$1,659,741 (or take other action deemed appropriate).

## Description, Background Information & Purpose

Idaho Falls Power (IFP) put out a request for quotes (RFQ) for a 161kV-12.47kV 15/20/25 MVA power transformer. A single bid was received from Virginia Transformer Corp. for \$1,659,741.00, which was 50% higher than anticipated. IFP recommends rejecting the bid at this time and putting out a future RFQ in hopes that pricing will come down.

## Alignment with City & Department Planning Objectives



This action supports our readiness for reliable public infrastructure and well-planned growth and development and supports the reliability and growth element IFP's Strategic Plan.

## Interdepartmental Coordination

The City Attorney Department and Idaho Falls Power.

## Fiscal Impact

None.

## Legal Review

The City Attorney Department concurs that this action is within state statute.

**INVITATION TO BID  
NUMBER: IFP-23-31**

**EVALUATION AND PRICING**

**Base Bid**

Total price to furnish and deliver F.O.B. to pad one  
161kV-12.47kV 15/20/25 MVA power transformer  
complete with specified accessories.

\$ 1,659,741.00

Delivery window date

2 - 3 Weeks After Shipment

**Second Transformer Purchase Option**

Idaho Falls Power may wish to purchase a second like  
transformer under the same terms and conditions of this  
transformer purchase. If the vendor can supply a  
second **like transformer at the same base bid cost**,  
what would be the latest date Idaho Falls Power could  
place an order for the second like transformer?

Within Validity of Existing proposal  
i.e 11/17/2023

**Other Costs**

Other costs associated with the manufacture and delivery  
of above-mentioned power transformers not included in  
above costs (if necessary, use separate sheet to itemize  
each cost).

\$ Not Applicable

**TRANSFORMER DETAILS**

Description	Units	Manufacturers Data
Transformer Manufacturer	-	Virginia Transformer Corp.
Manufacturing Plant Location	-	Pocatello, Idaho
LTC Manufacturer/Model No.	-	Reinhausen RMV II
No Load Losses	<i>kW</i>	16.60
Load Losses at 15MVA	<i>kW</i>	54.64
Load Losses at 20MVA	<i>kW</i>	97.14
Load Losses at 25MVA	<i>kW</i>	151.78
Auxiliary Losses	<i>kW</i>	1.9
Guaranteed maximum noise level	<i>dB</i>	NEMA TR-1
Total weight of transformer	<i>lbs</i>	140,000

**INVITATION TO BID  
NUMBER: IFP-23-31**

Shipping weight of largest piece	<i>lbs</i>	120325
Impedance – Not to exceed 8%	<i>%Z</i>	8%
Warranty Duration	<i>months</i>	12/18

**LOSS COST MULTIPLIERS**

Based on RUS bulletin 1724E-301, the loss cost multipliers calculated for use are as specified below:

1. No-load loss cost multiplier (A) = \$ 5,441 / kilowatt
2. Load Loss cost multiplier (B) = \$ 1,912 / kilowatt
3. Auxiliary Loss cost multiplier (C) = \$ 2,161 / kilowatt

**LOSS PENALTY**

In the event that the combined evaluated cost of actual tested no-load losses (NL), load losses (LL), and auxiliary power (AP) exceeds the combined evaluated cost of the respective guaranteed losses and auxiliary power, credit shall be given to Idaho Falls Power for the dollar difference. Any such credit shall be included by the Manufacturer on the transformer invoice.

**INVITATION TO BID**

**NUMBER: IFP-23-31**

**SPARE PARTS AND DELAYED DELIVERY STORAGE (OPTIONAL)**

**Bushings**

One high voltage bushing, complete with gaskets.	\$ <u>46654.00</u>
One low voltage bushing, complete with gaskets.	\$ <u>3036.00</u>
One Primary Surge Arrester	\$ <u>Non Applicable with no Ratings given</u>
One Secondary Surge Arrester	\$ <u>Non Applicable with no Ratings given</u>

**Miscellaneous**

One complete set of contacts and coils for each type of contactor relay furnished.	\$ <u>3,000</u> ( LTC Contacts Not Included in this)
Additional spare parts as may be recommended by the Manufacturer (if necessary, use additional sheets).	See Attached VTC Proposal
- _____	\$ <u>B233502A</u>
- _____	\$ <u>-</u>



# Memorandum

File #: 23-283

City Council Meeting

**FROM:** Michael Kirkham, Assistant City Attorney  
**DATE:** Thursday, September 21, 2023  
**DEPARTMENT:** City Attorney

## Subject

Development and Cost Sharing Agreement with SSYA IF, LLC

## Council Action Desired

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

Approve the Development and Cost Sharing Agreement with SSYA IF, LLC (or take other action deemed appropriate).

## Description, Background Information & Purpose

SSYA IF, LLC, is developing the property immediately adjacent and to the west of the City's Ryder Park property as a car dealership. The Development is outside of the City's geographic boundaries. In order to receive approval to develop and construct the project from Bonneville County, SSYA IF, LLC, is required to construct a road. SSYA IF, LLC, approached the City to discuss constructing the road along the boundary between the development property and Ryder Park. The proposed boundary road would require that the City dedicate the portion of Ryder Park that lies within the area proposed to become the boundary road. In exchange for the City agreeing to allow a portion of Ryder Park to be converted into a road, SSYA IF, LLC, has agreed to construct the required curb and gutter at SSYA IF, LLC's sole cost. In addition, SSYA IF, LLC, has agreed to construct an improved drive approach to Ryder Park.

## Alignment with City & Department Planning Objectives



The proposed agreement promotes the City's good governance and livable community objectives.

## Interdepartmental Coordination

Public Works, Mayor's Office, and The City Attorney's Office coordinated effort on this agreement.

## Fiscal Impact

There is no anticipated fiscal impact to the City.

**Legal Review**

The City Attorney Department has reviewed and help draft the proposed Agreement.

## DEVELOPMENT AND COST SHARING AGREEMENT

THIS DEVELOPMENT AND COST SHARING AGREEMENT (“**Agreement**”) is made and entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2023 (“**Effective Date**”), by and between **SSYA IF, LLC, A IDAHO LIMITED LIABILITY COMPANY**, with its principal place of business located at 1215 Wilmington Ave Ste 120, Salt Lake City, UT 84106 (“**Developer**”), and the **CITY OF IDAHO FALLS**, a political subdivision of the State of Idaho (“**City**”). Developer and City are sometimes referred to in this Agreement as a “**Party**” or collectively as the “**Parties**”.

A. Developer owns that certain real property situated in Bonneville County, Idaho, as more particularly described in the attached **Exhibit A (“Developer Property”)**, which is currently being developed by Developer as part of a car dealership project. As of the Effective Date, Developer has applied and submitted for (or is in the process of submitting) certain approvals to Bonneville County (“**County**”) in connection with the development, entitlements, and other land use approvals applicable to the Developer Property.

B. City owns that certain real property adjacent to the Developer Property to the east as more particularly described in the attached **Exhibit A (“City Property”)** which contains a city park.

C. As part of the development, entitlements, and other land use approvals being sought for the Developer Property, Developer desires to install a road along the boundary between the Developer Property and the City Property as shown on the attached **Exhibit B (“Roadway Improvements”)**. The Roadway Improvements include a portion of the drive approach that provides access to the city park. The drive approach shall contain standard curb and gutter as designated by Idaho Falls Parks and Recreation and shall be 225 feet from the center of Sunnyside Road as depicted in Exhibit B.

D. This Agreement is being entered into by Developer and the City to set out rights and obligations of City and Developer with respect to Roadway Improvements.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Developer and the City agree as follows:

### 1. Project Development; General Developer Services.

1.1 **Project Development Management.** Subject to City’s rights hereunder, Developer will, at its sole cost and expense, be responsible for the construction and installation of the Roadway Improvements including to hire, direct, coordinate, manage, and pay a reputable general contractor (“**General Contractor**”) to perform the construction of the Roadway Improvements under the terms of contracts in form and substance satisfactory to Developer in its reasonable discretion.

1.2 **Project Materials.** Developer will, at its sole cost and expense, obtain any and all reports, surveys, studies, evaluations, and other information and materials as required for the proper design and construction of the Roadway Improvements.

Developer will perform such other planning and development management services as Developer may deem necessary or advisable and as may be required by Applicable Laws (as hereinafter defined) in order for Developer to fulfill its obligations under this Agreement.

- 1.3 **Scheduling.** Developer will consult with City on an ongoing basis so that City is informed regarding the schedule and progress of pre-construction activities and the design and construction of the Roadway Improvements. A schedule setting forth the key milestone dates for the phasing and overall progress of the Roadway Improvements (“**Project Schedule**”) will be prepared and mutually agreed to by the Parties within 60 days of the Effective Date of this Agreement. The Project Schedule is designed to enable Developer to commence construction of the Roadway Improvements on or about \_\_\_\_\_, and to substantially complete the Project by or about \_\_\_\_\_ or such later date as is set forth in the Project Schedule.

## 2. **Design and Construction.**

- 2.1 **Generally.** Developer will, at its sole cost and expense, contract with third parties for all architectural and engineering services required for the complete design and construction of the Roadway Improvements in accordance with all applicable laws, statutes, codes, rules, regulations, permits and requirements of all applicable governmental authorities (collectively, “**Applicable Laws**”). Developer will contract with qualified architects and engineers, licensed to practice in the State of Idaho (collectively, the “**Design Professionals**”) to provide all necessary architectural and engineering services required for the design and construction of the Roadway Improvements. The services of the Design Professionals employed for the Roadway Improvements will include, without limitation, preparation of construction drawings and specifications for the Roadway Improvements and inspection of the construction work for the Roadway Improvements as required in accordance with Applicable Laws. For purposes of this Agreement, the term “**Construction Documents**” will mean and refer to final construction drawings and specifications provided by the Design Professionals and approved by Developer, setting forth in detail the requirements for the construction of the Roadway Improvements. The Roadway Improvements will substantially be in accordance with Exhibit B, which are hereby approved by City.

## 3. **Project Entitlements.**

- 3.1 Developer will, at its sole cost and expense obtain all site plan approvals, permits, consents, approvals, and other things required to be obtained from all federal, state, and local governmental, municipal, public, and other authorities, bodies, and agencies, including but not limited to environmental approvals, as well as under any covenants, conditions, restrictions, or easements applicable to or reasonably necessary for the Roadway Improvements.

#### **4. Construction of Project.**

- 4.1 **Scope.** Developer will, at its sole cost and expense, construct the Roadway Improvements in accordance with this Agreement, Applicable Laws, and in accordance with the Construction Documents, and Developer will engage the services of the General Contractor for the work. The Roadway Improvements will include the scope of work required by the final Construction Documents.
- 4.2 **Changes.** No change to the final Construction Documents or the Project Schedule which affects the City Property will be effective without the express prior written approval of City and Developer. If a change to the scope of the Roadway Improvements, the Construction Documents, or the Project Schedule affects the City Property, such change must be initiated by a written change order describing the change and all related adjustments. The proposed change order will be drafted by Developer based on communications with City, then executed and approved by the appropriate City representative if acceptable.

#### **5. Consideration.**

- 5.1 In exchange for the right to construct the road on City's real property, Developer will bear all improvement and construction costs associated with the Roadway Improvements. The costs contemplated herein include but are not limited to, the costs of labor, materials, and supplies, the costs of all engineering, consultation, and legal fees.

#### **6. Default.**

- 6.1 Violation or breach of any provision of this Agreement beyond any and all applicable notice and cure periods, will constitute an event of default ("**Default**").
- 6.2 Except for payment of any costs by City, which is addressed in Section 5 above, neither Developer nor the City will be in Default under this Agreement, unless such party fails to perform an obligation required under this Agreement within 30 calendar days after written notice is given to the defaulting Party by the other Party, setting forth in sufficient detail the respects in which the defaulting party has failed to perform an obligation required under this Agreement. If the nature of the defaulting Party's obligation is such that more than 30 calendar days are reasonably required for performance or cure, the defaulting Party will not be in Default under this Agreement if that Party commences performance within the 30-day period and diligently prosecutes the same to completion. In the event of a Default of this Agreement, the non-defaulting Party may bring any legal action to enforce (including, for a remedy of specific performance) this Agreement or for damages on account of any Default of a liability, obligation, or covenant contained in this Agreement.



## **7. Transferability and Assignment.**

- 7.1 The rights and benefits of this Agreement will inure to each of Developer's successors or assigns. Upon any transfer or assignment by Developer of all or any portion of the Developer Property or all or any portions of Developer's rights, benefits, and interests under this Agreement to a new entity or to any third-parties, the applicable provisions and conditions of this Agreement expressly transferred or assigned to such entities or third-parties will be binding upon and applicable to such new entities, third-parties, and/or transferred portions of the Developer Property and, concurrently with any such transfer or assignment, Developer will be released from any assumed obligations, liabilities, claims, or causes of action arising under this Agreement. Subject to the foregoing, this Agreement is not intended to benefit or provide any right to any other person or entity other than Developer and the County, and their successors and assigns, and will not create any rights, benefits, claims, or causes of action in or for the owner of any adjoining properties or other parties.
- 7.2 Developer will have the right to transfer and assign any and all rights, benefits, interests, obligations, liabilities, claims, or causes of action held by Developer under this Agreement to any new entities, subsidiaries, or affiliates or any third-parties and determine as a part of such transfer and assignment what rights, benefits, interests, obligations, liabilities, claims, or causes of action will apply to (or remain with) or be assumed by those applicable portions of the Developer Property.
- 7.3 Developer will have the right and be permitted to sell and transfer all or any portions of the Developer Property, without the prior consent or agreement from the City. In addition, Developer will have the right and be permitted to pledge or encumber all or any portions of the Developer Property or a portion of its rights, benefits, and interests under this Agreement to a lending or investment entity, without the prior consent or agreement from the City, and such pledge or encumbrance will not be considered a transfer or assignment.

- 8. Notices.** All notices, requests, consents, approvals, demands, and other communications required or permitted to be given or made under this Agreement must be in writing and will be deemed to have been duly given when (i) delivered personally or (ii) three business days after deposit in the United States Mail, postage prepaid, by certified mail, return receipt requested, (iii) one business day after deposit with a recognized overnight courier service, or (iv) upon transmission via email, in each case, addressed as follows or to such other person or address as either Party designates by notice to the other Party:

If to Developer:

SSYA IF, LLC  
1215 Wilmington Ave Ste 120  
Salt Lake City, UT 84106  
Email: \_\_\_\_\_

If to City:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Attn: \_\_\_\_\_  
Email: \_\_\_\_\_

**9. Miscellaneous.**

- 9.1 Whenever possible, each provision of this Agreement will be interpreted in such a manner as to be valid under applicable law. If any part or provision of this Agreement will be adjudged unconstitutional, invalid, prohibited under applicable law, or unenforceable by a court of competent jurisdiction, such provisions will be ineffective to the extent of such invalidity or prohibition without invalidating the remaining parts or provisions of this Agreement.
- 9.2 If a Party takes or defends against any action for any relief against another Party arising out of this Agreement, the prevailing Party in such action or defense will be entitled to reimbursement by the other Party for all costs including, but not limited to, reasonable attorneys' fees and court costs incurred by the prevailing party in such action or defense and/or enforcing any judgment granted therein, all of which costs will be deemed to have accrued upon the commencement of such action and/or defense and will be paid whether or not such action or defense is prosecuted to judgment. Any judgment or order entered in such action or defense will contain a specific provision providing for the recovery of attorneys' fees and costs incurred in enforcing such judgment.
- 9.3 This Agreement will be governed by and construed under Idaho law.
- 9.4 Paragraph or section headings within this Agreement are inserted solely for convenience of reference and are not intended to, and will not, govern, limit, or aid in the construction of any terms or provisions contained in this Agreement. Further, whenever the context so requires herein, the neuter and gender will include any or all genders and vice versa and the use of the singular will include the plural and vice versa.
- 9.5 This Agreement may be amended only upon written amendment executed by both Parties.
- 9.6 Each Party agrees to execute and deliver all additional documents, provide all additional and supplemental information, and take all further acts reasonably necessary in order to carry out more effectively the intent and purposes of the Agreement and the actions contemplated hereby.
- 9.7 This Agreement does not create any joint venture, partnership, undertaking, or business arrangement between the Developer and the City, nor, unless otherwise stated, create any rights or benefits in favor of any third-parties.

9.8 This Agreement, together with all exhibits hereto, which are hereby incorporated herein by reference, constitutes the entire Agreement between the Developer and the City and supersedes any prior understandings, agreements, or representations verbal or written.

9.9 This Agreement may be executed in any number of duplicate originals or counterparts, each of which when so executed will constitute in the aggregate but one and the same document.

9.10 Non-discrimination.

Developer shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, creed, political ideals, sex, age, marital status, physical, or mental handicap, gender identity/expression, sexual orientation, or national origin.

9.11 Anti-Boycott Against Israel Act.

Pursuant to Idaho Code section 67-2346, if payments under this Agreement exceed one hundred thousand dollars (\$100,000) and Developer employs ten (10) or more persons, Developer certifies that it is not currently engaged in, and will not for the duration of this Developer engage in, a boycott of goods or services from Israel or territories under its control. The terms in this Paragraph that are defined in Idaho Code section 67-2346 shall have the meaning defined therein.

9.12 Certification of No Chinese Ownership.

Pursuant to Idaho Code 67-2359, Developer certifies that Developer is not currently owned or operated by the government of the People's Republic of China and will not, for the duration of this Agreement, be owned or operated by the government of the People's Republic China.

***[Intentionally Blank – Signature and Acknowledgement Pages to Follow]***

**CITY'S SIGNATURE AND ACKNOWLEDGEMENT PAGE**

IN WITNESS WHEREOF, the City has executed this Agreement as of the Effective Date.

**CITY:**

**CITY OF IDAHO FALLS,**  
a political subdivision of the State of Idaho

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

DRAFT

**DEVELOPER'S SIGNATURE PAGE**

IN WITNESS WHEREOF, Developer has executed this Agreement as of the Effective Date.

**DEVELOPER:**

SSYA IF LLC,  
a Utah limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

DRAFT

**EXHIBIT A  
TO  
DEVELOPMENT AND COST SHARING AGREEMENT**

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**LEGAL DESCRIPTION OF DEVELOPER PROPERTY**

The real property referenced in the foregoing Agreement as the “Developer Property” is located in Bonneville County, Idaho and is more particularly described as follows:

BEGINNING AT A POINT THAT IS NORTH 89°50'20" EAST ALONG THE SECTION LINE 2652.65 FEET FROM THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 2 NORTH, RANGE 37 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO, SAID POINT BEING THE NORTH QUARTER CORNER OF SAID SECTION 35; THENCE SOUTH 00°13'20" EAST ALONG THE EAST LINE OF GOVERNMENT LOT 6 OF SAID SECTION 35 A DISTANCE OF 199.67 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SUNNYSIDE ROAD AND THE TRUE POINT OF BEGINNING; RUNNING THENCE SOUTH 00°13'20" EAST ALONG SAID EAST LINE OF SAID GOVERNMENT LOT 6 A DISTANCE OF 494.30 FEET; THENCE SOUTH 89°49'50" WEST 1327.47 FEET; THENCE NORTH 62°34'55" EAST 9.07 FEET; THENCE NORTH 00°48'00" WEST 490.17 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF SAID SUNNYSIDE ROAD; THENCE NORTH 89°49'50" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE 1324.34 FEET TO THE TRUE POINT OF BEGINNING.

**LEGAL DESCRIPTION OF CITY PROPERTY**

The real property referenced in the foregoing Agreement as the “City Property” is located in Bonneville County, Idaho and is more particularly described as follows:



**EXHIBIT B  
TO  
DEVELOPMENT AND COST SHARING AGREEMENT**

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**ROADWAY IMPROVEMENTS**

DRAFT

**File #:** 23-287

**City Council Meeting**

**FROM:** Wade Sanner, Director  
**DATE:** Monday, October 2, 2023  
**DEPARTMENT:** Community Development Services

## Subject

Public Hearing-Adoption of a Form Based Code Amendment to include new sections addressing the South Downtown.”

## Council Action Desired

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

Approve the Ordinance amending Title 10, Chapter 7, Section 1 of the City Code adopting the October 2023 Edition of the Form Based Code (or take other action deemed appropriate).

## Description, Background Information & Purpose

Attached is the ordinance adopting the October 2023 Edition of the Form Based Code. This ordinance replaces the existing Form Based Zoning Code and includes additional language to address the area known as South Downtown. The Form Based Code establishes standards to protect and enhance the unique and historic character of these areas. The Planning and Zoning Commission considered the code amendment at its July 11, 2023, meeting and unanimously recommended approval to the Mayor and City Council as presented. Prior to the Planning and Zoning Commission hearing, and in addition to regular noticing requirements, staff provided bi-lingual notices regarding the code and hearing to every property owner of record as well as renters and tenants in the affected area. Staff respectfully requests approval of the ordinance.

## Alignment with City & Department Planning Objectives



The policies in the code are consistent with many policies and goals related to Good Governance, Growth, Sustainability,

and Livable Communities.

**Interdepartmental Coordination**

NA

**Fiscal Impact**

NA

**Legal Review**

The ordinance have been reviewed by the City Attorney's Office pursuant to applicable law.

**STAFF REPORT**  
**Adoption of the October 2023 Edition of the Form Based Code**  
**including new sections addressing the area known as South**  
**Downtown**  
**October 12, 2023**



Community  
Development  
Services

**Applicant:**  
Idaho Falls (CDS Dept.)

**Project Manager:**  
Brian J. Stevens

**Location:**  
Generally, from Cliff Street to  
Pancheri Drive and from  
South Yellowstone Avenue to  
the Snake River.

**Size:** Approx 70 acres

**Existing Zoning:**  
Site: CC, HC, TN, P  
North: FBC  
South: HC, I&M  
East: CC, I&M  
West: P

**Existing Land Uses:**  
Site: Commercial, residential  
and Industrial and  
Manufacturing  
North: Downtown  
South: Commercial and  
Industrial and Manufacturing  
East: Commercial and  
Industrial and Manufacturing  
West: Snake River Public

**Future Land Use Map:**

**Attachments:**

1. Summary of FBC Chapters
2. Subdistrict and Regulating  
Plan Map
3. FBC Full Text
4. Zoning Ordinance  
Information
5. Comprehensive Plan  
Policies
6. Maps and aerial photos

**Requested Action:** To **approve** the adoption of the October 2023 Edition of the Form Based Code.

**Staff Recommends:** Recommendation to approve the code amendment.

**Explanation of Form-Based Codes (FBC):** The Form-Based Code Institute defines an FBC as, “A method of regulating development to achieve a specific urban form. Form-Based Codes create a predictable public realm primarily by controlling physical form, with a lesser focus on land use, through city or county regulations.”

Traditional zoning (often referred to as Euclidian) focuses on separation of land uses and setbacks, but doesn’t address the entire public realm (streets, open space, sidewalks, and front setbacks). FBC’s are more focused on the public realm and the existing or desired form of development and care less about land uses. They are a tool that both protects and enables a desired form.

**Why a FBC:** Planning staff chose to pursue a FBC for several reasons. First, the success of the FBC downtown and the increase in development pressures as well as desire for more enlivening development activity in south downtown. Second, the current zoning ordinance does very little to accommodate the development demands in a way that appropriately preserves the unique south downtown form of development. It also imposes standards meant for suburban development such as shopping centers in an area never intended to develop that way. The FBC allows for the zoning to be adjusted to fit the existing development pattern of south downtown as well as provide for desired improvements as new development occurs.

**FBC Highlights:** The south downtown FBC is intended to recognize the existing form while also achieving the goals of the city core plan. Some of the tools for doing this include:

- Divides the south downtown into five subdistricts, each with its own requirements intended to follow the existing forms.
- Providing standards for public spaces including planter boxes, streets, sidewalks, open space and more functional alleys.
- Defines allowed building types and placements to maintain consistency with existing development.
- Includes requirements for building materials to be consistent with existing materials in the south downtown.
- Because the FBC is a relatively new tool, staff meet regularly to talk about and bring forward necessary adjustments.

## **Chapter Summaries:**

**Chapter 1—Place Types.** FBCs typically include different place types (sometimes referred to as transects) ranging from rural to metropolitan centers. The Place Types chapter defines standards for block configurations, districts/subdistricts, street types, and open spaces required in each. It includes both general requirements for all types as well as standards specific to each place type. With each place type there is also a map called a Regulating Plan that shows where the districts/subdistricts for that place type are located. The current draft of the downtown FBC only includes one place type: Urban Center. However, Townsite is being proposed as an addition for south downtown.

**Chapter 2—Street Types.** Street type is typically found outside of zoning codes. Idaho Falls Public Works Department has a set of drawings for typical street sections. Street types within the FBC are intended to alongside Public Works standards and offer guidance for how all types of travel modes could be addressed within these areas.

Besides street dimensions and on-street parking regulations, this chapter also includes requirements for alleys. The south downtown plan recommended identifying alleys that could be modified to allow more pedestrian and commercial activity. This chapter includes some minimum standards to follow if those projects were to happen.

**Chapter 3—Subdistricts.** This chapter defines the different areas within the Urban Center and Townsite place types. It is similar to the purposes statements found in traditional zoning ordinances for each zone.

**Chapter 4—Uses.** The use chapter is very similar to traditional zoning ordinances. It lists allowed uses and conditional uses for each subdistrict. It also includes additional standards for uses that may not have been allowed in a traditional code, but which may be permitted with additional standards within the FBC.

**Chapter 5—Building Types.** While the Building Types chapter includes some very familiar elements such as setbacks and building heights, it also is one of the chapters that is most different from the City's current zoning code. Rather than just stating what the setbacks are for a zone, this chapter instead provides what types of buildings are allowed in the zone and then identifies the standards for that building type. It is important to note that this is not intended to dictate particular architectural types, although there are standards on specific architectural elements such as entries, roofs, and required percentage of transparency.

Setbacks, heights, and number of floors are handled with both minimum and maximum standards to ensure buildings stay close to the street and stay within a height relatively similar to other buildings in the area. Allowed uses and parking are also identified by floor of the building or appropriate location.

**Chapter 6—Open Space.** This chapter defines the different types of open spaces allowed within the code and provides for the requirements of each type. Open space types include courtyards, plazas, pocket parks, and others. Requirements include standards for minimum size,

minimum percentages for impervious surfaces, lighting, seating, and plantings. As with other sections of the FBC, there are more types than will likely be used in downtown and or south downtown, understanding that the code may expand to include other areas in the future.

**Chapter 7—Landscaping.** The landscaping standards in this chapter are much more detailed and specific than the City’s current zoning ordinance. The intent is to make sure that appropriate materials are used and maintained in an appropriate way, especially given the challenge of dealing with small planting areas next to rights-of-way. Areas of the FBC currently have a mix of planter types. While this chapter does not specify design materials, there are at least some basic size requirements to follow as planters are upgraded or installed new.

**Chapter 8—Parking.** This is a fairly standard zoning chapter. It ensures the appropriate number of parking stalls are provided, provides minimum standards for design, and also deals with bicycle parking. Credits are available to reduce the number of stalls.

**Chapter 9—Sign Types.** As its name implies, this chapter will define the signs allowed in FBC areas along with the dimensional requirements. Currently this chapter directs you to the City’s main sign code. Eventually both the City’s main sign code and this chapter will be modified so that all FBC standards are in one place.

**Chapter 10—Administration.** The administration chapter establishes the procedural requirements for permit applications. It identifies when the standards will apply to existing buildings and not just new construction. It also addresses how to handle non-conforming structures and uses. One of the goals was to be careful about applying these standards to existing buildings unless something major was happening. During various meetings with stakeholders and business owners staff committed that the new plan and code would not be intended to make it overly difficult for existing structures to be modified. This chapter also includes definitions and illustrations of terminology used in the body of the FBC.

### **Comprehensive Plan Policies:**

#### **Challenges to Growth (p.56-58):**

The cost of maintaining infrastructure, limited natural resources and overall capacity to provide all City services and utilities are immediate issues facing the Idaho Falls area. These all have related land use implications and various growth patterns have consequences. A city’s growth policies can lead to sprawling boundaries with more maintenance and service needs than funds available to meet them, overcrowded areas with too little open space, or some balance between the two.

The consumption of land does not in itself speak at all to the resource commitment in streets, utilities, parks and open space, water, sewer, power and emergency services needed to maintain and service it. The Imagine IF policies recommended in this plan attempt to reverse this trend, especially in light of higher-than average population growth rates for the area. Even prior to the Imagine IF initiative, the City made strides to focus on “infill development” (i.e., utilizing undeveloped lands within the City rather than expanding the city’s Boundaries). These efforts are working. From 2010 to 2020, the population grew by 14% while the City’s boundaries grew by only 15%, compared to 30% in the previous decade.

Idaho Falls must understand the long-term consequences of its land use decisions. It cannot continue to have policies which are overly favorable to large-lot subdivisions requiring new roads and increased city



boundaries instead of more compact development that better utilizes existing infrastructure. Being intentional about growth decisions and cognizant of the financial impacts is a protection against high tax growth and the City's capacity to efficiently and effectively serve its citizens.

### **Managing Change (p. 58-59):**

Although the City needs to rethink how it grows and develops, it must also be cognizant of how change can cause concerns in existing neighborhoods. That is not to say that neighborhoods should never expect to experience changes. Strong Towns, a non-profit planning organization, describes the balance in these terms:

1. No neighborhood can be exempt from change.
2. No neighborhood should experience sudden, radical change.

The policies and actions in this plan are intended to strike this balance. In each area and throughout the city, residents also participated in the planning process they recognized the need for improvements and saw the challenges the city is facing. Each neighborhood has its own challenges and opportunities to be part of the solutions.

Degrees of change:

1. Maintain: Smaller, more incremental changes, mostly reinforcing the exiting scale of an area.
2. Evolve: Opportunities for small-to medium-sized public and private investments or projects. Minor changes in scale. Opportunity sites should be targeted.
3. Transform: Opportunities for larger scale changes, such as a significant increase in scale and possible mix of uses. The changes are more likely to be widespread and not on focused sites.

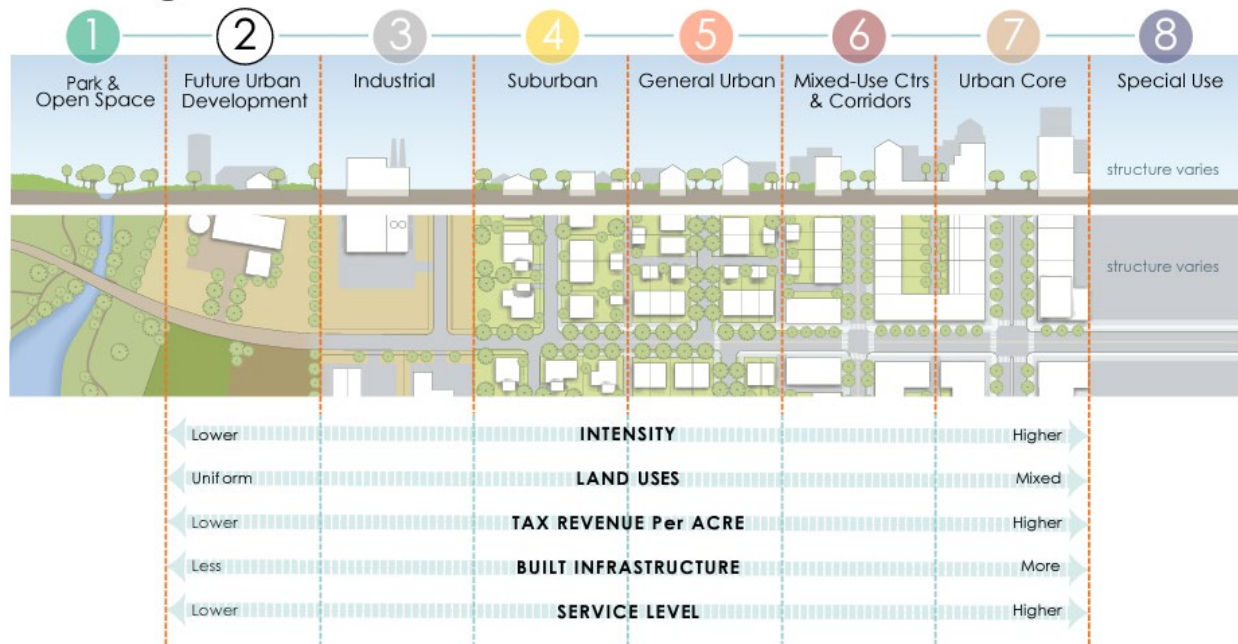
Each of these degrees of change can be found in the Imagine IF plan. Whether it is City-wide code changes, identifying potential walkable centers and redevelopment sites, or thinking about adding benches along pedestrian routes, change is recommended in a variety of ways. The changes are not radical, abrupt changes to Idaho Falls' character. Rather, most are small, incremental changes designed to bring about the vision described by the community during the planning process.

### **Urban Transects (p.60-61):**

Visualizing and Planning for Land Uses and Service Levels Idaho Falls provides a wide variety of services and infrastructure for its residents, property owners and business community. Services such as water, sewer, power, fiber optics, streets, pathways, parks and recreation centers, police, fire, trash removal, library and transit are all examples of amenities provided and funded through the City government. Because land uses, activity levels and service demands vary across the City, not every part of the City has the same access to the same services. To be fiscally responsible, cities allocate such infrastructure according to how fully it is needed and how likely to be used, based on present and potential future land uses. By examining an area's current or anticipated use, it is possible to classify the area's level of need for services. Transect designations are applied to the land use map in broad generalized areas and attempting to capture existing patterns and reflect anticipated development patterns.

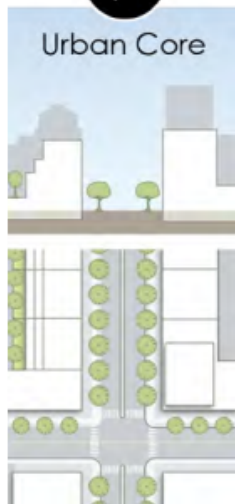
It is important to understand what the (Comprehensive Plan Land Use) map is and what it is not. The map is general in nature. It is aspirational and not an exact reflection of what will happen in the future. It is also broad and will not fit every situation that may arise as development occurs. When citizens, developers, planners, elected officials and others are looking to answer, "what is expected to happen here?" the map is an aid, not a blueprint. The map in this plan is also not the same as a zoning map. It does not establish development rights. It does not follow property lines. The map guides zoning and development decisions but does not control them.

# ImagineIT Transects



7

## 7. Urban Core



**Snapshot:** The Urban Core Transect denotes the central area which functions as the City core and areas within or in close proximity to Downtown and South Downtown. The Urban Core also includes legacy residential subdivisions platted in a traditional grid pattern. These subdivisions tend to be characterized by taller structures, mixed-use buildings, pedestrian-oriented movement of people, commercial and entertainment enterprises. All housing types, civic buildings, town squares and transit stations are typical, but vary between neighborhoods.

**Local examples:** Downtown, Original Townsite, Highland Park Addition, Crows Addition, Brodbecks Addition, Riverside Addition

## Rezoning

### Considerations:

Because the comprehensive plan provides only general guidance for zoning decisions, the Planning Commission shall also take the following considerations into account:

Criteria for Rezoning Section 11-6- 5(I) of Ordinance	Staff Comment
The Zoning is consistent with the principles of City's adopted Comprehensive Plan, as required by Idaho Code.	Yes
The potential for traffic congestion as a result of development or changing land use in the area and need that may be created for	It is unlikely that we see a large increase in congestion, over time we

wider streets, additional turning lanes and signals, and other transportation improvements	may see a reduction as more walkable uses are developed in South Downtown
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	Unlikely that we would see significant impacts to existing public services
The potential for nuisances or health and safety hazards that could have an adverse effect on adjoining properties	Unlikely, the FBC
Recent changes in land use on adjoining parcels or in the neighborhood of the proposed zoning map amendment	2017 Downtown received the FBC
<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 new Form Based Code aligns well with the urban core of the comprehensive plan and is desired by CDS Department
What changes have occurred in the area to justify the request for rezone?	The area has aged and the Form Based Code will both help preserve some of the bones and foster new reuse and redevelopment of the area.
Are there existing land uses in the area similar to the proposed use?	Yes the Downtown has been using its existing FBC since 2017.
Is the site large enough to accommodate required access, parking, landscaping, etc. for the proposed use?	Yes, this is a large section of downtown.

**Transportation Plan:**

See attached FBC. No significant road construction is proposed at time of adoption, though if new construction comes in the future they will be required to follow the FBC.

**Zoning Ordinance:**

See attached FBC. This will change the type of zoning ordinance and the way it is applied for this area.

# City of Idaho Falls Form Based Code October 2023 Edition



## **City of Idaho Falls Form Based Code**

Mayor: Rebecca L. Noah Casper

City of Idaho Falls City Council

City of Idaho Falls Downtown Plan Steering Committee

City of Idaho Falls Planning & Zoning Commission

Community Development Services Director: Wade Sanner

Planning Staff: Kerry Buetler, Brian J. Stevens, Naysha Foster, Caitlin Long

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City of Idaho Falls Form-Based Code based on the Wasatch Choice 2040 Consortium Form-Based Code for Centers and Corridors Template



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# 1.0 Place Types



# 1.0 Place Types

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## 1.1 Establishment of Place Types

### Introduction

For the purpose of this Code there are three terms used to describe geographic and regulatory areas: Place Type, District, and Subdistrict.

- (1) Place Type. A general description of the existing, desired, or combination of existing and desired form and use of a geographical area, not a specific parcel. The purpose of a Place Type is to regulate design, subdivision, and rezoning of parcels designated within a specific District.
- (2) District. A geographical area where a Place Type has been designated. The purpose of a District is to describe the boundaries within which a Place Type and various Subdistricts have been designated.
- (3) Subdistrict. A specific, regulatory area that applies to parcels within a District or Place Type. The purpose of a Subdistrict is to define regulations for allowed built form and land uses within the Subdistrict. Subdistricts are intended to match or closely match the existing, desired, or combination of existing and desired form and uses of buildings on specific parcels.

### 1. Application

Place Type requirements apply to all parcels within the District, as designated on the Regulating Plan Map. Subdistricts are defined and adopted under Chapter 3.0 of this Code. Subdistricts may be allowed under multiple Place Types.

## 2. Establishment of Place Types

The following Place Types are hereby created. Refer to the Place Types for specific descriptions and requirements.

- (1) Urban Center Place Type, See 1.4
- (2) Townsite Place Type, See 1.5
- (3) Reserved for future Place Types

## 3. Zoning Map

Place Types are utilized in the following formats:

- (1) Zoning Map. Place Types are assigned to Districts on the Regulating Plan Map. Subdistricts are applied to specific parcels within a District, as shown on the Regulating Plan Map.
- (2) Unmapped. There shall be no unmapped or un-designated parcels within a Place Type District.

## 1.2 Specific Place Type Requirements

### 1. Establishment of Subdistricts

- (1) Permitted Subdistricts. A series of permitted Subdistricts are listed within each Place Type.
- (2) Required areas of and/or specific locations for certain

Subdistricts may be designated.

- (3) Each Subdistrict includes permitted uses (refer to 4.0 Uses) and permitted Building Types (refer to 5.0 Building Types). Refer to 3.0 Districts for further definition of permitted uses and Building Types.

## 2. Block Configuration, Street Types, and Open Space

Block Configuration. Maximum block lengths and widths are provided for each Place Type. The block configuration requirements define the maximum sizes for blocks within each Place Type. If existing blocks within the development application area are larger than those designated, subdivision and new streets are required.

- (1) Permitted Street Types. A series of permitted Street Types are designated within the Place Type. Refer to 2.0 Street Types for further definition
- (2) Open Space Requirement. A specific requirement for Open Space Types to be located within walking distance of commercial and residential units is listed for each Place Type.
- (3) Permitted Open Space Types. A series of permitted Open Space Types are listed Within each Place Type. Open Space Types shall be utilized to meet the Open Space Requirement.

# 1.0 Place Types

## 1.3 General Place Type Requirements

### 1. Applicability

The following general block, lot, and street design requirements are applicable to all Place Types.

### 2. Interconnected Street Pattern

The network of streets within any Place Type shall form an interconnected pattern with multiple intersections and resulting block sizes as designated in the requirements for each Place Type.

- (1) The arrangement of streets shall ensure the continuation of existing streets from adjoining areas into new developments.
- (2) Cul-de-sac and dead end streets are not permitted.
- (3) Where possible, streets shall follow natural features rather than interrupting or dead-ending at the feature.
- (4) Refer to 2.0 Street Types for requirements for streets.

### 3. Block Configuration

Refer to Figure 1.3 (1) for an illustration of Typical Block Elements.

- (1) The shape of a block shall be generally rectangular, but may vary due to natural features or site constraints.
- (2) Blocks shall typically be two lots deep, with the exception of blocks containing open space. Blocks may include an alley. Blocks may include existing lots within an existing zoning district outside the Place Type.
- (3) Blocks shall typically be fronted with lots on at least two faces, preferably on the longest street faces.

### 4. Maximum Block Size

Block sizes for residential and commercial development and redevelopment are designated within each Place Type. Where blocks in different Place Types back up to each other, those blocks are exempted from the maximum block size.

## 5. Minimum Number of Access Points

This requirement is intended to establish a minimum level of connectivity via vehicular rights-of-way between adjacent developments and to surrounding streets. The Access Management Plan will guide the number of access points based on road designation.

## 6. Designate Primary Streets

The intent of the Primary Street designation is to develop a network of streets with continuous building frontage and no or limited vehicular access in order to reduce conflicts between pedestrians and vehicular traffic.

- (1) Designate primary streets along all blocks faced and fronted by commercial activity.
- (2) All lots shall front on at least one primary street. Such street frontage shall serve as the front of the lot, as referred to in the Building Type requirements.
- (3) Where there is a lot with two (2) primary street frontages, the developer shall consult with staff to determine which street frontage warrants primary designation and the front of the lot.

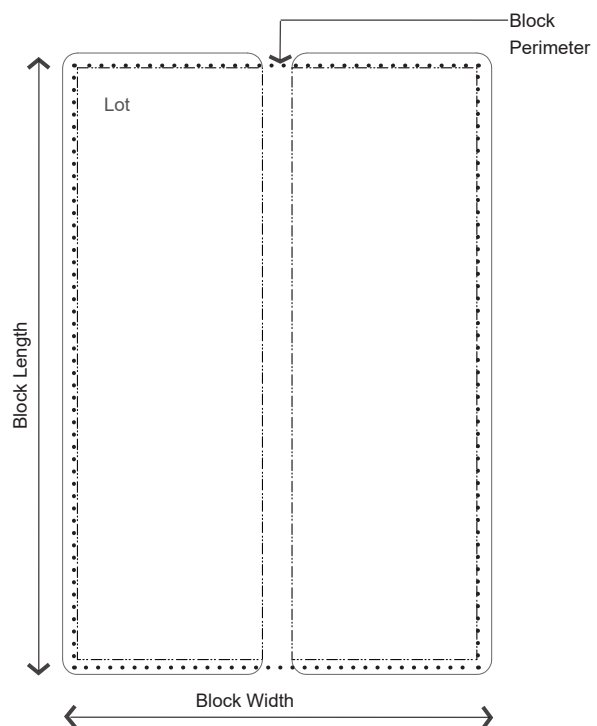


Figure 1.3 (1). Typical Block Elements.

## 7. Block Access Configurations

- (1) Vehicular access should not occur from a Primary Street, unless the parcel is fronted by more than two primary streets, in which case, staff shall determine which is the appropriate street for vehicular access. The determination shall be based on locations of existing and proposed vehicular access points of other developments along the Primary Streets.
- (2) Blocks may include alleys, drives, or driveway entrances with the following recommended configurations. See Figure 1.3 (2).
  - (a) Mid-Block Access. This configuration includes an alley or drive running through the center of the block.
  - (b) “T” Configuration. This configuration includes two alleys within a Block that are perpendicular to each other, forming a “T,” thus allowing development to front on three block faces.
  - (c) “H” Configuration. Similar to the “T” configuration, this configuration allows development to front on all four block faces.
- (3) Access to blocks shall be aligned, and generally located on opposite sides of the block, and aligned across from access points to other blocks.
- (4) Mid-Block Pedestrian Ways. Mid-block pedestrian ways are required on blocks longer than five hundred feet (500’).
  - (a) When combined with mid-block street crossings, these pathways should align to facilitate easy pedestrian movements.
  - (b) Mid-Block pedestrian ways should be located in the middle third of a block face.
  - (c) Minimum width for mid-block pedestrian ways rights-of-way or easements is twenty feet (20’).
  - (d) Mid-Block pedestrian ways should follow the streetscape requirements of Street Type A. See 2.0 Street Types for further definition.

## 8. Lots

- (1) Typical Lot Dimensions. All lots of record shall be developed to meet the requirements outlined in 5.0 Building Type requirements.
- (2) Typical Lot Configuration. All lots shall have frontage along a public street unless otherwise specified in 5.0 Building Type requirements.
  - (a) Lot Shape. To create regular, rectangular lots, side property lines shall be perpendicular to the vehicular right-of-way to the extent practical.
  - (b) Through-Lots. Through lots fronting on two parallel streets are not permitted with the exception of a lot covering fifty percent (50%) or more of a block and where both sides of the building fronting a street meet the standards for a front property line (refer to 5.0 Building Types).
  - (c) Corner Lots. Corner lots shall have a front yard along one street and a corner yard along the other street. The front yard of a corner lot should be consistent with the front yard of one adjacent parcel.
  - (d) Flag Lots. Flag lots are prohibited.

## 9. General Open Space Requirements

- (1) Refer to the Place Type requirements tables for permitted Open Space Types.
- (2) Mix Open Space Types. Multi-parcel developments may provide a mix of open space types to meet open space requirements, for Place Types in which multiple open space types are allowed,

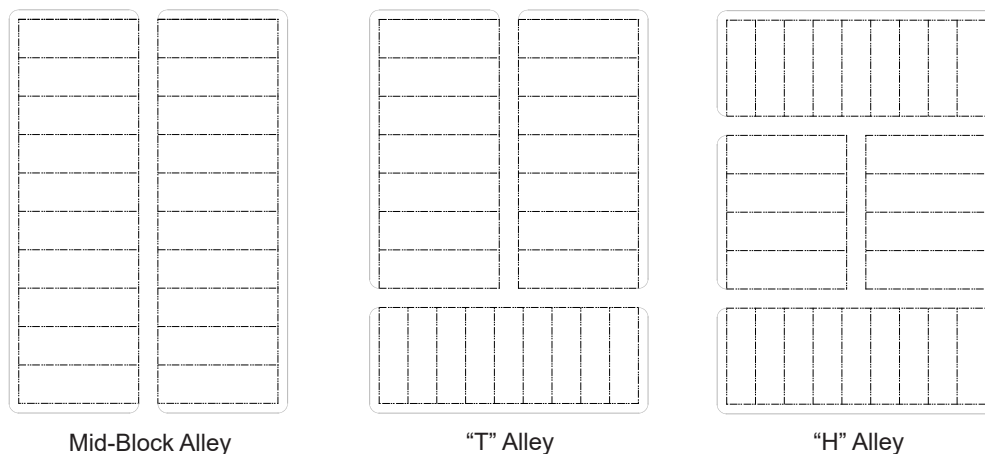


Figure 1.3 (2). Alley Configuration.

# 1.0 Place Types

## 10. General Subdistrict Layout

For all Place Types, the following outlines how the Subdistricts should relate to one another. See Figure 1.3 (3).

- (1) The following applies to all Subdistricts.
  - (a) Similar intensities of uses should face each other across the street.
  - (b) More intense uses, that share blocks with less intense uses, should be located on block ends. For example, a residential General Subdistrict should be located on corner parcels when on the same block as a less intensive Edge Subdistrict.
  - (c) Blocks may contain multiple Subdistricts; however, changes in Subdistricts should occur along an alley, the rear property line, or at a corner parcel.
  - (d) When Place Types back up to the rear of existing single unit residential neighborhoods, an Edge Subdistrict should be utilized as a buffer.

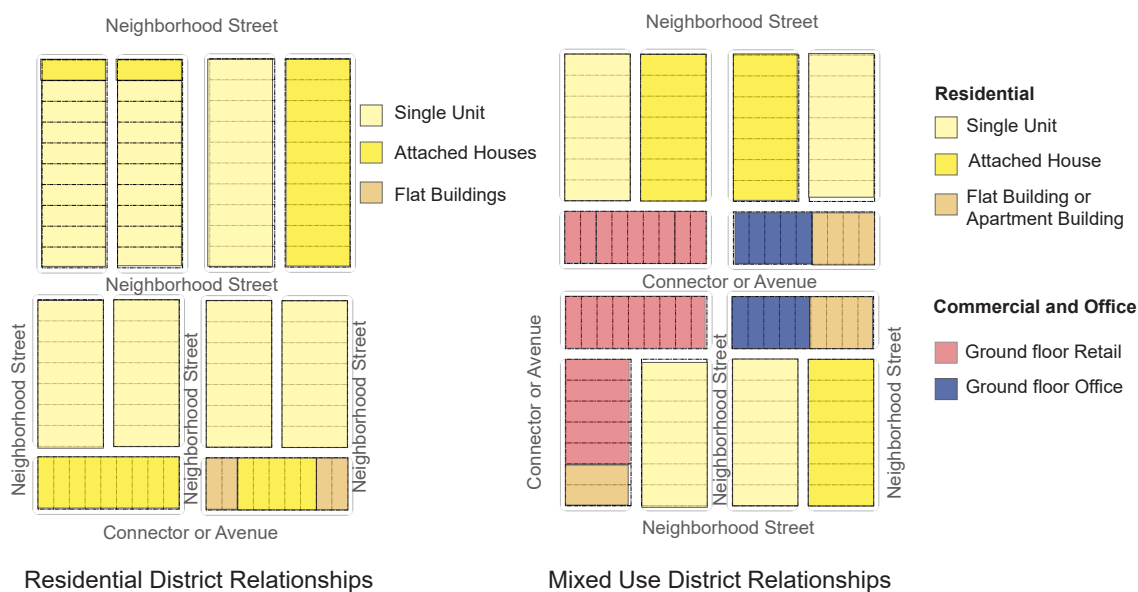


Figure 1.3 (3). District Relationships



## 1.4 Urban Center

### 1. Description and Intent

The Urban Center Place Type is intended for use in fairly intensive centers of activity, particularly the downtown area of Idaho Falls. This Place Type allows for a range of building intensity and a wide mix of uses. The Urban Center Place Type is designed for a high level of walkability, efficient use of the public right-of-way, and provision of opportunities for a wide range of public and private events in public spaces. Boundaries of the Urban Center Place Type typically include lower intensity Edge Subdistricts.

### 2. Requirements

Refer to Table 1.4 (1) for requirements for the Urban Center Place Type.

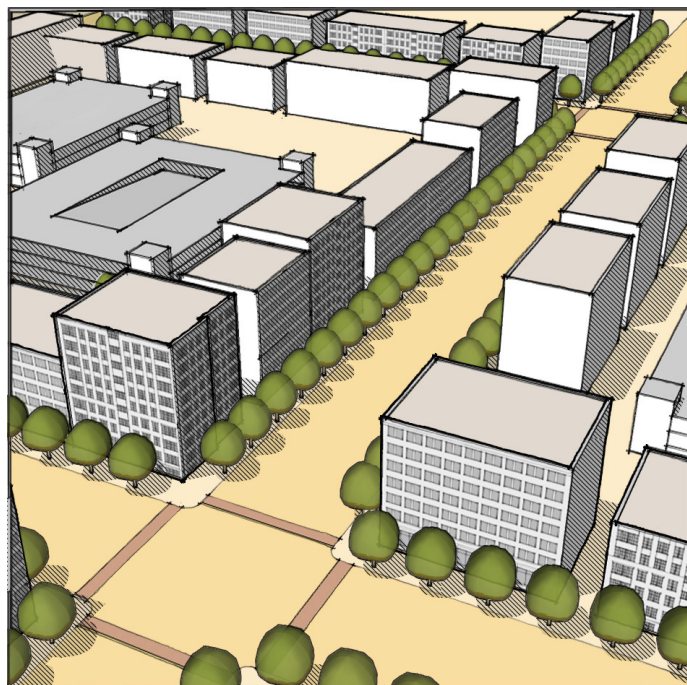


Figure 1.4 (1) Urban Center Place Type

Urban Center Requirements			
		Downtown District	
Subdistricts	Core A	●	Mixed Use Development
	Historic Center	●	Downtown Historic Center
	General A	●	Multi-Purpose and Mixed Use
	Edge A	●	Riverwalk Frontage Mixed Use
	Edge B	●	Highway Frontage Mixed Use
	Edge C	●	Residential Buffer
Block Configuration	Maximum Block Length	350'	
	Maximum Block Width	350', Mid block alley (non primary street) may intersect block.	
Permitted Street Types	Alley	●	
	Lane		
	Neighborhood St		
	Connector	●	
	Avenue	●	
	Boulevard		
Open Space Requirements	Core Subdistrict Requirements	One Open Space Type is required within one quarter (1/4) of a mile of the entrance of each building.	
	General and Edge Subdistrict Requirements	One Open Space Type is required within one sixth (1/6) of a mile of the entrance of each building.	
Permitted Open Space Type	Plaza	●	
	Square	●	
	Green		
	Pocket Park	●	
	Commons	●	
	Park		
	Greenway/Riverwalk	●	Shall be utilized only for Edge Subdistrict requirements.

● = Permitted

Table 1.4 (1). Urban Center Place Type Requirements.

# 1.0 Place Types

## Downtown

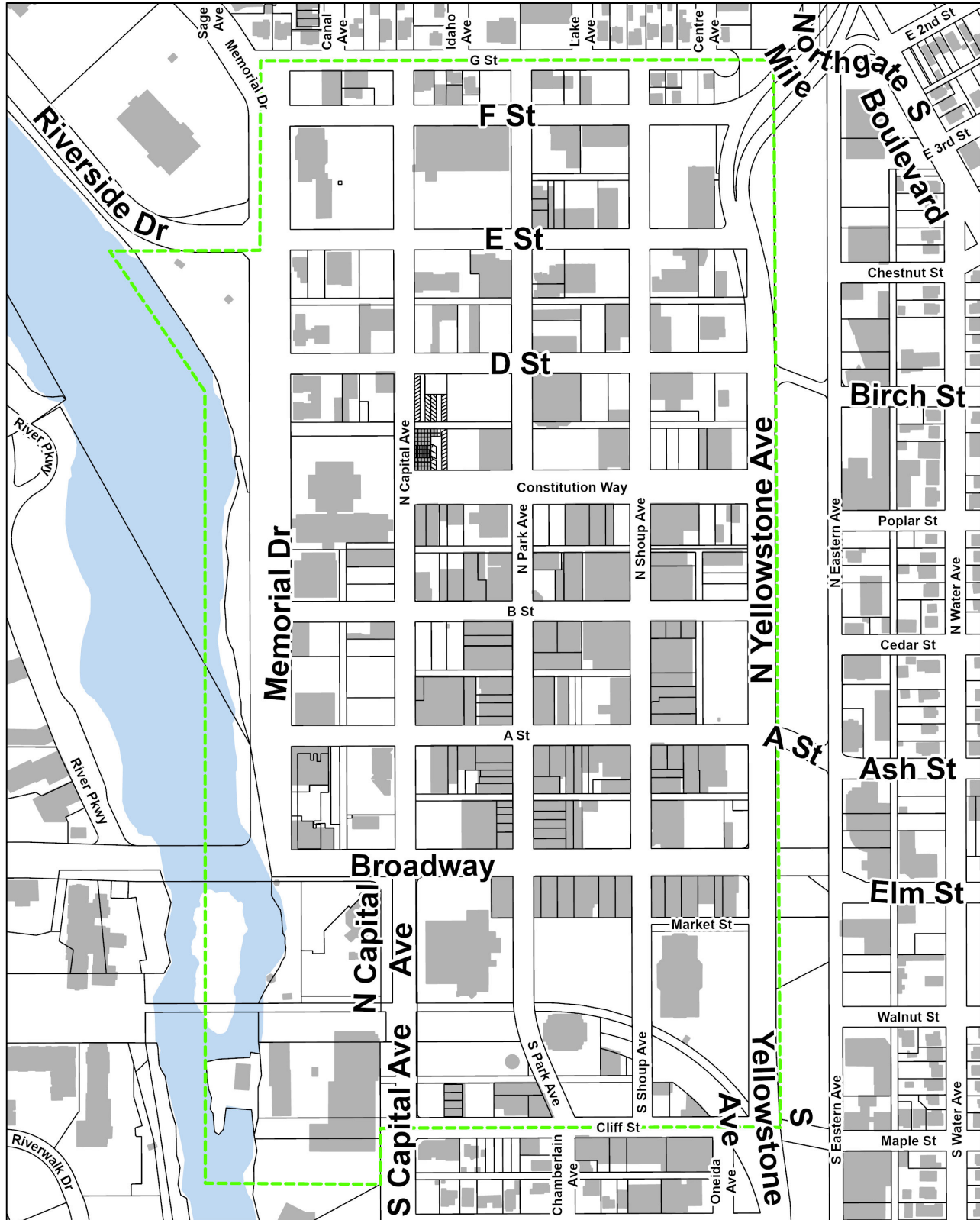


Figure 1.4 (2) Downtown District Boundaries

## 1.5 Townsite

### 1. Description and Intent

The Townsite Place Type is intended for use in historic city centers which have a combination of residential housing, commercial strips, and historic industrial building stocks. A range of Building Types exist in the Townsite, but may be distinguished by the subdistrict. This Place Type typically includes Storefront buildings along key corridors and nodes, allowing a wide mix of uses. The focus is on uses that fit within the historical context of the area, but also encourages reinvestment into underdeveloped districts. Typically, this Place Type should be served by multi-modal transportation options with high walkability.

### 2. Requirements

Refer to Table 1.5 (1) for requirements for the Townsite Place Type.

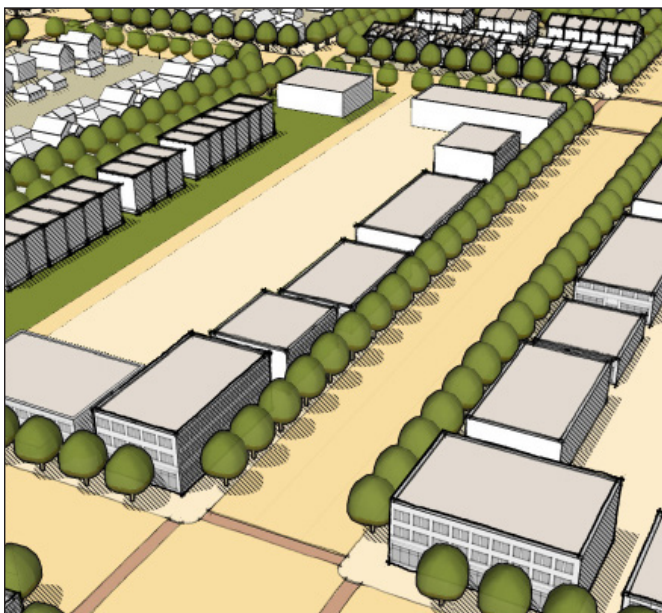


Figure 1.5 (1) Townsite Place Type

Townsite Requirements			
		South Downtown District	
Subdistricts	Business Core	●	Main Street Development
	Historic Residential	●	Historic Neighborhood
	Warehouse Core	●	Multi-Purpose and Mixed Use
	River Edge	●	Riverwalk and Civic Use
	Edge B	●	Highway Frontage Mixed Use
Block Configuration	Maximum Block Length	400' *	
	Maximum Block Width	225' *, Mid block alley (non primary street) may intersect block.	
Permitted Street Types	Alley	●	
	Lane		
	Neighborhood St	●	
	Connector	●	
	Avenue	●	
	Boulevard	●	
Open Space Requirements	Core Subdistrict Requirements	One Open Space Type is required within one quarter (1/4) of a mile of the entrance of each building.	
	General and Edge Subdistrict Requirements	One Open Space Type is required within one sixth (1/6) of a mile of the entrance of each building.	
Permitted Open Space Type	Plaza	●	
	Square	●	
	Green		
	Pocket Park	●	
	Commons	●	
	Park		
	Greenway/Riverwalk	●	

● = Permitted

\* The Warehouse District is exempt from this requirement as determined by the Zoning Administrator

Table 1.5 (1). Townsite Place Type Requirements.

# 1.0 Place Types

## South Downtown

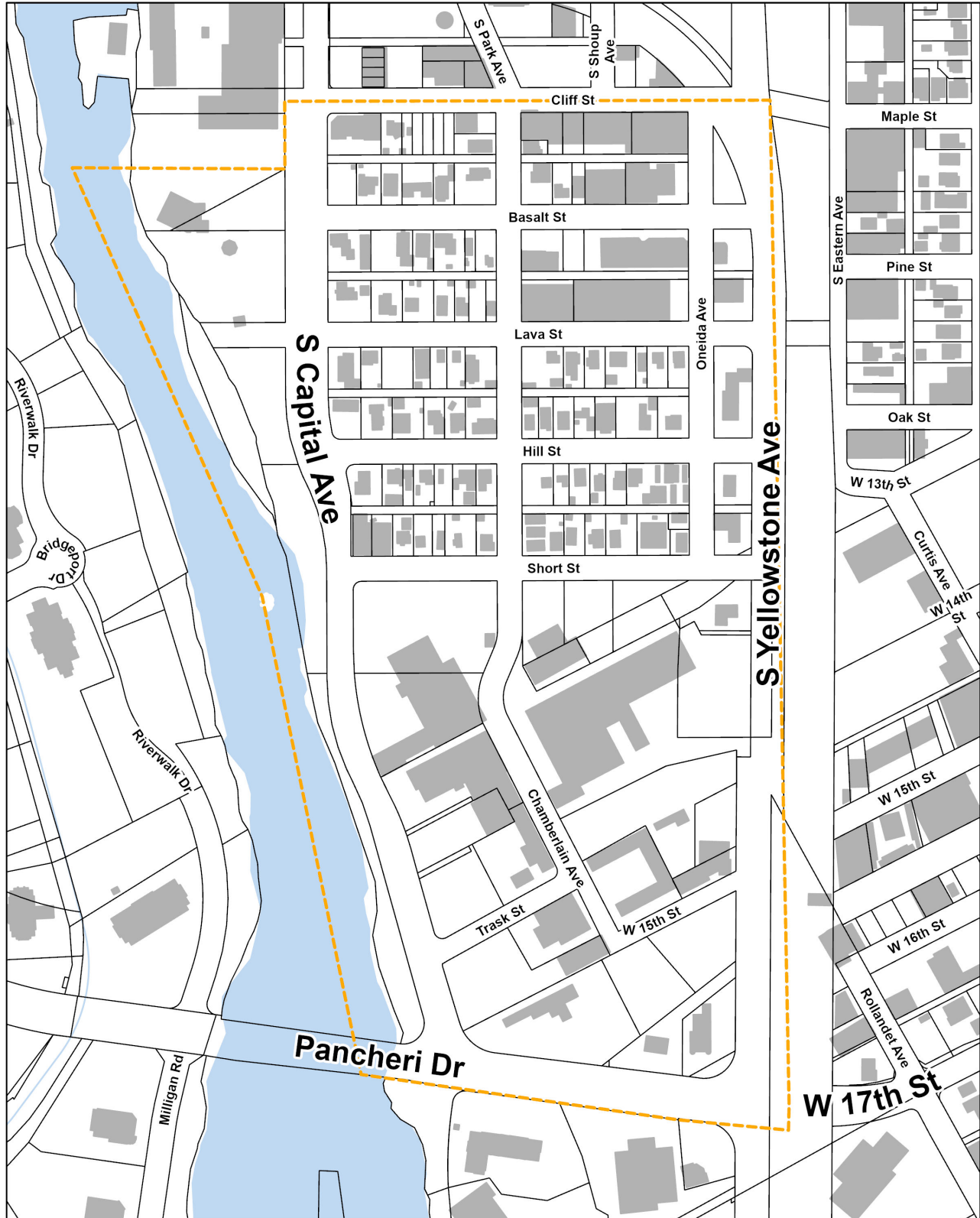


Figure 1.5 (2) South Downtown District Boundaries

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# 2.0 Street Types



# 2.0 Street Types

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## 2.1 General Requirements.

### Introduction

Streets play a critical role in the City's urban fabric. A well-connected street network is important for the efficient and convenient movement of traffic. Side streets provide opportunity and choice for drivers, and create a more accessible and pedestrian friendly city center.

#### 1. Intent.

The standards outlined in this Chapter are intended to:

- (1) Create complete streets that address all modes of travel, including transit, pedestrian, bicycle, and vehicular traffic.
- (2) Address all features of the street right-of-way, including sidewalks, parkways, traffic lanes, bicycle lanes, and medians.
- (3) Continue the existing logical system of streets and street names that result in a simple, consistent and understandable pattern of blocks and lots.
- (4) Provide adequate vehicles and pedestrians access to all lots.
- (5) Create streets that are appropriate in residential, commercial, or mixed use districts and are designed to encourage travel at appropriate volumes and speeds.
- (6) Create streets and public rights-of-way that result in reduced stormwater runoff and improved quality of stormwater runoff.
- (7) Create a safe and inviting public right-of-way.

#### 2. Applicability.

The standards in this Chapter apply to all rights-of-way within designated Place Types.

- (1) Nonconforming streets shall not be required to conform to the requirements of this Chapter, unless significant improvements are made to the nonconforming street.
- (2) Alterations to buildings that trigger the requirements of Chapter 5.0 Buildings are considered a significant improvement and therefore require compliance with the regulations of this Chapter.
- (3) At the discretion of the Zoning Administrator, alterations to requirements of this Chapter may be approved to avoid improvements that:
  - (a) may result in a streetscape that is inconsistent along a single block face.
  - (b) may cause an undue maintenance burden on the City.

### 3. General Requirements.

All proposed streets, landscape planting or furnishings zones, and sidewalks shall be located in dedicated rights-of-way, as required by this Code.

- (1) Street Types. Unless otherwise approved by the City Engineer or

Zoning Administrator or designee, all new streets (whether publicly or privately owned) and street frontages along all new buildings shall correspond to the Street Types established in this Chapter.

- (2) Public Use. All streets shall be available for public use at all times. Gated streets and streets posted as private are not permitted, regardless of whether they are publicly or privately owned.
- (3) Streetscapes should be developed according to the standards in Chapter 7.0 Landscaping.

## 4. Street Construction Specifications.

All construction in the right-of-way shall follow specifications defined by the Department of Public Works.

## 2.2 General Street Type Standards.

### 1. Street Types.

Street Types defined in this Chapter outline acceptable street configurations. New streets should be designed using the principles and characteristics defined by each Street Type. The Zoning Administrator may require additional right-of-way, pavement width, or additional street elements if unique site characteristics warrant.

### 2. Graphics.

The graphics provided here are samples of recommendations that illustrate a possible configuration of each Street Type. These designs are intended as general standards for the use of space within the right-of-way. Exact features depend on the level of traffic and the location of the street and are subject to City review and approval.

### 3. Typical Street Elements.

Typical elements of a right-of-way are divided into the vehicular and pedestrian space (Refer to Figure 2.2 (1): Typical Right-of-Way Elements). Each Street Type detailed in this Chapter outlines which

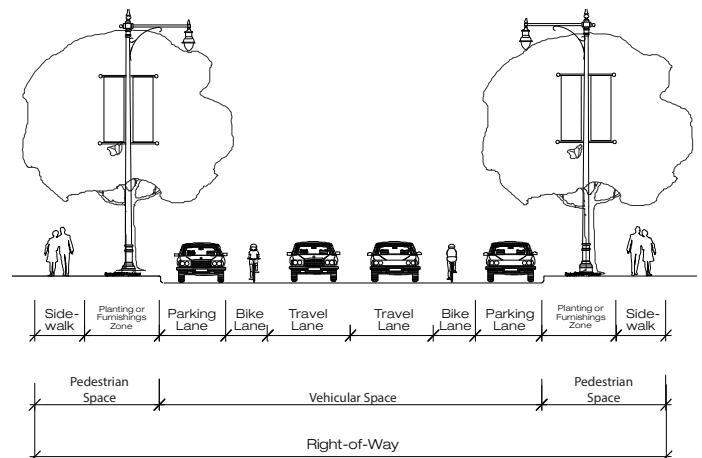


Figure 2.2 (1). Typical Right-of-Way (Property Line to Property Line) Elements.

# 2.0 Street Types

facilities are applicable.

- (1) Vehicular Space. The vehicular space is comprised of the travel lanes, bicycle lanes, and parking lanes from face of curb to face of curb. Parking lanes may serve to buffer pedestrians in the pedestrian space from higher speed traffic.
- (2) The pedestrian space is typically comprised of pedestrian facilities, such as sidewalk, path/trail, or off-street bicycle path, and a buffer area, consisting of a landscape planting zone or furnishings zone that serves to buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular space (where a parking lane may not exist). The pedestrian space may extend beyond the right-of-way as part of a building's setback. The pedestrian space should be designed to enhance the adjacent building and uses.
  - (a) Landscape Planting Zone. A landscape planting area between the back of curb or edge of pavement to the sidewalk in which street trees, lighting, and signage may be

located. Typically used adjacent to residential buildings.

- (b) Furnishings Zone. A hardscape area that extends from the sidewalk to the back of curb, in which street trees, street furniture, lighting, and signage may be located. Typically used adjacent to commercial or office buildings.

## 4. Vehicular Travel Lanes

The number and width of vehicular travel lanes are determined by the Street Type, traffic volumes, and traffic safety requirements.

## 5. Vehicular On-Street Parking.

On-street parking, as permitted on designated Street Types, shall meet the following requirements. Parallel and diagonal parking is permitted on designated Street Types.

- (1) Vehicular Parking Space Dimensions. On-street parking spaces shall comply with the appropriate dimensions outlined in Figure

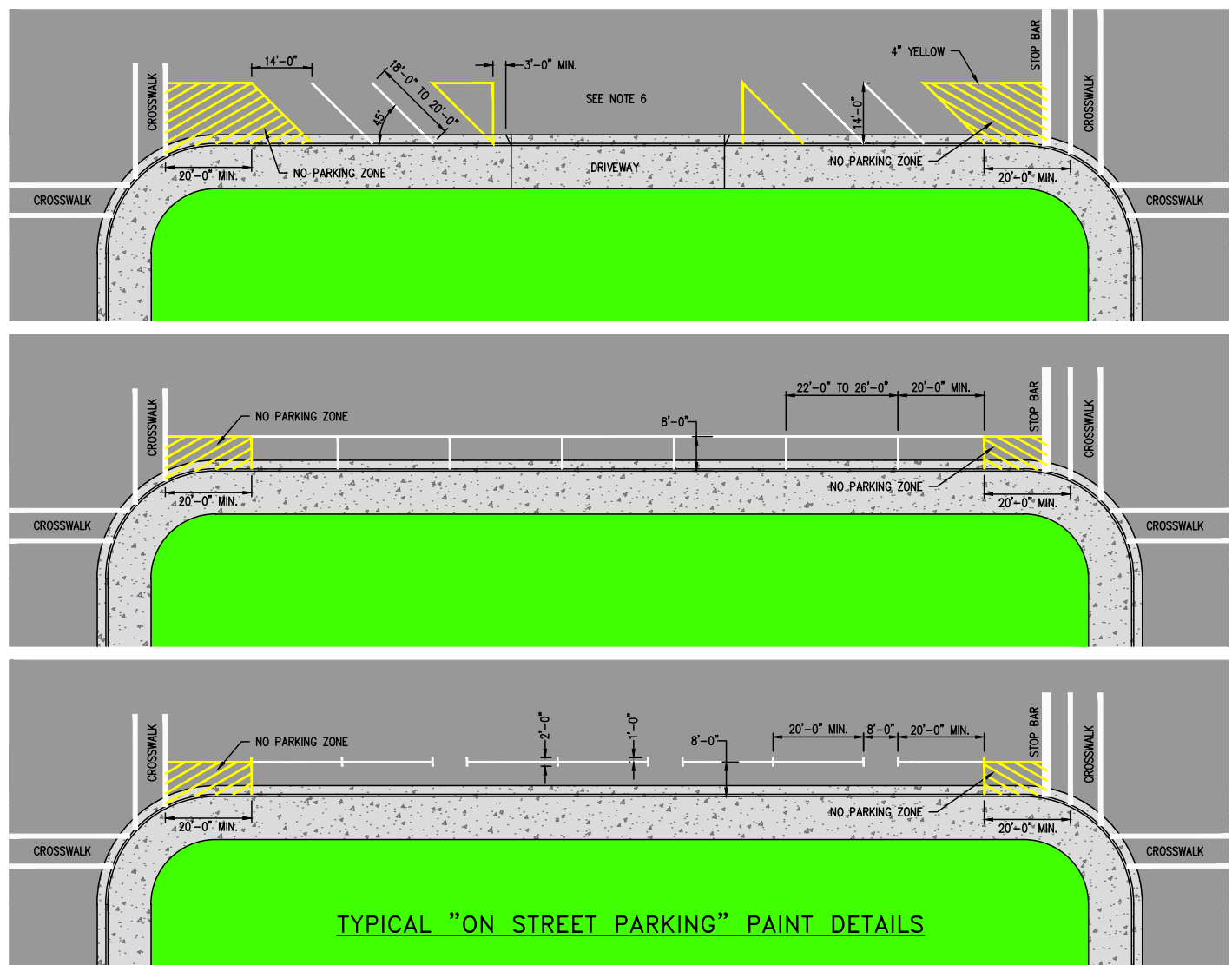


Figure 2.2 (2). On-Street Parking Layout.

2.2 (2) On-street Parking Layout. The width of a parking space shall be measured from the center of a stripe.

## 6. Bicycle Facilities.

All bicycle accommodations shall be coordinated with the recommended bicycle facilities mapped in Connecting Our Community: A Plan for Connecting The Idaho Falls Area Through Walking and Biking. The following types of bicycle accommodations are permitted in the vehicular realm per Street Type. Refer to Figure 2.2 (3).

- (1) **Cycle Track.** A cycle track is a separate on-road bicycle facility that is typically adjacent to, but physically separated from, vehicular traffic and parking by a barrier. Cycle tracks shall be limited to streets designated to accommodate regional connections or as approved by the Zoning Administrator.
- (2) **Dedicated Bicycle Lane.** Dedicated bicycle lanes are striped lanes on the outside of the outermost lane that are designated for bicycle use only. This lane typically occurs on both sides of the street and shall be four (4) to six (6) feet wide.
- (3) **Designated Shared Lane.** A designated shared lane is shared between vehicles and bicycles. This lane is typically wider than a standard vehicular lane, minimum thirteen feet (13'), in order to accommodate both types of users, and includes a painted bicycle marker combined with a double arrow, known as a “sharrow”. This improvement occurs on both directions.
- (4) **Shared Lane.** A shared lane refers to a street that does not have bicycle lanes or a designated shared lane, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.

## 7. Stormwater Management.

Incorporation of stormwater management best practices into the right-of-way design is encouraged in coordination with the Public Works Department.

## 8. Street Trees.

Street trees are required along all street frontages, with the exception of the Lane and the Alley.

- (1) Street trees shall be located either in a Landscape Planting Zone within a planting bed or lawn or in a Furnishings Zone in tree wells with a grate, if required.
- (2) Tree grates are required for all trees located in tree wells in pedestrian spaces that are less than ten feet (10') in width.
- (3) Spacing for street trees shall be no less than forty feet (40') on center. Recommended spacing is twenty-five feet (25') on center.

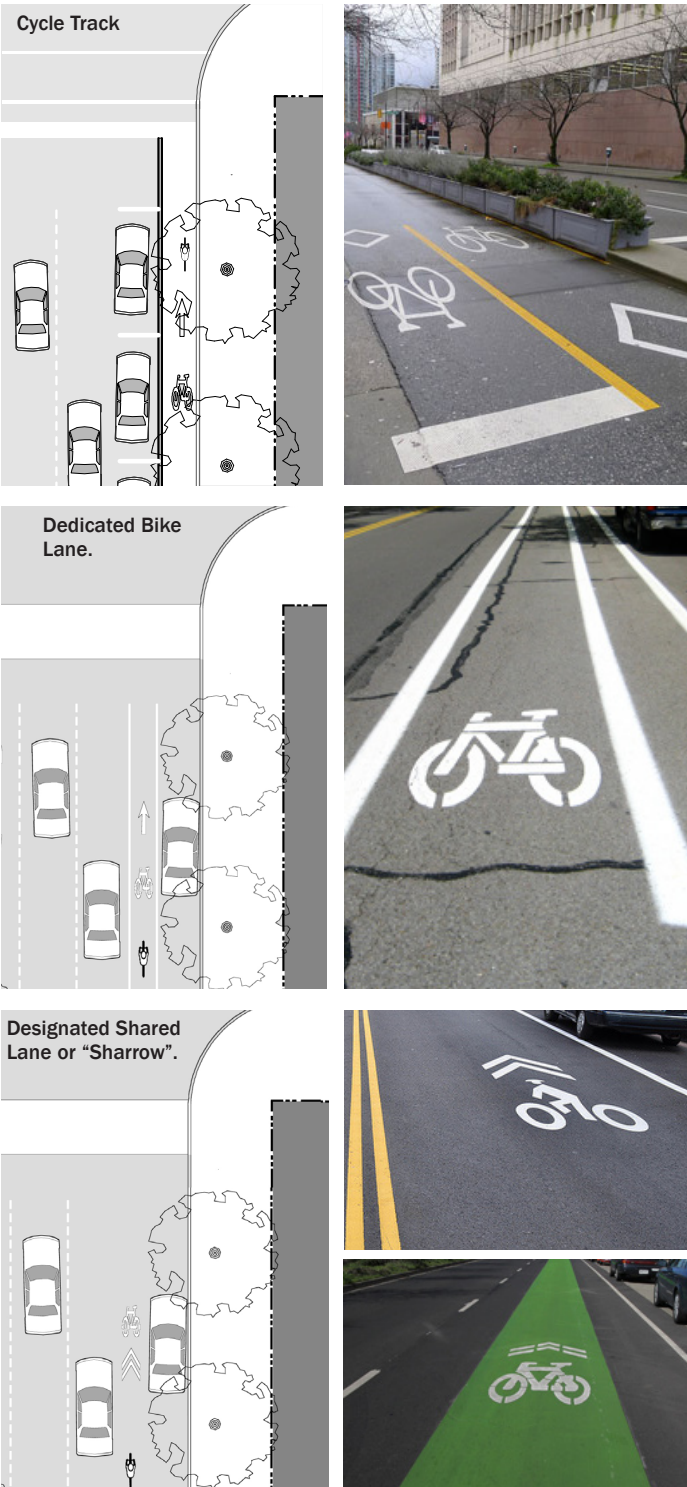


Figure 2.2 (3). On-Street Bicycle Facilities, Shared Lane/Sharrow.

# 2.0 Street Types

## 9. Lighting

Street lighting shall be provided in coordination with Idaho Falls Power.

## 10. Fire Access.

Street configurations have been calculated to provide fire truck access. Where the total width of all travel lanes is narrower than twenty feet (20'), the following shall apply.

- (1) Room to Pass. At one hundred twenty foot (120') increments, a twenty foot (20') opening in the on-street parking or a twenty foot (20') dedicated pull-off space must be provided to allow vehicles to pull over for a fire truck to pass.
  - (a) Driveway or Fire Hydrant Zone. A driveway or fire hydrant zone may be utilized to fulfill the requirement for a fire truck to pass.

## 2.3 General Street Layout Requirements.

### 1. General Layout Standards.

The following standards apply to new streets or newly platted rights-of-way. Exceptions may be approved by the Zoning Administrator.

- (1) Street Network. The network of streets shall form an interconnected pattern with multiple intersections. Spacing between intersections shall not exceed maximum dimensions for block length outlined in Chapter 1.0 Place Types.
- (2) Existing Streets. Existing streets shall not be shortened or blocked to prevent continuation of streets between neighborhoods or districts.

### 2. Disconnected Streets.

Disconnected streets may take the following form:

- (1) Stub Streets. Where adjoining areas are not subdivided, streets in new subdivisions shall be extended to the boundary line of the tract to provide for the future projection of streets into adjacent areas.
  - (a) Where abutting property is not subdivided, stub streets shall be provided at intervals no greater than the maximum block length and width recommended in Chapter 1.0 Place Type, Sections 1.3 - 1.10.
  - (b) Existing stub streets contiguous to a proposed subdivision shall be connected.
- (2) Half Streets. The construction of a half street or a street constructed to serve only one side of right-of-way, shall be prohibited unless otherwise approved by the Planning Commission and City Council (in unusual circumstances that make it essential and where satisfactory assurances are made for dedication if the remaining half of the street is provided).

- (a) No less than one-half (0.5) of the right-of-way of proposed half streets along the periphery of the subdivision shall be dedicated and constructed.
  - (b) Existing half streets contiguous to a proposed subdivision shall be completed including the dedication of the remaining right-of-way and complete construction of the street with the development.
- (3) Cul-de-Sac Streets. Cul-de-sac streets are not permitted in any Place Type except where natural features prohibit the inclusion of a U-shaped street accessing the location. In such situations the following shall apply:
  - (a) The cul-de-sac shall not be more than three-hundred feet (300') in length as measured from the closest intersection, along the centerline.
  - (b) The cul-de-sac shall have a maximum outside turning radius of fifty (50') feet.
  - (c) The narrow Neighborhood Street section shall be applied. The remaining center of the circular area shall be landscaped.
  - (d) A pedestrian sidewalk connection shall be constructed from the cul-de-sac through to the next closest street or sidewalk.

## 3. Intersections.

- (1) Curb Radii. Unless otherwise authorized by the Zoning Administrator,
  - (a) Small Curb Radii. Intersections should be designed for actual turning radius of the typical design vehicle (in contrast to the turning radius of the largest design vehicle). Small curb radii

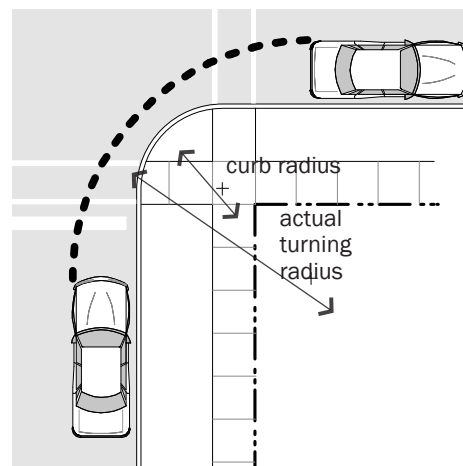


Figure 2.3 (1). Actual Curb Turn Radius with On-Street Parking.

at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, thereby balancing the ease of travel for both vehicles and pedestrians. Refer to Street Type tables for details.

- (b) **Larger Radius.** When the typical design vehicle, as defined by the Public Works Department, requires a larger curb radius than the typical design radius within the district and no on-street parking exists, a thirty foot (30') radius may be utilized on the Avenues (or larger) Street Type. Larger radii require approval of the Public Works Department.
- (2) **Crosswalks.** Crosswalks shall be required at all intersections involving Connectors, Avenues, and Boulevards.
- (a) **Dimensions.** Crosswalks shall be minimum six feet (6') in width, measured from mid-stripe to mid-stripe, per MUTCD.
  - (b) **Markings.** Crosswalks shall be appropriately indicated on the finished street surface with painted markings and/or textured or colored pavement.
  - (c) **Crossing Distances.** To encourage pedestrian activity, typical crosswalks shall not extend more than thirty-eight feet (38') without a landscape median, bulb-outs or other pedestrian refuge. Refer to Figure 2.3 (2).
- (d) **Accessibility.** Accessible ramps and warning panels, compliant with the American Disabilities Act or any more stringent state requirement, are required where all sidewalks or trails terminate at a crosswalk or curb.
  - (e) **Ramp Orientation.** Ramps shall be oriented perpendicular to traffic. This requires two ramps per corner at intersecting streets when the geometry allows. If perpendicular ramps cannot fit, a single parallel ramp may be adequate, if approved by the Zoning Administrator.
  - (f) **Signalized crossings** shall be installed where deemed appropriate by the City Engineer (HAWK lights, mid-block crossing, ect.).
- (3) **Bulb-outs.** To shorten pedestrian crossing distances, bulb-outs should be utilized at all intersections, unless otherwise determined by the Public Works Department. Refer to Figure 2.3 (3).
- (a) The depth of the bulb-out shall match the on-street parking, either in the width of the parallel space or in the depth of the diagonal space.
  - (b) The radius of the bulb-out shall match the requirements for the intersection.
  - (c) Ant additional sidewalk space created by bulbouts shall be configured to accommodate plantings in ground level wells or raised planters.

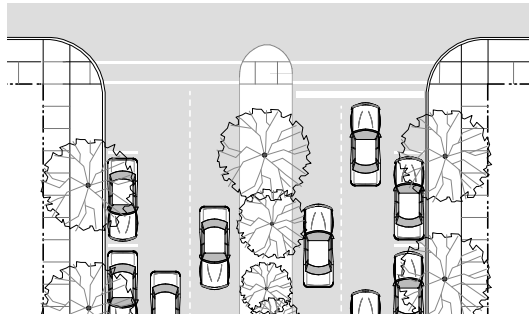


Figure 2.3 (2). Wide Street Crossing with Pedestrian Refuge Median.

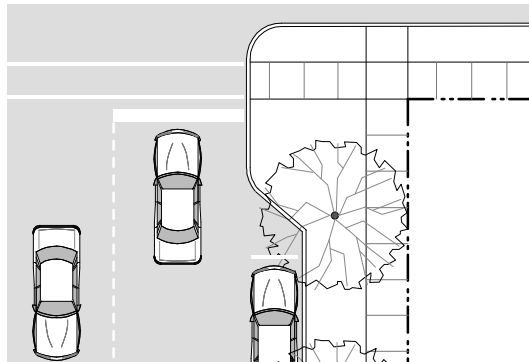


Figure 2.3 (3). Bulb Out.



# 2.0 Street Types

## 2.4 Alley.

### 1. Intent.

The Alley is a very low capacity drive generally located at the rear of parcels or between adjacent units of buildings. From the Alley, access to parking facilities, loading facilities, and service areas (such as refuse container and utilities) is possible without interruption of a Street Type by a curb cut or driveway. Alleys support the goals of creating consistent building frontage and streetscape. Alleys may also be used as pedestrian connections between buildings and are encouraged in new developments. Refer to the typical plan and section in Figure 2.4 (1).

### 2. General Requirements.

Alleys shall be developed using the standards in Table 2.4 (1). These designs are intended as design standards. Exact features will vary by location, purpose, and adjacent uses.

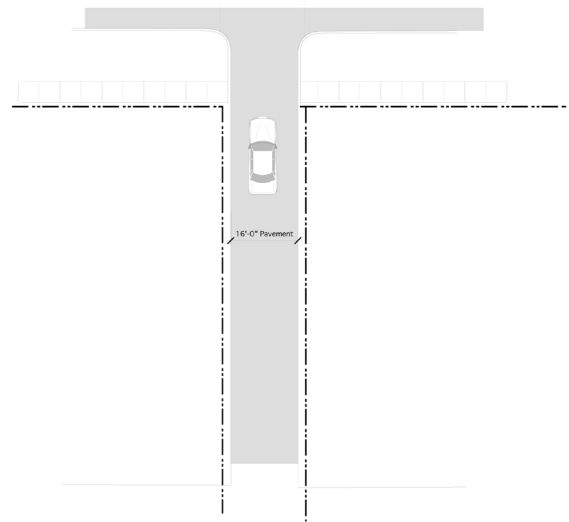
Alley Requirements	
Permitted Districts	All Districts
Permitted Adjacent Building Types	All Building Types
Typical Right-of-Way Width	20'
Vehicular Realm	
Travel Lanes	1 yield lane
Lane Width	16', 12' <sup>1</sup> for alternative
Allowable Turn Lanes	Not applicable
Corner Curb Radius	No greater than 5'
Corner Sight Triangle	No greater than width of pedestrian realm of cross street <sup>4</sup>
Parking Lanes	Not applicable
Pavement Width	Minimum 16', Maximum 20' Minimum 10' <sup>1</sup> , Maximum 12' for alternative
Median	Not applicable
Bicycle Facilities <sup>2</sup>	Shared
Pedestrian Realm	
Pedestrian Facilities	Shared; travel lanes are shared among drivers, pedestrians and bicyclists
Street Buffer	None required, 8' for alternative

<sup>1</sup> Minimum pavement width does not include allowance that may be required for placement of sanitation receptacles, which may vary based on site specific conditions.

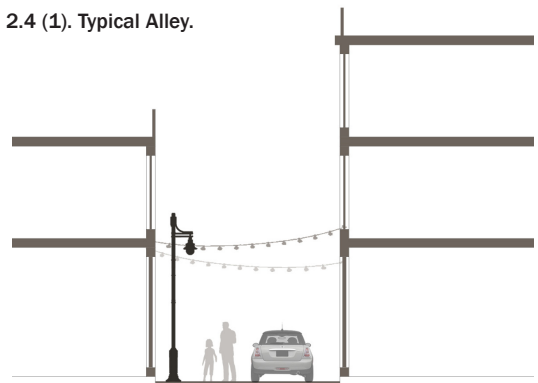
<sup>2</sup> Reference 2.2 (6) for bicycle facility types and requirements

<sup>4</sup> Intersection with any cross street

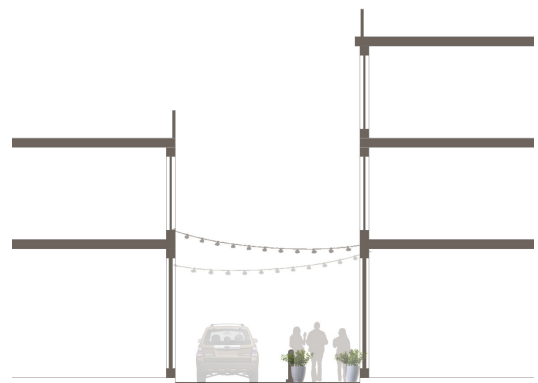
Table 2.4 (1). Alley Requirements.



Plan  
Figure 2.4 (1). Typical Alley.



Section  
Figure 2.4 (2). Typical Alley.



Section  
Figure 2.4 (3). Alternate Alley.



Figure 2.4 (4). Typical Alternative Alley Examples



# 2.0 Street Types

## 2.5 Connector Street.

### 1. Intent.

The Connector Street is a medium capacity street designed for slow speeds with a standard right-of-way. It primarily serves as a through street within the neighborhood and connects Neighborhood Street Types to Avenue Street Types. Refer to the typical plan and section, Figure 2.5 (1).

### 2. General Requirements.

Connectors shall be developed using the standards in Table 2.5 (1). These designs are intended as design standards. Exact features will vary by location, purpose, and adjacent uses.

Connector Street Requirements	
Permitted Districts	All Districts
Permitted Adjacent Building Types	All Building Types
Typical Right-of-Way Width	54' to 60'
Vehicular Realm	
Travel Lanes	1 lane in each direction 2 lanes in one direction Alternative A: 1 one-way lane
Lane Width	10'
Allowable Turn Lanes	Right turn only lane permitted in place of parking at intersections; left turn only lane with median alternative. Right lane may be omitted where bulb-outs exist or are installed.
Corner Curb Radius	With on-street parking on both streets, a 5' radius may be utilized. Without on-street parking, a 15' radius is required.
Corner Sight Triangle	30' <sup>4</sup> Connector Street and intersecting Connector Street or larger.
Parking Lanes <sup>1</sup>	Parallel on one or both sides of street. Alternative A: Parallel on one side and angle on the other side. Alternative B: Angle parking on one side with cycle track on the other side
Pavement Width	34', 36' for alternative
Median	Permitted with 80' or greater right-of-way.
Bicycle Facilities <sup>2</sup>	Shared Alternative: Cycletrack <sup>3</sup>
Pedestrian Realm	
Pedestrian Facilities	Minimum 8' wide clear sidewalk on both sides
Street Buffer	Minimum 7' wide planting zone or furnishings zone: adjacent to Residential Districts, Open Space Districts, the planting zone is required

<sup>1</sup> Reference 2.2.5 for on-street parking requirements  
<sup>2</sup> Reference 2.2.6 for bicycle facility types and requirements  
<sup>3</sup> Cycle Tracks shall be limited to streets identified for regional trail connections and as approved by the Zoning Administrator <sup>2</sup>  
<sup>4</sup> As measured along property line

Table 2.5 (1). Connector Requirements.

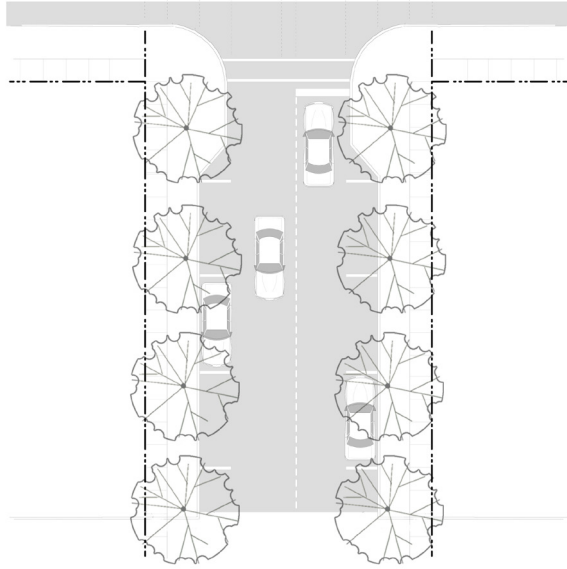


Figure 2.5 (1). Typical Connector Street



Figure 2.5 (4). Connector Cross-section Alternative B.



Figure 2.5 (2). Connector Cross-section.



Figure 2.5 (3). Connector Cross-section Alternative A.



Figure 2.5 (5). Typical Connector Street example; intended as reference only

# 2.0 Street Types

## 2.6. Avenue.

### 1. Intent.

The Avenue is a medium to high capacity street typically with wider rights-of-way than and abundant on-street parking. It serves all types of development and provides connections between districts. Refer to the typical plan and section in Figure 2.6 (1).

### 2. General Requirements.

Avenues shall be developed using the standards in Table 2.6 (1). These are intended as design standards. Exact features will vary by location, purpose, and adjacent uses.

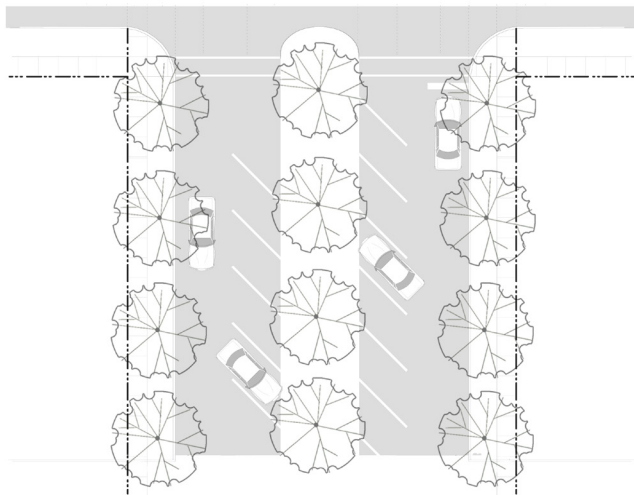


Figure 2.6 (1). Typical Avenue Street



Figure 2.6 (2) Potential Avenue Street example; intended as reference only

Avenue Requirements	
Permitted Districts	All Districts
Permitted Adjacent Building Types	All Building Types
Typical Right-of-Way Width	80-110'
Vehicular Realm	
Travel Lanes	1 or 2 lanes in each direction
Lane Width	10'-11'
Allowable Turn Lanes	Right turn only lane permitted in place of parking at intersections with Connector; left only with median. Right lane may be omitted where bulb-outs exist or are installed.
Corner Curb Radius	With on-street parking on both streets, a 10 foot radius is required. Without on-street parking on either streets, a 25 foot radius is required
Corner Sight Triangles	30' <sup>4</sup> Avenue and intersecting Connector Street or larger
Parking Lanes <sup>1</sup>	Parallel required on both sides of street; Angled permitted for alternative. Center parking permitted for alternative as approved by the Zoning Administrator
Pavement Width	75', may include planted median
Median	Required with 80' or greater right-of-way including an additional planting zone of 7' between lanes of opposite direction. Planting zone may reduced to 5' in combination with turn lanes, center parking islands, and pedestrian crossing refuges.
Bicycle Facilities <sup>2</sup>	Shared; Alternative: Bike Lane
Pedestrian Realm	
Pedestrian Facilities	Minimum 5' wide clear sidewalk on both sides
Street Buffer	Minimum 9' wide planting zone or furnishings zone. Adjacent to Residential Districts, Open Space Districts, the planting zone is required

<sup>1</sup> Reference 2.2.5 for on-street parking requirements

<sup>2</sup> Reference 2.2.6 for bicycle facility types and requirements

<sup>4</sup> As measured along edge of curb s

Table 2.6 (1). Avenue Requirements.



Section  
Figure 2.6 (3). Potential Avenue Cross-section Alternative



Section  
Figure 2.6 (4). Potential Avenue Cross-section.

# 2.0 Street Types

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# 3.0 Subdistricts



## 3.0 Subdistricts

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### 3.1. Downtown District

The following Subdistricts are created to regulate the location of distinct mixes of building forms and permitted uses within the Downtown District.

#### 1. Core Subdistricts.

The Core Subdistricts support a vibrant District and encourage a mix of retail shops, workplaces, and housing opportunities. The Building Types and scales vary by each Subdistrict to create distinct and recognizable characteristics between each Subdistrict.

##### (1) Core A Subdistrict: Mixed Use Development

The Core A Subdistrict is a mixed-use, higher intensity development Subdistrict. This Subdistrict will form the geographic center of the Downtown District. Buildings should have active retail storefronts or street level residential entries with glass windows on the main floor. Upper stories of the buildings may be used for working and living. Placement of new buildings should be close to the street. This area emphasizes and promotes walkability and pedestrian accessibility through a “Park Once and Walk” policy. A mix of heights are allowed.



#### 2. General Subdistricts.

##### (1) General A Subdistrict: Mixed Use Development

General Subdistricts, while still an important part of the fabric of the City, are less defined than the Core and Edge Subdistricts. Land uses and Building Types are typically allowed more broadly and generically than in the Core and Edge Subdistricts and in a variety of scales.

The General A Subdistrict is a mixed-use Subdistrict targeted as a redevelopment area. This area does not have significant historic features but may be adjacent to areas of significant historic value and/or significant contributions to the Downtown District. Redevelopment of parcels in this Subdistrict should include a range of residential densities and commercial placement of buildings in this Subdistrict should define a street wall. Like the Core Subdistricts, walkability is also emphasized through a “Park Once and Walk” policy.



#### 3. Edge Subdistricts.

The purpose of the Edge Subdistricts is to provide a transition between the Core and General Subdistricts and adjacent open space, residential or alternative Place Types. Level of intensity varies between Subdistricts.

##### (1) Edge A Subdistrict

The Edge A Subdistrict acts primarily as transition area between linear open space amenities (such as the Riverwalk) and Core and General Subdistricts. The Edge Subdistrict offers a variety of retail and mixed-use establishments oriented towards the linear open space and designed to draw people in toward the Core Subdistricts. Housing is encouraged, as the adjacent open space may be an amenity to residents.



# 3.0 Subdistricts

## (2) Edge B Subdistrict

The Edge B Subdistrict acts primarily as a transition between highway corridors and Core and General Subdistricts. This Subdistrict provides a mix of retail and mixed-use establishments oriented to the highway corridor. Somewhat lower development intensity may be appropriate to accommodate increased requirements associated with highway frontage.

## (3) Edge C Subdistrict

The Edge C Subdistrict provides an important transition between Core Subdistricts and existing established single unit residential areas. Mixed-use development is lower in intensity. Single-use developments such as townhomes are permitted.



## 4. Speciality subdistricts.

Specialty Subdistricts define areas that are unique and not likely to be duplicated.

### (1). Historic Center

The Historic Center Subdistrict intends to preserve and restore historic buildings located in downtown Idaho Falls. This Subdistrict is the geographical center and the historic core of the Downtown District. Buildings in this Subdistrict should have active storefront uses on the ground level. Upper stories may be utilized for working and living. Similar to Core A, walkability and pedestrian connections are an important component of the Subdistrict. New buildings should be compatible in form to existing buildings.



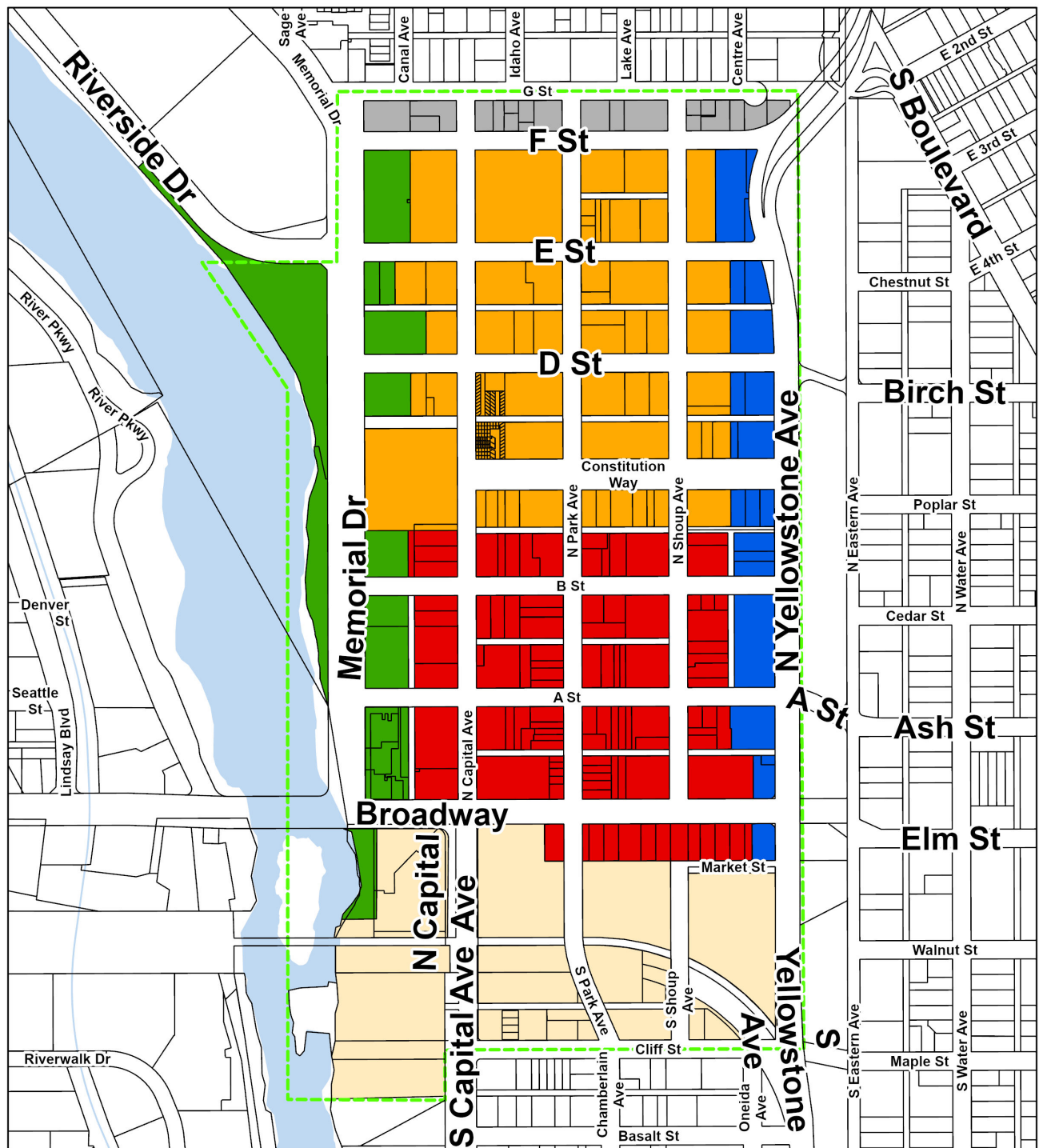
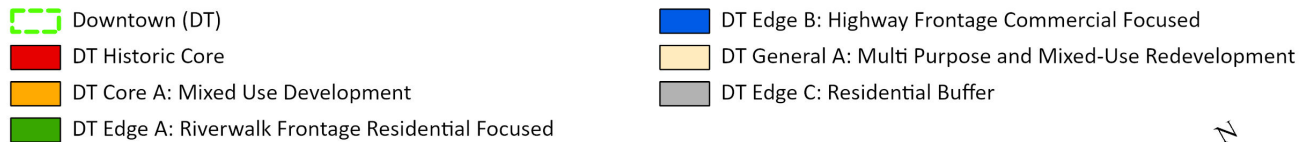
## 3.2 Downtown Regulating Map.

### 1. Mapped Downtown District Subdistricts.

The areas and boundaries of the Subdistricts within the Downtown District are established as shown on the map in Figure 3.1. The map will be referred to herein as “Regulating Map”.



Figure 3.1 Subdistricts Regulating Map for the Downtown District.



# 3.0 Subdistricts

## 3.3 South Downtown District

The following Subdistricts are created to regulate the location of distinct mixes of building forms and permitted uses within the South Downtown District.

### 1. Core Subdistricts.

The Core Subdistricts support a vibrant District and encourage a mix of retail shops, workplaces, and housing opportunities. The Building Types and scales vary by each Subdistrict to create distinct and recognizable characteristics between each Subdistrict.

#### (1) Business Core Subdistrict: Mixed Use Development

The Business Core Subdistrict is distinct because it represents the old Eagle Rock commercial district. Reviving this pedestrian friendly commercial form is important. Ensuring that business can startup and grow in a healthy manner will aid the district overall. Attempting to limit the amount of future surface level parking and restoring a complete streetscape will help this area meet the community's desires.



### 2. General Subdistricts.

General Subdistricts, while still an important part of the fabric of the City, are less defined than the Core and Edge Subdistricts. Land uses and Building Types are typically allowed more broadly and generically than in the Core and Edge Subdistricts and in a variety of scales.

#### (1) Warehouse District: Mixed Use Development

The Warehouse District is a truly unique location within Idaho Falls and presents an opportunity for infill and redevelopment of older building stock. Currently, there is a range of valued businesses and historic buildings like the former Idaho Falls Creamery. Many within the community envisioned this area becoming a pedestrian friendly and focused place with ground level shopping and a mix of housing types. Also included are the businesses along Pancheri Drive, where thoughtful design will eventually incorporate existing and new buildings into the subdistrict and create a uniform area. Utilizing its location and natural elevation, the South Downtown Plan should encourage the Warehouse Subdistrict to fulfill its great potential.

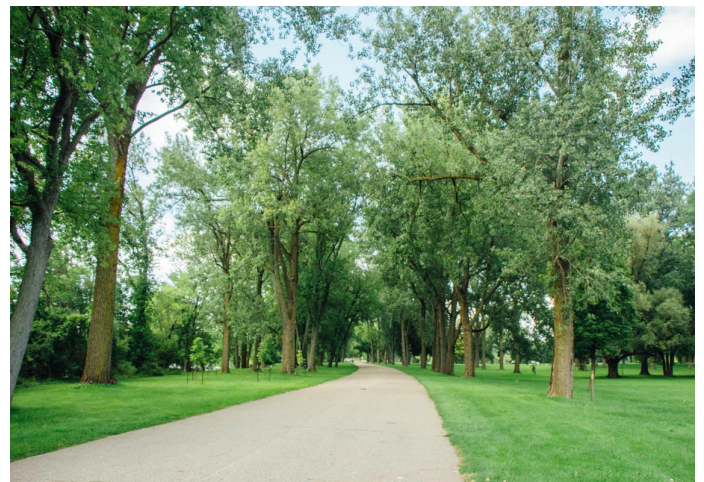


### 3. Edge Subdistricts.

The purpose of the Edge Subdistricts is to provide a transition between the Core and General Subdistricts and adjacent open space, residential or alternative Place Types. Level of intensity varies between Subdistricts.

#### (1) River Edge Subdistrict

The River Edge subdistrict is defined by both its existence on the Riverwalk, but also the public and cultural services within it. The Art Museum of Eastern Idaho and the Riverwalk provide valuable amenities to the residential neighborhood in South Downtown and the community. Additionally, Idaho Falls Power is contiguous to these uses and has frontage along South Capital Avenue and therefore is included within the area. Although adjacent to the residential neighborhood, some enhancements must occur along South Capital Avenue to improve its connectivity to the rest of South Downtown while preserving its valuable natural amenities.





#### (2) Edge B Subdistrict

The Edge B Subdistrict acts primarily as a transition between highway corridors and Core and General Subdistricts. This Subdistrict provides a mix of retail and mixed-use establishments oriented to the highway corridor. Somewhat lower development intensity may be appropriate to accommodate increased requirements associated with highway frontage.



### 4. Speciality subdistricts.

Specialty Subdistricts define areas that are unique and not likely to be duplicated.

#### (1). Historic Residential

The oldest neighborhood in Idaho Falls, the Historic Residential subdistrict is a valuable asset which incorporates affordable housing and a mix of housing types in a central location within the city. Proximity to amenities, such as the Riverwalk and downtown, make development appealing. Ensuring that the historic character and quaint nature of the subdistrict remains intact when development occurs is a priority. Additionally, balancing preservation within the neighborhood and policies which keep the neighborhood affordable are equally important for the South Downtown Plan.









### 3.4 South Downtown Distirct Regulating Map.

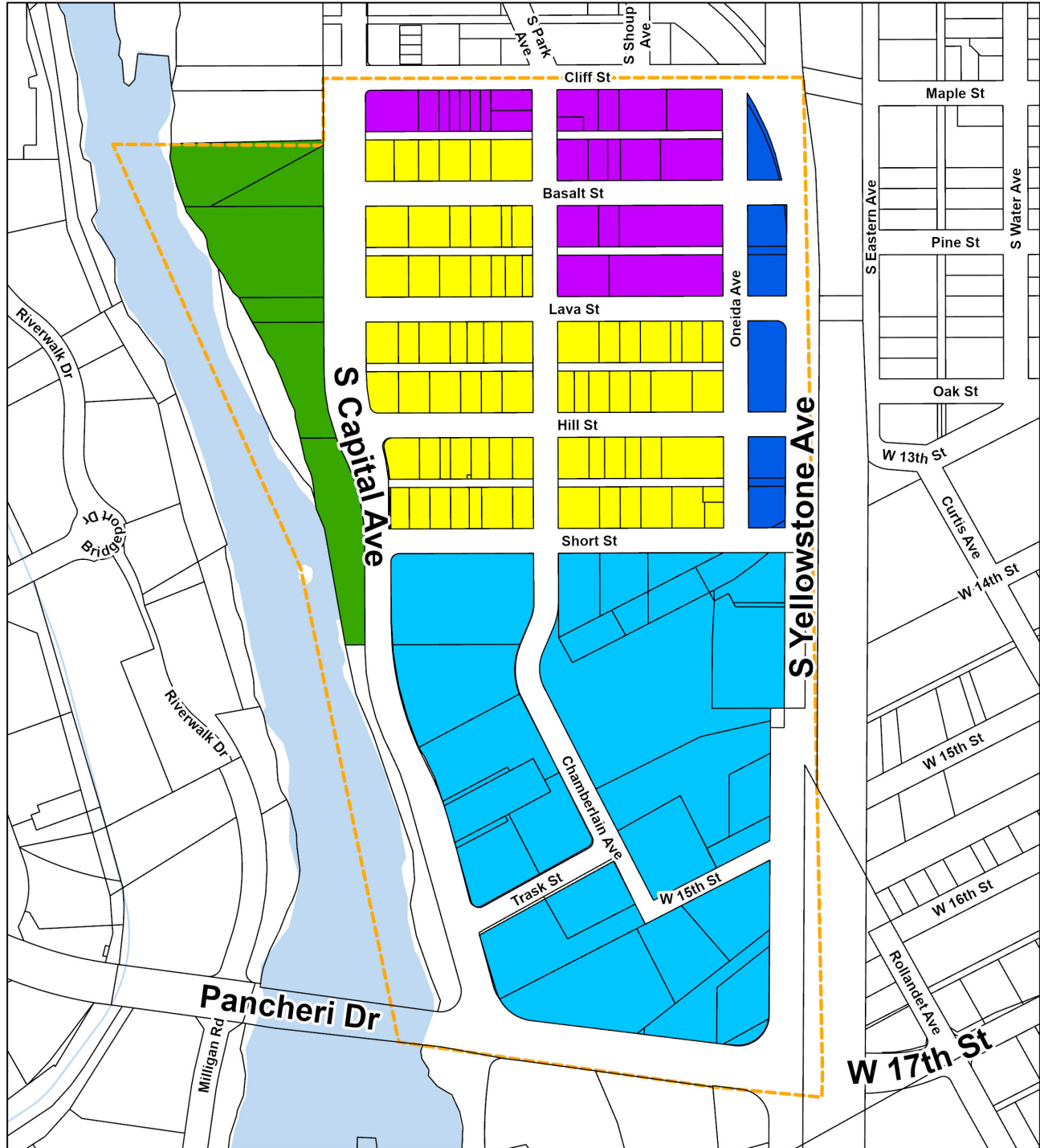
#### 1. Mapped South Downtown Distirct Subdistricts.

The areas and boundaries of the Subdistricts within the South Downtown Distirct are established as shown on the map as listed in Figure 3.2. The map will be referred to herein as "Regulating Map".

# 3.0 Subdistricts

Figure 3.2 Subdistricts Regulating Map for the South Downtown District.

- |   |  |
|---|--|
|  South Downtown (SoDo) |  SoDo Business Core                       |
|  SoDo River Edge       |  SoDo Historic Residential                |
|  SoDo Warehouse        |  SoDo Edge B: Highway Frontage Commercial |



# 4.0 Uses





# 4.0 Uses

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## 4.1 General Requirements.

### 1. General Provisions.

The following general provisions apply to the uses outlined in this Section.

- (1) A lot may contain more than one use.
- (2) Each use may function as either a principal use or accessory use on a lot, unless otherwise specified.
- (3) Uses are either permitted by right in a Subdistrict, permitted by right with specific development or design parameters, or require a Conditional Use Permit (refer to 10.2.6) in order to be developed.
- (4) Each use shall be located within a permitted Building Type (Refer to Chapter 5.0 Building Types), unless otherwise specified.
  - (a) When a Place Type is adopted, existing uses within the geographic boundaries of the Place Type shall not be required to conform to Subdistrict use regulations of this Chapter.
  - (b) A nonconforming use may be changed to another use within the same Use Category as described in this Chapter, however the use will remain nonconforming.
- (5) Each use may have both indoor and outdoor facilities, unless otherwise specified.

### 2. Organization.

Uses are grouped into general Use Categories, which may contain lists of additional uses or clusters of uses.

- (1) Unlisted Similar Use. If a use is not listed but is similar in impact and nature to a use permitted within a Subdistrict, the Zoning Administrator may permit the use.
  - (a) The unlisted use will be subject to any development standards applicable to the similar permitted use.
  - (b) If the unlisted use is similar in impact and nature to a use requiring a Conditional Use Permit, the Zoning Administrator may require a Conditional Use Permit for that use.
- (2) Unlisted Use. If a use is not listed and cannot be interpreted as similar in impact and nature to a use within a Subdistrict that is either permitted or requires a Conditional Use Permit, the use is not permitted.

### 3. Use Table.

Table 4.1 (1). Uses by Subdistrict outlines the permitted uses in each Subdistrict. Each use is given one of the following designations for each Subdistrict in which that use is permitted.

- (1) Permitted (●). These uses are permitted by right in the Subdistricts in which they are listed.
- (2) Permitted in Upper Stories Only (◐). These uses are permitted by right in the Subdistricts in which they are listed, provided that the uses are located in the upper stories of a structure. These uses may also be located in the ground story provided that they are located of at least thirty feet (30') from the front facade.
- (3) Permitted with Development Standards (◑). These uses are permitted by right in the Subdistricts in which they are listed, provided that they are developed according to the required development standards. These standards are intended to alleviate any negative impacts associated with the use, making it appropriate in a Subdistrict where it otherwise might not have been appropriate.
- (4) Requires a Conditional Use Permit (○). These uses require administrative review and approval (refer to 10.2.6) in order to occur in the Subdistricts in which they are listed and must follow any applicable development standards associated with the use and must meet the requirements of the Conditional Use Permit.
- (5) Listed uses that are not permitted in the Subdistrict are indicated by a blank space.

### 4. Building Types.

The uses permitted within the Subdistrict may be further limited by the Building Types permitted. Refer to Chapter 5.0 Building Types.

# 4.0 Uses

## KEY

- Permitted
- ◐ Permitted in Upper Stories Only
- ◑ Permitted with Development Standards
- Requires a Conditional Use Permit

## Downtown District

## Subdistricts

### Use Category and Subcategory Table

	Core A	Historic Center	General A	Edge A	Edge B	Edge C
<b>Residential &amp; Lodging</b>						
Residential	●	◐	●	●	◐	●
Hotel & Inn	◐	◐	●	●	●	◐
Residential Care	●	●	●	●	●	◐
<b>Civic</b>						
Assembly	◐	◐	●	◐	◐	
Transit Station	●	●	●	◐	●	
Hospital & Clinic	●	◐	●	◐	◐	
Library/Museum/Post Office	●	●	●	◐		
Mail Service (distribution)	◐		◐		◐	
Police & Fire	●	●	●		●	
School	○	○	○	○	○	○
<b>Retail</b>						
Small Scale Retail	●	●	●	●	●	
General Retail	●	●	●	◐	◐	
Outdoor Sales						
<b>Service</b>						
Small Scale Service	●	●	●	◐	◐	
General Service	●	●	●	◐	◐	
Eating & Drinking Establishments	●	●	●	●	●	
Vehicle Service			○		○	
<b>Office &amp; Industrial</b>						
Office	◐	◐	●	◐	●	◐
Craftsman Industrial	◐	◐	◐	◐	◐	
<b>Infrastructure</b>						
Parking Lot	◐	◐	◐		◐	
Parking Structure (Stand Alone)	◐	◐	◐		◐	
Utility & Infrastructure	○	○	○	○	○	
Open Space	◐	◐	◐	◐	◐	●
<b>Accessory Uses</b>						
Home Occupation	●	●	●	●	●	●
Outdoor Storage of Goods			○			
Drive Through			◐		◐	

Table 4.1 Downtown District Uses

## South Downtown District

### Subdistricts

Business Core	Historic Residential	Warehouse	River Edge	Edge B
---------------	----------------------	-----------	------------	--------

### Use Category and Subcategory Table

#### KEY

- Permitted
- ◐ Permitted in Upper Stories Only
- ◑ Permitted with Development Standards
- Requires a Conditional Use Permit

#### Residential & Lodging

Residential	●	●	●	◐
Short-Term Rental	●	●	●	◐
Hotel & Inn	●		●	●
Residential Care	●		●	●

#### Civic

Assembly	●		●	●
Transit Station	●		●	●
Hospital & Clinic	●		●	●
Library/Museum/Post Office	●		●	●
Mail Service (distribution)				◐
Police & Fire	●		●	●
School	○	○	○	○

#### Retail

Small Scale Retail	●		●	●
General Retail	●		●	●

#### Service

Small Scale Service	●		●	●
General Service	●		●	
Eating & Drinking Establishments	●		●	●
Vehicle Service			◐	◐

#### Office & Industrial

Office	●		●	●
Craftsman Industrial	◐		●	◐

#### Infrastructure

Parking Lot	◐		◐	◐
Parking Structure (Stand Alone)	◐		◐	◐
Utility & Infrastructure	○		○	○
Open Space	●	●	●	◐

#### Accessory Uses

Home Occupation	●	●	●	◐
Outdoor Storage of Goods				
Drive Through			◐	

Table 4.2 South Downtown District Uses

# 4.0 Uses

## 4.2. Definition of Uses.

### 1. Residential and Lodging Uses.

- (1) Residential. One or more dwelling units located within the principal structure of a lot. The units may or may not share a common wall, horizontally or vertically, with the adjacent unit or have individual entrances from the outside.
- (2) Short-term Rental. Allowed in all subdistricts where residential uses are also allowed. No short-term rental shall be located within an accessory structure where the accessory structure has not been specifically designed for human habitation or located within a recreational vehicle or travel trailer, except when located in an approved travel trailer court. A short term rental property shall not be occupied by more than one (1) guest party at a time.
- (3) Hotel & Inn. A facility offering temporary lodging to the general public consisting of sleeping rooms with or without in-room kitchen facilities. Secondary service uses may also be provided, such as restaurants and meeting rooms. Rooms shall be accessed from the interior of the building. Hotels and Inns do not include Bed and Breakfasts or Boarding Houses except in Subdistricts where development standards (●) are required for the use. In the Subdistricts where a Hotel and Inn is permitted with development standards (●), the facility may be limited to twelve (12) rooms at the discretion of the Zoning Administrator.
- (3) Residential Care. A facility offering temporary or permanent lodging to the general public consisting of an unlimited number of sleeping rooms with or without in-room kitchen facilities and providing assistance with daily activities for residents. Residential care includes such uses as independent and assisted living facilities, nursing homes, residential care homes, and transitional treatment facilities. Secondary service uses may also be provided, such as restaurants and meeting rooms. Rooms shall be accessed from the interior of the building. In the Subdistricts where a residential care facility is permitted with development standards (●), the facility may be limited to twelve (12) rooms at the discretion of the Zoning Administrator.

### 2. Civic Uses.

A category of uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, and hospitals.

- (1) Assembly. A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. Assembly includes such uses as a community center, place of worship, and private clubs and lodges. I
- (2) Transit Station. A covered passenger boarding and alighting facility with a platform(s), which may include a waiting room, ticket office or machines, rest rooms, and concessions.
- (3) Hospital & Clinic. A licensed institution providing medical care and health services. These services may be located in one building or clustered in several buildings and may include laboratories, in- and out-patient facilities, training facilities, medical offices, staff residences, food service, pharmacies, and gift shops.
- (4) Library/Museum. A facility open to the general public which includes educational, cultural, artistic, or historic information, resources, and exhibits. May also include food service and a gift shop.
- (5) Police and Fire. A facility providing public safety and emergency services. Training facilities, locker rooms, and limited overnight accommodations may also be included. Police and fire facilities require approval of a Conditional Use Permit. The facilities shall be housed in a permitted building, but shall have the following additional allowances:
  - (a) Garage doors are permitted on the front or rear facade.
  - (b) Exemption from maximum driveway width requirements.
- (6) Mail Service. A publicly accessed facility for the selling of supplies and mail related products and the small scale collection and distribution of mail and packages. Large-scale postal sorting and distribution is not permitted.
- (7) School. An education facility with classrooms and offices, that may also include associated indoor facilities such as ball courts, gymnasium, theater, and food service. All school uses are subject to a Conditional Use Permit.

### 3. Retail Uses.

A category of uses involving the sale of goods or merchandise to the general public for personal or household consumption.

- (1) Neighborhood Retail. A use in this category occupies a space of less than twelve thousand square feet (12,000 ft<sup>2</sup>). Neighborhood retail includes such uses as those listed in Table 4.2 (1). Typical Retail Uses.
- (2) General Retail. A use in this category includes all Neighborhood Retail uses occupying a space of greater than twelve thousand square feet (12,000 ft<sup>2</sup>) and such uses as those listed in Table 4.2 (1). Typical Retail Uses.
- (3) Outdoor Sales Lot. A use involving the sale of goods or merchandise to businesses and/or the general public, where the majority of the goods are stored or displayed outdoors, although there is typically an associated building. Outdoor sales lots include such uses as the sale and rental of automobiles, trucks, trailers, boats, and recreational vehicles; and the sale of building materials, landscape materials, and garden supplies. In the districts where an outdoor sales lot is permitted by Conditional Use Permit (○), the following applies:
  - (a) Not permitted on corner parcels.
  - (b) Limited to lots fronting on Arterial Streets.
  - (c) Includes permanent construction of a building utilizing one of the permitted Building Types in the district.

#### Small Scale Retail

---

Alcohol & Liquor Sales  
Antique Shop  
Apparel & Accessory Store  
Art & Education Supplies  
Bakery, Retail  
Bicycle Sales & Repair  
Book, Magazine,  
& Newspaper Store  
Building Materials, Hardware,  
and Garden Supply  
Camera & Photo Supply Store  
China & Glassware Shop  
Convenience Store  
Drug Store/Pharmacy  
Fabric & Craft Store  
Florist  
Gift, Novelty, & Souvenir Shop  
Grocery Store  
Hardware Store  
Hobby Shop  
Jewelry Sales & Repair  
Luggage & Leather Goods  
Music Store  
Musical Instrument Repair & Sales  
Office Supply  
Optical Goods  
Paint & Wallpaper  
Party Supply Shop  
Pawn Shop  
Pet & Pet Supply  
Smoke Shop  
Specialty Food Market (Butcher,  
Candy, Fish Market, Produce, etc.)  
Sporting Goods Sales & Rental  
Stationary & Paper Store  
Toy Shop  
Video/Game Sales & Rental  
Wine & Liquor Shop

---

#### General Retail

---

All Small Scale Retail

Appliance & Electronic Sales & Service  
Automotive Parts Supply (no service)  
Computer Software Sales & Leasing  
Department Store  
Gun Shop  
Home Furnishings & Accessories Sales  
& Rentals  
Medical Supply Store & Rental  
Motorcycle & Motor Scooter Sales  
Heating, Air Conditioning & Plumbing  
Supplies, Sales, & Service  
Cabinet Supply (display and sales only)  
Machine Sales and Rental  
Agriculture Equipment and  
Supply  
Electrical Supplies  
Merchandise Vending Machine  
Operators  
Medical Supply Store & Sales

---

Table 4.2 (1). Typical Retail Uses.



# 4.0 Uses

## 4. Service.

A category of uses that provide patrons services and limited retail products related to those services. Visibility and accessibility are important to these uses, as most patrons do not utilize scheduled appointments.

- (1) Neighborhood Service. A use in this category occupies a space of less than twelve thousand square feet (12,000 ft²). Neighborhood service includes such uses as those listed in Table 4.2 (2).
- (2) General Service. A use in this category includes all Neighborhood Service uses occupying a space of greater than twelve thousand square feet (12,000 ft²) and such uses as those listed in Table 4.2 (2).
- (3) Vehicle Services. A business involving the servicing of vehicles and/or the distribution of fuel. A convenience store may also be included as a secondary use, as well as the sale of propane and kerosene. Vehicle service includes such uses as automotive filling stations, vehicle repair, car wash facilities, and tire sales and mounting. In the Subdistricts where vehicle service is permitted with development standards (D), the following apply:
  - (a) Use Limitation. Repair and wash facilities for semi-trucks, recreational vehicles, boats, and other oversized vehicles are not permitted.
  - (b) Service Bays. Vehicular service bays, including garages and car wash bays, shall not be located on the front facade, unless otherwise permitted by the Building Type.
  - (c) Outdoor Storage. Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if:
    - (i) The vehicles are not stored for more than two days.
    - (ii) The storage area is located in the rear yard screened from view of the right-of-way.
    - (iii) The storage area is screened using the side and rear yard buffer outlined in Chapter 7.0 Landscape, regardless of the adjacent land uses.
  - (d) Outdoor Activities.
    - (i) All repairs or washing activities must occur inside a structure.
    - (ii) Vacuuming activities may occur in open air, but must be located in the side or rear yards, screened from the right-of-way.

### Small Scale Service

- Arcade
- Bank or other Financial Service
- Barber Shop, Beauty Salon, & Spa
- Billiard Hall
- Catering
- Check Cashing
- Day Care, Adult or Child
- Dry Cleaning & Laundry
- Emergency Care Clinic
- Fitness, Dance Studio, & Gym
- Framing
- Home Furniture & Equipment
- Repair
- Locksmith
- Mailing Services
- Microbrewery
- Pet Grooming
- Photocopying & Printing
- Photography Studio & Supplies (on-site processing permitted)
- Restaurants (refer to state law for alcoholic beverage requests)
- Shoe Repair
- Tailor & Seamstress
- Tanning Salon
- Tattoo/Piercing Parlor
- Theater
- Training Center
- Travel Agency & Tour Operator
- Veterinarian

### General Service

- All Small Scale Services
- Animal Boarding (interior only)
- Aquatic Facilities
- Batting Cages
- Bowling Alley
- Concert Hall
- Exterminating & Disinfecting Service
- Funeral Home
- Miniature Golf Course
- Recreation, Commercial Indoor
- Repair of Small Goods & Electronics
- Shooting & Archery Ranges (indoor only)
- Skating Rink

Table 4.2 (2). Typical Service Uses.

## 5. Office and Industrial.

(1) Office. A category of uses for businesses that involve the transaction of affairs of a profession, service, industry, or government. Patrons of these businesses usually have set appointments or meeting times. The businesses do not typically rely on walk-in customers. Office uses include those listed in Table 4.2 (3) Typical Office Uses.

(a) For home occupations refer to the requirements of the City Zoning Ordinance.

### Office

---

Architecture/Engineering/Design  
Building Contractor (office only)  
Business Consulting  
Charitable Institutions  
Computer Programming & Support  
Detective Services  
Educational Services (tutor & testing)  
Employment Agency  
Financial & Insurance  
Government Offices  
Legal Services  
Management Services  
Physical Therapy/Physical Rehabilitation  
Medical & Dental with Laboratory  
PR & Advertising  
Property Development  
Radio & TV Studio  
Real Estate  
Recording & Sound Studio  
Research & Development  
Research Agency  
Surveying

---

**Table 4.2 (3). Typical Office Uses.**

(2) Craftsman Industrial. A use involving small scale manufacturing, production, assembly, and/or repair with little to no noxious by-products that includes a showroom or small retail outlet. Craftsman Industrial includes such uses as those found in Table 4.2 (4) Typical Craftsman Industrial Uses. This use may also include associated facilities such as offices and small scale warehousing, but distribution is limited. The maximum overall gross floor area is limited to twenty thousand square feet (20,000 ft<sup>2</sup>), unless otherwise noted. In the districts where a Craftsman Industrial use is permitted with development standards (C), the following apply:

(a) Showroom. A minimum twenty percent (20%) of gross floor area shall be dedicated to a showroom located at the front of the building adjacent to the right-of-way.

(b) Outdoor Activities. Outdoor activities and storage of goods are not permitted.

### Craftsman Industrial

---

Apparel & Finished Fabric Products  
Bakery & Confections  
Beverages, including Beer, Wine, Liquor, Soft Drinks, Coffee  
Botanical Products  
Canning & Preserving Food  
Commercial Scale Copying & Printing  
Construction Special Trade Contractors  
Cut Stone & Cast Stone  
Dairy Products  
Electronics Assembly  
Engraving  
Electrical Fixtures  
Fabricated Metal Products  
Film Making  
Furniture & Fixtures  
Glass  
Household Textiles  
Ice  
Jewelry, Watches, Clocks, & Silverware  
Leather Products  
Meat & Fish Products, no Processing  
Musical Instruments & Parts  
Pasta  
Pottery, Ceramics, & Related Products  
Printing, Publishing & Allied Industries  
Shoes & Boots  
Signs & Advertising  
Small Goods Manufacturing  
Smithing  
Taxidermy  
Textile, Fabric, Cloth  
Toys & Athletic Goods  
Upholstery  
Woodworking

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**Table 4.2 (4). Typical Craftsman Industrial Uses.**

# 4.0 Uses

## 6. Infrastructure

- (1) **Parking Lot.** A lot that does not contain a permitted Building Type or Open Space Type and is solely used for the parking of vehicles. In the Subdistricts where a parking lot is permitted with development standards (●), the following apply:
  - (a) **Corner Lots.** A corner lot shall not be used as a parking lot.
  - (b) **Adjacent Parking Lots.** Two (2) or more parking lots shall not be located directly adjacent to one another.
  - (c) **Single Unit Residential.** Parking lot cannot be associated with a single unit residential use.
  - (d) **Distance.** A parking lot must be within one thousand three hundred feet (1,300') of the principal entrance to the associated use unless:
    - (i) At least seventy five percent (75%) of the spaces are dedicated for public use.
    - (ii) An approved parking agreement is recorded (refer to Chapter 8.0 Parking).
  - (e) **Pedestrian Access.** A parking lot shall be connected to the associated use by a dedicated, public pedestrian pathway.
  - (f) **Commercial Vehicles.** Parking lots for commercial vehicles are not permitted in the Downtown District.
- (2) **Parking Structure.** A parking structure on a lot that does not contain a permitted Building Type and is solely used for the parking of vehicles. In the Subdistricts where a parking structure is permitted with development standards (●), the following apply:
  - (a) **Adjacent Parking Structures.** Two (2) or more parking structures shall not be located directly adjacent to one another.
  - (b) **Distance.** A parking structure must be within one thousand three hundred feet (1,300') of the principal entrance to an associated use unless:
    - (i) At least seventy five percent (75%) of the spaces are dedicated for public use.
    - (ii) An approved parking agreement is recorded (refer to Chapter 8.0 Parking).
  - (c) **Pedestrian Access.** A parking structure must be connected to an associated use by a dedicated, public pedestrian pathway.
- (3) **Utility and Infrastructure.** A lot that is primarily utilized for the City's infrastructure needs. Utility and Infrastructure includes such uses as electric or gas services, sewage treatment, water treatment and storage, and energy conversion systems. In all Subdistricts, utilities and infrastructure uses require a Conditional Use Permit (○).

- (4) **Open Space.** A use of land for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, playgrounds, or community gardens. Refer to Chapter 6.0 Open Space Types for permitted forms of open space. Open Space uses may also be utilized to host temporary private or community events, such as a farmer's market or art fair. In the Subdistricts where Open Space is permitted with development standards (●), the following apply:
  - (a) **Parking.** Parking lots are not permitted in Open Space in any district unless otherwise specified by the Open Space Type.
  - (b) **Stormwater Accommodations.** Open Space that incorporates stormwater management on a parcel or District scale is encouraged.
    - (i) Stormwater facilities shall be designed to accommodate additional uses, such as an amphitheater or a sports field.
    - (ii) Stormwater facilities shall be designed not to be fenced and shall not impede public use of the land they occupy.
  - (c) **Open Space** may include small scale food and beverage service, no more than two hundred square feet (200 ft<sup>2</sup>) in space, located in a kiosk, with no service access.
  - (d) **Buildings** located directly adjacent to an Open Space use shall treat facades facing this use with street facade requirements, see Chapter 5.0 Building Types.

## 7. Accessory Uses.

A category of uses that are not permitted to serve as the principal use on a lot.

- (1) **Home Occupation.** An occupational use that is subordinate to the principal use as a residence and does not require any alteration to the exterior of a building.
- (2) **Parking Lot.** An uncovered paved surface used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking lot locations are regulated by Building Type. Refer to 5.0 Building Types.
- (3) **Parking Structure.** A structure used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking Structures within the buildings are regulated per Building Type. Refer to 5.0 Building Type. Separate structure locations are also regulated by Building Type, but shall also meet all of the requirements of 5.2.9. Parking Structure.

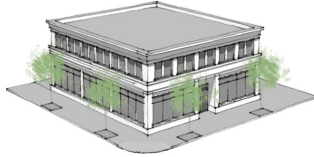
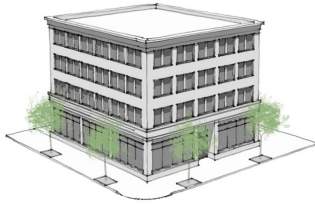
- (4) Outdoor Storage of Goods. Permanent outdoor storage of goods not typically housed or sold indoors, such as large scale materials and building and landscape supplies. In the Subdistricts where outdoor storage of goods is permitted with development standards (P<sup>2</sup>), the following development standards apply:
- (a) Outdoor storage areas shall be located in the rear or side yard of the lot.
  - (b) Loose, unpackaged materials shall not be stacked higher than six feet (6').
  - (c) Loose, unpackaged materials shall at a minimum be stored in a three-sided shelter and shall be covered.
  - (d) Materials shall be set back a minimum of five feet (5') from any lot line.
  - (e) All outdoor storage areas shall be screened from view of adjacent parcels and vehicular rights-of-way using the Side and Rear Buffer Requirements. Refer to Chapter 7.0 Landscape Requirements.
- (5) Drive-through Establishment.
- (a) When a drive-through lane is located within one hundred and fifty feet (150') of a residential use a buffer shall be required which reduces noise on contiguous property to be no greater than sixty-five decibels (65 dBAs), when measured at the property line.
  - (b) To the extent practical, speakers for menu ordering boards shall not be oriented towards contiguous residential uses.
  - (c) An eight foot (8') fence or equivalent landscaping shall be provided where a vehicle stacking lane, menu ordering boards or drive-through window location is contiguous to a residential use.
  - (d) Night lighting on the site shall be directed away from other properties.
  - (e) Safe pedestrian and vehicle access and circulation on the site and between contiguous properties shall be demonstrated as follows:
    - (i) Access by the pedestrian customer shall be provided contiguous to the public right-of-way; and
    - (ii) Vehicle stacking lanes shall have sufficient capacity to prevent obstruction of the public right-of-way by patrons. The stacking lane shall be a separate lane from the circulation lanes needed for access and parking.

# 5.0 Building Types

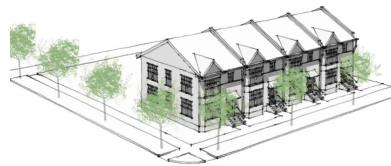
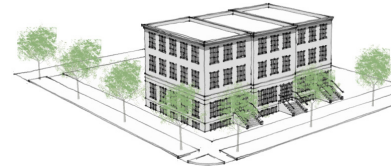
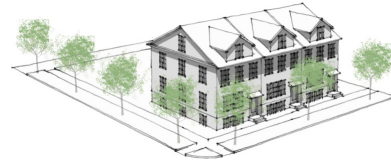


# 5.0 Buildings

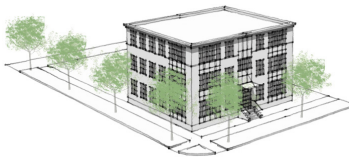
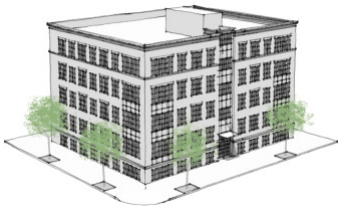
**Storefront Building**



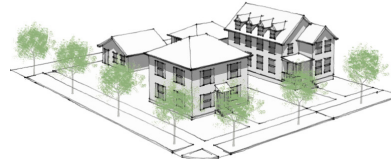
**Townhome Building**



**General Stoop Building**



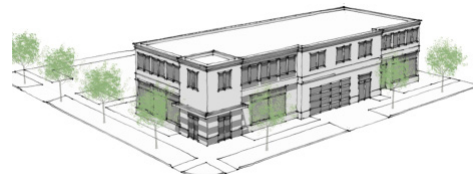
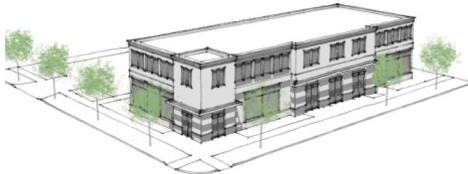
**Yard Building**



**Civic Building**



**Mid Scale Shop Building**



**Limited Bay Building**

Figure 5.1 (1). Sample Illustrations of the Building Types



## 5.1 Introduction to Building Type Standards

### 1. Intent

The intent of the Buildings Type standards is to facilitate a well defined and attractive urban form and street wall that creates vibrant districts in the City.

### 2. Introduction

The Building Types detailed in this Chapter outline the required building forms for new construction and renovated structures within the Subdistricts defined in Chapter 3.0 Subdistricts.

### 3. General Requirements

- (1) General Compliance. Application of this Section to existing uses shall occur with the following developments.
  - (a). Subdistricts. Each Building Type shall be constructed only within its designated Subdistricts. Refer to Table 5.1 Permitted Building Types by Subdistricts.
  - (b). Nonconforming Buildings. When a Place Type is adopted, existing nonconforming buildings within the District or Place Type shall not be required to conform to Building Type or Subdistrict use regulations of this Chapter, except as noted otherwise.

- (c) Tenant Improvements. Tenant improvement remodeling of a nonconforming building is allowed.
- (d) Facade Enhancements. Facade enhancements of a nonconforming building (by Subdistrict and by Building Type) is allowed. The Zoning Administrator may require conformity with Street Facade Requirements, as described in Section 4 of the Building Type Table. Structures with a current National Register of Historic Places designation are not required to comply with these standards if the alterations do not effect the historical designation of the property.
- (e). Change In Occupancy. Building changes that constitute a change in occupancy as defined by the International Building Code requires adherence to the regulations of this Chapter.
- (f) Uses. Each Building Type can house a variety of uses depending on the Subdistrict in which it is located. Some Building Types have additional limitations on permitted uses. Refer to Chapter 4.0 Uses for permitted uses.
- (g) No Other Building Types. All buildings constructed must meet the requirements of one of the Building Types permitted within the Subdistrict of the lot.
- (h) Permanent Structures. All buildings shall be permanent construction without a chassis, hitch, or wheels, or other

Building Types by Districts and Subdistricts											
		Downtown District						South Downtown District			
		Subdistricts						Subdistrict			
		Core A	Historic Center	General	Edge A	Edge B	Edge C	Business Core	Historic Residential	Warehouse District	River Edge
Building Types	Storefront	•	•	•	•	•		•		•	•
	General Stoop	•		•	•			•		•	•
	Mid Scale Shop			•		•		•		•	
	Townhome Building	•		•	•		•	•	•	•	
	Yard Building						•		•		
	Civic Building	•	•	•		•		•		•	•
	Limited Bay					•		•		•	•

• = Permitted

Table 5.1 Generally permitted (included permitted with design standards) Building Types by Subdistrict. Refer to Chapter 4.0 Uses for additional information by use category.

# 5.0 Buildings

features that would make the structure mobile, unless otherwise noted.

## 4. Accessory Structures.

- (1). Detached accessory structures are permitted per each Building Type and shall comply with all setbacks except the following:
  - (a) Detached accessory structures are only permitted to be located behind the principal structure in the rear yard.
  - (b) Detached accessory structures shall not exceed the height of the principal structure.
  - (c) Accessory structures shall use the same or similar quality materials as the primary building.
  - (d) Areas between the building wall and the right-of-way (front build to zone) not set aside for active use must be landscaped. Fifty percent (50%) of landscaping shall consist of live plant material at maturity. Percentage of area covered by plant material shall be measured as if plants have reached their full size of maturity.

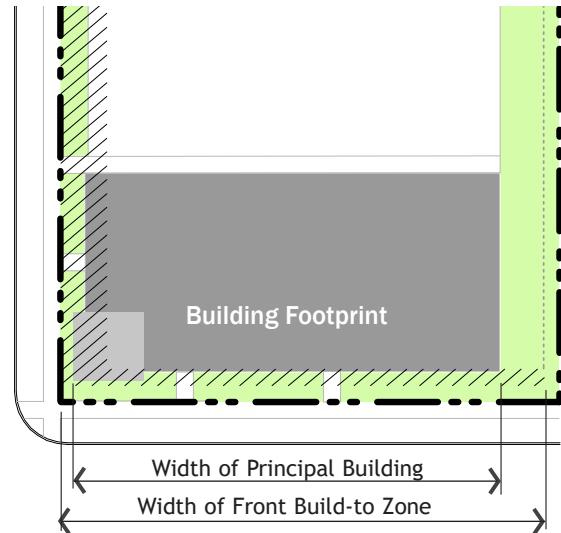


Figure 5.2 (1) Measuring Front Property Line Coverage

## 5.2 Explanation of Building Type Table Standards

The following sections explain and further define each of the standards outlined on the tables for each Building Type Table, as found in Sections 5.3 through 5.8 of this Chapter.

### 1. Building Siting

- (1) Multiple Principal Buildings. The allowance of more than one principal buildings on a lot.
- (2) Front Property Line Coverage. The minimum percentage of street wall or building facade required along the street. To measure front property line coverage the width of the principal structure(s) (within the front build-to zone) shall be divided by the width of the front build-to zone. Refer to Figure 5.2 (1) Measuring Front Property Line Coverage.
  - (a) For certain Buildings Types this calculation is adjusted to allow the development of a courtyard along the front property line.
  - (b) Some Building Types allow side yard parking to be exempted from the front lot line coverage calculation. In such cases the width of up to one (1) double loaded aisle of parking (refer to Chapter 8.0 Parking), including adjacent sidewalks and landscaping, may be exempted, to a maximum of sixty-five feet (65').
- (3) Occupation of Corner. The occupation of the intersection of the front and corner build-to zones with a principal structure.
- (4) Front Build-to Zone. The build-to zone or setback parallel to the front property line. Building components such as awnings or signage are permitted to encroach into the build-to zone
  - (a) All build-to zone and setback areas not covered by a building must contain either landscape, patio space, or sidewalk space.
- (5) Corner Build-to Zone. The build-to zone or setback parallel to the corner property line.
  - (a) All corner build-to zones and setback areas not covered by a building must contain either landscape, patio space, or sidewalk space.
- (6) Minimum Side Yard Setback. The minimum required setback along a side property line.
- (7) Minimum Rear Yard Setback. The minimum required setback along a rear property line.
- (8) Minimum and Maximum Lot or Building Width. The minimum or maximum building or unit width measured at or parallel to the front property line depending on the Building Type, may also include the minimum and maximum width of a lot.
- (9) Maximum Impervious Coverage. The maximum percentage of a lot permitted to be covered by principal structures, accessory structures, pavement, and other impervious surfaces. Refer to Figure 5.2 (2) Maximum Impervious and Semi-Impervious Coverage.
- (10) Additional Semi-Pervious Coverage. The additional percentage of a lot beyond the Maximum Impervious Coverage, which may

be surfaced in a semi-pervious material, such as a green roof or pavers.

- (11) **Parking and Loading Location.** The yard in which a surface parking lot, detached garage, attached garage door access, loading and unloading, and associated drive is permitted.
- (12) **Vehicular Access.** The permitted means of vehicular ingress and egress to the lot.

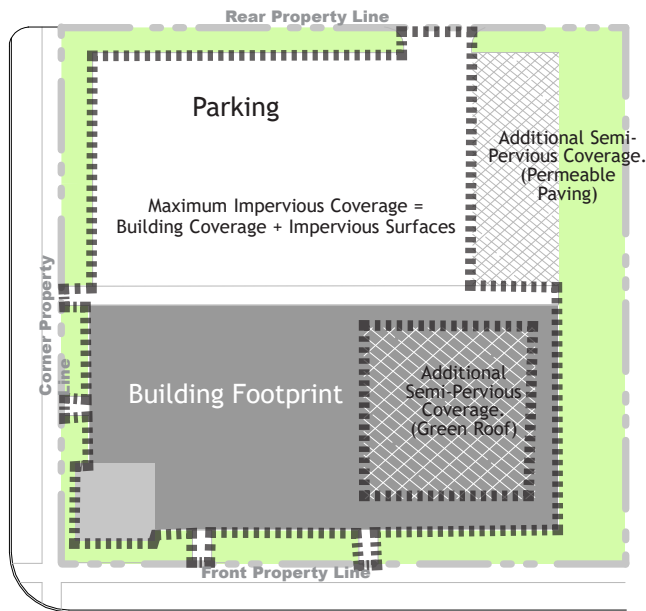


Figure 5.2 (2) Maximum Impervious and Additional Semi-Pervious Coverage

- (a) Alleys, when present, shall always be the primary means of access.
- (b) When alleys are not present, a driveway may be permitted per Building Type but, shall not be located off a Primary Street if an alternative is available.

## 2. Height

- (1) **Minimum Overall Height.** The minimum overall height for a building shall be located within the build-to zone. Stories above the required minimum height may be stepped back from the facade.
- (2) **Maximum Overall Height.** The sum of a building's total number of stories.
  - (a) Half stories are located either completely within the roof structure with street-facing windows or in a visible basement exposed a maximum of one half story above grade.
  - (b) A building incorporating both a half story within the roof and a visible basement shall count the height of the two (2) half stories as one (1) full story.
  - (c) Some Building Types require a building facade to step back as its height increases. If required, the upper stories of any building facade with street frontage shall be setback a designated amount beyond the building facade of the lower stories.
- (3) **Ground Story and Upper Story Minimum and Maximum Height.** Each frontage type includes a permitted range of height in feet for each story. (Refer to Figure 5.2 (3) Measuring Height).
  - (a) Floor height is measured in feet between the floor of a story to the floor of the story above it.
  - (b) Floor height requirements apply only to street facing facades.
  - (c) For single-story buildings and the uppermost story of a multiple-story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling.

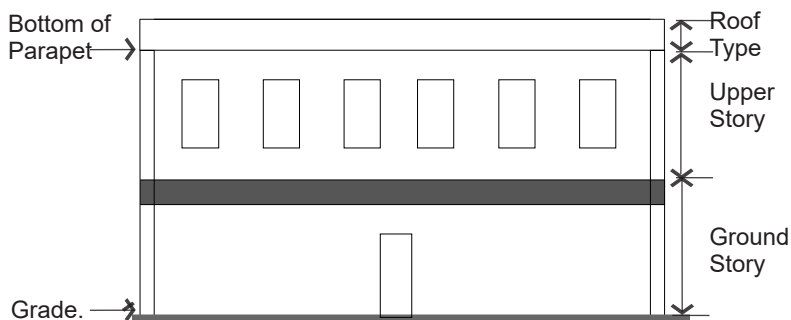
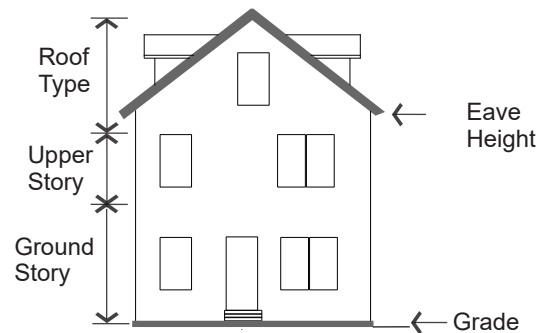


Figure 5.2 (3) Measuring Height



# 5.0 Buildings

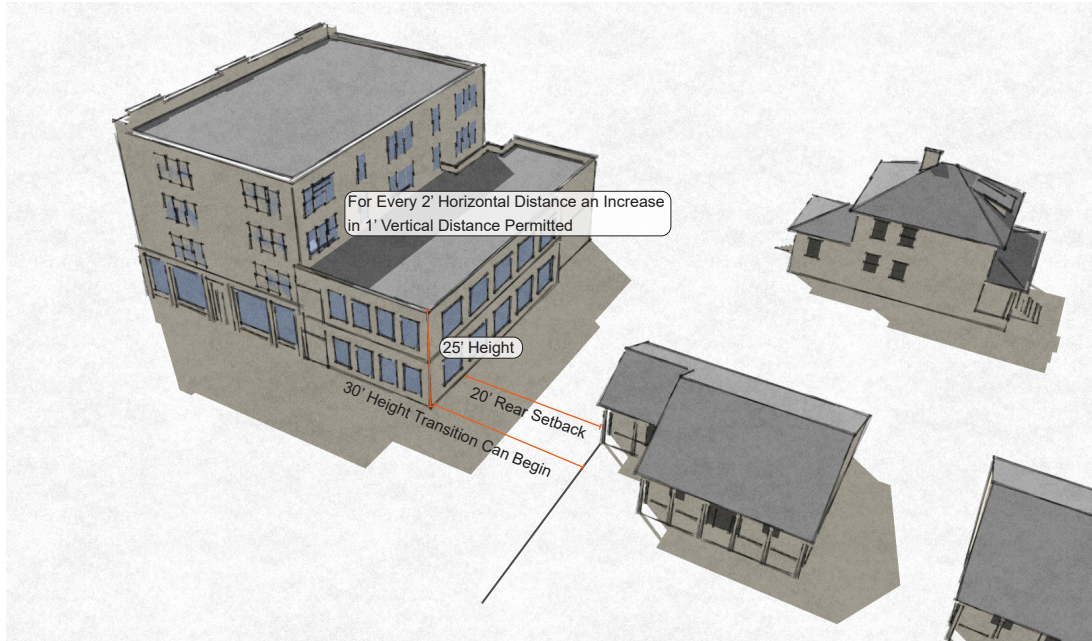


Figure 5.2 (4) Single Unit Zones Setbacks

- (4) Commercial Setbacks from Single-Unit Dwellings. In order to assure compatibility of new construction with adjacent single-unit dwellings, additional setbacks and graduated setback are required. See Figure 5.2 (4).
  - (a) Transitions from Single-Unit Dwelling Buildings: A twenty foot (20') setback is required from the property line adjacent to a single-unit dwelling. At twenty feet (20'), a maximum twenty five foot (25') building height is permitted in between the property line and thirty feet (30'). After thirty feet (30'), every two (2') feet in additional horizontal distance from the property line permits one foot (1') of additional vertical building height
- (5) Building Heights Adjacent to the Historic Residential Subdistrict. All building types contiguous to the Historic Residential Subdistrict shall be limited to a height of two (2) stories for the first twenty feet (20'). After thirty feet (30'), every two (2') feet in additional horizontal distance from the property line permits one foot (1') of additional vertical building height up to heights otherwise regulated by this code.

## 3. Uses

- (1) Ground and Upper Story. The uses or category of uses which may occupy the ground and/or upper story of a building.
- (2) Parking Within Building. The area(s) of a building in which parking is permitted within the structure.
- (3) Required Occupiable Space. The area(s) of a building that shall be designed as occupiable space, defined as interior building space which may be regularly occupied by building users. It does not include storage areas, utility space, or parking.

## 4. Facade Requirements

Street Facade Requirements apply to facades facing a public or private right-of-way.

- (1) Minimum Ground Story and Upper Floor Transparency. The minimum amount of transparency required on street facades with street frontage. Refer to Figure 5.2 (5) Measuring Transparency per Facade.
  - (a) Transparency. Any glass in windows and/or doors, including any mullions, with sixty percent (60%) light transmission, and with low reflectance.
  - (b) Measuring Transparency. A general Minimum Transparency requirement shall be measured from floor to floor of each story.
  - (c) Ground Story Transparency. The minimum transparency required on the ground floor of a building when defined separately from the overall minimum transparency. Ground floor transparency shall be measured between eighteen inches (18") and twelve feet (12') from the average grade at the base of the front facade. Refer to Figure 5.2 (6) Measuring Ground floor transparency on a storefront Base.
- (2) Blank Wall Limitations. A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall both be met for each story:
  - (a) No rectangular area greater than thirty percent (30%) of a story's facade, as measured from floor to floor, may be windowless; and
  - (b) No horizontal segment of a story's facade greater than fifteen feet (15') in width may be windowless.



- (3) **Entrance Type.** The Entrance Type(s) permitted for the entrance(s) of a given Building Type. A mix of permitted Entrance Types may be utilized. Refer to Section 5.10 Entrance Types of this Chapter for definition of and additional requirements for each Entrance Type.
- (4) **Principal Entrance Location.** The facade on which the primary building entrance is to be located.
- (5) **Required Number of Street Entrances.** The minimum number of and maximum spacing between entrances on the ground floor building facade with street frontage.
- (6) **Vertical Facade Divisions.** The use of a vertically oriented expression line or form to divide the facade into increments no greater than the dimension shown, as measured along the base of the facade. Elements may include a column, pilaster, or other continuous vertical ornamentation a minimum of one and a half inch depth.
- (7) **Horizontal Facade Divisions.** The use of a horizontally oriented expression line or form to divide portions of the facade into horizontal divisions. Elements may include a cornice, belt

course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch (1.5") depth.

- (8) **Parking structures.** Parking structures visible from street frontages shall be held to the same standards of facade appearance as other Building Types in that Subdistrict.

## 5. Roof Type

- (1) **Permitted Roof Type.** The roof type(s) permitted for each Building Type. Refer to Section 5.11 Roof Types for more specific requirements.
- (2) **Tower.** A vertical building extension that may be permitted in conjunction with another roof type on certain Building Types. Refer to Section 5.11 Roof Types.

## 6. Loading

- (1) **Screening.** Loading areas, trash storage, and mechanical equipment and meters shall be enclosed within structures and hidden from view of the public realm. See Figure 5.2 (7).

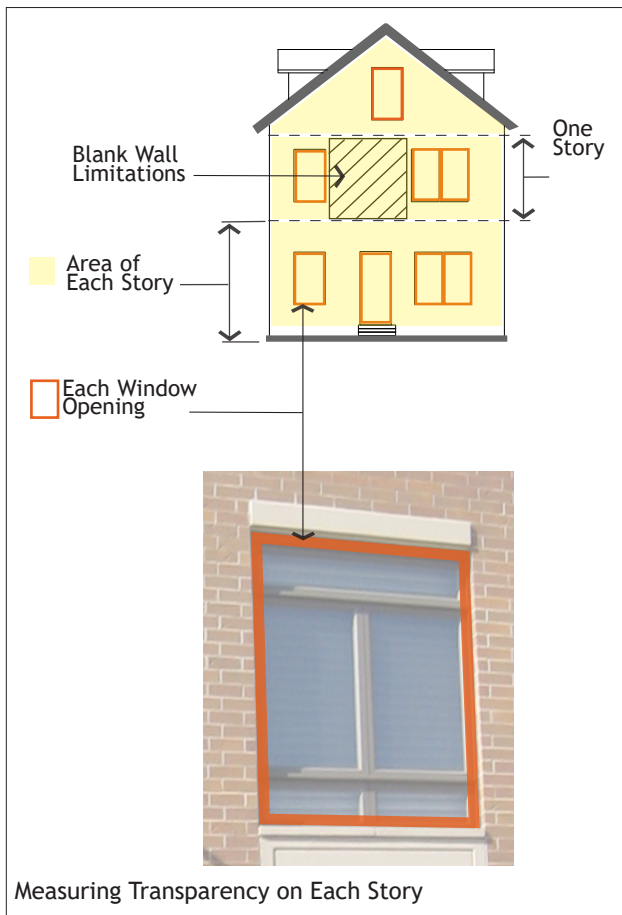
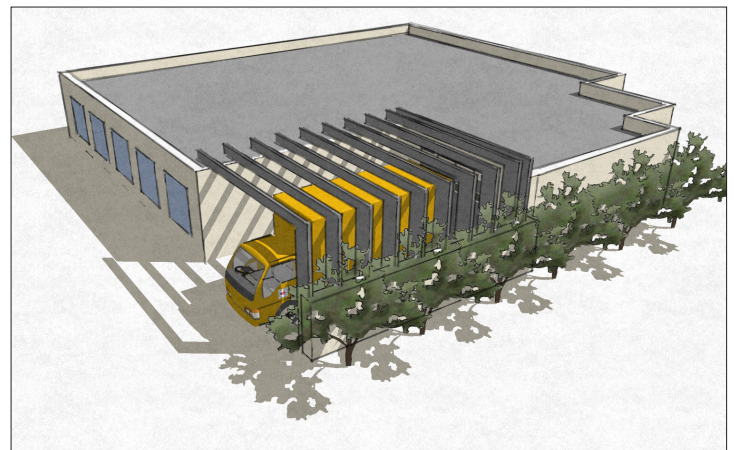
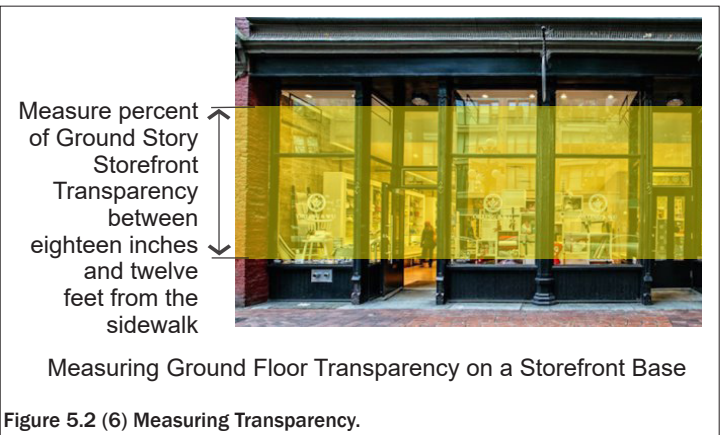


Figure 5.2 (5) Measuring Transparency



# 5.0 Buildings

## 5.3 Roof Types

Roof Type standards apply to the roof and cap of all Building Types as defined in this Chapter. Refer to the Building Type Table Requirements.

### 1. General Provisions.

The following provisions apply to all roof types.

- (2) Applicability. All buildings shall meet the requirements of one of the Roof Types permitted for the Building Type.
- (3) Measuring Height. Refer to Section 5.2.2 Explanation of Building Type Table Standards for information on measuring building height.
- (4) Other Roof Types. For other Roof Types or building caps not listed as a specific type a request may be made to the Zoning Administrator or designee with the following requirements:
  - (a) The Roof Type shall not create additional occupiable space beyond that permitted by the Building Type.
  - (b) The shape of the Roof Type shall be significantly different from those defined in this Section (i.e. a dome, spire, vault).

### 2. Parapet Roof Type.

(Refer to Figure 5.11 (1), Parapet Roof Type). A parapet is a low wall projecting above a building's roof along the perimeter of the building. It can be utilized with a flat or low pitched roof and also serves to limit the view of roof-top mechanical systems from the street.

- (1) Parapet Height. Height is measured from the top of the upper story to the top of the parapet.
  - (a) Minimum height is two feet (2') with a maximum height of six feet (6').

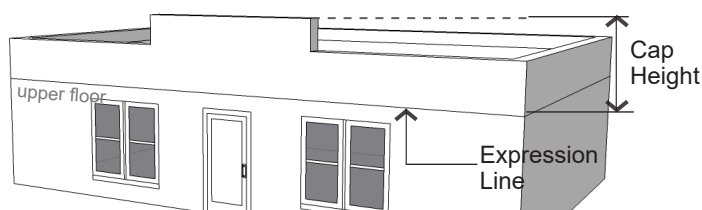


Figure 5.11 (1) Parapet Roof Type

- (b) The parapet shall be high enough to screen the roof and any roof appurtenances from view of the street(s).
- (2) Horizontal Expression Lines. An expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.
- (3) Occupiable Space. Occupiable space shall not be incorporated behind this roof type.

### 3 Flat Roof Type.

(Refer to Figure 5.11 (2) Flat Roof Type). This Roof Type has a flat roof with overhanging eaves.

- (1) Configuration. Roofs with no visible slope are acceptable. Eaves are required on all street facing facades.
- (2) Eave Depth. Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least fourteen inches (14"). The eave may not overhang the property line into the public right of way, unless approved by the Zoning Administrator.
- (3) Eave Thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight inches (8") thick.
- (4) Interrupting Vertical Walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.
  - (a) No more than one-half of the front facade can consist of an interrupting vertical wall.

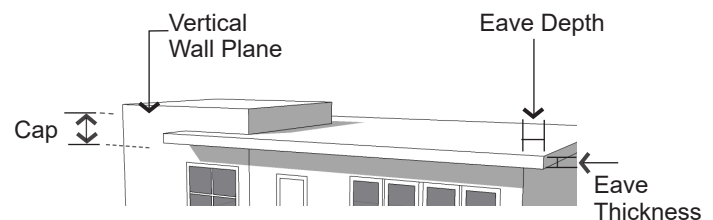


Figure 5.11 (2) Flat Roof Type



## 4. Towers.

(Refer to Figure 5.4 (3)). A tower is a rectilinear or cylindrical, vertical element, that must be used with other Roof Types.

- (1) Quantity. All Building Types, with the exception of the Civic Building, are limited to one (1) tower per building.
- (2) Tower Height. Maximum height shall be the equivalent of the height of one upper floor of the building to which the tower is applied as measured from the top of the parapet or eave to the top of the tower.
- (3) Tower Width. Maximum width along all facades is one-third ( $1/3$ ) the width of the front facade or thirty feet (30'), whichever is less.
- (4) Horizontal Expression Lines. An expression line shall define the tower from the upper stories.
- (5) Occupiable Space. Towers may be occupied by the same uses allowed in upper stories of the Building Type to which it is applied.
- (6) Applicability. Towers may be combined with all other Roof Types.
- (7) Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat roof Roof Types, or a spire may cap the tower.
  - (a) Vertical walls shall extend no more than four feet (4') above the top of the eave of the tower.

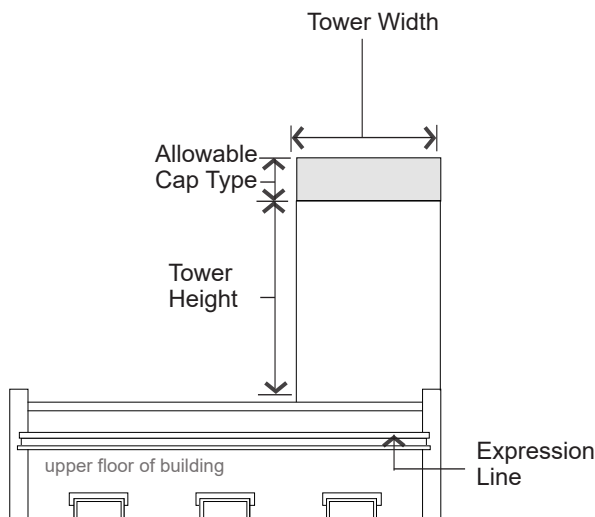


Figure 5.4 (3) Tower

## 5. Pitched Roof Type.

(Refer to Figure 5.4 (4), Pitched Roof Type). This Roof Type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run.

- (1) Pitch Measure. The roof may not be sloped less than a rise:run of 4:12 or more than 16:12.
  - (a) Slopes less than 4:12 are permitted to occur on second story or higher roofs. (Refer to Figure 5.4 (4) - Low Pitched Roof).
- (2) Configurations.
  - (a) Hipped, gabled, Mansard and combination of hips and gables with or without dormers are permitted.
  - (b) Butterfly roofs (inverted gable roof) are permitted with a maximum height of eight feet (8'), inclusive of overhang.
  - (c) Gambrel roofs are not permitted.
- (3) Parallel Ridge Line. A gabled end or perpendicular ridge line shall occur at least every one hundred feet (100') of roof when the main ridge line runs parallel to the front lot line. (Refer to Figure 5.10 (5). Parallel Ridge Line).
- (4) Roof Height. Roofs without occupiable space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the Building Type.
- (5) Occupiable Space. Occupiable space may be incorporated behind this Roof Type.

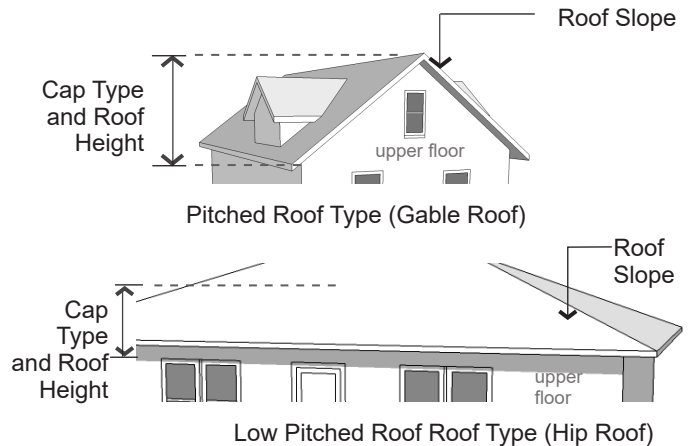


Figure 5.4 (4) Pitched Roof Type

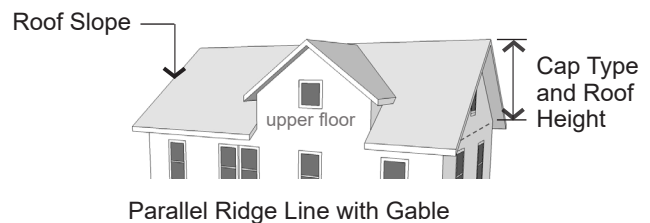


Figure 5.4 (5) Parallel Ridge Line

# 5.0 Buildings

## 5.4 Entrance Types

Entrance Type standards apply to the ground story and visible basement of front facades of all Building Types as defined in this Chapter. Refer to the Building Type Table Requirements.

### 1. General.

The following provisions apply to all entrance types.

- (1) Intent. To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each Building Type standard (refer to Building Types Tables).
- (2) Applicability. The entire ground story street-facing facade(s) of all buildings shall meet the requirements of at least one of the permitted Entrance Types, unless otherwise stated.
- (3) Measuring Transparency. Refer to Section 5.2.4 Explanation of Building Type Table Standards, for information on measuring building transparency.
- (4) Visible Basements. Visible basements, permitted by Entrance Type, are optional. The visible basement shall be a maximum of one-half the height of the tallest story.

### 2. Storefront Entrance Type.

(Refer to Figure 5.10 (1) ). The Storefront Entrance Type is a highly transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail or service uses.

- (1) Transparency. Minimum transparency is required per Building Type.
- (2) Elevation. The storefront elevation shall be between zero (0) and one (1) foot above sidewalk.
- (3) Visible Basement. A visible basement is not permitted.
- (4) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.

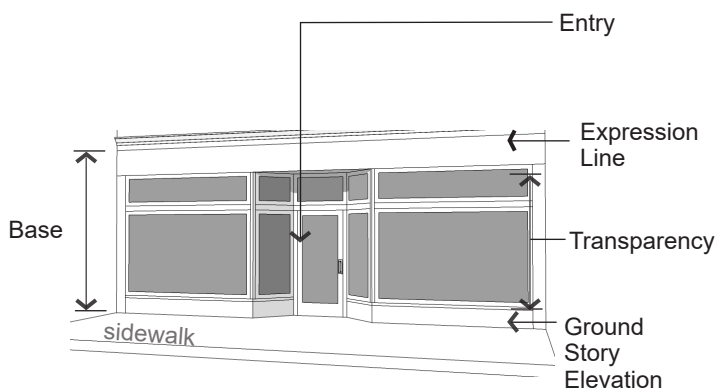


Figure 5.10 (1) Storefront Entrance Type

- (5) Entrance. All entries shall be recessed from the front facade closest to the street.
  - (a) Recessed entries shall be a minimum of three feet (3') and a maximum of eight feet (8') deep, measured from the portion of the front facade closest to the street.
  - (b) When the recess falls behind the front build-to zone, the recess shall be no wider than eight feet (8').

### 3. Arcade Entrance Type.

(Refer to Figure 5.10 (2). An Arcade Entrance Type is a covered pedestrian walkway within the recess of a ground story. An Arcade Entrance Type may be adapted for a Yard Building Type.

- (1) Arcade. An open-air public walkway is required from the face of the building recessed into the building a minimum of eight feet (8') and a maximum of fifteen feet (15').
- (2) Build-to Zone. When the Arcade Entrance Type is utilized, the outside face of the arcade shall be considered the front facade, located within the required build-to zone.
- (3) Recessed or Interior Facade. The Storefront Entrance Type is required on the recessed ground story facade.
- (4) Column Spacing. Columns shall be spaced between ten feet (10') and twelve feet (12') on center.
- (5) Column Width. Columns shall be a minimum of one foot eight inches (1'-8") and a maximum two feet four inches (2'-4") in width.
- (6) Arcade Opening. Opening shall not be flush with interior arcade ceiling and may be arched or straight.
- (7) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.
- (8) Visible Basement. A visible basement is not permitted.

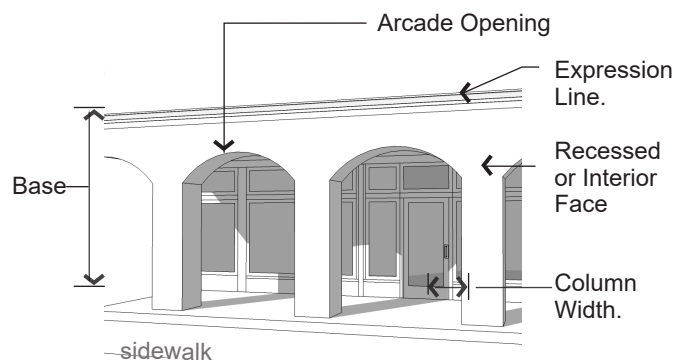


Figure 5.10 (2) Arcade Entrance Type

## 4. Stoop Entrance Type.

(Refer to Figure 5.10 (3) ). A stoop is an unroofed, open platform.

- (1) Transparency. Minimum transparency is required per Building Type.
- (2) Stoop Size. Stoops shall be a minimum of three feet (3') deep and six feet (6') wide.
- (3) Elevation. The stoop elevation shall be located a maximum of two feet six inches (2'-6") above the sidewalk without visible basement and a maximum of four feet six inches (4'-6") above the sidewalk with a visible basement.
- (4) Visible Basement. A visible basement is permitted and shall be separated from the ground story by an expression line.
- (5) Entrance. All entries shall be located off a stoop.

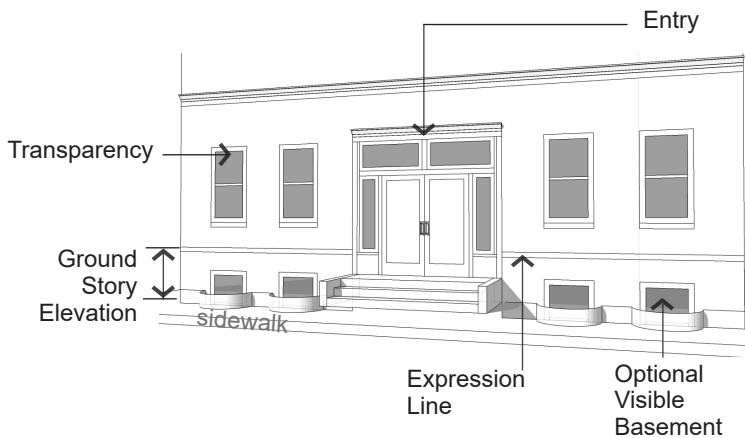


Figure 5.10 (3) Stoop Entrance Type

## 5. Porch Entrance Type.

(Refer to Figure 5.10 (4)). A porch is a raised, roofed platform that may or may not be enclosed on all sides. If enclosed, the space shall not be climate controlled.

- (1) Transparency. Minimum transparency is required per Building Type.
- (2) Porch Size. The porch shall be a minimum of five feet (5') deep and eight feet (8') wide.
- (3) Visible Basement. A visible basement is permitted.
- (4) Elevation. The porch elevation shall be located a maximum of two feet six inches (2'-6") above the sidewalk without a visible basement and a maximum of four feet six inches (4'-6") above the sidewalk with a visible basement.
- (5) Height. A porch may be two (2) stories to provide a balcony on the second floor.
- (6) Entrance. If a porch is provided, the main entry shall be located through a porch.

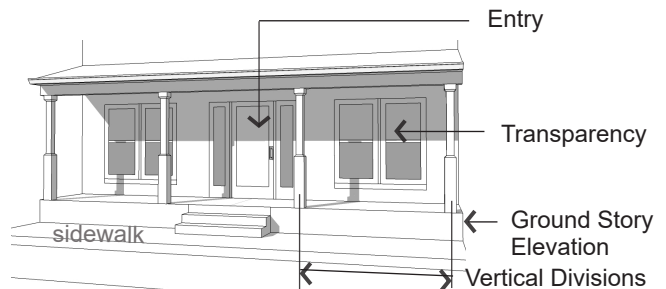


Figure 5.10 (4) Porch Entrance Type

# 5.0 Buildings

## 5.5 Additional Design Requirements

The following outlines the South Downtown District design guidelines that affect a building's appearance and District's cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, protect the character of the community and create a sense of place.

### 1. Materials and Color

- (1) **Primary Facade Materials.** Eighty percent (80%) of each facade shall be constructed of primary materials. For facades over one hundred square feet (100 ft<sup>2</sup>), more than one material shall be used to meet the eighty percent (80%) requirement.
  - (a) Permitted primary building materials include high quality natural materials such as: stone, brick, wood lap siding, fiber cement board lapped, shingled, panel siding, or glass. Other high quality synthetic materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 5.5 (1).
- (2) **Secondary Facade Materials.** Secondary materials are limited to details and accents and include gypsum reinforced fiber concrete for trim and cornice elements, metal for beams, lintels, trim, and ornamentation, and exterior architectural metal panels and cladding.
  - (a) Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.
- (3) **Roof Materials.** Acceptable roof materials include three hundred pound (300lb) or more, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. Engineered wood or slate may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 5.5 (2).
- (4) **Appropriate Grade of Materials.** Commercial quality doors, windows, and hardware shall be used on all Building Types with the exception of the Townhome Building and the Yard Building. Refer to Figure 5.5 (3)



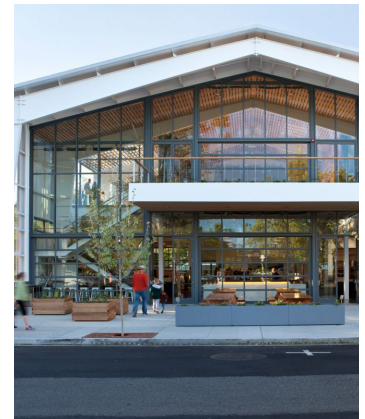
Primary Materials: Brick



Primary Materials: Stone



Primary Materials: Synthetic Panel and Siding



Primary Materials: Glass



Primary Materials: Painted Wood



Roof Materials: Asphalt Composite Shingles



Roof Materials: Ceramic Tile

Figure 5.5 (1) Primary Materials

Figure 5.5 (2) Roof Materials.



## 2. Windows, Awnings, and Shutters

- (1) Windows. All upper story windows on all historic, residential, and mixed use buildings shall be recessed, double hung.
- (2) Awnings. All awnings shall be canvas or metal. Plastic awnings are not permitted. Awning types and colors for each building face shall be coordinated. Alternative materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 5.5 (4).
- (3) Shutters. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood. “Engineered” wood may be approved during the site plan process with an approved sample and examples of successful, high quality local installations.



Permitted Awnings: Metal



Permitted: Commercial Grade Doors and Windows on Commercial Buildings.



Permitted Awnings: Canvas



Prohibited: Residential Grade Doors on Commercial Buildings.



Prohibited Awnings: Plastic

Figure 5.5 (3) Commercial Grade Doors and Windows

Figure 5.5 (4) Awnings

# 5.0 Buildings

## 3. Balconies

The following applies in all locations where balconies are incorporated into the facade design facing any street or parking lot. Refer to Figure 5.5 (5).

- (1) **Size.** Balconies shall be a minimum of six feet (6') deep and five (5') feet wide.
- (2) **Connection to Building.** Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.
- (3) **Facade Coverage.** A maximum of forty percent (70%) of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

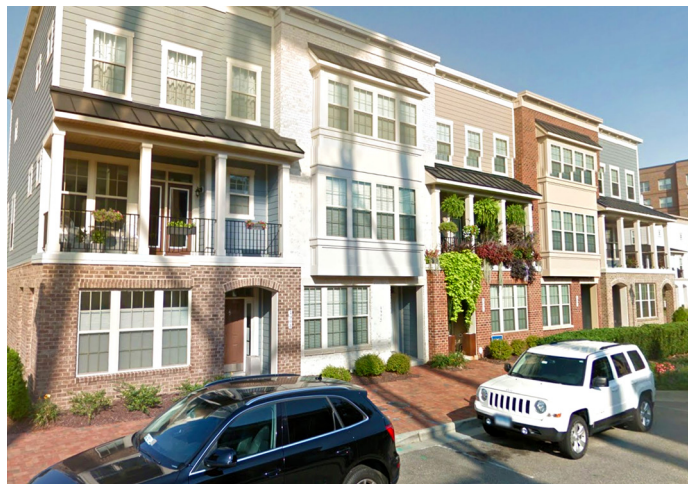


Figure 5.5 (5) Balconies Integral to Facade

## 4. Drive-through Structures.

Refer to Figure 5.5 (7) for one illustration of the following requirements.

- (1) **Structures.** Drive-through structures shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The drive-through structure shall not be visible from any Primary Street.
- (2) **Stacking Lanes.** Stacking lanes shall be located perpendicular to the Primary Street or behind the building.
- (3) **The canopy and structure shall be constructed of the same materials utilized on the building.**

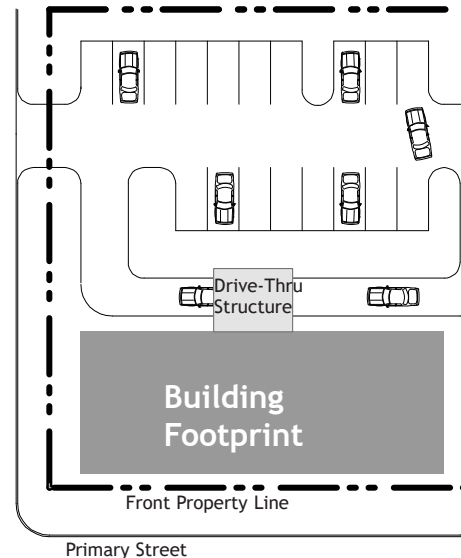


Figure 5.5 (6) Recommended Drive-Through Facility Layout

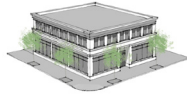


### 5.6 Downtown District Building Type Tables

Building Types by Districts and Subdistricts							
		Downtown District					
		Subdistricts					
		Core A	Historic Center	General	Edge A	Edge B	Edge C
Building Types	Storefront	•	•	•	•	•	
	General Stoop	•		•	•		
	Mid Scale Shop			•		•	
	Townhome Building	•		•	•		•
	Yard Building						•
	Civic Building	•	•	•		•	
	Limited Bay					•	

• = Permitted

# 5.0 Buildings



## 5.6(A) Storefront Building

### 1. Description and Intent

The Storefront Building is intended for use as a mixed use building located close to the front property line with parking typically in the rear or side of the lot.

The key facade element of this Building Type requires a ground floor front facade, with large amounts of glass and regularly spaced entrances. This Building Type is encouraged near intersections.

This Building Type is available in a variety of intensities, depending on the Subdistrict within which it is located. For example, minimum and maximum heights are highest in the Core A Subdistrict and lowest in the Edge A Subdistrict.

### 2. Regulations

Regulations for the Storefront Building Type are defined in the adjacent table.

#### Notes

<sup>1</sup> Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

<sup>2</sup> Above the second story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.

<sup>3</sup> If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

<sup>4</sup> Additional setback distance is permitted at the discretion of the zoning administrator and his or her designee if utilized as public space, outdoor dining, and/or outdoor seating.

\* Subject to review for compliance with line of sight requirements.

		Permitted Subdistricts						
		Core A	Historic Center	General A	Edge A	Edge B	Edge C	
Storefront Building Type Table								
1 Building Siting* Refer to Figure 5.6(A)(1)								
	Multiple Principal Buildings	not permitted	not permitted	permitted	permitted	not permitted	permitted	
a	Front Property Line Coverage	90%	90%	70% <sup>1</sup>	80%	70% <sup>1</sup>	75%	
	Occupation of Corner	required	required	permitted	permitted	permitted	permitted	
b	Front Build-to Zone	0' to 5' <sup>4</sup>	0' to 5' <sup>4</sup>	0' to 10' <sup>4</sup>	0' to 5' <sup>4</sup>	0' to 15' <sup>4</sup>	0' to 5'	
c	Corner Build-to Zone	0' to 5'	0' to 5'	0' to 10'	0' to 5'	0' to 15'	0' to 5'	
d	Minimum Side Yard Setback	0'	0'	0'	0'	0'	0'	
e	Minimum Rear Yard Setback	5'	5'	10'	5'	5'	5'	
f	Minimum Lot Width	none	none	none	none	none	none	
	Maximum Lot Width	none	none	none	none	none	none	
	Maximum Impervious Coverage	90%	90%	75%	90%	75%	75%	
	Additional Semi-Pervious Coverage	10%	10%	25%	10%	20%	20%	
g	Parking and Loading Location	rear yard	rear yard	rear and side yard <sup>1</sup>	rear and side yard <sup>1</sup>	rear and side yard <sup>1</sup>	rear and side yard <sup>1</sup>	
h	Vehicular Access	alley, lane, access lane: if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee						
2 Height Refer to Figure 5.6(A)(2)								
i	Minimum Overall Height	2 story	2 story	2 story	2 story	2 story	2 story	
j	Maximum Overall Height	6 stories	4 stories <sup>2</sup>	5 stories <sup>2</sup>	5 stories <sup>2</sup>	5 stories <sup>2</sup>	3 stories <sup>2</sup>	
k	Ground Story: Minimum Height	14'	14'	14'	14'	14'	14'	
	Maximum Height	20' <sup>3</sup>	18' <sup>3</sup>	28' <sup>3</sup>	20' <sup>3</sup>	28' <sup>3</sup>	20' <sup>3</sup>	
l	Upper Stories: Minimum Height	9'	9'	9'	9'	9'	9'	
	Maximum Height	14'	14'	14'	14'	14'	14'	
3 Uses Refer to Figure 5.6(A)(2). Refer to Chapter 4 Uses for permitted uses.								
m	Ground Story	retail, service, office						
n	Upper Story	any permitted use			residential, office, service	any permitted use		
o	Parking within Building	permitted fully in any basement and in rear of all stories						
p	Required Occupiable Space	30' deep on all full stories from the front facade						
4 Street Facade Requirements Refer to Figure 5.6(A)(3)								
q	Minimum Ground Story Transparency: Transparency requirements apply to street frontages AND frontages to side parking	75%	75%	65% front and corner-side	75%	65% front and corner-side	75%	
r	Minimum Transparency per each Story	30%	25%	15%	30%	20%	30%	
s	Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)						
	Front Facade Entrance Type	storefront, arcade						
t	Principal Entrance Location	front or corner facade						
	Required Number of Street Entrances	1 per each 75' of front facade	1 per each 75' of front facade	1 per each 100' of front facade	1 per each 75' of front facade	1 per each 75' of front facade	1 per each 75' of front facade	
	Vertical Facade Divisions	every 30' of facade width	every 25' of facade width	every 50' of facade width	every 25' of facade width	every 25' of facade width	every 25' of facade width	
	Horizontal Facade Divisions	required within 3' of the top of the ground story						
5 Roof Type Requirements Refer to Figure 5.6(A)(3)								
u	Permitted Roof Types	parapet, flat, pitched	parapet, flat	parapet, flat, pitched	parapet, flat, pitched	parapet, flat, pitched	parapet, flat, pitched	
	Tower	permitted, excluded from maximum story						not permitted

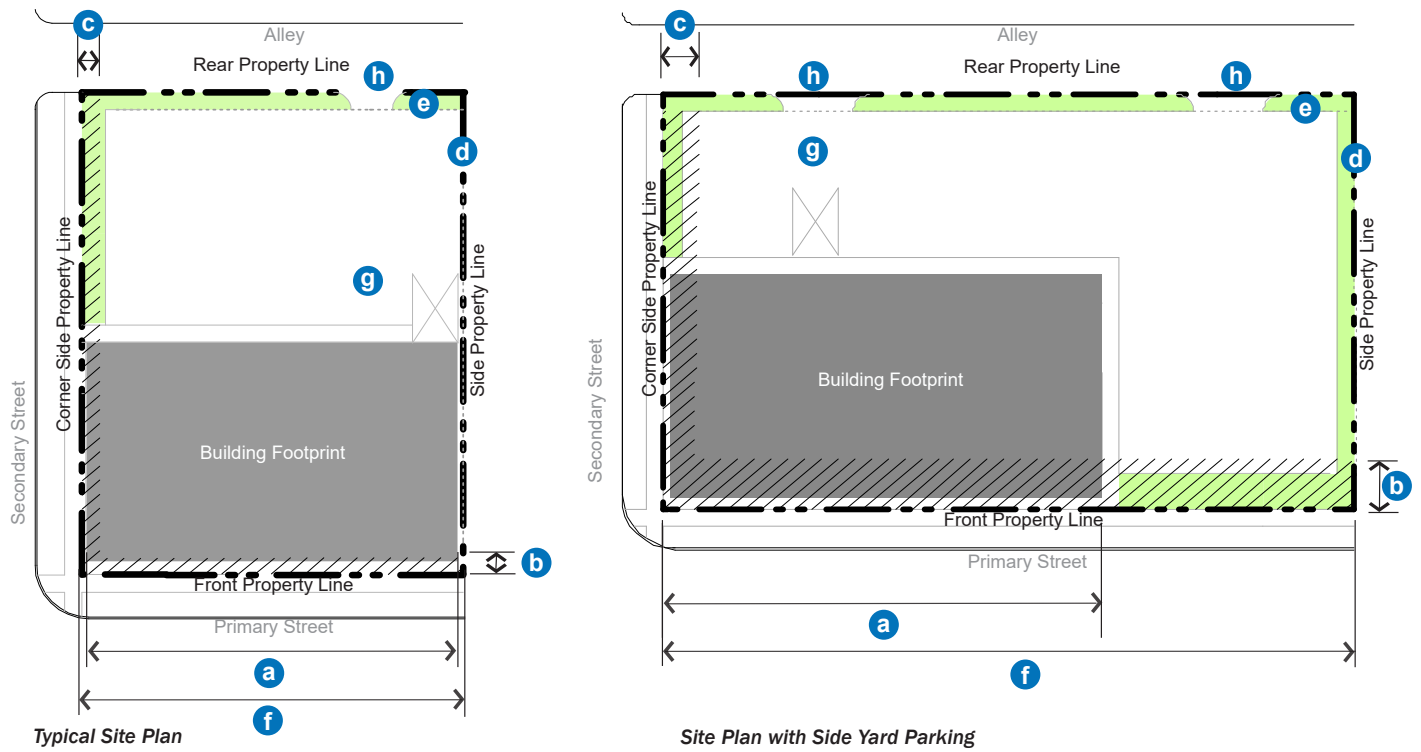
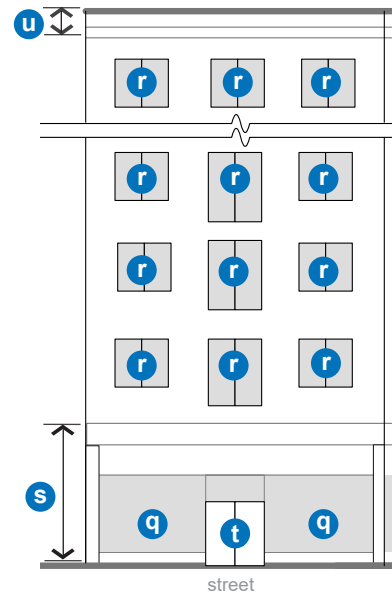
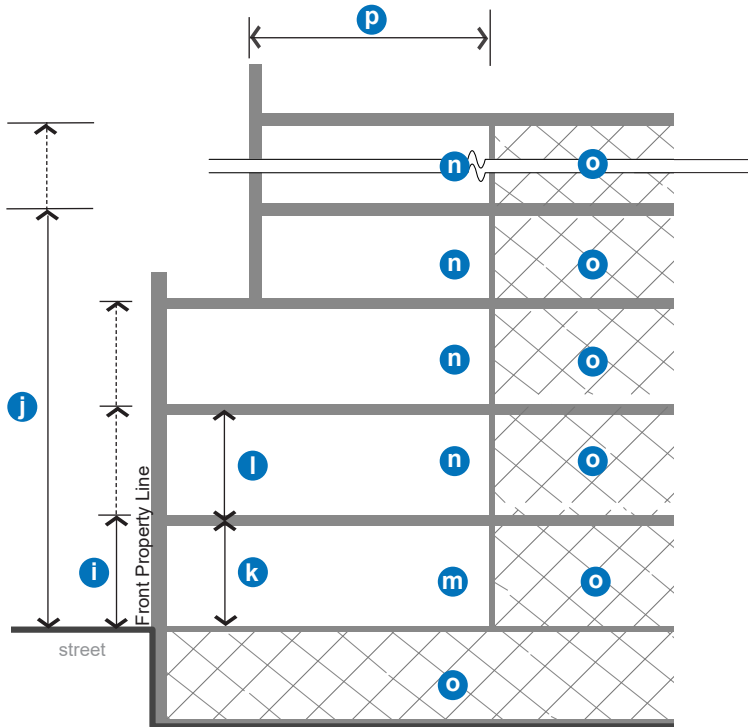


Figure 5.6(A)(1) Storefront Building: Building Siting.



# 5.0 Buildings

## 5.6(B) General Stoop Building

### 1 Description and Intent

The General Stoop Building Type permits a range of building facades and can accommodate mixed uses or can be used strictly for residential. Similar to a “Main Street” type building, the General Stoop Building Type is intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one double loaded aisle of parking is permitted in the interior or the side yard at the front property line. The minimum and maximum heights of this Building Type depend on the Subdistrict within which it is located.

Ground floor residential units should engage the street with pedestrian-welcoming frontages and direct access to the sidewalk. Ground floor residential units should relate to the street environment, but maintain a sense of ownership and a delineation of the transition from public to private. A step up or a step down is recommended.

### 2. Regulations

Regulations for the General Stoop Building Type are defined in the adjacent table.

#### Notes

<sup>1</sup> A courtyard covering up to 35% of the front facade is permitted and may contribute to the Front Lot Line Coverage requirement.

<sup>2</sup> Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

<sup>3</sup> Upper stories above the second story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.

\* Subject to review for compliance with line of sight requirements.



Permitted Subdistricts			
Core A	General A	Edge A	Edge C

General Stoop Building Type Table

1 Building Siting* Refer to Figure 5.6(B)(1)					
	Multiple Principal Buildings	not permitted	not permitted	permitted	permitted
a	Front Property Line Coverage	90%	75% <sup>1</sup>	80% <sup>1</sup>	75%
	Occupation of Corner	required	required	permitted	permitted
b	Front Build-to Zone	0' to 5'	0' to 10'	0' to 5'	0' to 5'
c	Corner Build-to Zone	0' to 5'	0' to 10'	0' to 5'	0' to 5'
d	Minimum Side Yard Setback	0'	5'	0'	0'
e	Minimum Rear Yard Setback	5'	5'	5'	5'
f	Minimum Lot Width	none	none	none	none
	Maximum Lot Width	none	none	none	none
	Maximum Impervious Coverage	90%	80%	90%	75%
	Additional Semi-Pervious Coverage	10%	20%	10%	20%
g	Parking and Loading Location	rear yard	rear yard	rear and side yard <sup>2</sup>	rear and side yard <sup>1</sup>
h	Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)			
2 Height Refer to Figure 5.6(B)(2)					
i	Minimum Overall Height	2 story	2 story	2 story	2 story
j	Maximum Overall Height	6 stories <sup>3</sup>	6 stories <sup>3</sup>	6 stories <sup>3</sup>	3 stories <sup>2</sup>
k	Ground Story: Minimum Height	14'	14'	14'	14'
	Maximum Height	28'	20'	20'	20' <sup>3</sup>
l	Upper Stories: Minimum Height	9'	9'	9'	9'
	Maximum Height	14'	14'	14'	14'
3 Uses Refer to Figure 5.6(B)(2). Refer to Chapter 4 Uses for permitted uses.					
m	Ground Story	any permitted use	any permitted use	retail, office, residential, service	retail, office, residential, service
n	Upper Story	any permitted use	any permitted use	residential	residential
o	Parking within Building	permitted fully in any basement and in rear of all stories			
p	Required Occupiable Space	30' deep on all full stories from the front facade			
4 Street Facade Requirements Refer to Figure 5.6(B)(3)					
q	Minimum Ground Story Transparency	75%	65% front and corner-side	75%	75%
	Transparency requirements apply to street frontages AND frontages to side and rear parking				
r	Minimum Transparency per each Story	30%	25%	30%	30%
s	Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)			
	Front Facade Entrance Type	stoop, porch, storefront	stoop, porch, storefront	stoop, porch	stoop, porch
t	Principal Entrance Location	front facade	front facade	front or corner facade	front or corner facade
	Required Number of Street Entrances	1 per each 75' of front facade, 1 per residential ground story unit			
	Vertical Facade Divisions	every 30' of facade width			
	Horizontal Facade Divisions	required within 3' of the top of the ground story			
5 Roof Type Requirements Refer to Figure 5.6(B)(3)					
u	Permitted Roof Types	parapet, flat	parapet, pitched		
v	Tower	permitted, excluded from maximum story			not permitted



# 5.0 Buildings

## 5.6(C) Mid Scale Shop Building

### 1. Description and Intent

The Mid Scale Shop Building Type permits a larger building footprint for a single use building with a ground floor storefront facade. The minimum sized building footprint of the Mid Scale Shop is forty thousand square feet (40,000 ft<sup>2</sup>). If a building is to have a smaller footprint then it will not be considered or approved as a Mid Scale Shop.

This Building Type is still intended to be built close to the front and corner property lines allowing easy access to pedestrians and transit riders. Parking may be permitted in the rear of the lot, internally in the building, or one double loaded aisle of parking is permitted in the interior or the side yard at the front property line.

Materials and facade articulation should ensure these structures contribute positively to the public realm and the aesthetic goals of the Downtown District.

### 2. Regulations

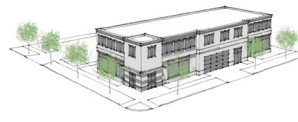
Regulations for the Mid Scale Shop Building Type are defined in the adjacent table.

#### Notes

<sup>1</sup> Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

<sup>2</sup> If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

\* Subject to review for compliance with line of sight requirements.



#### Permitted Subdistricts

General A      Edge B

#### Mid Scale Shop Building Type Table

##### 1 Building Siting\* Refer to Figure 5.6(C)(1)

Multiple Principal Buildings	not permitted	not permitted
<b>a</b> Front Property Line Coverage	85% <sup>1</sup>	
Occupation of Corner	Required	
<b>b</b> Front Build-to Zone	0' to 15'	0' to 5'
<b>c</b> Corner Build-to Zone	0' to 10'	0' to 5'
<b>d</b> Minimum Side Yard Setback	5'	
<b>e</b> Minimum Rear Yard Setback	5'	
<b>f</b> Minimum Lot Width	150'	
Maximum Lot Width	none	
Maximum Impervious Coverage	75%	
Additional Semi-Pervious Coverage	20%	
<b>g</b> Parking and Loading Location	rear and side yard	
<b>h</b> Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)	

##### 2 Height Refer to Figure 5.6(C)(2)

<b>i</b> Minimum Overall Height	1 story
<b>j</b> Maximum Overall Height	3 stories
<b>k</b> Ground Story: Minimum Height	14'
Maximum Height	28' <sup>2</sup>
<b>l</b> Upper Stories: Minimum Height	9'
Maximum Height	14'

##### 3 Uses Refer to Figure 5.6(C)(2). Refer to Chapter 4 Uses for permitted uses.

<b>m</b> Ground Story	retail, service, office, craftsman industrial
<b>n</b> Upper Story	same as ground story
<b>o</b> Parking within Building	permitted fully in any basement and in rear of all stories
<b>p</b> Required Occupiable Space	40' deep on all full stories from the front facade

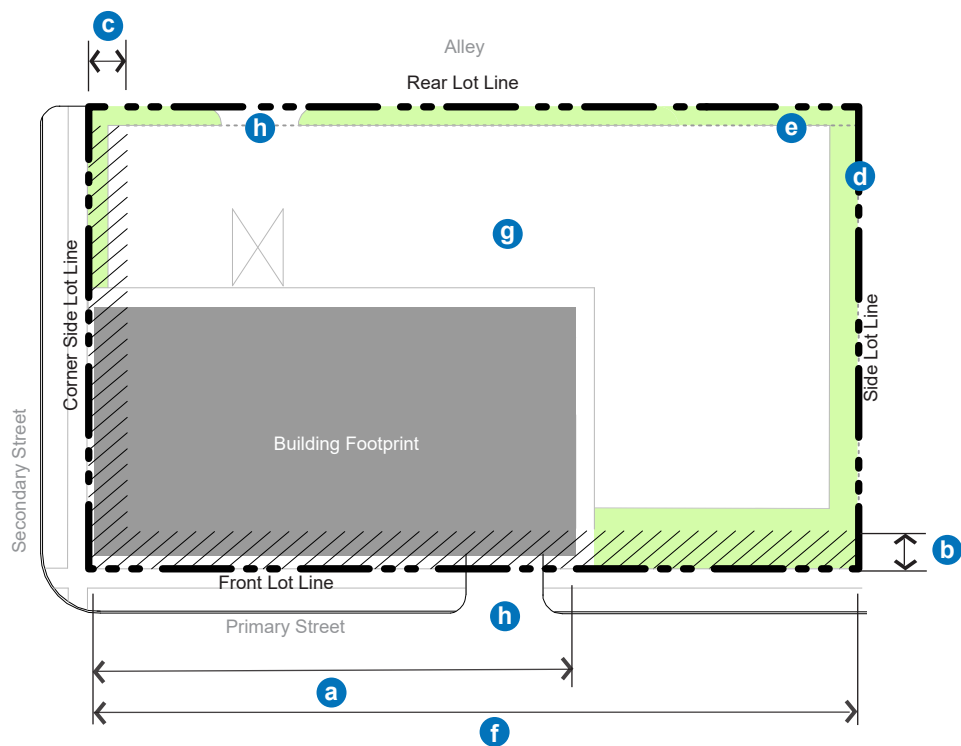
##### 4 Street Facade Requirements Refer to Figure 5.6(C)(3)

<b>q</b> Minimum Ground Story Transparency	65%
Transparency requirements apply to street frontages AND frontages to side and rear parking	
<b>r</b> Minimum Transparency per each Story	35%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)
<b>s</b> Front Facade Entrance Type	storefront, arcade
<b>t</b> Principal Entrance Location	front or corner facade
Required Number of Street Entrances	1 per each 100' of front facade
Vertical Facade Divisions	every 50' of facade width
Horizontal Facade Divisions	required within 3' of the top of the ground story

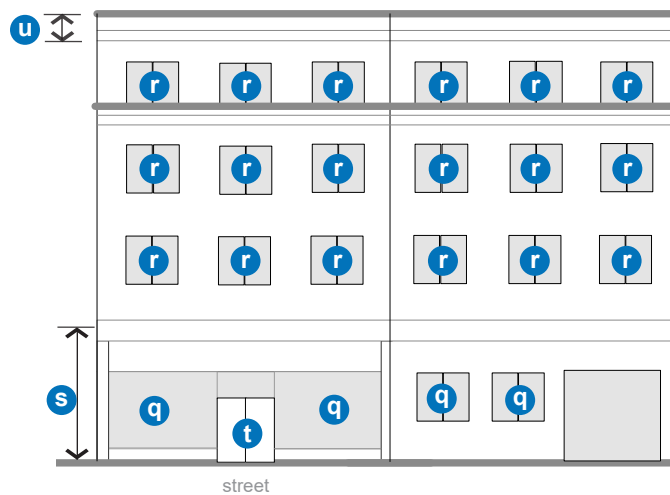
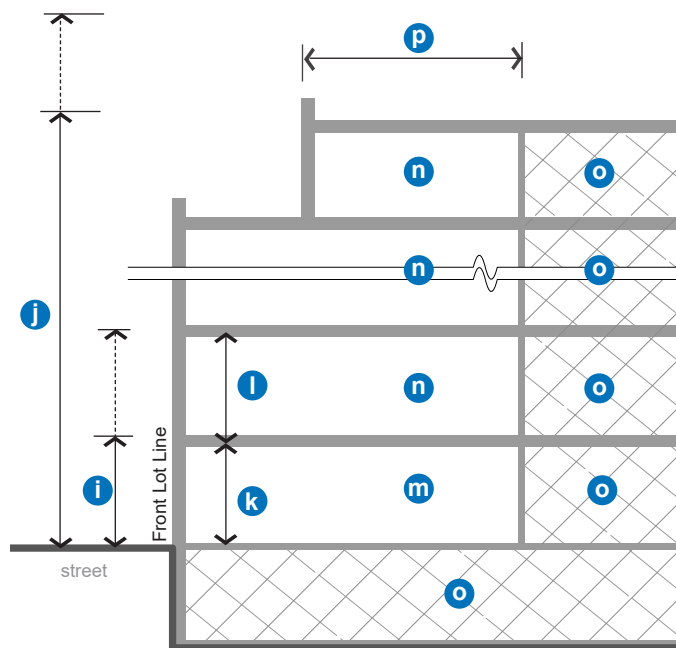
##### 5 Roof Type Requirements Refer to Figure 5.6(C)(3)

<b>u</b> Permitted Roof Types	parapet, flat, pitched
Tower	permitted, excluded from maximum story





**Figure 5.6(C)(1) Mid Scale Shop Building: Building Siting**



# 5.0 Buildings

## 5.6(D) Townhome Building

### 1. Description and Intent

The Townhome Building Type is typically comprised of multiple vertical units, each with its own entrance to the street. This Building Type may be organized as townhouses or rowhouses, or it could also incorporate live/work units where permitted.

Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garaged accessed from the rear of the building. However, when the garage is located within the building, a minimum level of living space is required on the front facade to ensure that the street facade is active.

### 2. Regulations

Regulations for the Townhome Building Type are defined in the adjacent table.

#### Notes:

<sup>1</sup> For the purposes of the Townhome Building, a building consists of a series of units. When permitted, multiple buildings may be located on a lot with the minimum required space between them. However, each building shall meet all requirements of the Building Type unless otherwise noted.

<sup>2</sup> Each building (or series of townhome units) shall meet the front property line coverage requirement, except one of every five townhome units may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.

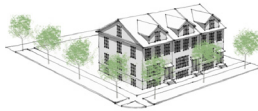
<sup>3</sup> When the storefront entrance type is utilized, the maximum ground story transparency for the unit is 55% as measured between two feet and eight feet above grade.

<sup>4</sup> The storefront entrance type is permitted only on corners or buildings that are designated for live/work units.

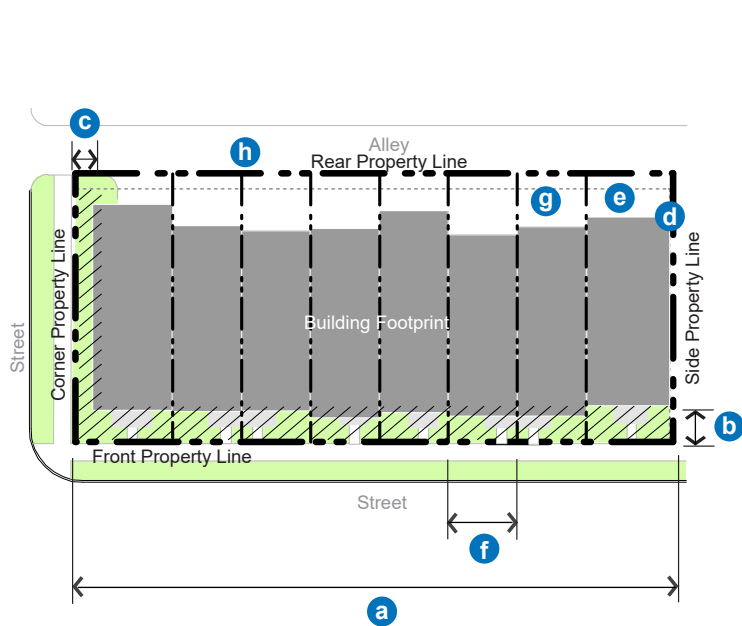
<sup>5</sup> For Live/Work units only, otherwise ground story shall be residential.

<sup>6</sup> Three stories will be allowed only if it is located at least 100 feet from single story residential buildings. This will be measured from the property line of the single story building to the nearest wall of the three story building.

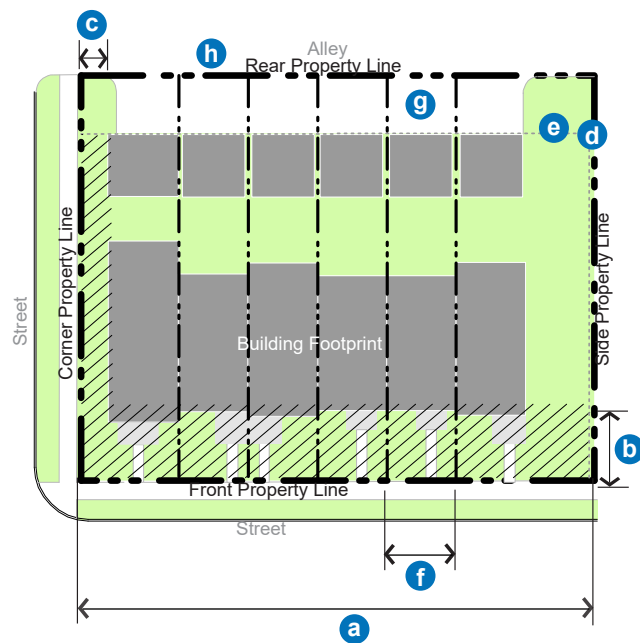
\* Subject to review for compliance with line of sight requirements.



		Permitted Subdistricts			
		Core A	General A	Edge A	Edge C
Townhome Building Type Table					
1 Building Siting* Refer to Figure 5.6(D)(1)					
Multiple Principal Buildings		permitted <sup>1</sup>	permitted <sup>1</sup>	permitted <sup>1</sup>	permitted <sup>1</sup>
a	Front Property Line Coverage	75% <sup>2</sup>	65% <sup>2</sup>	75% <sup>2</sup>	75% <sup>2</sup>
Occupation of Corner		required	required	required	required
b	Front Build-to Zone	5' to 10'	5' to 15' <sup>4</sup>	5' to 10'	5' to 15' <sup>4</sup>
c	Corner Build-to Zone	5' to 10'	5' to 15'	5' to 10'	5' to 15'
d	Minimum Side Yard Setback	0' per unit, 10' between buildings	0' per unit, 15' between buildings	0' per unit, 10' between buildings	0' per unit, 15' between buildings
e	Minimum Rear Yard Setback	5'	10'	5'	10'
f	Minimum Unit Width Maximum Building Width	18' per unit maximum of 10 units per building	22' per unit maximum of 12 units per building	18' per unit maximum of 10 units per building	18' per unit maximum of 10 units per building
Maximum Impervious Coverage Additional Semi-Pervious Coverage		90% 10%	80% 20%	90% 10%	70% 20%
g	Parking and Loading Location	rear yard	rear and side yard <sup>1</sup>	rear yard	rear yard
h	Vehicular Access	alley or one driveway per building per street frontage (not per unit)			
2 Height Refer to Figure 5.6(D)(2)					
i	Minimum Overall Height	2 stories	2 stories	2 stories	1.5 stories
j	Maximum Overall Height	3 stories	3 stories	3 stories	3 stories <sup>6</sup>
k	All Stories: Minimum Height Maximum Height	9' 14'			
3 Uses Refer to Figure 5.6(D)(2). Refer to Chapter 4 Uses for permitted uses.					
m	Ground Story	residential, service, office, limited craftsman industrial <sup>5</sup>	residential, service, office, limited craftsman industrial <sup>5</sup>	residential	residential
n	Upper Story	residential only			
o	Parking within Building	permitted fully in any basement and in rear of first story			
p	Required Occupiable Space	30' deep on all full stories from the front facade			
4 Street Facade Requirements Refer to Figure 5.6(D)(3)					
q	Minimum Ground Story Transparency Transparency requirements apply to street frontages AND frontages for live/work parking.	75%	65% front and corner-side	75%	65% front and corner-side
r	Minimum Transparency per each Story	25%	20%	25%	25%
Blank Wall Limitations		required per story, refer to Section 5.2.4 (2)			
s	Front Facade Entrance Type	stoop, porch, arcade, storefront <sup>3,4</sup>			
t	Principal Entrance Location	front or corner facade			
Vertical Facade Divisions		equal to unit width			
Horizontal Facade Divisions		required within 3' of the top of the ground story			
5 Roof Type Requirements Refer to Figure 5.6(D)(3)					
u	Permitted Roof Types	parapet, pitched, flat			
Tower		not permitted			



Site Plan with Rear Access Attached Garage



Site Plan with Rear Yard and Detached Garage

Figure 5.6(D)(1) Townhome Building: Building Siting

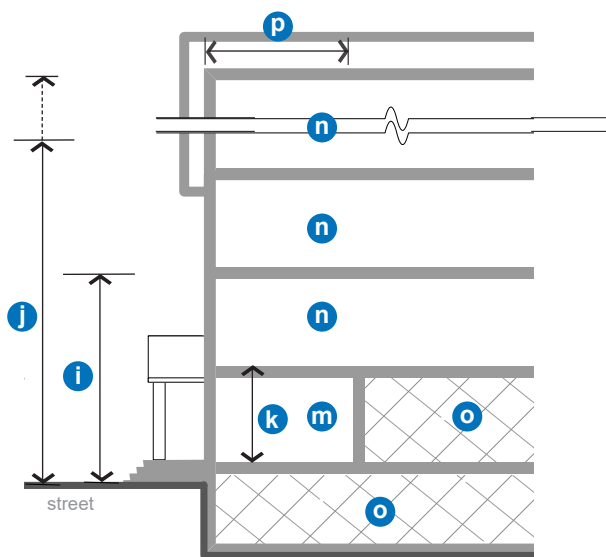


Figure 5.6(D)(2) Townhome Building: Height and Use Requirements

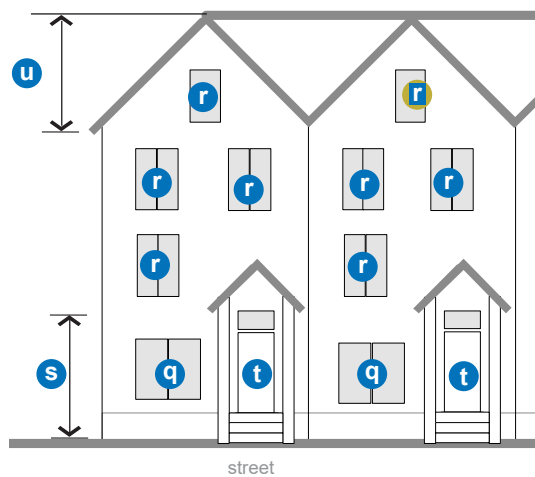


Figure 5.6(D)(3) Townhome Building: Street Facade Requirements

# 5.0 Buildings

## 5.6(E) Yard Building

### 1. Description and Intent

The Yard Building Type is a residential building, incorporating a landscaped yard surrounding all sides of the building. Parking and garages are limited to the rear yard with preferred access from an alley.

The Yard Building Type can be utilized in newly developing locations to create somewhat denser traditional neighborhoods, or as a buffer to existing neighborhoods.

A Pocket Court configuration is permitted with this Building Type. This configuration places a group of buildings in a “U” shape, with a shared greenspace or courtyard surrounded by the building frontages. Typically these units do not have a built-in garage. See examples below.



Pocket Court Example

### 2. Regulations

Regulations for the Yard Building Type are defined in the adjacent table.

#### Notes

<sup>1</sup> Each building shall meet all requirements of the Building Type.

<sup>2</sup> When multiple buildings are located on a single lot, each building shall meet the front property line coverage requirement, except one of every three buildings may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.

<sup>3</sup> Rear yard setback for detached garages on alleys is three feet.

<sup>4</sup> Garages shall not extend forward of the front face of the primary structure. A garage door is visible from the public street should blend with the façade and architectural elements of the structure. Driveway curb-cuts shall be sized for a single-car width, ten feet (10') maximum and the driveway width shall not increase until the driveway extends beyond the front setback.



#### Permitted Districts

Edge C

#### Yard Building Type Table

##### 1 Building Siting Refer to Figure 5.6(E)(1)

Multiple Principal Buildings	permitted <sup>1</sup>
<b>a</b> Front Property Line Coverage	65% <sup>2</sup>
Occupation of Corner	required
<b>b</b> Front Setback	10'
<b>c</b> Corner Setback	8'
<b>d</b> Minimum Side Yard Setback	5'
<b>e</b> Minimum Rear Yard Setback	15' <sup>3</sup>
<b>f</b> Minimum Lot Width Maximum Lot Width	30' 50'
Maximum Impervious Coverage Additional Semi-Pervious Coverage	70% 25%
<b>g</b> Parking	rear and side yard
<b>h</b> Vehicular Access	from alley (if no alley exists, 1 driveway per street frontage <sup>4</sup> )

##### 2 Height Refer to Figure 5.6(E)(2)

<b>i</b> Minimum Overall Height	1.5 story
<b>j</b> Maximum Overall Height	2 stories
<b>k</b> All Stories: Minimum Height Maximum Height	9' 14'

##### 3 Uses Refer to Figure 5.6(E)(2) Refer to Chapter 4 Uses for permitted uses.

<b>m</b> All Stories	residential
<b>o</b> Parking within Building	permitted in rear of ground story
<b>p</b> Required Occupiable Space	30' deep on all full stories from the front facade

##### 4 Street Facade Requirements Refer to Figure 5.6(E)(3)

<b>r</b> Minimum Transparency per each Story	20%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)
<b>s</b> Front Facade Entrance Type	stoop, porch
<b>t</b> Principal Entrance Location per unit	front, corner, or corner side facade

##### 5 Roof Type Requirements Refer to Figure 5.6(E)(3)

<b>u</b> Permitted Roof Types	parapet, pitched, flat
-------------------------------	------------------------

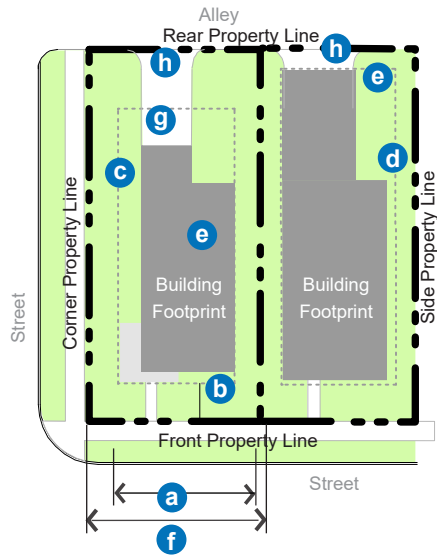


Figure 5.6(E)(1) Yard Building: Building Siting

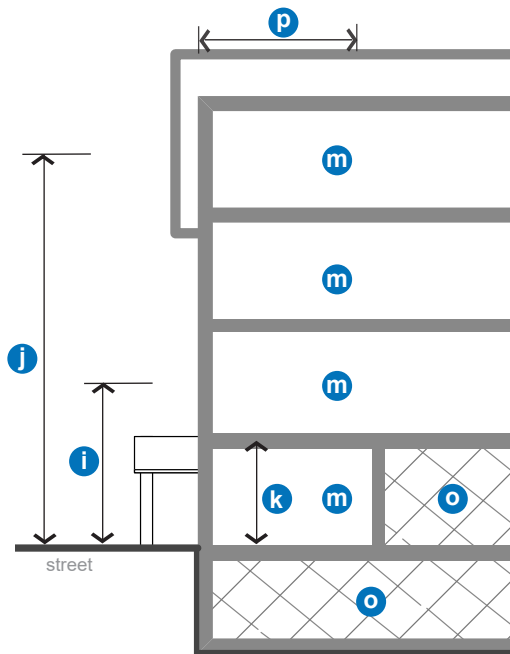


Figure 5.6(E)(2) Yard Building: Height and Use Requirements

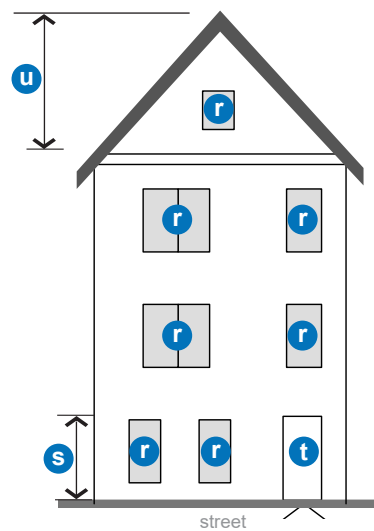


Figure 5.6(E)(3) Yard Building: Street Facade Requirements

# 5.0 Buildings

## 5.6(F) Civic Building

### 1. Description and Intent

The Civic Building Type is the most flexible Building Type intended only for civic and institutional types of uses. These buildings are distinctive and could be designed as iconic structures. In contrast to other Building Types, a minimum setback line is required instead of a build to zone, though this setback is required to be landscaped. Parking is limited to the rear in most cases.

The minimum and maximum heights of this Building Type depend on the district within which it is located.

### 2. Regulations

Regulations for the Civic Building Type are defined in the adjacent table.

#### Notes

<sup>1</sup> Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

<sup>2</sup> Additional setback distance is permitted if utilized as public space, outdoor dining, and/or outdoor seating.

<sup>3</sup> If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

\* Subject to review for compliance with line of sight requirements.



		Permitted Subdistricts				
		Core A	Historic Core	General A	Edge A	Edge B
Civic Building Type Table						
1 Building Siting* Refer to Figure 5.6(F)(1)						
Multiple Principal Buildings		permitted			not permitted	
a	Front Property Line Coverage	90%	80% <sup>1</sup>	70% <sup>1</sup>	70% <sup>1</sup>	70% <sup>1</sup>
	Occupation of Corner	required	required	permitted	permitted	permitted
b	Front Build-to Zone	0' to 10' <sup>2</sup>	0' to 10' <sup>2</sup>	10' to 20' <sup>2</sup>	0' to 10' <sup>2</sup>	0' to 15' <sup>3</sup>
c	Corner Build-to Zone	0' to 5'	0' to 10'	0' to 15'	0' to 5'	0' to 15'
d	Minimum Side Yard Setback	5'	5'	5'	5'	5'
e	Minimum Rear Yard Setback	5'	10'	20'	5'	5'
f	Minimum Lot Width	none	none	none	none	none
	Maximum Lot Width	none	none	none	none	none
	Maximum Impervious Coverage	75%	75%	65%	75%	75%
	Additional Semi-Pervious Coverage	25%	20%	20%	25%	25%
g	Parking and Loading Location	rear	rear	rear and side yard <sup>2</sup>	rear	rear
h	Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)				
2 Height Refer to Figure 5.6(F)(2)						
i	Minimum Overall Height	2 story				
j	Maximum Overall Height	4 stories	4 stories	4 stories	4 stories	4 stories
k	Ground Story: Minimum Height	14' <sup>3</sup>	14' <sup>3</sup>	14' <sup>3</sup>	14' <sup>3</sup>	14' <sup>3</sup>
	Maximum Height	28'	28'	28'	28'	28'
l	Upper Stories: Minimum Height	10'	10'	10'	10'	10'
	Maximum Height	14'	14'	14'	14'	14'
3 Uses Refer to Figure 5.6(F)(2) Refer to Chapter 4 Uses for permitted uses.						
m	Ground Story	civic and commercial uses				
n	Upper Story	civic and commercial uses				
o	Parking within Building	permitted fully in any basement and in rear of upper stories				
p	Required Occupiable Space	30' deep on all full stories from the front facade				
4 Street Facade Requirements Refer to Figure 5.6(F)(3)						
q	Minimum Ground Story Transparency	55%	55%	50%	55%	55%
	Transparency requirements apply to street frontages AND parking lot frontages					
r	Minimum Transparency per each Story	30%	25%	20%	30%	25%
	Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)				
s	Front Facade Entrance Type	arcade, storefront, stoop				
t	Principal Entrance Location	front or corner facade				
	Required Number of Street Entrances	1 per each 100' of front facade				
	Vertical Facade Divisions	not required				
	Horizontal Facade Divisions	not required				
5 Roof Type Requirements Refer to Figure 5.6(F)(3)						
u	Permitted Roof Types	parapet,flat, pitched				
v	Tower	parapet,flat, pitched				



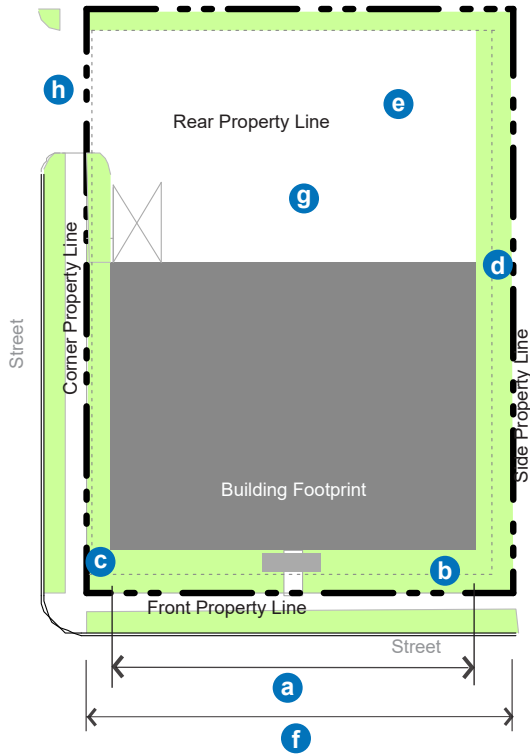


Figure 5.6(F)(1) Civic Building:  
Building Siting

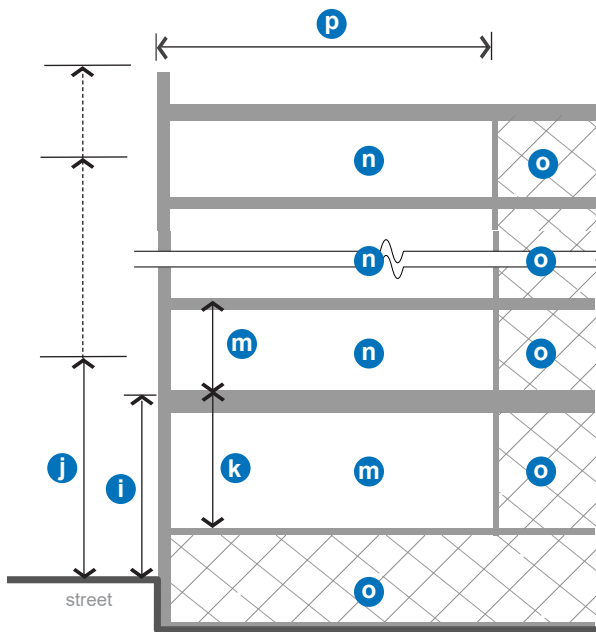


Figure 5.6(F)(2) Civic Building: Height and Use Requirements

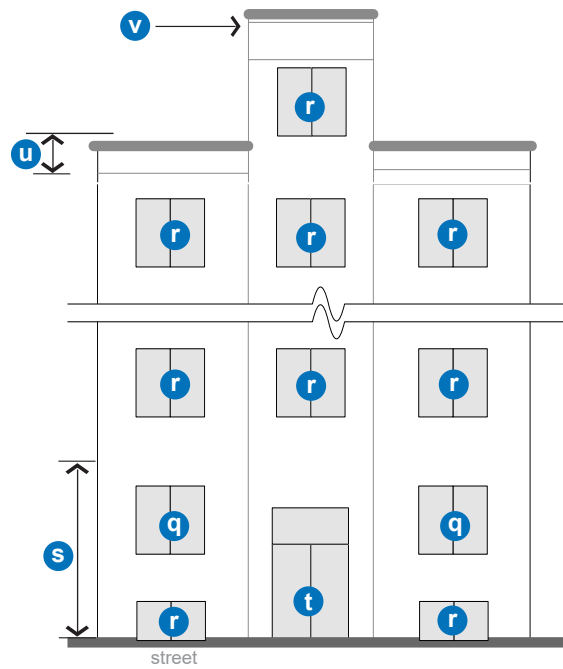


Figure 5.6(F)(3) Civic Building: Street Facade Requirements

# 5.0 Buildings

## 5.6(G) Limited Bay

### 1. Description & Intent

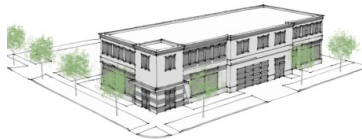
The Limited Bay Building Type permits a lower level of ground floor storefront facade and a single vehicle bay with garage door access on the Primary Street. A wider range of uses can also be accommodated within this Building Type, including craftsman industrial uses. This Building Type is still intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders, and continuing the fabric of the Storefront Building Type.

### 2. Regulations

Regulations for the Limited Bay Building Type are defined in the adjacent table.

#### Notes

1. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
2. Upper stories above the third story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.
3. If 18 feet or more in height, ground story shall count as two stories towards maximum building height.



#### Permitted Districts

Edge B

#### Limited Bay Building Type Table

1 Building Siting* Refer to Figure 5.6(G)(1)	
Multiple Principal Buildings	not permitted
<b>a</b> Front Property Line Coverage	75% <sup>1</sup>
Occupation of Corner	permitted
<b>b</b> Front Build to Zone	0' to 15'
<b>c</b> Corner Build to Zone	0' to 10'
<b>d</b> Minimum Side Yard Setback	0'
<b>e</b> Minimum Rear Yard Setback	5'
Minimum Lot Width	none
<b>f</b> Maximum Lot Width	none
Maximum Impervious Coverage	75%
Additional Semi-Pervious Coverage	20%
<b>g</b> Parking & Loading	rear & side yard
<b>h</b> Street Facade Service Bay Entrance	limited to one per street facade, maximum width 18'
<b>i</b> Vehicular Access	From alley; if no alley exists, 1 driveway per street frontage
2 Height Refer to Figure 5.6(G)(2).	
<b>j</b> Minimum Overall Height	1 story
<b>k</b> Maximum Overall Height	3 stories <sup>2</sup>
<b>l</b> Ground Story: Minimum Height	14'
Maximum Height	24' <sup>3</sup>
<b>m</b> Upper Stories: Minimum Height	9'
Maximum Height	14'
3 Uses Refer to Figure 5.6(G)(2). Refer to 4.0 Uses for permitted uses.	
<b>n</b> Ground Story	retail, service, office, craftsman industrial
<b>o</b> Upper Story	any permitted use
<b>p</b> Parking within Building	permitted fully in basement and in rear of upper floors plus one service bay width at ground floor
<b>q</b> Required Occupied Space	30' deep on all full floors from the front facade
(4) Street Facade Requirements Refer to Figure 5.6(G)(3).	
<b>s</b> Minimum Ground Story Transparency Measured between 2' and 8' above grade	65% , Service Bay door shall be a minimum of 50% transparent
Minimum Transparency per each Story	15%
<b>t</b> Blank Wall Limitations	required per floor
<b>u</b> Front Facade Entrance Type	storefront, stoop
Principal Entrance Location	front or corner facade
Required Number of Street Entrances	1 per 100' of facade; service bay door not included
Vertical Facade Divisions	every 50' of facade width
Horizontal Facade Divisions	required within 3' of the top of the ground story for all buildings over 2 stories
(5) Roof Type Requirements Refer to Figure 5.6(G)(3).	
Permitted Roof Types	parapet, flat
Tower	not permitted

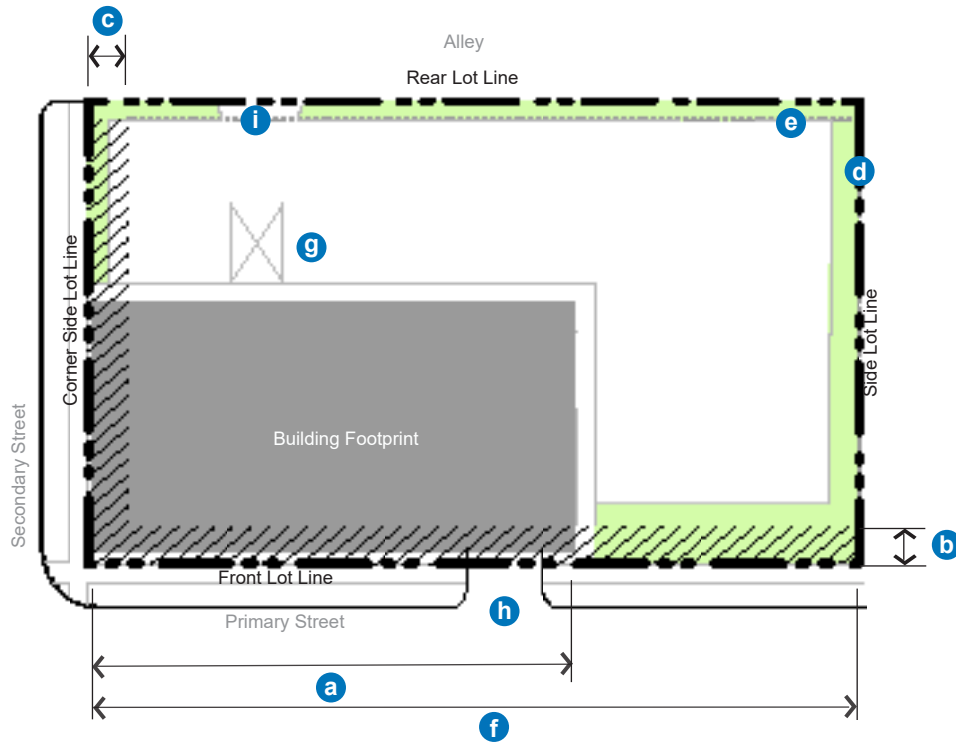


Figure 5.6(G)(1). Limited Bay Building: Building Siting.

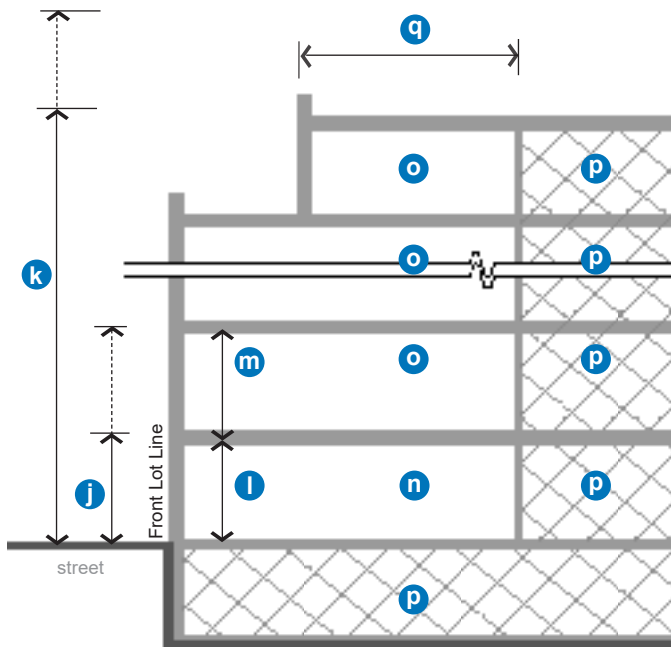


Figure 5.6(G)(2). Limited Bay Building: Height & Use Requirements.

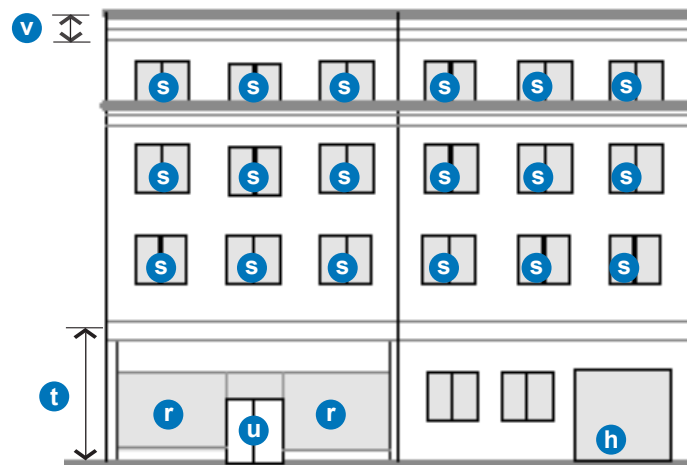


Figure 5.6(G)(3). Limited Bay Building: Street Facade Requirements.

# 5.0 Buildings

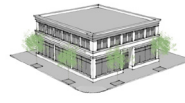
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# 5.7 South Downtown District Building Type Tables

Building Types by Districts and Subdistricts						
		South Downtown District				
		Subdistrict				
		Business Core	Historic Residential	Warehouse District	Edge B	River Edge
Building Types	Storefront	•		•	•	
	General Stoop	•		•	•	
	Mid Scale Shop	•		•		
	Townhome Building	•	•	•		
	Yard Building		•			
	Civic Building	•		•	•	•
	Limited Bay	•		•	•	

• = Permitted

# 5.0 Buildings



## 5.7(A) Storefront Building

### 1. Description and Intent

The Storefront Building is intended for use as a mixed use building located close to the front property line with parking typically in the rear or side of the lot.

The key facade element of this Building Type requires a ground floor front facade, with large amounts of glass and regularly spaced entrances. This Building Type is encouraged near intersections.

This Building Type is available in a variety of intensities, depending on the Subdistrict within which it is located.

### 2. Regulations

Regulations for the Storefront Building Type are defined in the adjacent table.

#### Notes

1. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
2. Above the third story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet adjacent to historic residential.
3. If 18 feet or more in height, ground story shall count as two stories towards maximum building height.
4. Additional setback distance is permitted at the discretion of the zoning administrator and his or her designee if utilized as public space, outdoor dining, and/or outdoor seating.

\* Subject to review for compliance with line of sight requirements.

#### Permitted Subdistricts

Business Core

Warehouse District

Edge B

#### Storefront Building Type Table

##### 1 Building Siting\* Refer to Figure 5.7(A)(1)

Multiple Principal Buildings	permitted	permitted	not permitted
<b>a</b> Front Property Line Coverage	70% <sup>1</sup>	70% <sup>1</sup>	70% <sup>1</sup>
Occupation of Corner	required	permitted	permitted
<b>b</b> Front Build-to Zone	0' to 10' <sup>4</sup>	0' to 15' <sup>4</sup>	0' to 15' <sup>4</sup>
<b>c</b> Corner Build-to Zone	0' to 10'	0' to 15'	0' to 15'
<b>d</b> Minimum Side Yard Setback	0'	0'	0'
<b>e</b> Minimum Rear Yard Setback	5'	5'	5'
<b>f</b> Minimum Lot Width Maximum Lot Width	none none	none none	none none
Maximum Impervious Coverage Additional Semi-Pervious Coverage	75% 25%	75% 15%	75% 25%
<b>g</b> Parking and Loading Location	rear and side yard <sup>1</sup>		
<b>h</b> Vehicular Access	alley, lane, access lane: if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee		

##### 2 Height Refer to Figure 5.7(A)(2)

<b>i</b> Minimum Overall Height	1 story	2 story	1 story
<b>j</b> Maximum Overall Height	3 stories <sup>2</sup>	6 stories	2 stories
<b>k</b> Ground Story: Minimum Height Maximum Height	14' 28' <sup>3</sup>	14' 28' <sup>3</sup>	14' 28' <sup>3</sup>
<b>l</b> Upper Stories: Minimum Height Maximum Height	9' 14'	9' 14'	9' 14'

##### 3 Uses Refer to Figure 5.7(A)(2). Refer to Chapter 4 Uses for permitted uses.

<b>m</b> Ground Story	retail, service, office
<b>n</b> Upper Story	any permitted use
<b>o</b> Parking within Building	permitted fully in any basement and in rear of all stories
<b>p</b> Required Occupiable Space	30' deep on all full stories from the front facade

##### 4 Street Facade Requirements Refer to Figure 5.7(A)(3)

<b>q</b> Minimum Ground Story Transparency: Transparency requirements apply to street frontages AND frontages to side parking	75%	75%	75%
<b>r</b> Minimum Transparency per each Story	30%	30%	30%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)		
<b>s</b> Front Facade Entrance Type	storefront, arcade		
<b>t</b> Principal Entrance Location	front or corner facade		
Required Number of Street Entrances	1 per each 100' of front facade	1 per each 100' of front facade	1 per each 75' of front facade
Vertical Facade Divisions	every 30' of facade width	every 30' of facade width	every 25' of facade width
Horizontal Facade Divisions	required within 3' of the top of the ground story		

##### 5 Roof Type Requirements Refer to Figure 5.7(A)(3)

<b>u</b> Permitted Roof Types	parapet, flat	parapet, flat	parapet, flat
Tower	permitted, excluded from maximum story		



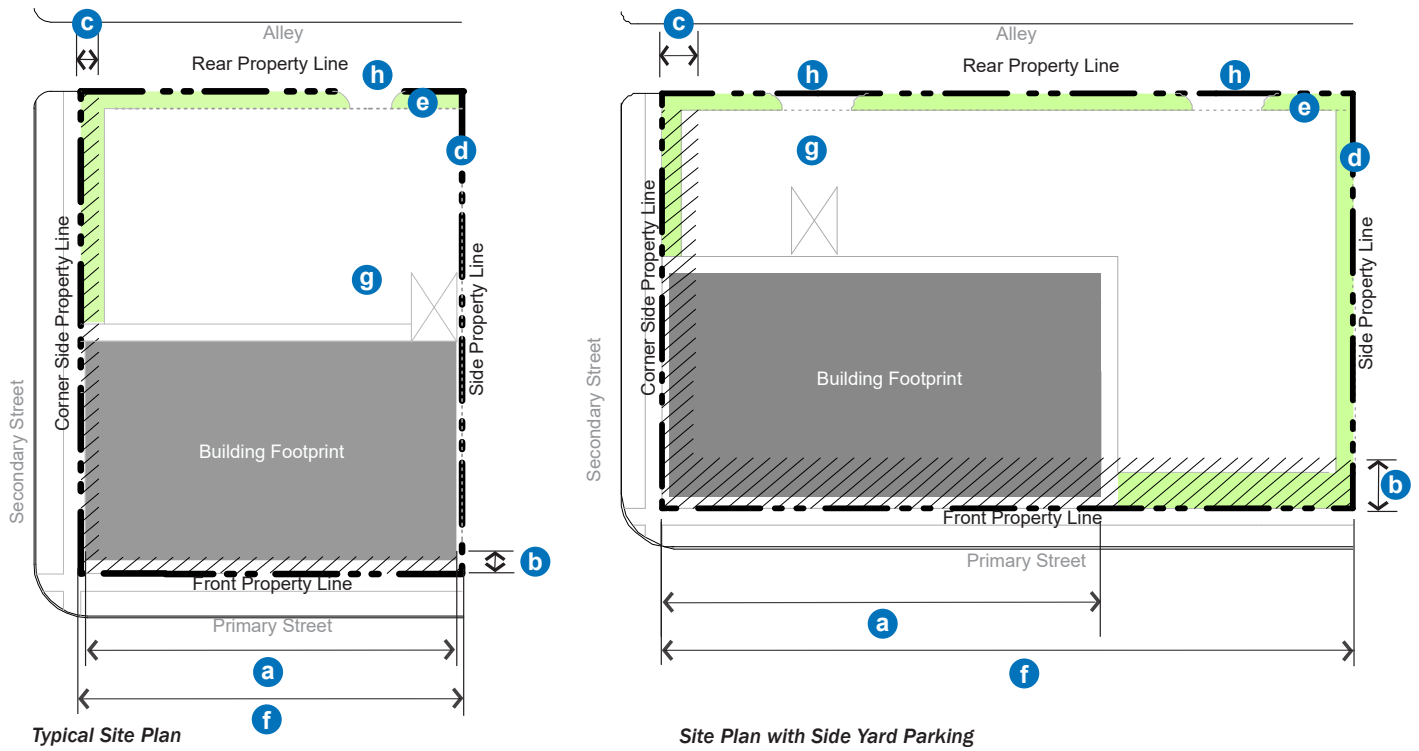


Figure 5.7(A)(1) Storefront Building: Building Siting.

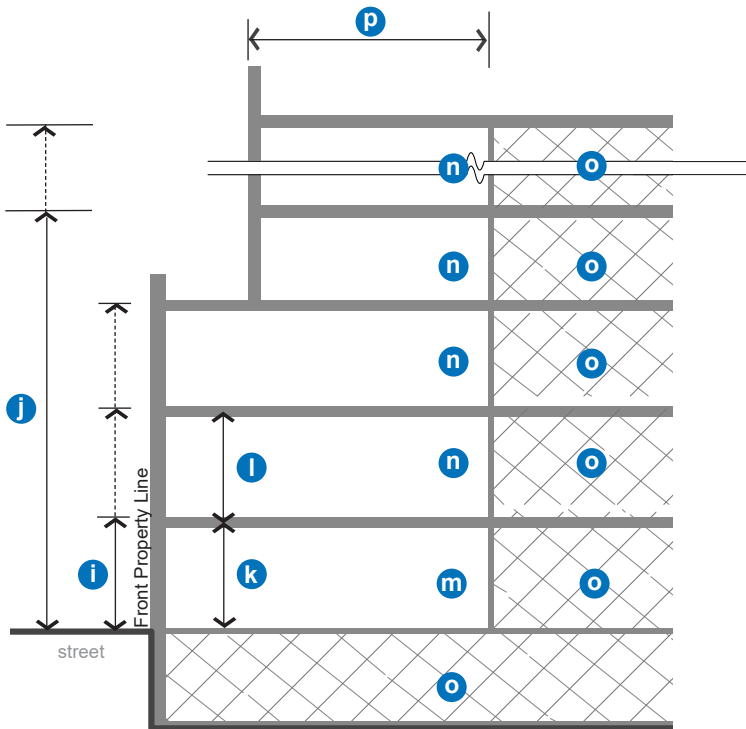


Figure 5.7(A)(2) Storefront Building: Height and Use Requirements

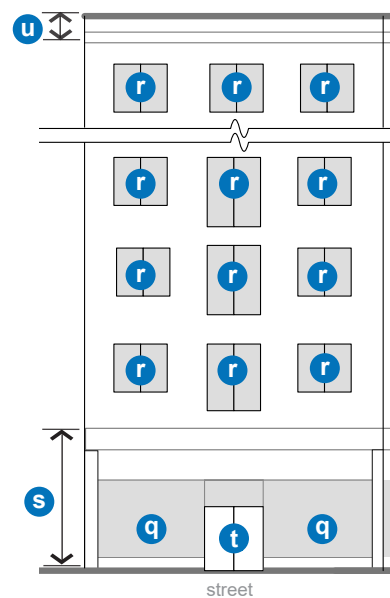


Figure 5.7(A)(3) Storefront Building: Street Facade Requirements

# 5.0 Buildings

## 5.7(B) General Stoop Building

### 1 Description and Intent

The General Stoop Building Type permits a range of building facades and can accommodate mixed uses or can be used strictly for residential. The General Stoop Building Type is intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one double loaded aisle of parking is permitted in the side yard property line. The minimum and maximum heights of this Building Type depend on the Subdistrict within which it is located.

Ground floor residential units should engage the street with pedestrian-welcoming frontages and direct access to the sidewalk. Ground floor residential units should relate to the street environment, but maintain a sense of ownership and a delineation of the transition from public to private. A step up or a step down is recommended.

### 2. Regulations

Regulations for the General Stoop Building Type are defined in the adjacent table.

#### Notes

1. A courtyard covering up to 35% of the front facade is permitted and may contribute to the Front Lot Line Coverage requirement.
2. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
3. Upper stories above the Third story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.

\* Subject to review for compliance with line of sight requirements.



#### Permitted Subdistricts

Business Core

Warehouse District

### General Stoop Building Type Table

#### 1 Building Siting\* Refer to Figure 5.7(B)(1)

Multiple Principal Buildings	permitted	permitted
<b>a</b> Front Property Line Coverage	75% <sup>1</sup>	75% <sup>1</sup>
Occupation of Corner	required	permitted
<b>b</b> Front Build-to Zone	0' to 10'	0' to 10'
<b>c</b> Corner Build-to Zone	5' to 10'	5' to 10'
<b>d</b> Minimum Side Yard Setback	0'	0'
<b>e</b> Minimum Rear Yard Setback	0'	10'
<b>f</b> Minimum Lot Width	none	none
Maximum Lot Width	none	none
Maximum Impervious Coverage	80%	75%
Additional Semi-Pervious Coverage	20%	15%
<b>g</b> Parking and Loading Location	rear and side yard	
<b>h</b> Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)	

#### 2 Height Refer to Figure 5.7(B)(2)

<b>i</b> Minimum Overall Height	1 stories	2 stories
<b>j</b> Maximum Overall Height	3 stories <sup>3</sup>	10 stories <sup>3</sup>
<b>k</b> Ground Story: Minimum Height	14'	14'
Maximum Height	28'	20'
<b>l</b> Upper Stories: Minimum Height	9'	9'
Maximum Height	14'	14'

#### 3 Uses Refer to Figure 5.7(B)(2). Refer to Chapter 4 Uses for permitted uses.

<b>m</b> Ground Story	any permitted use
<b>n</b> Upper Story	any permitted use
<b>o</b> Parking within Building	permitted fully in any basement and in rear of all stories
<b>p</b> Required Occupiable Space	30' deep on all full stories from the front facade

#### 4 Street Facade Requirements Refer to Figure 5.7(B)(3)

<b>q</b> Minimum Ground Story Transparency	65%	65%
Transparency requirements apply to street frontages and frontages to side and rear parking		
<b>r</b> Minimum Transparency per each Story	30%	30%
<b>s</b> Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)	
Front Facade Entrance Type	stoop, porch, storefront	stoop, porch, storefront
Principal Entrance Location	front or corner facade	front or corner facade
<b>t</b> Required Number of Street Entrances	1 per each 75' of front facade	
Vertical Facade Divisions	every 30' of facade width	
Horizontal Facade Divisions	required within 3' of the top of the ground story	

#### 5 Roof Type Requirements Refer to Figure 5.7(B)(3)

<b>u</b> Permitted Roof Types	parapet, flat	
<b>v</b> Tower	permitted	permitted, excluded from maximum story

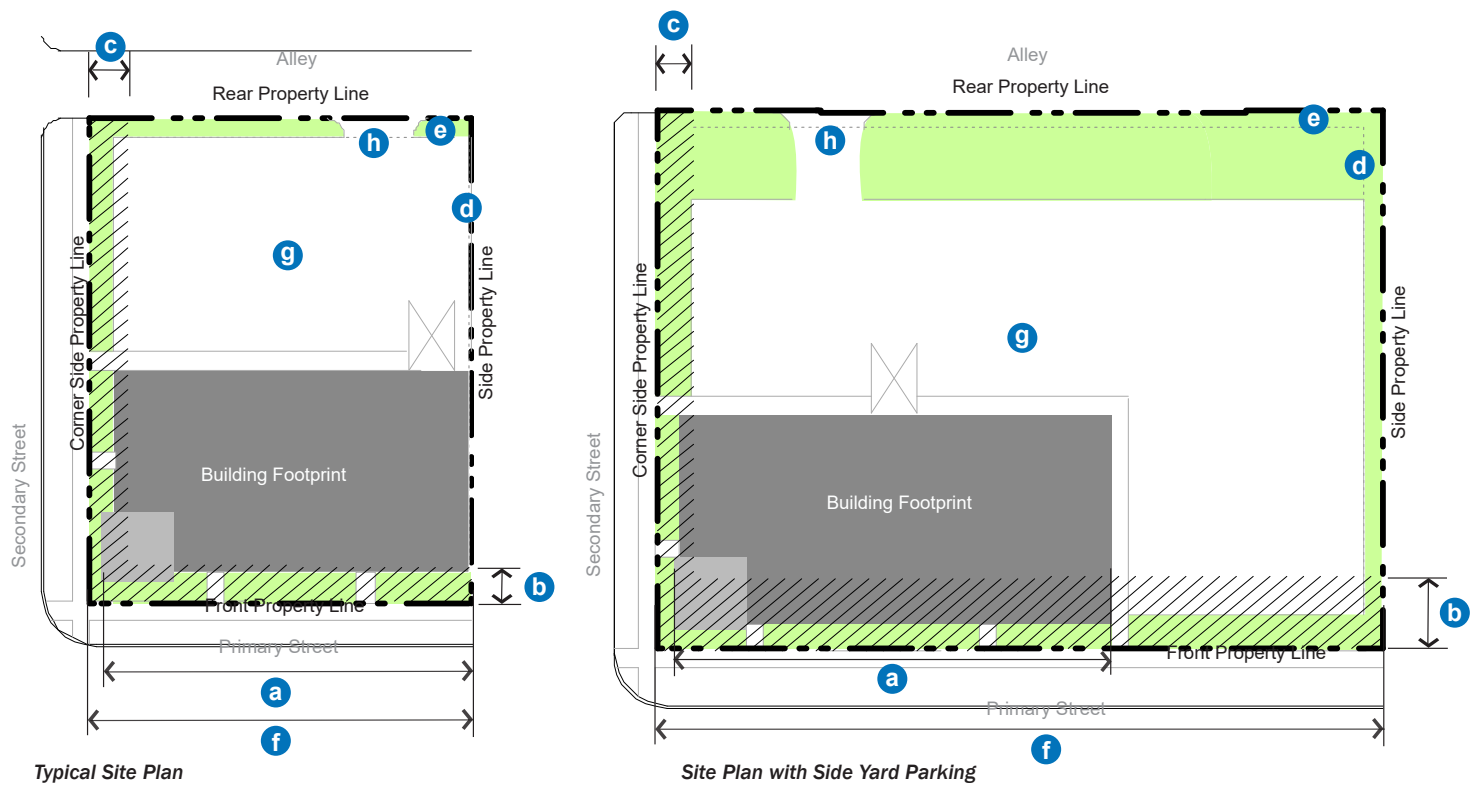


Figure 5.7(B)(1) General Stoop Building: Building Siting

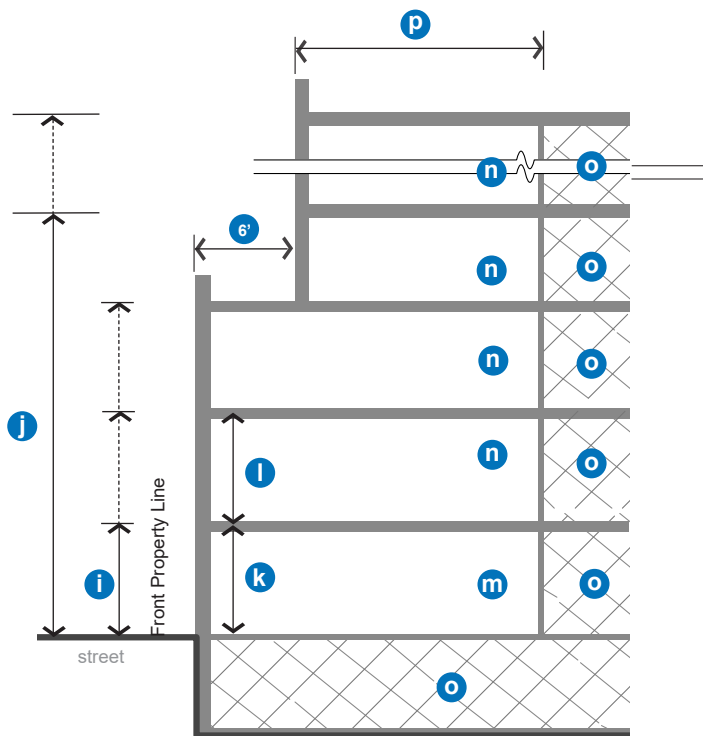


Figure 5.7(B)(2) General Stoop Building: Height and Use Requirements

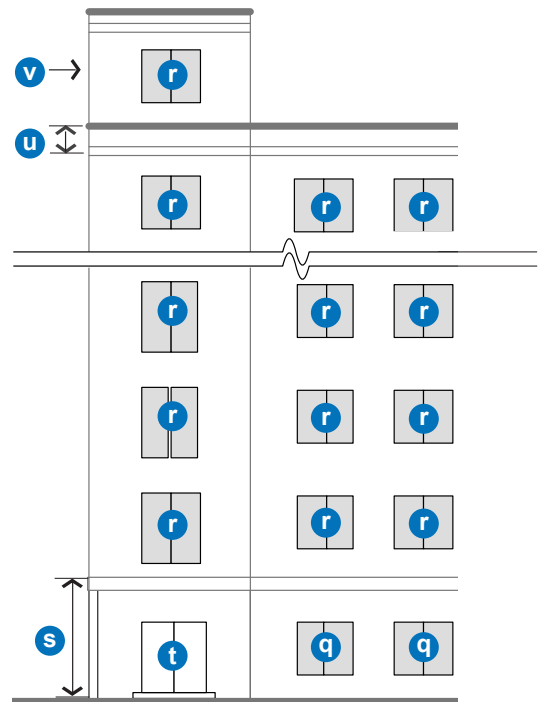


Figure 5.7(B)(3) General Stoop Building: Street Facade Requirements

# 5.0 Buildings

## 5.7(C) Mid Scale Shop Building

### 1. Description and Intent

The Mid Scale Shop Building Type permits a larger building footprint for a single use building with a ground floor storefront facade. The minimum sized building footprint of the Mid Scale Shop is forty thousand square feet (40,000 ft<sup>2</sup>). If a building is to have a smaller footprint then it will not be considered or approved as a Mid Scale Shop.

This Building Type is still intended to be built close to the front and corner property lines allowing easy access to pedestrians and transit riders. Parking may be permitted in the rear of the lot, internally in the building, or one double loaded aisle of parking is permitted in the interior or the side yard at the front property line.

Materials and facade articulation should ensure these structures contribute positively to the public realm and the aesthetic goals of the district.

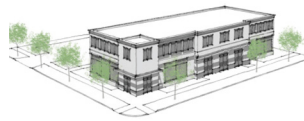
### 2. Regulations

Regulations for the Mid Scale Shop Building Type are defined in the adjacent table.

#### Notes

1. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
2. If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

\* Subject to review for compliance with line of sight requirements.



#### Permitted Subdistricts

Warehouse District

#### Mid Scale Shop Building Type Table

##### 1 Building Siting\* Refer to Figure 5.7(C)(1)

Multiple Principal Buildings	not permitted
<b>a</b> Front Property Line Coverage	85% <sup>1</sup>
Occupation of Corner	Required
<b>b</b> Front Build-to Zone	0' to 15'
<b>c</b> Corner Build-to Zone	0' to 10'
<b>d</b> Minimum Side Yard Setback	5'
<b>e</b> Minimum Rear Yard Setback	5'
<b>f</b> Minimum Lot Width	150'
Maximum Lot Width	none
Maximum Impervious Coverage	75%
Additional Semi-Pervious Coverage	20%
<b>g</b> Parking and Loading Location	rear and side yard
<b>h</b> Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)

##### 2 Height Refer to Figure 5.7(C)(2)

<b>i</b> Minimum Overall Height	1 story
<b>j</b> Maximum Overall Height	3 stories*
<b>k</b> Ground Story: Minimum Height	14'
Maximum Height	28' <sup>2</sup>
<b>l</b> Upper Stories: Minimum Height	9'
Maximum Height	14'

##### 3 Uses Refer to Figure 5.7(C)(2). Refer to Chapter 4 Uses for permitted uses.

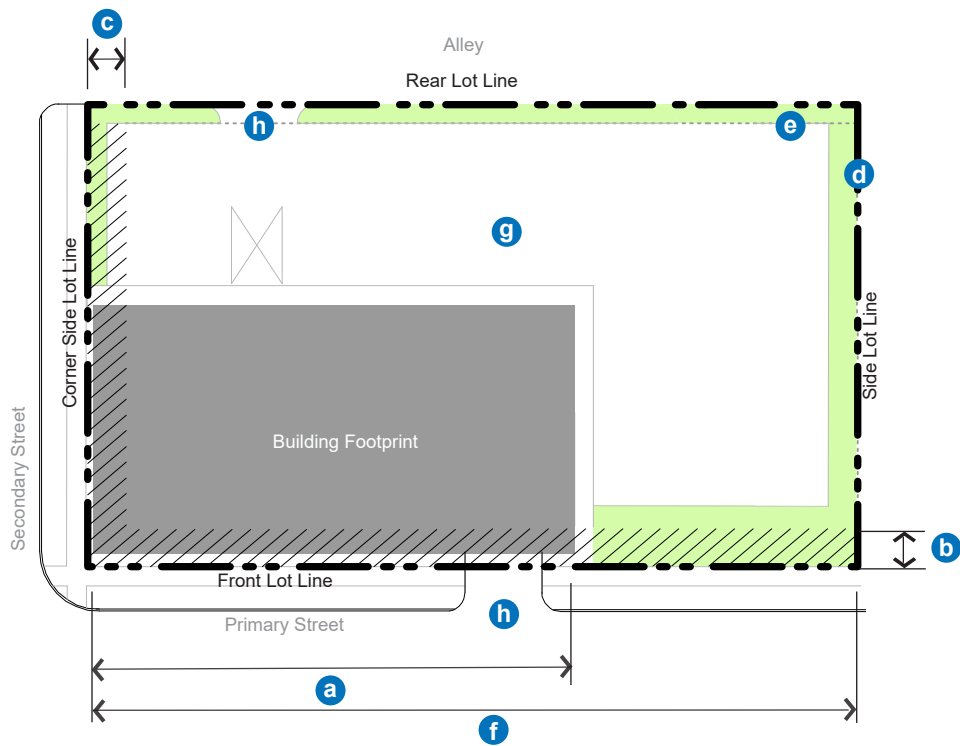
<b>m</b> Ground Story	retail, service, office, craftsman industrial
<b>n</b> Upper Story	retail, service, office, craftsman industrial
<b>o</b> Parking within Building	permitted fully in any basement and in rear of all stories
<b>p</b> Required Occupiable Space	40' deep on all full stories from the front facade

##### 4 Street Facade Requirements Refer to Figure 5.7(C)(3)

<b>q</b> Minimum Ground Story Transparency	65%
Transparency requirements apply to street frontages AND frontages to side and rear parking	
<b>r</b> Minimum Transparency per each Story	35%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)
<b>s</b> Front Facade Entrance Type	storefront, arcade
<b>t</b> Principal Entrance Location	front or corner facade
Required Number of Street Entrances	1 per each 100' of front facade
Vertical Facade Divisions	every 50' of facade width
Horizontal Facade Divisions	required within 3' of the top of the ground story

##### 5 Roof Type Requirements Refer to Figure 5.5(C)(3)

<b>u</b> Permitted Roof Types	parapet, flat
<b>v</b> Tower	permitted, excluded from maximum story



Typical Site Plan

Figure 5.7(C)(1) Mid Scale Shop Building: Building Siting

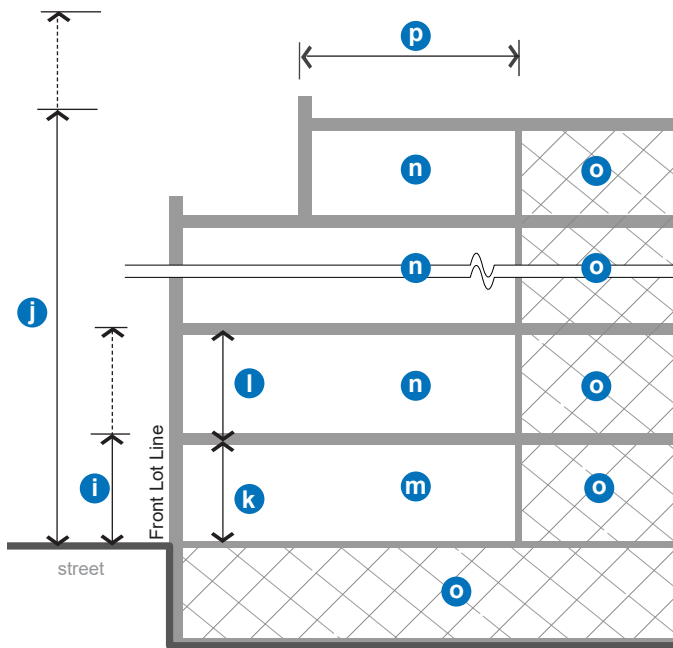


Figure 5.7(C)(2) Mid Scale Shop Building: Height and Use Requirements

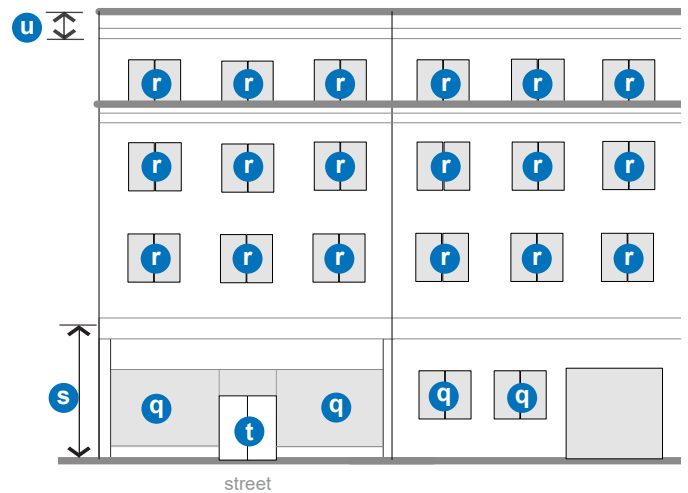


Figure 5.7(C)(3) Mid Scale Shop Building: Street Facade Requirements

# 5.0 Buildings

## 5.7(D) Townhome Building

### 1. Description and Intent

The Townhome Building Type is typically comprised of multiple vertical units, each with its own entrance to the street. This Building Type may be organized as townhouses or rowhouses, or it could also incorporate live/work units where permitted.

Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garaged accessed from the rear of the building. However, when the garage is located within the building, a minimum level of living space is required on the front facade to ensure that the street facade is active.

### 2. Regulations

Regulations for the Townhome Building Type are defined in the adjacent table.

Notes:

1. For the purposes of the Townhome Building, a building consists of a series of units. When permitted, multiple buildings may be located on a lot with the minimum required space between them. However, each building shall meet all requirements of the Building Type unless otherwise noted.
2. For courtyard developments the courtyard shall count toward the front property line coverage if it is adjacent to the front property line.
3. For Live/Work units only, otherwise ground story shall be residential.
4. Three stories will be allowed only if it is located at least 100 feet from single story residential buildings. This will be measured from the property line of the single story building to the nearest wall of the three story building.

\* Subject to review for compliance with line of sight requirements.



Warehouse

#### Townhome Building Type Table

##### 1 Building Siting\* Refer to Figure 5.7(D)(1)

Multiple Principal Buildings	permitted <sup>1</sup>
<b>a</b> Front Property Line Coverage	75% <sup>2</sup>
Occupation of Corner	required
<b>b</b> Front Build-to Zone	5' to 10'
<b>c</b> Corner Build-to Zone	5' to 10'
<b>d</b> Minimum Side Yard Setback	0' per unit, 10' between buildings
<b>e</b> Minimum Rear Yard Setback	10'
<b>f</b> Minimum Unit Width Maximum Building Width	22' per unit maximum of 12 units per building
Maximum Impervious Coverage Additional Semi-Pervious Coverage	70% 20%
<b>g</b> Parking and Loading Location	rear yard
<b>h</b> Vehicular Access	1 per building per street frontage

##### 2 Height Refer to Figure 5.7(D)(2)

<b>i</b> Minimum Overall Height	2 stories
<b>j</b> Maximum Overall Height	3 stories <sup>4</sup>
<b>k</b> All Stories: Minimum Height Maximum Height	9' 14'

##### 3 Uses Refer to Figure 5.7(D)(2). Refer to Chapter 4 Uses for permitted uses.

<b>m</b> Ground Story	residential, service, office, limited craftsman, retail <sup>3</sup>
<b>n</b> Upper Story	residential
<b>o</b> Parking within Building	basement, rear of first story
<b>p</b> Required Occupiable Space	30' deep on all full stories from front facade

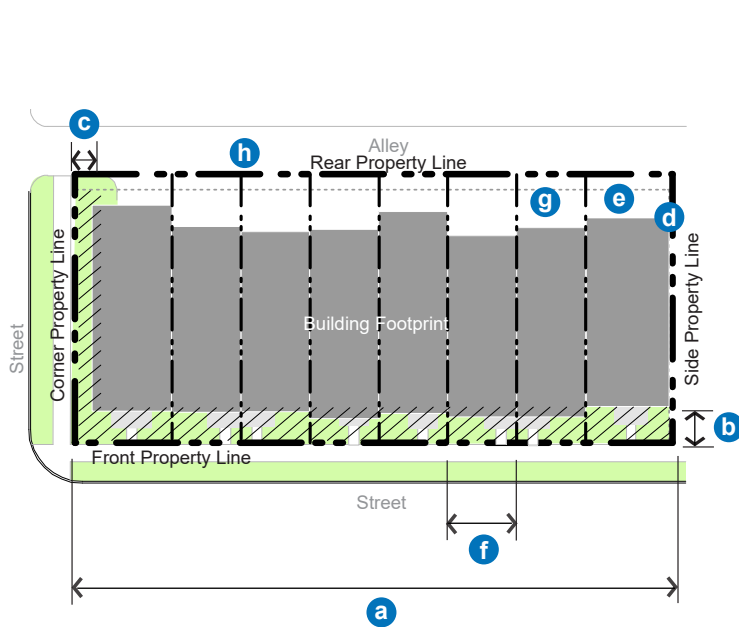
##### 4 Street Facade Requirements Refer to Figure 5.7(D)(3)

Minimum Ground Story Transparency	75%
<b>q</b> Transparency requirements apply to street frontages AND frontages for live/work parking.	
<b>r</b> Minimum Transparency per each Story	25%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)
<b>s</b> Front Facade Entrance Type	stoop, porch
<b>t</b> Principal Entrance Location	front or corner
Vertical Facade Divisions	equal to unit width
Horizontal Facade Divisions	required within 3' of the top of ground story

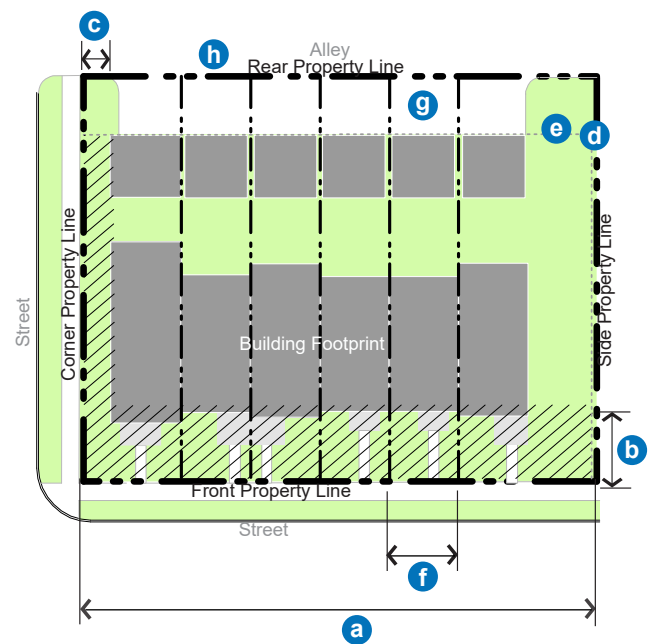
##### 5 Roof Type Requirements Refer to Figure 5.7(D)(3)

<b>u</b> Permitted Roof Types	pitched, flat, parapet
Tower	none





Site Plan with Rear Access Attached Garage



Site Plan with Rear Yard and Detached Garage

Figure 5.7(D)(1) Townhome Building: Building Siting

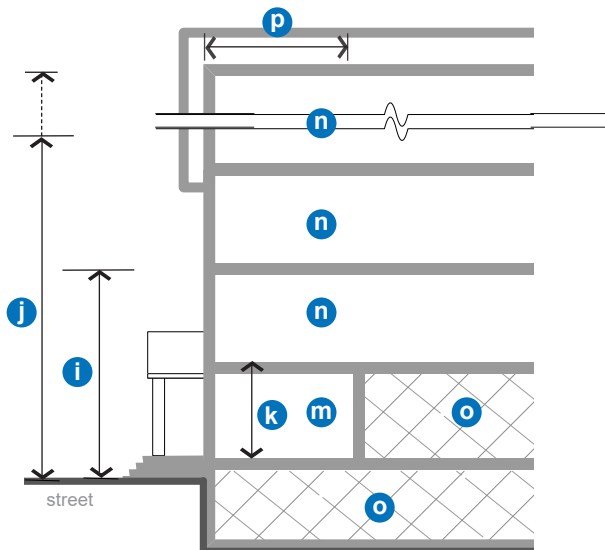


Figure 5.7(D)(2) Townhome Building: Height and Use Requirements

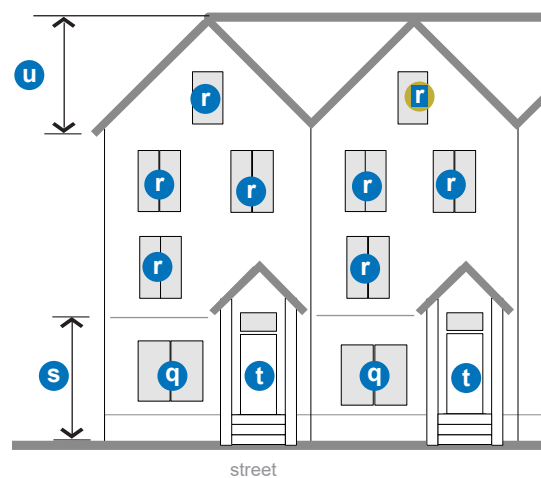


Figure 5.7(D)(3) Townhome Building: Street Facade Requirements

# 5.0 Buildings

## 5.7(E) Yard Building

### 1. Description and Intent

The Yard Building Type is a residential building, incorporating a landscaped yard surrounding all sides of the building. Parking and garages are limited to the rear yard with preferred access from an alley.

The Yard Building Type can be utilized in newly developing locations to create somewhat denser traditional neighborhoods, or as a buffer to existing neighborhoods.

A Pocket Court configuration is permitted with this Building Type. This configuration places a group of buildings in a “U” shape, with a shared greenspace or courtyard surrounded by the building frontages. Typically these units do not have a built-in garage. See examples below.



Pocket Court Example

### 2. Regulations

Regulations for the Yard Building Type are defined in the adjacent table.

#### Notes

- Each building shall meet all requirements of the Building Type.
- When multiple buildings are located on a single lot, each building shall meet the front property line coverage requirement, except one of every three buildings may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.
- Rear yard setback for detached garages on alleys is three feet.
- Garages shall not extend forward of the front face of the primary structure. A garage door which is visible from the public street should blend with the façade and architectural elements of the structure. Driveway curb-cuts shall be sized for a single-car width, ten feet (10') maximum and the driveway width shall not increase until the driveway extends beyond the front setback.



#### Permitted Districts

Historic Residential

#### Yard Building Type Table

##### 1 Building Siting Refer to Figure 5.7(E)(1)

Multiple Principal Buildings	permitted <sup>1</sup>
<b>a</b> Front Property Line Coverage	65% <sup>2</sup>
Occupation of Corner	required
<b>b</b> Front Setback	10'-15'
<b>c</b> Corner Setback	8'-10'
<b>d</b> Minimum Side Yard Setback	5'
<b>e</b> Minimum Rear Yard Setback	15' <sup>3</sup>
<b>f</b> Minimum Lot Width Maximum Lot Width	25' 50'
Maximum Impervious Coverage Additional Semi-Pervious Coverage	60% 20%
<b>g</b> Parking	rear and side yard
<b>h</b> Vehicular Access	from alley (if no alley exists, 1 driveway per street frontage <sup>4</sup> )

##### 2 Height Refer to Figure 5.7(E)(2)

<b>i</b> Minimum Overall Height	1 story
<b>j</b> Maximum Overall Height	2 stories
<b>k</b> All Stories: Minimum Height Maximum Height	9' 14'

##### 3 Uses Refer to Figure 5.7(E)(2) Refer to Chapter 4 Uses for permitted uses.

<b>m</b> All Stories	residential
<b>o</b> Parking within Building	basement, rear of first story
<b>p</b> Required Occupiable Space	30' deep on all full stories from the front facade

##### 4 Street Facade Requirements Refer to Figure 5.7(E)(3)

<b>r</b> Minimum Transparency per each Story	20%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)
<b>s</b> Front Facade Entrance Type	stoop, porch
<b>t</b> Principal Entrance Location per unit	front, corner, or corner side facade
Vertical Facade Divisions	1 every 25' of facade width

##### 5 Roof Type Requirements Refer to Figure 5.7(E)(3)

<b>u</b> Permitted Roof Types	parapet, pitched
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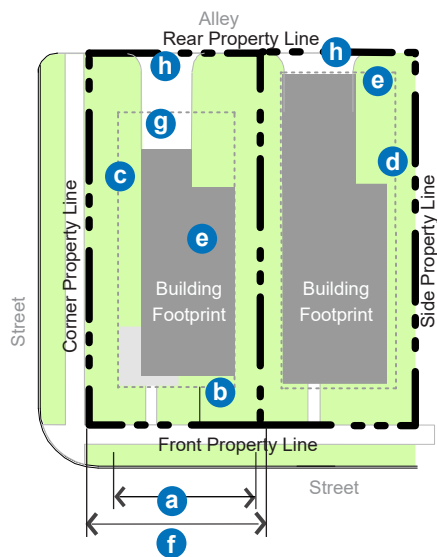


Figure 5.7(E)(1) Yard Building: Building Siting

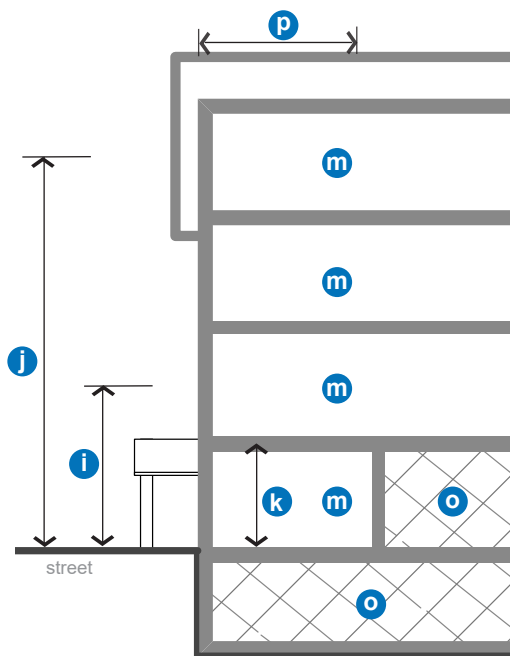


Figure 5.7(E)(2) Yard Building: Height and Use Requirements

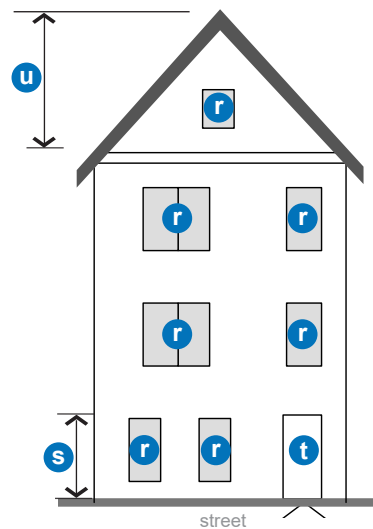


Figure 5.7(E)(3) Yard Building: Street Facade Requirements

# 5.0 Buildings

## 5.7(F) Civic Building

### 1. Description and Intent

The Civic Building Type is the most flexible Building Type intended only for civic and institutional types of uses. These buildings are distinctive and could be designed as iconic structures. In contrast to other Building Types, a minimum setback line is required instead of a build to zone, though this setback is required to be landscaped. Parking is limited to the rear in most cases.

The minimum and maximum heights of this Building Type depend on the district within which it is located.

### 2. Regulations

Regulations for the Civic Building Type are defined in the adjacent table.

#### Notes

1. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
2. Additional setback distance is permitted if utilized as public space, outdoor dining, and/or outdoor seating.
3. If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

\* Subject to review for compliance with line of sight requirements.



		Permitted Subdistricts			
		Business Core	Warehouse District	River Edge	Edge B
Civic Building Type Table					
1 Building Siting* Refer to Figure 5.7(F)(1)					
Multiple Principal Buildings		permitted			
a	Front Property Line Coverage	85%	75% <sup>1</sup>	55% <sup>1</sup>	70% <sup>1</sup>
	Occupation of Corner	required	required	permitted	permitted
b	Front Build-to Zone	0' to 10' <sup>2</sup>	0' to 10' <sup>2</sup>	10' to 20' <sup>2</sup>	0' to 15' <sup>3</sup>
c	Corner Build-to Zone	0' to 5'	0' to 10'	0' to 15'	0' to 15'
d	Minimum Side Yard Setback	0'	0'	5'	0'
e	Minimum Rear Yard Setback	5'	10'	20'	5'
f	Minimum Lot Width	none	none	none	none
	Maximum Lot Width	none	none	none	none
	Maximum Impervious Coverage	75%	75%	65%	75%
	Additional Semi-Pervious Coverage	25%	15%	15%	25%
g	Parking and Loading Location	rear and side yard	rear and side yard	front and side yard	rear and side yard
h	Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)			
2 Height Refer to Figure 5.7(F)(2)					
i	Minimum Overall Height	1 story			
j	Maximum Overall Height	3 stories	4 stories	4 stories	2 stories
k	Ground Story: Minimum Height	14' <sup>3</sup>	14' <sup>3</sup>	14' <sup>3</sup>	14' <sup>3</sup>
	Maximum Height	28'	28'	28'	28'
l	Upper Stories: Minimum Height	10'	10'	10'	10'
	Maximum Height	14'	14'	14'	14'
3 Uses Refer to Figure 5.7(F)(2) Refer to Chapter 4 Uses for permitted uses.					
m	Ground Story	civic and commercial uses			
n	Upper Story	civic and commercial uses			
o	Parking within Building	permitted fully in any basement and in rear of upper stories			
p	Required Occupiable Space	30' deep on all full stories from the front facade			
4 Street Facade Requirements Refer to Figure 5.7(F)(3)					
q	Minimum Ground Story Transparency Transparency requirements apply to street frontages and parking lot frontages	55%	55%	50%	55%
r	Minimum Transparency per each Story	30%	25%	20%	25%
	Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)			
s	Front Facade Entrance Type	arcade, storefront, stoop			
t	Principal Entrance Location	front or corner facade			
	Required Number of Street Entrances	1 per each 100' of front facade			
	Vertical Facade Divisions	1 every 50' of facade width			
	Horizontal Facade Divisions	not required			
5 Roof Type Requirements Refer to Figure 5.7(F)(3)					
u	Permitted Roof Types	parapet, flat			
v	Tower	parapet, flat			

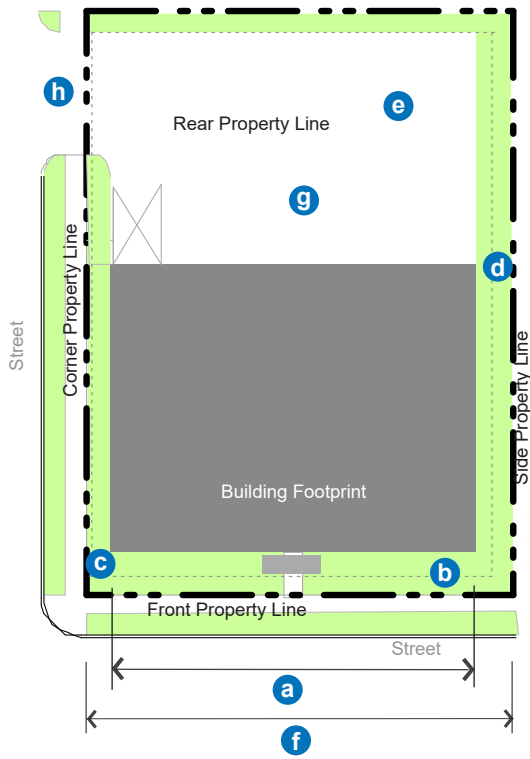


Figure 5.7(F)(1) Civic Building: Building Siting

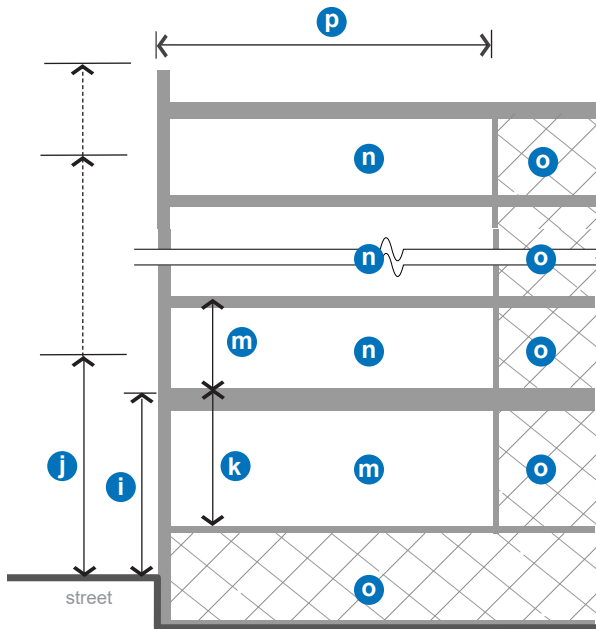


Figure 5.7(F)(2) Civic Building: Height and Use Requirements

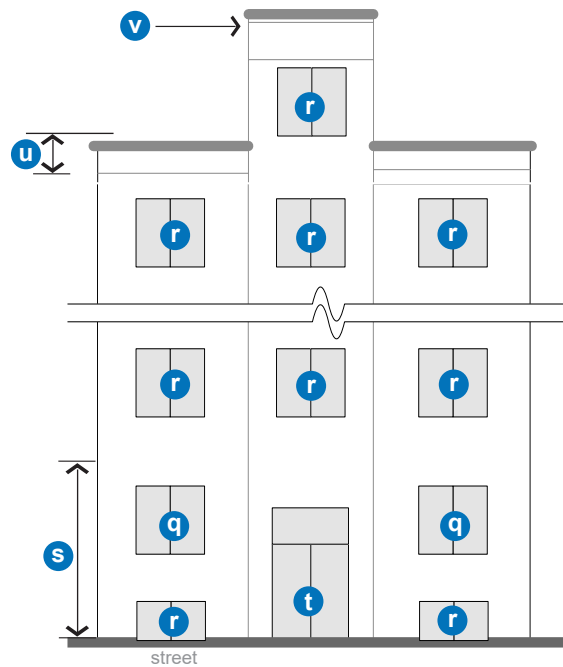


Figure 5.7(F)(3) Civic Building: Street Facade Requirements

# 5.0 Buildings

## 5.7(G) Limited Bay

### 1. Description & Intent

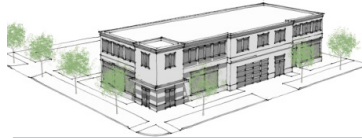
The Limited Bay Building Type permits a lower level of ground floor storefront facade and a single vehicle bay with garage door access on the Primary Street. A wider range of uses can also be accommodated within this Building Type, including craftsman industrial uses. This Building Type is still intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders, and continuing the fabric of the Storefront Building Type.

### 2. Regulations

Regulations for the Limited Bay Building Type are defined in the adjacent table.

#### Notes

1. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
2. Upper stories above the third story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.
3. If 18 feet or more in height, ground story shall count as two stories towards maximum building height.



Limited Bay Building Type Table

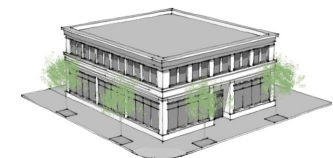
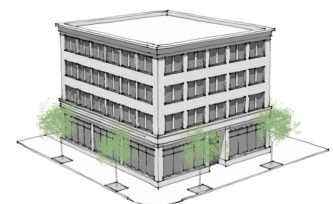
1 Building Siting* Refer to Figure 5.7(G)(1)				
Multiple Principal Buildings		not permitted	permitted	not permitted
a	Front Property Line Coverage	75% <sup>1</sup>	75% <sup>1</sup>	75% <sup>1</sup>
Occupation of Corner		required	required	permitted
b	Front Build to Zone	0' to 15'	0' to 10'	0' to 15'
c	Corner Build to Zone	0' to 10'	0' to 5'	0' to 10'
d	Minimum Side Yard Setback	0'	0'	0'
e	Minimum Rear Yard Setback	5'	10'	5'
f	Minimum Lot Width	none	none	none
Maximum Lot Width		none	none	none
Maximum Impervious Coverage		70%	70%	75%
Additional Semi-Pervious Coverage		20%	20%	20%
g	Parking & Loading	rear & side yard	rear & side yard	rear & side yard
h	Street Facade Service Bay Entrance	limited to one per street facade, maximum width 18'		
Vehicular Access		From alley; if no alley exists, 1 driveway per street frontage		
i	2 Height Refer to Figure 5.7(G)(2).			
j	Minimum Overall Height	1 story		
k	Maximum Overall Height	3 stories <sup>2</sup>	6 stories <sup>2</sup>	3 stories <sup>2</sup>
l	Ground Story: Minimum Height	14'	14'	14'
Maximum Height		24' <sup>3</sup>	24' <sup>3</sup>	24' <sup>3</sup>
m	Upper Stories: Minimum Height	9'	9'	9'
Maximum Height		14'	14'	14'
3 Uses Refer to Figure 5.7(G)(2). Refer to 4.0 Uses for permitted uses.				
n	Ground Story	retail, service, office, craftsman industrial		
o	Upper Story	any permitted use		
p	Parking within Building	permitted fully in basement and in rear of upper floors plus one service bay width at ground floor		
q	Required Occupied Space	30' deep on all full floors from the front facade		
(4) Street Facade Requirements Refer to Figure 5.7(G)(3).				
r	Minimum Ground Story Transparency Measured between 2' and 8' above grade	65% , Service Bay door shall be a minimum of 50% transparent		
s	Minimum Transparency per each Story	15%	15%	15%
Blank Wall Limitations		required per floor		
t	Front Facade Entrance Type	storefront, stoop		
u	Principal Entrance Location	front or corner facade		
Required Number of Street Entrances		1 per 100' of facade; service bay door not included		
Vertical Facade Divisions		every 50' of facade width	every 25' of facade width	
Horizontal Facade Divisions		required within 3' of the top of the ground story for all buildings over 2 stories		
(5) Roof Type Requirements Refer to Figure 5.7(G)(3).				
v	Permitted Roof Types	parapet, flat		
Tower		permitted, not included in overall height		not permitted





# 5.0 Buildings

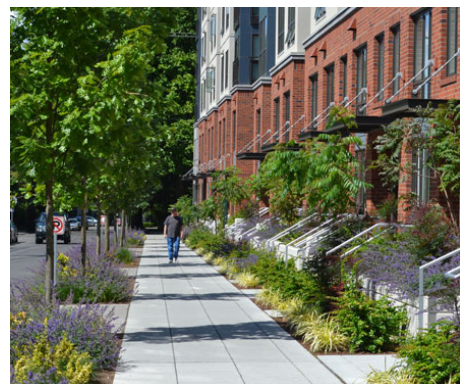
## Storefront Building Examples



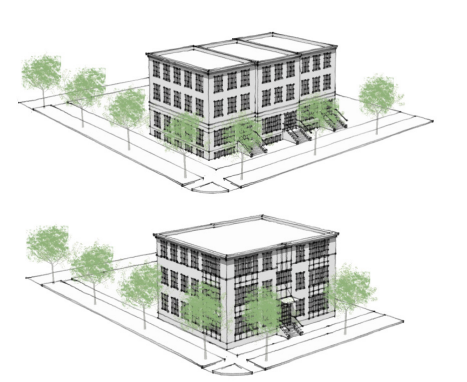
**Storefront Building**



## General Stoop Building Examples



### General Stoop Building Type Don't:



**General Stoop Building**



# 5.0 Buildings

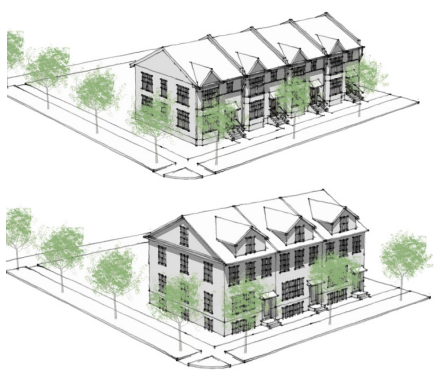
## Mid Scale Shop Building Examples



**Mid Scale Shop Building**



**Townhome Building Examples**

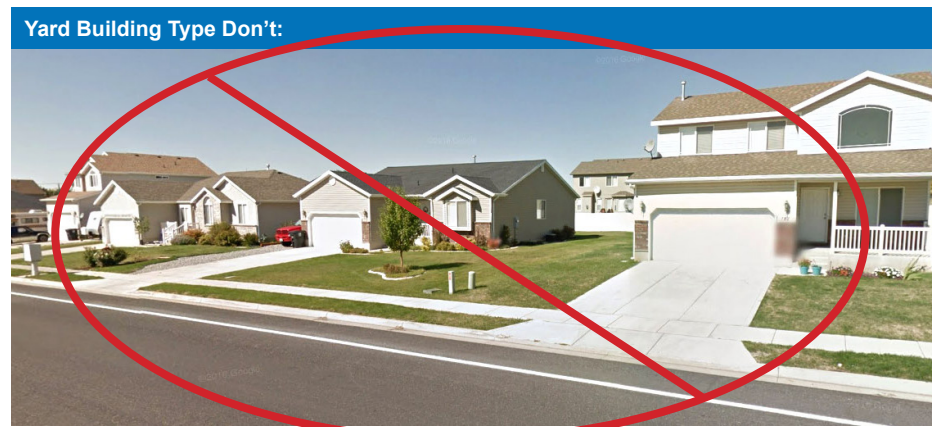
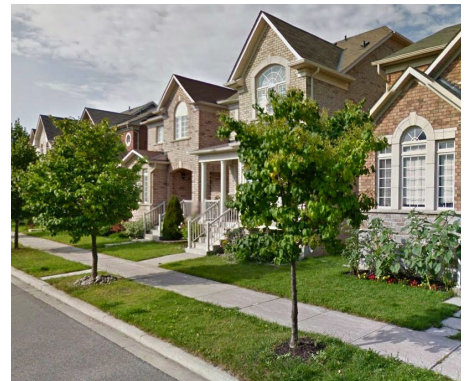


**Townhome Building**



# 5.0 Buildings

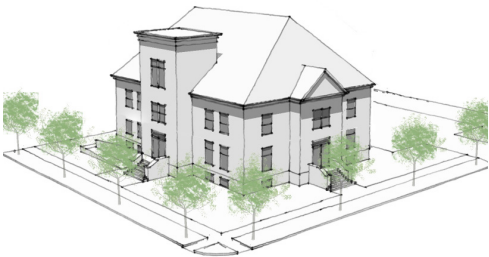
## Yard Building Examples



**Yard Building**



Civic Building Examples



Civic Building

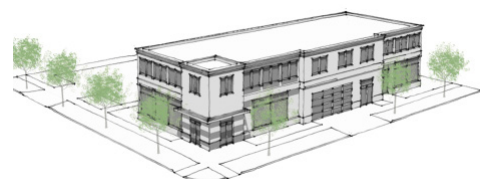


# 5.0 Buildings

## Limited Bay Building Examples



Limited Bay Building Type Don't:



Limited Bay Building

# 6.0 Open Space Types



# 6.0 Open Space

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## 6.1. General Requirements

### 1. Intent

To provide open space as an amenity that promotes physical and environmental health within the community and to provide each household with access to a variety of active and passive Open Space Types. Courtyards, plazas, and other Open Space Types are a valuable and vital part of a healthy and attractive city center. For this reason, some form of open space should be incorporated into all building and civic spaces. Additionally, streets should be considered as an open space opportunity.

### 2. Applicability

The standards outlined apply to open space required per Subdistrict (refer to Chapter 1.0 Place Types).

### 3. General Requirements

In addition to the open space requirements set in Chapter 1, all Building Types must meet the designated open space requirement in Table 6.1. All open space shall also meet the following requirements.

- (1) **Compliance.** All open space provided within any Core, General, or Edge Subdistrict shall comply with one of the Open Space Types defined in Sections 6.2 through 6.8 of this Chapter.
- (2) **Access.** All Open Space Types shall provide public access from a vehicular or pedestrian right-of-way.
- (3) **Location.** Open Space Types shall be platted as a lot or, with permission of the City Engineer, may be located within a right-of-way.
- (4) **Public Sidewalks and Alleys.** Portions of public sidewalks or alleys designed for private use by adjacent business owners may be included in the open space calculation, but shall not be considered an Open Space Type. Utilization of public sidewalks

and alleys for activities such as outdoor dining, must be approved by the Zoning Administrator and must not obstruct safe use of the sidewalk or alley as required by City Code.

- (5) **Fencing.** Open Space Types may incorporate fencing provided the following requirements are met.
  - (a) **Height.** Fencing shall be a maximum height of forty eight inches (48”), unless approved by the Zoning Administrator for circumstances where safety is a concern, such as proximity to railroad right-of-way, or adjacent to swimming pools, ball fields, and ball courts.
  - (b) **Level of Transparency (Figure 6.1 (1)).** Fence transparency shall be no greater than sixty percent (60%). Translucent or tinted materials that allow light which obstructs visibility are not considered transparent for the purpose of this Chapter.
  - (c) **Type.** Chain-link fencing is not permitted along any street frontage, with the exception of dedicated sports field or court fencing as approved by the Zoning Administrator.
  - (d) **Spacing of Openings.** Openings or gates shall be provided on every street face at a minimum of every one hundred fifty feet (150’).

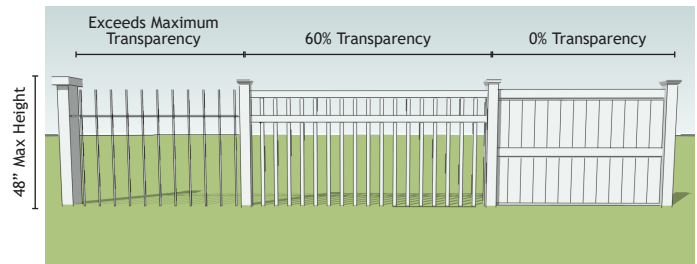


Figure 6.1 (1) Open Space Fencing and Transparency

- (6) **Open Bodies of Water.** All open bodies of water, such as lakes, ponds, pools, creeks, and streams, within an Open Space Type, shall be located at least twenty feet (20’) from any property line to allow for pedestrian and bicycle access, as well as, a landscape area surrounding the body of water.

		Downtown District Minimum Open Space Requirements						South Downtown District Minimum Open Space Requirements				
		Core A	Historic Core	General A	Edge A	Edge B	Edge C	Business Core	Historic Residential	Warehouse	River Edge	Edge B
Building Type	Storefront	5%	5%	10%	5%	10%		5%		10%		10%
	General Stoop	10%		15%	10%			10%		15%		
	Mid Scale Shop			20%		20%				20%		
	Townhome	20%		20%	20%		25%	20%		20%		
	Yard Building						25%		5%			
	Civic Building	20%	20%	20%	20%	20%		20%		20%	20%	20%
	Limited Bay							5%		10%		10%

Table 6.1 Open Space Requirements



# 6.0 Open Space

- (7) Ownership. Open Space Types may either be publicly or privately owned.
- (8) Parking Requirements. Parking shall not be required for any Open Space Type, unless a use other than open space exists, as determined by the Zoning Administrator.
- (9) Continuity. Connections to existing or planned trails or Open Space Types shall be made when the open space abuts an existing or planned trail or other Open Space Type.
- (10) Lighting. Pedestrian scale lighting must be provided for all Open Space Types. Pedestrian scale lighting is mounted at twelve (12') to sixteen feet (16') above the walking surface.
- (11) Outdoor Dining. Outdoor dining is encouraged in open space. Outdoor dining areas located on sidewalks or other pedestrian pathways must provide minimum pedestrian clearance of six feet (6') and are subject to all applicable federal, state, and local requirements.
- (12) ADA Accessibility. All Open Space Types shall be constructed to meet ADA requirements.

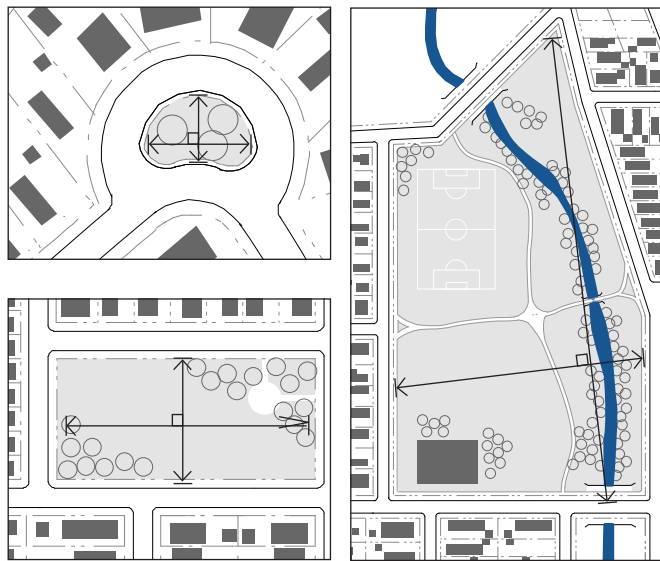


Figure 6.1 (2) Examples of Measuring the Minimum Dimension of Open Space Types.

## 4. Definition of Requirements

The following further explains or defines the requirements included in the tables for each Open Space Type. Refer to each table for the specific requirements of each Open Space Type.

- (1) Size.
  - (a) Minimum Size. The minimum size of the Open Space Type is measured within the parcel lines of the property.
  - (b) Maximum Size. The maximum size of the Open Space Type is measured within the parcel lines of the property.
  - (c) Minimum Dimension. The minimum length or width of the Open Space Type is measured along the longest two straight lines intersecting at a right angle defining the maximum length and width of the lot. Refer to Figure 6.1 (2).
- (2) Minimum Percentage of Vehicular Right-of-Way Frontage Required. The minimum percentage of the open space frontage, is measured along the outer parcel line located directly adjacent to a vehicular right-of-way, excluding alley frontage.
- (3) Adjacent Parcels. Parcels directly adjacent to or directly across the street from an Open Space Type.
  - (a) Subdistricts Permitted on Adjacent Parcels. The Subdistricts permitted directly adjacent to, as well as directly across, the street from the Open Space Type. Refer to Chapter 3.0 Subdistricts for information.
- (4) Improvements. The types of development and improvements permitted on an Open Space Type include:
  - (a) Designated Sports Fields. Sports fields, ball courts, or structures designated for one or more sports including, but not limited to, baseball fields, softball fields, soccer fields, basketball courts, football fields, tennis courts, climbing walls, and skate parks.
  - (b) Playgrounds. Playgrounds include a defined area with play structures and equipment typically for children under twelve (12) years of age, such as slides, swings, and climbing structures.
  - (c) Fully Enclosed Structures. Fully enclosed structures may include such uses as park offices and maintenance sheds, community centers, and rest rooms. Fully enclosed structures are permitted but may be limited to a maximum building coverage as a percentage of the open space area, as indicated in the Open Space Type tables.
  - (d) Semi-Enclosed Structures. Covered but unwall structures, such as gazebos, are permitted in all Open Space Types.
- (5) Maximum Impervious and Semi-Pervious Surface. The extent of impervious and semi-pervious surface coverage are provided



separately to allow an additional amount of semi-pervious surface, such as permeable paving, in addition to the impervious surfaces permitted. This may include, but is not limited to, the use of semi-pervious surfaces for parking facilities, driveways, sidewalks, paths, and structures, as permitted.

- (6) **Maximum Percentage of Open Body of Water.** The maximum amount of area within an Open Space Type that may be covered by an open body of water, including, but not limited to, ponds, lakes, and pools.
- (7) **Seating.** Stand alone seats and benches or seating elements, such as seat walls (with finish surface between 18" and 24"). To qualify seating elements must be constructed of high quality durable materials such as natural or manufactured stone or alternative, as approved by the Zoning Administrator. To calculate the quantity of seats on a bench or seating element, one (1) full seat must be at least 18" wide and 18" deep.



**Figure 6.1 (3) Examples stormwater feature as landscape design**

## 5. Stormwater in Open Space Types

Stormwater management practices, such as storage and retention facilities, may be integrated into Open Space Types and utilized to meet stormwater retention requirements for surrounding parcels.

- (1) **Stormwater Features.** Stormwater features in Open Space may be designed as formal or natural amenities with additional uses other than stormwater management, such as an amphitheater, sports field, or a pond or pool. Stormwater features shall not be fenced unless otherwise permitted by this Chapter and shall not impede public use of the land they occupy.
- (2) **Qualified Professional.** A qualified design professional licensed by an Idaho licensing board, such as a landscape architect, shall be utilized to incorporate stormwater features into the design of the open spaces.

## 6. Reductions

Open space reductions may be awarded. Any Open Space Type defined in this Chapter may qualify for an open space reduction. Public sidewalks not associated with an Open Space Type do not qualify for

an open space reduction. A new or existing public sidewalk on the same parcel as the building may be counted toward the open space requirement in Table 6.1, if approved by the Zoning Administrator.

- (1) **Applicability.** Open space reductions are granted under the following conditions.
  - (a) To qualify the building must be contiguous to existing improved open space, and seventy five percent (75%) of the building frontage must be contiguous to the open space.
  - (b) A building that is separated from existing improved open space by a dedicated street, but on no other parcel, qualifies for the open space reduction if the building would otherwise be contiguous. For example, buildings on the east side of Memorial Drive facing the Riverwalk meet this requirement.
- (2) **Calculation.** One open space reduction may be granted to any single building on a parcel. Multiple reductions cannot be combined.
  - (a) A ninety percent (90%) open space reduction may be granted if the front property line is directly adjacent to publicly accessible open space.
  - (b) A ninety percent (90%) open space reduction may be granted if a single side yard is contiguous to open space open to the public. A direct access must be provided between the open space and side yard entrance.
  - (c) A fifty percent (50%) open space reduction may be granted if a rear yard is directly adjacent to open space that is open to the public. A direct access must be provided between the open space and rear yard entrance.
  - (d) A twenty five percent (25%) open space reduction may be granted if a building is located on the same block as an open space to the public.
- (3) **Roof Top Gardens/Terraces.** A rooftop garden on a building or parking structure maybe used to satisfy the open space requirement. However, it may not be used as calculation towards an open space reduction unless it is open to the public.
  - (a) Any portion of a rooftop garden that is for the private use of owners, guests, or tenants (such as restaurant dining) is not considered open to the public.
  - (b) Private use of a rooftop garden may be allowed.

# 6.0 Open Space



Figure 6.2 (1) Typical Plaza.

## 6.2 Plaza Open Space Type

### 1. Intent

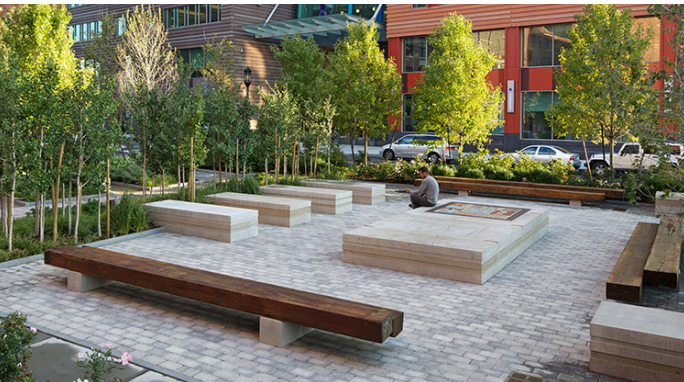
Plazas provide small to medium scale outdoor space generally open to the public, although may occasionally be used for private functions. Plazas may be used for civic, social, and commercial purposes, such as meeting, relaxing, performance, casual workspace, weddings, receptions, and outdoor dining.

The plaza may contain a greater amount of impervious coverage than other Open Space Types. Surfacing generally includes brick, pavers, or stamped and colored concrete. Seating may be provided as either movable furniture or permanent options. Special features such as fountains, public art, game tables, accent lighting, are encouraged.



Figure 6.2 (2) Typical Plaza Examples

Plaza Requirements	
Dimensions	
Minimum Size (acres)	0.10 (4,356 SF)
Maximum Size (acres)	1.50 (65,340 SF)
Minimum Dimension (feet)	20' in one direction
Minimum % of Vehicular ROW Frontage Required	50%, 80% building frontage required on non-street frontage
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Front or Corner Side
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Not permitted
Fully Enclosed Structures	Permitted, maximum 5% of area
Maximum Impervious + Semi-Pervious Surface	80% + 10%
Maximum % of Open Water	50%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 200 square feet, 22 Min.
Trees	Minimum 1 per 400 square feet, 11 Min.
Landscaping	50% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet, 6 Min.





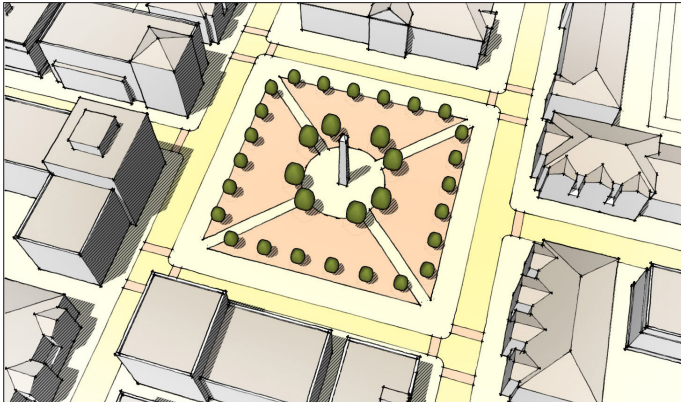


Figure 6.3 (1) Typical Square

## 6.3 Square Open Space Type

### 1. Intent

Squares provide a formal space of medium to large scale to serve as a gathering place for civic, social, and commercial purposes. This Open Space Type is generally open to the public, although may be used for private functions. Squares are intended to act as recognizable primary town gathering spaces. Squares may be bordered on all sides by a vehicular right-of-way, or surrounded with building facades to create its definition.



Square Requirements	
Dimensions	
Minimum Size (acres)	0.5 (21,780 SF)
Maximum Size (acres)	3.0 (130,680 SF)
Minimum Dimension (feet)	60' in one direction
Minimum % of Vehicular ROW Frontage Required	50%
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Front or Corner Side
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Not permitted
Fully Enclosed Structures	Permitted, maximum 10% of area
Maximum Impervious + Semi-Pervious Surface	40% + 20%
Maximum % of Open Water	30%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 400 square feet, 54 Min.
Trees	Minimum 1 per 600 square feet, 36 Min.
Landscaping	50% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet 27 Min.



Figure 6.3 (2) Typical Square Examples

# 6.0 Open Space



Figure 6.4 (1) Typical Green Layout

## 6.4 Green Open Space Type

### 1. Intent

Greens provide informal, medium scale active or passive recreation for neighborhood residents within walking distance, mainly fronted by streets.



Green Requirements	
Dimensions	
Minimum Size (acres)	0.3 (13,069 SF)
Maximum Size (acres)	2.0 (87,120 SF)
Minimum Dimension (feet)	40'
Minimum % of Vehicular ROW Frontage Required	100%, 50% for over 1.25 acres
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Front or Corner Side
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Fully Enclosed Structures	Not permitted
Maximum Impervious + Semi-Pervious Surface	20% + 15%
Maximum % of Open Water	40%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 400 square feet, 32 Min.
Trees	Minimum 1 per 600 square feet, 21 Min.
Landscaping	65% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet, 16 Min.



Figure 6.4 (2) Typical Green Examples



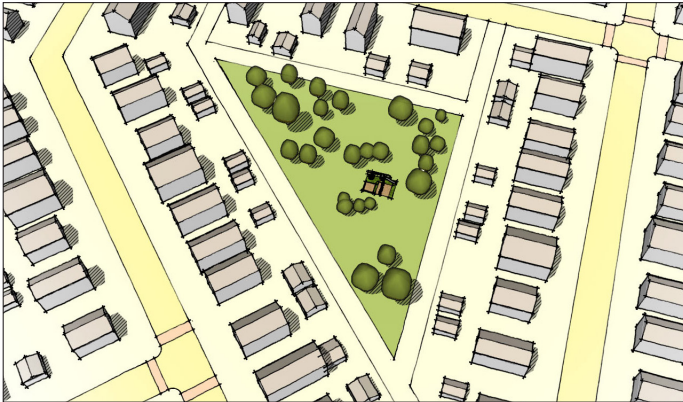


Figure 6.5 (1) Typical Commons Layout

# 6.5 Commons or Courtyard Open Space Type

## 1. Intent

Commons or Courtyards provide an informal, small to medium scale space for active or passive recreation for a limited neighborhood area. Commons are typically internal to a block and tend to serve adjacent residents. Activities may be passive or active and could include tot lots, vegetable gardens, barbecue, pavilion, and outdoor gathering areas.



Commons or Courtyard Requirements	
Dimensions	
Minimum Size (acres)	0.1 (43,560 SF)
Maximum Size (acres)	1.5 (65,340 SF)
Minimum Dimension (feet)	25'
Minimum % of Vehicular ROW Frontage Required	0%, 1 access point required, minimum width 20'
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Front or Corner Side
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Fully Enclosed Structures	Not permitted
Maximum Impervious + Semi-Pervious Surface	30% + 10%
Maximum % of Open Water	30%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 200 square feet, 22 Min.
Trees	Minimum 1 per 400 square feet, 11 Min.
Landscaping	60% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet, 6 Min.

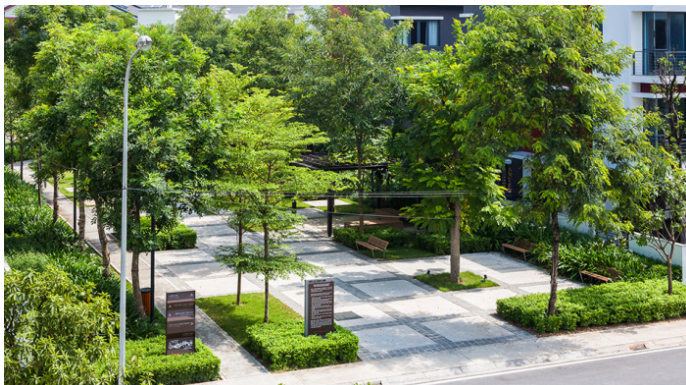


Figure 6.5 (2) Typical Commons Examples



# 6.0 Open Space

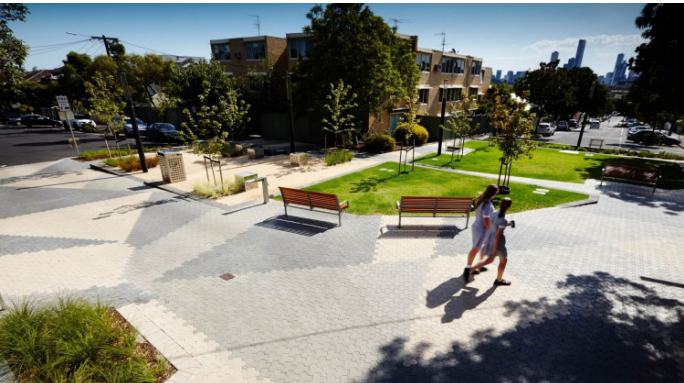


Figure 6.6 (1) Typical Pocket Park Layout

## 6.6 Pocket Park Open Space Type

### 1. Intent

Pocket Parks provide small scale, primarily landscaped active or passive recreation and gathering space within walking distance of nearby residents and commercial workforce.



Pocket Park Requirements	
Dimensions	
Minimum Size (acres)	0.10 (4356 SF)
Maximum Size (acres)	1.0 (43,560 SF)
Minimum Dimension (feet)	None
Minimum % of Vehicular ROW Frontage Required	30%
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Any
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Fully Enclosed Structures	Not permitted
Maximum Impervious + Semi-Pervious Surface	30% + 10%
Maximum % of Open Water	30%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 200 square feet, 22 Min.
Trees	Minimum 1 per 400 square feet, 11 Min.
Landscaping	50% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet, 6 min.



Figure 6.6 (2) Typical Pocket Park Examples





Figure 6.7 (1) Typical Park

## 6.7 Park Open Space Type

### 1. Intent

Parks provide informal active and passive large scale recreational amenities to local residents and the greater region. Parks primarily have natural planting and are frequently created around an existing natural feature such as a body of water or stands of trees.



Figure 6.7 (2) Typical Park Examples

Park Requirements	
Dimensions	
Minimum Size (acres)	1.5 (65,340 SF)
Maximum Size (acres)	None
Minimum Dimension (feet)	80'
Minimum % of Vehicular ROW Frontage Required	30%, up to 5 acres, 20% over 5 acres
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Front or Corner Side
Improvements	
Designated Sports Fields	Permitted
Playgrounds	Permitted
Fully Enclosed Structures	Permitted, minimum 3 acre Park required
Maximum Impervious + Semi-Pervious Surface	20% + 10%
Maximum % of Open Water	30%
Lighting	Required, max 16' fixture height, unless Specifically for field lighting
Seating	Minimum 1 per 500 square feet, 130 Min. <sup>1</sup>
Trees	Minimum 1 per 400 square feet, 163 Min. <sup>1</sup>
Landscaping	50% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet, 81 Min.

#### Notes

<sup>1</sup> Square Footage assigned to designated sports fields (excluding non play areas) are exempt from seating and tree quantity requirements.





# 6.0 Open Space

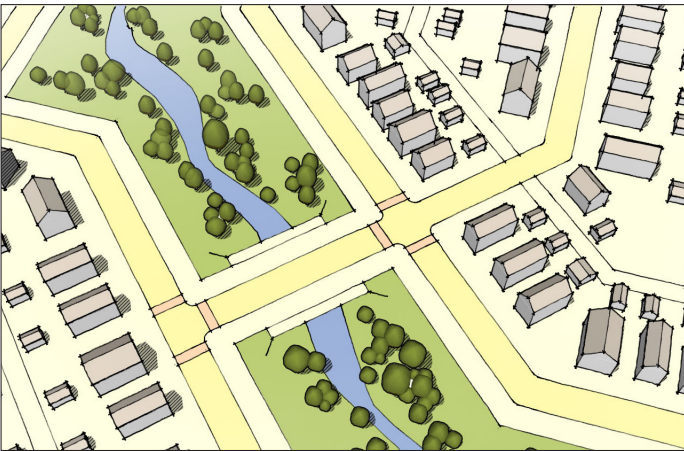


Figure 6.8 (1) Typical Greenway

## 6.8 Greenway/Riverwalk or Urban Trail Open Space Type

### 1. Intent

The purpose of this Open Space Type is to provide informal, primarily natural linear open spaces that serve to enhance connectivity between Open Space Types and other uses. Greenways are linear open spaces that often follow a natural feature, such as a river, stream, ravine, or man-made feature such as a vehicular right-of-way. A greenway may border other Open Space Types.



Figure 6.8 (2) Typical Greenway Examples

Greenway Requirements	
Dimensions	
Minimum Size (acres)	None
Maximum Size (acres)	None
Minimum Dimension (feet)	20'
Minimum % of Vehicular ROW Frontage Required	0%, 1 access point required per quarter mile of length, minimum 20' width
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Any
Improvements	
Designated Sports Fields	Permitted
Playgrounds	Permitted
Fully Enclosed Structures	Permitted
Maximum Impervious + Semi-Pervious Surface	20% + 10%
Maximum % of Open Water	40%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 500 SF Placed at each access and every 500 LF.
Trees	Minimum 1 per 400 SF 1 small-medium shade tree per 20 LF or 1 large shade tree per 30 LF
Landscaping	50% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet Placed at each access and every 800 LF.



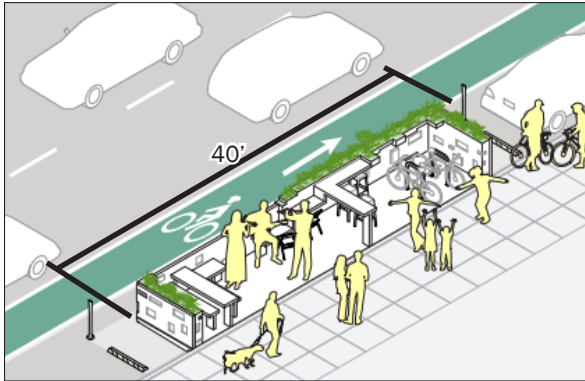


Figure 6.9 (1) Typical Parklet

## 6.9 Parklet Open Space Type

### 1. Intent

The purpose of this Open Space Type is to provide attractive additions to streetscapes, invite people to sit and stay in public spaces, enhance walkability, and encourage business participation in a vibrant streetscape. Parklets are public seating platforms that convert curb side parking spaces into vibrant community spaces. They are the product of a partnership between the city and local businesses, residents, or associations. Most parklets have a distinctive design that incorporates amenities such as seating, greenery, and/or bike racks and accommodate unmet demand for public space on thriving downtown streets or commercial areas. While they are funded and maintained by neighboring businesses, residents, and community organizations, they are publicly accessible and open to be used by all.



Figure 6.9 (2) Typical Parklet Examples

Parklet Requirements	
Dimensions	
Minimum Length (feet)	20' 1 Parking Stall
Maximum Length (feet)	40' 2 Parking Stalls
Minimum Width (feet)	6'
Maximum Width (feet)	Must be at least 3' from all traffic bike vehicle travel lanes as determined by the City Engineer.
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Any
Location	
Must be located at least 25' away from the intersection.	
Must not obstruct any fire hydrant, utility service or emergency service access.	
May not block any public alley access or any private alley access without sign consent of all interested parties.	
Must not obstruct the required sight distance triangle.	
Must be located directly in front of the business requesting the use. The area may not extend beyond the limits of the business storefront.	
Not permitted in bus stops but may be adjacent to them.	
No more than 10% cumulatively of any block may be used.	
A minimum of 6' clearance is required from the edge of the parklet to any building or obstacle.	
Safety	
Must be setback at least 4' from contiguous parking stalls. If contiguous with parallel parking stalls must also provide a curb stop to buffer the parking from the parklet.	
Vertical elements are required that make them visible to traffic, such as bollards or posts with reflective markers.	
A slip resistant surface must be used.	
An open guardrail or barrier must be installed to define the space and may not exceed 3' in height. The guardrail must be able to withstand 200 lbs of horizontal force. No fabric, chain link fencing, chicken wire, or snow fencing may be used as guardrails or barriers.	
Not allowed in a location where the speed limit exceeds 30 mph.	
A flush transition at the sidewalk and curb to permit easy access and avoid tripping hazard	
Improvements	
Maximum Impervious + Semi-Pervious Surface	10% + 90%
Lighting	If intended to be used at night lighting is required, max 12' fixture height
Landscaping	Planters are allowed, but may not exceed 3' in height.
Permitted Uses	
Dining Areas	
Bicycle Facilities	
Public Seating	
Recreational Space (excluding playground equipment)	
Landscape Islands	
No signage is allowed	

# 6.0 Open Space

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# 7.0 Landscaping



# 7.0 Landscaping

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## 7.1 General Requirements.

### 1. Intent.

The landscape standards outlined in this Chapter are designed to:

- (1) Provide for healthy, long-lived street trees along public streets to improve the appearance of streets and create a buffer between pedestrian and vehicular travel lanes.
- (2) Increase the compatibility of adjacent uses and minimize any adverse impacts potentially created by adjoining or neighboring uses.
- (3) Promote the prudent use of water and energy resources by achieving and maintaining sustainable, functional landscapes.
- (4) Shade large expanses of pavement and reduce the urban heat island effect.

### 2. Applicability.

Landscaping, trees, and buffers shall be installed for all new developments and as otherwise required in this Chapter.

- (1) Existing Landscaping. The requirements of this Chapter shall not apply to existing, nonconforming landscaping with the following exceptions:
  - (a) New or significant improvements to existing parking lots, loading facilities, or driveways that effects landscaping shall conform to the requirements of this Chapter.
  - (b) Alteration to an existing principal or accessory structure that triggers the requirements of Chapter 5.0 Buildings shall conform to the requirements of this Chapter.
  - (c) When compliance is triggered for existing parking lots, requirements for landscape improvements shall take priority over parking requirements as determined by the Zoning Administrator.
- (2) Buffers. Landscape buffers are required according to the provisions in this Chapter with the following exceptions:
  - (a) Shared Driveways. Buffers shall not be required along a property line where a curb cut or aisle is shared by two contiguous lots.
  - (b) Points of Access. Buffering is not required at driveways or other points of access to a lot.
- (3) Temporary Uses. The provisions of this Chapter shall not apply to temporary uses, unless determined otherwise by the Zoning Administrator.

## 7.2 Installation of Landscape.

### 1. General Installation Requirements.

The installation of landscaping shall comply with the following standards. Installation should also follow best management practices and procedures according to nationally accepted standards.

- (1) Installation. Landscaping shall be fully installed prior to issuance of a Certificate of Occupancy.
- (2) Plant Size Requirements. At the time of installation plant material shall be sized according to Table 7.2 (1), unless otherwise noted in this Chapter.
- (3) Condition of Landscape Materials. Landscaping materials used shall be:
  - (a) Healthy and hardy with a good root system;
  - (b) Chosen for its form, texture, color, fruit, pattern of growth, and suitability to local conditions;
  - (c) Tolerant of the natural and man-made environment, including tolerant of drought, wind, salt, and pollution;
  - (d) Appropriate for the conditions of the site, including slope, water table, and soil type;
  - (e) Protected from damage by grates, pavers, or other measures;
  - (f) Plants that will not cause a nuisance or have negative impacts on a contiguous property; and
  - (g) Species native or naturalized to the Idaho Falls Region, whenever possible.
- (4) Establishment. All installed plant material shall be fully watered, fertilized, and maintained, to ensure establishment. Any landscaping or tree that dies shall be replaced within the current planting season.

### 4. Ground Plane Vegetation.

All unpaved areas on any lot shall be covered by one of the following:

- (1) Planting Beds.
  - (a) Planting beds may include shrubs, ornamental grasses, ground cover, vines, annuals, or perennials.
  - (b) Nonliving materials, such as pine straw, colored gravel, or mulch, are permitted for up to fifty percent (50%) of a bed area.
  - (c) Annual beds must be maintained seasonally, replanted as necessary.
- (2) Grass. Seeded, plugged, or sodded grass may be planted throughout landscaped areas.
  - (a) Grass shall be established within ninety (90) days of planting or the area must be reseeded, replugged, or resodded by the next planting season.

# 7.0 Landscaping

## 5. Tree Installations.

Refer to the City Code for a list of permitted tree types

- (1) Tree Measurement. Tree caliper shall be measured at six inches (6") above the grade of the tree's trunk when the trunk's caliper is four inch (4") caliper or less. The caliper shall be measured at twelve inches (12") above the grade of the tree's trunk when the caliper is greater than four inches (4").
- (2) Tree Maintenance. Tree trimming, fertilization, and other similar work shall be performed by or under the management of a certified arborist.
- (3) Species Composition. Trees planted on a site shall be any combination of species permitted by City Code with the following exceptions:
  - (a) One genus shall not comprise more than thirty percent (30%) of trees planted on a site.
  - (b) One species shall not comprise more than ten percent (10%) of trees planted on a site.
  - (c) Exceptions to this provision may be granted by the Zoning Administrator and City Forrester through review of the landscape plan.
- (4) Plant Size. At installation all plants shall meet the requirements of Table 7.2 (1) Plant Material Size at Installation.
- (5) Tree Spacing.
  - (a) Trees shall be planted at least thirty feet (30') and twenty feet (20') apart for large and medium trees, respectively.
  - (b) No trees may be planted closer to any impermeable curb or sidewalk than as follows:
    - (1) Medium trees: three feet (3').
    - (2) Large trees: four feet (4').
- (6) Permeable Surface. For each tree preserved or planted, a minimum amount of permeable surface area is recommended, unless otherwise stated in this Chapter.
  - (a) At least seventy percent (70%) of the canopy limits of preserved trees should have a permeable surface.
  - (b) Planted trees have a suggested minimum permeable area and soil volume based upon tree size. Refer to Table 7.2 (2) for details.

- (c) Permeable area for one tree cannot overlap that of another tree.
- (7) Structural Soil. When the Soil Surface Area (per Table 7.2 (2)) of a tree will extend below any pavement within the public right of way, structural soil is required underneath that pavement. Structural soil is a medium that can be compacted to pavement design and installation requirements while still permitting root growth. It is a mixture of gap-graded gravels (made of crushed stone), clay loam, and a hydrogel stabilizing agent to keep the mixture from separating. It provides an integrated, root penetrable, high strength pavement system that shifts design away from individual tree pits.

Plant Material Type	Minimum Size
<b>Deciduous Shade/Overstory Tree</b>	
Single Trunk	2" caliper
Multi Trunk	10' in height
<b>Evergreen Tree</b>	8' in height
<b>Understory Tree</b>	6' in height
<b>Ornamental Tree</b>	2" caliper
<b>Shrubbery - Deciduous</b>	container class 5
<b>Shrubbery - Evergreen</b>	container class 5
<b>Groundcover</b>	3" in height

Table 7.2 (1). Plant Material Size at Installation.

Tree Size	Soil Volume (cubic ft)	Soil Surface Area (sq ft) with 2.5' Soil Depth	Permeable Surface Area Requirement (sq ft)
<b>Very Small</b>	181	72 (approx. 8.5' x 8.5')	25 (5' x 5')
<b>Small</b>	736	294 (approx. 17' x 17')	100 (10' x 10')
<b>Medium</b>	2852	1141 (approx. 34' x 34')	225 (15' x 15')
<b>Large</b>	6532	2681 (approx. 50' x 50')	400 (20' x 20')

Table 7.2 (2). Minimum Recommended Soil Volumes and Permeable Area per Planted Tree.

## 6. Irrigation Systems.

Permanent irrigation is required and shall comply with the following standards:

- (1) All irrigation systems shall be designed to minimize the use of water by applying the quantity of water that is required for each plant or tree, or grouping of plants or trees by water zone.
- (2) Non residential landscape irrigation shall have an automatic clock-activated permanent system.
- (3) The irrigation system shall provide coverage to all landscape areas to ensure health of plants and trees.
- (4) The irrigation system shall be designed to not spray or irrigate impervious surfaces, including sidewalks, driveways, streets, and parking and loading areas.
- (5) All mechanical systems, including controllers and back-flow prevention devices, shall be properly screened from public view. Screening may include landscape materials, fencing or locked cages.

## 7. Maintenance of Landscape.

All landscaping shall be maintained in good condition at all times to ensure a healthy and orderly appearance.

- (1) Replacing Unhealthy Landscaping. Unhealthy or dead landscaping, as determined by the City Forester, shall be replaced with healthy plants by the end of the next applicable growing season. This includes all plant material that shows dead branches over a minimum of twenty five percent (25%) of the normal branching pattern.
- (2) Maintenance Responsibility. The property owner is responsible for the maintenance, repair, and replacement of all landscaping, screening, and curbing required herein, by the end of the next applicable growing season.
- (3) Maintain Quality and Quantity. Maintenance shall preserve at least the same quantity, quality, and screening effectiveness as when initially installed.
- (4) Fences and Other Barriers. Fences, walls, and other barriers shall be maintained in good repair and free of rust, flaking paint, graffiti, and broken or damaged parts.
- (5) Tree Topping. Tree topping is not permitted. Refer to 7.3.4(2) for clear branch height of street trees.
- (6) City Inspection. All landscaped areas regulated by this Chapter may be inspected by the City.

## 7.3 Street Trees and Streetscape Design.

### 1. Intent.

To line all streets installed after the adoption of this Code with a consistent and appropriate planting of trees, pavement design, and identity and to establish a tree canopy for environmental benefit and a sense of identity for all such streets.

### 2. Applicability.

The requirements herein apply to all development and changes to existing developments, as described in Section 7.1.

### 3. Streetscape Design Submittal.

A streetscape design shall be submitted for approval for all new streets within a development. At a minimum, the submittal shall include the following:

- (1) Street Trees. Details showing compliance with Section 7.3.4 Minimum Street Tree Requirements.
- (2) Sidewalk Pavement Design. Sidewalk paving materials and pattern shall be set for each Street Type (refer to Chapter 2.0 Street Types).
- (3) Street Furnishings. Benches, seatwalls, planters, planter fences, trash receptacles, and bicycle racks or other street furnishings shall be specified and quantities and locations listed for each Street Type (refer to Chapter 2.0 Street Types).
- (4) Landscape Design. Ground plane vegetation shall be designated for any landscape bed areas, planter areas, and tree wells.
- (5) Lighting. Pedestrian and vehicular lighting shall be specified and locations and quantities shown.
- (6) Identity Elements. Any other elements designed to establish the identity of each street, such as banners, pavement markers, artwork, or signage, shall be included in the streetscape design submittal.

### 4. Minimum Street Tree Requirements.

The following standards apply to the installation of street trees.

- (1) Exception. Street trees are not required on Alleys or the Lane Street Types (refer to Chapter 2.0 Street Types).
- (2) Trees Over Public Sidewalks. Trees overhanging a public sidewalk shall be trimmed from sidewalk grade to at least eight feet (8') above the sidewalk surface.
- (3) Street Tree Type. Medium and large shade trees are permitted to be installed as street trees. Refer to the list of permitted tree types in the Community Forestry Chapter of City Code.



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- (4) Street Tree Spacing. Street trees shall be planted as follows:
- (a) Each Lot is required to have one (1) tree for every forty feet (40') of street frontage but no less than one (1) street tree per street frontage.
  - (b) Spacing.
    - (i) Large trees must be spaced a minimum of thirty (30) and a maximum of sixty feet (60') on center.
    - (ii) Medium trees must be spaced a minimum of twenty (20) and a maximum of forty feet (40') on center.
  - (c) Limited Distance between Curb and Sidewalk. Where the distance from the back of the curb to the edge of the right-of-way or property line is less than nine feet (9') with a sidewalk, the City Forrester shall approve all tree species as described in City Code.
    - (i) Zoning Administrator may waive the street tree requirement for such spaces where there is less than nine feet (9') of width.
- (5) Tree Wells and Raised Planters. In the Downtown District, tree wells, or raised planters shall be utilized to provide landscaped space in the public right-of-way where the sidewalk extends from the back of curb to the property line.
- (a) For tree wells within sidewalks five feet (5') wide or less, open pit is not permitted. The opening must be covered with a tree grate or pervious pavement and the opening in a tree grate for the trunk must be expandable.
  - (b) Open tree wells may be coupled with short walls or seat walls or raised planters.
  - (c) Raised Planters. Raised planters may be utilized to accommodate street landscaping. Raised planters may be permanent or temporary/moveable. All raised planters must be irrigated, except that hand watering is allowed for moveable planters. Raised planters must not impede on minimum sidewalk width or dining area of seven feet (7') along the street frontage of a building or as required by an adopted unified planter design standard and must meet ADA requirements for access.
    - (i) Fifty percent (50%) of raised planters shall be between eighteen (18") and twenty two inches (22") in height. The maximum height of a raised planter is thirty six inches (36").
    - (ii) Overall planter length prior to a gap shall not exceed ninety six inches (96"). A forty two inch (42") sidewalk gap between planters is required at least every ninety six inches (96") to allow access to street parking.
    - (iii) Raised planters shall provide at least twelve inches (12") of width and length for planting. The maximum length for a twelve inch (12") planter shall not exceed thirty six inches (36") of planted area.
    - (iv) Planters with a minimum width of thirty six inches (36") may extend to ninety six inches (96") in length.

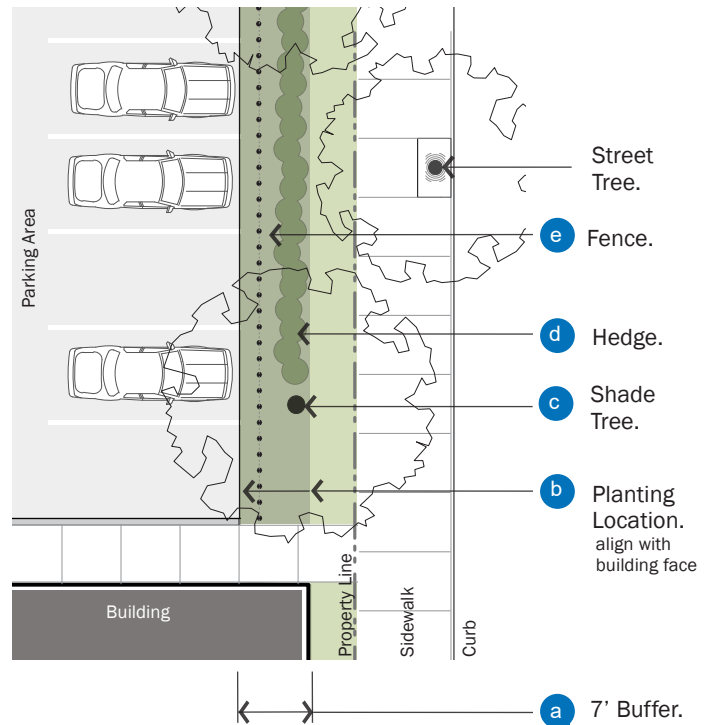


## 7.4 Frontage Buffer.

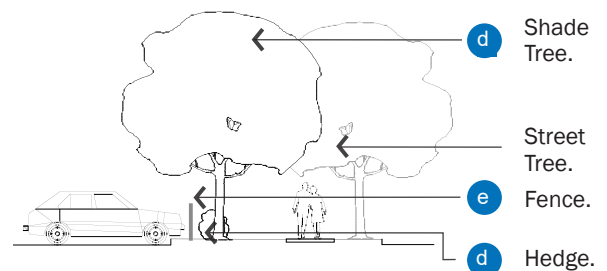
### 1. Applicability.

- (1) Applicability. Applies to properties in all Subdistricts where a vehicular parking area is located adjacent to a right-of-way.
- (a) Exceptions. Vehicular parking areas along alleys, unless a single or double unit residential use is located across the alley.

Frontage Buffer Requirements	
1. Buffer width and Location <sup>1</sup>	
Minimum Width	7' <span style="float: right;">a</span>
Maximum Width	15' Buffers in excess of 15' must comply with guidelines of an approved open space defined in Chapter 6.0 Open Space
Location on the Site	Between street facing property line and parking area <sup>2</sup> <span style="float: right;">b</span>
2. Buffer Landscape Requirements	
Uses and Materials	Uses and materials other than those indicated are prohibited in the buffer
Shade Trees	Medium or large shade tree required at least every 40'. Locate on the street side of a fence. Spacing should alternate with street trees <span style="float: right;">c</span>
Hedge	Required continuous hedge on street side of a fence, between shade trees and in front of vehicular areas <span style="float: right;">d</span>
Hedge Composition	Individual shrubs with a minimum width of 24", spaced no more than 36" on center, height maintained no more than 48"
Existing Vegetation	May be credited toward buffer area
3. Fence (optional, requirements when installed) <span style="float: right;">e</span>	
Location	2' from back of curb of vehicular area
Materials	Steel, colored PVC, wood, or iron. Masonry columns (maximum width 2'6") and base (maximum 18" height) permitted <sup>3</sup>
Minimum Height	3'
Maximum Height	4'
Colors	Black, gray, or dark green
Transparency	Minimum 30%, Maximum 60% <sup>3</sup>
Gate/Opening	One gate permitted per street frontage. Opening width maximum 6'



Front Buffer Plan.



Front Buffer Section.

Figure 7.4 (1). Frontage Buffer Plan and Section.

### Frontage Buffer Requirements

#### Notes:

- 1 This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.
- 2 In front, corner, and rear yards (on a through lot), when the parking area is located adjacent to any building on the lot, the buffer must be located so that it aligns with or is behind the face of the adjacent building back to the vehicular area. The area between the buffer and the property line must be landscaped.
- 3 Fencing characteristics defined in Chapter 6.0 Open Space, General Requirements.

# 7.0 Landscaping

## 7.5 Side and Rear Buffer.

### 1. Applicability.

- (1) Applicability. Applies to all properties in all Core, General, and Edge Subdistricts, which directly adjoin properties in a different Subdistrict, as described in Buffer Requirements Between Subdistricts Table.

Side and Rear Buffer Requirements	
1. Buffer Depth and Location	
Depth	Varies based on the Subdistrict of the lot and the adjacent lot. See Table 7.5 (1). <span style="float: right;">a</span>
Location on the Site	Locate buffers on more intensively zoned lot. Buffer is measured from side and rear property lines.
2. Required Landscape Screen	
Width	5' landscape screen in addition to any other buffer landscaping <span style="float: right;">b</span>
Location	Directly adjacent to the rear or side property line
Hedge	Continuous double row of shrubs required between shade trees <span style="float: right;">c</span>
Hedge Composition	Double row of individual shrubs with a minimum width of 24", spaced no more than 36" on center. Mature height of 24" in one year and 6' in five years
Hedge Frequency	Minimum of 15 shrubs per 100' of property line is required
Shade Trees	At least 1 medium or large shade tree per every 40' within the buffer <span style="float: right;">d</span>
3. Buffer Landscape Requirements	
Uses and Materials	Uses and materials other than those indicated are prohibited within the buffer
Tree Canopy Coverage	1 medium or large shade tree required per 2,000 square feet of buffer, excluding the area within the required landscape screen
Existing Vegetation	May be credited toward buffer area

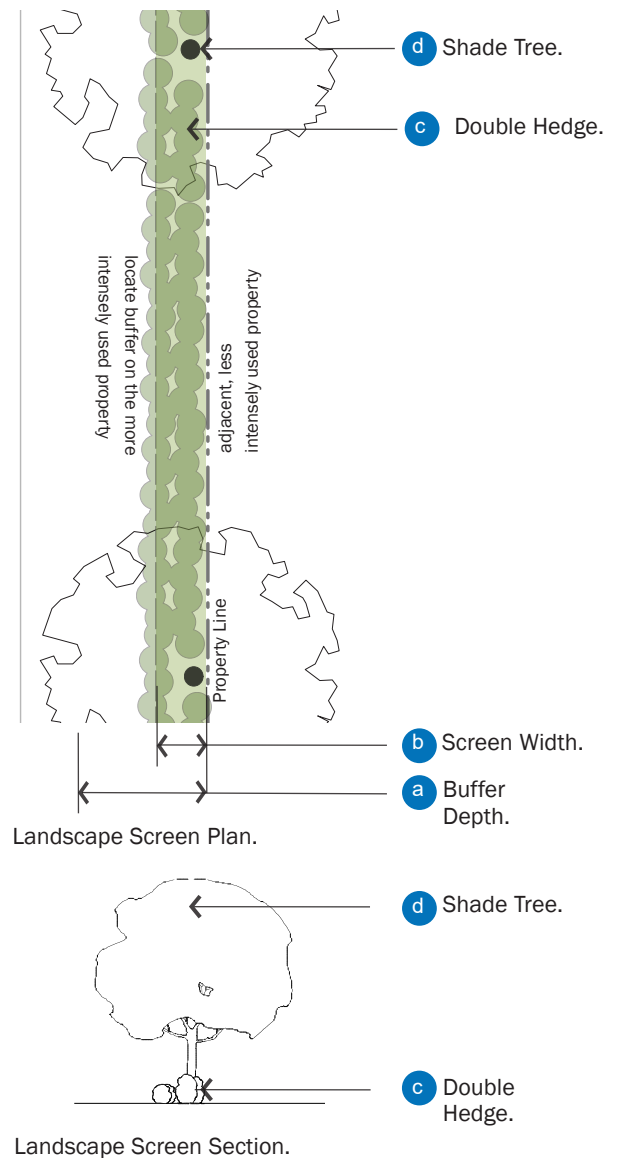


Figure 7.5 (1). Landscape Screen within Side and Rear Buffer.

Buffer Requirements between Subdistricts				
Buffer Required by these Districts				
	Core	General	Warehouse	Edge
Core	not required	not required	not required	not required
General	not required	not required	not required	not required
Warehouse	not required	not required	not required	not required
Edge	not required	not required	not required	not required
any existing single unit	10'	10'	not required	not required

Table 7.5 (1). Side and Rear Buffer Requirements between District.

## 7.6 Interior Parking Lot Landscape.

### 1. Applicability.

- (1) Applicability. Applies to all open-air, off-street parking lots in all Subdistricts.
- (2) Parking Lot Interior. The area dedicated to parking on a given parcel as measured from edge of pavement to edge of pavement of the parking area.
- (3) Other Internal Parking Lot Areas. Internal areas not formally dedicated to parking or drives shall be landscaped with a minimum of one (1) medium or large shade tree for the first one hundred fifty square feet (150 ft<sup>2</sup>) and one (1) medium or large shade tree for every six hundred fifty square feet (650 ft<sup>2</sup>) thereafter.
- (4) Existing Vegetation. Existing vegetation shall be credited toward these requirements.

Interior Parking Lot Landscape Requirements	
1. Landscape Island Requirements	
<b>Required Island Locations</b>	Terminal ends <sup>1</sup> of free standing rows or bays of parking. <sup>2</sup>
<b>Minimum Width</b>	5' wide landscape islands. Islands less than 15' should utilize structural soil under any paved surface within a tree's critical root zone. Islands under 9' should install an aeration system and utilize permeable pavement
<b>Required Trees Within Islands</b>	Minimum of 1 medium or large shade tree per island
2. Landscape Median Requirements	
<b>Required Median Location</b>	Required in each free-standing bay of parking along the length of the bay
<b>Minimum Width</b>	5' wide landscape medians. Medians less than 15' should utilize structural soil under any paved surface within a tree's critical root zone. Medians under 9' should install an aeration system and utilize permeable pavement
3. Tree Requirements	
<b>Requirements per Parking Space <sup>3</sup></b>	Each parking space must be located within 50' of a Planted tree's trunk within parking lot interior  Minimum of 1 shade tree must be planted within parking lot interior or within 4' of parking lot's edge for every 3 parking spaces
<b>Tree Shade Goal</b>	Within 20 years of tree installation, at least 30% of the interior of the parking lot should be shaded by tree canopy. Refer to Table 7.6 (1) for calculation.

<sup>1</sup> Freestanding rows or bays of parking are those not abutting the parking lot perimeter or building face, and may have a single or double row of parking.

<sup>2</sup> There shall be no more than 8 continuous parking spaces in a row without a landscape island.

<sup>3</sup> Trees within a designated buffer area may not be utilized to meet these requirements

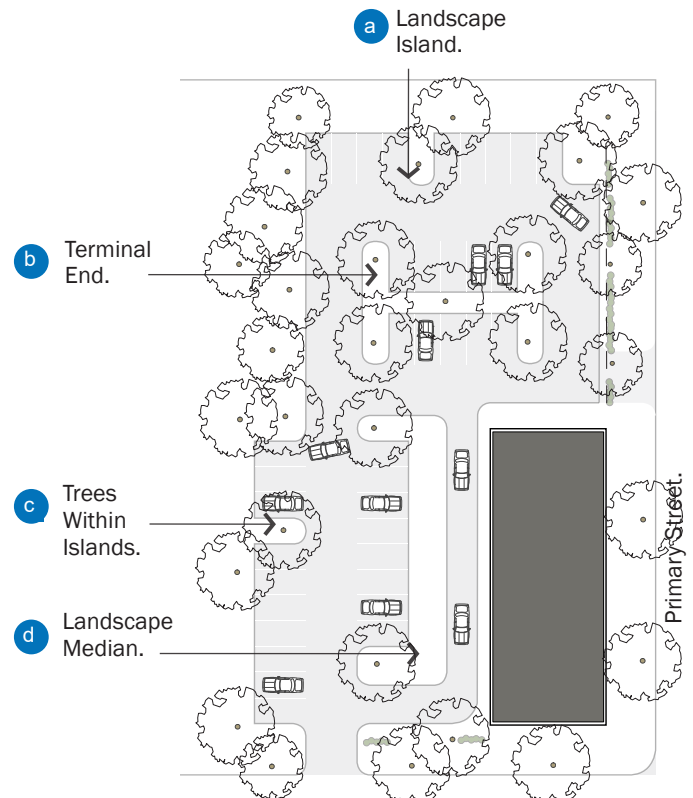


Figure 7.6 (1). Interior Parking Lot Landscaping.

Tree Size	Estimated Canopy at Maturity (sq ft)	Estimated Height at Maturity (ft)
Very Small	150	under 15'
Small	400	15'-25'
Medium	900	25'-40'
Large	1600	40'+

Table 7.6 (1). Estimated Canopy and Height at Maturity.

# 7.0 Landscaping

## 7.7 Active Frontage Buffer.

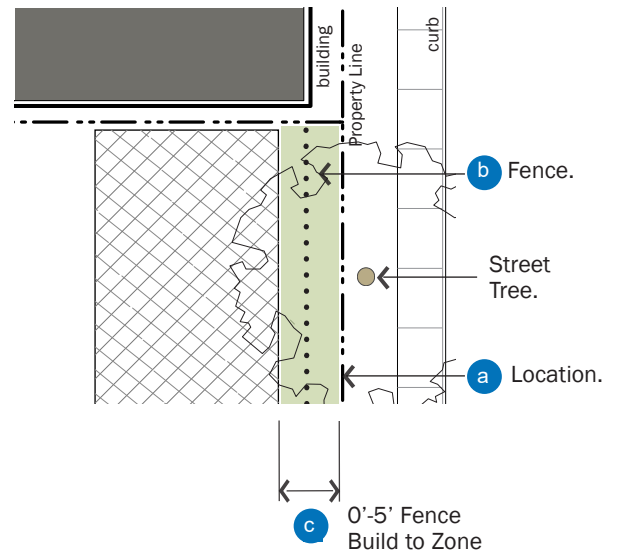
### 1. Applicability

- (1) Applicability. Applies to non-vehicular outdoor sites in all Subdistricts. For vehicular areas, refer to 7.4 Frontage Buffer. Public open space is exempt from buffer requirements.

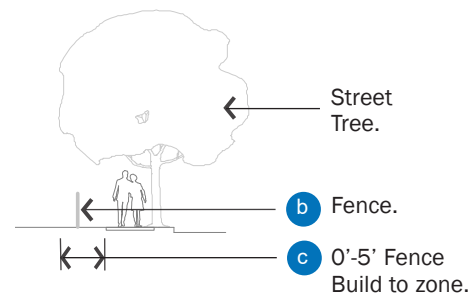
Active Frontage Requirements	
1. Frontage Location	
<b>Location on the Site</b>	Required adjacent to dining, patio, or display area <b>a</b>
2. Required Fence	
<b>Location</b>	Between 0' and 5' from the front and corner side property lines. Only required in front of patio/display area <b>c</b>
<b>Materials</b>	Steel or colored PVC. Masonry base or columns permitted
<b>Minimum Height</b>	3'
<b>Maximum Height</b>	4'
<b>Opacity</b>	Minimum 30%, Maximum 60% <sup>1</sup>
<b>Gate/Opening</b>	One gate permitted per street frontage. Opening width maximum 6'

Notes:

<sup>1</sup> Fence may be solid if 36" or less in height



Active Frontage Plan.



Active Frontage Section.

Figure 7.7 (1). Active Frontage.



# 7.8 Screening of Open Storage, Refuse Areas, and Utility Appurtenances.

## 1. Applicability.

- (1) Applicability. Applies to all dumpsters, open storage, refuse areas, and utility appurtenances in all Subdistricts.

Screening of Open Storage, Refuse Areas, and Utility Appurtenances	
1. Open Storage and Refuse Area Screening Requirements	
Location on the Site	Not permitted in front or corner side yards
Opaque Screen Wall <sup>1</sup>	Required around 3 sides of the dumpster and trash bin area <span>a</span>
Screen Wall Height	Height shall be the higher of the following: <ol style="list-style-type: none"> <li>6' or</li> <li>Height of use to be screened or</li> <li>Height as determined by City to accomplish objective of the screen</li> </ol>
Visible Openings	Openings visible from the public way or adjacent properties must be furnished with opaque gates <span>b</span>
Landscape Requirement	If refuse area is located within larger paved area, such as a parking lot of 10 stalls or more, landscape islands must be located on 3 sides of the area, with at least 1 medium or large shade tree in at least 1 of the landscape areas. <span>c</span> <sup>2</sup> This does not apply to refuse areas within or adjacent to the Alley Street type.
2. Utility Appurtenance Screening Requirements	
Large Private Mechanical Equipment <sup>3</sup>	Shall be fenced with opaque wood or brick-faced masonry on all sides facing right-of-way
Small Private Mechanical Equipment <sup>4</sup>	Shall have landscape screening and a shrub bed containing shrubs spaced no more than 36" on center

Notes:

- <sup>1</sup> Vertical structured barrier to visibility at all time such as a fence or wall
- <sup>2</sup> This tree, if located within 50' of a parking space, may be utilized to meet the minimum shade requirements
- <sup>3</sup> Large private mechanical equipment is equal to or greater than 4' in height
- <sup>4</sup> Small private mechanical equipment is smaller than 4' in height

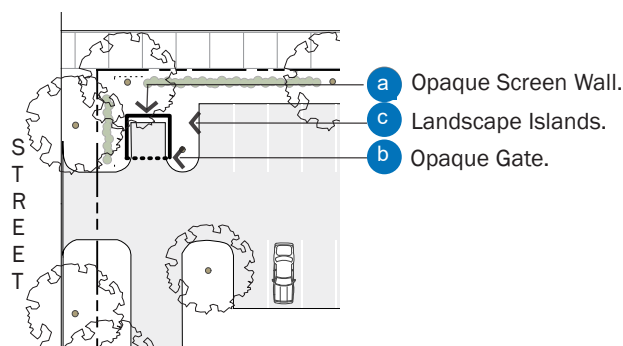


Figure 7.8 (1). Screening of Open Storage and Refuse Areas.

# 7.0 Landscaping

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# 8.0 Parking



# 8.0 Parking

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## 8.1 General Requirements.

### 1. Intent.

The following provisions are established to accomplish the following:

- (1) Ensure an appropriate level of vehicle parking, loading, and storage to support a variety of land uses.
- (2) Provide appropriate site design standards to mitigate the impacts of parking lots on adjacent land uses and Subdistricts.
- (3) Provide specifications for vehicular site access.

### 2. Applicability.

This Section shall apply to all new development and changes in use or intensity of use for existing development, in this form based code.

- (1) Compliance. Compliance with the standards outlined shall be attained in the following circumstances:
  - (a) Existing nonconforming parking lots within the a District shall not be required to conform to the requirements of this Chapter.
  - (b) Any development of new or significant improvements to existing parking lots, loading facilities, and driveways where a site plan review is required shall require adherence with the regulations of this Chapter. Alterations to buildings that trigger the requirements of Chapter 5.0 Buildings is a significant improvement.
  - (c) Remilling or reconstruction of an existing parking area may require compliance with this Chapter as determined by the Zoning Administrator.
  - (d) Reorganization of existing parking stalls and aisles through re-striping is not a significant improvement.
  - (e) Change in use requiring a change in the amount of parking shall require compliance with this Chapter.
- (2) Site Plan Approval Required. Parking quantities and parking design and layout shall be approved through the site plan approval process.

## 8.2 Parking Requirements.

### 1. General Requirements for Parking.

Off-street parking spaces shall be provided in conformance with Tables 8.2 (1) Required Vehicular Parking and 8.2 (2) Bicycle Parking.

- (1) Required Accessible Parking. Parking facilities accessible for persons with disabilities shall be in compliance with the standards detailed in the International Code Council and American National Standard Institute (ICC/ANSI) Code for Accessible and Usable Buildings and Facilities as adopted by the City.
- (2) Requirements for Unlisted Uses. Upon receiving a site plan approval, certificate of occupancy, or other permit application for a use not specifically addressed in this Section, the Zoning

Administrator is authorized to apply off-street parking standards specified for the use deemed most similar to the proposed use. In instances where an equivalent is not clearly determined, the Zoning Administrator may require the applicant to submit a parking study or other evidence to determine the appropriate requirements.

- (3) Private Off-Premises Parking. Private off-site parking facilities may be approved, with the following conditions:
  - (a) An agreement providing for the use of off-site parking, executed by the parties involved, shall be submitted in a form approved by the City Attorney and filed with the Zoning Administrator.
  - (b) The closest parking space, as measured along a dedicated pedestrian path, of any off site parking must be within one thousand three hundred feet (1,300') from the entrance of the use.
- (4) Tandem Parking. Tandem parking is permitted for townhome and yard home building types with approval of the Zoning Administrator through the site plan review process.

### 2. Required Vehicular and Bicycle Parking.

Tables 8.2 (1) and 8.2 (2) outline the required vehicular and bicycle parking requirements.

- (1) Organized by Use. The parking requirements are organized by use, in a similar fashion to Table 4.1 (1) Use Table in Chapter 4.0 Uses.
- (2) Minimum Vehicular Spaces Required. The vehicular spaces required indicates the required off-street parking ratio, which may be subject to credits and other reductions, as detailed in this Chapter.
- (3) Maximum Allowable Vehicular Spaces. When a use requires more than twenty (20) spaces, no more than ten percent (10%) over the minimum number of required parking spaces shall be provided.
  - (a) For unlisted uses and uses with no requirements, the maximum number of spaces required should be no more than the maximum allowable spaces for the use demand most similar to the unlisted use as determined by the Zoning Administrator.
- (4) Recommended Bicycle Parking. The Recommended Bicycle Parking Table 8.2 (2), indicates the minimum bicycle parking ratio recommended by use category.
- (5) Computation. Off-street parking spaces shall be calculated using the following information.
  - (a) Area Measurements. The following units of measurements shall be utilized to calculate parking requirements.
    - (i) Dwelling Unit. Parking standards for residential buildings shall be computed using dwelling unit as the unit of measure, unless otherwise stated.
    - (ii) Gross Square Footage. Unless otherwise stated, parking standards for non-residential uses shall be computed on the basis of gross floor area in square feet.



# 8.0 Parking

Use	Required Vehicular Spaces	
Refer to Chap. 4.0 for Use Categories	Place Types	
	Future Place Type	Urban Center & Townsite
<b>Residential</b>		
Single unit detached, all		1/Dwelling Unit
Single unit attached, 1 Bedroom		0.5/Dwelling Unit
Single unit attached, 2 Bedrooms		1 per Dwelling Unit
Single unit attached, 3 or 3+ Bedrooms		1.5 per Dwelling Unit
Multiunit, 1 Bedroom		0.5/Dwelling Unit
Multiunit, 2 Bedrooms		1 per Dwelling Unit
Multiunit, 3 or 3+ Bedrooms		1.5 per Dwelling Unit
Hotel and Inn		1 per Room and 1 per 200 sq.ft. Office Conference Space. Refer to eating establishments for attached restaurant parking.
Residential Care		0.66 per Employee
<b>Civic/Institutional</b>		
Assembly		1 per 6 Seats
Transit Station		Per Zoning Administrator
Hospital and Clinic		.20 per Bed and .66 per Employee
Library / Museum / Post Office (no distribution)		1 per 600 sq. ft.
Police and Fire		Per Zoning Administrator
Post Office (distribution)		1 per 600 sq. ft.
School: Pre K to Jr. High		1 per Classroom and 1 per 300 sq. ft Office
School: High School, Higher Education		1 per Classroom, 1 per 300 sq. ft Office, and .10 per Student

Table 8.2 (1). Required Off-Street Vehicular Parking.

Use	Bicycle Spaces
Multiunit	Minimum 2 spaces or .05 spaces / bedroom, whichever is greater
Civic/Institutional	Minimum 2 spaces, 1 / additional 10,000 sf
Retail	Minimum 2 spaces, 1 / additional 5,000 sf
Services	Minimum 2 spaces, 1 / additional 5,000 sf
Office	Minimum 2 spaces, 1 / additional 10,000 sf
Open Space	Per Zoning Administrator

Table 8.2 (2). Required Bicycle Parking.

Use	Required Vehicular Spaces	
Refer to Chap. 4.0 for Use Categories	Place Types	
	Future Place Type	Urban Center & Townsite
<b>Retail</b>		
Neighborhood Retail		1 per 300 sq. ft.
General Retail		1 per 500 sf
<b>Service</b>		
Neighborhood Service		1 per 250 sq. ft.
General Service		1 per 300 sf
Eating and Drinking Establishments		1.0 per 3 seats + 1/3 number of employees
Vehicle Services		2 per Service Bay and 1 per 200 sq. ft Office
<b>Office and Industrial</b>		
Office		1 per 1000 sf
Craftsman Industrial		1 per 1,000 sq. ft. of Production Space and 1 per 500 sq. ft. of Retail Space
<b>Open Space and Recreation</b>		
Open Space and Recreation		Per Zoning Administrator

Table 8.2 (1). Required Off-Street Vehicular Parking.

- (iii) Occupancy- or Capacity-Based Measurements. Parking spaces required per available seat or per employee, student, or occupant shall be based on the greatest number of persons on the largest shift, the maximum number of students enrolled, or the maximum fire-rated capacity, whichever measurement is applicable.
- (iv) Bench Seating. For uses in which users occupy benches, pews, or other similar seating facilities, each twenty four inches (24") of such seating shall be counted as one seat.
- (b) Fractions. When computation of the number of required off-street parking spaces results in a fractional number, any result of one-half (0.5) or more shall be rounded up to the next consecutive whole number. Any fractional result of less than one-half (0.5) may be rounded down to the previous consecutive whole number.
- (c) Multiple Uses on a Lot. When there are multiple uses on a lot, required spaces shall be calculated as an amount equal to the total requirements for all uses on the lot, unless the uses qualify for shared, cooperative, or other credits to reduce parking. (Refer to 8.2 (3).

### 3. Multiple Use Reductions.

The following reductions may be taken when multiple uses share parking spaces.

- (1) Shared Vehicular Parking. An arrangement in which two (2) or more non-residential uses with different peak parking demands use the same off-street parking spaces to meet their off-street parking requirements.
  - (a) General Provisions. Through review of the site plan the Zoning Administrator may permit up to one hundred percent (100%) of the parking required for a use with peak parking demands during daytime hours per Table 8.2 (3) to be supplied by the off-street parking spaces provided for a use with peak parking demands during nighttime or weekend hours and vice versa.
  - (b) Approval. In order to approve a shared parking arrangement, the Zoning Administrator must find, based on evidence provided by the applicant, that the peak hours of parking generation for both uses are not the same periods.
  - (c) Description of Uses with Weekday, Nighttime, and Weekend Peak Parking.
    - (i) The following uses are considered predominantly weekday uses: office and industrial uses and other similar uses as authorized by the Zoning Administrator.
    - (ii) The following uses are typically considered predominantly nighttime or weekend uses: eating and drinking establishments, assembly uses, and other similar uses with peak activity at night or on weekends, as authorized by the Zoning Administrator.
- (2) Cooperative Vehicular Parking. When two (2) or more categories, other than single dwelling residential uses, share a parking lot and are located on the same lot or adjacent lots, the following standards apply:
  - (a) General Provisions. Cooperative parking will be approved in accordance with the following (refer to Table 8.2 (3)).
    - (i) For each applicable land use category, calculate the number of spaces required as if it were the only use (refer to Table 8.2 (1)).
    - (ii) Use the figures for each individual land use to calculate

the number of spaces required for that use for each time period specified in Table 8.2 (3). This table establishes six time periods per use.

- (iii) For each time period, add the number of spaces required for all applicable land uses to obtain a total for each of the six (6) time periods.
- (iv) Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site on a shared parking basis.
- (b) Uses in Different Buildings. Cooperative vehicular parking may be approved for uses in multiple buildings.
- (c) Location of Cooperative Parking. Any cooperative parking must be within six hundred sixty feet (660') from the entrance of the use to the closest parking space within the cooperative parking lot, as measured along a dedicated pedestrian path.
- (d) Off-Site Cooperative Parking Agreement. An agreement approved by the City Attorney providing for cooperative use of off-site parking spaces, executed by the parties involved, shall be reviewed by the Zoning Administrator during review of the site plan.
  - (i) When off-site cooperative parking agreement expires or is waived by agreement of all parties listed in agreement, parking must conform as required by this Section.

### 4. Parking Credits.

Vehicular parking standards in Table 8.2 (1) may be reduced by achieving one or more of the following credits.

- (1) On-Street Parking Credit. For all non-residential uses, on-street parking spaces that meet the following criteria shall be credited one-for-one against the parking requirement.
  - (a) Spaces shall be signed and designated as available twenty-four (24) hours of every day. Metered stalls or stalls with time limits qualify for this requirement.
  - (b) On-street space must be located a minimum of fifty percent (50%) adjacent to the property line of the lot.

Use Category	Weekdays			Weekends		
	Midnight-7:00 am	7:00 am-6:00 pm	6:00 pm-Midnight	Midnight-7:00 am	7:00 am-6:00 pm	6:00 pm-Midnight
Residential	100%	50%	80%	100%	80%	80%
Retail and Service	5%	100%	80%	5%	100%	60%
Hotel and Inn	100%	65%	100%	100%	65%	100%
Place of Worship	0%	30%	50%	0%	100%	75%
Eating and Drinking Establishment	50%	70%	100%	70%	60%	100%
Office	5%	100%	5%	5%	5%	5%
Theater / Entertainment	5%	30%	100%	5%	80%	100%

Table 8.2 (3). Cooperative or Shared Vehicular Parking Spaces.

# 8.0 Parking

- (2) Off-Street Public Parking Credit. For all non-residential uses, public parking spaces located within six hundred sixty feet (660') of any property line may be credited against the parking requirement at a rate of one credit for every three public parking spaces.
  - (a) Metered stalls or stalls with time limits qualify for this requirement
- (3) Transit Credit. For all uses, vehicular parking requirements may be reduced with proximity to a fixed route line with up to fifteen (15) minutes headways. Proximity is measured along a walking path from any point along the property line to the platform or transit stop.
  - (a) If a property is located within four hundred feet (400'), a reduction of ten percent (10%) of the required off-street parking may be approved.
  - (b) If a property is located within eight hundred feet (800'), a reduction of five percent (5%) of the required off-street parking may be approved.
- (4) Car-Share Parking Credit. The vehicular parking requirements may be reduced with the inclusion of car-share parking spaces as follows.
  - (a) Per each car-share parking space provided within six hundred and sixty feet (660') distance from property line, required parking spaces shall be reduced by two (2) spaces. With approval from the Zoning Administrator a car-share parking space may provide credits to one (1) or more parcels.
  - (b) Required parking spaces may be reduced up to twenty five percent (25%).
  - (c) Approval. Applicant must provide documentation of an agreement with a car-share company. Agreement shall stipulate that a shared car will be staged at a specific signed stall. If this agreement should terminate at any point, applicant shall be required to provide parking as otherwise required herein.
- (5) Additional reductions may be approved by the Zoning Administrator with the submittal of a parking study detailing reduction. In the absence of a parking study, the Zoning Administrator may grant parking credits for transit, car sharing, and bicycle sharing programs.

## 8.3 Parking Design Standards.

### 1. Vehicular Off-Street Parking Lots.

The design or redesign of all off-street parking facilities shall be subject to the site plan approval procedure.

- (1) Vehicular Parking Space Dimensions. The appropriate dimensions for parking spaces are outlined in Table 8.3 (1) Parking Space Dimensions and Figure 8.3 (1) Parking Lot Layout.
  - (a) The width of a parking space shall be measured from the center of a stripe.
  - (b) Each indoor space shall have a vertical clearance of at least seven feet (7').
- (2) Wheel Stops. Wheel stops or bumper guards shall be installed when parking is adjacent to a pedestrian pathway to prevent vehicle overhang that reduces the sidewalk width. Such stops or guards shall be properly anchored or secured.
- (3) Location of Parking. Refer to Chapter 5.0 Building Types for information on the location of parking facilities.
- (4) Access. All off-street parking and loading facilities shall open directly onto an aisle, alley, or driveway designed according to the Access Management Plan. Exceptions include:
  - (a) Tandem Parking. No more than two (2) spaces may be included in a tandem parking spot, and the rear space must meet the access requirement.
  - (b) Parking Lifts. The lift exit shall meet the access requirement.
- (5) Edge of Lot and Drives. All curb and gutter shall be located a minimum of three feet (3') from any adjacent property line or right-of-way.

Angle (degrees)	Curb Length (feet)	Stall Width (feet)	Stall Depth (feet)	Travel Lane Width: One-Way (feet)	Travel Lane Width: Two-Way (feet)
0	20	7	-	12	20
45	12	8.5	17	12	20
60	10	8.5	18	18	20
90	9	8.5	18 <sup>1</sup>	22	22

Note

<sup>1</sup> Stall depth may be reduced 2' when stall directly abuts an interior parking lot median that includes an additional area beyond the minimum width outlined in 6.14.3, permitting the overhang of the adjacent parked vehicle's front bumper.

Table 8.3 (1). Parking Space Dimensions.

- (6) Slopes. All parking and driveway or sidewalk access shall meet the requirements of the Access Management Plan.
- (7) Landscape Screening. All parking areas shall meet the requirements of in Chapter 7.0 Landscaping.
- (8) Landscape Areas. Areas not used specifically for sidewalks, parking spaces, driving aisles, loading, or refuse shall not be paved.
- (9) Pavement Construction. All parking and driveways shall be constructed using asphalt, concrete, pavers, or other semi-pervious material approved by the Zoning Administrator.
- (10) Illumination. All off-street parking lots or parking structures shall provide a level of illumination at any point in the parking lot or structure not less than one (1) foot-candle measured at the pavement. All lighting shall be shielded or otherwise optically controlled to provide glare-less illumination and limit trespass on adjacent properties.

## 2. Pedestrian Access.

All parking lots with two (2) or more double-loaded aisles shall provide internal pedestrian pathway(s) within the parking area and outside of the parking drive aisle. Zoning Administrator may waive this requirement if applicant can demonstrate requirement cannot be met due to space limitations.

- (1) Dimension. The pathway shall be a minimum of six feet (6') in width.
- (2) Quantity. One pathway is required for every three (3) double loaded aisles.
- (3) Location. The pathway shall be centrally located within the parking area to serve a maximum number of parking stalls.
  - (a) Pathways shall provide direct connections to the principal structure(s) entrances from the spaces furthest from the entrance.
  - (b) At least one pathway shall provide a direct connection between adjacent vehicular rights-of-way and/or trails and the principal structure's entrance.
- (4) Pathway Delineation. Pedestrian pathways shall be clearly marked with striping or through the use of alternative materials, such as pavers. Refer to Figure 8.3 (2).

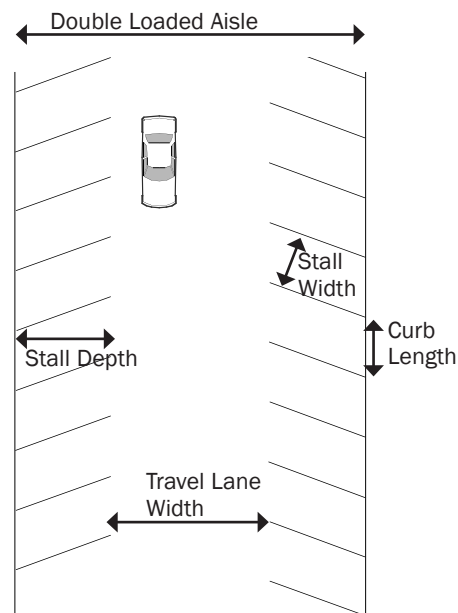


Figure 8.3 (1). Parking Lot Layout.

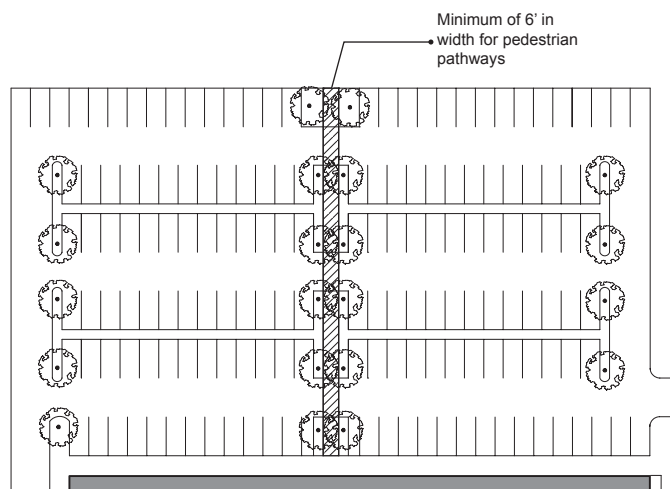


Figure 8.3 (2). Parking Lot Pedestrian Walkway.

# 8.0 Parking

## 3. Bicycle Parking Design.

Bicycle parking (refer to Table 8.3 (2) Required Bicycle Parking for quantity required) shall be designed and located as follows.

- (1) Dimensions.
  - (a) Required bicycle parking spaces shall have minimum dimensions of two feet (2') in width and six feet (6') in length.
  - (b) An aisle a minimum of five feet (5') wide shall be provided behind bicycle parking facilities to allow for maneuvering.
  - (c) A minimum of two feet (2') shall be provided beside each parked bicycle to allow access. This access may be shared by adjacent bicycles.
  - (d) Racks shall be installed a minimum of two feet (2') from any wall or other obstruction.
- (2) Location. Bicycle parking should be located within fifty feet (50') of the entrance of the use.
  - (a) Indoor or outdoor spaces are permitted, provided they are located on the lot with which they are associated.
  - (b) Spaces located within individual dwelling units may not be counted toward bicycle parking requirements.
  - (c) Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.
- (3) Racks and Structures. Racks and structures shall be provided for each unprotected parking space, and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at two points.
- (4) Bicycle Storage. Where required in multiunit or office uses bicycle storage shall be lockable and enclosed. Half of the bicycle parking spaces should be provided as long term parking, safe and secure from vandalism and theft, and protected from the elements.
- (5) Surface. The parking surface shall be designed and maintained to be mud and dust free. The use of rock or gravel areas for bicycle parking is permitted provided that edging materials delineate the parking from other surfaces so that the bicycle parking area is clearly demarcated and the rock material is contained.
- (6) Signage. If required bicycle parking for public use is not visible from the street, signs must be posted indicating their location.
- (7) Maintenance and Lighting. Areas used for required bicycle parking must be well-lit with drainage to be free of mud and standing water.

Use	Bicycle Spaces
Multiunit	2 spaces or .05 spaces per bedroom, whichever is greater
Civic/Institutional	2 spaces, 1 per additional 10,000 sf
Retail	2 spaces, 1 per additional 5,000 sf
Services	2 spaces, 1 per additional 5,000 sf
Office	2 spaces, 1 per additional 10,000 sf
Open Space	Per Zoning Administrator

Table 8.3 (2). Recommended Bicycle Parking.



## 8.4 Site Access and Driveways.

### 1. General Requirements.

These standards shall supplement the provisions for access provided in Chapter 5.0 Building Types. Each driveway providing site access from a street, alley, or other vehicular right-of-way shall be designed, constructed, and permanently maintained as required by this Section.

### 2. Quantity of Driveways.

The number of driveways permitted for each Building Type is located in Chapter 5.0 Building Types.

### 3. Dimensions and Design.

- (1) Driveway Width at Property Line. All driveways shall have a maximum width of twenty two feet (22') as measured at the property line except as stated below, see Figure 8.5 (1) Driveway Width and Location.
  - (a) Residential Building Types. Driveways constructed in residential districts shall have a maximum width of eleven feet (11') when crossing the front or corner property line.
  - (c) Maximum width for one-way driveways is twelve feet (12') at the property line.

- (2) Shared Access. When possible, adjacent developments should share points of access to minimize impervious surface.
  - (a) Shared Driveway Width. When access is shared between three or more non-residential users, a dedicated turn lane may be constructed, allowing an increase in the maximum driveway width from twenty two feet (22') to thirty two feet (32') provided that:
    - (i) Access must be onto a defined street type (excluding Alleys)
    - (ii) Such access is approved by the City Engineer.
- (3) Sidewalk Pavement. Sidewalk pavement elevation, width, design, scoring, material, and design shall extend continuously over the driveway pavement with the intent of prioritizing the sidewalk path over the driveway.

### 4. Location.

Specific location information can be found in Chapter 5.0 Building Types. Refer to Figure 8.4 (1) Driveway Width and Location.

- (1) Driveways accessing rear yard garages are permitted within the side or rear yard setback, no closer than two feet (2') from a side or rear property line, unless the driveway is shared.
- (2) Driveways shall not be closer than twenty five feet (25') from the intersection of two (2) streets, unless otherwise stated in Chapter 5.0 Building Types.

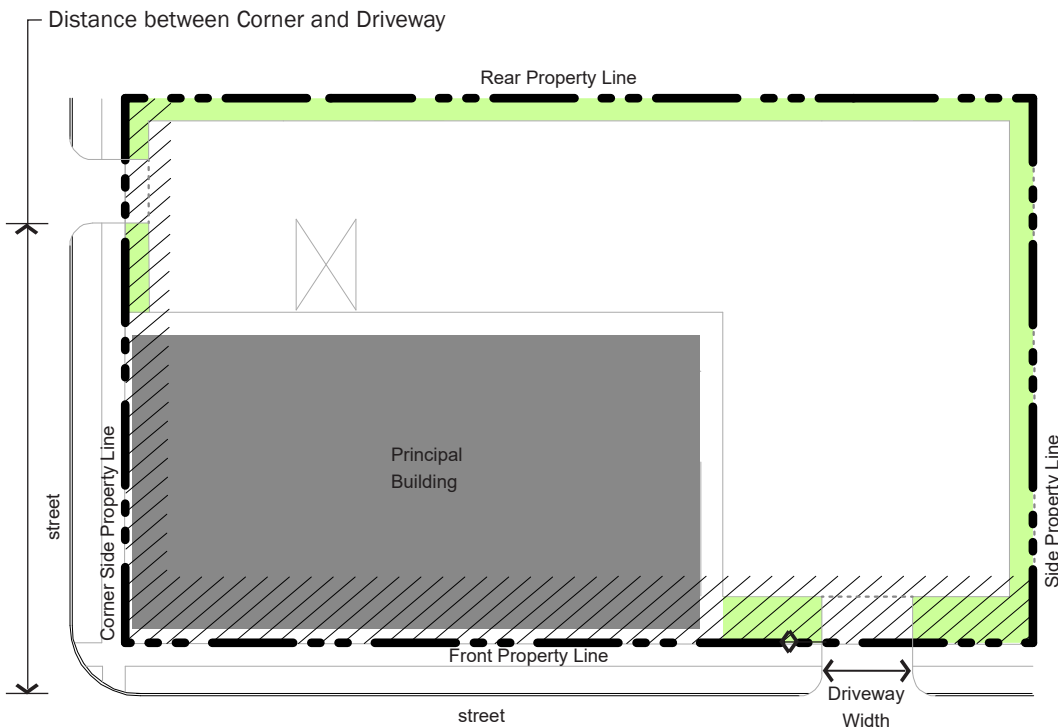


Figure 8.4 (1). Driveway Width and Location.

# 8.0 Parking

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# 9.0 Sign Types



# 9.0 Signs

## 9.1 General Requirements.

### 1. Downtown District.

All signs located in the Downtown District boundaries shall adhere to the requirements of the CC Zone in the City Sign Code.

### 2. South Downtown District.

All signs located in the the South Downtown District, except in the Historic Residential Subdistrict, shall adhere to the requirements of the CC Zone in the City Sign Code.

- (1) Sign located in the Historic Residential Subdistrict shall adhere to the requirements of the R1 Zone in the City Sign Code.

# 10.0 Administration





# 10.0 Administration

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## 10.1 General Provisions.

### 1. Purpose.

The intent of this Code is to promote public health, safety, and general welfare of the community, reflecting the goals established within the City It includes but is not limited to the specific purposes below.

- (1) To achieve mixed use development that is appropriate in scale and intensity for neighborhoods and sites in adopted Place Types
- (2) To establish a relationship between buildings, streets, and open spaces that is pedestrian, bicycle, and transit-oriented.
- (3) To preserve and enhance the City's natural resources, energy, water, and open spaces and to promote innovative development that sustainably manages these resources, including stormwater runoff and mitigation of the urban heat island effect.
- (4) To ensure that a variety of housing types and sizes can be developed to meet the needs of the community.
- (5) To promote a variety of transportation options for residents and visitors.

### 2. Scope of Regulations.

- (1) New Development. All development, construction, and establishment of uses occurring after the effective date of this Code shall be subject to all applicable regulations of this Code. Exceptions and conditions of uses are detailed in each Chapter.
- (2) Renovated Structures. Renovation of existing buildings may trigger compliance to this Code. See Chapter 5.0 Building Types.
- (3) In-Process Development. Where a building permit for a development has been applied for in accordance with the prior law in advance of this Code's effective date, said development may comply with the plans from which the permit was approved and, upon completion, receive a Certificate of Occupancy provided the following are met:
  - (a) Work or construction is begun within one (1) year of the effective date of this Code and
  - (b) Work or construction continues diligently toward completion.
- (4) Nonconformance. After the effective date of this Code, existing buildings and uses that do not comply with the regulations of this Code shall be considered nonconforming and are subject to the standards of 10.4 Nonconformances.

### 3. Administration & Enforcement.

- (1) The provisions of this Code shall be administered and enforced by the Zoning Administrator unless otherwise specifically stated. For the purposes of this Code, the term Zoning Administrator shall be inclusive of his or her designees.
- (2) Where provisions of this Code differ from the City's Zoning Ordinance and Subdivision Ordinance, the requirements of this

Code shall apply; otherwise all requirements of City, State, and Federal law shall apply.

- (3) Violations of the provisions of this Code shall constitute a misdemeanor.

### 4. Development Application.

Applications including all forms, fees, and plan sets shall be filed with the Zoning Administrator.

- (1) Application Form. Application forms are available from the City. The application form shall include submittal requirements.
- (2) Fees. Fees are due at the time the application is made. The application will be considered incomplete if fees are not paid.
- (3) Filing Deadline. Filing deadlines are established by the City and are available at City Planning Division office.
- (4) Withdrawal of Application. Applicant may withdraw application whole or in part at any point in the process prior to being acted or ruled upon. New application form, fees, and plan sets are required for reapplication.
- (5) Records on File. Applications and the resulting recommendations and rulings shall be kept on file by the Zoning Administrator and shall be considered public record.
- (6) Completed Application Required Before Processing. No application will be processed or shall establish a property intent until it is substantially completed and the proper fee has been paid.

### 5. Regulating Map

The areas and boundaries of the Districts and Subdistricts listed in Chapter 3.0 Subdistricts are shown on the map entitled Place Type and Subdistricts Regulating Map of the City and referred to herein as "Regulating Map" from time to time as adopted by Resolution of the Council.

### 6. Process

- (1) Any development within a Speciality, Core, General, or Edge Subdistrict shall be administered in accordance with the procedures defined in 10.2. and other applicable Codes adopted by the City.
- (2) The application shall include the following processes
  - (a) Pre-Application Meeting. Refer to 10.2.2.
  - (b) Site Plan Approval, including building, site, and streetscape. Refer to 10.2.6.

### 7. Staff Review Committee

The Zoning Administrator shall approve, deny, or approve with conditions all submittals for site plans within a Subdistrict upon review by all applicable City Departments

# 10.0 Administration

## 10.2 Development Review Procedures.

### 1. General Requirements.

The processes included in this Section are required for approval of new development in adopted Districts.

- (1) Appeal. If any application is disapproved, applicant may appeal the decision through the appeals process outlined in the City's Zoning Code.
- (2) Expiration of Approval. Approval of any application shall expire eighteen (18) months from the date of approval if permits for development have not been submitted for review or construction has not begun.
  - a. The Zoning Administrator may approve a written request for an extension not to exceed twelve (12) months from the date of approval. Such requests must be submitted to the Zoning Administrator at least thirty (30) days prior to the end of the eighteen (18) month period.
  - b. Failure to act on an approved application within the eighteen (18) month period or the twelve (12) month extension period from the date of approval shall require a new application, including all forms, fees, and plan sets.
- (3) Review Criteria. All site plan applications shall comply with all of the requirements of this Code.

### 2. Pre-Application Meeting.

- (1) Application. Applicant must request a Pre-Application meeting prior to submitting an application for Site Plan, Rezoning, Preliminary Plat Approval, Exception, or Variance.
- (2) Submittal Requirements. Applicant shall submit all of the following:
  - (a) Application form substantially completed, and applicable fees.
  - (b) Sketch Plan. A sketch plan or plans shall detail the proposal, including all the following:
    - (i) General layout of block and lots with Street Types and Open Space Types noted.
    - (ii) Existing conditions such as topography, water bodies, aerial photograph, and food plain.
    - (iii) Subdistricts, Building Types, and Uses.

#### 10.2.2 Pre-Application Meeting.

Applicant submits application to Zoning Administrator.

Zoning Administrator distributes plans to staff for review.

Staff meets with Applicant to discuss plan.

- (iv) Parking location and layout.
    - (iv) Site survey, if available.
  - (c) Exceptions or Variances. A description of any desired Exception or Variance as allowed is Section 10.3 of this Code.
- (4) Pre-Application Meeting. Staff shall meet with the Applicant to discuss the proposed plan within ten (10) days of receipt of the complete application.

### 3. Rezoning Process.

Refer to the City's Zoning Code for information on the rezoning process.

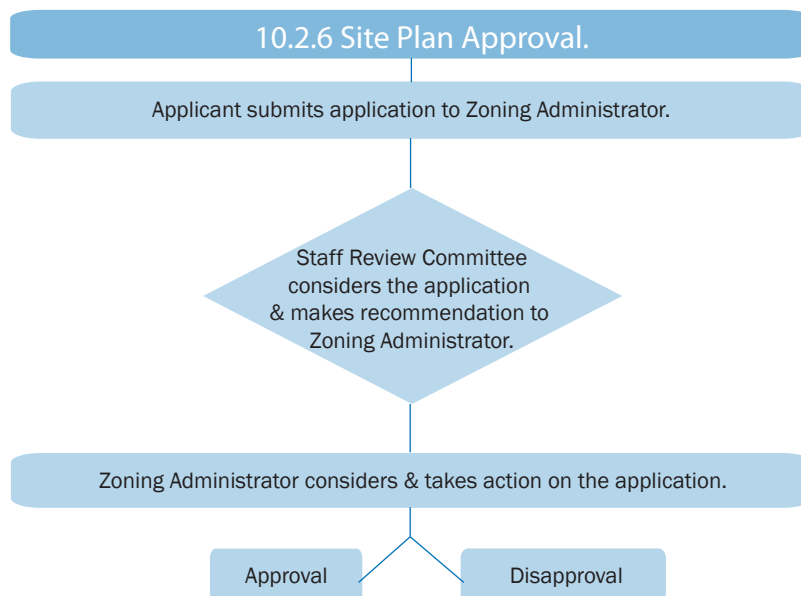
### 4. Subdivision Plat Approval.

Refer to the City's Zoning Code for information on the subdivision plat approvals processes.

### 5. Site Plan Approval.

- (1) Application. The following information shall constitute a complete application for a Site Plan.
  - (a) Complete application form, and applicable fees.
  - (b) Applicant shall submit the following in compliance with the requirements of 3.0 Districts, 4.0 Uses, 5.0 Building Types, 6.0 Open Space Types (when submitting an application for development of a Open Space Type), 7.0 Landscape, 8.0 Parking, and 9.0 Sign Types. All maps and plans shall include the following:
    - (i) Street names, north arrow and standard engineering scale, with graphic (1" = 10' to 1" = 200' for plan legibility).
    - (ii) Legal description and address of the proposed building site, with all pertinent deed instrument number references.
    - (iii) Existing and proposed street and alley right-of-ways, property lines and utility easements with dimensions, bearings and distances, with a separate line type for each. Label each line or show in a legend by line type. Include basis of bearing.
    - (iv) Name and telephone number of site plan contact person.
    - (v) Existing and proposed public improvements. Show all existing and proposed utilities and services including size. If none required, state on site plan.
    - (vi) Show or describe the project benchmark location and project vertical datum.
    - (vii) Site storm water requirements, include calculations. Owner is responsible for containing or disposing of on-site storm water.
    - (viii) Storm Water Pollution Prevention Plan (SWPPP) required if disturbance over 1 acre or part of a larger development that has a total disturbance over 1 acre.
    - (ix) Distances from building to rights-of-ways, easements

- and lot lines. Label types and sizes of easements.
- (x) Proposed transformer, electric meter location and total connected load calculations .
  - (xi) Existing and proposed building dimensions, including building height, building construction type (IBC) and total square footage.
  - (xii) Garbage dumpster location. Must have 10' x 8' inside diameter per container.
  - (xiii) Site plan requiring engineering shall be stamped and sealed by a professional engineer licensed in the State of Idaho.
  - (xiv) Name of Licensed Idaho Professional Engineer who shall inspect, certify to City Standards, and prepare "As-built" drawings for all Water, Sanitary Sewer and Storm Sewer Main Lines.
  - (xv) Signage Plan, if Signage is included. Signage Plan illustrating compliance with the requirements of 9.0 Sign Types.
  - (xvi) Landscape Plan. Landscape Plan illustrating compliance with the requirements of Chapter 7.0 Landscape. All ground plane vegetation shall be illustrated. For sites with less than ten percent landscape area, the Landscape Plan may be combined with the Site Plan. Include point of connection to water system for landscape irrigation.
  - (xvii) Parking Plan. Parking layout plan with table of spaces keyed to plan, illustrating compliance with Chapter 8.0 Parking. Driveways, shared parking arrangements, cooperative parking, and any other parking reductions shall be included and noted for compliance with Chapter 8.0 Parking.
  - (xviii) Existing and proposed access points, including dimensions.
  - (xix) Parking area lighting system.
  - (xx) All existing or proposed fire hydrant locations within 1000' of development or distance in feet to nearest hydrant, Fire Department Connection (FDC), fire lane location and fire line size.
  - (xxi) Type of land use to occupy building, including the gross density for residential plans and total square footages for each use.
  - (xxii) Building Plan(s). Floor plans for all buildings illustrating compliance with the requirements of Chapter 5.0 Building Types.
  - (xxiii) Building Elevations. Building elevations of all facades, rendered to illustrate compliance with the requirements of Chapter 5.0 Building Types.
  - (xxiv) Open Space Plan. If Open Space is included the plan shall illustrate compliance with the requirements of Chapter 6 Open Space. The Open Space Plan shall define all paving, structures, site furnishings, and landscape areas
- (4) Application Process Timeline. Upon submittal of a complete application and proper fee, the application will be reviewed. Approval timeline shall be outlined on the application.
  - (5) Procedure for Site Plan Adjustments. The Zoning Administrator may permit minor adjustments to an approved site plan pursuant to the following process:
    - (a) Applicant shall submit a revised plan and letter of explanation detailing the change to the Zoning Administrator.
    - (b) The Zoning Administrator shall review the request and notify the applicant of the decision.
    - (c) If the Zoning Administrator deems the change to be a



# 10.0 Administration

major adjustment to the plan, the applicant must resubmit for approval of the new plan, including a new application (including new forms, fees, and plan sets).

- (d) If the Zoning Administrator deems the changes to be minor adjustments and approves them the Applicant shall revise the plan and copies to the Zoning Administrator for filing prior to applying for building or construction permits.
- (6) Minor adjustments are limited to changes in dimensions or quantities less than ten percent (10%) of previous amounts. All other adjustments are considered major. Any adjustment must comply with all the requirements of this Code.

## 6. Conditional Use Permit.

Refer to the City Zoning Code for the conditional use permit process.

## 10.3 Exceptions and Variances.

### 1. Exceptions.

- (1) Intent. To establish relief and flexibility in standards that may be administratively reviewed and approved, if certain criteria are met.
- (2) Eligible Applicant. Applicant is eligible to apply for an exception to this Code upon submittal of an application for site plan approval in cases that involve such matters as the following:
  - (a) Regulating Plan Requirements
    - (i) Block Size within one hundred feet (100') of required dimensions and with the provision of a Mid-Block Pedestrianway (refer to Chapter 1.0)
    - (ii) Street Type Dimensional Requirements within one foot of required dimensions. (refer to Chapter 2.0)
    - (iii) Open Space Requirement within 100' of required distance for no more than ten units and with the availability of two Open Spaces within that dimension (refer to Chapters 1.0 and 6.0)
    - (iv) Building Type Requirements within one foot of required dimensions. (refer to Chapter 5.0)
  - (b) Site Plan Requirements
    - (i) Landscape Requirements within one foot of required dimensions. (refer to Chapter 7.0)
    - (ii) Parking and Loading Facilities within one foot of required dimensions. (refer to Chapter 8.0)
    - (iii) Sign Type Requirements within one foot of required dimensions. (refer to Chapter 9.0)
    - (iv) Building Type Requirements within one foot of required dimensions. (refer to Chapter 5.0)

### 2. Variances

Refer to the City Zoning Code for the variance process.

## 10.4. Nonconformance.

### 1. General.

- (1) Intent. To provide a set of regulations for legal nonconforming buildings and uses and to specify those circumstances and conditions under which nonconformance shall be gradually eliminated.
- (2) Applicability. The standards in this Section apply as follows:
  - (a) The provisions detailed in this Section apply to all structures, uses, or site improvements that lawfully existed prior to the adoption of or amendment to this Code, but that could not occur under current provisions of this Code.
  - (b) Structures, uses, and site improvements that did not lawfully exist prior to the effective date or amendment to this Code are not exempt under the provisions of this Section.
- (3) Continuation. Legal nonconformance is permitted to continue, subject to the restrictions outlined in this Section and subject to Idaho Code.
- (4) Maintenance. Legal nonconformance shall continue as required by law provided said continuance does not result in the expansion or intensification of the nonconformance.

### 2. Nonconforming Structures.

- (1) Intent. To provide regulations for the continuation of a structure that was legally constructed prior to the adoption of or amendment to this Code, but that could not occur under the current provisions of this Code.
- (2) Restrictions on Continuation. A nonconforming structure may continue based upon the following conditions:
  - (a) Alterations. The standards of this Code shall apply to alterations under the following circumstances.
    - (i) Refer to Chapter 5.0 Building Types for renovation and tenant improvements
    - (ii) When a renovation of the front facade occurs with no added building square footage, conformance with the Street Facade requirements and Entrance Type Requirements (refer to Chapter 5.0 Building Types) may be required where the existing building front or corner facade is located within the build to zone and the renovation includes any one of the following:
      - i. Installation of additional doors or a change in location of a door or
      - ii. Expansion or change in location of thirty percent (30%) of windows on any street facade or
      - iii. Replacement of thirty percent (30%) or more of facade materials on any street-facing facade with a different facade material.
    - (iii) When a renovation of the shape or style of the roof



occurs with no added building square footage and the existing building front or corner facade is located within the build-to zone the Roof Type Requirements (refer to Section 5.10) shall be met.

- (b) Ordinary Repairs. Ordinary repairs required for safety and continued use of the structure (such as replacement of window or door glass) and interior alterations that do not affect the exterior of the building do not trigger conformance to this Code.
- (c) Impact on Nonconformity. No alteration or repair shall be allowed to expand the existing or create a new nonconformity, unless otherwise permitted by this Section.
- (d) Damage or Destruction. A nonconforming structure may be repaired and its use continued if damaged by any means not within the control of the owner, per the Idaho Code.

### **3. Nonconforming Uses.**

Refer to the City Zoning Code for information on nonconforming uses.

### **4. Nonconforming Lots.**

Refer to the City Zoning Code for information on nonconforming lots.

### **5. Nonconforming Site Improvements.**

- (1) Intent. To establish regulations for the continuation of site improvements, such as impervious site coverage, access points, signage, parking, landscaping, or other non-structural, physical characteristics of a site, that were legally constructed or installed prior to the approval of or amendment of this Code, but that cannot be created under the provisions of this Code.
- (2) Restrictions to Continuation. A nonconforming site improvement may continue based upon the following conditions:
  - (a) Change in Associated Use. The right to continue shall be terminated if the associated use changes or changes in intensity as an increase in the dwelling units, gross floor area, or capacity by fifteen percent (15%) or more.
  - (b) Change in Associated Structure. The right to continue shall be terminated if the associated structure is altered and triggers the requirements of Chapter 5.0 Building Types.

# 10.0 Administration

## 10.5 Definitions.

### 1. Graphics.

The graphics, tables, and text utilized throughout this Code are regulatory. In case of a conflict, text shall control over tables and graphics, and tables shall control over graphics.

### 2. Defined Terms.

For the purposes of this Code, the following terms shall have the following meanings.

- (1) **Animal.** All non-human members of the animal kingdom, including domestic and livestock species.
- (2) **Applicant.** The owner of a subject property or the authorized representative of the owner on which an application is being made.
- (3) **Block.** The aggregate of lots, passages, lanes, and alleys bounded on all sides by streets.
- (4) **Block Depth.** A block measurement that is the horizontal distance between the front property line on a block face and the front property line of the parallel or approximately parallel block face.
- (5) **Block Ends.** The lots located on the end of a block. These lots are often larger than the lots in the interior of the block or those at the opposite end of the same block and can be located on a more intense Street Type. They are typically more suitable for more intensive development, such as multi-unit or mixed use development.
- (6) **Block Face.** The aggregate of all the building facades on one side of a block.
- (7) **Block Length.** A block measurement that is the horizontal distance along the front property lines of the lots comprising the block.
- (8) **Build-to Zone.** An area in which the front or corner side facade of a building shall be placed. The zone dictates the minimum and maximum distance a structure may be placed from a property line. Refer to Figure 10.5 (2) Build-to Zone vs. Setback Line.
- (9) **Building Type.** A structure defined by the combination of configuration, form, and function. Refer to Chapter 5.0 Building Types for more information and the list of permitted Building Types.
- (11) **Courtyard.** An outdoor area enclosed by a building on at least two sides and is open to the sky.
- (12) **Coverage, Building.** The percentage of a lot developed with a principal or accessory structure.
- (13) **Coverage, Impervious Site.** The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, and patios.
- (14) **Critical Root Zone.** Also referred to as drip line. The area of soil and roots within the radius beneath the tree's canopy, within the drip line, or within a circular area of soil and roots with a radius out from the trunk a distance of one and one half feet (1.5') for every inch of the tree's width (measured at four and one half feet (4.5') above the mean grade of the tree's trunk, noted as diameter breast height (DBH) throughout this Code).
- (15) **Dedication.** The intentional designation of land by the owner to the City for public use and/or ownership.
- (16) **Density.** The number of dwelling units located in an area of land, usually denoted as units per acre.
- (17) **Dwelling Unit.** A room or group of rooms connected together that include facilities for living, sleeping, cooking, and eating that are arranged, designed, or intended to be used as living quarters for one unit, whether owner occupied, rented, or leased.
- (18) **Easement.** A legal interest in land, granted by the owner to another person or entity, which allows for the use of all or a portion of the owner's land for stated purposes such as access or placement of utilities.
- (19) **Eave.** The edge of a pitched roof. It typically overhangs beyond the side of a building.
- (20) **Entrance Type.** The permitted treatment types of the ground floor facade of a Building Type. Refer to Section 5.9 for more information and a list of permitted Entrance Types.
- (21) **Expression Line.** An architectural feature. A decorative, three dimensional, linear element, horizontal or vertical, protruding or indented from the exterior facade or a building typically utilized to delineate floors or stories of a building.
- (22) **Facade.** The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines. The front facade is any building face adjacent to the front property line.
- (25) **Grade.** The average level of the finished surface of the ground story adjacent to the exterior walls of a building.
- (26) **Gross Floor Area.** The sum of all areas of a building, including accessory storage areas or closets within sales spaces, working spaces, or living spaces and any basement floor area used for retailing activities, the production or processing of goods, or business offices. It shall not include attic space having headroom of seven feet or less and areas devoted primarily to storage, balconies, off-street parking and loading areas, enclosed porches, roof decks, roof gardens, or basement floor area other than specified in this definition.
- (27) **Landscape Area.** Area on a lot that is not dedicated to a structure, parking or loading facility, frontage buffer, side and rear buffer, or interior parking lot landscaping.
- (28) **Lot.** Also referred to as parcel. A plot of land intended to be separately owned, developed, or otherwise used as a unit. Refer to Figure 10.5 (1) Lots.

- (29) **Lot, Corner.** A parcel of land abutting at least two vehicular rights-of-way, excluding an alley, at their intersection. Refer to Figure 10.2 (1) Lots.
- (30) **Lot, Flag.** A parcel of land having its only access to the adjacent vehicular right-of-way, excluding an alley, through a narrow strip of land. Refer to Figure 10.5 (1) Lots.
- (31) **Lot, Interior.** A parcel of land abutting a vehicular right-of-way, excluding an alley, along one (1) property line; surrounded by lots along the remaining property lines.
- (32) **Lot, Through.** Also referred to as a double frontage lot. An interior lot having frontage on two approximately parallel vehicular rights-of-way, excluding an alley. Refer to Figure 10.5 (1) Lots.
- (33) **Lot Area.** The computed area contained within the property lines; it is typically denoted in square feet or acres.
- (34) **Lot Depth.** The smallest horizontal distance between the front and rear property lines measured approximately parallel to the corner and/or side property line. Refer to Figure 10.5 (1) Lots.
- (35) **Lot Frontage.** The horizontal distance between the side property lines, measured at the front property lines. Refer to Figure 10.5 (1) Lots.
- (36) **Occupiable Space.** Interior building space delineated to be or normally occupied by the building users. It does not include storage areas, utility space, or parking.
- (37) **Open Space Type.** The permitted and regulated types of open spaces in this Code. Refer to Chapter 6.0 Open Space Types for more information and a list of the permitted types.
- (38) **Open Water.** A pond, lake, reservoir, or other water feature where the water surface is fully exposed.
- (39) **Owner.** The legal or beneficial title-holder of land or holder of a written option or contract to purchase the land.
- (40) **Pedestrian way.** A pathway designed for use by pedestrians. It can be located mid-block allowing pedestrian movement from one street to another without traveling along the block's perimeter.
- (41) **Plat.** A map or chart of a division and/or combination of lots approved through processes and standards required by the City's Subdivision Ordinance.
- (42) **Primary Street.** A street shown and designated on the Regulating Plan Map of this Code as a Primary Street. Also, the street from which front setbacks and main building entrances are generally established.
- (43) **Property Line.** Also referred to as lot line. A boundary line of a parcel of land or lot. Refer to Figure 10.5 (1) Lots.



Figure 10.5 (1). Lots.

# 10.0 Administration

- (44) **Property Line, Corner.** A boundary of a lot that is approximately perpendicular to the front property line and is contiguous to a public right-of-way, other than an alley or railroad. Refer to Figure 10.5 (1) Lots.
- (45) **Property Line, Front.** The boundary abutting a right-of-way, other than an alley, from which the required setback or build-to zone is measured, with the following exceptions:
- Corner and through lots that abut a primary street shall have the front property line on that primary street.
  - Corner and through lots that abut two (2) primary streets or do not abut a primary street shall utilize the orientation of the two (2) directly adjacent lots, or shall have the front property line determined by the Zoning Administrator.
- (46) **Property Line, Rear.** The boundary of a lot that is approximately parallel to the front property line. This line separates lots from one another or separates a lot from an alley. Refer to Figure 10.5 (1) Lots.
- (47) **Property Line, Side.** The boundary of a lot that is approximately perpendicular to the front and rear property lines and is not adjacent to the public right-of-way. Refer to Figure 10.5 (1) Lots.
- (48) **Right-of-Way.** Land dedicated or utilized for a Street Type, trail, pedestrianway, utility, railroad, or other similar purpose.
- (49) **Roof Type.** The detail at the top of a building that finishes a facade, including a pitch roof with various permitted slopes and a parapet. Refer to Section 5.10 for more information and a list of the permitted Roof Types.
- (50) **Scale.** The relative size of a building, street, sign, or other element of the built environment.
- (51) **Setback.** The horizontal distance from a property line inward, beyond which a structure may be placed. Structures or other impervious surfaces are not permitted within a setback, unless specifically permitted in this Code. Refer to Figure 10.5 (2) Build-to Zone vs. Setback Line.
- (52) **Sign.** An object, device, or structure used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by such means as words, letters, figures, images, designs, symbols, or colors. Flags or emblems of any nation, state, city, or organization; works of art which in no way identify a product; and athletic field score boards are not automatically considered signs.
- (53) **Solar Reflectance Index (SRI).** A measure of a constructed surface's ability to reflect solar heat, as shown by a small temperature rise. The measure utilizes a scale from zero (0) to one hundred (100) and is defined so that a standard black surface is zero (0) and a standard white surface is one hundred (100). To calculate for a given material, obtain the reflectance value and emittance value for the material; calculate the SRI according to ASTM E 1980-01 or the latest version.
- (54) **Story.** A habitable level within a building measured from finished floor to finished floor.
- (55) **Story, Ground.** Also referred to as ground floor. The first floor of a building that is level with or elevated above the finished grade on the front and corner facades, excluding basements or cellars.
- (56) **Story, Half.** A story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.
- (57) **Story, Upper.** Also referred to as upper floor. The floor(s) located above the ground story of a building.
- (58) **Street.** The entire width between the boundary lines of a public right-of-way. A public right-of-way for an alley shall not be considered a street.
- (59) **Street Face.** The facade of a building that faces a public right-of-way.
- (60) **Street Frontage.** Also refer to lot frontage. The portion of a building or lot contiguous to a vehicular right-of-way.
- (61) **Street Type.** The permitted and regulated types in this Code. Refer to Chapter 2.0 Street Types for more information and a list of the permitted Street Types.
- (62) **Streetwall.** The vertical plane created by building facades along a street. A continuous streetwall occurs when buildings are located in a row next to the sidewalk without vacant lots or significant setbacks.
- (63) **Structure, Accessory.** The general term for a subordinate structure detached from, but located on the same lot as the Principal Structure; it may or may not be habitable.
- (64) **Structure, Principal.** Also referred to as the principal building. A building that contains the dominant use of the lot. It is typically located toward the front of the lot in the front build-to zone or behind the front yard setback.

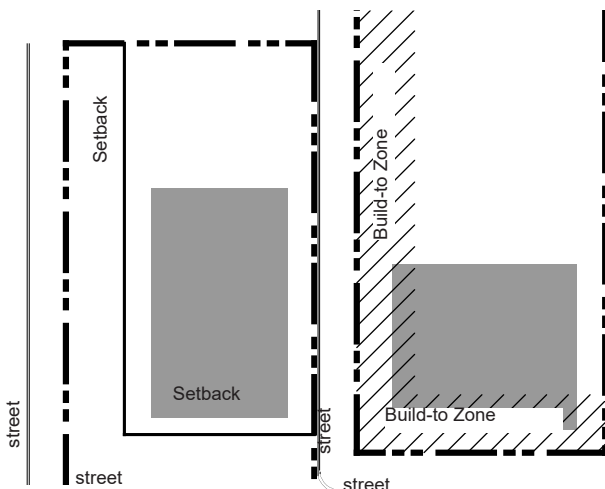


Figure 10.5 (2). Setback Line vs. Build-to Zone.

- (65) **Subdistrict.** A designation given to each lot within the City. It establishes the standards for development on that lot. Refer to Chapter 3.0 Zoning Districts for more information and a list of permitted Subdistricts.
- (66) **Surface, Impervious.** Also referred to as impervious material. Any hard surface area that is not naturally occurring and that does not absorb water, including building roofs, sidewalks, parking, driveways, and other paved surfaces.
- (67) **Surface, Pervious.** Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material, such as permeable pavers or a vegetated roof.
- (68) **Surface, Semi-Impervious.** Also referred to as semi-pervious material. A material that allows for at least forty percent (40%) absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.
- (69) **Swale.** A low lying, naturally planted area with gradual slopes that facilitate the transport, absorption, and/or filtration of stormwater.
- (70) **Tree Canopy.** The uppermost area of spreading branches and leaves of a tree.
- (71) **Tree Canopy Coverage.** The area of ground covered or shaded by a tree's canopy, measured in square feet.
- (72) **Use.** Also referred to as land use. A purpose or activity that may lawfully occur within a building or a lot.
- (73) **Use, Accessory.** A use customarily, incidental, and subordinate to the principal use or structure and located on the same lot with such principal use or structure.
- (74) **Use, Principal.** The specific, primary purpose for which a lot or building is utilized.
- (75) **Use, Special.** A use that may not be appropriate in certain locations based on the potential negative impacts associated with the use and requires approval of a Special Use Permit.
- (76) **Visible Basement.** A half story partially below grade and partially exposed above with required transparency on the street facade.
- (77) **Water Body.** A body of water, such as a river, pond, or lake that may be constructed or naturally occurring.
- (78) **Yard.** The space on a lot which is unoccupied and unobstructed from the ground to the sky by the principal structure. Lots without a structure do not have yard designations. Refer to Figure 10.5 (3) Yards.
- (79) **Yard, Corner Side.** A yard extending from the corner side building facade along a corner side property line between the front yard and rear property line.
- (80) **Yard, Front.** A yard extending from the front facade of the principal structure along the full length of the front property line, between the side property lines or side and corner side property lines. Figure 10.5 (3) Yards.
- (81) **Yard, Rear.** A yard extending from the rear building facade along the rear property line between the side yards or, on a corner lot, the corner side and side yards. Figure 10.5 (3) Yards.
- (82) **Yard, Side.** A yard extending from the side building facade along a side property line between the front yard and rear property line. Figure 10.5 (3) Yards.

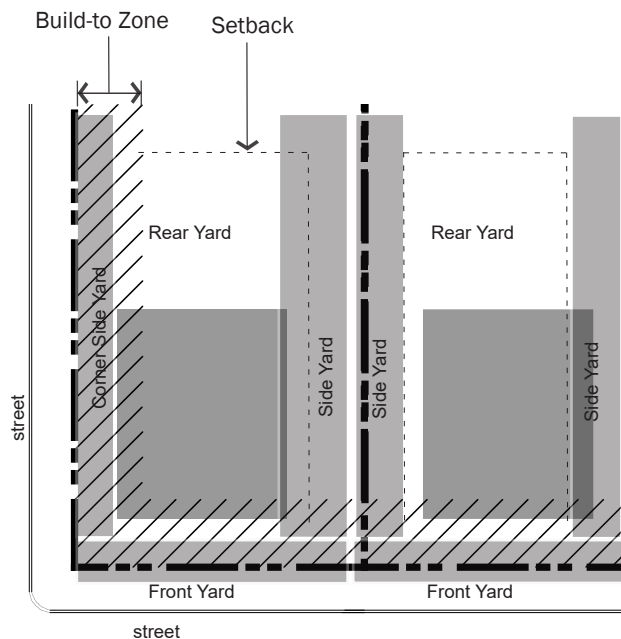


Figure 10.5 (3). Yards.



July 11 2023

7:00 p.m.

Planning Department  
Civic Center

**MEMBERS PRESENT:** Commissioners Margaret Wimborne, Arnold Cantu, Dale Storer, Forrest Ihler, Bill Scott, Kristi Brower.

**MEMBERS ABSENT:** Scott Geddes, Glen Ogden, Marsha McDaniel

**ALSO PRESENT:** Assistant Planning Director Kerri Beutler, Planners Naysha Foster, David Peterson, Brian Stevens and interested citizens.

**CALL TO ORDER:** Margaret Wimborne called the meeting to order at 7:00 p.m. Wimborne introduced the new Director of Community Development Services, Wade Sanner, and asked Sanner to take a minute to introduce himself.

Wade Sanner introduced himself. Sanner moved to Idaho Falls from Sheridan, Wyoming. Sanner worked in various places across the County and is originally from Kansas. Sanner is grateful to be here and thanked the Commission for their service to the city.

**MINUTES:** Scott moved to accept the minutes of June 6, 2023; Ihler seconded the motion. The motion passed unanimously.

**Public Hearing(s):**

**2. RZON 23-003: REZON. Adoption of a Form Based Zoning Code for the area Known as South Downtown.**

**Applicant: City- Brian Stevens presented.** Stevens indicated that the South Downtown area is 70 acres. Stevens indicated that Cliff, Pancheri, Yellowstone and South Capital Ave. are inclusive in this area. They want to protect and preserve this area and return it to the glory days of Downtown. Stevens explained form-based code is a method of regulating development to achieve a specific urban form. Looking at the building type and its interface with the street versus the uses of the building. Traditional zoning (Euclidean) focuses on separation of uses. Form based is focused on public realm and cares less about land uses. This tool will protect and enable a desired form. Staff chose to pursue a form-based code in this area after the success of the form-based code in Downtown. The current zoning code does not preserve the uniqueness of South Downtown. Form base code allows for zoning to be adjusted to fit the development pattern of South Downtown. This Code Divides South Downtown into 5 Districts. Provides standards for public spaces. Defines allowed building types. Staff will meet regularly to talk and bring forth adjustments as needed. The Comprehensive Plan supports the form-based zoning code. Stevens feels more form-based code will come to older parts of Idaho Falls to preserve the areas that the public wants to interact with.

South Downtown set on the shelf for a time because of covid and staff changes, but it is now time to push it forward.

Stevens presented the staff report, a part of the record. (25 Slide – Slide Show) Highlighted what parts of the Code will build South Downtown into the already existing Downtown Code.

Scott asked if the boundary of Downtown is contiguous to South Downtown. Stevens agreed that there is no gap between Downtown and South Downtown.

Wimborne asked about the highway frontage is already in the Downtown Code and South Downtown Code is the same. Stevens stated that there is one difference for Yellowstone Ave, with a building type. Wimborne clarified that it is similar and has some uniqueness.

Storer asked if there is a requirement that the Planning Commission recommend the proposed sub districts or is it approved as a whole. Stevens indicated that the objective is to rezone the entire section of town. The motion and action is to approve the Form Based Code which approves the District and the breakdowns. Stevens stated that Downtown has its own Zone overlay, and the South Downtown would have the same overlay that would take people to the Form Based Code. Stevens is asking the Commission to recommend approval of all the Form Based Code as presented. Stevens stated that if there is a need for something different, let them know, and they can work on a shift if needed before it goes to the City Council. The presented plan is what was studied. Storer clarified that he just wanted to know if they could suggest changes and feels it would be helpful for the Commission to have the opportunity to recommend a realignment or change in sub districts in the future, if needed.

Scott asked if the sub districts are separately zoned. Stevens indicated that this supersedes and rezones these areas. The original Euclidean style of zoning would be removed, and Form-Based Code would control the property.

Storer had questions in the Administration Section of SODO (South Downtown) Chapter 10. Storer is intrigued by the Form based code, and one area is still not clear with the build up area. Storer stated that often with a zone change there are non-conforming uses. Storer is bothered by what it is that would trigger a change in use. Storer asked if it is a change in landscape, façade, parking or what would trigger the need to bring the area into conformity. Storer asked if the Johnson Brothers changed from a planing Mill to window wholesale, would that require a new application even though that use had been around for 50+ years.

Stevens stated that they will look at a change of use, and what they want to change on the structure. Staff will look at it and they will want to prevent things that they want in the form-based code from being removed and help bolster the things they want to keep including things for pedestrians.

Storer stated that he doesn't feel it is clear as to what would trigger, and he wants that looked at closer.

Beutler stated that the administrative section has not changed, and it has been utilized with the existing form-based code Downtown. Beutler stated that in dealing with non-conforming uses there are legal non-conforming uses. If the use was established illegally, they are not concerned with that. If it was established legally the code deals with it differently. Non-conforming uses are allowed to continue as it has operated legally since it was established, and the only time they would deal with an adjustment is if the use changed. Like a warehouse turns into a restaurant. Non-conforming structures have a specific section for it. If the façade is going to change, the code states it may have to be brought into compliance. Beutler indicated that they have the goal to deal with new growth and development and preserve the current property rights of the area.

Stevens indicated that the public interaction he's had has been positive in general. Beutler clarified that this is the Code and is not forcing anyone to do anything unless there is a change in use. What is in existence stays.

Wimborne opened the public hearing.

**Millie Batt, 765 South Capital, Mini Bazaar Building, Idaho Falls, Idaho.** Who can she ask the questions to, as she doesn't feel this is the right place. Wimborne suggested having a staff member get in touch with her so she can discuss questions.

Wimborne closed the public hearing.

Ihler likes Form Based Code and wants the entire City to be form based. It makes the area more flexible. Ihler likes it and feels the Form Based Code has been successful in Downtown. Ihler stated that this is the original Eagle Rock Area and the original development of the City. Ihler feels this area has lots of potential. Ihler is in support.

Wimborne asked staff what the biggest challenge for business owners and developers and has the issues been addressed with this Form Based Code. Stevens stated that the form-based code is relatively new, and they do have conversations and they have brought changes to the original Downtown Form Based Code. They deal a lot with the amount of window/glass that is required. No residential on the bottom floor was a big issue, so they made a change to 30'. Stevens acknowledged Foster's help in this process as she deals with the form-based code as it is applied Downtown. Foster stated that the biggest issue has been transparency on the main floor adjacent to the street. Downtown already kind of meets the standards for form based standard and the Euclidian Code has a lot of non-conformances that would be applied to Downtown.

Wimborne is in support of the form-based code and applauds staff on their work in South Downtown.

Ihler asked when the City has to replace a water line or rip up a street, or ITD has to do something along Yellowstone, are they required to bring things to standards of the form-based code. Stevens stated that they will be held to the standards, and there will be flexibility in the area, including a different street format that is more pedestrian friendly. The entities (City, State, County) will work together in compliance.

Scott stated that the warehouse sub district is the place where there could be more opportunity for open space and asked if there are incentives for landowners to commit space to open areas. Stevens stated that they do have a landowner that is interested in building in the area, and the current code they have run into issues with setbacks and getting parking, but the form-based code could help them make the building work. Stevens stated that it is the preference that it would come into the City's control like Civitan Plaza.

**Cantu moved to recommend to the Mayor and City Council approval of the Adoption of a Form Based Zoning Code for the area Known South Downtown, Scott seconded the motion. Wimborne called for roll call vote: Cantu, yes; Storer, yes; Wimborne, yes; Ihler, yes; Scott, yes; Brower, yes. The motion passed unanimously.**

## Brian Stevens

---

**From:** Lorin Walker <lorinvonwalker@gmail.com>  
**Sent:** Monday, June 12, 2023 10:33 AM  
**To:** Brian Stevens; Ann Peterson  
**Cc:** Rollie Walker  
**Subject:** Re: SD Form based zoning code input

**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.















On Jun 12, 2023, at 10:26 AM, Lorin Walker <[lorinvonwalker@gmail.com](mailto:lorinvonwalker@gmail.com)> wrote:

June 12, 2023

Dear Planning and Zoning staff members and planners:

In response to the Notice of Public Hearing seeking citizen input, we offer the following:

1. We generally support and encourage the direction of Form Based zoning.
2. The Snake River is a prized amenity for our city. Certain development areas along the river deserve and warrant Form Based codes for infrastructure and buildings.
3. This SODO area is geographically positioned in such a way as to become a “there there” for our city, with careful planning and detailing reminiscent of *TND style* developing.
4. We encourage a zoning and code that encourages growing from a “center of strength”, such as a central public square or park located within a district which sets the desired tone of the area.
5. Where this SODO area is directly across the river from the Taylor Crossing on the River development, we encourage a code focused on “timeless” character in the physical improvements.
6. We encourage a code that rewards artistic design in the landscape with narrower tree-lined streets, occasional pavers, and a high degree of walkability with a focus on connectability to the greenbelt.
7. We support a code that allows mixed-uses, even in the residential core, including Live-Work with boutique style corner stores providing retail or cafe services throughout. (Compare to the old Avenues near the capital in SLC).
8. “Housing affordability” should not be the driver of codified development in this key area of the city. Let the free market determine affordability.
9. We encourage small pocket parks, art, and social spaces wherever possible.
10. We encourage improved green space setback along S. Yellowstone and Pancheri, even though it is an industrial area presently.

We would be happy to meet and visit with anyone, anytime regarding our hope for the east side of the river. We will call 208 612-8276 to visit with a planner as well.

Best regards,

Lorin Walker and Rollie Walker

Taylor Crossing on the River  
McNeil Development, LLC  
1070 RIVERWALK DR. Ste 200  
Idaho Falls, ID 83402  
208 524-3341  
[LorinVonWalker@hotmail.com](mailto:LorinVonWalker@hotmail.com)

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

AN ORDINANCE AMENDING TITLE 10, CHAPTER 7, SECTION 1, OF THE IDAHO FALLS CITY CODE, ADOPTING THE OCTOBER 2023 EDITION OF THE IDAHO FALLS FORM BASED CODE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City adopted the “City of Idaho Falls Form Based Code” (“Form Based Code”) in 2017 for the downtown area; and

WHEREAS, the Core Plan recommends adoption of a form based code for the South downtown area; as defined in this ordinance

WHEREAS, the October 2023 Edition of the Form Based Code has now been modified and written to accommodate both the downtown and South downtown areas; and

WHEREAS the Form Based Code establishes standards to protect and enhance the unique and historic character of these defined areas; and

WHEREAS, the City desires for the standards, maps, and graphics of the Code to be consistent and clear; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on July 11, 2023, and recommended approval of the Form Based Code; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to adopt the Code on October 12, 2023.

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

**SECTION 1:** City Code Title 10, Chapter 7, Section1, is hereby amended as follows:

**10-7-1 THE IDAHO FALLS FORM BASED CODE ADOPTED:**

(A) The Idaho Falls Form Based Code, October 2023 Edition, is hereby adopted as an official Code of the City.

(B) Code on File. One (1) copy of the Idaho Falls Form Based Code, October 2023 Edition, shall be retained by the City Clerk for use and examination by the public.

**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 \_\_\_\_\_, 2023.

CITY OF IDAHO FALLS, IDAHO

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

ATTEST:

\_\_\_\_\_  
Corrin Wilde, City Clerk

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, CORRIN WILDE, 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 AMENDING TITLE 10, CHAPTER 7, SECTION 1, OF THE IDAHO FALLS CITY CODE, ADOPTING THE OCTOBER 2023 EDITION OF THE IDAHO FALLS FORM BASED CODE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

\_\_\_\_\_  
Corrin Wilde, City Clerk

**File #:** 23-288

**City Council Meeting**

**FROM:** Wade Sanner, Director  
**DATE:** Tuesday, October 3, 2023  
**DEPARTMENT:** Community Development Services

## Subject

Quasi-judicial Public Hearing-Rezone from CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code, Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards on approximately 70 acres generally located between Cliff Street to Pancheri Drive and from the Snake River to South Yellowstone Avenue.

## Council Action Desired

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

1. Approve the Ordinance Rezoning approximately 70 acres generally located between Cliff Street to Pancheri Drive and from the Snake River to South Yellowstone Avenue from CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code, under 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 CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

## Description, Background Information & Purpose

Attached is the application for Rezoning from CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards for approximately 70 acres generally located between Cliff Street to Pancheri Drive and from the Snake River to South Yellowstone Avenue. The Planning and Zoning Commission considered this item at its July 11, 2023, meeting and voted unanimously to recommend approval to the Mayor and City Council as presented.

## Alignment with City & Department Planning Objectives



The rationale for rezoning must be 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**

N/A

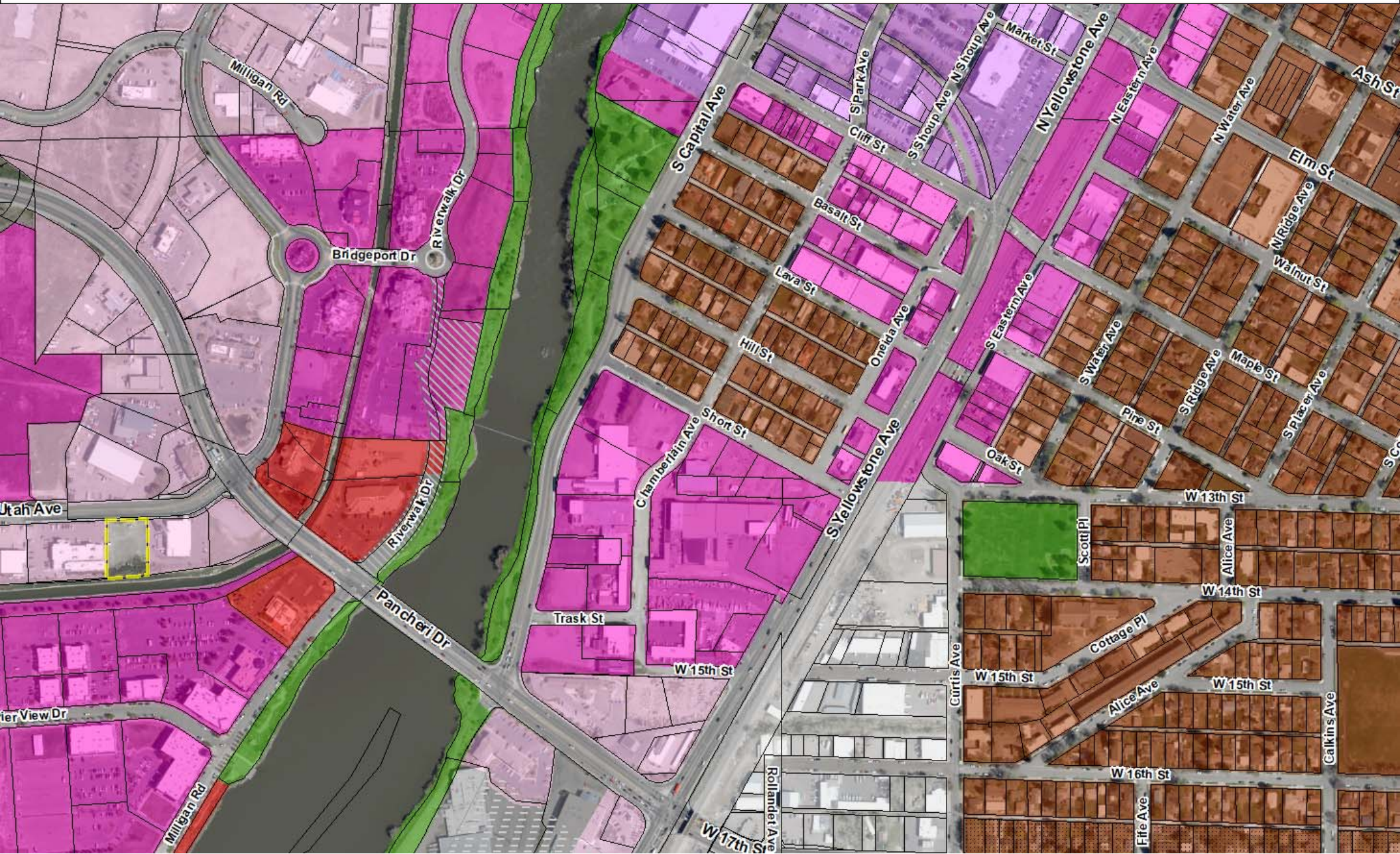
**Fiscal Impact**

N/A

**Legal Review**

The application and ordinance have been reviewed by the City Attorney's Office pursuant to applicable law.











**STAFF REPORT**  
**REZONE from CC, HC, TN, and P to**  
**Form Based Code for area known as South Downtown**  
**October 12, 2023**



Community  
Development  
Services

**Applicant:**  
Idaho Falls (CDS Dept.)

**Project Manager:**  
Brian J. Stevens

**Location:**  
Generally, from Cliff Street to  
Pancheri Drive and from  
South Yellowstone Avenue to  
the Snake River.

**Size:** Approx 70 acres

**Existing Zoning:**

Site: CC, HC, TN, P  
North: FBC  
South: HC, I&M  
East: CC, I&M  
West: P

**Existing Land Uses:**

Site: Commercial, residential  
and Industrial and  
Manufacturing  
North: Downtown  
South: Commercial and  
Industrial and Manufacturing  
East: Commercial and  
Industrial and Manufacturing  
West: Snake River Public

**Future Land Use Map:**

**Attachments:**

1. Subdistrict and Regulating  
Plan Map
2. Zoning Ordinance  
Information
3. Comprehensive Plan  
Policies
4. Maps and aerial photos

**Requested Action:** To **approve** a rezone from CC, Central Commercial; HC, Highway Commercial, TN, Traditional Neighborhood and P, Public to Form Based Code.

**Staff Recommendation:** Recommendation to approve the rezone to align with the adoption of the Form Based Code and the City Core Plan.

**Staff Comments:** One of the projects identified in the City Core Plan was the adoption of a Form Based Code for South Downtown similar to that adopted for downtown. A Form Based Code is intended to protect the character of existing neighborhoods while allowing for some flexibility and redevelopment.

The Form Based Code for South Downtown includes five subdistricts, as shown on the included exhibit map. The subdistricts are used to regulate distinct mixes of building forms and permitted uses.

The River Edge Subdistrict includes that area west of S. Capital Ave. This district is characterized by the Riverwalk and the public and cultural services, including the Art Museum of Eastern Idaho. The code encourages additional enhancement to improve connectivity to the rest of South Downtown.

The Warehouse Subdistrict includes everything South of Short Street. This district includes an opportunity for infill and redevelopment. The code will allow existing and new buildings to work together to create a uniform area. The code also allows for mixed uses that could include ground level shopping and a mix of housing types.

The Business Core Subdistrict includes properties on the South side of Cliff Street and the eastern blocks of Basalt and Lava Streets. This district represents the old Eagle Rock commercial district. The code will attempt to limit the amount of future surface level parking and restore the streetscape.

The Historic Residential Subdistrict includes the oldest neighborhood in Idaho Falls. This area is east of S. Capital Ave., North of Short Stret. The code will protect the historic character of the area and help keep its nature intact.

The Edge B Subdistrict includes those properties fronting on S Yellowstone Avenue, North of Short Street. The district allows for a mix of retail and other uses oriented to the highway corridor.

Adoption of the new zoning designations will not require that properties be modified to meet the new code immediately. Just as with regular zoning the code will allow for nonconforming use and structures to remain. These can continue until they redevelop.

## South Downtown District

### Subdistricts

#### KEY

- Permitted
- Permitted in Upper Stories Only
- ⓘ Permitted with Development Standards
- Requires a Conditional Use Permit

#### Use Category and Subcategory Table

##### Residential & Lodging

	Business Core	Historic Residential	Warehouse	River Edge	Edge B
Residential	●	●	●		●
Short-Term Rental	●	●	●		●
Hotel & Inn	●		●		●
Residential Care	●		●		●

##### Civic

Assembly	●		●	●	●
Transit Station	●		●		●
Hospital & Clinic	●		●		●
Library/Museum/Post Office	●		●	●	●
Mail Service (distribution)					ⓘ
Police & Fire	●		●		●
School	○	○	○		○

##### Retail

Small Scale Retail	●		●		●
General Retail	●		●		●

##### Service

Small Scale Service	●		●		●
General Service	●		●		
Eating & Drinking Establishments	●		●		●
Vehicle Service			ⓘ		ⓘ

##### Office & Industrial

Office	●		●		●
Craftsman Industrial	ⓘ		●		ⓘ

##### Infrastructure

Parking Lot	ⓘ		ⓘ		ⓘ
Parking Structure (Stand Alone)	ⓘ		ⓘ		ⓘ
Utility & Infrastructure	○		○	○	○
Open Space	●	●	●	●	ⓘ

##### Accessory Uses

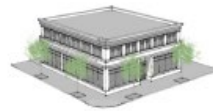
Home Occupation	●	●	●		●
Outdoor Storage of Goods					
Drive Through			ⓘ		

Table 4.2 South Downtown District Uses

Building Types by Districts and Subdistricts										
		Downtown District						South Downtown District		
		Subdistricts						Subdistrict		
		Core A	Historic Center	General	Edge A	Edge B	Edge C	Business Core	Historic Residential	Warehouse District
Building Types	Storefront	•	•	•	•	•		•		•
	General Stoop	•		•	•			•		•
	Mid Scale Shop			•		•		•		•
	Townhome Building	•		•	•		•	•	•	•
	Yard Building						•		•	
	Civic Building	•	•	•		•		•		•
	Limited Bay					•		•		•

• = Permitted

**Storefront Building**



**General Stoop Building**



**Mid Scale Shop Building**



**Townhome Building**



**Yard Building**



**Civic Building**



**Limited Bay Building**

## **Comprehensive Plan Policies:**

**Challenges to Growth (p.56-58):** The cost of maintaining infrastructure, limited natural resources and overall capacity to provide all City services and utilities are immediate issues facing the Idaho Falls area. These all have related land use implications and various growth patterns have consequences. A city's growth policies can lead to sprawling boundaries with more maintenance and service needs than funds available to meet them, overcrowded areas with too little open space, or some balance between the two.

The consumption of land does not in itself speak at all to the resource commitment in streets, utilities, parks and open space, water, sewer, power and emergency services needed to maintain and service it. The Imagine IF policies recommended in this plan attempt to reverse this trend, especially in light of higher-than average population growth rates for the area. Even prior to the Imagine IF initiative, the City made strides to focus on "infill development" (i.e., utilizing undeveloped lands within the City rather than expanding the city's Boundaries). These efforts are working. From 2010 to 2020, the population grew by 14% while the City's boundaries grew by only 15%, compared to 30% in the previous decade.

Idaho Falls must understand the long-term consequences of its land use decisions. It cannot continue to have policies which are overly favorable to large-lot subdivisions requiring new roads and increased city boundaries instead of more compact development that better utilizes existing infrastructure. Being intentional about growth decisions and cognizant of the financial impacts is a protection against high tax growth and the City's capacity to efficiently and effectively serve its citizens.

**Managing Change (p. 58-59):** Although the City needs to rethink how it grows and develops, it must also be cognizant of how change can cause concerns in existing neighborhoods. That is not to say that neighborhoods should never expect to experience changes. Strong Towns, a non-profit planning organization, describes the balance in these terms:

1. No neighborhood can be exempt from change.
2. No neighborhood should experience sudden, radical change.

The policies and actions in this plan are intended to strike this balance. In each area and throughout the city, residents also participated in the planning process they recognized the need for improvements and saw the challenges the city is facing. Each neighborhood has its own challenges and opportunities to be part of the solutions.

Degrees of change:

1. Maintain: Smaller, more incremental changes, mostly reinforcing the exiting scale of an area.
2. Evolve: Opportunities for small-to medium-sized public and private investments or projects. Minor changes in scale. Opportunity sites should be targeted.
3. Transform: Opportunities for larger scale changes, such as a significant increase in scale and possible mix of uses. The changes are more likely to be widespread and not on focused sites.

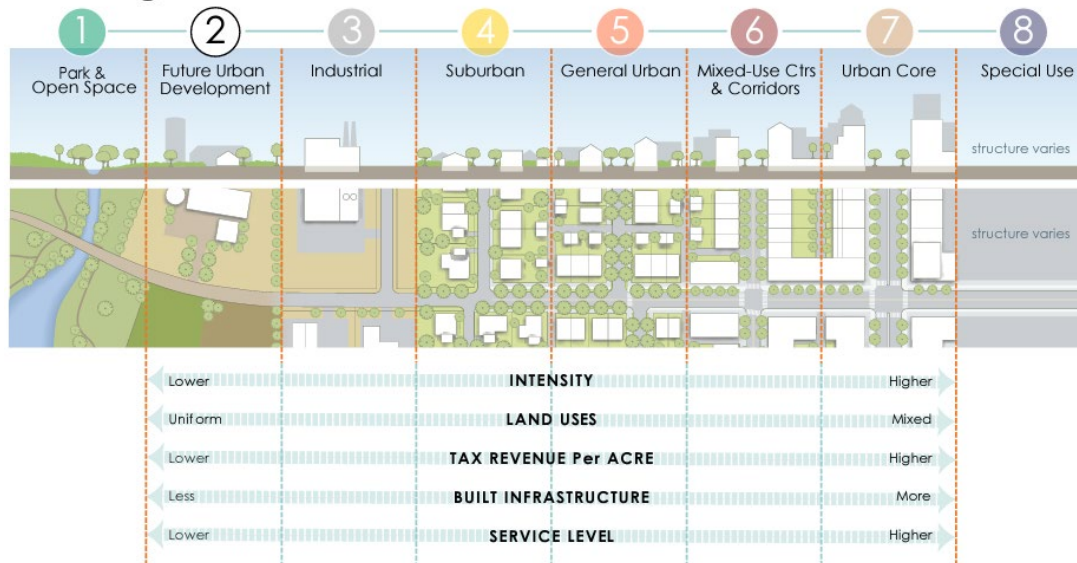
Each of these degrees of change can be found in the Imagine IF plan. Whether it is City-wide code changes, identifying potential walkable centers and redevelopment sites, or thinking about adding benches along pedestrian routes, change is recommended in a variety of ways. The changes are not radical, abrupt changes to Idaho Falls' character. Rather, most are small, incremental changes designed to bring about the vision described by the community during the planning process.

**Urban Transects (p.60-61):** Visualizing and Planning for Land Uses and Service Levels Idaho Falls provides a wide variety of services and infrastructure for its residents, property owners and business community. Services such as water, sewer, power, fiber optics, streets, pathways, parks and recreation centers, police, fire, trash removal, library and transit are all examples of amenities provided and funded

through the City government. Because land uses, activity levels and service demands vary across the City, not every part of the City has the same access to the same services. To be fiscally responsible, cities allocate such infrastructure according to how fully it is needed and how likely to be used, based on present and potential future land uses. By examining an area's current or anticipated use, it is possible to classify the area's level of need for services. Transect designations are applied to the land use map in broad generalized areas and attempting to capture existing patterns and reflect anticipated development patterns.

It is important to understand what the (Comprehensive Plan Land Use) map is and what it is not. The map is general in nature. It is aspirational and not an exact reflection of what will happen in the future. It is also broad and will not fit every situation that may arise as development occurs. When citizens, developers, planners, elected officials and others are looking to answer, "what is expected to happen here?" the map is an aid, not a blueprint. The map in this plan is also not the same as a zoning map. It does not establish development rights. It does not follow property lines. The map guides zoning and development decisions but does not control them.

## ImagineIT Transects



7

### 7. Urban Core



**Snapshot:** The Urban Core Transect denotes the central area which functions as the City core and areas within or in close proximity to Downtown and South Downtown. The Urban Core also includes legacy residential subdivisions platted in a traditional grid pattern. These subdivisions tend to be characterized by taller structures, mixed-use buildings, pedestrian-oriented movement of people, commercial and entertainment enterprises. All housing types, civic buildings, town squares and transit stations are typical, but vary between neighborhoods.

**Local examples:** Downtown, Original Townsite, Highland Park Addition, Crows Addition, Brodbeck's Addition, Riverside Addition



## 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.	Yes
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	It is unlikely that we see a large increase in congestion, over time we may see a reduction as more walkable uses are developed in South Downtown
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	Unlikely that we would see significant impacts to existing public services
The potential for nuisances or health and safety hazards that could have an adverse effect on adjoining properties	Unlikely, the FBC
Recent changes in land use on adjoining parcels or in the neighborhood of the proposed zoning map amendment	2017 Downtown received the FBC
<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 new Form Based Code aligns well with the urban core of the comprehensive plan and is desired by CDS Department
What changes have occurred in the area to justify the request for rezone?	The area has aged and the Form Based Code will both help preserve some of the bones and foster new reuse and redevelopment of the area.
Are there existing land uses in the area similar to the proposed use?	Yes the Downtown has been using its existing FBC since 2017.
Is the site large enough to accommodate required access, parking, landscaping, etc. for the proposed use?	Yes, this is a large section of downtown.

## Transportation Plan:

See attached FBC. No significant road construction is proposed at time of adoption, though if new construction comes in the future they will be required to follow the FBC.

## Zoning Ordinance:

See attached FBC. This will change the type of zoning ordinance and the way it is applied for this area.

July 11 2023

7:00 p.m.

Planning Department

Civic Center

**MEMBERS PRESENT:** Commissioners Margaret Wimborne, Arnold Cantu, Dale Storer, Forrest Ihler, Bill Scott, Kristi Brower.

**MEMBERS ABSENT:** Scott Geddes, Glen Ogden, Marsha McDaniel

**ALSO PRESENT:** Assistant Planning Director Kerri Beutler, Planners Naysha Foster, David Peterson, Brian Stevens and interested citizens.

**CALL TO ORDER:** Margaret Wimborne called the meeting to order at 7:00 p.m. Wimborne introduced the new Director of Community Development Services, Wade Sanner, and asked Sanner to take a minute to introduce himself.

Wade Sanner introduced himself. Sanner moved to Idaho Falls from Sheridan, Wyoming. Sanner worked in various places across the County and is originally from Kansas. Sanner is grateful to be here and thanked the Commission for their service to the city.

**MINUTES:** Scott moved to accept the minutes of June 6, 2023; Ihler seconded the motion. The motion passed unanimously.

**Public Hearing(s):**

**2. RZON 23-003: REZON. Adoption of a Form Based Zoning Code for the area Known as South Downtown.**

**Applicant: City- Brian Stevens presented.** Stevens indicated that the South Downtown area is 70 acres. Stevens indicated that Cliff, Pancheri, Yellowstone and South Capital Ave. are inclusive in this area. They want to protect and preserve this area and return it to the glory days of Downtown. Stevens explained form-based code is a method of regulating development to achieve a specific urban form. Looking at the building type and its interface with the street versus the uses of the building. Traditional zoning (Euclidean) focuses on separation of uses. Form based is focused on public realm and cares less about land uses. This tool will protect and enable a desired form. Staff chose to pursue a form-based code in this area after the success of the form-based code in Downtown. The current zoning code does not preserve the uniqueness of South Downtown. Form base code allows for zoning to be adjusted to fit the development pattern of South Downtown. This Code Divides South Downtown into 5 Districts. Provides standards for public spaces. Defines allowed building types. Staff will meet regularly to talk and bring forth adjustments as needed. The Comprehensive Plan supports the form-based zoning code. Stevens feels more form-based code will come to older parts of Idaho Falls to preserve the areas that the public wants to interact with.

South Downtown set on the shelf for a time because of covid and staff changes, but it is now time to push it forward.

Stevens presented the staff report, a part of the record. (25 Slide – Slide Show) Highlighted what parts of the Code will build South Downtown into the already existing Downtown Code.

Scott asked if the boundary of Downtown is contiguous to South Downtown. Stevens agreed that there is no gap between Downtown and South Downtown.

Wimborne asked about the highway frontage is already in the Downtown Code and South Downtown Code is the same. Stevens stated that there is one difference for Yellowstone Ave, with a building type. Wimborne clarified that it is similar and has some uniqueness.

Storer asked if there is a requirement that the Planning Commission recommend the proposed sub districts or is it approved as a whole. Stevens indicated that the objective is to rezone the entire section of town. The motion and action is to approve the Form Based Code which approves the District and the breakdowns. Stevens stated that Downtown has its own Zone overlay, and the South Downtown would have the same overlay that would take people to the Form Based Code. Stevens is asking the Commission to recommend approval of all the Form Based Code as presented. Stevens stated that if there is a need for something different, let them know, and they can work on a shift if needed before it goes to the City Council. The presented plan is what was studied. Storer clarified that he just wanted to know if they could suggest changes and feels it would be helpful for the Commission to have the opportunity to recommend a realignment or change in sub districts in the future, if needed.

Scott asked if the sub districts are separately zoned. Stevens indicated that this supersedes and rezones these areas. The original Euclidean style of zoning would be removed, and Form-Based Code would control the property.

Storer had questions in the Administration Section of SODO (South Downtown) Chapter 10. Storer is intrigued by the Form based code, and one area is still not clear with the build up area. Storer stated that often with a zone change there are non-conforming uses. Storer is bothered by what it is that would trigger a change in use. Storer asked if it is a change in landscape, façade, parking or what would trigger the need to bring the area into conformity. Storer asked if the Johnson Brothers changed from a planing Mill to window wholesale, would that require a new application even though that use had been around for 50+ years.

Stevens stated that they will look at a change of use, and what they want to change on the structure. Staff will look at it and they will want to prevent things that they want in the form-based code from being removed and help bolster the things they want to keep including things for pedestrians.

Storer stated that he doesn't feel it is clear as to what would trigger, and he wants that looked at closer.

Beutler stated that the administrative section has not changed, and it has been utilized with the existing form-based code Downtown. Beutler stated that in dealing with non-conforming uses there are legal non-conforming uses. If the use was established illegally, they are not concerned with that. If it was established legally the code deals with it differently. Non-conforming uses are allowed to continue as it has operated legally since it was established, and the only time they would deal with an adjustment is if the use changed. Like a warehouse turns into a restaurant. Non-conforming structures have a specific section for it. If the façade is going to change, the code states it may have to be brought into compliance. Beutler indicated that they have the goal to deal with new growth and development and preserve the current property rights of the area.

Stevens indicated that the public interaction he's had has been positive in general. Beutler clarified that this is the Code and is not forcing anyone to do anything unless there is a change in use. What is in existence stays.

Wimborne opened the public hearing.

**Millie Batt, 765 South Capital, Mini Bazaar Building, Idaho Falls, Idaho.** Who can she ask the questions to, as she doesn't feel this is the right place. Wimborne suggested having a staff member get in touch with her so she can discuss questions.

Wimborne closed the public hearing.

Ihler likes Form Based Code and wants the entire City to be form based. It makes the area more flexible. Ihler likes it and feels the Form Based Code has been successful in Downtown. Ihler stated that this is the original Eagle Rock Area and the original development of the City. Ihler feels this area has lots of potential. Ihler is in support.

Wimborne asked staff what the biggest challenge for business owners and developers and has the issues been addressed with this Form Based Code. Stevens stated that the form-based code is relatively new, and they do have conversations and they have brought changes to the original Downtown Form Based Code. They deal a lot with the amount of window/glass that is required. No residential on the bottom floor was a big issue, so they made a change to 30'. Stevens acknowledged Foster's help in this process as she deals with the form-based code as it is applied Downtown. Foster stated that the biggest issue has been transparency on the main floor adjacent to the street. Downtown already kind of meets the standards for form based standard and the Euclidian Code has a lot of non-conformances that would be applied to Downtown.

Wimborne is in support of the form-based code and applauds staff on their work in South Downtown.

Ihler asked when the City has to replace a water line or rip up a street, or ITD has to do something along Yellowstone, are they required to bring things to standards of the form-based code. Stevens stated that they will be held to the standards, and there will be flexibility in the area, including a different street format that is more pedestrian friendly. The entities (City, State, County) will work together in compliance.

Scott stated that the warehouse sub district is the place where there could be more opportunity for open space and asked if there are incentives for landowners to commit space to open areas. Stevens stated that they do have a landowner that is interested in building in the area, and the current code they have run into issues with setbacks and getting parking, but the form-based code could help them make the building work. Stevens stated that it is the preference that it would come into the City's control like Civitan Plaza.

**Cantu moved to recommend to the Mayor and City Council approval of the Adoption of a Form Based Zoning Code for the area Known South Downtown, Scott seconded the motion. Wimborne called for roll call vote: Cantu, yes; Storer, yes; Wimborne, yes; Ihler, yes; Scott, yes; Brower, 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 70 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM, CC (CENTRAL COMMERCIAL), HC (HIGHWAY COMMERCIAL), TN (TRADITIONAL NEIGHBORHOOD), AND P (PUBLIC); AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed zoning district of lands described in Section 1 of this Ordinance is being rezoned to “Form Based Code” to remove the zoning of CC (Central Commercial), HC (Highway Commercial), TN (Traditional Neighborhood), and P (Public) for such annexed lands and such zoning is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation of “Urban Core” and consistent with the Core Plan for this area; and

WHEREAS, the proposed zoning of Form Based Code is consistent with the City of Idaho Falls Comprehensive Plan map and policies and land uses in the area; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on July 11, 2023, and recommended approval of zoning the subject property to Form Based Code; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on October 12, 2023.

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 seventy (70) acres, generally located between Cliff Street to Panchari Drive and from the Snake River to South Yellowstone Avenue, as described in Exhibit A of this Ordinance.

**SECTION 2. Zoning.** That the property described in Section 1 of this Ordinance be and the same hereby is zoned “Form Base Code” 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 \_\_\_\_\_, 2023.

CITY OF IDAHO FALLS, IDAHO

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

ATTEST:

\_\_\_\_\_  
Corrin Wilde, City Clerk

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, CORRIN WILDE, 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 70 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM, CC (CENTRAL COMMERCIAL), HC (HIGHWAY COMMERCIAL), TN (TRADITIONAL NEIGHBORHOOD), AND P (PUBLIC); AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.”

\_\_\_\_\_  
Corrin Wilde, City Clerk

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

**REZONING FROM, CC (CENTRAL COMMERCIAL), HC (HIGHWAY COMMERCIAL), TN (TRADITIONAL NEIGHBORHOOD), AND P (PUBLIC), TO FORM BASED CODE, APPROXIMATELY 70 ACRES, GENERALLY LOCATED BETWEEN CLIFF STREET TO PANCHERI DRIVE AND FROM THE SNAKE RIVER TO SOUTH YELLOWSTONE AVENUE.**

**WHEREAS**, the applicant filed an application for a rezone on June 14, 2023; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on July 11, 2023; and

**WHEREAS**, this matter came before the Idaho Falls City Council during a duly noticed public hearing on October 12, 2023; 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 City of Idaho Falls Comprehensive Plan, City of Idaho Falls Zoning Ordinance, City of Idaho Falls Form Based Code Ordinance, City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is approximately 70 acres generally located between Cliff and Pancheri and the Snake River and Yellowstone.
3. The Comprehensive Plan designates this area as urban core.
4. The proposed zoning of Form Based Code is consistent with the Comprehensive Plan map and policies and land uses in the area.
5. The Core Plan recommends adoption of a form based code for the South downtown area.
6. Rezoning the property to Form Based Code will allow the property to be preserved and developed in a more consistent pattern matching what currently exists, helping to preserve the uniqueness and original townsite of eagle rock.
7. Idaho Falls Planning and Zoning Commission recommended approval of zoning the property to Form Based Code.

### **II. DECISION**

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the change of zoning as presented.

PASSED BY CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023

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Rebecca L. Noah Casper - Mayor

File #: 23-293

City Council Meeting

**FROM:** Bear Prairie, General Manager  
**DATE:** Wednesday, October 4, 2023  
**DEPARTMENT:** Idaho Falls Power

## Subject

IFP 21-34, Conduit Fiber Agreement with B. Jackson Construction

## Council Action Desired

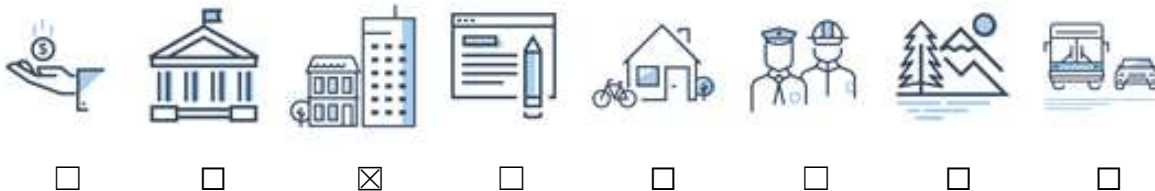
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☐ Other Action (Approval, Authorization, Ratification, etc.)

Grant Idaho Falls Power and Fiber additional spending authority of \$2,693,946.20 as previously awarded under the multi-year B. Jackson Construction contract originally approved August 26, 2021 for a contract total of \$6,467,501.84 (or take other action deemed appropriate).

## Description, Background Information & Purpose

City Council approved B. Jackson Construction's contract to provide conduit for buried electrical conductor replacement and fiber optic cable installation until the fiber expansion project is complete. Work for the final phase of the fiber project is planned to be in FY2024 at \$2,449,042 plus a ten percent (10%) contingency of \$244,904.20 for a total authorization of \$2,693,946.20.

## Alignment with City & Department Planning Objectives



This action supports our readiness for managed, well-planned growth and development, by expanding residential fiber services and enhancing the reliability of our electric system with timely replacement of aging electrical infrastructure. This action also supports the growth element of the IFP Strategic Plan.

## Interdepartmental Coordination

Idaho Falls Power coordinated with the City Attorney Department.

## Fiscal Impact

This expenditure is budgeted for in the 2023/24 CIP budget.

**Legal Review**

The City Attorney Department agrees that this action is within state statute.

# Memorandum

File #: 23-294

City Council Meeting

**FROM:** Chris H Fredericksen  
**DATE:** Wednesday, October 4, 2023  
**DEPARTMENT:** Public Works

## Subject

Minutes from the Annual Meeting of Public Works Department Utilities

## Council Action Desired

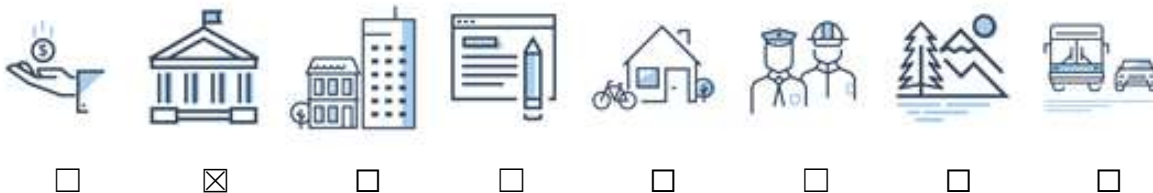
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☒ Other Action (Approval, Authorization, Ratification, etc.)

Approve the minutes from the Annual Meeting of Public Works Department Utilities from July 12, 2023 (or take other action deemed appropriate).

## Description, Background Information & Purpose

The Idaho Open Meetings law requires that the governing body of a public agency provide for the taking of written minutes for all of its public meetings.

## Alignment with City & Department Planning Objectives



The action is in accordance with Idaho Code 74-205(1) and supports good governance by demonstrating sound management and enabling trust and transparency.

## Interdepartmental Coordination

N/A

## Fiscal Impact

N/A

## Legal Review

N/A



2023-069

July 12, 2023

The City Council of the City of Idaho Falls met in Special Meeting (Annual Public Works Department Utility Meeting), Wednesday, July 12, 2023, at the Wastewater Administration Office located at 4075 Glen Koester Lane, Idaho Falls, Idaho at 4:00 p.m.

### Meeting Minutes

Officials Present: Mayor Rebecca Casper, Council President Dingman, Councilor Halley, Councilor Francis, Councilor Freeman

Officials Absent: Councilor Radford, Councilor Burtenshaw

Also Present: Director Chris Fredericksen, Chris Canfield, Carl Utter, David Richards, Jordan Rechenmacher, Kent Fugal, Rachael Huntsman

Call to Order: Meeting called to order at 4:07 pm

Announcements: None

Discussion: Director Fredericksen delivered a prepared presentation and led discussion. The following is a summary of the presentation/discussion highlights.

### Hiring & Retaining

- CDL & operator licenses required – some of the positions more difficult to find and fill, more open than full
- High school diploma or GED plus work time / experience
- Idaho Rural Water offers state wide training Water/Sewer employees can attend to maintain yearly required CEU - city pays for training
- Water Division employee use an app called Water College and have had success with employees passing the tests – employee able to take test at College of Eastern Idaho
- Employee has to work one year before able to take State of Idaho test – employee starts as water operator in training. After the test is passed with 70% or higher, employee moves to water operator
- City of Nampa is creating a CDL training program. Brian Cardon, Streets Division Superintendent is also working on a program to help fill the need for CDL.
- Younger workforce, jump ship if other makes more than them
- Human Resource is doing study – employees are at or below market average
- Councilor Francis suggested attending College of Eastern Idaho for career fairs
- Job fairs and hour attending – wage rates and pay schedules – focus on younger generation – starting rate
- Mayor suggested job fairs
- Councilor Freeman suggested attending D91 Career Fair

### Public Works Department Budget

- Public Works manages 10 of 34 funds in the city
- Sanitation 111.1% change expenditure increase, \$688,400 change in revenue

July 12, 2023

- Wastewater 112.7% change expenditure increase, \$1,093,000 change in revenue
- Water 104.0% change expenditure increase, \$296,000 change in revenue

#### Sanitation Division

- FY2023/2024 – Proposed budget
  - Expenditure 111.1% previous
  - Expenditure \$6,159,700
  - Revenue \$5,988,400
  - Tilt Frame \$270,000
  - 95 Gallon Carts \$150,000
  - New Dumpsters \$300,000
  - Request for 1 new full-time employee
- FY2022/2023 – Current Budget
  - Expenditures 75%
  - Budget \$5,837,500
  - Expenditures \$3,997,300
  - Budget committed 68%
  - Average monthly expenditures \$444,100
  - Revenues thru June 2023 \$507,300
- Assets
  - 21,265 – 95 Gallon residential carts
  - 324 – 1.5 cubic yard containers
  - 2,213 – 3 cubic yard containers
  - 275 – 30 cubic yard containers
  - 22 – 30 cubic yard recycling
  - 16 – 3 cubic yard glass recycling containers
- Recycling
  - 549 tons of refuse removed from the waste stream
  - 883 tons of glass since inception
  - Cost of service \$5,500
  - Cardboard charges \$3,300
  - Total recycling cost \$8,800 month
- Discussion of Recycling Program
  - Services offered through end of calendar year and remove recycling after holidays
  - Maintain glass recycling
  - Offering metal or cardboard recycling is the same cost of one employee
  - Less waste goes to transfer station
  - Transfer station often close and trucker unable to dump
  - If services are stopped, Kerry and Eric will handle social media

July 12, 2023

- Longer lead time may allow time to communicate with those citizens that care about the recycling program

## Wastewater

- FY2023/2024 – Proposed budget
  - Expenditure 112.7% previous
  - Expenditure \$25,960,400
  - Revenue \$13,743,000
  - Increase \$2,922,900
  - Re-budget Dewatering Project 10,000,000
  - 2 New Collection employee & 1 Wastewater Treatment plant employee \$169,900
  - New Line Camera \$200,000
  - 2 Heavy-Crane beds with existing vehicles \$38,000 each
- FY2022/2023 – Current Budget
  - Expenditures 75%
  - Budget \$26,940,400
  - Expenditures \$24,482,000
  - Budget committed 91%
  - Average monthly expenditures \$2,720,222
  - Revenues thru June 2023 \$1,210,500
- Assets
  - 33 Sanitary Lift Stations and maintains 9 for IBSD
  - 298 miles of gravity sewer line
  - 46 storm lift stations
  - 174 miles of storm line
  - Wastewater Treatment Plant
    - Capacity of 17 MG/D
    - Average daily flow of 9.5 MG/D
    - 56% of capacity – room to grow
- Rate Increase
  - Last rate increase 2022 – 2023 – 2% increase (\$24.00 - \$24.50)
  - 2023-2024 Proposed Rates – 2% increase (\$24.50 - \$25.00)
- Flooding
  - Reconstruct 14<sup>th</sup> St and 15<sup>th</sup> St and Lee tie to storm system in Lee to move that water quicker
  - Discussion about flooding homes, Public Works employee toured basement and some of alternative 15<sup>th</sup> and Lee – challenge from engineering
  - Estimated design costs are around \$360,000 improvements to fix that intersection

July 12, 2023

## Water

- FY2023/2024 – Proposed budget
  - Expenditure 104% previous
  - Expenditure \$23,564,200
  - Revenue \$13,905,500
  - Increase \$908,100
  - Water Tower Re-budgeted \$7,000,000
  - Request for 3 new full-time employees \$215,400
- FY2022/2023 – Current Budget
  - Expenditures 75%
  - Budget \$23,129,200
  - Expenditures \$16,701,000
  - Budget committed 72%
  - Average monthly expenditures \$1,855,700
  - Revenues thru June 2023 \$1,151,400
- Assets
  - 21 – Wells (located on 16 sites)
  - 356 – miles of water main line
  - 2,658 – fire hydrants
  - 9,198 – main line valve
  - 5,459 – meter location
    - 830 with meters installed
- Water Facility Plan Update – Whole System Metering
  - Single family resident - \$38.85 increase to \$40.98 increase
  - 2015 - \$250,000 annually and 2% last year
  - Commercial metering will be complete in 7 years
  - Residential metering will be complete in 20 years
  - Rate increase over next 5 years will pay for metering
  - 2024 – 12%, 2025 – 12%, 2026 – 10%, 2027 – 5.5%
  - Funding sources could consist of grants, loans, and rates
  - Potential proposed impacts to future budgets
    - Rates 5.5 vs 12% (or combination thereof)
    - 3 full-time employees - \$215,400
    - Equipment - \$750,000
    - Total - \$965,400
- Lead and Copper
  - Lead and copper rule will change in October 2024
  - DEQ must receive report where lead is located in system
  - GIS interns working on this information



July 12, 2023

- Action Item
  - Discussion was held regarding increasing annual rates to fund proposed meter installation as presented.
  - Councilor Dingman, Councilor Hally, Councilor Francis, Council Freeman approved pursuing rate increases and timeline for installing meters.

Adjournment: Meeting adjourned at 5:44 pm

# Memorandum

File #: 23-291

City Council Meeting

**FROM:** Pam Alexander, Municipal Services Director  
**DATE:** Wednesday, October 4, 2023  
**DEPARTMENT:** Municipal Services

## Subject

Bid IF-24-01 Haul and Spread Liquid Wastewater Biosolids for Public Works

## Council Action Desired

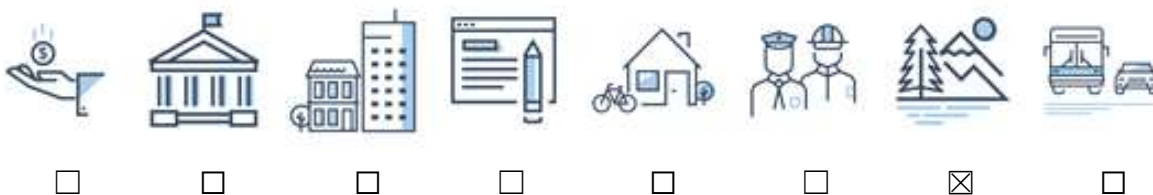
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☒ Other Action (Approval, Authorization, Ratification, etc.)

Accept and approve the bid received from Iron Horse Trucking, LLC. to haul and spread liquid wastewater biosolids for a total of \$237,375.00 or take other action deemed appropriate.

## Description, Background Information & Purpose

To maintain compliance with Idaho Department of Environmental Quality (ADEQ) discharge permit requirements, Public Works must have the ability to haul and spread liquid wastewater biosolids. City staff have met with bidder and reached agreement on the exceptions noted on the bid.

## Alignment with City & Department Planning Objectives



The haul and spread of wastewater biosolids supports the environmental sustainability community-oriented result as it allows Public Works to meet discharge permit requirements and assist local farmers with an option to using chemical fertilizer.

## Interdepartmental Coordination

Public Works concurs with the bid award recommendation.

## Fiscal Impact

Funds for the haul and spread services are budgeted within the Public Works 2023/24 Wastewater Treatment Plan Operation and Maintenance sludge removal budget line item.

## Legal Review

The City Attorney concurs that the Council action is within State Statute.

# CITY OF IDAHO FALLS

## INSTRUCTION TO BIDDERS

### Invitation to Bid Number: IF-24-01

#### INVITATION:

Sealed bids for furnishing all tools, labor, equipment and materials necessary to haul and spread Liquid Wastewater Biosolids described in "Specifications" will be received at the Procurement Office, 308 Constitution Way, Idaho Falls, Idaho 83402 until 11:00 A.M. on the 3<sup>th</sup> day of Oct, 2023, and then will be publicly opened and read. The price page(s) and the signature page(s) of the bid must be the original—copies or faxed copies are not acceptable and will result in rejection of the bid.

The **Envelope** containing your bid must be sealed, show the Invitation to Bid Number, the date and time of opening and your Company name. The envelope should be addressed as follows:

Vendor's Name

Invitation to Bid Number: **IF-24-01**

Date: 10-3-23

Time: 10:00 A.M.

Mailing Address

City of Idaho Falls

Procurement Office

PO Box 50220

Idaho Falls, ID 83405

**OR**

Special Delivery

City of Idaho Falls

Procurement Office

308 Constitution Way

Idaho Falls, ID 83402

If the mailed or special delivery envelope does not contain the above information, the bid may be rejected as non-responsive.

#### BID SECURITY:

Each bid must be submitted on the prescribed form. The bid must be accompanied by a Certified Check or Cashier's Check drawn on a bank in good standing or a Bid Bond issued by a Surety authorized to issue such bonds in the State of Idaho, all in an amount not less than (5%) of the total amount bid. Bidder agrees this bid may not be withdrawn for a period of thirty (30) calendar days after the opening of bids.

#### RETURN OF BID SECURITY:

The bid security of the successful bidder will be retained until he has executed the Agreement and furnished the required Payment and Performance Bonds. If he fails to execute and deliver the Agreement and furnish such bonds within ten (10) days of the Notice of Award, the City may annul the Notice of Award and the bid security of that Bidder will be forfeited. The bid security of any Bidder whom the City believes to have a reasonable chance of received the award may be retained by the City until after the executed Agreement is delivered to the City.

#### PERFORMANCE BOND AND PAYMENT BOND

The Bidder agrees that this bid shall be good and may not be withdrawn for a period of thirty (30) Calendar days after the opening of bids.

The Bidder agrees to execute this Contract with the City of Idaho Falls, and will further deliver to the City of Idaho Falls security for faithful performance of the Contract in the full amount of the Contract amount and security for the protection of persons supplying labor or materials for the Contract in the full amount of the Contract amount within ten (10) days after receipt of notification of acceptance of his Bid. The contract must be submitted with the completed performance and payment bond information as set forth in the forms of "Performance Bond" and "Payment Bond" in these documents and accompanied by a Certified Check or Cashier's Check drawn on a bank in good standing; Performance and Payment bond issued by a Surety authorized to issue such bonds in the State of Idaho; or Government Obligations, as defined under Idaho Code Section 54-1901 (2) (h), payable to the City of Idaho Falls, Idaho.

***Government Obligations as Security*** In the event the Bidder posts government obligations as security, pursuant to Section 54-1926A, Idaho Code, such government obligations shall be physically delivered to the CITY or unconditionally deposited into a designated account controlled solely by the City. If the government obligations are physically delivered to the CITY, they shall be unconditionally endorsed in favor of Mr. Mark Hagedorn, Treasurer of the City of Idaho Falls. If the government obligations are delivered by someone other than the Bidder, the person delivering such obligations shall execute a Power of Attorney in the form attached to the Performance and Payment Bonds as Attachments "A" and "A-1", in lieu of endorsing the government obligations in favor of the City Treasurer.

**PREFERENCE FOR IDAHO DOMICILED BIDDERS:**

In determining the lowest responsible bidder, the City shall consider the preferences for Idaho domiciled public works contractors and Idaho suppliers for purchases as provided in Idaho Code Sections 67-2348 and 67-2349, as currently in force and subsequently amended. The law requires providing a reciprocal preference for Idaho domiciled bidders on purchases of materials, supplies or equipment. The law and any applicable percentage preference is ONLY applicable to bidders domiciled in a state granting THEIR in state bidders a preference law or a reciprocal preference law. It is not applicable to domiciled bidders in states without a preference law or a reciprocal preference law. Bidder shall indicate on the signature page, in the space provided, the bidder's state of domicile. If a bidder is domiciled outside the State of Idaho and desires to be considered as an Idaho domiciled bidder, he shall indicate this on the signature page, in the space provided.

If the bidder indicates that he is domiciled outside the State of Idaho and that he desires to be considered as an Idaho domiciled bidder, he shall provide information with the bid sufficient to establish a significant Idaho economic presence as defined in Idaho Code Section 67-2349, as currently in force and subsequently amended. Bids received without this information will be considered invalid. If the bidder is domiciled in a state with a bid preference penalty, the bidder shall provide information with the bid concerning the bidder's state of domicile, the amount of the bid preference penalty in his state and a copy of the applicable code section with respect thereto. Failure to provide such information may result in rejection of the bid.

**GENERAL:**

The intention of the specifications is to describe the hauling and spreading of liquid wastewater biosolids in sufficient detail to secure bids. Bid to be submitted on forms furnished.



The original bid documents may be duplicated and/or faxed for Bidder to obtain additional copies, however the submitted bid of the price page(s) and the signature page(s) must be the original entries and signature of the Bidder—copies or faxed copies are not acceptable and will result in rejection of the bid. **Please sign with BLUE ink.**

The City of Idaho Falls Procurement Office may be reached by calling 208-612-8431.

**QUALIFICATION OF BIDDERS:**

Bidders may be required to submit evidence that they have sufficient knowledge, experience, equipment and financial resources to perform the particular work bid upon.

In determining the Bidder's qualifications, the following factors will be considered: Work previously completed by the bidder and whether the bidder (a) maintains a permanent place of business, (b) has adequate plant and equipment to do the work properly and expeditiously, (c) has the financial resources to meet all obligations incident to the work, and (d) has appropriate technical experience.

**WORKER'S COMPENSATION INSURANCE:**

The Vendor/Contractor shall take out and maintain during the life of this Contract, Worker's Compensation Insurance for all of their employees, employed at the site of the project and in case of any work that is sublet, the Vendor/Contractor shall require the subcontractor, similarly, to provide Worker's Compensation Insurance for all the latter's employees unless such employees are covered by the protection afforded by the Vendor/Contractor. In case any class of employees engaged in hazardous work under this Contract at the site of the project, is not protected under Worker's Compensation statutes, the Vendor/Contractor shall provide and shall cause such subcontractor to provide compensation insurance with a private company in an amount equal to that provided by the Worker's Compensation statute for the protection of his employees not otherwise protected.

**PUBLIC LIABILITY AND OTHER INSURANCE:**

The Vendor/Contractor shall obtain and keep in force during the term of the Contract, Public Liability and Property Damage Insurance in companies and in a form to be approved by the City. Said insurance shall provide coverage to the Contractor, any subcontractor performing work provided by this Contract, and the City. The City shall be named as an additional insured on said policy insofar as the work and obligations performed under the Contract are concerned. The coverage so provided shall protect against claims for personal injuries, including accidental death as well as claims for property damages, which may arise from any act or omission of the Vendor/Contractor or the subcontractor, or by anyone directly or indirectly employed by either of them. The minimum policy limits of such insurance shall be as follows:

**CERTIFICATES OF INSURANCE REQUIRED FOR:**

Worker's Compensation	(Statutory)
Employers Liability	(\$100,000.00 minimum)
Comprehensive General Liability	(\$500,000 minimum combined single limits for bodily injury and property damage)

CERTIFICATE OF ELIGIBILITY:

The successful Bidder shall be required to execute a Certificate of Eligibility (See attached) as a condition for the award of this Bid / Contract.

INTERPRETATIONS:

Interpretations, corrections and changes of the bid will be made by Addendum. Addendums will be posted with the original bid on the City's Webpage ([www.idahofallsidaho.gov/bids.aspx](http://www.idahofallsidaho.gov/bids.aspx)) by the Procurement Office at least three (3) days prior to the bid opening. Interpretations, corrections, and changes of the bid made in any other manner will not be binding, and Bidders shall not rely upon them.

TERMS AND CONDITIONS:

This formal bid document and subsequent Purchase Order are to be considered the City's sole terms and conditions. Bids submitted with any additional terms and conditions may not be considered.

BASIS OF AWARD:

The award of the bid will be made to the bidder submitting the responsive bid which will best serve the interest and requirements of the City of Idaho Falls. The bids will be evaluated for compliance with the specifications furnished by the City of Idaho Falls. The contract will be awarded to the bidder submitting the lowest responsive bid based upon the bid evaluation method set forth in the paragraph entitled "BID EVALUATION".

BID IRREGULARITIES:

If the bid form furnished is not used or is altered or if there are unauthorized additions, conditional bids, or irregularities of any kind, which make the bid incomplete, indefinite, irregular, or ambiguous; the bid may be rejected. Bids received without the signature of a Company representative under the heading **\*\*BID PROPOSAL SIGNATURE\*\*** will be considered invalid.

TERM OF BID AND BID AWARD:

The Bidder's bid shall remain in effect for a period of 60 working days after the bid opening. If awarded the Bid, the successful Bidder will comply with the terms and conditions of the Bid Documents and subsequent Purchase Orders through the period of time as listed above. The City of Idaho Falls reserves the right to purchase any or all of the items as listed.

ANTI-BOYCOTT AGAINST ISRAEL ACT:

Pursuant to Idaho Code section 67-2346, if payments under this contract exceed one hundred thousand dollars (\$100,000) and Vendor/Contractor employs ten (10) or more persons, Vendor/Contractor certifies that it is not currently engaged in, and will not for the duration of this contract engage in, a boycott of goods or services from Israel or territories under its control. The terms in this Paragraph that are defined in Idaho Code section 67-2346 shall have the meaning defined therein.

DISCLAIMER:

The City of Idaho Falls reserves the right to accept or reject any or all bids, to waive any or all bids, to waive any informalities and irregularities in said bids, and to accept individual bid items.

### CERTIFICATE OF ELIGIBILITY

(Please fill out the top or bottom portion of this document, whichever is applicable)

Iron Horse Trucking LLC, represented by Gerard Val Jolley represents that:  
(Bidder/Vendor) (Representative's Name)

- 1) For the purposes of this certificate, the term "Ineligible Person" shall mean any officer, agent or employee of the City of Idaho Falls, and the spouse and any member of the household of such officer, agent or employee. The term "Ineligible Entity" shall mean any corporation, partnership, trust, association, sole proprietorship or organization of any kind in which an Ineligible Person holds any pecuniary or ownership interest of any kind or which employs an Ineligible Person.
- 2) Bidder is not an Ineligible Person or Ineligible Entity.
- 3) No Ineligible Person or Ineligible Entity has an interest of any kind in the abovementioned Bidder, nor will any Ineligible Person or Ineligible Entity receive any consideration or benefit of any kind on account of the above-referenced project or purchase.
- 4) To the best of my knowledge no Ineligible Person or Ineligible Entity has any interest in the above-referenced project or purchase, which is prohibited under Idaho Code Section 59-201.
- 5) I am over eighteen (18) years of age, have personal knowledge of the foregoing and would so testify if called upon in a court of law.

Dated the 29 day of September, 2023.

BIDDER/VENDOR:

Gerard Val Jolley  
Representative's Signature

Gerard Val Jolley  
Bidder/Vendor

-----

If you are unable to sign the above Certificate of Eligibility, you may, depending upon the circumstances, still be eligible to carry out this contract (PO). In order to receive such consideration, please explain the reasons why you are unable to execute the Certificate of Eligibility.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

BIDDER/VENDOR:

\_\_\_\_\_  
Representative's Signature

\_\_\_\_\_  
Bidder/Vendor



## **SPECIFICATIONS**

### **LIQUID WASTEWATER BIOSOLIDS HAULING**

The City of Idaho Falls Sewer Division requests bids to haul and spread wastewater biosolids (sewage sludge) as indicated in these Contract Documents. The City will load the liquid wastewater biosolids into the Hauler's trucks at the designated location at the City's Wastewater Treatment Plant. The Hauler shall haul the liquid wastewater biosolids to the fields designated by the Sewer Superintendent or his representative and in a manner which conforms to these Specifications.

### **TRUCKING EQUIPMENT REQUIREMENTS**

Hauler shall supply tanker truck(s), together with a driver/operator for each truck, capable of hauling liquid wastewater biosolids from the City's Wastewater Treatment Plant to designated fields in the area in a manner that prevents leaking or spilling of the liquid wastewater biosolids onto highways, streets, roads, or other land surfaces or waterways not approved for biosolids application or disposal. Hauler will be liable for any and all costs (including clean-up costs and/or fines) associated with any spills from Haulers equipment.

Trucks shall be equipped with a spreader that is capable of uniformly spreading the liquid wastewater biosolids over the entire width of the truck at variable controlled application rates. The application rates will vary based on the agronomic rate for each field, as directed by the Sewer Superintendent or his designated representative.

Hauler to provide DOT Certified trucks. Copies of the DOT certification are due upon award of the Contract. DOT Certifications to be provided shall be in a form to show the VIN numbers such that the City can verify the certification with the trucks used.

Trucks do not require placards to haul liquid wastewater biosolids.

The Hauler shall provide all maintenance, fuel and parts for the trucks and spreaders and keep them in good working order.

The Hauler shall provide the City with a fully-loaded weight and an empty weight from certified scales for each tanker employed under this Contract.

The City reserves the right to require Hauler to replace any vehicle not performing satisfactory work.

### **PERSONNEL REQUIREMENTS**

All of Hauler's drivers/operators shall be properly licensed and shall have the necessary skills to operate the truck and spreader in the manner necessary to perform the work. The City reserves the right to require Hauler to replace any driver/operator not performing satisfactory work.

All drivers/operators must attend an orientation at the Idaho Falls Wastewater Treatment Plant prior to hauling any liquid wastewater biosolids under this Contract.

### **SCHEDULE OF WORK**

Working hours shall be determined by the Sewer Superintendent or his designated representative based on the needs of the Treatment Plant. Liquid wastewater biosolids hauling will begin as determined by the City. Hauler will be required to begin hauling within 72-hour notice from the City. The City may temporarily or permanently suspend hauling at any time due to, but not limited to, weather and/or field conditions. Liquid wastewater biosolids hauling under this contract is anticipated to begin March/April, 2023 and terminate by November 30, 2023.

Delays due to bad weather or other conditions beyond the control of the City will not be cause for additional compensation. The City is not responsible for idle trucks due to delays in loading caused by breakdowns of Treatment Plant equipment.

The City reserves the right to supplement the Hauler's work by hauling liquid wastewater biosolids with City employees and equipment if, at its sole discretion, such is in the City's best interest. Additionally, if the City determines that the Hauler is unable to provide adequate hauling resources to meet the City's needs, the City reserves the right to hire an additional Hauler as necessary to complete the work. This activity may result in reduction in contract amounts accordingly and or replacement of Hauler not performing as determined by the City.

### **FUEL ESCALATION**

The City will consider progress estimate adjustments to applicable contract item costs as a payment to the Contractor or a credit to the City, when the indexes change, as defined for fuel. On the first Monday for each month, the Idaho Transportation Department will publish a current fuel index (CFI) based on the price of ultra-low sulfur, clear, diesel #2 fuel, as reported by Oil Price Information Services. CFIs are posted monthly at [Microsoft Word - fuel\\_index.docx \(idaho.gov\)](#). The contract base fuel index (BFI) will be the last posted index amount preceding the bid opening date. A payment to the Contractor may be applied or a credit to the City may be deducted from monies due to the Contractor for each affected progress estimate.

A price adjustment will be made only when the CFI varies by more than 20 percent from the BFI and only for that portion of the variance in excess of 20 percent. Credits and payments are computed as follows:

The City will:

- a. Obtain the work quantity performed from the progress estimate for the work completed.
- b. Compute the fuel usage for each field by witnessing fuel consumption rates for the Contractors trucks to each field to be delivered.
- c. Sum the total fuel usage in gallons (Q) subject to surcharge/credit.
- d. Compute the fuel price adjustment (FPA) credit or payment using the following formulas:



Contractor payment if CFI is greater than 120% of BFI:

$$\text{FPA} = (\text{CFI} - 1.20 \text{ BFI}) * Q$$

City credit if CFI is less than 80% of BFI:

$$\text{FPA} = (\text{CFI} - 0.80 \text{ BFI}) * Q$$

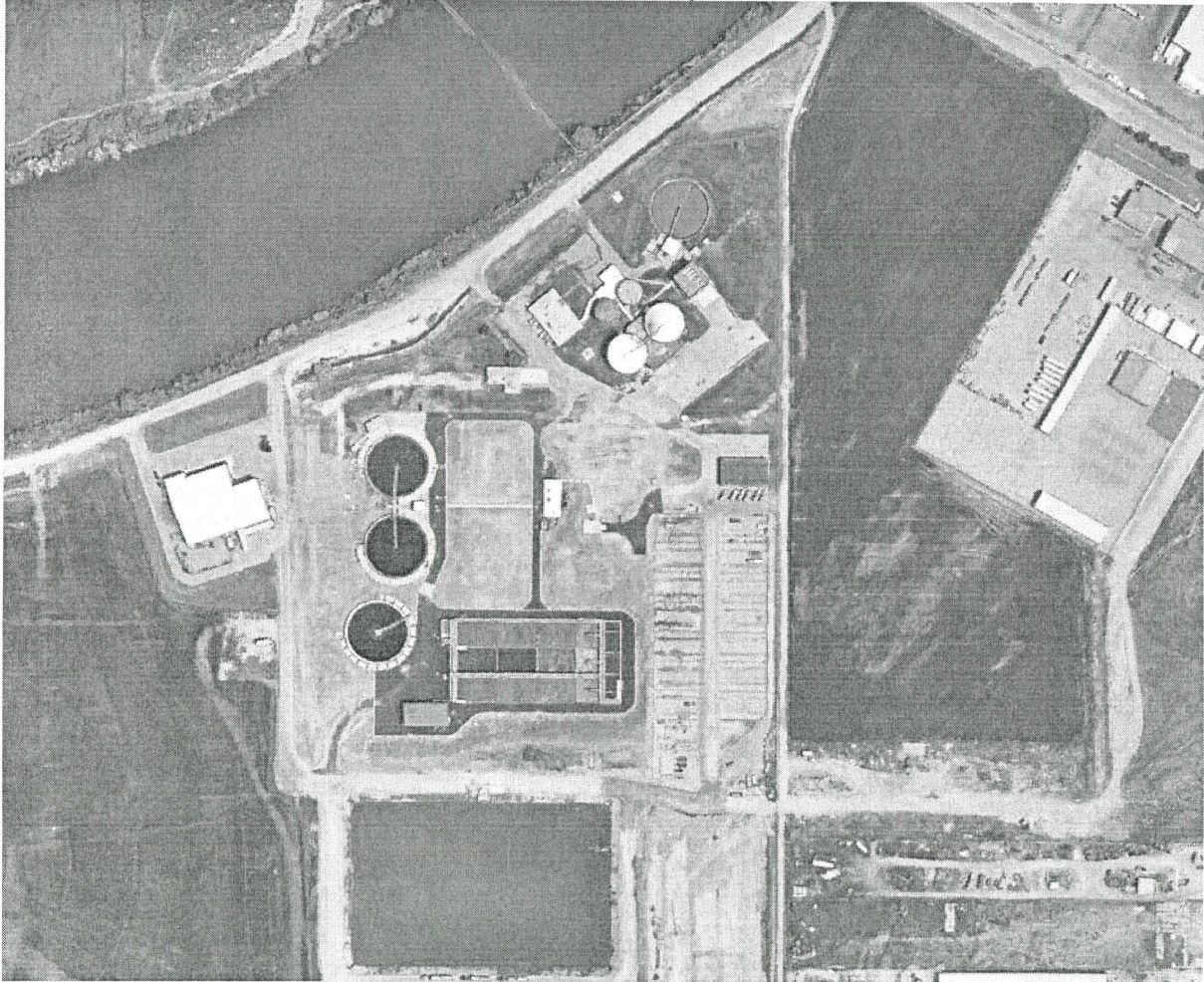
Where:

FPA = Fuel price adjustment in dollars.

BFI = Base fuel index. CFI = Current fuel index.

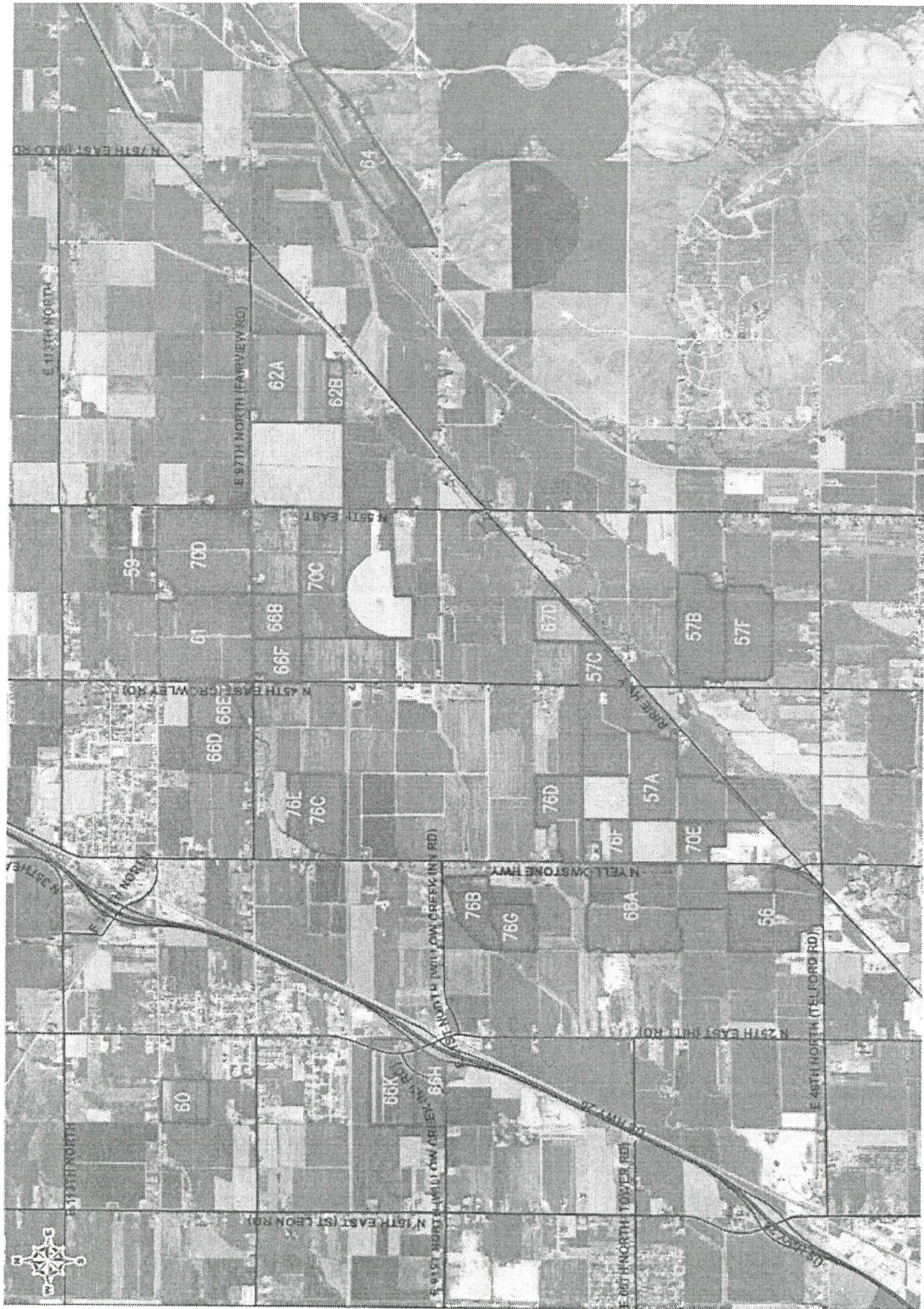
Q = Total fuel gallons used for the progress estimate.

The City will determine the CFI's from individual progress payments where a fuel surcharge/credit is applicable and will calculate the FPA for the fuel usage.



Idaho Falls Wastewater Treatment Plant Location





Example of Field Application Locations. Actual Locations as Directed by the Sewer Superintendent. Locations subject to change.



## **SPECIAL PROVISION BID ITEM**

### **SP-1 LIQUID WASTEWATER BIOSOLIDS HAULING**

#### **Measurement**

Measurement shall be by the kgal-mi (1 kgal-mi = 1000 gallons hauled one mile). [Example: Measurement for a truck hauling a 7000 gallon load a distance of 14 miles would be  $(7 \text{ kgal}) \times (14 \text{ mi}) = 98 \text{ kgal-mi}$ ]. The haul distance used for payment calculations is the one-way distance from the Treatment Plant to the center of the field to which the liquid wastewater biosolids is hauled and spread. The payment distances to each field will be determined by the City. The average haul distance per load is estimated to be 14 miles one-way. Measurement of liquid wastewater biosolids volume hauled will be based on the tanker capacity at the fill level for hauling for each vehicle.

#### **Payment**

Payment shall be full compensation for hauling and spreading liquid wastewater biosolids including trucks, spreaders, and drivers/operators. Progress payments will be paid on a monthly basis.

Contractor shall invoice the Sewer Department Monthly for processing. City Treatment Plant personnel will verify Contractor invoiced quantities. Contractor should plan for up to 3 weeks of proceeding time from receipt of an invoice that is approved. All invoicing and payment requests/correspondence are to be done thru the Treatment Plant personnel.

**BID EVALUATION:**

**Liquid Wastewater Biosolids Hauling**

(All items must have "Unit Price" and "Total Amount" filled in)

Item Number and Description				Quantity		Unit Price		Total Amount	
						Dollars	Cts	Dollars	Cts
SPECIAL PROVISIONS									
SP – 1	Liquid Wastewater Biosolids Hauling			125,000	kgal-mi	1.89	9	237,375.	00
TOTAL BID AMOUNT								237,375.	00

+ ADDITIONS

Are there exceptions to this specification? ☒ yes

☐ no

If yes, attach the explanation.

ONLY FIRM PRICES ON BIDS WILL BE ACCEPTED!

The City of Idaho Falls reserves the right to accept or reject any bid.

- ① WE REQUEST THAT THE PERFORMANCE BOND BE WAIVED OR COST OF BOND BE ADDED TO CONTRACT AMMOUNT AT RATE OF 194.9.
- ② WE RECIEVE PAYMENT, EVERY TWO WEEKS.
- ③ IF CONTRACT AMMOUNT IS RAISED OR EXTENDED DURING CONTRACT PERIOD, THE CONTRACT WILL BE AWARDED TO IRON HORSE TRUCKING LLC UNDER THE SAME TERMS.
- ④ IF FUEL COSTS MEET OR EXCEED 6.00 PER GAL, THERE WILL BE A 10% FUEL SURCHARGE ON EACH PALLEY TICKET. THIS WILL REPLACE THE STATE OF IDAHO FUEL INDEX ADJUSTMENT SCALE RECOMMENDATIONS FOR COMPENSATION.
- ⑤ ALL FIELDS AND ROUTES TO FIELDS MUST BE AGREED SAFE AND CONDITIONS THAT IS SAFE FOR SEMI TRUCKS. NO HARSH ABUSIVE CONDITIONS FOR IRON HORSE TRUCKS. CITY WILL HAVE FIELDS AVAILABLE THAT DON'T ABUSE EQUIPMENT.
- ⑥ CITY WILL PROVIDE FUNDING FOR CONTINUED HAULING OF SLUDGE TILL POND IS EMPTY OR SNOW/FROST COMES. NO DELAY IN HAULING FOR CONTRACT BIDDING IN PRIME HAULING TIME IN OCT. THIS EFFECTS PROFABILITY FOR IRON HORSE TRUCKING & DRIVERS.

**SIGNATURE PAGE:**

Exceptions: If the terms and conditions provided on the preceding pages cannot be met, bidders are instructed to note those terms and conditions with which they take exception, giving a full explanation and sign below. If no exceptions are taken, write "**NONE**" and sign below.

EXEMPTIONS LISTED ON PREVIOUS PAGE.

Bidder's State of Domicile Idaho.

Does your State of Domicile have a Bid Preference Penalty? Yes \_\_\_ No ✓

Amount of Bid Preference Penalty (If Applicable) \_\_\_\_\_.

Please provide a copy of the State Statute regarding such Bid Preference Penalty.

Failure to furnish information on State of Domicile may result in Rejection of Bid. (Please see section entitled Bidder's State of Domicile).

**\*\*BID PROPOSAL SIGNATURE\*\***

Gerard Val Jolley  
Representative's Signature

GERARD VAL JOLLEY  
Representative's Name—Printed

lhtrucking@yahoo.com  
Representative's E-Mail Address

208-339-3654  
Telephone

\_\_\_\_\_  
Fax Telephone

Iron Horse Trucking LLC  
Bidder-Company

1696 BOWE RD.  
Address

Idaho  
City

Idaho 83427  
State Zip Code

9-29-23  
Date



## BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we

Iron Horse Trucking LLC, as Principal, and

Frankenmuth Insurance Company, a corporation organized under the laws of the State of MI , as  
Surety, are held and firmly bound unto

City of Idaho Falls ID, as Obligee, in the sum of

FIVE PERCENT OF THE TOTAL AMOUNT BID (5% of total amount bid) for payment of  
which sum well and truly to be made, Principal and Surety, bind ourselves, our heirs, executors,  
administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

IF-24-01 Haul & Spread Liquid Wastewater Biosolids

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter  
into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as  
may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful  
performance of such Contract and for the prompt payment of labor and material furnished in the  
prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such  
bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof  
between the amount specified in said bid and such larger amount for which the Obligee may in good faith  
contract with another party to perform the work covered by said bid, then this obligation shall be null and  
void, otherwise to remain in full force and effect.

Signed and sealed this day: 10/3/2023

PRINCIPAL:

Iron Horse Trucking LLC

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

*[Signature]*

SURETY:

Frankenmuth Insurance Company

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

*[Signature]*

Jennifer Grenrood  
Attorney-in-Fact



FRANKENMUTH INSURANCE COMPANY

**POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS, that Frankenmuth Insurance Company (the "Company"), a corporation duly organized and existing under the laws of the State of Michigan, having its principal office at 1 Mutual Avenue, Frankenmuth, Michigan 48787, does hereby nominate, constitute and appoint:

Kara Skinner, Cameron Huntsucker, Mercedes Trokey-Moudy, Sierra Maine, Jennifer Grenrood

Their true and lawful attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal, acknowledge and deliver any and all bonds, contracts and undertakings of suretyship, with the exception of Financial Guaranty Insurance, provided, however, that the penal sum of any one such instrument shall not exceed the sum of:

**Fifty Million and 00/100 Dollars (\$50,000,000)**

This Power of Attorney is granted pursuant to the following Resolution duly adopted at a meeting of the Board of Directors of Frankenmuth Insurance Company:

"RESOLVED, that the President, Senior Vice President or Vice President and each of them under their respective designations, hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer of the Company, qualifying the attorney(s) named in the given power of attorney, to execute on behalf of, and acknowledge as the act and deed of Frankenmuth Insurance Company on all bonds, contracts and undertakings of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 15th day of December, 2022.



Frankenmuth Insurance Company

By Frederick A. Edmond, Jr.  
Frederick A. Edmond, Jr.,  
President and Chief Executive Officer

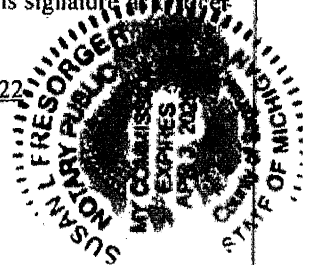
STATE OF MICHIGAN )  
COUNTY OF SAGINAW ) ss:

Sworn to before me, a Notary Public in the State of Michigan, by Frederick A. Edmond, Jr., to me personally known to be the individual and officer described in, and who executed the preceding instrument, deposited and said the Corporate Seal and his signature as Officer were affixed and subscribed to said instrument by the authority of the Company.

IN TESTIMONY WHEREOF, I have set my hand, and affixed my Official Seal this 15th day of December, 2022.

Susan L. Fresorger  
Susan L. Fresorger, Notary Public  
Saginaw County, State of Michigan  
My Commission Expires: April 3, 2028

(Seal)



I, the undersigned, Executive Vice President of Frankenmuth Insurance Company, do hereby certify that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and is in full force and effect as of this date.

IN WITNESS WHEREOF, I have set my hand and affixed the Seal of the Company, this 3rd day of October, 2023.

Andrew H. Knudsen  
Andrew H. Knudsen, Executive Vice President,  
Chief Operating Officer and Secretary

ALL CORRESPONDENCE RELATED TO BOND VALIDATION AND/OR A CLAIM SHOULD BE DIRECTED TO  
VP SURETY, 701 U.S. ROUTE ONE, SUITE 1, YARMOUTH, ME 04096

# Memorandum

File #: 23-292

City Council Meeting

**FROM:** Corrin Wilde, City Clerk  
**DATE:** Wednesday, October 4, 2023  
**DEPARTMENT:** Mayor's Office

## Subject

Minutes from Council Meetings

## Council Action Desired

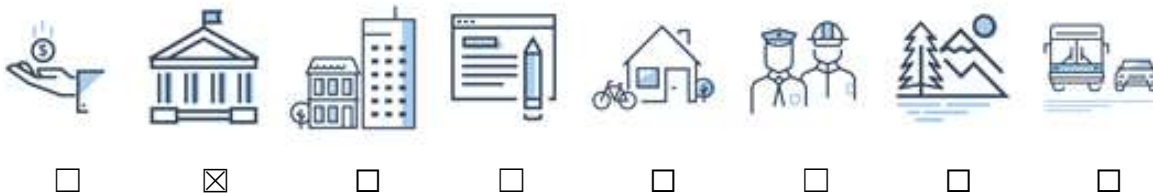
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☒ Other Action (Approval, Authorization, Ratification, etc.)

Approve the minutes from 23 January 2023 Work Session, 9 March 2023 City Council Meeting, 24 July 2023 Work Session and 24 August 2023, City Council Meeting.

## Description, Background Information & Purpose

23 January 2023 Work Session, 9 March 2023 City Council Meeting, 24 July 2023 Work Session and 24 August 2023, City Council Meeting.

## Alignment with City & Department Planning Objectives



The Minutes support the Good Governance community-oriented result by providing assurance of regulatory and policy compliance to facilitate transparency and minimize and mitigate risk.

## Interdepartmental Coordination

N/A

## Fiscal Impact

N/A

## Legal Review

N/A



# City Council Meeting Minutes - Draft

680 Park Avenue  
Idaho Falls, ID 83402

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**Thursday, August 24, 2023,**

**7:30 PM**

**City Council Chambers**

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## **1. Call to Order**

**Present:** Mayor Rebecca L. Noah Casper, Council President Michelle Ziel-Dingman, Councilor Radford (Virtually), Councilor Hally, Councilor Freeman, Councilor Francis; and Councilor Burtenshaw

### **Also present:**

All available Department Directors  
Randy Fife, City Attorney  
Corrin Wilde, City Clerk

## **2. Pledge of Allegiance**

Mayor Casper led those present in the Pledge of Allegiance.

### **Public Comment**

No one appeared.

### **Consent Agenda**

#### **A. Idaho Falls Power**

- 1) 2023-2025 EICAP Energy Efficiency Agreement

#### **B. Public Works**

- 1) Bid Award - 15th Street and Lee Avenue Storm Drain Improvements

#### **C. Office of the City Clerk**

- 1) Minutes from Council Meetings
- 2) License Applications

Councilor Radford stated that because there is an item on the consent agenda that is between Idaho Falls Power and Eastern Idaho Community Action Partnership and because he is the CEO of EICAP he is recusing himself from this portion and will not vote tonight.

It was moved by President Ziel -Dingman, seconded by Councilor Francis to approve, accept, or receive all items on the Consent Agenda according to the recommendations presented. The motion was carried by the following vote: Aye – Councilors Francis, Dingman, Freeman, Hally, Burtenshaw. Nay – None. Abstain – Councilor Radford.

## 5. Regular Agenda

### A. Public Works

**1)** Agreement with the Local Highway Technical Assistance Council (LHTAC) for replacing the Emerson Bridge over the Butte Arm Canal Attached for your consideration is an Agreement with LHTAC to replace the Emerson Bridge over the Butte Arm Canal. The proposed project is part of the Leading Idaho Bridge Program.

Assistant Director Chris Canfield appeared. Mr. Canfield stated that the Governor implemented a bridge replacement program recently with surplus state funds and is a direct state project. Mr. Canfield stated that the Emerson bridge project has been on our radar on our bridge inspections report for some time and it has a bit of a sag on the west sidewalk is showing age and is ready for replacement. He said there is no cost share on behalf of the city as a local sponsor with this program and LHTAC would administer multiple bridge bundle projects with designs of multiple projects and administer construction projects throughout the state. Councilor Hally stated that the plan is to widen 65<sup>th</sup> Street, Mr. Canfield agreed, but he noted that it is not a road widening project currently. Mr. Canfield stated that with the bridge replacement project, we will widen the structure to match the future alignment that is desired. Mr. Canfield stated that with the 65<sup>th</sup> Northbridge, there are two bridge programs including the Federal Aid bridge program that we initiated a Resolution on back in February and we qualified to replace that structure. Mr. Canfield says he applied for that because he didn't know that the state program was just to replace the structure in the width that currently exists. Mr. Canfield stated that since then LHTAC has verified that they can widen the structure under the state program. He says it's a better deal for the city to go under the state program because it's less match responsibly and saves a half million dollars by not going with the Federal program and we get our bridge replaced a little sooner. Mr. Canfield stated the bridge will be widened and the road will come with development.

It was moved by Councilor Burtenshaw, seconded by Councilor Hally, to approve the Agreement with LHTAC for replacing the Emerson Bridge over the Butte Arm Canal and authorization for the Mayor and City Clerk to sign the documents. The motion was carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay -None.

**2)** Agreement with the Local Highway Technical Assistance Council (LHTAC) for replacing the 65th North Bridge over the Idaho Canal

It was moved by Councilor Hally, seconded by Councilor Burtenshaw to approve the Agreement with LHTAC for replacing the 65th North Bridge over the Idaho Canal and authorize the Mayor and City Clerk to sign the necessary documents. The motion was carried by the following vote: Aye – Councilors Dingman, Radford, Francis, Burtenshaw, Hally, Freeman. Nay -None.

**3)** Easement Vacation - First Amended Snake River Landing Addition, Division 15.

Assistant Director Chris Canfield stated that this item is on the Snake River Landing development parcel. He said it is close to the Heritage Park project where there was a power line relocation to accommodate the development along the park as well as coordinate with development activities in the area. He said





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this is a vacation requested by the property owner and is a power line easement vacation and has been reviewed by public works as well as Idaho Falls Power has acknowledged it and everyone is on board with it and recommends approval.

It was moved by Councilor Burtenshaw, seconded by Councilor Hally to approve the easement vacation Ordinance under a suspension of the rules requiring three complete and separate readings and request that it be read by title. The motion was carried by the following vote: Aye – Councilors Radford, Freeman Burtenshaw, Francis, Dingman, Hally. Nay - None.

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

## ORDINANCE NO. 2023- 3530

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE VACATIONS OF EASEMENTS LOCATED WITHIN THE CITY OF IDAHO FALLS AND LEGALLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE; PROVIDING THAT TITLE TO SAID VACATED EASEMENTS SHALL VEST AS SPECIFIED IN SECTION 3 OF THIS ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

## **B. Municipal Services**

### **1) Adoption of the 2023/24 Fees, Including New Fees, and Fee Increases**

Director Pam Alexander stated the reason we have this item for consideration first is because those Fees are a copulation of the actual budget. Director Alexander stated that we did have a public hearing on August 10<sup>th</sup> and during the public hearing it was revealed that there were a few fees that were inadvertently left off the Fee Schedule and those fees will have to go through a public hearing process again and issue a 14-day notice. Director Alexander stated that we will be considering those fees that were inadvertently left off on September 14<sup>th</sup> at a public hearing. She said the purpose of this evening is to review and approve the fees that we did review at the public hearing on August 10<sup>th</sup>.

It was moved by Council President Dingman, seconded by Councilor Francis to Adopt the 2023/2024 fee resolution. The motion was carried by the following vote: Aye – Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay - None.

## RESOLUTION NO. 2023-16

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING A SCHEDULE OF REVISED FEES FOR SERVICES PROVIDED AND REGULARLY CHARGED AS SPECIFIED BY CITY CODE; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

### **2) Adoption of the 2023/24 Fiscal Year Budget Ordinance**

Director Alexander stated that this evening they are looking to adopt the 2023/24 fiscal year budget for \$339,533,522.



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It was moved by Councilor Francis, seconded by Councilor Freeman to Adopt the 2023/24 fiscal year budget in the amount of \$339,533,522 and approve the attached appropriations ordinance appropriating monies to and among various funds, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. The motion was carried by the following vote: Aye – Councilors Burtenshaw, Hally, Freeman, Francis. Nay – Councilors Radford, Dingman.

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

## ORDINANCE NO. 3531

THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, FOR THE PERIOD COMMENCING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, APPROPRIATING AND APPORTIONING THE MONIES OF SAID CITY TO AND AMONG THE SEVERAL FUNDS OF SAID CITY AND DESIGNATING THE PURPOSE FOR WHICH SAID MONIES MAY BE EXPENDED; SPECIFYING THE AMOUNT OF MONEY PAID BY PROPERTY TAX TO BE APPROPRIATED TO SAID FUNDS; AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

**3) Declare a Sole Source Expenditure and Ratify the Approval of the Repair of the Idaho Falls Civic Center for the Performing Arts Gala Orchestra Pit Lift Repair.**

Director Alexander stated on the August 10<sup>th</sup> Council Agenda regarding the request to receive a quote to fix the Idaho Falls Civic Center for the Performing Arts pit lift in the amount of \$232,000. Director Alexander stated that one of the things that they neglected to do as part of that action was highlight the emergency statute that allowed us to remove the water from the pit lift as well as designate the Sole Source to bring the vendor back out to install the pit lift and make those repairs. Director Alexander stated this item before you this evening is to declare a Sole Source expenditure to Gala Systems, Inc. and Ratify the approved repair of the Gala Orchestra pit lift at the Idaho Falls Civic Center for the Performing Arts. Councilor Radford wanted to know if the city has flood insurance and if this would be covered by insurance. Director Alexander stated that because this was such a rare and unique storm our insurance company declined it because it was an act of God. Director Alexander stated because of the volume of water and the fast pace in a short period the water overwhelmed the drainage in the parking lot at the Civic. She said the water went down the stairs and breached the door and there was over 5 feet of water within a very short period. Mayor Casper noted that no system failed it was just more water than the system was ever designed for.

It was moved by Council President Dingman, seconded by Councilor Francis to Declare that Gala Systems, Inc., is the only vendor that can perform repairs necessary to protect the Idaho Falls Civic Center's Pit Lift and that the expenditure is immediately required to safeguard the Idaho Falls Civic Center for the Performing Arts operations and ratify the purchase order in the amount of \$232,000. The motion was carried by the following vote: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay - None.

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**4) Declare a Response to an Emergency and Ratify Emergency Restoration Services at the Idaho Falls Civic Center for the Performing Arts.**

Director Alexander stated that this item is to declare an emergency as well as Ratify expenditures. Director Alexander says that with the amount of water, the city called restoration companies and the first company that was able to respond came within an hour to the City Hall building and then went over to the Civic. Ms. Alexander noted that she did attach some pictures and stated that you see the amount of damage that there was it was very prudent that city staff call a restoration company as it was an emergency. Director Alexander stated that this item declares the flooding of the Idaho Falls Civic Center as an emergency and requires immediate expenditure of public money pursuant to Idaho code 67-2808 and ratify the emergency services performed by Tobin Restoration for a total of \$123,636.91.

It was moved by Council President Dingman, seconded by Councilor Francis to Declare that the flooding of the Idaho Falls Civic Center was an emergency that necessarily demanded the immediate expenditure of public money pursuant to Idaho Statute §67-2808, and ratify the emergency restoration services performed by Tobin Restoration at the Idaho Falls Civic Center for the Performing Arts for a total of \$123,636.91. The motion was carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay - None.

## **C. Community Development Services**

**1) Legislative Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 16.302 acres in the SE ¼ of Section 6, NE ¼ of Section 7, Township 2 North, Range 38 East**

**2) Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of LC, Limited Commercial with the Controlled Development Airport Overlay Zone, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 16.302 acres of the SE ¼ of Section 6, NE ¼ of Section 7, Township 2 North, Range 38 East.**

Mayor Casper opened the public hearing and ordered all items presented to be entered into the record. She requested an applicant presentation.

Applicant Blake Jolley with Connect Engineering 2295 N Yellowstone Hwy Suite 6.

Mr. Jolley stated that the request tonight for annexation into the city. He said it is a category A annexation and is 16.302 acres adjacent to the City of Idaho Falls on the North side of Idaho Falls and NW of Bish's RV and E of the INL (Idaho National Laboratory). Mr. Jolley stated on the comprehensive plan the property is a mixed-use zone and the zone of LC would fit well in that area to be able to provide different opportunities there. He said at this point no project is being considered and feels that it will be a good opportunity for the property owner to figure out what they want to do with it.

Director Sanner appeared and presented a slide presentation. Mr. Sanner stated this request is for approximately 16.3 acres to be annexed into the city with a zoning designation of LC, Limited

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Commercial. Director Sanner presented slide-1 an aerial view of the property lines and described the location as being East of North Boulevard and East 33<sup>rd</sup> Street intersection and it borders to the South butting up against the South to Hwy 20. Slide -2 Zoning of surrounding properties. He noted the property to the North is still in the County. Slide 3 refers to the comprehensive plan showing the property as a mixed-use transect encouraging a mixture of commercial and residential which the LC allows. Director Sanner stated that as part of this annexation, we are getting the full right of way for 33<sup>rd</sup> Street. Mr. Sanner stated for the Airport Compatibility land use this is listed as controlled development and it does not impact the annexation. Mr. Sanner stated that this is a very straightforward annexation and meets what the comprehensive plan transect shows of a mixed-use zone.

Mayor Casper requested any public comment. She reiterated this annexation is straightforward. No one appeared. Mayor Casper closed the public hearing.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Ordinance annexing 16.302 acres in the SE ¼ of Section 6, NE ¼ of Section 7, Township 2 North, Range 38 East, assign a Comprehensive Plan Designation of “Mixed-Use Center and Corridors”, and under a suspension of the rules requiring three complete and separate readings, request that it be read by title and published by summary. The motion was carried by the following vote: Aye—Dingman, Radford, Francis, Burtenshaw, Hally, Freeman. Nay - None.

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

## ORDINANCE NO. 3532

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 16.302 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.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 16.302 acres in the SE ¼ of Section 6, NE ¼ of Section 7, Township 2 North, Range 38 East and give authorization for the Mayor to execute the necessary documents. The motion was carried by the following vote: Aye – Radford, Freeman, Burtenshaw, Francis, Dingman, Hally. Nay - None.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Ordinance establishing the initial zoning of LC, Limited Commercial with the Controlled Development Airport Overlay Zone as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, 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. The motion was carried by the following vote: Aye—Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay - None.

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

**ORDINANCE NO. 3533**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 16.302 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS LC, LIMITED COMMERCIAL WITH THE CONTROLLED DEVELOPMENT AIRPORT OVERLAY ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the initial zoning of LC, Limited Commercial with the Controlled Development Airport Overlay Zone and give authorization for the Mayor to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Burtenshaw, Hally, Radford, Dingman, Freeman, Francis. Nay - None.

**3) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Virlow Village Division 1.**

Director Sanner is referring to the site plan that is in the Council packet. He said this is an infill development and there is a provision in our city code 11-2-6 p7. Director Sanner stated that typically the lot size should be 150-foot-long lots and this provision allows for a reduction of the lot size and that is why the length of these lots is less than 150. Director Sanner noted that the reason the lot lines look a little different on the plat is because per the access management plan that we have in the city, there is only allowed one access onto 1st Street and that drives how the lot is laid out. He said with the one access point as opposed to each townhome having an access point. You come off 1st Street you come into this internal drive that is prescribed on the plat as an access easement to allow the residents to access their homes and garage. He said that we have the internal drive and because of the radius that is required for a fire truck it shifted all the garages to the left and that is why you will see the property lines come straight then make a slight angle and straighten out again. He said there is also an access easement on the south of lots 1 and 2 which does not have cross property access.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Development Agreement for the Final Plat for Virlow Village Division 1 and give authorization for the Mayor and City Clerk to sign said agreement. The motion was carried by the following vote: Aye – Councilors Dingman, Burtenshaw, Francis, Freeman, Hally, Radford. Nay - None.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to accept or Approve the Final Plat for Virlow Village Division 1 and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion was carried by the following vote: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay - None.





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It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Virlow Village Division 1 and give authorization for the Mayor to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay - None.

### **3. Announcements**

Mayor Casper stated that September 11<sup>th</sup> is our next Work Session and before that September 4<sup>th</sup> is Labor Day. She noted that is time for the Eastern Idaho State Fair and back to school for the kids.

### **4. Adjournment.**

There being no further business, the meeting adjourned at 8:20 PM

s/ Corrin Wilde  
Corrin Wilde, City Clerk

s/Rebecca L. Noah Casper  
Rebecca L. Noah Casper, Mayor

## **July 24, 2023, Council Work Session - Unapproved**

The City Council of the City of Idaho Falls met in a Council Work Session, on Monday, July 24, 2023, in the Idaho Falls Civic Center located at 501 S Holmes Avenue in Idaho Falls 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  
Councilor Hally  
Councilor Jim Freeman  
Councilor Jim Francis  
Councilor Lisa Burtenshaw

Also present:

Randy Fife, City Attorney  
Rick Cloutier, Airport Director  
Ryan Tew, Human Resources Director  
Duane Nelson, Fire Chief  
Jake Durtchi, Idaho Falls Downtown Development Corporation  
Wade Sanner, Community Development Services Director  
Wayne Reiter, Aviation Planner- ARDURRA  
Nathan Cuvala, Project Manager- ARDURRA  
Corrin Wilde, City Clerk

Mayor Casper called the meeting to order at 3:00 p.m. with the following items:

### **Airport: Presentation and Discussion-Airport Master Plan.**

Director Cloutier introduced Nathan Cuvala and Wayne Reiter from ARDURRA. Director Cloutier stated that for the past 18 months, they have been working on the Master Plan and data collection and today you will be presented with the Master Plan alternatives which is the vision for the Airport as we grow. Director Cloutier stated our needs as we grow today and our needs as we grow over the next 20 years. He said today you will listen and ask questions and review the data presented. They will take the information received from Council members and start putting information together for public meetings anticipated for some time in August. There will be several public meetings and then it will come back to the Council for adoption.

Wayne Reiter began the presentation by giving an overview of the items to be discussed including:

- Master Plan Overview and Project Status
- Forecast Review
- Requirements Review
- Draft Alternatives
- Next Steps
- Questions

Master Plan Overview is a 20-year plan to meet aviation demand safely and efficiently at an airport. Mr. Reiter stated that there was a kickoff meeting in August 2021 and in October 2022 there was a Forecast and Facility requirements open house. Mr. Reiter explained that a Master Plan normally is a 2-year process and was originally intended to use 2020 as the baseline for the forecast, however because of COVID, using 2020 as the baseline for the forecast would not have given a good baseline to plan from. Mr. Reiter discussed the Master Plan Process

## July 24, 2023, Council Work Session - Unapproved

including the research and requirements as well as the implementation. Mr. Reiter reviewed the following with general discussion throughout: Commercial Forecast, Cargo Forecast, and General Aviation Forecast. Mr. Reiter discussed Design standards that are needed including Relocate Runway 3 windcone outside RSA, expanding runway shoulders and blast pads, expanding taxiway width and shoulders, and eliminating direct access to Runway 17/35 from the apron (a high priority to the FAA to increase safety), Relocate the deicing pad and VOR-DME, Reconfigure GA parking spaces, and add 41 hangars over 20 years. Director Cloutier pointed out that the first 3 items listed will bring us to design standards that we need and not future development. Requirements for Landside: Expand the terminal and add 2 gates, expand all parking lots (passenger, employee, rental car), Expand the cargo apron and processing facility, Expand the SRE building, and expand the terminal access road.

Mr. Reiter stated that there are some recommendations. he noted that these are not requirements but are recommendations to help enhance the development and service levels at the airport. The recommendations are as follows: Relocate the ATCT and ARFF station, add approach lights to Runway 3, Assess storm drainage capacity and structural integrity, reconfigure the parking lot access point along Skyline, and Add EV charging stations to parking lots. Mr. Reiter listed Alternatives intended to address the requirements and recommendations. He said this is the creative part of the planning process, everything has been data-driven and now they can be creative in the process if they still meet the requirements and design standards. Alternatives can be a combination of alternatives if they fit with each other. Mr. Reiter stated that they had a concept that was presented to the airport and with the comments received they made some revisions and then submitted them to the technical advisory committee on May 3, 2023. Mr. Reiter stated they received comments from the committee and the Airport made some more changes and came up with the concepts presented today. Mr. Reiter presented some drawings of the concepts. Director Cloutier stated that the TAC committee includes Airport staff, general aviation users, commercial aviation users, and Community Development Services personnel.

Mr. Reiter presented photos of draft Alternatives including 14 slides with general discussion throughout.

Slide 1 – Terminal Expansion. Slide 2 – Loop Option 1. Slide 3 - Loop Option 2. Slide 4 – Terminal Phase 2. Slide 5 – Terminal Phase 2A. Slide 6 – Eastside Development Runway 17/35 Open or Closed. Slide 7 – East GA Option 1 Runway 17/35 Closed. Slide 8 - East GA Options 2 Runway 17/35 Closed. Slide – 9 South Quad Option 1. Slide 10 – South Quad Options 2. Slide 11 - South Quad Option 3. Slide 12 – West Side Cargo Phase 1. Slide 13 – West Side Cargo Phase 2. Slide 14 – West Side Terminal. Mr. Reiter outlined the Next Steps for the Master plan. He said the City/Airport selects the preferred alternatives and then holds a public open house to present those alternatives. Mr. Reiter stated that once the preferred alternatives are selected, we would move on to the next phase in the Master Plan process and that is to develop an implementation plan and complete ALP. He said once that is put together, we would prepare the Master Plan document and ALP in a draft form and then hold another TAC meeting and another public open house to present the full draft Master Plan document and allow and receive public comment for 30 days. Mr. Reiter stated next, they submit it to the FAA for review and comments.

Incorporate comment from FAA then submit to the City Council for adoption.

Mayor Casper asked if there was a timeline associated with this process. Mr. Reiter indicated that all these steps will be roughly within the next year.

### Presentation and Discussion: Idaho Falls Downtown Development Corporation: downtown parking strategies and enforcement options.

Director Sanner introduced Jake Durtchi with IFDDC (Idaho Falls Downtown Development Corporation). Director Sanner stated that in October of 2022, IFDDC started a discussion to discuss parking strategies and at that time a couple of suggestions were presented. He said the Council asked IFDDC to come back and present them. Director Sanner stated that what is being presented today will require a code change so today they are looking for direction to go ahead and draft a code revision and bring it back to the Council later as to what is being proposed.

Jake Durtchi stated that Downtown is growing and there are lots of new businesses and development and with that, more customers are coming in and there are more parking demands. Mr. Durtchi stated that over the last several years they have talked to lots of people that have experienced this type of growth for example larger cities that have addressed parking. Mr. Durtchi stated we are talking about a 3-zone parking system. He pointed out on a map

### July 24, 2023, Council Work Session - Unapproved

the different types of Zones; he said in the green are Zone A (on-street parking) Zone B (interior lots) and Zone C (free parking) requiring you to walk a couple blocks typically. Mr. Durtchi introduced the app that they are proposing to use called "Park Smarter" he presented a slide. Mr. Durtchi gives an overview of how the app works. He says you can park and scan a QR code that is on the parking station. The QR code opens immediately to the correct meter and allows you to enter your vehicle and plate number and the amount of time you wish to reserve (the app can store 10 vehicles per person). He says if people still want to pay with cash there will be a coin mechanism on the parking stations that we are proposing. Mr. Durtchi stated that when you get a notification on your phone that says, do you want to add more time to your parking spot, it's a different experience than getting a parking ticket on your windshield. Mr. Durtchi explained that they would rather have a customer pay forty-five cents for a few more minutes instead of a \$20 ticket. Mr. Durtchi says another thing they have considered is raising the fee after the car has been parked for 3 hours so it would be something like \$2 an hour then after 3 hours it goes up to \$4 an hour. Mr. Durtchi stated that the agreement that we have with the people that provide the parking stations is a 5-year lease agreement. He said the lease agreement can be terminated at any time and they will come and pick up the parking meters at any time that we ask them to during the term of the lease. Mr. Durtchi stated that after 5 years we may then purchase the meters for 1 dollar if we choose to. Mr. Durtchi stated that each meter costs 55 dollars a month equaling 660 per year and the total cost for all the meters is \$1925 a month and the total annual cost is \$23,000. He noted that there is also the cost of operating the parking, enforcement of parking, and using the software as well as some other expenses. Mr. Durtchi says the total cost per station and installation is 236 thousand dollars. He said they are estimating the annual revenue at 315 thousand dollars and estimating the annual ongoing cost at 23,000 dollars. Mr. Durtchi feels that they will be able to break even on this in one year. He said this will all be done through the DDC (Downtown Development Corporation) however we will need the sidewalk which is city property and will require an agreement. Mr. Durtchi is also proposing a change in the Ordinance. Mr. Durtchi says that right now the city helps pay for the parking and would need that to continue but there is no additional request for funds. Councilor Freeman asked about the installation of the Kiosk, he wanted to know if it would damage the sidewalks. Mr. Durtchi explained that they would cut a little section out of the sidewalk. He feels that it is a good installation and looks nice. He says if you take the parking meter out next year cut the bolts off and remove it you would see a circular piece of concrete with bolt ends sticking out of it. Mr. Durtchi says the installation is not disruptive and is a quick installation process. Mayor Casper asked what kind of change would be made to the City Ordinance. City Attorney Randy Fife stated that the code will need to be adjusted to give notice to people that there is a connection between those meters and the enforcement piece and then we could either do an encroachment agreement or add it to a contract that IFDDC (Idaho Falls Downtown Development Corporation) can control those meters and we might even be able to do nothing because they are the city's sidewalks. Mayor Casper pointed out that looking at the app shows the names of the parking areas and asked if there was a way to make it a little more user-friendly as far as identifying the lots with names rather than codes. Mr. Durtchi stated that the parking lots will have an identifying name however the street parking will not. He said the app would allow us to customize the name. Mayor Casper stated that there is interest in proceeding with this so we will see this in a future Council meeting perhaps in two weeks.

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

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, that the Council receive the recommendations from the July 11, 2023, meeting of the Planning and Zoning (P&Z) Commission pursuant to the Local Land Use Planning Act (LLUPA). The motion carried with the following vote: Aye – Councilors Dingman, Radford, Francis, Burtenshaw, Hally, Freeman Nay – none.

## July 24, 2023, Council Work Session - Unapproved

### Mayor and Council: Calendars, Announcements, Events, Reports, Updates, Concerns, Questions, and Discussion:

Mayor Casper distributed calendar items for July and August. She stated that we have a Budget Tuesday meeting this week and we have a Council meeting on Thursday at the Civic Center. Thursday night will be the adoption of our tentative budget often referred to as the not to exceed budget. Next week on Monday the 31<sup>st</sup> we will have a swearing-in ceremony for IFPD. War Bonnet Round Up starts on Thursday the 3<sup>rd</sup> of August. On August 8<sup>th</sup> there is a Chamber luncheon with Governor Little. August 12<sup>th</sup> is the Duck Race and a Grand Opening for FunLand.

Mayor Casper stated that we have received a request from the FOP (Fraternal Order of Police) to be on an agenda. The mayor asked the Council if there is any interest in having a presentation from the FOP on a future work session agenda this year. Three Council members are not interested in having the FOP come forward with a presentation and three Council members would be willing to listen to a presentation. The mayor is not interested currently and feels that we have other means of managing our employees and owe it to all our employees to do a good job and not just a segregated unit.

- Council President Dingman stated that Friday night is Council night at the War Bonnet Round Up. On August 19<sup>th</sup> is the Mut Strut fundraiser for the Snake River Animal Shelter at Freeman Park the theme is "Rescue me" and there will be a discount for all first responders and former first responders who want to participate in walking their animals. The following weekend on August 26<sup>th</sup> the Idaho Falls Animal Shelter will be celebrating the Idaho Falls shelters mascot and they will be doing some fun things to raise awareness of pet adoptions at our city shelter.
- Councilor Hally had no items to report.
- Councilor Radford stated that if you had bought bricks, he said they have been installed in the middle of FunLand if you want to go see where your brick is. Councilor Radford stated that when in DC for the policy makers conference there was one good piece of information from Governor Simpson's office and that is in mark up in the committee, they had 6 billion dollars set aside to fuel traditional nuclear power plants and that was an application process and no one applied. Councilor Radford indicated that it appears there may be billions that may come to the SMR project for UAMPS. He said it is within the committee and the budget is far from being done so we will see what ends up happening.
- Councilor Francis stated that he has some items from the Chief of Staff on August 1<sup>st</sup> the public outreach planning tool (also known as POP) will be available on the city server and Eric Grossarth will begin working with different departments around August 8<sup>th</sup> so by the middle of August that should be a useful tool for departments planning their public engagement process. Sister Cities youth delegation is heading to Tokai-Mura, Japan on Wednesday for 12 days and the city committee is planning to have a booth at the farmers market on August 19<sup>th</sup> to promote the Sister Cities program and what it means. Councilor Francis stated that we have worked out a simplified version of the noise ordinance with Mr. Kirkham and will be on a Work Session agenda sometime soon.
- Councilor Freeman stated that while attending ICUA (Idaho Consumer-owned Utilities Association) this past week, there was a lot of good information there and we made a lot of good contacts with other people in the energy industry and got reports from BPA and others and it was very well done and always is.
- Councilor Burtenshaw stated that BMPO on August 16<sup>th</sup> is a combined TAC meeting and the policy board meeting and wanted to make sure people will be back in town. Mayor Casper will be back in town as well as Councilor Freeman and Councilor Francis.  
Councilor Burtenshaw stated that on the day of the duck race, the ducks drop at 4 p.m. and that is also the day of the Youth Jam down at the river.

It was moved by Councilor Francis, seconded by Councilor Burtenshaw to move into an Executive Session being called to the provisions of Idaho Code Section 74-206(1)(j) to consider labor contract matters authorized under Idaho Code Section 74-206(1)(a) and (b), Idaho Code. The Executive Session will be held at the Idaho Falls Civic Center. The Council will not reconvene in an open session after the executive sessions.



**July 24, 2023, Council Work Session - Unapproved**

Mayor Casper pointed out that the motion should state one Executive Session being called to the provisions of Idaho Code Section 74-206(1)(j) to consider labor contract matters. The Executive Session will be held at the Idaho Falls Civic Center. The Council will not reconvene in an open session after the executive sessions. Mayor Casper noted that we only have one department talking to us about labor contract matters. She stated that to be clear we are only going into Executive session for (1) (j) today.

The motion was carried by the following vote: Aye – Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay – None

There being no further business, the meeting adjourned at 5:31 P.M.

s/Corrin Wilde  
Corrin Wilde, City Clerk

s/Rebecca L. Noah Casper  
Rebecca L. Noah Casper, Mayor



# City Council Meeting Minutes - Draft

680 Park Avenue  
Idaho Falls, ID 83402

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**Thursday, March 9, 2023,**

**7:30 PM**

**City Council Chambers**

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## **1. Call to Order**

**Present:** Mayor Rebecca L. Noah Casper, Council President Michelle Ziel-Dingman, Councilor Radford, Councilor Hally, Councilor Freeman, Councilor Francis; and Councilor Burtenshaw

### **Also present:**

All available Department Directors  
Micheal Kirkham, Assistant City Attorney  
Corrin Wilde, City Clerk

## **2. Pledge of Allegiance**

Mayor Casper led those present in the Pledge of Allegiance.

### **Public Comment**

No one appeared.

### **Consent Agenda**

#### **A. Office of the Mayor**

- 1) Appointments to City Boards, Committees, and Commissions

#### **B. Idaho Falls Power**

- 1) IFP 23-13 and 23-15 Rip Rap Installation at the Gem State and Upper Plants
- 2) Sourcewell Quote 120320-FZC Electric Zamboni Kendrick Equipment.
- 3) Resolution Amending the Idaho Falls Power Service Policy.

#### **C. Municipal Services**

- 1) Treasurer's Report for December 2022
- 2) Bid IF-23-07, Purchase of Chlorine 150-pound Cylinders for Public Works
- 3) 2022-23 Third Quarter Impact Fee Report.

#### **D. Public Works**

- 1) Bid Award - Seal Coats 2023
- 2) Bid Award - Pancheri Sewer Lift Station Improvements

#### **E. Office of the City Clerk**



# City Council Meeting Minutes - Draft

680 Park Avenue  
Idaho Falls, ID 83402

## 1) License Applications, all carrying the required approvals.

It was moved by President Ziel -Dingman, seconded by Councilor Francis to approve, accept, or receive all items on the Consent Agenda according to the recommendations presented. The motion was carried by the following vote: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw.  
Nay – None

## 5. Regular Agenda

### A. Idaho Falls Power

#### 1) TEA Energy Authority WSPP Agreements Trade Confirmation Nos. 1206812-3

Idaho Falls Power requests ratification of these power trade agreements with TEA Energy Authority to purchase 10 MW of peak load energy for \$2,088,240 and sell 10 MWs of peak load energy at Mid-C Index pricing from July 1, 2023, to September 30, 2023. These two transactions price hedge the index-priced purchase from Bonneville Power Administration that was previously entered into to reduce market price exposure for customers.

Assistant General Manager Stephen Boorman stated that this is a power purchase for 2 million dollars for July, August, and September this year and is indicative of that price.

It was moved by Councilor Freeman, seconded by Councilor Radford to Ratify TEA Energy Authority's WSPP Agreements for Trade Confirmation Nos. 1206812-3 for a total purchase amount of \$2,088,240.00. The motion carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman Nay – None

## 3. Announcements

Next Thursday is 3/14 also known as pie day. March 15 is the BMPO meeting.  
Thursday, March 16<sup>th</sup> there will be a community engagement lunch.  
Friday, March 17<sup>th</sup> is the Pipe and Drum celebration supported by the firefighters and their families.  
Saturday 18<sup>th</sup> Family event St. Paddy's Day downtown.

## 4. Adjournment.

There being no further business, the meeting adjourned at 7:38 PM

s/ Corrin Wilde  
Corrin Wilde, City Clerk

s/Rebecca L. Noah Casper  
Rebecca L. Noah Casper, Mayor

## January 23, 2023, Council Work Session

The City Council of the City of Idaho Falls met in Council Work Session, on Monday, January 23, 2023, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls 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  
Councilor Tom Hally  
Councilor Jim Freeman  
Councilor Jim Francis  
Councilor Lisa Burtenshaw

Also present:

Mark Hagedorn, Finance Manager / Treasurer  
Bryce Johnson, Police Chief  
Chris Fredericksen, Public Works Director  
Chris Canfield, Assistant Public Works Director  
David Richards, Water Superintendent  
Kent Fugal, City Engineer  
Randy Fife, City Attorney  
Corrin Wilde, City Clerk

Mayor Casper called the meeting to order at 3:02 p.m. with the following items:

### Acceptance and/or Receipt of Minutes:

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, to receive recommendations from the Planning and Zoning Commission meeting of January 3, 2023, pursuant to the Local Land Use Planning Act (LLUPA). The motion carried with the following vote: Aye—Hally, Radford, Francis, Dingman, Burtenshaw, Freeman. Nay – none.

### Public Works: Consideration: Bid Award - North Highland Park Concrete Improvements 2023:

Director Fredericksen presented a bid award for North Highland Park Concrete and that is a continuation of phase 4 of concrete, a low bid for \$191,780.00 from JM Concrete, to place a sidewalk along Presto and Jefferson, where no sidewalk exists.

Mayor Casper did not create a consent agenda for this meeting, and as such, there are things on the regular agenda that would be on the consent agenda. Councilor Radford asked for an update. Director Fredericksen indicated that this is Phase 4 of the intended 5 Phases, then evaluated to see if there are additional items that need attention.

It was moved by Councilor Burtenshaw, seconded by Councilor Hally to approve the plans and specifications, award to the lowest responsive, responsible bidder, JM Concrete, Inc. in the amount of \$191,780.00 and give authorization for the Mayor and City Clerk to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay – None

### Consideration: State Local Agreement and Resolution with the Idaho Transportation Department (ITD) for the Raised Curb Medians Project:

Director Fredericksen stated that this project is anticipated with a total cost of \$484,171.00, with a match that needs to be met of \$35,538.00. Before advertising ITD has asked for \$10,374. This median project will place

### January 23, 2023, Council Work Session

medians along Sunnyside and 25th East on the north and south legs, median on Sunnyside and Woodruff on the north, south, and east legs, and on the intersection of 25th East and 25th Street on the south leg along Texas Roadhouse to prevent left turn movements. They have had discussions and public meetings where they went out and chatted about the potential medians.

Mayor Casper asked about the public meeting. Director Fredericksen stated that businesses want access, and businesses have expressed concern about taking away left turn movements. The City of Ammon had representatives at the meeting with Hitt Road being the dividing line, they have had conversations about those safety improvements. Most people who have driven the intersections know what left turn movements want to be prevented. Director Fredericksen stated that in between 25th and Sunnyside, they have looked at the opportunity to install U-turn locations north of Target. They did not secure additional funding for that as part of the project, but they are working towards that in the future.

Councilor Radford uses that a lot as his office is right there and agrees that it is super dangerous. He worries about the stacking of cars from the light at Sportsman's and how will that be dealt with. Director Fredericksen will work with traffic engineers and as new traffic patterns appear, they can pull up traffic cameras and reprogram from the office. Director Fredericksen stated that on major arterials during peak times they have reached saturation and they cannot move traffic with the current lane configuration. They are over capacity even with 5 lanes. Councilor Radford stated that they had fewer accidents and huge improvements when they did this same thing further up. Director Fredericksen agreed that when they have accidents it is left or head-on and taking left-hand turns off of arterial roads will make it safer.

Councilor Francis confirmed this will take away left turn and take away accidents and that is one of the main reasons for doing it. Councilor Francis asked if Woodruff would be a raised median for a short distance and then at the fire station marked on the roadway. Director Fredericksen stated that they will not be impacting the firehouse as the median will not go that far down.

Councilor Hally asked if it was by KJ's and stated that it could be a mess in that area.

Councilor Burtenshaw stated that it doesn't go to Ellis Physical Therapy, so it will only impact one business.

Director Fredericksen stated that the first approach is the only one that would be minimized for the one business.

It was moved by Councilor Hally, seconded by Councilor Burtenshaw to approve of the State Local Agreement and Resolution with ITD for the Raised Curb Medians Project and authorization for the Mayor and City Clerk to sign the documents. The motion was carried by the following vote: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay – None

### Discussion and Consideration: Cooperative Agreement for Traffic Signal and Roadway Illumination with Idaho Transportation Department:

Director Chris Fredericksen presented a cooperative agreement with ITD (Idaho Transportation Department) involving signals on their routes within Idaho Falls and has included roadway illumination. Public Works staff and Idaho Falls Power have been working with ITD on issues with signals. Idaho Falls had their own maintenance agreement to maintain. Staff rolled up their sleeves, and came forward with the proposed changes, and the overall intent is to provide overall better service for the traveling public. This allows them to use their own equipment in ITD signals, and deal with traffic signal timing easier. It better defines all individual agreements that they have which have been approved individually through various Federal Aid projects, such as when the Sunnyside bridge was built over the Snake River it had an illumination agreement associated with the project that was a stand-alone agreement, and this Agreement supersedes those individual agreements and makes it more efficient to see what they need to maintain. Director Fredericksen stated this agreement will bring ITD and the City to the table every March to see what projects need to be programmed. Director Fredericksen showed Exhibit B, showing 32 signals talked about within the agreement and all the illumination.

Councilor Freeman wanted to make sure it's not more roadway than what they have been responsible for in the past and the agreement remains status quo. Director Fredericksen stated that they are asking for and receiving



### January 23, 2023, Council Work Session

more onus to be able to address problems within Idaho Falls, and there is still a cost-sharing agreement that is detailed in the last portion of the Agreement and they pay their portion of the legs that they have and Idaho Falls pays for their signals. All signals have been updated to date, and 32 total and any of the signals that ITD has in Bonneville County ITD pays for all of that and works it out with the County.

President Dingman indicated that this sets up a formal reimbursement so they can execute and reimburse and not have to get on the ITD schedule and wait. Councilor Radford asked about compatibilities and inventory. Director Fredericksen stated that the change in this agreement allows Idaho Falls to utilize City standards in ITD signal cabinets to make it more efficient for personnel to deal with. The public doesn't understand what the City of Idaho Falls is and what is ITD. So, this will be nice to make this seamless, and if someone calls with a problem, they can coordinate and address it in real-time with the traffic engineer over at Idaho Falls Power.

Mayor Casper stated that this is a no-brainer, but it has taken a while. Is Idaho Falls the first City to request this? Do other cities have this type of agreement? Director Fredericksen stated 1<sup>st</sup> in District 6 but is unknown Statewide. Mayor Casper asked if this Agreement includes any of the maintenance issues, or just signalization and illumination and potholes are still ITD's responsibility, but could that happen in the future with an agreement that the City would patch the potholes and bill ITD for the patching? Director Fredericksen stated that is the next agreement. This Agreement addresses maintenance items that they've had, like along US 20 they had some circuitry that was going bad, and ITD and Idaho Falls had discussions about who is responsible for that, and it was determined that it is not maintenance to pull new circuitry, and this Agreement defines whose roles it would be to replace versus maintenance.

Mayor Casper asked if they would revisit annually from the date signed. Director Fredericksen stated they would look annually to get the budgeting cycle. Some State projects would go to the State Budget, so staff would meet annually in March.

Councilor Freeman stated that they had a scare a couple of years ago about discussions on maintenance on bridges and where that ended up. Director Fredericksen stated that as part of the US 20/I15 project started the conversation with the possibility of what ITD would declassify as US 20 Business Routes/ITD Business Routes. Until a preferred alternative there was just discussion. Last week Bonneville County had a joint meeting with ITD to discuss streets to take over based on projects that ITD has proposed. The conversations are ongoing, but with the preferred alternative H2 there will be some discussions. The bigger piece is the US 20 from Johns Hole however it is disconnected from the new US 20. Councilor Freeman stated those are high-cost maintenance and for the city to pick those up, where would the funding come from?

Councilor Francis asked if there is a conflict, and City standards are steeper, than State standards, City standards take precedence. City Engineer Kent Fugal stated that for things like Councilor Francis is describing the standards are the same with traffic control devices, but they differ with equipment used inside signal cabinets. Councilor Francis clarified that they would use the City Traffic Engineer to operate the system and timing. ITD uses a different traffic signal controller, and they would continue to upgrade and modify all equipment to the same type of signaling equipment and ITD would share the cost of the equipment used on their routes.

Councilor Radford confirmed it is the same engineer doing the work.

It was moved by Councilor Burtenshaw, seconded by Councilor Hally to approve the Cooperative Agreement and give authorization for the Mayor and City Clerk to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay – None

## January 23, 2023, Council Work Session

### Discussion and Consideration: Cooperative Agreement for Roadway Maintenance with Idaho Transportation Department:

Director Chris Fredericksen stated that this is a cooperative agreement with ITD (Idaho Transportation Department) for roadway maintenance. This is a standard form that ITD uses Statewide and doesn't allow a lot of flexibility, but they wanted to upgrade from the agreement that was written in 2004 and amended in 2009, which recognizes and pulls out traffic signal issues in roadway agreement and lighting issues, it also addresses new City limits and changes to ITD routing information. Regarding potholes, it has been interesting with the freeze style this winter. ITD has a new operating engineer who discovered an issue with the patching equipment not running properly and the potholes got large fast. The agreement and the new operations engineer will work through ITD will be advantageous to address concerns.

It was moved by Councilor Hally, seconded by Councilor Burtenshaw to approve the Cooperative Agreement for roadway maintenance and give authorization for the Mayor and City Clerk to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay – None

### Discussion: Potential Traffic signal removals at three intersections:

Director Fredericksen presented that the intent was to discuss 3 individual traffic signals that don't meet traffic signal warrants. Yellowstone and Cliff (State System); E Street and Park (near Fire Station 1); Ponderosa and 17th Street (was discussed in the last traffic removal study). They found in their evaluation that the side street access points have increased delays with traffic signals, versus proceeding when able at a stop-controlled intersection. Staff wants to talk about Yellowstone and Cliff, and it has been discussed as part of the railroad acquisition and they want that traffic signal removed and put a HAWK push button activation for pedestrian crossing. ITD is pushing toward a project for pavement rehabilitation on Yellowstone between Sunnyside and Lomax that would deal with potholes and removal of railroad planking that exists at Cliff Street and Yellowstone. Director Fredericksen is proposing that if the traffic signal is removed, they would replace it with the HAWK push-button activation for pedestrian crossing. Yellowstone has been a barrier to accessing the riverwalk and downtown, and they would like to recognize that the traffic signal doesn't serve a purpose.

Councilor Radford asked if there is funding to go over or under Yellowstone and if is this an option. The safest things are over or under. Director Fredericksen stated that Yellowstone is the barrier to bicycle and pedestrian traffic. Fredericksen stated that when they were developing the bicycle and pedestrian discussion, one potential crossing was an extension to Gallatin and Point District where there isn't a lot built out and you could have grade changes that would make sense. In the developed urbanized area, it would be difficult to either over or under, but further south towards Pantheri it could be easier and options may exist.

Councilor Francis asked if the advantage is for cross traffic at Cliff or the advantage of moving traffic on Yellowstone. Director Fredericksen stated that they reference the warrant criteria, several items need to be met to meet the criteria for a signal, and they look at traffic on primary and side streets. At Yellowstone and Cliff, when you approach that intersection, a call is put in coming from Cliff, and, that car could get through without stopping Yellowstone arterial traffic. So, it is negatively impacting both sides and major streets. One business owner noticed that when a traffic signal was taken out for a time due to maintenance, the business owner indicated it has been easier to get in and out of Cliff without the signal. Councilor Francis stated that the concern is to cross 5 lanes from Cliff to Maple. Councilor Francis asked if there is a middle ground, as he feels the signal on Cliff is too responsive, so maybe the timing needs to be changed, and maybe set up to blink yellow and red during portions of the day. Councilor Francis feels that if there is a pedestrian crossing then it is a random stop for people in Yellowstone. Director Fredericksen thinks with the removal there would be a better opportunity to address concerns and tie an aux signal into a coordination plan on Yellowstone to better move the traffic and get pedestrians across. Councilor Francis is concerned about traffic going 5 lanes across Yellowstone. Mayor Casper feels there is enough intermittency for that to happen without much difficulty, as she hasn't seen a lot of traffic in that intersection.

### January 23, 2023, Council Work Session

Councilor Freeman stated that B Street was similar and asked if there had been wrecks since that signal was taken out. Director Fredericksen stated that they look at severe accidents, and he doesn't recall any injury-level accidents.

Councilor Radford stated that they wanted to put islands in. Councilor Radford wants to discuss how much gasoline is saved by commuters when traffic stops are taken out, totaling \$30 – \$50 million in savings. Director Fredericksen stated that traffic signal studies indicate that minimizing the stops makes a huge difference with fuel rates continuing to rise. Arterial roadways are becoming busier without major improvements, so anytime you can get rid of congestion it is something to look towards. They are trying to serve the vehicle traffic and bike /pedestrian groups. They are trying to enhance access to amenities downtown and along the river with the Cliff and Yellowstone intersection.

Councilor Burtenshaw stated that the Railroad tracks being in a weird direction causes cars to back up in a weird pattern. When will the State look at doing Sunnyside to Lomax? Director Fredericksen stated that they are trying to identify funding to do the project this summer, and that would remove this railroad crossing. Councilor Burtenshaw stated that it would be to the City's advantage to have a decision to be on board with ITD, so this intersection doesn't drag out. Director Fredericksen agreed.

Councilor Freeman is concerned about Ponderosa; he uses that light on his bike because it is a long way to another light on 17<sup>th</sup> Street and a way to get across. Councilor Radford stated that they improved St. Clair since the last time they looked at this intersection.

Director Fredericksen stated that the Traffic Signal Removal Study they did had comments from people who lived in the subdivision from the south of Ponderosa, and School District 91 had strong comments as well. They have talked to Ralph Frost and Margaret Wimborne and they are comfortable with his signal being removed if they consider installing a HAWK at this location. The pathway exists north of here and a Hawk signal would help get to the trail network. President Dingman stated that there were some businesses (Grand Teton Chiropractic, Snake River Floral) that had issues with the light. Director Fredericksen stated a primary concern was bus traffic and the School District indicated that a HAWK could fix concerns. The proposed development with Applewood south of Jenni Lee the utilization of that traffic signal on 17<sup>th</sup> Street and Jennie Lee will increase, especially the left turn, so with this signal operating as it does with additional delays, they are bringing it forward for review and consideration. Director Fredericksen stated that out of all three if they identify a comfort level, they will go back to public meetings and invite public discussion.

Councilor Hally stated that on Ponderosa the Pathway will increase walking traffic across the road. Hally doesn't think a HAWK dealing with 5 lanes of traffic going 50 mph and changing lanes is going to be safe.

Councilor Burtenshaw asked if the HAWK was as high as the regular signal. On which side of the intersection is the HAWK installed? Director Fredericksen stated they would evaluate and see which side is needed. Councilor Burtenshaw feels all or nothing for this intersection, as a HAWK is usually not an intersection. Panchari and Grizzly have a HAWK, and it is unique to have it at an intersection. Councilor Burtenshaw is not familiar with a Hawk at an intersection and would prefer to have an all-or-nothing.

Director Fredericksen acknowledged the higher speeds on 17<sup>th</sup> Street. There is a HAWK on Sunnyside in front of Hillcrest and that has been effective.

Councilor Francis asked if there is a standard of speed that you cannot use HAWK signals. Director Fredericksen is not aware, and the traffic signals and advanced signaling (Flashing prepare to stop) are on higher-speed roadways. Director Fredericksen presented E Street and Park, it is something that staff has talked about with the Fire Chief and the Fire Station has no issues with the removal of that signal.

Councilor Freeman feels that one is less controversial.

The mayor asked if they needed some kind of resolution. Director Fredericksen is asking if he can chat with the public and find out what they are worried about and then bring that back to the Council.

Councilor Freeman stated that Ponderosa needs a red light on 17<sup>th</sup> Street so they can get out on side streets otherwise there is never a break in traffic. It is hard to make a left turn on Sunnyside or 17<sup>th</sup> Street without a light.

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Councilor Radford stated that the studies showed there would be lower side wait times. Director Fredericksen stated that as arterial roadways become busier, you are coming to a point where you know based on the time of day, that a left-hand turn might not be the best idea, and that is why the U-turn areas have become so effective. Councilor Radford stated that he uses the side streets to get to the Downtown area, because sometimes during the day it takes him 12 minutes with lights, without side streets; if he uses side streets right up from Rosehill Cemetery there is a side road that goes to stop signs, and he can get downtown in 3 minutes. Lights slow traffic down.

Mayor Casper stated she is less concerned about drivers having to change their habits if it promotes safer walkability. She trusts the engineers. Mayor Casper is nervous to hear how to get someone across 5 lanes of traffic, but again will trust the engineering and solution, therefore. Mayor Casper feels that the next step is to go to the public and see what concerns they have. Mayor Casper did not hear any Councilor wanting to freeze any portion of the analysis, and a general concurrence to move forward was given.

#### **Discussion and Consideration – Bid Award - Wastewater Treatment Plant Dewatering project:**

Director Fredericksen stated that some of the bidding is increasing, the number of bidders has decreased, and some prices have become more in line, but they still have issues associated with getting materials on time. For the large 3 projects that have been bid on recently, including the Police Station, water tower, and dewatering, 2 of 3 bids came close to the engineers' estimate. This project was not close and higher than what they had anticipated. They had prequalified 5 bidders and from those 5, they received 2 bids, and the low bid was \$11,846,400 and they had anticipated \$10.5 million. The low bid of \$11.8 million and they had pre purchased equipment of \$1,599,000 in equipment with construction costs of a total of \$13.5 million. The staff has talked about this being over the anticipated budget for the project. The recommendation today is to move forward with awarding the project and using the bid, as they do not feel that a delay would achieve a cost saving. This is more than what is budgeted for wastewater, and they'd have to move \$3 million in contingency funding which they have budgeted and approved \$20 million. He has discussed it with Pam Alexander and Mark Hagedorn, and it would be a simple transfer of funding. The wastewater project will be built over 2 fiscal years, and so they have budgeted \$10.5 million in 2 years for the project and that won't all be spent this fiscal year, and the transfer of the contingency fund would give them spending authority. There are sufficient funds within the wastewater fund to pay for this unit at the increased dollar figure.

Councilor Hally agrees that this would not be cheaper because the second lowest bidder was in the \$14 million range and if they reject this bid, you could have a sole bid of \$14-15 million. The risk is that it could go higher, and not lower. Councilor Hally wants to accept the bid and move on.

Director Fredericksen stated that the second bid was \$14.8 million.

Councilor Francis asked if the contingency fund was in the wastewater department. Director Fredericksen stated it is City water. Director Fredericksen stated that there is budgeted authority and funding behind any bid that is approved, and all funds to build this would come from the wastewater fund there is sufficient funding, however, there is an accounting mechanism that goes and shows if he is going to allocate \$13 million project, that he must have \$13 million available for that project. The transfer of funds is more of a checks and balances. Mayor Casper clarified that the authority is a city-wide budget authority that doesn't exist enough to pay for this.

Councilor Radford stated that sometimes at the end of the year, they are off by \$3 million in spending authority, but it is smart to move the funds.

Director Fredericksen stated that within Public Works they will have \$3 million extra. Director Fredericksen stated that the item in front of the Council is to award the bid, but it doesn't preclude them from going back to the contractor and asking for value engineering to reduce things.

Councilor Francis stated that they have talked about this for a long time, and the cost savings in the long term, and in terms of not having to haul as much or pay for those contracts over time. Councilor Francis says go for it. Councilor Radford feels they are just as likely to save money next year or spend more next year.

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Director Fredericksen stated that in the construction world costs might come down, but the infrastructure package for wastewater and water are now being developed, and as those contractors become more busy, next year you might not get a bid if they are too busy.

Councilor Francis stated that this is a specialized bid project. Director Fredericksen stated that they did prequalify contractors to make sure you have the correct contractor that can deal with live sewage. Doing that eliminates a lot of potential contractors.

Councilor Burtenshaw asked if they need to include in the motion the contingency or do they need two separate motions, one for the bid and one for the contingency. Mayor Casper stated there is not a motion for the contingency.

Mark Hagedorn will require the Council to approve a budget transfer for this. Mayor Casper asked what the threshold for that is, as they have done budget transfers that the Council is not involved in. Mr. Hagedorn stated that if a director budgets funds within his department, that does not take action from the Council to move funds, but if they are transferring funds outside of a department to a department it requires Council approval.

It was moved by Councilor Burtenshaw, seconded by Councilor Hally to approve the plans and, specifications and award the bid to the lowest responsive, responsible bidder, GSE Construction Company in the amount of \$11,846,400, and to transfer budget authority to Waste Water Department in the amount of \$3 million and give authorization for the Mayor and City Clerk to execute the necessary documents. The motion was carried by the following vote: Aye – Councilors Dingman, Radford, Francis, Burtenshaw, Hally, Freeman. Nay – None

#### Discussion: Sole Source Bid – Water meters.

Director Fredericksen stated that Keller and Associates did a study analysis to identify the best water meters to install on the commercial network. As this was brought forward there was discussion identifying Badger Water Meters as the best alternative. They wanted to have a sole source purchase. The purchase order is included in the packet to purchase 719 meters of various sizes and the water division would have those available for developers and contractors to purchase from the water division at actual cost. The overall cost of that was \$379,045.94 and the quote is included in the packet.

Councilor Hally pointed out that they had a meeting where they discussed the water meters and there were 4 or 5 alternatives and everyone there who had expertise agreed that Badger was the best choice.

Mayor Casper stated that the quote is good for 90 days and the end of the 90 days is coming up next week.

It was moved by Councilor Hally, seconded by Councilor Burtenshaw to declare Hydro Specialties Company as the only vendor for the purchase of Badger Water Meters and cellular endpoints because the water meters and endpoints will be used for resale at the Water Division per Idaho Code 67-2808(2)(a)(vii). The motion was carried by the following vote: Aye – Councilors Radford, Freeman, Burtenshaw, Francis, Dingman, Hally. Nay – None

#### Police Department – Police Personnel Manual Amendments:

Mayor Casper stated that one item from the Police Department is straightforward forward and they can start before the Chief arrives.

Councilor Burtenshaw is comfortable moving forward as there were no comments made, and it is way beyond the 30 days.

Mayor Casper stated that the changes were reviewed with the Council and after they were reviewed, they were put out to everybody, all rank-and-file members had the opportunity to weigh in and during 30-day period no one had concerns that rose to a level that needed to make a change, the process requires final approval from Council.

Councilor Francis stated that neither he nor Councilor Burtenshaw nor the Police Chief had any comments and it has been over 90 days. Mayor Casper stated that the First Amendment that requires the payment of comp time before promotion will do a great deal to help the department deal with the backlog of comp time, save lots of money, and create more budget predictability within the department.



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Police Chief Bryce Johnson appeared and indicated that he had met with almost everyone at the department and there was no feedback received and they all understood the purpose of the changes.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Resolution amending the police personnel manual. The motion was carried by the following vote: Aye – Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay – None

#### Discussion: Sole Source Purchase - Taser 7 Conducted Energy Weapon:

Police Chief Bryce Johnson appeared and indicated that this was a budgeted item for an Electronic Conduction device, and Taser is the only manufacturer of such a device. This is a sole source purchase, and it was budgeted for, and it falls within the budget.

Councilor Freeman stated that he recalls they had trouble repairing broken tasers and so now they are replacing them. Chief Bryce Johnson stated that they didn't include replacement of tasers in the budget for the last couple of years. Taser has moved on to a new model, and Taser no longer supports the model the Police have, there are no longer cartridges for the current Tasers, and they are not warranted, and they will not be supported in police use of force. So, they need to eliminate Tasers or go to the new model. Chief Johnson wants to go to the new model so they have a less-than-lethal use of force option.

Councilor Freeman asked what they would do with the old ones. Chief Johnson stated that they can go back to Tasers to be traded in or can be used for training. Councilor Freeman asked if it is a lease program and not so much a purchase program. Chief Johnson stated that they wanted a 5-year contract, and Mike Kirkham worked on the contract with Taser, and Taser agreed to the City's rewrite of the agreement. The agreement is for a certain number of tasers, every year for 5 years and the city can opt-out. That will put it on a rotation schedule so you have them in the time, in which they will warranty the taser.

Councilor Burtenshaw stated and confirmed that within 5 years all the tasers will be replaced, so they won't be in this position again where all the tasers are outdated. Chief Johnson stated that every year they will have the budget for it just like firearms and batons. Mayor Casper stated that it levels the cost out, so it is an annual maintenance commitment and the price is locked in for 5 years.

Councilor Francis asked if they opted into the training for Tasers. Chief Johnson stated that they would provide some training, and they put some of that into the contract as a bonus. Chief Johnson stated that they will take advantage of the training opportunities as part of the contract. Councilor Francis didn't understand tier 1/ tier 2. Is it asking to allow them to evaluate the Tasers?

Chief Johnson stated that the taser is complex and has its memory and minicomputer. Every time you do a spark test each day the taser is plugged into a computer and it downloads everything that was done with the taser. All that data is kept, and the data is downloaded when the taser is used. Chief Johnson stated that it allows for information sharing and it benefits everyone. The metadata is shared, but nothing personal. Councilor Francis clarified that Taser takes that feedback to improve the product.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to Declare Axon Enterprise, Inc. as the only vendor for the conducted energy weapons that are reasonably available because the Taser 7 Conducted Energy Weapon has no functional equivalent and approve a sole source purchase of the Taser 7 Conducted Energy Weapons in the amount of \$365,004.07. The motion was carried by the following vote: Aye – Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay – None

#### Mayor and Council - Calendars, Announcements Reports, and updates Liaison Reports and Councilmember Concerns:

Legislative Session is underway so they have the Chamber Advocacy process, but she doesn't know when they will hold the meetings. In the past, they have been on Thursday mornings. Councilor Hally asked if they would still be at the college. Mayor Casper is unsure of the location but will update when she has more information.

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Mayor Casper stated that you can participate via a link for the AIC Meetings on Friday.

Mayor Casper stated that the City Bills are lined up with good sponsors.

A Candidate guide has been passed out to the Council Members, and the Mayor asked Councilors to add what they want added and return to Carla by mid-February, so they can have an up-to-date guide before candidacy declarations start to come forward. The idea behind the guide was to make sure that people who were choosing to run for City Council know the commitment they are making timewise, and they understand what type of a job this entails. Not intended to scare, just inform people.

Councilor Radford got a call about a survey of time. Mayor Casper stated that there is per department an estimate of time needed.

The mayor stated that many of the Councilors will share things happening during liaison reports, but many things are going on with the city. There is a desire to change the impact fees ordinance, and that is actively being looked at. The audit is in full swing. The Gallagher study from HR has been discussed. Director Tew will talk about it in the airport meeting. The hiring of a new Community Director is underway. Interim Director Beutler and Ryan Tew have a list to review, and the Mayor will look to see who to interview. Mayor Casper has a schedule for the interview process that is maybe too soon (she had planned for next week) and might need to adjust the calendar. Councilors have a role to play and she wants them to spend time with the final candidates and ask the candidates questions, and they could do a lunch or a gathering. Mayor Casper will involve both liaisons in the interviews. Most every department has its hands full doing what they do.

- President Dingman stated that Idaho Falls Fire Department- Recently kicked off Idaho Falls Fire Department Recruit Academy (10 weeks) with 15 recruits participating, which is the largest academy they have ever had.  
Idaho Falls Airport - Tail Wind Restaurant area upstairs has been rebranded to Snake River Bar and Grill, and it is a full-service bar and grill and has souvenirs.  
Airport just launched its 1<sup>st</sup> annual student art contest, open to District 91 High School Students and submissions are now through March 1. Looking for artists to depict the theme of Idaho Falls Flies into the Future, 1<sup>st</sup> 2<sup>nd</sup>, and 3<sup>rd</sup> winner with art displayed in the airport and a small cash prize. Go to [Idahofallsidaho.gov](http://Idahofallsidaho.gov) for more information.
- Councilor Hally stated Redevelopment Agency will have the finished product of Marriott Courtyard along the river behind Candlewood Suites. They will be demolishing the old King B Building behind Candlewood. It is a new District. Things are on deck to go forward with the District of Anderson where the school is located for tax credits and some low-income rentals. Someone is showing interest in Anderson on land to put storage warehouses on land that is not conducive for any other purpose. The redevelopment program is ongoing.
- Councilor Radford let the Council members know that he had money he kept in his campaign account, and if anyone hasn't closed out their account, there is now a monthly reporting requirement to the Secretary of State, and as soon as you start raising money it is a monthly reporting requirement, not yearly. Councilor Burtenshaw stated that she just did the yearly report. Councilor Hally stated that you must declare a final report.

Parks and Recreation- They have toured some of the zoo projects and exciting things are happening in the Hamilton Building at the zoo, and if you get a chance go and see if Zoo Director Dave Pennock will take them through and you can see the amazing artistry.

Idaho Falls Power – They are doing surveys so if you have feedback get working on that. Councilor Burtenshaw could not think what a compliance report would be, and the question about whether they get timely compliance reports, and she couldn't put into context. Councilor Radford stated that they have a role as a regulatory body as much as an advocate. Councilor Burtenshaw stated that they would know if they were getting it timely or not. Councilor Burtenshaw asked if they complied every time or not.

Councilor Radford suggested making that statement in the survey so they can do a better job explaining.

Mayor Casper stated there is a special meeting on the 1<sup>st</sup> that will have people traveling from DC to visit. Mayor Casper stated that they have typically started the meeting at 7:45 – and go until 11:45, but he will not be a 4-hour

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meeting, (2 hours anticipated). Mayor Casper asked if they could change the meeting time to 7:30 – 9:30 or 8:00 - 10:00. Councilors agreed that 8:00 a.m.-10:00 a.m. is good. Councilor Burtenshaw will not be at that meeting. The meeting will be at Idaho Falls Power.

- Councilor Francis stated the Idaho Falls Police Department is in discussions with the School District to add to the SRO program. As mentioned in the State of the City Address, the Police Assisted Addiction and Recovery Initiative is being worked on and going forward with the department.
- Councilor Freeman – City of Idaho Falls Fire Department-  
The new fire station will be opened to the south, and there isn't a firm timeline yet, but they are working towards getting that timeline, and the recruiting class going through will give them the option to have enough people to man that station. Councilor Burtenshaw indicated that Director Fredericksen stated they would have a site plan for the new fire department.
- Councilor Burtenshaw stated that tomorrow night in Boise, they are meeting sometime after they get to Boise, at the Eagle Tubing Park and Doug Swanson from Idaho Falls will be there to usher people around, and no pressure on Councilor Hally to go down the slide. Ryan Newton is running it, and Doug Swanson is there for introductions. Councilor Hally asked if they were meeting at 4 p.m.

Randy Fife asked if it was a meeting. – Mayor Casper stated it is a tour. Fife told them to be careful not to make policy.

#### Discussion: Reorganization of Office of the Mayor:

Mayor Casper stated that as the city grows, she has to match her management style with the growth of the city. Mayor Fuhrman added a part-time PIO and later it became a full-time position in 2012, but half was paid by Idaho Falls Power, and half by the City general fund. Mayor Casper made changes in the 2014 meeting as a power board with Idaho Falls Power; fall of 2015 an economic development coordinator was added; Public safety formed the PIO Team in 2017; 1<sup>st</sup> public works utility Board meeting annually in 2018; added capacity to have a paid intern in Mayor Office in 2019; Chief of Staff in 2022; started practicing for Airport Board in 2021 and official in 2022; moved City Clerk to Mayor office end of 2022; currently planning to bring forward changes to Title 3 to standardize the code that relates to directors.

Mayor Casper wants to always improve operations to be responsive to City growth. Not every management challenge has the same solution. Sometimes the solution is better training, decision making, Council action, and increased budget, some solutions take time, more staff or use of existing staff differently, use attrition, and let people retire with, the same number of FTEs but deployed differently.

Mayor Casper stated it is common for executives to reorganize. Mayor Casper stated that when she was elected in 2013, she was told to ask for resignation and then rehire everyone, and she chose not to do it as it sowed seeds of uncertainty and impacted morale. She took what she inherited and, in some ways, it has been fine with the existing structure, and in other ways, it has been modified over time. There is always concern about creating uncertainty that will impact employee morale. Mayor Casper likes to know what is behind each door, and each option and wants to understand thoroughly before making decisions, and that style suits some and aggravates others. Mayor Casper wants to adjust to stay on top of the flow of business. The city has grown and the workload of the city has grown, and they have not added employees, staying around 600 full-time employees. The 15 recruits for the fire department are the biggest infusion of staff at any one time. Mayor Casper stated that her department has seen an addition of an economic development person and a chief of staff. Mayor Casper makes clear that the changes are not being made because of personalities, favored personalities, or the idea that there is a structure that works. The goal is to create a structure that makes sense for the city to serve the citizens, and then hire to fill those positions.

Mayor Casper explained that the chart explains how relationships and responsibilities will flow. Mayor Casper stated that the span of control could be 4-9 depending on the occupation. Councilor Freeman stated that they recommend 5 for actively managing a crisis. Mayor Casper stated that lives aren't dependent on a supervisor like in an emergency management setting. Mayor Casper showed on the chart that is Mayor's office has the Chief of

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Staff reports to the Mayor and the Chief of Staff then takes responsibility for everyone within the Mayor's Office including economic development, PIO, executive assistant, and City Clerk. The dotted lines come from the Chief of Staff going to various departments. Future hires for the City Clerk's office will be managed by the City Clerk. As they go to remodel City Hall it may make sense to install a receptionist to direct traffic once the elevator is installed, and that position can double as a helping hand for the Clerk's office. When the previous City Clerk left, she had a concern that the workload could be onerous and they don't want it to be more than what the 2 people hired can handle. The Mayor supervises Public Safety (Police and Fire), utilities and enterprises, and quality of life (Parks and Rec), (the library is governed by a board/indirect role). Administration breaks out into 3 with Municipal Services (Finance and Daily operations) fleet management, IT building maintenance, and daily maintenance. The City Attorney's office is not in a structure, because they have a supra role of being over and above all City Employees making operations compliance and keeping everyone out of legal trouble. They are grounded in helping the city function, and the office itself will have needs, including budget, equipment, etc. HR has a role to play in helping the city but has needs as an organization. The solid lines denote the Mayor having a responsibility or a need to work with the directors. The dotted line denotes the day-to-day operations of any one of the departments that the Chief of Staff has a dotted line going to quality of life and 3 of the administration functions, and that suggests that if there is a day-to-day need they will work with the Chief of Staff instead of Mayor, which removes 5 direct reports from Mayor and shifts them to the Chief of Staff. It divvies up the responsibility and gives each department more opportunity to have its needs met. The goal is to empower the Mayor's Office to have optimal contact with each organization. The goal is One City- One Team capacity is desired. Mayor Casper stated that in addition there are additional responsibilities for the Mayor and Chief of Staff, to give a better sense of what each position entails. The city might need another Administrator and Assistant City Administrator in the future, and the future Mayor could set up to make whatever change they desire.

Mayor Casper indicated that Councilor Francis stated during his meeting with the Mayor, that the Chief of Staff could be a good place to have a liaison assignment. The mayor is open to other suggestions like that, and there might be a way to combine liaison assignments.

Councilor Hally asked for clarification that instead of the Chief of Staff, there would be an assistant City administrator. Mayor Casper indicated that is a possibility, although they are hired for very different things. Mayor Casper is not in favor of the City Manager's Office.

Councilor Freeman stated that since they do have Board assignments maybe do an arrow from Council to those departments. Mayor Casper asked if they should eliminate liaisons from either of those or maybe only have one instead of 2. Councilor Freeman is a liaison to both entities that have boards. Councilor Freeman stated that as a liaison you can meet more often than as a Board. He feels liaison is important. Mayor Casper stated that the two departments have begun to grow in other ways and have taken on more of an administrative load. Some things Mayor Casper doesn't see until there is a problem. Mayor Casper stated that some of the growth in the two departments has created friction, and that is normal when things are changing and establishing new ways of doing things. There have been a lot of conversations in the last 6 months with concerns of expanse, management, etc., and that is normal within a bureaucracy to have that kind of churn when change is happening. It is not always seen as normal and frustrates people. The goal is to get to a place where every department can do its best. For the 2 departments that have boards, one of the thoughts is it has weakened the executive ability to be able to manage the departments on a day-to-day basis because the argument is "I have a board that I answer to, not you." It has been suggested that there be a dialogue in the Council about what do boards do within the city. Mayor Casper asked if you keep liaisons, is the board another layer of involvement?

Councilor Burtenshaw suggested that there are a lot of things that Police and Fire have in common as public safety and maybe a joint liaison with public safety makes sense. There are several issues regarding dispatch and contracts and if there were similar liaisons it might help. Councilor Freeman suggested having a public safety liaison that does both Fire and Police and sometimes they can do joint meetings. Councilor Freeman suggested talking to Chiefs of Fire and Police to see how they feel. Mayor Casper has not presented to any of the directors formally. Mayor Casper stated that it is good to share what the structure looks like to make sure that there is no

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error or overlook. Mayor Casper will go to the Directors next to get input so there is no chance that people feel threatened, worry, or create rumors about why things are being changed.

Councilor Francis asked if that same consolidation could go to liaisons for power utility enterprise, with power, and airport. Councilor Burtenshaw stated that she thought fire and police have the same mission with public safety, but power and airport don't play in the same sandbox.

Mayor Casper stated that Randy Fife has shared that the City of Moscow had work sessions structured in such a way to hold briefings for some departments before the work session and have the work session and then hold briefings after, so everyone could be a part of the briefings if they wanted to. The layout presented could allow for briefings before and after work sessions between 2:30 – 3:30 and 5:30 – 6:30.

President Dingman had conversations months ago and her concern was talking to people about running for office, when she tells them it is a 3–4-hour meeting and other things added to create a 6–7-hour day, it could be challenging for people that would be highly qualified to serve in the future. Councilor Francis stated that in the liaison meetings, there is brainstorming and communication that goes on, and there is a lot to be gained beyond the report for the month. President Dingman doesn't feel it benefits the relationship or development of sound policy or ordinances, it only allows other Council Members who are not liaisons to receive greater information, and that has its purpose and something that can be pursued, but it doesn't substitute the liaison role. Councilor Radford stated that you do get the relationship with the liaison assignments but is that with the spirit of open government? If a lot is happening in liaison meetings that becomes policy that opens government. Councilor Francis stated that it is talking about things that would come to Council for approval. President Dingman stated that you cannot write every ordinance from start to finish as a group, so your option is to have a Council liaison that participates in that conversation or you have a department director doing it by themselves. Councilor Radford stated that the way the city ran once was safety committees, and when he talked to old former Council members that say oh you are doing specific assignments, it is an interesting conversation, when they say I hear so and so on the Council is having this conversation. He sees the problem with liaison systems, in general, is they get too connected and fight for directors that they are connected to, as opposed to not being as friendly they might not fight for what the director is bringing forth. Mayor Casper stated that when you have been "captured" by a department, you lose oversight. Councilor Francis stated that he doesn't agree with his directors always.

Councilor Radford stated that when he came to the City Council safety committee meeting, he saw directors having to persuade, and now the Councilors are coming to advocate for the department, and the Council is answering to the department. Councilor Hally feels they disagree with liaisons, and without liaison meetings, you lose the depth of the operation. Councilor Radford stated that if he was in a committee structure, he'd be happy to meet with them regularly. Mayor Casper stated that if directors have to meet with committees and prepare for that, and then must still have liaison meetings, it will take a lot of time.

Randy Fife shared how he feels a committee system works. Fife explained that in Moscow, they split the work of the city, with a part-time Mayor and half the city work was with a committee of 3 council members, and the other half was a committee of 3 council members. The committee, then decided what would come before them for consideration and they designed the agenda, and they heard the things during a 1.5-hour meeting that was public. If 2 of the 3 members of the committee decided it was worthy it would get on the Council agenda, if there were questions, that needed more information, they would hold it and ask them to come back in a few weeks. The other committee would meet after the first committee and take care of the other half of the city business. There weren't liaisons, because half of the Council already knew about the topic and it was discussed with directors, and if they wanted more they could talk to the director. The mayor didn't design the agenda except to compile it based on what the Council wanted on the agenda. 3 people knew and had a presentation about the topic, so there wasn't a need for a liaison. The other big difference was having a city supervisor who did background work, coordinated, and talked to directors, and would help put together with Committee Chairs what would happen. They didn't meet in the same week. 3 hours one week, and however long the next week that Council wanted. They started at 3 – 4:30 with one committee and 4:30 – 6:00 with the next committee. The following week they just had a council meeting.



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Mayor Casper stated that there are different ways to structure the Council side of things. The goal is to find more things to do right.

Councilor Francis stated that his suggestion for Boards, is for the Power Board to go through an evaluation for the Board, then have some feedback to use, and they need clarity on both boards on what the powers the Council wants to have. They have a good opportunity to come up with the self-evaluation form and use the information with the comments. Councilor Radford stated that they are trying to do it for the February Power Board meeting. Councilor Francis feels that would be a good way to get thoughts to determine policy. Mayor Casper feels it would be helpful for everyone to have clarification.

Councilor Radford asked if they were asking for clarification of the role of the Board as opposed to the Mayor or in conjunction with the role of the Mayor. Councilor Radford stated that would be a good conversation. Maybe bring in someone who has done this over and over in the Country and there are a lot of nuances of what the role Mayor plays for Idaho Falls Power and what role the Board has. Mayor Casper stated that it is the same word for the legal structure of the Mayor and Council. Councilor Radford stated that the wording is similar and it uses the term CEO. Councilor Radford wants to discuss it, but it is not a simple conversation. Mayor Casper stated that a broader setting would be better, not in a board meeting might be useful. Mayor Casper suggested creating a document that the Council can help to edit. Councilor Radford suggested sending out research. Mayor Casper stated that there have been times about joking about the library and the library director has been present and stated that you are not the boss of me, the Library Board is the boss of the director of the library. Mayor Casper feels that they need to determine the intent of the Power and Airport Board. Mayor Casper stated that if the airport director or power director would say that the Mayor is not in charge, the Board is in charge, she would want to tell them unless the Board takes action, the Mayor helps to do day-to-day administration and uses the directives of the Council. There are different ways to characterize it so that the lines don't become meaningless, so a chart isn't meaningless. The next step is to go to the directors before moving on. Councilor Burtenshaw asked for a timeline on implementation Mayor Casper stated that they are moving now, with rough edges to smooth out. February is the next Director meeting.

Announcements:

Idaho Falls Airport meeting tomorrow.

Boise Wednesday and Thursday

Next Wednesday is February 1st for the Idaho Falls Power Board meeting.

There being no further business, the meeting adjourned at 5:35 PM

s/Corrin Wilde

Corrin Wilde, City Clerk

s/Rebecca L. Noah Casper

Rebecca L. Noah Casper, Mayor

# Memorandum

File #: 23-286

City Council Meeting

**FROM:** Bear Prairie, General Manager  
**DATE:** Thursday, September 28, 2023  
**DEPARTMENT:** Idaho Falls Power

## Subject

IFP 23-31 MVA Power Transformer - Virginia Transformer Corp.

## Council Action Desired

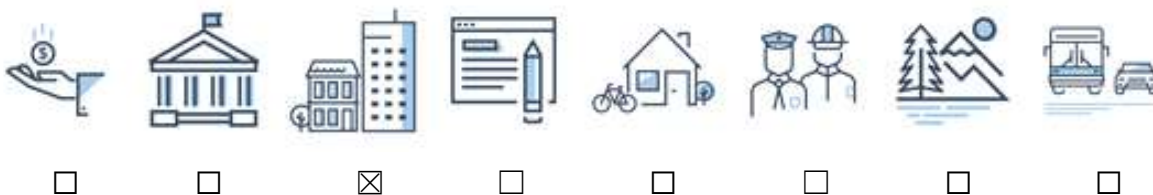
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☒ Other Action (Approval, Authorization, Ratification, etc.)

Reject bid for MVA Power Transformer with Virginia Transformer Corp. at a price of \$1,659,741 (or take other action deemed appropriate).

## Description, Background Information & Purpose

Idaho Falls Power (IFP) put out a request for quotes (RFQ) for a 161kV-12.47kV 15/20/25 MVA power transformer. A single bid was received from Virginia Transformer Corp. for \$1,659,741.00, which was 50% higher than anticipated. IFP recommends rejecting the bid at this time and putting out a future RFQ in hopes that pricing will come down.

## Alignment with City & Department Planning Objectives



This action supports our readiness for reliable public infrastructure and well-planned growth and development and supports the reliability and growth element IFP's Strategic Plan.

## Interdepartmental Coordination

The City Attorney Department and Idaho Falls Power.

## Fiscal Impact

None.

## Legal Review

The City Attorney Department concurs that this action is within state statute.

**INVITATION TO BID  
NUMBER: IFP-23-31**

**EVALUATION AND PRICING**

**Base Bid**

Total price to furnish and deliver F.O.B. to pad one  
161kV-12.47kV 15/20/25 MVA power transformer  
complete with specified accessories.

\$ 1,659,741.00

Delivery window date

2 - 3 Weeks After Shipment

**Second Transformer Purchase Option**

Idaho Falls Power may wish to purchase a second like  
transformer under the same terms and conditions of this  
transformer purchase. If the vendor can supply a  
second **like transformer at the same base bid cost**,  
what would be the latest date Idaho Falls Power could  
place an order for the second like transformer?

Within Validity of Existing proposal  
i.e 11/17/2023

**Other Costs**

Other costs associated with the manufacture and delivery  
of above-mentioned power transformers not included in  
above costs (if necessary, use separate sheet to itemize  
each cost).

\$ Not Applicable

**TRANSFORMER DETAILS**

Description	Units	Manufacturers Data
Transformer Manufacturer	-	Virginia Transformer Corp.
Manufacturing Plant Location	-	Pocatello, Idaho
LTC Manufacturer/Model No.	-	Reinhausen RMV II
No Load Losses	<i>kW</i>	16.60
Load Losses at 15MVA	<i>kW</i>	54.64
Load Losses at 20MVA	<i>kW</i>	97.14
Load Losses at 25MVA	<i>kW</i>	151.78
Auxiliary Losses	<i>kW</i>	1.9
Guaranteed maximum noise level	<i>dB</i>	NEMA TR-1
Total weight of transformer	<i>lbs</i>	140,000

**INVITATION TO BID  
NUMBER: IFP-23-31**

Shipping weight of largest piece	<i>lbs</i>	120325
Impedance – Not to exceed 8%	<i>%Z</i>	8%
Warranty Duration	<i>months</i>	12/18

**LOSS COST MULTIPLIERS**

Based on RUS bulletin 1724E-301, the loss cost multipliers calculated for use are as specified below:

1. No-load loss cost multiplier (A) = \$ 5,441 / kilowatt
2. Load Loss cost multiplier (B) = \$ 1,912 / kilowatt
3. Auxiliary Loss cost multiplier (C) = \$ 2,161 / kilowatt

**LOSS PENALTY**

In the event that the combined evaluated cost of actual tested no-load losses (NL), load losses (LL), and auxiliary power (AP) exceeds the combined evaluated cost of the respective guaranteed losses and auxiliary power, credit shall be given to Idaho Falls Power for the dollar difference. Any such credit shall be included by the Manufacturer on the transformer invoice.

**INVITATION TO BID**

**NUMBER: IFP-23-31**

**SPARE PARTS AND DELAYED DELIVERY STORAGE (OPTIONAL)**

**Bushings**

One high voltage bushing, complete with gaskets.	\$ <u>46654.00</u>
One low voltage bushing, complete with gaskets.	\$ <u>3036.00</u>
One Primary Surge Arrester	\$ <u>Non Applicable with no Ratings given</u>
One Secondary Surge Arrester	\$ <u>Non Applicable with no Ratings given</u>

**Miscellaneous**

One complete set of contacts and coils for each type of contactor relay furnished.	\$ <u>3,000</u> ( LTC Contacts Not Included in this)
Additional spare parts as may be recommended by the Manufacturer (if necessary, use additional sheets).	See Attached VTC Proposal
-	\$ <u>B233502A</u>
-	\$ <u>-</u>



# Memorandum

File #: 23-283

City Council Meeting

**FROM:** Michael Kirkham, Assistant City Attorney  
**DATE:** Thursday, September 21, 2023  
**DEPARTMENT:** City Attorney

## Subject

Development and Cost Sharing Agreement with SSYA IF, LLC

## Council Action Desired

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

Approve the Development and Cost Sharing Agreement with SSYA IF, LLC (or take other action deemed appropriate).

## Description, Background Information & Purpose

SSYA IF, LLC, is developing the property immediately adjacent and to the west of the City's Ryder Park property as a car dealership. The Development is outside of the City's geographic boundaries. In order to receive approval to develop and construct the project from Bonneville County, SSYA IF, LLC, is required to construct a road. SSYA IF, LLC, approached the City to discuss constructing the road along the boundary between the development property and Ryder Park. The proposed boundary road would require that the City dedicate the portion of Ryder Park that lies within the area proposed to become the boundary road. In exchange for the City agreeing to allow a portion of Ryder Park to be converted into a road, SSYA IF, LLC, has agreed to construct the required curb and gutter at SSYA IF, LLC's sole cost. In addition, SSYA IF, LLC, has agreed to construct an improved drive approach to Ryder Park.

## Alignment with City & Department Planning Objectives



The proposed agreement promotes the City's good governance and livable community objectives.

## Interdepartmental Coordination

Public Works, Mayor's Office, and The City Attorney's Office coordinated effort on this agreement.

## Fiscal Impact

There is no anticipated fiscal impact to the City.

**Legal Review**

The City Attorney Department has reviewed and help draft the proposed Agreement.

## DEVELOPMENT AND COST SHARING AGREEMENT

THIS DEVELOPMENT AND COST SHARING AGREEMENT (“**Agreement**”) is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2023 (“**Effective Date**”), by and between **SSYA IF, LLC, A IDAHO LIMITED LIABILITY COMPANY**, with its principal place of business located at 1215 Wilmington Ave Ste 120, Salt Lake City, UT 84106 (“**Developer**”), and the **CITY OF IDAHO FALLS**, a political subdivision of the State of Idaho (“**City**”). Developer and City are sometimes referred to in this Agreement as a “**Party**” or collectively as the “**Parties**”.

A. Developer owns that certain real property situated in Bonneville County, Idaho, as more particularly described in the attached **Exhibit A (“Developer Property”)**, which is currently being developed by Developer as part of a car dealership project. As of the Effective Date, Developer has applied and submitted for (or is in the process of submitting) certain approvals to Bonneville County (“**County**”) in connection with the development, entitlements, and other land use approvals applicable to the Developer Property.

B. City owns that certain real property adjacent to the Developer Property to the east as more particularly described in the attached **Exhibit A (“City Property”)** which contains a city park.

C. As part of the development, entitlements, and other land use approvals being sought for the Developer Property, Developer desires to install a road along the boundary between the Developer Property and the City Property as shown on the attached **Exhibit B (“Roadway Improvements”)**. The Roadway Improvements include a portion of the drive approach that provides access to the city park. The drive approach shall contain standard curb and gutter as designated by Idaho Falls Parks and Recreation and shall be 225 feet from the center of Sunnyside Road as depicted in Exhibit B.

D. This Agreement is being entered into by Developer and the City to set out rights and obligations of City and Developer with respect to Roadway Improvements.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Developer and the City agree as follows:

### 1. Project Development; General Developer Services.

1.1 **Project Development Management.** Subject to City’s rights hereunder, Developer will, at its sole cost and expense, be responsible for the construction and installation of the Roadway Improvements including to hire, direct, coordinate, manage, and pay a reputable general contractor (“**General Contractor**”) to perform the construction of the Roadway Improvements under the terms of contracts in form and substance satisfactory to Developer in its reasonable discretion.

1.2 **Project Materials.** Developer will, at its sole cost and expense, obtain any and all reports, surveys, studies, evaluations, and other information and materials as required for the proper design and construction of the Roadway Improvements.

Developer will perform such other planning and development management services as Developer may deem necessary or advisable and as may be required by Applicable Laws (as hereinafter defined) in order for Developer to fulfill its obligations under this Agreement.

- 1.3 **Scheduling.** Developer will consult with City on an ongoing basis so that City is informed regarding the schedule and progress of pre-construction activities and the design and construction of the Roadway Improvements. A schedule setting forth the key milestone dates for the phasing and overall progress of the Roadway Improvements (“**Project Schedule**”) will be prepared and mutually agreed to by the Parties within 60 days of the Effective Date of this Agreement. The Project Schedule is designed to enable Developer to commence construction of the Roadway Improvements on or about \_\_\_\_\_, and to substantially complete the Project by or about \_\_\_\_\_ or such later date as is set forth in the Project Schedule.

## 2. **Design and Construction.**

- 2.1 **Generally.** Developer will, at its sole cost and expense, contract with third parties for all architectural and engineering services required for the complete design and construction of the Roadway Improvements in accordance with all applicable laws, statutes, codes, rules, regulations, permits and requirements of all applicable governmental authorities (collectively, “**Applicable Laws**”). Developer will contract with qualified architects and engineers, licensed to practice in the State of Idaho (collectively, the “**Design Professionals**”) to provide all necessary architectural and engineering services required for the design and construction of the Roadway Improvements. The services of the Design Professionals employed for the Roadway Improvements will include, without limitation, preparation of construction drawings and specifications for the Roadway Improvements and inspection of the construction work for the Roadway Improvements as required in accordance with Applicable Laws. For purposes of this Agreement, the term “**Construction Documents**” will mean and refer to final construction drawings and specifications provided by the Design Professionals and approved by Developer, setting forth in detail the requirements for the construction of the Roadway Improvements. The Roadway Improvements will substantially be in accordance with Exhibit B, which are hereby approved by City.

## 3. **Project Entitlements.**

- 3.1 Developer will, at its sole cost and expense obtain all site plan approvals, permits, consents, approvals, and other things required to be obtained from all federal, state, and local governmental, municipal, public, and other authorities, bodies, and agencies, including but not limited to environmental approvals, as well as under any covenants, conditions, restrictions, or easements applicable to or reasonably necessary for the Roadway Improvements.

#### **4. Construction of Project.**

- 4.1 **Scope.** Developer will, at its sole cost and expense, construct the Roadway Improvements in accordance with this Agreement, Applicable Laws, and in accordance with the Construction Documents, and Developer will engage the services of the General Contractor for the work. The Roadway Improvements will include the scope of work required by the final Construction Documents.
- 4.2 **Changes.** No change to the final Construction Documents or the Project Schedule which affects the City Property will be effective without the express prior written approval of City and Developer. If a change to the scope of the Roadway Improvements, the Construction Documents, or the Project Schedule affects the City Property, such change must be initiated by a written change order describing the change and all related adjustments. The proposed change order will be drafted by Developer based on communications with City, then executed and approved by the appropriate City representative if acceptable.

#### **5. Consideration.**

- 5.1 In exchange for the right to construct the road on City's real property, Developer will bear all improvement and construction costs associated with the Roadway Improvements. The costs contemplated herein include but are not limited to, the costs of labor, materials, and supplies, the costs of all engineering, consultation, and legal fees.

#### **6. Default.**

- 6.1 Violation or breach of any provision of this Agreement beyond any and all applicable notice and cure periods, will constitute an event of default ("**Default**").
- 6.2 Except for payment of any costs by City, which is addressed in Section 5 above, neither Developer nor the City will be in Default under this Agreement, unless such party fails to perform an obligation required under this Agreement within 30 calendar days after written notice is given to the defaulting Party by the other Party, setting forth in sufficient detail the respects in which the defaulting party has failed to perform an obligation required under this Agreement. If the nature of the defaulting Party's obligation is such that more than 30 calendar days are reasonably required for performance or cure, the defaulting Party will not be in Default under this Agreement if that Party commences performance within the 30-day period and diligently prosecutes the same to completion. In the event of a Default of this Agreement, the non-defaulting Party may bring any legal action to enforce (including, for a remedy of specific performance) this Agreement or for damages on account of any Default of a liability, obligation, or covenant contained in this Agreement.



## 7. Transferability and Assignment.

- 7.1 The rights and benefits of this Agreement will inure to each of Developer's successors or assigns. Upon any transfer or assignment by Developer of all or any portion of the Developer Property or all or any portions of Developer's rights, benefits, and interests under this Agreement to a new entity or to any third-parties, the applicable provisions and conditions of this Agreement expressly transferred or assigned to such entities or third-parties will be binding upon and applicable to such new entities, third-parties, and/or transferred portions of the Developer Property and, concurrently with any such transfer or assignment, Developer will be released from any assumed obligations, liabilities, claims, or causes of action arising under this Agreement. Subject to the foregoing, this Agreement is not intended to benefit or provide any right to any other person or entity other than Developer and the County, and their successors and assigns, and will not create any rights, benefits, claims, or causes of action in or for the owner of any adjoining properties or other parties.
- 7.2 Developer will have the right to transfer and assign any and all rights, benefits, interests, obligations, liabilities, claims, or causes of action held by Developer under this Agreement to any new entities, subsidiaries, or affiliates or any third-parties and determine as a part of such transfer and assignment what rights, benefits, interests, obligations, liabilities, claims, or causes of action will apply to (or remain with) or be assumed by those applicable portions of the Developer Property.
- 7.3 Developer will have the right and be permitted to sell and transfer all or any portions of the Developer Property, without the prior consent or agreement from the City. In addition, Developer will have the right and be permitted to pledge or encumber all or any portions of the Developer Property or a portion of its rights, benefits, and interests under this Agreement to a lending or investment entity, without the prior consent or agreement from the City, and such pledge or encumbrance will not be considered a transfer or assignment.

8. **Notices.** All notices, requests, consents, approvals, demands, and other communications required or permitted to be given or made under this Agreement must be in writing and will be deemed to have been duly given when (i) delivered personally or (ii) three business days after deposit in the United States Mail, postage prepaid, by certified mail, return receipt requested, (iii) one business day after deposit with a recognized overnight courier service, or (iv) upon transmission via email, in each case, addressed as follows or to such other person or address as either Party designates by notice to the other Party:

If to Developer:

SSYA IF, LLC  
1215 Wilmington Ave Ste 120  
Salt Lake City, UT 84106  
Email: \_\_\_\_\_

If to City:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Attn: \_\_\_\_\_  
Email: \_\_\_\_\_

## **9. Miscellaneous.**

- 9.1 Whenever possible, each provision of this Agreement will be interpreted in such a manner as to be valid under applicable law. If any part or provision of this Agreement will be adjudged unconstitutional, invalid, prohibited under applicable law, or unenforceable by a court of competent jurisdiction, such provisions will be ineffective to the extent of such invalidity or prohibition without invalidating the remaining parts or provisions of this Agreement.
- 9.2 If a Party takes or defends against any action for any relief against another Party arising out of this Agreement, the prevailing Party in such action or defense will be entitled to reimbursement by the other Party for all costs including, but not limited to, reasonable attorneys' fees and court costs incurred by the prevailing party in such action or defense and/or enforcing any judgment granted therein, all of which costs will be deemed to have accrued upon the commencement of such action and/or defense and will be paid whether or not such action or defense is prosecuted to judgment. Any judgment or order entered in such action or defense will contain a specific provision providing for the recovery of attorneys' fees and costs incurred in enforcing such judgment.
- 9.3 This Agreement will be governed by and construed under Idaho law.
- 9.4 Paragraph or section headings within this Agreement are inserted solely for convenience of reference and are not intended to, and will not, govern, limit, or aid in the construction of any terms or provisions contained in this Agreement. Further, whenever the context so requires herein, the neuter and gender will include any or all genders and vice versa and the use of the singular will include the plural and vice versa.
- 9.5 This Agreement may be amended only upon written amendment executed by both Parties.
- 9.6 Each Party agrees to execute and deliver all additional documents, provide all additional and supplemental information, and take all further acts reasonably necessary in order to carry out more effectively the intent and purposes of the Agreement and the actions contemplated hereby.
- 9.7 This Agreement does not create any joint venture, partnership, undertaking, or business arrangement between the Developer and the City, nor, unless otherwise stated, create any rights or benefits in favor of any third-parties.

9.8 This Agreement, together with all exhibits hereto, which are hereby incorporated herein by reference, constitutes the entire Agreement between the Developer and the City and supersedes any prior understandings, agreements, or representations verbal or written.

9.9 This Agreement may be executed in any number of duplicate originals or counterparts, each of which when so executed will constitute in the aggregate but one and the same document.

9.10 Non-discrimination.

Developer shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, creed, political ideals, sex, age, marital status, physical, or mental handicap, gender identity/expression, sexual orientation, or national origin.

9.11 Anti-Boycott Against Israel Act.

Pursuant to Idaho Code section 67-2346, if payments under this Agreement exceed one hundred thousand dollars (\$100,000) and Developer employs ten (10) or more persons, Developer certifies that it is not currently engaged in, and will not for the duration of this Developer engage in, a boycott of goods or services from Israel or territories under its control. The terms in this Paragraph that are defined in Idaho Code section 67-2346 shall have the meaning defined therein.

9.12 Certification of No Chinese Ownership.

Pursuant to Idaho Code 67-2359, Developer certifies that Developer is not currently owned or operated by the government of the People's Republic of China and will not, for the duration of this Agreement, be owned or operated by the government of the People's Republic China.

***[Intentionally Blank – Signature and Acknowledgement Pages to Follow]***

**CITY'S SIGNATURE AND ACKNOWLEDGEMENT PAGE**

IN WITNESS WHEREOF, the City has executed this Agreement as of the Effective Date.

**CITY:**

**CITY OF IDAHO FALLS,**  
a political subdivision of the State of Idaho

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

DRAFT

**DEVELOPER'S SIGNATURE PAGE**

IN WITNESS WHEREOF, Developer has executed this Agreement as of the Effective Date.

**DEVELOPER:**

SSYA IF LLC,  
a Utah limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

DRAFT



**EXHIBIT A  
TO  
DEVELOPMENT AND COST SHARING AGREEMENT**

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**LEGAL DESCRIPTION OF DEVELOPER PROPERTY**

The real property referenced in the foregoing Agreement as the “Developer Property” is located in Bonneville County, Idaho and is more particularly described as follows:

BEGINNING AT A POINT THAT IS NORTH 89°50'20" EAST ALONG THE SECTION LINE 2652.65 FEET FROM THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 2 NORTH, RANGE 37 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO, SAID POINT BEING THE NORTH QUARTER CORNER OF SAID SECTION 35; THENCE SOUTH 00°13'20" EAST ALONG THE EAST LINE OF GOVERNMENT LOT 6 OF SAID SECTION 35 A DISTANCE OF 199.67 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SUNNYSIDE ROAD AND THE TRUE POINT OF BEGINNING; RUNNING THENCE SOUTH 00°13'20" EAST ALONG SAID EAST LINE OF SAID GOVERNMENT LOT 6 A DISTANCE OF 494.30 FEET; THENCE SOUTH 89°49'50" WEST 1327.47 FEET; THENCE NORTH 62°34'55" EAST 9.07 FEET; THENCE NORTH 00°48'00" WEST 490.17 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF SAID SUNNYSIDE ROAD; THENCE NORTH 89°49'50" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE 1324.34 FEET TO THE TRUE POINT OF BEGINNING.

**LEGAL DESCRIPTION OF CITY PROPERTY**

The real property referenced in the foregoing Agreement as the “City Property” is located in Bonneville County, Idaho and is more particularly described as follows:

**EXHIBIT B  
TO  
DEVELOPMENT AND COST SHARING AGREEMENT**

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**ROADWAY IMPROVEMENTS**

DRAFT

**File #:** 23-287

**City Council Meeting**

**FROM:** Wade Sanner, Director  
**DATE:** Monday, October 2, 2023  
**DEPARTMENT:** Community Development Services

## Subject

Public Hearing-Adoption of a Form Based Code Amendment to include new sections addressing the South Downtown.”

## Council Action Desired

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

Approve the Ordinance amending Title 10, Chapter 7, Section 1 of the City Code adopting the October 2023 Edition of the Form Based Code (or take other action deemed appropriate).

## Description, Background Information & Purpose

Attached is the ordinance adopting the October 2023 Edition of the Form Based Code. This ordinance replaces the existing Form Based Zoning Code and includes additional language to address the area known as South Downtown. The Form Based Code establishes standards to protect and enhance the unique and historic character of these areas. The Planning and Zoning Commission considered the code amendment at its July 11, 2023, meeting and unanimously recommended approval to the Mayor and City Council as presented. Prior to the Planning and Zoning Commission hearing, and in addition to regular noticing requirements, staff provided bi-lingual notices regarding the code and hearing to every property owner of record as well as renters and tenants in the affected area. Staff respectfully requests approval of the ordinance.

## Alignment with City & Department Planning Objectives



The policies in the code are consistent with many policies and goals related to Good Governance, Growth, Sustainability,

and Livable Communities.

**Interdepartmental Coordination**

NA

**Fiscal Impact**

NA

**Legal Review**

The ordinance have been reviewed by the City Attorney's Office pursuant to applicable law.

**STAFF REPORT**  
**Adoption of the October 2023 Edition of the Form Based Code**  
**including new sections addressing the area known as South**  
**Downtown**  
**October 12, 2023**



Community  
Development  
Services

**Applicant:**  
Idaho Falls (CDS Dept.)

**Project Manager:**  
Brian J. Stevens

**Location:**  
Generally, from Cliff Street to  
Pancheri Drive and from  
South Yellowstone Avenue to  
the Snake River.

**Size:** Approx 70 acres

**Existing Zoning:**  
Site: CC, HC, TN, P  
North: FBC  
South: HC, I&M  
East: CC, I&M  
West: P

**Existing Land Uses:**  
Site: Commercial, residential  
and Industrial and  
Manufacturing  
North: Downtown  
South: Commercial and  
Industrial and Manufacturing  
East: Commercial and  
Industrial and Manufacturing  
West: Snake River Public

**Future Land Use Map:**  
**Attachments:**  
 1. Summary of FBC Chapters  
 2. Subdistrict and Regulating  
Plan Map  
 3. FBC Full Text  
 4. Zoning Ordinance  
Information  
 5. Comprehensive Plan  
Policies  
 6. Maps and aerial photos

**Requested Action:** To **approve** the adoption of the October 2023 Edition of the Form Based Code.

**Staff Recommends:** Recommendation to approve the code amendment.

**Explanation of Form-Based Codes (FBC):** The Form-Based Code Institute defines an FBC as, “A method of regulating development to achieve a specific urban form. Form-Based Codes create a predictable public realm primarily by controlling physical form, with a lesser focus on land use, through city or county regulations.”

Traditional zoning (often referred to as Euclidian) focuses on separation of land uses and setbacks, but doesn’t address the entire public realm (streets, open space, sidewalks, and front setbacks). FBC’s are more focused on the public realm and the existing or desired form of development and care less about land uses. They are a tool that both protects and enables a desired form.

**Why a FBC:** Planning staff chose to pursue a FBC for several reasons. First, the success of the FBC downtown and the increase in development pressures as well as desire for more enlivening development activity in south downtown. Second, the current zoning ordinance does very little to accommodate the development demands in a way that appropriately preserves the unique south downtown form of development. It also imposes standards meant for suburban development such as shopping centers in an area never intended to develop that way. The FBC allows for the zoning to be adjusted to fit the existing development pattern of south downtown as well as provide for desired improvements as new development occurs.

**FBC Highlights:** The south downtown FBC is intended to recognize the existing form while also achieving the goals of the city core plan. Some of the tools for doing this include:

- Divides the south downtown into five subdistricts, each with its own requirements intended to follow the existing forms.
- Providing standards for public spaces including planter boxes, streets, sidewalks, open space and more functional alleys.
- Defines allowed building types and placements to maintain consistency with existing development.
- Includes requirements for building materials to be consistent with existing materials in the south downtown.
- Because the FBC is a relatively new tool, staff meet regularly to talk about and bring forward necessary adjustments.



## **Chapter Summaries:**

**Chapter 1—Place Types.** FBCs typically include different place types (sometimes referred to as transects) ranging from rural to metropolitan centers. The Place Types chapter defines standards for block configurations, districts/subdistricts, street types, and open spaces required in each. It includes both general requirements for all types as well as standards specific to each place type. With each place type there is also a map called a Regulating Plan that shows where the districts/subdistricts for that place type are located. The current draft of the downtown FBC only includes one place type: Urban Center. However, Townsite is being proposed as an addition for south downtown.

**Chapter 2—Street Types.** Street type is typically found outside of zoning codes. Idaho Falls Public Works Department has a set of drawings for typical street sections. Street types within the FBC are intended to alongside Public Works standards and offer guidance for how all types of travel modes could be addressed within these areas.

Besides street dimensions and on-street parking regulations, this chapter also includes requirements for alleys. The south downtown plan recommended identifying alleys that could be modified to allow more pedestrian and commercial activity. This chapter includes some minimum standards to follow if those projects were to happen.

**Chapter 3—Subdistricts.** This chapter defines the different areas within the Urban Center and Townsite place types. It is similar to the purposes statements found in traditional zoning ordinances for each zone.

**Chapter 4—Uses.** The use chapter is very similar to traditional zoning ordinances. It lists allowed uses and conditional uses for each subdistrict. It also includes additional standards for uses that may not have been allowed in a traditional code, but which may be permitted with additional standards within the FBC.

**Chapter 5—Building Types.** While the Building Types chapter includes some very familiar elements such as setbacks and building heights, it also is one of the chapters that is most different from the City's current zoning code. Rather than just stating what the setbacks are for a zone, this chapter instead provides what types of buildings are allowed in the zone and then identifies the standards for that building type. It is important to note that this is not intended to dictate particular architectural types, although there are standards on specific architectural elements such as entries, roofs, and required percentage of transparency.

Setbacks, heights, and number of floors are handled with both minimum and maximum standards to ensure buildings stay close to the street and stay within a height relatively similar to other buildings in the area. Allowed uses and parking are also identified by floor of the building or appropriate location.

**Chapter 6—Open Space.** This chapter defines the different types of open spaces allowed within the code and provides for the requirements of each type. Open space types include courtyards, plazas, pocket parks, and others. Requirements include standards for minimum size,

minimum percentages for impervious surfaces, lighting, seating, and plantings. As with other sections of the FBC, there are more types than will likely be used in downtown and or south downtown, understanding that the code may expand to include other areas in the future.

**Chapter 7—Landscaping.** The landscaping standards in this chapter are much more detailed and specific than the City’s current zoning ordinance. The intent is to make sure that appropriate materials are used and maintained in an appropriate way, especially given the challenge of dealing with small planting areas next to rights-of-way. Areas of the FBC currently have a mix of planter types. While this chapter does not specify design materials, there are at least some basic size requirements to follow as planters are upgraded or installed new.

**Chapter 8—Parking.** This is a fairly standard zoning chapter. It ensures the appropriate number of parking stalls are provided, provides minimum standards for design, and also deals with bicycle parking. Credits are available to reduce the number of stalls.

**Chapter 9—Sign Types.** As its name implies, this chapter will define the signs allowed in FBC areas along with the dimensional requirements. Currently this chapter directs you to the City’s main sign code. Eventually both the City’s main sign code and this chapter will be modified so that all FBC standards are in one place.

**Chapter 10—Administration.** The administration chapter establishes the procedural requirements for permit applications. It identifies when the standards will apply to existing buildings and not just new construction. It also addresses how to handle non-conforming structures and uses. One of the goals was to be careful about applying these standards to existing buildings unless something major was happening. During various meetings with stakeholders and business owners staff committed that the new plan and code would not be intended to make it overly difficult for existing structures to be modified. This chapter also includes definitions and illustrations of terminology used in the body of the FBC.

### **Comprehensive Plan Policies:**

#### **Challenges to Growth (p.56-58):**

The cost of maintaining infrastructure, limited natural resources and overall capacity to provide all City services and utilities are immediate issues facing the Idaho Falls area. These all have related land use implications and various growth patterns have consequences. A city’s growth policies can lead to sprawling boundaries with more maintenance and service needs than funds available to meet them, overcrowded areas with too little open space, or some balance between the two.

The consumption of land does not in itself speak at all to the resource commitment in streets, utilities, parks and open space, water, sewer, power and emergency services needed to maintain and service it. The Imagine IF policies recommended in this plan attempt to reverse this trend, especially in light of higher-than average population growth rates for the area. Even prior to the Imagine IF initiative, the City made strides to focus on “infill development” (i.e., utilizing undeveloped lands within the City rather than expanding the city’s Boundaries). These efforts are working. From 2010 to 2020, the population grew by 14% while the City’s boundaries grew by only 15%, compared to 30% in the previous decade.

Idaho Falls must understand the long-term consequences of its land use decisions. It cannot continue to have policies which are overly favorable to large-lot subdivisions requiring new roads and increased city

boundaries instead of more compact development that better utilizes existing infrastructure. Being intentional about growth decisions and cognizant of the financial impacts is a protection against high tax growth and the City's capacity to efficiently and effectively serve its citizens.

### **Managing Change (p. 58-59):**

Although the City needs to rethink how it grows and develops, it must also be cognizant of how change can cause concerns in existing neighborhoods. That is not to say that neighborhoods should never expect to experience changes. Strong Towns, a non-profit planning organization, describes the balance in these terms:

1. No neighborhood can be exempt from change.
2. No neighborhood should experience sudden, radical change.

The policies and actions in this plan are intended to strike this balance. In each area and throughout the city, residents also participated in the planning process they recognized the need for improvements and saw the challenges the city is facing. Each neighborhood has its own challenges and opportunities to be part of the solutions.

Degrees of change:

1. Maintain: Smaller, more incremental changes, mostly reinforcing the exiting scale of an area.
2. Evolve: Opportunities for small-to medium-sized public and private investments or projects. Minor changes in scale. Opportunity sites should be targeted.
3. Transform: Opportunities for larger scale changes, such as a significant increase in scale and possible mix of uses. The changes are more likely to be widespread and not on focused sites.

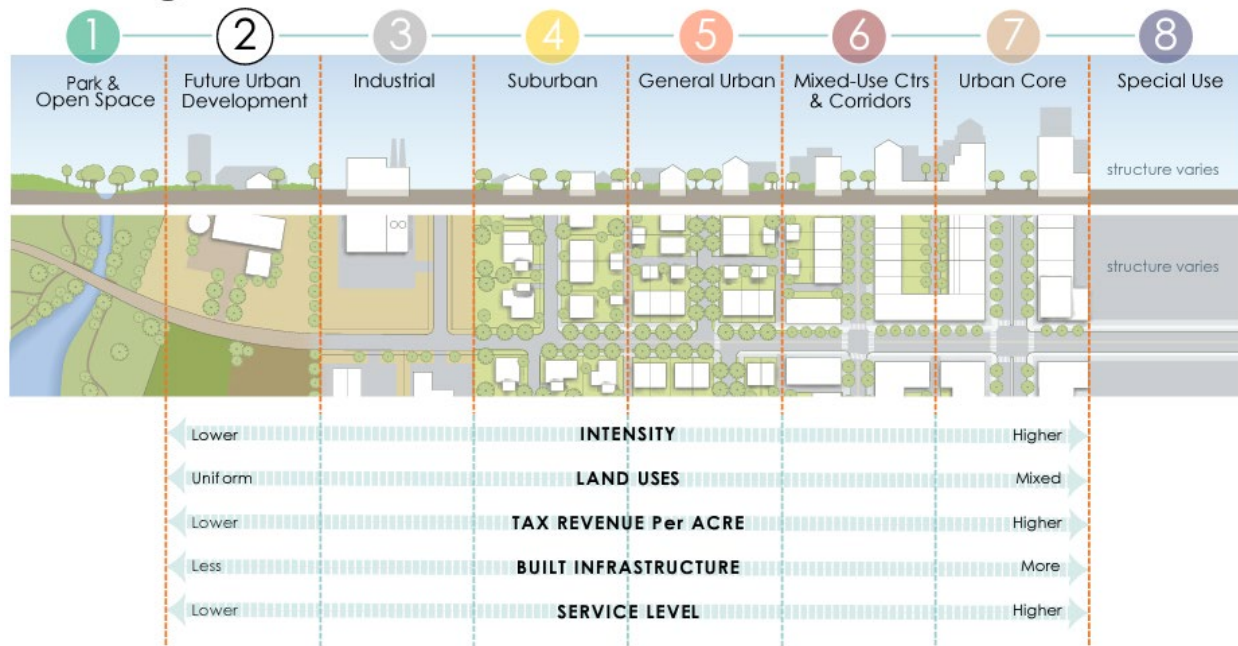
Each of these degrees of change can be found in the Imagine IF plan. Whether it is City-wide code changes, identifying potential walkable centers and redevelopment sites, or thinking about adding benches along pedestrian routes, change is recommended in a variety of ways. The changes are not radical, abrupt changes to Idaho Falls' character. Rather, most are small, incremental changes designed to bring about the vision described by the community during the planning process.

### **Urban Transects (p.60-61):**

Visualizing and Planning for Land Uses and Service Levels Idaho Falls provides a wide variety of services and infrastructure for its residents, property owners and business community. Services such as water, sewer, power, fiber optics, streets, pathways, parks and recreation centers, police, fire, trash removal, library and transit are all examples of amenities provided and funded through the City government. Because land uses, activity levels and service demands vary across the City, not every part of the City has the same access to the same services. To be fiscally responsible, cities allocate such infrastructure according to how fully it is needed and how likely to be used, based on present and potential future land uses. By examining an area's current or anticipated use, it is possible to classify the area's level of need for services. Transect designations are applied to the land use map in broad generalized areas and attempting to capture existing patterns and reflect anticipated development patterns.

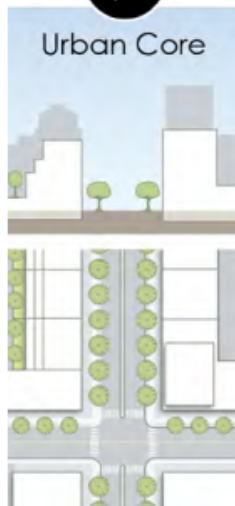
It is important to understand what the (Comprehensive Plan Land Use) map is and what it is not. The map is general in nature. It is aspirational and not an exact reflection of what will happen in the future. It is also broad and will not fit every situation that may arise as development occurs. When citizens, developers, planners, elected officials and others are looking to answer, "what is expected to happen here?" the map is an aid, not a blueprint. The map in this plan is also not the same as a zoning map. It does not establish development rights. It does not follow property lines. The map guides zoning and development decisions but does not control them.

# ImagineIT Transects



7

## 7. Urban Core



**Snapshot:** The Urban Core Transect denotes the central area which functions as the City core and areas within or in close proximity to Downtown and South Downtown. The Urban Core also includes legacy residential subdivisions platted in a traditional grid pattern. These subdivisions tend to be characterized by taller structures, mixed-use buildings, pedestrian-oriented movement of people, commercial and entertainment enterprises. All housing types, civic buildings, town squares and transit stations are typical, but vary between neighborhoods.

**Local examples:** Downtown, Original Townsite, Highland Park Addition, Crows Addition, Brodbecks Addition, Riverside Addition

## Rezoning

### Considerations:

Because the comprehensive plan provides only general guidance for zoning decisions, the Planning Commission shall also take the following considerations into account:

Criteria for Rezoning Section 11-6- 5(I) of Ordinance	Staff Comment
The Zoning is consistent with the principles of City's adopted Comprehensive Plan, as required by Idaho Code.	Yes
The potential for traffic congestion as a result of development or changing land use in the area and need that may be created for	It is unlikely that we see a large increase in congestion, over time we

wider streets, additional turning lanes and signals, and other transportation improvements	may see a reduction as more walkable uses are developed in South Downtown
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	Unlikely that we would see significant impacts to existing public services
The potential for nuisances or health and safety hazards that could have an adverse effect on adjoining properties	Unlikely, the FBC
Recent changes in land use on adjoining parcels or in the neighborhood of the proposed zoning map amendment	2017 Downtown received the FBC
<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 new Form Based Code aligns well with the urban core of the comprehensive plan and is desired by CDS Department
What changes have occurred in the area to justify the request for rezone?	The area has aged and the Form Based Code will both help preserve some of the bones and foster new reuse and redevelopment of the area.
Are there existing land uses in the area similar to the proposed use?	Yes the Downtown has been using its existing FBC since 2017.
Is the site large enough to accommodate required access, parking, landscaping, etc. for the proposed use?	Yes, this is a large section of downtown.

**Transportation Plan:**

See attached FBC. No significant road construction is proposed at time of adoption, though if new construction comes in the future they will be required to follow the FBC.

**Zoning Ordinance:**

See attached FBC. This will change the type of zoning ordinance and the way it is applied for this area.



# City of Idaho Falls Form Based Code October 2023 Edition



## **City of Idaho Falls Form Based Code**

Mayor: Rebecca L. Noah Casper

City of Idaho Falls City Council

City of Idaho Falls Downtown Plan Steering Committee

City of Idaho Falls Planning & Zoning Commission

Community Development Services Director: Wade Sanner

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City of Idaho Falls Form-Based Code based on the Wasatch Choice 2040 Consortium Form-Based Code for Centers and Corridors Template

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# 1.0 Place Types





# 1.0 Place Types

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## 1.1 Establishment of Place Types

### Introduction

For the purpose of this Code there are three terms used to describe geographic and regulatory areas: Place Type, District, and Subdistrict.

- (1) Place Type. A general description of the existing, desired, or combination of existing and desired form and use of a geographical area, not a specific parcel. The purpose of a Place Type is to regulate design, subdivision, and rezoning of parcels designated within a specific District.
- (2) District. A geographical area where a Place Type has been designated. The purpose of a District is to describe the boundaries within which a Place Type and various Subdistricts have been designated.
- (3) Subdistrict. A specific, regulatory area that applies to parcels within a District or Place Type. The purpose of a Subdistrict is to define regulations for allowed built form and land uses within the Subdistrict. Subdistricts are intended to match or closely match the existing, desired, or combination of existing and desired form and uses of buildings on specific parcels.

### 1. Application

Place Type requirements apply to all parcels within the District, as designated on the Regulating Plan Map. Subdistricts are defined and adopted under Chapter 3.0 of this Code. Subdistricts may be allowed under multiple Place Types.

## 2. Establishment of Place Types

The following Place Types are hereby created. Refer to the Place Types for specific descriptions and requirements.

- (1) Urban Center Place Type, See 1.4
- (2) Townsite Place Type, See 1.5
- (3) Reserved for future Place Types

## 3. Zoning Map

Place Types are utilized in the following formats:

- (1) Zoning Map. Place Types are assigned to Districts on the Regulating Plan Map. Subdistricts are applied to specific parcels within a District, as shown on the Regulating Plan Map.
- (2) Unmapped. There shall be no unmapped or un-designated parcels within a Place Type District.

## 1.2 Specific Place Type Requirements

### 1. Establishment of Subdistricts

- (1) Permitted Subdistricts. A series of permitted Subdistricts are listed within each Place Type.
- (2) Required areas of and/or specific locations for certain

Subdistricts may be designated.

- (3) Each Subdistrict includes permitted uses (refer to 4.0 Uses) and permitted Building Types (refer to 5.0 Building Types). Refer to 3.0 Districts for further definition of permitted uses and Building Types.

## 2. Block Configuration, Street Types, and Open Space

Block Configuration. Maximum block lengths and widths are provided for each Place Type. The block configuration requirements define the maximum sizes for blocks within each Place Type. If existing blocks within the development application area are larger than those designated, subdivision and new streets are required.

- (1) Permitted Street Types. A series of permitted Street Types are designated within the Place Type. Refer to 2.0 Street Types for further definition
- (2) Open Space Requirement. A specific requirement for Open Space Types to be located within walking distance of commercial and residential units is listed for each Place Type.
- (3) Permitted Open Space Types. A series of permitted Open Space Types are listed Within each Place Type. Open Space Types shall be utilized to meet the Open Space Requirement.

# 1.0 Place Types

## 1.3 General Place Type Requirements

### 1. Applicability

The following general block, lot, and street design requirements are applicable to all Place Types.

### 2. Interconnected Street Pattern

The network of streets within any Place Type shall form an interconnected pattern with multiple intersections and resulting block sizes as designated in the requirements for each Place Type.

- (1) The arrangement of streets shall ensure the continuation of existing streets from adjoining areas into new developments.
- (2) Cul-de-sac and dead end streets are not permitted.
- (3) Where possible, streets shall follow natural features rather than interrupting or dead-ending at the feature.
- (4) Refer to 2.0 Street Types for requirements for streets.

### 3. Block Configuration

Refer to Figure 1.3 (1) for an illustration of Typical Block Elements.

- (1) The shape of a block shall be generally rectangular, but may vary due to natural features or site constraints.
- (2) Blocks shall typically be two lots deep, with the exception of blocks containing open space. Blocks may include an alley. Blocks may include existing lots within an existing zoning district outside the Place Type.
- (3) Blocks shall typically be fronted with lots on at least two faces, preferably on the longest street faces.

### 4. Maximum Block Size

Block sizes for residential and commercial development and redevelopment are designated within each Place Type. Where blocks in different Place Types back up to each other, those blocks are exempted from the maximum block size.

### 5. Minimum Number of Access Points

This requirement is intended to establish a minimum level of connectivity via vehicular rights-of-way between adjacent developments and to surrounding streets. The Access Management Plan will guide the number of access points based on road designation.

### 6. Designate Primary Streets

The intent of the Primary Street designation is to develop a network of streets with continuous building frontage and no or limited vehicular access in order to reduce conflicts between pedestrians and vehicular traffic.

- (1) Designate primary streets along all blocks faced and fronted by commercial activity.
- (2) All lots shall front on at least one primary street. Such street frontage shall serve as the front of the lot, as referred to in the Building Type requirements.
- (3) Where there is a lot with two (2) primary street frontages, the developer shall consult with staff to determine which street frontage warrants primary designation and the front of the lot.

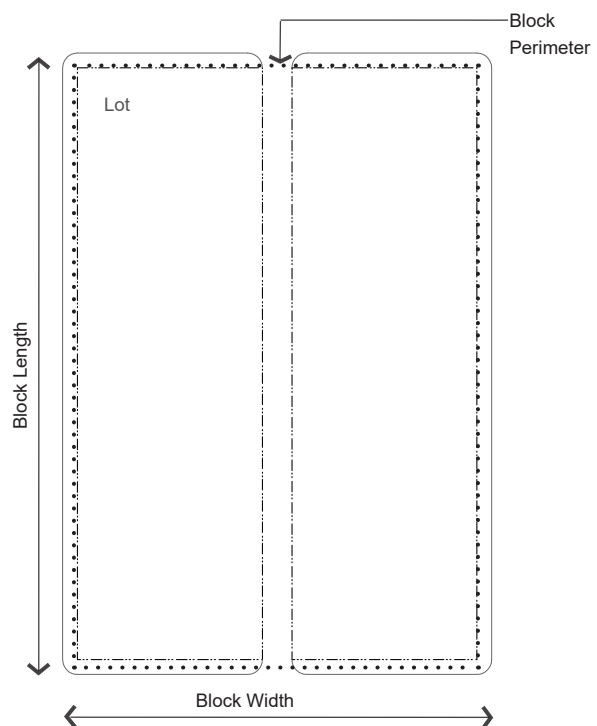


Figure 1.3 (1). Typical Block Elements.

## 7. Block Access Configurations

- (1) Vehicular access should not occur from a Primary Street, unless the parcel is fronted by more than two primary streets, in which case, staff shall determine which is the appropriate street for vehicular access. The determination shall be based on locations of existing and proposed vehicular access points of other developments along the Primary Streets.
- (2) Blocks may include alleys, drives, or driveway entrances with the following recommended configurations. See Figure 1.3 (2).
  - (a) Mid-Block Access. This configuration includes an alley or drive running through the center of the block.
  - (b) "T" Configuration. This configuration includes two alleys within a Block that are perpendicular to each other, forming a "T," thus allowing development to front on three block faces.
  - (c) "H" Configuration. Similar to the "T" configuration, this configuration allows development to front on all four block faces.
- (3) Access to blocks shall be aligned, and generally located on opposite sides of the block, and aligned across from access points to other blocks.
- (4) Mid-Block Pedestrian Ways. Mid-block pedestrian ways are required on blocks longer than five hundred feet (500').
  - (a) When combined with mid-block street crossings, these pathways should align to facilitate easy pedestrian movements.
  - (b) Mid-Block pedestrian ways should be located in the middle third of a block face.
  - (c) Minimum width for mid-block pedestrian ways rights-of-way or easements is twenty feet (20').
  - (d) Mid-Block pedestrian ways should follow the streetscape requirements of Street Type A. See 2.0 Street Types for further definition.

## 8. Lots

- (1) Typical Lot Dimensions. All lots of record shall be developed to meet the requirements outlined in 5.0 Building Type requirements.
- (2) Typical Lot Configuration. All lots shall have frontage along a public street unless otherwise specified in 5.0 Building Type requirements.
  - (a) Lot Shape. To create regular, rectangular lots, side property lines shall be perpendicular to the vehicular right-of-way to the extent practical.
  - (b) Through-Lots. Through lots fronting on two parallel streets are not permitted with the exception of a lot covering fifty percent (50%) or more of a block and where both sides of the building fronting a street meet the standards for a front property line (refer to 5.0 Building Types).
  - (c) Corner Lots. Corner lots shall have a front yard along one street and a corner yard along the other street. The front yard of a corner lot should be consistent with the front yard of one adjacent parcel.
  - (d) Flag Lots. Flag lots are prohibited.

## 9. General Open Space Requirements

- (1) Refer to the Place Type requirements tables for permitted Open Space Types.
- (2) Mix Open Space Types. Multi-parcel developments may provide a mix of open space types to meet open space requirements, for Place Types in which multiple open space types are allowed,

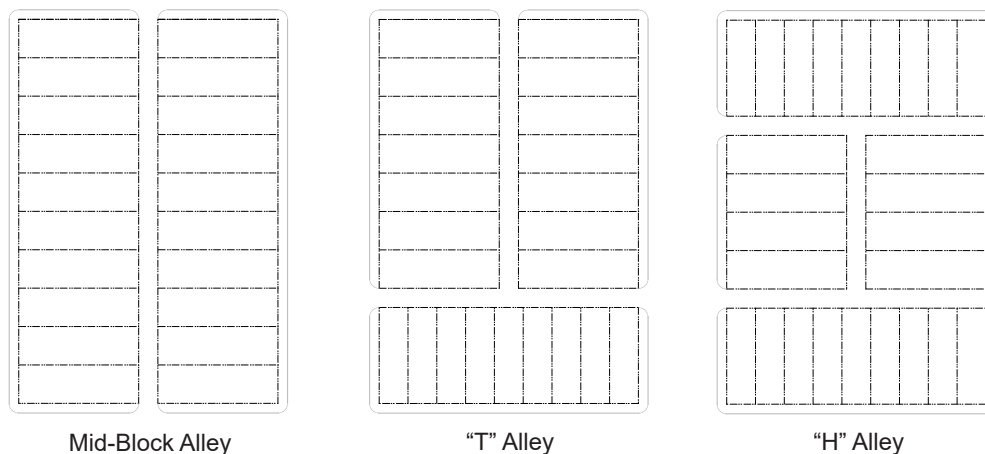


Figure 1.3 (2). Alley Configuration.

# 1.0 Place Types

## 10. General Subdistrict Layout

For all Place Types, the following outlines how the Subdistricts should relate to one another. See Figure 1.3 (3).

- (1) The following applies to all Subdistricts.
  - (a) Similar intensities of uses should face each other across the street.
  - (b) More intense uses, that share blocks with less intense uses, should be located on block ends. For example, a residential General Subdistrict should be located on corner parcels when on the same block as a less intensive Edge Subdistrict.
  - (c) Blocks may contain multiple Subdistricts; however, changes in Subdistricts should occur along an alley, the rear property line, or at a corner parcel.
  - (d) When Place Types back up to the rear of existing single unit residential neighborhoods, an Edge Subdistrict should be utilized as a buffer.

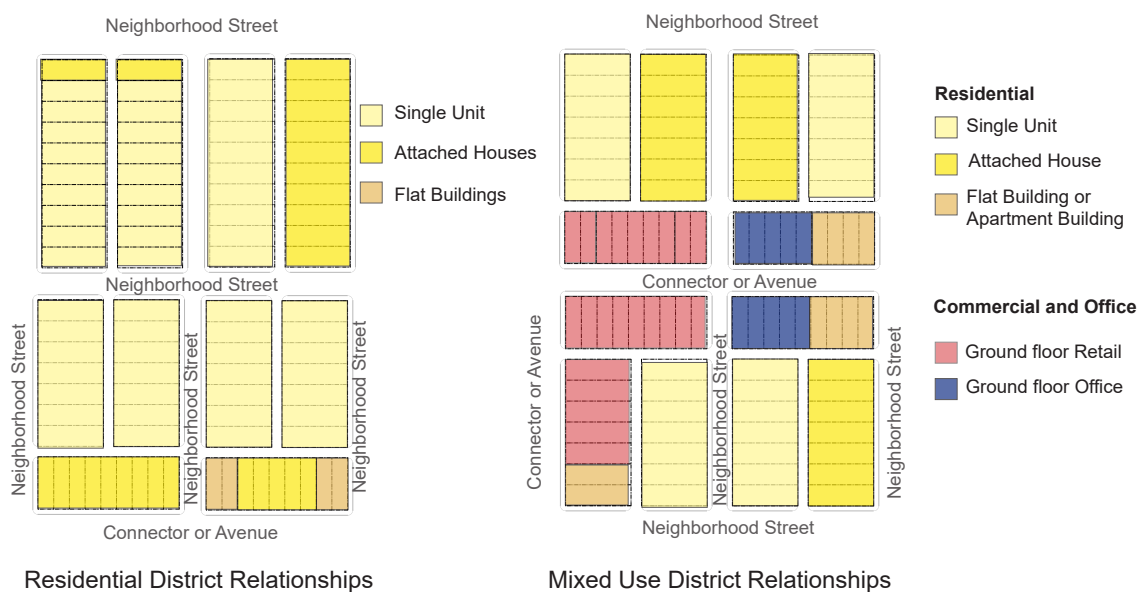


Figure 1.3 (3). District Relationships



## 1.4 Urban Center

### 1. Description and Intent

The Urban Center Place Type is intended for use in fairly intensive centers of activity, particularly the downtown area of Idaho Falls. This Place Type allows for a range of building intensity and a wide mix of uses. The Urban Center Place Type is designed for a high level of walkability, efficient use of the public right-of-way, and provision of opportunities for a wide range of public and private events in public spaces. Boundaries of the Urban Center Place Type typically include lower intensity Edge Subdistricts.

### 2. Requirements

Refer to Table 1.4 (1) for requirements for the Urban Center Place Type.

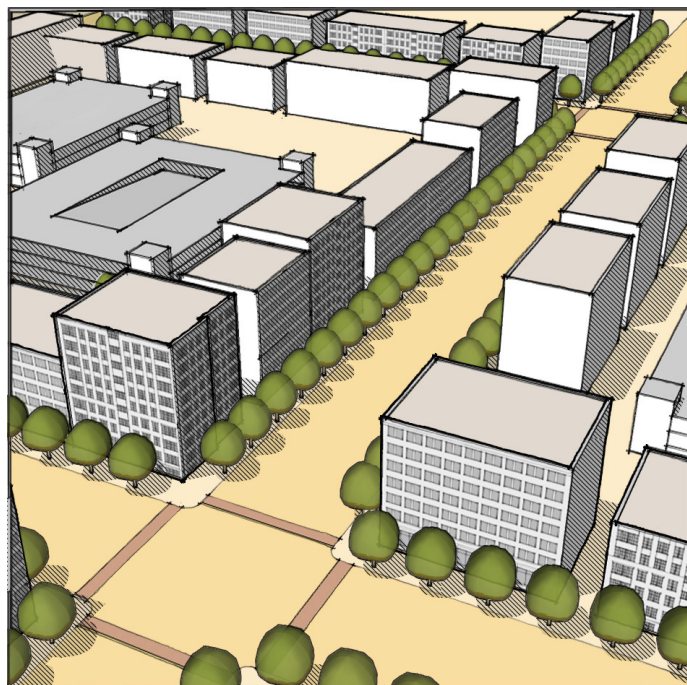


Figure 1.4 (1) Urban Center Place Type

Urban Center Requirements			
		Downtown District	
Subdistricts	Core A	●	Mixed Use Development
	Historic Center	●	Downtown Historic Center
	General A	●	Multi-Purpose and Mixed Use
	Edge A	●	Riverwalk Frontage Mixed Use
	Edge B	●	Highway Frontage Mixed Use
	Edge C	●	Residential Buffer
Block Configuration	Maximum Block Length	350'	
	Maximum Block Width	350', Mid block alley (non primary street) may intersect block.	
Permitted Street Types	Alley	●	
	Lane		
	Neighborhood St		
	Connector	●	
	Avenue	●	
	Boulevard		
Open Space Requirements	Core Subdistrict Requirements	One Open Space Type is required within one quarter (1/4) of a mile of the entrance of each building.	
	General and Edge Subdistrict Requirements	One Open Space Type is required within one sixth (1/6) of a mile of the entrance of each building.	
Permitted Open Space Type	Plaza	●	
	Square	●	
	Green		
	Pocket Park	●	
	Commons	●	
	Park		
	Greenway/Riverwalk	●	Shall be utilized only for Edge Subdistrict requirements.

● = Permitted

Table 1.4 (1). Urban Center Place Type Requirements.

# 1.0 Place Types

## Downtown

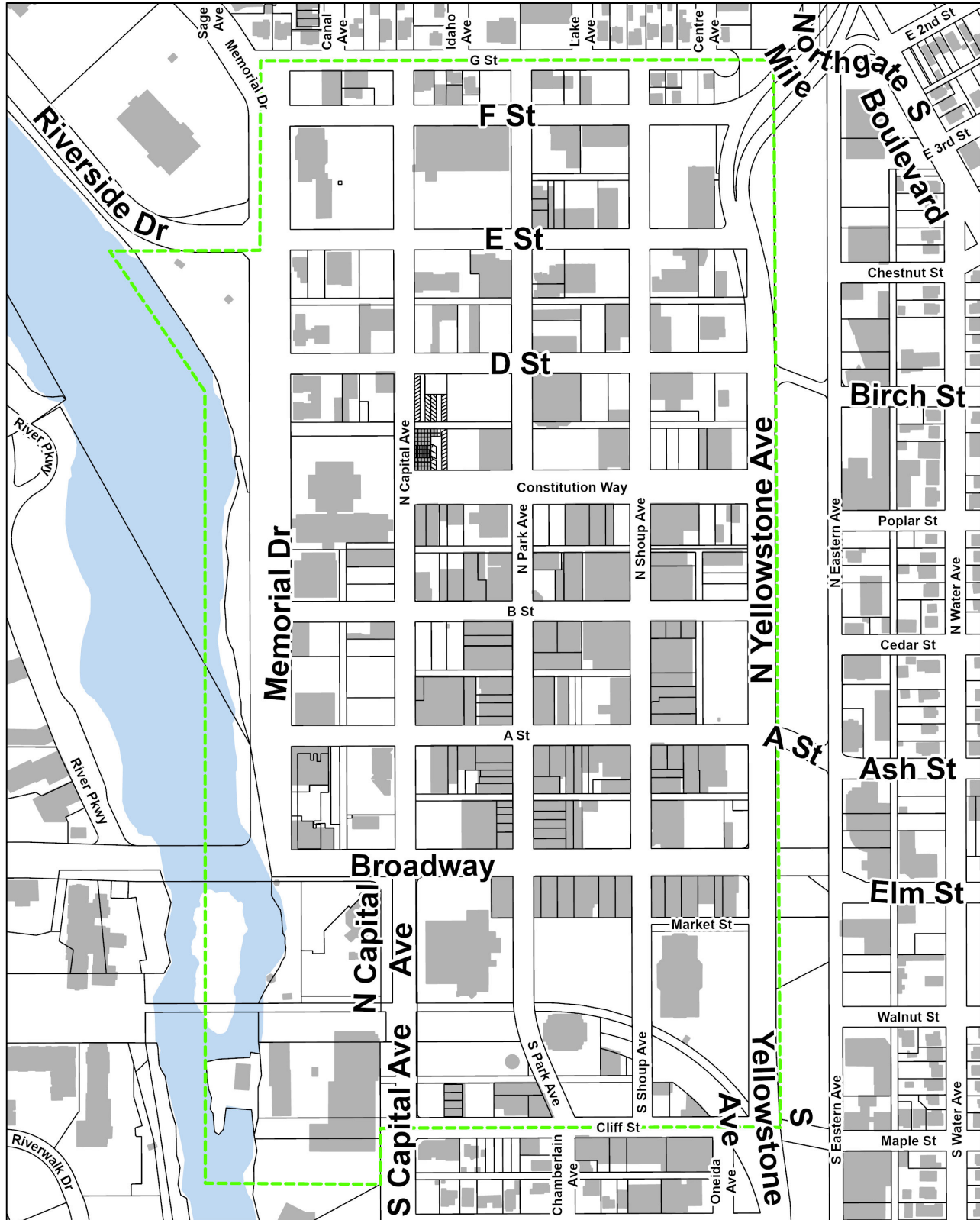


Figure 1.4 (2) Downtown District Boundaries

## 1.5 Townsite

### 1. Description and Intent

The Townsite Place Type is intended for use in historic city centers which have a combination of residential housing, commercial strips, and historic industrial building stocks. A range of Building Types exist in the Townsite, but may be distinguished by the subdistrict. This Place Type typically includes Storefront buildings along key corridors and nodes, allowing a wide mix of uses. The focus is on uses that fit within the historical context of the area, but also encourages reinvestment into underdeveloped districts. Typically, this Place Type should be served by multi-modal transportation options with high walkability.

### 2. Requirements

Refer to Table 1.5 (1) for requirements for the Townsite Place Type.

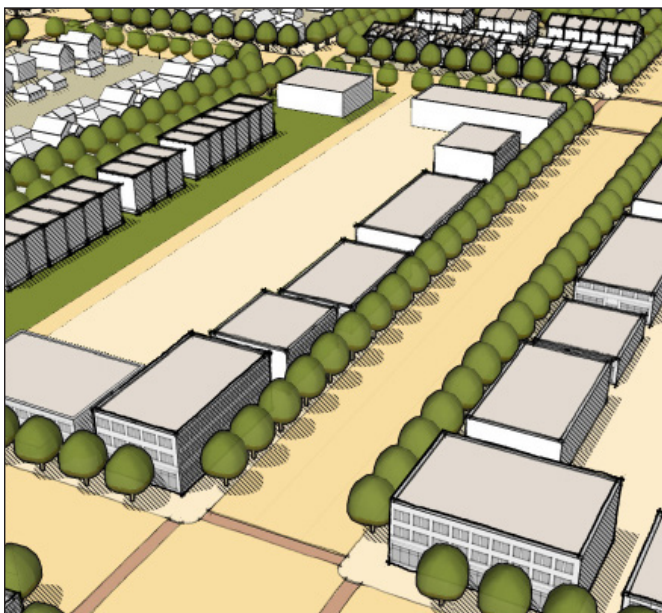


Figure 1.5 (1) Townsite Place Type

Townsite Requirements			
		South Downtown District	
Subdistricts	Business Core	●	Main Street Development
	Historic Residential	●	Historic Neighborhood
	Warehouse Core	●	Multi-Purpose and Mixed Use
	River Edge	●	Riverwalk and Civic Use
	Edge B	●	Highway Frontage Mixed Use
Block Configuration	Maximum Block Length	400' *	
	Maximum Block Width	225' *, Mid block alley (non primary street) may intersect block.	
Permitted Street Types	Alley	●	
	Lane		
	Neighborhood St	●	
	Connector	●	
	Avenue	●	
	Boulevard	●	
Open Space Requirements	Core Subdistrict Requirements	One Open Space Type is required within one quarter (1/4) of a mile of the entrance of each building.	
	General and Edge Subdistrict Requirements	One Open Space Type is required within one sixth (1/6) of a mile of the entrance of each building.	
Permitted Open Space Type	Plaza	●	
	Square	●	
	Green		
	Pocket Park	●	
	Commons	●	
	Park		
	Greenway/ Riverwalk	●	

● = Permitted

\* The Warehouse District is exempt from this requirement as determined by the Zoning Administrator

Table 1.5 (1). Townsite Place Type Requirements.

# 1.0 Place Types

## South Downtown

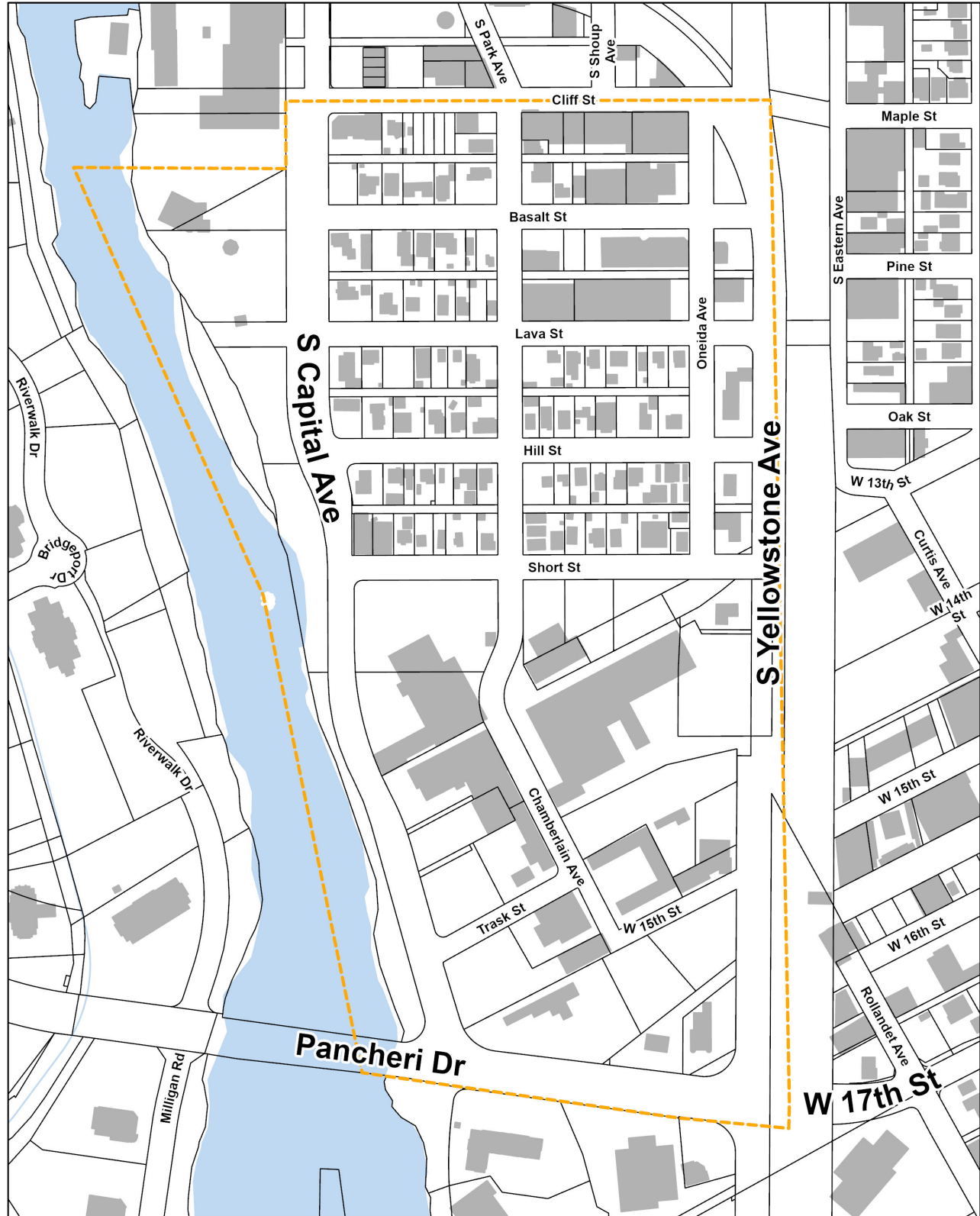


Figure 1.5 (2) South Downtown District Boundaries

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# 2.0 Street Types



# 2.0 Street Types

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# 2.1 General Requirements.

## Introduction

Streets play a critical role in the City's urban fabric. A well-connected street network is important for the efficient and convenient movement of traffic. Side streets provide opportunity and choice for drivers, and create a more accessible and pedestrian friendly city center.

### 1. Intent.

The standards outlined in this Chapter are intended to:

- (1) Create complete streets that address all modes of travel, including transit, pedestrian, bicycle, and vehicular traffic.
- (2) Address all features of the street right-of-way, including sidewalks, parkways, traffic lanes, bicycle lanes, and medians.
- (3) Continue the existing logical system of streets and street names that result in a simple, consistent and understandable pattern of blocks and lots.
- (4) Provide adequate vehicles and pedestrians access to all lots.
- (5) Create streets that are appropriate in residential, commercial, or mixed use districts and are designed to encourage travel at appropriate volumes and speeds.
- (6) Create streets and public rights-of-way that result in reduced stormwater runoff and improved quality of stormwater runoff.
- (7) Create a safe and inviting public right-of-way.

### 2. Applicability.

The standards in this Chapter apply to all rights-of-way within designated Place Types.

- (1) Nonconforming streets shall not be required to conform to the requirements of this Chapter, unless significant improvements are made to the nonconforming street.
- (2) Alterations to buildings that trigger the requirements of Chapter 5.0 Buildings are considered a significant improvement and therefore require compliance with the regulations of this Chapter.
- (3) At the discretion of the Zoning Administrator, alterations to requirements of this Chapter may be approved to avoid improvements that:
  - (a) may result in a streetscape that is inconsistent along a single block face.
  - (b) may cause an undue maintenance burden on the City.

## 3. General Requirements.

All proposed streets, landscape planting or furnishings zones, and sidewalks shall be located in dedicated rights-of-way, as required by this Code.

- (1) Street Types. Unless otherwise approved by the City Engineer or

Zoning Administrator or designee, all new streets (whether publicly or privately owned) and street frontages along all new buildings shall correspond to the Street Types established in this Chapter.

- (2) Public Use. All streets shall be available for public use at all times. Gated streets and streets posted as private are not permitted, regardless of whether they are publicly or privately owned.
- (3) Streetscapes should be developed according to the standards in Chapter 7.0 Landscaping.

## 4. Street Construction Specifications.

All construction in the right-of-way shall follow specifications defined by the Department of Public Works.

## 2.2 General Street Type Standards.

### 1. Street Types.

Street Types defined in this Chapter outline acceptable street configurations. New streets should be designed using the principles and characteristics defined by each Street Type. The Zoning Administrator may require additional right-of-way, pavement width, or additional street elements if unique site characteristics warrant.

### 2. Graphics.

The graphics provided here are samples of recommendations that illustrate a possible configuration of each Street Type. These designs are intended as general standards for the use of space within the right-of-way. Exact features depend on the level of traffic and the location of the street and are subject to City review and approval.

### 3. Typical Street Elements.

Typical elements of a right-of-way are divided into the vehicular and pedestrian space (Refer to Figure 2.2 (1): Typical Right-of-Way Elements). Each Street Type detailed in this Chapter outlines which

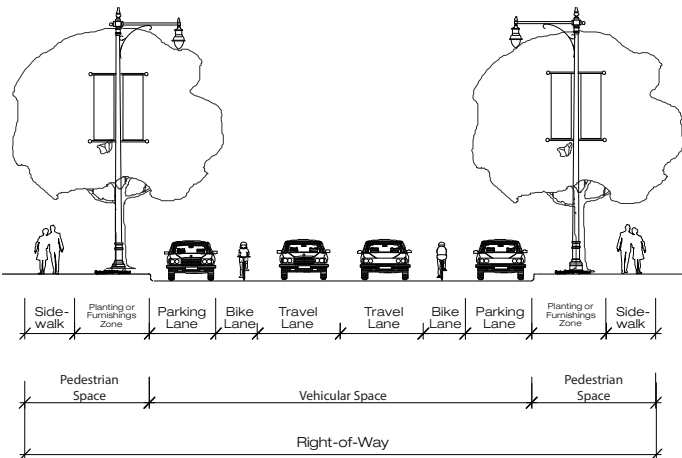


Figure 2.2 (1). Typical Right-of-Way (Property Line to Property Line) Elements.

# 2.0 Street Types

facilities are applicable.

- (1) Vehicular Space. The vehicular space is comprised of the travel lanes, bicycle lanes, and parking lanes from face of curb to face of curb. Parking lanes may serve to buffer pedestrians in the pedestrian space from higher speed traffic.
- (2) The pedestrian space is typically comprised of pedestrian facilities, such as sidewalk, path/trail, or off-street bicycle path, and a buffer area, consisting of a landscape planting zone or furnishings zone that serves to buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular space (where a parking lane may not exist). The pedestrian space may extend beyond the right-of-way as part of a building's setback. The pedestrian space should be designed to enhance the adjacent building and uses.
  - (a) Landscape Planting Zone. A landscape planting area between the back of curb or edge of pavement to the sidewalk in which street trees, lighting, and signage may be

located. Typically used adjacent to residential buildings.

- (b) Furnishings Zone. A hardscape area that extends from the sidewalk to the back of curb, in which street trees, street furniture, lighting, and signage may be located. Typically used adjacent to commercial or office buildings.

## 4. Vehicular Travel Lanes

The number and width of vehicular travel lanes are determined by the Street Type, traffic volumes, and traffic safety requirements.

## 5. Vehicular On-Street Parking.

On-street parking, as permitted on designated Street Types, shall meet the following requirements. Parallel and diagonal parking is permitted on designated Street Types.

- (1) Vehicular Parking Space Dimensions. On-street parking spaces shall comply with the appropriate dimensions outlined in Figure

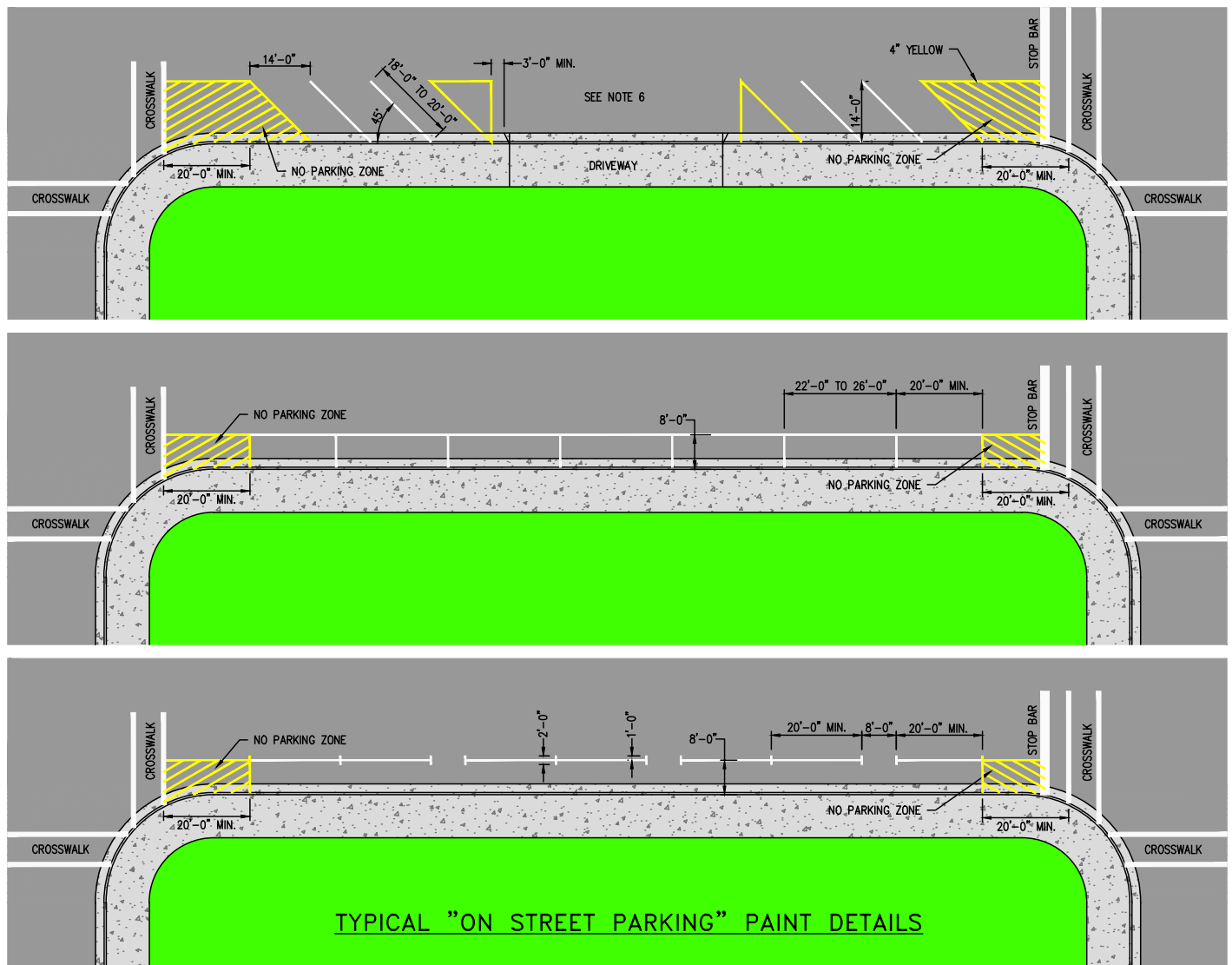


Figure 2.2 (2). On-Street Parking Layout.

2.2 (2) On-street Parking Layout. The width of a parking space shall be measured from the center of a stripe.

## 6. Bicycle Facilities.

All bicycle accommodations shall be coordinated with the recommended bicycle facilities mapped in Connecting Our Community: A Plan for Connecting The Idaho Falls Area Through Walking and Biking. The following types of bicycle accommodations are permitted in the vehicular realm per Street Type. Refer to Figure 2.2 (3).

- (1) Cycle Track. A cycle track is a separate on-road bicycle facility that is typically adjacent to, but physically separated from, vehicular traffic and parking by a barrier. Cycle tracks shall be limited to streets designated to accommodate regional connections or as approved by the Zoning Administrator.
- (2) Dedicated Bicycle Lane. Dedicated bicycle lanes are striped lanes on the outside of the outermost lane that are designated for bicycle use only. This lane typically occurs on both sides of the street and shall be four (4) to six (6) feet wide.
- (3) Designated Shared Lane. A designated shared lane is shared between vehicles and bicycles. This lane is typically wider than a standard vehicular lane, minimum thirteen feet (13'), in order to accommodate both types of users, and includes a painted bicycle marker combined with a double arrow, known as a “sharrow”. This improvement occurs on both directions.
- (4) Shared Lane. A shared lane refers to a street that does not have bicycle lanes or a designated shared lane, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.

## 7. Stormwater Management.

Incorporation of stormwater management best practices into the right-of-way design is encouraged in coordination with the Public Works Department.

## 8. Street Trees.

Street trees are required along all street frontages, with the exception of the Lane and the Alley.

- (1) Street trees shall be located either in a Landscape Planting Zone within a planting bed or lawn or in a Furnishings Zone in tree wells with a grate, if required.
- (2) Tree grates are required for all trees located in tree wells in pedestrian spaces that are less than ten feet (10') in width.
- (3) Spacing for street trees shall be no less than forty feet (40') on center. Recommended spacing is twenty-five feet (25') on center.

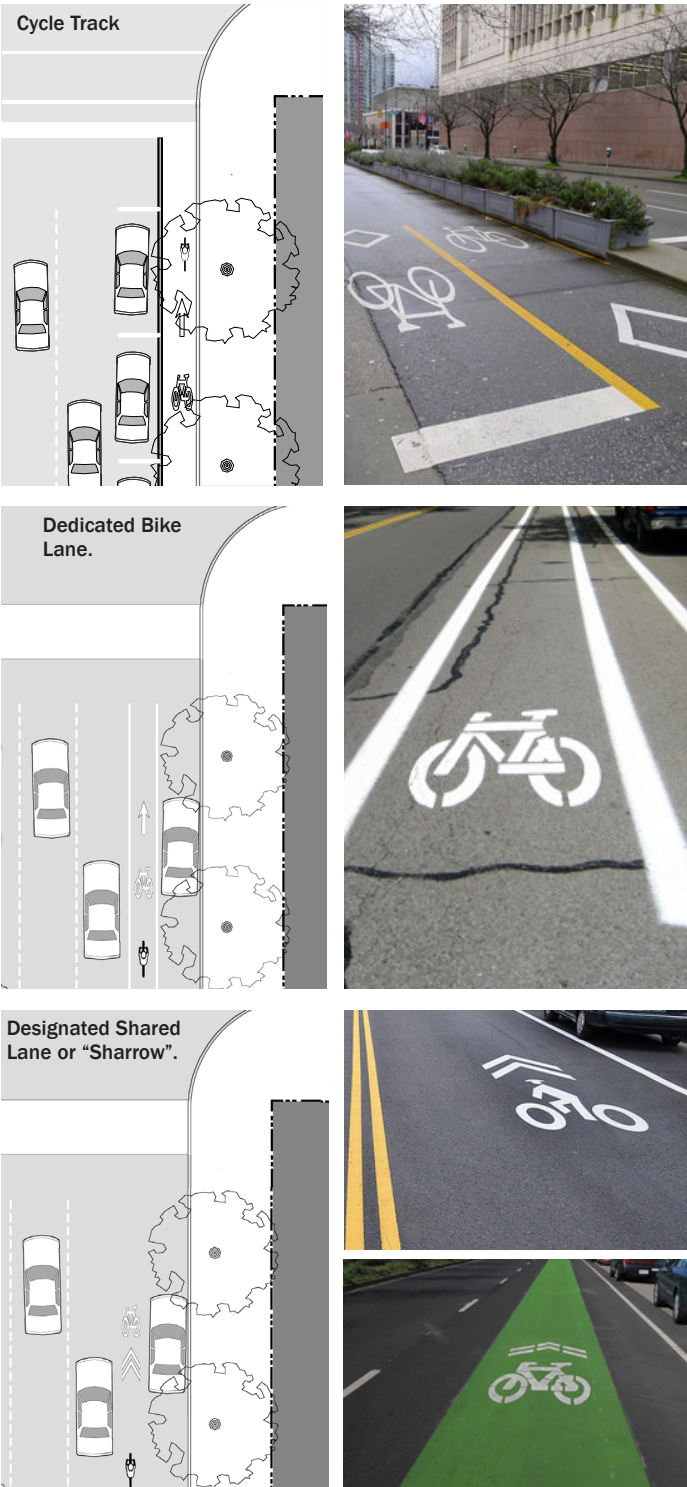


Figure 2.2 (3). On-Street Bicycle Facilities, Shared Lane/Sharrow.



# 2.0 Street Types

## 9. Lighting

Street lighting shall be provided in coordination with Idaho Falls Power.

## 10. Fire Access.

Street configurations have been calculated to provide fire truck access. Where the total width of all travel lanes is narrower than twenty feet (20'), the following shall apply.

- (1) Room to Pass. At one hundred twenty foot (120') increments, a twenty foot (20') opening in the on-street parking or a twenty foot (20') dedicated pull-off space must be provided to allow vehicles to pull over for a fire truck to pass.
  - (a) Driveway or Fire Hydrant Zone. A driveway or fire hydrant zone may be utilized to fulfill the requirement for a fire truck to pass.

## 2.3 General Street Layout Requirements.

### 1. General Layout Standards.

The following standards apply to new streets or newly platted rights-of-way. Exceptions may be approved by the Zoning Administrator.

- (1) Street Network. The network of streets shall form an interconnected pattern with multiple intersections. Spacing between intersections shall not exceed maximum dimensions for block length outlined in Chapter 1.0 Place Types.
- (2) Existing Streets. Existing streets shall not be shortened or blocked to prevent continuation of streets between neighborhoods or districts.

### 2. Disconnected Streets.

Disconnected streets may take the following form:

- (1) Stub Streets. Where adjoining areas are not subdivided, streets in new subdivisions shall be extended to the boundary line of the tract to provide for the future projection of streets into adjacent areas.
  - (a) Where abutting property is not subdivided, stub streets shall be provided at intervals no greater than the maximum block length and width recommended in Chapter 1.0 Place Type, Sections 1.3 - 1.10.
  - (b) Existing stub streets contiguous to a proposed subdivision shall be connected.
- (2) Half Streets. The construction of a half street or a street constructed to serve only one side of right-of-way, shall be prohibited unless otherwise approved by the Planning Commission and City Council (in unusual circumstances that make it essential and where satisfactory assurances are made for dedication if the remaining half of the street is provided).

- (a) No less than one-half (0.5) of the right-of-way of proposed half streets along the periphery of the subdivision shall be dedicated and constructed.
  - (b) Existing half streets contiguous to a proposed subdivision shall be completed including the dedication of the remaining right-of-way and complete construction of the street with the development.
- (3) Cul-de-Sac Streets. Cul-de-sac streets are not permitted in any Place Type except where natural features prohibit the inclusion of a U-shaped street accessing the location. In such situations the following shall apply:
  - (a) The cul-de-sac shall not be more than three-hundred feet (300') in length as measured from the closest intersection, along the centerline.
  - (b) The cul-de-sac shall have a maximum outside turning radius of fifty (50') feet.
  - (c) The narrow Neighborhood Street section shall be applied. The remaining center of the circular area shall be landscaped.
  - (d) A pedestrian sidewalk connection shall be constructed from the cul-de-sac through to the next closest street or sidewalk.

## 3. Intersections.

- (1) Curb Radii. Unless otherwise authorized by the Zoning Administrator,
  - (a) Small Curb Radii. Intersections should be designed for actual turning radius of the typical design vehicle (in contrast to the turning radius of the largest design vehicle). Small curb radii

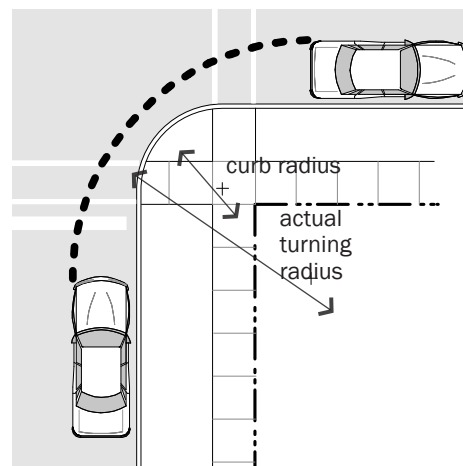


Figure 2.3 (1). Actual Curb Turn Radius with On-Street Parking.

at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, thereby balancing the ease of travel for both vehicles and pedestrians. Refer to Street Type tables for details.

- (b) **Larger Radius.** When the typical design vehicle, as defined by the Public Works Department, requires a larger curb radius than the typical design radius within the district and no on-street parking exists, a thirty foot (30') radius may be utilized on the Avenues (or larger) Street Type. Larger radii require approval of the Public Works Department.
- (2) **Crosswalks.** Crosswalks shall be required at all intersections involving Connectors, Avenues, and Boulevards.
- (a) **Dimensions.** Crosswalks shall be minimum six feet (6') in width, measured from mid-stripe to mid-stripe, per MUTCD.
  - (b) **Markings.** Crosswalks shall be appropriately indicated on the finished street surface with painted markings and/or textured or colored pavement.
  - (c) **Crossing Distances.** To encourage pedestrian activity, typical crosswalks shall not extend more than thirty-eight feet (38') without a landscape median, bulb-outs or other pedestrian refuge. Refer to Figure 2.3 (2).
- (d) **Accessibility.** Accessible ramps and warning panels, compliant with the American Disabilities Act or any more stringent state requirement, are required where all sidewalks or trails terminate at a crosswalk or curb.
  - (e) **Ramp Orientation.** Ramps shall be oriented perpendicular to traffic. This requires two ramps per corner at intersecting streets when the geometry allows. If perpendicular ramps cannot fit, a single parallel ramp may be adequate, if approved by the Zoning Administrator.
  - (f) **Signalized crossings** shall be installed where deemed appropriate by the City Engineer (HAWK lights, mid-block crossing, ect.).
- (3) **Bulb-outs.** To shorten pedestrian crossing distances, bulb-outs should be utilized at all intersections, unless otherwise determined by the Public Works Department. Refer to Figure 2.3 (3).
- (a) The depth of the bulb-out shall match the on-street parking, either in the width of the parallel space or in the depth of the diagonal space.
  - (b) The radius of the bulb-out shall match the requirements for the intersection.
  - (c) Ant additional sidewalk space created by bulbouts shall be configured to accommodate plantings in ground level wells or raised planters.

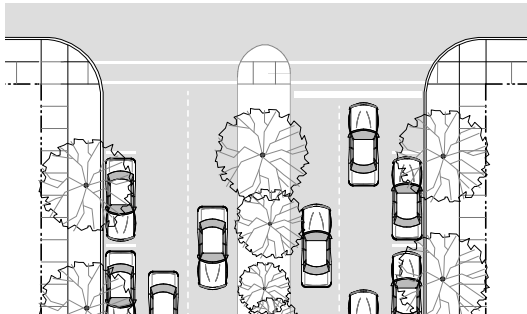


Figure 2.3 (2). Wide Street Crossing with Pedestrian Refuge Median.

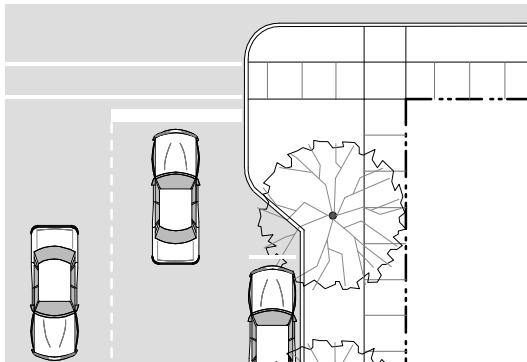


Figure 2.3 (3). Bulb Out.

# 2.0 Street Types

## 2.4 Alley.

### 1. Intent.

The Alley is a very low capacity drive generally located at the rear of parcels or between adjacent units of buildings. From the Alley, access to parking facilities, loading facilities, and service areas (such as refuse container and utilities) is possible without interruption of a Street Type by a curb cut or driveway. Alleys support the goals of creating consistent building frontage and streetscape. Alleys may also be used as pedestrian connections between buildings and are encouraged in new developments. Refer to the typical plan and section in Figure 2.4 (1).

### 2. General Requirements.

Alleys shall be developed using the standards in Table 2.4 (1). These designs are intended as design standards. Exact features will vary by location, purpose, and adjacent uses.

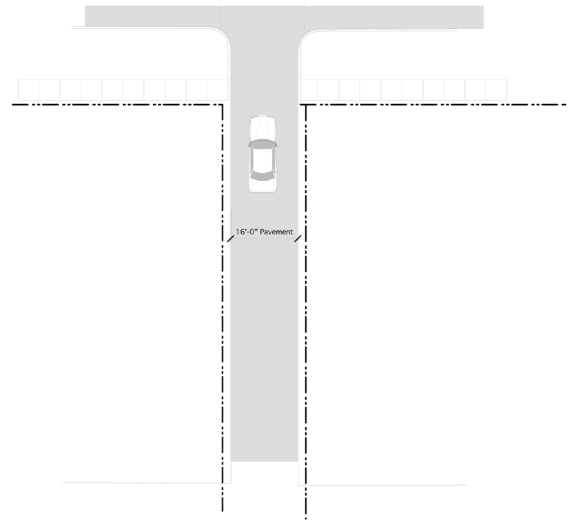
Alley Requirements	
Permitted Districts	All Districts
Permitted Adjacent Building Types	All Building Types
Typical Right-of-Way Width	20'
Vehicular Realm	
Travel Lanes	1 yield lane
Lane Width	16', 12' <sup>1</sup> for alternative
Allowable Turn Lanes	Not applicable
Corner Curb Radius	No greater than 5'
Corner Sight Triangle	No greater than width of pedestrian realm of cross street <sup>4</sup>
Parking Lanes	Not applicable
Pavement Width	Minimum 16', Maximum 20' Minimum 10' <sup>1</sup> , Maximum 12' for alternative
Median	Not applicable
Bicycle Facilities <sup>2</sup>	Shared
Pedestrian Realm	
Pedestrian Facilities	Shared; travel lanes are shared among drivers, pedestrians and bicyclists
Street Buffer	None required, 8' for alternative

<sup>1</sup> Minimum pavement width does not include allowance that may be required for placement of sanitation receptacles, which may vary based on site specific conditions.

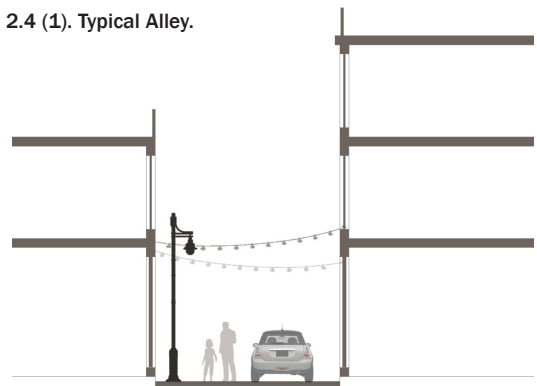
<sup>2</sup> Reference 2.2 (6) for bicycle facility types and requirements

<sup>4</sup> Intersection with any cross street

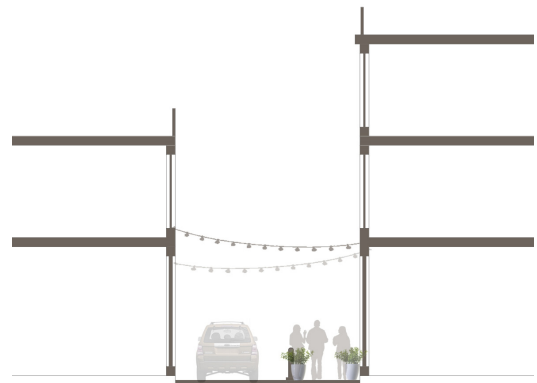
Table 2.4 (1). Alley Requirements.



Plan  
Figure 2.4 (1). Typical Alley.



Section  
Figure 2.4 (2). Typical Alley.



Section  
Figure 2.4 (3). Alternate Alley.



Figure 2.4 (4). Typical Alternative Alley Examples

# 2.0 Street Types

## 2.5 Connector Street.

### 1. Intent.

The Connector Street is a medium capacity street designed for slow speeds with a standard right-of-way. It primarily serves as a through street within the neighborhood and connects Neighborhood Street Types to Avenue Street Types. Refer to the typical plan and section, Figure 2.5 (1).

### 2. General Requirements.

Connectors shall be developed using the standards in Table 2.5 (1). These designs are intended as design standards. Exact features will vary by location, purpose, and adjacent uses.

Connector Street Requirements	
Permitted Districts	All Districts
Permitted Adjacent Building Types	All Building Types
Typical Right-of-Way Width	54' to 60'
Vehicular Realm	
Travel Lanes	1 lane in each direction 2 lanes in one direction Alternative A: 1 one-way lane
Lane Width	10'
Allowable Turn Lanes	Right turn only lane permitted in place of parking at intersections; left turn only lane with median alternative. Right lane may be omitted where bulb-outs exist or are installed.
Corner Curb Radius	With on-street parking on both streets, a 5' radius may be utilized. Without on-street parking, a 15' radius is required.
Corner Sight Triangle	30' <sup>4</sup> Connector Street and intersecting Connector Street or larger.
Parking Lanes <sup>1</sup>	Parallel on one or both sides of street. Alternative A: Parallel on one side and angle on the other side. Alternative B: Angle parking on one side with cycle track on the other side
Pavement Width	34', 36' for alternative
Median	Permitted with 80' or greater right-of-way.
Bicycle Facilities <sup>2</sup>	Shared Alternative: Cycletrack <sup>3</sup>
Pedestrian Realm	
Pedestrian Facilities	Minimum 8' wide clear sidewalk on both sides
Street Buffer	Minimum 7' wide planting zone or furnishings zone: adjacent to Residential Districts, Open Space Districts, the planting zone is required

<sup>1</sup> Reference 2.2.5 for on-street parking requirements  
<sup>2</sup> Reference 2.2.6 for bicycle facility types and requirements  
<sup>3</sup> Cycle Tracks shall be limited to streets identified for regional trail connections and as approved by the Zoning Administrator <sup>2</sup>  
<sup>4</sup> As measured along property line

Table 2.5 (1). Connector Requirements.



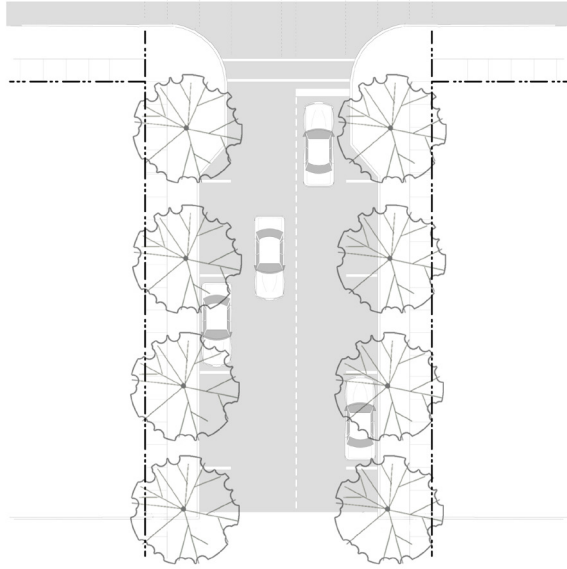


Figure 2.5 (1). Typical Connector Street



Figure 2.5 (4). Connector Cross-section Alternative B.



Figure 2.5 (2). Connector Cross-section.



Figure 2.5 (3). Connector Cross-section Alternative A.



Figure 2.5 (5). Typical Connector Street example; intended as reference only

# 2.0 Street Types

## 2.6. Avenue.

### 1. Intent.

The Avenue is a medium to high capacity street typically with wider rights-of-way than and abundant on-street parking. It serves all types of development and provides connections between districts. Refer to the typical plan and section in Figure 2.6 (1).

### 2. General Requirements.

Avenues shall be developed using the standards in Table 2.6 (1). These are intended as design standards. Exact features will vary by location, purpose, and adjacent uses.

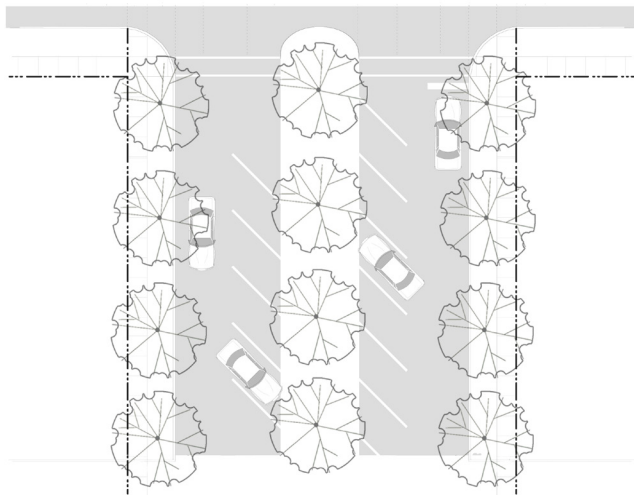


Figure 2.6 (1). Typical Avenue Street



Figure 2.6 (2) Potential Avenue Street example; intended as reference only

### Avenue Requirements

<b>Permitted Districts</b>	All Districts
<b>Permitted Adjacent Building Types</b>	All Building Types
<b>Typical Right-of-Way Width</b>	80-110'
<b>Vehicular Realm</b>	
<b>Travel Lanes</b>	1 or 2 lanes in each direction
<b>Lane Width</b>	10'-11'
<b>Allowable Turn Lanes</b>	Right turn only lane permitted in place of parking at intersections with Connector; left only with median. Right lane may be omitted where bulb-outs exist or are installed.
<b>Corner Curb Radius</b>	With on-street parking on both streets, a 10 foot radius is required. Without on-street parking on either streets, a 25 foot radius is required
<b>Corner Sight Triangles</b>	30' <sup>4</sup> Avenue and intersecting Connector Street or larger
<b>Parking Lanes <sup>1</sup></b>	Parallel required on both sides of street; Angled permitted for alternative. Center parking permitted for alternative as approved by the Zoning Administrator
<b>Pavement Width</b>	75', may include planted median
<b>Median</b>	Required with 80' or greater right-of-way including an additional planting zone of 7' between lanes of opposite direction. Planting zone may reduced to 5' in combination with turn lanes, center parking islands, and pedestrian crossing refuges.
<b>Bicycle Facilities <sup>2</sup></b>	Shared; Alternative: Bike Lane
<b>Pedestrian Realm</b>	
<b>Pedestrian Facilities</b>	Minimum 5' wide clear sidewalk on both sides
<b>Street Buffer</b>	Minimum 9' wide planting zone or furnishings zone. Adjacent to Residential Districts, Open Space Districts, the planting zone is required

<sup>1</sup> Reference 2.2.5 for on-street parking requirements

<sup>2</sup> Reference 2.2.6 for bicycle facility types and requirements

<sup>4</sup> As measured along edge of curb s

Table 2.6 (1). Avenue Requirements.



Section  
Figure 2.6 (3). Potential Avenue Cross-section Alternative



Section  
Figure 2.6 (4). Potential Avenue Cross-section.

# 2.0 Street Types

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# 3.0 Subdistricts





## 3.0 Subdistricts

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### 3.1. Downtown District

The following Subdistricts are created to regulate the location of distinct mixes of building forms and permitted uses within the Downtown District.

#### 1. Core Subdistricts.

The Core Subdistricts support a vibrant District and encourage a mix of retail shops, workplaces, and housing opportunities. The Building Types and scales vary by each Subdistrict to create distinct and recognizable characteristics between each Subdistrict.

##### (1) Core A Subdistrict: Mixed Use Development

The Core A Subdistrict is a mixed-use, higher intensity development Subdistrict. This Subdistrict will form the geographic center of the Downtown District. Buildings should have active retail storefronts or street level residential entries with glass windows on the main floor. Upper stories of the buildings may be used for working and living. Placement of new buildings should be close to the street. This area emphasizes and promotes walkability and pedestrian accessibility through a “Park Once and Walk” policy. A mix of heights are allowed.



#### 2. General Subdistricts.

##### (1) General A Subdistrict: Mixed Use Development

General Subdistricts, while still an important part of the fabric of the City, are less defined than the Core and Edge Subdistricts. Land uses and Building Types are typically allowed more broadly and generically than in the Core and Edge Subdistricts and in a variety of scales.

The General A Subdistrict is a mixed-use Subdistrict targeted as a redevelopment area. This area does not have significant historic features but may be adjacent to areas of significant historic value and/or significant contributions to the Downtown District. Redevelopment of parcels in this Subdistrict should include a range of residential densities and commercial placement of buildings in this Subdistrict should define a street wall. Like the Core Subdistricts, walkability is also emphasized through a “Park Once and Walk” policy.



#### 3. Edge Subdistricts.

The purpose of the Edge Subdistricts is to provide a transition between the Core and General Subdistricts and adjacent open space, residential or alternative Place Types. Level of intensity varies between Subdistricts.

##### (1) Edge A Subdistrict

The Edge A Subdistrict acts primarily as transition area between linear open space amenities (such as the Riverwalk) and Core and General Subdistricts. The Edge Subdistrict offers a variety of retail and mixed-use establishments oriented towards the linear open space and designed to draw people in toward the Core Subdistricts. Housing is encouraged, as the adjacent open space may be an amenity to residents.



# 3.0 Subdistricts

## (2) Edge B Subdistrict

The Edge B Subdistrict acts primarily as a transition between highway corridors and Core and General Subdistricts. This Subdistrict provides a mix of retail and mixed-use establishments oriented to the highway corridor. Somewhat lower development intensity may be appropriate to accommodate increased requirements associated with highway frontage.

## (3) Edge C Subdistrict

The Edge C Subdistrict provides an important transition between Core Subdistricts and existing established single unit residential areas. Mixed-use development is lower in intensity. Single-use developments such as townhomes are permitted.



## 4. Speciality subdistricts.

Specialty Subdistricts define areas that are unique and not likely to be duplicated.

### (1). Historic Center

The Historic Center Subdistrict intends to preserve and restore historic buildings located in downtown Idaho Falls. This Subdistrict is the geographical center and the historic core of the Downtown District. Buildings in this Subdistrict should have active storefront uses on the ground level. Upper stories may be utilized for working and living. Similar to Core A, walkability and pedestrian connections are an important component of the Subdistrict. New buildings should be compatible in form to existing buildings.



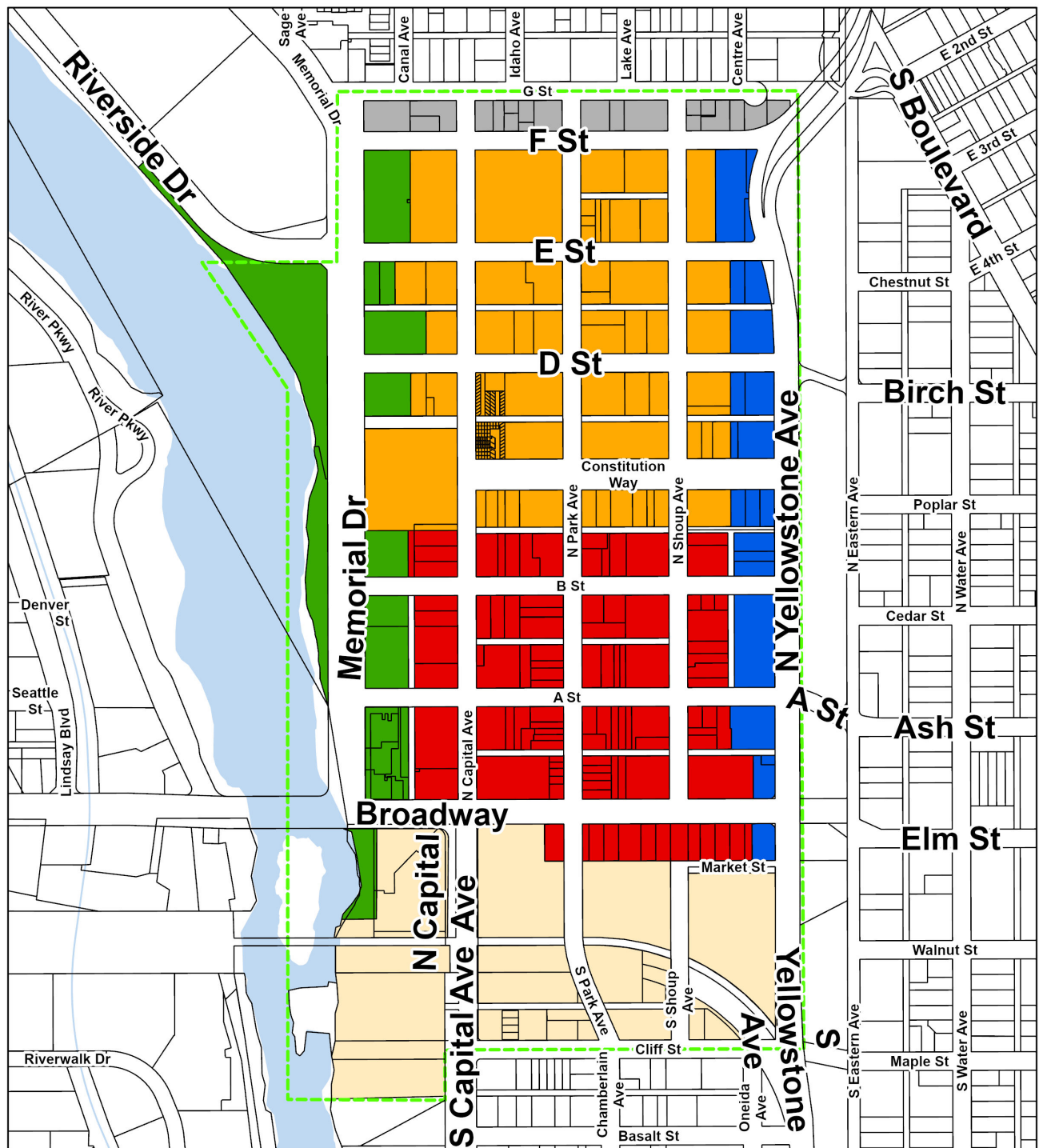
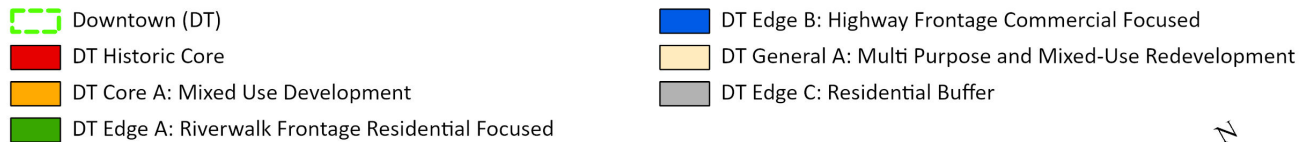
## 3.2 Downtown Regulating Map.

### 1. Mapped Downtown District Subdistricts.

The areas and boundaries of the Subdistricts within the Downtown District are established as shown on the map in Figure 3.1. The map will be referred to herein as “Regulating Map”.



Figure 3.1 Subdistricts Regulating Map for the Downtown District.



# 3.0 Subdistricts

## 3.3 South Downtown District

The following Subdistricts are created to regulate the location of distinct mixes of building forms and permitted uses within the South Downtown District.

### 1. Core Subdistricts.

The Core Subdistricts support a vibrant District and encourage a mix of retail shops, workplaces, and housing opportunities. The Building Types and scales vary by each Subdistrict to create distinct and recognizable characteristics between each Subdistrict.

#### (1) Business Core Subdistrict: Mixed Use Development

The Business Core Subdistrict is distinct because it represents the old Eagle Rock commercial district. Reviving this pedestrian friendly commercial form is important. Ensuring that business can startup and grow in a healthy manner will aid the district overall. Attempting to limit the amount of future surface level parking and restoring a complete streetscape will help this area meet the community's desires.



### 2. General Subdistricts.

General Subdistricts, while still an important part of the fabric of the City, are less defined than the Core and Edge Subdistricts. Land uses and Building Types are typically allowed more broadly and generically than in the Core and Edge Subdistricts and in a variety of scales.

#### (1) Warehouse District: Mixed Use Development

The Warehouse District is a truly unique location within Idaho Falls and presents an opportunity for infill and redevelopment of older building stock. Currently, there is a range of valued businesses and historic buildings like the former Idaho Falls Creamery. Many within the community envisioned this area becoming a pedestrian friendly and focused place with ground level shopping and a mix of housing types. Also included are the businesses along Pancheri Drive, where thoughtful design will eventually incorporate existing and new buildings into the subdistrict and create a uniform area. Utilizing its location and natural elevation, the South Downtown Plan should encourage the Warehouse Subdistrict to fulfill its great potential.

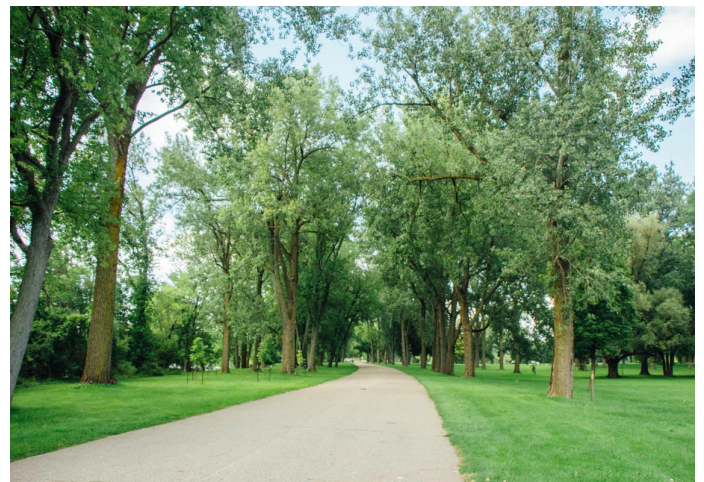


### 3. Edge Subdistricts.

The purpose of the Edge Subdistricts is to provide a transition between the Core and General Subdistricts and adjacent open space, residential or alternative Place Types. Level of intensity varies between Subdistricts.

#### (1) River Edge Subdistrict

The River Edge subdistrict is defined by both its existence on the Riverwalk, but also the public and cultural services within it. The Art Museum of Eastern Idaho and the Riverwalk provide valuable amenities to the residential neighborhood in South Downtown and the community. Additionally, Idaho Falls Power is contiguous to these uses and has frontage along South Capital Avenue and therefore is included within the area. Although adjacent to the residential neighborhood, some enhancements must occur along South Capital Avenue to improve its connectivity to the rest of South Downtown while preserving its valuable natural amenities.





#### (2) Edge B Subdistrict

The Edge B Subdistrict acts primarily as a transition between highway corridors and Core and General Subdistricts. This Subdistrict provides a mix of retail and mixed-use establishments oriented to the highway corridor. Somewhat lower development intensity may be appropriate to accommodate increased requirements associated with highway frontage.



### 4. Speciality subdistricts.

Specialty Subdistricts define areas that are unique and not likely to be duplicated.

#### (1). Historic Residential

The oldest neighborhood in Idaho Falls, the Historic Residential subdistrict is a valuable asset which incorporates affordable housing and a mix of housing types in a central location within the city. Proximity to amenities, such as the Riverwalk and downtown, make development appealing. Ensuring that the historic character and quaint nature of the subdistrict remains intact when development occurs is a priority. Additionally, balancing preservation within the neighborhood and policies which keep the neighborhood affordable are equally important for the South Downtown Plan.









### 3.4 South Downtown Distirct Regulating Map.

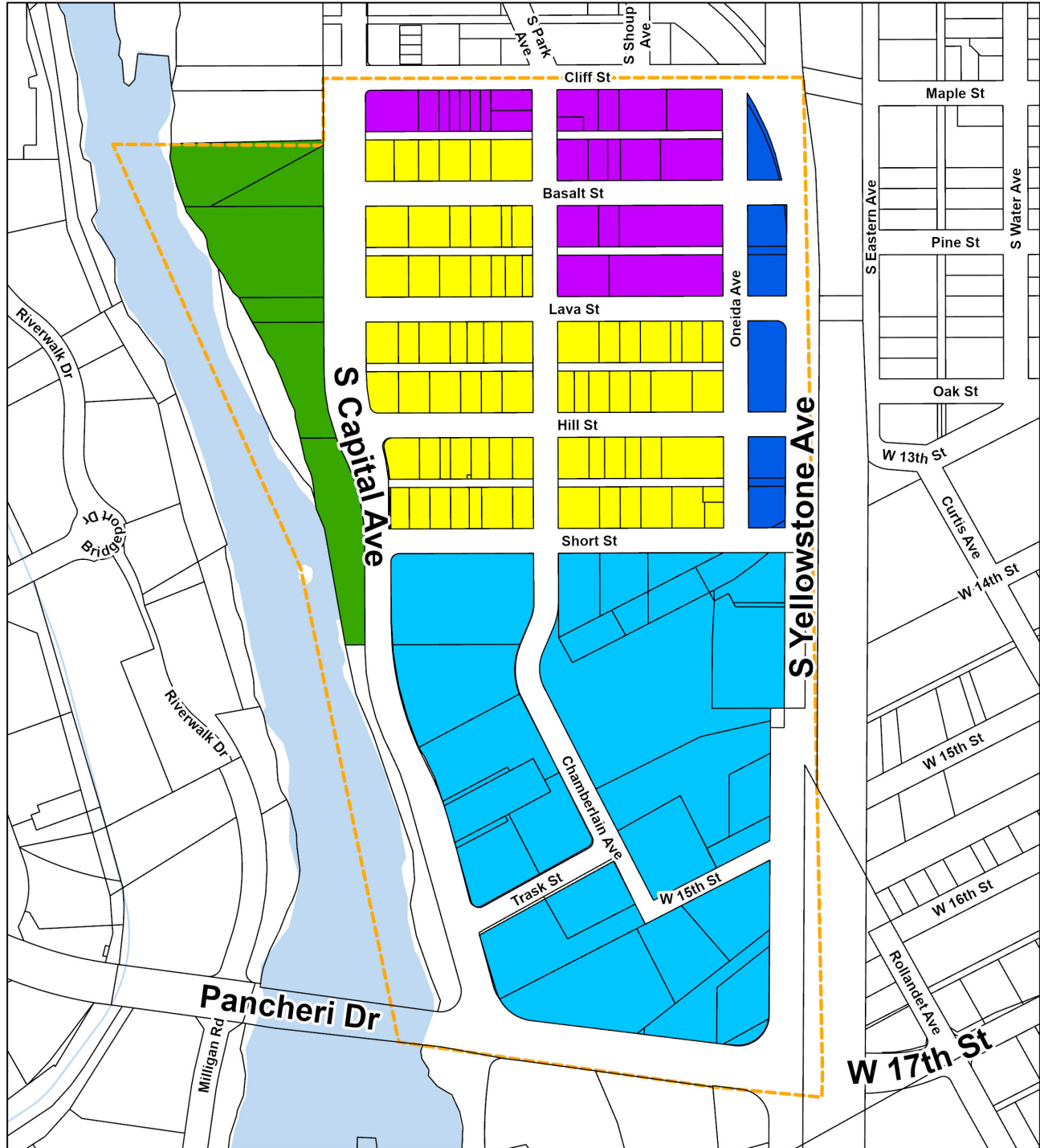
#### 1. Mapped South Downtown Distirct Subdistricts.

The areas and boundaries of the Subdistricts within the South Downtown Distirct are established as shown on the map as listed in Figure 3.2. The map will be referred to herein as "Regulating Map".

# 3.0 Subdistricts

Figure 3.2 Subdistricts Regulating Map for the South Downtown District.

- |   |  |
|---|--|
|  South Downtown (SoDo) |  SoDo Business Core                       |
|  SoDo River Edge       |  SoDo Historic Residential                |
|  SoDo Warehouse        |  SoDo Edge B: Highway Frontage Commercial |



# 4.0 Uses



# 4.0 Uses

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## 4.1 General Requirements.

### 1. General Provisions.

The following general provisions apply to the uses outlined in this Section.

- (1) A lot may contain more than one use.
- (2) Each use may function as either a principal use or accessory use on a lot, unless otherwise specified.
- (3) Uses are either permitted by right in a Subdistrict, permitted by right with specific development or design parameters, or require a Conditional Use Permit (refer to 10.2.6) in order to be developed.
- (4) Each use shall be located within a permitted Building Type (Refer to Chapter 5.0 Building Types), unless otherwise specified.
  - (a) When a Place Type is adopted, existing uses within the geographic boundaries of the Place Type shall not be required to conform to Subdistrict use regulations of this Chapter.
  - (b) A nonconforming use may be changed to another use within the same Use Category as described in this Chapter, however the use will remain nonconforming.
- (5) Each use may have both indoor and outdoor facilities, unless otherwise specified.

### 2. Organization.

Uses are grouped into general Use Categories, which may contain lists of additional uses or clusters of uses.

- (1) Unlisted Similar Use. If a use is not listed but is similar in impact and nature to a use permitted within a Subdistrict, the Zoning Administrator may permit the use.
  - (a) The unlisted use will be subject to any development standards applicable to the similar permitted use.
  - (b) If the unlisted use is similar in impact and nature to a use requiring a Conditional Use Permit, the Zoning Administrator may require a Conditional Use Permit for that use.
- (2) Unlisted Use. If a use is not listed and cannot be interpreted as similar in impact and nature to a use within a Subdistrict that is either permitted or requires a Conditional Use Permit, the use is not permitted.

### 3. Use Table.

Table 4.1 (1). Uses by Subdistrict outlines the permitted uses in each Subdistrict. Each use is given one of the following designations for each Subdistrict in which that use is permitted.

- (1) Permitted (●). These uses are permitted by right in the Subdistricts in which they are listed.
- (2) Permitted in Upper Stories Only (◐). These uses are permitted by right in the Subdistricts in which they are listed, provided that the uses are located in the upper stories of a structure. These uses may also be located in the ground story provided that they are located of at least thirty feet (30') from the front facade.
- (3) Permitted with Development Standards (◑). These uses are permitted by right in the Subdistricts in which they are listed, provided that they are developed according to the required development standards. These standards are intended to alleviate any negative impacts associated with the use, making it appropriate in a Subdistrict where it otherwise might not have been appropriate.
- (4) Requires a Conditional Use Permit (○). These uses require administrative review and approval (refer to 10.2.6) in order to occur in the Subdistricts in which they are listed and must follow any applicable development standards associated with the use and must meet the requirements of the Conditional Use Permit.
- (5) Listed uses that are not permitted in the Subdistrict are indicated by a blank space.

### 4. Building Types.

The uses permitted within the Subdistrict may be further limited by the Building Types permitted. Refer to Chapter 5.0 Building Types.



# 4.0 Uses

## KEY

- Permitted
- ◐ Permitted in Upper Stories Only
- ◑ Permitted with Development Standards
- Requires a Conditional Use Permit

## Downtown District

## Subdistricts

### Use Category and Subcategory Table

	Core A	Historic Center	General A	Edge A	Edge B	Edge C
<b>Residential &amp; Lodging</b>						
Residential	●	◐	●	●	◐	●
Hotel & Inn	◐	◐	●	●	●	◐
Residential Care	●	●	●	●	●	◐
<b>Civic</b>						
Assembly	◐	◐	●	◐	◐	
Transit Station	●	●	●	◐	●	
Hospital & Clinic	●	◐	●	◐	◐	
Library/Museum/Post Office	●	●	●	◐		
Mail Service (distribution)	◐		◐		◐	
Police & Fire	●	●	●		●	
School	○	○	○	○	○	○
<b>Retail</b>						
Small Scale Retail	●	●	●	●	●	
General Retail	●	●	●	◐	◐	
Outdoor Sales						
<b>Service</b>						
Small Scale Service	●	●	●	◐	◐	
General Service	●	●	●	◐	◐	
Eating & Drinking Establishments	●	●	●	●	●	
Vehicle Service			○		○	
<b>Office &amp; Industrial</b>						
Office	◐	◐	●	◐	●	◐
Craftsman Industrial	◐	◐	◐	◐	◐	
<b>Infrastructure</b>						
Parking Lot	◐	◐	◐		◐	
Parking Structure (Stand Alone)	◐	◐	◐		◐	
Utility & Infrastructure	○	○	○	○	○	
Open Space	◐	◐	◐	◐	◐	●
<b>Accessory Uses</b>						
Home Occupation	●	●	●	●	●	●
Outdoor Storage of Goods			○			
Drive Through			◐		◐	

Table 4.1 Downtown District Uses

## South Downtown District

### Subdistricts

Business Core	Historic Residential	Warehouse	River Edge	Edge B
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### Use Category and Subcategory Table

#### KEY

- Permitted
- ◐ Permitted in Upper Stories Only
- ◑ Permitted with Development Standards
- Requires a Conditional Use Permit

#### Residential & Lodging

Residential	●	●	●	◐
Short-Term Rental	●	●	●	◐
Hotel & Inn	●		●	●
Residential Care	●		●	●

#### Civic

Assembly	●		●	●
Transit Station	●		●	●
Hospital & Clinic	●		●	●
Library/Museum/Post Office	●		●	●
Mail Service (distribution)				◐
Police & Fire	●		●	●
School	○	○	○	○

#### Retail

Small Scale Retail	●		●	●
General Retail	●		●	●

#### Service

Small Scale Service	●		●	●
General Service	●		●	
Eating & Drinking Establishments	●		●	●
Vehicle Service			◐	◐

#### Office & Industrial

Office	●		●	●
Craftsman Industrial	◐		●	◐

#### Infrastructure

Parking Lot	◐		◐	◐
Parking Structure (Stand Alone)	◐		◐	◐
Utility & Infrastructure	○		○	○
Open Space	●	●	●	◐

#### Accessory Uses

Home Occupation	●	●	●	◐
Outdoor Storage of Goods				
Drive Through			◐	

Table 4.2 South Downtown District Uses

# 4.0 Uses

## 4.2. Definition of Uses.

### 1. Residential and Lodging Uses.

- (1) Residential. One or more dwelling units located within the principal structure of a lot. The units may or may not share a common wall, horizontally or vertically, with the adjacent unit or have individual entrances from the outside.
- (2) Short-term Rental. Allowed in all subdistricts where residential uses are also allowed. No short-term rental shall be located within an accessory structure where the accessory structure has not been specifically designed for human habitation or located within a recreational vehicle or travel trailer, except when located in an approved travel trailer court. A short term rental property shall not be occupied by more than one (1) guest party at a time.
- (3) Hotel & Inn. A facility offering temporary lodging to the general public consisting of sleeping rooms with or without in-room kitchen facilities. Secondary service uses may also be provided, such as restaurants and meeting rooms. Rooms shall be accessed from the interior of the building. Hotels and Inns do not include Bed and Breakfasts or Boarding Houses except in Subdistricts where development standards (●) are required for the use. In the Subdistricts where a Hotel and Inn is permitted with development standards (●), the facility may be limited to twelve (12) rooms at the discretion of the Zoning Administrator.
- (3) Residential Care. A facility offering temporary or permanent lodging to the general public consisting of an unlimited number of sleeping rooms with or without in-room kitchen facilities and providing assistance with daily activities for residents. Residential care includes such uses as independent and assisted living facilities, nursing homes, residential care homes, and transitional treatment facilities. Secondary service uses may also be provided, such as restaurants and meeting rooms. Rooms shall be accessed from the interior of the building. In the Subdistricts where a residential care facility is permitted with development standards (●), the facility may be limited to twelve (12) rooms at the discretion of the Zoning Administrator.

### 2. Civic Uses.

A category of uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, and hospitals.

- (1) Assembly. A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. Assembly includes such uses as a community center, place of worship, and private clubs and lodges. I
- (2) Transit Station. A covered passenger boarding and alighting facility with a platform(s), which may include a waiting room, ticket office or machines, rest rooms, and concessions.
- (3) Hospital & Clinic. A licensed institution providing medical care and health services. These services may be located in one building or clustered in several buildings and may include laboratories, in- and out-patient facilities, training facilities, medical offices, staff residences, food service, pharmacies, and gift shops.
- (4) Library/Museum. A facility open to the general public which includes educational, cultural, artistic, or historic information, resources, and exhibits. May also include food service and a gift shop.
- (5) Police and Fire. A facility providing public safety and emergency services. Training facilities, locker rooms, and limited overnight accommodations may also be included. Police and fire facilities require approval of a Conditional Use Permit. The facilities shall be housed in a permitted building, but shall have the following additional allowances:
  - (a) Garage doors are permitted on the front or rear facade.
  - (b) Exemption from maximum driveway width requirements.
- (6) Mail Service. A publicly accessed facility for the selling of supplies and mail related products and the small scale collection and distribution of mail and packages. Large-scale postal sorting and distribution is not permitted.
- (7) School. An education facility with classrooms and offices, that may also include associated indoor facilities such as ball courts, gymnasium, theater, and food service. All school uses are subject to a Conditional Use Permit.

### 3. Retail Uses.

A category of uses involving the sale of goods or merchandise to the general public for personal or household consumption.

- (1) Neighborhood Retail. A use in this category occupies a space of less than twelve thousand square feet (12,000 ft<sup>2</sup>). Neighborhood retail includes such uses as those listed in Table 4.2 (1). Typical Retail Uses.
- (2) General Retail. A use in this category includes all Neighborhood Retail uses occupying a space of greater than twelve thousand square feet (12,000 ft<sup>2</sup>) and such uses as those listed in Table 4.2 (1). Typical Retail Uses.
- (3) Outdoor Sales Lot. A use involving the sale of goods or merchandise to businesses and/or the general public, where the majority of the goods are stored or displayed outdoors, although there is typically an associated building. Outdoor sales lots include such uses as the sale and rental of automobiles, trucks, trailers, boats, and recreational vehicles; and the sale of building materials, landscape materials, and garden supplies. In the districts where an outdoor sales lot is permitted by Conditional Use Permit (○), the following applies:
  - (a) Not permitted on corner parcels.
  - (b) Limited to lots fronting on Arterial Streets.
  - (c) Includes permanent construction of a building utilizing one of the permitted Building Types in the district.

#### Small Scale Retail

---

Alcohol & Liquor Sales  
Antique Shop  
Apparel & Accessory Store  
Art & Education Supplies  
Bakery, Retail  
Bicycle Sales & Repair  
Book, Magazine,  
& Newspaper Store  
Building Materials, Hardware,  
and Garden Supply  
Camera & Photo Supply Store  
China & Glassware Shop  
Convenience Store  
Drug Store/Pharmacy  
Fabric & Craft Store  
Florist  
Gift, Novelty, & Souvenir Shop  
Grocery Store  
Hardware Store  
Hobby Shop  
Jewelry Sales & Repair  
Luggage & Leather Goods  
Music Store  
Musical Instrument Repair & Sales  
Office Supply  
Optical Goods  
Paint & Wallpaper  
Party Supply Shop  
Pawn Shop  
Pet & Pet Supply  
Smoke Shop  
Specialty Food Market (Butcher,  
Candy, Fish Market, Produce, etc.)  
Sporting Goods Sales & Rental  
Stationary & Paper Store  
Toy Shop  
Video/Game Sales & Rental  
Wine & Liquor Shop

---

#### General Retail

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All Small Scale Retail

Appliance & Electronic Sales & Service  
Automotive Parts Supply (no service)  
Computer Software Sales & Leasing  
Department Store  
Gun Shop  
Home Furnishings & Accessories Sales  
& Rentals  
Medical Supply Store & Rental  
Motorcycle & Motor Scooter Sales  
Heating, Air Conditioning & Plumbing  
Supplies, Sales, & Service  
Cabinet Supply (display and sales only)  
Machine Sales and Rental  
Agriculture Equipment and  
Supply  
Electrical Supplies  
Merchandise Vending Machine  
Operators  
Medical Supply Store & Sales

---

Table 4.2 (1). Typical Retail Uses.

# 4.0 Uses

## 4. Service.

A category of uses that provide patrons services and limited retail products related to those services. Visibility and accessibility are important to these uses, as most patrons do not utilize scheduled appointments.

- (1) Neighborhood Service. A use in this category occupies a space of less than twelve thousand square feet (12,000 ft²). Neighborhood service includes such uses as those listed in Table 4.2 (2).
- (2) General Service. A use in this category includes all Neighborhood Service uses occupying a space of greater than twelve thousand square feet (12,000 ft²) and such uses as those listed in Table 4.2 (2).
- (3) Vehicle Services. A business involving the servicing of vehicles and/or the distribution of fuel. A convenience store may also be included as a secondary use, as well as the sale of propane and kerosene. Vehicle service includes such uses as automotive filling stations, vehicle repair, car wash facilities, and tire sales and mounting. In the Subdistricts where vehicle service is permitted with development standards (D), the following apply:
  - (a) Use Limitation. Repair and wash facilities for semi-trucks, recreational vehicles, boats, and other oversized vehicles are not permitted.
  - (b) Service Bays. Vehicular service bays, including garages and car wash bays, shall not be located on the front facade, unless otherwise permitted by the Building Type.
  - (c) Outdoor Storage. Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if:
    - (i) The vehicles are not stored for more than two days.
    - (ii) The storage area is located in the rear yard screened from view of the right-of-way.
    - (iii) The storage area is screened using the side and rear yard buffer outlined in Chapter 7.0 Landscape, regardless of the adjacent land uses.
  - (d) Outdoor Activities.
    - (i) All repairs or washing activities must occur inside a structure.
    - (ii) Vacuuming activities may occur in open air, but must be located in the side or rear yards, screened from the right-of-way.

### Small Scale Service

- Arcade
- Bank or other Financial Service
- Barber Shop, Beauty Salon, & Spa
- Billiard Hall
- Catering
- Check Cashing
- Day Care, Adult or Child
- Dry Cleaning & Laundry
- Emergency Care Clinic
- Fitness, Dance Studio, & Gym
- Framing
- Home Furniture & Equipment
- Repair
- Locksmith
- Mailing Services
- Microbrewery
- Pet Grooming
- Photocopying & Printing
- Photography Studio & Supplies (on-site processing permitted)
- Restaurants (refer to state law for alcoholic beverage requests)
- Shoe Repair
- Tailor & Seamstress
- Tanning Salon
- Tattoo/Piercing Parlor
- Theater
- Training Center
- Travel Agency & Tour Operator
- Veterinarian

### General Service

- All Small Scale Services
- Animal Boarding (interior only)
- Aquatic Facilities
- Batting Cages
- Bowling Alley
- Concert Hall
- Exterminating & Disinfecting Service
- Funeral Home
- Miniature Golf Course
- Recreation, Commercial Indoor
- Repair of Small Goods & Electronics
- Shooting & Archery Ranges (indoor only)
- Skating Rink

Table 4.2 (2). Typical Service Uses.



## 5. Office and Industrial.

(1) Office. A category of uses for businesses that involve the transaction of affairs of a profession, service, industry, or government. Patrons of these businesses usually have set appointments or meeting times. The businesses do not typically rely on walk-in customers. Office uses include those listed in Table 4.2 (3) Typical Office Uses.

(a) For home occupations refer to the requirements of the City Zoning Ordinance.

### Office

---

Architecture/Engineering/Design  
Building Contractor (office only)  
Business Consulting  
Charitable Institutions  
Computer Programming & Support  
Detective Services  
Educational Services (tutor & testing)  
Employment Agency  
Financial & Insurance  
Government Offices  
Legal Services  
Management Services  
Physical Therapy/Physical Rehabilitation  
Medical & Dental with Laboratory  
PR & Advertising  
Property Development  
Radio & TV Studio  
Real Estate  
Recording & Sound Studio  
Research & Development  
Research Agency  
Surveying

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**Table 4.2 (3). Typical Office Uses.**

(2) Craftsman Industrial. A use involving small scale manufacturing, production, assembly, and/or repair with little to no noxious by-products that includes a showroom or small retail outlet. Craftsman Industrial includes such uses as those found in Table 4.2 (4) Typical Craftsman Industrial Uses. This use may also include associated facilities such as offices and small scale warehousing, but distribution is limited. The maximum overall gross floor area is limited to twenty thousand square feet (20,000 ft<sup>2</sup>), unless otherwise noted. In the districts where a Craftsman Industrial use is permitted with development standards (C), the following apply:

(a) Showroom. A minimum twenty percent (20%) of gross floor area shall be dedicated to a showroom located at the front of the building adjacent to the right-of-way.

(b) Outdoor Activities. Outdoor activities and storage of goods are not permitted.

### Craftsman Industrial

---

Apparel & Finished Fabric Products  
Bakery & Confections  
Beverages, including Beer, Wine, Liquor, Soft Drinks, Coffee  
Botanical Products  
Canning & Preserving Food  
Commercial Scale Copying & Printing  
Construction Special Trade Contractors  
Cut Stone & Cast Stone  
Dairy Products  
Electronics Assembly  
Engraving  
Electrical Fixtures  
Fabricated Metal Products  
Film Making  
Furniture & Fixtures  
Glass  
Household Textiles  
Ice  
Jewelry, Watches, Clocks, & Silverware  
Leather Products  
Meat & Fish Products, no Processing  
Musical Instruments & Parts  
Pasta  
Pottery, Ceramics, & Related Products  
Printing, Publishing & Allied Industries  
Shoes & Boots  
Signs & Advertising  
Small Goods Manufacturing  
Smithing  
Taxidermy  
Textile, Fabric, Cloth  
Toys & Athletic Goods  
Upholstery  
Woodworking

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**Table 4.2 (4). Typical Craftsman Industrial Uses.**

# 4.0 Uses

## 6. Infrastructure

- (1) **Parking Lot.** A lot that does not contain a permitted Building Type or Open Space Type and is solely used for the parking of vehicles. In the Subdistricts where a parking lot is permitted with development standards (●), the following apply:
  - (a) **Corner Lots.** A corner lot shall not be used as a parking lot.
  - (b) **Adjacent Parking Lots.** Two (2) or more parking lots shall not be located directly adjacent to one another.
  - (c) **Single Unit Residential.** Parking lot cannot be associated with a single unit residential use.
  - (d) **Distance.** A parking lot must be within one thousand three hundred feet (1,300') of the principal entrance to the associated use unless:
    - (i) At least seventy five percent (75%) of the spaces are dedicated for public use.
    - (ii) An approved parking agreement is recorded (refer to Chapter 8.0 Parking).
  - (e) **Pedestrian Access.** A parking lot shall be connected to the associated use by a dedicated, public pedestrian pathway.
  - (f) **Commercial Vehicles.** Parking lots for commercial vehicles are not permitted in the Downtown District.
- (2) **Parking Structure.** A parking structure on a lot that does not contain a permitted Building Type and is solely used for the parking of vehicles. In the Subdistricts where a parking structure is permitted with development standards (●), the following apply:
  - (a) **Adjacent Parking Structures.** Two (2) or more parking structures shall not be located directly adjacent to one another.
  - (b) **Distance.** A parking structure must be within one thousand three hundred feet (1,300') of the principal entrance to an associated use unless:
    - (i) At least seventy five percent (75%) of the spaces are dedicated for public use.
    - (ii) An approved parking agreement is recorded (refer to Chapter 8.0 Parking).
  - (c) **Pedestrian Access.** A parking structure must be connected to an associated use by a dedicated, public pedestrian pathway.
- (3) **Utility and Infrastructure.** A lot that is primarily utilized for the City's infrastructure needs. Utility and Infrastructure includes such uses as electric or gas services, sewage treatment, water treatment and storage, and energy conversion systems. In all Subdistricts, utilities and infrastructure uses require a Conditional Use Permit (○).
- (4) **Open Space.** A use of land for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, playgrounds, or community gardens. Refer to Chapter 6.0 Open Space Types for permitted forms of open space. Open Space uses may also be utilized to host temporary private or community events, such as a farmer's market or art fair. In the Subdistricts where Open Space is permitted with development standards (●), the following apply:
  - (a) **Parking.** Parking lots are not permitted in Open Space in any district unless otherwise specified by the Open Space Type.
  - (b) **Stormwater Accommodations.** Open Space that incorporates stormwater management on a parcel or District scale is encouraged.
    - (i) Stormwater facilities shall be designed to accommodate additional uses, such as an amphitheater or a sports field.
    - (ii) Stormwater facilities shall be designed not to be fenced and shall not impede public use of the land they occupy.
  - (c) **Open Space** may include small scale food and beverage service, no more than two hundred square feet (200 ft<sup>2</sup>) in space, located in a kiosk, with no service access.
  - (d) **Buildings** located directly adjacent to an Open Space use shall treat facades facing this use with street facade requirements, see Chapter 5.0 Building Types.

## 7. Accessory Uses.

A category of uses that are not permitted to serve as the principal use on a lot.

- (1) **Home Occupation.** An occupational use that is subordinate to the principal use as a residence and does not require any alteration to the exterior of a building.
- (2) **Parking Lot.** An uncovered paved surface used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking lot locations are regulated by Building Type. Refer to 5.0 Building Types.
- (3) **Parking Structure.** A structure used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking Structures within the buildings are regulated per Building Type. Refer to 5.0 Building Type. Separate structure locations are also regulated by Building Type, but shall also meet all of the requirements of 5.2.9. Parking Structure.

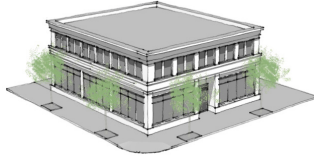
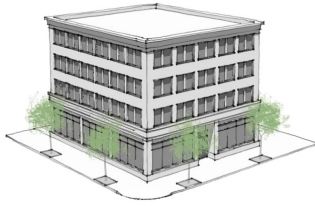
- (4) Outdoor Storage of Goods. Permanent outdoor storage of goods not typically housed or sold indoors, such as large scale materials and building and landscape supplies. In the Subdistricts where outdoor storage of goods is permitted with development standards (P<sup>2</sup>), the following development standards apply:
- (a) Outdoor storage areas shall be located in the rear or side yard of the lot.
  - (b) Loose, unpackaged materials shall not be stacked higher than six feet (6').
  - (c) Loose, unpackaged materials shall at a minimum be stored in a three-sided shelter and shall be covered.
  - (d) Materials shall be set back a minimum of five feet (5') from any lot line.
  - (e) All outdoor storage areas shall be screened from view of adjacent parcels and vehicular rights-of-way using the Side and Rear Buffer Requirements. Refer to Chapter 7.0 Landscape Requirements.
- (5) Drive-through Establishment.
- (a) When a drive-through lane is located within one hundred and fifty feet (150') of a residential use a buffer shall be required which reduces noise on contiguous property to be no greater than sixty-five decibels (65 dBAs), when measured at the property line.
  - (b) To the extent practical, speakers for menu ordering boards shall not be oriented towards contiguous residential uses.
  - (c) An eight foot (8') fence or equivalent landscaping shall be provided where a vehicle stacking lane, menu ordering boards or drive-through window location is contiguous to a residential use.
  - (d) Night lighting on the site shall be directed away from other properties.
  - (e) Safe pedestrian and vehicle access and circulation on the site and between contiguous properties shall be demonstrated as follows:
    - (i) Access by the pedestrian customer shall be provided contiguous to the public right-of-way; and
    - (ii) Vehicle stacking lanes shall have sufficient capacity to prevent obstruction of the public right-of-way by patrons. The stacking lane shall be a separate lane from the circulation lanes needed for access and parking.

# 5.0 Building Types

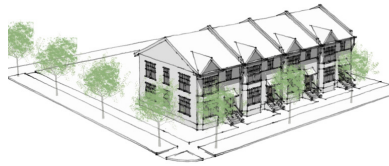
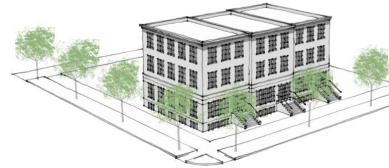
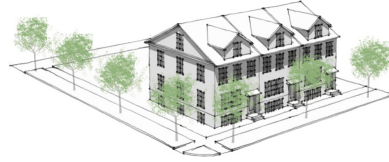


# 5.0 Buildings

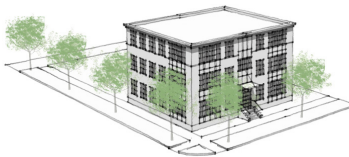
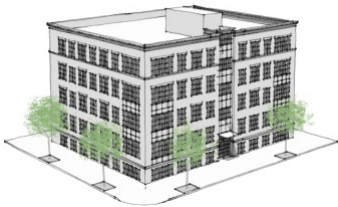
**Storefront Building**



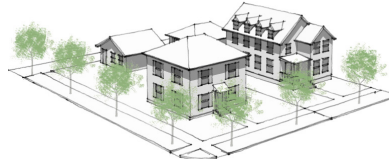
**Townhome Building**



**General Stoop Building**



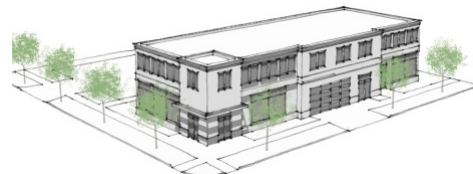
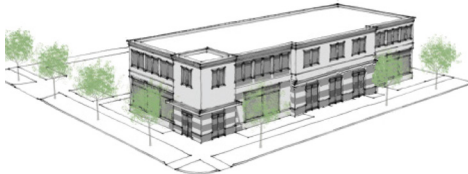
**Yard Building**



**Civic Building**



**Mid Scale Shop Building**



**Limited Bay Building**

Figure 5.1 (1). Sample Illustrations of the Building Types



## 5.1 Introduction to Building Type Standards

### 1. Intent

The intent of the Buildings Type standards is to facilitate a well defined and attractive urban form and street wall that creates vibrant districts in the City.

### 2. Introduction

The Building Types detailed in this Chapter outline the required building forms for new construction and renovated structures within the Subdistricts defined in Chapter 3.0 Subdistricts.

### 3. General Requirements

- (1) General Compliance. Application of this Section to existing uses shall occur with the following developments.
  - (a). Subdistricts. Each Building Type shall be constructed only within its designated Subdistricts. Refer to Table 5.1 Permitted Building Types by Subdistricts.
  - (b). Nonconforming Buildings. When a Place Type is adopted, existing nonconforming buildings within the District or Place Type shall not be required to conform to Building Type or Subdistrict use regulations of this Chapter, except as noted otherwise.
- (c) Tenant Improvements. Tenant improvement remodeling of a nonconforming building is allowed.
- (d) Facade Enhancements. Facade enhancements of a nonconforming building (by Subdistrict and by Building Type) is allowed. The Zoning Administrator may require conformity with Street Facade Requirements, as described in Section 4 of the Building Type Table. Structures with a current National Register of Historic Places designation are not required to comply with these standards if the alterations do not effect the historical designation of the property.
- (e). Change In Occupancy. Building changes that constitute a change in occupancy as defined by the International Building Code requires adherence to the regulations of this Chapter.
- (f) Uses. Each Building Type can house a variety of uses depending on the Subdistrict in which it is located. Some Building Types have additional limitations on permitted uses. Refer to Chapter 4.0 Uses for permitted uses.
- (g) No Other Building Types. All buildings constructed must meet the requirements of one of the Building Types permitted within the Subdistrict of the lot.
- (h) Permanent Structures. All buildings shall be permanent construction without a chassis, hitch, or wheels, or other

Building Types by Districts and Subdistricts											
		Downtown District						South Downtown District			
		Subdistricts						Subdistrict			
		Core A	Historic Center	General	Edge A	Edge B	Edge C	Business Core	Historic Residential	Warehouse District	River Edge
Building Types	Storefront	•	•	•	•	•		•		•	•
	General Stoop	•		•	•			•		•	•
	Mid Scale Shop			•		•		•		•	
	Townhome Building	•		•	•		•	•	•	•	
	Yard Building						•		•		
	Civic Building	•	•	•		•		•		•	•
	Limited Bay					•		•		•	•

• = Permitted

Table 5.1 Generally permitted (included permitted with design standards) Building Types by Subdistrict. Refer to Chapter 4.0 Uses for additional information by use category.

# 5.0 Buildings

features that would make the structure mobile, unless otherwise noted.

## 4. Accessory Structures.

- (1). Detached accessory structures are permitted per each Building Type and shall comply with all setbacks except the following:
  - (a) Detached accessory structures are only permitted to be located behind the principal structure in the rear yard.
  - (b) Detached accessory structures shall not exceed the height of the principal structure.
  - (c) Accessory structures shall use the same or similar quality materials as the primary building.
  - (d) Areas between the building wall and the right-of-way (front build to zone) not set aside for active use must be landscaped. Fifty percent (50%) of landscaping shall consist of live plant material at maturity. Percentage of area covered by plant material shall be measured as if plants have reached their full size of maturity.

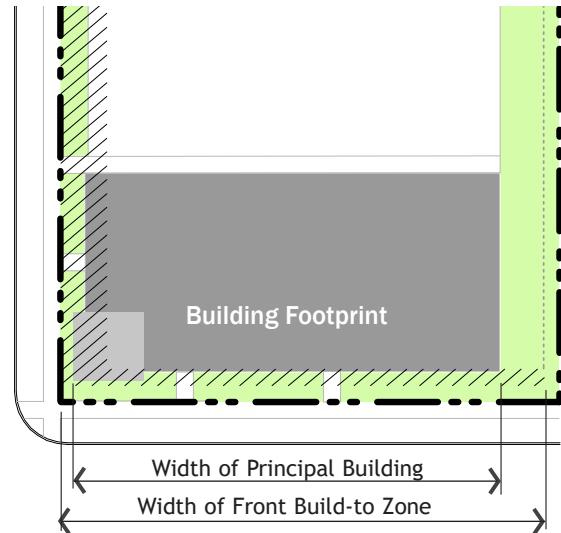


Figure 5.2 (1) Measuring Front Property Line Coverage

## 5.2 Explanation of Building Type Table Standards

The following sections explain and further define each of the standards outlined on the tables for each Building Type Table, as found in Sections 5.3 through 5.8 of this Chapter.

### 1. Building Siting

- (1) Multiple Principal Buildings. The allowance of more than one principal buildings on a lot.
- (2) Front Property Line Coverage. The minimum percentage of street wall or building facade required along the street. To measure front property line coverage the width of the principal structure(s) (within the front build-to zone) shall be divided by the width of the front build-to zone. Refer to Figure 5.2 (1) Measuring Front Property Line Coverage.
  - (a) For certain Buildings Types this calculation is adjusted to allow the development of a courtyard along the front property line.
  - (b) Some Building Types allow side yard parking to be exempted from the front lot line coverage calculation. In such cases the width of up to one (1) double loaded aisle of parking (refer to Chapter 8.0 Parking), including adjacent sidewalks and landscaping, may be exempted, to a maximum of sixty-five feet (65').
- (3) Occupation of Corner. The occupation of the intersection of the front and corner build-to zones with a principal structure.
- (4) Front Build-to Zone. The build-to zone or setback parallel to the front property line. Building components such as awnings or signage are permitted to encroach into the build-to zone
  - (a) All build-to zone and setback areas not covered by a building must contain either landscape, patio space, or sidewalk space.
- (5) Corner Build-to Zone. The build-to zone or setback parallel to the corner property line.
  - (a) All corner build-to zones and setback areas not covered by a building must contain either landscape, patio space, or sidewalk space.
- (6) Minimum Side Yard Setback. The minimum required setback along a side property line.
- (7) Minimum Rear Yard Setback. The minimum required setback along a rear property line.
- (8) Minimum and Maximum Lot or Building Width. The minimum or maximum building or unit width measured at or parallel to the front property line depending on the Building Type, may also include the minimum and maximum width of a lot.
- (9) Maximum Impervious Coverage. The maximum percentage of a lot permitted to be covered by principal structures, accessory structures, pavement, and other impervious surfaces. Refer to Figure 5.2 (2) Maximum Impervious and Semi-Impervious Coverage.
- (10) Additional Semi-Pervious Coverage. The additional percentage of a lot beyond the Maximum Impervious Coverage, which may

be surfaced in a semi-pervious material, such as a green roof or pavers.

- (11) **Parking and Loading Location.** The yard in which a surface parking lot, detached garage, attached garage door access, loading and unloading, and associated drive is permitted.
- (12) **Vehicular Access.** The permitted means of vehicular ingress and egress to the lot.

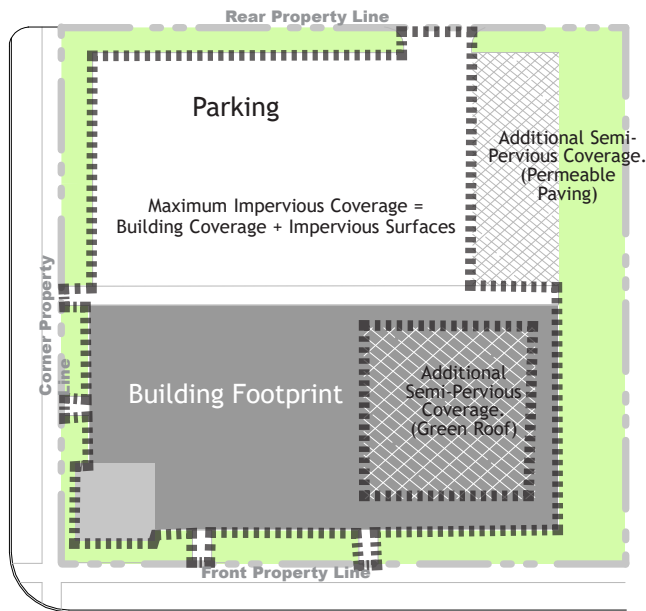


Figure 5.2 (2) Maximum Impervious and Additional Semi-Pervious Coverage

- (a) Alleys, when present, shall always be the primary means of access.
- (b) When alleys are not present, a driveway may be permitted per Building Type but, shall not be located off a Primary Street if an alternative is available.

## 2. Height

- (1) **Minimum Overall Height.** The minimum overall height for a building shall be located within the build-to zone. Stories above the required minimum height may be stepped back from the facade.
- (2) **Maximum Overall Height.** The sum of a building's total number of stories.
  - (a) Half stories are located either completely within the roof structure with street-facing windows or in a visible basement exposed a maximum of one half story above grade.
  - (b) A building incorporating both a half story within the roof and a visible basement shall count the height of the two (2) half stories as one (1) full story.
  - (c) Some Building Types require a building facade to step back as its height increases. If required, the upper stories of any building facade with street frontage shall be setback a designated amount beyond the building facade of the lower stories.
- (3) **Ground Story and Upper Story Minimum and Maximum Height.** Each frontage type includes a permitted range of height in feet for each story. (Refer to Figure 5.2 (3) Measuring Height).
  - (a) Floor height is measured in feet between the floor of a story to the floor of the story above it.
  - (b) Floor height requirements apply only to street facing facades.
  - (c) For single-story buildings and the uppermost story of a multiple-story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling.

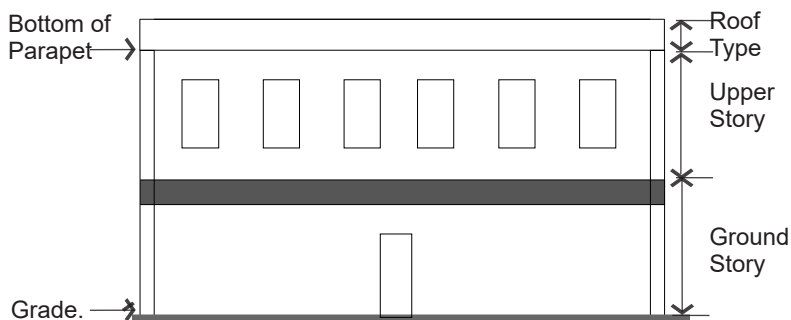
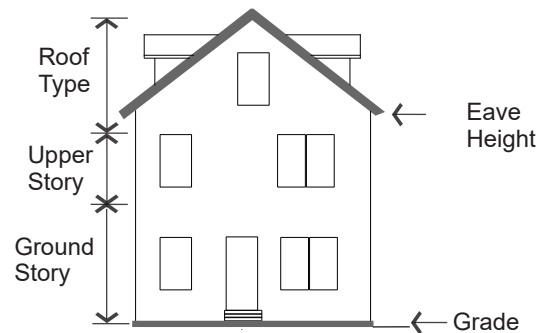


Figure 5.2 (3) Measuring Height



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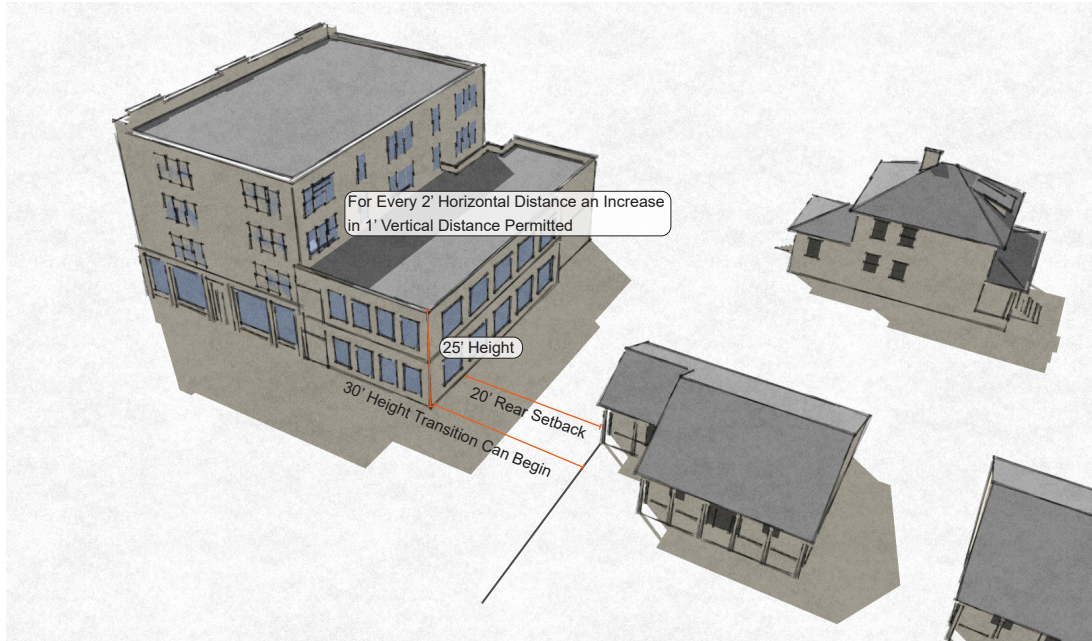


Figure 5.2 (4) Single Unit Zones Setbacks

- (4) Commercial Setbacks from Single-Unit Dwellings. In order to assure compatibility of new construction with adjacent single-unit dwellings, additional setbacks and graduated setback are required. See Figure 5.2 (4).
  - (a) Transitions from Single-Unit Dwelling Buildings: A twenty foot (20') setback is required from the property line adjacent to a single-unit dwelling. At twenty feet (20'), a maximum twenty five foot (25') building height is permitted in between the property line and thirty feet (30'). After thirty feet (30'), every two (2') feet in additional horizontal distance from the property line permits one foot (1') of additional vertical building height
- (5) Building Heights Adjacent to the Historic Residential Subdistrict. All building types contiguous to the Historic Residential Subdistrict shall be limited to a height of two (2) stories for the first twenty feet (20'). After thirty feet (30'), every two (2') feet in additional horizontal distance from the property line permits one foot (1') of additional vertical building height up to heights otherwise regulated by this code.

## 3. Uses

- (1) Ground and Upper Story. The uses or category of uses which may occupy the ground and/or upper story of a building.
- (2) Parking Within Building. The area(s) of a building in which parking is permitted within the structure.
- (3) Required Occupiable Space. The area(s) of a building that shall be designed as occupiable space, defined as interior building space which may be regularly occupied by building users. It does not include storage areas, utility space, or parking.

## 4. Facade Requirements

Street Facade Requirements apply to facades facing a public or private right-of-way.

- (1) Minimum Ground Story and Upper Floor Transparency. The minimum amount of transparency required on street facades with street frontage. Refer to Figure 5.2 (5) Measuring Transparency per Facade.
  - (a) Transparency. Any glass in windows and/or doors, including any mullions, with sixty percent (60%) light transmission, and with low reflectance.
  - (b) Measuring Transparency. A general Minimum Transparency requirement shall be measured from floor to floor of each story.
  - (c) Ground Story Transparency. The minimum transparency required on the ground floor of a building when defined separately from the overall minimum transparency. Ground floor transparency shall be measured between eighteen inches (18") and twelve feet (12') from the average grade at the base of the front facade. Refer to Figure 5.2 (6) Measuring Ground floor transparency on a storefront Base.
- (2) Blank Wall Limitations. A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall both be met for each story:
  - (a) No rectangular area greater than thirty percent (30%) of a story's facade, as measured from floor to floor, may be windowless; and
  - (b) No horizontal segment of a story's facade greater than fifteen feet (15') in width may be windowless.



- (3) **Entrance Type.** The Entrance Type(s) permitted for the entrance(s) of a given Building Type. A mix of permitted Entrance Types may be utilized. Refer to Section 5.10 Entrance Types of this Chapter for definition of and additional requirements for each Entrance Type.
- (4) **Principal Entrance Location.** The facade on which the primary building entrance is to be located.
- (5) **Required Number of Street Entrances.** The minimum number of and maximum spacing between entrances on the ground floor building facade with street frontage.
- (6) **Vertical Facade Divisions.** The use of a vertically oriented expression line or form to divide the facade into increments no greater than the dimension shown, as measured along the base of the facade. Elements may include a column, pilaster, or other continuous vertical ornamentation a minimum of one and a half inch depth.
- (7) **Horizontal Facade Divisions.** The use of a horizontally oriented expression line or form to divide portions of the facade into horizontal divisions. Elements may include a cornice, belt

course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch (1.5") depth.

- (8) **Parking structures.** Parking structures visible from street frontages shall be held to the same standards of facade appearance as other Building Types in that Subdistrict.

## 5. Roof Type

- (1) **Permitted Roof Type.** The roof type(s) permitted for each Building Type. Refer to Section 5.11 Roof Types for more specific requirements.
- (2) **Tower.** A vertical building extension that may be permitted in conjunction with another roof type on certain Building Types. Refer to Section 5.11 Roof Types.

## 6. Loading

- (1) **Screening.** Loading areas, trash storage, and mechanical equipment and meters shall be enclosed within structures and hidden from view of the public realm. See Figure 5.2 (7).

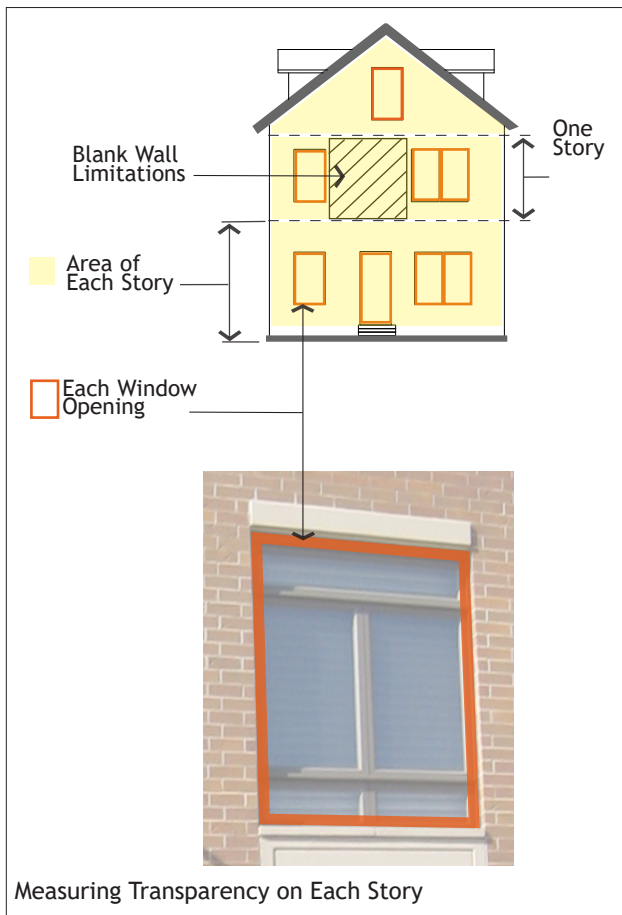


Figure 5.2 (5) Measuring Transparency

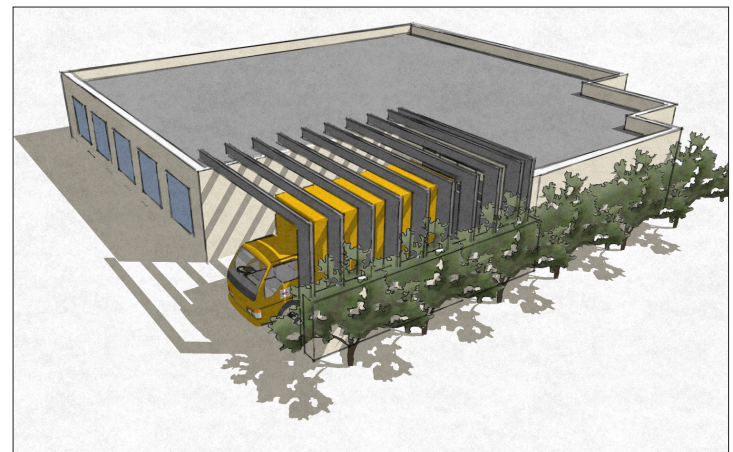
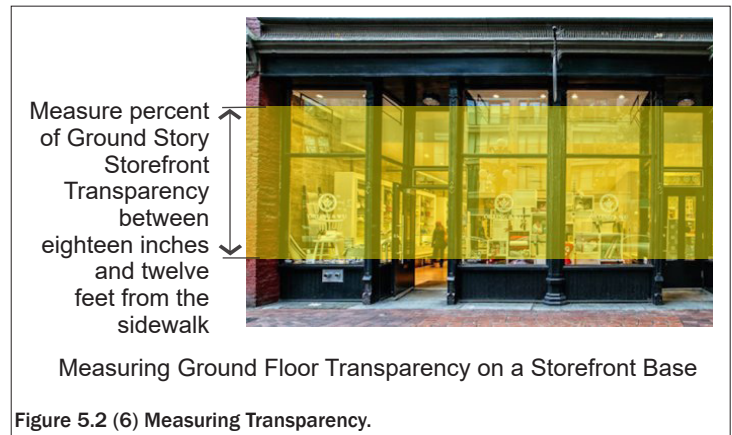


Figure 5.2 (7) Screened loading area



# 5.0 Buildings

## 5.3 Roof Types

Roof Type standards apply to the roof and cap of all Building Types as defined in this Chapter. Refer to the Building Type Table Requirements.

### 1. General Provisions.

The following provisions apply to all roof types.

- (2) Applicability. All buildings shall meet the requirements of one of the Roof Types permitted for the Building Type.
- (3) Measuring Height. Refer to Section 5.2.2 Explanation of Building Type Table Standards for information on measuring building height.
- (4) Other Roof Types. For other Roof Types or building caps not listed as a specific type a request may be made to the Zoning Administrator or designee with the following requirements:
  - (a) The Roof Type shall not create additional occupiable space beyond that permitted by the Building Type.
  - (b) The shape of the Roof Type shall be significantly different from those defined in this Section (i.e. a dome, spire, vault).

### 2. Parapet Roof Type.

(Refer to Figure 5.11 (1), Parapet Roof Type). A parapet is a low wall projecting above a building's roof along the perimeter of the building. It can be utilized with a flat or low pitched roof and also serves to limit the view of roof-top mechanical systems from the street.

- (1) Parapet Height. Height is measured from the top of the upper story to the top of the parapet.
  - (a) Minimum height is two feet (2') with a maximum height of six feet (6').

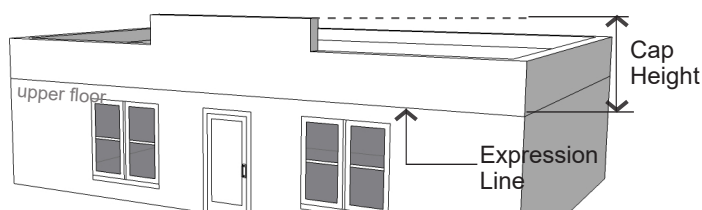


Figure 5.11 (1) Parapet Roof Type

- (b) The parapet shall be high enough to screen the roof and any roof appurtenances from view of the street(s).
- (2) Horizontal Expression Lines. An expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.
- (3) Occupiable Space. Occupiable space shall not be incorporated behind this roof type.

### 3 Flat Roof Type.

(Refer to Figure 5.11 (2) Flat Roof Type). This Roof Type has a flat roof with overhanging eaves.

- (1) Configuration. Roofs with no visible slope are acceptable. Eaves are required on all street facing facades.
- (2) Eave Depth. Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least fourteen inches (14"). The eave may not overhang the property line into the public right of way, unless approved by the Zoning Administrator.
- (3) Eave Thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight inches (8") thick.
- (4) Interrupting Vertical Walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.
  - (a) No more than one-half of the front facade can consist of an interrupting vertical wall.

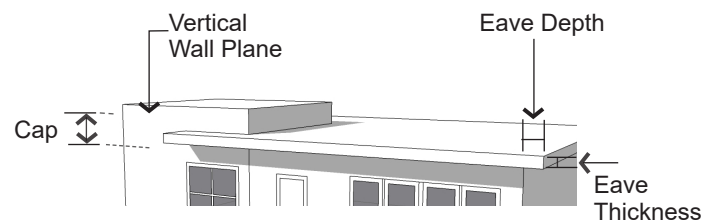


Figure 5.11 (2) Flat Roof Type

## 4. Towers.

(Refer to Figure 5.4 (3)). A tower is a rectilinear or cylindrical, vertical element, that must be used with other Roof Types.

- (1) Quantity. All Building Types, with the exception of the Civic Building, are limited to one (1) tower per building.
- (2) Tower Height. Maximum height shall be the equivalent of the height of one upper floor of the building to which the tower is applied as measured from the top of the parapet or eave to the top of the tower.
- (3) Tower Width. Maximum width along all facades is one-third ( $1/3$ ) the width of the front facade or thirty feet (30'), whichever is less.
- (4) Horizontal Expression Lines. An expression line shall define the tower from the upper stories.
- (5) Occupiable Space. Towers may be occupied by the same uses allowed in upper stories of the Building Type to which it is applied.
- (6) Applicability. Towers may be combined with all other Roof Types.
- (7) Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat roof Roof Types, or a spire may cap the tower.
  - (a) Vertical walls shall extend no more than four feet (4') above the top of the eave of the tower.

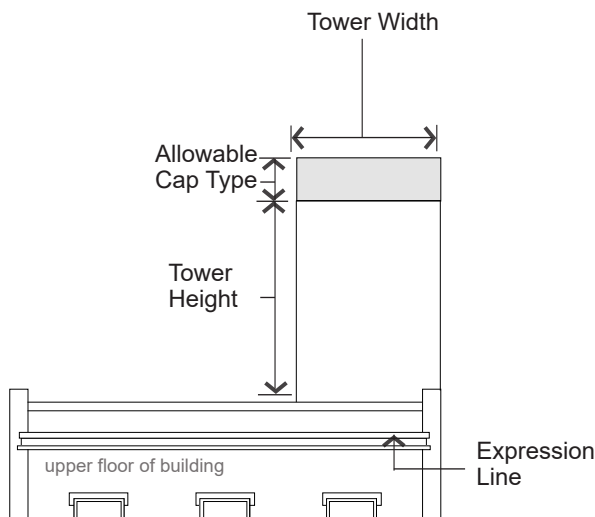


Figure 5.4 (3) Tower

## 5. Pitched Roof Type.

(Refer to Figure 5.4 (4), Pitched Roof Type). This Roof Type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run.

- (1) Pitch Measure. The roof may not be sloped less than a rise:run of 4:12 or more than 16:12.
  - (a) Slopes less than 4:12 are permitted to occur on second story or higher roofs. (Refer to Figure 5.4 (4) - Low Pitched Roof).
- (2) Configurations.
  - (a) Hipped, gabled, Mansard and combination of hips and gables with or without dormers are permitted.
  - (b) Butterfly roofs (inverted gable roof) are permitted with a maximum height of eight feet (8'), inclusive of overhang.
  - (c) Gambrel roofs are not permitted.
- (3) Parallel Ridge Line. A gabled end or perpendicular ridge line shall occur at least every one hundred feet (100') of roof when the main ridge line runs parallel to the front lot line. (Refer to Figure 5.10 (5). Parallel Ridge Line).
- (4) Roof Height. Roofs without occupiable space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the Building Type.
- (5) Occupiable Space. Occupiable space may be incorporated behind this Roof Type.

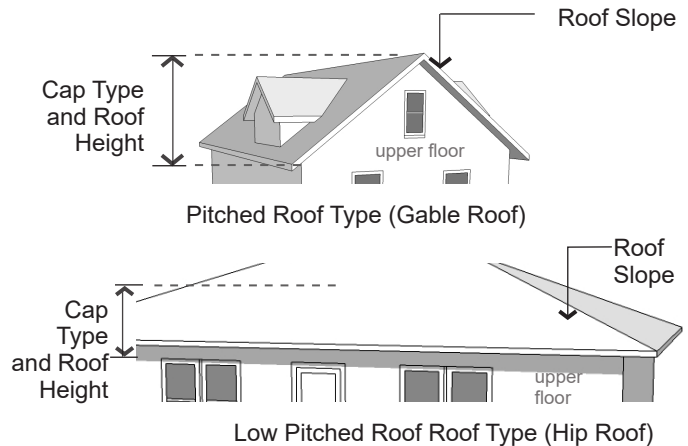


Figure 5.4 (4) Pitched Roof Type

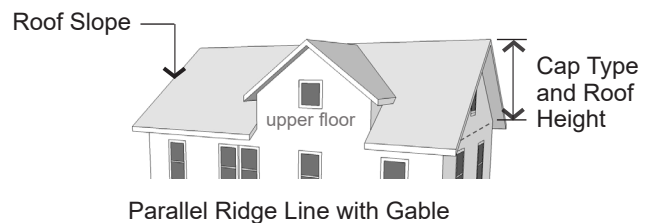


Figure 5.4 (5) Parallel Ridge Line

# 5.0 Buildings

## 5.4 Entrance Types

Entrance Type standards apply to the ground story and visible basement of front facades of all Building Types as defined in this Chapter. Refer to the Building Type Table Requirements.

### 1. General.

The following provisions apply to all entrance types.

- (1) Intent. To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each Building Type standard (refer to Building Types Tables).
- (2) Applicability. The entire ground story street-facing facade(s) of all buildings shall meet the requirements of at least one of the permitted Entrance Types, unless otherwise stated.
- (3) Measuring Transparency. Refer to Section 5.2.4 Explanation of Building Type Table Standards, for information on measuring building transparency.
- (4) Visible Basements. Visible basements, permitted by Entrance Type, are optional. The visible basement shall be a maximum of one-half the height of the tallest story.

### 2. Storefront Entrance Type.

(Refer to Figure 5.10 (1) ). The Storefront Entrance Type is a highly transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail or service uses.

- (1) Transparency. Minimum transparency is required per Building Type.
- (2) Elevation. The storefront elevation shall be between zero (0) and one (1) foot above sidewalk.
- (3) Visible Basement. A visible basement is not permitted.
- (4) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.

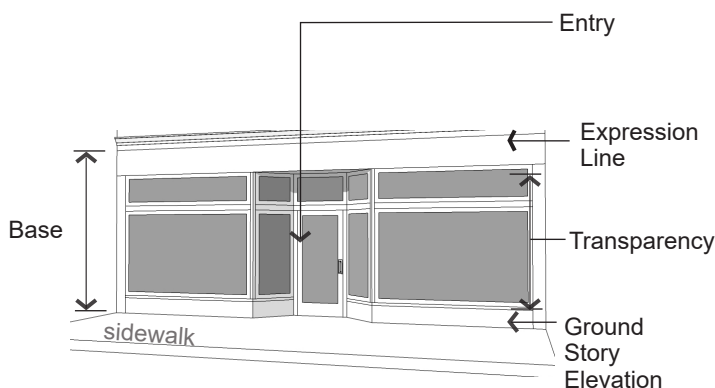


Figure 5.10 (1) Storefront Entrance Type

- (5) Entrance. All entries shall be recessed from the front facade closest to the street.
  - (a) Recessed entries shall be a minimum of three feet (3') and a maximum of eight feet (8') deep, measured from the portion of the front facade closest to the street.
  - (b) When the recess falls behind the front build-to zone, the recess shall be no wider than eight feet (8').

### 3. Arcade Entrance Type.

(Refer to Figure 5.10 (2). An Arcade Entrance Type is a covered pedestrian walkway within the recess of a ground story. An Arcade Entrance Type may be adapted for a Yard Building Type.

- (1) Arcade. An open-air public walkway is required from the face of the building recessed into the building a minimum of eight feet (8') and a maximum of fifteen feet (15').
- (2) Build-to Zone. When the Arcade Entrance Type is utilized, the outside face of the arcade shall be considered the front facade, located within the required build-to zone.
- (3) Recessed or Interior Facade. The Storefront Entrance Type is required on the recessed ground story facade.
- (4) Column Spacing. Columns shall be spaced between ten feet (10') and twelve feet (12') on center.
- (5) Column Width. Columns shall be a minimum of one foot eight inches (1'-8") and a maximum two feet four inches (2'-4") in width.
- (6) Arcade Opening. Opening shall not be flush with interior arcade ceiling and may be arched or straight.
- (7) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.
- (8) Visible Basement. A visible basement is not permitted.

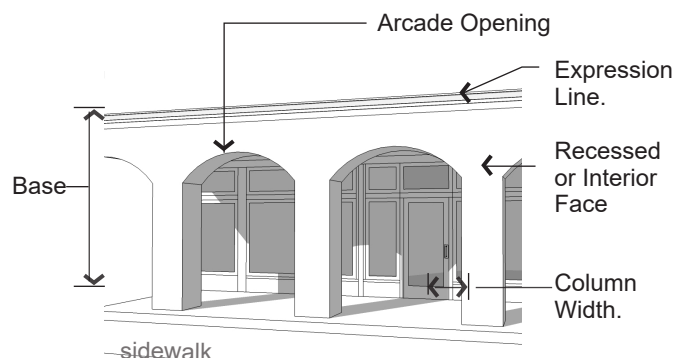


Figure 5.10 (2) Arcade Entrance Type

## 4. Stoop Entrance Type.

(Refer to Figure 5.10 (3) ). A stoop is an unroofed, open platform.

- (1) Transparency. Minimum transparency is required per Building Type.
- (2) Stoop Size. Stoops shall be a minimum of three feet (3') deep and six feet (6') wide.
- (3) Elevation. The stoop elevation shall be located a maximum of two feet six inches (2'-6") above the sidewalk without visible basement and a maximum of four feet six inches (4'-6") above the sidewalk with a visible basement.
- (4) Visible Basement. A visible basement is permitted and shall be separated from the ground story by an expression line.
- (5) Entrance. All entries shall be located off a stoop.

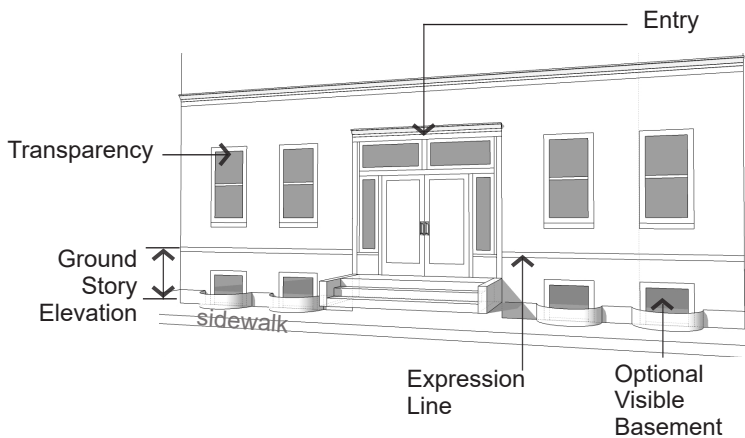


Figure 5.10 (3) Stoop Entrance Type

## 5. Porch Entrance Type.

(Refer to Figure 5.10 (4)). A porch is a raised, roofed platform that may or may not be enclosed on all sides. If enclosed, the space shall not be climate controlled.

- (1) Transparency. Minimum transparency is required per Building Type.
- (2) Porch Size. The porch shall be a minimum of five feet (5') deep and eight feet (8') wide.
- (3) Visible Basement. A visible basement is permitted.
- (4) Elevation. The porch elevation shall be located a maximum of two feet six inches (2'-6") above the sidewalk without a visible basement and a maximum of four feet six inches (4'-6") above the sidewalk with a visible basement.
- (5) Height. A porch may be two (2) stories to provide a balcony on the second floor.
- (6) Entrance. If a porch is provided, the main entry shall be located through a porch.

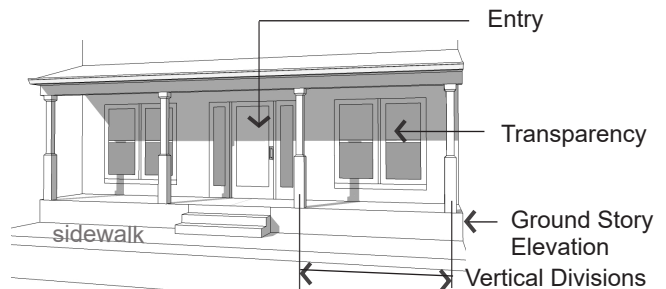


Figure 5.10 (4) Porch Entrance Type



# 5.0 Buildings

## 5.5 Additional Design Requirements

The following outlines the South Downtown District design guidelines that affect a building's appearance and District's cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, protect the character of the community and create a sense of place.

### 1. Materials and Color

- (1) **Primary Facade Materials.** Eighty percent (80%) of each facade shall be constructed of primary materials. For facades over one hundred square feet (100 ft<sup>2</sup>), more than one material shall be used to meet the eighty percent (80%) requirement.
  - (a) Permitted primary building materials include high quality natural materials such as: stone, brick, wood lap siding, fiber cement board lapped, shingled, panel siding, or glass. Other high quality synthetic materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 5.5 (1).
- (2) **Secondary Facade Materials.** Secondary materials are limited to details and accents and include gypsum reinforced fiber concrete for trim and cornice elements, metal for beams, lintels, trim, and ornamentation, and exterior architectural metal panels and cladding.
  - (a) Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.
- (3) **Roof Materials.** Acceptable roof materials include three hundred pound (300lb) or more, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. Engineered wood or slate may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 5.5 (2).
- (4) **Appropriate Grade of Materials.** Commercial quality doors, windows, and hardware shall be used on all Building Types with the exception of the Townhome Building and the Yard Building. Refer to Figure 5.5 (3)



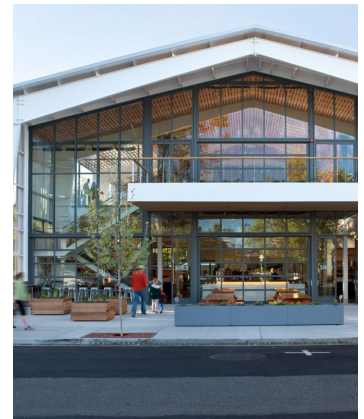
Primary Materials: Brick



Primary Materials: Stone



Primary Materials: Synthetic Panel and Siding



Primary Materials: Glass



Primary Materials: Painted Wood



Roof Materials: Asphalt Composite Shingles



Roof Materials: Ceramic Tile

Figure 5.5 (1) Primary Materials

Figure 5.5 (2) Roof Materials.



## 2. Windows, Awnings, and Shutters

- (1) Windows. All upper story windows on all historic, residential, and mixed use buildings shall be recessed, double hung.
- (2) Awnings. All awnings shall be canvas or metal. Plastic awnings are not permitted. Awning types and colors for each building face shall be coordinated. Alternative materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 5.5 (4).
- (3) Shutters. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood. “Engineered” wood may be approved during the site plan process with an approved sample and examples of successful, high quality local installations.



Permitted Awnings: Metal



Permitted: Commercial Grade Doors and Windows on Commercial Buildings.



Permitted Awnings: Canvas



Prohibited: Residential Grade Doors on Commercial Buildings.



Prohibited Awnings: Plastic

Figure 5.5 (3) Commercial Grade Doors and Windows

Figure 5.5 (4) Awnings

# 5.0 Buildings

## 3. Balconies

The following applies in all locations where balconies are incorporated into the facade design facing any street or parking lot. Refer to Figure 5.5 (5).

- (1) **Size.** Balconies shall be a minimum of six feet (6') deep and five (5') feet wide.
- (2) **Connection to Building.** Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.
- (3) **Facade Coverage.** A maximum of forty percent (70%) of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

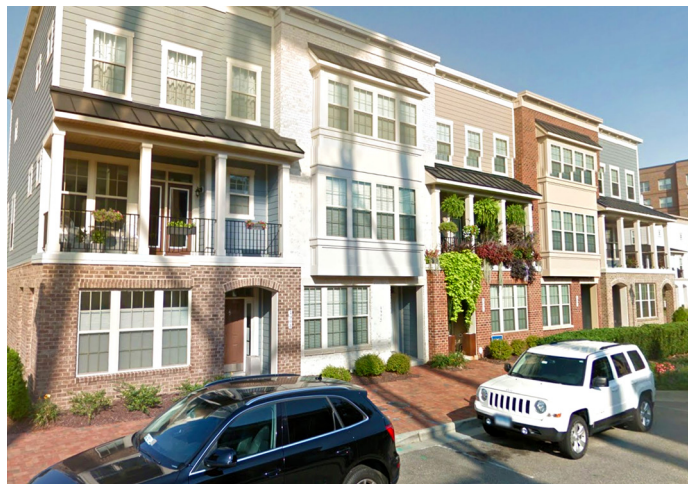


Figure 5.5 (5) Balconies Integral to Facade

## 4. Drive-through Structures.

Refer to Figure 5.5 (7) for one illustration of the following requirements.

- (1) **Structures.** Drive-through structures shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The drive-through structure shall not be visible from any Primary Street.
- (2) **Stacking Lanes.** Stacking lanes shall be located perpendicular to the Primary Street or behind the building.
- (3) **The canopy and structure shall be constructed of the same materials utilized on the building.**

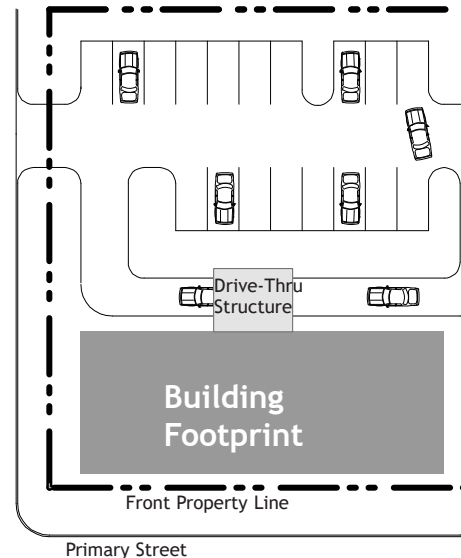


Figure 5.5 (6) Recommended Drive-Through Facility Layout

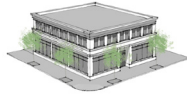
# 5.6 Downtown District Building Type Tables

Building Types by Districts and Subdistricts							
		Downtown District					
		Subdistricts					
		Core A	Historic Center	General	Edge A	Edge B	Edge C
Building Types	Storefront	•	•	•	•	•	
	General Stoop	•		•	•		
	Mid Scale Shop			•		•	
	Townhome Building	•		•	•		•
	Yard Building						•
	Civic Building	•	•	•		•	
	Limited Bay					•	

• = Permitted



# 5.0 Buildings



## 5.6(A) Storefront Building

### 1. Description and Intent

The Storefront Building is intended for use as a mixed use building located close to the front property line with parking typically in the rear or side of the lot.

The key facade element of this Building Type requires a ground floor front facade, with large amounts of glass and regularly spaced entrances. This Building Type is encouraged near intersections.

This Building Type is available in a variety of intensities, depending on the Subdistrict within which it is located. For example, minimum and maximum heights are highest in the Core A Subdistrict and lowest in the Edge A Subdistrict.

### 2. Regulations

Regulations for the Storefront Building Type are defined in the adjacent table.

#### Notes

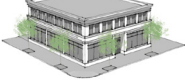
<sup>1</sup> Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

<sup>2</sup> Above the second story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.

<sup>3</sup> If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

<sup>4</sup> Additional setback distance is permitted at the discretion of the zoning administrator and his or her designee if utilized as public space, outdoor dining, and/or outdoor seating.

\* Subject to review for compliance with line of sight requirements.

		Permitted Subdistricts					
		Core A	Historic Center	General A	Edge A	Edge B	Edge C
Storefront Building Type Table							
1 Building Siting* Refer to Figure 5.6(A)(1)							
	Multiple Principal Buildings	not permitted	not permitted	permitted	permitted	not permitted	permitted
a	Front Property Line Coverage	90%	90%	70% <sup>1</sup>	80%	70% <sup>1</sup>	75%
	Occupation of Corner	required	required	permitted	permitted	permitted	permitted
b	Front Build-to Zone	0' to 5' <sup>4</sup>	0' to 5' <sup>4</sup>	0' to 10' <sup>4</sup>	0' to 5' <sup>4</sup>	0' to 15' <sup>4</sup>	0' to 5'
c	Corner Build-to Zone	0' to 5'	0' to 5'	0' to 10'	0' to 5'	0' to 15'	0' to 5'
d	Minimum Side Yard Setback	0'	0'	0'	0'	0'	0'
e	Minimum Rear Yard Setback	5'	5'	10'	5'	5'	5'
f	Minimum Lot Width	none	none	none	none	none	none
	Maximum Lot Width	none	none	none	none	none	none
	Maximum Impervious Coverage	90%	90%	75%	90%	75%	75%
	Additional Semi-Pervious Coverage	10%	10%	25%	10%	20%	20%
g	Parking and Loading Location	rear yard	rear yard	rear and side yard <sup>1</sup>	rear and side yard <sup>1</sup>	rear and side yard <sup>1</sup>	rear and side yard <sup>1</sup>
h	Vehicular Access	alley, lane, access lane: if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee					
2 Height Refer to Figure 5.6(A)(2)							
i	Minimum Overall Height	2 story	2 story	2 story	2 story	2 story	2 story
j	Maximum Overall Height	6 stories	4 stories <sup>2</sup>	5 stories <sup>2</sup>	5 stories <sup>2</sup>	5 stories <sup>2</sup>	3 stories <sup>2</sup>
k	Ground Story: Minimum Height	14'	14'	14'	14'	14'	14'
	Maximum Height	20' <sup>3</sup>	18' <sup>3</sup>	28' <sup>3</sup>	20' <sup>3</sup>	28' <sup>3</sup>	20' <sup>3</sup>
l	Upper Stories: Minimum Height	9'	9'	9'	9'	9'	9'
	Maximum Height	14'	14'	14'	14'	14'	14'
3 Uses Refer to Figure 5.6(A)(2). Refer to Chapter 4 Uses for permitted uses.							
m	Ground Story	retail, service, office					
n	Upper Story	any permitted use			residential, office, service	any permitted use	
o	Parking within Building	permitted fully in any basement and in rear of all stories					
p	Required Occupiable Space	30' deep on all full stories from the front facade					
4 Street Facade Requirements Refer to Figure 5.6(A)(3)							
q	Minimum Ground Story Transparency: Transparency requirements apply to street frontages AND frontages to side parking	75%	75%	65% front and corner-side	75%	65% front and corner-side	75%
r	Minimum Transparency per each Story	30%	25%	15%	30%	20%	30%
s	Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)					
	Front Facade Entrance Type	storefront, arcade					
t	Principal Entrance Location	front or corner facade					
	Required Number of Street Entrances	1 per each 75' of front facade	1 per each 75' of front facade	1 per each 100' of front facade	1 per each 75' of front facade	1 per each 75' of front facade	1 per each 75' of front facade
	Vertical Facade Divisions	every 30' of facade width	every 25' of facade width	every 50' of facade width	every 25' of facade width	every 25' of facade width	every 25' of facade width
	Horizontal Facade Divisions	required within 3' of the top of the ground story					
5 Roof Type Requirements Refer to Figure 5.6(A)(3)							
u	Permitted Roof Types	parapet, flat, pitched	parapet, flat	parapet, flat, pitched	parapet, flat, pitched	parapet, flat, pitched	parapet, flat, pitched
	Tower	permitted, excluded from maximum story					not permitted

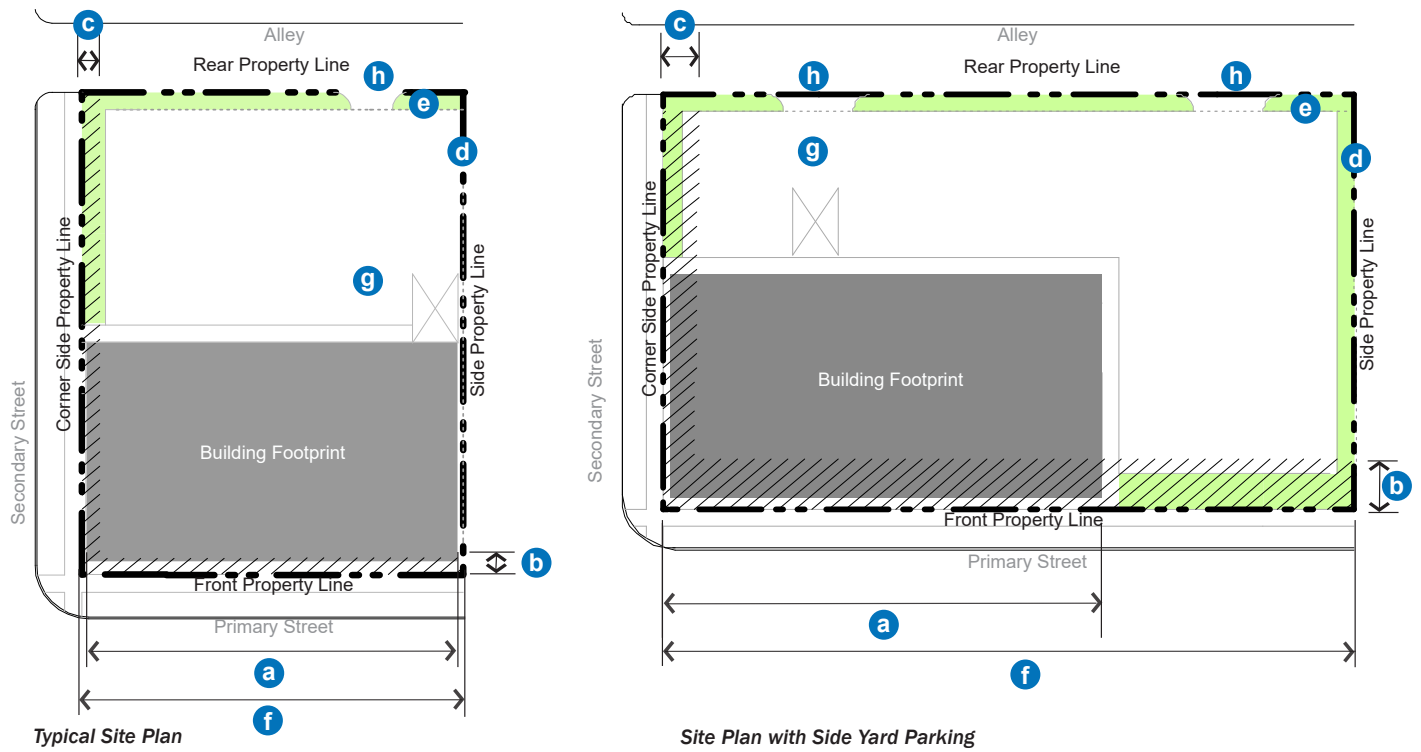


Figure 5.6(A)(1) Storefront Building: Building Siting.

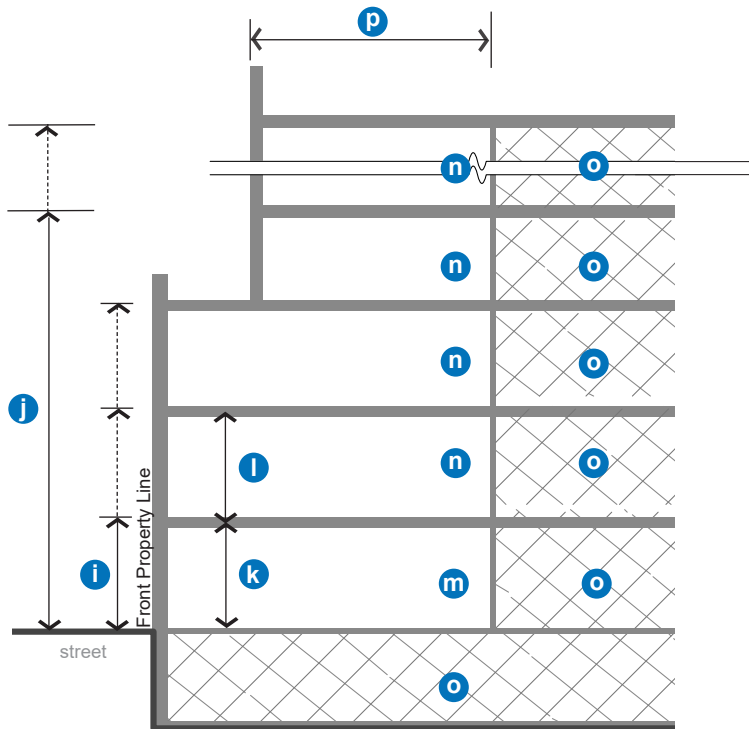


Figure 5.6(A)(2) Storefront Building: Height and Use Requirements

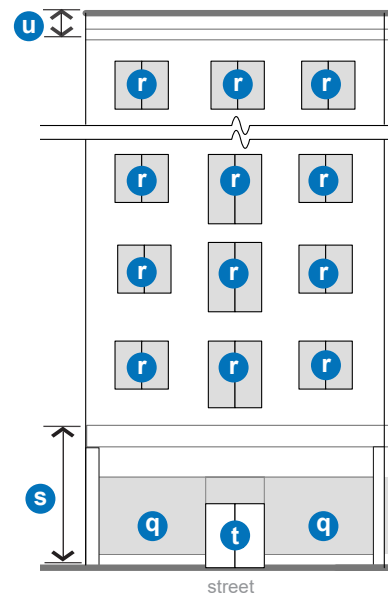


Figure 5.6(A)(3) Storefront Building: Street Facade Requirements



# 5.0 Buildings

## 5.6(B) General Stoop Building

### 1 Description and Intent

The General Stoop Building Type permits a range of building facades and can accommodate mixed uses or can be used strictly for residential. Similar to a “Main Street” type building, the General Stoop Building Type is intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one double loaded aisle of parking is permitted in the interior or the side yard at the front property line. The minimum and maximum heights of this Building Type depend on the Subdistrict within which it is located.

Ground floor residential units should engage the street with pedestrian-welcoming frontages and direct access to the sidewalk. Ground floor residential units should relate to the street environment, but maintain a sense of ownership and a delineation of the transition from public to private. A step up or a step down is recommended.

### 2. Regulations

Regulations for the General Stoop Building Type are defined in the adjacent table.

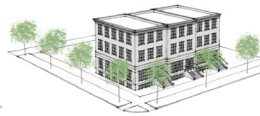
#### Notes

<sup>1</sup> A courtyard covering up to 35% of the front facade is permitted and may contribute to the Front Lot Line Coverage requirement.

<sup>2</sup> Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

<sup>3</sup> Upper stories above the second story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.

\* Subject to review for compliance with line of sight requirements.



Permitted Subdistricts			
Core A	General A	Edge A	Edge C

General Stoop Building Type Table

1 Building Siting* Refer to Figure 5.6(B)(1)					
	Multiple Principal Buildings	not permitted	not permitted	permitted	permitted
a	Front Property Line Coverage	90%	75% <sup>1</sup>	80% <sup>1</sup>	75%
	Occupation of Corner	required	required	permitted	permitted
b	Front Build-to Zone	0' to 5'	0' to 10'	0' to 5'	0' to 5'
c	Corner Build-to Zone	0' to 5'	0' to 10'	0' to 5'	0' to 5'
d	Minimum Side Yard Setback	0'	5'	0'	0'
e	Minimum Rear Yard Setback	5'	5'	5'	5'
f	Minimum Lot Width	none	none	none	none
	Maximum Lot Width	none	none	none	none
	Maximum Impervious Coverage	90%	80%	90%	75%
	Additional Semi-Pervious Coverage	10%	20%	10%	20%
g	Parking and Loading Location	rear yard	rear yard	rear and side yard <sup>2</sup>	rear and side yard <sup>1</sup>
h	Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)			
2 Height Refer to Figure 5.6(B)(2)					
i	Minimum Overall Height	2 story	2 story	2 story	2 story
j	Maximum Overall Height	6 stories <sup>3</sup>	6 stories <sup>3</sup>	6 stories <sup>3</sup>	3 stories <sup>2</sup>
k	Ground Story: Minimum Height	14'	14'	14'	14'
	Maximum Height	28'	20'	20'	20' <sup>3</sup>
l	Upper Stories: Minimum Height	9'	9'	9'	9'
	Maximum Height	14'	14'	14'	14'
3 Uses Refer to Figure 5.6(B)(2). Refer to Chapter 4 Uses for permitted uses.					
m	Ground Story	any permitted use	any permitted use	retail, office, residential, service	retail, office, residential, service
n	Upper Story	any permitted use	any permitted use	residential	residential
o	Parking within Building	permitted fully in any basement and in rear of all stories			
p	Required Occupiable Space	30' deep on all full stories from the front facade			
4 Street Facade Requirements Refer to Figure 5.6(B)(3)					
q	Minimum Ground Story Transparency	75%	65% front and corner-side	75%	75%
	Transparency requirements apply to street frontages AND frontages to side and rear parking				
r	Minimum Transparency per each Story	30%	25%	30%	30%
s	Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)			
	Front Facade Entrance Type	stoop, porch, storefront	stoop, porch, storefront	stoop, porch	stoop, porch
t	Principal Entrance Location	front facade	front facade	front or corner facade	front or corner facade
	Required Number of Street Entrances	1 per each 75' of front facade, 1 per residential ground story unit			
	Vertical Facade Divisions	every 30' of facade width			
	Horizontal Facade Divisions	required within 3' of the top of the ground story			
5 Roof Type Requirements Refer to Figure 5.6(B)(3)					
u	Permitted Roof Types	parapet, flat	parapet, pitched		
v	Tower	permitted, excluded from maximum story			not permitted

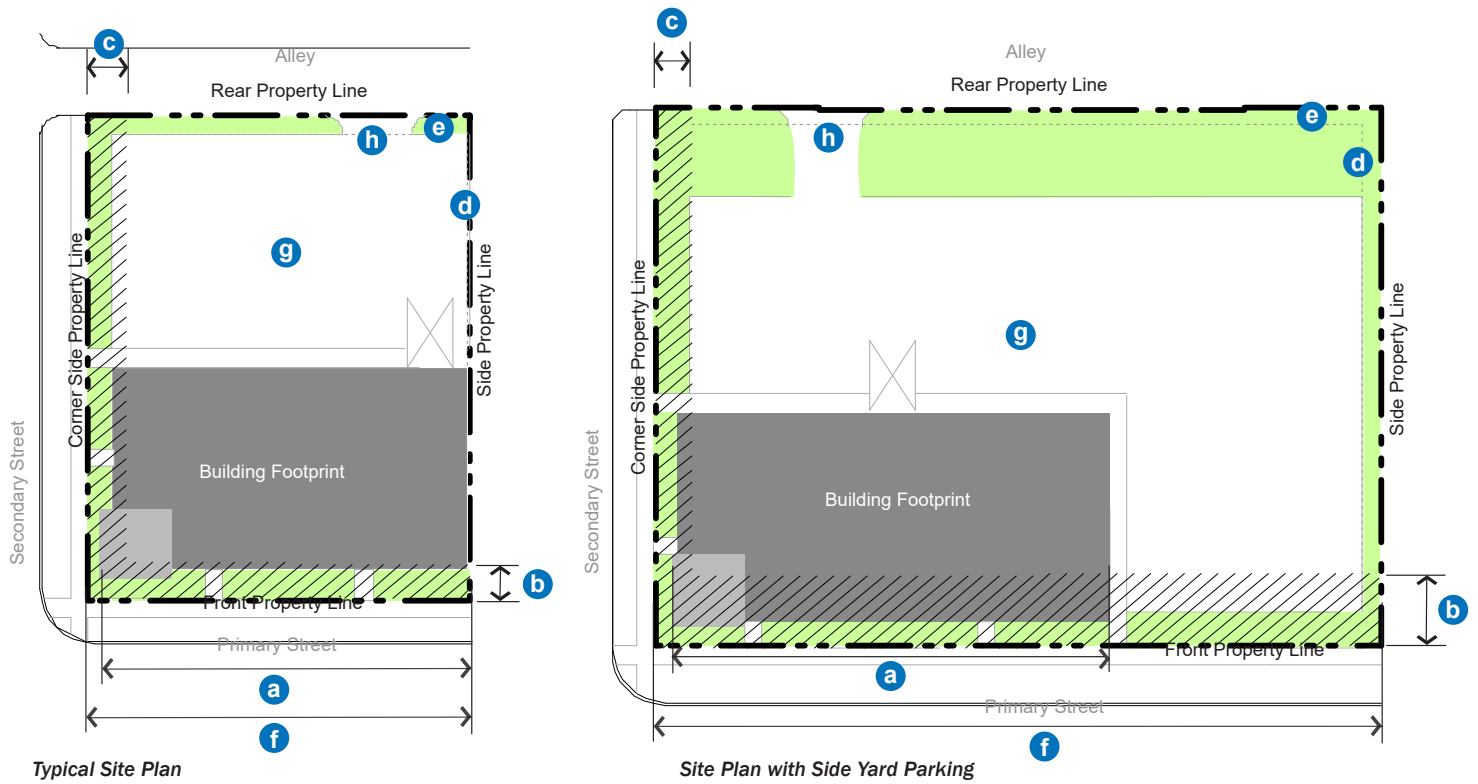


Figure 5.6(B)(1) General Stoop Building: Building Siting

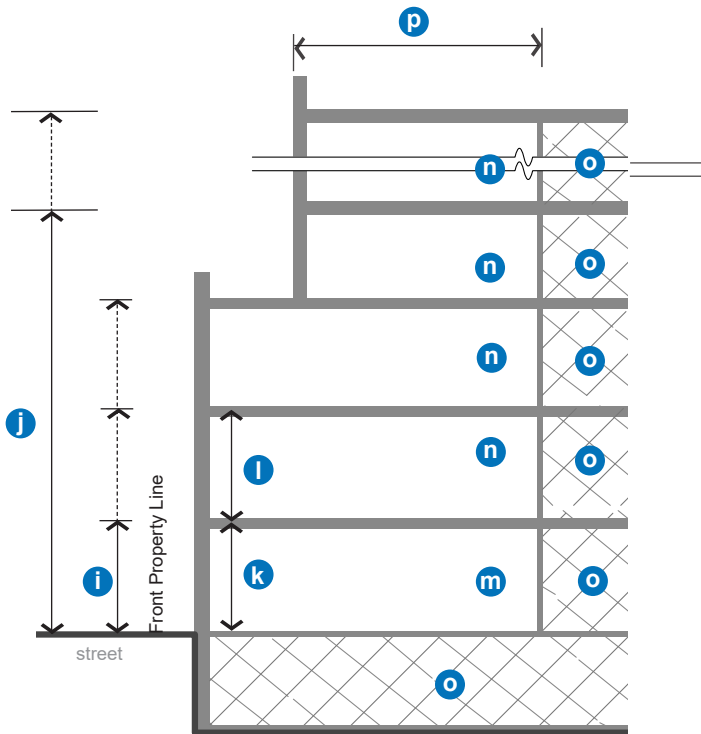


Figure 5.6(B)(2) General Stoop Building: Height and Use Requirements

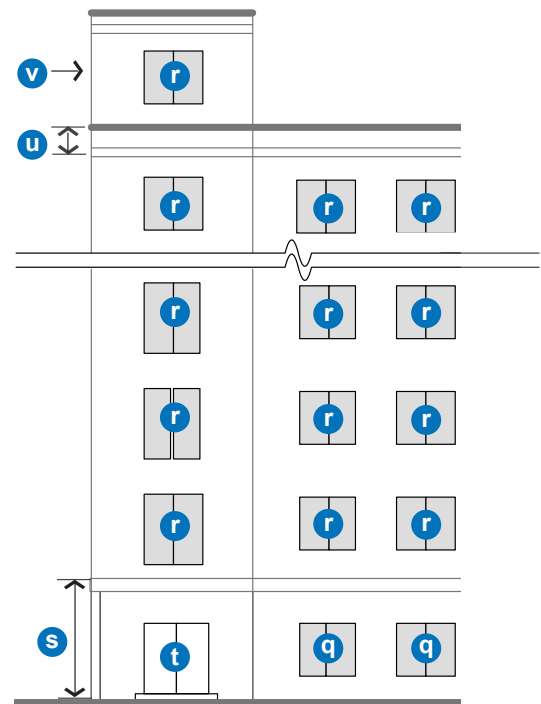


Figure 5.6(B)(3) General Stoop Building: Street Facade Requirements

# 5.0 Buildings

## 5.6(C) Mid Scale Shop Building

### 1. Description and Intent

The Mid Scale Shop Building Type permits a larger building footprint for a single use building with a ground floor storefront facade. The minimum sized building footprint of the Mid Scale Shop is forty thousand square feet (40,000 ft<sup>2</sup>). If a building is to have a smaller footprint then it will not be considered or approved as a Mid Scale Shop.

This Building Type is still intended to be built close to the front and corner property lines allowing easy access to pedestrians and transit riders. Parking may be permitted in the rear of the lot, internally in the building, or one double loaded aisle of parking is permitted in the interior or the side yard at the front property line.

Materials and facade articulation should ensure these structures contribute positively to the public realm and the aesthetic goals of the Downtown District.

### 2. Regulations

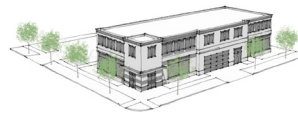
Regulations for the Mid Scale Shop Building Type are defined in the adjacent table.

#### Notes

<sup>1</sup> Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

<sup>2</sup> If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

\* Subject to review for compliance with line of sight requirements.



#### Permitted Subdistricts

General A      Edge B

#### Mid Scale Shop Building Type Table

##### 1 Building Siting\* Refer to Figure 5.6(C)(1)

Multiple Principal Buildings	not permitted	not permitted
<b>a</b> Front Property Line Coverage	85% <sup>1</sup>	
Occupation of Corner	Required	
<b>b</b> Front Build-to Zone	0' to 15'	0' to 5'
<b>c</b> Corner Build-to Zone	0' to 10'	0' to 5'
<b>d</b> Minimum Side Yard Setback	5'	
<b>e</b> Minimum Rear Yard Setback	5'	
<b>f</b> Minimum Lot Width	150'	
Maximum Lot Width	none	
Maximum Impervious Coverage	75%	
Additional Semi-Pervious Coverage	20%	
<b>g</b> Parking and Loading Location	rear and side yard	
<b>h</b> Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)	

##### 2 Height Refer to Figure 5.6(C)(2)

<b>i</b> Minimum Overall Height	1 story
<b>j</b> Maximum Overall Height	3 stories
<b>k</b> Ground Story: Minimum Height	14'
Maximum Height	28' <sup>2</sup>
<b>l</b> Upper Stories: Minimum Height	9'
Maximum Height	14'

##### 3 Uses Refer to Figure 5.6(C)(2). Refer to Chapter 4 Uses for permitted uses.

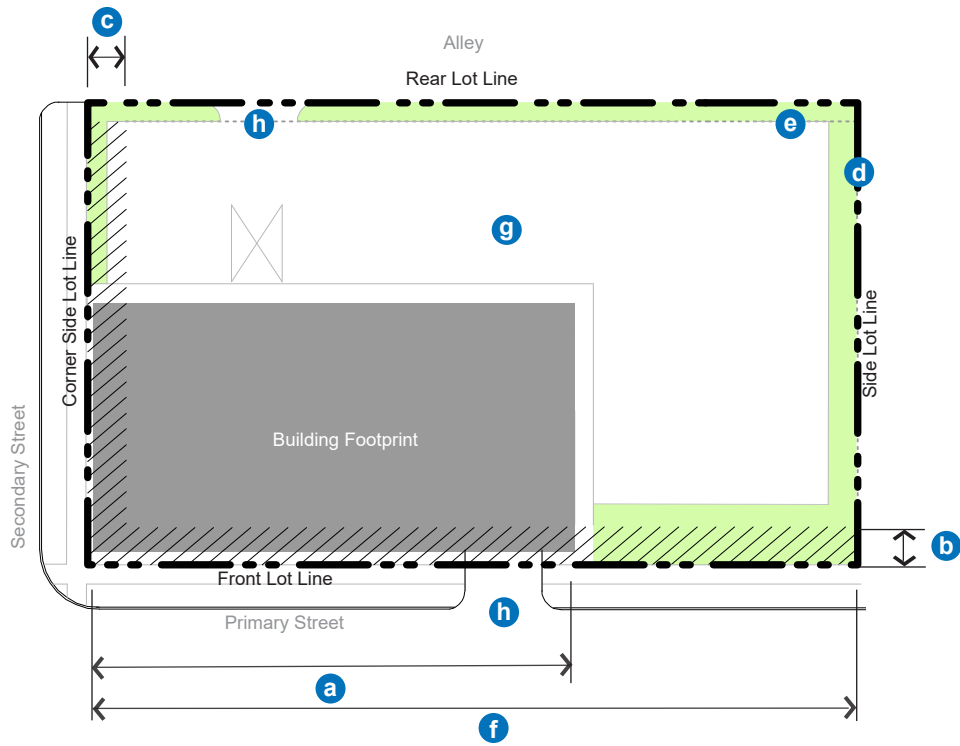
<b>m</b> Ground Story	retail, service, office, craftsman industrial
<b>n</b> Upper Story	same as ground story
<b>o</b> Parking within Building	permitted fully in any basement and in rear of all stories
<b>p</b> Required Occupiable Space	40' deep on all full stories from the front facade

##### 4 Street Facade Requirements Refer to Figure 5.6(C)(3)

<b>q</b> Minimum Ground Story Transparency	65%
Transparency requirements apply to street frontages AND frontages to side and rear parking	
<b>r</b> Minimum Transparency per each Story	35%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)
<b>s</b> Front Facade Entrance Type	storefront, arcade
<b>t</b> Principal Entrance Location	front or corner facade
Required Number of Street Entrances	1 per each 100' of front facade
Vertical Facade Divisions	every 50' of facade width
Horizontal Facade Divisions	required within 3' of the top of the ground story

##### 5 Roof Type Requirements Refer to Figure 5.6(C)(3)

<b>u</b> Permitted Roof Types	parapet, flat, pitched
Tower	permitted, excluded from maximum story



Typical Site Plan

Figure 5.6(C)(1) Mid Scale Shop Building: Building Siting

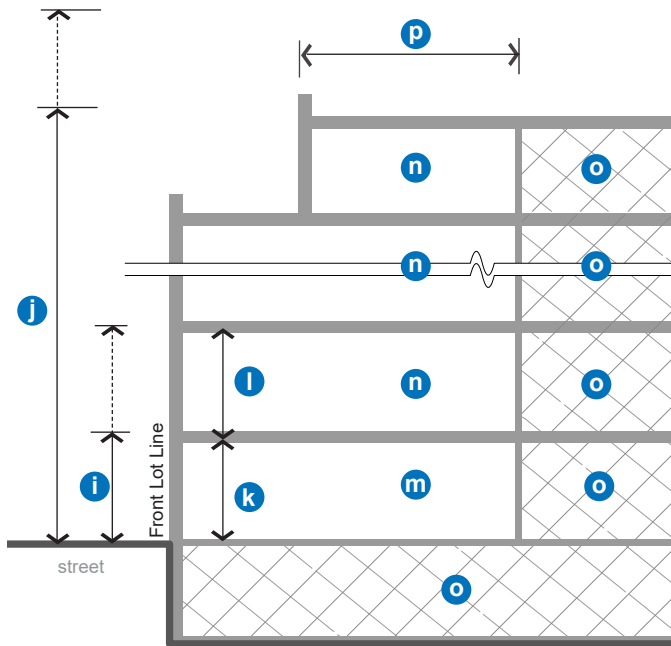


Figure 5.6(C)(2) Mid Scale Shop Building: Height and Use Requirements

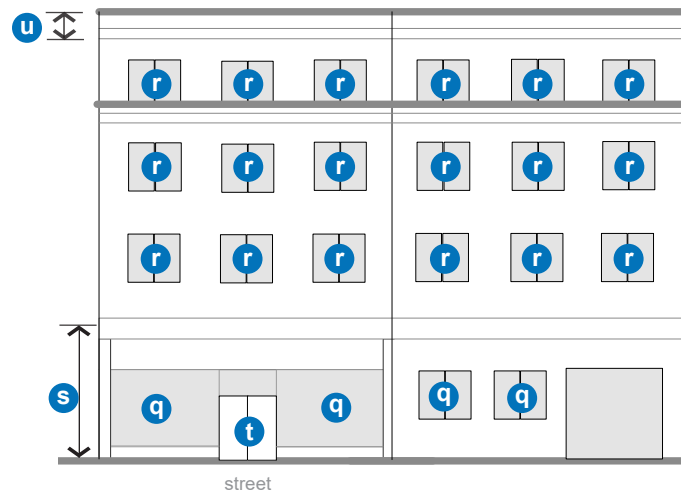


Figure 5.6(C)(3) Mid Scale Shop Building: Street Facade Requirements

# 5.0 Buildings

## 5.6(D) Townhome Building

### 1. Description and Intent

The Townhome Building Type is typically comprised of multiple vertical units, each with its own entrance to the street. This Building Type may be organized as townhouses or rowhouses, or it could also incorporate live/work units where permitted.

Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garaged accessed from the rear of the building. However, when the garage is located within the building, a minimum level of living space is required on the front facade to ensure that the street facade is active.

### 2. Regulations

Regulations for the Townhome Building Type are defined in the adjacent table.

#### Notes:

<sup>1</sup> For the purposes of the Townhome Building, a building consists of a series of units. When permitted, multiple buildings may be located on a lot with the minimum required space between them. However, each building shall meet all requirements of the Building Type unless otherwise noted.

<sup>2</sup> Each building (or series of townhome units) shall meet the front property line coverage requirement, except one of every five townhome units may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.

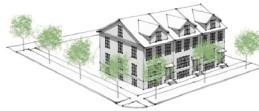
<sup>3</sup> When the storefront entrance type is utilized, the maximum ground story transparency for the unit is 55% as measured between two feet and eight feet above grade.


<sup>4</sup> The storefront entrance type is permitted only on corners or buildings that are designated for live/work units.

<sup>5</sup> For Live/Work units only, otherwise ground story shall be residential.

<sup>6</sup> Three stories will be allowed only if it is located at least 100 feet from single story residential buildings. This will be measured from the property line of the single story building to the nearest wall of the three story building.

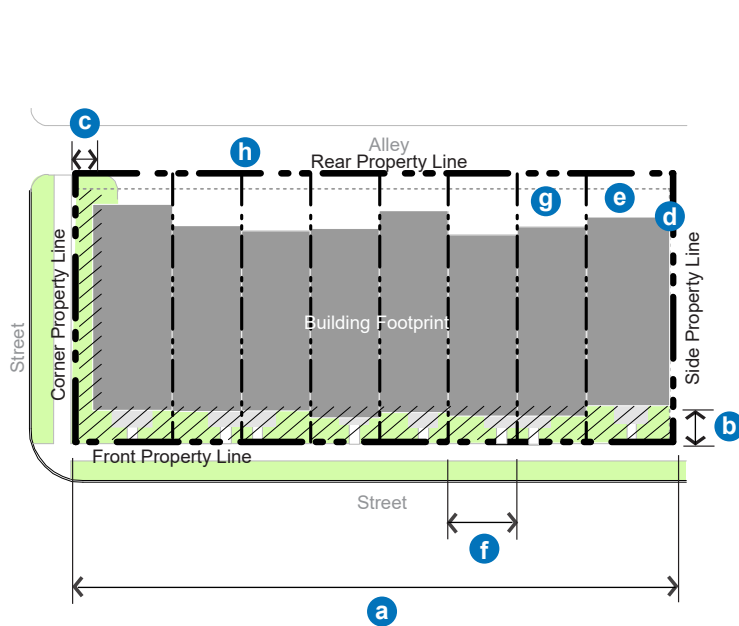
\* Subject to review for compliance with line of sight requirements.



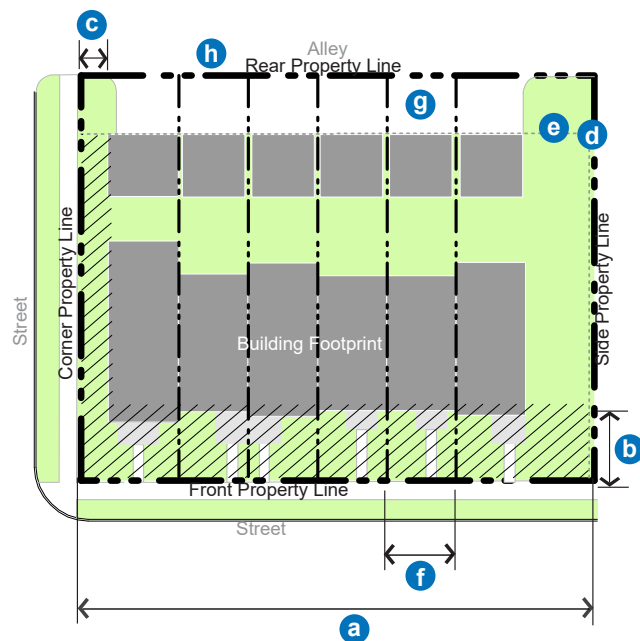


		Permitted Subdistricts			
		Core A	General A	Edge A	Edge C
Townhome Building Type Table					
1 Building Siting* Refer to Figure 5.6(D)(1)					
Multiple Principal Buildings		permitted <sup>1</sup>	permitted <sup>1</sup>	permitted <sup>1</sup>	permitted <sup>1</sup>
a	Front Property Line Coverage	75% <sup>2</sup>	65% <sup>2</sup>	75% <sup>2</sup>	75% <sup>2</sup>
Occupation of Corner		required	required	required	required
b	Front Build-to Zone	5' to 10'	5' to 15' <sup>4</sup>	5' to 10'	5' to 15' <sup>4</sup>
c	Corner Build-to Zone	5' to 10'	5' to 15'	5' to 10'	5' to 15'
d	Minimum Side Yard Setback	0' per unit, 10' between buildings	0' per unit, 15' between buildings	0' per unit, 10' between buildings	0' per unit, 15' between buildings
e	Minimum Rear Yard Setback	5'	10'	5'	10'
f	Minimum Unit Width Maximum Building Width	18' per unit maximum of 10 units per building	22' per unit maximum of 12 units per building	18' per unit maximum of 10 units per building	18' per unit maximum of 10 units per building
Maximum Impervious Coverage Additional Semi-Pervious Coverage		90% 10%	80% 20%	90% 10%	70% 20%
g	Parking and Loading Location	rear yard	rear and side yard <sup>1</sup>	rear yard	rear yard
h	Vehicular Access	alley or one driveway per building per street frontage (not per unit)			
2 Height Refer to Figure 5.6(D)(2)					
i	Minimum Overall Height	2 stories	2 stories	2 stories	1.5 stories
j	Maximum Overall Height	3 stories	3 stories	3 stories	3 stories <sup>6</sup>
k	All Stories: Minimum Height Maximum Height	9' 14'			
3 Uses Refer to Figure 5.6(D)(2). Refer to Chapter 4 Uses for permitted uses.					
m	Ground Story	residential, service, office, limited craftsman industrial <sup>5</sup>	residential, service, office, limited craftsman industrial <sup>5</sup>	residential	residential
n	Upper Story	residential only			
o	Parking within Building	permitted fully in any basement and in rear of first story			
p	Required Occupiable Space	30' deep on all full stories from the front facade			
4 Street Facade Requirements Refer to Figure 5.6(D)(3)					
q	Minimum Ground Story Transparency Transparency requirements apply to street frontages AND frontages for live/work parking.	75%	65% front and corner-side	75%	65% front and corner-side
r	Minimum Transparency per each Story	25%	20%	25%	25%
Blank Wall Limitations		required per story, refer to Section 5.2.4 (2)			
s	Front Facade Entrance Type	stoop, porch, arcade, storefront <sup>3,4</sup>			
t	Principal Entrance Location	front or corner facade			
Vertical Facade Divisions		equal to unit width			
Horizontal Facade Divisions		required within 3' of the top of the ground story			
5 Roof Type Requirements Refer to Figure 5.6(D)(3)					
u	Permitted Roof Types	parapet, pitched, flat			
Tower		not permitted			





Site Plan with Rear Access Attached Garage



Site Plan with Rear Yard and Detached Garage

Figure 5.6(D)(1) Townhome Building: Building Siting

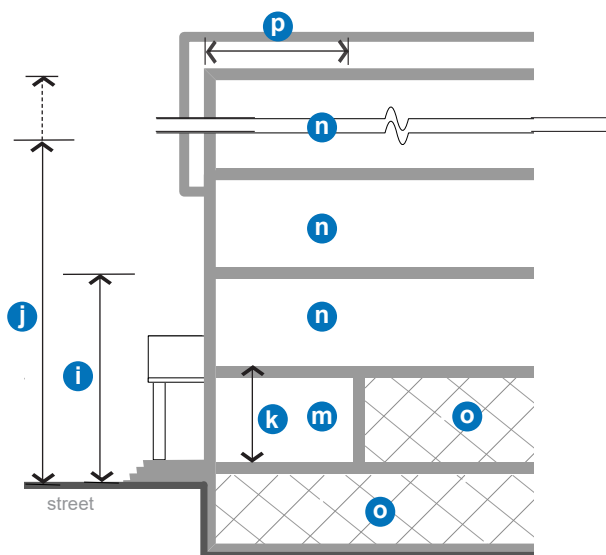


Figure 5.6(D)(2) Townhome Building: Height and Use Requirements

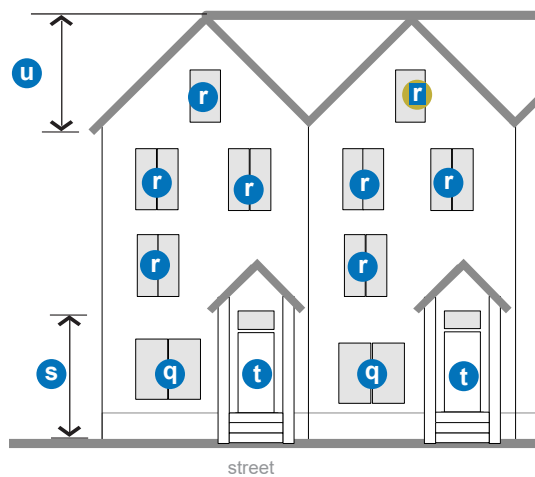


Figure 5.6(D)(3) Townhome Building: Street Facade Requirements

# 5.0 Buildings

## 5.6(E) Yard Building

### 1. Description and Intent

The Yard Building Type is a residential building, incorporating a landscaped yard surrounding all sides of the building. Parking and garages are limited to the rear yard with preferred access from an alley.

The Yard Building Type can be utilized in newly developing locations to create somewhat denser traditional neighborhoods, or as a buffer to existing neighborhoods.

A Pocket Court configuration is permitted with this Building Type. This configuration places a group of buildings in a “U” shape, with a shared greenspace or courtyard surrounded by the building frontages. Typically these units do not have a built-in garage. See examples below.



Pocket Court Example

### 2. Regulations

Regulations for the Yard Building Type are defined in the adjacent table.

#### Notes

<sup>1</sup> Each building shall meet all requirements of the Building Type.

<sup>2</sup> When multiple buildings are located on a single lot, each building shall meet the front property line coverage requirement, except one of every three buildings may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.

<sup>3</sup> Rear yard setback for detached garages on alleys is three feet.

<sup>4</sup> Garages shall not extend forward of the front face of the primary structure. A garage door is visible from the public street should blend with the façade and architectural elements of the structure. Driveway curb-cuts shall be sized for a single-car width, ten feet (10') maximum and the driveway width shall not increase until the driveway extends beyond the front setback.



#### Permitted Districts

Edge C

#### Yard Building Type Table

##### 1 Building Siting Refer to Figure 5.6(E)(1)

Multiple Principal Buildings	permitted <sup>1</sup>
<b>a</b> Front Property Line Coverage	65% <sup>2</sup>
Occupation of Corner	required
<b>b</b> Front Setback	10'
<b>c</b> Corner Setback	8'
<b>d</b> Minimum Side Yard Setback	5'
<b>e</b> Minimum Rear Yard Setback	15' <sup>3</sup>
<b>f</b> Minimum Lot Width Maximum Lot Width	30' 50'
Maximum Impervious Coverage Additional Semi-Pervious Coverage	70% 25%
<b>g</b> Parking	rear and side yard
<b>h</b> Vehicular Access	from alley (if no alley exists, 1 driveway per street frontage <sup>4</sup> )

##### 2 Height Refer to Figure 5.6(E)(2)

<b>i</b> Minimum Overall Height	1.5 story
<b>j</b> Maximum Overall Height	2 stories
<b>k</b> All Stories: Minimum Height Maximum Height	9' 14'

##### 3 Uses Refer to Figure 5.6(E)(2) Refer to Chapter 4 Uses for permitted uses.

<b>m</b> All Stories	residential
<b>o</b> Parking within Building	permitted in rear of ground story
<b>p</b> Required Occupiable Space	30' deep on all full stories from the front facade

##### 4 Street Facade Requirements Refer to Figure 5.6(E)(3)

<b>r</b> Minimum Transparency per each Story	20%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)
<b>s</b> Front Facade Entrance Type	stoop, porch
<b>t</b> Principal Entrance Location per unit	front, corner, or corner side facade

##### 5 Roof Type Requirements Refer to Figure 5.6(E)(3)

<b>u</b> Permitted Roof Types	parapet, pitched, flat
-------------------------------	------------------------

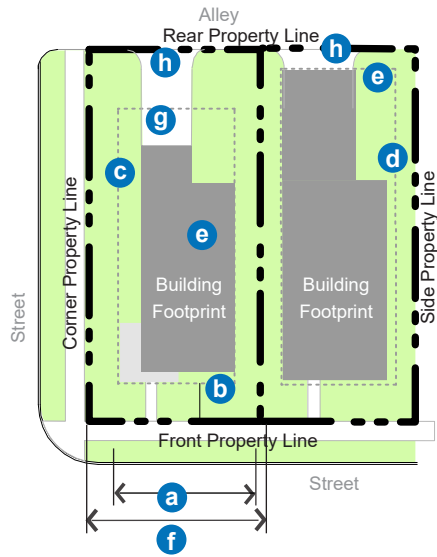


Figure 5.6(E)(1) Yard Building: Building Siting

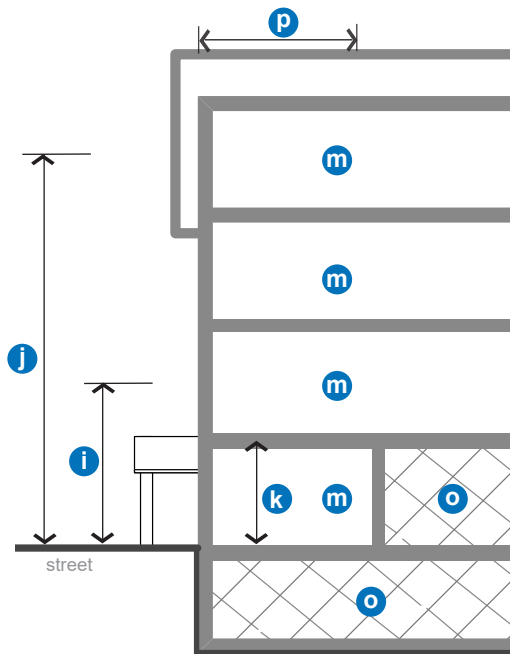


Figure 5.6(E)(2) Yard Building: Height and Use Requirements

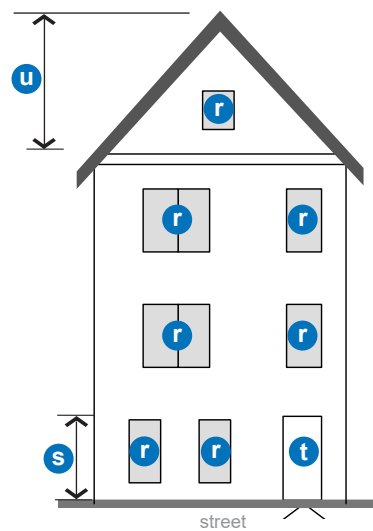


Figure 5.6(E)(3) Yard Building: Street Facade Requirements

# 5.0 Buildings

## 5.6(F) Civic Building

### 1. Description and Intent

The Civic Building Type is the most flexible Building Type intended only for civic and institutional types of uses. These buildings are distinctive and could be designed as iconic structures. In contrast to other Building Types, a minimum setback line is required instead of a build to zone, though this setback is required to be landscaped. Parking is limited to the rear in most cases.

The minimum and maximum heights of this Building Type depend on the district within which it is located.

### 2. Regulations

Regulations for the Civic Building Type are defined in the adjacent table.

#### Notes

<sup>1</sup> Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

<sup>2</sup> Additional setback distance is permitted if utilized as public space, outdoor dining, and/or outdoor seating.

<sup>3</sup> If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

\* Subject to review for compliance with line of sight requirements.



		Permitted Subdistricts				
		Core A	Historic Core	General A	Edge A	Edge B
Civic Building Type Table						
1 Building Siting* Refer to Figure 5.6(F)(1)						
Multiple Principal Buildings		permitted			not permitted	
a	Front Property Line Coverage	90%	80% <sup>1</sup>	70% <sup>1</sup>	70% <sup>1</sup>	70% <sup>1</sup>
	Occupation of Corner	required	required	permitted	permitted	permitted
b	Front Build-to Zone	0' to 10' <sup>2</sup>	0' to 10' <sup>2</sup>	10' to 20' <sup>2</sup>	0' to 10' <sup>2</sup>	0' to 15' <sup>3</sup>
c	Corner Build-to Zone	0' to 5'	0' to 10'	0' to 15'	0' to 5'	0' to 15'
d	Minimum Side Yard Setback	5'	5'	5'	5'	5'
e	Minimum Rear Yard Setback	5'	10'	20'	5'	5'
f	Minimum Lot Width	none	none	none	none	none
	Maximum Lot Width	none	none	none	none	none
	Maximum Impervious Coverage	75%	75%	65%	75%	75%
	Additional Semi-Pervious Coverage	25%	20%	20%	25%	25%
g	Parking and Loading Location	rear	rear	rear and side yard <sup>2</sup>	rear	rear
h	Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)				
2 Height Refer to Figure 5.6(F)(2)						
i	Minimum Overall Height	2 story				
j	Maximum Overall Height	4 stories	4 stories	4 stories	4 stories	4 stories
k	Ground Story: Minimum Height	14' <sup>3</sup>	14' <sup>3</sup>	14' <sup>3</sup>	14' <sup>3</sup>	14' <sup>3</sup>
	Maximum Height	28'	28'	28'	28'	28'
l	Upper Stories: Minimum Height	10'	10'	10'	10'	10'
	Maximum Height	14'	14'	14'	14'	14'
3 Uses Refer to Figure 5.6(F)(2) Refer to Chapter 4 Uses for permitted uses.						
m	Ground Story	civic and commercial uses				
n	Upper Story	civic and commercial uses				
o	Parking within Building	permitted fully in any basement and in rear of upper stories				
p	Required Occupiable Space	30' deep on all full stories from the front facade				
4 Street Facade Requirements Refer to Figure 5.6(F)(3)						
q	Minimum Ground Story Transparency	55%	55%	50%	55%	55%
	Transparency requirements apply to street frontages AND parking lot frontages					
r	Minimum Transparency per each Story	30%	25%	20%	30%	25%
	Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)				
s	Front Facade Entrance Type	arcade, storefront, stoop				
t	Principal Entrance Location	front or corner facade				
	Required Number of Street Entrances	1 per each 100' of front facade				
	Vertical Facade Divisions	not required				
	Horizontal Facade Divisions	not required				
5 Roof Type Requirements Refer to Figure 5.6(F)(3)						
u	Permitted Roof Types	parapet,flat, pitched				
v	Tower	parapet,flat, pitched				

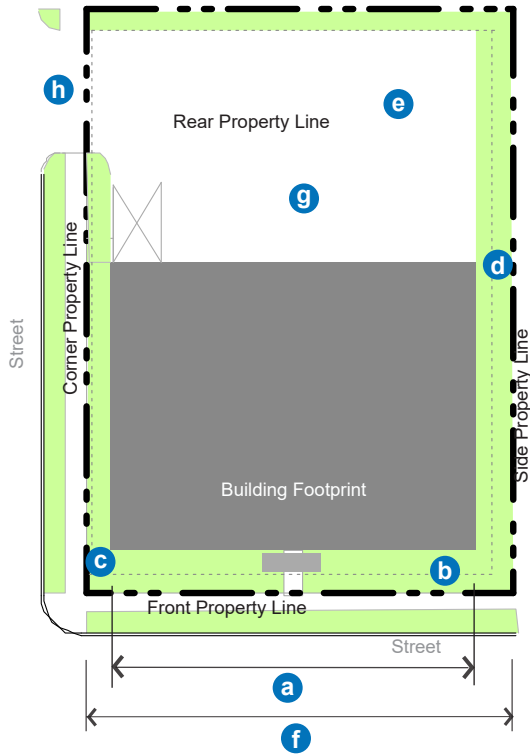


Figure 5.6(F)(1) Civic Building:  
Building Siting

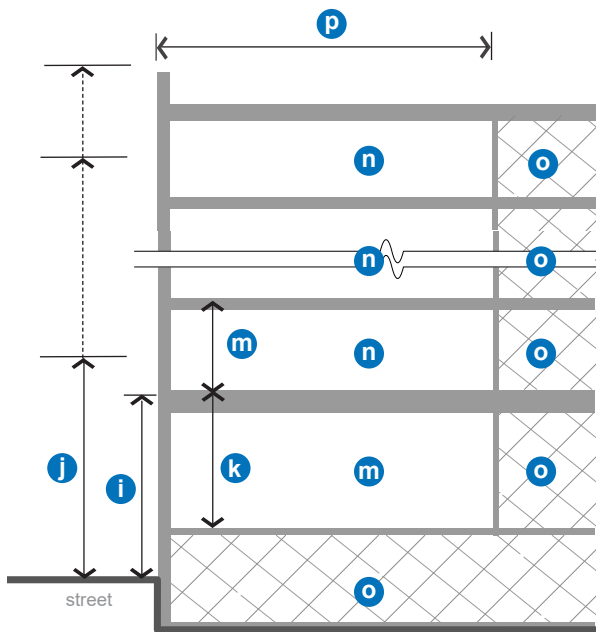


Figure 5.6(F)(2) Civic Building: Height and Use Requirements

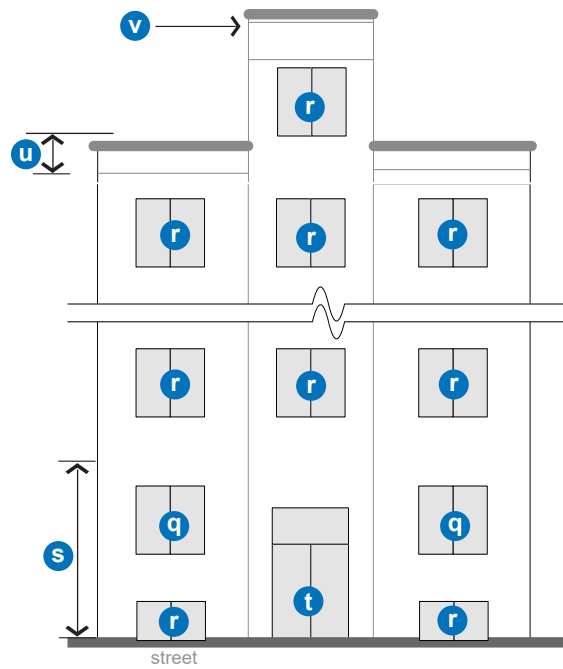


Figure 5.6(F)(3) Civic Building: Street Facade Requirements



# 5.0 Buildings

## 5.6(G) Limited Bay

### 1. Description & Intent

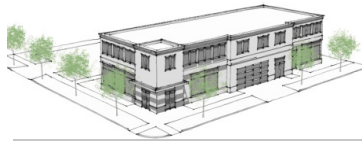
The Limited Bay Building Type permits a lower level of ground floor storefront facade and a single vehicle bay with garage door access on the Primary Street. A wider range of uses can also be accommodated within this Building Type, including craftsman industrial uses. This Building Type is still intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders, and continuing the fabric of the Storefront Building Type.

### 2. Regulations

Regulations for the Limited Bay Building Type are defined in the adjacent table.

#### Notes

1. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
2. Upper stories above the third story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.
3. If 18 feet or more in height, ground story shall count as two stories towards maximum building height.



#### Permitted Districts

Edge B

#### Limited Bay Building Type Table

1 Building Siting* Refer to Figure 5.6(G)(1)	
Multiple Principal Buildings	not permitted
<b>a</b> Front Property Line Coverage	75% <sup>1</sup>
Occupation of Corner	permitted
<b>b</b> Front Build to Zone	0' to 15'
<b>c</b> Corner Build to Zone	0' to 10'
<b>d</b> Minimum Side Yard Setback	0'
<b>e</b> Minimum Rear Yard Setback	5'
Minimum Lot Width	none
<b>f</b> Maximum Lot Width	none
Maximum Impervious Coverage	75%
Additional Semi-Pervious Coverage	20%
<b>g</b> Parking & Loading	rear & side yard
<b>h</b> Street Facade Service Bay Entrance	limited to one per street facade, maximum width 18'
<b>i</b> Vehicular Access	From alley; if no alley exists, 1 driveway per street frontage
2 Height Refer to Figure 5.6(G)(2).	
<b>j</b> Minimum Overall Height	1 story
<b>k</b> Maximum Overall Height	3 stories <sup>2</sup>
<b>l</b> Ground Story: Minimum Height	14'
Maximum Height	24' <sup>3</sup>
<b>m</b> Upper Stories: Minimum Height	9'
Maximum Height	14'
3 Uses Refer to Figure 5.6(G)(2). Refer to 4.0 Uses for permitted uses.	
<b>n</b> Ground Story	retail, service, office, craftsman industrial
<b>o</b> Upper Story	any permitted use
<b>p</b> Parking within Building	permitted fully in basement and in rear of upper floors plus one service bay width at ground floor
<b>q</b> Required Occupied Space	30' deep on all full floors from the front facade
(4) Street Facade Requirements Refer to Figure 5.6(G)(3).	
<b>s</b> Minimum Ground Story Transparency Measured between 2' and 8' above grade	65% , Service Bay door shall be a minimum of 50% transparent
Minimum Transparency per each Story	15%
<b>t</b> Blank Wall Limitations	required per floor
<b>u</b> Front Facade Entrance Type	storefront, stoop
Principal Entrance Location	front or corner facade
Required Number of Street Entrances	1 per 100' of facade; service bay door not included
Vertical Facade Divisions	every 50' of facade width
Horizontal Facade Divisions	required within 3' of the top of the ground story for all buildings over 2 stories
(5) Roof Type Requirements Refer to Figure 5.6(G)(3).	
Permitted Roof Types	parapet, flat
Tower	not permitted

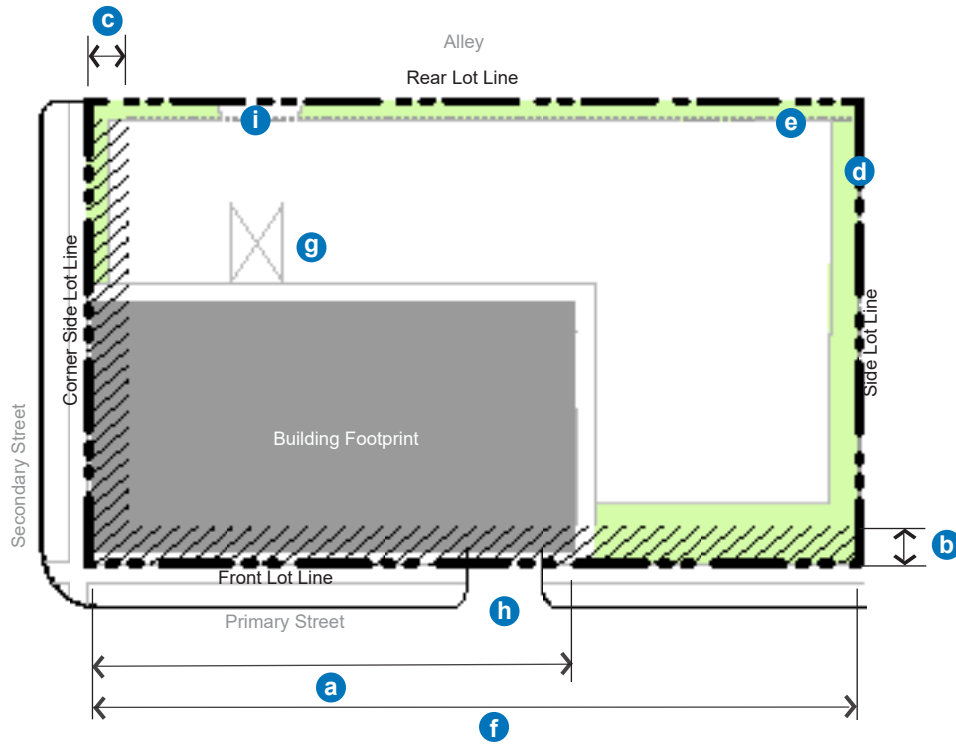


Figure 5.6(G)(1). Limited Bay Building: Building Siting.

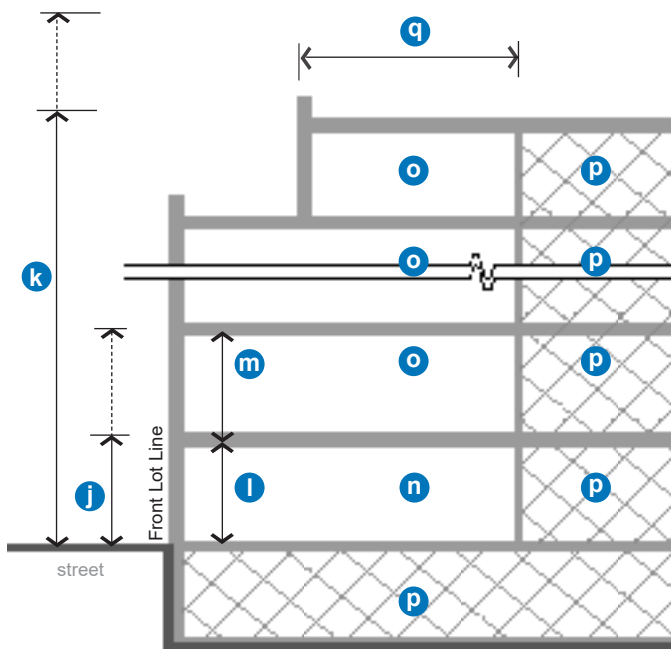


Figure 5.6(G)(2). Limited Bay Building: Height & Use Requirements.

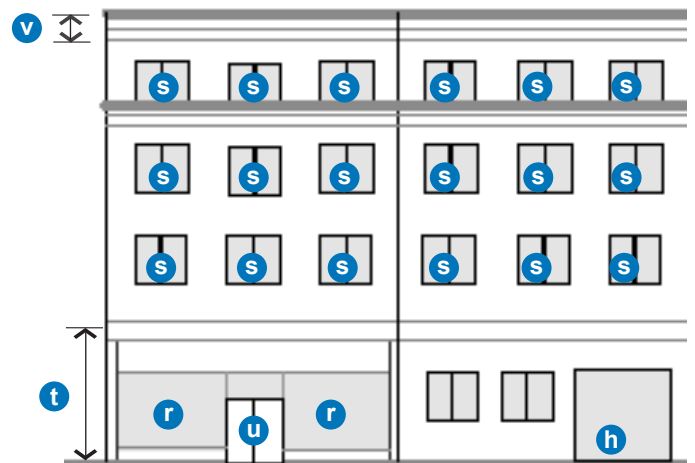


Figure 5.6(G)(3). Limited Bay Building: Street Facade Requirements.

# 5.0 Buildings

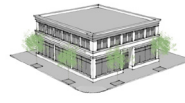
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# 5.7 South Downtown District Building Type Tables

Building Types by Districts and Subdistricts						
		South Downtown District				
		Subdistrict				
		Business Core	Historic Residential	Warehouse District	Edge B	River Edge
Building Types	Storefront	•		•	•	
	General Stoop	•		•	•	
	Mid Scale Shop	•		•		
	Townhome Building	•	•	•		
	Yard Building		•			
	Civic Building	•		•	•	•
	Limited Bay	•		•	•	

• = Permitted

# 5.0 Buildings



## 5.7(A) Storefront Building

### 1. Description and Intent

The Storefront Building is intended for use as a mixed use building located close to the front property line with parking typically in the rear or side of the lot.

The key facade element of this Building Type requires a ground floor front facade, with large amounts of glass and regularly spaced entrances. This Building Type is encouraged near intersections.

This Building Type is available in a variety of intensities, depending on the Subdistrict within which it is located.

### 2. Regulations

Regulations for the Storefront Building Type are defined in the adjacent table.

#### Notes

1. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
2. Above the third story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet adjacent to historic residential.
3. If 18 feet or more in height, ground story shall count as two stories towards maximum building height.
4. Additional setback distance is permitted at the discretion of the zoning administrator and his or her designee if utilized as public space, outdoor dining, and/or outdoor seating.

\* Subject to review for compliance with line of sight requirements.

#### Permitted Subdistricts

Business  
Core

Warehouse  
District

Edge B

#### Storefront Building Type Table

##### 1 Building Siting\* Refer to Figure 5.7(A)(1)

Multiple Principal Buildings	permitted	permitted	not permitted
<b>a</b> Front Property Line Coverage	70% <sup>1</sup>	70% <sup>1</sup>	70% <sup>1</sup>
Occupation of Corner	required	permitted	permitted
<b>b</b> Front Build-to Zone	0' to 10' <sup>4</sup>	0' to 15' <sup>4</sup>	0' to 15' <sup>4</sup>
<b>c</b> Corner Build-to Zone	0' to 10'	0' to 15'	0' to 15'
<b>d</b> Minimum Side Yard Setback	0'	0'	0'
<b>e</b> Minimum Rear Yard Setback	5'	5'	5'
<b>f</b> Minimum Lot Width Maximum Lot Width	none none	none none	none none
Maximum Impervious Coverage Additional Semi-Pervious Coverage	75% 25%	75% 15%	75% 25%
<b>g</b> Parking and Loading Location	rear and side yard <sup>1</sup>		
<b>h</b> Vehicular Access	alley, lane, access lane: if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee		

##### 2 Height Refer to Figure 5.7(A)(2)

<b>i</b> Minimum Overall Height	1 story	2 story	1 story
<b>j</b> Maximum Overall Height	3 stories <sup>2</sup>	6 stories	2 stories
<b>k</b> Ground Story: Minimum Height Maximum Height	14' 28' <sup>3</sup>	14' 28' <sup>3</sup>	14' 28' <sup>3</sup>
<b>l</b> Upper Stories: Minimum Height Maximum Height	9' 14'	9' 14'	9' 14'

##### 3 Uses Refer to Figure 5.7(A)(2). Refer to Chapter 4 Uses for permitted uses.

<b>m</b> Ground Story	retail, service, office
<b>n</b> Upper Story	any permitted use
<b>o</b> Parking within Building	permitted fully in any basement and in rear of all stories
<b>p</b> Required Occupiable Space	30' deep on all full stories from the front facade

##### 4 Street Facade Requirements Refer to Figure 5.7(A)(3)

<b>q</b> Minimum Ground Story Transparency: Transparency requirements apply to street frontages AND frontages to side parking	75%	75%	75%
<b>r</b> Minimum Transparency per each Story	30%	30%	30%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)		
<b>s</b> Front Facade Entrance Type	storefront, arcade		
<b>t</b> Principal Entrance Location	front or corner facade		
Required Number of Street Entrances	1 per each 100' of front facade	1 per each 100' of front facade	1 per each 75' of front facade
Vertical Facade Divisions	every 30' of facade width	every 30' of facade width	every 25' of facade width
Horizontal Facade Divisions	required within 3' of the top of the ground story		

##### 5 Roof Type Requirements Refer to Figure 5.7(A)(3)

<b>u</b> Permitted Roof Types	parapet, flat	parapet, flat	parapet, flat
Tower	permitted, excluded from maximum story		



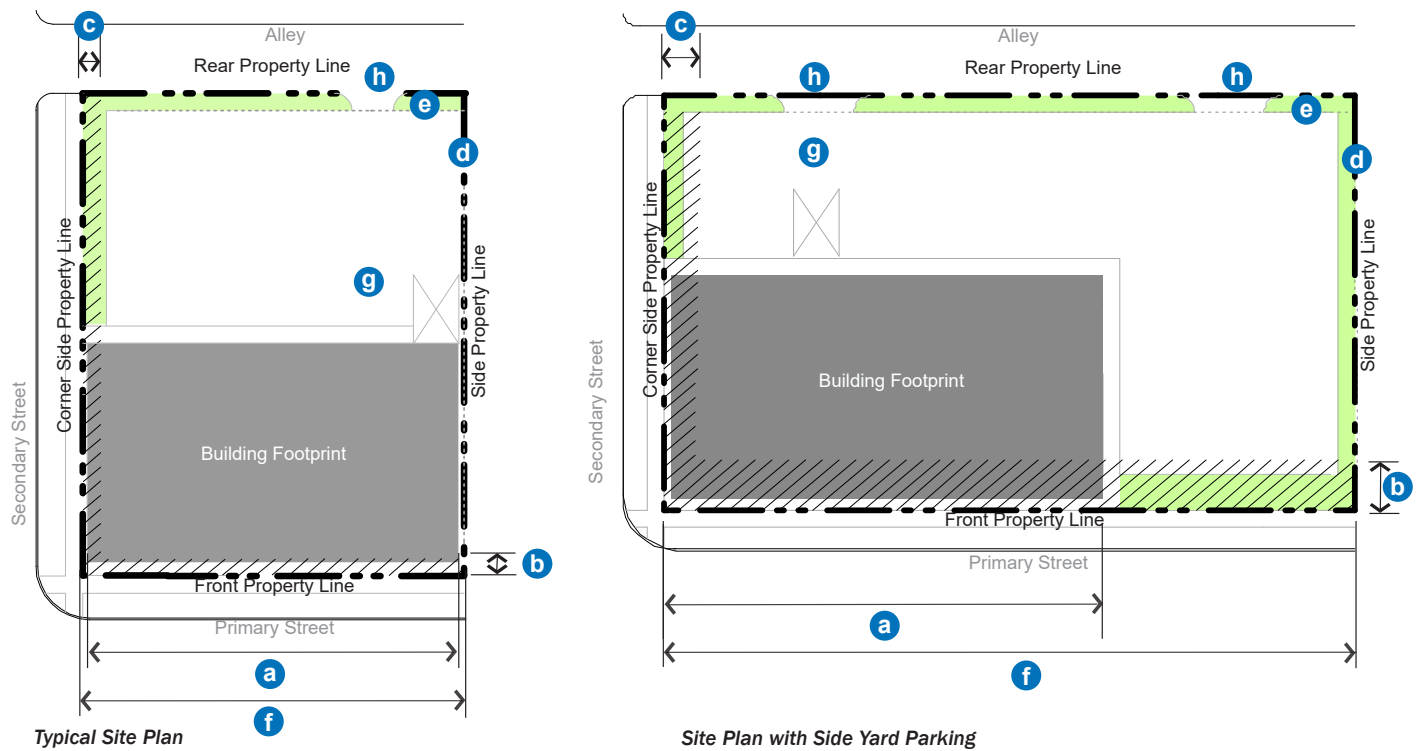


Figure 5.7(A)(1) Storefront Building: Building Siting.

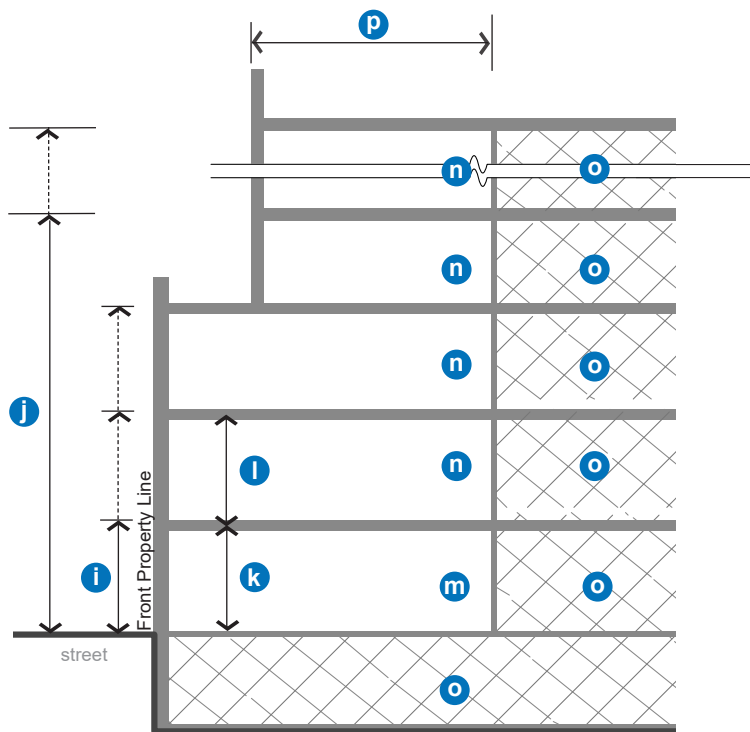


Figure 5.7(A)(2) Storefront Building: Height and Use Requirements

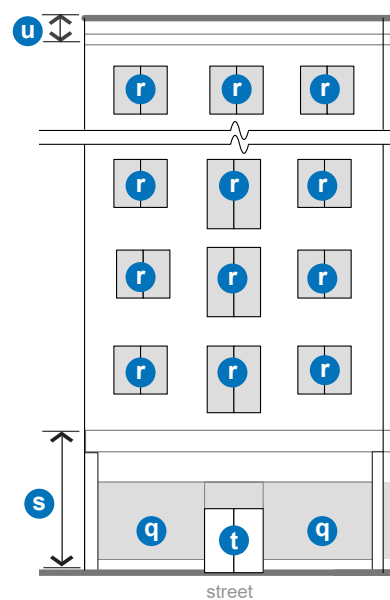


Figure 5.7(A)(3) Storefront Building: Street Facade Requirements

# 5.0 Buildings

## 5.7(B) General Stoop Building

### 1 Description and Intent

The General Stoop Building Type permits a range of building facades and can accommodate mixed uses or can be used strictly for residential. The General Stoop Building Type is intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one double loaded aisle of parking is permitted in the side yard property line. The minimum and maximum heights of this Building Type depend on the Subdistrict within which it is located.

Ground floor residential units should engage the street with pedestrian-welcoming frontages and direct access to the sidewalk. Ground floor residential units should relate to the street environment, but maintain a sense of ownership and a delineation of the transition from public to private. A step up or a step down is recommended.

### 2. Regulations

Regulations for the General Stoop Building Type are defined in the adjacent table.

#### Notes

1. A courtyard covering up to 35% of the front facade is permitted and may contribute to the Front Lot Line Coverage requirement.
2. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
3. Upper stories above the Third story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.

\* Subject to review for compliance with line of sight requirements.



#### Permitted Subdistricts

Business Core

Warehouse District

### General Stoop Building Type Table

#### 1 Building Siting\* Refer to Figure 5.7(B)(1)

Multiple Principal Buildings	permitted	permitted
<b>a</b> Front Property Line Coverage	75% <sup>1</sup>	75% <sup>1</sup>
Occupation of Corner	required	permitted
<b>b</b> Front Build-to Zone	0' to 10'	0' to 10'
<b>c</b> Corner Build-to Zone	5' to 10'	5' to 10'
<b>d</b> Minimum Side Yard Setback	0'	0'
<b>e</b> Minimum Rear Yard Setback	0'	10'
<b>f</b> Minimum Lot Width	none	none
Maximum Lot Width	none	none
Maximum Impervious Coverage	80%	75%
Additional Semi-Pervious Coverage	20%	15%
<b>g</b> Parking and Loading Location	rear and side yard	
<b>h</b> Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)	

#### 2 Height Refer to Figure 5.7(B)(2)

<b>i</b> Minimum Overall Height	1 stories	2 stories
<b>j</b> Maximum Overall Height	3 stories <sup>3</sup>	10 stories <sup>3</sup>
<b>k</b> Ground Story: Minimum Height	14'	14'
Maximum Height	28'	20'
<b>l</b> Upper Stories: Minimum Height	9'	9'
Maximum Height	14'	14'

#### 3 Uses Refer to Figure 5.7(B)(2). Refer to Chapter 4 Uses for permitted uses.

<b>m</b> Ground Story	any permitted use
<b>n</b> Upper Story	any permitted use
<b>o</b> Parking within Building	permitted fully in any basement and in rear of all stories
<b>p</b> Required Occupiable Space	30' deep on all full stories from the front facade

#### 4 Street Facade Requirements Refer to Figure 5.7(B)(3)

<b>q</b> Minimum Ground Story Transparency	65%	65%
Transparency requirements apply to street frontages and frontages to side and rear parking		
<b>r</b> Minimum Transparency per each Story	30%	30%
<b>s</b> Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)	
Front Facade Entrance Type	stoop, porch, storefront	stoop, porch, storefront
Principal Entrance Location	front or corner facade	front or corner facade
<b>t</b> Required Number of Street Entrances	1 per each 75' of front facade	
Vertical Facade Divisions	every 30' of facade width	
Horizontal Facade Divisions	required within 3' of the top of the ground story	

#### 5 Roof Type Requirements Refer to Figure 5.7(B)(3)

<b>u</b> Permitted Roof Types	parapet, flat	
<b>v</b> Tower	permitted	permitted, excluded from maximum story

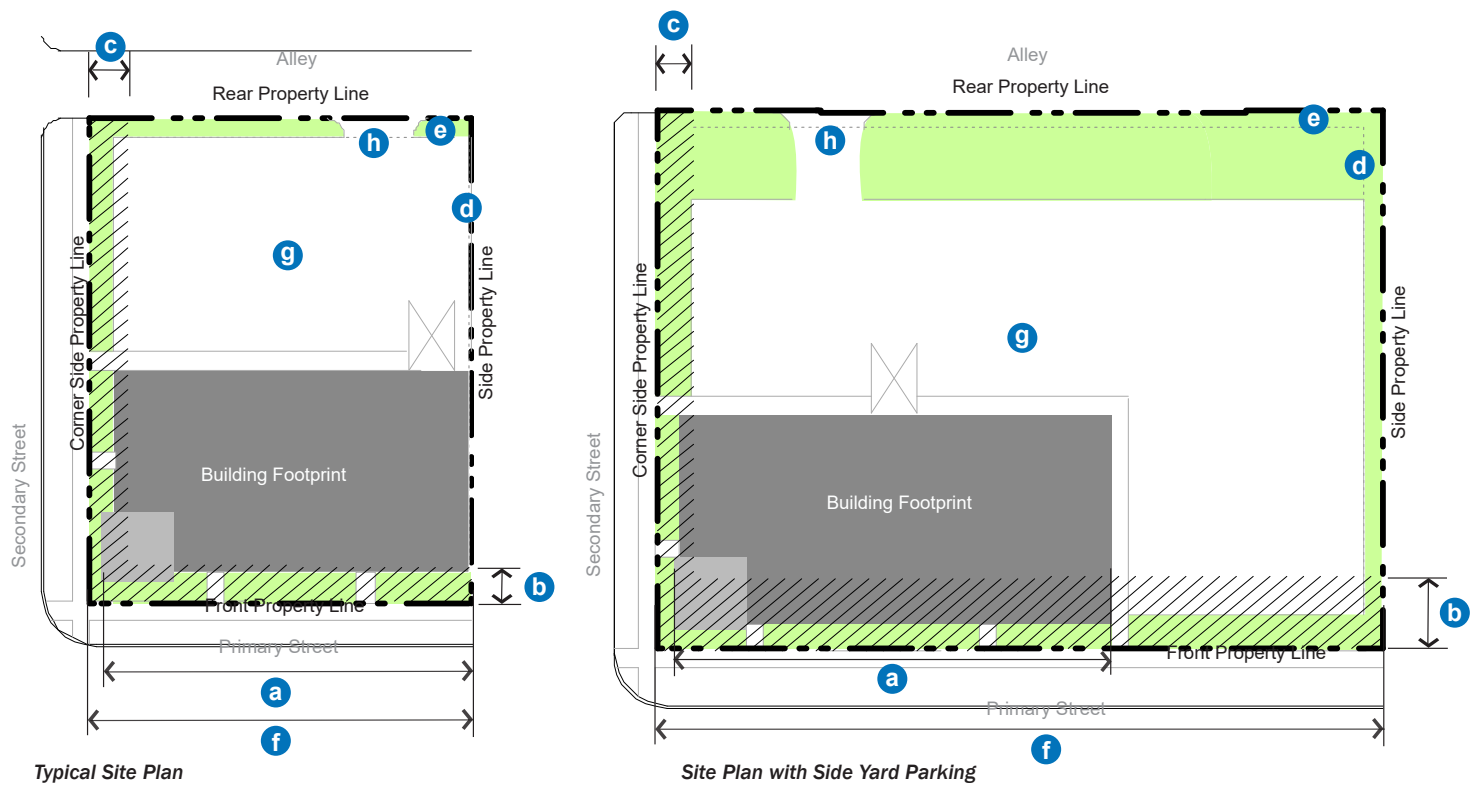


Figure 5.7(B)(1) General Stoop Building: Building Siting

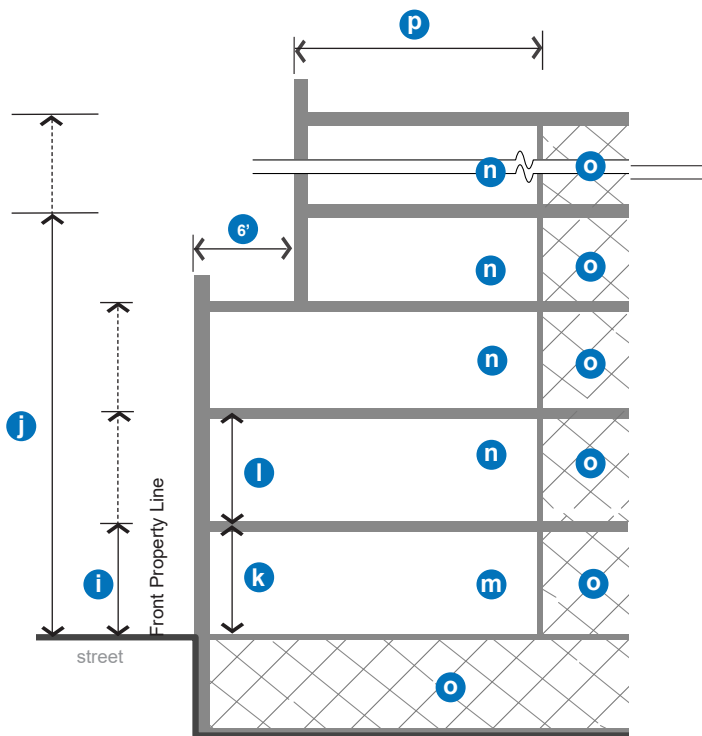


Figure 5.7(B)(2) General Stoop Building: Height and Use Requirements

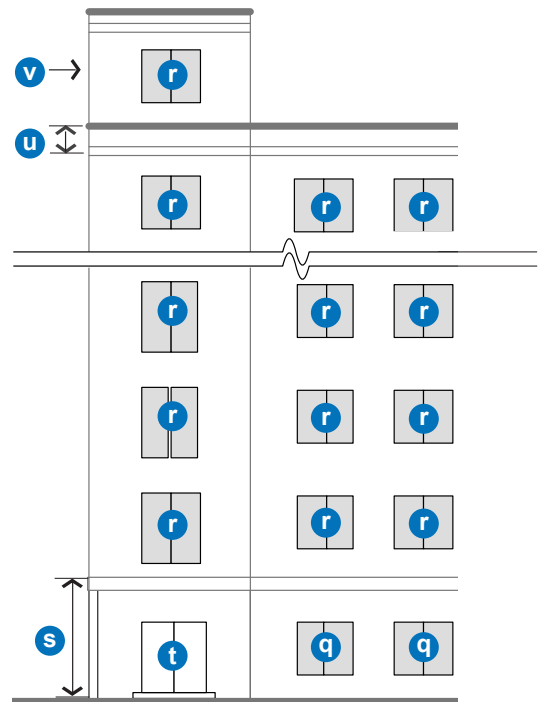


Figure 5.7(B)(3) General Stoop Building: Street Facade Requirements

# 5.0 Buildings

## 5.7(C) Mid Scale Shop Building

### 1. Description and Intent

The Mid Scale Shop Building Type permits a larger building footprint for a single use building with a ground floor storefront facade. The minimum sized building footprint of the Mid Scale Shop is forty thousand square feet (40,000 ft<sup>2</sup>). If a building is to have a smaller footprint then it will not be considered or approved as a Mid Scale Shop.

This Building Type is still intended to be built close to the front and corner property lines allowing easy access to pedestrians and transit riders. Parking may be permitted in the rear of the lot, internally in the building, or one double loaded aisle of parking is permitted in the interior or the side yard at the front property line.

Materials and facade articulation should ensure these structures contribute positively to the public realm and the aesthetic goals of the district.

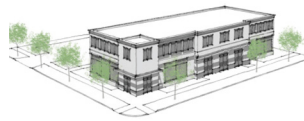
### 2. Regulations

Regulations for the Mid Scale Shop Building Type are defined in the adjacent table.

#### Notes

1. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
2. If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

\* Subject to review for compliance with line of sight requirements.



#### Permitted Subdistricts

Warehouse District

#### Mid Scale Shop Building Type Table

##### 1 Building Siting\* Refer to Figure 5.7(C)(1)

Multiple Principal Buildings	not permitted
<b>a</b> Front Property Line Coverage	85% <sup>1</sup>
Occupation of Corner	Required
<b>b</b> Front Build-to Zone	0' to 15'
<b>c</b> Corner Build-to Zone	0' to 10'
<b>d</b> Minimum Side Yard Setback	5'
<b>e</b> Minimum Rear Yard Setback	5'
<b>f</b> Minimum Lot Width	150'
Maximum Lot Width	none
Maximum Impervious Coverage	75%
Additional Semi-Pervious Coverage	20%
<b>g</b> Parking and Loading Location	rear and side yard
<b>h</b> Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)

##### 2 Height Refer to Figure 5.7(C)(2)

<b>i</b> Minimum Overall Height	1 story
<b>j</b> Maximum Overall Height	3 stories*
<b>k</b> Ground Story: Minimum Height	14'
Maximum Height	28' <sup>2</sup>
<b>l</b> Upper Stories: Minimum Height	9'
Maximum Height	14'

##### 3 Uses Refer to Figure 5.7(C)(2). Refer to Chapter 4 Uses for permitted uses.

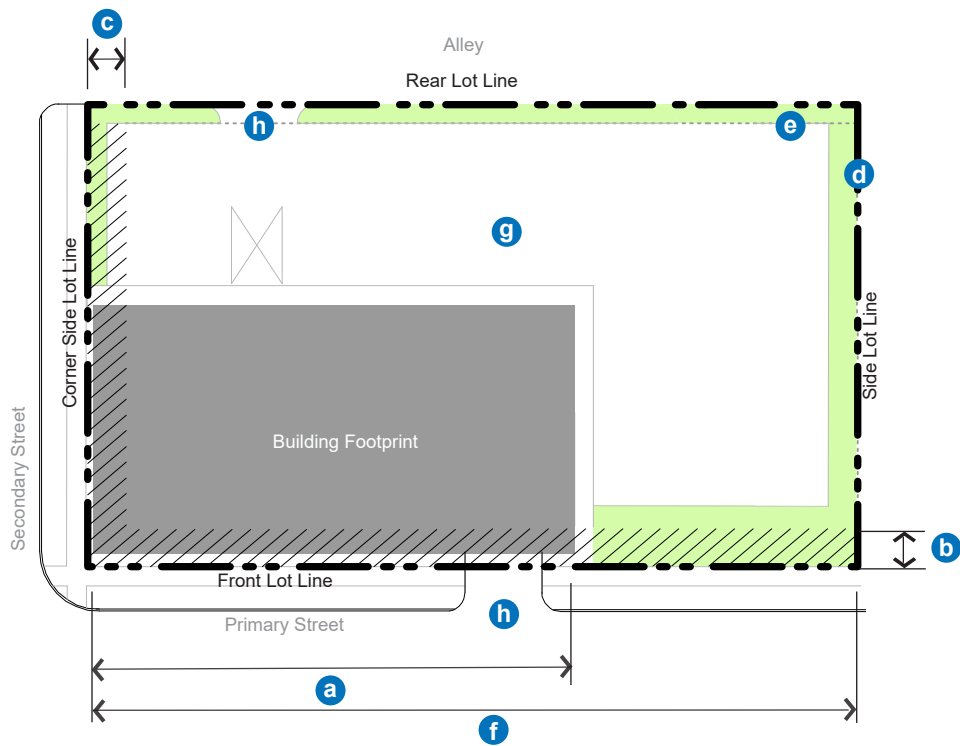
<b>m</b> Ground Story	retail, service, office, craftsman industrial
<b>n</b> Upper Story	retail, service, office, craftsman industrial
<b>o</b> Parking within Building	permitted fully in any basement and in rear of all stories
<b>p</b> Required Occupiable Space	40' deep on all full stories from the front facade

##### 4 Street Facade Requirements Refer to Figure 5.7(C)(3)

<b>q</b> Minimum Ground Story Transparency	65%
Transparency requirements apply to street frontages AND frontages to side and rear parking	
<b>r</b> Minimum Transparency per each Story	35%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)
<b>s</b> Front Facade Entrance Type	storefront, arcade
<b>t</b> Principal Entrance Location	front or corner facade
Required Number of Street Entrances	1 per each 100' of front facade
Vertical Facade Divisions	every 50' of facade width
Horizontal Facade Divisions	required within 3' of the top of the ground story

##### 5 Roof Type Requirements Refer to Figure 5.5(C)(3)

<b>u</b> Permitted Roof Types	parapet, flat
<b>v</b> Tower	permitted, excluded from maximum story



Typical Site Plan

Figure 5.7(C)(1) Mid Scale Shop Building: Building Siting

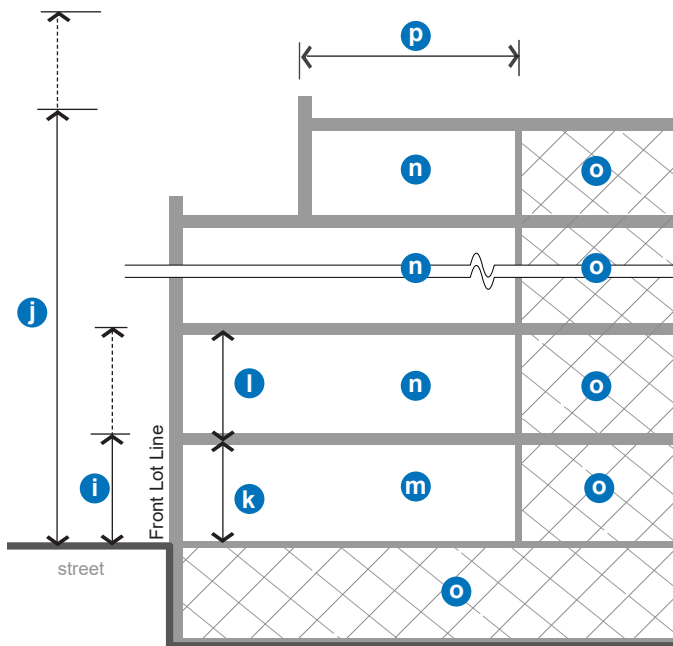


Figure 5.7(C)(2) Mid Scale Shop Building: Height and Use Requirements

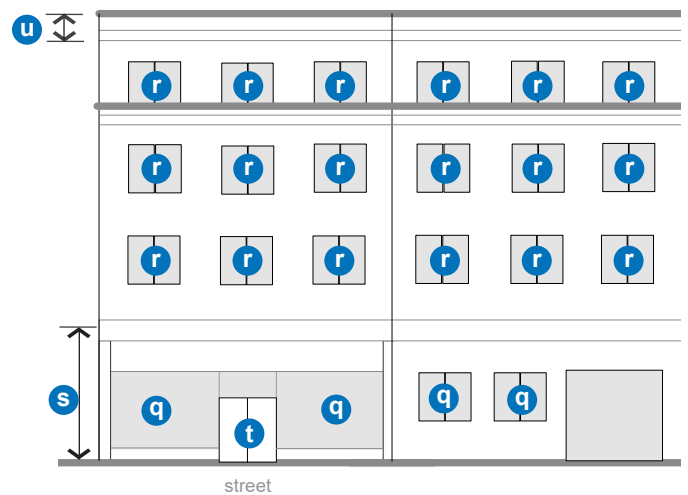


Figure 5.7(C)(3) Mid Scale Shop Building: Street Facade Requirements



# 5.0 Buildings

## 5.7(D) Townhome Building

### 1. Description and Intent

The Townhome Building Type is typically comprised of multiple vertical units, each with its own entrance to the street. This Building Type may be organized as townhouses or rowhouses, or it could also incorporate live/work units where permitted.

Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garaged accessed from the rear of the building. However, when the garage is located within the building, a minimum level of living space is required on the front facade to ensure that the street facade is active.

### 2. Regulations

Regulations for the Townhome Building Type are defined in the adjacent table.

Notes:

- For the purposes of the Townhome Building, a building consists of a series of units. When permitted, multiple buildings may be located on a lot with the minimum required space between them. However, each building shall meet all requirements of the Building Type unless otherwise noted.
- For courtyard developments the courtyard shall count toward the front property line coverage if it is adjacent to the front property line.
- For Live/Work units only, otherwise ground story shall be residential.
- Three stories will be allowed only if it is located at least 100 feet from single story residential buildings. This will be measured from the property line of the single story building to the nearest wall of the three story building.

\* Subject to review for compliance with line of sight requirements.



Warehouse

#### Townhome Building Type Table

##### 1 Building Siting\* Refer to Figure 5.7(D)(1)

Multiple Principal Buildings	permitted <sup>1</sup>
<b>a</b> Front Property Line Coverage	75% <sup>2</sup>
Occupation of Corner	required
<b>b</b> Front Build-to Zone	5' to 10'
<b>c</b> Corner Build-to Zone	5' to 10'
<b>d</b> Minimum Side Yard Setback	0' per unit, 10' between buildings
<b>e</b> Minimum Rear Yard Setback	10'
<b>f</b> Minimum Unit Width Maximum Building Width	22' per unit maximum of 12 units per building
Maximum Impervious Coverage Additional Semi-Pervious Coverage	70% 20%
<b>g</b> Parking and Loading Location	rear yard
<b>h</b> Vehicular Access	1 per building per street frontage

##### 2 Height Refer to Figure 5.7(D)(2)

<b>i</b> Minimum Overall Height	2 stories
<b>j</b> Maximum Overall Height	3 stories <sup>4</sup>
<b>k</b> All Stories: Minimum Height Maximum Height	9' 14'

##### 3 Uses Refer to Figure 5.7(D)(2). Refer to Chapter 4 Uses for permitted uses.

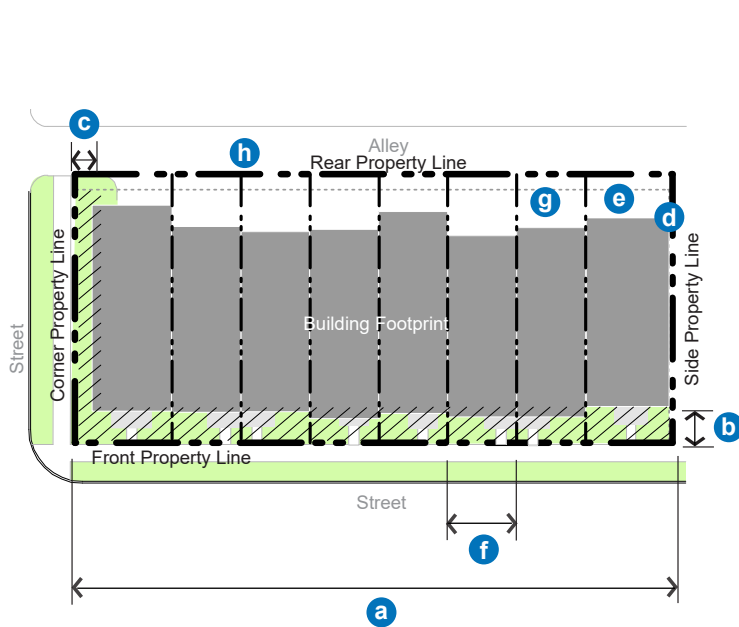
<b>m</b> Ground Story	residential, service, office, limited craftsman, retail <sup>3</sup>
<b>n</b> Upper Story	residential
<b>o</b> Parking within Building	basement, rear of first story
<b>p</b> Required Occupiable Space	30' deep on all full stories from front facade

##### 4 Street Facade Requirements Refer to Figure 5.7(D)(3)

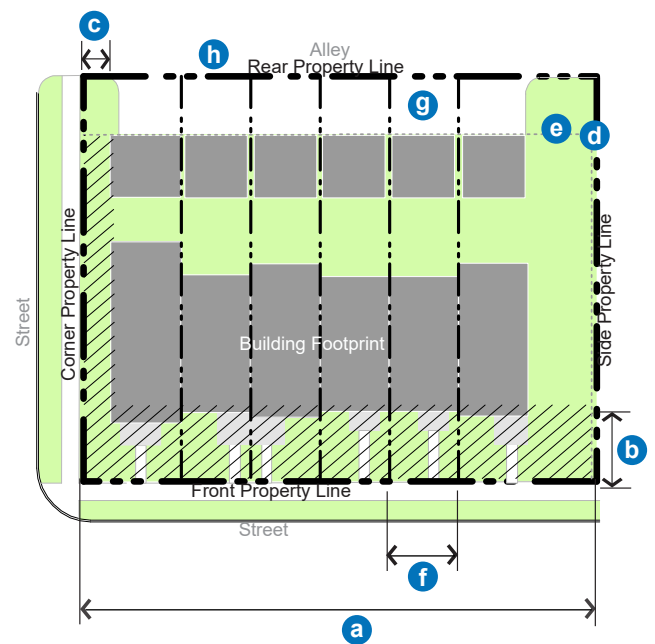
Minimum Ground Story Transparency	75%
<b>q</b> Transparency requirements apply to street frontages AND frontages for live/work parking.	
<b>r</b> Minimum Transparency per each Story	25%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)
<b>s</b> Front Facade Entrance Type	stoop, porch
<b>t</b> Principal Entrance Location	front or corner
Vertical Facade Divisions	equal to unit width
Horizontal Facade Divisions	required within 3' of the top of ground story

##### 5 Roof Type Requirements Refer to Figure 5.7(D)(3)

<b>u</b> Permitted Roof Types	pitched, flat, parapet
Tower	none



Site Plan with Rear Access Attached Garage



Site Plan with Rear Yard and Detached Garage

Figure 5.7(D)(1) Townhome Building: Building Siting

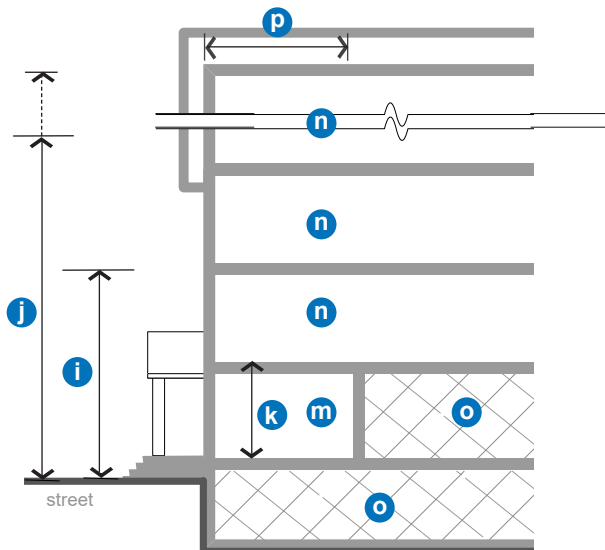


Figure 5.7(D)(2) Townhome Building: Height and Use Requirements

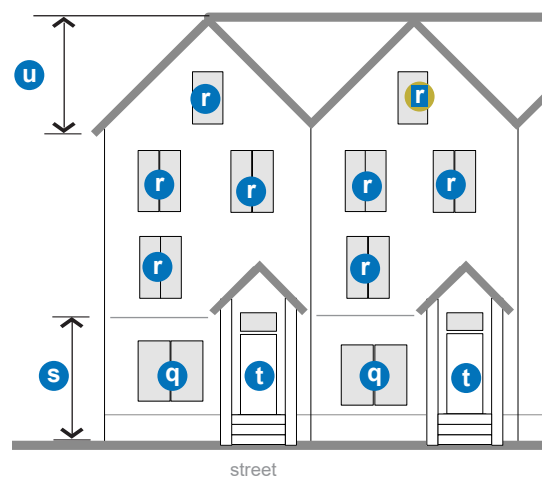


Figure 5.7(D)(3) Townhome Building: Street Facade Requirements

# 5.0 Buildings

## 5.7(E) Yard Building

### 1. Description and Intent

The Yard Building Type is a residential building, incorporating a landscaped yard surrounding all sides of the building. Parking and garages are limited to the rear yard with preferred access from an alley.

The Yard Building Type can be utilized in newly developing locations to create somewhat denser traditional neighborhoods, or as a buffer to existing neighborhoods.

A Pocket Court configuration is permitted with this Building Type. This configuration places a group of buildings in a “U” shape, with a shared greenspace or courtyard surrounded by the building frontages. Typically these units do not have a built-in garage. See examples below.



Pocket Court Example

### 2. Regulations

Regulations for the Yard Building Type are defined in the adjacent table.

#### Notes

- Each building shall meet all requirements of the Building Type.
- When multiple buildings are located on a single lot, each building shall meet the front property line coverage requirement, except one of every three buildings may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.
- Rear yard setback for detached garages on alleys is three feet.
- Garages shall not extend forward of the front face of the primary structure. A garage door which is visible from the public street should blend with the façade and architectural elements of the structure. Driveway curb-cuts shall be sized for a single-car width, ten feet (10') maximum and the driveway width shall not increase until the driveway extends beyond the front setback.



#### Permitted Districts

Historic Residential

#### Yard Building Type Table

##### 1 Building Siting Refer to Figure 5.7(E)(1)

Multiple Principal Buildings	permitted <sup>1</sup>
<b>a</b> Front Property Line Coverage	65% <sup>2</sup>
Occupation of Corner	required
<b>b</b> Front Setback	10'-15'
<b>c</b> Corner Setback	8'-10'
<b>d</b> Minimum Side Yard Setback	5'
<b>e</b> Minimum Rear Yard Setback	15' <sup>3</sup>
<b>f</b> Minimum Lot Width Maximum Lot Width	25' 50'
Maximum Impervious Coverage Additional Semi-Pervious Coverage	60% 20%
<b>g</b> Parking	rear and side yard
<b>h</b> Vehicular Access	from alley (if no alley exists, 1 driveway per street frontage <sup>4</sup> )

##### 2 Height Refer to Figure 5.7(E)(2)

<b>i</b> Minimum Overall Height	1 story
<b>j</b> Maximum Overall Height	2 stories
<b>k</b> All Stories: Minimum Height Maximum Height	9' 14'

##### 3 Uses Refer to Figure 5.7(E)(2) Refer to Chapter 4 Uses for permitted uses.

<b>m</b> All Stories	residential
<b>n</b> Parking within Building	basement, rear of first story
<b>p</b> Required Occupiable Space	30' deep on all full stories from the front facade

##### 4 Street Facade Requirements Refer to Figure 5.7(E)(3)

<b>r</b> Minimum Transparency per each Story	20%
Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)
<b>s</b> Front Facade Entrance Type	stoop, porch
<b>t</b> Principal Entrance Location per unit	front, corner, or corner side facade
Vertical Facade Divisions	1 every 25' of facade width

##### 5 Roof Type Requirements Refer to Figure 5.7(E)(3)

<b>u</b> Permitted Roof Types	parapet, pitched
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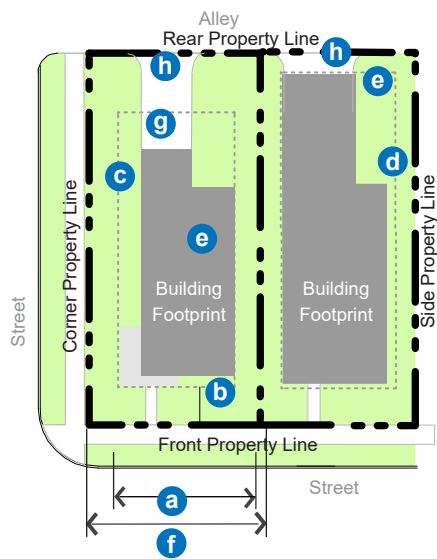


Figure 5.7(E)(1) Yard Building: Building Siting

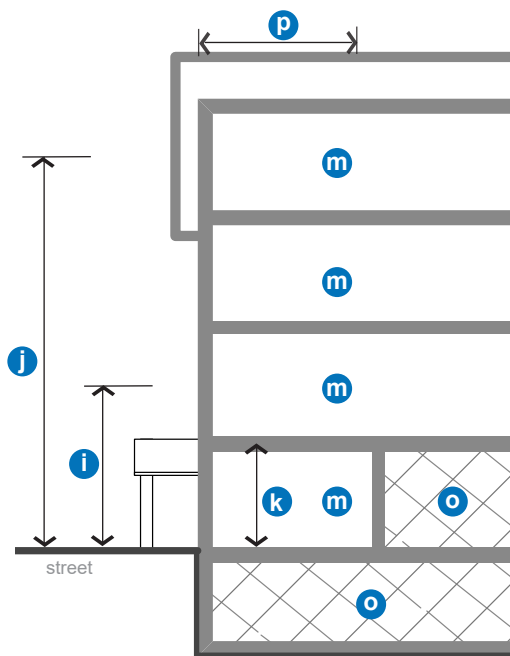


Figure 5.7(E)(2) Yard Building: Height and Use Requirements

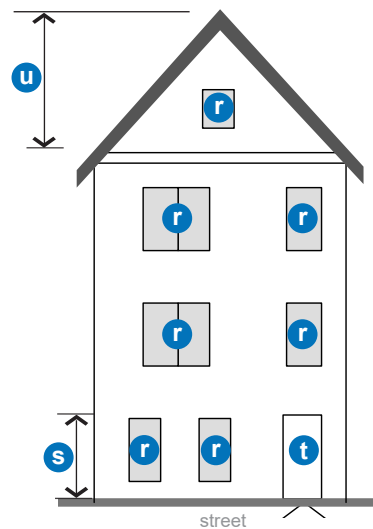


Figure 5.7(E)(3) Yard Building: Street Facade Requirements

# 5.0 Buildings

## 5.7(F) Civic Building

### 1. Description and Intent

The Civic Building Type is the most flexible Building Type intended only for civic and institutional types of uses. These buildings are distinctive and could be designed as iconic structures. In contrast to other Building Types, a minimum setback line is required instead of a build to zone, though this setback is required to be landscaped. Parking is limited to the rear in most cases.

The minimum and maximum heights of this Building Type depend on the district within which it is located.

### 2. Regulations

Regulations for the Civic Building Type are defined in the adjacent table.

#### Notes

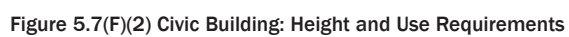
1. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
2. Additional setback distance is permitted if utilized as public space, outdoor dining, and/or outdoor seating.
3. If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

\* Subject to review for compliance with line of sight requirements.



		Permitted Subdistricts			
		Business Core	Warehouse District	River Edge	Edge B
Civic Building Type Table					
1 Building Siting* Refer to Figure 5.7(F)(1)					
Multiple Principal Buildings		permitted			
a	Front Property Line Coverage	85%	75% <sup>1</sup>	55% <sup>1</sup>	70% <sup>1</sup>
	Occupation of Corner	required	required	permitted	permitted
b	Front Build-to Zone	0' to 10' <sup>2</sup>	0' to 10' <sup>2</sup>	10' to 20' <sup>2</sup>	0' to 15' <sup>3</sup>
c	Corner Build-to Zone	0' to 5'	0' to 10'	0' to 15'	0' to 15'
d	Minimum Side Yard Setback	0'	0'	5'	0'
e	Minimum Rear Yard Setback	5'	10'	20'	5'
f	Minimum Lot Width	none	none	none	none
	Maximum Lot Width	none	none	none	none
	Maximum Impervious Coverage	75%	75%	65%	75%
	Additional Semi-Pervious Coverage	25%	15%	15%	25%
g	Parking and Loading Location	rear and side yard	rear and side yard	front and side yard	rear and side yard
h	Vehicular Access	alley, lane, access lane (if none exists, 1 driveway is permitted per non-primary street, or as approved by the Zoning Administrator or designee)			
2 Height Refer to Figure 5.7(F)(2)					
i	Minimum Overall Height	1 story			
j	Maximum Overall Height	3 stories	4 stories	4 stories	2 stories
k	Ground Story: Minimum Height	14' <sup>3</sup>	14' <sup>3</sup>	14' <sup>3</sup>	14' <sup>3</sup>
	Maximum Height	28'	28'	28'	28'
l	Upper Stories: Minimum Height	10'	10'	10'	10'
	Maximum Height	14'	14'	14'	14'
3 Uses Refer to Figure 5.7(F)(2) Refer to Chapter 4 Uses for permitted uses.					
m	Ground Story	civic and commercial uses			
n	Upper Story	civic and commercial uses			
o	Parking within Building	permitted fully in any basement and in rear of upper stories			
p	Required Occupiable Space	30' deep on all full stories from the front facade			
4 Street Facade Requirements Refer to Figure 5.7(F)(3)					
q	Minimum Ground Story Transparency	55%	55%	50%	55%
	Transparency requirements apply to street frontages and parking lot frontages				
r	Minimum Transparency per each Story	30%	25%	20%	25%
	Blank Wall Limitations	required per story, refer to Section 5.2.4 (2)			
s	Front Facade Entrance Type	arcade, storefront, stoop			
t	Principal Entrance Location	front or corner facade			
	Required Number of Street Entrances	1 per each 100' of front facade			
	Vertical Facade Divisions	1 every 50' of facade width			
	Horizontal Facade Divisions	not required			
5 Roof Type Requirements Refer to Figure 5.7(F)(3)					
u	Permitted Roof Types	parapet,flat			
v	Tower	parapet,flat			





# 5.0 Buildings

## 5.7(G) Limited Bay

### 1. Description & Intent

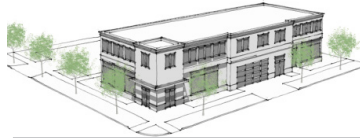
The Limited Bay Building Type permits a lower level of ground floor storefront facade and a single vehicle bay with garage door access on the Primary Street. A wider range of uses can also be accommodated within this Building Type, including craftsman industrial uses. This Building Type is still intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders, and continuing the fabric of the Storefront Building Type.

### 2. Regulations

Regulations for the Limited Bay Building Type are defined in the adjacent table.

#### Notes

1. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
2. Upper stories above the third story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.
3. If 18 feet or more in height, ground story shall count as two stories towards maximum building height.



Limited Bay Building Type Table

1 Building Siting* Refer to Figure 5.7(G)(1)				
Multiple Principal Buildings		not permitted	permitted	not permitted
a	Front Property Line Coverage	75% <sup>1</sup>	75% <sup>1</sup>	75% <sup>1</sup>
Occupation of Corner		required	required	permitted
b	Front Build to Zone	0' to 15'	0' to 10'	0' to 15'
c	Corner Build to Zone	0' to 10'	0' to 5'	0' to 10'
d	Minimum Side Yard Setback	0'	0'	0'
e	Minimum Rear Yard Setback	5'	10'	5'
f	Minimum Lot Width	none	none	none
Maximum Lot Width		none	none	none
Maximum Impervious Coverage		70%	70%	75%
Additional Semi-Pervious Coverage		20%	20%	20%
g	Parking & Loading	rear & side yard	rear & side yard	rear & side yard
h	Street Facade Service Bay Entrance	limited to one per street facade, maximum width 18'		
Vehicular Access		From alley; if no alley exists, 1 driveway per street frontage		
i	2 Height Refer to Figure 5.7(G)(2).			
j	Minimum Overall Height	1 story		
k	Maximum Overall Height	3 stories <sup>2</sup>	6 stories <sup>2</sup>	3 stories <sup>2</sup>
l	Ground Story: Minimum Height	14'	14'	14'
Maximum Height		24' <sup>3</sup>	24' <sup>3</sup>	24' <sup>3</sup>
m	Upper Stories: Minimum Height	9'	9'	9'
Maximum Height		14'	14'	14'
3 Uses Refer to Figure 5.7(G)(2). Refer to 4.0 Uses for permitted uses.				
n	Ground Story	retail, service, office, craftsman industrial		
o	Upper Story	any permitted use		
p	Parking within Building	permitted fully in basement and in rear of upper floors plus one service bay width at ground floor		
q	Required Occupied Space	30' deep on all full floors from the front facade		
(4) Street Facade Requirements Refer to Figure 5.7(G)(3).				
r	Minimum Ground Story Transparency Measured between 2' and 8' above grade	65% , Service Bay door shall be a minimum of 50% transparent		
s	Minimum Transparency per each Story	15%	15%	15%
Blank Wall Limitations		required per floor		
t	Front Facade Entrance Type	storefront, stoop		
u	Principal Entrance Location	front or corner facade		
Required Number of Street Entrances		1 per 100' of facade; service bay door not included		
Vertical Facade Divisions		every 50' of facade width	every 25' of facade width	
Horizontal Facade Divisions		required within 3' of the top of the ground story for all buildings over 2 stories		
(5) Roof Type Requirements Refer to Figure 5.7(G)(3).				
v	Permitted Roof Types	parapet, flat		
Tower		permitted, not included in overall height		not permitted

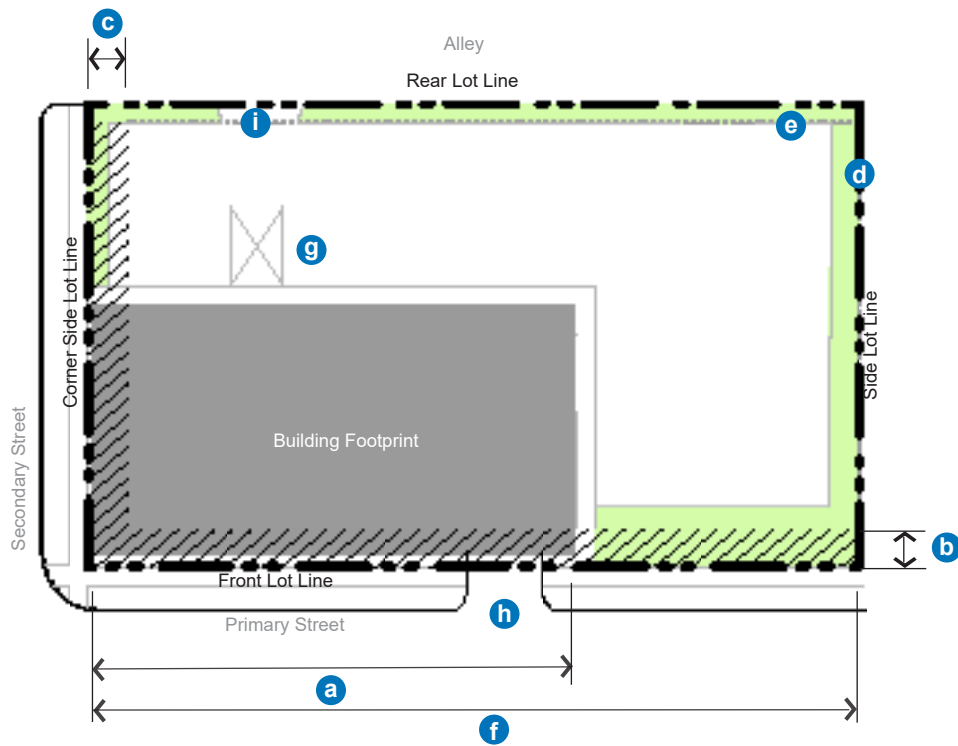


Figure 5.7(G)(1). Limited Bay Building: Building Siting.

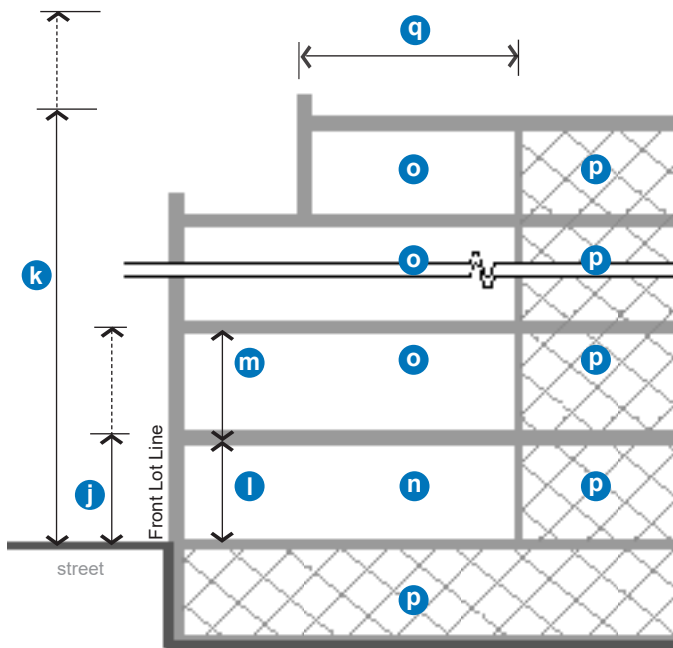


Figure 5.7(G)(2). Limited Bay Building: Height & Use Requirements.

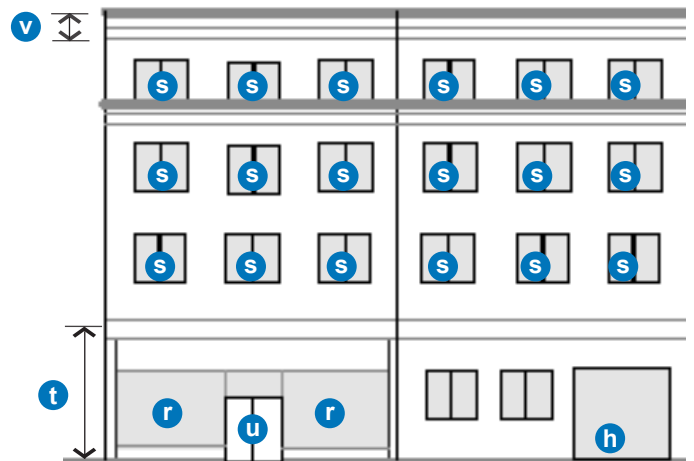
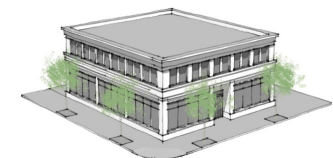
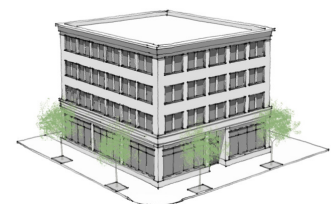


Figure 5.7(G)(3). Limited Bay Building: Street Facade Requirements.



# 5.0 Buildings

## Storefront Building Examples



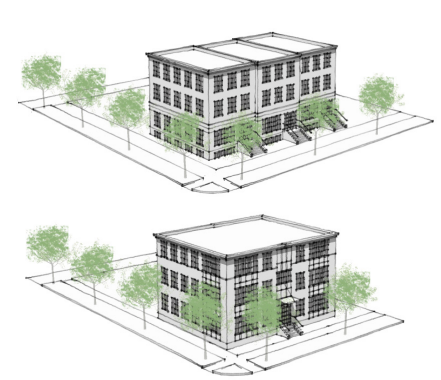
**Storefront Building**



## General Stoop Building Examples



### General Stoop Building Type Don't:



**General Stoop Building**



# 5.0 Buildings

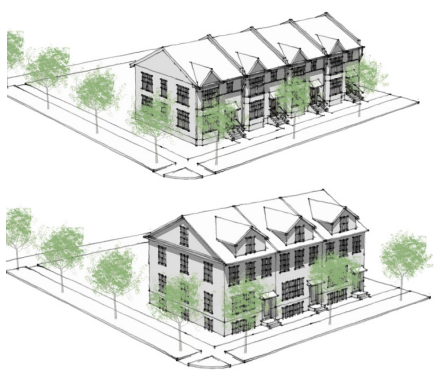
## Mid Scale Shop Building Examples



**Mid Scale Shop Building**



**Townhome Building Examples**

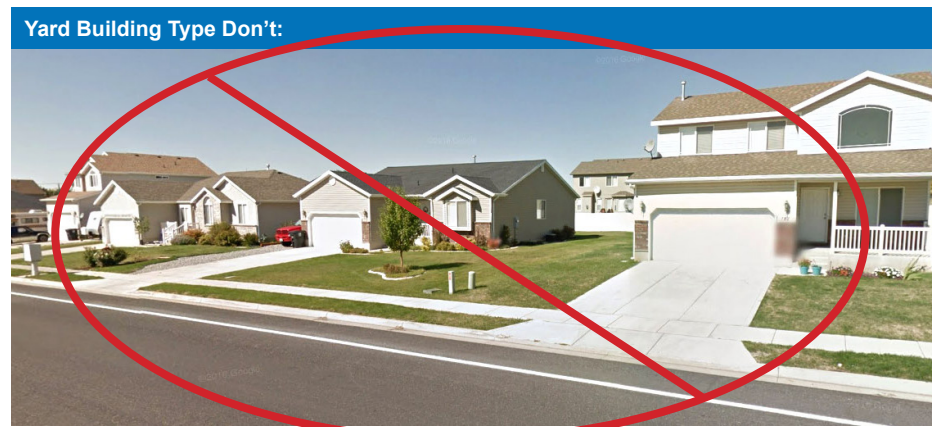
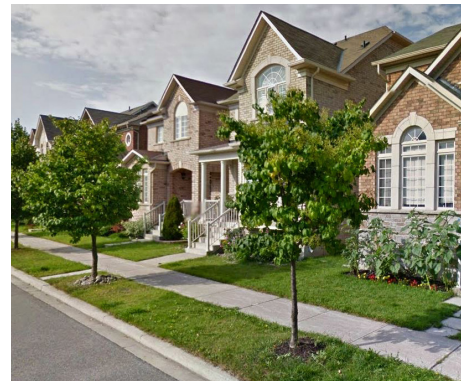


**Townhome Building**



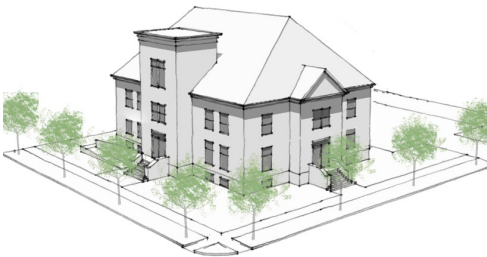
# 5.0 Buildings

## Yard Building Examples





Civic Building Examples



Civic Building

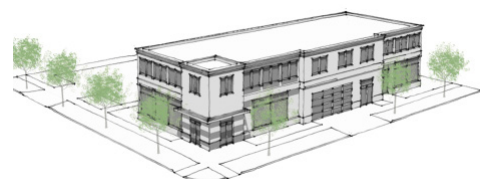


# 5.0 Buildings

## Limited Bay Building Examples



Limited Bay Building Type Don't:



**Limited Bay Building**

# 6.0 Open Space Types





# 6.0 Open Space

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## 6.1. General Requirements

### 1. Intent

To provide open space as an amenity that promotes physical and environmental health within the community and to provide each household with access to a variety of active and passive Open Space Types. Courtyards, plazas, and other Open Space Types are a valuable and vital part of a healthy and attractive city center. For this reason, some form of open space should be incorporated into all building and civic spaces. Additionally, streets should be considered as an open space opportunity.

### 2. Applicability

The standards outlined apply to open space required per Subdistrict (refer to Chapter 1.0 Place Types).

### 3. General Requirements

In addition to the open space requirements set in Chapter 1, all Building Types must meet the designated open space requirement in Table 6.1. All open space shall also meet the following requirements.

- (1) **Compliance.** All open space provided within any Core, General, or Edge Subdistrict shall comply with one of the Open Space Types defined in Sections 6.2 through 6.8 of this Chapter.
- (2) **Access.** All Open Space Types shall provide public access from a vehicular or pedestrian right-of-way.
- (3) **Location.** Open Space Types shall be platted as a lot or, with permission of the City Engineer, may be located within a right-of-way.
- (4) **Public Sidewalks and Alleys.** Portions of public sidewalks or alleys designed for private use by adjacent business owners may be included in the open space calculation, but shall not be considered an Open Space Type. Utilization of public sidewalks

and alleys for activities such as outdoor dining, must be approved by the Zoning Administrator and must not obstruct safe use of the sidewalk or alley as required by City Code.

- (5) **Fencing.** Open Space Types may incorporate fencing provided the following requirements are met.
  - (a) **Height.** Fencing shall be a maximum height of forty eight inches (48”), unless approved by the Zoning Administrator for circumstances where safety is a concern, such as proximity to railroad right-of-way, or adjacent to swimming pools, ball fields, and ball courts.
  - (b) **Level of Transparency (Figure 6.1 (1)).** Fence transparency shall be no greater than sixty percent (60%). Translucent or tinted materials that allow light which obstructs visibility are not considered transparent for the purpose of this Chapter.
  - (c) **Type.** Chain-link fencing is not permitted along any street frontage, with the exception of dedicated sports field or court fencing as approved by the Zoning Administrator.
  - (d) **Spacing of Openings.** Openings or gates shall be provided on every street face at a minimum of every one hundred fifty feet (150’).

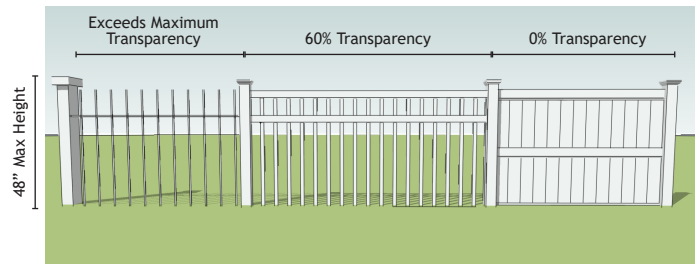


Figure 6.1 (1) Open Space Fencing and Transparency

- (6) **Open Bodies of Water.** All open bodies of water, such as lakes, ponds, pools, creeks, and streams, within an Open Space Type, shall be located at least twenty feet (20’) from any property line to allow for pedestrian and bicycle access, as well as, a landscape area surrounding the body of water.

		Downtown District Minimum Open Space Requirements						South Downtown District Minimum Open Space Requirements				
		Core A	Historic Core	General A	Edge A	Edge B	Edge C	Business Core	Historic Residential	Warehouse	River Edge	Edge B
Building Type	Storefront	5%	5%	10%	5%	10%		5%		10%		10%
	General Stoop	10%		15%	10%			10%		15%		
	Mid Scale Shop			20%		20%				20%		
	Townhome	20%		20%	20%		25%	20%		20%		
	Yard Building						25%		5%			
	Civic Building	20%	20%	20%	20%	20%		20%		20%	20%	20%
	Limited Bay							5%		10%		10%

Table 6.1 Open Space Requirements

# 6.0 Open Space

- (7) Ownership. Open Space Types may either be publicly or privately owned.
- (8) Parking Requirements. Parking shall not be required for any Open Space Type, unless a use other than open space exists, as determined by the Zoning Administrator.
- (9) Continuity. Connections to existing or planned trails or Open Space Types shall be made when the open space abuts an existing or planned trail or other Open Space Type.
- (10) Lighting. Pedestrian scale lighting must be provided for all Open Space Types. Pedestrian scale lighting is mounted at twelve (12') to sixteen feet (16') above the walking surface.
- (11) Outdoor Dining. Outdoor dining is encouraged in open space. Outdoor dining areas located on sidewalks or other pedestrian pathways must provide minimum pedestrian clearance of six feet (6') and are subject to all applicable federal, state, and local requirements.
- (12) ADA Accessibility. All Open Space Types shall be constructed to meet ADA requirements.

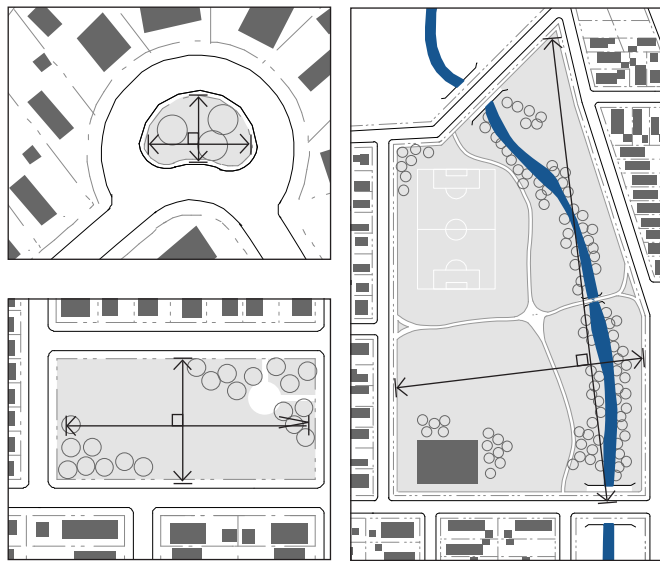


Figure 6.1 (2) Examples of Measuring the Minimum Dimension of Open Space Types.

## 4. Definition of Requirements

The following further explains or defines the requirements included in the tables for each Open Space Type. Refer to each table for the specific requirements of each Open Space Type.

- (1) Size.
  - (a) Minimum Size. The minimum size of the Open Space Type is measured within the parcel lines of the property.
  - (b) Maximum Size. The maximum size of the Open Space Type is measured within the parcel lines of the property.
  - (c) Minimum Dimension. The minimum length or width of the Open Space Type is measured along the longest two straight lines intersecting at a right angle defining the maximum length and width of the lot. Refer to Figure 6.1 (2).
- (2) Minimum Percentage of Vehicular Right-of-Way Frontage Required. The minimum percentage of the open space frontage, is measured along the outer parcel line located directly adjacent to a vehicular right-of-way, excluding alley frontage.
- (3) Adjacent Parcels. Parcels directly adjacent to or directly across the street from an Open Space Type.
  - (a) Subdistricts Permitted on Adjacent Parcels. The Subdistricts permitted directly adjacent to, as well as directly across, the street from the Open Space Type. Refer to Chapter 3.0 Subdistricts for information.
- (4) Improvements. The types of development and improvements permitted on an Open Space Type include:
  - (a) Designated Sports Fields. Sports fields, ball courts, or structures designated for one or more sports including, but not limited to, baseball fields, softball fields, soccer fields, basketball courts, football fields, tennis courts, climbing walls, and skate parks.
  - (b) Playgrounds. Playgrounds include a defined area with play structures and equipment typically for children under twelve (12) years of age, such as slides, swings, and climbing structures.
  - (c) Fully Enclosed Structures. Fully enclosed structures may include such uses as park offices and maintenance sheds, community centers, and rest rooms. Fully enclosed structures are permitted but may be limited to a maximum building coverage as a percentage of the open space area, as indicated in the Open Space Type tables.
  - (d) Semi-Enclosed Structures. Covered but unwall structures, such as gazebos, are permitted in all Open Space Types.
- (5) Maximum Impervious and Semi-Pervious Surface. The extent of impervious and semi-pervious surface coverage are provided

separately to allow an additional amount of semi-pervious surface, such as permeable paving, in addition to the impervious surfaces permitted. This may include, but is not limited to, the use of semi-pervious surfaces for parking facilities, driveways, sidewalks, paths, and structures, as permitted.

- (6) **Maximum Percentage of Open Body of Water.** The maximum amount of area within an Open Space Type that may be covered by an open body of water, including, but not limited to, ponds, lakes, and pools.
- (7) **Seating.** Stand alone seats and benches or seating elements, such as seat walls (with finish surface between 18" and 24"). To qualify seating elements must be constructed of high quality durable materials such as natural or manufactured stone or alternative, as approved by the Zoning Administrator. To calculate the quantity of seats on a bench or seating element, one (1) full seat must be at least 18" wide and 18" deep.



Figure 6.1 (3) Examples stormwater feature as landscape design

## 5. Stormwater in Open Space Types

Stormwater management practices, such as storage and retention facilities, may be integrated into Open Space Types and utilized to meet stormwater retention requirements for surrounding parcels.

- (1) **Stormwater Features.** Stormwater features in Open Space may be designed as formal or natural amenities with additional uses other than stormwater management, such as an amphitheater, sports field, or a pond or pool. Stormwater features shall not be fenced unless otherwise permitted by this Chapter and shall not impede public use of the land they occupy.
- (2) **Qualified Professional.** A qualified design professional licensed by an Idaho licensing board, such as a landscape architect, shall be utilized to incorporate stormwater features into the design of the open spaces.

## 6. Reductions

Open space reductions may be awarded. Any Open Space Type defined in this Chapter may qualify for an open space reduction. Public sidewalks not associated with an Open Space Type do not qualify for

an open space reduction. A new or existing public sidewalk on the same parcel as the building may be counted toward the open space requirement in Table 6.1, if approved by the Zoning Administrator.

- (1) **Applicability.** Open space reductions are granted under the following conditions.
  - (a) To qualify the building must be contiguous to existing improved open space, and seventy five percent (75%) of the building frontage must be contiguous to the open space.
  - (b) A building that is separated from existing improved open space by a dedicated street, but on no other parcel, qualifies for the open space reduction if the building would otherwise be contiguous. For example, buildings on the east side of Memorial Drive facing the Riverwalk meet this requirement.
- (2) **Calculation.** One open space reduction may be granted to any single building on a parcel. Multiple reductions cannot be combined.
  - (a) A ninety percent (90%) open space reduction may be granted if the front property line is directly adjacent to publicly accessible open space.
  - (b) A ninety percent (90%) open space reduction may be granted if a single side yard is contiguous to open space open to the public. A direct access must be provided between the open space and side yard entrance.
  - (c) A fifty percent (50%) open space reduction may be granted if a rear yard is directly adjacent to open space that is open to the public. A direct access must be provided between the open space and rear yard entrance.
  - (d) A twenty five percent (25%) open space reduction may be granted if a building is located on the same block as an open space to the public.
- (3) **Roof Top Gardens/Terraces.** A rooftop garden on a building or parking structure maybe used to satisfy the open space requirement. However, it may not be used as calculation towards an open space reduction unless it is open to the public.
  - (a) Any portion of a rooftop garden that is for the private use of owners, guests, or tenants (such as restaurant dining) is not considered open to the public.
  - (b) Private use of a rooftop garden may be allowed.



# 6.0 Open Space



Figure 6.2 (1) Typical Plaza.

## 6.2 Plaza Open Space Type

### 1. Intent

Plazas provide small to medium scale outdoor space generally open to the public, although may occasionally be used for private functions. Plazas may be used for civic, social, and commercial purposes, such as meeting, relaxing, performance, casual workspace, weddings, receptions, and outdoor dining.

The plaza may contain a greater amount of impervious coverage than other Open Space Types. Surfacing generally includes brick, pavers, or stamped and colored concrete. Seating may be provided as either movable furniture or permanent options. Special features such as fountains, public art, game tables, accent lighting, are encouraged.



Figure 6.2 (2) Typical Plaza Examples

Plaza Requirements	
Dimensions	
Minimum Size (acres)	0.10 (4,356 SF)
Maximum Size (acres)	1.50 (65,340 SF)
Minimum Dimension (feet)	20' in one direction
Minimum % of Vehicular ROW Frontage Required	50%, 80% building frontage required on non-street frontage
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Front or Corner Side
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Not permitted
Fully Enclosed Structures	Permitted, maximum 5% of area
Maximum Impervious + Semi-Pervious Surface	80% + 10%
Maximum % of Open Water	50%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 200 square feet, 22 Min.
Trees	Minimum 1 per 400 square feet, 11 Min.
Landscaping	50% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet, 6 Min.





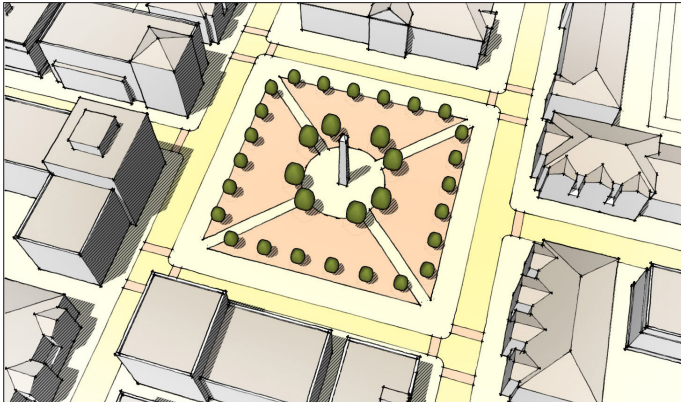


Figure 6.3 (1) Typical Square

## 6.3 Square Open Space Type

### 1. Intent

Squares provide a formal space of medium to large scale to serve as a gathering place for civic, social, and commercial purposes. This Open Space Type is generally open to the public, although may be used for private functions. Squares are intended to act as recognizable primary town gathering spaces. Squares may be bordered on all sides by a vehicular right-of-way, or surrounded with building facades to create its definition.



Square Requirements	
Dimensions	
Minimum Size (acres)	0.5 (21,780 SF)
Maximum Size (acres)	3.0 (130,680 SF)
Minimum Dimension (feet)	60' in one direction
Minimum % of Vehicular ROW Frontage Required	50%
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Front or Corner Side
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Not permitted
Fully Enclosed Structures	Permitted, maximum 10% of area
Maximum Impervious + Semi-Pervious Surface	40% + 20%
Maximum % of Open Water	30%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 400 square feet, 54 Min.
Trees	Minimum 1 per 600 square feet, 36 Min.
Landscaping	50% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet 27 Min.



Figure 6.3 (2) Typical Square Examples

# 6.0 Open Space

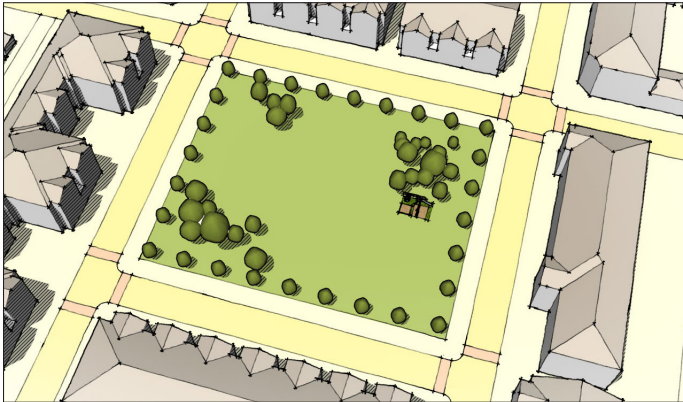


Figure 6.4 (1) Typical Green Layout

## 6.4 Green Open Space Type

### 1. Intent

Greens provide informal, medium scale active or passive recreation for neighborhood residents within walking distance, mainly fronted by streets.



Green Requirements	
Dimensions	
Minimum Size (acres)	0.3 (13,069 SF)
Maximum Size (acres)	2.0 (87,120 SF)
Minimum Dimension (feet)	40'
Minimum % of Vehicular ROW Frontage Required	100%, 50% for over 1.25 acres
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Front or Corner Side
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Fully Enclosed Structures	Not permitted
Maximum Impervious + Semi-Pervious Surface	20% + 15%
Maximum % of Open Water	40%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 400 square feet, 32 Min.
Trees	Minimum 1 per 600 square feet, 21 Min.
Landscaping	65% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet, 16 Min.



Figure 6.4 (2) Typical Green Examples



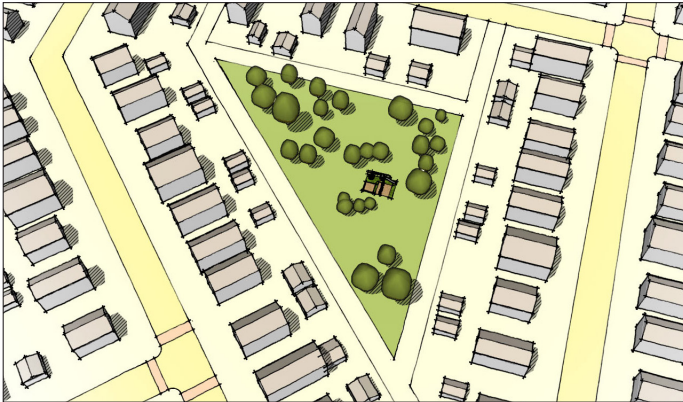


Figure 6.5 (1) Typical Commons Layout

# 6.5 Commons or Courtyard Open Space Type

## 1. Intent

Commons or Courtyards provide an informal, small to medium scale space for active or passive recreation for a limited neighborhood area. Commons are typically internal to a block and tend to serve adjacent residents. Activities may be passive or active and could include tot lots, vegetable gardens, barbecue, pavilion, and outdoor gathering areas.



Commons or Courtyard Requirements	
Dimensions	
Minimum Size (acres)	0.1 (43,560 SF)
Maximum Size (acres)	1.5 (65,340 SF)
Minimum Dimension (feet)	25'
Minimum % of Vehicular ROW Frontage Required	0%, 1 access point required, minimum width 20'
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Front or Corner Side
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Fully Enclosed Structures	Not permitted
Maximum Impervious + Semi-Pervious Surface	30% + 10%
Maximum % of Open Water	30%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 200 square feet, 22 Min.
Trees	Minimum 1 per 400 square feet, 11 Min.
Landscaping	60% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet, 6 Min.

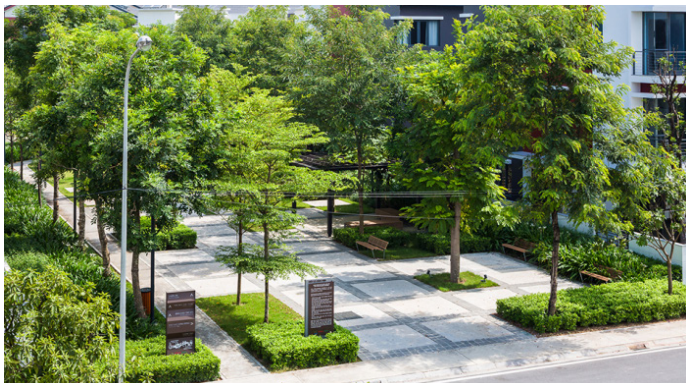


Figure 6.5 (2) Typical Commons Examples



# 6.0 Open Space

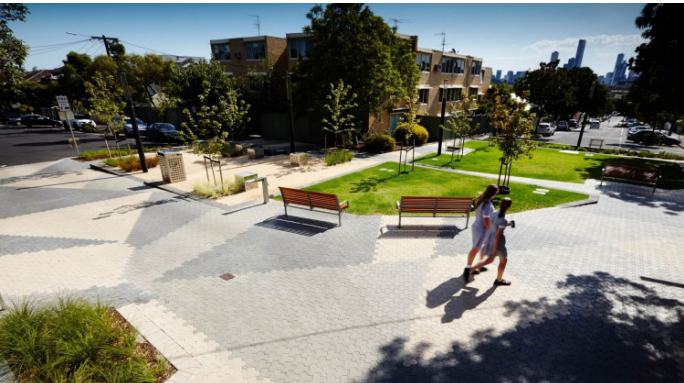


Figure 6.6 (1) Typical Pocket Park Layout

## 6.6 Pocket Park Open Space Type

### 1. Intent

Pocket Parks provide small scale, primarily landscaped active or passive recreation and gathering space within walking distance of nearby residents and commercial workforce.



Pocket Park Requirements	
Dimensions	
Minimum Size (acres)	0.10 (4356 SF)
Maximum Size (acres)	1.0 (43,560 SF)
Minimum Dimension (feet)	None
Minimum % of Vehicular ROW Frontage Required	30%
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Any
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Fully Enclosed Structures	Not permitted
Maximum Impervious + Semi-Pervious Surface	30% + 10%
Maximum % of Open Water	30%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 200 square feet, 22 Min.
Trees	Minimum 1 per 400 square feet, 11 Min.
Landscaping	50% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet, 6 min.



Figure 6.6 (2) Typical Pocket Park Examples





Figure 6.7 (1) Typical Park

## 6.7 Park Open Space Type

### 1. Intent

Parks provide informal active and passive large scale recreational amenities to local residents and the greater region. Parks primarily have natural planting and are frequently created around an existing natural feature such as a body of water or stands of trees.



Figure 6.7 (2) Typical Park Examples

Park Requirements	
Dimensions	
Minimum Size (acres)	1.5 (65,340 SF)
Maximum Size (acres)	None
Minimum Dimension (feet)	80'
Minimum % of Vehicular ROW Frontage Required	30%, up to 5 acres, 20% over 5 acres
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Front or Corner Side
Improvements	
Designated Sports Fields	Permitted
Playgrounds	Permitted
Fully Enclosed Structures	Permitted, minimum 3 acre Park required
Maximum Impervious + Semi-Pervious Surface	20% + 10%
Maximum % of Open Water	30%
Lighting	Required, max 16' fixture height, unless Specifically for field lighting
Seating	Minimum 1 per 500 square feet, 130 Min. <sup>1</sup>
Trees	Minimum 1 per 400 square feet, 163 Min. <sup>1</sup>
Landscaping	50% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet, 81 Min.

#### Notes

<sup>1</sup> Square Footage assigned to designated sports fields (excluding non play areas) are exempt from seating and tree quantity requirements.





# 6.0 Open Space

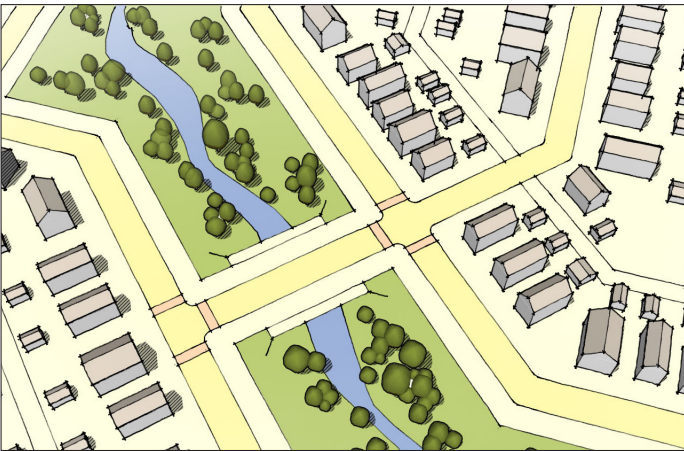


Figure 6.8 (1) Typical Greenway

## 6.8 Greenway/Riverwalk or Urban Trail Open Space Type

### 1. Intent

The purpose of this Open Space Type is to provide informal, primarily natural linear open spaces that serve to enhance connectivity between Open Space Types and other uses. Greenways are linear open spaces that often follow a natural feature, such as a river, stream, ravine, or man-made feature such as a vehicular right-of-way. A greenway may border other Open Space Types.



Figure 6.8 (2) Typical Greenway Examples

Greenway Requirements	
Dimensions	
Minimum Size (acres)	None
Maximum Size (acres)	None
Minimum Dimension (feet)	20'
Minimum % of Vehicular ROW Frontage Required	0%, 1 access point required per quarter mile of length, minimum 20' width
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Any
Improvements	
Designated Sports Fields	Permitted
Playgrounds	Permitted
Fully Enclosed Structures	Permitted
Maximum Impervious + Semi-Pervious Surface	20% + 10%
Maximum % of Open Water	40%
Lighting	Required, max 16' fixture height
Seating	Minimum 1 per 500 SF Placed at each access and every 500 LF.
Trees	Minimum 1 per 400 SF 1 small-medium shade tree per 20 LF or 1 large shade tree per 30 LF
Landscaping	50% live plant material
Bicycle Facilities	Minimum 1 bike rack slot per 800 square feet Placed at each access and every 800 LF.



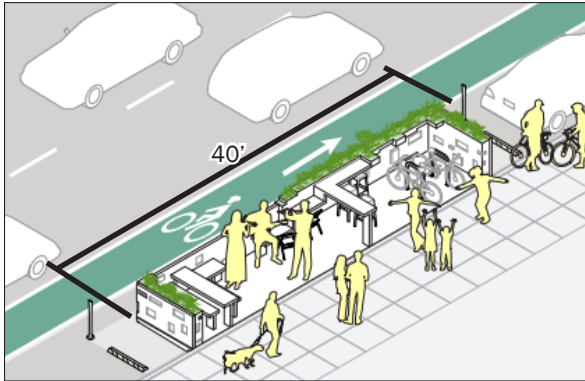


Figure 6.9 (1) Typical Parklet

## 6.9 Parklet Open Space Type

### 1. Intent

The purpose of this Open Space Type is to provide attractive additions to streetscapes, invite people to sit and stay in public spaces, enhance walkability, and encourage business participation in a vibrant streetscape. Parklets are public seating platforms that convert curb side parking spaces into vibrant community spaces. They are the product of a partnership between the city and local businesses, residents, or associations. Most parklets have a distinctive design that incorporates amenities such as seating, greenery, and/or bike racks and accommodate unmet demand for public space on thriving downtown streets or commercial areas. While they are funded and maintained by neighboring businesses, residents, and community organizations, they are publicly accessible and open to be used by all.



Figure 6.9 (2) Typical Parklet Examples

Parklet Requirements	
Dimensions	
Minimum Length (feet)	20' 1 Parking Stall
Maximum Length (feet)	40' 2 Parking Stalls
Minimum Width (feet)	6'
Maximum Width (feet)	Must be at least 3' from all traffic bike vehicle travel lanes as determined by the City Engineer.
Adjacent Parcels	
Frontage Orientation of Adjacent Parcels	Any
Location	
Must be located at least 25' away from the intersection.	
Must not obstruct any fire hydrant, utility service or emergency service access.	
May not block any public alley access or any private alley access without sign consent of all interested parties.	
Must not obstruct the required sight distance triangle.	
Must be located directly in front of the business requesting the use. The area may not extend beyond the limits of the business storefront.	
Not permitted in bus stops but may be adjacent to them.	
No more than 10% cumulatively of any block may be used.	
A minimum of 6' clearance is required from the edge of the parklet to any building or obstacle.	
Safety	
Must be setback at least 4' from contiguous parking stalls. If contiguous with parallel parking stalls must also provide a curb stop to buffer the parking from the parklet.	
Vertical elements are required that make them visible to traffic, such as bollards or posts with reflective markers.	
A slip resistant surface must be used.	
An open guardrail or barrier must be installed to define the space and may not exceed 3' in height. The guardrail must be able to withstand 200 lbs of horizontal force. No fabric, chain link fencing, chicken wire, or snow fencing may be used as guardrails or barriers.	
Not allowed in a location where the speed limit exceeds 30 mph.	
A flush transition at the sidewalk and curb to permit easy access and avoid tripping hazard	
Improvements	
Maximum Impervious + Semi-Pervious Surface	10% + 90%
Lighting	If intended to be used at night lighting is required, max 12' fixture height
Landscaping	Planters are allowed, but may not exceed 3' in height.
Permitted Uses	
Dining Areas	
Bicycle Facilities	
Public Seating	
Recreational Space (excluding playground equipment)	
Landscape Islands	
No signage is allowed	

# 6.0 Open Space

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# 7.0 Landscaping



# 7.0 Landscaping

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## 7.1 General Requirements.

### 1. Intent.

The landscape standards outlined in this Chapter are designed to:

- (1) Provide for healthy, long-lived street trees along public streets to improve the appearance of streets and create a buffer between pedestrian and vehicular travel lanes.
- (2) Increase the compatibility of adjacent uses and minimize any adverse impacts potentially created by adjoining or neighboring uses.
- (3) Promote the prudent use of water and energy resources by achieving and maintaining sustainable, functional landscapes.
- (4) Shade large expanses of pavement and reduce the urban heat island effect.

### 2. Applicability.

Landscaping, trees, and buffers shall be installed for all new developments and as otherwise required in this Chapter.

- (1) Existing Landscaping. The requirements of this Chapter shall not apply to existing, nonconforming landscaping with the following exceptions:
  - (a) New or significant improvements to existing parking lots, loading facilities, or driveways that effects landscaping shall conform to the requirements of this Chapter.
  - (b) Alteration to an existing principal or accessory structure that triggers the requirements of Chapter 5.0 Buildings shall conform to the requirements of this Chapter.
  - (c) When compliance is triggered for existing parking lots, requirements for landscape improvements shall take priority over parking requirements as determined by the Zoning Administrator.
- (2) Buffers. Landscape buffers are required according to the provisions in this Chapter with the following exceptions:
  - (a) Shared Driveways. Buffers shall not be required along a property line where a curb cut or aisle is shared by two contiguous lots.
  - (b) Points of Access. Buffering is not required at driveways or other points of access to a lot.
- (3) Temporary Uses. The provisions of this Chapter shall not apply to temporary uses, unless determined otherwise by the Zoning Administrator.

## 7.2 Installation of Landscape.

### 1. General Installation Requirements.

The installation of landscaping shall comply with the following standards. Installation should also follow best management practices and procedures according to nationally accepted standards.

- (1) Installation. Landscaping shall be fully installed prior to issuance of a Certificate of Occupancy.
- (2) Plant Size Requirements. At the time of installation plant material shall be sized according to Table 7.2 (1), unless otherwise noted in this Chapter.
- (3) Condition of Landscape Materials. Landscaping materials used shall be:
  - (a) Healthy and hardy with a good root system;
  - (b) Chosen for its form, texture, color, fruit, pattern of growth, and suitability to local conditions;
  - (c) Tolerant of the natural and man-made environment, including tolerant of drought, wind, salt, and pollution;
  - (d) Appropriate for the conditions of the site, including slope, water table, and soil type;
  - (e) Protected from damage by grates, pavers, or other measures;
  - (f) Plants that will not cause a nuisance or have negative impacts on a contiguous property; and
  - (g) Species native or naturalized to the Idaho Falls Region, whenever possible.
- (4) Establishment. All installed plant material shall be fully watered, fertilized, and maintained, to ensure establishment. Any landscaping or tree that dies shall be replaced within the current planting season.

### 4. Ground Plane Vegetation.

All unpaved areas on any lot shall be covered by one of the following:

- (1) Planting Beds.
  - (a) Planting beds may include shrubs, ornamental grasses, ground cover, vines, annuals, or perennials.
  - (b) Nonliving materials, such as pine straw, colored gravel, or mulch, are permitted for up to fifty percent (50%) of a bed area.
  - (c) Annual beds must be maintained seasonally, replanted as necessary.
- (2) Grass. Seeded, plugged, or sodded grass may be planted throughout landscaped areas.
  - (a) Grass shall be established within ninety (90) days of planting or the area must be reseeded, replugged, or resodded by the next planting season.

# 7.0 Landscaping

## 5. Tree Installations.

Refer to the City Code for a list of permitted tree types

- (1) Tree Measurement. Tree caliper shall be measured at six inches (6") above the grade of the tree's trunk when the trunk's caliper is four inch (4") caliper or less. The caliper shall be measured at twelve inches (12") above the grade of the tree's trunk when the caliper is greater than four inches (4").
- (2) Tree Maintenance. Tree trimming, fertilization, and other similar work shall be performed by or under the management of a certified arborist.
- (3) Species Composition. Trees planted on a site shall be any combination of species permitted by City Code with the following exceptions:
  - (a) One genus shall not comprise more than thirty percent (30%) of trees planted on a site.
  - (b) One species shall not comprise more than ten percent (10%) of trees planted on a site.
  - (c) Exceptions to this provision may be granted by the Zoning Administrator and City Forrester through review of the landscape plan.
- (4) Plant Size. At installation all plants shall meet the requirements of Table 7.2 (1) Plant Material Size at Installation.
- (5) Tree Spacing.
  - (a) Trees shall be planted at least thirty feet (30') and twenty feet (20') apart for large and medium trees, respectively.
  - (b) No trees may be planted closer to any impermeable curb or sidewalk than as follows:
    - (1) Medium trees: three feet (3').
    - (2) Large trees: four feet (4').
- (6) Permeable Surface. For each tree preserved or planted, a minimum amount of permeable surface area is recommended, unless otherwise stated in this Chapter.
  - (a) At least seventy percent (70%) of the canopy limits of preserved trees should have a permeable surface.
  - (b) Planted trees have a suggested minimum permeable area and soil volume based upon tree size. Refer to Table 7.2 (2) for details.

- (c) Permeable area for one tree cannot overlap that of another tree.
- (7) Structural Soil. When the Soil Surface Area (per Table 7.2 (2)) of a tree will extend below any pavement within the public right of way, structural soil is required underneath that pavement. Structural soil is a medium that can be compacted to pavement design and installation requirements while still permitting root growth. It is a mixture of gap-graded gravels (made of crushed stone), clay loam, and a hydrogel stabilizing agent to keep the mixture from separating. It provides an integrated, root penetrable, high strength pavement system that shifts design away from individual tree pits.

Plant Material Type	Minimum Size
<b>Deciduous Shade/Overstory Tree</b>	
Single Trunk	2" caliper
Multi Trunk	10' in height
<b>Evergreen Tree</b>	8' in height
<b>Understory Tree</b>	6' in height
<b>Ornamental Tree</b>	2" caliper
<b>Shrubbery - Deciduous</b>	container class 5
<b>Shrubbery - Evergreen</b>	container class 5
<b>Groundcover</b>	3" in height

Table 7.2 (1). Plant Material Size at Installation.

Tree Size	Soil Volume (cubic ft)	Soil Surface Area (sq ft) with 2.5' Soil Depth	Permeable Surface Area Requirement (sq ft)
<b>Very Small</b>	181	72 (approx. 8.5' x 8.5')	25 (5' x 5')
<b>Small</b>	736	294 (approx. 17' x 17')	100 (10' x 10')
<b>Medium</b>	2852	1141 (approx. 34' x 34')	225 (15' x 15')
<b>Large</b>	6532	2681 (approx. 50' x 50')	400 (20' x 20')

Table 7.2 (2). Minimum Recommended Soil Volumes and Permeable Area per Planted Tree.

## 6. Irrigation Systems.

Permanent irrigation is required and shall comply with the following standards:

- (1) All irrigation systems shall be designed to minimize the use of water by applying the quantity of water that is required for each plant or tree, or grouping of plants or trees by water zone.
- (2) Non residential landscape irrigation shall have an automatic clock-activated permanent system.
- (3) The irrigation system shall provide coverage to all landscape areas to ensure health of plants and trees.
- (4) The irrigation system shall be designed to not spray or irrigate impervious surfaces, including sidewalks, driveways, streets, and parking and loading areas.
- (5) All mechanical systems, including controllers and back-flow prevention devices, shall be properly screened from public view. Screening may include landscape materials, fencing or locked cages.

## 7. Maintenance of Landscape.

All landscaping shall be maintained in good condition at all times to ensure a healthy and orderly appearance.

- (1) Replacing Unhealthy Landscaping. Unhealthy or dead landscaping, as determined by the City Forester, shall be replaced with healthy plants by the end of the next applicable growing season. This includes all plant material that shows dead branches over a minimum of twenty five percent (25%) of the normal branching pattern.
- (2) Maintenance Responsibility. The property owner is responsible for the maintenance, repair, and replacement of all landscaping, screening, and curbing required herein, by the end of the next applicable growing season.
- (3) Maintain Quality and Quantity. Maintenance shall preserve at least the same quantity, quality, and screening effectiveness as when initially installed.
- (4) Fences and Other Barriers. Fences, walls, and other barriers shall be maintained in good repair and free of rust, flaking paint, graffiti, and broken or damaged parts.
- (5) Tree Topping. Tree topping is not permitted. Refer to 7.3.4(2) for clear branch height of street trees.
- (6) City Inspection. All landscaped areas regulated by this Chapter may be inspected by the City.

## 7.3 Street Trees and Streetscape Design.

### 1. Intent.

To line all streets installed after the adoption of this Code with a consistent and appropriate planting of trees, pavement design, and identity and to establish a tree canopy for environmental benefit and a sense of identity for all such streets.

### 2. Applicability.

The requirements herein apply to all development and changes to existing developments, as described in Section 7.1.

### 3. Streetscape Design Submittal.

A streetscape design shall be submitted for approval for all new streets within a development. At a minimum, the submittal shall include the following:

- (1) Street Trees. Details showing compliance with Section 7.3.4 Minimum Street Tree Requirements.
- (2) Sidewalk Pavement Design. Sidewalk paving materials and pattern shall be set for each Street Type (refer to Chapter 2.0 Street Types).
- (3) Street Furnishings. Benches, seatwalls, planters, planter fences, trash receptacles, and bicycle racks or other street furnishings shall be specified and quantities and locations listed for each Street Type (refer to Chapter 2.0 Street Types).
- (4) Landscape Design. Ground plane vegetation shall be designated for any landscape bed areas, planter areas, and tree wells.
- (5) Lighting. Pedestrian and vehicular lighting shall be specified and locations and quantities shown.
- (6) Identity Elements. Any other elements designed to establish the identity of each street, such as banners, pavement markers, artwork, or signage, shall be included in the streetscape design submittal.

### 4. Minimum Street Tree Requirements.

The following standards apply to the installation of street trees.

- (1) Exception. Street trees are not required on Alleys or the Lane Street Types (refer to Chapter 2.0 Street Types).
- (2) Trees Over Public Sidewalks. Trees overhanging a public sidewalk shall be trimmed from sidewalk grade to at least eight feet (8') above the sidewalk surface.
- (3) Street Tree Type. Medium and large shade trees are permitted to be installed as street trees. Refer to the list of permitted tree types in the Community Forestry Chapter of City Code.

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- (4) Street Tree Spacing. Street trees shall be planted as follows:
- (a) Each Lot is required to have one (1) tree for every forty feet (40') of street frontage but no less than one (1) street tree per street frontage.
  - (b) Spacing.
    - (i) Large trees must be spaced a minimum of thirty (30) and a maximum of sixty feet (60') on center.
    - (ii) Medium trees must be spaced a minimum of twenty (20) and a maximum of forty feet (40') on center.
  - (c) Limited Distance between Curb and Sidewalk. Where the distance from the back of the curb to the edge of the right-of-way or property line is less than nine feet (9') with a sidewalk, the City Forrester shall approve all tree species as described in City Code.
    - (i) Zoning Administrator may waive the street tree requirement for such spaces where there is less than nine feet (9') of width.
- (5) Tree Wells and Raised Planters. In the Downtown District, tree wells, or raised planters shall be utilized to provide landscaped space in the public right-of-way where the sidewalk extends from the back of curb to the property line.
- (a) For tree wells within sidewalks five feet (5') wide or less, open pit is not permitted. The opening must be covered with a tree grate or pervious pavement and the opening in a tree grate for the trunk must be expandable.
  - (b) Open tree wells may be coupled with short walls or seat walls or raised planters.
  - (c) Raised Planters. Raised planters may be utilized to accommodate street landscaping. Raised planters may be permanent or temporary/moveable. All raised planters must be irrigated, except that hand watering is allowed for moveable planters. Raised planters must not impede on minimum sidewalk width or dining area of seven feet (7') along the street frontage of a building or as required by an adopted unified planter design standard and must meet ADA requirements for access.
    - (i) Fifty percent (50%) of raised planters shall be between eighteen (18") and twenty two inches (22") in height. The maximum height of a raised planter is thirty six inches (36").
    - (ii) Overall planter length prior to a gap shall not exceed ninety six inches (96"). A forty two inch (42") sidewalk gap between planters is required at least every ninety six inches (96") to allow access to street parking.
    - (iii) Raised planters shall provide at least twelve inches (12") of width and length for planting. The maximum length for a twelve inch (12") planter shall not exceed thirty six inches (36") of planted area.
    - (iv) Planters with a minimum width of thirty six inches (36") may extend to ninety six inches (96") in length.

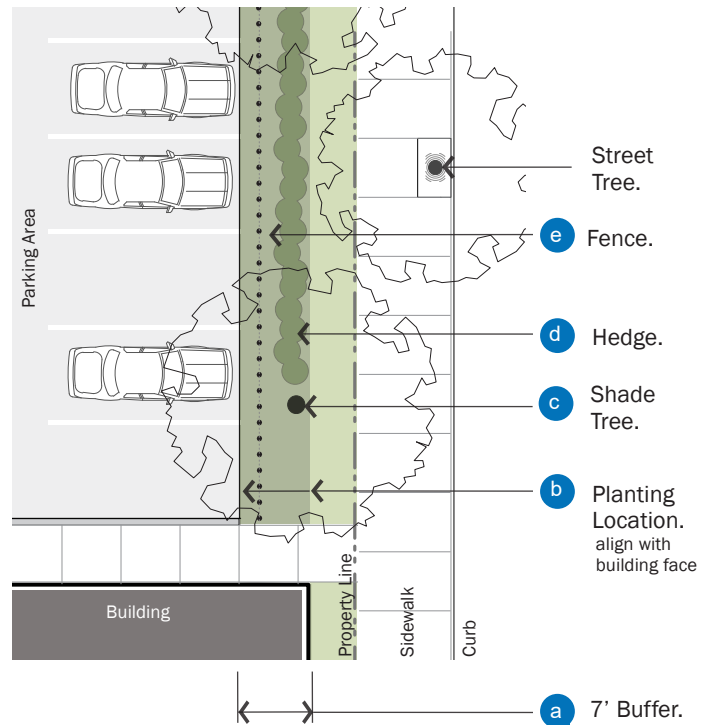


## 7.4 Frontage Buffer.

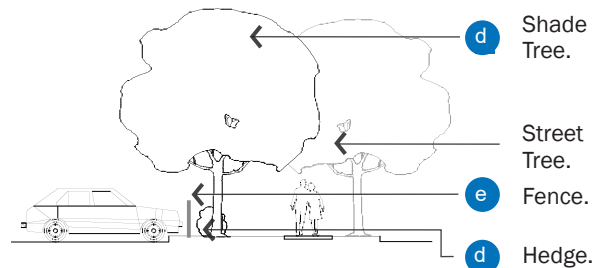
### 1. Applicability.

- (1) Applicability. Applies to properties in all Subdistricts where a vehicular parking area is located adjacent to a right-of-way.
- (a) Exceptions. Vehicular parking areas along alleys, unless a single or double unit residential use is located across the alley.

Frontage Buffer Requirements	
1. Buffer width and Location <sup>1</sup>	
Minimum Width	7' <span style="float: right;">a</span>
Maximum Width	15' Buffers in excess of 15' must comply with guidelines of an approved open space defined in Chapter 6.0 Open Space
Location on the Site	Between street facing property line and parking area <sup>2</sup> <span style="float: right;">b</span>
2. Buffer Landscape Requirements	
Uses and Materials	Uses and materials other than those indicated are prohibited in the buffer
Shade Trees	Medium or large shade tree required at least every 40'. Locate on the street side of a fence. Spacing should alternate with street trees <span style="float: right;">c</span>
Hedge	Required continuous hedge on street side of a fence, between shade trees and in front of vehicular areas <span style="float: right;">d</span>
Hedge Composition	Individual shrubs with a minimum width of 24", spaced no more than 36" on center, height maintained no more than 48"
Existing Vegetation	May be credited toward buffer area
3. Fence (optional, requirements when installed) <span style="float: right;">e</span>	
Location	2' from back of curb of vehicular area
Materials	Steel, colored PVC, wood, or iron. Masonry columns (maximum width 2'6") and base (maximum 18" height) permitted <sup>3</sup>
Minimum Height	3'
Maximum Height	4'
Colors	Black, gray, or dark green
Transparency	Minimum 30%, Maximum 60% <sup>3</sup>
Gate/Opening	One gate permitted per street frontage. Opening width maximum 6'



Front Buffer Plan.



Front Buffer Section.

Figure 7.4 (1). Frontage Buffer Plan and Section.

### Frontage Buffer Requirements

#### Notes:

- 1 This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.
- 2 In front, corner, and rear yards (on a through lot), when the parking area is located adjacent to any building on the lot, the buffer must be located so that it aligns with or is behind the face of the adjacent building back to the vehicular area. The area between the buffer and the property line must be landscaped.
- 3 Fencing characteristics defined in Chapter 6.0 Open Space, General Requirements.



# 7.0 Landscaping

## 7.5 Side and Rear Buffer.

### 1. Applicability.

- (1) Applicability. Applies to all properties in all Core, General, and Edge Subdistricts, which directly adjoin properties in a different Subdistrict, as described in Buffer Requirements Between Subdistricts Table.

Side and Rear Buffer Requirements	
1. Buffer Depth and Location	
Depth	Varies based on the Subdistrict of the lot and the adjacent lot. See Table 7.5 (1). <span style="float: right;">a</span>
Location on the Site	Locate buffers on more intensively zoned lot. Buffer is measured from side and rear property lines.
2. Required Landscape Screen	
Width	5' landscape screen in addition to any other buffer landscaping <span style="float: right;">b</span>
Location	Directly adjacent to the rear or side property line
Hedge	Continuous double row of shrubs required between shade trees <span style="float: right;">c</span>
Hedge Composition	Double row of individual shrubs with a minimum width of 24", spaced no more than 36" on center. Mature height of 24" in one year and 6' in five years
Hedge Frequency	Minimum of 15 shrubs per 100' of property line is required
Shade Trees	At least 1 medium or large shade tree per every 40' within the buffer <span style="float: right;">d</span>
3. Buffer Landscape Requirements	
Uses and Materials	Uses and materials other than those indicated are prohibited within the buffer
Tree Canopy Coverage	1 medium or large shade tree required per 2,000 square feet of buffer, excluding the area within the required landscape screen
Existing Vegetation	May be credited toward buffer area

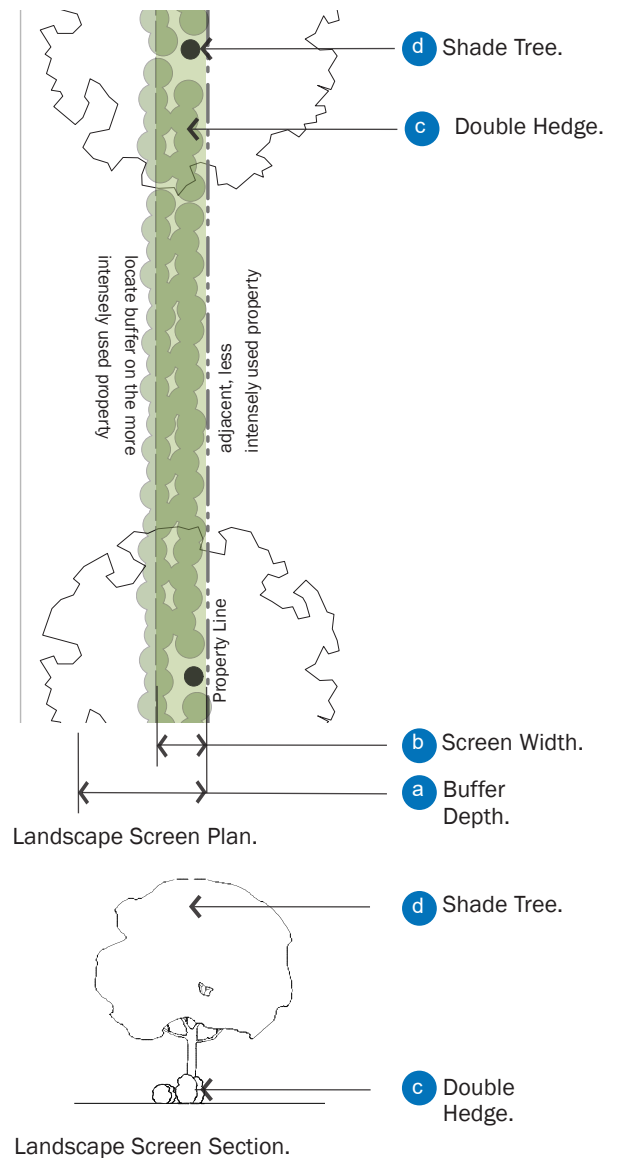


Figure 7.5 (1). Landscape Screen within Side and Rear Buffer.

Buffer Requirements between Subdistricts				
Buffer Required by these Districts				
	Core	General	Warehouse	Edge
Core	not required	not required	not required	not required
General	not required	not required	not required	not required
Warehouse	not required	not required	not required	not required
Edge	not required	not required	not required	not required
any existing single unit	10'	10'	not required	not required

Table 7.5 (1). Side and Rear Buffer Requirements between District.

## 7.6 Interior Parking Lot Landscape.

### 1. Applicability.

- (1) Applicability. Applies to all open-air, off-street parking lots in all Subdistricts.
- (2) Parking Lot Interior. The area dedicated to parking on a given parcel as measured from edge of pavement to edge of pavement of the parking area.
- (3) Other Internal Parking Lot Areas. Internal areas not formally dedicated to parking or drives shall be landscaped with a minimum of one (1) medium or large shade tree for the first one hundred fifty square feet (150 ft<sup>2</sup>) and one (1) medium or large shade tree for every six hundred fifty square feet (650 ft<sup>2</sup>) thereafter.
- (4) Existing Vegetation. Existing vegetation shall be credited toward these requirements.

Interior Parking Lot Landscape Requirements	
1. Landscape Island Requirements	
<b>Required Island Locations</b>	Terminal ends <sup>1</sup> of free standing rows or bays of parking. <sup>2</sup>
<b>Minimum Width</b>	5' wide landscape islands. Islands less than 15' should utilize structural soil under any paved surface within a tree's critical root zone. Islands under 9' should install an aeration system and utilize permeable pavement
<b>Required Trees Within Islands</b>	Minimum of 1 medium or large shade tree per island
2. Landscape Median Requirements	
<b>Required Median Location</b>	Required in each free-standing bay of parking along the length of the bay
<b>Minimum Width</b>	5' wide landscape medians. Medians less than 15' should utilize structural soil under any paved surface within a tree's critical root zone. Medians under 9' should install an aeration system and utilize permeable pavement
3. Tree Requirements	
<b>Requirements per Parking Space <sup>3</sup></b>	Each parking space must be located within 50' of a Planted tree's trunk within parking lot interior  Minimum of 1 shade tree must be planted within parking lot interior or within 4' of parking lot's edge for every 3 parking spaces
<b>Tree Shade Goal</b>	Within 20 years of tree installation, at least 30% of the interior of the parking lot should be shaded by tree canopy. Refer to Table 7.6 (1) for calculation.

<sup>1</sup> Freestanding rows or bays of parking are those not abutting the parking lot perimeter or building face, and may have a single or double row of parking.

<sup>2</sup> There shall be no more than 8 continuous parking spaces in a row without a landscape island.

<sup>3</sup> Trees within a designated buffer area may not be utilized to meet these requirements

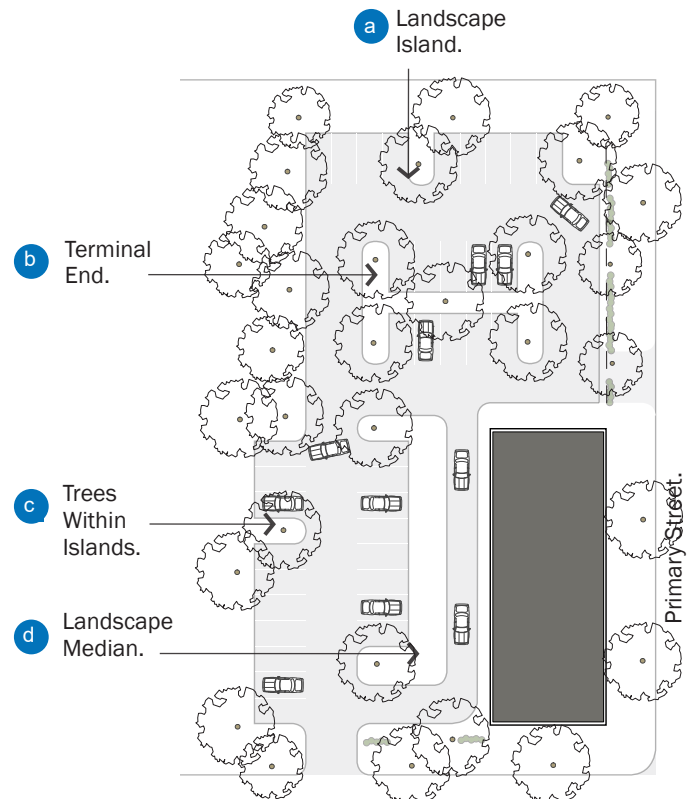


Figure 7.6 (1). Interior Parking Lot Landscaping.

Tree Size	Estimated Canopy at Maturity (sq ft)	Estimated Height at Maturity (ft)
Very Small	150	under 15'
Small	400	15'-25'
Medium	900	25'-40'
Large	1600	40'+

Table 7.6 (1). Estimated Canopy and Height at Maturity.

# 7.0 Landscaping

## 7.7 Active Frontage Buffer.

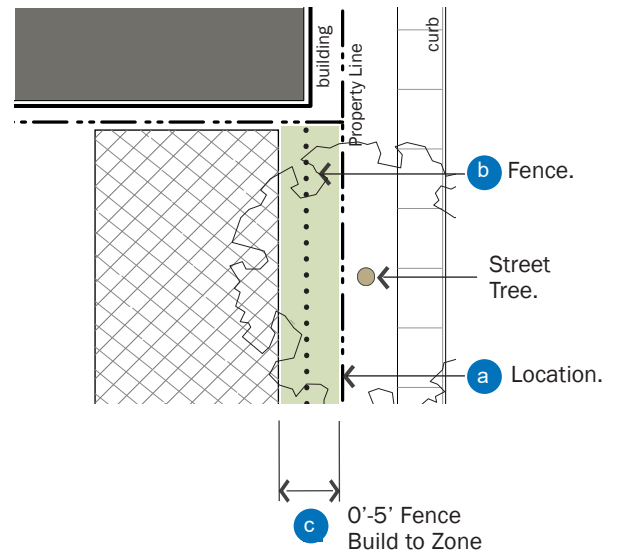
### 1. Applicability

- (1) Applicability. Applies to non-vehicular outdoor sites in all Subdistricts. For vehicular areas, refer to 7.4 Frontage Buffer. Public open space is exempt from buffer requirements.

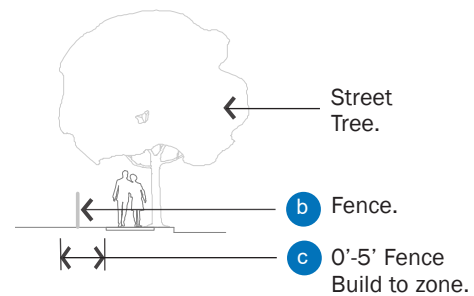
Active Frontage Requirements	
1. Frontage Location	
<b>Location on the Site</b>	Required adjacent to dining, patio, or display area <b>a</b>
2. Required Fence	
<b>Location</b>	Between 0' and 5' from the front and corner side property lines. Only required in front of patio/display area <b>c</b>
<b>Materials</b>	Steel or colored PVC. Masonry base or columns permitted
<b>Minimum Height</b>	3'
<b>Maximum Height</b>	4'
<b>Opacity</b>	Minimum 30%, Maximum 60% <sup>1</sup>
<b>Gate/Opening</b>	One gate permitted per street frontage. Opening width maximum 6'

Notes:

<sup>1</sup> Fence may be solid if 36" or less in height



Active Frontage Plan.



Active Frontage Section.

Figure 7.7 (1). Active Frontage.

# 7.8 Screening of Open Storage, Refuse Areas, and Utility Appurtenances.

## 1. Applicability.

- (1) Applicability. Applies to all dumpsters, open storage, refuse areas, and utility appurtenances in all Subdistricts.

Screening of Open Storage, Refuse Areas, and Utility Appurtenances	
1. Open Storage and Refuse Area Screening Requirements	
Location on the Site	Not permitted in front or corner side yards
Opaque Screen Wall <sup>1</sup>	Required around 3 sides of the dumpster and trash bin area <span>a</span>
Screen Wall Height	Height shall be the higher of the following: <ol style="list-style-type: none"> <li>1. 6' or</li> <li>2. Height of use to be screened or</li> <li>3. Height as determined by City to accomplish objective of the screen</li> </ol>
Visible Openings	Openings visible from the public way or adjacent properties must be furnished with opaque gates <span>b</span>
Landscape Requirement	If refuse area is located within larger paved area, such as a parking lot of 10 stalls or more, landscape islands must be located on 3 sides of the area, with at least 1 medium or large shade tree in at least 1 of the landscape areas. <span>c</span> <sup>2</sup> This does not apply to refuse areas within or adjacent to the Alley Street type.
2. Utility Appurtenance Screening Requirements	
Large Private Mechanical Equipment <sup>3</sup>	Shall be fenced with opaque wood or brick-faced masonry on all sides facing right-of-way
Small Private Mechanical Equipment <sup>4</sup>	Shall have landscape screening and a shrub bed containing shrubs spaced no more than 36" on center

Notes:

- <sup>1</sup> Vertical structured barrier to visibility at all time such as a fence or wall
- <sup>2</sup> This tree, if located within 50' of a parking space, may be utilized to meet the minimum shade requirements
- <sup>3</sup> Large private mechanical equipment is equal to or greater than 4' in height
- <sup>4</sup> Small private mechanical equipment is smaller than 4' in height

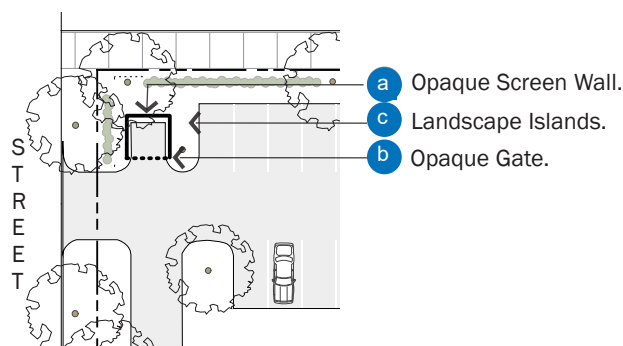


Figure 7.8 (1). Screening of Open Storage and Refuse Areas.

# 7.0 Landscaping

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# 8.0 Parking



# 8.0 Parking

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## 8.1 General Requirements.

### 1. Intent.

The following provisions are established to accomplish the following:

- (1) Ensure an appropriate level of vehicle parking, loading, and storage to support a variety of land uses.
- (2) Provide appropriate site design standards to mitigate the impacts of parking lots on adjacent land uses and Subdistricts.
- (3) Provide specifications for vehicular site access.

### 2. Applicability.

This Section shall apply to all new development and changes in use or intensity of use for existing development, in this form based code.

- (1) Compliance. Compliance with the standards outlined shall be attained in the following circumstances:
  - (a) Existing nonconforming parking lots within the a District shall not be required to conform to the requirements of this Chapter.
  - (b) Any development of new or significant improvements to existing parking lots, loading facilities, and driveways where a site plan review is required shall require adherence with the regulations of this Chapter. Alterations to buildings that trigger the requirements of Chapter 5.0 Buildings is a significant improvement.
  - (c) Remilling or reconstruction of an existing parking area may require compliance with this Chapter as determined by the Zoning Administrator.
  - (d) Reorganization of existing parking stalls and aisles through re-striping is not a significant improvement.
  - (e) Change in use requiring a change in the amount of parking shall require compliance with this Chapter.
- (2) Site Plan Approval Required. Parking quantities and parking design and layout shall be approved through the site plan approval process.

## 8.2 Parking Requirements.

### 1. General Requirements for Parking.

Off-street parking spaces shall be provided in conformance with Tables 8.2 (1) Required Vehicular Parking and 8.2 (2) Bicycle Parking.

- (1) Required Accessible Parking. Parking facilities accessible for persons with disabilities shall be in compliance with the standards detailed in the International Code Council and American National Standard Institute (ICC/ANSI) Code for Accessible and Usable Buildings and Facilities as adopted by the City.
- (2) Requirements for Unlisted Uses. Upon receiving a site plan approval, certificate of occupancy, or other permit application for a use not specifically addressed in this Section, the Zoning

Administrator is authorized to apply off-street parking standards specified for the use deemed most similar to the proposed use. In instances where an equivalent is not clearly determined, the Zoning Administrator may require the applicant to submit a parking study or other evidence to determine the appropriate requirements.

- (3) Private Off-Premises Parking. Private off-site parking facilities may be approved, with the following conditions:
  - (a) An agreement providing for the use of off-site parking, executed by the parties involved, shall be submitted in a form approved by the City Attorney and filed with the Zoning Administrator.
  - (b) The closest parking space, as measured along a dedicated pedestrian path, of any off site parking must be within one thousand three hundred feet (1,300') from the entrance of the use.
- (4) Tandem Parking. Tandem parking is permitted for townhome and yard home building types with approval of the Zoning Administrator through the site plan review process.

### 2. Required Vehicular and Bicycle Parking.

Tables 8.2 (1) and 8.2 (2) outline the required vehicular and bicycle parking requirements.

- (1) Organized by Use. The parking requirements are organized by use, in a similar fashion to Table 4.1 (1) Use Table in Chapter 4.0 Uses.
- (2) Minimum Vehicular Spaces Required. The vehicular spaces required indicates the required off-street parking ratio, which may be subject to credits and other reductions, as detailed in this Chapter.
- (3) Maximum Allowable Vehicular Spaces. When a use requires more than twenty (20) spaces, no more than ten percent (10%) over the minimum number of required parking spaces shall be provided.
  - (a) For unlisted uses and uses with no requirements, the maximum number of spaces required should be no more than the maximum allowable spaces for the use demand most similar to the unlisted use as determined by the Zoning Administrator.
- (4) Recommended Bicycle Parking. The Recommended Bicycle Parking Table 8.2 (2), indicates the minimum bicycle parking ratio recommended by use category.
- (5) Computation. Off-street parking spaces shall be calculated using the following information.
  - (a) Area Measurements. The following units of measurements shall be utilized to calculate parking requirements.
    - (i) Dwelling Unit. Parking standards for residential buildings shall be computed using dwelling unit as the unit of measure, unless otherwise stated.
    - (ii) Gross Square Footage. Unless otherwise stated, parking standards for non-residential uses shall be computed on the basis of gross floor area in square feet.

# 8.0 Parking

Use	Required Vehicular Spaces	
Refer to Chap. 4.0 for Use Categories	Place Types	
	Future Place Type	Urban Center & Townsite
<b>Residential</b>		
Single unit detached, all		1/Dwelling Unit
Single unit attached, 1 Bedroom		0.5/Dwelling Unit
Single unit attached, 2 Bedrooms		1 per Dwelling Unit
Single unit attached, 3 or 3+ Bedrooms		1.5 per Dwelling Unit
Multiunit, 1 Bedroom		0.5/Dwelling Unit
Multiunit, 2 Bedrooms		1 per Dwelling Unit
Multiunit, 3 or 3+ Bedrooms		1.5 per Dwelling Unit
Hotel and Inn		1 per Room and 1 per 200 sq.ft. Office Conference Space. Refer to eating establishments for attached restaurant parking.
Residential Care		0.66 per Employee
<b>Civic/Institutional</b>		
Assembly		1 per 6 Seats
Transit Station		Per Zoning Administrator
Hospital and Clinic		.20 per Bed and .66 per Employee
Library / Museum / Post Office (no distribution)		1 per 600 sq. ft.
Police and Fire		Per Zoning Administrator
Post Office (distribution)		1 per 600 sq. ft.
School: Pre K to Jr. High		1 per Classroom and 1 per 300 sq. ft Office
School: High School, Higher Education		1 per Classroom, 1 per 300 sq. ft Office, and .10 per Student

Table 8.2 (1). Required Off-Street Vehicular Parking.

Use	Bicycle Spaces
Multiunit	Minimum 2 spaces or .05 spaces / bedroom, whichever is greater
Civic/Institutional	Minimum 2 spaces, 1 / additional 10,000 sf
Retail	Minimum 2 spaces, 1 / additional 5,000 sf
Services	Minimum 2 spaces, 1 / additional 5,000 sf
Office	Minimum 2 spaces, 1 / additional 10,000 sf
Open Space	Per Zoning Administrator

Table 8.2 (2). Required Bicycle Parking.

Use	Required Vehicular Spaces	
Refer to Chap. 4.0 for Use Categories	Place Types	
	Future Place Type	Urban Center & Townsite
<b>Retail</b>		
Neighborhood Retail		1 per 300 sq. ft.
General Retail		1 per 500 sf
<b>Service</b>		
Neighborhood Service		1 per 250 sq. ft.
General Service		1 per 300 sf
Eating and Drinking Establishments		1.0 per 3 seats + 1/3 number of employees
Vehicle Services		2 per Service Bay and 1 per 200 sq. ft Office
<b>Office and Industrial</b>		
Office		1 per 1000 sf
Craftsman Industrial		1 per 1,000 sq. ft. of Production Space and 1 per 500 sq. ft. of Retail Space
<b>Open Space and Recreation</b>		
Open Space and Recreation		Per Zoning Administrator

Table 8.2 (1). Required Off-Street Vehicular Parking.

- (iii) Occupancy- or Capacity-Based Measurements. Parking spaces required per available seat or per employee, student, or occupant shall be based on the greatest number of persons on the largest shift, the maximum number of students enrolled, or the maximum fire-rated capacity, whichever measurement is applicable.
- (iv) Bench Seating. For uses in which users occupy benches, pews, or other similar seating facilities, each twenty four inches (24") of such seating shall be counted as one seat.
- (b) Fractions. When computation of the number of required off-street parking spaces results in a fractional number, any result of one-half (0.5) or more shall be rounded up to the next consecutive whole number. Any fractional result of less than one-half (0.5) may be rounded down to the previous consecutive whole number.
- (c) Multiple Uses on a Lot. When there are multiple uses on a lot, required spaces shall be calculated as an amount equal to the total requirements for all uses on the lot, unless the uses qualify for shared, cooperative, or other credits to reduce parking. (Refer to 8.2 (3).

### 3. Multiple Use Reductions.

The following reductions may be taken when multiple uses share parking spaces.

- (1) Shared Vehicular Parking. An arrangement in which two (2) or more non-residential uses with different peak parking demands use the same off-street parking spaces to meet their off-street parking requirements.
  - (a) General Provisions. Through review of the site plan the Zoning Administrator may permit up to one hundred percent (100%) of the parking required for a use with peak parking demands during daytime hours per Table 8.2 (3) to be supplied by the off-street parking spaces provided for a use with peak parking demands during nighttime or weekend hours and vice versa.
  - (b) Approval. In order to approve a shared parking arrangement, the Zoning Administrator must find, based on evidence provided by the applicant, that the peak hours of parking generation for both uses are not the same periods.
  - (c) Description of Uses with Weekday, Nighttime, and Weekend Peak Parking.
    - (i) The following uses are considered predominantly weekday uses: office and industrial uses and other similar uses as authorized by the Zoning Administrator.
    - (ii) The following uses are typically considered predominantly nighttime or weekend uses: eating and drinking establishments, assembly uses, and other similar uses with peak activity at night or on weekends, as authorized by the Zoning Administrator.
- (2) Cooperative Vehicular Parking. When two (2) or more categories, other than single dwelling residential uses, share a parking lot and are located on the same lot or adjacent lots, the following standards apply:
  - (a) General Provisions. Cooperative parking will be approved in accordance with the following (refer to Table 8.2 (3)).
    - (i) For each applicable land use category, calculate the number of spaces required as if it were the only use (refer to Table 8.2 (1)).
    - (ii) Use the figures for each individual land use to calculate

the number of spaces required for that use for each time period specified in Table 8.2 (3). This table establishes six time periods per use.

- (iii) For each time period, add the number of spaces required for all applicable land uses to obtain a total for each of the six (6) time periods.
- (iv) Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site on a shared parking basis.
- (b) Uses in Different Buildings. Cooperative vehicular parking may be approved for uses in multiple buildings.
- (c) Location of Cooperative Parking. Any cooperative parking must be within six hundred sixty feet (660') from the entrance of the use to the closest parking space within the cooperative parking lot, as measured along a dedicated pedestrian path.
- (d) Off-Site Cooperative Parking Agreement. An agreement approved by the City Attorney providing for cooperative use of off-site parking spaces, executed by the parties involved, shall be reviewed by the Zoning Administrator during review of the site plan.
  - (i) When off-site cooperative parking agreement expires or is waived by agreement of all parties listed in agreement, parking must conform as required by this Section.

### 4. Parking Credits.

Vehicular parking standards in Table 8.2 (1) may be reduced by achieving one or more of the following credits.

- (1) On-Street Parking Credit. For all non-residential uses, on-street parking spaces that meet the following criteria shall be credited one-for-one against the parking requirement.
  - (a) Spaces shall be signed and designated as available twenty-four (24) hours of every day. Metered stalls or stalls with time limits qualify for this requirement.
  - (b) On-street space must be located a minimum of fifty percent (50%) adjacent to the property line of the lot.

Use Category	Weekdays			Weekends		
	Midnight-7:00 am	7:00 am-6:00 pm	6:00 pm-Midnight	Midnight-7:00 am	7:00 am-6:00 pm	6:00 pm-Midnight
Residential	100%	50%	80%	100%	80%	80%
Retail and Service	5%	100%	80%	5%	100%	60%
Hotel and Inn	100%	65%	100%	100%	65%	100%
Place of Worship	0%	30%	50%	0%	100%	75%
Eating and Drinking Establishment	50%	70%	100%	70%	60%	100%
Office	5%	100%	5%	5%	5%	5%
Theater / Entertainment	5%	30%	100%	5%	80%	100%

Table 8.2 (3). Cooperative or Shared Vehicular Parking Spaces.



# 8.0 Parking

- (2) Off-Street Public Parking Credit. For all non-residential uses, public parking spaces located within six hundred sixty feet (660') of any property line may be credited against the parking requirement at a rate of one credit for every three public parking spaces.
  - (a) Metered stalls or stalls with time limits qualify for this requirement
- (3) Transit Credit. For all uses, vehicular parking requirements may be reduced with proximity to a fixed route line with up to fifteen (15) minutes headways. Proximity is measured along a walking path from any point along the property line to the platform or transit stop.
  - (a) If a property is located within four hundred feet (400'), a reduction of ten percent (10%) of the required off-street parking may be approved.
  - (b) If a property is located within eight hundred feet (800'), a reduction of five percent (5%) of the required off-street parking may be approved.
- (4) Car-Share Parking Credit. The vehicular parking requirements may be reduced with the inclusion of car-share parking spaces as follows.
  - (a) Per each car-share parking space provided within six hundred and sixty feet (660') distance from property line, required parking spaces shall be reduced by two (2) spaces. With approval from the Zoning Administrator a car-share parking space may provide credits to one (1) or more parcels.
  - (b) Required parking spaces may be reduced up to twenty five percent (25%).
  - (c) Approval. Applicant must provide documentation of an agreement with a car-share company. Agreement shall stipulate that a shared car will be staged at a specific signed stall. If this agreement should terminate at any point, applicant shall be required to provide parking as otherwise required herein.
- (5) Additional reductions may be approved by the Zoning Administrator with the submittal of a parking study detailing reduction. In the absence of a parking study, the Zoning Administrator may grant parking credits for transit, car sharing, and bicycle sharing programs.

## 8.3 Parking Design Standards.

### 1. Vehicular Off-Street Parking Lots.

The design or redesign of all off-street parking facilities shall be subject to the site plan approval procedure.

- (1) Vehicular Parking Space Dimensions. The appropriate dimensions for parking spaces are outlined in Table 8.3 (1) Parking Space Dimensions and Figure 8.3 (1) Parking Lot Layout.
  - (a) The width of a parking space shall be measured from the center of a stripe.
  - (b) Each indoor space shall have a vertical clearance of at least seven feet (7').
- (2) Wheel Stops. Wheel stops or bumper guards shall be installed when parking is adjacent to a pedestrian pathway to prevent vehicle overhang that reduces the sidewalk width. Such stops or guards shall be properly anchored or secured.
- (3) Location of Parking. Refer to Chapter 5.0 Building Types for information on the location of parking facilities.
- (4) Access. All off-street parking and loading facilities shall open directly onto an aisle, alley, or driveway designed according to the Access Management Plan. Exceptions include:
  - (a) Tandem Parking. No more than two (2) spaces may be included in a tandem parking spot, and the rear space must meet the access requirement.
  - (b) Parking Lifts. The lift exit shall meet the access requirement.
- (5) Edge of Lot and Drives. All curb and gutter shall be located a minimum of three feet (3') from any adjacent property line or right-of-way.

Angle (degrees)	Curb Length (feet)	Stall Width (feet)	Stall Depth (feet)	Travel Lane Width: One-Way (feet)	Travel Lane Width: Two-Way (feet)
0	20	7	-	12	20
45	12	8.5	17	12	20
60	10	8.5	18	18	20
90	9	8.5	18 <sup>1</sup>	22	22

Note

<sup>1</sup> Stall depth may be reduced 2' when stall directly abuts an interior parking lot median that includes an additional area beyond the minimum width outlined in 6.14.3, permitting the overhang of the adjacent parked vehicle's front bumper.

Table 8.3 (1). Parking Space Dimensions.

- (6) Slopes. All parking and driveway or sidewalk access shall meet the requirements of the Access Management Plan.
- (7) Landscape Screening. All parking areas shall meet the requirements of in Chapter 7.0 Landscaping.
- (8) Landscape Areas. Areas not used specifically for sidewalks, parking spaces, driving aisles, loading, or refuse shall not be paved.
- (9) Pavement Construction. All parking and driveways shall be constructed using asphalt, concrete, pavers, or other semi-pervious material approved by the Zoning Administrator.
- (10) Illumination. All off-street parking lots or parking structures shall provide a level of illumination at any point in the parking lot or structure not less than one (1) foot-candle measured at the pavement. All lighting shall be shielded or otherwise optically controlled to provide glare-less illumination and limit trespass on adjacent properties.

## 2. Pedestrian Access.

All parking lots with two (2) or more double-loaded aisles shall provide internal pedestrian pathway(s) within the parking area and outside of the parking drive aisle. Zoning Administrator may waive this requirement if applicant can demonstrate requirement cannot be met due to space limitations.

- (1) Dimension. The pathway shall be a minimum of six feet (6') in width.
- (2) Quantity. One pathway is required for every three (3) double loaded aisles.
- (3) Location. The pathway shall be centrally located within the parking area to serve a maximum number of parking stalls.
  - (a) Pathways shall provide direct connections to the principal structure(s) entrances from the spaces furthest from the entrance.
  - (b) At least one pathway shall provide a direct connection between adjacent vehicular rights-of-way and/or trails and the principal structure's entrance.
- (4) Pathway Delineation. Pedestrian pathways shall be clearly marked with striping or through the use of alternative materials, such as pavers. Refer to Figure 8.3 (2).

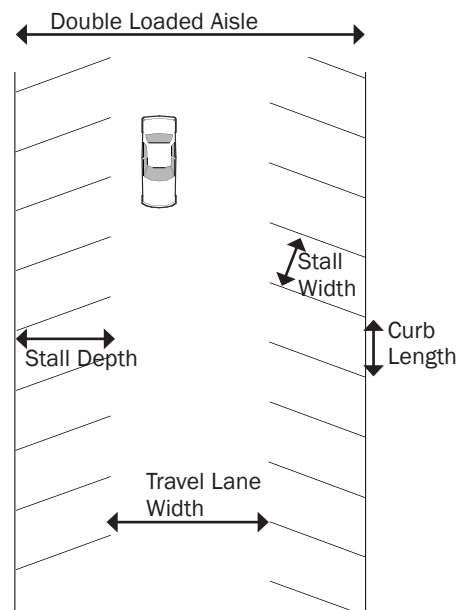


Figure 8.3 (1). Parking Lot Layout.

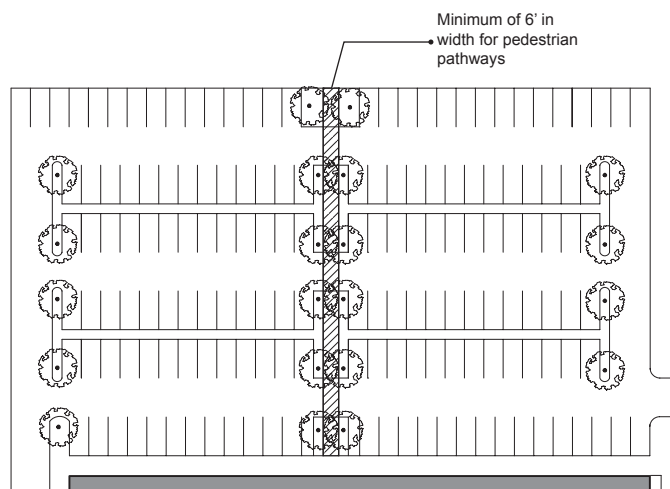


Figure 8.3 (2). Parking Lot Pedestrian Walkway.

# 8.0 Parking

## 3. Bicycle Parking Design.

Bicycle parking (refer to Table 8.3 (2) Required Bicycle Parking for quantity required) shall be designed and located as follows.

- (1) Dimensions.
  - (a) Required bicycle parking spaces shall have minimum dimensions of two feet (2') in width and six feet (6') in length.
  - (b) An aisle a minimum of five feet (5') wide shall be provided behind bicycle parking facilities to allow for maneuvering.
  - (c) A minimum of two feet (2') shall be provided beside each parked bicycle to allow access. This access may be shared by adjacent bicycles.
  - (d) Racks shall be installed a minimum of two feet (2') from any wall or other obstruction.
- (2) Location. Bicycle parking should be located within fifty feet (50') of the entrance of the use.
  - (a) Indoor or outdoor spaces are permitted, provided they are located on the lot with which they are associated.
  - (b) Spaces located within individual dwelling units may not be counted toward bicycle parking requirements.
  - (c) Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.
- (3) Racks and Structures. Racks and structures shall be provided for each unprotected parking space, and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at two points.
- (4) Bicycle Storage. Where required in multiunit or office uses bicycle storage shall be lockable and enclosed. Half of the bicycle parking spaces should be provided as long term parking, safe and secure from vandalism and theft, and protected from the elements.
- (5) Surface. The parking surface shall be designed and maintained to be mud and dust free. The use of rock or gravel areas for bicycle parking is permitted provided that edging materials delineate the parking from other surfaces so that the bicycle parking area is clearly demarcated and the rock material is contained.
- (6) Signage. If required bicycle parking for public use is not visible from the street, signs must be posted indicating their location.
- (7) Maintenance and Lighting. Areas used for required bicycle parking must be well-lit with drainage to be free of mud and standing water.

Use	Bicycle Spaces
Multiunit	2 spaces or .05 spaces per bedroom, whichever is greater
Civic/Institutional	2 spaces, 1 per additional 10,000 sf
Retail	2 spaces, 1 per additional 5,000 sf
Services	2 spaces, 1 per additional 5,000 sf
Office	2 spaces, 1 per additional 10,000 sf
Open Space	Per Zoning Administrator

Table 8.3 (2). Recommended Bicycle Parking.

## 8.4 Site Access and Driveways.

### 1. General Requirements.

These standards shall supplement the provisions for access provided in Chapter 5.0 Building Types. Each driveway providing site access from a street, alley, or other vehicular right-of-way shall be designed, constructed, and permanently maintained as required by this Section.

### 2. Quantity of Driveways.

The number of driveways permitted for each Building Type is located in Chapter 5.0 Building Types.

### 3. Dimensions and Design.

- (1) Driveway Width at Property Line. All driveways shall have a maximum width of twenty two feet (22') as measured at the property line except as stated below, see Figure 8.5 (1) Driveway Width and Location.
  - (a) Residential Building Types. Driveways constructed in residential districts shall have a maximum width of eleven feet (11') when crossing the front or corner property line.
  - (c) Maximum width for one-way driveways is twelve feet (12') at the property line.

- (2) Shared Access. When possible, adjacent developments should share points of access to minimize impervious surface.
  - (a) Shared Driveway Width. When access is shared between three or more non-residential users, a dedicated turn lane may be constructed, allowing an increase in the maximum driveway width from twenty two feet (22') to thirty two feet (32') provided that:
    - (i) Access must be onto a defined street type (excluding Alleys)
    - (ii) Such access is approved by the City Engineer.
- (3) Sidewalk Pavement. Sidewalk pavement elevation, width, design, scoring, material, and design shall extend continuously over the driveway pavement with the intent of prioritizing the sidewalk path over the driveway.

### 4. Location.

Specific location information can be found in Chapter 5.0 Building Types. Refer to Figure 8.4 (1) Driveway Width and Location.

- (1) Driveways accessing rear yard garages are permitted within the side or rear yard setback, no closer than two feet (2') from a side or rear property line, unless the driveway is shared.
- (2) Driveways shall not be closer than twenty five feet (25') from the intersection of two (2) streets, unless otherwise stated in Chapter 5.0 Building Types.

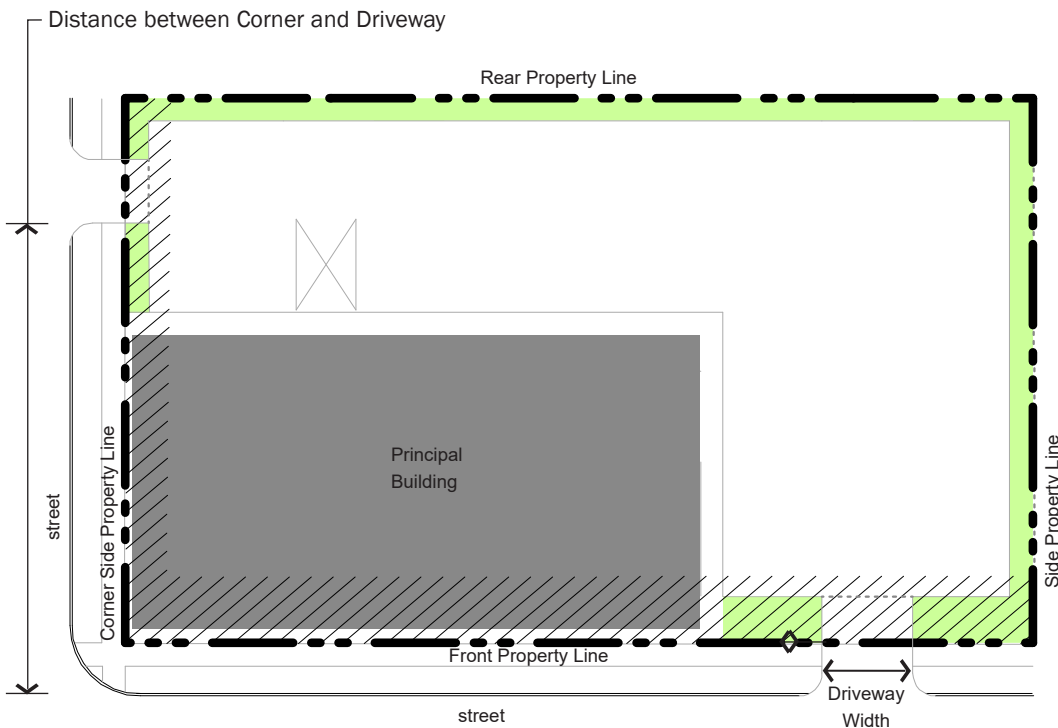


Figure 8.4 (1). Driveway Width and Location.

# 8.0 Parking

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# 9.0 Sign Types



# 9.0 Signs

## 9.1 General Requirements.

### 1. Downtown District.

All signs located in the Downtown District boundaries shall adhere to the requirements of the CC Zone in the City Sign Code.

### 2. South Downtown District.

All signs located in the the South Downtown District, except in the Historic Residential Subdistrict, shall adhere to the requirements of the CC Zone in the City Sign Code.

- (1) Sign located in the Historic Residential Subdistrict shall adhere to the requirements of the R1 Zone in the City Sign Code.

# 10.0 Administration



# 10.0 Administration

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## 10.1 General Provisions.

### 1. Purpose.

The intent of this Code is to promote public health, safety, and general welfare of the community, reflecting the goals established within the City It includes but is not limited to the specific purposes below.

- (1) To achieve mixed use development that is appropriate in scale and intensity for neighborhoods and sites in adopted Place Types
- (2) To establish a relationship between buildings, streets, and open spaces that is pedestrian, bicycle, and transit-oriented.
- (3) To preserve and enhance the City's natural resources, energy, water, and open spaces and to promote innovative development that sustainably manages these resources, including stormwater runoff and mitigation of the urban heat island effect.
- (4) To ensure that a variety of housing types and sizes can be developed to meet the needs of the community.
- (5) To promote a variety of transportation options for residents and visitors.

### 2. Scope of Regulations.

- (1) New Development. All development, construction, and establishment of uses occurring after the effective date of this Code shall be subject to all applicable regulations of this Code. Exceptions and conditions of uses are detailed in each Chapter.
- (2) Renovated Structures. Renovation of existing buildings may trigger compliance to this Code. See Chapter 5.0 Building Types.
- (3) In-Process Development. Where a building permit for a development has been applied for in accordance with the prior law in advance of this Code's effective date, said development may comply with the plans from which the permit was approved and, upon completion, receive a Certificate of Occupancy provided the following are met:
  - (a) Work or construction is begun within one (1) year of the effective date of this Code and
  - (b) Work or construction continues diligently toward completion.
- (4) Nonconformance. After the effective date of this Code, existing buildings and uses that do not comply with the regulations of this Code shall be considered nonconforming and are subject to the standards of 10.4 Nonconformances.

### 3. Administration & Enforcement.

- (1) The provisions of this Code shall be administered and enforced by the Zoning Administrator unless otherwise specifically stated. For the purposes of this Code, the term Zoning Administrator shall be inclusive of his or her designees.
- (2) Where provisions of this Code differ from the City's Zoning Ordinance and Subdivision Ordinance, the requirements of this

Code shall apply; otherwise all requirements of City, State, and Federal law shall apply.

- (3) Violations of the provisions of this Code shall constitute a misdemeanor.

### 4. Development Application.

Applications including all forms, fees, and plan sets shall be filed with the Zoning Administrator.

- (1) Application Form. Application forms are available from the City. The application form shall include submittal requirements.
- (2) Fees. Fees are due at the time the application is made. The application will be considered incomplete if fees are not paid.
- (3) Filing Deadline. Filing deadlines are established by the City and are available at City Planning Division office.
- (4) Withdrawal of Application. Applicant may withdraw application whole or in part at any point in the process prior to being acted or ruled upon. New application form, fees, and plan sets are required for reapplication.
- (5) Records on File. Applications and the resulting recommendations and rulings shall be kept on file by the Zoning Administrator and shall be considered public record.
- (6) Completed Application Required Before Processing. No application will be processed or shall establish a property intent until it is substantially completed and the proper fee has been paid.

### 5. Regulating Map

The areas and boundaries of the Districts and Subdistricts listed in Chapter 3.0 Subdistricts are shown on the map entitled Place Type and Subdistricts Regulating Map of the City and referred to herein as "Regulating Map" from time to time as adopted by Resolution of the Council.

### 6. Process

- (1) Any development within a Speciality, Core, General, or Edge Subdistrict shall be administered in accordance with the procedures defined in 10.2. and other applicable Codes adopted by the City.
- (2) The application shall include the following processes
  - (a) Pre-Application Meeting. Refer to 10.2.2.
  - (b) Site Plan Approval, including building, site, and streetscape. Refer to 10.2.6.

### 7. Staff Review Committee

The Zoning Administrator shall approve, deny, or approve with conditions all submittals for site plans within a Subdistrict upon review by all applicable City Departments



# 10.0 Administration

## 10.2 Development Review Procedures.

### 1. General Requirements.

The processes included in this Section are required for approval of new development in adopted Districts.

- (1) Appeal. If any application is disapproved, applicant may appeal the decision through the appeals process outlined in the City's Zoning Code.
- (2) Expiration of Approval. Approval of any application shall expire eighteen (18) months from the date of approval if permits for development have not been submitted for review or construction has not begun.
  - a. The Zoning Administrator may approve a written request for an extension not to exceed twelve (12) months from the date of approval. Such requests must be submitted to the Zoning Administrator at least thirty (30) days prior to the end of the eighteen (18) month period.
  - b. Failure to act on an approved application within the eighteen (18) month period or the twelve (12) month extension period from the date of approval shall require a new application, including all forms, fees, and plan sets.
- (3) Review Criteria. All site plan applications shall comply with all of the requirements of this Code.

### 2. Pre-Application Meeting.

- (1) Application. Applicant must request a Pre-Application meeting prior to submitting an application for Site Plan, Rezoning, Preliminary Plat Approval, Exception, or Variance.
- (2) Submittal Requirements. Applicant shall submit all of the following:
  - (a) Application form substantially completed, and applicable fees.
  - (b) Sketch Plan. A sketch plan or plans shall detail the proposal, including all the following:
    - (i) General layout of block and lots with Street Types and Open Space Types noted.
    - (ii) Existing conditions such as topography, water bodies, aerial photograph, and food plain.
    - (iii) Subdistricts, Building Types, and Uses.

#### 10.2.2 Pre-Application Meeting.

Applicant submits application to Zoning Administrator.

Zoning Administrator distributes plans to staff for review.

Staff meets with Applicant to discuss plan.

- (iv) Parking location and layout.
    - (iv) Site survey, if available.
  - (c) Exceptions or Variances. A description of any desired Exception or Variance as allowed is Section 10.3 of this Code.
- (4) Pre-Application Meeting. Staff shall meet with the Applicant to discuss the proposed plan within ten (10) days of receipt of the complete application.

### 3. Rezoning Process.

Refer to the City's Zoning Code for information on the rezoning process.

### 4. Subdivision Plat Approval.

Refer to the City's Zoning Code for information on the subdivision plat approvals processes.

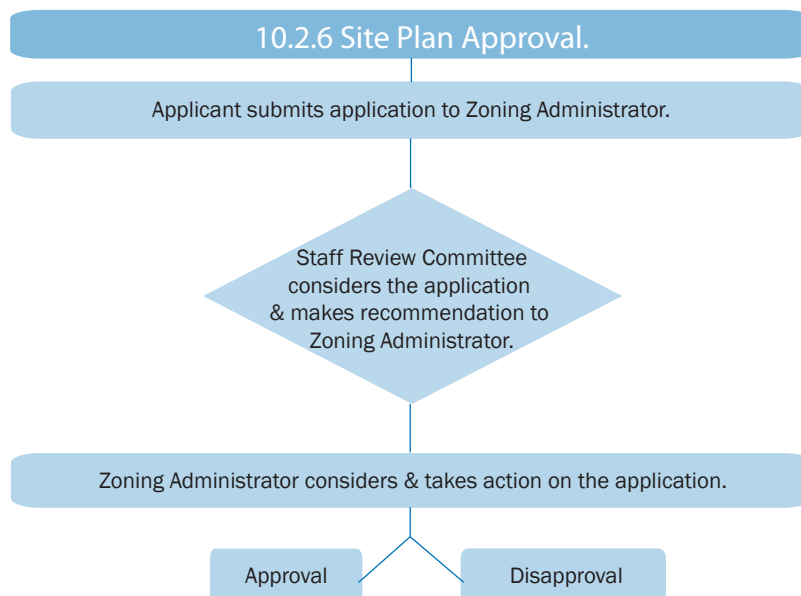
### 5. Site Plan Approval.

- (1) Application. The following information shall constitute a complete application for a Site Plan.
  - (a) Complete application form, and applicable fees.
  - (b) Applicant shall submit the following in compliance with the requirements of 3.0 Districts, 4.0 Uses, 5.0 Building Types, 6.0 Open Space Types (when submitting an application for development of a Open Space Type), 7.0 Landscape, 8.0 Parking, and 9.0 Sign Types. All maps and plans shall include the following:
    - (i) Street names, north arrow and standard engineering scale, with graphic (1" = 10' to 1" = 200' for plan legibility).
    - (ii) Legal description and address of the proposed building site, with all pertinent deed instrument number references.
    - (iii) Existing and proposed street and alley right-of-ways, property lines and utility easements with dimensions, bearings and distances, with a separate line type for each. Label each line or show in a legend by line type. Include basis of bearing.
    - (iv) Name and telephone number of site plan contact person.
    - (v) Existing and proposed public improvements. Show all existing and proposed utilities and services including size. If none required, state on site plan.
    - (vi) Show or describe the project benchmark location and project vertical datum.
    - (vii) Site storm water requirements, include calculations. Owner is responsible for containing or disposing of on-site storm water.
    - (viii) Storm Water Pollution Prevention Plan (SWPPP) required if disturbance over 1 acre or part of a larger development that has a total disturbance over 1 acre.
    - (ix) Distances from building to rights-of-ways, easements

- and lot lines. Label types and sizes of easements.
- (x) Proposed transformer, electric meter location and total connected load calculations .
  - (xi) Existing and proposed building dimensions, including building height, building construction type (IBC) and total square footage.
  - (xii) Garbage dumpster location. Must have 10' x 8' inside diameter per container.
  - (xiii) Site plan requiring engineering shall be stamped and sealed by a professional engineer licensed in the State of Idaho.
  - (xiv) Name of Licensed Idaho Professional Engineer who shall inspect, certify to City Standards, and prepare "As-built" drawings for all Water, Sanitary Sewer and Storm Sewer Main Lines.
  - (xv) Signage Plan, if Signage is included. Signage Plan illustrating compliance with the requirements of 9.0 Sign Types.
  - (xvi) Landscape Plan. Landscape Plan illustrating compliance with the requirements of Chapter 7.0 Landscape. All ground plane vegetation shall be illustrated. For sites with less than ten percent landscape area, the Landscape Plan may be combined with the Site Plan. Include point of connection to water system for landscape irrigation.
  - (xvii) Parking Plan. Parking layout plan with table of spaces keyed to plan, illustrating compliance with Chapter 8.0 Parking. Driveways, shared parking arrangements, cooperative parking, and any other parking reductions shall be included and noted for compliance with Chapter 8.0 Parking.
  - (xviii) Existing and proposed access points, including

dimensions.

- (xix) Parking area lighting system.
  - (xx) All existing or proposed fire hydrant locations within 1000' of development or distance in feet to nearest hydrant, Fire Department Connection (FDC), fire lane location and fire line size.
  - (xxi) Type of land use to occupy building, including the gross density for residential plans and total square footages for each use.
  - (xxii) Building Plan(s). Floor plans for all buildings illustrating compliance with the requirements of Chapter 5.0 Building Types.
  - (xxiii) Building Elevations. Building elevations of all facades, rendered to illustrate compliance with the requirements of Chapter 5.0 Building Types.
  - (xxiv) Open Space Plan. If Open Space is included the plan shall illustrate compliance with the requirements of Chapter 6 Open Space. The Open Space Plan shall define all paving, structures, site furnishings, and landscape areas
- (4) Application Process Timeline. Upon submittal of a complete application and proper fee, the application will be reviewed. Approval timeline shall be outlined on the application.
  - (5) Procedure for Site Plan Adjustments. The Zoning Administrator may permit minor adjustments to an approved site plan pursuant to the following process:
    - (a) Applicant shall submit a revised plan and letter of explanation detailing the change to the Zoning Administrator.
    - (b) The Zoning Administrator shall review the request and notify the applicant of the decision.
    - (c) If the Zoning Administrator deems the change to be a



# 10.0 Administration

major adjustment to the plan, the applicant must resubmit for approval of the new plan, including a new application (including new forms, fees, and plan sets).

- (d) If the Zoning Administrator deems the changes to be minor adjustments and approves them the Applicant shall revise the plan and copies to the Zoning Administrator for filing prior to applying for building or construction permits.
- (6) Minor adjustments are limited to changes in dimensions or quantities less than ten percent (10%) of previous amounts. All other adjustments are considered major. Any adjustment must comply with all the requirements of this Code.

## 6. Conditional Use Permit.

Refer to the City Zoning Code for the conditional use permit process.

## 10.3 Exceptions and Variances.

### 1. Exceptions.

- (1) Intent. To establish relief and flexibility in standards that may be administratively reviewed and approved, if certain criteria are met.
- (2) Eligible Applicant. Applicant is eligible to apply for an exception to this Code upon submittal of an application for site plan approval in cases that involve such matters as the following:
  - (a) Regulating Plan Requirements
    - (i) Block Size within one hundred feet (100') of required dimensions and with the provision of a Mid-Block Pedestrianway (refer to Chapter 1.0)
    - (ii) Street Type Dimensional Requirements within one foot of required dimensions. (refer to Chapter 2.0)
    - (iii) Open Space Requirement within 100' of required distance for no more than ten units and with the availability of two Open Spaces within that dimension (refer to Chapters 1.0 and 6.0)
    - (iv) Building Type Requirements within one foot of required dimensions. (refer to Chapter 5.0)
  - (b) Site Plan Requirements
    - (i) Landscape Requirements within one foot of required dimensions. (refer to Chapter 7.0)
    - (ii) Parking and Loading Facilities within one foot of required dimensions. (refer to Chapter 8.0)
    - (iii) Sign Type Requirements within one foot of required dimensions. (refer to Chapter 9.0)
    - (iv) Building Type Requirements within one foot of required dimensions. (refer to Chapter 5.0)

### 2. Variances

Refer to the City Zoning Code for the variance process.

## 10.4. Nonconformance.

### 1. General.

- (1) Intent. To provide a set of regulations for legal nonconforming buildings and uses and to specify those circumstances and conditions under which nonconformance shall be gradually eliminated.
- (2) Applicability. The standards in this Section apply as follows:
  - (a) The provisions detailed in this Section apply to all structures, uses, or site improvements that lawfully existed prior to the adoption of or amendment to this Code, but that could not occur under current provisions of this Code.
  - (b) Structures, uses, and site improvements that did not lawfully exist prior to the effective date or amendment to this Code are not exempt under the provisions of this Section.
- (3) Continuation. Legal nonconformance is permitted to continue, subject to the restrictions outlined in this Section and subject to Idaho Code.
- (4) Maintenance. Legal nonconformance shall continue as required by law provided said continuance does not result in the expansion or intensification of the nonconformance.

### 2. Nonconforming Structures.

- (1) Intent. To provide regulations for the continuation of a structure that was legally constructed prior to the adoption of or amendment to this Code, but that could not occur under the current provisions of this Code.
- (2) Restrictions on Continuation. A nonconforming structure may continue based upon the following conditions:
  - (a) Alterations. The standards of this Code shall apply to alterations under the following circumstances.
    - (i) Refer to Chapter 5.0 Building Types for renovation and tenant improvements
    - (ii) When a renovation of the front facade occurs with no added building square footage, conformance with the Street Facade requirements and Entrance Type Requirements (refer to Chapter 5.0 Building Types) may be required where the existing building front or corner facade is located within the build to zone and the renovation includes any one of the following:
      - i. Installation of additional doors or a change in location of a door or
      - ii. Expansion or change in location of thirty percent (30%) of windows on any street facade or
      - iii. Replacement of thirty percent (30%) or more of facade materials on any street-facing facade with a different facade material.
    - (iii) When a renovation of the shape or style of the roof

occurs with no added building square footage and the existing building front or corner facade is located within the build-to zone the Roof Type Requirements (refer to Section 5.10) shall be met.

- (b) Ordinary Repairs. Ordinary repairs required for safety and continued use of the structure (such as replacement of window or door glass) and interior alterations that do not affect the exterior of the building do not trigger conformance to this Code.
- (c) Impact on Nonconformity. No alteration or repair shall be allowed to expand the existing or create a new nonconformity, unless otherwise permitted by this Section.
- (d) Damage or Destruction. A nonconforming structure may be repaired and its use continued if damaged by any means not within the control of the owner, per the Idaho Code.

### **3. Nonconforming Uses.**

Refer to the City Zoning Code for information on nonconforming uses.

### **4. Nonconforming Lots.**

Refer to the City Zoning Code for information on nonconforming lots.

### **5. Nonconforming Site Improvements.**

- (1) Intent. To establish regulations for the continuation of site improvements, such as impervious site coverage, access points, signage, parking, landscaping, or other non-structural, physical characteristics of a site, that were legally constructed or installed prior to the approval of or amendment of this Code, but that cannot be created under the provisions of this Code.
- (2) Restrictions to Continuation. A nonconforming site improvement may continue based upon the following conditions:
  - (a) Change in Associated Use. The right to continue shall be terminated if the associated use changes or changes in intensity as an increase in the dwelling units, gross floor area, or capacity by fifteen percent (15%) or more.
  - (b) Change in Associated Structure. The right to continue shall be terminated if the associated structure is altered and triggers the requirements of Chapter 5.0 Building Types.

# 10.0 Administration

## 10.5 Definitions.

### 1. Graphics.

The graphics, tables, and text utilized throughout this Code are regulatory. In case of a conflict, text shall control over tables and graphics, and tables shall control over graphics.

### 2. Defined Terms.

For the purposes of this Code, the following terms shall have the following meanings.

- (1) **Animal.** All non-human members of the animal kingdom, including domestic and livestock species.
- (2) **Applicant.** The owner of a subject property or the authorized representative of the owner on which an application is being made.
- (3) **Block.** The aggregate of lots, passages, lanes, and alleys bounded on all sides by streets.
- (4) **Block Depth.** A block measurement that is the horizontal distance between the front property line on a block face and the front property line of the parallel or approximately parallel block face.
- (5) **Block Ends.** The lots located on the end of a block. These lots are often larger than the lots in the interior of the block or those at the opposite end of the same block and can be located on a more intense Street Type. They are typically more suitable for more intensive development, such as multi-unit or mixed use development.
- (6) **Block Face.** The aggregate of all the building facades on one side of a block.
- (7) **Block Length.** A block measurement that is the horizontal distance along the front property lines of the lots comprising the block.
- (8) **Build-to Zone.** An area in which the front or corner side facade of a building shall be placed. The zone dictates the minimum and maximum distance a structure may be placed from a property line. Refer to Figure 10.5 (2) Build-to Zone vs. Setback Line.
- (9) **Building Type.** A structure defined by the combination of configuration, form, and function. Refer to Chapter 5.0 Building Types for more information and the list of permitted Building Types.
- (11) **Courtyard.** An outdoor area enclosed by a building on at least two sides and is open to the sky.
- (12) **Coverage, Building.** The percentage of a lot developed with a principal or accessory structure.
- (13) **Coverage, Impervious Site.** The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, and patios.
- (14) **Critical Root Zone.** Also referred to as drip line. The area of soil and roots within the radius beneath the tree's canopy, within the drip line, or within a circular area of soil and roots with a radius out from the trunk a distance of one and one half feet (1.5') for every inch of the tree's width (measured at four and one half feet (4.5') above the mean grade of the tree's trunk, noted as diameter breast height (DBH) throughout this Code).
- (15) **Dedication.** The intentional designation of land by the owner to the City for public use and/or ownership.
- (16) **Density.** The number of dwelling units located in an area of land, usually denoted as units per acre.
- (17) **Dwelling Unit.** A room or group of rooms connected together that include facilities for living, sleeping, cooking, and eating that are arranged, designed, or intended to be used as living quarters for one unit, whether owner occupied, rented, or leased.
- (18) **Easement.** A legal interest in land, granted by the owner to another person or entity, which allows for the use of all or a portion of the owner's land for stated purposes such as access or placement of utilities.
- (19) **Eave.** The edge of a pitched roof. It typically overhangs beyond the side of a building.
- (20) **Entrance Type.** The permitted treatment types of the ground floor facade of a Building Type. Refer to Section 5.9 for more information and a list of permitted Entrance Types.
- (21) **Expression Line.** An architectural feature. A decorative, three dimensional, linear element, horizontal or vertical, protruding or indented from the exterior facade or a building typically utilized to delineate floors or stories of a building.
- (22) **Facade.** The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines. The front facade is any building face adjacent to the front property line.
- (25) **Grade.** The average level of the finished surface of the ground story adjacent to the exterior walls of a building.
- (26) **Gross Floor Area.** The sum of all areas of a building, including accessory storage areas or closets within sales spaces, working spaces, or living spaces and any basement floor area used for retailing activities, the production or processing of goods, or business offices. It shall not include attic space having headroom of seven feet or less and areas devoted primarily to storage, balconies, off-street parking and loading areas, enclosed porches, roof decks, roof gardens, or basement floor area other than specified in this definition.
- (27) **Landscape Area.** Area on a lot that is not dedicated to a structure, parking or loading facility, frontage buffer, side and rear buffer, or interior parking lot landscaping.
- (28) **Lot.** Also referred to as parcel. A plot of land intended to be separately owned, developed, or otherwise used as a unit. Refer to Figure 10.5 (1) Lots.



- (29) **Lot, Corner.** A parcel of land abutting at least two vehicular rights-of-way, excluding an alley, at their intersection. Refer to Figure 10.2 (1) Lots.
- (30) **Lot, Flag.** A parcel of land having its only access to the adjacent vehicular right-of-way, excluding an alley, through a narrow strip of land. Refer to Figure 10.5 (1) Lots.
- (31) **Lot, Interior.** A parcel of land abutting a vehicular right-of-way, excluding an alley, along one (1) property line; surrounded by lots along the remaining property lines.
- (32) **Lot, Through.** Also referred to as a double frontage lot. An interior lot having frontage on two approximately parallel vehicular rights-of-way, excluding an alley. Refer to Figure 10.5 (1) Lots.
- (33) **Lot Area.** The computed area contained within the property lines; it is typically denoted in square feet or acres.
- (34) **Lot Depth.** The smallest horizontal distance between the front and rear property lines measured approximately parallel to the corner and/or side property line. Refer to Figure 10.5 (1) Lots.
- (35) **Lot Frontage.** The horizontal distance between the side property lines, measured at the front property lines. Refer to Figure 10.5 (1) Lots.
- (36) **Occupiable Space.** Interior building space delineated to be or normally occupied by the building users. It does not include storage areas, utility space, or parking.
- (37) **Open Space Type.** The permitted and regulated types of open spaces in this Code. Refer to Chapter 6.0 Open Space Types for more information and a list of the permitted types.
- (38) **Open Water.** A pond, lake, reservoir, or other water feature where the water surface is fully exposed.
- (39) **Owner.** The legal or beneficial title-holder of land or holder of a written option or contract to purchase the land.
- (40) **Pedestrian way.** A pathway designed for use by pedestrians. It can be located mid-block allowing pedestrian movement from one street to another without traveling along the block's perimeter.
- (41) **Plat.** A map or chart of a division and/or combination of lots approved through processes and standards required by the City's Subdivision Ordinance.
- (42) **Primary Street.** A street shown and designated on the Regulating Plan Map of this Code as a Primary Street. Also, the street from which front setbacks and main building entrances are generally established.
- (43) **Property Line.** Also referred to as lot line. A boundary line of a parcel of land or lot. Refer to Figure 10.5 (1) Lots.



Figure 10.5 (1). Lots.

# 10.0 Administration

- (44) **Property Line, Corner.** A boundary of a lot that is approximately perpendicular to the front property line and is contiguous to a public right-of-way, other than an alley or railroad. Refer to Figure 10.5 (1) Lots.
- (45) **Property Line, Front.** The boundary abutting a right-of-way, other than an alley, from which the required setback or build-to zone is measured, with the following exceptions:
- Corner and through lots that abut a primary street shall have the front property line on that primary street.
  - Corner and through lots that abut two (2) primary streets or do not abut a primary street shall utilize the orientation of the two (2) directly adjacent lots, or shall have the front property line determined by the Zoning Administrator.
- (46) **Property Line, Rear.** The boundary of a lot that is approximately parallel to the front property line. This line separates lots from one another or separates a lot from an alley. Refer to Figure 10.5 (1) Lots.
- (47) **Property Line, Side.** The boundary of a lot that is approximately perpendicular to the front and rear property lines and is not adjacent to the public right-of-way. Refer to Figure 10.5 (1) Lots.
- (48) **Right-of-Way.** Land dedicated or utilized for a Street Type, trail, pedestrianway, utility, railroad, or other similar purpose.
- (49) **Roof Type.** The detail at the top of a building that finishes a facade, including a pitch roof with various permitted slopes and a parapet. Refer to Section 5.10 for more information and a list of the permitted Roof Types.
- (50) **Scale.** The relative size of a building, street, sign, or other element of the built environment.
- (51) **Setback.** The horizontal distance from a property line inward, beyond which a structure may be placed. Structures or other impervious surfaces are not permitted within a setback, unless specifically permitted in this Code. Refer to Figure 10.5 (2) Build-to Zone vs. Setback Line.
- (52) **Sign.** An object, device, or structure used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by such means as words, letters, figures, images, designs, symbols, or colors. Flags or emblems of any nation, state, city, or organization; works of art which in no way identify a product; and athletic field score boards are not automatically considered signs.
- (53) **Solar Reflectance Index (SRI).** A measure of a constructed surface's ability to reflect solar heat, as shown by a small temperature rise. The measure utilizes a scale from zero (0) to one hundred (100) and is defined so that a standard black surface is zero (0) and a standard white surface is one hundred (100). To calculate for a given material, obtain the reflectance value and emittance value for the material; calculate the SRI according to ASTM E 1980-01 or the latest version.
- (54) **Story.** A habitable level within a building measured from finished floor to finished floor.
- (55) **Story, Ground.** Also referred to as ground floor. The first floor of a building that is level with or elevated above the finished grade on the front and corner facades, excluding basements or cellars.
- (56) **Story, Half.** A story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.
- (57) **Story, Upper.** Also referred to as upper floor. The floor(s) located above the ground story of a building.
- (58) **Street.** The entire width between the boundary lines of a public right-of-way. A public right-of-way for an alley shall not be considered a street.
- (59) **Street Face.** The facade of a building that faces a public right-of-way.
- (60) **Street Frontage.** Also refer to lot frontage. The portion of a building or lot contiguous to a vehicular right-of-way.
- (61) **Street Type.** The permitted and regulated types in this Code. Refer to Chapter 2.0 Street Types for more information and a list of the permitted Street Types.
- (62) **Streetwall.** The vertical plane created by building facades along a street. A continuous streetwall occurs when buildings are located in a row next to the sidewalk without vacant lots or significant setbacks.
- (63) **Structure, Accessory.** The general term for a subordinate structure detached from, but located on the same lot as the Principal Structure; it may or may not be habitable.
- (64) **Structure, Principal.** Also referred to as the principal building. A building that contains the dominant use of the lot. It is typically located toward the front of the lot in the front build-to zone or behind the front yard setback.

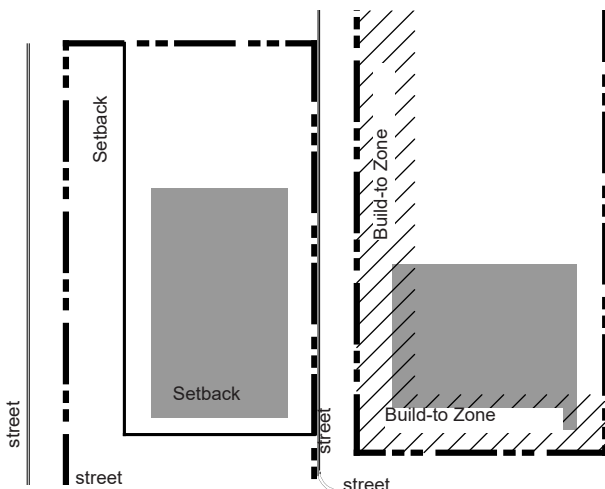


Figure 10.5 (2). Setback Line vs. Build-to Zone.

- (65) **Subdistrict.** A designation given to each lot within the City. It establishes the standards for development on that lot. Refer to Chapter 3.0 Zoning Districts for more information and a list of permitted Subdistricts.
- (66) **Surface, Impervious.** Also referred to as impervious material. Any hard surface area that is not naturally occurring and that does not absorb water, including building roofs, sidewalks, parking, driveways, and other paved surfaces.
- (67) **Surface, Pervious.** Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material, such as permeable pavers or a vegetated roof.
- (68) **Surface, Semi-Impervious.** Also referred to as semi-pervious material. A material that allows for at least forty percent (40%) absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.
- (69) **Swale.** A low lying, naturally planted area with gradual slopes that facilitate the transport, absorption, and/or filtration of stormwater.
- (70) **Tree Canopy.** The uppermost area of spreading branches and leaves of a tree.
- (71) **Tree Canopy Coverage.** The area of ground covered or shaded by a tree's canopy, measured in square feet.
- (72) **Use.** Also referred to as land use. A purpose or activity that may lawfully occur within a building or a lot.
- (73) **Use, Accessory.** A use customarily, incidental, and subordinate to the principal use or structure and located on the same lot with such principal use or structure.
- (74) **Use, Principal.** The specific, primary purpose for which a lot or building is utilized.
- (75) **Use, Special.** A use that may not be appropriate in certain locations based on the potential negative impacts associated with the use and requires approval of a Special Use Permit.
- (76) **Visible Basement.** A half story partially below grade and partially exposed above with required transparency on the street facade.
- (77) **Water Body.** A body of water, such as a river, pond, or lake that may be constructed or naturally occurring.
- (78) **Yard.** The space on a lot which is unoccupied and unobstructed from the ground to the sky by the principal structure. Lots without a structure do not have yard designations. Refer to Figure 10.5 (3) Yards.
- (79) **Yard, Corner Side.** A yard extending from the corner side building facade along a corner side property line between the front yard and rear property line.
- (80) **Yard, Front.** A yard extending from the front facade of the principal structure along the full length of the front property line, between the side property lines or side and corner side property lines. Figure 10.5 (3) Yards.
- (81) **Yard, Rear.** A yard extending from the rear building facade along the rear property line between the side yards or, on a corner lot, the corner side and side yards. Figure 10.5 (3) Yards.
- (82) **Yard, Side.** A yard extending from the side building facade along a side property line between the front yard and rear property line. Figure 10.5 (3) Yards.

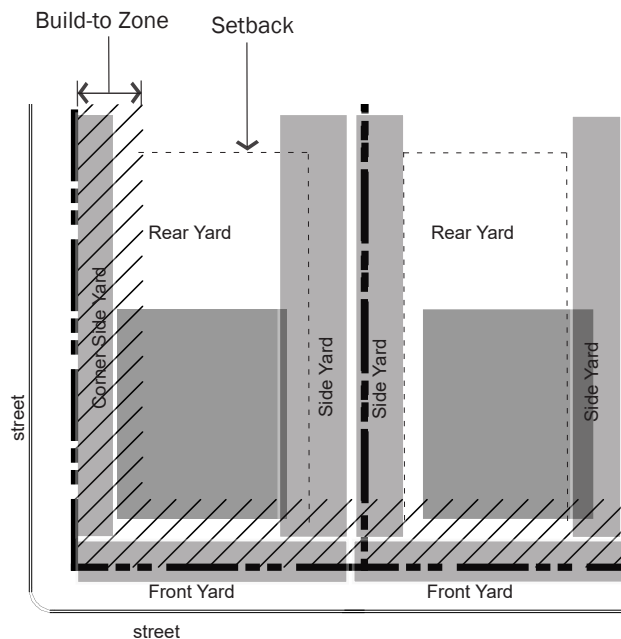


Figure 10.5 (3). Yards.

July 11 2023

7:00 p.m.

Planning Department

Civic Center

**MEMBERS PRESENT:** Commissioners Margaret Wimborne, Arnold Cantu, Dale Storer, Forrest Ihler, Bill Scott, Kristi Brower.

**MEMBERS ABSENT:** Scott Geddes, Glen Ogden, Marsha McDaniel

**ALSO PRESENT:** Assistant Planning Director Kerri Beutler, Planners Naysha Foster, David Peterson, Brian Stevens and interested citizens.

**CALL TO ORDER:** Margaret Wimborne called the meeting to order at 7:00 p.m. Wimborne introduced the new Director of Community Development Services, Wade Sanner, and asked Sanner to take a minute to introduce himself.

Wade Sanner introduced himself. Sanner moved to Idaho Falls from Sheridan, Wyoming. Sanner worked in various places across the County and is originally from Kansas. Sanner is grateful to be here and thanked the Commission for their service to the city.

**MINUTES:** Scott moved to accept the minutes of June 6, 2023; Ihler seconded the motion. The motion passed unanimously.

**Public Hearing(s):**

**2. RZON 23-003: REZON. Adoption of a Form Based Zoning Code for the area Known as South Downtown.**

**Applicant: City- Brian Stevens presented.** Stevens indicated that the South Downtown area is 70 acres. Stevens indicated that Cliff, Pancheri, Yellowstone and South Capital Ave. are inclusive in this area. They want to protect and preserve this area and return it to the glory days of Downtown. Stevens explained form-based code is a method of regulating development to achieve a specific urban form. Looking at the building type and its interface with the street versus the uses of the building. Traditional zoning (Euclidean) focuses on separation of uses. Form based is focused on public realm and cares less about land uses. This tool will protect and enable a desired form. Staff chose to pursue a form-based code in this area after the success of the form-based code in Downtown. The current zoning code does not preserve the uniqueness of South Downtown. Form base code allows for zoning to be adjusted to fit the development pattern of South Downtown. This Code Divides South Downtown into 5 Districts. Provides standards for public spaces. Defines allowed building types. Staff will meet regularly to talk and bring forth adjustments as needed. The Comprehensive Plan supports the form-based zoning code. Stevens feels more form-based code will come to older parts of Idaho Falls to preserve the areas that the public wants to interact with.

South Downtown set on the shelf for a time because of covid and staff changes, but it is now time to push it forward.

Stevens presented the staff report, a part of the record. (25 Slide – Slide Show) Highlighted what parts of the Code will build South Downtown into the already existing Downtown Code.

Scott asked if the boundary of Downtown is contiguous to South Downtown. Stevens agreed that there is no gap between Downtown and South Downtown.

Wimborne asked about the highway frontage is already in the Downtown Code and South Downtown Code is the same. Stevens stated that there is one difference for Yellowstone Ave, with a building type. Wimborne clarified that it is similar and has some uniqueness.

Storer asked if there is a requirement that the Planning Commission recommend the proposed sub districts or is it approved as a whole. Stevens indicated that the objective is to rezone the entire section of town. The motion and action is to approve the Form Based Code which approves the District and the breakdowns. Stevens stated that Downtown has its own Zone overlay, and the South Downtown would have the same overlay that would take people to the Form Based Code. Stevens is asking the Commission to recommend approval of all the Form Based Code as presented. Stevens stated that if there is a need for something different, let them know, and they can work on a shift if needed before it goes to the City Council. The presented plan is what was studied. Storer clarified that he just wanted to know if they could suggest changes and feels it would be helpful for the Commission to have the opportunity to recommend a realignment or change in sub districts in the future, if needed.

Scott asked if the sub districts are separately zoned. Stevens indicated that this supersedes and rezones these areas. The original Euclidean style of zoning would be removed, and Form-Based Code would control the property.

Storer had questions in the Administration Section of SODO (South Downtown) Chapter 10. Storer is intrigued by the Form based code, and one area is still not clear with the build up area. Storer stated that often with a zone change there are non-conforming uses. Storer is bothered by what it is that would trigger a change in use. Storer asked if it is a change in landscape, façade, parking or what would trigger the need to bring the area into conformity. Storer asked if the Johnson Brothers changed from a planing Mill to window wholesale, would that require a new application even though that use had been around for 50+ years.

Stevens stated that they will look at a change of use, and what they want to change on the structure. Staff will look at it and they will want to prevent things that they want in the form-based code from being removed and help bolster the things they want to keep including things for pedestrians.

Storer stated that he doesn't feel it is clear as to what would trigger, and he wants that looked at closer.

Beutler stated that the administrative section has not changed, and it has been utilized with the existing form-based code Downtown. Beutler stated that in dealing with non-conforming uses there are legal non-conforming uses. If the use was established illegally, they are not concerned with that. If it was established legally the code deals with it differently. Non-conforming uses are allowed to continue as it has operated legally since it was established, and the only time they would deal with an adjustment is if the use changed. Like a warehouse turns into a restaurant. Non-conforming structures have a specific section for it. If the façade is going to change, the code states it may have to be brought into compliance. Beutler indicated that they have the goal to deal with new growth and development and preserve the current property rights of the area.

Stevens indicated that the public interaction he's had has been positive in general. Beutler clarified that this is the Code and is not forcing anyone to do anything unless there is a change in use. What is in existence stays.



Wimborne opened the public hearing.

**Millie Batt, 765 South Capital, Mini Bazaar Building, Idaho Falls, Idaho.** Who can she ask the questions to, as she doesn't feel this is the right place. Wimborne suggested having a staff member get in touch with her so she can discuss questions.

Wimborne closed the public hearing.

Ihler likes Form Based Code and wants the entire City to be form based. It makes the area more flexible. Ihler likes it and feels the Form Based Code has been successful in Downtown. Ihler stated that this is the original Eagle Rock Area and the original development of the City. Ihler feels this area has lots of potential. Ihler is in support.

Wimborne asked staff what the biggest challenge for business owners and developers and has the issues been addressed with this Form Based Code. Stevens stated that the form-based code is relatively new, and they do have conversations and they have brought changes to the original Downtown Form Based Code. They deal a lot with the amount of window/glass that is required. No residential on the bottom floor was a big issue, so they made a change to 30'. Stevens acknowledged Foster's help in this process as she deals with the form-based code as it is applied Downtown. Foster stated that the biggest issue has been transparency on the main floor adjacent to the street. Downtown already kind of meets the standards for form based standard and the Euclidian Code has a lot of non-conformances that would be applied to Downtown.

Wimborne is in support of the form-based code and applauds staff on their work in South Downtown.

Ihler asked when the City has to replace a water line or rip up a street, or ITD has to do something along Yellowstone, are they required to bring things to standards of the form-based code. Stevens stated that they will be held to the standards, and there will be flexibility in the area, including a different street format that is more pedestrian friendly. The entities (City, State, County) will work together in compliance.

Scott stated that the warehouse sub district is the place where there could be more opportunity for open space and asked if there are incentives for landowners to commit space to open areas. Stevens stated that they do have a landowner that is interested in building in the area, and the current code they have run into issues with setbacks and getting parking, but the form-based code could help them make the building work. Stevens stated that it is the preference that it would come into the City's control like Civitan Plaza.

**Cantu moved to recommend to the Mayor and City Council approval of the Adoption of a Form Based Zoning Code for the area Known South Downtown, Scott seconded the motion. Wimborne called for roll call vote: Cantu, yes; Storer, yes; Wimborne, yes; Ihler, yes; Scott, yes; Brower, yes. The motion passed unanimously.**

**Brian Stevens**

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**From:** Lorin Walker <lorinvonwalker@gmail.com>  
**Sent:** Monday, June 12, 2023 10:33 AM  
**To:** Brian Stevens; Ann Peterson  
**Cc:** Rollie Walker  
**Subject:** Re: SD Form based zoning code input

**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.















On Jun 12, 2023, at 10:26 AM, Lorin Walker <[lorinvonwalker@gmail.com](mailto:lorinvonwalker@gmail.com)> wrote:

June 12, 2023

Dear Planning and Zoning staff members and planners:

In response to the Notice of Public Hearing seeking citizen input, we offer the following:

1. We generally support and encourage the direction of Form Based zoning.
2. The Snake River is a prized amenity for our city. Certain development areas along the river deserve and warrant Form Based codes for infrastructure and buildings.
3. This SODO area is geographically positioned in such a way as to become a “there there” for our city, with careful planning and detailing reminiscent of *TND style* developing.
4. We encourage a zoning and code that encourages growing from a “center of strength”, such as a central public square or park located within a district which sets the desired tone of the area.
5. Where this SODO area is directly across the river from the Taylor Crossing on the River development, we encourage a code focused on “timeless” character in the physical improvements.
6. We encourage a code that rewards artistic design in the landscape with narrower tree-lined streets, occasional pavers, and a high degree of walkability with a focus on connectability to the greenbelt.
7. We support a code that allows mixed-uses, even in the residential core, including Live-Work with boutique style corner stores providing retail or cafe services throughout. (Compare to the old Avenues near the capital in SLC).
8. “Housing affordability” should not be the driver of codified development in this key area of the city. Let the free market determine affordability.
9. We encourage small pocket parks, art, and social spaces wherever possible.
10. We encourage improved green space setback along S. Yellowstone and Pancheri, even though it is an industrial area presently.

We would be happy to meet and visit with anyone, anytime regarding our hope for the east side of the river. We will call 208 612-8276 to visit with a planner as well.

Best regards,

Lorin Walker and Rollie Walker

Taylor Crossing on the River  
McNeil Development, LLC  
1070 RIVERWALK DR. Ste 200  
Idaho Falls, ID 83402  
208 524-3341  
[LorinVonWalker@hotmail.com](mailto:LorinVonWalker@hotmail.com)

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

AN ORDINANCE AMENDING TITLE 10, CHAPTER 7, SECTION 1, OF THE IDAHO FALLS CITY CODE, ADOPTING THE OCTOBER 2023 EDITION OF THE IDAHO FALLS FORM BASED CODE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City adopted the “City of Idaho Falls Form Based Code” (“Form Based Code”) in 2017 for the downtown area; and

WHEREAS, the Core Plan recommends adoption of a form based code for the South downtown area; as defined in this ordinance

WHEREAS, the October 2023 Edition of the Form Based Code has now been modified and written to accommodate both the downtown and South downtown areas; and

WHEREAS the Form Based Code establishes standards to protect and enhance the unique and historic character of these defined areas; and

WHEREAS, the City desires for the standards, maps, and graphics of the Code to be consistent and clear; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on July 11, 2023, and recommended approval of the Form Based Code; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to adopt the Code on October 12, 2023.

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

**SECTION 1:** City Code Title 10, Chapter 7, Section1, is hereby amended as follows:

**10-7-1 THE IDAHO FALLS FORM BASED CODE ADOPTED:**

(A) The Idaho Falls Form Based Code, October 2023 Edition, is hereby adopted as an official Code of the City.

(B) Code on File. One (1) copy of the Idaho Falls Form Based Code, October 2023 Edition, shall be retained by the City Clerk for use and examination by the public.

**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 \_\_\_\_\_, 2023.

CITY OF IDAHO FALLS, IDAHO

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

ATTEST:

\_\_\_\_\_  
Corrin Wilde, City Clerk

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, CORRIN WILDE, 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 AMENDING TITLE 10, CHAPTER 7, SECTION 1, OF THE IDAHO FALLS CITY CODE, ADOPTING THE OCTOBER 2023 EDITION OF THE IDAHO FALLS FORM BASED CODE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

\_\_\_\_\_  
Corrin Wilde, City Clerk

# Memorandum

File #: 23-288

City Council Meeting

**FROM:** Wade Sanner, Director  
**DATE:** Tuesday, October 3, 2023  
**DEPARTMENT:** Community Development Services

## Subject

Quasi-judicial Public Hearing-Rezone from CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code, Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards on approximately 70 acres generally located between Cliff Street to Pancheri Drive and from the Snake River to South Yellowstone Avenue.

## Council Action Desired

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

1. Approve the Ordinance Rezoning approximately 70 acres generally located between Cliff Street to Pancheri Drive and from the Snake River to South Yellowstone Avenue from CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code, under 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 CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

## Description, Background Information & Purpose

Attached is the application for Rezoning from CC, Central Commercial, HC, Highway Commercial, TN, Traditional Neighborhood, and P, Public to Form Based Code, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards for approximately 70 acres generally located between Cliff Street to Pancheri Drive and from the Snake River to South Yellowstone Avenue. The Planning and Zoning Commission considered this item at its July 11, 2023, meeting and voted unanimously to recommend approval to the Mayor and City Council as presented.

## Alignment with City & Department Planning Objectives





The rationale for rezoning must be 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**

N/A

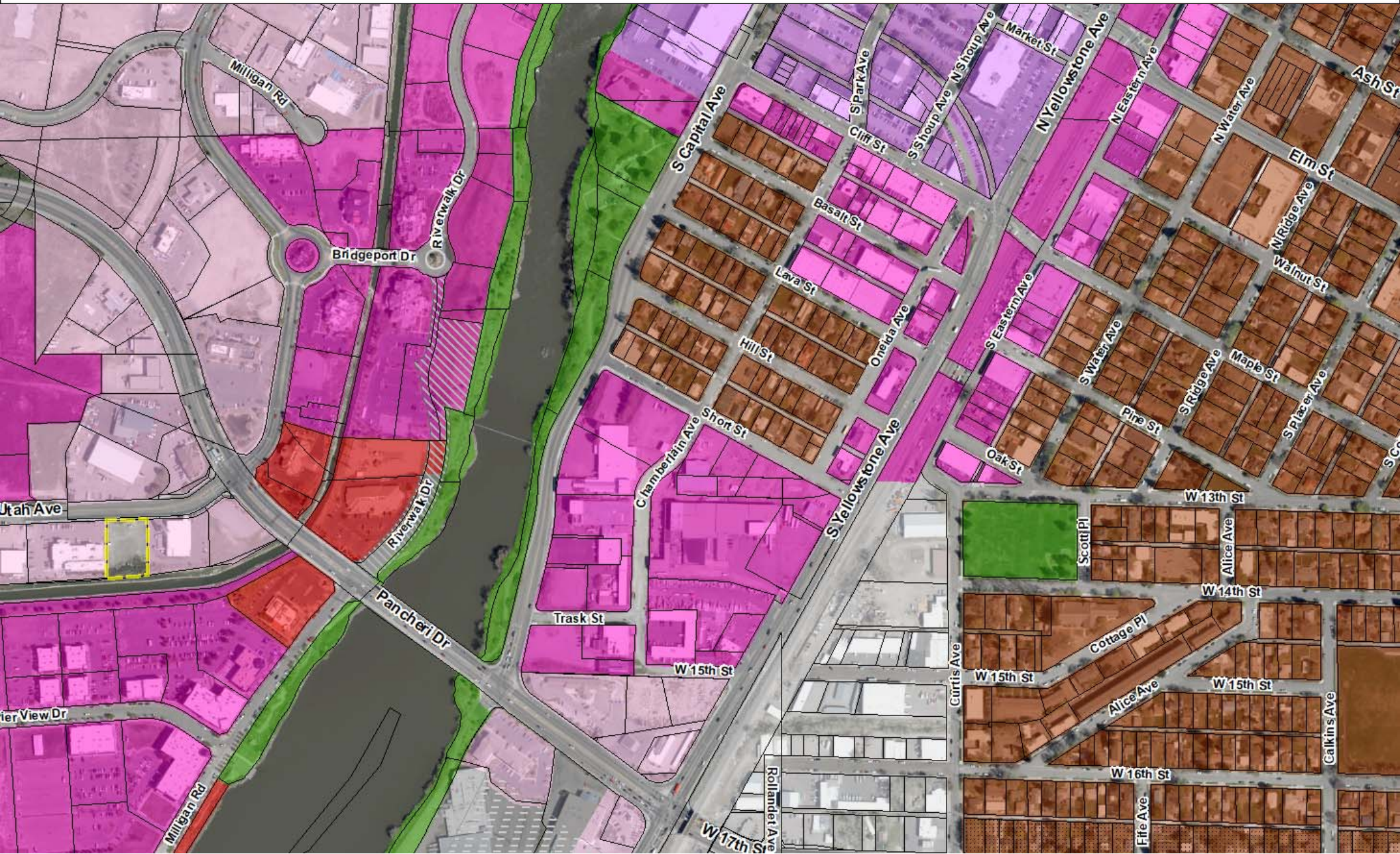
**Fiscal Impact**

N/A

**Legal Review**

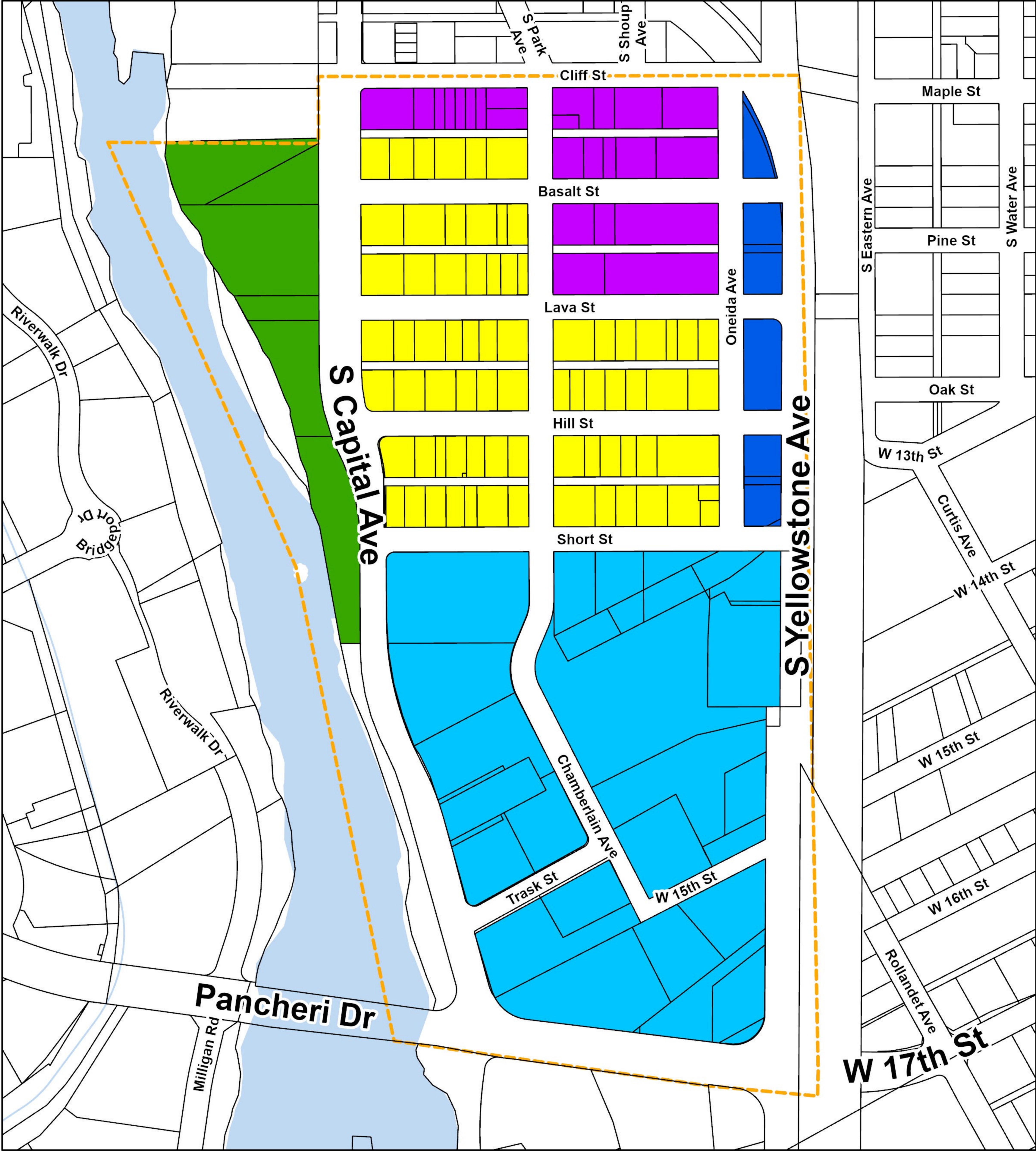
The application and ordinance have been reviewed by the City Attorney's Office pursuant to applicable law.







- South Downtown (SoDo)
- SoDo River Edge
- SoDo Warehouse
- SoDo Business Core
- SoDo Historic Residential
- SoDo Edge B: Highway Frontage Commercial





**STAFF REPORT**  
**REZONE from CC, HC, TN, and P to**  
**Form Based Code for area known as South Downtown**  
**October 12, 2023**



Community  
Development  
Services

**Applicant:**  
Idaho Falls (CDS Dept.)

**Project Manager:**  
Brian J. Stevens

**Location:**  
Generally, from Cliff Street to  
Pancheri Drive and from  
South Yellowstone Avenue to  
the Snake River.

**Size:** Approx 70 acres

**Existing Zoning:**  
Site: CC, HC, TN, P  
North: FBC  
South: HC, I&M  
East: CC, I&M  
West: P

**Existing Land Uses:**  
Site: Commercial, residential  
and Industrial and  
Manufacturing  
North: Downtown  
South: Commercial and  
Industrial and Manufacturing  
East: Commercial and  
Industrial and Manufacturing  
West: Snake River Public

**Future Land Use Map:**  
**Attachments:**  
 1. Subdistrict and Regulating  
Plan Map  
 2. Zoning Ordinance  
Information  
 3. Comprehensive Plan  
Policies  
 4. Maps and aerial photos

**Requested Action:** To **approve** a rezone from CC, Central Commercial; HC, Highway Commercial, TN, Traditional Neighborhood and P, Public to Form Based Code.

**Staff Recommendation:** Recommendation to approve the rezone to align with the adoption of the Form Based Code and the City Core Plan.

**Staff Comments:** One of the projects identified in the City Core Plan was the adoption of a Form Based Code for South Downtown similar to that adopted for downtown. A Form Based Code is intended to protect the character of existing neighborhoods while allowing for some flexibility and redevelopment.

The Form Based Code for South Downtown includes five subdistricts, as shown on the included exhibit map. The subdistricts are used to regulate distinct mixes of building forms and permitted uses.

The River Edge Subdistrict includes that area west of S. Capital Ave. This district is characterized by the Riverwalk and the public and cultural services, including the Art Museum of Eastern Idaho. The code encourages additional enhancement to improve connectivity to the rest of South Downtown.

The Warehouse Subdistrict includes everything South of Short Street. This district includes an opportunity for infill and redevelopment. The code will allow existing and new buildings to work together to create a uniform area. The code also allows for mixed uses that could include ground level shopping and a mix of housing types.

The Business Core Subdistrict includes properties on the South side of Cliff Street and the eastern blocks of Basalt and Lava Streets. This district represents the old Eagle Rock commercial district. The code will attempt to limit the amount of future surface level parking and restore the streetscape.

The Historic Residential Subdistrict includes the oldest neighborhood in Idaho Falls. This area is east of S. Capital Ave., North of Short Stret. The code will protect the historic character of the area and help keep its nature intact.

The Edge B Subdistrict includes those properties fronting on S Yellowstone Avenue, North of Short Street. The district allows for a mix of retail and other uses oriented to the highway corridor.

Adoption of the new zoning designations will not require that properties be modified to meet the new code immediately. Just as with regular zoning the code will allow for nonconforming use and structures to remain. These can continue until they redevelop.

## South Downtown District

### Subdistricts

#### KEY

- Permitted
- Permitted in Upper Stories Only
- ⓘ Permitted with Development Standards
- Requires a Conditional Use Permit

#### Use Category and Subcategory Table

##### Residential & Lodging

	Business Core	Historic Residential	Warehouse	River Edge	Edge B
Residential	●	●	●		●
Short-Term Rental	●	●	●		●
Hotel & Inn	●		●		●
Residential Care	●		●		●

##### Civic

Assembly	●		●	●	●
Transit Station	●		●		●
Hospital & Clinic	●		●		●
Library/Museum/Post Office	●		●	●	●
Mail Service (distribution)					ⓘ
Police & Fire	●		●		●
School	○	○	○		○

##### Retail

Small Scale Retail	●		●		●
General Retail	●		●		●

##### Service

Small Scale Service	●		●		●
General Service	●		●		
Eating & Drinking Establishments	●		●		●
Vehicle Service			ⓘ		ⓘ

##### Office & Industrial

Office	●		●		●
Craftsman Industrial	ⓘ		●		ⓘ

##### Infrastructure

Parking Lot	ⓘ		ⓘ		ⓘ
Parking Structure (Stand Alone)	ⓘ		ⓘ		ⓘ
Utility & Infrastructure	○		○	○	○
Open Space	●	●	●	●	ⓘ

##### Accessory Uses

Home Occupation	●	●	●		●
Outdoor Storage of Goods					
Drive Through			ⓘ		

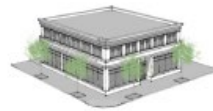
Table 4.2 South Downtown District Uses



Building Types by Districts and Subdistricts										
		Downtown District						South Downtown District		
		Subdistricts						Subdistrict		
		Core A	Historic Center	General	Edge A	Edge B	Edge C	Business Core	Historic Residential	Warehouse District
Building Types	Storefront	•	•	•	•	•		•		•
	General Stoop	•		•	•			•		•
	Mid Scale Shop			•		•		•		•
	Townhome Building	•		•	•		•	•	•	•
	Yard Building						•		•	
	Civic Building	•	•	•		•		•		•
	Limited Bay					•		•		•

• = Permitted

**Storefront Building**



**General Stoop Building**



**Mid Scale Shop Building**



**Townhome Building**



**Yard Building**



**Civic Building**



**Limited Bay Building**

## **Comprehensive Plan Policies:**

**Challenges to Growth (p.56-58):** The cost of maintaining infrastructure, limited natural resources and overall capacity to provide all City services and utilities are immediate issues facing the Idaho Falls area. These all have related land use implications and various growth patterns have consequences. A city's growth policies can lead to sprawling boundaries with more maintenance and service needs than funds available to meet them, overcrowded areas with too little open space, or some balance between the two.

The consumption of land does not in itself speak at all to the resource commitment in streets, utilities, parks and open space, water, sewer, power and emergency services needed to maintain and service it. The Imagine IF policies recommended in this plan attempt to reverse this trend, especially in light of higher-than average population growth rates for the area. Even prior to the Imagine IF initiative, the City made strides to focus on "infill development" (i.e., utilizing undeveloped lands within the City rather than expanding the city's Boundaries). These efforts are working. From 2010 to 2020, the population grew by 14% while the City's boundaries grew by only 15%, compared to 30% in the previous decade.

Idaho Falls must understand the long-term consequences of its land use decisions. It cannot continue to have policies which are overly favorable to large-lot subdivisions requiring new roads and increased city boundaries instead of more compact development that better utilizes existing infrastructure. Being intentional about growth decisions and cognizant of the financial impacts is a protection against high tax growth and the City's capacity to efficiently and effectively serve its citizens.

**Managing Change (p. 58-59):** Although the City needs to rethink how it grows and develops, it must also be cognizant of how change can cause concerns in existing neighborhoods. That is not to say that neighborhoods should never expect to experience changes. Strong Towns, a non-profit planning organization, describes the balance in these terms:

1. No neighborhood can be exempt from change.
2. No neighborhood should experience sudden, radical change.

The policies and actions in this plan are intended to strike this balance. In each area and throughout the city, residents also participated in the planning process they recognized the need for improvements and saw the challenges the city is facing. Each neighborhood has its own challenges and opportunities to be part of the solutions.

Degrees of change:

1. Maintain: Smaller, more incremental changes, mostly reinforcing the exiting scale of an area.
2. Evolve: Opportunities for small-to medium-sized public and private investments or projects. Minor changes in scale. Opportunity sites should be targeted.
3. Transform: Opportunities for larger scale changes, such as a significant increase in scale and possible mix of uses. The changes are more likely to be widespread and not on focused sites.

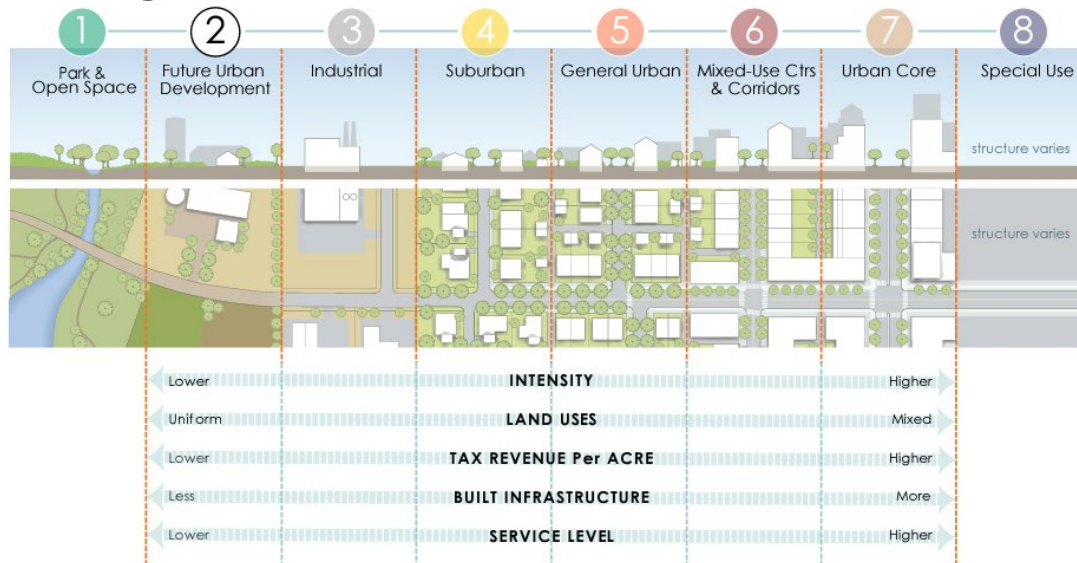
Each of these degrees of change can be found in the Imagine IF plan. Whether it is City-wide code changes, identifying potential walkable centers and redevelopment sites, or thinking about adding benches along pedestrian routes, change is recommended in a variety of ways. The changes are not radical, abrupt changes to Idaho Falls' character. Rather, most are small, incremental changes designed to bring about the vision described by the community during the planning process.

**Urban Transects (p.60-61):** Visualizing and Planning for Land Uses and Service Levels Idaho Falls provides a wide variety of services and infrastructure for its residents, property owners and business community. Services such as water, sewer, power, fiber optics, streets, pathways, parks and recreation centers, police, fire, trash removal, library and transit are all examples of amenities provided and funded

through the City government. Because land uses, activity levels and service demands vary across the City, not every part of the City has the same access to the same services. To be fiscally responsible, cities allocate such infrastructure according to how fully it is needed and how likely to be used, based on present and potential future land uses. By examining an area's current or anticipated use, it is possible to classify the area's level of need for services. Transect designations are applied to the land use map in broad generalized areas and attempting to capture existing patterns and reflect anticipated development patterns.

It is important to understand what the (Comprehensive Plan Land Use) map is and what it is not. The map is general in nature. It is aspirational and not an exact reflection of what will happen in the future. It is also broad and will not fit every situation that may arise as development occurs. When citizens, developers, planners, elected officials and others are looking to answer, "what is expected to happen here?" the map is an aid, not a blueprint. The map in this plan is also not the same as a zoning map. It does not establish development rights. It does not follow property lines. The map guides zoning and development decisions but does not control them.

## Imagine!F Transects



### 7. Urban Core

**Snapshot:** The Urban Core Transect denotes the central area which functions as the City core and areas within or in close proximity to Downtown and South Downtown. The Urban Core also includes legacy residential subdivisions platted in a traditional grid pattern. These subdivisions tend to be characterized by taller structures, mixed-use buildings, pedestrian-oriented movement of people, commercial and entertainment enterprises. All housing types, civic buildings, town squares and transit stations are typical, but vary between neighborhoods.

**Local examples:** Downtown, Original Townsite, Highland Park Addition, Crows Addition, Brodbeck's Addition, Riverside Addition

**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.	Yes
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	It is unlikely that we see a large increase in congestion, over time we may see a reduction as more walkable uses are developed in South Downtown
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	Unlikely that we would see significant impacts to existing public services
The potential for nuisances or health and safety hazards that could have an adverse effect on adjoining properties	Unlikely, the FBC
Recent changes in land use on adjoining parcels or in the neighborhood of the proposed zoning map amendment	2017 Downtown received the FBC
<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 new Form Based Code aligns well with the urban core of the comprehensive plan and is desired by CDS Department
What changes have occurred in the area to justify the request for rezone?	The area has aged and the Form Based Code will both help preserve some of the bones and foster new reuse and redevelopment of the area.
Are there existing land uses in the area similar to the proposed use?	Yes the Downtown has been using its existing FBC since 2017.
Is the site large enough to accommodate required access, parking, landscaping, etc. for the proposed use?	Yes, this is a large section of downtown.

**Transportation Plan:**

See attached FBC. No significant road construction is proposed at time of adoption, though if new construction comes in the future they will be required to follow the FBC.

**Zoning Ordinance:**

See attached FBC. This will change the type of zoning ordinance and the way it is applied for this area.

July 11 2023

7:00 p.m.

Planning Department

Civic Center

**MEMBERS PRESENT:** Commissioners Margaret Wimborne, Arnold Cantu, Dale Storer, Forrest Ihler, Bill Scott, Kristi Brower.

**MEMBERS ABSENT:** Scott Geddes, Glen Ogden, Marsha McDaniel

**ALSO PRESENT:** Assistant Planning Director Kerri Beutler, Planners Naysha Foster, David Peterson, Brian Stevens and interested citizens.

**CALL TO ORDER:** Margaret Wimborne called the meeting to order at 7:00 p.m. Wimborne introduced the new Director of Community Development Services, Wade Sanner, and asked Sanner to take a minute to introduce himself.

Wade Sanner introduced himself. Sanner moved to Idaho Falls from Sheridan, Wyoming. Sanner worked in various places across the County and is originally from Kansas. Sanner is grateful to be here and thanked the Commission for their service to the city.

**MINUTES:** Scott moved to accept the minutes of June 6, 2023; Ihler seconded the motion. The motion passed unanimously.

**Public Hearing(s):**

**2. RZON 23-003: REZON. Adoption of a Form Based Zoning Code for the area Known as South Downtown.**

**Applicant: City- Brian Stevens presented.** Stevens indicated that the South Downtown area is 70 acres. Stevens indicated that Cliff, Pancheri, Yellowstone and South Capital Ave. are inclusive in this area. They want to protect and preserve this area and return it to the glory days of Downtown. Stevens explained form-based code is a method of regulating development to achieve a specific urban form. Looking at the building type and its interface with the street versus the uses of the building. Traditional zoning (Euclidean) focuses on separation of uses. Form based is focused on public realm and cares less about land uses. This tool will protect and enable a desired form. Staff chose to pursue a form-based code in this area after the success of the form-based code in Downtown. The current zoning code does not preserve the uniqueness of South Downtown. Form base code allows for zoning to be adjusted to fit the development pattern of South Downtown. This Code Divides South Downtown into 5 Districts. Provides standards for public spaces. Defines allowed building types. Staff will meet regularly to talk and bring forth adjustments as needed. The Comprehensive Plan supports the form-based zoning code. Stevens feels more form-based code will come to older parts of Idaho Falls to preserve the areas that the public wants to interact with.

South Downtown set on the shelf for a time because of covid and staff changes, but it is now time to push it forward.

Stevens presented the staff report, a part of the record. (25 Slide – Slide Show) Highlighted what parts of the Code will build South Downtown into the already existing Downtown Code.

Scott asked if the boundary of Downtown is contiguous to South Downtown. Stevens agreed that there is no gap between Downtown and South Downtown.



Wimborne asked about the highway frontage is already in the Downtown Code and South Downtown Code is the same. Stevens stated that there is one difference for Yellowstone Ave, with a building type. Wimborne clarified that it is similar and has some uniqueness.

Storer asked if there is a requirement that the Planning Commission recommend the proposed sub districts or is it approved as a whole. Stevens indicated that the objective is to rezone the entire section of town. The motion and action is to approve the Form Based Code which approves the District and the breakdowns. Stevens stated that Downtown has its own Zone overlay, and the South Downtown would have the same overlay that would take people to the Form Based Code. Stevens is asking the Commission to recommend approval of all the Form Based Code as presented. Stevens stated that if there is a need for something different, let them know, and they can work on a shift if needed before it goes to the City Council. The presented plan is what was studied. Storer clarified that he just wanted to know if they could suggest changes and feels it would be helpful for the Commission to have the opportunity to recommend a realignment or change in sub districts in the future, if needed.

Scott asked if the sub districts are separately zoned. Stevens indicated that this supersedes and rezones these areas. The original Euclidean style of zoning would be removed, and Form-Based Code would control the property.

Storer had questions in the Administration Section of SODO (South Downtown) Chapter 10. Storer is intrigued by the Form based code, and one area is still not clear with the build up area. Storer stated that often with a zone change there are non-conforming uses. Storer is bothered by what it is that would trigger a change in use. Storer asked if it is a change in landscape, façade, parking or what would trigger the need to bring the area into conformity. Storer asked if the Johnson Brothers changed from a planing Mill to window wholesale, would that require a new application even though that use had been around for 50+ years.

Stevens stated that they will look at a change of use, and what they want to change on the structure. Staff will look at it and they will want to prevent things that they want in the form-based code from being removed and help bolster the things they want to keep including things for pedestrians.

Storer stated that he doesn't feel it is clear as to what would trigger, and he wants that looked at closer.

Beutler stated that the administrative section has not changed, and it has been utilized with the existing form-based code Downtown. Beutler stated that in dealing with non-conforming uses there are legal non-conforming uses. If the use was established illegally, they are not concerned with that. If it was established legally the code deals with it differently. Non-conforming uses are allowed to continue as it has operated legally since it was established, and the only time they would deal with an adjustment is if the use changed. Like a warehouse turns into a restaurant. Non-conforming structures have a specific section for it. If the façade is going to change, the code states it may have to be brought into compliance. Beutler indicated that they have the goal to deal with new growth and development and preserve the current property rights of the area.

Stevens indicated that the public interaction he's had has been positive in general. Beutler clarified that this is the Code and is not forcing anyone to do anything unless there is a change in use. What is in existence stays.

Wimborne opened the public hearing.

**Millie Batt, 765 South Capital, Mini Bazaar Building, Idaho Falls, Idaho.** Who can she ask the questions to, as she doesn't feel this is the right place. Wimborne suggested having a staff member get in touch with her so she can discuss questions.

Wimborne closed the public hearing.

Ihler likes Form Based Code and wants the entire City to be form based. It makes the area more flexible. Ihler likes it and feels the Form Based Code has been successful in Downtown. Ihler stated that this is the original Eagle Rock Area and the original development of the City. Ihler feels this area has lots of potential. Ihler is in support.

Wimborne asked staff what the biggest challenge for business owners and developers and has the issues been addressed with this Form Based Code. Stevens stated that the form-based code is relatively new, and they do have conversations and they have brought changes to the original Downtown Form Based Code. They deal a lot with the amount of window/glass that is required. No residential on the bottom floor was a big issue, so they made a change to 30'. Stevens acknowledged Foster's help in this process as she deals with the form-based code as it is applied Downtown. Foster stated that the biggest issue has been transparency on the main floor adjacent to the street. Downtown already kind of meets the standards for form based standard and the Euclidian Code has a lot of non-conformances that would be applied to Downtown.

Wimborne is in support of the form-based code and applauds staff on their work in South Downtown.

Ihler asked when the City has to replace a water line or rip up a street, or ITD has to do something along Yellowstone, are they required to bring things to standards of the form-based code. Stevens stated that they will be held to the standards, and there will be flexibility in the area, including a different street format that is more pedestrian friendly. The entities (City, State, County) will work together in compliance.

Scott stated that the warehouse sub district is the place where there could be more opportunity for open space and asked if there are incentives for landowners to commit space to open areas. Stevens stated that they do have a landowner that is interested in building in the area, and the current code they have run into issues with setbacks and getting parking, but the form-based code could help them make the building work. Stevens stated that it is the preference that it would come into the City's control like Civitan Plaza.

**Cantu moved to recommend to the Mayor and City Council approval of the Adoption of a Form Based Zoning Code for the area Known South Downtown, Scott seconded the motion. Wimborne called for roll call vote: Cantu, yes; Storer, yes; Wimborne, yes; Ihler, yes; Scott, yes; Brower, 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 70 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM, CC (CENTRAL COMMERCIAL), HC (HIGHWAY COMMERCIAL), TN (TRADITIONAL NEIGHBORHOOD), AND P (PUBLIC); AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed zoning district of lands described in Section 1 of this Ordinance is being rezoned to “Form Based Code” to remove the zoning of CC (Central Commercial), HC (Highway Commercial), TN (Traditional Neighborhood), and P (Public) for such annexed lands and such zoning is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation of “Urban Core” and consistent with the Core Plan for this area; and

WHEREAS, the proposed zoning of Form Based Code is consistent with the City of Idaho Falls Comprehensive Plan map and policies and land uses in the area; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on July 11, 2023, and recommended approval of zoning the subject property to Form Based Code; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on October 12, 2023.

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 seventy (70) acres, generally located between Cliff Street to Panchari Drive and from the Snake River to South Yellowstone Avenue, as described in Exhibit A of this Ordinance.

**SECTION 2. Zoning.** That the property described in Section 1 of this Ordinance be and the same hereby is zoned “Form Base Code” 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 \_\_\_\_\_, 2023.

CITY OF IDAHO FALLS, IDAHO

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

ATTEST:

\_\_\_\_\_  
Corrin Wilde, City Clerk

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, CORRIN WILDE, 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 70 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM, CC (CENTRAL COMMERCIAL), HC (HIGHWAY COMMERCIAL), TN (TRADITIONAL NEIGHBORHOOD), AND P (PUBLIC); AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.”

\_\_\_\_\_  
Corrin Wilde, City Clerk

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

**REZONING FROM, CC (CENTRAL COMMERCIAL), HC (HIGHWAY COMMERCIAL), TN (TRADITIONAL NEIGHBORHOOD), AND P (PUBLIC), TO FORM BASED CODE, APPROXIMATELY 70 ACRES, GENERALLY LOCATED BETWEEN CLIFF STREET TO PANCHERI DRIVE AND FROM THE SNAKE RIVER TO SOUTH YELLOWSTONE AVENUE.**

**WHEREAS**, the applicant filed an application for a rezone on June 14, 2023; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on July 11, 2023; and

**WHEREAS**, this matter came before the Idaho Falls City Council during a duly noticed public hearing on October 12, 2023; 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 City of Idaho Falls Comprehensive Plan, City of Idaho Falls Zoning Ordinance, City of Idaho Falls Form Based Code Ordinance, City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is approximately 70 acres generally located between Cliff and Pancheri and the Snake River and Yellowstone.
3. The Comprehensive Plan designates this area as urban core.
4. The proposed zoning of Form Based Code is consistent with the Comprehensive Plan map and policies and land uses in the area.
5. The Core Plan recommends adoption of a form based code for the South downtown area.
6. Rezoning the property to Form Based Code will allow the property to be preserved and developed in a more consistent pattern matching what currently exists, helping to preserve the uniqueness and original townsite of eagle rock.
7. Idaho Falls Planning and Zoning Commission recommended approval of zoning the property to Form Based Code.

### **II. DECISION**

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the change of zoning as presented.

PASSED BY CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023

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Rebecca L. Noah Casper - Mayor